

PLAN COMMISSION MINUTES

June 14, 2021

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

ROLL CALL: Chairman Dean Wolter, Trustee Rep David Baum, Commissioners Bill Shadid, Bob Williams and Peter Nilles were in attendance. Commissioners Tony Laszewski and Matt Kimmler 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 Baum second Shadid to Approve the Minutes from 5-10-21.

MOTION carried unanimously.

Redline Canine Training Center - W188 N11786 Maple Road. D. Lynne Luckow, agent and operator is seeking an amendment to the existing Conditional Use Permit (CUP #05-20) for the dog training and education facility. Associate Planner Zandt summarized the proposal.

Public Hearing opened at 6:35 pm.

Public Hearing closed at 6:37 pm.

MOTION Baum second Nilles to Approve a conditional use permit amendment for the operation of a dog training and education facility in the existing building located at W188 N11786 Maple Road (Alpine Business Center Suite 1, 2, 3 & 4) to include the space in Suite 5, and to add a canine pool and retail area to the list of available services subject to all conditions of CUP #01-19A and the addition of the following conditions:

- 1. This permit authorizes limited uses and activities as set forth in the conditional use permit amendment application dated March 23, 2021 and in the supporting documents made part of the application on file with the Village. All of the operational characteristics and services as described, as well as any commitments made by the Applicant as set forth in the application, supporting documents, and made during presentations to the Village Plan Commission, Village Board and Village staff are deemed to be conditions of approval.***
- 2. The applicant shall work with the Wastewater Superintendent and a licensed plumbing contractor to confirm that the building drains discharge to the sanitary sewer system and/or make any necessary improvements for the proper draining of the canine pool prior to filling the pool.***

Ms. Luckow said she would contact the wastewater superintendent to coordinate his visit when the plumber is scheduled. Chairman Wolter congratulated Ms. Luckow on the success of her business.

MOTION carried unanimously.

Ivee's at Main - W157 N11618 Fond du Lac Avenue. Site Plan Review to replace and extend the existing patio canopy for the existing restaurant. Director Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve site development and building plans for the proposed patio canopy for Ivee's restaurant located at W157 N11618 Fond du Lac Avenue subject to the following conditions:

- 1. Approval is for the site development and building plan set dated March 3, 2021 (unless otherwise revised by a subsequent plan set approved by the Village Planner pursuant to revisions required herein).***

MOTION carried unanimously.

Steven & Michele Moss - W148 N12353 Pleasant View Drive. The property owners are seeking approval to construct a detached residential accessory storage structure on a 7.8- acre parcel with the construction materials as proposed. Director Retzlaff explained the 5,600 sqft building will be wood frame construction with steel wall and roof panels. The exterior wall panels will be painted to match the Moss home. His opinion is that painting the metal building the same color as the dwelling does not meet the requirements of Section 17.49(2a) that requires accessory buildings greater than 160 sqft to have a similar architectural appearance and exterior materials as the dwelling.

Michele Moss reviewed pictures showing where their property is and other accessory buildings in the area that were constructed with the same building materials they are proposing to use. Steven Moss submitted letters from the surrounding neighbors giving their approval of the accessory building. He said the accessory building would be located 900 feet off Pleasant View Drive. Cheryl Laufer said they own property to the west of the Moss home and support their proposal.

MOTION Baum second Shadid to Approve the accessory building as presented.

Chairman Wolter asked where the building would be located on the lot. The letters submitted from the neighbors were reviewed.

MOTION carried unanimously.

MacArthur Partners LLC, a subsidiary owned by Irgens Partners LLC, Property Owner and agents for TCI Trans-Coil International - W132 N10611 Grant Drive. The property owner is seeking approval of a 2-lot certified survey map and site development and building plans for a 33,000 square foot addition to the existing industrial building. Associate Planner Zandt summarized the proposal.

MOTION Baum second Williams to Approve the proposed 2-lot Certified Survey Map (CSM) to modify the boundary between Lots 2 and 3 of CSM 6520 at W132N110611 Grant Drive subject to the following condition:

- 1. All technical issues and plan corrections that may be identified by the Village Engineering Department shall be addressed and reflected in a revised CSM submitted and approved by the Engineering Department prior to recording the CSM.***

MOTION carried unanimously.

MOTION Baum second Shadid to Approve the site development & building plans for the 33,000-square foot addition to the existing industrial building located at W132N10611 Grant Drive 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 following plans unless superseded by subsequent plan sheets approved by the Village Planner or Engineer pursuant to revisions required herein and/or by the Plan Commission:***

- a. **Architectural plan set dated May 3, 2021**
 - b. **Civil Engineering plan dated May 3, 2021**
 - c. **Landscaping plan dated May 3, 2021**
2. **All technical issues and plan corrections identified by the Village Public Works Director (see May 25, 2021 memo) shall be addressed and reflected in revised plans submitted and approved by the Engineering Department prior to the issuance of building permits**
3. **The Landscape Plan shall be revised to reflect the information requested by the Village Forester. These plans shall be submitted to the Planning Department for review and approval prior to the issuance of a building permit.**
4. **All landscaping, grading, paving, storm water management, utility and other improvements shown on the approved site plans shall be installed as approved prior to issuance of an occupancy permit for the building addition 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.**
5. **State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.**

Chairman Wolter congratulated TCI on the success and the growth of their business.

MOTION carried unanimously.

District One LLC - W140 N10393 Fond du Lac Avenue. The property owner is requesting approval for a ground sign for the Kaffeehaus. Associate Planner Zandt summarized the proposal.

MOTION Shadid second Williams to Approve the proposed ground sign for the Kaffeehaus located at W140 N10393 Fond du Lac Avenue subject to the following conditions:

1. **Address coordinates (5-inch minimum size) shall be mounted to the base of the proposed sign.**
2. **An approved permit (DT1812) from the Wisconsin Department of Transportation (WisDOT) shall be obtained and a copy provided to the Village Planner/Zoning Administrator prior to the installation of landscaping within the road right-of-way.**
3. **An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.**

Greg Nagel said the property was acquired in 2019 and then Covid blew the project apart. They resumed bank financing last fall and they felt it was more prudent to open the coffee house first and then proceed to the restaurant.

MOTION carried (Baum abstained).

Pet Supplies Plus - N112 W15800 Mequon Road. Devo Properties, property owner, is requesting approval for a wall sign and face replacement for a new tenant in the Sendik's Village Centre. Director Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve the proposed wall sign and sign face replacement for Pet Supplies Plus subject to the following condition:

- 1. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components***

MOTION carried unanimously.

MSI General Corp., Agent for Enercon Industries N120 W19349 Freistadt Road and MGS Automation- N118 W19328 Bunsen Drive. The request is for approval of a Certified Survey Map to relocate the common property line between the properties. Director Retzlaff summarized the proposal.

MOTION Baum second Williams to Approve the 2-lot Certified Survey Map to relocate the common property line between the Enercon Industries and MGS Automation properties located in the Germantown Industrial Park subject to the following conditions:

- 1. All technical issues and plan corrections that may be identified by the Village Engineering Department shall be addressed and reflected in a revised CSM submitted and approved by the Engineering Department prior to recording the CSM.***

Trustee Baum asked if the 10-foot building setback had been reviewed and was acceptable. Director Retzlaff confirmed the Fire Chief had reviewed the setback and said he preferred it because it provides better access for emergency vehicles.

MOTION carried unanimously.

Chaz Hastings for Von Rothenburg Bier Stube - N116 W15841 Main Street. Request for approval of site development and building plans for a bathroom addition to the existing restaurant. Director Retzlaff summarized the proposal. He explained that the bathrooms are ADA compliant but the access to the bathrooms is not ADA compliant. He said the Building Inspector said Safebuilt will review the plans for compliance with the commercial building code and stated the access to the bathrooms will need to be ADA compliant. The architect for Chaz Hastings stated the bathrooms for the Big Boy are ADA accessible and are sufficient to satisfy the ADA code regarding accessibility.

Chaz Hastings explained he will use traffic bond coming in from the garden as something that someone in a wheelchair could use to roll up to that entrance and be sufficient. Director Retzlaff stated if the incline satisfies Safebuilt and their commercial plan review then that requirement would be satisfied. Discussion continued. Trustee Baum said he would defer until Safebuilt can confirm the plans are code compliant.

MOTION Baum second Nilles to Approve the toilet room addition with the 1 condition currently stated and a 2nd condition that if additional grading and ramping is necessary in the patio area is required, a site plan needs to be brought back for Plan Commission approval.

- 1. Approval is for the site development and building plan set dated May 3, 2021 (unless otherwise revised by a subsequent plan set approved by the Village Planner pursuant to revisions required herein).***

Director Retzlaff told Mr. Hastings he could proceed with construction on the bathroom addition unless the building inspector says the accessibility doesn't meet the requirements of the code.

MOTION carried unanimously.

Chaz Hastings for Big Boy Restaurant - N116 W15841 Main Street. Request for approval of a wall sign on the existing building and statue. Associate Planner Zandt summarized the proposal.

MOTION Baum second Shadid to Approve the wall sign and statue zoning permit for Big Boy to be located at N116 W15841 Main Street subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.***
- 2. The Big Boy statue shall be located a minimum of 5' from all property lines.***
- 3. The owner shall prepare a report on the means and methods to be used to securely anchor the statue to the ground and meet or exceed wind pressure loads of not less than 40 lbs./sqft or other applicable building code requirement. Said report to be submitted to the Village Engineer and Building Inspector for review and approval with a building permit application and prior to installation***

Commissioner Williams asked what code is governing the statue. Director Retzlaff said this is a hybrid and not really a sign, but the zoning permit is required for the setbacks.

MOTION carried unanimously.

ANNOUNCEMENTS: Chaz Hastings announced there is an 85th anniversary event for Big Boy on Thursday, June 17th beginning at 3:00 pm. Director Retzlaff said there will be a special meeting on the 2050 Plan on June 28th.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:38 pm.

Respectfully submitted,

Lori Johnson
Planning Assistant