

GRAND CHUTE PLAN COMMISSION MINUTES

May 17, 2016

Members Present: Chairman Dave Schowalter, Commissioners Bruce Sherman, Robert Stadel, Julie Hidde, Vivian Huth, Pam Crosby, Duane Boeckers, John Weber.

Members Absent: none.

Also Present: James March, Town Administrator; Thomas Marquardt, Public Works Director; Bob Heimann, IT Director; Michael Patza, Town Planner; Robert Buckingham, Community Development Director; other interested parties (audience attendance = approx. 12; Supervisors Nooyen and Pleuss.

1. **ROLL CALL**

Chairman Schowalter opened the meeting at 6:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA.**

Motion (Sherman/Boeckers) to approve the agenda. Motion carried, all voting aye.

4. **APPROVAL OF MINUTES** – MAY 3, 2016 MEETING.

Motion (Hidde/Crosby) to approve the minutes. Motion carried, all voting aye.

5. **PUBLIC INPUT** –NONE.

6. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT** .

Director Buckingham informed the Commission that unless a time-sensitive project is received, the July 5 Plan Commission meeting will be cancelled. Staff will provide an update if the schedule changes.

7. **NEIGHBORHOOD INFORMATION MEETING #1** – CONDITIONAL USE PERMIT (CUP-03-16) REQUESTED BY GREGORSKI 18 LLC, 110 N. FOX RIVER DRIVE, TO ALLOW FILLING AND GRADING THE FLOOD FRINGE AREA AS REQUIRED FOR FUTURE BUILDING CONSTRUCTION.

Chairman Schowalter opened Neighborhood Information Meeting #1 at 6:02 p.m.

There was no public input.

Motion (Sherman/Huth) to close Neighborhood Information Meeting #1 at 6:03 p.m. Motion carried, all voting aye.

8. **CONDITIONAL USE PERMIT (CUP-03-16)** – REQUEST BY GREGORSKI 18 LLC, 110 N. FOX RIVER DRIVE, TO ALLOW FILLING AND GRADING THE FLOOD FRINGE AREA AS REQUIRED FOR FUTURE BUILDING CONSTRUCTION.

Director Buckingham provided background on the request. This is the former AnchorBank property at the corner of College Avenue and Mall Drive. The probable order of events would be to complete the filling and construct a building and site improvements in accordance with National Flood Insurance Program (NFIP) standards, then gain approval for removal of the filled area from the floodplain. He noted that Site Plan approval would be required before building construction begins.

Motion (Stadel/Crosby) to recommend approval of the Conditional Use Permit (CUP-03-16) requested by Gregorski 18 LLC, 110 N. Fox River Drive, to allow grading and filling in the flood fringe as required for future building construction.

In response to a question from Commissioner Sherman, Director Buckingham stated that the WDNR has already issued a permit to allow filling of a small area of wetlands as part of this project.

Motion to recommend approval of CUP-03-16 carried, all voting aye.

9. **SITE PLAN AMENDMENT (SPA2-00-83)** – REQUEST BY JM DONNELLY LLC, DBA URBAN EVOLUTIONS, 2401 W. COLLEGE AVENUE, TO REPLACE AN EXISTING NONCONFORMING PYLON SIGN WITH A NEW COMPLIANT SIGN.

Director Buckingham provided background on the temporary approval the owner received from the Town to allow continued use of a nonconforming sign. That time period is expiring and the owner seeks approval to replace the nonconforming sign with a code compliant sign.

Motion (Crosby/Huth) to approve Site Plan Sign Amendment (SPA2-00-83) requested by JM Donnelly LLC, dba Urban Evolutions, 2401 W. College Avenue, to replace an existing nonconforming pylon sign with a new compliant sign.

In response to questions from Commissioners Hidde and Sherman, Director Buckingham stated that the new sign is technically a monument sign at 25' in height and 143 sq. ft. in size, both of which meet code standards.

Motion to approve SPA2-00-83 carried, all voting aye.

10. **SITE PLAN (SP-05-16)** – REQUEST BY CASALOMA TOWERS LLC, 3301 N. CASALOMA DRIVE, FOR CONSTRUCTION OF A 60-UNIT MULTI-FAMILY APARTMENT BUILDING AND ASSOCIATED SITE IMPROVEMENTS.

Planner Patza provided history of Town approvals granted for development at the property. A special exception permit and site plan was approved in 2001 for a multi-building apartment development with 239 units. This plan included a 74-unit building on the site of the currently proposed building. In 2005, a condo plat was approved to convert apartment buildings to condos on the north side of the property. In 2006, a CSM was approved to reconfigure the remaining land on the site to create separate lots for the apartment buildings on the south side of the property and for the site of the currently proposed building. He noted that the density of the new building has decreased from 74 units to 60 units. He reviewed the request for a wetlands setback variance and the staff findings and recommendation for approval. He updated the Commission on discussions he has had with some residents in the condos and apartments at this property. They questioned why there was no formal public notification of this current proposal, and they expressed concerns for property values decreasing as a result of this project.

Motion (Hidde/Huth) to grant a variance from Chapter 463-19 (D)(3) of the Grand Chute Municipal Code to Casaloma Towers, LLC, 3301 N. Casaloma Drive, allowing a wetlands setback of 25' feet for the surface parking lot and 18' for the new building. In granting this variance, the Plan Commission has determined that the variance is not contrary to the public interest and that such variance will be in general harmony with the purposes and intent of the Town's Stormwater Management and Zoning Codes; the variance will not permit the establishment of a use which is not permitted or permissible in the district; special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands in the same district; the literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district; the hardship is not shared generally by other land or buildings in the area; and, the hardship results from the strict interpretation of this ordinance and is not the result of self-created or self-imposed circumstances. Motion carried on a vote of 6 – 1, with Commissioner Sherman voting no.

Motion (Hidde/Huth) to approve the Site Plan (SP-05-16) requested by Casaloma Towers LLC, 3301 N. Casaloma Drive, for the construction of a 60-unit multi-family apartment building and associated site improvements, subject to: (1) Town Engineer approval of Stormwater and Erosion Control Plans; and, (2) staff approval of a Site Landscaping Plan and a Site Lighting Plan. Motion carried on a vote of 6 – 1, with Commissioner Sherman voting no.

11. **SITE PLAN AMENDMENT (SPA1-00-08)** – REQUEST BY DISCOVERY PROPERTIES LLC, 311 MALL DRIVE, TO MODIFY AN EXISTING NONCONFORMING PYLON SIGN TO BECOME COMPLIANT WITH THE TOWN SIGN CODE.

Planner Patza explained that the property is changing ownership and by agreement, the existing nonconforming sign must be made code-compliant. The sign will be modified to a height of 25' and a total size of 150 sq. ft.

Motion (Crosby/Hidde) to approve Site Plan Amendment (SPA1-00-08) requested by Discovery Properties LLC, 311 N. Mall Drive, to modify an existing non-conforming pylon sign to become compliant with the Sign Code. Motion carried, all voting aye.

12. ADJOURNMENT.

Motion (Huth/Sherman) to adjourn at 6:18 p.m. Motion carried, all voting aye.

Respectfully Submitted,

Tracy Olejniczak
Community Development Secretary