City of Mequon

Virtual Meeting
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Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, December 14, 2020
6:00 PM
Virtual Meeting

Minutes

1) Call to Order, Roll Call

Present:
Chair John Wirth
Alderman Andrew Nerbun
Commissioner Greg Bach
Commissioner Dan Gentges
Commissioner Rick Lemke
Commissioner Rebecca Schaefer
Commissioner James Schaefer
Commissioner John Stoker
Alternate Stephanie Hawley
Commissioner Martin Choren - **Absent**

Mayor Wirth reminded the participants about the protocols for the teleconference.

a) Approval of Minutes

Action
Commissioner Stoker made a motion to approve the November 23, 2020 meeting minutes.
Commissioner Bach seconded the motion.
A voice vote was taken; vote passed (8-0)

2) Public Hearing/Consent

a) St. John's Properties, Inc. for Mequon Joint Venture. The applicant is seeking conditional use grant approval to allow for a fitness center for the property located at 6140 West Executive Drive, Suite I (Sanfilippo Baseball).

Action
Commissioner Jim Schaefer made a motion to open a public hearing.
Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (8-0)

Action
Commissioner Stoker made a motion to close the public hearing.
Commissioner Jim Schaefer seconded the motion.
A voice vote was taken; vote passed (8-0)

Action
Commissioner Stoker made a motion to approve items 2(a) and 3(b).
Commissioner Bach seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Stoker
SECONDER:	Greg Bach, Commissioner
AYES:	Wirth, Nerbun, Bach, Gentges, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren

b) Rock of Ages Milwaukee Memorials for Lumen Christi. The applicant is seeking conditional use and building and site plan approval to allow for a proposed 10' x 10' private mausoleum for the property located at 2723 W. Mequon Road (Balistreri Mausoleum).

This item was removed from the Consent Agenda.

Action
Commissioner Bach made a motion to open a public hearing.
Commissioner Gentges seconded the motion.
A voice vote was taken; vote passed (8-0)

Ms. Wilke was called on to speak but was not present on the call.

Action
Commissioner Jim Schaefer made a motion to close the public hearing.
Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (8-0)

Planner Vang answered the public feedback questions submitted to the Planning Commission:

1. There are mausoleums at other cemeteries in Mequon.
2. Mausoleums are allowed as conditional use grants (CUG) in IPS zoning districts.
3. All mausoleums require CUG approval from the Planning Commission.

Action
Commissioner Becky Schaefer made a motion to approve this CUG request.
Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	James Schaefer, Commissioner
SECONDER:	Gregg Bach, Commissioner
AYES:	Wirth, Nerbun, Bach, Choren, Gentges, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren

3) Regular Business/Consent

a) The Victory Company. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located immediately east of 4000 W. Scenic Avenue.

Commissioner Stoker recused himself from this item.

Action
Commissioner Jim Schaefer made a motion to approve this item.
Commissioner Bach seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	James Schaefer, Commissioner
SECONDER:	Greg Bach, Alternate
AYES:	Wirth, Nerbun, Bach, Gentges, Hawley, Lemke, J. Schaefer, R. Schaefer
ABSENT:	Choren
RECUSED:	Stoker

b) Mequon I, LLC/VH Mequon II, LLC. The applicant is seeking final plat and street tree approval for Phase I of The Enclave II subdivision. The first phase includes 14 single-family lots for the property located at 10565 N. Wauwatosa Road.

Action
Commissioner Stoker made a motion to approve items 2(a) and 3(b).
Commissioner Bach seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	Greg Bach, Commissioner
AYES:	Wirth, Nerbun, Bach, Gentges, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren

c) Kapur and Associates for Mequon Thiensville School District. The applicant is seeking building and site amendment plan and fill permit approval to allow for 2,800 C.Y. of fill for a 2,800 sq. ft. addition for the property located at 11036 N. Range Line Court (Lake Shore Middle School).

Consent items 3(c) (Lake Shore Middle School) and 3(d) (Steffen Middle School) were removed from the Consent Agenda.

Asst. Dir. Zader stated that this is a request for building and site plan approval for Lake Shore Middle School and Range Line. He showed the proposed site plan with an addition to be located off the back of the school, which is 600 feet from any adjacent residential structures. The site plan improvements include cutting off the connection between the Lake Shore and Range Line parking lot. There is a proposed circular connection in the front of the property with access to Range Line Road and islands will be added to the parking lot in front of the school to enhance the parent pick area so that it is safer for the students and for vehicles.

He explained that the issue of the mechanicals screening that was addressed from the architect and the applicant is requesting that instead of the metal wall panel screening they would like the equipment to be painted to match the existing building. This is not typically allowed as the mechanicals are required to be screened. In this case, as it is roughly 600 feet from the nearest property, it will not have much public visibility and an exception could be made.

The other issue to be discussed is the electronic message sign requested by the applicant. The property signs are currently located in the city's ultimate right-of-way as the property line goes to the center line of the road. In order to comply with the 10-foot offset required by the sign code as well as the special provision for electronic message signs to be 100 feet from a neighboring property, these signs do not comply as proposed. The Range Line sign does have room to be moved back and in doing so, would meet both of the requirements; it would be pretty close to the circular drive area. The Lake Shore sign would be very difficult to be moved back as it is already located in their parking lot and it would be very disruptive to the traffic flow to be pushed back further into the parking lot. Staff recommends that the Range Line sign be made to conform to the code requirements and the Lake Shore sign can remain as it is. They need a right-of-way waiver from the City in case Range Line Road ever gets widened and the right-of-way is needed; they would need to relocate the sign at their own expense. The proposed plan currently shows a precast base of the sign and staff recommends it be more of a brick pattern to match the existing building per the sign code, for both the Lake Shore Middle School and Range Line signs.

The applicant, represented by Charlie Robinson from UEA, stated the monument signs have been designed for the two middle schools on the agenda this evening as well as the three elementary schools which will be submitted to the Planning Commission for approvals next month. The monument sign design is the same for all the buildings in the district to achieve a consistent and recognizable appearance for the public. The applicant is asking for the approval for the signs to remain as designed. He explained that it is an added expense to add brick to the sign's foundations in both materials some weatherproofing needed to protect the brick.

Mr. Robinson additionally stated that the roof screens are an exorbitant added expense that would cause the project to pivot the purpose of improved mechanical systems, interior finishings and enhancements, acoustical ceilings, wall panels and interior spaces to the cost of the required roof screens. The applicant requests that painting of the mechanicals be allowed per the language in the code. The applicant believes the money is much more useful spent on the items listed above rather than the mechanical screening.

Mayor Wirth asked for clarification regarding the request from staff and what is done in practice for mechanical screening and the language in the code allowing the mechanicals to be painted. Asst. Dir. Zader stated that this has been in practice for a very long time and that the Commission has historically favored actual screening, as opposed to painting of the mechanicals as it is believed to be more aesthetically appealing. He commented that the Commission does have discretion regarding this issue as with other aesthetic treatments to buildings. He stated that the addition is well hidden from the public view, a good distance from the property to the north and has no sight line to Range Line Road. For these reasons, he explained that this is a situation where staff would be supportive of the mechanicals being painted instead of requiring panel screening.

Mayor Wirth also asked the applicant how much of an expense the screening would cost. Mr. Robinson said that the combined costs for both Lake Shore and Steffen Middle Schools to provide the screening would be a six-figure number.

Mayor Wirth stated that having uniformity among the signage makes some sense, although the decisions made by staff and the Commission tend not to deviate from the sign code and do not typically allow the type of change being requested by the applicant. He questioned whether there is precedent for this request, as he would like consistency among the decisions made and not leniency given just because it is the school district asking for this approval.

Asst. Dir. Zader stated that there is not a lot of precedent for this type of request. He added that among the schools; Wilson, Range Line, Lake Shore, Donges Bay and Steffen, all have a similar color to their building brick pattern. Homestead already has a different electronic message board which does not match the proposed sign design and Oriole Lane is the only school that has a different brick color (red) that wound not match. He believes that consistency could be achieved by having a little brick around the signage itself while maintaining consistency with the rest of the sign via font, language and the board itself. He stated that consistency can be gained while still adhering to the intent of the code by having a base that is architectural compatible with the buildings.

The Commission provided feedback that there is a preference to have the brick around the foundation of the signs match the buildings per the code. Due to the addition being in the back of the building and out of view of the public and due to the excessive cost, the Commission supports the painting of the mechanics instead of requiring panel screening.

Action

Commissioner Stoker made a motion to approve painting of the mechanics, denial of the precast signage foundations, brick foundations matching the school buildings is required and subject to the conditions in the staff report.
Commissioner Jim Schaefer seconded the motion.
Roll call was taken; vote passed (8-0)

RESULT:	**APPROVED WITH CONDITIONS [8 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	James Schaefer, Commissioner
AYES:	Wirth, Nerbun, Bach, Gentges, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren

d) Kapur and Associates for Mequon Thiensville School District. The applicant is seeking building and site plan amendment and fill permit approval to allow for 9,800 C.Y. of fill for a 3,000 sq. ft. addition for the property located at 6633 Steffen Drive (Steffen Middle School).

Asst. Dir. Zader stated that the addition to Steffen Middle School is also located in the back but there is a little view of the mechanics from the apartments to the west. The sign is located along the right-of-way in the front, it does not meet the 10-foot setback requirement and there are some condominiums directly across the street. If the sign is moved back to meet the required setback, it will be approximately 130 feet from the condos. The site plan shows a change to the parent pick up area which moves it to the west side of the building instead of the front of the building. Over the years there has been traffic stacked up on Steffen Road in both directions during peak times, making it difficult for other traffic movement in that area. The move to the west side allows for amble queuing and there is a traffic study included in the packet which dictates that the applicant is meeting the majority of the requirements. The only issue that the Commission needs to decide on is that the parking lot needs to go further to the west and the applicant is asking for a reduction to a 15-foot setback instead of the required 20-foot setback. A four to five-foot retaining wall will be required as there is significant grade change there. Staff is supportive but requests some landscaping treatment, on the retaining wall to help shield it from the neighboring property. The addition will not be visible from the road, but it will be visible from the neighboring property to the west.

The applicant, Charlie Robinson from UEA, stated that their request has slightly changed to requesting approval to paint the mechanics, but to provide a roof screening panel only on the west side in an effort to prevent direct views from the apartments directly to the west of the school.

Mayor Wirth inquired whether in addition to the aesthetics, if rooftop screening aids in preventing noise from traveling to neighboring properties. Asst. Dir. Zader answered that depending on the type of equipment, sometimes the screening helps prevent the noise but other times the noise bounces off the panels and jumps over the screening and can land further away.

He commented that the proposed addition is about 180 feet to the nearest property and that this proposal provides screening on the west side for both aesthetics as well as helping alleviate noise to the residences on the west side and will help keep the cost down by only having one side screened.

Mayor Wirth asked about vegetation under the transmission lines and what would be appropriate there. Asst. Dir. Zader replied that there is not an easement indicated on the survey and that the ATC requirement falls on the neighboring property. There is a 14-foot height restriction and Asst. Dir. Zader believes some low growth product would work in that area.

Mayor Wirth and staff both believe the change to the parent pick up area will be a positive impact on the traffic in the area. There will be a series of two gates that will control the flow of traffic entering and exiting the school property. Mayor Wirth asked the school officials to monitor this new traffic pattern area until it is running smoothly. Dr. Joynt confirmed that operations recommendations were part of the TADI report and that school staff will be following the operating recommendations as recommended.

Action
Mayor Wirth made a motion to approve subject to staff recommendations, requiring the rooftop screening only on the west side, the mechanics to be painted, denial of the precast signage foundations; brick foundations matching the school buildings is required.
Commissioner Becky Schaefer seconded the motion.
Roll call was called; vote passed (8-0)

RESULT:	**APPROVED WITH CONDITIONS [8 TO 0]**
MOVER:	John Wirth, Chair
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Wirth, Nerbun, Bach, Gentges, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren

4) Regular Business

a) John Mikkleson. The applicant is seeking an approval for a waiver to the Standard Specifications for Land Development to allow for the construction of a shared driveway instead of the required private road for the property located at 12501 N. Lake Shore Drive.

Dir. of Engineering Lundeen stated that the Standard Specifications for Land Development dictate that when both by length of the driveway and number of lots, a number of lots may be served either by a private driveway or by a private road. The main difference being that private roads are required to meet the city's minimum number of technical standards which generally includes both a drainage component and a minimum width. She explained that historically the issue has been with respect to emergency management and access to the parcels. In this case, the applicant has requested a waiver to that requirement, not the least of which is to reduce the impact on the environmental features including wetlands. Staff does support the request in this case because these are previously platted lots that were divided prior to the implementation of what is now the Standard Specifications for Land Development.

Asst. Dir. Zader explained that this parcel was originally owned by one owner with 7 different lots associated with it. The front house was previously sold off, which left the rest of the vacant land. There are a lot of wetlands on this site and the plan is to reconfigure the lots and reduce the number of lots to four building sites (as shown on the site plan included in the packet). The plan is for a driveway to come in through the existing property, there is already an existing easement for it, and the driveway will serve the four lots to the back of the parcel. They will need to fulfill all the DNR requirements for wetlands fill and crossing the wetlands, meet setback requirements and soil tests. He commented that this is a unique site and this request is only for the waiver. The applicant can develop the parcel without coming back in front of the Commission for other approvals.

The applicant, John Mikkleson, stated that they want to do the private driveway as there is less asphalt, which minimizes the stormwater impact, there is less visual impact from the existing homestead and private driveways have previously been done in Mequon over 500 feet.

There was some explanation about public feedback that was submitted to the Commission of the driveway being only 3 feet from a neighboring residence. It was explained that there is more flexibility to reduce the profile and keep it further away from the property line in question by making it a private driveway as opposed to a private road.

Action
Commissioner Stoker made motion to approve the item per staff recommendations.
Commissioner Jim Schaefer seconded the motion.
A roll call was called; vote passed (7-1) (No: Becky Schaefer)

RESULT:	**APPROVED [7 TO 1]**
MOVER:	John Stoker, Commissioner
SECONDER:	James Schaefer, Commissioner
AYES:	Wirth, Nerbun, Bach, Gentges, Lemke, J. Schaefer, Stoker
NAYS:	R. Schaefer
ABSENT:	Choren

b) Wagner Excavating. The applicant is seeking minor request approval for fill in excess of 1,000 cubic yards for a bluff revetment project for 11 properties located between 1000-10120 N. Sheridan Drive.

Dir. of Engineering Lundeen specified that the request is only for the fill as it relates to the material that would be placed on the Bluff, as the City does not have the authority to regulate the revetment project itself. In this case, the revetment project either includes new bluff erosion measures or the amendment to existing bluff amendment measures over11 properties. Conditions of approval will include the submittal of a haul route and road bond to ensure that the roads are protected. Staff supports for the fill permit request.

Action
Commissioner Stoker made motion to approve the item per staff recommendations.
Commissioner Lemke seconded the motion.
A roll call was called; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	Rick Lemke, Commissioner
AYES:	Wirth, Nerbun, Bach, Gentges, Lemke, J. Schaefer, R. Schaefer, Stoker
ABSENT:	Choren

c) Mequon Medical. The applicant is seeking building plan approval for a 29,000 sq. ft. +/- outpatient medical clinic for the property located at 1310 W. Highland Road. Based upon updated information regarding the relocation of the Sugar Maple tree, this has been added to the agenda for possible reconsideration (REMOVE FROM TABLE).

Mayor With stated that there are two parts to this motion which will be discussed separately; the building plan which was previously tabled, and staff has updated information regarding the Sugar Maple tree.

Action
Commissioner Jim Schaefer made motion to remove the item from the table.
Commissioner Lemke seconded the motion.
A voice vote was taken; vote passed (8-0)

Asst. Dir. Zader stated the building plan was tabled at the last meeting and since then the applicant met with both of the Commission architects several times to work on the design of the building. Commissioner Choren is not present at the meeting this evening but communicated his support for the proposed plan along with support from Commissioner Jim Schaefer and staff.

The applicant, John Ford with Mequon Medical, thanked the Commissioner architects for their time and input in making changes to the building design.

Action
Commissioner Jim Schaefer made a motion to approve the building plan per staff recommendations.
Commissioner Stoker seconded the motion.
A roll call was called; vote passed (7-1) (No: Bach)

Asst. Dir. Zader stated that at the request of the Mayor, this item was added to the agenda for reconsideration; it will take a motion and approval from the Commissioners that voted approval at the previous meeting to be reconsidered.

After the meeting the applicant communicated that the cost to relocate the tree will cost between $23,000 - $35,000 with a survivability percentage of around 50%. There is also concern that there are some fiber optics underneath the tree that may already be intertwined with the root ball as well as concern from the contractor that spading the tree may cause it to be lifted into the powerlines which would then need to be shut down for a few hours while this takes place. The applicant offered that due to the high cost to relocate the tree and the low survival probability, that the tree be removed and 2 new trees approximately 7-8” in diameter will be added in the outlot in front of the building. Staff is supportive of the proposed changes.

Action
Mayor Wirth made a motion to reconsider the item.
Commissioner Lemke seconded the motion.
A voice vote was taken; vote passed (8-0)

City Forester Mike Gies stated that he believes the relocation would have been very difficult and the survivability would probably be lower than 50%.

The applicant, Mr. Ford, stated that both new trees will be approximately 7” in diameter, similar in type and color and will be placed in the outlot.

Feedback from the Commission expressed support for the applicant due to the expense to relocate the tree as well as the belief that it would not survive being relocated. They support the offer from the applicant to provide the two replacement trees in the outlot.

Action
Mayor Wirth made motion to approve the removal of the existing Sugar Maple and replace it with two new 7” trees in the outlot.
Commissioner Lemke seconded the motion.
A roll call vote was called; vote passed (7-1)(No: Bach)

RESULT:	**APPROVED [8 TO 1]**
MOVER:	James Schaefer, Commissioner
SECONDER:	John Stoker, Commissioner
AYES:	Wirth, Nerbun, Gentges, Hawley, Lemke, J. Schaefer, R. Schaefer, Stoker
NAYS:	Bach
ABSENT:	Choren

d) Lakeside Development Company for RDC Investments. The applicant is seeking a consultation for a proposed 13,500 sq. ft. addition to the existing building for the property located at 10235 N. Port Washington Road.

Planner Vang stated that this is a proposal for a 13,500 sq. ft. addition to the existing building. The owner is RDC Investments, but many residents know it as Midwest Labs. This is only a consultation tonight, there will be no action taken, the applicant would like feedback from the Commission as there are a few issues to discuss.

She explained that the addition will exceed the floor area ratio (FAR), as the requirement is 30% and the addition would be at 39%; however, they would maintain a 38% open space ratio which exceeds the 30% zoning requirement. Additional parking is not being added as the addition is for data storage only and no additional employees will be added. Due to the size of the proposed building at 35,850 sq. ft., this could be a concern for a new user to the building and this issue will need to be addressed. Staff noted in the staff report that the Commission may choose to require a deed restriction regarding the type of user that would be allowed for this building to a similar type use or one with limited parking needs. The engineering portion of the staff report addresses the wetlands on site and a wetland delineation will be required as it appears that the addition may encroach the wetlands or at least the wetland setback. Planner Vang stated that resident feedback was provided to the Commission prior to the meeting which relates to noise complaints for the site from the outside generators, although there are not any current open violations. There are not any additional generators proposed for the addition, although there will be rooftop cooling units for the equipment within addition. The main concerns relate to exceeding the FAR and setting a precedent. The open space ratio being met is a benefit and the fact that the addition wraps around the generator has potential to minimize noise from the generator. If the project is approved, staff will continue to work with the applicant to address any ongoing issues.

Public Comment
James Erlandson, 10326 N Westport Circle, Vice-President of Cedar Ridge Condominium Subdivision, stated that he is not supportive of the proposed addition because he believes it will decrease their property values, have a negative impact on their quality of life and leave a legacy of a building that is only useable for a single user. He stated that RDC Investments did not contact the Condo Assoc. in 2018 when adding 7 additional rooftop generators and a diesel backup generator. He stated there is constant noise from these generators throughout their subdivision. He explained that there is a test run of the diesel backup generator that runs 15-45 minutes every week that shakes the ground and emits an ear-piercing noise. There have been several complaints to the city, and he stated that the noise is still present. He also commented that Fish Creek will be negatively impacted from generator run-off. They do not support this proposal due to the FAR being exceeded, the proposed deed restriction, the single user building as well as the ongoing noise complaints. They do not feel RDC Investments have been a good neighbor.

The applicant was represented by Brian Scheive from Lakeside Development and Mike Weber, the owner of the building. Mr. Scheive stated that the red-orange masonry will be matched, and the height of the addition will be the same as the existing building. The addition will not require any additional backup generators, but it will necessitate typical rooftop units as seen on large commercial buildings.

Mr. Weber stated that he has owns the building and the business there is Integrated Systems Corporation (IS Corp). He explained that the business is a cloud which stores data for banks, hospitals and school districts. Due to Covid, they have experienced a huge surge in their existing customers requiring more contiguous floor space. They have contracts for that building in excess of 10 years for large medical facilities and they intend to be in the building for a long time. They are looking for feedback from the Commission as they are anxious to move forward with their addition in order to better serve their customers.

A Commissioner questioned Mr. Weber about the noise concerns and what they have done regarding this issue. He explained that power generators were added to the exterior of the building. He commented that they use some sound attenuation panels and tested the sound. The city has also been out to the site to test for the sound. Mr. Weber stated that he reached out to the city and was told that there are no outstanding noise complaints. He also explained that Lab Midwest is a small office tenant in the front of the building, renting about 2,000 sq. ft., and is not associated with his business in the back of the building.

There was discussion about whether the new addition would help to mitigate the noise. Mr. Scheive stated that the new building mass would surround 3 sides of the generator and he believes would help to buffer the noise. He also offered that sound attenuation shrouds can be added to the rooftop units, which currently do not exist as well as sound attenuation panels could also be added around the generator.

The applicant stated that 4-6 new rooftop cooling units will be required for the addition. Mr. Weber offered that these units can be located on the existing building, further east, closer to Port Washington Road. They have already installed sound attenuation panels on the west side of the generators, but they are willing to place panels all around the generators. He explained that these panels absorb the sound; and do not reflect it.

The Commission expressed concern about the building addition encroaching on Fish Creek as it sometimes floods, and this could cause problems downstream. It was recommended that this issue be addressed before asking for future approvals.

Asst. Dir. Zader stated that there are a few issues to be addressed:

- The FAR being exceeded – this is not typical on a legally sized lot in a zoning district. This deviation is not typically been approved.
- They have a CUG because the building already exceeds the B-3 zoning district threshold of 20,000 sq. ft. They are able to ask for the addition due to the CUG being in place.
- This is a balancing act between supporting an existing business that is growing but is requesting allowances not typically granted.
- The noise issue has been ongoing and needs to be addressed.

He advised the Commission to consider answering these questions and providing feedback to the applicant so that they can decide how to move forward:

1. Is the Commission comfortable allowing the FAR requirement to be exceeded?
2. If yes, what additional standards above and beyond have already been approved in terms of the noise, should be included. The level is currently at a 65 decibel, he suggested that this could be a lower number.
3. Although not typical, sound attenuation could be required for the rooftop units.
4. He suggested a sound study be required prior to any construction.

Mayor Wirth commented that both the FAR and open space requirements are required to be met per the zoning codes and he would like to know other times that a waiver has been granted for these variances. He did add that some of the noise concerns may be able to be alleviated through this approval process. He advised the applicants that the burden is on them to show why the requested waiver is beneficial to the community and not just to their business (ie, noise concerns will be addressed, more beautification to the back of the building facing the neighbors). He is weary of waving the FAR requirement.

Mr. Weber stated that he has made a significant investment to that site and it is not easy for him to relocate. The main fiberoptic highway goes right down Port Washington Road and AT&T/Lumen have equipment in his building and the main part of their internet goes through his building. It is critical for him to be able to grow his business in this location.

e) Anderson Ashton Design/Build for 10448 N. Port Washington Road. The applicant is seeking a consultation to convert an existing 62,00 sq. ft. industrial building into self-storage for the property located at 10448 N. Port Washington Road.

Asst. Dir. Zader stated that this building has had multiple developers/users meet with staff over the years about possible new businesses for this site. There seems to be more interest in it now that the majority of the tenants have vacated. Previously there have been other interests for this building to be used for storage and staff would like to gauge the feedback for this type of use from the Commission.

This specific proposal is for the entire building to be used for storage including a small addition of 5,600 sq. ft. Due to the storage use, the parking lot would be substantially reduced from about 100 parking spaces down to 9 parking spaces, which would increase the green space ratio and would be beneficial in terms of the site coming into compliance. The PUD from 2014 did not anticipate an addition to this building and the FAR was already over for the site. At the time, it was agreed that the building on the southern piece could not exceed 13,000 sq. ft. in order to keep the green space ratio in accordance with the code. The proposed mezzanine will also cause the FAR to be more out of compliance and this issue will need to be considered.

He explained that the property is zoned B-4 (Business Park), which is probably not the most appropriate zoning for this location, and it does not allow storage (categorized as warehousing). It would need to be rezoned to B-2 (Community Commercial) or B-5 (Light Industrial) zoning, although the thought is that the Commission would not support B-5 zoning at this location and it would need to probably be rezoned to B-2 zoning. In all previous discussions with potential applicants inquiring about storage at this location, staff has been steadfast that some type of commercial or service use should be established on the Port Washington Road side of the building and the building could not be full storage. This proposal includes some architectural design on the front of the building by the use would be full storage.

Additionally, the Economic Development Board has been studying the land uses in this area and believes this area would be ideal for entertainment, a hotel, a restaurant or multi-family use. There is some concern if this parcel is to be rezoned before the work from the EDB has been completed. This property is part of the TIF District #5, which was intended for redevelopment of some of the older buildings in this area. There is a strict formula for how the TIF works and this building, being so large, does not meet the fast-track formula making it worthwhile to tearing it down, unless there was a substantial amount of density with regard to residential or some hotel type of use.

Asst. Dir. Zader stated that some of the proposal improvements include refacing the building, added signage and use of fiber cement to cover up some of the panels. Staff believes this is a short-term solution and prefer having the building razed for some other type of use which may be more compatible with the area.

He stated that the Commission should consider the following issues/questions:

1. Is the use of storage acceptable in this location given all the history and other factors mentioned?
2. Is there a better use long term, possibly with the building razed?
3. Although it cannot occur right now under the fast-track formula, the TIF could be amended to allow for a different incentive package that could help entice other development there.

The applicant was represented by Brian Fisher from Anderson Ashton Design/Build, and Michael Kelly as well as representatives from Founders and Colliers. Mr. Kelly stated that this is a very difficult property, given its age, massing and prohibitive demolition cost; they feel their proposal for redevelopment is the highest and best use for this property. They are proposing class A self-storage, which will be almost entirely climate controlled. He stated this type of storage is in high demand and not readily available. He explained the plan includes many aesthetically pleasing architectural details, much needed glass, modernizing the yellow and brown color scheme and bringing more green space to the parcel. He explained that the parking lot can be reduced because the plan includes an interior drive aisle and cars will not be parking outside the building.

Mr. Fisher showed renderings of their proposal and explained that it is currently an unsightly building and loading dock. The loading dock will be replaced by a high-level speed door that is glass and goes up in 2 seconds and comes down in 6 seconds. He stated the traffic impact will be minimum as this type of facility typically has 3-6 users an hour. They may decommission some of the rooftop mechanics as they are not required for this type of use. The 5,600 sq. ft. addition is necessary for storage of boats and RVs; which are not allowed to be parked outside in Mequon. The mezzanine will add about 45,000 sq. ft. and it is occupiable space. There will only be about 1,200 sq. ft. of office space and the rest will be for storage. He stated that this is a highly desirable use for this community as it is safe for users and a high-quality product.

There was discussion regarding whether the glass entry door could be moved to the side of the building instead of remaining in the front of the building. Mr. Kelly answered that entering on the west side and exiting on the east side and utilizing the drive aisle, enables all storage users to get to their space without walking further than 120 feet. It was asked whether there could be turn around internally; but he answered that it takes up too much space.

Mayor Wirth provided feedback that he does not like the white color on the proposed building rendering. He prefers earth tones that match most of the buildings along Port Washington Road. He commented that the proposed building is better than what has been there over the past several years.

The Commission asked whether the glass door could be recessed so that it would be somewhat less impactful. The applicant replied that he believes the recessed door is unsightly but offered that the door could be further inset.

There was some feedback from the Commission that storage would be a welcome use in the community and mixed response on whether this is the most appropriate location. There were several comments that the proposal for a much more appealing building may be a better option than waiting for something long term to possibly come along; as this property has been on the market for many years.

The applicant stated that they appreciate the feedback but would like feedback on approving the exceeded FAR due to the mezzanine that will be built as well as the 5,600 sq. ft. exterior storage addition for the RV and boat storage. This will be tucked into the notch in the back of the property; there is a tree line buffer there that shields this area from public view.

Asst. Dir. Zader stated that due to the feedback from the Commission supporting this use, the issue of the FAR needs to be discussed. He explained that if the mezzanine space needs to be included the FAR would go up dramatically, in the 60%- 70% range. He commented that it will not be notable because it will be added in the interior within the same building space/massing. The south section of the parcel was discussed in relation to these issues and some decisions around these issues need to be made. There was some support for exceptions to be made for this property in an effort to allow the project to move forward and be redeveloped. The asphalt on the west side of the building was also addressed and could be considered for removal.

Mayor Wirth recommended that the applicant reach out to the neighboring properties for their feedback and he commented that he believes that this is an intriguing proposal to a building that needs improvements.

5) Announcements

a) 2021 Meeting Calendar

6) Adjourn

Action
Commissioner Stoker made motion to adjourn the meeting.
Commissioner Jim Schaefer seconded the motion.
A voice vote was taken; vote passed (8-0)

The meeting adjourned at 8:32 p.m.

Respectfully Submitted,

Jac Zader