

PLAN COMMISSION MINUTES
August 28, 2017

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:45 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Bill Shadid, Bob Williams, Peter Nilles and Mary Ellen Gray were present. Commissioner Tony Laszewski was absent and excused. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES: *MOTION Baum second Shadid to Approve the minutes from 8-14-17.*

MOTION carried unanimously.

Chairman Wolter welcomed new Plan Commissioner Robert Williams.

Carity Land Corporation, Agent for Briscoe Development – 147 Acres North of Mequon Road, West of Country Aire Road, South of Freistadt Road. The applicants are requesting a consultation to receive feedback on a residential development proposal with 141 single family lots and 52 multi-family condominium units. Planner Retzlaff summarized the proposal. Bill Carity, Carity Land Corporation and John Wahlen, Cornerstone Development, presented details on the development and addressed questions. Plan Commission members had the following comments and concerns:

- Comfortable with a wide variety of houses going up, but concerned with 13 of the same type building. Will they have deviation or any architectural interest? Mr. Wahlen said they would have differences in the design.
- Multi-family rezoning will get push back from the community; condo driven units may be more accepted. What did the community questionnaire results indicate? Planner Retzlaff said the results were not in favor of additional multi-family, apartment style developments versus ownership type condominium units. The LUP map includes an area for medium density development; this proposal is far less dense than what is called for in the plan.
- The plan shows streets going nowhere; a hammerhead will be required. Mr. Wahlen said they would propose a temporary cul-de-sac.
- There is no sewer next to the property. The Village is looking into an interceptor, possibly going up Country Aire Drive. Water is closer by and will be looped into the project.
- How is the quality of life different at this development than other developments? Mr. Wahlen said the setting is significant with proximity to the park. It will be interlaced with walking paths, and includes topography and natural beauty.
- It's exciting to talk about a single-family development; no problems with the location. Multi family is more accepted when it is privately owned.
- The desire for large 5 acre lots is not in demand. This is the right time and place and includes nice amenities with the inner park and walking paths.
- Land Use Plan amendments will be needed for additional changes and the sewer service area needs to be expanded. Given the new concept plan, staff supports removing the commercial area along Mequon Road from the LUP. Rezoning with PDD overlay will be required.
- Sewer service boundary expansion, wetland delineation, navigable stream, LUP amendment, overlay district, preliminary plat, development agreement, construction and utility plans will be needed.

No action was taken. This item was for discussion.

Germantown School District – Site Plan Review of Revised Landscape Plans for the Germantown High School (W180 N11501 River Lane), County Line Elementary School (W159 N9939 Butternut Road) and Kennedy Middle School (W160 N11836 Crusader Court). Planner Retzlaff summarized the proposed revisions.

Discussion started with the revised landscape plan for the High School. Commissioner Gray did not think the revised plan was adequate and commented that the existing landscaping at the High School was not being maintained. She said the landscape plan is a chance for the school district to make up for the woods that were lost by creating a strong landscape plan. She would like to see double the plantings and include viburnum and lilac with grouping of shrubs. She was also concerned with some of the tree choices failing and would like to see groupings of things.

Planner Retzlaff said the property owner to the north had some concerns and recommended the school district install some sort of a wire fence to preclude loitering on their industrial property along with some supplemental landscaping to enhance the border.

Chairman Wolter appreciated the additional trees in the revised plan. He said he thinks about safety first when talking about schools and not creating big walls that may create a safety concern or hamper emergency access.

Tim Garland, Garland Alliance Landscape Architects, said he was comfortable with the selection of trees proposed. He said his design approach was to maintain the open spaces that the schools currently provide. Commissioner Gray said the plan has no visual impact. Planner Retzlaff explained the landscape maintenance agreement would ensure the school district maintain and replace dead plantings.

County Line Elementary School – W159 N9939 Butternut Road.

MOTION Baum second Shadid to Approve the revised landscape plan for County Line Elementary School.

MOTION carried unanimously.

Kennedy Middle School – W160 N11836 Crusader Court.

MOTION Baum second Shadid to Approve the revised landscape plan for Kennedy Middle School.

MOTION carried unanimously.

Commissioner Nilles asked if the motion to approve included Condition #4 of the Planner's recommendations which requires additional trees be added to the plan. Planner Retzlaff explained a number of existing trees have been taken out to put in the new parking lot and there are no plans to replace those trees. Chairman Wolter said there wasn't a lot room to add the trees and the condition adds a significant amount of cost and maintenance.

Germantown High School – W180 N11501 River Lane.

MOTION Baum second Shadid to Approve the revised landscape plan for the Germantown High School.

Motion to Amend Gray that the 3 River Birch by the Performing Art Center be replaced with something ornamental like a Crab Apple or something stronger and add 10 ornamental or small trees in the plantings along the north parking lot.

Motion failed for lack of a second.

MOTION carried 5-1 (Gray).

MOTION Baum second Shadid to Approve the Village Planner's recommendations for the school sites (in addition to those included in the original Plan Commission approval granted on May 22, 2017):

- 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 revised landscaping plans dated August 2, 2017, unless superseded by further revisions required by the Plan Commission as part of its approval.***
- 2. The District shall revise the proposed landscaping plan for Germantown High School to: (a) install a wire-woven or privacy fence along the north property line (or around the west, north and east sides of the parking lot to a point sufficient to prohibit/discourage trespass onto the adjoining properties to the north) along with the installation of additional trees and shrubs between the parking lot and north property line.***
- 3. The District shall enter into a Landscape Maintenance Agreement with the Village as required under 17.43(6a) of the Zoning Code. For the Germantown High School site, said agreement shall address the issue of installing landscaping in the River Lane right-of-way and include, but not be limited to, assigning the responsibility for maintaining and replacing all landscaping items installed in the right-of-way to the Germantown School District.***
- 4. The District shall revise the proposed landscaping plan for County Line Elementary to: (a) install eight (8) deciduous trees with a minimum 3" diameter on the site in the vicinity of the classroom and gymnasium additions as compensation for the trees being removed for parking lot construction; (b) install street trees along the Butternut Road and School Road frontages in an amount equal to one (1) tree per 50 feet of road frontage in the vicinity of the classroom addition; (c) install a minimum 3' wide landscaped buffer strip of deciduous and evergreen shrubs along the east and south perimeter of the new parking area; (d) install foundation plantings along the west elevation of the gymnasium addition and along the south elevation of the classroom addition.***
- 5. The District shall prepare revised landscape plans for the High School and County Line Elementary School sites and submit it to the Village Planner for review/approval prior to issuance of a building permit.***

Discussion followed regarding Condition #2 requiring the installation of a privacy fence along the north property line. Scott Kramer, Plunkett Raysich Architects, said this parking lot will be used by staff and have security.

MOTION to Baum second Shadid to Amend Condition #2 that should the Police Department establish a problem in that area the school district will be required to put a fence in at a later date.

Commissioner Williams asked why the business couldn't put the fence in. Jeff Holmes, Superintendent, Germantown School District, said the district has been in conversation with the land owner. He said once things are more finalized, he believes they will work it out to where it will be beneficial. Richard Ericksen, Business Manager, Germantown School District said the tree line is very thick in this area and that the wall on the building is a solid concrete wall.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Shadid to make changes to Condition #4 (a) to install four (4) deciduous trees and Eliminate 4(c) and 4(d).

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Community Development Department – Proposed Zoning Code Amendment: Section 17.30: B-3 General Business District (Residential Uses). The purpose for the amendment is to clarify the intent and permitted use sections of the B-3 District regulations regarding residential uses. Planner Retzlaff summarized the amendment. He explained that some of the older, original residential buildings on Main Street, that were converted to and operated as a business, now want to revert back to a residential use. The B-3 District regulations do not specifically provide for residential uses or provide for the reversion of a building once used for business purposes to go back to a residential use. The amendment language would make it clear that converting these uses would be allowed.

Discussion followed. Trustee Baum did not have a problem with properties converting back and forth from commercial to residential as long as the residents understand they are moving into a retail and entertainment district. Planner Retzlaff suggested attaching a stipulation or record to a property so when it converts to residential, the property owner cannot complain about the business activities in the area. Chairman Wolter said the amendment is a good way to bring the issue to the forefront and when it goes to a public hearing the board can decide how they want it everyone that is involved can understand the process. Planner Retzlaff stated there are 9 properties on Fond du Lac Avenue and 10 or 11 on Main Street that could possibly go back forth between commercial and residential, so a policy should be made. He said an alternative would be the possibility of requiring a conditional use permit to convert to build in safeguards. Trustee Baum said a conditional use could make it clear the area is an entertainment district where there is noise, traffic and smells. He said he would like to see an amendment written up both ways before making a decision. Chairman Wolter agreed. The proposed language changes will be brought back to Plan Commission for review.

ANNOUNCEMENTS: None

The next Plan Commission meeting is September 11, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Lori Johnson, Planning Assistant