



AGENDA  
PLAN COMMISSION MEETING  
RICHFIELD VILLAGE HALL  
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN  
NOVEMBER 5, 2015  
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. September 3, 2015 – Regular Meeting (Reconsideration)
5. PUBLIC HEARING
  - a. Discussion regarding a petition to rezone a portion of vacant property (12.204ac) located at 3200 Pleasant Hill Road (Tax Key: V10\_025500Y), from A-1, Exclusive Agricultural District to A-2, General Agricultural District
  - b. Discussion regarding a petition to rezone property (15.44ac) located at 3208 STH 167 (Tax Key: V10\_027600E), from P-1, Parks and Recreation District to B-2, Community Business District
  - c. Discussion regarding a petition to amend Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District
6. DISCUSSION/ACTION
  - a. Discussion and possible recommendation to the Village Board regarding a petition to rezone a portion of vacant property (12.204ac) located at 3200 Pleasant Hill Road (Tax Key: V10\_025500Y), from A-1, Exclusive Agricultural District to A-2, General Agricultural District for Edward and Burdella Stuesser
  - b. Discussion and possible recommendation to the Village Board regarding a petition to rezone property (15.44ac) located at 3208 STH 167 (Tax Key: V10\_027600E), from P-1, Parks and Recreation District to B-2, Community Business District for Logger's Park, LLC.
  - c. Discussion and possible recommendation to the Village Board regarding a petition to amend Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District
  - d. Discussion and possible recommendation to the Village Board regarding a proposed One-Lot Certified Survey Map (CSM) for a portion of vacant property (12.204ac) located at 3200 Pleasant Hill Road (Tax Key: V10\_025500Y) for Edward and Burdella Stuesser
  - e. Discussion regarding the amendment to the Residential Site, Building, and Plan of Operation for Reflections Village Subdivision

7. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at [www.richfieldwi.gov](http://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.

4 a

**1. Call to order/determination of quorum**

Chairman Jim Otto called the meeting to order at 7:01 p.m.

In attendance were Vice-Chairman Don Berghammer, Commissioners Ray Cote, Bob Lalk, Trustee Bill Collins, Village Administrator Jim Healy and Administrative Services Coordinator KateLynn Schmitt.

Commissioners Dick Melzer and Kurt Bartel had excused absences.

**2. Verification of Open Meetings Law compliance**

Administrative Services Coordinator KateLynn Schmitt 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. August 6, 2015 – Regular Meeting**

Motion by Commissioner Lalk to approve the minutes of the regular August 6<sup>th</sup>, 2015 Plan Commission meeting; Seconded by Commission Berghammer; Motion passed without objection.

**5. DISCUSSION/ACTION**

**a. Discussion and possible recommendation to the Village Board regarding multiple amendments to Section 70.213 of the Village's Zoning Code – Floodplain District**

Motion by Commissioner Berghammer to recommend approval to the Village Board Ordinance 2015-09-01, an ordinance to amend Section 70.213 of the Village Code of ordinances relating to the Floodplain District; Seconded by Commissioner Lalk; Motion passed without objection.

**b. Discussion/Action regarding the creation of the B-5, Downtown Zoning District**

Commissioner Berghammer stated that he would still be in favor of expanding the district, as had been discussed in previous meetings, and would like to take another look at the properties in the area.

Chairman Otto stated that the boundaries as set currently included the specific problem district they were trying to fix. The other properties off of STH 175 were in compliance in their respective zoning districts.

Trustee Collins and Commissioner Cote said they were both okay with the boundaries as outlined.

Administrator Healy stated that the only way those single family homes would cease to be single family homes is if they changed to a business and ceased to be a home for an extended period of time.

Chairman Otto stated that the inclusion of a single family home option changed the intent of the new zoning district they were attempting to create.

Commissioner Cote, Trustee Collins, and Commissioner Berghammer were all in agreement that the single family home provision should be removed.

Motion by Trustee Collins to direct Staff to remove the single family home provision under Section D1 of the new business zoning district and to prepare and publish a Class II Public Hearing Notice for October September for the B-5, Downtown Business District; Seconded by Commissioner Cote; Motion passed 3-2, with Commissioners Berghammer and Lalk opposed.

EDITOR'S NOTE: The motion provided to the Plan Commission was written with the month of "September" noted when it should have been "October".

**c. Discussion/Action regarding a Site, Building, and Plan of Operation for "Boondock's" Restaurant, located at 640 Plat Rd.**

Motion by Commissioner Lalk to approve the proposed Plan of Operation for "Boondock's Pizzeria and Pub", located at 640 Plat Road (Tax Key: V10 1196) provided they receive all other necessary approvals and licenses required; Seconded by Commissioner Berghammer; Motion passed without objection.

**d. Discussion regarding a petition for an ordinance amendment to allow "mini golf" in commercial zoning districts**

Village Administrator Healy introduced to the Plan Commission a request received from Mr. John Bogues of Logger's Park and his desire to have "mini golf" included as a permitted and/or conditional use in one of the Village of Richfield's Business Districts so that he might be able to subdivide and rezone a portion of his property off of the corner of 167 and 175 at Logger's Park.

Mr. John Bogues, 1643 Wolf Run stated that the building located on the south western most border has had trouble retaining gyms and the specific types of activities permitted in a park zoning district. To fix this problem he is hoping to subdivide the property and have the portion in which the building lies rezoned to business in order to allow more potential industries the opportunity to utilize that building. The "mini golf" activity at this property is doing very well so whatever zoning he changes the property to he is hoping that the "mini golf" would be able to continue. In order to have both business and "mini golf" activities he would need a portion of the zoning code changed, and was at the meeting to see if the Plan Commission would entertain the idea before he went through the entire approval process.

Administrator Healy stated he would work with Mr. Bogues in the coming months to prepare an amendment to the Village Code.

**6. ADJOURNMENT**

Motion by Commissioner Lalk to adjourn; Seconded by Commissioner Berghammer; Motion passed without objection at 8:08 p.m.

Respectfully Submitted,

Jim Healy  
Village Administrator

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

SUBJECT: Rezoning – Tax Key: V10\_025500Y, Mr. Robert Stuesser from A-1 to A-2

DATE SUBMITTED: October 26, 2015

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE PARTIAL REZONING OF THE SOUTH SIDE OF THE 3200 BLOCK OF PLEASANT HILL ROAD, FROM A-1, EXCLUSIVE AGRICULTURAL DISTRICT TO A-2, GENERAL AGRICULTURAL DISTRICT?*

*ISSUE SUMMARY:*

The petition before us tonight is being submitted by Mr. and Mrs. Robert Stuesser, for their property generally located on the eastern most portion of Pleasant Hill Road on the south side of the 3200 block (Tax Key: V10\_025500Y). Please refer to the Washington County GIS Map in the Attachments for locational purposes. The petitioner has been working with Staff and the Plan Commission over the course of the last few months regarding the future development of his 47.98 ac parcel. Currently, the entire property is being farmed. It has access off of both STH 175 and Pleasant Hill Road.

The property owner is requesting of the Village a change in zoning designation for a portion of the property from A-1, Exclusive Agricultural District to A-2, General Agricultural District. The intent of the A-2, General Agricultural District is as follows:

*“The A-2, General Agricultural District is intended to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production but which are not included within the A-1, Exclusive Agricultural District and which are generally best-suited for smaller farm units, including truck farming, horse farming, hobby farming, orchards, and other similar agriculture related farming activity.”*

The minimum lot size for this District is ten (10) acres. The setbacks for the property are 65’ from the street, 50’ from the sides, and 50’ from the rear. From speaking with the property owner, our understanding is that rather than the growing of crops on the entire 12.204 acres, a portion of it may be utilized for hobby farming and the raising of livestock, which is permitted by the Village’s Zoning Code.

Later tonight, the Plan Commission will also be considering a related petition from the same property owner to subdivide the land. The two (2) lots that will be created from this CSM are 12.204 and 35.776, respectively. If you were of a mind to approve the proposed rezoning, Staff would recommend that the motion be made to conditionally approve the same, subject to the Village Board approving the proposed Certified Survey Map (CSM).

A Public Hearing has been scheduled tonight and pursuant to our municipal code a Class II Notice has run for two consecutive weeks in the West Bend Daily News. Every property owner within 300’ of the subject property was contacted. Mailings were distributed to adjacent property owners on Monday, October 7<sup>th</sup>, which is 29 days prior to tonight’s hearing pursuant to your request. At the time of this writing, Staff has received no written comments from residents.



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

FUTURE IMPACT & ANALYSIS:

REVIEWED BY: [Signature]  
Village Deputy Clerk

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

ATTACHMENTS:

- 1. Class II Public Hearing Notice
- 2. Ordinance 2015-11-02, an Ordinance to rezone Tax Key: V10\_025500Y from A-1 to A-2
- 3. Washington County GIS overview of subject property

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the adoption of Ordinance O2015-11-02, an Ordinance to rezone a portion of Tax Key: V10\_025500Y, as indicated in the ordinance exhibit, from A-1, Exclusive Agricultural District to A-2, General Agricultural District subject to the following Specific Condition of Approval:

- 1) The Village Board approve the proposed one-lot Certified Survey Map.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY  
BOARD ACTION TAKEN

[Signature]  
Village Staff Member

[Signature]  
Village Administrator

Resolution No. \_\_\_\_\_  
 Ordinance No. \_\_\_\_\_  
 Approved \_\_\_\_\_  
 Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Denied \_\_\_\_\_  
 File No. \_\_\_\_\_

**(Class II Public Notice)**  
**NOTICE OF PUBLIC HEARING**  
**VILLAGE OF RICHFIELD**  
**Thursday, November 5, 2015**

**PLEASE TAKE NOTICE:**

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct three (3) public hearings on Thursday, November 5, 2015 at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033 to consider the petitions by:

- 1) Mr. and Mrs. Edward Stuesser to rezone a portion of their property (12.204 acres) located at 3200 Pleasant Hill Road (Tax Key: V10-0255-00Y) from A1, Exclusive Agricultural District to A2, General Agricultural District.
- 2) Logger's Park, LLC to rezone their property (15.44 acres) located at 3208 STH 167 (Tax Key: V10\_027600E) from P-1, Parks and Recreation District to B-2, Community Business District.
- 3) The Village of Richfield to consider an amendment to Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District.

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. A map showing the location of the subject property is available from the Village Clerk during normal business hours. All interested parties will be heard. 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 (262)-628-2260 with as much advance notice as possible.

Dated this October 20, 2015

**Publication Dates:**

October 22, 2015

October 29, 2015

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

ORDINANCE O2015-11-02

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**AN ORDINANCE TO REZONE A PORTION OF A SUBJECT PARCEL OF LAND IN THE VILLAGE OF RICHFIELD AND TO AMEND THE ZONING MAP OF THE VILLAGE OF RICHFIELD PURSUANT TO SECTION 70.163 OF THE MUNICIPAL CODE**

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WHEREAS, the property owner, Mr. and Mrs. Robert Stuesser, are acting as the petitioners to rezone the property generally located along the 3200 block of Pleasant Hill Road shown in Attachment 1, otherwise described by Tax Key: V10\_025500Y from A-1, Exclusive Agricultural District to A-2, General Agricultural District; and

WHEREAS, the subject property contains 12.204 acres; and

WHEREAS, the rezoning petition has been submitted to the Village of Richfield Plan Commission for report and recommendation; and

WHEREAS, the required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning regulations; and

WHEREAS, the Plan Commission conducted a public hearing on November 5, 2015; and

WHEREAS, the Plan Commission has recommended to the Village Board that the rezoning change be made; and of the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, having determined that the rezoning is substantially conforming to the Village's Comprehensive Plan, and having based its determination on the effect of granting of said rezoning on the health, safety, and welfare for the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as the impact on the surrounding properties as to the noise, dust, smoke, odor and others, has hereby determined that the rezoning will not violate the spirit or intent the zoning ordinance for the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the development is conducted pursuant to the following conditions and is in strict compliance with the same.

NOW, THEREFORE, the Village of Richfield Village Board, Washington County, Wisconsin ordains as follows:

**Section 1. Zoning Map Change**

The subject property is hereby rezoned as described above and depicted in Attachment 1, attached hereto, and the zoning map of the Village of Richfield is hereby amended to incorporate the zoning of the subject properties.

**Section 2. Effective Date**

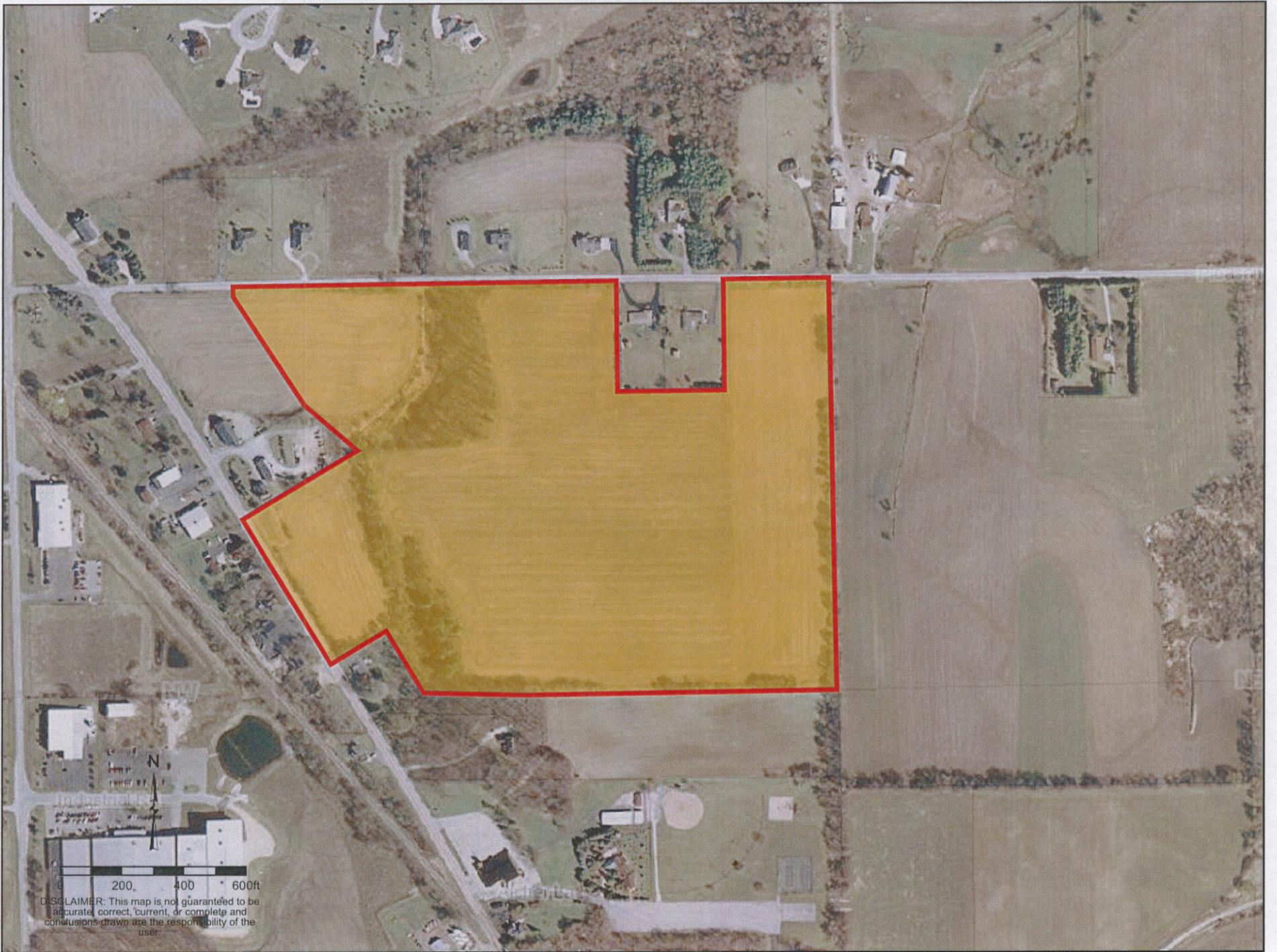
This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Adopted this 19<sup>th</sup> day of November, 2015

Attest:

\_\_\_\_\_  
John Jeffords, Village President

\_\_\_\_\_  
Attest: Jim Healy, Village Administrator/Clerk



0 200 400 600ft

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

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

SUBJECT: Rezoning – Tax Key: V10\_027600E, Logger’s Park

DATE SUBMITTED: October 28, 2015

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE REZONING OF 3208 STH 167, FROM P-1, PARKS AND RECREATION DISTRICT TO B-2, COMMUNITY BUSINESS DISTRICT?*

*ISSUE SUMMARY:*

The petition before us tonight is being submitted by Mr. John Bogues on behalf of Logger’s Park, LLC, for his business property, Logger’s Park located at 3208 STH 167. The subject parcel is generally located on the corner of STH 167 and STH 175. Please refer to the Washington County GIS Map in the Attachments for locational purposes. The petitioner has been working with Staff and the Plan Commission over the course of the last few months regarding the future development of his 15.44ac. Past discussions with the Plan Commission have discussed the merits of a potential rezoning of his property and a related zoning code text amendment to be consistent with any rezoning effort.

The property owner is requesting of the Village a change in zoning designation for the entire property from P-1, Parks and Recreation District to B-2, Community Business District. The intent of the B-2, Community Business District is as follows:

*“The B-2 Community Business District is intended to provide for individual or large groups of retail and customer service retail establishments in a shopping center setting. This type of district is usually located at or near the intersections of two arterial streets or highways and designed for the convenience of weekly or monthly one-stop shopping and includes such amenities as increased open space and ample off-street parking and loading areas and architectural screening or landscaping.”*

The minimum lot size for this District is eight (8) acres. Setbacks for properties in the B-2 District are 100’ from the street right-of-way and 40’ from either side and 40’ from the rear yard boundary line. As discussed in October, the property directly to the north, Pioneer Bowl, is presently zoned B-2 as well. Staff believes that a reasonable argument could be made that essentially the same operations exist on both properties. Each business’ primary operation revolves around recreational activity. Pioneer Bowl and Logger’s Park each have baseball/softball leagues (for adults and children), sand volleyball leagues which operate on the site, as well as their own liquor licenses and the ability to sell food. The distinguishing factor between Pioneer Bowl and Logger’s Park, is the bowling, which is a Permitted Principal Use in the B-2 District.

Later tonight, Staff is also proposing a code amendment to Section 70.198(D) relating to Conditional Uses in the B-2 District. The proposed text amendment would allow for “Outdoor Recreational Activities”. By doing so, not only do we accomplish bringing Logger’s Park into greater conformity if you choose to see fit, but we also legalize the outdoor recreational activities occurring at Pioneer Bowl.

A Public Hearing has been scheduled tonight and pursuant to our municipal code a Class II Notice has run for two consecutive weeks in the West Bend Daily News. Every property owner within 300’ of the subject property was contacted. Mailings were distributed to adjacent property owners on Monday, October 26<sup>th</sup>, which is 10 day prior to tonight’s hearing pursuant to your request. At the time of this writing, Staff has received no written comments from residents.



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

FUTURE IMPACT & ANALYSIS:

REVIEWED BY: [Signature]  
Village Deputy Clerk

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

ATTACHMENTS:

1. Class II Public Hearing Notice
2. Ordinance 2015-11-01, an Ordinance to rezone Tax Key: V10\_027600E from P-1 to B-2
3. Washington County GIS overview of subject property

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the adoption of Ordinance O2015-11-01, an Ordinance to rezone 3208 STH 167 (Tax Key: V10\_027600E) from P-1, Parks and Recreation District to B-2, Community Business District.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY  
BOARD ACTION TAKEN

[Signature]  
Village Staff Member

Resolution No. \_\_\_\_\_  
 Ordinance No. \_\_\_\_\_  
 Approved \_\_\_\_\_  
 Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Denied \_\_\_\_\_  
 File No. \_\_\_\_\_

[Signature]  
Village Administrator

**(Class II Public Notice)**  
**NOTICE OF PUBLIC HEARING**  
**VILLAGE OF RICHFIELD**  
**Thursday, November 5, 2015**

**PLEASE TAKE NOTICE:**

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct three (3) public hearings on Thursday, November 5, 2015 at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033 to consider the petitions by:

- 1) Mr. and Mrs. Edward Stuesser to rezone a portion of their property (12.204 acres) located at 3200 Pleasant Hill Road (Tax Key: V10-0255-00Y) from A1, Exclusive Agricultural District to A2, General Agricultural District.
- 2) Logger's Park, LLC to rezone their property (15.44 acres) located at 3208 STH 167 (Tax Key: V10\_027600E) from P-1, Parks and Recreation District to B-2, Community Business District.
- 3) The Village of Richfield to consider an amendment to Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District.

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. A map showing the location of the subject property is available from the Village Clerk during normal business hours. All interested parties will be heard. 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 (262)-628-2260 with as much advance notice as possible.

Dated this October 20, 2015

**Publication Dates:**

October 22, 2015

October 29, 2015

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

ORDINANCE O2015-11-01

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**AN ORDINANCE TO REZONE A SUBJECT PARCEL OF LAND IN THE VILLAGE OF RICHFIELD AND TO AMEND THE ZONING MAP OF THE VILLAGE OF RICHFIELD PURSUANT TO SECTION 70.163 OF THE MUNICIPAL CODE**

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WHEREAS, Logger's Park LLC. is acting as the petitioner to rezone the property at 3208 STH 167 shown in Attachment 1, otherwise described by Tax Key: V10\_027600E from P-1, Parks and Recreation District to B-2, Community Business District; and

WHEREAS, the subject property contains 15.44 acres; and

WHEREAS, the rezoning petition has been submitted to the Village of Richfield Plan Commission for report and recommendation; and

WHEREAS, the required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning regulations; and

WHEREAS, the Plan Commission conducted a public hearing on November 5, 2015; and

WHEREAS, the Plan Commission has recommended to the Village Board that the rezoning change be made; and of the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, having determined that the rezoning is substantially conforming to the Village's Comprehensive Plan, and having based its determination on the effect of granting of said rezoning on the health, safety, and welfare for the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as the impact on the surrounding properties as to the noise, dust, smoke, odor and others, has hereby determined that the rezoning will not violate the spirit or intent the zoning ordinance for the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the development is conducted pursuant to the following conditions and is in strict compliance with the same.

NOW, THEREFORE, the Village of Richfield Village Board, Washington County, Wisconsin ordains as follows:

**Section 1. Zoning Map Change**

The subject property is hereby rezoned as described above and depicted in Attachment 1, attached hereto, and the zoning map of the Village of Richfield is hereby amended to incorporate the zoning of the subject properties.

**Section 2. Effective Date**

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Adopted this 19<sup>th</sup> day of November, 2015

Attest:

\_\_\_\_\_  
John Jeffords, Village President

\_\_\_\_\_  
Attest: Jim Healy, Village Administrator/Clerk



0 200 400 600ft  
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

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**VILLAGE OF RICHFIELD**  
**PLAN COMMISSION COMMUNICATION FORM**  
MEETING DATE: November 5, 2015

SUBJECT: Zoning Code Amendment – 70.198(D), Conditional Uses in B-2 District

DATE SUBMITTED: October 28, 2015

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE PROPOSED AMENDMENT TO THE B-2, COMMUNITY BUSINESS DISTRICT CONDITIONAL USES LIST?*

*ISSUE SUMMARY:*

Over the course of the last few Plan Commission meetings, Village Staff has been soliciting possible solutions from the group regarding the future of Mr. Bogues' property. To recap, Mr. Bogues has been looking for new tenants for his 10,000 sqft building which was previously occupied by Momentum Health Club. The issue, as described by Mr. Bogues, was the limited amount of business uses allowed in the P-1, Parks and Recreation District. The P-1, Parks and Recreation District, was crafted in this manner by design so as to be narrowly construed. The genesis for the District as we have it today, as understood by Staff, was Mr. Bogues' predecessor Mr. Don Seib who was the previous property owner. Mr. Bogues solicited the help of the Village to assist with the marketability of his property. Due to the fact that it is consistent with the Village's Future Land Use Map, discussions ensued regarding the potential rezoning of the property in whole or only a portion thereof.

At the October 1, 2015 Plan Commission meeting two different zoning classifications were discussed. The first, was the B-4, Highway Business District and the second was the B-2, Community Business District. Considerable discussion was had regarding the Village's Consultant Planner's recommendation of the B-4 District versus the Staff-proposed B-2 District. However, at the time it was based on the presupposition that the ~16 acre parcel would be subdivided in some manner. From speaking with the property owner, his preference was to keep the property all one zoning classification for ease and convenience rather than seeking an amendment to allow "mini golf" in business zoning classification. The preferred business classification by the property owner was B-2, Community Business District. The intent of the B-2, Community Business District is as follows:

*"The B-2, Community Business District is intended to provide for individual or large grounds of retail and customer service retail establishments in a shopping center setting. This type of district is usually located at or near the intersections of two arterial streets or highways and designed for the convenience of weekly or monthly one-stop shopping and includes such amenities as increased open space and ample off-street parking and loading areas and architectural screening or landscaping".*

As discussed, the property directly north of Logger's Park, Pioneer Bowl, is zoned B-2. In the list of Principal Permitted Uses, "Bowling/pool establishments" is listed as a principal permitted use. Also listed in the B-2 district are other types of sporting recreational activities such as "indoor tennis" and "racquetball" establishments. In an effort to in a sense "legalize" the prevailing outdoor uses on both properties, Village Staff is proposing to amend the Conditional Uses Section of the B-2 District to allow "Outdoor Recreational Activities".

I would be hesitant to recommend a strict definition of this for incorporation into our Zoning Code. Rather, I would leave it open to interpretation by Staff and the Plan Commission. Outdoor recreation, broadly defined, is any leisure time activity conducted outdoors. Within the vast range of such a definition lies an almost unlimited number of possible activities. Therefore, rather than trying to narrowly write into the code a specific type of use (ie: softball, volleyball, ice skating, etc.),

bc



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

leaving it to a commonplace definition that is open to interpretation gives the property owner and the Village the most latitude in deciding appropriate uses in a Conditional Use Permit situation. While it is likely only those uses which presently exist on Logger's Park and Pioneer Bowl, will be the only places in the Village these types of "Outdoor Recreational Activities" exist, it should be analyzed from a globalized perspective.

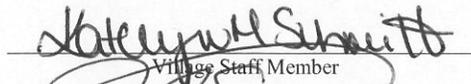
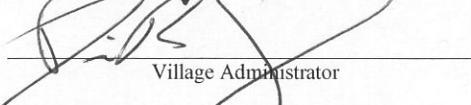
A Public Hearing has been scheduled tonight and pursuant to our municipal code a Class II Notice has run for two consecutive weeks in the West Bend Daily News. Every property owner within 300' of the subject property was contacted. Mailings were distributed to adjacent property owners on Monday, October 26<sup>th</sup>, which is 10 days prior to tonight's hearing pursuant to your request. At the time of this writing, Staff has received no written comments from residents.

*FUTURE IMPACT & ANALYSIS:* *REVIEWED BY:*   
Village Deputy Clerk  
Forward to Village Board: Yes  
Additional Approvals Needed: Yes  
Signatures Required: Yes

- ATTACHMENTS:*
- 1. Class II Public Hearing Notice
  - 2. Ordinance 2015-11-03, an Ordinance to amend Sec. 70.198(D) of the Village Code
  - 3. 70.198, B-2, Community Business District

*STAFF RECOMMENDATION:*

Motion to recommend to the Village Board the adoption of Ordinance O2015-11-03, an Ordinance to amend Sec. 70.198(D) of the Village Code relating to Conditional Uses allowed in the B-2, Community Business District.

<p style="text-align: center;">APPROVED FOR SUBMITTAL BY:</p> <div style="margin-top: 20px;">   <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <p style="text-align: center; font-size: small;">Village Staff Member</p> </div> <div style="margin-top: 20px;">   <hr style="border: 0; border-top: 1px solid black; margin: 2px 0;"/> <p style="text-align: center; font-size: small;">Village Administrator</p> </div>	<p style="text-align: center;">VILLAGE CLERKS USE ONLY BOARD ACTION TAKEN</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">           Resolution No. _____            Ordinance No. _____            Approved _____            Other _____         </td> <td style="width: 50%; border: none;">           Continued To: _____            Referred To: _____            Denied _____            File No. _____         </td> </tr> </table>	Resolution No. _____ Ordinance No. _____ Approved _____ Other _____	Continued To: _____ Referred To: _____ Denied _____ File No. _____
Resolution No. _____ Ordinance No. _____ Approved _____ Other _____	Continued To: _____ Referred To: _____ Denied _____ File No. _____		

**(Class II Pubic Notice)**  
**NOTICE OF PUBLIC HEARING**  
**VILLAGE OF RICHFIELD**  
**Thursday, November 5, 2015**

**PLEASE TAKE NOTICE:**

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct three (3) public hearings on Thursday, November 5, 2015 at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033 to consider the petitions by:

- 1) Mr. and Mrs. Edward Stuesser to rezone a portion of their property (12.204 acres) located at 3200 Pleasant Hill Road (Tax Key: V10-0255-00Y) from A1, Exclusive Agricultural District to A2, General Agricultural District.
- 2) Logger's Park, LLC to rezone their property (15.44 acres) located at 3208 STH 167 (Tax Key: V10\_027600E) from P-1, Parks and Recreation District to B-2, Community Business District.
- 3) The Village of Richfield to consider an amendment to Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District.

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. A map showing the location of the subject property is available from the Village Clerk during normal business hours. All interested parties will be heard. 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 (262)-628-2260 with as much advance notice as possible.

Dated this October 20, 2015

**Publication Dates:**

October 22, 2015

October 29, 2015

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

## ORDINANCE 2015-11-03

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**AN ORDINANCE  
TO AMEND SECTION 70.198(D) OF THE VILLAGE OF RICHFIELD VILLAGE CODE  
RELATING TO CONDITIONAL USES IN THE B-2, COMMUNITY BUSINESS DISTRICT**

---

WHEREAS, the Village of Richfield, in an effort to eliminate ambiguities in the Village's Chapter 70 Zoning Code, have proactively sought out solutions to assist in administrative zoning interpretations; and

WHEREAS, the Village values the longstanding businesses in the Village and desires to give them all of the necessary 'tools' to continue to allow them to be successful and prosper; and

WHEREAS, the proposed amendment will generally allow the owners of such establishments, commonly identified as Logger's Park and Pioneer Bowl, to be considered legal, conforming land uses, consistent with the review and approval requirements in the zoning regulations; and

WHEREAS, the Village Plan Commission held a joint public hearing on November 5, 2015 as required by Section 70.163(E) of the Village of Richfield Zoning Ordinance, after providing due notice as required by Section 70.45 of the Village of Richfield Zoning Ordinance; and

WHEREAS, following the joint public hearing, the Village Plan Commission reviewed the proposed changes and recommended that the petition by Staff be granted as requested; and

WHEREAS, following the joint public hearing, and upon due consideration of the recommendation from the Village Plan Commission, the Village Board finds that the public necessity, convenience, welfare and good zoning practice requires that the amendment to the zoning ordinance be granted as recommended by the Village Plan Commission;

NOW, THEREFORE, the Village Board of the Village of Richfield, Washington County, Wisconsin, do ordain as follows:

**SECTION 1:** Chapter 70 of the Village of Richfield Village Code entitled "Zoning Code", Section 70.198 entitled "B-2, Community Business District," subsection (D) entitled "Conditional Uses," is hereby repealed and recreated to read follows:

D. Conditional uses (see section 70.241). Conditional uses in the B-2 district are as follows:

1. Any use similar in character to the permitted uses listed in subsections (B) and (C) of this section and conducted as a retail business on the premises and catering to the general public.
2. Fast-food restaurants, which may or may not include a drive-up service window, a walk-up service window, or drive-up area where customers consume food and drink while sitting in a motor vehicle. If a fast-food restaurant without a drive-up service window, a walk-up service window, or a drive-up area is approved, the addition of any of the aforementioned may only occur as a conditional use.
3. Residential dwellings provided that such dwellings are located in the principal building, not on the ground level floor, and that access to/from such dwellings is directly to/from the exterior of the building. There shall

also be a minimum gross floor area of 750 square feet for an efficiency-type or one-bedroom dwelling and 900 square feet for a two-bedroom unit. A dwelling unit with more than two bedrooms shall not be allowed.

4. Petroleum service stations.
5. Hotels and motels.
6. Liquor stores.
7. Outdoor Recreational Activities.
8. Taverns.

**SECTION 2. SEVERABILITY.** The 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 take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted this 19<sup>th</sup> day of November, 2015

---

John Jeffords, President

ATTEST:

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Jim Healy, Village Administrator

Village of Richfield, WI  
Thursday, October 29, 2015

## Chapter 70. Zoning

### ARTICLE III. Districts

#### 70.198. B-2 Community Business District.

- A. Intent. The B-2 community business district is intended to provide for individual or large groups of retail and customer service retail establishments in a shopping center setting. This type of district is usually located at or near the intersections of two arterial streets or highways and designed for the convenience of weekly or monthly one-stop shopping and includes such amenities as increased open space and ample off-street parking and loading areas and architectural screening or landscaping.
- B. Permitted principal uses. Permitted principal uses in the B-2 district are as follows:
1. All principal uses permitted in the B-1 business district; and
  2. The following uses:
    - Antique stores.
    - Appliance stores.
    - Bakeries including the baking of goods for local sale.
    - Bowling/pool establishments.
    - Caterers.
    - Clock-watch shops.
    - Clothing repair shops.
    - Crockery stores.
    - Department stores.
    - Electrical supply stores.
    - Food lockers.
    - Furniture stores.
    - Furniture upholstery shops.
    - Furriers.
    - General offices.
    - Heating supply stores.
    - Indoor tennis/racquetball establishments.
    - Indoor theaters.
    - Jewelry stores.
    - Laundry and dry-cleaning establishments employing not more than seven persons.
    - Lodges and fraternal clubs.
    - Music or musical instrument stores.
    - Natatoriums.
    - Newspaper/magazine stores.

Paint, glass, and wallpaper stores.  
Pet shops.  
Photographic supplies and camera stores.  
Plumbing supply stores.  
Quick printing shops.  
Radio broadcasting studios.  
Stationery stores.

C. Permitted accessory uses. Permitted accessory uses in the B-2 district are as follows:

1. Garages for storage of vehicles used in conjunction with the operation of a business.
2. Off-street parking and loading areas.
3. Nonilluminated or internal illuminated nonflashing signs (see section 70.186).

D. Conditional uses (see section 70.241). Conditional uses in the B-2 district are as follows:

1. Any use similar in character to the permitted uses listed in subsections (B) and (C) of this section and conducted as a retail business on the premises and catering to the general public.
2. Fast food stores and restaurants.
3. Residential dwellings provided that such dwellings are located in the principal building, not on the ground level floor, and that access to/from such dwellings is directly to/from the exterior of the building. There shall also be a minimum gross floor area of 750 square feet for an efficiency-type or one-bedroom dwelling and 900 square feet for a two-bedroom unit. A dwelling unit with more than two bedrooms shall not be allowed.
4. Petroleum service stations.
5. Hotels and motels.
6. Liquor stores.
7. Taverns.

E. Lot area and width. Lot area and width in the B-2 district are as follows:

1. Lots shall have a minimum area of eight acres.
2. Lots shall be not less than 400 feet in width at the building setback line.

F. Building height and size. Building height and size in the B-2 district are as follows:

1. No building or parts of a building shall exceed 45 feet in height.
2. No individual store or shop shall have a total floor area of less than 450 square feet.
3. The sum total of the first floor area of all principal and accessory uses shall not exceed 25% of the total lot area.

G. Setback and yards. Setback and yards in the B-2 district are as follows:

1. There shall be a minimum building setback of 100 feet from the street right-of-way.
2. There shall be a side yard of not less than 40 feet in width on either side of principal buildings.
3. There shall be a rear yard of not less than 40 feet.

- H. Parking and loading space. Parking and loading space in the B-2 district are as follows:
1. Minimum off-street parking requirements are:
    - a. Two square feet of paved off-street parking space for each one square foot of total retail floor area for business uses; and
    - b. Two off-street parking spaces for each residential dwelling exclusive of and in addition to the off-street parking requirements for business uses. (See section 70.185)
  2. There shall be adequate loading and unloading space.
- I. Minimum utility service. Minimum utility service in the B-2 district shall be electricity, and county approved wastewater treatment and disposal, and water supply systems.
- J. Special regulations. To encourage a business use environment in the B-2 district that is compatible with the residential character of the Village, building/zoning permits for permitted uses in business districts shall not be issued without prior review by and approval of the Village Plan Commission. Such review and approval shall be concerned with general layout, building plans, ingress, egress, parking, loading and unloading, drainage and screening and landscape plans, plans for the provision of public and private utilities, and site plans for business operations.  
[Ord. No. 05-08-01, 8-18-2005]

6 d

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

SUBJECT: Certified Survey Map (CSM) – Tax Key: V10\_025500Y, Mr. Robert Stuesser

DATE SUBMITTED: October 26, 2015

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE PROPOSED ONE LOT CSM?*

*ISSUE SUMMARY:*

The petition before us tonight is being submitted by Mr. and Mrs. Robert Stuesser, for their property generally located on the eastern most portion of Pleasant Hill Road on the south side of the 3200 block (Tax Key: V10\_025500Y). This agenda item is the “companion piece” to the proposed rezoning that is being considered tonight. Please see the related attachments for that agenda item for the Washington County GIS aerial overview of the property. The petitioner has been working with Staff and the Plan Commission over the course of the last month regarding the future development of his 47.98 ac parcel. Currently, the entire property is being farmed. It has access off of both STH 175 and Pleasant Hill Road.

The property owner is requesting the Village for a one-lot CSM to subdivide off 12.204 acres (531,620 sqft). Approximately 1.2 acres (~50,000sqft) of land is being dedicated to the Village for right-of-way purposes pursuant to Wisconsin State Statutes. This land, while relatively flat, does have some unique property characteristics with the ‘navigable waterway’ on the property. The balance of the land is vacant farmland. Once divided here, the property is no longer divisible. The remaining acreage (35.776) is greater than the minimum requirement in the A-1 District of 35 acres.

On November 6<sup>th</sup> the Village Staff forwarded to the Village Engineer the survey which was completed by Mr. Don Thoma, RLS. It was returned shortly thereafter by the Village Engineer with no requests for changes. It was recommended for approval to the Plan Commission, as drafted.

*FUTURE IMPACT & ANALYSIS:*

REVIEWED BY:   
Village Deputy Clerk

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

*ATTACHMENTS:*

- 1. Certified Survey Map prepared by Don Thoma, with a revision date of August 13, 2015

*STAFF RECOMMENDATION:*

Motion to recommend to the Village Board the approval of the certified survey map for Mr. and Mrs. Robert Stuesser for their property indicated by Tax Key: V10\_025500Y, subject to the General Conditions of Approval listed below:

General Conditions of Approval:

- 1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of

6d



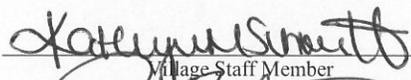
VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.

2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed 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, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. 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 this approval.

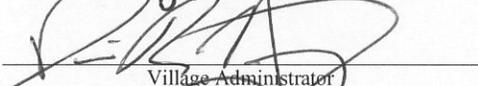
APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY  
BOARD ACTION TAKEN

  
Village Staff Member

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

  
Village Administrator

# Washington County Certified Survey Map

Sheet 1 of 3

Part of the NE 1/4 and the NW 1/4 of the NW 1/4 of Section 12, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

- (r.a.) - means "recorded as"
- - indicates 1.3"od iron pipe found.
- - indicates 1.3" od x 18" iron pipe weighing 1.68 lbs./ft. set.



Scale in feet  
1" = 150'

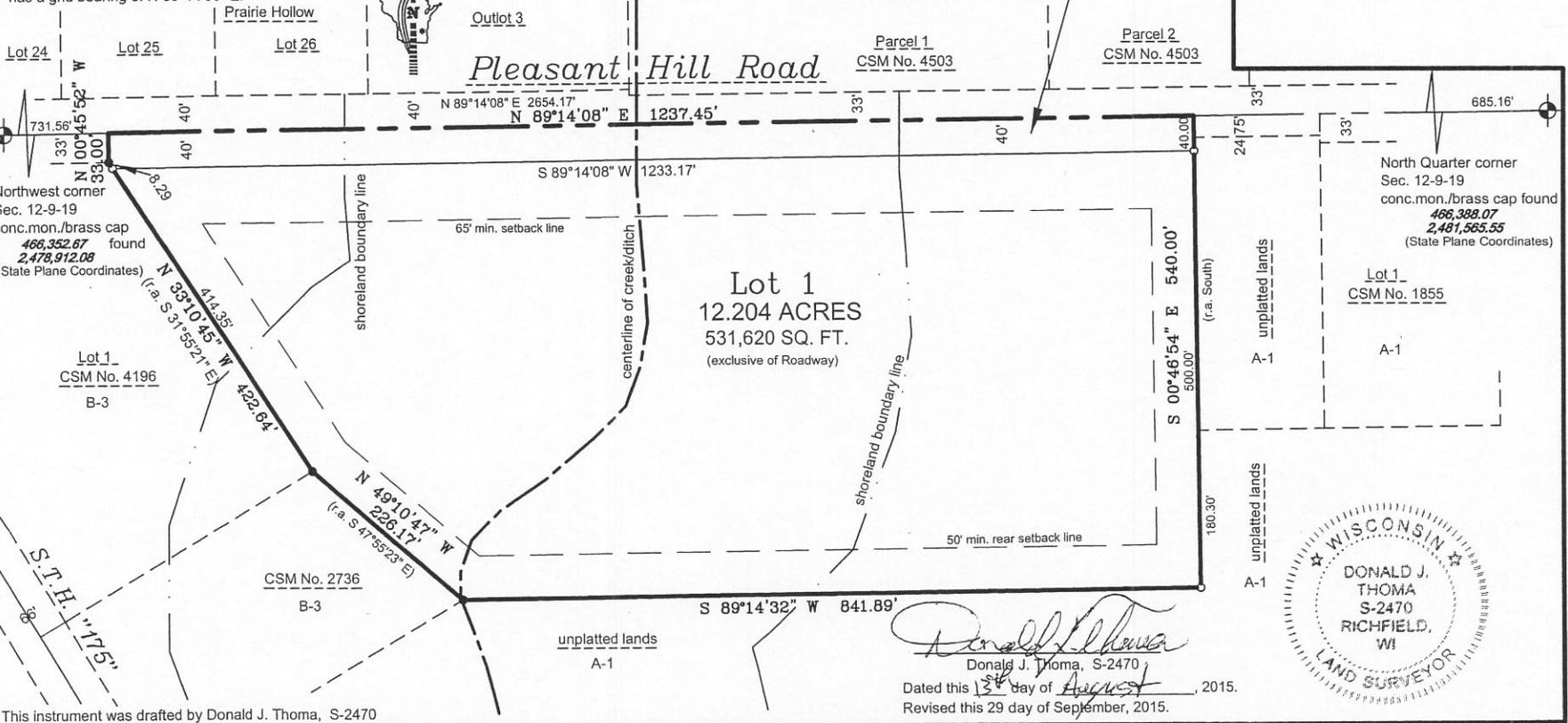
Bearings are referenced to the Wisconsin State Plane Coordinate System Grid, South Zone. The north line of the NW 1/4 of Sec. 12-9-19 has a grid bearing of N 89°14'08" E.

A-2 - Ag (zoning subject to change)  
Front min. - 65'  
Side min. - 50'  
Rear min. - 50'

Owner/Subdivider  
Edward R. & Burdella M. Stuesser Trust  
3200 Pleasant Hill Road  
Richfield, WI 53076

Surveyor  
Donald J. Thoma  
Accurate Surveying & Engineering LLP  
2911 Wildlife Lane  
Richfield, WI 53076

dedicated to the public for road purposes  
1.136 acres (49,489 sq.ft.)



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



# Washington County Certified Survey Map

Part of the NE 1/4 and the NW 1/4 of the NW 1/4 of Section 12, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

## Surveyor's Certificate:

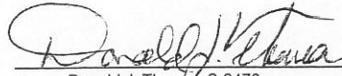
I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Robert Stuesser, I have surveyed, divided, and mapped the land shown and described hereon, being part of the NE 1/4 and the NW 1/4 of the NW 1/4 of Section 12, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin, which is bounded and described as follows:

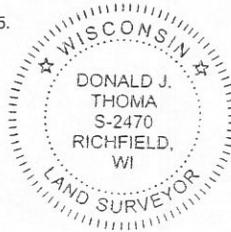
Commencing at the Northwest corner of said Section 12; thence N 89°14'08" E, along the north line of said NW 1/4, 731.56 feet, to the point of beginning of lands herein described; thence continuing N 89°14'08" E, along said north line of the NW 1/4, 1237.45 feet, to the intersection of the east line of lands described in Document No. 1183458 recorded in the Washington County Registry; thence S 00°46'54" E, along said west line, and its southerly extension, 540.00 feet; thence S 89°14'32" W, 841.89 feet, to the most easterly corner of Certified Survey Map No. 2736 as recorded in the Washington County Registry in Volume 15 of Certified Survey Maps on pages 135-136 as Document No. 475843; thence N 49°10'47" W, along the northeasterly line of said Certified Survey Map No. 2736, 226.17 feet; thence N 33°10'45" W, along the northeasterly line of Lot 1 of Certified Survey Map No. 4196 as recorded in the Washington County Registry in Volume 27 of Certified Survey Maps on pages 201-203 as Document No. 648587, 422.64 feet, to a point in the southerly right-of-way line of Pleasant Hill Road; thence N 00°45'52" W, 33.00 feet, to the point of beginning.

Containing 13.340 acres (581,109 square feet) more or less.

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 per Chapter 330 of the Village Code (subdivision regulations) 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

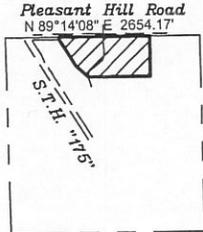
Dated this 15<sup>th</sup> day of August, 2015.  
Revised this 29 day of September, 2015.

  
Donald J. Thoma, S-2470



## Location Sketch

NW 1/4 - Sec. 12-9-19  
Scale: 1" = 2000'



### Washington County Certified Survey Map

Part of the NE 1/4 and the NW 1/4 of the NW 1/4 of Section 12, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

#### Owner's Certificate:

As owners, we hereby certify that we caused the land shown and described herein 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

Edward R. & Burdella M. Stuesser Trust

\_\_\_\_\_  
Edward R. Stuesser - Trustee

\_\_\_\_\_  
Burdella M. Stuesser - Trustee

STATE OF WISCONSIN)  
WASHINGTON COUNTY)s.s

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, the above named trustee is to me known to be the same person who executed the foregoing instrument and acknowledge the same.

(Notary Seal) \_\_\_\_\_, Notary Public, \_\_\_\_\_, Wisconsin.

My commission expires \_\_\_\_\_

#### Village of Richfield Village Plan Commission Approval:

This land division is hereby approved by the Village of Richfield Plan Commission this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
John Jeffords - Chairperson

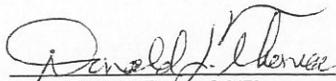
\_\_\_\_\_  
Jim Healy - Village Administrator/Clerk

#### Village of Richfield Village Board Approval:

This land division is hereby approved and road dedication hereby accepted by the Village of Richfield Village Board this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
John Jeffords - Village President

\_\_\_\_\_  
Jim Healy - Village Administrator/Clerk

  
Donald J. Thoma, S-2470

Dated this 13<sup>th</sup> day of August, 2015.  
Revised this 29 day of September, 2015.



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

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: November 5, 2015

SUBJECT: Residential SBOP Amendment – Reflections Village

DATE SUBMITTED: October 29, 2015

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO ACCEPT THE PROPOSED CHANGE TO THE RESIDENTIAL SBOP FOR REFLECTIONS VILLAGE SUBDIVISION?*

*ISSUE SUMMARY:*

Over the last several months, Village Staff has been working with a court-appointed receiver who was authorized by the Waukesha County Circuit Court to manage the assets of Mr. Bob Parchem and Ms. Caryl Parchem, the developers of Reflections Village. A “Receivership” is a type of corporate bankruptcy in which a “receiver” is appointed to run a company, in this case the limited liability company set up for Reflections Village (Reflections Richfield Investments, LLC). In most cases, the receiver is given ultimate decision-making powers and has full discretion in deciding how the received assets will be managed. The primary responsibility of the receiver is to recoup as much of the unpaid loans as possible. Oftentimes, receivers find that the best way to pay back loans is to liquidate the company’s assets, which effectively puts the company out of business, as its assets are sold in order to recoup some of the monies owned.

On October 1, 2015 the Plan Commission considered multiple amendments to the Village Code which dealt with the Village’s involvement in the architectural review of single family homes in Reflections Village. At the Village Board meeting on October 15, 2015, the Board accepted the recommendation of the Plan Commission and repealed those aspects of the municipal code pertaining to our involvement. These changes have been communicated to the Receiver and the HOA for Reflections Village. The last portion to clean up is an administrative task of amending the Residential SBOP for the subdivision, specifically the following two lines:

AS CURRENTLY DRAFTED: Page 11 of 50

*“The Architectural Control Committee will review every home, which will also be presented to the Village Architectural Review Board and Plan Commission for approval. The Village Board may authorize the Architectural Review Board the sole authority to grant architectural approval for house plans to the extent such plans conform to this SBOP and limitations set for in applicable Village ordinances and approvals concerning Reflections Village.”*

PROPOSED REVISION: Page 11 of 50

*“The Architectural Control Committee will review every home, and will be the sole authority to grant architectural approval for house plans. Said plans shall conform to this SBOP and limitations set forth concerning Reflections Village.”*

The Reflections Village Homeowners Association (HOA) and Architectural Control Committee (ACC) have been in discussions with the Village regarding our approval process for homes in the Walkable Hamlet District. Their petition to the Village is for the Village to amend this SBOP so that the oversight in reviewing homes is left entirely up to the subdivision’s controlling citizen bodies, much like many of the other subdivisions in the Village. The Village Board has no objection to this proposal. This policy decision has been communicated to the Architectural Review Board and they are in agreeance with the Board’s decision. On August 20, 2015 the Village Board entered into Closed Session to discuss this matter and others relating to the subdivision and upon exiting the Closed Session made the following motion:

Motion by Trustee Neu to direct the Village Administrator to work with the receiver of Reflections Richfield Investment LLC. to remove the Village of Richfield from all aspects of the architectural review process for new homes for the Reflection Village subdivision so that the Reflection Village Home Owners Association and/or Architectural Review for the Reflection Village subdivision shall be responsible for the subdivision architectural review; Seconded by Trustee Voss; Motion carried unanimously.



be

**VILLAGE OF RICHFIELD**  
**PLAN COMMISSION COMMUNICATION FORM**  
**MEETING DATE: November 5, 2015**

*FUTURE IMPACT & ANALYSIS:*

REVIEWED BY: *[Signature]*  
*Village Deputy Clerk*

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

*ATTACHMENTS:*

1. Residential SBOP for Reflections Village, page 11 of 50 (REDLINED)
2. Letter Dated October 29, 2015 from Receiver Ron Carlson requesting a Residential SBOP Change

*STAFF RECOMMENDATION:*

Motion to approve the proposed SBOP changes, as drafted, by the Receiver subject to the following Specific Condition of Approval:

- 1) That the Receiver draft the proposed amendment (as approved) in a form suitable for recordation at the Washington County Register of Deeds.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY  
 BOARD ACTION TAKEN

*[Signature]*  
 Village Staff Member

*[Signature]*  
 Village Administrator

Resolution No. _____	Continued To: _____
Ordinance No. _____	Referred To: _____
Approved _____	Denied _____
Other _____	File No. _____

## Residential Components

Reflections Village features a range of single-family Lots that allow residents to determine the housing type, size and price that fits their needs and lifestyle. Regardless of the home type or location, elements such as vintage-themed architecture will be shared by all residents. All homes will share the vintage-themed architecture. Elevator vaults are encouraged in all two story-homes that do not have a first floor bedroom.

The Architectural Control Committee will review every home, <sup>and</sup> which will also be presented to the Village Architectural Review Board and Plan Commission for approval. ~~The Village Board may authorize the Architectural Review Board the sole authority to grant architectural approval for house plans to the extent such plans conform to this SBOP and limitations set forth in applicable Village ordinances and approvals concerning Reflections Village.~~

Said plans shall

Residential Components include:

- Cottage Lots
- Village Lots
- Estate Lots

The architectural inspiration for the village will draw on the best classic styles and details from the 1890s through the 1940s, from modest cottages to the most elegant Queen Anne and Victorian estates of that era.

The following eight pages are representations, but not actual depictions, of the type of homes that could be built in Reflections Village.