

PLAN COMMISSION MINUTES
May 14, 2018

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee David Baum, Commissioners Peter Nilles, Tony Laszewski, Bob Williams and Matt Kimmler were present. Commissioner Bill Shadid was absent and excused. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson. Chairman Wolter welcomed new Plan Commission member Matt Kimmler.

PUBLIC INPUT: None

APPROVAL OF MINUTES: ***MOTION Baum second Laszewski to Approve the minutes from 4-23-18. MOTION carried unanimously.***

Daniel & Rosanne Tetzlaff, W197 N12525 Prairie Ridge Ct. The property owners of a 5-acre residential parcel located in the Isabelle Farms Subdivision are requesting approval of a Conditional Use Permit (CUP) to allow the raising of poultry for family consumption on their property in the Rs-1 Single Family Zoning District. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve a conditional use permit for Rosanne & Daniel Tetzlaff to allow the “raising of poultry for family consumption” on their property located at W197 N12525 Prairie Ridge Court subject to the following conditions:

- 1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit application (CUP) and supporting materials dated April 16, 2018. The physical facilities from which said uses and activities are permitted include the proposed coop and runs and shall be constructed and used as specified in the application and supporting materials.***
- 2. 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 permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.***

MOTION carried unanimously.

Phylmack LLC, Agent for Speaker Properties LLC and J.W. Speaker Corporation – N121 W19996 Dalebrook Drive, Lot 1 and 2 in Block 5 of Neuland Subdivision on Josephine Drive. Proposal to amend the Speaker Corporation PDD by adding additional land to the PDD, modifying the General Development Plan and revising certain restrictions in the Conditions & Restrictions Resolution. Planner Retzlaff summarized the proposal.

MOTION Laszewski second Baum that the proposed PDD amendments are “Significant” changes that require a public hearing concurrent with the Village Board’s consideration and action on the proposed amendments.

Discussion followed. Trustee Baum said he supports the motion because adding 3 additional lots and not putting the trees in on the north will bring the residents out because that was a main issue of theirs to start the buffering today so there is growth in the future. Planner Retzlaff said the lots were already owned by Speaker at the time the PDD was created but were not included. Chairman Wolter commented that no development would occur on the 3 lots.

MOTION carried unanimously.

MOTION Baum second Laszewski to Approve the proposed PDD amendments for the Speaker Corporation PDD, including: (1) amending the overall size and boundary of the PDD by rezoning and adding adjacent land; (2) modifying the General Development Plan (GDP) by changing the relative location of the SMT and Design Center buildings; and (3) modifying certain language in the Conditions & Restrictions Resolution (Res. No. 26-17) regarding the timing of landscape planning for the “future” development area subject to the following conditions:

- 1. The original General Development Plan (GDP) dated December 11, 2017 is replaced by the amendment GDP dated May 8, 2018.***
- 2. The proposed amendments shall be codified into a revised Conditions & Restrictions resolution to be considered for approval by the Village Board, including language addressing the agreement between Speaker and John Wagie allowing the 1.8-acre property to be used for residential purposes through June 2019.***
- 3. The existing tree line between the Neuland Subdivision and the west side of the proposed SMT building shall be enhanced with supplemental tree plantings and/or berming. Said landscaping enhancements shall be reflected in the required landscape plan to be submitted concurrent with Phase I development (east-west driveway and SMT building construction).***
- 4. That portion of the requirement under Section 5 in the original Conditions & Restrictions Resolution (Res. No. 26-17) that requires “... a detailed landscaping and buffer plan for the north perimeter of Lot 1 adjacent to the WSOR railroad and south perimeter of Outlot 3 as shown on the GDP shall be prepared and submitted to the Plan Commission for review and approval prior to commencement of construction of the Goldendale Road access driveway and utility installation” shall be deferred for a period of two (2) years after construction of the east-west driveway has commenced, or, July 1, 2020, whichever date occurs first.***

MOTION to Amend Baum second Kimmler to remove Condition #4 and not defer the landscaping for two years.

Discussion continued. Planner Retzlaff explained the request is that the preparation of the landscape plan for the area south of the railroad, along with the installation of some trees, be deferred until a site development plan comes forward. The staff recommendation supports the request to defer the pre-

planning of that area, but for a period of no more than 2 years. It does not eliminate the landscape requirement but simply defers it to a later date. Commissioner Williams asked if the proposed driveway could be seen from Isabelle Farms subdivision. Commissioner Kimmler said a few houses would be able to see the driveway. Planner Retzlaff stated there is an existing tree line along the rail road on both the north side and south side and the intention is to supplement that as shown on the general development plan. He said the supplemental landscaping is not intended to obscure the view of the driveway 100 percent from the north.

Discussion continued on the type of trees currently planted along the railroad tracks. Jaime Speaker explained he is still committed to do the north buffer but it's an issue of timing due to a number of delays with the project. After getting into the details, they were required to shift the buildings. He said they need to submit the site plan and road plans for review. All he is asking for is a 2-year deferral to have more time to come up with something reasonable on the northern boundary and get the southern landscaping in now. He will then come back to propose a plan for the north buffer. He also asked the Commission to consider this a minor change to the PDD.

MOTION to Amend Fails 3-3 (Wolter, Nilles, Williams against).

MOTION to Amend Kimmler second Nilles to have the planning for both the north and south area completed right away and delay planting along the north side until November 1, 2019.

Trustee Baum said they are asking to delay planning the landscaping on the north, so it can be done with more thought after the road goes in. Chairman Wolter further commented that the request to delay is only for the north section and that there is a very robust berming and planting section to the south. He added that there is a significant storm water issue in the area that needs to be addressed and would go along with the landscaping plan to hopefully lessen some of the issues for the subdivision to the south. It may be difficult to provide that kind of detailed plan in order to make the schedule for the next Plan Commission meeting.

MOTION to Amend Fails 5-1 (Kimmler).

MOTION to Approve the PDD Amendments carried unanimously.

MGS Manufacturing Group – W190 N11701 Moldmakers Way. MSI General, agent for MGS is seeking approval of site development and building plans for a 26,880 sqft building addition and partial raised roof expansion to the existing manufacturing facility. Planner Retzlaff summarized the proposal.

MOTION Baum second Nilles to Approve the site development & building plans for the 26,880 sqft building addition and 13,000 sqft partial raised roof expansion to the existing MGS manufacturing facility located at W190 N11701 Moldmakers Way subject to the following conditions:

- 1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plans dated April 16, 2018 (architectural plans), March 30, 2018 (engineering) and landscaping plans dated March 29, 2018, unless superseded by subsequent plan***

sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.

- 2. All roof-mounted mechanicals should be screened with an enclosure comprised of materials and/or color that either resembles or is compatible with the existing 6' high roof addition. Detailed specifications and plan elevations for the final RTU's and enclosures shall be submitted to the Village Planner for review and approval prior to issuance of an occupancy permit with installation completed not less than (6) months after an occupancy permit has been issued.***
- 3. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.***
- 4. The Owner shall enter into a Landscape Maintenance Agreement with the Village as required under 17.43(6a) of the Zoning Code. Said agreement shall be executed by the Owner and submitted to the Village for recording prior to issuance of an occupancy permit.***
- 5. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.***
- 6. All technical issues identified by the Village Engineer in the May 8, 2018 review memo shall be addressed prior to issuance of an occupancy permit.***
- 7. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***

Chairman Wolter said MGS has been a longstanding company in the community that supports a lot of Germantown activities and is very involved with the schools. He said it is a state of the art facility that makes a lot of parts used every day.

John Kutz, MSI General, said the existing building has 40 rooftop units that are not screened, and it would be difficult to screen the new units because of the size and location. He asked that the requirement to provide screening be waived. Planner Retzlaff said there were no specific deed restrictions for the industrial park and the requirement is based on necessity and past practice.

MOTION to Amend Baum second Laszewski to delete Condition #2 that requires roof-mounted mechanicals be screened.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Fairway Knoll Senior Living Community, N112 W17500 Mequon Road. VJS Construction Services is requesting approval for a monument sign for the new facility. Planner Retzlaff summarized the proposal.

MOTION Baum second Kimmler to Approve the proposed monument sign for the Fairway Knoll facility located at N112 W17500 Mequon Road subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.**
- 2. Landscaping materials (type, size and quantity) shall be installed as specified in the original site plan approval granted on July 11, 2016.**
- 3. All exterior lighting shall be shielded to prohibit glare affecting traveling public on Mequon Road. Directional lighting, glare shields and/or landscaping shall be utilized to prohibit glare. Additional details and specifications for all lighting components shall be submitted to the Village Planner for review/approval prior to obtaining a building (electrical) permit and installation.**
- 4. A minimum setback of 5 feet shall be maintained between the nearest edge of the sign base and the nearest property line.**

Justin Gross, VJS, commented on condition #3 requiring glare shields. He said the lights for the sign would be pointed in towards the property and not towards the street.

MOTION to Amend Baum second Nilles the change condition #3 to require glare shields when glare is presented at a roadway either at the drive lane or the street.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

ANNOUNCEMENTS: Chairman Wolter said Mai Fest is this weekend.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant