

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, October 13, 2025 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 Soderberg called the meeting to order at 6:30pm.
- II. **ROLL CALL:**
Chairman Soderberg and Committee Members Warren, Shadid, Tarantino, Williams and Ewert were all present. Also present were Community Development Director Retzlaff, Associate Planner Yanke and Administrative Coordinator Remich (via Webex). Committee Member Henk was absent excused.
- III. **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 four (4) 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:
Mario Maenza who lives on Cedar Lane.
Lynn Bednarz who lives on Pawnee Court.
Jim Stout who lives on Goldendale Road.
Martin Peck who lives on Cedar Lane.
Joel Gierach who lives on Cedar Lane.
Tom Stauffacher who lives on Cedar Lane.
Michelle Perkl who lives on Armada Drive.
Penny Dunne-Muzi who lives on Cedar Lane.
Linda Maenza who lives on Cedar Lane.
Jennifer Steffen who lives on Creek Terrace.
- IV. **APPROVAL OF MINUTES:**
 - A. PC Minutes 9/8/25 (ACTION)
Motion: Approve as presented
Motioned By: Robert Warren
Seconded By: Russell Ewert
Yes: Bob Soderberg, Robert Warren, William Shadid, Josh Tarantino, Russell Ewert
No: None
Abstain: Robert Williams
Motion Passed (Yes 5, No 0, Abstained 1)

V. NEW BUSINESS:

- A. OneEnergy Development, LLC, Agent for Robert Overmier, Property Owner. Conditional Use Permit (CUP) and Site Plan applications for an approximate 35-acre Solar Energy Facility located at N144 W12531 Pioneer Road in the Rural Preservation District. (PUBLIC HEARING & ACTION)

Associate Planner Yanke gave a short summary of the proposal, stating that the proposed solar farm is a conditional use within the A-1 district that requires site plan review and approval. Yanke went through the primary project details and mentioned the State law provisions applicable to solar energy conversion systems. Yanke also went over staff review comments and staff's recommendations of approval for the applications. Yanke introduced Peter Murphy and Julie Gerrits from OneEnergy, who went over the proposal in a detailed presentation.

Discussion Followed.

Committee Members asked about the length of the lease, which is 30–50 years. Which stays with the land even if it's sold.

After 30–50 years, WE Energies will be responsible for decommissioning if they purchase the asset, which they expect. There is money set aside for asset removal in each of their contracts. All components are removed from the site, everything possible is recycled.

Whether there is a danger of fire? No there is not, there is nothing flammable on site and no lithium batteries are used.

There are no liquids or chemicals used on site.

Will there be mass herbicide spraying to control the native prairie species proposed around the solar structures? No, they only do spot spraying by an individual on a specific plant/weed.

Are there other plans for additional solar projects in Germantown at this time? No.

Did OneEnergy pay anyone money to not come to the meeting tonight? No.

Could the income generated be used towards the village's debt? That can be looked into per staff.

How will this affect property values? The study they use shows that it does not significantly affect property values either way.

Chairman Soderberg opened the Public Hearing at 8:27pm.

Comments were received from:

Lynn Bednarz who lives on Pawnee Court stated that she would see what she could do with her contacts in Washington.

Brian Kirsch who lives on Wildrose Lane stated that this will not make a dent in anyone's electricity bill, and feels that this project is useless.

Charlie Hargan who lives on Biscayne Drive questioned the safety aspects and how they are handled.

Marty Peck who lives on Cedar Lane is concerned about fire issues with lithium batteries if the project is ever converted.

Mario Maenza who lives on Cedar Lane stated that he is concerned about property values, wildlife and fire hazard.

Tom Stauffacher who lives on Cedar Lane doubts that property values would go up and would like more screening other than the current deciduous trees.

Linda Maenza who lives on Cedar Lane is concerned about fire and potential project expansion.

Penny Dunne-Muzi who lives on Cedar Lane is concerned about the research involved, disposal of this project when it is decommissioned and how the panels are made.

Chairman Soderberg closed the Public Hearing at 8:48pm.

Motion 1: Approve CUP as presented with the 6 conditions included in the packet and add the 4 additional conditions listed below.

Motioned By: Robert Warren

Seconded By: William Shadid

Discussion Followed. Committee members discussed the opposition to the project and several members shared the same concerns. Committee members asked what type of legal dispute or recourse the applicant would have if the project is denied. Would it be similar to the project off Rockfield Road last year? Staff clarified that OneEnergy could bring an appeal forward to the Board of Zoning Appeals similar to the previous project. Director Retzlaff suggested that the Commission make motions to add conditions that address residents' concerns and validate the reasoning for denying the project. Commissioners asked whether they could set so many conditions as to be cost-prohibitive to the project.

Motion 2: Amendment #1 - Add a condition for a formal landscape plan that would evaluate current landscaping around the project area and specify the applicant provide year-round screening around the entire solar farm.

Motioned By: Robert Warren

Seconded By: William Shadid

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion 2 Passed (Yes 6, No 0, Abstained 0)

Motion 3: Amendment #2 - Add a condition that the applicant be limited to spot spraying instead of widespread/broadcast spraying of herbicides to manage vegetation on site.

Motioned By: Josh Tarantino

Seconded By: William Shadid

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion 3 Passed (Yes 6, No 0, Abstained 0)

Motion 4: Amendment #3 - Add a condition that the applicant add the Village as an insured party on their Pollution Liability Insurance Policy.

Motioned By: Robert Williams

Seconded By: Russ Ewert

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh

Tarantino, Russell Ewert

No: None

Abstain: None

Motion 4 Passed (Yes 6, No 0, Abstained 0)

Motion 5: Amendment #4 - Add a condition to prohibit the use of lithium batteries on site as part of the solar facility's operation.

Motioned By: Russell Ewert

Seconded By: Josh Tarantino

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion 5 (Yes 6, No 0, Abstained 0)

Results of Motion 1:

Yes: Robert Warren, Josh Tarantino

No: Bob Soderberg, William Shadid, Robert Williams, Russell Ewert

Abstain: None

Motion 1 Failed (Yes 2, No 4, Abstained 0)

Staff recommends approval of the Conditional Use Permit for an approximate 35-acre "solar energy conversion system" consistent with and only to the extent allowed under Wis. Stat. § 66.0401 located at N144W12531 Pioneer 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 date stamped received July 17, 2025. Operations 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. 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).

Staff recommends approval of the Site Plan application submitted by OneEnergy Development, LLC for an approximate 35-acre “solar energy conversion system” consistent with and only to the extent allowed under Wis. Stat. § 66.0401 for property located at N144 W12531 Pioneer Road, subject to the following conditions:

1. This approval is for the 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. Site Development Layout (Sheet D-100) revised dated October 10, 2025.
 2. Vegetative Screening and Management Plan dated August 6, 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. The Vegetative Screening and Management Plan shall be subject to final acceptance by the Village Forester and Community Development staff prior to commencement of construction.
3. Approval of the Site Plan application is subject to approval/acceptance of the proposed private driveway access point to Pioneer Road by the Washington County Highway Department.
4. Per Fire Department, applicant shall install a Knox Box at the main entrance gate to the solar facility.
5. The technical issues and plan revisions identified in the October 7, 2025, memo from the Village Engineer shall be addressed in revised plan sheets and/or supplemental documents as necessary prior to commencing construction activities or issuance of an Erosion Control Permit.
6. Site operations are limited to the proposed activity by the applicant per the submitted/attached “Solar Generating Facility Operations Plan”.
7. State agency (DSPA) approved plans and a \$20,000 bond are required by Inspection Services. The Village of Germantown is an authorized delegated agent of DSPA 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.

8. Applicant shall install the 8' agricultural/wildlife perimeter fence with openings at the bottom (i.e. at-grade) to allow greater wildlife movement.
9. The maximum tilt angle height of the solar array panels (i.e. structures) shall be approximately 8' from established grade.
10. All temporary and permanent exterior signs require a permit and shall comply with all current Village sign regulations and requires a permit if/when allowed.
11. Applicant shall provide a commitment to the Village including provisions to ensure that there is adequate financial security set aside to perform the specified decommissioning of the project and any restoration needed to be performed to the shared access drive after construction of the project or its decommissioning. Said commitment shall be reviewed and approved/accepted by the Village Attorney.

Motion 6: Approval of the Site Plan with 11 conditions

Motioned By: Robert Warren

Seconded By: William Shadid

Motion 7: Amendment #1 Site Plan - Add 4 additional conditions as noted in CUP recommendation.

Motioned By: Russell Ewert

Seconded By: Robert Williams

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion 7 Passed (Yes 6, No 0, Abstained 0)

Results of Motion 6:

Yes: Robert Warren, Josh Tarantino

No: Bob Soderberg, William Shadid, Robert Williams, Russell Ewert

Abstain: None

Motion 6 Failed (Yes 2, No 4, Abstained 0)

- B. Jim Sedgwick/Heimat Capital LLC, Agent for Blackstone Creek LLC, Property Owner N112W17300 Mequon Road. Application to amend the Blackstone Creek Planned Development District (PDD) General Development Plan and Conditions & Restrictions and a 2-Lot Certified Survey Map (CSM) to allow the development of two 1-2 acre commercial retail sites and 205 multi-family residential units. (PUBLIC HEARING & ACTION)

Director Retzlaff went over a brief history of the Blackstone Creek Development and details of the 3 proposed amendments to the PDD which included:

Amendment #1:

- Affects Section 1 (General Development Plan) [see Res. No. 19-12 & 20-16]
- Revise/replace the current GDP dated July 5, 2016 as necessary to incorporate the plan dated October 2, 2025 (copy attached) relative to that portion of the golf course and retail commercial area;

- Add the following land uses to the list of uses allowed in the Blackstone Creek PDD as conceptually shown in the GDP dated October 2, 2025
 - Restaurant with drive-through service (on the 1.27-ac commercial site only)
 - Other retail commercial uses allowed in the B-1: Neighborhood Business District (on the 1.75-ac commercial site only)
 - Multi-Family residential uses developed consistent with the Rm-3: Multi-Family District regulations with the following features, limitations and exceptions:
 - a maximum of 205 dwelling units at a density not to exceed ten (10) dwelling units per gross acre (a 20.55-acre development area is proposed)
 - Eight (8) two-story walk-up/garden-style, multifamily buildings with a maximum 135 dwelling units
 - Seven (7) detached garage parking structures
 - One (1) multifamily building with a maximum of 70 dwelling units (retail commercial uses allowed in the B-1 District on 1st floor only)
 - Clubhouse or shared-use building for residents
 - An amenity-type structure intended to provide or keep mail & package delivery, maintenance equipment and other accessory uses

- Internal walking paths to provide connectivity to and between Mequon Road, Main Street, and the retail commercial sites (the actual location and timing of construction TBD subject to the potential continued operation of the golf course)

Amendment #2

- Affects Section 10 (Building Regulations) [see Res. No. 19-12 & 20-16]
- Reduce the minimum parking lot setback/greenbelt requirement under Section 17.45(1)(c) in the Zoning Code from 15 feet to 6 feet along the north and west property lines of the proposed 1.27-ac retail commercial site (proposed Culver's restaurant site only)

Amendment #3

- Affects Section 5 (Architectural Design, Exterior Materials, and Building Height) [see Res. No. 19-12 & 20-16]
- The architectural design and materials for the restaurant proposed for the 1.27-ac retail commercial site (Culver's) shall be submitted subject to review and approval of the Plan Commission.
- The architectural design and materials for the multifamily buildings and related amenity features and structures shall be generally consistent in quality and materials as presented in the imagery submitted with the PDD amendment application (copy attached).

The certified survey map (CSM) that has been submitted at this time proposes to divide the 143-ac golf course property into the following parcels:

- Lot 1: 1.27 acres (proposed Culver's restaurant)
- Lot 2: 133.63 acres (existing golf course)
- Outlot 1: 5.28 acres

Proposed Development Phasing:

Phase I (2025-26): Culver's land acquisition Fall 2025, Culver's construction start/end Fall 2025/Spring 2026, Golf Course operations to continue through 2026 golf season

Phase II (2026-27): Multi-Family residential construction Fall 2026 / Occupancy 2027

Phase III (timeline TBD): Potential development on other golf course land pending Village agreement on a previously proposed Land Exchange Agreement: Development of other golf course land pending Village agreement to the proposed Land Exchange Agreement (under consideration), Additional multifamily and/or mixed-use development, Public park w/varied public amenities & Menomonee River access

No rezoning will be required. Director Retzlaff introduced Property Owner, Jim Sedgwick who came forward to answer questions along with Matt Bailey of Trio Engineering.

Committee members' concerns/comments included:

Materials for Culvers were acceptable. The appearance of the roofline and facade of the overall entry tower were not acceptable.

The Economic Development Committee is currently working on specifics of the future Gateway feature for the corner of Mequon & Division Roads. There is a sanitary sewer easement on that corner that will need to be figured into the plan for any future sign/feature.

An amendment to reduce the 15' landscape buffer set back to 6' would be needed.

The multifamily units will include 1 or 2 bedroom units, which determines the ratio of incoming children for school district planning.

Commissioners asked for clarification of what they are approving tonight. The PDD amendments only, not a multifamily development plan.

Chairman Soderberg opened the Public Hearing at 10:02pm:

Comments were received from:

Mary Blasczyk who lives on Biscayne Drive is against this proposal due to flooding, lower property values, traffic, noise and doesn't want Culvers.

Keith Dunn who lives on Armada Drive is concerned about the traffic, feels that Culvers has already been decided and is against this proposal.

Lynn Bednarz who lives on Pawnee Court feels that this plan is crazy, is against anything that taxpayers might have to pay for, doesn't want a Culvers and would like this topic postponed.

Sarah Backes who lives on Biscayne Drive is against this proposal due to increased traffic. She doesn't think this will attract new residents to Germantown because they can't afford to live there and feels it will overwhelm utilities.

Bob Simonson who lives on Sawgrass Court is concerned about the number of bedrooms and the rent they would need to generate to maintain property values.

Karen Bell who lives on Blackstone Court is concerned about a decrease in property values, wants to keep the beautiful golf course and feels there should be a buffer to the east.

Je'Ette Tennies who lives on Augusta Court is concerned about buffers, kids going through their subdivision and increased traffic.

Jennifer Robles who lives in Abbey Court is concerned about Roberts, increased traffic, too dense, flooding and feels this will add too many kids into the schools.

Charlie Hargan who lives on Biscayne Drive feels that developers should be able to develop what they want but feels that this is overkill.

Trustee Jolene Pieper who lives on Esquire Court was on Webex and spoke in support of Jim Sedgwick and feels that the personal attacks against him should stop.

Associate Planner Yanke read 6 emails that came in before the 4pm deadline today. All were against this proposal.

Chairman Soderberg closed the Public Hearing at 10:29pm.

Ewert stated that this project was included in the MD Rofer study done by the school district and the increase in children is well within the school's capacity limits. So this will not impact the need for changes within the school district. Soderberg stated that he is in favor of this proposal and feels multifamily in that area makes sense. Sedgwick stated that market forces since 2006 have changed drastically, so their plan also changed to go along with that. He has a long history of trying to recruit businesses to Germantown, and they are not interested because there just isn't enough density/rooftops to support more high-end, sit-down restaurants. So when Culvers came to them and said they were interested, they paid attention. Williams stated that he would like to see any restaurant other than fast food go in on that corner. Sedgwick stated that they also spoke with Panera and they were not interested either. It's been mostly the drive-thru function that drives a lot of business post COVID-19. Ewert stated that they aren't asking for a TID and the Village isn't spending any money on this. This is a very expensive venture for the developer who is paying for all the roads, sewer, water, etc. We get a lot less say in the development when they are asking for no money from the Village.

Staff recommends approval of the proposed amendments to the Blackstone Creek Planned Development District (PDD) as proposed and summarized herein that shall be codified into an appropriate Village Board resolution amending the current General Development Plan (GDP) dated July 5, 2016, and list of conditions & restrictions contained in Resolution Nos. 19-12, 29-12, 22-13, 23-13, and 20-16:

1. Approval is subject to completion of all driveway and intersection improvements detailed in the Traffic Impact Analysis (TIA) prior to or concurrent with the development resulting from the PDD amendments. As deemed necessary by the Village Department of Public Works/Village Engineer, detailed construction plans and right-of-way permits for said improvements shall be prepared, submitted, and approved by the Village Engineer prior to construction.
2. If the Plan Commission and Village Board act to not add "restaurants with drive-through service" to the list of permitted uses in the Blackstone Creek PPD (proposed as part of Amendment #1), that the current provision allowing "banks with drive-through lanes" shall also be removed from the current list of conditions & restrictions for the Blackstone Creek PDD.

3. Prior to or concurrent with the submittal of site development & building plans for the multifamily area and commercial sites, in whole or in part, a certified survey map (CSM) land division (or subdivision plat if needed) shall be prepared to formally create parcels as a prerequisite for development of said sites.
4. The applicant has indicated that the internal pathway shown on the proposed General Development Plan (GDP) is intended to be accessible to the general public. If the pending land exchange agreement with the Village is accepted in the future and all or some of the remaining golf course property is converted for public access and park purposes, detailed specifications and an access easement and maintenance agreement with the Village shall be created subject to review, and approval of the Village.
5. An overall pedestrian pathway or sidewalk plan showing specifications, how, where and in what timeframe pathways and/or sidewalks providing access to the multifamily residential area and the commercial sites will connect to sidewalks along Mequon Road, Division Road, internally to the commercial sites, and to the Fairway Knoll senior community shall be prepared by the Applicant as a supplement to the General Development Plan (GDP). Said plan shall be prepared and submitted to the Village for review and approval prior to or concurrent with the submittal of site development plans for the multifamily residential area.
6. All internal streets serving the multifamily residential area and commercial sites shall be constructed to Village standards if intended to be public or to a mutually acceptable set of standards and specifications if intended to be privately constructed, owned, and maintained. Detailed plans and specifications shall be prepared and submitted for Village review and approval prior to or concurrent with detailed site development plans for the multifamily residential area and commercial sites.
7. The proposed General Development Plan (GDP) shows the internal streets and driveways serving the commercial sites as being located outside or beyond the perimeter property lines for the two commercial sites. Because those internal streets and driveway intersections are critical to site accessibility and traffic circulation as reflected in the traffic impact analysis (TIA), detailed specifications for those internal streets and driveway intersections shall be prepared and submitted for review and approval by the Village. More importantly, the proposed driveways on Mequon Road and on Division Road need to be constructed prior to or concurrent with development of the Culver's site.
8. As shown in the proposed General Development Plan (GDP), development within the multifamily residential area includes two multifamily buildings positioned parallel to and setback from the east property line. A landscaped buffer of some significance shall be installed between the buildings and along the easterly property. Said landscaped buffer should be designed and presented as part of a larger landscaping plan for the common areas of the entire residential area and submitted for Village review and approval as part of the detailed site development and building plans for the multifamily residential area.
9. The Applicant shall develop a detailed plan for review and approval by the Plan Commission that presents details on landscaping, lighting, signage (building, monument, and directional), architecture & design, exterior materials, etc. that will guide the development of the two retail commercial sites, residential areas,

and any/all common areas within the remaining areas to be developed in the Blackstone Creek PDD area. Said plan shall be prepared and submitted for review and approval by the Village Plan Commission prior to or concurrent with the submittal of detailed site development plans for the commercial sites and multi-family residential area.

10. All items listed in the Village Engineer's August 27, 2025, review memo shall be addressed as part of future development of the multi-family residential area and retail commercial sites. Detailed construction and utility plans meeting all applicable Village Code requirements and requirement is the Village's Development Handbook shall be prepared and submitted for review and approval by the Village for all future multi-family and commercial site development.
11. Given topography across the property from north to south, the multi-family residential area may be able to be served by gravity sewer extended to the south side of the residential area from existing facilities located in Division Road to the east (south of the existing residential condominiums along Division Road). The owner shall explore cooperatively with the Village the possibility of extending water and/or sewer facilities from Division Road as part of future site development and building plans submitted for the multi-family residential area.
12. The Building Inspector has indicated that the submission of state-approved plans shall be required along with a \$20,000 occupancy bond prior to the Village issuing any building permits for the multi-family and commercial buildings.
13. The Applicant shall enter into a Development Agreement if/when deemed necessary with the Village pursuant to Section 18 of the Village Code (Subdivision and Platting), as well as, the preparation of detailed construction plans for the public improvements including, but not limited to public street and intersection improvements, sanitary sewer, water, storm water management facilities, master grading and erosion control, landscaping & street trees, open space trails, lighting and signage. At a minimum, said agreement shall require the review and approval of said plans by Village staff prior to the commencement of construction activities and establish the timing for installation of said improvements (or as otherwise provided for therein).
14. The current list of conditions & restrictions governing development within the Blackstone Creek PDD is contained in a series of resolutions resulting from previous amendments, including Res. No. 19-12 that was subsequently amended by Res. Nos. 29-12, 22-13, 23-13, and 20-16. As deemed necessary by Village Staff, if the proposed PDD amendments are approved, in whole or in part, Village shall Staff create a new document containing a compilation of all valid conditions & restrictions, including the addition of all conditions adopted herein, into one updated document adopted by resolution by the Village Board.

Motion 1: Approve 3 PDD Amendments with 14 conditions as presented

Motioned By: William Shadid

Seconded By: Russell Ewert

Motion 2: Amendment to remove condition #2 to allow drive-thru restaurants within the PDD

Motioned By: Robert Williams

Seconded By: Russell Ewert

Yes: Robert Williams, Russell Ewert

No: Bob Soderberg, Robert Warren, William Shadid, Josh Tarantino

Abstain: None

Motion 2 Failed Yes 2, No 4, Abstained 0

Results of Motion 1:

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

Staff recommends approval of the Certified Survey Map (CSM) to re-divide the 143-acre golf course property as (Lot 2 of CSM #6749) and Outlot 1 of the Glen at Blackstone Creek as proposed subject to the following conditions:

1. All technical issues and corrections identified by the Village Surveyor in the August 15, 2025, review memo shall be addressed and reflected in a revised CSM reviewed and approved by Village staff prior to recording.
2. Cross-access easements shall be prepared and recorded as necessary to ensure Lot 1 is accessible by vehicles and pedestrians across Lot 2 given that the location of internal driveways serving Lot 1 are located on Lot 2. An easement agreement for said easement shall be submitted for review and approval by the Village Attorney prior to recording the CSM.
3. A separate cross-access easement agreement between Presbyterian Homes, owner of the Fairway Knoll senior community and the owner of Lot 2, Blackstone Creek LLC, shall be prepared and recorded as necessary to ensure the development on Lot 1 and Lot 2 (as may be further divided) is accessible by vehicles and residents of the Fairway Knoll property to the west as generally depicted on the proposed General development Plan (GDP).

Motion: Approve CSM with 3 conditions as presented

Motioned By: Robert Warren

Seconded By: William Shadid

Ewert stated that we heard a lot of comments from residents tonight regarding the golf course and it being a fabric of the Village and that they want it to continue. He questioned whether the owner/operator of the golf course wants to continue running it. Sedgwick stated that the owner/operator of the golf course is a separate entity, the same owner/operator who sold him the land, and they have been trying to sell the rest of the land since 2006. He believes it is the worst kept secret in Germantown that the current owner/operator has wanted to get out of the golf course business for 25 years.

Result of Motion:

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion 3 Passed (Yes 6, No 0, Abstained 0)

Motion: Move Items E & F up to before Item C on the agenda

Motioned By: Russell Ewert

Seconded By: Robert Warren

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion Passed Yes 6, No 0, Abstained 0

E. Sign Effectz, Inc., Agent for Germantown Marketplace AG, LLC, Property Owner. Sign Review Application for Sun Island Spa at N112 W16274 Mequon Road. (ACTION)

Staff recommends approval of the proposed sign for Sun Island Spa for property located at N112 W16274 Mequon Road, subject to the following condition:

1. Applicant/owner shall remove the existing temporary banner sign that is on site.

Motion: Approve as presented

Motioned By: Robert Warren

Seconded By: William Shadid

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

F. Micaela Knapp, Agent for Nona Nutrition, and Devo Management Company, LLC, Property Owner. Sign Review Application for Nona Nutrition at N112 W15800 Mequon Road (Suite 4). (ACTION)

Staff recommends approval of the proposed sign for Nona Nutrition for property located at N112 W15800 Mequon Road (Suite 4), subject to the following condition:

1. Applicant/owner shall obtain an electrical permit from Building Inspection Services prior to sign installation.

Motion: Approve as presented

Motioned By: William Shadid

Seconded By: Robert Warren

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino

No: None

Abstain: None

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

C. Dan Braatz, Agent for Burgers & Braatz Properties, LLC, and Blackstone Creek, LLC, Property Owner. Site Plan application for a new 4,403 sqft drive-

through restaurant (Culver's) on property located at N112 W17300 Mequon Road in the Village Center District. (ACTION)

Associate Planner Yanke stated that Culver's is proposing a new drive-through restaurant on property situated at the northwest corner of Mequon Road and Division Road. The restaurant is proposed on property slightly over an acre (1.27 acres) where the Blackstone Creek Golf Club currently sits. The restaurant is 4,403 square feet in size and will incorporate two (2) drive-through lanes and typical off-street parking areas to serve customers that opt to dine-in. This proposal is part of a larger redevelopment proposal of the Blackstone Creek golf course that includes both multifamily residential and new commercial lots, with the subject lot being one of the commercial pads.

Two (2) main access points are proposed to accommodate the new restaurant development. A north driveway is proposed as a full access driveway to Division Road, directly across from the existing bank (Bank Five Nine) access driveway, which is located at the northeastern corner of Mequon Road and Division Road. A second full access driveway is proposed along Mequon Road near the center of the property, approximately 260-feet west of Division Road. Both driveways are proposed to operate under stop sign control on the driveway approaches. A cross-access drive to the Fairway Knoll retirement community property located to the west is also proposed to remain as part of the development plans. A Traffic Impact Analysis (TIA) supplementing the application was submitted along with the recommended modifications. The applicant has worked with staff to submit architectural renderings meeting the intent of the Village's "Germanic Theme" corridor along Mequon Road. While revised renderings were submitted, staff finds them to be unsatisfactory at this point in time and recommends further revisions including a modification to the flat roof design to a pitched roof, additional detail on the building facade facing Division Road, and use of non-metal materials along the roofline.

Given the unsatisfactory architectural design of the building, staff recommends to Table/Postpone the site development and building plans until the applicant submits revised elevations/renderings addressing staff's review comments and at the direction of the Plan Commission.

Dan Braatz and Jay Campbell came forward to ask for architecture recommendations from the Plan Commission to follow up on staff's comments.

Recommendations included:

The flat roof should be redesigned to a pitched roof design.

Material along the roofline should be non-metal.

The facade facing east should have a more robust color design and detail to match the rest of the building.

Dress up the south and east-facing elevations. Maybe it's just a matter of adding a few blue canopy features.

The Germanic features that were added, i.e., the clock tower and gable ends, seem contrived and aren't impressive. The side view looks incomplete.

Meet halfway and make Culver's look more unique than other ones at intersections.

The layout and the building being oriented towards Mequon Road are both acceptable.

Possibly brick instead of stone? Brick is more costly.

The gateway sign will need room on the corner.

Revise renderings and labeling for accuracy and make sure the landscape plan and renderings match.

Soderberg stated that he would rather table this topic until the Village Board can make a final decision on the Blackstone Creek PDD amendments heard earlier, as the Culver's proposal is contingent on the PDD amendments being passed by the Village Board. This will allow time for the applicant to revise the architectural details addressing recommendations per staff and the Plan Commission.

Dan Braatz spoke on his behalf and stated that his restaurant in Menomonee Falls partakes in FundRaisers and makes donations within the community. They sponsor local sports teams and have served custard at fundraiser events at schools.

Motion: Table topic until the next Plan Commission meeting on November 10th.

Motioned By: William Shadid

Seconded By: Robert Warren

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

D. Matt Seban/TLC Acres, Property Owner W210 N10738 Appleton Avenue - Site Plan Approval Review-Grading/Filling Status Report & Possible Deadline Extension (ACTION)

Director Retzlaff stated that the deadline for filling that this commission issued is coming up and introduced Matt Seban, who gave details as to why he would need a 60-day extension. Seban stated that the loads needed were not available and he believes that he lost about 300 loads because the Plan Commission dictated that he couldn't start before 8am. In years past, he could start at 7:30am which helped. He's not sure that he can get this done by the extended deadline. On Feb. 20th, 2026, the new floodplain maps go into effect and trump everything. Tier 2 should be out of the floodplain by that point. Warren asked why we are forcing this deadline on him. Retzlaff stated that it was to address the issues of his neighbors. Ewert asked how this will affect his business if the filling does not get done. Seban stated that a large area of his property will move into wetland when the floodplain maps change, and he will not be able to farm that entire area. Ewert suggested giving him an extension to Feb. 20th, 2026 as the final deadline.

Staff does not recommend extending the November 1, 2025, deadline. There is not adequate time to restore the original grades by the February 20th, 2026, deadline with additional filling, grading, and restoration of vegetation, given that little activity has been conducted to date.

Motion: Extend deadline for completion to Feb. 19th, 2026

Motioned By: Russell Ewert

Seconded By: Robert Warren

Yes: Bob Soderberg, Robert Warren, William Shadid, Robert Williams, Josh Tarantino, Russell Ewert

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

G. Community Development Department - Holy Hill Gateway District Master Plan Project: Review Consulting Services Request for Proposals (ACTION)

President Soderberg postponed this topic due to the late hour.

H. Community Development Department - Pending State Legislation Regarding Local Land Use, Zoning & Development Regulation (DISCUSSION)

President Soderberg postponed this topic due to the late hour.

VI. ANNOUNCEMENTS:

None.

VII. ADJOURNMENT:

Chairman Soderberg adjourned the meeting at 11:43pm.