

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, July 10, 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.*
Planning Assistant Lori Johnson called the meeting to order at 6:33 pm.
- II. **ROLL CALL:**
Trustee Representative David Baum, Commissioners Tony Laszewski, Bob Williams, Bill Shadid and Josh Tarantino were present. Chairman Dean Wolter and Commissioner Peter Nilles were absent and excused. Also present were Community Development Director Jeff Retzlaff and Planning Assistant Lori Johnson.
MOTION Shadid second Laszewski to appoint Trustee Representative David Baum as Chairman Pro Tem.
MOTION carried unanimously.
- III. **PUBLIC INPUT/PUBLIC APPEARANCE:** *Please be advised per 19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.*
The following residents spoke:
Melanie Smythe, N140 W17938 Cedar Lane,
Scott Hefle, W159 N10514 Old Farm Road
Trustee Jan Miller, W151 N10297 Windsong Circle West
- IV. **APPROVAL OF MINUTES:**

A. June 12, 2023
MOTION Shadid second Williams to Approve the Minutes from 6-12-23.
MOTION carried unanimously.
- V. **NEW BUSINESS:**

A. Village of Germantown Community Development Department - Proposed Text Amendments to Chapter 17 (Zoning Code) and Chapter 18 (Subdivision and

Platting Code) regarding the use of "green infrastructure" best management practices to reduce storm water pollution and improve water quality. (PUBLIC HEARING & ACTION)

Director Retzlaff summarized the proposal. Discussion followed.

Public Hearing opened: 7:03 pm.

Public Hearing closed: 7:05

MOTION Shadid second Tarantino to Approve the Amendments as presented. MOTION carried unanimously.

- B. MSI General, Agent for Moldmakers Investments LLC, Property Owner of MGS Manufacturing, W188 N11707 Maple Road. Site Plan review of architecture & material revisions to the previously approved 118,650 soft building addition. (ACTION)

Director Retzlaff summarized the proposed revisions to the approved building elevations. John Kutz, MSI General, explained the change as removing the glass at the southeast corner of the building by squaring off the corner with a precast panel and minimize some of the windows. Director Retzlaff Jeff said the change is on a prominent location and was attractive as it was approved. He commented on other examples where the use of glass block could be used to provide the same level of usage without taking away from the visual aesthetics.

MOTION Shadid second Tarantino to Approve the design change.

Discussion followed. Commissioner Shadid had no problem with the change saying it is a manufacturing facility. Trustee Baum said the change would create a blank wall on the building that is on a main thoroughfare. Commissioners Tarantino, Laszewski and Williams said they liked the building as it was approved with the corner feature. Mr. Kutz explained the corner is not prominent and is blocked by landscaping. He said that corner will be used for warehousing and racking and a blank wall will be more functional. Trustee Baum stated most of the windows have been removed from the left side of the building and he prefers the original and suggested using spandrel glass.

MOTION Failed (4-1 Shadid)

- C. Briohn Building Corporation, Agent for Golden Pet Manufacturing and Goldendale Road IV LLC, Property Owner - W206 N12880 Gateway Court. Site Plan review of a 129,147 sqft building addition and Certified Survey Map. (ACTION)

Director Retzlaff summarized the proposal. Caitlin LaJoie, Briohn Building Corporation, addressed questions.

MOTION Laszewski second Williams to Approve the site development and building plans for the proposed 129,147 sqft expansion to the Golden Pet Manufacturing facility located at W206 N12880 Gatewood Court in the Holy Hill Gateway District subject to the following conditions (that are in addition to those contained in the original approval granted by the Plan Commission on September 13, 2021):

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 said plan sheets are revised pursuant to revisions required under the specific conditions of approval included by the Plan Commission:

- a. Architectural plan set dated May 30, 2023
- b. Civil Engineering plan dated May 30, 2023
- c. Landscaping plan dated June 2, 2023
- d. Lighting Plans dated May 30, 2023.

2. If the actual height of any roof top units exceeds the height of those shown on the diagram, a revised screening plan and sight line diagrams shall be submitted to the Village

Planner for review and approval. Additional screening measures may be required.

3. 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.

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 technical issues and plan corrections identified by the Village Engineer and Public Works Department staff (see June 26, 2023 memo from the Public Works Director) shall be addressed and reflected in revised plans and/or supplemental information reviewed and approved by Village staff prior to issuance of a building permit.

6. Exterior building mounted, wall pack lighting shall not be mounted at a height greater than 14 feet above the finished grade on the south and north building elevations. A revised lighting plan sheet shall be revised to reflect this requirement submitted to the Village Planner for review and approval prior to issuance of a building permit.

7. Building permits needed for the building addition shall not be issued until: (1) the Owner/Applicant has paid, pursuant to Sec. 15.07(2) of the Municipal Code, all sanitary sewer connection fees, including any outstanding as a result of the initial building on the property, required by the Village of Germantown; and (2) the required MMSD/DNR wastewater discharge Notice of Intent (NOI) application for the proposed building addition has been submitted to and accepted by the Village, MMSD and the DNR.

8. The Owner/Applicant shall coordinate with the Village Wastewater Utility and MMSD to determine if the Golden Pet facility meets the MMSD's definition of "significant industrial user" and, if so, obtain and/or meet all necessary discharge permits and requirements that apply.

Discussion followed.

MOTION carried unanimously.

MOTION Shadid Second Laszewski to Approve the proposed Certified Survey Map (CSM) subject to the following conditions:

9. All technical issues and corrections identified by the Village Surveyor (see June 22, 2023 memo from Burt Naumann, GRAEF) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.

MOTION carried unanimously.

D. Briohn Building Corporation, Agent for Brian & Kevin Kazmierczak, Property Owners and Green Bay Packaging - Proposed Development Consultation for a 233,450 sqft corporate office & light manufacturing facility. (DISCUSSION)

Director Retzlaff summarized the proposal from Green Bay Packaging, who are seeking feedback on a potential 52-acre, 233,450 sqft corporate office/light industrial development located at the Holy Hill Road @ 1-41 interchange in the Holy Hill Gateway District. He explained the Plan Commission should discuss and make a determination if this is a suitable use for this property that is classified as a mixed commercial, high density residential development at this location on the 2050 master plan. The Plan Commission needs to consider if we should abandon the master plan at this point and buy into the idea that we should continue use of this area as an industrial area or play it out and see where we are.

Joe Jursenas, Briohn Building Corporation explained Green Bay Packaging is

currently operating out of 4 separate buildings and operations are limited because they are unable to expand. It is desirable for Green Bay Packing to stay in Germantown but there is a lack of available industrial land and an immediate need to build a new facility. He reviewed the proposed building plans and said they are looking if the Plan Commission would approve this use. Dave Malley, VP of Operations, Green Bay Packaging, stated the business has been here since 1970, they like Germantown, but are growing. He said their current lease will be up in 2026 and are now looking for 50 acres in Germantown.

Plan Commission members had the following comments:

- Is this part of the TIF and will it be on the tax roll immediately? It is currently outside the TIF but TIF dollars can be spent on improvements.
- If we wait until the master plan is done, will it be too late for the developer? Do we want to hold out for the mixed-use, commercial, high density residential format or capitalize on this plan right now? What do we really want to see? This is our last interchange area in the Village. Mixed-use development would support the businesses in the area. The master plan may not show residential viable for this area but jumping ship is premature right now.
- Torn on this proposal and understands the dilemma. This company is a good member of the Village and a good addition for this area.
- Thinks by putting this business here we abandon the process of what could be here and how it could look. Not sure industrial is the highest and best use for this location. High density residential has merit but we are not following the process. The project is compelling and he values the company that has been here for 52 years.
- We need to follow through and come up with a plan and not jump at what comes at us.
- Likes the vision we have set out but likes that the building will not be in the TIF and will be immediately taxable is hard to turn down because we need funding for our Police and Fire.
- Consensus is more members want to wait then accept a new proposal.

Discussion continued. Director Retzlaff said long range planning is needed and we ultimately need to follow through on our planning efforts. Mr. Jursenas said he understands the position the Plan Commission is in and stated Green Bay Packaging is willing to make things work and needs some consideration. Director Retzlaff suggested bringing the proposal back in a couple weeks when all Plan Commission members can be present.

E. Village of Germantown - Status of the Richfield Intergovernmental Agreement (IGA) to Extend Wastewater & Water Utilities-Utility Route Recommendation (DISCUSSION & ACTION)

Director Retzlaff summarized the proposal. He explained the State Statutes provide that the Plan Commission take formal action by making a recommendation for the utility route to the Village Board to allow them to initiate the process of negotiating with property owners and have detailed engineering plans prepared. Staff is asking the Plan Commission to recommend approval of the utility route as shown on the map dated June 12, 2023.

MOTION Laszewski second Tarantino to recommend Approval to the Village

Board as presented.

Discussion followed. Director Retzlaff explained the intention is to acquire right-of-way so that utilities can be installed initially and eventually roads can be constructed on the same road as the utilities. Trustee Baum asked if there is a better road system to get better lots. Director Retzlaff said we are trying to limit the number of property owners to negotiate with and with this route we are dealing with 3 property owners.

MOTION carried unanimously.

- F. University of Wisconsin Department of Planning & Landscape Architecture:
2023-24 Senior Capstone Project Request for Proposals (Community Design & Planning Services). (DISCUSSION & ACTION)

Director Retzlaff explained we have an opportunity where the Village can apply for planning and design services from students at the UW Madison Department of Planning and landscape architecture. He indicated the timing is right as applications are due in August. And if it's something we want to pursue, we could make multiple proposals. He said the cost is relatively low. We would need to pay traveling costs but there is no fee to be a part of the project. Discussion followed.

Director Retzlaff asked if it's worth throwing the Holy Hill Gateway or Village Center Master Plan at them or the Lannon Road/County Line area or the Country Aire District. We would need to lay the parameters for them. Trustee Baum commented that they need some type of a plan to start with to provide suggestions. Director Retzlaff stated we could ask for a buffering and landscape plan around the perimeter of the Holy Hill District. Trustee Baum suggested giving them the Holy Hill/Freistadt District and the Town Center and we can give them guidelines what we are looking for. Discussion continued.

Director Retzlaff said he will pursue the opportunity and include the Holy Hill/Freistadt and Town Center Districts and bring it back to the next meeting.

VI. ANNOUNCEMENTS:

Director Retzlaff said we may have a special meeting in a couple weeks.

VII. ADJOURNMENT:

The meeting was adjourned at 8:46 pm.