

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: **PLAN COMMISSION**

DATE AND TIME: **MONDAY, November 14, 2016 6:30 p.m.**

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) that it is the policy of this municipality that information will be received from the public. A time period of three (3) minutes will be allowed per person with a possible time extension given at the Chief Presiding Officer's discretion. Be further advised that there may be limited discussion of the information received; however, no action will be taken at this time. (15 minutes)
- IV. **APPROVAL OF MINUTES:** October 10, 2016
- V. **NEW BUSINESS:**
- A. Fast Signs for DDS Germantown Investment LLC, Property Owner & Maximized Health Center – N112 W16076 Mequon Road. Sign Review.
 - B. Bauer Sign Company for Freistadt All Temp LLC, Property Owner & D&G Warehouse – N120 W18665 Freistadt Road. Sign Review.
 - C. Keller, Inc. for United Investments Inc. – W204 N11509 Goldendale Road. Site Plan Consultation for a 30,000 sqft Mixed-Use Commercial Development.
 - D. Matthew Schaetzel – N116 W16416 Main Street & Carrie D'Acquisto – N116 W16366 Main Street. 2-Lot Certified Survey Map (CSM) & Rezoning Application (Rs-3 to Rd-2).
 - E. Paula & Chad Wagner – W159 N9657 Butternut Road. Zoning Permit for a Fence Encroachment in a Drainage Easement.
 - F. Lori & David Gutbrod for Advantage Research, Inc. – W162 N11840 Fond du Lac Avenue. Application for Rezoning from Rs-2: Single-Family Residential to B-4: Professional Office Zoning District.
 - G. Odyssey Hotel Group LLC for Holiday Inn Express – W177 N9675 Riversbend Lane & Riversbend Country Club, Inc. – N96 W18034 County Line Road. Planned Development District (PDD) Amendments for a Hotel Expansion & Conditional Use Permit (CUP) Application for an Off-Site Parking Area
- VI. **ANNOUNCEMENTS**
- VII. **ADJOURNMENT**

The next Plan Commission Meeting will be on December 12, 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
October 10, 2016

CALL TO ORDER: 6:31 pm

ROLL CALL: Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Mary Ellen Gray, Bill Shadid, Peter Nilles, Ben Goetter and Tony Laszewski were present. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

APPROVAL OF MINUTES: *MOTION Baum second Gray to Approve the minutes from 9-12-16.*

MOTION carried unanimously.

Allstate – W164 N11271 Squire Drive. The applicant is requesting approval of a wall-mounted sign and monument sign panel for the new tenant in the Germantown Marketplace II. Planner Retzlaff summarized the proposal.

MOTION Baum second Gray to Approve the proposed wall-mounted sign and monument sign panel for Allstate in the Germantown Marketplace II subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.***
- 2. All electrical sign components must be listed and labeled by a recognized lab.***

MOTION carried unanimously.

Best Western Germantown Inn – W190 N10862 Commerce Circle. The applicant is requesting approval of a replacement monument sign for the existing hotel. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the proposed replacement monument sign and directional sign face replacement for the existing hotel located at W190 N10862 Commerce Circle subject to the following conditions:

- 1. Electrical permits shall be obtained from Inspection Services prior to installation.***
- 2. All electronic components shall be inspected and labeled by a licensed lab.***
- 3. The maximum height of the sign (highest point above the finished grade around the sign base) shall not exceed 25 feet and the maximum sign area shall not exceed 180 sqft.***

MOTION carried unanimously.

Weimer Bearing – N112 W13131 Mequon Road. The applicant is requesting approval of two monument signs for the recently completed corporate office and distribution facility located in the Germantown Business Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to approve the proposed monument signs for Weimer Bearing located at N112 W13131 Mequon Road subject to the following conditions:

- 1. A separate electrical permit shall be obtained from Inspection Services prior to installation.**
- 2. All electronic components shall be labeled by a licensed lab and inspected prior to or concurrent with installation.**
- 3. Approval of the Mequon Road monument sign shall be contingent upon and no sign installation shall commence until such time as the 50' WisDOT highway setback restriction has been released by WisDOT and approved by the Village of Germantown.**

Discussion followed. Trustee Baum commented that the address coordinates would be blocked by the proposed landscaping because the sign was so low to the ground. He asked if the sign base could be raised 12 inches. Planner Retzlaff confirmed the sign could be raised.

MOTION to Amend Baum second Laszewski that both signs be raised up a minimum of 12 inches high.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Gehl Foods LLC – N120 W19000 Freistadt Road. The application is for a site development plan to reduce the size of an existing storm water basin and add 28 parking stalls to the parking area on the 33.5 acre property. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the site development plans to reduce the size of the existing storm water basin and add 28 parking stalls to the parking area on the 33.5-acre property located at N120 W19000 Freistadt Road subject to the following conditions:

- 1. This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site development plan (Sheet C1.0) and the landscape plan (Sheet L1.0) dated October 6, 2016, and the lighting plan (Sheet E2) dated September 29, 2016 unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.**
- 2. All landscaping, grading, and paving improvements shown on the approved site plans shall be installed as proposed within one (1) year after plan approval unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed.**

Discussion followed. Commissioner Laszewski asked how a 286,000 sqft building was approved with only 41 parking spots. Planner Retzlaff explained that there are parking guidelines for generalized uses, but the proposed use is also considered and the number of parking stalls could be adjusted accordingly. He explained that a business would be required to show on the site where the recommended parking stalls could be added at some point in the future if needed. He said this building was proposed as a warehouse and they required only a

certain number of parking stalls. He said this site is heavily constrained by wetlands and floodplain and the site was developed on what could be developed.

Trustee Baum asked if the building would need more staffing and if the additional parking spaces would be enough to handle the cross over with the shift change. Steve Schulz, Gehl Foods, said no additional staffing was needed and the additional 28 stalls will be enough for the transition at shift change. He said there will be 76 people at shift change with the new bottling line. Trustee Baum was concerned there may be a need for more parking in the future.

MOTION carried unanimously.

ANNOUNCEMENTS: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

SIGN PERMIT REVIEW

11/14/16 Plan Commission Meeting

Maximized Living Health Center / Yentz Family Chiropractic

Village Planner Report Germantown, Wisconsin

Summary

Fast Signs, agent for DDS Germantown Investment LLC, property owner, and Dr. Karl Yentz, Yentz Family Chiropractic, operator, is requesting sign approval for a new facility in the Maximized Living Health Center within the Germantown Commons building located at N112 W16076 Mequon Road.

Property Location: N112 W16076 Mequon Road

Applicant/

Property Owner:	Karl Yentz	DDS Germantown Investment LLC
	Yentz Family Chiro	c/o Stephen Provancher
	N112W16076 Mequon	6108 N. Shoreland Ave
	Germantown, WI	Milwaukee, WI

Current Zoning: B-3: General Business District

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



Background/Proposal

Fast Signs, agent for DDS Germantown Investment LLC, property owner, and Dr. Karl Yentz, Yentz Family Chiropractic, operator, is requesting sign approval for a new facility in the Maximized Living Health Center within the Germantown Commons building located at N112 W16076 Mequon Road:

- 1'8" x 23' (38 sqft) wall-mounted LED internally-illuminated channel lettering and logo raceway mounted on the east elevation; and
- 36" x 69.5" (17.5 sqft) monument sign panel insert

Staff Comments

The proposed wall sign meets the sign requirements including the allowance for 1.5 sqft of sign area for every 1 linear foot of building frontage (38 sqft proposed vs. the maximum allowance of 168 sqft for 112 linear feet of building frontage). The proposed monument sign panel insert has a dark background and is also code compliant.

Village Planner Recommendation

APPROVE the proposed wall sign and monument sign panel insert for the Maximized Living Health Center located at N112 W16076 Mequon Road with the following conditions:

1. Electrical permits shall be obtained from the Inspection Services prior to installation.
2. All electronic components shall be inspected and labeled by a licensed lab.



Village of



Germantown

Willkommen

Fee must accompany application ✓

\$275 Sign Review Fee

\$ 75 Sign Face Replacement

Paid \$ Date 10-7-16

SIGN REVIEW APPLICATION

Pursuant to Section 17.46 of the Municipal Code

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

1 APPLICANT OR AGENT

KARL YENTZ

PROPERTY OWNER

Phone (608) 393-5574

Fax (408) 264-6366 (ML office)

E-Mail KARLYENTZ@gmail.com

Phone ()

2 PROPERTY ADDRESS OR GENERAL LOCATION

1112 W16076 MEQUON RD., SUITE A-2
GERMANTOWN, WI 53022

3 SIGN INFORMATION -

Sign Dimensions 20" height x 277.5 width (Single) Multi Tenant (circle one)

Number of Sides 1

Building Frontage SF 112

Total Square Footage of Sign (include all sides) 32.2

Total height of the Sign "

Is the Sign to be illuminated ✓ yes _____ no

Type of Sign Construction Materials Aluminum

Distance to Closest Property Line 164'

Are there any existing signs on the property No

If yes, what is the total Square Footage of existing signs _____

What are the intentions for the existing signs: Take down N/A Remain _____

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

Applicant

Date

Owner

Date



Village of



Germantown

Willkommen

DR. KARL YENTZ
Fee must accompany application

\$275 Sign Review Fee

\$ 75 Sign Face Replacement

Paid _____ Date _____

SIGN REVIEW APPLICATION

Pursuant to Section 17.46 of the Municipal Code

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

1 APPLICANT OR AGENT

Phone () _____

Fax () _____

E-Mail _____

PROPERTY OWNER

DDS Germantown Investment, LLC

Attn: Stephen Provancher

6108 N. Shoreland Ave.

Milwaukee, WI 53217

Phone (262) 271-4440

2 PROPERTY ADDRESS OR GENERAL LOCATION

N112 W16076 MEQUON ROAD, SUITE A-2
GERMANTOWN, WI 53022

3 SIGN INFORMATION

Sign Dimensions _____ height x _____ width Single/Multi Tenant (circle one)

Number of Sides _____ Building Frontage SF _____

Total Square Footage of Sign (include all sides) _____

Total height of the Sign _____

Is the Sign to be illuminated _____ yes _____ no

Type of Sign Construction Materials _____

Distance to Closest Property Line _____

Are there any existing signs on the property _____

If yes, what is the total Square Footage of existing signs _____

What are the intentions for the existing signs: Take down _____ Remain _____

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

Applicant _____

Date _____

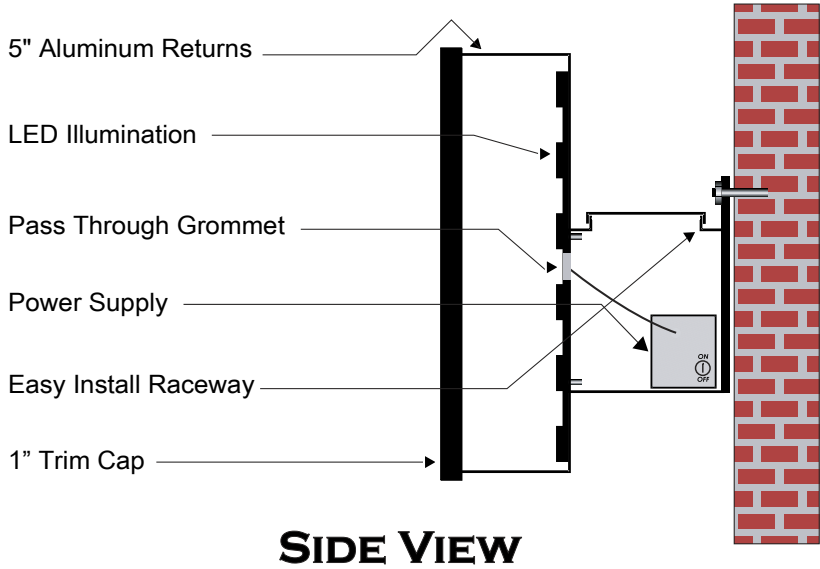
Stephen B. Provancher 9/16/16
Owner Date



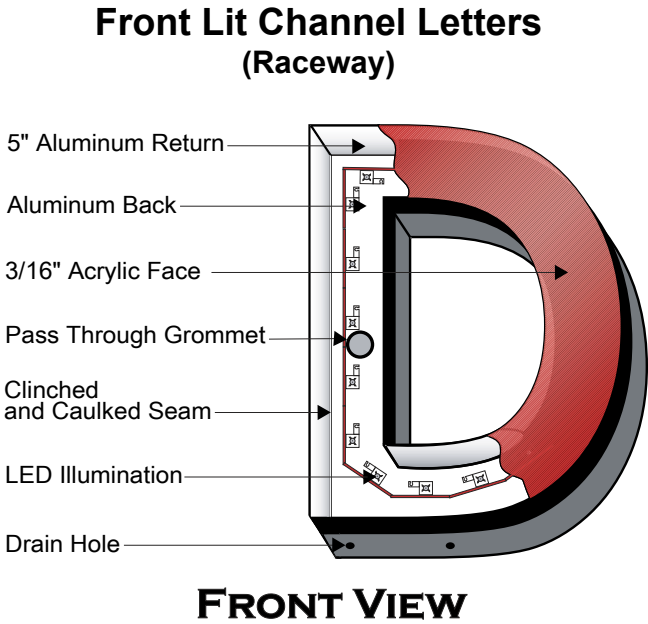
Dimensions



Sq. Ft. = _____



SIDE VIEW



FRONT VIEW

Color

Face of Letter - White Vinyl Face of Logo - Red Vinyl (Opaque) White Vinyl (Translucent) Back of Letter and Logo - Aluminum Casing - Painted Black

FASTSIGNS More than fast. More than signs.™	Address _____	Approval I have carefully reviewed and hereby accept the drawing(s) as shown. I realize that any changes made to these designs prior to or after production may alter the contract price. All changes must be in writing and approved by both parties prior to production. _____ Signature Date
Project Name <u>Dr. Karl yentz - Maximized Living</u>	City _____	
Description <u>Exterior Channel Letters</u>	State/Zip _____ Date _____	
	Job No. _____ Order Taken by _____	

Dimensions

Sq. Ft. = _____



Color

Pylon Background -  Black Vinyl Letter -  White Face of Logo -  Red Vinyl

 More than fast. More than signs.™	Address _____		Approval I have carefully reviewed and hereby accept the drawing(s) as shown. I realize that any changes made to these designs prior to or after production may alter the contract price. All changes must be in writing and approved by both parties prior to production. Signature _____ Date _____
	City _____		
	State/Zip _____	Date _____	
	Job No. _____ Order Taken by _____		
Project Name <u>Dr. Karl Yentz</u>			
Description _____			

SIGN PERMIT REVIEW

11/14/16 Plan Commission Meeting

D & G Warehousing

Village Planner Report

Germantown, Wisconsin

Summary

Bauer Sign Co., agent for D&G Warehousing, property owners, are requesting approval for wall-mounted business signage for the existing facility located at N120 W18665 Freistadt Road.

Property Location: N120 W18665 Freistadt Road

Applicant/

Property Owner: Bob Kraus
Bauer Sign Co.
2500 S. 170th St
New Berlin, WI

D&G Warehousing
N120 W18665 Freistadt Road.
Germantown, WI

Current Zoning: M-1: Limited Industrial

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



Proposal

Bauer Sign Co., agent for D&G Warehousing, property owners, are requesting approval for two (2) wall-mounted business signs for the existing facility located at N120 W18665 Freistadt Road:

- (2) 7' high x 10'6" wide (73.5 sqft each; 147 sqft total sign area) wall-mounted signs of internally-illuminated raceway mounted channel letters mounted over the main entrance.

Staff Comments

The proposed wall sign meets the sign requirements including the allowance for 1.5 sqft of sign area for every 1 linear foot of building frontage up to 300 total sqft per single-user business (147 sqft proposed vs. the maximum allowance of 300 sqft).

Village Planner Recommendation

APPROVE the proposed wall sign for D&G Warehousing located at N120 W18665 Freistadt Road subject to the following conditions:

1. Electrical permits shall be obtained from the Inspection Services prior to installation.
2. All electronic components shall be inspected and labeled by a licensed lab.



Fee must accompany application

☒ \$275 Sign Review

Paid \$ Date 10-10-16

SIGN REVIEW APPLICATION

Pursuant to Section 17.46 of the Municipal Code

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

1 APPLICANT OR AGENT	PROPERTY OWNER
<u>BAUER SIGN CO / BROTHERS</u>	<u>D & G Warehousing</u>
<u>2500 S. 170th St</u>	<u>N120 W18665 Freistadt Rd</u>
<u>New Berlin, WI</u>	<u>Germantown, WI</u>
<u>53151</u>	<u>53122</u>
<u>Phone (262) 784-0500</u>	<u>Phone (262) 784-0500</u>
<u>Fax (262) 784-6675</u>	
<u>E-Mail bkraus@bauersignusa.com</u>	

2 PROPERTY ADDRESS OR GENERAL LOCATION

N120 W18665 Freistadt Rd

3 SIGN INFORMATION

Sign Dimensions 7' height x 10'6" width
Number of Sides 1
Total Square Footage of Sign (include all sides) 73.5 sq ft
Total height of the Sign 7'
Is the Sign to be illuminated yes ☒ yes ☐ no
Type of Sign Construction Materials Aluminum (Plasma Cut)
Distance to Closest Property Line _____

LEO 2 sets of letters
East & North elevation

Are there any existing signs on the property No
If yes, what is the total Square Footage of existing signs N/A

What are the intentions for the existing signs: Take down _____ Remain _____ N/A

4 SIGNATURES - ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Bauer Sign Co / 10/2/16
Applicant BOS Date

William S. Felt 10/5/2016
Owner Date





2500 South 170th Street
New Berlin, Wisconsin 53151
Proudly Made In the USA!

wire bauersignusa.com
voice 262.784.0500
fax 262.784.6675

Award Winning
Graphic Design



SAVED AS: D&G Climate
LOCATION: Germantown WI
SALES REP: Bob Kraus
DATE: 26 Aug 16
REVISION:



**D&G Climate Control
Channel Letters**



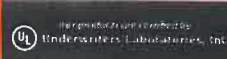
SPECIFICATIONS

FABRICATE AND INSTALL (1SET) INTERNALLY ILLUMINATED, RACEWAY MOUNTED CHANNEL LETTERS.

- FACES TO BE #7328 WHITE PLEXIGLASS
- LOGO MODULE FACE TO BE DECORATED WITH TRANSLUCENT VINYL OVERLAYS
- RETURNS TO BE .050X5" AND BACKS TO BE .063 ALUMINUM
- TRIMCAPS TO BE 1" BLACK
- EXTERIORS PAINTED BLACK
- INTERIORS PAINTED WHITE
- ILLUMINATED WITH WHITE LEDs
- POWERED WITH APPROPRIATE LOAD POWER SUPPLIES
- RACEWAY TO BE 5"x 3.5" x 10'6" AND PAINTED TBD

Printed artwork colors are not always representative of final product colors. Please refer to specifications for call out or salesman for samples
These drawings are the exclusive property of Bauer Sign Company. Not to be duplicated in any way without expressed written permission!

**FINAL ELECTRICAL
CONNECTION IS CLIENT'S
RESPONSIBILITY**



This sign shall be installed in accordance with the National Electrical Code (NEC) and the applicable local codes. The installer shall be responsible for obtaining the necessary permits and ensuring the sign is installed in accordance with all applicable codes.

APPROVAL / DATE

SITE PLAN CONSULTATION

11/14/16 Plan Commission Meeting

Keller Inc. / United Investments Inc.

Village Planner Report

Germantown, Wisconsin

Summary

Keller Inc., agent for United Investments Inc., property owner, has requested a consultation with the Plan Commission to discuss a proposed mixed-use commercial development on approximately 5.9 acres located at W204 N11509 Goldendale Road.

Property Location: W204 N11509 Goldendale Road

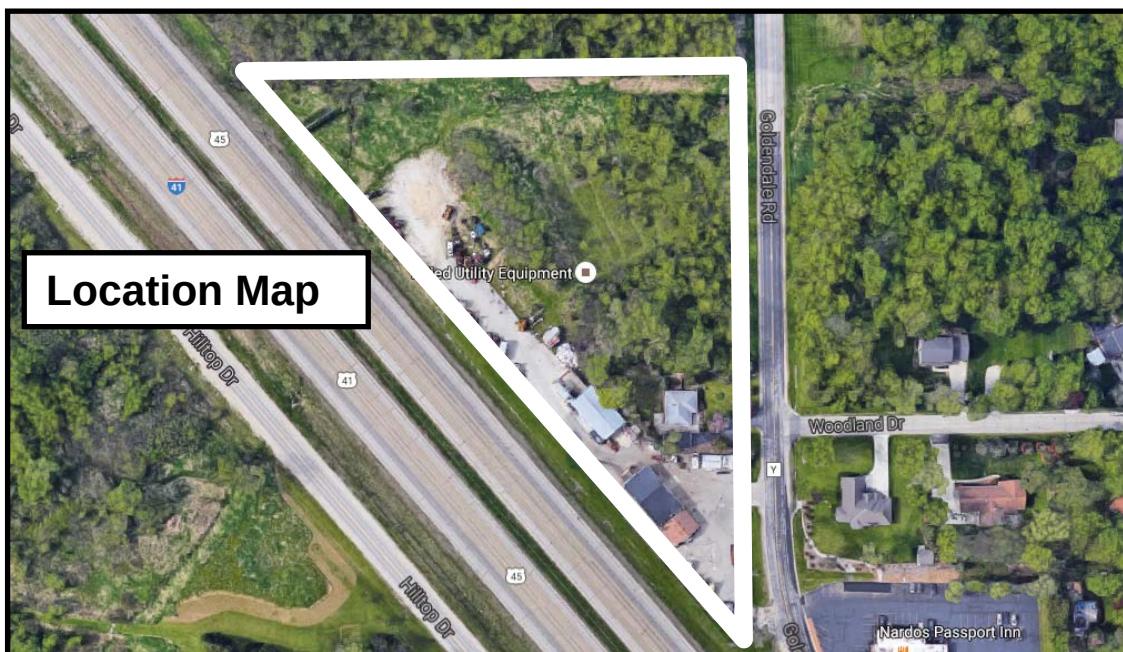
**Property Owner/
Applicant:**

Keller Inc.
W204N11509 Goldendale Rd
Germantown, WI

United Investments Inc.
N216 State Highway 55
Kaukauna, WI 54130

Zoning Districts: B-3: General Business (5.25 acres)
Rs-4: Single-Family (.65 acres)

Adjacent Land Uses		Zoning
North	Ag/Residential	A-2/Rs-2
South	US41	n/a
East	Residential/Commercial	Rs-2/B-3
West	US41	n/a



Background

In 2014, Keller Inc. acquired the former Allied Utility Equipment Inc. and obtained site plan approval and a conditional use permit to renovate the existing buildings for use as a construction services/contractor operation. Keller Inc., a leader in the delivery of design/build construction services, is headquartered in Kaukauna, Wisconsin, with offices in the Fox Cities, Madison, Wausau and Germantown (referred to as their Milwaukee Office). Keller completed the planned renovations and currently operates a small office operation with 4-7 employees during general business hours from 7:30 am to 5:00 pm, Monday through Friday. Job trailers are allowed to be parked on the north side of the property with additional inside storage for building supplies and equipment within the main office building and a large storage shed. Keller recently acquired the adjacent .65-acre residential parcel located at W204 N11569 Goldendale Road. Keller intends to remove the residential dwelling, rezone (Rs-4: Single-Family to B-3: General Business) and combine the .65-acre parcel with the larger 5.25-acre parcel.

Proposal

At this time, Keller Inc. has requested a consultation with the Plan Commission to discuss a proposed mixed-use commercial development on their approximately 5.9 acres located on Goldendale Road.

As shown in attached "Keller-Phase 2" concept plan (Sheet C1.0) and discussed in the October 27 project description, Keller proposes to develop three (3) separate commercial buildings totaling 30,000 sqft. Each building will be designed to accommodate up to 6 or 8 leased spaces or suites with 1,500 sqft each (but capable of being combined into larger spaces to suit tenant needs). The buildings would be placed at the building setback lines along US41 (Buildings #1 and #2) and Goldendale Road (Building #3) with all parking internal to the site. The buildings are designed to offer an over-head door option that would face toward the interior parking and access areas. The buildings present a simpler design with a low-slope metal shingle roof and exterior materials comprised of stone veneer, burnished block veneer and metal siding.

The buildings and parking areas will be placed so as to avoid directly impacting the wetland, navigable stream and floodplain features located along the north and west sides of the property. Minimal grading is proposed within the 25' wetland and 75' stream setback areas.

Development on the site (and the existing Keller office building to the south) would be served by two (2) driveways onto Goldendale Road. The existing two driveways serving the existing office building would be closed with one new driveway across from Woodland Drive and the second new driveway further north.

Staff Comments**Community Development Department**

Because this property and the adjacent Nardo's restaurant property had pre-existing commercial uses at the time the Village's 2020 Land Use Plan (LUP) was developed, the subject property is classified as "Commercial" on the Village's 2020 LUP map.

Consequently, the proposal to develop additional commercial uses is consistent with the LUP map. With that said, given that the property is somewhat removed from the more highly traveled commercial corridors in the Village, questions may arise about ease of access

to/from the potentially 20 new businesses that might locate on the property and potential increases in non-local traffic in an area that has developed more residentially than commercially since US41 was constructed through the area bisecting Goldendale/Hilltop Drive back in the late 1950's.

The B-3 Zoning District allows an extensive variety of commercial retail, professional office and service-related uses "by right" and many more intensive construction and vehicle service, contracting, repair and other similar uses with a conditional use permit. Consequently, and like all other multi-tenant commercial and industrial buildings offering lease space to new businesses, prospective tenants (or owners) of these buildings will be required to obtain a Zoning Compliance/Occupancy Permit from the Community Development Department prior to occupancy. In some cases, a prospective tenant may be required to first obtain a conditional use permit prior to occupancy (to be determined at the time the Zoning Compliance Permit is applied).

There is no valid survey information available for the property. A property boundary and topography survey will need to be conducted to serve as the base for the detailed site development plans that will be required. A valid (i.e. 5 years old or newer) wetland delineation will also be required (which appears to have been completed).

As discussed previously, there is a need for both a certified survey map (CSM) land combination and to rezone the .65-acre residential parcel that Keller has acquired and intends to incorporate into the proposed development area as shown on the concept plan (in the vicinity of Building #3 and the southern driveway). Existing zoning for the .65-acre residential lot is Rs-4: Single-Family and B-3: General Business for the larger Keller parcel. While the B-3 District is not intended to be assigned to any new property in the Village (the district was generally created and assigned to pre-existing commercial land uses on sub-standard parcels at the time the Zoning Code was last comprehensively amended in 1988). However, given the nature of the request, it seems both reasonable and logical to rezone the .65-acre parcel to the same district as the surrounding parcel.

Public Works Department/Utilities

1. Village water main terminates across Goldendale Road in the vicinity of Nardo's restaurant. The developer will be required to extend the water main from the existing terminus to the north end of the Keller property.
2. The proposed 20' easement for sanitary sewer is sufficient although it will be required that the pavement cross section be able to withstand the loading of the Utility Department's 80,000 lb sewer cleaning truck. In addition, the owner will be required through a developer's agreement to hold the Village harmless regarding any damage caused by the utility truck accessing the sanitary manholes for maintenance reasons.
3. A Storm Water Management Plan will be required.
4. Access to the existing sanitary sewer at the NW end of the proposed parking access driveway will be to an existing 8" lateral located 30' northeast of the existing sanitary manhole that is approximately 12' underground from the manhole rim.

Fire Department

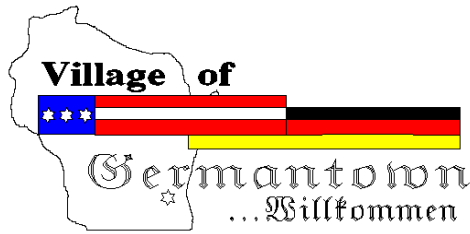
The Fire Department has provided the following comments:

1. Recommend connecting/extending to the Village water supply currently terminating at Nardo's restaurant property and extending northward along Goldendale Road.
2. Recommend installing approved fire hydrants with "Storz" connectors at new north access driveway and in the unpaved island between Building 1 and 2.
3. The access driveways and parking areas shall be paved and of sufficient strength to support fire apparatus and emergency vehicles.
4. North access driveway should be completed during Phase 1 for Fire Department access; fire apparatus and emergency vehicle turn-around needed at the north end of building 2.
5. The need for fire sprinklers and/or alarms will need to be determined by WI DSPS plan review.
6. As indicated by the developer, some of the potential occupancy uses may not be allowed per the building/fire code, e.g. millwork, lumber yards, auto repair, bottled gas, fuel oil, etc. Further, additional fire protection measures may be required for other uses, e.g. sprinklers or fire separation. The buildings are proposed to not have rated fire separation between each of the units. Limited, if any, pallet rack storage may be allowed.

Consultation

At this time, the Plan Commission is not required to take any formal action but should be prepared to ask questions and provide feedback concerning the proposal and possible conditions and/or restrictions that may govern future development. Any issues or items of specific concern should be brought forward for discussion. Typically, items for discussion include:

1. Building architecture & exterior materials
2. Type of land uses and/or businesses
3. Signage & lighting
4. Wetland & navigable stream protection
5. Traffic & access
6. Type and magnitude of potential negative impacts to surrounding neighborhoods & properties



Engineering Department Memorandum

To : Jeff Retzlaff

From : Larry Ratayczak, P.E.

Date : November 10, 2016

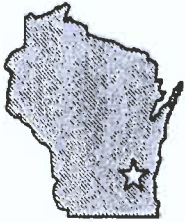
Re : Review of Potential Development Plans for the Keller Property

The Department of Public Works has reviewed the Initial Layout Plan for the possible development of the Keller Inc property on Goldendale Road. We offer the following comments:

- 1) The proposed 20' easement for sanitary sewer is sufficient although we would recommend a pavement cross section able to withstand the loading of the Utilities 80,000 lb sewer cleaning truck. In addition, we would note that the utility would be held harmless to any damage caused by the utility truck accessing the sanitary manholes for maintenance reasons
- 2) Water main on Goldendale Road would need to be extended to the north property line of the Keller Property.
- 3) A Storm Water Management Plan would be required
- 4) Access to the existing sanitary sewer at the NW end of the proposed roadway is to an existing 8" lateral located 30' northeast of the existing sanitary manhole and is approximately 12' down from the manhole rim.

Respectfully submitted:

Lawrence Ratayczak, P.E.
Director of Public Works



Village of



Germantown

Willkommen

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

[Signature]

DATE

10-27-16

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

Keller, Inc

W204 N11509 Goldendale Rd
Germantown, WI 53022

Phone (262) 250-9710

Fax () _____

E-Mail pbergerud@kellerbuilds.com

PROPERTY OWNER

Keller, Inc

W204 N11509 Goldendale Rd
Germantown, WI 53022

Phone (262) 250-9710

Fax () _____

E-Mail nlaurent@kellerbuilds.com

2

PROPERTY ADDRESS

W204 N11509 Goldendale Rd

3

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

North	South	East	West
<u>wetlands/woods</u>	<u>Hwy 41</u>	<u>Residential</u>	<u>Hwy 41</u>

4

READ AND INITIAL THE FOLLOWING:

[Initials] I am aware of the Village of Germantown ordinance requiring fire sprinklers in most new construction.

[Initials] I understand that all new development is subject to Impact and/or Connection Fees that must be paid before building permits will be issued.

[Initials] 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!

[Signature] 10/26/16
Applicant Date

[Signature] 10/26/16
Owner Date



Keller

Planners | Architects | Builders
*With Offices in the Fox Cities, Madison,
Milwaukee & Wausau*

October 27, 2016

Keller, Inc is looking to build three mixed use commercial buildings on the north end of our property in Germantown, adjacent to Hwy 41. Two 9,000 sq. ft. buildings will be facing Hwy 41 and one 12,000 sq. ft. building will be face Goldendale Rd. These will be leased out spaces unless we find buyers for the building. The 9,000 sq. ft. buildings are currently designed to have six suites each. The larger building will have eight suites. All buildings will have overhead doors, but will not be seen from Hwy 41 or Goldendale Rd.

The exteriors will be a mix of stone veneer, burnished block veneer, metal siding, and metal shingle cladding. Please refer to the elevation plans.

We plan to start building Building #1 this winter, pending tenant interest. If Building #1 fills quickly, Building #2 would follow. Building #3 would be built last.

The property is designated as "Commercial" on the Village's Land Use Plan map. The development plans are intended to be consistent with that while also being sensitive to the "Environmental Corridor" designation and wetlands on the north part of the property. The wetland area has been surveyed and the site designed accordingly with proper setbacks.

The preliminary list of potential B3 tenants that we would be interested in are: antique stores; appliance sales and service; business offices; computer sales and service; electrical supply stores; furniture upholstery/repair; heating supply stores; interior decorators; photo studios; plumbing supply stores; professional offices; quick printing shops; auto and truck rental; auto repair shops; construction services; contractor shops; fuel oil, bottles gas, ice dealers; garden supplies, horticultural services; indoor health or recreation establishment; millwork, lumber yards, saw mills and planing mills; warehouse and indoor storage; any use similar to a permitted use.

Keller, Inc. looks forward to working with the Village of Germantown to bring more commercial business to the area.

ADDRESS

W204 N11509 Goldendale Road
Germantown, WI 53022

PHONE

262.250.9710 1.800.236.2534

FAX

262.250.9740

WEB SITE

www.kellerbuilds.com

SHEET INDEX

- C1.0 SITE PLAN
- A1.0 FLOOR PLANS
- A2.0 ELEVATIONS
- A3.0 SECTIONS
- T2.0 SPECIFICATIONS

PROJECT INFORMATION

APPLICABLE BUILDING CODE
2009 INTERNATIONAL BUILDING CODE (WITH WISCONSIN AMENDMENTS)
ASHRAE STANDARD 90.1-2007

BUILDING CONTENT

BUILDING # FIRE AREA SQUARE FOOTAGES

FLOOR AREAS	BUILDING #1	BUILDING #2	BUILDING #3
SECOND FLOOR	-	-	-
FIRST FLOOR	9,000 S.F.	9,000 S.F.	12,000 S.F.
CANOPIES (COLUMN SUPPORTED)	-	-	-
BASEMENT	-	-	-
BUILDING AREA SUB-TOTALS	9,000 S.F.	9,000 S.F.	12,000 S.F.
MEZZANINES	-	-	-
FIRE AREA TOTALS	9,000 S.F.	9,000 S.F.	12,000 S.F.

HIGH FILE STORAGE NO
FIRE ALARM SYSTEM (TBD)

OCCUPANCY

B - BUSINESS
FI - FACTORY - MODERATE HAZARD
SI - STORAGE - MODERATE HAZARD
NON SEPARATED

CONSTRUCTION CLASSIFICATION

TYPE IIB CONSTRUCTION
SPRINKLED NO
FIREWALL NO

ALLOWABLE AREA

TABULAR FLOOR AREA: 15,500 S.F.
FRONTAGE INCREASE: 11,625 S.F.
SPRINKLER INCREASE: N/A
TOTAL ALLOWABLE AREA: 27,125 S.F.
ALLOWABLE FIRE AREA: 12,000 S.F.

BUILDING/SITE CONTENT

BUILDING SIZE 30,000 S.F. 15.2%
HARD SURFACE 51,467 S.F. 26.1%
GREEN SPACE 115,897 S.F. 58.7%
PARCEL SIZE (APPROX.) 197,264 S.F. 4.53 ACRES
PARKING PROVIDED 58 STALLS (1 STALL/517.2 S.F.)

ZONING INFORMATION

ZONING: B3
FRONT YARD SETBACK: AVERAGE OF ADJACENT
SIDE YARD SETBACK: 0'-0"
REAR YARD SETBACK: 25'-0"

CONCEPTUAL SITE PLAN

THE LOT DIMENSIONS AND BEARINGS SHOWN ON THIS PLAN ARE INTERPRETED VALUES. FOLLOW UP INVESTIGATION WITH STATE AND LOCAL AUTHORITIES AND/OR WITH CERTIFIED SURVEY MAP DATA WHEN AVAILABLE IS REQUIRED.

PROPOSED MIXED-USE COMMERCIAL FOR:

KELLER - PHASE 2 SITE

GERMANTOWN,

WISCONSIN



Keller
PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES
N216 State Road 55
P.O. Box 620
Kaukauna, WI 54130
PHONE (920) 766-5795
1-800-236-2534
FAX (920) 766-5004

MILWAUKEE
W177N856 Rivercrest Dr.
Suite 104
Germantown, WI 53022
PHONE (262) 250-9710
FAX (262) 250-9740

MADISON
2111 Lois Dr.
Sun Prairie, WI 53590
PHONE (608) 318-2336
FAX (608) 318-2337

www.kellerbuilds.com

PROPOSED MIXED-USE COMMERCIAL FOR:

KELLER - PHASE 2 SITE

GERMANTOWN,

WISCONSIN

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This design, drawing and detail is the copyrighted property of KELLER, INC. No part hereof shall be copied, duplicated, distributed, disclosed or made available to anyone without the expressed written consent of KELLER, INC.

REVISIONS

2	SEPT. 2, 2015	KRW
3	11.10.2015	TDP
4	03.07.2016	TDP
5	08.04.2016	TDP
8	07.29.2016	TDP

PROJECT MANAGER:

N. LAURENT

DESIGNER:

C. MANSKE

DRAWN BY:

TDP

EXPEDITOR:

SUPERVISOR:

PRELIMINARY NO:

PI4284

CONTRACT NO:

DATE:

08.21.2015

SHEET:

C1.0

PRELIMINARY - NOT FOR CONSTRUCTION



Keller

PLANNERS | ARCHITECTS | BUILDERS

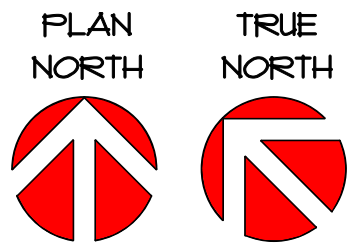
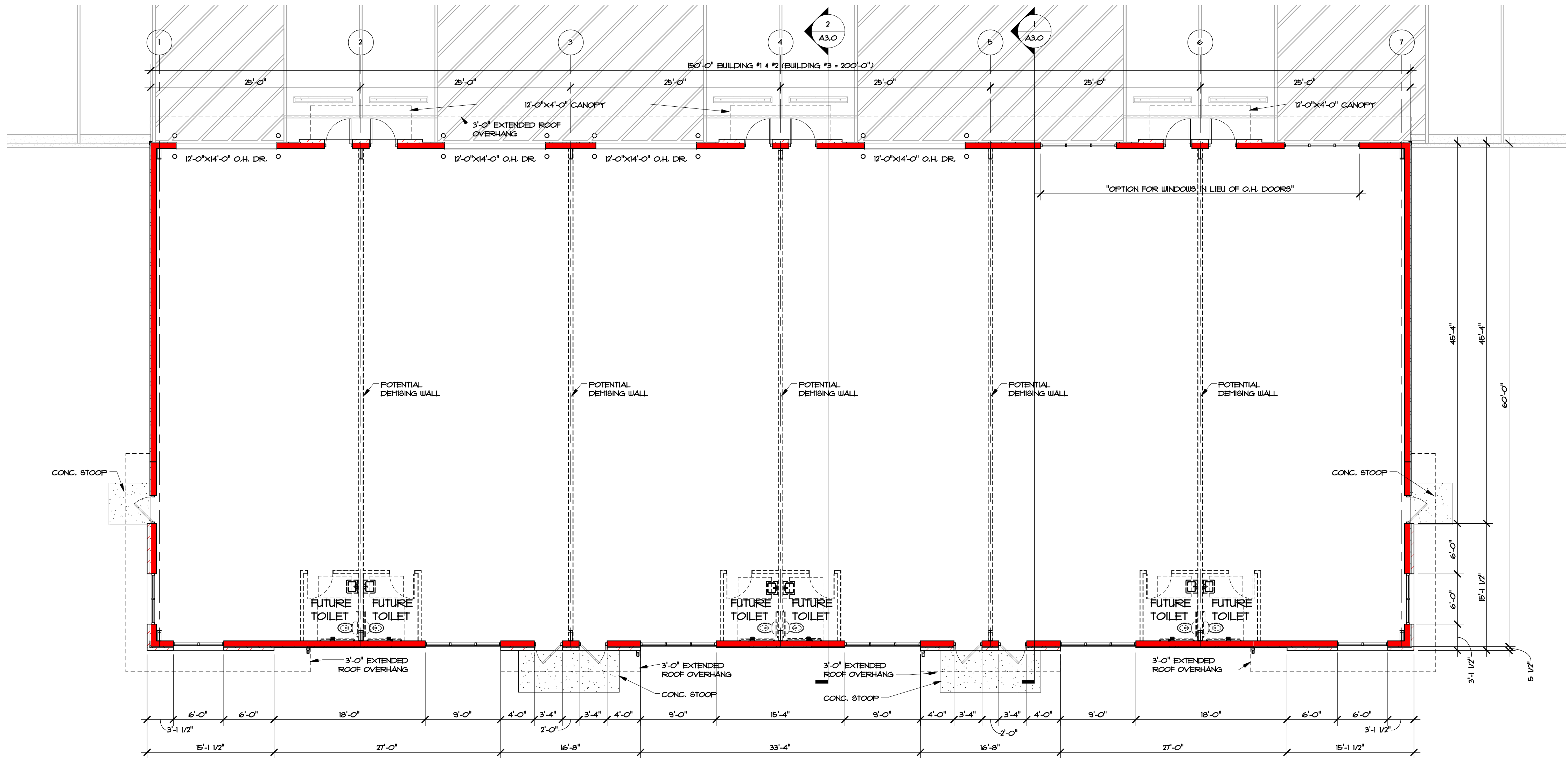
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Germantown, WI 53022
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MADISON
711 Lobs Dr.
Sun Prairie, WI 53590
PHONE (608) 318-2336
FAX (608) 318-2337

WAUSAU
5605 Ilac Ave.
Wausau, WI 54401
PHONE (715) 849-3141
FAX (715) 849-3181

www.kellerbuilds.com



BUILDING #1 & #2 FLOOR PLAN

1/8" = 1'-0"

BUILDING #3 FLOOR PLAN + 50'-0"

WALL KEY	
	NEW WALL/FURRING
	NEW MASONRY/VENEER WALL
	NEW COOLER/FREEZER WALLS
	NEW FOUNDATION WALL
	TYPICAL EXISTING WALL
	DEMO WALLS

PRELIMINARY - NOT FOR CONSTRUCTION

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8	07.23.2016 TDP

PROJECT MANAGER: N. LAURENT

DESIGNER: C. MANSKE

DRAWN BY: TDP

EXPEDITOR: _____

SUPERVISOR: _____

PRELIMINARY NO: P14284

CONTRACT NO: _____

DATE: 08.21.2015

SHEET: **A1.0**

WISCONSIN

GERMANTOWN,



Keller

PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES
N216 State Road 55
P.O. Box 620
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WISCONSIN

GERMANTOWN,

PROPOSED MIXED-USE COMMERCIAL FOR:

KELLER - PHASE 2 SITE

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8	07.29.2016	TDP	

PROJECT MANAGER: N. LAURENT

DESIGNER: C. MANSKE

DRAWN BY: TDP

EXPEDITOR: _____

SUPERVISOR: _____

PRELIMINARY NO: P14284

CONTRACT NO: _____

DATE: 08.21.2015

SHEET: A2.0

PRELIMINARY - NOT FOR CONSTRUCTION





Keller

PLANNERS | ARCHITECTS | BUILDERS

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WISCONSIN

GERMANTOWN,

PROPOSED MIXED-USE COMMERCIAL FOR:

KELLER - PHASE 2 SITE

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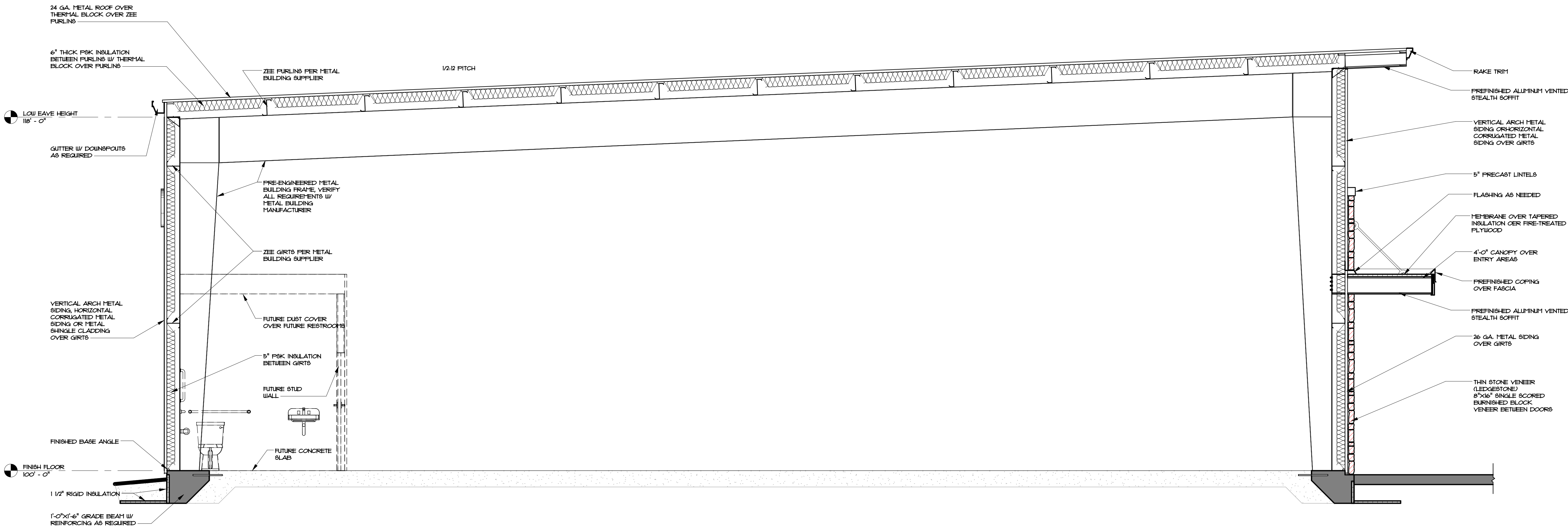
CONTRACT NO:

DATE:

08.21.2015

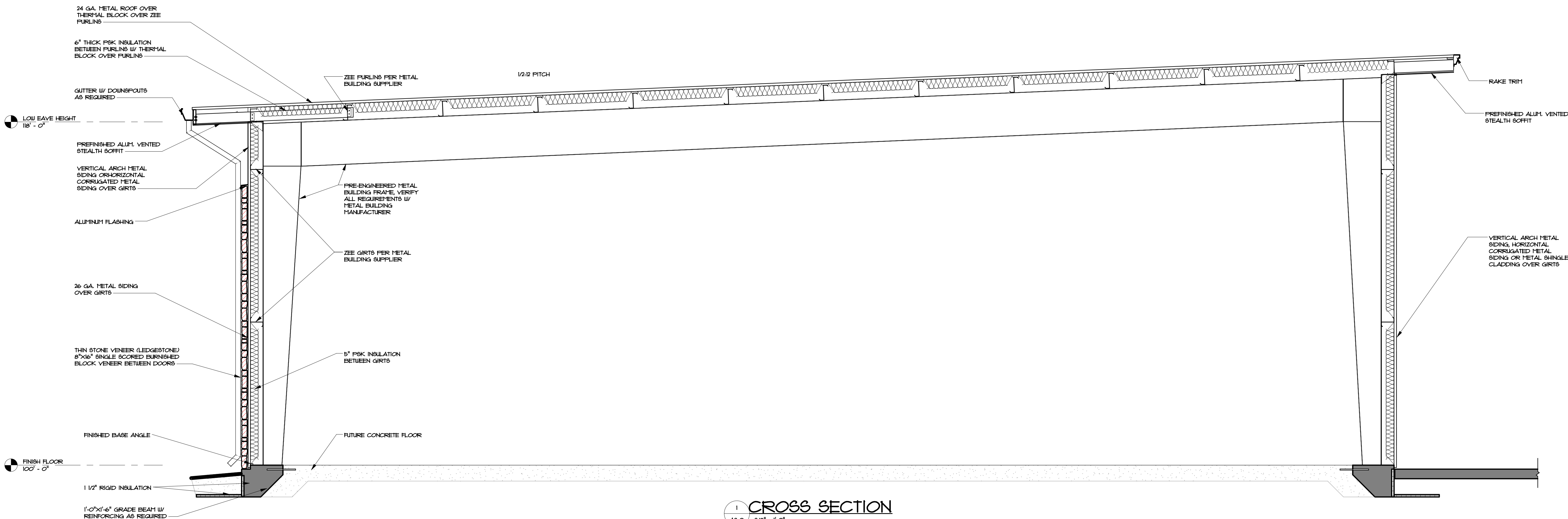
SHEET:

A3.0



2 CROSS SECTION

A3.0 3/8" = 1'-0"



1 CROSS SECTION

A3.0 3/8" = 1'-0"

CERTIFIED SURVEY MAP (CSM) & REZONING APPLICATION

11/14/16 Plan Commission Meeting

Matthew Schaetzel & Carrie D'Acquisto

Village Planner Report

Germantown, Wisconsin

Summary

Matthew Schaetzel & Carrie D'Acquisto, property owners of two existing residential lots on Main Street are seeking approval of a 2-lot Certified Survey Map (CSM) and rezoning application.

Location: Main Street (north side between Squire Drive & Park Street)

Applicants/

Property Owners: Matthew Schaetzel N116 W16416 Main Street
Carrie D'Acquisto N116 W16366 Main Street

Current Zoning: Schaetzel Rd-2: Two-Family
D'Acquisto Rs-3: Single-Family

Adjacent Land Uses		Zoning
North	Railroad ROW	n/a
South	Residential	Rs-4/Rs-7
East	Business	B-3
West	Business/Residential	B-3/Rs-5



Proposal

Matthew Schaetzel & Carrie D'Acquisto, property owners of two existing residential lots on Main Street are seeking approval of a 2-lot Certified Survey Map (CSM) for the purpose of adjusting the common lot line between the two lots by conveying an approximately 7,700 sqft area from the D'Acquisto lot to the Schaetzel lot. As shown in the proposed CSM, the small area in question is oddly shaped, already lies behind (north) of the Schaetzel lot and contains a detached accessory building that, by its existing location, already appears to be part of the Schaetzel lot. The proposed Rs-3 to Rd-2 rezoning only affects the 7,700 sqft area being conveyed in order to put the entire Schaetzel lot into the Rd-2 District (and avoid split-zoning on the lot).

Staff Analysis

Consistency with the Village's Land Use Plan & Applicable Zoning Districts.

The Land Use Plan map classifies both lots as "Village Mixed Use". This land division affects two existing residential lots created many years ago and is not inconsistent with the land use classification that encourages the preservation of existing residential uses.

As presented in the table below, both the Schaetzel and D'Acquisto properties are "conforming" in terms of the minimum area required for the respective zoning districts (Rd-2 and Rs-3). However, while the proposed detachment appears reasonable in terms of better defining the common property line in light of the existing buildings, it does reduce the D'Acquisto lot below the minimum 1.0-acre requirement for the Rs-3 Zoning District. Consequently, staff is recommending that the entire remaining D'Acquisto lot be rezoned from Rs-3 to Rs-4 in order to make it conforming (but still unable to be divided into any additional lots).

Lot Owner	Existing		Proposed	
	Zoning	Area	Zoning	Area
Schaetzel	Rd-2	21,100	Rd-2	25,506 sqft
	min: 15,000 sqft	.48 Ac	min: 15,000 sqft	.59 Ac
D'Acquisto	Rs-3	48,521 sqft	Rs-4	34,387 sqft
	min: 43,560 sqft	1.11 Ac	min: 20,000 sqft	.79 Ac
NOTE: Proposed areas reflect 9,728 sqft. ROW dedication for Main Street				

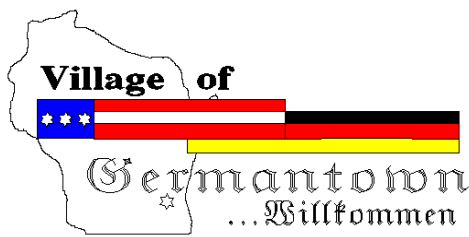
With regard to the existing detached accessory building that is effectively being "transferred" from the D'Acquisto to the Schaetzel lot, the Rd-2 Zoning district allows for two (2) detached accessory building per lot.

The Engineering Department (Village Surveyor) has identified a few technical corrections in a November 7, 2016 memo (copy attached) that will have to be corrected prior to recording of the CSM.

Village Planner Recommendation

APPROVE the 2-lot Certified Survey Map and proposed rezoning for the Schaetzel and D'Acquisto properties located on Main Street subject to the following conditions:

1. All technical corrections identified by the Village Surveyor as summarized in the November 7, 2016 memo shall be made prior to recording the CSM.
2. In addition to rezoning the approximately 7,700 sqft area being conveyed from D'Acquisto to Schaetzel from the Rs-3: Single-Family to the Rd-2: Two-Family Zoning District, the Village shall also rezone the remaining D'Acquisto property from the Rs-3: single-Family to the Rs-4: Single-Family Zoning District.



Engineering Department Memorandum

To: Jeff Retzlaff Village Planner

CC:

From: Bob Beilfuss, PLS, Village Surveyor

Date: November 7, 2016

Re: Schaetzel-Main Street CSM

Jeff,

Here are my review comments for the CSM received 10/14/2016.

Certified Survey Map

Applicant or Owner: Matt Schaetzel and Carrie D 'Acquisto

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

1. The angular and distance accuracy statement is missing and needs to be added
2. The point of beginning needs to be added.
3. The 33' road dedication meets the requirements of the Engineering Department.

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.



Village of



Germantown

Willkommen

Fee must accompany application

☐ \$2,900 with public improvements

☒ \$1,960 no public improvements

Paid \$ Date 10-14-16

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	PROPERTY OWNER
	<u>Matt Schaezel</u>	<u>Carric DiAgusto</u>
	<u>Phone (262) 327-0273</u>	<u>Phone (414) 50-5538</u>
	<u>Fax ()</u>	
	<u>E-Mail MATT.SCHAEZEL@Live.com</u>	

2	PROPERTY ADDRESS OR GENERAL LOCATION	TAX KEY NUMBER
	<u>1116 W 163rd main St Germantown WI</u>	<u>GTNV221010</u>

3	PURPOSE OF LAND SPLIT	Will the land split require rezoning?
	<u>Even out property line</u>	<u>NO</u>
		From _____ To _____

4 READ AND INITIAL THE FOLLOWING:

M.S. 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.

M.S. 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.

M.S. 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.

M.S. 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!

Matt Schaezel 10-10-16
Applicant Date

Carric DiAgusto 10/10/16
Owner Date



Village of



Germantown

Willkommen

FEES MUST BE PAID AT TIME OF APPLICATION

- ☐ \$200 Plan Commission Consultation
- ☐ \$1,085 Rezoning
- ☐ \$1,240 PDD < 5 acres
- ☐ \$2,095 PDD 5-20 acre site
- ☐ \$3,460 PDD > 20 acre site

Date Paid: _____ Received by: _____

REZONING & PDD APPLICATION

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

Matt Schaezel
1116 W16416 Main St
Germantown, WI 53022
Phone (262) 327-0273
Fax ()
E-Mail Matt.Schaezel@live.com

PROPERTY OWNER

Carrie D'Acquisto
1116 W16366 Main St.
Germantown, WI 53022
Phone (414) 750-5538

2

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

1116 W16366 Main St

GTNV221010

3

REZONING REQUEST

FROM

RS-3

TO

Rd-2

4

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

5

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.

Sale to neighbor to straighten
property line.

6

SUPPORTING DOCUMENTATION:

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

7

READ AND INITIAL THE FOLLOWING:

CD 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.

CD 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.

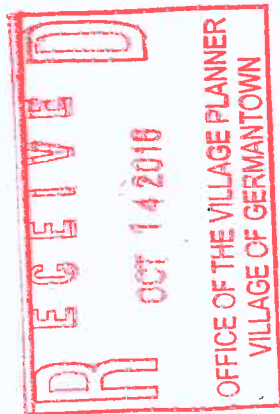
CD I am aware that this rezoning shall go into effect immediately upon the final approval of the Village Board and its execution of the rezoning ordinance

8

SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

Matthew B. Schaefer 10-17-16
Applicant Date

Carrie D. Acquisti 10/17/16
Owner Date



Certified Survey Map No. _____

A Redivision of Outlot 9, and part of Outlot 7 of Assessor's Plat Village of Germantown Southeast $\frac{1}{4}$, Northwest $\frac{1}{4}$ of Section 22 and that part of Outlot 24 Assessor's Plat Village of Germantown Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of Section 22, all in Section 22, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Surveyor:

Richard Simon
Cornerstone Land Surveying, Inc.
5080 Fairy Chasm
West Bend, WI 53095
(262) 424-5630

CSM 490

Owners:

Matthew R. Schaetzel
Carrie A. Schaetzel
N116 W16416 Main Street
Germantown, WI 53022

Owners:

Carrie M D'Acquisto
N116 W16366 Main Street
Germantown, WI 53022

Legend:

- Denotes Iron Pipe Found
- 3#4" OD X 18" Iron Rod 1.50 Lbs./Lin. Ft., Set

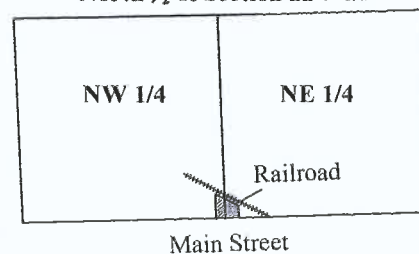
RD - 2 Zoning

30' - Front
10' - Side
25' - Rear

Scale 1" = 60'

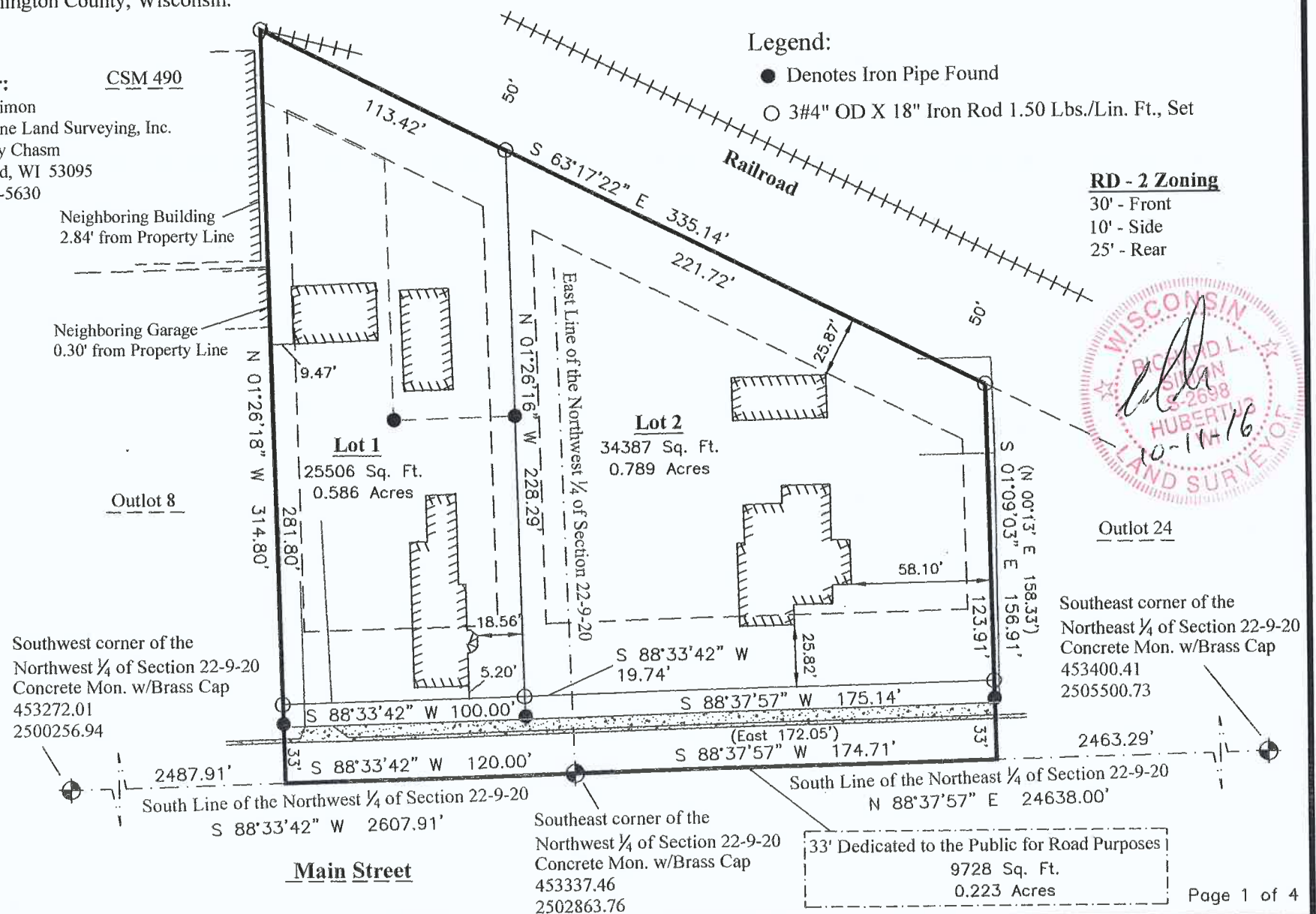


Location Map
North $\frac{1}{2}$ of Section 22-9-20



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 South Line of the Northeast $\frac{1}{4}$ of Section 22-9-20, bearing N88°37'57"E, per State Plane Coordinate System, South Zone. (NAD 1927)



Certified Survey Map No. _____

A Redivision of Outlot 9, and part of Outlot 7 of Assessor's Plat Village of Germantown Southeast $\frac{1}{4}$, Northwest $\frac{1}{4}$ of Section 22 and that part of Outlot 24 Assessor's Plat Village of Germantown Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of Section 22, all in Section 22, 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 Outlot 9, and part of Outlot 7 of Assessor's Plat Village of Germantown Southeast $\frac{1}{4}$, Northwest $\frac{1}{4}$ of Section 22 and that part of Outlot 24 Assessor's Plat Village of Germantown Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of Section 22, all in Section 22, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Described as follows:

A Redivision of Outlot 9, and part of Outlot 7 of Assessor's Plat Village of Germantown Southeast $\frac{1}{4}$, Northwest $\frac{1}{4}$ of Section 22 and that part of Outlot 24 Assessor's Plat Village of Germantown Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of Section 22, all in Section 22, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin; Described as follows; Commencing at the Southeast corner of the Northeast $\frac{1}{4}$ of said Section 22, thence S88°37'57"W along the South Line said Section 22, 2463.29 feet to the point of beginning of this description; thence continuing S88°37'57"W, 174.71 feet to the Southwest corner of said Northeast $\frac{1}{4}$; thence S88°33'42"W along the South line of the Northwest $\frac{1}{4}$ of said Section 22, 120.00 feet; thence N01°26'18"W, 314.80 feet to a point on the Southerly R/W Railroad; thence S63°17'22"E along said Southerly line, 335.14 feet; thence S01°09'03"E, 156.91 feet to the point of beginning of this description.

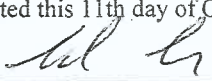
Said parcel contains 1.598 Acres Gross

That I have made such survey, division, and map by the direction of Matthew R. Schaetzel & Carrie A. Schaetzel and Carrie M D'Acquisto .

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, dedicating and mapping the same.

Dated this 11th day of October, 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 _____, 20__.

Dean Wolter, Chairman Date

Laura A. Johnson, Secretary Date

Village of Germantown Board Approval

This Certified Survey Map, being a division of (SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ all in Section 22, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, hereby approved the dedication of that part of Main Street for public road purposes as shown on Sheet 1 of 4 is 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

Certified Survey Map No. _____

A Redivision of Outlot 9, and part of Outlot 7 of Assessor's Plat Village of Germantown Southeast $\frac{1}{4}$, Northwest $\frac{1}{4}$ of Section 22 and that part of Outlot 24 Assessor's Plat Village of Germantown Southwest $\frac{1}{4}$, Northeast $\frac{1}{4}$ of Section 22, all in Section 22, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin.

Owner's Certificate

We, Matthew R. Schaetzel & Carrie A. Schaetzel do hereby certify that we caused the land described in the foregoing affidavit of Richard L. Simon, Surveyor, to be surveyed, divided, dedicated and mapped as represented on this Certified Survey Map. "As Owners, we hereby dedicate that part of Main Street to the Village of Germantown for public road purposes as represented on Sheet 1 of 4 of this Certified Survey Map."

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

Matthew R. Schaetzel

Carrie A. Schaetzel

State of Wisconsin) SS

County)

Personally came before me this _____ day of _____, _____, the above named, Matthew R. Schaetzel & Carrie A. Schaetzel 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 Matthew R. Schaetzel & Carrie A. Schaetzel, as owners of said land.

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

Bank Officer

State of Wisconsin) SS

County)

Personally came before me this _____ day of _____, _____, the above named, Matthew R. Schaetzel & Carrie A. Schaetzel 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: _____



Certified Survey Map No. _____

A Redivision of Outlot 9, and part of Outlot 7 of Assessor's Plat Village of Germantown Southeast ¼,
Northwest ¼ of Section 22 and that part of Outlot 24 Assessor's Plat Village of Germantown
Southwest ¼, Northeast ¼ of Section 22, all in Section 22, Township 9 North, Range 20 East, Village
of Germantown, Washington County, Wisconsin.

Owner's Certificate

I, Carrie M D'Acquisto do hereby certify that we caused the land described in the foregoing affidavit of Richard L. Simon, Surveyor, to be surveyed, divided, dedicated and mapped as represented on this Certified Survey Map.

"As Owners, we hereby dedicate that part of Main Street to the Village of Germantown for public road purposes as represented on Sheet 1 of 4 of this Certified Survey Map."

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

Carrie M D'Acquisto

State of Wisconsin) SS
_____ County)

Personally came before me this _____ day of _____, _____, the above named,
Carrie M D'Acquisto to me, known to be the person 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 Carrie M D'Acquisto, as owner of said land.

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

Bank Officer

State of Wisconsin) SS
_____ County)

Personally came before me this _____ day of _____, _____, the above named,
Carrie M D'Acquisto, known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public

_____ County, State of Wisconsin

My commission expires: _____



ZONING PERMIT REVIEW

11/14/16 Plan Commission Meeting

Paula Bartz-Wagner & Chad Wagner

Village Planner Report

Germantown, Wisconsin

Summary

Paula Bartz-Wagner & Chad Wagner, property owners, are seeking approval to install a fence within in an existing drainage easement on the residential lot located at W159 N9657 Butternut Road in the Ardell Homesites Subdivision.

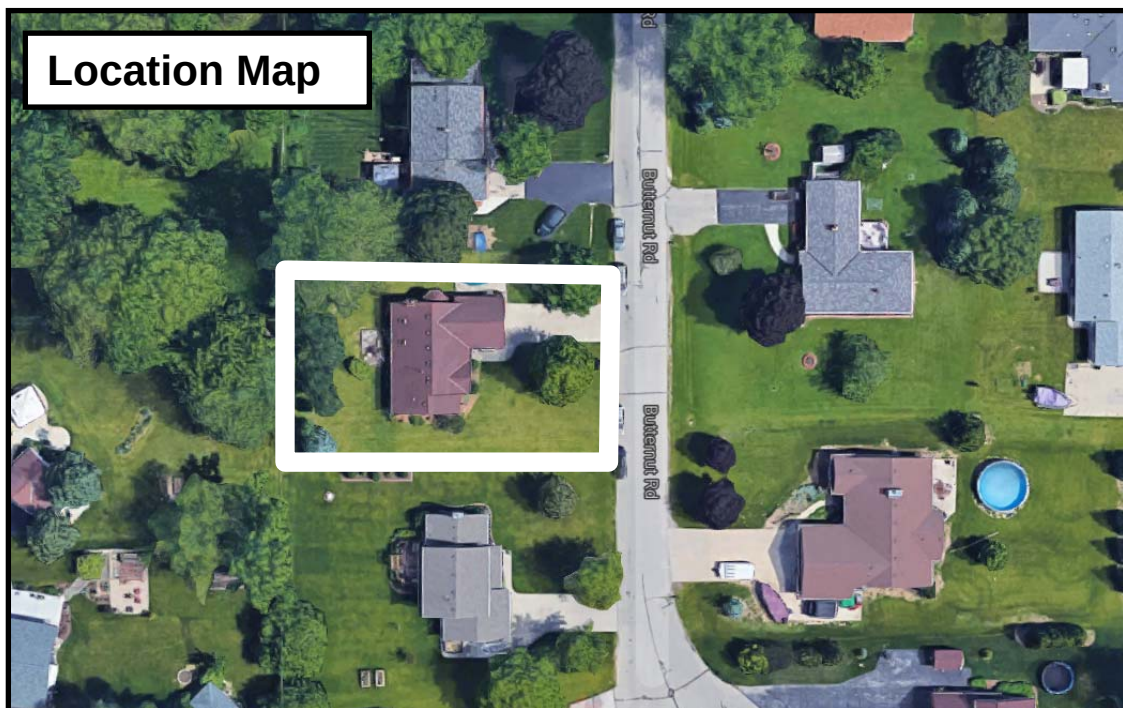
Property Location: W159 N9657 Butternut Road (Lot 1 Ardell Homesites Subd)

Applicant/

Property Owners: Paula Bartz-Wagner & Chad Wagner
W159 N9657 Butternut Road
Germantown, WI

Current Zoning: Rs-5: Single-family Residential

Adjacent Land Uses		Zoning
North	Residential	Rs-6
South	Residential	Rs-5
East	Residential	Rs-5
West	Residential	Rs-4



Background/Proposal

Paula Bartz-Wagner & Chad Wagner, property owners, are seeking approval to install a fence within in an existing drainage easement on the residential lot located at W159 N9657 Butternut Road in the Ardell Homesites Subdivision.

As indicated in their supporting information, the Wagner's want to install either a 5' high wire-woven, vinyl-coated chain link fence, or, a 6' cedar board privacy fence in the side and rear yards to enclose a portion of their back yard (see enclosed survey). The fence would be located at the property lines and extend into a 20' wide storm drainage easement located across the west (rear) portion of the property (see enclosed survey).

As indicated below, Section 17.50(2)(f)6. of the Zoning Code prohibits fences from being installed in any easement, except a drainage easement when approved by the Plan Commission:

(f) Fences in Residential Districts.

1. *All fences shall be subject to review and approval of the Building Inspector prior to the issuance of a building permit.*
2. *Fences in rear or side yards may be up to 6 feet in height.*
3. *Fences in front yards may not exceed 4 feet in height, except a maximum height of 6 feet on approval of the Plan Commission after consideration of visibility, privacy and access concerns.*
4. *No fence shall be closer than 2 feet to a public right-of-way.*
5. *Fences that contain a finished side and an unfinished side, shall be installed in a manner in which the finished side faces the adjacent property. In case of a discrepancy, the Village Building Inspector shall determine which side of the fence is the finished side.*
6. *Fences and easements.*
 - (i) *Fences shall not be located within any type of easement, provided however, the Planning Commission may authorize the encroachment by a fence into a drainage easement where the owner of the land encumbered by the easement shows to the satisfaction of the Planning Commission that, considering the proposed location, design and materials of the proposed fence, the encroachment of the fence into the easement will not materially interfere with drainage flow within the easement, and, in the case of a subdivision, the homeowners association consents in writing to the encroachment, or if not in a subdivision, the adjacent landowners consent in writing.*
 - (ii) *If the Planning Commission deems it necessary in order to make its decision to authorize an encroachment into a drainage easement by a fence, it may require that the applicant provide a report by a professional engineer providing an opinion that the encroachment will not impair drainage flow within the easement.*
 - (iii) *If the applicant whose property abuts the drainage way shall be aggrieved by the decision of the Planning Commission, such aggrieved person may appeal the decision to the Village Board by filing a request for appeal review of the record below within 14 days of the date of the Planning Commission's decision.*
7. *It is the property owner's responsibility for any lawn maintenance of lands that lie between a fence and the property line.*
8. *Should it be necessary that the Village or its agent, remove the fence, the material costs (materials and labor) would be borne by the owner of the fence.*

Staff Analysis

As indicated above, the Planning Commission may authorize the encroachment of a fence into a drainage easement where the owner of the property encumbered by the easement shows to the satisfaction of the Planning Commission that:

1. considering the proposed location, design and materials of the proposed fence, the fence will not materially interfere with drainage flow within the easement; and
2. A homeowners association (if any) must consent to the encroachment.

With regard to Item #1 (drainage flow interference), the Wagner's indicate that, since moving into the property in September, they have experienced a significant amount of rain with no standing water in the easement. With regard to Item #2, the Ardell Homesites Subdivision does not have a Homeowner's Association.

The Public Works Department has no issues with the proposal provided the following:

1. The owner shall regularly inspect the fence installed within the easement, including during and after storm events, to remove any debris accumulated around his fence that could restrict storm water flow across the easement;
2. Any easement agreement shall remain in effect;
3. In the event that the Village needs to remove the fence in order to maintain the drainage easement or for any other reason, the Village shall have the right to remove the fence at the owner's expense and shall not be responsible for replacement or reinstallation;
4. The property owner is responsible for all damage caused by and/or resulting from installation of any fence within the 20' drainage easement.

Village Planner Recommendation

APPROVE the request to install a fence within in an existing drainage easement on the residential lot located at W159 N9657 Butternut Road subject to the following conditions:

1. The owner shall regularly inspect the fence installed within the easement, including during and after storm events, to remove any debris accumulated around his fence and the fence must be maintained and otherwise kept free of debris that can clog the openings and restrict storm water flow across the easement.
2. Any easement agreement shall remain in effect.
3. In the event that the Village needs to remove the fence in order to maintain the drainage easement or for any other reason, the Village shall have the right to remove the fence at the owner's expense and shall not be responsible for replacement or reinstallation.
4. The property owner is responsible for all damage caused by and/or resulting from installation of any fence within the 20' drainage easement.
5. Once installed, if the fence is deemed by the Village to cause and/or contribute to flooding of property that wouldn't have occurred or be as severe if the fence had been installed outside of the drainage easement, the Village may require the property owner to modify the fence design and materials, or, relocate the fence outside the drainage easement.



Engineering Department Memorandum

To : Jeff Retzlaff
From : Larry Ratayczak, P.E.
Date : October 18, 2016
Re : Zoning Permit to Install Fence @ W159 N9657 Butternut Road

The Department of Public Works has reviewed the application for installing a chain link fence within a 20' drainage easement located at the above referenced address and has the following comments/concerns:

- 1) The DPW has no issue with the installation of the fence
- 2) The fence must be maintained and kept free of debris that can clog the openings and restrict flow
- 3) The easement agreement, in its entirety, remains in effect
- 4) Should the DPW have to enter the easement to perform work the Village of Germantown would not be held responsible for removal/replacement of the fence.
- 5) The property owner is responsible for all damage caused by the installation of the fence

Respectfully submitted:

Lawrence Ratayczak, P.E.
Director of Public Works

Date of Application: 10-17-16
Fee Received By: [Signature]

Please read and print legibly. List name of actual contact person (NOT just business name).

APPLICANT OR AGENT:

Name: Paula Bartz-Wagner
Address: W159 N9657 Butternut Rd
Phone: 414 659-0101
Fax: _____
E-Mail: pjaywagner@msn.com

PROPERTY or Business OWNER:

Name: Paula Bartz-Wagner + Chad Wagner
Address: W159 N9657 Butternut Rd
Phone: 414 659-0101
Fax: _____
E-Mail: pjaywagner@msn.com

PROPERTY ADDRESS OR Tax Parcel ID#:

W159 N9657 Butternut Rd

DESCRIPTION OF PROPOSED USE (Describe hours of operation, activities conducted, services provided, products made or sold, # of employees, etc, that will enable Zoning Administrator to determine if the proposed use or operation complies with the applicable zoning district and/or other use restrictions that may apply to the subject property. Use back side or additional sheets as needed):

Fence in backyard - please see attached!
Included letter.

READ AND INITIAL THE FOLLOWING:

- ☒ I understand that Village Staff 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 understand that Village Staff can impose conditions or other requirements necessary in order to meet and/or remain in compliance with the zoning district and/or other Village Code requirements that may apply to the subject property (See Zoning Code Section 17.07(5))

INCLUDE THE FOLLOWING WITH YOUR APPLICATION:

- ☒ A scaled site plan showing location of proposed use on the property (not required if within building).
- ☒ \$175 Application Fee
- ☐ Other Information required by Zoning Administrator

SIGNATURES: ALL APPLICATIONS MUST BE SIGNED

Paula Bartz-Wagner 10/10/16
Applicant Date
Chad Wagner 10/10/16
Property Owner Date
wagner

VILLAGE USE ONLY

TO: The Germantown Planning Commission

FROM: Paula Bartz-Wagner and Chad Wagner

DATE: October 2016

RE: Request for encroachment of a fence into drainage easement at W159N9657 Butternut Road

Dear Planning Commission,

Please accept this letter as a respectful request for permission to add a fence to the property located at W159N9657 Butternut Road in which we would like to encroach into the drainage easement in our backyard.

We recently purchased the home located at W159N9657 Butternut Road (Sept 2016.) We have three children and a dog. In June of 2016 our dog was brutally attacked by a loose dog in our old neighborhood. Our dog suffered significant injuries and the experience was quite traumatic for our dog (a lab mix), as well as our children and ourselves. Our dog required surgery and multiple visits to the animal hospital.

We are very excited that our new home on Butternut has a much larger yard for our children and dog to run and play. Safety is a main concern for our entire family. Our dog loves to chase rabbits and squirrels, as well as play fetch, and a fenced in property will keep both him and our children safe from harm or getting lost.

The yard at Butternut has been meticulously landscaped by the prior owners and we would love to keep the integrity of the landscaping. The previous owners installed a beautiful fire pit that would need to be removed if we cannot place the new fence closer to our lot line. Additionally, cutting the yard by 20 feet across the back would make the yard smaller for our children and dog as well as impede its spaciousness and appeal.

Since the end of September through present we have experienced quite a bit of rain. We can attest that there has been no standing water of any kind and no drainage issues. We feel confident that placing a fence in the easement area will not affect the drainage. There is a home two lots northwest of ours that currently has a large fenced in yard which reaches their lot line.

Included in our request is an outlined survey of our lot with the requested fencing perimeter and a quote from Badge Fence. We will also be receiving a quote from All Quality Fencing which is not included. Both companies are quoting us two options of materials, a 6' cedar wood or 5' vinyl coated chain link. ** Quote needs to be increased 90' feet to full side lot line on south end of lot.*

We thank you for your time and consideration and are willing to answer any questions you may have arising from this request. We are quite pleased to be new residents of the Germantown community.

Paula Bartz-Wagner *Chad M. Wagner*

NORTH (414) 466-7510
SOUTH (414) 383-5060
FAX (414) 466-1202

101 EAST ABERT PLACE
MILWAUKEE, WI 53212

**RESIDENTIAL
COMMERCIAL**

WOOD
VINYL
ORNAMENTAL
CHAIN LINK



**"SINCE 1945"
LICENSED • BONDED • INSURED
PROPOSAL**



SUBMITTED TO:

PERFORMED AT:

NAME

Paula Wagner

SAME

ADDRESS

W159N9657 Butternut Rd

CITY

German town

STATE

WI.

PHONE

659-0101

ALTERNATE

BADGER TO FURNISH ALL LABOR AND MATERIALS FOR THE INSTALLATION OF FENCE DESCRIBED BELOW.
ATTENTION: CUSTOMER RESPONSIBLE FOR LOT LINES, DIRT REMOVAL, AND ANYTHING UNDERGROUND NOT MARKED BY DIGGER'S HOTLINE.
PERMITS BY CUSTOMER UNLESS SPECIFIED. BADGER FENCE DOES NOT INVOICE FOR BALANCE. PLEASE PAY FROM PROPOSAL.

ADD 3% FOR CREDIT CARD PAYMENTS

* ANY LANDSCAPING IN THE PROPOSED FENCE LINE MUST BE COMPLETED PRIOR TO POST INSTALLATION *

PLEASE INITIAL _____

WOOD STYLE <i>Concave / 5' high vinyl lattice</i>		LINEAL FT. <i>232'</i>		PVC STYLE		COLOR	
HT. <i>6' 5" + 1'</i>	SOLID <i>YES</i>	SPACED <i>NO</i>	LINEAL FT.		HT.	GATES	
POST STYLE <i>Design / Pyramid</i>	GATES <i>1</i>	SIZE <i>4' wide</i>	GATE SIZE		POST CAP STYLE		
POST SIZE <i>4x4</i>	GATE POST SIZE <i>4x4</i>		POST SIZE		GATE POST SIZE		
ORNAMENTAL STYLE		COLOR		CHAIN LINK		COLOR <i>Galv / Vinyl Coated</i>	
LINEAL FT.	HT.	GATES		GAUGE <i>9/8</i>	MESH <i>2'</i>	HT. <i>5'</i>	LINE POST <i>8-10'</i>
GATE POST SIZE	GATE SIZE		LINE POST SIZE <i>2"</i>		TERMINAL POST <i>2 1/2"</i>		TERMINAL POST SIZE
		GATES <i>1</i>	GATE SIZE <i>4' wide</i>	GATE POST SIZE <i>2 1/2"</i>	TOP RAIL <i>1 5/8"</i>		

ADDITIONAL INFORMATION:

ALL POSTS SET IN CONCRETE ☒ YES ☐ NO, PRIVATE LINES _____ HOTLINE *Badger to call*

BADGER TO REMOVE OLD FENCE ☐ YES ☒ NO, LEAVE ON SITE ☐ YES ☐ NO, BADGER TO HAUL AWAY ☐ YES ☐ NO

CORE DRILLS *YES, 1* ASPHALT _____

REMARKS:

Plan 1 Badger to install 232' of 5' high galvanized chain link, (1) 4' wide walk gate. \$4280.00

Plan 2 Badger to install 232' of 5' high vinyl coated chain link, (Black, Brown, Green) (1) 4' wide gate. \$4880.00

Plan 3 Badger to install 232' of 6' high solid cedar concave design, (1) 4' wide walk gate. \$7490.00

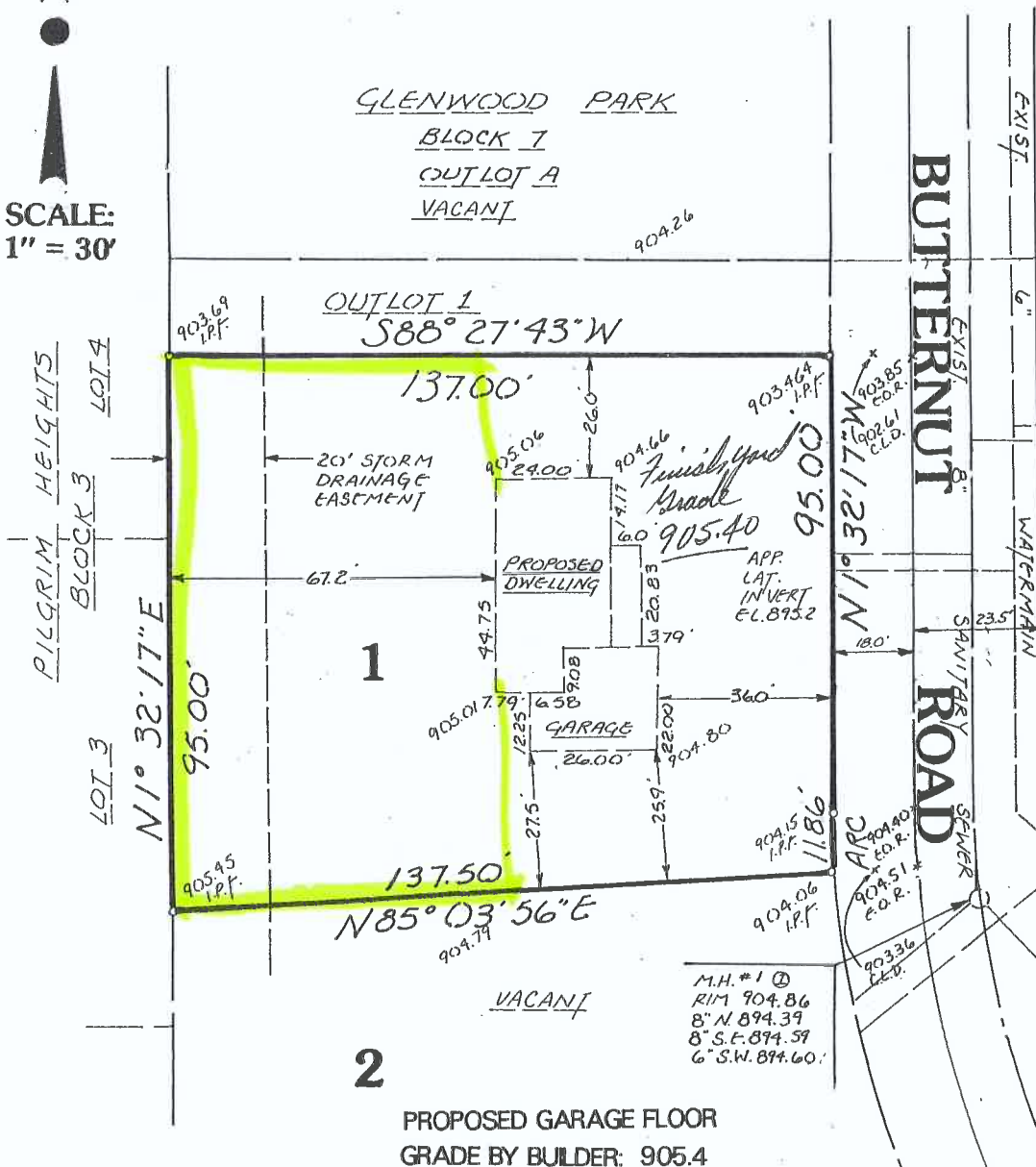
Plan 4 Badger to install 232' of 5' high universal design + 1' lattice, (1) 4' wide walk gate. \$9810.00

PLAT OF SURVEY

LEGAL DESCRIPTION: LOT 1, ARDELL HOMESITES, BEING A SUBDIVISION OF A PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 34, TOWN 9 NORTH, RANGE 20 EAST, IN THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

SCALE:
1" = 30'

Fence



STATE OF WISCONSIN }
COUNTY OF WAUKESHA } SS

I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE MAP HEREON IS A TRUE REPRESENTATION THEREOF, AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS, AND ROADWAYS, AND VISIBLE ENCROACHMENTS, 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 TITLE THERETO, WITHIN A YEAR FROM THE DATE HEREOF.

DATED THIS 31ST DAY OF AUGUST 1990

[Signature]
LAND SURVEYOR

SURVEY PREPARED FOR: **STERLING BUILDERS**

MICHAEL J. LOSIK & ASSOC., INC.
PROFESSIONAL ENGINEERS & LAND SURVEYORS
240 REGENCY COURT, SUITE 301
WAUKESHA, WISCONSIN 53186
PHONE NO: (414) 784-7999

JOB NO. 90-98















REZONING APPLICATION

11/14/16 Plan Commission Meeting

Lori Gutbrod / Advantage Research Inc.

Village Planner Report

Germantown, Wisconsin

Summary

Lori Gutbrod, property owner and agent for Advantage Research Inc., has submitted an application to rezone a 4.24 acre parcel from the Rs-2: Single-Family to the B-4: Professional Office Zoning District to accommodate the conversion of the residential dwelling to an office building located at W162 N11840 Fond du Lac Avenue.

Property Location: W162 N11840 Fond du Lac Avenue

Applicant/

Property Owners: Lori Gutbrod
5579 E. Waterford Road
Hartford, WI

Current Zoning: Rs-2: Single-Family

Proposed Zoning: B-4: Professional Office

Adjacent Land Uses		Zoning
North	Residential	Rs-2
South	Commercial	B-3
East	Residential	Rs-5/Rs-7/Rm-3
West	Agricultural/Residential	A-1/Rs-2



Proposal/Background

Lori Gutbrod, property owner and agent for Advantage Research Inc., has submitted an application to rezone a 4.24 acre parcel from the Rs-2: Single-Family to the B-4: Professional Office Zoning District to accommodate the conversion of the residential dwelling to an office building located at W162 N11840 Fond du Lac Avenue.

As discussed in the request letter attached to the application, the new owner, Lori Gutbrod, recently acquired the former Schwalbach property (also referred to as the “Harry Krueger property” who was the most recent owner) on Fond du Lac Avenue. Gutbrod intends to renovate and restore the property and dwelling for purposes of using the dwelling for office uses by five (5) employees of Advantage Research Inc., a worldwide market data research, consulting, programming, analysis and visualization business Gutbrod owns and currently operates at W202 N10246 Lannon Road.

As shown in the plat of survey/concept plan (date stamped received October 7, 2016), the existing dwelling will be renovated in the current location with one (1) access driveway relocated further north along FDL Avenue to serve a new 7-stall parking area. The existing gravel driveway to the south will be removed.

The plat of survey also reflects the property owners desire to divide the property into two (2) parcels if the proposed rezoning is approved. However, such a division is not part of the current rezoning proposal.

Staff Comments**Consistency with Village’s Land Use Plan.**

The 4.24-acre parcel is designated on the Village’s 2020 Land Use Plan map as “Village Mixed Use”. The purpose of this designation is to encourage the preservation of historic and architecturally significant structures while accommodating re-development of the area into an entertainment district and higher-density, pedestrian-oriented neighborhood. Larger, undeveloped parcels are encouraged to develop with high-quality, higher-density residential uses that would further support the commercial uses along Main Street. The adjacent parcels on all three sides north of FDL Ave are already zoned for and developed with single-family and multi-family land uses. The land to the south across FDL Avenue is zoned B-3: General Business and currently stands as the most northerly extent of non-residential development/land uses this far north along FDL Avenue. Arguably, the proposed rezoning from Rs-2: single-Family to B-4: Professional Office could be considered consistent with the 2020 LUP and intent of the B-4 Zoning District; particularly given that the proposal for office uses is limited to just the existing dwelling that is intended to be renovated/restored to its former historical appearance.

As stated in Section 17.31 of the Zoning Code, “the B-4 District is intended to provide for individual or limited office, professional and special service uses where the office activity would be compatible with neighborhood uses and not exhibit the intense activity of other business districts”.

This proposal appears to meet that intent given the owner’s desire to maintain/restore

the residential appearance and orient the parking area away from the residential area to the east.

On the other hand, rezoning all 4.24 acres to the B-4 District would “open the door” for future redevelopment of the property with additional and potentially more intense office uses and building development. While further development of the property would further the intent of the “Village Mixed Use” classification, it may create the potential for increased conflicts between with the well-established residential properties to the east and north.

One potential “solution” to this issue may be to not rezone the entire 4.24 acres, but only a minimal amount necessary to operate the office business as proposed. The potential 2-lot land division as shown in the plat of survey may offer a “middle-ground” solution where the north parcel is left in the Rs-2: Single-Family District for future residential development (Rs-2 has a 2-acre min. lot size requirement and does not require connection to a public water or sanitary sewer). However, at this time we do not know the extent of the owner’s desire or intent with regard to the division of this property into two parcels (despite what is shown in the plat of survey).

Staff supports the proposed rezoning but only if not all of the land area is rezoned at this time given the owner’s intent to divide the property. For this reason, staff recommends that the owner reconsider the potential land division and proposed rezoning and presents both a land division and rezoning for review and consideration at the same time. If the proposed rezoning is intended to include all 4.24 acres of the subject parcel, staff recommends denying the rezoning from Rs-2 to B-4: Professional Office.

Fire Department

The Fire Department has considered the rezoning and planned renovations and has recommend approval with following:

- The existing fire hydrant location at the Park Street @ FDL Avenue intersection should/may be adequate in terms of relative closeness to provide the necessary service to the existing building on the property; However, that water main may need to be extended with an additional approved fire hydrant for water supply if any additional development occurs on the property.
- If building code requires a sprinkler system or other fire-safety measures, the locations of any such facilities shall be approved by the Fire Department prior to installation.

Building Inspector

The proposed office use represents a “change of occupancy” in terms of the applicable building codes. Consequently, the owner is required to submit detailed operational and plans of the existing and planned renovations to the WI DSPS for review and compliance with all applicable Village and state building codes and procedures.

The proposed driveway and parking area is required to be paved under Section 17.45(1) of the Zoning Code.

Village Planner Recommendation

TABLE action on the proposed rezoning of the 4.24-acre parcel from Rs-2: Single-Family to B-4: Professional Office Zoning District until such time as the property owner submits a plan and/or application for division of the property as intended.



Village of



Germantown

Willkommen

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

SAME AS OWNER

Phone (262) 502-7000

Fax ()

E-Mail L.GUTBROD@ADVANTAGERESEARCHINC.COM

PROPERTY OWNER

LORI GUTBROD

5579 E WATERFORD RD

HARTFORD WI 53027

Phone (262) 502-7000

PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

2

W162 N11840 Fon Du Lac Ave GERMANTOWN

GTNV 221986

3

REZONING REQUEST

FROM
VILLAGE MIXED
USE

TO
B4 PROFESSIONAL

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

SEE PLAT OF SURVEY

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.

PLEASE SEE ATTACHED LETTER OF REQUEST

5

SUPPORTING DOCUMENTATION:



Plat of Survey (1:100)



Site Plan and elevations for new construction (can be conceptual)





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!

Sally Buttra

Applicant

10/6/16

Date

[Signature]

Owner

10-6-16

Date

Subject: Request for rezoning of property located at
W162 N11840 Fond du Lac Ave, Germantown
from residential to B-4: Professional Office District

Topic: Plans for this property & reasons behind request

History:

Born in 1845 in what was then called South Germantown, John F. Schwalbach was an American businessman and a member of the Wisconsin State Assembly representing the Democrat party. He was one of the founding fathers of present day Germantown and built the Goelzer & Schwalbach general store and saloon in 1870, which now houses the Barley Pop Pub. Mr. Schwalbach was also the Germantown town treasurer in 1881 and was involved in the banking and insurance industries.

John F. Schwalbach had four brothers, one of whom (Valentin Schwalbach) was my father's grandfather and my great grandfather.

Reason for Zoning Change Request:

I was born and raised in Germantown and graduated from Germantown High School. Today, I have the good fortune of owning the home located at W162 N11840 Fond du Lac Avenue which was built by my great grandfather's brother in 1878. My husband and I purchased this home in hopes of moving a part of my Germantown business, Advantage Research, Inc. to this location.

Advantage Research offers marketing research services to companies across the globe, with roughly 60% of our business coming from companies headquartered in Wisconsin. We currently have two revenue centers: 1) Full Service Marketing Research and Consulting and 2) Facility Rental and Recruiting. Should the zoning change be approved, our intention would be to move the Full Service part of our business to the Schwalbach homestead. Our current Germantown location at W202 N10246 Lannon Road would continue to house the Facility Rental and Recruiting side of our operation.

For the Full Service side of Advantage Research, we need office space for five employees. These employees handle consulting, programming, data processing, statistical analysis, data visualization, and reporting of market data for our clients.

In addition to the familial history and my personal ties to the Germantown community, our reason for desiring the Schwalbach homestead as a place to house our Full Service offices is to assist us in retaining our current employees. In addition, we are hopeful that this location will aid us in attracting new employees to Germantown. The nature of our business requires college educated, highly

talented individuals. In order to retain and grow our staff, we believe that a comfortable, appealing, "homelike" workplace will differentiate us from other employers. For this reason, we intend to renovate the exterior of the home currently on the property to its former, historic glory, maintaining a homelike environment in every way possible. As our survey rendering shows, we would like to move the entrance as far away as possible from the Fond du Lac / Park Street intersection to the north side of the home, tucking the driveway behind mature trees. We also plan to locate the parking lot behind the home as much as possible so it is not seen when approaching the property from the Southeast. On the interior of the home, we will have a full kitchen, a living room, and a "family" room/reception area on the lower level, and turn the upstairs bedrooms into employee offices.

Since moving our offices from Brookfield to Germantown in 1999, we have always tried to be a good corporate citizen of the community. In addition to being a member of the Germantown Chamber of Commerce, we've supported Germantown High School with athletic program advertising, we've made donations to the community Easter Egg hunt, and we've hired numerous Germantown residents over the years.

Further, we renovated the old Willow Creek School which was in need of significant repair. It serves as our current offices on Lannon Road. Before and after pictures are on the following pages. We have also been diligent about maintaining the property, having landscaping and lawn care performed regularly, and recently having had the exterior painted and the parking lot re-surfaced. We would be equally as diligent about maintaining the property on Fond du Lac Avenue.

We respectfully ask for a zoning change for the Schwalbach homestead property located at W162 N11840 Fond du Lac Avenue so that Advantage Research can continue to do business in the beautiful community of Germantown.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori M. Gutbrod".

Lori M. Gutbrod
President
Advantage Research, Inc.

FRONT OF BUILDING WHEN PURCHASED BY ADVANTAGE RESEARCH



FRONT OF BUILDING AFTER RENOVATION



FRONT OF BUILDING AFTER BEING PAINTED IN MAY, 2016



BACK OF BUILDING WHEN PURCHASED BY ADVANTAGE RESEARCH



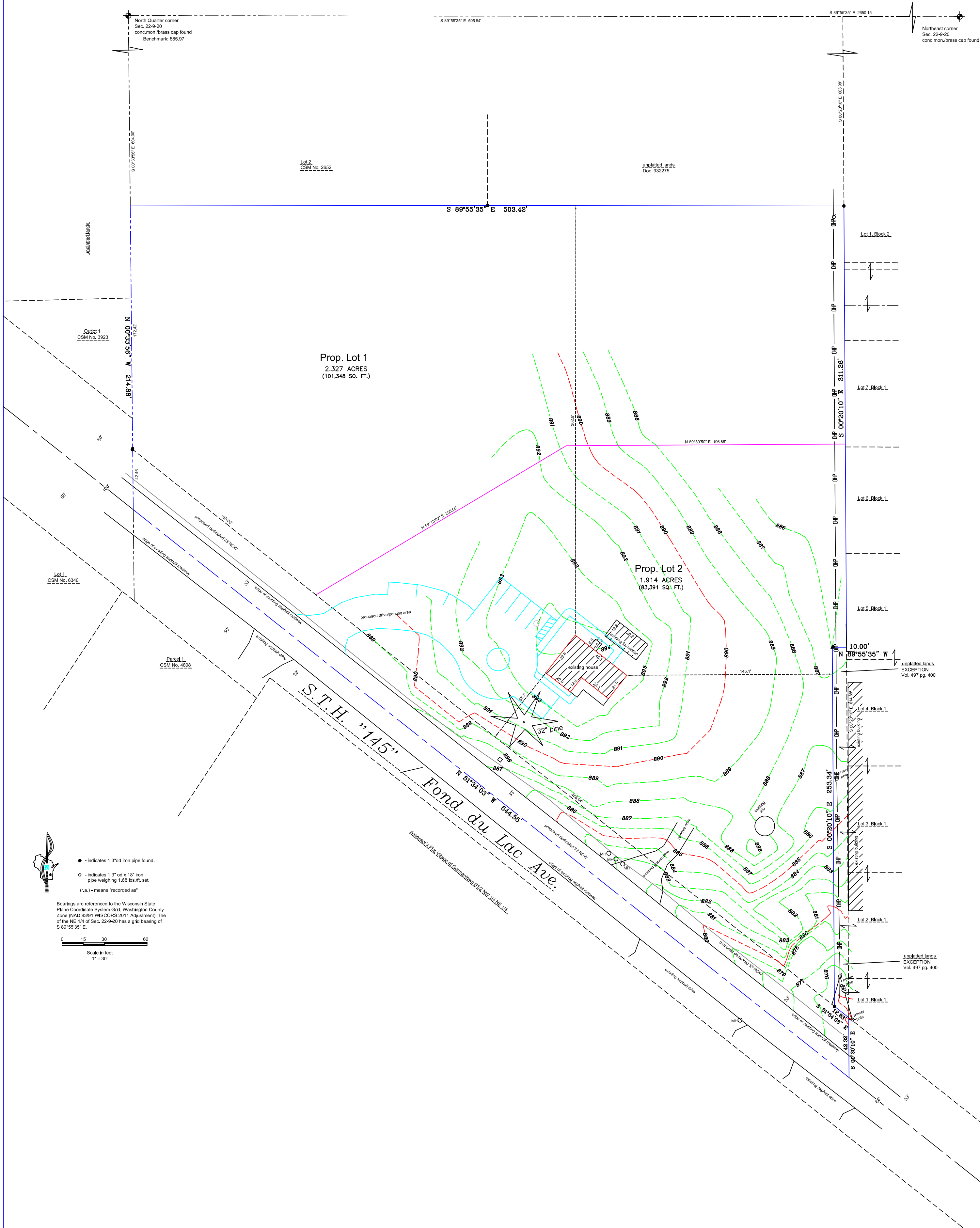
BACK OF BUILDING AFTER BEING PAINTED IN MAY, 2016



Concept Plan 1
for
David W. & Lori M. Gutbrod

That part of Out Lot Two (2) in Assessor's Plat Village of Germantown South 1/2 North West 1/4
Northeast 1/4, Section 22, Township 9 North, Range 20 East, Village of Germantown, Washington
County, Wisconsin, described as follows, viz:

Commencing at the North Quarter corner of said Section 22; thence East along the North line of said
Section 22, 506.00 feet; thence South 00 degrees 32 minutes East, 604.00 feet, to the place of
beginning of this description, thence South 00 degrees 32 minutes East 616.00 feet, to the center line
of State Trunk Highway No. 45; thence Northwestly along the center line of said Highway 644.46
feet; thence North 00 degrees 43 minutes West 215.00 feet; thence East 504.00 feet, to the place
of beginning, EXCEPTING THEREFROM that portion described in Warranty Deed recorded May 15,
1971 in Volume 497, on Page 400, as Document No. 321632.



- Indicates 1.3" od iron pipe found.
- Indicates 1.3" od x 18" iron pipe weighing 1.68 lbs./ft. set.
- (r.a.) - means "recorded as"

Bearings are referenced to the Wisconsin State Plane Coordinate System Grid, Washington County Zone (NAD 83/91 WISCONSIN 2011 Adjustment). The of the NE 1/4 of Sec. 22-9-20 has a grid bearing of S 89°55'35" E.

0 15 30 60
Scale in feet
1" = 30'

State of Wisconsin)
Washington County, Wis.

I certify that I have surveyed the above described (Property), and the above map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon and roadways, to the best of my knowledge and belief.

This survey is made for the exclusive use of the present owners of the Property, for one (1) year from date hereof.

Dated this ____ day of _____, 2016. _____
Professional Land Surveyor

J.F. SCHWALBACH
1878

W162

N11842









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

11/14/16 Plan Commission Meeting

Odyssey Hotels / Riversbend Country Club Inc.

Village Planner Report

Germantown, Wisconsin

Summary

Rachit Dhingra, agent for Odyssey Hotels and Riversbend Country Club Inc., property owners, has submitted a proposal to amend the Holiday Inn Hotel (a.k.a. Neviaser) and Riversbend Planned Development Districts to allow an expansion of the hotel and development of an off-site parking lot on the Riversbend golf course property located at N96 W18034 County Line Road.

Location: N96 W18034 County Line Road

Agent/

Property Owner:

Rachit Dhingra
Odyssey Hotels
1808 N. Wells Street
Chicago, IL

Charles L. Schmit
Riversbend Country Club Inc.
N96 W18034 County Line Road
Germantown, WI 53022

Current Zoning: B-5: Highway Business/PDD (Holiday Inn Hotel)
I: Institutional/PDD (Riversbend Golf Course)

Adjacent Land Uses		Zoning
North	Residential/	Rm-3
South	Commercial	B-5
East	Commercial/Residential	B-5/Rm-3
West	Commercial	B-1/B-2



Background

The 34.6-acre Riversbend golf course property located at N96 W18034 County Line Road lies between the Menomonee River on the west and the Rivers Bend condominium neighborhood to the east. Historically, use of the property has been limited to a 9-hole public golf course given that wetlands and floodplain associated with the Menomonee River extend across almost the entire property. Since 2013, when the Riversbend PDD was created for purposes of facilitating commercial re-development of a 3.5-acre area along County Line Road (containing the Buffalo Wild Wings restaurant and a 9,150 sqft multi-tenant retail building), the golf course has been operating under terms of a temporary use permit that has since expired in October, 2016. While specific plans for development of a new clubhouse with shared parking were approved as part of the Riversbend PDD, the owner did not follow through to complete those plans and has marketed the golf course for sale.

The 2.88-acre Odyssey Hotel property located at W177 N9675 Riversbend Lane is east and adjacent to the Riversbend golf course property and south of the residential area known as the Riversbend Condominiums. In 1997 the Holiday Inn/Neviaser PDD was created to facilitate development of the property with a 72-room hotel. Currently, the hotel is operated by Odyssey Hotels as a Holiday Inn Express.

Proposal

At this time, Rachit Dhingra, agent for Odyssey Hotels and Riversbend Country Club Inc., has submitted a proposal to amend the Holiday Inn Hotel PDD and the Riversbend PDD to allow for an expansion of the hotel and development of an off-site parking lot on the Riversbend golf course property located at N96 W18034 County Line Road.

Odyssey Hotel/Holiday Inn Express Property

Odyssey Hotels is exploring the possibility of re-branding the existing hotel to meet future and changing demand for transient lodging. Given site constraints and the changing transient lodging market, Odyssey Hotels is proposing to:

- increase the number of guest rooms to a maximum of 130;
- increase the height of the building to a maximum four (4) story with a 50' parapet wall height & 60' tower height

Note that two (2) guest room expansion "options" are being presented in two slightly different development plans. The first option (see Sheet C1) would result in 130 guest rooms and the second option (see Sheet C1-2) would result in a maximum of 123 guest rooms; both options require increasing the building to a 4-story building. Odyssey Hotels has provided renderings of three (3) possible building architecture & material combinations that could result from the re-branding under either guest room expansion option (copies enclosed).

Riversbend Property

As detailed in the November 8 project description, Odyssey Hotels has an offer to acquire the golf course property and convert it into a private conservancy area except for the following two areas:

- a .64-acre area on the north end of the existing parking lot (shared with BWW and the multi-tenant retail center) to be re-developed with a 33-58 stall “off-site” parking lot to serve the hotel expansion; and
- a 1.34-acre area in the northeast corner of the property adjacent to the Fountain Square/JBJ Companies property at the end of Rivercrest Drive for possible sale or development.

NOTE: While not specifically stated, Odyssey Hotels does not anticipate that the potential re-branding and proposed building, site and parking improvements would be completed sooner than a period of 3-4 years from now. However, Odyssey Hotels is seeking approval of the necessary changes to the two PDD’s in order to plan accordingly and prepare for the opportunity to do so.

Odyssey Hotel/Neviaser PDD Amendments

The original PDD that affects what is now known as the Odyssey/Holiday Inn Express property affects just the 2.88-acre parcel upon which the hotel is located. Resolution No. 16-97 (copy enclosed) adopted a specific set of “conditions and restrictions” that apply to the property in addition to the underlying B-5: Highway Business Zoning District regulations (unless there’s a conflict in which case the PDD restrictions supersede).

As summarized in the November 8 project description, there are a few restrictions in the original PDD resolution (Res. No. 16-97) that would need to be amended in order to facilitate the proposed hotel expansion, including:

1. Section #2a and #2b require that “the building shall include no more than 73 guest rooms and be no more than 35 feet in height; except for the eastern tower, which may be up to 35 feet tall.” The proposed amendments are:
 - a. Increase the guest room count to a maximum of 130 guest rooms
 - b. Increase the building height to a maximum four (4) story building with a maximum typical parapet height not to exceed 50 feet and a maximum hotel “brand” parapet (tower) not to exceed 60 feet in height.
2. Section #2c establishes a minimum 49 foot side yard setback from the west property line. The proposed amendments are:
 - a. Decrease the minimum side yard setback to ten (10) feet from the west property line. This is in compliance with the minimum side yard setback required by Section 17.32(4) of the Municipal Code and is consistent with side yard setbacks of buildings on adjacent properties.

-
3. Section #3 requires a minimum of 85 off-street parking spaces. The current site has 77 spaces. The proposed amendment would increase the number of parking stalls depending on which guest room expansion option is pursued:
 - a. For the option of expanding to 130 guest rooms (see Sheet C1), the amendment includes the 77 stalls on the hotel site, the potential to add 10 stalls west of the hotel building, 31 stalls on the Riversbend golf course property, and 17 existing stalls in the shared parking lot to the west that would be available to the hotel via the existing shared parking easement agreement for stalls used by the golf course. The resulting total would be 135 stalls.
 - b. For the option of expanding to only 123 guest rooms (see Sheet C1-2), the amendment includes the 77 stalls on the hotel site, the potential to add 33 stalls on the Riversbend golf course property, and 18 existing stalls in the shared parking lot to the west that would be available to the hotel via the existing shared parking easement agreement for stalls used by the golf course. The resulting total would be 128 stalls.

Additional PDD amendments revising certain requirements of the underlying B-5 Zoning District would also be required:

4. The existing hotel site contains parking stalls that are 162 square feet in area (9'x18') rather than 180 square feet as required by Section 17.45(1)(a) of the Municipal Code. The PDD would have to be revised to allow the smaller stall size (NOTE: the Riversbend PDD already had adopted a smaller 162 sqft stall size).
5. Section 17.45(1)(c) of the Municipal Code requires an eight foot (8') parking setback. The existing drives and parking areas located to the north, south and west of the hotel are less than eight feet (8') to the property lines. The PDD would have to be revised to reduce this setback to match the existing condition and accommodate the site improvements shown for the expanded parking area west of the hotel.
6. Section 17.45(1)(b) of the Municipal Code requires a 50 foot parking setback to adjacent residential districts. The PDD would have to be revised to reduce the proposed setback between the north parking area and the adjacent residential district from 50 to 43 feet (NOTE; the Riversbend PDD already adopted a reduced parking lot-to-residential area from 50 to 32 feet).

Riversbend PDD Amendments

The original PDD that affects the 34.6-acre Riversbend golf course property, as well as, the Buffalo Wild Wings restaurant and the multi-tenant retail building property, was created in 2013. Resolution No. 02-13 (copy enclosed) adopted a specific set of “conditions and restrictions” that apply to these properties in addition to the underlying I: Institutional Zoning District regulations that apply to the Riversbend golf course parcel.

While not included in the November 8 project description, there are a number of restrictions in the original PDD resolution (Res. No. 02-13) that would need to be amended in order to facilitate the proposed parking lot expansion onto the golf course parcel, including:

1. Section 1 (General Development Plan). The GDP site plan will have to be revised to:
 - a. Remove the previously proposed clubhouse building and cart storage area; and
 - b. Add the proposed parking lot expansion and additional berming and landscaping (consistent with the development plan options in Sheet C1 or C1-2).
2. Section 3 (Use Regulations). The list of specific uses allowed in the PDD would need to be revised to:
 - a. Add “off-site” parking lot as a permitted use (consistent with the development plan options in Sheet C1 or C1-2). NOTE: this would eliminate the need to require a separate conditional use permit provided that the same design requirements in 17.45(5) of the Zoning Code are required.
 - b. Remove the golf course and clubhouse as permitted uses.
3. Section 9.a. (Specific Lighting & Landscaping). The list of berming and landscaping improvements provided in the northeast corner of the golf course parcel adjacent to the residential area will need to be revised to add more berming and landscaping in a manner that enhances/increases the buffer between the parking and residential dwellings (consistent with the development plan options in Sheet C1 or C1-2).

Staff Comments

Ordinarily, changes to a PDD go through the PDD amendment process requiring both Plan Commission and Village Board 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*”.

As required under Section 17.27(9) of the Zoning Code, the Plan Commission must determine if the proposed amendments to the two PDD's are "minor", or, if the proposed amendments are significant enough to "...materially affect the intended design of the project and the impact of the project on neighboring uses". *(NOTE: A finding that the change is a "minor" change means that the Plan Commission recommendation can be considered by the Village Board without a public hearing; a "substantial" change requires a public hearing before the Village Board renders a decision on the proposed change).* With regard to the proposed/required amendments to the two PDD's, it is Staff's opinion and recommendation that the proposed amendments are significant changes to the respective developments and should warrant a public hearing as part of the Village Board's review of this request.

Rezoning & Land Use Plan Map Consistency

The golf course property is currently in an I: Institutional Zoning District with a Floodplain Zoning overlay across most of the property; including a portion of the proposed lot expansion. With an amendment to the Riversbend PDD as discussed above, there would not be a need to rezone the property (or portion thereof) just to accommodate the small .64-acre parking lot expansion. In addition, parking areas are permitted uses in floodplain areas provided that there are no obstructions to flow or increases in flood elevations. And although there was some minor filling of the floodplain and off-setting decreases in flood elevations as part of the original Riversbend re-development project, no further filling or floodplain rezoning may be needed (nor proposed) as part of the parking lot expansion project.

As discussed in the November 8 project description, Odyssey Hotels proposes to convert the majority of the golf course parcel into a private conservancy area except for the .64-acre "off-site" parking lot expansion, and, a 1.34-acre area in the northeast corner of the property adjacent to the Fountain Square/JBJ Companies property. While the plan to expand the parking lot and convert the parcel to a private conservancy area is consistent with both the I: Institutional Zoning district and "Park/Recreation Area" classification on the 2020 Land Use Plan map, the desire to retain the 1.34-acre area for future sale or development for any use other than recreation would NOT be consistent with the 2020 LUP. A LUP map amendment would also be required as a prerequisite to any change in zoning or use other than what it currently is today. Moreover, the 1.34-acre area is not a separate parcel nor does it have direct frontage on a public right-of-way from which legal access could be obtained. For these reasons, staff does NOT support this aspect of the proposal.

As discussed previously, the time frame for commencing the re-branding and proposed parking lot, site and building improvements is 3-4 years into the future. If the proposed PDD and General Development Plan amendments outlined herein are approved, only the approval of detailed site development and building plans by the Plan Commission would be required at that time provided such improvements are consistent with the PDD and General Development Plan amendments (unless modifications to the floodplain are required as a result of any grading and/or storm water management system changes needed to accommodate the parking lot expansion).

Site Development & Building Plan Considerations

Although detailed site plans are not expected to be submitted for a few years, it's important to identify any issues or items the Village currently considers important and that will/may need to be addressed in those detailed plans. One of those issues concerns the berming and landscaping in the area adjacent to the Riversbend condominium residential area. The berm and landscaping plan that was approved in the original PDD anticipated the construction of a golf course clubhouse having a particular orientation and additional landscaping deemed necessary to buffer the residential area. After development of the restaurant and multi-tenant building, it became clear that without the clubhouse and remaining landscaping that wasn't completed, the amount of buffering was less than adequate. Consequently, the detailed landscaping plan to be prepared for the parking lot and building expansion will have to present a substantial amount of landscaping and/or berming to achieve the desired buffering effect.

Also, the renderings of the three possible building architecture and material combinations is not being scrutinized or even commented on at this time by staff given the time frame for these improvements. However, the developer is advised that the acceptability of any building architecture and/or materials will be determined at the time the detailed building plans are submitted for Plan Commission review, and, that staff's support of the proposed PDD amendments is not necessarily an endorsement of the building renderings provided as part of the PDD amendment application.

Riversbend Residential & Neighborhood Support

In an attempt to keep potentially affected property owners and nearby residents informed and involved in the pre-planning process, Odyssey Hotels held a "community meeting" with approximately 30 participants in late October. As we will likely hear at the meeting on November 14, Odyssey has indicated that the general response to their proposal is favorable. Odyssey has also reached out to the owners of the multi-tenant retail building and the Buffalo Wild Wings properties. The response from those adjacent owners is also apparently supportive.

Fire Department

The Fire Department has recommended approval of the proposal subject to the following:

- No occupancy of the hotel during construction should be permitted.
- The trash & recycling enclosure location needs to be at least 10 feet from any building(s).
- All new and/or additional fire protection measures will need to be consistent with the commercial building code with actual locations of any new or relocated fire protection equipment to be approved by the Fire Department.

Building Inspection

State approved plans and the standard \$20,000 occupancy bond will be required prior to issuing a building permit for any building expansion.

Village Planner Recommendation

APPROVE Staff's recommendation that the proposed PDD amendments are "significant" changes that require a public hearing prior to (or concurrent with) the Village Board's review and consideration.

Village Planner Recommendation

APPROVE the proposed amendments by Odyssey Hotels and Riversbend Country Club Inc. to the Neviaser PDD and the Riversbend Country Club-Continental 246 Fund LLC PDD to allow for the expansion of the hotel and development of an off-site parking lot on the Riversbend golf course property except as provided below and subject to the following conditions:

1. The General Development Plans for and referenced in both the Neviaser PDD and the Riversbend Country Club-Continental 246 Fund LLC PDD shall be revised to reflect the proposed improvements and features shown in the plan set dated November 8, 2016; specifically Sheet C-1 that represents the maximum amount of guest rooms up to 130 and parking lot expansion up to 135 parking stalls. It shall be understood that the building and parking lot expansion approved under these PDD amendments shall be the maximum amount allowed with lesser amount of guest rooms and/or parking stalls allowed to develop provided any future expansion is generally consistent with the plan set dated November 8, 2016.
2. The proposed amendments shall be codified into an appropriate resolution amending the current list of conditions & restrictions for the respective PDD's to be considered for approval by the Village Board.
3. The proposed amendment to the Riversbend PDD shall not include or otherwise allow the division and/or development of the 1.34-acre area in the northeast corner of the property adjacent to the Fountain Square/JBJ Companies property as a separate parcel. This area may be combined with the adjacent property provided all applicable Village, state and federal code requirements and regulations can be met.
4. Detailed site development & building plans shall be submitted to the plan Commission for review and approval prior to commencement of any new or re-development of either property subject of these PDD amendments. Said plans shall reflect or otherwise address the comments and recommendations of the Village departments set forth in this staff report unless otherwise superseded by updated and/or new code requirements or regulations.

RESOLUTION NO. R02-13

ADOPTING CONDITIONS AND RESTRICTIONS
FOR THE RIVERSBEND COUNTRY CLUB INC-CONTINENTAL 246 FUND LLC
PLANNED DEVELOPMENT DISTRICT ("RIVERSBEND PDD")

WHEREAS, Continental 246 Fund LLC, agent for Riversbend Country Club Inc., property owner (hereinafter "Developer") has applied for B-1 Neighborhood Business District zoning with a Planned Development District (PDD) overlay on the subject parcels located on County Line Road in the Village of Germantown more particularly described in Exhibit A attached hereto (the "PDD Property"); and

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

WHEREAS, the Germantown Plan Commission on January 14, 2013, reviewed the rezoning application and forwarded a positive recommendation for the rezoning and general site plan to the Village Board;

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

1. **General Development Plans**. Exhibit B, the detailed set of site development and building plans dated December 20, 2012, shall be considered the General Development Plans for this PDD, including the size and orientation of the building, setbacks, and location of access points, landscaping, utilities, grading and erosion control plan, floor plan and architectural elevations. All development within the PDD property shall be consistent with these plans or any subsequent plans (additional or revised) submitted pursuant to the conditions of approval adopted by the Plan Commission on January 14, 2013. Significant changes to said site development and building plans may require further review and approval by the Plan Commission as deemed necessary by the Zoning Administrator.
2. **Certified Survey Map**. A certified survey map (CSM) has been submitted to the Village for approval concurrently with the Riversbend PDD rezoning. Said CSM is for purposes of dividing the PDD Property into three (3) separate parcels: a 1.723 acre parcel (Lot 1); a 1.795 acre parcel (Lot 2); and a 34.45-acre parcel (Lot 3).
3. **Use Regulations**. The uses allowed for Lot 1 and Lot 2 shall be as set forth in the B-1: Neighborhood Business Zoning District regulations (Zoning Code Section 17.28), except that a restaurant with outdoor service shall be allowed on Lot 2 to the extent shown in the approved plans. The uses allowed for Lot 3 shall be as set forth in the I: Institutional Zoning District regulations (Zoning Code Section 17.26), except that a golf course with a club house facility shall be allowed on Lot 3 only to the extent shown in the General Development Plans.

4. **Building/Bulk Regulations.** One (1) 7,660 sqft. commercial building for a site-down restaurant is permitted on Lot 1 as shown in the General Development Plans. One (1) 7,715 sqft. commercial building for a sit-down restaurant is permitted on Lot 2 as shown in the General Development Plans. One (1) 1,500 sqft. commercial building for a golf course club house is permitted on Lot 3 as shown in the General Development Plans.

Unless otherwise set forth below, development shall be in accordance with the building, bulk and other applicable zoning requirements set forth in the underlying zoning district that applies to each lot as established in Section 4 above and other applicable sections of the Zoning Code.

The specific bulk requirements set forth below are reflected in the General Development Plans:

- a. Minimum Lot Frontage Requirement:
 - 1. Lot 1: 89'
 - 2. Lot 2: 27'
 - 3. Lot 3: 0' (Lot 3 will have access easement across Lot 1 and Lot 2);
 - b. Minimum Building Setbacks:
 - 1. Lot 1: Side Yard: 9'
 - 2. Lot 2: Side Yard: 8'
 - 3. Lot 3: Front Yard: 19.5'
 - c. Maximum Lot Coverage (Impervious Area):
 - 1. Lot 1: 79.1 percent
 - 2. Lot 2: 76.3 percent
 - d. Minimum Parking Setbacks:
 - 1. Parking lot Setback from property line: 0' (within parking lot and at various points around perimeter)
 - 2. Commercial parking lot from residential district: 32' (at northeast corner of parking lot adjacent residential area)
5. **Parking.** The minimum number of required parking stalls, stall size, and layout shall be as set forth below and as shown on the General Development Plans:
- a. Minimum Parking Stall size:
 - 1. Lot 1: 144 sqft (9' x 16') for six (6) "Compact Car Only" stalls
 - 2. Lots 1, 2, 3: 162 sqft (9' x 18') for all remaining parking stalls

The parking stall requirement for Lot 3 shall be satisfied through a shared-parking and access easement agreement across Lot 1 and Lot 2.

6. **Access.** Access to/from the PDD Property shall be from the two (2) access driveways onto the shared driveway easement serving the Holiday Inn and KFC commercial properties as shown in the General Development Plans.
7. **Architectural Design & Exterior Materials.** The architectural design and exterior materials shall be as shown on the plan elevations contained in the General Development Plans and set forth below (unless otherwise replaced by subsequent plans required pursuant to the conditions of approval adopted by the Plan Commission):
 - a. Lot 1 (Olive Garden restaurant) building elevation and floor plans dated December 27, 2012 (including Sheets A1.1, A5.1, A5.2 and the color renderings dated December 27, 2012);
 - b. Lot 2 (Buffalo Wild Wings restaurant) building elevation and floor plans dated December 11, 2012 (including Sheets 54-12.011.00 and the color renderings dated December 11, 2012);
 - c. Lot 3 (Riversbend Golf Course club house) building elevation and floor plans dated December 27, 2012;
8. **Public Utilities.** All sanitary sewer, water and storm sewer improvements shall be installed as shown in the General Development Plans, or as may be revised pursuant to the conditions of approval adopted by the Plan Commission and/or Public Works Department/Village Engineer.
9. **Specific Lighting, Landscaping & Trash Enclosure Plans.** All lighting, landscaping and trash enclosure plans shall be installed as shown in the General Development Plans, except that additional and/or revised plans have been required by the Plan Commission, requiring the following:
 - a. The landscape berm and evergreen tree buffer adjacent to the northeast corner of the parking area and along the east side of the parking area shall be extended to include the area within the 50' minimum setback area and enhanced with more and larger/taller (min. 10-12' planted height) evergreen and deciduous trees. Additional landscaping comprised of deciduous and evergreen trees shall also be installed along the common property line and/or around the perimeter of the outdoor patio on the north side of the club house to better buffer the residential area from outdoor club house activity. This additional landscape screening shall be shown in a revised landscape plan submitted to the Village Planner for review/approval prior to issuance of an occupancy permit;
 - b. The applicant shall submit a detailed foundation planting plan as either a supplemental plan or revision to the overall landscape plan to the Village Planner for review and approval prior to issuance of a building permit;

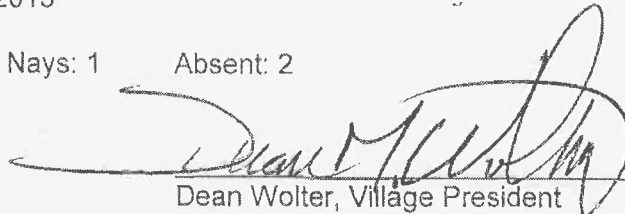
Riversbend Planned Development District (PDD)
Resolution No. R 02-13

- c. Complete dumpster enclosure plans shall be prepared and submitted to the Village Planner for review and approval prior to issuance of a building permit. Each enclosure shall be comprised of the same masonry or other comparable materials as their respective principal buildings. Particular attention shall be given to the appearance of the enclosure proposed for Lot 2 given its proximity to and visibility from County Line Road.
10. **Expiration.** The developer shall obtain appropriate permits and commence construction and continue toward completion of all three (3) of the commercial buildings and other site improvements within one (1) year from the date this PDD District was adopted by the Germantown Village Board.

Introduced by: Trustee Baum

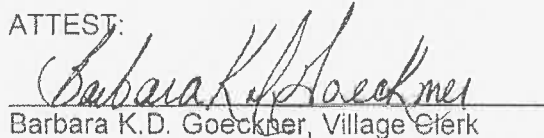
Adopted: January 28, 2013

Vote: Ayes: 6 Nays: 1 Absent: 2



Dean Wolter, Village President

ATTEST:



Barbara K.D. Goeckner, Village Clerk

EXHIBIT A

Riversbend Planned Development District (PDD)
Legal Description

A part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 and a part of the Northeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin being more particularly described as follows:

Commencing at the Southwest corner of the Southeast 1/4 of said Section 33; thence North 01°-24'-44" West along the West line of the Southeast 1/4 of said Section 33, a distance of 168.69 feet to the point of beginning; thence continuing North 01°-24'-44" West along said West line, a distance of 540.81 feet to a line parallel with the South line of the Southwest 1/4 of said Section 33; thence South 89°-20'-37" West along said parallel line, a distance of 509.26 feet to an Easterly Meander Line of the Menomonee River; thence North 34°-25'-06" West along said meander line, a distance of 944.50 feet; thence North 64°-55'-06" East along said meander line, a distance of 236.00 feet; thence North 10°-18'-05" East along said meander line, a distance of 105.50 feet; thence North 38°-36'-55" West along said meander line, a distance of 176.00 feet; thence North 64°-41'-19" East along said meander line, a distance of 207.00 feet; thence North 05°-08'-01" East along said meander line, a distance of 288.00 feet; thence North 60°-08'-58" West along said meander line, a distance of 360.00 feet; thence North 08°-37'-51" East along said meander line, a distance of 256.50 feet to the North line of the Southwest 1/4 of said Section 33; thence North 88°-58'-24" East along said North line, a distance of 933.50 feet to the Northeast corner of said Southwest 1/4; thence North 89°-21'-41" East along the North line of the Southeast 1/4 of said Section 33, a distance of 309.26 feet to the Southwesterly right of way line of USH 41/45; thence South 41°-58'-50" East along said Southwesterly line, a distance of 417.99 feet to the Northwesternly line of a parcel of land described per Document No. 749719; thence South 48°-01'-10" West along said Northwesternly line, a distance of 209.14 feet to a Northerly line of the Riversbend Condominium; thence Northwesternly 117.35 feet along said Northerly line on a curve to the left having a radius of 242.33 feet; the chord of said curve bears North 76°-07'-22" West, a chord distance of 116.21 feet; thence North 89°-59'-46" West along said Northerly line, a distance of 103.33 feet; thence Southwesterly 298.87 feet along said Northerly line on a curve to the left having a radius of 611.56 feet, the chord of said curve bears South 76°-00'-14" West, a chord distance of 295.90 feet; thence North 27°-59'-46" West along said Northerly line, a distance of 110.00 feet to a Westerly line of the Riversbend Condominium; thence Southwesterly 511.68 feet along said Westerly line on a curve to the left having a radius of 472.86 feet, the chord of said curve bears South 31°-00'-14" West, a chord distance of 487.08 feet; thence Southeasterly 563.69 feet along said Westerly line on a curve to the left having a radius of 734.02 feet, the chord of said curve bears South 21°-59'-46" East, a chord distance of 549.94 feet; thence South 43°-59'-46" East along said Westerly line, a distance of 195.95 feet; thence Southeasterly 324.06 feet along said Westerly line on a curve to the right having a radius of 1326.23 feet, the chord of said curve bears South 36°-59'-46" East, a chord distance of 323.25 feet; thence South 29°-59'-46" East along said Westerly line, a distance of 80.00 feet; thence Southeasterly 263.74 feet along said

Riversbend Planned Development District (PDD)
Resolution No. R 02-13

Westerly line on a curve to the left having a radius of 755.54 feet, the chord of said curve bears South 39°-59'-46" East, a chord distance of 262.40 feet to a Westerly line of Lot 1 of Certified Survey Map No. 3903 recorded in the Washington County Register of Deeds office as Document No. 607696 in Volume 25, Page 14; thence South 00°-00'-14" West along said Westerly line, a distance of 95.00 feet; thence South 19°-26'-50" West along said Westerly line, a distance of 108.76 feet; thence South 15°-59'-46" East along said Westerly line, a distance of 184.00 feet; thence South 23°-00'-14" West along said Westerly line, a distance of 122.00 feet to the Northerly right-of-way line of County Trunk Highway "Q"; thence South 74°-23'-44" West along said Northerly right-of-way line, a distance of 117.00 feet; thence North 15°-36'-16" West, a distance of 70.00 feet; thence Southwesterly 152.05 feet on a curve to the right having a radius of 1943.48 feet, the chord of said curve bears South 75°-12'-06" West, a chord distance of 152.01 feet to the point of beginning and containing 37.972 acres (1,654,083 sq. ft.) more or less and being subject to all easements and restrictions of record.

Riversbend Planned Development District (PDD)
Resolution No. R 02-13

EXHIBIT B

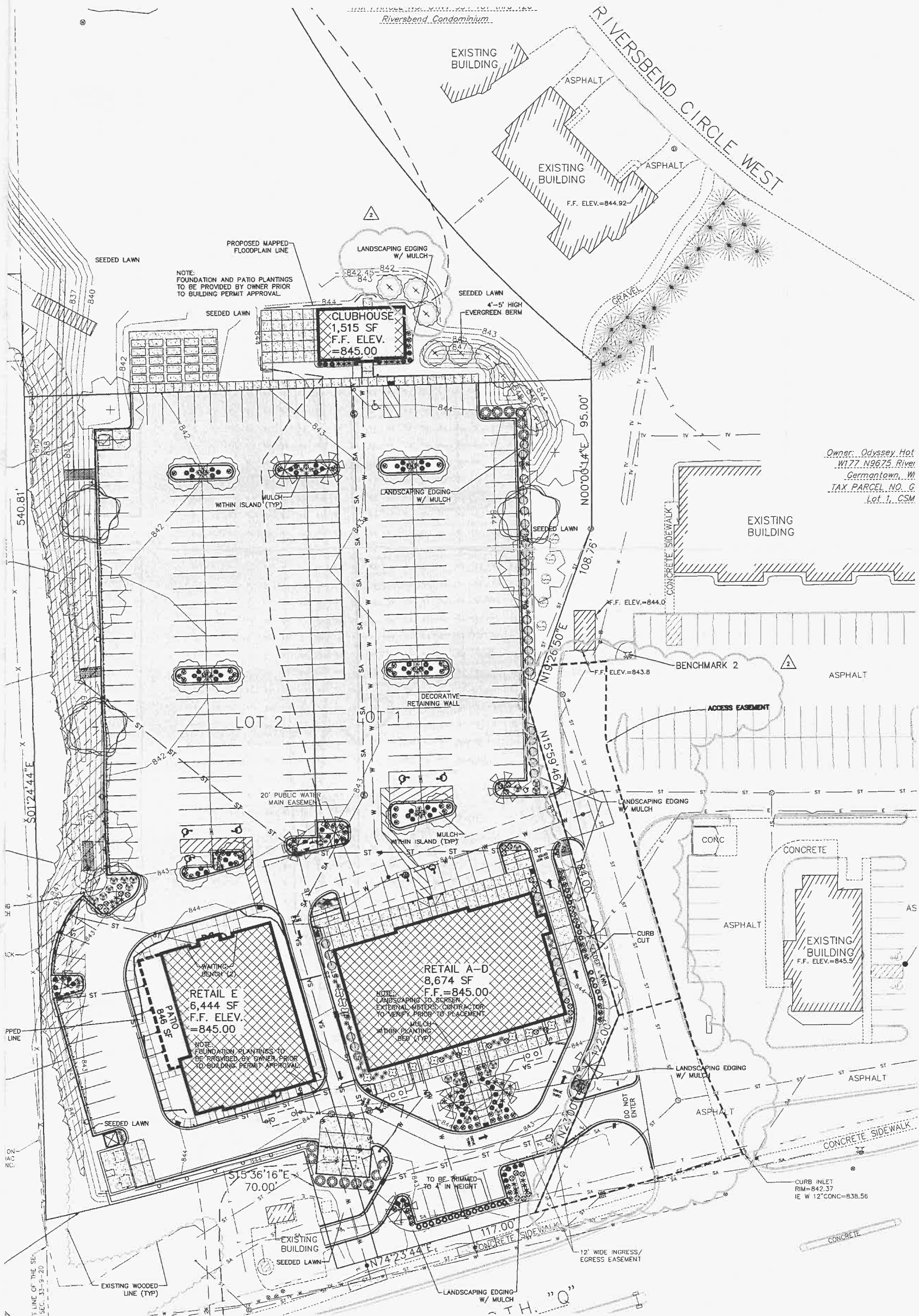
Riversbend Planned Development District (PDD)
General Development Plans

**{See Site Development & Building Plan Set
Dated December 12, 2012 available in the Planning & Zoning
Services, Community Development Department}**



100 CAMELOT DRIVE
FOND DU LAC, WI 54935
PHONE: (920) 926-9800
FAX: (920) 926-9801

Always a Better Plan



Owner: Odyssey, Hot
W177 N9673 River
Germantown, WI
TAX PARCEL NO. G
Lot 1, CSM

OWNER:

CONTINENTAL 246 FUND LLC
W134 N8675 EXECUTIVE DRIVE
MENOMONEE FALLS, WI 53051

PROJECT:

CONTINENTAL 246 FUND LLC
N96 W18034 COUNTY LINE ROAD
GERMANTOWN, WI 53022

SHEET ISSUE:

FEBRUARY 17, 2014

SEE TITLE SHEET TO CONFIRM
THAT THIS SHEET HAS BEEN
ISSUED FOR CONSTRUCTION

REVISIONS:

1 APRIL 21, 2014
2 MAY 13, 2014

JOB NUMBER:

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:

Odyssey Hotels

Rachit Dhingra

Address: 1808 N Wells St.

Chicago IL 60614

Phone: 312-867-7911

FAX: 312-867-7912

E-Mail: rdhingra@odysseyhotels.com

PROPERTY OWNER(S):

1.* Odyssey Hotels; Rachit Dhingra

2. Charles Schmit; Riversbend C.C. Inc.

Address: N96 W18034 County Line Rd.

Germantown WI 53022

Phone: 262-255-6557

FAX: _____

E-Mail: _____

*Contact info. same as applicant

PDD Name & Resolution No.:

Riversbend PDD; Resolution No. 01-14 (most recent)

Neviaser PDD (hereinafter "Holiday Inn"); Resolution No. R16-97

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

Attach separate legal description if necessary

See attached legal for each property.

Check all that apply:

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

Planned Development District (PDD) Amendment Application
Page 2 of 3

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

Attach Revised Plan(s) or Separate Pages as Necessary

See attached.

Detailed Explanation and Justification for Proposed Amendment(s):

Attach Revised Plan(s) or Separate Pages as Necessary

See attached.

Planned Development District (PDD) Amendment Application
Page 3 of 3

APPLICATION SUBMITTAL REQUIREMENTS (to be submitted at time of application):

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

General Development Plan Amendment Only:

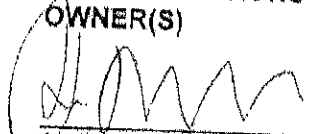
- ☒ Legal Description of the land subject of map amendment in electronic/digital file format (e.g. Microsoft Word)
- ☒ Revised or New General Development Plan at a scale of 1" = 50' or other suitable scale necessary to accurately present:
 - o Exterior boundary of the land subject of the map amendment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

AFFIDAVIT OF UNDERSTANDING

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.

ALL APPLICATIONS MUST BE SIGNED BY THE APPLICANT/AGENT AND PROPERTY OWNER(S)


Applicant/Agent _____ Date 6/7/2016


Property Owner _____ Date 10-7-16

Applicant/Agent _____ Date _____

Property Owner _____ Date _____



Village of
★★★
Germantown
Willkommen

Fee must accompany application

☐ \$1460 Paid _____ Date _____

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

1 APPLICANT OR AGENT

Odyssey Hotels

Rachit Dhingra

1808 N Wells Street

Chicago IL 60614

Phone (312) 867-7911

Fax (312) 867-7912

E-Mail rdhingra@odysseyhotels.com

PROPERTY OWNER

Riversbend Country Club, Inc.

Charles Schmit

N96 W18034 County Line Road

Germantown WI 53022

Phone (262) 255-6557

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Odyssey Hotels, Rachit Dhingra

3 PROPERTY ADDRESS TAX

N96 W10834 County Line Road

KEY NUMBER

GTNV_333951

4 DESCRIPTION OF EXISTING OPERATION

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages if necessary.

Existing Riversbend Golf Course as described in current GDP.

5 DESCRIPTION OF PROPOSED OPERATION

Write the name of the proposed conditional use exactly as it appears in the Municipal Code.

Off-site parking area; Section 17.45(5), Village of Germantown Code of Ordinances

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

Current golf course parking area to be used as hotel overflow parking in the event future

hotel expansion is proposed and additional parking spaces are required per Code.

6

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY - REQUIRED

Attach pages as necessary

See Attached Legal Description

7

SUPPORTING DOCUMENTATION:

- ☒ Site Plan and elevations for new construction (can be conceptual)
- ☒ Photos of existing use and/or proposed use operating elsewhere
- ☐ _____
- ☐ _____

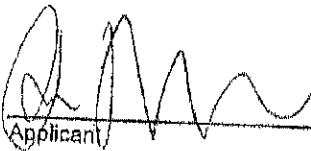
8

READ AND INITIAL THE FOLLOWING:

- ☒ I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.
- ☒ I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.
- ☒ I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.

9

SIGNATURES - ALL APPLICATIONS MUST BE SIGNED BY OWNER!


Applicant

6/7/2016
Date


Owner

10-7-16

Date

November 8, 2016



HOTEL GROUP ODYSSEY GDP/PDD AMENDMENT NARRATIVE

This submittal addresses amendments to the General Development Plan (GDP) and Planned Development District (PDD) for both the Riversbend Country Club property at N96 W18034 County Line Road (Tax Parcel #GTNV_333951) and the Holiday Inn property at W177 N9675 Riversbend Lane (Tax Parcel #GTNV_334100).

The requested amendments address the potential maximum build-out of the hotel use with the understanding that market demand and the economy will factor into the owner's decision if the maximum build-out is feasible or if expansion of a smaller scale is ultimately proposed. In addition to the information contained in this narrative, please refer to plan sheets C1, C1-2, and C2 for conceptual general development build-out options.

Amendments to Rivers Bend Planned Development District (Resolution No. 01-14):

The applicant for this property (Odyssey Hotels, Rachit Dhingra) has an offer to purchase the Riversbend Country Club (Lot 4 of the General Development Plan for the subject Planned Development District) from the current owner, Mr. Charles Schmit. It is Mr. Dhingra's intent to discontinue the golf course use of the land and convert the property into a private conservancy area with the exception of the following areas:

- The current golf course clubhouse and cart storage area will be reserved for possible future use as an off-site parking area for the hotel in the event the current hotel is re-branded and expanded such that the expansion requires additional parking spaces per the Village of Germantown Municipal Code.
- Approximately 1.34 acres of area near the current green number nine (#9) and immediately north of and adjacent to the Fountain Square LLC property has been determined to be above the floodplain elevation associated with the Menomonee River; Mr. Dhingra would like to reserve this area for potential future sale or development.

It is understood that the proposed use of the parking area on the golf course property as an off-site parking area for the hotel property requires the granting of a Conditional Use Permit by the Village of Germantown.

It is understood that any proposed future development of the upland area located in the area of the current golf course green number nine (#9) will require rezoning and applicable approvals and permits from the Village of Germantown, as well as an access easement from the adjacent owner to the south (JBJ Development; d.b.a. Fountain Square, LLC).

Floodplain exists on the subject property. It is understood that any development in the floodplain must be reviewed and approved by both the Village and the DNR upon the completion of full site engineering (no net fill in the floodplain).

Holiday Inn Property :

The owner of the property, Odyssey Hotels (Rachit Dhingra) is exploring the potential to re-brand the current Holiday Inn; in the process, expand the re-branded hotel to meet the future demand for additional transient lodging. To facilitate this, the following amendments to the original GDP and PDD (Resolution No. R16-97) are being requested:

GDP/PDD Amendments

- Site layout and existing hotel site contains parking stalls that are 162 square feet in area (9'x18') rather than 180 square feet as required by Section 17.45(1)(a) of the Municipal Code.
- Section 17.45(1)(c) of the Municipal Code requires an eight foot (8') parking setback. Existing drives and parking areas located to the north, south and west of the hotel are less than eight feet (8') to the property lines; this amendment requests a relaxation for proposed parking and drives consistent with current conditions where lot lines are located within shared drives and parking areas.
- Section 17.45(1)(b) of the Municipal Code requires a 50 foot parking setback to residential districts. The proposed setback between the north parking area and the adjacent residential district is 43 feet.

PDD Specific Amendments:

- Condition #2a. and #2b. require "the building shall include no more than 73 guest rooms and be no more than 35 feet in height; except for the eastern tower, which may be up to 35 feet tall." This request is to amend the guest room count to a maximum of 130 guest rooms, a maximum four (4) story building with a maximum typical parapet height not to exceed 50 feet and a maximum hotel "brand" parapet (tower) not to exceed 60 feet in height. The increased guest rooms and number of building stories would allow Mr. Dhingra to meet the increasing need for transient lodging without major expansions to the building footprint. The increased height would accommodate brand specific architecture that allows the public to easily recognize a particular hotel brand. Note that two (2) options are being presented; the first option (C1) would result in 130 guest rooms while the second option (C1-2) would result in a maximum of 123 guest rooms; neither option exceeds the requested maximum 130 guest room count.

- Condition #2c. establishes a minimum 49 foot side yard setback from the west property line. This amendment requests a minimum ten foot (10') side yard setback from the west property line. This is in compliance with the minimum side yard setback required by Section 17.32(4) of the Municipal Code and is consistent with side yard setbacks of buildings on adjacent properties.
- Condition #3 requires the project shall have a minimum of 85 off-street parking spaces. The current site has 77 spaces. In anticipation of some expansion in the number of guest rooms, this amendment (C1) includes the potential to add ten (10) on-site spaces to the west of the hotel building, 31 spaces on the current golf course site (the proposed off-site parking area for which a CUP is required), and 17 existing parking spaces on the existing retail development to the west via a modification to the cross parking agreement that currently exists for the area of 25 spaces to be used by the golf course owner. The resulting total parking spaces would be 135; pursuant to the Village of Germantown Municipal Code [Section 17.45(1)(d)12] this is an adequate number of spaces for a hotel having 130 guest rooms (1 space per guest room) and 10 employees (1 space for each 2 employees) per shift. The lesser impact option (C1-2) retains the 77 stalls on the hotel site, makes use of the 33 spaces on the current golf course site [an increase of two (2) spaces from option C-1 due to the elimination of the connecting driveway between the hotel site and the golf course site], and 18 existing parking spaces on the existing retail development to the west via a modification to the cross parking agreement that currently exists for the area of 25 spaces to be used by the golf course owner. The resulting total parking spaces under this option would be 128 spaces; pursuant to the above-mentioned section of the Village's Municipal Code, this is an adequate number of spaces for a hotel having 123 guest rooms (1 space per guest room) and 10 employees per shift (1 space for each 2 employees).

GENERAL DEVELOPMENT PLAN FOR:
ODYSSEY HOTELS
RIVERSBEND LA • GERMANTOWN, WI

PROFESSIONAL SEAL

PRELIMINARY DATES

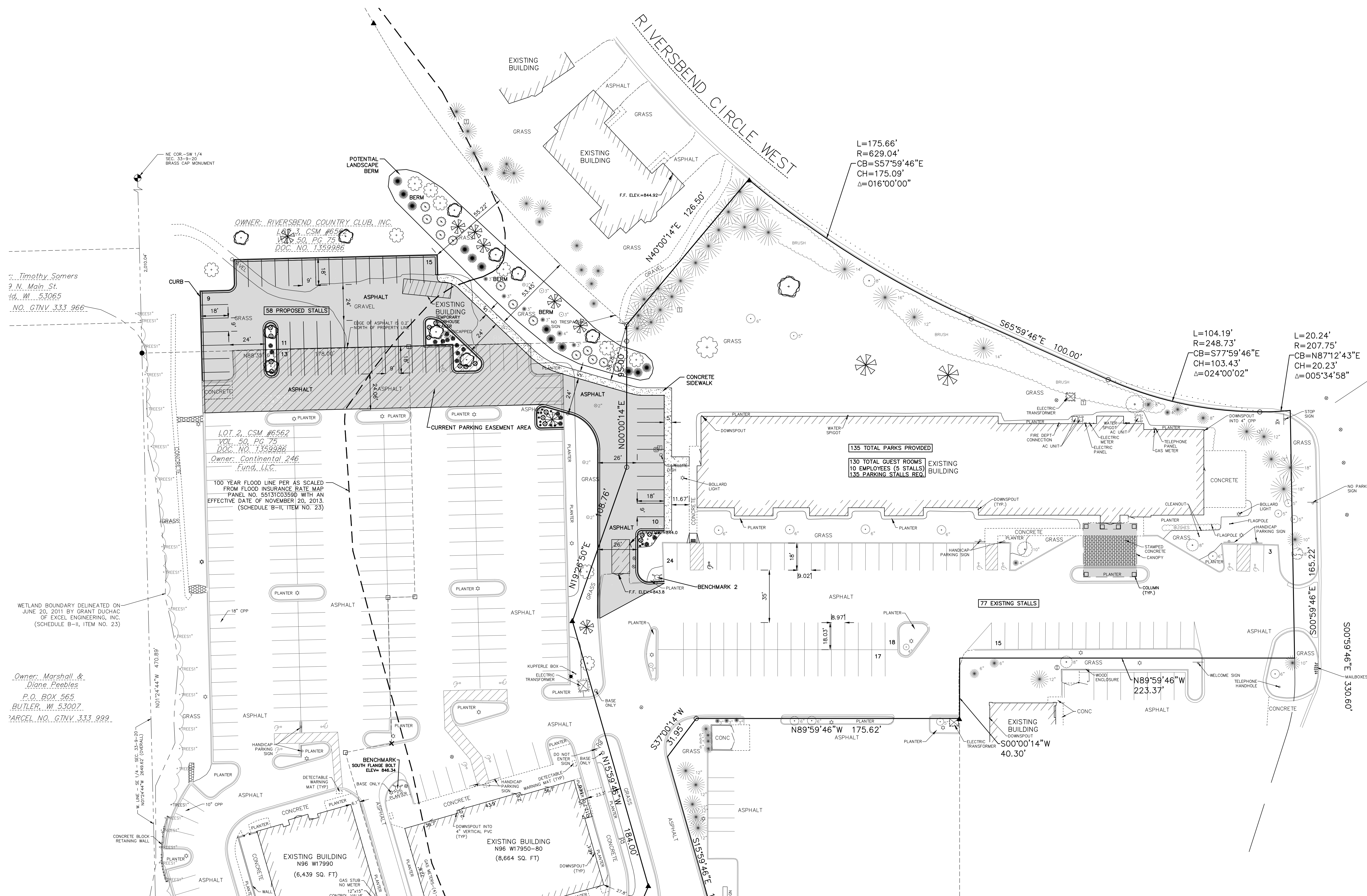
OCTOBER 6, 2016
OCTOBER 31, 2016
NOV. 8, 2016

NOT FOR CONSTRUCTION

SHEET INFORMATION

ODYSSEY HOTEL GDP
SITE PLAN

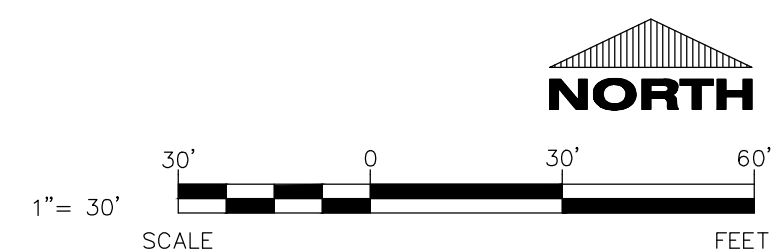
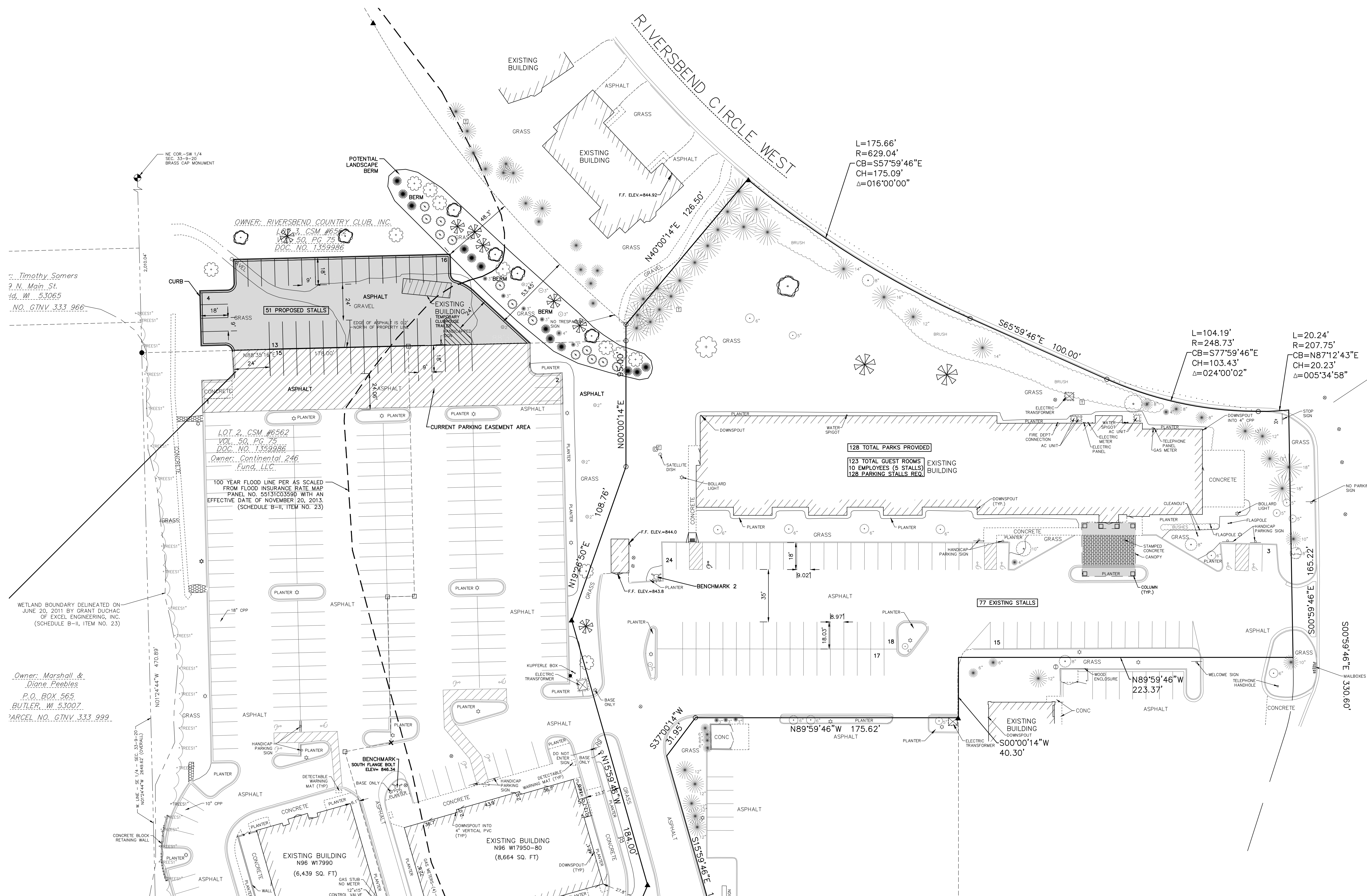
C 1



1" = 30'

30' 0 30' 60'

SCALE FEET



PROJECT INFORMATION

PROJECT NUMBER 1637520

GENERAL DEVELOPMENT PLAN FOR:
ODYSSEY HOTELS
RIVERSBEND LA • GERMANTOWN, WI

PROFESSIONAL SEAL

PRELIMINARY DATES

OCTOBER 6, 2016

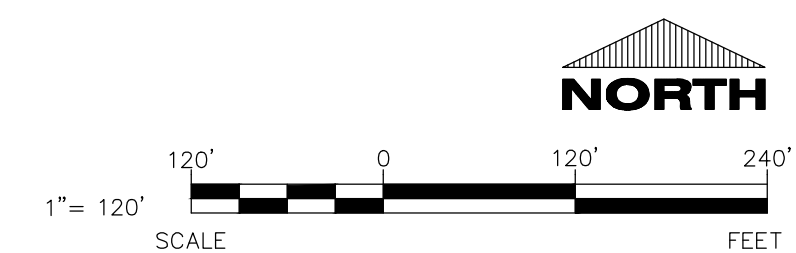
NOT FOR CONSTRUCTION

SHEET INFORMATION

RIVERSBEND GOLF COURSE
GDP SITE PLAN

SHEET NUMBER

C2



RESOLUTION NO. R16 - 97

RESOLUTION ADOPTING CONDITIONS AND RESTRICTIONS FOR THE
NEVIASER PLANNED DEVELOPMENT DISTRICT:

WHEREAS, Daniel Neviaser of Neviaser Investments has applied for rezoning to a B-5, Highway Business Planned Development District (PDD) on the subject parcel (Key Number GTNV 334-100, hereinafter "the property") which was granted by the Village Board on March 17, 1997, and has submitted a Project Plan revised through November 8, 1996; and

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

WHEREAS, the Germantown Plan Commission adopted a Land Use Plan 2010 on August 23, 1993, for the general development guidelines, lot density and land use on this property; and

WHEREAS, the Germantown Plan Commission has recommended approval of the conceptual site, architectural and landscaping plans at its meeting on November 25, 1996; and

WHEREAS, the application proposes a single building to house a hotel with accessory enclosed swimming pool on the 2.88-acre site;

NOW, THEREFORE BE IT RESOLVED that the Village Board of the Village of Germantown hereby adopts the following conditions and restrictions for the Neviaser Planned Development District:

1. General Development Plan - The plan dated and revised through November 8, 1996, shall be considered the approved General Development Plan for the subject property, including the location of driveways, parking spaces, buildings and signage. Detailed surveys, utility plans, building plans, lighting and landscaping 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 plans shall conform substantially to the approved General Development Plan in both location, design and number. Utility and driveway plans shall be based on the standards of the Village Public Works Department. If revisions of the development plan are necessary due to adverse site conditions, resubmittal and approval of all revisions by the Plan Commission will be required.

2. Building size, height, location, and lot coverage

- a. The building shall include no more than 73 guest rooms.
- b. The building shall be no more than 35 feet in height as per Section 17.08(13),

- except the eastern tower, which may be up to 35 feet tall.
- c. The buildings shall meet the following setback and lot coverage requirements:
- | | |
|--|-----------------|
| Front yard setback from Riversbend Lane | minimum 50 feet |
| Front yard setback from Riversbend Circle West | minimum 15 feet |
| Side yard setback from south property line | minimum 50 feet |
| Side yard setback from west property line | minimum 49 feet |
- d. The overall building, parking and hard surfaces shall not exceed 70% lot area.
3. Parking - The project shall include a minimum of 85 off-street parking spaces.
No garages or maintenance buildings are approved for this site.
4. Driveway Construction and Ownership - All internal driveways shall be constructed and maintained by the owner. Construction standards will be to Village specifications. Private easements and access agreements are not enforced by the Village and must be addressed separately.
5. Public Utilities - The developer will provide all necessary easements and dedication of facilities as required by the Village Engineer.
6. Signage
- The property is allowed one free-standing sign, maximum 160 square feet area, maximum 25 foot height.
 - The property is allowed two wall-mounted signs, maximum 150 square feet each.
 - All signs shall be internally illuminated.
 - No roof signage is allowed for this project.
 - No wall-mounted signage is allowed on the north side of the building.
7. Specific lighting and landscaping plans shall be submitted to and approved by the Plan Commission prior to occupancy of the building.
8. Garbage and refuse collection and disposal shall be provided by the property owner at his cost.
9. The berm (including plantings) to be repaired and maintained by the property owner, with replacement of any dead plantings.

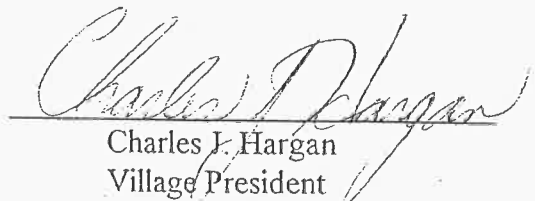
Introduced by Trustee Charlene Brady

Adopted: March 17, 1997

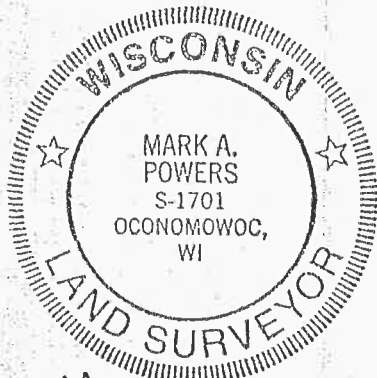
Vote: 8 Aye; 0 Nay; Absent: 1 (Johnson)

Attest:


Jane A. Wilms, CMC AAE, Village Clerk


Charles J. Hargan
Village President

NOTE: SEE PAGE 3 OF 4 FOR CURVE DATA AND LOT RESTRICTION NOTES

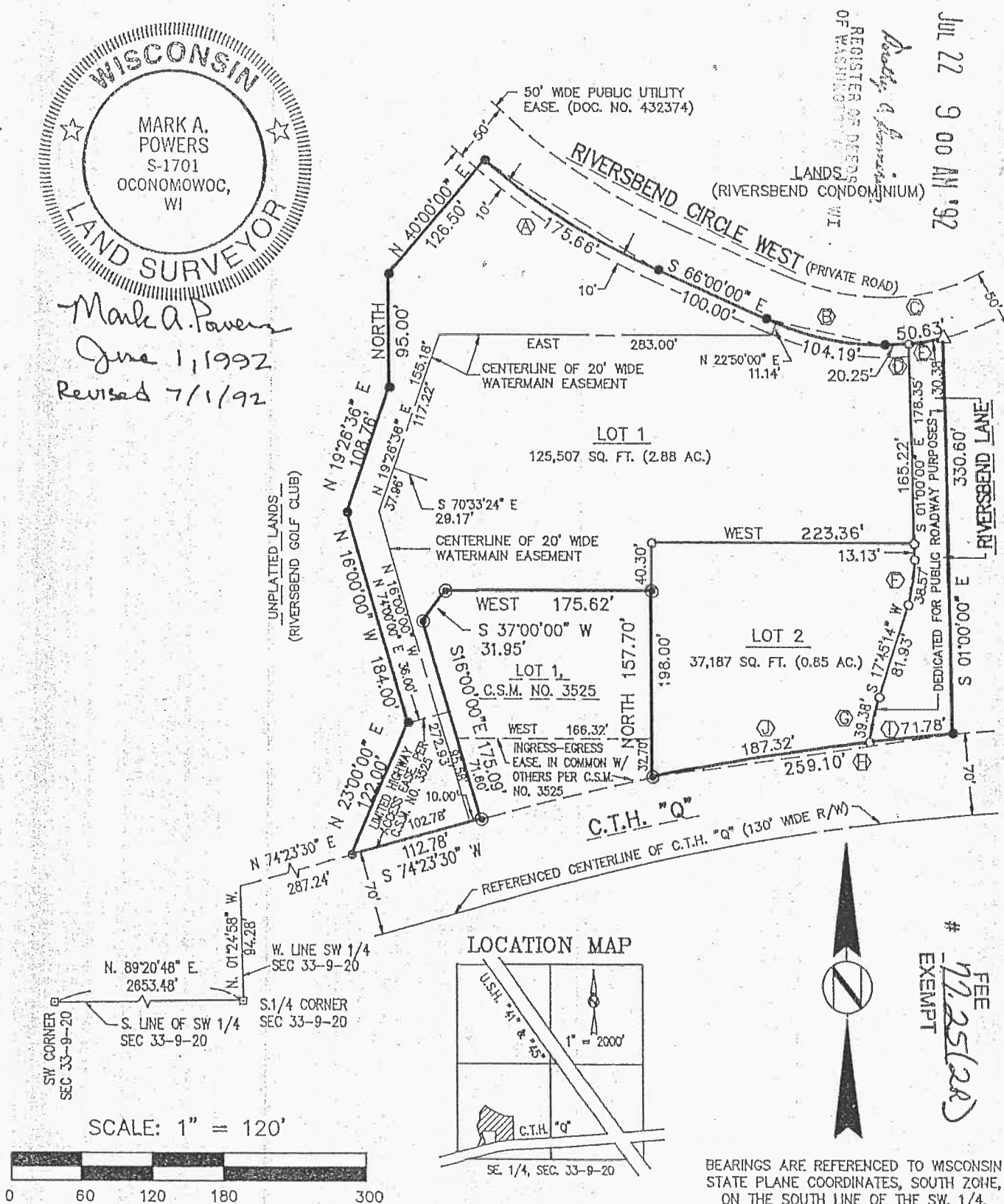


Mark A. Powers
June 1, 1992
Revised 7/1/92

RECORDED

607696

Map No. 3903 Vol. 25 Page 14



FEE EXEMPT
- 7/25/2020

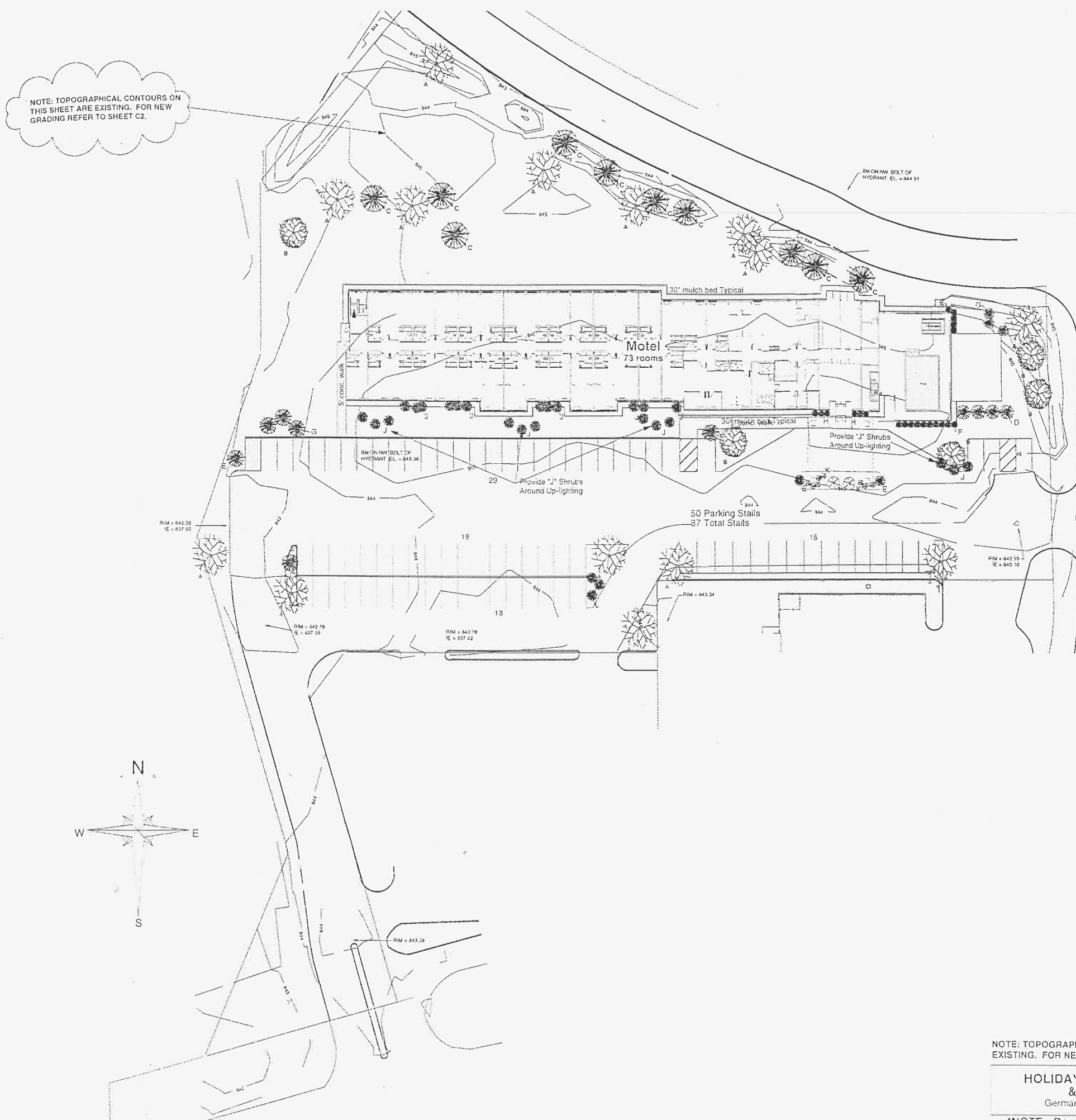
NOTE: TOPOGRAPHICAL CONTOURS ON THIS SHEET ARE EXISTING. FOR NEW GRADING REFER TO SHEET C2.

PLANT SCHEDULE
96008/ German town

MARK	COMMON NAME	BOTANICAL NAME	SIZE
A	Thornless Honey Locust	Gleditsia 'inacanthos' 'Skyline'	1 1/2" B&B
B	Summit Green Ash	Fraxinus pennsylvanica	1 1/2" B&B
C	Austrian Pine	Pinus nigra	4' B&B
D	Eastern Redbud	Cercis canadensis	4' B&B
E	Woodward Globe Arborvitae	Thuja occidentalis 'Woodward'	5' gal. cont.
F	Talliedge Buckthorn	Rhamnus frangula 'columnaris'	3' pot
G	Bailey Red Twig Dogwood	Cornus baileyi	3' pot
H	Goldfinch	Potentilla fruticosa 'Goldfinch'	18" pot
J	Freepal Spirea	Freibellii	18" pot
K	Japanese Barberry	Berberis thunbergii	1' gal
L	Hedge Cotoneaster	Cotoneaster lucidus	36" pot

GENERAL NOTES

- Mulch beds shall be washed stone mulch, 3" deep 30" wide, or approved equal.
- Mulch area shall be underlain with 6 mil polyfilm, with edges to overlap 6 inches minimum and 1 inch minimum on edging foundation of building. Provide at mulch bed areas black plastic edging.
- Landscape Contractor shall space shrubs for growth in three years as appropriate.
- Verify planter sizes at site with General Contractor.
- Substitutions shall be verified with Architect and Owner for availability.
- Verify removal of all existing trees with Owner/Architect prior to work.
- Where quantities of one plant variety are called for, space plants equally within the area shown.
- Single trees to be mulched with shredded bark 2" deep. Deciduous trees to have mulch circles 3' diameters. Evergreen trees to have mulch circles 1' beyond drip line.
- Provide sod in area between building and parking on south side of building. Provide seeded grass in all disturb areas around building and parking.



NOTE: TOPOGRAPHICAL CONTOURS ON THIS SHEET ARE EXISTING. FOR NEW GRADING REFER TO SHEET C2

HOLIDAY INN EXPRESS & SUITES Germantown, Wisconsin	Owner: NEVIASER INVESTMENTS INC. 25 W Main Madison, Wisconsin 608.267.3777	SIEGER ARCHITECTS 1501 Monroe St., Madison WI 53711-2020 Phone: (608)283-0100 Fax: (608)283-0101	Job No. 96008 R-022/06 R-014/06 R-019/06 7/24/07 12:19:55 PM	C3
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*NOTE: Drawings are 50% scale for 11x17 print sets.









Prototype Design Guide

January 2014, Version 1





1 EXTERIOR PERSPECTIVE - SLATE GRAY SCHEME
NO SCALE



2 EXTERIOR PERSPECTIVE - RED BRICK SCHEME
NO SCALE



3 EXTERIOR PERSPECTIVE - SOUTHWEST SCHEME
NO SCALE

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FAIRFIELD
INN & SUITES
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Design Guidelines Examples
BUILD TYPE: HOTEL
DESIGN TYPE: EXTERIOR
NO. OF FLOORS: 4
NO. OF UNITS: 100
PERMITS: 100
EXTERIOR PERSPECTIVES

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NOT FOR CONSTRUCTION
FEB 2019 - DEC 2019 (10/10/2019)