

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

MARCH 22, 2011

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

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

Excused: Randy Silasiri

Staff/Officials present: Director of Planning and Development Michael Rambousek, Village Clerk Teri Dylak, Building Inspector Tom Johnson, Utility Director Tom Krueger

MINUTES

Motion by Commissioner Schlecht, seconded by Commissioner Rieck, to approve the minutes from the January 25, 2011 Plan Commission meeting, as presented. Approved unanimously.

HEAR PERSONS REQUESTING TO BE HEARD

None.

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

The purpose of this public hearing is to review a rezoning petition for the properties located at 1032-1038 12th Avenue and 1043 13th Avenue from M-1 Manufacturing to PUD (Planned Unit Development) – Residential

Director of Planning and Development Michael Rambousek indicated that the Community Development Authority recommended the rezoning of these parcels based upon the recommendations outlined in the Village of Grafton Downtown Master Plan. These properties are identified as part of a residential development area. Based upon that designation, the CDA forwarded the matter to the Village Board for a formal petition to the Plan Commission.

Director Rambousek identified that the properties are currently zoned M-1 Industrial. He is recommending that the zoning be changed to PUD-Residential (Planned Unit Development). The property at 1043 13th Avenue currently has a tenant; however, that tenant is in the process of vacating the premises. The 12th Avenue site has been vacant for 7+ years.

Director Rambousek stated that the PUD with a residential component would allow for single family or multi-family residential development options.

Director Rambousek informed the Commission that once the existing tenant vacates the premises, another manufacturing use would need to occupy the space within 1 year.

Planning Staff recommends the rezoning of these parcels based upon the criteria in the Village of Grafton Downtown Master Plan.

Ryan Ciche, 1025 13th Avenue, questioned if there is a proposed development for this area. President Brunnuell responded no; however, rezoning the area would provide prospective developers with information on what type of development would be allowed in this area.

Ron Schuele, one of the owners of the property at 1043 13th Avenue, informed the Commission that they paid \$250,000 for this parcel years ago. By rezoning the parcel to PUD-residential it will be impossible to get another manufacturing tenant at this location. Mr. Schuele requested that this property not be rezoned until the Village has a viable development for the site. This may allow him to find another tenant. Mr. Schuele also commented that the Village could acquire the property via eminent domain if that chose. At least then they would be compensated for the change

Commissioner Harms commented that, unfortunately, over the years the 12th Avenue properties have been an eye-sore to the community. He expressed concern that not enough progress has been made to clean-up the site.

Commissioner Harms also stated that he is in favor of rezoning the 12th Avenue properties. He also understands the concerns of the Schuele family, but does think that a PUD-residential zoning would be a better option for these parcels and would fit better with the surrounding uses.

Commissioner Paschke stated that generally when PUD zoning is considered there is a specific plan available for the area. He is concerned with the possible infringement on the rights of the property owner because there is currently an operational business at one of the locations.

Patrick Schuele, one of the owners of the property at 1043 13th Avenue, indicated that he is against the rezoning of their property. With the current economic climate, it has been a challenge to get another tenant. They are still making payments on the building which will be much harder without a tenant. Changing the zoning to PUD and creating a legal non-conforming property will make that even more difficult.

Trustee Rieck commented that he is not comfortable rezoning a property with the objection of the owners.

Commissioner Plato commented that her building is legal non-conforming so she knows the challenges the owner will face.

President Brunnuell commented that the Downtown Master Plan has identified this area as a residential redevelopment site since 1999. The CDA has had contact in the past from several developers looking at a portion of this area for a project; however, the acquisition costs have been prohibitive.

If the area is rezoned to PUD-residential, the sites could be combined to provide for a development.

Director Rambousek identified that these properties are located in TID No. 3. The Village cannot make expenditures within 4-years of the termination of the district. This district was established in 1999 which gives the Village approximately 10+ years to complete a project in this location. Having a project completed during the life of the TID provides the Village with additional incentive options for developers.

Commissioner Paschke agrees with the overall plan for the area; however, he reiterated that he is concerned with the rights of the property owners. He would more comfortable with taking the property by eminent domain instead of rezoning which causes undue harm to owner. Under an eminent domain scenario, the owner would be compensated for the value of the property.

Commissioner Schlecht agreed with Commissioner Paschke.

The Schuele brothers reiterated that they are against the rezoning of their property and would like the zoning to remain as M-1 Industrial.

Jeff Holland, one of the owners 1032-1038 12th Avenue, questioned if rezoning the properties to PUD-residential would change any of the environmental issues on these parcels.

Director Rambousek responded no, regardless of the use the environmental issues remain.

There was a brief discussion on the site contamination issues of these parcels. Director Rambousek stated that, based on what is currently known, it appears that the contamination is from a non-point source where the problem originated on another site. It is believed that Construction Forms was the original site of the contamination.

Norb Studelska Sr., 1021 12th Avenue, informed the Commission that he has several monitoring wells on his property and the most recent tests showed no contamination.

Karen Haessley, 1047 12th Avenue, agreed with Commissioner Harms' comments that the Holland property is an eyesore and needs to be cleaned up. She also questioned if instead of a multi-family development if single family residences could be built at this location.

President Brunnuell responded that the PUD-residential district would allow for that type of development flexibility. The Plan Commission can adjust the allowable development to limit it to single family residential only.

Trustee Rieck stated that he would like to see a residential use in this area; however, unless the actions on the two properties are split he will vote against the rezoning. He indicated that he would like to see action on the Schuele property withheld until such time as development comes forward for this area.

There being no further discussion on this matter, discussion was closed.

President Brunnuell asked the Commission members if they were ready to act on a recommendation to the Village Board on the proposed rezoning.

It was the consensus of the Commission to bring this matter back to the Plan Commission in April for a recommendation to the Village Board.

REVIEW AND CONSIDERATION OF PROPOSED AMENDMENTS TO THE APPROVED PUD (PLANNED UNIT DEVELOPMENT) FOR THE PROPERTY LOCATED AT 1312 WISCONSIN AVENUE, KNOWN AT THE GRAFTON HOTEL PROPERTY

Director of Planning and Development Michael Rambousek reviewed a proposed amendment to the previously approved plans for the property located at 1312 Wisconsin Avenue, known as the former Grafton Hotel. Director Rambousek indicated that the previously approved plans included a commercial component which is no longer being proposed. In place of the commercial-retail space the developer is proposing the addition of two two-bedroom residential apartment units bring the total units from 18 residential to 20 units

Because of the change to an all residential use, changes will be made to the parking lot. The plan previously included nine dedicated parking spaces for the commercial use which will be eliminated. The additional tenant spaces will be included in the surface parking lot for a total of 31 dedicated residential parking spaces. Director Rambousek is recommending the inclusion of two additional parking spaces for a total of 33 spaces based on parking ratio requirements.

Director Rambousek reviewed proposed architectural changes to the building. He identified that the proposal includes the complete removal of a restaurant order window from the south end of the west building elevation. This area will be replaced with a pair of double-hung window units with an accent lintel across the top. The decorative bracket under the cantilevered portion of the building has also been removed.

The outdoor plaza dining area that was proposed to be located near the order window has also been removed and will be replaced with a landscaped area. Director Rambousek is requesting that this area be designed to include base plantings and

flower beds. Director Rambousek is requesting that the developer provide a detailed plan for this area and for the southwest corner of the parking lot for staff review.

Developer Paul Rushing was present to review the proposed changes. He stated that they have attempted to get another commercial tenant; however, that has not happened. It was determined that changing the commercial area to residential is the best option for the project.

He also identified that the parking lot configuration is now more user friendly and the trash enclosure has been reduced in size and relocated to the edge of the parking lot adjacent to Beech Street. Mr. Rushing also informed the Commission that the financing issues have been resolved and the project is ready to proceed.

President Brunnquell stated that the developer is reacting to the necessity of the times. The parking lot configuration is better and the Wisconsin Avenue access has been eliminated.

There was a brief discussion on the traffic flow of the parking lot. Commissioner Plato suggested a possible one-way around the lot to lessen potential backing problems.

Mr. Rushing responded that he and his partner Jim Reed worked to find the best possible parking layout for the site. It was decided that because the lot is private, the tenants will find the best ingress/egress.

Commissioner Plato questioned if there will be a gate at the parking lot entrance or signage indicating it is a private parking lot. Mr. Rushing stated that the parking spaces will be numbered. It may be possible to include a sign on the dumpster enclosure that the parking lot is for tenants of the Grafton Hotel Apartments only.

Commissioner Schlecht questioned if any of the apartments will be furnished for short term use. Mr. Rushing indicate no, all will be unfurnished and require a minimum of a 1-year lease. It may be possible for Aurora Medical Center to rent an apartment for their use; however, a lease would still be required.

Building Inspector Tom Johnson commented that in December, 2009, the Grafton Fire Department Plan Review Committee expressed concerns with several components of this project. Items of concern were the distance into the building for rescue and fire operations and the lack of sprinklers in the building. Mr. Johnson questioned if the revised layout has been reviewed and approved by the Fire Department.

Mr. Rushing responded that they received a letter, in early March, from Fire Chief John Place regarding the project indicating that if the State, based on international code analysis of the project, approved the plans without sprinklers, he would agree.

Mr. Johnson stated that 20 residential units may be past the threshold for sprinkler exemption. He requested a copy of the letter from Chief Place for his file. Mr. Johnson also stated that revised state approved plans will be required due to the project amendment.

Mr. Rushing indicated that the plans will be forwarded to the State soon for their review.

President Brunnquell informed the members that with the change in the plans to all residential, the previously approved 15 minute unloading area is no longer necessary and will be eliminated.

Motion by Commissioner Paschke, seconded by Commissioner Rieck, to approve the site, architectural and use amendments to the PUD-Planned Unit Development for the property located at 1312 Wisconsin Avenue subject to final review and approval of the landscaping plan and parking lot with the addition of two additional parking spaces, total of 33 spaces, by the Director of Planning and Development. Approved unanimously.

REVIEW AND CONSIDERATION OF THE ENDORSEMENT OF THE ‘REGIONAL WATER SUPPLY PLAN FOR SOUTHEASTERN WISCONSIN’ (SEWRPC PLANNING REPORT NO. 52)

Director Rambousek stated that the Village of Grafton has received a request from SEWRPC to endorse the Regional Water Supply Plan (Plan) for Southeastern Wisconsin. The Board of Public Works, at their March 14, 2011 meeting, recommended that the Plan Commission endorse the Plan for Southeastern Wisconsin and forward the resolution to the Village Board for adoption.

Utility Director Tom Krueger briefly reviewed some of the plan components. He indicated that the report offers planning objectives and recommendations for the provision of a long-term, sustainable water supply for the seven-county Southeastern Wisconsin Region to the year 2035. The plan recommendations are related to the following items: sources of water supply; water conservation; groundwater recharge area protection; storm water management practices; high capacity well siting practices, and enhanced rainfall infiltration. The Plan also recommends implementation of a comprehensive water conservation program including supply side efficiency measures as well as conservation measures in accordance with one of three defined levels of water conservation programs. The conservation program levels are utility-specific. The refer to sustainability of water source and future water infrastructure requirements.

The Village of Grafton and the City of Cedarburg, are being recommended for an intermediate-level program for water conservation. This level recommends a reduction of 6 to 8 percent in average daily demand and a reduction of 12 to 16 percent in maximum daily demand over the planning period.

Director Krueger also indicated that the Village of Grafton has been looking at transitioning to lake water for a number of years and will be completing a study this year that will map out a plan for converting to a Lake Michigan water supply.

The Grafton Utility will be meeting in the near future with representatives from the City of Cedarburg and the City of Mequon Water to explore a more detailed joint study as recommended in the Plan.

There was limited discussion on the Plan by the Commission. The members were pleased that the Village of Grafton is being pro-active in this matter and commended the Utility for looking to the future to provide the best water options to the community.

Director Rambousek indicated that Commissioner Silasiri requested he inform the members that he agrees with Plan.

Motion by Commissioner Harms, seconded by Commissioner Plato, to endorse the 'Regional Water Supply Plan for Southeastern Wisconsin' (SEWRPC Planning Report No. 52) and recommend the Village Board adoption of a resolution regarding the endorsement of this plan. Approved unanimously.

PLANNING AND DEVELOPMENT DEPARTMENT PERFORMANCE MEASUREMENTS

The Commission briefly reviewed the Planning and Development Department monthly performance measurements.

OLD BUSINESS

None.

NEW BUSINESS

President Brunnquell commended Director Rambousek for all of his work during the absence of his support staff.

ADJOURN

Motion by Commissioner Harms, seconded by Commissioner Paschke, to adjourn at 7:16 p.m. Approved unanimously.