



AGENDA
PLAN COMMISSION MEETING
RICHFIELD VILLAGE HALL
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN
July 2, 2020
7:00 P.M.

Pursuant to the requirements of Section 19.84, Wis. Stats., notice is hereby given of a meeting of the Village of Richfield Plan Commission, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: "Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.")

1. Call to Order/Determination of quorum
2. Verification of Open Meetings Law compliance
3. Pledge of Allegiance
4. APPROVAL OF MINUTES
 - a. June 4, 2020 – Regular Meeting
5. DISCUSSION/ACTION
 - a. Discussion and possible recommendation to the Village Board regarding a proposed Ordinance Amendment to Section 70.200.5(B) to allow "Restaurants, Standard" as a Permitted Principal Use in the B-5, Downtown Business Zoning District – *Village Board, Petitioners*
 - b. Discussion and possible recommendation to the Village Board regarding the Reconsideration of a previously approved One-Lot Certified Survey Map (CSM) for properties identified by Tax Keys: V10_008200Z, V10_008100Z, V10_008000A – *Pleasant Hill Bar and Grill, Petitioner*
 - c. Discussion and possible recommendation to the Village Board regarding a One-Lot CSM for property identified by Tax Key: V10_1073 – *Frank and Lori Windt, Petitioners*
 - d. Discussion and possible recommendation to the Village Board regarding an extraterritorial final plat for property identified by Tax Key: LSBT_0167999, Town of Lisbon – *MK/S-EP, LLC., Petitioner*
 - e. Discussion and possible recommendation to the Village Board regarding a proposed Ordinance Amendment to Section 70.188(D) to allow "Special Event Venues" as a Conditional Use in the A-1, General Agricultural District – *Kristine Jacklin (Holy Hill Art Farm), Petitioner*
 - f. Discussion/Action regarding a Plan of Operation for Badger Burger Company, located at 1872 STH 175 (Tax Key: V10_030000Z) – *Mark Weiss, Petitioner*

6. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at www.richfieldwi.gov. Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

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THIS MEETING WAS HELD VIRTUALLY THROUGH WEBEX DUE TO COVID-19

1. Call to Order/Determination of quorum

Chairman Jim Otto called the meeting to order at 7:02 PM, noting there was a quorum present.

In attendance were Chairman Otto, Commissioners Bartel, Coté, Lalk, Melzer and Trustee Collins.

Also Present: Administrator Healy

Excused Absence: Vice-Chairman Don Berghammer

2. Verification of Open Meetings Law compliance

Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as Village Hall. Digital copies of the agenda were sent to the West Bend Daily News, Germantown Express News, Hartford Times Press, and the Milwaukee Journal Sentinel.

3. Pledge of Allegiance

4. APPROVAL OF MINUTES

- a. March 5, 2020 – Regular Meeting

Motion by Commissioner Bartel to approve the March 5, 2020 Regular Meeting Minutes; Seconded by Commissioner Melzer; Motion passed without objection.

- b. May 7, 2020 – Regular Meeting

Motion by Commissioner Bartel to approve the May 7, 2020 Regular Meeting Minutes; Seconded by Commissioner Lalk; Motion passed without objection.

5. DISCUSSION/ACTION

- a. **Discussion/Action regarding the appointment of the position of Plan Commission Vice-Chairman**

Motion by Commissioner Lalk to appoint Don Berghammer to the position of Vice-Chairman of the Plan Commission for a term of one (1) year; Seconded by Commissioner Bartel; Motion passed without objection.

- b. **Discussion/Action regarding a Plan of Operation review for property located at 3051 STH 167 (Tax Key: V10_0353) – Cousins Subs, petitioner**

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Plan Commission Meeting Minutes, June 4, 2020
7:00 PM

Administrator Healy discussed the proposed plan of operation. They will be open seven (7) days per week and their hours will generally coincide with the operation of the gas station. The site has already been engineered for a drive through and they intend to utilize that as well.

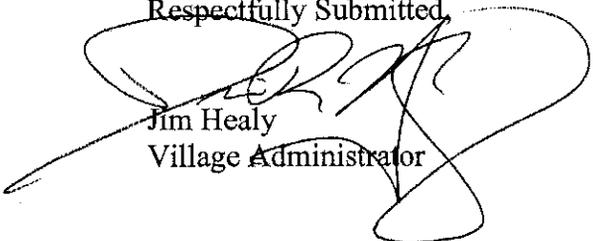
Cousins Subs Director of Real Estate, Kim Lesch was also present and appeared by phone.

Motion by Commissioner Bartel to approve the proposed Plan of Operation for Cousins Subs, to be located at 3051 STH 167 (Tax Key: V10 0353) inside the BP gas station, as proposed; Seconded by Commissioner Cote; Motion passed without objection.

6. ADJOURNMENT

Motion by Commissioner Lalk to adjourn; Seconded by Trustee Collins; Motion passed without objection at 7:06 PM.

Respectfully Submitted,



Jim Healy
Village Administrator

5a



VILLAGE OF RICHFIELD

5a.

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Restaurants, Standard – Proposed Ordinance Amendment

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE PROPOSED ORDINANCE AMENDMENT TO CONSIDER "RESTAURANTS, STANDARD" AS A PRINCIPAL PERMITTED USE IN THE VILLAGE'S B-5, DOWNTOWN BUSINESS ZONING DISTRICT?

ISSUE SUMMARY:

As a part of the Zoning Code Recodification, the Subcommittee and the Plan Commission have been reviewing the "uses" and making recommendations on whether these uses should be considered a "Permitted Principal Use", "Conditional Use", or eliminated from the text. One of the areas discussed early on was the appropriateness of "sit-down restaurants" (herein after referred to as "Restaurants, Standard") in our business zoning districts. It has been recommended by the Zoning Code Subcommittee and reviewed by the Plan Commission that these types of uses continue to be permitted by "right". They are currently permitted "by right" as a "Permitted Principal Use" in the B-1, B-2, B-3, and B-4 Zoning Districts. They were previously listed as a "Conditional Use" in the B-5, Downtown Business Zoning District and that use along with all "Condition Uses" were subsequently repealed by action of the Village Board due to Wisconsin Act 67.

At the June 27th Village Board meeting, the Village Board directed Staff to make "Restaurants, Standard" a "Permitted Principal Use" in the B-5 District. This proposed amendment still requires businesses to meet other guidelines related to parking, landscaping, building requirements (setbacks, building heights, etc.), lighting, Plan of Operation review, etc. However, it was determined that this type of use is unobjectionable to the Village Board and their belief is that it should be permissible in each of our business zoning districts.

By way of background....

The Village is nearing the end of our process for reviewing and updating the proposed Zoning Code and very recently the Village was approached by Mr. Mark Weiss who is the new owner of the former Sobelman's (Amici's) building on STH 175. His proposal, as petitioned to the Village and being considered tonight for the Plan Commission's review, would be to open a second location for The Badger Burger Company (<https://www.badgerburgercompany.com/home.php>) which is presently located in Mukwonago. At the June 27th Village Board meeting, he was conditionally granted a Reserve "Class B" Alcohol Beverage Retail License at the cost of \$10,000. The granting of the license was subject to the proposed Ordinance Amendment receiving approval and Plan of Operation being reviewed and approved by the Plan Commission.

As with all the Village's proposed uses, we have created a definition for the same. This definition was adopted by the Village Board in March of 2013. It is included below in your convenience:

Restaurant, Standard- "A restaurant where 1) an employee of the restaurant takes food orders and/or serves the food while customers are seated at a table, 2) payment is made after the food and drink has been consumed, and/or 3) food is predominately served on non-disposal containers or receptacles. A standard restaurant may include take out service so long as this use is clearly subordinate to the overall character of the restaurant. In contrast, see "Restaurant, Fast Food".

A scheduled Class II Public Hearing Notice is set to be published in the Daily News on July 9th and 16th, respectively. A copy of the same is attached herein for your convenience.



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Restaurants, Standard – Proposed Ordinance Amendment
DATE SUBMITTED: June 25, 2020
SUBMITTED BY: Jim Healy, Village Administrator

FUTURE IMPACT AND ANALYSIS:

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

REVIEWED BY:

[Signature]
Village Deputy Clerk

ATTACHMENTS

- 1. Draft Ordinance O2020-07-___, an Ordinance to amend the B-5, Downtown Business District to Allow "Restaurants, Standard" as a Permitted Principal Use

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the approval of the proposed ordinance amendment to allow "Restaurants, Standard" as a Permitted Principal Use in the B-5, Downtown Business District.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

[Signatures]
Village Staff Member
Village Administrator

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.

**AN ORDINANCE TO AMEND CHAPTER 70 ZONING CODE, SUB SECTION 200.5(B)
OF THE VILLAGE CODE**

WHEREAS, the Village of Richfield in 2013 made “Restaurants, Standard” a Principal Permitted Use in all business Zoning Districts;

WHEREAS, in 2015, the B-5, Downtown Business Zoning District was created; and

WHEREAS, the use of a “Sit-down Restaurant” was listed as a Conditional Use pursuant to Section 70.200.5(D)(3); and

WHEREAS, all Conditional Uses in the Zoning Code were repealed as a result of Wisconsin Act 67 and as a part of the Village’s Zoning Code Recodification; and

WHEREAS, the Village Board at their meeting on June 27, 2020 directed Staff to prepare an Ordinance Amendment to make “Restaurants, Standard” a Permitted Principal Use in the B-5, Downtown Business Zoning District;

NOW, THEREFORE BE IT RESOLVED, the Village of Richfield Village Board, Washington County, Wisconsin ORDAINS AS FOLLOWS:

Section 1. Section 70.200.5(B) of the Village of Richfield municipal code is hereby amended to insert Use #26 to read as follows:

26. Restaurants, Standard

Section 2. Severability. Several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 3. Effective Date. This ordinance shall become effective upon passage and publication/posting.

Adopted this ____ day of _____, 2020

Attest:

John Jeffords, Village President

Jim Healy, Village Clerk/Administrator

5b



VILLAGE OF RICHFIELD

Stb.

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Reconsideration of a One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Management

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO RECOMMEND APPROVAL TO THE VILLAGE BOARD FOR THE RE-APPROVAL OF THE PROPOSED CSM THAT WAS PREVIOUSLY APPROVED IN APRIL OF 2019?

ISSUE SUMMARY:

The proposed CSM tonight is being revisited for consideration of approval because the CSM was not filed within one (1) year of when it was approved. This error was due to Staff's incorrect application of a date on the signature block of the proposed CSM. As you know, the CSMs the Village approves typically have several conditions of approval which need to be met. In this instance, the property needed to be rezoned. In the approvals for the rezoning of the property were several more conditions of approval including, but not limited to, the approval of the Site, Building and Plan of Operation which came in early 2020. These conditions were also satisfied. While the CSM was approved by the Village Board on April 19th, 2019, the conditions of approval were not satisfied until February of 2020.

Staff should have written in the date by which all the conditions of approval were met, not the date the Village Board authored a conditional approval. At the request of the County Register of Deeds, Ms. Sharon Martin, this matter is before you tonight for reconsideration.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY:

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

ATTACHMENTS

1. Plan Commission Communication Form (sans attachments) from April 4, 2019
2. Plan Commission Communication Form (sans attachments) from May 2, 2019
3. Plan Commission Communication Form (sans attachments) from February 6, 2020
4. Letter dated March 26, 2019 from Village Engineer Ron Dalton
5. Email from County Register of Deeds Sharon Martin dated June 17, 2020



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Reconsideration of a One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Management

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the approval of the proposed One-Lot CSM for Pleasant Hill Management for property located at 2102 STH 164 (Tax Key: V10_008200Z, V10_008100Z, V10_008000A) subject to the following General Conditions of Approval:

General Conditions of Approval:

- 1. Staff and Governmental Approval: Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies...
2. Professional Fees: Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development...
3. Payment of Charges: Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village...

APPROVED FOR SUBMITTAL BY:

Handwritten signatures of Village Staff Member and Village Administrator

VILLAGE CLERK USE ONLY BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

46.

MEETING DATE: April 4, 2019

SUBJECT: One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner

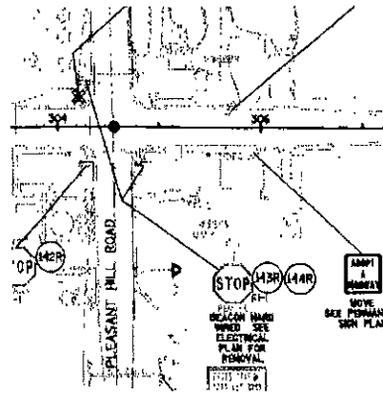
DATE SUBMITTED: March 26, 2019

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL OF THE PROPOSED CERTIFIED SURVEY MAP (CSM)?

ISSUE SUMMARY:

The Petition before the Plan Commission tonight is now the third step in a multi-step approach for the redevelopment of Pleasant Hill Pub and Grill, which is owned by Pleasant Hill Management. The subject property is located at 2102 STH 164. As you may recall, in September of 2018, Mr. Loosen (Pleasant Hill Management) received Plan of Operation approval for the former "Hairy Lemon" property and renamed the establishment to pay homage to its hamlet heritage.



While not a part of the petition in September, it was discussed that the property owner would be purchasing the properties directly north of the Harry Lemon as a part of his master plan for his business. Since that time, the transactions have taken place. The structure that once stood on the property identified by Tax Key: V10_008100Z no longer remains. It was razed with a permit from the Building Inspection Department during the winter of 2018 and a "building pad" has been graded. The intent with removing that structure was to create additional space for a future building expansion, which he is planning on submitting in the coming weeks. His intention is to essentially double the size of the building utilizing the Ordinance

adopted by the Village Board several years back to allow for the expansion of legal, non-conforming buildings. The property identified by Tax Key: V10_008000A was purchased to allow for additional parking. The property identified by Tax Key: V10_008100Z presently has an access point onto STH 164, but Pleasant Hill Management has worked with the Wisconsin Department of Transportation (WisDOT) to modify his access point 400' north from the intersection of Pleasant Hill Road and STH 164 for safety purposes. Staff has not received a written letter regarding this but has had several conversations with Ms. Sue King who is the Permit Coordinator for WisDOT's SE Region confirming that fact.

Currently, property where the commercial building is located on is 0.18 acres. Approximately 15-20 cars can park on the property. The expansion will provide an additional 75 parking stalls, far more than what would be required at 1 stall per 100sqft. Cpt. Tony Burgard from the Richfield Volunteer Fire Company estimated the maximum occupancy of the building between 50-60 patrons, currently. With the expansion of the building, the added parking will easily accommodate their business even on their busiest of nights. Currently, there are instances where customers park on the north and south side of Pleasant Hill Road which creates a single lane of traffic exiting onto STH 164. If the property owner creates this additional parking on his property, it is anticipated that this potential safety hazard will be remedied.

Zoning Discussion

Tax Key	Current Zoning	Proposed Zoning
V10_008200Z	B-4, Highway Business District	B-4, Highway Business District
V10_008100Z	B-4, Highway Business District	B-4, Highway Business District
V10_008000A	A-1, Exclusive Agricultural District	B-4, Highway Business District



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: April 4, 2019

SUBJECT: One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner

DATE SUBMITTED: March 26, 2019

SUBMITTED BY: Jim Healy, Village Administrator

The property owner understands that the land identified by Tax Key: V10_008000A will need to be rezoned. On the Village's adopted Future Land Use Map, the property is shown as being "Single Family". A Future Land Use Map amendment would need to be made prior to any rezoning petition. In concert with that petition, the business owner will be submitting full drawings and site plans for review and consideration by the Village.

In terms of the current Zoning on the two (2) smaller properties, each individual property is a considered legal, non-conforming. Both parcels do not meet the minimum lot size requirements in the B-4 District, which pursuant to Section 70.200(E)(1) is minimum area is 1-acre. They are approximately 0.18-acres and 0.25-acres, respectively. If these properties are combined, they will have in excess of the minimum lot size requirements with their proposed lot size at 1.416-acres. From a planning and zoning perspective, this is a significant improvement- taking a non-conforming lot and creating a legal one.

On March 26th, the Village's Engineer reviewed the proposed CSM and offered limited comments. They are included in the attachments for your convenience. This correspondence also has a Redline Markup of requested changes. It is the belief of Staff the development of these parcels will result in improved safety for those entering and exiting the property. There are no other concerns from Staff regarding this proposed CSM at this time.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY:

Village Deputy Clerk

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

ATTACHMENTS

1. Washington County GIS Aerial view
2. Washington County GIS Base Layer view
3. Letter dated March 26, 2019 from Village Engineer Ron Dalton
4. WisDOT STH 164 Final Construction Plans showing existing access right of Tax Key: V10_008100Z (Pleasant Hill Road and STH 164 Intersection)



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: April 4, 2019

SUBJECT: One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner

DATE SUBMITTED: March 26, 2019

SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend approval to the Village Board of the proposed One Lot Certified Survey Map for Pleasant Hill Bar and Grill, combining properties identified by Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A, subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

- 1. Rezoning: Prior to the filing of the proposed CSM, the applicant must petition for and receive approval of the rezoning of the area identified by Tax Key: V10_008000A from A-1, Exclusive Agricultural District to B-4, Highway Business District.
2. WisDOT: Written confirmation from the WisDOT regarding any access restrictions or granting of access off STH 164 so it may be included on the face of the proposed CSM prior to filing.

General Conditions of Approval:

- 1. Staff and Governmental Approval: Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. Professional Fees: Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Payment of Charges: Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

APPROVED FOR SUBMITTAL BY:

Handwritten signature of Jim Healy, Village Administrator

Village Staff Member

Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: April 4, 2019

SUBJECT: One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner

DATE SUBMITTED: March 26, 2019

SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend approval to the Village Board of the proposed One Lot Certified Survey Map for Pleasant Hill Bar and Grill, combining properties identified by Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A, subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

- 1. Rezoning: Prior to the filing of the proposed CSM, the applicant must petition for and receive approval of the rezoning of the area identified by Tax Key: V10_008000A from A-1, Exclusive Agricultural District to B-4, Highway Business District.
2. WisDOT: Written confirmation from the WisDOT regarding any access restrictions or granting of access off STH 164 so it may be included on the face of the proposed CSM prior to filing.

General Conditions of Approval:

- 1. Staff and Governmental Approval: Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. Professional Fees: Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Payment of Charges: Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY BOARD ACTION TAKEN

Village Staff Member

Village Administrator

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: May 2, 2019

SUBJECT: Pleasant Hill Bar and Grill - Comprehensive Plan Amendment for properties identified by Tax Key: V10_008000A and V10_008100Z

DATE SUBMITTED: April 25, 2019

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO PASS THE PROPOSED RESOLUTION AND RECOMMEND TO THE VILLAGE BOARD THE SCHEDULING OF A PUBLIC HEARING FOR JUNE 20TH?

ISSUE SUMMARY:

The Petition before the Plan Commission tonight is now the fourth step in a multi-step approach for the redevelopment of Pleasant Hill Bar and Grill, which is owned by Pleasant Hill Management. The subject property is a 1.0 acre parcel located north of the restaurant at 2102 STH 164. As you may recall, in September of 2018, Mr. Loosen (Pleasant Hill Management) received Plan of Operation approval for the former "Hairy Lemon" property.

While not a part of the petition in September, it was discussed that the property owner would be purchasing the properties directly north of the Harry Lemon as a part of his master plan for his business. Since that time, the transactions have taken place. The structure that once stood on the property identified by Tax Key: V10_008100Z no longer remains. This area was shown on the Future Land Use Map as being "Single Family" and is the first of two (2) parcels being considered for this change. It was razed with a permit from the Building Inspection Department during the winter of 2018 and a "building pad" has been graded. The intent with removing that structure was to create additional space for a future building expansion, which he is planning on submitting in during the month of June.

His intention is to essentially double the size of the building utilizing the Ordinance adopted by the Village Board several years back to allow for the expansion of legal, non-conforming buildings. The property identified by Tax Key: V10_008000A was purchased to allow for additional parking. The property identified by Tax Key: V10_008100Z presently has an access point onto STH 164, but Pleasant Hill Management has worked with the Wisconsin Department of Transportation (WisDOT) to modify his access point 400' north from the intersection of Pleasant Hill Road and STH 164 for safety purposes- like a proposal we are considering tonight with Bilda's Friess Lake Pub.

Currently, the parcel which the commercial building is located on is 0.18 acres. Approximately 15-20 cars can park on the property. The expansion will provide an additional 75 parking stalls, far more than what would be required at 1 stall per 100sqft. Cpt. Tony Burgard from the Richfield Volunteer Fire Company estimated the maximum occupancy of the building between 50-60 patrons, currently. With the expansion of the building, the added parking will easily accommodate their business even on their busiest of nights. Currently, there are instances where customers park on the north and south side of Pleasant Hill Road which creates a single lane of traffic exiting onto STH 164. If the property owner creates this additional parking on his property, it is anticipated that this potential safety hazard will be remedied.

Zoning Discussion

V10_008200Z	B-4, Highway Business District	B-4, Highway Business District
V10_008100Z	B-4, Highway Business District	B-4, Highway Business District
V10_008000A	A-1, Exclusive Agricultural District	B-4, Highway Business District

The property owner understood that the land identified by Tax Key: V10_008000A needs to be rezoned, ergo the petition tonight. On the Village's adopted Future Land Use Map, the property is shown as being "Single Family". A Future Land Use Map amendment would need to be made prior to any rezoning petition. In terms of the current Zoning on the two (2) smaller properties, each individual property is a considered legal, non-conforming. Both parcels do not meet the minimum lot size requirements in the B-4 District, which pursuant to Section 70.200(E)(1) is minimum area is 1-acre.



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: May 2, 2019

SUBJECT: Pleasant Hill Bar and Grill - Comprehensive Plan Amendment for properties identified by Tax Key: V10_008000A and V10_008100Z

DATE SUBMITTED: April 25, 2019

SUBMITTED BY: Jim Healy, Village Administrator

They are approximately 0.18-acres and 0.25-acres, respectively. The previous month, the Plan Commission recommended, and Village Board approved, the CSM to combine the properties creating a single lot at 1.416-acres. From a planning and zoning perspective, this is a significant improvement- taking a non-conforming lot and creating a legal one.

The one acre parcel has been legally described by the applicant's surveyor. It is attached herein for your convenience. If the Plan Commission is of a mind to approve the proposed Resolution and recommend to the Village Board the scheduling of a Public Hearing, prior to the Public Hearing a "Community Sensitivity Meeting" will be scheduled at Pleasant Hill Bar and Grill. This meeting will be held pursuant to the adopted Public Participation Plan and people who live in proximity to the subject property will be notified via First Class Mail. Additionally, information related to the proposed change will be placed on the Village's website for the public to review and the appropriate notice requirements will be sent to the required parties as outlined in the Resolution. As a part of the anticipated recommendation to the Village Board, it will be conditioned on receiving approval from the Architectural Review Board and Plan Commission pursuant to Section 70.133 of the Village Code.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: _____

Village Deputy Clerk

Forward to Village Board: Yes

Additional Approvals Needed: Yes

Signatures Required: Yes

ATTACHMENTS

1. R2019-05-01, a Resolution to amend multiple sections of the Comprehensive Plan
2. Site Plan and Draft architectural design elevations prepared by Pleasant Hill Management
3. Washington County GIS Aerial Overview

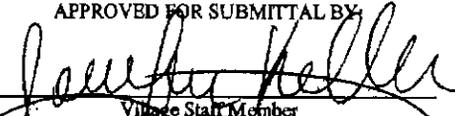
STAFF RECOMMENDATION:

Motion to approve Resolution R2019-05-01, a Resolution to amend multiple sections of the Comprehensive Plan and to direct Staff to fulfill requirements of Wisconsin State Statutes for giving notice of the proposed Public Hearing on June 20, 2019 at 7:00PM and subject to the following Specific Conditions of Approval:

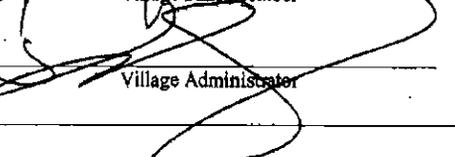
Specific Conditions of Approval

1. The applicant must rezone the property from A-1 to B-4
2. The applicant must receive approval from the Architectural Review Board and Plan Commission pursuant to 70.133
3. The applicant must pay all professional fees associated with the development of the subject property and Pleasant Hill Bar and Grill

APPROVED FOR SUBMITTAL BY:



 Village Staff Member



 Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – Pleasant Hill Management LLC, petitioner

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO APPROVE: 1) THE EXPANSION OF A LEGAL, NON-CONFORMING BUILDING AND, 2) THE PROPOSED BUILDING ELEVATIONS, SITE, GRADING AND EROSION CONTROL PLANS?

ISSUE SUMMARY:

Architectural Design:

The proposal before you tonight is a 1,637sqft addition in the form of two (2) architectural projections to the east and a small vestibule on the northwest corner of the building. The primary building materials, as labeled, are permissible materials pursuant to Section 70.133 of the Zoning Code. These materials are noted on the drawings on Sheet A400 in the legend on the upper right-hand corner of the page. If the members of the Plan Commission were inclined to do so, the residing of the existing building has already started to take shape and in the opinion of Village Staff is a considerable improvement.

Village Staff in January scheduled an Architectural Review Board (ARB) meeting for the reconsideration of building plans for Pleasant Hill Pub and Grill. The plans were originally passed and approved by the Architectural Review Board in July of 2019 but were since modified by the property owner. At the January 15th ARB meeting, the following motion was made with the revised drawings:

Motion by Commissioner Otto to recommend approval to the Plan Commission for the proposed design elevations for the building expansion of Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) subject to the following Conditions of Approval:

- 1) Elongate the windows on the East, South, and North elevations to the "B Windows" shown on the A800 schedule.
2) Regarding the overhang on the East elevation, that should be cut to a vertical hang.
3) The material for the "gable transition" should be mimicked on the East elevation with hardiplank below and the gingerbread staggered shake in the gable peak

Seconded by Commissioner Jason Duehring; Motion passed without objection.

Staff has reviewed the revised drawings and they have made the changes requested by the ARB.

Legal, Non-Conforming Building Expansion:

Back in 2016, the Plan Commission and the Village Board approved Ordinance O2016-10-01, an Ordinance that allowed for the expansion of legal, non-conforming buildings when they are petitioned by property owners. The idea behind this regulation is the Village has several buildings that for whatever reason have a legal, non-conforming status. Meaning, at the time the buildings were established, they were legally constructed. But now, they do not conform to one or more regulations of the Zoning District.

The subject property is Zoned B-4, Highway Business District. Presently, the setback for buildings from the right-of-way is 40'. The existing building is mere feet off the property boundary line. This proposed addition is jogged to the north, so it is operating on a different plane than the existing building. In the B-4, Highway Business District, the setback on the side yard shall be not less than equivalent to the yards in the adjoining District but not less than 10'. The A-1, Exclusive Agricultural District has a side yard setback of 25' from principal buildings. Utilizing the 1" equals 20' scale provided on the site plan, this proposed addition does not infringe on the side yard setback.



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – Pleasant Hill Management LLC, petitioner

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

Pursuant to Village Code Section 70.242(F)(1), the following criteria must be met in addition to the processes contained in Section 70.161(A) regarding Special Exceptions:

Property owners directly adjacent to the subject property are mailed notice of the hearing via USPO 1 st Class Mail five days before the hearing at their last known address;	Completed on 1/31
The existing building to which the addition will be attached is currently located within a setback/street-yard, side-yard, and/or rear-yard area;	Street yard
The existing building was legally established;	The Village has record of this building being a prominent part of the Pleasant Hill Hamlet dating back to the early 1900s.
The use of the existing building is legal conforming;	The proposed use is permitted as a Principal Use pursuant to Sec. 70.200(B)(9) and the Plan of Operation has been previously reviewed and approved by the Plan Commission.
The building addition is in compliance with the height limitations of the zoning district in which it is located, and is not greater in height than the contiguous portion of the existing building;	The existing building is a two-story structure, the proposed addition is a single-story which complies with this requirement.
The building addition does not extend closer to the lot line that is the lot line that is creating the non-conforming situation than the existing building [(i.e. the non-conforming aspect(s) of the building addition is/are not made worse by the proposed expansion];	The proposed building addition is offset from the existing structure on the street side and on the northside of the building is flush with the existing structure.
The building addition does not extend into a setback/street-yard, side-yard, and/or rear-yard area the existing building does not currently encroach upon rendering the proposed building non-conforming in a manner it was not previously, prior to the proposed expansion; and	This building does not extend into the side yard setback requirements of 25'.
The building addition complies with all other requirements that may apply.	The building complies with all other aspects of the Village Code.

In addition to the requirements contained in Village Code Sec. 70.161(A), the Plan Commission should consider the following factors:

- The size and location of the existing legal, non-conforming building.
- The size and location of any other buildings on the subject property.
- The size and location of the proposed expansion.
- The necessity of constructing the building addition within the setback/street-yard, side yard, and/or rear-yard.
- The proximity of building and other structures on adjoining properties.

Regarding these points of discussion, it should be noted the property owner to the east gave Pleasant Hill Management LLC an additional acre of land to make this expansion possible. The surrounding farmland, owned by Herb and Sharon Lofy as well as the Richfield Historical Society has been placed in a conservation easement program with the Tall Pines Conservancy, which is based out of Nashotah. A conservation easement is a permanent, legally binding agreement between a landowner and a qualified



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – Pleasant Hill Management LLC, petitioner

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

conservation organization or public agency that restricts the use of the land to protect its nature features. Currently, there are no other buildings on the property. The previously existing residential home and detached accessory garage were razed under permit with the Building Inspection Department in 2019. The existing first floor footprint is 1,873sqft. This proposed expansion is 1,568. On the existing building, the second story apartment has been converted for use of storage and administrative functions related to the business. As a part of this expansion, the property owner is proposing an expansion of the seating area and kitchen area of the building. In looking at the Site Plan, it is the opinion of Staff that the current layout is a logical expansion of the current floorplan.

Pursuant to Sec. 70.161A(C) regarding the "Basis of Decision", the Plan Commission must consider the following:

- The size of the property in comparison to other properties in the area. *The surrounding property to the north and east is a 38-acre homestead farm. The properties directly south of 0.75ac, 2.03, and 1.73acres, respectively.*
- The extent to which the issuance of the special exception would be keeping with the overall intent of the Code. *This provision of the Code was expressly created by the Plan Commission and Village Board to consider these types of unique circumstances.*
- Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit. *This building dates to 1887, making it certainly one of the older buildings in the Village, especially one that is still used commercially to this day.*
- The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit is granted. *The property owner is conducting a wetland delineation on the eastside of his property in early spring. Until the results are known, the property owner has designed this site to be protective of this area. Based on the review of wetland maps by Village Engineer Ron Dalton, he does not believe this will be an issue.*
- Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception. *The property owner has set the proposed building expansion further off Pleasant Hill Road and is proposing to not allow parking access off Pleasant Hill Road, temporarily. The Village may also institute "No Parking" in this area of Pleasant Hill Road.*
- A factor specifically listed under the Section authorizing the issuance of a special exception permit. *The aforementioned ordinance allows the expansion of legal, non-conforming buildings under this subsection.*

Site, Grading and Erosion Control:

The site plan is reflective of the CSM that was reviewed and approved by the Plan Commission in July of 2019. The CSM created a 1.416-acre parcel. In the B-4, Highway Business District, the minimum size for lots is 1-acre. Pursuant to Sect. 70.185 of the Village Code which deals with parking, "Restaurants, bars and places of entertainment" shall have 1 parking stall per 100sqft of gross floor area.

Existing First Floor – 1,873sqft
 Addition First Floor – 1,568
 TOTAL – 3,441
 Parking Stalls required – 34
 Parking Stalls proposed – 58 (4x handicapped)

Access has been given off of STH 164 with a 35' wide commercial access point. Other, previously held, access points were vacated by the property owner in favor of the existing one shown on the site plan. The access off Pleasant Hill Road will be closed until the results of the wetland delineation have been completed in the Spring by a qualified engineer. This parking lot will be constructed with asphalt and done in two (2) lifts. At the request of the Village Engineer, a buffer yard off STH 164 has been installed consistent with our Village Code.



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – *Pleasant Hill Management LLC, petitioner*

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

On January 29th, Village Engineer Ron Dalton reviewed the site, grading and erosion control plan and provided four (4) comments back to the property owner. It is included in the attachments for your convenience and it is our recommendation that it be approved subject to the final review and approval of the Village Engineer.

Please be advised, the Landscaping Plan and Lighting Plan will be forthcoming. Regarding the Lighting Plan, there will be no parking lot lights, only fixtures on the building so the impact will be negligible. The Plan of Operation has been previously reviewed and approved by the Plan Commission. However, at the present time the restaurant is closed due to extensive interior remodeling currently taking place.

FUTURE IMPACT AND ANALYSIS:

Forward to Village Board: No.
 Additional Approvals Needed: No.
 Signatures Required: No.

REVIEWED BY:

Village Deputy Clerk

ATTACHMENTS

1. SBOP submittal materials prepared by Foundation Architects dated 12/3/2019
2. Letter dated January 29, 2020 from Village Engineer Ron Dalton
3. Ordinance O2016-10-01, An Ordinance amending Chapter 70 of the Village Code of Ordinances relating to legal, non-conforming structures
4. 70.161A Special Exception

STAFF RECOMMENDATION:

Architectural Design Plan:

Motion to accept the recommendation of the Architectural Review Board for the approval of the design elevations, as presented, for Pleasant Hill Pub and Grill, located at 2102 STH 164 (Tax Key: V10_008200Z) and to allow the expansion of the legal, non-conforming building subject to Village Code Section 70.161A relating to Special Exceptions and Ordinance O2016-10-01.

Site, Grading and Erosion Control Plan:

Motion to accept the recommendation of the Village Engineer per his letter dated January 23, 2020 for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z)

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Village Staff Member

Village Administrator

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____

March 26, 2019

Mr. James Healy, Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, Wisconsin 53033

RE: Pleasant Hill Management Certified Survey Map (CSM) Review

Dear Mr. Healy:

We have completed our review of the above referenced CSM received on March 19, 2019. The CSM was prepared by LandTech Surveying, Matthew T. O'Rourke P.L.S. It is our understanding that the proposed Land Division is being proposed under section 330 of the Village Code.

We have the following comments and recommendations:

Sheet 1:

- Show existing parcel lines and associated document numbers.
- Show access restrictions per Transportation Plat if any.

Sheet 2:

- Note in Surveyors certificate for the exclusion of lands for Dedicated Right of Way.
- Revise the area notes to reflect dedicated Right of Way Areas.

Sheet 3:

- If there is a mortgage on any of the parcels include the Corporate Mortgage Certificate.

Submitted data has been reviewed for conformance with generally accepted surveying practices and Village policies. Although this data has been reviewed, the surveyor is responsible for the thoroughness and accuracy of survey and supplemental data and for compliance with all state and local codes, ordinances and procedures. Modification to the survey, etc., may be required should errors or changed conditions be found at a future date.

Please contact me at our Cedarburg office (phone 262-204-2341) if you require any additional information or if you have any questions.

Sincerely,

CEDAR CORPORATION

A handwritten signature in blue ink that reads "Ron Dalton". The signature is fluid and cursive, with the first name "Ron" being more prominent than the last name "Dalton".

Ron Dalton, P.E.
Director/Office Manager

RD/MJR

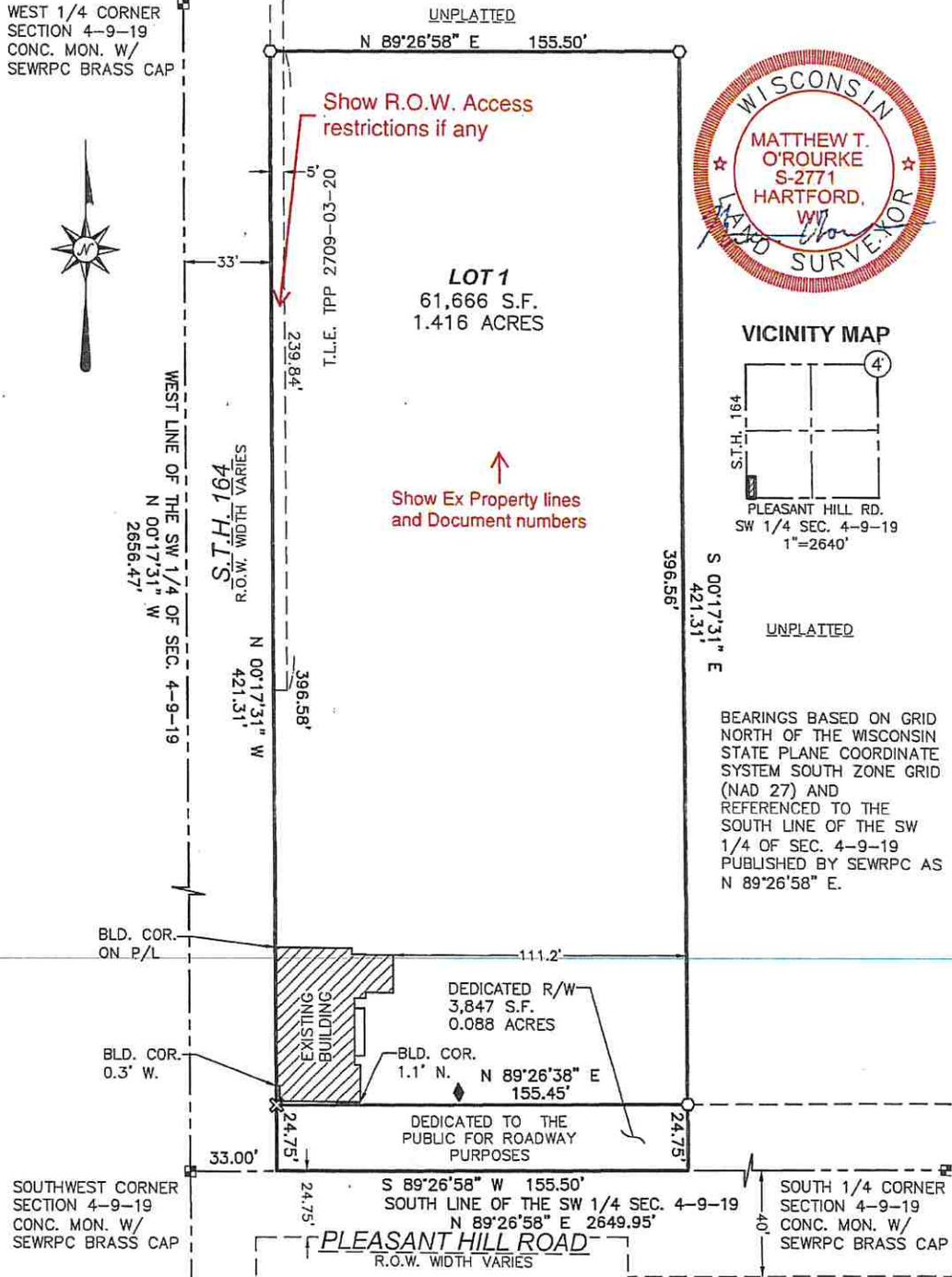
Enclosure(s): As Noted

Cc: Matthew T. O'Rourke, LandTech Surveying LLC, w/encl., via email

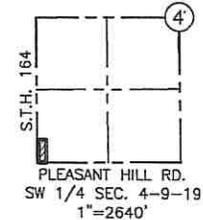
PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. _____

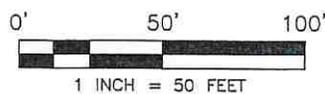
UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.



VICINITY MAP



PREPARED FOR:
PLEASANT HILL
MANAGEMENT LLC.



- LEGEND
- SECTION CORNER MONUMENT
 - FOUND 3/4" REBAR
 - ⊗ FOUND CHISELED X
 - ◆ DRIVEWAY LOCATION

LandTech
SURVEYING

LAND SURVEYING • LAND PLANNING
111 W. 2ND STREET
OCONOMOWOC, WI 53066
WWW.LANDTECHWI.COM
(262) 367-7599

THIS INSTRUMENT WAS DRAFTED BY MATTHEW T. O'ROURKE, S-2771 SHEET 1 OF 4

DATED 03/01/2019

PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, MATTHEW T. O'ROURKE, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A DIVISION OF UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN. AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4; THENCE N 89°26'58" E ALONG THE SOUTH LINE OF THE SECTION, 33.00 FEET TO THE POINT OF BEGINNING; THENCE N 00°17'31" W, ALONG S.T.H. 164, 421.31 FEET; THENCE N 89°26'58" E, 155.50 FEET; THENCE S 00°17'31" SOUTHWEST 1/4 OF SAID SECTION 4; THENCE S 89°26'26" W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4, 155.50 FEET TO THE POINT OF BEGINNING.

LANDS AS DESCRIBED HAVING AN AREA OF ~~65,513~~ SQUARE FEET OR ~~1.504~~ ACRES.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF THE PLEASANT HILL MANAGEMEN OF LANDS.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF.

THAT I HAVE FULLY COMPLIED WITH PROVISIONS OF S. 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION CONTROL ORDINANCE OF THE VILLAGE OF RICHFIELD IN SURVEYING, DIVIDING, AND MAPPING THE SAME.

DATED THIS _____ DAY OF _____, 20____.

MATTHEW T. O'ROURKE, S-2771



PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

PLEASANT HILL MANAGEMENT, LLC, 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, MAPPED, AND DEDICATED AS REPRESENTED ON THIS PLAT. PLEASANT HILL MANAGEMENT, LLC, DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: VILLAGE OF RICHFIELD

IN WITNESS WHEREOF, THE SAID PLEASANT HILL MANAGEMENT, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY: _____, ITS _____, AND COUNTERSIGNED BY _____, ITS _____

AT _____ WISCONSIN, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED ON THIS _____ DAY OF _____, 20_____.

IN THE PRESENCE OF:

CORPORATE TITLE: _____

PRINT NAME: _____

SIGNED: _____

COUNTERSIGNED BY TITLE: _____

PRINT NAME: _____

SIGNED: _____

CORPORATE OWNER'S NOTARY CERTIFICATE

STATE OF _____)

COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20_____, _____

AND _____ OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH _____

AND _____ OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

(NOTARY SEAL) _____ WISCONSIN

NOTARY PUBLIC, _____

MY COMMISSION EXPIRES _____

Include Mortgage Certificate if needed



PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST,
VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

VILLAGE OF RICHFIELD BOARD APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE VILLAGE OF RICHFIELD ON

THIS ____ DAY OF _____, 20__.

JOHN JEFFORDS, VILLAGE PRESIDENT

DONNA COX, DEPUTY CLERK



Jim Healy

From: Sharon Martin <Sharon.Martin@co.washington.wi.us>
Sent: Wednesday, June 17, 2020 3:18 PM
To: Jim Healy
Cc: Lisa Budish
Subject: CSM Richfield and Pleasant Hill Management LLC

Because 12 months has passed without recording the CSM since the final approval by the Village board (April 2019), by statute (Chapter 236) our office cannot accept for recording. If no public meeting was held that shows the CSM received final approval within the last 12 months, I would recommend that the Village add the CSM approval to their next board meeting so that it meets the statutory recording requirements.



WASHINGTON
EST **COUNTY** 1839
WISCONSIN

West Bend, WI 53095-7986



DISCOVER. CONNECT. PROSPER.

Sharon A Martin

Register of Deeds

E: sharon.martin@co.washington.wi.us

O: (262) 306-2225

Herbert J. Tennes Government Center
432 E. Washington St. Room 2084

From: Jim Healy [mailto:administrator@richfieldwi.gov]
Sent: Wednesday, June 17, 2020 3:07 PM
To: Sharon Martin <Sharon.Martin@co.washington.wi.us>
Cc: Lisa Budish <Lisa.Budish@co.washington.wi.us>
Subject: RE: send CSM to this address

Hi Sharon,

We do not have a signature block for our Plan Commission because they are considered a "recommending body". Meaning, they could recommend denial and the Village Board could overrule them. This was at the advice of our Consultant Planner.

Is that still okay?

We typically do not layer our approvals like this, but it was a pretty unique circumstance.

Be well,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033

5c



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

5c.

MEETING DATE: July 2, 2020

SUBJECT: One-Lot CSM for property located at 3476 S Shore Drive, identified by Tax Key: V10_1073- Frank and Lori Windt

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL OF THE PROPOSED CERTIFIED SURVEY MAP (CSM)?

ISSUE SUMMARY:



Tonight, the Plan Commission is asked to review a CSM for Frank and Lori Windt at 3476 S Shore Drive (Tax Key: V10_1073). The property is zoned Rs-4, Single Family Residential District. The intent of which is, in part, as follows:

“Intent. The Rs-4 single-family residential district is intended to provide for limited development of single-family residential housing, of parcels no more than 19.99 acres, with any new parcels maintaining a minimum of 100 feet of lake frontage, for lakeshore properties on Amy Belle, Bark, Friess, Lake Five, and Little Friess Lakes, including those portions of the Village of Richfield that are also regulated by the floodplain district of the Village of Richfield Code of Ordinances...”

This proposed CSM, prepared by Don Thoma, will combine two (2) properties that the Windt family owns into a single Tax Key. These properties are currently substandard lots because they do not have 100’ of lake frontage, which is a requirement of the Rs-4 Single-Family Residential District. Combined, the Lot improves the degree of non-conformity of the lot and does not worsen the same. While they are currently combined by the Washington County Real Property Lister, they are considered two (2) separate lots of record adjoined by a “hooker line” which the red arrow at the left is pointing out on the Washington County GIS aerial overview. So while they are being shown as being a single property, the only way to actually take two (2) legal descriptions and combine them into a single one is to create this CSM. Otherwise, the property boundary lines exist. This is problematic should the property owner ever want to expand their home to the east. Pursuant to the Village’s Land Division Ordinances, Section §330-11.1(E), if a certified survey map is approved with one or more substandard lots, a notation shall be shown on the face of the survey substantially as follows:

Parcel ___ is a substandard lot and was approved by the Village of Richfield under authority of Section 330-11-A of the Richfield Code of Ordinances. Such parcel shall comply with all applicable regulations relating to legal nonconforming lots which may now exist, or which may be established by the Village of Richfield.

If a certified survey map is approved with a parcel that contains an existing structure that does not comply with setback standards in the Village’s zoning regulations, a notation shall be shown on the face of the survey as follows:

Parcel ___ contains an existing structure that does not comply with setback standards in the Village’s zoning regulations in effect on the date this certified survey map was approved by the Village of Richfield. Such structure shall comply with all applicable regulations relating to legal nonconforming structures which may now exist, or which may be established by the Village of Richfield.

The proposed Lot 1 is 0.39-acres. In this case, the property has both non-conforming structures (setbacks- street and side) and are non-conforming lots. So, each of the above-referenced notations must be placed on the face of the CSM.



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: One-Lot CSM for property located at 3476 S Shore Drive, identified by Tax Key: V10_1073- Frank and Lori Windt

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

The combination of these lots will cement what the County Treasurer and County Real Property Lister has been classifying this property as for all these years. Right now the County Treasurer's legal description for this property is as follows:

PT OF NE NW WIERLS BARK LAKE PARK- ASSRS PLAT OL 4-5 DOC 1019775

OL 4 and OL 5 are quite literally the two (2) individual properties. I have also reviewed DOC 1019775, which is a warranty deed when the property was transferred from the previous property owners to the Windt family. Right now, there is only a single Tax Key assigned to both properties and the proposed combination of these lots lessens the degree of non-conformity on the setbacks of the principal structure (eastern boundary line) and creates a parcel that is 96.82' wide at the riparian shoreline and 100' on the streetyard setback.

The Village Engineer has reviewed the CSM and the comments are indicated in the attachments and shown on the face of the CSM.

FUTURE IMPACT AND ANALYSIS:

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

REVIEWED BY:

Village Deputy Clerk

ATTACHMENTS

- 1. Letter dated June 15, 2020 from Village Engineer Ron Dalton



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: One-Lot CSM for property located at 3476 S Shore Drive, identified by Tax Key: V10_1073- Frank and Lori Windt

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the approval of the proposed One-Lot CSM for Frank and Lori Windt for property located at 3476 S Shore Drive (Tax Key: V10_1073) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

- 1. The applicant address, to the satisfaction of the Village Engineer, comments from his letter dated June 15, 2020.
2. The following be added to the Face of the CSM: "Lot 1 is a substandard lot and was approved by the Village of Richfield under authority of 330-11-1 of the Village of Richfield Code of Ordinances. Such parcel shall comply with all applicable regulations relating to legal nonconforming lots which may now exist, or which may be established by the Village of Richfield."
3. The following be added to the Face of the CSM: "Lot 1 contains structures which do not comply with the setback requirements in the Village's zoning regulations in effect on the date this certified survey map was approved by the Village of Richfield. Such structures shall comply with all applicable regulations relating to legal nonconforming structures which may now exist, or which may be established by the Village of Richfield".

General Conditions of Approval:

- 1. Staff and Governmental Approval: Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. Professional Fees: Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Payment of Charges: Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

APPROVED FOR SUBMITTAL BY:

Handwritten signatures for Village Staff Member and Village Administrator

VILLAGE CLERK USE ONLY BOARD ACTION TAKEN

Resolution No., Ordinance No., Approved, Other

Continued To, Referred To, Denied, File No.



June 15, 2020

Mr. James Healy, Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, Wisconsin 53033

RE: Windt Certified Survey Map (CSM) Review

Dear Mr. Healy:

We have completed our review of the above referenced CSM received on June 10, 2020. The CSM was prepared by Donald J. Thoma, P.L.S. It is our understanding that the proposed Land Division is being proposed under section 330 of the Village Code.

We have the following comments and recommendations:

Sheet 1: -Please add notation to the structure on O.L. 4

- Show centerline of road Right of Way
- Note or show setback information and or infringements
- Add note describing purpose of the CSM

Sheet 2: -Please add legal description for Lot 1

- Remove the Village of Richfield Plan Commission and Village Board notation from the Owners Certificate
- add Public Trust note as found in 236.20(6)

Sheet 3: -Add the lot information to the parcel description at the top of the page

Submitted data has been reviewed for conformance with generally accepted surveying practices and Village policies. Although this data has been reviewed, the surveyor is responsible for the thoroughness and accuracy of survey and supplemental data and for compliance with all state and local codes, ordinances, and procedures. Modification to the survey, etc., may be required should errors or changed conditions be found at a future date.

Please contact me at our Cedarburg office (phone 262-204-2341) if you require any additional information or if you have any questions.

Sincerely,

CEDAR CORPORATION

Ron Dalton, P.E.

Director/Office Manager

RD/MJR

Enclosure(s): As Noted

Cc: Donald J. Thoma, Accurate Surveying & Engineering LLP, w/encl., via email

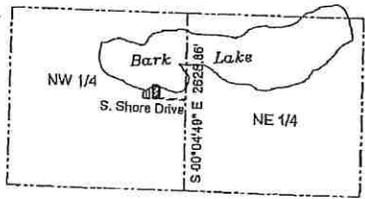
Washington County Certified Survey Map

Outlots Four (4) and Five (5) in Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.



Location Sketch

NW 1/4 and NE 1/4 - Sec. 26-9-19
Scale: 1" = 2000'



Note: 100 year flood elevation 975.9 NAVD 88 was supplied to us by FEMA FIRM No. 55131C0354E, effective date 10-16-2015.

Benchmark:
Is a conc./mon. with a brass cap found marking the North quarter corner of Section 26-9-19, which has a published elevation of 975.55 NGVD 29 and a computed elevation of 975.98 NAVD 88.

Title Policy or Title Search was provided, recorded easements and exceptions are shown per Title Commitment No. L-102280REV date 09-10-2003 provided by owners.

Note: The recorded Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin, does not show the O.L.'s within the Plat extending to the shore of Bark Lake. This Plat is all of Block 2 of Wier's Bark Lake Park a recorded subdivision which does show and describes the lots to the shore of Bark Lake.

Surveyor's Certificate:

I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Frank C. Windt, I have surveyed, divided, and mapped the land shown and described hereon, being all of Outlots Four (4) and Five (5) in Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Village of Richfield Land Division Ordinance in surveying, dividing, and mapping said land, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 26th day of June, 2020

Donald J. Thoma, S-2470

Provide legal description

Owner's Certificate:

As owners, we hereby certify that we caused the land shown and described to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required to be submitted to the following for approval:

Village of Richfield Plan Commission
Village of Richfield Village Board

Frank C. Windt - Owner

Lori A. Windt - Owner

Remove?

STATE OF WISCONSIN)
WASHINGTON COUNTY) s.s

Personally came before me this ____ day of _____, 202__, the above named owners are to me known to be the same persons who executed the foregoing instrument and acknowledge the same.

(Notary Seal) _____, Notary Public, _____, Wisconsin.

My commission expires _____

This instrument was drafted by Donald J. Thoma, S-2470

WARRANTY DEED

DOC#: 1019775



Recorded
SEP. 29, 2003 AT 10:05AM
SHARON A. MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$11.00
Transfer fee: \$514.50

Document Number

This Deed, made between STEPHEN C. REINDERS and ROXANN J. REINDERS, husband and wife, Grantor, and FRANK C. WINDT and LORI A. WINDT, husband and wife, Grantee, Grantor, for valuable consideration, conveys to Grantee the following described real estate in WASHINGTON County, State of Wisconsin (the "Property"):

Recording Area

Name and Return Address
M/M Frank Windt 11-1
3476 S. Shore Dr.
Hubertus, WI 53033

TRANSFER
\$ 514.50
FEE

T10-1073
Parcel Identification Number (PIN)
is not
This is homestead property.

Outlots 4 and 5 in Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Town of Richfield, Washington County, Wisconsin.

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances and will warrant and defend the same, EXCEPT: municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, general taxes levied in the year of closing.

Dated this 24 day of September, 2003.

Signature of Stephen C. Reinders
STEPHEN C. REINDERS

(SEAL)

Signature of Roxann J. Reinders
ROXANN J. REINDERS

(SEAL)

AUTHENTICATION

Signature(s)



ACKNOWLEDGMENT

State of Wisconsin)
) ss.
WASHINGTON County,)

authenticated this ___ day of ___ Personally came before me this 24 day of

September, 2003, the above named STEPHEN C. REINDERS and ROXANN J. REINDERS, husband and wife to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

TITLE: MEMBER OF STATE BAR OF WISCONSIN
(if not, ___
authorized by ss. 706.06, Wis. Stats.)
THIS INSTRUMENT WAS DRAFTED BY

ATTORNEY WILLIAM J. HICKMANN AS SCRIVENER
WEST BEND WI 53095

Signature of Renee J. Antonucci
RENEE J. ANTONUCCI

(Signatures may be authenticated or acknowledged. Both are not necessary.)

Notary Public, State of Wisconsin April 22, 2007
My commission is permanent. (If not, state expiration date):

*Names of persons signing in any capacity must be typed or printed below their signatures
WARRANTY DEED

TERMINATION OF DECEDENT'S INTEREST

792875

Decedent's Name Irene Ehm			
Address of Decedent at Date of Death 3476 S. Shore Dr.	City Hubertus	State WI	Zip 53033
Date of Death April 20, 1990	Social Security Number [REDACTED]		

RECORDED
AUG. 28, 1998 AT 09:00AM
DOROTHY C. GONNERING
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
FEE AMOUNT \$25.00

Presentation of Death Certificate
I certify that I have viewed a certified copy of the decedent's death certificate.

Dorothy C. Gonnering Aug 28, 1998
Register of Deeds signature

This interest in real estate is terminated under (check one): *SUSAN M OLGA*
Dep
 s. 867.045 which pertains to real property in which the decedent was a joint tenant,* had a vendor's or mortgagee's interest, or had a life estate. *(You must provide a copy of the deed establishing joint tenancy.)

s. 867.046 which pertains to (1) real property of a decedent specified in a marital property agreement, and also to (2) survivorship marital property.

Presentation of real property tax bill.
Present with this document a copy of the real property tax bill.

Record this document with the Register of Deeds in the county where the real estate is located. Recording fee is \$25 as per s. 867.045, 867.046.
25-4

Return to:
DONALD J. EHM
1022 30TH STREET
TWO RIVERS, WI 53421

Tax Key No. T10-1073

Presentation of document establishing joint tenancy, survivorship marital property, or life estate.

This deed is found in volume/reel 317 page/image 620 document number 242664
volume/reel 447 page/image 355 document number 299579

Legal description of the real estate. (attach riders if needed)

Description of personal property. (if any)
NONE

DECLARATION: (I),(we) declare that this document is, to the best of my (our) knowledge and belief, true, correct and complete and is in conformity with the provisions and limitations of the Wisconsin Statutes. (if more space is needed, attach pages.)

Name and Address of Person Receiving Property	Relationship to Decedent	Signature	Date
Joseph Ehm 3476 S. Shore Dr. Hubertus, WI 53033	Husband	<i>Donald J. Ehm</i> Donald Ehm, Personal Representative for Estate of Joseph Ehm	<u>Aug 10, 1998</u>

Notarial Acts (NOTARIZATION)
The above named person(s) Donald Ehm
Signed and sworn to (or affirmed) before me on (date) Aug 10, 1998
Signature of notary or other person authorized to administer an oath *Julie A. Klein*
(as per s. 706.06, 706.07)
Print or type name JULIE A. KLEIN
State of Wisconsin, County of Manitowish
Title Notary or Date commission expires 4-25-99
(affix notary seal)

Notary
This document was drafted by (print or type name below)
JEFFREY P. Patterson

792875

STATEMENT OF REAL ESTATE TAXES FOR 1989 **JOSEPH EHM**

1ST INSTALLMENT TO: **2ND (JULY) INSTALLMENT TO:**

ROCK BRADNER, TRES. P. 2X148 VIA GERRARD ST. W. TORONTO, ONT. M5H 1T6 **WASHINGTON COUNTY TRES.**

TOWN OF NICHFIELD 4076 WOODSIDE LANE HUBERTUS, WI 53033 **432 S. WASHINGTON P.O. #1986 WEST BEND WI 53095-7986**

STATE OF WISCONSIN

432 S. WASHINGTON P.O. #1986 WEST BEND WI 53095-7986 **BILL NO. 15631** **RECEIPT NO.**

ASSESSED VALUE LAND	ASSESSED VALUE IMPROVEMENTS	TOTAL ASSESSED VALUE	AVE. ASSMT. RATIO	* ESTIMATED FAIR MARKET VALUE
30,300	27,020	57,320	.9306	61,595

1. TAXING JURISDICTION	2. TAXES BEFORE ESTIMATED MAJOR STATE AIDS & CREDITS	3. ESTIMATED MAJOR STATE AIDS USED TO REDUCE TAXES	4. TAXES AFTER ESTIMATED MAJOR STATE AIDS
STATE TAX	12.32		12.32
COUNTY TAX	301.09	46.21-	254.88
TOWN TAX	156.17	72.91-	83.26
GERMANTOWN SCHOOL	1,654.68	399.74-	1,254.94
MILWAUKEE VTAE	158.23	52.03-	106.20
BARK LAKE SAN.	49.98-		49.98-
BARK LAKE IMPROVE.			12.14
BARK LAKE UTILITY	12.14		
TOTAL	2,244.65	570.89-	1,673.76
STATE SCHOOL CREDIT			82.02-
STAGE GENERAL GOVT CREDIT			35.28-
NET TAX AFTER ST. AID & CREDIT			1,556.46

TOTAL NET TAX RATE 27.1537 / M

IMPORTANT: BE SURE THIS DESCRIPTION COVERS YOUR PROPERTY
3476 S SHORE DR
PT OF NE-NW WIERLS BARK LAKE
PARK+ASSRS PLAT O L 4+5
DESC IN V317 P620+V447 P355
OF RECORDS
SEC 26-9-19

OR PAY INSTALLMENTS OF	1st INSTALMENT: PAY TO LOCAL TREASURER	2nd INSTALMENT: PAY TO COUNTY TREASURER
	BY: JANUARY 31, 1990 778.46	BY: JULY 31, 1990 778.00

TOTAL DUE

GROSS GENERAL PROPERTY TAX	STATE PROPERTY TAX CREDIT	NET GENERAL PROPERTY TAX
1,673.76	117.30-	1,556.46

OTHER

IF THIS BOX IS STARRED, THERE ARE UNPAID PRIOR YEAR'S TAXES AGAINST THIS PROPERTY. CONTACT THE COUNTY TREASURER FOR THE AMOUNT DUE.

DATE PAID 1-31-90 **PAID CASH**

PAID BY OWM **CHECK #**

INITIALS MEK **TOTAL PAYMT** 1556.46

BALANCE

JOSEPH EHM
3476 S SHORE DR
HUBERTUS WI 53033-0000

DOCUMENT NO.

212664

VOL 317 PAGE 620

QUIT CLAIM DEED
STATE OF WISCONSIN—FORM 11

RECORDED

THIS INDENTURE, Made this 24th day of July

A. D. 19 58, between
Esther Ackerman

part Y of the first part and
Joseph Ehm and Irene Ehm, his wife

part ies of the second part,
Witnesseth, That the said part Y of the first part, for and in
consideration of the sum of One Dollar and other good
and valuable consideration

----- Dollars, to her in hand paid by the said part ies of the second part, the receipt whereof
she hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released and quit-claimed, and by these presents
she does give, grant, bargain, sell, remise, release and quit-claim unto the said part ies of the second part, and to their heirs and assigns
forever, the following described real estate, situated in the County of Washington, State of Wisconsin, to-wit:

Lot four (4) of ASSESSOR'S PLAT of the NE 1/4 of the NW 1/4, Section
26, Township 9 North, Range 19 East, Richfield Township, Washington
County, Wisconsin.

The above real estate formerly known as Lot 4 in Block 2 of
Wierl's Bark Lake Park a subdivision in the south half of the
NE 1/4 of the NW 1/4 of Section 26, Township 9 North, Range 19
East, Washington County, Wisconsin.

(DESCRIPTION CONTINUED ON REVERSE SIDE)

To Have and To Hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise
thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said part Y of the first part, either in law or
equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the said part ies of the second part, their
heirs and assigns forever.

In Witness Whereof, part Y of the first part has hereunto set her hand and seal this
24th day of July, A. D. 19 58

SIGNED AND SEALED IN PRESENCE OF

Shirley Flitter
Shirley Flitter
Joyce Ohrmund
Joyce Ohrmund

Esther Ackerman (SEAL)
Esther Ackerman

(SEAL)

STATE OF WISCONSIN,
Washington County, }
Personally came before me, this 24th day of July, A. D. 19 58, the above named
Esther Ackerman

Known to be the person who executed the foregoing instrument and acknowledged the same.



Leroy J. Goring
Leroy J. Goring
Notary Public, Washington County, Wis.
My Commission expires March 11, A. D. 19 62
This instrument was drafted by Leroy J. Goring, Attorney at Law,
West Bend, Wisconsin.

DOCUMENT NO.

299579

355

VOL 447 PAGE 355

WARRANTY DEED
STATE OF WISCONSIN—FORM 1
THIS SPACE RESERVED FOR RECORDING DATA
RECORDED

792875

THIS INDENTURE, Made this 25th day of April, A. D. 1968,
between Adolph Jahnke and Elsie Jahnke, his wife.

APR 25 1 35 PM '68

RECORDED
OFFICE OF DEEDS
WASHINGTON COUNTY, WIS.

part ies of the first part, and
Joseph Ehm and Irene Ehm, his wife.

part ies of the second part,

Witnesseth, That the said part ies of the first part, for and in consideration
of the sum of One dollar and other good and valuable
consideration

RETURN TO
Adolph Jahnke
181 Hubertus

to them in hand paid by the said part ies of the second part, the receipt
whereof is hereby confessed and acknowledged, have given, granted, bargained, sold, remised, released, aliened,
conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey, and
confirm unto the said part ies of the second part, their heirs and assigns forever, the following
described real estate, situated in the County of Washington and State of Wisconsin, to-wit:

Out Lot Five (5) in Assessor's Plat, Northeast 1/4 of the
Northwest 1/4, Section 26, Township 9 North, Range 19
East, Richfield Township, Washington County, Wisconsin.

This deed is given in fulfillment of land contract recorded
Washington County records Volume 403, Page 279, Document
No. 280395.

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

Together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise
appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said part ies of the
first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and
their hereditaments and appurtenances.

To Have and to Hold the said premises as above described with the hereditaments and appurtenances, unto
the said part ies of the second part, and to their heirs and assigns FOREVER.
And the said Adolph Jahnke and Elsie Jahnke, his wife,

for themselves, their heirs, executors and administrators, do covenant, grant, bargain, and
agree to and with the said part ies of the second part, their heirs and assigns, that at the time of the
conveying and delivery of these presents they are well seized of the premises above described, as of a
good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are
free and clear from all incumbrances whatever, except easements and restrictions of record

and that the above bargained premises in the quiet and peaceable possession of the said part ies of the second
part, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part
thereof, they will forever WARRANT AND DEFEND.

In Witness Whereof, the said part ies of the first part have hereunto set their hand s and
seal s this 25th day of April, A. D. 19 68

SIGNED AND SEALED IN PRESENCE OF

E. A. Kletzien
Ethel R. Moyer

Adolph Jahnke (SEAL)
Elsie Jahnke (SEAL)

State of Wisconsin,
WAUKESHA County, Personally came before me, this 25th day of April, A. D. 19 68,
the above named Adolph Jahnke and Elsie Jahnke, his wife,

to me known to be the person s who executed the foregoing instrument and acknowledged the same.

THIS INSTRUMENT WAS DRAFTED BY
E. A. Kletzien, Attorney at Law
Notary Public, Waukesha County, Wis.
My commission (expires) April 26th, 1970

Section 19.31 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten legends
the names of the grantors, grantees, witnesses and notary. Section 19.313 similarly requires that the name of the notary who records

5d



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

51.

MEETING DATE: July 2, 2020

SUBJECT: Extraterritorial Final Plat, Haass Farms, Mike Kaerek, petitioner (Tax Key: LSBT_0167999)

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO RECOMMEND APPROVAL OF THE EXTRATERRITORIAL FINAL PLAT IN THE TOWN OF LISBON?

ISSUE SUMMARY:



The property in question is located on the border of the Town of Merton and Town of Lisbon, approximately one-half mile south of CTH Q west of Lake Five Road. The subject property is 65.0-ac (net after 2.4-ac of right-of-way dedication). What is being proposed is a 43 Lot Subdivision with six (6) Out Lots. Like our RS-1b zoning district, each property owner has an equal and undivided share of the 10.4484-ac Out Lots. This property has no waterways, floodplain, or wetlands on it. It has two means of access, with connections to Red Fox Run and Monarch Drive. No other roads are named at this time. There will be no permissible access off Hickory Road and bordering this street is a 30' wide "Landscaping Easement" which traces the north and eastern property boundary lines. Building in this area is also prohibited per the notations on the face of the Plat.

The average lot size in this subdivision development is 1.0811-ac. For the R-1 Zoning District, the minimum lot size is 1.0-ac. Setbacks for each lot are shown in hashed lines on each property.

On June 17, 2019, Village Staff received a letter from the State Department of Administration's (DOA) Plat Review division that stated they did not object to the Preliminary Plat and that it complies with Wis. Stats. 236. The Village has not received anything from DOA regarding the Final Plat to date. On June 24, 2020, the Village received written confirmation from the Town of Lisbon's consulting planner that their Plan Commission will be considering this proposal on July 9th and pending approval, on July 27th the Town Board will consider it. The Village of Richfield's adopted Comprehensive Plan addresses the Village's legal right to object to extraterritorial plat reviews which include CSMS and subdivision plats, but historically the Village has not exercised this power.

On June 17, 2019, Village Staff received a letter from the State Department of Administration's (DOA) Plat Review division that stated they did not object to the Preliminary Plat and that it complies with Wis. Stats. 236. The Village has not received anything from DOA regarding the Final Plat to date. On June 24, 2020, the Village received written confirmation from the Town of Lisbon's consulting planner that their Plan Commission will be considering this proposal on July 9th and pending approval, on July 27th the Town Board will consider it. The Village of Richfield's adopted Comprehensive Plan addresses the Village's legal right to object to extraterritorial plat reviews which include CSMS and subdivision plats, but historically the Village has not exercised this power.

FUTURE IMPACT AND ANALYSIS:

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

REVIEWED BY:

Village Deputy Clerk

ATTACHMENTS

- 1. Haass Farms Final Plat, prepared by Pinnacle Engineering Group (June 4, 2020)



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Extraterritorial Final Plat, Haass Farms, Mike Kaerek, petitioner (Tax Key: LSBT_0167999)

DATE SUBMITTED: June 25, 2020

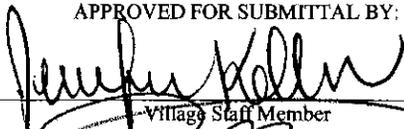
SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

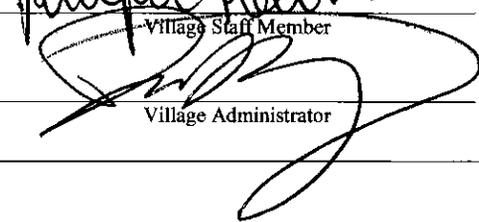
Motion to recommend to the Village Board the approval of the proposed extraterritorial Final Plat for Haass Farms on land identified by Tax Key: LSBT_0167999 in the Town of Lisbon subject to the following Specific Conditions of Approval:

1. The applicant receives all other necessary approvals from any other approving local governmental bodies or agencies.
2. The Signature Block for the Village of Richfield Plan Commission remove "Ken Meeks, Chairman" and replace with "Jim Otto, Chairman".
3. The Signature Block for the Village of Richfield Plan Commission remove "Donna Cox, Deputy Clerk" and replace with "Jim Healy, Clerk"

APPROVED FOR SUBMITTAL BY:



 Village Staff Member



 Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____

PRELIMINARY/FINAL PLAT APPLICATION

Please fill out all forms attached in this document for the purposes of a preliminary or final plat review. Submittal is 25 days prior to the next Plan Commission meeting. See Planning & Zoning Fee Schedule & Escrow policy for all required fees. All plans are reviewed by the Plan Commission and Village Board. The Plan Commission meets on the 1st Thursday of every month, and the Village Board meets on the 3rd Thursday of every month.

Checklist

1. Initial Meeting with Planner
2. Pre-application conference with village staff and members of reviewing agencies
3. Development concept review by the Plan Commission
 - 20 full scale plans and digital file
 - Consultation with Wisconsin DOT (if adjoining a state highway)
4. Re-zoning (when applicable- fill out re-zoning application)
5. Preliminary Plat Application submittal
 - 30 full scale plans and digital file
 - Soil evaluation test results (consult with Washington County Planning & Parks Department)
 - Wetland delineation, if required, by the Department of Natural Resources or Southeastern Wisconsin Regional Planning Commission
 - Traffic Impact Study
 - Groundwater Study (see Chapter 59 of Village Code)
 - Proof of completed Neighborhood Workshop Session
 - Draft of the subdivision developer's agreement
 - Draft of the subdivision deed restrictions or covenants
 - Filing fee (see Planning & Zoning Department fee schedule)
 - Additional deposit to escrow account (See escrow policy)
 - Upon approval and prior to any construction submission of letter of credit for all site improvements (equal to 120% of the cost of improvements as estimated by the Village Engineer)
 - Work on obtaining Stormwater & Erosion Control Permit & Stormwater Maintenance Agreement through the Village Engineer
6. Final Plat Application submittal
 - 30 full scale plans and digital file
 - Installation of all improvements (See Sec. 66-12)
 - Additional deposit to escrow account (See escrow policy)
 - Filing fee (see Planning & Zoning Department fee schedule)
7. Plan Commission
8. Village Board
9. Subdivision plat recorded with the Washington County Register of Deeds
10. Pre-Construction meeting with village staff

Subdivision Name: Haass Farms

Property location: SW 1/4 of Section 6, T8N, R19 E, Town of Lisbon, Waukesha County

Tax Key Number(s): LSBT 0167999 & LSBT 0167999001

Current Zoning of parcel: R-1

Parcel Size 67.4 acres Percent of greenspace: 15 %

Number of lots: 43 Number of outlots: 6

Property Owner

Name: Mike Kaerek

Company Name: MK/S-EP, LLC

Address: 11600 West Lincoln Avenue

City: West Allis State: WI Zip: 53227-1018

Phone: 414-321-5300 Fax: --- E-mail: mikekaerek@kaerekhomes.com

Applicant/Agent representing the owner

Name: same as property owner

Company Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ E-mail: _____

Wisconsin Registered Surveyor

Name: John Konopacki

Company Name: Pinnacle Engineering Group, LLC

Address: 20725 Watertown Road, Suite 100

City: Brookfield State: WI Zip: 53186

Phone: 262-754-8888 Fax: --- E-mail: john.konopacki@pinnacle-engr.com

Affidavit

I (we), being first duly sworn, attest that I am (we are) the Owner(s) of the property which is the subject of this application in the Village of Richfield, Washington County, Wisconsin, and that all the information attached to or provided in support of said application, including sketches, data, and any other documents and material, are honest and true to the best of my (our) knowledge.

Further, I (we) as Owner(s) acknowledge and accept the responsibility for any and all fees charged or costs incurred by the Village of Richfield to carry out the processing and review of this application; I (we) further acknowledge and understand that I (we) will be required to start an escrow account to which all processing and review costs will be charged; I (we) further acknowledge that in the event that the initial fee is not sufficient to cover all the costs associated with processing and reviewing the application I (we) will be required to provide the Village of Richfield an additional deposit; I (we) further acknowledge that the balance of any remaining fees shall be refunded within a reasonable amount of time after this application has been processed or withdrawn;

Further I (we) as Owner(s) of the subject property authorize and direct the Authorized Agent(s) identified above to act as my (our) representative(s) in any matter regarding this application, which may include the payment of filing fees on my (our) behalf;

Further I (we) as Owner(s) of the property subject of this application and Authorized Agent(s) understand that this application and all required forms and information must be complete and accurate, as determined by the Planning & Zoning Administrator for the Village of Richfield, before a meeting and/or public hearing (if required) can be scheduled)

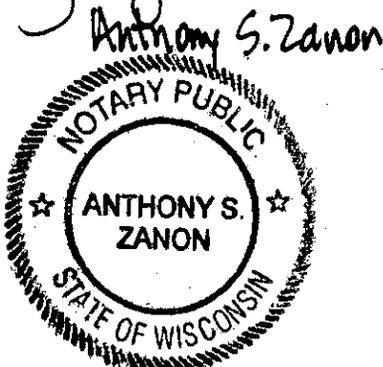
Name of Owner(s): MK/S-EP, LLC Attn: Mike Kaerek

Signature of Owner(s): *[Handwritten Signature]*

Name of Agent(s): ---

The foregoing instrument was sworn to and acknowledged before me this 11th day of June, 2020.

Notary signature: *[Handwritten Signature]* Commission expires: 7/25/2021

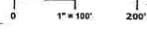


HAASS FARMS

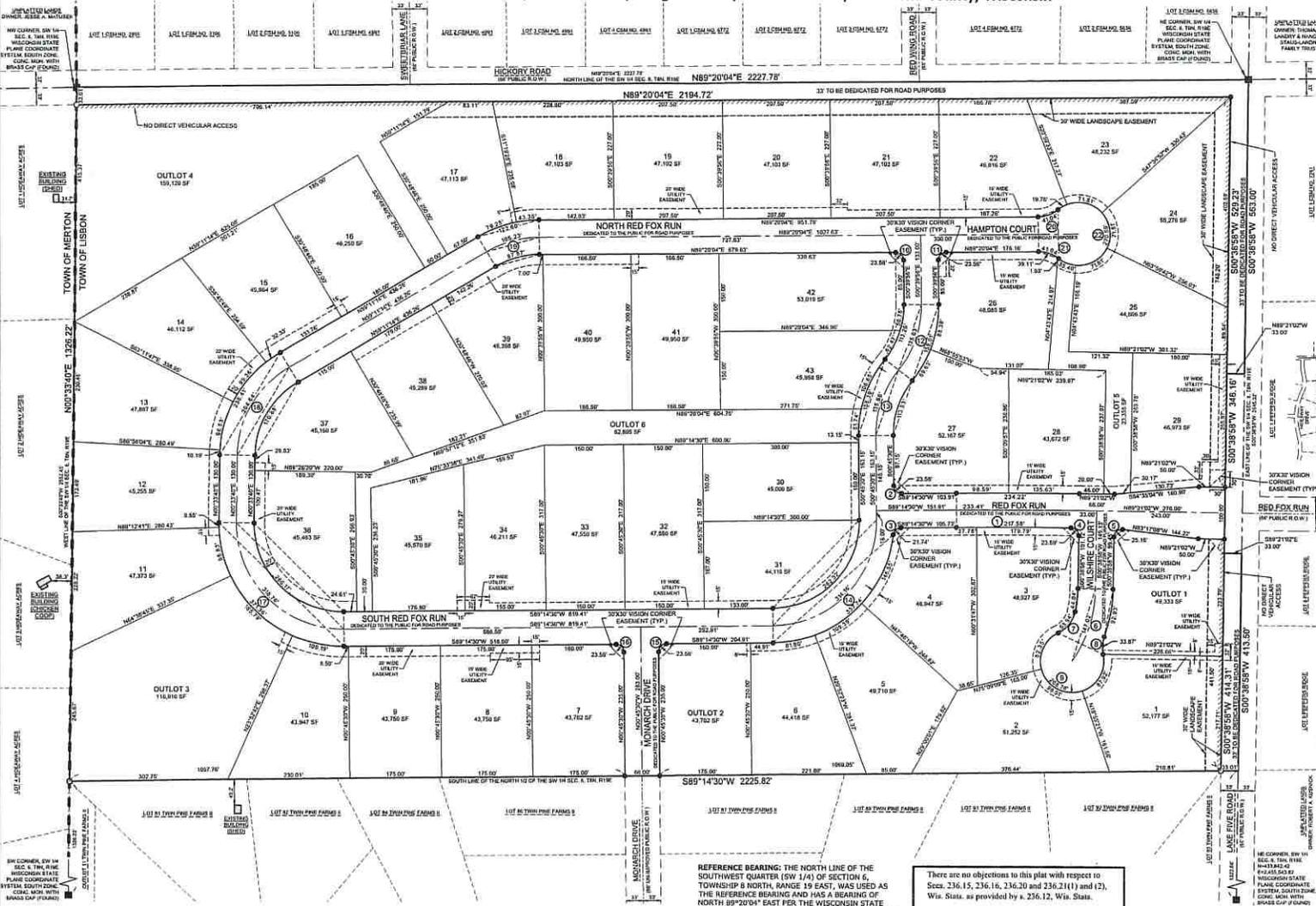
Lot 1 Certified Survey Map No. 5137, and additional lands in the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 of Section 6, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin



GRAPHICAL SCALE (FEET)



www.pinnacle-engr.com



Owner/Subdivider
MK/S-EP, LLC
Attn: Michael J. Kearey
11600 West Lincoln Avenue
West Allis, WI 53227
414-323-5300

Prepared by
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53086
OFFICE (262) 754-8888
WWW.PINNACLE-ENGR.COM



Date: JUNE 4, 2020

REFERENCE BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 19 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°20'04" EAST FOR THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by a 236.12, Wis. Stats.

Certified _____
Department of Administration

REFERENCE BENCHMARK: 1044-28 (INDVD 29F) RAILROAD SPIKE, AT GRADE, IN THE NORTHEAST FACE OF POWER POLE NO. 02-09479, LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF HICKORY ROAD AND LAKE FIVE ROAD.

- NOTES
1. SEE DRAINAGE EASEMENTS, DRAINAGE EASEMENTS FOR STORM WATER MANAGEMENT, PERMANENT DRAINAGE AND DRAINAGE EASEMENT WALL SECTIONS AND TOP OF POH D CH SHEET 2.
 2. SEE BUILDING SETBACK LINE ON SHEET 3.
 3. SEE ADDITIONAL NOTES, AND CURVE DATA ON SHEET 4.

This instrument drafted by John P. Konopach, PLS-Registration No. 5-2461
PINNACLE ENGINEERING GROUP

LEGEND

- Centered Round 3" O.D. Iron Pipe
- ⊙ Centered 1/4" x 1/8" Iron Stake, 4.3 LBS./FT.
- ⊙ All other corners set are 2 1/4" x 1/8" Iron Stake, 15 LBS./FT.
- SP Centered set screw in the nearest corner face.

All distances computed to the nearest 0.01'
All angles computed to the nearest 00'00.00" and measured to the nearest 00'00.00"

HAASS FARMS

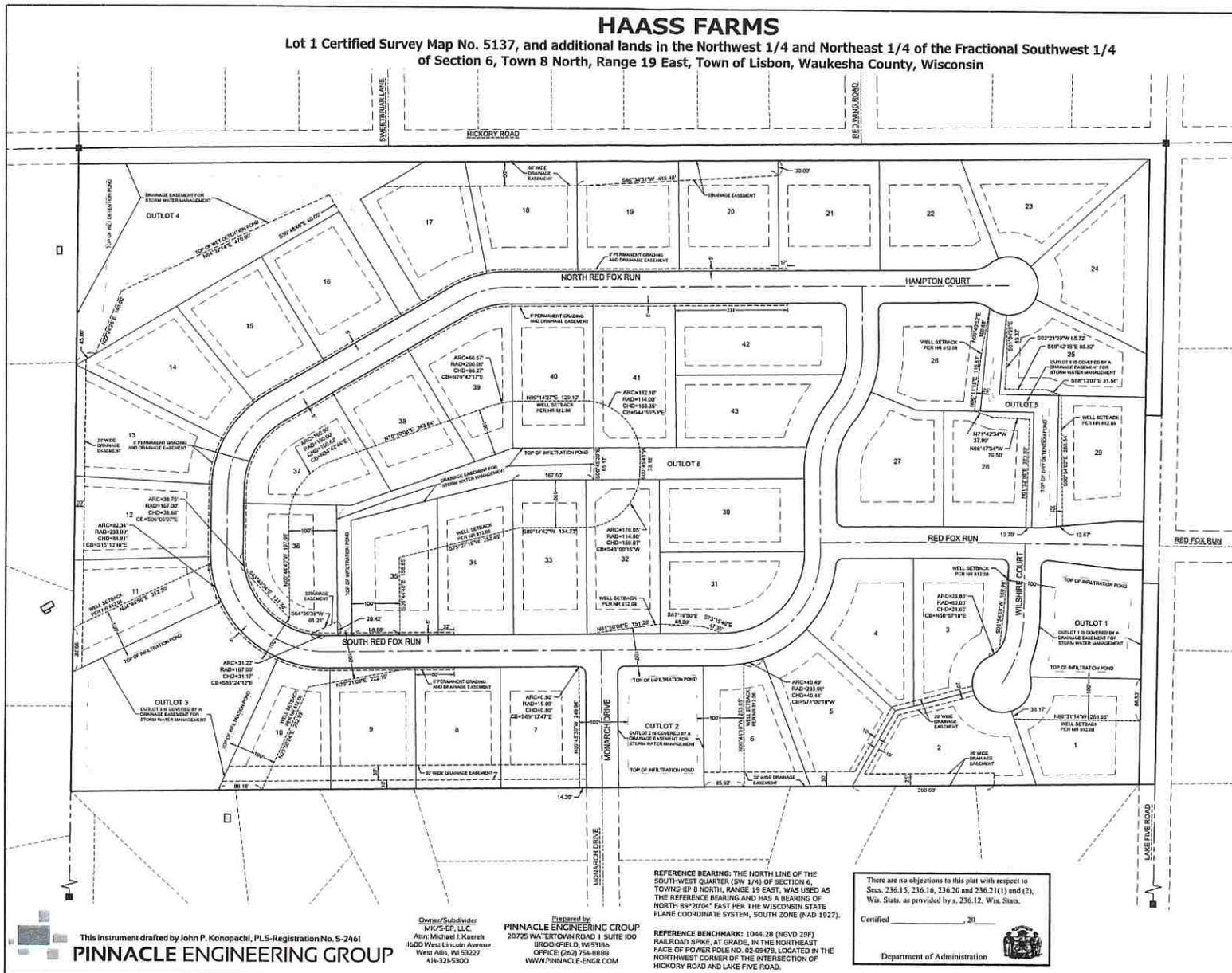
Lot 1 Certified Survey Map No. 5137, and additional lands in the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 of Section 6, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin



GRAPHICAL SCALE (FEET)
0 1" = 100' 200'

www.pinnacle-engr.com

1"



This instrument drafted by John P. Konopack, PLS-Registration No. 5-2461
PINNACLE ENGINEERING GROUP

Owner/Subdivider
MK/S-EP, LLC
Attn: Michael J. Kaereth
1100 West Lincoln Avenue
West Allis, WI 53227
414-321-5300

Prepared by
PINNACLE ENGINEERING GROUP
20725 WATERLOO ROAD | SUITE 100
BROOKFIELD, WI 53005
OFFICE (262) 754-8888
WWW.PINNACLE-ENGR.COM

REFERENCE BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 19 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°50'04" EAST FOR THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

REFERENCE BENCHMARK: 1044.28 (NGVD 29F) RAILROAD SPIKE, AT GRADE, IN THE NORTHEAST FACE OF POWER POLE NO. 02-89478, LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF HICKORY ROAD AND LAKE FIVE ROAD.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____
Department of Administration



Dated: JUNE 4, 2020

FIG JOB # W41 DOW
SHEET 2 OF 4

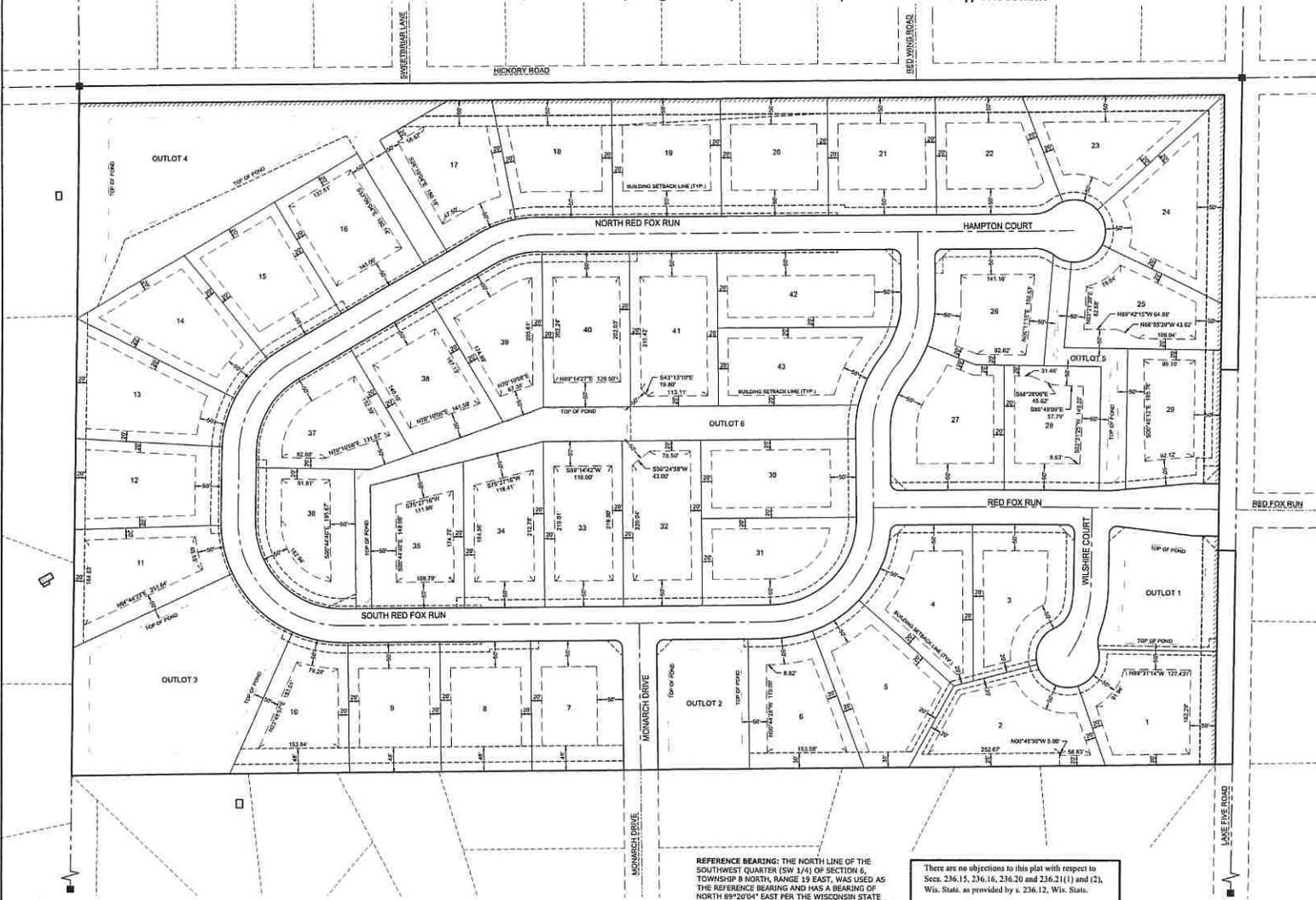
HAASS FARMS

Lot 1 Certified Survey Map No. 5137, and additional lands in the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 of Section 6, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin



GRAPHICAL SCALE (FEET)
0 1" = 100' 200'

www.pinnacle-engr.com



REFERENCE BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 19 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°20'04" EAST PER THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____ 20

Department of Administration



Date: JUNE 4, 2020

This instrument drafted by John P. Konopach, PLS-Registration No. 5-2461
PINNACLE ENGINEERING GROUP

Owner/Subscriber: M/C/S-EP, LLC
Attn: Michael J. Kewerth
1800 West Lincoln Avenue
West Allis, WI 53227
414-321-5300

Prepared by:
PINNACLE ENGINEERING GROUP
20725 WATERLOO ROAD, SUITE 100
BROOKFIELD, WI 53006
OFFICE: (262) 754-8888
WWW.PINNACLE-ENGR.COM

REFERENCE BENCHMARK: 1044.28 (NGVD 29F) RAILROAD SPIKE, AT GRADE, IN THE NORTHEAST FACE OF POWER POLE NO. 02-09479, LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF HICKORY ROAD AND LAKE FIVE ROAD.

PLS JOB# 1949.DWG
SHEET 3 OF 4

5e



PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Proposed Ordinance Amendment in A-1, Exclusive Agricultural District – Special Event Venues

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO RECOMMEND APPROVAL TO THE VILLAGE BOARD FOR THE PROPOSED ORDINANCE AMENDMENT?

ISSUE SUMMARY:

Over the course of the last few years, no topic in our Zoning Code has driven more interest than “Agribusiness” and “Agritourism” discussions in our Code. As farmers look to diversify their revenue streams due to depressed commodity prices and the growing trend of “manufacturing farms”, the practice of traditional agriculture (cropping/animal raising) has been changing in the Village of Richfield over the last few years. Just this past year, the Village’s last dairy farmer passed away on Willow Creek Road. There are only a handful of farms left in the Village which raise beef cattle. The proliferation of this new type emerging industry raises valid concerns about the dichotomy between allowing these types of new agricultural uses and protecting the rights of residential property owners in close proximity who might not expect to have these types of business uses in their backyard.

Currently, there are three (3) agricultural businesses who operate under a Conditional Use Permit encapsulated under 70.188(D)(12). The Holy Hill Art and Farm property on STH 167, Folk Song Farm on Pioneer Road, and Basse’s Taste of Country on CTH Q. The language, repealed from our Code which these businesses have Conditional Use Permits under, reads as such:

“Seasonal establishments or operations for the retail sale of vegetables, fruits, flowers, nursery stock, or other selected farm or agricultural products, antiques, crafts, and similar items when both farm and nonfarm products are available for sale from roadside stands or similar accessory structures greater than 150 gross square feet”.

Suffice it to say, the Zoning Code Subcommittee wanted to closely analyze the types of uses we have in the Village on the above-referenced properties and better define their operations for future administration purposes. It was clear to the Subcommittee and Staff that the present day operations on those properties was not entirely encapsulated with the definition shown above. That is what led to the creation of Agri-Tourism discussions internally and the drafting of specific language for such operations as “bird hunting preserve”, “Farm Education”, “Farm Recreation”, “Fee Fishing”, “Petting Farm”, “Special Event Venue”, “U-Cut Christmas Tree”, and “U-Pick Operation”. For your convenience, I have included the working definitions of those “Agri-Tourism” uses along with the Land-Use Matrix to show how they are proposed to be permitted in the Village Code.

Tonight, the Plan Commission is considering a proposed amendment to the A-1, Exclusive Agricultural District in the Conditional Use section regarding “Special Event Venues”. The definition of the proposed use by the applicant is different than the proposed language drafted by the Subcommittee as you will see from the attachments. The primary difference is the fact that the word “periodic” is missing which would tend to suggest that the petitioner would like to see the seasonal element that has been present in our Code removed in favor of a more year-round approach to this type of use. Also, the proposed definition by the Subcommittee states that guests are normally not charged an admission fee.

The second area of difference between the petitioners verbiage and the draft language the Subcommittee has come up with is the limitation on “new” buildings. The Subcommittee inserted language to say that these types of operations are only limited to buildings which existed as of January 1, 1983. This is admittedly an arbitrary date which has yet to be discussed with the Plan Commission, but was chosen because that was the year the Town of Richfield adopted the “Clinkenbeard” version of the Code we currently have which is more sophisticated in nature with differing zoning districts and standards for the same. The language proposed by the petitioner says that it is limited to buildings which existed prior to 1980, an



PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Proposed Ordinance Amendment in A-1, Exclusive Agricultural District – Special Event Venues

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

earlier time frame. But then goes on to stated that any "new building(s) functioning as an accessory building for Special Events must be approved by the Village Board". Based on the petitioners letter to the Village, we can infer that the petitioner was seeking a way to allow new buildings to be constructed because on the property they are showing a site plan where a 54x88' (4,752sqft) Walters building would be constructed. This proposed building was stated to have a functioning HVAC system (heat & AC) and restrooms. The logic and reasoning of the Subcommittee for wanting to put a date certain on any draft language would be so it would encourage the preservation of existing older agricultural buildings rather than the development of new construction buildings for this type of commercial purpose.

Regarding "Lot Size", "Road Access", "Activity Areas", and "Application Fee", the petitioner has decided to mimnick the language drafted by the Subcommittee. The following is a side-by-side comparison of the remaining elements (paraphrased):

	Petitioned Ordinance – Holy Hill Art Farm	Proposed Ordinance – Subcommittee Draft Language
Max Guests	300 with potential consideration for larger events with administrative approvals	250 with protections in place to ensure no more than that occurs
Hours (of operation)	Throughout the year 12:00AM but no "set daily business hours"	10:00PM
Restrooms	2 units per 200 guests	N/A – Not addressed
Number of Events	N/A – Not addressed	18 per calendar year
Verification of Events	N/A - Not addressed	Written submission to Staff
On-site Access Drive	N/A – Not addressed	2-way traffic in/out or potential to handle ingress/egress, along with emergency vehicle turnarounds every 1,200'.

Tonight, the Plan Commission needs to make a recommendation to the Village Board whether it is "for" or "against" the proposed Ordinance Amendment. A Class II Public Hearing Notice is being prepared by Staff for a scheduled Public Hearing in July on the 23rd of next month. Staff has forwarded the proposed Ordinance Amendment to the Village Attorney for his review and comment prior to the Village Board meeting.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY:

Village Deputy Clerk

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

ATTACHMENTS

1. Letter dated June 23, 2020 from Kristine Jackline, Manager of Holy Hill Art Farm
2. Draft Appendix, page B-4 "Special Event Venue"

STAFF RECOMMENDATION:

TBD



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Proposed Ordinance Amendment in A-1, Exclusive Agricultural District – Special Event Venues

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

Jim Healy
Village Staff Member

Jim Healy
Village Administrator

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____



Holy Hill Art Farm

4958 Holy Hill Rd (Hwy 167) Hubertus-Wisconsin

6/23/2020

Jim Healy – Village of Richfield

Dear Jim,

Holy Hill Art Farm would like to formally request an amendment to Ordinance 70.0188(D) to allow "Agribusiness & Agritourism" under conditional uses.

We propose the following land use:

Special Event Venue – A facility holding events such as weddings, family reunions, parties, fundraisers, dinners, classes, markets, concerts, outings, tastings and other gathering functions.

We propose the following standards in regards to the above land use:

- 1) Lot size – The minimum lot size for a Special Event Venue is 40 acres.
 - 2) Buildings – The use is limited to buildings that existed prior to 1980. Any new building(s) functioning as an accessory building for Special Events must be approved by the Village Board.
 - 3) Road Access – The primary road access entrance must be located off a major road.
 - 4) Parking – Parking areas must be located and configured to minimize any conflicts with surrounding properties. 1 space for each 3 guests and 1 space for each employee working. Street or Road parking is prohibited.
 - 5) Activity Areas - Activity areas must be located and configured to minimize any conflicts with surrounding properties.
 - 6) Guests – The number of guests at an event is limited to 300. Any events with expected guests over 300 must be submitted to the Village Administrator.
 - 7) Restrooms - The Venue must provide restrooms for guests at a rate of at least two units per two hundred guests.
 - 8) Hours of Operation – Events may be held throughout the seasons. All events must end by 12:00AM. The venue may not have set daily business hours.
 - 9) Application Fee – Application Fess for this use is classified as a Type 2 Conditional Use.
-

In order to expand our operation and accommodate the groups we have attending our events, Holy Hill Art Farm requests approval to build a metal farm shed 54 x 88 with indoor bathrooms, heat and air conditioning. See site plan attached.

Thank you for your consideration in this matter. We hope to move forward with our proposals in front of the Plan Commission at the next meeting in July.

Sincerely,

Kristine Jacklin

Manager

Holy Hill Art Farm

262/224/6153



Walters' Buildings

Jack Walters & Sons, Corp.
P.O. Box 388
5600 Midland Ct.
Allenton, WI 53102
1-800-558-7807
www.waltersbuildings.com

REVISIONS

OWNER:
**HOLY HILL
MARKET LLC**

PROJECT:
**WEDDING BARN /
FARM SALES**

LOCATION:
**4958 HWY 167
HUBERTUS, WI**

SALES REP / DEALER:
MARSHALL WISTH

DRAWN BY:
TRB/RCN (ON: 8/5/19)

ESTIMATED BY:
EST ON:

LAST SAVED BY:
DRESENCH (ON: 11/12/20)

SCALE:
AS NOTED

JOB NUMBER:
95-1311R1

SHEET NUMBER:

P1



PLOT PLAN
SCALE 1" = 1'-0"

Series Land Use

2.05 Special event
venue

Description: A facility for holding periodic events such as weddings, family reunions, parties, fundraisers, and corporate outings. Guests are normally invited and not charged a fee for entry.

Parking Requirements: 1 space for each 3 patron seats or 1 space for each 300 square feet of gross floor area devoted to patron service, whichever is greater; plus 1 space for each employee on the largest work shift

Supplemental Standards:

A. Minimum lot area. The minimum lot area for a special event venue is 40 acres.

B. Road access. The primary access for this use must be off of a major road as depicted on the Village's zoning map.

C. Activity areas. Activity areas must be located and configured so as to minimize potential conflicts with surrounding properties.

D. Parking areas. Parking areas must be located and configured so as to minimize potential conflicts with surrounding properties.

E. Buildings. This use is limited to buildings that existed on January 1, 1983 and which were previously used for agricultural purposes (e.g., barns).

F. Number of events. The number of events is limited to 18 in a calendar year, which shall be prorated for the first year with the first day corresponding to the date the conditional use approval is granted. Further, there shall be not more than one event at a time, and no more than one event per day.

G. Guests. The number of guests at an event is limited to 250. The ways in which the petitioner will ensure compliance with this limitation must be addressed in the site plan/plan of operation.

H. Hours. All events must end by 10:00 pm.

I. Verification of events. Within 7 days following each event, the owner will submit a signed document to the zoning administrator that details the nature of the event in a form established by the administrator. The requested information may include (1) type of event (e.g., wedding, fundraiser, meeting/conference, birthday celebration, anniversary); (2) the number of guests and staff attending the event; (3) event hours; (4) the hours during which alcohol, if any, was served; (5) the hours during which music or other amplified sound occurred, if any; (6) the names of security personnel at the event, if any; (7) whether the event complied with all conditions and terms of approval; and (8) any other information deemed appropriate by the administrator to ensure compliance and provide sufficient documentation.

J. On-site access drive. The facility shall be served by an on-site access drive that meets the design and construction standards for a village road (e.g., two lanes each 12 feet wide). The Plan Commission may waive the requirement for a two-lane drive and allow a single-lane drive when the commission deems the wider drive unnecessary given the location of the use on the subject property, the number and type of vehicles using the drive, and other related considerations. If the Plan Commission allows a single-lane drive, the commission reserves the right to require a two-lane drive at a later date and may require intermediate turnarounds/turnouts every 1,200 feet and impose other design features it deems necessary to ensure public safety.

K. Application fee. This use is classified as a Type 2 conditional use in the fee schedule.

5f



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

SF.

MEETING DATE: July 2, 2020

SUBJECT: Plan of Operation – Badger Burger Company located at 1872 STH 175 (Tax Key: V10_030000Z)

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO CONDITIONALLY APPROVE THE PROPOSED PLAN OF OPERATION FOR BADGER BURGER COMPANY?

ISSUE SUMMARY:



The Badger Burger Company (<https://www.badgerburgercompany.com/home.php>) has proposed to take up occupancy in the former Sobleman's Pub and Grill (Amici's Italian Restaurant) located at 1872 STH 175. The self-described "family oriented restaurant and bar" is proposed to be open seven (7) days a week. Sunday through Thursday from 11AM-9PM and Friday-Saturday from 11AM-10PM. The owner, Mr. Mark Weiss, believes the business will employ eight (8) full-time employees and 22 part-time employees. This will be the second location of Badger Burger Company, with their flagship restaurant located in the Village of Mukwonago. The restaurant specializes in typical American food, with a mix of appetizers, nine (9) different types of half-pound burgers made with 100% fresh Angus Beef, wraps, pizzas, sandwiches, and specialty drinks. From their website:

"Badger Burger Co. is a community supported restaurant located in downtown Mukwonago. We specialize in hand crafted burgers and bloody marys. Come spent some time with us- meet new friends and catch up with old ones. Open seven days a week, serving lunch and dinner. Cheers!"



VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: July 2, 2020

SUBJECT: Plan of Operation – Badger Burger Company located at 1872 STH 175 (Tax Key: V10_030000Z)

DATE SUBMITTED: June 25, 2020

SUBMITTED BY: Jim Healy, Village Administrator

On the subject property and on the adjacent property identified by Tax Key: V10_0298 (shown with red arrow), the business owner has 75 combined parking stalls. The business owner, Mr. Weiss, has a private agreement with TCS Holdings for the utilization of the parking lot shown with Tax Key: V10_0298. There will be no overnight parking on either site or outside storage.

Just west of the building along STH 175, the business owner has removed a failing retaining wall and replaced it with a 10x53' concrete pad in which he intends to have outdoor seating. The Unenclosed Premise Permit has been reviewed by the Richfield Volunteer Fire Company Chief, the Washington County Sheriff's Department, and the Village Board which conditionally approved the same at their June 27th meeting along with their Reserve Class "B" Liquor License. Village Staff supports the continued use of this building as a restaurant and is elated to see an owner like Mr. Weiss, who is a veteran of the restaurant industry, to bring new life into this iconic building.

Tonight, the recommended action of Village Staff is to recommend conditional approval of the proposed Plan of Operation.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY:

Village Deputy Clerk

Forward to Village Board: No
Additional Approvals Needed: No
Signatures Required: No

ATTACHMENTS

- 1. Plan of Operation – The Badger Burger Company

STAFF RECOMMENDATION:

Motion to Conditionally Approve the petitioned Plan of Operation for Badger Burger Company located at 1872 STH 175 (Tax Key: V10_030000Z) subject to the following Specific Conditions of Approval:

Specific Conditions of Approval:

- 1. The Village Board approve the proposed Ordinance Amendment related to "Restaurant, Standard" to allow the "use" as being a Principal Permitted Use in the B-5 District.
2. The petitioner receive all necessary permits from the Building Inspection Department, Richfield Volunteer Fire Company, and Washington County for the service of food/drink.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Handwritten signatures of Village Staff Member and Village Administrator

Resolution No.
Ordinance No.
Approved
Other

Continued To:
Referred To:
Denied
File No.

4128 Hubertus Rd Hubertus, WI 53033 Village Hall - 262.628.2260 Fax - 262.628.2984		BUSINESS PLAN OF OPERATION APPLICATION VILLAGE OF RICHFIELD		Permit No.		
				Parcel/Tax Key No.		
NAME OF PROPOSED BUSINESS:				SUITE #:		
Owner's/Operator's Name: (Please print) MARK A. WEISS		Mailing Address 1146 N. Rochester. MAKWAUAGO, WI 53149	City MAKWAUAGO	State WI	Zip 53149	Phone #: 262-215-7669
		Email Address Mark@mapleavenue.com				Other
Tenant's Name: (Please Print) BADGER BURGER		Mailing Address Same	City Same	State Same	Zip Same	Phone #: 262-623-6770
		Email Address				Other
DESCRIPTION OF BUSINESS OPERATION: BADGER BURGER Restaurant FAMILY ORIENTED Restaurant + BAR						
TYPE OF BUSINESS: Please check the appropriate box for type:					Description: _____	
<input type="checkbox"/> Retail <input type="checkbox"/> Office <input type="checkbox"/> Warehouse/Storage <input type="checkbox"/> Industrial <input type="checkbox"/> Wholesale <input type="checkbox"/> Institutional <input checked="" type="checkbox"/> Other: Restaurant						
NEW USE: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		EXPANSION OF EXISTING USE: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			OTHER: _____	
HOURS OF OPERATION: Mon-Fri 11-9		FRI-SAT Sat, Sun: 11-10		DAYS OF OPERATION: <input checked="" type="checkbox"/> Mon <input checked="" type="checkbox"/> Tue <input checked="" type="checkbox"/> Wed <input checked="" type="checkbox"/> Thu <input checked="" type="checkbox"/> Fri <input checked="" type="checkbox"/> Sat <input checked="" type="checkbox"/> Sun		
MAXIMUM # OF EMPLOYEES: 30		# of Full Time: 3		CURRENT ZONING:		
		# of Part Time: 22				
EXPECTED CUSTOMERS PER DAY:				NUMBER OF TRUCKS PER DAY: _____		
				NUMBER OF AUTOS PER DAY: _____		
PARKING				STORAGE		
# of Available Parking/Parking Lot Spaces: 100				Storage Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
# of Loading Spaces: 2				Types of Storage: _____		
Overnight Parking Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						
Where: _____						
SPECIAL EQUIPMENT/FACILITIES/REQUIREMENTS Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If so, What? _____						
Applicant's Signature: Mark A. Weiss		Applicant's Name (Printed): MARK A. WEISS			Date Signed: 5-21-2020	
Property Owner's Signature: Mark A. Weiss		Property Owner's Name (Printed): MARK A. WEISS			Date Signed: 5-21-2020	
APPROVAL CONDITIONS						
Applicant is responsible to obtain any licenses, permits, certificates or other documents from other agencies of Village Departments. For example: Cigarette and Alcoholic Beverage Licenses must be obtained from the Village Clerk and Building Permits from the Building Inspector. Also, Occupancy of the premises requires approval of this application.						
FOR VILLAGE STAFF ONLY						
Date Submitted for Review: _____						
Approved by Village Staff: _____						
SPECIAL REQUIREMENTS/COMMENTS: _____ Date: _____						