

PLAN COMMISSION MINUTES

April 9, 2012

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:34 p.m.

ROLL CALL: Chairman Wolter, Commissioners Warren, Stauffacher, Jex, Trustee Representative David Baum and Village Planner Jeff Retzlaff. Commissioners Mazurek and Peck were absent and excused.

PUBLIC INPUT: None

PREVIOUS MINUTES: *MOTION Baum second Warren to Approve the Minutes from March 26, 2012.*

MOTION carried unanimously.

American Legion – N120 W15932 Freistadt Road. The Germantown American Legion is requesting approval of an LED electronic message board addition to the existing monument ground sign. Planner Retzlaff summarized the proposal.

MOTION Baum second Jex to Approve the proposed electronic message board addition to the existing monument sign for the American Legion Post #1 facility located at N120 W15932 Freistadt Road subject to the following conditions:

- 1. Electrical permits shall be obtained from the Building Inspection Department prior to installation.***
- 2. All electronic components shall be inspected and labeled by a licensed lab.***
- 3. An appropriate base is constructed around the existing monument sign to be comprised of decorative masonry. The area surrounding the base shall be landscaped as required in the sign regulations with appropriate plans for said base and landscaping prepared and submitted to the Village Planner for review/approval prior to installation of the electronic message board. Completion of the required base and landscaping to occur within one (1) year after sign permit approval.***
- 4. The existing monument sign shall be modified to include the street address coordinates with a minimum letter height of 5 inches.***
- 5. The existing flood lights shall be shielded to reduce glare affecting the adjacent road or otherwise incorporated into the required landscaping surrounding the sign base (and shielded by way of the various plantings included therein).***
- 6. The electronic message board display shall: (1) use monochromatic lights/LED's in any one of the three proposed colors, i.e. red, green or yellow, but not mix the colors in any given message at any one time; (2) present each message as a static message that does not flash, scroll, move, rotate, flicker, or contain live or taped video, animation or graphics (i.e. text only); (4) display messages for a minimum 30 second time interval before changing messages.***

Jim Heimann spoke for the American Legion. He questioned the minimum 30 second time interval when other signs he's observed in the Village do not have the same limit. Planner Retzlaff said other electronic message boards in the Village had received approvals with similar time delays, but enforcement was an issue. He said there was no formal ordinance pertaining to electronic message board signs and the time interval issue was a safety precaution.

MOTION to Amend Baum second Warren to revise condition #6 (4) display messages for a minimum 10 second time interval before changing messages.

Mr. Heimann said the existing sign needed some repair and was OK with the requirement to make improvements to the sign. Trustee Vanderheiden reasoned that because there are no stop lights or curves on Freistadt Road, traffic issues would not be a concern as is the case with other electronic reader signs in the Village. Planner Retzlaff said traffic would slow down to read the message and then safety becomes an issue.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Warren to eliminate the requirement to install a masonry base around the sign but landscaping is still required.

Chairman Wolter commented that Plan Commission had required other businesses to make improvements to their signs but because the Legion is a non-profit organization he would consider eliminating some improvement requirements.

MOTIN to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Sheer Lounge – N112 W16560 Mequon Road. Kristine Gintner, operator of the Sheer Lounge is requesting approval for roof signage in tenant space located in the Germantown Market Place II. Planner Retzlaff summarized the proposal.

MOTION Baum second Warren to Approve the proposed wall and monument signage for the Sheer Lounge in the Germantown Marketplace II located at N112 W16560 Mequon Road subject to the following conditions:

- 1. Electrical permits shall be obtained from the Building Inspection Department prior to installation.***
- 2. All electronic components shall be inspected and labeled by a licensed lab.***

MOTION carried unanimously.

Life Church – W164 N11325 Squire Drive. Life Church has submitted site plan, rezoning and conditional use permit applications for an 800 seat church sanctuary expansion and remodeling project for the Life Church facility. Planner Retzlaff summarized the proposal. Pastor Cole said Life Church was in Germantown to serve the community and commented that Mai Fest, the Farmers Market, and other organizations use the church parking lot free of charge. Vince Micha, Kubala Washatko Architects, reviewed the proposal. Attorney Tomchek requested condition #4 and #9 not be applicable until the second Phase is completed.

Planner Retzlaff said staff supports the proposed rezoning and conditional use permit for development within the 25' wetland setback with the conditions listed in the staff report. He said staff had identified a number of issues with the site plan that will require further attention. The most significant concern is the lack of site plans for Phase II of the development and the parking area does not meet current parking requirements. Other concerns include the requirement for a certified survey map to combine the two separate lots, additional landscaping is needed along Squire Drive, roof mounted mechanicals need screening, traffic study issues need to be resolved, and lack of Germanic theme architecture. Also the transition between building #4 and #5 is too abrupt and the north elevation is too stark and needs some attention. He also listed concerns from the Engineering, Fire, Police and Building Inspection Departments.

Plan Commission had the following comments and concerns:

- How will the garage doors look attractive and tie in with the rest of the building
- The landscaping along Squire Drive should be completed with Phase 1

Mr. Micha reasoned the church has limited funds and if trees were planted now, they would likely be disturbed during Phase II when the berm along Squire is removed to expand parking. He said the landscaping would be installed when Phase II is completed.

- A master plan for Phase II should be submitted to provide a complete picture of how the development will eventually look
- A parking lot plan is needed
- Like the overhead doors
- Germanic theme is not noticeable
- Buildings are two distinct spaces, do not tie together, possibly separate with a landscaping feature
- What if Phase II doesn't happen – what will happen to the required landscaping
- The building is off Mequon Road, is Germanic theme necessary
- How will the rooftop units be hidden from view
- The north wall needs some type of articulation

Trustee Baum suggested added punched openings to dress up the blank wall, or another horizontal band to tie in the roof line. Pastor Cole commented that all the

businesses along Mequon Road have concrete block back walls and asked what the church needs to do in comparison. Trustee Baum said that maybe when the master site plan is submitted these issues will no longer be a concern.

MOTION Baum second Warren to Approve the Life Church rezoning application to rezone and remove up to 9,261 sqft (.21 acres) of area from the Shoreland-Wetland Zoning District as shown in Plat of Survey (surveyor's certificate dated March 28, 2012) pursuant to Section 24.07 of the Shoreland-Wetland Zoning Code.

MOTION carried unanimously.

MOTION Baum second Stauffacher to Approve a Conditional Use Permit to allow development within the 25' wetland setback areas as presented in the supporting Mitigation Plan Narrative and exhibits (dated March 12, 2012) pursuant to Section 24.04 of the Shoreland-Zoning Code and subject to the following conditions:

- 1. Life Church shall prepare and submit an annual monitoring report to the Village and local DNR staff concerning the various management activities proposed in the mitigation plan, including the planting/restoration of native grasses and the removal of buckthorn and other 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 2012 for at least three years.***

MOTION carried unanimously.

MOTION Baum second Stauffacher to Continue the review of site development and building plans for Phase 1 to a meeting at a future date when a master site plan showing Phase II is brought forward so Plan Commission has a better idea to help through the approval of Phase I.

Chairman Wolter said Plan Commission had previously gone through a lengthy discussion on the overall site plan review and none of those discussion items have been incorporated into this plan. He cautioned Plan Commission that they are taking a big step by moving away from the Germanic architecture theme. He said that although the building is dramatic, it is not Germanic. He commented that some commissioners have softened their stance on requiring a Germanic theme because of the proximity or distance of the building to Mequon Road. He said the car wash, Ellen's home, Stoneridge Village and JK Lee were all required to include a Germanic theme. He said we should be consistent. He stated if we're going to step away from requiring a Germanic theme because the Village does not have

an established ordinance, we should address the issue.

Planner Retzlaff cautioned the Plan Commission about what is accepted now compared to the past and what will be presented in the future. The code requirements state that when buildings are changed or expanded, they also need to provide improvements to be brought up to code. Discussion continued.

MOTION to Amend Baum to revise the site plans and elevations to show a more Germanic theme.

MOTION Failed for lack of a second.

Trustee Baum said subtle modifications could be made to the building to provide a Germanic theme including taking the parapet walls and articulate some up and down feature to represent the gable roof lines, similar to Walgreens. Also the saw tooth up and down brick detailing effect could be incorporated.

Chairman Wolter said the Village needs to define the Germanic theme in more detail than just wood and timber. Attorney Tomchek asked that Mr. Micha and Trustee Baum meet to go over revisions. Chairman Wolter thanked Life Church for their positive influence in Germantown and the much needed activity in the area.

MOTION to Approve carried unanimously.

Chairman Wolter called a recess at 8:44 p.m.
Meeting reconvened at 8:50 p.m.

US 41/45 Corridor Discussion & Farmland Preservation Planning Area & Zoning

District Update. Planner Retzlaff said at its last meeting, the Economic Development Commission discussed development north of Freistadt Road and reviewed the community survey that was conducted in 2000 as part of the early stages of the comprehensive plan process. The EDC concluded their discussion with a recommendation to the Plan Commission that a similar survey be done now, but gave no specificity. Planner Retzlaff asked PC if another survey should be prepared and what questions should be included. Plan Commission supported the survey proposal. Planner Retzlaff said land use should be addressed and asked what other questions should be included, including some that may be controversial. Chairman Wolter said all questions should be included as well as those regarding Germanic theme requirements. Planner Retzlaff asked Commissioners to look over the old survey and think about what topics and specific questions should be included in the new survey. He said he and Administrator Schornack will talk with reps at the UW Extension and get some feedback for the next meeting.

Planner Retzlaff informed the Commission that he was recently informed by Washington County that the Farmland Preservation Plan had not been certified by

the Department of Agriculture because of some problems. He explained that one of the criteria necessary to qualify for inclusion in the Farmland Preservation area, as made up by the County, was "land can not be planned for non-ag development within the next 15 years". The designation of farmland areas resulted in a map depicting those areas but the Department of Agriculture kicked it back because the properties didn't qualify because they are not presented accordingly on the 2020 Land Use Plan Map as such. So, unless the Village changes the LUP map and takes out the allowance for conservation residential or comes up with another category for the LUP that is simply agriculture and applies to it those areas that are shown as Farmland Preservation, we no longer qualify for any farmland preservation areas in the Village of Germantown. He further explained that if the County, in choosing their criteria, knew how DATCP was going to interpret this allowance in the state statute, we wouldn't have had to have gone through the entire process of participating because our map wouldn't have met the criteria. He said we need to make a decision soon whether we are going to adopt the Farmland Preservation zoning district and assign to all areas as previously shown or get out of the Farmland Preservation program altogether. He said we now have an extra decision to make to adopt a farmland preservation zoning district and modify our basic 2020 LUP to allow for farmland preservation with a policy that will not allow development for the next 15 years.

At this time, there are only 10 land owners who currently have farmland preservation agreements. Commissioners did not support the changes citing the requirement for no development for 15 years was too restrictive and there wasn't enough participation. Retzlaff asked if farmland preservation should be addressed in the questionnaire. He said the Village will need to ask the County for an extension and inquired if we should get some feedback by sending out information to the 180 land owners who qualify for farmland preservation. It was agreed that some kind of effort should be made to reach out to those owners and should be done independently of the other survey.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:44 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant