

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, January 8, 2024 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 David Baum, Commissioners Tony Laszweski, Peter Nilles and Bill Shadid. Commissioners Bob Williams and Josh Tarantino were absent and excused. Also in attendance were Community Development Director Jeff Retzlaff and Planning Assistant Lori Johnson.
- III. **APPROVAL OF MINUTES:**

A. December 11, 2023
MOTION Baum second Laszewski to Approve the minutes from December 11, 2023
MOTION carried unanimously.
- IV. **NEW BUSINESS:**

A. American Architectural Group, Agent for Petersen Global, LLC, Property Owner of Krenz & Company - W132 N10940 Eisenhower Drive. Site Plan Review for a 41,616 sqft building addition and parking lot expansion. (ACTION)
Director Retzlaff summarized the proposal.
MOTION Baum second Laszewski to Approve the site development and building plans submitted by Krenz & Company for the proposed 41,616 sqft addition to the existing building located at W132 N10940 Eisenhower Drive in the Germantown Business Park subject to the following conditions:
1. This approval is for the various plan sheets that comprise the site plan set as noted below and is subject to compliance with all the conditions and requirements set forth herein and subsequently adopted and/or revised by the Plan Commission. Approval is granted for the following unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:
 1. *Architectural plans dated November 13, 2023;*
 2. *Civil Engineering plans dated November 13, 2023;*
 3. *Landscaping plans dated November 13, 2023;*
 4. *Lighting plans (photometric plan) dated November 13, 2023;*

If revised plan sheets are necessary, each revised sheet shall contain the date of said revision clearly stamped in the lower right corner.

2. 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 for the shell building.

3. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.

4. All outstanding items and issues identified by Village Staff in the following review memos shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment, and approval prior to commencing construction or issuance of building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS):

a. January 3, 2024 memo from Kevin Driscoll, PE, Village Engineer

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.

6. No roof plan has been provided showing what, if any, roof-mounted mechanicals, and any other roof-mounted equipment is proposed. As required by the Germantown Business Park covenants, all roof-mounted equipment shall be architecturally screened. A proposed roof plan showing all roof mounted equipment and screening shall be submitted to the Village Planner (or Plan Commission if determined necessary by the Village Planner) for review and approval prior to build out construction and occupancy.

7. The Village's minimum landscape requirements for interior parking lots (Section 17.43(5) requires 5 percent of the interior parking lot be landscaped with one 2" caliper tree per every 10 parking spaces. The landscape plan shall be revised accordingly and reviewed and approved by Village staff prior to construction.

8. Additional landscaping shall be installed along the north property line and along the north and east sides of the new parking lot (like what is installed at the existing driveways on Eisenhower Drive) for screening from the public view and overall enhancement of the site as required under the Germantown Business Park covenants. The landscape plan shall be revised accordingly and reviewed and approved by Village staff prior to construction.

9. The minimum planting size requirements in the Germantown Business Park covenants require 3" caliper for deciduous canopy and ornamental trees; minimum 6'

height for all evergreen trees; and 5 gal. for all shrubs. The Plant List on Sheet C1.05 of the landscape plan shall be revised to include these minimum requirements for planting at the time of installation.

10. Right-of-way permits are required for any/all construction conducted in the public right-of-way for Eisenhower Drive and Washington Drive. Contact the Public Works Department/Highway Superintendent for permit applications and submittal requirements.

Trustee Baum was concerned with the lack of landscaping saying there is a gap in trees where the addition is planned.

MOTION to Amend Baum second Shadid that the additional trees required in Condition #7 be planted in the northeast area of the site, north of the parking lot. Krenz will work with staff to facilitate the final location of the trees.
MOTION to amend carried unanimously.

Chairman Wolter congratulated Krenz on their success and thanked them for staying in Germantown. He said their architectural design is one of the premier buildings in that area.

MOTION to approve as Amended carried unanimously.

B. American Architectural Group, Agent for Washington Drive LLC, Property Owner, and Midwest Products, Inc. - W129 N11025 Washington Drive. Site Plan Review for a new 52,038 sqft manufacturing and warehouse building. (ACTION)

Director Retzlaff summarized the proposal. Adam Hertel, American Architectural Group, explained the revised building elevations. Trustee Baum was concerned with the building losing an architectural feature when the sign panel is removed. He asked if there was another way to incorporate an element on the building suggesting maybe bringing the wall panel 90 degrees next to the entrance and it could be the dark gray color next to the wood grain to try and enhance the entrance a little more. He encouraged Mr. Hertel to work with staff to figure out how to keep something there.

MOTION Baum second Shadid to Approve the site development and building plans submitted by Midwest Products Inc. for a 52,038 sqft manufacturing & warehouse facility located on the 4.6-acre parcel located on Washington Drive in the Germantown Business Park subject to the following conditions:

1. This approval is for the various plan sheets that comprise the site plan set as noted below and is subject to compliance with all the conditions and requirements set forth herein and subsequently adopted and/or revised by the Plan Commission. Approval is granted for the following unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:

- a. Architectural plans dated November 13, 2023;
- b. Civil Engineering plans dated November 13, 2023;
- c. Landscaping plans dated November 13, 2023;
- d. Lighting plans (photometric plan) dated November 13, 2023;

If revised plan sheets are necessary, each revised sheet shall contain the date of said revision clearly stamped in the lower right corner.

2. 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 for the shell building.
3. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.
4. All outstanding items and issues identified by Village Staff in the following review memos shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment, and approval prior to commencing construction or issuance of building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS):
 - a. January 3, 2024 memo from Kevin Driscoll, PE, Village Engineer
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.
6. No roof plan has been provided showing what, if any, roof-mounted mechanicals, and any other roof-mounted equipment is proposed. As required by the Germantown Business Park covenants, all roof-mounted equipment shall be architecturally screened. A proposed roof plan showing all roof mounted equipment and screening shall be submitted to Village Staff (or Plan Commission if determined necessary by Village Staff) for review and approval prior to issuance of a building permit.
7. Wall mounted signage is not permitted in the Business Park; only monument signage is allowed. All exterior signage, including on-site direction signs and temporary signs, require a permit or approval from the Village prior to installation.
8. Additional street trees (deciduous vs. ornamental) in an amount equal and planting location equal to 1 tree per 25 feet of street frontage (34 trees) and additional plantings shall be installed around the parking area perimeter, at the driveway entrance on Washington Drive, at the buildings primary entrance to meet the Germantown Business Park covenant requirements.
9. A revised landscape plan (including a revised plant list with installation sizes meeting the minimum requirements) addressing the comments and recommendations of the Village Forester shall be prepared and submitted for review and approval by Village Staff prior to issuance of a building permit.

10. The minimum planting size requirements in the Germantown Business Park covenants require 3" caliper for deciduous canopy and ornamental trees; minimum 6' height for all evergreen trees; and 5 gal. for all shrubs. The Plant List on Sheet C1.06 of the landscape plan shall be revised to include these minimum requirements for planting at the time of installation.

11. The building architecture has insufficient articulation and/or other architectural and material features necessary to meet the architectural requirements in the Germantown Business Park covenants. Additional reveals, articulation, materials and/or textures should be included in the design. Revised elevation plans shall be prepared and submitted for review and approval by the Plan Commission prior to issuance of a building permit (serving as the Architectural Review Board for the Village and Germantown Business Park).

12. Right-of-way permits are required for any/all construction conducted in the public right-of-way for Washington Drive. Contact the Public Works Department/Highway Superintendent for permit applications and submittal requirements.

Discussion followed. Trustee Baum said he sees the articulation in the plan and elevations that he did not see in the front on elevations. So an amendment to the approval would be to approve the renderings and not the elevations. Commissioner Laszewski commented on the type of street trees proposed. Director Retzlaff stated the trees shown as evergreens do not meet the type or quantity that is required, adding that the Village Forester doesn't think the short shrubbery plantings as proposed will provide a level of screening around the parking. Trustee Baum stated he would like the trees to be more diverse along the street with articulation by maybe clustering them or adding more space between them. He said he doesn't need every car to be blocked from the street and did not want 95 of the same bush. He wants to see different vegetation, height, depth and more articulation along the curve and Washington Drive. He does not want the landscaping to be monotonous similar to the landscaping on the Krenz property.

MOTION to Amend Baum second Laszewski that Condition #9 be brought back to staff for further discussion to make it less regimented but applies with Village conditions.

MOTION to Amend carried unanimously.

Trustee Baum stated he wants to approve the rendering as presented and not the elevations that were presented.

MOTION to Amend Baum second Shadid that new elevations and renderings be brought back with the correct color scheme that addresses the color scheme and the sign panel revision in response to Condition #11.

Discussion followed. Mr. Hertel explained the difference between the renderings and the elevations. He said the dark gray color is around the top portion of the warehouse building. Everything else is the same including the doors and windows. The only difference is the dark gray color is highlighted at the window locations. Trustee Baum

said his motion is to reject the 2-dimensional elevations in favor of the 3-D rendering. New elevations should be submitted for the west and south with the new color scheme based on the rendering. Discussion continued on the south elevation. Trustee Baum questioned if the 5 windows shown on the south elevation will be dark gray and the dark gray removed from the top. Mr. Hertel explained the windows are a different type and the intention was to make the south elevation light gray. Trustee Baum said he would have a problem with that and wants to see more interest. He said the west elevation is for future expansion and he could accept that wall being left a little plain except the dark gray cap. The new elevations should match the renderings and also address the area where the sign panel will be removed.

MOTION to Amend carried unanimously.

Chairman Wolter congratulated Midwest Products on their growing business and for building in the Business Park. He said he appreciates them wanting to stay in Germantown hopes they have continued success.

MOTION to Approve as Amended carried unanimously.

MOTION Baum second Shadid to go to Item D on the Agenda
MOTION carried unanimously.

- C. Excel Engineering, Inc., Agent for Bethlehem Lutheran Church, Property Owner N100 W14290 Bel Aire Lane. Site Plan Review for a 23,471 sqft building addition and parking lot expansion. (ACTION)

Director Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the site development & building plans for a 23,471 sqft building addition to and parking lot expansion for the existing church and school facility located at N108 W14290 Bel Aire Lane subject to the following conditions:

1. This approval is for the various plan sheets that comprise the site plan set as noted below and is subject to compliance with all the conditions and requirements set forth herein and subsequently adopted and/or revised by the Plan Commission. Approval is granted for the following unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:
 - a. Architectural plans dated December 8, 2023;
 - b. Civil Engineering plans dated December 8, 2023;
 - c. Landscaping plans dated December 8, 2023;
 - d. Lighting plans (photometric plan) dated December 8, 2023;

If revised plan sheets are necessary, each revised sheet shall contain the date of said revision clearly stamped in the lower right corner.

2. 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 for the shell building.

3. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.

4. All outstanding items and issues identified by Village Staff in the following review memos shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment, and approval prior to commencing construction or issuance of building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS):

a. January 2, 2024 memo from Kevin Driscoll, PE, Village Engineer

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.

6. The proposed parking lot along the west property line shall be moved to meet the minimum 20' setback requirement. Sheet C1.1 of the plan set indicates that the southwest corner of the new parking area along the west property line is setback 19.41 feet (and tapers to a setback >20 feet somewhere along the edge as it moves northerly).

7. Additional deciduous and evergreen trees and shrubs shall be installed along the west property line around the new parking lot perimeter in an amount and type necessary to provide screening from the residential lots to the west. As an alternative, install a minimum 6' high wood privacy fence along the property line for a 15' distance north and south beyond the ends of the new parking lot.

8. Additional street trees meeting the Village's street tree requirements and additional plantings shall be installed along the Fond du Lac Ave frontage and Bel Aire Lane (east of the relocated driveway). At a minimum, additional street trees in an amount equal to 1 tree per 50 feet of road frontage shall be installed along the frontage for Fond du Lac Ave and along Bel Aire Lane east of the relocated driveway in addition to other deciduous and evergreen trees in an amount that will replace the trees being removed at a 1:1 ratio.

9. A revised landscape plan including a revised plant list with installation sizes meeting minimum requirements and addressing all Village Staff comments and recommendations presented in the Staff Report & Recommendation (dated 1/8/24) shall be prepared and submitted for review and approval by Village Staff prior to issuance of a building permit. Said plan to include the requirements of Conditions #8 and #9 above. **[NOTE: THE REFERENCE TO CONDITIONS #8 AND #9 IN**

CONDITION #9 IS INCORRECT AND THE REFERENCE SHOULD BE TO CONDITIONS #7 AND #8; THE NUMBERING CHANGED AFTER CONDITION #9 WAS ORIGINALLY DRAFTED AND THE ERROR WAS NOT DETECTED BEFORE THE STAFF RECOMMENDATION WAS DELEIVERED TO THE PLAN COMMISSION]

10. The existing non-conforming wood post & panel sign along Fond du Lac Ave that is being removed shall not be reinstalled in its current form and will have to be revised to be code compliant if re-installed along Fond du Lac Ave. Under the current sign regulations, one additional monument/ground sign may be installed along Fond du Lac Ave which will have to be installed on a new monument-style masonry base (vs. the existing wood support posts). A separate sign permit application is required for any exterior signage.

11. Right-of-way permits are required for any/all construction conducted in the public right-of-way for Bel Aire Lane. Contact the Public Works Department/Highway Superintendent for permit applications and submittal requirements.

Trustee Baum said he had a problem with the trees being removed and not understanding where the trees are going back in along Fond du Lac Avenue. He has no problem with the building, only the landscaping plan. He asked if they would be replanted after regrading. Commissioner Laszewski asked if the neighbors to the west had approved of the trees being removed and the replacement landscaping. Director Retzlaff stated no comments had been received from the neighbors nor have we solicited any comments from the neighborhood. He said the staff recommendation is to ensure that a screen be installed or replaced or kept if possible adding that a privacy fence could be an option. He said Tom Schermerhorn, Excel Engineering, had indicated there is a willingness to work with staff in coming up with a mutually agreeable landscape plan that will retain as much existing vegetation as possible. Mr. Schermerhorn explained they will look at grading in that area and one option may be to install a retaining wall along the edge of the parking lot. They will look at the vegetation that is there and determine whose property it is on. Trustee Baum said his biggest concern is that the drawings illustrate taking down what appears to be a highly dense buffer being replaced with 4 trees. He requested a revised landscape plan and parking lot plan and if a retaining wall is the solution, that would be great. But he doesn't want to eliminate the dense landscaping with 4 trees. Director Retzlaff stated Condition #7 also addresses the issue and includes a suggestion to install a fence. Chairman Wolter and Trustee Baum commented they were not fans of installing a fence.

MOTION Baum second Shadid to Amend the conditions including Condition #7 to require all landscaping and parking lot design to come back before the Plan Commission for review and approval.

MOTION to Amend carried unanimously.

Chairman Wolter congratulated Bethlehem Lutheran on the addition and said the building is beautiful.

MOTION to Approve as Amended carried unanimously.

- D. Fastsigns of Menomonee Falls, Agent for Frank & Mary Ann Waldron, Property Owners of Countryaire Kennels - W140 N11445 Country Aire Drive. Sign Review application (ACTION)

MOTION Baum second Shadid to Approve the proposed monument ground sign for the Countryaire Kennels Inc. facility located at W140 N11445 Country Aire Drive subject to the following conditions:

1. Address coordinates shall be mounted on the sign base with a minimum 5" letter/number height.

Trustee Baum suggested that sign review applications be placed at the beginning of the agenda.

MOTION carried unanimously.

- V. **CITIZEN 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.)*

Melanie Smythe, N140 W17938 Cedar Lane commented there has been a lot of discussion about trees from residents and suggested maybe there should be a review of the tree program.

VI. **ANNOUNCEMENTS:**

Director Retzlaff announced there would be a joint Plan Commission/Economic Development meeting held on January 22nd for a presentation of the residential market analysis.

Chairman Wolter commented on the passing of Irene Blau and praised her as a great historian of Germantown adding she was very involved in the community. Her contributions are outlined in the Express News along with her obituary.

VII. **ADJOURNMENT:**

The meeting was adjourned at 7:44 pm.