

The meeting was called to order at 6:30 p.m. by Chair D. Besson.

- 1.0 **Roll Call** – Present: Chair D. Besson; Commissioners T. Accetta, W. Banach, S. Bigler, R. Brinkmeier, A. Fritz, C. Stipe, Village Planner B. Block and Village Administrator S. Kulik. Audience-15.
- 2.0 **Minutes of January 20, 2020**-Motion (Brinkmeier, Banach) to approve the minutes. Motion unanimously approved.
- 3.0 **Site Plan Review: Village Market, LLC – 10515 W. Scharles Ave. – demolition vacant home** – Scott Christianson, KVG Buildings on behalf of petitioner addressed the Commission. Request to demolish home including driveway and sidewalk, remove existing well and will grade and seed the area. Planner B. Block addressed the Commission regarding the proposal. There is nothing specific in the Village code regarding demolition but there are industry best practices. He recommends a timeline for the demolition and clean up be established, that the structures are all demolished and that the Commission review the impact on neighboring properties. The impact on the neighborhood is that this house was initially left on the site to provide a buffer for the homes on the north and east and that the loss of the house will diminish the buffer. S. Cannistra, 10505 W. Scharles Ave, addressed the Commission and expressed concern about the loss of the buffer. Further, the elevation change from his home to the proposed demo home is also a concern. The home buffers noise from the loading docks and back up alarms on vehicles. He asks that the Commission consider this when discussing the proposal. J. Hadley, 10534 W. Scharles Ave, addressed the Commission regarding her concern for the loss of buffer as her home faces the subject property and is west of the site line. She stated she has little confidence that the developer will do what they say they will as her experience has shown that they do not follow through. She is asking for a substantial buffer be recommended. K. Kleman, 10608 W. Scharles Ave., expressed concerns regarding the hours of operation and will the project block off Scharles Avenue. C. Christian replied that they would not block off Scharles Avenue during the project. K. Cannistra, 10505 W. Scharles Ave. commented that she would like any trees that are planted to be substantial in size and not those that have leaves which drop in the fall. Commission Banach asked what the property would be used for once the house is down. S. Kulik commented that the home is not occupiable as is and was built into the original site plan as a buffer. The site has no use with or without the home and it will be just green space. W. Banach commented that since it would just be green space, he has concerns about the substantial drop in grade and if anything is proposed for the grade area. S. Christianson responded it will be graded to drain properly. D. Besson asked if there was any plan for extra buffering. S. Christianson responded he was not provided anything or presented to him from Mid America. T. Accetta question how long project will take. S. Christianson responded that weather permitting, the timeline would be a week to ten days to complete. D. Besson asked about hours of operation. S. Christianson responded that start time would be 7 a.m. and likely work to 4 or 5 in the evening, Monday through Friday. R. Brinkmeier asked to confirm the driveway will be removed as it was not part of the proposal and whether the petitioner had seen the plan comments. B. Block replied that they have seen the comments and that the proposal now includes removing the driveway. W. Banach inquired about the curb restoration in that area and if he was clear in understanding that abandoning a well required filling it in and applying for proper permits. S. Bigler inquired how the grade was going to be proposed as he has concerns about making sure the berm will address the buffer. D. Besson commented that he has concerns about the foliage and that it is wide open. He feels something more substantial should be addressed such as a fence to assist with buffering. He is not proposing a chainlink fence but a solid fence. W. Banach commented that the fence and landscaping plan should be tied together and he wants to ensure that the lot looks completed when the home is gone.  
Motion (Banach, Brinkmeier) to approve the demolition subject to the following stipulations – a) a landscape plan be provided, b) a buffer is provided which includes a solid fence, c) that a grading plan be provided which includes a berm, d) that the project be completed by May 15, 2020 and e) that the hours of work are to be between 7 a.m. and 5 p.m. Motion unanimously approved.
- 4.0 **Site Plan Review – Spice Mexican Street Tacos LLC – 5311 S. 108<sup>th</sup> Street – sign approval and new restaurant use with outdoor seating** – M. Peine, Michael Peine Architects, 4617 N. Idlewild, White Fish Bay, WI and J. Melendez, 1304 Niagra Street, Waukesha, applicant addressed the Commission regarding the proposal. Site plan approval requested for outside dining area on the island space directly in front of the tenant area when

weather permits. The area will be metal fence enclosed and include landscaping elements as presented. B. Block read through the elements under review for the lighted sign and the outdoor dining . The signage meets the sign code and the use is permitted in the district. There is nothing in the code addressing outdoor dining but the Commission should consider the impact on vehicular and pedestrian circulation. Issues are whether adequate parking exists and in conversations with the owner of the mall, additional parking was identified on Abbott Avenue but that there should be a specific covenant indicating that they are for mall use and that the owner, MLG would cooperate in developing that document. The overall area is approximately 35 parking stalls short but that is without considering the differing uses at the site but it appears that the peak demand for this request will not negatively impact the area. T. Accetta question regarding the service level as waitress table side serving. J. Melendez responded that it is waitress service. T. Accetta question regarding what happens to the tables in the winter. J. Melendez commented they will be removed and stored off site. A. Fritz asked for more detail on the proposed fence. M. Peine reported the fence will be powder coated bronze over aluminum.

Motion (Stipe, Accetta) to approve as submitted including the illuminated sign; unanimously approved.

**5.0 Sign Plan Review – Ritzman Appliance – 6286 S. 108<sup>th</sup> St – exterior sign addition on corner lot** - B. Ritzman addressed the Commission regarding request for signage on the south side of the building in excess of allowable signage. B. Block read his report and indicated that the existing signage is on the west facing 108<sup>th</sup> Street. The monument on the site is allowable under code. The issue under consideration is a second sign which is not allowed under the code on any property. This property is on a corner property. Under 8-9-13, the Plan Commission may waive or modify any provision for signage. W. Banach discussion on the signage on the facility is set back into alcoves and you cannot see the signs from the road. The south side of the facility is 100 feet long and the sign would not detract but in fact could enhance the look of the building. S. Bigler agreed that the building currently is just a lot of wall without any architectural features and this would improve the look of the site. Motion (Stipe, Brinkmeier) to approve as submitted; unanimously approved.

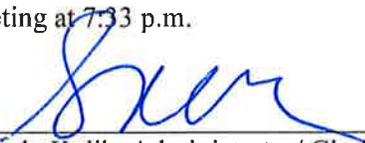
**6.0 Planned Unit Development / Amendment – Forest Ridge LLC – 10777 W. Forest Home Ave – site plan amendment** – N. Wimmer, 5300 S. 108<sup>th</sup>, Hales Corners, and M. Wimmer, 5300 S. 108<sup>th</sup>, Hales Corners, Wimmer Communities addressed the Commission regarding a change in site plan for the proposed phase 4 addition. The plan previously submitted has been reviewed and better plan has been developed. The site has changed due to the removal of the Forest View Medical Clinic, which has afforded a better view of what the site could look like incorporated into the overall Forest Ridge development and the northbound turn lane at Kelm Road has been restricted with the reconstruction of Highway 100. This proposal turns the 4<sup>th</sup> addition 180 degrees so it focuses on the main entrance and closes off the exit/entrance to Kelm and puts all traffic through the Forest Home entrance. The site now connects to the millineum wing versus the epic wing. The new proposal is reduced to 122 units. B. Block read through his report. Developers agreement will need review and revision by the Village Attorney, lighting plan will need revision and review by Village staff, landscaping plan will need revision and review by Village staff and the civil engineering and stormwater management plan will need to be revised and reviewed as well. M. Martin responded to the elements of the memo and reported that it should not propose issues as the site had capacity with the original proposed units increasing by 128 and the new proposal is less units. Stormwater will need to be redone but should be nothing that would warrant him requesting that it not be approved. In addition, they will need an extension of sanitary sewer on Kelm Road which needs to be added to the developers agreement and a bond posted for that work. The work is completed by the developer and then conveyed to the Village as public sanitary sewer when complete for maintenance going forward. W. Banach question for M.Martin whether items he was reporting on were included in the staff memo. M. Martin reported that they are and that we would be working at the staff level to complete these items. R. Brinkmeier commented that the proposed change is much better than the original. A. Fritz asked whether the Fire Department will be contacted to review the plan. M. Martin commented that it will go through a review with the Fire Department to ensure turn radius elements are acceptable and an internal review of hydrant placement will also be undertaken. M. Martin commented that as the entrance on Forest Home is shifting and asked whether the developer has been in contact with Milwaukee County as it is a State highway as they will need a permit. Motion (Bigler, Banach) to approve as presented and with staff recommendations; unanimously approved.

**7.0 Certified Survey Map – Tedd and Christina Zamjahn – 9305 W. Grange Ave. – Lot A and B, Northeast ¼ of Section 32, in Township 6 North, Range 21 East – Tax Key Numbers 660-9994-000 & 660-9995-000** – T. Zamjan and C. Zamjahn petitioners addressed the Commission. Request is to combine the parcels that have had development over the years that created a situation where one of the lots has a garage with no principal structure which violates the code as no variance was applied for and the other is an attached garage which is now built with parts of the structure over the lot boundary lines and created by the previous owners. B. Block read the staff

memo and reported that the new suggested lot is in conformance with the R-3 district and views this as an improvement in to clear up the issues on the lots. M. Martin has reviewed the map and has standard requirements for the technical review and approval required by Milwaukee County and subject fees related to the Village and County review. Motion (Brinkmeier, Stipe) to approved as presented subject to M. Martin requirements on his staff memo; unanimously approved.

- 8.0 Review of Building Code- Chapter XI Garages Section 3.43 General Requirements, (3) Area and (6)(c) Construction – referred from January 20, 2020 Plan Commission –** D. Besson asked for any additional comments on this topic. S. Kulik commented that the recommendation is to request the Village Board change the ordinance to require any garage over 720 square feet be subject to review and approval by the Plan Commission and remove the structural brick requirement which allows the Commission greater control over the design elements of any structure greater than 720 square feet. W. Banach agreed that the review will address anything greater than 720 square fee that the Building Board has issues that applicants may not understand the grading elements required for larger structures and the recommendation would address those issues as well. Motion (Brinkmeier, Stipe) to recommend changing the code to the Village Board as discussed; unanimously approved.

- 9.0 Adjournment-**Motion (Fritz, Stipe) to adjourn meeting at 7:33 p.m.

  
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Sandy Kulik, Administrator/ Clerk