

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, June 10, 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.*

Chairman Wolter called the meeting to order at 6:30pm.

- II. **ROLL CALL:**

Chairman Wolter, Trustee Baum and Commissioners Tarantino, Williams and Henk were all present. Commissioner Shadid was absent/excused and Frank Lord was absent. Also present were Community Development Director Retzlaff and Associate Planner Yanke.

- III. **APPROVAL OF MINUTES:**

A. May 13, 2024

Motion: Approve as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Motion: Amend Minutes to correct Commissioner Henk's name

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, Bridget Henk

No: None

Abstain: None

Motion Passed

- IV. **NEW BUSINESS:**

- A. Mark Brooks, Agent for Das Barrel Room Tavern & Grill, and Doctors LLC, Property Owner of W201 N10466 Appleton Avenue. Site Plan Review of a 14-stall, off-site parking lot expansion (ACTION; TABLED from October 9, 2023 & March 11th, 2024)

Director Retzlaff stated that there are 2 parcels owned by Doctors LLC and operated by Mark Brooks for Das Barrel Room. He reviewed the history regarding CUP Amendments to expand the parking for the business to the adjacent parcel with multiple options. And stated that we are here to review a finely tuned Option 1 Site Plan from those previous submissions, that includes the paved parking area of 14 stalls, the vegetation buffer around the perimeter as well as a post & rope fence as a barrier to contain the parking area. Staff recommendation is to approve the Site Plan (Revised Option 1) with 4 conditions.

Motion: Approve as presented with discussion and 4 conditions

Motioned By: David Baum

Seconded By: Bridget Henk

Discussion Followed. Director Retzlaff stated that if this area is approved and roped off as instructed, it still will not meet the demand for parking for music events at the locale. The CUP would probably need to be amended again to include parking in the BP parking lot across the street, and we would have to evaluate issues such as safety with the crossing of Hwy 175 by patrons. Committee Member Henk stated that with 50 total parking stalls there has to be 2 ADA parking stalls. Mr. Brooks verbally agreed to add (1) one more ADA parking stall on the west side of the building.

APPROVE the Site Plan for a 4,948 sqft expansion of the existing off-site parking area located on the 2.1-acre parcel adjacent to the Das Barrel Room bar/restaurant located at W201N10466 Appleton Avenue pursuant to the conditions of approval in Conditional Use Permit #13-2019 subject to the following amendments to the adopted conditions:

1. This approval is for the plan sheet(s) noted below and is subject to compliance with all the conditions and requirements set forth herein and other conditions subsequently adopted and/or revisions required by the Plan Commission:
 - a. Civil Engineering sheet #1 dated 5/2/2024
2. In cooperation with Village Staff, the operator/owner of the Das Barrel Room property shall appear before the Plan Commission after the outdoor event season in 2024 but not later than March 1, 2025, to discuss adequacy of the new off-site parking area, the post and rope fence in terms of deterring/prohibiting parking beyond the paved parking areas, and the overall parking situation for the Das Barrel Room operation.
3. The post and rope fence shall be installed as proposed except that the maximum spacing between posts shall be six (6) feet and extended to include the north side of the (12) parking stalls in the existing paved parking area and along the east side of the driveway connecting the two parking areas.
4. The operator/owner shall obtain an erosion control permit from the Village prior to commencing construction and/or restoration activities associated with the new 14-stall off-site parking area.

Yes: Dean Wolter, David Baum, Josh Tarantino, Bridget Henk

No: Robert Williams

Abstain: None

Motion (Yes 4, No 1, Abstained 0)

- B. Crew Carwash, Property Owner - N96 W17500 County Line Road. Sign Review for a new Crew Carwash facility. (ACTION)

Director Retzlaff reviewed the sign package for the new Crew Carwash. Staff indicates this package is code compliant and recommend:

APPROVAL of the proposed monument, wall, directional and face replacement signs for the new 4,512 sqft carwash facility located at N96 W17500 County Line Road subject to the following conditions:

1. An electrical permit is required for all electrical installations or modifications prior to installation of all signs requiring electrical service. Contact Inspection Services staff (SAFEBuilt) for code and permit application requirements.

Motion: Approve as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 5, No 0, Abstained 0)

- C. Innovative Signs, Inc. Agent for TDC Willow Creek LLC, Property Owner - N102W19200 Willow Creek Way. Sign Review for Diamond Vogel (ACTION)

Associate Planner Yanke stated that Diamond Vogel is a new tenant in the Willow Creek Business Park and is requesting approval of 1 new wall sign as proposed by the application photos presented. The sign faces SW and is roughly 81.5 sqft. It complies with code and will be illuminated at night. Staff recommends:

APPROVAL of the proposed wall sign for Diamond Vogel located at N102W19200 Willow Creek Way, subject to the following conditions:

1. Applicant/owner shall obtain an electrical permit from building inspection services for the sign installation.
2. Prior to permit issuance and the sign installation, applicant/owner shall obtain written approval from the Willow Creek Business Park Review Board for the sign, as specified in the Declaration of Protective Covenants Section 5.11 applicable to the subject property (Recorded Document No. 1439286).

Motion: Approve with 2 conditions as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 5, No 0, Abstained 0)

- D. Briohn Building Corp. Agent for Green Bay Packaging, Inc. Property Owner - NE Quadrant Holy Hill Road / Highway 41. Certified Survey Map (CSM) application to combine (3) parcels into one for construction of a new 270,000 sqft light manufacturing/office facility. (ACTION)

Associate Planner Yanke stated that this site was rezoned to M1 and this CSM would combine 3 parcels into 1 for construction of the new facility for Green Bay Packaging. The land use plan change and rezone was approved for this site in 2023 to support the new facility and the site plan was approved in 2024.

APPROVAL of the proposed 1-lot Certified Survey Map (CSM) for the Green Bay Packaging property located at N128W21600 Holy Hill Road in the Holy Hill Gateway District, subject to the following conditions:

1. All technical issues and corrections identified by the Village Surveyor (see May 17, 2024, memo from Burt Naumann, GRAEF) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.
2. All technical issues and corrections identified by the Village Surveyor (see May 20, 2024, memo from Bob Beilfuss, Point Land Surveying and Mapping) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.

Motion: Approve with 2 conditions as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 5, No 0, Abstained 0)

- E. Briohn Building Corp. Agent for Goldendale Road IV, LLC Property Owner - N206W12880 Gateway Court. Certified Survey Map (CSM) for a property line adjustment to accommodate expansion of the Golden Pet Manufacturing facility. (ACTION)

Associate Planner Yanke stated that this proposal is to adjust the property line 10' north to accommodate the expansion of the Golden Pet Manufacturing facility. The movement of the property to 10' north would accommodate the expansion to meet an International Building Code (IBC) setback requirement.

APPROVAL of the proposed 2-lot Certified Survey Map (CSM) for the Golden Pet Manufacturing and Kapco Metal Stamping properties located at W206N12880 Gatewood Court and W204N13035 Goldendale Road subject to the following condition:

1. All technical issues and corrections identified by the Village Surveyor (see April 26, 2024, memo from Burt Naumann, GRAEF) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.

Motion: Approve CSM as presented with 1 condition as presented

Motioned By: David Baum

Seconded By: Robert Williams

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 5, No 0, Abstained 0)

- F. Keller Inc., Agent for Orange Blossom LLC, Property Owner of David J. Frank Landscaping - N120 W21350 Freistadt Road. Site Plan Review applications for a 5,200 sqft corporate office building addition, a 1,552 sqft Landscape Maintenance Division (LMD) office building, and Sign Permit application for wall and monument signs. (ACTION)

Director Retzlaff stated that David J Frank Landscaping is in the midst of expanding and making improvements to their property. He went over the background of the project and stated that an office addition, maintenance building, wall and monument

signs and a green roof are all proposed in the detailed plans. The buildings will have stone veneer. The green roof is an interesting addition with Hwy 41 nearby to see activity on the roof. The sign is double-sided and visible from the highway, as well as a new monument sign at Freistadt Road. Staff review included encroachment of the parking lot onto Hwy 41 right-of-way, so it would need approval from the DOT. He believes the DOT will reissue an irrevocable occupancy agreement that will have to be resolved before the sign can be constructed. We are waiting for confirmation from the Village Engineer that the Stormwater pond maintenance agreement is in place and that the ponds are suitable to handle the minimum water containment for the site. The areas that are proposed to be paved are already compacted gravel, so there shouldn't be a significant increase in runoff. Staff recommendation is:

APPROVAL of the site development and building plans for the proposed 5,250 sqft office building addition and new 1,550 sqft landscape maintenance division (LMD) office building for the DJ Frank landscape contracting services operation located at N120W21350 Freistadt Road subject to the following conditions:

This approval is for the proposed corporate office building addition and landscape maintenance division (LMD) building and site areas immediately adjacent to said buildings as shown on the following plans. 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 superseded by subsequent plan sheets approved by the Village Planner or Engineer pursuant to revisions required herein and/or by the Plan Commission:

1. Corporate Office Building Addition
 1. Architectural plan set w/ revised date March 11, 2024
 2. Civil Engineering plan set w/ revised date March 11, 2024
 3. Exterior lighting plan set dated March 11, 2024
 4. Landscape plan set dated March 11, 2024
2. Landscape Maintenance Division (LMD) Building
 1. Architectural plan set w/ revised date March 7, 2024
 2. Civil Engineering plan set w/ revised date March 11, 2024
 3. Exterior lighting plan set dated March 11, 2024
 4. Landscape plan set dated March 11, 2024
3. All landscaping, grading, paving, storm water management, utility and other improvements shown on the approved 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. The Property Owner shall provide verification from Washington County that the existing on-site sanitary system (i.e. holding tanks) is adequate to handle the potential increase in loading expected because of the office addition and LMD office construction. Said verification shall be provided to the Community Development Department prior to issuing building permits for the corporate office building addition and LMD building.
5. No improvement to the existing gravel parking area located south of the corporate office building that encroaches onto the US41 right-of-way shall

commence until the Property Owner has provided documentation to the Community Development Department from the WisDOT authorizing the use of and improvements to said parking area located on US41 right-of-way (e.g. encroachment agreement, revocable occupancy agreement, etc.).

6. The Property Owner and engineer shall coordinate with the Village Engineer to provide all storm water management plan and/or analysis documentation necessary to verify that the existing storm water facilities on the DJ Frank property meet the current Village of Germantown, MMSD and other applicable standards and are sufficient to accommodate the amount of additional storm water run-off associated with the proposed corporate office building addition, landscape maintenance division (LMD) building construction, and associated pavement improvements on the property. Said verification shall be reviewed and approved by the Village Engineer prior to issuing building permits for the corporate office building addition and LMD building.
7. The landscaping plan shall be revised to meet the Village's code requirements as set forth below:
 1. Page L1.0. Per municipal code 17.43(c). Interior parking lot landscaping shall include (one) 2" caliper tree for every ten parking spaces.
 2. Page L1.0. Per municipal code 17.43(c). Parking lot landscaping of perimeter with plantings around the parking lot for screening from adjacent properties.

Said plan revisions shall be submitted to the Community Development Department and Village Forester for review and approval prior to issuing occupancy for the corporate office building addition.

Motion: Approve as presented with 6 conditions. We are not approving floor plans at this time.

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 5, No 0, Abstained 0)

APPROVAL of the proposed wall, building entrance and monument signs for the DJ Frank landscape contracting services operation located at N120W21350 Freistadt Road subject to the following conditions:

1. This approval is for the proposed wall and monument signage as shown on the following plans. 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 superseded by subsequent plan sheets approved by the Village Planner or Engineer pursuant to revisions required herein and/or by the Plan Commission:
 1. Conceptual Design Sign package by Appleton Sign dated November 28, 2023
2. The monument sign base is required to be constructed of a masonry material that matches or is complimentary to the exterior wall material of the primary building on the property and not aluminum as proposed. A revised sign plan

sheet indicating a code compliant material will be used shall be submitted for review and approval to the Community Development Department prior to issuance of any building or electrical permit for the monument sign.

3. The monument sign proposed to be installed on US41 right-of-way at the driveway entrance on Freistadt Road shall not be installed and no building or electrical permits issued until the Property Owner has provided documentation to the Community Development Department from the WisDOT authorizing installation of the monument sign on the US41 right-of-way (e.g. encroachment agreement, revocable occupancy agreement, etc.).

Motion: Approve Signs with 3 conditions as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, Bridget Henk

No: None

Abstain: None

Motion Passed

- G. Sunstarr Real Estate Ventures LLC, Agent for Christian Life Center, Inc., Property Owner - Site Plan consultation for a 68-unit multi-family residential development (CONSULTATION)

Discussion only. Director Retzlaff stated that this consultation was to present the intentions of Sunstarr for the property owned by Christian Life Inc. at Fond du Lac Avenue & Crimson Road. He gave some background, described surrounding properties and stated that the zoning is currently institutional. Sunstarr is proposing a development with a total of 68 multifamily units, each with a private entry and 1 car attached garage. The density would be just under 10 units per acre. This is a corridor that does allow multifamily development with that density. There would be perimeter landscaping and an onsite stormwater pond, as well as an open/activity space in the center. They do not propose extending Crimson Road and would vacate the right-of-way on the south side of the property. A rezoning would be required to change the property to RM-3 and site & building plans would be required. Staff does not support not extending Crimson Road, but residents were against that happening in the past. Trustee Baum liked the plan compared to others in the past and agrees with the vacating of Crimson Road, but was concerned with the design that funnels all traffic on a circuitous route going through the center, which was described as more for esthetics than activities, i.e. a pergola. Commissioner Henk also disliked the circulation of the site. Trustee Baum stated concern about families with children living there that could possibly overload the school system. Commissioner Williams asked about the price point for the units: \$1700-\$2200 with full rentals, no ownership. Chairman Wolters expressed concern about only having (1) one access via Fond du Lac Avenue into the facility with roughly 140 resident vehicles. Trustee Baum also suggested a potential temporary gravel access route be added in case of the need for multiple rescue vehicles being dispatched to the area. Commissioner Tarantino brought up the potential that residents will park alongside the parking lot and in front of the garages which they will use for storage instead of parking vehicles, which would cause further congestion. He feels this plan is way too constrictive with both ends shut off and with the potential for snowpiles in winter making it even worse.

Director Retzlaff stated that the need for the extension of Crimson Road would be to provide enhanced circulation for traffic in the area. But if the development of Crimson

Road is important to the Village, we will need to decide if it's important enough to pay for the road ourselves. Because developers will continue to pull out if they are also required to construct Crimson Road. He also recommended moving the building corners closest to the west property line further into the site with more landscaping along the property line to buffer the adjacent single-family subdivision.

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, who lives on Cedar Lane, spoke regarding the history of the 2050 plan and feels it is incomplete.

Jason Giguere who lives on Appleton Avenue spoke negatively about the Das Barrel Room parking issue.

Scott Hefle who lives on Old Farm Road spoke negatively regarding the Crimson Road Consultation and discussion about the property to the south.

Jan Miller who lives on Windsong Cir. W spoke negatively about cookie cutter developments and would like a lot more citizen input.

Joey Carini, who lives on Amber Drive spoke negatively about the Crimson Road multifamily development.

VI. ANNOUNCEMENTS:

Chairman Wolter announced the upcoming 4th of July festivities. The parade starts at 4pm with food, drink, kids' activities, a band and fireworks at 9pm, which will close the day's festivities. Please consider volunteering.

VII. ADJOURNMENT:

Chairman Wolter adjourned the meeting at 8:20pm.