

PLAN COMMISSION MINUTES

November 9, 2020

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

ROLL CALL: Chairman Dean Wolter, Commissioners Tony Laszewski, Bill Shadid, Bob Williams and Peter Nilles were in attendance. Trustee Rep David Baum and Commissioner Matt Kimmmler were absent and excused. Also present were Community Development Director Jeff Retzlaff, Associate Planner Emily Zandt and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES:

MOTION Shadid second Nilles to Approve the minutes from 10/12/20.

MOTION carried unanimously.

Woodland Ponds Estates - Elm Lane west of Wasaukee Road. David Leszczynski for Germantown Acquisitions LLC, property owner of 4.58 acres known as Phase II of Woodland Ponds Estates is requesting approval of a 4-Lot Certified Survey Map for Outlot 4. Planner Retzlaff summarized the proposal.

Commissioner Nilles questioned if a condition should be added regarding the referenced payment for the reconstruction of Elm Lane. Planner Retzlaff said he had received information from the developer that payment for his proportionate share for reconstruction of Elm Lane had been made but will need to be confirmed. Commissioner Williams asked if the developer had adopted the Woodland Ponds Homeowners Covenants and agree to work with the architectural control committee. Planner Retzlaff confirmed the Covenants and Deed Restrictions were adopted for the lots accessed through Woodland Ponds and are equivalent to the same restrictions that are usually included. Dave Leszczynski confirmed the Covenants and Deed Restrictions had been adopted were recorded adding Woodland Ponds Estates will have their own architectural control committee but will follow the same rules as Woodland Ponds. The 7 lots off Forest Hill Road will follow the covenants for Woodland Ponds subdivision and the 3 lots accessed through Taylor Trail will follow the covenants for Harvest Hills subdivision.

MOTION Shadid second Laszewski to Approve the proposed 4-lot Certified Survey Map (CSM) land division of Outlot 4 in the Woodland Ponds Estates subdivision subject to the following conditions:

- 1. Developer shall enter into a Development Agreement with the Village pursuant to Section 18 of the Village Code (Subdivision and Platting), as well as, the preparation of detailed plans for the installation of public utilities and improvements including, but not limited to public street improvements for proposed Elm Court, storm water management facilities, master grading plan and erosion control, landscaping & street trees, open space, lighting and signage.***
- 2. The Development Agreement shall include a requirement that subdivision deed restrictions and covenants be submitted to the Village prior to CSM approval by the Village Board and include provisions for: (a) the maintenance responsibility for Outlot 5 and the private drainage easements; and (b) a requirement that each individual lot contain the landscaping required under Section 17.43(5).***
- 3. Prior to recording the CSM, the Developer shall prepare and submit a street tree landscape plan for approval by the Village Forester and Village Planner. Street trees shall be installed consistent with the Village's street tree requirements. The timing of***

installation of the street trees and common open space landscaping shall be determined as set forth in the Development Agreement. The Developer shall include street trees along Wasaukee Road, Elm Lane, and Elm Court.

- 4. All landscaping, screening, grading, paving, storm water management, utility and other improvements shown on the approved construction and landscaping plans shall be installed prior to issuance of the first building 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 to ensure installation/completion of the proposed improvements will be completed within one (1) year after issuance of the occupancy permit.*
- 5. All the comments and outstanding issues identified by the Village Surveyor in an October 12, 2020 review memo shall be addressed prior to recording the CSM.*
- 6. Direct access to Elm Lane and Wasaukee Road shall be prohibited. Notations containing these access restrictions shall be added to the CSM prior to recording.*

MOTION carried unanimously.

Christie Peterson & Chad Huibregtse, agents for Paws and Reflect Holdings - N112 W15490

Mequon Road. The applicants are seeking approval of site development & building plans to operate a Pet Grooming Business at the .644-acre property. Associate Planner Zandt summarized the proposal.

Commissioner Williams questioned if there was sufficient parking and if nighttime lighting was required. Ms. Peterson said she had reviewed the outdoor lighting guidelines that indicate additional lighting is not required. Planner Retzlaff confirmed there are no specific requirements for parking lot lighting. Mr. Huibregtse explained no more than 3 parking spots would be taken by employee vehicles at a time.

MOTION Shadid second Williams to Approve the site development and building plans for the proposed Pet Grooming Business at the 0.644-acre property at N112W15490 Mequon Road subject to the following conditions:

- 1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan set with a date stamped as being received by the Village on November 5, 2020.*
- 2. All landscaping, screening, grading, paving, storm water management, utility and other improvements that are not fire-safety related as 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 technical issues and plan corrections identified by the Public Works Department/Village Engineer in the November 3, 2020 review letter, including final approval of the grading and erosion control plans shall be addressed and reflected in revised plans and/or supplemental information reviewed and approved by the Public Works Department prior to issuance of a building permit.*
- 4. A landscape plan to include screening on the east and south sides of the proposed parking area shall be submitted to and approved by the Planning and Zoning*

Department. Installation of the landscaping shall be completed within 60 days of occupancy.

- 5. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***
- 6. A new driveway permit for the proposed driveway location shall be obtained from the Department of Public Works prior to the issuance of a building permit.***
- 7. Any new proposed exterior signage, including monument and wall-mounted signs, or exterior lighting shall be reviewed and approved under a separate application by the Plan Commission.***

MOTION carried unanimously.

William & Andrea Aberman - W125 N11011 Strawgrass Lane. The property owners are seeking approval to install a fence within an existing stormwater drainage easement on the residential lot located in the Prairie Glen II Subdivision. Associate Planner Zandt summarized the proposal.

Chairman Wolter asked if the property owner had received approval from the homeowner's association and if he had discussed the fence with his neighbors. Mr. Aberman confirmed he had approval from both.

MOTION Shadid second Williams to Approve the zoning permit application to install a 4' fence to be located approximately 21' into the existing 35'-wide drainage easement on the west side of the property located at W125 N11011 Strawgrass Lane with the following conditions:

- 1. It shall be the responsibility of the homeowner to maintain a free flow of water within the drainage easement at all times.***

MOTION carried 4-1 (Laszewski).

Kentucky Fried Chicken - N96 W17860 County Line Road The applicant, Tammy Korte, Arcvision, has submitted remodeling plans for the existing KFC restaurant. Planner Retzlaff summarized the proposal. He explained the previous owner had submitted remodeling plans in 2017, but Plan Commission had some objections to removing the tower cap feature and a request for additional information with exterior signage. The application was tabled pending submission of additional details and shortly after that the application was withdrawn and the property was sold. In October, staff was made aware of exterior painting that was going on and ultimately issued a code violation notice to the owner and franchisee. This proposal is very similar to the proposal submitted in 2017. There was no representation from KFC at the meeting.

Commissioner Shadid asked if all KFC restaurants are doing the same remodeling. He was not against the store keeping up with the national branding of the chain, but he would like some input from the owners. Chairman Wolter also wanted to know if this was a straight branding remodel saying this type of situation has come up before citing McDonalds as an example. He questioned if removing the pyramid cap would make the building any less dramatic. Planner Retzlaff said McDonalds has just remodeled going with a more boxy look. He commented the rear elevation needs something more than what is presented by possibly repeating the white stripes. Commissioner Laszewski commented the red and white striping is too in your face asking if it should be muted more. He asked

if that is what we want to see coming off County Line Road. He liked the old look better but would like to hear from the franchisee and ask if a less obtrusive color scheme could be used.

MOTION Shadid second Laszewski to Table pending more information from the applicant.

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff said a Special Plan Commission meeting has been scheduled for November 30th to discuss the 2050 LUP update and will be held virtually.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:27 pm.

Respectfully submitted,

Lori Johnson
Planning Assistant