

## VILLAGE OF GRAFTON

### PLAN COMMISSION MEETING MINUTES

APRIL 27, 2010

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

Commission members present: Jim Brunnquell, Alfred Schlecht, Amy Plato, Mark Paschke, Richard Rieck, and Carl Harms.

Members absent: Randy Silasiri

Staff Present: Village Administrator Darrell Hofland, Planning and Development Director Michael Rambousek, Building Inspector Thomas Johnson, and Administrative Assistant Melissa Depies.

Others Present: Christy Schwab-Jacobs – Environmental Engineer – We Energies, Mark Smith and Larry Wetzling – GRAEF, Gary Germundsen, Joe and Ruth Holly, Julia Baer, and other concerned residents.

#### **MINUTES**

Motion by Commissioner Rieck, seconded by Commissioner Harms, to approve the March 23, 2010, Plan Commission meeting minutes.  
Approved unanimously.

Commissioner Harms noted that on page 9, Al Schlecht's name is misspelled.

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

None.

#### **COMMENCE PUBLIC HEARING**

##### Statement of Public Notice:

Chair Brunnquell stated the purpose of the Public Hearing is to review a conditional use permit requested by We Energies to allow the replacement and upgrade of a direct buried cable supplying electricity to existing homes located in the Village of Grafton, T10N, R22E, Section 18 along Vista Road, Holly Lane, 17th Avenue and Nancy-Lynn Court.

Due to the We Energies' project being located within the boundaries of the shoreland zoning district, Building Inspector Thomas Johnson explained a conditional use permit is needed to disturb soils relating to the upgrade and replacement of the underground transmission lines. Mr. Johnson distributed a color aerial outlining the project area.

Mr. Johnson explained that a conditional use permit is a requirement of the Village's Shoreland Zoning code. Approximately 15 area property owners were notified of the project and the permit requirements.

Mr. Johnson listed four conditions he would like placed on this permit: (1) As listed in the supplied document for We Energies ZX3965 Cable Replacement Project dated April 2010, specifications 1.0 through 9.0, (2) Any equipment such as: transformers, etc., shall be located outside of the floodplain and above the ordinary high water mark of the Milwaukee River, (3) All construction and maintenance shall be conducted in a manner designed to minimize adverse impacts, and (4) Only the minimum amount of filling and excavation is allowed for such construction and maintenance.

Chair Brunnquell questioned if the project calls for road cuts or if the service will be bored under the road. Mr. Johnson responded that the plan is to have the utilities bored, as much as possible.

Hear all interested persons and their agents:

Gary Germundsen, 917 Vista Lane, questioned the difference between the red outline and blue outline of the color aerial provided. Mr. Johnson explained that both the red and blue areas are part of the project; however, the red area is the area that is in the floodplain and is in need of the conditional use permit.

Christy Schwab-Jacobs, Environmental Engineer – We Energies, explained that the purpose of this project is to replace primary underground service to reduce the possibility of a power outage. This will be a bored project; however, boring pits will be necessary at each directional change location. A bore pit is approximately 5 feet by 5 feet square. All disturbed areas will be restored upon project completion.

Joe Holly, 1702 Holly Lane, questioned what the significance is for the shoreline area. He was concerned that it indicated that there would be additional excavation.

Ruth Holly, 1702 Holly Lane, requested that approval of the permit be postponed as she believed that the information she received was confusing and/or incorrect. With the information that was provided she had difficulty understanding exactly what would happen on her property.

Village Administrator Hofland explained that We Energies normally has the authority to complete the project without Village permission. The reason we are holding this meeting is due to the shoreland area disturbance requirement.

Chair Brunnquell questioned the means of restoration.

Ms. Schwab-Jacobs apologized for the misunderstandings in the information provided. She noted that the method of restoration depended on the conditions of the land and that method of restoration was based on best management practices to prevent erosion

control. If there is a level grade with no slope, the area would be seeded and mulched. If there is a slope they would use landscape matting.

Commissioner Paschke requested that sod be used rather than seed and mulch. Ms. Schwab-Jacobs stated that they could use sod if it is a requirement of the Village.

Julia Baer, 915 17th Avenue, questioned why everyone was notified when the matter does not impact them. The notice made them come to the meeting when it was not necessary. Mr. Johnson explained that the Village is required by state statute to notice all property owners within 200 feet of the project area.

Commissioner Brunnquell reiterated that We Energies has the right to do this project without Village approval. All of the necessary permits and easements in place.

Mr. Germundsen commented that he has lived here since 1978 and this is the first time We Energies is doing something with their lines. What other utilities will be coming through in the next couple of years to disrupt the landscape?

Ms. Holly questioned if they will be removing any trees.

Ms. Schwab-Jacobs again tried to explain the project to the concerned residents stating that the project will be bored underground to reduce the disruption to lawns and landscaping.

Ms. Schwab-Jacobs stated that We Energies would like to start the project as soon as possible so they can complete the project and restoration in seasonable weather. The project is anticipated to take approximately 2 months to complete.

Commissioner Plato questioned if We Energies would be repairing the road if any damage was done. Ms. Schwab-Jacobs responded that those repairs are the responsibility of the We Energies.

Commissioner Schlecht questioned if there were any additional or increased costs to the property owners as a result of this work. Ms. Schwab-Jacobs responded that these property owners will not see an increase or assessment for this work.

There being no further discussion on this issue, Chairman Brunnquell closed discussion on the matter.

### **CONSIDERATION FOR A CONDITIONAL USE PERMIT - WE ENERGIES TO ALLOW THE REPLACEMENT AND UPGRADE OF A DIRECT BURIED CABLE**

Commissioner Paschke indicated that he would like to make restoration done with sod a requirement of the permit.

Motion by Commissioner Rieck, seconded by Commissioner Paschke, to recommend approval of the conditional use permit for the We Energies ZX3965

Cable Replacement Project with the following conditions: (1) As listed in the supplied document for We Energies ZX3965 Cable Replacement Project dated April 2010, specifications 1.0 through 9.0, (2) Any equipment such as: transformers, etc. shall be located outside of the floodplain and above the ordinary high water mark of the Milwaukee River, (3) All construction and maintenance shall be conducted in a manner designed to minimize adverse impacts, (4) Only the minimum amount of filling and excavating is allowed for such construction and maintenance, and (5) That sod be used for restoration to any disturbed areas. Approved unanimously.

Statement of Public Notice:

Administrative Assistant Melissa Depies stated that the purpose of the Public Hearing is to review an Amendment to the Village of Grafton "Smart Growth" Master Plan for the Lumberyard Site located in the Central Business District on the southwest corner of Beech Street and Wisconsin Avenue consisting of approximately 6 acres and receiving its own land use designation of a mixed use commercial and residential development site.

Planning and Development Director Rambousek stated that the work on this master plan began last summer, as requested by the Community Development Authority. GRAEF has assisted with the development of this plan.

Mr. Rambousek stated that as successful as the Village has been developing the downtown, the 12<sup>th</sup> Avenue brewery site (1.25 acres) and the lumberyard site (5.68 acres) remain vacant.

The lumberyard site has many variables that need to be considered upon development. They include multiple owners, the Canadian National Railroad to the west, proximity of Pace Industries and the related requirement of a 120 to 150 foot buffer, bedrock conditions, infrastructure needs, market conditions, and blending this site as a component of the existing downtown. It was also necessary to take into consideration that this site would not be developed at one time.

The ultimate goal was to create a practical master plan in order to create a development plan that would be fiscally capable of generating \$8 to \$10 million for TID No. 3. In addition to meeting with the Community Development Authority and coming up with the parameters, we met with area development professionals to determine what would be practical for the site. These discussions helped to define a practical site plan. On March 16, the Community Development Authority recommended approval by the Plan Commission and Village Board. On March 23, the Plan Commission reviewed the plan. After approval tonight, the plan will go to Village Board on May 3 for final adoption. It is important to note that for this plan we are following both the Comprehensive Plan Statutory Requirement of statutes 66.1105 and the Redevelopment Plan Statute of 66.1333.

Mr. Rambousek commented that in the early 2000's, the Village met with developers about this site and there has seemed to be difficulty envisioning anything on this site due to the existing conditions. In 2007, the Village applied for and received a grant from the DNR to financially assist in the demolition of vacant buildings and perform related environmental clean up. This opened up the site and made it more developable; however, the economy took a downturn at that time. The Community Development Authority recently agreed to purchase the Moose's Sales and Service property and is continuing to pursue development for this site.

Mr. Rambousek noted that there were 18 different properties affected by this plan with the majority of them being owned by Robert Zellmer and the Village of Grafton. The existing land use is primarily single family, commercial, and many vacant. The intention is to rezone the property from manufacturing and central business district. Input from developers indicates that there should be access through out the entire site, with an internal transportation system. They also have indicated that the site should be diverse with mixed uses of single use buildings. It was suggested that Cedar Street along Wisconsin Avenue be the main access point into the site.

Mark Smith, GRAEF, presented the various concepts and a summary of each concept that was drafted before finalizing the plan that is part of the public hearing. The final plan is one that can be phased in over time and does not have to be developed all at one time. Each building is a single use building, as recommended by development professionals. There are three proposed zones for the site: Wisconsin Avenue Zone, Beech Street Zone, and The Railroad Corridor Zone. Each zone having their own conditions.

Mr. Smith stated that the purpose of this plan is to provide a development vision for the site that can be modified as developer(s) come forward.

Village Administrator Hofland stated that in order to successfully market this property the Village needed a blueprint that staff, Plan Commission, and the Community Development Authority was comfortable with. The key to this proposal is that it can be developed in phases without obtaining additional fringe properties.

Commissioner Paschke questioned if adoption of this plan was necessary to ease the development into the TID. Mr. Rambousek responded that this site is already in the TID No. 3. This plan does nothing more that what is already in place as the area was deemed blighted in 1998. Commissioner Paschke confirmed that this simply gives the developers an idea of the possibilities for the parcel and questioned if this plan established parking setbacks and other such conditions.

Mr. Rambousek responded that the plan favors a PUD zoning and leaving the parking open to the developer. The plan does show that you can keep parking on site with the proper ratios. Village Administrator Hofland noted that the Village wanted to show that sufficient parking was able to be placed on the property as well as green space and some additional amenities.

Commissioner Harms stated that he appreciated the presentation on how the final plan was achieved. He questioned what was on the northeast corner of the plan. Mr. Smith responded that the arbor/green space was an amenity that was added to the property to help tie this project in with the downtown.

Commissioner Paschke questioned if there had been any environmental work done at this site. Mr. Rambousek responded that the Moraine Environmental has done various minor site remediation work over the years. For the most part, the site is clean. Village Administrator Hofland stated that the lumberyard site has historically been an industrial site with loading and unloading from the railroad tracks. The owners of the property have done a good job of cleaning up the property. Mr. Musbach removed his underground storage tank approximately 8 years ago and the DNR has closed the site; however, there is an asphalt requirement to reduce the amount of stormwater seeping into the ground. Presently, Fasprint remains the only business on the development site and it is unknown if any environmental issues exists.

Commissioner Rieck stated that he would like to see some kind of public parking area in this development. He liked the fact that there was adequate parking for any new development; however, it was his opinion that public parking space is crucial to this plan. Mr. Rambousek noted that depending on the bedrock if underground parking is a possibility.

Commissioner Schlecht questioned if the future housing area along the railroad tracks causes any unique challenges that would hold up the entire project. Mr. Smith explained that they tried to pull the housing off the tracks as much as possible in addition to requiring significant landscape buffers. He noted that the goal is to focus on the amenities in the center of the project rather than the back side. Mr. Smith stated they are trying to be flexible based on the market.

Village Administrator Hofland explained that the Village has had discussions with Pace Industries and they have indicated that they would like to be part of the planning process and will do what they can to be a good neighbor including provide an area for a landscaped bufferyard.

Commissioner Plato questioned what the actual right-of-way is for the railroad track area. Based upon the depiction of building locations on the Plan, will the railroad allow a building so close to their right-of-way. Mr. Smith responded that as far as they know the proper width of the railroad right-of-way identified in the plan.

Larry Witzling, GRAEF, indicated that a great deal of thought was spent on the street elevation appearance for the Wisconsin Avenue zone. This plan was very complicated as this is a highly constrained site. Mr. Smith noted that there is language in the plan to include some of the downtown architecture to tie the two areas together; however, we need to consider each building separately. All sides of the buildings need to be

considered as they are all visible, similar to what was done with the Milwaukee Ale House and Village Center locations.

Chair Brunnquell stated that this is an extension to the downtown, and walkability needs to be extended to this area. Mr. Smith noted that we needed to take into consideration what developers may do now, as well as in the future. He reiterated that this is a working tool that will be an aid for development recruitment. The plan is flexible and does have the ability to be phased in. The amenities have been included to show how it can be an extension of the downtown.

There were no public comments on this matter.

**CONSIDERATION FOR THE ADOPTION OF A RESOLUTION TO APPROVE AN AMENDMENT TO THE VILLAGE OF GRAFTON “SMART GROWTH” MASTER PLAN FOR THE LUMBERYARD SITE**

Resolution No. 001, Series 2010 – Approving an amendment to the Smart Growth” Master Plan for the lumberyard Site located in the Central Business District was offered by Commissioner Schlecht.

Motion by Commissioner Paschke, seconded by Commissioner Plato, to adopt a Resolution for an Amendment to the Village of Grafton “Smart Growth” Master Plan for the lumberyard Site located in the Central Business District on the southwest corner of Beech Street and Wisconsin Avenue consisting of approximately 6 acres with land use designations of a mixed use commercial and residential development. Approved unanimously.

**RECOMMENDATION TO THE VILLAGE BOARD FOR THE ADOPTION OF A RESOLUTION REGARDING THE APPROVAL OF AN AMENDMENT TO THE VILLAGE OF GRAFTON “SMART GROWTH” MASTER.**

Motion by Commissioner Harms, seconded by Commissioner Rieck, to recommend the Village Board adopt a resolution for an Amendment to the Village of Grafton “Smart Growth” Master Plan for the Lumberyard Site located in the Central Business District on the southwest corner of Beech Street and Wisconsin Avenue consisting of approximately 6 acres with land use designations of a mixed use commercial and residential development. Approved unanimously.

**REVIEW AND CONSIDERATION OF A SITE PLAN FOR CANOPY ADDITION - FAMILY SHARING BUILDING - 1002 OVERLAND COURT:**

Planning and Development Director Rambousek explained that Family Sharing has requested site plan approval for the construction of a sign, dumpster enclosure area, and a canopy addition that will cover the front drop-off area.

Mr. Rambousek described the details of the sign, dumpster enclosure, and canopy.

Dan Konczal of Groth Design Group, stated that the proposed sign will only be 8 feet high and the sign will not be backlit, it will be painted. Mr. Rambousek agreed that it would fine to have a painted sign rather than a backlit sign.

Building Inspector Johnson requested that the Plan Commission place a condition on the approval that they receive a state approved plan for the canopy. The size of the canopy is large and there is a considerable amount of possible wind uplift on the canopy; therefore, he would like state approval of the structure.

Motion by Commissioner Rieck, seconded by Commissioner Paschke, to recommend the Village Board approve the site plan for a sign, dumpster enclosure area, and a canopy addition as requested by Family Sharing located at 1002 Overland Court subject to a minimum of 100 square feet of landscaping to be provided at the base of the sign subject to the review and approval of the Director of Planning and Development and subject to obtaining state approved plans for the canopy. Approved unanimously.

**REVIEW AND CONSIDERATION OF A SPECIAL READER BOARD SIGN TO BE LOCATED AT ST. PAUL LUTHERAN CHURCH, 701 WASHINGTON STREET:**

Planning and Development Director Rambousek explained that St. Paul Lutheran Church and School is requesting a permit for a reader board as well as a variance from the sign requirement to allow a color digital reader board. The request is to replace the existing signage portion of the monument sign and replace it with a new sign cabinet and a digital read board mounted below.

Commissioner Harms does not understand why there is a restriction for the amber color. He would prefer language that regulates the design of the message as to not distract drivers. Rules on how often the colors can change or how many colors at one time, but not restrict to just one color.

Commissioner Paschke stated that we need to approve signage with just amber right now; however, he could foresee a change in the future to allow additional colors.

Motion by Commissioner Rieck, seconded by Commissioner Plato, to recommend the Village Board approve a special message reader board permit for St. Paul Lutheran Church and School located at 701 Washington Street subject to the following conditions: 1) the message reader board shall be amber only in color and, 2) the applicant must provide 100 square feet of landscaping at the base of the sign subject to the review of the Director of Planning and Development. Motion approved 5-0 (J. Brunnquell abstained).

**INITIAL REVIEW OF PROPOSED NEW LANDSCAPE PLAN REQUIREMENTS:**

Planning and Development Director Rambousek requested that Commission members review the draft of the landscape plan requirements. The members were directed to

contact Mr. Rambousek with questions on the requirements. Mr. Rambousek would like to hold a public hearing on this issue in May.

Mr. Rambousek explained that the landscape plan perimeters are being brought forward due to feedback from landscape architects and the difficulty of following our current landscape ordinance. This document simplifies our current requirements and makes it much easier for everyone to understand. The new language also provides a list of species that are recommended throughout the state of Wisconsin.

Commissioner Brunquell questioned how this affects residential properties. Mr. Rambousek replied that this language only applies to multi-family and commercial properties.

Commissioner Schlecht requested that it be checked to ensure that this new language will not affect the Village's Tree City USA designation.

**PLANNING AND DEVELOPMENT DEPARTMENT BENCHMARK MEASUREMENTS:**

The benchmark report was reviewed by Commission members.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**ADJOURN**

Motion by Commissioner Paschke, seconded by Commissioner Plato, to adjourn the meeting at 7:46 p.m. Approved unanimously.