

PLAN COMMISSION MINUTES

November 11, 2013

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:31 p.m.

ROLL CALL: Chairman Wolter, Trustee Representative David Baum, Commissioners Warren, Stauffacher, Peck, Yokes and Gray were present. Also present were Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: Resident Daniel Wing commented on planning being done behind closed door meetings and private phone calls regarding the Blackstone Creek golf course. He said the taxpayers should be included in the discussions and information made available to them.

PREVIOUS MINUTES: *MOTION Baum second Peck to Approve the Minutes from October 14, 2013.*

MOTION carried unanimously.

Germantown Corporate Center – N112 W15568 Mequon Road. United Properties Investment Partners, owner, is requesting approval of a monument sign for the existing multi-tenant office building. Planner Retzlaff summarized the proposal.

MOTION Baum second Peck to Approve the proposed monument sign for the Germantown Corporate Center located a N112 W15568 Mequon Road subject to the following conditions:

- 1. The nearest point of the sign shall be located not less than 5 feet from the nearest property line and outside of the vision triangle for the Mequon Road @ Pilgrim Road intersection.*
- 2. Address coordinates shall be mounted on the brick base and meet a minimum 5" letter height.*

MOTION carried unanimously.

Anytime Fitness – W175 N11162 Stonewood Drive. Jennifer Miller, owner, is requesting approval for a roof sign for their existing building. Planner Retzlaff summarized the proposal.

MOTION Peck second Stauffacher to Approve the proposed roof sign for Anytime Fitness located at W175 N11162 Stonewood Drive subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.*
- 2. All electrical sign components must be listed and labeled by a recognized lab.*
- 3. The highest point of the sign shall not extend higher than a point 3 feet below the peak/top of the roof sign.*

MOTION carried. (6-1 Baum)

John & Helen Kreuser Trust – W202 N10418 Appleton Avenue. The property owners submitted a Land Use Plan Amendment and Rezoning application for re-development of an existing commercial property to residential zoning. Planner Retzlaff summarized the proposal and said staff supports the LUP Amendment because the area doesn't have the primary highway commercial purpose any more. He recommended combining the properties and rezoning to the Rd-2: One and two Family Residential District instead of the Rs-6: Residential District the owners applied for, and combining the two parcels to bring the property into compliance with setbacks, lot area, dwelling size and all other applicable requirements.

Attorney Ralph Ehlinger spoke on behalf of the Kreuser Trust. He said this was a unique situation and the difficulty of rezoning to the two-family residential zoning and combining the two parcels is the necessity of getting a certified survey map prepared and approved. He said the Department of Natural Resources does not do wetland delineations at this time of year. He asked if the requested rezoning could be granted subject to the owners commitment to getting a certified survey map within a defined period of time so Mr. Kreuser can make the changes and modifications to the building to prepare for occupancy for a tenant.

Planner Retzlaff explained after an inspection of the property, we discovered the owner had started making interior improvements to the building as part of the process to convert from business to residential and was directed to stop. He said a wetland delineation is required as part of the CSM application process, but because of the time of year, delineations cannot be done until early spring, so timing is an issue to the property owner.

Trustee Baum asked if approval could be granted to allow the permits to be issued contingent on the rezoning being brought forward next year. Planner Retzlaff said we would need to consult with the Village Attorney. Chairman Wolter liked that the proposal will clean up the lots and the area but didn't want to hold up the property owner with his plans to generate income. Discussion continued and Commissioners agreed they had no problem approving the rezoning subject to completion of a certified survey map.

MOTION Stauffacher second Baum to Approve the proposed 2020 Land Use Plan map amendment from Commercial to Rural Residential.

MOTION carried unanimously.

MOTION Stauffacher second Baum to Approve rezoning the .3 acre parcel from the B-3:General Business District to the Rd:2 One and Two-family Residential District subject to the Village receiving a Certified Survey Map within 6 months approval by the Village Board.

Chairman Wolter said the zoning would not change until Village Board approves and would not be registered with the County until after the Certified Survey Map is

reviewed and approved. The Kreuser's would be allowed to continue converting the property to residential, after the Village Board approves the rezoning.

MOTION carried unanimously.

International Concrete Products – N104 W13561 Donges Bay Road. Approval of Site Development and Building plans, a Rezoning Application and Conditional Use Permit in order to fill 9,990 sqft of wetland and expand an existing outside storage area at the existing manufacturing facility. Planner Retzlaff summarized the proposal. Discussion followed.

Commissioner Gray asked if the wetland would need to be replaced elsewhere as was previously required. Planner Retzlaff said some of the rules have changed and both the Army Corps of Engineering and DNR can approve filling wetlands under general permitting allowances that are under 10,000 sqft of wetland fill. Commissioner Gray said canary grass will come back and is hard to eliminate. Planner Retzlaff said the mitigation proposal is light on detail and would need to be enhanced. Matt Clementi, Stantec Consulting Services, said the plan was a multi-phased reclamation that would start with removal of invasive species and then spraying with an herbicide. Different plantings would be used to get something established.

MOTION Baum second Warren to Approve the ICP application to rezone and remove up to 9,990 sqft of area from the Shoreland-Wetland Zoning District as shown in the Site Plan dated 10-13-13 pursuant to Section 24.07 of the Shoreland Wetland Zoning Code.

MOTION carried unanimously.

MOTION Baum second Warren to APPROVE a Conditional Use Permit to allow development within the 25' wetland setback area as proposed pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

- 1. The property owner shall complete the proposed mitigation plan outlined in the application. Said plan shall be submitted to the Village Planner for final review and approval prior to completion of the wetland fill project. At a minimum, the plan shall detail the amount, type and location of invasive plant species to be removed and the native grasses to be planted as part of the restoration and enhancement activities. The minimum amount of area to be enhanced under the plan shall be 3,500 sqft.***
- 2. The property owner shall prepare and submit an annual monitoring report to the Village concerning the management activities proposed in the mitigation plan, including the planting/restoration of native grasses and the removal of invasive species from the disturbed and undisturbed wetland setback areas. Said report shall, at a minimum, detail the type and amount***

of plantings and invasive species removed, all activities carried out in the previous year and the observed success of all previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities carried out, and the planned activities for the coming year. Said report shall be submitted annually at the end of each year beginning in 2014 for at least three (3) years.

Commissioner Stauffacher questioned why the need to fill the 25' setback. Mr. Clementi said they are filling up to 10,000 sqft which brings them up to the wetland and therefore filling the wetland buffer. Planner Retzlaff said the setback moves with the fill line. Discussion continued where remediation would be located and plant types.

MOTION carried unanimously.

MOTION Baum second Warren to APPROVE the Site and Grading Plan dated 10-23-2013 for the proposed 9,990 sqft outdoor storage area expansion for the International Concrete Product facility located at N104 W13561 Donges Bay Road subject to the following:

- 3. Final approval of the grading, erosion control shall be obtained from the Village Engineering Department prior to issuance of an erosion control permit.***
- 4. Detailed construction plans for the proposed retaining wall to be installed along the wetland fill boundary adjacent to the "south" wetland shall be reviewed and approved by the Village, DNR, and ACOE (if required) prior to installation.***

MOITON carried unanimously.

Holy Hill Self Storage – N129 W21661 Holy Hill Road. Dave Rogers, owner, is seeking approval of site development and building plans for the expansion of two existing storage buildings. Planner Retzlaff summarized the proposal.

MOTION Baum second Warren to Approve the site development and building plans for the proposed 2,495 sqft expansion to Bldg. #1 and Bldg. #2 at the Holy Hill Self Storage facility located at N128 W21661 Holy Hill Road subject to the following condition:

- 1. State-approved building plans shall be required and submitted with the Village building permit application.***

MOTION carried unanimously.

41/45 Corridor & North Village/Rural Area Discussion: Community Survey

Planner Retzlaff reviewed the preliminary draft survey. He said as was discussed, most of the same questions from the original survey done in 2000 along with some additional questions pertaining to more current topics were used. He said he will be meeting with the Director of Park and Recreation to finalize questions that will also be included in the survey to address some of their pertinent issues including level of service, quality of parks, services provided and facility use. The final draft survey will be ready for review and approval at the December 9th Plan Commission meeting and could be mailed out in late December or January. Retzlaff said he is looking how best to implement the survey and is considering using Survey Monkey or an online alternative. He said information would be posted on the Germantown website. The intention now is to send out one survey to every property owner in the Village and weed out those that are going outside the County or who do not have a residence here.

Commissioners had the following comments:

- Some residents to not look at the website
- Could a notice be mailed with the tax bills to save money
- The survey can be completed on-line or by mail
- Postage will be charged for only the surveys returned
- How will we address people who complete a survey both on-line and by mail
- How should we address residents that have no opinion or comment

Chairman Wolter said the survey results will be used as part of the process to complete the Village's 2035 plan. Planner Retzlaff commented that it is a State requirement to get input from the public. Administrator Schornack said he was glad the survey was getting started and said he had discussed with Jeff the capability of conducting the survey electronically. Planner Retzlaff told Commissioners to bring their comments back to the next Plan Commission meeting in December or send them ahead if they have.

ANNOUNCEMENTS: Commissioner Peck asked for clarification on the sign regulations pertaining to flashing lights. Planner Retzlaff said we have no regulations for signage on the inside of a window and flashing lights may fall under the nuisance provisions of the code. He said it is an ongoing struggle to keep up with all the variations of signage and the interpretation of the code. Window signage was discussed the last time temporary signs were reviewed but nothing was decided. Chairman Wolter said this Saturday is the Germantown holiday celebration, parade and tree lighting at Village Hall and activities at the library celebrating its 50th year.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant