

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

MARCH 26, 2013

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

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

Staff Present: Village Administrator Darrell Hofland, Building Inspector Tom Johnson, Public Works Director/Village Engineer Dave Murphy, and Village Clerk Kelly Popp

Others present: Village Planning Consultants-Larry Witzling and Stephanie Allewalt

MINUTES

Motion by Commissioner Rieck, seconded by Commissioner Harms, to approve the February 26, 2013, Plan Commission meeting minutes as presented. Approved unanimously.

HEAR PERSONS REQUESTING TO BE HEARD

None

COMMENCE PUBLIC HEARING

Statement of Public Notice

Village Clerk Kelly Popp stated the purpose of the Public Hearing is to review a proposed petition for a Text Amendment to Zoning District Uses Section 19.03.0603 Permitted and Conditional Uses requested by Sean Becker of K-Nation Entertainment, LLC., 995 Badger Circle, to allow SIC# 7922 Theatrical Producers and Services, and SIC# 7929 Entertainers and Entertainment Groups, as permitted uses in the PID-Planned Industrial District, and Assembly Places (Indoor, for more than 100 persons) as a conditional use in the PID-Planned Industrial District.

Village Administrator Darrell Hofland gave background on the public hearing item. He stated that the applicant, Sean Becker, Director of Productions for K-Nations Entertainment, LLC, located at 995 Badger Circle is asking the Plan Commission to review our zoning ordinance and amend it to allow for the following SIC# 7922 Theatrical Producers and Services and SIC #7929 Entertainers and Entertainment Groups as permitted uses in the Non-Residential PID-Planned Industrial District, and second would be Assembly Places (Indoor, for more than 100 persons) as conditional uses in the Non-Residential PID-Planned Industrial District.

Mr. Hofland stated that Sean Becker would like to hold live concerts for at least 100 people and would be held, on average, monthly during the day. K-Nation building would be brought up to code to accommodate this type of use. Approximately, 10-15 people currently are employed at this building.

He noted that tonight is the public hearing and the Plan Commission will be asked to determine if this code change is acceptable or not.

He then reviewed the criteria requested of the applicant such as signage, floor plan layout, and the amendment with potential landscaping and additional parking. A site plan will be reviewed in detail at the next meeting in April.

Chair Brunnquell then opened the discussion to the public.

Mr. Becker of K-Nation had no additional comments.

There were no public comments.

Village President Brunnquell noted that being in PID- Planned Industrial District the proposed use may impact neighboring property owners so why not make the recording studio a conditional use as well.

Mr. Hofland also noted that a performance standard ordinance is in place Village-wide which includes noise provisions.

Chair Brunnquell would like to make sure that something does not come up in the future in regards to the noise element. He questioned why would we not make this a conditional use. Perhaps this should be a conditional use as well with the rehearsal space.

A lengthy discussion took place on the concerns the Commission members had.

Commissioner Kletti had questions on the activity of the business itself.

Mr. Becker explained that currently any of the events held, have been open to the public with lunchtime shows and Kapco employee lunches. It is an invite only.

Commissioner Kletti asked if there would be taping of television commercials?

Mr. Becker replied not at this point. Mainly it will be live music showcases; there may be some recorded events or records in house.

Mr. Hofland added that the zoning code change request does not allow for serving of food with the events.

Commissioner Harms concerns was the seating arrangements. Are the invitees sitting at tables or standing around?

Mr. Becker responded that they plan on a seating arrangement in front of a stage. This would be bands coming in and playing for an audience.

Commissioner Harms identified that Mr. Becker stated that K-Nation would be changing the room layout. The Plan Commission will need to know how many people are allowed before they know if there is enough parking.

Mr. Becker stated that they do not see a problem with the parking. There is plenty of space on the property and would be willing to add parking spaces if necessary. Currently, the event times anticipated would be in the afternoon. There may be some after 5 p.m., but not past 11 or 12 p.m. That is still to be determined. He further noted that as part of the submittal next month, they will be presenting the times.

Commissioner Plato stated that if the Village would allow the recording studio and booking agency as permitted uses, that wouldn't mean there would be any concerts unless the Assembly over 100 persons was approved. They could do the recordings, but no gatherings. She stated that she does feel comfortable with the two uses as permitted in the Zoning Code.

Commissioner Paschke stated that this is fairly typical. It is a business that has some entertainment. He feels it is a great thing to have in the community with some good entertainment.

Mr. Becker added that they have soundproofed the room and one cannot hear anything coming out of the room.

Commissioner Silasiri still asked what is the main business of K-Nation.

Mr. Becker stated that they started out as showcasing in other venues. They are now capable of renting equipment out to other companies. An entertainment company is a vague term, but they are able to house other areas of the business under one roof dealing with the music industry. It is talent search, rent the room as well (studio), rehearsal space and other showcases.

Commissioner Silasiri continued by stating does it make sense with this being so broad that both of these codes will not cover everything. He further stated that he understands it to be a conditional use permit to fit this business specifically. The showcase performances that would likely be able to provide for entertainment would fit under one of these and the bookings would be under another area. The agency and assembly place are tied essentially under one place. Rental of the facility would perhaps become a ticketed event. But currently, invitees only would be charged. A ticket would be issued for those people to come in. To change the zoning language to accommodate everything listed here seems extreme. Ticketed events would be possible in the future,

not being requested for approval at this time. Seating for 267 within the square footage of the rehearsal space and correct parking would have to be allowed for the seats. If there is space for that at this time, accommodation would be possible.

Commissioner Rieck would like the permit to cover as many options as possible for the uses they are considering.

Mr. Hofland response was if this property was located in the C-4 Interstate zoning district, the entertainment venue would be allowed. Perhaps not allowing the event tickets to be sold for a value would be the way to differentiate the type of proposed events in the Business Park.

Commissioner Silasiri stated he would like to accommodate their needs for business growth. But within the Business Park, this would not be the case.

Chair Brunnquell asked Building Inspector Tom Johnson if he would like someone to review this.

Mr. Johnson responded by stating that the building code for assembly use may require additional building codes to be met.

Commissioner Paschke stated that the assembly is not the main focus but he would like to have this.

Mr. Johnson stated that egress is the issue here. He has not seen the plan yet and cannot get too involved in it at this time.

Chair Brunnquell stated that at the next meeting in April, the conditional use would be what they are looking into. He supports the concept. He is concerned with future building in the area. He would like to have the ability to evaluate it. The Plan Commission should have the ability to review each one on a case by case basis. Text amendment is the only concern tonight.

Mr. Hofland stated that SIC # 7929 for recording studios and related rehearsal space could be a conditional use permit. Secondly, he suggested that the zoning code could add a couple of conditional use criteria which allows for ticket charge for a fee and maximum number of attendees. The Assembly use as a conditional use is where there is a lot of ability for the Plan Commission to dictate how it operates. In essence no one else can attend except those involved.

Chair Brunnquell then asked Mr. Becker if there were any other considerations.

Mr. Becker responded by stating no.

Chair Brunnquell then closed the public hearing item.

Review of a Petition for a Text Amendment to Zoning District Uses Section 19.03.0603 Permitted and Conditional Uses to Allow SIC# 7922 Theatrical Producers and Services and SIC# 7929 Entertainers and Entertainment Groups as permitted uses in the PID- Planned Industrial District, and Assembly Places (Indoor, for more than 100 persons) as a conditional use in the PID- Planned Industrial District.

Chair Brunnquell stated that the two SIC # 7922 and SIC# 7929 uses could be acted on tonight but the Plan Commission could wait a month on the Assembly use.

Commissioner Rieck agreed.

Mr. Hofland clarified that the Plan Commission would then move forward on SIC#7922 Theatrical Producers and Services, and SIC# 7929 Entertainers and Entertainment Groups.

Commissioner Harms stated that if the recording studio and rehearsal space was approved as a conditional use, then it can be reviewed from time to time as issues come up. He wants this business to come into the community because it is unique.

Commissioner Paschke stated that in reality the recording studio is a business use. His only concern is why would we need a conditional use for it if it is a business.

It was the general consensus of the Plan Commission at this time to move forward tonight with the motion to approve the text amendment to the PID Zoning District on two of the elements - SIC#7922 and SIC#7929.

Motion by Commissioner Silasiri, seconded by Commissioner Harms to approve the text amendment to allow SIC#7922 and SIC#7929 in the PID-Planned Industrial District as conditional uses. Approved 4-2 (Plato and Paschke - nay).

Review and consideration of a proposed Certified Survey Map (CSM) for Innovate, LLC located at the northwest corner of Falls Road and 16th Avenue

Administrator Hofland gave background on the Falls Road and 16th Avenue property. He stated that Mr. Renner's parcel has been reviewed several times in the past two years and is a heavily wooded parcel with very steep slopes. The lots, which are larger than an average lot in the neighborhood, average 35,000 square feet. The identified concerns on stormwater management plan and other matters, Mr. Hofland reviewed with the Commission members.

Mr. Renner has already signed a development agreement which incorporated items of concern. However, one item not discussed is the heavily wooded areas needing a building envelope depicted on the CSM which identifies the building area and must be reviewed so to verify compliance on preservation of a minimum percentage of trees per

lot. One of the first parcels is built on and the occupancy permit was issued by the Building Inspector.

The Commission members had no other comments or concerns.

Motion by Commissioner Paschke, seconded by Commissioner Kletti to approve the proposed Certified Survey Map requested by Innovate, LLC c/o Peter Renner located on the northwest corner of Falls Road and 16th Avenue subject to the following conditions: 1) delineation of the building and access envelopes on each of the four CSM lots to provide appropriate protection of the natural environment; 2) review of the impact on the natural resources prior to construction on each lot by the Director of Planning and Development; 3) submittal of erosion control plan to the Village Engineer prior to any site construction on Lots 2 - 4; 4) approval of the primary structure on each lot by the Architectural Review Board taking into account the need for commonality in type, but a differentiation in style and/or architectural details; and 5) identification on each of the four CSM lots that a Development Agreement associated with the CSM exists. Approved unanimously.

Review of a conceptual Site Plan and Conditional Use Permit as 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

Mr. Hofland then asked the Village planning consultants to introduce themselves.

Larry Witzling and Stephanie Allewalt of Graef-USA introduced themselves. Mr. Witzling also responded by stating that they are pleased to be working with the Village of Grafton and the applicants.

Mr. Hofland reviewed the conceptual plan for an auto parts store known as NAPA Auto Parts located at 1720 Wisconsin Avenue, and owned by 1720 Property, LLC-John Bruecker. This particular building is located in the Twin City Plaza. Currently, NAPA Auto Parts Store is located at 1750 Wisconsin Avenue also in the Twin City Plaza and occupies approximately 4,600 square feet. They would be relocating into a 20,520 square feet building which predominantly brick.

He further noted that NAPA is open seven days a week and receives freight deliveries about five times a week. In reviewing the plans, Mr. Hofland also stated that a dumpster and enclosure would be needed for this applicant.

He stated also that tonight is the first step in the planning process. Next month, there will be a public hearing on the conditional use permit. Also this property owner will be applying for a façade grant through the Community Authority Development. The Planning and Development staff will continue to work with the applicant and property owners on the lighting and landscaping issues.

Mr. Hofland also explained that to date, there has been no signage submitted. One component of the signage plan is the master sign which is now currently not fully operational. Whether a new master sign is proposed or an update on the existing master sign is proposed, all signage must be fully operational.

The floor plan consists of the customer area on the northwest corner of the building, and the rest of the floor space will be used for inventory, service and loading areas. Important to note is that there is only a limited number of spaces for parking in the front. As part of the South Commercial District guidelines, the percentage of landscape, etc. will be evaluated.

Mr. Hofland so noted that Commissioner Paschke has provided an architectural rendering of the proposed facade changes.

Stephanie Allewalt also added that GRAEF concept design identifies possible site plan changes for NAPA Auto Parts. They will be working with the applicant over the next month and would like to review landscaping as well as architectural guidelines. The parking does not show on the drawing very well, but the applicant may like to keep these spaces.

Larry Witzling also indicated that discussions with the applicant have gone well and GRAEF will be meeting with the Village staff next Thursday in order to bring back this project next month for serious consideration by the Plan Commission. The applicants are present tonight.

Representing NAPA was Kevin Stanton, district manager of the company owned stores and Anthony Miller, manager of the Grafton NAPA Auto Parts store. Also attending was Barbara Bruecker, on behalf of her father, the owner of the property.

Ms. Bruecker stated that they are willing to work with the Village and GRAEF to make things happen for NAPA. She further stated that NAPA has been well received by the Grafton community. She noted also that they would like to keep the current master site pole sign and they have had good comments on the Art Deco-like design. They are aware that it must be completely functional and are currently working on the electrical issues.

Ms. Allewalt reviewed with the Commission the overview of key elements of the South Commercial District guidelines as they apply to the proposed project such as the traffic pattern and snow removal options that will be incorporated in the final site plan.

Mr. Witzling stated that at the next Plan Commission meeting, hopefully there would be more detail and the applicants could meet again with the Village Planning and Development staff.

Kevin Stanton stated that they would like to expand in Grafton and they are cramped at the current location. They need additional space.

Commissioner Kletti stated that ingress and egress was created years ago. He is interested in the parking situation, perhaps a new doorway on the north facade for more direct access to parking.

Commissioner Harms questioned the number of parking spaces required.

Mr. Hofland responded by stating that 60 parking spaces are required per the building's square footage. Even though NAPA does not have a need for this number of parking spaces, the Village needs to review the site plan realizing that NAPA may not be in this space forever.

Commissioner Plato is curious to see what parking plan they will come up with. Hopefully, she added that the building façade will be changed.

Commissioner Paschke stated that the plan is headed in the right direction. He is supportive of keeping the current master sign.

Commissioner Silasiri thinks that using that building would be an asset. The entrance from Wisconsin Avenue is such a difficult turn coming into the parking lot. He then asked Dave Murphy if anything can be done for safety and traffic flow.

Mr. Stanton responded that a change in the driveway entrance farther north would make it difficult for the customers of the other businesses.

Commissioner Silasiri stated that the current entrance is very inconvenient and needs changing.

Mr. Hofland response was that the location of the entrance is suitable; it may need to be reconfigured.

Commissioner Silasiri also asked about the Farmers Market.

Barbara Bruecker replied that the Grafton Area Chamber of Commerce uses a part of the parking lot for this market. The owner receives no monetary compensation for the Chamber for the Farmers Market.

Mr. Stanton stated that they do not have a need for the parking lot north of the building, just the south parking lot and parking in front of the building.

Commissioner Rieck likes the master sign and is all for keeping the sign. He however does not like the concrete around the sign's base. He is supportive for keeping the parking in front of the building.

Chair Brunquell stated that this is the entrance way into the South Commercial District. The Plan Commission should look at the view heading south; the tone is being set for

this district. This is a first impression building and the Plan Commission should take that into consideration. He looks forward to moving forward on this project.

Review and consideration of a minor site plan change requested by applicant, Dick Daehnert of RLD Planning -Design-Construction, to allow for a relocation of the entrance door from the north side to the west side of the Creekside Plaza Retail Building located at 2293 Wisconsin Avenue with the addition of a (new loading/unloading area) concrete drive. This proposed retail space would accommodate a new tenant known as the Sherwin Williams Company.

Representing Grafton Creekside Plaza was Dick Daehnert, AIA President of RLD Planning-Design-Construction-2293 Wisconsin Avenue, Grafton, WI 53024

Mr. Daehnert clarified that the front entrance to this retail space would stay but an additional double doors would be added for loading/unloading use only on the west side of the façade next to the proposed concrete ramp.

Mr. Hofland gave background to this minor site plan amendment which would include adding a side entrance on the west façade along with a loading/unloading area. The plan shows the truck entrance on the site which is a very tight site. Some additional details about truck delivery need to be addressed by the applicant to the Village's satisfaction.

A diagram prepared by Sherwin Williams of the truck deliveries was reviewed in great length.

Commissioner Paschke concern was that the grass strip north of the deliveries is fully landscaped.

Commissioner Silasiri questioned where the truck traffic would enter into the Creekside Plaza complex. He stated that if a truck enters the site from the north, he questioned the ability of the truck to navigate safely.

Mr. Murphy responded that the radius would fit and it would be okay from that entrance point to the north.

Chair Brunquell had a question for Mr. Hofland on a possible condition relating to an adaptive reuse. The delivery ramp is very specific to the proposed retailer.

Short discussion by the Plan Commission took place on the concerns to restore the site plan back if the proposed tenant leaves that location.

Mr. Hofland stated that in light that the site is a PUD, the Plan Commission can put that stipulation on any approval. Without placing this condition on the PUD, the next tenant would chose whether they left it or changed it at that point.

Motion by Commissioner Kletti, seconded by Commissioner Paschke, to approve a minor site plan requested by Dick Daehnert of RLD Planning-Design-Construction for property located at 2293 Wisconsin Avenue to accommodate a new tenant known as Sherwin Williams retail store with the addition of a (new loading/unloading area) concrete drive, subject to the following conditions: 1) submit delivery plan for review and approval by Planning and Development staff; 2) provide bollards or other safety device protecting the building and sidewalk area from the truck trailers with review and approval by the Village Engineer; 3) stormwater management plan must be updated and approved by the Village Engineer; 4) applicant must work with Planning and Development staff on the landscaping plan; 5) façade changes must be approved by the Architectural Review Board; and 6) after tenant would leave this retail space, the site plan would have to be restored back to its original plan in this PUD-Planned Unit Development, by removing the loading/unloading drive. Approved unanimously.

Sharyn Kalies, 862 Seventh Avenue, spoke on concerns about the location of Creekside Plaza/North Shore Bank's driveway in relation to First Avenue and Wisconsin Avenue. Drivers are usually unsure of whose turn it is to go.

Chair Brunnquell responded by stating that this intersection will have to be monitored.

EXTRATERRITORIAL

- A. James Blakenburg, 1008 Arrowhead Road, Town of Grafton/Rezone and minor land division (Certified Survey Map)

The Plan Commission by consensus was supportive of the extraterritorial changes to the zoning and land division in the Town of Grafton.

Old Business/New Business

None

ADJOURN

Motion by Commissioner Kletti, seconded by Commissioner Plato, to adjourn the meeting at 7:40 p.m. Approved unanimously.