

## PLAN COMMISSION MINUTES

March 8, 2021

**CALL TO ORDER:** Chairman Wolter called the meeting to order at 6:40 pm.

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

**PUBLIC INPUT:**

None

**APPROVAL OF MINUTES:**

***MOTION Baum second Shadid to Approve the Minutes from 2-22-21.***

***MOTION carried unanimously.***

**Proposed Boundary Amendment and Project Plan for Tax Incremental District No. 7 designating the proposed amended boundaries and approving a project plan amendment**

**Resolution No. 2021-01.** Phil Cosson, Ehlers, summarized the proposal. The purpose of the amendment is to add approximately 170.9 acres of land to the overall TID#7 boundary and Amend the categories, locations and project costs to be made within TID#7.

Public Hearing opened at 6:52 pm.

Public Hearing closed at 6:55 pm.

***MOTION Baum second Shadid to Approve the proposed boundary amendment and project plan for Tax Incremental District No. 7 as presented.***

Discussion followed. Mike Faber, Capstone Quadrangle, stated the environmental cleanup is relatively minor. Commissioner Kimmler questioned if it is normal to include residential land in a TID. Mr. Cosson explained the boundaries need to be contiguous to include other parcels. He said for a residential owner, their tax rate and valuation will be no different and will be paid to all the taxing bodies. If the value goes up the increase would go to the tax increment district. Commissioner Kimmler asked if the developer will set aside land for a recreation trail. Mr. Cosson stated that is not proposed as part of this plan and not a TID cost. Chairman Wolter asked if it could be. Administrator Kreklow explained as we do design for Holy Hill Road there are plans for sidewalks or trails along Holy Hill Road, but they are a part of TID 8. Mr. Cosson said they are working with a developer who has indicated that this development will not occur without the infrastructure being extended on the property which will allow for the lot to be sold and the development to occur at a level will make the rent marketable for end users.

Chairman Wolter asked that based on the outline, the original TID 7 would have closed in 2037 and with this proposed development and increment will now close 6 years earlier in 2031. He asked if based on the early close date if this is as strong or stronger than TID 8. Mr. Cosson said based on speculation he'd say this is comparable given what's occurred already in TID 8, and how quickly it developed it is way ahead of schedule with what is being proposed would rival that. Chairman Wolter added this does not change any of the agreements with Speaker. He said he supports the plan because it will help support TID 7 and make it in a stronger place, help to close it early and support the development being proposed out there. It's also giving us a supportive plan for TIF 7 in regard to Speakers current position with their developers agreement.

***MOTION carried 5-2 (Laszewski, Kimmler).***

**Automation Solutions - N116 W18627 Morse Drive.** Venture Construction, agent for SRN Properties, property owner, is seeking approval of site development and building plans for a 6,200 sqft expansion to the existing 4,200 sqft fabrication and assembly facility located in the Germantown Industrial Park. Planner Retzlaff summarized the proposal.

***MOTION Baum second Shadid to Approve the site development and building plans for a 6,200 sqft expansion to the Automation Solutions fabrication and assembly facility located on a 1-acre parcel at N116 W18627 Morse 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 following plans unless superseded by subsequent plan sheets approved by the Village Planner or Engineer pursuant to revisions required herein and/or by the Plan Commission:***
  - a. Architectural plan set dated January 4, 2021***
  - b. Engineering plan set dated December 28, 2021***
  - c. Landscaping plan set dated January 4, 2021***
  - d. Exterior Lighting plan set dated January 4, 2021***
- 2. All landscaping, grading, paving, storm water management, utility and other improvements shown on the approved site plans shall be installed as approved prior to issuance of an occupancy permit for the building addition 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 plan corrections and storm water drainage calculations required by the Public Works Director in the February 1, 2021 review 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 or as may be mutually agreed to with the Public Works Director (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS).***
- 4. Although the size of the Automation Solutions expansion in terms of additional impervious area does not exceed the Village and MMSD threshold for requiring storm water management facilities for the site, the Village Code allows the Village Engineer to require a storm water management analysis, plan and possibly facilities for any development project with an increase in impervious area that may have an adverse impact on the Village's existing drainage facilities (in this case the Blackstone Creek regional basin). Consequently, the Village Engineer and Public Works Director are recommending that the owner choose one of two (2) alternatives with respect to storm water management impacts from this project:***
  - a. Provide the necessary storm water calculations (including surveying and modeling of the Blackstone Creek basin drainage basin) that indicate the Blackstone Creek regional basin can handle the additional storm water flow expected as a result of the proposed building and parking lot expansion; or***
  - b. Provide the necessary storm water calculations and resulting on-site stormwater management facilities necessary to reduce (or at least not increase) peak flows from the site with the proposed building and parking lot expansion. Since there is already a bio-retention basin proposed, a storm water management analysis and report indicating that the proposed bio-retention basin will reduce (or not increase) peak flows at or below the current condition.***

***The owner should coordinate with the Village Engineer regarding which alternative action will be pursued. If it is determined that the Blackstone Creek basin is not capable of handling the additional storm water flows from this site as a result of the proposed expansion, or, that the proposed bio-retention basin does not reduce the anticipated flows at or below the current condition, additional on-site storm water improvements shall be required. Given the limited area on the site to expand the proposed bio-retention basin or other larger storm water facility, this issue needs to be resolved prior to issuance of a building permit or erosion control permit for the proposed expansion.***

- 5. Right-of-way permits are required for any/all construction conducted in the Morse Driver right-of-way. Contact the Public Works Department/Village Engineer for details.***
- 6. The Village Public Works Department/Village Engineer shall be contacted for inspection purposes prior to construction of the private storm water lateral connection to the Village storm sewer system.***
- 7. The Wastewater Utility is requiring the following:***
  - a. The sample manhole shall be reconstructed to current code requirements with a new frame & lid, seal and chimney constructed to Village specifications and utility permit from the Engineering Department. The owner shall coordinate construction of the sampling manhole with the Wastewater Superintendent to ensure compliance prior to issuance of an occupancy permit for the new addition.***
  - b. Floor drains (if any) in the new addition shall not connect to the sanitary sewer system.***
  - c. The owner/operator shall file a new Notice of Intent (NOI) with MMSD and the Village given the increased number of employees expected as a result of the building addition. Contact the Wastewater Superintendent for further information.***
- 8. The Water Utility is requiring the following:***
  - a. The 15' sanitary sewer & water main easement area shall be clearly marked and protected during all construction activities to ensure no construction equipment or materials encroach into/over the easement area.***
- 9. 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.***
- 10. A revised landscaping plan indicating the species, size and location of plants to be removed shall be prepared and submitted to the Village Forester for review and approval prior to issuance of an occupancy permit.***
- 11. State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.***

Discussion followed on storm water retention and if there is enough capacity to hold any possible additional runoff. Planner Retzlaff said the regional basin is at near capacity, but the Village Engineer does not have adequate information to conclude definitively if that is the case and is looking for additional information provided by this development to help with this assessment. He said the Village should know what our basins can hold and ensure that we have the capacity to handle this addition and others like it. Chairman Wolter doesn't want to put any unnecessary additional costs on the developer or improperly engineered costs to anyone who wants to expand there. Planner Retzlaff

said the Village Engineer with the Public Works department has indicated they can do a thorough analysis of the entire stormwater area to come to an infinitive conclusion or this developer and others in line that are facing the same dilemma show that what they are proposing can handle the peak runoff on site that the current capacity is not exceeded. His understanding is that the consulting engineer has recommended to public works that they move forward with a thorough assessment of this regional basin that serves this area.

Dave Dahlke, Venture Construction, spoke with CJ Engineering who indicated the developer will do the survey and figure out what needs to be done or option b prove that they will not exceed any additional runoff for the addition. Planner Retzlaff said one of the conditions of approval is provided as a safeguard.

***MOTION carried unanimously.***

**Germantown 2050 Comprehensive Plan Update Discussion.** Planner Retzlaff explained tonight's discussion will provide further detail on the Community Meeting to be held on March 22nd. Craig Huebner, Graef, explained the virtual meeting would be approximately one hour long and have interactive questions to provide feedback and direct people to the new Social Pinpoint webpage. The main emphasis will be focused on future land use and what those future land use updates are including restructuring to neighborhoods, districts and corridors. Danya Littlefield, Graef, reviewed the Social Pinpoint webpage.

Discussion followed. Planner Retzlaff said this is a new concept and dramatically different than the old plan. Chairman Wolter asked that the table with acceptable uses be included as part of the presentation. He asked if we will be tracking people as they respond. Mr. Huebner said there is the ability to put in multiple comments and an option for anyone to include an email or name, but it is not a requirement. Chairman Wolter said he likes the ability to provide feedback and hopes the people of Germantown take advantage of it and provide their insight so they feel they are a part of the land use plan.

**ANNOUNCEMENTS:** Chairman Wolter announced Associate Planner Zandt delivered her baby and congratulated the family.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 7:53 pm.

Respectfully submitted,

Lori Johnson  
Planning Assistant