

PLAN COMMISSION MINUTES
June 8, 2020

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 pm. The meeting was held as a virtual WebEx meeting.

ROLL CALL: Chairman Dean Wolter, Trustee Rep David Baum, Commissioners Tony Laszewski, Bill Shadid, Bob Williams, Matt Kimmler and Peter Nilles were in attendance. Also present were Community Development Director Jeff Retzlaff, Associate Planner Emily Zandt and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES:

MOTION Shadid second Baum to Approve the minutes from 5-11-20.

MOTION carried unanimously.

James & Maureen Dragich - W172 N13186 Division Road and N132 W17073 Rockfield Road, Dragich Auto Sales & Service. The request is for approval of a 2-lot Certified Survey Map, Land Use Plan Amendment from Agricultural/Conservation Residential to Commercial, Rezoning from B-3: General Business and A-2: Agricultural to B-3: General Business and Rs-1: Single-Family Residential and an amendment to CUP #01-76 for the continued operation of an existing auto sales and body shop. Associate Planner Zandt summarized the proposal.

Public Hearing opened at 6:39 pm.

Public Hearing closed at 6:41

MOTION Baum second Shadid to Approve the proposed 2-lot Certified Survey Map (CSM) to reconfigure the 9.23 acres owned by James Dragich located at W172N13186 Division Road and N132W17073 Rockfield Road with the following conditions:

- 1. All technical issues and plan corrections identified by the Village Surveyor (see May 27, 2020 memo) shall be addressed and reflected in revised plans submitted and approved by Village Staff prior to recording.***
- 2. The Zoning Districts listed on the plat shall be corrected to read B-3: General Business District and Rs-1: Single-family Residential District.***

MOTION carried unanimously.

MOTION Baum second Laszewski to Approve the proposed 2020 Land Use Plan (LUP) map amendment to change proposed Lot 1 (1.719 acres) from "Commercial" and "Agricultural/Conservation Residential" to "Commercial", as proposed.

MOTION carried unanimously.

MOTION Baum second Laszewski to Approve rezoning of proposed Lot 1 (1.719 acres) from B-3: General Business and A-2: Agricultural to B-3: General Business, and, proposed Lot 2 (7.090 acres) from A-2: Agricultural to Rs-1: Single-family Residential, as proposed.

MOTION carried unanimously.

MOTION Baum second Shadid to Approve a conditional use permit amendment for the operation of the existing auto sales and body shop located at W172N13186 Division Road to include all of proposed Lot 1 subject to all conditions of CUP #01-76 and the addition of 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 (CUP) application and supporting documents dated May 18, 2020. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the site plan and description submitted with the supporting documents. Days and hours of operation shall be limited to those specified in the CUP application (Monday through Friday 8am to 8pm) and supporting documents submitted to the Village. The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.**
- 2. This business shall operate consistent with the requirements of Section 10.08 Junk and Junked Vehicles of the Village Code.**

MOTION carried unanimously.

Hampel Corporation - W194 N11551 McCormick Drive. The request is for approval of a conditional use permit and site development for an accessory storage area comprised of up to four 52-foot-high storage silos for the manufacturing facility. Planner Retzlaff summarized the proposal.

Public Hearing opened at 6:53 pm.

Chairman Wolter read an email from Megan Foley, W196 N11530 Shadow Wood Drive, into the record. She had several questions and concerns regarding the proposal.

Public Hearing closed at 6:57 pm.

MOTION Baum second Laszewski to Approve the conditional use permit (CUP) and site development plans for the proposed silo storage facility for the Hampel Corporation facility located at W194 N11551 McCormick Drive 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 plan set with a date stamped as being received by the Village on June 1, 2020.**
- 2. All landscaping, screening, grading, paving, storm water management, utility and other improvements that are not fire-safety related as 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.**
- 3. All technical issues and plan corrections identified by the Public Works Department/Village Engineer in the April 20, 2020 review letter, including final approval of the grading and erosion control plans shall be addressed and reflected in revised plans and/or supplemental information reviewed and approved by the Public Works Department prior to issuance of a building permit (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).**
- 4. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.**
- 5. The silos and all associated piping and support structures shall be painted to match or be compatible with the existing building.**
- 6. Operation of the silos shall be monitored with respect to noise and any complaints received by the Village concerning the silo filling & dispensing functions over a one (1) year period from the date of commencing operation. If necessary, the operation and**

CUP shall be reviewed for potential changes to the list of conditions including potential limits on the hours of operation (potentially 6:00am to 10:00pm only) and/or require other measures necessary to mitigate noise or other impacts as part of an amended conditional use permit.

- 7. 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.***

Planner Retzlaff stated Hampel Corporation had replied to all Ms. Foley's questions and read their responses. Ms. Foley said she appreciated the time it took to answer the questions. Discussion followed. Planner Retzlaff stated staff is satisfied that concerns for the adjacent residential area have been addressed because the proposed silos location is about as far away as possible from the residential area. He stated Hampel had done a good job of mitigating any impact to the residential area.

Chairman Wolter asked if Hampel was required to report to the EPA or the State. Paul Lorge, Hampel Corporation, stated they are not required to report to the EPA, but they do file regular reports to the DNR regarding water flow on a quarterly basis. Ms. Foley asked if there was anything to be concerned about regarding polluting the water supply in the neighborhood. Chairman Wolter said they had not received any complaints or had been contacted by the DNR.

MOTION carried unanimously.

Menard Inc. - W186 N9754 Appleton Avenue. The property owner has submitted Rezoning, Conditional Use Permit and Site Development and Building Plan applications in support of a proposed storage yard expansion, warehouse addition, building addition and exterior remodeling to the existing store. The Rezoning and Conditional Use Permits were approved at the May 11th Plan Commission meeting and the Site Plan was tabled until revised plans for the shared entry drive were submitted. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the site development and building plans for the proposed storage yard expansion, warehouse addition, building addition & exterior remodeling to the existing Menards home improvement and retail store located at W186 N9754 Appleton Avenue 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 revised Site Plan (sheet CT1) dated May 21, 2020 and building plan set dated as set forth below unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission:***

Landscaping & Lighting Plans dated October 15, 2019

Architecture & Building Elevation Plans dated October 3, 2019

Engineering Site Plan dated February 24, March 5 & May 21, 2020

- 2. All landscaping, screening, grading, paving, storm water management, utility and other improvements that are not fire-safety related as 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.

- 3. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.***
- 4. All technical issues and plan corrections identified by the Public Works Department/Village Engineer in the June 4, 2020 November 11, 2019 review letter, including final approval of the engineering plans and stormwater management report, shall be addressed and reflected in revised plans and/or supplemental information reviewed and approved by the Public Works Department prior to issuance of a building permit (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).***
- 5. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***
- 6. Relocation of the storage yard access gate/canopy to the southeast side of the retail building shall include ~~requires the construction of a wall or fence between the existing building and the gate/canopy structure. Menards shall install the same 14' high wood "privacy" fence/wall that is installed around other portions of the storage yard. Menards shall be responsible for the installation and ongoing maintenance of the approved landscaping along the outside of the wall to ensure the appearance of the fence/wall does not become dilapidated or a visual eyesore (as a result of staining, mold, etc.).~~***

MOTION to Amend Baum second Shadid to add condition #7 that driveway striping be included as referenced in the Village Engineers comments.

MOTION to Amend carried 6-1 (Nilles).

MOTION to Amend Baum second Shadid to add condition #8 to add striping to replace the medium island.

MOTION to Amend carried 6-1 (Nilles).

Commissioner Nilles asked if Steins had been invited to the discussions with the engineer to figure out a solution or if they had hired a professional traffic engineer. Tyler Edward, Menards, said they had not talked to Steins or hired a professional engineer because the traffic is not changing at all. Planner Retzlaff explained the consulting Village Engineer was presented with the revised plans and reviewed the information with their staff and if further addressing by a traffic engineer was needed to advise that was needed. In response we got the comments we received. He said we could require, as a condition of approval, that Menards monitor the situation and if this fix does not work, they would need to come back with something different. Chairman Wolter stated if the conditions as presented are not a workable solution we will definitely hear about it and he would be curious if there are any known accidents over the next 3 to 5 years.

MOTION carried 6-1 (Nilles).

Kurt & Hannah Degner - W146 N10906 Heritage Parkway The request is for approval to construct a privacy fence in a front yard at a height of 6 feet on the residential lot. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the proposed installation of a fence 6' in height along the Lincoln Drive front/street yard for the residential lot located at W146 N10906 Heritage Parkway.

Chairman Wolter asked the Degner's if they had talked to the neighbors about the fence. Ms. Degner said she had and that the neighbors were happy about it.

MOTION carried unanimously.

North Shore Environmental Construction - N117 W18493 Fulton Drive The request is for approval of site development and building plans for a 15,950 square foot expansion to the existing office/warehouse building. Associate Planner Zandt summarized the proposal.

MOTION Baum second Laszewski to Approve the site development & building plans for North Shore Environmental for a 15,950- square foot expansion to the existing office/warehouse building located on a 2.6-acre parcel at N117W18493 Fulton Drive in the Germantown Industrial Park subject to the following (10) 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 architectural and engineering plan set dated May 27, 2020 and supporting documents including a May 21, 2020 letter from Keith Hitzke, North Shore Environmental, unless superseded by subsequent plan sheets approved by the Village Planner or Engineer pursuant to revisions required herein and/or by the Plan Commission.***
- 2. All landscaping, screening, grading, paving, storm water management, utility and other improvements that are not fire-safety related as 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.***
- 3. All technical issues, corrections and plan requirements identified by the Public Works Department staff (see June 2, 2020 Memo from the Director of Public Works) shall be addressed and reflected in revised plans and/or supplemental information reviewed and approved by Village staff prior to issuance of a building permit.***
- 4. Additional architectural detail should be added to the east façade of the building. The details shall be submitted and approved by the Village Planner prior to the issuance of a building permit.***
- 5. Two (2) additional street trees shall be installed along the north property line to provide a better visual screen from the street. A revised landscaping plan shall be prepared and submitted to the Village Planner for review and approval prior to issuance of a building permit.***
- 6. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application (in addition to the bonding requirements of Section 11.071).***
- 7. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.***
- 8. The Developer shall provide a detailed roof plan showing all rooftop mechanicals and screening to be added to the facility addition to the Village Planner for review and approval prior to issuance of a building permit.***
- 9. A new driveway permit for the widened driveway shall be obtained from the Department of Public Works prior to the issuance of a building permit.***
- 10. All proposed exterior signage, including monument and wall-mounted signs, shall be reviewed***

and approved under a separate application by the Plan Commission.

Chairman Wolter said he appreciated North Shore Environmental staying in Germantown and expanding their company.

MOTION carried unanimously.

KwikTrip - W188 N10963 Maple Road The request is for approval of a revised monument sign and electronic message center for the convenience store.

MOTION Baum second Shadid to Approve the proposed monument sign revisions and electronic message center (EMC) for Kwik Trip located at W188 N10963 Maple Road subject to the following conditions:

- 1. A separate electrical permit shall be obtained from Inspection Services prior to installation.***
- 2. All electronic components shall be labeled by a licensed lab and inspected prior to or concurrent with installation.***
- 3. Kwik Trip shall provide written evidence to the Zoning Administrator from the sign manufacturer and/or installer that the electronic message board complies with the automatic light level adjustment and other operational requirements prior to issuance of an electrical permit as required under 17.46(7)(h)6. and (h)7. of the Zoning Code.***
- 4. Kwik Trip shall operate and maintain the electronic message board in compliance with the message display appearance, duration/timing and all other requirements under 17.46(7)(h) at all times.***

MOTION carried unanimously.

Dielectric Mfg - W206 N12865 Gateway Court The request is for approval for one wall sign and one ground sign. Associate Planner Zandt summarized the proposal.

MOTION Baum second Shadid to Approve the proposed wall and ground signs for Dielectric Manufacturing subject to the following conditions:

- 8. A landscaping plan (three feet on all sides of the ground sign) shall be submitted and approved by the Village Planner prior to the installation of the landscaping and within 60 days of building occupancy.***
- 9. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.***

MOTION approved unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:00 pm.

Respectfully submitted,

Lori Johnson
Planning Assistant