

**CITY OF MEQUON
WISCONSIN
PLANNING COMMISSION MINUTES
May 11, 2015**

Commissioners present: Mayor Dan Abendroth, Alderman Rob Strzelczyk, Becky Schaefer, Brian Parrish, Pat Marchese, John Mason, Jim Schaefer, David Fuchs, Alt. LeRoy Bessler,

Staff members present: Jac Zader, Asst. Director of Community Development
James Keegan, Engineering Services Manager

Minutes of the meeting held on Monday, April 13, 2015 at 7:00 p.m. in the Common Council Chambers, Mequon City Hall, 11333 N. Cedarburg Road. [Note: Planning Commission meeting was audiotaped.]

- 1. a. Call to Order, Roll Call
- b. Approval of the April 13, 2015 Planning Commission meeting.

Action:

Commissioner Mason moved to approve the April 13, 2015 minutes.
Alderman Strzelczyk seconded the motion to approve the minutes.

A voice vote was called. All voted aye, 8-0.

Consent
Regular Business

2. WE Energies

Address: 11050 N. Industrial Drive Tax Key: #14-027-01-001.00 District: #4 Zoning: TC

Request:

- 1. Temporary Use Permit

Briefing: The applicant is a temporary use permit for the property located at 11050 N. Industrial Drive.

3. Thomas Olejniczak for 11301 Northport, LLC (c/o Colbalt Partners)

Address: 11301 N. Port Washington Rd Tax Key: #15-019-16-024.00 District: #5 Zoning: B-5

Request:

- 1. Site Plan Amendment

Briefing: The applicant is site plan amendment for the property located at 11301 N. Port Washington Road.

4. Herb Larsen

Address: 7560 W. Freistadt Road Tax Key: #14-015-11-021.00 District: #3 Zoning: R-2B

Request:

1. Certified Survey Map

Briefing: The applicant is seeking a certified survey map for the property located at 7560 W. Freistadt Road.

Action:

Commissioner Mason moved to approve the consent items.
Commissioner Fuchs seconded the motion

Discussion:

Commissioner Becky Schaefer asked if there had been any neighbor complaints regarding increased traffic or noise in reference to WE Energies (item #2). She also asked about the setback affecting the wetlands behind/north of the Starbucks (item #3). She asked James Keegan, Engineering Manager, about the increased impervious surface causing any water issues for surrounding neighbors/businesses.

Asst. Dir. Zader stated that WE Energies has been operating at this location since October and there have not been any complaints. Regarding the Starbucks location, he stated that there is a wetland area; basically a small lake north of the property. The applicant is asking for a reduced setback since there is nothing adjacent to it or near it. There is 10 foot setback for the existing dumpster there as well. Staff is supportive of this request.

Mr. Keegan stated that there is an error on the staff report: it states that there is 1 acre additional impervious surface. It is actually .26 acres, so it is a much smaller area. Starbucks is under the .5 acre of additional impervious surface which requires a storm water management plan. This is a minimal impact.

Action:

A voice vote was called. All voted aye, 8-0.

Regular Business

5. Prodigy Lighting & Sign LLC for Heino Omdahl

Address: 11210 N. Port Washington Road Tax Key: #15-020-11-300 District: #5 Zoning: B-2

Request:

1. Sign Waiver

Briefing: The applicant is seeking sign waiver approval for the property located 11210 N. Port Washington Road.

Discussion:

Asst. Dir. Zader stated this is a sign waiver request for the Mobil gas station located on the corner of Port Washington Road and Mequon Road. The proposed signs would be on the south and west elevations. Originally the applicant had requested up to 6 illuminated signs on the canopies. The applicant agreed to reduce the amount to 2 non-illuminated signs after receiving non-supportive feedback from staff. This would be similar to the Kwik Trip signage that was recently approved. If this is a standard condition that the Planning Commission (PC) would like to see, the sign code could be amended to allow the canopy signs in accordance with these last two approvals. Staff is supportive of the location of the two canopy signs.

The applicant is also requesting some blue and white banding on the canopies to trademark their Mobil brand. Typically this is approved at staff level but if staff does not agree with the applicant, the issue will come before the PC for approval. While staff appreciates the applicants desire to promote their brand, staff is not supportive of the blue banding as it does not fit the character or design of the building. Staff is looking for some direction from the PC as to

whether this is appropriate and then staff can continue to work with the applicant going forward.

The applicant, Wayne Palmer from Prodigy Sign stated that banding is necessary because as of now the only way to know that it is a Mobil station is by the monument sign. There is no signage anywhere on that building that says Mobil. The pumps are blue and white and this would blend in and not be intrusive.

Commissioner Becky Schaefer asked why the station was developed without the blue and white originally.

Mr. Palmer answered that he feels that this issue just was not approached at the time the station was built. He added that there is no way to identify this as a Mobil.

Asst. Dir. Zader stated that there were major renovations done four years ago on the building and this seems like an after thought.

Ald. Strzelczyk asked what other gas station banding and branding are present in Mequon.

Asst. Dir. Zader stated that it varies from station to station. It is mostly based on when the stations were approved to what branding/banding is out there. Recently the PC has wanted less advertising and less color on canopies. The canopy that is there now is a tan-brown that matches the building color.

Commissioner Parrish stated that he is ok with the band but not with amending the sign code, he would like to have PC approve case by case.

Commissioner Mason asked staff if a thinner band would be approved.

Asst. Dir. Zader stated that placing a vinyl strip over the sheet metal that exists is not going to look like it was part of the original design. If a different material or more substantial one was used, it would look better.

Commissioner Jim Schaefer agrees with staff, he feels that the vinyl will not look good or enhance the canopy at all.

Commissioner Bessler asked if the band would also include the Mobil decal on all the signs. He also asked about the quality of the band. He stated that he feels that the blue band makes the decal more prominent.

Mr. Palmer explained that the band would be aluminum on two sides with sealed edges and will look like it is made to be there. The product has been used in the market over 30 years, but over time in the sun, it could fade. It is not vinyl, they use die bond.

Commissioner Fuchs stated that the blue band stands out. He feels that the signs on the canopy are appropriate and adequate for signage. The gas station has not had signage thus far. He supports omitting the blue band.

Ald. Strzelczyk asked about the height of the canopy and the sealing of the seams. He is not supportive of the white striping because he feels that it minimizes the look. He would be more supportive of a white Die Bond with a blue cast vinyl strip all the way around to have a more continuous look. He is supportive of the canopy signs. He feels that the branding on that corner would be beneficial.

Action:

Alderman Strzelczyk moved to approve the request for the two canopy signs.

Commissioner Fuchs seconded the motion.

A voice vote was called. All voted aye, 8-0.

Asst. Dir. Zader stated that staff can work with the applicant to finalize the banding; with feedback and direction from the PC. Staff is not comfortable with the colors of the banding.

Commissioner Mason stated that he feels that color is very important to a retailer. He feels that the color definitely

represents the gas station brand.

Asst. Dir. Zader answered that there are no colors currently on the C-store, the car wash or the canopies. Staff is not comfortable with any of the color changes to the canopy. If there are some colors or accents made to the C-store or building to blend with that, that may be more acceptable. What the applicant has presented is not acceptable to staff.

Commissioner Marchese stated that there was a lot of work from previous PC on that corner. It is a very important corner in Mequon. He would like to see the colors left as they are and he feels that staff is capable of making the decisions.

Mayor Abendroth stated that if they had submitted for the colored canopies when they originally built this site it would have most likely been approved. He does not agree with any color being added to the building but he feels that adding color to the canopies makes sense for the applicant.

Commissioner Bessler stated that he agrees with the Mayor. He feels that there is no impact from that site and that the branding will help their brand.

Asst. Dir. Zader stated that staff will work with the applicant based on the feedback provided from PC.

6. Dana Meadowcroft for Brixmor SPE I, LLC

Address: 10902-11116 N. Port Washington Road Tax Key: #15-029-06-007.00
District: #8 Zoning: R-2

Request:

1. Master Sign Plan Amendment

Briefing: The applicant is master sign plan amendment for I-43 signage for the Pavilions shopping center for the property located at 10902-11116 N. Port Washington Road.

Discussion:

Asst. Dir. Zader stated that this is a master sign plan amendment for the Pavilions shopping center for I-43 signage. Back in 2012, the portion of their sign plan request for signage on I-43 was not approved. At the time they were requesting box signage; up to 4 box signs along I-43. PC did not feel that box signs were appropriate. The Common Council (CC) had just approved changes to the sign code which did allow signage along I-43 but the condition that CC placed was that all signage must have a halo glow look to them. The applicant is back again to seek master sign plan amendment to allow signage along I-43. This time they are requesting typical channel letter signs instead of halo glow signs. Their signage plan reads that any tenant that has frontage along I-43 would be allowed a sign facing I-43. Staff has requested a comprehensive plan; to see what a full build out signage plan would look like. Staff did not receive this. Staff feels uncomfortable to approve the master sign plan until staff knows what the full context would be in terms of signage. Staff feels that CC was fairly adamant about the halo glow look and wanting a softer look along I-43 and a consistent look. All three signs that have been approved along I-43 do have the halo glow look. Staff does not see a reason to deviate from this look. Staff is recommending denial of the master sign plan amendment request until staff can review a full signage plan for the entire Pavilions along I-43 and staff is committed to the halo glow look of the nighttime illumination.

The applicants: Dana Meadowcroft, leasing representative for the Brixmor property group
Richard Kos from Midwest Sign and Lighting
Joe White, Vice-President of property management, Brixmor property group

Mayor Abendroth restated that the CC wanted halo glow illumination when they approved the I-43 signage and PC will most likely supportive that condition. He asked the applicant if they were requesting approval for signage for every tenant and also asked what it would look like.

Ms. Meadowcroft answered that they would like to receive approval for every tenant space that faces I-43. She stated the likelihood that every tenant would want I-43 signage is unlikely. They have supplied samples of their anchor and junior anchor tenants signage as these are the tenants they would expect to utilize the I-43 signage. She would like to be able to offer this to the smaller tenants but she said many would not be able to afford the cost associated with adding the additional signage. They have proposed the channel lettering but they feel that the halo glow from a visibility standpoint is far less prominent. The front face is more prominent and is much easier to read when cars are driving by at a very fast speed.

Mr. Kos added that many of the anchor tenants want to get their branding and their logo seen. Their national brand which is often identified by the color will not be seen with the halo lit because the color will not be on it.

Mr. White added that they would like the front door signs and the rear signs to match and to be easily identified.

Mayor Abendroth stated that he can understand the major tenants having signs but he would like to visually see a picture of what it would look like before approving a master sign plan.

Ald. Strzelczyk asked about the maximum amount of tenant spaces to be considered for signage approval.

Ms. Meadowcroft answered that as of today there are 23 tenants, but that number can change.

Ald. Strzelczyk stated that the multitude of 20 signs would be a blur of light and the branding effect and the value gets lost among too many signs. He is supportive of the channel letters or halo lit signs. He suggested that only the anchor tenants should have signage facing I-43. If the number of signs is reduced, he is ok with colored signs but if there will be many signs, he prefers that they remain more neutral. He has received feedback from residents that the signage on the front is more bold than expected.

Commissioner Becky Schaefer has also received feedback from residents that the blue color on the front signs look like they are all Marshalls signage.

Commissioner Parrish stated that he supports having the anchor tenants have I-43 signage as long as the threshold amounts of signs are a reasonable amount.

Commissioner Fuchs stated that he would like to see a rendering before making a decision.

Commissioner Mason asked the applicant if they would be comfortable setting a limit on the number of tenants allowed to have I-43 facing signage.

Ms. Meadowcroft answered that she would most likely be agreeable to that idea.

Action:

Commissioner Becky Schaefer moved to approval staff recommendation to deny the master sign plan until further detailed renderings are submitted.

Commissioner Mason seconded the motion.

Asst. Dir. Zader inquired whether the PC wanted to advise the applicant about the required condition of using a halo glow illumination versus channel lettering.

Mayor Abendroth stated that the CC wanted halo glow when they approved signage on I-43 ordinance.

Asst. Dir. Zader stated that if PC approved the use of channel lettering than the CC would have the opportunity to call up this item to revisit the decision as part of the text that was created as part of the master sign plan. So it may not be a final decision if PC approves channel lettering, the CC would most likely overrule the decision based on the code.

Commissioner Marchese stated that he supports the CC code language and feels that the PC should be consistent and rule accordingly.

Action:

Ald. Strzelczyk moved to recommend that this item be tabled until next month when more detailed information and a

drawing could be submitted. He advised that the focus should be on the anchor tenants and a reduction of tenants allowed signage.

Commissioner Fuchs seconded the motion to table.

Asst. Dir. Zader stated that staff can work with the applicant based on PC feedback.

A voice vote was called. All voted aye, 8-0.

7. Richard Kos for Midwest Sign and Lighting, Inc.

Address: 10330 N. Port Washington Rd. Tax Key: #15-107-01-14-001 District: #7 Zoning: B-2

Request:

1. Sign Set Back Waiver
- 2.

Briefing: The applicant is seeking approval for a set back waiver for a free standing sign for the property located at 10330 N. Port Washington Road.

Discussion:

Asst. Dir. Zader stated that this request is to replace the existing Quiet House sign with Baymont Inn and Suites signage. The Quiet House sign does not comply with the 10 foot setback and the applicant is requesting a waiver to allow keeping the sign in the same spot but it would only be 4 feet off the property line. The driveway there makes it almost impossible to meet the 10 ft setback. Staff is supportive of reduction in the setback and of the waiver itself. Staff is requesting feedback from the PC regarding the issue of design. The applicant is requesting a skin over the post. In accordance of the ordinance the base of the sign is suppose to match the materials on the building. Staff is recommending that the base be made of the same brick as used on the building.

The applicant, Richard Kos stated that the front of the building is wood sided and that the brick is visible from the parking lot only, not from the road.

Mayor Abendroth inquired if brick accents could be added to the bottom of the sign.

Mr. Kos answered that there a few different ways to achieve that; cultured stone that matches the building could be added.

Ald. Strzelczyk asked if the new sign was the same height as the existing sign. He also asked about the materials of the sign used.

The applicant answered that the height is the same. The south bound traffic can hardly see the base and the north bound traffic can see the base if they are looking for it. It is not a highly visible sign/base.

Ald. Strzelczyk stated that he is supportive of the sign. He is supportive of the base as long as it matches the gray of the building. He likes the closed base better than the metal poles.

Commissioner Jim Schaefer stated that he could support the metal base or wrapping it. He does not like the wood siding.

Commissioner Fuchs favors the brick base, it looks more permanent.

Action:

Ald. Strzelczyk moved to approve the signage as shown with the waiver for the setback.

Commissioner Parrish seconded the motion.

A voice vote was called. All voted aye, 7-1. (No: Becky Schaefer)

8. Lumen Christi Church

Address: 2640 W. Mequon Rd.

Tax Key: #15-019-11-00-200

District: #2

Zoning: IPS

Request:

1. Building and Site Amendment

Briefing: The applicant is seeking building and site plan amendment approval for the property located at 2640 W. Mequon Road.

Discussion:

Asst. Dir. Zader stated the applicant is back for phase II of their master plan which includes the addition of classrooms and a gymnasium. This part of the property is zoned IPS, churches are considered a permitted use within the IPS zone. The site plan shows the addition on the north end of the property plus an additional 69 parking spaces which will help serve the patrons to the new part of the building. There were 77 spaces added along Mequon Road, so the applicant feels that there will be adequate parking available. It does comply with all the IPS zone requirements in terms of setbacks. The addition is 26,411 sq. ft., it is a single story building and the classroom portion is composed of brick. The gymnasium is shown in precast and the total height is roughly 30 feet. The brick and the precast will match the color palette of the preexisting building. Regarding the landscaping plan, staff is supportive and feels that the applicant addressed all the concerns and code requirements. They did add substantial buffer along the east property line. There are some comments from Terry Higgins in the report. The lighting plan shows 5 LED fixtures in the parking lot, 16 feet in height. This is similar to what was approved for the parking lot on the Mequon Road elevation. There are a few wall packs which are egress lights on the backside of the gymnasium. Based on the submitted dispersion plan, the light levels for the egress lights appear slightly higher than what the lighting code allows for. Due to the residents along that east side, the applicant has been asked to submit an updated lighting plan with the light levels more in line with the code. The code requires a 1.5 foot candle maximum.

James Keegan, Engineering Services Manager, had submitted a storm water plan memo to the PC members. He explained that the neighborhood around Lumen Christi Church has well-documented drainage issues. There are specific properties along Glenbrook that typically flood during high rain events. The CC, as part of the zoning approval, made the requirement that the building and site plan shall take into consideration not only future but existing storm water conditions. Staff has been working with the applicant engineers to establish specific requirements that would be part of the condition of approval for the site plan (included in memo presented):

- Reduce run off, compared to the existing condition as it sits today, this development would reduce the run off by 26% for a 2-year storm, reduce by 27% for a 10-year storm and would reduce by 16% for a 100-year storm.

These will give the applicant engineers guidelines as they develop their storm water plan targets that they need to hit for their plan.

Applicants Marty Choren from Plunkitt Raysch Architects, Tom Gillenbach from GSD and Fr. Dan Sanders from the Lumen Christi Church were present. Mr. Choren stated this proposed first phase addition (of 2 phases) is for the classrooms and a gymnasium. The existing gymnasium would be used for offices and meeting rooms.

Commissioner Parrish stated that it would be very help to have a right turn light at the stoplight at the corner of Mequon Rd and River Rd.

Mr. Gillebach answered that this is a DOT issue and they are not allowing any changes to be made at that intersection entrance, it is not an option to make changes there.

Mr. Keegan clarified that because it is technically a driveway, not a public road. He stated that 35 feet is the maximum width allowed.

Ald. Strzelczyk stated that the DOT created an intersection by installing a traffic light there.

Mr. Gillenbach stated that the DOT offered to work with the city regarding the timing of the signal there to try to help alleviate backs ups during heavy traffic times there.

Mr. Keegan offered that the staff would try to work with some state contacts to inquire about any additional changes being allowed at that intersection.

Commissioner Bessler inquired about the storm water management plan effect to mitigate run off. He feels that it does not seem like a big improvement.

Mr. Keegan answered that Lumen Christi Church is not the sole contributor to the large basin. They are held to the requirements that their site cannot increase the run off levels.

Ald. Strzelczyk stated that the plan addresses the drainage issues at this site.

Mr. Keegan stated that there are two retention facilities on site. The run off from their building and the parking lot goes into the pond and is controlled. They are not impacting the city systems to improve them, nor are they expected to do so.

Ald. Strzelczyk stated that the fact there is any improvement is important to the neighborhood. He never expected for the entire issue to be solved. He is very supportive of this project.

Commissioner Fuchs would like to have the bigger problem fixed and if there is a manner that this project could play at part of a plan.

Mayor Abendorth explained that this is a plan but it is a manner of resources needed to implement the plan (land, funding).

Mr. Choren asked for some latitude on the engineering report language requiring an 8" public water main extension. They would like to work with the utility to establish the size and the connection points.

Mr. Keegan stated that the 8" main is a minimum requirement by the PSE tariff.

Commissioner Mason asked the applicant if they are comfortable with the 15 other requirements.

Mr. Choren answered that they are in agreement with all the other items on the report.

Action:

Ald. Strzelczyk moved to approve the item.

Commissioner Mason seconded the motion.

Mr. Keegan added the recommendation that #7 in the staff report be replaced with the memo required text submitted by engineering.

A voice call was taken. Vote passed 8-0

9. Policy – City of Mequon

The City of Mequon is amending Chapter 58 as it relates to permitted uses in Table 58-301-1 and Table 58-302-1 of the Town Center and Arrival Corridor zoning districts to allow nicotine product/e-cigarette shops of 2,000 sq. ft. or less.

Discussion:

Director, Kim Tollefson stated that this is a text amendment to the zoning code as it relates to the two Town Center (TC) districts: one is called Town Center and the other one is called the Arrival Corridor. The intent of this district is to be neighborhood scaled, lower intensity in terms of avoiding large commercial uses, with a focus on specialty retail that draws pedestrian traffic. The text amendment is sponsored by Ald. Mayr and will have its first reading before CC tomorrow night. There is a specific user that is interested in locating an e-cigarette shop in the Town Center neighborhood. The two zoning districts do allow already for a tobacco and cigar shop as long as it is 2,000 sq. ft or

less. Staff recommends modifying the text to include the e-cigarette shop as long as it is 2,000 sq. ft or less. Ms. Tollefson stated that the Town Center is very specific in its allowed uses, this would be allowed in other zoned areas in the city.

Action:

Commissioner Fuchs made a motion to approve the text amendment.
Commissioner J. Schaefer seconded the motion.

A voice vote was called, Vote passed 8-0

10. Announcements

The next meeting is June 8, 2015 at 7:00 pm

11. Adjourn - the meeting concluded at 8:30 pm

Alderman Strzelczyk moved to adjourn.
Commissioner Fuchs seconded the motion.

All voted Aye.