

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING:	PLAN COMMISSION
DATE AND TIME:	<u>MONDAY, JUNE 13, 2016 6:30 p.m.</u>
LOCATION:	Germantown Village Hall Board Room

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for discussion and action.
- II. **ROLL CALL**
- III. **PUBLIC INPUT/PUBLIC APPEARANCE:**
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)
- IV. **APPROVAL OF MINUTES:** May 9, 2016
- V. **NEW BUSINESS:**
 - A. Robert & Lori Snow – W148 N12301 Pleasant View Drive. 3-Lot Certified Survey Map Application (CSM).
 - B. Phylmack LLC, Property Owner for J.W. Speaker – N120 W19434 Freistadt Road & Thomas & Joan Roskopf – Part of a 51.55-Acre Parcel on Freistadt Road. 2-Lot Certified Survey Map (CSM) and Rezoning (A-1 to M-1) Applications.
 - C. Herb Wolf & Associates LLC for Ravinia Communities – Hilltop Highlands and Brookside Meadows Mobile Home Parks – Hilltop Drive. Site Plan Review for Lot Realignment.
 - D. Perspective Design for Compass Properties Germantown LLC – W164 N11269-71 Squire Drive. 2-Lot Certified Survey Map (CSM) & Planned Development District (PDD) Amendment.
- VI. **ANNOUNCEMENTS**
- VII. **ADJOURNMENT**

The next Plan Commission Meeting will be on July 11, 2016 at 6:30 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. Notice is given that a majority of the Village Board may attend this meeting to gather information about an item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

PLAN COMMISSION MINUTES
MAY 9, 2016

CALL TO ORDER: 6:30 pm

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

PUBLIC INPUT: None

APPROVAL OF MINUTES: *MOTION Baum second Gray to Approve the minutes from 4-25-16.*

MOTION carried unanimously.

Riversbend Golf Course – N96 W18034 County Line Road. Charles Schmit, property owner, is seeking approval of a Temporary Use Permit to continue the seasonal operation of the Riversbend Golf Course. Planner Retzlaff said staff does not support the perpetual use and operation of a golf course operation from a mobile office building and portable toilets for a third season, given the type and quality of existing adjacent development. The recommendation is to approve the Temporary Use Permit with conditions to help move the development in the direction to complete the permanent improvements.

Chuck Schmit, Riversbend Golf Course, spoke. He said only one neighbor complained last year about seeing the trailer and headlights and he hasn't heard any complaints this year. He indicated he would have trouble meeting the conditions to approve the Temporary Use Permit and said all he wants is to run the golf course one more year and if it's not profitable he will sell it to MMSD.

Robert Eastman, W179 N9773 Riversbend Circle West, cited several complaints with the Buffalo Wild Wings restaurant, but said the Riversbend Condo Association supports Mr. Schmit and the golf course operation. He presented a letter from Randy Wollert, President Riversbend Owners Association, stating the same. Commissioner Gray asked Mr. Eastman if he is saying the residents are content with the trailer and landscaping. Mr. Eastman said they were and that their concern is if Mr. Schmit sells to MMSD what will happen to the property. Mark Eilers, Riversbend, said he bought his condo because of the golf course and doesn't know what MMSD will do with the property. He said he and the residents are all in favor of the golf course staying there. Chairman Wolter clarified if MMSD is interested in the property it is to manage water upstream. He said it will more than likely go back to a more natural state to absorb more water and will not have development on it. John Clemens, Riversbend, was concerned how much tax base would be lost if MMSD buys the golf course. Discussion continued. Mr. Eastman again cited complaints with Buffalo Wild Wings. Commissioner Gray asked Mr. Eastman if he was ok without requiring additional landscape screening. Mr. Eastman said additional trees will not buffer anything more. Planner Retzlaff added that permits are not required for MMSD to acquire the property and that typically their intent is to revert the land back to what it was with some minimal maintenance requirements. He stated most of the land is in a floodplain and no development could be proposed.

MOTION Baum second Nilles to Approve a Temporary Use Permit to Charles Schmit to continue operation of the Riversbend Golf Course for the 2016 golf season located at N96 W18034 County Line Road subject to the following conditions:

- 1. The property owner/operation shall submit a revised site, grading and landscape plan to the Plan Commission that enhances the buffer between and view of the mobile trailer & portable toilet areas and the residential area location. Said plan to be considered as an interim development plan until such time as the property owner/operator submits revised site development plans for a permanent golf course clubhouse and facility as was originally intended. Said plan to be submitted no later than June 1, 2016.***
- 2. The property owner/operation shall submit a \$20,000 cash bond or letter of credit as a financial guarantee to ensure that the site, grading and landscape plan is implemented as planned, or, to ensure that the temporary structures and facilities are properly removed and the building pad area is properly graded, seeded and generally restored to a safe and nuisance-free condition no later than May 1, 2017. Said financial guarantee shall be submitted to the Village prior to issuance of the temporary use permit.***
- 3. The property owner/operation shall obtain a letter of approval from the adjoining commercial/retail property owner(s) who share parking and access regarding the continued operation of the golf course using a mobile office building and portable toilet. Said approval letter shall be submitted to the Village prior to commencement of the operation;***
- 4. The property owner/operation shall obtain a letter of approval from the Riversbend Condominium Association regarding the continued operation of the golf course using a mobile office building and portable toilet. Said approval letter shall be submitted to the Village prior to commencement of the operation.***

MOTION to Amend Baum second Nilles to eliminate Planners Recommendations #1 and #2.

Planner Retzlaff explained when the original site plans were presented for approval residents came to the meeting and expressed their concerns about the development. He said the expectation was that there would be a club house and not a mobile office trailer on a gravel parking lot and a toilet with a privacy fence around it. He said he will issue the permit with the understanding that those neighbors who thought they were getting something different are ok with what is proposed.

Trustee Baum said his intent is to eliminate Conditions 1 and 2 and keep Conditions 3 and 4 but accept the letter received today as Condition 4 with the new owners from the other buildings granting approval for one more year. Chairman Wolter said it would better to keep the property as an operational golf course for sale.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Nilles to accept and maintain items 3 and 4 and for item 4 accept the letter presented this evening from Randy Wollert as meeting condition 4 stating the owners of the condominiums have accepted the trailer/toilet and temporary facility for a period of 1 more year.

MOTION to Amend carried unanimously.

Mr. Schmit said he was ok with what was approved and that he would contact the new owners. Planner Retzlaff said he would help Mr. Schmit with that.

MOTION to Approve as Amended carried unanimously.

Chairman Wolter called a recess at 7:15 p.m.
Meeting reconvened at 7:17 p.m.

Village of Germantown – Municipal Code Chapter 17 (Zoning) and Chapter 18 (Subdivision & Platting) Code Amendments. Planner Retzlaff summarized the amendments.

Amendment #1: Section 17.48(5) provides an allowance for non-conforming residential structures to be enlarged or expanded subject to certain limitations. The intent is to expand this allowance to also include agricultural structures. Commissioner Nilles asked if the code defined residential and agricultural structures. Trustee Baum said those definitions should be brought forward on a future amendment.

MOTION Baum second Gray to Approve Amendment #1:

17.48(5) NONCONFORMING CHARACTERISTICS OF RESIDENTIAL AND AGRICULTURAL STRUCTURES.

Subject to subsection (3)(c) above, residential and agricultural structures which encroach upon setback and other yard requirements, but which met setback and yard requirements at the time of construction, may be structurally altered and expanded provided that:

- 1. Said structure is not located in any right-of-way;***
- 2. Such alteration or expansion does not create a greater degree of encroachment;***
- 3. The extent or size of any such alteration or expansion (measured in square feet), either separately or cumulatively when combined with a previous alteration or expansion, does not exceed 50% of the footprint (in square feet) of the structure at the time said structure became nonconforming.***

MOTION carried unanimously.

Amendment #2: Section 17.08(48) defines what a “double frontage lot” is and how said lots are viewed in terms of which yards (i.e. front, street, rear and side) are what for purposes of determining setbacks and other applicable building restrictions. Staff’s recommendation is that the definition of “double frontage lot” be revised to include the same language as the “old” 1978 definition. Trustee Baum said he’d like to add language “and the other frontage should be considered a rear yard” to clarify the definition.

MOTION Baum second Gray to Approve Amendment #2 with the additional language to specifically state that the property facing the second road is the rear yard or some language to that effect.

17.08(48) LOT, DOUBLE FRONTAGE. A lot having a pair of opposite lot lines along 2 more or less parallel public streets and which is not a corner lot. ~~On a through lot, both street lines shall be deemed front lot lines.~~ For the purpose of this ordinance, double frontage lots in residential districts shall be deemed to have one front yard on the street to which the dwelling faces and from which principal access is provided.

Terry Bessler, W157 N9780 Glenwood Road, spoke in favor of the amendment.

MOTION carried unanimously.

Amendment #3: On land located in the Village's two agricultural zoning districts (A-1 and A-2), specifically Sections 17.12(2)(m) & (gg) and Sections 17.13(2)(s) & (mm), property owners are eligible to apply for a conditional use permit that would allow them to use such land for the storage of recreational vehicles, boat storage, commercial vehicles and similar equipment provided such storage is "...completely enclosed within a building". Typically, such storage is done on a "commercial" basis where storage space is leased for a specified period of time and fee as agreed upon by the property owner and leasee. The amendment would allow storage outside and the CUP review and approval process would decide what conditions should be attached to that proposal.

MOTION Gray second Baum to Approve Amendment # 3:

A-1: Agricultural

17.12(2)(m) Recreational vehicle and boat storage if completely enclosed within a building.

17.12(2)(gg) Storage of commercial vehicles and equipment if completely enclosed within a building.

A-2: Agricultural

17.13(2)(s) Recreational vehicle and boat storage if completely enclosed within a building.

17.13(2)(mm) Storage of commercial vehicles and equipment if completely enclosed within a building.

MOTION carried unanimously.

Amendment #4: Section 17.33(1) specifies the types of uses that are allowed "by right" in the M-1: Limited Industrial Zoning District. The M-1 District is the primary zoning district within which manufacturing, fabrication, warehousing, distribution and other "light industrial" uses are allowed to operate in the Village. The M-1 District includes the Germantown Industrial Park, Germantown Business Park, Willow Creek Business Park and numerous other parcels scattered through the Village. The amendment would revise the M-1 regulations to specifically include commercial "self-storage" buildings where items are kept within a building as a permitted use and where items are allowed to be stored outside of a building as a conditional use.

Trustee Baum was concerned that sometimes outdoor storage is not entirely screened behind a fence and should include some taller landscaping. Planner Retzlaff said that could be addressed as part of the CUP review process.

MOTION Baum second Nilles to Approve Amendment #4:

17.33(1)(d) Commercial self-storage buildings where all storage is conducted within an enclosed building or individual unit within a building.

17.33(3)(e) Commercial self-storage buildings where storage is conducted within an enclosed building, individual unit within a building, or outside of a building but within a secure area screened from view.

MOTION carried unanimously.

Amendment #5: Consistent with Wis. Stats. Chapter 236, Section 18.02 provides a series of general provisions governing the platting and division of land in the Village. By statute, the Village's subdivision and platting regulations must contain the same, minimum requirements as Wis. Stats. Chapter 236, but can be more restrictive. Basically, the division of land into lots or parcels is accomplished in one of three ways: (1) recording a Subdivision Plat (used to create 5 or more lots or parcels); (2) recording a Certified Survey Map (used to create 4 or fewer parcels); or (3) recording a deed. As provided under Wis. Stats. Chapter 236, both Subdivision Plats and CSM's are required to be reviewed and approved by the Village under Section 18.

Also consistent with Wis. Stats. 236, Section 18.02(1) specifically exempts certain land divisions from the requirements of and regulation under Section 18 of the Village Code. The land divisions that are exempt from Section 18 can and typically are processed with the recording of a deed. It's fair to say that while all exempt land divisions are recorded with a deed, not all land divisions that can be recorded with a deed should be exempt from regulation. Like many communities in Wisconsin, Staff is recommending that the Village revise its subdivision and platting regulations to require Subdivision Plats or CSM's for all land divisions that are not explicitly exempt from regulation by Wis. Stats. Chapter 236

MOTION Baum second Nilles to Approve Amendment #5:

18.02(2a)Division of Land Other than a Subdivision or Minor Land Division.
Any division of land, other than a subdivision or minor land division as defined herein, shall be surveyed and a certified survey map prepared and recorded as provided in Wis. Stats. Chapter 236.34. Such land divisions shall also comply with the requirements and applicable procedures for the review, approval and recording of certified survey maps set forth in this chapter.

18.03(7)(a) Certified Survey Map Required.

When it is proposed to divide land into not more than 4 building parcels or lots, any one of which is less than 20 acres in size, or when it is proposed to create by land division not more than 4 lots within a recorded subdivision plat without changing the boundaries of said block, lot or outlot, or as required under Section 18.02(2a), the subdivider shall may subdivide by use of a certified survey map. The subdivider shall prepare the certified survey map in accordance with this chapter and shall file the required number of copies 6 copies of the map and a letter of application with the Village Planner at least 15 days prior to the meeting of the Plan Commission as specified by the Village Planner.

18.03(7)(b)4.

The Village Board shall approve, approve conditionally or reject such map within ninety (90) 60 days from the date of filing of the map unless the time is extended by agreement with the subdivider. If the map is rejected, the reason shall be stated in the minutes of the meeting and a written statement forwarded to the subdivider.

Planner Retzlaff said the amendment brings the code into consistency with the State Statutes. Commissioner Gray asked if a Certified Survey is required when a property is sold. Planner Retzlaff said a Certified Survey Map is only required if a property is divided.

MOTION carried unanimously.

Amendment #6: The division of land in the Village using a Subdivision Plat or Certified Survey Map (CSM) requires the preparation of a preliminary plat or CSM containing specific data and information, including the location and boundary of any environmentally sensitive areas such as floodplains and wetlands. Similarly, the development of lots or parcels regulated under the Zoning Code also requires the location and boundary of environmentally sensitive areas including floodplains and wetlands.

The calculation of wetland (as well as floodplain) areas and the boundaries of both are used when determining the location of suitable areas for new lots and development. Moreover, as the result of recent changes to the Village's Zoning Code last year, wetland areas are also used in the determination of the number of development units allowed in certain residential zoning districts. The Wisconsin DNR typically only accepts wetland delineations for purposes of evaluating development proposals for compliance with their rules and regulations if such delineations are less than five (5) years old. Staff is recommending that Sections 17 and 18 be amended to include a five (5) year "validity period" for wetland delineations based on current practice implemented by the DNR.

MOTION Baum second Laszewski to Approve Amendment #6:

18.03(9) Wetland Delineation Requirements.

The delineation of wetland boundaries required herein shall follow current recommended procedures and practices of the Wisconsin Department of Natural Resources (DNR) as specified under Admin. Code NR103 and NR352 (as may be amended). The boundaries of wetlands presented on Subdivision Plats and Certified Survey Maps required under this section for purposes of reviewing and approving land divisions shall be based on wetland delineations conducted no sooner than five (5) years before the date of submission of a Subdivision plat or Certified Survey Map application unless it is determined by Village staff that significant physical changes have been made to the wetland area(s) being delineated or the upland area(s) adjacent thereto, or, other circumstances exist that can reasonably be expected to have affected the extent of such wetland(s). In which case, a new wetland delineation shall be required.

17.43(3a) Wetland Delineation Requirements.

The delineation of wetland boundaries required herein shall follow current recommended procedures and practices of the Wisconsin Department of Natural Resources (DNR) as specified under Admin. Code NR103 and NR352 (as may be amended). The boundaries of wetlands presented on Site Plans required under this section for purposes of reviewing and approving development shall be based on wetland delineations conducted no sooner than five (5) years before the date of submission of a Site Plan application unless it is determined by Village staff that significant physical changes have been made to the wetland area(s) being delineated or the upland area(s) adjacent thereto, or, other circumstances exist that can reasonably be expected to have affected the extent of such wetland(s). In which case, a new wetland delineation shall be required.

Commissioner Laszewski asked if there were certain areas where floodplain didn't change much and the delineation would not be necessary. Planner Retzlaff said there are locations where the 5 year requirement is erroneous. But the code requires that wetlands are delineated on an entire property, even though no development will occur on part of the

property. However, staff may waive the delineation and require that the CSM state that no development can occur until a wetland delineation is completed.

MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:08 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

CERTIFIED SURVEY MAP (CSM)

6/13/16 Plan Commission Meeting

Robert & Lori Snow

Village Planner Report

Germantown, Wisconsin

Summary

Robert & Lori Snow, property owners of a 29.4-acre parcel located on Pleasant View Drive are requesting approval of a 3-lot Certified Survey Map (CSM) in order to create three (3) residential parcels.

Location: W148 N12301 Pleasant View Drive (south of Lovers Lane)

Property Owner/

Applicant:

Robert Snow & Lori Snow

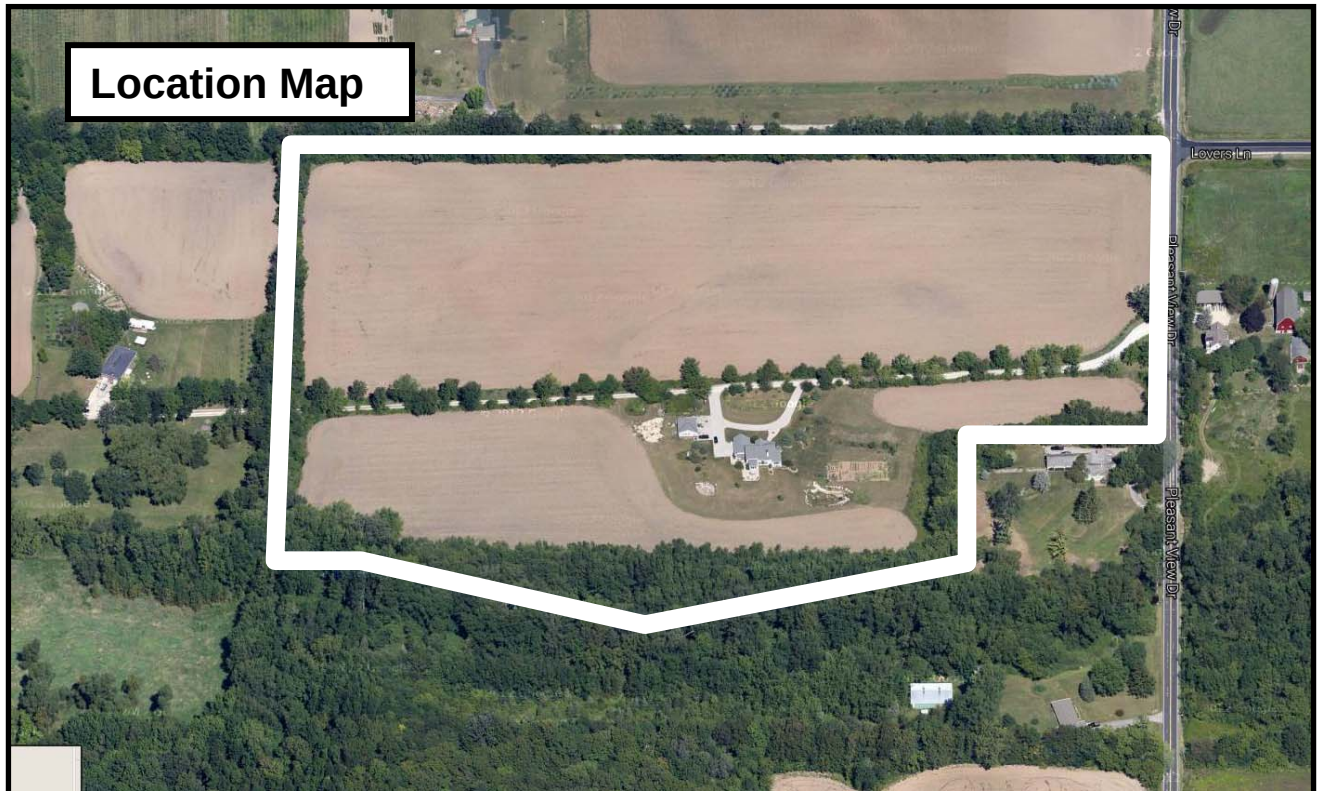
W148 N12301 Pleasant View Drive

Germantown, WI

Current Zoning District: Rs-1: Single-family

Adjacent Land Uses		Zoning
North	Agricultural/Residential	A-1/Rs-2
South	Residential	Rs-1
East	Agricultural	A-1/A-2
West	Agricultural	A-1

Location Map



Proposal/Background

In 1999, Robert & Lori Snow were party to a certified survey map proposal that resulted in the rezoning and creation of the subject 29.4-acre parcel into the Rs-1 Zoning District. As part of CSM #5124 (copy attached), a 60' ingress/egress easement was created in order to provide access to/from a separate 38.7-acre parcel lying to the west.

At this time, Robert & Lori Snow, property owners of the 29.4-acre parcel located on Pleasant View Drive (Lot 2 in the original CSM), are requesting approval of a 3-lot Certified Survey Map (CSM) in order to divide the 29.4-acre parcel into three (3) residential parcels (two new parcels lying north of the existing ingress/egress easement.

Staff Comments**Conformance with Zoning District & Subdivision Requirements.**

The proposed lots meet the requirements of the Rs-1 Zoning District. Soil evaluations are being prepared for two of the proposed parcels (Lot 1 & Lot 2) with the third parcel containing an existing dwelling and septic system (Lot 3).

The most significant feature of the proposal is the limited amount of road frontage and shared driveway easement proposed for the three parcels. As set forth in Section 18.07 of the Subdivision regulations (copy attached), a private shared driveway (listed therein as "private street") may be permitted by the Village Board provided that certain criteria and design standards are met. The proposed 3-lot CSM appears to comply with the criteria under 18.07(1)(d) with sufficient area to meet the minimum design standards in Table 3.

The Village Surveyor has identified a number of technical corrections/issues in his May 24, 2016 review memo (copy attached) that will need to be addressed as part of the final CSM prior to Village Board approval and recording.

The most important issue concerns road right-of-way for the possible future extension of Lovers Lane westerly from Pleasant View Drive. As discussed in 2015 when the Schlee property 3-lot CSM was being considered (i.e. the land located adjacent to and north of the Snow property), the construction of Lovers Lane west of Pleasant View Drive was anticipated as far back as 1850 when the (then) Town Board ordered Lovers Lane to be created as a 4 rod road (in a 66' wide highway easement). It's important to note that there is a strip of land 16.5 feet wide south of the Schlee property that has a different property owner. As a result, the Village required the Schlee's to reserve 23.5' along their south property line. The 16.5' strip of land would have to be acquired by purchase or dedication to the Village to make up the balance of the 40' wide right-of-way north of the ¼ section line. As shown on the original Snow CSM (CSM#5124), a separate 40' wide "road reservation" already exists along the south side of the ¼ section line. Both the Schlee and Snow 40' wide road reservations are consistent with the Village's ultimate right-of-way map that requires a total of 80 feet of right-of-way for the future extension/construction of Lovers Lane west of Pleasant View Drive (if that ever occurs). Currently, the Village has no plans showing the extension of Lovers Lane.

The proposed lots (Lot 1 and Lot 2) meet the minimum requirements for parcels in the Rs-1: Single-family Zoning District (5-acre minimum parcel size). Soil evaluations have been completed for the proposed lots that indicate both are suitable for installation of a private on-site wastewater treatment system (POWTS). Lot 3 has an existing dwelling and functioning POWTS.

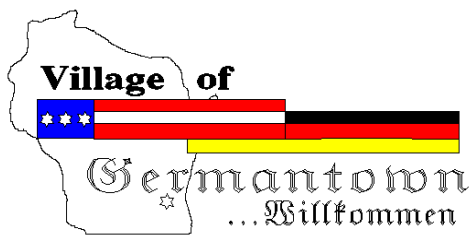
Lot 3 also contains an area of wetland and floodplain associated with the Menomonee River adjacent to and south of the Snow property. Because Lot 3 is already developed, staff is recommending that the Village defer the wetland delineation requirement.

Because the existing shared driveway within the ingress/egress easement will serve four parcels, it may need to be improved in order to comply with the minimum design standards and other requirements set forth in Section 18.07(d) of the Village's Subdivision and Platting Code regarding "private streets" serving up to 7 parcels/lots, including lane width, addition of a cul-de-sac turnaround, and the requirement for deed restrictions and/or covenants dictating ownership and maintenance responsibilities for the easement and driveway.

Village Planner Recommendation

APPROVE the proposed 3-lot Certified Survey Map (CSM) for the Robert & Lori Snow property on Pleasant View Drive subject to the following conditions:

1. All requirements and technical corrections identified in the Village Surveyor's May 24, 2016 memo shall be addressed in a revised CSM prior to Village Board approval;
2. A shared driveway/access easement agreement applicable to the 60' ingress/egress easement across the interior property lines shall be prepared and submitted to the Village for review prior to review of the CSM by the Village Board. At a minimum, the agreement shall address construction of the driveway to the minimum design standards set forth in Section 18.07(d) of the Village's Subdivision Code, and, ownership and maintenance responsibilities for the easement and driveway.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: May 24, 2016

Re: Snow CSM

Jeff,

Here are my review comments for the CSM received 5-9-2016.

Certified Survey Map

Applicant or Owner: Robert and Lori Snow

Land Surveyor/Firm: Rich Simon, PLS, Cornerstone Surveying

Current Zoning **New Zoning: No rezoning required**

1. 25' wetland setback line is missing from proposed Lot 3.
2. No wetland delineation is shown on this Lot.
3. 75' stream setback line is missing from proposed Lot 3.
4. Based on FEMA records, there is floodplain located on proposed Lot 3 and needs to be mapped based on a FEMA-approved benchmark and vertical datum.
5. No soil boring shown on proposed Lot 1 or 2.
6. No soil boring report provided.
7. The street name and status of the adjoining parcel underscore is to be a dashed or dotted line.
8. The professional land surveyors seal and signature is missing from all sheets.
9. Monument symbols for found or set markers are missing for the common line between proposed Lot 1 and Lot 2. The monument symbol is also missing at the end of the 639.75' long line which is defining the west right of way line of Pleasant View Drive
10. **Mortgagee's Certificate** (Required if land is mortgaged)
 - ☐ Complete statements per Chapter 236.21(2)(a)
 - ☐ Lending institution name, signature of bank officer and date.
 - ☐ Notary statement, seal, signature and date.

The mortgage certificate requirement is waived if owner can provide written proof of ownership that the property is free of mortgage from the lending institution.

No further review comments.

Document Submittals and Data Conversion

As of October, 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2007 on compact disk (CD) or via email to the Village Surveyor.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

The model space of the drawing will be done in Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) and the Grid Bearing basis.

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.

18.07 DESIGN STANDARDS.

- (1) **STREET ARRANGEMENT.** In any new subdivision, or in any planned development, if applicable, the street layout shall conform to the arrangement, width and location indicated on the Official Map, County Jurisdictional Highway Plan, comprehensive plan or plan component, or detailed neighborhood unit development plan of the Village. In areas for which detailed neighborhood unit development plans have not been completed, the street layout shall conform to the functional classification of the various types of streets and shall be developed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, to the proposed use of the land to be served by such streets, to existing or planned utilities, and to the most advantageous development of adjoining areas. The subdivision shall be designed so as to provide each lot with satisfactory access to a public street. In addition:
- (a) Arterial Streets. Arterial streets, as hereafter defined, shall be arranged so as to provide ready access to centers of employment, centers of governmental activity, community shopping areas, community recreation and points beyond the boundaries of the community. They shall also be properly integrated with and related to the existing and proposed system of arterial streets and highways and shall be, insofar as practicable, continuous and in alignment with existing or planned streets with which they are to connect.
 - (b) Collector Streets. Collector streets, as hereafter defined, shall be arranged so as to provide for the collection of traffic from residential and other high intensity use areas and conveyance of such traffic to the arterial street and highway system and shall be properly related to the mass transportation system, to special traffic generators such as schools, churches and shopping centers and other concentrations of population and to the arterial streets to which they connect.
 - (c) Minor Streets. Minor streets, as hereafter defined, shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm drainage, water supply and sanitary sewerage systems, and to require the minimum street area necessary to provide safe and convenient access to abutting property.
 - (d) Private Streets. (Cr. Ord. #04-08) Private streets are a type of "minor street" that shall be arranged to conform to the topography, to discourage use by through traffic, to permit the design of efficient storm drainage, water supply and sanitary sewerage systems, and provide the minimum street area necessary to provide safe and convenient access to abutting property. Private streets include shared driveways, private lanes, and private streets intended to serve 2 to 15 single-family residential lots or parcels (as well as condominium-type development) and may be allowed by the Village in accordance with all of the following:
 - 1. Private street are intended to retain rural character, reduce construction and maintenance costs, serve relatively larger and more rural lots, and allow more control, security and sense of identity where public streets or roads are not planned or needed for public traffic circulation and

accessibility;

2. Private streets are only allowed at the discretion of the Village Board as approved as part of a subdivision plat, certified survey map (CSM) or condominium plat;
3. Private streets may be allowed in any single-family residential zoning district, however, the Village Board may require private streets to be developed as part of a Planned Development District (PDD);
4. Private streets shall NOT be allowed under any circumstances when:
 - a. The proposed private street will replace or otherwise conflict with a designated public street set forth in the Village's official map, Comprehensive Plan, or other official state, regional, county, or village transportation plan;
 - b. The Village determines that construction of a public street would be in the best interest of the Village and that a public (vs. private) street is determined to be needed for: (1) providing access to adjacent lands having the potential for future development; or (2) public circulation by way of connecting to or extending from an existing or future public street;
 - c. The proposed private street connects 2 or more public streets or highways where the connection would further the pattern and function of the public street system; or
 - d. The proposed street will or has the potential to provide access to more than 15 residential lots, or, has the potential to provide (or is needed for) access to future development of adjacent land.
5. Private streets shall be owned and maintained by the property owners of the lots or parcels having access to and served by such private streets and/or a legal entity (e.g., Homeowner's Association, Condominium Association, etc.) established prior to or concurrent with Village approval of the subdivision plat or Certified Survey Map. Ownership and maintenance responsibilities shall be set forth in deed restrictions or covenants reviewed and approved by the Village. The arrangement, design, and construction (including arrangements for construction inspection by qualified engineers) of private streets shall be approved by the Village as set forth in a Development Agreement with the Village as required under this section.
6. These standards and the design requirements in Table 3 are intended to be minimums that may be modified by the Village, including the requirement for a higher or different standard regardless of the private street classification, as determined on a case-by-case basis through the Planned Development District (PDD) review process or as specified in a Development Agreement required under this section.
7. The construction of private streets and the development and use of land that includes private streets shall comply with all zoning, land development and other applicable Village codes and requirements,

including but not limited to, the Village's stormwater management regulations.

- (e) Proposed Streets. (Rltd. Ord. #04-08) Proposed streets shall extend to the boundary lines of the tract being subdivided or developed unless prevented by topography or other physical conditions or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision or development or for the advantageous development of the adjacent tracts. Where an existing dedicated or platted half street is adjacent to the tract being subdivided or developed, the other half of the street shall be dedicated by the subdivider or developer.
 - (f) Protection and Limited Access. (Rltd. Ord. #04-08) Whenever the proposed subdivision contains or is adjacent to an arterial street or highway, adequate protection of residential properties, limitation of access and separation of through and local traffic shall be provided by reversed frontage lots, screen planting contained in a nonaccess reservation along the rear property line, or by the use of frontage streets.
 - (g) Stream or Lake Shores. (Rltd. Ord. #04-08) Stream or lake shores shall have a minimum of 60 feet of public access platted to the low water mark at intervals of not more than 1/2 mile as required by §236.16(3), Wis. Stats.
 - (h) Reserve Strips. (Rltd. Ord. #04-08) Reserve strips shall not be provided on any plat to control access to streets or alleys, except where control of such strips is placed with the Village under conditions approved by the Plan Commission.
 - (i) Alleys. (Rltd. Ord. #04-08) Alleys shall be provided in commercial and industrial areas for off-street loading and service access unless otherwise required by the Plan Commission, but shall not be approved in residential districts. Dead end alleys shall not be approved and alleys shall not connect to an arterial street or highway.
 - (j) Street Names. (Rltd. Ord. #04-08) Street names shall not duplicate or be similar to existing street names on nonconnecting streets elsewhere in the Village and existing street names shall be extended wherever possible.
- (2) **LIMITED ACCESS HIGHWAY AND RAILROAD RIGHT-OF-WAY TREATMENT.** Whenever the proposed subdivision contains or is adjacent to a limited access highway or railroad right-of-way, the subdivision shall include the following design restrictions:
- (a) When lots within the proposed subdivision back upon the right-of-way of an existing or proposed limited access highway or a railroad, a planting strip at least 30 feet in depth shall be provided adjacent to the highway or railroad in addition to the normal lot depth. This strip shall be a part of the platted lots, but shall have the following restriction lettered on the face of the plat: "this strip reserved for the planting of trees and shrubs; the building of structures hereon is prohibited."
 - (b) Commercial and industrial properties fronting on the right-of-way of an existing or proposed limited access highway or railroad shall have provided, on each side of the limited access highway or railroad, streets approximately parallel to and at a suitable distance from such highway or railroad for the appropriate use of the land between such streets and highway or railroad, but not less than 200 feet.

- (c) Streets parallel to a limited access highway or railroad right-of-way, when intersecting an arterial street, highway or collector street which crosses said railroad or highway, shall be located at a minimum distance of 250 feet from said highway or railroad right-of-way. Such distance, where desirable and practicable, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.
 - (d) Minor streets immediately adjacent and parallel to railroad rights-of-way shall be avoided and location of minor streets immediately adjacent to arterial streets and highways and to railroad rights-of-way shall be avoided in residential areas.
- (3) PUBLIC STREET AND PUBLIC WAY DESIGN STANDARDS. (Am. Ord. #38-05; Am. Ord. #04-08) The minimum right-of-way and roadway width of all proposed public streets and alleys shall be as specified by the comprehensive plan, comprehensive plan component, official map, neighborhood development study; or the standard cross-section adopted by the Village (see Table 2 or Table 2a); or if no width is specified therein, the minimum widths shall be as set forth in Table 2.

Arterial street sections are for standard arterial streets only. Cross-sections for freeways, expressways and parkways should be based upon detailed engineering studies. In addition all minor streets that are planned and designed to not be extended or connected to another street at the time of development or at any time in the future (i.e., a "dead end" street) shall include a cul-de-sac meeting the following requirements:

- (a) All non-cul-de-sac streets designed having one end permanently closed, shall not exceed 500 feet in length. Cul-de-sac streets not exceeding 500 feet in length are permitted as a matter of course.
- (b) Where a cul-de-sac street is designed so that its bulb right-of-way abuts the subdivision perimeter property line, making future extension of the roadway, or connection to another roadway feasible; the Plan Commission may approve a design of up to 1,200 feet in length.
- (c) Other cu-de-sac roads may be approved at lengths greater than 500 feet but not exceeding 1,200 feet in length depending upon such factors as:
 - 1. The zoning classification and resultant lot size, with larger lots abutting the cu-de-sac street justifying and permitting the approval of a proportionately longer cul-de-sac street;
 - 2. The number, and proximity to Village arterials roads, of entry points into the subdivision, including those feasible for extension and connection in the future.
- (d) Except in section 27-9-20 of the Village, as set forth in Table 2a, all cul-de-sac streets shall terminate in a circular turnaround having a minimum right-of-way radius of 60 feet and a minimum face of curbs radius of 40 feet on urban sections and 40 feet on rural sections (see Table 2).
- (e) The length of a cul-de-sac shall be defined as the distance from the nearest intersecting right-of-way from the subject cul-de-sac street along the centerline of said cul-de-sac to the point at the bulb right-of-way furthest from the connecting street.

TABLE 2
REQUIRED STREET CROSS SECTIONS
IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

TABLE INSET:

Type of Street or Public Way	Urban Street Section		Rural Street Section	
	Minimum Right-of-Way to be Dedicated	** Minimum Dimensions	Minimum Right-of-Way to be Dedicated	Minimum Dimensions
Arterial Streets	120 feet	* Dual 36-foot pavement (face of curb to face of curb) * 20-foot median * 8-foot tree banks (curb lawn) * 5-foot sidewalks * 1-foot outside sidewalks	120 feet	* Dual 24-foot pavement * 8-foot median * 6-foot inside shoulders * 10-foot outside shoulders * 16-foot roadside ditches
Collector Streets	80 feet	* 40-foot pavement (Face of curb to face of curb) * 14-foot tree banks (curb lawn) * 5-foot sidewalks * 1-foot outside sidewalks	NONE	NONE
Minor Streets	60 feet	* 30-foot pavement (face of curb to face of curb) * 9-foot tree banks (curb lawn) * 5-foot sidewalks * 1-foot outside sidewalks	60 feet	* 24-foot pavement * 2-foot shoulders * 14-foot roadside ditches
Cul-de-Sac (Turn-around)	60 foot radius	* 40-foot outside face of curb radius * 10-foot inside pavement radius * 14-foot tree banks (curb lawn) * 5-foot sidewalks (if required) * 1-foot outside sidewalks	60 foot radius	* 40-foot outside pavement radius * 17-foot Inside pavement radius * 6-foot shoulders * 13-foot roadside ditches
Service Alleys	30 feet	* 28-foot pavement (if required)	NONE	NONE
Pedestrian Ways	20 foot average	* As required by the Village Engineer	20 foot average	* As required by the Village Engineer

** NOTE: Not applicable in Section 27-9-20 of the Village. See Table 2a on next page.
 (Am. Ord. #31-88)

TABLE 2a
REQUIRED STREET CROSS SECTIONS
IN THE VILLAGE OF GERMANTOWN,
WASHINGTON COUNTY, WISCONSIN

TABLE INSET:

Type of Street or Public Way	Urban Street Section	
	Minimum Right-of-Way to be Dedicated	(Note: Applicable only in Section 27-9-20 of the Village) Minimum Dimensions
Arterial Streets	120 feet	* Dual 36-foot pavement (face of curb to face of curb) * 20-foot median * 8-foot tree banks (curb lawn) * 5-foot sidewalks * 1-foot outside sidewalks
Collector Streets	80 feet	* 48-foot pavement (face of curb to face of curb) * 10-foot tree banks (curb lawn) * 5-foot sidewalks * 1-foot outside sidewalks
Minor Streets	60 feet	* 36-foot pavement (face of curb to face of curb) * 6-foot tree banks (curb lawn) * 5-foot sidewalks * 1-foot outside sidewalks
Cul-de-sac (Turn-around)	60 foot radius	* 48-foot outside face of curb radius * 12-foot inside pavement radius * 6-foot tree banks (curb lawn) * 5-foot sidewalks (if required) * 1-foot outside sidewalks
Service Alleys	30 feet	* 28-foot pavement (if required)
Pedestrian Ways	20 foot average	*As required by the Village Engineer

(Cr. Ord. #31-88)

TABLE 3
PRIVATE STREET DESIGN
STANDARDS AND REQUIREMENTS

TABLE INSET:

	Private Street Classification		
Design Standard/ Requirement	Shared Driveway	Private Lane	Private Street
Ownership	Private (all lot owners and/or legal association); subject to access easement agreement	Private (all lot owners and/or legal association); subject to access easement agreement	Private (all lot owners and/or legal association); subject to access easement agreement
Construction, Inspection and Maintenance Responsibility	Private access and maintenance responsibilities established in Development Agreement and legal association covenants and deed restrictions; may also be subject to PDD Conditions and Restrictions (if required by the Village)	Private access and maintenance responsibilities established in Development Agreement and legal association covenants and deed restrictions; may also be subject to PDD Conditions and Restrictions (if required by the Village)	Private access and maintenance responsibilities established in Development Agreement and legal association covenants and deed restrictions; may also be subject to PDD Conditions and Restrictions (if required by the Village)

	Private Street Classification		
Design Standard/ Requirement	Shared Driveway	Private Lane	Private Street
Max. # Lots Served (typical)	Up to 3 lots	Up to 7 lots	Up to 15 lots
Length (max.)	>1,200 w/ Village Board approval	>1,200 w/ Village Board approval	>1,200 w/ Village Board approval
Permanent Closure (Turnaround)	Cul-de-sac (30' to 60' min. radius to be determined by Village Board)	Cul-de-sac (30' to 60' min. radius to be determined by Village Board)	Cul-de-sac (30' to 60' min. radius to be determined by Village Board)
Easement or Right-of-Way Width Required (min.)	30' easement or outlot	40' outlot or private right-of-way	60' outlot or private right-of-way
# Lanes and Width (min. total width)	1 lane 16' wide 16' total width	2 lanes 9' each 18' total width	2 lanes 11' each 22' total width
Vertical Clearance (min.)	14'	14'	14'
Grade (max.)	10%; Grade to match existing shoulder (uncurbed) or intersecting street pavement (curbed) with min. 25' landing approach at grade +/- 2%	10%; Grade to match existing shoulder (uncurbed) or intersecting street pavement (curbed) with min. 25' landing approach at grade +/- 2%	10%; Grade to match existing shoulder (uncurbed) or intersecting street pavement (curbed) with min. 25' landing approach at grade +/- 2%
Curve Radius	N/A	100'	See Sec. 18.07 (100-300')
Base Course (type/thickness)	Lift 1: 9" of 1.5" TB; Lift 2: 5" of .75" TB	Lift 1: 9" of 1.5" TB; Lift 2: 5" of .75" TB	Lift 1: 9" of 1.5" TB; Lift 2: 5" of .75" TB
Surface Course (type/thickness)	Asphalt concrete surface course is OPTIONAL as determined by the Village Board.	Asphalt concrete surface course is OPTIONAL as determined by the Village Board.	Asphalt concrete surface course is OPTIONAL as determined by the Village Board.

(Cr. Ord. #04-08)

- (4) **STREET INTERSECTIONS.** Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit. In addition:
- (a) The number of streets converging at one intersection shall be reduced to a minimum, preferably not more than 2.
 - (b) The number of intersections along arterial streets and highways shall be minimized. Wherever practicable, the distance between such intersections shall not be less than 1,200 feet.
 - (c) On all streets where sidewalks are required, ramps or openings to accommodate handicapped individuals or vehicles shall be provided in accordance with §66.616, Wis. Stats.
 - (d) Minor and collector streets shall not necessarily continue across arterial streets. If the distance between the center line intersections of any street with any other intersecting street is less than 250 feet, measured along the center line of the intersecting street, then the location shall be so adjusted that the distance is increased or the adjoinment across the intersecting street is continuous and a jog is avoided.
- (5) **BLOCKS.** The widths, lengths and shapes of blocks shall be suited to the planned use of the land; zoning requirements; need for convenient access, control and safety of street traffic; and the limitations and opportunities of topography. In addition:
- (a) Blocks in residential areas shall not, as a general rule, be less than 600 feet nor more than 1,200 feet in length unless otherwise dictated by exceptional topography or other limiting factors of good design.

- (b) Pedestrian ways of not less than 20 feet in average width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the Plan Commission to provide adequate pedestrian circulation or access to schools, parks, shopping centers, churches or transportation facilities.
 - (c) Block widths shall be sufficient to provide for 2 tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic, railroads or natural barriers. Width of lots or parcels designated for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.
 - (d) All general service electric power, telephone and cable TV lines shall be placed on mid-block easements of not less than 15 feet in width centered on rear lot lines for underground installation.
- (6) LOTS. The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated. In addition:
- (a) Side lot lines shall be at right angles to straight street lines or radial to curved street lines on which the lots face. Lot lines shall follow municipal boundary lines rather than cross them.
 - (b) Double frontage or "through" lots shall be prohibited, except where necessary to provide separation of residential development from arterial traffic or to overcome specific disadvantages of topography and orientation.
 - (c) Every lot should front or abut for a distance of at least 60 feet on a public street, but may, in extenuating circumstances, be reduced to no less than 30 feet.
 - (d) Area and dimensions of all lots shall conform to the requirements of the Zoning Code. Those building sites not served by a public sanitary sewerage system or other approved system shall be sufficient to permit the use of an on-site soil absorption sewage disposal system designed in accordance with Wis. Adm. Code H 62.20.
 - (e) Excessive depth of lots in relation to width shall be avoided and a proportion of 2:1 shall be considered a maximum ratio under normal conditions. Depth of lots or parcels designated for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated.
 - (f) Four-sided rectangular lots shall be considered standard, odd shaped lots should be avoided and lots with more than 5 sides will be allowed only in extenuating circumstances.
 - (g) The width of lots within the interior of a block shall conform to the requirements of the Zoning Code or other applicable ordinance and in no case shall a lot have a minimum average width of less than 80 feet.
 - (h) Corner lots shall have an additional width of 10 feet to permit adequate building setbacks from the side streets.

- (i) Lands lying between the meander line and the water's edge and any otherwise unplattable lands which lie between a proposed subdivision and the water's edge shall be dedicated to the public in any plat abutting a lake or stream.
- (7) **BUILDING SETBACK LINES.** Building setback lines appropriate to the location and type of development contemplated which are more restrictive than the regulation of the zoning district in which the plat is located may be required by the Plan Commission.
- (8) **EASEMENTS.** The Plan Commission may require utility easements of widths deemed adequate for the intended purpose, but not less than 7.5 feet on each side of all rear lot lines and on side lot lines or across lots where necessary or advisable for electric power and communication wires and conduits; storm and sanitary sewers; and gas, water and other utility lines.

Where a subdivision is traversed by a watercourse, drainageway channel or stream, an adequate drainageway or easement shall be provided as may be required by the Plan Commission. The location, width, alignment and improvement of such drainageway or easement shall be subject to the approval of the Village Engineer; and parallel streets or parkways may be required in connection therewith. Where necessary, stormwater drainage shall be maintained by landscaped open channels of adequate size and grade to hydraulically accommodate maximum potential volumes of flow. These design details are subject to review and approval by the Village Engineer.

- (9) **PUBLIC SITES AND OPEN SPACES.** (Rep. & Recr. Ord. #43-95) In the design of the plat or planned development, due consideration shall be given to the preservation of suitable sites of adequate area for future parks, playgrounds, public school sites, drainageways and other public purposes. If designated on the comprehensive plan, comprehensive plan component, official map or detailed neighborhood unit development plan, such areas shall be made a part of the plat or planned development as stipulated in section 18.02(3) of this chapter. If not so designated, consideration shall be given in the location of such sites to the preservation of scenic, scientific and historic sites, trees, marshes, lakes and ponds, watercourses and ravines. Accordingly, each subdivider or developer of residential land in the Village shall reserve public sites and open-space lands designated on the Village comprehensive plan or plan component. The proposed public lands shall be made a part of the plat or development and reserved at the time of final plat approval or site plan approval for a period not to exceed 3 years, unless extended by mutual agreement, for acquisition at undeveloped land prices by the public agency having jurisdiction. If the land is not acquired within the 3-year period or the time extended by mutual consent, as set forth herein, the land shall be released by the Village from reservation to the owner.

BADGER
BLUEPRINT
COMPANY, INC.
(414) 542-8200

V. GERMANTOWN
NW 1/4 14-9-20
NE 1/4 15-9-20

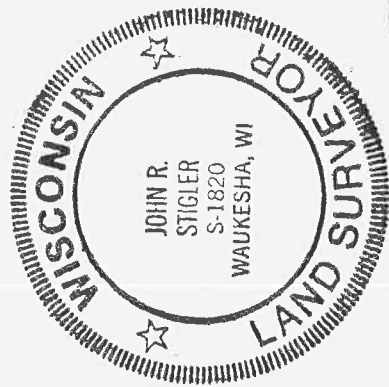
FORM BBC-101

CERTIFIED SURVEY MAP NO.

Part of the NE 1/4 and NW 1/4 of the SW 1/4 of Section 14,
and the NE 1/4 and NW 1/4 of the SE 1/4 of Section 15, T9N, R20E
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

Page 1 of 4

RECORDED
JULY 29, 1999 AT 09:00AM
DOROTHY C. BONNERING
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$16.00

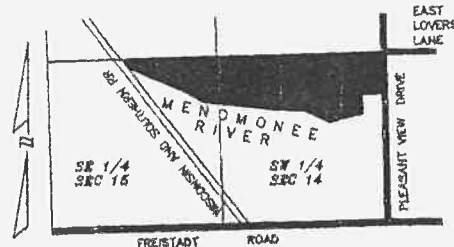


SCALE: 1"=400'

OWNER:
C/O ROBERT SNOW
N114 W15252 VICKSBURG AVENUE
GERMANTOWN, WISCONSIN 53022

SURVEYOR:
JOHN R. STIGLER
JAHNKE & JAHNKE ASSOCIATES INC.
711 WEST MORELAND BLVD.
WAUKESHA, WISCONSIN 53188-2479

LEGEND
● - 1" DIA. IRON PIPE FOUND
○ - IRON PIPE 24" X 1" DIA. (PLACED)
1.13+ LBS. PER LIN. FT.
SECTION CORNER



LOCATION MAP
SW 1/4 SEC 14-9-20
SE 1/4 SEC 15-9-20
1" = 3000'

FILE NAME: \DON\JRS\S-5387\S5387CSM.dwg

CSM MAP NO. 5124 VOL 35 PAGE 333

UNPLATTED
LANDS

REFERENCE MERIDIAN: THE NORTH LINE OF THE SW 1/4 OF
SECTION 14, T9N, R20E WAS USED AS THE REFERENCE BEARING
AND HAS A BEARING OF NORTH 88°29'15" EAST BASED ON A
PREVIOUS SURVEY PER DOCUMENT NO. 294234, VOL 435, PG 306.
THE WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE)
REFERENCE BEARING IS NORTH 88°29'11" EAST FOR THE NORTH LINE
OF THE SW 1/4 SECTION 14, T9N, R20E.

833030

EAST
LOVERS
LANE

PLEASANT VIEW DRIVE

John R. Stigler

JOHN R. STIGLER - WIS. REG. NO. S-1820
DATED THIS 11th DAY OF JUNE, 1999
REVISED THIS 15th DAY OF JULY, 1999

INSTRUMENT DRAFTED BY JOHN R. STIGLER

P.S. WASHINGTON 764

Ref: GTNV 154-982, 143 992, 143 991



Village of

Germantown

Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid \$ Date 5-9-16

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

Robert F. M. Snow
Lori A. Snow

PROPERTY OWNER

Robert F. M. Snow
Lori A. Snow

B06

Phone (262) 352-9188

Phone (414) 690-3016

Fax ()

E-Mail bob.snow@wicourts.gov

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

W148 N12301 Pleasant View Dr.

GTNV 143 987

3

PURPOSE OF LAND SPLIT

Division to create add'l parcels
for resale

Will the land split require rezoning?

No

From

To

4

READ AND INITIAL THE FOLLOWING:

[Signature] I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

[Signature] I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

[Signature] I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

[Signature] I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Robert F. M. Snow 5/7/2016

Applicant

Date

Lori A. Snow 5/8/2016

Owner

Date

Robert M. Snow

262-352-9188

snowmanRMS@gmail.com

May 6, 2016

Mr. Jeff Retzlaff
Village of Germantown
Planning and Zoning Administrator
N112 W17001 Mequon Rd.
PO Box 337
Germantown, WI 53022

Mr. Retzlaff:

Thank you for the information and assistance provided to Lori and I in our land division request. Please find the following materials included as we initiate this review process with your team and the Village committees.

- 1) Certified Survey Map Application
- 2) We do have a Request for Wetland Delineation as we don't believe this necessary based on our preliminary conversations with you – but you can address this formally now that we are filing our CSM application. Similarly, a re-zoning is not required in this action.
- 3) A draft of our initial CSM with a new easement identified.
- 4) Soil Boring have been conducted and this info is currently being written up with bearings and elevations for inclusion on the draft CSM and for submission to Washington County. Copies will be provided for this request asap. Each of the two new lots has an identified location for septic.
- 5) We will be drafting a new Easement document for recording but will need to discuss the Shared Driveway and Private Lane info with you in a little greater detail to get your direction/perspective on this as we go forward.
- 6) We are also in the process of drafting the Shared Driveway Maintenance agreement and are discussing any other covenants we want to consider to ensure the highest value of the property.

As each of the items above are available we will get them in to you. Based on this filing, if we can make the June Plan Commission meeting ...great... if we need to shift to the July meeting, that will work as well.

Thanks Jeff, please contact me with any questions. If a walk around the property is necessary with you or any of the review professionals in advance of the Plan Commission meeting, please let me know and I'd be happy to coordinate this with you.

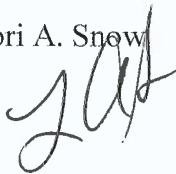
Digital copies of all the required items will be provided or sent to you as requested

Regards,

Robert M. Snow

A handwritten signature in blue ink, appearing to read "Robert M. Snow", written in a cursive style.

Lori A. Snow

A handwritten signature in black ink, appearing to read "Lori A. Snow", written in a cursive style.

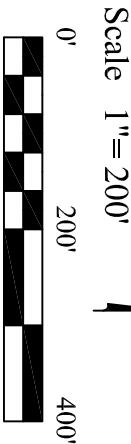
Certified Survey Map No.

A Redivision of Lot 2 Certified Survey Map No. 5124, being part of the Northwest ¼ and Northeast ¼ of the Southwest ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Rs-1 Zoning Setbacks
45' - Front Yard
30' - Side Yard
35' - Rear Yard

Northeast corner of the
Southwest ¼ of Section 14-9-20
Rebar Found
458757.07
2507951.62

Northwest corner of the
Southwest ¼ of Section 14-9-20
Concrete Mon. w/Brass Cap
458687.74
2505332.53



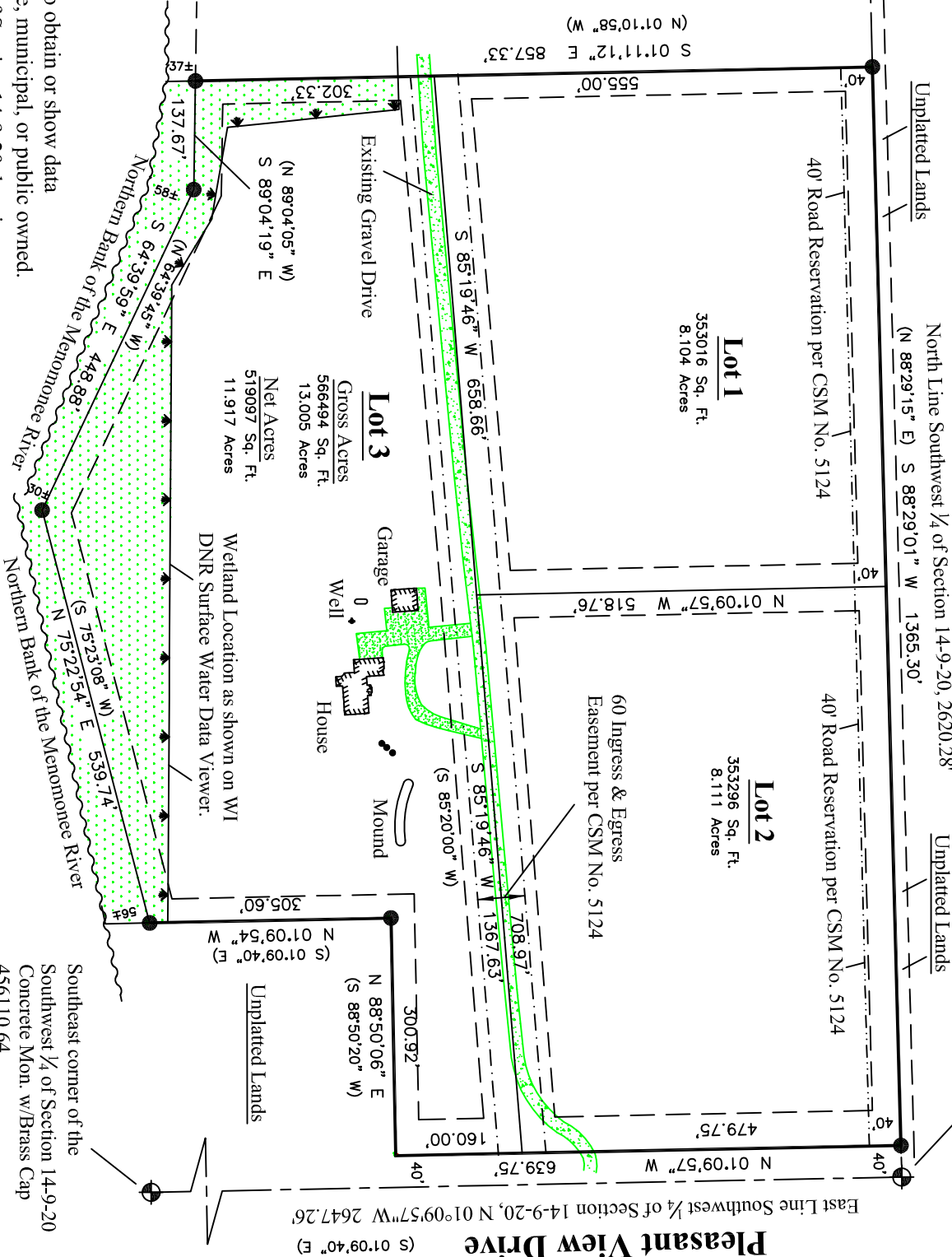
Surveyor:
Richard Simon
5080 Fairy Chasm
West Bend, WI 53095
(262) 424-5630

Owners:
Robert M. Snow
Lori A. Snow
W148 N12301 Pleasant View Drive
Germantown, WI 53022

- Legend:**
- Denotes Iron Pipe Found
 - 3#4" OD X 18" Iron Rod 1.50 Lbs./Lin. Ft., Set
 - Location of Soil Borings

Notes:

- 1) Bearings or Distances in () are Recorded Measurements
- 2) In providing this boundary survey no attempt has been made to obtain or show data concerning the existence of any utility on the site, whether private, municipal, or public owned.
- 3) Bearings are referenced to the North line of the Southwest ¼ of Section 14-9-20, bearing S88°29'01"W per State Plane Coordinate System, South Zone. (NAD 1927)



Certified Survey Map No. _____

A Redivision of Lot 2 Certified Survey Map No. 5124, being part of the Northwest ¼ and Northeast ¼ of the Southwest ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Surveyor's Certificate

I, Richard L Simon, Professional Land Surveyor, hereby certify:

A Redivision of Lot 2 Certified Survey Map No. 5124, being part of the Northwest ¼ and Northeast ¼ of the Southwest ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Described as follows:

A Redivision of Lot 2 Certified Survey Map No. 5124, being part of the Northwest ¼ and Northeast ¼ of the Southwest ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Said parcel contains 29.3915 Acres Gross

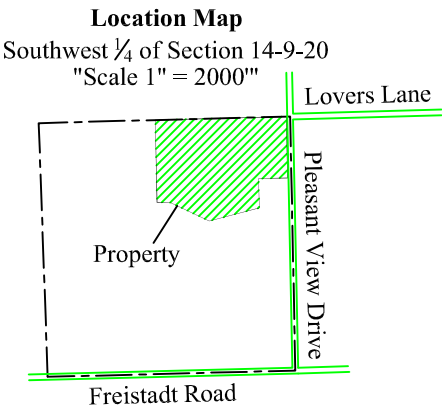
That I have made such survey, division, and map by the direction of Robert M. Snow & Lori A. Snow.

That this map is a correct representation of all exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with provisions of s. 236.34 of the Wisconsin Statutes and the subdivision regulations of the Village of Germantown in surveying, dividing, and mapping the same.

Dated this 9th day of April, 2016

Richard L Simon, P.L.S. #2698
Cornerstone Land Surveying
5080 Fairy Chasm Road
West Bend, WI 53095
262-424-5630



Village of Germantown Planning Commission Approval

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this day of , 2016.

Dean Wolter, Chairman Date

Laura A. Johnson, Secretary Date

Village of Germantown Board Approval

This Certified Survey Map, being a division of (NE¼ & NW ¼ of the SW ¼, Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and accepted by the Village Board of Trustees of the Village of Germantown on this __day of _____, 2016.

Dean Wolter, Village President Date

Barbara K.D. Goeckner, Village Clerk Date

Certified Survey Map No.

A Redivision of Lot 2 Certified Survey Map No. 5124, being part of the Northwest ¼ and Northeast ¼ of the Southwest ¼ of Section 14, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Owner's Certificate

We, Robert M. Snow & Lori A. Snow do hereby certify that we caused the land described in the foregoing affidavit of Richard L. Simon , Surveyor, to be surveyed, divided and mapped as represented on this Certified Survey Map.

WITNESS the hand and seal of said Signer, this _____ day of _____, _____

Robert M. Snow

Lori A. Snow

State of Wisconsin) SS

_____ County)

Personally came before me this _____ day of _____, _____, the above named, Robert M. Snow & Lori A. Snow to me, known to be the people who executed the foregoing instrument and acknowledge the same.

Notary Public

_____ County, State of Wisconsin

My commission expires: _____

Consent of Mortgagee

I, _____ of _____, mortgagee of the above described land, do hereby consent to the surveying, dividing, and mapping of the described land on this Certified Survey Map, and I do hereby consent to the certificate of Robert M. Snow & Lori A. Snow , as owners of said land.

Witness the hand and seal of said mortgagee this _____ day of _____, _____.

Bank Officer

CERTIFIED SURVEY MAP (CSM) & REZONING APPLICATION

6/13/16 Plan Commission Meeting

Thomas & Joan Roskopf / Phylmack LLC / J.W. Speaker Corporation
Village Planner Report **Germantown, Wisconsin**

Summary

Phylmack LLC, property owner and agent for Thomas & Joan Roskopf, property owners, has submitted a 2-lot certified survey map (CSM) to detach 5.57 acres of land from the Roskopf property and attach it to the Phylmack property (J.W. Speaker), and, an application to rezone the 5.57 acres from A-1: Agricultural to M-1: Limited Industrial for possible future expansion of the J.W. Speaker manufacturing facility located at N120 W19434 Freistadt Road.

Property Location: N120 W19434 Freistadt Road
Applicant/
Property Owners: Phylmack LLC Thomas & Joan Roskopf
c/o Richard Donner W200 N12107 Josephine Drive
Reinhart Law Richfield, WI
1000 N. Water Street
Milwaukee, WI

Current Zoning: A-1: Agricultural **Proposed Zoning:** M-1: Limited Industrial

Adjacent Land Uses		Zoning
North	Agricultural	A-1
South	Industrial	M-1
East	Industrial	M-1
West	Agricultural	A-1



Proposal/Background

Phylmack LLC, property owner and agent for Thomas & Joan Roskopf, property owners, has submitted a 2-lot certified survey map (CSM) to detach 5.57 acres of land from the Roskopf property and attach it to the Phylmack property (J.W. Speaker). The proposal also includes an application to rezone the 5.57 acres from A-1: Agricultural to M-1: Limited Industrial to accommodate the possible future expansion of the J.W. Speaker manufacturing facility located at N120 W19434 Freistadt Road.

Founded in 1935, the J.W. Speaker Corporation designs, manufactures and assembles innovative, high-performance vehicular lighting products for OEM and aftermarket customers around the world. Speaker specializes in LED & other lighting technologies. The existing 162,000 sqft Freistadt Road facility was constructed in 2007-08 with plans for future expansion on the west side of the building.

Staff CommentsConsistency with Village's Land Use Plan.

The 2020 Land Use Plan map classifies both the Roskopf and Phylmack LLC properties as "Industrial/Office". The proposed M-1 rezoning for the 5.57-acre area is consistent with the 2020 Land Use Plan. The 47.4-acre Roskopf parcel (Lot 1 of the proposed CSM) will remain in the A-1: Agricultural Zoning District unless/until subsequent rezoning and development plans are submitted to the Village.

Conformance with Zoning District & Subdivision Requirements.

The proposed land division will not create any compliance issues for the Roskopf or Phylmack LLC parcels; both will continue to meet the A-1 and M-1 Zoning Districts, respectively.

Soil evaluations for the 5.57-acre area have not been prepared given the intent to simply attach the area to the existing Phylmack LLC parcel (Lot 2 of the proposed CSM). Because Lot 1 is not intended for any further development at this time, soil evaluations are not required (there is an existing dwelling and functioning POWTS on the Roskopf parcel).

As shown on the CSM, portions of the 5.57-acre area lie within wetland and 100-year floodplain associated with the West Branch of the Menomonee River that runs east-west through the property to the south. At this time, no development is proposed in/near those environmentally-sensitive areas.

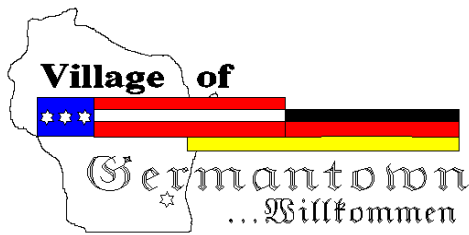
The Village Surveyor has identified a few technical corrections in a May 24, 2016 memo (copy attached) that will need to be addressed prior to recording the CSM.

Village Planner Recommendation

APPROVE the proposed rezoning of the 5.57-acre area from A-1: Agricultural to M-1: Limited Industrial;

APPROVE the proposed 2-lot Certified Survey Map (CSM) for the Roskopf and Phylmack LLC parcels as drafted subject to the following conditions:

1. All technical corrections identified in the Village Surveyor's May 24, 2016 memo shall be addressed prior to recording the CSM;



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: May 24, 2016

Re: Speaker CSM

Jeff,

Here are my review comments for the CSM received 5-6-2016.

Certified Survey Map

Applicant or Owner: Speaker

Land Surveyor/Firm: Don Chaput, PLS, Chaput Land Surveying

Current Zoning **New Zoning: No rezoning required**

1. There is a gap in deeds between the exterior of the CSM and the adjoining subdivision plat. The amount of the gap is not shown on the map. Are the owners working to resolve the gap issue and claim the gap area as part of their property?
2. 25' wetland setback line is missing on Sheet 2.
3. No building setback line shown for either Lot 1 or Lot 2
4. No soil boring shown on proposed Lot 1.
5. No soil boring report provided.
6. **Mortgagee's Certificate** (Required if land is mortgaged)
 - ☐ Complete statements per Chapter 236.21(2)(a)
 - ☐ Lending institution name, signature of bank officer and date.
 - ☐ Notary statement, seal, signature and date.

The mortgage certificate requirement is waived if owner can provide written proof of ownership that the property is free of mortgage from the lending institution.

No further review comments.

Document Submittals and Data Conversion

As of October, 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

May 24, 2016

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2013 via email to the Village Surveyor.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

The model space of the drawing will be done in Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) and the Grid Bearing basis.

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.



Village of



Fee must accompany application

☒ \$2,900 with public improvements

☐ \$1,960 no public improvements

Paid _____ Date _____

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

Phylmack LLC

c/o Richard Donner, Reinhart Law

1000 N. Water Street, Suite 1700

Milwaukee, WI 53202

Phone (414) 298-8169

Fax (414) 298-8097

E-Mail rdonner@reinhartlaw.com

PROPERTY OWNER

Thomas Roskopf

Jane F. Roskopf

W200N12107 Josephine Drive

Richfield, WI 53076

Phone ()

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2 Land along Freistadt Road

GTNV173999 & GTNV174988

3 PURPOSE OF LAND SPLIT

To divide GRNV173999 and combine with GTNV174988

Will the land split require rezoning?

Yes

From A-1

To M-1

4 READ AND INITIAL THE FOLLOWING:

X I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

X I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

X I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

X I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5 SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Anthony J. Seiber 5/6/16
Applicant Date

Thomas Roskopf 5-5-2016
Owner Date



Fee must accompany application

\$1085 Paid _____ Date _____
\$200 Plan Commission Consultation

APPLICATION TO REZONE PROPERTY

Pursuant to Section 17.51 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1

APPLICANT OR AGENT

Phylmack LLC
c/o Richard Donner, Reinhart Law
1000 N. Water Street, Suite 1700
Milwaukee, WI 53202
Phone (414) 298-8169
Fax (414) 298-8097
E-Mail rdonner@reinhartlaw.com

PROPERTY OWNER

Thomas Roskopf
Jane F. Roskopf
W200N12107 Josephine Drive
Richfield, WI 53076
Phone ()

2

PROPERTY ADDRESS OR GENERAL LOCATION

Land along Freistadt Road, see Exhibit A

TAX KEY NUMBER

Portion of GTNV 173999

3

REZONING REQUEST

FROM
A-1

TO
M-1

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

Please see Exhibit A.

4

PURPOSE OF REZONING REQUEST

Briefly describe why the applicant is rezoning the property. Include a description of the proposed use, including any new construction and number of employees, if applicable.

Pursuant to a CSM being submitted simultaneously with this application, the Property will be combined with Parcel GTNV_174988, located immediately adjacent to the Property's eastern border. The Property is being rezoned to match the zoning of Parcel GTNV_174988. The Property is being purchased as a potential expansion site for the existing JW Speaker Corp. facility.

5

SUPPORTING DOCUMENTATION:

- ☐ Plat of Survey (1:100)
- ☐ Site Plan and elevations for new construction (can be conceptual)
- ☒ ALTA Survey
- ☐

6

READ AND INITIAL THE FOLLOWING:

- ☒ I understand that the Village is under no obligation to rezone property and that density and lot coverages provided in the Zoning Code are maximums. Actual build out will depend on myriad factors including topography and other natural conditions, surrounding neighborhood context and the detailed design of a project.
- ☒ I understand that Village Staff, Plan Commission and/or Village Board may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.
- ☒ I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

7

SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Timothy J. Speaker 5/6/16
Applicant Date

Thomas Rodoff 5-5-2016
Owner Date

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

- Indicates found 1/2" rebar
- Indicates found 1" iron pipe.
- Indicates set 1.315" O.D. iron pipe 18" in length, weighing 1.68 lbs. per lineal foot.
- ⓓ Indicates land dedicated to the Village of Germantown for Public Road Purposes.

Note: See sheet 2 for Wetlands Boundary & Zoning Setback lines.

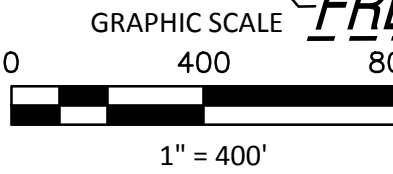
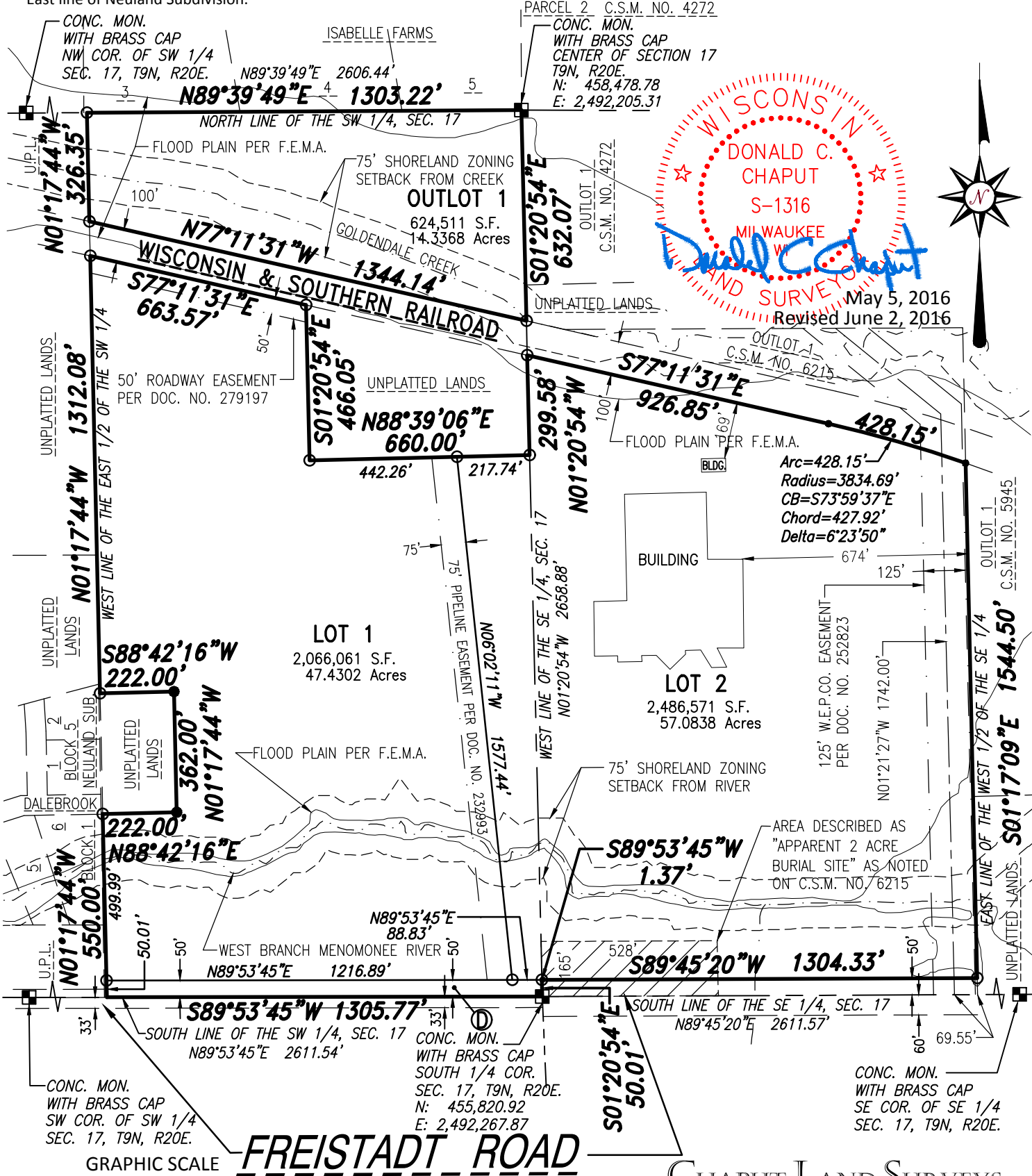
Note: There is a gap in legal descriptions between the West line of this map and the East line of Neuland Subdivision.

Subdivider: (Lot 2)
Phylmack LLC
P.O. Box 1011
Germantown, WI 53022

Subdivider: (Lot 1 & Outlot 1)
Thomas Roskopf
Joan F. Roskopf
W200N12107 Josephine Dr.
Richfield, WI 53076

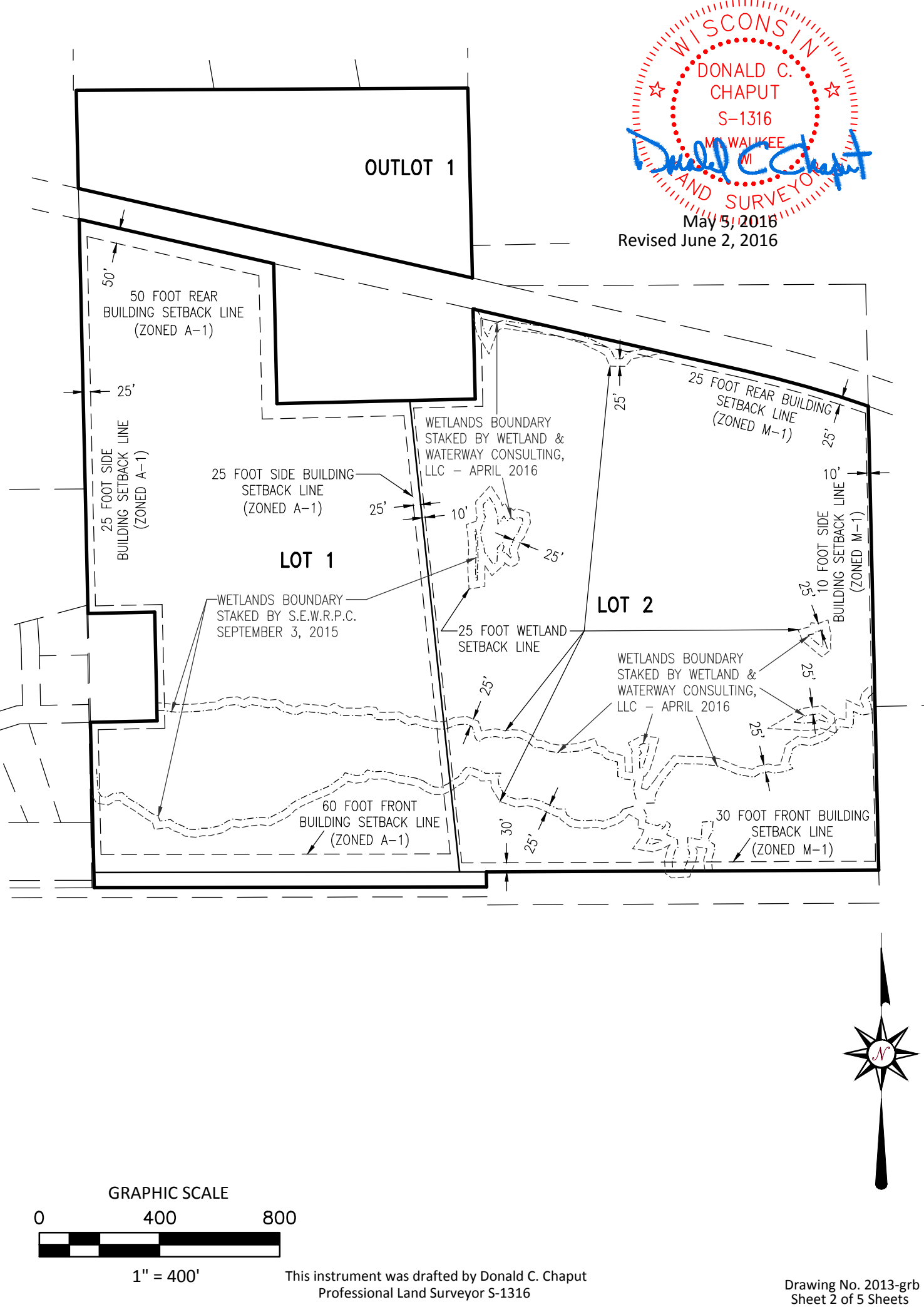
Note: Outlot 1 ownership must remain with the owner of Lot 1 or an adjacent property until such time that access is provided.

Bearings are referenced to grid North of the Wisconsin State Plane Coordinate System (South Zone) NAD 27, in which the West line of the Southeast 1/4 of Section 17, bears N01°20'54"W.



CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}
:SS
MILWAUKEE COUNTY}

I, DONALD C. CHAPUT, a Professional land surveyor, do hereby certify:

THAT I have survey, divided and mapped a redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

BEGINNING at the South 1/4 corner of said Section; thence South 89°53'45" West along the South line of the Southwest 1/4 of said Section 1305.77 feet to a point on the West line of the East 1/2 of the Southwest 1/4 of Section 17; thence North 01°17'44" West along said West line 550.00 feet to a point; thence North 88°42'16" East 222.00 feet to a point; thence North 01°17'44" West 362.00 feet to a point; thence South 88°42'16" West 222.00 feet to a point on the West line of the East 1/2 of the Southwest 1/4 of Section 17; thence North 01°17'44" West along said West line 1312.08 feet to a point on the South line of the Wisconsin & Southern Railroad lands; thence South 77°11'31" East along said South line 663.57 feet to a point; thence South 01°20'54" East 466.05 feet to a point; thence North 88°39'06" East 660.00 feet to a point on the West line of the Southeast 1/4; thence North 01°20'54" West along said West line 299.58 feet to a point on the South line of the Wisconsin & Southern Railroad lands; thence South 77°11'31" East along said South line 926.85 feet to a point; thence Southeasterly 428.15 feet along said South line and arc of a curve, whose center lies to the Southwest, whose radius is 3834.69 feet and whose chord bears South 73°59'37" East 427.92 feet to a point on the East line of the West 1/2 of the Southeast 1/4 of Section 17; thence South 01°17'09" East along said East line 1544.50 feet to a point on the North line of Freistadt Road; thence South 89°45'20" West along said North line 1304.33 feet to a point; thence South 89°53'45" West along said North line 1.37 feet to a point on the West line of the Southeast 1/4 of Section 17; thence South 01°20'54" East along said West line 50.01 feet to the point of beginning.

TOGETHER WITH:

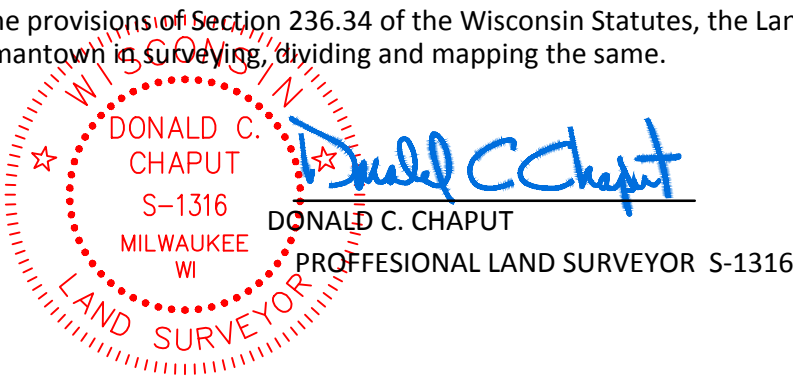
COMMENCING at the South 1/4 corner of said Section; thence North 01°20'54" West along the West line of the Southeast 1/4 of Section 17 a distance of 2658.88 feet to a point marking the Center of Section 17 and the point of beginning of the lands herein to be described; thence South 01°20'54" East along said West line 632.07 feet to a point on the North line of the Wisconsin & Southern Railroad lands; thence North 77°11'31" West along said North line 1344.14 feet to a point on the West line of the East 1/2 of the Southwest 1/4 of Section 17; thence North 01°17'44" West along said West line 326.35 feet to a point on the North line of the Southwest 1/4 of Section 17; thence North 89°39'49" East along said North line 1303.22 feet to the point of beginning.

Containing 5,242,430 square feet or 120.3496 acres of land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the Village of Germantown in surveying, dividing and mapping the same.

DATE: May 5, 2016
Revised June 2, 2016



CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

OWNER'S CERTIFICATE

Thomas Roskopf and Joan F. Roskopf, as owner of Lot 1 and Outlot 1, hereby certify that we caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the Village of Germantown in surveying, dividing and mapping the same. As owners, we hereby dedicate that part of Freistadt Road to the Village of Germantown for public road purposes as represented on Sheet 1 of 4 of this Certified Survey Map.

Thomas Roskopf

Joan F. Roskopf

STATE OF WISCONSIN}

:SS

COUNTY}

Personally came before me this ____ day of _____, 2016, the above named _____, to me known as the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My commission expires.

My commission is permanent.

OWNER'S CERTIFICATE

Phylmack LLC, as owner of Lot 2, hereby certify that we caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Section 236.34 of the Wisconsin Statutes, the Land Division Ordinance of the Village of Germantown in surveying, dividing and mapping the same.

STATE OF WISCONSIN}

:SS

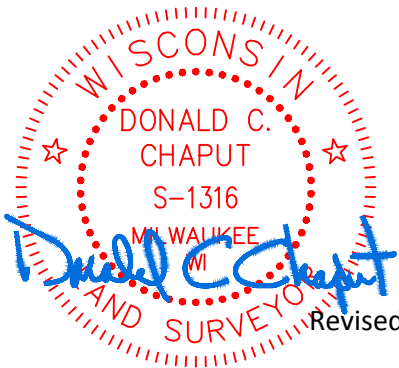
COUNTY}

Personally came before me this ____ day of _____, 2016, the above named _____, to me known as the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My commission expires.

My commission is permanent.



May 5, 2016

Revised June 2, 2016

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

CHAPUT LAND SURVEYS LLC

234 W. FLORIDA STREET

MILWAUKEE, WI 53204

414-224-8068

www.chaputlandsurveys.com

Drawing No. 2013-grb
Sheet 4 of 5 Sheets

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 in Certified Survey Map No. 6215 and lands being part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this _____ day of _____, 2016.

Dean Wolter, Chairperson

Date

Laura A. Johnson, Secretary

Date

VILLAGE BOARD APPROVAL

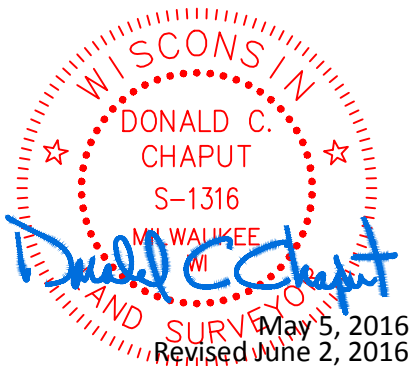
This Certified Survey Map, being a division of part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4, and part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 all in Section 17, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin is approved and the dedication of that part of Freistadt Road for public road purposes as shown on sheet 1 of 4 hereby accepted by the Village Board of Trustees of the Village of Germantown on this ____ day of _____, 2016.

Dean Wolter, Village President

Date

Barbara K. D. Goeckner , Village Clerk

Date

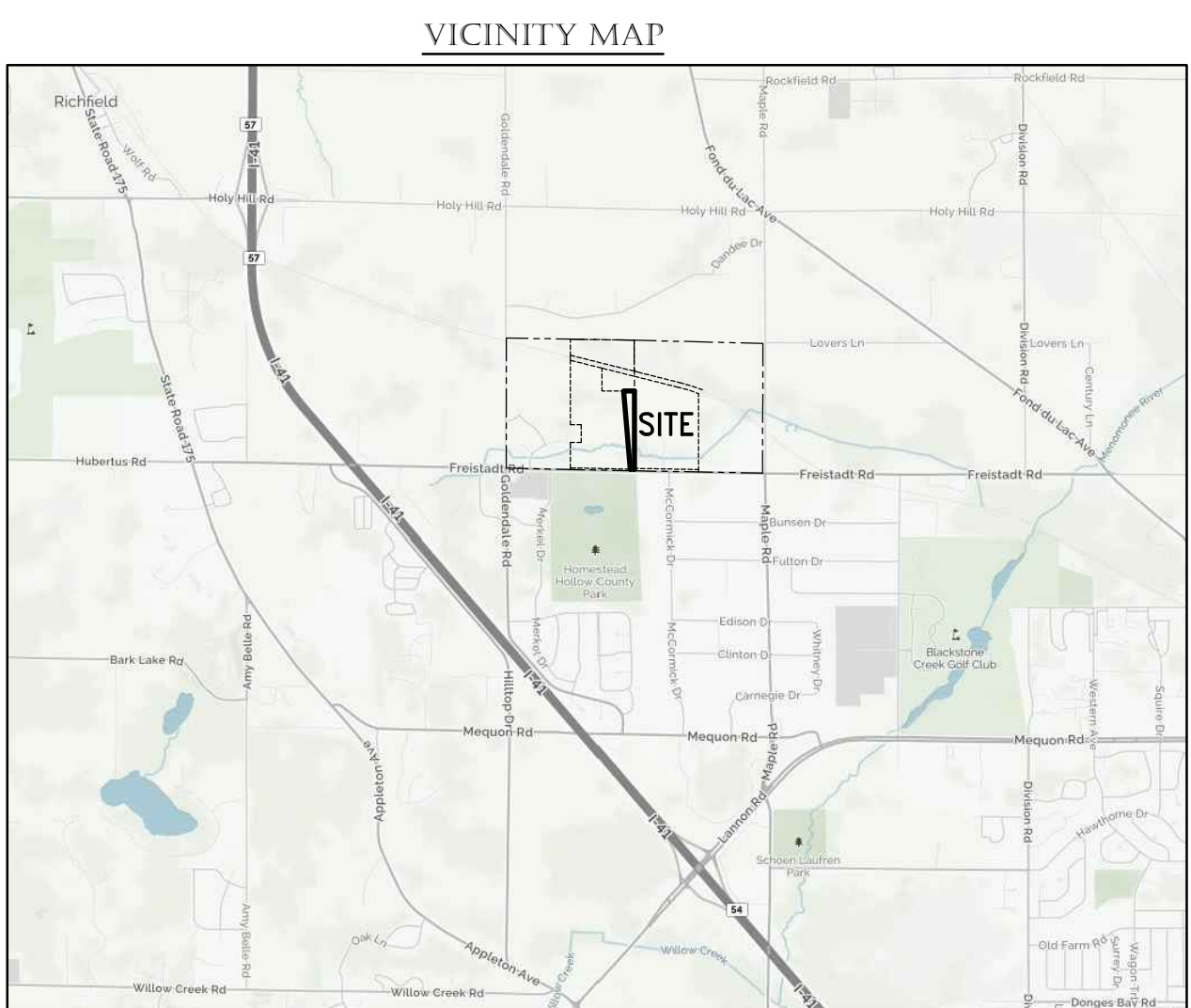


This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

CHAPUT LAND SURVEYS LLC
234 W. FLORIDA STREET
MILWAUKEE, WI 53204
414-224-8068
www.chaputlandsurveys.com
Drawing No. 2013-grb
Sheet 5 of 5 Sheets

CHAPUT LAND SURVEYS, LLC

6(b). A zoning report has not been provided.



7, 2016.



Donald C. Chaput
Professional Land Surveyor
Registration Number S-1316

Drawing No. 2013-grb

SITE PLAN REVIEW

6/13/16 Plan Commission Meeting

Hilltop Highlands Mobile Home Park / Ravinia Communities

Village Planner Report

Germantown, Wisconsin

Summary

Herb Wolf, agent for Ravinia Communities, owner of the Hilltop Highlands mobile home park community, is seeking approval of a revised site plan in order to realign/reorient six (6) existing mobile home sites within the mobile home park located on Hilltop Drive south of Freistadt Road.

Property Location: Hilltop Drive (1/4 mile south of Freistadt Road)

Applicant/

Property Owners:

Herb Wolf
Wolf & Associates
1156 Auburn Road
West Bend, WI

Ravinia Communities
Brookside NHP LLC
400 Skokie Blvd Suite 800
Northbrook, IL

Current Zoning: MHP: Mobile Home Park

Adjacent Land Uses		Zoning
North	Residential	MHP
South	Residential	MHP/Rs-3/PDD
East	US41	n/a
West	Industrial/Mineral Extraction	M-4



Proposal/History

In 2011, the Village approved a revised site plan adding twenty-one (21) mobile home sites to the existing (86) sites in the 30.9-acre mobile home park located on Hilltop Drive south of Freistadt Road. The additional sites are located in various locations throughout the existing park on land previously used for the old mound-type septic systems prior to the park being connected into the Village's public sanitary system in 2008. Laterals to each of the (21) proposed sites were installed in 2008 when the internal sanitary collection system was installed.

At this time, Herb Wolf, agent for Ravinia Communities, new owner of the Hilltop Highlands and Brookside Meadows mobile home park communities, is seeking approval of a revised site plan in order to realign/reorient six (6) existing mobile home sites within the mobile home park located on Hilltop Drive south of Freistadt Road. As discussed in the project summary (dated May 11), realignment is proposed in order that installation of the homes is easier given the existing topography and to enhance the mobile home park entrance.

As shown in the enclosed lot maps, the proposed realignment essentially turns the sites (Site #87 through #94) from an existing east-west orientation to a north-south orientation within the same area.

Staff Analysis

Staff supports the proposed realignment.

NOTE: The following additional background information is taken from the 2011 staff report when the additional lots were created:

The Hilltop Highlands Mobile Home Park development was originally approved for 86 sites in 1984. In 1985, the original conditional use permit was amended (see CUP No. 5-85 attached) to include specific requirements for accessory buildings. In 1988 the 30.9-acre park was rezoned into the (then) newly created MHP: Mobile Home Park Zoning District as part of the overall comprehensive zoning code changes approved by the Village Board at that time. Consequently, the use and expansion and/or redevelopment of the park are required to meet the minimum requirements in the MHP District (where the original CUP no longer applies). A copy of the MHP District regulations is attached. For this reason, the proposed expansion requires site plan review and action by the Plan Commission only; no review or action by the Village Board is required (a September 7, 2010 legal opinion by Village Attorney John Destefanis addressing this issue is attached).

As indicated above, the original site plan (submitted as part of the conditional use permit) was approved for a total of 86 mobile home dwelling sites at a gross density of approximately 2.8 dwellings per acre. While the MHP District does not include a prescribed maximum density, the Village's 2020 Land Use Plan classifies the Hilltop Highlands Mobile Home Park in the "Medium Density Residential" classification with a

maximum gross density of 4.0 units per acre. The additional (21) sites increases the total to (107) sites with a density of approximately 3.5 units per acre; less than the maximum density prescribed under the 2020 Land Use Plan.

As required by the MHP: Mobile Home Park Zoning District regulations, additional parking spaces have been provided. Each of the (21) sites has been designed to accommodate 2 parking stalls per space, and, a total of 29 "visitor" stalls are provided (exceeding the minimum requirement of 1 stall per 5 mobile home spaces).

Existing landscaping of the parks open space areas meets the minimum requirements, including the existing berming installed along Hilltop Drive. Landscaping of each individual space will be provided (and inspected for compliance) at the time the dwelling unit is installed. As presented in the site plan, all setback, yard, open space, and recreation area requirements will be met.

The additional impervious areas will not exceed the threshold for requiring stormwater management. The Village Engineer has reviewed a sanitary sewer capacity analysis prepared by the owner and has concluded that adequate capacity exists to handle the additional loading expected by an additional (21) mobile home dwellings.

Village Planner Recommendation

APPROVE a revised site development plan for the Hilltop Highlands Mobile Home Park that realigns six (6) sites (#87 through #94) as shown in the plan maps dated May 10, 2016.



Fee must accompany application

- ☒ \$700 Minor Addition
☐ \$1,240 Construction <10,000 SF
☐ \$2,095 Construction 10,000 SF to 50,000
☐ \$3,460 Industrial Construction >50,000 SF
☐ \$3,460 Commercial Construction >50,000
☐ \$200 Plan Commission Consultation
☐ \$125 Fire Department Plan Review

PAID HM DATE 5.10.16

SITE PLAN REVIEW APPLICATION

Pursuant to Section 17.43 of the Municipal Code

Please read and complete this application carefully. All applications must be signed and dated.

1 APPLICANT OR AGENT

Herb Wolf + Assoc LLC
1156 Auburn Rd
West Bend, WI 53090

Phone (414) 801-8842
E-Mail herbwolf66@gmail.com

PROPERTY OWNER

Ravinia Communities
Corporate: 400 Skokie Blvd Suite 800
Northbrook IL 60062
Brookside MHP LLC
1010 N1785 Hilltop Drive Germantown
WI 53022
Phone (414) 551-3837
E-Mail JBaron@Raviniacommunities.com

2 PROPERTY ADDRESS

See attached

3 NEIGHBORING USES – Specify name and type of use, e.g. Enviro Tech – Industrial, Smith – Residential, etc.

North	South	East	West
<u>Mfg Housing</u>	<u>Mfg Housing</u>	<u>Open Space</u>	<u>Mfg Housing</u>

4 READ AND INITIAL THE FOLLOWING:

- HFW I am aware of the Village of Germantown ordinance requiring fire sprinklers in most new construction.
- HFW I understand that all new development is subject to Impact and/or Connection Fees that must be paid before building permits will be issued.
- HFW I understand that an incomplete application will be withdrawn from the Plan Commission agenda and that all resubmissions to the Plan Commission are subject to a new application fee.

5 SIGNATURES – ALL APPLICATION MUST BE SIGNED BY OWNER!

Herb Wolf 5/9/16
Applicant Date

J. Baron 5/9/16
Owner Date

**BROOKSIDE MHP LLC
HILLTOP HIGHLANDS
LOT NUMBERS & ASSIGNED ADDRESSES
MAY 9, 2016**

**LOT 87 N117 W20925 MARLETTE DRIVE
LOT 88 W209 N11681 HILLTOP CIRCLE
LOT 89 W209 N11673 HILLTOP CIRCLE
LOT 90 N116 W20944 BRYNWOOD LANE
LOT 91 W209 N11657 HILLTOP CIRCLE
LOT 92 W209 N11647 HILLTOP CIRCLE
LOT 93 N116 W20978 HILLTOP CIRCLE
LOT 94 N116 W20983 BRYNWOOD LANE**



hfw

**RAVINIA COMMUNITIES
BROOKSIDE MHP LLC
GERMANTOWN PROPERTIES
MAY 11, 2016**

As you may already know the Hilltop Highlands and Brookside Meadows Mobile Home Park Communities were sold by Asset Development Group to Ravinia Communities on April 19, 2016. As part of their effort to improve the community visibility and appeal to neighboring areas, the new owners request that the Village Staff and subsequently the Planning Commission approve their request for a realignment of the first six lots as you enter into the communities at its primary southern entrance from Hilltop Drive onto Hilltop Circle. The Village originally approved these lots after the communities were connected to the municipal sewer in 2011. The proposed realignment will help accomplish several things.

First, it will present an enhanced entrance into the communities with the new office/model and new landscaping features.

Second, it will assist visitors and buyers orient themselves to the community's numerous areas of interest including the location of models and other homes for sale.

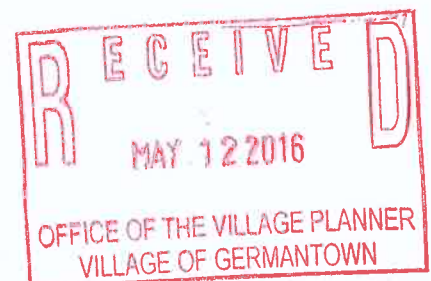
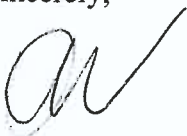
Third, it will help reduce the disruption of topography as new homes are located on the lots and blend in easier with the existing adjacent lots and homes.

Fourth, it will retain the same number of lots and homes as were originally approved with improved eye appeal.

Thank you for the opportunity to present our proposed revised layout for these six lots. We appreciate your consideration as you review our request to enhance the quality of this development within your Village community and its image to those traveling by it on Hilltop Drive and I-41/45.

If you have questions as you proceed with your review, please contact Herb Wolf or Joshua Barron. Both of them will also be present during the Planning Commission meeting to answer any questions you may have at that time.

Sincerely,



RECEIVED
MAY 10 2016
OFFICE OF THE VILLAGE PLANNER
VILLAGE OF GERMANTOWN

SITE PLAN

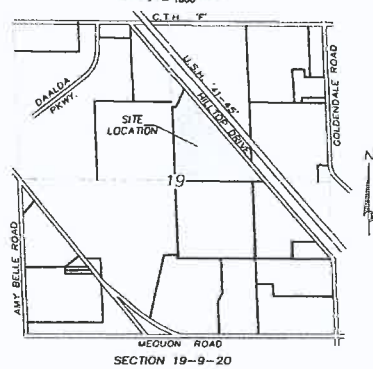
LOCATED IN:
THE N.W. 1/4, S.W. 1/4, AND S.E. 1/4 OF THE N.E. 1/4
SECTION 19, TOWNSHIP 9 NORTH, RANGE 19 EAST,
VILLAGE OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



HILLTOP ASSOCIATES, LLC
8050 NORTH FORT WASHINGTON ROAD
MILWAUKEE, WI.
53217

BAUDHUIN INCORPORATED
55 S. 3RD AVENUE
P.O. BOX 105
STURGEON BAY, WI 54235

LOCATION MAP



PROPERTY LOTS

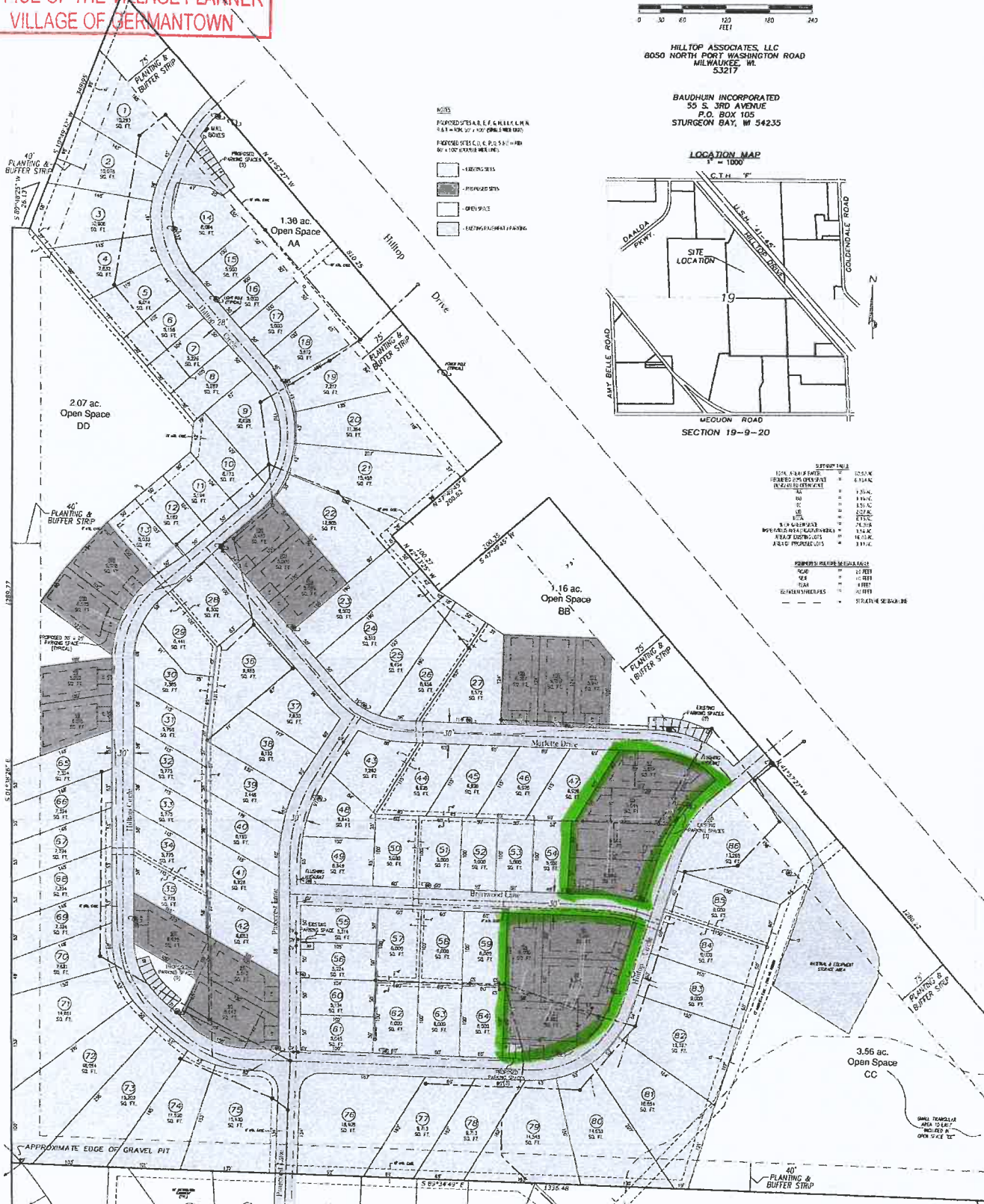
1.30 ac. Open Space AA	1.16 ac. Open Space BB	3.56 ac. Open Space CC
2.07 ac. Open Space DD		

PROPOSED LOT SIZES

1.30 ac. Open Space AA	1.16 ac. Open Space BB	3.56 ac. Open Space CC
2.07 ac. Open Space DD		

PROPOSED LOT SIZES

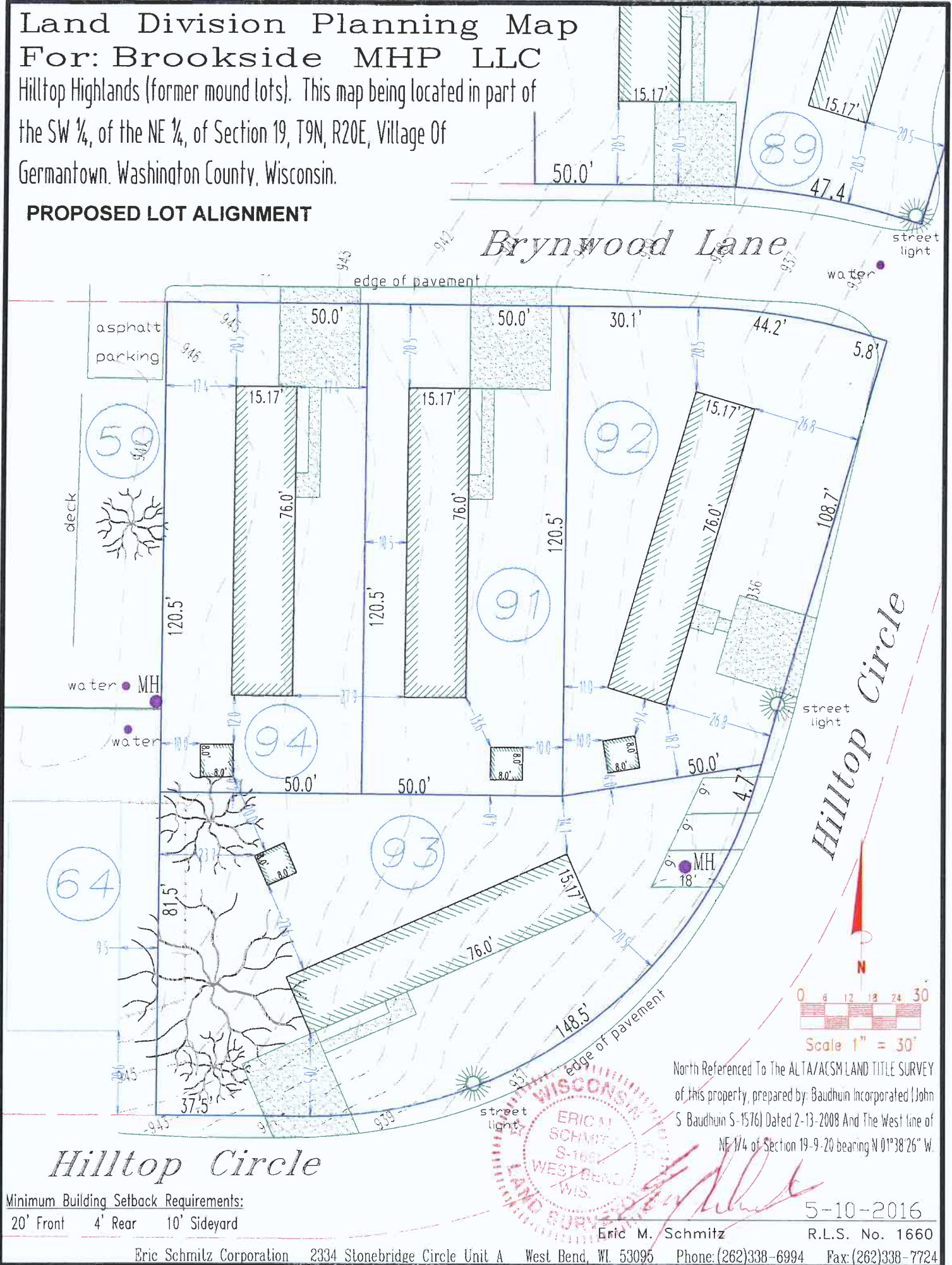
1.30 ac. Open Space AA	1.16 ac. Open Space BB	3.56 ac. Open Space CC
2.07 ac. Open Space DD		



Land Division Planning Map For: Brookside MHP LLC

Hilltop Highlands (former mound lots). This map being located in part of the SW 1/4, of the NE 1/4, of Section 19, T9N, R20E, Village Of Germantown, Washington County, Wisconsin.

PROPOSED LOT ALIGNMENT



Minimum Building Setback Requirements:

20' Front 4' Rear 10' Sideyard

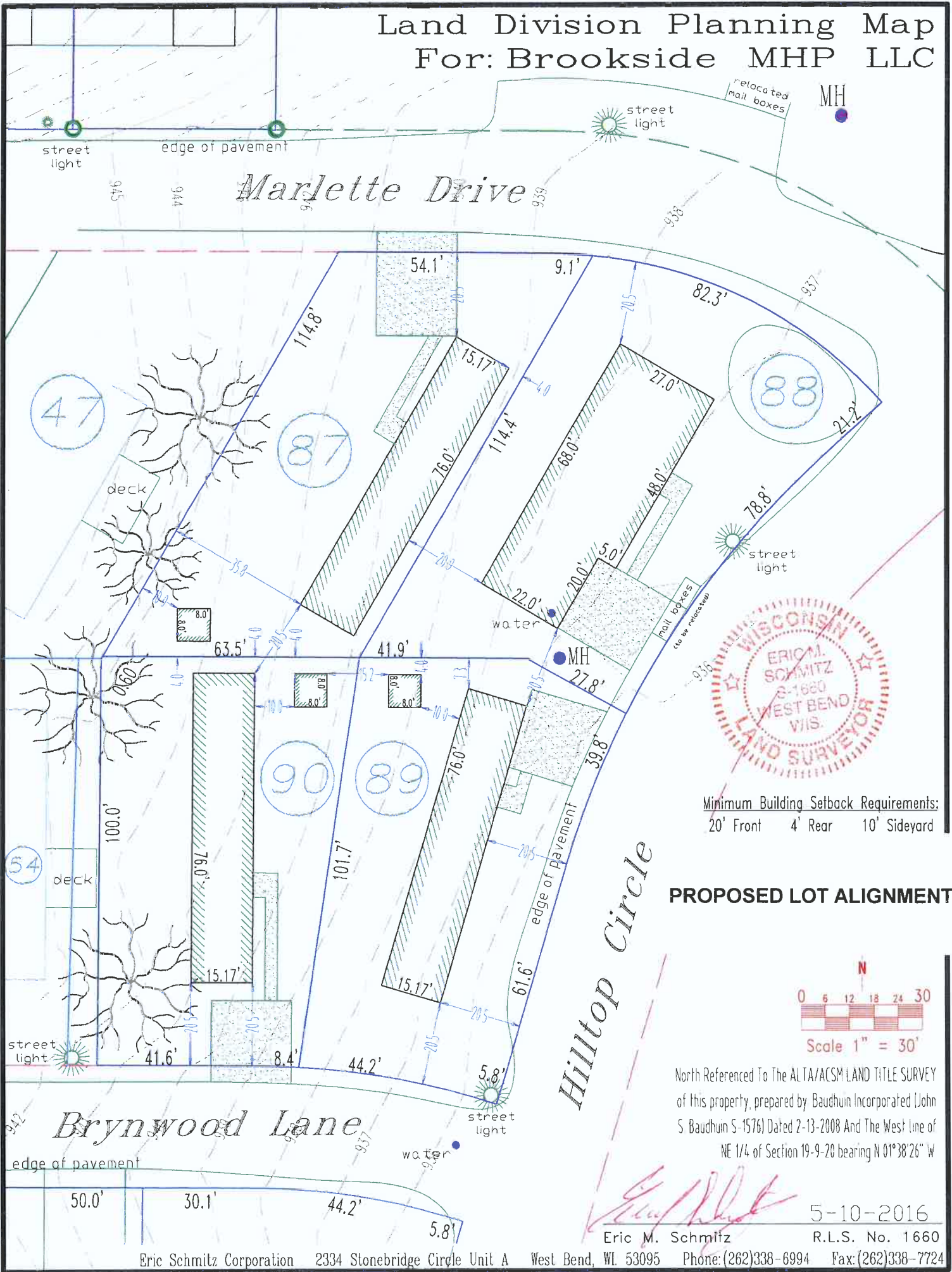
North Referenced To The ALTA/ACSM LAND TITLE SURVEY of this property, prepared by: Baudhuin Incorporated (John S Baudhuin S-1576) Dated 2-13-2008 And The West line of NE 1/4 of Section 19-9-20 bearing N 01°38'26" W.

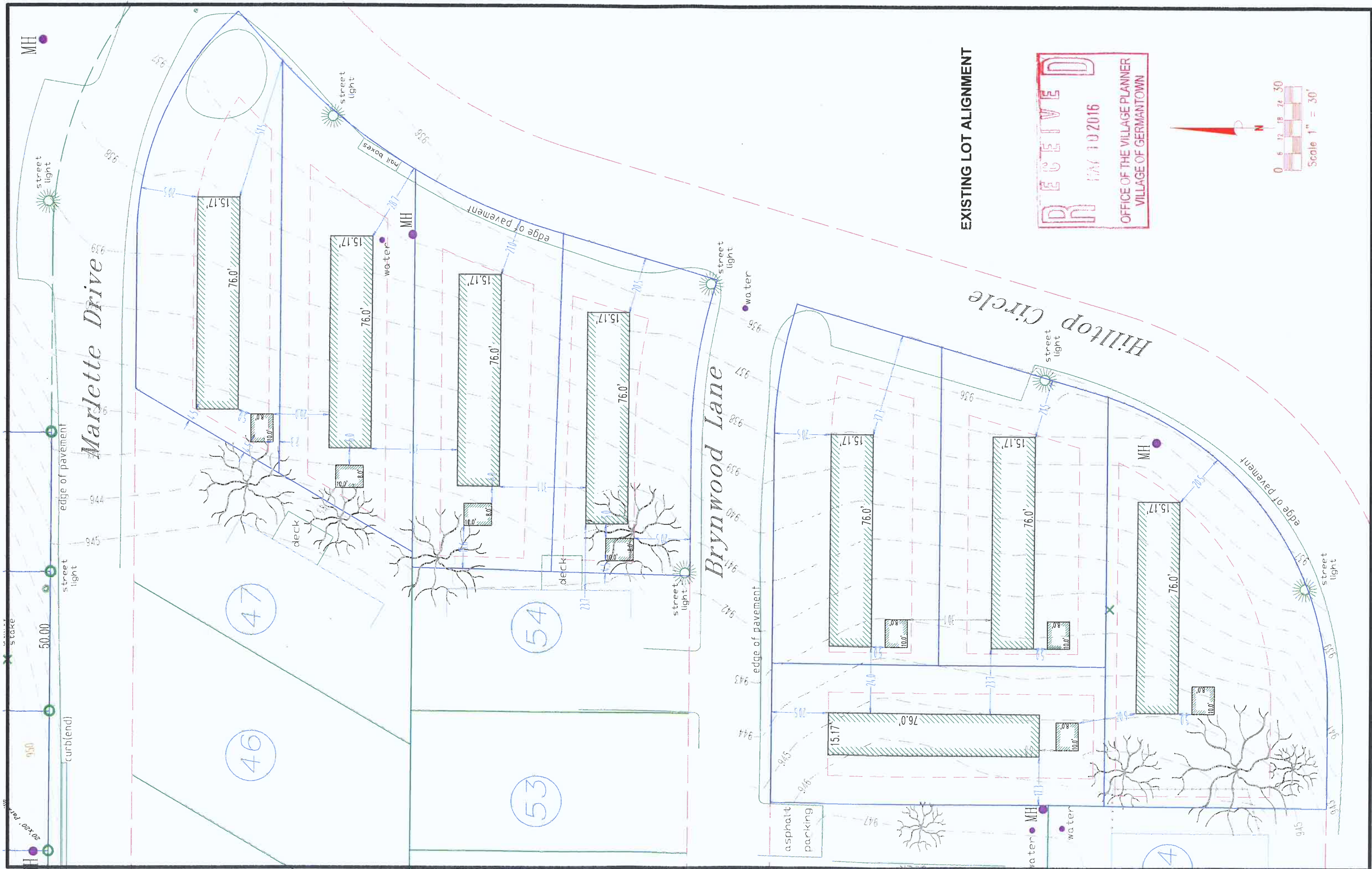
5-10-2016

R.L.S. No. 1660

Eric M. Schmitz

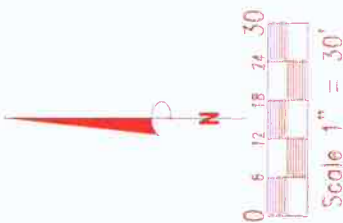
Land Division Planning Map For: Brookside MHP LLC





EXISTING LOT ALIGNMENT

RECEIVED
MAY 10 2016
OFFICE OF THE VILLAGE PLANNER
VILLAGE OF GERMANTOWN



PLANNED DEVELOPMENT DISTRICT (PDD) AMENDMENT & CERTIFIED SURVEY MAP (CSM)

6/13/16 Plan Commission Meeting

S **Perspective Design Inc. / Compass Properties Germantown LLC**

Village Planner Report

Germantown, Wisconsin

Summary

Perspective Design Inc., agent for Compass Property Management LLC, agent for Compass Properties Germantown LLC, property owner of a 4.6-acre parcel located in the Germantown Marketplace II Planned Development District (PDD) and existing commercial retail center located on Mequon Road, is requesting approval of an amendment to the Planned Development District (PDD) and a 2-lot Certified Survey Map (CSM) application in order to divide the property into two separate parcels.

Location: N.W. corner Mequon Road @ Squire Drive

Applicant/

Property Owner: Peter Ogorek Compass Properties Germantown LLC
Perspective Design 4501 STH 66
11525 W. North Ave Stevens Point, WI
Wauwatosa, WI 53226

Current Zoning: B-2: Community Business/Planned Development District (PDD)

Adjacent Land Uses		Zoning
North	Commercial/Residential	B-1/Rm-2
South	Residential	Rd-2/Rm-2
East	Commercial	B-2
West	Commercial	B-2/PDD



Proposal

Perspective Design Inc., agent for Compass Property Management LLC, agent for Compass Properties Germantown LLC, property owner of a 4.6-acre parcel located in the Germantown Marketplace II Planned Development District (PDD) and existing commercial retail center located on Mequon Road, is requesting approval of an amendment to the Planned Development District (PDD) and a 2-lot Certified Survey Map (CSM) application in order to divide the property into two separate parcels.

The Planned Development District (PDD) zoning designation creates the ability to relax the basic restrictions in the B-2 Zoning District (e.g. setbacks, lot coverage) and other applicable zoning code provisions (e.g. parking and signage).

Certified Survey Map (CSM)

As shown in the preliminary CSM, the owner proposes to divide the 4.6-acre Germantown Marketplace property into two (2) parcels: a 3.05-acre parcel that will contain two existing multi-tenant retail commercial buildings totaling 21,053 sqft and 164 parking stalls (Lot 1); and a 1.55-acre parcel that will contain one existing commercial building totaling 10,400 sqft and 75 parking stalls (Lot 2). Cross-access, parking and utility easements are already in effect with the Life Church parcel to the north and other retail parcels to the east (i.e. Starbucks and Speedway). These easements are necessary in order to maintain the ability for the development of all the parcels to function “as is” with common driveway access, circulation, shared parking, and utility connections.

Planned Development District (PDD)

As reflected in the “draft” resolution amending the adopted conditions and restrictions, the proposed amendment is intended to make the minimum changes necessary to the basic B-2 Zoning District and other applicable zoning restrictions that make up the Germantown Marketplace II District in order to accommodate the creation of the two lots (Lot 1 and Lot 2) and maintain code compliance for the existing development. The proposed amendment affects the following sections in the “draft” resolution:

- Building Bulk Regulations (Section 2)
- Lot Size (Section 3)
- Parking (Section 4)

Staff Comments**Engineering**

The Village Surveyor has also identified one minor technical correction in his May 24, 2016 memo that will need to be addressed prior to recording the CSM.

Planning & Zoning

The proposed land division will not affect the continued operation of the existing retail center as it currently functions. The proposed and previous agreements to allow cross-access to/from and parking on the various parcels will be preserved “as is” and the current/future owners of the parcels cannot/will not have the ability to alter close off access or prohibit patrons from another parcel from parking. The number of parking stalls that are retained for each parcel exceeds the minimum recommended number (1 stall per 200 sqft). Lot 1 has 164 stalls (vs. the minimum recommended 105 stalls) and Lot 2 has 75 stalls (vs. 52 recommended).

One area of concern is preservation of the existing architecture, exterior materials and overall appearance of the buildings. The three existing buildings on the land proposed for division into two lots, as well as one of the two retail buildings lying on the Life Church property to the north, have a “Germanic” theme architecture. The new Life Church facility was allowed to develop with more contemporary architecture and materials. One result of the proposed land division could be the need/desire of a new owner to update or change the architecture or materials to be different than the other buildings. The proposed language in Section 6 of the “draft” resolution is somewhat vague and would allow the architectural design of the buildings to conform to either the existing “Germanic” appearance or the contemporary design and appearance of Life Church. If the Plan Commission agrees with the notion that a buildings architectural design could be either one and effectively defer any decision about future building design or material changes, Section 6 may need to be revised to clearly state that is the case. Otherwise, Section 6 should be revised to require that a buildings architecture and materials be consistent with either the “Germanic” or contemporary design.

Finally, any change or amendment to a pre-existing PDD requires both Plan Commission and Village Board review and approval. As stated in Section 17.27 of the Zoning Code, the overall intent of the Planned Development (PD) overlay District is to *“...permit greater flexibility...more creative design...while providing a higher level of amenities...while providing the Village with assurances that the project will retain the character envisioned at the time of approval”*.

Under the PDD requirements in Section 17.27(9) of the Zoning Code, the Plan Commission is required to determine if a proposed change to a PDD is “minor”, or, if the proposed change is significant enough to “...materially affect the intended design of the project and the impact of the project on neighboring uses”. If the Plan Commission determines that a change is “minor”, then the Plan Commission recommendation can be considered by the Village Board without the need for holding a public hearing. If the PC determines that a proposed change is “substantial”, then a public hearing of the proposal is required to be held before the Village Board renders a decision on the proposed change.

In this case, Staff is of the opinion that the proposed PDD amendments and 2-lot land division is a “minor” change and should not require a public hearing before the Village Board considers the proposal.

VILLAGE PLANNER RECOMMENDATION

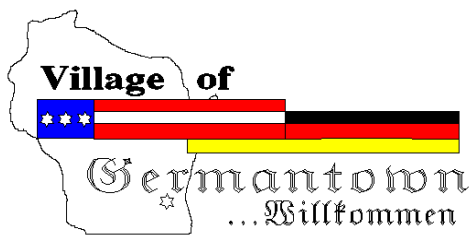
APPROVE the proposed amendment to the Germantown Marketplace II Planned Development District (PDD) subject to the following conditions:

1. The proposed PDD amendment is a “minor” change that does not require a public hearing prior to (or concurrent with) the Village Board’s review and consideration.

VILLAGE PLANNER RECOMMENDATION

APPROVE the proposed Certified Survey Map (CSM) to divide the Germantown Marketplace II property into two (2) parcels as proposed subject to the following conditions:

1. All technical corrections listed in the Village Surveyor's May 24, 2016 review memo shall be reflected in a revised CSM prior to recording the CSM.
2. The declaration of covenants containing the proposed cross-access, cross-parking, storm water, utility and sign easements shall be submitted to and be approved by the Village Attorney prior to recording the CSM.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: May 24, 2016

Re: Compass CSM

Jeff,

Here are my review comments for the CSM received 1-8-2016.

Certified Survey Map

Applicant or Owner: Tyler Noel

Land Surveyor/Firm: Bill Henrichs, PLS, DaaR Engineering

Current Zoning New Zoning:

1. Building setback line missing along the north line of Lots 1 and 2

No further review comments.

Document Submittals and Data Conversion

As of October, 2005, the Village of Germantown requires a digital copy of all Certified Survey Maps, Condominium Plats and Subdivision Plats in addition to the documents as required by Wisconsin Statute and Village Ordinances as part of the land division approval.

Prior to Recording the Certified Survey Map, the professional land surveyor is responsible for submitting a copy of the AutoCad drawing file (.dwg) of the document in version 2007 on compact disk (CD) or via email to the Village Surveyor.

All digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

The model space of the drawing will be done in Wisconsin State Plane Coordinate System, South Zone (NAD 1927 datum) and the Grid Bearing basis.

Prior to Recording the Certified Survey Map, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map. All boundary corners are to be clearly marked in the field by the professional land surveyor of record.



Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid _____ Date _____

CERTIFIED SURVEY MAP APPLICATION

Pursuant to Section 18.06 of the Municipal Code

Please read and complete this application carefully. **All applications must be signed and dated.**

1 APPLICANT OR AGENT

Compass Properties Germantown, LLC

by Compass Property Management, LLC

4501 State Hwy 66

Stevens Point, WI 54482

Phone (414) 765-0305

Fax (414) 273-4339

E-Mail sheldon@compassproperties.com

PROPERTY OWNER

Compass Properties Germantown Marketplace, LLC

4501 State Hwy 66

Stevens Point, WI 54482

Phone (414) 765-0305

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

North West Corner - Intersection of Mequon Road and Squire Drive

GTNV_223851

3

PURPOSE OF LAND SPLIT

For sale of one of the three buildings in our parcel.

Will the land split require rezoning?

PDD Amendment

From

To

4

READ AND INITIAL THE FOLLOWING:

SD I understand that the Certified Survey Map is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.

SD I understand that the Map will not be placed on the Village Board agenda until all the technical corrections to the CSM are made, the payment of any outstanding impact fees are paid to the Village Clerk's Department, and the original signed and stamped copy of the Map is submitted on the proper paper.

SD I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.

SD I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.

5

SIGNATURES -- ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Sheldon
Applicant

5/6/2016
Date

Sheldon
Owner

5/6/2016
Date

Village of



Germantown

Willkommen

Fee Must Accompany Application

☒ \$820 Paid _____ Date _____

☐ \$200 PC Consultation Only
Paid _____ Date _____

PLANNED DEVELOPMENT DISTRICT (PDD) AMENDMENT APPLICATION

Applications NOT signed by the Property Owner(s) will not be accepted. Attach additional sheets and/or include supplemental information in support of your application.

APPLICANT OR AGENT:

Compass Properties Germantown, LLC

By Compass Property Management, LLC

Address: 4501 State Hwy 66
Stevens Point, WI 54482

Phone: 414-765-0305

FAX: 414-273-4339

E-Mail: sheldon@compassproperties.com

PROPERTY OWNER(S):

Compass Properties Germantown, LLC

Address: 4501 State Hwy 66
Stevens Point, WI 54482

Phone: 414-765-0305

FAX: 414-273-4339

E-Mail: _____

PDD Name & Resolution No.:

Germantown Marketplace II

Legal Description of Property or Area (metes and bounds description):

Attach separate legal description if necessary

See attached CSM

Check all that apply:

- ☐ REQUEST TO AMEND PDD ZONING
- ☒ REQUEST TO AMEND PDD GENERAL DEVELOPMENT PLAN
- ☒ REQUEST TO AMEND PDD CONDITIONS & RESTRICTIONS

List of Proposed Amendment(s) (include Resolution # and Condition #):

Attach Revised Plan(s) or Separate Pages as Necessary

Refer to DRAFT Amendment to Resolution

Detailed Explanation and Justification for Proposed Amendment(s):

Attach Revised Plan(s) or Separate Pages as Necessary

To accommodate CSM land division

All Amendment Applications:

- ☐ Complete Application Form (Affidavit of Understanding and signatures required)
- ☐ Application Fee
- ☐ Detailed explanation of and justification for proposed amendment(s)
- ☐ Detailed explanation of if and how the proposed amendment(s) will affect other aspects of the development included within the PDD

- ☐ Legal Description of the land subject of map amendment in electronic/digital file format (e.g. Microsoft Word)
- ☐ Revised or New General Development Plan at a scale of 1" = 50' or other suitable scale necessary to accurately present:
 - o Exterior boundary of the land subject of the map amendment
 - o All existing and/or proposed features to be included in the development

Please read and indicate that you understand and agree to the following (initials in box):

-  I understand that Village Staff, the Plan Commission and/or the Village Board may request additional information to properly evaluate this application and failure to provide such information may be sufficient justification to deny this application;
-  I understand that, regardless of the justification and/or information provided in support of my application, the Village is not obligated to approve my application nor amend the PDD as requested;
-  I am aware that the approval of an application to amend a PDD only amends the General Development Plan and/or conditions & Restrictions Resolution and does not otherwise revise or change the zoning of the land affected by the amendment(s), and, I may be required to obtain separate permits and/or approvals (e.g. site plan, building permits, etc.) from the Village or other agencies as a prerequisite to actual or continued development of such land.

 5/6/2016
Applicant/Agent Date

Sheldi 5/6/2016
Property Owner Date

Property Owner _____ Date _____

RESOLUTION NO. 09- 43-09

AMENDING THE ADOPTED CONDITIONS AND RESTRICTIONS FOR THE PLANNED DEVELOPMENT DISTRICT OF GERMANTOWN MARKETPLACE II

WHEREAS, the Village Board of the Village of Germantown zoned the Germantown Marketplace II (1995 Key Numbers GTNV 223-981 and 223-999) a B-2 Community Business Planned Development (the "PDD") pursuant to Resolution No. 29-95 approved on June 5, 1995 and amended on February 17, 2003 by Resolution No. 07-03; and

WHEREAS, Life Church, Inc., a Wisconsin nonstock corporation ("Applicant") acquired those portions of the lands subject to the PDD consisting of 2009 Key Numbers GTNV 223-852 and 223-853 (hereinafter "the Property"), and the Village Board of the Village of Germantown issued Conditional Use Permit #01-01A to the Applicant to authorize the operation of a church on the Property; and

WHEREAS, the Applicant has applied for rezoning of the Property to the I Institutional District to facilitate expanded religious and educational uses on the Property, thereby removing the Property from the PDD; and

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

WHEREAS, various conditions and restrictions were applied to the PDD by Resolution Nos. 29-95 and 07-03; and

WHEREAS, the Plan Commission has recommended further amending the conditions and restrictions for the PDD, removing the Property from the PDD and rezoning the Property to I-Institutional District on the date hereof;

WHEREAS, the Village of Germantown desires to remove the Property from the PDD, provided that the PDD may continue as a standalone PDD;

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown hereby amends the Germantown Marketplace II PDD as follows:

- 1. General Site Plan:** The plan set dated and revised April 27, 1995 and further revised October 23, 2009 to exclude the Property shall, after the date hereof, be considered the approved General Site Plan for the remaining PDD property (excluding the Property). The approved plan set for the remaining PDD property (excluding the Property) includes the following overall project groups: site grading and utilities plan, development plan,

landscaping plan, lighting plan, architectural designs and roadway alignment plans. Detailed site plans covering any portion of the total project intended for construction shall be presented to the Plan Commission prior to issuance of any building permits. These detailed plans shall conform substantially to the approved General Site Plan and shall comply with the requirements of Section 17.43 of the Code for site plan approval. If material revisions of the site plan are necessary due to adverse site conditions, resubmittal and approval of all such revisions by the Plan Commission will be required.

2. Building Bulk Regulations:

Front Yard Setback from Mequon Road right-of-way	= 35 feet
from Squire Drive right-of-way	= 35 feet
Side Yard Setback from north Property line	= 15 feet
from west Property line	= 30 feet
Internal building separation	= minimum 30 feet
Maximum building height	= 45 feet
Average lot area	= 155,000 SF (3.5 Acres)
Maximum lot coverage for the entire site including parking and loading areas	= 75%, <u>provided that</u> <u>all existing hardsurface on the</u> <u>remaining PDD property is permitted</u>
Floor area per store	= 450 SF minimum 50,000 SF maximum

3. Lot Size and Access: All future parcels within this PDD shall maintain an average of 155,000 SF per lot, with Plan Commission and Village Board approval of all lot splits and easement agreements, pursuant to Chapter 18, Municipal Code. The Wisconsin Department of Transportation shall approve the location and size of access drives to Mequon Road (State Highway 167). The Village Engineer shall approve the location and size of access drives to Squire Drive. The location of these access points shall substantially comply with the General Site Plan.

4. Parking: When completed, the PDD shall include a minimum of 250 off-street parking spaces. The overall parking ratio shall be based on one parking space for every 400 SF of first floor building area; plus one space for each 4 seats in auditorium or theater uses. Parking layout shall substantially comply with the General Site Plan. Parking by invitees to the lands subject to the PDD onto the Property and parking by invitees to the Property onto the lands subject to the PDD, to the extent authorized by recorded easement, may be considered to satisfy the parking requirements set forth in this paragraph.

Within the parking lot areas of lots 1 through 2 and of the Property, the interior parking lot greenbelt shall be reduced from 8' from the property lines to 0'. All parking areas abutting a public roadway (Mequon Road and Squire Drive) must maintain a minimum of an 8' greenbelt. In addition, the western lot line of lot 2 shall maintain a minimum of 8' greenbelt for all parking and loading areas.

5. Stormwater Retention: A portion of the Property is devoted to area for retention of stormwater runoff from the parking lot and building roofs of the Property and the lands remaining subject to the PDD. Stormwater on the Property and the lands remaining subject to the PDD shall continue to be managed consistent with the Easements and Covenants Agreement recorded on February 27, 2003 with the Washington County Register of Deeds as Document No. 976900 (the "ECR") as amended by the First Amendment to Easements and Covenants Agreement reviewed together with this resolution (the "Amendment").

6. Architectural Design and Exterior Materials: The architectural design of the commercial buildings shall generally conform in style, design, finish materials and appearance as depicted in the architectural designs approved as part of the General Site Plan. These designs were reviewed by the Plan Commission on April 24, 1995, and approved by the Village Board on June 5, 1995. These will be the minimum guidelines used by the Plan Commission for architectural approval for each building.

7. Accessory Buildings: No accessory storage garages or other extraneous buildings shall be permitted in the PDD. All garages and storage areas shall be within or attached to a principal building. Dumpster locations and screening shall be reviewed on the specific site plans.

8. Signage:

The 6.74 acre site remaining subject to the PDD shall be allowed a total of three (3) free standing signs allotted in the following manner:

1. One monument sign at the intersection of Mequon Road and Squire Drive (Speedway Gas Station is the current tenant).
2. One monument sign to be located in the southwest corner of **Lot 2**. The size of this sign shall be a maximum of 80 SF per side, with a maximum of 160 SF for all sides.
3. One monument sign to be placed on **Lot 1** abutting Mequon Road. The sign shall not exceed 80 SF per side, with a maximum of 160 SF for all sides.

Each building shall be allowed individual signage calculated in the following manner: leasehold width X .8 X 2. [e.g. store with 50 feet of width gets $50 \times .8 \times 2 = 80$ SF.] No wall or roof sign shall extend more than 5 (five) feet above the eave of the roof.

In addition, all signs described in the ECR, as amended by the Amendment, including off-premises signage benefiting the Property, shall be allowed.

9. Interior Roadway Construction and Ownership: All internal roadways, parking spaces and access drives shall be privately maintained. Standards for construction will be reviewed and approved by the Village Engineer prior to construction.

10. Entrance Design Standards: Entrance curb openings shall be designed and reconfigured only after review and approval of location and sizing by the Village Engineer on Squire Drive and State Department of Transportation on Mequon Road (STH 167).

11. Maintenance of Interior Roadways and Common Open Space: Permanent maintenance on the interior roadways, parking lots and stormwater retention areas shall be assured by requirements in the Developer's Agreement to permanently indemnify the Village of any and all maintenance responsibilities, except due to the acts or omissions of the Village of Germantown.

12. Landscaping:

- a. Street trees along Mequon Road and Squire Drive shall be installed at a maximum 35 foot separation.
- b. A specific landscaping plan for the west property line approved by the Plan Commission shall be maintained.
- c. Specific foundation landscaping plans approved by the Plan Commission shall be maintained.

13. Lighting:

- a. A general site lighting plan approved by the Plan Commission shall be maintained.
- b. Specific lighting plans shall be submitted and approved by the Plan Commission as buildings are proposed throughout the site. These lighting plans shall meet all standards in existence at the time of application.

14. Public Utilities: It shall be an explicit condition of this approval that the Village Engineer approve all grading plans, on-site stormwater retention facilities, sanitary sewer and municipal water system extensions by written permit prior to construction of these facilities. The developer will provide all necessary easements and dedication of facilities as required by the Village Engineer.

15. Garbage and Refuse Collection: Garbage and refuse collection and disposal shall be assured by requirements in the Developer's Agreement to permanently indemnify the Village of any and all collection and disposal responsibilities, except due to the acts or omissions of the Village of Germantown.

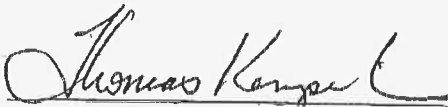
16. Agreements: The Amendment, in substantial conformity to the form reviewed and approved by the Village Board on December 21, _____, 2009, shall be signed, dated and recorded at the Washington County Register of Deeds office. A copy of the recorded document shall be submitted to the Village.

17. Existing Conditions: Nothing contained in this Amendment is intended to render the remaining PDD property nonconforming, and all conditions at the remaining PDD property in existence as of the date of this Amendment shall be deemed to be in compliance with this Amendment.

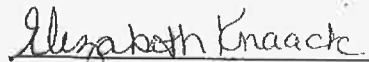
Introduced by Village President Thomas Kempinski

Adopted: December 21, 2009

Vote: Ayes: 9 Nays: 0


Thomas Kempinski, Village President

ATTEST:


Elizabeth Knaack, MMC
Village Clerk

DRAFT

RESOLUTION NO. _____
AMENDING THE ADOPTED CONDITIONS AND RESTRICTIONS
FOR THE PLANNED DEVELOPMENT DISTRICT OF GERMANTOWN MARKETPLACE II

WHEREAS, the Village Board of the Village of Germantown zoned the Germantown Marketplace II (1995 Key Numbers GTNV 223-981 and 223-999) a B-2 Community Business Planned Development pursuant to Resolution No. 29-95 approved on June 5, 1995;

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

WHEREAS, various amendments, conditions and restrictions were adopted for the PDD by Resolution Nos. 07-03 and 09-43-09 (together with Resolution No. 29-95, the "PDD");

WHEREAS, Compass Properties Germantown, LLC ("Applicant"), as owner of Lot 2 CSM 5588 (Key Number GTNV 223-851) (the "Property"), has applied for approval of a new Certified Survey Map ("CSM") creating new Parcels 1 and 2; and

WHEREAS, the Plan Commission, at its meeting held on _____, has recommended further amending the conditions and restrictions for the PDD.

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown hereby amends the Germantown Marketplace II PDD as follows:

1) **General Site Plan:** The plan set dated and revised April 27, 1995 and further revised October 28, 2009 shall, as modified herein, be considered the approved General Site Plan. Detailed site plans for any future construction shall be presented to the Plan Commission prior to issuance of any building permits. These detailed plans shall conform substantially to the approved General Site Plan and shall comply with the requirements of Section 17.43 of the Code for site plan approval. If material revisions of the site plan are necessary due to adverse site conditions, resubmittal and approval of all such revisions by the Plan Commission will be required.

2) **Building Bulk Regulations:**

Front Yard Setback	from Mequon Road right-of-way	= 35 feet
	from Squire Drive right-of-way	= 35 feet
Side Yard Setback	from north property line	= 15 feet
	from west property line	= 30 feet
Internal building separation		= minimum 30 feet
Maximum building height		= 45 feet
Minimum lot area		= 35,814 sf (0.82 acres)

Maximum lot coverage for the entire site	= 85% provided that all areas of existing hard surface on the PDD property are permitted.
Floor area per store	= 450 SF minimum = 50,000 SF maximum

All existing lot frontage, lot area, lot coverage, setbacks and separations are considered compliant.

3) **Lot Size and Access:** All future parcels within this PDD shall maintain a minimum of 35,814 SF per lot, with Plan Commission and Village Board approval of all lot splits and easement agreements, pursuant to Chapter 18, Municipal Code. The Wisconsin Department of Transportation shall approve the location and size of access drives to Mequon Road (State Highway 167). The Village Engineer shall approve the location and size of access drives to Squire Drive. The location of these access points shall substantially comply with the General Site Plan.

4) **Parking:** The PDD shall include a minimum of 250 off-street parking spaces. The overall parking ratio shall be a minimum of one parking space for every 400 SF of first floor building area. Parking layout shall substantially comply with the General Site Plan. Parking by invitees to the lands subject to the PDD onto the Property and parking by invitees to the Property onto the lands subject to the PDD, to the extent authorized by recorded easement, may be considered to satisfy the parking requirements set forth in this paragraph.

Within the parking lot areas of lots 1 and 2, the interior parking lot greenbelt shall be reduced from 8' from the property lines to 0'. All parking areas abutting a public roadway (Mequon Road and Squire Drive) must maintain a minimum of an 8' greenbelt. In addition, the western lot line of lot 2 shall maintain a minimum of 8' greenbelt for all parking and loading areas.

The existing parking stall size, accessory landscape areas, accessory landscape islands, and greenbelt configurations are considered compliant.

5) **Stormwater Retention:** Stormwater on the lands remaining subject to the PDD shall continue to be managed consistent with the Easements and Covenants Agreement recorded on February 27, 2003 with the Washington County Register of Deeds as Document No. 976900 (the "ECR") as may be amended.

6) **Architectural Design and Exterior Materials:** The architectural design of the commercial buildings on parcel 1 or parcel 2 of Lot 2 shall generally conform in style, design, finish materials and appearance as the other buildings on Lot 2 or generally conform in style, design, finish materials and appearance to the more contemporary Life Church buildings to the north of Lot 2.

7) **Accessory Buildings:** No accessory storage garages or other extraneous buildings shall be permitted in the PDD. All garages and storage areas shall be within or attached to a principal building. Existing trash areas, dumpster locations and screening are considered compliant.

8) **Signage:** The 6.74 acre site remaining subject to the PDD shall be allowed a total of four (4) free standing signs allotted in the following manner:

- a) One monument sign at the intersection of Mequon Road and Squire Drive (Speedway Gas Station is the current tenant).

- b) One monument sign located in the southwest corner of Parcel 1 (per proposed CSM of Lot 2 CSM 5588). The size of this sign shall be a maximum of 80 SF per side, with a maximum of 160 SF for both sides. The existing monument sign in this location is considered compliant.
- c) One monument sign located on Lot 1 CSM 5588 abutting Mequon Road. The sign shall not exceed 80 SF per side, with a maximum of 160 SF for both sides. The existing monument sign in this location is considered compliant.
- d) One monument sign to be located on Parcel 2 (per proposed CSM of Lot 2 CSM 5588) abutting Squire Drive. The sign shall not exceed 80 SF per side, with a maximum of 160 SF for both sides.
- e) Each building shall be allowed individual signage calculated in the following manner: leasehold width X .8 X 2. [e.g. store with 50 feet of width gets 50X.8X2 = 80 SF.] No wall or roof sign shall extend more than 5 (five) feet above the eave of the roof.
- f) All signs described in the ECR, as amended, including off-premises signage benefiting the lands remaining in the PDD, shall be allowed. No off-premises signage benefitting lands outside of the PDD shall be allowed. Existing building-mounted signs and monument signs are considered compliant.

9) **Interior Roadway Construction and Ownership:** All internal roadways, parking spaces, access drives and stormwater retention areas shall be privately owned. Standards for construction will be reviewed and approved by the Village Engineer prior to new construction.

10) **Entrance Design Standards:** Entrance curb openings shall be designed and reconfigured only after review and approval of location and sizing by the Village Engineer on Squire Drive and State Department of Transportation on Mequon Road (STH 167). Existing shared driveways, driveway dimensions, and driveway locations are considered compliant.

11) **Maintenance of Interior Roadways and Common Open Space:** Ongoing maintenance on the interior roadways, parking spaces, access drives and stormwater retention areas shall be assured by requirements in the Developer's Agreement to permanently indemnify the Village of any and all maintenance responsibilities, except due to the acts or omissions of the Village of Germantown.

12) **Landscaping:**

- a) Any new street trees along Mequon Road and Squire Drive shall be installed at a maximum 35 foot separation. All existing tree configurations are considered compliant.
- b) Any new specific landscaping plan for the west property line shall be approved by the Plan Commission. All existing landscaping on the west property line is considered compliant.
- c) Any new foundation landscaping plans that are materially different than what is existing shall be approved by the Plan Commission. All existing configurations and planting are considered compliant.

d) The existing ratio of landscape to hardscape is considered compliant.

13) **Lighting:**

- a) Any new general site lighting plan shall be approved by the Plan Commission. All existing lighting and configuration is considered compliant.
- b) Any new specific lighting plans shall be submitted to and approved by the Plan Commission as buildings are proposed throughout the site. These lighting plans shall meet all standards in existence at the time of application. All existing specific lighting is considered compliant.

14) **Public Utilities:** The Village Engineer must approve all grading plans, on-site stormwater retention facilities, sanitary sewer and municipal water system extensions by written permit prior to construction of these facilities. All existing grading, on-site stormwater retention facilities, sanitary sewer and municipal water system extensions are considered compliant. The developer will provide all necessary easements and dedication of facilities as required by the Village Engineer

15) **Garbage and Refuse Collection:** Garbage and refuse collection and disposal shall be assured by requirements in the Declaration of Conditions, Covenants, and Restrictions for the property to permanently indemnify the Village of any and all collection and disposal responsibilities, except due to the acts or omissions of the Village of Germantown.

16) **Agreements:** This Amendment, in substantial conformity to the form reviewed and approved by the Village Board, shall be signed, dated and recorded at the Washington County Register of Deeds office. A copy of the recorded document shall be submitted to the Village.

17) **Existing Conditions:** Nothing contained in this Amendment is intended to render the remaining PDD property noncompliant, and all conditions at the remaining PDD property in existence as of the date of this Amendment are deemed to be in compliance with this Amendment.

Introduced by: _____

Adopted: _____

Vote: Ayes: ____ Nays: ____

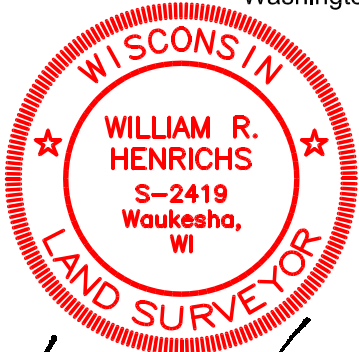
Village President

Attest: _____

Village Clerk

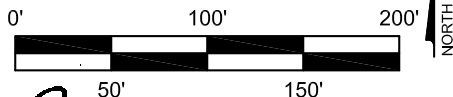
CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 2 of Certified Survey Map No. 5588,
being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22,
Town 9 North, Range 20 East, Village of Germantown,
Washington County, Wisconsin.

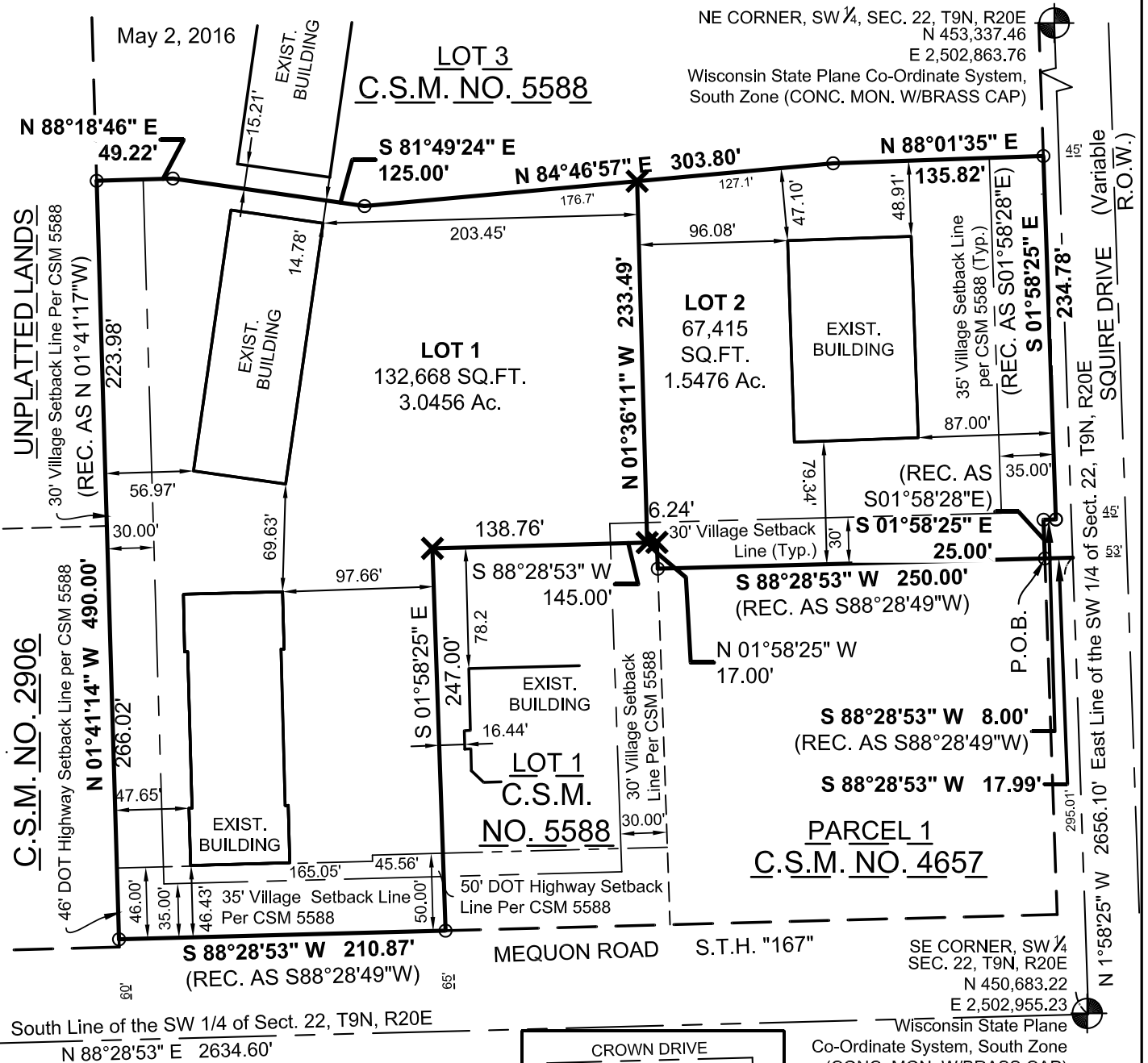


- LEGEND**
- — Denotes 1" iron pipe found
 - — Denotes 1" x 24" iron pipe set, 1.68 lbs. per lin. ft.
 - ✕ — Denotes PK nail set.

GRAPHIC SCALE



1 INCH = 100 FEET

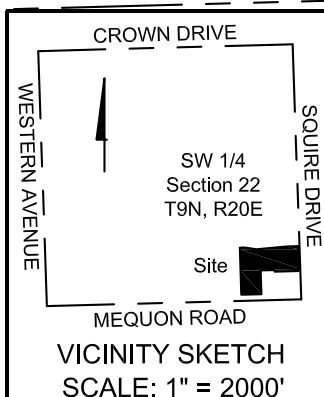


Prepared For:
Compass Properties Germantown, LLC
735 N. Water Street
Milwaukee, WI 53202
414-765-0305



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518 West Cherry Street, Milwaukee, WI 53212
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Wisconsin State Plane
Co-Ordinate System, South Zone
(CONC. MON. W/BRASS CAP)

All bearings refer to Grid North of the
Wisconsin State Plane Coordinate
System, South Zone (NAD 1927). The
east line of the SW 1/4 of Sec. 22-9-20
has a reference bearing of N 1°58'25" W.

This instrument drafted by
William R. Henrichs, PLS S-2419

Job Number: 120154
Sheet 1 of 6 Sheets

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 2 of Certified Survey Map No. 5588, being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

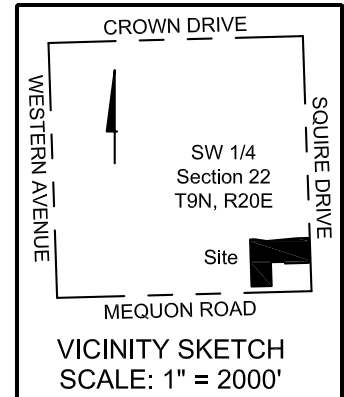
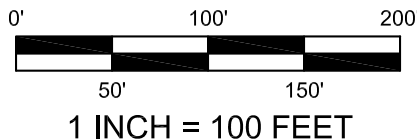


William R. Henrichs

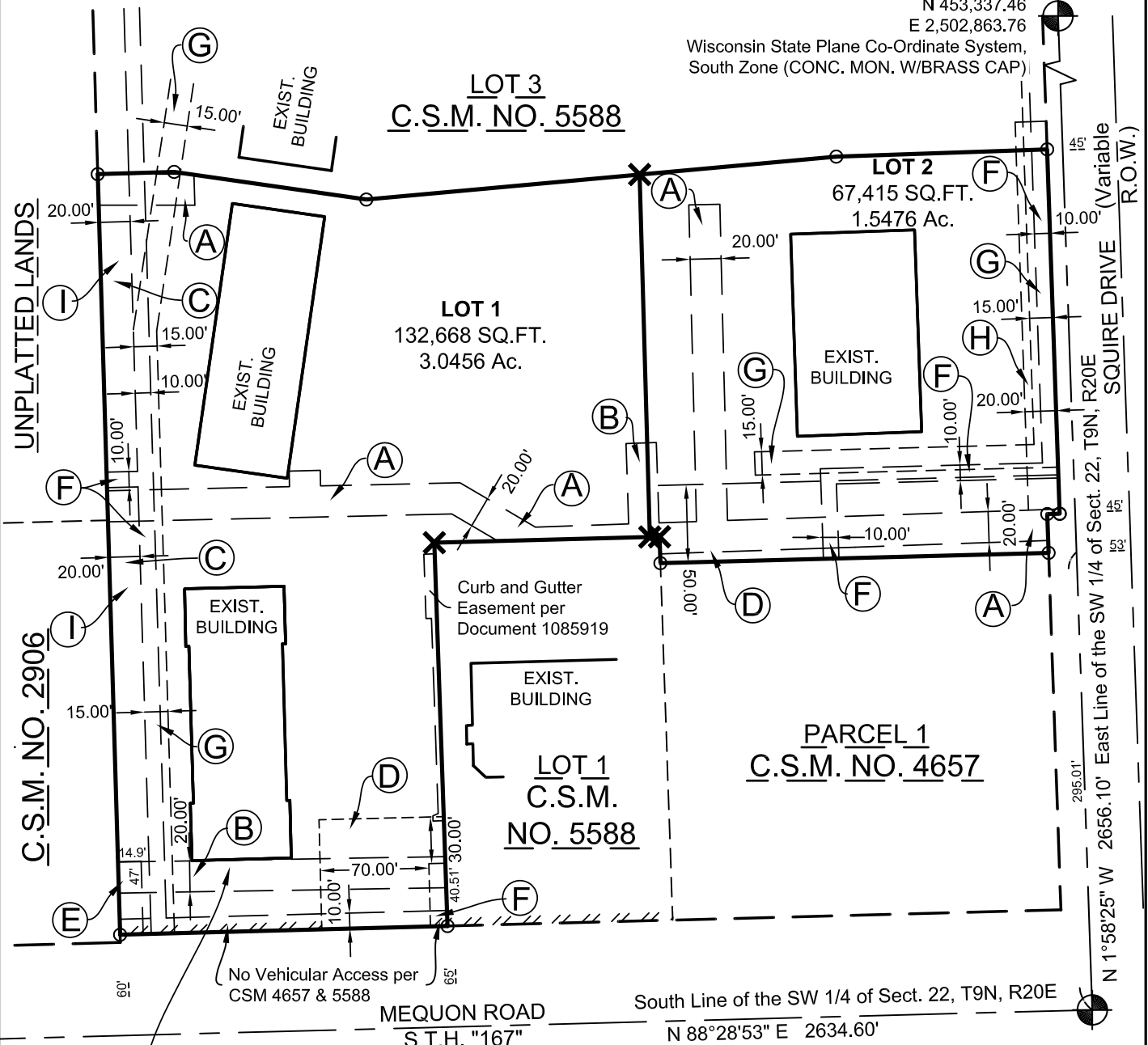
May 2, 2016

- LEGEND**
- — Denotes 1" iron pipe found
 - — Denotes 1" x 24" iron pipe set, 1.68 lbs. per lin. ft.
 - ✕ — Denotes PK nail set.

GRAPHIC SCALE



NE CORNER, SW 1/4, SEC. 22, T9N, R20E
N 453,337.46
E 2,502,863.76
Wisconsin State Plane Co-Ordinate System,
South Zone (CONC. MON. W/BRASS CAP)



C.S.M. NO. 2906

LOT 3
C.S.M. NO. 5588

LOT 1
132,668 SQ.FT.
3.0456 Ac.

LOT 2
67,415 SQ.FT.
1.5476 Ac.

PARCEL 1
C.S.M. NO. 4657

LOT 1
C.S.M. NO. 5588

MEQUON ROAD
S.T.H. "167"

South Line of the SW 1/4 of Sect. 22, T9N, R20E
N 88°28'53" E 2634.60'

SE CORNER, SW 1/4 SEC. 22, T9N, R20E
N 450,683.22
E 2,502,955.23

Wisconsin State Plane Co-Ordinate System,
South Zone (CONC. MON. W/BRASS CAP)



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Prepared For:
Compass Properties Germantown, LLC
735 N. Water Street
Milwaukee, WI 53202
414-765-0305

This instrument drafted by
William R. Henrichs, PLS S-2419 Sheet 2 of 6 Sheets

Job Number: 120154

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 2 of Certified Survey Map No. 5588, all being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

EASEMENTS

- A** - 20' wide Watermain Easement (Per C.S.M. 5588 & C.S.M. 4657).
- B** - 20' Sanitary Sewer Easement (Per C.S.M. 5588 & C.S.M. 4657).
- C** - 20' Drainage Easement (Per C.S.M. 5588 & C.S.M. 4657).
- D** - Easement for Ingress/Egress (Per C.S.M. 5588 & C.S.M. 4657).
- E** - Permanent Limited Drainage Facility Easement set forth in Deed (Per Document No. 706915 & C.S.M. 5588).
- F** - 10' wide Right-of-Way Grant to Wisconsin Bell Telephone Company Easement (Per Document No. 745510 & C.S.M. 5588).
- G** - 15' wide Utility Easement granted to Wisconsin Electric Power Company and Ameritech-Wisconsin (Per Document No. 791652 & C.S.M. 5588).
- H** - 20' wide perpetual Watermain Easement granted to Village of Germantown (Per Document No. 815048 & C.S. M. 5588).
- I** - 20' wide Storm Sewer Easement (Per Document No.976900 & C.S.M. 5588).

May 2, 2016
Date



William R. Henrichs
Professional Land Surveyor, S-2419



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518 West Cherry Street, Milwaukee, WI 53212
PHONE (414) 604-0674 FAX (414) 604-0677
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This instrument drafted by
William R. Henrichs, PLS S-2419

Job Number: 120154

Sheet 3 of 6 Sheets

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 2 of Certified Survey Map No. 5588, all being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

SURVEYOR'S CERTIFICATE

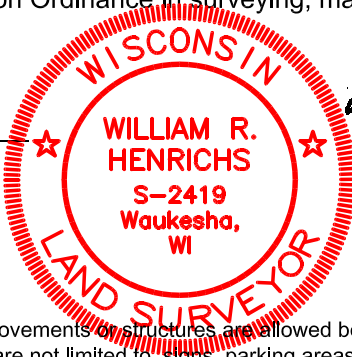
STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

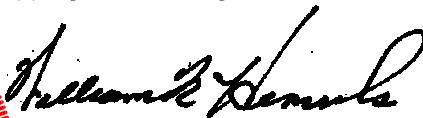
I, William R. Henrichs, Professional Land Surveyor, do hereby certify:
That I have surveyed, mapped and divided Lot 2 of Certified Survey Map 5588, being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Southeast corner of said Southwest 1/4;
Thence North 01°58'25" West, on and along the East line of said Southwest 1/4 Section, 295.01 feet to a point; Thence South 88°28'53" West, 17.99 feet to the Southeast corner of Lot 2 of said Certified Survey Map 5588 and place of beginning of the land hereinafter described:
Continuing thence South 88°28'53" West, 250.00 feet;
Thence North 01°58'25" West, 17.00 feet;
Thence South 88°28'53" West, 145.00 feet;
Thence South 01°58'25" East, 247.00 feet to the North line of Mequon Road;
Thence South 88°28'53" West, 210.87 feet on and along the said North line;
Thence North 01°41'14" West, 490.00 feet;
Thence North 88°18'46" East, 49.22 feet;
Thence South 81°49'24" East, 125.00 feet;
Thence North 84°46'57" East, 303.80 feet;
Thence North 88°01'35" East, 135.82 feet to the West line of Squire Drive;
Thence South 01°58'25" East on and along the said West line, 234.78 feet;
Thence South 88°28'53" West, on and along the said West line, 8.00 feet;
Thence South 01°58'25" East on and along the said West line, 25 feet to the place of beginning.
Said lands containing 200,092 square feet, 4.5935 acres.

That I have made such survey, land division and map by the direction of Compass Properties Germantown, LLC., owner of said land.
That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.
That I have fully complied with the provisions of s.236.34 of the Wisconsin State Statutes and the Village of Germantown Land Division Ordinance in surveying, mapping and dividing the same.

May 2, 2016
Date




William R. Henrichs
Professional Land Surveyor, S-2419

WI DOT HIGHWAY NOTES

1. S.T.H. "167" Highway Setback: No improvements or structures are allowed between the right-of-way line and the highway setback line. Improvements and structures include, but are not limited to, signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department.
2. All lots and blocks are hereby restricted so that no owner, possessor, user, licensee or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of S.T.H. "167" or Mequon Road, as shown on the land division map; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s. 236.293, Wisconsin Statutes and shall be enforceable by the department or its assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable.
3. Highway Noise: The lots of this land division may experience noise at levels exceeding the levels in s.Trans 405.04, Table 1. These levels are based on Federal standards. The Wisconsin Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-lane capacity.
4. Vision Corner: No structure or improvement of any kind is permitted within the vision corner. No vegetation within the vision corner may exceed 30 inches in height.



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www.daarcorp.com

Job Number: 120154
This instrument drafted by
William R. Henrichs, PLS S-2419 Sheet 4 of 6 Sheets

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 2 of Certified Survey Map No. 5588, all being a part of the Southeast 1/4
of the Southwest 1/4 of Section 22, Town 9 North, Range 20 East,
in the Village of Germantown, Washington County, Wisconsin.

OWNER'S CERTIFICATE

Compass Properties Germantown, LLC., a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, divided, mapped and dedicated as represented on this certified survey map. I also certify that this certified survey map is required by s.236.10 or s.236.12 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. Village of Germantown

IN WITNESS WHEREOF, the said Compass Properties Germantown, LLC. has caused these presents to be signed by Tyler J. Noel, President, on this _____ day of _____, 2016.

In the presence of: Compass Properties Germantown, LLC.

By: _____
Tyler J. Noel, President

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2016, Tyler J. Noel, President, of the above named limited liability company, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said limited liability company, and acknowledged that he executed the foregoing instrument as such President as the deed of said limited liability company, by its authority.

Notary Public
State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

Associated Bank, National Association, a national banking association duly organized and existing mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this certified survey map and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said Associated Bank, National Association, has caused these presents to be signed by _____, its President, and its corporate seal to be hereunto affixed this _____ day of _____, 2016.

Date By: _____
President of Associated Bank, National Association

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2016,
_____, to me known to be the person who executed the
foregoing instrument and to me known to be such officer of said corporation and
acknowledged the same.

Notary Public
State of Wisconsin
My Commission Expires: _____



William R. Henrichs
May 2, 2016



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518 West Cherry Street, Milwaukee, WI 53212
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Job Number: 120154
This instrument drafted by
William R. Henrichs, PLS S-2419 Sheet 5 of 6 Sheets

CERTIFIED SURVEY MAP NO. _____

Being a redivision of Lot 2 of Certified Survey Map No. 5588, all being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

VILLAGE OF GERMANTOWN PLANNING COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown, Wisconsin, on this _____ day of _____, 2016.

Date

Dean Wolter, Chairman

Date

Laura A. Johnson, Secretary

VILLAGE OF GERMANTOWN BOARD APPROVAL

This Certified Survey Map, Being a redivision of Lot 2 of Certified Survey Map No. 5588, all being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved and is hereby accepted by the Village Board of Trustees of the Village of Germantown on this _____ day of _____, 2016.

Date

Dean Wolter, Village President

Date

Barbara K.D. Goeckner, Village Clerk



William R. Henrichs

May 2, 2016



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ENGINEERS PLANNERS SURVEYORS
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PHONE (414) 604-0674 FAX (414) 604-0677
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This instrument drafted by
William R. Henrichs, PLS S-2419

Job Number: 120154

Sheet 6 of 6 Sheets

	DECLARATION REGARDING CONDITIONS, COVENANTS, AND RESTRICTIONS	
		Drafted By and Return To: Angela Black Whyte Hirschboeck Dudek S.C. 33 East Main Street, Suite 300 Madison, WI 53703-4655
		PIN: GTNV 223-851

THIS DECLARATION REGARDING CONDITIONS, COVENANTS, AND RESTRICTIONS (the "Declaration") is made as of the _____ day of _____, 2016, by Compass Properties Germantown, LLC, a Wisconsin limited liability company ("Declarant").

WHEREAS, Declarant is the owner of Parcels 1 and 2 of Certified Survey Map No. _____ recorded _____ in the Office of the Washington County Register of Deeds as Document No. _____ (the "CSM") as more particularly shown on the attached Exhibit A;

WHEREAS, Declarant desires to establish for itself, its successors and assigns and the future owners ("Owners") of Parcels 1 and 2 of the CSM (each a "Parcel" and collectively the "Parcels") and their respective tenants, subtenants, licensees, contractors, concessionaires, suppliers, agents, employees, customers, and invitees (collectively, "Permittees") certain easements, rights, privileges and restrictions, and to provide for timely and proper maintenance and repair of such easements as more fully described below; and

WHEREAS, The Parcels are subject to the Ingress/Egress Easement Agreement dated September 3, 1996 and recorded September 6, 1996 as Document No. 727466, and further subject to the Easements and Covenants Agreement dated February 17, 2003 and recorded February 27, 2003 as Document No. 976900 (collectively, the "Prior Agreements").

NOW, THEREFORE, Declarant declares the Parcels be owned, held and occupied subject to the following covenants, conditions, restrictions and easements:

1. DEFINITIONS.

- a) "Easement Areas" or "Easements" shall collectively refer to the locations and rights of the Cross Access Easement, Cross Parking Easement,

Stormwater Drainage Easement, Utility Easement and Sign Easement described below.

2. EASEMENTS.

- a) Cross Access Easement. Declarant declares a non-exclusive, private “Cross Access Easement,” for the mutual benefit of the Parcels, and the Owners of the Parcels and their Permittees, over, across and through any area within the Parcels which may now or in the future be improved as a paved driveway, sidewalk, or other similar surface. The Cross Access Easement shall be used solely for the purpose of vehicular and pedestrian ingress and egress, passage, and travel among the Parcels, and to and from the Parcels to the nearest adjacent public rights of way (Squire Drive and Mequon Road as of the date of this Declaration). An Owner shall have the right, at its sole cost and expense, to relocate any area of the Cross Access Easement located on that Owner’s Parcel upon thirty (30) days’ advance notice to all other Owners provided, however, that (i) each Owner shall be obligated at all times to maintain a paved driveway upon its Parcel in such a manner and in such a location so as to coordinate and connect with the portion of the Cross Access Easement located upon any other Parcel, (ii) any relocated Cross Access Easement upon a Parcel shall continue to provide unimpeded and legal ingress and egress among the Parcels and to and from a public right of way in accordance with the purposes of this Declaration, and (iii) upon relocation, the Owners of all the affected Parcels shall execute and record an amendment to this Declaration depicting and describing the area of the relocated Cross Access Easement. Each Owner shall bear its own costs in connection with the preparation and negotiation of such amendment to this Declaration. The cost of recording such amendment shall be borne by that Owner who relocates and/or reconfigures the Access Easement Area on its Parcel.
- b) Cross Parking Easement. Declarant declares a non-exclusive, private “Cross Parking Easement,” for the mutual benefit of the Parcels, and the Owners of the Parcels and their Permittees, over all portions of the Parcels now or hereafter improved for and intended for use for vehicular and bicycle parking. The Cross Parking Easement shall be used solely for the purpose of vehicle and bicycle parking. An Owner may not permanently reduce the available parking on its Parcel but shall have the right to relocate or reconfigure the Cross Parking Easement located on that Owner’s Parcel upon thirty (30) days’ advance notice to all other Owners provided, however, that any relocated or reconfigured Cross Parking Easement upon a Parcel (i) continues to comply with all applicable laws, regulations, and ordinances, (ii) remains in accordance with the purposes of this Declaration, and (iii) upon relocation or reconfiguration, the Owners of all the affected Parcels shall execute and record an amendment to this Declaration depicting and describing the new location of the Cross Parking Easement. Each Owner shall bear its own costs in connection with

the preparation and negotiation of such amendment to this Declaration. The cost of recording such amendment shall be borne by that Owner who relocates and/or reconfigures the Cross Parking Easement Area on its Parcel. An Owner shall have the right to temporarily obstruct a portion of the Cross Parking Easement Area on a Parcel owned by it for purposes of conducting short-term outdoor events without consent of the other Owners. Temporary obstruction, for any reason, of a portion of the Cross Parking Easement Area located on a Parcel owned by another requires prior consent of the affected Owner.

- c) Stormwater Drainage Easement. Declarant hereby declares for the mutual benefit of the Parcels, and the Owners of the Parcels and their Permittees, a non-exclusive, private, "Stormwater Drainage Easement" over and across the Parcels, and all existing or future stormwater management and infiltration facilities and improvements on the Parcels (collectively "Stormwater Facilities"), for the purposes of allowing passage and infiltration of stormwater on and across the Parcels and functioning with the Storm Sewer Easement set forth in the Easements and Covenants Agreement dated February 17, 2003 and recorded February 27, 2003 as Document No. 976900.
- d) Utility Easement. Declarant hereby declares for the mutual benefit of the Parcels, and the Owners of the Parcels, a non-exclusive, private, reciprocal "Utility Easement" over, across and through the Parcels for access to and the maintenance, repair and replacement of all existing utilities. If the Declarant or future Parcel Owner reasonably requires an easement for utilities over another Owner's Parcel, such Owners shall reasonably cooperate with each other and act in good faith in connection with the granting of such an easement.
- e) Sign Easement. Declarant hereby declares for the mutual benefit of the Parcels, and the Owners of the Parcels and their Permittees a non-exclusive "Sign Easement" for access, ingress and egress over Parcel 2 to install, maintain, repair, and replace a monument sign in accordance with all applicable laws, regulations and ordinances on Parcel 2 over any area on Parcel 2 upon which a such a sign may hereafter be erected. Any exercise of Sign Easement rights on Parcel 2 shall be at the sole cost and expense of the Owner of Parcel 2. Any modifications of the sign installed by Owner of Parcel 2 that are for the benefit of a tenant in a building located on Parcel 1 shall be at the cost of the Owner of the building whose tenant is benefiting from the sign modification. The existing sign located on Parcel 1 is for the exclusive use of Parcel 1 Owner and its Permittees only.

3. MAINTENANCE OF EASEMENT AREAS; UTILITY CHARGES. In the event all the Parcels are no longer under common ownership, and subject to the Prior Agreements, the Owner of the Parcel nearest Mequon Road (the "Manager") shall perform all maintenance and

repair required within the Easement Areas, to maintain the same in good condition and repair and, in Manager's reasonable judgment, with the same type and quality of materials as the original construction or such substitute materials as are equal or superior to such original materials in quality, appearance and durability, in accordance with applicable industry standards. Manager shall have the right to stockpile snow on the Parcels as needed, at Manager's sole discretion.

- a) All reasonable costs and expenses incurred by Manager for such maintenance and repair work ("Maintenance Cost") , including any costs incurred pursuant to the Prior Agreements, shall be shared proportionately among the Owners of all of the Parcels based on land area. Each Owner's proportionate share shall be determined by dividing the land area of each Parcel by the total land area of all Parcels.
 - i. Upon performance of maintenance or repair work by Manager as required by this Declaration, Manager shall bill each other Owner for its proportionate share of the Maintenance Cost, plus a ten percent (10%) administrative fee, and each other Owner shall reimburse Manager within thirty (30) days of receipt of the bill.
 - ii. If an Owner fails to make payment within such thirty- (30-) day period, the amount of the bill shall accrue interest at the lesser of six percent (6%), or the maximum rate of interest allowed by law. The amount of any unpaid bill, plus accrued interest, shall constitute a lien against that Owner's Parcel if permitted by applicable laws.
- b) Notwithstanding anything to the contrary in subsection (a) above or elsewhere in this Declaration, any damage within any Easement Area which is caused by the negligent or willful acts of any Owner or its Permittees shall be repaired by Manager consistent with subsection (a) above, but at the sole cost and expense of that Owner.
- c) Notwithstanding anything to the contrary in subsection (a) above or elsewhere in this Declaration, Manager shall have no obligation to or liability for repairs, maintenance and/or replacement of any capital items or improvements (including, but not limited to parking lots or areas, driveways, sidewalks curbs, lighting, light poles and landscaping) which are not located in the Easement Areas or are dedicated for the benefit of a single Parcel. If any Owner fails or refuses within thirty (30) days following written notice from Manager to perform any maintenance, repair or replacement required under this Declaration, the Manager may elect (but shall not be required) to cause or perform the required maintenance, repair or replacement consistent with subsection (a) above, but at the sole cost and expense of the non-responsive Owner.

4. RESERVED RIGHTS; OBLIGATIONS.

- a) Except to the extent expressly set forth in this Declaration, each Owner shall be solely responsible to:
 - i. Maintain and repair the Owner's respective Parcels and all associated improvements as a first-class retail building;
 - ii. Keep the Parcels in good repair and in a safe condition in accordance with all applicable laws, regulations, and ordinances;
 - iii. Ensure all maintenance, repair and improvements to the Owner's Parcel and the improvements thereon be architecturally harmonious either with the improvements then-located on the other Parcels and on adjacent parcel GTNV 223-854 or with the improvements then-located on parcel GTNV 224-856; and
- b) Subject to the default and cure provisions in this Declaration, each Owner shall be solely responsible to pay when due all utilities charges metered to, and real and personal property taxes or special assessments levied against, their respective Parcel or Parcels.
- c) The Owners and their successor owners or assigns shall have the right to use each of their respective Parcels in any way not inconsistent with the Easements and Exclusives provided herein, however, no Owner or its Permittees may grant any easement, right-of-way, or other right or license to give any rights to adjacent lands rights to any Parcels other than as provided for herein.
- d) The Owners, and their respective Permittees, shall not do or permit anything to interfere with the use and enjoyment of the Easements granted by this Declaration, provided, however, temporary obstructions (a) as may be necessary for the performance of the obligations required under this Declaration, or (b) as may result from any Owner's exercise of the rights granted under this Declaration, shall be permitted so long as use of the Easements is not completely prevented by such temporary obstruction, or the Owner or Permittee causing or permitting the obstruction provides alternate use or access rights during any total obstruction, if applicable.

5. PROHIBITED AND EXCLUSIVE USES. During the term of this Declaration, the following uses shall be prohibited on the Parcels: Pool hall, pawn shop, adult video/entertainment store, off-track betting establishment, abortion/drug rehabilitation offices/facility, liquor store, tattoo/body art/piercing shop, gun/weapons shop, smoke/tobacco/marijuana outlet, massage parlor, or any other use similar or related to those listed above. The Owner of Parcel 2 shall have the exclusive right to the following use during the term of this Declaration: Martial arts or fitness related school/studio. The following use shall not be allowed on either Parcel prior to January 31, 2021: hair salon or barber shop. The following uses shall not be allowed on either Parcel prior to January 1, 2023: packing and

shipping services; UPS, DHL, FedEx or any other related overnight delivery and/or courier services; sales of USPS® metered mail; facsimile services for profit; printing services (including color and black and white photocopying, digital printing, digital imaging, binding, on-line printing/document access, mounting, laminating, large format printing, and the production of banners); on-site computer rentals (including document access); mailbox services; digital live scan technology (i.e., fingerprinting); or any substitutes which are the technological evolution of the foregoing (except as incidental to tenant's transactions).

6. **INSURANCE.** So long as this Declaration is in effect, each Owner shall keep and maintain a policy of commercial general liability insurance with respect to that Owner's and its Permittees' use and enjoyment of the Easements with a combined single limit of Two Million Dollars (\$2,000,000) general aggregate for injury to or death of persons and loss of or damage to property. Each Owner, and if requested by another Owner, such Owner's mortgagee or mortgagees, shall be named as an additional insured on such policy and a certificate evidencing such coverage shall be furnished to each other Owner within thirty (30) days of request.

7. **INDEMNIFICATION.** Each Owner shall indemnify, defend and hold all other Parcel Owners harmless against all claims for injury or death to persons, damage to or loss of property, demands, actions, causes of action, losses (including, but not limited to, loss of rents resulting from the termination by a tenant of its lease), damages, costs, and expenses, including court costs and reasonable attorneys' fees, including any cost or legal expenses of an Owner due to the negligence or willful misconduct of such Owner or its Permittees. This indemnification and release shall be applicable notwithstanding any Owner's failure to insure as required herein.

8. **DEFAULT AND REMEDIES**

- a) Default and Enforcement. If any Owner fails or neglects to perform any obligation or pay any amount required by this Declaration or violates this Declaration, any other Owner may deliver written notice demanding compliance or payment. If the defaulting Owner fails to comply or pay within thirty (30) days of receiving the notice, the other Owner shall have the right to enforce this Declaration by proceedings at law or in equity, and shall be entitled to damages, injunctive relief, specific performance or any other remedy available at law or in equity. If a lawsuit or other cause of action is brought to enforce this Declaration, the prevailing party shall be entitled to recover its actual costs and expenses in bringing or defending against the lawsuit or action, including reasonable attorney's fees, from the non-prevailing party. The term "prevailing party" means the party obtaining substantially the relief sought, whether by compromise, settlement or judgment.
- b) Right to Cure. In addition to any other remedies provided in this Declaration, if any Owner, or its Permittees, fails to comply with any applicable provisions of this Declaration within thirty (30) days following written notice from another Owner, the noticing Owner shall have the right, but not the obligation, to perform or cause to be performed such maintenance, replacement, restoration or other action as the noticing

Owner deems necessary or appropriate to cure the violation, and the actual costs and expenses incurred by such noticing Owner shall be reimbursed by the other Owner.

9. **RUNNING WITH THE LAND.** All the provisions in this Declaration, including the benefits and burdens, are perpetual and shall run with the land and shall be binding upon and inure to the benefit of the Parcels and be enforceable by the Owners and their respective successors and assigns in ownership of the Parcels. The Easements are solely for the benefit of the Parcels and shall not benefit any other lands other than the Parcels. The Owners, and any successor or assign in ownership, shall cease to have any liability under this Declaration arising after they no longer have a fee simple ownership interest in any Parcel.

10. **NO PUBLIC DEDICATION.** Nothing in this Declaration shall be deemed to be a gift or dedication of any portion of the Easements to the general public or for any public purpose whatsoever.

11. **NON-USE.** Non-use or limited use of the Easements shall not prevent the later use of the same to the fullest extent authorized herein.

12. **PRIOR AGREEMENTS.** Nothing contained in this Declaration is intended to affect, supersede, amend or obviate the Prior Agreements or any provision thereof.

13. **SEVERABILITY.** If any portion or provision of this Declaration, or its application to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Declaration and the application thereof shall be valid, and enforced, to the fullest extent permitted by law.

14. **WAIVERS.** Whenever a waiver, consent or approval is required or permitted herein, it must be express and in writing; no waiver, consent or approval shall be implied. No delay or omission in exercising any right or power accruing upon any default, non-compliance or failure of performance under this Declaration shall be construed to be a waiver. A waiver of any obligation under this Declaration shall be in writing by the waiving party and shall not be construed to be a waiver of any subsequent breach or a breach of any other terms, covenants or conditions of this Declaration.

15. **CAPTIONS.** The captions and section headings in this Declaration are intended for convenience only and in no way define or limit the scope or intent of the various provisions herein.

16. **GOVERNING LAW.** This Declaration shall be construed and enforced in accordance with the laws of the State of Wisconsin, without regard for conflict of law provisions.

17. **ENTIRE DECLARATION; AMENDMENT.** Except as set forth herein, this Declaration and the Easements may not be terminated, amended or changed except by a written document executed and acknowledged by all the Owners and duly recorded in the office of the Register of Deeds of Washington County, Wisconsin.

[signature on following page]

This Declaration is made effective as of the date set forth above.

DECLARANT:

Compass Properties Germantown, LLC

By: _____
Tyler J. Noel, President

STATE OF WISCONSIN)
) ss.
COUNTY OF _____)

On _____, 2016, before me personally appeared Tyler J. Noel, as the President of **Compass Properties Germantown, LLC**, who is personally known to me to be the same person who executed the within instrument, in the stated capacity, on behalf of the company, and who duly acknowledged the execution of the same to be his free act and deed, duly authorized by the company.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

(Print or type name of Notary)_____
Notary Public, State of Wisconsin
My commission (is permanent) (expires: _____.)

EXHIBIT A

CSM

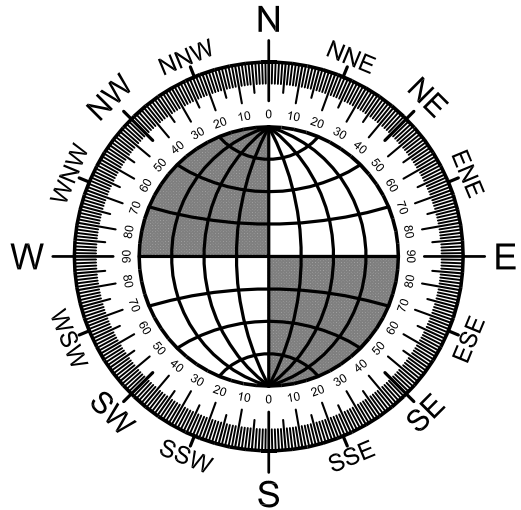
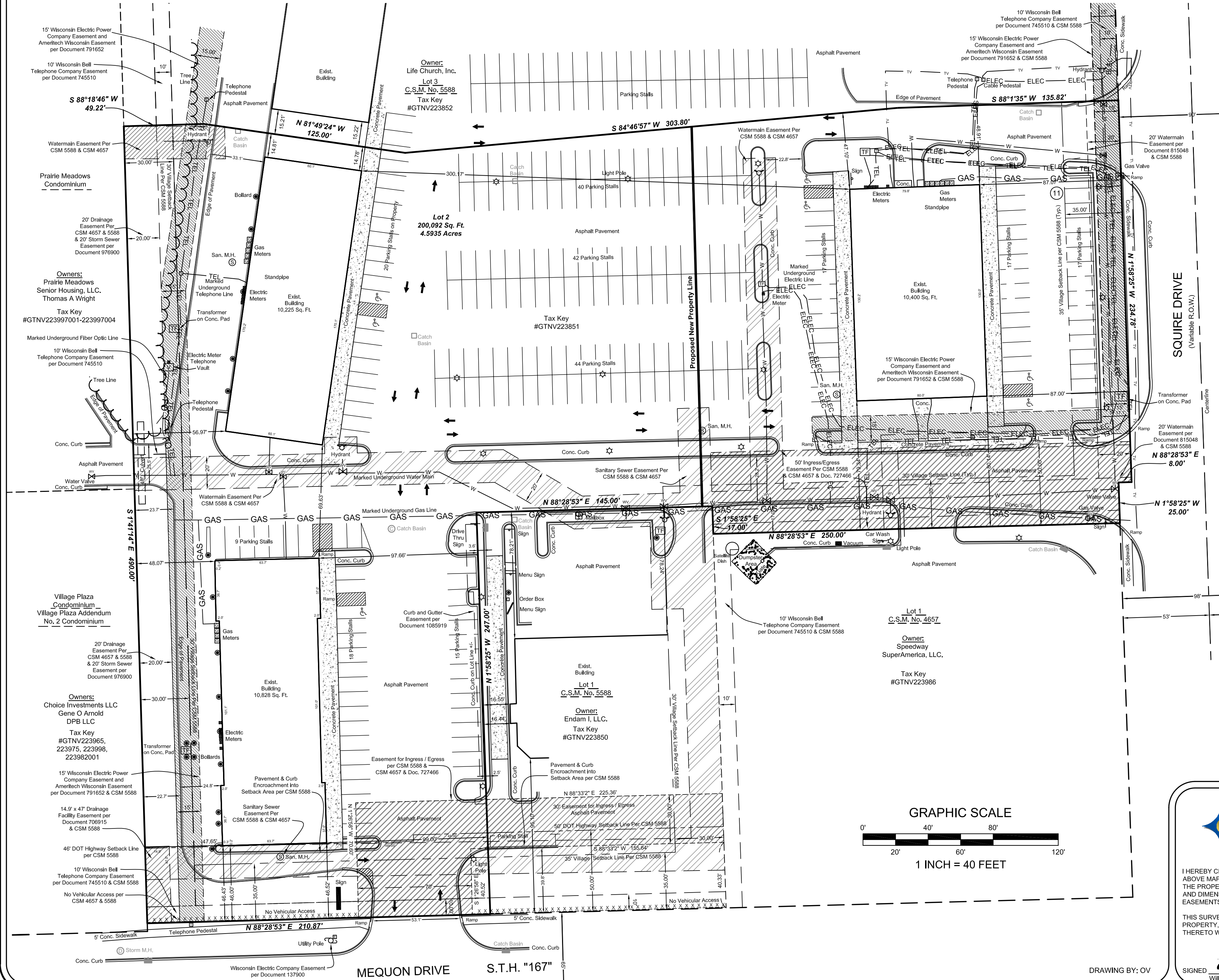
PLAT OF SURVEY

Survey No. 120154

LOCATION: N112W16560 Mequon Road, Germantown, Wisconsin

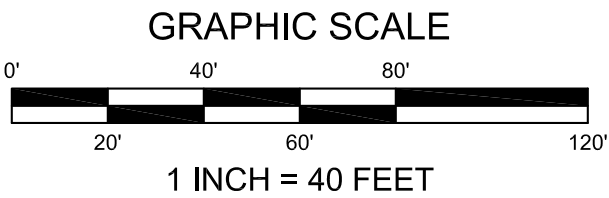
LEGAL DESCRIPTION:

Lot Two (2), of **Certified Survey Map No. 5588**, recorded February 27, 2003, Volume 40 of Certified Survey Maps, Pages 149-158, as Document No. 976899, being a re-division of Parcel 2, Certified Survey Map No. 4657, all being a part of the Southeast 1/4 of the Southwest 1/4 and the Southwest 1/4 of the Southeast 1/4 of Section 22, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. Tax ID No.: GTNV 223-851



Bearings refer to Grid North of the Wisconsin State Plane Coordinate System Grid, South Zone per N.A.D. 1927. The East line of the Southwest 1/4 of Section 22, Township 9 North, Range 20 East has a reference bearing of N 01°58'25" W.

Prepared For:
Compass Properties Germantown, LLC
735 N. Water Street
Milwaukee, WI 53202
414-765-0305



DAAR
ENGINEERING, INC.
ENGINEERS PLANNERS SURVEYORS
518 West Cherry Street, Milwaukee, WI 53212
PHONE (414) 604-0674 FAX (414) 604-0677
www.daarcorp.com

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

SIGNED *William R. Henrichs*
William R. Henrichs, Professional Land Surveyor S-2419

DRAWING BY: OV