

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING:	PLAN COMMISSION
DATE AND TIME:	MONDAY, DECEMBER 11, 2017 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 information will be received from the public, however, no action will be taken at this time.
- IV. **APPROVAL OF MINUTES:** November 13, 2017 & November 29, 2017 (Meeting Notes from November 27, 2017 Informational Meeting for review only).
- V. **NEW BUSINESS**
 - A. Scott Bence, Agent for Heritage Place Joint Venture, Property Owner of Saxony Village N115 W16200 Main Street. Sign Review (Revised Monument Sign Location).
 - B. Speaker Properties LLC c/o J.W. Speaker Corporation, Agent for Phylmack LLC, Francis & Dolores Mayer Etal and Thomas & Joan Roskopf, Property Owners – N120 W19434 Freistadt Road and 144 Acres of Land East of Goldendale Road and North of Freistadt Road (Tax Key No.'s GTNV 173-992, 173-993, 173-987 & 173-985). Rezoning Application from A-1: Agricultural and M-1: Limited Industrial to an M-1: Limited Industrial Planned Development District (PDD).
 - C. Baudhuin Surveying & Engineering, Agent for Top Leaf Development LLC and Alan & Lynda Luther, Property Owners – 107 Acres South of Freistadt Road, North of Elm Lane and West of Wasaukee Road (including N120 W12851 Freistadt Road). Rezoning Application from A-1: Agricultural to Rs-3: Residential Single-Family and a Concept Plan for a 47-lot Single-Family Residential Subdivision.
 - D. Scott & Georgene Sommer – W148 N12696 Pleasant View Drive. Conditional Use Permit Consultation for a Farm Kitchen, Sausage and Brewery Operation.
- VI. **ANNOUNCEMENTS**
- VII. **ADJOURNMENT**

The next Plan Commission Meeting will be on January 8, 2018 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
November 13, 2017

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

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

PUBLIC INPUT: Paul Mraz, N132 W14879 Rockfield Road, spoke against the zoning code amendment to allow an accessory building in the front yard.

APPROVAL OF MINUTES: ***MOTION Shadid second Laszewski to Approve the minutes from 10-23-17.***

MOTION carried unanimously.

Koenig Industries, Inc. – W188 N11820 Maple Road. The request is for approval of a wall mounted sign for the manufacturing facility. Planner Retzlaff summarized the proposal.

MOTION Gray second Laszewski to Approve the proposed wall-mounted sign for Koenig Industries located at W188 N11820 Maple Road in the Germantown Industrial Park.

MOTION carried unanimously.

Germantown High School – W180 N11501 River Lane. The request is for approval of new wall signage associated with the High School expansion. Planner Retzlaff summarized the proposal.

MOTION Shadid second Laszewski to Approve the proposed wall-mounted signs for the Germantown High School located at W180 N11501 River Lane subject to the following conditions:

- 1. An electrical permit shall be obtained from Inspection Services prior to installation of any/all electrical components.***

MOTION carried unanimously.

Charles Schwab – W182 N9606 Appleton Avenue. The request is for approval of wall-mounted signs and a monument sign panel for the new tenant. Planner Retzlaff summarized the proposal.

MOTION Gray second Shadid to Approve the proposed wall-mounted signs and a monument sign panel for Charles Schwab, a new business tenant in the Cornerstone Centre located at W182 N9606 Appleton Avenue 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.

Virtus Development, agent for Victory Center LLC – W140 N10385 & W140 N10393 Fond du Lac Avenue. Greg Nagel, Virtus Development, is requesting feedback on a potential redevelopment project for the commercial parcels located at the corner of Donges Bay Road and Fond du Lac Avenue. The developer is proposing to renovate the two parcels and existing buildings into a coffee

shop and restaurant that will include a covered portico between the two buildings, interior and exterior renovations and expansion of the parking lot. Planner Retzlaff summarized the proposal. Greg Nagel, Virtus Development, answered questions.

Plan Commission members had the following comments and concerns:

- What are the plans for the outside of the building and how will the two buildings be linked together.
- Will one parking lot serve both businesses and is the parking adequate.
- The round-about makes it easier to access this development
- Could there be other development proposals in this area.
- What height will the privacy fence be – the neighbors are happy with the fence proposal
- Are there any traffic projections? Plan Commission could recommend if necessary.
- The second floor would be part of the restaurant and not a residence. Will Fire Department approve of restaurant on the second floor?
- The commercial building and fire code will need to be met
- Entry to the development is right turn only
- What is the purpose of the portico
- The design looks cobbled together
- Likes the use and proposal. Brings interest and revitalization to the area. Applauds someone who wants to take on the historical aspect of the project
- The code requires any reconstructed parking lot abide by the 50-foot setback from residential. Building setback for the porch encroaches into the road right-of-way and needs to be resolved and if reconstructed needs to meet compliance.
- The building is non-conforming and the improvements to the building may exceed 50 percent of the value of the building where the non-conforming use and structure provisions kick in and necessitate compliance with the code. A PDD overlay will likely be needed to address issues with parking, setbacks and code compliance.
- The hours of operation for the coffee shop and restaurant will be shorter than the current hours of operation.
- Concern there won't be enough parking available. It was suggested contacting the owner across the street to possibly make arrangements for staff to park on the vacant site.

This item was for discussion only. No action was taken.

Community Development Department – Proposed Zoning Code Amendments to the allowances, limitations and restrictions for residential accessory buildings. Planner Retzlaff summarized the proposed amendments. The amendments are proposed to reflect recent actions and/or policy decisions by the Village, and, to clarify or otherwise improve staff's ability to administer and enforce these regulations in light of changing technological, socio-economic and general land use conditions and trends.

MOTION Gray second Shadid to Approve Amendment Group #1 to Section 17.41 (Residential Accessory Use, Building and Structure Restrictions) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 1. 17.41(1) SIZE AND NUMBER LIMITATIONS.

- (a) In the single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), each residential dwelling shall be constructed to include an attached garage and/or a detached garage (i.e. detached accessory building). Where a dwelling contains a single attached

garage, subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no specific size (area) limit for an attached garage. A dwelling within the Rs-1 or Rs-2 District may include a second attached garage provided that such garage complies with the area standards in (b), ~~and, obtains site plan approval from the Plan Commission.~~

- (b) The maximum size of a second attached garage and the maximum size and number of detached accessory buildings allowed per lot or parcel in each residential zoning district shall be as set forth in Table 1 below.

SECTION 2. That Table 1 under Section 17.41(1)(b) (Residential Accessory Use, Building and Structure Restrictions) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

TABLE 1.

Zoning District	Attached Garages		Detached Accessory Building		
	Max. Number	Max. Floor Area ⁽⁵⁾ (sqft)	Max. Number	Maximum Floor Area ⁽⁵⁾ (sqft) (cumulative total for all accessory buildings)	
				Attached Garage Included	Attached Garage NOT Included
Rs-1	2; Second requires Site Plan approval	No limit on First; Second may not exceed <u>2 1%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>2 1%</u> of lot area or 192 sqft ⁽²⁾	<u>2 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-2	2; Second requires Site Plan approval	No limit on First; Second may not exceed <u>1.75 1%</u> of lot area or 192 sqft ⁽¹⁾⁽²⁾	2; Except that only one is allowed if there is more than one attached garage	<u>1.75 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.75 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-3	1	No limit ⁽¹⁾	1	<u>1.5 1%</u> of lot area or 192 sqft ⁽²⁾	<u>1.5 1%</u> of lot area or 864 sqft ⁽⁴⁾
Rs-4	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-5	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-6	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rs-7	1	No limit ⁽¹⁾	1	1% of lot area or 192 sqft ⁽²⁾	1% of lot area or 864 sqft ⁽⁴⁾
Rd-2	2	No limit ⁽¹⁾	2	1% of lot area or 192 sqft ⁽²⁾⁽³⁾	1% of lot area or 864 sqft ⁽⁴⁾

Notes:

- Subject to the maximum lot coverage, building height, building setback or other applicable allowances and limitations, there is no maximum size (area) for an attached garage.
- If an existing dwelling unit includes an attached garage, then the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) up to the percentage noted ~~is 1%~~ of the net lot or parcel area (in square feet) or 192 square feet, whichever is greater.
- The 1 percent maximum floor area allowance applies to each dwelling unit on a lot or parcel in the Rd-2 2-family zoning district.

4. Many residential lots in the older established areas of the Village do not have (or may not be capable of having) an attached garage due to lot width, building setback, septic system location, or other limitations associated with substandard lots. In these cases, the maximum floor area allowed for all detached accessory buildings (cumulative total per lot or parcel) is 1% of the net lot or parcel area (in square feet) or 864 square feet, whichever is greater.
5. The calculation of "maximum floor area" for detached accessory building shall include:
 - a. All floor area (including second or higher floors) where the ceiling height above the floor is 6 feet or higher; and
 - b. If in the Rs-1 or Rs-2 District, any additional area under cover by an overhang that is greater than 2 feet from the exterior wall on three sides of a building, plus the area under cover by an overhang that is greater than 6 feet on the remaining side(s).

MOTION carried unanimously.

MOTION Shadid second Gray to Approve Amendment Group 2 to Section 17.41 (Architectural appearance and materials) and 17.49 (Principles) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 3. That Section 17.41(2a) (ARCHITECTURAL APPEARANCE AND MATERIALS) is created as follows:

17.41(2a) ARCHITECTURAL APPEARANCE AND MATERIALS.

In single-family and 2-family zoning districts (Rs-1 through Rs-7 and Rd-2), accessory buildings which exceed 160 square feet in area shall be of a similar architectural appearance and exterior material as the dwelling on the property. For accessory buildings greater than 160 square feet in area, the Plan Commission may, in circumstances which it deems appropriate, grant a variance to this requirement and approve different architecture and/or exterior materials with a Zoning Permit. See also Section 17.49 (ARCHITECTURAL CONTROL).

SECTION 4. That Section 17.49 (ARCHITECTURAL CONTROL) is revised as follows where words that are stricken are deleted and words that are underlined are to be added:

17.49(3) PRINCIPLES.

- (e) See Section 17.41(2a). Accessory structures for single-family and 2-family buildings, which exceed 200 square feet in footprint shall be of a similar architectural appearance and material as the primary building on the property. For those buildings greater than 200 square feet the Plan Commission may, in circumstances which it deems appropriate, grant a variance to the requirements to structures up to 400 square feet in size.

Planner Retzlaff explained the reason for changing from 200 square feet to 160 square feet was because 160 square feet is more attuned to standard building sizes.

MOTION carried unanimously.

MOTION Shadid second Gray to Approve Amendment Group #3 to Section 17.41 (Location Requirements) and 17.50 (Modifications) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 5. That Section 17.41(3) (Location Requirements) is revised as follows where words that are stricken are deleted and words that are underlined are to be added:

17.41(3) LOCATION REQUIREMENTS.

- (a) In all single-family and 2-family zoning districts except for the Rs-1 District (Rs-2 through Rs-7 and Rd-2), accessory buildings shall be located in a side or rear yard.
- (b) In the Rs-1 District, accessory buildings may be located in a front/street yard provided that:
 - 1. The minimum street yard building setback distance for the accessory building is equal to 50 percent of the actual building setback distance for the principal dwelling, or, 45 feet, whichever is greater; and
 - 2. A visual buffer of the accessory building shall be provided in the form of natural and/or planted vegetation, berms, fencing or a combination thereof as necessary to achieve a height of at least six (6) feet and a minimum twenty-five (25) percent visual opacity within two (2) years of installation from any adjacent public right-of-way and residential dwelling.
- (c) Except for accessory buildings located entirely in the rear yard, all accessory buildings and attached garages shall be subject to side yard building setback requirements of the principal building.

SECTION 6. That Section 17.50 (MODIFICATIONS) is revised as follows where words that are ~~stricken~~ are deleted and words that are underlined are to be added:

17.50(2) YARDS.

- ~~(b) Accessory uses and detached accessory structures are permitted in the rear yard only; they shall not be closer than 10 feet to the principal structure; and shall not exceed 15 feet in height.~~

Planner Retzlaff explained the front yard building setback in the Rs-1 zoning district is 45 feet but homeowners can place their house in different places beyond the 45 foot setback. By establishing a setback of 50 percent of the actual building setback distance, or 45 feet, whichever is greater, provides some flexibility for accessory structures to be placed in the front yard. He said there have been a lot of requests from property owners over the years who ask to put an accessory structure in their front yard. These requests require a variance from the Board of Zoning Appeals but the variance cannot be met. The Board of Zoning Appeals has asked staff to consider looking into changing the code.

MOTION carried 4-2 (Wolter, Williams)

MOTION Shadid second Laszewski to Approve Amendment Group #4 to Section 17.41 (Temporary Accessory Storage Structures) as follows where words that are stricken are deleted and words that are underlined are to be added:

SECTION 7. That Section 17.41(7) (TEMPORARY ACCESSORY STORAGE STRUCTURES) is created as follows:

17.41(7) TEMPORARY STORAGE STRUCTURES.

Temporary storage buildings and structures intended for short or long-term storage of vehicles, equipment, materials and/or household items, including but not limited to: portable storage containers such as "UNITS" and "PODS", shipping containers, metal-frame and/or fabric-covered canopies,

vehicle shelters or carports, and “hoop” buildings, may be permitted in any single-family and 2-family district (Rs-1 through Rs-7 and Rd-2), provided that:

- (a) the owner/installer of any temporary storage structure has obtained a Temporary Use Permit from the Village for the installation and use of said structure;
- (b) said structure shall be located in a side or rear yard of the property except as provided below:
 - 1. temporary storage structures may be located in a front yard for a period not to exceed forty-five (45) days if said structure is used for storing or moving equipment and household items while the property owner is moving to/from the property, the property is being renovated, or for any emergency or other reasonable purpose deemed acceptable by the Zoning Administrator.

Planner Retzlaff explained temporary storage structures are not currently regulated by the code. However, neighbors have complained and citations have been issued because of the length of time a storage structure has remained on a property and not on a temporary basis. The Village Attorney has suggested staff come up with some rules and language that will define when, where, and how long structures can be used to establish a policy. Discussion continued. Planner Retzlaff explained a temporary use permit is good for 6 months but a consecutive permit could be granted. The Plan Commission thought the \$210 permit fee was costly for a short period of time and discussed a 30 day no permit time period. Chairman Wolter said there should be a separation of units and pods versus structures for long term storage for boats and campers. He said there is a difference between storage for someone looking to move and needing something for short term use.

Commissioner Gray asked that the amendment be brought back after its revised. Planner Retzlaff said he could create language defining pods, units and waste dumpsters, include a 30-day exemption for a permit and after 30 days a temporary use permit would be required. Chairman Wolter agreed language should be created that separates pods from other temporary structures, allowing them in the front yard for 30 days with no permit. Long term storage including hoop buildings or temporary cloth structures should be permitted. Planner Retzlaff said it would be easier to deal with days and not the definition of a structure.

MOTION to Amend Shadid second Gray to TABLE until the Village Planner comes back with further options.

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff said a listening session has been scheduled for November 27th regarding the J.W. Speaker expansion and PDD proposal and a Joint Review Board meeting and Plan Commission meeting is scheduled for November 29th to discuss the J.W. Speaker expansion and PDD. The next regular Plan Commission meeting is December 11, 2017.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

PLAN COMMISSION MINUTES
November 29, 2017

CALL TO ORDER: Chairman Wolter called the meeting to order at 7:19 p.m.

ROLL CALL: Chairman Dean Wolter, Commissioners Bob Williams, Peter Nilles, Tony Laszewski and Mary Ellen Gray were present. Trustee Rep David Baum and Commissioner Bill Shadid were absent and excused. Also present were Community Development Director/Village Planner Jeff Retzlaff, Municipal Advisor Maureen Holsen, Ehlers and Planning Assistant Lori Johnson.

PUBLIC HEARING regarding the proposed Project Plan, boundaries and creation of Tax Increment District No. 7 (approximately 144 acres located east of Goldendale Road and north of Freistadt Road and including the J.W. Speaker Corporation property located at N120 W19434 Freistadt Road). The purpose of the hearing is to provide the community a reasonable opportunity to comment upon the proposed creation of the Project Plan for the District.

Maureen Holsen, Municipal Advisor, Ehlers explained the Project Plan for the creation of Tax Incremental District No. 7.

Commissioner Laszewski asked if the Whitney Drive relocation didn't happen, what effect would it have on the life of the TID. Ms. Holsen said she did not have an exact number of how it would impact the closure, but indicated it would still be able to fully recover, just not as what is shown on the Plan. Discussion continued. Commissioner Nilles had questions regarding the development incentive for the sewer and water extension. He understood the size is for future expansion but asked what the cost would be to just serve the J.W. Speaker property. Chairman Wolter said the Village policy is if the utility is brought into a property it is extended to the end of the property line. He said the existing pipe has been sized and put down at a depth to accommodate growth and to not inhibit the gravity portion of that sewer. Discussion continued. Commissioner Williams questioned who will be responsible for the Whitney Drive taxes after it is moved. Jamie Speaker said if the Whitney Drive facility is relocated the building would likely be sold and would mean a new business coming in and tax revenue would continue from that building.

Chairman Wolter opened the Public Hearing at 7:50 p.m.

Josh Lichtig, W197 N12556 Prairie Ridge Court, asked if the Ehler's report could be re-distributed with the updated figures showing the Whitney Drive facility not being relocated. He also asked for clarification how the but-for-test passed. Chairman Wolter explained the but-for-test is inclusive of the sewer investment. He said J.W. Speaker requested help with the sewer extension and without the Village's help to cover the cost initially, the project would not be done.

Matt Kimmler, N125 W20314 Isabelle Farms Drive, commented that the project plan states it is in conformity with the Village's Master Plan, but the Plan shows the area as agricultural residential. Planner Retzlaff explained it is a timing issue and at the end of the process and various procedures, the document would reflect reality and the plan would be changed.

Art Zabel, N97 W15737 Burr Oak Drive, asked for clarification on Sections 13 and 14 of the Project Plan that state changes aren't needed in zoning and land use but the zoning and land use do need to change. He asked if the language should be modified to point out that a zoning change and land use change do need to occur. He said it seems odd the way it is written because it is not 100 percent positive that the changes will occur. Planner Retzlaff agreed language could be added to state that those things need to occur and then if they occur the language could be removed before it goes to the Board. Ms. Holsen explained at least half the land in the district needs to be zoned and suitable for

industrial development and right now the area meets that qualification. The language change can still be made to the project plan but the TID can still be created without it. Trustee Zabel commented that the zoning should be in place before the plan is approved. Ms. Holsen said the Village Board will be considering the resolution and the zoning on December 18th so the timing could be that one can't occur without the other.

Matt Kimmler asked if sewer and water would still need to be brought up Goldendale Road if the zoning doesn't change because it would be cheaper to just extend it to the edge of the Phase 2 property line. Chairman Wolter explained the extension up Goldendale Road is part of the project plan and is being moved north up to the railroad tracks towards Holy Hill Road. It moves the utility in the direction it needs to go for future development to occur.

Chairman Wolter closed the Public Hearing 8:08 p.m.

Consideration and Action on a "Resolution Designating the Proposed Boundaries and Approving a Project Plan for Tax Increment District No. 7, Village of Germantown, Wisconsin.

MOTION Laszewski second Gray to Approve the Resolution designating the proposed boundaries of and Approve the Project Plan for Tax Increment District No. 7.

Discussion followed. Commissioner Laszewski commented if the Whitney Drive project doesn't get built, the payback would be a little later than if it was built. Ms. Holsen addressed his comment. She said in the event the Whitney Drive relocation doesn't occur the bond payment could be stretched longer or there could be a pre-payable option and if the project does occur, the bond could still close out earlier. She said this will need to be discussed when the debt issue is brought forward.

Motion to Amend Nilles to include the language changes discussed this evening in a revised Project Plan. Motion fails for lack of a second.

MOTION to Approve carried unanimously.

ANNOUNCEMENTS: Chairman Wolter said the next meeting for consideration for adoption will be by the Village Board at the December 18, 2017 meeting. The second Joint Review Board meeting is January 2, 2018 at 5:30 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:16 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

**Community Development Information Meeting
November 27, 2017**

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

ATTENDANCE: President Wolter, Plan Commission Members Bob Williams, Peter Nilles, Tony Laszewski and Mary Ellen Gray, Trustee's David Baum, Bob Warren, Jeff Hughes, Rick Miller and Art Zabel, Staff Members included Village Administrator Steve Kreklow, Public Works Director Larry Ratayczak, Clerk Deanna Boldrey, Fire Chief Gary Weiss, Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson, also Economic Development Rep. Deb Reinbold and approximately 18 Village residents in attendance.

NEW BUSINESS:

Community Development Director Jeff Retzlaff and Jamie Speaker, Co-President, J.W. Speaker Corporation spoke on the J.W. Speaker expansion proposal to create an M-1: Limited Industrial Planned Development District (PDD) and a proposal to create a Tax Increment District (TID) for approximately 144 acres of land east of Goldendale Road and north of Freistadt Road.

PUBLIC COMMENT & QUESTIONS:

Paul Gequillana, N124 W20181 Isabelle Farms Drive – What does the Whitney Drive facility currently produce?

James Krueger, W202 N12164 Patricia Lane – Will semi's or cars be using the proposed road and at what time of day? Mr. Speaker said both will use the road mostly from 6 am to 6 pm. Mr. Krueger, the road is approximately 300 feet from my house, what are the specifications for the undulating earth forms, 2 feet or 16 feet? Mr. Speaker said that hasn't been determined yet but he wants it to be more natural without just creating a big dirt wall with trees. Mr. Krueger hopes it will blend in with the natural surroundings and create a park like setting, plant something educational and include walking paths. He suggested using native plants that won't require any maintenance with minimal cost. Mr. Speaker agreed to possibly using a no mow type grass and seed mixtures creating a natural setting but creating pathways he's not sure yet. Mr. Krueger offered to work with Mr. Speaker on creating a plan.

Anna Ruzinski, N124 W19979 Isabelle Farms Drive – Thanked Mr. speaker for listening to their concerns and adjusting his plans. Asked if some type of natural barrier will be put behind the retreat center and if there were plans to put in a railroad spur for loading and unloading in the future. Mr. Speaker said they are taking advantage of the wooded areas by the retreat center, so it will be very private. They have no future plans for a railroad spur.

Adam Stein, W204 N12532 Goldendale Road – How much plant noise will this create, what about air quality, air pollution. Mr. Speaker explained phase 1 will have none and explained they have a very quiet, high tech electronic manufacturing, clean operation with no emissions.

Jim Stout, W204 N12079 Goldendale Road – Thanked Mr. Speaker for listening to the concerns of the neighbors, the current proposal has a lot of good ideas and he supports it.

Ryan Haines, W200 N12554 Meadow Brook Court – How does a PDD work, does it have a limited life to it or is it in perpetuity? If sold off will PDD apply to whoever purchases property? Planner Retzlaff explained the PDD will be in perpetuity but there is a process to seek changes or modifications to that district but needs to go back through the process. Mr. Haines asked if the tree line is specified at some point in the PDD, how much and type of trees? Planner Retzlaff explained

there could be a narrative description in the conditions and restrictions resolution or a specific landscape plan could be included. The PDD could include a requirement that before any development takes place a detailed landscape plan needs to be approved.

James Krueger – How can residents provide input on the landscape plan? Planner Retzlaff said the Village Board could make that requirement. All site plans require Plan Commission approval, but if Board feels feedback from residents is important they could make that a requirement. He will make note of that to maybe include in PDD.

Matt Kimmler, N125 W20314 Isabelle Farms Drive – Asked if the road off Goldendale will be public or private, where will the sewer end and if sewer is extended to the Holy Hill intersection where will it extend, and will those properties be assessed for having sewer and water even if they don't have sewer and water. President Wolter said sewer will end at the railroad spur. Planner Retzlaff explained sewer could be extended along the railroad tracks or along Goldendale Road, but that hasn't been determined at this point. He explained homes may not necessarily be assessed for sewer expansion but may be possible if the Village does a special assessment in the future for those types of improvements. This expansion of sewer is being paid for by the TIF and future expansion may be handled in a similar manner. President Wolter explained the cost expansion of sewer will be paid for by the TIF. It is unknown where future development will occur, but development at the Holy Hill interchange is a prime point. The cost to extend sewer is being covered by the TIF and the interest of Jamie Speaker and further development of his company.

Tom Roskopf, W200 N12107 Josephine Drive – Where will the runoff from the retention go? Planner Retzlaff said detailed storm water plans haven't been submitted yet. Mr. Roskopf said people in that subdivision already have problems with water. He said there is a water easement along the 2 vacant lots and a creek would help drain the water. Planner Retzlaff said the village would be interested in pursuing ways to solve any water issues.

Trustee David Baum – Asked what uses are allowed in the M-1 District. Planner Retzlaff explained the current proposal is to create a special zoning district and pull out specific uses and leave out those that don't fit their proposal. Trustee Baum told the residents that Plan Commission needs to hear what you want and what offends you.

James Krueger – Doesn't want any noise from new road and wants to know more about the berm. Planner Retzlaff said the berm location could be discussed and asked what their preference is. Mrs. Krueger said she doesn't want to see the road and see semi's driving past.

Joshua Lightig, W197 N12556 Prairie Ridge Court – went over list of concerns from Public Hearing. He asked if the PDD could say "Neuland Subdivision has no mandatory connection to sewer and water". President Wolter said that cannot be done. Don't know in future if septic or mound fails or there is contamination and the County may choose to not approve a license then there is the possibility of water hook up. The plan now is to not go into either subdivision. Increased traffic is a huge concern and property values and it would be nice to get something from a third-party person to say how this proposal will affect property values. There is concern for the farmland north of Isabelle Farms and what will happen there in the future. If the TIF is not approved, with the development still take place? Mr. Speaker is progressing with designs, but this is important piece and a big enabler to complete this project. Can language be added to the PDD to make the property un-dividable? Planner Retzlaff did not have a definitive answer and will ask the Village Attorney.

Matt Kimmner – Could Village look into making Goldendale a no trucking zone? Planner Retzlaff said Goldendale Road is a County Highway and doesn't know how successful the Village would be to try and eliminate trucking on that particular stretch of highway. Mr. Kimmner asked if shades could be put on the windows at night to help with light issues.

Trustee Bob Warren – Commented that the lower the speed the quieter the vehicle will be. Mr. Speaker said the entrance road has curves and naturally slows traffic. Trustee Warren said the new road looks flat and maybe a serpentine alignment would force traffic to slow down reduce noise. Mr. Speaker said he would explore that, but it would need to be practical. Trustee Warren said a berm closer to the road would be more effective and keep more of the view of the natural area.

ANNOUNCEMENTS: President Wolter said a meeting of the Joint Review Board is scheduled for Wednesday, November 29th at 5:30 with a Plan Commission meeting to follow at 6:30 p.m.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant

SIGN PERMIT REVIEW (REVISION)

12/11/17 Plan Commission Meeting

Saxony Village / Heritage Place Joint Venture

Village Planner Report

Germantown, Wisconsin

Summary

Scott Bence, agent for Heritage Place Joint Venture, property owner, is seeking approval to relocate a previously approved monument sign for the multi-family Saxony Village apartment community located at approximately N115 W16200 Main Street.

Property Location: N115 W16200 Main Street (south of Main Street @ Park Avenue)

Applicant/

Property Owner: Scott Bence, Agent
Heritage Place Joint Venture LLC
W178 N9912 Rivercrest Drive, Germantown, WI

Zoning: Rm-2: Multi-family Residential

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



Background/Proposal

The Plan Commission granted approval of the Saxony Village site development and building plans in December, 2015, including approval for two (2) monument signs and associated landscaping to be located at the main driveway intersections onto Main Street and Hilbert Lane.

In October, 2017, Scott Bence requested and was granted approval for revisions to the two monument signs with the following characteristics:

Main Street entrance (Proposed Revision)

- 6' high x 14'6" wide brick walls w/ decorative cast stone caps w/ a 4' x 9' opaque aluminum-faced, internally-illuminated cabinet w/ push-through lettering mounted to the wall face w/ additional ground-mounted accent floodlighting

Hilbert Lane entrance (Proposed Revision)

- 6' high x 12' wide brick walls w/ decorative cast stone caps w/ a 3'4" x 6'8" opaque aluminum-faced, internally-illuminated cabinet w/ push-through lettering mounted to the wall face w/ additional ground-mounted accent floodlighting

At this time, Scott Bence is requesting approval to relocate the Hilbert Road entrance monument sign to a new location approximately 75 feet east of the approved location as shown on the attached plans.

Staff Comments

The proposed monument sign relocation meets the Village's sign regulations for permanent residential development identification signs, including the property line setback.

VILLAGE PLANNER RECOMMENDATION

APPROVE the revised monument sign location near the Hilbert Lane entrance for the Saxony Village apartment community located at N115 W16200 Main Street as proposed.



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 _____ DATE 11-9-17

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

Heritage Place Joint Venture
W178N9912 Rivercrest Drive, Ste 101
Germantown, WI 53022

Phone (262) 255-1800 press 4
E-Mail scott@jbjcompanies.com

PROPERTY OWNER

Heritage Place Joint Venture
W178N9912 Rivercrest Drive
Suite 101
Germantown, WI 53022

Phone (262) 255-1800 press 4
E-Mail scott@jbjcompanies.com

2 PROPERTY ADDRESS

Tax Key # 22492

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

North	South	East	West
<u>Commercial B3</u>	<u>Multi-Family Residential RM-2 PCD</u>	<u>Multi-Family Residential RM-2 / PCD</u>	<u>Multi-Family Residential RM-2 / RM-3</u>

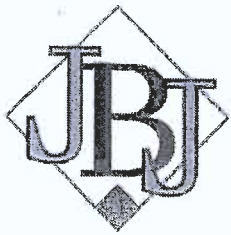
4 READ AND INITIAL THE FOLLOWING:

- ☒ I am aware of the Village of Germantown ordinance requiring fire sprinklers in most new construction.
- ☒ I understand that all new development is subject to Impact and/or Connection Fees that must be paid before building permits will be issued.
- ☒ 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] 11-1-17
Applicant Date

[Signature] 11-1-17
Owner Date



J.B.J. Development
A division of J.B.J. Companies, Inc.

W178 N9912 Rivercrest Drive, Suite 101
Germantown, WI 53022-4645
Phone: 262-255-1800
Fax: 262-255-2234
www.jbjcompanies.com

November 1, 2017

Village of Germantown
Planning and Zoning Department
Attention: Jeff Retzlaff
N112 W17001 Mequon Road
Germantown, WI 53022

RE: Saxony Village Development – Plan Commission Request (Monument Sign Revision)

Dear Mr. Retzlaff –

J.B.J. Development, on behalf of Heritage Place Joint Venture, LLC, is hereby requesting a revision to the previous monument sign approval. As a follow up to our recent sign approval we are requesting approval to move the east monument sign about 75 feet to the east (see attached drawing). Originally, there were conflicts with utilities in the desired area so the sign was located further west. For various reasons the utility company ended up installing the underground utilities in an alternative location and now the ideal sign location area is open. The sign and landscaping have not changed.

We are requesting approval of the new sign location as shown. We ask that you please consider this revision at the next Plan Commission.

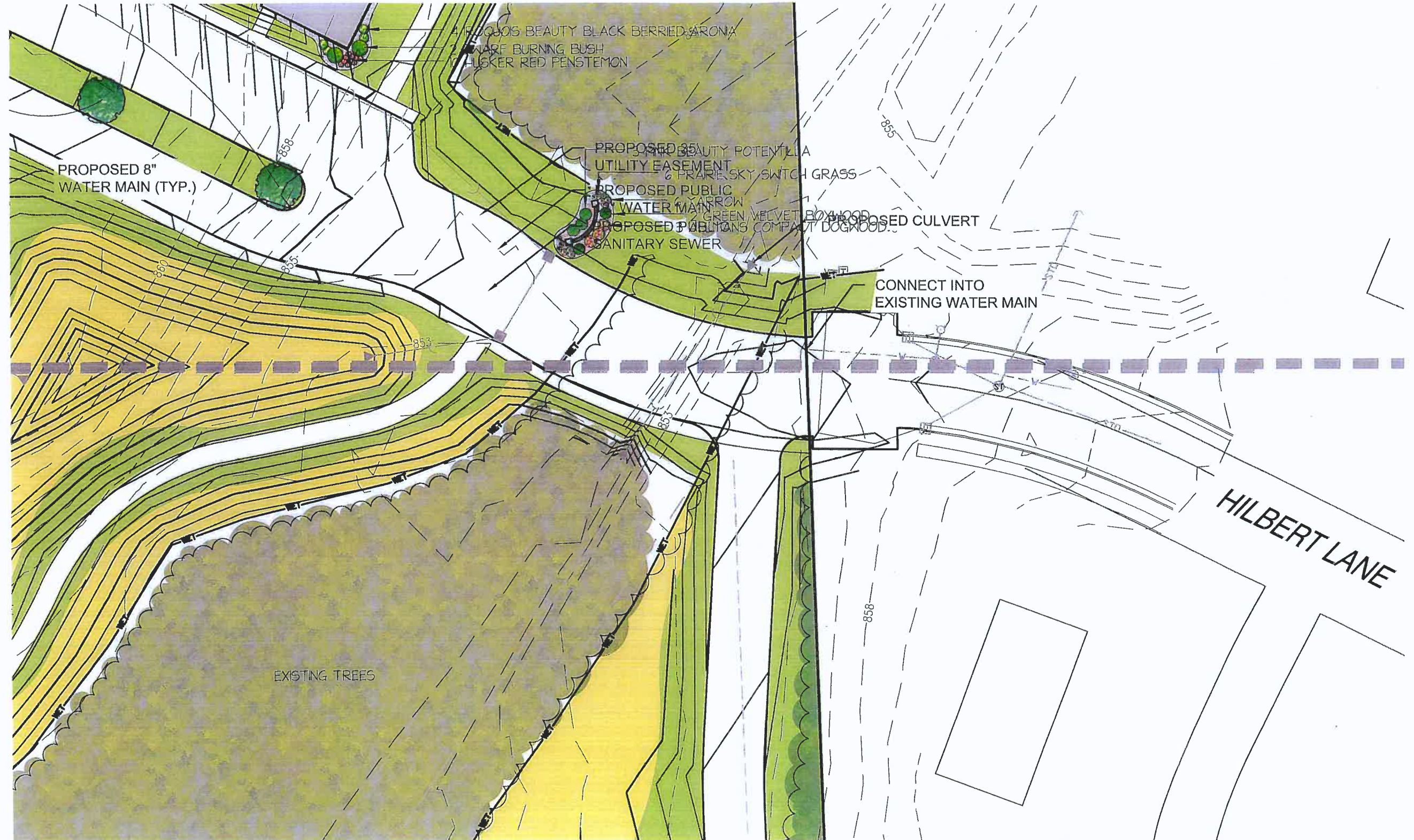
Sincerely,

Scott J. Bence

Scott J. Bence
J.B.J. Development, agent for
Heritage Place Joint Venture, LLC



Current Location



Li

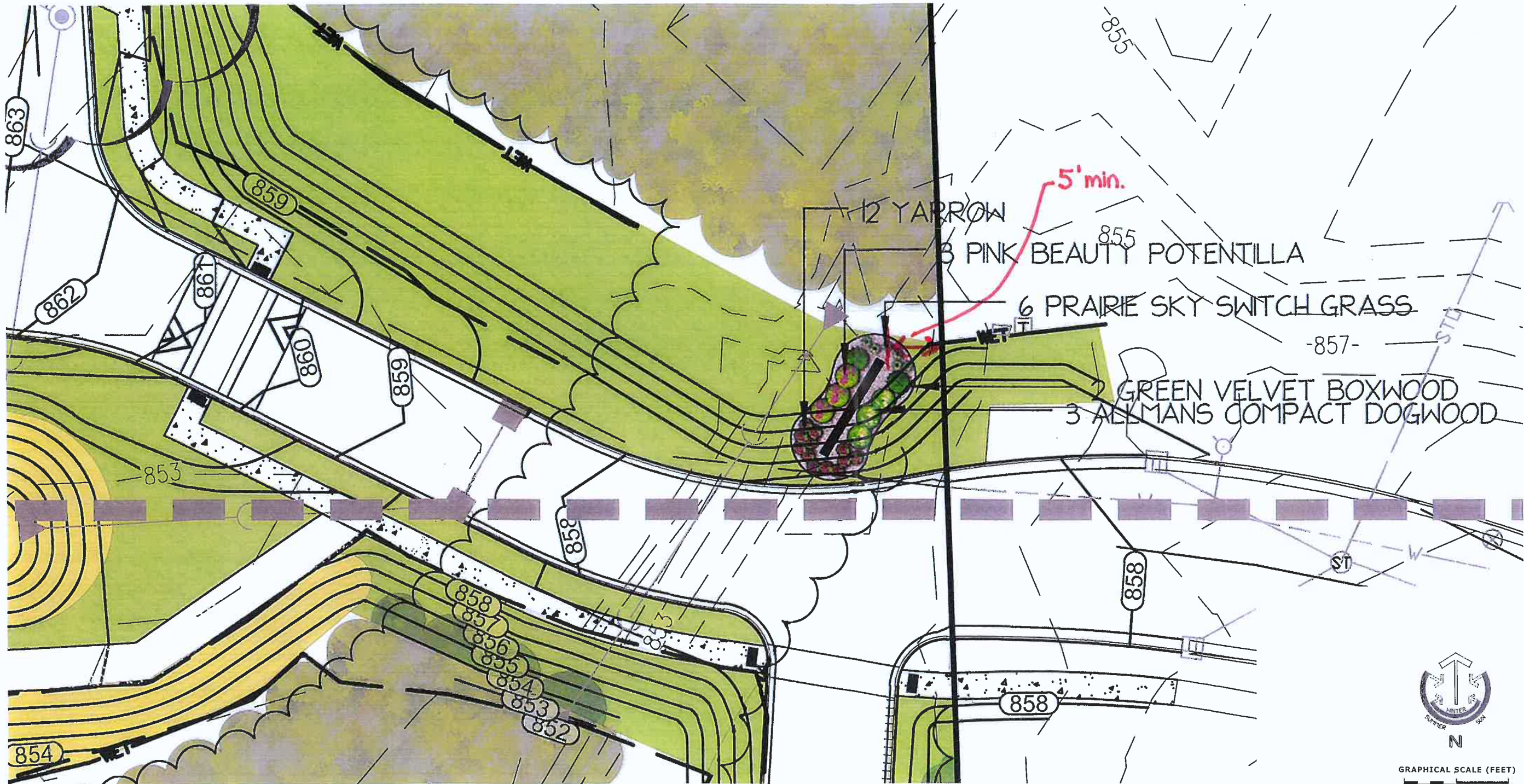
Pos
Wa



She

LA
SC

Revised Location



LANDSCAPE INC

Post Office Box 823
Waukesha, WI 53187-0823
☎ 262-549-6111
☎ 262-549-9229
🌐 www.nelsonlandscape.cc

Sheet Title:

LANDSCAPE PLAN-
REVISED SIGNAGE LOCATION

Project:

SAXONY VILLAGE
GERMANTOWN, WI

Client:

JBJ CONSTRUCTION
(A DIVISION OF JBJ COMPANIES)
W178 N9912 RIVERCREST DR., SUITE 1
GERMANTOWN, WI 53022
PHONE: (262) 255-1800
FAX: (262) 255-2234

Plan Notes:

Designed By: C. J. N.
Drawn By: C. J. N.
Date: 10-15-15
Revisions: 12-02-15, 11-07-17

Notice:

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Nelson Landscape Incorporated

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This plan is subject to final on-site conditions and be modified to account for unforeseen obstacles, changes, or site modifications that were not made known at the time of preparation dated on this plan



GRAPHICAL SCALE (FEET)



1"=10'-0"



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Sheet #: L500 Page 5 of 5

**PLANNED DEVELOPMENT DISTRICT (PDD)
REZONING APPLICATION**
12/11/17 Plan Commission Meeting

Speaker Properties LLC / Francis & Dolores Mayer

Village Planner Report

Germantown, Wisconsin

Summary

Speaker Properties LLC, property owner, is requesting approval of a rezoning application to create an M-1: Limited Industrial Planned Development District (M-1/PDD) for a 144-acre area located east of Goldendale Road, north of Freistadt Road and the Neuland Subdivision and south of the Wisconsin & Southern (WSOR) Railroad.

Location: East of Goldendale Road, north of the Neuland Subdivision and south of the Wisconsin & Southern (WSOR) Railroad

Agent/

Property Owner: George Lehnerer, CFO, J.W. Speaker Corp
N120 W19434 Freistadt Road
Germantown, WI

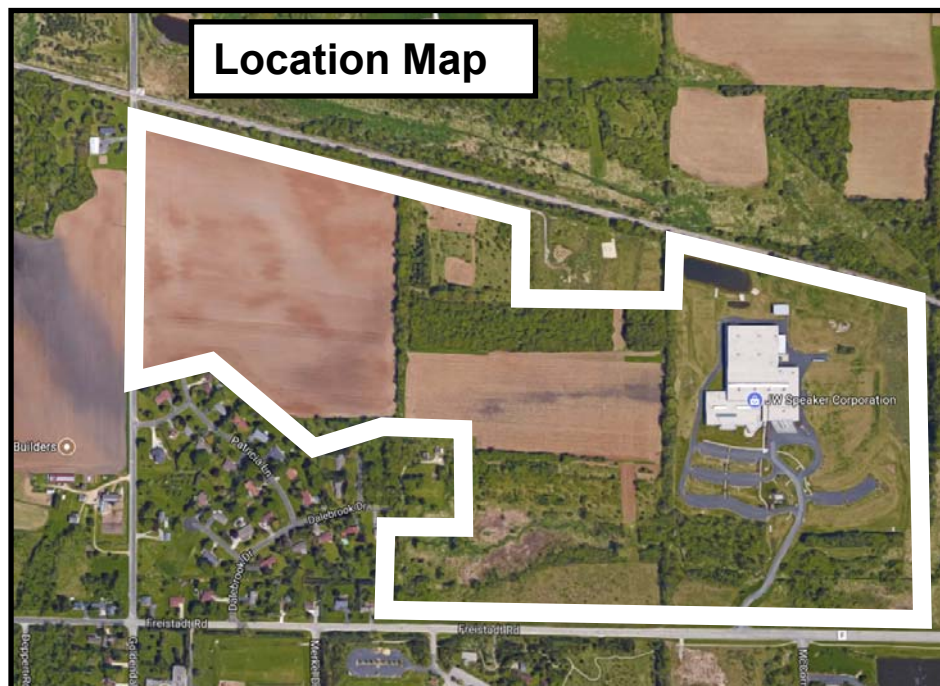
Current LUP Map: Agricultural/Conservation Residential & Low Density Residential

Proposed LUP Map: Industrial/Office

Current Zoning: A-1: Agricultural

Proposed Zoning: M-1/PDD

Adjacent Land Uses		Zoning
North	Ag/Residential	A-1/Rs-1
South	Residential	Rs-4
East	Agricultural	A-1
West	Agricultural	A-1



Background

On October 9, the Plan Commission considered and recommended approval of a series of 2020 Land Use Plan amendments and a proposed rezoning in support of the Speaker Corporation's plan to expand their Freistadt Road campus. On October 16, the Village Board denied the rezoning proposal to change the zoning of the 39.7-acre "Mayer/Neu" property from A-1: Agricultural to M-1: Limited Industrial and tabled action on the 2020 Land Use Plan amendments.

Leading up to the October 16 VB meeting, the Village received a protest petition from several nearby property owners that, as provided for under Wis. Stats. and the Village Zoning Code, triggered a "super majority" requirement to pass the proposed rezoning (7 out of 9 votes required). During the public hearing held during that meeting, the VB received numerous comments and concerns expressed by nearby property owners and residents.

NOTE #1: the 39.7 acre property formerly owned by a group of individuals that included Francis & Dolores Mayer, Michael & Joan Neu, etc., has been acquired by Speaker Properties LLC. For consistency purposes, this property will continue to be referred to as the "Mayer/Neu" property in this report. The same is true for the 47.3-acre "Roskopf" property.

Proposal

At this time, and in response to the concerns raised by the public and Village Board on October 16, the Speaker Corporation is requesting approval of a different rezoning application to create an M-1: Limited Industrial Planned Development District (M-1/PDD) for all 144 acres of land Speaker owns/is acquiring east of Goldendale Road, north of Freistadt Road and the Neuland Subdivision and south of the Wisconsin & Southern (WSOR) Railroad.

Speaker states in their application letter dated November 3... *"unlike the original rezoning application, we understand that the creation of a PDD for these properties would enable J.W. Speaker and the Village to tailor-make a unique zoning district that could allow development of the low-density, rural campus of office and light assembly buildings that would be developed. We understand that the PDD can contain certain restrictions on land uses and other safeguards to address concerns brought up at the October 16 Village Board meeting".*

As shown on the proposed PDD General Development Plan dated December 11, 2017 and explained in the application letter, future development within the SC-PDD is expected to occur in the following phases:

Phase 1: Site Improvements (2018)

- Construct/install 40' east-west access roadway, water & sanitary sewer facilities from Goldendale Road to the existing J.W. Speaker facility parking lot (partial re-configure existing facility parking lot);
- Install 50'-75' wide landscape buffer & undulating earth forms (berms) along north perimeter of the Mayer/Neu property and along the south side of the access roadway;
- Construct/install storm water management facilities;

Phase 1: Facility/Building Improvements (2018-19)

- Surface Mount Technology (SMT) Building
 - o Location: Lot 3
 - o Size/Area: 35,000 sqft
 - o Uses: Offices & Circuit Board Assembly
- Product Design Center
 - o Location: Lot 2
 - o Size/Area: 40,000 sqft
 - o Uses: Offices, Research & Development

Phase 2: Facility/Building Improvements (2019-2020)

- Conference/Retreat Center
 - o Location: Lot 2
 - o Size/Area: 4,000 sqft
 - o Uses: Offices & Conference Facilities

Phase 3: Facility/Building improvements (2020-2022)

- Freistadt Facility Expansion
 - o Location: Existing Site/Facility
 - o Size/Area: 70-90,000 sqft
 - o Uses: Offices, Light Assembly, Molding & Storage/Shipping

Phase 4: Future

Lot 1 ("Mayer/Neu" property) will remain undeveloped and continue to be rented for cash cropping until development is expected after 2024 (except for the perimeter buffering and infrastructure improvements to be installed through this area in Phase 1).

Notable differences between the original campus expansion plan (dated September 29) and the current plan General Development Plan (dated December 11) include:

1. Relocation of the access roadway/intersection to Goldendale Road further south;
2. Addition of landscaping buffer area along north perimeter of Mayer/Neu property (comprised of undulating earth berms and tree planting);
3. Relocation of the landscaping buffer area from adjacent to the Neuland subdivision to south of the access roadway (to provide a more open view of the open space and accommodate the creation of native prairie grasses and wildflowers);
4. Designation of “outlots” to four (4) areas within the PDD area to be left undeveloped (the most significant being the area immediately north of and adjacent to the Neuland Subdivision);
5. Commitment by Speaker Corp to NOT divide “Mayer/Neu” property (Lot 1) into separate parcels for other industrial development

Staff Comments

Public comments received by the Village Board during the October 16 public hearing of the two rezoning requests indicated that nearby residents have concerns about the potential impact of future development of this land on their neighboring properties and overall rural character and quality of life.

To address these concerns, as well as make clear their commitment to developing the land themselves and in a manner that is sensitive to the surrounding area, Speaker revised their initial rezoning proposal to include the creation of a special M-1/PDD zoning district that would be unique to the three (3) properties that comprise the overall campus. If approved by the Village Board, the Speaker PDD will affect all future development within the PDD boundary.

To help the Village develop the specific land use restrictions and other requirements that will regulate development such as building setbacks, lighting, buffering and landscaping requirements, the Village held an “informational meeting” on November 27 with the expressed purpose:

- to give J.W. Speaker officials an opportunity to discuss their existing operation and campus expansion plan directly with the public;
- to give the public an opportunity to ask questions and share their thoughts, ideas and concerns regarding the campus expansion plan; and
- to enable the Village Board, Plan Commission and staff to hear the public’s thoughts, ideas and concerns first-hand as they consider the process of creating this special PDD zoning district and the list of specific requirements, allowances, restrictions and conditions that will ultimately guide future development within the PDD if approved by the Village Board.

Village staff has worked with Speaker Corp representatives to develop a set of “conditions and restrictions” that are intended to accommodate future development of the area consistent with Speaker’s campus expansion plan while also minimizing potential negative impacts from future development within the Speaker PDD.

A draft “Conditions & Restrictions” resolution is attached that would establish the basic regulations that would govern development within the Speaker PPD. Rather than repeat here all of those recommended conditions & restrictions, I direct your attention to the attached draft document.

Staff supports the proposed M-1/PDD rezoning and draft resolution containing the conditions & restrictions that will form the basic set of regulations for development within the PDD.

NOTE: No further action by the Plan Commission is required on the 2020 Land Use Plan amendments previously reviewed and recommended for approval by the PC; the plan amendments are re-scheduled for consideration by the VB on December 18.

Village Planner Recommendation:

PDD Rezoning

APPROVE the proposed rezoning of approximately 144 acres from A-1: Agricultural (39.7-ac Mayer/Neu property) and M-1: Limited Industrial (47.4-ac Roskopf and 57-ac Phylmac LLC properties) into the M-1:Limited Industrial Planned Development District (M-1/PDD) subject to the following:

1. The draft conditions & restrictions resolution dated December 11, 2017, shall constitute the specific conditions and restrictions for the PDD;
2. the General Development Plan (GDP) dated December 11, 2017, shall constitute the General Development Plan required under Section 17.27 of the Zoning Code.

RESOLUTION NO. R___-17

**ADOPTING CONDITIONS AND RESTRICTIONS
FOR THE SPEAKER CORPORATION PLANNED DEVELOPMENT DISTRICT
("SPEAKER CORPORATION PDD")**

WHEREAS, Speaker Properties LLC, property owner (hereinafter the "Developer") has applied for an M-1: Limited Industrial Planned Development District (M-1/PDD) to be applied onto the subject parcels located in the Village of Germantown as generally described in Exhibit A attached hereto; 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 (PDD) that modify the basic allowances, limitations, and bulk regulations of the underlying zoning district, as well as, allow for the establishment of specific uses, bulk regulations, density standards, yard setbacks, etc. to ensure proper development, operation and maintenance of the proposed development set forth in the General Development Plan; and

WHEREAS, the Village of Germantown Plan Commission on December 11, 2017, reviewed the M-1/PDD rezoning application and forwarded a positive recommendation regarding both the rezoning and General Development 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 that shall apply to all development on and the use of property within the PDD:

1. **PURPOSE AND INTENT.** The Speaker Corporation PDD (SC-PDD) is intended to provide for the orderly and attractive development and operation of a mix of professional office and light manufacturing and assembly uses where such activities are conducted within enclosed buildings developed within a low-density, campus-like setting. The SC-PDD will be comprised of stand-alone sites and buildings located within the SC-PDD that collectively support and serve the day-to-day office, research & design, manufacture and assembly, warehouse and distribution functions of the Speaker Corporation's overall business operation. The development sites and buildings will be designed, located and constructed with a consistent architectural theme, high-quality materials, generous landscaping, and in a manner that does not negatively impact surrounding properties and residents and that does protect and preserve the existing environmental features located within the SC-PDD. Further, it is intended that future development, land uses and activities within the SC-PDD be compatible with adjacent and surrounding residential and agricultural development, and, enhance the economic stability and quality of life in the Village of Germantown.
2. **GENERAL DEVELOPMENT PLAN (GDP).** The General Development Plan (Exhibit B dated December 11, 2017) for the Speaker Corporation PDD establishes the basic parameters for all development within the PDD, including the approximate size and orientation of buildings, density of development, setbacks, location of access roadways and driveways, and the

general location and extent of landscaping and buffering. While all future development within the PDD shall be generally consistent with the GDP, the GDP does not grant specific site development or building approval. Detailed Site Development and Building Plans shall be prepared and submitted to the Village Plan Commission for review and approval prior to the issuance of any building permit(s) consistent with the requirements of Sections 17.27(5), (6) & (7) of the Zoning Code. Proposed modifications and/or revisions to the GDP shall be reviewed consistent with Section 17.27(9) of the Zoning Code.

a. PHASING.

- i. Future development within the SC-PDD is intended to occur in phases with the construction of the Goldendale access driveway and sanitary sewer and water utilities installed prior to or concurrent with Phase 1 site and building development. However, the phasing plan shown on the GDP is intended to be a general guideline for future development within the SC-PDD. The phasing plan is not intended to be a rigid restriction on or requirement for the timing or sequencing of development within the SC-PDD.
- ii. The general timing of and specific use, size, or relative location and orientation of Phase 4 “future development” on Lot 1 has not yet been determined. One potential development plan for Phase 4 that has been discussed is the potential relocation of the Speaker Corporation’s existing Whitney Drive facility to a new facility constructed on Lot 1.

b. OUTLOTS.

- i. The four (4) “Outlots” shown on the GDP are areas that cannot be developed given the existence of sensitive environmental features, e.g. wetland, floodplain, navigable stream, and the Speaker Corporation’s desire to preserve and protect these features.
- ii. Outlot #3 contains a small wetland area but will remain undeveloped to preserve and enhance the existing tree line along the common property line shared with the Neuland residential subdivision, and, within the open space buffer area south of the proposed Goldendale Road access driveway.

c. LOT 1 and OUTLOT #3 LANDSCAPING AND BUFFERING.

- i. The GDP indicates the approximate location, type, size and shape of undulating earth forms (berms), tree and other landscape plantings to be installed in those areas for purposes of providing an adequate visual buffer between the surrounding residential areas and the internal access driveway and future “Phase 4” development of Lot 1 (previously referred to as the “Mayer/Neu Property”).
- ii. The Speaker Corporation intends to construct and install said tree plantings along the north perimeter of Lot 1 and tree

plantings and berms along the south side of the access driveway on Outlot #3 prior to or concurrent with Phase 1 and Phase 2 development of Lot 2 and Lot 3 (as shown on the GDP). The specific time frame for implementation of the landscaping and buffer plan required herein shall be established in cooperation with the Plan Commission and as part of the plan landscaping and buffer approval.

- iii. A detailed landscaping and buffer plan shall be prepared and submitted for Village approval as required herein.
- iv. Additional landscaping to enhance the visual buffering, e.g. plantings, berms, fences, may be required as deemed necessary as part of a specific site development and building plan required at the time actual development occurs.

d. STORM WATER MANAGEMENT.

- i. The GDP indicates the approximate and anticipated location, size and shape of storm water management ponds necessary to serve future access driveway construction and site development within the SC-PDD.
- ii. The Speaker Corporation intends to construct and install said storm water management facilities as needed concurrent with Phase 1 and Phase 2 development of Lot 2 and Lot 3 (as shown on the GDP). The specific time frame for implementation of storm water management shall be established in cooperation with the Plan Commission and as part of the plan approval. Supplemental storm water management plans and facilities will be required as part of each specific site development and building plan required at the time development occurs as required under Section 4.

3. PERMITTED LAND USES. Permitted Principal, Accessory, Conditional and Temporary Uses allowed within the SC-PDD are set forth below. Unless otherwise provided below, uses not specifically listed are prohibited.

a. PRINCIPAL USES

- i. Light Manufacturing, Fabrication and Assembly Uses
- ii. Professional Offices
- iii. Research, Development and Testing Facilities
- iv. Warehouse and Distribution Facilities
- v. Corporate Training, Meeting & Education Facilities
- vi. Agricultural uses that involve crop production, cultivation and grazing (excluding large-scale livestock and poultry operations)

b. ACCESSORY USES

- i. Off-street parking and loading areas
- ii. Storage of vehicles, equipment, products or non-hazardous materials used in conjunction with a principal use within an attached or detached and completely enclosed building
- iii. Auxiliary power generators
- iv. Land conservation practices

c. CONDITIONAL USES

- i. Child day care facilities licensed by and in compliance with all applicable State and local regulations
- ii. An unclassified or unspecified use not listed herein may be permitted provided that such use is similar in the operational characteristics as a principal use listed herein, and, is compatible with, directly supports, or is mutually beneficial to the operation of the existing uses within the SC-PDD. If the Plan Commission determines that an unclassified or unspecified use is similar in character to a principal use, the unclassified or unspecified use will only be allowed following review and approval by both the Plan Commission and the Village Board in accordance with the procedures established in Section 17.42 (Conditional Uses).

d. TEMPORARY USES

- i. See Section 17.07(2a).

4. **SITE PLAN APPROVAL REQUIRED.** Consistent with the requirements of Section 17.27(5) through (7), all development within the SC-PDD shall be subject of detailed site development and building plans submitted for review and approval by the Plan Commission in accordance with the requirements and procedures in Section 17.43 prior to issuance of a building permit.

5. **PERIMETER LANDSCAPING & BUFFER PLAN REQUIRED.**

- a. Notwithstanding the requirements in Section 4. above, a detailed landscaping and buffer plan for the north perimeter of Lot 1 adjacent to the WSOR railroad and south perimeter of Outlot 3 as shown on the GDP shall be prepared and submitted to the Plan Commission for review and approval prior to commencement of construction of the Goldendale Road access driveway and utility installation. Said landscaping and buffer plan shall take into consideration existing topography, existing vegetation, existing visibility and existing distance separation from the surrounding residential areas to the south (Neuland Subdivision) and to the north (Isabell Farms Subdivision) to determine the type, amount, density, height, and other characteristics of the undulating earth forms (berms) and tree plantings (where applicable) that will be necessary to provide an adequate visual buffer between said residential areas and the internal access driveway and future "Phase 4" development of Lot 1 (previously referred to as the

“Mayer/Neu Property”). NOTE: the required “visual buffer” is not intended to be nor provide a 100 percent visual barrier of the view from all vantage points within the surrounding residential areas, but rather to provide an effective (albeit partial) obstructed view of the developed area, buildings and traffic traveling within the SC-PDD.

- b. The undulating earth forms (berms) should be designed consistent with the Village’s berm regulations under Section 17.57.
-
6. **ACCESS.** Access to development within the SC-PDD shall be from the private access driveway shown on GDP. No other direct access to/from Goldendale Road, Freistadt Road, Josephine, etc. shall be permitted. Direct access to/from these public roads to any undeveloped lots or outlots for agricultural and land conservation/maintenance purposes is permitted if no other reasonable means of access to these areas is available.
 7. **SITE DEVELOPMENT AND BUILDING REQUIREMENTS.** Unless otherwise set forth below, all site development and building shall be in accordance with the lot, building and other applicable bulk requirements set forth in the underlying M-1: Limited Industrial Zoning District and other applicable Zoning Code regulations.
 - a. **LOT AND BUILDING REQUIREMENTS**
 - i. Lot Area (minimum) 15 acres
 - ii. Lot Width (minimum) 300 feet
 - iii. Lot Frontage (minimum) 50 feet
 - iv. Principal & Accessory Building Setbacks (minimum)
 1. Goldendale Road 100 feet
 2. Freistadt Road 100 feet
 3. WSOR Railroad 100 feet
 4. Residential District 200 feet
 5. Front/Street yard 50 feet (from internal access road)
 6. Side yard 25 feet
 7. Rear yard 25 feet
 - v. Building Height (maximum)
 1. Principal Building 45 feet
 2. Accessory building 25 feet
 - vi. Parking Setbacks (minimum)
 1. Goldendale Road 50 feet
 2. Freistadt Road 50 feet
 3. WSOR Railroad 50 feet
 4. Residential District 50 feet
 5. Front/Street yard 25 feet
 6. Side yard 25 feet

7. Rear yard 25 feet

vii. Lot Coverage (maximum) 80 percent impervious area

b. PARKING (see Section 17.45).

- i. Stall Area (minimum) 162 sqft
- ii. Stall Number (minimum) not to exceed (1) stall/shift/employee

c. ARCHITECTURAL DESIGN AND BUILDING ORIENTATION.

- i. The relative location and orientation of a building on a site, building architecture and design, and the use and placement of windows and other functional and decorative architectural devices should be considered and used to minimize potential light trespass or any other potentially negative impact on adjacent and surrounding residential property.

d. BUILDING MATERIALS.

- i. The development sites and buildings will be designed, located and constructed with a consistent architectural theme, high-quality materials, landscaping, and in a manner that protects and preserves the existing environmental features consistent with current buildings located on the same site.

e. HVAC MECHANICALS.

- i. All electrical, heating, cooling and other mechanical structures, and air handling units, regardless of location and whether roof or ground-mounted, shall be concealed by landscaping and/or by decorative architectural screening materials which are an integral part of the building design.

f. WASTE AND RECYCLING FACILITIES & ENCLOSURES.

- i. All waste and recycling dumpsters shall be screened in the same architectural style and materials of the principal building on the property and include landscaping. Dumpsters should be screened from all residential areas, public rights-of-way or adjacent properties.

g. OUTSIDE STORAGE.

- i. Incidental and short-term storage of vehicles, trailers, materials and finished products visible from residential properties and public rights-of-way shall be screened. The type of screening shall be in the same architectural character of the building on the property.

h. EXTERIOR LIGHTING.

- i. All exterior site and building lighting shall utilize "dark sky compliant" fixtures and technology, and, be consistent with the Village's "Outdoor Lighting Guidelines". Lighting plans and

equipment specifications are reviewed and approved by the Plan Commission as part of the Site Plan approval process.

8. **SIGNAGE.**
 - a. One (1) monument sign shall be permitted to be installed at each access driveway intersection at Goldendale Road and Freistadt Road consistent with the Village's sign regulations and reviewed and approved by the Plan Commission.
 - b. Signage for each development site and building shall be permitted consistent with the Village's sign regulations and reviewed and approved by the Plan Commission.
9. **APPLICABILITY OF MUNICIPAL CODE.** Unless otherwise set forth herein, all other applicable zoning and development regulations contained in the Germantown Municipal Code (e.g. Shoreland-Wetland Zoning, Floodplain Zoning, Subdivision) shall apply to development and land use within the SC-PDD. In the event a requirement, restriction or limitation set forth herein conflicts with a similar requirement, restriction or limitation found in another section of the Municipal Code, the most stringent requirement, restriction or limitation shall apply.
10. **EASEMENTS.**

In the event that the existing parcels that comprise the SC-PDD are not combined, storm water managment facility, driveway cross-access and/or other easements regarding such facilities may be required.

11. **LAND DIVISIONS.**

The GDP indicates that specific lots upon which future development within the SC-PDD will occur, and, specific outlots that will remain undeveloped. If the creation of these lots and outlots into separate parcels is intended as shown (vs. being developed as separate “building sites” within one large property), the process of dividing the land into separate lots (or combining the parcels into one parcel) will be required prior to or concurrent with site plan approval for development. For example, prior to or concurrent with the submittal of detailed site plans for Phase 1 development on what is referred to as the “Roskopf Property”, a certified survey map (CSM) land division application would be prepared and submitted to create Lot 2, Lot 3 and Outlot 4 as shown on the GDP dated December 11, 2017.

Introduced by: _____

Adopted: _____, 2017

Vote: Ayes: ____ Nays: ____

Dean Wolter, Village President

ATTEST:

_____, Village Clerk

EXHIBIT A

**Speaker Corporation Planned Development District (PDD)
Boundary Legal Description**

(Tax Key #173-992 and Tax Key #173-993; a.k.a. "Mayer/Neu Property")

Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 01°14'33" East along the West line of said 1/4 of said Section 123.85 feet to the South line of the Wisconsin & Southern Railroad lands and the point of beginning of the lands hereinafter described; thence: South 77°11'31" East along said South line 1343.65 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No 6215 a distance of 1283.76 feet to a point; thence South 75°00'27" West along the North line the of Neuland Subdivision 403.42 feet to a point, thence North 43°39'33" West along said North line 180.00 feet to a point; thence North 54°19'33" West along said North line 380.00 feet to a point; thence North 38°28'33" West along said North line 49.79 feet to a point; thence South 87°00'27" West along said North line 250.00 feet to a point; thence South 14°59'33" East along said North line 40.00 feet to a point; thence South 82°45'51" West along said North line 218.24 feet to a point on the West line of SW 1/4, Section 17; thence North 01°14'33" West along said West line 1374.37 feet to the point of beginning.

Along with Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the Southwest corner of said 1/4 Section; thence North 89°53'45" East along the South line of said 1/4 of said Section 1301.98 feet to the point of beginning of the lands hereinafter described; thence North 01°04'33" West 217.16 feet to a point; thence South 89°57'33" West 3.57 feet to the Southeast corner of Lot 6, Block 1 of Neuland Subdivision; thence North 01°02'33" West along the East line of said Lot 392.27 feet to a point on the south line of Dalebrook Drive; thence North 88°57'27" East along said south line 5.05 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No. 6215 a distance of 549.55 feet to a point on aforesaid South line; thence South 89°53'45" West along said South line 3.78 feet to the point of beginning. Said lands containing 39.74 acres more or less.

(Lot 1 of CSM #6702 and Tax Key #173-987; a.k.a. "Roskopf Property")

Lot 1 of Certified Survey Map #6702 as recorded in Volume 51 on Page 221 of Certified Survey Maps of Washington County, Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. Said lands containing 47.43 acres more or less.

(Lot 2 of CSM #6702 Tax Key #174-985; Phylmack LLC Property)

Lot 2 of Certified Survey Map #6702 as recorded in Volume 51 on Page 221 of Certified Survey Maps of Washington County, Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. Said lands containing 57.08 acres more or less.

EXHIBIT B

**Speaker Corporation Planned Development District (PDD)
General Development Plan**

{Attach General Development Plan Dated December 11, 2017}

DRAFT

**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: 9-5-17 Received by: [Signature]**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
Speaker Properties LLC c/oJ.W. Speaker Corp; George Lehnerer, CFON120 W19434 Freistadt RoadGermantown, WI 53022Phone (262) 532-2101Fax (262) 532-2121E-Mail lehnererg@jwspeaker.com**PROPERTY OWNER**Francis Mayer & Dolores Mayer Etal8700 Boltonville RoadKewaskum, WI 53040-9722

Phone ()

2 PROPERTY ADDRESS OR GENERAL LOCATION**TAX KEY NUMBER**

Tax Key #173-992 & #173-993 (Mayer/Neu Property)

Tax Key #173-987 (former Roskopf Property)

Tax Key #174-985 (Phylmack LLC Property; existing J.W. Speaker Corp)

3 REZONING REQUESTA-1: Agricultural & M-1: Limited Industrial
to

M-1/PDD: Limited Industrial w/ a Planned Development District (PDD) Overlay

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY - REQUIRED

Attach pages as necessary

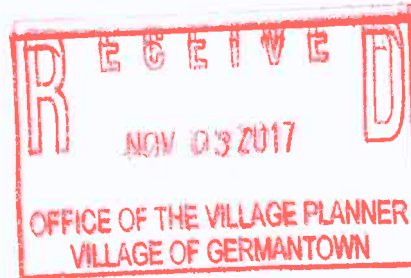
See attached



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.

See attached



6 SUPPORTING DOCUMENTATION:

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

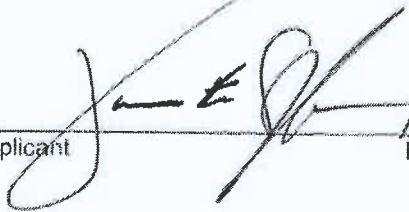
7 READ AND INITIAL THE FOLLOWING:

JES 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.

JES 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.

JES 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!


Applicant _____ Date 11-2-17

DocuSigned by:
Francis Mayer 11/3/2017
C351B30EF721490... _____
Owner _____ Date

J.W. SPEAKER CORPORATION
M-1/PDD: LIMITED INDUSTRIAL PLANNED DEVELOPMENT
DISTRICT (PDD)

The following properties comprise the M-1/PDD: Limited Industrial Planned Development Zoning District (PDD) proposed by the J.W. Speaker Corporation:

Tax Key #173-992 and Tax Key #173-993; "Mayer/Neu" Property)

Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence South 01°14'33" East along the West line of said 1/4 of said Section 123.85 feet to the South line of the Wisconsin & Southern Railroad lands and the point of beginning of the lands hereinafter described; thence: South 77°11'31" East along said South line 1343.65 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No 6215 a distance of 1283.76 feet to a point; thence South 75°00'27" West along the North line the of Neuland Subdivision 403.42 feet to a point, thence North 43°39'33" West along said North line 180.00 feet to a point; thence North 54°19'33" West along said North line 380.00 feet to a point; thence North 38°28'33" West along said North line 49.79 feet to a point; thence South 87°00'27" West along said North line 250.00 feet to a point; thence South 14°59'33" East along said North line 40.00 feet to a point; thence South 82°45'51" West along said North line 218.24 feet to a point on the West line of SW 1/4, Section 17; thence North 01°14'33" West along said West line 1374.37 feet to the point of beginning.

Along with Part of the Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, described as follows:

Commencing at the Southwest corner of said 1/4 Section; thence North 89°53'45" East along the South line of said 1/4 of said Section 1301.98 feet to the point of beginning of the lands hereinafter described; thence North 01°04'33" West 217.16 feet to a point; thence South 89°57'33" West 3.57 feet to the Southeast corner of Lot 6, Block 1 of Neuland Subdivision; thence North 01°02'33" West along the East line of said Lot 392.27 feet to a point on the south line of Dalebrook Drive; thence North 88°57'27" East along said south line 5.05 feet to a point; thence South 01°17'44" East along the West line of Lot 1 of Certified Survey Map No. 6215 a distance of 549.55 feet to a point on aforesaid South line; thence South 89°53'45" West along said South line 3.78 feet to the point of beginning. Said lands containing 39.74 acres more or less.

Lot 1 of CSM #6702 (Tax Key #173-987; formerly the "Roskopf" Property)

Lot 1 of Certified Survey Map #6702 as recorded in Volume 51 on Page 221 of Certified Survey Maps of Washington County, Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. Said lands containing 47.43 acres more or less.

Lot 2 of CSM #6702 (Tax Key #174-985; "Phylmack" Property)

Lot 2 of Certified Survey Map #6702 as recorded in Volume 51 on Page 221 of Certified Survey Maps of Washington County, Section 17, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin. Said lands containing 57.08 acres more or less.





November 3, 2017



Jeffrey W. Retzlaff, Community Development Director, Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

RE: Planned Development District (PDD) Rezoning Application & General Development Plan (GDP)

Mr. Retzlaff:

In light of the discussion and action by the Village Board on October 9 regarding our rezoning application for the Mayer/Neu property on Goldendale Road, as well as, the issues and concerns brought up by nearby residents during the public hearing that night, J.W. Speaker is submitting a new rezoning application for the purpose of creating a Planned Development District (PDD) for the properties shown in the attached General Development Plan, including the existing Speaker property, the Roskopf property and the Mayer/Neu property. Unlike the original rezoning application, we understand that the creation of a PDD for these properties would enable J.W. Speaker and the Village to tailor-make a unique zoning district that could allow development of the low-density, rural campus of office and light assembly buildings that would be developed. We understand that the PDD can contain certain restrictions on land uses and other safeguards to address concerns brought up at the October 9 Village Board meeting.

J.W. Speaker seeks to purchase the Roskopf and Mayer/Neu properties and rezone them along with our existing Freistadt Road property to facilitate the development and expansion of our business that is currently constrained within our existing facilities. The purchase of and ability to develop both of these properties will allow for future growth in sales and employment for our operation and provide improved accessibility to and from our facilities. J.W. Speaker plans to add another 200+ employees over the next five years which will create capacity constraints in the Freistadt Road production facility as well as parking. The purchase, rezoning and development of these properties as generally presented in the attached plan will allow us to access our facilities directly from Goldendale Road thereby re-routing much of the traffic away from the Freistadt @ Goldendale Road intersection. The construction of this road will also benefit the area by not disturbing the stream and wetland area north of Freistadt Road along with our intent to preserve the overall natural beauty of the existing wooded areas and environmental corridor on the property. The stream and extensive wetland area around it currently prohibit us from creating an access from Freistadt Road without also creating significant environmental impacts and added investment.

As shown in the General Development Plan (GDP), development of the properties is expected to occur in the following sequence and phases and include the following building facilities and uses:

Phase 1: Site Improvements (2018)

- ❖ Construct/install 40' east-west access roadway, water & sanitary sewer facilities from Goldendale Road to the existing J.W. Speaker facility parking lot (partial re-configure existing facility parking lot);
- ❖ Install 50'-75' wide landscape buffer & undulating earth forms (berms) along north and south perimeter of Mayer/Neu property;
- ❖ Construct/install storm water management facilities;
- ❖ Location: Across "Mayer/Neu" and "Roskopf" properties to existing Freistadt Road Facility

Phase 1: Facility/Building Improvements (2018-19)

- ❖ Surface Mount Technology (SMT) Building
 - Location: "Roskopf" property
 - Size/Area: 35,000 sqft
 - Land Use: Offices & Circuit Board Assembly (near "clean room" type conditions)
 - Employee Capacity: 55-60 (approximately)
- ❖ Product Design Center
 - Location: "Roskopf" property
 - Size/Area: 40,000 sqft
 - Land Use: Offices, Research & Development area w/ 3-D printing, low-volume product set-up & testing lab
 - Employee Capacity: 120-150 (approximately)

Phase 2: Facility/Building Improvements (2019-2020)

- ❖ Conference/Retreat Center
 - Location: "Roskopf" property
 - Size/Area: 4,000 sqft
 - Land Use: Offices & Conference Facilities
 - Employee Capacity: 20-25 (approximately)

Phase 3: Facility/Building improvements (2020-2022)

- ❖ Freistadt Facility Expansion
 - Location: Existing Freistadt Road Facility
 - Size/Area: 70-90,000 sqft
 - Land Use: Offices, Light Assembly, Molding & Storage/Shipping
 - Employee Capacity: 250-300 (approximately)



N120 W19434 Freistadt Road
Germantown, WI 53022 USA
www.jwspeaker.com
262.251.6660

Future Phase

Development of the Mayer/Neu property with other J.W. Speaker facilities is not expected to occur until 2020 or beyond. Until then, this area will remain undeveloped and likely rented out for cash crop-type farming as has been done in the recent past (except for the perimeter buffering and infrastructure improvements to be installed through this area in Phase 1). When it occurs, development of this area will complement the overall rural, "campus" like character of the development to the east and be comprised of the same low-density buildings and similar office & light industrial/assembly-type uses as the other J.W. Speaker buildings. More importantly, future development of this areas will be regulated by the same PDD conditions and restrictions as the other areas within the PDD.

It is our understanding that J.W. Speaker representatives will work cooperatively with the Village Board, Plan Commission and Village staff to develop the specific set of zoning allowances and restrictions that will permit land use and development within the PDD zoning district as the review process proceeds.

Sincerely,

James E. Speaker
Co-President

DRIVEN.
TO SEE MORE.

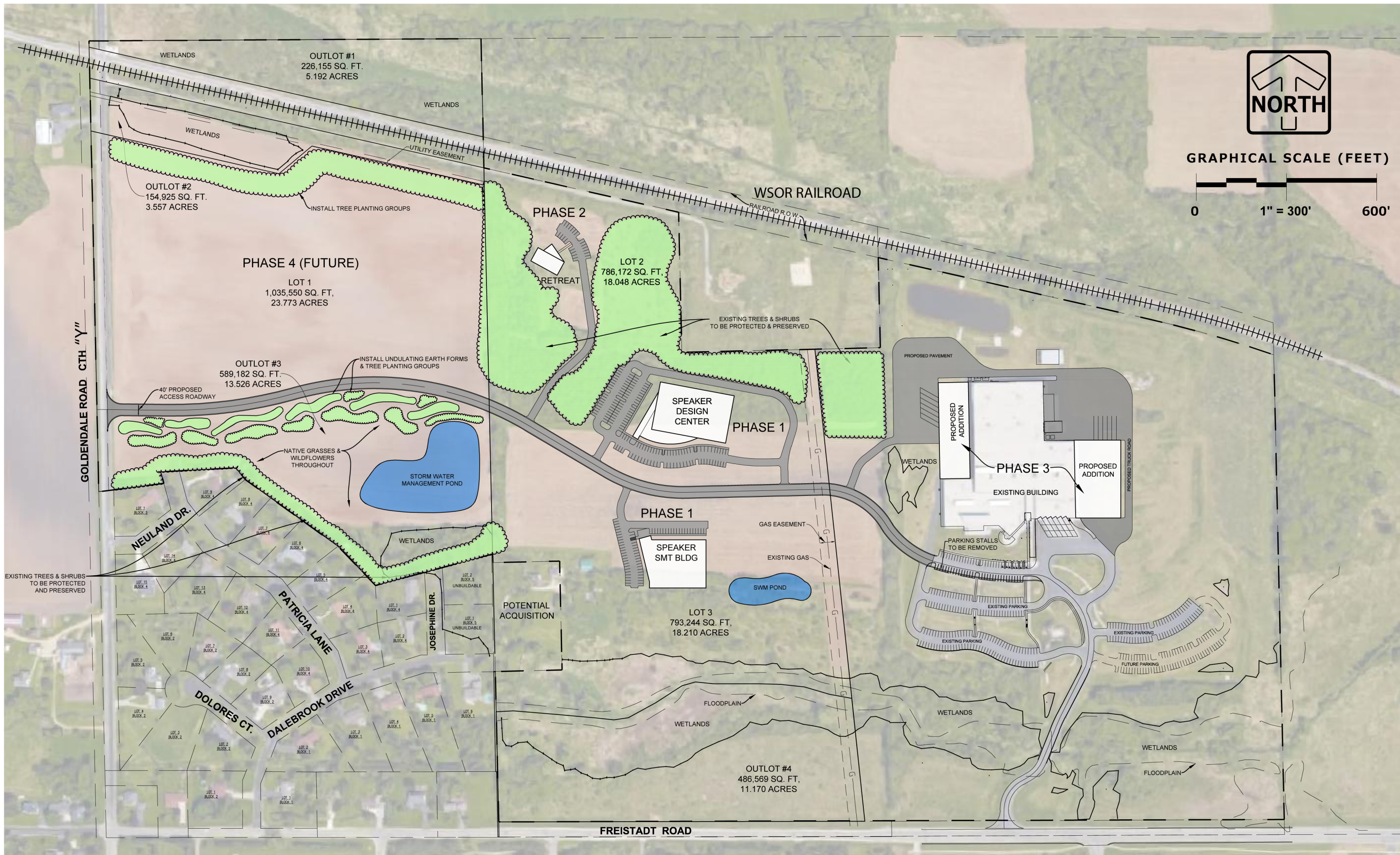


EXHIBIT 'B'
JW SPEAKER PDD GENERAL DEVELOPMENT PLAN (GDP)

REZONING APPLICATION

12/11/17 Plan Commission Meeting

Baudhuin Surveying & Engineering / Top Leaf Development LLC
Village Planner Report **Germantown, Wisconsin**

Summary

Pete Hurth, Baudhuin Surveying & Engineering, and Top Leaf Development LLC and Alan & Lynda Luther, property owners, are requesting approval of a rezoning application and concept plan for a 107-acre residential subdivision with 47 single-family lots south of Freistadt Road, north of Elm Lane and west of Wasaukee Road.

Property Location: Freistadt Road, Elm Lane and Wasaukee Road

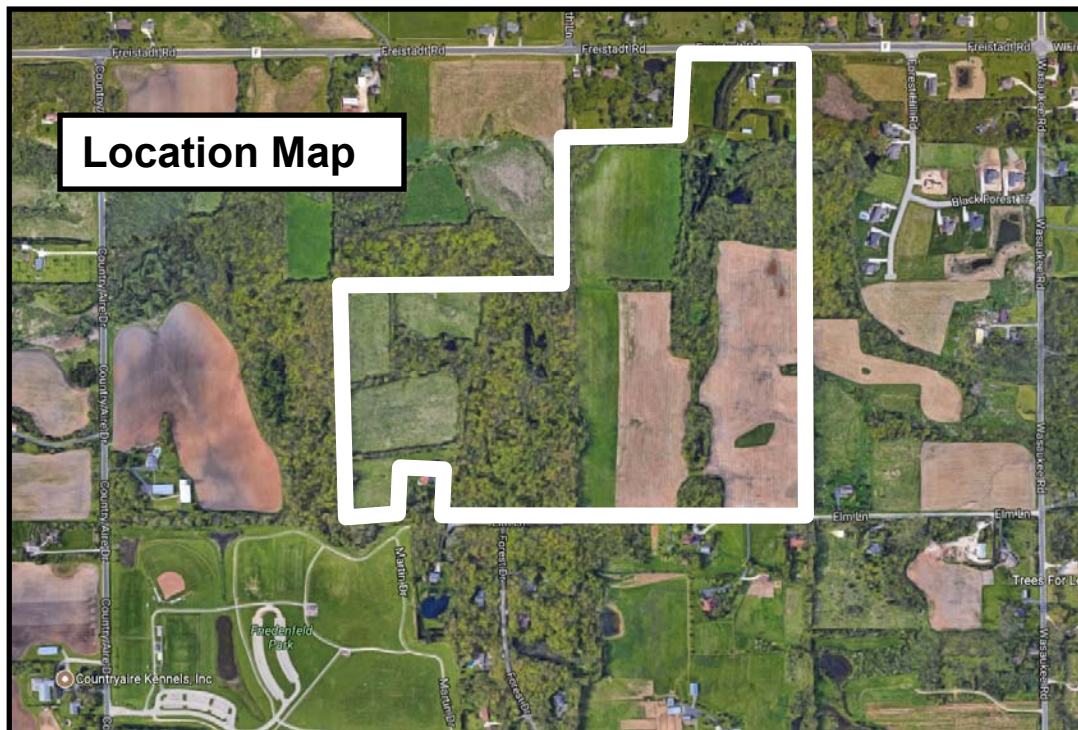
Applicant/

Property Owner: Pete Hurth Shari Waggoner
Baudhuin Survey & Eng Alan & Lynda Luther
312 N 5th Ave Top Leaf Development LLC
Sturgeon Bay, WI Colgate, WI

Current Zoning: A-1: Agricultural

Adjacent Land Uses		Zoning
North	Residential	Rs-1
South	Residential	Rs-1/Rs-2
East	Residential/Agricultural	A-1/Rs-2/3
West	Agricultural	A-1/A-2

Location Map



Background/Proposal

Baudhuin Engineering and Top Leaf Development presented their initial development proposal to the Plan Commission for discussion on September 11 with two (2) alternative road and lot layouts (see attached “Option 1” and “Option 2” concept plans dated September 11, 2017). Because of direction given at the September 11 meeting, the concept plan was revised and presented to the Plan Commission on October 9.

The October 9 concept plan (see attached “Plan Commission Option” dated October 9, 2017) included the following revisions:

- A roadway connection to the “west” segment of Elm Lane with a direct connection to Forest Drive (and NO connection to the “east” segment of Elm Lane and Wasaukee Road);
- The extension of the “west” segment of Elm Lane further west to serve the southwest portion of the property and possibly the northeast corner of the Village’s Friedenfeld Park (for possible future parking and enhanced access to the Village park);
- Additional lots created in the southwest portion of the property w/ approximately nine (9) 1-acre lots vs. four (4) 5+ acre lots w/ shared driveways;
- Additional storm water management pond locations;
- An overall increase in single-family lots from 43 to 49 total lots.

At the October 9 meeting, the PC discussed the revised concept plan without recommending any changes, but deferred further comment or action pending the outcome of further discussion of the possibility that the Village may extend sanitary sewer to serve this area on October 23. That discussion concluded with a general sense that future sanitary sewer service extending into this area would be years away, the current 2020 Land Use Plan provides for unsewered single-family development, and that Top Leaf Development should move ahead with the proposal.

At this time, Baudhuin Engineering and Top Leaf Development are requesting approval of a rezoning application to change the zoning from A-1: Agricultural to Rs-3: Single-family for 107-acres and for a concept plan for a 47-lot, single-family residential subdivision.

As summarized in Table 1 and detailed in the project description and concept plan (dated December 11, 2017), development is proposed with the following characteristics:

Table 1.	
Luther Property Concept Plan	
Gross Area (ac)	107.92
Wetland Area (ac)	10.56
Right-of-Way (ac)	8.29
Open Space (ac)	39.41
Net Density Area (ac)	89.07
Single-Family Lots/Dwelling Units (DU)	47
Density (DU/net acre)	0.53
Avg Lot Size (ac)	1.28

When comparing the currently proposed concept plan to the most recently reviewed “Plan Commission Option” plan dated October 9, there are a few notable differences, including:

1. The number of lots has been reduced from 49 to 47 lots;
2. Wetland boundaries are now included on the plan and shown relative to the proposed lot lines and streets;
3. Lot dimensions have been removed;
4. The nine (9) lots proposed on the west side of the site have been reconfigured and the road slightly curved at the north end;
5. The main north-south roadway has been shifted to the east approximately 200-650 feet from a point south of Lot 21 the entire length south to the intersection with Elm Lane (with the intersection approximately 650 feet further east);
6. Because of the road shifting, a new cul-de-sac has been added in the middle portion of the site to serve Lots 27-30, and, the cul-de-sac in the southeast has been reduced in length;
7. Because of the wetlands being delineated and located within the site, as well as the road realignments, lot sizes and shapes have been adjusted accordingly.

Staff Comments

The entire property lies north of and adjacent (but outside) of the Village’s Sanitary Sewer Area (SSA) and in an area designated on the 2020 Land Use Plan as “Rural Residential”. For those currently undeveloped areas designated as “Rural Residential”, the Village intended such areas to develop at a density of one (1) dwelling unit per acre with a minimum 1-acre lot size. The land is currently zoned A-1: Agricultural and is proposed to be rezoned into the Rs-3: Single-family District. The proposed rezoning is consistent with the 2020 Land Use Plan map.

Soil evaluation reports for all lots will be required prior to or concurrent with the submittal of a preliminary plat to ensure all proposed lots are deemed suitable for installation of an on-site sanitary system.

As presented on the December 11 concept plan, a significant amount of wetland (10.56 acres or approximately 10% of the site) in numerous isolated areas lie across the property. As noted above, the lot and road layout has changed in part due to the wetlands on the property. Despite the amount of wetland, the required “net area” density calculation (gross area less wetlands and right-of-way) does not increase the proposed development density (.53 DU’s per net acre) above the maximum density allowed in the Rs-3 District (not to exceed 1.0 DU’s per net acre).

Although the road and lot layouts are similar to that which was proposed in the October 9 “Plan Commission Option” plan, the changes summarized above are significant enough to consider further before approving as discussed below:

- As a result of the wetlands being delineated and presented on the concept plan, it's clear that not all of the wetland areas and the Village-enforced 25' wetland setback area will be located entirely within an open space outlot as required under Section 18.02 of the Subdivision Code. Further revisions to lot lines (albeit slight) will need to be made and reflected in the preliminary subdivision plat.
- The reconfigured road on the west side of the site includes a reverse or “S-curve” that is not code-compliant. Moreover, as staff commented about at previous meetings, the location of this road is based strictly on the concept of maximizing the number of developable lots that can be created in this portion of the site and does not consider the topography and/or existing wooded, environmental corridor that lies immediately north into which this roadway would be required to extend into in order to serve future development to the north (vs. taking such factors into account first before establishing the alignment).
- As discussed in the Applicant's “Rezoning Plan” project description, realignment of the main north-south roadway 200-650 feet to the east shifts the Elm Lane intersection 650 feet to the east from the previously proposed point. In so doing, Elm Lane will be improved in both directions from the proposed intersection, i.e. toward Forest Drive to the west and toward Wasaukee Road to the east. If Elm Lane is improved in both directions and, as a result, provides a continuous means of access from Wasaukee Road all the way to Friedenfeld Park, the type and amount of traffic that may eventually travel on Elm Lane may justify requiring the entire length of Elm Lane to be improved to current Village road standards. This raises a number of issues, including:
 - o How much of Elm Lane will need to be constructed and who will pay for the improvements?
 - o Is the existing right-of-way and existing geometric and road surface conditions adequate along the entire length of Elm Lane?
 - o Who will be responsible for making any required “off-site” improvements?
 - o The relocated road and intersection will cut through a wooded area and be positioned such that all southbound traffic will be effectively pointed directly at one of the relatively few existing homes along Elm Lane.
 - o Is the PC receptive to the idea of now allowing a southerly access connection to both the east and the west after having directed the Applicant to only provide southerly access to the west segment of Elm Lane?

- The main roadway realignment also creates a straighter and, as a result, relatively less appealing “soldiers row” configuration of lots on the west side of the roadway.
- Some of the revised lot lines create multi-sided and/or less than ideal lot shapes (e.g. Lot 2, Lot 3, Lot 28, Lot 47), and, front yard-to-back yard “conflicts” (e.g. Lot 27 front yard up against back yards for Lots 25 & 26; Lot 30 front yard up against back yards for Lots 31 & 32).

While staff generally supports a subdivision lot and road layout that provides multiple means of access to/from the development to enhance accessibility, there are several issues that need to be addressed before accepting the currently proposed road alignment and traffic circulation patterns that will result.

Staff supports the proposed rezoning; however, for the reasons discussed above, Staff recommends that action to approve the concept plan be tabled pending further discussion of and possible changes to the December 11 concept plan.

Village Planner Recommendation

APPROVE the proposed rezoning of approximately 107 acres from the A-1: Agricultural District to the Rs-3: Residential Single-Family district subject to the following condition:

1. The rezoning application and Plan Commission recommendation should not be forwarded to the Village Board for review and consideration until the Plan Commission can recommend approval of a development concept plan.

TABLE the review and action on the proposed concept plan dated December 11, 2017 pending revisions necessary to address the issues raised in the December 11 Staff Report and Recommendation to the satisfaction of the Plan Commission.



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 <u>PETE HURTH, P.E.</u> <u>BAUDHUIN SURVEYING & ENGINEERING</u> <u>312 N. 5TH AVE</u> <u>STURGEON BAY, WI 54235</u> <u>Phone (920) 743-8211</u> <u>Cell (920) 495-9101</u> <u>E-Mail phurthebaudhuin.com</u>	PROPERTY OWNER <u>SHARI WAGGONER OF TOP LEAF DEVELOPMENT, LLC</u> <u>FOR ALAN & LYNDIA LUTHER</u> <u>342 HILLSIDE RD</u> <u>COLGATE, WI 53033</u> <u>Phone (262) 923-0469</u> <u>topleafdevelopment@gmail.com</u>
--	--

2 PROPERTY ADDRESS OR GENERAL LOCATION <u>107 ACRES SOUTH OF CTH F, NORTH OF ELM LAKE,</u> <u>1/4 MILE WEST OF WAUSAUKEE RD</u>	TAX KEY NUMBER <u>241997, 241998</u> <u>242999</u>
---	---

3 REZONING REQUEST			
<table border="1" style="display: inline-table;"><tr><td>FROM <u>A-1</u></td></tr></table>	FROM <u>A-1</u>	<table border="1" style="display: inline-table;"><tr><td>TO <u>RS-3</u></td></tr></table>	TO <u>RS-3</u>
FROM <u>A-1</u>			
TO <u>RS-3</u>			

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY - REQUIRED
Attach pages as necessary <u>NW & SW 1/4 OF NE 1/4, SECTION 24 AND SE 1/4 OF NW 1/4</u> <u>SECTION 24, VILLAGE OF GERMANTOWN</u> <u>REFER TO REZONING MAP FOR LEGAL DESCRIPTION.</u>

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.

REZONING TO CREATE A RURAL RESIDENTIAL SUBDIVISION
WITH LOTS 1 ACRE OR GREATER IN SIZE. ALL LOTS
TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
WETLANDS TO BE PRESERVED BY PLACEMENT IN OUTLOTS.

6 SUPPORTING DOCUMENTATION:

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

7 READ AND INITIAL THE FOLLOWING:

PH 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.

PH 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.

PH 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!

[Signature] 11/7/17
Applicant Date

Owner Date

LUTHER PARCEL

REZONING PLAN - November 2017

Location:

The 107 acre farm is located north of Elm Lane and south of Freistadt Road(CTH F) approximately ¼ west of Wausaukee Road (CTH M). The parcel is bordered to the east by Woodland Ponds which is an 18 lot residential subdivision with lot sizes between 1 and 2 acres. Elm Lane to the south is not a through road. There is a 700 foot gap between the completed road sections. The lots south of the parcel along the east leg of Elm Lane are larger in the 6 to 15 acre range. The lots to the south along the west leg of Elm Lane are in the Forest Heights subdivision and in the 1 to 5 acre range. The east leg of Elm Lane connects to Wausaukee Road , while the west leg Connects to Forest Drive which is a half mile long road which leads to a signalized intersection at Mequon Road. The remaining surrounding parcels are currently farmed with the exception of the south west corner which borders Freidenfeld Park.

Site Constraints:

The upland portions of the site are primarily used for cropland with some wooded tree lines and small patches of woods. There are wetlands present on the parcel. The wetlands are primarily wooded. The site was analyzed by a soil scientist to establish areas suitable to support septic systems. A wetland delineation was completed in October 2017. The majority of the upland tilled portion is suitable for septic systems.

Utilities (Sewer and Water):

Preliminary research has indicated sewer and water is not available anywhere near this parcel. This parcel is not included in the 2020 sewer service area boundary. The large lot sizes located between the development and the sewer connection point would make it unrealistic to provide sewer to this site from a cost and timing standpoint. The fact that we had the preliminary soils investigation completed allows us certainty that each lot can support the septic drain field. This development is slated for construction in 2018.

Zoning and Land Use:

The parcel is zoned agricultural but is slated on the Villages 2020 Smart Growth Plan for rural residential designation which is an exact fit to the proposed RS-3 one-acre zoning district being pursued.

Luther Concept Plan(s):

The concept plan has been submitted and discussed at two Village Plan Commission meetings. The rezoning plan submitted for review consist of 47 lots on 107 acres equaling 2.28-acre density. Road connections are planned to Freistadt Road as well as Elm Lane. Road stubs with hammerhead turn arounds will allow the vacant parcel to the east and west to be developed by others in the future.

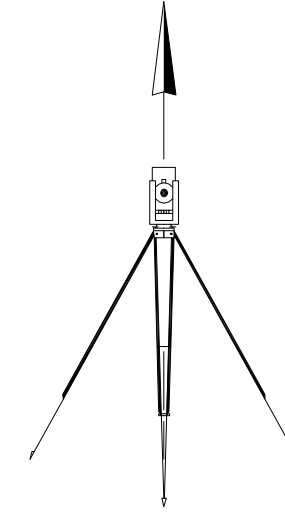
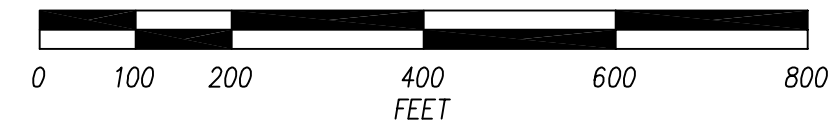
The ultimate connection of the gap in Elm Lane differs slightly from the discussions at the plan commission meetings. The field delineated wetlands dictated this change to assure no roads or lots will

need to impact the wetlands. The Friestadt Road connection will act as the primary point of ingress and egress. The west leg of Elm Lane will be the secondary outlet and the east leg of Elm Lane the third point of available access.

The entire parcel will be developed into 1 to 2 acre residential lots. The lots have been sited to accommodate an individual septic system on each lot. The lots were also placed to avoid wetlands on the lots. Large outlots will encompass the wetlands and protect them from impact.

Outlots have been placed in areas where wetlands are present as well as in areas where storm ponds will be constructed.

BEING:
PARCEL 1 OF C.S.M. NO. 3641,
WASHINGTON COUNTY RECORDS
AND:
THE SW 1/4 OF THE NE 1/4
AND PART OF:
THE NW 1/4 OF THE NE 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
VILLAGE OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.


$$1'' = 200'$$


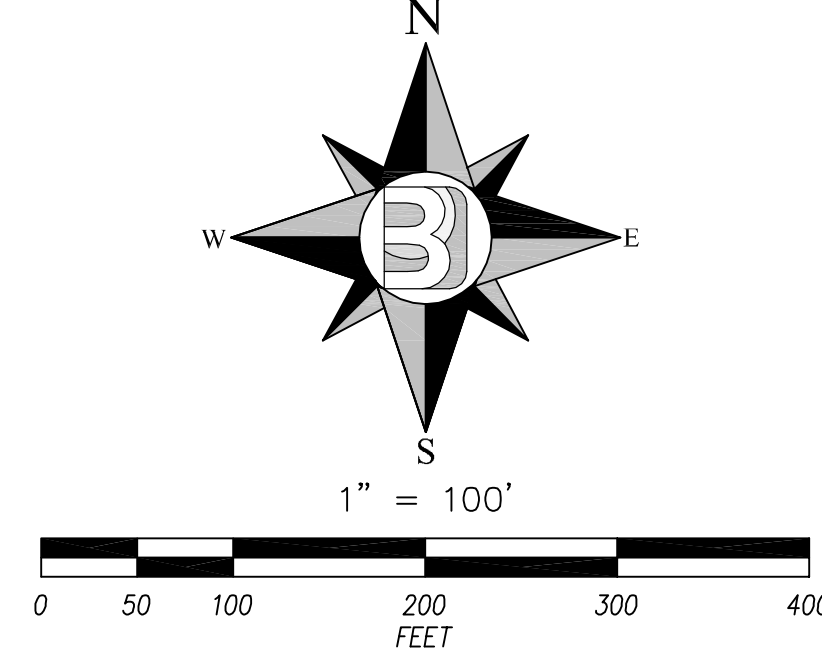
A parcel of land being Parcel 1 of C.S.M No. 3641, Washington County Records, and the SW 1/4 of the NE 1/4, and part of the NW 1/4 of the NE 1/4, all in Section 24, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. More particularly described as follows:

Commencing at the SE corner of said Parcel 1 of C.S.M. No. 3641, said corner being at the intersection of the east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 and the northerly right of way line of Elm Lane, and the point of beginning of lands to be described; thence S. 87°58'17" W., along the southerly line of said Parcel 1 (northerly right of way line of Elm Lane) to the SE corner of Parcel 2 of said C.S.M. No. 3641; thence around the perimeter of said Parcel 2 as follows: N. 01°51'37" W., 433.00 feet to the NE corner of said Parcel 2; thence S. 87°58'17" W., 372.19 feet to the NW corner of said Parcel 2; thence S. 01°51'37" E., 433.00 feet to the SW corner of said Parcel 2; thence leaving said perimeter, S. 87°58'17" W., 290.04 feet along the aforementioned southerly line of said Parcel 1 to the SW corner of said Parcel 1, said corner being on the west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°55'59" W., 1286.04 feet along the westerly line of said Parcel 1, said line also being the aforementioned west line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NW corner of said Parcel 1, said corner also being the NW corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 88°11'13" E., 1327.99 feet along the northerly line of said Parcel 1, said line also being the north line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the NE corner of said Parcel 1, said corner also being the NE corner of the SE 1/4 of the NW 1/4 of said Section 24-9-20; thence N. 01°46'35" W., 786.06 feet along the west line of the NW 1/4 of the NE 1/4 of said Section 24-9-20 to the SW corner of Parcel 1 of C.S.M. No. 386, Washington County Records; thence N. 88°13'31" E., 663.08 feet along the southerly line of said C.S.M. No. 386 to the SE corner of Parcel 3 of said C.S.M. No. 386; thence N. 02°06'39" W., 528.00 feet along the easterly line of said Parcel 3 to the north line of the NW 1/4 of the NE 1/4 of said Section 24-9-20, said line also being the centerline of C.T.H. 'F'; thence N. 88°13'31" E., 676.98 feet along said north line (centerline) to the NE corner of the NW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 01°39'58" E., 2630.97 feet along the east line of the West 1/2 of the NE 1/4 of said Section 24-9-20 to the SE corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20, said corner also being on the centerline of Elm Lane; thence S. 88°20'55" W., 1331.92 feet along the south line of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of Elm Lane) to the Center of said Section 24-9-20; thence N. 01°46'35" W., 33.00 feet along the aforementioned east line of the SE 1/4 of the NW 1/4 of said Section 24-9-20 to the point of beginning.

Said parcel contains 107.92 acres and is subject to the rights of the public over those portions previously dedicated for the rights of way of Elm Lane and C.T.H. 'F'.

SITE PLAN - OPTION 'B' - 47 LOTS

LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



APPROXIMATE LENGTH OF ROAD = 6,729 FT. ±



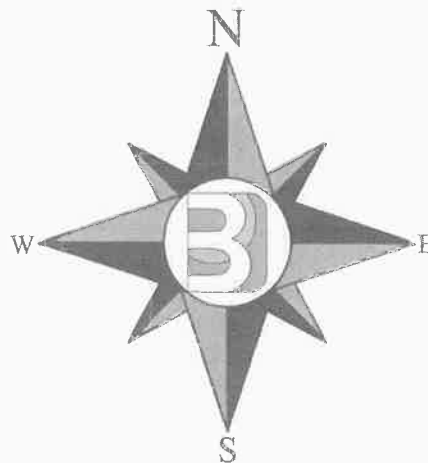
SITE PLAN

LOCATED IN:

THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4

ALL IN:

SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



1" = 100'



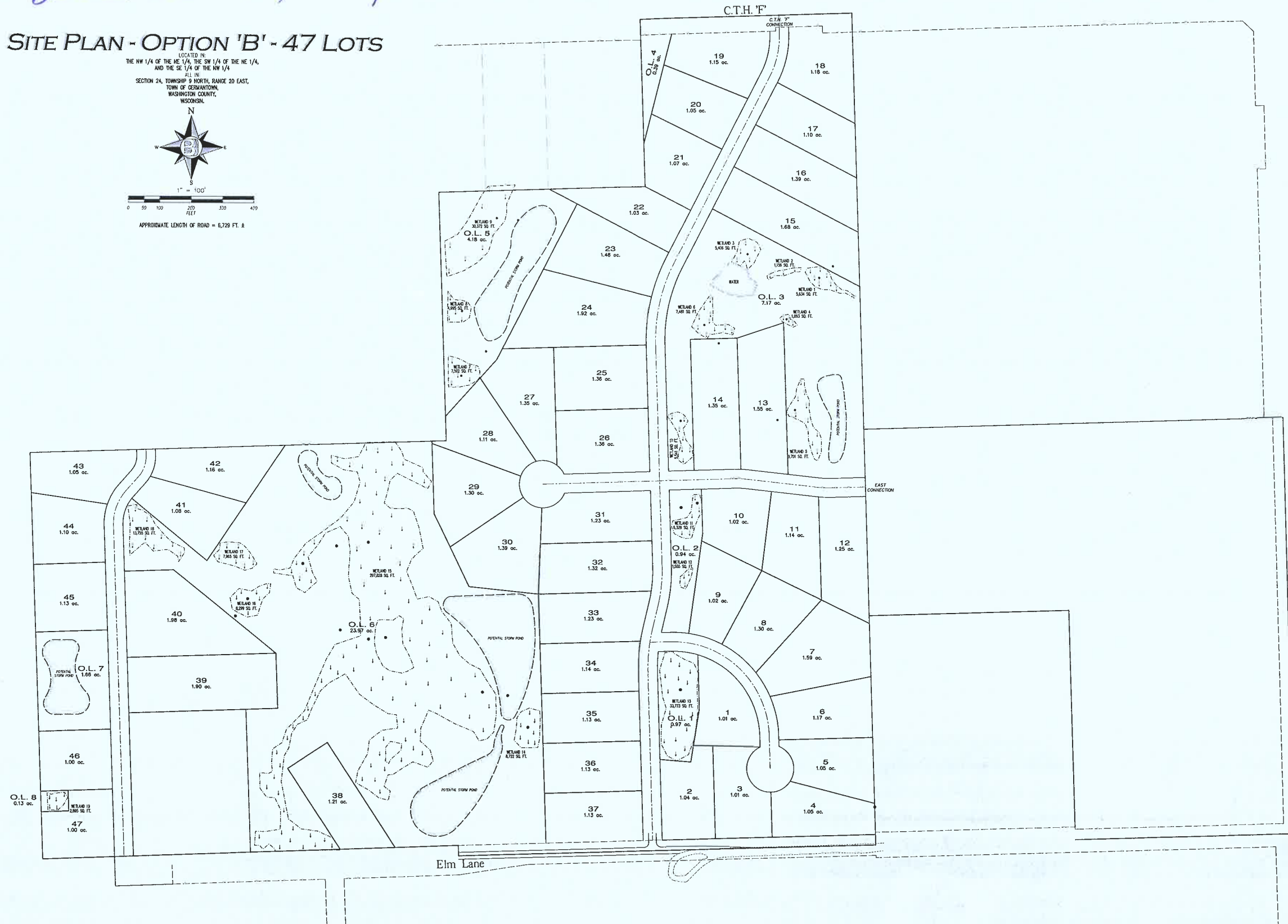
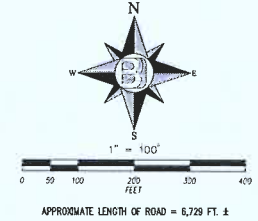
DENSITY CALCULATIONS

Area of Parcel	=	107.92 acres
Number of Lots	=	47
Lots Per Acre	=	0.44
Total Acreage of Lots	=	58.39 acres
Average Lot Size	=	1.24 acres
Number of Outlots	=	8
Total Acreage of Outlots	=	39.41 acres
Average Outlot Size	=	4.93 acres
Area of Right of Way	=	8.29 acres
Area of Wetland	=	10.56 acres

DECEMBER 11, 2017

SITE PLAN - OPTION 'B' - 47 LOTS

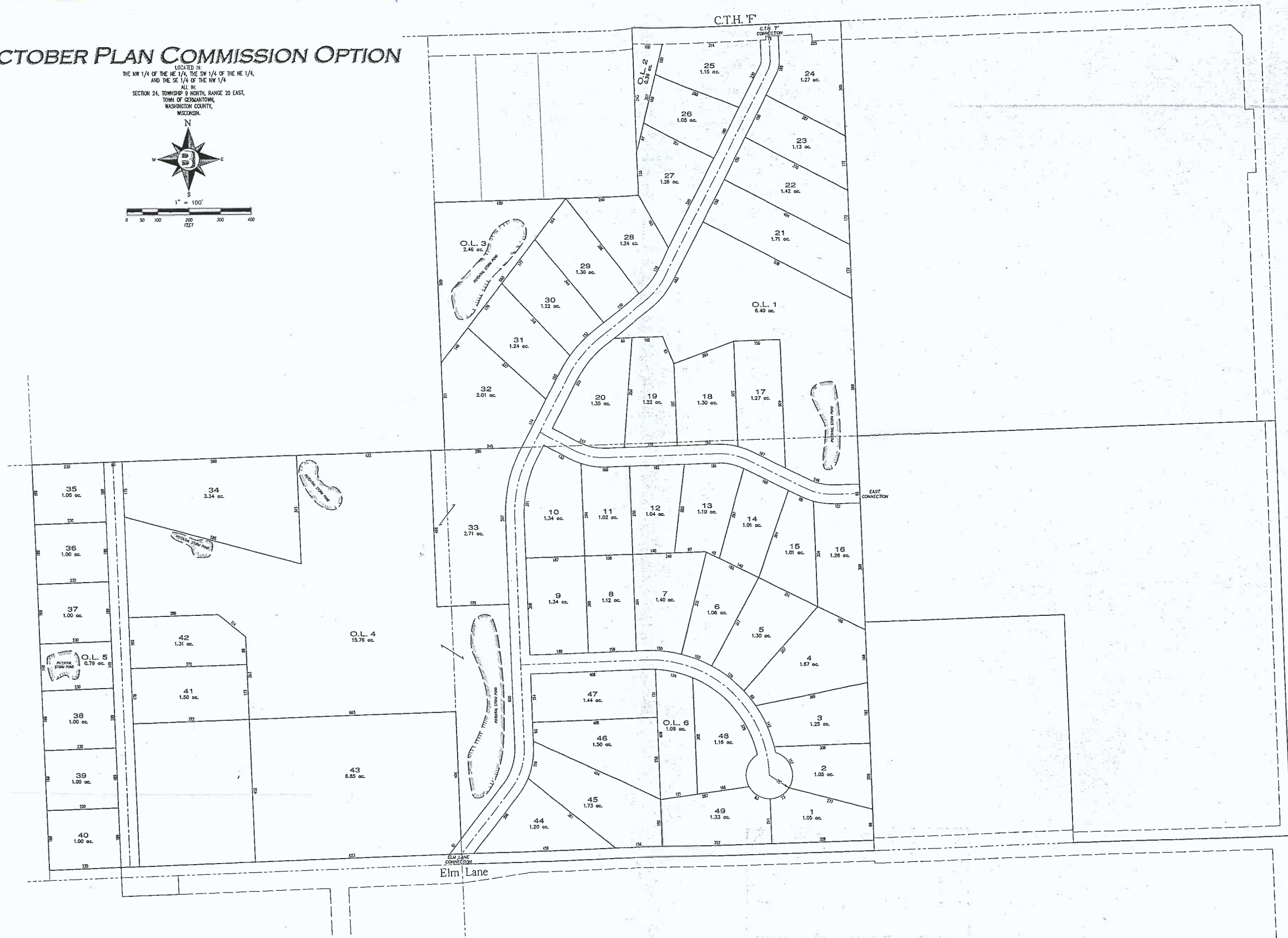
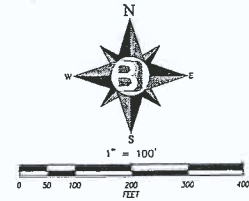
LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
OF THE
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF CRAWFORD,
WASHINGTON COUNTY,
WISCONSIN.



OCTOBER 9, 2017

OCTOBER PLAN COMMISSION OPTION

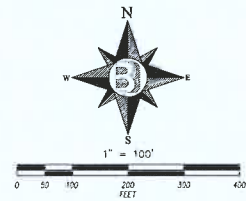
LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



SEPTEMBER 11, 2017

OPTION 2

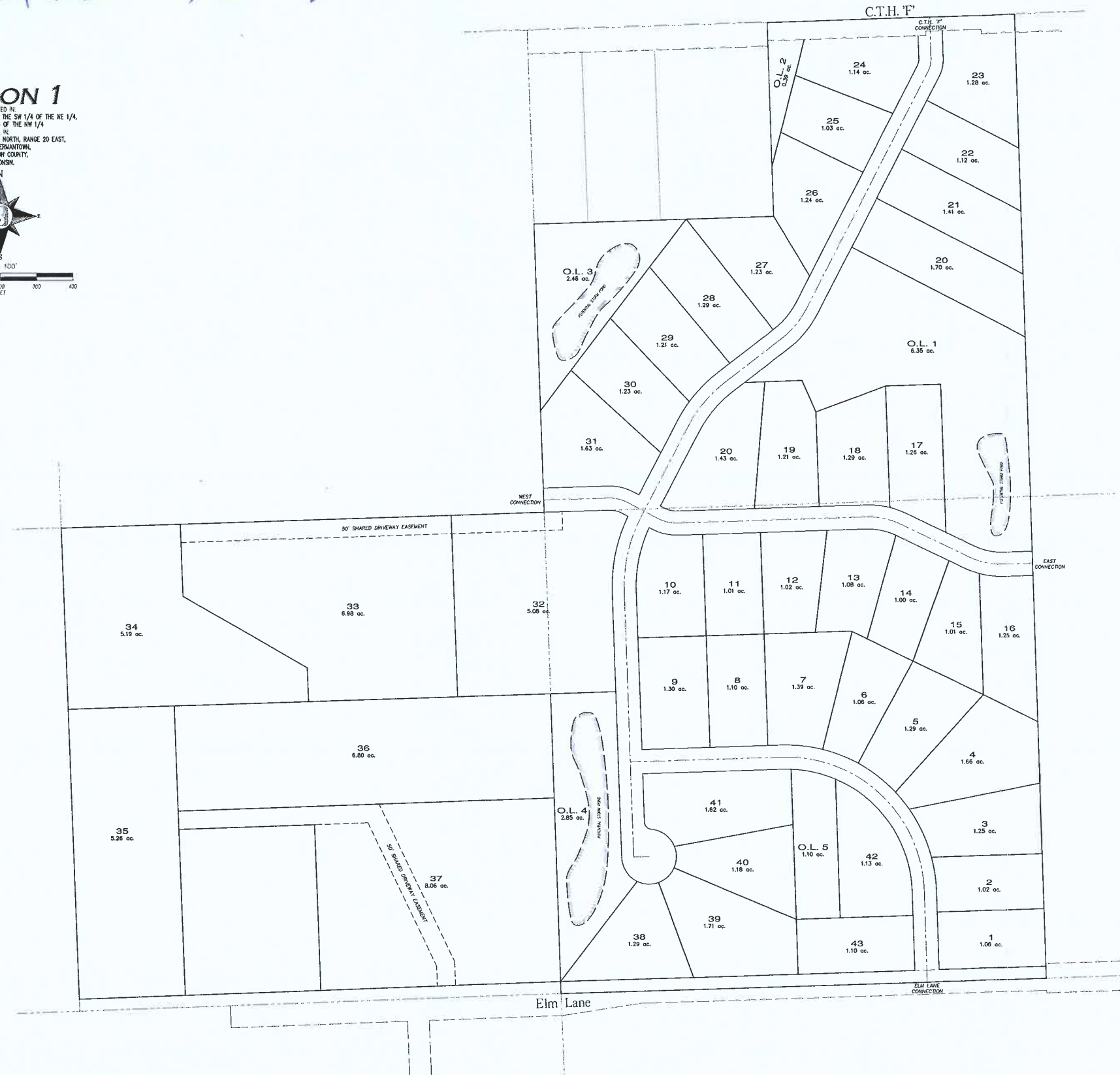
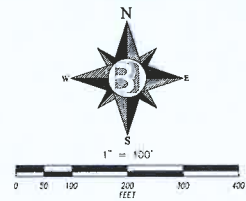
LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
R21, 1N
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



SEPTEMBER 11, 2017

OPTION 1

LOCATED IN:
THE NW 1/4 OF THE NE 1/4, THE SW 1/4 OF THE NE 1/4,
AND THE SE 1/4 OF THE NW 1/4
ALL IN:
SECTION 24, TOWNSHIP 9 NORTH, RANGE 20 EAST,
TOWN OF GERMANTOWN,
WASHINGTON COUNTY,
WISCONSIN.



CONDITIONAL USE PERMIT CONSULTATION

12/11/17 Plan Commission Meeting

Scott & Georgene Sommer

Village Planner Report

Germantown, Wisconsin

Summary

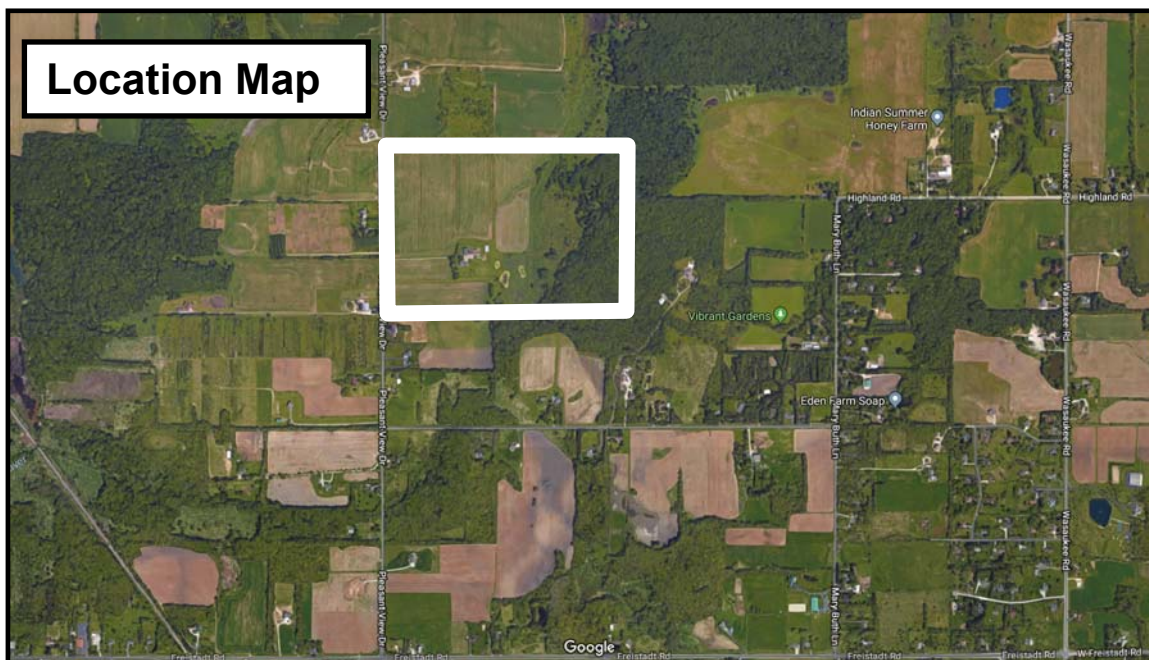
Scott & Georgene Sommer, property owners of a 120-acre farm located at W148 N12696 Pleasant View Drive are presenting a proposal to operate a farm kitchen, brewery and sausage production facilities on their property in an A-1: Agricultural Zoning District.

Property Location: W148 N12696 Pleasant View Drive

Applicant/Property Owner: Scott & Georgene Sommer
W148 N12696 Pleasant View Drive
Germantown, WI

Current Zoning: A-1: Agricultural

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



Proposal

Scott & Georgene Sommer, property owners of a 120-acre farm located at W148 N12696 Pleasant View Drive are presenting a proposal to operate a farm kitchen, brewery and sausage production facilities on their property in an A-1: Agricultural Zoning District.

As discussed in their supporting presentation, the Sommer's intend to create a unique "agri-tourism" destination on their 120-acre farm. Highlights of the proposed "Old Germantown Farmstead" include:

- Construction of a new 6,000 sqft commercial-grade, metal-sided/roof barn-style building for use as a farm kitchen w/ sit-down restaurant, small retail shop, sausage production, micro-brewery;
- Renovation of an existing 3,200 sqft shed for cold storage, produce and grain processing uses;
- Year-round operation w/ variable days & hours of operation depending on the season:
 - o May 15 to Oct 31 (Summer) Tuesday through Sunday
 - o Nov 1 to May 14 (Fall-Winter-Spring) Thursday through Sunday

The overall operation is intended to educate, display and promote local food production and historical traditions with locally produced grains, pastas, preserves, sausages, small-batch sodas and beer, wood-fire grill, oven and a smokehouse.

Staff Comments

The 120-acre Sommer property lies outside of the Village's Sanitary Sewer Area (SSA) and in an area designated on the 2020 Land Use Plan as "Agricultural/Conservation Residential". The land is currently zoned A-1: Agricultural. While components of the Sommer's proposal are specifically identified as being allowed in the Village's A-1: Agricultural Zoning District (e.g. farm markets, sausage production, retail sales of farm products), the restaurant and brewery components are uses that could be allowed under a conditional use permit.

Without question, this type of agri-tourism operation is the sort of agricultural use that Germantown is more likely to be presented with and capable of supporting vs. the traditional farm operation and uses specifically called out in the A-1 District list of uses.

(NOTE: While not a component of this proposal, the Sommer's proposal should be taken as a sign that the A-1 District regulations need to be updated to more appropriately address and provide for these types of agri-tourism operations).

At this time, staff and the Sommer's are requesting feedback on their proposal before formal application for a conditional use permit is submitted for Village review, public hearing and action.



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: 11-6-17 Received by: [Signature]

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

Phone () _____
Fax () _____
E-Mail _____

PROPERTY OWNER

Georgene & Scott Sommer
W148N12696 Pleasant View Dr
Germantown, WI 53022

Phone (414) 322-5872
Sommer@oldgermantown.com

2 PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER

W148N12696 Pleasant View Dr

141-996

3 REZONING REQUEST

FROM

TO

4 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

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.

Conditional Use Permit to allow a Farm Kitchen, Sausage Making and brewery to operate to the public

6 SUPPORTING DOCUMENTATION:

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

7 READ AND INITIAL THE FOLLOWING:

SS

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.

SS

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.

SS

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!

Applicant

Date

Scott V. Senger 11/6/17

Owner

Date

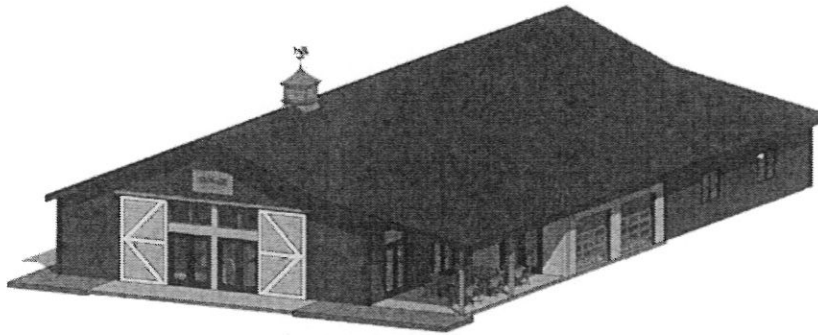
OLD GERMANTOWN FARMSTEAD

FARM KITCHEN, SAUSAGE & BREWERY

**WE PROMOTE LOCAL FOOD AND THE
TRADITIONS OF FARM-MADE
AMERICAN HERITAGE PRODUCTS**

**OLD GERMANTOWN FARMSTEAD LLC W148N12696 PLEASANT VIEW DRIVE
GERMANTOWN, WI 53022**





Request for a **conditional use permit** to allow a farm kitchen, brewery, and sausage production on Tax Parcel 141-996, a 40 acre parcel which is part of a 120-acre farm at W148N12696 Pleasant View Dr., currently zoned A1.

2

MISSION: PROMOTE LOCAL FOOD AND THE HISTORICAL TRADITIONS OF FARM-MADE AMERICAN HERITAGE PRODUCTS.

PROMOTE LOCAL PRODUCE, PROCESS FARM PRODUCTS, INCLUDING GRAINS, PASTAS, AND PRESERVES. MAKE SMALL BATCHES OF TRADITIONAL SAUSAGES, SODAS, LAGERS AND ALES. SERVE FARM TO TABLE CAFE MENU, USING WOOD FIRE GRILL, SMOKEHOUSE AND WOOD FIRE BRICK OVEN.

3

TRAVEL WISCONSIN .COM

Agricultural tourism, craft breweries, wine makers and specialty cheese makers are rapidly growing in both urban and rural areas.

Family-oriented, these destinations promote local traditions, history and educational experiences.



The Sommer family story

- 1989: Scott & Georgene Sommer purchase the 120-acre farmstead cleared in 1858. Over the decades the farm has served the growing Milwaukee market in produce, dairy, grains, and meat.
- Children Erica and Will are born on the farm
- Small scale production for West Allis Farmer's Market
- 60-acres of cropland farmed by Mark Hilgendorf
- Family cultivated hobbies of gardening, raising chickens, geese and hogs, sausage-making, food preserving, and beer making. Supported community organizations such as the Germantown Fire Dept. and Germantown Kickers.

2017: Purchased European Homemade Sausage Shop, from Frank Jakubcza, Milwaukee's respected south side sausage maker of specialty European sausages including Polish Kielbasa, Kiszka, Slovenian and Krakowska. We plan to continue to serve the demand of his loyal customers.

More about Frank:

- History Channel Meat America

<https://www.youtube.com/watch?v=aHU0Jg6lcUY>

- Wisconsin Foodie

<https://vimeo.com/35598156>

- Radio Milwaukee

<http://www.eurosausage.com/Pages/Media.aspx>

- Edible Milwaukee

[http://digitaleditions.sheridan.com/publication/index.php?i=158510&m=&l=&p=15&pre=&ver=html5#{"page":14,"issue_id":158510}](http://digitaleditions.sheridan.com/publication/index.php?i=158510&m=&l=&p=15&pre=&ver=html5#{)



6

Old Germantown Farmstead will be a community partner

- Germantown Recreation Dept.: Offer classes in cooking, food preservation, sausage making, beer-making and other farm-crafts.
- Agricultural programs for local schools and clubs.
- Organizations such as the Sons of Norway for their annual Spring festival.
- Supporting local growers by providing a point of distribution outside the weekly farmer's market.
- Outdoor fairs for local artisans and producers.

7

Construction Plans:

- New 6,000 sq. ft. building to be built over 1,000 ft. from road. Visibility partially obscured by existing barn and ruins of a fallen barn.
- Existing 3,200 sq. ft. shed remodeled and modernized for cold storage, produce and grain processing.
- Existing driveway to be widened for two-way traffic. New access drive to be added near existing barn.
- Gravel parking lot added to the north of existing barn and new building.
- Produce and farm production accessible for public interaction.
- Three-phase electric power installed.
- Septic: Request for variance. Install 4-6,000 gallon holding tank due to processing meat and yeast products.
- Signage at entrance to comply with village guidelines.

8

Old Germantown Farmstead will operate in ways that are compatible with the community

No changes to the main vista of the farm.

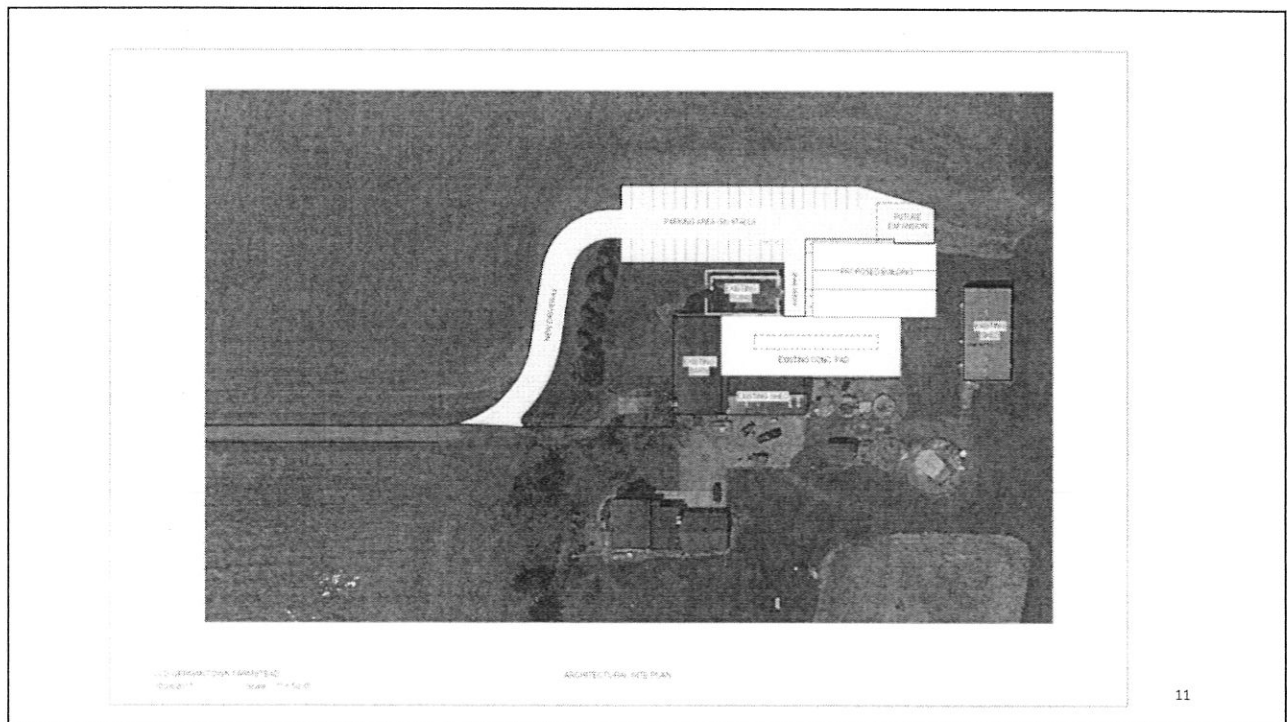
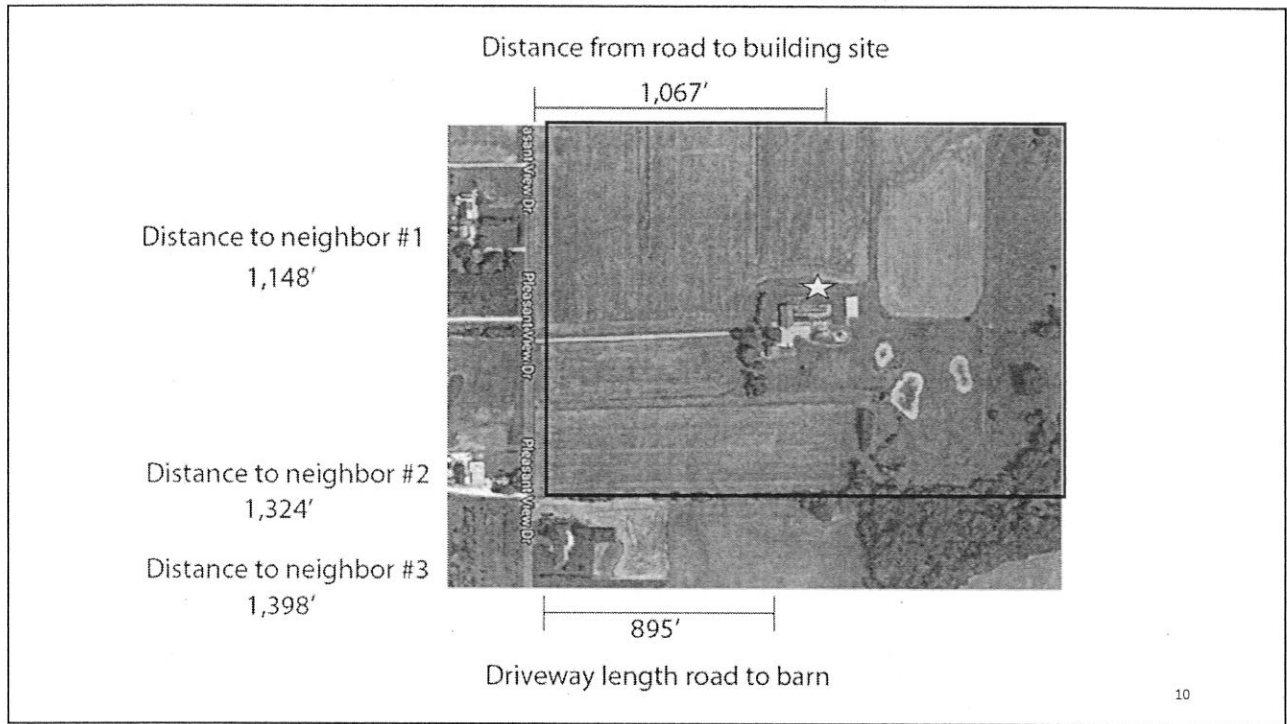
No activities that create an environmental pollution risk.

No business activities that require late night or early morning commercial traffic.

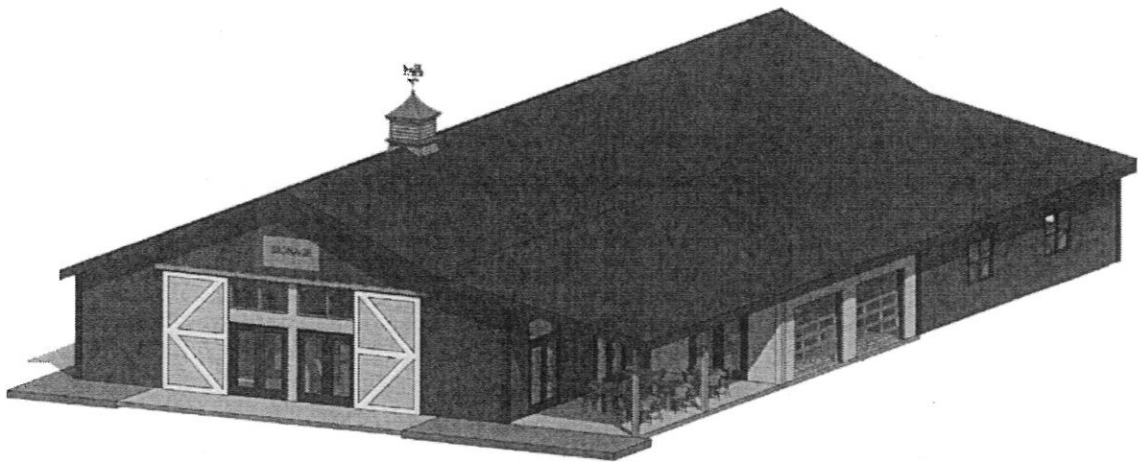
Traffic increases to be seasonal and comparable to other area retail farm sales operations.



9

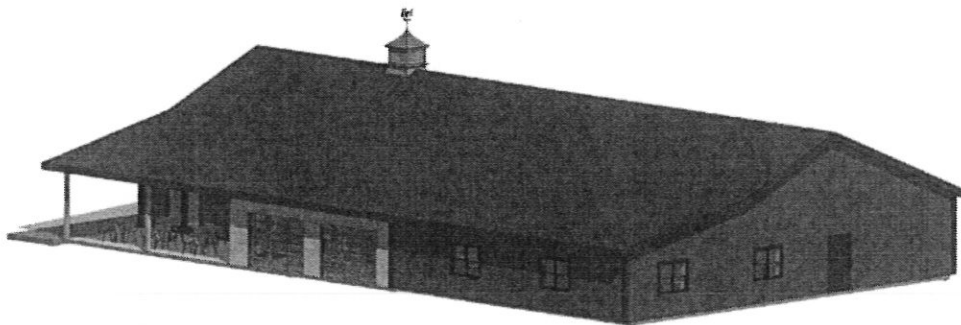


West View: Main Entrance

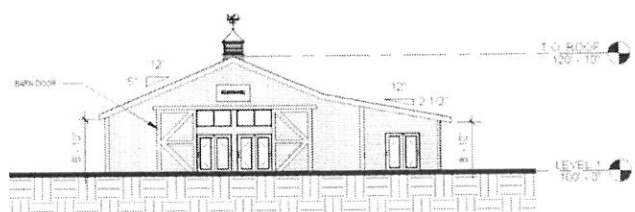


12

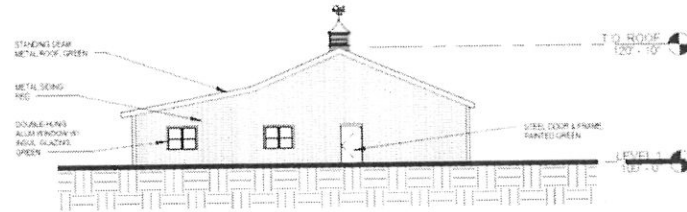
SE View



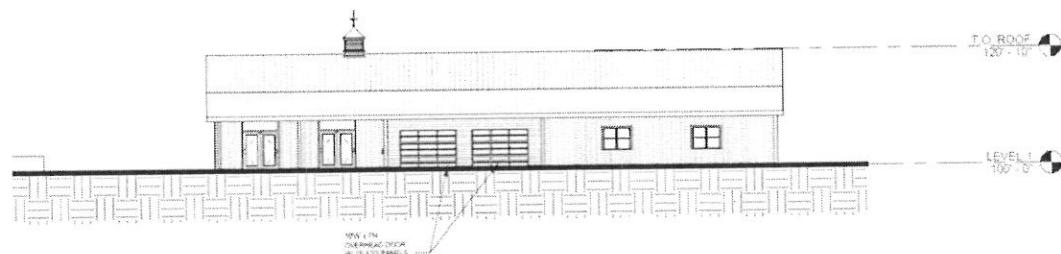
13



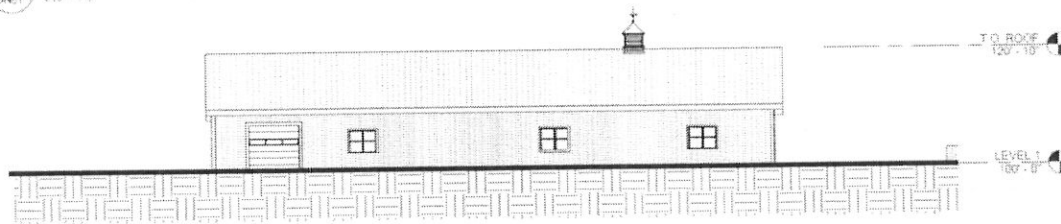
1
A401
EXTERIOR ELEVATION - WEST
1:15' = 1'-0"



3
A401
EXTERIOR ELEVATION - EAST
1:15' = 1'-0"



2
A401
EXTERIOR ELEVATION - SOUTH
1:15' = 1'-0"



4
A401
EXTERIOR ELEVATION - NORTH
1:15' = 1'-0"

OVERALL EXTERIOR ELEVATIONS

OLD GERMANTOWN FARMSTEAD
10.28.2017
Scale: 1:15' = 1'-0"

Proposed hours of operation:

May 15 – Oct. 31:

Monday: Closed

Tuesday - Wednesday: 3 –7 pm

Thursday - Friday: 10 am-8:30 pm

Saturday: 8 am - 8:30 pm

Sunday: 12 - 6 pm.

Open New Years Eve until 8:30 pm.

Closed: Thanksgiving, Christmas Eve, Christmas Day, New Years Day, Easter.

**Community or club meetings and/or classes may meet on Monday, Tuesday and Wednesday evenings, but will be closed to the public.*

Nov. 1 – May 14:

Monday-Wednesday: Closed

Thursday - Friday: 4 pm-8:30 pm

Saturday: 8 am - 8:30 pm

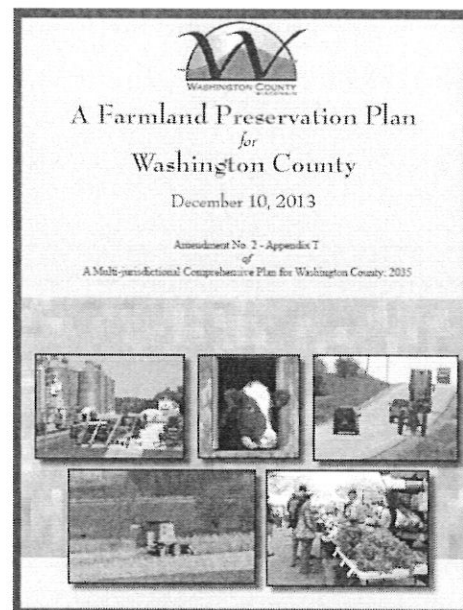
Sunday: 12 - 6 pm

16

How we comply to Germantown and Washington County planning

Germantown and Washington County have a plan for growth and the goal of preserving agricultural land.

The Farmland Preservation Plan includes the Working Lands Initiative



17

Overview of the Washington County Working Lands Initiative

"The preservation of Wisconsin's working lands is critical for the health and success of the State and its residents. These lands provide homes for people, flora, and fauna, and produce food, fiber, and sources of biomass for fuels and energy. Preservation of this resource base is vital for the future of agriculture, the health of our environment, and to sustain a healthy economy in Wisconsin."

18

Village of Germantown's "Smart Growth Plan"

The following guiding principles, goals, and objectives are found in the ***Village of Germantown 2020 Smart Growth Plan*** which was adopted by the Village Board on October 4, 2004 (most recently amended on October 19, 2009) and summarize how the Village of Germantown addresses the future of agriculture in its community.

19

Agricultural, Natural, and Cultural Resources Element: Goals & Objectives

Goal: Promote the preservation of existing natural features of the Village which add to the community identity, historic ways of life, economic base, and unique character of Germantown.

Goal: Provide Village residents with access to natural areas and open spaces.

Goal: Promote the preservation of agricultural land use in those areas where the most favorable environmental features will prolong the use of the land for agriculture.

Objective: Encourage the use of any organization that promotes the preservation of natural features.

Objective: Preserve and promote the registration of historic structures and farmsteads, which contribute to the cultural heritage of the Germantown area.

Objective: Identify and preserve important scenic vistas that contribute to the authenticity of the Village's historic farmsteads and settlements.

Objective: Explore and promote the use of any techniques which facilitate the preservation of agricultural land uses and unprotected natural features from development pressure by creating a viable economic option for land owners.

20

Goal: Promote the preservation of existing natural features of the Village which add to the community identity, historic ways of life, economic base, and unique character of Germantown.

Old Germantown Farmstead will....

...be preserved for future generations

...continue to be a living example of an original Germantown farmstead.

...provide economic benefits through agricultural/historical tourism and value-added processing of local products.

21

Goal: Provide Village residents with access to natural areas and open spaces.

Old Germantown Farmstead will....

...provide access to the working farmland and the natural spaces provided along the Menomonee River and the surrounding 40 acres of woodland.

22

Goal: Promote the preservation of agricultural land use in those areas where the most favorable environmental features will prolong the use of the land for agriculture.

Objective: Encourage the use of any organization that promotes the preservation of natural features.

Old Germantown Farmstead will....

...preserve the tilled acreage and increase farm assets in order to grow and process locally-produced products.

23

Objective: Identify and preserve important scenic vistas that contribute to the authenticity of the Village's historic farmsteads and settlements.

Old Germantown Farmstead will....

...preserve the original 1858 farmstead, open landscape, and surrounding natural habitat.

24

Objective: Encourage the use of any organization that promotes the preservation of natural features.

Old Germantown Farmstead will....

...preserve the open farmland, surrounding woodland, and maintain farm assets in order to grow produce, grains and produce other products from local, state and Midwest growers.

25

Objective: Preserve and promote the registration of historic structures and farmsteads, which contribute to the cultural heritage of the Germantown area.

Old Germantown Farmstead will....

...preserve the original 1858 farmstead and return to the original purpose of the community farm. Maintain a living connection to the cultural and historical heritage of Germantown.

26

Objective: Explore and promote the use of any techniques which facilitate the preservation of agricultural land uses and unprotected natural features from development pressure by creating a viable economic option for land owners.

Old Germantown Farmstead will....

...follow other community models that support small farming practices. Produce quality locally produced products and open their property to the public.

27

Agricultural tourism nearby

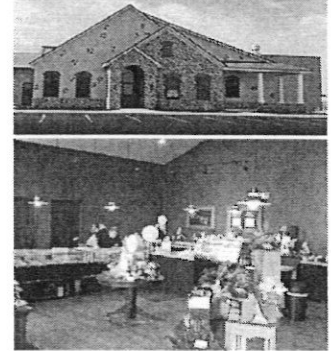
LaClare Farms County Road HH, Malone, WI 53049

Sunday 9 am - 7 pm

Monday - Saturday 10 am - 7 pm

"LaClare Farms provides a warm, relaxing atmosphere to enjoy a nice glass of wine, a delicious meal or to watch the goats during milking. When the weather permits you can enjoy the picturesque view from a table on our outdoor patio surrounded by beautiful landscaping."

Retail Shoppe with Café



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Agricultural tourism: Farms and pizza

Wisconsin has over five pizza farms, selling their farm-raised products, wine, cider, cheeses, and prepared foods such as pizza.

- **Stoney Acres**, Athens
<http://stoneyacresfarm.net/pizza-on-the-farm/>
- **A to Z Produce and Bakery**, Stockholm
<http://atozproduceandbakery.com/>
- **Suncrest Gardens Farm**, Cochrane
<http://suncrestgardensfarm.com/>
- **Lovetree Farmstead Cheese**, Grantsburg
<http://www.lovetreefarmstead.com/>
- **The Stone Barn**, Nelson
<http://www.thenelsonstonebarn.com/>



29

Examples of similar operations

Brewery Terra Firma is a production brewery, tap room, and MAEAP-certified farm located on 10 acres in residential area of Traverse City, Michigan.

2959 Hartman Rd, Traverse City, MI 49685

breweryterrafirma.com

Hours:

- Mondays-Saturdays: 10 am to 10 pm
- Sundays: 2-9 pm.



30

Examples of similar operations

Weeping Radish Brewery, Butchery & Pub is a production brewery, restaurant, and sausage maker located on 14 acres on the way to Kitty Hawk in North Carolina.

6810 Caratoke Hwy., Grandy, NC
<http://www.weepingradish.com/>

Hours:

- Mondays-Wednesday: 11 am – 4 pm
- Thursdays-Saturday: 11 am – 8 pm
- Sundays: 12 - 5 pm.



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Examples of similar operations

Arrowood Farm, Accord, NY

Production brewery and taproom.

<http://www.arrowoodfarms.com/>

Friday: 5-9 pm

Saturday: 1-9 pm

Sunday: 1-8 pm



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Examples of similar operations

Hop Lot Brewery is a production brewery, tap room, and restaurant in Suttons Bay, MI, north of Traverse City.

2959 Hartman Rd, Traverse City, MI

<http://hoplotbrewing.com/>

Hours:

- Mon.-Wed. 12-9 pm
- Thurs.-Sat.: 12-10 pm
- Sundays: 12-8:30 pm



33

Examples of similar operations

Hopshire Farm and Brewery, Freeville, NY

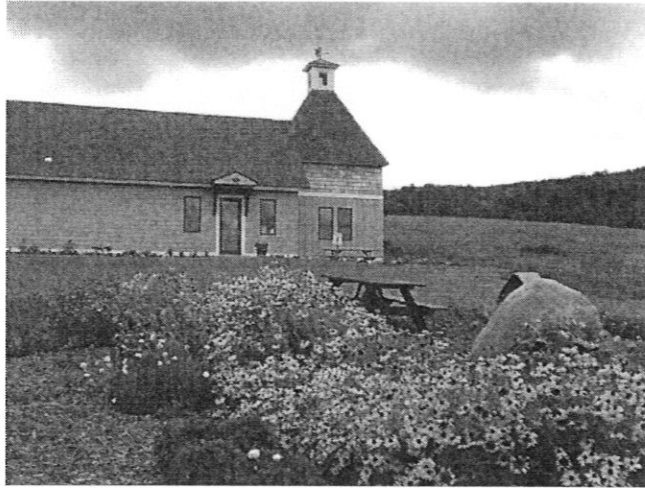
Production brewery and
taproom.

<http://hopshire.com/>

Wed.-Thurs. 4-8 pm

Fri.-Sat. 12-8 pm

Sunday: 12-6 pm



34

Examples of similar operations

Smuttynose Brewery, Hampton, NH

A much larger production
brewery, farmstyle
restaurant, and tap house
situated on a Victorian
farm.

<https://smuttynose.com/>



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