

**CITY OF MEQUON
WISCONSIN
PLANNING COMMISSION MINUTES
October 13, 2014**

Commissioners present: Mayor Abendroth, Alderman Strzelczyk, John Stoker, Brian Parrish, Patrick Marchese, John Mason, James Schaefer, David Fuchs, Alt. Becky Schaefer

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

Minutes of meeting held on Monday, July 21st, 2014 at 7:00 p.m. in the Common Council Chambers, Mequon City Hall, 11333 N. Cedarburg Road. [Note: Planning Commission meetings are televised and videotaped.]

1. a. Call to Order, Roll Call

b. Approval of the July 21st, 2014 Planning Commission meeting minutes.

Action:

Commissioner Stoker moved to approve the minutes of July 21st, 2014.

Commissioner Mason seconded the motion to approve minutes.

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

Commissioner Stoker moved to open the public hearing.

Commissioner Mason seconded the motion to open the public hearing.

No public discussion.

Commissioner Stoker moved to close the public hearing.

Commissioner Strzelczyk seconded the motion to close the public hearing.

2. Roxanne Cardenas from Tangible Word Ministries dba Yummy's for Wulff's Island Country Inn LLC

District: # 4 Tax Key: # 14-050-09-05-003 Zoning: B-2/PUD, FW/PUD

Request:

1. Conditional Use Grant

Briefing: The applicant is seeking Conditional Use Grant to allow for a restaurant at 10250 N Cedarburg Road.

Staff Conditions of Approval:

1. Staff approval of Conditional Use Grant

Discussion: Jac Zader, Assistant Director of Community Development stated the property has been vacant for 1

year which requires conditional use approval. The restaurant will close at 10:30pm and the bar at 2:00am, outdoor seating will close at 11pm and there will not be any amplified music. There will be a maximum of 10 employees.

The applicant asked for deferment until June 1, 2015 on sealing, patching and striping the parking lot due to cold and wet weather this time of year.

Action:

Commissioner Mason moved to approve item 2 with the deferral of the sealing, patching and striping of the parking lot until June 1, 2015.

Commissioner James Schaefer seconded the motion.

Roll was called and it passed 8-0.

3. TWP Architects for Lakeside Development CO

Address: 1539 W Market St District: # 6 Tax Key: # 15-152-00-020.00 Zoning: B-1

Address: 11015 N Market St District: # 6 Tax Key: # 15-130-01-018.00 Zoning: R-3

Request:

1. Remove from Table
2. Building / Site Plan
3. Minor Land Division (CSM Approval)
4. Final Condominium Plat

Action:

Commissioner Stoker moved to remove from Table.

Commissioner Strzelczyk seconded to remove from Table.

Briefing:

The applicant is seeking approval for a certified survey map, condominium plat and building and site plan at 1539 W Market Street.

Staff Conditions of Approval:

1. Staff approval of the Certified Survey Map, building and site plan and condominium plat.

Discussion: No public testimony.

Action:

Commissioner Stoker moved to approve item 3.

Commissioner Parrish seconded the motion.

Roll was called the motion and it passed 8-0

4. Matt Cudney, Veridian Homes for Jason & Jennifer Hadler

District: # 4 Tax Key: # 14-028-03-006.00 Zoning: R-3/Central

Address: 10729 N. Wauwatosa Road Tax Key: # 14-028-13-007.00

Address: 10701 N. Wauwatosa Road Tax Key: # 14-028-13-008.00

Address: 10839 N. Wauwatosa Road Tax Key: # 14-028-04-012.00

Request:

1. Condition Concept Plan
2. Rezoning Recommendation

Briefing:

The applicant is seeking a rezoning recommendation and concept plan approval for a 56-lot conservation subdivision at 10729-10839 N. Wauwatosa Road.

Discussion: Assistant Director Zader stated the Hadler family currently owns a number of the parcels involved. This area was recently rezoned to R3 with central growth overlay. The applicant is currently seeking rezoning recommendation to allow usage of 6 of the TDR credits that were originally designated on the parcel to the south. The yield plan shows 50 lots with 6 credits from the TDR for a total of 56 credits. Concept plan shows 56 lots with a density of one dwelling per .91 acres. Lots range in size from .33 to .57 acres with an average of .46 acres. The Open Space Preservation Commission met last week and recommended approval of the use of the TDR credits on this piece as a receiving site, which is required per code. The yield plan complies with code requirements. For the most part all of the wetlands and setbacks areas are on common open space. Staff has worked with the applicant and is in support of the concept plan. Several changes were made to the plan including allowing for larger pockets of open space. There is a bike path connection from the main road into the common open space on the perimeter. The location of the entranceway is being driven by the DOT. The DNR will need to approve the fill of the wetland in that area to comply with the DOT's requirement to keep the road in that general area. The City Forester has walked the property and there are a few pockets of specimen trees which will require a tree preservation easement shown on the preliminary and final plat. There is a historic property that the Landmark Commission met on October 8th to discuss the future of on the site. The applicant is proposing that it be in an outlot and owned by the association so it not be a habitable dwelling unit. The Landmark Commission requested to inspect the property to assess its condition. It is not shown as a habitual dwelling and is not included in the yield for the subdivision. The open space calculation shows 36.8%, which complies with the 30% requirement of the central growth overlay zone. The plan does not address active recreational areas which are required by the code. The preliminary plat will need

to include an open space plan that dictates which areas are considered active recreational areas and what types of uses will go there as well as the passive recreational areas. The applicant is showing a bike path around the property and staff has asked that it be placed on the property line so that it can be shared with the developments to the north, west and south. The plan is intended to have 2 phases. With the TDR piece to the south, the architectural requirements are incorporated in the PUD. A sidewalk on the main thoroughfare is being required as well as on the north-south road that would ultimately connect to the subdivisions to the north and to the south. Staff is supportive of the proposed concept plan rezoning and is recommending approval.

The applicant, Matt Cudney from Veridian Homes stated that they are a family-run business and they have been based in Madison for 60 years and they have built 1000's of homes. They are currently working on a development in Menomonee Falls.

Commissioner Fuchs stated his concern that the lots are much smaller lots than he feels comfortable with due to usage of the TDR credits. He does not like the layout and stated that the plan does not look like a cluster plan as anticipated. He offered that there could be fewer lots and more of a cluster layout. He stated that previous discussions lead to a different understanding of cluster designs to be used.

Mayor Abendroth stated that the small cluster design should be encouraged but that this site is long and narrow and the applicant is working within those parameters. There is no mandate for the type of clusters although we want to encourage the cluster designs. He also stated that the property north of this site is wider and that he would hope to see more of a cluster style development there.

Kim Tollefson, Director of Community Development stated that some of these lot sizes are larger in this plan based on a requirement made by Common Council to be added to the central growth area. That lot size minimum did not get added until after Planning Commission's approval.

Commissioner Marchese asked if Common Council had discussed and established criteria for lot sizes. He expressed concerned about the small lot sizes and the houses being packed in and the tight frontage area. He offered whether 6 or 7 lots could be adjusted.

Commissioner Stoker stated his concern about the garage swing. He questioned the number of floor plans and elevations that would be offered. He is concerned about 3-car front loading garages and whether the ability to have a 4-car garage would fit. He stated he would like the developer to review the south side of the project because the majority of the lots would not be able to accommodate a 3-car garage or a side-loading garage.

Commissioner Strzelczyk expressed concern about the condition and the anticipated upkeep of the landmark property. He would like to see the grounds of the property maintained. He asked about the types of open space amenities that were being considered. He stated his desire to keep the landmark property.

Commissioner Schaefer stated that the Landmarks Board will be viewing the property.

Commissioner Fuchs asked about responsibility of the open space areas. He has concerned about the spaces being properly maintained.

Commissioner Parrish suggested that the applicant average out the lots and makes them wider for more garage space. He supports the project.

Commissioner Strzelczyk made a motion to add a condition that the developer or owner maintain the exterior of the building so that the site is presentable from the street; including mowing and trimming of any landscape until the Landmark Commission can make their decision about the building.

Action:

Commissioner Mason moved to approve item 4 with the added condition made by Commissioner Strzelczyk.

Mayor Abendroth seconded the motion.

A Roll Call on Mr. Strzelczyk's motion was passed 6-2 (No vote: J. Schaefer, Fuchs)

5. 1515 Mequon LLC

District: # 6 Tax Key: # 15-153-00-010.00 Zoning: B-1

Request:

1. Master Sign Plan

Briefing:

The applicant is seeking a Master Sign Plan approval for the property located at 1505-1515 W Mequon Road

Discussion:

This is a request for the East Town Square property. The awnings were replaced around 2 years ago with signage and at the time when the city did not have awning requirements. Awnings that are four square feet in area or less are permitted but anything larger than four square feet needs to be approved by the Planning Commission as part of a master sign plan. A number of the signs put up on the awnings do exceed the four square foot requirement. The details of the package are that each tenant be allowed a 40 square foot wall sign and/or a 16 square foot sign on the face. Applicant and staff are in agreement that tenants can have one of the signs but not both. Staff is requesting a 30 square foot wall sign requirement. The applicant is also seeking a 60 square foot wall sign for an anchor tenant. Staff does not recommend the anchor tenant wall sign request as staff does not view this development hosting an anchor tenant. There are window signage that exceeds the code requirement of 25% coverage. Applicant is requesting approval for window signage that exceeds the 25% if there are interior walls that are blocking the windows or under special circumstances; which is not defined.

The applicant, Mr. Schafer, stated that he agrees with the staff except for the window screens. There are interior walls that face the windows and steel studs would show without the window shades. He agrees with the 30 square

foot wall sign requirements. He requests for the Allure sign to remain as is. It is the same size that Andre Furs had for many years and is a very expensive sign to replace. The Applicant requests that the three window coverings at Zarletti and one at The Last Detail be allowed to remain in place due to coverage of interior walls and covering steel studs. The Erik of Norway window covering has been there since 2008 when he purchased the building and he would like it to remain in place.

Commissioner Strzelczyk stated that this is a building that is tastefully done and a great asset to Mequon. It is his understanding that the Allure sign was approved. He expressed that the sign is very expensive to replace. He does not object to the sign.

Mayor Abendroth suggested window shades be used without advertising on them.

Commissioner Fuchs stated that we keep deviating from our standards. Other tenants will also request the same allowances. He expressed frustration that we are now allowing the Allure sign after it was done without prior permission.

Action:

Mayor Abendroth moved approval with staff recommendations and the additional condition that the window signage must be opaque without advertising on it

Commissioner Stoker seconded the motion.

A Roll Call was passed 7-1 (No vote: Marchese)

6. Announcements

Director Kim Tollefson introduced Robin Buzzell as the new administrative assistant for the Community Development department.

7. Adjourn

Action:

Mayor Abendroth moved to adjourn the meeting.

Commissioner Stoker seconded the motion.

A voice vote was called and all voted aye.