

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

MARCH 23, 2010

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

Commission members present: Jim Brunnuquell, Alfred Schlecht, Carl Harms, and Richard Rieck.

Absent: Mark Paschke, Randy Silasiri, and Amy Plato

Staff/Officials present: Michael A. Rambosek/ Director of Planning & Development, Tom Johnson/Building Inspector, and Deborah A Brown/Administrative Secretary II.

MINUTES

Motion by Commissioner Harms, seconded by Commissioner Schlecht, to approve the minutes of the January 26, 2009 Plan Commission Meeting as presented. Approved unanimously.

HEAR PERSONS REQUESTING TO BE HEARD

None.

COMMENCE PUBLIC HEARING

Statement of Public Notice

Administrative Secretary, Deborah A Brown stated the purpose of the public hearing is to review a proposed Ordinance amending Title 19, Zoning - Section 19.03.0603- Permitted and Conditional uses in the Non-residential zoning district.

Building Inspector, Tom Johnson provided an outline of the change in the Grafton Zoning Code as it related to the conditional uses in Table 19.03.0603 under SIC 5261 and the C-4 zoning district.

He stated that the Plan Commission reviewed a request for outdoor storage and display from The Home Depot at the May 26, 2009 meeting. It was found that there is a language conflict in the zoning code relating to the outdoor storage of materials in the C-4 zoning district. The Plan Commission referred the code conflict matter to the Board of Appeals.

The Board of Appeals met on January 7, 2010, to interpret the conflicting zoning code language of sections 19.03.0305 E. and 19.03.0603 relating to outdoor displays, sales and storage in the C-4 zoning district, as requested by the Plan Commission. The outcome of that meeting was a decision to reinforce the language as indicated in

section 19.03.0305 E. and to remove the “C” and leave blank the conditional use in Table 19.03.0603 under SIC 5261 and the C-4 zoning district.

He also indicated that Staff is supportive of the Board of Appeals’ findings to remove the “C” and leave blank the conditional use in Table 19.03.0603 under SIC 5261 and the C-4 zoning district.

There were no public or Commission member comments on this matter.

There being no further discussion on this issue, Chair Brunnquell closed discussion public hearing.

CONSIDERATION OF A RECOMMENDATION TO THE VILLAGE BOARD OF AN ORDINANCE AMENDING TITLE 19/ZONING/SECTION 19.03.0603-PERMITTED AND CONDITIONAL USES IN THE NON-RESIDENTIAL ZONING DISTRICT.

Chair Brunnquell then reviewed the recommendation to the Commission members and they were in consensus to move forward with the motion.

Motion by Commissioner Harms, seconded by Commissioner Schlecht to recommend to the Village Board approve an ordinance to repeal conditional uses as listed in Table 19.03.0603 under SIC 5261 and related changes to the C-4 zoning district. Approved unanimously.

COMMENCE PUBLIC HEARING

Statement of Public Notice

Administrative Secretary, Deborah A Brown stated the purpose of the public hearing is to review a request for a Conditional Use Permit to allow an expansion of a daycare (SIC 8351) located in 4,480 square feet of building located at 1214 Tenth Avenue in M1 Industrial Zoning District, requested by Little Friends Learning Center (Brooke San Felippo)

Director Rambousek provided background for the Commission members on the request. He stated that the applicant, Little Friends Learning Center, LLC (Brooke SanFelippo), is requesting that the Plan Commission review an expansion and modification of an existing conditional use application that was approved by the Plan Commission on December 21, 2004, for the building commonly referred to as the Dadson building located at 1234 Tenth Avenue. The Plan Commission also approved an expansion of that conditional use into the adjacent space 1214 Tenth Avenue (Sandy Wirth Building) on May 22, 2007. The proposed expansion and modification of this conditional use involves both locations, but all of the major modifications will occur at the 1214 Tenth Avenue location (Sandy Wirth Building).

The daycare plans to continue to utilize both spaces and the existing outdoor playground on the site. The 3,800 square feet of occupied space and floor plan in the Dadson building will remain unchanged. The use of space will temporarily change from its current operation of caring for children of all ages to caring only for children less than

2 years of age. However, long-term the daycare would like the option to utilize this space for all ages.

Mr. Rambousek informed the Commission members that the daycare will undergo the largest amount of change at the Sandy Wirth building. Currently, the daycare occupies 998 square feet of floor area and only takes care of infants in this building. With this expansion the total area of space occupied will increase to 4,480 square feet and children of all ages will now be taken care of at this location.

The modified floor space in the Sandy Wirth building will be compartmentalized into several different learning rooms based upon age group. There will be an infant room, age's 2 to 3 room, ages 3 to 4 room, ages 4 and up room, and two new restrooms. The infant room includes its own restroom as well. The tenant space to the north of the daycare is occupied by PS Direct, a bulk mail service. This use and the daycare are separated by a firewall with no access point connection. There is also a small portion of the building between these two tenants that will remain unoccupied.

Mr. Rambousek stated that the Conditional Use Standards and Regulations requires that the proposed use or modification (daycare) have no adverse impacts on the neighborhood or surrounding area. These standards generally deal with characteristics such as noise, traffic, smell, aesthetics, safety, general welfare, etc.

Director Rambousek stated that the Village of Grafton Municipal Zoning Code requires 1 parking space per employee, plus 1 space for every 10 children. Based upon the information provided, the daycare would be required to have 18 spaces for employees and 12 additional queuing spaces for parent pick-up. The site plan provided indicates 40 parking stalls, including 2 ADA accessible stall, but some spaces need to be striped.

Mr. Rambousek informed the members that since this daycare began operation in 2005, the Village of Grafton has not received any complaints nor has the State of Wisconsin Department of Commerce.

Brooke SanFelippo, owner and operator of the Little Friends Learning Center, was present to answer questions on the proposed expansion. She briefly spoke on her operations and hours. She explained that her present hours of operation are Monday through Saturday, 5:00 a.m. to 6:30 p.m. She mentioned that they no longer stay open for second shift workers. It did not work out so the Center dropped those hours. She also stated that about 65 percent of her clients either work in Grafton or live in the Grafton area. The remaining clients live in Ozaukee or Washington Counties.

The Commission members thanked Ms. SanFelippo and wished her luck with her Learning Center expansion.

Commission members briefly discussed the hours of operation and parking.

There were no public comments on the proposal.

There being no further discussion on this matter, Chair Brunnquell closed the public hearing.

CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW THE EXPANSION OF A DAYCARE (SIC 8351) IN APPROXIMATELY A 4,480 SQUARE FEET BUILDING LOCATED AT 1214 10TH AVENUE IN M1-INDUSTRIAL ZONING DISTRICT, REQUESTED BY LITTLE FRIENDS LEARNING CENTER (BROOKE SANFELIPPO)

Motion by Commissioner Rieck, seconded by Commissioner Harms to approve the proposed expansion of a conditional use permit for Little Friends Daycare located at 1214 10th Avenue subject to the following conditions: 1) all previous conditions of the conditional use approvals for this daycare remaining in effect from December 21, 2004, and May 22, 2007; 2) all parking spaces need to be striped on the premises, and 3) approval of this recent expansion and modifications by the State of Wisconsin Department of Commerce. Approved unanimously.

REVIEW AND CONSIDERATION OF A SITE PLAN FOR A TEMPORARY SEASONAL GREENHOUSE FOR OZAUKEE ACE HARDWARE STORE LOCATED AT 1818 WISCONSIN AVENUE REQUESTED BY KALIES HARDWARE INC.

Director Rambousek reviewed the site plan for a temporary seasonal greenhouse for Ozaukee Ace Hardware store. He stated that Kalies Hardware, Inc., owners of the Ozaukee Ace Hardware Store located at 1818 Wisconsin Avenue, are requesting approval for the placement of a greenhouse in front of the store. This seasonal use of the greenhouse would occur from the first week in April until the end of July, annually.

The greenhouse would be positioned directly west of the current outdoor storage center. The greenhouse is owned by Schroeder's Flowers but the merchandise and operation would be owned and handled by Ozaukee Ace Hardware.

Mr. Rambousek informed the Commission that the property is zoned C-2 Neighborhood Business District and this type of temporary use is allowed subject to several criterion that includes: location, parking, visibility, hours of operation, trash and debris, written consent of the property owner, signage and lighting, and period of operation.

He further stated that the greenhouse would be utilized for the holding of plants and associated materials. It will not be utilized in the traditional sense which is growing flora. It is expected that all merchandise will be contained inside the greenhouse structure.

The hours of operation of the greenhouse would be the same as the store, which is 7:00 a.m. to 9:00 p.m., Monday through Friday, 9:00 a.m. to 6:00 p.m. on Saturday and 9:00 a.m. to 5:00 p.m. on Sunday. All purchases would be handled within the confines of the Ace Hardware Store.

Signage (permanent or temporary) is not proposed on the exterior of greenhouse and there will be no lighting or electricity associated with the structure.

Prior to final sign-off of this proposed temporary use, the owners of the property will need to provide their approval in writing to the Planning and Development Department.

The use appears to be acceptable as an ancillary use to the primary use of the Ace Hardware Store and with the noted changes there are no eminent safety hazards.

Director Rambousek also stated that when reviewing the project with the Village Administrator, he thinks the proposed greenhouse should be relocated to the south end of the store near the outside gated area. Director Rambousek stated that he was comfortable with the current location and would let the Commission members review the site plan for the final location of the proposed greenhouse.

Sharyn Kalies, representing Ozaukee Ace Hardware was present. She explained that she had done a lot of investigating on the Schroeder Flowers and greenhouses and their operation. She stated that they are a very reliable company. She further stated that by having no expense for the purchase of the Greenhouse just the product, Ozaukee Ace will have much more profitable operation.

Mrs. Kalies requested the Plan Commission consider allowing the placement of one merchandise display cart just outside the entrance of the greenhouse so customers would identify the door of entrance.

Director Rambousek responded that he has problem with that type of display, what the Planning Staff does not want to see is outside storage of materials such as bark, stone, dirt, etc...

Mrs. Kalies also spoke on the location of the proposed greenhouse. She explained to the Commission members how important it was to have the location in the front of the store for safety and security reasons. She stated that they would not be staffing the outdoor greenhouse. When customers have questions, they would have to go into the store to get staff to assist them. Having the visual site of the greenhouse at all times would be very beneficial to the staff and would like very much for the Commission members to keep the proposed greenhouse in the front of the store rather than place it on the south side of store which would be totally out of view from the staff.

The Commission members discussed possible safety concerns as well as the placement of the proposed greenhouse. It was the consensus of the members to have the current proposed location of the greenhouse stay as printed on the site plan but turn the greenhouse 90 degrees so that the entrance is facing the front of the store.

Building Inspector, Tom Johnson also questioned whether the Police Chief has had an opportunity to review the site plan.

Director Rambousek responded, no Chief Wenten had not reviewed the plan but would have him review the site plan and would list an additional condition based on the favorable review by the Police Chief.

Motion by Commissioner Rieck, seconded by Commissioner Harms, to approve the site plan approval by the Plan Commission for the seasonal use of a greenhouse at Ozaukee Ace Hardware Store located at 1818 Wisconsin Avenue, in front of the store entrance to west area of the parking lot subject to the following conditions: 1) There shall be no outside storage/display allowed outside of the greenhouse with the exception of (1) display rack at the entrance way or located anywhere on the property other than the greenhouse structure itself and the previously approved outdoor storage center; 2) the applicant stripe the drive aisle between the main store and the greenhouse as a slow zone, or as an alternative, install cautions signs indicating a “slow” zone; 3) written permission for this proposed temporary use shall be given to the Planning and Development Department by the property owners, and 4) hours of operation of the greenhouse shall be consistent with the operation of the primary use (Ozaukee Ace Hardware Store), 5) only Ace Hardware owned merchandise will be allowed to be sold in the greenhouse, and 6) site plan must have a favorable review by the Village Police Chief.. Approved unanimously.

REVIEW AND CONSIDERATION OF A SITE PLAN FOR NEW GAS PUMPS AND ISLANDS TO BE LOCATED AT 1117 WASHINGTON STREET REQUESTED BY GRAFTON MOBIL (STEVE JONES)

Director Rambousek reviewed a site plan for new gas pumps and islands for the Grafton Mobil located at 1117 Washington Street. He stated that Steve Jones, owner of Grafton Mobil, is proposing to replace the fuel islands and the fuel dispensers at the station. This change is considered a minor site amendment and will not increase building size in height or area. As a result, the proposal simply requires approval by the Plan Commission.

The two current concrete island forms were installed in 1991 and the steel base framing has deteriorated in such a fashion that they cannot be repaired. As a result, the entire fuel island structures at both locations on the property are proposed to be replaced. The new framing will be comprised of stainless steel so they will not deteriorate (due to salt) like the previous base framing. They will also be smaller in size and three small islands will now replace the two large islands.

In addition, the replacement of the islands provides the applicant the opportunity to upgrade the existing fuel dispensers to Gilbarco Encore S dispensers, which aesthetically are the newest and best looking dispensers that Mobil offers to its station operators. The three new dispensers will be placed in the same location as the three existing dispensers on the site. For the east two dispensers, the existing one long

continuous island will be replaced with two smaller islands. The one existing island associated with the north dispenser will be replaced with one smaller island.

Two upgraded replacement dispensers will be installed at the location of the current east fuel station island and one upgraded replacement dispenser will be installed at the location of the current north fuel station island. Two of the replacement dispensers will pump gasoline and the third dispenser will pump both gasoline and diesel fuel.

Mr. Rambousek reviewed the sizes and locations of the site amenities. He indicated that the new location and size of the pumps will allow for better maneuverability throughout the site.

A recent site visit for review of this project by the Planning and Development Staff revealed illegal advertising signage at the southeast corner of the site. This signage should be removed as part of this approval.

Director Rambousek stated that this may be a good time for the applicant to pour curbing for a landscape islands at the northeast corner of the property. Another option would be for the placement of (2) large Village owned concrete planters at that corner. Director Rambousek would like to work with the applicant on this particular issue at the Staff level.

Director Rambousek indicated that the applicant is considering applying for a Community Development Authority façade grant, in the near future. The Planning and Development Staff is currently meeting with the applicant on this issue.

Steve Jones owner and operator of the Mobil station as present. Commission members had a few minor questions on the advertisement on the pumps and the 24 hour service with the new pumps.

Chair Brunnquell also questioned how the site will be able to handle larger vehicles wanting to fuel up at the diesel island.

Mr. Jones responded by stating that he did not think that a larger vehicle would want to attempt to drive into the site, with a chance of not being able to get out without any problem. He stated that the same vehicles such as pickup trucks and few panel trucks would continue to fill up at his station but that with the addition of the Diesel fuel pump would not create any new problems with traffic flow or problems getting in and out of the lot.

Building Inspector Tom Johnson inquired whether Mr. Jones would ever consider going to an alternative fuel such as ethanol fuel type because that would have to be a separate approval process and would need to be looked at now rather than later.

Mr. Jones replied that Mobil does not have any ethanol fuel stations and would likely not be considered for the future.

The Commission members felt comfortable with the Planning Staff working with the applicant on the minor landscaping changes.

Motion by Commissioner Schlect, seconded by Commissioner Harms to approve the proposed site plan for the installation of three new upgraded replacement fuel dispensers and island modifications for the fuel station located at 1117 Washington Street subject to the applicant removing all illegal signage from the premises and working with the Planning and Development Staff to add landscaping islands at the perimeter of the property. Approved unanimously

INITIAL REVIEW AND DISCUSSION REGARDING THE MASTER PLAN FOR LUMBERYARD SITE

Director Rambousek requested that Commission members review the Master plan for the Lumberyard site in the next couple of weeks. He stated that since early 2009, the Planning and Development Staff has been working with a consultant to create different alternative development plans for the site. This decided plan will then become the blueprint or guide for future development on the site.

He further stated that the Lumberyard Site is critical to the success of downtown redevelopment both aesthetically and critically and the creation and adoption of this master plan will help the Planning and Development Staff market this site or portions of the site to developers.

Director Rambousek informed the Commission that the Planning and Development Staff went over the details of the concept plan at the Community Development Authority meeting of March 16, 2010. The Plan Commission will hold a Public Hearing on the plan at the April, Commission meeting with possible consideration on this master plan final draft.

BENCHMARK MEASUREMENTS

The members reviewed the February, 2010 Community Development Benchmark measurement report along with the annual Residential Housing Construction data report.

OLD BUSINESS

None.

NEW BUSINESS

Director Rambousek informed the Commission members that the Village of Grafton currently has some 15 to 30 properties that are non-conforming properties. Among these properties, property owner-Veronica Cudahy of 1002 Bridge Street, present tonight in the audience is the owner of one of these properties.

He stated that because of the non-conforming status of her property, Ms. Cudahy was unable to refinance her property. Mortgage companies have tightened up the requirements for refinancing existing loans even though her credit rating is acceptable the refinance was not approved.

Director Rambousek has been researching this matter and wanted the Plan Commission members to be aware that this matter may have to return to the Commission at a later date. Staff is reviewing the zoning code and building code on these types of situations and a possible amendment may come forward for review in the future.

ADJOURN

Motion by Commissioner Rieck, seconded by Commissioner Schlect, to adjourn at 7:02 p.m. Approved unanimously.