

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

JUNE 25, 2013

The Plan Commission meeting was called to order at 6:00 p.m. by Chair Jim Brunnquell. The Pledge of Allegiance followed.

Plan Commission members present: Jim Brunnquell, Mark Paschke, Richard Rieck, Randy Silasiri, Alan Kletti, and Amy Plato

Plan Commission member absent: Carl Harms

Staff present: Village Administrator Darrell Hofland, and Administrative Secretary Deborah Brown, Village Planning Consultants-Larry Witzling and Erin Ruth

Other Official present: Trustee Lisa Harbeck

MINUTES

Motion by Commissioner Kletti, seconded by Commissioner Rieck, to approve the May 21, 2013, Plan Commission meeting minutes with one minor correction on attendance to note that Public Works Director/Village Engineer Dave Murphy was not present.
Approved unanimously.

HEAR PERSONS REQUESTING TO BE HEARD

Jim Uselding-N49 W6557 Western Road, Cedarburg, WI.

Mr. Uselding is the owner of Family Tree in Grafton and was inquiring on getting an ADA assessable asphalt path at the Continental Park main baseball field. Family Tree residents cannot get their wheelchairs through the grass to the main field.

Chair Brunnquell indicated that matter should be brought up at the Park and Recreation Board meeting

COMMENCE PUBLIC HEARING

Statement of Public Notice

Administrative Secretary Deborah Brown stated the purpose of the Public Hearing is for the public review and comment on a conditional use permit (CUP) as requested by Sean Becker of K-Nation Entertainment, LLC for the following uses at 995 Badger Circle: SIC #7922 Theatrical Producers and Services (booking agency, recording studio, and sound and lighting rental), and SIC #7929 Entertainers and Entertainment Groups (performing artists).

Chair Brunnquell explained that this public hearing is the final component for K-Nations Entertainment LLC to obtain approval on the conditional use permit of two uses: SIC #7922 and SIC #7929. He then asked Administrator Hofland to summarize the two SIC uses.

Village of Grafton Administrator, Darrell Hofland gave a brief summary of the conditional use permit request by K-Nation Entertainment, LLC. He stated that the Plan of Operation which was reviewed

last month and is attached with the packet tonight, outlines the two SIC uses for K-Nation Entertainment. In the last months, K-Nations had gone through text amendment to allow for less than 100 persons to attend live performances at 995 Badger Circle, K-Nation Entertainment location.

He further stated that this is the final step for K-Nation Entertainment for their project approval. He stated that the Planning and Development Department is recommending the approval of the conditional use permit as requested by Sean Becker for the SIC uses: SIC #7922 and SIC #7929.

There were no public comments.

Chair Brunnuquell asked the Plan Commission members if they had any concerns or comments.

Commissioner Kletti questioned item #21 on the Plan of Operation where it is listing a maximum number of facility users and visitors at one time (including special events).

Sean Becker representing K-Nation replied that in the Plan of Operation they listed the total amount of person which included staff employees and entertainers plus if there was a performance which would be less than 100 persons as approved last month.

Chair Brunnuquell asked Mr. Becker if he was okay with changing the verbiage on item #21 to read maximum number in the building at one time (including special events) would be 150.

Sean Becker replied that he had no objections to that change.

Commissioner Silasiri questioned if the 150 persons would be an issue for parking. Would there be adequate parking on site?

Administrator Hofland explained that at the last meeting, the Plan Commission reviewed the parking for this site. He further noted that in the Plan of Operation item #4 K-Nation has stated that in some cases and events, that shared parking between Kapco, MPI, Lesson and the existing 18 spaces will be used for parking. There is also on-street parking on both sides of the street on Cheyenne Avenue and Badger Circle. He also added that the Plan Commission approved as part of the text amendment that K-Nation would be reviewed after one year to review any issues such as parking.

Chair Brunnuquell asked the Commission if they felt comfortable with moving forward later in the meeting with taking action on this matter.

Consensus was to move forward with action later.

With no further comments or concerns, Chair Brunnuquell closed the public hearing item.

Review and consideration for a conditional use permit approval requested by Sean Becker of K-Nation Entertainment, LLC located at 995 Badger Circle to allow for SIC# 7922 Theatrical Producers and Services (booking agency and theatrical sound and lighting rental businesses) and SIC# 7929 Entertainers and Entertainment Groups (performance artists)

Motion by Commissioner Rieck, seconded by Commissioner Plato to approve the Conditional Use Permit as requested by Sean Becker of K-Nation Entertainment, LLC, located at 995

Badger Circle, for SIC #7922 Theatrical Producers and Services (booking agency, recording studio, and sound and lighting rental) and SIC# 7929 Entertainers and Entertainment Groups (performing artists) subject to the change in verbiage on item #21 of the Plan of Operation to read maximum number in the building at one time (including special events) would be 150. Approved unanimously.

Review and consideration of minor change in site plan for Cedarburg Pharmaceutical on follow up with request of gate on dumpster enclosure.

Village Administrator Darrell Hofland reviewed the minor site plan for Cedarburg Pharmaceutical. He stated that they are on the agenda this evening to review a minor revision to the property located at 870 Badger Circle. He further noted that the property owner, Cedarburg Pharmaceuticals, is adding a backup power generator in a screened enclosure and reconfiguring/rebuilding the dumpster enclosure. After reviewing the site plan further, after last month's approval by the Plan Commission, the Planning and Development Staff is requiring the applicant to install a gate on the north side of the dumpster enclosure.

Planning and Development Staff has requested the addition of gates on the dumpster enclosure per Village Zoning Code and the Grafton Business Park deed restrictions. The applicant is proposing five 6 foot cedar plank gates on the north side of the enclosure.

Chair Brunnuell thanked Mr. Hofland for the update and asked the Commission members if they had any further questions on this matter.

There were no additional comments or concerns.

Motion by Commissioner Kletti, seconded by Commissioner Plato to amend the April 23, 2013 Plan Commission approval of the Cedarburg Pharmaceutical site plan located at 870 Badger Circle for the installation of a backup power generator in the screened enclosure and the reconfiguration of the dumpster enclosure to include the installation of gates on the north side of the enclosure as presented. Approved unanimously.

Review and consideration of a sign variance for the Arts Mill located at 1300 14th Avenue

Administrator Hofland gave background to the requested sign variance by the applicant, Scott Bestor, on behalf of property owner, William Mabry who is requesting a sign variance for The Arts Mill which is located at 1300 14th Avenue.

He stated that the on-building sign will be mounted on the building's north facade. The sign will serve as the master identification sign for the building. He further noted that due to the lack of visibility of the property in the Downtown and the building's recent rebranding as an arts center, the property owner is asking for the master sign on the north facade of the building which will be visible from WIS 60. The building is located on a corner lot - Bridge Street and 14th Avenue.

The signage ordinance for the Downtown Signage Overlay Restrictions allows for a maximum of 48 square feet of signage per facade. The property owner's proposed sign is approximately 54 square feet. The sign consists of individual metal letters mounted directly to the façade and also noted that the lettering will be black in color not white as in the colored photo.

It is the goal of the owner to have the Arts Mill sign to be exteriorly illuminated.

Mr. Hofland also brought it to the attention of the Commission, that he is on the Board of Director for North Shore Academy of the Arts. But due to the lack of a Planner in the Village right now, he will be presenting the item to the Commission tonight.

The Commission had no objections in moving forward with the discussion on this item.

A short discussion took place by the Commission on the placement of the letters on the building.

Commissioner Kletti asked about the lighting being included with the approval.

Mr. Hofland responded by stating it would not be part of the approval tonight. Lighting will be forthcoming and will be reviewed by the applicant and the Planning and Development Department at a later date.

Chair Brunnquell stated that the goal of this sign variance is to be visible from WIS 60. The six square feet overage is not an issue.

Motion by Commissioner Rieck, seconded by Commissioner Kletti to approve the sign variance as requested for the building located at 1300 14th Avenue for the Arts Mill wall sign consisting of 54 square feet and lettering black in color. Approved unanimously.

Review and consideration of a sign variance for the proposed Grafton Mobil pole sign for facility located at 1117 Washington Street

Administrator Hofland reviewed the applicant's request for seeking approval of a new pole sign to replace the existing sign at the Grafton Mobil gas station located at 1117 Washington Street. The sign is subject to the requirements of the Downtown Master Plan.

The proposed pole sign features a decorative aluminum pole covering with welded decorative elements. The proposed sign face is internally lit flat poly sheets with vinyl lettering and LED text for gas prices.

Mr. Hofland briefly reviewed the proposed sign which is subject to the requirements of the Downtown Master Plan. The proposed signage has a poly (plastic) face and is internally lit. Per those guidelines, the LED component is also not permitted. Staff recommends that the plastic sign face be replaced with a wood, composite, or metal face that is externally lit. External lights could be mounted from the crossbar above the sign. Mr. Hofland noted that the LED component is more problematic as electronic signs are not allowed in the Downtown Master Plan area.

Chair Brunnquell commended that the Plan Commission may choose to grant an exception for the LED lighting, so long as the remainder of the sign is externally lit as described above. If this course of action is followed, the Commission should carefully consider the precedent this sets in the district as an approval may trigger similar requests in the future.

Present from Grafton Mobil, LLC was Steve Jones, owner. Mr. Jones stated that he was aware of the Downtown Guidelines for signage in the TID No 3. He limited the LED portion of his sign to gas pricing which is he is required by law to post daily. It was not for promotional advertising or scrolling

message. He further noted that it is such a risk to have his staff have to change the pricing by hand especially during inclement weather. He is asking the Commission to consider his sign variance on the LED portion of his proposed sign.

A lengthy discussion took place on the LED portion of the sign component in regards to allowing the sign variance which would be setting a precedence which does not follow the Downtown Sign guidelines.

Outside Planner Consultant Larry Witzling suggested that the approval could incorporate specifics to set more of precedence for the future. He suggested that the approval could incorporate the following language; 1) the information on the LED sign shall be limited only to gas prices, 2) the area of the LED component should not exceed 20 percent of the total signage, 3) the LED component cannot display advertising, logos, or any type of product or services, 4) the LED component shall only display the information that is required by law, 5) the lights on the LED component shall be only one color (monochromatic), and 6) there should be no flashing, scrolling, or animation on the LED component.

The Commission members agreed with the extra language being a part of the approval.

Commissioner Silasiri was still opposed to granting the sign variance. He believes that if the Plan Commission does grant this approval, the Downtown Guidelines will not be followed in the future because anyone wishing to change their signage will be coming back to the Plan Commission and asking for another sign variance because we granted this one. He is opposed to this action.

Chair Brunquell stated that at this point the Plan Commission can put it to the vote. He feels that the CBD guidelines were established for a reason and appearance in this District. By granting this sign variance will be setting a definite precedence which this Commission should consider. He will vote to deny the sign variance as well.

In the audience was Trustee Lisa Harbeck located at 907 17th Avenue. She was not opposed to granting the sign variance.

It was the consensus of the Commission to move forward with the motion.

Motion by Commissioner Rieck, seconded by Commissioner Paschke to approve signage as requested by Grafton Mobil gas station located at 1117 Washington Street, with the following conditions:

- 1) Sign face shall be constructed of wood, composite, or metal and shall be externally lit from fixtures mounted on the crossbar above the sign,
- 2) Applicant shall submit cut sheet of the above mentioned light fixtures for Staff review,
- 3) The LED pricing component shall not display logos, advertisements, or product/service descriptions,
- 4) The information displayed on the LED sign component shall be limited to only price,
- 5) The area of the LED sign component shall not exceed 20 percent of the total area,
- 6) The lights in the LED sign component shall be monochromatic,
- 7) The LED sign display shall not include flashing, animation, or similar simulated movement, and

8) The LED sign component shall only display information that is required to be displayed by federal, state, or local law.

Approved 4-2 (Brunnquell, Silasiri - nay).

Review and consideration of proposed signage and lighting plan requested by John Bruecker-1720 Property LLC, property owner, located at 1720 Wisconsin Avenue to approve those features related to an auto parts and supplies store known as NAPA Auto Parts

Administrator Hofland updated the Plan Commission on the John Bruecker-Twin City Plaza project. He explained that the Plan Commission approved the Conditional Use Permit for property located at 1720 Wisconsin Avenue, the applicant, Twin City Plaza owner John Bruecker last month. Now John Bruecker is now requesting Plan Commission approval of a proposed signage and a lighting plan for a building remodel for NAPA Auto Parts at 1720 Wisconsin Avenue.

He stated that in May, the Architectural Review Board approved façade modifications for the building with the condition that signage be reviewed by the Plan Commission. The Plan Commission is being asked to approve the signage and lighting plan to fulfill those conditions.

The Commission members were updated with a new site plan rendering and a colored sign rendering.

He also stated that the SCD guidelines permit a monument or wall sign, not both. However, given that the pole sign is existing on the site and considering the distance of the front of the building from the street, Staff recommends that a wall sign be permitted in addition to the reconfigured pole sign.

Mr. Hofland noted that NAPA had originally submitted a request for two wall signs on the west (front) elevation. However, they are now requesting one wall sign which is above the front entrance doors in the gable area. He further noted that NAPA's proposed signage would be reviewed with the new changes and that the planning staff would make sure it meets the size requirement. The wall sign must be comprised of individually channeled letters.

The proposed pole and wall signs are internally illuminated and Staff recommends approval.

On the proposed plan, the applicant identifies that the existing parking lot lighting will not be altered. The Twin City Plaza PUD received new lighting poles and lighting fixtures that were approved by the Village in 2007. In the opinion of Staff, the existing lighting should be considered adequate for continued use on the site, without additions or reconfigurations.

One new light sconce is proposed to be mounted on each of the brick columns on the reconfigured building façade. While these fixtures will provide some auxiliary lighting in front of the building, they are largely intended as decorative architectural features. These fixtures are typical of this type of application and are not expected to cause glare or other negative impacts. Staff recommends approval of the fixtures.

According to the SCD sign regulations, a pole sign may not exceed 100 square feet on one side. Administrator Hofland recommends that the applicant submit a dimensioned drawing of the proposed NAPA pole sign to confirm that the signage meets the size requirement. He further noted that the

pole sign must be no higher than 24 feet which the applicant is willing to lower the pole sign to meet those regulations.

Present was Barb Bruecker-Daughter of John Bruecker, and Kevin Stanton, District Manager of NAPA Auto Parts to answer any questions.

Mr. Stanton explained that NAPA has been working with the Planning and Development Staff on updating the NAPA signage at the new location. He has no problem with lowering the pole sign to 24 feet to meet the requirements of the SCD Sign Guidelines. They have updated the overall NAPA signage to stay in line with their other NAPA stores in the region.

Commissioner Silasiri asked what the original intent was for the Pole sign at this location.

Barb Bruecker responded that the original intent for the pole sign was for Banner Craft the past tenant of 1720 Wisconsin Avenue. It was always the intent of that pole sign to be for the tenant of the building located at 1720 Wisconsin Avenue.

Commissioner Silasiri also asked why a monument sign was not reviewed because according to the SCD sign guidelines, they should be reviewing for a monument sign.

Mr. Stanton of NAPA stores spoke that a monument sign because of the cost factor, NAPA choose to use the existing pole sign like Goodwill Store did across the street. A monument sign would not be a visible from either direction on Wisconsin Avenue.

Commissioner Silasiri comment was that NAPA is a company owned business and that cost should not be a factor. He feels that the Village should be following the guidelines with no exceptions.

Chair Brunquell reminded the Commission that this was a lighting and signage plan and not a request for any kind of variance.

Commissioner Rieck stated that he was fine with the pole sign but suggested that some low landscaping should be placed around the ground base level.

Commissioner Paschke suggested that when the Planning and Development Staff reviews the signage that they should work with the applicant on improving the individual elements of the sign. He also agrees with the pole sign to be brought down to the 24 feet level with landscaping around the base. He has no problem with re-using the existing pole sign. He would like to see the letters and logo lit.

Chair Brunquell explained that in the C-2 District, the guidelines for the SCD are being followed with the new developments. However, the older businesses have reused the existing pole signage but have met the required maximum height of 24 feet. For example the Goodwill Store used the former Sears Store pole sign which is allowed.

A short discussion took place and the consensus was to move forward with motion to approve the lighting and signage plan and have the applicant continue to work with the Planning and Development Staff.

Motion by Commissioner Rieck, seconded by Commissioner Plato to approve signage and a lighting plan requested by John Bruecker -1720 Property, LLC, property owner, located at 1720 Wisconsin Avenue to allow for an auto parts and supplies store known as NAPA Auto Parts, subject to the following conditions:

- 1) Applicant shall provide dimensioned drawings of the proposed pole and wall signs to provide Planning and Development Staff with confirmation that the signs (including logo) will not exceed the maximum size allowed.
- 2) Only one wall sign on the front elevation shall be allowed and shall be comprised of individual channel letters.
- 3) The pole sign shall not include signage for Ace Hardware or any other off-premise business.
- 4) The Plan Commission shall waive the restriction that a building in the SCD may have either a wall or monument sign, not both.
- 5) The Plan Commission shall not mandate that signage shall be externally lit, as recommended in the SCD guidelines.
- 6) The applicant must continue to work with the Planning & Development Staff on the both plans.

Approved 5-1 (Silasiri-abstained).

Review of Concept Plan for a 20-unit Community Based Residential Facility (CBRF) located on Highland Avenue, north of the Post Office

Mr. Hofland then introduced the concept plan project. He stated that the applicant, Kris Aubrey, is presenting a concept plan for a 20-unit Community Based Residential Facility (CBRF). The subject property is a 1.52 acre lot located on the west side of Highland Drive between Falls Road and Maple Street, immediately north of the Post Office. The site is currently vacant. The applicant intends to deed restrict the site, limiting the facility to housing elderly residents. The applicant is seeking feedback on the concept plan prior to proceeding with the project.

According to the submitted floor plan, the facility will feature 20-units arranged around the outer perimeter of the building around a central core of offices and utility areas. Residents will share a great room, dining room, living room, and covered patio.

The parcel is currently zoned O (Office). The proposed land use is considered a 'Community Living Arrangement, 16 or more persons' per the Village Zoning Ordinance, which is allowed as a conditional use in the MFR-1 and MFR-2 multi-family residential districts, and in a Planned Unit Development (PUD). Therefore, a zoning change will be required to accommodate the proposed project.

He also noted that there are three CBRFs operating in the Village: Hamburg Home, Washington Heights and Serenity Homes of Grafton. Thus, the proposed facility would be the largest CBRF in the Village, and would fall under the 'Community Living Arrangement, 16 or more persons' land use category.

The applicant wishes to pursue approval of the project as a 20-unit facility, PUD zoning will be required.

Mr. Hofland then reviewed the concept plan renderings with the Commission. He stated that there is an existing tree line along the northern property boundary, which provides a natural buffer between the parcel and the trail and single-family residential parcels to the north. It is recommended that the tree line be maintained, as shown on the submitted concept plan. Per the Village Zoning Ordinance, bufferyards will need to be incorporated into the landscape plan due to the different zoning/uses on adjacent properties.

Per Table 19.05.0203 of the Village Zoning Ordinance, a group home or institutional residential facility requires one parking space per bedroom. In the case of the proposed project, requirements may be lowered if it can be reasonably demonstrated that residents no longer drive. However, the number of employees and frequency of visitors will also be a factor. The proposed concept plan shows 13 parking spaces. Further discussion will be required to determine if that amount of parking is adequate.

Administrator Hofland also noted that the subject parcel is located across Highland Drive from the back side of several large retail operations. As such the view along that portion of Highland Drive is not particularly scenic. In the submitted concept plan, it appears that with the exception of the units on the north side of the building most of the units face either parking lots or the back side of the retail facilities. If possible, the applicant may wish to consider arranging the site plan with the intention of blocking views of the retail and placing more green space adjacent to the building.

Present was Josh Pudelko of Trio Design-17700 West Capitol Drive, Brookfield, WI, and Barbara Aubrey-Administrator Arbor View Assisted Living Facilities.

Joshua Pudelko, of Trio, 17700 West Capital Drive, Brookfield, WI, then gave a brief presentation on the proposed facility. He stated the building space was circular in shape. It is being proposed as a 20 bed unit which is necessary for the success of the business plan. He stated they have in planning phase respected the setbacks. They also plan to buffer the properties to the north and south side yards as well as the back or west property line.

The parking lot will consists of 13 parking spaces and they have found in the past that this was adequate parking for both the employees and the visitor parking. He noted that no residents have their own vehicle. For the storm water management plan, they do intend to include a rain garden.

Barbara Aubrey also introduces herself. She was standing in for her husband, Kris Aubrey who is heading the CBRF project. She responded to the success of the building plan and the success of their other facility. She also spoke briefly on the parking needs of the facility.

The Commission held a short discussion on topics of improvement that they would like to see returning to the Plan Commission.

Commissioner Rieck commented on the parking lot. In his opinion it looks a little small. He would have staff review the parking requirements.

Commissioner Paschke questioned if MFR had parking restrictions and asked if the facility was HUD and what where the HUD requirements. He also questioned whether the applicant had spoken with the Fire Department on assess requirements yet. He also was concerned about zoning ordinance in regard to the curb and gutter.

Mrs. Aubrey responded that the facility was not HUD facility and believes that the 13 parking spaces shown on the concept plan have worked in the past with their other facilities and that the amount of visitors that the residents get is not what people would think.

Mr. Pudelko commented that they will be meeting with the Fire Chief to follow up on the requirements that would have to be in place as far as assessing the facility in case of a fire. He will also continue to work with the Planning and Development Staff at the Village to meet all of the Village requirements.

Chair Brunnquell closed by stating that the applicant will have to come back to Plan Commission with the follow up with the following concerns; 1) prove parking spaces are adequate, 2) review the stormwater management plan and the location of the rain garden, and 3) work on the landscaping buffers for the neighboring surrounding properties.

Jim Uselding-N49 W6557 Western Road, Cedarburg, WI.

Mr. Uselding stated that he was the owner of Cedarburg and Grafton CBRF-Family Tree as well as a Ozaukee County Board Supervisor. He wanted to make the Plan Commission aware that the County is looking at building a 26 bed facility near the Lasata location in Cedarburg. He also wanted to make everyone aware that there are a total of 21 CBRF facilities in Ozaukee County which totals roughly 359 beds. He believes that a lot of those facilities have vacancy.

Chair Brunnquell thanked the all applicants and the audience for their participation tonight.

OLD BUSINESS/NEW BUSINESS

None

ADJOURN

Motion by Commissioner Kletti, seconded by Commissioner Paschke, to adjourn the meeting at 7:25 p.m. Approved unanimously.