City of Mequon

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Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, December 2, 2019
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Mayor Wirth called the meeting to order at 6:00 p.m.

Present:
Chairman John Wirth
Alderman/Vice Chair Robert Strzelczyk
Commissioner Martin Choren
Commissioner James Schaefer
Commissioner Rebecca Schaefer
Alternate Stephanie Hawley
Alternate Gregg Bach
Alternate James Baka
Commissioner Rick Lemke - **Absent**
Commissioner John Stoker - **Absent**

a) Approval of Minutes from November 11, 2019

Action
Ald. Strzelczyk made a motion to approve the meeting minutes from November 11, 2019.
Commissioner Hawley seconded the motion.
A voice vote was taken; vote passed (6-0)

RESULT:	**APPROVED [6 TO 0]**
MOVER:	Robert Strzelczyk, Alderman/Vice Chair
SECONDER:	Stephanie Hawley, Alternate
AYES:	Wirth, Strzelczyk, Bach, Baka, Choren, Hawley
ABSENT:	Lemke, Stoker
NOT PRESENT:	J. Schaefer, R. Schaefer

2) Regular Business

a) City of Mequon Gateway Promenade. The applicant is seeking a building and site plan amendment for the construction of a public facility for the property located at the northeast corner of Cedarburg and Mequon Roads.

Dir. Tollefson stated that the city is bringing forward the Gateway feature to be located at the intersection of Mequon Road and Cedarburg Road. The project was bid twice since last year in November when the Planning Commission originally approved it. The bids came in quite a bit over the expected budget. Since that time members of the community, the M-T Gateway Committee, have been working hard to adjust the plans to fit within the budget. The project is being supplemented by funds from both the Village of Thiensville and the City of Mequon TIF funding. The bulk of the project costs are being raised through private fundraising efforts.

The modifications from the original plan approved by the Commission include the rear portion of the circle feature and the removal of what was a second level that allowed an elevated walkway platform. Thus, all the staircases have been removed from the project plan. The current plan shows the semi-circle and the walkways at grade level. The interior features remain, with seating and an interior wall with the opportunity for plaques and history of the area. The street facing view has not changed at all and there is no change to the overall height of the structure or signage placement.

Connie Pukaite, Chairperson of the M-T Gateway Committee, stated that the M-T Rotary Foundation has now taken over the responsibility of this project. She explained that since the bids came in too high, the committee has worked hard to adjust the plans to move forward because there are donors to satisfy, a design that many expressed an appreciation for and they wanted to do something a little less impactful but expand public accessibility to the site.

Ms. Pukaite explained that Groth Design worked with the committee to add some features; widen the walkway, create a stonewall for sitting, park-like landscaping and a small gravel walkway sloping down toward the Riverwalk. She stated that neighbors were concerned about the original proposal second level, due to massing and light spillage from across the river, which has now been eliminated from the plan.

The Commissioners asked about the height of the structure and the lighting regarding the neighbors' concerns from the previous meeting.

It was explained that the structure is a 15-foot structure and that there will not be light pollution across the river affecting the neighbors. There will be significant lighting in the structure and safety will not be an issue.

Ms. Pukaite stated that the new project cost is about $700,000. The Committee have raised approximately $300,000 from private funding. The City of Mequon will contribute $150,000 and $50,000 will be contributed from the Village of Thiensville. The committee feels confident they will be able to raise the remaining funds needed.

Many of the Commissioners provided feedback that they like the new design and congratulated the Committee on their efforts. There was a suggestion for some more benches to be added for additional seating.

Action
Commissioner Baka made a motion to approve the building and site plan amendment.
Commissioner Bach seconded the motion.
A roll call vote was taken; vote passed (7-1)(No: Choren)

RESULT:	**APPROVED [7 TO 1]**
MOVER:	James Baka, Alternate
SECONDER:	Greg Bach, Alternate
AYES:	Wirth, Strzelczyk, Bach, Baka, Hawley, J. Schaefer, R. Schaefer
NAYS:	Choren
ABSENT:	Lemke, Stoker

b) Lakeside Development. The applicant is seeking sign waiver approval to allow for an off-premises sign for Residence at Foxtown to be placed at the neighboring property located at 6213 Mequon Road.

Planner Vang stated that the applicant is proposing a development sign for the Residence at Foxtown. It will be placed at 6213 W. Mequon Road, which is at the southeast corner of the intersection of Mequon Road and Weston Drive. An off-premises sign requires sign waiver approval from the Planning Commission. The development sign does meet the 32 square foot size requirement. The applicant is proposing a 7-foot-high sign, and staff is recommending they reduce it to meet the 6-foot height requirement. The applicant would like to keep the sign up until all lots are sold; which staff supports. However, construction has not yet started on the site and staff is recommending that the sign not be placed until construction documents are approved. Staff approves the sign at this location due to the site being hidden behind other developments in Foxtown as well as there are no other opportunities to place the sign along Weston Drive. As part of the approval there are requirements that the sign shall be imbedded into the ground and that the landscaping at the base be maintained. Staff recommends approval subject to the conditions in the report.

The applicant was represented by Tom Zabjek, president of Lakeside Development and Timothy Van Harpen, construction manager of infrastructure at Foxtown. Mr. Zabjek questioned the approvals given to other developers in the city as he feels there are inconsistencies in allowable sign sizes.

Planner Vang explained that per the sign code a development or real estate sign can be put up without a sign permit if it meets the size requirements of no larger than 32 sq. ft and 6-ft in height. It can remain up until all the lots are sold or construction is complete. If there are signs that are in violation of the sign code than enforcement efforts can be taken.

Action
Commissioner Choren made a motion to approve the sign waiver per conditions in the staff report.
Commissioner Becky Schaefer seconded the motion.
A roll call vote was taken; vote passed (8-0)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Wirth, Strzelczyk, Bach, Baka, Choren, Hawley, J. Schaefer, R. Schaefer
ABSENT:	Lemke, Stoker

c) Residence at Foxtown. The applicant is seeking development agreement amendment approval for a proposed 23 single-family home development for the property located immediately east of 11050 N. Weston Drive.

Asst. Dir. Zader stated that the Development Agreement (“DA”) was approved in June 2019 and mirrored the standard development agreement language which does not allow construction to occur on the site until final plat approval. The applicant had requested additional spec homes to be constructed prior to final plat approval which was not approved, and the standard 2 spec homes were allowed.

The current standard in the DA requires that the base asphalt course and all other improvements are installed prior to start of construction for any spec homes. The applicant is now requesting 6 homes to be started prior to the installation of the binder course being installed. The standard is to allow for 2 spec homes which will be on a stone base course. Staff supports only 2 spec homes to be started but does support the construction prior to the asphalt being installed.

Staff had several conversations with the developer to better understand how these homes are going to be built based on the size of the lots and the proximity to each other. The applicant also requested that the sidewalks not be required to be installed until after construction of the infrastructure. Staff prefers that all sidewalks be installed at one time.

The applicant, Tom Zabjek, stated that this is a unique project and only having 2 spec homes does not allow for the essence of the neighborhood to be demonstrated. This project is about creating a neighborhood and is different than a single home in a standard subdivision. He explained that based on the size and close proximity of the homes, the 6 requested homes take up less space than building 2 standard homes.

The applicant plans to dig one hole for all 6 homes and each contractor will move down the row as this is the most cost effective for them to do 6 at one time. They are also concerned about the timing and want to get the project started to take advantage of the favorable months to build and sell homes so that this project has the best chance of being successful.

A plan of the project was shown and there was discussion regarding the sequencing plan for the 6 requested homes as well as the construction of the infrastructure of the project. Through the conversation it was discussed that a Fill Permit is required for the excavation of the soil from the site and the applicant should come back before the Commission for this approval next month.

The Commissioners provided feedback that there were several unresolved issues and that the developer should work with staff to resolve the questions and issues discussed and come back next month for approval. It was acknowledged that this is a unique project and that some allowances may be approved but the Commission is also cautious of approvals that will set precedent going forward. Mayor Wirth stated that he believes a policy discussion regarding this issue is necessary.

Action
Commissioner Choren made a motion to table the item.
Ald. Strzelczyk seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**TABLED [UNANIMOUS]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Robert Strzelczyk, Alderman/Vice Chair
AYES:	Wirth, Strzelczyk, Bach, Baka, Choren, Hawley, J. Schaefer, R. Schaefer
ABSENT:	Lemke, Stoker

d) ICAP Development. The applicant is seeking a consultation for a proposed Credit Union for the property at 10945 N. Port Washington Road.

The applicants were represented by Jerod Protasky with ICAP and Abby Sivwright with LaMACCHIA Group.

Asst. Dir. Zader stated that the applicant is seeking a consultation for a financial institutional for a property recently rezoned to a PUD. Usually there is not this level of detail at a consultation, but the applicant is not allowed to come forward with a building and site plan until some issues with the land division are resolved and they wanted meaningful feedback from the Commission so that they can move forward. The applicant wants feedback from the Commission specifically regarding the site layout and the architecture of the building.

The site plan shows the financial institution in the middle of the site. There would be an access from Port Washington Road as well as one at the rear of the site. The overall concept is similar to what was approved for the PUD concept plan. One issue to consider is that the site is overparked for a financial institution in terms of square footage; although employee numbers have not been submitted at this point. The applicant is showing a 10-foot width parking stall and typically on less intense uses a 9-foot stall is allowed. This may help reduce impervious surface and help increase the green space ratio. The six parking stalls in the back of the site could be eliminated if the number of overall parking spaces needs to be reduced.

The green space ratio needs to be met for the entire PUD site; it does not need to be met for this specific site. Any reduction would need to be made up on another site so it so advised that the applicant strive to be as close to the required ratio as possible. Staff is supportive of this project as most other requirements are met.

There were pictures of recent branches submitted as well as renderings of the proposed building in the packet. Overall staff is supportive of the building design but suggests several architectural improvements that can be made. One item is to add windows on the front brick façade and possibly a small sized sign there. Additionally, the cedar wrapped posts should be carried out throughout the project. The applicant stated there will be additional screening/shading on the front façade and that will need to be included on the official building and site plans once they are submitted.

Another issue is the electronic message sign shown on the proposed plan. The sign code does not currently allow for electronic sign message boards at financial institutions. They have the right to ask for a waiver. The Mayor requested this item be added as a policy item to discussed by the Commission later at tonight's meeting.

The Commission provided mixed opinions about adding windows to the front brick façade. There was support for the cedar columns but not the mixing of materials (aluminum and cedar). Overall, the Commission supports the architecture, but they would like to see some additional design feature improvements and some fenestration on the front. There is support for this type of use at this location.

There is no action taken on this item this evening.

3) Policy

a) Sign Code discussion related to changeable electronic message signs

Asst. Dir. Zader stated that the ordinance regarding electronic signs is included in the packet and lists the uses allowed: mostly public services and churches. Pictures of some of the message sign boards in the city were included in the packet; there are a total of 5 in the city. Other requirements are that the message must switch out every 30 seconds and that no flashing lights or animation is allowed. There is a size requirement of the message board compared to the overall sign.

There was discussion among the Commissioners on various issues relating to the electronic signs. Overall the Commission supports the current policy of public service institutions and churches being allowed to have these signs, but they are not supportive of other users being permitted. Issues discussed were unwanted advertising, no control over the signs/messages, technology changing so quickly/cost and that information is easy to obtain by other means.

In conclusion, the Commission does not recommend any changes to the current policy and does not support granting a waiver.

b) Policy Subcommittee Update

Dir. Tollefson stated that the Policy Subcommittee starting meeting in August and there was consensus to focus on the Port Washington Road corridor in its entirety. They have begun with the area from Highland Road to Pioneer Road and have studied issues in this area. There have been members of the public at each of their monthly meetings who are interested in discussion of this area. Most of the work led up to the Land Use Plan Open House in November in which about 150 community members attended and participated in a mapping exercise. The Subcommittee did a debriefing after the Open House to gain a high-level understanding where consensus may exist, but have not yet formed recommendations at this point. Their efforts will now shift to the rest of the Port Washington Road corridor; County Line to Highland Road, and a similar deep analysis of that area will be done. A few more focus groups will be conducted and then the Subcommittee will look at the corridor as a whole; zoning, new zoning districts, types of uses, building site design, infill versus green development and streetscaping. The timeline for 2020 will result in recommendations from the Subcommittee to both the Planning Commission and Common Council in late summer/early fall. There will be continued updates so that both decision-making bodies can provide feedback throughout the process.

Dir. Tollefson explained that the TID districts will be analyzed to further explore possible opportunities in these areas.

Mayor Wirth stated to the Commission that every Commissioner is welcome to be a part of the Subcommittee, to attend the meetings and to participate.

There was conversation about the proposed I-43 expansion and implications to the city; including the possibility of the extension of sewer service. This issue needs to be further explored before any decisions will be made.

4) Announcements

a) 2020 Meeting Calendar

5) Adjourn

Action
Commissioner Choren made a motion to adjourn the meeting.
Ald. Strzelczyk seconded the motion.
A voice vote was taken; vote passed (8-0)

Respectfully Submitted,

Jac Zader