

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, June 12, 2023 6:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

NOTICE: Any member of the body and/or citizen may also attend the meeting virtually through the WebEx platform, Meeting #: 2553 216 2843 Password: qRNIkJY345 which can be accessed by phone at 408-418-9388 or by logging on at <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=mc9dce1f069066f4f2d3614fe9ee4ae0f>
This meeting will also be live streamed on YouTube. Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@germantownwi.gov by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration. Previously recorded Plan Commission videos can be viewed at https://www.youtube.com/channel/UCOYp0EqELzTCa9X_iCohyhQ.

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:**
- III. **APPROVAL OF MINUTES:**
 - A. May 8, 2023
- IV. **NEW BUSINESS:**
 - A. Eric and Ashley Evans, W130 N11622 Harvest Ridge, Lot 1 in Harvest Hills Subdivision. Subdivision Plat Amendment to revise the Elm Lane access restriction to allow a driveway on Elm Lane. (ACTION)
 - B. Keller, Inc. Agent for Neal and Brian Karthauser, Property Owners of Karthauser & Sons Inc. - W147 N11100 Fond du Lac Avenue. Site Plan Review application for a 3,175 sqft commercial building addition. (ACTION)
 - C. Thomas and Lindsey Schwarz - N97 W16885 Navajo Drive. Zoning Permit to allow a 6 foot privacy fence in a planting & sound berm easement. (ACTION)
 - D. Excel Engineering Inc., Agent for Behlehem Lutheran Church, N108 W14290 Bel Aire Lane. Site Plan Review Consultation for a 21,000 sqft building addition . (DISCUSSION)
 - E. Village of Germantown-2050 Comprehensive Plan Implementation: Holy Hill Gateway District & Freistadt District Master Plans - Request for Proposals (RFP) (ACTION)
- V. **ANNOUNCEMENTS:**
- VI. **ADJOURNMENT:**

PLAN COMMISSION AGENDA

June 12, 2023

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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

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, May 8, 2023 6:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

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

Planning Assistant Lori Johnson called the meeting to order at 6:32 pm.

- II. **ROLL CALL:** *Chairman Dean Wolter, Trustee Representative David Baum, Commissioners Tony Laszewski, Peter Nilles, Bob Williams, Bill Shadid and Josh Tarantino. Also Community Development Director Jeff Retzlaff and Planning Assistant Lori Johnson*

Chairman Wolter, Commissioners Nilles and Williams were absent and excused.

MOTION Shadid second Laszewski to appoint Trustee Representative David Baum as Chairman Pro-Tem.

MOTION carried unanimously.

- III. **PUBLIC INPUT/PUBLIC APPEARANCE:** *Please be advised per §19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken.*

IV. **APPROVAL OF MINUTES:**

A. April 24, 2023

MOTION Shadid second Tarantino to Approve the minutes from April 24, 2023.

MOTION carried unanimously.

V. **NEW BUSINESS:**

MOTION Shadid second Laszewski to move to Item C.

MOTION carried unanimously.

C. Lemberg Electric , Agent for St. John United Church of Christ, Property Owner,
N104 W14181 Donges Bay Road; Sign Review **(ACTION)**

Director Retzlaff summarized the proposal.

MOTION Laszewski second Shadid to Approve the proposed monument sign and electronic message center (EMC) for St. John United Church of Christ located at N104 W14181 Donges Bay Road subject to the following conditions: Director Retzlaff summarized the proposal.

1. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.
2. The owner/operator shall provide an “electronic message board use & maintenance agreement” to the Village Planner prior to issuance of an electrical permit as required under 17.46(7)(h) of the Zoning Code.
3. The owner/operator shall provide written evidence to the Zoning Administrator from the sign manufacturer and/or installer that the electronic message board complies with the automatic light level adjustment and other operational requirements prior to issuance of an electrical permit as required under 17.46(7)(h)6. and (h)7. of the Zoning Code.
4. The owner/operator shall operate and maintain the electronic message board in compliance with the message display appearance, duration/timing and all other requirements under 17.46(7)(h) at all times.

Discussion followed.

Zane Nichols, Lemberg Electric, explained the sign will have self-darkening capability and Information from the manufacturer including a maintenance agreement would be provided as requested.

MOTION carried unanimously.

- A. Accurate Surveying & Engineering, Agent for Bast Family LTD Partnership, Property Owner - W204 N13917 Goldendale Road. 2-Lot Extraterritorial Plat Review to Divide the Property. **(ACTION)**

Accurate Surveying & Engineering, agent for the Bast Family LTD Partnership, property owner, is requesting approval of a 1-lot certified survey map (CSM) to divide a 3.5-acre lot with an existing house and accessory buildings located at W204 N13917 Goldendale Road in the Town of Germantown. Village of Germantown review/approval under the Village’s extraterritorial plat authority. Director Retzlaff summarized the proposal.

MOTION Shadid second Laszewski to Approve the proposed 1-lot certified survey map (CSM) to divide a 3.5-acre lot with an existing house and accessory buildings located at W204 N13917 Goldendale Road in the Town of Germantown subject to the following conditions:

1. All technical issues and plan corrections identified by the Public Works Department consulting engineer in the April 11, 2023 letter shall be addressed and reflected in a revised CSM submitted to the Village prior to recording the CSM, except for the following:
 1. No right-of-way dedication for Cedar Lane is required.
 2. Interim Village Clerk name for signature purposes is “Angel Rettler”

MOTION carried unanimously.

- B. MSI General Inc., Agent for Moldmakers Investments LLC, Property Owner of MGS Manufacturing, W188 N11707 Maple Road. Site Plan Review for a 118,652 sqft Innovation Center Addition. **(ACTION)**

John Kutz, MSI General, agent for Moldmakers Investments LLC, property owner, and MGS Manufacturing Group Inc., is requesting site development & building plans for a

118,650 sqft industrial building addition and related site improvements for the MGS Manufacturing campus in the Germantown Industrial Park. Director Retzlaff summarized the proposal.

MOTION Shadid second Laszewski to Approve the site development and building plans for the 118,650 sqft Innovation Center office & manufacturing facility addition and related site improvements to the MGS Manufacturing campus located in the Germantown Industrial Park 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 following plans unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:

- a. Architectural plans dated March 13, 2023;*
- b. Civil Engineering plans dated March 13, 2023;*
- c. Landscaping plans dated February 2, 2023;*
- d. Lighting plans (photometric plan) dated March 13, 2023;*
- e. Storm Water Management Report dated March 13, 2022*

If revised plan sheets are necessary, each revised sheet shall contain the date of said revision clearly stamped in the lower right corner.

2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit for the shell building.

3. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.

4. All outstanding items and issues identified by Village Staff in the following review memos shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment, and approval prior to commencing construction or issuance of building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS):

- a. April 6, 2023 memo from Larry Ratayczak, Public Works Director

5. State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.

6. All permanent signage, including any wall signage and monument/ground signage will require separate sign permit review and approval by the Plan Commission.

MOTION to Amend Laszewski second Shadid to add Condition #7 to substitute the three Celebration Maples with London Planetree, Kentucky Coffeetree and Tuliptree. MOTION to Amend carried unanimously.

Discussion followed. Trustee Baum thought the corner frame design dates the building

saying it is 2020 architecture and everyone is doing it. He said he would like to see something different.

John Kutz, MSI General, explained MGS is a global company and the building was designed with considerable input from their team and how they wanted it to look. It will be their global headquarters where they will be bringing in clients and partners from all over the world.

MOTION carried 3-1 (Baum).

- D. Troy Wetterau, Agent for Homestead Transfer & Storage LLC, Property Owner of N128 W20563 Holy Hill Road. Site Plan Review for a 7,200 sqft accessory building. **(ACTION)**

Director Retzlaff summarized the proposal. Troy Wetterau stated RA Smith is developing a plan to make sure the stormwater retention pond that was done 20 years will take care of any runoff for the new building.

MOTION Shadid second Tarantino to Approve the site development and building plan application for the proposed 60' x 120' (7,200 sqft) storage building on the 5.9-acre property Wetterau Homestead Transfer property located at N128 W20563 Holy Hill Road subject to the following conditions:

1. All outstanding items identified in the Public Works Director April 4, 2023 review memo shall be addressed and provided in additional information and/or revised plans submitted to the Village Engineer for review and approval prior to issuing building permits (excluding "early start" site clearing and footing/foundation work approved by the Village and/or WI DSPS):
 - a. April 4, 2023, memo from Larry Ratayczak, Public Works Director
2. State agency (DSPS) commercial approved plans and a \$5,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.

MOTION carried unanimously.

- E. AVN Group 109 LLC, Agent for Everett Frenz and the Anton & Bertram Frenz Trust, Property Owners of 62.5 acres on Fond du Lac Avenue North of Donges Bay Road. Planned Development District (PDD) and Site Plan Consultation for a Proposed Mixed-Use Residential & Commercial Development.
(DISCUSSION)

Bertram Frenz Trust, SA Technologies LLC, property owners of 62.5 acres on Fond du Lac Avenue north of Donges Bay Road. The request is seeking feedback for a Planned Development District and Site Plan Consultation for a Mixed-Use Residential & Commercial Development. Director Retzlaff summarized the plan that includes 594 total dwelling units comprised of a mixture of market rate apartments, condominiums and senior housing proposed through the site with approximately 50,000 sqft of commercial building area located closer to the Donges Bay Road intersection. Main access to the development would be from Fond du Lac Avenue with secondary access to Fond du Lac Ave (north) and to Donges Bay Road (south) through a future connection to/through the Germantown School District property.

Jeff Groenier, Concepts in Architecture, addressed questions.

Plan Commission had the following comments and concerns:

- 2050 Comprehensive Plan shows preferred uses as commercial/retail, service oriented, multi-tenant buildings. Residential acceptable use.
- Likes the general idea of the development but it is very dense. The plan shows maybe something developed to the north and to the south but may never happen. Concept at this time, developer needs to discuss with the school district.
- Development includes public and private streets. What will that look like. Should there be a retail component here. Market study information is needed.
- Not sold on multi-family residential; 50,000 square feet commercial is too big. Not a cohesive design, not collaborative, nothing ties into anything. No connectivity, just a bunch of units on the site, problem with the layout. Concerns with involvement with the school.
- No recent stormwater analysis.
- Not sold on uses proposed. Is this the best of the property or what we envision for the property. Too much density at this location. Should be in the central business district.
- Development would include a community center, trails through the woods, paved multi-use paths proposed as an amenity for the Planned Development District.
- Is multi-family the best use here with industrial to the east and single-family to the west.
- Like Phase 6 but the rest looks like storage units. Looks like a lot is just thrown in.
- Would like to see an option of industrial along the railroad tracks and lower density along Fond du Lac Avenue. Density is problematic. Industrial is too close. Could see transition to multi-family along Fond du Lac Avenue. The site may work, no residential around the site. Could see lower density residential along the back.
- Need to look at building designs and floor ratios and definite answer to school district proposal. Secondary access to Donges Bay Road desired.
- Not sold on large commercial aspect, drop school district idea, civil engineer should look at sewer and water. Building 6 and 35 are very long.
- Don't feel this is best use for the area. Could be done with greenspace buffer along Fond du Lac Avenue, need 2 points of entry on Fond du Lac Avenue.

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

F. Village of Germantown - 2050 Comprehensive Plan; Implementation & Action Steps **(DISCUSSION)**

Director Retzlaff explained the RFP's for the Village Center and Holy Gateway District are not completed and will be brought forward at the next meeting in 2 weeks.

VI. ANNOUNCEMENTS

None

VII. ADJOURNMENT:

There being no further business the meeting was adjourned at 8:23 pm.

SUBDIVISION PLAT AMENDMENT

6/12/23 Plan Commission Meeting

Eric & Ashley Evans

Planning & Zoning Report

Germantown, Wisconsin

Summary

Eric & Ashley Evans, property owners, are requesting an amendment to the Harvest Hills subdivision plat to revise the access restriction prohibiting access to Elm Lane and to allow a new residential driveway for Lot 1 to Elm Lane located at W130 N11622 Harvest Ridge in the Harvest Hills Subdivision.

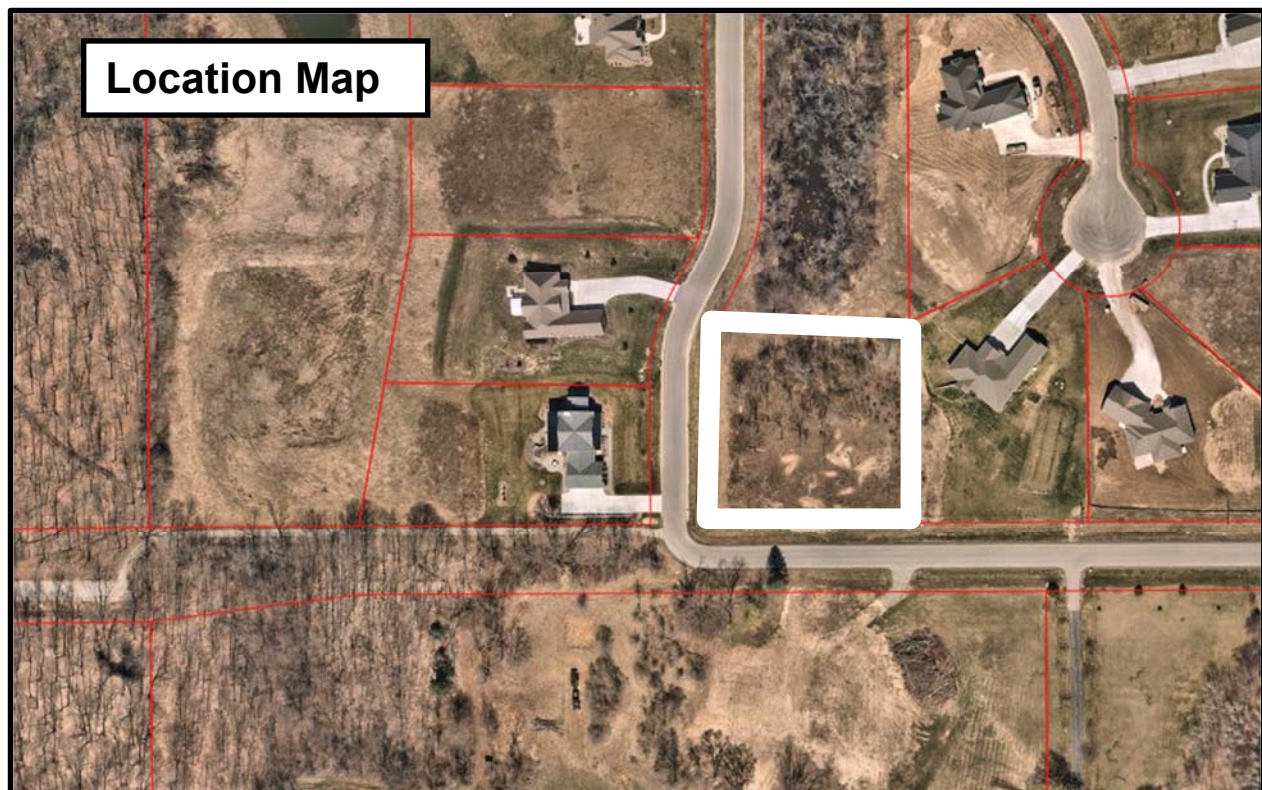
Location: W130 N11622 Harvest Ridge (address subject to change)

Agent/

Property Owners: Eric & Ashley Evans
W130 N11622 Harvest Ridge
Germantown, WI 53022

Zoning: Rs-3 Single-Family Residential

Adjacent Land Uses		Zoning
North	Single-family Residential	Rs-3
South	Single-family Residential	Rs-1
East	Single-family Residential	Rs-3
West	Single-family Residential	Rs-3



Background/Proposal

Eric & Ashley Evans, property owners, are requesting an amendment to the Harvest Hills subdivision plat to revise the access restriction prohibiting access to Elm Lane and to allow a new residential driveway for Lot 1 to Elm Lane located at W130 N11622 Harvest Ridge in the Harvest Hills Subdivision.

As indicated in their supporting information, the owners are requesting that the Village revise the subdivision plat by removing the access restriction that prohibits direct access to Elm Lane from lots in the subdivision to allow their lot (Lot 1) an access driveway to Elm Lane.

The owners cite a number of reasons justifying their request, including:

1. A driveway on Harvest Ridge would be closer to the intersection;
2. Visibility on Elm Lane is different for westbound traffic on Elm Lane;
3. Common practice to install a driveway on the “high side” of a lot for grading purposes;
4. A driveway on Elm Lane would be “flatter” with a 2.9% slope vs. on Harvest Ridge with a 9.7% slope;
5. Harvest Hills Subdivision HOA deed restrictions require garages to be located on the side of the lot with the highest elevation and in compliance with the master grading plan.

Staff Comments

The Village’s Subdivision code contains general standards for subdivision design that typically require residential lots to access internal or “local” subdivision roads when possible and avoid direct access to “collector” and “arterial” roads that serve a higher function serving “through-traffic”. Although Elm Lane does not connect Wasaukee Road to Country Aire Drive, that possibility still exists. If Elm Lane was to be completed from Country Aire to Wasaukee Road, Elm Lane would likely be considered the “collector” road and Harvest Ridge a “local” access road. For these reasons, direct access from the lots to Elm Lane is prohibited in the Harvest Hills subdivision. That was a decision made by the Village without regard to what the developer or future lot owners might prefer.

With respect to the owner’s justification summarized above, the reasons given are not necessarily critical or disqualifying with respect to a driveway on Harvest Ridge, particularly if one assumes that the owner of a lot should consider the “lay of the land” and any restrictions before designing their house plan vs. picking a house plan first and then figuring out how to make it fit on the lot. The amount of visibility distance and time to see a driveway on Elm Lane for westbound traffic would certainly be greater than a driveway on Harvest Ridge. Similarly, a driveway on Harvest Ridge would have greater visibility distance and time for southbound traffic on Harvest Ridge... this argument is one of those “six of one, half dozen of the other” situations. Yes, a driveway on Elm Lane appears to have a “flatter” less steep slope (2.9%), but the apparent driveway slope for a driveway on Harvest Ridge (9.7%) is still within an acceptable range (typically maximum not to exceed 12-15%).

With that said, the Public Works Director, Larry Ratayczak, has indicated the following:

"Looking at the requirement from a traffic safety viewpoint and the location of the proposed driveway at the eastern side of the parcel, I felt the driveway on Elm Lane poses less risk to traffic than a driveway on Harvest Ridge. I feel this way because the intersection of Harvest Ridge and Elm Lane is not a "T" intersection... but a long radius curve where drivers [are not required] to make the turn. Thus, the driveway on Elm Lane has better vision of vehicles traveling through the intersection. Also, if a driveway is installed on Harvest Ridge opposite...the driveway... for Lot #37 [on the west side of Harvest Ridge]...that would be very dangerous".

For this reason, Public Works Department Staff support the request, but recommend that the restriction be revised to only allow Lot 1 direct access to Elm Lane (and not any of the other subdivision lots that already have access to another internal road in the subdivision).

In terms of processing, the Village Board is required to consider the Plan Commission's recommendation and make a final decision to grant (or not) the request. If granted, a separate document will be prepared and recorded that either eliminates the access restriction as it applies to the Evans parcel (Lot 1) or indicates that the Village intends to not enforce the restriction for the reasons stated therein.

VILLAGE STAFF RECOMMENDATION

APPROVE the request to revise the Elm Lane access restriction on the Harvest Hills subdivision plat that prohibits driveway access to Elm Lane and to allow a new residential driveway to Elm Lane from Lot 1 in the Harvest Hills Subdivision subject to the following conditions:

1. The nearest point of the driveway shall be located not closer than 120 feet from the Elm Lane @ Harvest Ridge intersection as shown on the plat of survey submitted by the property owner.



Fee must accompany application
Preliminary & Final Plat Fees Combined

Under 10 lots \$4,575	☐
11-25 lots \$5,600	☐
26-50 lots \$6,625	☐
Over 51 lots \$7,650	☐

SUBDIVISION PLAT APPLICATION

Pursuant to Section 18.04 and 18.05 of the Municipal Code

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

1 APPLICANT OR AGENT

Eric and Ashley Evans

N68W13337 Ranch Rd

Menomonee Falls, WI 53051

Phone (262) 239-5422

Fax ()

E-Mail evans5eric@gmail.com

PROPERTY OWNER

Eric and Ashley Evans

W130N11622 Harvest Ridge

Germantown, WI 53022

Phone (262) 239-5422

evans5eric@gmail.com

2 PROPERTY ADDRESS OR GENERAL LOCATION

TAX KEY NUMBER(S)

W130N11622 Harvest Ridge

GTNV-241021

3 READ AND INITIAL THE FOLLOWING:

- X I understand that the Subdivision Plat is not valid until recorded at the Washington County Register of Deeds. The Village will record the document and charge the applicant all applicable recording fees.
- X If technical corrections to the Plat are required, I understand that the document will not be recorded until all corrections are made and approved by the Village.
- X I understand that all applicable impact fees must be paid prior to recording. Failure to pay fees will delay recording and may ultimately result in the revocation of Village approval. I understand that parcels created outside the Sewer Service Area will require a soil test. I also understand that all properties abutting a State Highway will require DOT approval and I will be responsible for securing such approval prior to recording.
- X I understand all delinquent property taxes on any of the properties involved shall be paid prior to recording.
- X I understand that a Developer's Agreement will be required prior to recording of the plat.

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

Applicant

4-26-23

Date

Owner

4-26-23

Date

To the Office of Community Development,

As the owners of Lot 1, we would like to petition for a revision to be made to the plat survey of the Harvest Hills Subdivision. Currently the survey shows no vehicular access to Elm Lane which is where we are proposing to place our driveway. Since Elm Lane is a 25 mph road, traffic safety concerns don't appear to be an issue. We understand that the plat survey was drawn as it was due to the cul de sac for Lots 3 and 4, but for our particular lot, we believe that the best placement for the driveway is on Elm Lane for the following reasons:

- 1) In a scenario where the driveway would be on Harvest Ridge, the location of that driveway would be closer to the corner and the steeper slope area of the lot. This is because the approved septic location for our lot and required setbacks for drainage would push the home placement closer to Elm Lane. I have included a sketch for your reference.
- 2) Visibility is different on Elm Lane than on Harvest Ridge. Westbound traffic, which is closer to the lot, has a longer opportunity to see the driveway coming up if it is on Elm Lane which is safer for our family and our children. If the driveway is on Harvest Ridge, vehicles will come up to the driveway very quickly, which will be steeper and more likely to have kids' toys, balls, bikes, etc. coming onto the road.
- 3) It is common practice to place the driveway on the high side of a lot which would only be possible with a home and driveway placement on Elm Lane. It minimizes steps in the garage and front porch and makes grading easier with lower slopes around the house.
- 4) Our proposed location for the driveway on Elm Lane is also significantly flatter than Harvest Ridge Lane. The slope coming off of Harvest Ridge Lane would be 9.7% to the pavement. In comparison, the slope of our proposed location on Elm Lane would be 2.9% to the pavement. We have sketches of each scenario included for your reference.
- 5) According to our HOA covenants (as shown below), "garages must be located on the side of the lot which has the highest elevation." In this case, the ideal location for the driveway and garage would be located on Elm Lane.

3.6 Garage and Driveway.

(a) Each Dwelling on a Lot shall have a garage of not less than three (3) cars attached to the Dwelling. Garage entrances must be located on a side of the Dwelling which does not face the street fronting the Lot, except in the case of a Lot bordered by two streets, in which case, the garage entrance must be located on the side of the Dwelling which does not contain the front entrance. Garages must be located on the side of the Lot which has the highest elevation, except as permitted by the ACC. Garages must be constructed at the time of construction of the Dwelling and all exterior features must be completed prior to occupancy of the Dwelling.

The HOA covenants (as shown below) also state that the master grading plan is to be followed and no deviations are allowed without the approval of the Village and ACC.

3.14 Grade Plan. A Master Grading Plan has been prepared by the Developer's engineer designating the manner in which each Lot shall drain in relation to all other Lots in the Subdivision and designating the grade elevation of the Dwellings to be constructed thereon. A copy of this Plan is on file in the office of the Building Inspector at the Village. At the time a building permit is requested, the grade elevation of said Dwelling shall be obtained from the Building Inspector and the Dwelling shall be constructed accordingly. No deviation therefrom shall be permitted without the approval of the Village and ACC. Within thirty (30) days after substantial completion of a Dwelling on any Lot in the Subdivision, the Lot Owner shall grade the Lot to conform to said Master Grading Plan and from that time forward, nothing shall be done which will impede or obstruct the flow of surface drainage water in accordance with said Plan. It is the responsibility of the Lot Owner or Lot Owner's builder to determine the

Dwelling's exposure and if such grade is in compliance with the Master Grading Plan. Changes or deviations from the Plan need approval from the Village and ACC.

We look forward to having this request reviewed. We had initially received approval from our HOA board via email on March 17 to place our driveway on Elm Lane, however we understand that further approval by the Village is needed.

Thank you,

Eric and Ashley Evans
P: 262-293-5422
E: evans5eric@gmail.com

Harvest Hills Subdivision

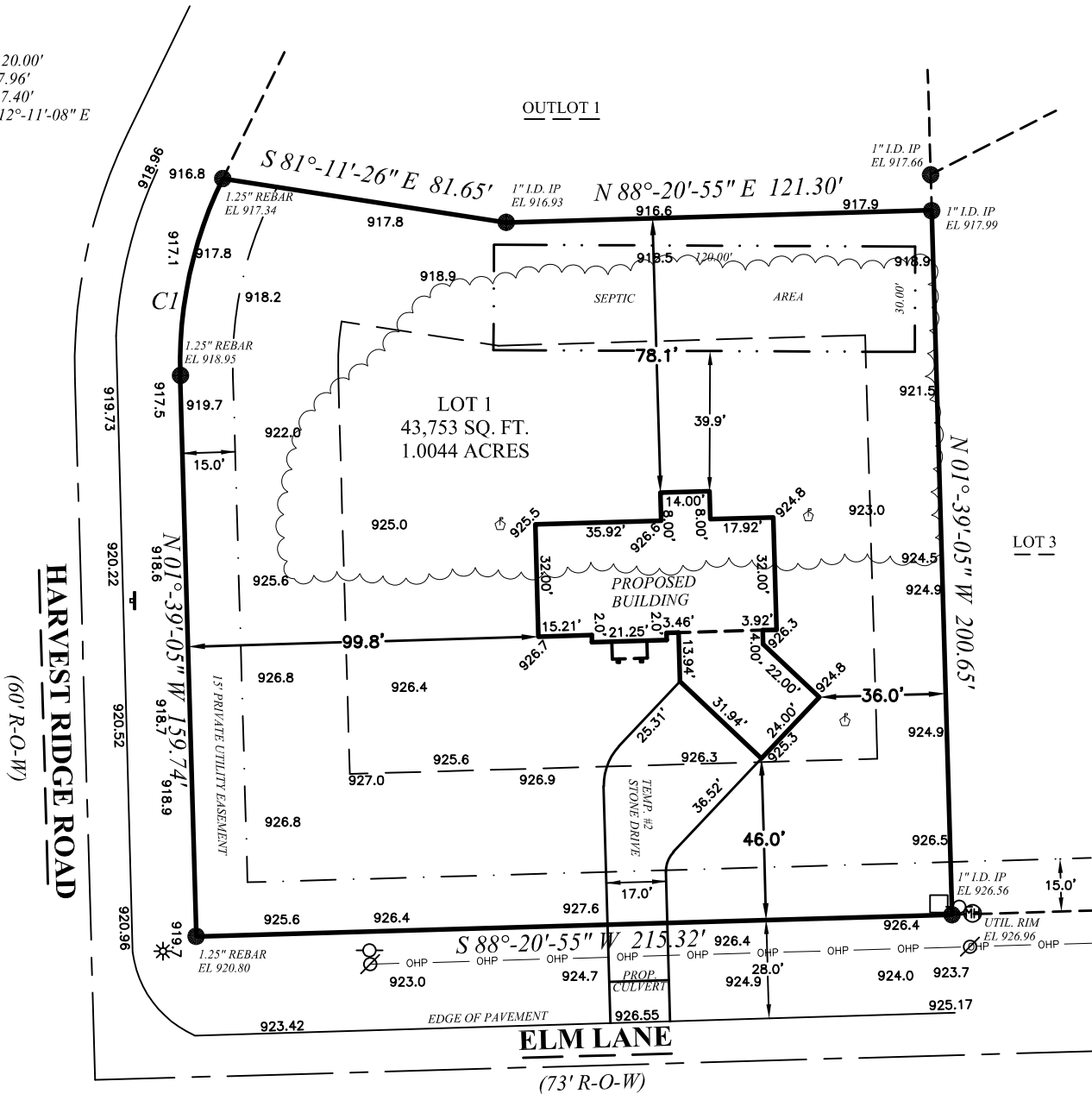
Architectural Control Committee

Homeowner:	Lot:	Requirements Met	
Minimum Square Footage: - One Story – 2,300 square feet - More than one story – 2,700 square feet (minimum of 1,350 square feet on first floor)	Plans Submitted (dated 2/23 / 23) Plans show - one story 2,328	Yes X	No ☐
Minimum Required Setbacks: - Front Setback – 45 feet - Rear Setback – 35 feet - Side Setback – 20 feet (Certain Lots within the cul-de-sacs may require greater minimum front setbacks. See final plat.)	Plans Submitted (dated / /) survey submitted 3/29/2023 - Front - 46' - Rear- 78.1' - Side - right 36' left 99.8'	Yes X	No ☐
Exterior Building Materials: - Brick, stone, stucco, cedar, Hardi-Plank, LP Smartside (no metal or vinyl) 50% of front shall be brick, stone or stucco	Plans Submitted - LP Smartside; Lap Siding, Board and Batton & Trim 50% stone - Cedar porch post trim - LP Smart Trim fascia and soffit	Yes X	No ☐
Shingles - Natural or dimensional roof shingles - Note color and style	Plans Submitted dimensional, Onyx Black, Owens Corning - Duration	Yes X	No ☐
Roof Pitch 8/12 pitch	Plans Submitted 12/12, 10/12	Yes X	No ☐
Exterior Feature Reminders	- Village required street trees along the roads, planted by Developer, may not be cut down. If tree is in the way, lot owner is responsible for relocating tree. - Lamppost installed prior to occupancy, but no later than 9 months after occupancy permit issuance - Landscaping – shall install at least 3 deciduous trees within 12 months of occupancy permit issuance		
Comments or objections	front porch roof; Standing Seam Metal Roof, black. HOA BOARD APPROVED		
Architectural Control Committee Harvest Hills HOA Board	Developer		
Date: 4/24/2023	Approved X	Not Approved ☐	

FOR LOT 1 OF HARVEST HILLS, AND BEING A PART OF THE SW 1/4 OF THE
NORTHEAST QUARTER OF SECTION 24, TOWN 9 NORTH, RANGE 20 EAST,
VILLAGE OF GERMANTOWN, WISCONSIN.

NOTE:
HARVEST HILLS SUBDIVISION PLAT STATES "NO VEHICULAR ACCESS" FROM ELM LANE
ACCESS WAS ALLOWED BY THE VILLAGE OF GERMANTOWN PER OWNER OF LOT 1

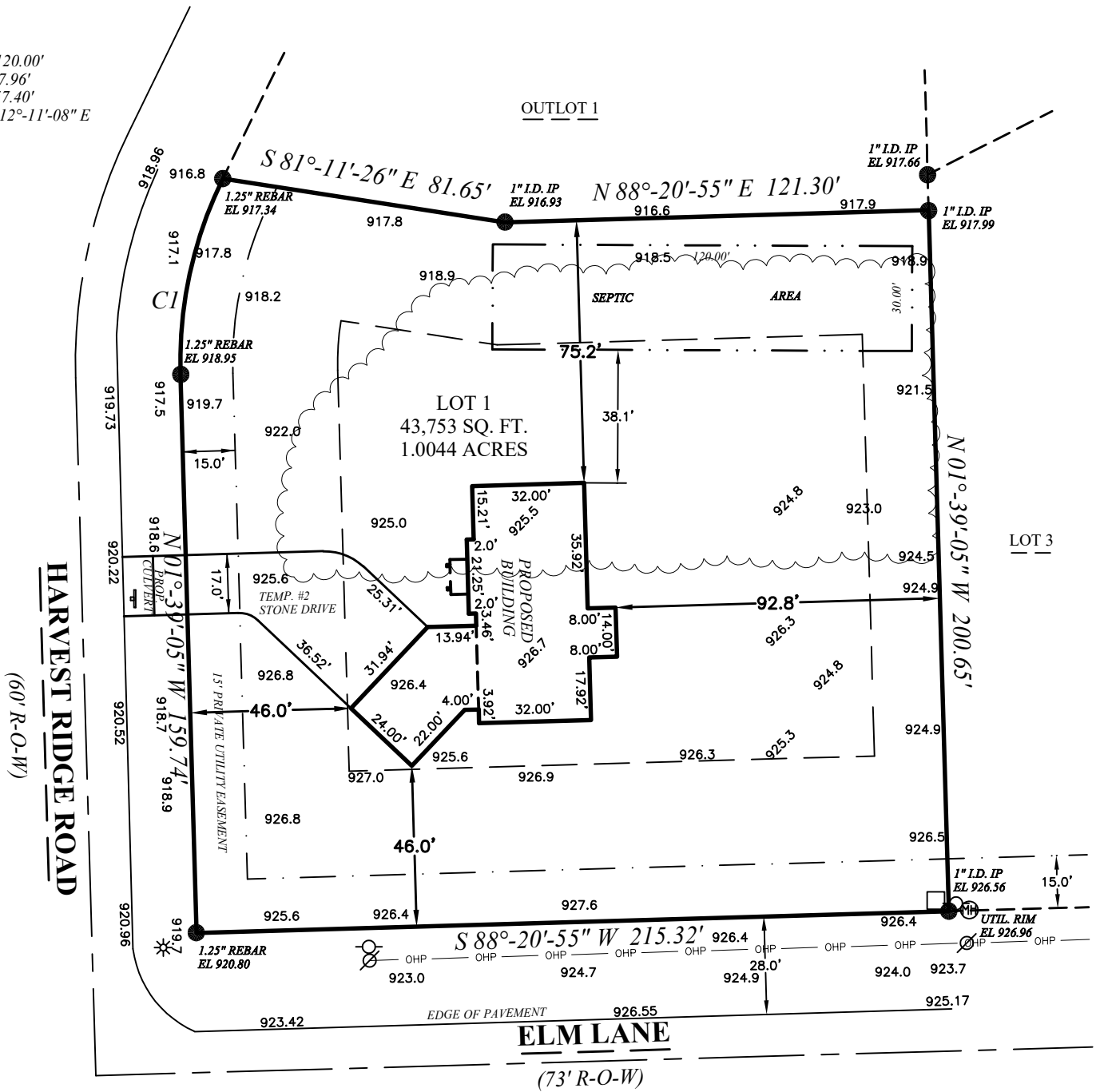
CI
RAD. = 120.00'
ARC = 57.96'
CHD = 57.40'
C.B. = N 12°-11'-08" E



PROPOSED TOP OF FOUNDATION: 929.17
PROPOSED GARAGE FLOOR EL.: 928.67
PROPOSED FINAL YARD GRADE: 928.50
PROPOSED EXPOSED YARD GRADE: 923.50
PROPOSED TOP OF FOOTING: 920.17
DRIVEWAY SLOPE: 2.9 % TO PAVEMENT
(ASSUMING 9' WALL- CHECK PLAN)

IF THE SURVEYOR'S SEAL IS NOT
WET STAMPED IN RED AND SIGNED
IN OPPOSABLE INK, THE PLAT IS
A COPY THAT SHOULD BE ASSUMED
TO CONTAIN UN-AUTHORIZED ALT-
ERATIONS. THE CERTIFICATION ON
ON THIS DOCUMENT DOES NOT APPLY

C1
 RAD. = 120.00'
 ARC = 57.96'
 CHD = 57.40'
 C.B. = N 12°-11'-08" E



PROPOSED TOP OF FOUNDATION: 929.17
 PROPOSED GARAGE FLOOR EL: 928.67
 PROPOSED FINAL YARD GRADE: 928.50
 PROPOSED EXPOSED YARD GRADE: 923.50
 PROPOSED TOP OF FOOTING: 920.17
 DRIVEWAY SLOPE: 9.7 % TO PAVEMENT
 (ASSUMING 9' WALL- CHECK PLAN)

Declaration

Document Number

Document Title

Document # **1478619**
WASHINGTON COUNTY WISCONSIN
2019-08-28 9:47:00 AM

Sharon A. Martin
SHARON A MARTIN
WASHINGTON COUNTY
REGISTER OF DEEDS
Fee: **\$30.00**

Pages: 14

Recording Area

14

Name and Return Address

Harvest Hills Subdivision LLC
3955 Hawks Ridge Drive
Hubertus WI 53033

Parcel Identification Number (PIN)

Drafted by - Shari Waggoner

THIS PAGE IS PART OF THIS LEGAL DOCUMENT – DO NOT REMOVE.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.

WRDA Rev. 12/22/2010

**DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
HARVEST HILLS SUBDIVISION**

This Declaration is made this 22nd day of August 2019, by Harvest Hills Subdivision LLC, a Wisconsin Limited Liability Company, hereinafter referred to as "Developer."

RECITALS

WHEREAS, DEVELOPER owns all the land which has been platted as "Harvest Hills", a Subdivision located in the Village of Germantown, consisting of thirty-seven (37) residential single-family Lots, excluding Lot 38, which is not bound to or required to follow this Declaration of covenants, conditions and restrictions and

WHEREAS, DEVELOPER desires to subject Harvest Hills Subdivision, excluding Lot 38, to the conditions, covenants, restrictions, reservations and easements hereinafter set forth, for the benefit of said Subdivision and for the benefit of each Lot Owner in said Subdivision,

NOW, THEREFORE, DEVELOPER HEREBY DECLARES the real property hereafter described in Article 2 herein shall be used, held, transferred, sold, conveyed subject to the conditions set forth, which shall inure to the benefit of and pass with said property and each and every parcel thereof as covenants running with the land and shall apply to and bind all successors in interest and any Owner thereof.

ARTICLE 1. DEFINITIONS

The following terms shall have the assigned definitions:

1.1 Architectural Control Committee. The "Architectural Control Committee" (ACC) shall mean the Committee referred to in Article 5 created under this Declaration.

1.2 Association. The "Association" shall mean the Harvest Hills Homeowners Association, Inc., the Members of which shall be all Lot Owners in the Subdivision.

1.3 Board. The "Board" shall mean the Board of Directors of the Harvest Hills Homeowners Association, Inc. governed by this Declaration and the Bylaws of the Association.

1.4 Bylaws. The "Bylaws" shall mean the Bylaws of the Association as adopted by the Board.

1.5 Developer. The "Developer" shall mean Harvest Hills Subdivision LLC, a Wisconsin Limited Liability Company, as well as any Successor-Developer. Developer hereby expressly reserves the right to appoint, in writing, a third party to act as its agent to carry out Developer's duties and responsibilities.

1.6 Dwelling. A "Dwelling" shall be defined as such structure or structures as are permitted for human use and habitation pursuant to this Declaration.

1.7 Harvest Hills Documents. "Harvest Hills Documents" shall consist of this Declaration, Articles of Incorporation of the Association and the Bylaws of the Association.

1.8 Lot. "Lot" shall mean a platted Lot intended for construction of a Dwelling as shown on the Plat. The reference to a Lot by a number shall mean that particular Lot as shown on the Plat. The term "Lot" does not include any platted Outlot or Lot 38.

1.9 Member. A "Member" shall be that individual that is identified as having the right to vote on behalf of a Lot at any Association meeting.

1.10 Occupant. "Occupant" shall mean the Owner and any other person residing on a Lot.

1.11 Outlot. "Outlot" shall mean an Outlot as shown on the Plat. The reference to an Outlot by a number shall mean that particular Outlot as shown on the Plat.

1.12 Owner. "Owner" shall mean each fee simple Owner of a Lot. The Developer shall be considered an Owner with respect to any Lots to which it holds title.

1.13 Plat. The "Plat" is the Plat of the Property identified as Harvest Hills as recorded in the Register of Deeds for Washington County, Wisconsin.

1.14 Subdivision. "Subdivision" shall mean all the Lots and Outlots as shown on the Plat.

1.15 Successor-Developer. "Successor Developer" shall mean any person, corporation, partnership or other entity to which Developer expressly assigns or otherwise transfers his rights and obligations hereunder, or any Successor to the Developer by operation of law.

1.16 Village. "Village" shall mean the Village of Germantown, and its successors.

ARTICLE 2. PROPERTY

2.1 Property Subject to this Declaration. The "Property" shall consist of all the lands which Developer has included in the Plat of Harvest Hills, excluding Lot 38, as described in Exhibit "A" and subjected to this Declaration, and all Dwellings and other improvements constructed or to be constructed thereon.

ARTICLE 3. PURPOSE AND CONDITIONS

3.1 General Purpose. The general purpose of this Declaration is to help assure the Subdivision will become and remain an attractive residential community; to preserve and maintain the natural beauty of the property, maintain high aesthetic standards for all improvements, as well as the natural beauty of certain open spaces; to protect Owners of each Lot against such use of surrounding Lots that would detract from the residential value of their property; to guard against the erection of poorly designed or proportioned structures; to obtain harmonious use of material and color schemes; to insure the highest and best residential development of Lots in the Subdivision; to secure and maintain spatial relationship of buildings, structures, other improvements and Lot lines; and to otherwise secure mutual enjoyment of benefits for Owners and Occupants of residential property within the Subdivision.

It is inherent to protective covenants and restrictions that from time to time those covenants and restrictions are subject to interpretation. In those instances wherein an interpretation is required because there is no definitive rule to be followed, or because there is a question regarding an intangible concept such as, but not limited to, what constitutes harmonious architectural design, what is poor design or proportion and what is aesthetically pleasing, the matter shall be subject to the opinion of the Committee for the granting of final approval.

3.2 Suitability. Developer makes no representation or warranty, express or implied, regarding the physical condition of any Lot being fit for any particular purpose or Owners proposed use, including but not limited to, building exposures, subsoils, or grade. Developer recommends, but does not require, Owner utilize a properly licensed architect and/or builder in any construction.

3.3 Single-Family Lots. No Lot shall be used except for single-family, residential purposes. No building shall be erected, altered, placed, or permitted to remain on any such Lot other than one detached, single-family home, not exceeding two and one-half stories in height with an attached private garage for not less than three (3) cars and an optional additional detached garage per Section 3.6(c). No Lot may be subdivided.

3.4 Minimum Home Size Requirements.

(a) Only one single-family home may be constructed on each Lot. The following types of homes on Lots shall have the following minimum sizes:

<u>Dwelling Type</u>	<u>Minimum Size</u>
One story	2,300 square feet
More than one story	2,700 square feet (minimum of 1,350 square feet on the first floor)

(b) For purposes hereof, "more than one story" includes homes referred to as one and a half story, two story, split level or bi-level. The type of Dwelling and the number of square feet shall be determined on a uniform basis by the ACC and shall not include basement, attic, garage, porch, or patio areas in the computation.

3.5 Building Setbacks. The Subdivision is zoned RS-3. As such, the minimum building setbacks are as follows:

Front Setback: Forty-five (45) feet
Side Setback: Twenty (20) feet
Rear Setback: Thirty-five (35) feet

Certain Lots within the cul-de-sacs require a greater minimum front setback. The Final Plat states the required minimum front setback for these Lots.

Any variation from these requirements shall be permitted only upon the approval of the ACC and the Village of Germantown.

3.6 Garage and Driveway.

(a) Each Dwelling on a Lot shall have a garage of not less than three (3) cars attached to the Dwelling. Garage entrances must be located on a side of the Dwelling which does not face the street fronting the Lot, except in the case of a Lot bordered by two streets, in which case, the garage entrance must be located on the side of the Dwelling which does not contain the front entrance. Garages must be located on the side of the Lot which has the highest elevation, except as permitted by the ACC. Garages must be constructed at the time of construction of the Dwelling and all exterior features must be completed prior to occupancy of the Dwelling.

(b) The garage shall be connected to the street by a properly surfaced concrete, asphalt, or brick driveway. Said driveway shall be installed and completed within one (1) year from the date of issuance of the occupancy permit.

(c) In addition to the attached garage, an additional detached garage may be permitted by the ACC, provided the following requirements have been satisfied:

- (1) The garage shall have a minimum of two stalls
- (2) The maximum square footage shall be no greater than 960 square feet
- (3) Door openings and all overhead doors shall not exceed ten (10) feet in height
- (4) Color and building materials shall be consistent with the Dwelling on the Lot
- (5) Underground electric shall be required for all detached garages
- (6) No lean-to or carports of any nature shall be permitted

- (7) The garage must be connected to the driveway
- (8) No more than one detached garage may be permitted

(d) Storage sheds, garden houses, or similar outbuildings are not permitted.

3.7 Commencement and Completion. All Dwellings shall be completed and ready for occupancy within one (1) year from the date ground is broken.

3.8 Exterior Features.

(a) Exterior materials shall be of brick or stone, stucco, cedar, Hardi-Plank siding, LP Smartside, or a combination. No metal or vinyl siding shall be permitted. All exposed basement or foundation walls shall be covered with brick, stone, stucco, or siding consistent with other material used on the Dwelling. Not less than fifty percent (50%) of the front of the Dwelling shall be constructed of brick, stone or stucco. All exterior masonry materials shall terminate only at an inside corner or other suitable break in the architecture as approved by the ACC.

(b) All roof designs shall be subject to the approval of the ACC. Roof shall be a minimum 8/12 pitch or greater. Natural or dimensional roofing shingles are required.

(c) The design, layout and exterior appearances of each Dwelling proposed to be erected, altered or modified shall be such that, in the opinion of the ACC at the time of approval of the building plans, the Dwelling will be of high quality and shall have no (substantial) adverse effect upon property values within the subdivision.

(d) The proposed color schemes for the Dwelling to be erected, altered or modified shall be submitted to the ACC for approval prior to painting and staining. It shall be the aim of the ACC to harmonize colors for not only the proposed Dwelling, but to consider the effect of these colors and materials as they relate to other Dwellings.

(e) No solar panels, antennas, dishes or similar devices shall be erected, installed or used unless presented in drawings and approved by the ACC which may condition its approval on adequate screening from the front street and neighbors. Drawings should show size and location of any device as well as appropriate screening.

3.9 Mailboxes and Lampposts. Lot Owners shall install a front lamppost that is in conformance with Section 18.08(12) of the Village of Germantown Municipal Code. The code requires a lamppost be placed on each Lot at the time of finish grade within ten (10) feet of the access street right-of-way and aligned with the front entrance or walkway of the Dwelling. The lamppost shall be installed prior to occupancy of the Dwelling but no later than nine (9) months from the date of occupancy. In order to maintain uniformity of appearance, the Owner of each Lot shall purchase identical lampposts from the Developer at the time of the closing of the Lot. The cost will be charged to the Lot Owner on the settlement statement at closing. The lamppost shall be installed and maintained by the Lot Owner as directed by the Developer or the ACC. The lamppost shall be controlled by a photoelectric eye so the lamppost is illuminated during night-time hours.

Lot Owners shall install a mailbox and mailbox support of good quality. Mailbox must be metal and dark bronze or black in color. Mailbox and mailbox support must match. No wood or plastic mailboxes or mailbox supports are permitted. Each Lot Owner shall maintain the mailbox and mailbox support in good and working condition and replace it when necessary. Lot Owners shall replace light bulbs and properly maintain lampposts and mailboxes as necessary. In the event the Lot Owner fails to maintain the mailbox or lamppost, maintenance of the mailbox or lamppost may, after fifteen (15) days written notice to the Lot Owner, be performed by the Developer or the Association and the cost of such maintenance shall be charged to the Lot Owner as a special assessment.

3.10 Swimming Pools. Only in-ground swimming pools are permitted and must be installed in accordance with Village requirements. Hot tubs and spas shall be allowed and must be installed in accordance with Village requirements. A single tennis court is allowed on each Lot and must be installed in accordance with Village requirements. All swimming pools, tennis courts, hot tubs and spas must be approved in advance of construction by the ACC. Plans shall denote necessary setbacks, landscape treatment and fencing proposed.

3.11 Landscaping.

(a) Lots shall be seeded or sodded no later than six (6) months from Owners date of occupancy, weather permitting, and landscaping, including installation of at least three (3) deciduous trees with minimum caliper of two (2) inches, shall be completed no later than (12) months following the issuance of the occupancy permit of the dwelling, weather permitting.

(b) No plantings shall be permitted in the existing or proposed drainage swales.

(c) Landscaping plans do not require the approval of the ACC.

(d) In addition to the normal maintenance and mowing of lawn areas on a Lot, the Lot Owner shall also maintain the lawn, street trees, if any, and yard area in front of the Lot from the front property line to the back of the curb section or shoulder of the public roadway. The Lot Owner shall keep this area properly maintained and free of plantings, structures or debris.

3.12 Vision Corners. If applicable, the vision corner areas as identified on the final recorded Plat restrict the use of certain portions of the affected Lots. In the vision corner areas, no structure or improvement of any kind is permitted. No vegetation within the vision corner area may exceed thirty (30) inches in height. If the Owner of the Lot containing a vision corner shall fail to maintain the vision corner in accordance with this Article, the Association may, after fifteen (15) days written notice, perform any necessary maintenance and repair. The cost shall be charged to the Lot Owner as a special assessment.

3.13 Trees.

(a) Per the Village of Germantown Municipal Code, street trees were planted by the Developer every fifty (50) feet along the roadways within the Right-of-Way. Removal of any street tree is not permitted. Dwelling driveways shall avoid the street trees. If there is a significant conflict, relocation or replacement of the street tree by the Lot Owner and at the Lot Owner's expense may be approved by the ACC.

(b) No existing tree, with a diameter of six (6) inches or more at a height of four (4) feet from the ground, beyond ten (10) feet from the approved Dwelling location shall be moved, removed, or destroyed in anyway, other than upon prior, written approval of the ACC. All existing trees shall be protected during periods of construction and grading.

(c) No Lot Owner or agent thereof shall cut down or remove any trees, brush, or shrubs located within any Outlot as designated on the recorded Plat of Harvest Hills Subdivision.

3.14 Grade Plan. A Master Grading Plan has been prepared by the Developer's engineer designating the manner in which each Lot shall drain in relation to all other Lots in the Subdivision and designating the grade elevation of the Dwellings to be constructed thereon. A copy of this Plan is on file in the office of the Building Inspector at the Village. At the time a building permit is requested, the grade elevation of said Dwelling shall be obtained from the Building Inspector and the Dwelling shall be constructed accordingly. No deviation therefrom shall be permitted without the approval of the Village and ACC. Within thirty (30) days after substantial completion of a Dwelling on any Lot in the Subdivision, the Lot Owner shall grade the Lot to conform to said Master Grading Plan and from that time forward, nothing shall be done which will impede or obstruct the flow of surface drainage water in accordance with said Plan. It is the responsibility of the Lot Owner or Lot Owner's builder to determine the

Dwelling's exposure and if such grade is in compliance with the Master Grading Plan. Changes or deviations from the Plan need approval from the Village and ACC.

3.15 Ground Fill on Building Site. Where fill is necessary on a Lot to obtain the proper topography and finished grade elevations, it shall be ground fill free of waste material that may emit odors or produce health hazards of any kind. All dumping of fill materials shall be leveled immediately upon completion of the Dwelling and shall be graded and contoured in accordance with the Master Grading Plan approved by and on file with the Village.

3.16 Construction Materials and Debris. No building or construction material shall be stored on any Lot outside of a Dwelling or garage, other than during periods of actual construction or remodeling and only for as long as may be necessary. It shall be the primary responsibility of the Lot Owner and the Lot Owner's builder to keep the Lot clean and free of debris and garbage during the period of construction. The Lot Owner shall further be responsible for the repair of any and all damage to the public right-of-way adjacent to the Lot, including but not limited to any pavement, sidewalk, curb, gutter, ditch, swale, or culvert. No Owner shall knowingly allow disposal of any waste building material, tree stumps, branches, tree trunks, or other material on any Lot or Outlot within the Subdivision. In the event the Lot Owner or the contractor shall fail in this responsibility, the Developer or Association shall have the right to perform the necessary cleanup or repairs and charge the construction deposit for any costs incurred as set forth in Article 3.29.

3.17 Utility Lines. All cable, telephone and electric service to any Dwelling on any Lot shall be from the underground utilities systems and no overhead service shall be provided or allowed.

3.18 Signs. No sign of any kind shall be placed or displayed to the public view on any Lot, except one professional sign of not more than six (6) square feet advertising the Dwelling for sale or signs used by a building contractor or by the Developer to advertise the property during the construction and sales period.

3.19 Pets. No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except domesticated dogs, cats or other household pets may be kept provided they are not kept, bred, or maintained for any commercial purpose nor in any unreasonable number or which may be contrary to applicable law. The right of any Lot Owner to keep such a pet on any Lot is subject to the condition the pet is not allowed to unreasonably annoy any other Lot Owner and is not allowed to run at large. The pet must immediately and permanently be removed from the Property if, in the sole judgement of the Board, the pet is or becomes offensive, a nuisance or harmful in any way to the Property or any Owner or Occupant. Pit bulls or a mix including a pit bull breed are not permitted.

3.20 Nuisances.

(a) No noxious or offensive odor, activities or conditions shall be permitted to exist in, on or about any Dwelling or Lot, which may be, or may become, an annoyance or nuisance to the Subdivision or Lot Owners or Occupants. By way of example and not limitation, offensive activity shall include excessive amplification of musical instruments and/or audio or audio visual equipment.

(b) Each Lot Owner shall perform periodic yard maintenance as may be necessary to keep the Lot neat and clean in appearance, including without limitation, the mowing of grass, removal of weeds, leaves and unsightly debris.

3.21 Patios and Balconies. Patios, decks and balconies on Lots shall not be used for storage of any kind, including, but not limited to, the storage of motorcycles, bicycles, strollers or wagons.

3.22 Fences and Walls. No fence or wall of any height shall be permitted on any Lot except upon the prior, written approval of the ACC, provided, however, that in no event, shall any proposed fence or wall be permitted to extend into the minimum setback lines specified in Article 3.5.

3.23 Temporary Structures. No structure, trailer, shack or barn, temporary or otherwise, shall be placed or maintained on any portion of a Lot or Common Area without written approval of the ACC.

3.24 Off Road Vehicles/Recreation Vehicles. No off-road motorcycles, snowmobiles, dune buggies, or four-wheelers (ATVs) shall be operated on any Lot, Outlot, driveway, road, or any other land within the boundaries of the Subdivision. All recreational vehicles, including but not limited to, any and all motorcycles, snowmobiles, trail bikes, dune buggies, ATVs, boats, off-street motorized vehicles or recreation vehicles of any kind shall be stored in enclosed garages on the Lot and shall not be operated or stored on the Lot, driveway, parking area, open space or Common Area within the Subdivision, except for the necessary transportation of these vehicles to and from the Subdivision on the public street system.

3.25 Garbage and Disposal. No Lot shall be used or maintained as a dumping ground for trash, garbage or debris of any kind. All trash, garbage or waste materials shall be in sanitary containers either inside the garage or, when outside, in sanitary containers adjacent to the Dwelling, and suitably screened from view from streets and adjoining Lots. There shall be no burning or burial of any garbage, trash or debris at any time other than burning leaves and light brush if approved by the Board of the Association and conducted in compliance with all applicable laws and ordinances.

3.26 Retaining Walls. Retaining walls shall be subject to the regulation of the Village and must be approved in advance of construction by the ACC. No retaining wall shall be of concrete block or unfaced poured concrete.

3.27 Entrance Sign. The Developer has constructed a permanent entrance sign on Lot 18. The Developer hereby grants to the Association an easement to keep, maintain, and restore such sign in accordance with the requirements of this Declaration. Such easement shall preclude Lot Owners from interfering with, removing or altering such entrance signs. The Association shall landscape and perform all maintenance on the sign. The entrance sign shall be the property of the Association.

3.28 Construction Deposit. At the time of closing on a Lot, a construction deposit in the amount of two thousand dollars (\$2,000) shall be collected from the Lot Owner and held in escrow by the Association. This deposit is transferable to subsequent buyers of a Lot after the initial sale by the Developer. These funds are to insure compliance with the terms of this Declaration during the construction process. In the event a Lot Owner or contractor fails to comply with the terms of the Declaration during the construction process and the Developer or Association is required to repair or remedy the noncompliance or is charged or assessed by the Village for the same, the Developer or Association shall be entitled to deduct and retain from the construction deposit a sum sufficient to reimburse Developer or Association for the cost of such repair or remedy. In the event the Lot Owner or contractor fails to comply with the architectural or other requirements of the Declaration and the Developer or Association is required to retain an attorney to pursue enforcement, the Developer or Association shall be entitled to deduct and retain from the construction deposit a sum sufficient to reimburse the Developer or Association for all costs incurred with respect to the enforcement. In the event the construction deposit is not sufficient to reimburse the Developer or Association, the Lot Owner shall be liable to the Developer or Association for any excess and the deficiency shall constitute a lien on the Lot. In the event no deductions are made, or in the event there is a balance remaining after all deductions, the balance of the construction deposit shall be returned to the Lot Owner upon completion of the Dwelling construction, occupancy, and final landscaping.

ARTICLE 4. HOMEOWNERS ASSOCIATION

4.1 Purpose of the Association. The Developer has established the Harvest Hills Homeowners Association, Inc. ("Association") as a non-stock, non-profit corporation under Chapter 181 of the Wisconsin Statutes. Control of the Association shall be turned over to the Lot Owners, only after all the Lots in the Subdivision owned by Developer, have been sold. The purpose of the Association is to manage the affairs of the Subdivision, control and maintain

signs and Outlots, assess, collect and disburse the assessments and charges provided for herein, enforce this Declaration and consider concerns of Lot Owners in the Subdivision.

4.2 Management. Upon Developer turning control of the Association over to the Lot Owners, it shall be managed by a Board of Directors who shall be elected from the Association's membership. The Board of Directors shall consist of not less than three (3) nor more than five (5) Members, who shall act by majority vote. As long as the Developer owns any Lots in the Subdivision, the Developer shall have sole control of the Association. However, nothing contained in Article 4 herein shall prevent the Developer, at its sole discretion, from turning control of the Board of Directors of the Association over to the Members of the Association at any time. The Developer shall be entitled to one vote for each Lot owned by Developer, provided, however, that notwithstanding any other provision for voting, the Developer shall have sufficient votes to constitute a majority of votes until all of its Lots are sold. The Board may employ a professional management agent or company to assist in carrying out its duties regarding the Common Areas, the Common Improvements, and this Declaration, with such experience and qualifications and on such terms and conditions as are acceptable to the Board. Any such agreement must be terminable by the Board, without cause, upon no more than ninety (90) days notice without payment of any penalty.

4.3 Membership and Voting. Every person or entity who is an Owner of a Lot as defined herein shall be a Member of the Association, provided that no person or entity who holds an interest merely as security for the performance of an obligation shall be a Member. For purposes of voting at any meeting of the membership of the Association, only one (1) vote per Lot shall be allowed regardless of the number of Owners of the Lot. When more than one (1) person holds an interest in any Lot, including without limitation, as tenant in common, survivorship marital property or living trust, the Owners shall designate the Member who will vote on behalf of the Lot. No Member shall be permitted to vote if such Member is more than thirty (30) days delinquent in the payment of any amount due to the Association under Article 6 of this Declaration.

4.4 Amendment of this Declaration. While the Developer owns any Lots, the Developer may amend this Declaration at any time. After ownership of all Lots has been conveyed by the Developer, the Association may amend this Declaration to the extent permitted by law, but only by an affirmative vote of no less than seventy-five percent (75%) of the Members.

ARTICLE 5. THE ARCHITCTURAL CONTROL COMMITTEE

5.1 Architectural Control Committee Composition. Developer hereby establishes for the Harvest Hills Subdivision an Architectural Control Committee (ACC). The ACC shall have the duties and responsibilities set forth in this Declaration and shall consist of three (3) Members of the Association appointed by the Board. Notwithstanding the foregoing, so long as the Developer shall own any of the Lots covered by these restrictions, the ACC shall be composed of representatives of the Developer. When the Developer no longer owns any of the Lots covered by these restrictions, then the ACC shall be controlled by the Board as noted herein. Nothing contained herein shall prevent the Developer, at its sole discretion, from relinquishing control over the ACC prior to Developer conveying its last Lot.

5.2 No Development Without Prior Approval. In order to maintain harmony in appearance and to protect the Owners of the Lots in the Subdivision, no Dwelling, detached garage, fence, sign, wall, swimming pool or other improvement shall be erected, constructed or maintained upon any Lot nor shall any change or alteration be made thereon unless the complete plans and specifications thereof, a plan showing the exact location of such Dwelling, detached garage, fence, sign, wall, swimming pool or other improvement, the elevation thereof and the grade of the Lot shall have been submitted to and approved in writing by the ACC. The decision of the ACC with respect to any such matter shall be rendered no later than thirty (30) days after receipt of the complete and final plans, specifications, elevation and grade of such Dwelling, detached garage, fence, sign, wall, swimming pool or other improvement and shall be final and binding upon all parties. The ACC shall have the right to refuse to

approve any such plans or specifications which, in the conclusive judgment of a majority of its Members, are not in conformity with these restrictions or are not desirable for aesthetic or any other reason. In passing upon such plans and specifications, the ACC may take into consideration the suitability of the proposed Dwelling, detached garage, fence, sign, wall, swimming pool or other improvement, its design, elevation, and the materials of which it is to be constructed on the Lot; the harmony thereof with the surrounding buildings and the view from the adjacent Lots. The ACC shall have the right to waive minor infractions or deviations from these restrictions if it is determined to be in the best interest of the Subdivision. Each Lot purchaser should be fully aware of the restrictions that are contained herein and the building and zoning codes of the Village of Germantown before purchasing a Lot in the Harvest Hills Subdivision.

5.3 Separate Village Approval. Matters which require approval of the ACC may also require approval of the Village of Germantown. Obtaining approval from the ACC and from the Village is solely the responsibility of the Owner desiring approval. Approval of the drawings by the ACC shall not be deemed approved by the Village and approval by the Village shall not be deemed approved by the ACC.

5.4 Indemnification. Each Member or former Member of the ACC, together with personal representatives and heirs of each such person, shall be indemnified by the Association against all expenses and liabilities, including attorney's fees reasonably incurred by or imposed by such Member in connection with any proceeding to which he or she may be a party, or in which he or she may become involved by reason of his or her being or having been a Member of the ACC, or any settlement thereof, whether or not he or she is a Member of the ACC at the time such expenses are incurred, except in such cases wherein the Member of the ACC is adjudged guilty of willful malfeasance in the performance of his or her duties. The foregoing rights to indemnification shall be in addition to and not exclusive of any right of indemnification to which a Member of the ACC may be entitled by Wisconsin statute or common law.

ARTICLE 6. ASSESSMENTS

6.1 Annual Assessments. Each Lot Owner shall be subject to a general annual charge or assessment to be determined solely by the Board of Directors of the Association in accordance with the annual budget for the purpose of defraying the cost of operating the Association, establishing a reserve for capital replacements, maintaining and administering the signs, Outlots, including storm water management ponds, and including without limitation, the cost of taxes, insurance, maintenance and repairs. The assessment shall be levied uniformly among Lots except for fines, fees or charges assessed against an individual Lot for violation of the Declaration. Annual assessments shall be levied by the Association as of January 31st for each year and the statement for such amount shall be e-mailed to the Owner of each Lot on such date and be payable on or before March 31st of each year. Developer shall be expressly exempted from paying a general annual charge on any Lots it holds for the years 2019 and 2020, but shall then be responsible for such payments on any Lots it holds as of January 1, 2021.

6.2 Special Assessments. If the annual assessment based upon the budget is inadequate or if special circumstances arise, the Board of Directors may levy a special assessment payable in such reasonable manner as the Board directs.

6.3 Proof of Payment. The Association shall, upon request at any time, furnish to any Lot Owner a certificate in writing signed by the Secretary or President of the Board of Directors of the Association setting forth whether said assessments have been paid.

6.4 Common Expenses and Surpluses. Common expenses and surpluses shall be allocated in the same manner as general assessments are allocated. All common surpluses for each fiscal year shall be retained for common expenses for the next succeeding fiscal year.

6.5 Individual Assessments - Violation or Breach of these Restrictions or Covenants. For violation or breach of any of the covenants or restrictions, the Developer and/or the Association, shall have the right to proceed at law or in equity (including, but not limited to, injunctive relief) to compel compliance with the terms hereof or to prevent the violation or breach of any of them. In addition, to the foregoing right, the Developer or the Association shall have the right, whenever there shall be built on any Lot any structure which is in violation of these restrictions, to enter upon the Lot where such violation exists and summarily abate or remove the same at the expense of the Lot Owner and any such entry and abatement or removal shall not be deemed a trespass. The Developer and/or the Association shall have the right to assess a Lot Owner for all costs incurred in abating or removing any such violation plus a fine not to exceed one hundred dollars (\$100) for each day the violation occurs. Any such individual assessment shall be paid by the assessed Lot Owner within fifteen (15) days from the date of imposition by the Developer or the Association.

6.6 Late Payments. Any assessment or installment of an assessment not paid within ten (10) days of its due date may be subject to a late charge and/or interest as set forth in the Bylaws or Rules of the Association.

6.7 Liens and Collection of Assessments. Any and all assessments made by the Developer or Association in accordance with the provisions of this Declaration together with interest thereon at the rate of twelve percent (12%) per annum plus the costs of collection, including, but not limited to, reasonable attorney's fees for any sums unpaid shall be the personal obligation of each Lot Owner. Such obligations shall become and are hereby declared to be a charge and a continuing lien upon the Lots against which each such assessment was made until paid in full. Said lien shall be effective only from and after the time of the recordation with the Register of Deeds of Washington County, of a written statement by the Association setting forth the amount due to the Association as of the date the statement is signed. Upon full payment of all sums secured by that lien, the Association shall issue and record a Satisfaction of the statement of lien. The Developer or Association as the case may be, shall have the following options to collect on any outstanding obligations assessed against any Lot:

- (a) To file an action in equity to foreclose its lien at any time after the effective date thereof. The lien may be foreclosed by an action in the name of the Association in like manner as the foreclosure of a mortgage on real property.
- (b) To file an action at law to collect said assessment, plus interest, at the rate of twelve percent (12%) per annum, plus court costs and reasonable attorney's fees without waiving any lien rights or rights of foreclosure.

6.8 Litigation Reserve. Upon initial conveyance of each Lot by Developer, each new Owner shall deposit with the Association a nonrefundable sum of three hundred dollars (\$300), to be placed in a litigation reserve fund. The litigation reserve fund shall be used to pay legal fees and costs in the event the Association is involved in a proceeding to enforce or defend the terms and conditions of this Declaration, whether in a proceeding commenced by or against the Association or in which the Association intervenes. The Board shall place funds in an interest-bearing account and all returns shall become a part of the fund, provided the Board may transfer amounts out of the fund to the Association's general funds if it is determined that a lesser amount in the litigation fund is appropriate. If necessary, the Board may levy a general or special assessment to replenish such fund. The Developer shall not be obligated to contribute any funds to the litigation reserve fund.

ARTICLE 7. DECLARATION TERMS

7.1 Term. This Declaration shall be in effect for a period of twenty-five (25) years and automatically renew for successive periods of ten (10) years each, unless there is recorded an instrument executed by the Owners of at least seventy-five percent (75%) of the Lots in the Subdivision, with written agreement by the Village, terminating this Declaration, in which case this Declaration shall terminate following the recording of an instrument of termination.

7.2 Severability. The invalidity of any provision of this Declaration, regardless of how determined, shall in no way affect any of the other provisions, which shall remain in full force and effect.

7.3 Amendment. This Declaration may be voided, waived, changed, modified or amended at any time by written Declaration setting forth said change, executed by the Owners of at least seventy-five percent (75%) of the Lots in the Subdivision and the Village.

7.4 Enforcement by Lot Owners. The covenants and restrictions contained herein may be enforced by any Lot Owner by proceedings at law or in equity against any other Lot Owner who is violating or attempting to violate the same to recover damages or to demand compliance, provided, however, that no such actions shall be commenced more than one (1) year from the date on which the violation occurred.

7.5 Conflict. In addition to the provisions of this Declaration, all Lots shall be subject to all ordinances, zoning laws and other restrictions of the Village of Germantown, Washington County and the State of Wisconsin. In the event of any conflict between this Declaration and the zoning code and building regulations of the Village, the stricter provisions shall apply.

ARTICLE 8. EASEMENT AREAS

8.1 Drainage Easements. An easement is reserved to the Developer, Association and/or the Village as the case may be, over any Lots or Outlots for the installation, maintenance and repair of swales, streams, ponds or other storm water management facilities and drainage system elements as are shown on the Plat, are contained in any Master Grading Plan, any development construction drawings or in the Storm Water Management Plan approved by the Village. Each Lot Owner shall have the responsibility for proper day to day maintenance of any drainage easements located on that Owner's Lot. Maintenance shall include cutting grass, raking leaves, removing fallen trees and branches and removing other minor obstructions. The Association shall have responsibility for setting and maintaining proper grade in the drainage easement areas. Lot Owners shall not change the grade of, construct improvements on, or in any way obstruct the drainage easement areas.

8.2 Landscaping/Sign Easement. Developer shall complete the landscaping in the landscaping/sign easement identified on the final Plat hereof. After completion of the landscaping, the Association shall have responsibility for maintaining the landscaping/sign easement areas.

8.3 Right of Entry. A right of entry to each Lot, Common Area, or Outlot is reserved to the Developer, Association and/or Village and their successors, agents or assigns, to service utility installations, maintain vision corners, signage, drainage easements and/or stormwater management facilities as is necessary, provided a request for entry is made in advance to any individual Lot Owner which may be affected and such entry is limited in scope to that which is reasonably necessary for the purpose for which it is intended. In case of emergency, entry by the Developer, Association and/or Village onto any Lot, may be made immediately and without notice to such Lot Owner.

8.4 Stormwater and Outlot Maintenance Access Easement. An easement for ingress and egress as is shown on the Plat for Harvest Hills Subdivision, is reserved to the Developer, the Association and/or the Village as the case may be, for purposes of access to Outlot 5 and 6. Said access is for the purpose of allowing for maintenance and repair of any storm water management facilities located thereon or other Outlot maintenance which may be necessary or required.

ARTICLE 9. OUTLOTS

9.1 Ownership of Outlots. Each Owner of a Lot shall own a percentage interest in the Outlots as a tenant in common with all other Lot Owners. The interest of each Lot Owner is calculated as a fraction equal to 1 divided by the number of Lots. Initially, the interest is 1/37. The Outlot ownership interest shall be appurtenant to ownership

of a Lot and may not be transferred separately from the Lot to which it pertains. Thus, each Lot Owner shall be responsible for 1/37th of the maintenance costs of the Outlots, which will be handled through the Homeowners Association.

9.2 Outlot Maintenance. Maintenance of Outlots includes, but is not limited to, perpetual maintenance of all privately-owned storm water management basins, storm sewer, ditches, and swales, and other privately-owned improvements including the monument entrance sign(s). Maintenance shall include any mowing, trimming, pruning, clearing necessary to ensure proper functioning of drainage basins and proper aesthetics as determined by the Committee. Should the Association fail to maintain the landscaping as required herein, the Village may take remedial action and assess a special charge as allowed.

9.3 Damage or Destruction of Outlots. In the event any Outlot is damaged or destroyed by a Lot Owner or any of his or her guests, tenants, licensees, agents or member of his or her family, such Lot Owner does hereby authorize the Association to repair said damaged area; the Association shall repair said damaged area in a good workmanlike manner in conformance with the original plans and specifications of the area involved, or as the area may have been modified or altered subsequently by the Association in the discretion of the Association. The amount necessary for such repairs shall become a Special Assessment upon the Lot of said Owner.

9.4 Wetland and Primary Environmental Corridor (PEC) Preservation. Wetlands and the Primary Environmental Corridor depicted on the Subdivision Plat within Outlot 6 are to be preserved and protected from development and any uses or activities that would damage or destroy the natural resource features, wildlife and associated habitat therein, including but not limited to, the unnecessary removal of trees or other vegetation, the use of motorized vehicles, recreational hunting, etc.

Executed this 27th day of August, 2019.

Harvest Hills Subdivision, LLC

By: Shari Waggoner
Shari Waggoner, Member

State of Wisconsin)
) ss.
County of ~~Washington~~ Waukesha

Personally came before me this 27th day of August, 2019, the above-named Shari Waggoner, Member, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Tania J. Nabors
Notary Public, ~~Washington~~ Waukesha County, Wisconsin
My Commission: 09/01/2019

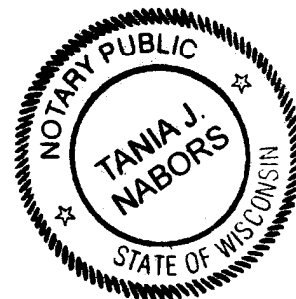


Exhibit A

Lots One through Thirty-Seven (1-37) and Outlots One through Six (1-6) in Harvest Hills, being a subdivision that is a portion of Parcel 1 of C.S.M. No. 3641 (a portion of the SE 1/4 of the NW 1/4), Washington County Records, and also the NW 1/4 of the NE 1/4 and the SW 1/4 of the NE 1/4, all in Section 24, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin. More particularly described as follows:

Commencing at the North 1/4 corner of said Section 24-9-20, said corner being on the centerline of C.T.H. 'F'; thence N. 88°13'31" E., 660.00 feet along the north line of the NW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of C.T.H. 'F') to the point of beginning of lands to be described; thence continue N. 88°13'31" E., 676.98 feet along said north line (centerline) to the NE corner of the NW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 01°39'58" E., 2630.97 feet along the east line of the West 1/2 of the NE 1/4 of said Section 24-9-20 to the SE corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20, said corner also being on the centerline of Elm Lane; thence S. 88°20'55" W., 1331.92 feet along the south line of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (centerline of Elm Lane) to the Center of said Section 24-9-20; thence N. 01°46'35" W., 728.07 feet along the west line of the SW 1/4 of the NE 1/4 of said Section 24-9-20; thence S. 88°13'25" W., 141.32 feet; thence N. 01°46'35" W., 585.89 feet to the north line of the SE 1/4 of the NW 1/4 of said Section 24-9-20, said line also being the northerly line of Parcel 1 of said C.S.M. No. 3641; thence N. 88°11'13" E., 141.32 feet along said north line to the NW corner of the SW 1/4 of the NE 1/4 of said Section 24-9-20 (NE corner of Parcel 1 of said C.S.M. No. 3641); thence N. 01°46'35" W., 786.06 feet along the west line of the NW 1/4 of the NE 1/4 of said Section 24-9-20 to the SW corner of Parcel 1 of C.S.M. No. 386, Washington County Records; thence N. 88°13'31" E., 663.08 feet along the southerly line of said C.S.M. No. 386 to the SE corner of Parcel 3 of said C.S.M. No. 386; thence N. 02°06'39" W., 528.00 feet along the easterly line of said Parcel 3 to the point of beginning.

Said parcel contains 74.44 acres.

SITE PLAN REVIEW

6/12/23 Plan Commission Meeting

Keller Inc. / Karthaus & Sons Inc.

Village Planner Report

Germantown, Wisconsin

Summary

Casey Gabrielson, Keller Inc., agent for Karthaus & Sons, Inc., property owner, is requesting approval of site development & building plans for a 3,175 sqft commercial building addition to replace an existing 2,250 sqft detached building destroyed by fire for the existing wholesale florist facility located at W147 N11100 Fond du Lac Avenue.

Property Location: W147 N11100 Fond du Lac Avenue

Applicant/

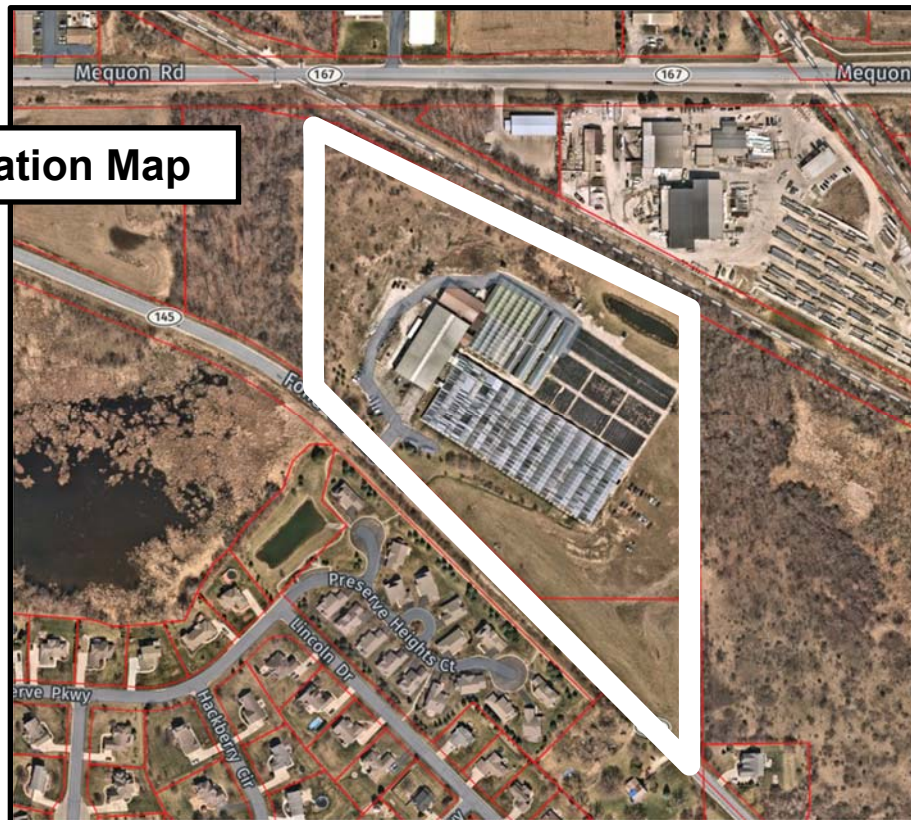
Property Owner:

Casey Gabrielson Gregg Wilke
Keller Inc. Karthaus & Sons Inc.
Germantown, WI Hubertus, WI

Current Zoning: A-2: Agricultural

Adjacent Land Uses		Zoning
North	Industrial	M-1
South	Residential	Rm-3
East	Agricultural	A-2
West	Business (undeveloped)	B-1

Location Map



Background/Proposal

Casey Gabrielson, Keller Inc., agent for Karthauser & Sons, Inc., property owner, is requesting approval of site development & building plans for a 3,175 sqft commercial building addition to replace an existing 2,250 sqft detached building destroyed by fire at the existing wholesale florist facility located at W147 N11100 Fond du Lac Avenue.

Karthauser & Sons Inc. is a wholesale florist that has served customers in southeast Wisconsin for over 50 years selling plants, fresh flowers, and supplies. The Germantown facility opened in 1987 with the facility growing to 180,000 sqft. Operation at the facility is Monday through Friday 7:00am to 1:00pm. *[for more information visit their website: <https://karthauser.net>*

As explained in the narrative and shown in the site development and building plans, the proposed addition is intended to replace a free-standing building that was impacted by a fire over 2 years ago and eventually deemed structurally unsound by the insurance company. Insurance issues have hampered the owner's ability to replace the building until now.

The proposal includes the following:

- 3,175 sqft first floor building addition for shipping/receiving
- Three (3) dock bays w/ overhead doors on the west & north elevations
- Exterior materials include same/similar metal siding, standing seam roof and color scheme
- No other improvements proposed; no landscaping or parking enhancements

Parking, Access & Traffic Circulation

Access will continue to be provided to/from Fond du Lac Avenue by one (1) existing driveway.

Storm Water Management

Storm water management is not required given that the proposed building addition will be in the same general footprint as the previous free-standing building.

Landscaping

No new landscaping is proposed.

Lighting

New exterior lighting includes a total of five (5) building-mounted wall pack fixtures around the building addition above dock bays and man doors:

- (5) 150W 21475 Lumen LED fixtures at a height of 16'

Staff Comments**Planning & Zoning**

The owners are requesting that their replacement building plans be reviewed and approved without consideration by the Village for other improvements or possible code compliance items (to help keep costs down and not exceed their insurance claim reimbursement). Nonetheless, there are two items that warrant discussion and possible consideration.

First, although the site is heavily landscaped along Fond du Lac Avenue, there is one break in the trees along the north side of the driveway that provides a clear view of the dumpsters (usually 3 or 4) that are kept on the edge of pavement between the new addition and the roadway. Sheet C100 indicates that there will be a compacted gravel dumpster pad created for relocation of the dumpsters. Staff supports this proposal and recommends that no dumpsters be allowed to be placed/stored in the previous location unless they are enclosed and screened.

Second, much of the parking area serving employees and the fleet of trucks along the west side of the building addition is gravel with only a small area of pavement in front of the building (south side) near the main entrance. Given how the proposed addition extends outward from the existing building a distance further out than the previous free-standing building, the extent of the gravel parking and drive lane around the addition may have to be extended further to the west. In fact, on Sheet C100, the Grading & Paving Plan, it appears that there will only be approximately 20' of existing gravel between the current edge of the gravel drive lane and the west edge of the building addition. With the west side of the building planned for two shipping/receiving bays, it's likely that the drive lane in this area in front of the shipping/receiving bays will have to be extended further west. If so, the owner will have to provide a revised plan showing the expanded parking/drive lane on a revised grading & paving plan.

Fire Department/Police Department

No comment.

Building Inspection Services

State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services at the time of building permit application. The Village of Germantown is an authorized delegated agent of DSPS to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.

Village Forester

No comment.

Public Works Department/Village Engineer

The Public Works Department has reviewed the plans and indicated that no storm water management plan or features are required given that the footprint for the building addition is where the previous building was located, and the surrounding area is already impervious.

VILLAGE STAFF RECOMMENDATION

APPROVE the site development & building plans for a 3,175 sqft commercial building addition to the existing Karthauser & Sons Inc. wholesale florist facility located at W147 N11100 Fond du Lac Avenue subject to the following conditions:

1. This approval is for the proposed building addition and is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following plans unless superseded by subsequent plan sheets approved by the Village Planner or Engineer pursuant to revisions required herein and/or by the Plan Commission:
 - a. Architectural plan set dated April 24, 2023
 - b. Engineering plan set dated May 1, 2023
 - c. Exterior Lighting plan set dated May 2, 2023
2. Dumpsters kept on the property shall be stored in the dumpster pad area on the north side of the proposed building addition. Any other dumpsters kept on site shall be enclosed and screened from view. Any dumpster enclosure shall be reviewed and approved by Village staff prior to installation.
3. Any expansion of the gravel driveway/lane around the proposed building addition shall be presented in a revised grading & paving plan reviewed and approved by the Village Engineer prior to installation as part of a Zoning Permit application.



Fee must accompany application

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

PAID

DATE

5-5-23

SITE PLAN REVIEW APPLICATION

Pursuant to Section 17.43 of the Municipal Code

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

1 APPLICANT OR AGENT

Keller, Inc
(Casey Gabrielson - Project Mgr)
W204 N11509 Goldendale Rd
Germantown, WI 53022

Phone (262) 825-6774

E-Mail cgabrielson@kellerbuilds.com

PROPERTY OWNER

Karthauser & Sons
(Neal & Brian Karthauser)
(Attn: Gregg Wilke)

Phone (262) 255-7815

E-Mail greggw@ksi.biz

2 PROPERTY ADDRESS

W147 N11100 Fond du lac Ave
Germantown, WI 53022

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

North <u>Railroad (Fox Valley & Lake Superior rail system)</u>	South <u>(Fond du lac Ave) (owned by same owners) and agricultural</u> <u>Undeveloped + agricultural Forest</u>	East <u>Undeveloped and agricultural Forest</u>	West <u>Undeveloped and agricultural Forest</u>
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4 READ AND INITIAL THE FOLLOWING:

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

5 SIGNATURES - ALL APPLICATION MUST BE SIGNED BY OWNER!

[Signature] 3/20/23

Applicant

Date

[Signature] 3/23/23

Owner

Date

Germantown Planning Commission:

This application is to replace an existing building addition that previously burned down. The insurance company deemed the building not safe structurally and it had to be torn down. This application is to build that same size footprint off the same side of the existing building (See attached conceptual plans).

Due to the fire, Karthauser and Sons is only replacing the addition that burned down. No additional work will be performed, including additional landscaping. We have discussed waiving the landscape design plan from our submittal requirement due to the fire and lack of visibility of the building itself to the public due to its location (See attached e-mail from the Germantown planning department).

We appreciate the plan commission looking at our submittal to rebuild what Karthauser and Sons lost from the fire. Karthauser has been through 2 plus years of insurance procedures to get to this point. Any further additions to scope and/or cost outside this submittal would require additional approvals with the insurance carrier. These insurance approvals have not moved quickly to date. Karthauser and Sons has been unable to use this space for over two years and it has affected the operations and revenue of the business. We ask that the plan commission understand Karthauser and Son's hardship and ask that any additional scope requirements be omitted. Going back to insurance for further approvals will only lengthen the process to get back what they lost in the fire and continue to affect the operations and revenue of the company.

Thank you for your consideration for the approval of this addition at Karthauser and Sons.

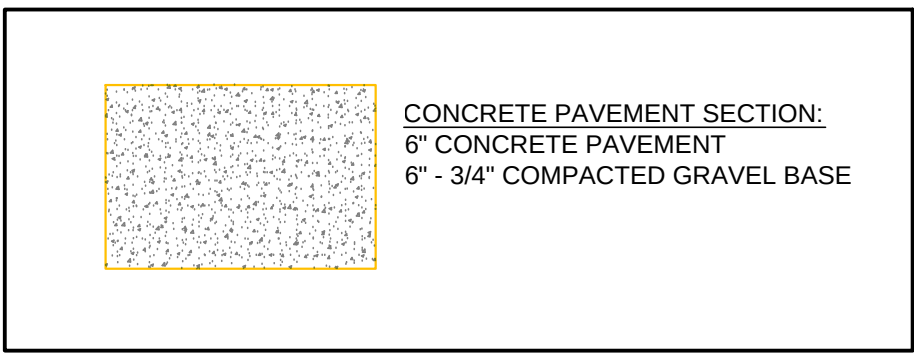
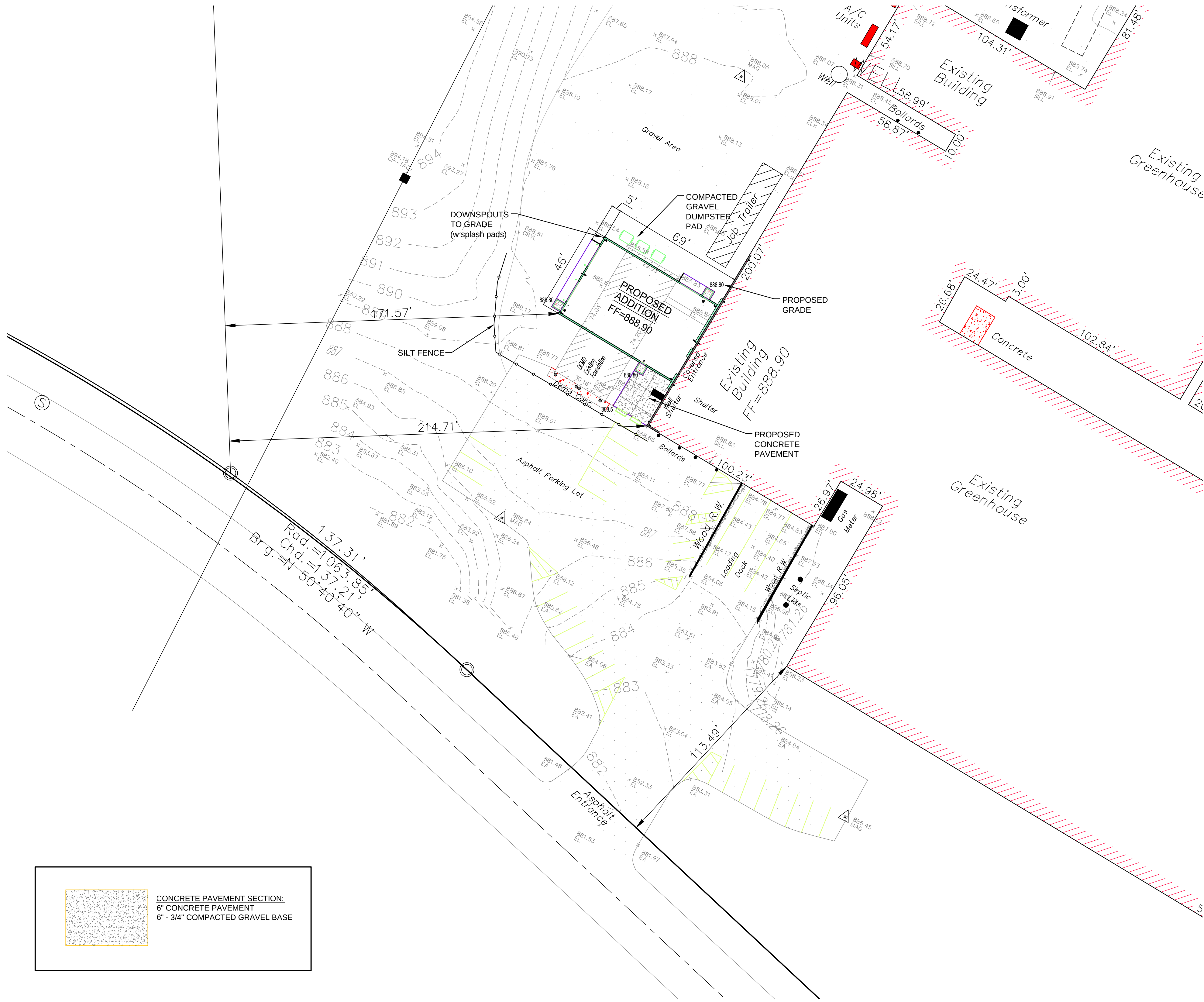
Sincerely,

A handwritten signature in black ink, appearing to read 'Casey Gabrielson', followed by a long horizontal line.

Casey Gabrielson

Keller, Inc (Project Manager)

- LEGEND**
- SECTION CORNER MONUMENT
 - FOUND 1" IRON PIPE OR AS NOTED
 - POST
 - UTILITY POLE
 - CITY POLE
 - CITY WIRE
 - CULVERT
 - UTILITY PEDESTAL
 - ELECTRIC PEDESTAL
 - SEPTIC FACILITY
 - SEPTIC CLEANOUT
 - TV MANHOLE
 - YARD LIGHT
 - INLET
 - SOIL TEST LOCATION W/ ELEV.
 - WELL
 - LIGHT POLE
 - WIRE FENCE
 - SILT FENCE
 - RECORD DIMENSION
 - SA SANITARY SEWER
 - ST STORM SEWER
 - W WATERMAIN
 - OH OVERHEAD POWER/UTILITY
 - G UNDERGROUND GAS
 - E UNDERGROUND ELECTRIC
 - C UNDERGROUND CABLE
 - EXISTING SPOT ELEVATION
 - EXISTING CONTOUR
 - PROPOSED SPOT ELEVATION
 - PROPOSED CONTOUR
 - DRAINAGE FLOW DIRECTION



GENERAL SPECIFICATIONS:

- All work shall be in accordance with the Standard Specifications for Highway and Structure Construction, State of Wisconsin, Latest Edition AND the City of Germantown Ordinances, unless otherwise called for on the plans, specifications or special provisions.
- All erosion control measures specified on this plan shall meet the design criteria, standards and specifications as set forth in the Department of Natural Resources Wisconsin Technical Standards.
- All erosion control devices (i.e., silt fence, etc.), shall be installed prior to commencing any construction.
- All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time. All excess material must be removed from the site to an approved location.
- The contractor shall notify Diggers Hotline, all utilities City Departments, and government units whose property may be affected by the contractor's operations at least three (3) days before breaking ground. Diggers Hotline number is 1-800-242-8511.
- Public roads shall not be closed to traffic at any time. All ingress and egress traffic to the project shall be limited to the gravel entrance to the property.
- Contractor shall be responsible for maintaining the Streets. Streets shall be kept free of silt or dirt tracked from areas under construction by sweeping within 24hrs. Dust generated by construction activities shall be minimized by use of watering, calcium chloride surface treatment, construction scheduling or other appropriate methods.

NOTE:
THIS PROJECT SHALL FOLLOW ALL REQUIREMENTS OF THE CITY OF GERMANTOWN EROSION CONTROL ORDINANCES.

LOCATION: W147 N11100 Fond Du Lac Avenue, Germantown, Wisconsin

LEGAL DESCRIPTION:

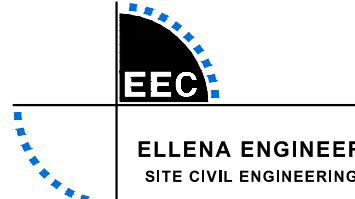
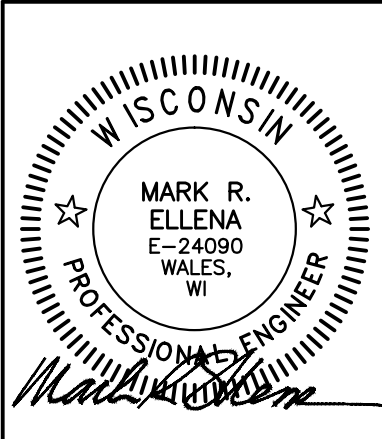
That part of the West 1/2 of the Northeast 114 of Section 28, in Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, which lies between the Northerly line of State Trunk Highway No. 145 (formerly known as No. 55) as now located in said Section 28 and the Southerly line of the right of way of the Chicago, Milwaukee and St. Paul Railway Company. EXCEPTING therefrom that portion thereof heretofore conveyed to the Wisconsin Department of Transportation by Deed recorded in the Washington County Registry on March 22, 1990 in Volume 1083 of Records, Page 873, as Document No. 656971. ALSO EXCEPTING therefrom that portion described in the Deed recorded in the Washington County Registry on November 21, 1995 in Volume 1549 on Page 899, as Document No. 704874.

March 31, 2023

Survey No. 114169



GRADING & PAVING PLAN
1" = 30'



Ellena Engineering Consultants, LLC • 700 Pilgrim Parkway - Suite 100 • Elm Grove, WI 53122
Phone: 262-719-6183 • Fax: 866-457-2584 • Email: mellenae@eeceng.com



Keller

PLANNERS | ARCHITECTS | BUILDERS

FOX CITIES

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

MADISON

3308 Nursery Drive
Middleton, WI 53562
Phone (608)445-2245

MILWAUKEE

W204 N11509
Goldendale Rd
Germantown, WI 53022
Phone (262)250-9710
1-800-236-2534
Fax (262)250-9740

WAUSAU

5605 Lilac Ave
Wausau, WI 54401
Phone (715)849-3141
Fax (715)849-3181

www.kellerbuilds.com

PROPOSED RESTORATION FOR:

KARTHAUSER & SONS

WISCONSIN

GERMANTOWN,

"COPYRIGHT NOTICE"

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

REVISIONS

PROJECT MANAGER:

C. GABRIELSON

DESIGNER:

T. TISLAU

DRAWN BY:

TDP

EXPEDITOR:

SUPERVISOR:

PRELIMINARY NO:

P22218

CONTRACT NO:

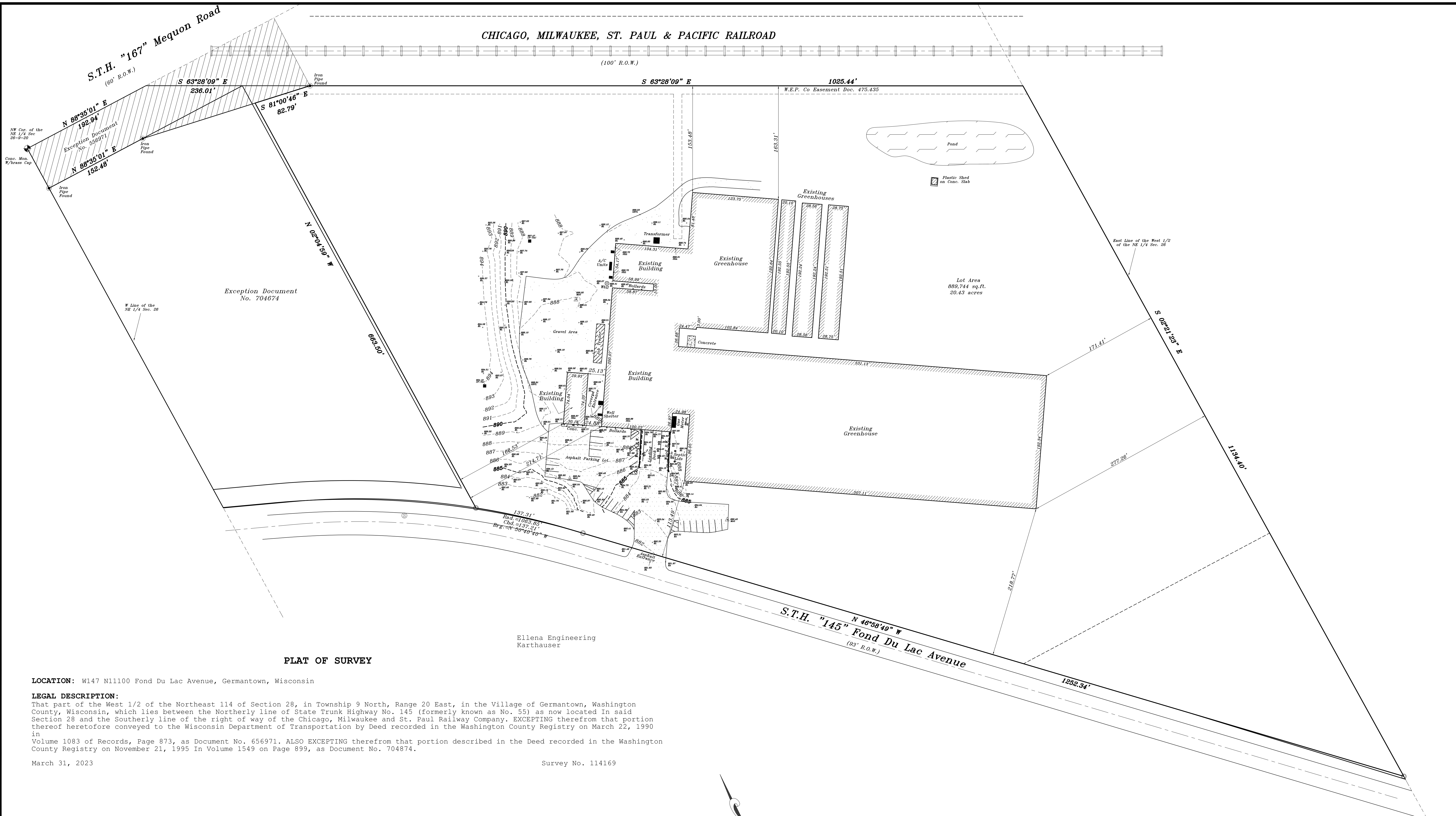
DATE:

05.01.2023

SHEET:

C100

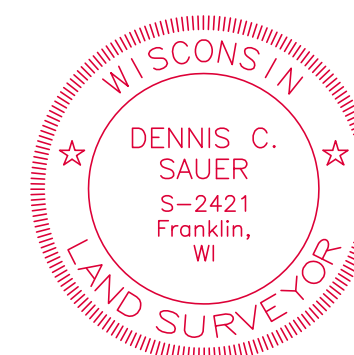
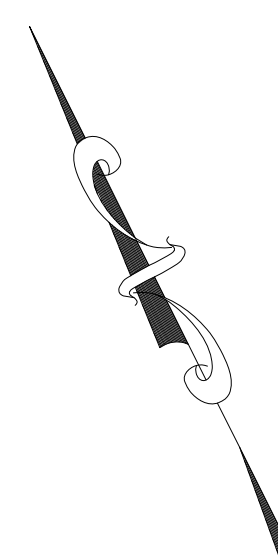
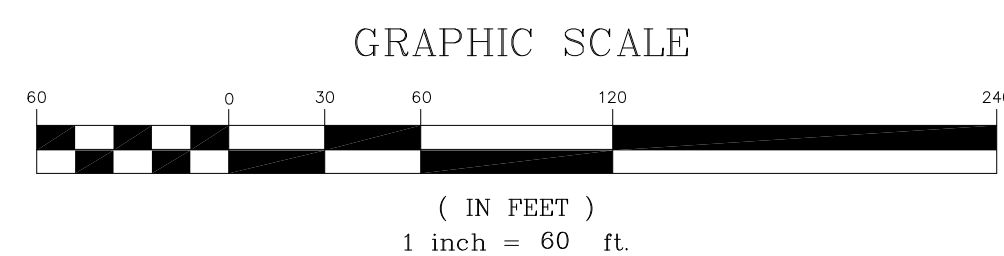
THE BOUNDARY & TOPOGRAPHIC SURVEY WAS PROVIDED BY METROPOLITAN SURVEY, INC. UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.



**METROPOLITAN SURVEY
SERVICE, INC.**
PROFESSIONAL LAND SURVEYORS

9415 West Forest Home Avenue, Suite 202
Hales Corners, Wisconsin 53130
PH. (414) 529-5380
survey@metropolitansurvey.com
www.metropolitansurvey.com

⊙ — Denotes Iron Pipe Found
 ⊗ — Denotes Iron Pipe Set



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

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

SIGNED


Dennis C. Sauer
Professional Land Surveyor S-2421



KARTHAUSER & SONS

GERMANTOWN,

WISCONSIN

GENERAL BUILDING NOTES AND SPECIFICATIONS

DIVISION 01 - GENERAL CONDITIONS

GENERAL CONDITIONS	
1.	Do not deviate from original bld documents without Keller, Inc., permission.
2.	Subcontractor is to follow all manufacturer recommendations, industry standards, and comply with all current building and ADA codes.
3.	Subcontractor is to attend all jobsite meetings as requested.
4.	Do not deviate from the Interior and Exterior Material Selection Form without prior approval.
5.	Subject to Keller, Inc.'s determination, material or systems with variant feature(s) may be allowed as a substitution. Substitution request must be submitted to Keller, Inc., for approval.
6.	Material delivered to the jobsite must be stored in a location per Keller, Inc., instructions.
7.	Subcontractor is responsible for proper material storage and protection of materials on the jobsite.
8.	All material deliveries and handling are the responsibility of the Subcontractor, including all hoisting and material unloading/loading.
9.	No subcontractor shall begin application or installation of their materials until substrates have been properly prepared. Notify Keller, Inc., of unsatisfactory conditions prior to proceeding.
10.	Do not install damaged products.
11.	All layout necessary for the proper completion of work is the responsibility of the respective trades. Control points will be provided for reference.
12.	Subcontractor shall verify all public and private utilities on site prior to commencement of work.
13.	Subcontractor is responsible for maintaining a clean worksite daily.
14.	All subcontractors are responsible for any trucking or equipment that leaves any debris or mud outside of the project limits by either their forces or delivery trucking.
15.	Subcontractor is responsible for final clean up and disposal of all materials related to their scope of work at project completion.

DIVISION 04 - MASONRY

04210 - MASONRY SPECIFICATIONS (1.4.21)	
SUBMITTALS	
A	Mock ups will be required based on the complexity of the project and at the owner's discretion.
B	Samples. Unit masonry samples of adequate size showing the full range of colors and textures available for each different exposed masonry unit as requested.
SCHEDULE	
CMU / BRICK / STONE / CULTURED STONE	
	- All exterior CMU to include Dry Block additive unless painted. - All exterior CMU to be sealed unless painted.
MORTAR / GROUT	
	All exterior mortar to include Dry Block additive.
REINFORCING / TIES	
	- All reinforcing bar to be Grade 60 ASTM A 615. - Ties to be DW10 with vee tie. - Joint reinforcing to be galvanized carbon steel per plan.
FLASHINGS	
	- Flashings as specified on plan or proposal. 3" wide, 26 ga. stainless steel drip flashing, furnished with a smooth, factory-Formed hemmed edge for installation safety and uniform appearance. - Not required at lintels, ie. Above windows and doors 40 mil Perma – Barrier (or equal) base flashing adhered to foundation. - Weeps to be vertical cell vent style – color to match mortar. - Mortar net
INSULATION	
	When required, insulation to be foamed in place.
SILLS / LINTELS	
	Per plan, Request for Quotation, and Interior & Exterior Material Selection Form.
MISCELLANEOUS STEEL	
	Per plan and Request for Quotation
INSTALLATION	
A	Vertical lines not to vary more than 1/4" on 20' nor 1/2" maximum total.
B	Horizontal lines not to vary more than 1/4" on 20' nor 1/2" maximum total.
C	All masonry cuts to be clean and free from chips – conceal cut edges where possible.
D	Mix masonry units to achieve a uniform blend of color variations.
E	Completely fill all spaces between masonry units and hollow metal frames with mortar.
F	Fill masonry unit cores with grout as indicated on the plan.
G	Tool all exposed mortar joints or as indicated on the plan.
H	Control joint to be installed per NCMA standards.
J	Mason to supply backer rod and caulk at all control joints.

PROTECTION	
A	Cold weather protection is the responsibility of the mason.
B	Any damaged product caused by weather is the responsibility of the mason.
C	Projects where new work areas adjoin an existing building will require the masonry contractor to prevent fumes and dust from saw cutting from entering the existing building.
D	Mason is responsible for damage caused to other trades due to mason's negligence.
E	Mason to protect masonry units from mud splash until sealed or painted.

DIVISION 06 - WOOD & PLASTICS

06240 - CABINET SPECIFICATIONS (1.6.24)	
SUBMITTALS	
A	Submit one set of elevation and layout shop drawings including backer requirements within (2) weeks of subcontract award.
B	Submit (3) sets of final approved shop drawings.
SCHEDULE	
PLASTIC LAMINATE	
	- Wilsonart, Formica, or equal to be minimum .050 inches in thickness. - Cabinet interiors to be melamine per Interior & Exterior Material Selection Form.
EDGE TYPE	
	- Laminate edge to match horizontal and / or vertical surfaces as specified. - PVC edge will be considered through a substitution request. - Backsplash profile to be similar throughout. - Applied backsplash to be caulked to the horizontal surface.
SOLID SURFACE	
	- Corian or equal to be 1/2" solid material not including substrate. - Cambria, Silstone, or equal natural surface to be 3/4" solid material and A total of 1 1/4" including substrate.
DRAWERS & DOORS	
	- Standard drawers to have a 75 pound load bearing capacity. - Heavy duty roll outs to bear 100 pound minimum at full extension. - Hinges to be fully concealed. - Hinges to be Easy Release with 160 degree swing.
HARDWARE	
	- Hardware per Interior & Exterior Material Selection Form - Wire pulls to be 3" minimum. - Cut in, supply, and install plastic grommets as required.
SUPPORTS & BACKER	
	- Horizontal work surface supports to be steel L brackets or angled - Laminated brackets which allow for clearance of knee swing. - Bathroom vanity supports to have modesty panels that conceal plumbing.
WOOD CASEWORK	
	Solid wood material for door and drawer fronts.
TOE KICKS	
	Cabinet subcontractor to finish and install toe kicks to match vertical surface.
INSTALLATION	
A	Cabinet Subcontractor is responsible for all field verification.
B	Cabinet installer responsible for cutting in all sink holes and grommets.
C	Installation by properly trained and certified personnel only.
D	Cabinet installer required to supply venting slots for air circulation as required.
E	Damage caused to other finishes by the installer is subject to back charges.

PROTECTION	
A	Protect cabinet vertical and horizontal surfaces from damage during construction.
B	Correct all deficiencies in Cabinet Work that do not comply with requirements.
C	Protect adjacent construction from damage related to Cabinet work.

DIVISION 07 - THERMAL & MOISTURE PROTECTION

07210 - INSULATION SPECIFICATIONS (1.67.21)	
SUBMITTALS	
A	With Original Price Proposal: List Product and Manufacturer, and depth of blown-in insulation required to achieve specified R-Value.
MANUFACTURERS	
A	CertainTeed Fiberglass insulation or Equal.
SCHEDULE	
BATT INSULATION	
	- Batt insulation to be Fiberglass. - R-Values per plan and Request for Quotation. - Insulation at interior walls designated for sound to match stud widths.
BLOWN IN INSULATION	
	- Blown in material to be loose fiberglass. - R-Value per plan and Request for Quotation.
VAPOR BARRIER	
	- Vertical surfaces to be 6 mil polyethylene - Horizontal (bottom cord of trusses) to be 6 mil polyethylene. - All joints to be taped. - Vapor Barrier to be stapled or adhered to framing.
EAVE VENTS	
	- Size to match truss spacing. - Eave vents to be placed between each truss at low side eave. - Eaves to be insulated up to, and around eave vents at the energy heel.
INSTALLATION	
A	Close off all open cavities.
B	Fill all voids.
C	Installation by properly trained and certified personnel only.
D	Seal joints adjacent to all other trades penetrators to create an air tight seal.
E	Install attic rulers on trusses every 300 sf per NAAMA recommendations.

PROTECTION	
A	Protect all insulation material from weather damage prior to, and after installation.
B	Protect adjacent construction from damage related to Insulation work.
07240 - EXTERIOR INSULATED FINISH SYSTEM	
SUBMITTALS	
A	Submit a texture sample as requested – minimum sample size to be 24" x 24"
MANUFACTURERS	
A	Dryvit, Parex, Stowe, or equal
SCHEDULE	
BASE	
	- Expanded polystyrene 1 1/2" thickness minimum unless otherwise specified 3/4" thickness minimum behind any grooves - Foam to be mechanically fastened to substrate
REINFORCING	
	- Glass fiber mesh to be compatible with finished surface requirements - High impact mesh required at the first 36" above finished grade
FINISH SYSTEM	
	- System to provide equalized pressure - To be a complete system that prevents water intrusion and eliminates any incidental moisture that does occur
TRIM ACCESSORIES	
	- Base Flashing to allow for proper drainage - Window returns to be of similar material as the body - One piece control joint with V shaped slot and removable strip
INSTALLATION	
A	Install tracks, back-wrap or edge-wrap mesh at all terminations
B	Install substrate without gaps and in a running bond pattern
C	Rasp any board irregularities
D	Apply base coat and fully embed mesh
E	Apply primer coat only after base coat is completely dry
F	Apply finish coat per specified finish and color
G	Install all sealants per manufacturers recommendations
H	Expansion joints to be installed at any building or substrate expansion and where EIFS abuts dissimilar materials or per manufacturer's recommendations
I	Expansion joints to be caulked by the EIFS Subcontractor
J	On continuous runs, expansion joints to be installed at 75' o.c. maximum
PROTECTION	
A	Weather protection is the responsibility of the Subcontractor.
B	Any damaged product caused by weather is the responsibility of the subcontractor prior to installation
C	Correct all deficiencies that do not comply with project requirements

07310 - SHINGLE / ALUMINUM SOFFIT SPECIFICATIONS (1.7.31)

MANUFACTURERS	
A	SHINGLE ROOF – Certainteed or equal per material selection form
B	ALUMINUM SOFFIT – Roller or equal per material selection form
SCHEDULE	
ASPHALT SHINGLE	
	- Fiberglass based, self sealing laminate architectural, class A asphalt - Shingle with 30 year minimum guarantee - Provide matching starter strip, hip, and ridge shingles. - Shingles to be nailed with #11 hot dipped galvanized roofing nails.
SUBSTRATE	
	15# felt paper to be stapled and secured to prevent wind damage. - Ice & water shield as required by code to be modified bitumen, cross linked - Surfaced, self adhering
FLASHINGS	
	- Valley Flashing to be selected from standard manufacturer's colors - Edge flashing to be pre-painted aluminum to match fascia color. - Fascia flashing the be Rollex L pre-painted aluminum. Fascia greater Than 10" to be .032 aluminum
SOFFIT	
	- Rollex CV 3-16 aluminum or equal. - Overhang soffit to be .019 aluminum for lengths less than 48" - Canopy soffits to be .032 Peterson aluminum or equal for lengths greater than 48" - All soffit trim to match material and color
GUTTERS	
	- Gutters to be seamless 5" K style roll formed unless otherwise specified - Gutters to be minimum .032 aluminum coil stock
DOWNSPOUTS	
	- Downspouts to be closed pre-manufactured aluminum to match gutter - Color unless otherwise specified - Downspout size to be determined by subcontractor - Final location to be field verified
MISCELLANEOUS	
	- Any penetrations to be caulked with asphalt fibrous roof cement - Step flashing to be 26G galvanized sealed to roof / wall
ROOF VENTS	
	- Continuous ridge vent to be CertainTeed shingle vent or equal - Laminated ridge length is insufficient for ventilation, alternate venting Required. Subcontractor to provide venting options.
INSTALLATION	
A	Do not shingle through valleys
B	Install all products per manufacturers recommendations
C	Ice & Water shield to be installed per state and local requirements and at all roof penetrations
D	Installation by properly trained and certified personnel only
E	All penetrations to be sealed by the roofer to assure weather tightness
F	Damages caused by the installer to other finishes are subject to backcharge
G	Material to be installed parallel and true

PROTECTION	
A	Weather protection is the responsibility of the Subcontractor.
B	Any damaged product caused by weather is the responsibility of the Roofing / Soffit contractor prior to installation
C	Projects where new work areas adjoin an existing building will require the Roofing contractor to protect the existing building
D	Leave one bundle of the selected shingles on the jobsite.
E	Correct all deficiencies that do not comply with project requirements.
F	Subcontractor is responsible for any damage caused by fasteners not disposed of properly.

07460 - VINYL / CEMENT BOARD SIDING SPECIFICATIONS (1.7.46)

MANUFACTURERS	
A	VINYL SIDING – Verifirm Ashton Heights or equal per material selection form
B	CEMENT BOARD SIDING – CertainTeed Weatherboards or equal per material selection form
C	COMPOSITE SIDING – LP SmartSide or equal per material selection form
SCHEDULE	
VINYL SIDING	
	- Extruded Polyvinyl chloride .042" minimum with lifetime warranty. - Coefficient of linear thermal expansion per ASTM standards or better. - Vinyl siding to be nailed with 1 1/4" hot dipped galvanized roofing nails.
COMPOSITE SIDING	
	- Exterior Grade phenolic resin saturated paper overlay laminated to EPA - Registered zinc borate preservative treated engineered wood - Exposed edges sealed for moisture.
CEMENT BOARD SIDING	
	- Cement, fly ash, and cellulose fiber complying with ASTM C 1186 Type A - Grade II minimum 5/16" thick. - Siding to have a flame spread index of 0, Flexural Strength of 1450 psi, UV resistant, and Coefficient of Thermal Expansion of less than 1 x 10^-5/inch/inch/degree F
TRIM	
	- Corners, J channel, and window / door trim to match siding color unless - Otherwise specified in the material selection form. - All trim pieces to be of the same material as the siding unless specified otherwise. - Outside corners to overlap siding by 1" minimum.
FLASHING	
	- All flashing required to provide a weather tight seal to include siding to sills, - Windows, doors, etc. - Aluminum flashing to be .032 – profile per plan. - All edges to be blunt and free from burrs. - Final color per material selection form.

INSTALLATION	
A	Touch up all cut edges on siding and trim.
B	Install all products per manufacturers recommendations
C	Use trim details as shown on plans.
D	Installation by properly trained and certified personnel only
E	All openings and penetrations to be sealed by the siding subcontractor to assure weather tightness.
F	Damages caused by the installer to other finishes are subject to backcharge
G	Material to be installed parallel and true

PROTECTION	
A	Weather protection is the responsibility of the Subcontractor.
B	Any damaged product caused by weather is the responsibility of the Siding contractor prior to installation.
C	Projects where new work areas adjoin an existing building will require the Siding contractor to protect the existing building.
D	Correct all deficiencies that do not comply with project requirements.
E	Subcontractor is responsible for any damage caused by fasteners not disposed of properly.

07530 - EPDM ROOF SPECIFICATIONS (1.7.53)

SUBMITTALS	
A	With Original Price Proposal: List proposed Product and Manufacturer of EPDM System. Any substitution requests must be submitted with original proposal.
MANUFACTURERS	
A	Acceptable Manufacturers: Carlisle Sys Tec, Firestone Building Products, Johns Manville.
SCHEDULE	
EPDM MEMBRANE	
	60 mil fully adhered membrane per plan and proposal. - Or 60 mil or 45 mil ballasted per plan and proposal. - Fasteners per manufacturer's recommendation. - Comply with all local building codes. - Assembly to have UL class A Fire Hazard Classification
BONDING AGENT	
	- Neoprene based – compatible with all applicable substrates. - Lap Splices: EPDM based compatible with EPDM membrane.
VAPOR RETARDER	
	5 mil vapor barrier required at crawns or freezer applications - Or as indicated per plan and specification.
ROOF INSULATION	
	- Polyisocyanurate closed cell foam with black glass reinforcing. - Thickness / taper per plan. - EPS foam to be isolated with dens deck to maintain UL Class A Fire Hazard Classification.
METAL ACCESSORIES	
	- Continuous metal edge termination to be aluminum, water tight, - And with no exposed fasteners. - Parapet cap flashings to be .032 minimum aluminum with reverse - Pitch toward the roof.

MATERIALS - GENERAL REQUIREMENTS

A	
Materials to be compliant with ASTM D 4637	
INSTALLATION	
A	Install roofing, flashing, insulation, and accessories in accordance with the manufacturers recommendations.
B	Installation by properly trained and certified personnel only.
C	All surface preparations per EPDM manufacturer's recommendations.
PROTECTION	
A	Protect membrane roofing system from damage and wear during remainder of construction.
B	When remaining construction will not affect or endanger roofing, inspect roofing for deterioration and damages.
C	Correct all deficiencies in membrane that do not comply with requirements.
D	Protect adjacent property, vehicles, and persons from damage related to roofing work.

DIVISION 08 - DOORS & WINDOWS

08360 - OVERHEAD SECTIONAL DOORS 91.8.36

MANUFACTURERS	
A	SECTIONAL DOOR – Overhead Door Corporation, EZ Therm, or equal
B	OPERATORS – Liftmaster or equal
SCHEDULE	
SECTIONAL DOOR	
	26 gauge galvanized steel panel - Doors to be minimum 1 5/8" thick with weathertight joints - End sills to be minimum 13 gauge galvanized steel riveted to outside face - Center sills to be minimum 16 gauge galvanized steel riveted to outside face - Insulated doors to have an R-value of 15 or better - Final color and style per material selection form - Reinforcement for hardware attachments and applicable wind loads
COMPONENTS	
	- Door track to be 3"galvanized for all doors 12' wide, 12' high, or larger - Hardware to be galvanized steel, heavy duty hinges, and free floating hardened Steel ball bearing rollers - Counterbalance to be helically wound high tensile torsion springs with tapered drums and galvanized cables - Weatherstrip to seal all sides of the door - Liftmaster or equal to be electrically znc coated and replaceable - Lites in door sections to be insulated and sealed for weather tightness
OPERATOR	
	1/2 hp minimum with push button control station per manufacturers - Recommendations for door sizes - Electronic eyes & safety accessories as required by code - Remotes as requested
INSTALLATION	
A	All required backing to be supplied and installed by the Overhead Door subcontractor
B	Install all products per manufacturers recommendations
C	Field verify all dimensions.
D	Installation by properly trained and certified personnel only
E	Operator limits to be set by the Overhead Door subcontractor
F	Damages caused by the installer to other finishes are subject to backcharge
G	Install all material plumb and true, free from any warp and twist
H	Remove any adhered signage from doors immediately after installation

PROTECTION	
A	Weather protection is the responsibility of the Subcontractor.
B	Any damaged product caused by weather is the responsibility of the subcontractor prior to installation
C	Correct all deficiencies that do not comply with project requirements

08410 - ALUMINUM STOREFRONTS (1.8.41)

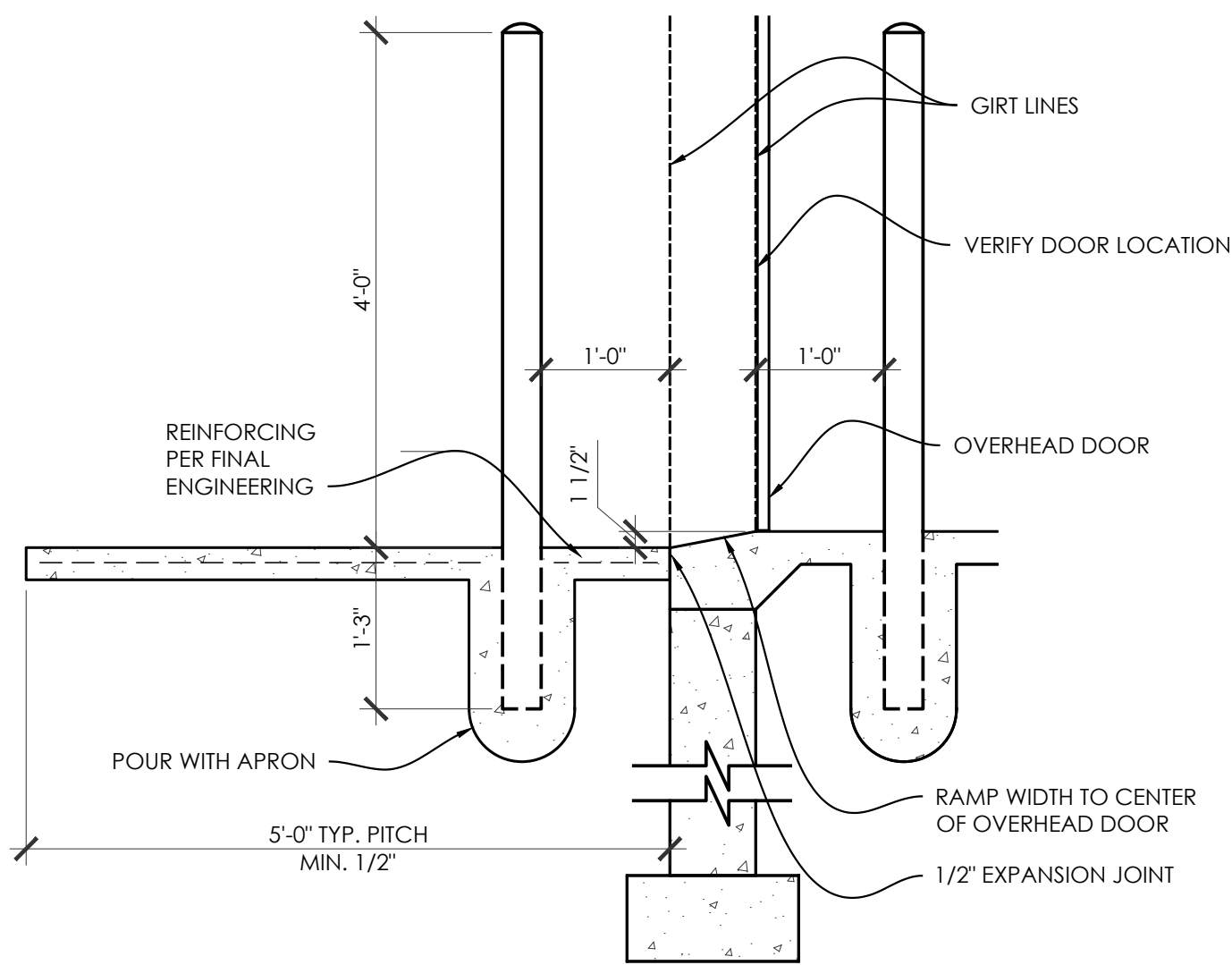
SUBMITTALS	
A	Submit (1) electronic copy of shop drawings within (2) weeks of subcontract award.
MANUFACTURERS	
A	ALUMINUM FRAMING – Kawneer, Tubelle, or equal per material selection form
B	GLAZING – Oldcastle Building Envelope or equal
SCHEDULE	
FRAMING	
	- Alloy and temper aluminum per manufacturer recommendation. - Doors to be standard 1 1/2" thick. - Rails and stiles to be minimum 3.2mm thick. - Rail and Stile size per RFD – Bottom rail to be ADA compliant - Minimum frame to be thermally broken meeting a minimum U-factor of .65 BTU/hr x sq ft Fahrenheit - Painted frames to be 70% PVDF with a 10 year fade and chalk warranty
HARDWARE	
	- Closer to be LCN 1461 or equal - Weatherstrip to be standard manufacturer pile - Threshold to be standard aluminum ADA compliant - Entry hardware per code requirements - Hinges to be one pair of 4 1/2" ball bearing unless specified otherwise
GLAZING	
	- Gaskets to be extruded EPDM rubber standard compression type - Glazing to have lowE coating standard - Glazing to be tempered as required - Sealant gain to be .68 maximum - Glass lint as specified in the material selection form - Annealed glass to consist of 2 layers minimum 1/8" each
FLASHING	
	- Extruded silt flashing with end dams to match frame color – set in sealant - Frames to be sealed with Thermo-Dynomic caulk or equal - Framing members to be wrapped with breakeatal to match the storefront material as required.
INSTALLATION	
A	Fill all voids and shim spaces with insulation
B	Install all products per manufacturers recommendations
C	Field verify all dimensions
D	Installation by properly trained and certified personnel only
E	All openings and penetrations to be sealed by the aluminum storefront subcontractor to assure weather tightness.
F	Damages caused by the installer to other finishes are subject to back charges
G	Provide separation where aluminum frames will contact dissimilar materials
H	Install all material plumb and true, free from any warp and twist
I	Clean aluminum framing and remove excess sealant after installation
J	Remove any adhered signage from glazing immediately after installation

PROTECTION	
A	Weather protection is the responsibility of the Subcontractor.
B	Any damaged product caused by weather is the responsibility of the aluminum storefront subcontractor prior to installation.
C	Projects where new work areas adjoin an existing building will require the aluminum storefront subcontractor to protect the existing building.
D	Correct all deficiencies that do not comply with project requirements

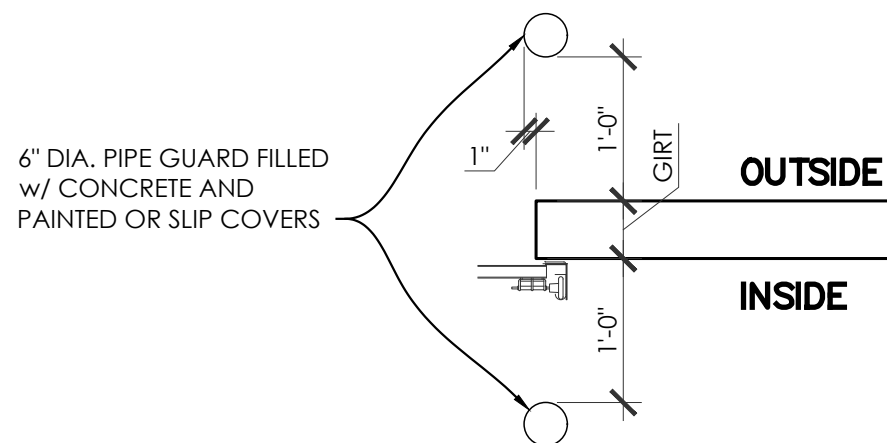
DIVISION 09 - FINISHES

09250 - DRYWALL / PLASTER (1.9.25)	
MANUFACTURERS	
A	Georgia – Pacific, National Gypsum Co., United States Gypsum, or equal
SCHEDULE	
GYPSUM BOARD	
	5/8" thickness unless otherwise specified or as required for rated assemblies - Board to be of maximum lengths to reduce end butt joints - Board to be a minimum 48" wide - Water-resistant board adjacent to showers and as indicated - Edges to be tapered unless otherwise specified - Board to be compatible with final finish
TRIM ACCESSORIES	
	- Corner beads to be zinc coated steel or formed plastic - Window returns to have tear away bead corners - One piece control joint with V shaped slot and removable strip - Resilient channel to be galvanized, hat shaped, 25 gauge minimum, and of a - Depth per plan
JOINT TREATMENT	
	- Provide paper or glass fiber reinforcing tape per manufacturer's recommendation - Use joint compound complying with steel manufacturer's specifications - Joints to be compatible with surface finish type
FINISHES	
	Final color and style per material selection form.
INSTALLATION	
A	Board to be hung plumb and true
B	Board to be hung a minimum of 3/8" off of the floor
C	Board to be held 1 1/2" below roof deck structure and screwed no closer than 1/2" from top plate
D	Board to be screwed to framing members per board manufacturer recommendations
E	Feather out drywall inside and outside corners a minimum of 24" each way
F	Finish walls a minimum of 3' above finished ceiling height
G	Finish walls to within 1" of the floor
H	Damages caused by the installer to other finishes are subject to backcharge
I	Vertical surfaces to have control joints placed a maximum of 30' o.c. or per plan
J	Ceiling control joints to be 60' o.c. max with perimeter relief or 30' o.c. max without perimeter relief
K	Control joints per ASTM C840 Standard
L	Plaster texture to be a minimum of 1/16" thick
M	Drywall contractor to inspect and repair imperfections after first coat of primer, prior to any spray applied texture.
N	Board finishes to be consistent and complete to all wall opening edges and corners
O	Drywall subcontractor to provide and install all required fire and sound caulking

PROTECTION

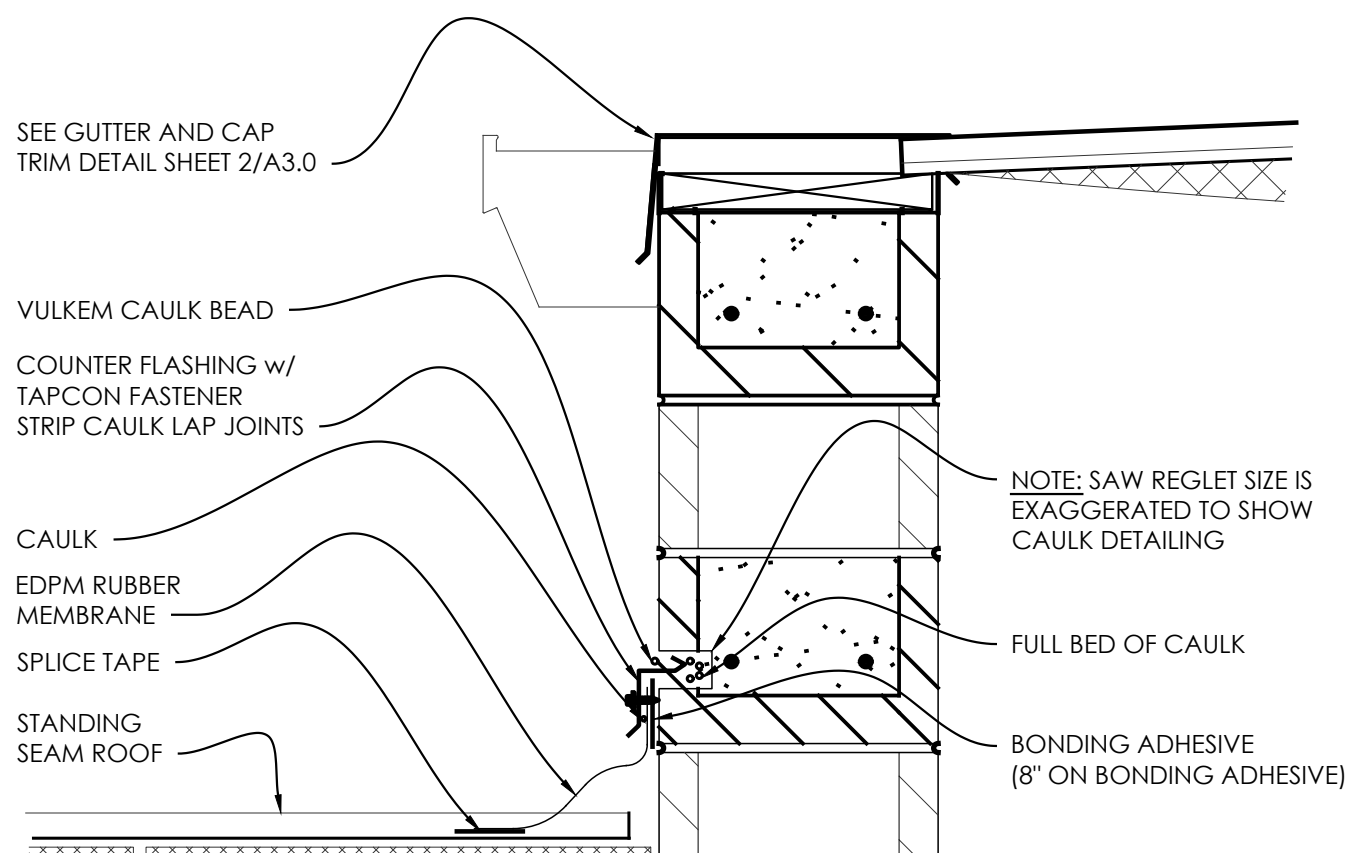


APRON GUARD POST DETAIL

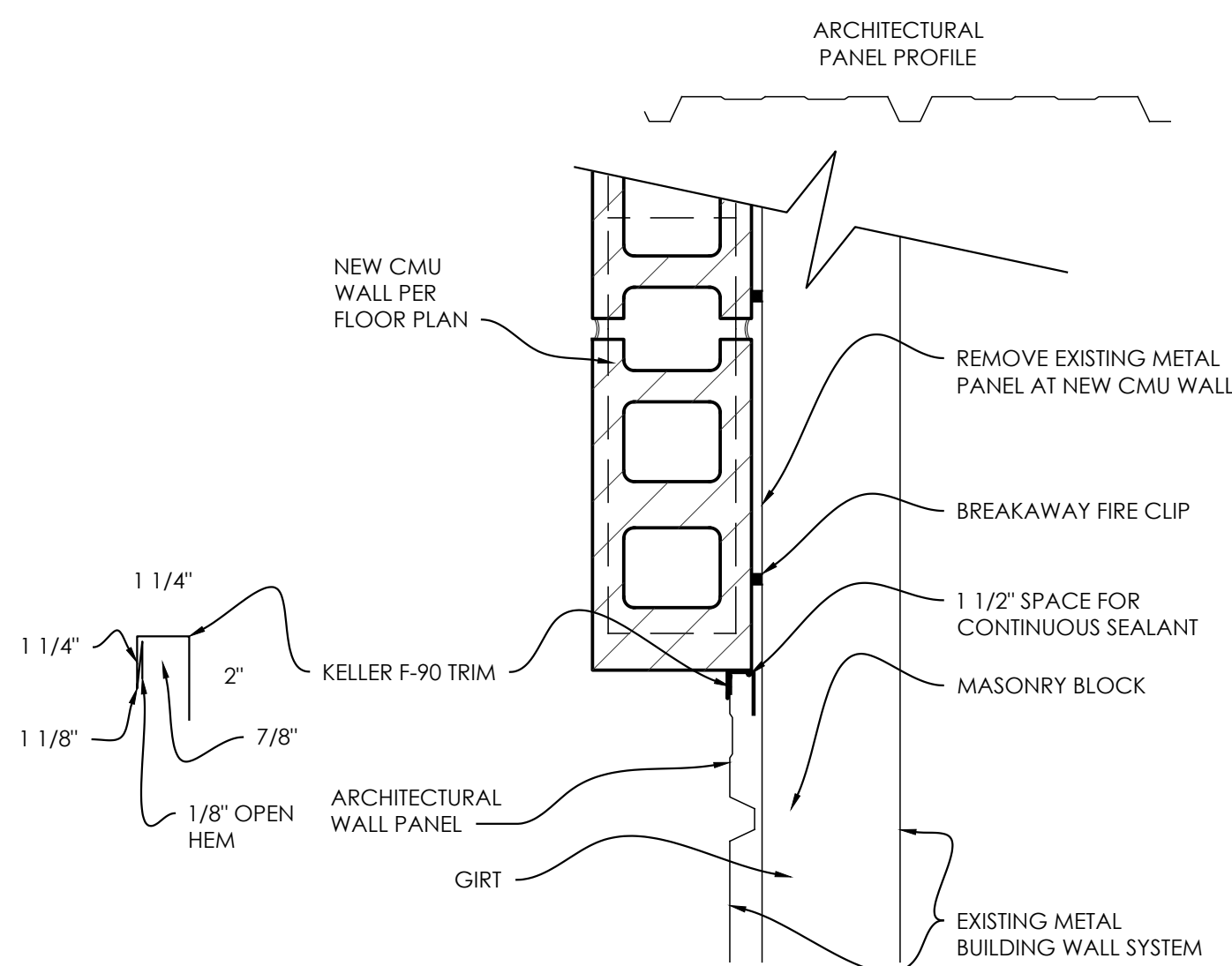


GUARD POST PLAN VIEW

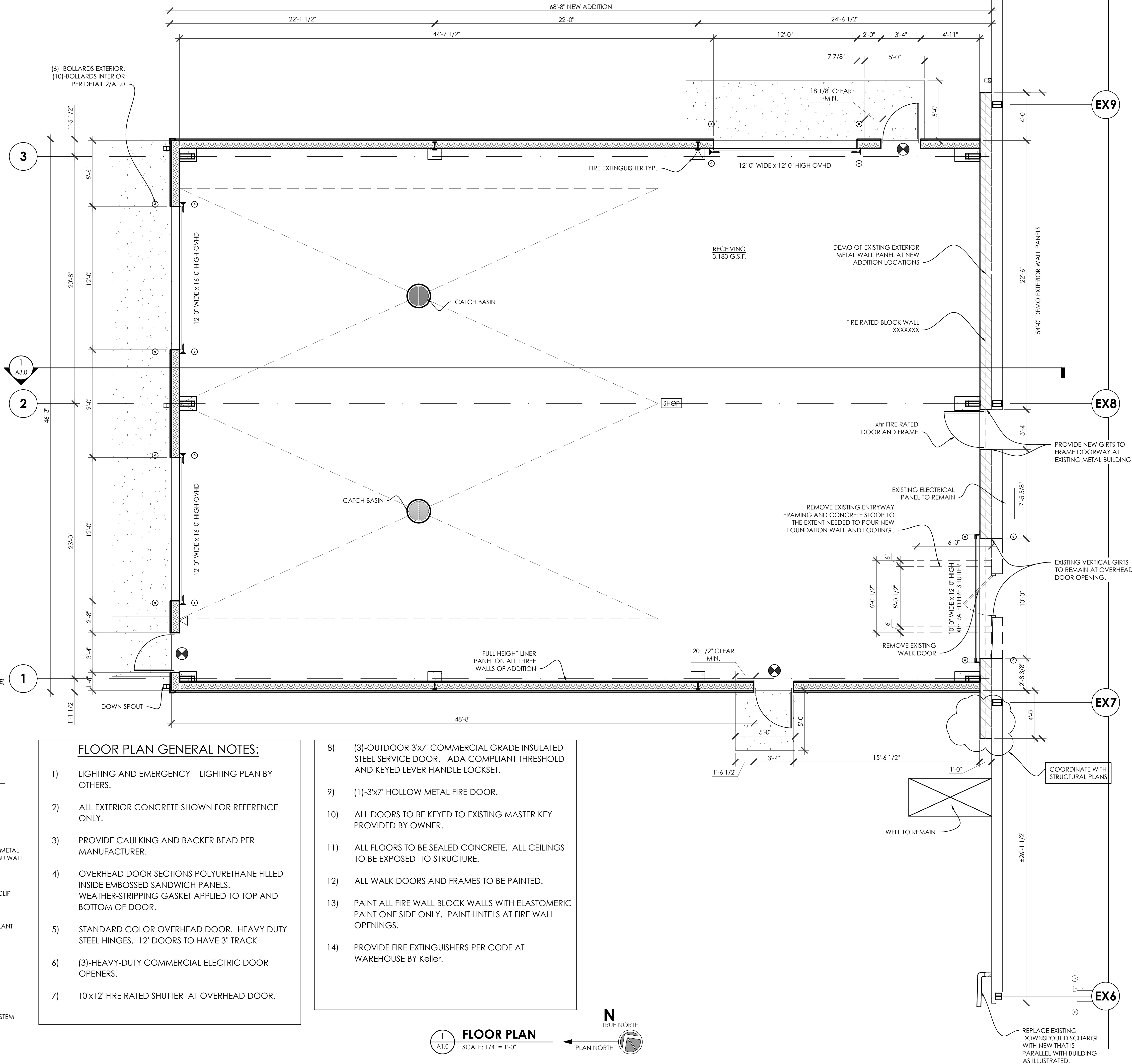
2 GUARD POST DETAILS
A1.0 SCALE: 3/4\"/>



3 FIREWALL TO NEW ROOF FLASHING DETAIL
A1.0 SCALE: 1 1/2\"/>



4 FIREWALL TO METAL PANEL TRANSITION
A1.0 SCALE: 1 1/2\"/>



FLOOR PLAN GENERAL NOTES:

- 1) LIGHTING AND EMERGENCY LIGHTING PLAN BY OTHERS.
- 2) ALL EXTERIOR CONCRETE SHOWN FOR REFERENCE ONLY.
- 3) PROVIDE CAULKING AND BACKER BEAD PER MANUFACTURER.
- 4) OVERHEAD DOOR SECTIONS POLYURETHANE FILLED INSIDE EMBOSSED SANDWICH PANELS. WEATHER-STRIPPING GASKET APPLIED TO TOP AND BOTTOM OF DOOR.
- 5) STANDARD COLOR OVERHEAD DOOR. HEAVY DUTY STEEL HINGES. 12' DOORS TO HAVE 3\"/>
- 6) (3)-HEAVY-DUTY COMMERCIAL ELECTRIC DOOR OPENERS.
- 7) 10'x12' FIRE RATED SHUTTER AT OVERHEAD DOOR.

- 8) (3)-OUTDOOR 3'x7' COMMERCIAL GRADE INSULATED STEEL SERVICE DOOR. ADA COMPLIANT THRESHOLD AND KEYED LEVER HANDLE LOCKSET.
- 9) (1)-3'x7' HOLLOW METAL FIRE DOOR.
- 10) ALL DOORS TO BE KEYED TO EXISTING MASTER KEY PROVIDED BY OWNER.
- 11) ALL FLOORS TO BE SEALED CONCRETE. ALL CEILINGS TO BE EXPOSED TO STRUCTURE.
- 12) ALL WALK DOORS AND FRAMES TO BE PAINTED.
- 13) PAINT ALL FIRE WALL BLOCK WALLS WITH ELASTOMERIC PAINT ONE SIDE ONLY. PAINT LINTELS AT FIRE WALL OPENINGS.
- 14) PROVIDE FIRE EXTINGUISHERS PER CODE AT WAREHOUSE BY Keller.

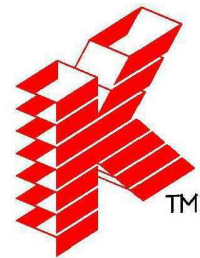
1 FLOOR PLAN
A1.0 SCALE: 1/4\"/>

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DRAWN BY: HMI
EXPEDITOR: -----
SUPERVISOR: -----
PRELIMINARY NO: P22218
CONTRACT NO: -----
DATE: 04.24.2023
SHEET:



Keller

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PROPOSED BUILDING ADDITION/RESTORATION
KARTHAUSER & SONS, INC.
W147 N11100 FOND DU LAC AVE, GERMANTOWN, WI

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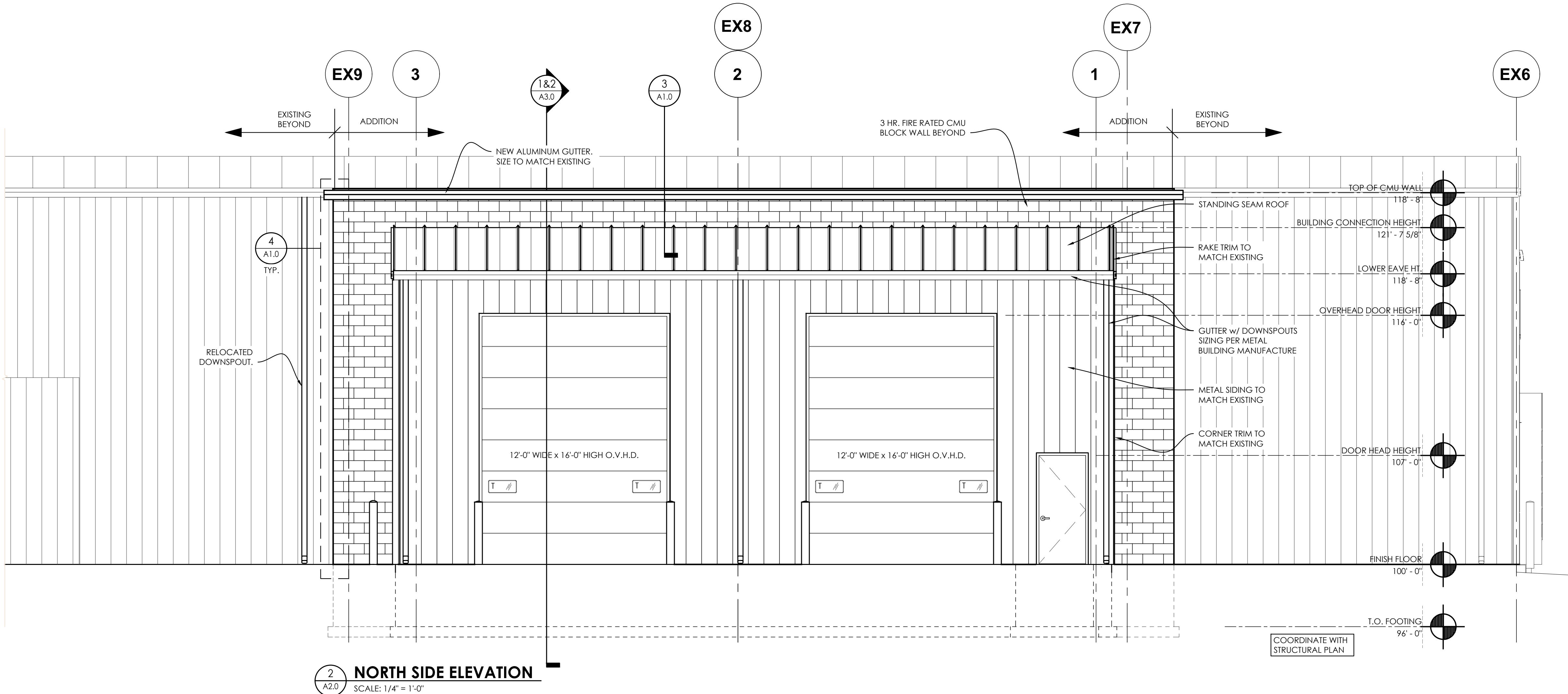
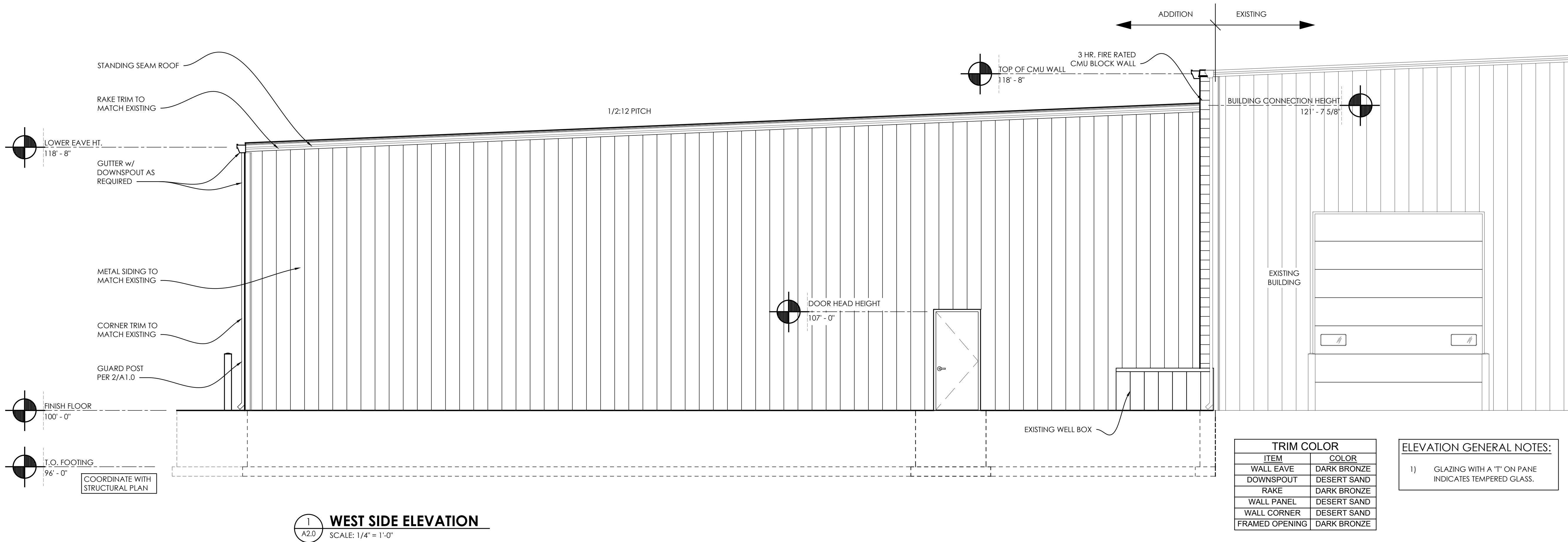
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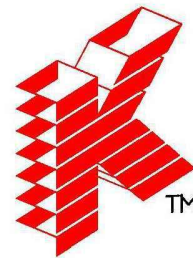
CONTRACT NO: -----

DATE: 04.24.2023

SHEET:

A-2.0





Keller

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PROPOSED BUILDING ADDITION/RESTORATION
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PROJECT MGR:

C. GABRIELSON

DESIGNER:

T. TISLAU

DRAWN BY:

HMI

EXPEDITOR:

SUPERVISOR:

PRELIMINARY NO:

P22218

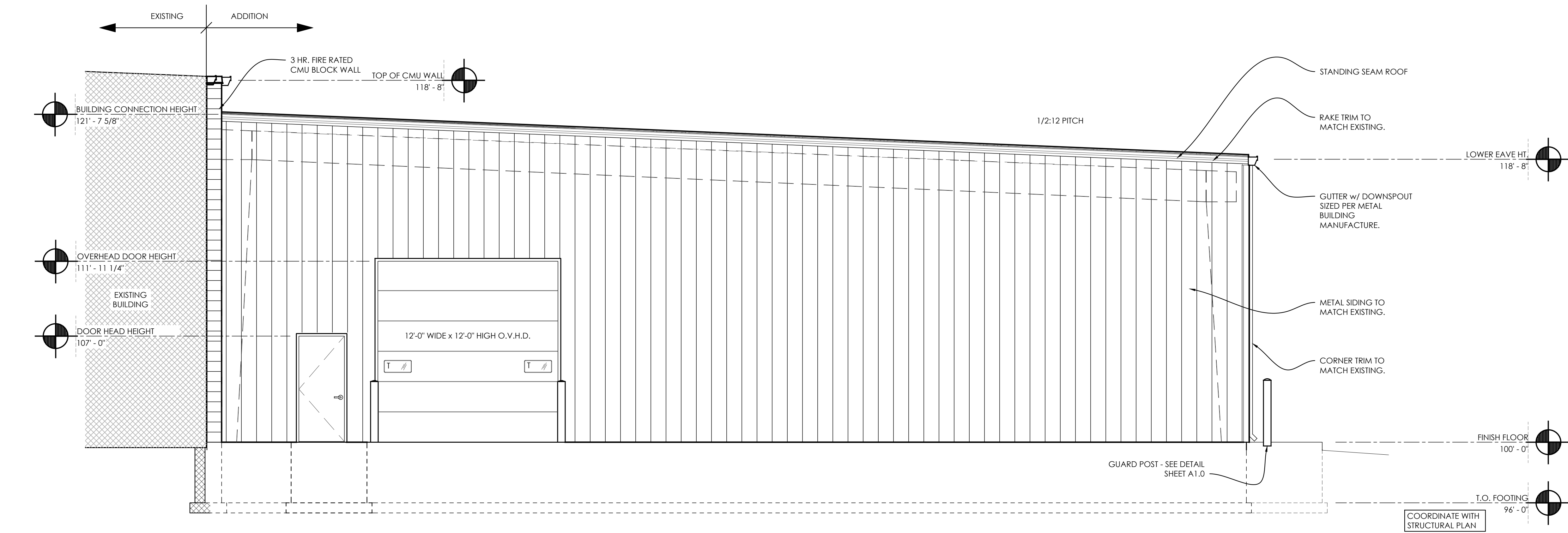
CONTRACT NO:

DATE:

04.24.2023

SHEET:

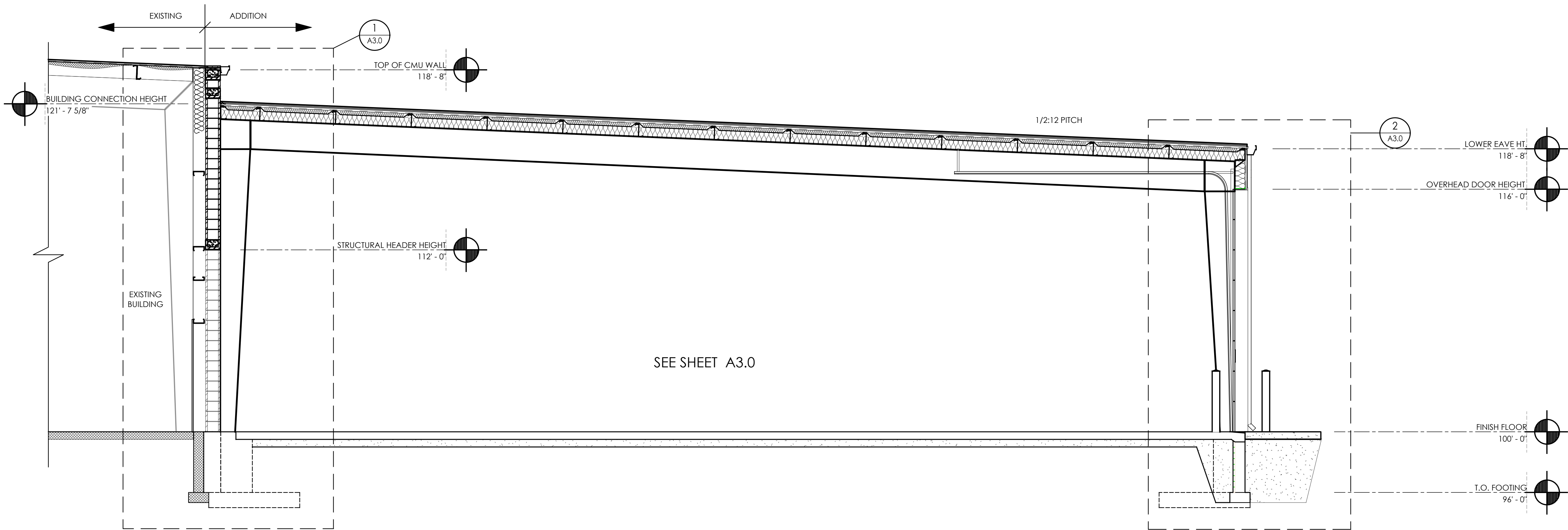
A2.1



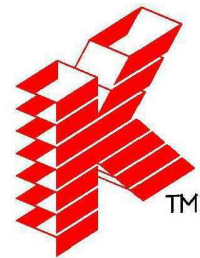
1 EAST SIDE ELEVATION
A2.1 SCALE: 1/4" = 1'-0"

TRIM COLOR	
ITEM	COLOR
WALL EAVE	DARK BRONZE
DOWNSPOUT	DESERT SAND
RAKE	DARK BRONZE
WALL PANEL	DESERT SAND
WALL CORNER	DESERT SAND
FRAMED OPENING	DARK BRONZE

ELEVATION GENERAL NOTES:
1) GLAZING WITH A "T" ON PANE INDICATES TEMPERED GLASS.



2 FULL SECTION VIEW
A2.1 SCALE: 1/4" = 1'-0"



Keller

PLANNERS | ARCHITECTS | BUILDERS

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

MILWAUKEE
W204 N11509
Goldendale Rd
Germantown, WI 53022
PHONE (262) 250-9710
1-800-236-2534
FAX (262) 250-9740

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

W147 N1100 FOND DU LAC AVE, GERMANTOWN, WI

PROPOSED BUILDING ADDITION/RESTORATION
KARTHAUSER & SONS, INC.
W147 N1100 FOND DU LAC AVE, GERMANTOWN, WI

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REVISIONS

PROJECT MGR:

C. GABRIELSON

DESIGNER: T. TISLAU

DRAWN BY: HMI

EXPEDITOR: -----

SUPERVISOR: -----

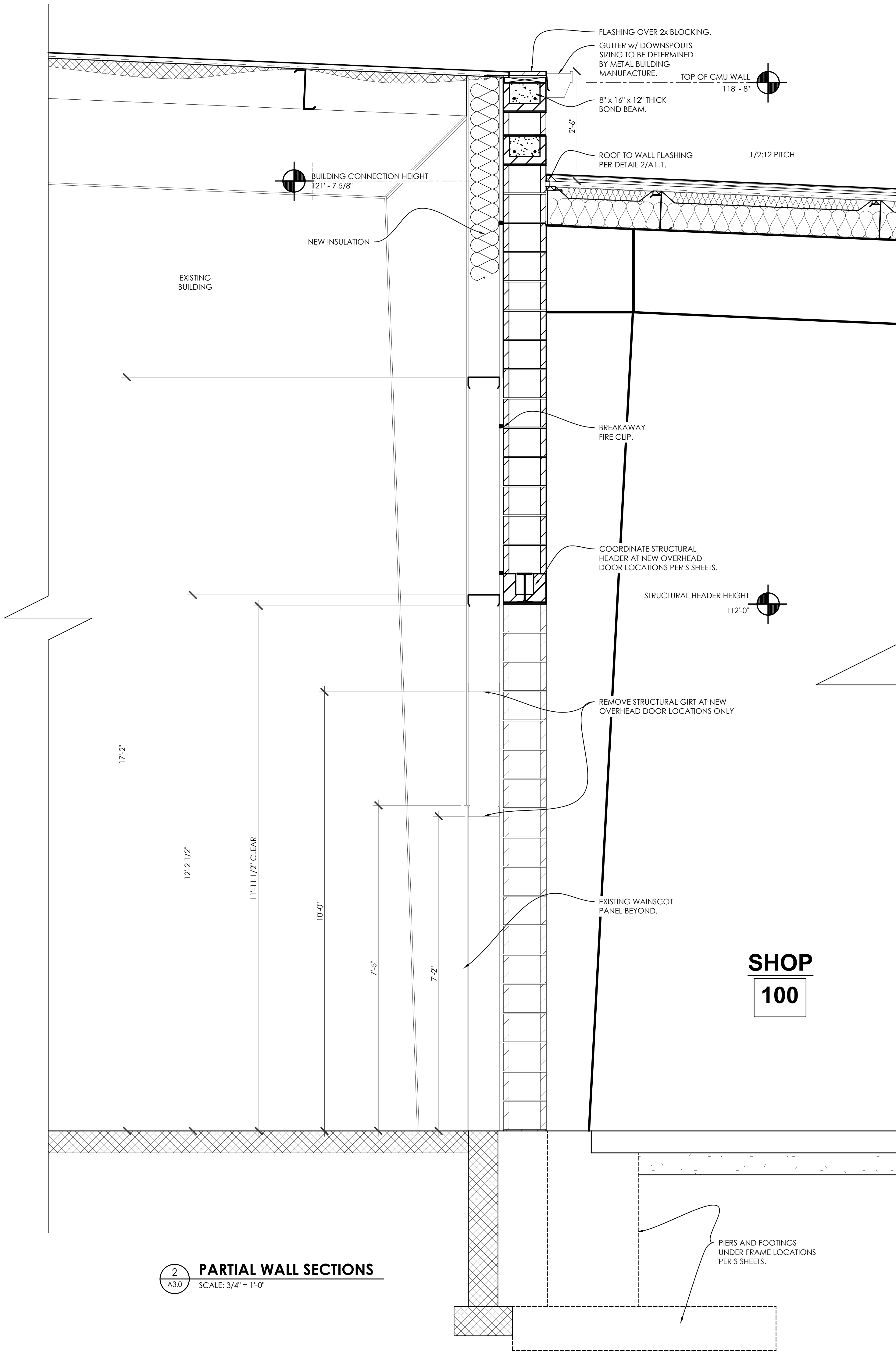
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CONTRACT NO: -----

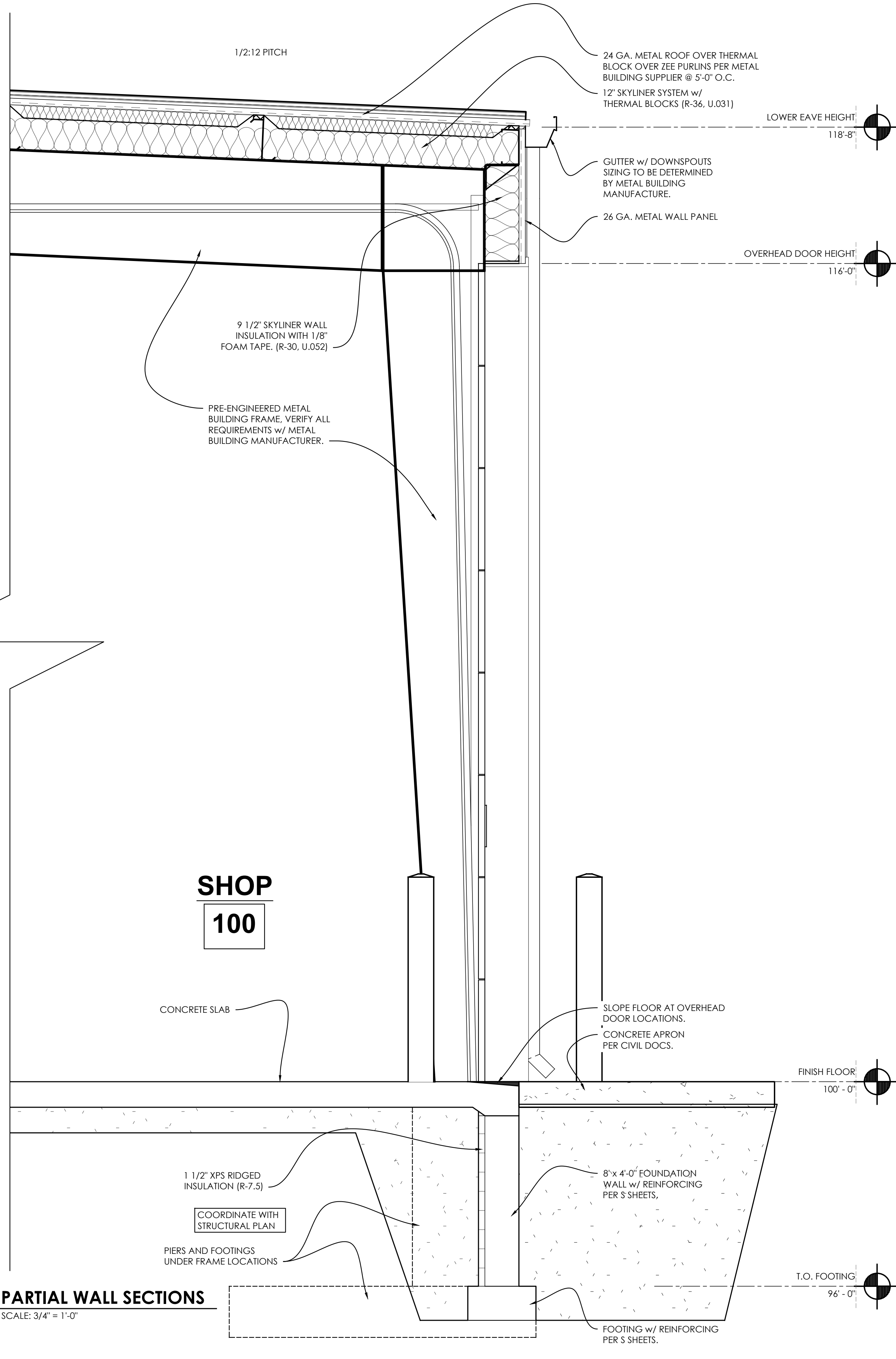
DATE: 04.24.2023

SHEET:

A3.0



2 PARTIAL WALL SECTIONS
SCALE: 3/4" = 1'-0"



1 PARTIAL WALL SECTIONS
SCALE: 3/4" = 1'-0"



Optec LED 150w, Type 3, 5000 K

Mounting Height: Wall @ 16-ft.

Calculation Point Spacing: 8' x 8'

Catalog:

Project:

Type:

Area Series (Small)

The OLA1 Small Series is a stylish aerodynamic area luminaire that fits within today's accepted design form factors. Excellent optical performance is achieved with Nichia brand LED's and engineered discrete optics. LED life is assured through efficient thermal coupling and dissipation via a durable, pressure die cast, low copper alloy, aluminum housing. Engineered to last, all gaskets are anti-UV, anti-aging with no harmful out-gassing. All models come standard with a universal pole mount bracket or an optional wall surface box. Luminaires are available with a number of options including alternate CCT choices, finishes, photocells and occupancy sensors.

FEATURES

- LED Brand: Nichia
- Color Temperatures: 4000K & 5000K (Other CCT's are available upon request)
- CRI: 70
- Lumen Maintenance: L70 = 50,000 hours
- Full Cutoff (meets IDA criteria)
- Operating Temperature: -40° C (-40° F) to 40° C (104° F)
- Durable All Aluminum Pressure Die Cast Housing
- Powder Coat Finish
- Salt Fog Tested to 2500 hours / per ASTM B117
- IP65 Rated (wet listed / NEMA IEC 60529)
- Mounting: Universal Round or Square Pole, Wall Surface Box

ELECTRICAL SPECIFICATIONS

- Power Input: 120-277V (347-480V Optional)
- Power Factor: > 0.95
- THD: < 15%
- Surge Protection: 20 kV
- Control Options: 0-10V Dimming standard (Photocell and Occupancy Sensors Optional)

TESTS & CERTIFICATIONS

- ETL (UL 1598, UL 8750, NEMA C82.77)
- CSA (C22.2 No.250.0)
- RoHS Compliant
- Design Lights Consortium (Premium)
- 3G Vibration tested (ANSI C136.31)

WARRANTY

- 10-Year Warranty (parts or replacement)

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #4	+	0.9 fc	21.0 fc	0.0 fc	N/A	N/A

Schedule

Symbol	Label	Quantity	Manufacturer	Description	Light Loss Factor	Total Lamp Lumens	Wattage
	150w T3 5000k	5	OPTEC LED LIGHTING	LED AREA SERIES SMALL 150W 5000K TYPE 3	0.9	21475	150

Area Series (Small)

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- Salt Fog Tested to 2500 hours / per ASTM B117
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- THD: < 15%
- Surge Protection: 20 kV
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- RoHS Compliant
- Design Lights Consortium (Premium)
- 3G Vibration tested (ANSI C136.31)



WARRANTY

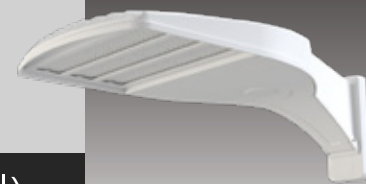
- 10-Year Warranty (parts or replacement)

PERFORMANCE SPECIFICATIONS

Distribution	Model / Wattage	Lumens		Bug Rating		
		4000K	5000K	B	U	G
Type 2	OLA1-080	10,801	10,960	3 *	0	1
	OLA1-120	15,840	16,200	3 *	0	2
	OLA1-150	19,800	20,250	3 *	0	2
Type 3	OLA1-080	11,600	11,760	2 *	0	2
	OLA1-120	16,561	16,920	3 *	0	2
	OLA1-150	20,549	21,000	3 *	0	2
Type 3L	OLA1-080	10,799	10,960	3 *	0	3
	OLA1-120	15,960	16,199	3 *	0	3
	OLA1-150	19,800	20,249	4 *	0	3
Type 3R	OLA1-080	10,799	10,960	3 *	0	3
	OLA1-120	15,960	16,198	3 *	0	3
	OLA1-150	19,800	20,250	4 *	0	3
Type 4	OLA1-080	10,596	10,794	2 *	0	2
	OLA1-120	15,472	15,712	2 *	0	2
	OLA1-150	19,046	19,349	3 *	0	2
Type 4L	OLA1-080	10,800	10,960	3 *	0	3
	OLA1-120	16,080	16,320	3 *	0	3
	OLA1-150	19,800	20,250	4 *	0	4
Type 4R	OLA1-080	10,800	10,960	3 *	0	3
	OLA1-120	16,080	16,320	3 *	0	3
	OLA1-150	19,781	20,250	4 *	0	4
Type 5	OLA1-080	10,032	10,185	4	0	3
	OLA1-120	15,049	15,278	4	0	3
	OLA1-150	18,811	19,097	5	0	4

* Backlight = 1 when BC (Backlight Control System) is applied.

Voltage (V)	Current (A)		
	80W	120W	150W
120	0.67	1.00	1.25
208	0.38	0.58	0.72
240	0.33	0.50	0.63
277	0.29	0.43	0.54
347	0.23	0.35	0.43
480	0.17	0.25	0.31



Area Series (Small)

ORDERING INFORMATION

EXAMPLE: OLA1-120-UNVL-50-4-SQ-BZ-PR-TL12

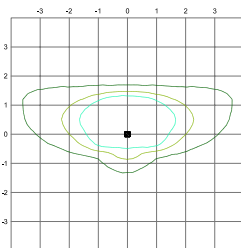
SERIES	WATTAGE	VOLTAGE	COLOR TEMP	DISTRIBUTION	MOUNTING	FINISH	CONTROLS / OPTIONS
OLA1 = Optec LED Area Light	080 = 80W 120 = 120W 150 = 150W	UNVL = 120-277V UNVH = 347-480V	30 = 3000K 40 = 4000K 50 = 5000K	2 = Type 2 3 = Type 3 3L = Type 3 Left 3R = Type 3 Right 4 = Type 4 4L = Type 4 Left 4R = Type 4 Right 5 = Type 5	SQ = Square Pole ¹ RD = Round Pole ¹ WM = Wall Mount ^{1,2} TA = Tenon Adapter ¹ LK = Leveling Kit ³	WH = White BZ = Dark Bronze BL = Black NA = Natural Aluminum GM = Graphic Metallic CF = Custom Finish	OSWS = Occupancy Sensor (WattStopper) PR3 = Photocell Receptacle 3-pin PR5 = Photocell Receptacle 5-pin PR7 = Photocell Receptacle 7-pin WCS = Wireless Control (Synapse) BCS = Backlight Control System SF = Single Fuse (120V, 277V, 347V) DF = Double Fuse (220V, 240V, 480V) TLSC = Twist Lock Shorting Cap 924 = UL924 Relay TL12 = Twist Lock Photocell 120V ⁶ TL24 = Twist Lock Photocell 240V ⁶ TL27 = Twist Lock Photocell 277V ⁶ TL28 = Twist Lock Photocell 208V ⁶ TL34 = Twist Lock Photocell 347V ⁶ TL48 = Twist Lock Photocell 480V ⁶

1 - For details, reference accessory data sheet.
2 - WM option requires SQ pole mount bracket (ordering example: SQ-WM)
3 - Leveling kit adjusts up by 5 degrees or down by 5 degrees
4 - OSWS = For Wattstopper PIR sensor information and options contact factory
5 - WCS = For Synapse wireless controls information and options contact factory for details
6 - Photocell default = Fail in "ON" mode (unless otherwise specified)

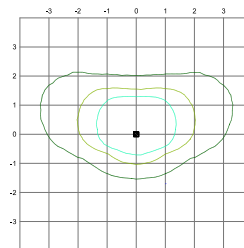
PHOTOMETRIC PERFORMANCE

Isofootcandle plots = OLA1 120W model in 5000K CCT @ 30' mounting height. Distances are in units of mounting height.

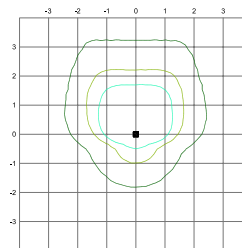
LEGEND



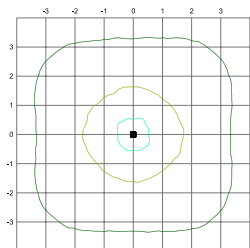
120W (Type 2) Plot



120W (Type 3) Plot



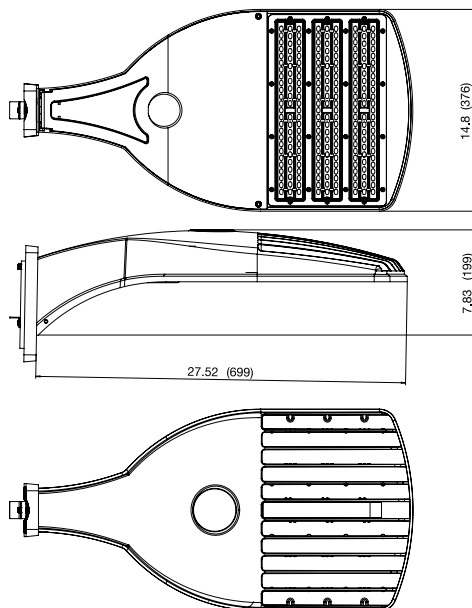
120W (Type 4) Plot



120W (Type 5) Plot

Published luminaire photometric testing performed to IESNA-79-08 standards

DIMENSIONS, WEIGHTS & EPA



Wattage	80W	120W	150W
Length (inches / mm)	27.52 / 699	27.52 / 699	27.52 / 699
Width (inches / mm)	14.8 / 376	14.8 / 376	14.8 / 376
Height (inches / mm)	7.83 / 199	7.83 / 199	7.83 / 199
Weight (lbs / kg)	19.4 / 8.8	19.4 / 8.9	20 / 9.1

Wattage	Effective Projected Area (EPA) in ft ²				
80	0.96	1.92	1.81	2.77	3.63
120	0.96	1.92	1.81	2.77	3.63
150	0.96	1.92	1.81	2.77	3.63

ZONING PERMIT REVIEW

6/12/23 Plan Commission Meeting

Thomas & Lindsay Schwarz

Planning & Zoning Report

Germantown, Wisconsin

Summary

Thomas & Lindsay Schwarz, property owners, are seeking approval to install a 6' wooden privacy fence within an existing planting & sound attenuation easement on the residential lot located at N97 W16885 Navajo Drive in the Indian Hills Subdivision.

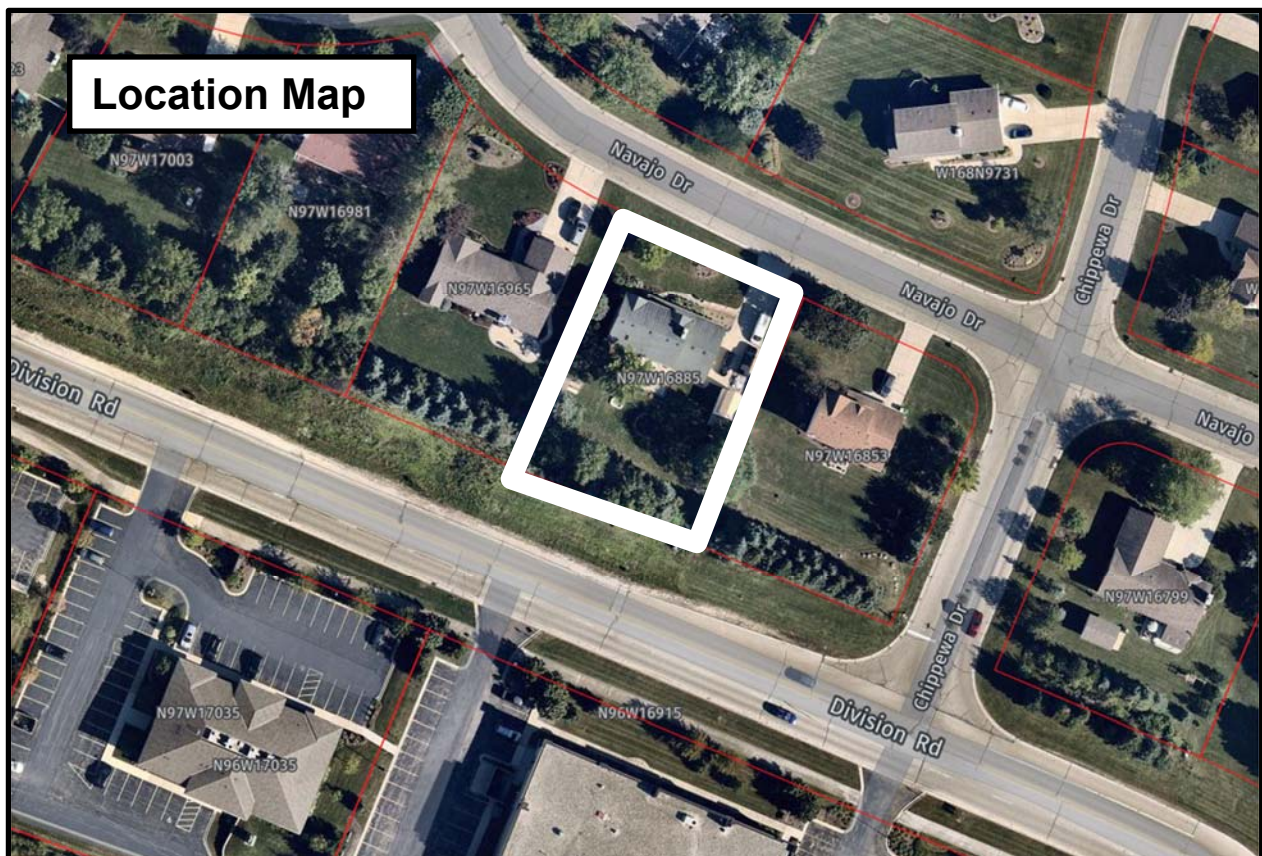
Location: N97 W16885 Navajo Drive

Agent/

Property Owners: Thomas & Lindsay Schwarz
N97 W16885 Navajo Drive
Germantown, WI 53022

Zoning: Rs-4 Single-Family Residential

Adjacent Land Uses		Zoning
North	Single-family Residential	Rs-4
South	Office/Business	B-4
East	Single-family Residential	Rs-4
West	Single-family Residential	Rs-4



Background/Proposal

Thomas & Lindsay Schwarz, property owners, are seeking approval to install a 6' wooden privacy fence within an existing planting & sound attenuation easement on the residential lot located at N97 W16885 Navajo Drive in the Indian Hills Subdivision.

As indicated in their supporting information, the applicant would like to install a 6' high wooden picket privacy fence to enclose a portion of the "back yard" (see drawing on survey). The fence would extend along the entire length of the south property line along Division Road and along portions of the east and west property lines. In so doing, the fence would encroach entirely into a 15' wide "planting strip and sound berm" easement located along the south side of the property.

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

(f) Fences in Residential Districts.

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

Staff Analysis

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

1. considering the proposed location, design and materials of the proposed fence, the fence will not materially interfere with drainage flow within the easement; and
2. in the case of a subdivision, homeowners association consent to the encroachment or, if not a subdivision, the adjacent landowner(s) written consent.

While the 15' easement is NOT a drainage easement nor is public, it does contain an existing earthen berm and some existing trees that were installed at the time the subdivision was developed in 1987 for the benefit of owners in the subdivision.

Unfortunately, neither the Indian Hills Subdivision deed restrictions nor the Developer's Agreement with the Village from 1987 specifically addresses maintenance or the installation of plantings and fences within the 15' planting strip & sound berm. The property owner has removed several dead trees within the easement, but also states that one purpose for the fence is to mitigate sound. As shown in photos of the property, the owner already started installing the fence posts at the top of the berm approximately 1'-2' into the 15' wide easement (and at a point that may maximize the sound mitigation qualities of the fence and visibility from Division Road).

From a sound attenuation or mitigation standpoint, a solid fence, or in this case, a wooden privacy fence with no gaps between the 6' tall pickets, can reduce sound levels 5-10 decibels depending on height and location of the fence vs. the distance from and the source of the sound. From a visual perspective, the proposed fence would be highly visible along Division Road and likely stand out from the rest of the lots that have not replaced landscaping with fences with the 15' easement along Division Road. For these reasons, Staff supports the proposed fence type and location if replacement trees and/or plantings are installed on the Division Road (south) side of the fence on the owner's property.

Before directing the owner to remove/relocate the posts outside the easement (closer to the house and lower along the height of the berm), Staff felt that it may be appropriate for the Plan Commission to review the proposal and authorize installation of the fence as proposed.

Village Staff Recommendation

APPROVE the zoning permit application to install a 6' wooden privacy fence within the 15' planting and sound berm easement along the south (rear) lot line of the property located at N97 W16885 Navajo Drive as proposed subject to the following conditions:

1. The owner shall install a minimum of five (5) evergreen trees on the south side of the fence between the Division Road right-of-way/property line and the fence. Said trees to be a minimum 5'-6' tall when planted and a specie(s) and location acceptable to the Village Forester.
2. A fence permit is required from the Building Inspection Department. Contact SafeBuilt for more information.



ZONING COMPLIANCE/ OCCUPANCY PERMIT

Date of Application: 5/12/23

Fee Received By: [Signature]

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

APPLICANT OR AGENT:

Name: Thomas and Lindsey Schwarz

Address: N97 W16885 Navajo Drive

City/State/Zip: Germantown

Phone: 262-385-7049

E-Mail: Tomschwarz2187@gmail.com

PROPERTY or Business OWNER:

Name: Thomas and Lindsey Schwarz

Address: N97 W16885 Navajo Drive

City/State/Zip: Germantown

Phone: 262-385-7049

E-Mail: Tomschwarz2187@gmail.com

PROPERTY ADDRESS OR Tax Parcel ID#:

N97 W16885 Navajo Drive Germantown WI 53022

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

We request authorization for placing a 6' pine privacy fence. We would like it placed along the backyard on top of the sound berm, also along the west side of backyard. Our neighbors are informed and do not have any objections. There is no HOA.

READ AND INITIAL THE FOLLOWING:



I understand that Village Staff may request additional information to properly evaluate this request and failure to provide such information may in itself be sufficient cause to deny the petition.



I understand that Village Staff can impose conditions or other requirements necessary in order to meet and/or remain in compliance with the Village's Zoning Codes and/or other Village requirements that may apply to the subject property.

INCLUDE THE FOLLOWING WITH YOUR APPLICATION:



A scaled site plan showing location of proposed use on the property (not required if within building).



\$175 Application Fee



Other Information required by Zoning Administrator

SIGNATURES: ALL APPLICATIONS MUST BE SIGNED

[Signature]
Applicant

5/11/23
Date

[Signature]
Property Owner

5/11/23
Date

VILLAGE USE ONLY

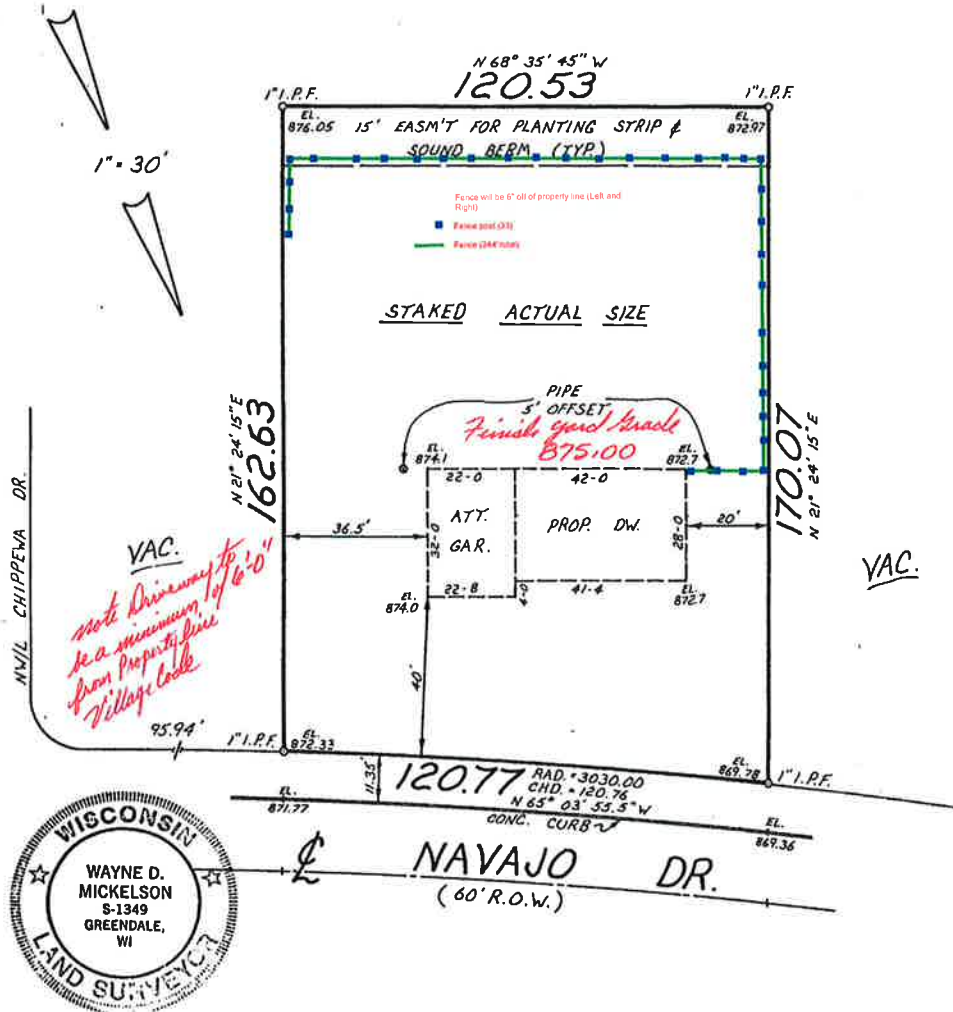
PLAT OF SURVEY

LOCATION: Navajo Drive, Germantown, Wisconsin

LEGAL DESCRIPTION: Lot 36 in INDIAN HILLS, being a Subdivision of a part of Certified Survey Map No. 2606 and a part of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 34, Town 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin.

Jan. 20, 1989

Survey No. 74346



METROPOLITAN SURVEY SERVICE, INC.
REGISTERED LAND SURVEYORS
8415 W. FOREST HOME AVE., SUITE 107 HALES CORNERS, WI 53130
529-5380

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

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

SIGNED: Wayne D. Mickelson
Wayne D. Mickelson
Registered Land Surveyor S-1349

Pictures of fence



May 11, 2023

Dear Planning commission,

We are requesting permission to build a fence in the sound berm easement in our backyard. The fence will be made up of pine material and will be a 6' privacy fence.

We would like to build this privacy fence for many reasons. To start with, and most importantly, we have young children in our home and in the neighborhood that play in our yard. For their safety I would like it secured. Secondly, living right off a main road, it would help with sound control. We recently had to cut down multiple dead trees so this has made it a lot more open to our home. Lastly, we would like some privacy and security for our family to be able to enjoy our yard.

We appreciate your time in reviewing our application. If possible we would like to be able to accomplish this project as soon as possible due to the summer months approaching and outdoor activities starting.

Thank you for your time,

Lindsey & Thomas Schwarz



Pictures of yard



SITE PLAN CONSULTATION

6/12/23 Plan Commission Meeting

Bethlehem Lutheran Church

Staff Report & Recommendation

Germantown, Wisconsin

Summary

Excel Engineering, and Mike Christensen, agents for Bethlehem Lutheran Church, property owner, are seeking feedback on a 21,000 sqft building addition that would add worship space with seating for 500 persons and additional gathering and support spaces to the existing school facility located at N108 W14290 Bel Aire Lane.

Property Location: N108 W14290 Bel Aire Lane

Agent/

Property Owner: Tom Schermerhorn
Excel Engineering
100 Camelot Drive
Fond du Lac, WI

Mike Christensen
Bethlehem Lutheran Church
N84 W15252 Menomonee Ave
Menomonee Falls, WI

Current Zoning: I: Institutional

Adjacent Land Uses		Zoning
North	Residential	Rs-3/Rs-4
South	Residential	Rs-5
East	Residential	Rs-3
West	Residential	Rs-5



Proposal

Excel Engineering, and Mike Christensen, agents for Bethlehem Lutheran Church, property owner, are seeking feedback on a 21,000 sqft building addition that would add worship space with seating for 500 persons and additional gathering and support spaces to the existing school facility located at N108 W14290 Bel Aire Lane.

Staff Comment

This property is in the “Kinderberg Neighborhood” under the Village’s 2050 Comprehensive Plan and the current zoning of the 8.5-acre property is I: Institutional. Expansion of the church facility to include additional worship and gathering components to the existing school is consistent with the referred land uses in the Neighborhood.

A primary reason for reviewing this proposal now as a consultation has to do with the proposed setback from Bel Aire Lane. As you can see on the site plan (Sheet C1.0 in the attached plan set), the southwest corner of the building addition is shown at a 12.5’ setback from the property line along Bel Aire Lane.

The architect and church are looking for feedback regarding the interpretation of the front/street yard setback requirement in the I: Institutional District that reads as follows:

“a minimum building setback from the right-of-way of all streets or highways equal to the average setback on each side of the use parcel or districts”.

Although the wording may be confusing, Staff has interpreted this provision to mean that the minimum building setback is the average of whatever the setbacks are for the adjacent properties. In this case, that would mean the setback should be a minimum of 35 feet given that the church property lies between an Rs-5: Single-Family District on both sides along Bel Aire (with a minimum 35’ building setback).

Sheet C1.0 shows a thin red line marking a 30’ setback, so a 35’ setback would be even further back from the property line. Clearly, the building addition would have to be altered significantly to meet a 35’ setback.

In addition to the building setback issue, the developer and church are looking for feedback regarding the overall project.

While no formal action is required at this time, the property owner and Staff are looking for feedback on any/all aspects of the proposed building addition and additional uses and activities that will result.



Fee must accompany application

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

PAID _____ DATE _____

SITE PLAN REVIEW APPLICATION

Pursuant to Section 17.43 of the Municipal Code

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

1 APPLICANT OR AGENT

Excel Engineering, Inc.

Tom Schermerhorn - Principal

100 Camelot Drive

Fond du Lac WI 54935

Phone (920) 926-9800

E-Mail tom.schermerhorn@excelengineer.com

PROPERTY OWNER

Bethlehem Lutheran Church

MIKE CHRISTENSEN - TRUSTEE

N84 W15252 Menomonee Avenue

Menomonee Falls WI 53051

Phone (262) 250-1997

E-Mail mc4sc15@gmail.com

2 PROPERTY ADDRESS

Bethlehem Lutheran Church
N108 W14290 Bel Aire Lane
Germantown WI 53022

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

North Multiple 1-family res. Gohr, Kalsow, Schuster, Nennig	South Multiple 1-family res. Bruce, Ratzmann, Rabuck, Robillard, Schaefer, Plichta	East see "north"	West Multiple 1-family res. Larson, Maas, Harrer, Egelseer, Klaty
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4 READ AND INITIAL THE FOLLOWING:

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

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

X I understand that an incomplete application will be withdrawn from the Plan Commission agenda and that all resubmissions to the Plan Commission are subject to a new application fee.

5 SIGNATURES – ALL APPLICATION MUST BE SIGNED BY OWNER!

 05/18/2023

Applicant

Date

 5-18-2023

Owner

Date

Bethlehem Lutheran Church – Germantown, WI

This project is a proposed new worship space addition with support spaces for Bethlehem Church and School in Germantown, WI. This addition provides seating for 500 in worship. The proposed addition also includes gathering space and a fellowship hall. The addition is approximately 21,000 square feet with minor interior alterations to the existing building. The overall design of the building and its orientation on the site address the street intersection and entrance to the campus. Natural and durable exterior finishes in neutral colors emphasize the stained-glass façade of the new church and enhance the existing school building.

SITE PLAN REVIEW CHECKLIST

Pursuant to Section 17.43 of the Municipal Code

This checklist provides a summary of requirements found in the Municipal Code. It is intended purely as a guide for developers and should not substitute for a full review of the Code and applicable regulations. (Revised 1/02)

GENERAL INFORMATION

- ☐ Provide Completed Checklist with submittal
- ☐ Names and addresses of owner/developer/designer
- ☐ Graphic scale, north arrow
- ☐ Location sketch
- ☐ Size of site (gross and net acreage)
- ☐ Existing zoning
- ☐ Adjacent zoning and uses
- ☐ Number of residents (subdivisions)
- ☐ Number of employees

EXISTING SITE INFORMATION

- ☐ Dimensions of site and lot lines (pipes found, pipes set, monuments)
- ☐ Existing grades (2' contours minimum)
- ☐ Adjacent property grades (within 10' minimum of property lines)
- ☐ Adjacent structures (within 20' minimum of property lines)
- ☐ Drainage systems and structures
- ☐ Natural features (woods, streams, lakes, ponds, outcroppings)
- ☐ Wetland boundaries (provide date of staking)
- ☐ Floodplain elevation and boundaries
- ☐ Environmental concerns (underground tanks, etc)
- ☐ Roads, curbs, parking lots, pavement areas
- ☐ Structures (location, size)
- ☐ Rights-of-Way (existing/ultimate)
- ☐ Easements (drainage, utility)
- ☐ Existing utilities (sanitary, water, electric, gas, telephone)
- ☐ Benchmark locations and elevations
- ☐ Location of fences, wells, borings, etc.

ARCHITECTURAL PLANS

- ☐ Existing building location
- ☐ Existing building elevations/materials
- ☐ Proposed use (use list from Section 17.45)
- ☐ Statement of design intent (narrative)
- ☐ Proposed floor plans (dimension)
- ☐ Square footage (total and individual rooms/stores)
- ☐ Proposed elevations (dimension)
- ☐ Proposed building height

- ☐ Proposed materials and colors (material sample board required for new construction)
- ☐ Proposed signage (elevations, color, square footage, height, construction material, lighting)
- ☐ Details of any special features

PROPOSED SITE PLAN

- ☐ Grading and spot elevations
- ☐ Erosion control measures (silt fencing, hay bales, rip-rap, tracking mat, stockpile locations)
- ☐ Stormwater management
 - stormwater management design report
 - general drainage pattern
 - swales w/ arrows for direction of flow
 - pond design with outfalls
 - culverts (location/size)
- ☐ Utilities (size, invert elevations, length, slope, etc.)
 - sanitary
 - water
 - stormsewer
- ☐ Building location (dimension)
- ☐ Building elevation (finished grade)
- ☐ Location of proposed signage
- ☐ Details of outside storage (including trash receptacles)
- ☐ Setbacks (clearly marked and dimensioned)
- ☐ Vehicular entrances (dimension to centerline of nearest intersection)
- ☐ Streets (dimension and direction for one-ways)
- ☐ Curve radii
- ☐ Sidewalks (dimension)
- ☐ Parking areas (show striping/spot elevations)
- ☐ Parking setback from property line
- ☐ Loading areas (dimension)
- ☐ Lot coverage
 - Square footage total
 - Impervious surfaces total (%)
 - Green space total (%)
 - Percent permitted (over/under %)
- ☐ Municipal utility connections
 - Sanitary sewer (pipe size/elevations)
 - Water (size, valve location, elevations)
 - Location of hydrants
- ☐ Easement for public water mains

LIGHTING PLAN

- ☐ Major improvements for context
- ☐ Location/nature of existing fixtures
- ☐ Location of proposed fixtures
- ☐ Photometric report (to scale on plan)
- ☐ Manufacturers cut-sheets of all fixtures
- ☐ Lighting schedule
 - key to plan
 - number/type of fixtures
 - output (wattage)
- ☐ Installation details as appropriate

LANDSCAPING PLAN

- ☐ Major improvements for context (building, drives, walks)
- ☐ Proposed outdoor amenities (benches, paths, etc.)
- ☐ Existing vegetation
 - Species
 - Size
 - Approximate canopy in plan
- ☐ Vegetation to be destroyed
 - List and show location
- ☐ Proposed method of saving existing vegetation during construction
- ☐ Proposed landscape features (berms, fountains)
- ☐ Existing/proposed lighting
- ☐ Irrigation/watering systems (locate outlets)
- ☐ Plant lists or schedules
 - Keyed to plan
 - Number of each species
 - Size when planted (caliper)
- ☐ Installation details/staking

MODEL SUBMITTAL INCLUDES THE FOLLOWING PLANS:

1. Cover / Title Page
2. Existing Conditions Survey
3. General Site Plan
4. Grading, Paving & Erosion Control Plan
5. Utility Plan
6. Site Details (curbing, catch basins, detention ponds, pavement, erosion control and sign details)
7. Landscape Plan
8. Landscape details (planting schedule, berming cross-sections, method of installation)
9. Lighting Plan
10. Floor Plan
11. Exterior Building Elevations
12. Building Material Sample Board

In addition to the items on this list, Village Staff and/or the Plan Commission may require additional drawings and data to be submitted for approval.

If any public improvements or work is to be done in the Public Right-of-Way, the Village will require that a Developer's Agreement be submitted and approved by the Village Board.





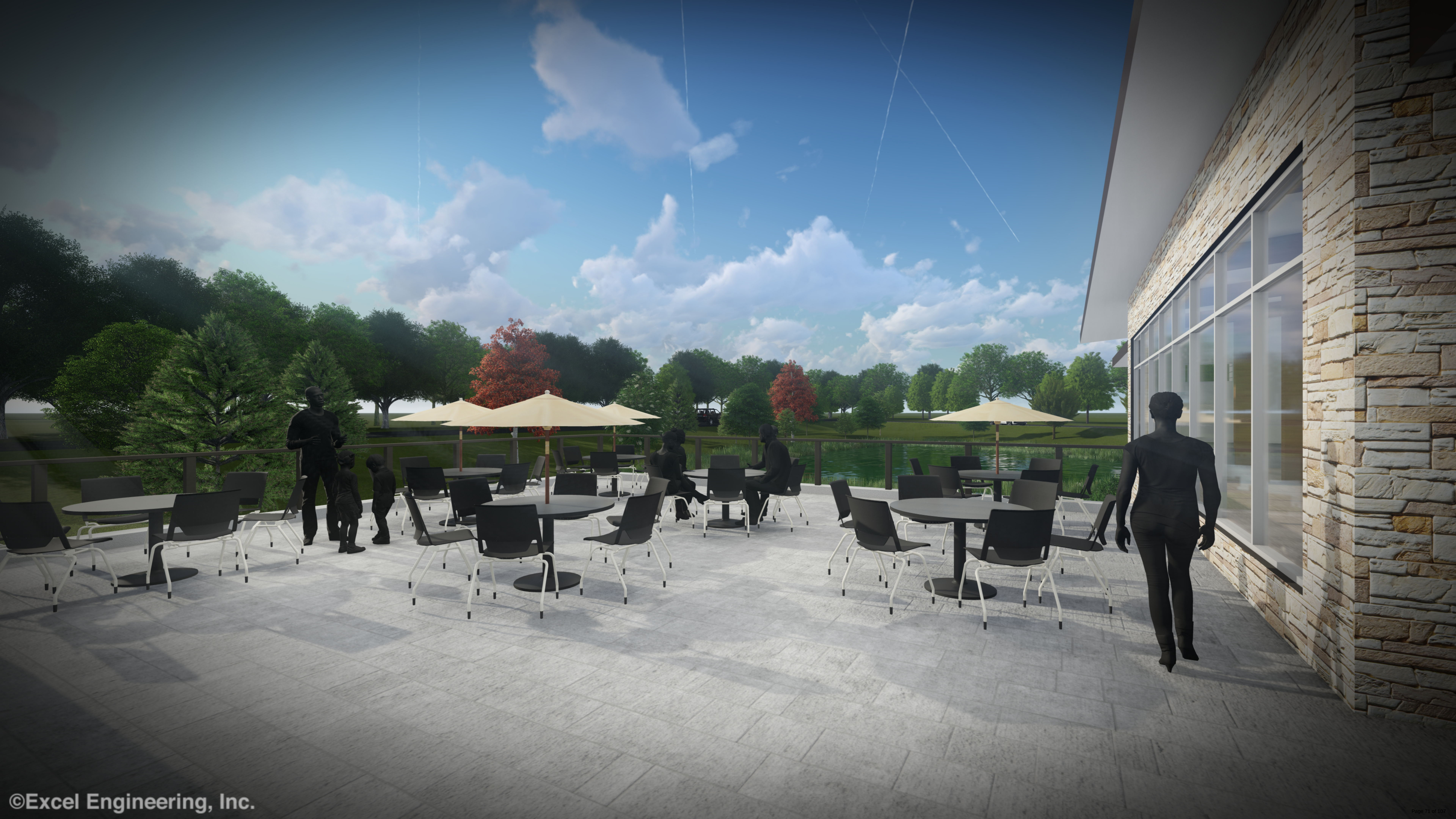


































PROPOSED WORSHIP FACILITY ADDITION FOR:
BETHLEHEM LUTHERAN CHURCH
GERMANTOWN • WISCONSIN

PROFESSIONAL SEAL

CONSTRUCTION

MAY 17, 2021
MAY 20, 2021
MAY 26, 2021
MAR 23, 2022
MAR. 29, 2022
MAY 9, 2023
MAY 18, 2023
MAY 23, 2023

SHEET NUMBER

C1.0



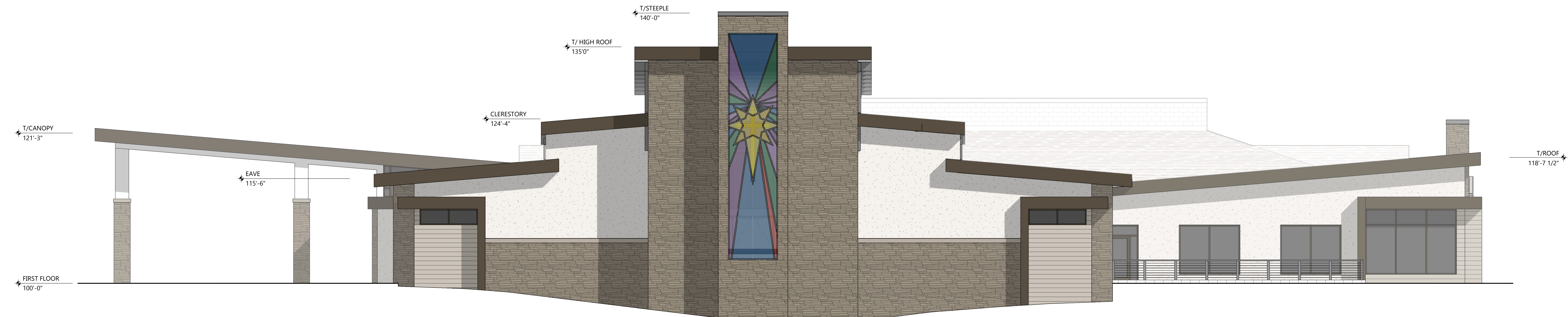
SITE PLAN

SCALE: 1" = 30'-0"

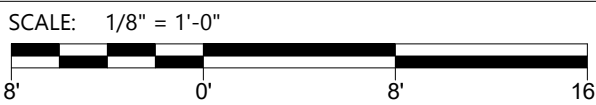
SITE PLAN



ELEVATION - NORTH



ELEVATION - EAST



ELEVATION - SOUTH



MATERIAL LEGEND

- EFS**
MANUFACTURER: TBD
COLOR: TBD
PROVIDE SAMPLES FOR OWNER & ARCHITECT APPROVAL
- CONCEALED FASTENER HORIZONTAL COMPOSITE PANEL**
MANUFACTURER: STONEWOOD ARCHITECTURAL PANELS
PRODUCT: SOLID PHENOLIC PANEL WITH CONCEALED FASTENERS
FINISH: TBD
- QUARRY-FACED STONE**
MANUFACTURER: TBD
COLOR: TBD
PROVIDE SAMPLES FOR OWNER & ARCHITECT APPROVAL
- CAST STONE SILL**
COLOR: NATURAL
- STANDING SEAM METAL ROOF**
MANUFACTURER: TBD
COLOR: DARK BRONZE
- ALUMINUM STOREFRONT & GLAZING**
FRAME COLOR: CLEAR ANNOXIDIZED
GLAZING COLOR: GRAY TINTED (MATCH EXISTING)

- NOTES:**
- ALL EXTERIOR SIGNAGE IS BY OWNER.
 - PROVIDE MOCK UP OF BLOCK & METAL PANEL FOR OWNER TO CONFIRM.
 - SEE ELEVATIONS FOR CONTROL JOINTS (C). COLOR TO MATCH BLOCK.
 - PROVIDE A CONTROL JOINT AT ALL BLOCK INSIDE CORNERS.
 - SEE WALL SECTIONS FOR TRUSS BEARING HEIGHTS.

PROJECT INFORMATION

PROPOSED WORSHIP FACILITY ADDITION FOR:
BETHLEHEM LUTHERAN CHURCH
GERMANTOWN • WISCONSIN

PROFESSIONAL SEAL

PRELIMINARY DATES

MAY 17, 2021
MAY 20, 2021
MAY 26, 2021
MAR. 29, 2022
MAY 18, 2023
MAY 23, 2023

NOT FOR CONSTRUCTION

JOB NUMBER

2129100

SHEET NUMBER

A2.0

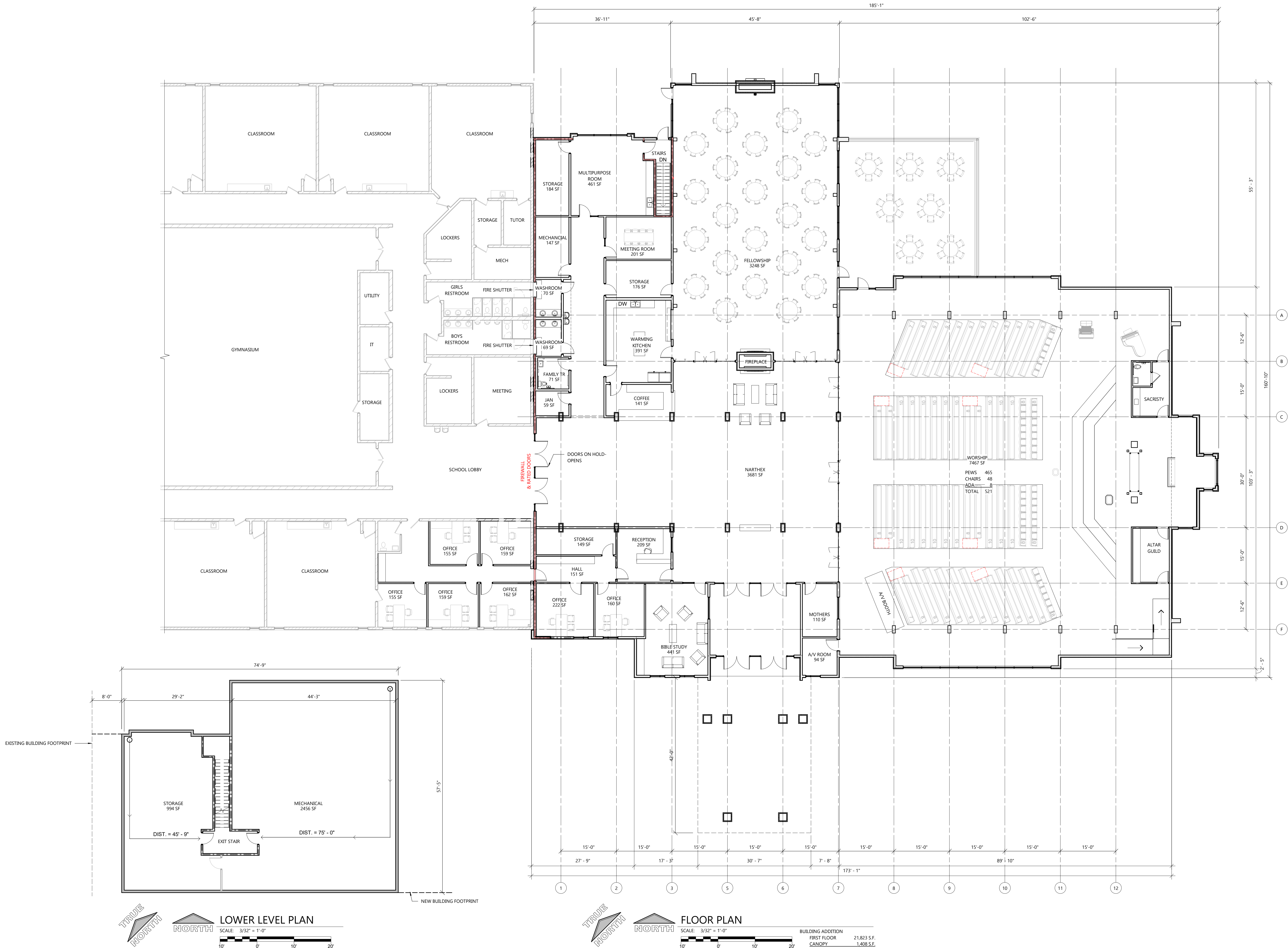
PROPOSED WORSHIP FACILITY ADDITION FOR:
BETHLEHEM LUTHERAN CHURCH
GERMANTOWN • WISCONSIN

MAY 17, 2021
MAY 20, 2021
MAY 26, 2021
MAR. 11, 2022
MAR. 18, 2022
MAR. 29, 2022
MAY 18, 2023
MAY 23, 2023

NOT FOR CONSTRUCTION

2129100

A1.1



Village of



Germantown

Request for Proposals

**Holy Hill Gateway District Master Plan
Freistadt District Master Plan**

Village of Germantown
Washington County, Wisconsin

Department of Community Development
Jeffrey W. Retzlaff, AICP
N112 W17001 Mequon Road
PO Box 337
Germantown, WI 53022

RFP Release Date:

June 19, 2023

Submittal Deadline Date:

July 21, 2023



Request for Proposals

Holy Hill Gateway District Master Plan Freistadt District Master Plan

SECTION I. Purpose

This request for proposals (RFP) is issued by the Village of Germantown for the purpose of securing a qualified planning or design consultant to prepare a master plan to guide future development and land use in each of the following areas in the Village:

1. **Holy Hill Gateway District.** A rapidly developing highway interchange area with warehousing/distribution, light industrial and undeveloped agricultural land that includes approximately 930 acres located east of the I-41 @ Holy Hill Road interchange in the northwest part of the Village.
2. **Freistadt District.** A predominantly undeveloped area with agricultural land that includes approximately 330 acres located east of and along the I-41 corridor in the northwest part of the Village (south of the Holy Hill Gateway District).

The goal is to develop and adopt a master plan for each district (or one master plan for both) that presents in general terms the preferred type, density, relative location, format, architectural design, and timing of future development and land use consistent with the Village's 2050 Comprehensive Plan. Further, each master plan is expected to address the need for and location of potential public improvements, e.g. new and/or extended roads, park & recreation facilities, storm water management facilities. The master plan should also address measures necessary to protect and enhance existing environmentally sensitive features and land use compatibility within each District and between the Districts and abutting neighborhoods.

Each master plan will be developed as a refinement to and adopted as a component of the Village's 2050 Comprehensive Plan. Each master plan will form the basis for developing and/or revising the Village's zoning, land division and other development regulations that apply to future development and land use in the District.

Given ongoing and significant development pressure in the Holy Hill Gateway District and the expected timing of public sanitary sewer & water utility extensions into the Freistadt District, development of a master plan for each district is a high priority. Consequently, the Village would like the planning process for both master plans (or one master plan for both Districts) to be conducted concurrently and be completed within a nine (9) month period.

SECTION II. Background

2050 Comprehensive Plan

The "Village of Germantown 2050 Comprehensive Plan" (the "2050 Plan") was adopted in September, 2022 with the primary purpose *"to act as a roadmap for the Village of Germantown as it navigates upcoming change, growth, and development. Realizing the vision and goals presented in this plan will require that the Village face challenging decisions about where and how to grow and what services will best serve the residents of today and tomorrow."*

With that in mind, future land use planning for the Village under the 2050 Plan is intended to follow a "Neighborhood/District/Corridor" place-based approach with two components: a Future Land Use Plan Map and a Future Land Use Table.

The 2050 Future Land Use Plan Map (see Exhibit 1) shows the Village as a series of thirty-two (32) places or neighborhoods, districts, and corridors (hereafter "NDCs") that have or are intended to have the same or a similar pattern and type of land use, cultural, environmental, and economic character, and identity.

Unlike a typical land use planning approach, the 2050 Future Land Use Table (see Exhibit 2) does not assign a single acceptable land use to a particular parcel. Rather, the Future Land Use Table identifies a list of eleven preferred land uses, preferred design criteria and maximum density allowances. For each NDC, each of the preferred land uses is assigned a degree of desirability:

- "Desirable" uses should be encouraged because they are consistent with, support, and enhance the desired character of the NDC
- "Allowable" uses are generally considered appropriate for the area but may require additional consideration and/or specific modification or developed features to be compatible with other uses in the NDC
- "Undesirable" uses should not be encouraged but may still be acceptable for the NDC under special circumstances

This approach gives the Village staff, Plan Commission and Village Board an adaptable and flexible framework to discuss, evaluate and respond to unique development proposals in the village.

In addition to the 2050 Future Land Use Plan Map and Table, an objective of the 2050 Plan is to develop individual "master" or "neighborhood" plans for each of the 32 NDCs in the Village. It is intended that each master plan will provide a greater level of detail in terms of guiding the preferred type, amount, density, relative location and timing of future development, public improvements and environmental protection than presented in the 2050 Plan.

Depending on the specific conditions, character and needs of each NDC, each master plan is intended to address additional implementation objectives identified in the Implementation Chapter of the 2050 Plan to one degree or another, including:

- Design Guidelines for Industrial & Commercial Sites & Buildings
- Land use compatibility & buffer requirements
- Environmental protection requirements
- Residential housing opportunities & affordability
- Park & recreational trails & facilities
- Public improvement needs, timing & financing alternatives

Each master plan for the Holy Hill Gateway District and the Freistadt District is expected to address the objectives listed above to one degree or another.

Holy Hill Gateway District

The Holy Hill Gateway District is approximately 930 acres in area and lies adjacent to and east of I-41 near the Holy Hill Road interchange (see Exhibit 3). This District has had a significant amount of light industrial, warehousing & distribution development along the Holy Hill Road corridor as a direct result of the Village creating Tax Increment District No. 8 (TID#8) north of Holy Hill Road and expanding Tax Increment District No. 7 (TID#7) south of Holy Hill Road. Since 2018, approximately 2.1 million sqft of industrial building space has been developed in the Holy Hill Gateway District for warehousing & distribution, light manufacturing & assembly uses. As set forth in the 2050 Plan, the Holy Hill Gateway District is intended to continue developing as an industrial and mixed-use commercial district with light industrial, warehouse/distribution, and corporate office uses with highway-oriented hospitality & retail uses located near the Holy Hill Road interchange and mixed-use commercial retail and high-density residential uses adjacent to and along the I-41 corridor.

Public investment and improvements include a new 177' high, 500,000-gal elevated water storage tank (Tower #4) and a 420' deep well (Well #12) that are expected to be operational in 2024. Holy Hill Road was also recently widened to a 4-lane divided cross-section with signalized intersections at Gateway Crossing and Goldendale Road. Existing development is served by municipal water and sewer south of Rockfield Road and west of Goldendale Road. Future public improvements include the construction of a frontage road east of and parallel to I-41 from Bonniwell Road south through the Holy Hill Gateway District across Holy Hill Road and the WSOR railroad to Freistadt Road (also through the Freistadt District that lies to the south). Other local and collector road construction within the Holy Hill District is expected to be identified and evaluated as part of the master plan process.

The Holy Hill Gateway District abuts the Village's "Rural Preservation District" and "Woodside Neighborhood" to the north and the "Isabelle Farms Neighborhood" and "Dheinsville Neighborhood" to the south and east. All these areas surrounding the Holy Hill Gateway district contain low-density, single-family residential and/or undeveloped agricultural land. An objective of the master plan process is to address the transition between these areas, potentially incompatible land uses, and alternative buffering and setback requirements along the common boundaries for the Holy Hill Gateway District and the abutting district and neighborhoods.

Freistadt District

The Freistadt District is approximately 330 acres in area and lies south of the Holy Hill Gateway District separated by the WSOR railroad and straddles I-41 with approximately 52 acres lying west of I-41 in the Village (see Exhibit 4). Except for active agricultural use and a few small-lot residential parcels, the Freistadt District is predominantly undeveloped. The Freistadt District is intended to develop as an extension of the Holy Hill Gateway District with light industrial, warehouse, corporate office uses, and service-related commercial uses. Mixed-use commercial retail and high-density residential uses are preferred uses adjacent to and along the I-41 corridor and Freistadt Road. Single-family uses at a medium density up to 2.9 units/acre are preferred in the area west of I-41 and possibly on the east side of the Freistadt District as a transition use to the abutting neighborhoods.

All the land in the Freistadt District is outside of Germantown's Sanitary Sewer Service Area (SSSA). However, as a result of a 2022 intergovernmental agreement between the Village of Germantown and the nearby Village of Richfield, municipal sewer and water utility services will be extended through the Freistadt District to serve a portion of the Village of Richfield. All the land in

the Freistadt District will be added to Germantown's SSSA and eventually served by public sewer and water utility services.

Although the route for extending utility services through the Freistadt District has not been finalized, it is expected to run from the intersection of Goldendale Road @ Freistadt Road up to and then along the Wisconsin & Southern (WSOR) railroad right-of-way into the Village of Richfield.

Germantown is currently working with the Southeast Wisconsin Regional Planning Commission (SEWRPC), the Milwaukee Metropolitan Sewerage District (MMSD) and the Wisconsin Department of Natural Resources (WisDNR) to expand Germantown's SSSA with approval expected in the Spring, 2023 and utility construction completed in 2024.

In addition to the sewer and water improvements that will be installed into and through the Freistadt District, new or extended local roads to serve future development in the District are expected to be identified and evaluated as part of the master plan process, including the construction of a frontage road east of a parallel to I-41 from the Holy Hill Gateway District to the north across the WSOR railroad to Freistadt Road.

The Freistadt District abuts the "Goldenthal-Homestead Hollow Neighborhood" and "Meeker Hill Neighborhood" to the south. These neighborhoods contain low-density, single-family residential and/or undeveloped agricultural land. As is the case with the Holy Hill Gateway District, an objective of the master plan process is to address the transition between the Freistadt district and the abutting neighborhoods, potentially incompatible land uses, and alternative buffering and setback requirements along the common boundaries of the Freistadt District and abutting neighborhoods.

Opportunity Areas

The Holy Hill Gateway District and the Freistadt District are both identified in the 2050 Plan as two critical "opportunity areas" in the Village that present the greatest potential for change in the Village over the next 30 years. As part of the 2050 Plan process, the Village determined that land in these districts should be reserved for development comprised of light industrial, commercial warehousing & distribution, commercial and high-density residential land uses.

The 2050 Plan includes a conceptual land use plan or "vision" for the two districts (see Exhibit 5) that presents one potential plan for the type and relative location of the preferred land uses and major public road and recreational trail improvements within the Holy Hill Gateway and Freistadt Districts. It is intended that this conceptual "vision" will guide future development and land use in the interim until a detailed master plan is developed and adopted for each district (or one master plan for both).

With respect to the master plan process, it is intended that this "vision" will be the starting point for discussing the type, amount, density, relative location of future development in the Holy Hill Gateway and Freistadt Districts. To that end, it is expected that, at a minimum, a general level of market research and evaluation of market demand and other economic considerations affecting the preferred land uses within these districts will be conducted to ensure the preferred development and land uses included in the master plan for each district are realistic, reasonably attainable, and sustainable.

SECTION III. Master Plan Objectives

The master plan process is intended to evaluate and address several objectives, including but not limited to the following:

1. Evaluate and reaffirm (or revise as necessary) the preferred land uses for each District as set forth in the 2050 Future Land Use Plan Map and Table and in the conceptual “vision” plan in Exhibit 5 (including the preferred land use categories, preferred site design, and maximum residential density).
2. Prepare detailed maps, tables, renderings, and other graphics indicating the appropriate type, amount, location, mix, density/intensity, format, architectural design, and timing of development and land uses (light industrial, warehouse & distribution, retail, hospitality & service-oriented commercial, office, residential, mixed-use, open space, utilities, roads, trails, etc.) that are appropriate for and likely to succeed within the District.
3. Identify opportunities and adopt specific strategies, including but not limited to zoning and subdivision code revisions, to implement one or more objectives and tasks identified in the 2050 Plan Implementation Chapter, including, but not limited to:
 - a. Developing & adopting specific design guidelines for industrial & commercial sites & buildings
 - b. Identifying potential land use incompatibility issues with abutting neighborhoods and developing specific buffering & setback requirements
 - c. Identifying environmentally sensitive features and adopting specific protection requirements
 - d. Address the demand/need for owner-occupied and rental residential housing, mixed-use developments, including Washington County’s “NextGen Housing” Initiative
4. Identify existing developed properties and land uses within the District that may be inconsistent with the preferred land uses set forth in 2050 Plan, properties that may be underused relative to the potential value of the property or importance to achieving the 2050 Plan “vision”, or otherwise have the potential for redevelopment.
5. Identify the location of future transportation infrastructure, including the location and design characteristics of future local, collector, and arterials roadways, off-road recreational trails, and appropriate streetscaping enhancements, e.g. lighting, sidewalks, terraces, crosswalks, benches, receptacles, bike racks, etc. .
6. Identify specific strategies, e.g. plan policies, zoning and subdivision code revisions, public and private infrastructure improvements, land acquisition, alternative public and private funding sources, etc., to implement the master plan and to ensure future land use and development occurs in a cost-effective and sustainable manner.
7. Develop and adopt the master plan based in part on public input obtained from a broad set of community stakeholders including the Village Board, Plan Commission, residents, property and business owners, real estate and development professionals, and typically unrepresented stakeholders and silent supporters or objectors.

SECTION IV. Scope of Work

It is expected that the consultant will provide the Village specific recommendations regarding the final scope of the project and overall planning process, as well as, specific tasks and deliverables based on their expertise and experience completing similar district, neighborhood and corridor scale land use & development planning projects. The final project scope, as well as, the specific elements to be included in and the organization and format of the master plan document will be determined by the consultant in cooperation with the Village once the consultant is selected. However, the master plans should address or otherwise incorporate the following:

NOTE: Innovative approaches, techniques and tools that exceed the intent of the Master Plan Objectives and Scope of Work set forth herein are encouraged; such innovations should be presented as additional services or alternatives in the consultant proposal to be discussed with and considered by the Village.

Planning Area Identification & Background

Identification of the recommended planning area boundary. A description of the planning area, including a summary of prior planning activities and relevant planning documents and studies, existing natural resources and infrastructure, issues & opportunities within the districts, etc. This includes both Village plans and any relevant plans adopted by regional or other entities such as SEWRPC, MMSD, and Washington County. While the goal is to develop and adopt a master plan for each of the two districts, the consultant may consider and recommend the development of one master plan for both Districts. Further, given the need to evaluate potential land use incompatibilities and develop appropriate buffering and setback requirements between the Holy Hill Gateway District, Freistadt District, and the abutting neighborhoods to the north, east and south, the planning area may need to extend beyond the District boundaries in certain locations.

Existing Conditions & Property Redevelopment Analysis

The consultant shall perform a combination of land use, zoning, demographic, economic development and market analyses and assessments to evaluate and document existing conditions within the Districts including the identification of existing developed properties and land uses within the Districts that may be inconsistent with the 2050 Plan preferred land uses, are currently underused relative to the potential value of the property, or otherwise have the potential for redevelopment.

2050 Plan Consistency

The master plan should discuss how it is consistent with and furthers the 2050 Plan and other existing plans adopted by the Village, including the Comprehensive Outdoor Recreation Plan.

Intergovernmental Cooperation

The planning process should include an opportunity for other local governments to participate, particularly Germantown School District, the Village of Richfield, Washington County, the Southeast Wisconsin Regional Planning Commission (SEWRPC), the Milwaukee Metropolitan Sewerage District (MMSD), and the Department of Natural Resources (DNR). The master plan should document how it furthers intergovernmental cooperation, addresses any intergovernmental issues raised through the planning process, and how those issues were resolved.

Natural Resources

The plan should evaluate existing natural resources, environmental corridors, any known threatened or endangered species, heritage trees, high quality woodlands, topography and steep slopes, floodplains, wetlands, high groundwater areas that may be limiting factors to or affected by development, soils, prairies or meadows. The plan should identify any environmental corridors (as defined by SEWRPC) and identify required and recommended protection and preservation regulations these resources and environmental corridors.

Market and Economic Development Analysis

Development of the master plan should consider the market and economic conditions of the recommended preferred land uses to ensure the land uses are realistically attainable and likely to be successful.

Transportation Network Analysis

The master plan should include a general analysis of the suitability and capacity of the existing and proposed future transportation and pedestrian networks and include a proposed road, sidewalk, recreational trail network (and any realistic alternative modes of travel) necessary to provide efficient and cost-effective circulation and connectivity within District, to adjacent districts and neighborhoods in the Village, and to the surrounding regional transportation network. The proposed network should include street design principles to follow for any new streets proposed, including recommendations for street width, bicycle and pedestrian facilities, and streetscaping.

Because the type, amount and relative location of the preferred land uses shown in the conceptual "vision" plan in the 2050 Plan (see Exhibit 5) is based on the conversion of an existing north-south private driveway serving the Holy Hill Storage property to a public frontage road with a railroad crossing between the Holy Hill Gateway and Freistadt Districts, the master plan should include an assessment of the road network and traffic generated from the preferred land uses in both the Holy Hill Gateway and Freistadt Districts under two scenarios: one with the public frontage road crossing the railroad and the other without a railroad crossing. The analysis should identify the advantages and disadvantages of installing a new railroad crossing that can, in turn, be used to support the Village's application to DOT and the Office of the Commissioner of Railroads (OCR) to approve said crossing. Alternative land uses (including the type, amount, and density) in both Districts may need to be re-evaluated under the "no railroad crossing" scenario. The analysis should consider the likelihood of the Districts being developed in phases over time. The consultant may need (and should consider) coordinating this transportation network analysis with the transportation staff at the SEWRPC.

Preferred Land Use Plan, Conceptual Renderings and Site Plans

The consultant shall develop a preferred land use plan as part of the master plan for the District. The Preferred Land Use Plan should include more detail regarding land use categories, maps, concepts, policies, and recommendations that in the 2050 Plan and District profile. This may include recommendations regarding the location of preferred land uses, development density and intensity, preferred building materials or styles, recommended building height, floor area ratios, principal building setbacks, minimum or maximum parking requirements, and other typical zoning code requirements. The master plan should include the use of representative images, conceptual renderings, and scaled site plans for specific properties or land use categories. The creation of roadway conceptual cross sections should also be included. It is expected that the preferred land use plan will be developed after evaluating several alternative development and transportation

network scenarios, preferred land use maps, and conceptual renderings and site plans for review and consideration by the Village as part of an iterative planning process.

Specific properties or areas in the Holy Hill Gateway District that should have conceptual renderings and site plans prepared include, but are not limited to:

1. Holy Hill Storage & Kasten Marine properties in the southeast quadrant of the Holy Hill Road @ I-41 interchange;
2. Properties along the proposed frontage road route from Bonniwell Road (north terminus) to WSOR railroad crossing (continuing south into the Freistadt District to the Freistadt Road south terminus)
3. The recommended cross-section(s) around the perimeter of the Holy Hill Gateway District depicting the recommended setback depth, berming, and landscape buffering requirements along the common boundary with the abutting neighborhoods

Specific properties or areas in the Freistadt District that should have conceptual renderings and site plans prepared include, but are not limited to:

1. DJ Frank Landscape Contracting properties along I-41;
2. Properties along the proposed frontage road route from the WSOR railroad crossing to Freistadt Road (south terminus)
3. The recommended cross-section(s) around the perimeter of the Freistadt District depicting the recommended setback depth, berming, and landscape buffering requirements along the common boundary with the abutting neighborhoods

Design Guidelines

The consultant shall prepare zoning code level site, building and landscaping design principles & guidelines for the preferred land uses and (re)development in the Districts. This should include representative renderings, photos and dimensioned illustrations to adequately convey the design principles & principles. The consultant should also identify recommended street and streetscaping enhancements within the District.

Implementation Strategies.

Describe implementation strategies including amendments to the Village's existing zoning and subdivision codes, capital improvement plan, outdoor recreation plan, etc., that will be necessary to implement the master plan. Identify strategies for addressing affordable housing, sustainability, or transportation related recommendations. Identify potential implementation, timelines, and marketing strategies to redevelop the potential redevelopment sites identified earlier in the planning process. Provide preliminary cost estimates for proposed recommendations and where applicable estimated impacts to future property values and tax increment generation. Identify specific funding programs or potential partners, including public or private, that would be applicable to Germantown.

Mapping

The master plan should contain multiple maps to clearly and adequately present the preferred land uses and development within the District including, but not limited to, the following:

- Project/Planning Area Boundary
- Location Map within Germantown and relative to abutting Neighborhoods, Districts & Corridors
- Existing Land Use & Zoning Map
- Natural Resources Map including wetlands, floodplains, steep slopes, hydric soils, surface water, woodlands, SEWRPC defined environmental corridors, etc.

- Existing and Future Public Facilities Map including public roads, utilities, e.g. sewer, water, etc., facilities, stormwater management areas, park & recreation facilities, landscaping, buffering and streetscaping improvements
- Potential Redevelopment Site/Property Map
- Future Land Use Map showing the locations of the preferred land uses including conceptual locations for road improvements, bike and pedestrian facilities, park expansions, drainage areas and stormwater management facilities, etc.

SECTION V. Deliverables

The consultant shall prepare a final master plan document for each District (or one master plan for both Districts) that contains those items described in the final Scope of Services. The master plan documents shall be user friendly, incorporating graphics, tables, maps, renderings and other visual components while minimizing text to present a clear and concise document. The final master plan documents should be completed in a manner that can be fully integrated with the 2050 Plan and other master plans.

The consultant shall provide the Village with one (1) digital copy of the final master plan documents in both the original format (preferably Microsoft Word or compatible) and PDF format, including all maps, GIS data and GIS maps, graphics, or tables used to create the master plan documents. The consultant shall provide the Village with one (1) hard copy of the final master plan documents. Preliminary or draft versions of all documents, including surveys, maps, renderings, may be provided in PDF format provided they are reproducible on standard paper in color or black & white at a size not to exceed 11" x 17". The consultant is responsible for printing any/all hard copy presentation and public engagement materials unless mutually agreed to with the Village.

SECTION VI. Minimum Consulting Services Required

The consultant selected for the project will be expected to provide a range of municipal land use planning and development-related services to complete the project including, but not necessarily limited to:

1. Demonstrated experience in the development of neighborhood plans for municipalities of a similar size, population, and (ideally) with similar development pressures and challenges, including experience conducting economic development and commercial retail market analysis and studies, residential housing analysis and studies, and transportation network analysis. To meet these expectations, a consultant may consist of a multidisciplinary team of planners, housing professionals, economic development professionals, commercial broker and real estate professionals, landscape architects, and/or civil engineers.
2. Understanding of and ability to incorporate relevant requirements into the planning process in conformance with the Wis. Stats. 62.23 pertaining to comprehensive planning, including the incorporation of necessary background information and trends, and the preparation and conduct of a statute-compliant public participation process.
3. Demonstrated experience preparing and conducting in-person, virtual and web-based presentations, public hearings, workshops, charettes, surveys and other public participation opportunities and tools that may be needed or proposed in the planning process. Ability to

provide innovative and cost-effective approaches to educating and obtaining input from residents, stakeholders, property owners, business owners/operators, and typically unrepresented stakeholders and “silent” supporters or objectors.

The above are minimum requirements for the project and are not intended to be a complete list of the services, skills and experiences that may be necessary to complete the project or used to evaluate consultant proposals.

SECTION VII. Proposal Format, Submittal & Content Requirements

Format & Location

All proposals should adhere to or reflect the content and sequence of information described in this RFP document. The proposal shall not exceed 25 pages. If the proposal is too large to submit via email, please submit via Drop Box or other filesharing service mutually agreed to prior to 4:00pm on the submittal deadline date. Alternatively, a proposal may be submitted in an electronic format via a USB flash drive provided it is received at the Planning & Zoning Services counter in Village Hall before the submittal deadline.

Submit a complete electronic version of the consultant’s proposal in PDF format via email to the Village of Germantown, Director of Community Development at the email address listed below:

Jeffrey W. Retzlaff, AICP, Director, Community Development Department
N112 W17001 Mequon Road
Germantown, WI 53022
262-250-4735
Email address: jretzlaff@germantownwi.org

Submittal Deadline Date

Proposals in response to this RFP must be received before 4:00pm CST on Friday, July 1, 2023. Proposals received after this date/time will not be accepted. The consultant is responsible for verifying that their proposal has been received before the submittal deadline date.

Proposal Content

The proposal should include all the information necessary for the Village to evaluate and the proposal and make a decision. Failure of the consultant to provide specific, detailed information may result in its proposal being rejected in favor of a sufficiently detailed proposal. Any necessary exhibits or other information, including information not specifically requested in this RFP that the consultant feels would be helpful to the evaluation and decision-making process should be attached at the end of the proposal. At a minimum, the proposal shall include the following components:

1. Qualification Details

- a. Cover Letter – Including, but not limited to a statement of understanding and approach to the project. Consultants shall clearly identify whether they are submitting a proposal for completion of only one master plan or both. The cover letter should include the address, telephone number, and e-mail address of the contact person(s) and each person authorized to represent the consultant in negotiations. Unless the consultant is an individual, all proposals must be signed with a firm/company/partnership/entity name and by a responsible officer or employee indicating that officer or employee's authorization to commit the consultant to the terms of the proposal.
- b. Experience – A summary of at least five similar or relevant neighborhood, district, or corridor master plan projects for a comparable municipality that the consultant has completed within the last seven years. Electronic links to full copies of said projects can be provided and are encouraged.
- c. References – Provide three to five municipal client references for which the consultant has provided similar planning services within the last seven years. Include the municipality name, contact person name, email address and telephone number, and a brief description of the services provided.

2. Project Details

- a. Scope of Work – A complete and concise description of the approach to be taken to complete the project and address the items listed in Sections III. And IV. above, including any draft and final deliverables. An explanation of any variances from the proposed Scope of Work outlined in Section IV. and any insights into the project gained as a result of preparing the proposal or from past project experiences.

3. Project Management Details

- a. Key Personnel – A list or organization chart of personnel directly assigned to the project, including any sub-consultants, along with their responsibilities for this project and resumes. Clearly illustrate the responsibilities and lines of communication and authority relative to your project management team. Describe your plan to interface with Village staff. The Consultant's Project Manager, who will be responsible for planning, coordinating, and conducting the majority of the work, including meeting attendance with Village Staff and Plan Commission must be identified and committed to the project. The Village reserves the right to approve Consultant's Project Manager and any requested personnel and subcontractor changes during the project.
- b. Quality Control – Describe quality control measures and processes to ensure the project requirements are achieved within the project budget and schedule.
- c. Village Staff Commitments – Identification of those items within the Scope of Work for which the consultant anticipates assistance by Village Staff. Village Staff will serve as the point of contact for public inquires during the planning process, will attend all public meetings, will maintain a project website, and provide public outreach of planning activities through existing Village social media outlets, electronic and community newsletters (if any are employed for the project). Village Staff can also assist in providing existing GIS data as available.
- d. Project Schedule – A proposed schedule that indicates project meetings, milestones by phases or tasks, delivery of draft and final project deliverables, and overall timeline for completion of the master plan.

4. Public Engagement Plan

- a. Engagement Plan - The proposal should include a preliminary public engagement plan with recommended methods and strategies to disseminate information and obtain public input as part of the overall planning process, including, but not limited to, any in-person, virtual or web-based presentations, public hearings, workshops, charettes, surveys and other public participation events, opportunities and tools that may be needed as part of the planning process. The engagement plan should be designed to provide innovative and cost-effective approaches to educating and obtaining input from residents, stakeholders, property owners, business owners/operators, and typically unrepresented stakeholders and “silent” supporters or objectors. The engagement plan will be finalized through discussions between the consultant and the Village. The overall process, techniques, technology, media, meetings, workshops, charettes, etc. to be employed to guide public engagement should be addressed in the consultant proposal.

5. Meetings & Communication

- a. Meetings - It is anticipated that a minimum of five (5) public meetings led by the consultant will be included in the planning process, although the consultant has the flexibility to provide an engagement plan and meeting schedule it feels is appropriate for the project. The consultant is expected to prepare any/all materials required for any public meetings and be responsible for setting up and testing any technology beyond that available for use through the Village. Village staff will post agendas and minutes using our agenda management software as needed.
- b. Communication with Village - The proposal should also build in appropriate contact meetings with Village staff and the Plan Commission which will serve as the “steering” committee for the project. The consultant is expected to coordinate and communicate with Village Staff on an ongoing basis throughout the planning process. Given different characteristics, stakeholders, etc., in each District, the consultant may need to consider separate public meetings for each master plan.

6. Project Cost and Labor Hours

- a. Cost – the proposal should include a “not to exceed” cost estimate to complete the project. The project budget is expected to be \$ [REDACTED] depending on budgeting considerations. NOTE: the Village will withhold a minimum 10% of the estimated contract value until all work has been satisfactorily completed.
- b. Estimated Labor Hours – A summary of estimated labor hours by task, or phase, that clearly identifies the project team members, their hourly rate, and the number of hours performed by each participant organized by task or phase.
- c. Additional Scope/Fees – Total fee, hours per employee, and hourly rates by employee for any additional services not identified as included in the base Scope of Work.

7. Supplemental Information

- a. Any other information deemed necessary by the consultant to respond to the requirements of this RFP.

SECTION VIII. Method & Timeline for Proposal Evaluation and Consultant Selection

Evaluation Process

All proposals received before the submittal deadline date will be evaluated by the “RFP Evaluation Team” comprised of the Village Administrator, Community Development Director, Public Works Director, and Village President. The RFP Evaluation Team will make a recommendation to the Plan Commission who will, in turn, make a recommendation to the Village Board for final action and selection of a consultant.

The RFP Evaluation Team is free to make any recommendations it determines to be in the best interest of the Village. Any inaccuracies in or misrepresentations of the information contained in a proposal or other errors may result in the rejection of a proposal.

The Village may select up to three (3) consultants for a pre-selection interview. Consultant must agree to appear at the pre-selection interview at no cost, if required. The Village will not reimburse a consultant for any costs incurred for the preparation of a proposal or during the selection process.

As described in this RFP, the Village is undertaking two master plan projects; one each for the Holy Hill Gateway District and the Freistadt District. While the Village prefers to work with one consultant to complete both projects, consultants are welcome to submit a proposal for one or both of the master plan projects. The Village reserves the right to select separate consultants for each project if deemed to be in the best interests of the Village.

Proposal Evaluation Criteria

During the evaluation process, the RFP Evaluation Team may require a consultant to answer specific questions orally or in writing regarding their proposal. Selection of a consultant will be based on the overall strength and responsiveness of each proposal and not on any single factor such as cost. The RFP Evaluation Team, Plan Commission and Village Board will evaluate each proposal using the following criteria (but may consider other criteria it deems relevant to make their recommendation or selection):

- Qualifications and demonstrated experience of the consultant providing the same or similar planning consulting services for comparable master plan projects, including the qualifications, capability, and experience of the key personnel to be assigned to the project
- Proposed approach to the project, including the consultants demonstrated understanding of the master plan objectives, scope of work, proposed project schedule, appropriateness and uniqueness of the proposed approach, methods, techniques, and tools to be used for the project
- The proposed public engagement plan
- Proposed schedule and cost to provide the services necessary to complete for the project

Timeline

The following timeline is anticipated with respect to the release of this RFP, proposal submittal, proposal review & evaluation, and consultant selection (but subject to change at the Village’s discretion):

Request for Proposal Release Date	June 19, 2023
Deadline for submittal of consultant questions	July 12, 2023
Village responses to consultant questions	July 17, 2023
Proposal Submittal Deadline Date	July 21, 2023
RFP Evaluation Team Proposal Review & Recommendation	July 24, 2023
Plan Commission Proposal Review	July 24, 2023
Plan Commission Pre-Selection Interviews and Recommendation	August 14, 2023
Village Board Consideration and Consultant Selection	August 21, 2023
Negotiate & Finalize Project Contract	August 22-31, 2023
Project Commencement & Kick-Off Meeting	September 25, 2023

SECTION IX. Consultant Questions

The Village will only accept written questions concerning the RFP and master plan project(s). Questions should be submitted via email on or before 4:00pm on July 12, 2023. Include "Master Plan RFP Questions" in the subject line to ensure Village staff receives your question(s). Email all questions to the Community Development Director at the email address provided in Section VIII above.

The Village will respond in writing to all questions received. A copy of all consultant questions received and the Village's responses will be made available by email on or before July 17, 2023, to all consultants who submit questions or who request a copy by email prior to the question submittal deadline date.

SECTION X. Additional Terms and Conditions

There is no expressed or implied obligation that the Village will reimburse consultants for any expenses incurred in preparing proposals or participating in the selection process in response to this RFP. Materials submitted by consultants are subject to public inspection under Wisconsin law and any language purporting to render the entire proposal confidential or proprietary will be ineffective and will be disregarded.

The Village will not discriminate against individuals due to sex, race, religion, creed, color, national origin, age, disability, sexual orientation, ancestry, marital status, arrest or conviction record, military service, or any other characteristics protected by law. This applies to all consultants submitting proposals to this project and their sub-consultants.

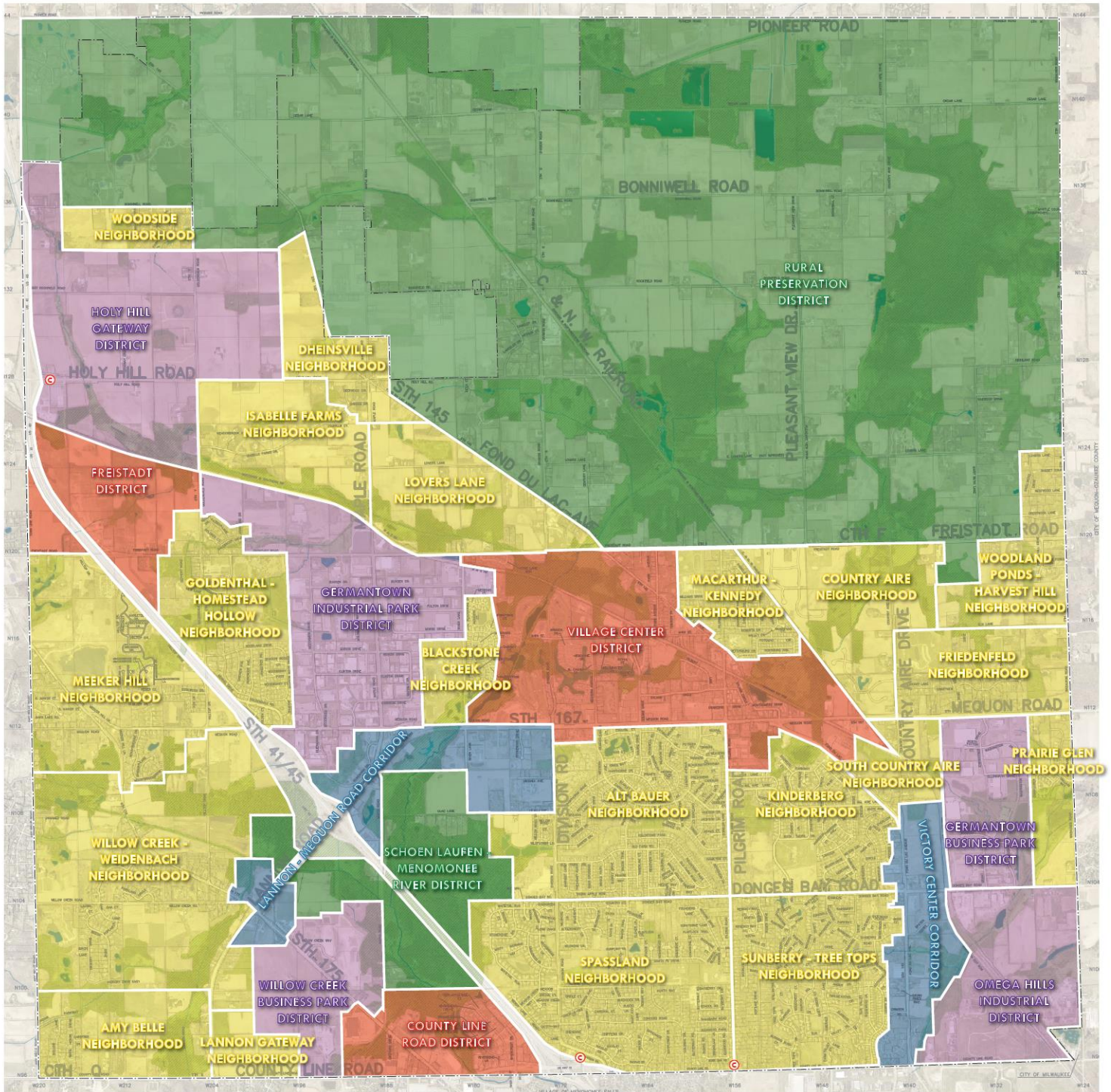
The Village reserves the right to retain all proposals submitted and to use any idea in a proposal regardless of whether the proposal and consultant were selected. Submission of a proposal indicates acceptance by the consultant of all terms and conditions in this RFP unless clearly and specifically noted in the proposal submitted and confirmed in the contract between the Village and the consultant.

All property rights, including publication rights of all reports produced by the consultant selected in connection with services performed for this project shall be vested in the Village.

The Village reserves the right to reject any or all proposals submitted for any reason.

NEIGHBORHOODS, DISTRICTS, CORRIDORS

Village of Germantown 2050 Future Land Use Map



*Note: This map is intended for use in combination with the Future Land Use Table

LEGEND: NEIGHBORHOODS

NEIGHBORHOODS

ALT BAUER
AMY BELLE
BLACKSTONE CREEK
COUNTRY AIRE
DHEINSVILLE
FRIEDENFELD
GOLDENTHAL - HOMESTEAD HOLLOW
ISABELLE FARMS
KINDERBERG
LANNON GATEWAY
LOVERS LANE
MACARTHUR - KENNEDY
MEEKER HILL
PRAIRIE GLEN
SOUTH COUNTRY AIRE
SPASSLAND
SUNBERRY - TREE TOPS
WILLOW CREEK - WEIDENBACH
WOODLAND PONDS - HARVEST HILL
WOODSIDE

DISTRICTS

MIXED-USE DISTRICTS

COUNTY LINE ROAD
FREISTADT
VILLAGE CENTER

BUSINESS PARK/INDUSTRIAL DISTRICTS

GERMANTOWN BUSINESS PARK
GERMANTOWN INDUSTRIAL PARK
HOLY HILL GATEWAY
OMEGA HILLS INDUSTRIAL DISTRICT
WILLOW CREEK BUSINESS PARK

RURAL/OPEN SPACE DISTRICTS

RURAL PRESERVATION
SCHOEN LAUFEN - MENOMONEE RIVER

CORRIDORS

CORRIDORS

LANNON-MEQUON ROAD
VICTORY CENTER

MUNICIPAL BOUNDARY



Germantown 2050 - Comprehensive Plan Update | Future Land Use Table (Page One)

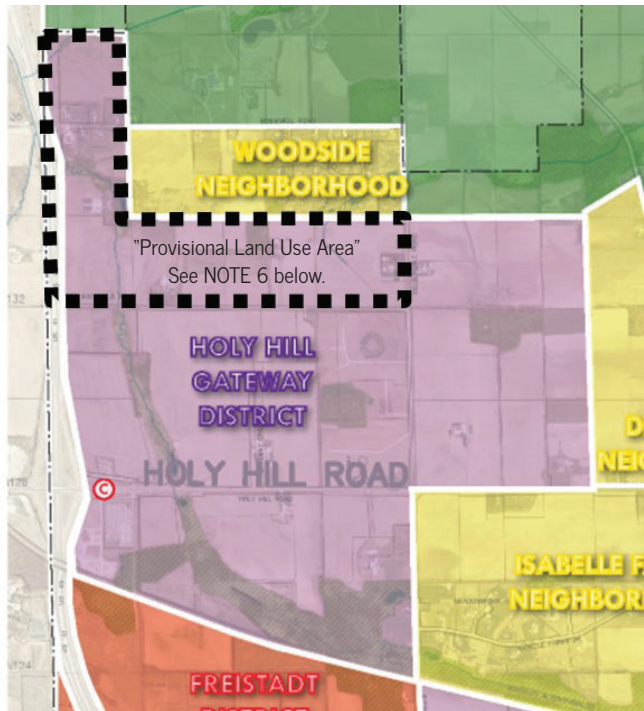
Places			Preferred Future Land Uses												SSA	Environmental Corridor	Preferred Site Design			Maximum Density (residential uses)
Neighborhood / District / Corridor	Place Type	Place Name	Existing Uses (+ existing nonconforming zoning) See Note 5 for details	Residential: Single Family	Residential: Two to Four Family	Residential: Multi-Family / Senior	Mixed-Use: Commercial / Residential	Mixed-Use: Commercial / Industrial	Commercial (includes "Activity Centers")	Institutional	Open Space & Recreational	Mineral Extraction	Industrial	Agricultural / Hobby Farming / Agribusiness	Sewered? (Y/N/Partial)	Contains an Environmental Corridor?	Traditional Neighborhood	Suburban Subdivision	Conservation Subdivision**	Dwelling Units / Acre See Note 4 for details
District	Mixed-Use	County Line Road District	A	u	u	A	A	A	D	A	A	u	u	u	Y	YES	D	U	A	10 units/acre
District	Mixed-Use	Freistadt District	A	A	A	D	D	D	A	A	A	u	D	u	Y	YES	-	-	-	SF: 2.9 units/acre 2-4F: 6 units/acre MF: 25 units/acre
District	Mixed-Use	Village Center District	A	A	A	D	D	u	D	A	D	u	u	u	Y	YES	D	A	U	SF: 2.9 units/acre 2-4F: 6 units/acre MF: 25 units/acre
District	Industrial / Commercial	Germantown Business Park District	A	u	u	u	u	D	A	A	A	u	D	u	Y	YES	-	-	-	-
District	Industrial / Commercial	Germantown Industrial Park District	A	u	u	u	u	D	A	A	A	u	D	u	Y	YES	-	-	-	-
District	Industrial / Warehousing	Holy Hill Gateway District	A	u	u	D	D	D	A	A	A	u	D	u	Y	YES	-	-	-	25 units/acre
District	Industrial / Landfill	Omega Hills Industrial District	A	u	u	u	u	D	A	A	A	A	D	u	N	YES	-	-	-	-
District	Industrial / Commercial	Willow Creek Business Park District	A	u	u	u	u	D	A	A	A	u	D	u	Y	YES	-	-	-	-
District	Rural / Open Space	Rural Preservation District	A	A	u	u	u	u	u	A	D	A	u	D	N	YES	U	U	D	see NOTE 1
District	Open Space	Schoen Laufen - Menomonee River District	A	u	u	u	u	u	u	A	D	u	u	u	P	YES	-	-	-	-
Corridor	Mixed-Use	Lannon - Mequon Road Corridor	A	A	A	A	A	A	D	A	A	u	u	u	P	YES	D	U	U	SF: 2.9 units/acre 2-4F: 6 units/acre MF: 10 units/acre
Corridor	Mixed-Use	Victory Center Corridor	A	A	A	A	A	A	D	A	A	u	A	u	Y	YES	D	U	U	SF: 2.9 units/acre 2-4F: 6 units/acre MF: 10 units/acre

NOTE 1:	"Rural Preservation" District	1 unit/ 20 acres (4 or fewer CSM lots) 1 unit/ 5 acres with Conservation Subdivision (5 or greater lots subdivided)
NOTE 2:	Neighborhood in SSA (w/ water & sewer)	2.2 units/ acre (4 or fewer CSM lots) 3.5 units/acre with Conservation Subdivision (5 or greater lots subdivided)
NOTE 3:	Neighborhood outside SSA (no water & sewer)	1 unit/ 5 acres (4 or fewer CSM lots) 1 unit/ 3 acres with Conservation Subdivision (5 or greater lots subdivided)
NOTE 4:	The density listed in this column is the maximum density permitted. However, a lower density may be required on a case by case basis and higher density may be permitted through a Planned Development District approved by the Village Board pursuant to the Planned Development District section of the Zoning Code.	
NOTE 5:	Expansion of existing and nonconforming uses within existing property boundaries may be permitted subject to zoning restrictions and Plan Commission approval.	
NOTE 6:	Land use within the "Provisional Land Use Area" shall be consistent with the former 2020 Land Use Plan "Agricultural/Conservation Residential" designation that allows agricultural use and single-family residential use with a maximum density and minimum lot size of 1 dwelling per 5 acres.	
•	Area is within (or partially within) SSA, but the majority of properties are not connected to sewer	
**	"Conservation Subdivision" includes: (a) minimum open space requirement (40-60%); (b) minimum lot size (1.0 acre for "Rural/Open Space" and "Residential" outside SSA; 8,000SF for "Residential" inside SSA)	

D =	Desirable – These uses should be encouraged because they are consistent with, support, and enhance the desired character of the area.
A =	Allowable – These uses are generally considered appropriate for the area, but may require additional consideration and/or specific modification or developed features to be compatible with other uses in the area.
u =	Undesirable – These uses should not be encouraged but may still be acceptable for the area under special circumstances.



Holy Hill Gateway DISTRICT



GENERAL CHARACTER

The Holy Hill Gateway District is predominantly undeveloped but intended to be an industrial and mixed-use commercial district comprised predominantly of light industrial uses, warehouse, corporate office uses, and service-commercial uses. A portion of the district lies within Tax Incremental District (TID) No. 8. Existing development includes personal storage and highway-oriented commercial uses at the Holy Hill road interchange, a trucking and warehouse operation at the Holy Hill @ Goldendale Road intersection, and light industrial and warehousing uses in the Gateway Corporate Park north of Holy Hill Road and west of Goldendale Road. The existing zoning of the currently undeveloped parcels in the district is predominantly A-1: Agricultural.

SPECIAL FEATURES

Transportation The Holy Hill Gateway District is located at the Holy Hill Road interchange with I-41. The district is generally bounded by I-41 to the west, the Woodside neighborhood to the north, the Dheinsville Neighborhood to the east, and the

WSOR railroad to the south.

Environmental, Natural & Agricultural Goldendale Creek, a tributary to the Menomonee River, and associated environmental corridor runs along the north side of the WSOR railroad in the southern part of the district. Rockfield Creek, a separate tributary to Little Cedar Creek, runs north-south through the district parallel to I-41.

Public Park, Education, Safety & Utility Village sewer and water currently serves a portion of the Holy Hill Gateway District. The system has capacity to serve the entire district upon further extension.

PREFERRED LAND USE

The Holy Hill Gateway District is intended to develop as an industrial, warehousing and mixed-use commercial district with light industrial, warehouse, hospitality, corporate office uses. Community-scale retail and service-related commercial uses are intended to locate at the Holy Hill Road interchange (except for "big box" retail) and neighborhood-type commercial uses at the Holy Hill Road/Frontage Road intersection. The potential for mixed-use commercial with high-density is desirable for land adjacent to and along the I-41 corridor. See the Economic Development Section of this Plan for more information on future land uses within the Holy Hill Gateway District.

Industrial and Warehousing Development in the Holy Hill Gateway District created potentially negative impacts on the surrounding rural areas. Residents and property owners demand that future industrial, warehousing, and commercial development not expand beyond Rockfield Road to the North and Goldendale Road to the East. In addition, residents have requested that regardless of where the ultimate district boundary is established, the Village needs to develop specific and substantial setback and buffering requirements for future development of the land within the district that is

PREFERRED FUTURE LAND USE

Holy Hill Gateway District

Preferred Future Land Uses												Enviro Corr.	SSA	Preferred Site Design			Maximum Density (residential uses)
Existing Uses (+ existing non-conforming zoning) See NOTE 5 for details	Residential: Single Family	Residential: Two to Four Family	Residential: Multi-family / Senior	Mixed-Use: Commercial / Residential	Mixed-Use: Commercial / Industrial	Commercial (includes "Activity Centers")	Institutional	Open Space & Recreational	Mineral Extraction	Industrial	Agricultural / Hobby Farming / Agribusiness	Contains an Environmental Corridor?	Sewered? (Y/N/Partial)	Traditional Neighborhood	Suburban Subdivision	Conservation Subdivision**	Dwelling Units / Acre See NOTE 4 for details
A	u	u	D	D	D	A	A	A	u	D	u	Yes	Yes	-	-	-	25 units/acre

adjacent to the Rural Preservation District, Woodside Neighborhood, Dheinsville Neighborhood, and Isabelle Neighborhood. The Village intends to develop and adopt specific setback, buffering, lighting, noise, and other development requirements in the Zoning Code to mitigate potential negative impacts associated with future development in this and other districts.

Master Planning A detailed master plan will be developed for the Holy Hill Gateway District (see Implementation Plan: Economic Development Objective #1). Until the master plan is prepared and incorporated into the Future Land Use component of the 2050 Comprehensive Plan, the preferred land uses allowed in and future development of the area bounded by Rockfield Road, Goldendale Road, the Woodside Neighborhood, the Town of Germantown,

D =	Desirable – These uses should be encouraged because they are consistent with, support, and enhance the desired character of the area.
A =	Allowable – These uses are generally considered appropriate for the area, but may require additional consideration and/or specific modification or developed features to be compatible with other uses in the area.
u =	Undesirable – These uses should not be encouraged but may still be acceptable for the area under special circumstances.

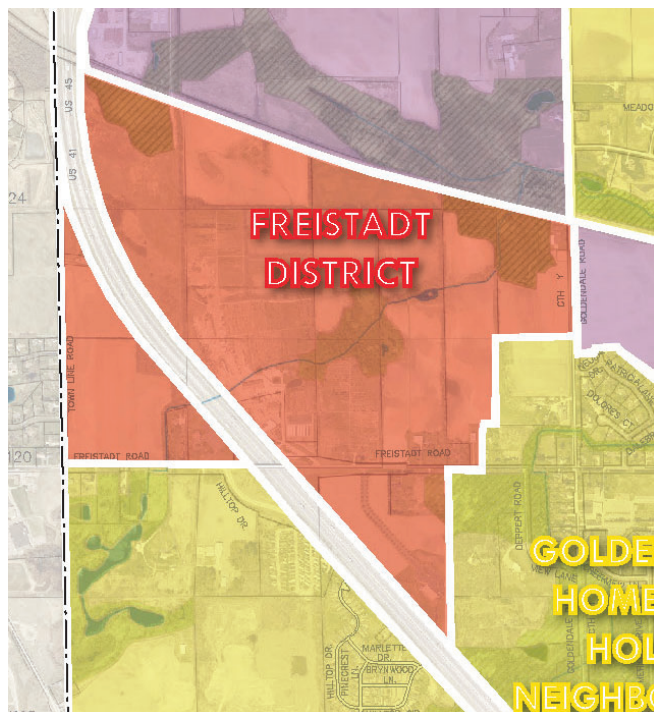
and I-41 shall be limited to only the land uses and development allowed under the "Agricultural/Conservation Residential" land use designation in the former 2020 Comprehensive Plan (see "Provisional Land Use Area" as shown on the Future Land Use Map). The "Agricultural/Conservation Residential" designation allows agricultural uses and single-family residential uses with a maximum density and minimum lot size of 1 dwelling per 5 acres.

NOTE 6:

Land use within the "Provisional Land Use Area" shall be consistent with the former 2020 Land Use Plan "Agricultural/Conservation Residential" designation that allows agricultural use and single-family residential use with a maximum density and minimum lot size of 1 dwelling per 5 acres.

See all notes on page 42.

Freistadt DISTRICT



GENERAL CHARACTER

The Freistadt District is predominantly undeveloped but intended to be a mixed-industrial district comprised predominantly of light industrial uses, warehouse, corporate office uses, and service-commercial uses. A portion of the district lies within Tax Incremental District (TID) No. 7. The District is almost entirely undeveloped. Existing uses include the D.J. Frank nursery and landscaping services operation and the Germantown Mutual Insurance campus. Existing zoning in the district is predominantly A-1: Agricultural.

SPECIAL FEATURES

Transportation The Freistadt District is bounded by I-41/Town Line Road to the west, the WSOR railroad to the north, Goldendale Road to the east and Freistadt Road to the south (except for the Germantown Mutual Insurance campus immediately south of Freistadt Road). Freistadt Road does not currently have an interchange with I-41.

Environmental, Natural & Agricultural Goldendale Creek bisects the district from west to east as part of an environmental corridor south of the railroad.

Public Park, Education, Safety & Utility A majority of this district is not located within the Sewer Service Area (SSA) however is located within the Potential Sewer Service Area, given the existing water and sewer facilities abutting the district, and, the potential extension of facilities to the Village of Richfield.

PREFERRED FUTURE LAND USE

Freistadt District

Preferred Future Land Uses												Enviro Corr.	SSA	Preferred Site Design			Maximum Density (residential uses)
Existing Uses (+ existing non-conforming zoning) See NOTE 5 for details	Residential: Single Family	Residential: Two to Four Family	Residential: Multi-family / Senior	Mixed-Use: Commercial / Residential	Mixed-Use: Commercial / Industrial	Commercial (includes "Activity Centers")	Institutional	Open Space & Recreational	Mineral Extraction	Industrial	Agricultural / Hobby Farming / Agribusiness	Contains an Environmental Corridor?	Sewered? (Y/N/Partial)	Traditional Neighborhood	Suburban Subdivision	Conservation Subdivision**	Dwelling Units / Acre See NOTE 4 for details
A	A	A	D	D	D	A	A	A	u	D	u	Yes	Yes	-	-	-	SF:2.9 units/ac 2-4F: 6.0 U/ac MF:25 units/ac

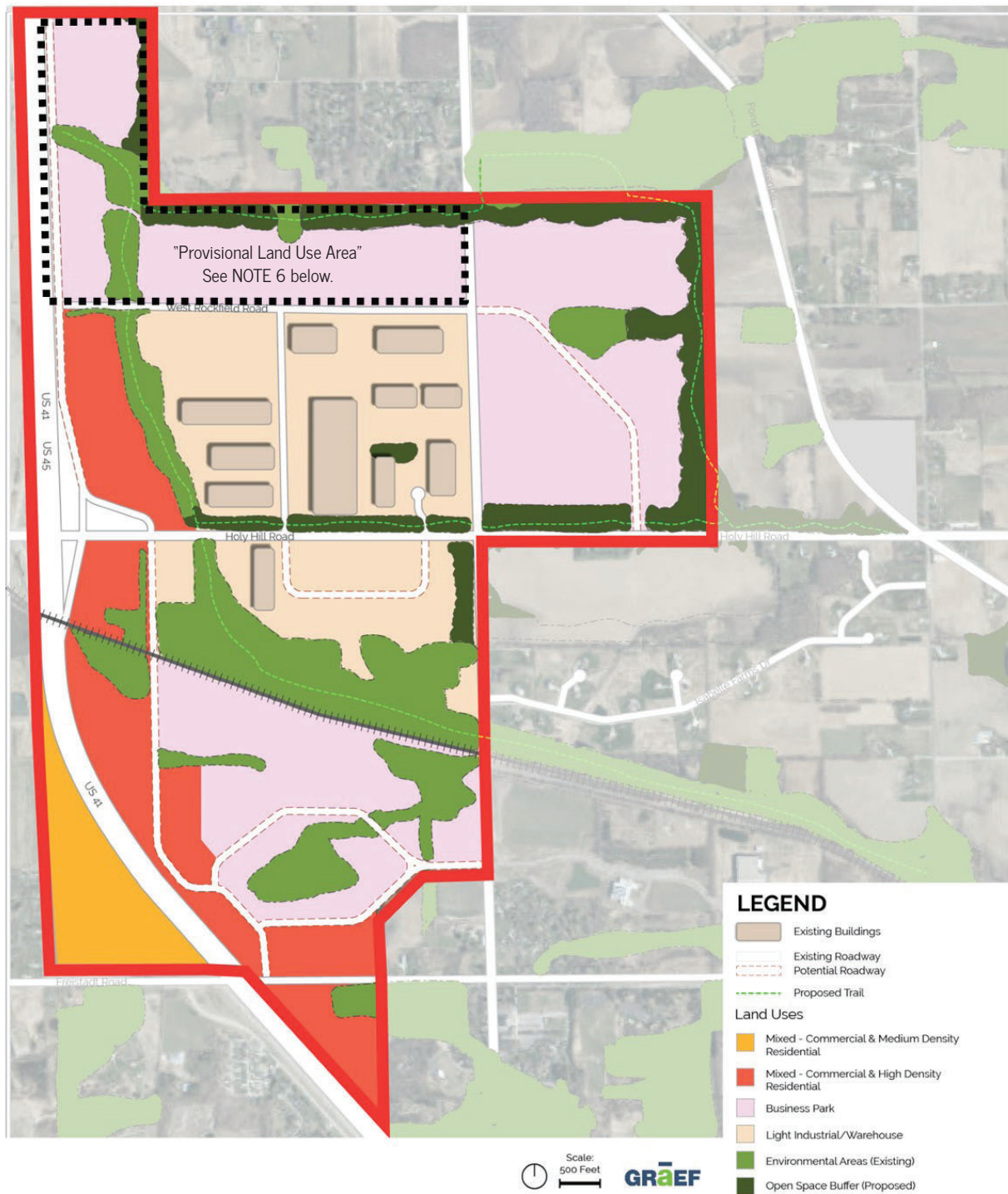
The Freistadt District is intended to develop as an industrial, warehousing and mixed-use commercial district with light industrial, warehouse, corporate office and service-related commercial uses. The potential for mixed-use commercial with high-density residential could be appropriate for land adjacent to Freistadt Road and I-41. Single-family development at a density of 2.9 units/acre would also be appropriate.

See the Economic Development Section of this Plan for more information on future land uses within the Freistadt District.

D =	Desirable – These uses should be encouraged because they are consistent with, support, and enhance the desired character of the area.
A =	Allowable – These uses are generally considered appropriate for the area, but may require additional consideration and/or specific modification or developed features to be compatible with other uses in the area.
u =	Undesirable – These uses should not be encouraged but may still be acceptable for the area under special circumstances.

See all notes on page 42.

Figure 6.6 – Holy Hill Gateway & Freistadt District - Future Land Use Vision



NOTE 6:

Land use within the "Provisional Land Use Area" shall be consistent with the former 2020 Land Use Plan "Agricultural/Conservation Residential" designation that allows agricultural use and single-family residential use with a maximum density and minimum lot size of 1 dwelling per 5 acres. See Holy Hill Gateway District Profile in Chapter 5 for details on Master Planning.