

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, February 12, 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:**
Plan Commission members present were: Chairman Dean Wolter, Trustee Rep David Baum, Commission Members Tony Laszewski, Peter Nilles, Bob Williams, Bill Shadid and Josh Tarantino. Also present Community Development Director Jeff Retzlaff and Planning Assistant Lori Johnson
- III. **APPROVAL OF MINUTES:**
MOTION Baum second Shadid to Approve the Minutes from January 8, 2024 and January 22, 2024.
MOTION carried (Williams abstained).
 - A. January 8, 2024
 - B. January 22, 2024
- IV. **NEW BUSINESS:**
 - A. Review Residential Market Analysis & Strategy Planning Report by Tracy Cross & Associates, Inc. (DISCUSSION)
Director Retzlaff summarized the discussion. Following the joint meeting on January 22nd, the Village and Washington County Staff met with Erik Doerschling, Tracy Cross & Associates, to discuss suggested revisions to the report to address comments raised during the joint meeting. Discussion followed to address questions and comments.

Trustee Baum commented that the report is intended to provide data for us to produce our own vision for the Village. The report doesn't say what is right for Germantown, it says what we can use to determine where we want Germantown to go. Director Retzlaff said the report can be used in multiple ways including as a guide to talk about residential development strategy and policy going forward. And if the Village wants to meet the demand for housing in our market area and provide housing for the demographic of people in the \$250,000 to \$450,000 range, then the products as recommended in the report will be successful. Discussion continued.

Chairman Wolter said we don't have zoning for the smaller, less expensive, portions referred to in the report. Director Retzlaff agreed saying a Planned Development District would need to be created. But we could address the zoning through our neighborhood planning efforts and make code changes that would accommodate different types of residential developments and densities which is built into the Plan now. Discussion continued.

Chairman Wolter asked if Erik Doersching would be available to come back to another meeting to have additional discussion that is not time tempered. Trustee Baum asked if we could get audience participation as well.
This item was for discussion only.

- 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 - Revised Building Elevations. (ACTION)

Director Retzlaff summarized the proposed changes. Adam Hertel, American Architecture Group, explained the revised elevations and renderings.

MOTION Baum second Laszewski to Approve the revised building elevations and renderings as presented without the sign and with the following revisions to the original conditions of approval:

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 February 5, 2024 ~~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.
MOTION carried unanimously..

C. Excel Engineering, Inc., Agent for Bethlehem Lutheran Church, Property Owner N108 W14290 Bel Aire Lane. Site Plan Review for a 23,471 sqft Building and Parking Expansion-Revised Site and Landscaping Plans. (ACTION)

Director Retzlaff summarized the proposed revisions to the landscape plan. Reid Jahns, Excel Engineering, reviewed the proposed changes.

MOTION Baum second Shadid to Approve the revised landscaping plan with 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 February 5, 2024 ~~December 8, 2023~~;
- c. Landscaping plans dated February 5, 2024 ~~December 8, 2023~~;
- d. Lighting plans (photometric plan) dated January 26, 2024 ~~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.~~

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.
MOTION carried unanimously.

D. Keller, Inc., Agent for Orange Blossom LLC, Property Owner of David J. Frank Landscape Contracting - N120 W21350 Freistadt Road. Site Plan Review for a 9,376 sqft Maintenance Building. (ACTION)

Director Retzlaff summarized the proposal. Scott Lausten, Keller Inc., answered questions. Discussion followed.

MOTION Baum second Tarantino to Approve the site development and building plans for a 9,376 sqft maintenance building for the existing DJ Frank landscape contracting services operation located at N120 21350 Freistadt Road subject to the following conditions:

1. This approval is for the proposed maintenance building only (and site area immediate adjacent to the proposed building) 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 (revised) December 6, 2023
 - b. Engineering plan set dated December 11, 2023
 - c. Exterior Lighting plan set dated December 11, 2023
2. 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.
3. All issues, plan revisions and technical corrections identified in the January 29, 2024, review memo from the Village Engineer shall be addressed in revised plans and/or supplemental information submitted for review and approval prior to issuance of building permits.

MOTION carried unanimously.

- E. Keller, Inc., Agent for Park4Properties LLC, Property Owner of Force Global - N114 W18635 Clinton Drive. Site Plan Review for a 7,500 sqft Building Addition and Site Improvements. (ACTION)

Director Retzlaff summarized the proposal. Aaron Nagel, Keller Inc., answered questions. Trustee Baum asked if any additional landscaping was proposed because the building looked barren. Mr. Nagel commented on the condition requiring 2 additional street trees explaining existing light posts make it difficult to add the trees. He suggested adding something to the front of the building instead of the street trees as a compromise.

MOTION Baum second Nilles to Approve the site development & building plans for a 7,500 sqft industrial building addition to the Force Global facility located at N114 W18635 Clinton Drive in the Germantown Industrial Park subject to the following conditions:

1. This approval is for the proposed building addition and pavement expansion and is subject to all the conditions and requirements set forth herein and adopted by the 563Plan 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 (revised) December 14, 2023
 - b. Engineering plan set dated February 9, 2024 December 12, 2023
 - c. Exterior Lighting plan set dated December 12, 2023
2. Two (2) additional deciduous street trees are required along Clinton Drive (1 per 50 feet of street frontage). All deciduous trees shall have a minimum planting size of 2.5" dia.
3. The minimum amount of on-site parking required for the existing and proposed building addition is twelve (12) parking stalls. The Site plan shall be revised to show a minimum of (12) parking stalls meeting current Village requirements.
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. All issues, plan revisions and technical corrections identified in the January 29, 2024, review memo from the Village Engineer shall be addressed in revised plans and/or supplemental information submitted for review and approval prior to issuance of building permits.
5. The Village Public Works Department/Village Engineer shall be contacted for inspection purposes prior to re-construction of the sampling manhole.

MOTION to Amend Baum second Shadid to modify Condition #2 to put some base plantings along the north side of the building between the sidewalk and the building in lieu of the 2 street trees with approval by staff.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

- F. Everett Frenz, Agent for the Anton Frenz Trust & SA Technologies LLC, Property Owners - 65.2 acres east of Fond du Lac Avenue, north of Donges Bay Road. Planned Development District (PDD) Consultation for a 580 to 600-unit Mixed-Use Residential/Commercial Development ("Arbor Village").
(DISCUSSION)

Director Retzlaff reviewed the proposal for a mixed-use residential and commercial development on 65 acres in the Victory Center Corridor. Jeff Groenier, Concepts in Architecture, spoke on the revised concept plan. He said they are looking to create a PDD and have each individual lot zoned for either duplex, 2, 4 or 8 units and then bring those buildings back individually to get approved. They would like a consensus from Plan Commission members tonight if the development is something they want so they can bring the PDD forward. Discussion followed.

Plan Commission members had the following comments:

- Likes part of the development, but can't picture the density on the south end with 2

parking ramps surrounded by that density.

- Equates this development to the twin towers on 41/45. The two 4-story, 100 unit buildings stand up, are monolithic, stick out and don't belong there.
- High density units don't belong at this location and should be located in the central business district where there are more amenities. Can see lower density, garages and 1-2 story buildings on north end. Large apartment buildings don't belong here. Where does high density belong in the Village?
- Is residential the right use for this location, should be a continuation of the industrial park
- The property isn't deep enough to accommodate industrial along railroad and residential further out. 105 unit buildings are a stretch for this area. The 4, 6 or 12 unit buildings could work. Would like to see detailed architectural standards when the PDD is brought forward showing continuity from one phase to the next. Would like to see a Planned Development District implementation plan from another project from architect to use for this project.
- Projection of 600 units and approximately 1200 people puts pressure on the intersection at Hwy 145 and Mequon Road, the roundabout is a racetrack in the morning and the uncontrolled railroad track on Country Aire Road. Country Aire Road would need to be improved. The Village would need to consider auxiliary improvements as the development gets phased in. Agree 4 story, with 100 units is not a good place for it. Want to see more of a transitional neighborhood with a community feel to it. Don't want to be able to tell what year each building was built. Needs continuity and be included as part of the developers agreement.
- What elementary school would kids go to. Would Village need to plow the sidewalks. Need some level of homeowner association for some of the amenities.
- Would it be better to have high density on the east and lower density to the west of the site.
- Higher percentage of ownership is more appealing than rental units.
- 105 units seem out of place, can't picture apartments with a 4 story parking garage.
- Uncomfortable with density at the moment but may need to figure out how to deal with and make it work somewhere.
- OK with residential there, but problem with the density.
- School Board should be included.
- Need all the ancillary things to support development to make decision if 600 units is too dense.
- Some merit to highest and best use is continuation of business park.
- Likes idea of flipping higher density along Fond du Lac further east along railroad tracks.

Mr. Groenier stated he would like to work directly with staff and maybe reduce some of the buildings and change the density a little bit. Chairman Wolter would like some percentages of what is rental versus owned. What would the 105 unit building be replaced with. Director Retzlaff said the two 105 unit buildings need to be replaced with something that makes this a destination neighborhood, maybe an active park. Commissioner Shadid would like to know where some of the developments mentioned are located so he can view them. Director Retzlaff asked if there an expectation there is going to be some financial assistance from the Village on this. Mr. Groenier said they would like to investigate that especially for the roads, entrances, right-of-way and also for the pedestrian paths. That will need to be worked out. Director Retzlaff

requested a projection of school age children.

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

- G. Village of Germantown - Ownership Transfer of a 51.6-ac Parcel (GTNV 182-985) from the Milwaukee Metropolitan Sewerage District (MMSD) for Trail System and Open Space Conservation. (ACTION)

Director Retzlaff reviewed the proposal to transfer land to the Village from MMSD for open space conservation and trail development purposes.

MOTION Baum second Shadid to Approve the ownership transfer of the 51.6-acre parcel as proposed.

Commissioner Laszewski explained he had previously worked with MMSD when he was a member of the Park and Rec Commission and that MMSD was very restrictive and obstinate about what could be done with their land purchased under the Greenseams Program. He stated he wouldn't recommend taking ownership of the property because it may be a liability or at the least until the Village's proposal is approved by MMSD. After they approve of everything proposed and it's in writing, then he would recommend approval of the transfer. Director Retzlaff agreed saying that is how it was in the past, but the management of the program for MMSD has changed dramatically and they are now very eager to work with municipalities on the development of trails and environmental signage for these properties.

Chairman Wolter said MMSD has been given the Village's Goldendale Trail plan as proposed and can see there is a parking lot and a pathway. We have outlined the kind of uses we'd like to see for the land. And that its important because it's the start of the recreational path land that monies have been designated from the TIF to help support it for this purpose. We're not hiding anything of how we want to use the land. If they give us an approval and we have an agreement in writing, that should be enough to ensure that the Village will be able keep it in that use.

MOTION carried 6-1 (Laszewski)

- 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.)*

The following residents spoke during public comment:

Sara Larson, W159 N9737 Butternut Road
Neal Risler, N106 W14743 Harrison Circle
Jan Miller, W151 N10297 Windsong Circle W
Melanie Smythe, W140 N17938 Cedar Lane
Scott Heflt, W159 N10514 Old Farm Road

- VI. **ANNOUNCEMENTS:**

None

VII. ADJOURNMENT:

The meeting was adjourned at: 9:31 pm.