

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

APRIL 26, 2011

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: Jim Brunnquell, Amy Plato, Al Schlecht, Richard Rieck, Carl Harms, Randy Silasiri, and Mark Paschke

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

MINUTES

Motion by Commissioner Harms, seconded by Commissioner Schlecht, to approve the minutes from the March 22, 2011 Plan Commission meeting, as presented. Approved unanimously.

HEAR PERSONS REQUESTING TO BE HEARD

None.

REVIEW AND CONSIDERATION OF THE PROPOSED RELOCATION OF AN EXISTING HOME FROM THE VILLAGE OF SHOREWOOD TO LOT 2 OF BLOCK 3 IN JOHNSON'S AND MOORE'S ADDITION LOCATED BETWEEN 1532 AND 1550 11TH AVENUE IN THE VILLAGE OF GRAFTON

Director of Planning and Development Michael Rambousek reviewed the proposed relocation of an existing home from the Village of Shorewood. He stated that the applicants, Tim and Liz Kohler, are proposing to relocate an existing home that they currently own in the Village of Shorewood to Lot 2 of Block 3 in the Johnson's and Moore's Addition located in the Village of Grafton (between 1532 and 1550 11th Avenue north of Broad Street).

He also informed the Plan Commission that the Architectural Review Board has already approved the proposed architectural plans for this home. The final step in the review process involves the Plan Commission and the review of the home site and the relocation route. He added that the home that is to be located to the Village of Grafton is a 1928 French Colonial house with an all brick exterior. The home has three minor design issues which the applicant intends to correct in the coming months before the relocation/construction phase. This includes the addition of a first floor bathroom, the construction of an attached garage, and addition of a true third bedroom. The addition of an attached garage will need to be reviewed at a future Architectural Review Board meeting prior to its construction and the true third bedroom will need to be added to meet zoning code requirements.

Director Rambousek then explained that the current zoning of the site is R-3 Urban Single-Family Residential District and within that district the minimum home size must be 3 bedrooms and 1,350 square feet. The home as proposed meets both of these requirements (1,633 square feet) with the proposed adjustment to include a true third bedroom in the approved architectural plans.

The height of the structure does cause some concern because it is a 1.5 story home that is approximately 26.5 feet in height the gable peak and will be surrounded by single story ranch homes. However, the R-3 Urban Single-Family Residential District allows a home as a permitted use to be up to 2.5 stories in height and the Architectural Review Board has approved the architectural plans while taking into account the surrounding architecture of the neighborhood. He also noted that under the requirements of the R-3 Urban Single-Family Residential District, the placement of the home on the site must have a minimum front yard of 30 feet, side yards of 5 and 10 feet and a rear yard of 25 feet. He indicated that the Department of Public Works has determined that there is no infrastructure issues related to the location for a driveway curb-cut for the lot giving the Plan Commission and the applicant flexibility regarding the side yard distances. Also regarding the utilities, the home will be connected by laterals to existing water and sewer mains provided in 11th Avenue at the cost of the home owners.

Director Rambousek also informed the Plan Commission members that the proposed contractor for the move is RG Services, which the applicants have indicated is an experienced home mover in the State of Wisconsin. He further noted that the contractor has indicated that they will work with each municipality the home will travel through arranging for police escorts along the entire relocation route. They are also expected to coordinate the home relocation with We Energies to ensure clearance issues are non-existent. The contractor will carry a \$2 million general casualty insurance coverage in addition to all required bonding by the Village of Grafton and other municipalities. However, the Village also requires the home owners carry insurance and provide the required bonding amounts. The Kohler's will also be responsible for all applicable Village of Grafton fees, including residential impact fees.

Director Rambousek stated that a full basement will be constructed on the Grafton lot prior to the move. The home will then be split and moved in two different sections (first floor and second floor) and then reassembled at the new site and placed on top of the new basement foundation. The home will be split to ensure the height of the loaded trailer is less than the height of a legal semi-truck (13 feet, 6 inches) and makes appropriate clearances. A specific date for the move of the home has yet to be determined, but will occur at midnight on the proposed move date.

Director Rambousek then summarized the relocation route by stating that each truck and loaded trailer will enter the Village of Grafton from the west on WIS 60. They will then turn right (south) on to 13th Avenue, then turn right on to Broad Street, and finally

turn right on to 11th Avenue to the new site. An inspection of the all Village of Grafton streets involved in this route will need to occur prior to the move.

Building Inspector Tom Johnson then reviewed with the Plan Commission the Village of Grafton's regulations for moving buildings which the Village attorney has reviewed. He then stated that the home owners would have to obtain a bond that shall not be less than \$50,000 and in addition to the bond, public insurance covering injury to one person in the sum of not less than \$1,000,000, and for one accident in a sum not less than \$2,000,000, together with property damage insurance in a sum not less than \$1,000,000. He also noted that the Plan Commission bond will be not less than \$240,000 which shall be in addition to any other bond or surety which may be required by other applicable ordinances of the municipality.

Present were property owner and home owner, Timothy and Elizabeth Kohler.

Chair Brunnuell asked if they would like to add anything further or address the Commission with their comments.

Mr. and Ms. Kohler understood the requirements and regulations. Ms. Kohler also added that when moving the home, there will be two trucks, one will move the first floor, and the other would be moving the second floor on the same day.

Tom Larson, 535 South Majesa Hills Lane, Saukville, WI, indicated that he is at this meeting representing the Helen Goldberg Estate and specifically the property located at 1550 11th Avenue. He indicated that he has concerns on the location of the home being so close to their property line with a short side yard distance. The home should be more centered on the vacant lot. In their opinion it would be more neighborly to have them place the house at least ten feet away from the Goldberg property line.

Director Rambousek did not think that would be an issue to change on the site plan but would prefer to examine this issue in further detail at staff level.

Commissioner Schlecht expressed his concern over the bonds and guarantees. He would like to have the Village stand behind any property owner that may have property damage due to the move of this house. He wants to insure that property owners will be taken care of as soon as possible and not waiting for a long drawn out process or litigation to fix any damage.

Inspector Johnson reassured Commissioner Schlecht that he and the Police will be monitoring the move of the house from the time it arrives in the Village to the placement of the house on the site.

Commissioner Harms had concerns about the side yard and the electrical wires crossing the public roads. He also asked if the Kohler's were going to rent the house out or just sell the house.

Ms. Kohler responded by stating that it was their intention to sell the home as soon as possible. She added that they are open to working on the side yard concern with the Planning and Development Staff and their contractor for the move will review the route prior to the relocation and coordinate with all entities involved including WE Energies.

Chair Brunnquell asked if the Plan Commission had any more questions or comments concerning this matter.

The Plan Commission had no comments or concerns.

Motion by Commissioner Rieck, seconded by Commissioner Paschke, to approve the requested relocation of an existing home from the Village of Shorewood to Lot 2 of Block 3 in the Johnson's and Moore's Addition located between 1532 and 1550 11th Avenue in the Village of Grafton subject to the following conditions: 1) the addition of a third bedroom to the home; 2) the construction of an on-site garage; 3) the side yards reviewed by the Planning and Development Staff and increased were adjacent to the property located at 1550 11th Avenue, if possible, and 4) payment of all applicable Village of Grafton fees including residential impact fees. Approved unanimously.

REVIEW AND CONSIDERATION OF PROPOSED CERTIFIED SURVEY MAP (CSM) FOR PROPERTY LOCATED AT 1000 BADGER CIRCLE

Director Rambousek stated that the applicant, Kapco, Inc., is proposing to adjust the north lot line of the company's existing property located at 1000 Badger Circle. The purpose of the lot line adjustment of approximately 40 feet is to provide additional space for automobile parking stalls. The proposed Certified Survey Map (CSM) creates a new Lot 1 and Lot 2 that are 261,708 square feet (6.01 acres) and 130,670 square feet (3.00 acres), respectively. The proposed CSM does not involve the dedication or adjustment of any public right of way, therefore, the Plan Commission has final authority over the approval of this CSM.

Director Rambousek added that the proposed CSM corrects the existing Kapco lot and makes it a typical lot (Lot 1) because the north lot line previously had a jog of 40 feet. This jog is now eliminated and the north lot line now becomes a straight line with this proposed CSM. He further informed the Commission members that both properties involved in the CSM are zoned PID – Planned Industrial District and each will continue to meet all of the dimensional lot requirements in that district, including the minimum lot size requirement of 43,560 square feet (1 acre) and minimum lot width of 150 feet.

Director Rambousek indicated that he is requesting only one modification to the proposed CSM; the zoning districts of each lot need to be added on to the proposed CSM for historical reference. As indicated, in this case the zoning district is PID – Planned Industrial District for both properties.

The Plan Commission had no comments or concerns.

Motion by Commissioner Harms, seconded by Commissioner Silasiri, to approve the proposed Certified Survey Map for 1000 Badger Circle and the adjacent vacant lot to the north, subject to the zoning districts of each property being placed on the CSM document. Approved unanimously.

REVIEW AND CONSIDERATION OF A PROPOSED MINOR SITE PLAN AMENDMENT FOR PROPERTY LOCATED AT 1000 BADGER CIRCLE

Director Rambousek stated now that the CSM has been approved the Plan Commission can now review the proposed site plan as submitted. He stated that Kapco, Inc. is also proposing a minor site plan amendment to increase the number of parking stalls at the northwest corner of the property (Cheyenne Avenue frontage). He stated that Carl Krieger was here tonight representing Kapco, Inc.

Director Rambousek stated that he proposed site plan creates 12 new parking stalls located at the northwest corner of the property as an extension to the existing parking lot. The addition of these spaces brings the total number of parking spaces on the entire site to 115 parking spaces. Currently, the site has five existing dedicated ADA compliant spaces so this requirement is met. He also indicated that the proposed parking lot addition is setback 12 feet from the north property line (side yard) with a Y-turn section that encroaches another 6 feet, leaving a resultant 6 feet side yard in this area of the property. However, consistent practice in the PID – Planned Industrial District has been to require a minimum of 10 feet for parking lot side yards. Therefore, the Y-turn section needs to be reduced to 2 feet to meet this requirement. The applicant should also provide some landscaping in front and north side of the added parking spaces (Cheyenne Avenue front yard) and along the northern edge of the parking lot for screening purposes.

Commissioner Schlecht stated the he had only one concern with the vacant parcel down the road having entrance from Cheyenne Avenue if the lot would be sold and developed in the future.

Director Rambousek stated that he spoke with the Village Engineer on that very issue and it is possible access to that property from Cheyenne Avenue could be considered. However, he suggested that this issue be reviewed in the future when there is a proposed development for the site. This way, the Planning and Development Staff and Plan Commission can take into account the specific type of use and its potential traffic generation and patterns.

The Plan Commission had no comments or concerns.

Motion by Commissioner Paschke, seconded by Commissioner Harms, to approve the proposed site plan for 1000 Badger Circle subject to the

following conditions: 1) approval of the CSM by the Plan Commission that adjusts the north lot line by 40 feet; 2) the north side yard of the parking lot addition meets the required side yard of 10 feet, and 3) a landscaping plan being submitted for review and approval of the Director of Planning and Development. Approved unanimously.

REVIEW AND CONSIDERATION OF A RECOMMENDATION TO REZONE THE PROPERTIES LOCATED AT 1032-1038 12TH AVENUE AND 1043 13TH AVENUE FROM M-1 MANUFACTURING TO PUD (PLANNED UNIT DEVELOPMENT)-RESIDENTIAL

Director Rambousek stated that this agenda item is returning from the March 22, 2011, Plan Commission meeting where a public hearing was held and the Plan Commission decided to wait to consider formal action on this matter until this meeting.

Motion by Commissioner Rieck, seconded by Commissioner Plato, to remove the proposed ordinance rezoning of property located at 1043 13th Avenue from the agenda and from consideration. Approved unanimously.

The property owners of 1043 13th Avenue, Ron and Patrick Schuele were present with their attorney, Jon Herreman, 4373 Fieldstone Drive, Grafton, WI.

Chair Brunnquell asked if the owners had any further comments regarding this matter.

Ron and Patrick Schuele indicated that were pleased with the Plan Commission's decision and did not have any further comments.

Attorney Jon Herreman asked if the property was again someday considered for rezoning would a public hearing need to occur with appropriate noticing.

Chair Brunnquell responded yes.

Director Rambousek indicated that if the Plan Commission makes a recommendation tonight regarding the properties and building located at 1032-1038 12th Avenue, that the Village Board would consider the rezoning petition and ordinance on May 2, 2011.

Chair Brunnquell then asked for a motion to recommend the property located at 1032-1038 12th Avenue be rezoned from M-1 Industrial to PUD-(Planned Unit Development) Residential.

Motion by Commissioner Paschke, seconded by Commissioner Silasiri, to recommend to the Village Board the adoption of ordinance to rezone the properties located at 1032-1038 12th Avenue from M-1 Industrial to PUD-(Planned Unit Development) Residential. Approved unanimously.

REVIEW AND CONSIDERATION OF A SIGN VARIANCE FOR COLDER'S/FLANNER'S LOCATED AT 2600 WASHINGTON STREET

Director Rambousek stated that the applicant, David Koscielniak on behalf of Colder's and Flanner's, is requesting a sign variance from Section 20.04.075 (A)(2) of the Sign Code regarding ground signs in the C-4 Freeway Interchange Business District. Within the requirements of that section of the sign code a maximum sign face area of 100 square feet is allowed. Currently, the Colder's sign face that is displayed on the existing ground sign structure occupies all of that allowable area. The applicant is specifically requesting a variance that would allow an additional 38.5 square feet of sign face for a Flanner's sign to be located just below the existing Colder's sign face.

He also informed the Commission members that the proposed sign variance request involves a 38.5 square feet sign face for Flanner's. The specific dimensions of that sign are 14 feet by 2.75 feet and the sign is proposed to be located directly underneath the existing Colder's sign face. He further commented that the Planning and Development Staff does not have an issue with an additional sign face being added to this ground sign. However, some design modifications should be considered by the Plan Commission prior to granting this variance. For example, the overall articulation of the ground sign would look much better if the proposed Flanner's sign was the same length as the Colder's sign that spans across the entire sign structure. This means the electrical panel located just below the Colder's sign will need to be relocated to allow this modification. In addition, the proposed width of the Flanner's sign face should be increased to approximately one-half the size of the existing Colder's sign face. Finally, the proposed Flanner's sign should have more of a three-dimensional appearance with lettering.

Mr. David Koscielniak representing Flanner's distributed a new revised sign plan. He then proceeded to review with the Plan Commission members the new revisions in responding to Director Rambousek requests for modifications.

The Plan Commission held a discussion and the general consensus was that all agreed with the proposed colors of the sign but to follow Director Rambousek conditions to have the Flanner's sign be the same length as the existing Colder's sign face and span across the ground sign structure, and also have the Flanner's sign face be approximately one-half the width of the existing Colder's sign face which is now shown on the revised sign plan handed out by Mr. Koscielniak.

Motion by Commissioner Paschke, seconded by Commissioner Rieck, to grant the requested sign variance for Colder's/Flanner's located at 2600 Washington Street subject to the following conditions: 1) the Flanner's sign face shall be the same length as the existing Colder's sign face and span across the ground sign structure, and 2) the Flanner's sign face should be approximately one-half the width of the existing Colder's sign face. Approved unanimously.

REVIEW OF PROPOSED OUTDOOR DISPLAY AND OUTDOOR STORAGE REGULATIONS

Director Rambousek briefly presented back ground on the proposed outdoor display and storage regulations. He stated that this item was returning for initial discussion that occurred at a previous Plan Commission meeting. As background, recently some businesses located in the South Commercial District have approached the Planning and Development Staff asking consistent and fair regulations be created for outside display and storage in the South Commercial District. As a result, the Planning and Development Staff has developed a draft outline below for the C-2 Community Business District, which is the primary retail zoning classification of the South Commercial area.. He then proceeded to review the regulations with the Commission members stating that the Planning and Development Staff has created a draft outline with two different sections: Outdoor Display and Sale of Merchandise and Outdoor Storage.

Director Rambousek further noted that the Outdoor Display and Sale of Merchandise section of the proposed ordinance, one of the major changes was for retail uses only, point of purchase displays or merchandise occupying no more than a total of one-hundred and eight (180) cubic feet (equivalent to 3 pallets) may be placed within ten (10) feet of the front entrance to the premise.

He also noted that under Outdoor Storage section of the proposed ordinance the Plan Commission approval shall be required on all proposed outdoor storage areas for non-residential uses.

Also present were Peter and Sharyn Kalies from Ozaukee Ace Hardware.

Ms. Kalies stated that she would like to see consistency with the regulations and will work with the Village to improve the look of their frontage with keeping the appearance nice and clean.

After a lengthy discussion, the Plan Commission requested that Director Rambousek strengthen the language of the outdoor display section to ensure property maintenance of display areas so they represent the South Commercial District positively. For example, broken pallets, empty pallets, shrink wrap, broken bags, debris, and unorganized display areas will not be tolerated.

A public hearing will be held on this code modification in May.

REVIEW OF PROPOSED MODIFICATIONS TO SITE INTENSITY CALCULATIONS

Director Rambousek reviewed the proposed modifications to the site intensity calculation. He indicated that the proposed change would cap the impact that natural resources have on the allowable density at 50 percent of the land area. He further stated that all applicable natural resource protection standards will remain in effect and will still be required for any type of development regardless of whether the regulations are federal, state or local protection standards.

He also noted that he strongly recommends this amendment because the proposed cap allows a reasonable residential density for sites that have a multitude of natural resources and at the same time requires the same protection standards that have always been required.

The Plan Commission reviewed the proposed modifications and Director Rambousek indicated that he would bring this back to the Plan Commission for a public hearing to be held on May 24, 2011.

EXTRATERRITORIAL REVIEWS:

Singh-C.U.P.-Town of Grafton located at 112 North Port Washington Road

Director Rambousek had concern over the name of the business on the application which was Grafton Mobil because a service station already exists in the Village's Downtown by the same name. He would follow-up with the Town of Grafton on this matter.

Legen-CSM-Town of Grafton located at 1700 West Pioneer Road

Director Rambousek had no problem with this CSM-Certified Survey Map request, he would just ask the Town of Grafton to make sure any natural resource, floodplain, and/or shoreland information be added to the CSM.

It was the consensus of the Plan Commission that the extraterritorial reviews would be acceptable with the noted concerns of Director Rambousek.

PLANNING AND DEVELOPMENT DEPARTMENT PERFORMANCE MEASUREMENTS

The Plan Commission reviewed the Planning and Development Department performance measurements.

OLD BUSINESS

Commissioner Schlecht commented on how well the Bridge Inn looks. He thinks they have done a great job on the recent improvements.

Chair Brunnquell also informed the Commissioners that the Grafton Hotel was sold by the Village on April 22, 2011 and the renovation project is anticipated to start soon.

NEW BUSINESS

Director Rambousek informed the members that Ram Tool will be coming to the May meeting with a site plan and CSM request. He also mentioned that the Aurora Cancer Center would be breaking ground very shortly.

ADJOURN

Motion by Commissioner Harms, seconded by Commissioner Schlecht, to adjourn at 7:35 p.m. Approved unanimously.