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Department of Community Development  
Taped and Televised

**PLANNING COMMISSION  
Regular Meeting  
Monday, December 2, 2024  
6:00 PM  
Christine Nuernberg Hall**

**Minutes**

**1) Call to Order, Roll Call**

**Present:**

Chair Andrew Nerbun  
Alderman Robert Strzelczyk  
Commissioner Bruce Barnes  
Commissioner Martin Choren  
Commissioner Rebecca Schaefer  
Commissioner John Stoker  
Commissioner Nancy Urbani  
Commissioner Stephanie Hawley - **Absent**

**a) Approval of Minutes from 10.21.24**

**Action**

Ald. Strzelczyk made a motion to approve the October 21, 2024, meeting minutes.  
Commissioner Urbani seconded the motion.  
*A voice vote was taken; vote passed (7-0)*

|                  |                                                              |
|------------------|--------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [7 TO 0]</b>                                     |
| <b>MOVER:</b>    | Robert Strzelczyk, Alderman                                  |
| <b>SECONDER:</b> | Nancy Urbani, Commissioner                                   |
| <b>AYES:</b>     | Nerbun, Strzelczyk, Barnes, Choren, Schaefer, Stoker, Urbani |
| <b>ABSENT:</b>   | Hawley                                                       |

## 2) Consent

- a) I-Mequon 1 LLC for ICAP Development. The Applicant is seeking minor request for sign waiver approval to allow for a monument sign to be built prior to development of the site located at 10931 N. Port Washington Road and for off premises signage to benefit 10921 N. Port Washington Road.
- b) Mark Hilgendorf for Trinity Lutheran Church. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 11450 N. Wauwatosa Road.
- c) Pointe Real Estate. The applicant is seeking final plat approval to allow for Phase 1 of the Swan Ridge Farms subdivision consisting of a total of 41-lots for the lands immediately south of and west of 10129 N. Swan Road.

### Action

Commissioner Stoker made a motion to approve the three items on the Consent Agenda.

Ald. Strzelczyk seconded the motion.

*A voice vote was taken; vote passed (7-0)*

|                  |                                                              |
|------------------|--------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [7 TO 0]</b>                                     |
| <b>MOVER:</b>    | John Stoker, Commissioner                                    |
| <b>SECONDER:</b> | Robert Strzelczyk, Alderman                                  |
| <b>AYES:</b>     | Nerbun, Strzelczyk, Barnes, Choren, Schaefer, Stoker, Urbani |
| <b>ABSENT:</b>   | Hawley                                                       |

## 3) Public Hearing

- a) Victory Homes of Wisconsin for Brian & Carolyn Timmis. The applicant is seeking conditional use grant approval to allow for a guest house for the property located at 3131 W. Donges Bay Road.

Commissioner Stoker recused himself.

### Action

Commissioner Choren made a motion to open a public hearing.

Ald. Strzelczyk seconded the motion.

*A voice vote was taken; vote passed (7-0)*

### **Public Comment**

No public comment

### Action

Commissioner Choren made a motion to close the public hearing.

Commission Schaefer seconded the motion.

*A voice vote was taken; vote passed (7-0)*

Assistant Director Jac Zader stated that this request is for a guest house on an R-2 zoned property which requires a conditional use grant. The only unresolved issue is the warming drawer which staff consider a stove/oven and request that it be removed from the submittal. Other than this one issue, staff recommend approval.

The applicant explained that the warming drawer is not for cooking but for keeping food items warm at the pool house. They specifically designed the plan without a stove for cooking.

Asst. Dir. Zader cautioned the Commission that some warming drawers can be used like a slow cooker and that this issue is really an interpretation of the code, but cautioned that approving this could be a slippery slope for future submittals.

The Commission discussed this issue and there was consensus that the warming drawer should be allowed with the condition that it shall not exceed a specified temperature.

**Action**

Ald. Strzelczyk made a motion to approve the CUG with the condition that the warming drawer does not exceed 200 degrees.

Commissioner Choren seconded the motion.

*A voice vote was taken; vote passed (6-0)*

|                  |                                                      |
|------------------|------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED WITH CONDITIONS [6 TO 0]</b>             |
| <b>MOVER:</b>    | Robert Strzelczyk, Alderman                          |
| <b>SECONDER:</b> | Martin Choren, Commissioner                          |
| <b>AYES:</b>     | Nerbun, Strzelczyk, Barnes, Choren, Schaefer, Urbani |
| <b>ABSENT:</b>   | Hawley                                               |
| <b>RECUSED:</b>  | Stoker                                               |

b) Neil Fleischhacker for Eastwood Nest LLC. The applicant is seeking conditional use grant approval to allow for warehousing for the property located at 6300-6320 Eastwood Court.

**Action**

Commissioner Schaefer made a motion to open a public hearing.

Commissioner Stoker seconded the motion.

*A voice vote was taken; vote passed (7-0)*

**Public Comment**

No public comment

**Action**

Commissioner Schaefer made a motion to close the public hearing.

Commission Stoker seconded the motion.

*A voice vote was taken; vote passed (7-0)*

Asst. Dir. Zader stated that this is a fire restoration business in an existing multi-tenant building. There are no outstanding conditions or issues with the proposal with the clarification that there shall be no outside storage. Staff recommend approval.

### **Action**

Commissioner Stoker made a motion to approve the conditional use grant.

Commission Choren seconded the motion.

*A voice vote was taken; vote passed (7-0)*

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|------------------|--------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [7 TO 0]</b>                                     |
| <b>MOVER:</b>    | John Stoker, Commissioner                                    |
| <b>SECONDER:</b> | Martin Choren, Commissioner                                  |
| <b>AYES:</b>     | Nerbun, Strzelczyk, Barnes, Choren, Schaefer, Stoker, Urbani |
| <b>ABSENT:</b>   | Hawley                                                       |

- c) Ozaukee Washington Land Trust. The applicant is seeking conditional use grant approval for a nature preserve and minor request approval to allow for a parking lot for the property located at 4513 W. Bonniwell Road (Spirit Lake).

### **Action**

Commissioner Choren made a motion to close the public hearing.

Commission Schaefer seconded the motion.

*A voice vote was taken; vote passed (7-0)*

### **Public Comment**

Bob & Jean Buege - 4800 W. Bonniwell Road - live directly across the street; opposed to the hunting but not the parking lot. They have had bb's hitting their home on multiple occasions. They believe there should be signage and a limit on the number of people allowed to hunt at a time as this is a safety issue.

Ald. Strzelczyk, as the alderman for this district, stated that he will advocate for signage to be added to acknowledge the buffer zone.

Asst. Dir. Zader stated the local regulation allows for small game and deer to be hunted on this land.

Kevin White - 4900 W. Bonniwell Road - not opposed but he is concerned about the parking lot. He is not in favor of a gravel parking lot and wants more information on how it is going to be regulated (hours of operation, garbage). The parking lot is proposed to be directly in front of several homes along Bonniwell.

Scott Siefert - 4823 W. Bonniwell Road - his property is located in Spirit Lake. He is supportive of the parking lot as there are cars constantly parking along the side of the road in this location which tears up the ditches. He is somewhat conflicted about this proposal as he supports the walkers and the access to Spirit Lake but is not necessarily supportive of hunting in this location.

He has had several incidents in which his house is peppered with bullets, but he does not always call to report this to the police.

Kevin Kwiatkowski - 13425 N. Laurel Lane -he lives adjacent to Spirit Lake. He is concerned with the safety of the cars parked along Bonniwell Road as it blocks traffic traveling there. He is concerned about the control and maintenance of the parking lot.

David Sedlacek, who works for OWLT, stated that they wish some things about hunting could be changed but it is managed locally. He explained that the parking lot will be checked weekly for garbage and the end of the access lane will be gated to prevent vehicular traffic from entering the preserve.

### **Action**

Commissioner Choren made a motion to close the public hearing.

Commission Schaefer seconded the motion.

*A voice vote was taken; vote passed (7-0)*

The Commission discussed issues including the ditch needing repair work on Bonniwell Road where cars have been parking along the road, the hours of the parking lot vs. the hours of the nature preserve, signage that should be installed, garbage can requirement for the parking lot and possible changes to the existing hunting permissions and a date to review.

Asst. Dir. Zader stated that the police department reiterated that a permit is needed to hunt, no rifles are allowed and they did not communicate that there have been issues or concerns from the residents in the area.

Ald. Strzelczyk expressed his concerns about the public feedback from the neighboring residents and he wants to ensure that this area is safe for everyone to enjoy. He believes a full review of the safety concerns needs to be done. He does support the proposed parking lot.

The Mayor summarized feedback from the Commission discussion and identified the following issues to be addressed:

- Review by Public Safety Committee, within 3 months, of safety concerns including police reports (results may trigger modifications to the CUG conditions).
- “No Parking” signs along Bonniwell Road shall be installed.
- Signage for users entering the park to be located in the parking lot (hunter obligations, “permitted only”, and passive uses).
- “No Discharge” signs shall be installed on the north side of the property.
- Review conditions of the parking lot, including garbage, 12 months after approval.

### **Action**

Commissioner Barnes made a motion to approve the CUG including the conditions outlined above and the staff conditions in the report.

Ald. Strzekecyk seconded the motion.

*A roll call vote was taken; vote passed (7-0)*

|                  |                                                              |
|------------------|--------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED WITH CONDITIONS [7 TO 0]</b>                     |
| <b>MOVER:</b>    | Bruce Barnes, Commissioner                                   |
| <b>SECONDER:</b> | Robert Strzelczyk, Alderman                                  |
| <b>AYES:</b>     | Nerbun, Strzelczyk, Barnes, Choren, Schaefer, Stoker, Urbani |
| <b>ABSENT:</b>   | Hawley                                                       |

#### 4) Regular Business

- a) Christian Life Church. The applicant is seeking building and site plan amendment approval to allow for a renovation and an approximately 17,512 sq. ft. addition to the existing church building including a new canopy and drop-off drive for the property located at 2909 W. Mequon Road.

#### Public Feedback

Lewis Chamoy - 11000 Sabra Court - stated that his home is located behind the church and he is concerned about the construction traffic and wants confirmation that he will have continuous access to his residence and that the driveway will remain clear.

Asst. Dir. Zader stated that this is part 1 of a 2-part request. This is for a building and site plan amendment for a 17,512 sq. ft. addition to the church to include a new worship space, new entrance and a canopy. The addition will be located in the back of the building. There will be loss of a few parking spaces.

Staff are concerned about the use of precast without any windows on the southwest elevation. Staff recommend additional windows on the north elevation of the building. Wall packs need to be full cut off. Staff recommend approval per the conditions in the staff report.

Staff confirmed the wetlands on the site will be avoided per the proposed construction plans.

The applicant explained that the current sanctuary faces the east and the new addition is attempting to control light issues there and that is the reason for the lack of windows on the north elevation.

#### Action

Commissioner Stoker made a motion to approve the item per staff conditions, the driveway (Sabra Court) shall remain unimpeded during construction with full access for the residence to the south.

Commission Choren made a friendly amendment to eliminate the condition to require windows on the southwest elevation due to the unique use of the building and lighting affecting the altar.

Ald. Strzelczyk seconded the motion.

*A voice vote was taken; vote passed (7-0)*

|                  |                                                              |
|------------------|--------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED WITH CONDITIONS [6 TO 0]</b>                     |
| <b>MOVER:</b>    | John Stoker, Commissioner                                    |
| <b>SECONDER:</b> | Robert Strzelczyk, Alderman                                  |
| <b>AYES:</b>     | Nerbun, Strzelczyk, Barnes, Choren, Schaefer, Stoker, Urbani |
| <b>ABSENT:</b>   | Hawley                                                       |

- b) Christian Life Church. The applicant is seeking rezoning recommendation from R-3 to IPS zoning with PUD (Planned Unit Development) overlay approval to allow for an addition to the existing church to include future parking and garage for the property located at 2803 W. Mequon Road.

Asst. Dir. Zader stated the CSM was recently approved to combine the 2 parcels into 1. Staff supports the rezoning but as a protection for the neighbor to the east, it can only be used as a church facility with a PUD over the site and no other IPS uses are allowed. The applicant did submit a plan of how they plan to use the site including an extension of the parking lot and a plan to replace the storage building where the new addition is going.

### **Public Feedback**

Beverly Welke - 2737 W. Mequon - wants to know if the parking lot could be to the edge of her property line and what type of lighting and location of lighting will be in the parking lot.

Asst. Dir. Zader stated that the plan is showing a future parking lot, which they can change. There are protections such as full cut off lights with no trespass requirements and the applicant will need Planning Commission approval, so the Commission can add landscaping and buffering requirements can be added at that time.

### **Action**

Ald. Strzelczyk made a motion to approve the item per staff conditions, with the condition that landscaping and lighting concerns of the neighbor are considered at future approvals.

Commission Stoker seconded the motion.

*A voice vote was taken; vote passed (7-0)*

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|------------------|--------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED WITH CONDITIONS [7 TO 0]</b>                     |
| <b>MOVER:</b>    | Robert Strzelczyk, Alderman                                  |
| <b>SECONDER:</b> | John Stoker, Commissioner                                    |
| <b>AYES:</b>     | Nerbun, Strzelczyk, Barnes, Choren, Schaefer, Stoker, Urbani |
| <b>ABSENT:</b>   | Hawley                                                       |

## **5) Announcements**

- a) 2025 Meeting Calendar

Please review the 10 meeting dates for 2025.

The next meeting is Monday, January 27, 2025 at 6:00p.m.

**6) Adjourn**

**Action**

Commissioner Schaefer made a motion to adjourn  
Commission Urbani seconded the motion.  
*A voice vote was taken; vote passed (7-0)*

The meeting concluded at 7:28 p.m.

Respectfully Submitted,

*Jac Zader*