

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

**MEETING:           REGULAR MEETING OF THE VILLAGE BOARD**

**DATE AND TIME:   MONDAY, FEBRUARY 3, 2014 7:00 p.m.**

**LOCATION:           Germantown Village Hall Board Room**

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.   **PLEDGE OF ALLEGIANCE**

IV.   **PRESIDENT'S REPORT**

V.    **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/COMMITTEE REPORTS:**

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney and Village Clerk.

VI.   **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**  
Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes)

VII.   **CONSENT AGENDA:**

A.    Minutes – January 20, 2014

B.    Accounts payable/payroll

|    |                  |                  |               |
|----|------------------|------------------|---------------|
| 1. | January 25, 2014 | Accounts payable | \$ 367,789.18 |
|----|------------------|------------------|---------------|

|    |                  |                  |               |
|----|------------------|------------------|---------------|
| 2. | January 28, 2014 | Payroll (hourly) | \$ 214,473.50 |
|----|------------------|------------------|---------------|

|    |                  |                  |              |
|----|------------------|------------------|--------------|
| 3. | January 31, 2014 | Payroll (salary) | \$ 73,486.44 |
|----|------------------|------------------|--------------|

C.    Operator Licenses: February 4, 2014 – June 30, 2014

Emily R. Atkielski, Julie A. Bartelt, Jessica L. Messig, Andrew R. Reinsvold,  
Danielle D. Rusnak, Melva J. Tatum, and Tamara L. Waterhouse.

The following items were forwarded from the General Government and Finance Committee with a unanimous recommendation:

D.    2014 \$10,000 Payment to Economic Development Washington County  
[Recommended Approval]

E.    Authorization to Fill Full-Time Senior Coordinator Position with current Job  
Description and Pay Grade [Recommended Approval]

VIII. UNFINISHED BUSINESS: None

IX. PUBLIC HEARINGS – 7:00 P.M. OR LATER – *The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).*

- A. Continental 246 Fund LLC, Agent for Riversbend Country Club, Inc., Property Owner: N96 W18034 County Line Road, Tax Key No. 333-965; Revised Planned Development District (PDD), 4-lot Certified Survey Map (CSM) & Conditional Use Permit to allow development of a Buffalo Wild Wings restaurant, a 7,150 sqft retail building with drive-through window, and a new 1,515 sqft golf clubhouse.
- B. Village of Germantown, Property Owner: Tax Key No. 252-970; (14.89-acre parcel in the Southwest corner of Mequon Road @ Eisenhower Drive); for (1) a Conditional Use Permit to allow development within a 25' wetland setback; and (2) a Rezoning application to remove 45,955 sqft (1.055 acres) from the Shoreland-Wetland Overlay Zoning District.

X. NEW BUSINESS:

- A. Continental 246 Fund LLC, Agent for Riversbend Country Club, Inc., Property Owner: N96 W18034 County Line Road – Revised conditions and restrictions for the Riversbend Planned Development District: *Resolution Amending Resolution No. 02-13 Containing Conditions and Restrictions for the Rivers Bend Country Club Inc-Continental 246 Fund LLC Planned Development District (“Rivers Bend PDD”)*
- B. Continental 246 Fund LLC, Agent for Riversbend Country Club, Inc., Property Owner: N96 W18034 County Line Road – 4-lot Certified Survey Map (CSM)
- C. Continental 246 Fund LLC Agent for Riversbend Country Club, Inc., Property Owner: N96 W18034 County Line Road – Revised conditions in Conditional Use Permit # 02-13 (CUP)
- D. Village of Germantown, Property Owner, and Airgas Safety: Germantown Business Park (Tax Key No. 252-970); Rezoning application to remove 45,955 sqft from the Shoreland-Wetland Overlay Zoning District: *An Ordinance to Amend the Official Zoning Map of the Village of Germantown Shoreland-Wetland Overlay Zoning Code*
- E. Village of Germantown, Property owner, and Airgas Safety: Germantown Business Park (Tax Key No. 252-970); Conditional use permit to allow 6,300 sqft of land disturbance within a 25' wetland setback (CUP)
- F. Airgas Safety: Germantown Business Park (combination of Tax Key Nos. 252-969, 252-970 & 252-971); 23.5-acre 1-lot Certified Survey Map (CSM)
- G. Agreement with Washington County for Use of the Village’s Senior Center for Senior Services and Meal Program
- H. 2014 Salary Resolution
- I. Approval of Capital Outlay Projects for 2014 with Revisions
- J. Request for Funds to Reimburse Travel Expenses for Fire Chief Candidate Interviews

XI. ADJOURNMENT

The next Village Board meeting will be on February 17, 2014 at 7:00 p.m.

*UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For Additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.*

**VILLAGE OF GERMANTOWN  
VILLAGE BOARD MEETING MINUTES  
JANUARY 20, 2014**

**CALL TO ORDER:** The meeting was called to order at 7:06 p.m. by President Wolter

**ROLL CALL:** President Wolter, Trustees, Daniels, Ewert, Hughes, Kaminski, Vanderheiden, Werderman and Zabel. Trustee Baum was absent. Also present: Administrator Schornack, Attorney Sajdak, DPW Director Ludwig, Superintendent Zimmerman, Police Lt. Huesemann and Clerk Goeckner.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

**PRESIDENT'S REPORT** – President Wolter explained the issues with the AT&T Public Access Channel and the message board not working for either AT&T or Time Warner at this time. Land agent for our business park has been contacted by a business wishing to come to Germantown and it will use up one of the last lots available in our current business park. Remaining lots are small parcels. Running out of land for development and later agenda item for discussion is the next possibility for a business park. These are initial stages to see where the next development can happen.

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST & COMMITTEE REPORTS:** Upcoming meetings were announced.

**CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**

Jim Siebers N140W18170 Cedar Lane, Richfield address, Germantown resident – Speaking on Contract of Traffic Study on Freistadt & Maple Roads. Intersection is dangerous and you don't need to spend \$7,000 on a traffic study to tell you that you need a 4-way stop at that intersection. Save the money and put the stop signs up tomorrow.

**CONSENT AGENDA:**

- A. Minutes – January 6, 2014
- B. Accounts payable/payroll
  - 1. January 10, 2014                      Accounts payable                      \$ 574,124.96
  - 2. January 14, 2014                      Payroll (hourly & salary)              \$ 289,922.96
- C. Operator Licenses: January 21, 2014 – June 30, 2014  
Mark A. Eskowski and Samantha O. Stewart

The following items were forwarded from the Public Safety Committee with a unanimous recommendation:

- D. Operator's License for Alysia K. Mayfield [Recommended Denial]
- E. New "Class B" Intoxicating Liquor and Fermented Malt Beverage License – Florian Park, Inc., d/b/a Florian Banquet Center, N111 W18611 Mequon Road, Ryan Rahl, Agent, 311 Preserve Way, Colgate, WI 53017 [Recommended Approval]
- F. Purchase of Police Dept. squad from low bidder [Recommended Approval]

The following items were forwarded from the Public Works Committee with a unanimous recommendation:

- G. Change Order Request for VISU Sewer Interceptor Sewer Lining existing contract in the amount of \$11,900 to perform rehab of manhole #SA274-001 in place



**CONSENT AGENDA continued:**

[Recommended Approval with funds to be allocated from account #60-830-530-8313]

- H. An Ordinance Amending Chapter 8 of the Municipal Code of Germantown to Make Certain Technical Changes and to Create Section 8.09 Relating to Stormwater Drainage Conveyances [Recommended Approval]
- I. 2014 Village Labor and Equipment Rates for Public Works [Recommended Approval as presented]

**MOTION (Vanderheiden/Ewert) to approve Consent Agenda Items A-I, by roll call vote, carried unanimously.**

**UNFINISHED BUSINESS:** None

**PUBLIC HEARINGS – 7:00 P.M. OR LATER – *The purpose of said hearing(s) is to hear any and all parties, their attorneys or agents, for or against the application(s) filed by the petitioner(s).***

- A. NOTE: BASED UPON PLAN COMMISSION ACTION REQUESTING REVISED PLANS, THE PLANNED PUBLIC HEARING FOR Continental 246 Fund LLC, Agent for Riversbend Country Club, Inc., Property Owner: N96 W18034 County Line Road, Tax Key No. 333-965; Permits & Approvals needed for the Golf Course and Restaurant Redevelopment HAS BEEN POSTPONED TO A LATER DATE

President Wolter explained the Plan Commission delayed this to a future meeting and requested applicant to come back with a revised plan. But still on agenda because notices were already out. There will be another meeting of Plan Commission tentatively on January 27<sup>th</sup> for this presentation. Request for Attorney Sajdak to review ability to come back to Public Hearing on February 3<sup>rd</sup> without re-publishing.

Planner Retzlaff presented information regarding the parcel and proposed redevelopment.

President Wolter opened the Public Hearing at 7:26 p.m.

Attorney Sajdak stated a motion to postpone the hearing until February 3<sup>rd</sup> rather than closing the hearing will allow for it to be held again without republication.

**MOTION (Zabel/Ewert) to postpone this public hearing until February 3, 2014, carried unanimously.**

**NEW BUSINESS:**

- A. Contract with Graef for Traffic Study on Intersection of Freistadt & Maple Roads  
DPW Director Dan Ludwig presented information on the proposed contract for a traffic study on the intersection of Freistadt & Maple Roads. We received 3 proposals for this traffic study and Graef was the low bid. This is not a budgeted item but funding can be provided through three other departments. Was passed unanimously at committee prior to funding being located. Director Ludwig

**NEW BUSINESS continued:**

recommends getting study done and putting up dangerous intersection signs in the meantime. Discussion of possibilities and recommendations: 4-way stop, more signalization, more dramatic signage, cutting of hill approaching intersection. Request for Police Chief's input regarding the 4-way stop. **MOTION (Hughes/Kaminski) to approve the traffic study contract.** Prior recommendation from Police Chief was to look at the intersection due to an increase of accidents at this location. Further discussion on options and similar locations. Dennis Meyers rose to speak. Attorney Sajdak made those present aware that Mr. Meyers is running for a Trustee position on the Village Board and is required to state such prior to speaking in front of the Village Board. Mr. Meyers spoke regarding a similar intersection at another location where speed limits were reduced. Trustee Zabel asked if the budget needs to be modified to accommodate the funding from other departments. Attorney Sajdak stated it could be done without a full budget change, just state where the funds are. **MOTION (Werderman/Kaminski) to amend the motion to postpone this item and have the Police Chief here with additional information on accidents, etc.** Discussion of earlier talks on this and the importance of this issue, getting drivers to slow down and the dangerous intersection signs being posted right away. President Wolter called for the question on the amendment. **4 in favor, 4 opposed (Ewert, Hughes, Vanderheiden, Wolter), tie vote, amendment fails.**

**Call for the motion to approve, by roll call vote, 4 in favor, 4 opposed (Vanderheiden, Werderman, Zabel, Wolter) motion fails.**

**MOTION (Vanderheiden/Werderman) to send this item back to the Public Safety Committee.** Trustee Werderman verified this will be put on the Public Safety agenda and Chief Hoell will give a report and also have him attend the Village Board meeting. Dangerous intersection signs will still go up this week. **Motion carried unanimously.**

- B. Contract with American Leak Detection for Water System Leak Detection Survey  
DPW Director Dan Ludwig presented the contract for the water system leak detection survey which received committee approval for a cost of \$17,400. PSC has the ability to mandate a study to be done if your water utility does not achieve a loss of water of under 15% a year. Study would start in early March. Discussion of accounting for lost water due to leaks and other issues. Current loss is at 25% system wide. When the Fire Department doesn't put on a meter they used to be able to estimate the flow and we could deduct that from losses. PSC will no longer allow this deduction by an estimate. It must be metered. Due to limited resource of water this is a push by the State to find ways to conserve water. **MOTION (Hughes/Kaminski) to approve as presented by roll call vote, 7 in favor, 1 opposed (Zabel), carried.**
- C. **MOTION (Zabel/Ewert) to go into closed session at 8:12 p.m. for Future Business Park Development – Potential locations, acquisition(s) of property, and the creation and establishment of funding (including potential TIF) and**

**NEW BUSINESS continued:**

operational aspects of future business park, per Wis. Stat. §19.85(1)(e) Deliberating or negotiating the acquisition of public property, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session, and allow representatives from MLG Commercial and Ehlers to remain, by roll call vote, carried unanimously.

**MOTION (Zabel/Ewert) to go back into open session at 9:12 p.m., carried unanimously.**

**MOTION (Hughes/Ewert) to authorize staff to expend up to \$40,000 to conduct necessary due diligence to determine financial feasibility of proposed TIF District, by roll call vote, 7 in favor, 1 opposed (Zabel), carried.**

- D. Agreement with Ehlers to Provide Financial and Advising Services for Proposed Tax Incremental District No. 6 Creation

**MOTION (Werderman/Ewert) to approve the agreement with Ehlers and authorize the Village President and Clerk to execute and sign the same, by roll call vote, carried unanimously.**

- E. **MOTION (Ewert/Daniels) to go into closed session at 9:17 p.m. for Offer to Purchase for land(s) in and related to the Germantown Business Park as per Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating, when competitive or bargaining reasons require a closed session, and include MLG representatives and staff, by roll call vote, carried unanimously.**

**MOTION (Zabel/Kaminski) to go into open session at 9:40 p.m., carried unanimously.**

**MOTION (Zabel/Ewert) to authorize Village President and Village Clerk to execute offers to purchase subject to terms discussed in closed session and subject to village attorney approval, carried unanimously.**

Trustee Vanderheiden left the meeting at 9:40 p.m.

- F. Attorney Sajdak reminded the Village Board the Attorney General has made it abundantly clear Section §19.85 allows the board to go into closed session to talk about specific individuals and does not apply to group items. You can go into closed session, but you should identify with specificity who you will talk about either by name or by position. **MOTION (Zabel/Hughes) to go into closed session at 9:45 p.m. to discuss the performance evaluations of the Department Directors per Wis. Stat. §19.85(1)(c) for the purposes of considering the compensation and/or performance evaluation data of any individual non-union public employee over which the governmental body has jurisdiction or exercises responsibility, by roll call vote, carried unanimously.**

**NEW BUSINESS continued:**

**MOTION (Kaminski/Zabel) to go back into open session at 10:28 p.m., carried unanimously.**

**MOTION (Kaminski/Werderman) to approve a 2% increase for all non-union employees.** Trustee Kaminski - We have budgeted for 2 percent, 5<sup>th</sup> year without a raise for them, economy has improved, rainy day fund is over 18% and Village can afford to give a raise, neighboring communities have been giving raises, this is not extravagant. Trustee Werderman – Agrees. Going forward would like a better understanding of what Trustees role is in the future with new plan. Discussion of new process. Trustee Zabel – Feels there are some employees who deserve better and some who deserve less. Time to give something but across the board is not correct, just for the sake of giving them money to give them money. Discussion of economy, how long employees have waited, merit based increases, time now to reward them. **Roll call vote: 6 in favor, 1 opposed (Zabel), carried.**

There being no further business, the meeting was adjourned at 10:38 p.m.

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**Barbara K. D. Goeckner MMC/WCPC**  
**Village Clerk**

**BUSINESS OF THE VILLAGE BOARD  
GERMANTOWN, WI**

**MEETING DATE:** February 3, 2014

**AGENDA ITEM:** Public Hearing & New Business

**ITEM TITLE:** Continental Fund 246 LLC, Agent for Rivers Bend Country Club, Inc., Property Owner; N96 W18034 County Line Road; Rivers Bend Planned Development District (PDD) Amendment, Revised CSM and Revised CUP

**SUBMITTED BY:** Jeffrey W. Retzlaff, Director, Community Development Department

**SUMMARY EXPLANATION:**

Continental 246 Fund LLC, agent for Riversbend Country Club Inc., has submitted REVISED development plans the re-development of a 3.3-acre portion of the Riversbend Country Club golf course property located at N96 W18034 County Line Road. Since the original plans were approved by the Village in January 2013, one of the two primary restaurant tenants (Olive Garden) withdrew from the project. Continental Properties is now proposing to replace the Olive Garden with a 4-tenant retail building w/ a drive-through.

Other changes affecting the Riversbend PDD, site plans, building plans, and CSM are proposed. The revised development will include:

- construction of one (1) sit-down restaurant (Buffalo Wild Wings);
- construction of a 9,150 sqft 4-tenant retail building w/ drive-through;
- relocation/construction of a new 1,515 sqft golf course club house;
- expansion/reconstruction of the parking lot from 60 to 228 stalls;
- Improved access and circulation around the restaurant and club house from County Line Road with a new access point to the "frontage" road/driveway (currently shared with the Holiday Inn and KFC) and the installation of turn lanes and a traffic signal on County Line Road.

At their January 13 meeting, the Plan Commission **CONTINUED** action on the proposed plan revisions pending the submittal of additional traffic impact information and revised site and building plans for the Buffalo Wild Wings and 4-tenant retail building.

At their January 27 meeting, the Plan Commission considered further revised site and building plans and, as a result, is recommending **APPROVAL** of the revised plans and required development permits discussed herein.

**ATTACHMENTS:**

- ◆ 1/27/14 Staff Report
- ◆ 1/13/14 & 1/27/14 Plan Commission Meeting Minutes
- ◆ Draft PDD (revised)
- ◆ Draft CSM (revised)
- ◆ Draft CUP (revised)

**PLAN COMMISSION RECOMMENDATIONS:**

At their January 27 meeting, the Plan Commission recommended **APPROVAL** of the following development applications:

*NOTE: The PC granted conditional approval of the Site Development, Building, and Sign plans subject to Village Board approval of the revised PDD amendment, revised CUP and revised CSM applications being considered by the Village Board at the February 3, 2014 meeting.*

**PDD Rezoning**

**APPROVE** revisions to the Rivers Bend Planned Development District (PDD) conditions & restrictions resolution (Res. No. 02-13) as appropriate to reflect the revised development plans approved by the Plan Commission prior to review and approval by the Village Board.

**Certified Survey Map (CSM)**

**APPROVE** the 4-lot Certified Survey Map land division for the 41 +/- acre property owned by Rivers Bend Country Club Inc. located on County Line Road subject to the following:

1. All technical corrections identified by the Village Surveyor as set forth in the November 27, 2012 (revised date of December 13, 2013) memo, and, any further review comments and recommended corrections resulting from the Surveyor's review of the revised CSM submitted on January 23, 2014, shall be made prior to recording the CSM.
2. The required cross-access easement agreement(s) for the benefit of Lot 4 shall be shown on the CSM and the access easement agreement shall include provisions addressing the proposed shared parking arrangement. Said easement agreement shall be prepared and submitted for review and approval by the Village Attorney prior to recording the CSM.

**25' Wetland Setback CUP**

**APPROVE** an extension of the 1-year expiration time period in CUP No. 03-13 and revise the reporting period for the required annual monitoring report set forth therein (to start in 2014 vs. 2013).

RESOLUTION NO. R\_\_\_\_-14

**AMENDING RESOLUTION NO. 02-13 CONTAINING ADOPTING CONDITIONS AND RESTRICTIONS FOR THE RIVERS BEND COUNTRY CLUB INC-CONTINENTAL 246 FUND LLC PLANNED DEVELOPMENT DISTRICT ("RIVERS BEND PDD")**

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

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

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

**WHEREAS**, on January 28, 2013, the Germantown Village Board adopted Resolution No. 02-13 establishing specific conditions and restrictions for the Rivers Bend Planned Development District; and

**WHEREAS**, the Developer submitted revised plans for the Rivers Bend PDD that were reviewed and approved by the Germantown Plan Commission on January 27, 2014, with a positive recommendation to amend the PDD, CUP and CSM to the Village Board;

**NOW, THEREFORE BE IT RESOLVED** that the Village Board of the Village of Germantown hereby adopts the following specific conditions and restrictions for the Rivers Bend Planned Development District that shall apply to all/any development on the property (where words underlined are to be added and words stricken are to be deleted):

1. **General Development Plans.** Exhibit B, the detailed set of site development and building plans dated January 22, 2014 ~~December 20, 2012~~, shall be considered the General Development Plans for this PDD, including the size and orientation of the building, setbacks, and location of access points, landscaping, utilities, grading and erosion control plan, floor plan and architectural elevations. All development within the PDD property shall be consistent with these plans or any subsequent plans (additional or revised) submitted pursuant to the conditions of approval adopted by the Plan Commission on January 27, 2014 ~~14, 2013~~. Significant changes to said site development and building plans may require further review and approval by the Plan Commission as deemed necessary by the Zoning Administrator.
2. **Certified Survey Map.** A certified survey map (CSM) has been submitted to the Village for approval concurrently with the Rivers Bend PDD rezoning. Said CSM is for purposes of dividing the PDD Property into four (4) ~~three (3)~~ separate parcels; a .511 acre parcel (Lot 1); a 1.074 acre parcel (Lot 2); a 1.732 acre parcel (Lot 3); and a 34.65-acre parcel (Lot 4).

3. **Use Regulations.** The uses allowed for Lot 1, Lot 2 and Lot 3 and ~~Lot 2~~ shall be as set forth in the B-1: Neighborhood Business Zoning District regulations (Zoning Code Section 17.28), except that a restaurants with outdoor service shall be allowed on Lot 1, Lot 2 and Lot 3 ~~Lot 2~~ to the extent shown in the approved General Development plans, and, a drive-through facility shall be permitted as principal use for Lot 1. The uses allowed for Lot 4 3 shall be as set forth in the I: Institutional Zoning District regulations (Zoning Code Section 17.26), except that a golf course with a club house facility with an outdoor patio area for events no to extend past 7:00 pm shall be allowed on Lot 4 3 only to the extent shown in the General Development Plans.
4. **Building/Bulk Regulations.** A multi-tenant retail building totaling 9,150 sqft is allowed to develop across Lot 1 and lot 2 with a drive-through facility as shown in the General Development Plans. ~~One (1) 7,660 sqft. commercial building for a sit-down restaurant is permitted on Lot 1 as shown in the General Development Plans.~~ One (1) 7,290 7,715 sqft. commercial building for a sit-down restaurant is permitted on Lot 3 2 as shown in the General Development Plans. One (1) 1,515 4,500 sqft. commercial building for a golf course club house is permitted on Lot 4 3 as shown in the General Development Plans.

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

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

a. Minimum Lot Frontage Requirement:

1. Lot 1: 12' 89'
2. Lot 2: 79' 27'
3. Lot 3: 24'
4. Lot 4 3: 0' (Lot 4 3 will have access easements across Lot 1, Lot 2 and Lot 3 and Lot 2);

b. Minimum Building Setbacks:

1. Lot 1: Front Side Yard: 26' 9'
2. Lot 1: Side Yard: 0'
3. Lot 2: Side Yard: 0' 8'
4. Lot 3: Front Yard: 24'
5. Lot 3: Side Yard: 5'
6. Lot 4 3: Front Yard: 8' 49.5'

c. Maximum Lot Coverage (Impervious Area):

1. Lot 1: 67 79.4 percent
2. Lot 2: 82 76.3 percent
3. Lot 3: 74 percent

d. Minimum Parking Setbacks:



1. Parking lot Setback from property line: 0' (within parking lot and at various points around perimeter)
  2. ~~Commercial parking lot from residential district: 32' (at northeast corner of parking lot adjacent residential area)~~
5. **Parking.** The minimum number of required parking stalls, stall size, and layout shall be as set forth below and as shown on the General Development Plans:
- a. Minimum Parking Stall size: 162 sqft (9' x 18')
    1. ~~Lot 1: 144 sqft (9' x 16') for six (6) "Compact Car Only" stalls~~
    2. ~~Lots 1, 2, 3: 162 sqft (9' x 18') for all remaining parking stalls~~
- The parking stall requirement for Lot 4 3 shall be satisfied through a shared-parking and access easement agreement across Lot 1, Lot 2 and Lot 3 and Lot 2.
6. **Access.** Access to/from the PDD Property shall be from the two (2) access driveways onto the shared driveway easement serving the Holiday Inn and KFC commercial properties as shown in the General Development Plans.
7. **Architectural Design & Exterior Materials.** The architectural design and exterior materials shall be as shown on the plan elevations contained in the General Development Plans and set forth below (unless otherwise replaced by subsequent plans required pursuant to the conditions of approval adopted by the Plan Commission):
- a. ~~Lot 1 & Lot 2 (multi-tenant retail building) (Olive Garden restaurant) building elevation and floor plans dated January 27, 2014 December 27, 2012 (including Sheets A1.1, A5.1, A5.2 and the color renderings dated December 27, 2012);~~
  - b. ~~Lot 3 2 (Buffalo Wild Wings restaurant) building elevation and floor plans dated January 24, 2014 December 11, 2012 (including Sheets 54-12.011.00 and the color renderings dated December 11, 2012);~~
  - c. Lot 4 3 (Rivers Bend Golf Course club house) building elevation and floor plans dated December 6, 2013 27, 2012;
8. **Public Utilities.** All sanitary sewer, water and storm sewer improvements shall be installed as shown in the General Development Plans, or as may be revised pursuant to the conditions of approval adopted by the Plan Commission and/or Public Works Department/Village Engineer.
9. **Plan Commission Approval Requirements.**  
All conditions of approval adopted by the Plan Commission as part of their approval of the revised Site Plans, revised Certified Survey Map (CSM) and revised Conditional Use Permit (CUP) shall be considered specific

requirements, allowances and limitations affecting development within this PDD and are adopted herein by reference.

10. ~~**Specific Lighting, Landscaping & Trash Enclosure Plans.**~~ All lighting, landscaping and trash enclosure plans shall be installed as shown in the General Development Plans, except that additional and/or revised plans have been required by the Plan Commission, requiring the following:
- a. ~~The landscape berm and evergreen tree buffer adjacent to the northeast corner of the parking area and along the east side of the parking area shall be extended to include the area within the 50' minimum setback area and enhanced with more and larger/taller (min. 10-12' planted height) evergreen and deciduous trees. Additional landscaping comprised of deciduous and evergreen trees shall also be installed along the common property line and/or around the perimeter of the outdoor patio on the north side of the club house to better buffer the residential area from outdoor club house activity. This additional landscape screening shall be shown in a revised landscape plan submitted to the Village Planner for review/approval prior to issuance of an occupancy permit;~~
  - b. ~~The applicant shall submit a detailed foundation planting plan as either a supplemental plan or revision to the overall landscape plan to the Village Planner for review and approval prior to issuance of a building permit;~~
  - c. ~~Complete dumpster enclosure plans shall be prepared and submitted to the Village Planner for review and approval prior to issuance of a building permit. Each enclosure shall be comprised of the same masonry or other comparable materials as their respective principal buildings. Particular attention shall be given to the appearance of the enclosure proposed for Lot 2 given its proximity to and visibility from County Line Road.~~
11. **Expiration.** The developer shall obtain appropriate permits and commence construction and continue toward completion of all three (3) of the commercial buildings and other site improvements no later than February 1, 2015 within one (1) year from the date this PDD District was adopted by the Germantown Village Board.

Introduced by: \_\_\_\_\_

Adopted: \_\_\_\_\_, 2014

Vote: Ayes: \_\_\_\_ Nays: \_\_\_\_

\_\_\_\_\_  
Dean Wolter, Village President

ATTEST:

\_\_\_\_\_  
Barbara K.D. Goeckner, Village Clerk

**EXHIBIT A**

Rivers Bend Planned Development District (PDD)  
Legal Description

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

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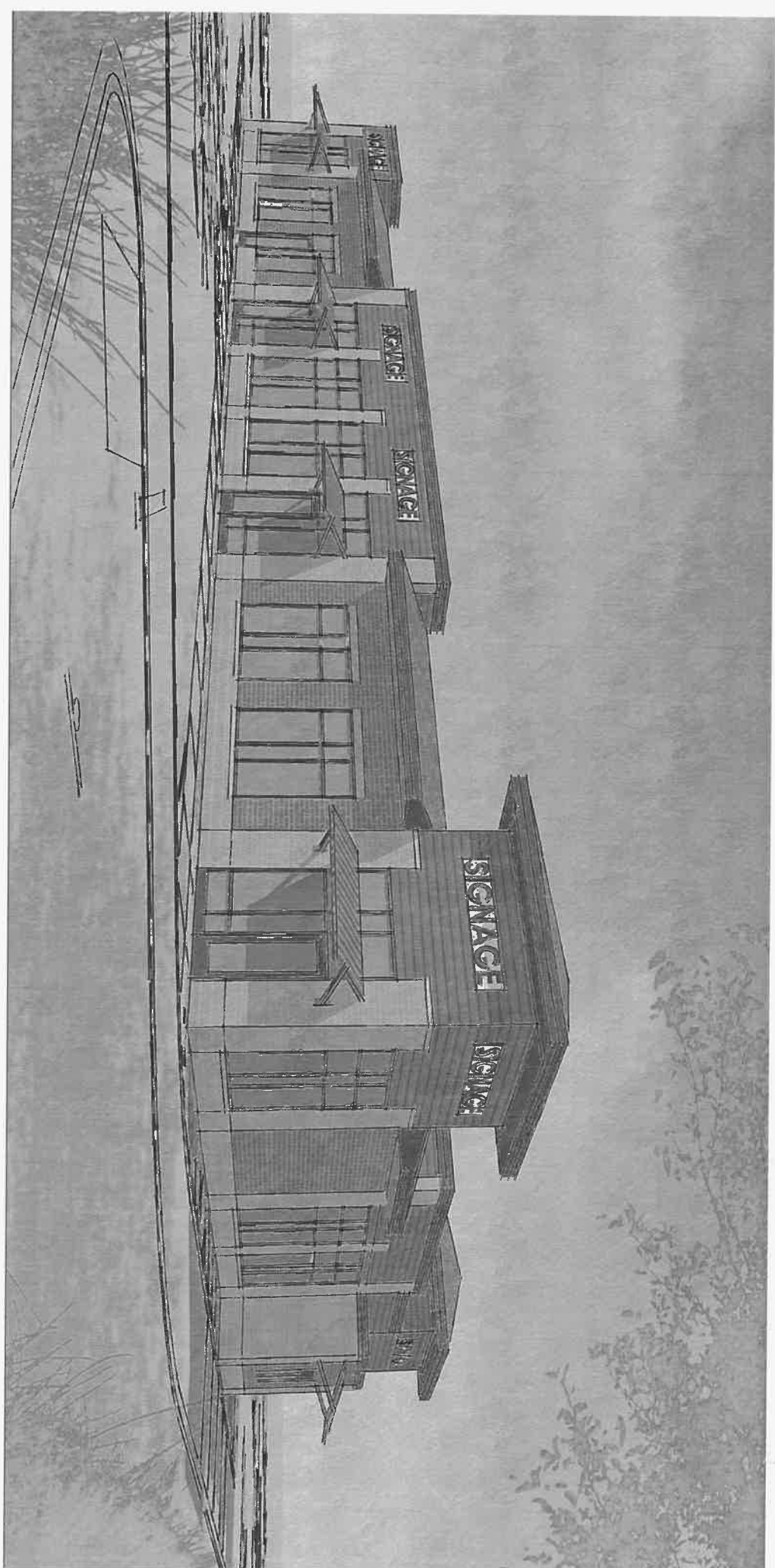
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**EXHIBIT B**

Rivers Bend Planned Development District (PDD)  
General Development Plans

**{See Site Development & Building Plan Set  
Dated January 22, 2014 ~~December 12, 2012~~ available in the Planning  
& Zoning Services, Community Development Department}**

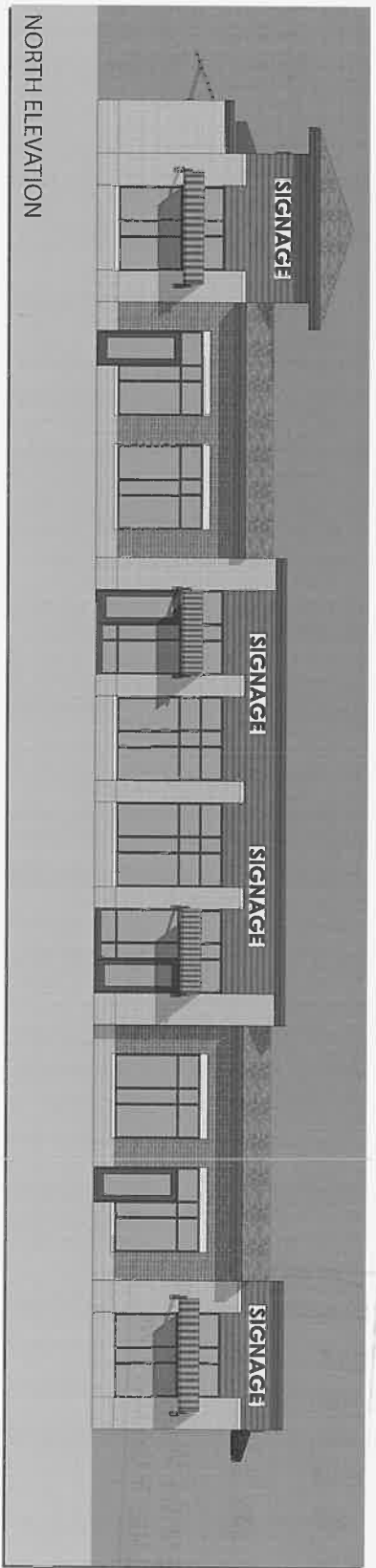
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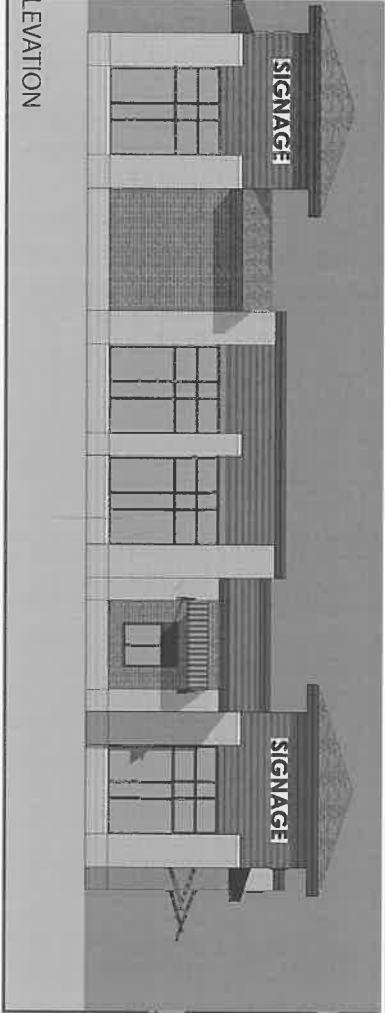
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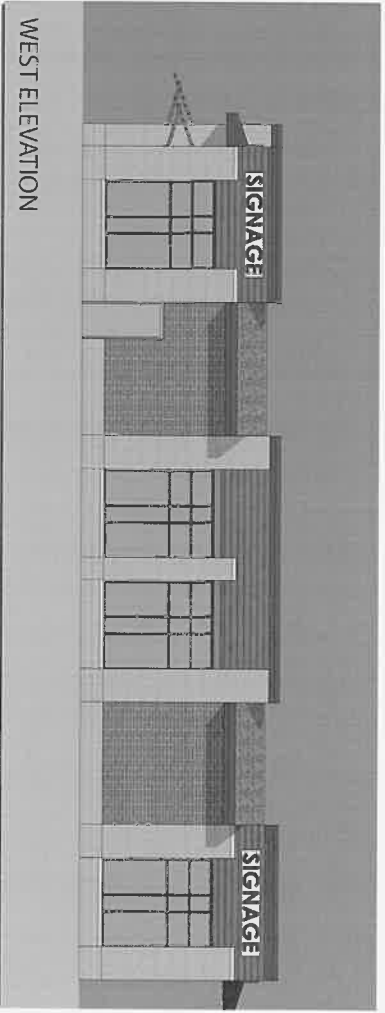
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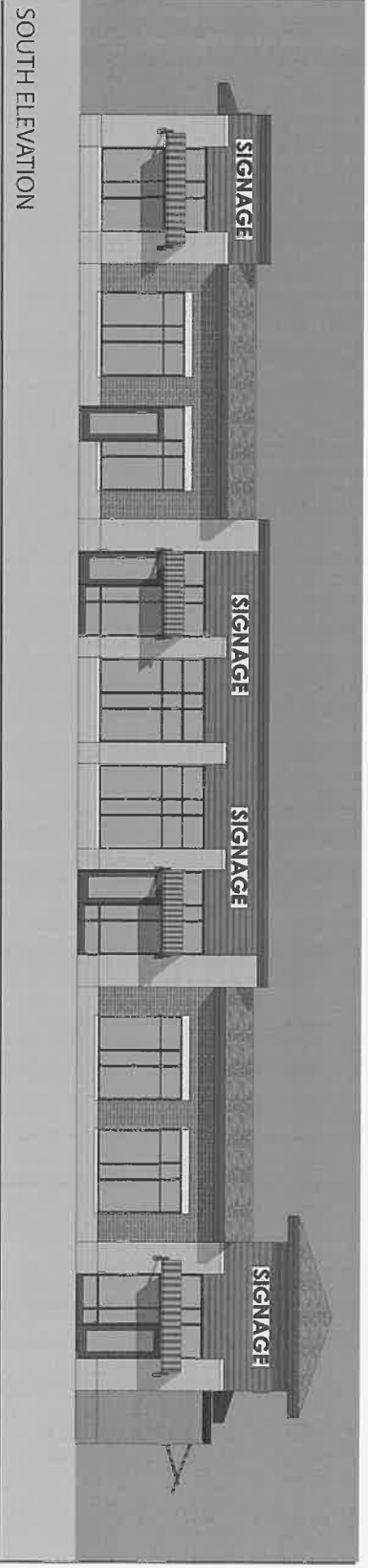
NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION



**CUP # – 13**  
Document No.

**CONDITIONAL USE PERMIT**  
Document Title

**VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN  
CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

**Continental 246 Fund LLC and Riversbend Country Club  
Inc., Property Owners**

agrees to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to permit the to allow development within the 25' wetland setback areas as presented in the Mitigation Plan dated January 9, 2013, and exhibits contained therein pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.

Name & Return Address:

**Village of Germantown  
P.O. Box 337  
Germantown, WI 53022**

Parcel Identification No:

**GTVN 333-963**

**On the following described property located in the Village of Germantown, Washington County, Wisconsin:**

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

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N96 W18034 County Line Road; Tax Key No. 333-965

**Pursuant to the following condition(s):**

1. The applicant shall prepare and submit an annual monitoring report to Village staff concerning the various management activities proposed in the mitigation plan, including the installation of native grasses and plantings within disturbed setback areas. Said report shall, at a minimum, detail the type and amount of plantings and all activities carried out in the previous year, the observed success of previous activities, recommendations for new or different activities needed to ensure success of the mitigation measures and management activities carried out, and the planned activities for the coming year. Said report shall be submitted annually at the end of each year beginning in 2014 ~~2013~~ for three (3) years.
2. The deadline for commencement of project construction shall be extended one (1) year to January 28th, 2015.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Dean Wolter, Village President

\_\_\_\_\_  
Barbara K. D. Goeckner, Village Clerk

STATE OF WISCONSIN ) SS  
WASHINGTON COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the above named Dean Wolter, Village President, and Barbara K. D. Goeckner, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
{type or print name of Notary on this line}

\_\_\_\_\_  
{signature of Notary on this line}

Notary Public, State of Wisconsin  
My Commission Expires: \_\_\_\_\_

## ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

The following named person, who is authorized to represent Continental 246 Fund LLC, hereby accept the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
{type or print name on this line}

\_\_\_\_\_  
{signature on this line}

Agent for Continental 246 Fund LLC

STATE OF WISCONSIN) SS  
\_\_\_\_\_ COUNTY)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2014, being the above named \_\_\_\_\_, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
{type or print name of Notary on this line}

\_\_\_\_\_  
{signature of Notary on this line}

This instrument was drafted by:  
Jeffrey W. Retzlaff, AICP  
Village Planner/Zoning Administrator  
Village of Germantown, Wisconsin

Notary Public, State of Wisconsin  
My Commission Expires: \_\_\_\_\_

## ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

The following named person, who is authorized to represent Riversbend Country Club Inc., hereby accept the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon may result in the revocation of this Permit by the Village of Germantown.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
{type or print name on this line}

\_\_\_\_\_  
{signature on this line}

Agent for Riversbend Country Club Inc.

STATE OF WISCONSIN) SS  
\_\_\_\_\_) COUNTY)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2014, being the above named \_\_\_\_\_, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
{type or print name of Notary on this line}

\_\_\_\_\_  
{signature of Notary on this line}

This instrument was drafted by:  
Jeffrey W. Retzlaff, AICP  
Village Planner/Zoning Administrator  
Village of Germantown, Wisconsin

Notary Public, State of Wisconsin  
My Commission Expires: \_\_\_\_\_

## NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, January 20, 2014  
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against, concerning applications filed for revisions to the RIVERSBEND COUNTRY CLUB INC-CONTINENTAL 246 FUND LLC PLANNED DEVELOPMENT DISTRICT ("RIVERSBEND PDD") described below:

Petitioner: Continental 246 Fund LLC, Agent for Riversbend Country Club, Inc., Property Owners  
Property: N96 W18034 County Line Road; Tax Key No. 333-965

A part of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 and a part of the Northeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of Section 33, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin being more particularly described as follows:  
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Copies of the applications are on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 23<sup>rd</sup> day of December, 2013.  
Barbara K. D. Goeckner, Village Clerk

To Be Published On: January 2nd and January 9th, 2014

the Prairie Glen Subdivision on Wasaukee Road in order to develop a 17 lot residential project. Planner Retzlaff summarized the proposal. Tim Voeller, agent for Bielinski Holdings LLC, commented on the proposed changes.

***MOTION Stauffacher second Baum that the proposed changes are “minor”.***

***MOTION carried unanimously.***

Trustee Baum asked about the possibility for future development where the road ends to the west. Planner Retzlaff said two neighboring property owners have expressed an interest in further developing their properties.

***MOTION Stauffacher second Peck to Approve the Conditions and Restrictions Resolution for Prairie Glen North as proposed in draft by the Village Planner.***

Discussion continued regarding traffic. Planner Retzlaff said the Public Works Department may require by-pass lanes as a part of the intersection improvements. He said the Developers Agreement will address public improvement requirements that will ensure the roads are built according to Village standards.

***MOTION carried unanimously.***

**Extreme Stainless – Kleinmann Drive.** Prospective purchaser of a 5.65 acre parcel is requesting a consultation with the Plan Commission regarding a proposed 16,000 sqft industrial building. Planner Retzlaff summarized the proposal. He explained the site has a significant amount of wetlands and a 75' gas line easement. Paul Grzeszczak, Briohn Building, also spoke on the project.

Commissioner Peck said the design looks like an efficient use of space and aesthetically looked acceptable. Trustee Baum recommended sliding the building back and moving the water retention pond into the gas easement area to get another row of parking at the street. Mr. Grzeszczak said they will need to work that issue out with the Gas Company. Chairman Wolter asked if Commissioners were ok with the building design. Trustee Baum had no objections. Chairman Wolter said the development is as best as can be expected for the site.

This item was a consultation. No action was required.

**Continental 246 Fund LLC and Riversbend County Club Inc. – N96 W18034 County Line Road.** Revised site development and building plans for the re-development of a portion of the Riversbend Country Club golf course property to include a new golf club house, one sit-down restaurant (Buffalo Wild Wings) and a 9,200 sqft multi-tenant retail building. Planner Retzlaff summarized the revised plans. He said the traffic study information provided indicate the daily trip traffic projected will increase 30 percent more than what was projected under the approved development plan. He said verification is needed that the list of improvements

required in the original traffic study is the same list of improvements that are called for in the revised development plan. Adding to the list of issues and concerns, he said proposed building elevations are not at the standard we'd like to see for this Planned Development District.

Sara Johnson, Continental Properties, explained that they tried to reach out to national tenants trying to get another sit down restaurant but unfortunately were not able to get any interest in the property. She said Continental decided to take on the overall development and construction with a multi-tenant building. She continued to summarize the proposal.

***MOTION Peck second Stauffacher that the proposed changes are a major change to the PDD.***

***MOTION carried unanimously.***

Plan Commission had the following comments and concerns:

- Sit down restaurant preferred – not retail
- Appreciate all the work to make development work, but there are problems with the drive thru and traffic increases over the approved plans
- Could parking be located on the east side to help with traffic flow

Sara said they had considered different building layouts to alleviate drive thru traffic and parking concerns, but the smaller tenants dropped off when those plans were discussed saying they wanted the visibility from County Line Road. PC comments continued:

- Two garbage enclosures will be visible from County Line Road
- Increase in traffic is a concern
- Internal traffic also a concern – does traffic study show calculations
- Parking spaces in front of businesses complicate the drive-thru traffic
- Eliminate drive-thru

Steve Wagner, Senior Vice-President Retail Leasing for Continental, said the small shop user needs and wants a national recognizable tenant and if the drive-thru is eliminated and that national tenant is gone, the project would not develop.

Planner Retzlaff said the traffic study didn't analyze the impact on internal circulation. Pete Sorenson from Buffalo Wild Wings said most of their sales occur after 5 p.m. and that he was ok with the morning traffic and drive-thru traffic. Commissioner Stauffacher said there was too much uncertainty tonight and to view tonight as a consultation meeting. He said a decision should be postponed until a solution is worked out to alleviate the concerns expressed tonight.

Ms. Johnson asked for suggestions to correct drive-thru concerns. Trustee Baum suggested turning the retail building 90 degrees so the front faces east. Mr. Wagner

said the front doors need to face the parking field. Planner Retzlaff said the south side of the building needs to be dressed up. He said there is no green space and improvements to the façade are needed. Also the front parking needs landscaping.

***MOTION Stauffacher second Gray to Postpone to a Special Plan Commission Meeting scheduled for 1-27-14.***

Ms. Johnson asked for suggestions on how to revise the elevations.

***MOTION carried unanimously.***

Plan Commission had the following comments to the elevations:

- Provide a live simulation of changes
- Services doors are flush – need articulation
- Don't like big panels
- Like tower feature
- Don't like metal panels
- Box wall needs more articulation
- Awning is wimpy – should be more massive
- Could the building be moved to the west property line
- Could building move north or end tenants move forward to allow for more landscaping
- More articulation needed
- Are roof top mechanicals screened and panel joints visible on Buffalo Wild Wings

Commissioner Warren asked to have their traffic engineer contact him directly so he could clarify the Plan Commission concerns. Chairman Wolter thanked Buffalo Wild Wings for staying with this project and said residents are looking forward to the restaurant. He also thanked the Plan Commission for their comments and openness to listen and come to workable solution.

**ANNOUNCEMENTS:** None

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 10:30 p.m.

Respectfully submitted,

Lori Johnson  
Planning Assistant



***MOTION carried (4-2 Wolter, Warren)***

Chairman Wolter said he feels the building is acceptable for the area and is appreciative of the time and effort Airgas has put in to get to this point. Commissioner Stauffacher asked for a rendering that would show what the north elevation would look like from Mequon Road. Mr. Kucha said a true view from Mequon Road would show a lot of vegetation on the berm which would obscure views of the building. Rick Miller thinks the project can work by adding additional trees to the berm. Mr. Stawicki said Airgas would be willing to come back with some additional landscaping that would help the view from Mequon Road, but will not make changes to the building.

***MOTION Stauffacher second Peck to Postpone until February 3<sup>rd</sup> to provide an opportunity for the applicant to come back with renderings of the north elevation from Mequon Road including the additional landscaping as it will look after it has been installed within one year of planting.***

***MOTION carried unanimously.***

**Village of Germantown /Airgas Safety – Lot 41 of CSM 6488 in the Germantown Business Park (SW Corner of Mequon Road and Eisenhower Drive.** Request for approval of a rezoning application and conditional use permit regarding 1.055 acres (45,955 sqft) of wetland located on Lot 41 in the Germantown Business Park. Planner Retzlaff summarized the proposal and discussed the history of land acquisition, past wetland delineations, how the original wetland grew into an artificial wetland, and the DNR's issuance of a wetland fill permit in January 2014. Trustee Baum asked if the Village would fill the wetland even if the Airgas project did not proceed. Planner Retzlaff indicated it would.

***MOTION Baum second Warren to Approve the Rezoning application to rezone and remove 45,955 sqft (1.055 acres) of area from the Shoreland-Wetland Zoning District as shown in Wetland Exhibit A (dated December 19, 2013) at such time as said area is filled, AND***

***APPROVE a Conditional Use Permit to allow development up to 6,300 sqft within the 25' wetland setback area as shown in the Site Plan (Sheet L-1.0 with a revision date of January 23, 2014) pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.***

***MOTION carried unanimously.***

\*

**Continental 246 Fund LLC and Riversbend County Club Inc. – N96 W18034 County Line Road.** Revised site development and building plans for the re-development of a portion of the Riversbend Country Club golf course property to include a new golf club house, one sit-down restaurant (Buffalo Wild Wings) and a 9,150 sqft multi-tenant retail building. Steve Wagner, Continental Fund, spoke regarding revisions to the plan. John Bieberitz, TADI, went over results from the traffic study saying this sight plan was better than the last one and that traffic lights and signals are still warranted. Kevin Thode, RSP Architects, spoke regarding the Buffalo Wild Wings. He said the building presented is a new proto type for the franchise but functions are the same. Dominic Ferrante, Briohn Design commented on changes to the retail building and presented 3-D renderings of the building and site. Steve Wagner commented on changes to the original plan:

- traffic lights will be synchronized
- increased tree size and density at north parking lot

- low level bushes added to seeded area at retail building
- foundation plantings will be added to the Buffalo Wild Wings foundation area
- bark mulch will be used instead of stone mulch
- dumpster enclosure plans will be provided.

Commissioner Peck questioned the need for the six parking spaces along County Line Road. Mr. Wagner said the spaces would be used for employee parking and delivery trucks. Mr. Bieberitz said traffic lights along County Line Road would be synchronized during certain peak-hour times and use video detection when not synchronized.

***MOTION Baum second Warren to Approve the revised Riversbend Planned Development District (PDD) conditions & restrictions resolution (Res. No. 02-13) as appropriate to reflect the revised development plans prior to review and approval by the Village Board.***

***MOTION carried unanimously.***

***MOTION Baum second Stauffacher to Approve the 4-lot Certified Survey Map land division for the 41 +/-acre property owned by the Riversbend Country Club Inc. located on County Line road subject to the following:***

- 1. All technical corrections identified by the Village Surveyor as set forth in the November 27, 2012 (revised date of December 13, 2013) memo, and, any further review comments and recommended corrections resulting from the Surveyor's review of the revised CSM submitted on January 23, 2014, shall be made prior to recording the CSM.***
- 2. The required cross-access easement agreement(s) for the benefit of Lot 4 shall be shown on the CSM and the access easement agreement shall include provisions addressing the proposed shared parking arrangement. Said easement agreement shall be prepared and submitted for review and approval by the Village Attorney prior to recording the CSM.***

***MOTION carried unanimously.***

***MOTION Baum second Warren to Approve the revised site development and building plans for the proposed development on 3.32 +/-acres of the Riversbend property located on County Line Road subject to the following:***

- 1. Subject to further required revision by the Plan Commission, approval is granted for the revised site development and building plan set dated January 23, 2014;***
- 2. Subject to further revision by the Plan Commission, approval is granted for the multi-tenant retail building elevation dated January 23, 2014;***
- 3. Subject to further revision by the Plan Commission, approval is granted for the Buffalo Wild Wings revised elevation and floor plans dated January 23, 2014;***
- 4. Subject to further revision by the Plan Commission, approval is granted for the Rivers Bend Golf Course club house revised building elevation and floor plans dated December 27, 2012;***
- 5. All landscaping, screening, and lighting 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.*

- 6. A monitored sprinkler system and Knox Box shall be installed in each of the proposed commercial buildings (Buffalo Wild Wings, multi-tenant building, and Rivers Bend golf course club house) as required by the Fire Department.*
- 7. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.*
- 8. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application for each of the proposed commercial buildings.*
- 9. The landscape berm and evergreen tree buffer adjacent to the northeast corner of the parking area and along the east side of the parking area shall be enhanced with more and larger/taller (min. 10-12' planted height) evergreen and deciduous trees. Additional landscaping comprised of deciduous and evergreen trees and shrubs shall also be installed: (a) around the perimeter of the outdoor patio on the west side of the club house to better buffer the residential area from outdoor club house activity; (b) within the narrow area between the drive-through lane and the frontage road serving the site (shown in the original plan as "seeded lawn"); and in the open area in front of the multi-tenant building. This additional landscape screening shall be shown in a revised landscape plan submitted to the Village Planner for review/approval prior to issuance of an occupancy permit.*
- 10. The applicant shall submit a detailed foundation planting plan for the Buffalo Wild Wings building as either a supplemental plan or revision to the overall landscape plan to the Village Planner for review and approval prior to issuance of a building permit.*
- 11. Complete dumpster enclosure plans shall be prepared and submitted to the Village Planner for review and approval prior to issuance of a building permit. Each enclosure shall be comprised of the same masonry or other comparable materials as their respective principal buildings. Particular attention shall be given to the appearance of the enclosures visible from County Line Road.*
- 12. All technical corrections and issues raised in the Village Engineer's January 6, 2014 memo shall be addressed and reflected in a revised plan set submitted to the Village Engineer for review/approval prior to issuance of a building permit.*
- 13. As set forth in the traffic impact study prepared by Traffic Analysis & Design, Inc. all of the roadway improvements listed on page 8 of their December 20, 2012 memorandum (including installation of a traffic signal and specific turn-lane improvements) shall be installed by the applicant. The list of improvements shall be re-evaluated and either affirmed or revised accordingly as a result of the revised development plans prior to issuance of a building permit. The applicant shall be responsible for 100 percent of the costs used in preparing the Traffic Impact Study and Progression Analysis to the Village of Germantown and any other affected/interested agency having jurisdiction over the maintenance and/or operation of the traffic control devices and right-of-way for the County Line Road corridor from Appleton Avenue to Division Road, in whole or in part, to ensure implementation of the recommended and optimal traffic signal offsets and timing along the corridor.*
- 14. The applicant shall enter into a Developer's Agreement with the Village of*

***Germantown that shall include at a minimum all of the items set forth in the Village Engineer's January 6, 2014 memo. Said Agreement shall be in place prior to issuance of a building permit.***

- 15. Approval is subject to the applicant providing written documentation to the Village reviewed and deemed acceptable to the Village Attorney that indicates all property owners and/or tenants have a legal right to use, modify and improve (i.e. install the recommended traffic control devices) the access driveway/frontage road shared with the Holiday Inn, KFC and Speedway.***

Trustee Baum asked if Continental was OK with the conditions of approval. Mr. Wagner said they were agreeable to all the conditions. Commissioner Peck did not like the wall light sconces on the Buffalo Wild Wings building adding that he thought they looked strange and out of scale. Commissioner Stauffacher commented that he could not support this development because he doesn't support using a PDD to make something happen that is otherwise not allowed.

***MOTION carried 5-1 (Stauffacher)***

***MOTION Baum second Yokes to Approve the proposed common monument sign and individual wall signs subject to the following conditions:***

- 1. The monument sign plan dated November 27, 2013;***
- 2. The Buffalo Wild Wings sign "package" dated November 26, 2013, that includes a total of three wall signs to be mounted on the north elevation and one wall sign on the south elevation is approved provided that the total amount of sign area does not exceed the maximum 112.5 sqft allowed per the Village Zoning Code.***
- 3. The Rivers Bend wall sign presented in the "package" dated September 27, 2012, to be mounted above the entrance on the south elevation is approved.***
- 4. The developer/owner of the multi-tenant building shall develop a set of standards to guide the design and installation of the proposed wall signage. At a minimum, wall signage shall be comprised of individual, internally-lit channel letters (no sign cabinets or flush-mounted plastic or aluminum lettering) meeting the Village's sign regulations. Wall signs can be installed on both the north and south elevations provided that the total amount of sign area does not exceed the maximum 180 sqft allowed per the Village Zoning Code.***
- 5. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.***
- 6. All electrical sign components must be listed and labeled by a recognized lab.***
- 7. Sign permits are required for all permanent and temporary exterior signage for all tenants.***

***MOTION carried unanimously.***

***MOTION Baum second Warren to Approve an extension of the 1-year expiration time period in CUP No. 03-13 and revise the reporting period for the required annual monitoring report set forth therein (to start in 2014 vs 2013).***

***MOTION carried unanimously.***

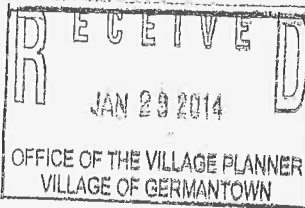
Chairman Wolter said the PDD will go to the Village Board for approval on February 3 and a public hearing is scheduled.

# CERTIFIED SURVEY MAP

FOR

RIVERSBEND COUNTRY CLUB, INC.

LOCATED IN A PART OF THE SE 1/4 & NE 1/4 OF THE SW 1/4 AND A PART OF THE SW 1/4 & THE NW 1/4 OF THE SE 1/4, SECTION 33, T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.



SEE SHEET 2

LOT 4  
34.656 ACRES  
(1,509,615 SQ. FT.)  
(AREA TO MEANDER LINE)  
EXISTING ZONING: I  
PROPOSED ZONING: I

Riversbend Condominium

RIVERSBEND  
CIRCLE WEST

UNPLATTED LANDS

25' WETLAND SETBACK LINE

EXISTING  
BUILDING TO  
BE RAZED

LOT 3  
1.732 ACRES  
(75,429 SQ. FT.)  
EXISTING ZONING: I  
PROPOSED ZONING: B-1  
W/ PDD OVERLAY

WETLAND BOUNDARY DELINEATED ON  
JUNE 20, 2011 BY GRANT DUCHAC OF  
EXCEL ENGINEERING, INC.

UNPLATTED LANDS

100 YEAR FLOOD LINE PER AS SCALED  
FROM FLOOD INSURANCE RATE MAP  
PANEL NO. 55131C0359D.

L=152.05'  
R=1943.48'  
CB=S75°12'06"W  
CH=152.01'

MENOMONEE  
RIVER

UNPLATTED LANDS

BUILDING SETBACKS  
B-1 ZONING:  
FRONT = 30'  
SIDE = 20'  
REAR = 30'

NW COR.-SE 1/4  
SEC. 4-8-20  
BRASS CAP MONUMENT  
S89°20'37"W  
23.00'

P.O.C.  
SW COR.-SE 1/4  
SEC. 33-9-20  
BRASS CAP MONUMENT  
N: 440,014.79  
E: 2,497,942.67

NORTH POINT REFERENCED TO THE WISCONSIN  
COORDINATE GRID SYSTEM, SOUTH ZONE  
(NAD-27). THE SOUTH LINE OF THE SOUTHEAST  
QUARTER HAS A BEARING OF NORTH  
89°-10'-33" EAST

THIS INSTRUMENT DRAFTED BY RYAN WILGREEN

100' 0 100' 200'  
SCALE SHEET 1 OF 5 SHEETS FEET

EASEMENT NOTES:  
1. AN INGRESS/EGRESS EASEMENT FOR  
ACCESS TO THE SANITARY LIFT STATION  
ACROSS LOT 1, LOT 2 & LOT 3 WILL BE  
CREATED PER A SEPARATE DOCUMENT.  
2. AN INGRESS/EGRESS EASEMENT TO  
LOTS 1, 2, 3 & 4 FROM THE PUBLIC  
RIGHT OF WAY WILL BE CREATED PER A  
SEPARATE DOCUMENT.

LOT 1  
CSM NO. 3903  
DOC. #607696

LOT 1  
0.511 ACRES  
(22,245 SQ. FT.)  
EXISTING ZONING: I  
PROPOSED ZONING: B-1  
W/ PDD OVERLAY

LOT 1  
CSM NO. 3525  
DOC. #558777

## LEGEND

- ⊗ - 3/4" x 18" REBAR SET  
WEIGHING 1.50 LBS/FT.
- ▲ - 1" IRON PIPE FOUND.
- - 3/4" REBAR FOUND
- ⊙ - SECTION CORNER MON. FOUND.

SE COR.-SE 1/4  
SEC. 33-9-20  
BRASS CAP MONUMENT  
N: 440,052.74  
E: 2,500,581.20

OWNER:  
RIVERSBEND COUNTRY CLUB, INC.  
N96 W18034 COUNTY LINE ROAD  
GERMANTOWN, WI 53022

**Excel**  
ENGINEERING Inc.  
SURVEYING GROUP  
PROJECT NO. 1108680

Always a Better Plan

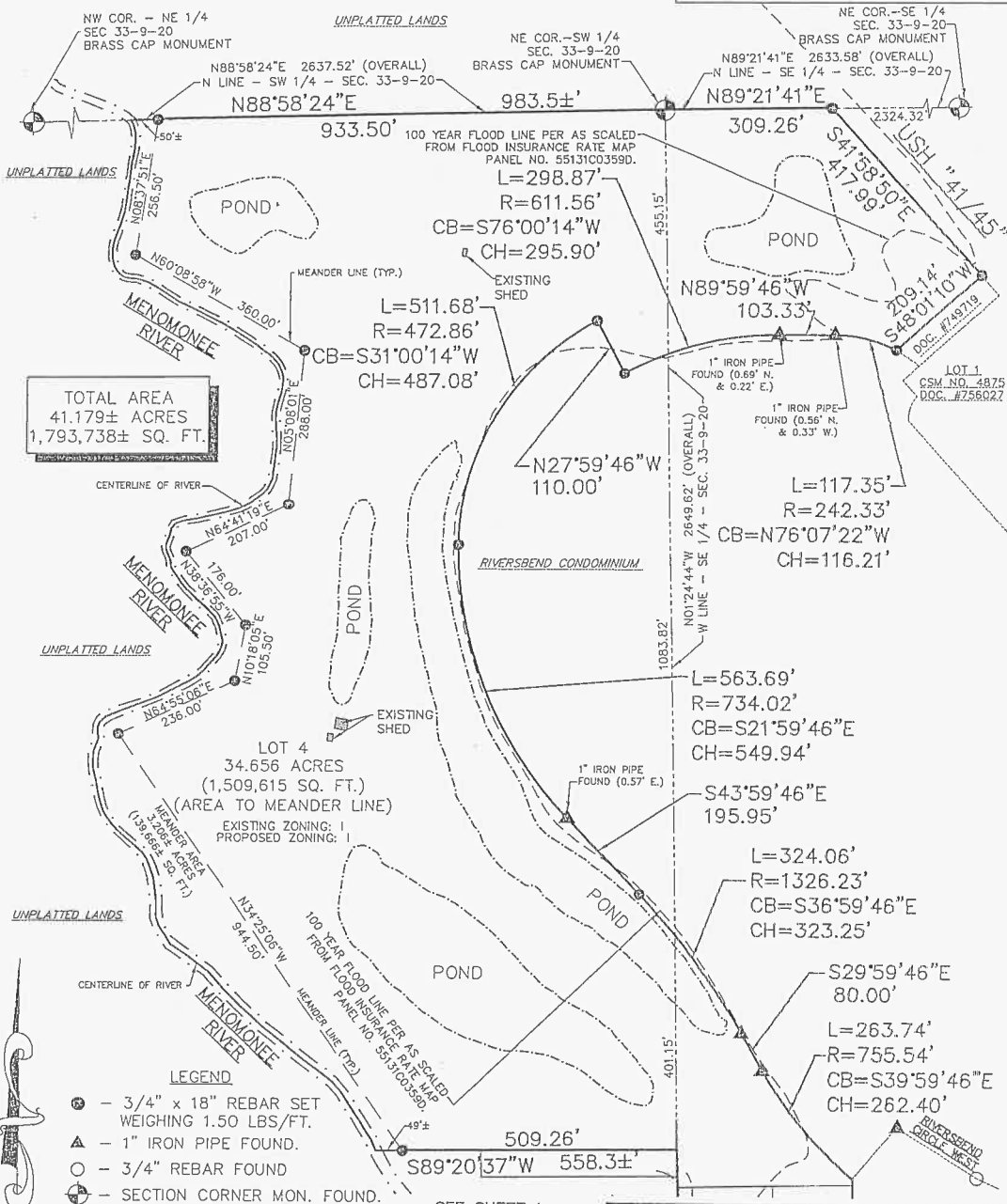
100 CAMELOT DRIVE  
FOND DU LAC, WI 54935  
PHONE: (920) 926-9800  
FAX: (920) 926-9801

# CERTIFIED SURVEY MAP

FOR

RIVERSBEND COUNTRY CLUB, INC.

LOCATED IN A PART OF THE SE 1/4 & NE 1/4 OF THE SW 1/4 AND A PART OF THE SW 1/4 & THE NW 1/4 OF THE SE 1/4, SECTION 33, T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.



TOTAL AREA  
41.179± ACRES  
1,793,738± SQ. FT.

LOT 4  
34.656 ACRES  
(1,509,615 SQ. FT.)  
(AREA TO MEANDER LINE)  
EXISTING ZONING: I  
PROPOSED ZONING: I

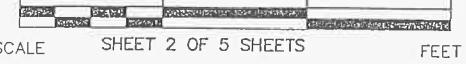
LOT 1  
CSM NO. 4875  
DOC. #756027



- LEGEND**
- ⊗ - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS/FT.
  - ▲ - 1" IRON PIPE FOUND.
  - - 3/4" REBAR FOUND
  - ⊙ - SECTION CORNER MON. FOUND.

SEE SHEET 1  
NORTH POINT REFERENCED TO THE WISCONSIN COORDINATE GRID SYSTEM, SOUTH ZONE (NAD-27). THE SOUTH LINE OF THE SOUTHEAST QUARTER HAS A BEARING OF NORTH 89°-10'-33" EAST

THIS INSTRUMENT DRAFTED BY RYAN WILGREEN





**EXCEL**  
ENGINEERING Inc.  
SURVEYING GROUP  
PROJECT NO. 1108680

Always a Better Plan

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

## **CERTIFIED SURVEY MAP**

A PART OF THE SE 1/4 & NE 1/4 OF THE SW 1/4 AND A PART OF THE SW 1/4 & THE NW  
1/4 OF THE SE 1/4, SECTION 33 T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN,  
WASHINGTON COUNTY, WISCONSIN.

### **SURVEYOR'S CERTIFICATE**

I, Ryan Wilgreen, Professional Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a parcel of land described below.

That I have made such Certified Survey under the direction of Riversbend Country Club, Inc.  
bounded and described as follows:

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

Commencing at the Southwest corner of the Southeast 1/4 of said Section 33; thence North 01°-24'-44" West along the West line of the Southeast 1/4 of said Section 33, a distance of 168.69 feet to the point of beginning; thence continuing North 01°-24'-44" West along said West line, a distance of 540.81 feet to a line parallel with the South line of the Southwest 1/4 of said Section 33; thence South 89°-20'-37" West along said parallel line, a distance of 509.26 feet to an Easterly Meander Line of the Menomonee River; thence North 34°-25'-06" West along said meander line, a distance of 944.50 feet; thence North 64°-55'-06" East along said meander line, a distance of 236.00 feet; thence North 10°-18'-05" East along said meander line, a distance of 105.50 feet; thence North 38°-36'-55" West along said meander line, a distance of 176.00 feet; thence North 64°-41'-19" East along said meander line, a distance of 207.00 feet; thence North 05°-08'-01" East along said meander line, a distance of 288.00 feet; thence North 60°-08'-58" West along said meander line, a distance of 360.00 feet; thence North 08°-37'-51" East along said meander line, a distance of 256.50 feet to the North line of the Southwest 1/4 of said Section 33; thence North 88°-58'-24" East along said North line, a distance of 933.50 feet to the Northeast corner of said Southwest 1/4; thence North 89°-21'-41" East along the North line of the Southeast 1/4 of said Section 33, a distance of 309.26 feet to the Southwesterly right of way line of USH 41/45; thence South 41°-58'-50" East along said Southwesterly line, a distance of 417.99 feet to the Northwesterly line of a parcel of land described per Document No. 749719; thence South 48°-01'-10" West along said Northwesterly line, a distance of 209.14 feet to a Northerly line of the Riversbend Condominium; thence Northwesterly 117.35 feet along said Northerly line on a curve to the left having a radius of 242.33 feet; the chord of said curve bears North 76°-07'-22" West, a chord distance of 116.21 feet; thence North 89°-59'-46" West along said Northerly line, a distance of 103.33 feet; thence Southwesterly 298.87 feet along said Northerly line on a curve to the left having a radius of 611.56 feet, the chord of said curve bears South 76°-00'-14" West, a chord distance of 295.90 feet; thence North 27°-59'-46" West along said Northerly line, a distance of 110.00 feet to a Westerly line of the Riversbend Condominium; thence Southwesterly 511.68 feet along said Westerly line on a curve to the left having a radius of 472.86 feet, the chord of said curve bears South 31°-00'-14" West, a chord distance of 487.08 feet; thence Southeasterly 563.69 feet along said Westerly line on a curve to the left having a radius of 734.02 feet, the chord of said curve bears South 21°-59'-46" East, a chord distance of 549.94 feet; thence South 43°-59'-46" East along said Westerly line, a distance of 195.95 feet; thence Southeasterly 324.06 feet along said Westerly line on a curve to the right having a radius of 1326.23 feet, the chord of said curve bears South 36°-59'-46" East, a chord distance of 323.25 feet; thence South 29°-59'-46" East along said Westerly line, a distance of 80.00 feet; thence Southeasterly 263.74 feet along said Westerly line on a curve to the left having a radius of 755.54 feet, the chord of said curve bears South 39°-59'-46" East, a chord distance of 262.40 feet to a Westerly line of Lot 1 of Certified Survey Map No. 3903 recorded in the Washington County Register of Deeds office as Document No. 607696 in Volume 25, Page 14; thence South 00°-00'-14" West along said Westerly line, a distance of 95.00 feet; thence South 19°-26'-50" West along said Westerly line, a distance of 108.76 feet; thence South 15°-59'-46" East along said Westerly line, a distance of 184.00 feet; thence South 23°-00'-14" West along said Westerly line, a distance of 122.00 feet to the Northerly right-of-way line of County Trunk Highway "Q"; thence South 74°-23'-44" West along said Northerly right-of-way line, a distance of 117.00 feet; thence North 15°-36'-16" West, a distance of 70.00 feet; thence Southwesterly 152.05 feet on a curve to the right having a radius of 1943.48 feet, the chord of said curve bears South 75°-12'-06" West, a chord distance of 152.01 feet to the point of beginning and containing 37.972 acres (1,654,083 sq. ft.) more or less and being subject to all easements and restrictions of record.

SUREYOR'S CERTIFICATE AND LEGAL DESCRIPTION CONTINUED ON PAGE 4.  
SHEET 3 OF 5 SHEETS



***CERTIFIED SURVEY MAP***

A PART OF THE SE 1/4 & NE 1/4 OF THE SW 1/4 AND A PART OF THE SW 1/4 & THE NW 1/4 OF THE SE 1/4, SECTION 33 T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN.

**SURVEYOR'S CERTIFICATE-CONTINUED**

ALSO;

Those lands lying between said Easterly Meander Line and the centerline of the Menomonee River containing 3.206 acres (139,666 Sq. Ft.) of land more or less and being subject to all easements and restrictions of record.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of The Village of Germantown in surveying, dividing, and mapping the same.

\_\_\_\_\_  
Ryan Wilgreen, P.L.S. No. S-2647  
Excel Engineering, Inc.  
Fond du Lac, Wisconsin 54935  
Project Number: 1108680

**Village of Germantown Planning Commission Approval**

This Certified Survey Map is hereby approved by the Planning Commission of the Village of Germantown on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_(Date)  
Dean Wolter, Chairman

\_\_\_\_\_(Date)  
Laura A. Johnson, Secretary

**Village of Germantown Board Approval**

This Certified Survey Map, being a division of the Southeast 1/4 & Northeast 1/4 of the Southwest 1/4 and of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4, Section 33, Township 9 North - Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Planning Commission being the same, is hereby approved by the Village Board of Trustees of the Village of Germantown on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_(Date)  
Dean Wolter, Village President

\_\_\_\_\_(Date)  
Barbara K.D. Goeckner, Village Clerk

SHEET 4 OF 5 SHEETS

This instrument was drafted by Ryan Wilgreen, RLS S-2647



**CERTIFIED SURVEY MAP**

A PART OF THE SE 1/4 & NE 1/4 OF THE SW 1/4 AND A PART OF THE SW 1/4 & THE  
NW 1/4 OF THE SE 1/4, SECTION 33 T. 9 N.-R. 20 E., VILLAGE OF GERMANTOWN,  
WASHINGTON COUNTY, WISCONSIN.

**CORPORATE OWNER'S CERTIFICATE**

Riversbend Country Club, Inc., a corporation duly organized and existing under and by  
virtue of the laws of the State of Wisconsin, as Owner does hereby certify that said  
corporation caused the land described on this plat to be surveyed, divided and mapped as  
represented on this plat.

Riversbend Country Club, Inc., as Owner, also certifies that this plat is required by s.  
236.10 or s. 236.12 to be submitted to the following for approval or objection:

1. Village of Germantown

IN WITNESS WHEREOF, the said Riversbend Country Club, Inc., has caused these  
presents to be signed by Charles L. Schmit, its Owner at \_\_\_\_\_, Wisconsin,  
and its corporate seal to be hereunto affixed on this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

IN PRESENCE OF:

Riversbend Country Club, Inc.,

\_\_\_\_\_  
Charles L. Schmit, Owner

STATE OF WISCONSIN       )  
\_\_\_\_\_ COUNTY       )SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, the above named  
Charles L. Schmit of the above named corporation, to me known to be the persons who  
executed the foregoing instrument, and to me known to be such Owner of said corporation,  
and acknowledged that they executed the foregoing instrument as such officers as the deed  
of said corporation by its authority.

\_\_\_\_\_  
Notary Public, \_\_\_\_\_ County, WI

My Commission Expires: \_\_\_\_\_

SHEET 5 OF 5 SHEETS

This instrument was drafted by Ryan Wilgreen, RLS S-2647

X-E  
X-D

**BUSINESS OF THE VILLAGE BOARD  
GERMANTOWN, WI**

**MEETING DATE:** February 3, 2014

**AGENDA ITEM:** Public Hearing & New Business

**ITEM TITLE:** Village of Germantown, Property Owners, and Airgas Safety (a Division of Airgas Inc.); Lot 41 of CSM #6488 in the Germantown Business Park; Rezoning & Conditional Use Permit (CUP)

**SUBMITTED BY:** Jeffrey W. Retzlaff, Director, Community Development Department

**SUMMARY EXPLANATION:**

The Village of Germantown is seeking approval of: (1) a rezoning petition to remove land from the Shoreland-Wetland Overlay Zoning District pursuant to the Wetland Fill Permit granted by the Wis. DNR approving the fill of 45,995 sqft of wetland; and (2) a conditional use permit to disturb approximately 6,300 sqft of wetland setback area adjacent to the filled wetland.

The Village and Airgas have received the necessary permit approvals from the Wisconsin DNR and Army Corps of Engineers (ACOE) to fill 45,995 sqft (1.055 acres) of wetlands on the property. Removal of the wetland from the overlay zoning district is appropriate because once the area is filled it would no longer qualify to be included in the Shoreland-Wetland Zoning District.

In addition to the rezoning, Airgas is proposing additional disturbance to portions of the 25' wetland setback that would remain after the wetland is partially filled. The amount and location of wetland setback area disturbed is approximately 6,300 sqft located adjacent to the parking area and retaining wall to be constructed along the wetland fill line. In discussing their Mitigation Plan, Airgas proposes to enhance the remaining existing wetlands on the property by removing the reed canary grass and other invasive species located within the wetland along with approximately 8,000 sqft of seeding with native, wet-tolerant plantings adjacent to the remaining wetland area.

**ATTACHMENTS:**

- ◆ 1/27/14 Staff Report
- ◆ 1/27/14 Plan Commission Meeting Minutes
- ◆ Wetland Fill Permit DNR# IP-SE-2013-67-03395
- ◆ Site Plans
- ◆ Draft Rezoning Ordinance
- ◆ Draft CUP

**PLAN COMMISSION RECOMMENDATION:**

**APPROVE** the rezoning and CUP as proposed.

# REZONING & CONDITIONAL USE PERMIT APPLICATIONS

1/27/14 Plan Commission Meeting

## Village of Germantown / Airgas Safety

Village Planner Report

Germantown, Wisconsin

### Summary

The Village of Germantown, property owner, is requesting approval of a rezoning application and conditional use permit regarding 1.055 acres (45,955 sqft) of wetland located on Lot 41 in the Germantown Business Park.

**Property Location:** Eisenhower Drive @ Mequon Road

**Applicant/  
Property Owner:** Village of Germantown  
N112 W17001 Mequon Road  
Germantown, WI 53022

**Current Zoning:** M-1: Limited Industrial

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

### Location Map



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## Background

In 2001, the Village acquired the northernmost 80 acres of the Business Park adjacent to and south of Mequon Road. Soon after, the Village began the process of rezoning, dividing and improving the land for development. One of the factors that played a role in determining the road layout is the presence of wetlands on both sides of what is now Eisenhower Drive (see attached). In 2002, as required under Village Code and DNR regulations, the small wetland area lying west of Eisenhower Drive was delineated and mapped as part of the CSM creating the lots and road rights-of-way in this portion of the Business Park. At that time, the wetland area west of Eisenhower Drive (on the land now referred to as Lot 41) was approximately 4,640 sqft.

Because DNR-approved wetland delineations are only valid for 5 years, the Village conducted another wetland delineation of the Village-owned, vacant parcels in the Business Park in 2008. The 2008 wetland delineation revealed that the small 4,640 sqft wetland lying within Lot 41 adjacent to Eisenhower Drive had expanded almost 10 times its original size to over 40,000 sqft in area. Moreover, the 2008 delineation also revealed that a much larger wetland area had evolved around a narrow, north-south drainage swale on Lot 41.

DNR staff determined at that time that the expanded wetland area adjacent to Eisenhower Drive and the wetland that evolved around the drainage swale were "artificial" wetlands. Since "artificial" wetlands are exempt from DNR wetland regulations (unless the DNR determines that a particular artificial wetland has "significant functional value"), the Village was told by the DNR it was able to fill and/or otherwise develop those areas. In fact, in 2008 the Village filled the wetland area that had evolved around the drainage swale on the west side of Lot 41 as part of a project to improve storm water management within the Business Park (the new north-south drainage ditch is visible on the photo on page 1 of this report).

In early 2013, the Village was approached by Airgas Inc., a prospective purchaser for Lot 41, with plans for development of a planned office and distribution facility. Given the extent of development contemplated for Lot 41, the issue of needing to fill the remaining "artificial" wetland on Lot 41 was investigated with the DNR. In the course of their investigation, DNR staff determined that this wetland area is not artificial and subject to all DNR regulations and permitting. To complicate matters, the DNR required the Village to conduct another wetland delineation for Lot 41 (since 5 years have past since the last delineation was done in 2008). The latest delineation completed in 2013 revealed that this wetland area had expanded even further... now totaling approximately 59,900 sqft in area (and in a slightly different shape than shown in the previous delineation).

In October, 2013, the Village of Germantown and Airgas Inc. submitted a joint application to the DNR for approval to fill 1.055 acres of wetland (the area of "artificial" wetland that had grown over the years since the original wetland was first identified in 2002). In January, 2014, the DNR granted a permit to fill the wetland area as requested subject to a series of requirements and conditions (copy attached).

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**Proposal: Rezoning Application**

As a result of obtaining authorization to fill 45,955 sqft of wetland on Lot 41, the Village of Germantown is now requesting approval to remove the area to be filled from the Village's Shoreland-Wetland Overlay Zoning District. Once filled, this area would no longer be considered wetland and, consequently, would no longer be eligible to be regulated under the Village's Shoreland-Wetland Zoning District.

**Proposal: Conditional Use Permit (CUP)**

In addition to the rezoning discussed above, the Village is requesting approval of a conditional use permit (CUP) under the Village's Shoreland-Wetland Zoning Code in order to develop approximately 6,300 sqft of the 25' wetland setback (that area adjacent to the wetland area being filled).

Although the Village's Shoreland-Wetland Code requires a 25' setback from all DNR-approved delineated wetlands (regardless of size or location), the Village allows development within the 25' setback area if additional buffering and/or compensation is provided on the property at a 1:1 ratio for "horizontal" development, or, at a 2:1 ratio for "vertical" development (a structure or grade change greater than 3' in height).

As shown in the detailed site development and building plans, the area of wetland fill will be developed with a portion of the parking lot east of the building. Additional disturbance in the form of site grading and installation of vegetation will occur. Approximately 6,300 sqft of wetland setback area will be disturbed with approximately 8,000 sqft of setback area mitigated through the re-establishment of a no-mow, wet-tolerant native seed mix in the setback area adjacent to the parking lot. Additional enhancements of the wetland area include the installation of native trees around the perimeter of the wetland.

**Staff Comments**Wetland Rezoning

With regard to the proposed rezoning, it's logical that, if the DNR allows a wetland area to be filled, the filled area would no longer be "wetland" and should, therefore, not be included in or regulated under the Village's Shoreland-Wetland District. Moreover, the "functional value" of this "artificial" wetland is questionable. In 2008, DNR staff determined that the original wetland from which the artificial area grew had little if any functional value beyond it serving as a possible storm water detention area. Therefore, staff is of the opinion that the proposed rezoning would not have a significant adverse impact on any of the following:

- storm and flood water storage
- the maintenance of dry season stream flow or groundwater recharge
- filtering or storage characteristics of sediments that would otherwise flow into navigable waters
- shoreline erosion
- fish spawning or breeding grounds
- wildlife habitat
- areas of special concern, scarce wetland types or endangered species

Wetland & Shoreland Setback CUP

With regard to the CUP for development within the 25' wetland setback, staff supports granting the CUP provided that Airgas implements its proposed plan to "compensate" for the 6,300 sqft area of disturbance with 8,000 sqft of native plantings in the adjacent wetland setback area.

**VILLAGE PLANNER RECOMMENDATION**

**APPROVE** the rezoning application to rezone and remove 45,955 sqft (1.055 acres) of area from the Shoreland-Wetland Zoning District as shown in Wetland Exhibit A (dated December 19, 2013) at such time as said area is filled.

**VILLAGE PLANNER RECOMMENDATION**

**APPROVE** a Conditional Use Permit to allow development up to 6,300 sqft within the 25' wetland setback area as shown in the Site Plan (Sheet L-1.0 with a revision date of January 23, 2014) pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.

## PLAN COMMISSION MINUTES

January 27, 2014

**CALL TO ORDER:** Chairman Wolter called the meeting to order at 6:31 p.m.

**ROLL CALL:** Chairman Wolter, Commissioners Warren, Stauffacher, Peck and Yokes were present. Trustee Representative David Baum arrived at 6:32 p.m. Commissioner Gray was absent and excused. Also present were Village Planner Jeff Retzlaff, Village Administrator Dave Schornack and Planning Assistant Lori Johnson.

**PUBLIC INPUT:** None

**PREVIOUS MINUTES:** *MOTION Warren second Stauffacher to Approve the Minutes from January 13, 2014.*

***MOTION carried unanimously.***

Trustee Representative Baum arrived 6:32 p.m.

\* **Airgas – Germantown Business Park.** Airgas Safety is seeking approval of site development and building plans for a 253,263 sqft office and distribution center facility. Planner Retzlaff summarized the proposal.

Trustee Baum asked what the Village requirements are for rooftop screening from Mequon Road adding roof top units can be seen from other buildings in the Park. Planner Retzlaff said units are required to be screened from public view. He said this site is located at the entrance to the Business Park and the way it will be graded will be slightly higher than the road elevation but the roof top units will still be visible.

Chairman Wolter questioned if screening is required from all roads or from within the Business Park itself. If the covenants state screening from within, it would be from street level and difficult to show a screening from outside the Park. He questioned if the requirement was put in for curb appeal or for all roads. Planner Retzlaff said the covenants are not clear, but generally, some level of screening for roof tops units is a requirement whether in the Business Park or elsewhere.

Trustee Baum said he had already received calls from concerned constituents across the street. Planner Retzlaff said additional landscaping along the top of berm was also being required to help with screening. Commissioner Stauffacher questioned the height of the roof top units. Peter Kucha, Eppstein Uhen Architects, said it is unclear how high the units will be at this time, but would be between 5 and 8 feet tall. He said the units will be pulled located away from the edge of the building. He said screening the units would add significant cost to the project.

Discussion continued. Mr. Kucha offered to prepare an exhibit that would represent the visibility of the roof top units from Mequon Road. He said they've taken measures by adding substantial landscaping on the berm and by moving the units away from the edge of the building. Trustee Baum said the roof grade has no parapet at all and is completely visible from the road grade. He asked for sight line study from different points on Mequon Road through the berm and trees to the roof top units.

Chairman Wolter said he understands the need to screen, but the topography is difficult for

the site because it slopes down. He said other businesses in the Park were not asked to screen their units totally from Mequon Road and doesn't want to put a condition on Airgas that isn't a condition for other businesses in the Park. Discussion continued.

Trustee Baum said the north elevation of the building has no articulation or horizontal plane change and is bland. Mr. Kucha said a good portion of the building is below Mequon Road and won't be visible. He commented the building incorporated clear story windows and color at intervals for articulation. Also a substantial amount of landscaping on the berm is proposed. Chairman Wolter added that this is a warehouse and questioned if we should we ask them to spend additional money to bump walls in and out. Discussion continued. Commissioners agreed more building articulation was needed and wanted to see other options.

Chairman Wolter said this was a challenging site and overcame significant hurdles to get a building on the site. He said there have been multiple meetings and changes were made along the way to get to this meeting tonight. He said he doesn't have a problem with way the building looks and thinks it will work and look nice.

***MOTION Peck second Warren to Approve the site development and building plans for the proposed 253,263 sqft office and distribution center facility located on Mequon Road in the Germantown Business Park subject to the following conditions:***

- 1. This approval is subject to final approval of the proposed Certified Survey Map (CSM), Shoreland-Wetland rezoning and conditional use permit required for the proposed wetland fill previously approved by the Wis. Dept. of Natural Resources and U.S. Army Corp. of Engineers.***
- 2. This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission, approval is granted for the site development and building plan set submitted on 1-23-2014 with plan sheets having a "revision date" of 1-23-2014 (if revised) or a date of 1-13-2014 (if not revised) unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.***
- 3. 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.***
- 4. The following items shall be provided as required by the Village Fire Department: (a) a monitored sprinkler system per NFPA 13 and a Knox Box; (b) if further review determines that a fire pump is required for the building, direct access from the outside and a second Knox box will be required; (c) the final quantity and location of all fire hydrants serving this facility shall be approved by the Fire Department; (d) elevator(s) shall have a minimum internal dimension/width of 80" x 51" nominal; (e) an emergency evacuation plan shall be submitted to Fire Department for review and approval prior to issuance of an occupancy permit; (f) fire alarm devices (per NFPA 72) will require a plan reviewed and approved by the Fire Department; (g) required fire lanes (per NFPA 1) will require a 50' centerline turning radius to accommodate Fire Department equipment.***



5. *All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.*
6. *State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.*
7. *All technical corrections raised in the Village Engineer's January 24, 2014 review memo shall be addressed and reflected in a revised set of plans submitted to the Village engineer for review/approval prior to issuance of a building permit.*
8. *The proposed monument sign base shall be constructed of the same or similar masonry materials and color as the principal building. If the metal sign cabinet is internally illuminated, the face of the cabinet shall be opaque or have a dark background.*
9. *The landscape plan shall be revised to include: (a) an additional twenty-four (24) street trees consistent with the requirements of the Germantown Business Park covenants; and (b) additional landscaping elements to create a denser buffer along Patton Court adjacent to the south side of the loading area. The revised landscape plan shall be submitted to the Village Planner for review/approval prior to issuance of a building permit.*
10. *The requirement for architectural and/or landscape screening of the roof-mounted HVAC equipment shall be re-assessed by the Plan Commission within one (1) year after issuance of an occupancy permit. If deemed necessary by the Plan Commission, the owner shall submit plans and renderings for said screening to the Plan Commission for review/approval with any required screening to be installed within two (2) years after issuance of an occupancy permit.*
11. *The pattern of windows and/or architectural glass found on the east and portion of the north elevation (for the office area) should be continued or repeated in some manner across the north elevation of the building (in lieu of simply painting portions of the pre-cast panels gray). Other architectural devices should also be added to provide further building articulation to break up the building's mass and monotony of the proposed north elevation as required under the Business Park covenants. A revised elevation/architectural plan and rendering shall be prepared and submitted to the Plan Commission for review/approval prior to issuance of a building permit.*

***MOTION to Amend Wolter second Warren to Remove Condition #11 from the recommendations.***

***MOTION Fails (4-2 Wolter, Warren)***

***MOTION to Amend Baum second Stauffacher to change Condition #10 that the applicant submit renderings and sight line perspectives to illustrate roof top screening compliance from Mequon Road and other adjacent streets.***

Jeff Stawicki, representing Airgas, said Airgas was very proud of the building and happy with the architecture. He said he understands the Plan Commission's concerns but they would not be coming back with revised plans.

***MOTION carried (4-2 Wolter, Warren)***

Chairman Wolter said he feels the building is acceptable for the area and is appreciative of the time and effort Airgas has put in to get to this point. Commissioner Stauffacher asked for a rendering that would show what the north elevation would look like from Mequon Road. Mr. Kucha said a true view from Mequon Road would show a lot of vegetation on the berm which would obscure views of the building. Rick Miller thinks the project can work by adding additional trees to the berm. Mr. Stawicki said Airgas would be willing to come back with some additional landscaping that would help the view from Mequon Road, but will not make changes to the building.

***MOTION Stauffacher second Peck to Postpone until February 3<sup>rd</sup> to provide an opportunity for the applicant to come back with renderings of the north elevation from Mequon Road including the additional landscaping as it will look after it has been installed within one year of planting.***

***MOTION carried unanimously.***

**Village of Germantown /Airgas Safety – Lot 41 of CSM 6488 in the Germantown Business Park (SW Corner of Mequon Road and Eisenhower Drive)**

Request for approval of a rezoning application and conditional use permit regarding 1.055 acres (45,955 sqft) of wetland located on Lot 41 in the Germantown Business Park. Planner Retzlaff summarized the proposal and discussed the history of land acquisition, past wetland delineations, how the original wetland grew into an artificial wetland, and the DNR's issuance of a wetland fill permit in January 2014. Trustee Baum asked if the Village would fill the wetland even if the Airgas project did not proceed. Planner Retzlaff indicated it would.

***MOTION Baum second Warren to Approve the Rezoning application to rezone and remove 45,955 sqft (1.055 acres) of area from the Shoreland-Wetland Zoning District as shown in Wetland Exhibit A (dated December 19, 2013) at such time as said area is filled, AND***

***APPROVE a Conditional Use Permit to allow development up to 6,300 sqft within the 25' wetland setback area as shown in the Site Plan (Sheet L-1.0 with a revision date of January 23, 2014) pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.***

***MOTION carried unanimously.***

**Continental 246 Fund LLC and Riversbend County Club Inc. – N96 W18034 County Line Road**

Revised site development and building plans for the re-development of a portion of the Riversbend Country Club golf course property to include a new golf club house, one sit-down restaurant (Buffalo Wild Wings) and a 9,150 sqft multi-tenant retail building. Steve Wagner, Continental Fund, spoke regarding revisions to the plan. John Bieberitz, TADI, went over results from the traffic study saying this sight plan was better than the last one and that traffic lights and signals are still warranted. Kevin Thode, RSP Architects, spoke regarding the Buffalo Wild Wings. He said the building presented is a new proto type for the franchise but functions are the same. Dominic Ferrante, Briohn Design commented on changes to the retail building and presented 3-D renderings of the building and site. Steve Wagner commented on changes to the original plan:

- traffic lights will be synchronized
- increased tree size and density at north parking lot

## NOTICE OF PUBLIC HEARING VILLAGE OF GERMANTOWN

NOTICE is hereby given that a Public Hearing will be held before the Village of Germantown Village Board at the Germantown Village Hall located at N112 W17001 Mequon Road, Germantown, Wisconsin on the following date and at the time noted below (or soon thereafter):

DATE: Monday, February 3, 2014  
TIME: 7:00 p.m. or later

The purpose of said hearing is to hear any and all parties, their attorneys or agents, for or against the applications filed by the following applicant for: (1) a CONDITIONAL USE PERMIT to allow development within a 25' wetland setback on a portions of the following described parcels pursuant to Section 24.04(3) of the Municipal Code; and (2) a REZONING application to rezone and remove 45,955 sqft (1.055 acres) of the following described property from the Shoreland-Wetland Overlay Zoning District pursuant to Section 24.04(2) of the Municipal Code:

Petitioner: Village of Germantown, Property Owner  
Tax Parcel #: GTNV 252-970 (14.89-acre parcel in the Southwest corner of Mequon Road @ Eisenhower Drive)

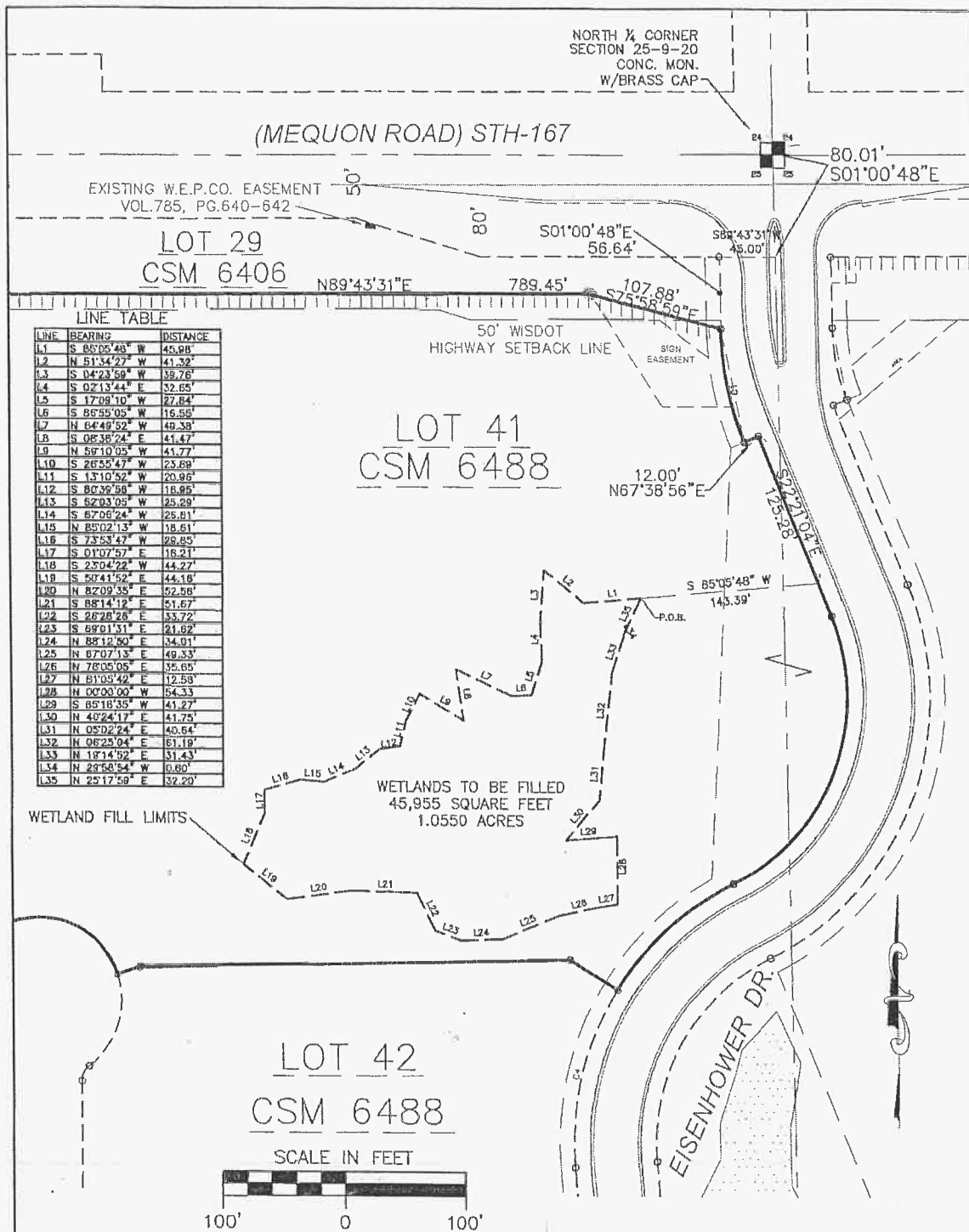
Being a part of Lot 41 of Certified Survey Map No. 6488, being a part of the Northeast ¼ of the Northwest ¼ and part of the Northwest ¼ of the Northeast ¼ of Section 25, Town 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin (this parcel is located in the Germantown Business Park south of Mequon Road between the water tower and Eisenhower Drive).

A copy of the application is on file in the Village Planning Department office and is available for public inspection during the hours of 8:00 a.m. to 4:00 p.m. Monday through Friday.

Dated this 9<sup>th</sup> day of January, 2014.  
Barbara K. D. Goeckner, Village Clerk

To Be Published On: January 16th and January 23rd, 2014





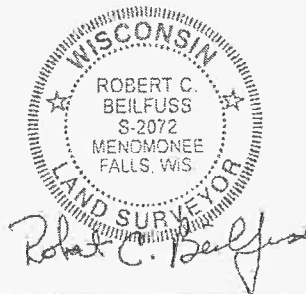
LINE TABLE

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 85°05'48" W | 45.00'   |
| L2   | N 51°34'27" W | 41.32'   |
| L3   | S 04°23'59" W | 38.76'   |
| L4   | S 02°13'44" E | 32.65'   |
| L5   | S 17°09'10" W | 27.84'   |
| L6   | S 85°55'05" W | 18.55'   |
| L7   | N 64°49'52" W | 49.38'   |
| L8   | S 05°35'24" E | 41.47'   |
| L9   | N 59°10'05" W | 41.77'   |
| L10  | S 26°55'47" W | 23.89'   |
| L11  | S 13°10'52" W | 20.95'   |
| L12  | S 80°39'58" W | 18.85'   |
| L13  | S 52°03'05" W | 25.29'   |
| L14  | S 67°08'24" W | 25.81'   |
| L15  | N 85°02'13" W | 18.61'   |
| L16  | S 73°53'47" W | 26.85'   |
| L17  | S 01°07'57" E | 18.21'   |
| L18  | S 23°04'22" W | 44.27'   |
| L19  | S 50°41'52" E | 44.16'   |
| L20  | N 82°09'35" E | 52.58'   |
| L21  | S 88°14'12" E | 51.67'   |
| L22  | S 26°28'28" E | 33.72'   |
| L23  | S 69°01'31" E | 21.82'   |
| L24  | N 88°12'50" E | 34.01'   |
| L25  | N 67°07'13" E | 49.33'   |
| L26  | N 76°05'05" E | 35.85'   |
| L27  | N 81°05'42" E | 12.58'   |
| L28  | N 00°00'00" W | 54.33'   |
| L29  | S 85°18'35" W | 41.27'   |
| L30  | N 49°24'17" E | 41.75'   |
| L31  | N 05°02'24" E | 40.64'   |
| L32  | N 06°25'04" E | 61.19'   |
| L33  | N 19°14'52" E | 31.43'   |
| L34  | N 25°58'54" W | 0.60'    |
| L35  | N 25°17'59" E | 32.20'   |

| CURVE | RADIUS  | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C1    | 245.00' | 91.24'     | 90.72'       | S 11°40'56" E | 21°23'16"   |

GENERAL NOTES:

1. THE 2013 WETLAND DELINATION WAS PERFORMED BY DAVE MEYER OF WETLANDS AND WATERWAYS, INC. AND MAPPED BY THE VILLAGE OF GERMANTOWN ENGINEERING DEPARTMENT.



VILLAGE OF  
GERMANTOWN  
ENGINEERING DEPARTMENT

N112 W17001 MEQUON RD.  
GERMANTOWN, WIS. 53022  
262-250-4720 OFFICE  
262-253-8255 FAX

WETLAND EXHIBIT A  
TIF 4 BUSINESS PARK  
LOT 41 CSM NO. 6488  
VILLAGE OF GERMANTOWN, WISCONSIN

|             |           |          |
|-------------|-----------|----------|
| DESIGNED BY | RCB       | 12/19/13 |
| DRAWN BY    | RCB       | 12/19/13 |
| APPROVED BY | RCB       | 12/19/13 |
| CADFILE     | SCALE     |          |
|             | 1"=100'   |          |
| PROJECT NO. | SHEET NO. |          |
| NA          | 1 of 2    |          |

## Wetland Fill Area Legal Description

That part of Lot 41 of Certified Survey Map No. 6488 recorded as Document Number 1323820 on December 18, 2012 in Volume 49, Pages 169 to 176, in the office of the Washington County Register of Deeds, located in the Northeast ¼ of the Northwest ¼ and the Northwest ¼ of the Northeast ¼ of Section 25, Township 9 North, Range 20 East of the Fourth Principle Meridian, in the Village of Germantown, Washington County, Wisconsin, and described as follows;

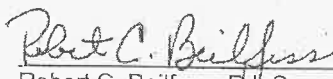
Commencing at a concrete monument and brass cap marking the North ¼ corner of Section 25, thence South 01°00'48" East along the east line of the Northwest ¼, 80.01 feet; thence South 89°43'31" West, 45.00 feet to the west right of way line of Eisenhower Drive; thence South 01°00'48" East along said west right of way line, 56.64 feet to a found ¾" iron rebar and survey cap and to a point of curve to the left; thence southeasterly 91.24 feet along the arc of said curve, having a radius of 245.00 feet and a chord which bears South 11°40'56" East, 90.72 feet to a found 1" iron pipe and the point of tangency; thence North 67°38'56" East along said west right of way line, 12.00 feet to a found 1" iron pipe; thence South 22°21'04" East along said west right of way line, 125.28 feet; thence South 85°05'48" West, 143.39 feet; to the point of beginning of the lands to be described;

Thence South 85°05'48" West, 45.98 feet; thence North 51°34'27" West, 41.32 feet; thence South 04°23'59" West, 39.76 feet; thence South 02°13'44" East, 32.65 feet; thence South 17°09'10" West, 27.84 feet; thence South 86°55'05" West, 16.55 feet; thence North 64°49'52" West, 49.38 feet; thence South 08°38'24" East, 41.47 feet; thence North 59°10'05" West, 41.77 feet; thence South 26°55'47" West, 23.89 feet; thence South 13°10'52" West, 20.96 feet; thence South 80°39'56" West, 16.95 feet; thence South 52°03'05" West, 25.29 feet; thence South 67°06'24" West, 26.61 feet; thence North 85°02'13" West, 18.61 feet; South 73°53'47" West, 29.85 feet; thence South 01°07'57" East, 18.21 feet; thence South 23°04'22" West, 44.27 feet; thence South 50°41'52" East, 44.16 feet; thence North 82°09'35" East, 52.56 feet; thence South 88°14'12" East, 51.67 feet; thence South 26°28'26" East, 33.72 feet; thence South 69°01'31" East, 21.62 feet; thence North 88°12'50" East, 34.01 feet; thence North 67°07'13" East, 49.33 feet; thence North 78°05'05" East, 35.65 feet; thence North 81°05'42" East, 12.58 feet; thence North 00°00'00" West, 54.33 feet; thence South 85°18'35" West, 41.27 feet; North 40°24'17" East, 41.75 feet; thence North 05°02'24" East, 40.64 feet; thence North 06°25'04" East, 61.19 feet; thence North 19°14'52" East, 31.43 feet; thence North 29°58'54" West, 0.60 feet; thence North 25°17'59" East, 32.20 feet to the point of beginning.

Containing 45,955 square feet (1.0550 acres)

The intent of this legal description is to describe the lands that will be filled. See Exhibit A (attached)

Dated this 19<sup>th</sup> day of December, 2013.



Robert C. Beilfuss, R.L.S.  
Registered Land Surveyor, S-2072



Sheet 2 of 2

This instrument drafted by Robert C. Beilfuss, R.L.S.

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
Waukesha Service Center  
141 NW Barstow, Room 180  
Waukesha, WI 53188

Scott Walker, Governor  
Cathy Stepp, Secretary  
Telephone 608-266-2621  
Toll Free 1-888-936-7463  
TTY Access via relay - 711



01/07/2014

IP-SE-2013-67-03395

Airgas, Inc.  
Jeff Stawicki  
W185 N11300 Whitney Dr.  
Germantown, WI 53022-8210

Dear Mr. Stawicki:

The Department has completed our review of your proposal for development of parcels in the Germantown Business Park. We have determined that your project meets state standards. Enclosed is your state wetland permit which approves your project and lists the conditions which must be followed. Please read your permit carefully so that you are fully aware of what is expected of you.

Your enclosed state water quality certification confirms the state certification necessary for proceeding under an approval pursuant to a federal permit issued by the Army Corps of Engineers. Please note you are required to submit photographs of the completed project within 7 days after you've finished construction. This helps both of us to document the completion of the project and compliance with the permit conditions.

Your next step will be to notify me of the date on which you plan to start construction and again after your project is complete.

If you have any questions about your permit, please call me at (262) 574-2188 or email [Jennifer.Jerich@wisconsin.gov](mailto:Jennifer.Jerich@wisconsin.gov). Since I have taken a new position at the Department you will notice that I have required that all future contacts required under the permit go to Travis Schroeder. It has been a pleasure working with Airgas and the Village on this complex project.

Sincerely,



Jennifer Jerich  
Wastewater Specialist

cc: Anthony Jernigan, U.S. Army Corps of Engineers, 20711 Watertown Road, Suite F, Waukesha, Wisconsin 53186  
Village of Germantown - Clerk  
Mitigation Coordinator - WT/3  
Conservation Warden

*Quality Customer Service is Important to Us. Tell Us How We Are Doing.*

Water Division Customer Service Survey  
<https://www.surveymonkey.com/s/WDNRWater>

**STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES**

**Wetland Individual Permit  
IP-SE-2013-67-03395**

Airgas Inc., Jeff Stawicki and the Village of Germantown is hereby granted under Section 281.36, Wisconsin Statutes, and 33 U.S.C.S §1341 (CWA §401) a permit to discharge dredged or fill material into wetlands located in the Village of Germantown, Washington County, also described as in the NE1/4 of the NW1/4 of Section 25, Township 9 North, Range 20 East, subject to the following conditions:

**PERMIT**

1. You must notify Travis Schroeder at phone (262) 574-2172 or email [Travis.Schroeder@wisconsin.gov](mailto:Travis.Schroeder@wisconsin.gov) before starting the discharge and again not more than 5 days after the discharge is complete.
2. You must complete the discharge as described on or before January 7, 2017. If you will not complete the discharge by this date, you must submit a written request for an extension prior to the expiration date of the permit. Your request must identify the requested extension date and the reason for the extension. A permit extension may be granted, for good cause, by the Department. You may not begin or continue construction after the original permit expiration date unless the Department grants a new permit or permit extension in writing.
3. This permit does not authorize any work other than what you specifically describe in your application and plans dated December 19, 2013 and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval of the Department.
4. You are responsible for obtaining any permit or approval that may be required for your project by local zoning ordinances and by the U.S. Army Corps of Engineers before starting your project.
5. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the project's construction, operation, maintenance or permit compliance.
6. The Department may modify or revoke this permit if the project is not completed according to the terms of the permit, or if the Department determines the activity results in significant adverse impact to wetland functional values, in significant adverse impact to water quality, or in other significant adverse environmental consequences.
7. You must post a copy of this permit at a conspicuous location on the project site, for at least five days prior to construction, and remaining at least five days after construction. You must also have a copy of the permit and approved plan available at the project site at all times until the project is complete.
8. Your acceptance of this permit and efforts to begin work on this project signify that you have read, understood and agreed to follow all conditions of this permit.



9. You must submit a series of photographs to the Department, within one week of completion of work on the site. The photographs must be taken from different vantage points and depict all work authorized by this permit.
10. You, your agent, and any involved contractors or consultants may be considered a party to the violation pursuant to Section 281.36 (13), Wis. Stats., for any violations of Section 281.36, Wisconsin Statutes, or this permit.
11. Construction shall be accomplished in such a manner as to minimize erosion and siltation into surface waters. Erosion control measures (such as silt fence and straw bales) must meet or exceed the technical standards of ch. NR 151, Wis. Adm. Code. The technical standards are found at: <http://dnr.wi.gov/runoff/stormwater/techstds.htm>.
12. Authorization hereby granted by the Department is not transferable.
13. All equipment used for the project including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps shall be de-contaminated for invasive and exotic viruses and species prior to use and after use.

The following steps must be taken every time you move your equipment to avoid transporting invasive and exotic viruses and species. To the extent practicable, equipment and gear used on infested waters shall not be used on other non-infested waters.

1. **Inspect and remove** aquatic plants, animals, and mud from your equipment.
2. **Drain all water** from your equipment that comes in contact with infested waters, including but not limited to tracked vehicles, barges, boats, hoses, sheet pile and pumps.
3. **Dispose** of aquatic plants, animals in the trash. Never release or transfer aquatic plants, animals or water from one waterbody to another.
4. **Wash your equipment** with hot (>104° F) and/or high pressure water,

- OR -

Allow your equipment to **dry thoroughly for 5 days.**

14. No other portion of the wetland may be disturbed beyond the area designated in the plans dated WMS insert date.

#### FINDINGS OF FACT

1. Airgas Inc, Jeff Stawicki and the Village of Germantown has filed an application for a permit to discharge dredged or fill material into a wetland located in the Village of Germantown, Washington County, also described as NE1/4-NW1/4 S25, T9N, R20E.
2. The project will consist of development of industrial facility distribution center, primarily shipping and receiving safety products and welding materials. The facility also includes office space for a call center, accounting department, sales group, and administrative

team. This permit is for phase 1 and 2 development. The discharge will affect a total of 1.055 acres (45,955 square feet) of wetland.

3. The applicant proposed to compensate for wetland losses through mitigation. The Department evaluated the wetland mitigation proposal and determined that on-site mitigation was not feasible and the purchase of mitigation bank credits could fulfill the compensation obligation. The applicant was required to compensate for wetland losses through compensatory mitigation. The Department evaluated the wetland mitigation proposal and determined that bank credits could fulfill the compensation requirement. The Department determined that the applicant must purchase 1.53 mitigation credits to compensate for the 1.055 acres of fresh wet meadow wetland loss at the required ratio of 1.45:1. 1.52 credits were purchased on December 4, 2013 and the additional 0.01 credits were purchased on January 6, 2014 and an Affidavit of Bank Credit Transfer was submitted to the Department fulfilling the compensation requirement.
4. No practicable alternative exists which would avoid adverse impacts to wetlands, and the project will result in the least environmentally damaging practicable alternative taking into consideration practicable alternatives that avoid wetland impacts. The application completed a review of near-by available parcels that could accommodate the large square foot building needed. Alternative locations would have larger wetland impact. The facility also looked at options for reduced building size and shifting the building on the lots.
5. All practicable measures to minimize adverse impacts to the functional values of the wetland have been taken. The approved alternative includes several changes to minimize impacts including 2-story office space, reduced parking spaces, reduced setbacks, reduced side-slopes and construction of a retaining wall to protect adjacent utilities (water tower).
6. The proposed project will not result in significant adverse impacts to wetland functional values, significant impacts to water quality, or other significant adverse environmental consequences. A functional value assessment was completed as part of the permit application review process. The existing wetlands do provide limited stormwater storage and water quality protection. These functions however are limited by the location of the wetland in an industrial park and the existing stormwater conveyance system.
7. The impact to the wetlands will eliminate any stormwater storage and water quality protection. The proposed development will provide stormwater storage and water quality protection in a regional pond for the Industrial Park.
8. Cumulative impacts to wetlands include loss of wetlands in Germantown. The Village of Germantown has a significant amount of developed areas and flooding. This project is located in an industrial park. It is reasonable to assume that Lots 1 through 3 would be developed. The development of Lots 1 through 3 in the industrial park does not have significant cumulative impact on the wetlands in the Village of Germantown. There are several other lots that contain wetlands within the Business Park that are not developed.
9. The impact to 1.055 acres of wetland may have secondary impacts to the adjacent remaining wetland. This impact would be from potential removal of hydrology or increased risk of introduction of invasive species.

10. There is a net neutral environmental impact exists for the proposed project because of the stormwater management practices that will be installed.
11. The Department has completed an investigation of the project site and has evaluated the project as described in the application and plans.
12. The Department of Natural Resources and the applicant have completed all procedural requirements and the project as permitted will comply with all applicable requirements of 33 U.S.C.S §1341 (CWA §401); Sections 1.11, 281.36, Wisconsin Statutes and Chapters NR 102, 103, 150, 299, 350, of the Wisconsin Administrative Code.

#### CONCLUSIONS OF LAW

1. The Department has authority under the above indicated Statutes and Administrative Codes, to issue a permit for the construction and maintenance of this project.

#### NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing of any individual permit decision pursuant to section 281.36.(3q), Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI, 53707-7921. The petition shall be in writing, shall be dated and signed by the petitioner, and shall include as an attachment a copy of the decision for which administrative review is sought. If you are not the applicant, you must simultaneously provide a copy of the petition to the applicant. If you wish to request a stay of the project, you must provide information, as outlined below, to show that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment. If you are not the permit applicant, you must provide a copy of the petition to the permit applicant at the same time that you serve the petition on the Department.

**The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30 day period for filing a petition for judicial review.**

A request for contested case hearing must meet the requirements of section 281.36 (3q), Wis. Stats., and section NR 2.03, Wis. Adm. Code, and if the petitioner is not the applicant the petition must include the following information:

1. A description of the objection that is sufficiently specific to allow the department to determine which provisions of this section may be violated if the proposed discharge under the wetland individual permit is allowed to proceed.
2. A description of the facts supporting the petition that is sufficiently specific to determine how the petitioner believes the discharge, as proposed, may result in a violation of the provisions of this section.

3. A commitment by the petitioner to appear at the administrative hearing and present information supporting the petitioner's objection.

4. If the petition contains a request for a stay of the project, the petition must also include information showing that a stay is necessary to prevent significant adverse impacts or irreversible harm to the environment.

Dated at Waukesha Service Center, Wisconsin on January 8, 2014.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

By

  
Jennifer Jekich  
Water Management Specialist

**CUP # – 14**

Document No.

**CONDITIONAL USE PERMIT**

Document Title

VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN  
**CONDITIONAL USE ZONING PERMIT**

Whereas the Applicant:

**Village of Germantown, Property Owner, on behalf of  
 Airgas Safety (a Division of Airgas Inc.)**

agree to comply with applicable Codes and Ordinances of the Village of Germantown, Wisconsin, and further agrees that all work done pursuant to the permission granted herewith will conform with the applications and drawings filed with and approvals granted by officials of the Village for the purpose of obtaining this permit.

Now, therefore, this permit is issued to the Applicant to permit the to allow development within the 25' wetland setback areas as presented in the Airgas Site Plan (Sheet L-1.0) dated January 23, 2014 contained in the application pursuant to Section 24.04 of the Shoreland-Wetland Zoning Code.

Name &amp; Return Address:

**Village of Germantown  
 P.O. Box 337  
 Germantown, WI 53022**

Parcel Identification No:

**GTNV 362-994**

**On the following described property located in the Village of Germantown, Washington County, Wisconsin:**

That part of Lot 41 of Certified Survey Map No. 6488 recorded as Document Number 1323820 on December 18, 2012 in Volume 49, Pages 169 to 176, in the office of the Washington County Register of Deeds, located in the Northeast ¼ of the Northwest ¼ and the Northwest ¼ of the Northeast ¼ of Section 25, Township 9 North, Range 20 East, in the Village of Germantown, Washington County, Wisconsin, and described as follows:

Commencing at a concrete monument and brass cap marking the North ¼ corner of Section 25, thence South 01°00'48" East along the east line of the Northwest ¼, 80.01 feet; thence South 89°43'31" West, 45.00 feet to the west right of way line of Eisenhower Drive; thence South 01°00'48" East along said west right of way line, 56.64 feet to a found ¾" iron rebar and survey cap and to a point of curve to the left; thence southeasterly 91.24 feet along the arc of said curve, having a radius of 245.00 feet and a chord which bears South 11°40'56" East, 90.72 feet to a found 1" iron pipe and the point of tangency; thence North 67°38'56" East along said west right of way line, 12.00 feet to a found 1" iron pipe; thence South 22°21'04" East along said west right of way line, 125.28 feet; thence South 85°05'48" West, 143.39 feet; to the point of beginning of the lands to be described; Thence South 85°05'48" West, 45.98 feet; thence North 51°34'27" West, 41.32 feet; thence South 04°23'59" West, 39.76 feet; thence South 02°13'44" East, 32.65 feet; thence South 17°09'10" West, 27.84 feet; thence South 86°55'05" West, 16.55 feet; thence North 64°49'52" West, 49.38 feet; thence South 08°38'24" East, 41.47 feet; thence North 59°10'05" West, 41.77 feet; thence South 26°55'47" West, 23.89 feet; thence South 13°10'52" West, 20.96 feet; thence South 80°39'56" West, 16.95 feet; thence South 52°03'05" West, 25.29 feet; thence South 67°06'24" West, 26.61 feet; thence North 85°02'13" West, 18.61 feet; South 73°53'47" West, 29.85 feet; thence South 01°07'57" East, 18.21 feet; thence South 23°04'22" West, 44.27 feet; thence South 50°41'52" East, 44.16 feet; thence North 82°09'35" East, 52.56 feet; thence South 88°14'12" East, 51.67 feet; thence South 26°28'26" East, 33.72 feet; thence South 69°01'31" East, 21.62 feet; thence North 88°12'50" East, 34.01 feet; thence North 67°07'13" East, 49.33 feet; thence North 78°05'05" East, 35.65 feet; thence North 81°05'42" East, 12.58 feet; thence North 00°00'00" West, 54.33 feet; thence South 85°18'35" West, 41.27 feet; North 40°24'17" East, 41.75 feet; thence North 05°02'24" East, 40.64 feet; thence North 06°25'04" East, 61.19 feet; thence North 19°14'52" East, 31.43 feet; thence North 29°58'54" West, 0.60 feet; thence North 25°17'59" East, 32.20 feet to the point of beginning. Containing 45,955 square feet (1.0550 acres)

Tax Key No. GTNV 252-970

**Pursuant to the following condition(s):**

1. Construction of site and landscaping improvements set forth in the Airgas Site Plan set dated January 23, 2014, including the compensation of 6,300 sqft of wetland setback disturbance with 8,000 sqft of no-mow wet-tolerant native plantings.

Granted by the Village Board of the Village of Germantown, Washington County, Wisconsin on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Dean Wolter, Village President

\_\_\_\_\_  
Barbara K. D. Goeckner, Village Clerk

STATE OF WISCONSIN ) SS  
WASHINGTON COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the above named Dean Wolter, Village President, and Barbara K. D. Goeckner, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
{type or print name of Notary on this line}

\_\_\_\_\_  
{signature of Notary on this line}

Notary Public, State of Wisconsin  
My Commission Expires: \_\_\_\_\_

## ACCEPTANCE OF TERMS AND CONDITIONS BY PROPERTY OWNER

The following named person, who is authorized to represent VILLAGE OF GERMANTOWN, on behalf of AIRGAS SAFETY (A DIVISION OF AIRGAS INC.), hereby accept the terms and conditions set forth in this Permit, and realize that non-adherence to the terms and conditions as stated hereon, may result in the revocation of this Permit by the Village of Germantown.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014

\_\_\_\_\_  
{type or print name on this line}

\_\_\_\_\_  
{signature on this line}

Agent for Airgas Safety

STATE OF WISCONSIN) SS  
\_\_\_\_\_) COUNTY)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2014, being the above named \_\_\_\_\_, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
{type or print name of Notary on this line}

\_\_\_\_\_  
{signature of Notary on this line}

This instrument was drafted by:  
Jeffrey W. Retzlaff, AICP  
Village Planner/Zoning Administrator  
Village of Germantown, Wisconsin

Notary Public, State of Wisconsin  
My Commission Expires: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP  
OF THE VILLAGE OF GERMANTOWN SHORELAND-WETLAND OVERLAY ZONING CODE**  
(Village of Germantown and Airgas Safety)

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THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY,  
WISCONSIN, ORDAINS AS FOLLOWS:

**SECTION 1.** That the district boundary of the Village of Germantown Shoreland-Wetland Overlay Zoning District is amended for the following described area within the subject property:

That part of Lot 41 of Certified Survey Map No. 6488 recorded as Document Number 1323820 on December 18, 2012 in Volume 49, Pages 169 to 176, in the office of the Washington County Register of Deeds, located in the Northeast ¼ of the Northwest ¼ and the Northwest ¼ of the Northeast ¼ of Section 25, Township 9 North, Range 20 East of the Fourth Principle Meridian, in the Village of Germantown, Washington County, Wisconsin, and described as follows;

Commencing at a concrete monument and brass cap marking the North ¼ corner of Section 25, thence South 01°00'48" East along the east line of the Northwest ¼, 80.01 feet; thence South 89°43'31" West, 45.00 feet to the west right of way line of Eisenhower Drive; thence South 01°00'48" East along said west right of way line, 56.64 feet to a found ¾" iron rebar and survey cap and to a point of curve to the left; thence southeasterly 91.24 feet along the arc of said curve, having a radius of 245.00 feet and a chord which bears South 11°40'56" East, 90.72 feet to a found 1" iron pipe and the point of tangency; thence North 67°38'56" East along said west right of way line, 12.00 feet to a found 1" iron pipe; thence South 22°21'04" East along said west right of way line, 125.28 feet; thence South 85°05'48" West, 143.39 feet; to the point of beginning of the lands to be described;

Thence South 85°05'48" West, 45.98 feet; thence North 51°34'27" West, 41.32 feet; thence South 04°23'59" West, 39.76 feet; thence South 02°13'44" East, 32.65 feet; thence South 17°09'10" West, 27.84 feet; thence South 86°55'05" West, 16.55 feet; thence North 64°49'52" West, 49.38 feet; thence South 08°38'24" East, 41.47 feet; thence North 59°10'05" West, 41.77 feet; thence South 26°55'47" West, 23.89 feet; thence South 13°10'52" West, 20.96 feet; thence South 80°39'56" West, 16.95 feet; thence South 52°03'05" West, 25.29 feet; thence South 67°06'24" West, 26.61 feet; thence North 85°02'13" West, 18.61 feet; South 73°53'47" West, 29.85 feet; thence South 01°07'57" East, 18.21 feet; thence South 23°04'22" West, 44.27 feet; thence South 50°41'52" East, 44.16 feet; thence North 82°09'35" East, 52.56 feet; thence South 88°14'12" East, 51.67 feet; thence South 26°28'26" East, 33.72 feet; thence South 69°01'31" East, 21.62 feet; thence North 88°12'50" East, 34.01 feet; thence North 67°07'13" East, 49.33 feet; thence North 78°05'05" East, 35.65 feet; thence North 81°05'42" East, 12.58 feet; thence North 00°00'00" West, 54.33 feet; thence South 85°18'35" West, 41.27 feet; North 40°24'17" East, 41.75 feet; thence North 05°02'24" East, 40.64 feet; thence North 06°25'04" East, 61.19 feet; thence North 19°14'52" East, 31.43 feet; thence North 29°58'54" West, 0.60 feet; thence North 25°17'59" East, 32.20 feet to the point of beginning. Containing 45,955 square feet (1.0550 acres)

**SECTION 2.** That the area described in Section 1 totaling 45,995 sqft (1.055 acres) is removed from the district boundaries of the Village of Germantown Shoreland-Wetland Overlay Zoning District.

**SECTION 3.** This ordinance shall take effect and be in full force the day after its passage and publication, as provided by law.

Introduced by Trustee:

Date Adopted:

Ayes:

Nays:

\_\_\_\_\_  
Dean Wolter, Village President

APPROVED AS TO LEGALITY:

ATTEST:

\_\_\_\_\_  
Brian C. Sajdak, Village Attorney  
Published:

\_\_\_\_\_  
Barbara K. D. Goeckner, Village Clerk



X-F

**BUSINESS OF THE VILLAGE BOARD  
GERMANTOWN, WI**

**MEETING DATE:** February 3, 2014

**AGENDA ITEM:** New Business

**ITEM TITLE:** Airgas Safety (a Division of Airgas Inc.); Lots 40, 41 and 42 of CSM #6488 in the Germantown Business Park; Certified Survey Map (CSM)

**SUBMITTED BY:** Jeffrey W. Retzlaff, Director, Community Development Department

**SUMMARY EXPLANATION:**

Airgas Safety, prospective purchaser of land in the Germantown Business Park, is seeking approval of a certified survey map to combine all or a portion of four separate platted lots into one 23.5 acre parcel. Existing right-of-way for a planned (but yet-to-be constructed) extension of Patton Court will be discontinued as part of this CSM. Also, an existing 40' storm sewer and drainage easement across the site is being discontinued and replaced with a new 30' storm sewer easement located along the western perimeter of the site to convey storm water from Mequon Road to the regional basin to the south. The wetland delineation area shown on the CSM reflects the approved wetland fill and associated 25' setback area that will remain after the wetland is filled pursuant to the DNR and ACOE permit approvals.

At this time, the Plan Commission has not yet taken action on the proposed CSM. Plan Commission's review of the CSM was continued from their January 27 to February 3 special meetings (along with the site plans). A Plan Commission recommendation on the CSM is expected following their February 3 meeting (if not, this item should be tabled).

**ATTACHMENTS:**

- ◆ 1/27/14 Staff Report
- ◆ 1/27/14 Plan Commission Meeting Minutes
- ◆ Draft CSM
- ◆ Village Surveyor & Village Engineer Review Memos

**PLAN COMMISSION RECOMMENDATION:**

N/A.

**SITE PLAN REVIEW &  
CERTIFIED SURVEY MAP (CSM) APPLICATION**  
1/27/14 Plan Commission Meeting

**Eppstein Uhen Architects / Airgas Safety**

**Village Planner Report**

**Germantown, Wisconsin**

**Summary**

Eppstein Uhen Architects, agent for Airgas Safety, is seeking approval of site development & building plans for a 253,263 sqft office and distribution center facility located on Mequon Road in the Germantown Business Park.

**Property Location:** Eisenhower Drive @ Mequon Road (Business Park)

**Applicant/**

**Property Owner:**

Peter Kucha  
Eppstein Uhen  
333 E. Chicago St  
Milwaukee, WI

Jeff Stawicki  
Airgas Safety  
12000 Park Place  
Milwaukee, WI

**Zoning:** M-1: Limited Industrial

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

**Location Map**



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**Proposal**

Eppstein Uhen Architects, agent for Airgas Safety, is seeking approval of site development & building plans for a 253,263 sqft office and distribution center facility to be located on a 23.6-ac parcel located on Mequon Road/Eisenhower Drive in the Germantown Business Park.

Airgas is a nationwide supplier of gases for medical and industrial use, dry ice and welding equipment. This facility will receive/ship safety equipment and welding supplies; no gases will be produced or handled at this location. Airgas currently operates a smaller facility from a 6.75-ac sqft facility located in the Germantown Industrial Park on Whitney Drive.

Airgas will employ approximately 255 office staff for their call center, accounting, sales and administration offices. Approximately 55 employees will operate from the distribution center. Normal days/hours of operation are Monday to Friday, 6:00 am to 7:00 p.m. with occasional weekend and holiday hours.

**Building**

As presented in the site development and building plans the proposed office and distribution facility includes the following features:

- 194,808 sqft distribution area (w/ potential 112,464 sqft expansion)
- 58,450 sqft 2-story office area
- (25) elevated loading docks w/ metal overhead doors and a 3' deep standing seam metal painted canopy (gray); (2) at-grade overhead door docks on south elevation
- Pre-cast concrete wall panels (1-story; 38' wall height) in a "warm white" w/ two gray accent colors; punched window openings for the office areas on the east and north elevations; aluminum store-front window systems w/ clerestory windows on the north and south elevations for natural lighting; pre-cast panel and aluminum/glass curtain wall elements at the northeast and southeast building entrances painted in gray
- Flat roof w/ eleven (11) 10' long x 8' wide x 8' tall roof-top HVAC units

**Access & Parking**

Access to the site will be provided by three (3) access driveways: the primary employee/visitor entrance on Eisenhower Drive serving the main parking area; two driveways on Patton Court w/ the westernmost driveway intended primarily for truck access to/from the loading dock area. A total of 401 parking stalls (9 ADA-accessible) are proposed with a future parking lot of 57 stalls.

**Utilities.** Public water and sanitary sewer lines will be installed with connections to the existing water and sanitary sewer service lines located in the Patton Court right-of-way. Five (5) new fire hydrants are proposed on the property around the site with 1 hydrant relocated in the Patton Court right-of-way.

**Storm Water Management.** Out of the total 23.6 acres, 481,470 sqft (46.7%) of impervious surface will be developed in Phase 1; leaving 53.3% of open space. At

buildout, a total of 643,268 sqft (62.3%) of impervious surface will be developed leaving 37.7% of open space (vs. the minimum 25% open space and maximum 75% lot coverage required).

Storm sewer and catch basins will be installed along the perimeter of the site and parking areas to convey post-development, on-site run-off to a regional storm water basin located in the Business Park to the south. An existing 40' storm sewer and drainage easement across the site is being discontinued and a new 30' storm sewer easement is being provided around the west side of the building footprint to convey storm water from Mequon Road to the regional basin to the south.

Landscaping. Detailed landscaping plans show additional evergreen and deciduous landscaping to be installed along the north property line to supplement the existing berm and landscaping adjacent to Mequon Road. Landscaping (street and ornamental trees) are also proposed along Eisenhower Drive and Patton Court. Parking lot landscaping is proposed, as well as, foundation plantings along the east building elevation only.

An area of disturbance (approximately 6,300 sqft) within the 25' wetland setback area and another 1,700 sqft of undisturbed area adjacent to the wetland will be re-seeded and maintained with a non-mowed, wet-tolerant native seed mix.

A keystone block retaining wall up to sixteen (16) feet in height is proposed along the west property line adjacent to the Village water tower site. A continuous 4' high woven-wire "cyclone" fence and safety rail is proposed along the top of the retaining wall.

Lighting. External lighting will be provided by:

- Twenty (20) 146W-292W LED, pole-mounted cut-off fixtures mounted at 25' on decorative steel light poles located in and around the perimeter of the driveways and parking areas;
- Six (6) 146W LED, wall-mounted cut-off fixtures located along the south elevation above the dock area mounted at a height of 25';
- Five (5) 15W LED walkway bollards at 33'6" height located at the northeast and southeast entrances; and
- Three (3) 15W LED spot lights for the flag station located near the primary entrance.

Signage. Three (3) monument signs are proposed; one for each street frontage on Mequon Road, the main driveway on Eisenhower Drive, and near the Eisenhower Drive @ Patton Court intersection. The signs are comprised of an aluminum cabinet on a pre-cast base with individual pin-mounted metal backlit lettering and address bar. The two signs along Eisenhower Drive and Patton Court will be 6' tall x 10'8" wide with a two-sided 32 sqft sign area per side. The monument sign proposed for the berm along Mequon Road will be slightly larger at 6'6" tall x 11'8" wide with a 41 sqft sign area per side.

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**Certified Survey Map (CSM)**

As indicated in the CSM, the 23.6-acre Airgas parcel is being created by combining all or a portion of four separate platted lots in the /Business Park. Existing right-of-way for a planned (but yet-to-be constructed) extension of Patton Court will be discontinued as a result of this CSM. Also, as discussed above, an existing 40' storm sewer and drainage easement across the site is being discontinued and replaced with a new 30' storm sewer easement located around the west side of the building footprint to convey storm water from Mequon Road to the regional basin to the south. The wetland delineation area shown on the CSM reflects the wetland and associated 25' setback area that will remain after the wetland fill project previously approved by the DNR and ACOE is completed this spring.

**Staff Analysis****Village Planner/Zoning Administrator**

Planning staff is concerned with the roof-mounted mechanical units proposed to extend 8' high from the roof. The architect is relying on placement away from the roof edge as the only means of screening these units as a method of screening the eleven 10' long x 8' wide x 8' tall roof-top HVAC units shown on the roof plan (Sheet AS100). The relative location of the units helps keep them from view from the Patton Court @ Eisenhower intersection (as presented in the color rendering and elevation plans), but further screening may be required once installed; particularly along the north side of the building as viewed from Eisenhower Drive and Mequon Road where the road elevation is only approximately 900' (vs. 912' to the top of the building).

Staff is also concerned with the appearance of the north street-facing elevation. The Business Park covenants require street-facing or primary elevations to have the same architectural features and appearance with architectural devices (e.g. pilasters, reveals and material changes) used to break up a building's mass (in this case a north elevation of 600' with an additional 260' of future expansion). The features proposed on the north elevation include painting portions of the flush, pre-cast panels a dark shade of gray bordered by 2" reveals in the panels. Subject to Plan Commission comment, staff is of the opinion that the pattern of windows/architectural glass found on the east and part of the north elevation (for the office area) should be continued or repeated in some manner across the entire north elevation. Other architectural devices might also be considered to provide further articulation to break up the building's mass and relatively blank appearance.

The proposed landscaping is acceptable except for the number of street trees provided and Patton Court loading area screening. The Business Park covenants require street trees in an amount equal to one (1) tree for every twenty-five (25) feet of street frontage (100 required street trees for the 2,490 feet of road frontage for the Airgas property). The current plan contains a total of 76 street trees along Mequon Road (28) Eisenhower Drive (26) and Patton Court (22). The location and type of trees (evergreen) to be installed along Mequon Road (to supplement the existing landscaping and berm) is intended to help break up the building mass and screen the view of the roof-top mechanicals. Similarly, the location and type of trees along Patton Court is intended to help screen the expansive loading area on the south side of the building. Given the height of the building and change in elevation from the loading area to the

Patton Court cul-de-sac property to the south, additional and/or taller trees and shrubs should be installed along Patton Court to create a denser screening for the loading area. An additional 24 street trees should be installed along the road frontage. A revised landscape plan should be prepared and submitted to staff for final review and approval.

A related but separate item is on the January 27 Plan Commission agenda concerns rezoning a portion of the wetland area on the Airgas site along with a conditional use permit to allow further development within a portion of the 25' setback area adjacent to the remaining wetland. Although the wetland fill has been approved by the DNR and ACOE, approval of the site plan is contingent upon final approval of the Shoreland-Wetland rezoning and CUP by the Village of Germantown.

#### Fire/Police Department

The Fire Department has indicated that the following items need to be provided and/or addressed: (1) a monitored sprinkler system per NFPA 13 and a Knox Box; (2) if further review determines that a fire pump is required for the building, direct access from the outside and a second Knox box will be required; (3) fire hydrants required on-site in a final quantity and location as approved by the Fire Department; (4) elevator(s) shall have a minimum internal dimension/width of 80" x 51" nominal; (5) an emergency evacuation plan shall be submitted to Fire Department for review and approval prior to issuance of an occupancy permit; (6) fire alarm devices (per NFPA 72) will require a plan reviewed and approved by the Fire Department; (7) required fire lanes (per NFPA 1) will require a 50' centerline turning radius to accommodate Fire Department equipment. The Police Department is requesting that all doors and docks be numbered with reflective numbers to aid emergency personnel access.

#### Engineering/Village Surveyor

The Village Surveyor has identified a number of technical corrections or omissions that are required to be corrected prior to recording the CSM as set forth in a January 20, 2014 memo (copy attached). A revised CSM document was submitted on January 23 addressing these items; however, further review by the Village Surveyor of the revised CSM has not yet been completed.

#### Engineering/Public Works

The Engineering Department has identified a number of technical corrections, issues and concerns regarding the site plans as set forth in the Village Engineer's revised January 24, 2014 memo (copy attached). The corrections and other items discussed therein will need to be addressed in revised and/or supplemental plans or other documents that are submitted to the Village Engineer for review/approval prior to issuance of any building permits. As noted therein, revised site plans were submitted on January 23 addressing many of these items; however, further review by the Village Engineer of the revised site plans has not yet been completed.

#### Inspection Services

The Building Inspector has indicated that the submission of state-approved plans will be required prior to issuing a building permit along with the required \$20,000 occupancy bond.

### Village Planner Recommendation

**APPROVE** the site development and building plans for the proposed for the 253,263 sqft office and distribution center facility located on Mequon Road in the Germantown Business Park subject to the following conditions:

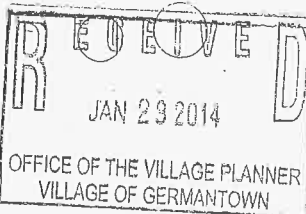
1. This approval is subject to final approval of the proposed Certified Survey Map (CSM), Shoreland-Wetland rezoning and conditional use permit required for the proposed wetland fill previously approved by the Wis. Dept. of Natural Resources and U.S. Army Corp. of Engineers.
2. This approval is subject to all of the conditions and requirements set forth herein and adopted by the Plan Commission, approval is granted for the site development and building plan set submitted on 1-23-2014 with plan sheets having a "revision date" of 1-23-2014 (if revised) or a date of 1-13-2014 (if not revised) unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.
3. 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.
4. The following items shall be provided as required by the Village Fire Department: (a) a monitored sprinkler system per NFPA 13 and a Knox Box; (b) if further review determines that a fire pump is required for the building, direct access from the outside and a second Knox box will be required; (c) the final quantity and location of all fire hydrants serving this facility shall be approved by the Fire Department; (d) elevator(s) shall have a minimum internal dimension/width of 80" x 51" nominal; (e) an emergency evacuation plan shall be submitted to Fire Department for review and approval prior to issuance of an occupancy permit; (f) fire alarm devices (per NFPA 72) will require a plan reviewed and approved by the Fire Department; (g) required fire lanes (per NFPA 1) will require a 50' centerline turning radius to accommodate Fire Department equipment.
5. All exterior doors shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.
6. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.
7. All technical corrections raised in the Village Engineer's January 24, 2014 review memo shall be addressed and reflected in a revised set of plans submitted to the Village Engineer for review/approval prior to issuance of a building permit.
8. The proposed monument sign base shall be constructed of the same or similar masonry materials and color as the principal building. If the metal sign cabinet is internally illuminated, the face of the cabinet shall be opaque or have a dark background.
9. The landscape plan shall be revised to include: (a) an additional twenty-four (24) street trees consistent with the requirements of the Germantown Business Park covenants; and (b) additional landscaping elements to create a denser buffer along Patton Court adjacent to the south side of the loading area. The revised landscape plan shall be submitted to the Village Planner for review/approval prior to issuance of a building permit.
10. The requirement for architectural and/or landscape screening of the roof-mounted HVAC equipment shall be re-assessed by the Plan Commission within one (1) year after issuance of an occupancy permit. If deemed necessary by the Plan Commission, the owner shall submit plans and renderings for said screening to the Plan Commission for review/approval with any required screening to be installed within two (2) years after issuance of an occupancy permit.
11. The pattern of windows and/or architectural glass found on the east and portion of the north elevation (for the office area) should be continued or repeated in some manner across the north elevation of the building (in lieu of simply painting portions of the pre-cast panels gray). Other architectural devices should also be added to provide further building articulation to break up the building's mass and monotony of the proposed north elevation as required under the Business Park covenants. A revised elevation/architectural plan and rendering shall be prepared and submitted to the Plan Commission for review/approval prior to issuance of a building permit.

**Village Planner Recommendation**

**APPROVE** the Certified Survey Map (CSM) subject to the following conditions:

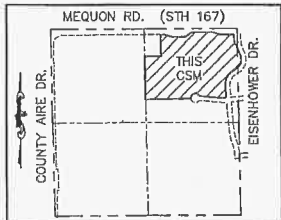
1. All technical corrections raised in the Village Surveyor's January 20, 2014 review memo shall be addressed and submitted to the Surveyor for review/approval prior to recording the CSM.





**CERTIFIED SURVEY MAP No. \_\_\_\_\_**

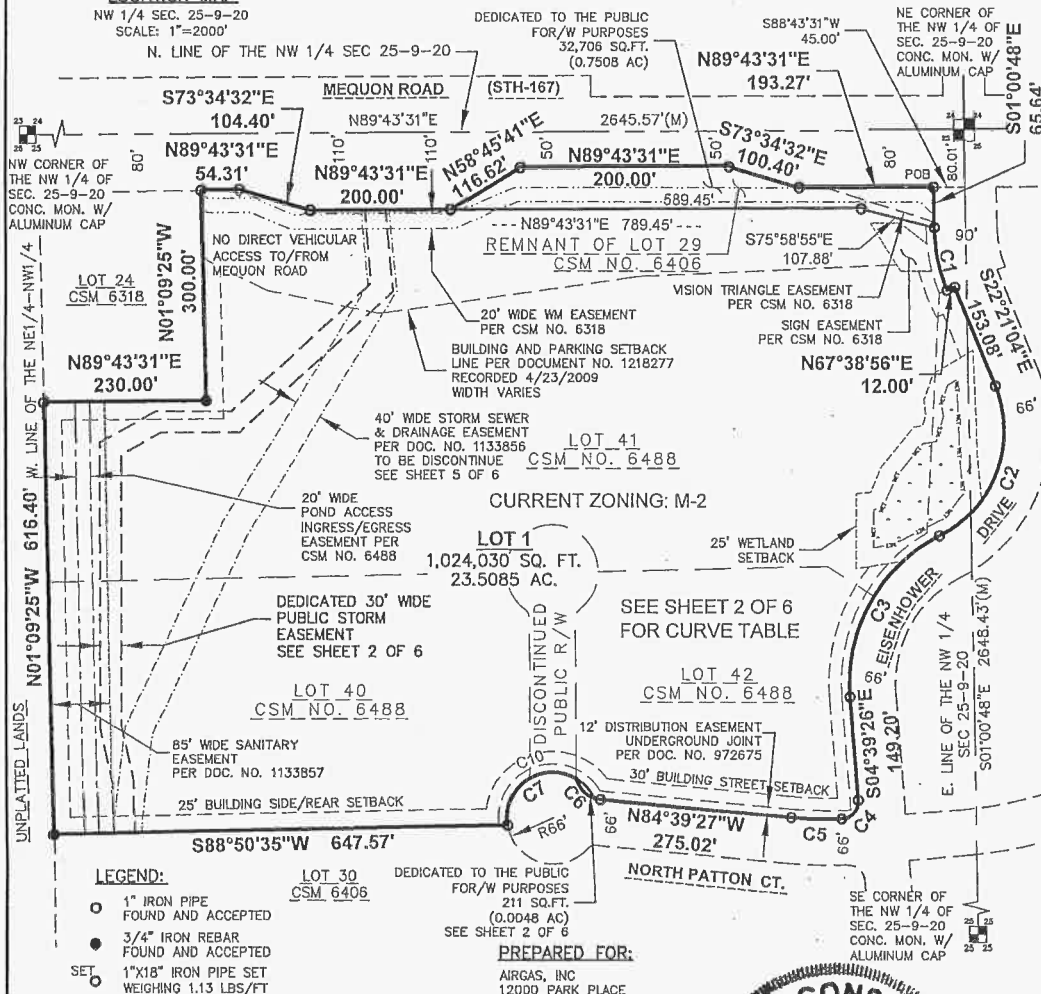
BEING A REDIVISION OF THE REMNANT OF LOT 29 OF CERTIFIED SURVEY MAP NO. 6406; ALL OF LOTS 40, 41 AND 42 OF CERTIFIED SURVEY MAP NO. 6488; AND DISCONTINUED PUBLIC R/W, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN



**LOCATION MAP**

NW 1/4 SEC. 25-9-20  
SCALE: 1"=200'

N. LINE OF THE NW 1/4 SEC 25-9-20



**LEGEND:**

- 1" IRON PIPE FOUND AND ACCEPTED
- 3/4" IRON REBAR FOUND AND ACCEPTED
- SET ○ 1"x18" IRON PIPE SET WEIGHING 1.13 LBS/FT

BEARING BASIS:  
ALL BEARINGS ARE REFERENCED TO WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. THE EAST LINE OF THE NW 1/4 OF SEC. 25-9-20 WAS USED AS S01°00'48"E

PROJECT CONVERSION FACTOR:  
GRID/0.99989554 = GROUND  
SUBJECT TO EASEMENTS OF RECORD.

ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.

ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

DATED THIS 20th DAY OF JANUARY, 2014

THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

DEDICATED TO THE PUBLIC FOR/W PURPOSES 211 SQ.FT. (0.0048 AC) SEE SHEET 2 OF 6

**PREPARED FOR:**

AIRGAS, INC  
12000 PARK PLACE  
SUITE 200  
MILWAUKEE, WI 53224  
AND  
VILLAGE OF GERMANTOWN  
W112 N17001 MEQUON RD.  
GERMANTOWN, WI 53022

**PREPARED BY:**

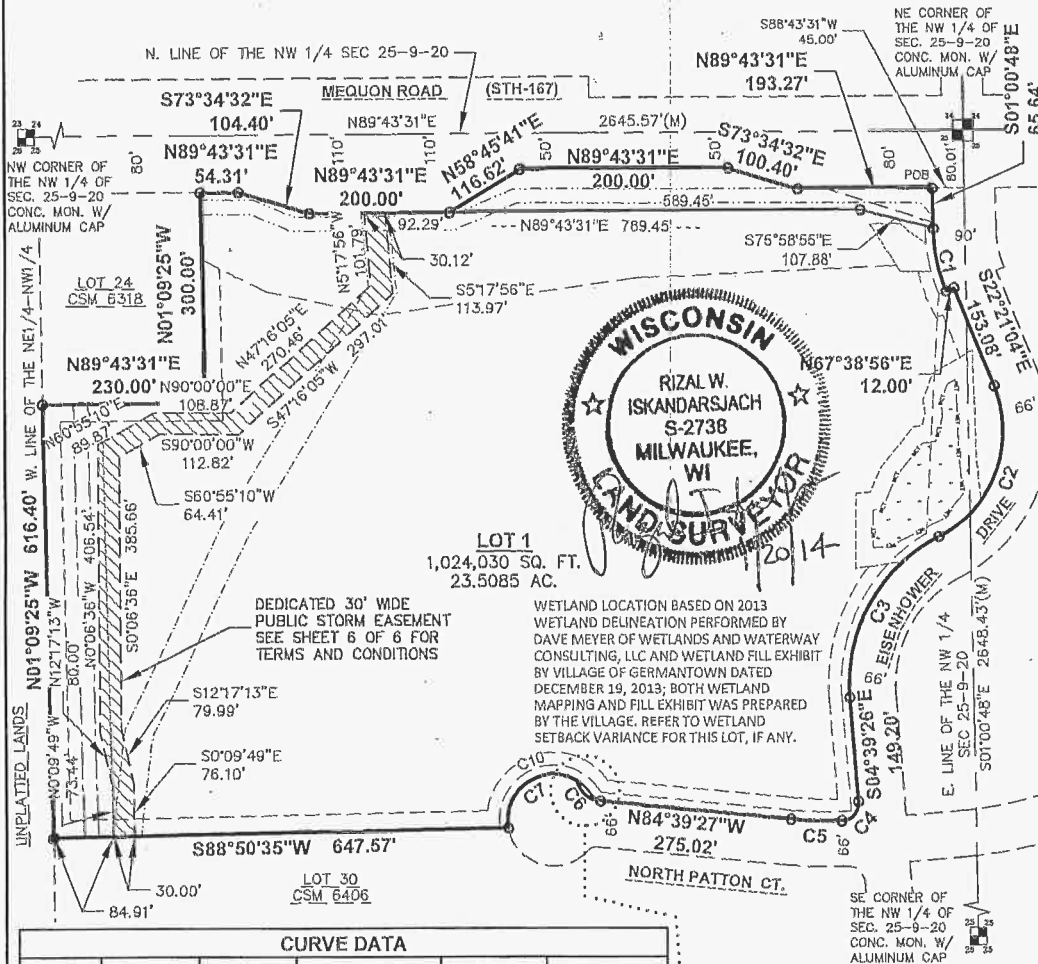
**JSD** Professional Services, Inc.  
• Engineers • Surveyors • Planners  
MILWAUKEE REGIONAL OFFICE  
N22 W22931 NANCY COURT SUITE 3  
WILKESHA, WISCONSIN 53108  
262.613.0668 PHONE | 262.613.1522 FAX



SHEET 1 OF 6

# CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A REDIVISION OF THE REMNANT OF LOT 29 OF CERTIFIED SURVEY MAP NO. 6406; ALL OF LOTS 40, 41 AND 42 OF CERTIFIED SURVEY MAP NO. 6488; AND DISCONTINUED PUBLIC R/W, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN



## CURVE DATA

| CURVE NO. | ARC LENGTH | RADIUS  | CHORD BEARING | CHORD LENGTH | CENTRAL ANGLE |
|-----------|------------|---------|---------------|--------------|---------------|
| C1        | 91.24'     | 245.00' | S11°40'56"E   | 90.72'       | 21°20'16"     |
| C2        | 250.50'    | 167.00' | S20°37'14.5"W | 227.67'      | 85°56'37"     |
| C3        | 277.55'    | 233.00' | S29°28'04"W   | 261.43'      | 68°15'00"     |
| C4        | 40.42'     | 25.00'  | S41°39'52.5"W | 36.16'       | 92°38'37"     |
| C5        | 72.80'     | 567.00' | N88°20'08"W   | 72.75'       | 07°21'22"     |
| C6        | 48.72'     | 38.54'  | N48°52'45"W   | 45.54'       | 72°25'32"     |
| C7        | 150.45'    | 66.00'  | S55°25'50"W   | 119.93'      | 130°36'16"    |
| C8        | 32.56'     | 66.00'  | N45°07'58.5"W | 32.23'       | 28°16'07"     |
| C9        | 14.05'     | 15.00'  | N67°49'41"W   | 13.54'       | 53°39'32"     |
| C10       | 183.01'    | 66.00'  | S69°33'53.5"W | 129.76'      | 158°52'23"    |

CSM NO. 6406 RECORDED ON MAY 17, 2011 AT WASHINGTON CO. REGISTER OF DEEDS OFFICE IN VOL. 48, PAGES 231-238 AS DOC. 1278748.

CSM NO. 6488 RECORDED ON DECEMBER 18, 2012 AT WASHINGTON CO. REGISTER OF DEEDS OFFICE IN VOL. 49, PAGES 169-176 AS DOC. 1323820.

PORTION OF NORTH PATTON CT. (PUBLIC R/W) DISCONTINUED PER VILLAGE RESOLUTION NO. \_\_\_\_\_, RECORDED ON \_\_\_\_\_, 2014 AT WASHINGTON CO. REGISTER OF DEEDS OFFICE IN VOL. \_\_\_\_\_, PAGES \_\_\_\_\_ AS DOC. \_\_\_\_\_.

DATED THIS 20<sup>th</sup> DAY OF JANUARY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

SHEET 2 OF 6

J:\SD Projects\105768 Airgoes - Germantown\Fig 1305769 CSM.dwg

CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A REDIVISION OF THE REMNANT OF LOT 29 OF CERTIFIED SURVEY MAP NO. 6406; ALL OF LOTS 40, 41 AND 42 OF CERTIFIED SURVEY MAP NO. 6488; AND DISCONTINUED PUBLIC R/W, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

**SURVEYOR'S CERTIFICATE:**

State of Wisconsin )  
                                  ) SS  
Waukesha County      )

I, Rizal W. Iskandarsjach, Registered Land Surveyor, do hereby certify that I have surveyed, divided, dedicated and mapped a redivision of the Remnant of Lot 29 of Certified Survey Map No. 6406; all of Lots 40, 41 and 42 of Certified Survey Map No. 6488; and Discontinued Public Right-of-Way, located in the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, bounded and described as follows:

Commencing at the northeast corner of the Northwest 1/4 of said Section 25; thence South 01°00'48" East along the east line of said Northwest 1/4 section, 80.01 feet; thence South 89°43'41" West, 45.00 feet to the northeast corner of said Lot 29 of Certified Survey Map No. 6404 and the point of beginning;

Thence South 01°00'48" East along said the west line of Eisenhower Drive, 65.64 feet to a point of curve; thence southeasterly 91.24 feet along said west line and along the arc of said curve to the left whose radius is 245.00 feet and whose chord bears South 11°40'56" East, 90.72 feet; thence North 67°38'56" East along said west line, 12.00 feet; thence South 22°21'04" East along said west line, 153.08 feet to a point of curve; thence southwesterly 250.50 feet along said west line and along the arc of said curve to the right whose radius is 167.00 feet and whose chord bears South 20°37'14.5" West, 227.67 feet to a point of reverse curve; thence southwesterly 277.55 feet along said west line and along the arc of said curve to the left whose radius is 233.00 feet and whose chord bears South 29°28'04" West, 261.43 feet to a point of tangency; thence South 04°39'26" East along said west line, 149.20 feet to a point of curve; thence southwesterly 40.42 feet along said west line and along the arc of said curve to the right whose radius is 25.00 feet and whose chord bears South 41°39'52.5" West, 36.16 feet to the north line of North Patton Court and to a point of compound curve; thence northwesterly 72.80 feet along said north line and along the arc of said curve to the right whose radius is 567.00 feet and whose chord bears North 88°20'08" West, 72.75 feet to a point of tangency; thence North 84°39'27" West along said north line, 275.02 feet to a point of curve; thence northwesterly 48.72 feet along said north line and along the arc of said curve to the right whose radius is 38.54 feet and whose chord bears North 48°52'45" West, 45.54 feet to a point on a curve; thence southwesterly 150.45 feet along said north line and along the arc of said curve to the left whose radius is 66.00 feet and whose chord bears South 55°25'50" West, 119.93 feet to the north line of Lot 30 of said Certified Survey Map No. 6406; thence South 88°50'35" West along said north line, 647.57 feet to the northwest corner of said Lot 30 and the west line of the Northeast 1/4 of said Northwest 1/4 section; thence North 01°09'25" West along said west line, 616.40 feet to the southwest corner of Lot 24 of Certified Survey Map No. 6318; thence North 89°43'31" East along the south line of said Lot 24, 230.00 feet to the southeast corner of said Lot 24; thence North 01°09'25" West along the east line of said Lot 24, 300.00 feet to the south line of Mequon Road (State Trunk Highway "167"); thence North 89°43'31" East along said south line, 54.31 feet; thence South 73°34'32" East along said south line, 104.40 feet; thence North 89°43'31" East along said south line, 200.00 feet; thence North 58°45'41" East along said south line, 116.62 feet; thence North 89°43'31" East along said south line, 200.00 feet; thence South 73°34'32" East along said south line, 100.40 feet; thence North 89°43'31" East along said south line, 193.27 feet to the point of beginning.

Containing in all 1,056,947 square feet (24.2642 acres) of lands, more or less.

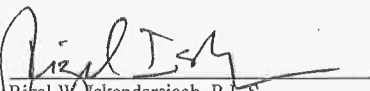
All subject to easements and restrictions of record, if any.

That I have made such survey, land division and map by the direction of AIRGAS INC and VILLAGE OF GERMANTOWN, owners of said land.

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

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing, dedicating and mapping.

DATED THIS 20<sup>th</sup> DAY OF JANUARY, 2014

  
Rizal W. Iskandarsjach, R.L.S.  
Registered Land Surveyor, S-2738



CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A REDIVISION OF THE REMNANT OF LOT 29 OF CERTIFIED SURVEY MAP NO. 6406; ALL OF LOTS 40, 41 AND 42 OF CERTIFIED SURVEY MAP NO. 6488; AND DISCONTINUED PUBLIC R/W, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

**OWNERS' CERTIFICATES**

As to Lots 40, 41 and 42 CSM No. 6488 and Discontinued Public Right-of-Way, AIRGAS INC, as owner, does hereby certify that said company caused the land described in the foregoing affidavit of Rizal W. Iskandarsjach, to be surveyed, divided, dedicated and mapped as represented on this map, in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and the Land Division and Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing, dedicating and mapping.

AIRGAS INC

\_\_\_\_\_(sign) \_\_\_\_\_(date)  
Jeff Stawicki, Director Logistics

State of \_\_\_\_\_ )  
\_\_\_\_\_) SS  
\_\_\_\_\_ County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the above named Jeff Stawicki, Director Logistics of the above named company, to me known to be such Director Logistics of said company, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation by its authority.

\_\_\_\_\_(sign)  
\_\_\_\_\_(print)  
Notary Public, \_\_\_\_\_ County, \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

As to Remnant of Lot 29 CSM No. 6406, VILLAGE OF GERMANTOWN, as owner, does hereby certify that said company caused the land described in the foregoing affidavit of Rizal W. Iskandarsjach, to be surveyed, divided, dedicated and mapped as represented on this map, in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 18 of the Village of Germantown Subdivision Control Ordinance in surveying, dividing, dedicating and mapping.

VILLAGE OF GERMANTOWN

\_\_\_\_\_(sign) \_\_\_\_\_(date)  
Dean Wolter, Village President

\_\_\_\_\_(sign) \_\_\_\_\_(date)  
Barbara K. D. Goeckner, Village Clerk

State of \_\_\_\_\_ )  
\_\_\_\_\_) SS  
\_\_\_\_\_ County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014, the above named Dean Wolter and Barbara K. D. Goeckner to me known to be such person (s) and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation by its authority.

\_\_\_\_\_(sign)  
\_\_\_\_\_(print)  
Notary Public, \_\_\_\_\_ County, \_\_\_\_\_  
My Commission Expires \_\_\_\_\_



DATED THIS 20<sup>th</sup> DAY OF JANUARY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

SHEET 4 OF 6

U:\SD Projects\1305769 Airgas - Germantown\dwg\1305769 CSM.dwg

CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A REDIVISION OF THE REMNANT OF LOT 29 OF CERTIFIED SURVEY MAP NO. 6406; ALL OF LOTS 40, 41 AND 42 OF CERTIFIED SURVEY MAP NO. 6488; AND DISCONTINUED PUBLIC R/W, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

VILLAGE PLAN COMMISSION APPROVAL

This Certified Survey Map is hereby approved by the Plan Commission of the Village of Germantown on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Dean Wolter  
Chairman of Village Planning Commission

\_\_\_\_\_  
Laura A. Johnson  
Planning Commission Secretary

VILLAGE BOARD APPROVAL

Resolved that this Certified Survey Map, being a redivision of the Remnant of Lot 29 of Certified Survey Map No. 6406; all of Lots 40, 41 and 42 of Certified Survey Map No. 6488; and Discontinued Public Right-of-Way, located in the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin, having been approved by the Village Plan Commission, is hereby approved and accepted by the Village Board of Trustees of the Village of Germantown on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

By approval of this Certified Survey Map, the Village of Germantown hereby releases its rights to the 40' Storm Sewer and Drainage easement over Lot 1 of this document and as originally created by Document No. 1133856.

\_\_\_\_\_  
Dean Wolter  
Village President

ATTEST:

\_\_\_\_\_  
Barbara K.D. Goeckner  
Village Clerk



DATED THIS 20<sup>th</sup> DAY OF JANUARY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

SHEET 5 OF 6

CERTIFIED SURVEY MAP No. \_\_\_\_\_

BEING A REDIVISION OF THE REMNANT OF LOT 29 OF CERTIFIED SURVEY MAP NO. 6406; ALL OF LOTS 40, 41 AND 42 OF CERTIFIED SURVEY MAP NO. 6488; AND DISCONTINUED PUBLIC R/W, LOCATED IN THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 20 EAST, VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISCONSIN

30' WIDE PUBLIC STORM SEWER EASEMENT

AIRGAS, INC, as current owner (GRANTOR) of Lot 1 of this Certified Survey Map grant to the Village of Germantown (GRANTEE) a 30 foot wide storm sewer easement as depicted on Sheet 2 of 6.

AIRGAS, INC, hereby warrants that they have legal title to the lands which are subject of this easement and that they lawful authority to grant this easement.

The right, permission and authority is also granted to the Village of Germantown, to trim and/or cut down certain trees and/or brush where said trees and/or brush interfere with the existing storm sewer and maintenance of the facilities or represent a hazard to such facilities. The restoration, however, does not apply to any brush or trees which may be removed at any time pursuant to the rights herein granted.

The Village of Germantown shall perform such regular and customary, or extraordinary or emergency maintenance, repairs or replacement to the storm sewer improvements as it shall deem necessary and appropriate. Upon completion of any such work, the Village shall backfill to approximate the pre-existing grade. Future owners of Lot 1 or any future division of said Lot 1, its successors and assigns, or the tenants of either shall be responsible for the restoration of topsoil, turf or other landscaping, or surface paving disturbed as a result of such work undertaken by the Village of Germantown.

The GRANTOR(S), their successors and assigns, covenant(s) and agree(s) to restrict the use of the land included in the easement described herein above as follows:

1. The land will only be put to uses consistent with this easement such as lawn areas, driveways and small and easily movable structures that will not interfere with access to the storm sewer facility or its appurtenances, with the exception of item 3, below.
2. No obstruction of access to the storm sewer facility or its appurtenances shall be created in the future and that no building, trees or other structures or items that may interfere with inspection, maintenance or repair shall be located in the space over and within vertical planes located on both sides of the facility and/or its appurtenances.
3. The surface elevation of the land within the easement shall not be raised or lowered more than four (4) inches without the prior written approval of the Village Engineer of the Grantee.

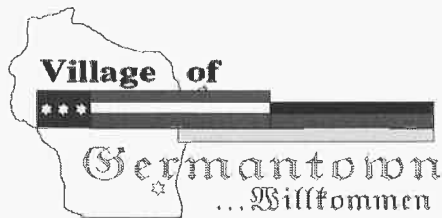
The Village of Germantown and its agents shall have the right to enter upon the premises for the purpose of exercising its rights herein acquired. Future owners of Lot 1 or any future division of said Lot 1 agrees to restore or cause to have restored said premises, as nearly as is reasonably possible, to the condition existing prior to such entry by the Village of Germantown or its agents. The restoration, however, does not apply to any brush or trees which may be removed at any time pursuant herein granted.



DATED THIS 20th DAY OF JANUARY, 2014  
THIS INSTRUMENT WAS DRAFTED BY RIZAL W. ISKANDARSJACH, S-2738

SHEET 6 OF 6

\\VSD Projects\305769 Airgas - Germantown.dwg 1/20/14 CSK.dwg



## Engineering Department Memorandum

**To:** Jeff Retzlaff Village Planner  
**CC:**  
**From:** Bob Beilfuss, RLS, Village Surveyor  
**Date:** January 20, 2014  
**Re:** AirGas

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Jeff,

Here are my review comments for the CSM received 1/16/2014.

### **Certified Survey Map**

**Applicant or Owner:** AirGas  
**Land Surveyor/Firm:** JSD Professional Services / Rizal Iskandarsjach, RLS  
**Current Zoning:** M-2

### **Staff Review Comments**

1. Missing professional land surveyor's seals and signatures, in ink on all sheets as required by AE-2.02(4) of the Wisconsin Administrative Code.
2. Wrong sheet size. Submittal was letter size and double-sided which conflicts with Wis. Statutes.
3. Subdivider does not have title to the properties to combine or redivided the existing lots.
4. Missing building setback lines per current zoning code
5. Missing 25' wetland setback line on remaining wetland area.
6. The north leg of North Patton Court needs to be discontinued and not vacated. The discontinuance of the existing right of way is done by Village Board resolution which is done prior to recording of the certified survey map. The resolution number needs to be shown on certified survey map document.
7. The existing 40' wide Storm Sewer and Drainage easement will need to be released as the need for the easement is being replaced with a new 20' wide storm sewer easement in a different location on the property. This release can be accomplished by adding the following note to the Village Board Approval certificate:

November 27, 2012

*By approval of this Certified Survey Map, the Village of Germantown hereby releases its rights to the 40' Storm Sewer and Drainage easement over Lot 40 and Lot 41 of this document and as originally created by Document No. 1133856.*

8. The monument type and location note is showing a Range of 120 and should read Range 20.
9. A proposed 20' wide public storm sewer easement is to be created as shown on sheet 1 and sheet 2 of the submittal. No terms and conditions of the proposed public storm easement have been submitted for review and approval by the Department of Public Works or the Public Works Committee. This needs to be done prior to recording the CSM.
10. The proposed 20' wide storm sewer easement is to be created under a separate easement document with approved terms and conditions and an exhibit. This easement document is to be recorded prior to the certified survey map and the easement recording document number is to be depicted on the map sheets of the certified survey map.
11. It is my understanding this certified survey map was submitted by the architect even though the certified survey map was not 100% complete and was supplied as a draft only. No CSM application was prepared and included with the site plan submittal. The architect should have included this with the site plan submittal. The land surveyor of record is preparing the CSM application today.

Once a revised and correct document is provided, a new review will be performed prior to Village Board approval. I assume ALL of the preliminary items will have been addressed by that time and the document can receive Village signatures and can be recorded immediately thereafter.

12. End of review comments.

#### **Document Submittals and Data Conversion**

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

**Prior to Recording the Certified Survey Map**, the professional land surveyor shall submit an AutoCad drawing file (.dwg) of the document in version 2004 on compact disk (CD) or via email to the Village Surveyor.

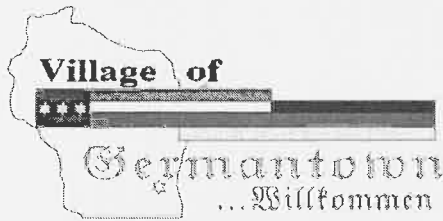
Any digital professional land surveyor seals and signatures will be purged from the digital copy prior to submittal.

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



*November 27, 2012*

**Prior to Recording the Certified Survey Map**, the Village Engineering Department will verify that the boundary markers have been installed as described on the submitted map.



## Engineering Department Memorandum

To : Jeffrey W. Retzlaff, AICP, Planning Director/Zoning Administrator

From : Brionne R. Bischke, P.E., Village Engineer 

Date : January 17, 2014 (original)  
January 21, 2014 (revised)  
January 24, 2014 (revised)

Re : Airgas – Germantown Business Park. Site Plan Review

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The following strike-through text indicates comments adequately addressed. The following underlined text indicates additional comments. Unformatted text indicates that the comment still needs to be addressed.

DPW/Engineering Dept. reviewed progress drawings submitted for Plan Commission review. Several components of the drawings and several additional ancillary documents (e.g., easements) remain incomplete. Additionally, several revisions are needed to conform to the Village's publicly-published design and construction standards and specifications. All of the remaining work and revisions must be completed before plan review submission to Wisconsin DNR and Wisconsin DSPS, and before Building Permit application to the Village.

#### **EUA/JSD Site Pavement ID and Dimension Plan (Sheet C100):**

- ~~1. Consider siting American Disabilities Act (ADA) parking spaces in close proximity to the proposed southeast customer entrance in manner similar to the proposed northeast employee entrance.~~

#### **EUA/JSD Site Grading, Drainage and Erosion Control Plan (Sheet C101):**

- Along the parcel's western property line, the Village's Wastewater Utility needs a laterally-flat 20-ft. wide access road in which the underlying public sanitary interceptor sewer is centerline. Consider increasing the proposed retaining wall height in order to accommodate this need, or find another solution that will accommodate this need. Airgas/EUA/JSD are working with the DPW Director and Village Engineer in good faith.
- ~~2. The well pumping station has a sanitary sewer service extending south to a manhole, then extending southwest to the interceptor sewer. Since grading is proposed on the well station's parcel, survey the sanitary sewer service's manhole, present the manhole and the sanitary sewer service on the drawing, ascertain if a grade adjustment is needed, and either adjust the grading design to avoid the service and manhole altogether, or specifically specify what impacts and work will be required to accommodate this grading design.~~

3. The existing cul-de-sac bulb of N. Patton Ct. was constructed improperly; therefore, coordinate proper ultimate match points and elevations and coordinate form of temporary access during construction with the Engineering Dept. If building construction is completed early enough in the Year 2014 paving season to also rebuild the cul-de-sac, then the Village would rebuild the cul-de-sac in Year 2014. If building construction is completed too late in the Year 2014 paving season, then the Village would rebuild the cul-de-sac in Year 2015. Airgas/EUA/JSD are working with the DPW Director and Village Engineer in good faith.
4. Communicate how far west the retaining wall's geosynthetic reinforcement will penetrate, which must avoid interfering with future trench-work needed to access the Village's sanitary interceptor sewer. Airgas/EUA/JSD are working with the DPW Director and Village Engineer in good faith.
5. Apply for an erosion control permit from the Village' Building Inspection Dept.

#### **EUA/JSD Site Utility Plan (Sheet C102)**

1. ~~Private Sanitary Sewer Service:~~
  - a. ~~Specify an Insert-a-Tee connection to the Village sanitary sewer.~~
  - b. ~~Annotate invert elevations for the sanitary storm crossing, which will be required by the Wisconsin DSPS for their plan review.~~
  - c. ~~Present drainage fixture units (dfus) on the drawing, which will be required by the Wisconsin DSPS for their plan review.~~
  - d. ~~Specify HMA Binder Course, 2 1/4" Depth, Type E 3.0, 19 mm, PG 64°C 22°C and HMA Surface Course, 1 3/4" Depth, Type E 3.0, 12.5 mm, PG 64°C 22°C for the "IN-KIND" pavement replacement in N. Patton Ct.~~
2. Private Water Service:
  - a. ~~Specify form/methodology of connection to the Village water main at each location.~~
  - b. ~~Specify whether the "10x6" service tee is really a "10x10x6" tee or a "10x10x10" tee with a "10x6" reducer.~~
  - c. Assign and annotate invert elevations for all fixtures, which is imperative to assure that adequate slopes are designed to properly avoid creating air pockets and to properly bleed air from the system, and which will be required by the Wisconsin DSPS for their plan review. Include grade breaks between hydrants with goal of achieving a 0.0040 ' / ' min. slope.
  - d. ~~Annotate invert elevations for the water storm crossings, which will be required by the Wisconsin DSPS for their plan review.~~
  - e. Present water service fixture units (wsfus) on the drawing, which will be required by the Wisconsin DSPS for their plan review.
  - f. ~~Specify HMA Binder Course, 2 1/4" Depth, Type E 3.0, 19 mm, PG 64°C 22°C and HMA Surface Course, 1 3/4" Depth, Type E 3.0, 12.5 mm, PG 64°C 22°C for the "IN-KIND" pavement replacement in N. Patton Ct.~~
  - g. Better define the connection in the N. Patton Ct. bulb. First, notify Wisconsin Stamping of service interruption. Approaching from east, remove the existing 45° bend, then extend west, then relocate hydrant, and then continue to extend west for private water service. Approaching from the south, remove the existing 45° bend, and then extend north until intersecting with the aforementioned extension, connecting with a tee.
3. Private Storm Sewer:
  - a. ~~Present flows in efs on the drawing, which will be required by the Wisconsin DSPS for their plan review.~~
  - b. ~~Incorporate sumps in STO MH-17 and 51, which will intercept deleterious materials and larger sediments before they enter the Village's storm sewer system.~~
  - c. If rip-rap is proposed for the Eisenhower driveway culvert, annotate reference to detail on Sheet C500.

4. Public Storm Sewer:

- a. ~~Incorporate 0.10 ft. min. elevation differences across manholes, which assures adequate drainage slope preventing standing water in the manhole benches. Recompute cascading manhole pipe invert elevations or pipe slopes accordingly.~~
- b. ~~Correct arithmetic error at south reach of STO MH-10.~~
- c. ~~Correct direction errors at STO MH-13, 14 and 15.~~
- d. ~~There is a 13.67 ft. drop in STO MH-16A and a 4.5 ft. drop in STO MH-10, which will scour the manhole benches and bottom sections. Either change the pipe slopes to reduce the drops to 2 ft. max., convert the manholes to an outside drop manholes, or present an anti-scouring design that will protect the manholes' benches and bottom sections.~~
- e. Provide as-built drawings to the Village's Engineering Dept.

**EUA/JSD Site Notes and Details (Sheet C500):**

1. ~~Correct date of PSI report in General Notes and Specifications #1.~~
2. ~~Correct code reference from Wisconsin COMM 82 to SPS 382 in Utility Notes #3.~~
3. ~~Correct permit reference from NPDES to WPDES in General Erosion and Sediment Control Notes #16.~~
4. ~~Incorporate building, footing and retaining wall construction in Construction Site Sequencing.~~

**EUA/JSD Site Notes and Details (Sheet C501):**

1. ~~Replace the Sampling and Gauging MH Detail with the Village's Standard Sampling Manhole Detail.~~

**40-ft. Wide Storm Sewer & Drainage Easement:**

1. Prepare documents abandoning and relocating the easement within the parcel. Record with the Washington Co. Register of Deeds.

**Private Water Main Operation/Inspection/Maintenance Agreement:**

1. Prepare documents presenting operation/inspection/maintenance agreements. Record with the Washington Co. Register of Deeds.

**Retaining Wall Easement:**

1. If the Village will be responsible for ownership/maintenance of the retaining wall, prepare easement documents overlaying the wall and all of its components (e.g., geosynthetic reinforcement), and granting the Village access to both the top and the bottom of the wall. Record with the Washington Co. Register of Deeds.

**Developer's Agreement:**

1. Contact DPW Director at (262) 250-4721 to develop the Developer's Agreement. The Developer's Agreement will need to be approved by the Village's Public Works & Highway Committee and the Village Board.
2. Sanitary and Water Connection Fees: Provide number of employees and SIC numbers to Public Works Assistant at (262) 250-4721 for connection fee computation. Submit fees before or at time of building permit application.

3. As-Built Drawings: After construction, Airgas' consultant shall prepare and submit as-built drawings of storm water management facilities and the water service feeding fire hydrants to the Engineering Dept.
4. 40-ft. Wide Storm Sewer & Drainage Easement: Follow aforementioned.
5. Private Water Main Operation/Inspection/Maintenance Agreement: Follow aforementioned.
6. Retaining Wall Easement: Follow aforementioned.
7. Public Sanitary Interceptor Sewer Access Road: Follow aforementioned.
8. Other: Additional items may need to be included, depending upon the final contents of the sales agreement.

**EUA/JSD Cover (Sheet G000):**

1. ~~The consulting architect and professional engineer must affix their respective registration seals and signatures to the submittal documents as required by Wisconsin DSSPS Code, specifically Chapter A-E 2. Neither the DSSPS Code nor the Village standards exclude submittals for Plan Commission review from this requirement.~~

**Enclosures:**

1. *Germantown Standard Sampling Manhole Detail*
2. *Sample Private Water Main Operation/Inspection/Maintenance Agreement*

**Additional Retaining Wall Comments (Revised January 21, 2014):**

1. Include wall cross-section details on the construction drawings, including attributes (e.g., geosynthetic reinforcement, leveling pad, keystone units, drainage fill, perforated pipe, etc.). Airgas/EUA/JSD are working with the DPW Director and Village Engineer in good faith.
2. Include a drainage swale west of the wall, intended to intercept runoff so it will not overtop the wall. Inlets may need to be extended from the storm sewer to capture this intercepted runoff near the north and south ends of the wall. Airgas/EUA/JSD are working with the DPW Director and Village Engineer in good faith.
3. Include a fence anchored proximate to the top back of the wall. Airgas/EUA/JSD are working with the DPW Director and Village Engineer in good faith.

**BUSINESS OF THE VILLAGE BOARD**  
**VILLAGE OF GERMANTOWN, WI**

MEETING DATE: Monday, February 3, 2014

AGENDA ITEM: New Business

ITEM TITLE: Agreement between Village's Senior Center & Washington County

SUBMITTED BY: Justin Casperson, Park & Recreation Director 

SUMMARY EXPLANATION:

The attached agreement is an annual agreement between Village of Germantown and Washington County for the use of the Village's Senior Center. The Senior Center provides space and resources for the Washington County Senior Dining Program and in exchange Washington County provides payment of \$6,000. The money is recognized in the Village's budget as a revenue in account 10-430-431-7215.

ATTACHMENT: ORDINANCE\_\_\_\_\_ RESOLUTION\_\_\_\_\_ OTHER X

RECOMMENDATION:

**LETTER OF AGREEMENT BETWEEN  
VILLAGE OF GERMANTOWN  
AND  
AGING & DISABILITY RESOURCE CENTER  
OF WASHINGTON COUNTY**

In consideration for the mutual covenants herein, the Aging & Disability Resource Center of Washington County, State of Wisconsin, hereinafter known as the "PROGRAM", having offices at 333 East Washington Street, Suite 1000, West Bend, WI 53095, and the Village of Germantown, for the Germantown Senior's Activity Center, hereinafter known as the "FACILITY", located at W162 N11960 Park Avenue, Germantown, WI 53022, agree as follows:

WHEREAS, the County provides services to older adults through its Aging & Disability Resource Center; and,

WHEREAS, Village of Germantown owns and operates a senior center facility in Germantown, known as Germantown Senior's Activity Center and,

WHEREAS, Germantown Senior's Activity Center provides programs and services at the Germantown Senior's Activity Center.

NOW, THEREFORE, in consideration of the mutual agreements herein contained, the parties agree as follows:

1. Washington County will provide, through its Aging & Disability Resource Center, payment of \$6,000 per year to Germantown Senior's Activity Center.
2. Village of Germantown will provide the county with a satellite location to offer senior Services, and a site for the Senior Dining program within the Germantown Senior's Activity Center.
3. Village of Germantown will allow the Germantown Senior's Center facility, including meeting rooms, kitchen facilities, and furnishings, to be used for prescheduled activities Monday-Friday between 8:00 am and 4:30 pm as agreed upon by both parties..
4. Insurance. County shall not provide any insurance coverage of any kind for Germantown Senior's Activity Center or its employees. Germantown Senior's Activity Center shall provide the following general liability coverage: General liability (\$1,000,000 per occurrence). An annual Certificate of Insurance acceptable to the County shall be submitted prior to the commencement of this Agreement. The Certificate shall contain a provision that coverage afforded under the policy will not be cancelled unless at least 60 (sixty) days prior written notice has been given to County.

5. The County will ensure that all County sponsored programs and services held at the Germantown Senior's Activity Center will be for the benefit of the older adults of Washington County.
6. Germantown Senior's Activity Center is responsible for providing a quarterly report of activities held at the Germantown Senior's Activity Center to the County. These reports should be sent to the County by the 15<sup>th</sup> of the following month. The reports shall include:
  - Type of program
  - Number of participants
  - Other general comments regarding the programs
7. This agreement may be terminated by the County or Germantown Senior's Activity Center, without cause for any reason, upon giving thirty (30) days written notice to the other party.
8. This agreement or any part thereof shall be renegotiated in the event of changes in State, Federal, or local regulations or a reduction in funds affecting the substance of contract.
9. This agreement shall be valid and enforceable for a period of one year, commencing January 1, 2014 and shall expire on December 31, 2014.

In Witness Whereof, the parties hereto affix their hands and seals.

For the PROGRAM:  
Washington County

For the FACILITY:  
Germantown Senior's Activity Center

\_\_\_\_\_  
Linda Olson, Director  
Aging & Disability Resource Center  
Date: \_\_\_\_\_

\_\_\_\_\_  
Dean Wolter  
President, Village of Germantown  
Date: \_\_\_\_\_

\_\_\_\_\_  
Herbert Tennies  
Washington County Board Chairman  
Date: \_\_\_\_\_

\_\_\_\_\_  
Brenda J. Jaszewski  
County Clerk for Washington County  
Date: \_\_\_\_\_



X-H

RESOLUTION NO. R - 14

APPROVING THE SALARIES AND COMPENSATION FOR EXEMPT EMPLOYEE'S AND  
OTHER NON-REPRESENTED SUPPORT STAFF

CALENDAR YEAR 2014

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WHEREAS, the Village of Germantown employs both union and non-union personnel; and,

WHEREAS, it is necessary that the Village Board establish or approve compensation levels for all exempt and non-union support staff personnel, and,

WHEREAS, the Village Board of the Village of Germantown has adopted the 2014 Budget on November 18, 2013 that included approved funding to cover 2014 salaries, and,

WHEREAS, the Village Board has authorized a 2% increase to some non-represented positions on January 20, 2014, and,

NOW THEREFORE BE IT RESOLVED that the attached Salary and Compensation Schedule for fiscal year January 1 through December 31, 2014 is approved for Exempt Employee's and non-represented support staff personnel.

Introduced by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Vote: Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_

\_\_\_\_\_  
Dean M. Wolter President

ATTEST:

\_\_\_\_\_  
Barbara Goeckner, Village Clerk

2014 SALARY AND COMPENSATION SCHEDULE

|                                                            |          |          |
|------------------------------------------------------------|----------|----------|
| 1. Legislative                                             |          |          |
| a. Village President                                       | \$8,000  | annually |
| b. Village Trustees                                        | 5,500    | annually |
| 2. Village Offices - General                               |          |          |
| a. Public Works Secretary                                  | \$21.61  | per hour |
| b. Deputy Treasurer                                        | 23.15    | per hour |
| 3. Administrative & Related                                |          |          |
| a. Village Administrator                                   | \$97,248 | annually |
| b. Village Clerk                                           | 63,750   | annually |
| c. Village Finance Director                                | 70,489   | annually |
| 4. Public Works                                            |          |          |
| a. Director of Public Works                                | \$90,598 | annually |
| b. Village Engineer                                        | 74,448   | annually |
| c. Superintendent Highways, Parks & Bld. Grounds           | 63,756   | annually |
| d. Superintendent Water                                    | 63,756   | annually |
| e. Foreman - Hwy, Parks, Bldg., Grds                       | 62,100   | annually |
| f. Superintendent Wastewater                               | 63,756   | annually |
| g. Community Development Director/Planning                 | 72,427   | annually |
| h. Part-time Public Works Dept                             |          |          |
| Range - low                                                | 8.74     | per hour |
| Range - high                                               | 12.00    | per hour |
| 5th Year -- Recycling Aids ONLY                            | 11.23    | per hour |
| i. Summer Intern - Engineering                             | 10.50    | per hour |
| 5. Public Safety                                           |          |          |
| a. Police Chief                                            | \$93,458 | annually |
| b. Police Captain                                          | 85,604   | annually |
| c. Police Lieutenant                                       | 81,833   | annually |
| d. Communications Supervisor                               | 55,087   | annually |
| e. Police Secretary                                        | 22.09    | per hour |
| f. Fire Chief - TBD                                        | -        | annually |
| g. P.T. Deputy Fire Chief                                  | 3,904    | annually |
| h. P.T. Fire Dept. Captain                                 | 1,853    | annually |
| i. P.T. Fire Dept Lieutenants                              | 1,111    | annually |
| 5a. Telecommunicators                                      |          |          |
| a. Start                                                   | \$17.73  | per hour |
| b. One Year                                                | 18.54    | per hour |
| c. Two Year                                                | 19.38    | per hour |
| d. Three Year                                              | 20.21    | per hour |
| e. Four Year                                               | 21.02    | per hour |
| f. Five Year                                               | 21.84    | per hour |
| g. Seven Year                                              | 22.67    | per hour |
| 6. Parks, Recreation & Senior Center                       |          |          |
| a. Recreation Director - Eff 4/22/14                       | \$58,650 | annually |
| b. Recreation Supervisor                                   | 48,466   | annually |
| c. Recreation Supervisor II                                | 43,844   | annually |
| d. Senior Program Coordinator                              | 34,515   | annually |
| 7. Board, Commissions & Election Workers                   |          |          |
| a. Plan Commission (limit 2 mtgs./month)                   | \$20.00  | per mtg. |
| b. Police & Fire Commission Member                         | 20.00    | per mtg. |
| c. Police & Fire Commission Chairperson                    | 25.00    | per mtg. |
| d. Police & Fire Commission Secretary                      | 22.00    | per mtg. |
| (paid for max of 12 mtgs./year)                            |          |          |
| e. Board of Zoning Appeals                                 | 20.00    | per mtg. |
| f. Board of Zoning Appeals - Chairman                      | 25.00    | per mtg. |
| (paid for max of 12 mtgs./year)                            |          |          |
| g. Park & Recreation Commission Member                     | 20.00    | per mtg. |
| h. Park & Recreation Commission Chairperson                | 25.00    | per mtg. |
| (paid for max of 12 mtgs./year)                            |          |          |
| i. Library Board Member                                    | 20.00    | per mtg. |
| j. Library Board Chairperson                               | 25.00    | per mtg. |
| (paid for max of 12 mtgs./year)                            |          |          |
| k. Election Inspectors                                     | 8.50     | per hour |
| l. Election Inspectors Chairperson                         | 10.00    | per hour |
| m. Board of Review                                         | 50.00    | per day  |
| 9. Mileage - Expense                                       |          |          |
| Per IRS Schedule for official approved use of private auto |          |          |

See attached Park & Recreation Seasonal Salary Schedule

**GERMANTOWN PARK & RECREATION DEPARTMENT**  
**2014 Seasonal Employee Pay Range Plan**

| JOB POSITION                                                                                                                                                                                                                                          | SALARY RANGE                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ART PROGRAM COORDINATOR                                                                                                                                                                                                                               | \$9.00 - \$16.25/HR.                                                                                                                                                 |
| BASEBALL COORDINATOR<br>BASEBALL INSTRUCTOR                                                                                                                                                                                                           | \$9.00 - \$13.75/HR.<br>\$7.25 - \$10.00 HR.                                                                                                                         |
| BASKETBALL COORDINATOR<br>BASKETBALL INSTRUCTOR<br>BASKETBALL - MEN'S LEAGUE SUPERVISOR<br>BASKETBALL - MEN'S LEAGUE COORDINATOR<br>BUCKETEER BASKETBALL COORDINATOR<br>BUCKETEER BASKETBALL SITE SUPERVISOR<br>1ST/2ND GRADE BUCKETS SITE SUPERVISOR | \$9.00 - \$18.50/HR.<br>\$7.25 - \$10.00/HR.<br>\$9.00 - \$17.50/HR.<br>\$9.00 - \$16.25/HR.<br>\$9.00 - \$16.25/HR.<br>\$7.75 - \$12.50/HR.<br>\$7.75 - \$12.50/HR. |
| CARE PROGRAM: KIDS KLUB, TYKE SITE<br>COORDINATOR<br>SITE SUPERVISOR<br>ASSISTANT SUPERVISOR<br>LEADER                                                                                                                                                | \$12.75 - \$16.25/HR.<br>\$11.50 - \$13.75/HR.<br>\$10.25 - \$12.50/HR.<br>\$7.75 - \$10.00/HR.                                                                      |
| DANCE PROGRAM COORDINATOR<br>DANCE ASSISTANT                                                                                                                                                                                                          | \$9.00 - \$20.00/HR.<br>\$7.25 - \$8.75/HR.                                                                                                                          |
| DODGEBALL PROGRAM COORDINATOR<br>DODGEBALL ASSISTANT                                                                                                                                                                                                  | \$9.00 - \$16.25/HR.<br>\$7.25 - \$10.00/HR.                                                                                                                         |
| FLAG FOOTBALL COORDINATOR<br>FLAG FOOTBALL FIELD MAINTENANCE SUPERVISOR                                                                                                                                                                               | \$11.50 - \$20.00/HR.<br>\$7.25 - \$10.00/HR.                                                                                                                        |
| GOLF INSTRUCTOR (PEE WEE)                                                                                                                                                                                                                             | \$7.25 - \$10.00/HR.                                                                                                                                                 |
| GYMNASTICS COORDINATOR<br>GYMNASTICS ASSISTANT COORDINATOR<br>GYMNASTICS INSTRUCTOR                                                                                                                                                                   | \$9.00 - \$18.75/HR.<br>\$7.75 - \$13.75/HR.<br>\$7.25 - \$8.75/HR.                                                                                                  |
| LITTLE GRIDDEES FOOTBALL COORDINATOR                                                                                                                                                                                                                  | \$9.00 - \$17.50/HR.                                                                                                                                                 |
| OODLES OF ART INSTRUCTOR                                                                                                                                                                                                                              | \$9.00 - \$16.25/HR.                                                                                                                                                 |
| OFFICE ASSISTANT<br>OPEN GYM SUPERVISORS - WINTER<br>OPEN GYM SUPERVISORS - SUMMER                                                                                                                                                                    | \$6.50-\$13.75/HR.<br>\$7.25 - \$10.00/HR.<br>\$7.25 - \$10.00/HR.                                                                                                   |
| POMS ASSISTANTS                                                                                                                                                                                                                                       | \$7.25 - \$13.75/HR.                                                                                                                                                 |
| SOCCER PROGRAM COORDINATOR                                                                                                                                                                                                                            | \$7.25 - \$10.00/HR.                                                                                                                                                 |
| SPORTIES FOR SHORTIES COORDINATOR<br>SPORTIES FOR SHORTIES ASSISTANT                                                                                                                                                                                  | \$9.00 - \$16.25/HR.<br>\$7.25 - \$10.00/HR.                                                                                                                         |
| TENNIS COORDINATOR<br>TENNIS SITE MANAGER<br>TENNIS INSTRUCTOR                                                                                                                                                                                        | \$9.00 - \$20.00/HR.<br>\$7.75 - \$12.50/HR.<br>\$7.25 - \$10.00/HR.                                                                                                 |
| THEATER DIRECTOR<br>THEATER ASST. DIRECTOR<br>THEATER ASSISTANT                                                                                                                                                                                       | \$9.00 - \$20.00/HR.<br>\$9.00 - \$15.25/HR.<br>\$7.25 - \$10.00/HR.                                                                                                 |
| TRACK COORDINATOR<br>TRACK INSTRUCTORS                                                                                                                                                                                                                | \$9.00 - \$17.50/HR.<br>\$7.25 - \$10.00/HR.                                                                                                                         |
| VOLLEYBALL INSTRUCTOR                                                                                                                                                                                                                                 | \$7.25 - \$12.00/HR.                                                                                                                                                 |
| BASKETBALL OFFICIAL - ADULT NON-CERTIFIED<br>BASKETBALL OFFICIAL - ADULT CERTIFIED<br>BASKETBALL - ADULT SCORER/TIMER                                                                                                                                 | \$9.00 - \$20.00 / GAME<br>\$16.50 - \$26.25/GAME<br>\$7.25 - \$10.00/GAME                                                                                           |
| BASKETBALL OFFICIAL (GRADES 3-8)<br>BASKETBALL SCORER/TIMER (GRADES 3-8)                                                                                                                                                                              | \$7.25 - \$12.50/GAME<br>\$7.25 - \$10.00/GAME                                                                                                                       |
| FLAG FOOTBALL OFFICIAL (GRADES 1-6)                                                                                                                                                                                                                   | \$7.25 - \$16.25/GAME                                                                                                                                                |
| SOCCER REFEREE - NON-CERTIFIED<br>SOCCER REFEREE - CERTIFIED                                                                                                                                                                                          | \$7.25 - \$10.00/GAME<br>\$7.25 - \$12.50/GAME                                                                                                                       |
| SOFTBALL UMPIRE - ADULT NON-CERTIFIED (ONE/GAME)<br>SOFTBALL UMPIRE - ADULT CERTIFIED (ONE/GAME)<br>SOFTBALL SCOREKEEPER - ADULT                                                                                                                      | \$9.00 - \$20.00/GAME<br>\$14.00 - \$25.00/GAME<br>\$7.25 - \$10.00/GAME                                                                                             |
| VOLLEYBALL OFFICIAL - ADULT NON-CERTIFIED<br>VOLLEYBALL OFFICIAL - ADULT CERTIFIED<br>VOLLEYBALL OFFICIAL - TEEN LEAGUE                                                                                                                               | \$9.00 - \$20.00/MATCH<br>\$16.50 - \$26.25/MATCH<br>\$7.25 - \$11.25/MATCH                                                                                          |

\* This list may not be all inclusive of new programs, but they will be placed appropriately.

The following criteria shall be used in determining the salaries of seasonal, part-time staff.

- Budget Restrictions
- Job Responsibilities
- Previous Experience
- Education
- Past Job Performance
- Training/Certification

The Park and Recreation Commission may approve individual arrangements for any employee not covered by the position classifications. In these special situations, all expenses must be covered by program revenue.

Included in this category are the following positions that are paid on commission or contract basis:

- Adaptive Programming for adult/youth with disabilities
- Adult/Child Workshop Instructor
- Aerobic Dance Instructors (Fitness Firm)
- Aqua-Fit Water Aerobics Instructors (Fitness Firm)
- Art Programs Instructor (ceramics, afterschool)
- Community Band Instructors
- Basement Rec. Room Workshop Instructor
- Basketball Camp Director/Coaches
- Basketball Clinic Directors
- Belly Dancing Instructor
- Cake Decorating Instructor
- Cheerleading/Hip Hop Funk Instructor
- Computer Instructors (Adults, Youth)
- Crafts Instructor
- Cross Country Ski Instructor
- Dance (Adult/Youth)
- Deck Construction Workshop Instructor
- Disc Golf Instructor
- Enrichment programming (languages, clutter, magic, book published, landscape)
- Family Activities Instructors
- Financial Planning Workshop Instructors
- Fitness Instructor (NIA, Pilates, Zumba, Group Fitness)
- Flag Football Camp Director/Coaches
- Football Camp Director/Coaches
- Golf Instructor (Adult/Pee Wee)
- Gymboree Instructors
- Ice skating Instructors
- In-Line Skating Instructor/Roller Hockey Instructor
- Judo/Tae Kwon Do/Karate Instructor
- Knitting Instructor
- Learn Not To Burn Coordinator
- Lego Program Instructor
- Mad Science Classes
- Modeling Instructor
- Nature Camp Directors (Winter Exploration, Nature Exploration)
- Photography Instructor
- Pom Pon Coordinator
- Rock Climbing Instructors
- Self Defense Instructors
- Softball Clinic Director/Coaches/Umpires
- Taekwondo Instructor
- Track & Field Program/Camp Directors/Coaches
- Volleyball Camp Directors/Coaches/Officials
- Woodworking Instructor
- Wrestling Camp Directors/Coaches
- Yard Maintenance & Pruning Instructor
- Yoga Instructor

X-1

**Business Of  
the Village Board of the Village of Germantown**

MEETING DATE: February 3, 2014

PLACEMENT: Old Business

ITEM TITLE: Capital Outlay 2014 Projects & Equipment

SUBMITTED BY: Kim Rath, Finance Director

SUMMARY EXPLANATION:

Listing of Capital Outlay Projects & Equipment is attached with changes made by the General Government & Finance Committee to purchase some items with reserve funds, \$304,000 and to remove entirely \$60,000 Stream Bank Stabilization and \$50,000 for Ditch/Swale subdivision projects.

Keeping reserve balance at 19%, or higher, of 2014 expenses, the cash available for capital items is \$316,588 (includes prior year (2013) projects under budget and fixed assets sales.

Projected borrowed amount would be \$2,610,000 + costs - not to exceed \$2,660,000

ATTACHMENT:      ORDINANCE\_\_\_\_ RESOLUTION \_\_\_\_ OTHER XX\_\_\_\_

- 1) 2014 Capital Projects & Equipment
- 2) Projected Debt Service w/ new funding
- 3) Reserve funding data

RECOMMENDATION

**VILLAGE OF GERMANTOWN**  
**2014 CAPITAL PURCHASES FUND 40 ITEMS -**

| ITEM<br>DESCRIPTION                                                   | PROJECT/<br>EQUIPMENT | FUNDING SOURCE             |        |                                   |                               | ITEMS<br>TO BE<br>BORROWED<br>FOR |
|-----------------------------------------------------------------------|-----------------------|----------------------------|--------|-----------------------------------|-------------------------------|-----------------------------------|
|                                                                       |                       | CAPITAL/GENERAL<br>RESERVE | GRANTS | REVENUE FROM<br>FIXED ASSET SALES | IMPACT FEE<br>SPECIAL REVENUE |                                   |
| POLICE DEPARTMENT                                                     |                       |                            |        |                                   |                               |                                   |
| Replace UPS System                                                    | 30,000                | 30,000                     |        |                                   |                               | 0                                 |
| Mercom Audio Logger                                                   | 45,000                | 45,000                     |        |                                   |                               | 0                                 |
| Server Array Cluster                                                  | 30,000                | 30,000                     |        |                                   |                               | 0                                 |
| Replace Rifles                                                        | 18,000                | 18,000                     |        |                                   |                               | 0                                 |
| Replace Squad Rifle Mounts                                            | 13,000                | 13,000                     |        |                                   |                               | 0                                 |
| TOTAL POLICE DEPARTMENT                                               | 136,000               | 136,000                    | 0      | 0                                 | 0                             | 0                                 |
| FIRE DEPARTMENT                                                       |                       |                            |        |                                   |                               |                                   |
| Heavy Rescue/Fire Truck                                               | 788,000               |                            |        | 11,550                            |                               | 776,450                           |
| Computers & Software (2 CF-31 computers & Netmotion Licenses)         | 23,000                | 23,000                     |        |                                   |                               | 0                                 |
| MRX Heart Monitor (Phillips Monitor Upgrades \$63,375 in 2013 budget) | 41,625                |                            |        |                                   |                               | 41,625                            |
| Turn out gear & boots                                                 | 50,000                | 50,000                     |        |                                   |                               | 0                                 |
| Communications Equip - 6 portables + 1 mobile                         | 20,000                | 20,000                     |        |                                   |                               | 0                                 |
| TOTAL FIRE DEPARTMENT                                                 | 922,625               | 93,000                     | 0      | 11,550                            | 0                             | 818,075                           |
| DPW ADMINISTRATION AND ENGINEERING                                    |                       |                            |        |                                   |                               |                                   |
| Migrate from MapGuide GIS to ArcGIS (split w. W/S) Full cost \$65,000 | 21,600                |                            |        |                                   |                               | 21,600                            |
| Stream Bank Stabilization - \$60,000 Remove                           | 0                     |                            |        |                                   |                               | 0                                 |
| Misc future drainage improvements                                     | 60,000                |                            |        |                                   |                               | 60,000                            |
| Division to Magnolia - Donges Bay                                     | 44,500                |                            |        |                                   |                               | 44,500                            |
| Pilgrim Road                                                          | 35,000                |                            |        |                                   |                               | 35,000                            |
| TOTAL DPW ADMINISTRATION AND ENGINEERING                              | 161,100               | 0                          | 0      | 0                                 | 0                             | 161,100                           |
| HIGHWAY DEPARTMENT                                                    |                       |                            |        |                                   |                               |                                   |
| Crack Fill Machine                                                    | 45,000                |                            |        |                                   |                               | 45,000                            |
| Fork Lift                                                             | 20,000                | 20,000                     |        |                                   |                               | 0                                 |
| Patrol Truck to replace #424                                          | 175,000               |                            |        | 8,000                             |                               | 167,000                           |
| Iron Worker-tool to cut/bend/fabricate Steel                          | 30,000                | 30,000                     |        |                                   |                               | 0                                 |
| Asphalt Paving Road Projects - Remove \$50,000 Ditch/Swale Projects   | 1,377,700             |                            |        |                                   |                               | 1,377,700                         |
| TOTAL HIGHWAY DEPARTMENT                                              | 1,647,700             | 50,000                     | 0      | 8,000                             | 0                             | 1,589,700                         |
| PARKS                                                                 |                       |                            |        |                                   |                               |                                   |
| Repave Alt Bauer - MMSD Grant                                         | 64,002                |                            | 23,801 |                                   |                               | 40,201                            |
| Ash Tree Removal                                                      | 25,000                | 25,000                     |        |                                   |                               | 0                                 |
| TOTAL PARKS                                                           | 89,002                | 25,000                     | 23,801 | 0                                 | 0                             | 40,201                            |
| GRAND TOTAL                                                           | 2,956,427             | 304,000                    | 23,801 | 19,550                            | 0                             | 2,609,076                         |

Borrowing Costs \$45000 - \$50,000

Original total before Additional Reductions 2,659,076

Projected G.O. Note 2,660,000

Reductions - end of year Capital 2013 42,045

Jefferson Ditch, Flooding Mitigation Balance, Wasaukee Rd 14,993

Sale of Fire Trucks 11,550

Above 18% 2012 Reserve 314,000

382,588

Above 19% 2012 Reserve 248,000

19% + other reductions 316,588

# Village of Germantown Existing Debt - Totals for 2013

| Year | Principal  | Interest  | Total      | Less        | Special Assmt | TIF #3       | Less        | TIF #4     | TIF #5    | General Fund | Difference from | Net G.O. | Add new 2014<br>Issue | Projected<br>Future Debt | Difference from<br>Prior year |
|------|------------|-----------|------------|-------------|---------------|--------------|-------------|------------|-----------|--------------|-----------------|----------|-----------------------|--------------------------|-------------------------------|
| 2012 | 4,194,285  | 973,818   | 5,168,103  | (352,438)   | (893,840)     | (1,778,972)  | (163,954)   | 1,978,899  | (133,076) |              |                 |          |                       |                          |                               |
| 2013 | 3,808,657  | 722,064   | 4,530,721  | (355,450)   | (852,295)     | (1,181,826)  | (165,263)   | 1,975,888  | (3,012)   |              |                 |          |                       |                          |                               |
| 2014 | 4,362,985  | 628,742   | 4,991,727  | (309,078)   | (810,475)     | (1,495,141)  | (170,828)   | 2,206,205  | 230,318   |              |                 |          |                       | 2,206,205                |                               |
| 2015 | 4,335,000  | 501,925   | 4,836,925  | (308,490)   | (763,500)     | (1,494,621)  | (170,835)   | 2,099,479  | (106,726) |              |                 |          | 301,000               | 2,400,479                | 194,274                       |
| 2016 | 3,645,000  | 395,082   | 4,040,082  | (312,421)   | (312,421)     | (1,487,256)  | (176,015)   | 2,064,390  | (35,089)  |              |                 |          | 301,000               | 2,365,390                | (35,089)                      |
| 2017 | 3,265,000  | 300,750   | 3,565,750  | (310,871)   | (310,871)     | (1,461,257)  | (185,596)   | 1,608,027  | (456,364) |              |                 |          | 301,000               | 1,909,027                | (456,364)                     |
| 2018 | 3,065,000  | 217,840   | 3,282,840  |             |               | (1,492,118)  | (184,346)   | 1,606,376  | (1,651)   |              |                 |          | 301,000               | 1,907,376                | (1,651)                       |
| 2019 | 2,110,000  | 145,498   | 2,255,498  |             |               | (869,804)    |             | 1,385,694  | (220,683) |              |                 |          | 301,000               | 1,686,694                | (220,683)                     |
| 2020 | 2,055,000  | 93,620    | 2,148,620  |             |               | (881,131)    |             | 1,267,489  | (118,205) |              |                 |          | 301,000               | 1,568,489                | (118,205)                     |
| 2021 | 1,920,000  | 43,244    | 1,963,244  |             |               | (890,721)    |             | 1,072,523  | (194,966) |              |                 |          | 301,000               | 1,373,523                | (194,966)                     |
| 2022 | 500,000    | 14,806    | 514,806    |             |               |              |             | 514,806    | (557,717) |              |                 |          | 301,000               | 815,806                  | (557,717)                     |
| 2023 | 230,000    | 8,075     | 238,075    |             |               |              |             | 238,075    | (276,731) |              |                 |          | 301,000               | 539,075                  | (276,731)                     |
| 2024 | 35,000     | 5,063     | 40,063     |             |               |              |             | 40,063     | (198,012) |              |                 |          | 301,000               | 341,063                  | (198,012)                     |
| 2025 | 40,000     | 3,593     | 43,593     |             |               |              |             | 43,593     | 3,530     |              |                 |          |                       | 43,593                   | (297,470)                     |
| 2026 | 45,000     | 1,913     | 46,913     |             |               |              |             | 46,913     | 3,320     |              |                 |          |                       | 46,913                   | 3,320                         |
|      | 29,416,642 | 3,082,217 | 32,498,859 | (1,596,310) | (2,426,270)   | (11,253,875) | (1,052,863) | 16,169,522 |           |              |                 |          | 3,010,000             | 17,203,634               |                               |

Interest Rate -  
avg 2.5%

2012

|                        |              |                                                     |
|------------------------|--------------|-----------------------------------------------------|
| Detailed Balance Sheet | 3,955,527.11 | 700,938.11 (Fund Equity Difference from prior year) |
| Total Fund Equity      |              |                                                     |

|                         |                  |             |
|-------------------------|------------------|-------------|
| Non Current Receivables |                  |             |
| Delq PP                 | 14,996.22        |             |
| Delq Taxes - Specials   | 36,428.89        |             |
|                         | <u>51,425.11</u> | (51,425.11) |

|                          |              |
|--------------------------|--------------|
| Prepaid Expense          | (3,356.73)   |
| Assigned                 |              |
| Budget Carry Over        | (328,036.00) |
| Payment in Lieu of Taxes | (579,670.00) |

|                         |              |            |
|-------------------------|--------------|------------|
| Unreserved General Fund | 2,993,039.27 | 607,436.60 |
|-------------------------|--------------|------------|

|                     |               |        |
|---------------------|---------------|--------|
| 2013 Expense budget | 14,188,992.00 | 21.09% |
|---------------------|---------------|--------|

|                          |                   |
|--------------------------|-------------------|
| Carry over               |                   |
| Fire Dept Training Tower | 15,000.00         |
| Police Squad equip       | 1,555.00          |
| Emerg Govt Siren         | 14,000.00         |
| Recycle - Wood Chipping  | 10,817.00         |
| Library Non-lapsing      | 132,265.00        |
| Transfer to Cap Funds    | 67,000.00         |
| Hotel/Motel Tourism      | 44,470.00         |
| Planning Web Based maps  | 4,250.00          |
| Website                  | 38,679.00         |
|                          | <u>328,036.00</u> |

|                              |            |
|------------------------------|------------|
| 2014 Expense Budget          | 14,656,048 |
| 18%                          | 2,638,089  |
| Difference between 18% & 21% | 354,951    |

|                              |                |
|------------------------------|----------------|
| Need \$40,000 Fire Dept 2014 | -40,000        |
| Excess                       | <u>314,951</u> |

|                |                  |
|----------------|------------------|
| 19%            | 2,784,649        |
| Fire Dept 2014 | -40,000          |
|                | <u>2,744,649</u> |
| Excess         | <u>248,390</u>   |



**BUSINESS OF THE VILLAGE BOARD  
GERMANTOWN, WI**

MEETING DATE: February 3, 2014

AGENDA ITEM: New Business

ITEM TITLE: Request for Funds to Reimburse Travel Expense for Fire Chief Interview Candidates

SUBMITTED BY: Pat Adair, Chairperson, Police and Fire Commission

SUMMARY EXPLANATION:

As Chairperson of the Police and Fire Commission I am requesting up to \$10,000 in order to reimburse travel expenses for persons traveling to Germantown from out-of-State to be interviewed for the Fire Chief's position. The Commission is looking to bring in four or five candidates for an interview and then may choose to bring two to three candidates back for a second interview. Many of the applications that were received were from persons living in other states and in some cases other countries where they are stationed while serving in the armed services.

ATTACHMENT: ORDINANCE\_\_\_\_\_ RESOLUTION\_\_\_\_\_ OTHER\_\_\_\_\_

RECOMMENDATION:

As desired