

## VILLAGE OF GRAFTON

### PLAN COMMISSION MEETING MINUTES

**MAY 26, 2009**

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

Plan Commission members present: Jim Brunnquell, Richard Rieck, Al Schlecht, Mark Paschke, Randy Silasiri, Amy Plato

Absent: Carl Harms

Staff/Officials present: Director of Planning and Development Michael Rambousek, Planner MaryKay Buratto, Building Inspector Tom Johnson, Director of Public Works/Village Engineer Dave Murphy, Village Clerk Teri Dylak

#### **MINUTES**

Motion by Commissioner Schlecht, seconded by Commissioner Silasiri, to approve the minutes from the April 28, 2009 Plan Commission meeting, as presented. Approved unanimously.

#### **HEAR PERSONS REQUESTING TO BE HEARD**

Ben Quist, representing Form & Fitness - 2020 Cheyenne Court, was present to request approval from the Plan Commission to work with Planning and Development Staff on changes to the sign code regarding the year-round placement of banners in parking lots on private property. Mr. Quist identified that Form & Fitness has previously utilized banners to enhance their facility; however, the current code only allows limited time placement of banners. It was the consensus of the members for staff to work with Mr. Quist on possible language changes to the sign code to address this matter.

#### **COMMENCE PUBLIC HEARING**

Statement of Public Notice was given by Village Clerk Teri Dylak.

The purpose of this Public Hearing for public review and comments to review a request by the Village of Grafton, property owner, for a conditional use permit to allow the filling, grading and excavating of a shoreland area of approximately 2,500 square feet on the property located the northeast corner of River Bend and Lakefield Road, which is proposed for use as a Public Works Department residential yard waste drop-off site and the future construction of the Grafton Little League Complex.

Building Inspector/Floodplain Zoning Administrator Tom Johnson summarized a request by the Village of Grafton Department of Public Works (DPW) for a conditional use permit to excavate and grade within the shoreland zoning district. The project will cause the disturbance of an area of approximately 428,000 square feet with a total fill of 27,700 cubic yards of material. The grading/excavating is necessary to accommodate the construction of a residential yard waste drop-off site and 2500 square foot storage building on the site. Mr.

Johnson indicated that the Village has received a letter from the Department of Natural Resources (DNR) exempting the Village from the need to obtain a Chapter 30 permit.

Mr. Johnson referenced the 22 recommended conditions of approval for this project. He indicated that even though the DNR does not require a Chapter 30 permit, the conditions being placed on this project are similar to what would be required if the permit were required. Director of Public Works/Engineer Dave Murphy has favorably reviewed the conditions of approval.

Mr. Johnson indicated that he received the plans for the Grafton Little League Complex portion of the site on Friday. A conditional use permit is also needed for this portion of the site. He distributed an updated map which outlined the area to be graded, etc. He stated that this area will require a total of 25,700 cubic yards of fill, within the 300 foot shoreland area. A total area of 211,900 square feet (4.87 acres) will be disturbed. The entire site is designed as a balanced site.

Mr. Johnson indicated that the Grafton Little League portion of the site is in order with the exception of the DNR Chapter 30 permit, which is in process. He is recommending that the conditional use permit for this area be subject to same conditions as the DPW site, with the addition of the issuance of a Chapter 30 permit or an exemption letter from the DNR. Final site plan approval should also be added as a condition of approval.

There was minimal discussion on this issue.

Cliff Pointer, RA Smith National, apologized to the Commission for the late submittal of material for the conditional use permit for the Grafton Little League. He indicated that the group understands that any approval will be contingent upon the issuance of a DNR Chapter 30 permit or an exemption letter.

There being no further discussion on this issue, the public hearing was closed.

#### **CONDITIONAL USE PERMIT – FILLING, GRADING AND EXCAVATING OF A SHORELAND AREA – LAKEFIELD ROAD AND RIVER BEND ROAD**

Motion by Commissioner Rieck, seconded by Commissioner Plato to approve the issuance of a conditional use permit for the grading, filling and excavating within the shoreland zoning district, for the above referenced property, subject to the following conditions: 1. Erosion control provisions at least as effective as those in the Construction Site Erosion Control Best Management Handbook shall be installed prior to any disturbance, downgrade from the project site to prevent sediment delivery off the property or into any waterways. These controls must be maintained until the soil is adequately re-vegetated or otherwise protected to prevent erosion. Once the vegetation is adequate to prevent erosion, the barriers shall be removed. 2. Any slopes shall be cut to obtain a 3:1 slope. 3. An as-built elevation survey shall be submitted to demonstrate compliance with the conditions of the permit before a Certificate of Compliance can be issued. 4. Notify the Inspection Department within ten (10) days of project completion to request a Certificate of Compliance. 5 Any

required state, federal, and local permits must be obtained. 6. You, your agent, and any involved contractors shall be jointly and severally liable for any violations of conditions of this permit. 7. You must complete the project as described on or before May 26, 2010. You may not continue construction after this date unless a new permit or permit extension in writing is granted. 8. This permit does not authorize any work other than what you specifically described in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Inspection Department. 9. You must allow free and unlimited access to your project site at any time to the Inspection Department to investigate the project's construction, operation, or maintenance. 10. The Plan Commission may modify or revoke this permit if the project is not completed according to the terms of the permit. 11. You must keep a copy of this permit and an approved plan at the project site at all times until the project is complete. 12. The removal of vegetative cover and exposure of bare ground shall be restricted to the minimum amount necessary for construction. Areas where soil is exposed must be protected from erosion by seeding and mulching, sodding, diversion of surface runoff, installation of straw bales or silt screens, construction of settling basins, or similar methods as soon as possible after removal of the original ground cover and no later than when construction is completed. 13. Any area where topsoil is exposed during construction shall be immediately seeded and mulched or rip-rapped to prevent soil from being eroded and washed into any waterway. 14. No portion of the bank or upland, which is altered or disturbed, and, as a result, unstable may remain unprotected for more than 7 days. 15. Erosion control measures must be inspected, and any necessary repairs or maintenance performed, before and after every rainfall exceeding ½ inch and at least once per week. A site log shall be maintained at the site of weekly inspections and necessary maintenance conducted. 16. All soil stockpiles must be surrounded completely by their own contiguous silt fence. 17. Final site stabilization requires the re-establishment of vegetation with non-aggressive, native species. 18. All silt fence and/or hay bales must be removed from the site and disposed of in a legal manner when at least 95 percent of all disturbed areas on the construction site have actively growing vegetation, and there are no indications of erosion on the site. 19. You are not allowed to deposit or store any materials in any wetland or upon any part of the bed of any waterway below the ordinary watermark or in a floodplain. 20. You or your agents shall not impact wetlands. 21. If dewatering is necessary you shall not discharge resultant liquid directly to any waterway without first being treated so the discharge limit does not exceed 40mg/l of total suspended solids. 22. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit. Approved unanimously.

## **TEMPORARY SEASONAL OUTDOOR STORAGE AND DISPLAY REQUEST – HOME DEPOT / 1350 PORT WASHINGTON ROAD**

The Home Depot store staff is requesting Plan Commission discussion on the possibility of allowing temporary outdoor sales and display of flowering plants from April through October annually at the Home Depot of floral plants, SIC # 5261, at the Home Depot store located at 1350 Port Washington Road. This use would require a conditional use permit.

The Home Depot is proposing to create a set of eight stone planters covered by wooden pergolas that will be placed on either side of their front entrance. The planters will be covered with hanging baskets of flowering plants and pots of flowering plants for purchase and the method of arranging the planters and pergolas is designed to serve as a landscape feature as well as a sales display. The point of sale for these items will be inside the store. Home Depot proposes to maintain the area during the day, replacing purchased plants and picking up debris. The area will be swept daily as well. At the end of the season, the stone planters will be dismantled and stored inside the store along with the pergolas.

Planner MaryKay Buratto indicated that the Zoning code is somewhat confusing on whether or not outdoor storage is allowed in the C-4 zoning district. She indicated that a portion of code says it is allowed, and another section indicates that it is not. The applicant is not looking for an interpretation of the zoning code, but a clarification of the code. She stated that if the Plan Commission agrees that the intent is to allow this type of temporary display of merchandise outside the store, then staff will proceed with the public hearing process. If the Plan Commission does not agree then the matter will end.

Chair Brunnquell questioned if the matter could be forwarded to the Board of Zoning Appeals for review.

John Reimer, representing Home Depot, commented that the proposed display will enhance the outside of the store. The area will be maintained and will only include plants and flowers.

Director of Planning and Development Michael Rambousek explained that when the zoning code was updated, in 2000, the issue of outdoor storage in the C-4 district was discussed at length. Unfortunately, there appears to be a discrepancy in the code. He stated that the best place for this matter might be the Board of Zoning Appeals.

Chair Brunnquell questioned if the district prohibition has a higher priority than the conditional use permit allowance. Mr. Rambousek indicated that it is difficult to separate the issues; however, the previous intent was not to allow outdoor storage in the C-4 district, with the exception of point-of-purchase displays or merchandise occupying no more than a total of thirty (30) cubic feet may be placed within five (5) feet of the front entrance to the premises.

Chair Brunnquell identified that based upon the discrepancy in the zoning code, there is a definite need for clarification on this matter.

Planner Buratto reminded the members that the applicant is only looking for approval for a temporary use.

Motion Commissioner Rieck, seconded by Commissioner Paschke, refer zoning code listing (Section 19.03.0603) regarding the possible approval of outdoor sales, displays and storage as a conditional use in the C-4 Zoning District to the Board of Appeals for clarification and interpretation.

Bob Meier, 1967 W. Acorn Drive, commented that when the zoning code was updated, the provision of outdoor storage in this district was a hot topic. The Plan Commission was adamant that no outdoor storage be allowed in the C-4 district. Mr. Meier indicated that he does not think the proposal should be approved. The Village needs to maintain a clean look in this area. The provision for no outdoor storage was known when The Home Depot was built.

Chair Brunnquell agreed; however, he stated that due to the discrepancy in the code the applicant should be provided with due process in the review of this proposal.

Commissioner Schlecht commented that Home Depot has been persistent in their requests for outdoor storage. The establishment of no outdoor storage was partially based on a history of stores having considerable amounts of merchandise outside the front entrance. The Home Depot and Target were both aware of the no outdoor storage provisions of the district when they developed their stores.

Commissioner Schlecht also stated that this proposal is the first time The Home Depot has submitted a request that is more in keeping with a temporary use with a permanent look. He does not want to see flower carts, bushes, etc. set outside of the front of the building. The use of a stone planter storage structure would not only be functional but would be aesthetically pleasing. Commissioner Schlecht would like to have a clarification on this matter.

Commissioner Rieck agreed and stated that this request is more of a display and he would not be totally against the proposal.

John Reimer indicated that The Home Depot is working to change its image with better store maintenance and aesthetics.

Commissioner Paschke stated that this proposal could be an annual conditional use permit. He questioned if there would be any accessibility issues at store entrances. Mr. Reimer responded that the planters would not be at the store entrances.

Building Inspector Tom Johnson informed the members that the next meeting of the Board of Zoning Appeals is scheduled for July 9. The deadline for submittal for that meeting is June 11. The applicant was directed to contact Mr. Johnson for exact submittal requirements.

Commissioner Silasiri commented that the proposal looks good and questioned if trees or shrubs would be allowed. Mr. Reimer responded that only annuals and perennial plants will be allowed. The entire display would be removed in October.

The motion to refer zoning code listing (Section 19.03.0603) regarding the possible approval of outdoor sales, displays and storage as a conditional use in the C-4 Zoning District to the Board of Appeals for clarification and interpretation was approved unanimously.

### **RE-APPLICATION FOR PRELIMINARY PLAT APPROVAL- TAMARACK HOLLOW SUBDIVISION**

The Plan Commission approved the preliminary plat for Tamarack Hollow residential subdivision in June, 2007. The subdivision includes 31 lots and is located along the north side of Pleasant Valley Road and west of the railroad tracks. The average lot size is approximately 29,168 square feet.

Developer Bob Tillmann is requesting re-approval of the Preliminary Plat due to the downturn in the economy and the residential housing market this past year. Wisconsin Statutes 236.11(1)(b) requires that a final plat be presented to the approving municipality within 24 months from the date of preliminary plat approval or the approving municipality can refuse to approve the final plat. The two year time limit for Tamarack Hollow subdivision will expire on June 26, 2009. Re-approval of the preliminary plat will provide the developer with another 24 months before submitting a final plat for approval.

Staff has reviewed the preliminary plat and is recommending that the Plan Commission re-approve the preliminary plat, thus giving the developer an additional 24 months before he needs to submit a final plat for approval. Due to the troubled housing market and the economic downturn, it would be financially unfeasible to try to bring new single family homes to market at this time.

There is no limit on number of times a developer can resubmit a preliminary plat. Mr. Rambousek spoke with Developer Bob Tillmann and he indicated that it is likely to be 6-8 years before this subdivision is developed. Director of Public Works/Village Engineer Dave Murphy questioned if any changes have been made to the sanitary sewer. He stated that no all of the sanitary sewer has been completed in the adjacent Shady Hollow subdivision, which will ultimately be extended into the Tamarack Hollow subdivision. He stated that by lowering the sewer infrastructure in the Shady Hollow Subdivision the developer will be able to utilize gravity sewer in the Tamarack Hollow subdivision.

Motion by Commissioner Silasiri, seconded by Commissioner Rieck to re-approve the preliminary plat for Tamarack Hollow subdivision subject to the same conditions as the original approval. Approved unanimously.

Mr. Rambousek informed the members that the developer is considering the addition of one lot to the subdivision and may be back before the Plan Commission in the future with that change.

**CONDITIONAL USE PERMIT TO ALLOW THE FILLING, GRADING AND EXCAVATING OF A SHORELAND AREA OF FOR THE GRAFTON LITTLE PORTION OF THE PROPERTY LOCATED AT THE CORNER OF LAKEFIELD ROAD AND RIVER BEND ROAD AND FINAL SITE PLAN - LITTLE LEAGUE COMPLEX LOCATED ON 41 ACRES AT PORT WASHINGTON ROAD AND LAKEFIELD ROAD**

Mr. Rambousek indicated that a concept plan for the Grafton Little League Complex was favorably reviewed by the Plan Commission in March. The Grafton Little League is proposing to construct six main fields, a playground area, a small maintenance shed, a concession stand/restroom building/general purpose building (for tasks such as player/team registration with an outdoor common area), indoor and outdoor batting cage facilities, and a 296 space vehicle parking lot. He stated that the applicant hopes to break ground on the field construction and the parking area this summer. It is hoped that will provide enough time for proper coverage of grass by this winter.

Mr. Rambousek referenced an e-mail he received from Gail Clapper, 1216 Lakefield Road, Town of Grafton, (copy attached). Mrs. Clapper owns the adjacent Country View subdivision which abuts the east side of the Village owned site. Mrs. Clapper is requesting that additional screening be provided to hide the DPW drop-off site and the considerable number of vehicles that will utilize the Little League Complex. She is also concerned with possible light spillage onto her property because of the lights at the Little League ball fields.

Clif Poynter, 14765 W. Blue Mound Rd., Brookfield, WI, representing the Grafton Little League, stated that the group has pushed back the construction timetable for this project. It is hoped that the ball field grass can be established in 2010 with a tentative opening in 2011.

Mr. Poynter reviewed several proposed changes to the site plan for the complex. He stated that the site plan presented shows a berm about 75 feet into the shoreland area. This allowance for disturbance in the shoreland area will prevent the need for any retaining walls caused by major grade changes on the site. In addition, by moving the pond into the 75 foot shoreland area additional spacing can be obtained between the ball fields. This will increase safety for spectators and provide a more equalized look to the site. Fields A and B are proposed to be moved to align them with fields C and D. Mr. Poynter stated that they are limited to ½ of total disturbance.

The Little League is also requesting several cost savings items be considered by the Plan Commission. They would like to eliminate curbing, where drainage is not an issue, and some of the landscape islands due to high cost and snow storage concerns. In addition, they would like to utilize a compacted asphalt surface for the parking lots. Representatives indicated that these are high cost items and it is not known where the group will be with fund raising efforts.

Dave Murphy responded that the Village has always required curb and gutter around parking lots. This requirement keeps a cleaner look and keeps the adjacent grass from being damaged by vehicles. He stated that the Plan Commission could eliminate a portion of the curb and gutter; however, it has been standard at all locations.

Chair Brunnuell commented that moving the pond 30 feet would benefit the site and move the pond further away from site activities. A cloverleaf design would it be a significant site plan change.

Mr. Poynter stated that the areas of the site that are farmed need to be stabilized. Only 0.9 acres is proposed to be disturbed. The conditional use permit is required in order to plan grass at the site. He also stated that, at this time, the actual location of the pond and ball fields have not been determined.

Mr. Murphy suggested that the pond design could be done with a more “natural look” which would fit well in this location.

Commissioner Plato suggested that it would be a benefit to have a less steep slope from field B to the pond area.

The Commission members discussed the significant number of changes that are being proposed to the site plan.

Building Inspector Tom Johnson stated that the site plan shows a fence, at the north end of the field, in the shoreland area.

Chair Brunnuell stated that while the Plan Commission is supportive of this project, a revised site plan should be presented that shows exactly what is going to be built.

Mr. Rambousek stated that the conditional use permit will run with the land and be issued to the Village of Grafton, as owners. In order for any soil disturbance to occur a conditional use permit must be obtained and final site plan approval should occur.

Mr. Poynter stated that they may not need to encroach into the shoreland area if they construct the retaining wall.

Mr. Johnson indicated that any grading within 300 feet of the shoreland area requires a permit. He also stated that typically any activity in the shoreland requires a Chapter 30 permit. The DPW portion of the site has received an exemption letter from the DNR regarding the need for a permit. At this time it is unknown whether or not the Little League portion of the site will require the permit. Mr. Johnson recommended that he would not recommend any soil disturbance until the DNR has made their determination. He also suggested that, at the least, the .091 acre site area be leveled and grass seed distributed to assist in erosion control of the site. Silt fencing may also be required.

Motion by Commissioner Paschke, seconded by Commissioner Rieck, for the grading, filling and excavating within the shoreland zoning district, for the above referenced property, subject to the following conditions: 1. Erosion control provisions at least as effective as those in the Construction Site Erosion Control Best Management Handbook shall be installed prior to any disturbance, downgrade from the project site to prevent sediment delivery off the property or into any waterways. These controls must be maintained until the soil is

adequately re-vegetated or otherwise protected to prevent erosion. Once the vegetation is adequate to prevent erosion, the barriers shall be removed. 2. Any slopes shall be cut to obtain a 3:1 slope. 3. An as-built elevation survey shall be submitted to demonstrate compliance with the conditions of the permit before a Certificate of Compliance can be issued. 4. Notify the inspection department within ten (10) days of project completion to request a Certificate of Compliance. 5 Any required state, federal, and local permits must be obtained. 6. You, your agent, and any involved contractors shall be jointly and severally liable for any violations of conditions of this permit. 7. You must complete the project as described on or before May 26, 2010. You may not continue construction after this date unless a new permit or permit extension in writing is granted. 8. This permit does not authorize any work other than what you specifically described in your application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Inspection Department. 9. You must allow free and unlimited access to your project site at any time to the Inspection Department to investigate the project's construction, operation, or maintenance. 10. The Plan Commission may modify or revoke this permit if the project is not completed according to the terms of the permit. 11. You must keep a copy of this permit and an approved plan at the project site at all times until the project is complete. 12. The removal of vegetative cover and exposure of bare ground shall be restricted to the minimum amount necessary for construction. Areas where soil is exposed must be protected from erosion by seeding and mulching, sodding, diversion of surface runoff, installation of straw bales or silt screens, construction of settling basins, or similar methods as soon as possible after removal of the original ground cover and no later than when construction is completed. 13. Any area where topsoil is exposed during construction shall be immediately seeded and mulched or rip-rapped to prevent soil from being eroded and washed into any waterway. 14. No portion of the bank or upland, which is altered or disturbed, and, as a result, unstable may remain unprotected for more than 7 days. 15. Erosion control measures must be inspected, and any necessary repairs or maintenance performed, before and after every rainfall exceeding ½ inch and at least once per week. A site log shall be maintained at the site of weekly inspections and necessary maintenance conducted. 16. All soil stockpiles must be surrounded completely by their own contiguous silt fence. 17. Final site stabilization requires the re-establishment of vegetation with non-aggressive, native species. 18. All silt fence and/or hay bales must be removed from the site and disposed of in a legal manner when at least 95 percent of all disturbed areas on the construction site have actively growing vegetation, and there are no indications of erosion on the site. 19. You are not allowed to deposit or store any materials in any wetland or upon any part of the bed of any waterway below the ordinary watermark or in a floodplain. 20. You or your agents shall not impact wetlands. 21. If dewatering is necessary you shall not discharge resultant liquid directly to any waterway without first being treated so the discharge limit does not exceed 40mg/l of total suspended solids. 22. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this

permit; 23. Final site plan approval; and 24. A Chapter 30 permit from the DNR or an exemption letter from the DNR. Approved unanimously.

Commissioner Schlecht commented that the site plan does not show any restroom facilities and questioned if portable toilets are going to be utilized. He also commented that restrooms will be needed in more than one location on the site.

Mr. Poynter responded that full restroom facilities will be located at the concession stand and will be a holding tank system. Mr. Schlecht stated that the practice fields are a considerable distance from the concession stand and will need to have some type of restrooms available.

Mr. Poynter stated that the practice fields, E and F, will not have as much use as the other fields and will not be spectator fields.

Dave Jaffke, 606 River Bend Road, requested additional screening be placed at the north end of the field to screen the lights at the ball fields from the adjacent properties. He commented that if there is a 70 foot high light pole, there will be light spill onto his property and into his home.

Mr. Greg Smit, Muskol Lighting, briefly discussed the field lighting. He stated that the 4 fields will be lit; however, the type of lighting being proposed will not have significant light spill over onto the adjacent properties. He stated that the taller the light pole the less obtrusive the light actually is. He informed Mr. Jaffke that there will not be any light spill over into his home.

Mrs. Clapper questioned if the Little League is proposing any “green” building techniques.

Mr. Poynter responded that the Little League would love to incorporate green features into this project; however, the costs are considerable and sponsorship would be needed.

The Commission members briefly discussed the proposed lighting standards and the effect the lighting will have on adjacent properties.

Mr. Smit stated that the proposed fixture will not have any sky glow. The lighting is approved by the FAA and the Night Sky Group.

Commissioner Paschke suggested that to eliminate concerns by the adjacent property owners, the Little League may want to include a tree line on the north end of the site.

Mrs. Clapper questioned if property owners would be able to take a look at the proposed design of the buildings. Staff responded yes.

Motion by Commissioner Paschke, seconded by Commissioner Schlecht, to approve the Grafton Little League Complex site plan located at Lakefield Road and River Bend Road subject to the following conditions: 1) improving the general access of the site for pedestrians and emergency access vehicles; 2) review and final approval of the landscape plan by the Planning and Development Staff; 3) signage is not part of this approval and will return at a

later date; 4) Architectural Review Board approval of all buildings; 5) approval of a conditional use permit in the shoreland area; 6) installation of bicycle racks to accommodate a minimum of 12 bikes; and, 7) a site reclamation plan submitted in early 2010 with the signage and architecture plans; and 8) approval of the Storm water management plan by the Village Engineer. Approved unanimously

### **SIGN VARIANCE FOR TRI-CITY NATIONAL BANK PICK 'N SAVE SOUTH FACADE - 301 FALLS ROAD**

A revised sign graphic was distributed. The new sign design has been reduced to 41 square feet. The applicant is asking for signage on the outside of Pick 'n Save building located at 301 Falls Road. The Tri-City logo of green and black will be placed horizontally across face of building. The revised signage is close to what staff requested. There are two variances required for this signage. One is for the sign and one for the increase in square footage.

Motion by Commissioner Rieck, seconded by Commissioner Schlecht to approve a sign variance of Tri-City National Bank, located at 301 Falls Road, to allow an individually channel mounted name sign with logo at a total area of 40 square feet and mounted on the same horizontal plane on the Pick 'n Save store's east façade as the Pharmacy wall sign. Approved unanimously.

### **SPECIAL MESSAGE READER BOARD PERMIT FOR A MONUMENT SIGN FOR CEDAR CREEK COMMUNITY CHURCH - 1415 FIRST AVENUE**

Mr. Rambousek indicated that a code change in 2005 requires applicants to obtain a Plan Commission approved special reader board permit for a changeable copy reader board sign. Cedar Creek Community Church, 1415 First Avenue, is requesting approval to place a sign in the front yard of the church proper in the grass area to the west of the parking lot. The proposed sign includes three lines of text totaling 18 inches in height on the changeable copy portion of the sign face, which measures seven (7) feet in width and 4 feet in height for a total area of 28 square feet per side. Mr. Rambousek stated the changeable copy portion of the sign has been placed above the non-changeable portion of the sign. The reason for this configuration is that at the proposed height of the sign, the changeable copy cannot be seen when cars are parked on the street. In the past the Plan Commission has only approved special message reader board signs that are placed below the non-changeable portion of the sign face.

Mr. Rambousek reviewed the sign materials. He indicated that the sign cabinet and base will be made of aluminum with plastic faces with a black background. On the black, non-changeable portion of the sign, there is a logo and the name "Cedar Creek Community Church" in a combination of blue and green. The entire sign face will be internally lit. The metal base of the sign is proposed to be a burgundy color to match the trim on the church building.

Mr. Rambousek expressed his concern with the black face color of the sign. Staff would prefer to see a color other than black on the sign and burgundy on the base. He suggested that the sign colors and/or materials be changed to match the primary building. Mr. Rambousek stated that he has no problem with the location of the changeable copy portion of the sign. He informed the members that Section 20.04.140 (B) of the sign code requires that

the reader boards be architecturally integrated with the main sign with framing or casing. Previously approved reader boards and monument signs have in all cases had architecture related directly with the main building.

Mrs. Sandy Beck, representing Cedar Creek Community Church Board, was present. She stated that she does not understand the problem with the sign colors. The color scheme was carefully chosen by the members of the Church Congregation based upon what would best reflect the "mission" of the Church. Mrs. Beck stated that a professional sign company was hired to design this sign.

Mr. Rambousek reiterated that the sign design and color should meld with the main building. He stated that due to the size of the sign, the arch component is not really necessary; however, the graphics of the sign face are very nice.

Mrs. Beck questioned how they proceed from this point.

Chair Brunnquell questioned if the applicant worked with staff on this submittal.

Mrs. Beck responded yes saying that she discussed the sign submittal with Planner MaryKay Buratto.

The Commission members discussed the size of the sign face and the colors of the sign.

Tom Lubner, Cedarburg Sign Company, was present. Mr. Lubner indicated that the trim on the building is a satin finish and the sign will match that finish. He stated that plantings are proposed at the bottom of the sign.

Commissioner Schlecht suggested that adding six inches to the bottom of the sign would allow for better readability of the message board portion of the sign.

Mrs. Beck stated that cost is an issue and that funds are limited.

Commissioner Plato stated that she has no problem with the black color or the three lines of copy, if the sign is a little bigger.

Mrs. Beck indicated that they would likely be able to add 6 inches to the bottom of the sign.

Chair Brunnquell stated that he will defer to the professionals on this matter, and commented that some of the items being discussed are subjective.

Mr. Rambousek stated that the sign needs to architecturally tie into the building.

Chair Brunnquell asked Mrs. Beck if she wanted the Plan Commission to vote on this matter or does she want to work with staff on possible changes. Mrs. Beck responded that the Church is looking to install this signage as soon as possible and requested a vote from the Plan Commission.

Motion by Commissioner Silasiri, seconded by Commissioner Plato, to approve a special reader board sign permit as requested by Cedar Creek Community Church, located at 1415 First Avenue, subject to the following conditions: 1) reduction of the area of the changeable message board to the 20 percent maximum prescribed in the sign ordinance; 2) submittal of a landscape plan around the sign base be submitted and approved by the Planning and Development Staff; and, 3) architectural and design changes consistent with the architecture of the primary structure. Motion defeated by a 3-3 vote (J. Brunnuquell, M. Paschke and R. Rieck – nay) / (R. Silasiri, A. Plato, A. Schlecht-aye).

Tom Lubner questioned that if the color of the sign is the only issue, can the applicant work with staff on an alternate color.

Motion by M. Paschke, seconded by R. Silasiri, to approve the sign, subject to the applicant working with staff on the face color of the sign and design. Approved unanimously.

### **AMENDMENTS TO OZAUKEE COUNTY SMART GROWTH PLAN THAT REFLECT GRAFTON'S APPROVED COMPREHENSIVE PLAN 2035**

Planner MaryKay Buratto informed the Commission that all of the participating jurisdictions have completed their Smart Growth Plans. The finalization of all of the plans requires Ozaukee County to incorporate changes resulting from the completion of the jurisdictional plans into the Ozaukee County Smart Growth Plan.

The amendment, named Amendment 01-2009, was reviewed at a public hearing on May 4, 2009 at the County Administration building. The amendment relates to the information provided to Ozaukee County by each participating municipality. None of these additions or deletions will change anything which has been included and adopted in the Grafton Comprehensive Plan. Ozaukee County is requesting that each municipality acknowledge receipt of the amendments.

Motion by Commissioner Paschke, seconded by Commissioner Schlecht, to acknowledge receipt of the proposed amendments to the Multi-jurisdictional Comprehensive Plan for Ozaukee County and have staff notify Ozaukee County of this action. Approved unanimously.

### **PLANNING AND DEVELOPMENT DEPARTMENT BENCHMARK MEASUREMENTS**

The Commission briefly reviewed the Planning and Development Department benchmarks report.

### **OLD BUSINESS**

Bob Meier, on behalf of the St. Paul Lutheran Church project known as Providence Place, informed the Commission that a revision has been made to the project. The number of units is being decreased from 48 to 40. The Architectural Review Board will be reviewing the change and some minor architectural modifications at their meeting on May 28. The Plan

Commission will be asked to review the minor amendment to the planned unit development project at the June, Plan Commission meeting.

**NEW BUSINESS**

None.

**ADJOURN**

Motion Commissioner Paschke, seconded by Commissioner Rieck, to adjourn at 7:58 p.m. Approved unanimously.