

PLAN COMMISSION MINUTES

April 14, 2014

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:45.m.

ROLL CALL: Chairman Wolter, Commissioners Warren, Stauffacher, Peck, Gray and Yokes were present. Trustee Representative David Baum was absent and excused. Also present were Village Planner Jeff Retzlaff, Village Administrator Dave Schornack, Attorney Brian Sajdak and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

PREVIOUS MINUTES: ***MOTION Warren second Stauffacher to Approve the Minutes from March 10, 2014 and March 24, 2014.***

MOTION carried unanimously.

PUBLIC HEARING – 6:30 P.M. or LATER – The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the application filed by the petitioner.

Village of Germantown – Proposed Boundaries and Project Plan for the creation of Tax Incremental District No. 6 in the Village of Germantown (192 acres located east and south of Appleton Avenue and Lannon Road).

Dave Wagner from Ehlers and Associates explained the Project Plan.

Chairman Wolter opened the Public Hearing at 7:05 P.M.

Village Attorney Brian Sajdak said Plan Commission members had received a copy of an email from Holly Basting who requested that her comments be provided to the Board. He said her opinion was, if there are going to be funds above and beyond what the TIF will cover, it should not be approved.

Bob Weiland, W182 N9052 Amy Lane, Menomonee Falls said he owns 2 properties in the Village of Germantown. One property was included in the TIF boundary. He asked that the other parcel, Tax Key #324-980, also be included within the TIF boundary. Mr. Wagner said it would be appropriate for the Plan Commission to add the parcel as a recommendation to the Village Board to be included in the final document. Mr. Weiland added that there is a drainage problem in this area and hopes it will be addressed in the TIF.

Chairman Wolter closed the Public Hearing at 7:10 P.M.

Consideration and Action on a Resolution Designating the Boundaries of and Approving the Project Plan for Proposed Tax Incremental District No. 6.

Discussion followed. Commissioner Stauffacher said a requirement for a TID ensures that 50% of the total land be developable and questioned if that was being met. Mr. Wagner said land that is wetland is not part of the TIF and is excluded from the area calculations. He said a wetland delineation is planned to be done in May and the total amount of developable acres would be approximately 77 acres. Attorney Sajdak stated wetland areas are not part of the acreage. And while the total acreage is significantly higher than developable land, the land that is available for development, less the wetland that is excluded, is 100% of the land

that is available. Chairman Wolter said State regulations and Statutes will be followed. Discussion continued regarding funding. Commissioner Stauffacher said he wants to see the least cost to taxpayers. Chairman Wolter said it will be up to the Board to decide which projects are warranted and those that can be delayed. He said the most questionable area project is the water looping project that could be removed or delayed to a later date or put into the project now because it supports the TIF. A lengthy discussion followed.

Chairman Wolter said discussions regarding the TIF have been going on for some time and it's been clear that it needs to be a developers TIF. He said the Village does not own the property but feels we do have a strong relationship with the property owners and are comfortable that they will do what they're telling us they will do. He said there may come a time when there is an extensive land buy by the Village when the time is right and at the right phase.

Chairman Wolter said he backs this TIF as a vehicle for development. He said it is a build it as they come, supporting development as it occurs, but designates the area we want it to occur. He stated it's in a great area because it has expressway support, a commercial component, has a lot of accesses to it north, south, east and west, great proximity to other Parks, close to Milwaukee, Madison, the Fox Valley and Chicago and thinks it will be successful for these reasons. He said there is already a potential user who wants to be in by the end of 2014. He said the Village has sold a lot of property in TIF 4 in the last 4 years, but there is no more land. He fears a big user may come in who wants to build here but we don't have any land to offer. He said he is looking for additional development land as a way to disperse and spread out the tax base overall and thinks this will help that.

MOTION Gray second Peck to Approve the Resolution designating the boundaries of and Approve the Project Plan for proposed Tax Incremental District No. 6.

MOTION to Amend Stauffacher second Peck to amend the boundary to include the Weiland property, Tax Key #324-980 into the TIF boundary.

MOTION to Amend carried unanimously

MOTION to Approve as Amended carried 5-1 (Stauffacher)

***MOTION Peck second Warren to go to Item E on the Agenda.
MOTION carried unanimously.***

Weber Homes Inc. – N108 W17478 Virginia Avenue. Roman Berendt, agent for Weber Homes, is requesting a consultation with the Plan Commission regarding the development and operation of two 20-bed Community Based Residential Facilities (CBRF) on land located at the west end of Virginia Avenue. Planner Retzlaff summarized the proposal. Roman Berendt reviewed changes to the last proposal.

Plan Commissioners had the following comments and concerns:

- The parking lot is not close to the door
- There is no front drop off or drive
- The building is not designed to have a circular pattern, possible for someone to walk out the door
- The building lot layout is better

- The patio area needs to be enclosed
- Add skylights to main area

Planner Retzlaff said the south building is really boxed in with just an acre parcel size and 45 foot setback making it difficult to provide the drive access. Mr. Gritzmacher said they will look at the economics of expanding to 2 acre parcels. Mr. Berendt said he would look into moving the building back another 15 feet to create access to the front of each building. Chairman Wolter said he liked that the buildings were separated but didn't understand the building layout in the back and said a front drop off is needed. Mr. Gritzmacher said the owner has had success with this building layout at other locations.

This item was for discussion only. No action was taken.

***MOTION Stauffacher second Peck to go to Item F on the agenda.
MOTION carried unanimously.***

Central Asset Management LLC – Lot 22 Germantown Business Park. Request for a consultation regarding conceptual site development and building plans for a 15,000 sqft office/warehouse building on Lot #22 on Washington Drive. Planner Retzlaff summarized the proposal.

Mickey Goetz, Central Asset Management, said they have a tenant currently located in their building on Bradley and Washington Drive who is expanding and looking to relocate into their own facility in the Park. This site was chosen because the tenant likes that is heavily wooded and the building will be built close to Washington Drive to take advantage of the wooded setting. He said they've encountered some tough obstacles with the site making it a challenge to develop.

Plan Commissioners had the following comments and concerns:

- Appreciate their sensitivity to the trees
- Sandstone finish needs more variety
- The bump outs need more articulation and could come out farther
- Building looks bland
- Building needs color detail
- Building too hard edged, needs to be more interesting
- The awnings need more detail
- East elevation is just a blank wall
- Backup alarms and truck noise may bother residential neighbors
- Needs more curb appeal

Chairman Wolter advised Mr. Goetz that there is a big excavation project by the water tower that will be getting rid of some dirt that they may be able to use for fill. He added that he appreciates them wanting to stay in Germantown and in the Park. Commissioner Warren inquired about the tree lined buffer along the lot line. He said it may be helpful to provide a site line rendering from Coneflower when they come back for site plan approval.

This item was for discussion only. No action was taken.

Germantown Police Department for Waste Management of WI – W124 N10043

Wasaukee Road. The Germantown Police Department is seeking an amendment to Conditional Use Permit No. 2-92 to allow additional law enforcement agencies to utilize the existing Pistol/Rifle Range located on the 30.2 acre property. Planner Retzlaff summarized the proposal.

Commissioner Warren said if there is a cost for insurance for the range he would like to see the other communities that use the range share the cost. Commissioner Peck asked if the early morning or late evening hours would be a problem with the neighbors. Planner Retzlaff said the hours of operation were already an existing allowance and based on information from the Police Chief there haven't been any complaints. Commissioner Yokes had an issue with the new language "only members of the Village of Germantown" saying it was confusing because it does not state Village of Germantown Police Department and could be interpreted differently. Planner Retzlaff said he will discuss the language with the Village Attorney and rephrase it if necessary.

MOTION Stauffacher second Warren to Approve the amendment to Conditional Use Permit No. 2-92 as proposed.

MOTION carried unanimously.

John & Helen Kreuser Trust – W202 N10418 Appleton Avenue. The property owner has submitted a 1 lot Certified Survey Map application for review. Planner Retzlaff said Plan Commission had recommended approval and Village Board approved a land use plan amendment and rezoning in December 2013. The CSM satisfies a condition of the approval that the two parcels be combined into one within six months.

MOTION Stauffacher second Warren to Approve the 1-lot Certified Survey Map (CSM) for the property located at W202 N10418 Appleton Avenue as proposed.

MOTION carried unanimously.

MGS Mfg. Group – W188 N11707 Maple Road, N117 W18978 Fulton Drive & W190

N11701 Moldmakers Way. Sign Review applications for a series of monument, wall and directional signs for the buildings located in the Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Warren second Gray to Approve the new wall, directional and monument signs proposed for MGS Manufacturing Group properties located at W188 N11707 Maple Road, N117 W18978 Fulton Drive and W190 N11701 Moldmakers Way 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. All monument and directional signs shall meet a minimum setback of five (5) feet from all property lines.***

MOTION carried unanimously.

Village of Germantown – Recommended Amendment to the Germantown Business Park Declaration of Restrictions and Covenants (Security Fencing). Planner Retzlaff summarized the proposed amendment to the Covenants regarding security fencing. He said all the property owners in the Park would be notified of the amendment to the covenants seeking their feedback and approval. A majority of the owners would need to approve the change.

Plan Commissioners had the following comments and concerns:

- 10 feet is too high – 8 feet is better
- Chain link fence is listed as not being allowed but would be a better security fence
- Maintenance is a concern (rusting, trash collection, drainage, weeds)
- Fence should be installed as far back from property line as possible.
- Eliminate the 3 foot foundation fence – it's more decorative

Bill Burkhart, Skyline Development, said Cambridge Major Laboratories is requesting permission to install a fence because they are getting into some new, valuable and dangerous drugs and the fence is needed for security measures. He said the proposal is very flexible and provides the owners several different options. Chairman Wolter asked if the covenant change can be segmented to one portion of the Park or if it needs to be all inclusive. Planner Retzlaff said he would check with the Village Attorney.

MOTION Peck second Warren to make the changes as recommended to the Covenants, draft the letter and the covenant change request and distribute it to all the property owners within TIF #4.

MOTION carried unanimously.

ANNOUNCEMENTS: Commissioner Stauffacher said this was his last Plan Commission meeting. He said he enjoyed the opportunity to serve as a Plan Commission member and enjoyed working with everyone. Chairman Wolter thanked him for his input and service.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant