PLAN COMMISSION MINUTES
November 10, 2014

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Mary Ellen Gray, Tim Yokes, Marty Peck, Bill Shadid and Dan Campbell were present. Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson were also present.

PUBLIC INPUT: None

PREVIOUS MINUTES: ***MOTION Baum second Gray to Approve the minutes from 10-27-14.***

MOTION carried unanimously.

Quik Lube – N112 W16076 Mequon Road. Bauer Sign, agent for DDS-Germantown Investments, is seeking approval of wall signage for the oil change operation. Planner Retzlaff summarized the proposal.

MOTION Baum second Peck to Approve the one (1) wall sign for Quick Lube located at N112 W16076 Mequon Road subject to the following conditions:

1. ***Electrical permits shall be obtained from Inspection Services prior to installation.***
2. ***All electronic components shall be labeled by a licensed lab and inspected prior to installation.***
3. ***Approval is for the 3' x 24' (72 sqft) wall sign proposed for the south or Mequon Road elevation*** except for the phrase "we feature". ***Approval does not include wall signage on the west elevation.***
4. The backer panel, if required for installation, shall be painted a different and muted color that is more consistent with and complimentary to the existing building color and architecture***.***

Richard Donaldson, Quik Lube, explained the Valvoline logo and "we feature" phrase need to be positioned where they are for him to have permission to use them. Plan Commission discussed the blue backer panel and did not agree with staff's recommendation to change the color.

MOTION to Amend Baum second Peck that condition #3 be revised to allow the "we feature" phrase on the sign and not include wall signage on the west elevation.

MOTION to Amend carried unanimously.

MOTION to Amend Campbell second Baum to strike condition #4.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

ATI Physical Therapy – N96 W17960 County Line Road. Bauer Sign, agent for Continental Properties, is requesting approval of wall signage for the new tenant in the commercial building under construction. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the two (2) wall signs for ATI Physical Therapy as proposed subject to the following conditions:

1. ***A separate electrical permit shall be obtained from Inspection Services prior to installation.***
2. ***All electronic components shall be labeled by a licensed lab and inspected prior to or concurrent with installation.***
3. ***The monument sign panel shall be opaque or dark in color.***

MOTION carried unanimously.

Stonecast Products – N112 W14343 Mequon Road. Jim Marriott, owner of Stonecast Products has submitted Certified Survey Map, Rezoning, Conditional Use Permit and Site Plan applications for a 54,275 sqft outdoor storage area expansion within the 10.6 acre facility. Planner Retzlaff summarized the proposal. Jim Marriott spoke on the proposal and answered questions.

Commissioner Yokes commented this was the first time he's seen an applicant come in purchasing credits from a wetland bank versus wetland mitigation. Planner Retzlaff explained Stonecast needs to deal with Village and DNR wetland regulations and because of the amount of wetland Stonecast is filling, 35,070 sqft, they are required to provide wetland compensatory mitigation by the DNR. Stonecast has elected to purchase credits from a wetland mitigation bank and is in the process of purchasing 1.17 credits from the Lake Superior Site #1 Mitigation Bank pending approval of these applications by the Village. Commissioner Gray questioned why the mitigation credits were not purchased in Germantown and why the north section of wetlands was not developed. Planner Retzlaff said there were no wetland banks here for purchase and the DNR dictates quality and quantity of wetlands to be filled.

MOTION Baum second Peck to Approve the proposed Certified Survey Map (CSM) to combine the two parcels into one parcel subject to the following conditions:

1. ***All technical corrections listed in the Village Surveyor's August 22, 2014 review memo shall be addressed and/or reflected in a revised CSM prior to recording the CSM.***

MOTION carried unanimously.

MOTION Baum second Shadid to Approve the application to Rezone and remove up to 35,070 sqft (.805 acres) of area from the Shoreland-Wetland Zoning District as shown in the Wetland Mitigation Plan dated 10-20-14 pursuant to Section 24.07 of the Shoreland-Wetland Zoning Code provided that DNR permit approval for the proposed wetland filling has been approved.

MOTION carried unanimously.

MOTION Baum second Peck to Approve a Conditional Use Permit to allow development within the 25' wetland setback areas and proposed compensation as presented in the Wetland Mitigation Plan pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

1. ***The owner shall prepare and submit an annual monitoring report to the Village and Local DNR staff concerning the various management activities proposed in***

the plan including the planting/restoration of native vegetation. Said report shall at a minimum detail the type and amount of plantings, all activities carried out in the previous year and the observed success of all previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities to be carried out, and a list of planned activities for the upcoming year. Said report shall be submitted annually at the end of each year beginning in 2015 for a period of three (3) years.

MOTION carried unanimously.

MOTION Baum second Peck to Approve the site development & building plans submitted by Stonecast Products for the proposed 54,275 sqft outdoor storage expansion for the facility located at N112 W14343 Mequon Road subject to the following conditions:

1. ***Approval is for the site development and building plan sets dated October 20, 2014 subject to final approval of the wetland fill permit by the DNR.***
2. ***All landscaping, grading, open space and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit for the proposed buildings unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs that has been reviewed and approved by the Village is submitted to the Village to ensure installation of the proposed features will be completed within one (1) year after issuance of an occupancy permit.***
3. ***All season access to and along the internal access roads and gates shall be maintained. The owner shall coordinate with the Fire Department to ensure the required access is provided prior to commencement of construction.***
4. ***All technical corrections listed in the Village Engineer's August 25, 2014 review memo shall be addressed and reflected in revised plans (as necessary) prior to commencement of any construction activities.***

MOTION carried unanimously.

Chaz Hastings for Gerald Grosenick – Main Street Mr. Hastings, owner/operator of the Old town Inn & Bier Stube is seeking feedback concerning a proposed private park to be developed on a 5.2 acre parcel located south of the Old Town Inn at N116 W15841 Main Street. Planner Retzlaff summarized the proposal. Mr. Hastings spoke on the project and answered questions. He said he wanted to bring back some of the heritage that once existed on this property and feels the park fits in exactly with the 2020 vision that the Village has for this street. He said the park could be used for car shows, weddings, anniversaries, graduation parties, farmers market, polka in the park, Mai Fest and Oktoberfest. He feels it will be good for tourism for the community and bring other developments to the street.

Plan Commissioners had the following comments:

- Will the Park have lighting and night events?
- Good idea but concerned how residents that live nearby will be affected
- Could park be reoriented to the west side of the property away from residents
- Looks like a lot of parking and not enough green space
- Will this park take away from Oktoberfest, Mai Fest and band shell at Fireman's Park
- This is a beer garden

- The parking lot should be reconfigured to eliminate dead ends for better circulation
- Like the garden, clock tower and children's playground
- Nice concept and feels the music will be a draw to the community
- Will Village noise regulations need to be followed
- Special events will be required to go through the permit approval process
- Impact on the community will not be as big as a Village park use

Chairman Wolter said this project will not interfere with the Kiwanis band shelter project at Fireman's Park or take away from the Oktoberfest and Mai Fest events. Trustee Baum said this was an interesting proposition but questioned what the Village wants to do on Main Street. He questioned the possibility of other businesses buying houses on Main Street and proposing to turn them into parking lots. He said we need think seriously about what we're doing and come up with a plan for Main Street and plan it with the community.

The following residents spoke on the proposal:

- Susan Dechant, N116 W15775 Main Street, had concerns with the drainage pipes on her property being damaged when the proposed fence is installed
- Brian Dolk, N103 W14650 Hawkeye Court, said the Village needs to have a master plan for the area and see what other communities have done.
- Charlie Hargan, W169 N11504 Biscayne Drive, was concerned with the wetlands on the property, the constant traffic and noise and said the park is not big enough to hold the Mai Fest tent or parking needs. Chairman Wolter said the park would not replace Mai Fest. Mr. Hastings said he wouldn't hold an event on the same weekend as another festival.
- Nancy Lietzau, N116 W15925 Main Street, said there have been problems with noise and traffic in the past. She said this is not the place for a festival ground and it will cause a lot of noise and traffic every weekend. She is also worried about property values in the area and said the culvert in the back needs to be fixed.

Trustee Baum said this proposal could be the start of something good and maybe improve the community and bring more value to their properties. He asked residents if they would be ok with more shops on Main Street if the traffic issue was resolved first. Chairman Wolter said Main Street could be a walking corridor with a mix of festivals with different venues of entertainment. Ms. Lietzau said she could possibly like the idea if the music was kept down and not heard every weekend. Mr. Hastings said the parking lot would add 150 additional parking spots and added that he had only received one citation all summer for loud music.

- Chris Yatchak, N116 W15041 Brownstone Court, said the previous development proposed for this site was denied because traffic was a concern for residents. He said a park would have significantly greater traffic than a senior housing development. He agreed a comprehensive plan for the future is needed for this area and the residents concerns need to be addressed first.

Trustee Baum said the Plan Commission was concerned with the one way in - one way out traffic flow for the senior housing proposal and asked if a better parking configuration would satisfy residents concerns.

- Julie Reichert, W156 N11580 Pilgrim Road, said the proposal sounds like a good idea and asked if the homes on Main Street could be designated as historic.
- Ed Schuster, N116 W15881 Main Street, was concerned with noise and music.

Trustee Baum asked Mr. Schuster if the band at Bier Stube moved 800 feet away from his house if he would be alright with that. Mr. Schuster said besides the music there is also noise from people talking and shouting. Commissioner Gray said she could not go forward

with this concept until we look at all the properties and see what's available and sit down and discuss options. Chairman Wolter said this proposal starts to push us in the right direction and he appreciates the input and concerns from residents and what they they'd like to see in that area. He said he is looking for ways to revitalize this area and make Germantown a stop community and draw people to this area and our commercial district.

- Jeff Dhein, W196 N13704 Fond du Lac Avenue, was concerned the Oktoberfest and Mai fest events at this park would take money out of the non-profit hands.

Chairman Wolter said he understands Mr. Dhein's concerns but did not think it is Mr. Hastings intent to take away anything from other events. Mr. Hastings agreed saying he wanted to work together with the other events. Commissioner Shadid said this was a good opportunity to plan something in downtown Germantown. Trustee Baum said this is a good start but refinements need to be made. He said he would talk to Planner Retzlaff regarding how to get from this point to a master plan for Main Street. Commissioner Yokes agreed and said he likes the idea but that an overall plan for Main Street is needed.

Chairman Wolter thanked everyone for coming and Mr. Hastings for wanting to invest further in Germantown. This item was for discussion only. No action was taken.

Chairman Wolter called a recess at 8:30 pm
Chairman Wolter reconvened the meeting at 8:38 pm

Community Development Department – Amendments to Municipal Zoning Code Section 17.46 (Signs). Planner Retzlaff summarized the proposed amendments to Section 17.46 of the Zoning Code. The proposed amendment creates specific standards for the installation and use of electronic message boards on property in the business, industrial and institutional zoning districts in the Village.

Discussion followed. Commissioner Peck said electronic sign boards can become an obnoxious blight and signs that spin, roll, flow and do crazy things can be distracting to drivers. Planner Retzlaff said policing these signs will be hard to enforce and requiring the message to have minimum period of time for transition would help.

Commissioner Campbell questioned the 150 nit maximum. Planner Retzlaff said he researched other communities to determine the number. He said from an enforcement standpoint, having the ability to measure nits with a simple devise will be helpful. He said he would work with Marty to come up with a number that is reasonable.

Commissioner Shadid said nits should be defined very clearly because they are very different between manufacturers. Chairman Wolter questioned if 4(c) is part of what is asked for today because he didn't think any current sign holds its message for 15 seconds. Planner Retzlaff said it is not in the code currently but having it in the code makes it easer to enforce those that have this feature. Plan Commissioners may feel a different time period is more appropriate. Trustee Baum said suggested a 7 second time frame based on his experience.

MOTION Peck second Baum to Approve the Amendment as drafted, change 4(c) to "The message interval, i.e. the minimum amount of time a message shall be displayed, shall be not less than 7 seconds" and the Village Planner will consult with Commissioner Peck regarding the proper nit level for daylight and night time.

MOTION carried unanimously.

ANNOUNCEMENTS: Chairman Wolter said the Germantown Christmas Parade will be held Saturday, November 15th starting at 10:00 am with a candy cane walk/run. The parade starts at 2:00 pm, Santa will be at the library from 2:00-4:00 pm and the tree lighting ceremony will be at 4:00 pm. He said several charitable organizations are involved with the parade and will be collecting items for the food pantry, Eileen's Closet will be collecting items for children, and the Spanish Honor Society will collect scarves and hats.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant