PLAN COMMISSION MINUTES
May 11, 2015

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, Bill Shadid, Tony Laszewski and Peter Nilles were present. Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson were also present.

PUBLIC INPUT: The following residents spoke against the Saxony Village agenda item:

1. Jerry Myszewski, W159 N11435 Red Oak Circle, concerned with apartments and would rather see condominiums or individual homes.
2. Loren Doll, W159 N11447 Red Oak Circle, concerned with traffic, 3 story buildings are obtrusive, already too many apartments.
3. Nicki Broetzmann, W163 N11502 Windsor Court, doesn't want development, concerned with traffic, too many units.
4. Bruce Warnimont, N112 W12467 Mequon Road, concerned with school enrollment, some schools are over capacity.
5. Betsy DeVilbiss, W159 N11548 Oakwood Drive, said buyers are concerned with total number of rentals in Germantown
6. Lisa Filla, W148 N12133 Pleasant View Drive, Doesn't think development is a good plan and there is no sense of ownership with rentals, schools are overcrowded.
7. Liz Chizek, W163 N11545 Windsor Court, concerned with wildlife living there, schools are over crowded and safety hazards.
8. Charles Brown, W162 N11979 Park Avenue, concerned with aesthetics, not appropriate for community, too crowded.
9. Shawn Gehrig, W163 N11456 Windsor Court, concerned with too many apartments and traffic concerns.

PREVIOUS MINUTES: ***MOTION Baum second Shadid to Approve the minutes from 4-13-15.***

MOTION carried unanimously.

Village of Germantown & Germantown Little League W162 N11870 Park Avenue. The Village of Germantown is requesting approval of a 2-lot CSM for purposes of adjusting an existing property line for the Firemen's Park property on Park Avenue. Planner Retzlaff summarized the proposal.

MOTION Baum second Gray to Approve the CSM as proposed.

MOTION carried unanimously.

Bradley Way Partners LLC – N106 W13131 Bradley Way. The applicant is seeking approval of site development and building plans for a 13,544 sqft warehouse addition to the existing office/light industrial building. Planner Retzlaff summarized the proposal.

MOTION Baum second Yokes to Approve the site development and building plans for the 13,544 sqft warehouse addition to the existing office/light industrial building located at N106 W13131 Bradley Way in the Germantown Business Park subject to the

following conditions:

1. ***Approval is for the site development and building plan set with revised date of April 3, 2015 unless otherwise revised by a subsequent plan set approved by the Village Planner pursuant to revisions required herein.***
2. ***All grading, paving and landscaping 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. ***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.***
4. ***State approved plans and a $20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***
5. ***All technical corrections and issues raised in the Engineering Department's April 24, 2015 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.***

Commissioner Gray questioned the landscape plan showing a pattern of burning bush and spirea. She said adding some Evergreen screening on the east side of the building would be a good idea.

MOTION to Amend Gray second Baum to add 3 upright Evergreens at the entry in the corner.

MOTION to Amend carried 6-1 (Wolter)

Steve Sewart asked about the possibility of moving the overhead door down to the back of the building, further away from the office space. Commissioner Yokes said the plans already show the door at this location. Plan Commissioners did not have a problem with moving the door. Discussion continued.

Trustee Baum said the landscaping is bland and the plantings around the addition should replicate what is there currently. Planner Retzlaff asked for more direction. Commissioner Gray suggested replacing a couple of shrubs with Evergreens on the far side of the parking lot. She suggested a row of several viburnun arrowwood, an evergreen, 4 more viburnum and a tree at the road. This plan would make whatever plantings along the building less significant. Trustee Baum requested that a new landscape plan be submitted to the Village Planner to review and should tie in with the rest of building. Commissioner Gray preferred the street landscaping be enhanced. Chairman Wolter was concerned that adding pine or spruce trees along the street would shadow the existing trees. The revised plan should match the type, mix, blend and foundation plantings that are already there or show something else.

MOTION to Approve as Amended carried unanimously.

Doug & Angela Gole – W143 N9965 Ridgewood Lane. The property owners are seeking approval to install a residential privacy fence within an existing storm sewer easement on their lot. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the Gole's zoning permit application to install a 4' wooden fence approximately 8' into the existing 25' drainage easement located on the property located at W143 N9965 Ridgewood Lane in the Autumn Ridge Subdivision.

Discussion followed. Angela Gole said there has never been standing water in the easement in the 10 years she's lived there. She said she wanted the fence for safety reasons so her children could play in the yard and be protected from traffic on the street. Chairman Wolter explained to her that if a future drainage issue occurs she may need to remove the fence. Planner Retzlaff said the proposed fence runs parallel to the drainage easement and should not interfere with drainage. Commission Nilles asked for clarification if the fence would be 8 feet or 15 feet into the easement. Mrs. Gole said 15 feet was an estimate and was not accurate and that the fence would be approximately 8 feet into the easement.

MOTION carried 6-1 (Yokes).

Plastic Components – N118 W18845 Bunsen Drive. The applicant is seeking approval for a 23,364 sqft Industrial Building Addition. Planner Retzlaff summarized the proposal.

MOTION Baum second Gray to Approve the site development & building plans for a 23,364 sqft addition to the existing facility located at N118 W18845 Bunsen Drive in the Germantown Industrial Park subject to the following conditions:

1. ***This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan set dated April 16, 2015 unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.***
2. ***All landscaping, screening, grading, and paving 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. ***The owner shall install: one (1) approved fire hydrant on the south side of Bunsen Drive near the new paved driveway at a final location approved by the Village Public Works and Fire Departments; and a fire sprinkler stand pipe hose connection at the new east exit door.***
4. ***The Property Owner/Applicant shall ensure that all site and building improvements comply with all Village of Germantown, Wisconsin Department of Safety and Professional Services (DSPS) and other applicable safety codes in effect at the time the occupancy permit is issued for the expansion.***
5. ***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.***

6. ***State approved plans and a $20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***

Discussion followed. Commissioner Gray said the landscaping on the east side could be enhanced with more evergreens. Planner Retzlaff explained that area would be used for future additional parking.

MOTION carried unanimously.

Koenig Industries – W188 N11820 Maple Road. The applicant is seeking approval of site development and building plans for a 12,453 sqft building addition to the existing manufacturing facility. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the site development and building plans for the proposed 12,453 sqft addition to the existing facility located at W188 N11820 Maple Road in the Germantown Industrial Park subject to the following conditions:

1. ***This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan set dated March 27, 2015 unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.***
2. ***All landscaping, screening, grading, and paving 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. ***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.***
4. ***All technical corrections identified by the Village Engineer in the April 30, 2015 memo shall be addressed prior to issuance of a building permit.***
5. ***State approved plans and a $20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***

MOTION carried unanimously.

JBJ Development & Scott Bence for Heritage Place Joint Venture – 23.7 Acres on Main Street, east of Lake Park East Condominiums and west of Oakwood Village Condominiums. Multi-Family Residential Planned Development District (PDD) Rezoning & Site Plan Consultation for a 225 unit apartment community. Planner Retzlaff summarized the proposal. He said if the plan moves forward several approvals would be required including a planned development district rezoning, a rezoning to Rm-2 for two properties, detailed site development and building plans and a developers agreement for any public improvements including water, sewer and utilities. Other issues that need to be discussed as part of the approval process include cleanup of a brownfield area, density and building scale, traffic impact, Hilbert Lane and Castle Drive connections, stormwater management, Main Street redevelopment and the proposed public parking lot.

Scott Bence, JBJ Development, said he's been involved with this project since 1996. He explained he has been dealing with the neighboring properties, Jacobus Quickflash and the railroad company to rectify contamination issues which are now cleaned up. He said acquiring these two properties would enable the creation of another road entry off Main Street. The concept plan would also create opportunities like the regional pond, additional parking for businesses on Main Street, and provide a connection for neighboring properties from east to west.

Gene Guszkowski, AG Architecture, said the idea for the development was to create a walkable urban environment to support the Main Street area. They believe the Land Use Plan calls for a mixed use higher density, pedestrian oriented neighborhood. He said they are trying to create some community benefit while doing that by providing a trail system and parking, creating an urban feel and sense of community.

A lengthy discussion followed. The Plan Commission and the applicant addressed the following concerns:

- Yokes – Why condo's?
  JBJ/Bence – Condo's are tough to market. The market has shifted to high end apartments.
- Gray – How do you get around the school situation? Would rather see some mixed use development with storefronts and apartments on top.
- Bence – There is a lot of business vacancy already that can't be filled. The need is for more people. Market research shows no support for retail storefronts.
- Laszewski – Agrees retail will not work but struggles with the density.
- Bence – The average is about ½ school age student per unit.
- Wolter – Asked the number of 3 bedroom units.
- Bence – The development has 15 three bedroom apartments
- Shadid – Doesn't mind the density but is concerned with the quality of life for the people living on Red Oak Circle and Hilbert Lane.
- Bence– There are 3 potential street connections, he is looking for input. He said that is why he sent notices to all the abutting neighbors to inform them. The property is already zoned multi-family, but he wants to work with the community and provide some benefits.
- Tom Dueppen, Himalayan Consultants, said he has been working on the contamination management plan for the development of this property. He said the property has received conditional closure from the DNR in 2013. He would propose a green team meeting with state regulators that would be able to provide the Planning Commission with a better idea of what options are available to address the brownfield issues. The site still needs to be monitored and there is a ground water use restriction.
- Wolter – The site is remediated and can be conditionally developed.
- Retzlaff – Asked if underground parking structures that are outside the contaminated properties be affected.
- Dueppen – Said there might be some offsite vapor migration contamination but it can be addressed. He said locating the parking lot at the north end is a good way to reduce the amount of contaminate migration that would occur by bringing in permeable surface in that area.
- Shadid - Asked if the buildings could be re-orientated and not be so close to Windsor Court. He suggested an exit out to Squire Drive to isolate the development from Hilbert Lane and Red Oak Circle.

- Bence - Said Squire Drive cannot be accessed there because of flood plain. He said he took on the 2 other properties to be able to connect to Main Street and it took 7 years to acquire them. He said the buildings can be twisted and turned but he needs to know where the road connections will be before a traffic study can be done.
- Yokes – He agrees there will be some impact to traffic, but doesn't think it will be as massive as other projects. Better traffic controls will be needed. He is concerned with the density and the height of the buildings.
- Bence – A proposal was brought forward in 2007 and the direction from the Village Board at that time was to work on getting access to Main Street which he has been done.
- Wolter – A number of things need to be discussed and addressed. Castle Drive and Windsor Court look like secondary roads. Hilbert Lane is more of a normal width street so that access through make sense. A traffic study will help define how many people will be using Hilbert Lane as a regular path. Information is needed on how to get past the need for additional classroom space. Maybe limiting the number of children in the area by proposing more 2 or single bedroom apartments will help. Three story buildings is a concern. Providing some visuals to show how they will look from other street views would help. Is 225 the high end for density or is there some movement there. He is thankful for the parking lot. But is there a possibility for more spaces, maybe 30 or more to help with the Main Street parking congestion and traffic issues the Fire Department has. A traffic study is needed to show what the pattern is. Is the 5 building pattern set or could 7 buildings with 2 stories work.
- Bence – Said his new apartment building on Fond du Lac Avenue opened May 1st and is at 100 percent occupancy. He said the renters are young, dual income, couples and retirees. He said the three bedroom apartments are taken by empty nesters that have too much furniture for a 2 bedroom unit.
- Wolter - Said he appreciates Mr. Bence's willingness to work with the Village on the retention pond, brownfield areas and parking issues.
- Retzlaff – The Gables has 3 story buildings with architectural features added on to provide a Germanic feel. He asked if that was something this development would consider. What is a green team meeting.
- Guszkowski – 3 story buildings are more efficient for underground parking; they don't want to be held to the Bavarian look. A green team meeting clarifies liability issues and potential funding options associated with government based entities. The Village would be allowed to apply for grants. Some cleanup costs would be associated with the putting in the parking lot or the roads. A larger parking lot would improve the contaminant issues in that area.
- Baum – Thinks retail will not work here. The potential is for a large density owner occupied buildings. The residents don't want a rental property. Post graduates don't want to buy, they want the flexibility of renting. Townhouses seemed to be acceptable. A higher density development is needed to get to Main Street developed. He'd like to see lower density and 2 story buildings. There are problems on Main Street with traffic. Hilbert Lane will become a thoroughfare. He'd rather see Castle Drive get improved and extended but all three connections need to be enhanced. He can see either contemporary or Germanic design but would like the buildings broken up a little more.
- Gray – Is it possible to apply to the DNR for approval to run the road through the wetland.

- Retzlaff – The property has a navigable stream, flood plain and wetlands to deal with. He said justification would be needed providing how or why the need to connect in some other manner can't be attained.
- Wolter – the Army Corps of Engineers would get involved and that could take years to be approved.

Betsy DeVilbiss said speaking as a realtor, there is a need for mid range condominiums. Jerry Myszewski asked why the development needs to be so dense. Jim Kapus said Sylvan Circle needs a lot of work and Hilbert Lane is not as wide as Sylvan to accommodate a large amount of traffic. Trustee Zabel commented on the density of the development and said he reads the code as 8 units per net acre not 8 units per ace. He said there are 15 acres of buildable area which would allow 120 units, not 225 as proposed. Mr. Bence said they worked with staff and feel the number of units proposed is correct.

Chairman Wolter said this was a consultation and that Mr. Bence will take all comments into consideration. He said if this item comes back to Plan Commission for review it will be noticed by agenda postings only. He said he appreciates all those that attended and spoke tonight.

ANNOUNCEMENTS: Chairman Wolter said Mai Fest starts Friday and runs through Sunday. And on Thursday there is a ceremony to honor police officers who have lost their lives at the Washington County Fair Grounds.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:26 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant