VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, October 5, 2015 7:00 p.m.

LOCATION: Germantown Village Hall Board Room

I. CALL TO ORDER: *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PRESIDENT'S REPORT

V. ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS:
The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney and Village Clerk.

VI. CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:
Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes)

VII. CONSENT AGENDA:

A. Accounts payable/payroll

1.	September 22,2015	Payroll (hourly)	$ 199,133.31
2.	September 25, 2015	Accounts Payable	$ 733,469.60
3.	September 30, 2015	Payroll (salary)	$ 79,749.43

B. Operator Licenses: October 6, 2015 – June 30, 2016 [Recommended Approval] Rebecca Budnik, Peter Chappy, Kevin Debroux, Michael Haley, Crystal J.R. Harris, Morgan Moudy

The following items were forwarded from the Public Safety Committee with a unanimous recommendation:

C. Request to Use Excess Funds from 2014 Capital Borrowing Account 40-522-8460 to Purchase a Station Security System for Fire Station 2, in an Amount not to Exceed $15,000 with quotes to be obtained. [Recommended Approval]

VII. **CONSENT AGENDA continued:**

D. Request to Purchase (2) Panasonic CF-19 Toughbook Computers from TKK Electronics for $6,310 with funds allocated from Acct. #40-522-570-8460 and Fire Chief to Provide Committee of the Whole with summary of computer needs for Department to include information vehicles that have computers, age of computers and feasibility of moving them to other emergency vehicles for next budget meeting. [Recommended Approval]

VIII. **UNFINISHED BUSINESS:**

A. Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners, to: (1) rezone a 1.33-acre parcel (Tax Key No. GTNV 224-025) and a .872-acre parcel (Tax Key No. GTNV 224-027) from the B-3: General Business District to the Rm-2: Multi-family Zoning District **[Ordinance]**; and (2) create the "Saxony Village" Planned Development Overlay Zoning District (Rm-2/PDD) to be comprised of the above described parcels and a 21.56-acre parcel (Tax Key No. GTNV 224-992) lying south of Main Street between the east end of Castle Drive and the west end of Hilbert Lane [**Ordinance** and a Conditions and Restrictions **Resolution]**

IX. **PUBLIC HEARINGS – 7:00 P.M. OR LATER**: ***The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).***

X. **NEW BUSINESS:**

A. Appointments

Board of Zoning Appeals

Chair	Barry R. White	10/06/2015 – 04/30/2018

B. Change of Agent - **Speedway #4465**, W178 N9653 Riversbend Lane, Germantown, WI 53022, Mary E. Wicklander, Agent, W226 N7256 Woodland Creek Dr., Sussex, WI 53089

C. Change of Agent - **Speedway #4495**, W164 N11233 Squire Drive, Germantown, WI 53022, Kimberly L. Doran, Agent, N108 W16526 Carriage Ave., Germantown, WI 53022

XI. **ADJOURNMENT**

The next Village Board meeting will be on October 19, 2015 at 7:00 p.m.

UPON REASONABLE NOTICE, *efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For Additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.*

VIII A.
From 9/21/15 Mtg

BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI

MEETING DATE: September 21, 2015

AGENDA ITEM: Public Hearing & New Business **[ORDINANCES & RESOLUTION]**

ITEM TITLE: Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners; Applications for (1) Rezoning of a 1.33-acre and a .872-acre parcel from the B-3: General Business District to the Rm-2: Multi-family Zoning District; and (2) Rezoning to create the "Saxony Village" Planned Development Overlay Zoning District (Rm-2/PDD) to include the above described parcels and a 21.56-acre parcel all lying south of Main Street between the east end of Castle Drive and the west end of Hilbert Lane.

SUBMITTED BY: Jeffrey W. Retzlaff, Director, Community Development Department

NOTE: VILLAGE BOARD MEMBERS SHOULD CONSIDER BRINGING ALONG THE SAXONY VILLAGE MATERIALS THEY RECEIVED AS PART OF THEIR AUGUST 10, 2015 PLAN COMMISSION PACKETS FOR ADDITIONAL SUPPORT INFORMATION.

SUMMARY EXPLANATION:
Scott Bence, agent for the property owners has submitted applications that include: (1) a rezoning petition to rezone two small parcels totaling 2.2 acres from the current B-3: General business District to the Rm-2: Multi-family District; and (2) a rezoning petition and General Development Plan to create a "Planned Development District" with Rm-2: Multi-family Residential District zoning for the 23.76-acre area known as "Saxony Village" (see attached plan) located south of Main Street (east of Castle Drive and west of Hilbert Lane). The proposed Saxony Village development (see Attached Site Plan "B") is proposed to include:

- (2) 3-story buildings & three 2-story buildings
- Up to 190 dwelling units
  - 1, 1+den, 2 & 3-bedroom units
  - 800-1,300 sqft/unit w/ private balconies
- 2,500 sqft private clubhouse
- Pedestrian trail system within and around the open space
- 374 private parking stalls (2 per DU w/ 190 stalls enclosed/underground)
- 24 public parking stalls (separate parking lot adjacent to Main Street)
- 18.15 acres (34%) of open space (7.9 acres of wetland/floodplain)
- Vehicle access to Main Street & Hilbert Drive via private streets
- Pedestrian access to Main Street, Castle Drive, Hilbert Lane & Squire Drive via sidewalks and trails
- Storm water management area set aside for future use as regional basin

Although the Plan Commission recommended approval of the rezoning and creating a Saxony Village PDD, numerous comments and objections concerning the layout, building height, orientation, appearance and other elements of the development were received from both the public and PC. In an effort to address those comments and concerns, the that Developer has submitted a revised site plan (see Attached Site Plan "D")

ATTACHMENTS:

- 8/10/15 Staff Report
- 8/10/15 Plan Commission Meeting Minutes
- Site Plan Alternative "B"
- Site Plan Alternative "D"
- Draft Rezoning Ordinances
- Saxony Village Traffic impact Analysis

PLAN COMMISSION RECOMMENDATIONS:

APPROVE the proposed rezoning of Parcel II (1.33 acres) and Parcel III (.872 acres) from the B-3: General Business Zoning District to the Rm-2: Multi-family residential Zoning District subject to (2) conditions:

1. All requirements and conditions of approval recommended by the Public Works Department/Village Engineer (see July 28 and April 24, 2015 review memos) and Fire Department (see July 30, 2015 review email) shall be addressed as part of the detailed site development and building plan process.
2. A traffic impact study shall be prepared and submitted for review and approval by the Village prior to or concurrent with submission of detailed site development and building plans. At a minimum, said traffic study shall assess the impact of, need for and minimum on-site and off-site street improvements necessary to provide safe and efficient vehicle and emergency vehicle access via internal street connections to Castle Drive, Hilbert Lane and/or Main Street.

APPROVE creating a Rm-2 Planned Development District (PDD) for the entire 23.76-acre Saxony Village development area subject to (4) conditions:

1. The Rm-2 Zoning District regulations shall constitute the basic conditions, restrictions, limitations and requirements for the Saxony Village PDD except that the specific list of allowances requested by the applicant as cited herein (i.e. 3-story building height for Buildings #3, #4, and #5 only) shall be included in the conditions & restrictions resolution submitted to the Village Board for consideration and approval.
2. All requirements and conditions of approval recommended by the Public Works Department/Village Engineer (see July 28 and April 24, 2015 review memos) and

Fire Department (see July 30, 2015 review email) shall be addressed as part of the detailed site development and building plan process and/or included in the Saxony Village PDD conditions & restrictions resolution as may be necessary.

3. Subject to further revision required by the Plan Commission and/or Village Board, Site Plan B dated August 4, 2015 shall constitute the General Development Plan required under Section 17.27 of the Zoning Code. In the event that, further revisions to the General Development Plan are required by the Village Board prior to adoption of the PDD rezoning ordinance and PDD conditions & restrictions resolution, a revised General Development Plan shall be prepared and submitted to Village staff for review and approval prior to execution of the ordinance and/or resolution.
4. A traffic impact study shall be prepared and submitted for review and approval by the Village prior to or concurrent with submission of detailed site development and building plans. At a minimum, said traffic study shall assess the impact of, need for and minimum on-site and off-site street improvements necessary to provide safe and efficient vehicle and emergency vehicle access via internal street connections to Castle Drive, Hilbert Lane and/or Main Street.

NOTE:
On September 16, the Developer submitted a detailed traffic study as required by the Plan Commission. The results of this study are under review by Village staff. No staff comments or conclusions with respect to the traffic study are available at this time.

PLANNED DEVELOPMENT DISTRICT (PDD) REZONING & CONDITIONAL USE PERMIT (CUP) APPLICATION

8/10/15 Plan Commission Meeting

Saxony Village / Heritage Place Joint Venture

Village Planner Report **Germantown, Wisconsin**

Summary

Scott Bence, agent for JBJ Development and Heritage Place Joint Venture, MCB Investments LLC and Jacobus Energy/Land 15 LLC, property owners, has submitted a Planned Development District (PDD) rezoning and conditional use permit (CUP) applications for a proposed 190-unit multi-family community called Saxony Village on 23.76 acres located at approximately N116 W16200 Main Street.

Property Location: N116 W16200 Main Street (south of Main Street @ Park Avenue)

Applicant/Owners: Scott Bence, JBJ Development
Heritage Place Joint Venture LLC
MCB Investments LLC
Jacobus Energy LLC
W178 N9912 Rivercrest Drive, Germantown, WI

Current Zoning: Rm-2: Multi-family Residential & B-3: General Business
Proposed Zoning: Rm-2/PDD

Adjacent Land Uses		Zoning
North	Commercial	B-3
South	Multi-family Residential	Rm-2/PDD
East	Multi-family Residential	Rm-2/PDD
West	Multi-family Residential	Rm-2/Rm-3

Location Map

Background

The 23.76 acre area is comprised of three (3) separate parcels owned or under contract by entities associated with JBJ Development (see enclosed plat of survey and legal descriptions). Parcel I (21.56 acres) is located in an Rm-2: Multi-family Zoning District and Parcels II (1.33 acres) and Parcel III (.872 acres) are located in a B-3: General Business Zoning District.

As shown on the plat of survey and alternative site plans, the 23.76-acre area contains a large area of delineated wetland (7.9 acres) that bisects the property from north to south. Running through and within the wetland is an unnamed navigable stream and associated floodplain (1.6 acres) that meanders north to southwest through the property into the Lake Park ponds.

The entire 23.76 acres are designated on the Village's 2020 Land Use Plan map as "Village Mixed Use". The purpose of this designation is to encourage the preservation of historic and architecturally significant structures while accommodating re-development of the area into an entertainment district and higher-density pedestrian-oriented neighborhood. Specifically, larger, undeveloped parcels such as these are encouraged to develop with high-quality, higher-density residential uses that would further support the commercial uses along Main Street.

The Saxony Village project was originally presented to the Plan Commission as a discussion item on May 11, 2015, and subject of a Village Board Committee-of-the-Whole (COW) discussion on June 8, 2015. At the May 11 PC meeting, a number of Village residents and property owners expressed concern with the proposal; most indicating that they are not in favor of the development for a variety of reasons, including: school over-crowding, traffic impacts, # of units, rental apartments vs. condominiums. Plan Commission members expressed both support for and concern with the proposal, indicating that a number of issues, e.g. # of units, building height, traffic & roadway access, would need to be further addressed. (May 11 PC meeting minutes enclosed). At the June 8 Village Board COW meeting, consensus favored the plan with 2-story buildings and street connections to Main Street, Castle Drive and Hilbert Lane (June 8 COW meeting minutes enclosed).

Development Proposal/Applications

At this time, Scott Bence, agent for the property owners, has submitted rezoning and conditional use permit (CUP) applications for a proposed 190-unit multi-family community to be called Saxony Village on the 23.76 acres located south of Main Street.

Rezoning Application

As discussed in the rezoning application supporting information, there are actually two (2) rezoning options being proposed; each with a slightly different site plan and only one option requiring the creation of a planned development district. Under both options, the maximum number of dwelling units permitted in the Rm-2 Zoning District are proposed (not to exceed 8 DU's per 23.76 net acres). In this case, the 23.76 acre land area is the same in net acres because no further public land dedication is proposed or required (at

this time the 24-stall public parking lot is intended to be part of the overall development with the public's right to use the parking lot being granted by easement).

Option A (Site Plan A)
Option A involves rezoning the two smaller parcels from the B-3: General Business District to the Rm-2: Multi-family District (so all 3 parcels and all 23.76 acres are zoned Rm-2). While all three parcels would be required to be combined with a certified survey map (CSM), Option A does not involve the creation of a planned development district (PDD) given that the proposed development as presented in Site Plan A meets the base Rm-2 Zoning District regulations with the following features:

- Six 2-story buildings
- 190 total dwelling units
  - 1, 1+den, 2 & 3-bedroom units
  - 800-1,300 sqft/unit w/ private balconies
- 2,500sqft private clubhouse
- Pedestrian trail system within and around the open space
- 403 private parking stalls (>2 per DU w/ 190 stalls enclosed/underground)
- 24 public parking stalls (separate parking lot adjacent to Main Street)
- 16.65 acres (30%) of open space (7.9 acres of wetland/floodplain)
- On-site storm water basin (w/ potential expansion as regional basin)
- Vehicle access to Main Street & Hilbert Drive via private streets
- Pedestrian access to Main Street, Castle Drive, Hilbert Lane & Squire Drive via sidewalks and trails

Option B (Site Plan B)
Option B also involves rezoning the two smaller parcels from the B-3: General Business District to the Rm-2: Multi-family District AND creating a development-specific planned development district (PDD). Option B also requires that all three parcels be combined with a certified survey map (CSM). Option B requires a PDD in order to modify the maximum height allowance in the Rm-2 Zoning District because Option B proposes three (3) buildings with 3-stories (Building #3, #4 and #5 as shown in Site Plan B). Other than building height, Option B as presented in Site Plan B meets the other Rm-2 Zoning District regulations with the following features:

- Two 2-story buildings & three 3-story buildings
- 190 dwelling units
  - 1, 1+den, 2 & 3-bedroom units
  - 800-1,300 sqft/unit w/ private balconies
- 2,500sqft private clubhouse
- Pedestrian trail system within and around the open space
- Two 2-story buildings & three 3-story buildings
- 374 private parking stalls (<2 per DU w/ 190 stalls enclosed/underground)
- 24 public parking stalls (separate parking lot adjacent to Main Street)
- 18.15 acres (34%) of open space (7.9 acres of wetland/floodplain)
- Vehicle access to Main Street & Hilbert Drive via private streets

- Pedestrian access to Main Street, Castle Drive, Hilbert Lane & Squire Drive via sidewalks and trails

NOTE: Under either option, the requirement to combine the three parcels with a CSM would necessitate compliance with provisions of the Village's Subdivision Code; specifically, the requirement for a minimum 30' "planting strip" along the railroad right-of-way and the requirement to maintain a minimum driveway separation distance from the railroad right-of-way [see Section 18.07(2) of the Subdivision Code]. The Developer has indicated that they may seek a variance from these requirements as provided for in the Subdivision Code [see Section 18.02(5)]. Any such variance request would have to be considered at the time a CSM was presented for consideration and approval by the Village.

Conditional Use Permit (CUP) Application

Both Option A and Option B propose: (1) the extension of Hilbert Lane over an existing navigable stream requiring replacement of an existing substandard culvert and associated wetland fill; and (2) the disturbance of land area with grading for storm water basins and pedestrian trails within the 25' wetland and 75' navigable stream setbacks.

Pursuant to Section 24.04(3) (c)(1) of the Village's Shoreland-Wetland Zoning Code, the extension of Hilbert Lane across the navigable stream and through the wetlands adjacent to the existing culvert to be replaced can be permitted with a CUP as follows:

(1) The construction and maintenance of roads which are necessary for the continuity of the Village street system, the provision of essential utility and emergency services or to provide access to uses permitted under this subsection, provided that:

a. The road cannot, as a practical matter, be located outside the wetland;
b. The road is designed and constructed to minimize adverse impacts upon the natural functions of the wetland listed in section 24.07(3) of this chapter;
c. The road is designed and constructed with the minimum cross-sectional area practical to serve the intended use;
d. Road construction activities are carried out in the immediate area of the roadbed only;
e. Any wetland alteration must be necessary for the construction or maintenance of the road.

As shown on the plat of survey and two Site Plan A exhibits attached to the CUP application supporting information, the delineated wetland area across the property narrows at a point just west of the existing Hilbert Lane terminus. An existing culvert located in this vicinity is proposed to be replaced with whatever minimum-sized culvert or bridge is required to traverse the stream with the proposed street extension (actual type, size and materials to be determined). As shown on site Plan A, it is expected that approximately 5,350 sqft (.12 acres) of wetland around the culvert will need to be filled. At this time, the Developer is working with the DNR and Army Corp. of Engineers (ACOE) to determine what permits or approvals would be required from those agencies

in order to extend Hilbert Lane as proposed. In the meantime, the Developer is seeking CUP approval from the Village as provided under the "street system continuity" provisions discussed above in our Shoreland-Wetland Zoning Code (Village CUP approval would be subject to DNR and ACOE permit approval).

In addition to the approximate 5,350 sqft wetland fill needed for the culvert replacement and street extension, additional development is proposed that will encroach into approximately 50,870 sqft (1.17 acres) of the 25' wetland setback area adjacent to the wetlands, and, another approximately 17,600 sqft (37,000 – 19,400 sqft or .4 acres) of disturbed area within the 75' navigable stream setback (a total amount of 1.57 acres of disturbed setback area).

Under the Village's Shoreland-Wetland Code, development may be permitted within the 25' wetland and 75' navigable stream setbacks provided that additional buffering and/or other compensation for the affected area is provided on the property. The ratio of compensation required is based on a 1:1 ratio for any "horizontal" development (grading with <3' of elevation change) or a 2:1 ratio for "vertical" development (any structural improvements or grading with >3' of elevation change).

As detailed in the applicant's Wetland Buffer Mitigation Narrative (document dated August 5, 2015), the total amount of area within the 25' wetland and 75' stream setbacks will be disturbed by the wetland fill and through site grading necessary for storm water basin and pedestrian trail construction as follows:

- "Horizontal" (1:1 ratio) = 1.57 ac = 1.57 ac of compensation required
- "Vertical" (2:1 ratio) = .12 ac = .24 ac of compensation required
- Total = = 1.81 ac of compensation required

The minimum amount of compensation required totals 1.81 acres. As presented in the Mitigation Plan, the applicant proposes to mitigate these impacts with native plantings in the fringe areas adjacent to the delineated wetlands across the property.

Staff Comments *(Rezoning Application)*
As presented above, the entire 23.76 acre area is designated on the Village's 2020 Land Use Plan map as "Village Mixed Use" where the larger, undeveloped parcels such as this are encouraged to develop with high-quality, higher-density residential uses that would further support the commercial uses along Main Street. Further, the adjacent land on all three sides south of Main Street are already zoned for and developed with Rm-2 and Rm-3 multi-family land uses. The proposed rezoning to Rm-2 or Rm-2/PDD is consistent with the 2020 LUP and neighborhood development.

With respect to Main Street and the re-development issues discussed over the last year, this type of multi-family residential development is what was originally envisioned when the Village Mixed Use District was first created. As has been the case, however, as we explore the issues associated with re-development and more closely examine the

existing developed conditions (e.g. traffic circulation and intersections, storm water management facilities, the type, amount and relative location of existing land uses, etc.), future development and re-development may create short-term negative impacts for those existing residents and property owners in the area as the transition of this area occurs over time. Therefore, one of the tasks charged to each new development proposal has to be to conduct whatever detailed impact studies or analyses may be necessary in order to ensure that development can be accommodated by existing (or planned improvements to) infrastructure, including streets, utilities and storm water management facilities. In this case, the most significant issue appears to be traffic and the potential traffic impacts on the surrounding street system. Typically, multi-family apartment development can generate 4 to 8 vehicle trips/day with as much as 10 percent of those trips occurring in the a.m. and p.m. peak-hours. Consequently, a development of 190 apartment units could generate as many as 1,520 vehicle trips/day with 150 trips in the morning (6:00 to 8:00am) and evening (4:00 to 6:00pm) peak-hours. As discussed at the May 11 consultation, potential traffic impacts on the adjacent neighborhoods and street system is a concern. Consequently, the Plan Commission should consider if a traffic impact study is warranted and, if so, require that a study be conducted either prior to approving the creation of a planned development district (which would effectively "lock in" the General Development Plan for 190 dwelling units), or, prior to or concurrent with submission of detailed site development and building plans.

Under either option, access to the development is proposed from both Main Street (primary entrance) and Hilbert Lane via private streets running through and circulating around the buildings and parking areas of the development. The internal streets would not be public streets (although there's been no mention of installing private "resident-only" entrance features) and is laid out in a manner that will discourage non-local "cut through" traffic. Hilbert Lane is a public street that currently terminates at the east property line. Castle Drive is currently a sub-standard private lane serving the Lake Park East condominiums to the west, although Castle Drive is located within a 40' public right-of-way reservation. While the Public Works Department has expressed a desire to NOT extend Castle Drive into the site for vehicle access due to the severe disrepair, the Village Board has expressed a desire that all three access alternatives be utilized. Conduct of a traffic study may shed light on which of the three access connections (if not all three) are critical to the development and dispersion of traffic to the adjacent street system.

Despite the PC's May 11 comments/concerns regarding 3-story buildings and the Village Board's stated preference for 2-story buildings at their June 8 COW meeting, the Developer is proposing a modified plan (Option B) that is different from the earlier alternative plans presented for Village consideration. Option B contains both 2-story and 3-story buildings with the thought that the 3-story buildings are clustered nearest to the railroad tracks and Main Street side of the development and further away from the existing residential development to the east and west. Because the Developer has not yet provided renderings, photo-simulations or detailed elevations of the proposed buildings, it's difficult to compare the 2-story vs. 3-story building options, and, visualize

each in the relative setting of the neighborhood. If the Plan Commission wants to give further consideration to Option B with 3-story buildings, they may want to require that the Developer provide renderings, detailed elevations or even a photo-simulation of the building alternatives in the context of the neighborhood.

The Village Engineer has provided comments and recommendations concerning the proposed development in a July 28 and April 24, 2015 memo (copies attached). These items will need to be addressed if/when the proposed development moves forward and as part of any detailed plans submitted to the Village. The most notable comments concern: (1) support for the proposed Hilbert Lane and Main Street driveway connections (and NOT for a Castle Drive vehicle connection); (2) the need to connect to/extend the existing water mains at the end of Castle Drive and Hilbert Lane in order to "loop" the system; (3) abandoning existing sanitary sewer to Main Street and connecting an existing sanitary sewer main from the south through the Saxony Village property to Main Street; and (4) ongoing interest in the possibility of creating a regional storm water basin in the southeast corner of the property to serve potential Main Street re-development (Option B only).

The Fire Department has provided the following preliminary comments that will need to be addressed and/or reflected in detailed site development and building plans as the project moves forward:

1. Additional water supply with fire hydrants connecting to village water utility will be required with the locations spaced at intervals of 300 feet along all fire access roads and approved by the Village Water Utility and Fire Department.
2. All fire access roads shall be at least 20 feet wide with no parking allowed on either side;
3. The roundabout proposed in the private roadway connecting Hilbert Lane and Main Street should be designed to accommodate emergency vehicles with restrictions on the height of any trees planted in the island;
4. A right-turn lane should be added on Main Street (east to south movement) or removal of the proposed median to allow ladder truck access;
5. All buildings will require fire sprinklers, standpipes and fire alarm systems requiring state DSPS approvals. The location of all fire department connections and alarm panels will need to be approved by the GFD as part of the site plan application.

As discussed previously, there continue to be development issues and/or restrictions that may affect this property due to the existing "brownfield" parcels located near the project entrance at Main Street. The developer will need to discuss those issues and possible solutions with the Village as the project moves forward.

Also, Site Plan/Option B provides only 374 parking stalls (vs. the minimum 2 stalls per unit or 380 required parking stalls). Additional stalls will need to be provided (or request that the minimum requirement be modified under the PDD being created for this option).

Issues that the Plan Commission will need to discuss prior to rendering a recommendation include (but not limited to):

- Requiring street extensions to Hilbert Lane, Castle Drive or both;
- Requirement for and timing of a Traffic Impact Study;
- Requirement for detailed renderings and/or photo-simulations of the 2-story (Option A) and 3-story (Option B) buildings.

Staff Comments *(Conditional Use Permit Application)*
The Developer has indicated that:

1. *The road cannot, as a practical matter, be located outside the wetland;*
2. *The road is designed and constructed to minimize adverse impacts upon the natural functions of the wetland;*
3. *The road will be designed and constructed with the minimum cross-sectional area practical to serve the intended use;*
4. *Road construction activities are carried out in the immediate area of the roadbed only;*
5. *The wetland alteration is necessary for the construction/extension of the road and installation of electric, telephone, water, gas, and sewage collection facilities serving the development.*

With regard to the CUP for development within the 25' wetland and 75' stream setbacks, staff supports the proposed mitigation plan. However, because the amount of impact on the wetland and associated setbacks is estimated based on conceptual plans at this point in time, its reasonable to assume that the amount and location of development affecting these setback areas could be further minimized as detailed site development and grading plans are developed.

Therefore, as part of the site development plan process, the Developer should be required to: (1) make every attempt to further limit development within the 25' wetland and 75' stream setback areas; (2) update the calculation and presentation of the impacted wetland and setback areas on the final site plan option (only Site Plan A is presented in the CUP application); and (3) update the Mitigation Plan prior to final consideration of the CUP application by the Village Board. Any CUP approval should be contingent upon the Developer obtaining any/all permits or approval required by the WI DNR and ACOE.

Village Planner Recommendation:

Rezoning Application

APPROVE the proposed rezoning of Parcel II (1.33 acres) and Parcel III (.872 acres) from the B-3: General Business Zoning District to the Rm-2: Multi-family residential Zoning District subject to the following;

1. All requirements and conditions of approval recommended by the Public Works Department/Village Engineer (see July 28 and April 24, 2015 review memos) and Fire Department (see July 30, 2015 review email) shall be addressed as part of the detailed site development and building plan process.
2. A traffic impact study shall be prepared and submitted for review and approval by the Village prior to or concurrent with submission of detailed site development and building plans. At a minimum, said traffic study shall assess the impact of, need for and minimum on-site and off-site street improvements necessary to provide safe and efficient vehicle and emergency vehicle access via internal street connections to Castle Drive, Hilbert Lane and/or Main Street.

APPROVE creating a Rm-2 Planned Development District (PDD) for the entire 23.76-acre Saxony Village development area subject to the following:

1. The Rm-2 Zoning District regulations shall constitute the basic conditions, restrictions, limitations and requirements for the Saxony Village PDD except that the specific list of allowances requested by the applicant as cited herein (i.e. 3-story building height for Buildings #3, #4, and #5 only) shall be included in the conditions & restrictions resolution submitted to the Village Board for consideration and approval.
2. All requirements and conditions of approval recommended by the Public Works Department/Village Engineer (see July 28 and April 24, 2015 review memos) and Fire Department (see July 30, 2015 review email) shall be addressed as part of the detailed site development and building plan process and/or included in the Saxony Village PDD conditions & restrictions resolution as may be necessary.
3. Subject to further revision required by the Plan Commission and/or Village Board, Site Plan B dated August 4, 2015 shall constitute the General Development Plan required under Section 17.27 of the Zoning Code. In the event that, further revisions to the General Development Plan are required by the Village Board prior to adoption of the PDD rezoning ordinance and PDD conditions & restrictions resolution, a revised General Development Plan shall be prepared and submitted to Village staff for review and approval prior to execution of the ordinance and/or resolution.
4. A traffic impact study shall be prepared and submitted for review and approval by the Village prior to or concurrent with submission of detailed site development and building plans. At a minimum, said traffic study shall assess the impact of, need for and minimum on-site and off-site street improvements necessary to provide safe and efficient vehicle and emergency vehicle access via internal street connections to Castle Drive, Hilbert Lane and/or Main Street.

VILLAGE PLANNER RECOMMENDATION:
Shoreland-Wetland Setback CUP

APPROVE a Conditional Use Permit to allow the proposed wetland fill and development within the 25' wetland and 75' navigable stream setback areas as presented in the application exhibits and Mitigation Plan (dated August 5, 2015) pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

1. As part of the site development and building plan review process, the Developer shall: (1) make every attempt to further limit development within the 25' wetland and 75' stream setback areas; (2) update the calculations and presentation of the impacted wetland, wetland setback and stream setback areas on the final site plan (only Site Plan A is presented in the CUP application); and (3) update the Mitigation Plan prior to final consideration of the CUP application by the Village Board.
2. CUP approval shall be contingent upon the Developer obtaining any/all permits or approval required by the WI DNR and ACOE. In the event that DNR and/or ACOE permits/approvals are not issued, Village CUP approval shall become null and void.
3. The applicant shall prepare and submit an annual monitoring report to Village staff concerning the various management activities proposed in the mitigation plan, including the installation of native grasses and plantings within disturbed setback areas. Said report shall, at a minimum, detail the type and amount of plantings and all activities carried out in the previous year, the observed success of previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities carried out, and the planned activities for the coming year. Said report shall be submitted annually at the end of each year beginning with the calendar year following the year during which construction activities have commenced, and, continuing annually thereafter for three (3) years.

Village of Germantown ...Willkommen

Engineering Department Memorandum

To : **Jeffrey W. Retzlaff, AICP, Village Planner/Zoning Administrator**

From : **Brionne R. Bischke, P.E., Interim DPW / Village Engineer**

Date : **July 28, 2015**

Re : **JBJ and Saxony Village – Main Street South of Railroad Tracks – Rezoning and CUP Application**

DPW and Engineering Depts. offer the following comments:

1. All comments presented in the Village Engineer's April 24, 2015 consultation review memo are reaffirmed.
2. Existing water main stubs between Castle Dr. and Hilbert Ln. should be connected by at least a 12" dia. public water main situated in public easement within the Saxony Village development.
3. Existing sanitary sewer to Main St. should be entirely abandoned for two reasons: 1) the middle manhole has already been abandoned, and 2) the Main St. sanitary sewer is back-pitched and undergoing capacity stresses.
4. The Wastewater Utility is going to have to divert sanitary sewer from Main St. through the Saxony Village parcel to connect to existing sanitary sewer traversing the Saxony Village south property line. Sanitary sewer service should be extended from the south to service Saxony Village, and the Village should pay for over-sizing that sewer to accommodate the Main St. diversion. The extension of this sewer through the Saxony Village parcel to Main St. should be overlain with a public easement.

Enclosure:

Village Engineer's April 24, 2015 memo

Village of Germantown ...Willkommen

Engineering Department Memorandum

To : Jeffrey W. Retzlaff, AICP, Village Planner/Zoning Administrator

From : Brionne R. Bischke, P.E., Village Engineer

Date : April 24, 2015

Re : JBJ Development/Scott Bence – Main Street south – west of railroad tracks. Rezoning consultation

---

The Village DPW/Engineering Dept. offers the Plan Commission the following conditions that **must** be satisfied before approval of a Village building permit application:

A) GRADING & EROSION CONTROL:

1) A grading & erosion control plan will be required.

B) STORM SEWER, ROOF DRAINS & LATERALS:

1) A storm sewer, roof drain and lateral plan will be required.

C) SANITARY SEWER & LATERALS:

1) A sanitary sewer and lateral plan will be required.
2) A 30" dia. sanitary sewer traverses along the south property line.

D) WATER MAIN & LATERALS:

1) A water main and lateral plan will be required.
2) A 16" dia. water main traverses along the south property line, and 12" dia. stubs extend from Hilbert Ln. and Castle Dr. Connecting these loops would best secure potable water supply and quality.

E) STORMWATER MANAGEMENT:

1) A storm water management plan will be required.
2) Village would be interested in a future expansion of the pond situated near the southeast property corner for use as a regional storm water management pond for future Main St. corridor development.

F) ROADWAYS, DRIVEWAYS & PARKING LOTS:

1) A paving plan will be required.
2) Village would prefer two public access ways to the development, such as the two proposed off of Main St. and Hilbert Ln. Castle Dr. is in severe disrepair so avoiding access via Castle Dr. would be in the Village`s best interest.
3) Proposed public parking lot off Main St. entrance could follow Wisconsin DOT park and ride lot policies.

G) WISCONSIN PROFESSIONAL ENGINEER SEAL & SIGNATURE:

1) Wisconsin Professional Engineer seals and signatures will be required for drawings and reports.

H) VILLAGE DESIGN, DRAFTING & CONSTRUCTION STANDARDS & SPECIFICATIONS

1) Include a note that requires contractor conformance with these Village standards and specifications, and including their locations on the Village's web page:
   a) Section 3.0: Grading and Erosion Control Requirements: http://www.village.germantown.wi.us/DocumentCenter/View/74
   b) Section 4.0: Storm Water Conveyance System Requirements: http://www.village.germantown.wi.us/DocumentCenter/View/75
   c) Section 5.0: Sanitary Sewer System Requirements: http://www.village.germantown.wi.us/DocumentCenter/View/76
   d) Section 6.0: Water Distribution System Requirements: http://www.village.germantown.wi.us/DocumentCenter/View/77
   e) Section 7.0: Storm Water Management Requirements: http://www.village.germantown.wi.us/DocumentCenter/View/78
   f) Section 8.0: Roadway Requirements: http://www.village.germantown.wi.us/DocumentCenter/View/79

I) PERMITS:

1) Driveway permit from Village Engineering Dept. is required for the new driveway.
2) Work in right-of-way permit from Village Engineering Dept. is required for utility and pavement work in Village-owned Bunsen Dr.
3) Erosion control permit from Village Building Inspection Dept. is required for land disturbance > ½ ac.
4) General WPDES Construction NOI permit from Wisconsin DNR is required for land disturbance > 1 ac.
5) Exterior plumbing plan review from Wisconsin DSPS is required for private utilities construction.

Jeff Retzlaff

From: Steve Smith <ssmith@germantownfiredept.com>
Sent: Thursday, July 30, 2015 4:17 PM
To: Jeff Retzlaff
Cc: Gary Weiss; Craig Rossman
Subject: Plan Commission Agenda- August 10, 2015

Jeff:

Attached are GFD comments for August 10, 2015 Plan Commission Agenda:

1. JBJ Development/Saxony Village- Main Street south-west of railroad tracks. Rezoning and CUP Application. Recommend approval with the following:
- Ref: NFPA 1 Chapter 18, 2012 edition.

a. Approved water supply with fire hydrants connecting to village water utility. Locations to be spaced at intervals of 300 ft. along all fire access roads. Actual locations to be approved on future site plan application. Per NFPA 1 Chapter 18, 2012 edition.

b. Fire access roads shall be at least 20 feet wide with no parking allowed on either side.

c. Adding right turn lane on Main Street or removing north center island at Main Street intersection improves overall access by ladder truck.

d. In the Round About center island: restrict tree or bush height to 7 feet to allow better access for the ladder truck.

e. These buildings will likely require fire sprinkler, standpipes and fire alarm system requiring state DSPS approvals. Building FDC and alarm panels actual location will need to be approved by GFD on site plan application.

f. Site Alternative A: Building 6- Fire department access drive is excessive in length. Add approved turnaround, loop building or supply access to another road.

2. Enterprise Rent A Car- W!()N10953 Kleinmann Drive- Sign Review: no comment.

Steven Smith
Fire Inspector
Germantown Fire Department
W162N11862 Park Avenue
Germantown WI 53022
262 253 7795 ext 1733
262 253 7797 fax
ssmith@germantownfiredept.com

PLAN COMMISSION MINUTES
May 11, 2015

COPY

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

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Mary Ellen Gray, Tim Yokes, Bill Shadid, Tony Laszewski and Peter Nilles were present. Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson were also present.

PUBLIC INPUT: The following residents spoke against the Saxony Village agenda item:

1. Jerry Myszewski, W159 N11435 Red Oak Circle, concerned with apartments and would rather see condominiums or individual homes.
2. Loren Doll, W159 N11447 Red Oak Circle, concerned with traffic, 3 story buildings are obtrusive, already too many apartments.
3. Nicki Broetzmann, W163 N11502 Windsor Court, doesn't want development, concerned with traffic, too many units.
4. Bruce Warnimont, N112 W12467 Mequon Road, concerned with school enrollment, some schools are over capacity.
5. Betsy DeVilbiss, W159 N11548 Oakwood Drive, said buyers are concerned with total number of rentals in Germantown
6. Lisa Filla, W148 N12133 Pleasant View Drive, Doesn't think development is a good plan and there is no sense of ownership with rentals, schools are overcrowded.
7. Liz Chizek, W163 N11545 Windsor Court, concerned with wildlife living there, schools are over crowded and safety hazards.
8. Charles Brown, W162 N11979 Park Avenue, concerned with aesthetics, not appropriate for community, too crowded.
9. Shawn Gehrig, W163 N11456 Windsor Court, concerned with too many apartments and traffic concerns.

PREVIOUS MINUTES: ***MOTION Baum second Shadid to Approve the minutes from 4-13-15.***

MOTION carried unanimously.

Village of Germantown & Germantown Little League W162 N11870 Park Avenue. The Village of Germantown is requesting approval of a 2-lot CSM for purposes of adjusting an existing property line for the Firemen's Park property on Park Avenue. Planner Retzlaff summarized the proposal.

MOTION Baum second Gray to Approve the CSM as proposed.

MOTION carried unanimously.

Bradley Way Partners LLC – N106 W13131 Bradley Way. The applicant is seeking approval of site development and building plans for a 13,544 sqft warehouse addition to the existing office/light industrial building. Planner Retzlaff summarized the proposal.

MOTION Baum second Yokes to Approve the site development and building plans for the 13,544 sqft warehouse addition to the existing office/light industrial building located at N106 W13131 Bradley Way in the Germantown Business Park subject to the

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. Commissioner Gray said the landscaping on the east side could be enhanced with more evergreens. Planner Retzlaff explained that area would be used for future additional parking.

MOTION carried unanimously.

Koenig Industries – W188 N11820 Maple Road. The applicant is seeking approval of site development and building plans for a 12,453 sqft building addition to the existing manufacturing facility. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the site development and building plans for the proposed 12,453 sqft addition to the existing facility located at W188 N11820 Maple Road in the Germantown Industrial Park subject to the following conditions:

1. ***This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development and building plan set dated March 27, 2015 unless superseded by subsequent plan sheets approved by the Village Planner 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. ***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.***
4. ***All technical corrections identified by the Village Engineer in the April 30, 2015 memo shall be addressed prior to issuance of a building permit.***
5. ***State approved plans and a $20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***

MOTION carried unanimously.

JBJ Development & Scott Bence for Heritage Place Joint Venture – 23.7 Acres on Main Street, east of Lake Park East Condominiums and west of Oakwood Village Condominiums. Multi-Family Residential Planned Development District (PDD) Rezoning & Site Plan Consultation for a 225 unit apartment community. Planner Retzlaff summarized the proposal. He said if the plan moves forward several approvals would be required including a planned development district rezoning, a rezoning to Rm-2 for two properties, detailed site development and building plans and a developers agreement for any public improvements including water, sewer and utilities. Other issues that need to be discussed as part of the approval process include cleanup of a brownfield area, density and building scale, traffic impact, Hilbert Lane and Castle Drive connections, stormwater management, Main Street redevelopment and the proposed public parking lot.

Scott Bence, JBJ Development, said he's been involved with this project since 1996. He explained he has been dealing with the neighboring properties, Jacobus Quickflash and the railroad company to rectify contamination issues which are now cleaned up. He said acquiring these two properties would enable the creation of another road entry off Main Street. The concept plan would also create opportunities like the regional pond, additional parking for businesses on Main Street, and provide a connection for neighboring properties from east to west.

Gene Guszkowski, AG Architecture, said the idea for the development was to create a walkable urban environment to support the Main Street area. They believe the Land Use Plan calls for a mixed use higher density, pedestrian oriented neighborhood. He said they are trying to create some community benefit while doing that by providing a trail system and parking, creating an urban feel and sense of community.

A lengthy discussion followed. The Plan Commission and the applicant addressed the following concerns:

- Yokes – Why condo's?
  JBJ/Bence – Condo's are tough to market. The market has shifted to high end apartments.
- Gray – How do you get around the school situation? Would rather see some mixed use development with storefronts and apartments on top.
- Bence – There is a lot of business vacancy already that can't be filled. The need is for more people. Market research shows no support for retail storefronts.
- Laszewski – Agrees retail will not work but struggles with the density.
- Bence – The average is about ½ school age student per unit.
- Wolter – Asked the number of 3 bedroom units.
- Bence – The development has 15 three bedroom apartments
- Shadid – Doesn't mind the density but is concerned with the quality of life for the people living on Red Oak Circle and Hilbert Lane.
- Bence– There are 3 potential street connections, he is looking for input. He said that is why he sent notices to all the abutting neighbors to inform them. The property is already zoned multi-family, but he wants to work with the community and provide some benefits.
- Tom Dueppen, Himalayan Consultants, said he has been working on the contamination management plan for the development of this property. He said the property has received conditional closure from the DNR in 2013. He would propose a green team meeting with state regulators that would be able to provide the Planning Commission with a better idea of what options are available to address the brownfield issues. The site still needs to be monitored and there is a ground water use restriction.
- Wolter – The site is remediated and can be conditionally developed.
- Retzlaff – Asked if underground parking structures that are outside the contaminated properties be affected.
- Dueppen – Said there might be some offsite vapor migration contamination but it can be addressed. He said locating the parking lot at the north end is a good way to reduce the amount of contaminate migration that would occur by bringing in permeable surface in that area.
- Shadid - Asked if the buildings could be re-orientated and not be so close to Windsor Court. He suggested an exit out to Squire Drive to isolate the development from Hilbert Lane and Red Oak Circle.

- Bence - Said Squire Drive cannot be accessed there because of flood plain. He said he took on the 2 other properties to be able to connect to Main Street and it took 7 years to acquire them. He said the buildings can be twisted and turned but he needs to know where the road connections will be before a traffic study can be done.
- Yokes – He agrees there will be some impact to traffic, but doesn't think it will be as massive as other projects. Better traffic controls will be needed. He is concerned with the density and the height of the buildings.
- Bence – A proposal was brought forward in 2007 and the direction from the Village Board at that time was to work on getting access to Main Street which he has been done.
- Wolter – A number of things need to be discussed and addressed. Castle Drive and Windsor Court look like secondary roads. Hilbert Lane is more of a normal width street so that access through make sense. A traffic study will help define how many people will be using Hilbert Lane as a regular path. Information is needed on how to get past the need for additional classroom space. Maybe limiting the number of children in the area by proposing more 2 or single bedroom apartments will help. Three story buildings is a concern. Providing some visuals to show how they will look from other street views would help. Is 225 the high end for density or is there some movement there. He is thankful for the parking lot. But is there a possibility for more spaces, maybe 30 or more to help with the Main Street parking congestion and traffic issues the Fire Department has. A traffic study is needed to show what the pattern is. Is the 5 building pattern set or could 7 buildings with 2 stories work.
- Bence – Said his new apartment building on Fond du Lac Avenue opened May 1st and is at 100 percent occupancy. He said the renters are young, dual income, couples and retirees. He said the three bedroom apartments are taken by empty nesters that have too much furniture for a 2 bedroom unit.
- Wolter - Said he appreciates Mr. Bence's willingness to work with the Village on the retention pond, brownfield areas and parking issues.
- Retzlaff – The Gables has 3 story buildings with architectural features added on to provide a Germanic feel. He asked if that was something this development would consider. What is a green team meeting.
- Guszkowski – 3 story buildings are more efficient for underground parking; they don't want to be held to the Bavarian look. A green team meeting clarifies liability issues and potential funding options associated with government based entities. The Village would be allowed to apply for grants. Some cleanup costs would be associated with the putting in the parking lot or the roads. A larger parking lot would improve the contaminant issues in that area.
- Baum – Thinks retail will not work here. The potential is for a large density owner occupied buildings. The residents don't want a rental property. Post graduates don't want to buy, they want the flexibility of renting. Townhouses seemed to be acceptable. A higher density development is needed to get to Main Street developed. He'd like to see lower density and 2 story buildings. There are problems on Main Street with traffic. Hilbert Lane will become a thoroughfare. He'd rather see Castle Drive get improved and extended but all three connections need to be enhanced. He can see either contemporary or Germanic design but would like the buildings broken up a little more.
- Gray – Is it possible to apply to the DNR for approval to run the road through the wetland.

- Retzlaff – The property has a navigable stream, flood plain and wetlands to deal with. He said justification would be needed providing how or why the need to connect in some other manner can't be attained.
- Wolter – the Army Corps of Engineers would get involved and that could take years to be approved.

Betsy DeVilbiss said speaking as a realtor, there is a need for mid range condominiums. Jerry Myszewski asked why the development needs to be so dense. Jim Kapus said Sylvan Circle needs a lot of work and Hilbert Lane is not as wide as Sylvan to accommodate a large amount of traffic. Trustee Zabel commented on the density of the development and said he reads the code as 8 units per net acre not 8 units per ace. He said there are 15 acres of buildable area which would allow 120 units, not 225 as proposed. Mr. Bence said they worked with staff and feel the number of units proposed is correct.

Chairman Wolter said this was a consultation and that Mr. Bence will take all comments into consideration. He said if this item comes back to Plan Commission for review it will be noticed by agenda postings only. He said he appreciates all those that attended and spoke tonight.

ANNOUNCEMENTS: Chairman Wolter said Mai Fest starts Friday and runs through Sunday. And on Thursday there is a ceremony to honor police officers who have lost their lives at the Washington County Fair Grounds.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:26 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

VILLAGE OF GERMANTOWN
COMMITTEE OF THE WHOLE
MEETING MINUTES
JUNE 8, 2015

COPY

CALL TO ORDER: The meeting was called to order at 5:30 p.m. by President Wolter at the Village Hall Boardroom.

ROLL CALL: President Wolter, Trustees Baum, Kaminski, Miller, Myers, and Zabel. Trustee Daniels, Hughes, and Warren were absent. Also present were Administrator Schornack, Fire Chief Weiss, Planner Retzlaff and Deputy Clerk Tamborino.

APPROVAL OF MINUTES: March 30, 2015
MOTION (Baum/Kaminski) to approve the minutes as presented, motion carried.

SAXONY VILLAGE PLANNED DEVELOPMENT DISTRICT DISCUSSION:
President Wolter started the discussion by informing the public and committee members that this is an informational meeting with discussion only. There will be no public input or motions made by the committee at this meeting. Public input is allowed at the Plan Commission meeting or Village Board meeting for this item. Village Planner Retzlaff gave a brief overview of the proposal explaining the alternative plan presented tonight versus the plan presented at Plan Commission has fewer units available and also eliminates the public parking lot and large area in the southeast corner of the property for future use as a regional storm water basin.

Scott Bence of JBJ Development along with Gene Guszkowski from AG Architecture and Tom Dueppen of Himalayan Consultants presented the two different plans, Concept A featuring 5 three-story residential buildings and Concept B showing 6 two-story buildings, both with underground parking and a 2500 square foot clubhouse with swimming pool and trail system. Rental range will be between $1100-1800 a month for rent.

Discussion included two-story versus three story buildings, access to Hilbert Lane and Castle Drive, zoning issues, traffic impact, process and compliance from Concept A to Concept B, Conditional Use Permit needed to cross stream and wetland to install driveway by Hilbert Lane, and public benefits.

President Wolter stated JBJ Development is looking for input on which plan the Village Board is more interested in, Concept A (3-story) or Concept B (2-story). Consensus for developer direction is to go forward with Concept B (2-story buildings) and opening all avenues of traffic access including the extension of Hilbert Lane, Castle Drive and an access driveway to Main Street.

ADJOURNMENT:
There being no further business the meeting was adjourned at 6:35 p.m.

Timmerly Tamborino
Deputy Clerk

NOTICE OF PUBLIC HEARING
VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, September 21, 2015
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the applications filed by the petitioners to: (1) rezone the following described property from the B-3: General Business District to the Rm-2: Multi-family Zoning District; and (2) create the "Saxony Village" Planned Development Overlay Zoning District (Rm-2/PDD) for the following described property:

Petitioners: Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners

Property Subject of Rezoning from the B-3: General Business District to the Rm-2: Multi-Family Residential District, AND, to be included within the proposed Saxony Village Rm-2/PDD Overlay Zoning District:

Outlot 5 of Assessor's Plat of the Northwest 1/4 and the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin. Except that part taken in Award of Damages recorded as Document No. 465242 (Tax Parcel #GTNV224-025; 1.33 acres); and

Outlot Four (4) and that part of Outlot Three (3) of Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Township 9 North of Range 20 East, Washington County, Wisconsin, bounded and described as follows:
Commencing at the center of said Section 22, Town 9 North of Range 20 East; thence east along the North line of said Southeast 1/4 Section and on the center line of Main Street 217 feet; thence South 62°06'East (measured South 63°30'56" East) 177.05 feet to the place of beginning of the parcel to be described; thence South(measured South 01°24'56" East), 169.75 feet to a point; thence South 62°06' East (measured South 63°30'56" East), 213.52 feet to a point; thence North 27°54'00" East (measured North 26°29'04"East), 150.00 feet to a point; thence North 62°06' West(measured North 63°30'56 West), 292.95 feet to the place of beginning (Tax Parcel #GTNV224-027; .872 acres).

Additional Property to be included within the proposed Saxony Village Rm-2/PDD Overlay Zoning District:

That part of Outlot Three (3) in Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Town 9 North of Range 20 East, Washington County, Wisconsin, described as follows:
Commencing at the center of said Section 22; thence South 88°33'42" West along the North line of the Southwest 1/4 of said Section, 135.00 feet to a point: thence South 01°58'28" East along the East line of Squire Drive, 240.00 feet to the point of beginning of the land to be described; thence North 88°33'14" East, 135.00 feet to a point on the North-South 1/4 line of said Section; thence North 88°37'44" East, 371.13 feet to a point, said point being the Southeast corner of Certified Survey Map No. 2386; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 213.52 feet to a point; thence North 26°29'04" East, 150.00 feet to a point; thence South 63°30'56" East 274.54 feet to a point; thence

North 26°29'04" East, 60.00 feet to a point; thence South 63°30'56" East, 60.00 feet to a point; thence North 26°29'04" East, 60.00 feet to a point in the Southwesterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 63°30'56" East along said right of way line, 383.50 feet to a point; thence South 01°56'58" East, 878.04 feet to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence South 88°35'23" West, 1208.33 feet to a point on the East line of Squire Drive, said point being 110.00 feet North 88°35'23" East of the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence North 01°58'28" West, 113.97 feet to a point; thence Northwesterly, 384.07 feet along the arc of a curve whose center lies to the West whose radius is 1186.28 and whose chord bears North 11°14'58" West, 382.39 feet to a point; thence North 20°31'28" West, 458.55 feet to a point; thence North 14°49'57" West, 168.40 feet to the point of beginning (Tax Parcel #GTNV224-992; 21.56 acres net of exceptions described below);

Excepting therefrom the following described land:
Commencing at the Northwest corner of said Southeast 1/4 Section; thence South 01°58'28" East along the West line of said Southeast 1/4 Section, 240.00 feet to the point of beginning of the land to be described; thence North 88°37'44" East along the South line of Certified Survey Map No. 2386 and parallel with the North line of said 1/4 Section, 371.13 feet to a point; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 85.00 feet to a point; thence South 00°54'18" East, 880.31 feet to a point; thence North 89°09'27" West 320.90 feet to a point in the East line of Squire Drive; thence Northerly along said East line, 330.28 feet on the arc of a curve whose center lies to the Southwest whose radius is 1186.28 and whose chord bears North 12°31'24" West, 329.22 feet to a point; thence North 20°31'28" West along said East line, 458.55 feet to a point; thence North 14°49'57" West along said East line and parallel with the North line of said Southwest 1/4 Section, 135.00 feet to the point of beginning. Note: The above excepted parcel is also known as Buildings 24, 26, 27, 28, 29 and 31 in Lake Park Extension, a recorded condominium; and Parcel 1 of Certified Survey Map No. 3501, recorded in the Washington County Registry on January 25, 1990 in Volume 21 of Certified Surveys on pages 168-172, as Document No. 554789.

A copy of the application is on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 27th day of August, 2015.
Barbara K. D. Goeckner, Village Clerk

To Be Published On: September 3rd and September 10th, 2015

could have something different and there is a lot more discussion needed to clearly define net and gross.

MOTION Baum second Shadid to Table this item until Planner Retzlaff brings forward a clear definition of what other communities around us are using for net and gross density.

MOTION carried unanimously.

JBJ Development for Heritage Place Joint Venture, MCB Investments LLC and Jacobus Energy/Land 15 LLC -23.7 acres on Main Street (approximately N116 W16200) east of Lake Park East Condominiums and west of Oakwood Village Condominiums. The property owners have submitted a Planned Development District (PDD) Rezoning application (B-3 to Rm-2) for a 190-unit multi-family residential development called Saxony Village on 23.76 acres and a Conditional Use Permit application for a wetland fill (wetland& navigable stream crossing). Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the proposed rezoning of Parcel II (1.33 acres) and Parcel III (.872 acres) from the B-3: General Business Zoning District to the Rm-2: Multi-family residential Zoning District subject to the following:

1. ***All requirements and conditions of approval recommended by the Public Works Department/Village Engineer (see July 28 and April 24, 2015 review memos) and Fire Department (see July 30, 2015 review email) shall be addressed as part of the detailed site development and building plan process.***
2. ***A traffic impact study shall be prepared and submitted for review and approval by the Village prior to or concurrent with submission of detailed site development and building plans. At a minimum, said traffic study shall assess the impact of, need for and minimum on-site and ff-site street improvements necessary to provide safe and efficient vehicle and emergency vehicle access via internal street connections to Castle Drive, Hilbert Lane and/or Main Street.***

Planner Retzlaff explained a concept plan is required as part of the rezoning application so there is a better understanding of what the development could be like. If a Planned Development District is created, that particular site plan comes with an adopted general development plan that locks in the future development.

MOTION carried unanimously.

Trustee Baum questioned how the density was calculated.

MOTION Baum second Gray to Approve the Conditional Use Permit to allow the proposed wetland fill and development within the 25' wetland and 75' navigable stream setback areas as presented in the application exhibits and Mitigation Plan (dated August 5, 2015) pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code and subject to the following conditions:

1. ***As part of the site development and building plan review process, the Developer shall: (1) make every attempt to further limit development within the 25' wetland and 75' stream setback areas; (2) update the calculations and presentation of the***

impacted wetland, wetland setback and stream setback areas on the final site plan (only Site Plan A is presented in the CUP application); and (3) update the Mitigation Plan prior to final consideration of the CUP application by the Village Board.

2. ***CUP approval shall be contingent upon the Developer obtaining any/all permits or approval required by the WI DNR and ACOE. In the event that DNR and/or ACOE permits/approvals are not issued, Village CUP approval shall become null and void.***
3. ***The applicant shall prepare and submit an annual monitoring report to Village staff concerning the various management activities proposed in the mitigation plan, including the installation of native grasses and plantings within disturbed setback areas. Said report shall, at a minimum, detail the type and amount of plantings and all activities carried out in the previous year, the observed success of previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities carried out, and the planned activities for the coming year. Said report shall be submitted annually at the end of each year beginning with the calendar year following the year during which construction activities have commenced, and, continuing annually thereafter for three (3) years.***

Trustee Baum said something will be developed here and the access is needed. Planner Retzlaff clarified that option A goes with the straight B-3 to Rm-2 zoning and no PDD. The development of a PDD provides the ability to go to 3 story buildings without development in the southeast corner and removal of the Stormwater basin. Chairman Wolter said the CUP approves the process of building in the wetland for road access. He said the zoning change as proposed, B-3 to Rm-2 multi-family zoning district approves plan A which is 6 buildings at 2 stories and development of a Stormwater basin. He said locating a Stormwater basin in this plan would eliminate the need for a creating one when Main Street properties are developed further in the future.

MOTION carried unanimously.

Planner Retzlaff discussed the PDD option that would allow a 3 story building option. He said the developer has not presented any potential elevations or architecture that might weigh in on the Plan Commission's decision regarding 2 versus 3 story buildings. He stated that under the Rm-2 zoning district the maximum height allowance is 45 feet and the number of stories allowed is 2. If 3 stories were allowed, the building height maximum would still be 45 feet tall. He asked Commissioners if they want to consider 2 versus 3 stories in terms of appearance and architecture, before they completely vote on it one way or the other.

Trustee Baum said he couldn't support the PDD because he doesn't know the character of the development or the amenities. Gene Guszkowski, AG Architecture, said the development team is looking for some direction to proceed before significant money is spent exploring different solutions. He said both a flat and pitched roof have been explored to stay within the 45 foot limit depending on the construction design. Commissioner Gray said she has seen 3 story buildings in Menomonee Falls, Waukesha and Brookfield would support them. Commissioner Laszewski felt this location is a good spot to put 3 story buildings. Jenine Eihlers said she didn't want to see that this development out of her window and wants the green space. Chairman Wolter said businesses are growing here and need the additional housing to attract a better educated workforce that doesn't want to buy. The future development would also create

foot traffic that will help to support the downtown area. He said Mr. Bence has a right to develop the property as an owner and the residents may voice their concerns at a public hearing. Discussion continued.

Trustee Baum said he doesn't have enough information on amenities, height, and character of the buildings and doesn't like the layout of the development. He wants more of a downtown, walking community feel like Oakland Avenue in Shorewood. Scott Bence asked for either a recommendation of the PDD with conditions the Plan Commission feels are appropriate and if

he if decides to work with those conditions, he will bring the plan back or, he will just move forward with the 2 story buildings proposal. He said is asking for an extra half story to allow for three story buildings. He is more than happy to work with the Village to commit the area for a regional basin and provide a public parking lot and trail system.

MOTION Gray second Shadid to Approve creating a Rm-2 Planned Development District (PDD) for the entire 23.76-acre Saxony Village development area subject to the following:

1. ***The Rm-2 Zoning District regulations shall constitute the basic conditions, restrictions, limitations and requirements for the Saxony Village PDD except that the specific list of allowances requested by the applicant as cited herein (i.e. 3-story building height for Buildings #3, #4, and #5 only) shall be included in the conditions & restrictions resolution submitted to the Village Board for consideration and approval.***
2. ***All requirements and conditions of approval recommended by the Public Works Department/Village Engineer (see July 28 and April 24, 2015 review memos) and Fire Department (see July 30, 2015 review email) shall be addressed as part of the detailed site development and building plan process and/or included in the Saxony Village PDD conditions & restrictions resolution as may be necessary.***
3. ***Subject to further revision required by the Plan Commission and/or Village Board, Site Plan B dated August 4, 2015 shall constitute the General Development Plan required under Section 17.27 of the Zoning Code. In the event that, further revisions to the General Development Plan are required by the Village Board prior to adoption of the PDD rezoning ordinance and PDD conditions & restrictions resolution, a revised General Development Plan shall be prepared and submitted to Village staff for review and approval prior to execution of the ordinance and/or resolution.***
4. ***A traffic impact study shall be prepared and submitted for review and approval by the Village prior to or concurrent with submission of detailed site development and building plans. At a minimum, said traffic study shall assess the impact of, need for and minimum on-site and off-site street improvements necessary to provide safe and efficient vehicle and emergency vehicle access via internal street connections to Castle Drive, Hilbert Lane and/or Main Street.***

Trustee Zabel said the proposed development with have a private street that goes to a public street and there will be nightmares in the future when people decide to cut through from one street to another. He said the Village cannot designate speed or parking restrictions with a private street and asked if it would be better if the street becomes a public street for safety and other concerns that may occur in the future. Planner Retzlaff said he has not received any comments from Public Works regarding the creation of the private versus a public street. Chairman Wolter said a public street would mean more streets to fix and plow. Discussion continued.

Chairman Wolter said he agrees with more of a Main Street feel and likes 5 buildings versus 6 because it builds a buffer towards Hilbert lane. It also gives the possibility of the amenity for storm water retention for the Village which is needed in the next 5 to 10 years for future development.

Motion to Amend Baum to have item #4 from Brionne Bischke's July 28th letter be included as a requirement at the developers cost. Motion retracted.

MOTION carried 5-1 (Baum)

Community Development Department – Floodplain Zoning Code Amendment – Revised Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM's) for consideration and adoption for purposes of maintaining the Village's eligibility in the Federal National Flood Insurance Program (NFIP). Planner Retzlaff explained the Village is required to adopt the revised FIS and FIRM's as a part of an ongoing effort to maintain up-to-date information. The revised FIRM's include land around Lake Amy Belle and Bark Lake, both located in the Village of Richfield, but appear in the same FIRM's that cover the Village of Germantown.

MOTION Baum second Shadid to Approve the proposed Floodplain Zoning Code amendment as drafted which includes by reference the revised Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM's) having an effective date of October 16, 2015.

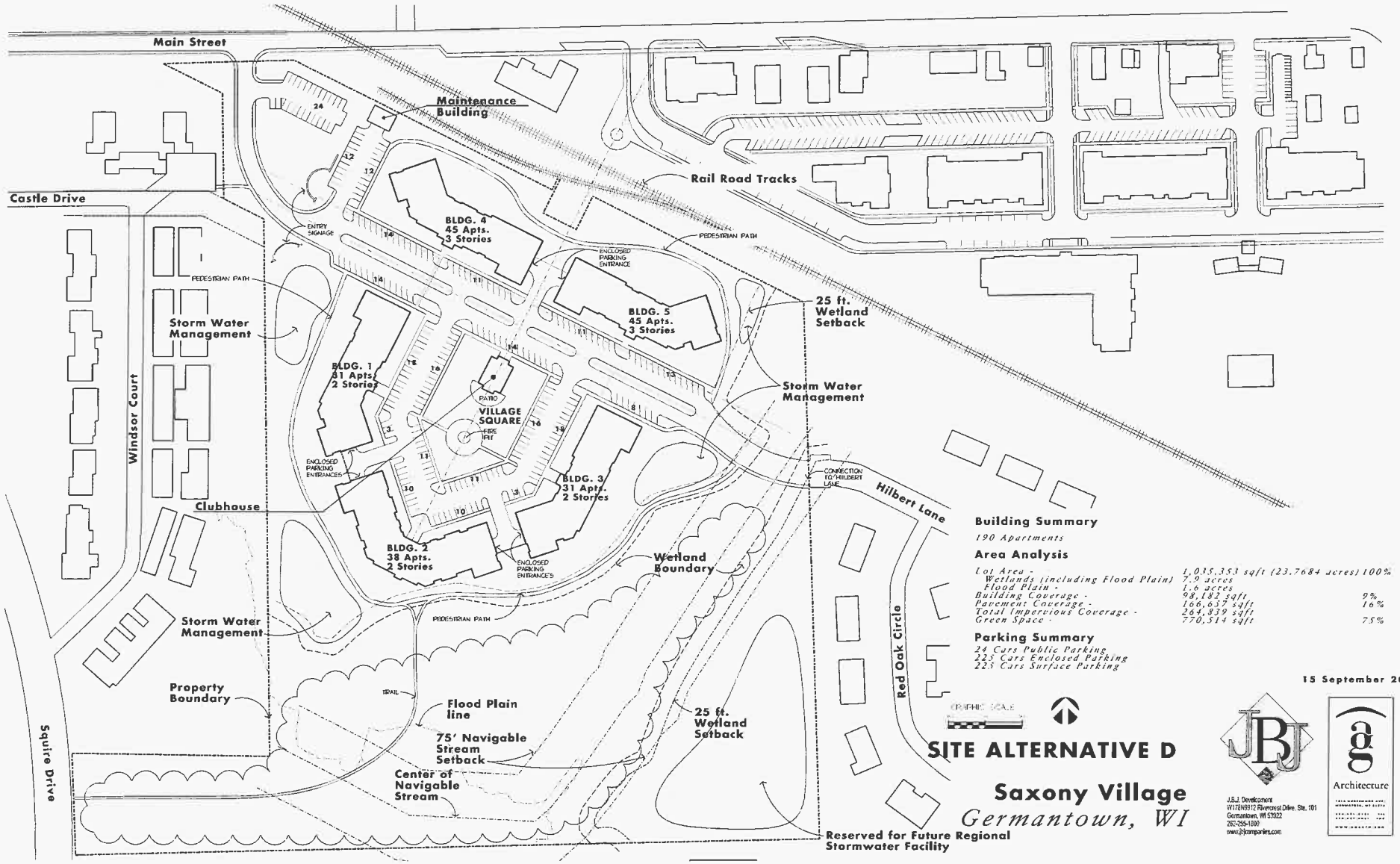
MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:58 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant



Building Summary

190 Apartments

Area Analysis

Lot Area -	*1,035,353 sqft (23.7684 acres)*	*100%*
Wetlands (including Flood Plain)	*7.9 acres*	
Flood Plain -	*1.6 acres*	
Building Coverage -	*98,182 sqft*	*9%*
Pavement Coverage -	*166,637 sqft*	*16%*
Total Impervious Coverage -	*264,819 sqft*	
Green Space -	*770,514 sqft*	*75%*

Parking Summary

24 Cars Public Parking
225 Cars Enclosed Parking
225 Cars Surface Parking

15 September 2015

GRAPHIC SCALE

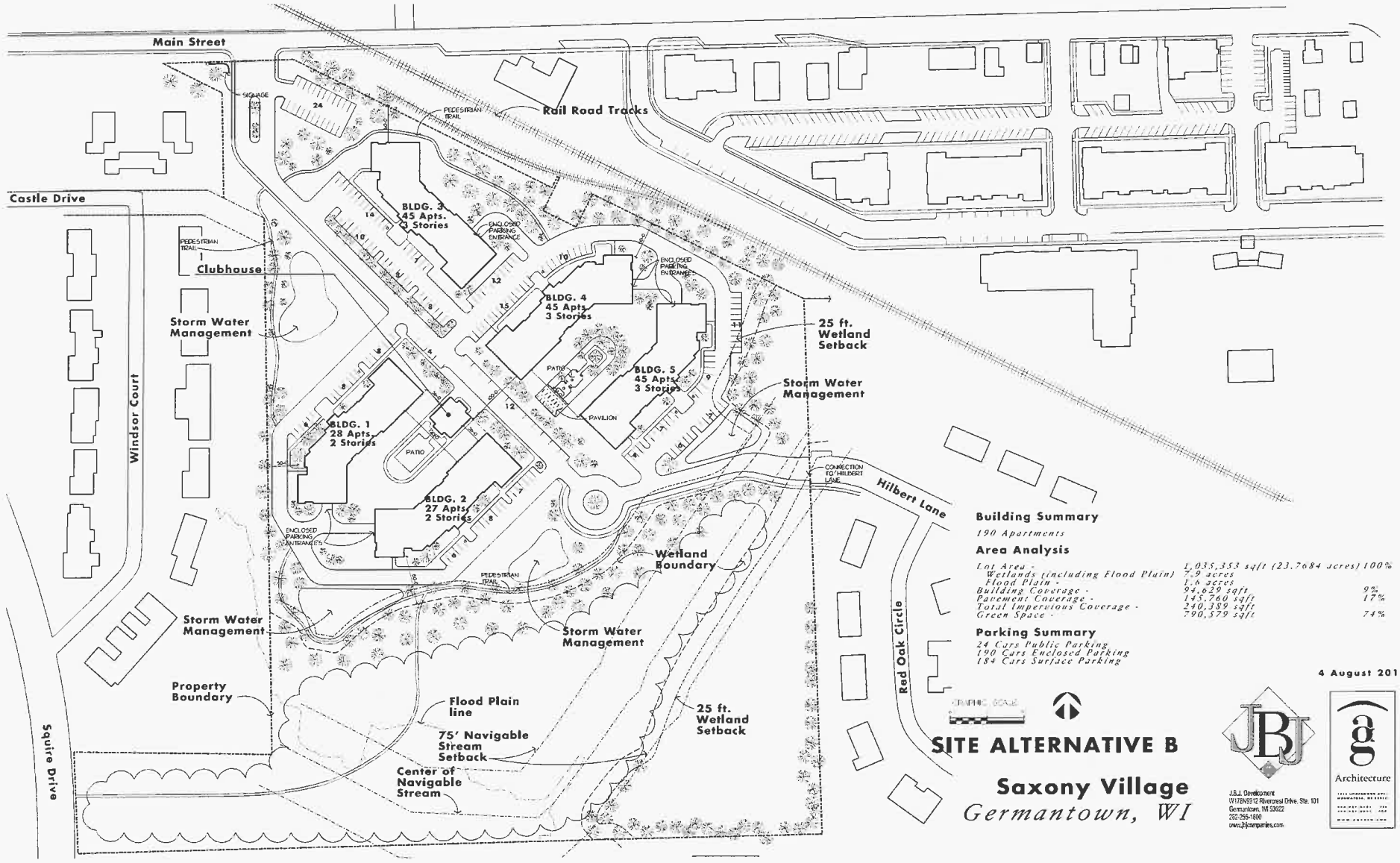
SITE ALTERNATIVE D

Saxony Village

Germantown, WI

J.B.J. Development
W178N8912 Rivercrest Drive, Ste. 101
Germantown, WI 53022
262-255-1600
www.jbjcompanies.com

Architecture



Building Summary

190 Apartments

Area Analysis

Lot Area -	*1,035,353 sqft (23.7684 acres)*	*100%*
Wetlands (including Flood Plain) -	*7.9 acres*	
Flood Plain -	*1.6 acres*	
Building Coverage -	*94,629 sqft*	*9%*
Pavement Coverage -	*145,760 sqft*	*17%*
Total Impervious Coverage -	*240,389 sqft*	
Green Space -	*790,579 sqft*	*74%*

Parking Summary

24 Cars Public Parking
190 Cars Enclosed Parking
184 Cars Surface Parking

4 August 2015

GRAPHIC SCALE

SITE ALTERNATIVE B

Saxony Village

Germantown, WI

JBJ

J.B.J. Development
W178N9912 Rivercrest Drive, Ste. 101
Germantown, WI 53022
262-255-1800
www.jbjcompanies.com

ag Architecture

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF GERMANTOWN ZONING CODE
(Scott Bence, Agent for Heritage Place Joint Venture,
Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners)

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown is amended by rezoning from the B-3: General Business District to the Rm-2: Multiple-Family District the following described parcels:

Parcel II (1.33 acres)
Outlot 5 of Assessor's Plat of the Northwest 1/4 and the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin. Except that part taken in Award of Damages recorded as Document No. 465242 (Tax Parcel #GTNV224-025; 1.33 acres); and

Parcel III (.872 acres)
Outlot Four (4) and that part of Outlot Three (3) of Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Township 9 North of Range 20 East, Washington County, Wisconsin, bounded and described as follows:
Commencing at the center of said Section 22, Town 9 North of Range 20 East; thence east along the North line of said Southeast 1/4 Section and on the center line of Main Street 217 feet; thence South 62°06'East (measured South 63°30'56" East) 177.05 feet to the place of beginning of the parcel to be described; thence South(measured South 01°24'56" East), 169.75 feet to a point; thence South 62°06' East (measured South 63°30'56" East), 213.52 feet to a point; thence North 27°54'00" East (measured North 26°29'04"East), 150.00 feet to a point; thence North 62°06' West(measured North 63°30'56 West), 292.95 feet to the place of beginning (Tax Parcel #GTNV224-027; .872 acres).

SECTION 2. This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee: _____

Adopted: _____, 2015

Vote: Ayes: _____ Nays: _____

_____
Dean Wolter, Village President

ATTEST:

_____
Barbara K. D. Goeckner, Village Clerk

APPROVED AS TO FORM:

_____
Brian Sajdak, Attorney Published:

DRAFT

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF GERMANTOWN CREATING THE SAXONY VILLAGE PLANNED DEVELOPMENT DISTRICT (PDD)

(Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners)

THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. That the zoning map of the Village of Germantown be amended by rezoning the following three (3) parcels totaling 23.76 acres from Rm-2: Multiple-Family Residential to Rm-2/PDD (hereafter to be known as the "Saxony Village Planned Development District"):

Parcel I (21.56 acres)
That part of Outlot Three (3) in Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Town 9 North of Range 20 East, Washington County, Wisconsin, described as follows: Commencing at the center of said Section 22; thence South 88°33'42" West along the North line of the Southwest 1/4 of said Section, 135.00 feet to a point: thence South 01°58'28" East along the East line of Squire Drive, 240.00 feet to the point of beginning of the land to be described; thence North 88°33'14" East, 135.00 feet to a point on the North-South 1/4 line of said Section; thence North 88°37'44" East, 371.13 feet to a point, said point being the Southeast corner of Certified Survey Map No. 2386; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 213.52 feet to a point; thence North 26°29'04" East, 150.00 feet to a point; thence South 63°30'56" East 274.54 feet to a point; thence North 26°29'04" East, 60.00 feet to a point; thence South 63°30'56" East, 60.00 feet to a point; thence North 26°29'04" East, 60.00 feet to a point in the Southwesterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 63°30'56" East along said right of way line, 383.50 feet to a point; thence South 01°56'58" East, 878.04 feet to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence South 88°35'23" West, 1208.33 feet to a point on the East line of Squire Drive, said point being 110.00 feet North 88°35'23" East of the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence North 01°58'28" West, 113.97 feet to a point; thence Northwesterly, 384.07 feet along the arc of a curve whose center lies to the West whose radius is 1186.28 and whose chord bears North 11°14'58" West, 382.39 feet to a point; thence North 20°31'28" West, 458.55 feet to a point; thence North 14°49'57" West, 168.40 feet to the point of beginning (Tax Parcel #GTNV224-992; 21.56 acres net of exceptions described below);

Excepting therefrom the following described land:
Commencing at the Northwest corner of said Southeast 1/4 Section; thence South 01°58'28" East along the West line of said Southeast 1/4 Section, 240.00 feet to the point of beginning of the land to be described; thence North 88°37'44" East along the South line of Certified Survey Map No. 2386 and parallel with the North line of said 1/4 Section, 371.13 feet to a point; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 85.00 feet to a point; thence South 00°54'18" East, 880.31 feet to a point; thence North 89°09'27" West 320.90 feet to a point in the East line of Squire Drive; thence Northerly along said East line, 330.28 feet on the arc of a curve whose center lies to the Southwest whose radius is 1186.28 and whose chord bears North 12°31'24" West, 329.22 feet to a point; thence North 20°31'28" West along said East line, 458.55 feet to a point; thence North 14°49'57" West along said East line and parallel with the North line of said Southwest 1/4 Section, 135.00 feet to the point of beginning. Note: The above excepted parcel is also known as Buildings 24, 26, 27, 28, 29 and 31 in Lake Park Extension, a recorded condominium; and Parcel 1 of

Certified Survey Map No. 3501, recorded in the Washington County Registry on January 25, 1990 in Volume 21 of Certified Surveys on pages 168-172, as Document No. 554789.

Parcel II (1.33 acres)
Outlot 5 of Assessor's Plat of the Northwest 1/4 and the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin. Except that part taken in Award of Damages recorded as Document No. 465242 (Tax Parcel #GTNV224-025; 1.33 acres); and

Parcel III (.872 acres)
Outlot Four (4) and that part of Outlot Three (3) of Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Township 9 North of Range 20 East, Washington County, Wisconsin, bounded and described as follows:
Commencing at the center of said Section 22, Town 9 North of Range 20 East; thence east along the North line of said Southeast 1/4 Section and on the center line of Main Street 217 feet; thence South 62°06'East (measured South 63°30'56" East) 177.05 feet to the place of beginning of the parcel to be described; thence South(measured South 01°24'56" East), 169.75 feet to a point; thence South 62°06' East (measured South 63°30'56" East), 213.52 feet to a point; thence North 27°54'00" East (measured North 26°29'04"East), 150.00 feet to a point; thence North 62°06' West(measured North 63°30'56 West), 292.95 feet to the place of beginning (Tax Parcel #GTNV224-027; .872 acres).

SECTION 2. Pursuant to Section 17.27 (Zoning) of the Municipal Code, specific conditions and restrictions governing development within the Riversbend PDD shall be adopted by a separate resolution of the Village Board.

SECTION 3. This ordinance shall take effect and be in full force the day after passage and publication, as provided by law.

Introduced by Trustee:

Adopted:

Vote: Ayes: Nays:

_____
Dean Wolter
Village President

APPROVED AS TO FORM:

_____
Brian Sajdak, Village Attorney

ATTEST:

_____
Barbara K. D. Goeckner, Village Clerk

Published:

DRAFT

TRAFFIC ANALYSIS & DESIGN, INC.

N36 W7505 Buchanan Court
Cedarburg, WI 53012
800.605.3091
www.tadi-us.com

SAXONY VILLAGE

Traffic Impact Analysis

Village of Germantown
Washington County, Wisconsin
September 16, 2105

TRAFFIC IMPACT ANALYSIS FOR:

SAXONY VILLAGE

GERMANTOWN, WISCONSIN

September 14, 2015

TRAFFIC ANALYSIS & DESIGN, INC.

PREPARED FOR:
JBJ Development/Heritage Place, JT Ventures
W178 N9912 Rivercrest Drive, Suite 101
Germantown, WI 53022
Phone: 262-255-1800 ext. 17
Contact Person: Scott Bence
e-mail: scott@jbjcompanies.com

PREPARED BY:
Traffic Analysis & Design, Inc.
N36 W7505 Buchanan Ct.
Cedarburg, WI 53012
Phone: (262) 377-1845
Fax: (262) 377-4381
Contact Persons: Tammi Czewski, P.E., PTOE
John A. Bieberitz, P.E., PTOE

TABLE OF CONTENTS

LIST OF EXHIBITS ii
LIST OF APPENDICES iii
CHAPTER I - DEVELOPMENT 1
PART A - INTRODUCTION 1
PART B - STUDY AREA 1
PART C - ON-SITE DEVELOPMENT 1
PART D - OFF-SITE LAND USE AND DEVELOPMENT 1
CHAPTER II – EXISTING & PROJECT TRAFFIC 2
PART A - EXISTING DATA COLLECTION & TRAFFIC FORECASTING 2
PART B – EXISTING & NEW DEVELOPMENT TRIPS 2
PART C – TRAFFIC GAP STUDY 3
CHAPTER III - TRAFFIC OPERATIONAL ANALYSIS 5
PART A – DESCRIPTION OF LEVEL OF SERVICE 5
PART B –BACKGROUND TRAFFIC CAPACITY/LEVEL OF SERVICE ANALYSIS 5
PART C –BUILD TRAFFIC CAPACITY/LEVEL OF SERVICE ANALYSIS 6
CHAPTER IV - RECOMMENDATIONS AND CONCLUSION 9
PART A – SUMMARY/RECOMMENDATIONS 9
PART B – CONCLUSIONS 9

LIST OF EXHIBITS

Exhibit 1.....Project Location Map

Exhibit 2.....Existing Transportation System

Exhibit 3.....Conceptual Site Plan – Saxony Village

Exhibit 4.....Year 2016 Background Traffic Volumes

Exhibit 5.....Saxony Village Trip Generation Table

Exhibit 6.....Trip Distribution

Exhibit 7A.....Site Development New Trips Option A – No Castle Drive Connection to Saxony Village

Exhibit 7B.....Site Development New Trips Option B – With Castle Drive Connection to Saxony Village

Exhibit 8A.....Year 2016 Build Traffic Volumes Option A – No Castle Drive Connection to Saxony Village

Exhibit 8B.....Year 2016 Build Traffic Volumes Option B – With Castle Drive Connection to Saxony Village

Exhibit 9.....Year 2016 Background Traffic 95th Percentile Queues

Exhibit 10A....Year 2016 Build Traffic 95th Percentile Queues Option A – No Castle Drive Connection to Saxony Village

Exhibit 10B....Year 2016 Build Traffic 95th Percentile Queues Option B – With Castle Drive Connection to Saxony Village

Exhibit 11.....Recommended Improvements

LIST OF APPENDICES

Appendix A – Data Collection

A1. Traffic Turning Movement Counts

A2. Gap Counts/Gap Study Calculations

Appendix B – Background Traffic Capacity/Level of Service Analysis

Appendix C – Build Traffic Capacity/Level of Service Analysis

C1. Option A – No Castle Drive Connection to Saxony Village

C2. Option B – With Castle Drive Connection to Saxony Village

CHAPTER I - DEVELOPMENT

PART A - INTRODUCTION

A 190-unit apartment complex is proposed to be constructed in an area generally bounded by Main Street, Squire Drive, Sylvan Circle and Hilbert Lane within the Village of Germantown, Wisconsin. The location of the proposed development with respect to the surrounding street system and the proposed access points is shown on Exhibit 1.

This traffic impact analysis (TIA) report was prepared to estimate the number of peak hour trips generated by the development, operations of existing traffic and queues at the study intersections, operations of future conditions with the proposed site traffic at these intersections, and improvement options for acceptable traffic operations during the weekday morning and evening peak hours.

PART B - STUDY AREA

The study area for the proposed development includes the following stop-controlled intersections:

- Squire Drive & Castle Drive
- Squire Drive & Main Street
- Proposed Saxony Village Driveway to Main Street
- Park Avenue & Main Street
- Fond du Lac Avenue & Main Street
- Fond du Lac Avenue & Park Avenue
- Sylvan Circle & Pilgrim Road
- Sylvan Circle & Hilbert Lane

The existing geometrics and traffic control within the study area are shown in Exhibit 2.

PART C - ON-SITE DEVELOPMENT

The site plan for the proposed Saxony Village development is shown on Exhibit 3. The development is planned to have 190 apartment units in approximately five two and three-story buildings. An access road is proposed through the development that will connect to Main Street on the north and Hilbert Lane to the south. This TIA also evaluates an optional access connecting to Castle Drive to the west.

PART D - OFF-SITE LAND USE AND DEVELOPMENT

No off-site developments impacting the study intersections have been identified to be constructed by the buildout year 2016 for this TIA.

CHAPTER II – EXISTING & PROJECT TRAFFIC

PART A - EXISTING DATA COLLECTION & TRAFFIC FORECASTING

A1. Data Collection

TADI collected turning movement counts at the study intersections over several weekdays between August 24 and August 27. These counts were collected when schools were not in session, so all turning movements were increased by about 10 percent in order to simulate higher peak hour traffic volumes that can occur during school days. The Wisconsin Department of Transportation's seasonal adjustment factors were not used to generate in-school traffic since the adjustment between August and September through June would result in lower volumes than what was counted at the study intersections.

Traffic counts were collected from 6:00-9:00 a.m. and from 3:00- 6:00 p.m. Based on the traffic count, the peak hours were determined to be:

- Weekday morning (AM) peak hour: 7:15-8:15 a.m.
- Weekday evening (PM) peak hour: 4:15-5:15 p.m.

The turning movement count data collected at the study intersections is located in Appendix A1. The existing peak hour traffic volumes were increased by 10 percent and balanced between intersections for the AM and PM peak hours. The resulting traffic volumes are shown on Exhibit 4 as the Year 2016 Background Traffic Volumes.

PART B – EXISTING & NEW DEVELOPMENT TRIPS

B1. Trip Generation

The trip generation for Saxony Village was developed using Apartment trip rates published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 9th Edition.* The trip generation tables are shown on Exhibit 5. As shown, the 190 apartment units are expected to generate about 1,260 total daily trips, with 95 (20 entering and 75 exiting) occurring during the weekday AM peak hour and 120 (80 entering and 40 exiting) occurring during the weekday PM peak hour.

B2. Trip Distribution

The trip distribution for the site was determined based on the existing traffic patterns of daily traffic on the major commuter roadways through the study area. The trip distribution is listed below and also shown graphically on Exhibit 6.

- 20% to and from the northwest on Fond du Lac Avenue
- 5% to and from the north on Park Avenue
- 5% to and from the north on Pilgrim Road
- 35% to and from the south on Squire Drive
- 35% to and from the south on Pilgrim Road

B3. Traffic Assignment

Traffic generated by Saxony Village was assigned to the adjacent roadway system based on the above directional distributions to determine additional turning movement traffic volumes at the study intersections. The traffic assignment was developed for Option A – no Castle Drive

connection to Saxony Village (shown on Exhibit 7A) and Option B – with Castle Drive connection to Saxony Village (shown on Exhibit 7B).

B4. Future Traffic Volumes

The Year 2016 Background traffic volumes represent base traffic conditions throughout the study area. The Year 2016 Build traffic volumes add the new trips expected from the proposed Saxony Village to the Year 2016 Background traffic volumes. The Year 2016 Build traffic volumes for Option A – no Castle Drive connection to Saxony Village are shown on Exhibit 8A. The Year 2016 Build traffic volumes for Option B – with Castle Drive connection to Saxony Village are shown on Exhibit 8B.

PART C – TRAFFIC GAP STUDY

Traffic gap studies measure the length of gaps, in time, between vehicles in roadway traffic streams to determine the ease of completing a turning maneuver onto a roadway. A gap study for this project was conducted along Main Street in the vicinity of the new Saxony Village driveway. The gap counts were completed for the AM and PM peak hour time periods.

The calculations for the critical gaps and follow-up times for turning movements were based on the Highway Capacity Manual (HCM) equations 17-1 and 17-2. These equations include adjustment factors for heavy vehicles, grade, divided roadways, and intersection geometry. The gap analysis worksheet calculations and compiled gap counts are located in Appendix A2.

Minor Street Left Turns:

According to the HCM calculations, a vehicle can make a left-turn from the driveway onto westbound Main Street in a combined eastbound/westbound gap time of 6.4 seconds during the AM and PM peak hours. If gaps are long enough (gap times would include turning time for each vehicle plus follow-up time in between), two or three vehicles can make the turning movements in succession. Follow-up time for a left-turn vehicle is 3.5 seconds.

Minor Street Right Turns:

A vehicle can complete a right-turn from the driveway onto eastbound Main Street in an eastbound gap of 5.5 seconds. Two or three vehicles can make the turn in succession with a gap time that includes time for each vehicle to turn plus follow up time in between each vehicle. Follow-up time for a right-turn vehicle is 3.3 seconds.

Major Street Left Turns:

A vehicle can complete a left-turn into the driveway from westbound Main Street in an eastbound gap of 3.4 seconds. Two or three vehicles can make the turn in succession with a gap time that includes time for each vehicle to turn plus follow up time in between each vehicle. Follow-up time for a left-turn vehicle is 2.2 seconds.

Gap Study Results:

Equivalent gaps (or capacity of gaps) are calculated by adding the number of gaps available for only one vehicle to turn, gaps long enough for two vehicles to turn, and gaps long enough for three vehicles to turn (without counting the same gaps twice). The equivalent gaps represent the number of additional turning movements that could be made above and beyond the existing turning movements already occurring. Table 1 summarizes the findings of the gap study.

Table 1. Gap Study: Saxony Village Driveway at Main Street

Turn Direction	Peak Hour	1-Vehicle Gaps	2-Vehicle Gaps	3-Vehicle Gaps	Equivalent Gaps
Left-Turn from Driveway	AM	40	60	98	**199**
	PM	79	72	74	**225**
Right-Turn from School Driveway	AM	14	27	130	**171**
	PM	36	57	146	**239**
LT from WB Main Street into Driveway	AM	2	25	169	**196**
	PM	10	57	229	**295**

As shown, there are an ample number of gaps available for all left and right-turn movements at the proposed new Saxony Village driveway to Main Street. Even if there is a greater amount of development on Main Street that reduces the equivalent gaps in the future, there is still expected to be enough gaps to accommodate the expected turning movements.

CHAPTER III - TRAFFIC OPERATIONAL ANALYSIS

PART A – DESCRIPTION OF LEVEL OF SERVICE

The study area intersections were analyzed based on the procedures set forth in the *2010 Highway Capacity Manual* (HCM) using the Synchro 8 traffic analysis software program. Intersection operation is defined by "level of service". Level of Service (LOS) is a quantitative measure that refers to the overall quality of flow at an intersection ranging from very good, represented by LOS 'A', to very poor, represented by LOS 'F'. For this study, LOS D was used to define acceptable peak hour operating conditions. Descriptions of the various levels of service are as follows:

LOS A is the highest level of service that can be achieved. Under this condition, intersection approaches appear quite open, turning movements are easily made, and nearly all drivers find freedom of operation. At signalized intersections, average delays are less than 10 seconds. At unsignalized intersections, average delays are less than 10 seconds.

LOS B represents stable operation. At signalized intersections, average vehicle delays are 10 to 20 seconds. At unsignalized intersections, average delays are 10 to 15 seconds.

LOS C still represents stable operation, but periodic backups of a few vehicles may develop behind turning vehicles. Most drivers begin to feel restricted, but not objectionably so. At signalized intersections, average vehicle delays are 20 to 35 seconds. At unsignalized intersections, average delays are 15 to 25 seconds.

LOS D represents increasing traffic restrictions as the intersection approaches instability. Delays to approaching vehicles may be substantial during short peaks within the peak period, but periodic clearance of long lines occurs, thus preventing excessive backups. At signalized intersections, average vehicle delays are 35 to 55 seconds. At unsignalized intersections, average delays are 25 to 35 seconds.

LOS E represents the capacity of the intersection. At signalized intersections, average vehicle delays are 55 to 80 seconds. At unsignalized intersections, average delays are 35 to 50 seconds.

LOS F represents jammed conditions where the intersection is over capacity and acceptable gaps for unsignalized intersections in the mainline traffic flow are minimal. At signalized intersections, average vehicle delays exceed 80 seconds. At unsignalized intersections, average delays exceed 50 seconds.

PART B –BACKGROUND TRAFFIC CAPACITY/LEVEL OF SERVICE ANALYSIS

The Year 2016 Background traffic capacity analysis represents the analysis of existing peak hour traffic counts adjusted to represent in-school conditions at the study intersections. The analysis was conducted with the Year 2016 Background traffic volumes, existing geometrics, and existing traffic control at the study intersections.

The Year 2016 Background traffic LOS table is shown in Table 2. Synchro analysis input/output sheets for this analysis are located in Appendix B.

Table 2
Year 2016 Background Traffic LOS

Intersection	Traffic Control	Peak Hour	Level of Service per Movement by Approach											
			Eastbound			Westbound			Northbound			Southbound		
			LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Squire Drive & Castle Drive	Stop Sign	AM	-	-	-	A	-	A	-	A	A	A	A	-
		PM	-	-	-	A	-	A	-	A	A	A	A	-
Squire Drive & Main Street	Stop Sign	AM	-	A	A	A	A	-	B	-	A	-	-	-
		PM	-	A	A	A	A	-	B	-	A	-	-	-
Park Avenue & Main Street	Stop Sign	AM	A	A	-	-	A	A	-	-	-	A	-	A
		PM	A	A	-	-	A	A	-	-	-	A	-	A
Fond du Lac Avenue & Main Street	Stop Sign	AM	B	-	B	-	-	-	A	A	-	-	A	A
		PM	B	-	B	-	-	-	A	A	-	-	A	A
Fond du Lac Avenue & Park Avenue	Stop Sign	AM	A	A	A	A	A	A	C	C	C	B	B	B
		PM	A	A	A	A	A	A	C	C	C	C	C	C
Sylvan Circle & Pilgrim Road	Stop Sign	AM	B	B	B	C	C	C	A	A	A	A	A	A
		PM	D	D	D	E	E	E	A	A	A	A	A	A
Sylvan Circle & Hilbert Lane	Stop Sign	AM	A	A	-	-	A	A	-	-	-	A	-	A
		PM	A	A	-	-	A	A	-	-	-	A	-	A

As shown, all turning movements at the study intersections operate acceptably at LOS C or better during the weekday AM and PM peak hours with the Year 2016 Background traffic volumes, except for the Sylvan Circle/Pilgrim Road intersection. The eastbound movements operate at LOS D and the westbound movements operate LOS E in the PM peak hour. Based on the analysis, the 20 westbound vehicles are only expected to be delayed about 37 seconds per vehicle, which is just over the LOS D threshold of 35 seconds per vehicle. Adding additional turn lanes is not expected to improve operations to acceptable levels, and traffic control improvements such as all-way stop control, traffic signal control, or roundabout control are not considered practical alternatives since the number of vehicles being delayed is so low.

The Synchro 95th percentile traffic queues for all turning movements at the study intersections are shown on Exhibit 9. As shown, all queues are reasonably low at about one-to-two car lengths (assuming an average car length of about 25 feet per vehicle) during peak traffic times.

PART C –BUILD TRAFFIC CAPACITY/LEVEL OF SERVICE ANALYSIS

The Year 2016 Build traffic capacity analysis represents the analysis of peak hour traffic volumes with buildout of Saxony Village in 2016. The analysis was conducted with the Year 2016 Build traffic volumes, existing geometrics, and existing traffic control at the study intersections.

C1. Option A – No Castle Drive Connection to Saxony Village

The Year 2016 Background traffic LOS table for Option A – no Castle Drive connection to Saxony Village is shown in Table 3. Synchro analysis input/output sheets for this analysis are located in Appendix C1.

Table 3
Year 2016 Build Traffic LOS
Option A – No Castle Drive Connection to Saxony Village

Intersection	Traffic Control	Peak Hour	Level of Service per Movement by Approach											
			Eastbound			Westbound			Northbound			Southbound		
			LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Squire Drive & Castle Drive	Stop Sign	AM	-	-	-	A	-	A	-	A	A	A	A	-
		PM	-	-	-	B	-	B	-	A	A	A	A	-
Squire Drive & Main Street	Stop Sign	AM	-	A	A	A	A	-	B	-	A	-	-	-
		PM	-	A	A	A	A	-	B	-	A	-	-	-
Proposed Saxony Village Access to Main Street	Stop Sign	AM	-	A	A	A	A	-	A	-	A	-	-	-
		PM	-	A	A	A	A	-	A	-	A	-	-	-
Park Avenue & Main Street	Stop Sign	AM	A	A	-	-	A	A	-	-	-	A	-	A
		PM	A	A	-	-	A	A	-	-	-	B	-	B
Fond du Lac Avenue & Main Street	Stop Sign	AM	B	-	B	-	-	-	A	A	-	-	A	A
		PM	B	-	B	-	-	-	A	A	-	-	A	A
Fond du Lac Avenue & Park Avenue	Stop Sign	AM	A	A	A	A	A	A	C	C	C	B	B	B
		PM	A	A	A	A	A	A	C	C	C	C	C	C
Sylvan Circle & Pilgrim Road	Stop Sign	AM	B	B	B	C	C	C	A	A	A	A	A	A
		PM	D	D	D	E	E	E	A	A	A	A	A	A
Sylvan Circle & Hilbert Lane	Stop Sign	AM	A	A	-	-	A	A	-	-	-	A	-	A
		PM	A	A	-	-	A	A	-	-	-	A	-	A

With the additional traffic from Saxony Village, the study intersections are expected to operate with very similar levels of service, delays, and queues for each turning movement during each peak hour. This is because the additional traffic to any one movement at the study intersections is not expected to exceed 30 vehicles, with most movements having only 0-15 additional trips during the peak hours. The 0-15 trips equates to about one additional vehicle about every four minutes.

The Synchro 95th percentile traffic queues for all turning movements at the study intersections with the Year 2016 Build – Option A traffic volumes are shown on Exhibit 10A. As shown, all queues are expected to continue to be reasonably low at about one-to-two car lengths during peak traffic times.

C2. Option B – With Castle Drive Connection to Saxony Village

The Year 2016 Background traffic LOS table for Option B – with Castle Drive connection to Saxony Village is shown in Table 4. Synchro analysis input/output sheets for this analysis are located in Appendix C2.

Table 4
Year 2016 Build Traffic LOS
Option B – With Castle Drive Connection to Saxony Village

Intersection	Traffic Control	Peak Hour	Level of Service per Movement by Approach											
			Eastbound			Westbound			Northbound			Southbound		
			LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Squire Drive & Castle Drive	Stop Sign	AM	-	-	-	A	-	A	-	A	A	A	A	-
		PM	-	-	-	B	-	B	-	A	A	A	A	-
Squire Drive & Main Street	Stop Sign	AM	-	A	A	A	A	-	B	-	A	-	-	-
		PM	-	A	A	A	A	-	B	-	A	-	-	-
Proposed Saxony Village Access to Main Street	Stop Sign	AM	-	A	A	A	A	-	A	-	A	-	-	-
		PM	-	A	A	A	A	-	A	-	A	-	-	-
Park Avenue & Main Street	Stop Sign	AM	A	A	-	-	A	A	-	-	-	A	-	A
		PM	A	A	-	-	A	A	-	-	-	B	-	B
Fond du Lac Avenue & Main Street	Stop Sign	AM	B	-	B	-	-	-	A	A	-	-	A	A
		PM	B	-	B	-	-	-	A	A	-	-	A	A
Fond du Lac Avenue & Park Avenue	Stop Sign	AM	A	A	A	A	A	A	C	C	C	B	B	B
		PM	A	A	A	A	A	A	C	C	C	C	C	C
Sylvan Circle & Pilgrim Road	Stop Sign	AM	B	B	B	C	C	C	A	A	A	A	A	A
		PM	D	D	D	E	E	E	A	A	A	A	A	A
Sylvan Circle & Hilbert Lane	Stop Sign	AM	A	A	-	-	A	A	-	-	-	A	-	A
		PM	A	A	-	-	A	A	-	-	-	A	-	A

With the connection to Saxony Village from Castle Drive, it is expected that 15 fewer AM and 20 fewer PM peak hour trips will travel between Squire Drive and the Saxony Village driveway to Main Street. These vehicles will instead get to/from Saxony Village via Castle Drive. In addition, about 10 fewer AM and 15 fewer PM peak hour trips will travel between Squire Drive and the Saxony Village driveway connection to Hilbert Lane. Since these peak hour volume shifts are very low, the impact to the study intersections is very minor and is expected to result in very similar peak hour operations as Option A – no Castle Drive connection to Saxony Village. The positive impact of having the Castle Drive connection is that it provides a closer access point to Saxony Village for vehicles traveling to/from the south on Squire Drive, without having to divert east to Hilbert Lane from Sylvan Circle or travel north to Main Street.

The Synchro 95th percentile traffic queues for all turning movements at the study intersections with the Year 2016 Build – Option B traffic volumes are shown on Exhibit 10B. As shown, all queues are expected to continue to be reasonably low at about one-to-two car lengths during peak traffic times.

CHAPTER IV - RECOMMENDATIONS AND CONCLUSION

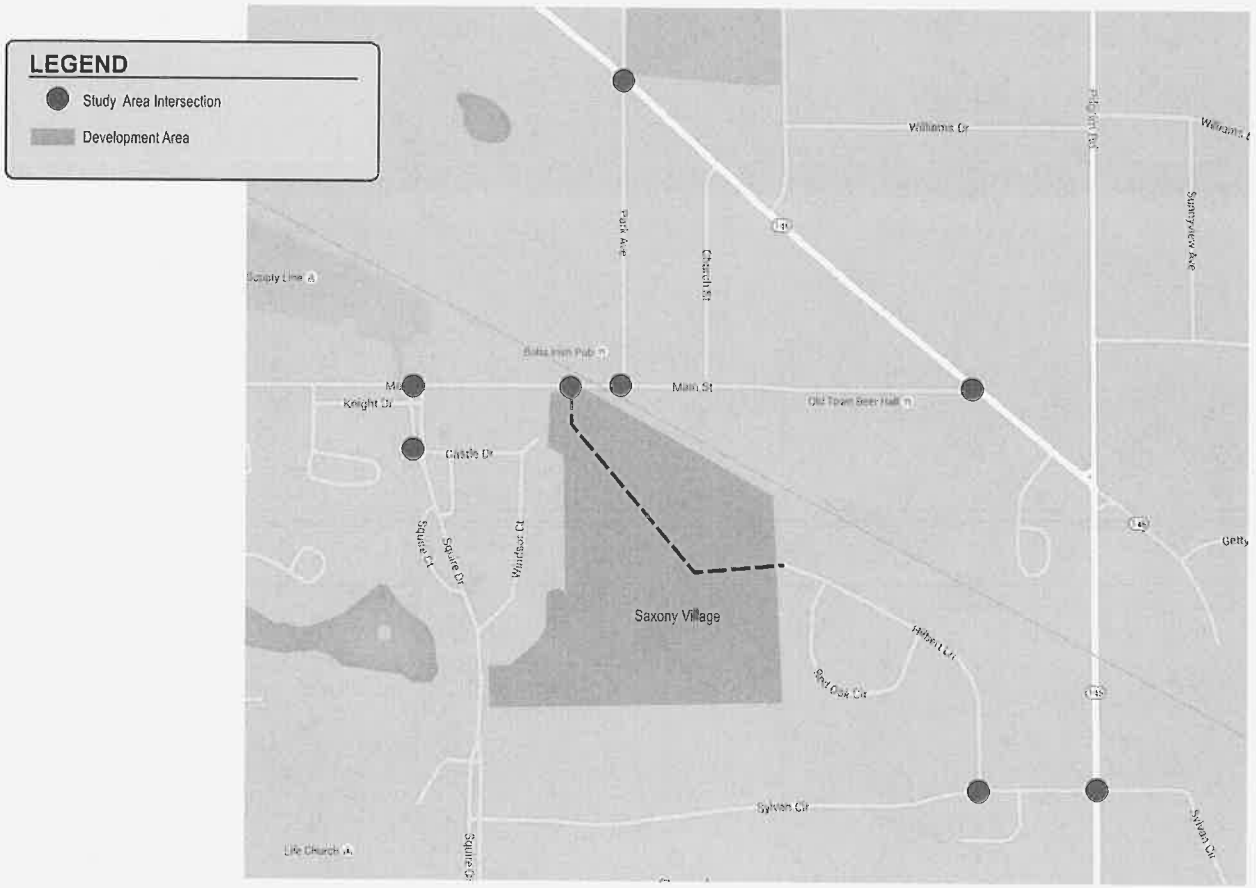
PART A – SUMMARY/RECOMMENDATIONS

The 190-unit Saxony Village apartment complex is expected to generate low additional traffic volumes for any one movement at each of the study intersections. At most intersection turning movements, the additional traffic is expected to be 0-15 vehicles, or one new vehicle every four minutes or more. This is due to the relatively low trip generation for the apartment complex and the fact that access is proposed along both the north and south sides of the development. If a third access is provided through Castle Drive, even less additional traffic is expected to travel along Main Street, west of the proposed Saxony Village driveway and along Sylvan Circle, west of Hilbert Lane. Either with or without the Castle Drive connection, there is expected to be very little additional delay or LOS change between the background (no development) and build (with development) traffic conditions.

Since no significant impacts to traffic operations are expected with the additional traffic from the proposed Saxony Village development, no changes are recommended to the existing geometrics or traffic control at the study intersections. Recommendations for the proposed Saxony Village driveway to Main Street include constructing the northbound approach with stop sign control and a shared left-turn/right-turn lane. This improvement is shown on Exhibit 11.

PART B – CONCLUSIONS

With the recommended improvements listed above, the study area intersections are expected to operate efficiently with buildout of the proposed Saxony Village development and the Year 2016 Build traffic volumes. Both Option A – no Castle Drive connection to Saxony Village and Option B – with Castle Drive Connection to Saxony Village result in low delays, acceptable LOS, and short queues during the peak hour. Either option would provide acceptable access opportunities to and from the development.

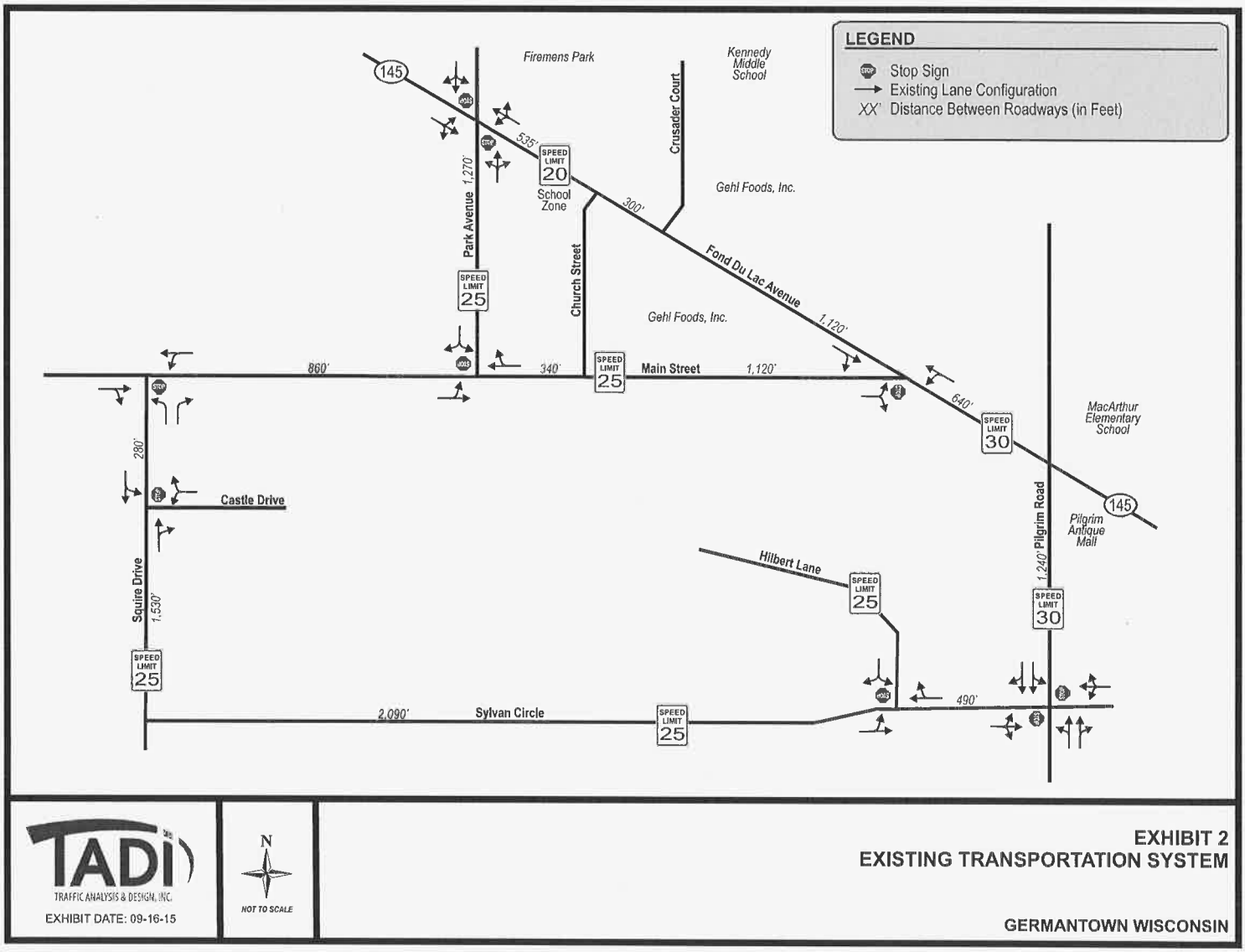


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 1
PROJECT LOCATION MAP
SAXONY VILLAGE DEVELOPMENT STUDY AREA

GERMANTOWN, WISCONSIN

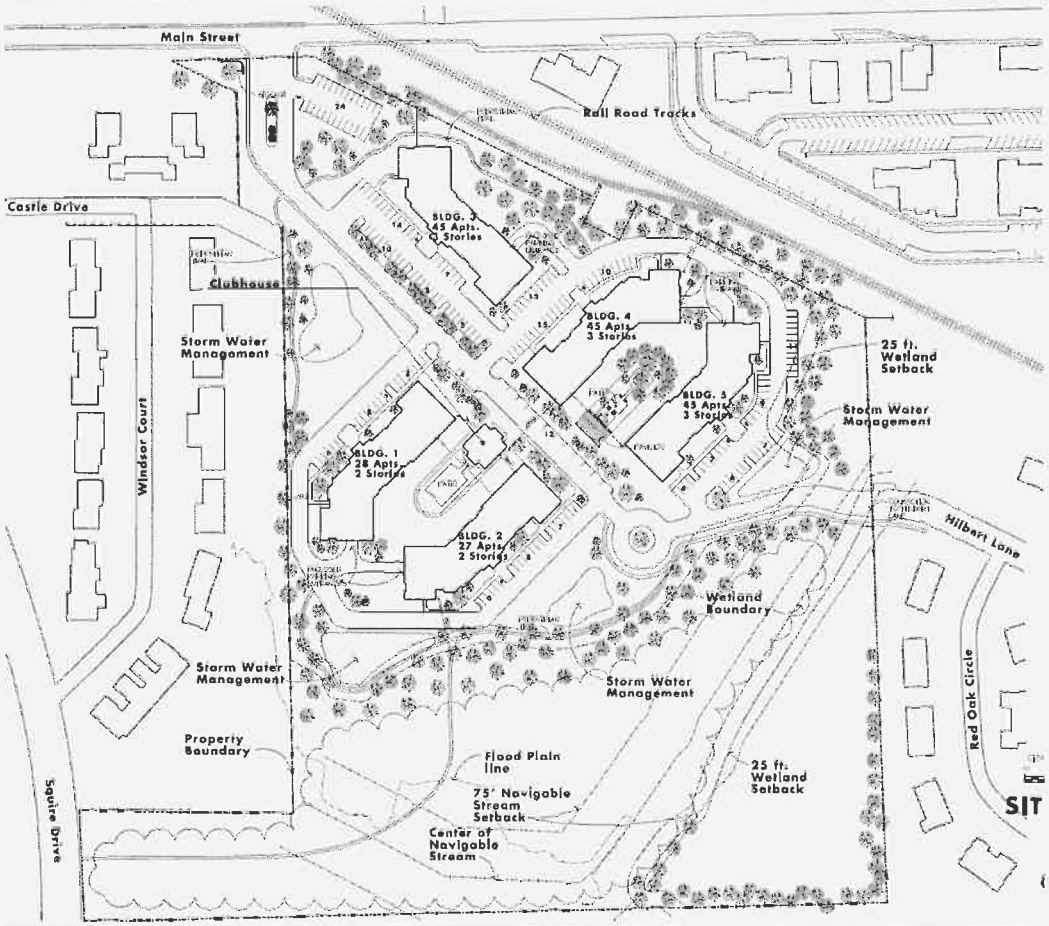


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 2
EXISTING TRANSPORTATION SYSTEM

GERMANTOWN WISCONSIN

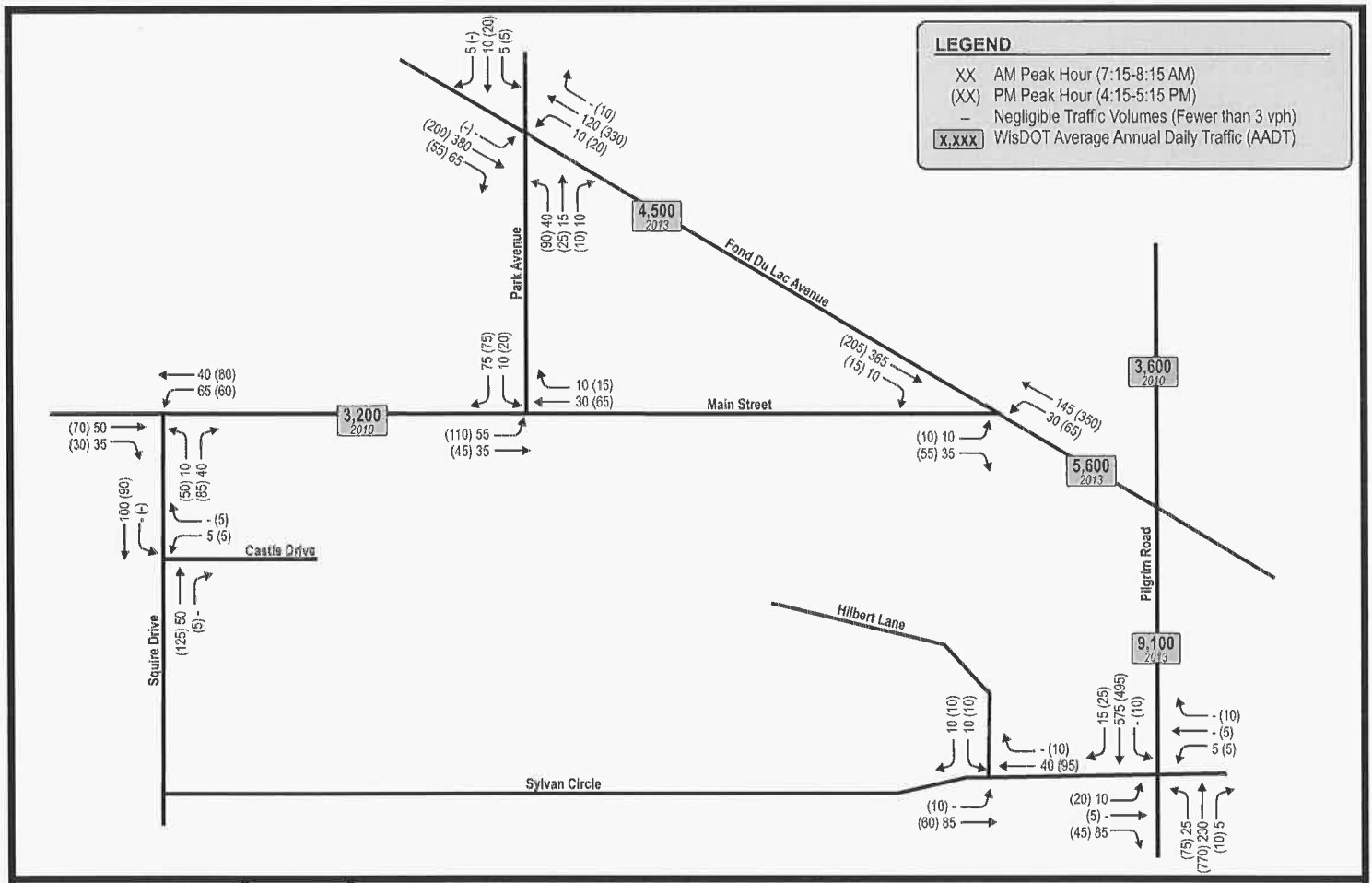


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 3
CONCEPTUAL SITE PLAN
SAXONY VILLAGE

GERMANTOWN, WISCONSIN



TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 4
YEAR 2016 BACKGROUND TRAFFIC VOLUMES

GERMANTOWN, WISCONSIN

Trip Generation Table

Land Use	ITE Code	Proposed Size	Weekday Daily	AM Peak In	AM Peak Out	AM Peak Total	PM Peak In	PM Peak Out	PM Peak Total
Apartment	220	190 Units	1,260 (6.65)	20 (20%)	75 (80%)	95 (0.51)	80 (65%)	40 (35%)	120 (0.62)
Total New Trips			**1,260**	**20**	**75**	**95**	**80**	**40**	**120**

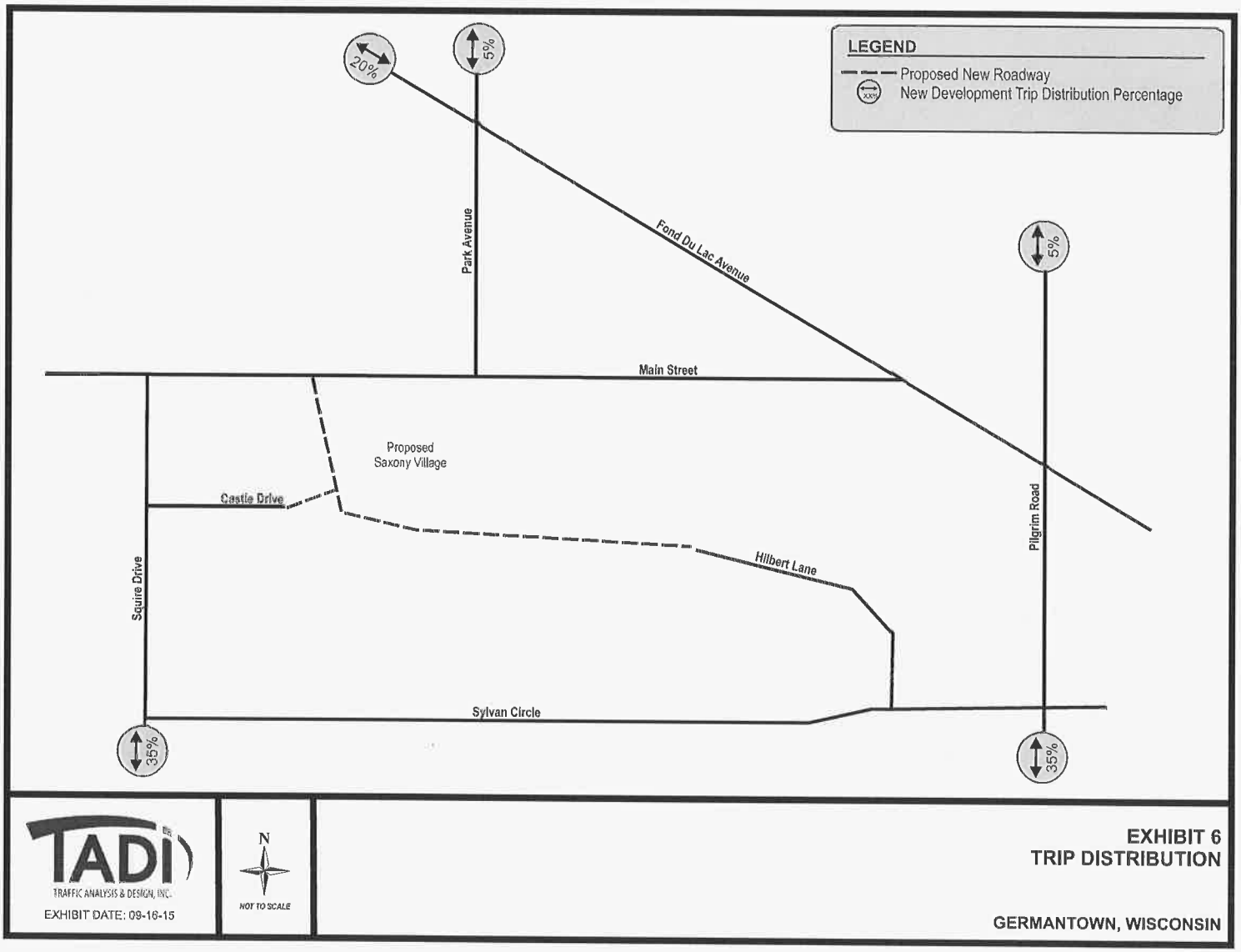
Note: Trip rates obtained from ITE Trip Generation Manual, 9th Edition

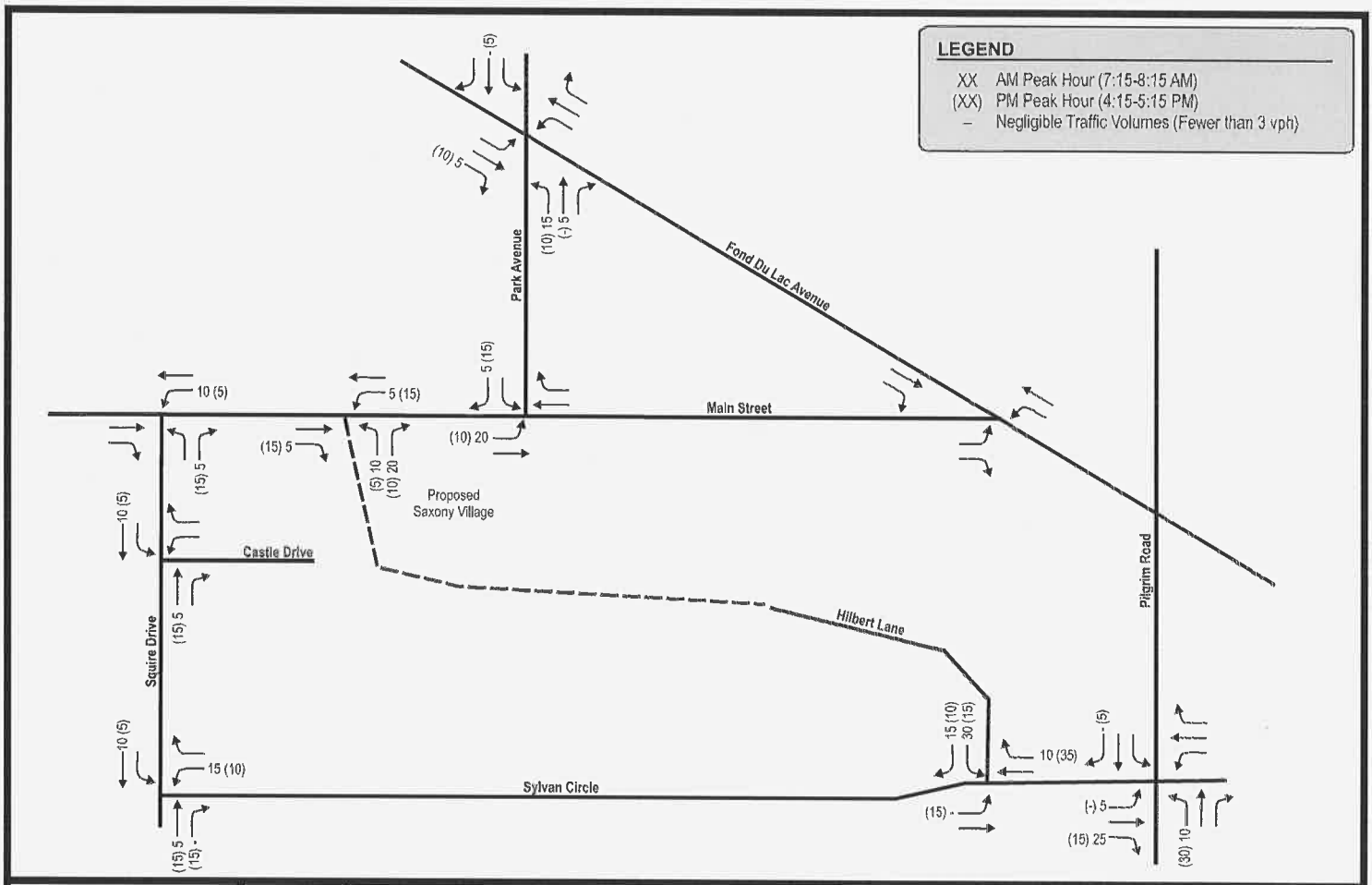
TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 5
ON-SITE TRIP GENERATION TABLE

GERMANTOWN, WISCONSIN


LEGEND
Proposed New Roadway
New Development Trip Distribution Percentage
20%
5%
5%
35%
35%
Park Avenue
Fond Du Lac Avenue
Main Street
Proposed
Saxony Village
Castle Drive
Squire Drive
Hilbert Lane
Pilgrim Road
Sylvan Circle
TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15
N
NOT TO SCALE
EXHIBIT 6
TRIP DISTRIBUTION
GERMANTOWN, WISCONSIN

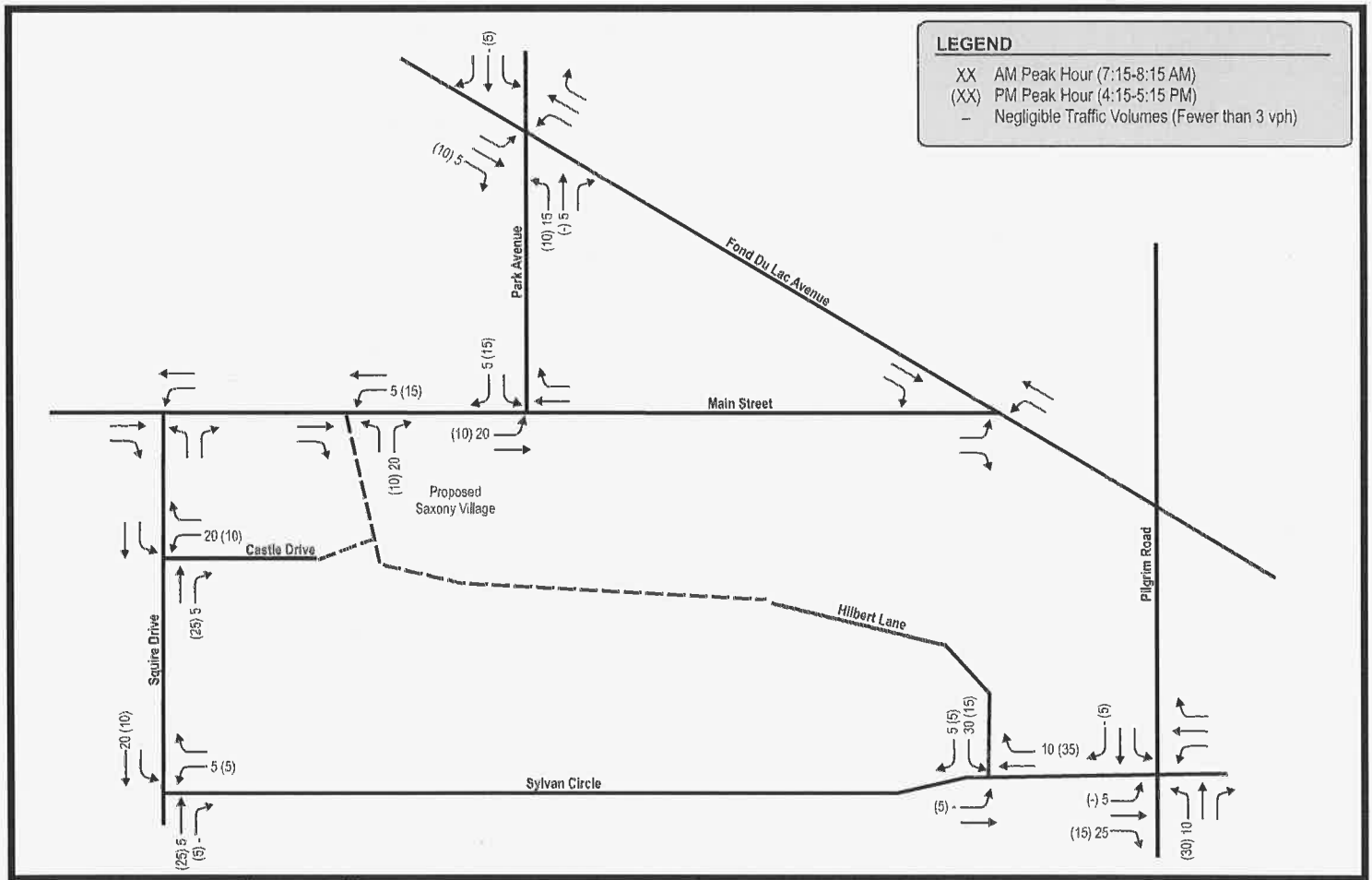


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 7A
SITE DEVELOPMENT NEW TRIPS
OPTION A - NO CASTLE DRIVE CONNECTION TO SAXONY VILLAGE

GERMANTOWN, WISCONSIN

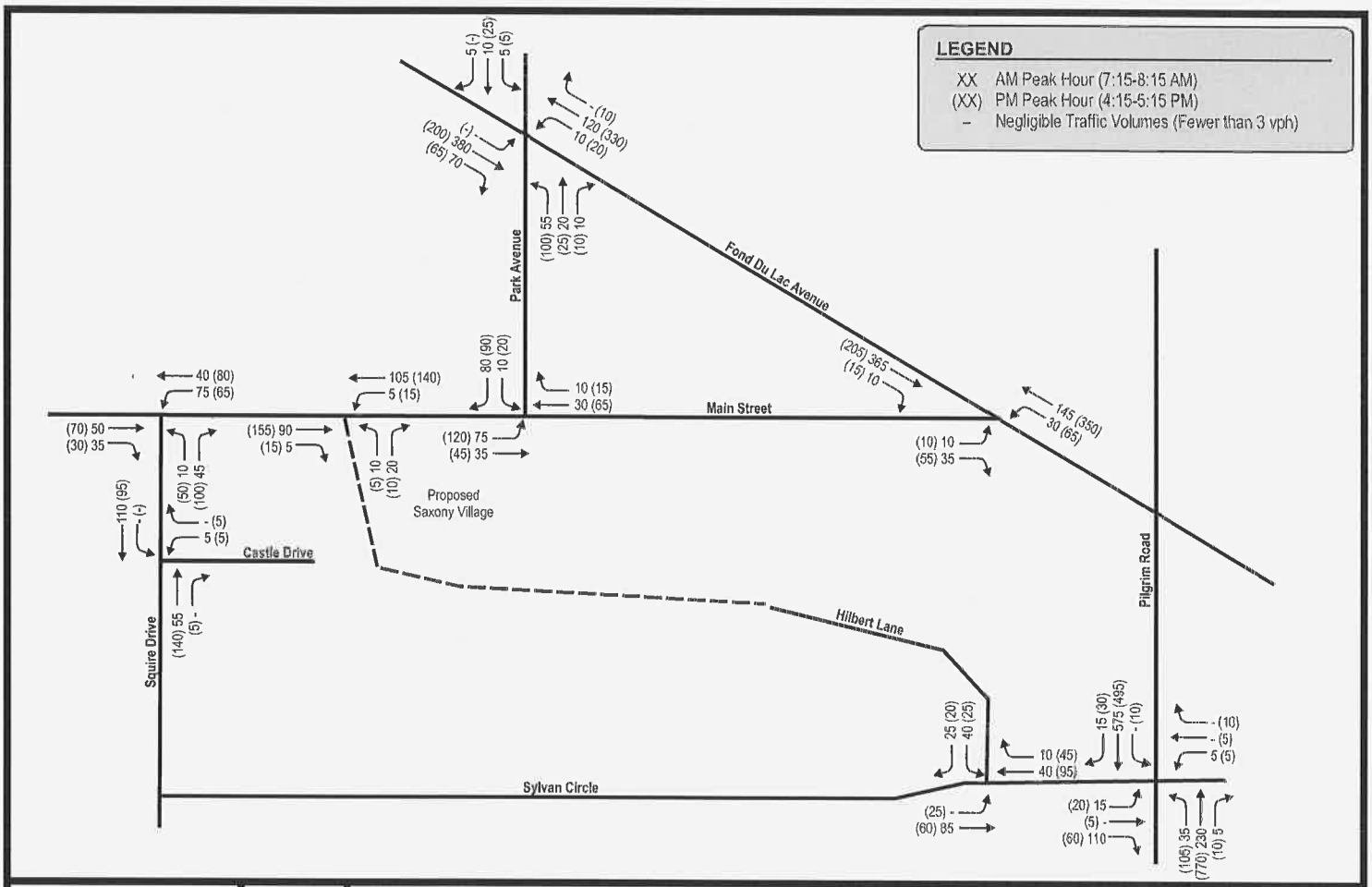


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 7b
SITE DEVELOPMENT NEW TRIPS
OPTION B - WITH CASTLE DRIVE CONNECTION TO SAXONY VILLAGE

GERMANTOWN, WISCONSIN

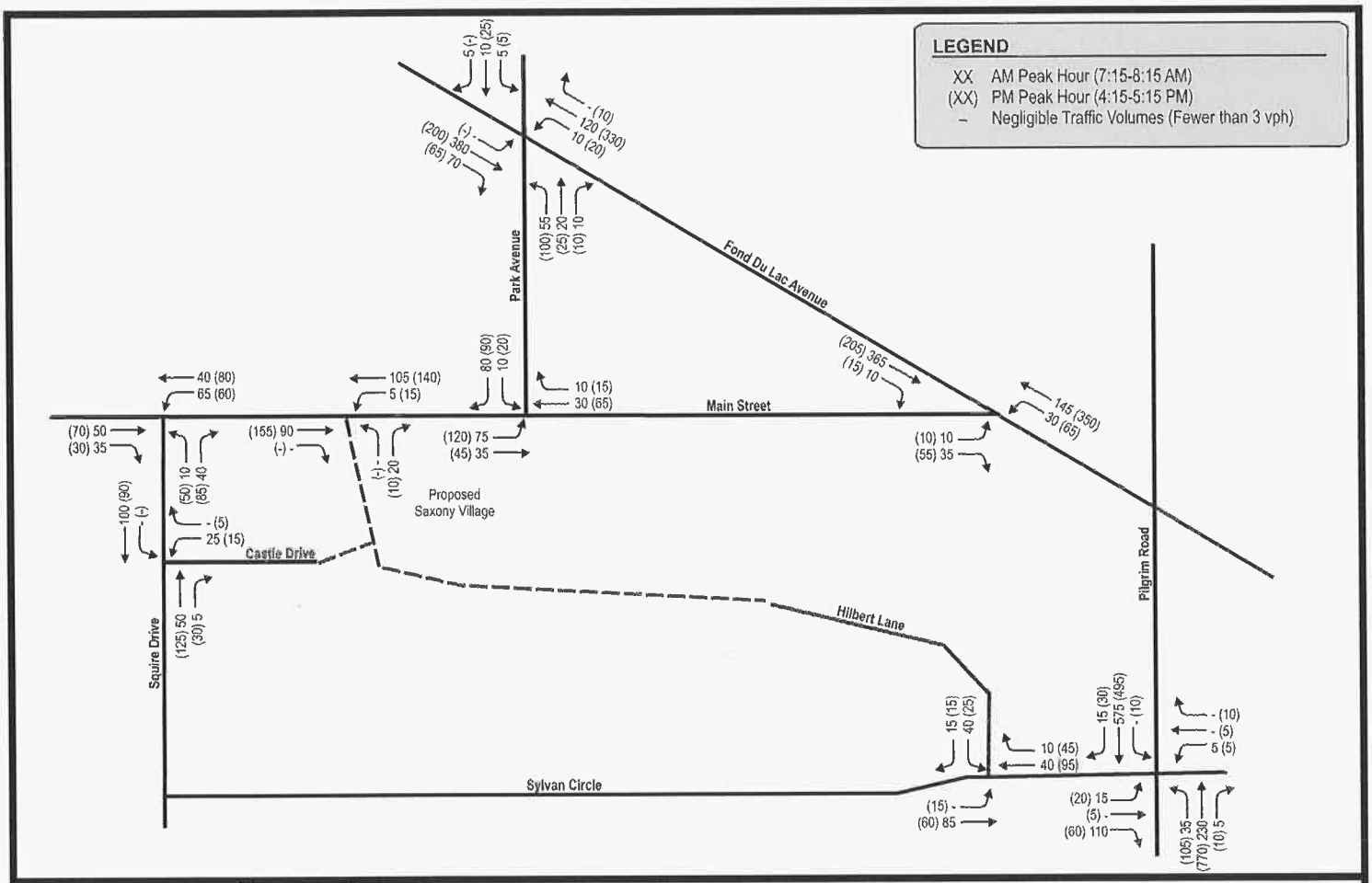


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 8A
YEAR 2016 BUILD TRAFFIC VOLUMES
OPTION A - NO CASTLE DRIVE CONNECTION TO SAXONY VILLAGE

GERMANTOWN, WISCONSIN

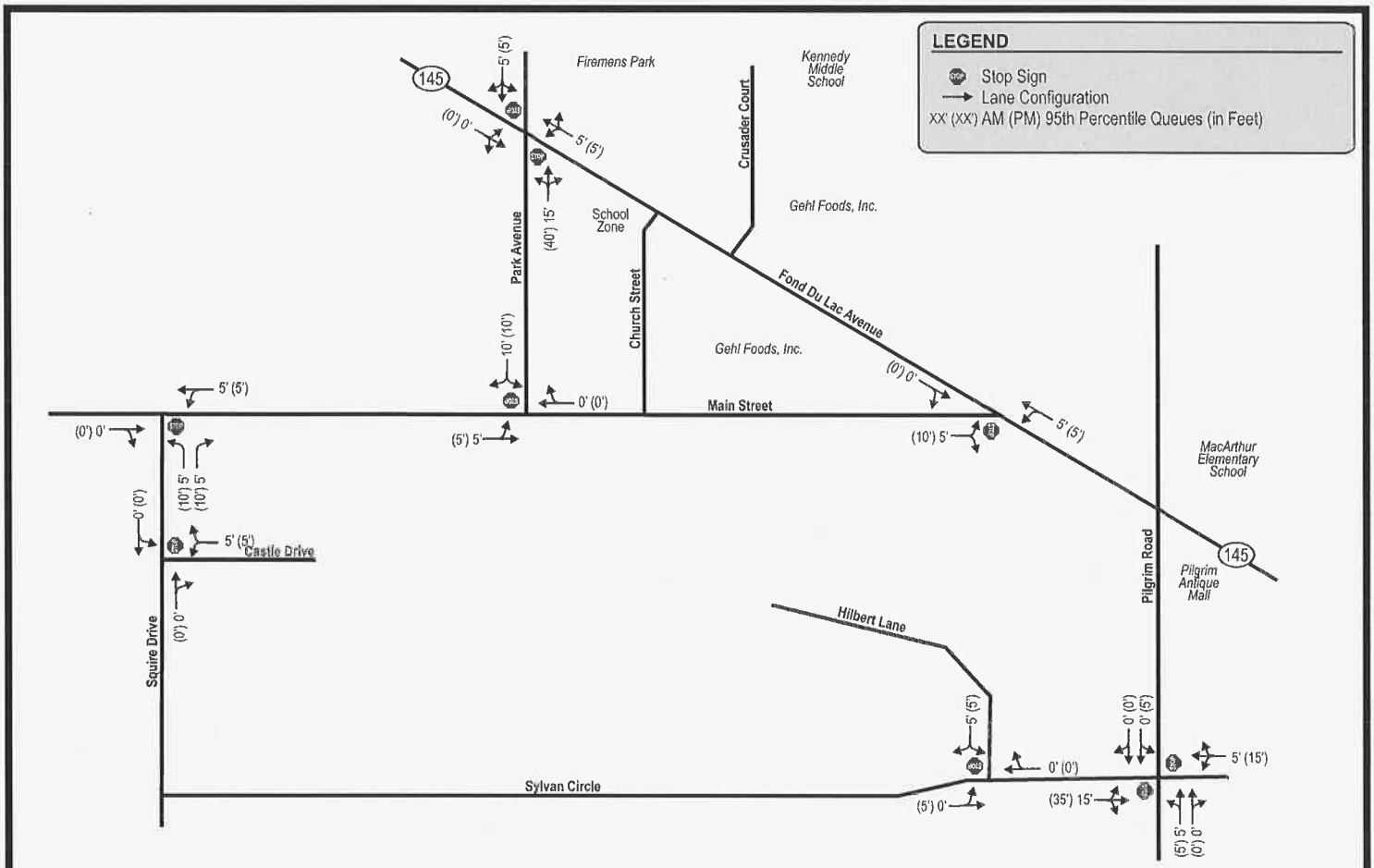


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 8B
YEAR 2016 BUILD TRAFFIC VOLUMES
OPTION B - WITH CASTLE DRIVE CONNECTION TO SAXONY VILLAGE

GERMANTOWN, WISCONSIN

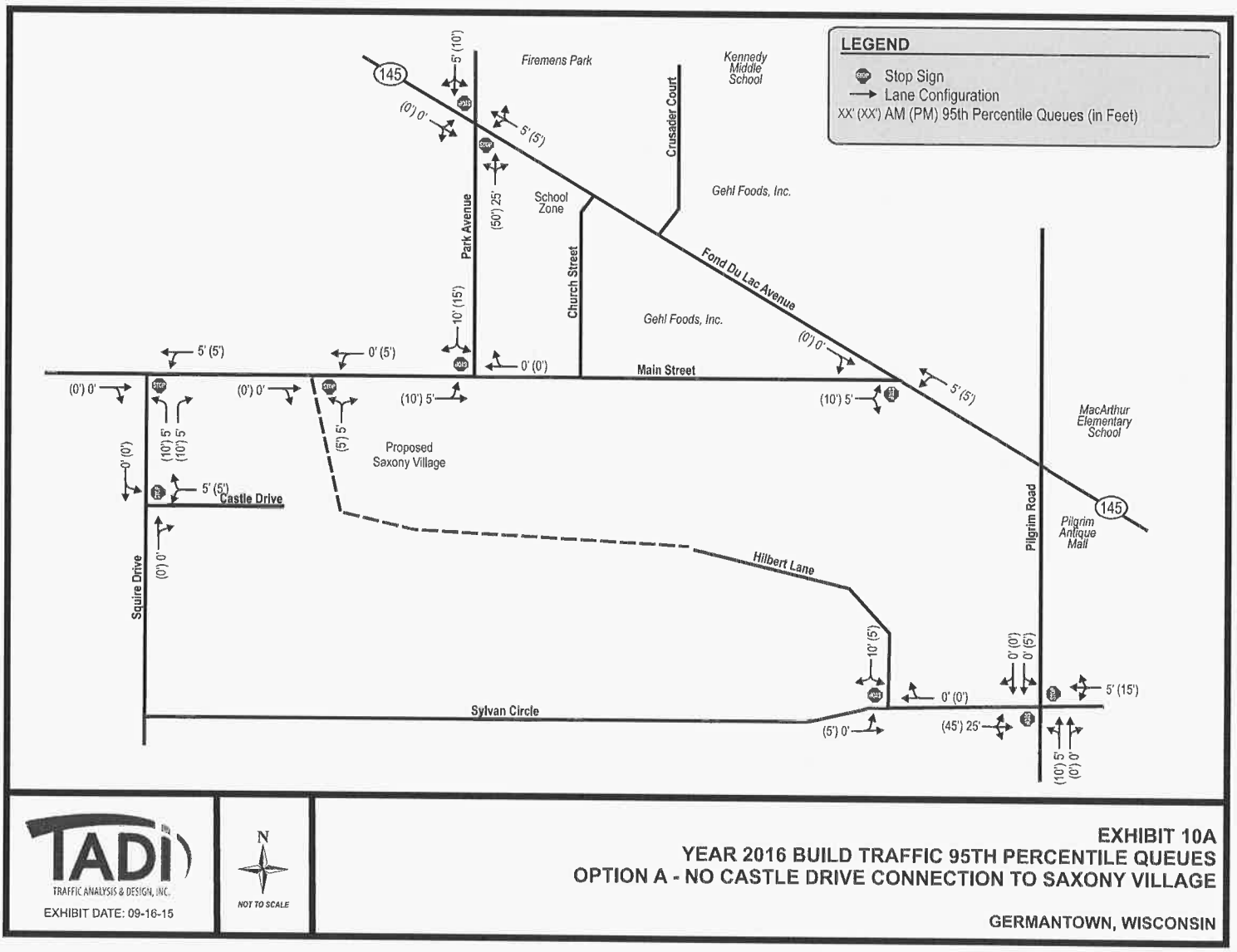


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 9
YEAR 2016 BACKGROUND TRAFFIC 95TH PERCENTILE QUEUES

GERMANTOWN, WISCONSIN

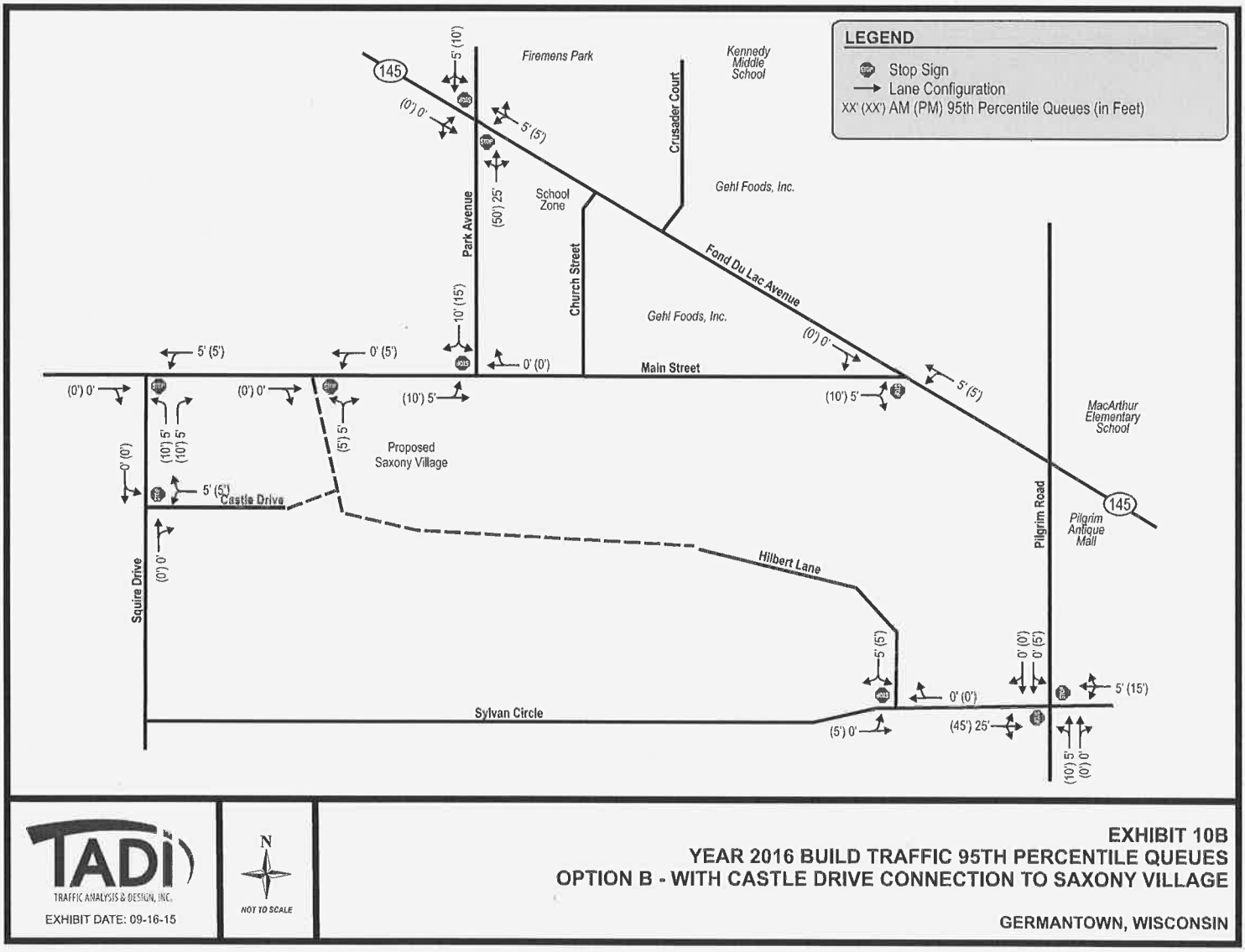


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 10A
YEAR 2016 BUILD TRAFFIC 95TH PERCENTILE QUEUES
OPTION A - NO CASTLE DRIVE CONNECTION TO SAXONY VILLAGE

GERMANTOWN, WISCONSIN

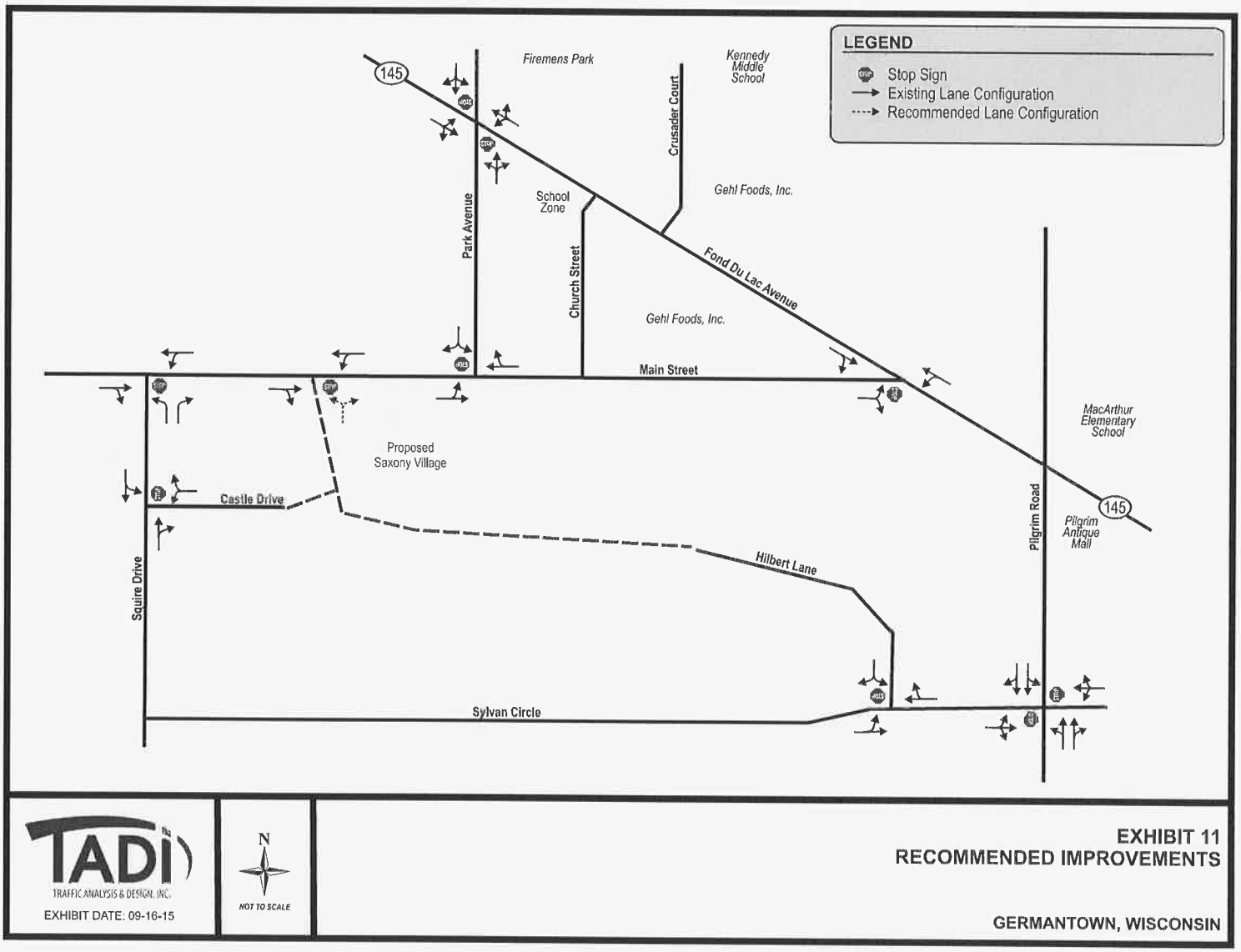


TADI
TRAFFIC ANALYSIS & DESIGN, INC.
EXHIBIT DATE: 09-16-15

N
NOT TO SCALE

EXHIBIT 10B
YEAR 2016 BUILD TRAFFIC 95TH PERCENTILE QUEUES
OPTION B - WITH CASTLE DRIVE CONNECTION TO SAXONY VILLAGE

GERMANTOWN, WISCONSIN



TADI
TRAFFIC ANALYSIS & DESIGN, INC.

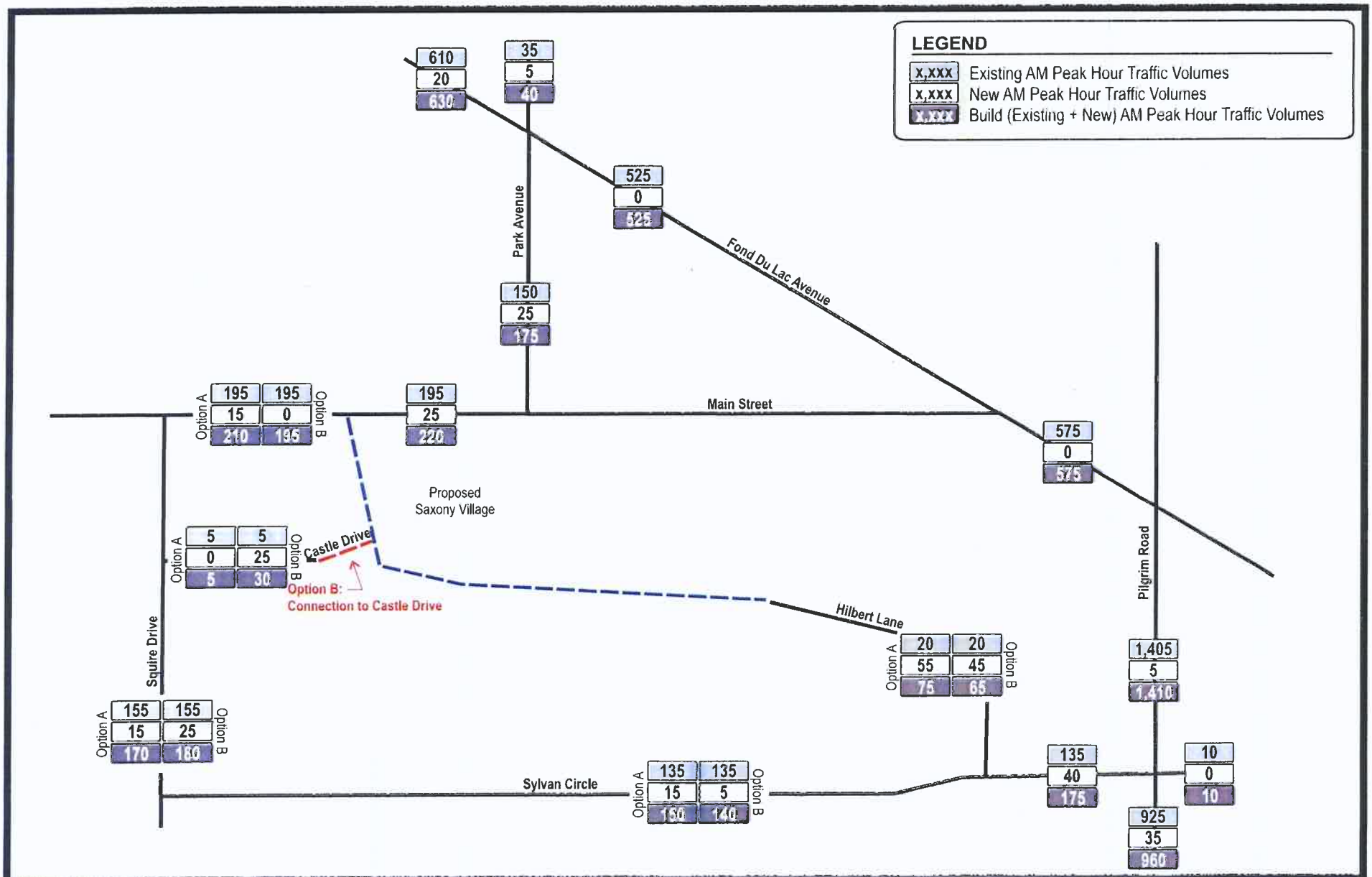
EXHIBIT DATE: 09-16-15

N

NOT TO SCALE

EXHIBIT 11
RECOMMENDED IMPROVEMENTS

GERMANTOWN, WISCONSIN



TADI
TRAFFIC ANALYSIS & DESIGN, INC.

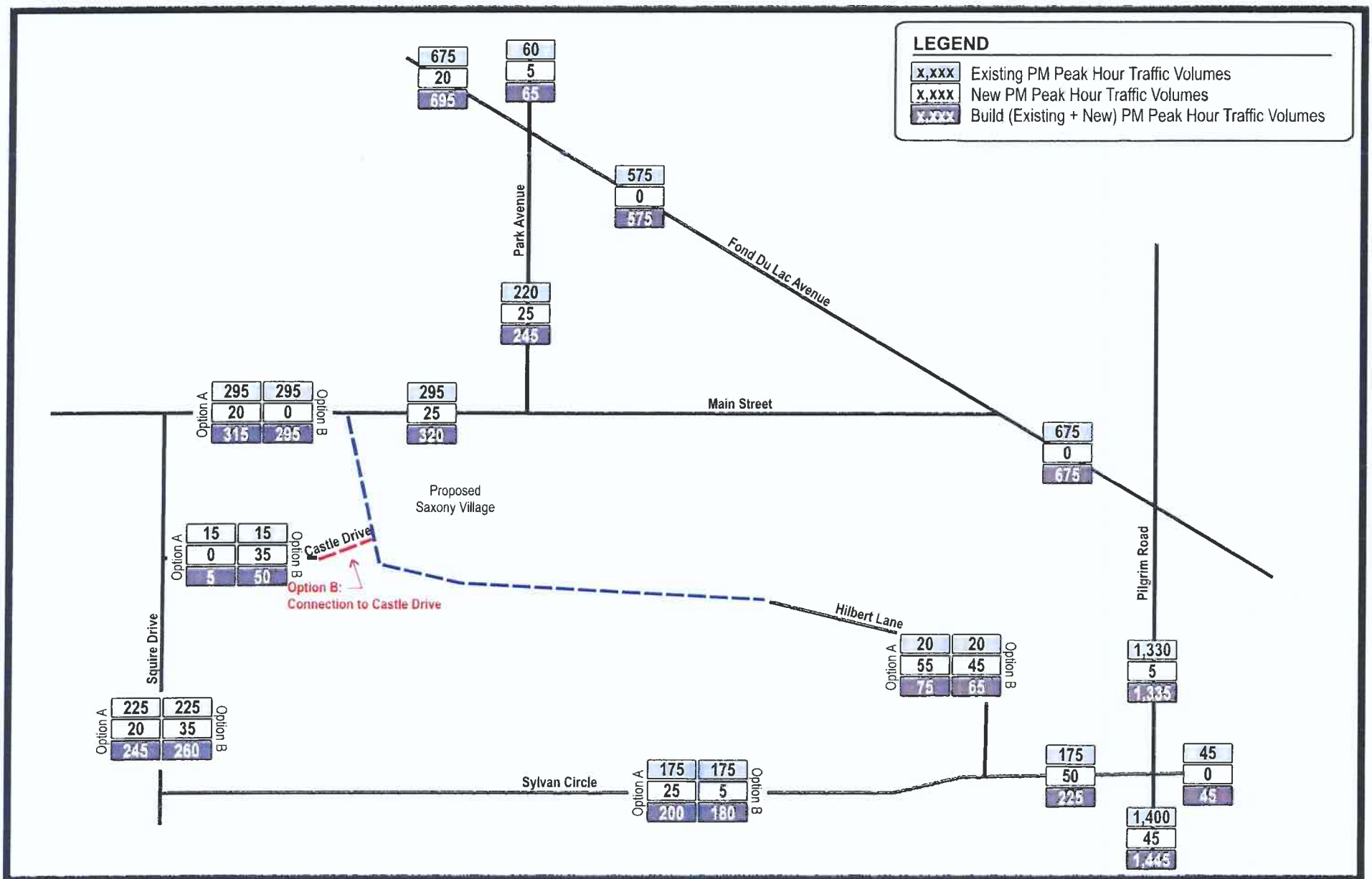
EXHIBIT DATE: 09-21-15

N

NOT TO SCALE

EXHIBIT 2
AM PEAK HOUR TRAFFIC VOLUMES

GERMANTOWN, WISCONSIN



TADI
TRAFFIC ANALYSIS & DESIGN, INC
EXHIBIT DATE: 09-21-15

N
NOT TO SCALE

EXHIBIT 2
PM PEAK HOUR TRAFFIC VOLUMES

GERMANTOWN, WISCONSIN

RESOLUTION NO. ___-15

ADOPTING CONDITIONS AND RESTRICTIONS FOR THE SAXONY VILLAGE PLANNED DEVELOPMENT DISTRICT ("SAXONY VILLAGE PDD")

(Scott Bence, Agent for Heritage Place Joint Venture,
Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners)

WHEREAS, Scott Bence, Agent for Heritage Place Joint Venture, Jacobus Energy/Land15 LLC and MCB Investments LLC, Property Owners (hereinafter "Developer") has applied for a Planned Development District (PDD) overlay on the subject parcels described in Exhibit A attached hereto totaling 23.76 acres and located within the Rm-2: Multiple-family Residential Zoning District (the "PDD Area"); and

WHEREAS, the Germantown Plan Commission on August 10, 2015, reviewed the rezoning application and forwarded a positive recommendation for the rezoning and a general development site plan to the Village Board; and

WHEREAS, the Village Board did, on September 21, 2015, review and approve the rezoning application to create the Saxony Village Planned Development District and a general development site plan for the PDD Area subject to a series of conditions; and

WHEREAS, Section 17.27(4) of the Village of Germantown Municipal Code allows for the adoption of conditions and restrictions for Planned Development Districts; and

NOW, THEREFORE BE IT RESOLVED that the Village Bard of the Village of Germantown hereby adopts the following specific conditions and restrictions for the Saxony Village Planned Development District that shall apply to all/any development on the property described in Exhibit A:

1. **General Development Plan**. Exhibit B, the site plan dated _____, 2015, shall be considered the General Development Plan for the Saxony Village PDD, including the general layout, size and orientation of the buildings, setbacks, open space and walking trails, location of public street access points and internal streets. All development within the PDD Area shall be consistent with these plans or any subsequent plans (additional or revised) submitted pursuant to the conditions of approval adopted herein by the Village Board. The General Development Plan allows for the following: up to 190 total residential apartment dwelling units in (2) 3-story and three (3) 2-story buildings.

2. **Permitted Land Uses**. The underlying zoning district for the Saxony Village PDD is the Rm-2: Multiple-Family Residential District. Unless otherwise specified and/or modified herein, all development and uses within the Saxony Village PDD shall comply with the Rm-2: Multiple-Family Residential District.

3. **Lot, Yard, Building and Other Bulk Regulations.** Unless otherwise set forth below, development shall be in accordance with the lot, building and other "bulk" requirements set forth in the Rm-2 Zoning District and other applicable code provisions:

   The specific code requirements listed below are modified as reflected in the General Development Plan:

   a. Number of Stories: Not to exceed three (3) stories for Building Nos. 4 & 5 as shown in the General Development Plan.

   b. Minimum Building Setbacks:
      1. Principal Buildings: Front Yard: Twenty-five (25) feet along the north property line
         Side Yard: Seventy-five (75) feet along the west property line
      2. Accessory Buildings: Five (5) feet for the maintenance building along the north property line

   c. Minimum Parking Setbacks: Parking lot setback from property line: Twenty-five 25' along the west and Fifteen (15) feet along the north property line

   d. Parking Stalls Required:
      1. The minimum number of required parking stalls, stall size, and layout shall be as shown on the General Development Plan
      2. Minimum Parking Stall size: 162 sqft

   e. Railroad Right-of-Way Buffer and Separation: The 30' planting strip requirement along the north property line and minimum street/driveway separation requirement as it applies to the main driveway entrance on Main Street [see Section 18.07(2)] is modified as shown in the General Development Plan

4. **Public Amenities**. As shown in the General Development Plan, the Saxony Village PDD shall include the following development features for the benefit of the community at-large:
   a. A twenty-four (24) stall parking lot located adjacent to the Main Street entrance. Said facility to be installed and constructed to mutually agreeable standards with the Village of Germantown, including, but not limited to: pavement surface and curbing, landscaping, lighting and signage;
   b. A regional stormwater management basin and associated facilities to be located in the southeast corner of the Saxony Village PDD Area. Said area to be reserved in perpetuity for future public use with specific design and construction standards to be the responsibility of and determined by the Village of Germantown if/when such facility is needed in the future.

5. **Planned Development District Regulations**. The review and approval of revisions to the General Development Plan and all development within the Saxony Village PDD shall initially meet and continually comply with Section 17.27 of the Zoning Code (Planned Development District regulations).

6. **Site and Development Plan Approval Required.** Pursuant to Section 17.27 of the Village's Planned Development District regulations, prior to any building permits, the Village Plan Commission shall approve detailed Site Development and Building Plans, including but not limited to site plans, grading plans, utility plans, stormwater management plans, lighting plans, landscaping plans, trash enclosure details and building plans (including architectural review/approval of exterior building architecture, materials, and elevations). All building plans will require state (DSPS) review and approval.

7. **Compliance with Village Other Applicable Development Regulations**. Unless otherwise specified herein, development within the Saxony Village PDD shall comply and/or be consistent with the provisions, allowances, and limitations of all other applicable development regulations, including but not limited to: The Village's Shoreland-Wetland Zoning Code (Chapter 24); Floodplain Zoning Code (Chapter 23) and Subdivision Code (Chapter 18). Pursuant to Section 17.27(10), design standards and improvement requirements of the Subdivision Code (Chapter 18) may be modified as reflected in the approved General Development Plan (see Section 3 above).

8. **Storm Water Detention**. A storm water management plan shall be submitted to the Plan Commission for approval, and as approved, shall be strictly carried out and complied with by Developer and/or Developer's successor and assigns. The Developer shall prepare and submit plans for stormwater drainage facilities adequate to accommodate expected surface water flow within and through the Development to the Village Engineer and MMSD, and such plans, as approved by the Village Engineer and MMSD, shall be strictly carried out and complied with by Developer and/or Developer's successor and assigns. Developer shall construct stormwater management areas and stormwater retention/detention areas strictly in accordance with the approved General Development Plan, and all other plan approvals by the Village Board, the Plan Commission, the Village Engineer and MMSD. Developer and Developer's successors and assigns shall be responsible for all on-going maintenance of the stormwater management areas and stormwater facilities in perpetuity, so that they accommodate surface water flow within and through the Development to design standards at all times in the future. The Developer and/or any successors in interest or assigns may, at its or their option, establish an entity with a perpetual existence organized under the laws of the State of Wisconsin, for the purpose of assuming and discharging such obligations and responsibilities in connection with the perpetual maintenance of the storm water management areas and facilities. In the event that Developer, or any successors or assigns, or an entity created hereunder, shall, in the opinion of the Village Engineer, fail to adequately discharge such obligations and responsibilities to maintain such stormwater management

areas and facilities so that there is no diminution in performance or adequacy to accommodate surface water flow within and through the Development to design standards, then the Village may perform such work as is necessary to restore, repair, rehabilitate or maintain the stormwater management areas and facilities so that they accommodate surface water flow within and through the Development to design standards, and shall thereupon charge back the cost of such work to each property in the Development proportionately, pursuant to Section 66.0627, Wis. Stats.

9. **Public Utilities**. Sanitary sewer, water and storm sewer shall be installed to Village standards. Sanitary sewer, storm sewer and water extensions throughout the Property shall be made from existing Village facilities, the precise design of which shall be coordinated with the Village Engineer and approved by the Public Works Committee and approved in a Development Agreement with the Village. The Development Agreement shall be reviewed by the Public Works Committee and approved by the Village Board.

   At a minimum, all plan and utility improvement requirements recommended by the Public Works Department/Village Engineer in their July 28 and April 24, 2015 review memos shall be addressed as part of the detailed site development and building plans. Said improvements to include, but not be limited to: the connection of existing water main stubs between Castle Drive and Hilbert Lane with a min. 12" dia. water main; and the installation of a new sanitary sewer through the property from Main Street to the existing sewer along the south property line as necessary to serve the Saxony Village development and divert existing flow from Main Street.

10. **Fire Safety Measures.** Notwithstanding the site development and buildings plan requirements set forth herein, the Village of Germantown Fire Department is recommending that all buildings be required to include the installation of standpipes in all stairwells and on all floors as an alternative to "360 degree" coverage around the buildings.

11. **Traffic Calming Measures**. To address concerns with potential traffic traveling to/from the Saxony Village PDD Area, the developer shall install a "table top" bridge/entrance and/or other traffic calming features at the Hilbert Lane connection to encourage slow/low-speed vehicle travel through Saxony Village and the adjoining neighborhoods. Detailed plans for said features to be review and approved by the Plan Commission as part of the site development and building plan approval process.

12. **Pedestrian Circulation**. Upon request of the Village, the developer shall install five foot (5') wide concrete sidewalk along public right-of-way (i.e. Main Street) as shown in the General Development Plan. All paved sidewalks and unpaved trails installed within the Saxony Village development shall be installed in a manner conducive to and available for public access to/from the adjoining residential developments as shown in the General Development Plan. Detailed plans for said features to be review and approved by the Plan

Commission as part of the site development and building plan approval process.

13. **Development Agreement Required**. The Development Agreement shall be reviewed by the Public Works Committee and approved by the Village Board.

14. **Certified Survey Map**. A certified survey map (or other means acceptable to the Surveyor and Village Attorney) is required to combine the three (3) separate parcels that comprise the PDD Property into one parcel for development : a 1.723 acre parcel (Lot 1); a 1.795 acre parcel (Lot 2); and a 34.45-acre parcel (Lot 3).

15. **Village of Germantown, WiDNR and ACOE Permits and Approvals.** As shown in the General Development Plan, access to the development requires the extension of Hilbert Lane across an existing navigable stream and delineated wetland. Development within the Saxony Village PDD shall not occur unless and until such time as the Village of Germantown, Wisconsin Department of Natural Resources (WiDNR) and/or U.S. Army Corp. of Engineers (ACOE) has issued the necessary permits and approvals for said waterway crossing and/or wetland filling associated with the Hilbert Lane extension as may be required under the rules and regulations of those permitting authorities.

16. **Expiration**. The developer shall obtain appropriate permits and commence construction and continue toward completion within one (1) year from the date this PDD District was adopted by the Germantown Village Board.

Introduced by: _____

Adopted: _____, 2015

Vote: Ayes: ___ Nays: ___

_____
Dean Wolter, Village President

ATTEST:

_____
Barbara K.D. Goeckner, Village Clerk

EXHIBIT A

Saxony Village Planned Development District (PDD)
Legal Description

The Saxony Village PDD is comprised of the following three (3) parcels totaling 23.76 acres:

Parcel I (21.56 acres)
That part of Outlot Three (3) in Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Town 9 North of Range 20 East, Washington County, Wisconsin, described as follows:
Commencing at the center of said Section 22; thence South 88°33'42" West along the North line of the Southwest 1/4 of said Section, 135.00 feet to a point; thence South 01°58'28" East along the East line of Squire Drive, 240.00 feet to the point of beginning of the land to be described; thence North 88°33'14" East, 135.00 feet to a point on the North-South 1/4 line of said Section; thence North 88°37'44" East, 371.13 feet to a point, said point being the Southeast corner of Certified Survey Map No. 2386; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 213.52 feet to a point; thence North 26°29'04" East, 150.00 feet to a point; thence South 63°30'56" East 274.54 feet to a point; thence North 26°29'04" East, 60.00 feet to a point; thence South 63°30'56" East, 60.00 feet to a point; thence North 26°29'04" East, 60.00 feet to a point in the Southwesterly right of way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad; thence South 63°30'56" East along said right of way line, 383.50 feet to a point; thence South 01°56'58" East, 878.04 feet to the Southeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence South 88°35'23" West, 1208.33 feet to a point on the East line of Squire Drive, said point being 110.00 feet North 88°35'23" East of the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 22; thence North 01°58'28" West, 113.97 feet to a point; thence Northwesterly, 384.07 feet along the arc of a curve whose center lies to the West whose radius is 1186.28 and whose chord bears North 11°14'58" West, 382.39 feet to a point; thence North 20°31'28" West, 458.55 feet to a point; thence North 14°49'57" West, 168.40 feet to the point of beginning (Tax Parcel #GTNV224-992; 21.56 acres net of exceptions described below);

Excepting therefrom the following described land:
Commencing at the Northwest corner of said Southeast 1/4 Section; thence South 01°58'28" East along the West line of said Southeast 1/4 Section, 240.00 feet to the point of beginning of the land to be described; thence North 88°37'44" East along the South line of Certified Survey Map No. 2386 and parallel with the North line of said 1/4 Section, 371.13 feet to a point; thence South 01°24'56" East, 12.49 feet to a point; thence South 63°30'56" East, 85.00 feet to a point; thence South 00°54'18" East, 880.31 feet to a point; thence North 89°09'27" West 320.90 feet to a point in the East line of Squire Drive; thence Northerly along said East line, 330.28 feet on the arc of a curve whose center lies to the Southwest whose radius is 1186.28 and whose chord bears North 12°31'24" West, 329.22 feet to a point; thence North 20°31'28" West along said East line, 458.55 feet to a point; thence North 14°49'57" West along said East line and parallel with the North line of said Southwest 1/4 Section, 135.00 feet to the point of beginning. Note: The above excepted parcel is also known as Buildings 24, 26, 27, 28, 29 and 31 in Lake Park Extension, a recorded condominium; and Parcel 1 of Certified Survey Map No. 3501, recorded in the Washington County Registry on January 25, 1990 in Volume 21 of Certified Surveys on pages 168-172, as Document No. 554789.

Parcel II (1.33 acres)
Outlot 5 of Assessor's Plat of the Northwest 1/4 and the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, County of Washington, State of Wisconsin. Except that part taken in Award of Damages recorded as Document No. 465242 (Tax Parcel #GTNV224-025; 1.33 acres); and

Parcel III (.872 acres)
Outlot Four (4) and that part of Outlot Three (3) of Assessor's Plat of the Village of Germantown, Northwest 1/4 of the Southeast 1/4 of Section 22, Township 9 North of Range 20 East, Washington County, Wisconsin, bounded and described as follows:
Commencing at the center of said Section 22, Town 9 North of Range 20 East; thence east along the North line of said Southeast 1/4 Section and on the center line of Main Street 217 feet; thence South 62°06'East (measured South 63°30'56" East) 177.05 feet to the place of beginning of the parcel to be described; thence South(measured South 01°24'56" East), 169.75 feet to a point; thence South 62°06' East (measured South 63°30'56" East), 213.52 feet to a point; thence North 27°54'00" East (measured North 26°29'04"East), 150.00 feet to a point; thence North 62°06' West(measured North 63°30'56 West), 292.95 feet to the place of beginning (Tax Parcel #GTNV224-027; .872 acres).

DRAFT

EXHIBIT B

Saxony Village Planned Development District (PDD)
General Development Plan

DRAFT

Building Summary

190 Apartments

Area Analysis

Lot Area -	*1,035,353 sqft (23.7684 acres)*	*100%*
Wetlands (including Flood Plain)	*7.9 acres*	
Flood Plain -	*1.6 acres*	
Building Coverage -	*98,182 sqft*	*9%*
Pavement Coverage -	*166,657 sqft*	*16%*
Total Impervious Coverage -	*264,839 sqft*	
Green Space -	*770,514 sqft*	*75%*

Parking Summary

24 Cars Public Parking
225 Cars Enclosed Parking
225 Cars Surface Parking

15 September 2015

SITE ALTERNATIVE D

Saxony Village

Germantown, WI

J.B.J. Development
W178N9912 Rivercrest Drive. Ste. 101
Germantown, WI 53022
262-255-1800
www.jbjcompanies.com

Architecture

X.B

P O Box 1580
License Dept.
Springfield, OH 45501

Direct dial 937-863-7191
Fax: 419-422-9110

Speedway LLC

September 9, 2015

Village of Germantown
Office of the Village Clerk
PO Box 337
Germantown, WI 53022

To Whom It May Concern:

Speedway LLC is requesting a Change of Agent for Speedway 4465 located at W178 N9653 Riversbend Lane, Germantown, WI.

The previous Agent for this location was Kimberly Doran. Kimberly will be transferring to Speedway 4495 located at W164 N11233 Squire Drive, Germantown, WI.

The new Agent request is for Mary Wicklander.

Please do not hesitate to contact me with any questions or concerns you may have. I can be reached by phone at 937-863-7191 or via email jmshaw@speedway.com

Thank you,

Jill Shaw
License Coordinator
For Speedway LLC

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☑ Village ☐ City of Germantown County of Washington

The undersigned duly authorized officer(s)/members/managers of Speedway LLC
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Speedway 4465
(trade name)

located at W178N9653 Riversbend Lane - Germantown, WI 53022

appoints Mary E. Wicklander
(name of appointed agent)

W226 N7256 Woodland Creek Drive - Suffex, WI 53089
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☑ Yes ☐ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Speedway 4495 @ W164N11233 Squire Drive, Germantown, WI 53022

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☑ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 45 years

Place of residence last year W226N7256 Woodland Creek Drive - Suffex, WI 53089

For: Speedway LLC
(name of corporation/organization/limited liability company)

By: David E. Ball David E. Ball, Secretary Speedway LLC
(signature of Officer/Member/Manager)

And: R L Edmiston Ronald L. Edmiston, Treasurer Speedway LLC
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Mary E. Wicklander, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Mary E Wicklander _____ Agent's age 52
(signature of agent) *(date)*

W226 N7256 Woodland Creek Drive - Suffex, WI 53089 Date of birth 07/11/1963
(home address of agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) *(signature of proper local official)* *(town chair, village president, police chief)*

AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*
WICKLANDER	MARY	E

Home Address *(street/route)*	Post Office	City	State	Zip Code
W226N7256 WOODLAND CRK		SUFFEX	WI	53022

Home Phone Number	Age	Date of Birth	Place of Birth
262-253-4740	52	07/11/1963	DAYTON, OH

The *above named individual* provides the following information as a person who is *(check one)*:

☐ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☑ Mary E. Wicklander, Agent *(Officer/Director/Member/Manager/Agent)* of Speedway LLC *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 45 years
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☑ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☑ No
   If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☑ Yes ☐ No
   If yes, identify. Speedway 4495 @ W164N11233 Squire Drive, Germantown, WI 53022 *(Name, Location and Type of License/Permit)*
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☑ No
   If yes, identify.
   (Name of Wholesale Licensee or Permittee) *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Speedway LLC	PO Box 1500, Springfield, OH 45501	November 1988	Present
Employer's Name	Employer's Address	Employed From	To

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 17th day of September, 20 15

(Clerk/Notary Public)

My commission expires Deputy Clerk

(Signature of Named Individual)

Mary E. Wicklander, Agent

Printed on Recycled Paper

P O Box 1580
License Dept.
Springfield, OH 45501

Direct dial 937-863-7191
Fax: 419-422-9110

Speedway LLC

September 9, 2015

Village of Germantown
Office of the Village Clerk
PO Box 337
Germantown, WI 53022

To Whom It May Concern:

Speedway LLC is requesting a Change of Agent for Speedway 4495 located at W164 N11233 Squire Drive, Germantown, WI.

The previous Agent for this location was Mary Wicklander. Mary will be transferring to Speedway 4465 located at W178 N9653 Riversbend Lane, Germantown, WI.

The new Agent request is for Kimberly Doran.

Please do not hesitate to contact me with any questions or concerns you may have. I can be reached by phone at 937-863-7191 or via email jmshaw@speedway.com

Thank you,

Jill Shaw
License Coordinator
For Speedway LLC

AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*
DORAN	KIMBERLY	L

Home Address *(street/route)*	Post Office	City	State	Zip Code
N108W16526 CARRIAGE AVE		GERMANTOWN	WI	53022

Home Phone Number	Age	Date of Birth	Place of Birth
262-502-0428	28	12/21/1986	Park Falls, WI

The *above named individual* provides the following information as a person who is *(check one)*:

☐ Applying for an alcohol beverage license as an **individual.**

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☑ Kimberly L. Doran, Agent of Speedway LLC
(Officer/Director/Member/Manager/Agent) *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? Lifetime
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☑ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☑ No
   If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☑ Yes ☐ No
   If yes, identify. Speedway 4465 @ W178N9653 Riversbend Lane, Germantown, WI 53022
   (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☑ No
   If yes, identify.
   (Name of Wholesale Licensee or Permittee) *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Speedway LLC	PO Box 1500, Springfield, OH 45501	2005	Present
Employer's Name	Employer's Address	Employed From	To

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me
this 18 day of September, 20 15

(Clerk/Notary Public)

My commission expires 3·20·16

(Signature of Named Individual)
Kimberly L. Doran, Agent

Printed on Recycled Paper

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town ☑ Village ☐ City of Germantown County of Washington

The undersigned duly authorized officer(s)/members/managers of Speedway LLC
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Speedway 4495
(trade name)

located at W164 N11233 Squire Drive, Germantown, WI 53022

appoints Kimberly L. Doran
(name of appointed agent)

N108W16526 Carriage Avenue, Germantown, WI 53022
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☑ Yes ☐ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Speedway 4465 @ W178N9653 Riversbend Lane, Germantown, WI 53022

Is applicant agent subject to completion of the responsible beverage server training course? ☐ Yes ☑ No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? Lifetime

Place of residence last year N108W16526 Carriage Avenue, Germantown, WI 53022

For: Speedway LLC
(name of corporation/organization/limited liability company)

By: David E. Ball David E. Ball, Secretary Speedway LLC
(signature of Officer/Member/Manager)

And: Ronald L. Edmiston Ronald L. Edmiston, Treasurer Speedway LLC
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Kimberly L. Doran, hereby accept this appointment as agent for the
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Kimberly L. Doran _____ Agent's age 28
(signature of agent) *(date)*

N108W16526 Carriage Avenue, Germantown, WI 53022 Date of birth 12/21/1986
(home address of agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) *(signature of proper local official)* *(town chair, village president, police chief)*