

The meeting was called to order at 6:30 p.m. by Chair R. Ruesch.

- 1.0 **Roll Call** – Present: Chair R. Ruesch; Commissioners T. Accetta, A. Fritz, S. Hale, M. Stahl and C. Stipe (W. Banach absent); Village Administrator M. Weber. Audience (10).
- 2.0 **Minutes** – September 21, 2015 minutes deferred to November.
- 3.0 **Site Plan Amendment – Master Sign Plan – Hales Corners Shopping Center – 5301 to 5321 S. 108th Street** – Deferred at request of petitioner.
- 4.0 **Comprehensive Plan Amendment and Rezoning - Rezone from R-4 and B-2 to B-3 Sendik's Fresh2GO - Property at 10905 W. Edgerton Avenue and Parcel A CSM #1779 (~10895 W. Edgerton Avenue)** - Sendik's Food Markets is proposing a Fresh2GO grocery store with gasoline pumps and a car wash on the southwest corner of STH 100 and Edgerton Avenue. Three properties would be assembled. The pumps would be retained from the existing gas station and a new 11,500 square foot store would be built (plus small tenant space), with a car wash. The existing gas station is zoned B-3. The vacant land immediately west is zoned B-2 General Business and would require rezoning to B-3 Auto Oriented Business. The adjacent property at 10905 W. Edgerton Avenue is a home. It would require amendment of the Comprehensive Plan from residential use to commercial use, and rezoning from R-4 multi-family to B-3 Auto Oriented Business. Assembly of these parcels will provide an approximate 2 acre site to permit a higher and better use to be developed at this gateway to the Village. If the comprehensive plan and rezoning are approved, a conditional use (CU) permit would be required for development.

Present for the petitioner were Max Rasansky (CBRE), Mark Hale (Sendik's), Mark Birmingham (Sendik's), and David Cleary (RA Smith). Mr. Rasansky indicated Sendik's was eliminating the car wash and proposing a larger grocery store of 15,000 sq. ft. He explained that this is indeed a full concept grocery store. Sendik's confirmed the hours of operation will be 6am to 9pm, the northerly drive on STH 100 will be closed and the Edgerton Avenue drive relocated further west, and fencing and landscape provided to screen residential uses. Mr. Weber noted the site plan details will be a part of the CU process, at the November 16 Plan Commission meeting. Mr. Ruesch asked for public comment.

Tim White (5147-49 S. 108th Street) would like a berm and screening on the south portion of the site.

Marsha Scharles-Horcos (10915 W Edgerton Avenue) preferred more substantial screening on the west portion of the site to help mitigate noise.

The Commission discussed the proposal. Motion (Stahl, Fritz) to approve Resolution 15-1 Resolution Recommending the Adoption of an Amendment to the Comprehensive Plan 2009-2029 to the Village Board Pursuant to Wis. Stat. §66.1001(4)(b); unanimously approved.

Motion (Stahl, Fritz) to rezone the subject property from R-4 and B-2 to B-3, unanimously approved.

5.0 CSM – Three parcel land assembly Sendik’s Fresh2GO - Property at 10905 W. Edgerton Avenue, Parcel A CSM #1779 (~10895 W. Edgerton Avenue), and 5101 S. 108th Street

- Mr. Weber indicated the three subject lots are combined into a single parcel with this certified survey map (CSM). Motion (Fritz, Stahl) to recommend CSM approval subject to Village Engineer review, unanimously approved.

6.0 Conditional Use Permit Alteration – Dumpster-Façade-Signs-Reis Auto – 5381 S. 108th Street - Mr. Weber indicated Reis Automotive is proposing to operate at the former Midas Muffler shop. New signs, a new storage enclosure, and façade treatment are proposed. A conditional use permit is required for this use, which has been previously been granted. The Plan Commission must approve the proposed changes, which are not substantial enough to warrant a re-hearing.

Petitioner Matt Maurice, and Ryan King and Chad Scholtz (Innovative Signs). Mr. Maurice indicated the fence would be wood with a medium stain color. He would be willing to find a stain in a gray or tan color. Mr. Maurice indicated willingness to plant some trees along Copeland Avenue; however, it might be more appropriate following STH 100 reconstruction now planned for 2018. Mr. Weber indicated that the proposed signs are with in code standards.

Mr. Weber noted this site met parking requirements under the former Zoning Code and is therefore grandfathered with 14 parking spaces. However Sec. 8-8-3(h) of the current Zoning Code requires that automotive repair garages and service stations have 1 parking space for each 2 employees plus 3 spaces for each service bay. This implies a current standard of 20 parking spaces. The owner is advised that the un-common lot configuration, the interface with the adjacent property (Hales Corners Shopping Plaza), probable driveway closures due to STH 100 reconstruction, and prohibition of street parking on Copeland Avenue will present challenges for providing adequate parking and circulation. Mr. Maurice acknowledged that parking changes would be needed and he is in contact with the Shopping Plaza owners.

Motion (Stahl, Stipe) to approve the site plan changes as submitted, subject to the original conditional use permit conditions and:

- 1) Provision of fence details.
- 2) Provision of pole sign removal details.
- 3) Street tree planting along Copeland Avenue.
- 4) Re-organization of parking as needed by STH 100 reconstruction.

Motion unanimously approved.

7.0 Signs – Painted Wall Sign - The Bosch – 5855 S. 108th Street and 10820 W. Janesville Road

Mr. Weber indicated the Bosch owner, Rick Putlitz, created a painted wall sign and is proposing another on the buildings that make up the assembly of land that will become the revised site for the re-located Bosch Tavern, as part of WisDOT’s STH 100 highway widen-reconstruction project. The owner was unaware of the Zoning Code regulations for wall signs. Zoning Code Sec. 8-9-6(h) prohibits painted wall signs, unless they are legal non-conforming. However, Sec. 8-9-13 allows for variances by the Plan Commission, if the modification furthers the public interest and upholds the purposes of the sign code set forth in Sec.8-9-1. The petitioner is proposing a painted wall sign to accomplish a “historical look” or “factory chic”. The Plan Commission discussed similar request by the Hale House on Jan. 19, 2015.

Mr. Putlitz presented his plans for the future that includes conversion of the former flower shop on Janesville Road to a brew pub. This would allow business continuation while the Bosch is being moved to the west to accommodate STH 1000 expansion. A converted streetcar is also

planned to the north for use as a diner. Mr. Putlitz indicated he was unaware of the Village's regulations when the wall art was painted. He received permission from the Law Office owner to paint the south façade of that building, which is now vacant and will be razed by next year (also to accommodate STH 100 expansion). The artwork on the east side of the Janesville building was suspended when notified by Mr. Weber of the regulations. "Root River Brewery" is currently stenciled on the east facade.

The Commission discussed the matter, noting these signs would be "temporary" since the Law Office building will be razed and the flower shop renovated. Mr. Hale questioned how the Commission could approve a sign on the Law Office Building that Mr. Putlitz does not own. Mr. Putlitz indicated the outlined "Root River Brewing" is temporary and we would not proceed with additional artwork. The Commission indicated that more detail was needed on the dimensions of the artwork to further consider the matter. Mr. Putlitz was questioned on his timing for the flower shop renovation. He indicated plans could be submitted for the November Plan Commission meeting.

8.0 Zoning Code Amendment – Sec. 8-2-8(c) Regarding Historic Preservation Membership Village Board Trustee Terms – Mr. Weber indicated the code change was requested by the Village Board to make trustee committee appointments uniform. Motion (Stahl, Stipe) to recommend approval regarding Historic Preservation Membership Village Board Trustee Terms, unanimously approved.

9.0 Staffing/Procedures/Site - *Reed v. Town of Gilbert Decision* - Mr. Weber informed the Commission of the recent Supreme Court decision, which might require future changes in the Village's sign code.

Mr. Weber reported the Country Fair Shopping Center was ultimately purchased by Outlook Development Group. The Fortune Chinese Restaurant parcel may be sold off, the Kmart building razed and replaced by a large retail store, and the strip retail center renovated.

10.0 Adjournment – Meeting adjourned at 7:40pm (Stipe, Stahl).

Michael F. Weber, Village Administrator