

PLAN COMMISSION MINUTES

February 24, 2014

CALL TO ORDER: Planning Assistant Lori Johnson called the meeting to order at 6:31 p.m.

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

MOTION Stauffacher second Warren to appoint Trustee Baum as Chairman Pro Tem.

MOTION carried unanimously.

PUBLIC INPUT: None

PREVIOUS MINUTES: ***MOTION Warren second Stauffacher to Approve the Minutes from February 10, 2014.***

Commissioner Warren wanted to clarify the minutes for the St. John United Church of Christ historic designation item relating to funding. "Discussion followed regarding if the State funding would become involved in the road project. Engineer Bischke said the Village will not use State funding therefore the State historical preservation process will probably not be involved in the process." Engineer Bischke agreed with the clarification.

MOTION carried unanimously.

Planner Retzlaff requested Item C under New Business be tabled.

MOTION Stauffacher second Yokes to Postpone item C under New Business.

MOTION carried unanimously.

Village of Germantown – Municipal Code Chapter 27 (Post Construction Stormwater Management) & Chapter 29 (Construction Site Erosion Control) Code Amendments.

Engineer Bischke explained the Public Works and Highway Committee had met and approved the updates to the Code. The updates include revisions to Chapter 8 and provisions to allow developers to use green infrastructure. The code amendments need to advance to Village Board for a public hearing.

MOTION Stauffacher second Warren to Approve the proposed ordinance revisions.

MOTION carried unanimously.

Engineer Bischke left the meeting 6:40 p.m.

David Pauers for Adversity Wisconsin Volleyball Club – N113 W18750 Carnegie Drive.

Request for a Conditional Use Permit for the operation of a volleyball training facility from the existing industrial building in the Industrial Park. Planner Retzlaff summarized the proposal. David Pauers said he got his start at this site 15 years ago when it was the Lynch Courthouse. He said he was a teacher for 13 years and has been a coach for over 16 years. He said there would be 4 coaches on site with the total number of kids not exceeding 40.

A lengthy discussion followed including the following concerns:

- Will the facility be leased to other organizations or hold league events?
Mr. Pauers said that was a possibility in the future, but additional parking would be required and the maximum capacity is 49. The proposed use is for a training facility.

- Is there space for additional parking?

Planner Retzlaff said there is space for additional parking north of the existing parking lot. He said the original site plan shows 70 to 75 parking stalls that could be obtained through re-striping the lot. Limited street parking is permitted.

- Are the stairs going to the bathroom up to ADA requirements.

Planner Retzlaff said the State is not requiring modifications for this occupancy. Chairman Baum said the building is grandfathered.

- The safety of the students is a concern. The building doesn't comply with NFPA requirements.

Chairman Baum said because the modifications to the building are considered a Level 1 modification and the State is not requiring that the building be modified to today's code.

Planner Retzlaff said the Building Inspector will make sure the building is code compliant and the Fire Department will inspect the building to ensure fire safety requirements have been met.

- How will the owner deal with the open access to the warehouse? This is a safety issue.
Commissioner Stauffacher said the 2 openings providing access to the warehouse should be closed off. Planner Retzlaff said it would be easy for someone to wander off into the warehouse area after using the bathroom. Mr. Pauers said safety is a priority and if there are problems in the future, he will address them with the owner. Planner Retzlaff asked how often the building would be occupied by both tenants. Mr. Pauers said the club practices mostly at night but will have summer morning hours when both businesses would co-exist. Another concern with Commissioners is that the bathroom facilities would be shared by both users. Commissioners discussed how to control access to the warehouse. Dan Cartledge, owner of Wisconsin Expo, said he was willing to secure the entrances with doors. He said he employs approximately 10 employees and is willing to put forth the effort to expand the parking lot if needed. Planner Retzlaff said a plan for how access to the rest of the building will be controlled should be provided.

MOTION Stauffacher second Yokes to Approve a Conditional Use Permit for Adversity Wisconsin VBC and DC Cartledge LLC, property owner, for the operation of a volleyball training facility from the existing industrial building located at N113 W18750 Carnegie Drive in the Germantown Industrial Park subject to the following conditions:

- 1. The owner/operator shall install all interior and exterior building and site improvements as presented in the plan set date stamped February 13, 2014 prior to issuance of an occupancy permit from the Village;***
- 2. The owner/operator shall comply with all conditions and requirements set forth by DSPS approval letter dated 2/11/2014 shall be completed prior to occupancy.***
- 3. The owner/operator shall prepare an emergency plan for the facility per NFPA 1 (10.9.1 and 10.9.2.1). Said plan to include: evacuation plan for all occupants in attendance; the means to control (prevent) warehouse access by occupants without reducing required exit access; the means of alerting occupants of emergencies elsewhere in building; a fixed telephone for contacting 911; a procedure for accounting for occupants; a diagram showing exits, path ways, extinguishers and fire protection equipment. The emergency plan shall be submitted to the Fire Department for review and approval prior to occupancy.***
- 4. Ceiling tiles in the court area shall be secured in place with all fire sprinkler heads in the ceiling tiles shall be protected with guards to prevent damage or activation.***

- Guards shall be placed over exit all signs and emergency lights to prevent damage.***
- 5. The owner/operator shall install an Occupancy Limit sign at the entrance indicating that occupancy of the volleyball area shall not exceed 49 persons.***
 - 6. The paved parking area shall be adequately marked/stripped to indicate a minimum of ten (10) parking stalls to serve the operation as shown on the ;***
 - 7. The owner/operator shall cooperate with the Fire Department to conduct a pre-occupancy inspection and provide/install whatever additional fire safety measures are required under Village and other applicable fire safety codes.***
 - 8. All exterior temporary and permanent signs shall comply with the Village's sign regulations including obtaining approval and/or permits from the Village Planning Department or Plan Commission as necessary.***
 - 9. The owner/operator shall contact Inspection Services regarding the type of building, electrical and/or plumbing permits that are required for the proposed interior and exterior improvements. The state-approved plans subject of the DSPS February 11, 2014 conditional approval shall be revised to include all of the DSPS requirements and submitted as part of the building permit application.***
 - 10. Depending on the hours and time of year for the operation, additional wall-mounted lighting along the proposed access sidewalk from the parking lot to the primary entrance to/from the volleyball training area ~~may be needed~~ will be required. The owner/operator shall coordinate with the Zoning Administrator and Building Inspector to determine the need for and identify the type and number of lights to be installed (if necessary).***

MOTION to Amend Stauffacher second Yokes to add a condition that the 2 doors that are currently open walkways be secured with doors that will restrict the new tenants access into the warehouse area.

MOTION to Amend carried unanimously.

MOTION to Amend Stauffacher second Warren to change Condition #10 by striking "wall-mounted" and "may be needed" to "will be required"

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Rick's Quick Lube – N112 W16076 Mequon Road. Richard Donaldson, operator, is seeking approval of a revised site plan for the oil change operation. Planner Retzlaff summarized the proposal to eliminate two landscaped islands at the entrance driveway to the building and delete the twelve plantings proposed along the south side of the parking lot. He said the staff recommendation was to allow eliminating the landscaped islands but not deleting the twelve plantings.

Commissioner Gray was opposed to diminishing the landscaping and requested changing the plant requirement to include three (3) or four (4) tree lilacs or crabapple trees. Commissioner Warren was in agreement.

MOTION Gray second Warren to Approve the following revisions to the site plan for the oil change operation located in the Germantown Commons Retail Center at N112 W16076 Mequon Road:

- 1. Eliminate the landscaped islands adjacent to the service bay entrance driveway/overhead doors and allow the two (2) existing parking stalls to remain.***
- 2. Amend the landscape requirement to include four (4) ornamental trees.***

MOTION carried unanimously.

Richard Donaldson, Quick Lube, said the business is now open and invited the public to stop in. He said he was looking forward to serving the community.

ANNOUNCEMENTS: Commissioner Gray said the Old Town Inn is now open.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:51 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant