

**MINUTES
CITY OF JEFFERSON COMMON COUNCIL
MARCH 4, 2003**

The Tuesday, March 4, 2003, meeting of the City of Jefferson Common Council was called to order at 7:30 p.m. by Mayor Brawders. Members present were: Ald. Wagner, Ald. Oppermann, Ald. Carnes, Ald. Gang, Ald. Stewart, Ald. Johann, Ald. Stevens and Ald. Coffman. Also present were City Administrator Schornack, City Attorney Brantmeier, City Clerk/Treasurer Stewart and City Engineer Ludwig.

PUBLIC PARTICIPATION

Bill Koehler, Highway K,

Tim Koehler, Highway K,

AN ORDINANCE CREATING SECTION 17.05(6)(M) OF THE CITY OF JEFFERSON MUNICIPAL CODE RELATING TO STANDARDS FOR LARGE RETAIL BUILDINGS IN EXCESS OF 20,000 SQUARE FEET

Ald. Stewart introduced Ordinance #3-03 for its first reading.

**CITY OF JEFFERSON
ORDINANCE #3-03**

An ordinance creating Section 17.05(6)(m) of the Municipal Code of the City of Jefferson relating to the Large Retail Buildings in Excess of 20,000 Square Feet.

The Common Council of the City of Jefferson, Wisconsin, do ordain as follows:

Section 1. The following section 17.05(6)(m) is hereby created as follows:

(m) Retail and Commercial Service Buildings In Excess of 20,000 Square Feet of Area.

The following requirements are applicable to all new retail and commercial service buildings in excess of twenty thousand (20,000) gross square feet and shall be conditional uses in the zoning districts in which they are allowed, except that a separate Conditional Use Permit is not required where such buildings are part of a PAD District. All additions to existing retail and commercial service buildings, built either before or after the adoption of this Ordinance, which brings the total building size to over twenty thousand (20,000) gross square feet shall also require a Conditional Use Permit. The following standards are intended to ensure that large retail and commercial service buildings, and the sites they occupy, are properly located and compatible with the surrounding area and community character of the city. Such projects shall also be subject to the more general standards for the approval of Conditional Use Permits or PAD Districts.

1. **Compatibility with City Plans.** The applicant shall provide, through a written report submitted with the petition for a conditional Use Permit or rezoning application for the PAD Districts, adequate evidence that the proposed building and overall development project shall be compatible with the City's community character, urban design, natural area preservation, commercial development, redevelopment, or community facility objectives as expressed adopted elements of the City's master plan.
2. **Building Materials.** Building materials shall be unified throughout the building, and shall complement other buildings in the vicinity. Exterior building materials shall be of high and comparable aesthetic quality on all sides. Building materials such as glass, brick, decorative concrete block, or stucco shall be used, as determined by the plan commission and City Council. Decorative architectural metal with concealed fasteners may be approved if sensitively incorporated into the overall design of the building.
3. **Building Design.** The building exterior shall be unified in design throughout the structure, and shall complement other buildings in the vicinity. The building shall employ varying building setbacks, height, roof treatments, door and window openings, and other structural and decorative elements to reduce apparent size and scale. A minimum of twenty (20) percent of all of the facades of the structure shall employ actual façade protrusions or recesses. A minimum of twenty (20) percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six (6) feet or more as measured eave to eave or parapet to parapet for buildings over fifty thousand (50,000) square feet. Roofs with particular slopes may be required by the city to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face and are within one hundred (100) feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than fifty (50) percent to their horizontal length. The integration of windows into building design is strongly encouraged.
4. **Building Entrances.** Public building entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by on-site traffic flow patterns. Two (2) or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details. All sides of the building that directly face or abut a public street or public parking area shall have public entrances.

5. Building Color. Building façade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors on facades shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on sign face and copy areas, subject to the limitations in Section 17.08(6).
6. Building Location. Modest building setbacks are encouraged. Where buildings are proposed to be distant from a public street, the overall development design shall include smaller buildings on pads or out lots closer to the street.
7. Screening. Mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground level views, with materials identical to those used on the building exterior. Loading docks shall be completely screened from surrounding roads and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls, which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above. Gates and fencing may be used for security and access, but not for screening, and shall be of high aesthetic quality.
8. Traffic Impact. All projects that include buildings over twenty thousand (20,000) square feet shall have direct access to an arterial street, or shall dedicate public roads, which have direct access to a public street. Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; and traffic control devices; and sidewalks. The site design shall provide direct connections to adjacent land uses if required by the City. Prior to development approval, the applicant's traffic engineer shall complete and present a traffic impact analysis following Wisconsin Department of Transportation District One guidelines. Where the project will cause off-site public roads, intersections, or interchanges to function below level of service C, as defined by the Institute of Transportation Engineers, the City may deny the application, require a size reduction in the proposed development, or require that the developer construct and/or pay for required off-site improvements.
9. Parking. Not more than fifty (50) percent of the off-street parking

spaces shall be located directly between the front façade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot. Parking lots in which the number of spaces significantly exceeds the minimum number of parking spaces required in Section 17.07(4) of this Ordinance shall be allowed only with specific and reasonable justification. Parking lot design shall employ interior, curbed landscaped islands at all parking aisle ends. In addition, the project shall provide landscaped islands within each parking aisle spaced at intervals no greater than one island per every twenty (20) spaces in that aisle. Islands at the ends of aisles shall count toward meeting this requirement. Each required landscaped island shall be a minimum of three hundred (300) square feet in area. Landscaped medians shall also be used to break large parking areas into smaller pods, with a maximum of one hundred (100) spaces in any one pod.

10. Natural Resources Protection. Each project shall meet the natural resource protection standards for storm water, utilities, erosion control and public safety. In general, existing natural features shall be integrated into the site design as a site and community amenity. Maintenance of any storm water detention or conveyance features are solely borne by the developer/owner unless dedicated and accepted by the City.

11. Landscaping. On-site landscaping shall be provided per following landscaping requirements:

- a. Landscaping plan shall be submitted to the city Forester for approval including species as per Section 8.08 of the City Municipal Code.
- b. Extensive building foundation landscaping for all building frontages facing public streets, parking lots, or residential districts to provide visual breaks in the mass of the building. Building foundation landscaping shall be placed so that, at maturity, the plant's drip line is within ten (10) feet of the foundation. Canopy/shade trees shall not be used to meet this requirement.
- c. Extensive paved area landscaping for all parking, driveway, and loading areas to screen and provide visual breaks in the size of such paved areas. Canopy/shade trees shall be emphasized within landscaped islands, with shrubs, groundcover, or grass preferred to mulch or stones.
- d. Canopy/shade tree shall be planted in the City tree terrace at a maximum spacing of 1 per 50 feet, if space permits, or off public

right-of-way at a maximum spacing of 1 per 100 feet.
Canopy/shade trees shall have a minimum of 2.5" diameter.

12. Lighting. On-site exterior lighting shall meet all the standards of Section 17.10(4) of the Ordinance, except that total cut-off luminaries with angles of less than ninety (90) degrees shall be required for all pole and building security lighting. The color and design of pole lighting standards shall be compatible with the building and the city's public lighting in the area, if a particular public lighting theme has been established for the area.
13. Signage. The plan for exterior signage shall provide for modest, coordinated, and complimentary exterior sign locations, configurations, and color throughout the development. All freestanding signage within the development shall compliment on-building signage. Monument style ground signs are strongly preferred over pole signs, and consolidated signs for multiple users are strongly preferred over multiple individual signs. The City may require the use of muted corporate colors on signage if proposed colors are not compatible with the City's design objectives for the area.
14. Bicycle and Pedestrian Access. The entire development shall provide for safe pedestrian and bicycle access to all uses within the development, connections to existing and planned public pedestrian and bicycle facilities, and connections to adjacent properties. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.
15. Central Areas/Features. Each development that contains a building over fifty thousand (50,000) square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building project.
16. Cart Returns. A minimum of one (1) two hundred (200) square foot cart return area shall be provided for every one hundred (100) parking spaces. Cart corrals shall be of durable, all season construction, and shall be designed and colored to be compatible with the building and

parking lot light standards. There shall be no exterior cart return or cart storage areas located within twenty-five (25) feet of the building.

17. Impact on Existing Jefferson Business Locations. Where such a building is proposed as a replacement location for a business already located within the City, the City shall prohibit any privately imposed limits on the type of reuse of the previously occupied building through conditions of sale or lease. If the applicant requires such limits, the applicant may seek City approval to demolish the previously occupied structure and prepare the site for future redevelopment.
18. Maintenance Bond. A maintenance/restoration bond must be set up to ensure the building and all amenities on the site are maintained if the building becomes vacant. If the building remains vacant for a period of eight (8) years the restoration bond will be enacted to either modify the building or remove the building from the site.
19. Waiver of Standards. The Plan Commission may waive any of the above standards by a three-quarters (3/4) vote of members in attendance, but only if supplemental design elements or improvements are incorporated into the project which compensate for the waiver of the particular standard and prepare the site for future development.

Section 2. This ordinance shall take effect after passage and publication as required by law.

This is a first reading.

CONSENT AGENDA

Ald. Wagner introduced Resolution No. 141.

CITY OF JEFFERSON RESOLUTION NO. 141

BE IT RESOLVED by the Common Council of the City of Jefferson that the consent agenda for March 4, 2003 is hereby adopted.

The consent agenda for tonight includes:

- ❖ Vouchers Payable for March 2003 in the amount of \$290,373.47 and Payroll Summary for February 21, 2003 in the amount of \$88,542.21.
- ❖ Council Minutes from the February 18, 2003 Regular & Closed Session Meetings of the Common Council.
- ❖ Greenwood Cemetery Association Request for Funds -- \$13,372.
- ❖ Licenses as Approved by the Regulatory Committee

- Operator's Licenses
- Special Class B Licenses
- Combination Class B Licenses – 135 South Main Street

Ald. Wagner, seconded by Ald. moved to recommend Resolution No. 141. On call of the roll, motion carried unanimously.

CITY HALL/LIBRARY ROOF BIDS

Ald. Stevens introduced Resolution No. 142.

CITY OF JEFFERSON RESOLUTION NO. 142

BE IT RESOLVED by the Common Council of the City of Jefferson, Wisconsin that the City Administrator is authorized to sign a contract with Walsdorf Roofing Co. for the construction of a new roof for city hall/library for an amount of \$134,100.00 including alternate bid A.

Ald. Stevens, seconded by Ald. moved to recommend Resolution No. 142. On call of the roll, motion carried unanimously.

RESOLUTION SETTING TIME FOR HEARING TO VACATE A PUBLIC ALLEY BETWEEN STATE STREET AND HILL STREET

Ald. Johann introduced Resolution No. 143.

CITY OF JEFFERSON RESOLUTION NO. 143

RESOLUTION SETTING TIME FOR HEARING TO VACATE A PUBLIC ALLEY BETWEEN STATE STREET AND HILL STREET

WHEREAS, the alley between State Street and Hill Street deadends into the Crawfish River.

AND WHEREAS, David Haffelder is the owner of all the frontage of the lots and lands abutting the public alley.

AND WHEREAS, that public alley has never been opened or used as an alley, but was platted;

AND WHEREAS, it would be in the best interests of the City of Jefferson not to open said alley, construct road surfaces, and then have the obligation to maintain alleys that deadend in the Crawfish River;

AND WHEREAS, the procedures for vacating this alley will proceed under Section 66.1003 Wisconsin Statutes, and this Board will consider whether the public interest is best served and requires the vacation of said alley.

NOW THEREFORE, BE IT RESOLVED, That a public hearing will be held on April 15, 2003 at the Jefferson City Hall to consider passing a resolution vacating the alley between State Street and Hill Street as described above and as shown on the attached diagram.

BE IT FURTHER RESOLVED, That notice of said hearing be published in the DAILY JEFFERSON COUNTY UNION.

Ald. Johann, seconded by Ald. moved to recommend Resolution No. 143. On call of the roll, motion carried unanimously.

Ald. , seconded by Ald. moved to adjourn to closed session pursuant to Section 19.85(1)(c) to Discuss Employment and Performance Evaluation Data. On call of the roll, motion carried unanimously.

Ald., seconded by Ald. moved to reconvene to Open Session.

HIRE OF COOP STUDENT

Ald. Coffman introduced Resolution No. 144.

CITY OF JEFFERSON RESOLUTION NO. 144

BE IT RESOLVED by the Common Council of the City of Jefferson that the City Administrator is hereby authorized to hire Shannon Juris for the position of Coop Student at a starting rate of \$7.00.

Ald. Coffman, seconded by Ald. moved to recommend Resolution No. 144. On call of the roll, motion carried unanimously.

Ald. , seconded by Ald. moved to adjourn. On call of the roll, motion carried unanimously.

The minutes of the March 4, 2003, meeting of the Common Council are uncorrected. Any corrections made thereto will be noted in the proceedings at which time the minutes are approved.

**Please Publish: ASAP
need an affidavit
not in the legal section**