

PLAN COMMISSION MINUTES
August 13, 2018

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:31 p.m.

ROLL CALL: Chairman Dean Wolter, Trustee Rep David Baum, Commissioners Tony Laszewski, Bob Williams, Peter Nilles and Matt Kimmler were present. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES: ***MOTION Baum second Laszewski to Approve the minutes from 7-23-18. MOTION carried unanimously.***

Brian Depies, SEH, Agent for John & Mary Barnes and Bittersweet Trail LLC, Property Owners of 30.65 acres and 2.3 acre parcels east of Division Road and north of Revere Lane. Rezoning application (Rs-4 to Rs-5: Residential Single Family and Concept Plan for a 33 lot residential subdivision. Planner Retzlaff summarized the proposal. Brian Depies, SEH, commented on the proposal. He said a wetland delineation had been completed by the Southeast Wisconsin Regional Planning Commission in 2003 and SEH has conducted a new Wetland Delineation this year. The boundaries of the delineation have been affirmed by the WisDNR. He stated they have moved forward with an artificial wetland exemption request for 2 sections of wetland on the property. He asked that condition #2 be modified slightly to indicate that the developer will work with staff on establishing a sidewalk/trail plan along the east side of Division Road.

MOTION Baum second Nilles to Approve the proposed rezoning of approximately 30.65 acres from the Rs-4: Single-Family District to the Rs-5: Single-Family District and the proposed 33-lot concept plan dated June 21, 2018 subject to the following condition:

- 1. If the Developer's request for an artificial wetland exemption is not granted by the WisDNR, the lot and road layout shall be revised to locate all delineated wetlands and the associated 25' wetland setback in open space outlots and not within any platted lot.***
- 2. The Developer shall be required to install sidewalk along the east side of Division Road along the frontage of the subject property and the 2-acre parcel south of the point where the existing sidewalk terminates.***

Planner Retzlaff said he did not have a problem with the request to modify the language in Condition #2 as suggested to retain some flexibility and possibly come up with some other component of pedestrian trail given the topography.

MOTION to Amend Condition #2 Baum second Laszewski that the Developer shall work with Village staff on establishing a sidewalk/trail plan along the east side of Division Road and, if determined to be feasible, the final location of an agreed upon sidewalk/trail shall be reviewed and approved as part of the preliminary subdivision plat.

Chairman Wolter said this development does back up the neighborhood where he lives. He said there is an asphalt trail on Division Road just shy of the last lot before the farmhouse that could be continued. He feels it could be picked up where it ends and taken to at least where the road begins. He said people will appreciate the connection. Mr. Depies said it may be difficult to continue that path because the house is on the lot line.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Burger King Restaurant – N96 W17655 County Line Road. ARC Café USA001, LLC, Property Owner, is requesting site and sign plan review for improvements and building renovations. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the site and building plans for the proposed site and building renovations for the Burger King restaurant located at N96 W17655 County Line Road subject to the following (6) 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 plans dated July 9, 2018; the engineering plans dated July 2, 2018, and the landscaping and lighting plans dated July 9, 2018, 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, 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.***
- 3. Street trees along County Line Road and River Crest Drive and additional landscaped buffering along the north and east edges of the parking lot adjacent to County Line Road and River Crest Drive are required. A minimum of one (1) deciduous shade/street tree (min. 2.5" dia) is required per every 50 feet or fraction thereof of street frontage along County Line Road (9 trees @ 420') and River Crest Drive (3 trees @ 130'). Additional landscaping for parking lot street frontage screening and perimeter screening in the form of a continuous evergreen and/or deciduous shrub hedge or similar features shall be installed along the north and east parking lot edges at a minimum of 5 feet wide. A revised landscape plan shall be prepared and submitted to the Village Planner for review and approval prior to issuance of an occupancy permit.***
- 4. Existing and/or new roof-mounted HVAC and other mechanicals shall be installed, re-positioned or screened to not be visible from County Line Road.***
- 5. All technical issues identified by the Village Engineer and Public Works Department staff presented in the August 10, 2018 Village Engineer memo shall be addressed and reflected in revised plans and/or supplemental information reviewed and approved by the Village Engineer 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.***

Discussion followed. Trustee Baum asked if landscaping could be added to the striped-out area between the drive-up lanes and parking lot to enhance that area. Planner Retzlaff said a portion of the striped area lies off the property, within the adjacent area, and subject to a common access

easement with Taco Bell. He didn't know if installing a curbed island would create issues with circulation. Jeff MacDonald, Project Manager, explained the striping was used in anticipation of keeping the stacked drive-thru traffic lined up. Adding a curb in this area may pose a problem with semis coming in and the truck turn radius. He said they would look at extending the curb and landscaping somewhat. Chairman Wolter said he appreciates the improvements to the property.

MOTION carried unanimously.

MOTION Baum second Nilles to Approve the proposed replacement wall signage & drive-through menu board for the Burger King restaurant Collision located at N96 W17655 County Line Road subject to the following (4) conditions:

- 1. Approval is granted for the sign specifications contained in the "Brand Book" document dated May 17, 2018, unless superseded by the Plan Commission.***
- 2. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.***
- 3. No "merchandising signage" shall be allowed on any exterior building elevations.***
- 4. On-site directional signs shall be installed in compliance with the requirements of 17.46(7)(f) of the Zoning Code.***

MOTION carried unanimously.

Mark Weske, Shorewest Realtors, Agent for Catherine M. Seilenbinder, Property Owner of W188 N13251 Maple Road in the Town of Germantown. 2-Lot Certified Survey Map application (Extraterritorial Plat Approval Authority). Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the 2-lot Certified Survey Map land division of the 9.9-acre parcel owned by the Catherine M. Seilenbinder Trust located on Maple Road (in the Town of Germantown) subject to the following condition:

- 1. The owner shall have the existing sanitary system inspected and a soil evaluation conducted on proposed Lot 2 and reviewed and approved by Washington County to ensure Lot 2 can support an on-site sanitary system. Proof of said inspection, soil evaluation and Washington County approval shall be provided to the Village prior to recording the CSM.***
- 2. If the existing sanitary system is failing or has failed as determined by Washington County, the system shall be repaired or replaced as directed by and consistent with the requirements of Washington County.***

Mark Weske stated the soil test had been completed for the property to the south and the septic test had passed for the property to the north.

MOTION carried unanimously.

Discount Ramps – N102 W19400 Willow Creek Way. The property owner, DRGT LLC, is requesting approval of a new monument sign for the corporate office and distribution center. Planner Retzlaff summarized the proposal.

MOTION Laszewski second Baum to Approve the proposed monument sign for the Discount Ramps corporate office and distribution center at N102 W19400 Willow Creek Way in the Germantown Willow Creek Business Park subject to the following conditions:

- 6. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.**
- 7. A revised landscape plan for the monument sign base shall be provided to the Village Planner for review and approval prior to issuing a building permit for the monument sign. Said plan shall include a variety of evergreen shrubs, ornamental grasses and perennials.**

MOTION carried unanimously.

Germantown School District for MacArthur Elementary School – W154 N11492 Fond du Lac Avenue. The application is for a new monument sign for the school facility. Planner Retzlaff summarized the proposal.

MOTION Baum Second Williams to Approve the proposed monument sign for MacArthur Elementary School located at W154 N11492 Fond du Lac Ave subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.**
- 2. Address coordinates shall be a minimum 5” height and mounted on the monument sign base.**

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff said there would not be a special meeting this month.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant