

**VILLAGE OF FOX POINT
JOINT BUILDING BOARD & PLAN COMMISSION MEETING MINUTES
JUNE 3, 2019**

A meeting of the Fox Point Plan Commission was held in Schwemer Hall, 7200 N. Santa Monica Blvd. on Monday, June 3, 2019. Chairman Frazer called the meeting to order at 5:45 p.m. and noted there was a quorum of Commissioners and Building Board members present.

The Plan Commission and Building Board roll call was taken by Deputy Clerk/Treasurer, Jeanne O'Brien:

Plan Commissioners: President Douglas H. Frazer, Chairman
Eric Fonstad, Commissioner
Scott Yauck, Commissioner (arrived 5:50 p.m.)
Don Zien, Commissioner
Carol Wilkins, Commissioner

Building Board: Michael A. West, Building Board Member
William Feldman, Building Board Member
Christine Symchych, Building Board Member

Absent: Commissioner John Crichton
Commissioner Jay Craig

Staff present included Village Attorney, Eric Larson, Village Manager, Scott Botcher, and Village Deputy Clerk/Treasurer, Jeanne O'Brien.

Notice of the meeting was provided to the North Shore Now as necessary, and to all others as required by State open meetings laws and posted on the official bulletin board at 7200 N Santa Monica Boulevard, as well as the village website at www.villageoffoxpoint.com, as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

President Frazer asked for citizens comments relative to items on the agenda.

Lissa Vander Hayden, 7511 N. Boyd Way, stated her concern for outdoor lighting, and how she was a part of having the ordinance changed in the past, as well as the concern that the rules are not being followed.

Hearing no other comments, citizen comments were closed.

Approval of the Minutes of the April 1, 2019 Plan Commission Meeting

On motion of Commissioner Fonstad, seconded by Commissioner Zien, and carried unanimously, the Commission approved the minutes of the April 1, 2019 Plan Commission meeting.

Consideration by Plan Commission and Building Board RE: Fox Point Lutheran Church, 7510 N. Santa Monica Blvd.

Pastor Bill Knapp, as well as several members of Abacus Architects, were present.

Eric Halbur of Abacus Architects presented on behalf of Fox Point Lutheran Church. He gave an overview, stating that they were hired to extend the seating capacity and need for parking. The proposal alleviates both of those issues. The building addition extends only to the east and south. The train track

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runs behind the building. The extension to the east will house an extension of the sanctuary, the fellowship hall, and the administration area will be enlarged. The porte-cochère will be consistent with what currently exists and will not extend toward Santa Monica. Columns in this area are proposed. Additional windows are proposed on the east to allow for extra light into the downstairs area. The floor plan in the lower level reflects additional equipment and storage areas for the mechanicals updates.

Joel Van Ess of Abacus Architects then spoke relating to the lighting and parking for this expansion. They understand light is not to leave the property. He stated they met with the Village Manager, Building Inspector and Village Attorney regarding these matters. They were asked to bring these preliminary plans for discussion and direction. The plans do not reflect lighting. It is their intent to follow the codes of the Village.

As to parking, their plan is to go from 174 spaces to 210 spaces, following code requirements, maximizing it with angle parking.

On the inside of the building, as more space is required in the sanctuary, they moved some choir seats into the balcony area.

With respect to storm water, they will meet Village code and State requirements relative to same.

President Frazer opened questions of the Plan Commissioners and Building Board members. Commissioner Fonstad asked the Village Attorney exactly what the Commission and Building Board was to consider. Attorney Larson read part of Section 745-20 B.(2) into the record. This church is within the Institutional District. Consideration should be given to the location, the surrounding residential area, that it is not detrimental to the area, and keeping of quality in the residential area.

Building Board member Christine Symchych asked for clarification of the parking lot as it relates to the Village right of way. Mr. Van Ess stated in the meetings they had with the Village, it was their understanding an agreement could be made to use the Village right of way for parking. North Shore Congregational Church does have angle parking and they do use their space on large turnout occasions per a rental agreement with them. It is the hope to provide for their own parking. Given the parking space dimensions, the drive lane dimensions would require them to go into that right of way. The DPW is willing to work out an agreement with the Village. It was stated the encroachment is 2', 4". Ms. Symchych is opposed to that. Building Board member Mike West stated it appears the parking within the Calumet right of way appears to be expanded. Mr. Van Ess stated they intended to keep the current encroachment, not increase it.

Village Manager Scott Botcher stated that this has been an issue for Staff, as Staff prefers less parking, less asphalt, and that they stay out of the right of way. He asked that they continue to work within what the code requires, not more.

Mr. Fonstad stated his concern for the reconstruction of Calumet Rd. going on at this time, and how it will impact this parking lot. He would like to see a buffer from the parking lot to the road. It doesn't appear there will be space for that. Ms. Symchych asked if they have considered obtaining a variance versus creating additional parking. Village Manager Botcher stated the church is not interested in reducing parking spaces. They are trying to get all possible parking on the site. Parking is determined by impervious area. The proposal allows for more than what is required by Village code. They tried to accommodate as many parking spaces as they could based on the request of the church, meeting the minimum requirements of the code. While Staff recognizes the needs of the church, they are keeping in mind this is located within a residential area where tensions exist as to where the parking should be. Ms. Symchych stated she agrees there is a minimum required and they were told to go to the maximum,

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but she finds it ugly in a residential area. There is no green scape to mitigate this parking. Water will drain to the neighbors.

Mr. Van Ess stated that the back of the church is paved, which is to be removed, with green space and plantings to be inserted. The retaining wall area out front will allow for a significant planting area to break the asphalt up. .

Commissioner Zien stated the right of way as it current exists is bad. It is dangerous to travel that section of roadway while services are being attended. Perhaps the church can consider a smaller addition, as one cannot travel westbound safely during high parking needs. He does not like the existing right of way, nor the addition proposed to the right of way, and is concerned about precedent setting. It has been determined they must provide 117 sq. ft. of parking area for each seat in the church.

Landscaping was then discussed. President Frazer was in favor of landscaping to be contemplated to break up the expanse of the parking area. There will be screening provided between the church and the current neighbor on the south.

Mike West asked if the porte-cochère had a more sloped roofline, as it appears so on the plan. Mr. Van Ess stated it is consistent with the existing building.

Mr. Van Ess stated they were here at the direction of Staff to determine how to move forward based on the comments received. A storm water plan has not been designed at this point. This is preliminary. Mr. Fonstad stated he had no issues as to the building itself, but is concerned with how it fits within the neighborhood. Plantings and screening are needed along Santa Monica Blvd. Mr. Van Ess stated they can bring a 360° plan to the next meeting. Ms. Symchych asked for more than a rendering; she would like to see what is existing, what is proposed, all to church scale construction, with elevations.

Pastor Knapp stated they too have a commitment to the storm water, as they have water problems every year. With the improvement of the parking lot, they are hoping to eliminate that issue.

Mr. Zien asked if there will be large gatherings in the east addition, as he is concerned about noise for the neighbors. Pastor Knapp stated there will be green space there and the train track exists. There will not be large wedding gatherings out in that area.

Village Manager Botcher stated that DPW Staff suggested a storm water interconnect to deal with the storm water issues in this area. He also suggested they contact Fire Department Chief Whittaker regarding the porte-cochère to ensure it meets Fire Department code.

Commissioner Fonstad stated they should consider the comments given tonight relative to the code standards, keeping in mind the residential area of the Village, and while maximizing parking, keeping in mind that it must fit in with the residential area. Green scapes on three sides and the parking lot should be considered and the encroachment in the right of way should be eliminated, as the Village wants less there. There should also be green space between the parking lot and roadway. Mr. Van Ess stated they are trying to maintain the character of the current structure with the addition and parking.

On motion of President Frazer, seconded by Commissioner Yauck, and carried unanimously, the Plan Commission recommends this matter be postponed until a date certain of the next Plan Commission meeting, July 1, 2019 at 5:45 p.m. for possible recommendation to the

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Village Board for consideration of the application of Fox Point Lutheran Church, 7510 N. Santa Monica Blvd., Fox Point, for a site plan, floor plans, proposed addition, parking lot changes, and possible storm water plan, per Section 745-20 B.(2) of the Village Code.

Building Board members departed at 6:38 p.m.

The Plan Commissioners then considered the following:

Review and Recommendation RE: Elements East, LLC, 8681 N. Port Washington Road

Meg Hopkins of Elements East was present, giving some background as to this business, wherein she sells high end furniture at 50-70% off. She does have concerns about whom to speak to regarding temporary signage. Village Manager Botcher stated she should contact him directly. Discussion ensued as to restricting the business sale to only the month of July.

On motion of Commissioner Fonstad, seconded by Commissioner Yauck, and carried unanimously, the Plan Commission recommends to the Village Board approval of a Conditional Use Permit to allow Elements East, LLC to have a pop up store at 8681 N. Port Washington Road for the month of July, 2019, to clear furniture goods and home décor.

Review and Recommendation RE: Face to Face, 8585 N Port Washington Road

Mr. and Mrs. Pawelec were present. The business has been serving customers for approx.. 20 years and they are asking to expand into the lower level of the building for facials and massages. This building is in the D-Business Zoning District. Staff made comments as to the business meeting ADA requirements for parking, outdoor lighting and outside signage. Mr. Pawelec stated there will be no change to the signage.

On motion of Commissioner Yauck, seconded by Commissioner Zien, and carried unanimously, the Plan Commission recommends to the Village Board approval of a Conditional Use Permit to Face to Face, a facial, hair dresser, and massage services store at 8585 N Port Washington Road, Fox Point, subject to the compliance of the items noted by Staff on the application and the Conditional Use Order for the interior renovations.

Review and Recommendation RE: Lou Malnati's Pizzeria, 8799 N Port Washington Road

Sasha Milosavljevich, Chief Real Estate Officer, was present. He stated they are looking for approval for the first carryout Lou Malnati's Pizzeria in the State of Wisconsin. Because this is the first location within the State, they are behind on their business application to register with the State of Wisconsin. It was the intent to receive feedback on the use being looked at positively here in Fox Point. The Commissioners were in agreement that this would be a positive business in this location. Mr. Milosavljevich stated he will have plans to submit for the renovation and start the permit process by the next meeting. He is excited this store can serve Fox Point and the surrounding communities.

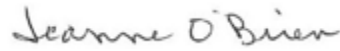
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On motion of President Frazer, seconded by Commissioner Yauck, and carried unanimously, the Plan Commission recommends that this matter be set to a date certain, that being the next Plan Commission meeting on July 1, 2019 at 5:45 p.m. for consideration of this Conditional Use Permit request for a carry-out pizza store at 8799 N Port Washington Road, subject to the terms of the Conditional Use Order for the interior renovations.

Adjourn

On motion of Commissioner Fonstad, seconded by Commissioner Yauck, and carried unanimously, the Plan Commission meeting adjourned at 6:54 p.m.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Jeanne O'Brien".

Jeanne O'Brien
Village Deputy Clerk/Treasurer