

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, June 12, 2023 6:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*

The meeting was called to order at 6:30 pm.

II. **ROLL CALL:**

Chairman Dean Wolter, Trustee Rep David Baum, Commissioners Tony Laszewski, Peter Nilles, Bob Williams, Bill Shadid and Josh Tarantino, Community Development Director Jeff Retzlaff and Planning Assistant Lori Johnson

III. **APPROVAL OF MINUTES:**

A. May 8, 2023

MOTION Baum second Shadid to Approve the Minutes from May 8, 2023

MOTION carried 4-3 (Nilles and Williams abstained).

PUBLIC INPUT:

-Melanie Smythe, N140 W17938 Cedar Lane - said there are a lot of incomplete things with the 2050 Plan and requested the Plan Commission consider giving everyone a chance to participate in the neighborhood meetings.

-Scott Hefle, W158 N10514 Old Farm Road - commented on the Request for Proposal being rushed and was told the neighborhood meetings would be run by the Planning Department.

IV. **NEW BUSINESS:**

- A. Eric and Ashley Evans, W130 N11622 Harvest Ridge, Lot 1 in Harvest Hills Subdivision. Subdivision Plat Amendment to revise the Elm Lane access restriction to allow a driveway on Elm Lane. (ACTION)

Director Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the request to revise the Elm Lane access restriction on the Harvest Hills subdivision plat that prohibits driveway access to Elm Lane and to allow a new residential driveway to Elm Lane from Lot 1 in the Harvest Hills Subdivision subject to the following conditions:

1. The nearest point of the driveway shall be located not closer than 120 feet from the Elm Lane @ Harvest Ridge intersection as shown on the plat of survey submitted by the property owner.

Trustee Baum said he will not support the proposal because when the subdivision came forward a conscious effort was made to keep traffic off Elm Lane. He said if Elm Lane is pushed through to Country Aire Drive to provide access to the park, it will become a major thoroughfare.

MOTION carried 4-3 (Wolter, Baum, Laszewski)

- B. Keller, Inc. Agent for Neal and Brian Karthauser, Property Owners of Karthauser & Sons Inc. - W147 N11100 Fond du Lac Avenue. Site Plan Review application for a 3,175 sqft commercial building addition. (ACTION)

Director Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the site development & building plans for a 3,175 sqft commercial building addition to the existing Karthauser & Sons Inc. wholesale florist facility located at W147 N11100 Fond du Lac Avenue subject to the following conditions:

1. This approval is for the proposed building addition and 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 April 24, 2023**
- b. Engineering plan set dated May 1, 2023**
- c. Exterior Lighting plan set dated May 2, 2023**

2. Dumpsters kept on the property shall be stored in the dumpster pad area on the north side of the proposed building addition. Any other dumpsters kept on site shall be enclosed and screened from view. Any dumpster enclosure shall be reviewed and approved by Village staff prior to installation.

3. Any expansion of the gravel driveway/lane around the proposed building addition shall be presented in a revised grading & paving plan reviewed and approved by the Village Engineer prior to installation as part of a Zoning Permit application.

Trustee Baum said his only issue is that the front building elevation is kind of bland and suggested a different material change. Casey Gabrielson, Keller Inc., explained that elevation is a fire wall and has some material limitations. He said you cannot see the building through the trees. Chairman Wolter said the addition is not in conflict with the area surroundings and he is fine with it as is. Discussion continued.

MOTION carried unanimously.

- C. Thomas and Lindsey Schwarz - N97 W16885 Navajo Drive. Zoning Permit to allow a 6 foot privacy fence in a planting & sound berm easement. (ACTION)

Director Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve the zoning permit application to install a 6' wooden privacy fence within the 15' planting and sound berm easement along the south (rear) lot line of the property located at N97 W16885 Navajo Drive as proposed subject to the following conditions:

1. The owner shall install a minimum of five (5) evergreen trees on the south side of the fence between the Division Road right-of-way/property line and the fence. Said trees to be a minimum 5'-6' tall when planted and a specie(s) and location acceptable to the Village Forester.

2. A fence permit is required from the Building Inspection Department. Contact SafeBuilt for more information.

Commissioner Tarantino said all the evergreens on the berm are dying and asked if there is a way we can require some type of continuity with landscaping as more fences are installed. Discussion continued. Trustee Baum was worried about setting a precedent because we are replacing vegetation with fences. Director Retzlaff stated the property owner intends to install additional trees. Thomas Schwarz, property owner, explained the fence would secure the backyard. He said he wants to plant 5 to 6 foot tall arborvitaes or cedars in 2 rows so you can't see the fence and will replace the existing trees as they die. Discussion continued.

MOTION to Amend Baum second Shadid to install 2 rows of a variety of plantings on the south side of the fence with the fence on top of the berm and those plantings should block the entire length of the fence and as trees die out additional plantings be installed to screen the fence.

MOTION to Amend carried 5-2 (Laszewski, Williams)

MOTION to Approve as Amended carried 5-2 (Laszewski, Williams)

D. Excel Engineering Inc., Agent for Behlehem Lutheran Church, N108 W14290 Bel Aire Lane. Site Plan Review Consultation for a 21,000 sqft building addition . (DISCUSSION)

Director Retzlaff summarized the proposal. Pastor Paul Koester said the addition will include worship service, concerts and space for meetings, offices, school and child care. Tom Schermerhorn, Excel Engineering, distributed photos of the proposal showing how the new addition doesn't impact site lines, driveway access or the parking lot. Commission members had the following comments and concerns:

- Parking looks to be maxed out. Is there ample parking available.
- Would like to see the integrity of the 35-foot setback maintained.
- Architecture is great, it's ethereal, cool and a beautiful building.
- Parking will be a challenge and insufficient. Schermerhorn stated they are looking to expand the parking by adding 167 parking stalls to meet the requirement. Director Retzlaff commented that they are currently worshipping on the property today so there won't necessarily be any change in the activity on the site until the church expands its membership.
- If the building is moved to meet the setback, how does that disturb the overall affect the building. Schermerhorn explained they are working within a confined area where the church can go, the stormwater plan will need to be expanded too so they are limited and are trying to use space as best they can.
- Is there a way to angle off the corner of the building to bring it back to meet the 35 foot setback. Concerned the building is close to the detention basin. Can you

slide the whole thing back to solve both issues. Schermerhorn said it would be a challenge and he would look at cutting a little off the corners. Trustee Baum explained how the building could meet the setback by moving a section of the building to the corner and away from the pond, and maybe reorganize part of the building. He has a problem with moving the setback to 1/3 of its code requirement. He said the black corner frames start to date the building and the steeple is really tall for that area, but most of the building he is content with. He said there are ways you can revamp the plan to prevent it from encroaching into the setback. Commissioner Shadid would like to see a revised plan that meets the setbacks.

- The steeple exacerbates the building.
- Chairman Wolter congratulated Pastor Koester on growing the membership. Shows parishioners are very positive and have dedicated themselves to the debt in one way or another. The architecture is one of the better things he's seen in a while, it looks fantastic and draws people to it. It has a very open friendly atmosphere. He thinks the concerns with encroachment can be worked out and the concerns of the pond the engineers can work out. He doesn't have a problem with the encroachment.
- Director Retzlaff asked for more input on the setback interpretation issue. He said if we interpret the language strictly then reasonably the only way to vary that would be to go the Board of Zoning Appeals. So if there is a general support for the setback requirement that would be good information to have. Commissioner Shadid does not find the setback objectionable but would like Trustee Baum's suggestions reviewed and see some alternatives if possible. Commissioner Tarantino asked if the proposed addition could be slid upward? Or maybe the corners could be mitered.

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

E. Village of Germantown-2050 Comprehensive Plan Implementation: Holy Hill Gateway District & Freistadt District Master Plans - Request for Proposals (RFP) (ACTION)

Director Retzlaff summarized the proposal. After discussing the Implementation Plan objectives and action steps identified in the 2050 Plan, the Plan Commission prioritized the need to initiate the neighborhood master plans for the individual neighborhoods, districts and corridors. Their top three districts include the Freistadt District, the Holy Hill Gateway District and the Village Center District coming in third. He questioned how to prioritize these with constrained resources and a limited budget for consulting services and not prepared by staff exclusively. He stated he has prepared an RFP to use the funds budgeting for this year totaling \$45,000 plus what is given by the Village Board for a total of approximately \$60,000 to move forward with the master plans for the Freistadt and Holy Hill Gateway Districts either as 1 document or 2 separate documents. Chairman Wolter stated he wants 2 completely different plans for each district. Discussion followed.

Commission Nilles asked if there was a project budget for each of the 2 master plans. Director Retzlaff stated that section of the RFP could use some more fine tuning. He said we are investigating with the Village Attorney to what extent we may be able to utilize TIF district funds for planning purposes particularly for the Gateway District and

that would be beneficial if we could utilize those funds and pay ourselves back to develop those plans that include those districts.

Commissioner Tarantino asked what comes out the other end of the proposal. Director Retzlaff explained it would be a similar graphic as the current land use vision map and include conceptual site plans and renderings. Discussion continued.

Trustee Baum asked how important is viability because we will be presented with alternatives to the plan. Chairman Wolter explained the consultant will bring forward what they think is viable based on what people would like to see there. He said we already have the 2050 Plan as a starting point. The renderings will get us closer to what we really want to see. Discussion continued.

Director Retzlaff asked for some direction besides fine tuning the dates and asked what approval is needed to move forward. Chairman Wolter said he is interested in the possibility of using TIF funds and thinks it will take \$90,000 for anyone to be interested. But the total funds designated now are \$63,000. Commissioner Nilles suggested putting in a range starting at \$63,000 and if more money is needed to provide the details of what it will cost.

Trustee Baum left the meeting at 8:56 pm.

Director Retzlaff asked if Plan Commission wanted to see the revised proposal. Commission members indicated they did not need to review the revised proposal. No formal action was taken.

V. ANNOUNCEMENTS:

Chairman Wolter said the 4th of July celebration is coming up and volunteers are needed for a variety of different things.

VI. ADJOURNMENT:

The meeting was adjourned at 9:04 pm.