

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

MARCH 24, 2015

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

Plan Commissioners present: Village President Jim Brunnuquell, Mark Paschke, Carl Harms, Trustee David Liss, Alan Kletti, and Randy Silasiri

Plan Commissioners excused: Amy Plato

Officials/Staff present: Village Administrator Darrell Hofland, Director of Public Works/Engineer David Murphy, Director of Planning and Development Jessica Wolff, and Administrative Secretary Deborah A Brown

Others present: Ozaukee Press Copy Editor Steve Ostermann and citizens of the community

Chair Brunnuquell announced that the items on the agenda relating to the laser tag conditional use permit have been tabled from the agenda pending lease negotiations between the tenant and property owner.

MINUTES

Motion by Commissioner Harms, seconded by Trustee Liss to approve the February 24, 2015 Plan Commission meeting minutes as presented. Motion carried.

HEAR PERSONS REQUESTING TO BE HEARD

None.

The request by Low Entertainment LLC for a conditional use permit (CUP) to allow for a recreational laser tag facility (SIC #7999 Amusement and Recreation Services, Not Elsewhere Classified) to be located at 1827 Wisconsin Avenue (Parcel 10-050-03-03.012) was removed from the agenda.

Motion by Commissioner Harms, seconded by Commissioner Paschke to table Item # 5 and Item #14 related to the recreational laser tag facility for a conditional use permit. Motion carried.

COMMENCE PUBLIC HEARING **Statement of Public Notice**

Administrative Secretary Brown stated the purpose of the Public Hearing is for public review and comment on a request for a conditional use permit by Alicia Robillard to be located at 1402 Seventh Avenue (Parcel 10-050-02-13-003) to allow for child care services.

Director of Planning and Development Jessica Wolff gave a background on the conditional use permit. She stated that the applicant, Alicia Robillard is requesting a conditional use permit for a new child day care facility at 1402 Seventh Avenue. The day care will be known as Heaven's Lil Angels day care and will share this space with New Life Church, approved by the Plan Commission in November 2014. The day care is presently located in Thiensville and will occupy 1,225 square feet on the first and second stories of the building including three classrooms and a kitchen. The day care will also house up to 18 children. She further noted that the outdoor play area will be located on the northeast side of the site in the existing loading dock. Employees will park on the south side of the building. Drop off and pick up will occur on Seventh Avenue. Interior renovations and state permitting are expected to take up to three months with an anticipated opening of August 2015.

Director Wolff explained that the Planning and Development staff has reviewed this request and finds the proposed child day care facility to be compatible with the site and the surrounding uses. She is recommending the approval for the conditional use permit. She stated that the applicant, Alicia is present tonight to answer any further questions or comments the Commission may have as well as the public.

Chair Brunnuquell opened the floor to the public. There were no public comments or concerns.

Chair Brunnuquell asked the applicant if she was aware that the church has not submitted building plans or applied for building occupancy. He was concerned that she may need a backup plan. Ms. Robillard responded that she is aware of the situation and would have a backup plan to relocate her day care in the event that occupancy would not be granted.

Commissioner Harms asked if the children would have a play area outside and would it be fenced. Ms. Robillard said yes any play area would be fenced.

Chair Brunnuquell asked if the Commission felt comfortable with moving forward later in the meeting with a motion to approve, they had no objections with moving forward. With no further comments, Chair Brunnuquell closed the public hearing.

COMMENCE PUBLIC HEARING

Statement of Public Notice

Administrative Secretary Brown stated the purpose of the Public Hearing is for public review and comment on a petition requested by continental Grafton LLC for a conditional use permit (CUP) to be located on the north side of Washington Street (WIS

60) west of I-43 (Parcel 10-020-06-011-00) to allow for a McDonald's restaurant with drive through facilities.

Director Wolff stated that she originally presented the McDonald's project at the last (February) Plan Commission meeting. She noted the two minor changes that have been made were on the south elevation; the brick color was selected with only one color rather than two colors. She also noted that the landscaping features on the same south elevation has changed too, enhancing the presence into the Village. Director Wolff also announced that prior to this meeting, McDonald's went to the Architectural Review Board for its final approval.

She stated that the applicant, Steve Jeske from Haag Muller on behalf of McDonald's, is presenting plans for a new McDonald's restaurant on WIS 60.

Chair Brunnquell opened the floor to the public.

Bob Meier, 1967 West Acorn Drive

Mr. Meier stated that he thinks the Village is moving backwards with this decision to approve this drive through restaurant. He thinks that the Village is bending the rules and further noted that the C-4 district was established with a successful plan and the Village should not change its standards to accommodate a developer with a lot that is very restricted and challenged.

Chair Brunnquell noted that he wants to make sure that all rooftop mechanical units will be screened properly and not visual to traffic on Washington Street (WIS 60) or I-43 southbound ramp.

Commissioner Silasiri had concerns regarding the traffic through the Kohl's area near Costco at the three way stop. It can get congested at times. He also questioned whether the Village had done a traffic study. Village Engineer David Murphy responded that the traffic study indicated a new restaurant will not adversely impact traffic in Grafton Commons. He also noted that the turn lanes for southbound Grafton Commons traffic, at the McDonald's driveway needs to be marked. He would request that this be added the conditions of approval. Mr. Jenske agreed with that request.

Commissioner Kletti was concerned that the site's limited access will add to customers' travel time if headed south on I-43. Commissioner Harms thought the same way as it relates to traffic flow problems. Chair Brunnquell responded that it is no different from travelers visiting the credit union or the other restaurant in the area.

There was a consensus to move forward with motion later in the meeting. With no further comments, Chair Brunnquell closed the public hearing.

Consideration of a conditional use permit requested by Alicia Robillard to allow for a child care facility to be located at 1402 Seventh Avenue (Parcel 10-050-02-13-003)

Motion by Commissioner Kletti, seconded by Commissioner Harms to approve a conditional use permit requested by Alicia Robillard to allow for a child care facility to be located at 1402 Seventh Avenue (Parcel 10-050-02-13-003) with the following conditions:

1. Child day care use limited to 1,225 square feet of floor area.
2. Hours of operation shall be limited to Monday through Friday 6:00 a.m. to 6:00 p.m.
3. Site shall be limited to two shifts with up to four employees per shift.
4. Fencing material for the outdoor play area shall be plastic coated chain link. The fence shall be located south of the Beech Street building façade.
5. State approved building plans (in coordination with plans for New Life Church) are required for building and occupancy permit issuance.
6. Signage to be approved separately by the Director of Planning and Development.
7. All building code and other Village and State codes pertaining to occupancy of the building will be met.

Motion carried.

Review and consideration of a site plan updating the drive through at McDonald's located at 606 Falls Road (Parcel 10-050-03-04-009)

Director Wolff reviewed the site plan. The applicant is presenting a site plan amendment to add a second drive through lane at their Falls Road location. McDonald's is updating all existing stores with the new dual drive through format to reflect changing customer demand. She also noted that a total of six parking spaces have been eliminated and four parking space on the east side near the drive through lane will be marked for compact cars only because of concerns about vehicles backing out of these spaces.

The condition of the existing landscaping was also a staff concern. She recommended inspecting the landscaping later this spring and working with the applicant to replace any overgrown plants and will fill in where missing plants and trees exist. She also explained to the Commission members that the east side of the dumpster enclosure has been repaired so condition #2 can be removed from the motion.

Stephen Jeske, architect for Haag Muller Inc., was present to answer any questions or concerns. Also present was Mary Meyer, Regional Real Estate Manager for McDonald's.

Commissioner Paschke asked about the width of the drive throughs and the turning radius. Mr. Jeske responded that the overall width is approximately 31 feet and meets all the design requirements; he did not have information on the drive lane specifically.

Motion by Trustee Liss, seconded by Commissioner Harms to approve a site plan for a drive through addition at McDonald's at 606 Falls Road with the following conditions:

1. Relocate the bike rack to be near the main entrance.
 2. Inspect the landscaping this spring with the applicant; replace overgrown plants and fill in missing plants/trees as approved by the Director of Planning and Development.
 3. Submit a landscaping plan for the new landscaped island between the two drive through lanes as approved by the Director of Planning and Development.
 4. Add signage at each of the four of the stalls north of the new striped island on the east side of the site for compact cars only.
 5. Signage shall be approved by the Director of Planning and Development.
 6. All building code and other Village and State codes will be met.
- Motion carried.

Bob Meier was concerned about the angle of the turn on the northwest side of the drive through. Mr. Jeske stated that the turn lanes meet all the requirements.

Consideration of a recommendation to the Village Board to approve the amendment to the Village of Grafton Zoning code Section 19.03.0603 Table of permitted and conditional uses in Nonresidential Zoning Districts to add "Eating place with drive through facilities" as a conditional use in the C-4 Freeway Interchange Business District

Director Wolff reviewed the two key standards: first, the restaurant must be part of a planned unit development of at least 150,000 square feet retail, office or hospitality uses and second, it must be at least 1,500 feet from another drive through. She also noted that she had received one email on future limitations of a drive through ordinance and one letter sent to the Commission members.

The Commission members held a discussion and shared opinions in regards to the existing establishments that would be effected by the approval of this amendment to the Village of Grafton Zoning Code.

Commissioner Salieri stated that he has an issue with approving this ordinance because it is not consistent with the original C-4 area plan and makes no sense with the language in the ordinance itself.

Commissioner Paschke has issue with the language as it relates to existing establishments. He thinks that the Village should try and change the language to be more equitable to the existing property owners with drive throughs. Administrator Hofland suggested that the property owners could petition for a zoning code amendment if the Starbucks or the Dairy Queen moved from their current locations and the owners wanted to change uses or make site changes.

Director Wolff reminded the Commission members that the Dairy Queen is a legal nonconforming use and is grandfathered as an existing drive through restaurant. She also noted that Starbucks is a different land use category. Chair Brunnquell stated that the Village has done an outstanding job at accommodating the type of businesses that have come into the C-4 district and the Plan Commission has been true to the intended character zoning standards. He thought that the Village needs to keep up with the changing times and the demands of shoppers at regional retail centers like Grafton Commons for quick service restaurants.

Commissioner Kletti asked how the Village decided on the 1,500 feet separation requirement. Director Wolff responded that this was the distance that staff and legal counsel thought was appropriate from a traffic management and aesthetic standpoint. Chair Brunnquell explained that the ordinance is not affecting the existing drive through businesses in the area. The radius was determined based on the growth of our businesses in this district and the traffic it will generate. Any new businesses will have to petition for a conditional use permit and the Plan Commission will review and approve appropriately.

Village Administrator Darrell Hofland spoke briefly on the review of the amendment and on the future for quick service restaurants. He noted that the radius is not just for the current established drive through uses but in the future can be used for an existing building that could request changes its zoning uses; given as an example - the current Office Max building.

Commissioner Harms encouraged the Planning and Development Department as well as the Village to look at more sit down restaurants in the future.

Motion by Commissioner Harms, seconded by Chair Brunnquell to recommend approval to Village Board to amend the Village of Grafton Zoning Ordinance Table 19.03.0603 Permitted and Conditional Uses in Nonresidential Districts to make "Eating places with drive through facilities" (SIC #5812) a conditional use in the C-4 Freeway Interchange Business zoning district and amend Section 19.03.0703 Detailed Standards for Conditional Uses in Nonresidential Districts. Motion passed 4-2 (Silasiri and Paschke - nay).

Consideration of a conditional use permit by Continental Grafton LLC to allow for a McDonald's restaurant with drive through facilities to be located on the north side of Washington Street (WIS 60) west of I-43 (Parcel 10-020-06-011-00)

Commissioner Kletti still believes access to the site will be a problem. Mr. Murphy explained that the traffic study showed it can handle this proposed drive through restaurant and he has no issues with this project. Commissioners had no further comments or concerns.

Motion by Commissioner Harms, seconded by Trustee Liss to approve the conditional use permit requested by Continental Grafton LLC to allow for a

McDonald's restaurant with drive through facilities to be located on the north side of Washington Street (WIS 60) west of I-43 (Parcel 10-020-06-011-00)

1. Zoning Ordinance amendment to allow drive through facilities as a conditional use in the C-4 zoning district to be approved by the Village Board.
 2. Site shall be limited to four shifts with up to 12 employees per shift.
 3. Restaurant use limited to 4,459 square feet of floor area.
 4. Provide one bike rack near the entrance of the building.
 5. Provide elevations and building materials for the dumpster enclosure. Building materials shall be identical to those on the main building.
 6. Change the compacted decorative gravel to sod on the landscaping plan.
 7. Use epoxy for all the lane markings in the Grafton Commons access drive.
 8. Provide pavement marking plan for south bound lanes in the Grafton Commons access drive.
 9. Maintain a PASER rating for the dedicated right turn lane of six or better.
 10. Add a directional sign to I-43 at the McDonald's exit similar to other signage throughout Grafton Commons.
 11. No outdoor storage is permitted.
 12. Signage to be approved separately by the Director of Planning and Development.
 13. All building code and other Village and State codes pertaining to occupancy of the building will be met.
 14. All roof top units must be properly screened and not visible from WIS 60 or the I-43 off ramp.
 15. Final site plan to be approved by the Village Engineer.
- Motion carried.

Consideration of a site plan requested by Continental Grafton LLC to allow for a McDonald's restaurant with drive through facilities to be located on the north side of Washington Street (WIS 60) west of I-43 (Parcel 10-020-06-011-00)

Motion Commissioner Paschke, seconded by Commissioner Harms to approve a site plan as requested by Continental Grafton LLC to allow for a McDonald's restaurant with drive through facilities to be located on the north side of Washington Street (WIS 60) west of I-43 (Parcel 10-020-06-011-00). Motion passed 5-1 (Kletti - nay).

Commissioner Harms asked if there was sufficient demand for two McDonald's restaurants in Grafton. Mary Meyer, Regional Real Estate Manager, answered that McDonald's had done their homework and all studies show a strong indication that there is demand to support both locations. McDonald's is committed to keeping the existing Falls Road location open for business.

Planning and Development Department 2014 Annual Report

Commission members reviewed the 2014 Annual Report. Administrator Hofland noted that Ms. Wolff is a great addition to the Grafton staff and has impressed him how quickly she has adapted to the Planning and Development Director position.

Old/New Business

None

ADJOURN

Motion by Commissioner Kletti, seconded by Commissioner Harms to adjourn the meeting at 7:08 p.m. Motion carried.