

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING:	PLAN COMMISSION
DATE AND TIME:	MONDAY, JANUARY 14, 2019 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 on items not subject to a public hearing:** 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:** December 10, 2018
- V. **PUBLIC HEARINGS:**
 - A. D. Lynne Luckow, Redline Training Center and Behavioral Consultation, LLC, Agent For Ozaukee Development Corporation, Property Owner, W188 N11786 Maple Road. Application for a Conditional Use Permit for the Operation of a Dog Training Facility.
 - B. Habitat for Humanity of Washington and Dodge Counties, Wis. Inc., Property Owner, W190 N10768 Commerce Circle. Conditional Use Permit to Operate a Habitat for Humanity "Restore" Secondhand Store.
 - C. Kyle Fraser, Agent for the Cusatis Trust, Property Owner, W213 N11111 Appleton Avenue. Conditional Use Permit for a Major Home Occupation for the Operation of a Landscape Maintenance Operation.
- VI. **NEW BUSINESS**
 - A. D. Lynne Luckow, Redline Training Center and Behavioral Consultation, LLC, Agent For Ozaukee Development Corporation, Property Owner – W188 N11786 Maple Road, Suites 2,3,4. Conditional Use Permit for a Dog Training Facility.
 - B. Habitat for Humanity of Washington and Dodge Counties, Wis., Inc., Property Owner W190 N10768 Commerce Circle. Conditional Use Permit to Operate a Habitat for Humanity Store.
 - C. Neumann Development Inc., Agent for Briscoe Development & Management Inc., Property Owner. Wrenwood Subdivision, 146.5-Acres South of Freistadt Road, West of Country Aire Drive, North of Mequon Road. Preliminary Subdivision Plat & Planned Development District (PDD) Amendment.
 - D. Douglas Cook, Property Owner – N120 W15170 Freistadt Road. Site Plan/Berm Permit Review Application.

- E. Ellsworth Corporation, Property Owner, W188 N11614 Maple Road. Request to Purchase .02-acres of Land from the Village of Germantown on Maple Road in the Germantown Industrial Park.
- F. Village of Germantown, Property Owner – W204 N12333 Goldendale Road. Site Plan Review for a Water System Pressure Booster/Reducer.

VII. **ANNOUNCEMENTS:**

VIII. **ADJOURNMENT:**

The next Plan Commission Meeting will be on January 28, 2019 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
December 10, 2018

CALL TO ORDER: Planning Assistant Lori Johnson called the meeting to order at 5:40 p.m.

ROLL CALL: Trustee Rep David Baum, Commissioners Peter Nilles, Bob Williams, Matt Kimmler, and Bill Shadid were present. Chairman Wolter and Commissioner Laszewski were absent. Also present were Community Development Director/Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

MOTION Kimmler second Shadid to appoint Trustee Baum as Chairman Pro-Tem.
MOTION carried unanimously.

PUBLIC INPUT: None

APPROVAL OF MINUTES: ***MOTION Kimmler second Williams to Approve the minutes from 11-12-18.***
MOTION carried unanimously.

Glen & Deborah Wilson – W218 N9780 Happy Hollow Lane. The property owners are seeking approval of a 2-lot Certified Survey Map in order to create a new residential parcel in the Happy Hollow Estates Subdivision. Planner Retzlaff summarized the proposal. He indicated that soil tests had been received indicating the new Lot 1 can support a private on-site wastewater treatment system.

MOTION Shadid second Kimmler to Approve the 2-lot Certified Survey Map (CSM) of the 1.9-acre parcel owned by Glen & Deborah Wilson located on Happy Hollow Lane subject to the following conditions:

- 1. All technical corrections identified by the Village Surveyor in the November 29, 2018 memo shall be made prior to Village Board action on the CSM.***
- 2. Soil evaluation results indicating that proposed Lot 1 can support a private on-site wastewater treatment system (POWTS) shall be submitted to the Village prior to Village Board action on the CSM. (this item has been satisfied)***

MOTION carried unanimously.

Gary & Marcia Kons – W148 N13491 Pleasant View Drive. The property owners of a 12.27-acre parcel are seeking approval of a 2-lot Certified Survey Map and Rezoning from A-2: Agricultural to Rs-1: Single-Family in order to create a new residential lot. Planner Retzlaff summarized the proposal.

MOTION Shadid second Nilles to Approve rezoning the 12.27 acre parcel from A-2: Agricultural to Rs-1: Residential Single-Family.
MOTION carried unanimously.

MOTION Shadid second Williams to Approve the 2-lot Certified Survey Map (CSM) for the 12.27-acre parcel owned by Gary & Marcia Kons located on Pleasant View Drive subject to the following conditions:

- 1. All technical corrections identified by the Village Survey or in the November 29, 2018 memo shall be made prior to Village Board action on the CSM.***

MOTION carried unanimously.

Chairman Wolter and Commissioner Laszewski arrived 5:47 p.m.

Veridian Homes, Agent for the Germantown School District – N104 W14942 Donges Bay Road.

The request is for approval of a 2020 Land use Plan map amendment, rezoning application and concept plan for a 14.7 acre residential subdivision with 30 single-family lots on Preserve Parkway north of Donges Bay Road. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the proposed 2020 Land Use Plan (LUP) map amendments to change the classification of approximately 14.7 acres owned by the Germantown School District from Park/Recreation area to Low Density Residential.

Trustee Baum said the applicant had a neighborhood meeting to discuss the proposed development. Ten residents attended the meeting and expressed concerns with the house values, the size of the yards and houses and the potential for people to be parking on the street to use the park. After discussing, they recognized the houses will be the same size as what is currently in the area and that anyone buying there will need to get used to people parking on the street to access the park. Ralph Simoneau, N115 W16724 Royal Court, indicated he was involved with the Land Use Plan as a former member of the Park & Recreation Commission and thinks an analysis study should be done.

MOTION carried unanimously.

MOTION Baum second Shadid to Approve the Rezoning of approximately 14.7 acres owned by the Germantown School District from the A-2: Agricultural to the Rs-6: Single-Family District and the proposed 30-lot concept plan dated October 29, 2018 subject to the following conditions:

- 1. If the Developer's request for an artificial wetland exemption for Wetland #3 in the southeast corner of the site is not granted by the WisDNR, the lot and road layout shall be revised to locate all delineated wetlands and the associated 25' wetland setback for Wetland #3 in an open space outlot and not within any platted lot.***
- 2. The Developer shall submit a detailed landscaping plan that provides adequate buffering along Preserve Parkway (Lots 1#, #24 and outlot) and along the back (south) side of Lots #15-#19 to the Plan Commission for approval prior to or concurrent with the submittal of the preliminary plat.***

Commissioner Laszewski asked what type of landscaping could be put in the gas line easement. Planner Retzlaff said he would look to the developer to see what could be put in the easement, possibly some berming, some trees or buffering.

MOTION carried unanimously.

5G Investments, LLC – N112 W15297 Mequon Road. The property owner is seeking an amendment to the Copperwood East-LaChimenea Planned Development District (PDD) to allow general office use of the 5,500 sqft building . Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the proposed text amendments to the Copperwood East-LaChimenea PDD Resolution No. R27-04 to reflect the proposed name change and change in the allowable use of the 5,500 sqft building for general office uses.

Chairman Wolter asked if there were plans to develop the property to the west. Planner Retzlaff said the concept plan shows that area, where the 2 old homes were recently removed, as a future development area and that anything proposed for that area would need to come back through the planned development district amendment process for approval. Chris Greene, property owner, said because LaChimenea has closed, he will use the building as his office and potentially add something to the west property, but he wasn't sure what.

MOTION carried unanimously.

Historic Preservation Commission for Our Saviour's United Church of Christ – W172 N12533 Division Road. The congregation is seeking approval of the Village's Historic Designation for the church. Planner Retzlaff summarized the proposal.

MOTION Nilles second Baum to Approve the requested Historic Designation for Our Saviour's United Church of Christ located at W172 N12533 Division Road.

MOTION carried unanimously.

Review consultant qualification statements and consultant interviews for the 2050 Comprehensive Plan update.

Three consultant firms, Vierbicher, Vandewalle & Associates and Graef gave presentations to the Commission for their consideration.

MOTION Baum second Nilles to go into closed session for consideration and recommendation for consultant services for the Germantown 2050 Comprehensive Plan project.

MOTION carried unanimously.

Planning Assistant Johnson was excused at 9:50 p.m.

ADJOURNMENT:

Respectfully submitted,

Lori Johnson
Planning Assistant

CONDITIONAL USE PERMIT APPLICATION

1/14/19 Plan Commission Meeting

Redline Canine Training Center / D. Lynne Luckow

Village Planner Report

Germantown, Wisconsin

Summary

D. Lynne Luckow, agent for Redline Canine Training Center & Behavioral Consultation LLC, operator and Douglas R. Lane Real Estate, property owner, is seeking a Conditional Use Permit for the dog training and education facility in the building located at W188 N11786 Maple Road in the Germantown Industrial Park.

Property Location: W188 N11786 Maple Road

Applicant/

Property Owner:

D. Lynne Luckow
RCTC LLC

W157 N10822 Catskill Ln
Germantown, WI

Douglas R. Lane Real Estate
Alpine Business Center

W188 N11786 Maple Road
Germantown, WI

Current Zoning: M-1: Limited Industrial District

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



Proposal

Lynne Luckow, agent for Redline Canine Training Center & Behavioral Consultation LLC (RCTC), operator and Douglas R. Lane Real Estate, property owner, is seeking a Conditional Use Permit for the dog training and education facility in the building located at W188 N11786 Maple Road in the Germantown Industrial Park. The operation will occupy Suites 2,3 & 4 comprising approximately 9,600 gross sqft of the 25,600 sqft multi-tenant building.

As discussed in the application materials, RCTC will provide a variety of dog training, exercise and educational services to dog owners and the general public at the facility and throughout the community. All activities and services will be provided on-site and inside the building. No over-night or day-time daycare or boarding services are to be provided.

Hours of operation are proposed to be: Monday through Sunday, 6:00am to 10:00pm. The number of employees is expected to be 1-2 employees. While no new construction is expected, the interior space will be set up in a manner similar to that presented in the photos included with the application. RCTC currently operates from an existing facility in Allenton, WI.

Staff Comments

Although "dog training facilities" are not specifically listed as a permitted use in any of the Village zoning districts, the proposed use could be allowed in the M-1 District with a conditional use permit. As set forth in the Zoning Code, the list of CUP uses that may be allowed in the M-1 District includes ***"Commercial activities allowed in the B-2 Community Business District when the Plan Commission finds that the activity directly supports the businesses in the Industrial Park and can be integrated into an overall plan..."*** [see Section 17.33(3)(h)]. Based on previous discussion and action by the Village to approve other "unclassified" uses such as martial arts and health training/recreation operations, as well as other dog-related daycare-type establishments, this "unclassified" use is likely suited in this multi-tenant business setting in the Industrial Park. As a matter of procedure, the PC needs to consider and determine if the proposed use is the type of business or activity is similar to and compatible with other uses in the Industrial Park. Staff is of the opinion that it does.

Planning & Zoning

Since all of the activities and services are to be provided inside the building and during normal weekday business hours, staff is concerned with the possibility, as slight as it may be, that potential noise from the operation may impact the adjacent business tenants. The operator, Lynne Luckow, has indicated that she has talked with the adjacent tenants about this potential issue and, if it becomes a problem, RCTC will investigate the installation of sound-deadening materials, e.g. sound absorbing acoustic panels or other sound-proofing measures, within the tenant space.

Fire Department

Fire Department staff has reviewed the proposal and is concerned with the maximum "person capacity" of the tenant space and the fact that the building does not currently have a fire protection system. However, as a result of their initial site inspection and

discussions with the operator, RCTC has agreed to limit the number of persons occupying the building to a maximum capacity of 49 persons and post the necessary occupancy signage in the building. In the event that the maximum capacity of 49 persons is expected to be exceeded, RCTC would likely be required to re-classify the occupancy type from "business" to "assembly" and, as a result, make/install any additional, necessary fire-safety measures (or discontinue operation if doing so is cost-prohibitive or not possible).

Consequently, the Fire Department is recommending that following requirements should be included with any CUP approval:

1. The owner/operator shall coordinate with the Fire Department to properly post the tenant space with a maximum occupancy of 49 persons. In the event that the maximum capacity of 49 persons is exceeded on a regular basis as determined by the Fire Department, the owner/operator will be required to re-classify the occupancy type from "business" to "assembly" and, as a result, install any additional, necessary fire-safety measures required by the Fire Department, or, discontinue operation.

Village Planner Recommendation

APPROVE a conditional use permit for the operation of a dog training and education facility in the existing building located at W188 N11786 Maple Road (Alpine Business Center Suite 2, 3 & 4) in the Germantown Industrial Park subject to the following conditions:

1. This permit authorizes limited uses and activities as set forth in the conditional use permit application dated December 5, 2018 and in the supporting documents made part of the application on file with the Village. All of the operational characteristics and services as described, as well as any commitments made by the Applicant as set forth in the application, supporting documents, and made during presentations to the Village Plan Commission, Village Board and Village staff are deemed to be conditions of approval.
2. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or, where there is a change in the nature, character, intensity or extent of the activities and/or uses which cause problems or harmful effects not anticipated at the time of approval of this CUP or where conditions imposed were anticipated to ameliorate or eliminate such problems or harmful effects but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, the conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
3. All interior and exterior building modifications (including exterior lighting) and/or site improvements may require permits and/or other approvals from the Village. State-approved plans may be required for any proposed improvements or remodeling. Detailed plans for any interior or exterior improvements shall be submitted to the Village as part of a building permit application.
4. If the proposed use constitutes the type of change in occupancy that requires interior and/or exterior remodeling or additional fire safety features to comply with current building, fire safety and other applicable codes and regulations, the operator shall coordinate the preparation and submittal of state-approved plans to and approved by the Village Fire Department and Inspection Services prior to occupancy.
5. The owner/operator shall coordinate with the Fire Department to properly post the tenant space with a maximum occupancy of 49 persons. In the event that the maximum capacity of 49 persons is exceeded on a regular basis as determined by the Fire Department, the owner/operator will be required to re-classify the occupancy type from "business" to "assembly" and, as a result, install any additional, necessary fire-safety measures required by the Fire Department, or, discontinue operation.
6. The owner/operator shall contact the Fire Department and Inspection Services for a pre-occupancy inspection prior to commencing operations.
7. All exterior signage, including temporary signs, require a permit from the Village.
8. If the Village receives any complaints regarding noise generated from barking dogs, the owner/operator shall install sound-deadening materials, e.g. sound absorbing acoustic panels, or implement other sound-proofing measures within the tenant space.



Village of



Fee must accompany application

7 \$1460 Paid 7 Date 12/5/18

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

1 APPLICANT OR AGENT

D Lynne Luckow
W157 N10822 Catskill Lane
Germantown, WI 53022

Phone (414) 699-7727

Fax (414) 476-9089

E-Mail RedlineLynne@hotmail.com

PROPERTY OWNER

Douglas R. Lane Real Estate
PO BOX 893

7612A Hwy 60
Cedarburg, WI 53012

Phone (262) 377-8597

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Redline Canine Training Center and Behavioral Consultation, LLC

3 PROPERTY ADDRESS

Alpine Business Center
W188 N11786 Maple Road Suite 2,3,4 Germantown,
WI 53022

TAX KEY NUMBER

4 DESCRIPTION OF EXISTING OPERATION

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

Vacant

5 DESCRIPTION OF PROPOSED OPERATION

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

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

Employee's - 1-2 depending on growth
Hours = 6AM to 10PM - Monday through Sunday (7 days)
NO New construction (As is)
See attached Community Impact Document and Photos
www.RCTCclickerTraining.com

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY — REQUIRED

6

Attach pages as necessary.

LOT 1 - CMS 3184 DOC 958719 SEC 21-9-20 2.88 AC

SUPPORTING DOCUMENTATION:

7

☐ Site plan and elevations for new construction (can be conceptual) N/A

☒ Photos of existing use and/or proposed use operating elsewhere

☒ See WWW.RCTClickerTraining.com

☒ Alpine Business Center Proposal: Community Impact

READ AND INITIAL THE FOLLOWING:

8

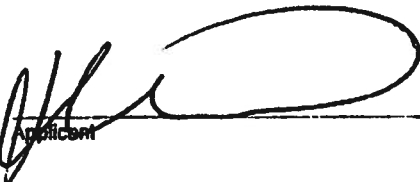
☒ I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.

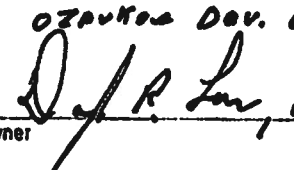
☒ I will notify the Village if any aspect of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

☒ I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.

SIGNATURES — ALL APPLICATIONS MUST BE SIGNED BY OWNER!

9

 12-4-18
Applicant Date

OZARKIA Dev. Corp.
 12/4/18
Owner Date

Redline Canine Training Center and Behavioral Consultation, LLC

Alpine Business Center Proposal: *Community Impact*

Redline Canine Training Center is excited to be an active member of the greater Germantown community and is eagerly looking forward to sharing our expertise and passion for dog training in a variety of ways that will positively contribute to its citizens and visitors.

We intend to have a significant footprint in the Germantown community by actively participating in numerous ways that will support businesses, schools, and civic efforts.

With input and collaboration from the community, Redline Canine Training Center will offer a vast array of unique and innovative programs for the citizens of Germantown. These will be planned and coordinated throughout the year and can take place on-site at our facility or at locations throughout the community. Redline Canine Training Center is prepared to include the following opportunities:

Civic Engagement

Promoting Responsible Dog Ownership: Redline Canine Training Center will offer a wide range of classes and seminars for dog owners, while we are primarily focused on agility, we will offer additional topics such as new puppy classes, manners, leash walking, and more. Our facility will offer both the new and the seasoned dog owner a state-of-the-art facility to exercise and train their dogs. Redline Canine Training Center will be a wonderful place for families to visit and enjoy!

Supporting Education: Redline Canine Training Center will serve as a resource for public and private schools by delivering educational presentations that meet the needs and education outcomes of the schools. (For more information on youth programs, see below.) These programs can be delivered on-site at our facility or in the classroom.

Supporting Local Business and Government: Redline Canine Training Center eagerly looks forward to supporting the efforts of the police department, Chamber of Commerce, and government entities.

Supporting Civic and Non-Profit Organizations: Redline Canine Training Center plans to support the Germantown community in a variety of ways, including through in-kind and monetary contributions as well as through collaborations, partnerships, and programs.

Youth and Community Programming

Redline Canine Training Center is extremely excited to deliver youth and community programming to Germantown. We have a humane educator on staff who has over two decades of youth and community engagement experience and is thrilled to bring her expertise and passion for community programming to Redline. A sample of the programming we are prepared to implement includes the following:

Community Open Houses: Redline Canine Training Center will feature a state-of-the-art competitive agility turf. We will provide a wonderful array of thrilling agility demonstrations that will engage and entertain the community! We will also provide on-site demos and “fun agility” areas for the community to come try at charity events such as 5K's, non-profit events, and school events.

Therapy Dog Programs: Redline Canine Training Center will train and provide certified therapy dogs for visits at our facility or on-site at schools or organizations such as convalescent and rehabilitation centers, adult day centers, retirement homes, schools, libraries, scout meetings, and after-school programs.

Reading Programs: Redline Canine Training Center will coordinate Reading Programs where young people read to certified therapy dogs. These acclaimed programs have shown to improve reading skills, school attendance, and self-esteem for students of all backgrounds and grade levels.

Educational Programs: Redline Canine Training Center will deliver a wide range of lessons, seminars, and workshops for young people and community members on the following topics:

- Dog Bite Prevention
- Staying Safe Around Dogs
- How to Care for Dogs
- How to Interact with Dogs (i.e. How Dogs Communicate)
- Careers in the Dog Industry
- How to Help Dogs in Need
- The Keys to Responsible Dog Ownership
- Dog Training 101
- Teach Your Dog Tricks
- Ask the Trainer!

We look forward to delivering these lessons and presentations to the following:

- Scouting Groups
- 4H Groups
- Church Groups
- Senior-Aged Groups
- Non-Profit Groups (YMCA's, etc.)
- Schools, Day Care Centers, and After-School Programs
- Police Department and Civic Groups (National Night Out, Safety Town, etc.)
- Special Needs Programming (any of our lessons can be tailored to meet the goals and objectives of special needs groups)

We are thrilled to set our sights on the Village of Germantown. With a population of 19,749 and a median household income of \$ \$68,975, it is the perfect location for our training center.

We know that Germantown is a growing and robust community with a rich history and bright future. We believe that Redline Canine Training Center will be an invaluable asset to the pet owners of Germantown! Dog ownership in the United States has grown to 89.7 million dogs in households with \$5.24 billion spent annually on pet services. Redline Canine Training Center will offer a convenient, unique, and fun training experience for individuals and families to enjoy year-round.

In conclusion, Redline Canine Training Center will serve the citizens of Germantown through dynamic and innovative programming and will make a significant and positive impact through our unique presence. We are eagerly looking forward to being actively involved, to contributing to the wellness of the community, and to supporting educational and civic efforts. Our facility will be a popular place for everyone to enjoy; we would be honored to share our expertise and passion, along with our invaluable resources, with the entire community.

We believe that Redline Canine Training Center will serve the community in countless ways, becoming an invaluable asset to the community of Germantown and its surrounding neighborhoods.

Sponsorship Opportunities

We will actively seek out opportunities to engage sponsors to support the facility in a variety of ways which will offset building and programming costs. Sponsors will receive significant acknowledgement and recognition via banners, social media, and website features. We will strive to have a strong community presence in our facility. Redline Canine Training Center staff have vast experience in sponsorship development as well as relationships with numerous businesses and organizations. Some of the many we will seek to include are:

- Harley Davidson
- Friends of Nature
- Minuteman Press
- Heartlaub Heating and Cooling
- Nimmer Fence Company
- Bentley's Pet Stuff
- Kohl's and Harley Davidson
- Dog Food Companies (Numerous)
- Veterinary Clinics (Numerous)
- Karen's K9 Pet Care
- Floor Coverings International
- Kari the Painter
- Techteriors
- Elmbrook Humane Society

REDLINE CANINE TRAINING CENTER PROPOSED PHOTO EXAMPLES



The Above photo is an agility space that is 100 x 60 with a carpeted flooring. The photo below is a slightly larger space most likely 80 x 120.

These photos would resemble the interior of the space at the Alpine Business Center Location. The Proposed flooring will be an artificial turf as seen below.



CONDITIONAL USE PERMIT (CUP)

1/14/19 Plan Commission Meeting

Habitat for Humanity of Washington County

Village Planner Report

Germantown, Wisconsin

Summary

Bernie Hletko, agent for Habitat for Humanity of Washington County, property owner is requesting approval of a Conditional Use Permit (CUP) to operate a Habitat for Humanity Restore operation from the existing 3.3-acre, 31,080 sqft commercial property (formerly occupied by Gander Mountain) located at W190 N10768 Maple Commerce Circle.

Location: W190 N10768 Maple Commerce Circle

Applicant/

Property Owner:	Bernie Hletko, Director Retail Operations Habitat for Humanity Wash Co West Bend, WI	Habitat for Humanity Wash Co 601 Schoenhaar Drive 342 Scenic Ct West Bend, WI
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Zoning: B-1: Neighborhood Business

Adjacent Land Uses		Zoning
North	Business	B-1
South	Business	B-1
East	Business	B-1
West	US 41/45	n/a

Location Map



Proposal

Bernie Hletko, agent for Habitat for Humanity of Washington County, property owner is requesting approval of a Conditional Use Permit (CUP) to operate a Habitat for Humanity Restore operation from the existing 3.3-acre, 31,080 sqft commercial property (formerly occupied by Gander Mountain) located at W190 N10768 Maple Commerce Circle.

As indicated in the application, Habitat for Humanity is proposing to relocate and expand their existing Restore sales operation from the existing multi-tenant building located next door at W188 N10707 Maple Commerce Circle to the existing 31,080 sqft building formerly occupied by Gander Mountain. All three Habitat Restores in the Washington/Dodge County area sell donated new and second-hand/used furniture, appliances, cabinets, windows, doors, tile, tools and other building materials to the general public at significantly less than retail prices. All proceeds help Habitat build and renovate homes for families in need in the Washington/Dodge County areas.

Hours of operation for the Germantown Restore are Monday to Friday, 9:00am to 6:00pm and Saturday 9:00am to 4:00 pm. The Restore employs 3-4 persons per shift. Donations will continue to be received at the Restore, but given the size of the existing 31,080 sqft building, there will not be any outside storage or display of items for sale. Donated items during business hours will be moved inside as quickly as possible. After hours donations are discouraged.

Staff CommentsConsistency with Village's Land Use Plan & B-1 Zoning District.

The 2020 Land Use Plan map classifies this property as "Commercial". The current zoning of the property (and adjacent properties) is B-1: Neighborhood Business. The proposed second-hand "Restore" operation is generally consistent with the plan map classification but requires a conditional use permit (CUP) under the B-1 District regulations.

The Gander Mountain retail operation was originally issued a conditional use permit (CUP #8-98) for "the construction/operation of a 31,080 sqft Gander Mountain retail store" with one condition requiring "...compliance with all applicable B-1 Zoning Code requirements". Although the size of the building will not change as a result of the Restore operation moving into the building, building size is not the only characteristic intended by the requirement under the B-1 District regulations which requires "any store over 20,000 sqft in floor area" to obtain a conditional use (see Section 17.28(3)(q) of the Zoning Code). Although "second-hand stores under 5,000 sqft" are a permitted use in the B-1 District, there is no specific language in the B-1 District regarding secondhand stores over 5,000 sqft. Staff does not believe that the B-1 District was written to exclude or prohibit second-hand stores over 5,000 sqft. To the contrary, staff has determined that a secondhand store over 5,000 sqft falls within the "any store" parameters under 17.28(3)(q). Consequently, secondhand stores over 5,000 sqft may be allowed with a CUP. (NOTE; the existing operation is permitted at the current location next door and

without a CUP because the size of the space used is less than 5,000 sqft).

Staff also believes that a secondhand sales operation like the Habitat “Restore” is a different use than what was approved or even contemplated when the CUP was originally issued for the Gander Mountain retail operation. Unlike the Gander Mountain retail store, the Habitat Restore has the potential to create a less than desirable appearance, and potential public nuisance, resulting from after-hours donation/drop-off activities. While the donation of items is the primary means by which the items intended to be sold are first acquired and the overall basic concept behind the Restore business model, after-hours “donations” can (and have) resulted in the dumping of not-so-gently used furniture, appliances and building materials that are nothing more than unusable, unsightly junk that should be taken to the landfill or at best, requires significant restoration in order to become a re-saleable item.

For this reason, staff recommends that, if approved, the CUP be used to require the Habitat Restore operation to diligently monitor and establish procedures to mitigate (if not prohibit) after-hours donations of unusable and unsightly items at the new facility. This has been a problem at the existing location; likely due to the relatively small building size.

To that end, the Director of Operations, Bernie Hletko, has indicated their commitment to better regulate after-hours donations, move donated items into the building the same day, continue to work with the Germantown Police Department regarding after-hours drop-offs, and, not store items outside of the building.

Another staff issue concerns the exterior wall-mounted signage. The existing sign cabinets mounted on the building do not comply with the Village’s sign regulations. The operator has expressed a desire to re-use the existing sign cabinets. It may be possible to retrofit the cabinets with code-compliant sign faces. Any new or re-used signs must comply with the sign regulations, including the need to obtain sign permits for all permanent and temporary signage displayed on the building and/or property.

Village Planner Recommendation

APPROVE a conditional use permit (CUP) for the proposed 31,080 sqft Habitat for Humanity restore operation proposed for the commercial property located at W190 N10768 Maple Commerce Circle subject to the following conditions:

1. This permit authorizes only the uses and activities set forth in the conditional use permit application dated December 10, 2018 and in the supporting documents made part of the application on file with the Village. All of the operational characteristics and services as described, as well as any commitments made by the Applicant as set forth in the application, supporting documents, and made during presentations to the Village Plan Commission, Village Board and Village staff are deemed to be conditions of approval.
2. The Restore second-hand store shall meet and continuously comply with all applicable B-1: Neighborhood Business District requirements and all nuisance and property maintenance provisions, limitations and regulations in Section 10 (Public Nuisances) of the Municipal Code.
3. If the use, activities and/or operation subject of this permit falls out of conformity with the operational characteristics stated in the application and supporting information dated December 10, 2018, or where there is a change in the nature, character, intensity or extent of the permitted conditional use which causes special problems or harmful effects otherwise associated with the use to be no longer ameliorated or eliminated, or where conditions imposed were anticipated to ameliorate or eliminate harmful effects associated with the use but are insufficient to do so, or for similar cause based upon consideration for the public comfort, safety, and welfare, the conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.
4. All temporary and permanent signs require a permit from the Village Community Development Department. All signs shall comply with current sign regulations under Section 17.46 of the Zoning Code.
5. All site and building improvements, including but not limited to: building additions & renovations, accessory structures, increased impervious area, exterior lighting, fencing, require Zoning Permit or Site Plan approval from the Village.
6. Outside storage is prohibited. Items donated during or after business hours shall be moved into the building the same day (but not later than the next business day after) said items are dropped off. Items not intended for or capable of being sold secondhand shall be removed from the property and stored inside until removed. Items that may be incapable of being stored inside due to size, condition or potentially harmful impacts resulting from said items may be kept outside in the rear yard area east of the building provided said items are secured in an approved/permitted enclosure until removal from the site. The operator shall take whatever reasonable actions or means necessary to prohibit the dumping or keeping of trash, debris and other junk (as defined in the Municipal Code) on the property. The outside display of items offered for sale is prohibited.
7. The operator shall obtain and maintain all licenses required for second-hand dealers by the State of WI, Washington County and/or Village of Germantown.



Village of



Germantown

Willkommen

Fee must accompany application

☒ \$1460

Paid

Date

12-10-18
12-14-18

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

1 APPLICANT OR AGENT

Bernard HLEMO

W190 N10768 Commerce Circle

Germantown WI 53022

Phone (262) 483-4968

Fax ()

E-Mail dor.chfh.wash.co.org

PROPERTY OWNER

HABITAT for Humanity

of Washington & Dodge St

601 Schoenhauer Dr

West Bend WI 53090

Phone (262) 338-0690

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

Property owner

3 PROPERTY ADDRESS

W190 N10768 Commerce Circle

TAX KEY NUMBER

294 980

4 DESCRIPTION OF EXISTING OPERATION

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

VACANT

5 DESCRIPTION OF PROPOSED OPERATION

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

~~62~~ ~~600~~ Retail

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

31,800 Sq ft

3-4 Employee

m-F 9-6 SAT 9-4

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY — REQUIRED

6

Attach pages as necessary.

SUPPORTING DOCUMENTATION:

7

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

READ AND INITIAL THE FOLLOWING:

8

BDH I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.

BDH

I will notify the Village if any aspect of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

BDH

I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.

SIGNATURES — ALL APPLICATIONS MUST BE SIGNED BY OWNER!

9

BDH [Signature]
Applicant

12-10-18
Date

[Signature]
Owner

12-10-18
Date

Dec10. 2018

Conditional use Permit
Habitat for Humanity Germantown ReStore.
W190 N10768
Commerce Circle
Germantown

Metes and Bounds
Parcel 294988

Part of Lot 3 of Certified Survey Map No. 4744, located in part of the NE 1/4 of the SE 1/4 and part of the SE 1/4 of the NE 1/4 of Section 29, T9N, R20E, Village of Germantown, Washington County, WI bounded and described as follows:

Beginning at the SE corner of said Lot 3; thence N41°58'50" W, 240.00 feet, along the boundary of said Lot 3; thence N00°20'46"W, 183.00 feet, along the boundary of said Lot 3; thence N46°01'17" W, 79.29 feet, along the northeasterly line of said Lot 3; thence S68°42'46"W, 337.34 feet, to the right of way of a private road; thence S21°17'14" E, 524.70 feet, along said right of way of a private road; thence S41°58'50" E, 84.22 feet, along said right of way of a private road; thence N48°01'10" E, 385.00 feet along the boundary of said Lot 3 to the point of beginning.

.Extra note for description of operation.

Our space of 31,080 sqft will be used as a retail space.

Habitat sells new and used donated items to the general public. These items include door, windows, siding, tools and furniture etc. Our model is to help keep materials out of the landfill. We then in turn help families with home repairs and build homes in our county.

We will have no outside storage.

CONDITIONAL USE PERMIT (CUP)

1/14/19 Plan Commission Meeting

Kyle Fraser/ Cusatis Trust

Village Planner Report

Germantown, Wisconsin

Summary

Kyle Fraser, agent for the Cusatis Trust, property owner is requesting approval of a Conditional Use Permit (CUP) to operate a “major” home-occupation lawn & landscape maintenance business from the 6.5-acre residential property located at W213 N11111 Appleton Avenue.

Location: W213 N11111 Appleton Avenue

Applicant/

Property Owner: Kyle Fraser
Oak Leaf Landscape
1501 S. 55th St
Milwaukee, WI

Cusatis Trust
5974 Artist Bay Road
West Bend, WI

Zoning: Rs-1: Single-Family Residential

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



Proposal

Kyle Fraser, agent for the Cusatis Trust, property owner is requesting approval of a Conditional Use Permit (CUP) to operate a “major” home-occupation lawn & landscape maintenance business from the 6.5-acre residential property located at W213 N11111 Appleton Avenue.

As stated in the application, Fraser proposes to operate a landscape maintenance operation from this property. The business would provide mowing, tree trimming and other “industry standard” maintenance services. Hours of operation would be 7:00am to 5:00pm Monday to Friday. Fraser has one (1) full-time and 2-3 part-time employees.

Staff CommentsConsistency with Village’s Land Use Plan & Rs-1 Zoning District.

The 2020 Land Use Plan map classifies this property as “Low Density Residential”. The current zoning of the property (and adjacent properties to the west) is Rs-1: Single-Family Residential. The proposed landscape maintenance operation can only be allowed as a home-based business and, given that detached accessory buildings are to be used for storage of equipment and the number of employees, the operation falls under the “major” home occupation category that requires a conditional use permit (CUP) under the Rs-1 District regulations.

At this time, staff does not have sufficient information about the proposed operation to issue a report & recommendation. Staff questions regarding the operation have been sent to the operator but no response has been provided to date. Ordinarily, under these circumstances an “incomplete” application would not be put on the Plan Commission agenda. However, in an effort to keep the process moving forward and to accommodate our revised public hearing process, advertising and public notice has already been published and mailed to the surrounding property owners. For that reason, we are obligated to open the public hearing on Monday, Jan 14 as posted. We can then either close the hearing or continue it to a future meeting date in order to give the applicant additional time to respond to staff’s questions and provide the additional information requested so that staff has a better understanding of the proposal and render a complete review and report to the Plan Commission. As is stands, there is not sufficient information to determine if the proposed operation would/can be compliant with the Zoning Code requirements for a “major” home occupation on this property.

For this reason, staff recommends that the public hearing be opened, public comment received, and the public hearing, consideration and action be tabled/continued until the next available Plan Commission meeting.

Village Planner Recommendation

TABLE a consideration and action on the conditional use permit (CUP) application for Kyle Fraser, agent for the Cusatis Trust, property owner for the operation of a “major” home-occupation lawn & landscape maintenance business from the 6.5-acre residential property located at W213 N11111 Appleton Avenue.



Village of



Germantown

Willkommen

Fee must accompany application

☒ \$1460 Paid Date 12-10-18

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

1 APPLICANT OR AGENT

KYLE FRASER
1501 S. 55th St.
West Milwaukee, WI 53214

Phone (414) 745-6270

Fax ()

E-Mail Kylefraser@aol.com

PROPERTY OWNER

Cusatis - deceased
Property is up for sale

Phone ()

2 TO WHOM SHOULD THE PERMIT BE ISSUED?

KYLE + MELISSA FRASER

3 PROPERTY ADDRESS

W213 N11111 Appleton Ave., Germantown, WI

TAX KEY NUMBER

302967

4 DESCRIPTION OF EXISTING OPERATION

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

Residence where a concrete construction company operated for 20 years.

5 DESCRIPTION OF PROPOSED OPERATION

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

Landscape Maintenance

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

Landscape Maintenance. We would like to house operations for a small landscape maintenance company. There is 1 full time employee and a few part time employees. No new construction or alterations necessary. Current facilities are sufficient.

7am-5pm hours of operation M-F. We mow, trim trees/bushes and perform general industry standard maintenance.

METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY — REQUIRED

6 Attach pages as necessary.

Location NE-NW, Sect. 30, T9N, R20E

Description PT NE NN PRCL 2 CSM 1708 Doc 881014 + 137355 + 1459700
(HWY Doc 1360421)

See attached sheets if they help

SUPPORTING DOCUMENTATION:

- 7
- ☐ Site plan and elevations for new construction (can be conceptual) *NONE*
 - ☐ Photos of existing use and/or proposed use operating elsewhere
 - ☐ _____
 - ☐ _____

READ AND INITIAL THE FOLLOWING:

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

SIGNATURES — ALL APPLICATIONS MUST BE SIGNED BY OWNER!

9 Kyle S. Fraser 12/10/18
Applicant Date

DECEASED -
Owner property up for sale Date

PLANNED DEVELOPMENT DISTRICT (PDD) & PRELIMINARY PLAT AMENDMENT

1/14/19 Plan Commission Meeting

Wrenwood

Carity Land Corporation / Briscoe Development & Management Inc.

Village Planner Report

Germantown, Wisconsin

Summary

Neumann Companies Inc., agent for Bill Carity, Carity Land Corp, and Briscoe Development & Management Inc., property owner, is seeking approval of amendments to the Wrenwood Planned Development District (PDD) General Development Plan, Conditions & Restrictions Resolution and preliminary subdivision plat affecting the single-family residential development areas.

Property Location: Freistadt Road, Mequon Road & Country Aire Drive

Applicant/

Property Owner: Bryan Lindgren
Neumann Companies Inc.
N27W24025 Paul Ct
Pewaukee, WI

Michael Briscoe
Briscoe Development & Mgmt
250 Executive Drive Ste 301
Brookfield, WI

Current Zoning: Rs-5: Single-Family Residential & Rm-2: Multi-Family Residential

Adjacent Land Uses		Zoning
North	Residential	Rs-1
South	Residential/Industrial	Rs-2/M-1
East	Residential/Agricultural	A-1/Rs-2
West	Residential/Agricultural/Industrial	Rs-5/A-1/M-2



Background

In April, 2018, Carity Land Corp. and Briscoe Development obtained approval for the Wrenwood Planned Development District (PDD) with specific conditions and restrictions governing use and development adopted by Resolution No. 28-2018 (copy attached). The preliminary subdivision plat was subsequently approved in August, 2018.

As shown on the attached Wrenwood General Development Plan (GDP), the residential development was approved for a total of 202 total residential units, including: 142 single-family residential lots and a maximum 60 multi-family condominium units.

The Wrenwood development is comprised of two (2) primary clusters of development bisected by a large environmental corridor through the middle of the property. A total of 95 single-family lots are approved for the north cluster with access (only) to Freistadt Road to the north. The remaining 47 single-family lots and the 60-unit condominium area is approved for the south cluster with access (only) to Country Aire Drive. Access between the north and south residential clusters and throughout the environmental corridor and “central park” area is provided by a pedestrian trail.

Proposal

At this time, Neumann Companies Inc., a prospective developer preparing to acquire and develop Wrenwood and agent for the current owner & developer, Carity Land Corp and Briscoe Development, is seeking approval of amendments to the Wrenwood General Development Plan (GDP), the Conditions & Restrictions Resolution and the preliminary subdivision plat affecting the minimum size, width and distribution of the single-family lots. As indicated in the application and supporting documents, Neumann Companies proposes to revise the GDP and/or conditions & restrictions to:

1. Reduce the minimum lot size/area requirement for the single-family lots from 15,000 sqft to 12,000 sqft;
2. Reduce the minimum lot width for the single-family lots from 90 feet to 75 feet;
3. Re-distribute seven (7) single-family lots from the north development area to the south (decreasing the number of lots in the north from 95 to 88 and increasing the number of lots in the south from 47 to 54) as shown and approved in the GDP
4. Change a road in the north development area (serving lots that were taken to re-distribute to the south) from a planned road extension to land to the east to a permanent cul-de-sac

NOTE: Neumann indicates that they are also contemplating a reduction in the number of condominium units currently allowed in the Wrenwood PDD from 60 to 44 units. However, since the PDD currently allows “no more than sixty (60) multi-family dwelling units...”, the construction of 44 units is consistent with the PDD conditions & restrictions and, therefore, there’s no reason to amend the PDD for this particular change.

Staff Comments

As stated in Section 17.27 of the Zoning Code, the overall intent of the Planned Development (PD) overlay District is to “...*permit greater flexibility...more creative design...while providing a higher level of amenities...while providing the Village with assurances that the project will retain the character envisioned at the time of approval*”.

As required under Section 17.27(9) of the Zoning Code, the Plan Commission must determine if the proposed amendments are “minor”, or, if the proposed revisions are “substantial” enough so as to “...materially affect the intended design of the project and the impact of the project on neighboring uses”. A finding that the change is a “minor” change means that the Plan Commission recommendation can be considered by the Village Board without a public hearing; a “substantial” change requires a public hearing before the Village Board renders a decision on the proposed change.

In Staff’s opinion, all of the proposed amendments collectively constitute a substantial change such that a public hearing of the proposed amendments is warranted as part of the Village Board’s consideration of the proposed amendments.

Amendment 1: *Reduce the minimum lot size/area requirement for the single-family lots from 15,000 sqft to 12,000 sqft*

The current Wrenwood PDD has a minimum lot size requirement of 15,000 sqft, which is the “standard” minimum for the Rs-5: Single-Family Zoning District that is the base district for the single-family development areas. The “standard” minimum lot size requirement in the Rs-6 District is 12,500 sqft. The range of lot sizes that were adopted with the preliminary plat (consistent with the PDD General Development Plan) and under the proposed amendment is shown below:

	<u>Current PDD</u>	<u>Proposed PDD</u>
Lot size range (sqft):	15,005 to 26,503	12,004 to 56,000
Average Lot size (sqft):	17,764	17,259
# of Lots <15,000 sqft:	0	39 (27.5% of 142 total lots; 72% of 54 south lots)

Amendment 2: *Reduce the minimum lot width for the single-family lots from 90 feet to 75 feet*

The current Wrenwood PDD has a minimum lot width requirement of 90 feet, which is reduced from the “standard” minimum lot width of 100 feet for the Rs-5: Single-Family Zoning District. The “standard” minimum lot width requirement in the Rs-6 District is 90 feet.

Amendment 3: *Redistribute seven (7) single-family lots from the north development area to the south area (decreasing the number of lots in the north from 95 to 88 and increasing the number of lots in the south from 47 to 54)*

As discussed in Neumann's application, reducing the minimum lot size & minimum lot width requirement enables them to re-distribute (7) lots from the north area to the south area. All (7) lots are removed from one area in the north (see attached) and re-distributed evenly throughout the south area (see attached).

Amendment 4: *Change road in north development area (serving lots that were taken to re-distribute to the south) from a planned road extension to land to the east to a permanent cul-de-sac*

As a result of removing all 7 lots from the same area in the north, the approved road that is intended to serve a total of 14 lots would only serve 7 lots under the proposed amendment, and, not have to extend as far into this area to provide access. Consequently, Neumann is proposing to change this road from one that was previously approved to extend all the way to the abutting land for possible future extension to future development into a permanent cul-de-sac... that would not extend to the abutting land.

Overall, the proposed amendments have the effect of transforming the single-family development area in the south from a slightly modified Rs-5 District to an area that is more like the Rs-6 District (having smaller lot area and narrower lot width requirements). While only 25% of the total proposed lots fall under the 15,000 sqft Rs-5 minimum lot area threshold over the entire development, all of the smaller lots, many as small as 12-13,000 sqft, are located in the south area (72% of the total 54 lots in the south).

The reasons given for wanting to effectively create an Rs-6 neighborhood in the south include:

- Proximity to the higher density condo units and Mequon Road;
- Reduced lot costs resulting in more variety and affordability of homes;
- Opportunity created for developer to build north & south portions of the project concurrently resulting in quicker collection of impact fees & property tax base increases for Village

Having recently received a significant amount of negative feedback regarding another residential subdivision proposal with Rs-6 lot sizes and lot widths from Village residents and Village Board members, staff cannot support the proposed amendments that would result in effectively the same density recently deemed unacceptable by the Village Board. Given the location of the Wrenwood development relative to other, larger lot residential neighborhoods to the east, one could expect the same public and Village Board reaction. This is not to say that the proposed amendments have some merit. Creating a greater variety and potentially more affordable housing opportunities in the Village is a necessity if we are going to continue to grow and serve the needs of our residents.

Additional concerns raised by staff regarding the proposed amendments include:

1. Amendment 4 would result in a cul-de-sac length over 1,000 feet; a length that is discouraged under the Village's Subdivision regulations. Moreover, this amendment removes an opportunity to provide future traffic circulation and connectivity to and between potential development to the east;
2. The resulting lot sizes for Lots #82-84 to be served by this cul-de-sac are excessively deep; the additional land area could be added to the common open space and incorporated into the central park and trail system amenities already proposed as part of the development;
3. Lots 85-88 (north) and Lot 44 (south) under the proposed amended GDP appear to not honor the minimum required 25' wetland setback requirement; further reduction/revision to those lots would be required;
4. The proposed GDP revisions show a total of 143 single-family lots between both the north and south development areas where only 142 lots were previously approved under the current PDD; one lot would need to be removed unless adding a lot is made part of the proposed PDD amendments.

Fire Department

No comment.

Public Works Department/Village Engineer

No comment.

Village Planner Recommendation

FIND that the proposed amendments collectively constitute a substantial change such that a public hearing of the proposed amendments is warranted as a prerequisite for any Village Board consideration and action on the proposed amendments.

DENY the proposed amendments to the Wrenwood Planned Development District (PDD) General Development Plan, Conditions & Restrictions Resolution and preliminary subdivision plat as summarized herein.

In the event that the Plan Commission elects to **APPROVE** one or more of the amendments, staff recommends that the additional concerns discussed herein, i.e. cul-de-sac length, Lot depth for Lots 82-84, 25' wetland setback compliance, and total approved single-family lot county (143 proposed vs. 142 currently approved) be addressed in a revised GDP and preliminary plat.

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY
RESOLUTION NO. 28-2018**

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

WHEREAS, Briscoe Development & Management Inc., property owner (hereinafter the "Developer") has applied for an Rs-5: Residential Single-Family and Rm-2: Residential Multi-Family Planned Development District (Rs-5/Rm-2/PDD) to be applied to the property located in the Village of Germantown as 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 in the General Development Plan; and

WHEREAS, the Village of Germantown Plan Commission on February 26, 2018, reviewed the Rs-5/Rm-2/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. **GENERAL DEVELOPMENT PLAN (GDP)**. The General Development Plan (Exhibit B dated March 2, 2018) establishes the basic parameters for development within the Wrenwood PDD including the approximate size and orientation of lots, density of development, setbacks, location of internal roadways and intersections to the adjacent road system, and the general location and extent of landscaping, buffering and recreational trails. While all development within the Wrenwood PDD shall be generally consistent with the GDP, the GDP does not grant specific site development or building approval. Subsequent Village approvals shall be required as a prerequisite for development, including but not limited to a subdivision plat and condominium plat.
2. **PERMITTED LAND USES**. Permitted Principal, Accessory, Conditional and Temporary Uses allowed within the Wrenwood PDD shall be as set forth in Rs-5: Residential Single-Family and Rm-2: Residential Multi-Family Zoning Districts Section 17.30 of the Zoning Code.
3. **ACCESS**. Access to all development within the Wrenwood PDD shall be limited to/from Freistadt Road and Country Aire Drive as shown on GDP.

4. **Residential Density, Unit Size and Type** — The project shall include a maximum of one-hundred forty-two (142) single-family dwelling units on individual platted lots no smaller than 15,000 square feet, and, no more than sixty (60) multi-family dwelling condominium units in residential buildings containing no more than four (4) condominium dwelling units per building. Development of the single-family residential area(s) shall be approved consistent with and pursuant to the Village's subdivision platting procedures. Development of the multi-family condominium area shall be consistent with and pursuant to the Village's Site Plan and Condominium Plat procedures.
5. **Open Space Ownership and Maintenance** — All open space shown on the General Development Plan shall be owned and maintained by a Homeowners Association in perpetuity. Maintenance guarantees shall be included in the Developer's Agreement.
6. **Street Improvements, Interior Road Construction and Ownership** — All internal roadways intended for dedication shall be approved by the Plan Commission and constructed to standards deemed acceptable to the Department of Public Works. Detailed cross sections shall be approved by the Public Works Committee. Pavement width shall not exceed 36 feet, curb face to curb face, but may be designed to a minimum dimension of 24 feet.
7. **Pedestrian Circulation** — The developer shall install a paved pedestrian path located within the central park/open space area between and connection the north and south residential areas as shown on the GDP. All other pedestrian trails within the development may be gravel or other material deemed acceptable by the Village. The construction of sidewalks along Country Aire Drive, Mequon Road and/or Freistadt Road shall be required as directed by the Village's Public Works Committee consistent with the Village's sidewalk plan.
8. **Specific Lighting and Landscaping Plans** — The developer shall submit specific lighting and landscaping plans and specifications to the Village for final approval prior to final plat approval. Lighting and landscaping including the installation of street trees shall comply with Village guidelines. The General Development Plan shall be used as a guide for the general location and character of landscaping, including location of buffers and street trees. Street lighting shall be installed at all access entrances/intersections along Freistadt Road and Country Aire Drive, and, at all internal road intersections within the development unless otherwise approved by the Village's Public Works Committee. Individual lot and lighting of the condominium area shall be installed as required under the Village's Subdivision Code (or as part of site plan approval by the Plan Commission for the condominium area).

9. **Expiration** — The developer shall obtain appropriate subdivision plat, developer agreement and other Village approvals and permits in a timely manner. If preliminary plat approval for any single-family area, or, a site development plan for the condominium area, whichever comes first, has not been submitted to and approved by the Village of Germantown within two (2) years from the date this PDD amendment has been approved by the Village Board, approval shall be deemed to have expired. If this requirement is not satisfied, the Wrenwood PDD and General Development Plan (GDP) shall become null and void and the property shall revert back to the previous A-1: Agricultural Zoning District.

10. **SITE DEVELOPMENT AND BUILDING REQUIREMENTS.**

Unless otherwise modified as set forth below, all development and building shall be in accordance with the lot, building and other applicable bulk requirements set forth in the applicable underlying Rs-5: Single-Family or Rm-2: Multi-Family Zoning Districts and other applicable Zoning Code regulations:

Modifications to the Rs-5: Single-Family District

a. **LOT AND BUILDING REQUIREMENTS**

- i. Lot Width (minimum) 90 feet
- ii. Principal Building Setbacks (minimum)
 - 1. Side Yard 12 feet

Modifications to the Rm-2: Multi-Family District

b. **LOT AND BUILDING REQUIREMENTS**

- i. Lot Size (minimum) None (allow condominium development of entire area provided total number of units does not exceed sixty (60) units; maximum number of buildings does not exceed fifteen (15) and maximum number of units per building does not exceed four (4) units per building

11. **APPLICABILITY OF MUNICIPAL CODE.**

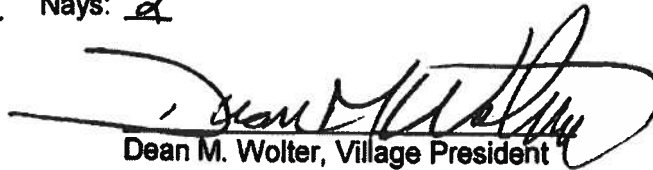
Unless otherwise set forth herein, all other applicable zoning and development regulations contained in the Germantown Municipal Code (e.g. Shoreland-Wetland Zoning, Floodplain Zoning, Subdivision) shall apply to development and land use within the SC-PDD. In the event a requirement, restriction or limitation 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.

Wrenwood Planned Development District (PDD)
Resolution No. 28-2018
Adopted April 16, 2018
Page 4 of 6

Introduced by: Trustee Baum

Adopted: April 16, 2018

Vote: Ayes: 5 Nays: 2

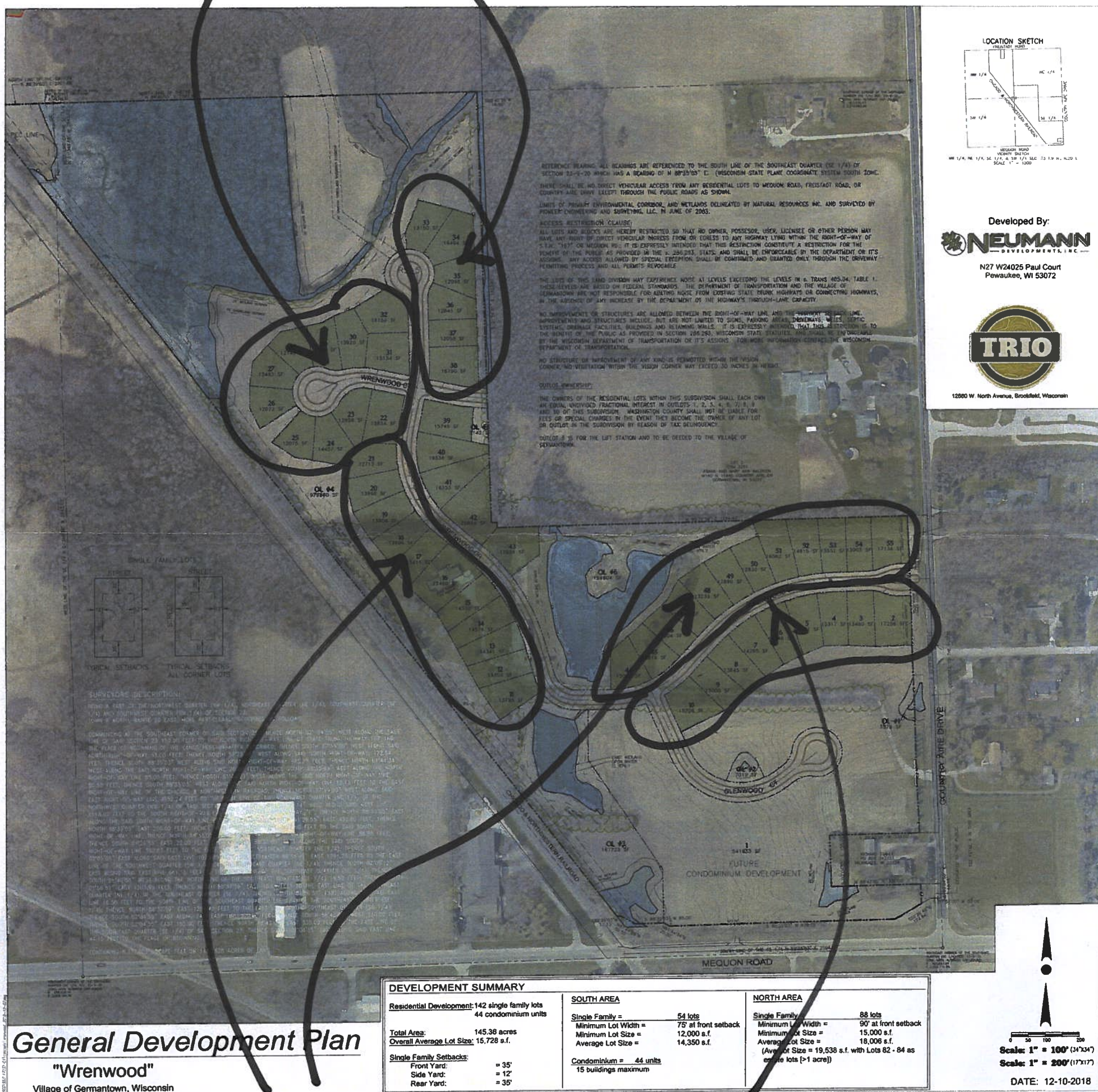

Dean M. Wolter, Village President

ATTEST:

Deanna L. Boldrey
Deanna L. Boldrey, WCMC/CMC
Village Clerk

SOUTH

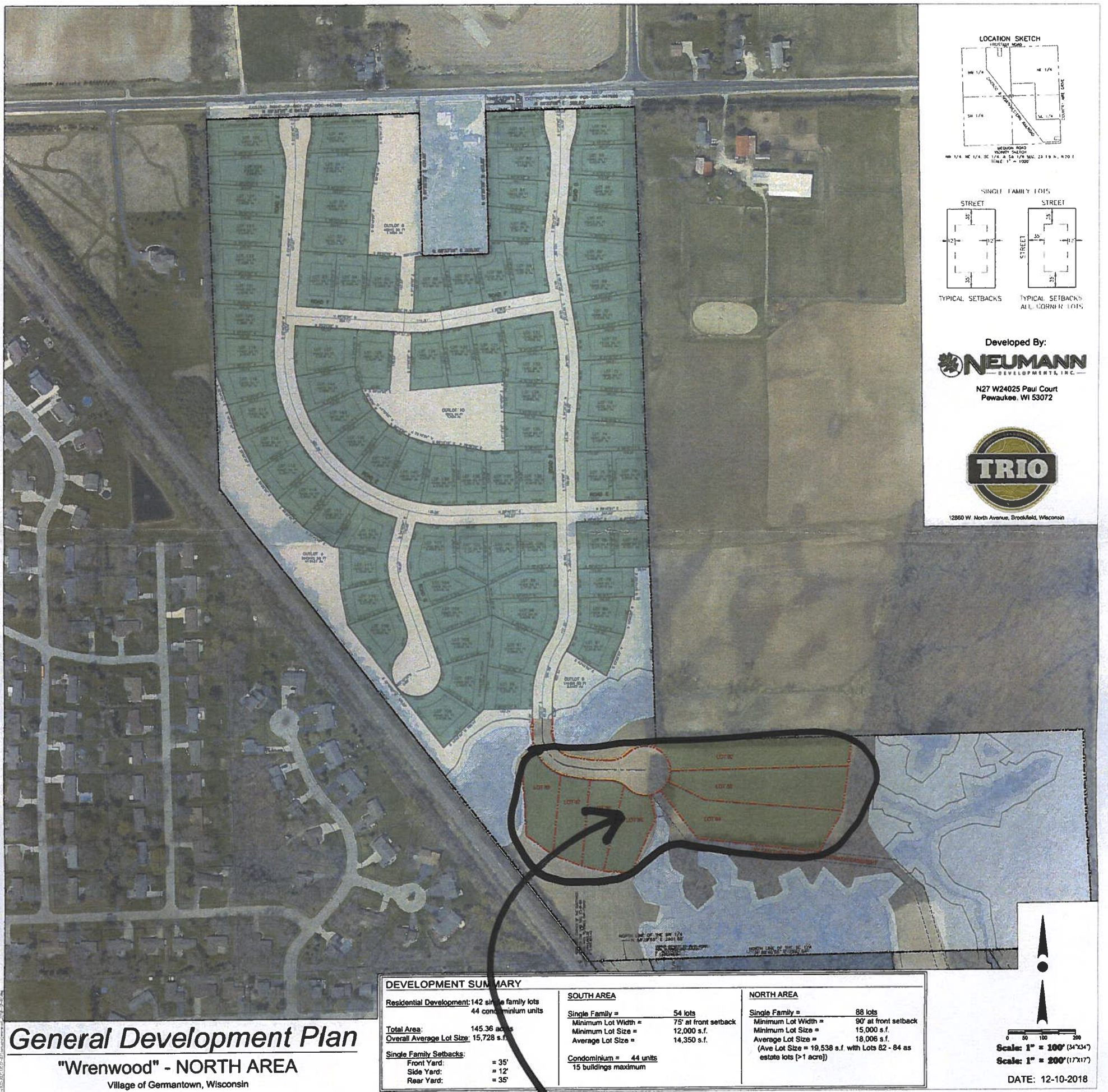
Add (1) LOT



Add (2) LOTS

Add (1) LOT

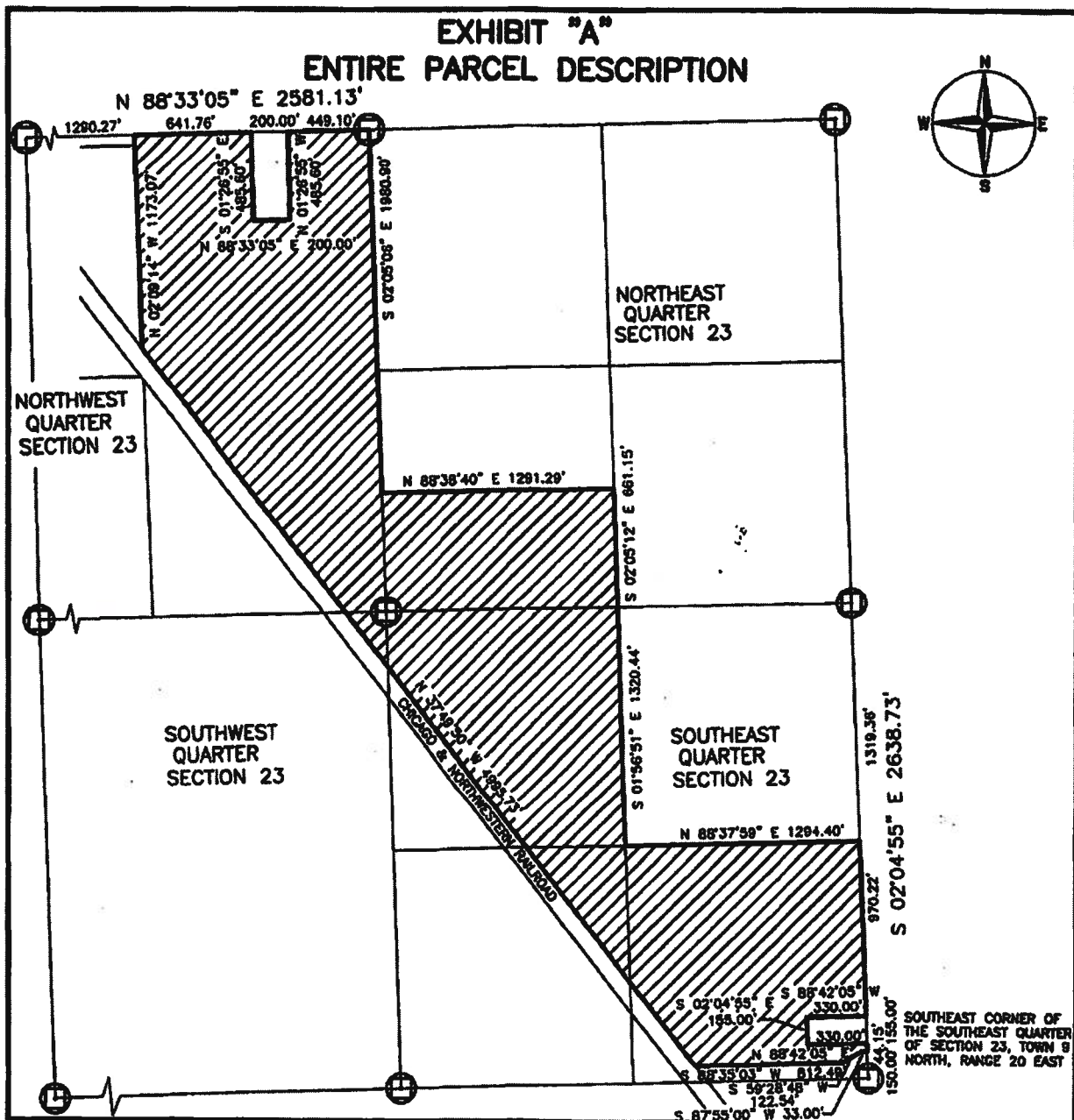
NORTH

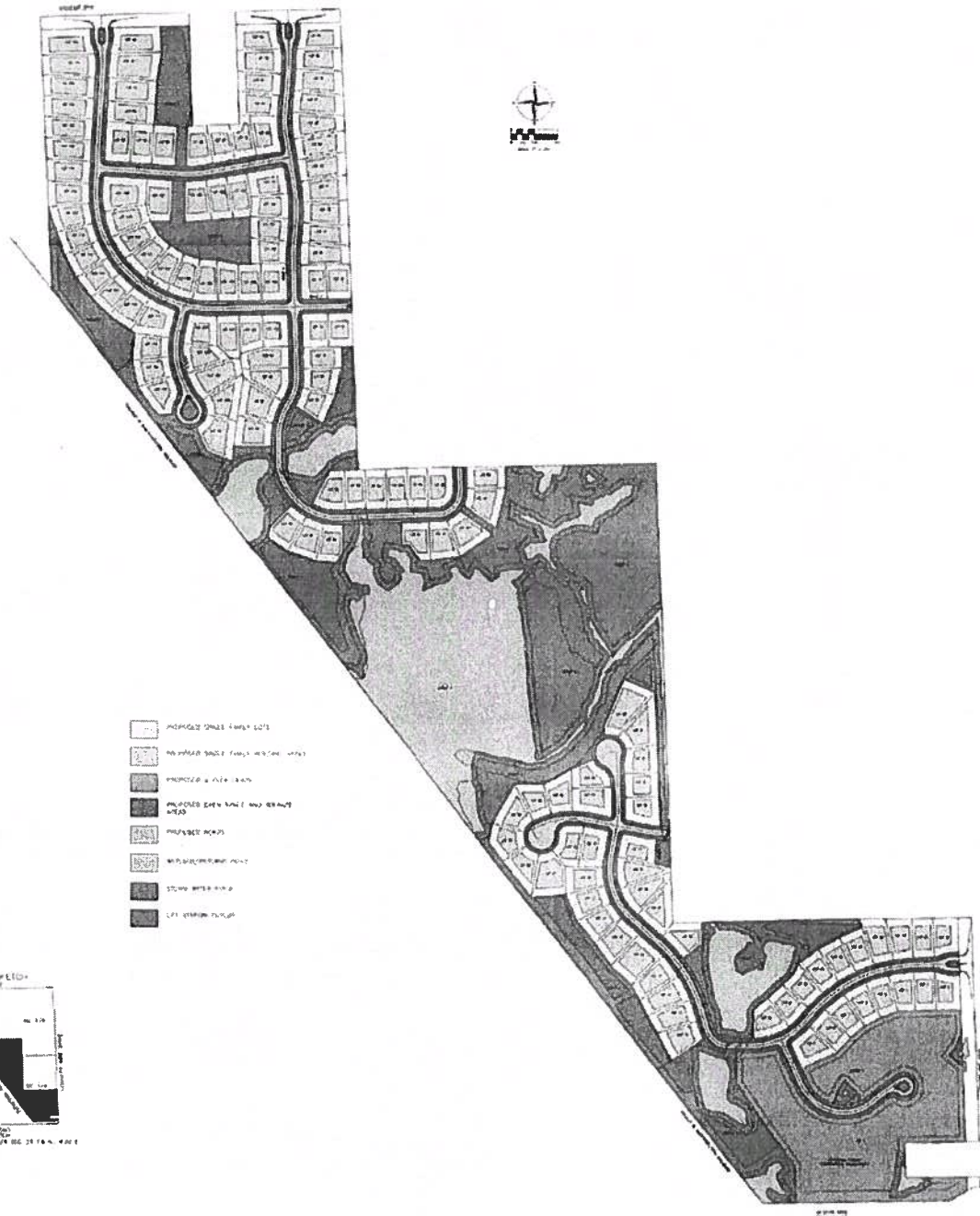


- REMOVE (7) LOTS FROM THIS AREA
- CHANGE ROAD EXTENSION TO CUL-DE-SAC

EXHIBIT A

Wrenwood Planned Development District (PDD)
 Boundary Description





Village of



Germantown

Willkommen

Fee Must Accompany Application

☐ \$820 Paid _____ Date _____

☐ \$200 PC Consultation Only

Paid _____ Date _____

PLANNED DEVELOPMENT DISTRICT (PDD) AMENDMENT APPLICATION

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

APPLICANT OR AGENT:

BILL CARITY
Neumann Developments Inc. - Bryan Lindgren

PROPERTY OWNER(S):

MICHAEL S. BRISCOE

Address: 12720 W. NORTH

Address: 250 S. EXECUTIVE DR # 300

AVE. BROOKFIELD W1 53005

BROOKFIELD W1 53005

Phone: 262-785-1968

Phone: 414-861-1988

FAX: _____

FAX: _____

E-Mail: carityland@
abcglobal.net

E-Mail: mike@briscoedev.com

PDD Name & Resolution No.:

Wrenwood PDD Resolution No. 28-2018

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

Attach separate legal description if necessary

Check all that apply:

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

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

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

Attach Revised Plan(s) or Separate Pages as Necessary

We propose to amend the following conditions of the Wrenwood Planned Development District "Wrenwood PDD" Resolution No. 28-2018:

Condition 4: The maximum number of single family dwelling units shall remain consistent at 142 units, however we propose individual platted lots be no smaller than 12,000 square feet.

Condition 10.a.i.: The minimum lot width in the single family district is proposed to be 75 feet wide.

Detailed Explanation and Justification for Proposed Amendment(s):

Attach Revised Plan(s) or Separate Pages as Necessary

Please See Attached Narrative Explanation and Justification

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

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

All Amendment Applications:

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

General Development Plan Amendment Only:

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

AFFIDAVIT OF UNDERSTANDING

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

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

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

Winston Smith 12-19-18
Applicant/Agent Date
[Signature] 12-19-18
Applicant/Agent Date

[Signature] Dec. 19 2018
Property Owner Date

Property Owner Date



December 10, 2018

Re: Wrenwood Conceptual Preliminary Plat Revisions

Dear Plan Commission:

Neumann Developments is excited to be taking over the development and approval requirements for the Wrenwood development in the Village of Germantown. Neumann Developments Inc. has been creating single-family residential subdivisions in South-Eastern and South-Central Wisconsin since the year 2000, and has had the proud distinction to have their communities selected for the Metropolitan Builders Association Parade of Homes in seven of the past nine years and is a past recipient of the MBA Builder of the Year Award. We are proud to have the opportunity to bring another great neighborhood to the Village of Germantown.

As approved, the Preliminary Plat for the Village of Wrenwood allows for 142 single family lots and up to 60 multi-family condominium units.

We would like to propose some changes to the Preliminary Plat that would keep or reduce the total number of units, but shift some of the density from the northern section to the southern section.

We are working with our condo partner Cornerstone Development on a condo plat, and will submit a plat for consideration once prepared. For purposes of this concept reconsideration we will be reducing the number of condo units from the allowed 60 units to 44 units lowering the overall density of Wrenwood.

As currently designed the Preliminary Plat includes 142 total single family lots, split 95 lots on the north accessed from Freistadt Rd, and 47 lots on the south accessed from Country Aire Dr. We would like to propose trading 7 lots from the North for 7 lots in the South section. We propose to accomplish this by reducing the lot width on the south to 75 feet wide. There are several reasons we believe this to be in the best interest of the Village of Germantown and the future residents of this development:

- The proximity to Mequon Rd and the condo units, and the natural separation from the north encourage smaller lots in the southern section to better transition the higher density of Mequon Road and the condos to the lower density in the north and surrounding neighborhoods.
- Narrower lots reduce the per lot development costs allowing the lots to be sold to future homeowners at a lower price. This is a great benefit to the Village and its residents by providing the variety of home prices that is needed throughout our area.
- The ability to provide lot and home prices at a wider range provides us with the opportunity to develop the north and south sections concurrently instead of in multiple phases over multiple years. Tax base is increased and impact fees are recovered at an accelerated rate when a greater variety of housing options and prices are available.



- A revised future plat for the North Wrenwood development area that considers a reduction in lots is projected to preserve additional land adjacent to the primary environmental corridor and wetlands.

We believe that the proposed changes can be incorporated consistent with the approved Wrenwood Planned Development District (PDD). Even though the lot size range would be wider, the overall average lot size in the PDD of 15,728 SF is still greater than the 15,000SF minimum in the underlying Rs-5 district. The density of the MF and SF areas would change slightly but still be well below the maximum allowed density in each area.

We appreciate your consideration of these Conceptual Preliminary Plat revisions for the Wrenwood development and look forward to working in the Village of Germantown.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Lindgren", with a stylized, flowing script.

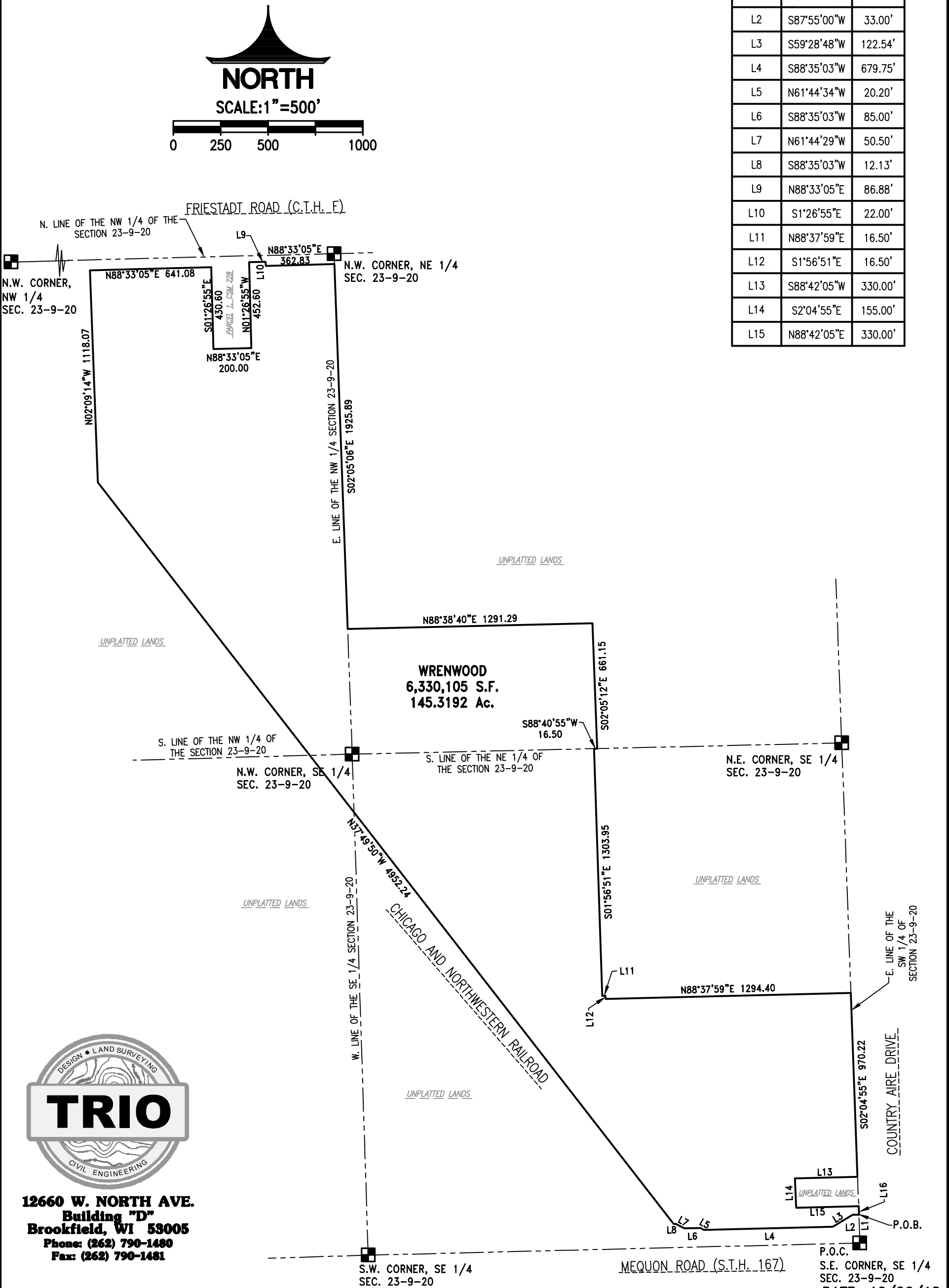
Bryan Lindgren
Neumann Developments Inc.

EXHIBIT "A"
"WRENWOOD"

BEING A PART OF THE SOUTHEAST 1/4, NORTHEAST 1/4, NORTHWEST 1/4,
AND THE SOUTHWEST OF SECTION 23, TOWN 9 NORTH, RANGE 20 EAST, IN
THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

LINE TABLE:

Line #	BEARING	LENGTH
L1	N2°04'55"W	150.00'
L2	S87°55'00"W	33.00'
L3	S59°28'48"W	122.54'
L4	S88°35'03"W	679.75'
L5	N61°44'34"W	20.20'
L6	S88°35'03"W	85.00'
L7	N61°44'29"W	50.50'
L8	S88°35'03"W	12.13'
L9	N88°33'05"E	86.88'
L10	S1°26'55"E	22.00'
L11	N88°37'59"E	16.50'
L12	S1°56'51"E	16.50'
L13	S88°42'05"W	330.00'
L14	S2°04'55"E	155.00'
L15	N88°42'05"E	330.00'



H:\C900\953\17037-01\Survey\ESMT-EXHIBITS\Boundary Exhibit.dwg



12660 W. NORTH AVE.
Building "D"
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481

WRENWOOD SUBDIVISION

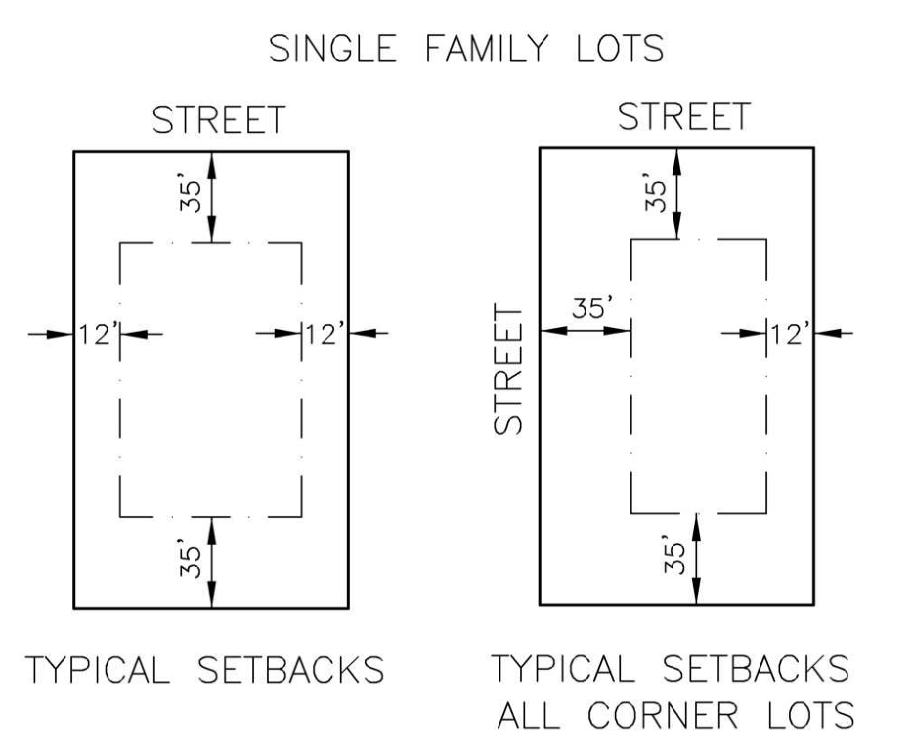
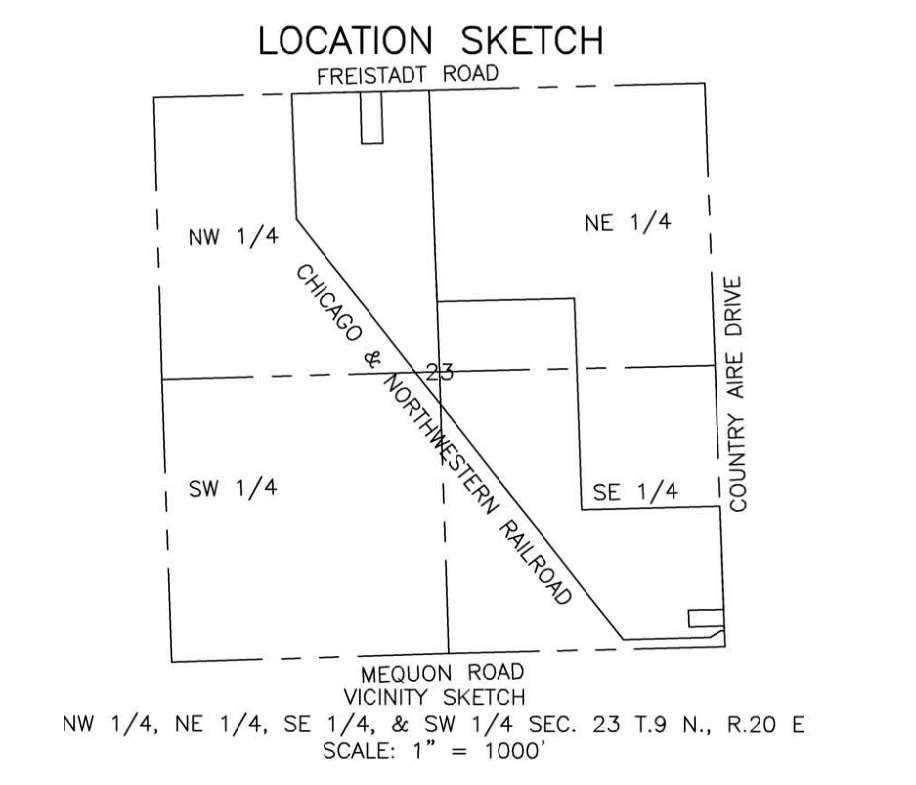
Being a part of the Northwest 1/4, Northeast 1/4, Southeast 1/4 and Southwest 1/4 of Section 23, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. Being more particularly described as follows:

Commencing at the Southeast Corner of said Southeast 1/4, Thence North 02°04'55" West along the East line of said Southeast 1/4, 150.00 feet to the North Right-of-Way line of State Trunk Highway "167" and the place of beginning of the lands hereinafter described.

Thence South 87°55'00" West along said North line, 33.00 feet to a point; Thence South 59°28'48" West along said North line, 122.54 feet to a point; Thence South 88°35'03" West along said North line, 679.75 feet; Thence North 61°44'34" West along said North line, 20.20 feet to a point; Thence South 88°35'03" West along said North line, 85.00 feet to a point; Thence North 61°44'29" West along said North line, 50.50 feet to a point; Thence South 88°35'03" West along said North line, 12.13 feet to a point on the East Right-of-Way line of the "Chicago & Northwestern Railroad; Thence North 37°49'50" West along said East line, 4952.24 feet to the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 23; Thence North 02°09'14" West along said West line, 1118.07 feet to the South Right-of-Way line of County Trunk Highway "F"; Thence North 88°33'05" East along said South line, 641.08 feet to a point on the West line of Certified Survey Map Number 228; Thence South 01°26'55" East along said West line, 430.60 feet to a point on the South line of said Certified Survey Map; Thence North 88°33'05" East along said South line, 200.00 feet to a point on the East line of said Certified Survey Map; Thence North 01°26'55" West along said East line, 452.60 feet to the South Right-of-Way line County Trunk Highway "F"; Thence North 88°33'05" East along said South line, 86.88 feet to a point; Thence South 01°26'55" East along said South line, 22.00 feet to a point; Thence North 88°33'05" East along said South line, 362.83 feet to the East line of the Northeast 1/4 of said Section 23; Thence South 02°05'06" East along said East line, 1925.89 feet to a point; Thence North 88°38'40" East 1291.29 feet to the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 23; Thence South 02°05'12" East along said East line, 661.15 feet to the North line of the Southeast 1/4 of said Section 23; Thence South 88°40'55" West said North line, 16.50 feet to a point; Thence South 01°56'51" East 1303.95 feet to a point; Thence North 88°37'59" East 16.50 feet to the East line of the Northeast 1/4 of the Southeast 1/4; Thence South 01°56'51" East along said East line, 16.50 feet to the North line of the Southeast 1/4 of the Southeast 1/4; Thence North 88°37'59" East along said North line, 1294.40 feet to the East line of the Southeast 1/4; Thence South 02°04'55" East along said East line, 970.22 feet to a point; Thence South 88°42'05" West 330.00 feet to a point; Thence South 02°04'55" East 155.00 feet to a point; Thence North 88°42'05" East

330.00 feet to the East line of the Southeast 1/4 of said Section 23; Thence South 02°04'55" East along said East line, 44.15 feet to the point of beginning.

Said Parcel contains 6,330,105 Square Feet of 145.3192 Acres of land more or less.



Developed By:

NEUMANN
DEVELOPMENTS, INC.

N27 W24025 Paul Court
Pewaukee, WI 53072

TRIO
DESIGN • LAND SURVEYING
CIVIL ENGINEERING

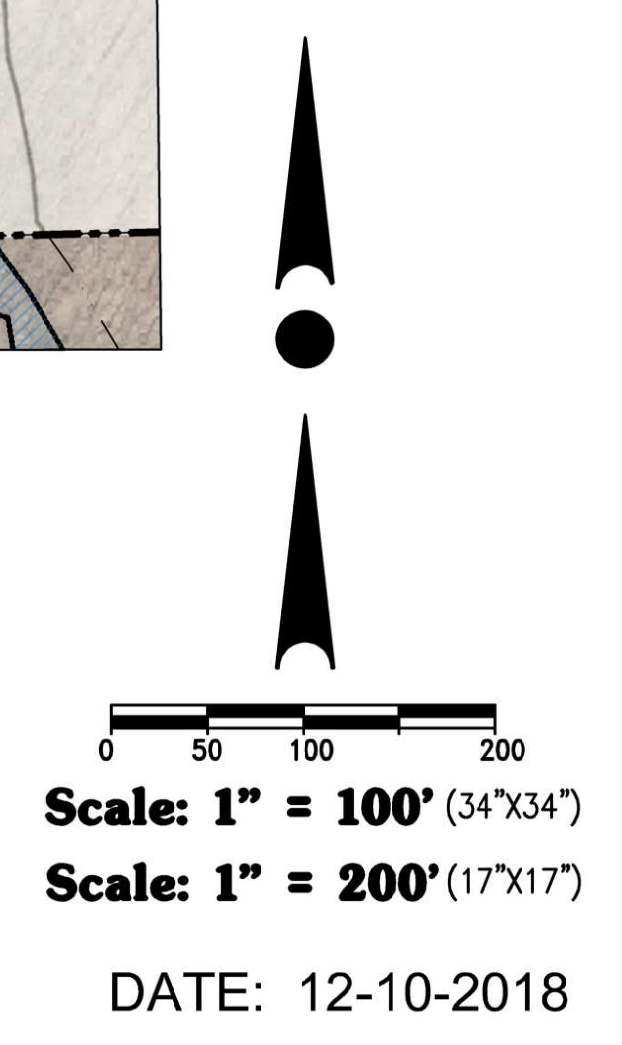
12660 W. North Avenue, Brookfield, Wisconsin

General Development Plan

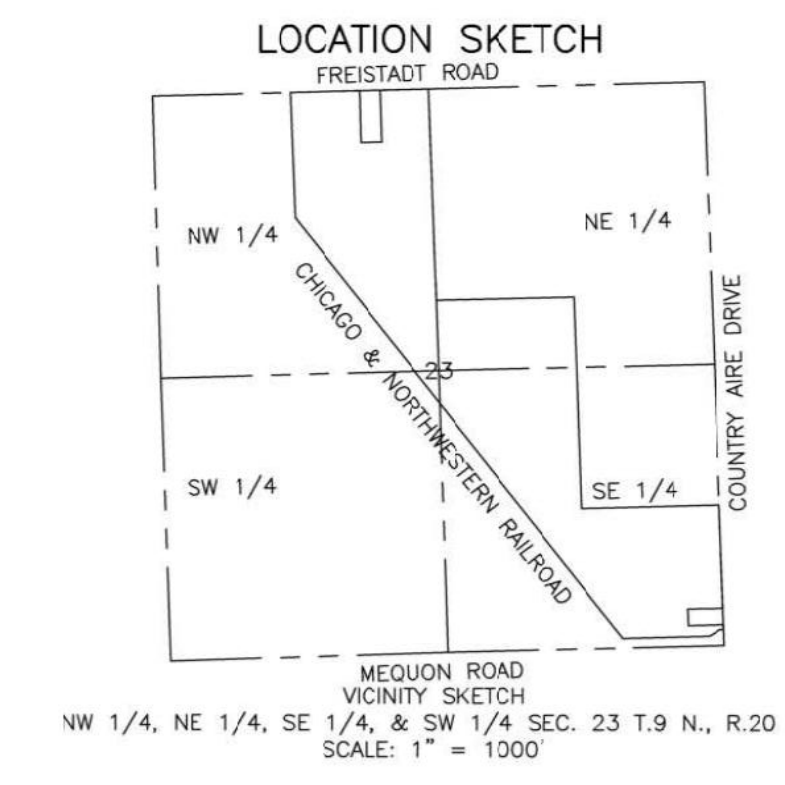
"Wrenwood" - NORTH AREA

Village of Germantown, Wisconsin

DEVELOPMENT SUMMARY			
Residential Development: 142 single family lots 44 condominium units			
Total Area:	145.36 acres		
Overall Average Lot Size:	15,728 s.f.		
Single Family Setbacks:			
Front Yard:	= 35'		
Side Yard:	= 12'		
Rear Yard:	= 35'		
SOUTH AREA			
Single Family =	54 lots		
Minimum Lot Width =	75' at front setback		
Minimum Lot Size =	12,000 s.f.		
Average Lot Size =	14,350 s.f.		
Condominium =	44 units		
	15 buildings maximum		
NORTH AREA			
Single Family =	88 lots		
Minimum Lot Width =	90' at front setback		
Minimum Lot Size =	15,000 s.f.		
Average Lot Size =	18,006 s.f.		
(Ave Lot Size = 19,538 s.f. with Lots 82 - 84 as estate lots >1 acre!)			



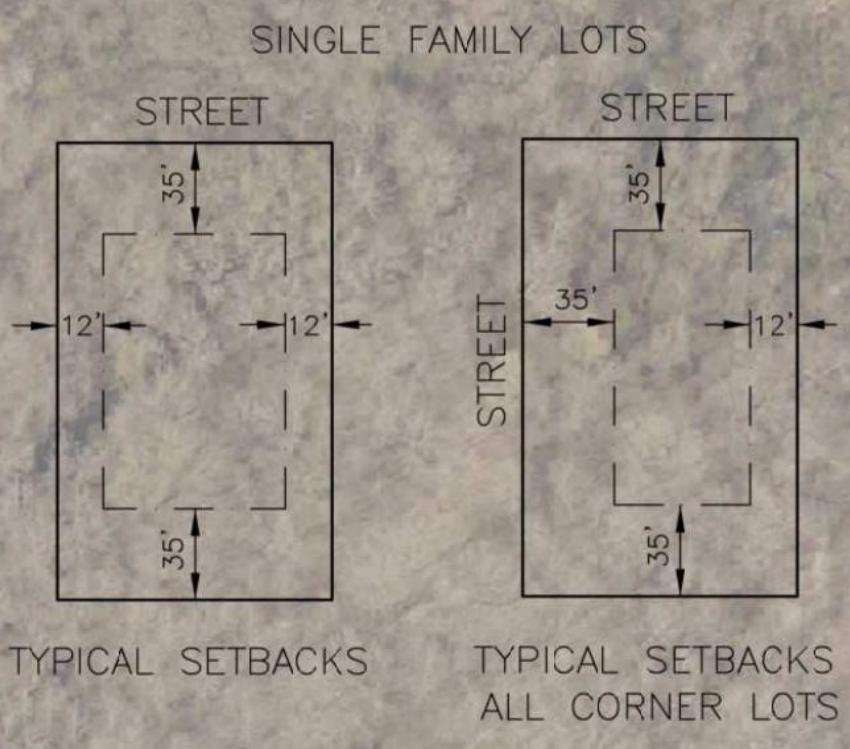
DATE: 12-10-2018



Developed By:
NEUMANN
DEVELOPMENTS, INC.
N27 W24025 Paul Court
Pewaukee, WI 53072



12660 W. North Avenue, Brookfield, Wisconsin



SURVEYORS DESCRIPTION:
BEING A PART OF THE NORTHWEST QUARTER (NW 1/4), NORTHEAST QUARTER (NE 1/4), SOUTHEAST QUARTER (SE 1/4) AND SOUTHWEST QUARTER (SW 1/4) OF SECTION 23, TOWN 9 NORTH, RANGE 20 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23, THENCE NORTH 02° 04'55" WEST ALONG THE EAST LINE OF SAID SECTION 23 150.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE TRUNK HIGHWAY 167 AND THE PLACE OF BEGINNING OF THE LANDS HEREIN-AFTER DESCRIBED; THENCE SOUTH 87°55'00" WEST ALONG SAID NORTH RIGHT-OF-WAY 33.00 FEET; THENCE SOUTH 59°28'43" WEST ALONG SAID NORTH RIGHT-OF-WAY, 122.54 FEET; THENCE SOUTH 88°35'03" WEST ALONG SAID NORTH RIGHT-OF-WAY 675.75 FEET; THENCE NORTH 61°44'34" WEST ALONG THE SAID NORTH RIGHT-OF-WAY LINE 20.20 FEET; THENCE SOUTH 88°35'03" WEST ALONG THE NORTH RIGHT-OF-WAY LINE 85.00 FEET; THENCE NORTH 61°44'29" WEST ALONG THE SAID NORTH RIGHT-OF-WAY LINE 50.50 FEET; THENCE SOUTH 88°35'03" WEST ALONG THE SAID NORTH RIGHT-OF-WAY LINE 12.13 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE CHICAGO & NORTHWESTERN RAILROAD; THENCE NORTH 37°49'50" WEST ALONG SAID EAST RIGHT-OF-WAY LINE 4952.24 FEET TO THE WEST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 23, THENCE NORTH 01° 14' WEST ALONG SAID WEST LINE 1118.07 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF COUNTY TRUNK HIGHWAY "F"; THENCE NORTH 88°33'05" EAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE 64.20 FEET; THENCE SOUTH 01°26'55" EAST 430.60 FEET; THENCE NORTH 88°33'05" EAST 200.00 FEET; THENCE NORTH 01°26'55" WEST 100.60 FEET TO THE SAID SOUTH RIGHT-OF-WAY LINE; THENCE NORTH 88°33'05" WEST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE 86.88 FEET; THENCE SOUTH 01°26'55" EAST 22.00 FEET; THENCE NORTH 88°33'05" EAST ALONG THE SAID SOUTH RIGHT-OF-WAY LINE 362.83 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4); THENCE SOUTH 02°05'06" EAST ALONG SAID EAST LINE 1925.89 FEET; THENCE NORTH 88°38'40" EAST 1291.29 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 23; THENCE SOUTH 02°05'12" EAST ALONG SAID EAST LINE 661.15 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER (SW 1/4); THENCE SOUTH 88°40'56" WEST ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) 16.50 FEET; THENCE SOUTH 01°56'51" EAST 1303.95 FEET; THENCE NORTH 88°37'59" EAST 16.50 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4); THENCE SOUTH 01°36'51" EAST ALONG THE SAID EAST LINE 16.50 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4); THENCE NORTH 88°37'59" EAST 1294.40 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4); THENCE SOUTH 02°04'55" EAST ALONG SAID EAST LINE 770.02 FEET; THENCE SOUTH 88°42'05" WEST 330.00 FEET; THENCE SOUTH 02°04'55" EAST 155.00 FEET; THENCE NORTH 88°42'05" EAST 330.00 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 23; THENCE SOUTH 02°04'55" EAST ALONG SAID EAST LINE 44.15 FEET TO THE PLACE OF BEGINNING.
CONTAINING 6,332.065 SQUARE FEET OR 145.3628 ACRES OF LAND.

REFERENCE BEARING: ALL BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 23-9-20 WHICH HAS A BEARING OF N 88°35'03" E. (WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE).

THERE SHALL BE NO DIRECT VEHICULAR ACCESS FROM ANY RESIDENTIAL LOTS TO MEQUON ROAD, FREISTADT ROAD, OR COUNTRY AIRE DRIVE EXCEPT THROUGH THE PUBLIC ROADS AS SHOWN.

LIMITS OF PRIMARY ENVIRONMENTAL CORRIDOR, AND WETLANDS DELINEATED BY NATURAL RESOURCES INC. AND SURVEYED BY PIONEER ENGINEERING AND SURVEYING, LLC. IN JUNE OF 2003.

ACCESS RESTRICTION CLAUSE:
ALL LOTS AND BLOCKS ARE HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER, LICENSEE OR OTHER PERSON MAY HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS FROM OR EGRESS TO ANY HIGHWAY LYING WITHIN THE RIGHT-OF-WAY OF S.T.H. "167" OR MEQUON RD.; IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN THE s. 236.293, STATS. AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OR IT'S ASSIGNS. ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE CONFIRMED AND GRANTED ONLY THROUGH THE DRIVEWAY PERMITTING PROCESS AND ALL PERMITS REVOCABLE.

THE LOTS OF THIS LAND DIVISION MAY EXPERIENCE NOISE AT LEVELS EXCEEDING THE LEVELS IN s. TRANS 405.04, TABLE 1. THESE LEVELS ARE BASED ON FEDERAL STANDARDS. THE DEPARTMENT OF TRANSPORTATION AND THE VILLAGE OF GERMANTOWN ARE NOT RESPONSIBLE FOR ABATING NOISE FROM EXISTING STATE TRUNK HIGHWAYS OR CONNECTING HIGHWAYS, IN THE ABSENCE OF ANY INCREASE BY THE DEPARTMENT OF THE HIGHWAY'S THROUGH-LANE CAPACITY.

NO IMPROVEMENTS OR STRUCTURES ARE ALLOWED BETWEEN THE RIGHT-OF-WAY LINE AND THE HIGHWAY SETBACK LINE. IMPROVEMENTS AND STRUCTURES INCLUDE, BUT ARE NOT LIMITED TO SIGNS, PARKING AREAS, DRIVEWAYS, WELLS, SEPTIC SYSTEMS, DRAINAGE FACILITIES, BUILDINGS AND RETAINING WALLS. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION IS TO THE BENEFIT OF THE PUBLIC AS PROVIDED IN SECTION 236.293, WISCONSIN STATE STATUTES, AND SHALL BE ENFORCEABLE BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION OR IT'S ASSIGNS. FOR MORE INFORMATION CONTACT THE WISCONSIN DEPARTMENT OF TRANSPORTATION.

NO STRUCTURE OR IMPROVEMENT OF ANY KIND IS PERMITTED WITHIN THE VISION CORNER, NO VEGETATION WITHIN THE VISION CORNER MAY EXCEED 30 INCHES IN HEIGHT.

OUTLOT OWNERSHIP:
THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THIS SUBDIVISION SHALL EACH OWN AN EQUAL UNDIVIDED FRACTIONAL INTEREST IN OUTLOTS 1, 2, 3, 4, 6, 7, 8, 9 AND 10 OF THIS SUBDIVISION. WASHINGTON COUNTY SHALL NOT BE LIABLE FOR FEES OR SPECIAL CHARGES IN THE EVENT THEY BECOME THE OWNER OF ANY LOT OR OUTLOT IN THE SUBDIVISION BY REASON OF TAX DELINQUENCY.

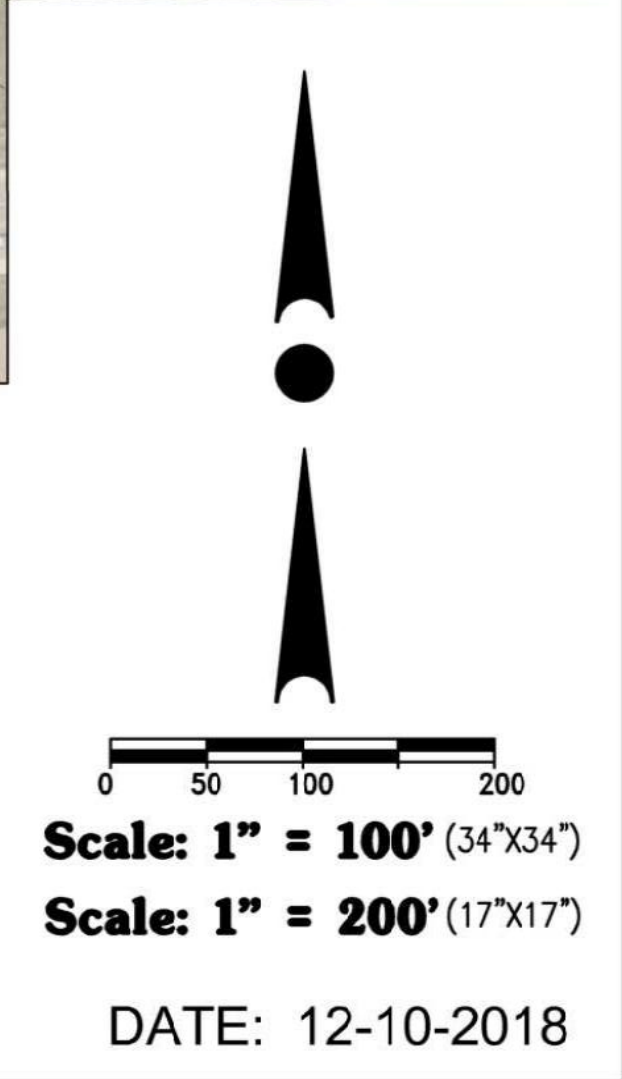
OUTLOT 5 IS FOR THE LIFT STATION AND TO BE DEEDED TO THE VILLAGE OF GERMANTOWN.

DEVELOPMENT SUMMARY			
<u>Residential Development:</u> 142 single family lots 44 condominium units		<u>SOUTH AREA</u>	
<u>Total Area:</u> 145.36 acres		Single Family = 54 lots	
<u>Overall Average Lot Size:</u> 15,728 s.f.		Minimum Lot Width = 75' at front setback	
		Minimum Lot Size = 12,000 s.f.	
		Average Lot Size = 14,350 s.f.	
<u>Single Family Setbacks:</u>		<u>Condominium = 44 units</u>	
Front Yard: = 35'		15 buildings maximum	
Side Yard: = 12'			
Rear Yard: = 35'			
		<u>NORTH AREA</u>	
		Single Family = 88 lots	
		Minimum Lot Width = 90' at front setback	
		Minimum Lot Size = 15,000 s.f.	
		Average Lot Size = 18,006 s.f.	
		(Ave Lot Size = 19,538 s.f. with Lots 82 - 84 as estate lots (>1 acre))	

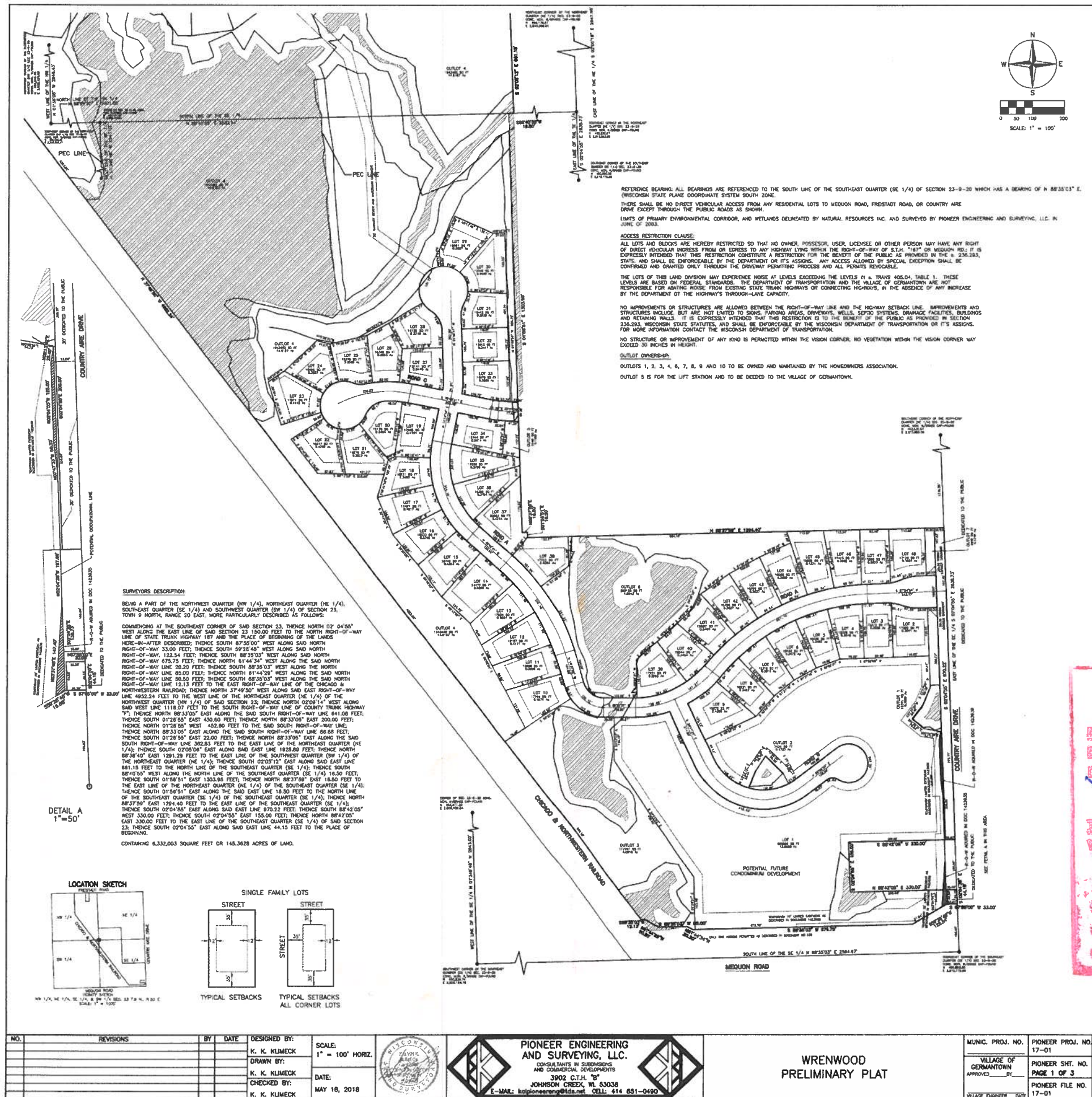
General Development Plan

"Wrenwood"

Village of Germantown, Wisconsin



Scale: 1" = 100' (34"x34")
Scale: 1" = 200' (17"x17")
DATE: 12-10-2018



APPROVED

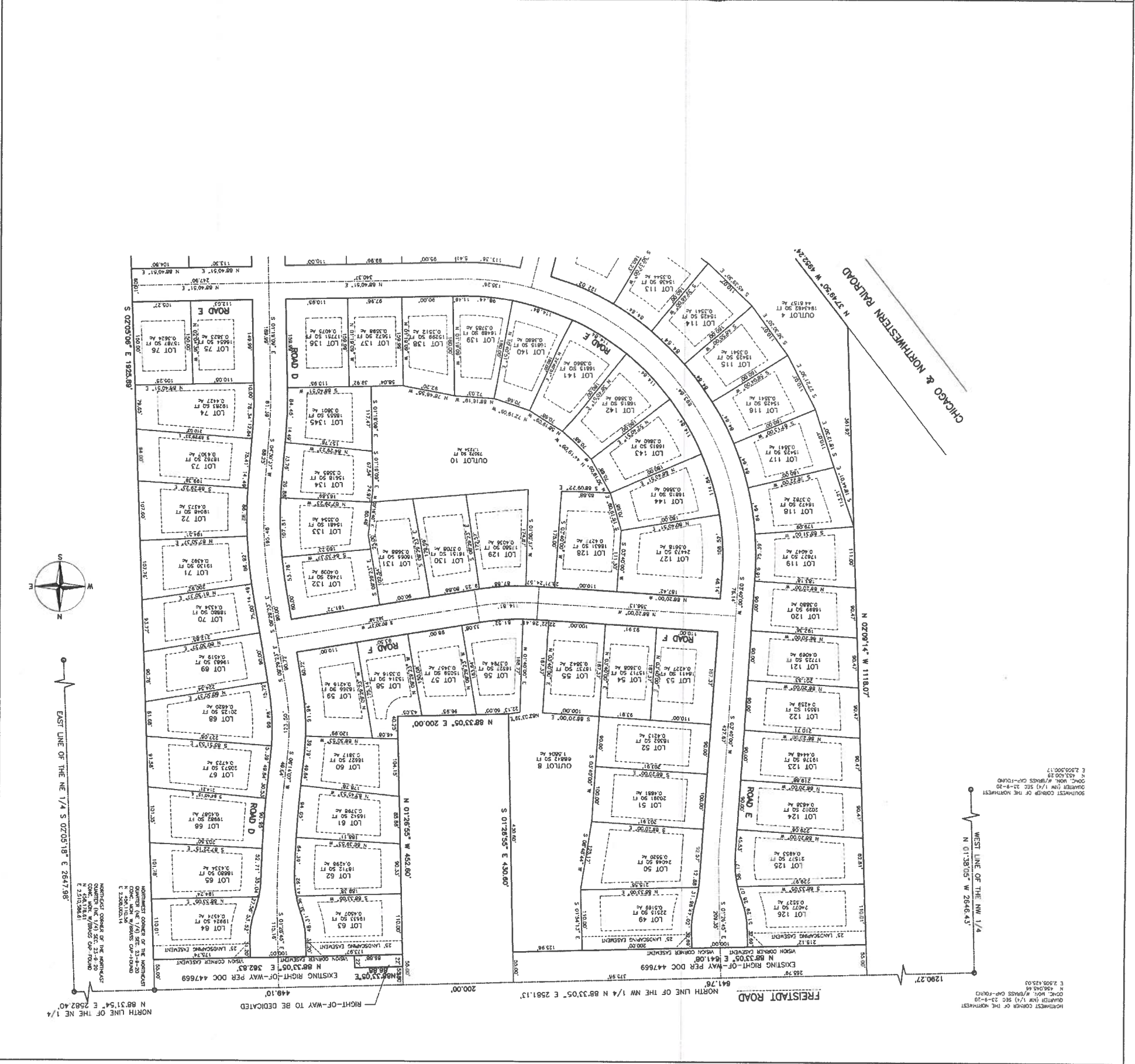
☒ Building/Arch Plan ☐ Site Plan
☒ Landscaping Plan ☐ Sign Plan
☒ Lighting Plan ☐ Zoning Permit

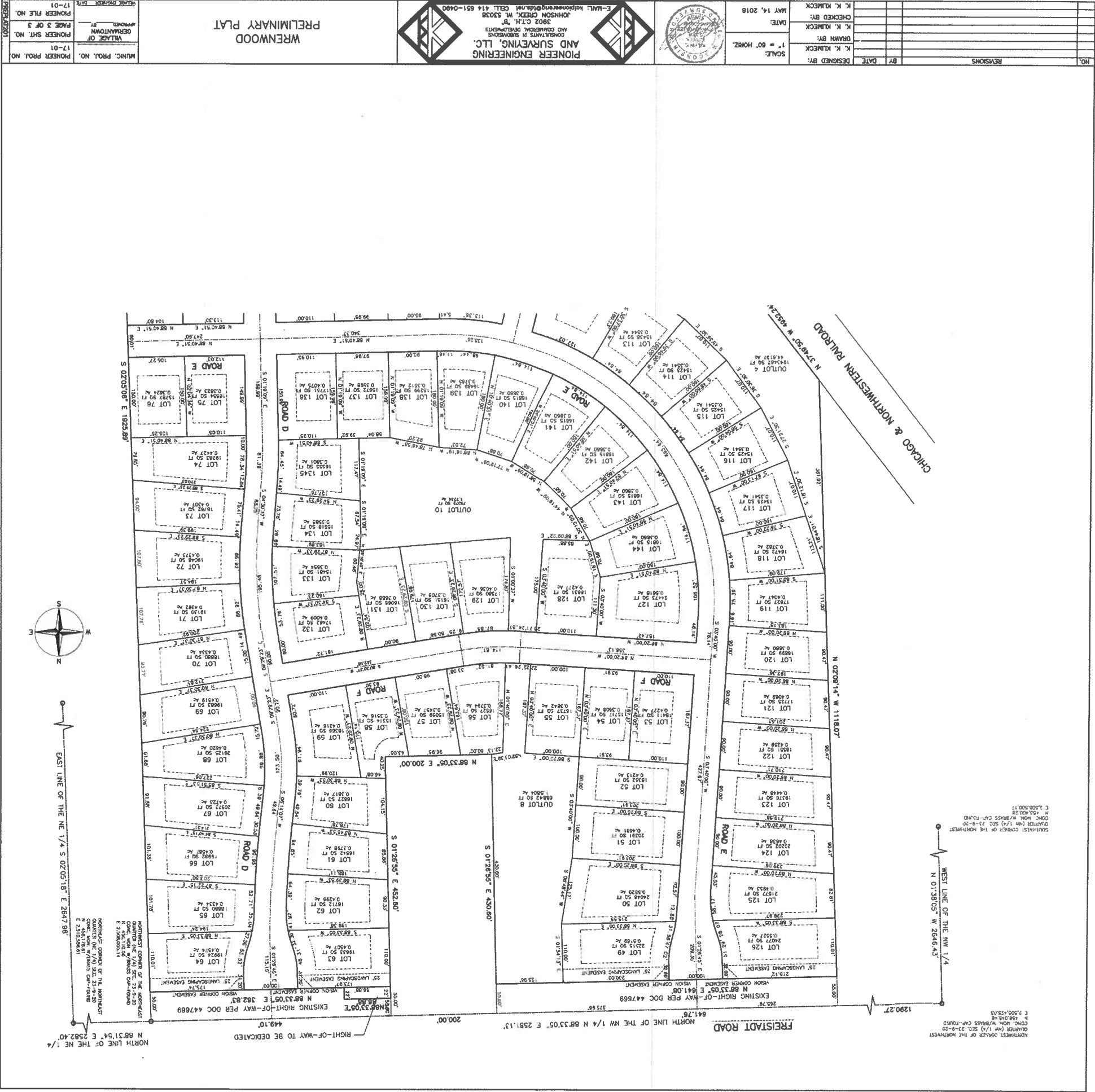
[Signature] 8-6-18
Date Approved

Approval Conditions apply as noted below:

RECEIVED
MAY 15 2018
OFFICE OF THE VILLAGE PLANNER
VILLAGE OF GERMANTOWN

NO.	REVISIONS	BY	DATE	DESIGNED BY: K. K. KLUMBECK	SCALE: 1" = 100' HORIZ.		PIONEER ENGINEERING AND SURVEYING, LLC. CONSULTANTS IN SUBDIVISIONS AND COMMERCIAL DEVELOPMENTS 3902 C.T.H. "B" JOHNSON CREEK, WI 53038 E-MAIL: kklumbeck@pioneereng.com CELL: 414-651-0490		MUNIC. PROJ. NO. VILLAGE OF GERMANTOWN APPROVED BY: VILLAGE ENGINEER DATE:	PIONEER PROJ. NO. 17-01	PIONEER PROJ. NO. 17-01
				DRAWN BY: K. K. KLUMBECK	DATE: MAY 18, 2018					PIONEER SHT. NO. PAGE 1 OF 3	PIONEER FILE NO. 17-01
				CHECKED BY: K. K. KLUMBECK							



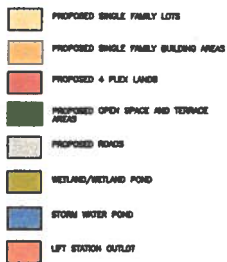
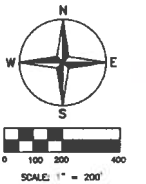


NO.	REVISIONS	BY	DATE
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DESIGNED BY:	K. K. KUMBECK
CHECKED BY:	K. K. KUMBECK
DATE:	MAY 14, 2018
SCALE:	1" = 60' HORIZ.

CONTRACTING ENGINEER	AND SURVEYING, L.L.C.
3902 C.T.H. "B"	JOHNSON CREEK, MN 55038
E-MAIL: help@wrenwoodllc.com	CELL: 414 651-0490

PRELIMINARY PLAT	WRENWOOD
MUNICIPAL PROJ. NO.	
PIONEER PROJ. NO.	
PIONEER SHT. NO.	
PIONEER FILE NO.	
APPROVED BY:	
VILLAGE OF DEERBROOK	
17-01	



NO.	REVISIONS	BY	DATE	DESIGNED BY:	SCALE:			PIONEER ENGINEERING AND SURVEYING, LLC. CONSULTANTS IN SUBDIVISIONS AND COMMERCIAL DEVELOPMENTS 3802 C.T.H. "B" JOHNSON CREEK, WI 53038 E-MAIL: kplpioneereng@tds.net CELL: 414 651-0490		WRENWOOD GENERAL DEVELOPMENT PLAN	MUNIC. PROJ. NO.	PIONEER PROJ. NO.	LANDSCAPE					
				DRAWN BY:							VILLAGE OF GERMANTOWN	PIONEER SHT. NO.						
				CHECKED BY:							APPROVED BY:	PAGE 1 OF 1						
				K. K. KUMECK	DATE:							PIONEER FILE NO.						
				K. K. KUMECK	APRIL 12, 2018							17-01						
											VILLAGE ENGINEER	DATE:						

SITE PLAN/BERM PERMIT REVIEW

1/14/19 Plan Commission Meeting

Douglas & Angela Cook

Village Planner Report

Germantown, Wisconsin

Summary

Douglas & Angela Cook, property owners of a 10-acre parcel are requesting approval of a site plan for an earth berm to be installed within the street yard of their property located at N120 W15170 Freistadt Road.

Location: N120 W15170 Freistadt Road

Property Owners: Douglas & Angela Cook
N120 W15170 Freistadt Road
Germantown, WI

Existing Zoning: A-2: Agricultural

Adjacent Land Uses		Zoning
North	Agricultural	A-2
South	Residential	Rs-1/Rs-5/PDD
East	Residential	Rs-1
West	Agricultural	A-2

Location Map



Proposal

Douglas & Angela Cook, property owners of a 10-acre parcel are requesting approval of a site plan for an earth berm to be installed within the street yard of their property located at N120 W15170 Freistadt Road

The proposed berm will be installed along the north side of and adjacent to and set back a minimum 5 feet from the Freistadt Road right-of-way on both sides of the existing driveway near the south property line (see enclosed description and plan). The berm will vary in depth (60-120 feet) and height above the existing grade (1-7 feet) and have both undulating (up-down) and serpentine (side-to-side) variations. The berm will be comprised of gravel, clay and topsoil and eventually be landscaped with a variety of evergreen and deciduous trees (see landscaping plan). Installation of the berm, finish grading, and landscaping is expected to be completed in the spring, 2019.

Staff Comments

According to Section 17.57 of the Zoning Code, the Village regulates the location, design and visual appearance of new berms that are greater than three (3) feet in height and installed along property lines to discourage excessive length and height, provide for ease of maintenance, assure proper storm water drainage, avoid interfering with safe visual sight distance for motorists, and promote the attractive aesthetic appearance of areas where berms are installed. The berm regulations prescribe a set of minimum design requirements for berms, including: location, slope, shape, height, landscaping, drainage, fencing and erosion control (see 17.57(6) attached).

The proposed berm is generally consistent with and/or meets most of the design requirements with the exception of the following:

1. Setback. The minimum setback required from the Freistadt Road right-of-way is five (5) feet. Although Cook intends to set the toe or base edge of the berm a minimum 5 feet from the right-of-way, the proposed grading plan (dated December 11, 2018) clearly shows new contour lines for the southerly edge of the berm encroaching over the common property/right-of-way line along Freistadt Road. The situation is complicated by the fact that fill for the berm was trucked onto the site prior to the owner applying for a berm permit; making it difficult to visually determine what the pre-existing topography was prior to the work being started, and, where new soil has been deposited. At the time the illegal work had already been underway, the Washington County Highway Department contacted the Village indicating that their staff was of the opinion that fill had already been placed into the Freistadt Road (CTH F) right-of-way. The owner will need to work with the Village Engineer and County Highway Department going forward to determine if fill has encroached beyond the minimum 5' setback or into the Freistadt Road right-of-way, and if so, ensure that fill is moved and the 5' setback maintained.
2. Shape. While the plans show a design that includes some variation in topography, the amount of undulation, i.e. up-down change in elevation, is very limited (only two "peaks" only 1-2 feet higher than the majority of the remaining area that is 7-10 feet higher than the pre-existing grade) and there is no real serpentine, side-to-side variation that presents toward the public right-of-way (only into the interior of the property). As such, the berm is likely to look more like a wall of soil with a couple slight deviations in topography near the very top.

The significant amount of landscaping proposed should, however, improve the overall appearance from the public right-of-way. Staff recommends that the grading plan be revised to include more and greater changes in topography visible from the public right-of-way that looks less like a large, high pile of soil with two minimal peaks.

Engineering/Public Works

Soon after the work began, the owner did obtain an erosion control permit from the Village and installed the required silt fencing. A post-construction inspection and approval by the Village Engineer will be required prior to installation of any landscaping to ensure completion as designed (or as required by the plan Commission if revisions are required).

Conditions of approval that are required under the berm regulations in Section 17.57(6)(h) include:

1. Notification of Village staff when the berm is finish graded, but prior to installation of any landscaping in order to provide for a pre-approval inspection of the berm and any changes required as a result;
2. A requirement that the owner obtain pre-approval from the Plan Commission prior to making any modifications to an approved berm after completion; and
3. A requirement that the owner maintain all road drainage systems, storm water drainage systems, and utilize best management practices during and after construction that may be identified in the berm plan, Plan Commission approval and/or erosion control permit.

17.57 BERMS. (Cr. Ord. #4-03)

- (1) **PURPOSE.** This section regulates the location, design and visual appearance of new berms to discourage excessive length and height, provide for ease of maintenance, assure proper stormwater drainage, avoid interfering with safe visual sight distance for motorists, and promote the attractive aesthetic appearance of areas where berms are located.
- (2) **BERM DEFINED.** A "berm" is a man-made landscape feature consisting of mounded soil. Rock or concrete rubble may be included in a berm if completely covered with topsoil.
- (3) **APPLICABILITY.** These requirements shall not apply to the following:
 - (a) Minor berms not vertically higher than 3 feet above the average ground grade along both sides of the berm.
 - (b) Landscaping areas lower than 3 feet in height.
 - (c) Landscape areas not meeting the berm definition in subparagraph (b) above.
 - (d) Temporary topsoil or fill piles on active construction sites.
- (4) **APPROVAL REQUIRED.**
 - (a) Plan Commission Approval Required. Berms exceeding 3 feet in vertical height above the average grade of the ground along both sides of the berm shall require review and approval by the Plan Commission prior to any construction or alteration thereof.
- (5) **APPLICATION.** Applications to construct or alter a berm shall be made on forms provided by the Village. The application and review fee shall be submitted to the Planning Department. The application shall include the following information:
 - (a) Name, address and telephone number of the applicant, and location of building, structure, or lot where the berm is to be constructed.
 - (b) Name of person, firm, corporation, or business that is constructing or altering the berm.
 - (c) Written consent of the owner or lessee of the land upon which the berm is proposed to be located.
 - (d) Plans and attachments.
 1. Berm plan depicting its location, setbacks, property lines, proposed and existing grade contours, any related drainage facilities, and any existing easements on the subject property.
 2. Proposed type of fill material and cover material.
 3. Landscaping plan including grasses or groundcover, shrubbery, and tree types specifying the spacing and size of all plantings.
 4. Proposed schedule for all phases of work.

(e) Additional information as may be required.

(6) DESIGN REQUIREMENTS.

(a) Location.

1. Berms shall not be located within any existing or future public road right-of-way, Village utility easements or drainage easements. Berms shall be located at least 5 feet from a road right-of-way line, and at least 10 feet from a side or rear lot line. The offset requirements from a side or rear lot line may be waived where a berm is being constructed jointly by adjacent property owners. If berm straddles a lot line, a landscape easement shall be recorded and attached as a deed restriction to the property, evidence of owner's agreement and easement to be provided to the Village prior to issuance of an Erosion Control Permit.
2. Minor berms less than 3 feet high may be located within 5 feet of a road right-of-way line if integral with peripheral edge landscape screening.
3. Berms shall not be constructed to obstruct the view of vehicular traffic for ingress and egress to any public or private road, private driveway, walkway or bike trail.
4. Berms shall not be placed in drainage ways, floodplains, wetlands, or conservancy-zoned areas.
5. Berms shall not be located within any drainage or utility easement.

(b) Slope, Shape, Measurement, and Maximum Height. The vertical height shall be measured from an average of the existing ground grade along both sides of the berm. Berms shall be designed and graded to have an undulating and serpentine shape, and long continuous straight berms may not be acceptable. The width and length of berms shall be measured along their base line or toe of slope. The maximum height of berms shall be determined by the Plan Commission on a case-by-case basis.

(c) Landscaping. Berms shall be covered with at least 6 inches of topsoil, and shall be landscaped with turf or groundcover. In addition, it is recommended that landscape plantings be spaced randomly on the berm to enhance its appearance. Berm maintenance shall be by the owner in perpetuity.

(d) Drainage. All berm construction shall not impede surface water drainage or disturb existing drain tile systems. The provisions of this ordinance shall apply to prevent berms from interfering with surface drainage and public utility easements and drainage easements.

(e) Fencing. Fencing shall not be placed on a berm unless approved by the Plan Commission.

(f) Erosion Control. All berm construction shall adhere to the Village's construction and erosion control ordinance where applicable. The property owner shall obtain an Erosion Control Permit prior to grading activities.

(g) Completion. All berms shall be completed, including all landscaping, in accordance with the schedule approved by the Plan Commission.

- (h) Approval Conditions. Approval conditions shall require the applicant to:
1. Notify the Village when the berm is finally graded, but prior to installing any landscaping to provide for a pre-final inspection of the berm.
 2. Obtain approval from the Plan Commission to modify the berm after completion.
 3. Maintain all road drainage systems, stormwater drainage systems, best management practices and other facilities identified in the berm plan.
- (7) INSPECTION. Berms shall be inspected by the Engineering Department and/or the Planning Department. If berm development or berm activities are being carried out without a permit, Village personnel shall enter the land pursuant to the provisions of §§66.122 and 66.123, Wis. Stats.
- (8) FEES. Fees referred to in this section shall be the fee for a minor Plan Commission review.
- (9) GRANDFATHER CLAUSE. Berms existing prior to the adoption of this amendment that do not comply with the requirements in this amendment shall be considered a nonconforming berm. Such nonconforming berms may be maintained and continued, but any changes or substitutions thereto shall comply with the provisions in this amendment.

17.58, 17.59 RESERVED.

Village Planner Recommendation

APPROVE the site plan/berm permit for the proposed berm on the Cook property located at N120 W15170 Freistadt Road subject to the following conditions:

1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the site plan, grading plan and landscaping plan submitted with the application dated October 17, 2018, unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission;
2. The owner is required to: (a) notify Village staff when the berm is finish graded, but prior to installation of any landscaping in order to provide for a pre-approval inspection of the berm and any changes required as a result; (b) obtain pre-approval from the Plan Commission prior to making any modifications to an approved berm after completion; and (c) maintain all road drainage systems, storm water drainage systems, and utilize best management practices during and after construction that may be identified in the berm plan, Plan Commission approval and/or erosion control permit.
3. The owner shall work with the Village Engineer and County Highway Department going forward to determine if any fill already deposited on the site has encroached beyond the minimum 5' setback or into the Freistadt Road right-of-way, and if so, remove/relocate said fill to ensure that the minimum 5' setback from Freistadt Road is achieved and continuously maintained.
4. Staff recommends that the grading plan be revised to include more and greater vertical and horizontal changes in topography visible from the public right-of-way.



Village of

★★★
Germantown

Willkommen

Fee must accompany application

☒ \$200 BERM Review Fee

Paid

Date

10-17-18

BERM REVIEW APPLICATION

Pursuant to Section 17.57 of the Municipal Code

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

APPLICANT OR AGENT

Doug Cook
Poblocki Paving / Mark

Phone (262) 339-6722

Mark Fax (414) 349-8514

E-Mail

PROPERTY OWNER

Doug Cook

Phone (262) 339-6722

PROPERTY ADDRESS

1120W15170 Freistadt Rd Germantown WI 53092

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

North NONE	South Privacy / NONE	East NONE	West NONE
---------------	-------------------------	--------------	--------------

SIGNATURES – ALL APPLICATION MUST BE SIGNED BY OWNER!


Applicant
Date 10/17/18
Contact # 262-339-6722


Owner
Date 10/17/18

Pre-Construction grading-

- No grading required on existing ground. No topsoil or useable ground being covered. The Berm is planned to go where the old barn, milk house and driveway was. This part of the property, South and southeast corner would not grow crops or grass. This area of land was used by Washington County DPW, in the late 1980s to store ground up asphalt. This ground up asphalt was used to fill in the old foundation of the barn.
- Old barn and milk house materials (steel, wood, concrete) were removed and recycled over the last four years (Since purchase of the property). Buckthorn, cotton wood, bull thistle and dead ash Trees, were cleared and removed along the east portion of the schedule berm area.

Post-Construction Grading

- Berm will/is built with a mixture of topsoil, gravel, clay ground (no concrete or asphalt material).
- All rough grading of fill will be done immediately when brought on to the property.
- Finish grading will start immediately after rough grading is done and planting completed. (See Scheduling sheet attached)
- Berm will be graded, per landscaping plan and maintain the contours of the existing ground's contours and elevation to give it a more natural appearance (See landscaping plans). The berm will be blending into the existing natural grade of the land to maintain the same water dissipation. The north side of the berm will be graded per plans and will sloped so the land can be seeded and mowed by the farmer that is growing horse hay. Making the land useable and not having died area.

Schedule of Berm's Construction

If approved/weather permitting

- **ASAP**
weather permitting - Finished construction and rough graded.
Berm will be seeded with Winter wheat, rye and grass seed. Covered with straw/hay.

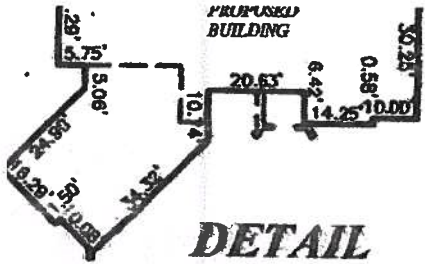
Depending on weather

- Placement of Trees (Per Plan)
- Topsoil covers and finished grading. Depending on weather and ground conditions. If ground freezes, this step will be completed as soon as weather permits in the spring of 2019.

Alternative Spring Schedule

- 04/19 thru 05/30/19- Placement of Trees and stone placement. (Per Plan)
- 05/30 thru 06/30/19- Topsoil covers and finished grading. Depending on weather and ground conditions. If ground freezes, this step will be completed as soon as weather permits in the spring of 2019.

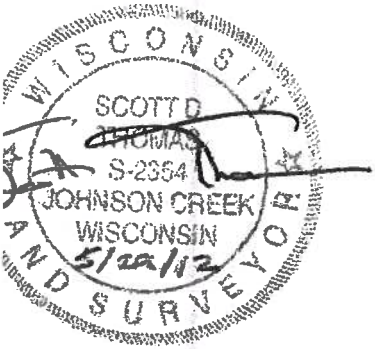
Note: Arborvitaes will not go in until the approval for future drive way gates



DETAIL

OSED TOP OF FOUNDATION: 893.17
 OSED GARAGE FLOOR EL: 892.83
 OSED FRONT YARD GRADE: 892.50
 OSED REAR YARD GRADE: 883.50
 OSED TOP OF FOOTING: 884.17
 MING 9' FOUNDATION WALL

UNPLATTED LANDS



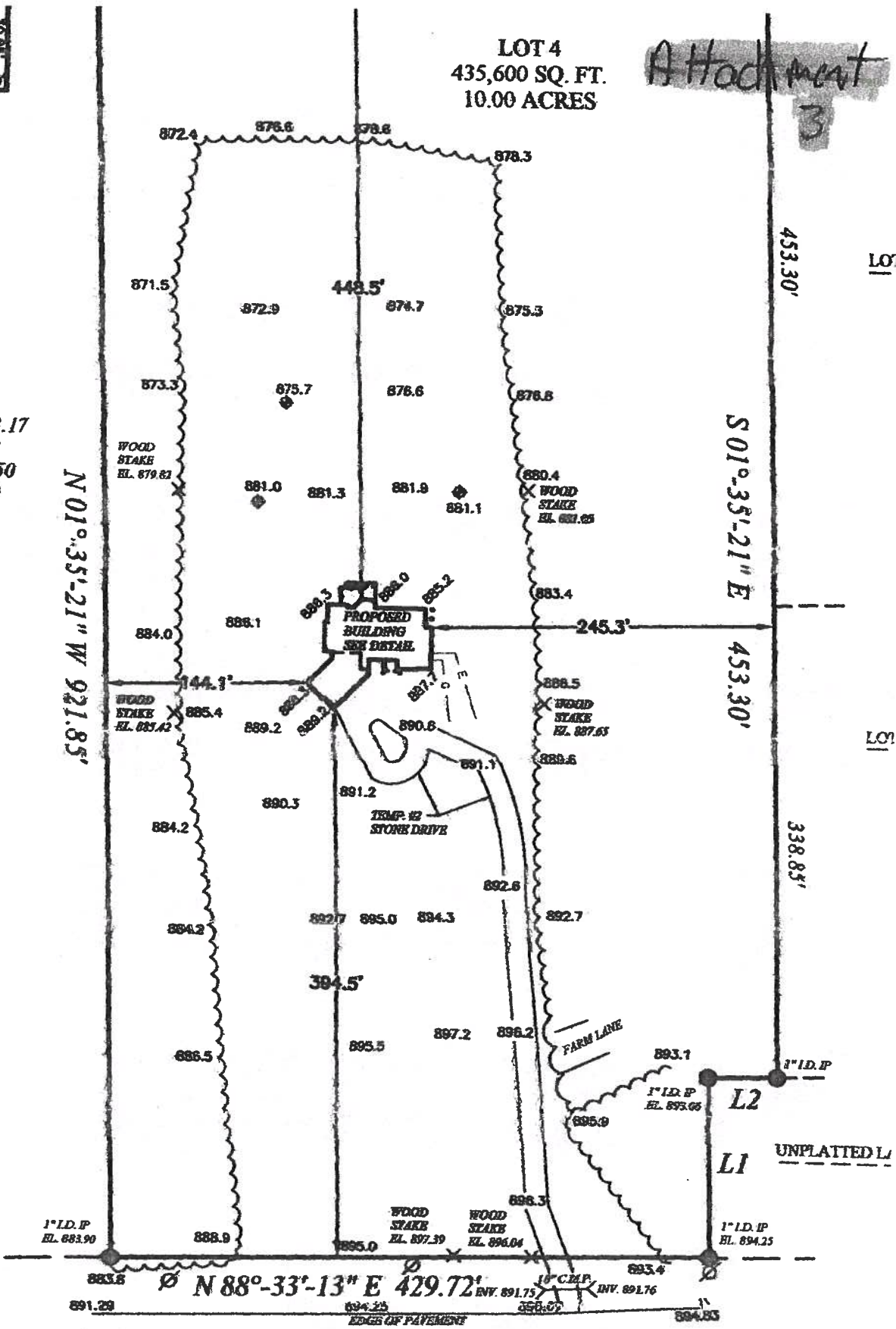
SURVEYOR'S SEAL IS
 STAMPED IN RED AND
 IN OPPOSITE END, THE
 A COPY THAT SHOULD
 USED TO CONTAIN UN-
 ALTERED INFORMATION. THE
 INFORMATION CONTAINED ON
 THIS DOCUMENT DOES NOT APPLY
 TO ANY OTHER DOCUMENTS.

SS.

& Thomas, L.L.C., do hereby certify that we have made this survey and that the information as shown on the above Plat of
 and correct representation thereof. Lots are drawn from subdivision plans, C.S.M.s, unplatted lands from recorded deeds/surveys.
 y plats reflect field-located information; consult a title attorney to discover all the legal encumbrances attached to any property.

LOT 4
 435,600 SQ. FT.
 10.00 ACRES

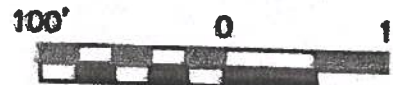
Attachment
 3



FREISTADT ROAD
 (A.K.A. CTH "F")
 (R-O-W VARIES)

L1 = S 01°-26'-47" E
 L2 = N 88°-33'-13" E

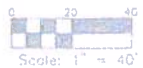
BEARINGS ARE REFERENCED TO THE SOUTH
 THE SOUTHWEST QUARTER OF SECTION 14-1
 WHICH IS ASSUMED TO BEAR S 88°-33'-13"



B C D E F G H I J K L M N O P Q R S T U V W X Y Z

BERM SURVEY FOR:
DOUG COOK
1120 WIS170 FREISTADT ROAD
GERMANTOWN, WI 53022

LOT 4 OF CERTIFIED SURVEY MAP NO. 6441, AND BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.
CONTAINING 435,812 SQUARE FEET, 10.0049 ACRES MORE OR LESS



LEGEND

- 1" IRON PIPE FOUND
- POWER POLE

UNPLATTED LANDS

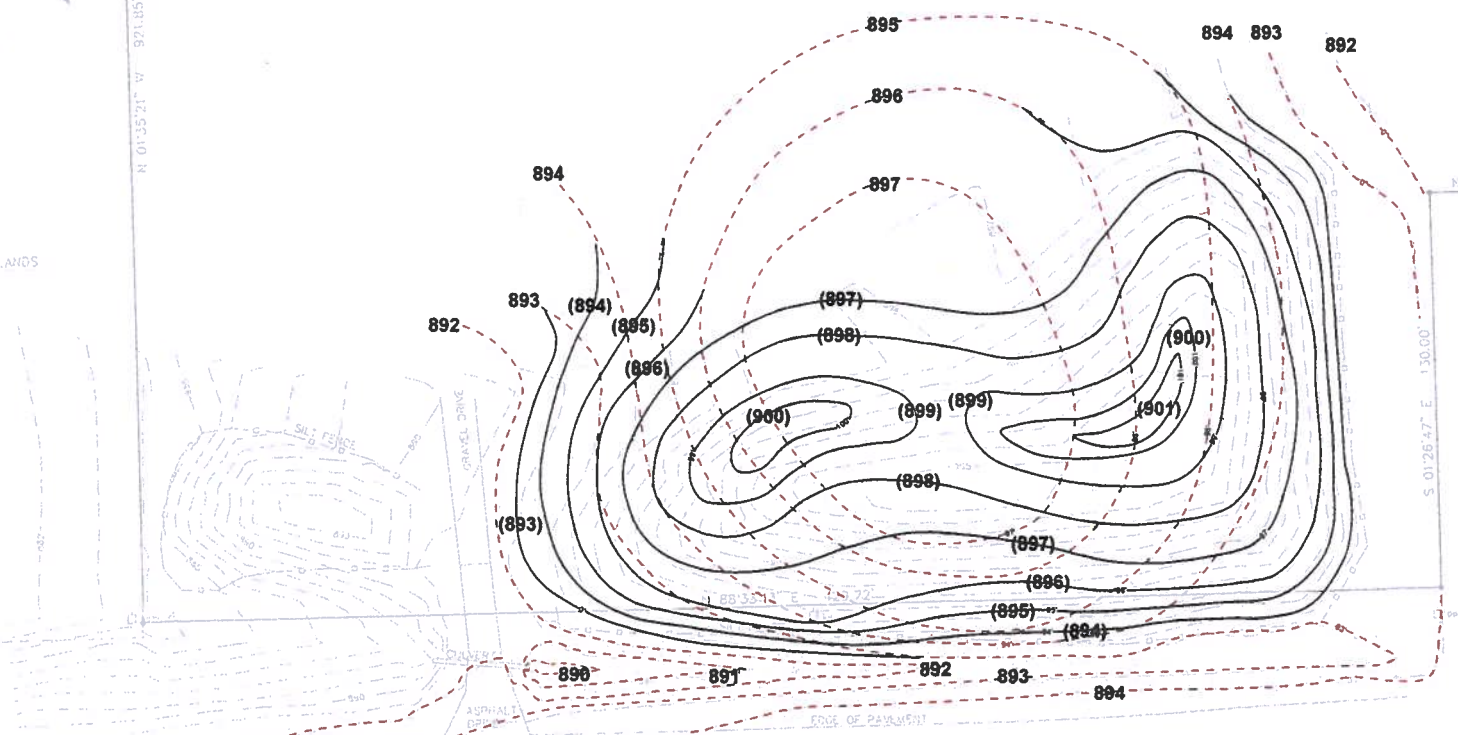
N 01°35'21" W 971.85'

S 01°35'21" E 792.15'

N 88°33'13" E 49.39'

S 01°26'47" E 130.00'

UNPLATTED LANDS



FREISTADT ROAD (C.T.H. "F")
(R.O.W. VARIES)

NOTE: THIS SURVEY IS TO SHOW THE LOCATION OF THE BERM ON THE ABOVE PROPERTY ONLY.

ELEVATIONS SHOWN ON THIS MAP ARE REFERENCED TO NAVD83 (2012) USING THE WISCONSIN & 12A GEOD.

THIS IS AN ORIGINAL PRINT ONLY IF SEAL IS IMPRINTED IN RED. "I have surveyed the above property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all berms, fences, apparent easements, roadways, and visible encroachments and is in compliance with Wisconsin Administrative Code AE-7 for property survey standards and is correct to the best of my knowledge and belief."

This survey is made for the exclusive use of the present owner of the property; also those who purchase, mortgage, or guarantee the title thereto, within one year from the date hereof."

Doug Cook- Proposed Berm Grading Plan Concept, December 11, 2018
The MCR Group, David A. Aldrian

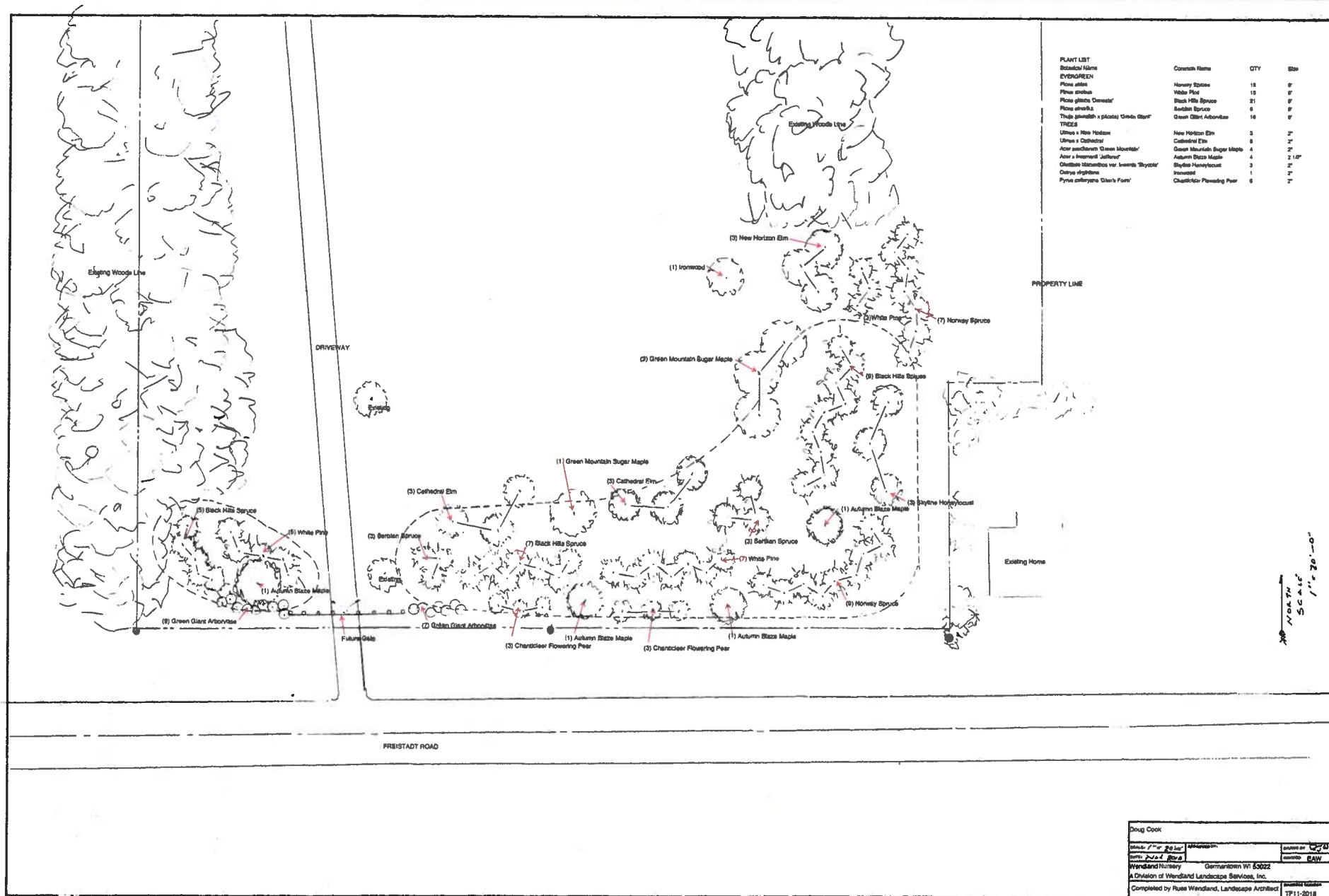
- 000 --- Pre-berm contour lines (approximate)
- (900) --- Proposed revised berm grading plan
- 0' --- Existing berm contour lines

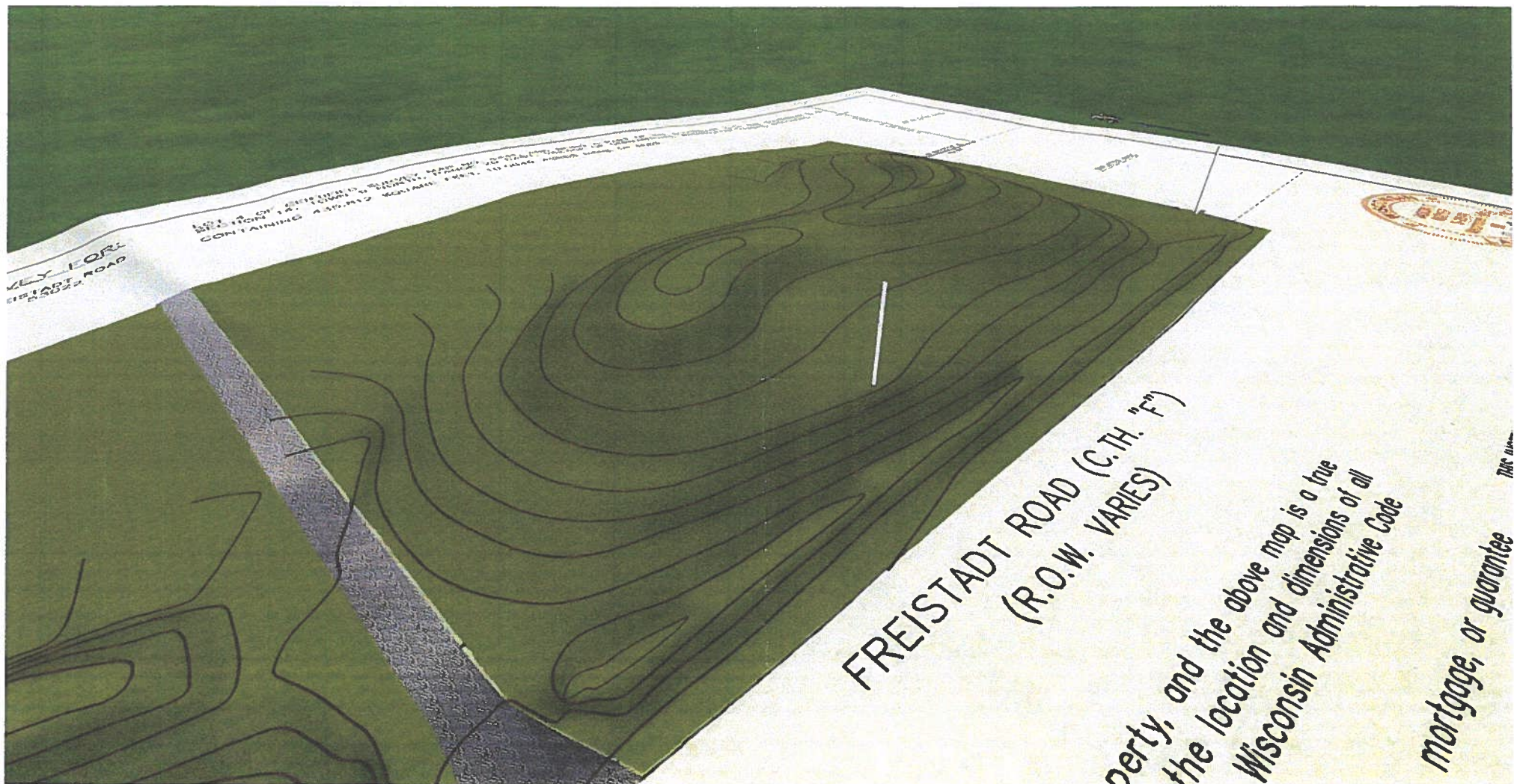
THIS INSTRUMENT WAS DRAFTED ON 12-10-2018 BY JASON T. MAYER, PLS NO. 2844
W/41 N/303 S. WOODSVIEW DR. SUSSEX, WI 53089 (262)474-7552



JASON T. MAYER
PLS NO 2844

ATTACHMENT I





Day Code-Berm View 1 (Exaggerated Vertically)

...AND BEING A PART OF THE
VILLAGE OF GERMANTOWN,
SOUTHEAST 1/4 OF THE
WASHINGTON COUNTY, SO
WIS

240 (C.H. "F")

Doug Cook Berm View 2
(Exaggerated Vertically)

VILLAGE PROPERTY PURCHASE REQUEST

1/14/19 Plan Commission Meeting

Ellsworth Corporation

Village Planner Report

Germantown, Wisconsin

Summary

The Ellsworth Corporation has offered to purchase a 3' x270' (810 sqft) parcel currently owned by the Village of Germantown located at W188 N11614 Maple Road in the Germantown Industrial Park (north of the Fire Department headquarters).

Property Location: W188 N11614 Maple Road

**Applicant/
Property Owners:** Ellsworth Corporation
W129N10825 Washington Drive
Germantown, WI

Current Zoning: M-1: Limited Industrial

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



Proposal

The Ellsworth Corporation has offered to purchase a 3' x 270' (810 sqft) parcel owned by the Village of Germantown located at W188 N11614 Maple Road in the Germantown Industrial Park.

As explained in their October 30, 2018 letter seeking permission to acquire the property (TAX ID# 212-957 as shown in the attached parcel map), Ellsworth recently purchased the 1.0-ac parcel to the south (TAX ID# 212-996) and already own the 2.62-ac parcel to the north (TAX ID# 212-995).

Staff Comment

A review of our files and past meeting minutes is inconclusive as far as explaining why a 3'x 270' "spite strip" of land was created back in 1993. CSM#4116 (copy attached) created the strip of land and shows two shed encroachments across what was then the common property line. Consequently, it appears that the 3'x 270' strip was created for the sole purpose of eliminating the shed encroachments by moving the property line 3' to the north... but one can only speculate as to why a separate parcel was created vs. simply attaching the 3'x 270' strip to the 1.0-ac parcel to the south (one guess is that doing so would enable the owner from having to dedicate additional right-of-way for Maple Road across the frontage of the 1.0-ac parcel if the CSM included that 1.0-ac parcel).

This (uncommon) request is before the Plan Commission for review and recommendation to the Village Board at the direction of the Village Attorney and pursuant to Wis. Stats. 62.23(5) that lists various actions/responsibilities that the Plan Commission is charged with considering and reporting on to the Village Board. With that said, the land sale is a minor issue and one that staff recommends be approved. However, there is an issue that can be addressed in the process.

As seen in the aerial photo below, there's a 135' section of "temporary" (i.e. asphalt) sidewalk across the frontage of the 1.0-ac parcel recently acquired by Ellsworth. The sidewalk deviates toward the roadway across the frontage because the right-of-way has not yet been dedicated/acquired across the frontage of the 1.0-ac parcel.

Therefore, for the reasons discussed above, Staff recommends that, in exchange for selling the 3' x 270' parcel to Ellsworth, Ellsworth dedicate the additional 27' necessary to complete the full 60' wide right-of-way needed for Maple Road (currently only 33' exists across the 1.0-ac parcel). With the additional right-of-way, the Village or Ellsworth would be able to install a concrete "permanent" sidewalk section in the same alignment that matches the existing sidewalk north and south of these parcels (Ellsworth has already indicated to Village staff that they may be willing to install the permanent section of sidewalk).

If Ellsworth ever decides to combine the 1.0-ac parcel and the 3'x270' parcel (assuming it is acquired from the Village), a certified survey map (CSM) would be required at that time. As part of the CSM approval process, any additional right-of-way needed would be required to be dedicated. So, it's conceivable that the additional ROW would be obtained eventually, but there are no guarantees that will happen.



Village Planner Recommendation

APPROVE the sale of the 3'x270' (810 sqft) parcel to the Ellsworth Corporation as requested with the following recommended condition (which is not a municipal code requirement):

1. Ellsworth dedicate the additional 27' of right-of-way necessary to complete the full 60' wide right-of-way needed for Maple Road (currently only 33' exists across the 1.0-ac parcel).



TO: Mr. Steven R Kreklow, Village Administrator, Germantown WI
FROM: Jacqueline Flood, Global Risk and Compliance Manager, Ellsworth Corporation
SUBJ: Land Purchase
DATE: October 30th, 2017

Dear Mr. Kreklow,

Ellsworth Corporation recently bought a piece of property located at W188N11614 Maple Road over in the west business park of Germantown (ID 212996); we also own a lot north of this (ID212957). We became aware that there is a 3x270 lot (ID212957) owned by the village of Germantown in between the two lots that we now own. We would like to buy or take ownership of the 3x270 lot.

I have spoken with Mr. Bob Beilfuss, the Village Surveyor on this matter, he may have additional information to provide as well based on the internal discussions he has had with various Village team members. I have also attached a map with the lots in question identified by the ID numbers provided above.

My understanding is that this process will have to go in front of the Village Board, please let me know if any additional information is needed from me before that happens. If you have any questions, please reach out to me at the contact information below. Thank you in advance for your consideration and assistance on this matter.

Sincerely,

A handwritten signature in black ink that reads 'Jacqueline Flood'.

Jacqueline Flood

Global Risk and Compliance Manager

Ellsworth Corporation

Tel/Fax: +1 (262) 509-8799 | Mobile: +1 (262) 352-5404

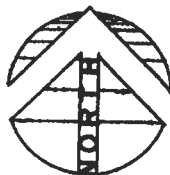
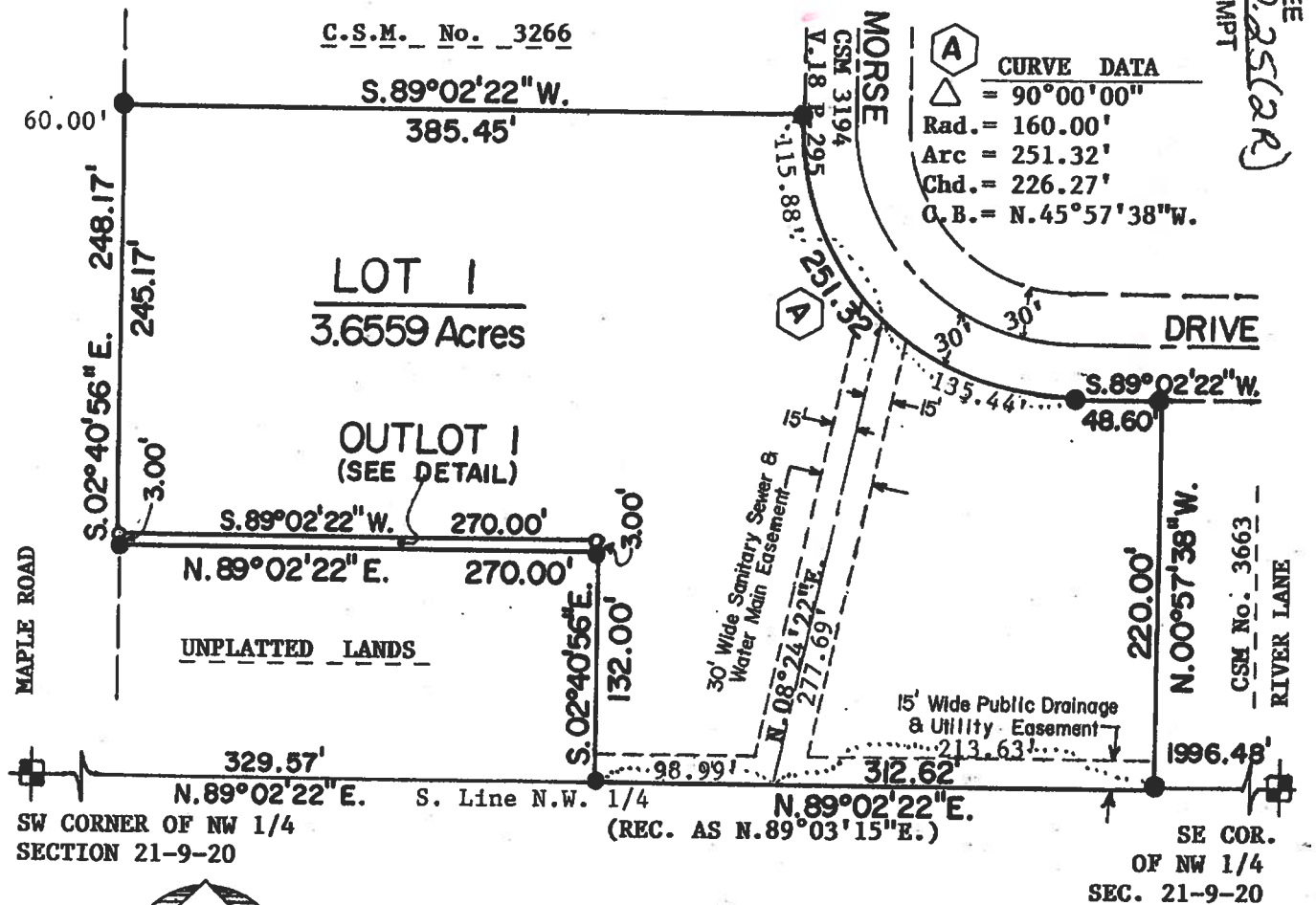
Email: jackie.flood@ellsworth.com | Web: <https://www.ellsworth.com>

Return to

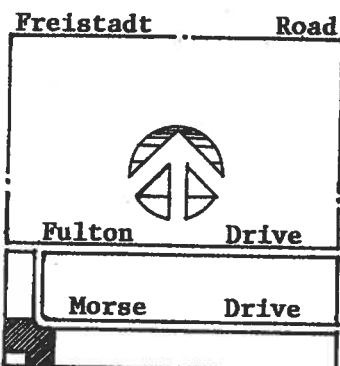
VILLAGE OF GERMANTOWN
N122 W17177 FOND DU LAC AVENUE
P.O. BOX 337
GERMANTOWN, WISCONSIN 53022

CERTIFIED SURVEY MAP

Being a part of the Southwest 1/4 of the Northwest 1/4
of Section 21, T9N, R20E, Village of Germantown,
Washington County, Wisconsin.



SCALE: 1"=100'

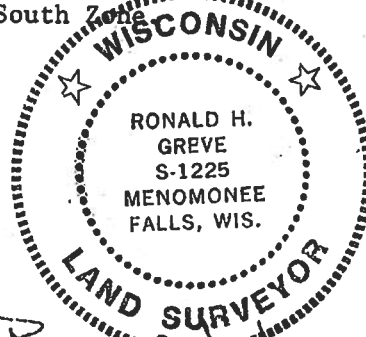


LOCATION MAP
NW 1/4 of Sec. 21-9-20
Scale: 1"=1500'

LEGEND:

- = 1" x 24" IRON PIPE SET WEIGHING NOT LESS THAN 1.13 LBS. PER L.F.
- = 1" x 24" IRON PIPE FOUND
- ⊕ = CONCRETE MONUMENT W/BRASS CAP
- ⊞ = CAST IRON MONUMENT

NOTE: All bearings are referenced to Grid North of the Wisconsin State Plane Coordinate System, South Zone.

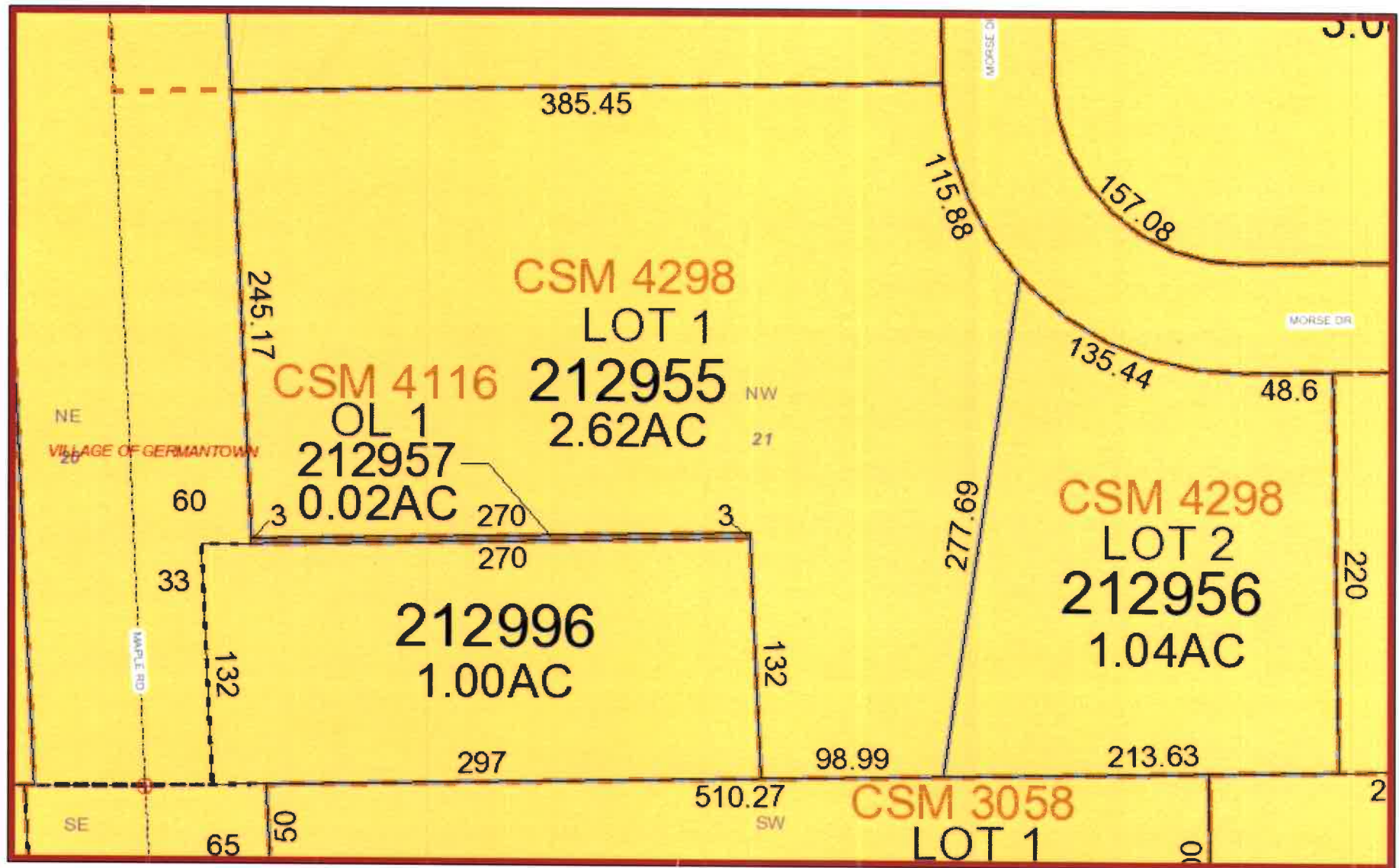


Ronald H. Greve, R.L.S.
S-1225
N88 W16752 Main Street
Menomonee Falls, WI 53051
(414) 251-8141

Under the direction of Ronald H. Greve,
This instrument drafted by James A. Hall.

Jun 29 3 22 PM '93

ArcGIS WebMap



October 30, 2017

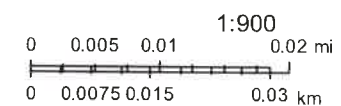
- | | | |
|----------------------------|-----------------------------|--------------------|
| County Boundary | Washington County Landmarks | Public Open Spaces |
| City, Village or Town Hall | Airports | Current Parcel |
| Libraries | Trails | |

Road Centerline I, USH

Road Centerline STH, CTH

Road Centerline TWN, CVS, PVT

Washington County GIS
Washington County





385.45

CSM 4298

LOT 1

CSM 4116

OL 1

212955

212957

0.02AC

CSM 42

LOT 2

21295

1.04AC

212996

1.00AC

CSM 3058

LOT 1

NW

21

NE

60

20

33

Maple Rd

Morse Dr

157.08

135.44

132

297

510.27

0 20 40 80 ft

SE

DISCLAIMER: This map is not intended to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

65

VILLAGE OF GERMANTOWN
N112W17001 MEQUON RD
PO BOX 337
GERMANTOWN WI 53022

WASHINGTON COUNTY - STATE OF WISCONSIN
PROPERTY TAX BILL FOR 2016
REAL ESTATE

VILLAGE OF GERMANTOWN *



Parcel Number: GTNV 212957
Bill Number: 91726

Important: Be sure this description covers your property. Note that this description is for tax bill only and may not be a full legal description. See reverse side for important information.

Location of Property/Legal Description

Sec. 21, T9N, R20E
OL 1 - CSM 4116 PT OF SW NW SEC 21-9-20 .02 AC
0.020 ACRES

91726 GTNV 212957
VILLAGE OF GERMANTOWN *
N122W17177 FOND DU LAC AVE
GERMANTOWN WI 53022

Please inform treasurer of address changes.

ASSESSED VALUE LAND	ASSESSED VALUE IMPROVEMENTS	TOTAL ASSESSED VALUE	AVERAGE ASSESSMENT RATIO	NET ASSESSED VALUE RATE	NET PROPERTY TAX
0	0	0	0.990134592	0.01627290 (Does NOT reflect credits)	0.00
ESTIMATED FAIR MARKET VALUE LAND	ESTIMATED FAIR MARKET VALUE IMPROVEMENTS	TOTAL ESTIMATED FAIR MARKET VALUE	☐ A star in this box means unpaid prior year taxes.	School taxes also reduced by school levy tax credit 0.00	
0	0	0			
TAXING JURISDICTION	2015 EST. STATE AIDS ALLOCATED TAX DIST.	2016 EST. STATE AIDS ALLOCATED TAX DIST.	2015 NET TAX	2016 NET TAX	% TAX CHANGE
STATE OF WISCONSIN	0	0	0.00	0.00	
WASHINGTON COUNTY	500,100	496,050	0.00	0.00	
VILLAGE OF GERMANTOWN	1,699,874	1,739,308	0.00	0.00	
GERMANTOWN SCHOOL	10,451,344	11,074,935	0.00	0.00	
MILW AREA TECH COL	2,523,865	2,514,229	0.00	0.00	
TOTAL	15,175,183	15,824,522	0.00	0.00	0.0%
FIRST DOLLAR CREDIT			0.00	0.00	0.0%
LOTTERY AND GAMING CREDIT			0.00	0.00	0.0%
NET PROPERTY TAX			0.00	0.00	0.0%

TOTAL DUE: \$0.00

FOR FULL PAYMENT, PAY TO LOCAL
TREASURER BY:
JANUARY 31, 2017

Warning: If not paid by due dates,
installment option is lost and total tax is
delinquent subject to interest and, if
applicable, penalty.
Failure to pay on time. See reverse.

FOR INFORMATION PURPOSES ONLY • Voter Approved Temporary Tax Increases

Taxing Jurisdiction	Total Additional Taxes	Total Additional Taxes Applied to Property	Year Increase Ends	Taxing Jurisdiction	Total Additional Taxes	Total Additional Taxes Applied to Property	Year Increase Ends
---------------------	---------------------------	---	-----------------------	---------------------	---------------------------	---	-----------------------

PAY 1ST INSTALLMENT OF: \$0.00

BY JANUARY 31, 2017

AMOUNT ENCLOSED _____

MAKE CHECK PAYABLE AND MAIL TO:

VILLAGE OF GERMANTOWN
PAYMENTS C/O US BANK
PO BOX 78322
MILWAUKEE, WI 53278-8322

PIN# GTNV 212957
VILLAGE OF GERMANTOWN *
BILL NUMBER: 91726

PAY 2ND INSTALLMENT OF: \$0.00

BY JULY 31, 2017

AMOUNT ENCLOSED _____

MAKE CHECK PAYABLE AND MAIL TO:

WASHINGTON COUNTY TREASURER
432 E WASHINGTON ST, PO BOX 1986
WEST BEND, WI 53095-7986

PIN# GTNV 212957
VILLAGE OF GERMANTOWN *
BILL NUMBER: 91726

PAY FULL AMOUNT OF: \$0.00

BY JANUARY 31, 2017

AMOUNT ENCLOSED _____

MAKE CHECK PAYABLE AND MAIL TO:

VILLAGE OF GERMANTOWN
PAYMENTS C/O US BANK
PO BOX 78322
MILWAUKEE, WI 53278-8322

PIN# GTNV 212957
VILLAGE OF GERMANTOWN *
BILL NUMBER: 91726



INCLUDE THIS STUB WITH YOUR PAYMENT



INCLUDE THIS STUB WITH YOUR PAYMENT



INCLUDE THIS STUB WITH YOUR PAYMENT

SITE PLAN REVIEW

1/14/19 Plan Commission Meeting

Village of Germantown

Village Planner Report

Germantown, Wisconsin

Summary

The Germantown Public Works Department, agent for the Village of Germantown, property owner, is requesting approval for site development and building plans for a 1,040 sqft water system pressure booster/reducer station on a .28-acre parcel located at W204 N12333 Goldendale Road.

Location: W204 N12333 Goldendale Road

Agent/

Property Owner: Larry Ratayczak, Director, Public Works Department
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI

Existing Zoning: I: Institutional

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



Proposal

The Germantown Public Works Department, agent for the Village of Germantown, property owner, is requesting approval for site development and building plans for a 1,040 sqft water system pressure booster station on a .28-acre parcel located at W204 N12333 Goldendale Road.

As part of the water system improvements currently being installed within the Goldendale Road right-of-way, the Village needs to install a water pressure “booster/reducer” station in the same vicinity to regulate and maintain adequate water pressure in the system. The proposed booster station will be constructed on the .28-acre parcel of land recently acquired by the Village from the James Stout farm property in December, 2018, on the west side of Goldendale Road north of Freistadt Road and south of the railroad.

The booster station facility will be comprised of a small 26'x40' (1,040 sqft) masonry building to house pumps and related mechanical equipment (e.g. emergency generator). A high-volume/high-pressure pump will actually be installed approximately 20 feet below grade with another smaller pump for normal operations inside the building. Apart from regular weekly or monthly visits by Village Water Utility staff, the building will not generate any noise, odor, well, traffic or other impacts on the adjacent properties or surrounding area.

As presented in the attached plans, the building and site design are intended to be compatible with the general architectural style and appearance of the neighborhood. The building will be comprised of a masonry exterior. Two alternative roof treatments are being proposed, including (1) a standing seam metal roof (see enclosed renderings); and (2) an alternative flat roof that matches other well house buildings throughout the Village (renderings to be provided at the meeting).

Access & Parking. One new paved access driveway is proposed on Goldendale Road with on-site parking.

Storm Water Management. Other than temporary construction site erosion control measures during construction, no permanent storm water management facilities are required or proposed.

Landscaping & Buffering. Landscaping on the site includes foundation plantings comprised of deciduous shrubs; streets trees comprised of both deciduous and evergreen trees on the north, east and south sides of the parcel.

Lighting. No exterior site lighting is proposed.

Staff CommentsCommunity Development: Planning & Zoning

The nearest residential property abuts the booster station parcel to the north. The existing yard area between the dwelling and the proposed booster station building is generally open with mowed turf. To help maximize the impact of the proposed buffer between the two uses, staff recommends that the neighbor to the north be consulted about installation of the proposed trees along the north/common property line.

Fire/Police Department

No comment.

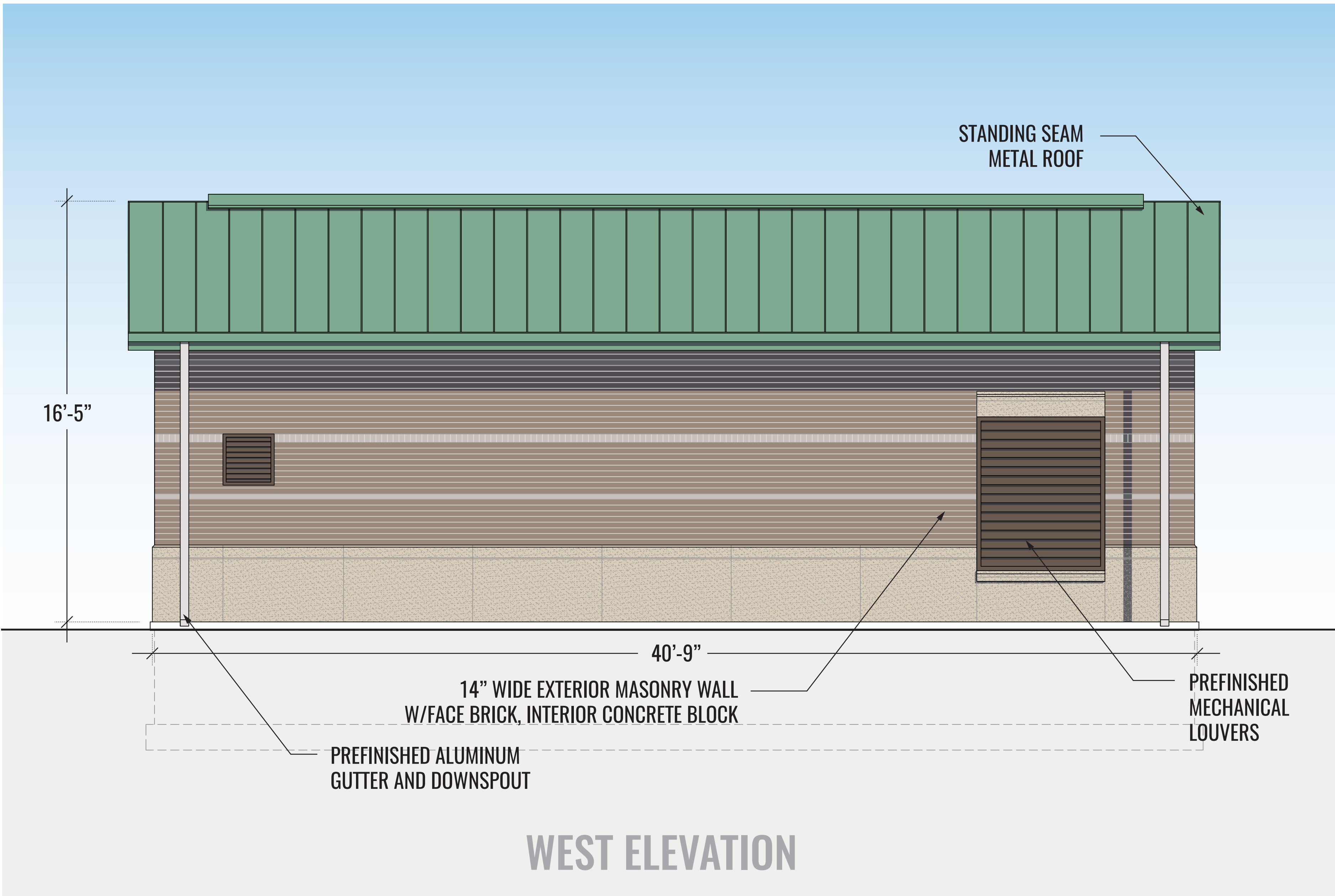
Engineering/Public Works

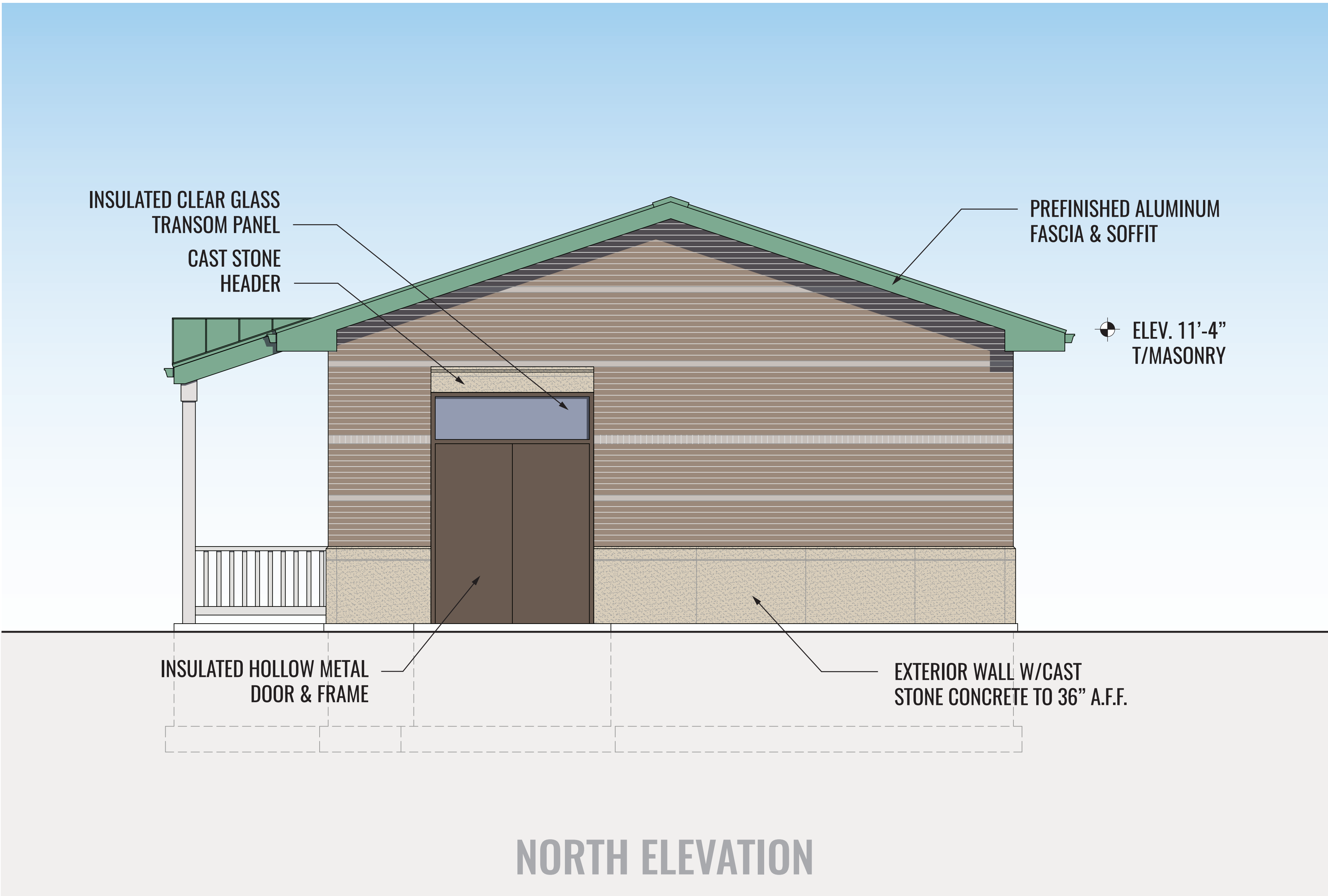
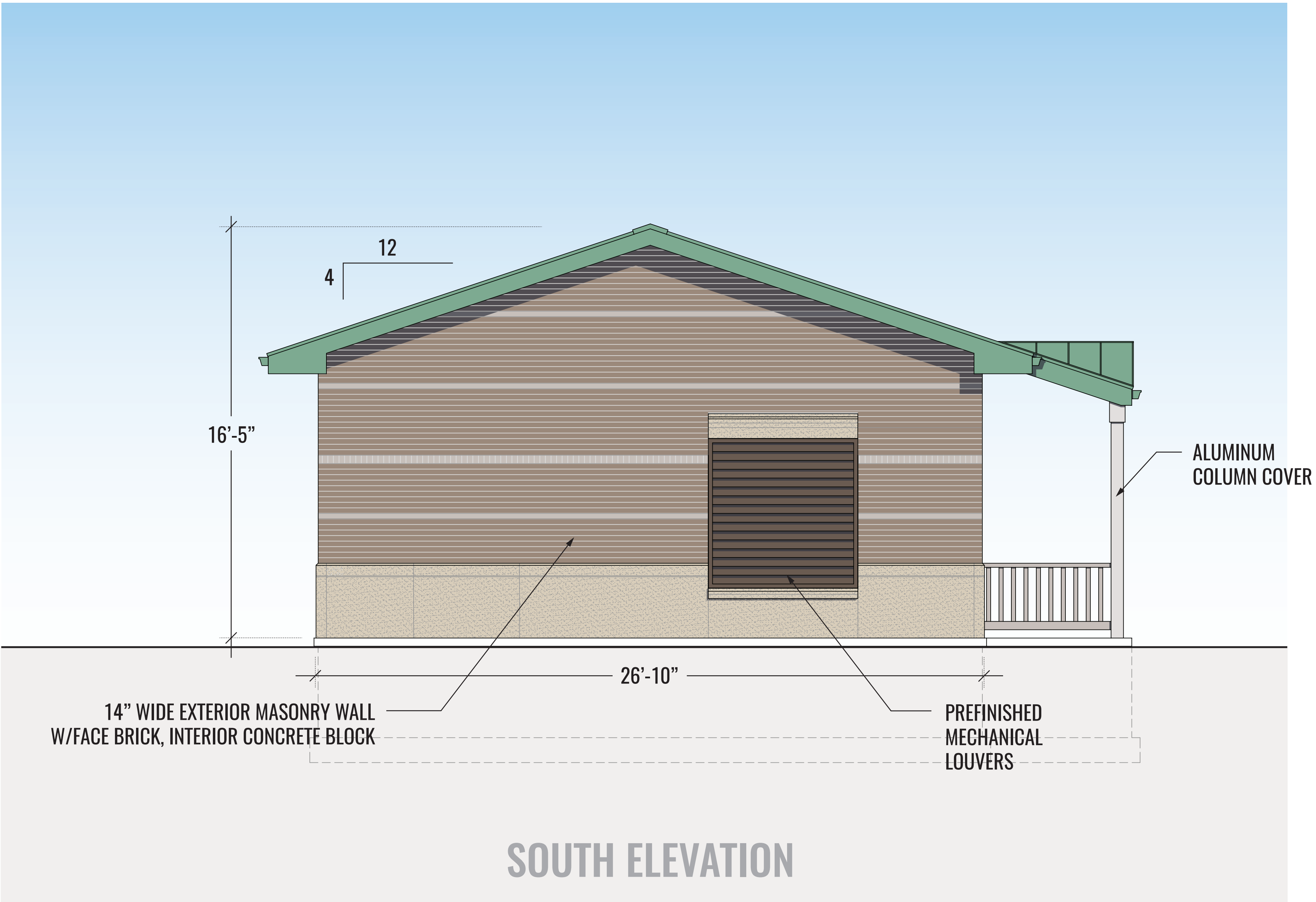
No comment.

Village Planner Recommendation:*Site Development & Building Plans*

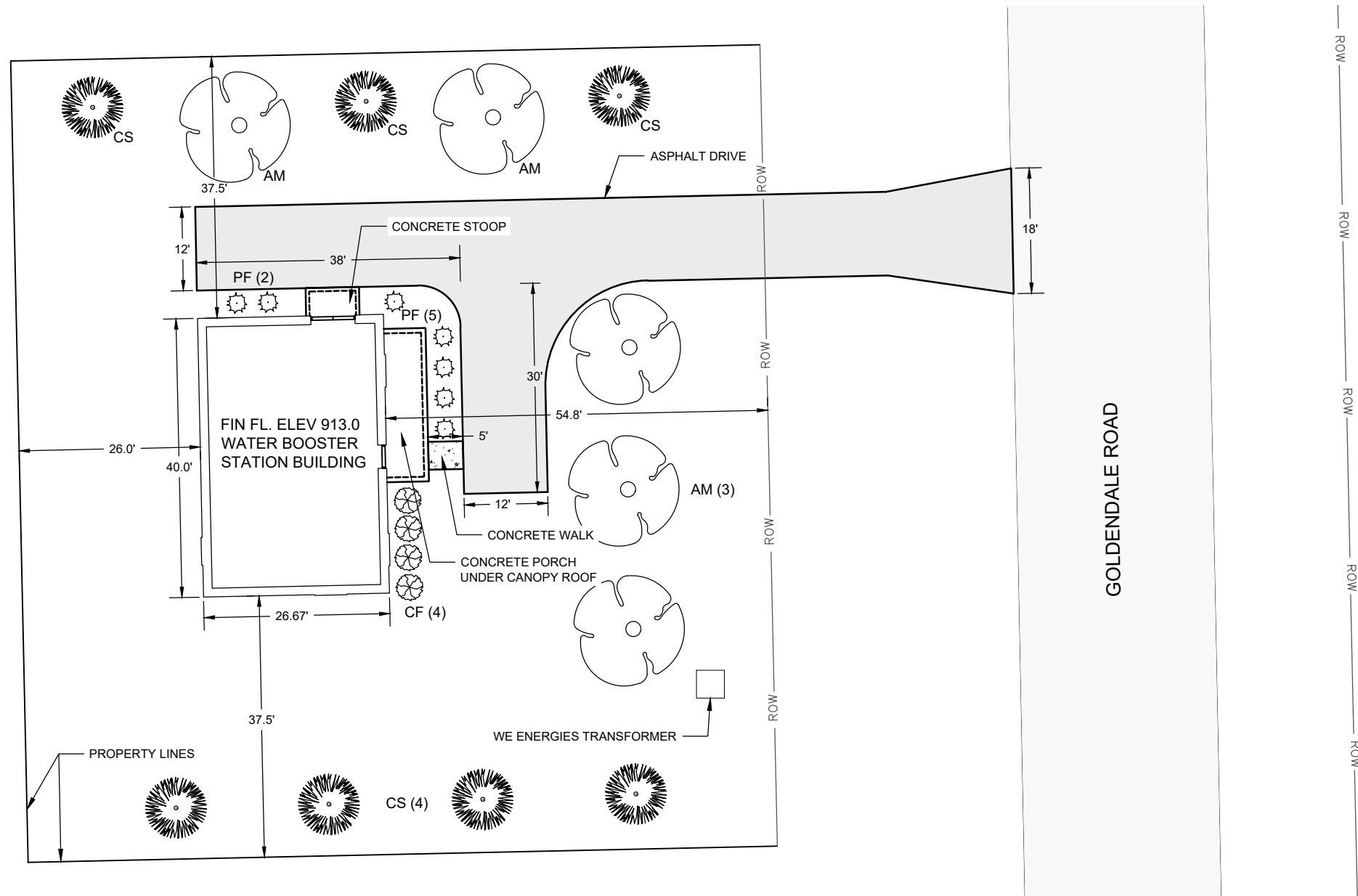
APPROVE the site and building plans for the proposed water system booster/reducer station facility located at W204 N12333 Goldendale Road subject to the following conditions:

1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the architectural and engineering plans dated January, 2019, unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission;
2. The Village Public Works Department staff shall coordinate installation of the proposed landscaping trees along the north/common property line with the property owner located at W204N12377 Goldendale Road prior to installation.





SITE STATISTICS TABLE		
DESCRIPTION	SQ. FT	PERCENT OF TOTAL
TOTAL SITE AREA	12,362.5	100.0
BUILDING FOOTPRINT	1,227.7	9.9
PAVEMENT/IMPERVIOUS	1,895.3	15.1
REMAINING OPEN SPACE	9,239.5	74.7



PLANTING SCHEDULE			
KEY	QTY.	NAME	MIN SIZE
AM	5	AUTUMN BLAZE MAPLE	3" DIA
CF	4	BEAVER CREEK DWARF FOTHERGILLA	5 GAL
PF	7	POTENTILLA FRUTICOSA	5 GAL
CS	7	COLORADO GREEN SPRUCE	8' TALL



Foth Infrastructure & Environment, LLC
2121 Innovation Court, Suite 200
P.O. Box 5095
De Pere WI 54115-5095
Phone 920-497-2500 Fax: 920-497-8516

THIS DOCUMENT HAS BEEN DEVELOPED FOR A SPECIFIC APPLICATION AND NOT FOR GENERAL USE. THEREFORE IT MAY NOT BE USED WITHOUT THE WRITTEN APPROVAL OF FOTH INFRASTRUCTURE AND ENVIRONMENT, LLC. UNAPPROVED USE IS THE SOLE RESPONSIBILITY OF THE UNAUTHORIZED USER.

**TID NO. 8
WATER BOOSTER STATION**

VILLAGE OF GREMANTOWN, WISCONSIN

WASHINGTON COUNTY

REVISIONS	
NO.	DATE DESCRIPTION
1	
2	
3	
4	
5	

RECORD DRAWING OF COMPLETED CONSTRUCTION BY _____

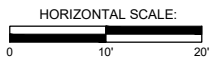
RECORD DRAWINGS OF COMPLETED CONSTRUCTION
CONFORMING TO CONTRACTOR AND/OR OWNERS RECORDS.

BY _____ DATE _____

Date of Preparation: 11/13/2018

	BY	DATE
SURVEYED		
DRAWN		
DESIGNED	DEC	7/31/2018
CHECKED		

SITE AND LANDSCAPING PLAN



PROJECT ID	18G018.03
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C1.01