

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

AUGUST 23, 2011

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

Plan Commission members present: Jim Brunnquell, Alfred Schlecht, Richard Rieck, Amy Plato, Carl Harms, and Randy Silasiri

Absent: Mark Paschke

Staff Present: Director of Planning and Development, Michael A. Rambousek, Building Inspector, Tom Johnson, and Administrative Secretary, Deborah A. Brown

MINUTES

Motion by Commissioner Schlecht, seconded by Commissioner Harms, to approve the July 26, 2011, Plan Commission meeting minutes 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 rezoning petition and an amendment to the PUD (Planned Unit Development) for Village Center (to be known as Mill Square) located at 1219-1287 Washington Street (second floor), requested by property owners, Jeff Prochnow and Marcus Tebon. The proposed rezoning is from the PUD-Commercial zoning district to PUD-Commercial/Residential zoning district.

Director of Planning and Development, Michael A. Rambousek gave a brief background on the requested rezoning of this property. He stated that the second floor of the building that fronts 12th Avenue will remain unchanged and continue to consist of future office space. He stated that this project will be going to the Architectural Review Board for consideration of the architectural changes that are proposed. He stated that he expects that he will recommend some changes to those plans, but he is comfortable with the plans, in concepts, and he is recommending that the Plan Commission recommend Village Board adoption of this PUD-Planned Unit Development amendment as requested.

Director Rambousek stated that the applicant will be required to return to the Plan Commission if further residential units are sought beyond the main unit and guest units

currently shown on the floor plan for the purposes of safety and compatibility. He added that a public hearing will not be required, but simply review of the site and floor plan review.

Chair Brunnuell asked if there were any persons wishing to be heard on this public hearing item.

Scott Orten-1572 Indian Hill-Grafton, WI

Mr. Orten questioned how many units would be proposed and was there going to be designated parking for the residential tenants occupying this new space because, in the past parking has been an issue for this property. He was concerned that more residential units would create more demand on parking.

Director Rambousek stated that Mr. Orten had a very good question. He added that residential on the second floor should lower the demand for parking because, in general, the demand for automobile parking spaces is less for residential uses than for commercial uses that draw clientele and/or customers. He also stated that in his discussions with the owner it was agreed that all residential units would be required to designate at least two spaces for a full residential suite and one space for a guest suite in the underground garage below the building.

Daniel Betla, 251 Green Bay Road-Cedarburg, WI, of E. Miller and Associates indicated that he is the project manager and stated that one of the proposed residential spaces will be occupied by his client. He further stated that his client will be utilizing the underground parking space below the building.

Chair Brunnuell asked the applicant if he, and his client, agree with the underground parking requirement that Director Rambousek just spoke about. Mr. Belta stated that they agree with this requirement.

Chair Brunnuell asked Director Rambousek if this provision could be added as a condition of the zoning amendment.

Director Rambousek stated that he would prefer that the Plan Commission make a separate motion to approve the site/floor plan with a condition, instead of placing a condition on the rezoning amendment.

Chair Brunnuell asked Ms. Brown to please remember this issue at the appropriate time for consideration.

Chair Brunnuell requested comments or questions from the Plan Commission.

There were no additional comments or concerns on this issue. The Plan Commission consensus was to take action on this item later in the meeting.

Chair Brunnuell closed the public hearing and discussion on this item.

RECOMMENDATION TO VILLAGE BOARD FOR A REZONING PETITION AND AMENDMENT TO THE PUD (PLANNED UNIT DEVELOPMENT) FOR VILLAGE CENTER LOCATED AT 1219-1287 WASHINGTON STREET (SECOND FLOOR), REQUESTED BY PROPERTY OWNERS, JEFF PROCHNOW AND MARCUS TEBON TO REZONE PROPERTY FROM THE PUD-COMMERCIAL ZONING DISTRICT TO PUD-COMMERCIAL/RESIDENTIAL ZONING DISTRICT

Motion by Commissioner Plato, seconded by Commissioner Harms, to recommend Village Board adoption of an ordinance amending the PUD Planned Unit Development for Village Center (to be known as Mill Square) located at 1218 12th Avenue and 1219-1287 Washington Street to allow residential and office uses on the second floor only of the 1219-1287 Washington Street building. Approved unanimously.

Chair Brunnuell then requested a separate motion for the site/floor plan for the building located at 1219-1287 Washington Street.

Motion by Commissioner Silasiri, seconded by Commissioner Rieck, to approve the site/floor plan for the second floor of the building located at 1219-1287 Washington Street subject to the following conditions: 1) all residential units are required to have designated parking spaces in the underground garage below the building a ratio of two spaces for a full residential suite and one space for a guest suite, and 2) the applicant is required to return to the Plan Commission if further residential units are proposed beyond those shown on the floor plan approved at this meeting. 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 by Andrew Buchen, agent for U.S. Cellular, to allow for the addition of new telecommunications antennas on the Village water tower located at 1980 Cheyenne Court.

Director Rambousek stated that US Cellular is proposing the replacement of the existing antennas on the water tower with up to nine new antennas with G-4 technology. Initially, six antennas will be installed with room for three additional antennas. However, the applicant will need to prove to the Staff that those three additional antennas can be supported appropriately by the tower if they decided to install these additional antennas.

Director Rambousek also explained that as a conditional of the original conditional use permit approval, the applicant was required to install landscaping near the water tower. As part of this request, the Staff would like to work with the applicant to review the existing landscaping and submit a plan that improves the existing landscaping situation at the site.

Present to answer any questions regarding this request by U.S. Cellular was Ed Justice of Justice Real Estate 239 West Broyles Road-Chuckey, TN.

Chair Brunnquell asked if there were any persons wishing to be heard on this public hearing item.

Scott Orten-1572 Indian Hill-Grafton, WI

Mr. Orten asked if the Village of Grafton rents the antenna space out on the water tower.

Commissioner Rieck responded yes and stated that the Village of Grafton Water and Wastewater Utility handles the leasing agreement with US Cellular.

Commissioner Harms asked if all the equipment meets all the Federal and State requirements.

Mr. Justice responded yes all the equipment being replaced and installed meet all Federal and State requirements.

There were no additional comments or concerns on this issue. The Plan Commission consensus was to take action on this item later in the meeting.

Chair Brunnquell closed the public hearing and discussion on this item.

CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT BY ANDREW BUCHEN AGENT FOR U.S. CELLULAR TO ALLOW FOR NEW TELECOMMUNICATIONS ANTENNAS FOR WATER TOWER LOCATED AT 1980 CHEYENNE COURT, VILLAGE OF GRAFTON

Motion by Commissioner Harms, seconded by Commissioner Schlecht, to approve a conditional use permit for US Cellular to allow up to nine wireless telecommunications antennas and minor equipment upgrades at the water tower located at 1980 Cheyenne Court, subject to the applicant providing a satisfactory landscaping plan to the Planning and Development Staff. Approved unanimously.

COMMENCE PUBLIC HEARING

Statement of Public Notice:

Administrative Secretary Deborah A. Brown stated that the purpose of the public hearing is to review a rezoning petition and conditional use permit for property located on Ulao Road, owned by Dr. Janice H. Alexander, that upon annexation will be zoned A-3 Agricultural Holding District and said petition is requesting that the property be rezoned to C-4 Freeway Interchange District to accommodate a proposed financial institution.

Director Rambousek explained that the applicant, First Bank Financial Centre, is requesting Plan Commission and Village Board approval of a request to annexation of 2.58 acres of property located in front of the Aurora Medical Center site and west of Dakota Drive at 1278 Ulao Road (Town of Grafton address).

Director Rambousek indicated that the Plan Commission will need to take action on the annexation item first, followed by the rezoning and then the conditional use permit for SIC 6022 State commercial banks with drive-thru facility.

Director Rambousek noted that the Village has received a letter from the Department of Administration stating that the annexation was found to be in the public interest. In light of the need by the development to accommodate the existing natural environmental issues on the site. He indicated that he is recommending that the rezoning be PUD Planned Unit Development-Commercial instead of C-4 Freeway Interchange Business District.

Director Rambousek summarized the project noting that the First Financial Bank Centre project will consist of a 4,800 square feet building located at the 1278 Ulao Road site. The bank will be a full service business, mortgage, retail lending, and depository services. The annexation request consists of 2.58 acres because it includes remnant parcels that allowed this property to stay legally in the Town of Grafton. As a result, the bank development site itself will consist of 1.688 acres.

The building and parking is located on the western half of the development site with vehicular access located at the north lot line via Dakota Drive and from WIS 60 on the west side of the property. The first floor elevation of the bank building will be approximately 2 feet higher than the elevation of WIS 60. The building is setback 40 feet from the front property line and the front yard, other than the access point, consists entirely of green space. The parking lot is located behind the bank building and consists of 28 regular spaces and two ADA spaces meeting the requirement of 30 total parking spaces. The drive-thru service is located on the west side of the building with three lanes that each lane will accommodate six vehicles. Ultimately, this site will provide cross access at the rear property line to the adjacent vacant property to the west.

Director Rambousek also identified that he would like to continue to work with the applicant on the landscaping plan by adding more landscaping on each side of the building, along the rear of the property and within the parking lot. In addition, because development on the site is oriented to the west due to natural resources such as slopes, woodlands and wetlands that may exist on the east side of the property. There is a large amount of hard surface proposed on the east side of the building. Director Rambousek would also like to work with the applicant on ways to visually enhance this area.

Director Rambousek also informed that the members that the Village Engineer is finalizing review of the storm water plan with the applicant. The development will utilize the regional storm water ponds north of this site for retention and filtering purposes. The Utility Director will be requiring a sampling manhole be located on the bank property.

Chair Brunnuell asked if there were any persons wishing to be heard on this public hearing item.

Scott Orten-1572 Indian Hill-Grafton, WI

Mr. Orten questioned how many banks were in the Grafton-Cedarburg area and do we really need another bank in the community.

Chair Brunnuquell responded by stating that there were 13 or 14 banks in the immediate area.

Mark McCune, First Bank Financial Centre 155 West Wisconsin Avenue-Oconomowoc, WI 53066, was present to review the project and answer questions.

Mr. McCune explained that this bank is a community based bank located currently in Germantown, Menomonee Falls, West Bend, Hartford, and Oconomowoc. This site offers more convenience for customers and will centrally located in Ozaukee County.

Chair Brunnuquell requested comments or questions from the Plan Commission.

Commissioner Plato stated that she would like to see directional signage on this site because it appears difficult to navigate. She also suggested that the turning radius out of the drive-thru be examined further and shown in detail on the site plan.

Director Rambousek indicated that he anticipates that a message reader board sign will be proposed. At that time, the applicant could return to the Plan Commission with directional signage details.

Mr. McCune stated that he would be happy to provide that information.

There were no additional comments or concerns on this issue. The Plan Commission consensus was to take action on this item later in the meeting.

Chair Brunnuquell closed the public hearing and discussion on this item.

Director Rambousek reminded the Plan Commission that if they were to move to action on these items, that the annexation petition must be recommended for Village Board approval first.

Chair Brunnuquell moved forward with the consideration items for approval.

CONSIDERATION OF A RECOMMENDATION TO VILLAGE BOARD TO APPROVE A PETITION FOR ANNEXATION OF PROPERTY LOCATED AT 1274-1278 ULAO ROAD, OWNED BY DR. JANICE H. ALEXANDER

Motion made by Commissioner Rieck, seconded by Commissioner Silasiri, to recommend Village Board approval of the annexation petition for a property located at 1278 Ula Road (WIS), as requested. Approved unanimously.

CONSIDERATION OF A RECOMMENDATION TO THE VILLAGE BOARD ON A REZONING PETITION FOR PROPERTY LOCATED ON ULAO ROAD (WIS 60), OWNED BY DR. JANICE H. ALEXANDER AND IS ZONED A-3 AGRICULTURAL HOLDING DISTRICT BE REZONED TO PUD PLANNED UNIT DEVELOPMENT-COMMERCIAL TO ACCOMMODATE A PROPOSED FINANCIAL INSTITUTION

Motion by Commissioner Harms, seconded by Commissioner Schlecht, to recommend Village Board approval of a rezoning petition for property located on Ula Road (WIS 60), owned by Dr. Janice H. Alexander and is zoned A-3 Agriculture Holding District to be rezoned to PUD Planned Unit Development-Commercial, as recommended by the Planning and Development Staff. Approved unanimously.

CONSIDERATION OF A CONDITIONAL USE PERMIT REQUESTED BY FIRST BANK FIANANCIAL CENTRE FOR PROPERTY LOCATED ON ULAO ROAD, OWNED BY DR. JANICE H. ALEXANDER, TO BE ZONED PUD-PLANNED UNIT DEVELOPMENT-COMMERCIAL DISTRICT

Motion by Commissioner Silasiri, seconded by Commissioner Harms, to approve a conditional use permit for the property located on Ula Road (WIS 60) for SIC 6022 State commercial banks with drive-thru facility subject to the following conditions: 1) Village Board approval of the annexation and rezoning petitions as requested; 2) Architectural Review Board approval of the architectural plans; 3) the addition of a sampling manhole added to the bank property for the sanitary sewer; 4) a separate natural resource protection plan submitted to the Director of Planning and Development; 5) the applicant working with the Director of Planning and Development to upgrade the landscape plan and green space and provide future access to the adjacent property owner to the west, and 6) the addition of a more contemporary light fixture to match the building architecture. 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 by Paul Seul, agent for Lubes of Wisconsin, to accommodate a light automotive operation known as Super Lube at 1552 Wisconsin Avenue in the Central Business District.

Before discussion started Commissioner Plato recused herself from discussion on this item.

Director Rambousek reviewed the request for a conditional use permit. He stated the proposed use is classified as an existing conditional use under Section 19.02.0210 of the Village of Grafton Zoning Code.

Director Rambousek explained that Super Lube is a rapid oil change facility that will specialize in a multitude of automobile maintenance specialties such as replacing belts, lighting, wiper blades, flushing power steering fluid, hose replacement, and oil changes. The

total square footage of the building is 4,250 square feet. Super Lube will occupy 3,400 square feet and the existing tenant, Duck's Back, will occupy the remaining 850 square feet. Super Lube is proposing to operate two shifts with a maximum of six employees on the site at one time. The proposed hours of operation will be Monday through Sunday from 7:00 a.m. to 8:00 p.m. with traffic generation of about 37 to 43 automobiles per day.

Director Rambousek stated that he has some concerns with the proposed site plan such as the lack of queuing spaces or customer parking on the site and the ingress into the site from Wisconsin Avenue. He also identified that there are some property line encroachment issues with parking that need to be corrected and there is a need for additional pavement and landscaping. Director Rambousek also commented that he would like to see this building to appear more commercial in design.

Paul Seul, Monches Construction Company N60 W14361 Kaul Avenue-Menomonee Falls, WI, was present to answer any questions on the project.

Mr. Seul explained that they have estimated that 3.7 cars per hour would be visiting this site. He also stated that four spaces for each queuing space are estimated and the time spent on each vehicle is about a half hour for each customer.

Chair Brunnquell asked if there were any persons wishing to be heard on this public hearing item.

Scott Orten-1572 Indian Hill-Grafton, WI

Mr. Orten questioned why this building would be changes since this building is historical. He thinks the building façade should remain as is.

Chair Brunnquell then requested comments or questions from the Plan Commission.

Commissioner Silasiri stated that this request is consistent with current use and asked if the customers get out of their vehicles before entering the queuing areas.

Mr. Seul explained that about 75 percent of their customers at existing locations get out of their vehicles before entering the garage ports.

Commissioner Harms asked if the other tenant would be staying in their current occupied space.

Director Rambousek indicated that Duck's Back, an automobile detailing facility would still remain in the current space

The Plan Commission held a brief discussion on the historical nature of the building and the concerns of the Planning and Development Staff and it was the consensus that the applicant should return to the next meeting with a revised plan that addresses these concerns.

There were no additional comments or concerns on this issue.

Chair Brunnquell stated that he is looking forward to seeing this project next month.

Chair Brunnquell closed the public hearing and discussion on this item.

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 amendment by Kevin Stanton manager of NAPA Auto Parts located at 1770 Wisconsin Avenue to allow for construction of a building addition on the southeast corner of the current location of NAPA.

Director Rambousek gave the background on this request for a conditional use permit amendment. He stated that currently NAPA occupies 4,660 square feet of as an auto supply store SIC 5531 in this space and is proposing to construct a 3,500 square feet addition to be located at the southeast corner of their building. If this addition is approved, it will bring the total amount of floor occupied by NAPA to 8,160 square feet. He noted that the review and consideration process will involve the Plan Commission and the Architectural Review Board. Architectural Review Board meeting scheduled for September 15, 2011, and the next Plan Commission scheduled for September 27, 2011.

Director Rambousek indicated that during review of this proposal it was discovered that the proposed addition is located on a lot line that separates the Ozaukee Ace Hardware property (also owned by the Bruecker's) and the building in which NAPA is a tenant. Because of this, the applicant will need to return to the Plan Commission next month with a CSM-Certified Survey Map that will resolve this issue.

Kevin Stanton manager of NAPA Auto Parts located at 1770 Wisconsin Avenue, Grafton, WI 53024 was available to answer any questions.

Chair Brunnquell asked if there were any persons wishing to be heard on this public hearing item.

Sharyn and Pete Kalies of Ozaukee Ace Hardware-1818 Wisconsin Avenue-Grafton, WI
Ms. Kalies stated that they were in support of this project and that NAPA has been a great neighbor.

Scott Orten-1572 Indian Hill-Grafton, WI

Mr. Orten asked why NAPA did not just move down to the north side of the building.

Mr. Stanton stated that they did look at that option but economically speaking, the option for the addition met their needs better.

There were no additional comments or concerns on this issue.

Chair Brunnquell stated that he is looking forward to seeing this project next month.

Chair Brunnquell closed the public hearing and discussion on this item.

REVIEW AND CONSIDERATION OF SIGN VARIANCE REQUEST BY DANIEL AND SHARON MCKELVEY FOR INVESTMENT CENTER BUILDING LOCATED AT 1019 CEDAR STREET IN THE CENTRAL BUSINESS DISTRICT

Director Rambousek gave a brief background on the Investment Center sign variance request. He stated that the applicants, Dan and Sharon McKelvey owners of Investment Center of Grafton located at 1019 Cedar Street, are requesting a sign variance from Section 20.04.070(E)(2)(D) of the Village of Grafton Sign Code regarding signage requirements in the Downtown Overlay Districts. The sign code states that the maximum height of any ground sign shall be 9 feet. Ground-mounted structures taller than 9 feet that were in existence before January 1, 2005 may be used for the placement of new ground signs or the continuation of previously existing signs without requiring a variance until January 1, 2015.

Director Rambousek stated that because the existing ground sign, which is located along the Wisconsin Avenue frontage in front of the Investment Center of Grafton building ,is slightly over 15 feet in total height a variance is required to bring this sign into conformance prior to the January 1, 2015, date or the sign would need to be removed.

Sharon McKelvey-2038 Apache Court-Grafton, WI owner of Investment Center of Grafton, was present.

There were no concerns or comments from the Plan Commission.

Motion by Commissioner Rieck, seconded by Commissioner Harms, to recommend Plan Commission approval of the sign variance of 6.5 feet in height from Section 20.04.070(E)(2)(D) of the Village of Grafton Sign Code for a ground sign which will allow a total ground sign height of 15.5 feet. Approved unanimously.

REVIEW AND RECOMMENDATION TO VILLAGE BOARD REGARDING PROPOSED TEXT AMENDMENTS TO CHAPTER 18 SUBDIVISIONS REGARDING PLATTING REQUIREMENTS

Director Rambousek reviewed proposed text amendments to Chapter 18-Subdivisions, of the Village of Grafton Municipal Code, regarding platting requirements. He stated that on June 2, 2010, modifications to the statutory requirements of the State of Wisconsin platting laws became law. Most of the changes do not directly affect Chapter 18, however; the he is recommending a comprehensive review of Chapter 18 as it relates to current State of Wisconsin platting laws in the near future.

There are two modifications that have been made to the State Statutes that do require immediate attention by the Village of Grafton Plan Commission. These two changes involve s. 236.11 (1) (b) Submittal time limit for final plat following preliminary plat approval and s. 236.25 (2) (b) Time limit for recording subdivision plats. The amended s. 236.11 (1) (b) now states that final plats must be submitted within 36 months following preliminary plat approval. A local unit of government may extend the time for submission of the final plat. Also, the amended s. 236.25 (2) (b) now states that time limit for recording subdivision plats must be

recorded within 12 months after the last approval and 36 months from the first approval. The recording time limits for Certified Survey Maps have not changed.

Director Rambousek stated that as a result of the statutory changes, the applicable sections in Chapter 18 Subdivisions of the Village of Grafton Municipal Code also need to be amended to comply with state platting laws. He indicated that the two specific sections that need to be modified are 18.16.080 Final plat. (B) and 18.68.010 Recordation.

Motion by Commissioner Silasiri, seconded by Commissioner Plato, to recommend Village Board adoption of an ordinance amending Section 18.16.080B and Section 18.68.010 of Chapter 18 Subdivisions of the Village of Grafton Municipal Code regarding subdivision platting. Approved unanimously.

REVIEW OF A RECENTLY ADOPTED ORDINANCE AMENDING SECTION 19.03.0303(D) OF THE C-2 COMMUNITY BUSINESS DISTRICT TO INCLUDE THE OUTDOOR DISPLAY AND SALE OF MERCHANDISE AND AMENDING SECTION 19.03.0803 (E) DETAILED STANDARDS FOR ACCESSORY USES IN NONRESIDENTIAL DISTRICTS REGARDING OUTDOOR STORAGE

Chair Brunnuquell asked the Plan Commission if they all were in agreement to have this ordinance come back to Plan Commission next month for public hearing and consideration process.

The Plan Commission was in consensus to bring the ordinance back for a public hearing.

REVIEW AND CONSIDERATION OF A PEDESTRIAN BRIDGE TO BE LOCATED OVER THE MILL RACE AT LIME KILN PARK

Director Rambousek reviewed the proposed pedestrian bridge that would be located over the mill race at Lime Kiln Park. He stated that the bridge railings and deckboard would be constructed almost entirely of lumber and will provide access to one side of the mill race to the other at the former Lime Kiln Park dam area.

Chair Brunnuquell further explained that this project would be funded through grants and the Village would not be paying for any of the projects expense.

Motion by Commissioner Rieck, seconded by Commissioner Harms, to approve the proposed pedestrian bridge over the mill race at Lime Kiln Park. Approved unanimously.

EXTRATERRITORIAL REVIEW

Chiselled Grape-1206 Lakefield Road-Town of Grafton-Parking Lot

Director Rambousek indicated that his only comment on this matter is that was he would like to see the parking lot and driveway entrance paved similar to Village standards.

Chair Brunnuquell indicated that the because it was in the Town of Grafton he thinks there was not a need to have the Village request that the property be paved in accordance with our standards.

PLANNING AND DEVELOPMENT DEPARTMENT PERFORMANCE MEASUREMENTS

The performance measurements were reviewed by the Plan Commission.

OLD BUSINESS/NEW BUSINESS

None

ADJOURN

Motion by Commissioner Silasiri, seconded by Commissioner Plato, to adjourn the meeting at 7:13 p.m. Approved unanimously.