PLAN COMMISSION MINUTES
August 14, 2017

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 Bill Shadid, Tony Laszewski, Peter Nilles and Mary Ellen Gray were present. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson. Chairman Wolter recognized Robert Williams from the audience, as the new Plan Commission member.

PUBLIC INPUT: None

APPROVAL OF MINUTES*:* ***MOTION Baum second Shadid to Approve the minutes from 7-10-17.***

MOTION carried unanimously.

Complete Office of Wisconsin – N115 W18500 Edison Drive. Allume Architects is seeking approval of site development and building plans for a 19,200 sqft warehouse addition to the existing office, showroom and warehouse facility in the Germantown Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the site development & building plans for the proposed 19,200 sqft warehouse addition to the existing office, showroom & warehouse facility located at N115 W18500 Edison 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 plans dated May 15, 2017 (engineering plans) and July 7, 2017 (architecture, lighting and landscaping plans) unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.***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 revise the proposed landscaping plan to include street trees along Edison Drive, either by: (1) showing which existing deciduous trees will be maintained (provided that such trees are located within 30 feet from the road right-of-way); or (2) by adding street trees to the plan in an amount equal to (1) tree per 40-50 feet of road frontage. Said street shall be a minimum 3" caliper and need to be listed as an acceptable species and installed in accordance with the Village's Street Tree Guidelines. Said trees may be planted in decorative clusters and not necessarily evenly space along the road frontage. Said revised plan shall be submitted to the Village Planner for review/approval prior to issuance of a building permit.***
4. ***The Owner shall enter into a Landscape Maintenance Agreement with the Village as***

required under 17.43(6a) of the Zoning Code. Said agreement shall be executed by the Owner and submitted to the Village for recording prior to issuance of an occupancy permit.

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. ***All technical issues identified by the Village Engineer in the August 9, 2017 review memo shall be addressed prior to issuance of an occupancy permit.***
7. ***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 regarding the landscaping plan. Planner Retzlaff explained the supplemental plan shows foundation plantings being removed from the original plan and a number of existing trees to be preserved. Andrea Nemecek, Allume Architects, said the revised plan is to preserve as many existing plantings as they can on the east side and create a buffer between the neighbor. Planner Retzlaff was concerned with the landscaping along the west property line saying the ability to preserve existing trees along the 8 to 10 foot area will be difficult and if none are preserved what will be done. He understands the owner wants to preserve the border with the neighbor but it will be hard to tell which trees will be preserved in the narrow area and wants a backup plan. Trustee Baum asked what the likelihood was of the trees surviving after digging into the tree roots and said he would prefer to see the landscaping plan fulfilled. Ms. Nemecek said Planner Retzlaff and suggested trying to save some of the trees. She said the revised plan preserves the existing landscaping versus adding new landscaping. Chairman Wolter said it is difficult to call at this time which plan to approve. He said it's unclear which trees would be saved and maybe the plan should be revisited in a year. But based on the need by the owner to want to block the neighbor, whatever happens they will make sure its blocked. Planner Retzlaff said the south side should have foundation plantings including whatever street trees are required. He explained the original plan included shrubbery and is concerned with the removal of foundation plantings on the revised plan. Commissioner Gray said you won't know immediately if a tree will survive and agreed the foundation plantings should remain and be put back in the plan.

MOTION to Amend Baum second Shadid to stay with the existing plan as presented and allow the applicant to remove new trees in a 1 for 1 for any tree they can save on the same side.

Ms. Nemecek asked for clarification. Trustee Baum explained if you can save a tree you can drop 3 shrubs to 1 tree on the west side and if the tree dies it needs to be put back in.

MOTION to Amend the Amendment Baum second Shadid to add if 1 tree is saved 3 shrubs can be dropped, listed as C or D on the plan, on the west side. If a tree dies it needs to be put back in.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

MLG Development & the Village of Germantown – Willow Creek Business Park located north of Appleton Avenue west of Maple Road. The proposal is for a new monument sign for the 118.7 acre Willow Creek Business park in the Villages of Germantown's Tax Incremental District (TID) #6. Planner Retzlaff summarized the proposal.

MOTION Baum second Gray to Approve the proposed monument sign for the Willow Creek Business Park located on Appleton Avenue subject to the following conditions:

1. ***A separate electrical permit shall be obtained from Inspection Services prior to installation.***

There was some concern the proposed landscaping would grow over the Business Park lettering. Planner Retzlaff said there wasn't a grading plan that shows the landscaping, but the intention is to create a mound and the slab would be at the peak. Commissioner Gray said the lowest size juniper should be used.

MOTION to Amend Baum second Gray to add Condition #2 that the juniper not be taller than 6 to 12 inches when fully mature.

MOTION to Amend carried unanimously.

Planner Retzlaff said the Village will maintain the sign and landscaping.

MOTION carried unanimously.

Dennis Myers for Old Farm Subdivision – Donges Bay and Division Roads. Trustee Myers as agent for the property owners in the Old Farm Subdivision is requesting approval for a replacement monument sign for the residential subdivision to be located at the intersection of Donges Bay Road and Division Road. Planner Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve the proposed monument sign for the Old Farm Subdivision as proposed subject to the following conditions:

1. ***The proposed monument sign location is on Village owned property and shall be approved by the Village Board or appropriate Committee prior to installation.***
2. ***Prior to installation, a written agreement assigning maintenance responsibility for the sign and associated landscaping shall be made between the Village and entity and/or person(s) accepting said responsibility on behalf of the Old Farm subdivision property owners.***

Discussion followed. Trustee Baum commented that the sign may blow over if the posts are only 2 feet underground. He asked if the applicants are aware that if they don't maintain the sign the Village can come and take it out. Planner Retzlaff said there hasn't been sufficient time to identify a subdivision group. Trustee Dennis Myers explained he will be the sole owner of the sign and on the advice of the Village Attorney has acquired signatures from property owners who are in support of replacing the sign. Trustee Myers confirmed the posts would be installed 2 feet underground with supports. Commissioner Nilles was in favor of replacing the sign but questioned who will sign the maintenance agreement and how it will be enforced. Planner Retzlaff explained this is a unique situation and there are no historical records on whether there was an association. Chairman Wolter mentioned several subdivisions that have successful associations where someone collects fees and maintains them for maintenance purposes. He said if the sign goes into disrepair or starts to fall apart it will be taken down by the Village. There wasn't an association with the previous sign and the Village removed it when it fell in disrepair. Trustee Myers explained that a sign was already there and he is just replacing it.

MOTION carried unanimously.

Edward Jones Investments – W164 N11271 Squire Drive. Compass Properties LLC, property owner of the Germantown Marketplace II is requesting approval for a wall-mounted and monument sign panel for the new tenant in the retail center. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the proposed wall-mounted sign and monument sign panel for Edward Jones in the Germantown Marketplace II subject to the following conditions.

1. ***An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.***
2. ***All electrical sign components must be listed and labeled by a recognized lab.***

MOTION carried unanimously.

Carpetland USA Germantown – W188 N9875 Maple Road. GT Real Estate of Germantown LLC, property owner, is requesting approval for signage and landscaping for the retail flooring showroom. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the proposed wall and monument signs for Carpetland retail flooring showroom located at W188 N9875 Maple Road 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 owner/operator shall revise the monument sign location on the property in order to meet the minimum five (5) feet property line/right-of-way setback and provide adequate space within which to install the minimum required landscaping (see #4 below).***
4. ***Additional landscaping shall be installed around the base of the monument sign in compliance with the Village's monument sign landscaping requirements under 17.46(7). A revised landscape plan shall be prepared and submitted to the Village Planner for review and approval prior to issuance of a building/electrical permit for the monument sign.***

Bruce Fleischmann, Neighborhood Services, said he would make corrections to the landscape plan as listed in the conditions. He explained the plant beds are placed in a way so car headlights won't shine into traffic.

MOTION carried unanimously.

MOTION Baum second Shadid to Approve the proposed landscaping plan for the Carpetland retail flooring showroom located at W188 N9875 Maple Road subject to the following conditions:

1. ***The owner/operator shall submit a revised and accurately scaled and dimensioned landscape plan showing proposed landscaping items relative to the property/right-of-way lines along Maple Road and Appleton Avenue.***
2. ***The owner/operator shall properly survey stake the property prior to or concurrent with installation of all landscaping to ensure it is installed on the property and not in the Maple Road or Appleton Avenue right-of-way.***

3. ***The owner/operator shall include four (4) additional street trees on the revised landscape plan (see #1 above) along Appleton Avenue (for a total of six) and for street trees along Maple Road (for a total of four). Said trees may be installed in equal intervals or in groupings and in compliance with the Village's Street Tree Guidelines. All street trees installed shall have a minimum 2" diameter when installed.***

Mr. Fleischmann, confirmed he will submit a revised landscape plan.

MOTION carried unanimously.

Gables Himmel Property LLC – N109 W17075 Ava Circle. Zimmerman Homes LLC, agent for Tarantino & Company and Capri Senior Communities, property owner/operator of the Gables of Germantown Senior Living Campus, is requesting approval of site and building plans for the construction of an entrance portico to the 48-unit Engel Haus and the 108- unit Himmel Haus buildings. Planner Retzlaff summarized the proposal.

MOTION Shadid second Laszewski to Approve the site and building plans for the proposed portico construction at the 48-unit Engel Haus and the 108-unit Himmel Haus buildings subject to the following conditions:

1. ***Building plans submitted to the Village for the required building permit(s) shall be stamped and sealed by the design professional (engineer or architect).***

Jason Zimmerman confirmed the trusses would be closed and all finishes, including shingles, would match the building.

MOTION carried unanimously.

Ryan Rahl, Agent for Project Design Management LLC, Property Owner (Florian Park) N111 W18611 Mequon Road and Germantown Hospitality Group LLC, Property Owner (Country Inn & Suites) W188 N11020 Maple Road. The proposal is for a 2-lot Certified Survey Map to relocate a common property line between the two parcels. Planner Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve the proposed 1-lot Certified Survey Map (CSM) as proposed.

MOTION carried unanimously.

Infinity Custom Builders, Agent for Janae Magnuson, Property Owner – W148 N13468 Pleasant View Drive. The application is for a Conditional Use Permit to construct a "mother-in-law" suite accessory dwelling unit as a part of a planned addition to an existing single-family dwelling on a 10.1-acre parcel. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve a conditional use permit for Janae Magnuson to allow a "mother-in-law" suite accessory dwelling as part of the single-family dwelling located at W148 N13468 Pleasant View Drive subject to the following conditions:

1. ***The MILS shall be constructed consistent with the building plans dated August 9, 2017, as presented to the Village Plan Commission and Board.***
2. ***The MILS shall comply with the MILS requirements as defined in Section 17.08(51a) of the Zoning Code on an ongoing basis.***

3. ***The property owner shall notify the Village Zoning Administrator if/when use of the lower level of the dwelling changes or ceases to be used as a "mother-in-law" suite.***
4. ***The conditional use permit shall not be transferable to a subsequent owner unless said owner is a member of the Magnuson family.***

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff reminded the Commission the next Plan Commission meeting is August 28th. Chairman Wolter said the ribbon cutting for the new Pickleball courts at Haupt Strasse Park is tomorrow at 6:00 p.m.

The next Plan Commission meeting is August 28, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant