

|                       |                                                                       |
|-----------------------|-----------------------------------------------------------------------|
| <b>MEETING:</b>       | <b>REGULAR MEETING OF THE PLAN COMMISSION</b>                         |
| <b>DATE AND TIME:</b> | <b>Monday, May 12, 2025 6:30 PM</b>                                   |
| <b>LOCATION:</b>      | <b>Germantown Village Hall Board Room<br/>N112 W17001 Mequon Road</b> |

### **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 Soderberg called the meeting to order at 6:34pm.
- II. **ROLL CALL:**  
Chairman Soderberg and Committee Members Warren, Williams, Shadid and Henk were all present. Also present were Associate Planner Yanke and Administrative Coordinator Remich (via Webex). Community Development Director Retzlaff and Committee Members Tarantino and Ewert were absent excused.
- III. **APPROVAL OF MINUTES:**  
  
A. PC Minutes 4/28/25  
**Motion:** Approve as presented  
**Motioned By:** Robert Warren  
**Seconded By:** William Shadid  
**Yes:** Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Bridget Henk  
**No:** None  
**Abstain:** None  
**Motion Passed (Yes 5, No 0, Abstained 0)**
- IV. **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.) Comments that may be injurious to village personnel or other individuals will not be allowed.*  
Citizens that spoke included:  
Lynn Bednarz who lives on Pawnee Court.  
Melanie Smythe who lives on Cedar Lane.  
Scott Hefle who lives on Old Farm Road.  
Sarah Larson who lives on Butternut Road.  
David Baum who lives on Highland Road.
- V. **UNFINISHED BUSINESS:**

A. Discussion of a Potential Policy on the Amount of Multi-Family Housing Development in the Village of Germantown (DISCUSSION - CONTINUED FROM APRIL 28)

Chairman Soderberg stated that this topic was discussed at the last Village Board meeting and tonight is just a continuation of that discussion. The next steps: This will go back to the Village Board for further discussion and then return to this Commission one more time before returning to the Village Board for a final decision. Associate Planner Yanke went over bullet points of information that were discussed at the Village Board meeting and stated that there hasn't been time for more research since last Monday's Village Board meeting.

Discussion followed. Including staff suggested tasks:

1. Develop an image inventory of housing product types to associate with definitions
2. Develop a housing type equivalency table based on common terminology used by developers to aid in classifying different housing types i.e. row houses, attached villas, townhouses, duplexes, zero-lot line units, garden-style apartments, walk-ups, etc.
3. Gather or prepare a reasonably accurate "cost of community services" comparison for different types of residential housing to answer:

a. Which type of housing is more impactful on schools, police, fire, emergency medical, sewer & water utilities, transportation systems?

b. Which type of housing generates more relative value and property tax base?

These were felt to be the most vital, along with the need to consider the results of the School District Facilities & Student Population Projection Reports, which are expected at any time.

Chairman Soderberg stated that he would like the answers to the questions of: age demographics, school enrollment and whether it's going down or up and if we weren't an aging community - would those numbers go up, whether we need to do a survey for cursory fact-finding in order to determine exactly what Germantown needs. He also stated that the Village will need a public safety building in the near future and, in order to lessen that tax burden for residents, we would need additional growth and development. If we have no growth, the only way to pay for Village needs in the future would be to increase taxes. And if the School District reports come back stating that they are at capacity, then we will need to have a serious discussion on options with the school board. The school district can't be a pothole in the road to growth. And would their needs then trigger a school referendum?

**VI. NEW BUSINESS:**

- A. Adam Altis and James Gehrke, Agents for Blades Indoor Golf, LLC, and Ozaukee Development Corporation, Property Owner. Conditional Use Permit (CUP) for a 9,600 sqft Indoor Golf Entertainment/Recreation Establishment located at W188 N11770 Maple Road in the Germantown Industrial Park. (PUBLIC HEARING & ACTION)

Associate Planner Yanke went over the proposal, which is within an existing building and zoned M-1. The facility is composed of 8 golf simulator bays, 1 putting green, office space, restrooms and front desk, as well as a beverage cart to give the feel of being on an actual golf course.

Chairman Soderberg opened the public hearing at 7:28pm.

No residents came forward to speak.

Chairman Soderberg closed the public hearing at 7:29pm.

Staff recommends approval of the Conditional Use Permit for a 9,600 square foot (Suites 2, 3, and 4) indoor golf entertainment/recreation establishment located at W188 N11770 Maple Road, subject to the following conditions:

1. The uses and activities allowed on the property shall be limited to those uses and activities specified in the Conditional Use Permit (CUP) application and supporting documents received April 14, 2025, and floor plan dated May 5, 2025. Days and hours of operation shall be limited to those specified in the CUP supporting documents submitted to the Village.
2. The owner/operator is responsible for reporting any significant changes in the type, intensity, amount, or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Zoning Administrator.
3. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or, where there is a change in the nature, character, intensity or extent of the activities or uses which causes problems or harmful effects that were not anticipated at the time of approval of this CUP, the Conditional Use Permit (CUP) may be modified or terminated by the Village Board by the amendment to or addition of conditions after public hearing thereon.
4. All temporary and permanent exterior signs require a permit and shall comply with all current sign regulations. Off-premises advertising and directional signage is regulated by the Village and requires a permit if/when allowed.
5. All future site improvements, including all building, parking area, landscaping, storm water management facilities, signage, exterior lighting, and any other improvements made to or on the property that are necessary for the land uses and activities authorized under this CUP shall be submitted for review and approval by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.
6. State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services. The Village of Germantown is an authorized delegated agent of DSPS and may be used as an alternative to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.
7. The owner/operator shall be responsible for obtaining any/all liquor license(s) required under State statutes and/or Village ordinances, and, complying with same for the facility. The owner/operator is responsible for contacting the Village Clerk's Office to initiate a license application separate from the Conditional Use Permit approval process.

8. The owner/operator shall be responsible for obtaining any/all permits required under County or State statutes for the proposed sale of food.
9. Pursuant to Section 17.47 of the Zoning Code, if the Village observes and/or receives complaints regarding negative impacts associated with and/or created by business-related activities conducted on the property, including but not limited to noise, dust or other airborne materials, the Property Owner/Operator shall work with the Village to identify the source of such impact(s), evaluate alternative mitigation measures, and implement a mutually-agreeable solution to mitigating the impact(s).

**Motion 1:** Approve as presented

**Motioned By:** Robert Warren

**Seconded By:** William Shadid

**Motion 2:** Amend to add a non-transferrable condition to the CUP.

**Motioned By:** Robert Williams

**Seconded By:** William Shadid

**Yes:** Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Bridget Henk

**No:** None

**Abstain:** None

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

**Results of Motion 1:**

**Yes:** Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Bridget Henk

**No:** None

**Abstain:** None

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

- B. Design 2 Construct Development Corp. Agent for JDV Real Estate Holdings/Enviro-Safe, Property Owner W130 N10500 Washington Drive. Site Plan for a 6,068 sqft building and 18-stall parking lot expansion. (ACTION)

Associate Planner Yanke gave a brief description of the proposed expansion and some background of the business.

Staff recommends the approval of the site development and building plans expansion for a 6,068 sqft warehouse and laboratory expansion to the existing Enviro-Safe Resource Recovery facility located at W130 N10500 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 development 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. Civil engineering plan set dated April 17, 2025, b. Architectural plan set dated March 7, 2025, c. Lighting plan dated May 7, 2025.

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

2. A revised landscaping plan shall be prepared and submitted for review and approval by the Village Forester to address the following requirements: a. interior parking lot landscaping shall include one 3" caliper deciduous tree for every ten parking spaces, b. perimeter plantings are required around the parking lot for screening from adjacent properties. This plan does not include perimeter plantings along the south parking lot expansion boundary to buffer from the adjacent roadway.
3. All issues and plan revisions identified in the May 7, 2025, memo from the Village Engineer 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 (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).
4. All landscaping, screening, grading, paving, storm water management, utility and other improvements that are not fire-safety related as 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.
5. 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.
6. State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services. The Village of Germantown is an authorized delegated agent of DSPS and may be used as an alternative to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.
7. Enviro-Safe shall re-evaluate and update the Closure Plan required under in Conditional Use Permit #06-15 given the larger amount of storage capability for both hazardous and non-hazardous material and adjust the financial surety amount accordingly. Results of said re-evaluation shall be submitted to the Village Planner for review and approval within six (6) months after the date the occupancy permit is used for the proposed building expansion.
8. Enviro-Safe shall re-evaluate and update the Spill Prevention, Control and Countermeasure Plan (SPCC) required under Condition #1 in Conditional Use Permit #06-15 given the larger amount of storage capability for both hazardous and non-hazardous material. Results of said re-evaluation and updated SPCC shall be submitted to the Village Fire Chief for review and approval within six (6) months after the date the occupancy permit is used for the proposed building expansion.

Discussion Followed.

**Motion 1:** Approve as presented

**Motioned By:** Bridget Henk

**Seconded By:** Robert Williams

**Motion 2:** Amend to add Condition 9 to add the Village as an insured party on their Pollution Liability Insurance Policy. Proof of compliance with this condition shall be submitted to and accepted by the Village.

**Motioned By:** Robert Williams

**Seconded By:** William Shadid

**Yes:** Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Bridget Henk

**No:** None

**Abstain:** None

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

**Results of Motion 1:**

**Yes:** Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Bridget Henk

**No:** None

**Abstain:** None

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

- C. Robert Overmier, Property Owner. Certified Survey Map (CSM) application to combine two (2) existing parcels into one (1) parcel totaling 53.8 acres. Property located at N144 W12531 Pioneer Road in the "Rural Preservation District". (ACTION)

Associate Planner Yanke went over the proposal.

Staff recommends approval of the proposed 1-lot Certified Survey Map (CSM) for the Robert Overmier property located at N144 W12531 Pioneer Road, subject to the following conditions:

1. All technical issues and corrections identified by the Village Surveyor (see April 10, 2025, memo from Bob Beilfuss, PLC) shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.
2. Prior to recording, a note requiring a wetland delineation and soil evaluations if/when Lot 1 is proposed for development shall be included on the CSM.
3. Prior to recording, the right-of-way (ROW) dedication note on the CSM shall be revised to reflect the accurate jurisdictions that ROW will be dedicated to along Pioneer Road and Wasaukee Road.
4. Prior to recording, setbacks/building lines required by the Village Zoning Code shall be shown on the CSM.

**Motion:** Approve as presented

**Motioned By:** Robert Warren

**Seconded By:** William Shadid

**Yes:** Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Bridget Henk

**No:** None

**Abstain:** None

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

**VII. ANNOUNCEMENTS:**

None.

**VIII. ADJOURNMENT:**

Chairman Soderberg adjourned the meeting at 7:46pm.