

## **PLAN COMMISSION MINUTES**

**April 25, 2022**

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

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

### **PUBLIC INPUT:**

Chairman Wolter read comments into the record from the following people that were against the Fiduciary/Dickman development: Antoinette Steuer, Rhonda Kuske, Tamara Schneider, Mark & Lorri Boettcher, a concerned neighbor on Club Circle Drive and Dean & Sherry Fox, W203N9470 Bittersweet Lane, Menomonee Falls.

The following people spoke against the Fiduciary/Dickman proposal:

- George Siegle, N96W20912 County Line Road - no police presence on County Line Road, garbage, traffic
- Lorri Boettcher, N96W20235 County Line Road, Menomonee Falls - no benefit, quality of life threatened, additional traffic, lights, noise
- Roger Buck, N96W19827 County Line Road, Menomonee Falls - apartments too dense, increased traffic on County Line Road
- Melanie Smythe, N140W17938 Cedar Lane - buffers are needed between industrial and residential, multi-family not desirable, many more meetings required to discuss 2050 Plan
- Carla Schubert, W204N9886 Lannon Road - concerned rental units will be converted to low-income housing, sewer and water hook-up fees
- Ron Schneider, W204N9767 Lannon Road - asked how many opposed the project in audience
- Gidget Stroik, W204N9713 Lannon Road - what is impact to the schools, traffic will be bad
- Bruce Marx, N96W21156 County Line Road - density too high, more meetings needed
- Scott Lopez, W204N10005 Lannon Road - spoke against the proposal, traffic and safety concerns, lack of fire and police presence.
- Tamara Schneider, W204N9699 Lannon Road - concerned with water drainage, needs more landscaping, should be single-family homes.
- Joe Metzenheim, N96W20932 County Line Road - asked how far sewer will extend on County Line Road.
- William Schubert, W204N9886 Lannon Road - his property value will go down living next to industrial building, traffic concerns.
- Shirley Engelmann, W180N9843 Riversbend Circle West (Trustee Jan Miller spoke on behalf of Ms. Engelmann) - concerned with traffic.
- Trustee Jan Miller, W151N10297 Windsong Circle West - District 4 residents are against the proposal, they want to see single-family homes, create the 2050 Plan to meet the needs of Germantown residents.

### **APPROVAL OF MINUTES:**

***MOTION Baum second Shadid to Approve the Minutes from March 28, 2022 and April 11, 2022.***

***MOTION carried unanimously.***

**Fiduciary Real Estate Development Inc., and the Dickman Company Inc., agents for the Central Land Company III LLC and Carrie Doine, Kristie Leswing, et al., property owners of 89 acres located in the northeast quadrant of the Lannon Road/CTH Y @ County Line Road/CTH Q intersection.** Follow-

up discussion on an 89-acre mixed-use development comprised of a 320-unit multi-family residential community (The Seasons of Germantown) and a 55-acre industrial/business park. Director Retzlaff summarized revisions to the original proposal. Tony DeRosa, Fiduciary Real Estate, explained the changes made in response to comments received that included removing the gas station component and converting that area into a green space buffer, changes to the industrial buildings layout, increased building setbacks, screened parking area so parking lots are not visible from the street, a traffic study will be completed, a detailed photometric plan will include fixtures with cutoff lenses, additional green space and 9.66 units per acre. Sam Dickman Sr. commented on the industrial development saying his buildings have been very well received by the community and staff, but they intend to increase their game in terms of design and colors for this proposal. He thinks most traffic will head north on Lannon Road to the round-about and then onto the freeway instead of using County Line Road. He believes the uses are compatible and provides a nice transition to the area. Discussion followed.

Trustee Baum responded to the concerns he heard explaining his understanding is that the Village never requires anyone to hook up to sewer unless they choose to. He said at some point this property will be developed and have an impact on traffic and lighting but their concerns will be looked at and worked out when a final plan is received. He asked what the right transition development is for this area. He's heard the negatives and the preference for single-family residential or townhouse condo style buildings.

Commissioner Laszewski said when he looks at the 2020 Plan, this property is a bullseye for commercial/industrial development and what is being proposed he doesn't think looks like a bad plan. He said the density for the multi-family is less than 10 units an acre, it has a lot of green space, good setbacks, cut off lights and the noise concern will be looked at. He is not a fan of big warehousing because of the truck traffic and suggested light industrial to minimize that. He said there would not be as many kids in this type of development and thinks this is a good project for this area as a transitional use. He said the master plan is there for something like this.

Commissioner Shadid feels both developers have a good reputation but as a Germantown resident he thinks County Line Road is a nightmare. The apartment structure looks better than the last proposal but he is concerned with traffic on County Line Road due to the location of the warehousing. He likes that the gas station was removed. Discussion continued on traffic. Chairman Wolter added that any traffic studies will come later if and when the project moves forward. The developer will need to decide based on what they have heard to either move forward or look somewhere else. He commented on Fiduciary's development in Madison being well kept and maintained, open areas clean and inviting. He mentioned a development in Verona that has a mix of apartments and single-family with industrial adding that this proposal is not an unheard-of way to transition. He hears single family is wanted and asked if that has been looked at or considered.

Director Retzlaff was still concerned with the orientation of industrial building #1 as presented stating it needs to be addressed further. Trustee Baum agreed building #1 is his biggest problem with the plan because the trucking yard is 150 feet from someone's house. Turning the buildings would reduce that but even with the buffer requirement, the building causes him some problems. Discussion continued. Director Retzlaff commented on the distribution warehouse type use versus light industrial/office type use in smaller buildings. Mr. Dickman explained the buildings are sized to be competitive in the market place. They are generally multi-tenant buildings and the market tells them who would occupy the building and could be a mix of light manufacturing, assembly, warehousing,

not much office space, and generally tenants with 40 to 50,000 square feet. He was not willing to restrict the industrial uses.

Chairman Wolter suggested a new plan with all residential along County Line and Lannon Roads with industrial behind that. He continued adding a sprinkling of single family along the roads and multi family behind that with industrial behind that more towards Appleton Avenue so the front area is more residential based and shows as mostly residential. He thinks the residents would be less against more of a residential based development on the corner. Commissioner Nilles agreed with that idea and would support another concept in line with that and including a sprinkling in of some single family. Director Retzlaff said the suggestion is a drastic change from what was presented we need to give the developer some direction. Chairman Wolter stated the developer will need to consider if they want to come back with a new plan or if the plan presented is what they see for the area.

Tony DeRosa commented there is a core to the plan that has some merit with the Plan Commission members and said they know they will take a look at the traffic and a traffic study will be completed. The industrial and multi family has some merit with the sprinkling in of some single family they will take a look at what is feasible. They will also look at shifting the access onto Lannon to the north. There are a lot of things to continue to work through but they have the framework parts and pieces for a master development plan. Discussion continued. Director Retzlaff asked where the industrial buildings would go with a new plan that incorporates a single-family plan. Chairman Wolter explained building #2 and #3 should spin 90 degrees and their docks would be behind.

This item was for discussion only. No action was taken.

Chairman Wolter called a break 9:00 pm  
Returned from break at 9:08 pm

***MOTION Baum second Laszewski to move to Item C on the agenda  
MOTION carried unanimously.***

**Samantha Drew - N116 W15757 Main Street.** The property owner is seeking approval of a Zoning Permit to construct a 24.22 (528 sqft) detached accessory building (garage) on the property. Associated Planner Zandt summarized the proposal.

***MOTION Baum second Shadid to Approve a Zoning Permit for Samantha Drew to allow the construction of a detached accessory building on the property located at N116W15757 Main Street subject to the following conditions:***

- 1. This permit allows the construction of a 24'x22' (528 sqft) detached garage as generally described and depicted in the application dated 3-28-2022 and supporting documents subject to any further requirements and revisions set forth herein or required by the Plan Commission.***
- 2. The detached garage shall be setback at least 5' from the rear and side lot lines.***
- 3. The architecture and exterior and roofing materials shall be the same or comparable to those of the primary dwelling.***
- 4. Village building permits are required for any/all interior and exterior renovations (construction, electrical and/or plumbing). Contact Inspection Services for information about building permit applications at 262-346-4460.***

***MOTION carried unanimously.***

**Keller Inc., agent for the Village of Germantown and property owners of 38 acres located in the southwest corner of the Donges Bay Road and Wasaukee Road intersection.** Keller is seeking feedback on a 37-acre site concept plan and building renderings for proposed Building 1 of a 37-acre industrial park site located at the southwest corner of the Donges Bay Road @ Wasaukee Road intersection in the Omega Hills Industrial District. Associate Planner Zandt summarized the proposal that includes discussion on a 375,000 sqft multi-tenant building. Nathan Laurent, Keller Inc., presented details on the proposed spec industrial building. Discussion followed.

Trustee Baum talked about the site plan suggesting it may be better to mirror both sets of buildings so all the truck traffic is between the buildings and the fronts of buildings are on Wasaukee Road. The sound of the truck docks would then be away from the neighbors. He said more landscaping is needed to screen the sound from the neighbors and the architecture of the building needs to be improved with vertical and horizontal articulation including emphasizing the entrance to the building. He suggested Keller view the building architecture of the DPW building specifically at the entrance. He explained the idea of flipping the buildings so the truck bays are located on the inside of the buildings. Mr. Laurent stated the current proposed layout is what is preferred. Commissioner Shadid commented that Donges Bay Road is not in good condition and this development could impact the road further. Commissioner Laszewski echoed Trustee Baum's comments to dress up the building and landscaping adding it would be nice to have traffic on the interior instead of the west end of the building. Director Retzlaff stated additional landscaping would be required.

This item was for discussion. No action was taken.

**BV Ryan Willow Creek LLC for Ryan Companies - N102 W19300 Willow Creek Way.** The property owner is seeking approval of a minor site plan revision to add 33 parking stalls and a drive-up ramp to the existing 186,800 sqft industrial building in the Willow Creek Business Park. Director Retzlaff summarized the proposal.

***MOTION Shadid second Nilles to Approve the site and building plan revisions to add parking stalls and an overhead ramp and dock door for the existing multi-tenant located at N102 W19300 Willow Creek Way in the Willow Creek Business Park subject to the following conditions:***

- 1. The proposed parking stall size (9' x 19' or 171 sqft) is less than the minimum required 180 sqft. The stall size shall be expanded to meet the minimum 180 sqft requirement. A revised site plan showing the minimum required stall size shall be submitted to the Village Planner for review and approval prior issuance of an occupancy permit for the overhead door and ramp expansion.***
- 2. The new landscaped islands created within the parking area shall include additional landscaping items, preferably trees and not just grass to help off-set the loss of landscaping along the south elevation of the building (replaced by sidewalk in front of the parking stalls). A supplemental landscape plan for the (3) curbed islands should be submitted to the Village Planner for review and approval prior issuance of an occupancy permit for the overhead door and ramp expansion.***
- 3. 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.***

- 4. 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.***
- 5. All plan revisions and technical corrections identified in the March 14, 2022 review memo from the Director of Public Works shall be addressed in revised plans and/or supplemental information submitted for review and approval prior to issuance of an occupancy permit for the overhead door and ramp expansion.***
- 6. Separate Zoning Permits for new tenants are required. Contact staff in the Planning & Zoning Department for details.***
- 7. Sign permits are required for all new temporary or permanent exterior signs. Contact staff in the Planning & Zoning Department for details.***

***MOTION carried unanimously.***

**2050 Comprehensive Plan; Review of April 11 Rural Preservation Workshop** - Director Retzlaff summarized the April 11th workshop and reviewed the results from the Mentimeter questions. He reviewed where the potential sewer service areas are located and how those areas were incorporated into the boundary of the rural preservation district. Discussion followed on the extension of sewer and water and how it affects development. Chairman Wolter said he thought it was a good meeting, but to plan for more interaction or more of a group setting for comments at the next meeting and not as much as us presenting. Trustee Baum suggested having a table for the areas with a lot of potential activity; the Main Street Central Business District area, Holy Hill Gateway area and the Freistadt District. Director Retzlaff stated the Village Board has directed staff to finish the 2050 Plan by the end of July and that won't happen unless the next meeting shows a nearly complete concept plan is presented. Chairman Wolter stated that could be brought forward at the May 2nd Village Board meeting to discuss the timeline. Trustee Jan Miller commented that the Village Board voted unanimously to have the 2050 Plan at the 4th of July. So the date to complete the Plan would need to be automatically extended. Chairman Wolter said only if you're looking for additional recommendations and not to just provide information.

Discussion continued on the conservation subdivision design approach and that it is our recommendation to promote the concept to help preserve the rural character of the Village of Germantown. The Plan Commission and the Village Board will need to decide if this a good concept or fall back on the current approach of splitting land into 5-acre parcels or letting people decide whatever parcel size they want. Chairman Wolter said to continue with the conservation subdivision approach until it is recommended to be changed. Director Retzlaff explained the concept of adding an additional provision that would provide a property owner an opportunity to create a pre-determined number of lots for their benefit or some other type of incentive. A lengthy discussion followed regarding the potential future sewer service areas.

No action was taken.

**ANNOUNCEMENTS:** None

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 10:55 pm.

Respectfully submitted,

Lori Johnson  
Planning Assistant