PLAN COMMISSION MINUTES
September 10, 2012

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:36 p.m.

ROLL CALL: Chairman Wolter, Commissioners Stauffacher, Warren, Gray, Yokes, Trustee Representative David Baum and Village Planner Jeff Retzlaff. Commissioner Peck was absent and excused.

PUBLIC INPUT: The following people spoke in favor of the Conditional Use Permit for a Major Home Occupation for Patrick Josten: Todd Wetterau, John Parrish, Brian Hacker, Jeremy Seidler, Joe Cresci, Steve Schultz, Phil Pulvermacher, Tom Josten, Jim Dragich, Dennis Trupp, Tom Groth, Steve Schroeder, Jackie Scheid, David Braden, Jonathan Friess, Mary Best, Jeff Werderman and Randy Stanossek.

PREVIOUS MINUTES: ***MOTION Baum second Warren to Approve the Minutes from August 13, 2012.***
MOTION carried unanimously.

MOTION Stauffacher second Baum to move item D to the top of the agenda.
MOTION carried unanimously.

Patrick Josten – W172 N12882 Division Road. Conditional Use Permit for a major home occupation to continue operation of short pour ready mix concrete batch and delivery operation. Planner Retzlaff summarized the proposal.

Planner Retzlaff said Mr. Josten's business does not meet the specific requirements and limitations of a major home based business. He said the operation has grown tremendously and is too intensive for the major home occupation provisions. He added that if Mr. Josten decides to move his business to the M-1 zoned property he owns to the north, he would be required to obtain a land use plan amendment, a rezoning application to the M-4 Mineral Extraction district and obtain a conditional use permit. A lengthy discussion followed.

Mr. Josten said he would prefer locating his business on the M-1 zoned property. Chairman Wolter said the M-1 property was not in a good location and would need to be re- zoned for a concrete business.

Planner Retzlaff said the M-1 zoned property was a more probable site, but there was no on site storm water management. He said a home occupation permit does not require the same restrictions as a business proposed on a commercial property that would require site plan review, rezoning, screening, storm water management.

Mr. Josten said he doesn't want the business to get any bigger than it is. Commissioner Stauffacher asked if it was possible to have the mixing process done in an enclosed building on the north property to satisfy the M-1 requirement. He said he could not approve this as a home based business because it would be setting a precedent.

Resident Jeremy Seidler suggested giving Mr. Josten approval of a conditional use permit for a one year period.

MOTION Baum second Stauffacher to grant a Conditional Use Permit for a "major" home occupation for the continued operation of a short pour ready-mix concrete batch & delivery operation from the 2 acre Patrick Josten property located at W172 N12882 Division Road for a period of one (1) year expiring on November 1, 2013. The permit limits the amount of loads per day to twelve (12) and needs to be revisited after one year.

Commissioner Yokes did not think this type of business should be allowed in the Rs-2 zoning district. Chairman Wolter advised Mr. Josten to come back before the year ends to resolve the issue and be prepared to indicate whether he will continue to seek approval for a major home occupation permit or begin the process to move the business to the M-1 property.

Commissioner Stauffacher asked that the Village Attorney review the recommendation.

MOTION carried unanimously.

Chairman Wolter called a 5 minute recess.

SCS, LLC and Paul Stangl – Kleinmann Drive & Maple Road. American Design & Build, agent for SCS is seeking approval of Site Plans for a 17,500 sqft office building and a 1-lot Certified Survey Map in the Lannon Road Business Center. Planner Retzlaff summarized the proposal. He said the original developers agreement, required the installation of sidewalks, but that did not happen.

Paul Stangl commented on the conditions of approval. He indicated there is an electrical easement located on the east side of the parking lot making it difficult to provide additional landscaping. He said he did not have a problem installing sidewalks as long it wasn't a sidewalk going nowhere and that other developers coming forward would have the same requirement.

Commissioner Gray did not like the selection of landscape plantings and asked for reconsideration of the plant choices. She indicated evergreens would provide more screening and there are other plant choices that would do better than the potentilla. Planner Retzlaff said landscaping could be planted in the road right of way away from the electrical easement. Chairman Wolter asked Mr. Stangl to consider Commissioner Gray's recommendations.

MOTION Baum second Stauffacher to Approve the site development & building plans for a 17,500 sqft office building and a 1-lot Certified Survey Map (CSM) in the

Lannon Road Business Center located at Kleinmann Drive & Maple Road subject to the following conditions:

1. ***Approval is for the site development and building plan set dated September 7, 2012 (unless otherwise revised by a subsequent plan set approved by the Village Planner pursuant to revisions required herein.***
2. ***All landscaping, screening, and lighting improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.***
3. ***A monitored sprinkler system and Knox Box shall be installed in the building as required by the Fire Department.***
4. ***All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.***
5. ***State approved plans and a $20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***
6. ***All technical corrections and issues raised in the Engineering Department's September 5, 2012 memo shall be addressed and reflected in a revised plan set submitted to the Village Engineer for review/approval prior to issuance of a building permit.***
7. ***Zoning Permit Compliance/Occupancy permits are required for all tenants occupying space in the office building.***
8. ***Sign permits are required for all permanent and temporary exterior signage. A consistent type and style of wall signage shall be required for all tenants (example: internally or back-lit individual lettering that is surface or race-mounted). Sign "cabinets" w/ plastic & vinyl covered faces that are simply hung from the building shall not be permitted.***
9. ***The developer shall install sidewalks along Kleinmann Drive and Maple Road as shown in the approved sidewalk plan for the Lannon Road Business Park. As necessary, the parking lot and driveways as shown on the site plan shall be revised accordingly to accommodate the installation of sidewalk along Kleinmann Drive. Sidewalks shall be installed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the sidewalks will be completed within one (1) year after issuance of the occupancy permit.***
10. ***Additional street trees are required along the property frontage for both Kleinmann Drive and Maple/Lannon Road. Depending on the mature size of the type of street tree planted (where 1 tree is required for every 40' of frontage for small/medium varieties and 1 tree per 50' of frontage for large varieties), a total of 20-24 trees are required along the 959' feet of Maple/Lannon Road frontage, and 22-28 trees along the 1,099' of Kleinmann Drive frontage. The developer shall submit a revised or supplemental landscape plan showing the required street trees to the Village Planner for***

review/approval prior to issuance of an occupancy permit.

11. ***Additional landscaping is required along the east side of the parking lot nearest to Maple Road with a continuous, low-level (3-4 height) screening comprised of evergreen and deciduous trees (similar to what is proposed along the north and south edges of the parking lot). This additional landscape screening shall be shown in a revised or supplemental landscape plan submitted to the Village Planner for review/approval prior to issuance of an occupancy permit.***

MOTION to Amend Baum second Stauffacher that the revised landscape plans submitted as part of conditions #10 and #11 be reviewed and approved at staff level.

Planner Retzlaff said the developer was supposed to install sidewalks. Mr. Stangl indicated he is willing to install the sidewalk on Maple and Kleinmann as long as any future development that comes in would be required to put in sidewalk and the Village would fill the gaps in between. Planner Retzlaff said it was a requirement of the Village Board to put sidewalks in this development.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Seven Pines Condominium Association – Hwy. 145 & Seven Pines Way. The Homeowners Association is requesting approval for a permanent monument sign for the Seven Pines residential development. Planner Retzlaff summarized the proposal.

MOTION Baum second Gray to Approve the monument sign for the Seven Pines Condominium development located at Seven Pines Way & STH 145 as proposed subject to the following conditions:

1. ***Installation of the monument sign in the medium shall include completion of the originally-approved landscape plan for the median area. Landscaping shall include, at the minimum: three (3) 2" cal. B&B Pagoda Dogwood trees and (19) 18" potted Gro-Low sumac deciduous shrubs, or, a comparable type and amount of landscaping presented in a revised landscape plan reviewed and approved by the Village Planner prior to sign installation. A $500 cash bond shall be submitted to Inspection Services prior to installation and returned upon completion of the sign and landscaping installation.***

MOTION to Amend Gray second Baum to remove the Pagoda Dogwood from the landscaping plan and replace with the low grow sumac planted 2 ½' on center.

MOTION to Amend carried unanimously.

MOTON to Approve as Amended carried unanimously.

Gander Mountain – W190 N10768 Commerce Circle. Mark Oldham, Gander Mountain, agent for William Lloyd property owner of the 3.3 acre Gander Mountain/Gun World commercial parcel on Commerce Circle, is seeking approval of site and sign plans for the exterior renovation of the 31,100 sqft sporting goods store. Planner Retzlaff summarized the proposal.

Michael Hack, attorney representing William Lloyd, said when the plan was submitted in February it was tabled because Plan Commission did not like how the building looked without the mountain features. He indicated that Mr. Lloyd has decided to keep the mountain features and paint the building.

Commissioner Stauffacher did not like the proposal. He said the building look too plain. Planner Retzlaff said the combination of mountains and bland color scheme was not acceptable. He said the proposal did not include any building articulation as was suggested at the February Plan Commission meeting. He commented that if the mountains are kept, they should be re-painted as they currently are.

Chairman Wolter also did not like the color scheme and was unsure what to suggest because adding other building improvements would be costly. He said the building was originally approved with the mountain feature and color scheme.

Attorney Hack said the mountain feature was part of the Gander Mountain theme, but the store is now moving in a different direction. He asked if approval of the building was conditional on the mountains being painted on the side of the building. Planner Retzlaff said the original approval included a conditional use permit that was granted for a sporting goods store, which could be debatable now, and the building site plan that included mountain features with color scheme.

MOTION Stauffacher second Warren to Approve the proposed wall and pylon sign improvements as proposed for the 31,100 sqft Gander Mountain/Gun World property on Commerce Circle subject to the following conditions:

1. ***Electrical permits shall be obtained from the Building Inspection Department prior to installation.***
2. ***All electronic components shall be inspected and labeled by a licensed lab.***
3. ***The maximum sign area for all wall signs to be installed shall not exceed 270 sqft (vs the 298 sqft proposed).***
4. ***Removal of the non-conforming pylon, off-site directional signage and temporary storage "pods" at the rear of the building shall occur within sixty (60) days after issuance of a building/electrical permit for installation of the new wall signs. A $5,000 letter of credit or cash bond shall be posted prior to Issuance of said permit for installation of the wall signs and forfeited to the Village in the event said removal is not completed within sixty (60) days.***

Trustee Baum did not like the signs and thought they should be put somewhere else on the building. He suggested painting the corner of the building an accent color

and painting a stripe throughout the building for more interest and include some other features to add articulation. He did not want to see just blank painted walls. Chairman Wolter suggested adding a canopy over the entrance or metal awnings. He did not want to see blank painted walls and proposed adding a build out panel or bump out to the building.

MOTION carried (5-1-Baum).

MOTION Stauffacher second Warren that approval of the signs was based off the Planner's recommendations.

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MOTION carried (5-1-Baum).

Greg & Gail Heinzen – N140 W19155 Cedar Lane. The Heinzen's are proposing an amendment to Section 17.41 (Residential Accessory Buildings) that would allow two (2) attached garages on a residential dwelling in the Rs-1: Single Family Zoning District.

MOTION Baum second Gray to Approve the amendment to Section 17.41 with the additional revisions proposed by the Village Attorney. Table 1 should be revised by removing the requirement for a conditional use permit and require site plan review for a second attached garage in the Rs-1 zoning district.

MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 10:19 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant