



COMMISSION MEMBERS PRESENT: M. Pirk, J. Kis, D. Driver, J. Maier, D. DeGroot & J. Hewitt

COMMISSION MEMBERS ABSENT:

VILLAGE BOARD MEMBERS PRESENT:

Staff: L. Martin & B. Sasse

1. Call to Order

The meeting was called to order at 1:00 pm by M. Pirk.

2. Public Comment – Joe Sabol, 6328 Washington Ave – stated that he did not received any request to change the fencing requirement, and asks that item #6 be amended to violation of RZ-03-80.

3. Approval of the August 20, 2014 meeting minutes

D. DeGroot motioned, D. Driver seconded to approve the August 20, 2014 meeting minutes. Motion carried 6-0.

4. Request for Building Façade Modifications for O&H Danish Bakery located at 5910 Washington Avenue | Tivoli Gardens LLC Applicant

Representatives: Mike Bannon, 7300 Washington Ave, Mount Pleasant
Peter Olesen, 1515 Rapids Dr, Racine

The Plan Commission previously reviewed and approved the O&H Danish Bakery site plan and elevations at their May 21, 2014 regular meeting. Recently, the project sponsor has met with staff to discuss proposed modifications to the original elevations of the storefront area facing Washington Avenue. The revisions include the use of stone, brick, and heavy timber materials.

J. Kis motioned, J. Hewitt seconded to approve the proposed building façade modifications for the O&H Danish Bakery storefront area. Motion carried 6-0.

****Items 7 & 8 on agenda were shifted to items 5 & 6****

5. Plan Commission Uniform Channel Letter Signage Policy Discussion & Possible Action

The Plan Commission Site Plan Policies document was prepared by staff in March 2011 to outline policies that have been universally upheld. Also in March 2011, Dairy Queen brought forward a request to deviate from the uniform channel letter signage policy. At that time, the Plan Commission decided to uphold the policy and required Dairy Queen to install all white channel letter signage.



Over time, several businesses have explained displeasure with this policy. This topic was discussed at length as part of the Boucher Chevrolet remodel and also Palmen Dodge Jeep remodel. Only two businesses have received plan commission approval in recent years to deviate from the wall signage color policy – Batteries Plus and PLS Loan Store located at Oakes Road/STH 11. More recently, staff has been approached by numerous real estate professionals as well as tenants looking for exceptions to the uniform channel letter policy for wall mounted signage. Some tenants have not executed leases in the community due to the crucial nature of corporate branding regarding wall signage. It was also brought to staff’s attention that the Village is one of the only remaining communities in the state that upholds this type of policy community wide, rather than to specific developments or planned unit developments.

D. Driver motioned, J. Maier seconded to recommend that the wall signage policy for uniform color channel letters be eliminated, allowing any corporate color to be used in channel letter wall signage per tenant request. In the absence of a comprehensive revised signage ordinance, it is recommended that the following language be added to the policy document:

1. Tenant wall signage shall consist of channel letter construction, individually mounted or mounted on a raceway. Any raceway enclosure shall be painted to match building façade color.
2. Uniform signboard background color is required on multi-tenant monument or ground signage.

Joe Sabol, 6328 Washington Ave, stated that this is not a change in specific zoning but if you start making changes to specific properties they should only be made for specific reasons. Mount Pleasant has regulations, this is a cost of doing business, does not feel a change is necessary.

Motion carried 6-0.

6. AT&T Tenant Channel Letter Signage Request located at 7115 Durand Avenue

Representative: Scott Satula, MLG Commercial Real Estate, 757 N. Broadway, Milwaukee
Bailey Copeland – VJS Development, W233 N2847 Roundy’s Circle W, Pewaukee

S. Satula stated that he has had many prospective tenants approach him about renting tenant space, but the signage has been an obstacle for many of the companies. Businesses need corporate colors for use in their individual channel letter wall signage.

D. Driver motioned, J. Hewitt seconded to recommend approval of the AT&T Tenant Channel Letter Signage Request located at 7115 Durand Ave. Motion carried 6-0.



7. Rezone Petition RZ-07-14/Conditional Use Petition CU-07-14 located north of 3900 Old Green Bay Road | Tax Parcel # 151-03-22-26-066-004 Regent Commercial LLC Owner/J. Jeffers & Co. w/Continuum Architects Applicant

Representatives: Mak Norzoud, 228 S 1st St, Milwaukee
Josh Jeffers, 207 E Michigan St, Milwaukee

In 2012, the subject property (just north of South Shore Fire Station No. 8) was proposed to be rezoned for a multi-family market rate apartment project. At that time, the property owner withdrew the multi-family project after receiving large scale opposition from surrounding property owners at the initial Zoning Public Hearing. In November 2013, the property owner held a public informational meeting after being advised to do so prior to proceeding forward with a second application for the multi-family development. Numerous adjacent property owners as well as many owners from the Regency Hills subdivision attended and again presented opposition to multi-family housing on the subject property. After further discussions regarding development options for the property, a consultant representing a senior/assisted living entity held a public informational meeting in January 2014. The option of a senior/assisted living project for the property was well received by residents that attended, bringing the subject application to this point.

The applicant is requesting to rezone 3.15 +/- acres (parcel south of Biscayne Avenue) from AUH (Agriculture Urban Holding) to RM-1 (Residential Multi-Family) to develop an assisted living/memory care facility to be classified as a CBRF – Community Based Residential Facility. The proposed project, known as Pleasant Haven, is divided into two phases (both south of Biscayne) – phase one consists of three (3) 8 unit buildings specifically for memory care and a shared community building, with phase two consisting of two (2) additional 8-unit assisted living buildings. A second parcel north of Biscayne Avenue would be used for off-site stormwater management/detention for the project. The overall concept follows the trademarked idea known as the “Green House”, a design methodology based on smaller, more residential care spaces as opposed to large institutional facilities. Each building on site will be built with residential character and materials, and will be connected via enclosed walkways to each other as well as the central community building.

The proposed buildings include a good use of high-quality materials, residential design quality and landscaping that will enhance and compliment the surrounding residential neighborhood.

The Plan Commission discussed at length the voluntary deed restriction. Elaine Ekes of Pruitt, Ekes & Geary, SC, legal counsel for the Village, spoke regarding the deed restriction. She stated that it is good to see the language in advance, it can be very strict or very loose. It is good to have the language worked out prior to the final board approval.

J. Hewitt motioned, D. Driver seconded to recommend provisional approval of RZ-07-14 & CU-07-14 based on the proposed site plan, elevations, and landscape plan (Continuum Architects dated



08.19.2014) with the following conditions:

REZONE

1. The provisional zoning to RM-1 of the 3.15 +/- acre parcel shall take effect at the time of building permit issuance. Should a building permit not be obtained within a six (6) month period, the zoning shall remain AUH (Agriculture-Urban Holding) Zoning.

CONDITIONAL USE/SITE, LANDSCAPE & ELEVATIONS

2. The proposed structures' façade materials shall be in accordance with the submitted material board, which outlines five (5) schemes of three-colored hardy plank siding combinations paired with two differing stone veneers. All proposed color schemes shall be utilized to accomplish variety across the six proposed structures.
3. All freestanding lights shall not exceed 20' in total height from ground to top of luminaire. All freestanding and wall mounted luminaires shall include cut-off provisions to preclude off-site lighting impacts.
4. Compliance with state/local building and fire code(s). Please contact South Shore Fire Department Division Chief Mark Pierce regarding fire sprinkler system plan requirements. Mount Pleasant Village fire code requires the submission and approval of fire sprinkler system plans prior to submission of state approved building plans and issuance of a village building permit.
5. Submission/approval of a sign permit prior to any sign construction or installation. Any ground signs shall be limited to nine (9) feet in height and located outside of any applicable vision triangles at the intersection of the private drives and/or public streets. No signs are permitted within any public road right-of-way.
6. The two proposed retaining walls at the northwest corner and western side of the property frontage shall be constructed using rock boulders or as poured stamped and stained concrete. Landscape block walls are discouraged due to long term maintenance and aesthetic concerns.
7. A continuous five (5) foot wide concrete sidewalk shall be constructed along the entire frontage of STH 31 prior to issuance of a certificate of occupancy.
8. A continuous five (5) foot wide concrete sidewalk shall be constructed along the entire Biscayne Avenue frontage prior to issuance of a certificate of occupancy. The sidewalk shall extend to connect to road pavement at the corner of Old Green Bay Road and Biscayne Avenue.



9. The project sponsor shall obtain the necessary Wisconsin DOT approval to construct any public sidewalks within the STH 31 right of way.
10. Foundation plantings along the building façades shall vary in height at both time of planting and maturity to provide a vertical visual interest in contrast with the façade.
11. The proposed stormwater detention basin north of Biscayne Avenue shall maintain a twenty-five foot landscape setback to the property line as determined by the Village Engineer. Guard rails or fencing around the basin are prohibited.
12. Submission/approval of a final grading and stormwater drainage plan prepared by a professional engineer prior to issuance of any fill or building permits.
13. All utilities shall be constructed underground.
14. The parking lot shall be asphalt paved or concrete surface.
15. All trash receptacles shall be contained within an enclosed structure (including gate) that matches the building materials and building colors of the principle structure. The enclosed structure shall be screened with plantings where possible to create a more aesthetic appearance for the surrounding area. No trash or refuse shall be stored outside of the trash enclosure structure.
16. Payment of all applicable Village connection and impact fees shall be paid by the project sponsor prior to issuance of building permit.
17. The applicant shall draft and record a restrictive covenant declaring that the property shall be subject to PILOT (Payment in Lieu of Taxes) fees should it be converted to a non-profit entity.
18. The project sponsor has voluntarily consented to record a deed restriction against the subject property limiting the use of the proposed facility to senior assisted living and persons with memory loss and that the deed restriction wording be presented to us prior to October 13th.

Motion carried 6-0.



8. Minor Amendment to Site Plan to address requirements for fencing at 6300 Washington Avenue, Tax Parcel #151-03-22-14-036-000 (current use is known as San Fran Grill) that was approved by the Village on March 16, 1981.

Representatives: Joe Sabol, 6328 Washington Ave
Janet Sabol, 6328 Washington Ave
Lori Geiss, 6300 Washington Ave

The Plan Commission, at its March 16, 1981 meeting, reviewed and approved RZ-3-80 site plan for the original Ground Round Restaurant project located at 6300 Washington Avenue. At that time, the Commission included a condition as part of the approval that a five (5) foot high cedar fence be constructed along the entire 375' western property line adjoining the Sabol property and be maintained in "perpetuity." The property has been leased to two different restaurants since that time, the most recent being the San Fran Grille. On May 15, 2013, the Plan Commission approved a site plan amendment for the San Fran Grille for the installation of an outdoor seating patio on the eastern side of the building. The fence was not discussed at this meeting as it was not relative to improvements on the eastern side of the facility. Staff was also unaware of the condition from 1981 that the fence remains in perpetuity.

The fence was removed by representatives of the San Fran Grille in the summer of 2013. Since that time, Joe Sabol has made numerous requests to the Village and property owner that the fence be replaced and restored to its original condition per the 1981 Plan Commission decision. The Village Administrator and Development staff came to agreement with Lorraine Geiss (San Fran Grille) that the fence would be installed no later than September 1, 2014. Currently, the fence has not been reinstated.

The Plan Commission has the following options to consider:

1. Amend the 1981 fence in perpetuity condition and eliminate the requirement for a fence.
2. Require the property owner or representative of San Fran Grille to install a fence along the entire property line (375') per the original 1981 condition.
3. Determine a modified fence installation requirement as part of the San Fran Grille site plan.

A timeframe and deadline for completion is recommended to be included as part of any motion that may be entertained.

Joe Sabol stated that he would like to have the fence put back in as per the original 1981 condition.

Janet Sabol stated that she would like to have the fence put back in as well.



L. Geiss stated that she has not put the fence back in yet because she does not have proof where the exact property line is at and doesn't want to spend the money to put the fence up and then be told she has to move it because it's in the wrong place.

Elaine Ekes of Pruitt, Ekes & Geary, SC, legal counsel for the Village gave a legal opinion regarding the fence and requiring a property survey. The Plan Commission also discussed the possibility of having the property surveyed to determine where the property line actually is located.

D. Driver motioned, J. Hewitt seconded to table this item until the dispute between the property line can be determined.

Elaine Ekes stated that a date should be established for when a boundary survey should be due, but until it's resolved L. Geiss is not in compliance with the original fence requirement.

D. Driver withdrew his motion, stating that he feels this will end up as a civil matter, J. Hewitt seconded the withdrawal.

J. Kis motioned, J. Maier seconded, to table this item until the November 19th, 2014 Plan Commission meeting with the requirement that the San Fran Grille have their property staked and surveyed and submit a copy of the survey to the Village no later than November 7th, 2014 for review. Motion carried 6-0.

8. Commissioner & Staff Reports - None

9. Adjournment

J. Hewitt motioned, J. Kis seconded to adjourn at 3:32 p.m. Motion carried unanimously.

*Next meeting is scheduled for ***Wednesday, October 22, 2014 at 1:00 p.m.***

Cc: K. Wahlen L. Martin M. Pierce M. Schmidt L. Hannula
B. Sasse T. Beyer D. McHugh