

TOWN OF GRAND CHUTE
1900 W. Grand Chute Blvd.
REGULAR MEETING OF PLAN COMMISSION
MINUTES

Tuesday, October 4, 2011

Although a quorum of the Town Board of Supervisors may have been present, no Town Board action was taken.

MEMBERS PRESENT: Chairman Dave Schowalter, Commissioners Bruce Sherman, Joe Malenofski, Vivian Huth, Pamela Crosby

MEMBERS EXCUSED: Commissioners Julie Hidde, Bob Stadel

ALSO PRESENT: Tim Bantes, Fire Chief, Mark Heling, Road Superintendent; Mary Baxter, Executive Secretary; Kevin Vonck, Special Project Coordinator/Grants Administrator; Robert Buckingham, Community Development Director; other interested parties, (audience attendance = approx. 19 Supervisors Nooyen, Thyssen, Pleuss.

1. ROLL CALL.

Chairman Schowalter called the meeting to order at 6:00 p.m. He said there would be a slight change to the order of the meeting pending Commissioner's Crosby arrival.

2. PLEDGE OF ALLEGIANCE.

3. PUBLIC INPUT OF ITEMS NOT ON THE AGENDA.

There was no public input.

4. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT.

Community Development Director Buckingham's report available upon request.

5. **PUBLIC HEARING #1** - CONSIDERATION OF RESOLUTION 22-2011, AUTHORIZING THE VACATION AND DISCONTINUANCE OF A PORTION OF N. HINE STREET AND A PORTION OF THE W. WISCONSIN AVENUE NORTH SERVICE ROAD. **ISSUE:** HEAR TESTIMONY AND CLOSE PUBLIC HEARING.

Chairman Schowalter opened Public Hearing #1 at 6:08 p.m.

Community Development Director Buckingham stated that consideration of this street vacation and discontinuance action came as a result of plans presented by Kolosso Toyota for expansion of its Wisconsin Avenue dealership. Kolosso is purchasing the Airgas property at 2626 W. Wisconsin Avenue, and plans to clear the site for dealership use. Kolosso was granted a Special Exception Permit in 2010, which approved automotive sales/service use for the Airgas property, subject to future site plan approval. The issue of vacating and discontinuing one block of Hine Street came into the discussion of potential site development options by Kolosso and its need to have a continuous development between the existing dealership property and the Airgas site. While making the required public notifications of this pending street vacation action, the Town heard from a number of the residents and businesses in the immediate area who depend on Hine Street for access to and from Wisconsin Avenue. In response to these concerns, the Town has developed an alternative street plan that would provide a new north-south road between Wisconsin Avenue and Randall Street. The new road would be located along the eastern edge of the Airgas property. This road plan was mailed to the public hearing notification list. The purpose of the hearing is to receive more public input on the street plans. There will be no action taken by the Plan Commission at this meeting. Rather, the Town will take into consideration the comments received as we work with Kolosso and the WisDOT on a site development plan and a new public road plan. Neighbors will be notified in the future when this item is being presented for Plan Commission consideration.

Geralyn Grunwald, 1601 N. Hine Street, said the question many residents have concerns the future use of the empty lot at the northeast corner of Hine Street and Randall Street. She asked if Kolosso could buy the property directly east of Airgas so that the proposed new road would align with Rexford Street. She also asked if Kolosso intended to vacate any portion of Randall Street between Hine Street and the proposed new road.

Director Buckingham provided background on the vacant corner lot, which is owned by Airgas. In 1997 when the former owner, Valweld, demolished the building and built a gravel parking lot, the property was not zoned for commercial use. As part of the discussions regarding rezoning, the property owner voluntarily agreed to record a restrictive covenant that would limit use to parking only. The Town and the County were both given enforcement rights over this covenant. The covenant goes with the property, so the parking use limitation will remain in effect after Kolosso takes title to this real estate. Kolosso has not identified any use of the lot that would violate the covenant. As part of the site plan approval process, the property would need to be paved and landscaping/screening would need to meet Town code. He also noted that Tim Suess was in attendance, and he may want to address the status of the property east of Airgas, which he owns.

(Commissioner Crosby entered the meeting at 6:13 p.m.)

Geralyn Grunwald stated that the Airgas building has become an eyesore and something needs to be done to improve the property, but the proposed location of the new road would align it directly across from a residential driveway on Randall Street.

Chairman Schowalter noted that he had talked with the owner of the property directly across from the proposed new road. He explained the plans for the road and this property owner said he had absolutely no problem with the proposal.

Geralyn Grunwald asked Tim Suess if Kolosso had ever contacted him about buying the property next to Airgas.

Mr. Suess said no but that he would entertain an offer were it presented to him.

Ken Wehrman, 1500 N. Hine Street, asked how Kolosso plans to use the Airgas property.

Director Buckingham advised that specific plans have not yet been presented. What is known at this point is that all of the buildings will be demolished and the property will be redeveloped for automotive sales/service use.

Ken Werhman asked if the existing Kolosso driveway, which is aligned with Randall Street, would be abandoned with this project. He stated his opinion that if that driveway remains open, the surrounding neighborhood would end up with more traffic.

Tim Maertz, project architect for Kolosso, said that there are no plans to close the aforementioned driveway.

Ken Werhman stated that it was his understanding that this was to be a temporary driveway, which was to be removed at some future date.

Director Buckingham said that he was not aware of any such provision.

Dale Flunker, 1617 N. Hine Street, stated that he has lived in his house for 21 years. He said he thought the Town was required to notify residents so many feet from the property, which was basically nobody. He expressed the opinion that the Town could have extended the hearing notice another 100 feet outward to all the neighbors that drive on these streets daily. He stated that he uses Hine Street to Wisconsin Avenue about half of the time. Over the last couple of years, there has been more growth in the area, so there are twice as many people coming out of Patriot Park. He expressed concern that if neighborhood traffic to Wisconsin Avenue is cutoff, there will be more traffic conflicts at both Bluemound Drive and Lynndale Drive.

Director Buckingham corrected Mr. Flunker's statement about the limited area of the hearing notice mailing. Over 45 properties were notified in an area that extended north of Brewster Street, west of Lilas Drive, and east to Lynndale Drive. He cautioned that just because more residents weren't in attendance at this meeting does not mean they were not notified.

Commissioner Sherman noted that anyone who signed in at today's meeting could be included in any future notifications.

Director Buckingham stated that Hine Street, between Wisconsin Avenue and Randall Street, would only be vacated and discontinued until or if the proposed new road were constructed.

Chairman Schowalter re-affirmed that there will be continued access from the neighborhood to Wisconsin Avenue, by either the proposed new road or Hine Street.

Commissioner Malenofski asked what the timeframe may be for the construction of the new road.

Director Buckingham advised that there is no definitive timeframe at this point, but at the earliest it would be sometime in 2012.

Rich Widman, 1525 N. Rynders, asked if the proposed new road would provide both ingress and egress at Wisconsin Avenue.

Director Buckingham confirmed that both ingress and egress at Wisconsin Avenue would be provided.

Tim Suess asked if it would even be possible to move the proposed new road any further east than the Airgas property. He stated the concern that to go further east may place the road too close to the Wisconsin Avenue/Lynndale Drive intersection.

Director Buckingham stated that the location of the new access point on Wisconsin Avenue must be approved by the WisDOT. The Town has been told that the new access point could be placed anywhere along the frontage of the Airgas property, but no further east.

Tim Suess said that as long as there is still access provided between Wisconsin Avenue and Randall Street, he is in favor of the proposed new road. He asked that he be involved in the planning for this project, since he would be losing some parking in front of the property he owns at 2608-2610 W. Wisconsin Avenue.

Nancy Jungen, 1507 N. Lilas Drive, asked if Kolosso would be able to access Wisconsin Avenue at the point where Hine Street is now.

Director Buckingham stated that the current access point at Hine Street would be permanently closed.

Nancy Jungen asked if Town residents would be assessed for the cost of constructing the proposed new road.

Chairman Schowalter advised that Kolosso would be responsible for the cost of the new road.

Motion (Huth/Malenofski) to close Public Hearing #1 for Resolution 22-2011 at 6:25 p.m. Motion carried, all voting aye.

6. APPROVAL OF AGENDA WITH CHANGE OF ORDER.

Motion (Huth/Sherman) to approve the change of order to the agenda. Motion carried, all voting aye.

7. APPROVAL OF MINUTES – REGULAR MEETING & PUBLIC HEARING OF SEPTEMBER 20, 2011.

Motion (Sherman/Huth) to approve the minutes as printed. Motion carried, all voting aye.

8. CONSIDERATION OF RESOLUTION 22-2011, AUTHORIZING THE VACATION AND DISCONTINUANCE OF A PORTION OF N. HINE STREET AND A PORTION OF THE W. WISCONSIN AVENUE NORTH SERVICE ROAD. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF RESOLUTION 22-2011. (TOWN BOARD ACTION 10/18/2011)

Director Buckingham recommended that the Commission table this item to a future meeting date. He then summarized project details known at this time. The parking lot at the northeast corner of Hine Street and Randall Street is restricted to parking use only by private covenant. This covenant is enforceable by the Town of Grand Chute. The open items at this property are paving and landscaping/screening. The existing Hine Street connection to Wisconsin Avenue will not be discontinued until or if a new connection point is provided further to the east. The WisDOT must approve the location of the new access onto Wisconsin Avenue. From previous discussions between the Town and the WisDOT, the proposed new road location is acceptable to the State. The cost to construct the new road would not be assessed to Town residents. It would be privately financed by Kolosso. The Town is aware of Mr. Suess's concerns over the loss of parking at the front of the property at 2608-2610 W. Wisconsin Avenue, and will continue to work with him on suitable arrangements to replace these parking spaces. Kolosso will demolish all of the Airgas buildings and intends to redevelop the property for automotive sales/service use.

Director Buckingham advised that the next steps in the planning process would be further design and cost estimating for the proposed new road and refinement by Kolosso of a site plan for the Airgas property. The Town is aware of some stormwater drainage issues along Randall Street. The new road would not contribute to this problem and hopefully may help this condition. He said that if the Commissioners have any concerns or issues they would like further study on, this would be the appropriate time to bring those up.

Motion (Sherman/Huth) to table consideration of Resolution 22-2011 until such time that plans for a new public road between W. Wisconsin Avenue and W. Randall Street are complete and ready for consideration. Motion carried, all voting aye.

9. CONSIDERATION OF ORDINANCE 25-2011, ATTACHING A PORTION OF THE PROPERTY AT 2019 APPLE CREEK ROAD TO THE TOWN OF GRAND CHUTE. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF ORDINANCE 25-5011. (TOWN BOARD ACTION 10/18/2011)

Director Buckingham advised that when the City of Appleton annexed land in this area for the Apple Hills development, a small portion of the property at 2019 Apple Creek Road was inadvertently annexed. The property owner petitioned the City to detach this land so that it could be attached to the Town. The City has completed the detachment action. The final step in the process is for the Town to adopt Ordinance 25-2011, attaching the remnant land.

Motion (Huth/Sherman) to recommend Town Board adoption of Ordinance 25-2011, attaching a remnant part of the property at 2019 Apple Creek Road to the Town of Grand Chute. Motion carried, all voting aye.

10. ADJOURNMENT.

Motion (Malenofski/Huth) to adjourn the meeting at 6:34 p.m. Motion carried, all voting aye.

Respectfully Submitted,

Tracy Olejniczak
Community Development Secretary