



AGENDA  
PLAN COMMISSION MEETING  
RICHFIELD VILLAGE HALL  
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN  
JUNE 2, 2016  
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. May 5, 2016 – Regular Meeting
5. Appointment of Vice-Chairman:
  - a. Discussion/Action regarding the appointment of a Vice-Chairman
6. PUBLIC HEARING
  - a. Discussion regarding Conditional Use Permit (CUP) application submitted for property located at 1953 STH 175 (Tax Key: V10\_0272) pursuant to Section 70.200.5(D) – “Richfield Roadhouse”
  - b. Discussion regarding CUP application submitted for property located at 3208 STH 167 (Tax Key: V10\_027600E) pursuant to Section 70.198(D) – “Terrace 167 & Logger’s Park”
7. DISCUSSION/ACTION
  - a. Discussion and possible recommendation to the Village Board regarding a CUP application submitted for property located at 1953 STH 175 (Tax Key: V10\_0272) pursuant to Section 70.200.5(D) – “Richfield Roadhouse”
  - b. Discussion and possible recommendation to the Village Board regarding a CUP application submitted for property located at 3208 STH 167 (Tax Key: V10\_027600E) pursuant to Section 70.198(D) – “Terrace 167 & Logger’s Park”
  - c. Discussion/Action regarding a Site, Building, and Plan of Operation for Chase Electric, located at 1923 STH 175 (Tax Key: V10\_0306 & V10\_030500Z)
  - d. Discussion/Action regarding the scheduling for the regular July Plan Commission
  - e. Discussion regarding proposed concept Rs-1b, single-family cluster/open space residential district subdivision indicated by Tax Key: V10\_0355912001 – Neumann Companies, Inc.
  - f. Discussion regarding building development proposal for Sloppy Joe’s Saloon and Spoon, located at 3723 Hubertus Road (Tax Key: V10\_0828)
8. 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

Plan Commission Meeting  
Village of Richfield, 4128 Hubertus Road

5/5/2016  
7:00 p.m.

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

Chairman Jim Otto called the meeting to order at 7:03 p.m.

In attendance were Chairman Jim Otto, Vice-Chairman Berghammer, Commissioners Melzer, Bartel, Cote, Lalk, Trustee Collins, Village Administrator Jim Healy and Administrative Services Coordinator KateLynn Schmitt.

**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. April 7, 2016 – Regular Meeting**

Vice-Chairman Berghammer abstained.

Motion by Commissioner Lalk to approve the minutes of the regular April 7, 2016 Plan Commission meeting; Seconded by Commissioner Melzer; Motion passed without objection.

**5. PUBLIC HEARING**

**a. Discussion regarding Ordinance O2016-05-01, an Ordinance to rezone a subject property located generally at 4128 Hubertus Road (Tax Key: V10\_044800E) from P-1 Park and Recreation District to I-1, Institutional District**

Administrator Healy introduced the topic.

Motion by Vice-Chairman Berghammer to open the public hearings; Seconded by Trustee Collins; Motion passed without objection.

No one spoke.

Motion by Commissioner Lalk to close the public hearings; Seconded by Commissioner Bartel; Motion passed without objection.

**6. DISCUSSION/ACTION**

**a. Discussion and possible recommendation to the Village Board regarding Ordinance O2016-05-01, an Ordinance to rezone a subject property generally located at 4128 Hubertus Road (Tax Key: V10\_044800E) from P-1 Park and Recreation District to I-1, Institutional District**

Motion by Vice-Chairman Berghammer to recommend to the Village Board the approval of Ordinance O2016-05-1, an Ordinance to rezone the subject property indicated by Tax Key: V10\_044800E from P-1, Park and Recreation District to I-1, Institutional District; Seconded by Commissioner Melzer; Motion passed without objection.

**b. Discussion and possible recommendation to the Village Board regarding amendments to the Developer's Agreement for Bark Lake Estates**

Administrator Healy introduced the topic.

Discussion took place regarding the letter of credit amount the Village holds before the developer may begin selling for the construction of homes, and the amount of road bonds held from individual contractors.

Motion by Chairman Otto to conditionally approve the proposed changes to the Developer's Agreement subject to the General and Specific Conditions of Approval listed below:

**Specific Conditions of Approval:**

1. The Developer shall furnish a copy of the revised Developer's Agreement incorporating the proposed changes proposed in their letter dated March 4, 2016 for final signatures by the Village President, Village Attorney, and Village Administrator.
2. That the Village Engineer also approve the proposed changes to the construction dates listed in the Developer's Agreement, as proposed or as mutually agreed upon.
3. The Village Attorney prepares an assignment agreement to assign the previously approved Developer's Agreement from Connesher LLC to Ogden Midwest Funding, LLC., provided they agree to all the terms and conditions of the original agreement; Once completed, Staff provides R.E. Growth LLC and Ogden Midwest Funding, LLC. with written authorization of the same upon execution.

**General Conditions of Approval:**

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

Specifically also changing item #2 the date, item #3 the dates and paragraph 11 on page 9 striking model homes and stating spec homes.

Seconded by Commissioner Lalk; Motion passed without objection.

- c. **Discussion and possible recommendation to the Village Board regarding a One-Lot Certified Survey Map for a subject property located at 3726 Hubertus Road (Tax Key: V10\_0422 & V10\_042300A)**

Administrator Healy introduced agenda item 6c.

Motion by Vice-Chairman Berghammer to recommend to the Village Board the approval of the proposed One-Lot CSM for Ms. Nancy Manhattan indicated by Tax Keys V10\_0422 and V10\_042300A subject to the general and specific conditions listed below.

**Specific Conditions of Approval:**

1. The Village Board adopt by Ordinance the proposed amendment to the Village's Future Land Use Map.
2. The Village Board adopt by Ordinance the proposed rezoning of the subject property.
3. The Plan Commission approve the proposed amendment to the Site, Building and Plan of Operation.
4. Prior to the filing of the proposed CSM, the existing single family home be razed with the appropriate permits being applied for and granted by the Village's Building Inspection Department.
5. A notation be added to the face of the CSM, agreeable to the Village Engineer, which references the previously filed document number of the Revocable Occupancy Permit filed with the Washington County Register of Deeds in July of 2014.
6. On page 6 of 6, replace "Laura Johnson, Clerk" with "Jim Healy, Village Administrator/Clerk".
7. On page 6 of 6, delete and reference to the "Town of Richfield" and replace with "Village of Richfield".

**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 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.

Seconded by Trustee Collins; Motion passed without objection.

**7. ADJOURNMENT**

Motion by Commissioner Bartel to adjourn; Seconded by Trustee Collins; Motion passed without objection at 7:45 p.m.

Respectfully Submitted,  
Jim Healy  
Village Administrator

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: Appointment of Plan Commission Vice-Chairman  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: WHO DOES THE PLAN COMMISSION WISH TO ELECT TO THE POSITION OF VICE-CHAIRMAN IN THE ABSENCE OF CHAIRMAN JIM OTTO?*

*ISSUE SUMMARY:*

In the Village's Charter Ordinance, Section 7-15(D) it states that the Plan Commission shall annually elect a Vice-Chairman during the month of June. A Vice-Chairman is sometimes chosen to assist the Chairman and can potentially serve as "Acting Chairman" in the absence of the Chairman or when a motion involving the Chairman is being discussed. The Vice-Chairman should be prepared at a moment's notice to assume the duties of Chairman and may be asked to attend special meetings should the Chairman not be able to attend.

The current serving Vice-Chairman of the Plan Commission is Mr. Don Berghammer.

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY:   
Village Deputy Treasurer

Forward to Village Board: N/A  
Additional Approvals Needed: N/A  
Signatures Required: N/A

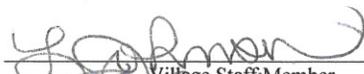
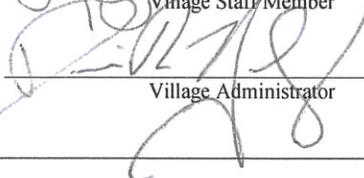
*ATTACHMENTS:*

STAFF RECOMMENDATION:

Motion to elect (INSERT NAME OF CANDIDATE) to the position of Vice-Chairman of the Plan Commission for a term of one (1) year.

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. \_\_\_\_\_

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: CUP – Richfield Roadhouse, 1953 STH 175 (Tax Key: V10\_0272)

DATE SUBMITTED: May 23, 2016

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL OF THE PROPOSED CONDITIONAL USE PERMIT FOR THE 'RICHFIELD ROADHOUSE'?*

*ISSUE SUMMARY:*

Ms. Lisa Wirkkula is the property owner at 1953 STH 175 (Tax Key: V10\_0272). This is the business site formally known as the “Olde Mill Inn” which ceased business operations on or about May 21<sup>st</sup>. The petitioner is seeking the Village’s approval to re-open her business operation under its new name, the “Richfield Roadhouse”. While previously this business may have been known as a bar which serves food, the plan of the property owner is to focus on rebranding her establishment as a locally-owned, sit-down restaurant.

The subject property is zoned B-5, Downtown Business District and is approximately 0.55 acres. The company’s ‘Mission Statement’ is “[T]o provide our guests in the Kettle Moraine area with a relaxed dining experience and our employees with a rewarding work atmosphere.” The business offers pub fare food with daily specials including a Friday fish fry and Saturday prime rib. The building itself is a 30 seat restaurant with a 25 seat bar. There is an already existing full commercial kitchen with additional storage for food, beverages and related supplies. The Richfield Roadhouse will at a minimum have a bartender, chef and server on-premises. They also plan to have a number of part-time employees working in varying capacities on-site during dinner service. It will be open seven (7) days a week for dinner as outlined in the Conditional Use Permit and will be open additional hours for lunch on Friday, Saturday, and Sunday.

The businesses day-to-day operations will be managed by Mr. Bryan Schmidt who has over 30 years of experience in the food and beverage service industry. The building’s restaurant area is currently being remodeled on the inside with new flooring, a reorganization of the layout and updated furnishings. Ideally the business would like to be open in early July.

In terms of the actual Conditional Use Permit, the only thing truly unique about this property are the multiple residential units this property has, which previously were at one time considered ‘legal non-conforming uses’. By law, these types of uses are allowed to continue to exist. However, only one of these uses would now be considered ‘legal non-conforming’, it is the 500sqft residential unit on the first floor. The other two (2) upper level residential units (750sqft and 1,400sqft, respectively) are now “legal” pursuant to the terms and conditions of the B-5 district. All three (3) units have a singular entrance on the south side of the building. The parking for the property’s patrons is primarily located in the rear (west) of the building. From talking to the property owner, she is also interested sometime in the near future in razing the existing single-family residential dwelling (also zoned B-5) to the south to allow for more parking on her property.

Tonight a Class II Public Hearing has been scheduled by publicizing the notice in the West Bend Daily News. Notices of the hearing were mailed to all residents within 300’ of the subject property pursuant to law. The mailing went out on Tuesday, May 24<sup>th</sup> which is 10 days before tonight’s meeting. At the time this Communication Form was written, the Village had not received any written requests to be included in the packet or spoke to any adjacent property owner regarding the petition.

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: CUP – Richfield Roadhouse, 1953 STH 175 (Tax Key: V10\_0272)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: \_\_\_\_\_

Village Deputy Treasurer

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

ATTACHMENTS:

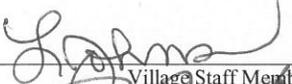
1. DRAFT Conditional Use Permit for Richfield Roadhouse
2. Class II Public Hearing Notice published in the *West Bend Daily News*

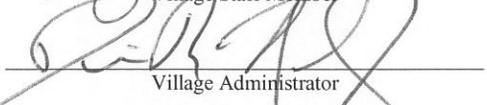
STAFF RECOMMENDATION:

Motion to recommend approval of the Conditional Use Permit to the Village Board for the Richfield Roadhouse, located at 1953 STH 175 (Tax Key: V10\_0272).

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. \_\_\_\_\_

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**CONDITIONAL USE PERMIT**  
**BadHusker LLC. d/b/a Richfield Roadhouse**  
**1953 STH 175 (Tax Key: V10-0272)**

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The Village Board of the Village of Richfield, Washington County, Wisconsin DO ORDAIN AS FOLLOWS:

**Whereas**, Lisa Wirkkula (“petitioner”) owns the property generally located at 1953 STH 175 designated as Tax Key V10-0272 (“subject property”); and

**Whereas**, the subject property is designated B-5, Downtown Business District on the Village’s official zoning map and contains approximately 0.55 acres; and

**Whereas**, in 2006 the then Town of Richfield granted an occupancy permit for the subject property under the name of ‘Olde Mill Inn’ which fashioned itself as a restaurant/taven establishment which was a permitted use in the B-3, General Business District at that time.

**Whereas**, from 2006 to May 21, 2016, the establishment has operated its restaurant/tavern and residential rental property in a nuisance free manner, taking into consideration the health, welfare, and safety of its patrons and surrounding neighbors; and

**Whereas**, in 2016, upon receipt of the written petition for a Conditional Use Permit, the Village Clerk properly referred such petition to the Plan Commission for the Village of Richfield for determination; and

**Whereas**, upon receipt of the petition by the Village Clerk, the Plan Commission for the Village of Richfield scheduled a public hearing thereon as soon as practical; and

**Whereas**, upon publication of the required “Notice of Public Hearing” and mailing of said “Notice of Public Hearing” to all property owners within 300 feet of the subject property, the Plan Commission for the Village of Richfield held a public hearing on June 2, 2016, as required by section 70.241 of the zoning code for the Village of Richfield; and

**Whereas**, members of the public at the public hearing were given ample opportunity to provide comment; and

**Whereas**, the Plan Commission for the Village of Richfield passed a motion recommending that the Village Board approve the conditional use; and

**Whereas**, the Village Board for the Village of Richfield, having carefully reviewed the recommendation of the Plan Commission for the Village of Richfield, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety and economic prosperity of the Village and specifically of the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as impact on the surrounding properties as to noise, dust, smoke, odor or other similar factors, hereby determines that the use will not violate the spirit or intent of the zoning ordinance for the Village of Richfield, will not

be contrary to the public health, safety or general welfare of the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of smoke, dust, 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 conditional use is operated pursuant to the following conditions and in strict compliance with the same; and now

THEREFORE, IT IS ORDERED, AS FOLLOWS:

Commencing upon the date of signature of this approval by Village officials and the property owner, whichever occurs last, the Conditional Use Permit as set forth herein is approved.

The Conditional Use Permit shall continue in existence only so long as the conditional use is operated in compliance with this permit. This Conditional Use Permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions, and limitations.

- A. This conditional use approval is granted for a “Sit-down Restaurant” and three (3) residential rental units subject to the following rules and regulations:
  1. Subject Property. This conditional use permit is limited to the subject property at 1953 STH 175 (Tax Key: V10-0272)
  2. Presentation Compliance. The use of the subject property as a “Sit-down Restaurant” and three (3) unit rental property for residential purposes shall be in substantial conformity with Exhibit “A” attached herein and described orally at the public hearing before the Village of Richfield Plan Commission held on June 2, 2016. The minutes of the June 2, 2016 Plan Commission meeting shall also be incorporated into this document as Exhibit ‘B’ prior to signature by the Village and property owner.
  3. Use Restricted. The use of the subject property is limited to a ‘Sit-down Restaurant’, which is permissible under Section 70.200.5(D)(3), a 1,400 sqft second story rental apartment, a 750 sqft second story rental apartment, which is permissible under 70.200.5(D)(1) and a 500 sqft third residential rental unit on the first floor as allowable legal, non-conforming use. The private entrance to these residential units is on the south side of the building, separate from the “Sit-down Restaurant”.
  4. Hours of operation. Richfield Roadhouse will be open Monday-Thursday from 2PM-2AM and Friday-Sunday from 11AM-2AM.
  5. Site plan. All operations on the subject property shall be consistent with the attached site plan, marked Exhibit “C”, which is incorporated herein by reference. The attachment distinguishes between two sections of the property, the ‘Restaurant area’ where their primary business operations will take place, and the ‘parking area’ behind the business. The petitioner is entitled to amend or change the site plan subject to the aforementioned conditions and subject to approval by the Plan

Commission, which may be granted without a public hearing if such amendment or change is not a substantial change from the original plan as approved and as allowed herein. If the petitioner would like to expand the scope of the operations, the zoning administrator is authorized to review such petition and approve the same in writing if he or she determines that the activity is in keeping with the spirit and intent of this conditional use approval and is compatible with existing land uses. If the zoning administrator denies the proposed amendment, the petitioner may appeal the administrator's determination to the Plan Commission for a final determination. Any amendment or change in any plan contemplated herein that the Plan Commission finds, in its sole discretion, to be substantial will require a new permit and all Village procedures in place at the time must be followed.

6. Specific Conditions of Approval. In addition to other requirements as may be contained herein, the following conditions of approval must be satisfied:
  - a. Approval Required. Within four (4) months of when the Village Board approves this conditional use permit, the petitioner/property owner is required to accept the terms and conditions of this approval in writing. If a signature is not obtained this approval becomes null and void.
  - b. Permits Required. The petitioner is required to obtain any and all necessary permits and licenses from the Federal Government, State of Wisconsin, County of Washington and Village of Richfield. If any license or permit is issued, any and all conditions of the same are incorporated herein and made part of this Conditional use Permit.
  - c. Signage Regulated. All signage must comply with Chapter 309 of the Village Code.
7. Laws. The petitioner shall comply with all federal, state, county, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the subject property as amended from time to time.
8. Junk. No junk as defined in Chapter 263 of the Village code of ordinances or disassembled, inoperable, junked or wrecked boats, motor vehicles, truck bodies, tractors, trailers also defined in chapter 46 shall be accumulated or stored on the subject property. No burying or burning of junk is permitted on the subject property.
9. Fees and Expenses. Upon issuance of this conditional use permit, the petitioner shall reimburse the Village for all expenses incurred by the Village including all professional and technical assistance expenses, realized by the Village in reviewing, approving, and granting this conditional use permit. The Village Clerk shall provide the petitioner with copies of all itemized invoices.
10. Cost of Enforcement. Any attorney fees incurred by the Village of Richfield to enforce any of the conditions or requirements of this conditional use permit must be paid by the petitioner.

11. Revocation or Modification of Approval. Whenever the Village Board has reasonable cause to believe that any of the conditions herein imposed are being or have been violated, or any use of the subject property related to the operation becomes hazardous, harmful, noxious, offensive, or a nuisance to surrounding properties, the Village Board shall have the right to revoke or modify this permit, including, but not limited to, imposing stricter conditions upon the use and/or operation through a revised permit by the following the process as set forth in Section 70.241(D)(2) of the Village code of ordinances.
  12. Right of entry for inspection. The petitioner and the property owner hereby give village officials, employees, and authorized agents the right to enter the subject property with reasonable notice for purposes of inspecting the premise to ensure compliance with the terms of this permit.
  13. Effect of Approval and Heirs, Successors, and Assigns. The terms of this conditional use approval shall be binding on the owners of the subject property, and their heirs, successors, and assigns.
- B. Any use not specifically listed as permitted in the applicable sections of the zoning code shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use the question shall be submitted to the Plan Commission for determination.
  - C. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the County of Washington, the State of Wisconsin, the Federal government, or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
  - D. This conditional use hereby authorized shall be confined to the subject property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission as being in compliance with all pertinent ordinances.
  - E. Should the permitted conditional use or described legal, non-conforming use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission, pursuant to the enforcement provisions of this conditional use permit.

- F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the subject property), structures, lands or owners, other than as specifically authorized herein, shall require a new conditional use permit and all procedures in place at the time must be followed.
- G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use permit may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Plan Commission feels, in its sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- H. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
- I. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
- J. This conditional use permit may be reviewed by the Plan Commission at any time upon complaint or upon Plan Commission initiative as provided in Section 70.241(D)(2) of the Village of Richfield Village Code and as amended from time to time.
- K. All residential rental units described herein must be inspected by the Village Building Inspector to ensure compliance with all relevant building codes, and such defects as may be noted by the Village Building Inspector shall be remedied to the satisfaction of the Village Building Inspector, prior to commencement of the use in such buildings.
- L. This conditional use permit does not authorize the construction of any building or structure not otherwise approved or allowed in the underlying zoning district.

Passed this 16<sup>th</sup> day of June, 2016

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

ATTEST:

\_\_\_\_\_  
Jim Healy, Village Administrator

**ACCEPTANCE**

I, Lisa Wirkkula, verify that I acknowledge that the BadHusker LLC d/b/a Richfield Roadhouse shall be bound by the terms of this conditional use approval in its entirety.

Dated this \_\_\_ day of \_\_\_\_\_, 2016

\_\_\_\_\_  
Lisa Wirkkula, Petitioner

Personally came before me this \_\_\_ day of \_\_\_\_\_ 2016, the above named person, Lisa Wirkkula, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
NOTARY PUBLIC

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

Exhibit "A"

## BUSINESS PLAN

**Richfield Roadhouse**  
1953 Hwy 175, Richfield, WI 53076

May 1, 2016

### Executive Summary

#### *Mission Statement*

To provide our guests in the Kettle Moraine area with a relaxed dining experience and our employees with a rewarding work atmosphere.

### Business Plan - Richfield Roadhouse

#### Mission Statement

To provide our guests in the Kettle Moraine area with a relaxed dining experience and our employees with a rewarding work atmosphere.

#### The Company

##### *Company History*

Richfield Roadhouse is a new business venture. After owning the building for just over a year the decision was made to update the building and enhance the dining experience.

##### *Company Ownership Structure*

Richfield Roadhouse is owned by BadHusker LLC with Lisa Wirkkula as the sole member. This business model was selected for tax reasons and to limit the risk of liability. For the foreseeable future the company will remain a sole proprietorship.

*Company Management Structure*

Richfield Roadhouse will be managed by Bryan Schmidt.

*Management and Ownership Background*

Bryan Schmidt has 30 years of experience in the food and beverage service industry. He has worked and managed many area establishments during his career, including consulting to improve existing establishments.

*Organizational Timeline*

We are starting some minor interior remodeling on June 1st. Some of the updates will include new flooring, reorganizing the layout and updating the furnishings. We plan to be open for business beginning of July.

**The Product***The Product*

Richfield Roadhouse plans to offer pub fare food with daily specials including Friday fish fry and Saturday prime rib.

**Operations***Daily Operations*

Richfield Roadhouse will be open 7 days a week for dinner. Additionally we will be open for lunch on Friday, Saturday and Sunday.

*Operational Facilities*

Richfield Roadhouse is a 30 seat restaurant with a 25 seat bar. There is also a full kitchen and additional storage for food, beverages and supplies.

*Staffing*

Richfield Roadhouse will have at a minimum bartender, chef and server on premises.



0 50 100 150ft

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

**(Class II Public Notice)**  
**NOTICE OF PUBLIC HEARINGS**  
**VILLAGE OF RICHFIELD**  
**Thursday, June 2, 2016**

Notice is hereby given pursuant to the requirements of Section 19.84, Wis. Stats., and provisions of the Village of Richfield municipal code that the Village of Richfield Plan Commission will conduct a public hearing for the following applications on Thursday, June 2, 2016, at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI:

1. Conditional Use Permit application for amendment submitted by Loggers Park, LLC. for property at 3208 STH 167 (Tax Key: V10-027600E); Richfield, WI 53076, pursuant to Section 70.198(D)
2. Conditional Use Permit application submitted by Badhusker, LLC. for property at 1953 STH 175 (Tax Key: V10\_0272); Richfield, WI 53076, pursuant to Section 70.2002.5(D)

For information regarding these public hearings, contact Jim Healy, Planning and Zoning Administrator, at 262-628-2260. Copies of the applications are available from the Village Clerk during office hours from 7:30 a.m. to 4:00 p.m. Requests from persons with disabilities who need assistance to participate in this hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

Dated this 17th day of May, 2016

Village of Richfield  
Jim Healy  
Village Administrator

**Publication Dates:**

Thursday, May 19, 2016  
Thursday, May 26, 2016

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7b



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

66 & 76

MEETING DATE: June 2, 2016

SUBJECT: CUP –Logger’s Park & Terrace 167, 3208 STH 167 (Tax Key: V10\_0276-00E)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL OF THE PROPOSED CONDITIONAL USE PERMIT FOR “LOGGER’S PARK” & “TERRACE 167”?*

*ISSUE SUMMARY:*

Logger’s Park Sports Complex is a business establishment that has a long and storied history in the Village of Richfield dating back to as early as 1992 when the original owner, Mr. Don Seib, petitioned the Town for a Conditional Use Permit to operate a “sports complex”. Since that time, the property owner has changed hands and operated their business (Logger’s Park) under a separately granted Conditional Use Permit that was granted in March of 2004. A copy of the previously approved Conditional Use Permit is attached herein for your convenience. But generally speaking, the same operations which were previously permitted and approved by the then Town of Richfield still exist today.

The petitioner has been working with Staff and the Plan Commission over the course of the last year regarding the future development of his ~15.44 ac parcel. The property owner requested 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. This petition was granted at the November 19<sup>th</sup> Village Board meeting. As a reminder, 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 at the Plan Commission meeting in October of 2015, the property directly to the north, Pioneer Bowl, is presently zoned B-2 as well. Staff, the Village’s Plan Commission and the Village Board, believed that essentially the same operations exist on both properties. Each business’ primary operation revolves around some sort of “outdoor 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. Pioneer Bowl also has an area which allows them to host weddings or other similar life events.

Around that same time, Staff also proposed 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”, defined as baseball/softball, sand volleyball, ice skating, and mini golf. This was also adopted by ordinance by the Village Board in 2015. By adopting the then proposed ordinance, not only did we accomplish bringing Logger’s Park into greater conformity with the Village Code, but we also created an avenue to legalize the outdoor recreational activities occurring on both sites.



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

66 € 76

MEETING DATE: June 2, 2016

SUBJECT: CUP –Logger’s Park & Terrace 167, 3208 STH 167 (Tax Key: V10\_0276-00E)

DATE SUBMITTED: May 23, 2016

SUBMITTED BY: Jim Healy, Village Administrator

Going back two (2) years to 2014, Staff worked in cooperation with the property owner and the Village Board to release a Letter of Credit (LoC) guarantee in the amount of \$50,000 that was put in place by the property owner for the paving of the asphalted area surrounding the 10,000sqft Phase III building. The releasing of this LoC was done because it had been mutually agreed upon that the property owner would subsequently file for an amendment to the approved site plan for Logger’s Park. That amended site plan is incorporated into the proposed Conditional Use Permit tonight. Information regarding the Phase III building as written in the Staff Communication Form from March 11, 2004 is as follows:

*“Phase III (project to be built in 2008) is to include a new specialty event/banquet hall to be used for special indoor recreation and other events and activities. Although the site grading, landscaping, storm water facilities, lighting and parking improvements to be included in Phase II will be constructed in anticipation for Phase III development, Bogues is NOT seeking approval for the uses and facilities proposed for Phase III at this time. Further details about the building and associated features for Phase III are not available at this time.”*

Tonight, the property owner has made the aforementioned Conditional Use Permit petition to operate the existing 10,000 sqft building facility on-site in the manner described above, previously approved by the Town, as a specialty event and banquet hall. While the entire site will still be under the ownership of Logger’s Park LLC., the specialty event and banquet hall will be known as “Terrace 167”. This is permissible under our Village Code and is really no different than when the “Momentum Health Club” operated out of this space. Only now, the Village had the ability to work with the property owner to craft a Conditional Use Permit that is more in-line with other similarly granted approvals in our community.

From a Staff perspective, the last several years working with Mr. and Mrs. Bogues have been extremely pleasurable. They operate their existing business, Logger’s Park, in a manner that in the last six (6) years (my frame of reference) has consistently shown to have a positive impact on the community at-large. The logistical operations at the park help service our local youth sports teams, when needed, host benefits and fundraisers, and in the past had even held events aimed to help to raise awareness about the pitfalls and perils of drug abuse and alcoholism. Staff can confidently say that we believe the granting of this proposed Conditional Use Permit to Logger’s Park LLC for their proposed operations will not be contrary to the health, general welfare, safety of the surrounding community and it will have a positive impact on the economic prosperity of the Village and in the commercial area in which it is located. It is important to note that just like all other previously granted Conditional Use Permits, the contents of the same are repealed and superseded by this new, controlling document. Much of the language related to the same has been developed by Staff working in concert with the Village’s Attorney, Mr. John Macy.

Tonight a Class II Public Hearing has been scheduled by publicizing the notice in the West Bend Daily News. Notices of the hearing were mailed to all residents within 300’ of the subject property pursuant to law. The mailing went out on Tuesday, May 24<sup>th</sup>, which is 10 days before tonight’s meeting. At the time this Communication Form was written, the Village had not received any written requests to be included in the packet or spoke to any adjacent property owner regarding the petition.



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: CUP –Logger’s Park & Terrace 167, 3208 STH 167 (Tax Key: V10\_0276-00E)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: \_\_\_\_\_  
Village Deputy Treasurer

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

ATTACHMENTS:

1. DRAFT Conditional Use Permit for Logger’s Park LLC.
2. Class II Public Hearing Notice published in the *West Bend Daily News*
3. 2004 Conditional Use Permit for Logger’s Park
4. Pictures of “Terrace 167” provided by property owner

STAFF RECOMMENDATION:

Motion to recommend approval of the proposed Conditional Use Permit to the Village Board for “Logger’s Park” & “Terrace 167”, located at 3208 STH 167 (Tax Key: V10\_0276-00E).

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. \_\_\_\_\_

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**CONDITIONAL USE PERMIT  
LOGGER'S PARK LLC.  
3208 STH 167 (Tax Key: V10-0276-00E)**

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The Village Board of the Village of Richfield, Washington County, Wisconsin DO ORDAIN AS FOLLOWS:

**Whereas**, John & Terry Bagues (“petitioner”) own the property generally located at 3208 STH 167 designated as Tax Key V10-0276-00E (“subject property”); and

**Whereas**, the subject property is designated B-2, Community Business District on the Village’s official zoning map and contains approximately 15.44 acres; and

**Whereas**, in 2004 the then Town Board approved a Conditional Use Permit for the petitioner for the operation of Logger’s Park LLC, a use allowed pursuant to the then zoning on the subject property as P-1, Parks and Recreation District; and

**Whereas**, since that time, the petitioner has operated his business as a four (4) season sports complex with a bar/restaurant, sand volleyball, softball/baseball, recreational sports like kickball, ice skating, and mini golf; and

**Whereas**, in the original Conditional Use Permit from March 11, 2004, was the following passage:

*“Phase III (project to be built in 2008) is to include a new specialty event/banquet hall to be used for special indoor recreation and other events and activities. Although the site grading, landscaping, storm water facilities, lighting and parking improvements to be included in Phase II will be constructed in anticipation for Phase II development, Bagues is NOT (original emphasis) seeking approval for the uses and facilities proposed for Phase III at this time. Further details about the building and associated features for Phase II are not available at this time.”; and*

**Whereas**, on April 2, 2015 the Village’s Plan Commission approved the modification of the site plan for the removal of the planned additional 10,000 sqft building. It is attached herein an incorporated as Attachment “A”; and

**Whereas**, on November 19, 2015, the Village Board adopted by ordinance the rezoning of the subject property from P-1, Parks and Recreation District to B-2, Community Business District, consistent with the Village’s adopted Comprehensive Plan and Future Land Use Map. It is attached herein and incorporated as Attachment “B”; and

**Whereas**, the intent of the ordinance change was to give the petitioner flexibility with zoning to allow for the continued use of the already existing 10,000 sqft facility on-site as an event/banquet hall, similar to other establishments in the Village (ex: Pioneer Bowl); and

**Whereas**, in 2016, upon receipt of the written petition for a Conditional Use Permit, the Village Clerk properly referred such petition to the Plan Commission for the Village of Richfield for determination; and

**Whereas**, upon receipt of the petition by the Village Clerk, the Plan Commission for the Village of Richfield scheduled a public hearing thereon as soon as practical; and

**Whereas**, upon publication of the required "Notice of Public Hearing" and mailing of said "Notice of Public Hearing" to all property owners within 300 feet of the subject property, the Plan Commission for the Village of Richfield held a public hearing on June 2, 2016, as required by section 70.241 of the zoning code for the Village of Richfield; and

**Whereas**, members of the public at the public hearing were given ample opportunity to provide comment; and

**Whereas**, the Plan Commission for the Village of Richfield passed a motion recommending that the Village Board approve the conditional use; and

**Whereas**, the Village Board for the Village of Richfield, having carefully reviewed the recommendation of the Plan Commission for the Village of Richfield, having given the matter due consideration, and having based its determination on the effect of granting such conditional use permit on the health, general welfare, safety and economic prosperity of the Village and specifically of the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as impact on the surrounding properties as to noise, dust, smoke, odor or other similar factors, hereby determines that the use will not violate the spirit or intent of the zoning ordinance for the Village of Richfield, will not be contrary to the public health, safety or general welfare of the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of smoke, dust, 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 conditional use is operated pursuant to the following conditions and in strict compliance with the same; and

**Whereas**, it is understood by the petitioner that this conditional use permit amendment shall repeal and recreate the conditional use permit previously granted in 2004, and shall supersede any previously granted approvals and as currently drafted will be the sole document which controls the uses allowed on the subject property; now

THEREFORE IT IS ORDERED AS FOLLOWS:

Commencing upon the date of signature of this approval by Village officials and the property owner, whichever occurs last, the Conditional Use Permit as set forth herein is approved.

The Conditional Use Permit shall continue in existence only so long as the conditional use is operated in compliance with this permit. This Conditional Use Permit is subject to initial and continued compliance with each and every one of the following conditions, restrictions, and limitations.

A. This conditional use approval is granted for the petitioner subject to the following conditions:

1. Subject Property. This Conditional Use Permit is limited to the subject property at 3208 STH 167 (Tax Key: V10-0276-00E)
2. Presentation Compliance. The use of the subject property shall be in substantial conformity with the presentation at the public hearing before the Village of Richfield Plan Commission held on June 2, 2016. The minutes of said meeting will be attached herein and incorporated as Attachment "C"; and
3. Use Restricted. The use of the subject property is limited to (1) an event/banquet hall, (2) recreational facilities (mini golf, sand volleyball, baseball/softball diamonds, batting cages), (3) bar/restaurant on tax parcel V10-0276-00E, as further defined and restricted herein.
4. Site plan. All operations on the subject property shall be consistent with the attached site plan, marked Attachment "A", which is incorporated herein by reference. The subject property has access off of both STH 175 and STH 167 as permitted by the Wisconsin Department of Transportation. One the east side of the subject property is the existing building the petitioner uses for his "Logger's Park" operation, meaning the bar/restaurant. That side of the property has two (2) baseball fields and several sand volleyball courts along with an unimproved graveled parking lot. In the winter time the sand volleyball courts are oftentimes converted into an ice skating rink. On the west side of the property is the existing 10,000 sqft facility to be subsequently known as "Terrace 167" and to be described below, a mini golf complex, batting cage, and accessory structure used for administrative office purposes and public restrooms. The paved parking area on the west will be primarily utilized by those patrons attending events at "Terrace 167" and those utilizing the mini golf course and/or the batting cages. In the event the petitioner has a large recreational event or hosts a large event on the property (ex: wedding), it is understood that they may utilize all available parking areas on the subject property for that purpose. The petitioner is entitled to amend or change the site plan subject to the aforementioned conditions and subject to approval by the Plan Commission, which may be granted without a public hearing if such amendment or change is not a substantial change from the original plan as approved and as allowed herein. If the petitioner would like to expand the scope of the operations, the zoning administrator is authorized to review such petition and approve the same in writing if he or she determines that the activity is in keeping with the spirit and intent of this conditional use approval and is compatible with existing land uses. If the zoning administrator denies the proposed amendment, the petitioner may appeal the administrator's determination to the Plan Commission for a final determination. Any amendment or change in any plan contemplated herein that the Plan Commission finds, in its sole discretion, to be substantial will require a new permit and all Village procedures in place at the time must be followed.

5. Specific Conditions of Approval. In addition to other requirements as may be contained herein, the following conditions of approval must be satisfied:
  - a. Approval Required. Within four (4) months of when the Village Board approves this conditional use permit, the petitioner/property owner is required to accept the terms and conditions of this approval in writing. If a signature is not obtained this approval becomes null and void.
  - b. Permits Required. The petitioner is required to obtain any and all necessary permits and licenses from the Federal Government, State of Wisconsin (ex: Seller's Permit, etc.), County of Washington (ex: Health and Sanitation Permit, etc.) and Village of Richfield (ex: Intoxicating beverage licenses, building, plumbing, electrical, etc.). If any license or permit is issued, any and all conditions of the same are incorporated herein and made part of this Conditional Use Permit.
  - c. Hours of Operation for the Logger's Park. The petitioner is allowed to operate Logger's Park based on hours of operation pursuant to State Law due to their previously granted Combination Class "B" Intoxicating Liquor License. Their bar/restaurant is open Monday-Sunday from 4:30PM to Close. Mini golf is open Fridays from 4-8PM, Saturdays from 12PM-8PM, and Sundays from 12PM-6PM. Recreational activities such as baseball/softball, sand volleyball, kickball, etc. have general hours of operation from 8AM-10:30PM, Monday-Sunday.
  - d. Logger's Park. Logger's Park is a diversified and multi-faceted sports complex with mini golf, sand volleyball, softball/baseball, ice skating, and pub fare food for its patrons to enjoy operating under the ownership of Logger's Park LLC. The subject property employs approximately 25 employees and has approximately 200-300 customers per day during its peak times of April-October, because of that, they are generally considered a 'seasonal business', although they are permitted to operate 365 days a year. They have approximately 300 parking stalls on-site as illustrated on the aforementioned site plan incorporated herein.
  - e. Hours of Operation for Terrace 167. The petitioner does not intend to have any events prior to 9AM. However, the petitioner is allowed to operate Terrace 167 based on hours of operation pursuant to State Law due to their previously granted Combination Class "B" Intoxicating Liquor License.
  - f. Signage Regulated. All signage must comply with Chapter 309 of the Village Code.
  - g. Terrace 167. Terrace 167 is an event/banquet hosting facility operating under the ownership of Logger's Park LLC. The types of events they intend to host are including, but not limited to, weddings, ceremonies, wedding receptions, educational classes, professional seminars, bridal/baby showers, book clubs, and commercial/private photo shoots. The subject property employs approximately 25 employees and is a space that has a variable maximum occupancy rate, depending on the type of event hosted, pursuant to the terms and conditions of the National Fire Protection Agency and/or International Building Code. The maximum occupancy of the building shall in no case exceed 600 occupants per the Village's Building Inspector and the Richfield Volunteer Fire Company.

6. Laws. The petitioner shall comply with all federal, state, county, and local rules, codes, ordinances, and regulations in the construction, operation, and maintenance of the subject property as amended from time to time.
  7. Junk. No junk as defined in Chapter 263 of the Village code of ordinances or disassembled, inoperable, junked or wrecked boats, motor vehicles, truck bodies, tractors, trailers also defined in Chapter 46 shall be accumulated or stored on the subject property. No burying or burning of junk is permitted on the subject property.
  8. Fees and Expenses. Upon issuance of this conditional use permit, the petitioner shall reimburse the Village for all expenses incurred by the Village including all professional and technical assistance expenses, realized by the Village in reviewing, approving, and granting this conditional use permit. The Village Clerk shall provide the petitioner with copies of all itemized invoices.
  9. Cost of Enforcement. Any attorney fees incurred by the Village of Richfield to enforce any of the conditions or requirements of this conditional use permit must be paid by the petitioner.
  10. Revocation or Modification of Approval. Whenever the Village Board has reasonable cause to believe that any of the conditions herein imposed are being or have been violated, or any use of the subject property related to the operation becomes hazardous, harmful, noxious, offensive, or a nuisance to surrounding properties, the Village Board shall have the right to revoke or modify this permit, including, but not limited to, imposing stricter conditions upon the use and/or operation through a revised permit by the following the process as set forth in Section 70.241(D)(2) of the Village code of ordinances.
  11. Right of entry for inspection. The petitioner and the property owner hereby give village officials, employees, and authorized agents the right to enter the subject property with reasonable notice for purposes of inspecting the premise to ensure compliance with the terms of this permit.
  12. Effect of Approval and Heirs, Successors, and Assigns. The terms of this conditional use approval shall be binding on the owners of the subject property, and their heirs, successors, and assigns.
- B. Any use not specifically listed as permitted in the applicable sections of the zoning code shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use the question shall be submitted to the Plan Commission for determination.
- C. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the County of Washington, the State of Wisconsin,

the Federal government, or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.

- D. This conditional use hereby authorized shall be confined to the subject property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission as being in compliance with all pertinent ordinances.
- E. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission, pursuant to the enforcement provisions of this conditional use permit.
- F. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the subject property), structures, lands or owners, other than as specifically authorized herein, shall require a new conditional use permit and all procedures in place at the time must be followed.
- G. Unless this conditional use permit expressly states otherwise, plans that are specifically required by this conditional use permit may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the Plan Commission feels, in its sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- H. Should any paragraph or phrase of this conditional use permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.
- I. If any aspect of this conditional use permit or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
- J. This conditional use permit may be reviewed by the Plan Commission at any time upon complaint or upon Plan Commission initiative as provided in Section 70.241(D)(2) of the Village of Richfield Village Code and as amended from time to time.

- K. All buildings housing patrons and/or vendors associated with this conditional use must be inspected by the Village Building Inspector to ensure compliance with all relevant building codes, and such defects as may be noted by the Village Building Inspector shall be remedied to the satisfaction of the Village Building Inspector, prior to commencement of the use in such buildings.
- L. This conditional use permit does not authorize the construction of any building or structure not otherwise approved or allowed in the underlying zoning district.

Passed this 16<sup>th</sup> day of June, 2016

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John Jeffords, President

ATTEST:

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Jim Healy, Village Administrator

**ACCEPTANCE**

I, John Bogues, verify that I acknowledge that Logger's Park LLC shall be bound by the terms of this conditional use approval in its entirety.

Dated this \_\_\_ day of \_\_\_\_\_, 2016

---

John Bogues, Petitioner

I, Terry Bogues, verify that I acknowledge that Logger's Park LLC shall be bound by the terms of this conditional use approval in its entirety.

Dated this \_\_\_ day of \_\_\_\_\_, 2016

---

Terry Bogues, Petitioner

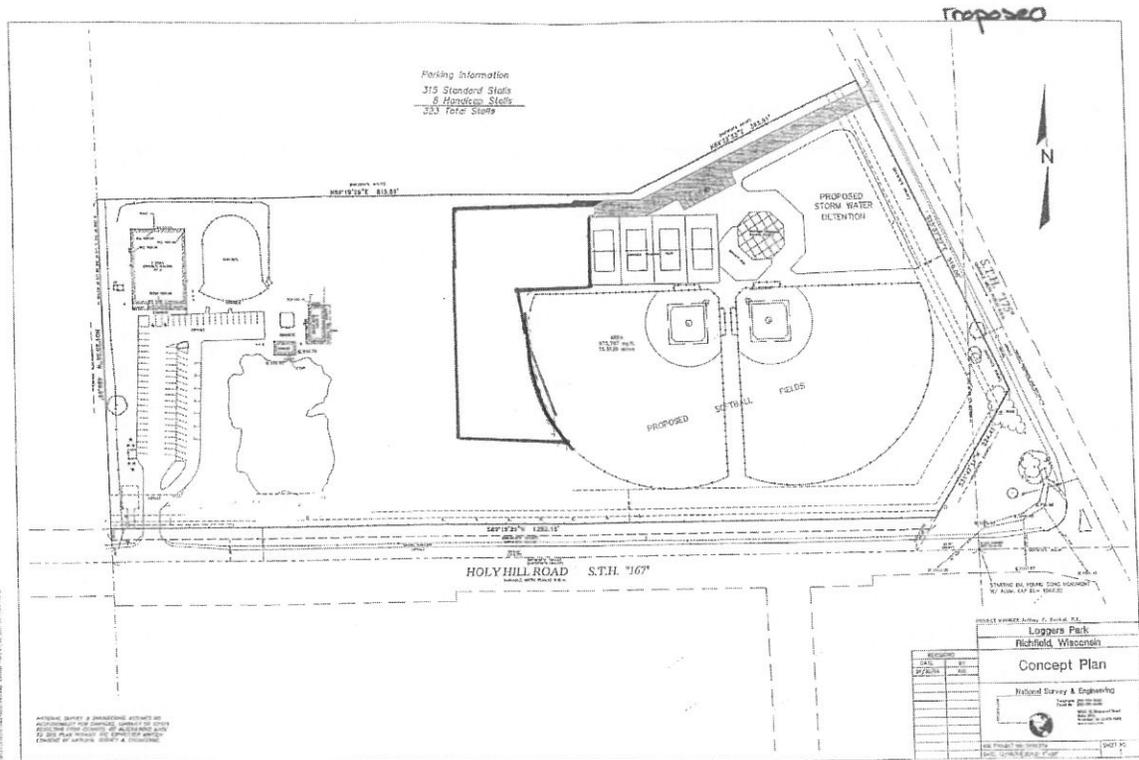
Personally came before me this \_\_\_ day of \_\_\_\_\_ 2016, the above named person, John & Terry Bagues, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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NOTARY PUBLIC

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My Commission Expires:



APPROVED PLAN  
 VILLAGE OF RICHFIELD  
 Authorized by: *[Signature]*  
 Date: 4/2/15

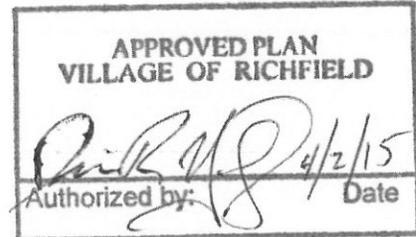


Attachment A

Village of Richfield

Forward. Preserving...

A Country Way of Life!



Site Plan Amendment  
Logger's Park  
Tax Key V10\_027600E  
3208 STH 167

John Bogues, Property Owner

### 1. Project Description

In March of 2004, the Town Board approved a Site Building and Plan of Operation approval and accompanying Conditional Use Permit for Logger's Park located at 3208 STH 167 (Tax Key: V10\_027600E). The property, a ~15.50ac site is zoned P-1, Parks and Recreation District. Mr. Bogues' business operates his business as a four season sports complex with a bar/restaurant, sand volleyball, softball/baseball, recreational sports like kickball, and ice skating. Also, on the west end of the property is a leased building where a health club currently operates, Momentum Health Club.

During the winter of 2014, Staff worked in cooperation with the property owner and the Village Board to pull a Letter of Credit (LoC) guarantee in the amount of \$50,000 that was put in place by the property owner for the paving of the asphalted area surrounding the 10,000sft Phase III building. The pulling of this LoC was done because it had been mutually agreed upon that the property owner would subsequently file for an amendment to the approved site plan for Logger's Park.

Information regarding the Phase III building as written in the Staff Communication Form from March 11, 2004 is as follows:

*"Phase III (project to be built in 2008) is to include a new specialty event/banquet hall to be used for special indoor recreation and other events and activities. Although the site grading, landscaping, storm water facilities, lighting and parking improvements to be included in Phase II will be constructed in anticipation for Phase III development, Bogues is NOT seeking approval for the uses and facilities proposed for Phase III at this time. Further details about the building and associated features for Phase III are not available at this time."*

On April 2, 2015 the Village Plan Commission approved the modification of the site plan for the removal of the 10,000 sqft. Building. A copy of the newly approved site plan is included as Exhibit A.

### 2. Findings

The zoning administrator makes the following findings:

1. The subject property is zoned P-1, Parks and Recreation District.
2. The subject property is currently bound by the terms and conditions of both a Conditional Use Permit and a Site, Building and Plan of Operations Plan which are referenced in the narrative above.

- 3. The Planning and Zoning Administrator reviewed the proposed site plan amendment and prepared a Staff report for the April 2, 2015 Plan Commission meeting where they considered the policy question of whether or not they wished to allow the site plan modification.
- 4. The adopted Future Land Use Map shows this property as "Business Mixed Use".
- 5. The property owner is fully aware that any future site plan changes or changes in business operations will require review and approval of the Plan Commission and Village Board.

**3. Decision and Conditions of Approval**

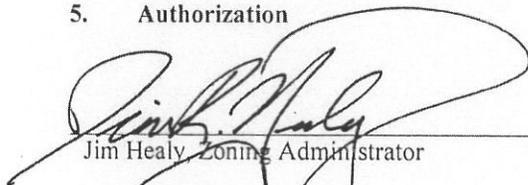
The project as described in the application is approved, provided the following conditions are met:

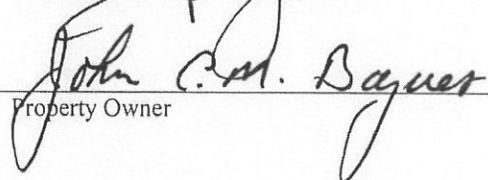
- 1. Compliance with all provisions of chapter 70 of the Village of Richfield municipal code and state law.
- 2. The Decision Letter be signed by the property owner no more than 30 days after the date of signature by the Zoning Administrator.

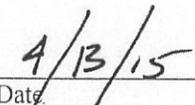
**4. Nature of Approval**

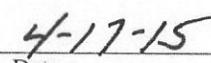
This approval runs with the land and shall transfer to subsequent property owners, including heirs and subsidiaries.

**5. Authorization**

  
 \_\_\_\_\_  
 Jim Healy, Zoning Administrator

  
 \_\_\_\_\_  
 Property Owner

  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Date

STATE OF WISCONSIN      VILLAGE OF RICHFIELD      WASHINGTON COUNTY

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

**(Class II Public Notice)**  
**NOTICE OF PUBLIC HEARINGS**  
**VILLAGE OF RICHFIELD**  
**Thursday, June 2, 2016**

Notice is hereby given pursuant to the requirements of Section 19.84, Wis. Stats., and provisions of the Village of Richfield municipal code that the Village of Richfield Plan Commission will conduct a public hearing for the following applications on Thursday, June 2, 2016, at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI:

1. Conditional Use Permit application for amendment submitted by Loggers Park, LLC. for property at 3208 STH 167 (Tax Key: V10-027600E); Richfield, WI 53076, pursuant to Section 70.198(D)
2. Conditional Use Permit application submitted by Badhusker, LLC. for property at 1953 STH 175 (Tax Key: V10\_0272); Richfield, WI 53076, pursuant to Section 70.2002.5(D)

For information regarding these public hearings, contact Jim Healy, Planning and Zoning Administrator, at 262-628-2260. Copies of the applications are available from the Village Clerk during office hours from 7:30 a.m. to 4:00 p.m. Requests from persons with disabilities who need assistance to participate in this hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

Dated this 17th day of May, 2016

Village of Richfield  
Jim Healy  
Village Administrator

**Publication Dates:**

Thursday, May 19, 2016

Thursday, May 26, 2016

**An Ordinance To Grant a Conditional Use Permit in  
the Town of Richfield**

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**WHEREAS,** John Bogues (Property Owner) has petitioned the Town Board to Grant a Conditional Use Permit in the Town of Richfield Pursuant to Section 70-207(d) of the Zoning Code to allow the construction and operation of an approximately 1,800 sqft. concession building as an accessory use to a private commercial recreation operation on the property located at 3208 STH 167 in the P-1: Park & Recreation Zoning district; and

**WHEREAS,** a joint public hearing before the Plan Commission and Town Board was duly held on March 11, 2004; and

**WHEREAS,** the Town Planning Commission made a recommendation to APPROVE the Conditional Use Permit Application on March 11, 2004, as set forth in Attachment "A"; and

**NOW THEREFORE,** the Town Board of the Town of Richfield does hereby ordain as follows:

**Section 1.** A Conditional Use Permit is Hereby Granted for the construction and operation of an approximately 1,800 sqft. concession building as an accessory use to a private commercial recreation operation on the property located at 3208 STH 167 in the P-1: Park & Recreation Zoning District, located in Section 12, Township 9 North, Range 19 East, Town of Richfield, Washington County, Wisconsin, having Tax Parcel ID No. T10-0276-00D.

**Section 2.** The granting of this permit and subsequent use of the property described herein is subject to ongoing compliance with all conditions and requirements specified in Attachment "A" and Section 241 of the Town's Zoning Code;

**Section 3.** This Ordinance shall take effect the day after proof of posting the same, in accordance with Section 60.80(1), Wis. Statutes, has been filed with the Town Clerk.

Adopted this 18 day of March, 2004.

ATTEST:

Pamela Springer  
Town Clerk

POSTED:

3/22/04  
Proof of Posting Filed  
and Recorded

Jerry Becker  
Jerry Becker, Chairman

John G. Jeffords  
John G. Jeffords, Supervisor

William Neureuther  
William Neureuther, Supervisor

Charles C. Kugel  
Charles Kugel, Supervisor

Dan Neu  
Dan Neu, Supervisor

## ATTACHMENT "A"

Conditional Use Permit No.: 03-03-01

Zoning District(s): P-1: Park & Recreation

Property Owner(s): John Bogues d/b/a/ Logger's Park LLC  
Permit Applicant(s): John Bogues d/b/a/ Logger's Park LLC

Proposed/Existing Use(s): Concession Building

Public Hearing Date(s): March 11, 2004

Plan Commission Action/  
Recommendation: APPROVAL w/ conditions; March 11, 2004

Town Board Action: APPROVAL w/ conditions; March 18, 2004

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### Conditions of Approval:

1. Whenever the Town Board has reasonable cause to believe that any of the conditions herein imposed are being or have been violated, or, any use of the property related to the operation that becomes hazardous, harmful, noxious, offensive or a nuisance to surrounding properties, the Town Board shall have the right to revoke or modify this home occupation/conditional use permit, including but not limited to, imposing stricter conditions upon the use and/or operation through a revised permit;
2. All commitments made in writing as part of the application documentation and verbally during the course of describing and/or explaining the details of the proposed operation to the Town, as documented in the meeting minutes and Exhibit 1 attached hereto, shall be conditions upon which the operation shall be regulated.
3. Use of the concession building shall be limited to: indoor seating, restrooms, and limited food and beverage service equipment and kitchen facilities related to the sale and service of pre-packaged snack foods, short-order grill-type items, "soft drink" beverages, and, subject to the issuance of an appropriate liquor license, alcoholic beverages. Food and beverage services shall be limited in the type and amount of items served and is intended to function only as an accessory use to the recreational activities conducted on the subject property.
4. Operation of the concession building and provision of food and beverages shall be limited such that service is provided primarily to the participants, patrons, and spectators associated with the principal recreational activities being conducted on the property, and, only during the same hours as those other activities are being conducted. Subject to these limitations, the general hours of operation shall be 6 p.m. to 10 p.m. on weekdays and 8 a.m. to 11 p.m. on weekend days.

A motion by Bill Neureuther, second by Dan Neu to approve the Resolution to Reduce Speed Limit on Hubertus Road from Scenic Road to a point 2140' west. Motion Carried.

- ◆ 10c. Discussion/Action on Final Subdivision Plat and Development Agreement; Cosgrove Acres (Phase 1); a 10.9 acre, 1 lot Single Family Residential Open Space/Conservation Subdivision; W. Fields, LLC (Owner) represented by Scott Bence, JBJ Development (Section 31)

A motion by Bill Neureuther, second by Dan Neu to approve the Final Subdivision Plat and Development Agreement; Cosgrove Acres (Phase 1); a 10.9 acre, 1 lot Single Family Residential Open Space/Conservation Subdivision; W. Fields, LLC (Owner) represented by Scott Bence, JBJ Development (Section 31).

#### DISCUSSION

Supervisor Neureuther questioned if only Phase 1 was being approved at this time. Scott Bence stated they want to sell the house before they begin the development. Supervisor Neureuther questioned if they meet the platting requirements required in the town? Ten acres is not enough area, it should be 17.5 acres. This should be referred back to the Plan Commission or have the Planner review.

A motion by John Jeffords, second by Chuck Kugel to withdraw their motion.

A motion by Bill Neureuther, second by John Jeffords to lay over and have staff review. Motion Carried.

- ◆ 10d. Discussion/Action on a Proposed Zoning Ordinance Amendment to Sections 70-12 (Definitions) and 70-135 (Use Restrictions) for Purposes of Regulating "Model Homes" in Residential Zoning Districts – ITEM REMOVED
- ◆ 10e. Discussion/Action a Conditional Use Permit Application by Logger's Park LLC and John Bagues, Property Owner, for a Private Commercial Recreation Operation at the Logger's Park property, 3208 STH 167 (Section 13)

A motion by Bill Neureuther, second by Dan Neu to approve a Conditional Use Permit Application by Logger's Park LLC and John Bagues, Property Owner, for a Private Commercial Recreation Operation at the Logger's Park property, 3208 STH 167 (Section 13). Motion Carried.

- ◆ 10f. Discussion/Action on a Proposed Public Road Access/Intersection Location Plan on STH 164 from Pioneer Road to Pleasant Hill Road (Town Staff Proposal)

A motion by John Jeffords, second by Bill Neureuther to approve the Proposed Public Road Access/Intersection Location Plan on STH 164 from Pioneer Road to Pleasant Hill Road. Motion Carried.

**ATTACHMENT "A"**

Conditional Use Permit No.: 03-03-01  
Zoning District(s): P-1: Park & Recreation  
Property Owner(s): John Bogues d/b/a/ Logger's Park LLC  
Permit Applicant(s): John Bogues d/b/a/ Logger's Park LLC  
Proposed/Existing Use(s): Concession Building  
Public Hearing Date(s): March 11, 2004  
Plan Commission Action/  
Recommendation: APPROVAL w/ conditions; March 11, 2004  
Town Board Action: APPROVAL w/ conditions; March 18, 2004

**APPROVED**

**Conditions of Approval:**

1. Whenever the Town Board has reasonable cause to believe that any of the conditions herein imposed are being or have been violated, or, any use of the property related to the operation that becomes hazardous, harmful, noxious, offensive or a nuisance to surrounding properties, the Town Board shall have the right to revoke or modify this home occupation/conditional use permit, including but not limited to, imposing stricter conditions upon the use and/or operation through a revised permit;
2. All commitments made in writing as part of the application documentation and verbally during the course of describing and/or explaining the details of the proposed operation to the Town, as documented in the meeting minutes and Exhibit 1 attached hereto, shall be conditions upon which the operation shall be regulated.
3. Use of the concession building shall be limited to: indoor seating, restrooms, and limited food and beverage service equipment and kitchen facilities related to the sale and service of pre-packaged snack foods, short-order grill-type items, "soft drink" beverages, and, subject to the issuance of an appropriate liquor license, alcoholic beverages. Food and beverage services shall be limited in the type and amount of items served and is intended to function only as an accessory use to the recreational activities conducted on the subject property.
4. Operation of the concession building and provision of food and beverages shall be limited such that service is provided primarily to the participants, patrons, and spectators associated with the principal recreational activities being conducted on the property, and, only during the same hours as those other activities are being conducted. Subject to these limitations, the general hours of operation shall be 12 p.m. to 10 p.m. on weekdays and 9 a.m. to 10 p.m. on weekend days.

A motion by Bill Neureuther, second by Dan Neu to approve the Resolution to Reduce Speed Limit on Hubertus Road from Scenic Road to a point 2140' west. Motion Carried.

- ◆ 10c. Discussion/Action on Final Subdivision Plat and Development Agreement; Cosgrove Acres (Phase 1); a 10.9 acre, 1 lot Single Family Residential Open Space/Conservation Subdivision; W. Fields, LLC (Owner) represented by Scott Bence, JBJ Development (Section 31)

A motion by Bill Neureuther, second by Dan Neu to approve the Final Subdivision Plat and Development Agreement; Cosgrove Acres (Phase 1); a 10.9 acre, 1 lot Single Family Residential Open Space/Conservation Subdivision; W. Fields, LLC (Owner) represented by Scott Bence, JBJ Development (Section 31).

#### DISCUSSION

Supervisor Neureuther questioned if only Phase 1 was being approved at this time. Scott Bence stated they want to sell the house before they begin the development. Supervisor Neureuther questioned if they meet the platting requirements required in the town? Ten acres is not enough area, it should be 17.5 acres. This should be referred back to the Plan Commission or have the Planner review.

A motion by John Jeffords, second by Chuck Kugel to withdraw their motion.

A motion by Bill Neureuther, second by John Jeffords to lay over and have staff review. Motion Carried.

- ◆ 10d. Discussion/Action on a Proposed Zoning Ordinance Amendment to Sections 70-12 (Definitions) and 70-135 (Use Restrictions) for Purposes of Regulating "Model Homes" in Residential Zoning Districts – ITEM REMOVED

- ◆ 10e. Discussion/Action a Conditional Use Permit Application by Logger's Park LLC and John Bagues, Property Owner, for a Private Commercial Recreation Operation at the Logger's Park property, 3208 STH 167 (Section 13)

A motion by Bill Neureuther, second by Dan Neu to approve a Conditional Use Permit Application by Logger's Park LLC and John Bagues, Property Owner, for a Private Commercial Recreation Operation at the Logger's Park property, 3208 STH 167 (Section 13). Motion Carried.

- ◆ 10f. Discussion/Action on a Proposed Public Road Access/Intersection Location Plan on STH 164 from Pioneer Road to Pleasant Hill Road (Town Staff Proposal)

A motion by John Jeffords, second by Bill Neureuther to approve the Proposed Public Road Access/Intersection Location Plan on STH 164 from Pioneer Road to Pleasant Hill Road. Motion Carried.

**LOGGER'S PARK, LLC**

**Phase I** – Loggers Park, LLC, will be operating the existing batting cages, miniature golf course and concession/custard stand. A proposed arcade will be added to the lower level of the current two-story building. The second story of this building will be used as the company's office. Also located on the property is American Health & Fitness Center. They currently lease the 9,800sf building from Loggers Park, LLC.

Loggers Park, LLC, is proposing to add the following improvements:

**Phase II** – Site preparation for the future design and construction of two adult softball/youth baseball playing fields on the southeast section of the property (see site plan). These diamonds will have lighted fields. (see lighting diagram). Construction of an approximately 1,800sf pavilion (see diagram) will be added to this area. The pavilion will house a small food concession area with limited seating and indoor restrooms. Future plans also include the construction of a multi-purpose volleyball court. The design of these volleyball courts will have multiple uses. In the summer and fall months, recreational volleyball will be offered. During the winter months, the courts will be flooded and used for recreational ice-skating activities.

**Hours of Operation** – Adult leagues would generally run from 6 -10 p.m. on weekdays. Tournaments or special events times could vary but will be conducted within all state statutes and local ordinances. Youth activities, when scheduled, would also fall within the above parameters.

**Employees** – 1 full-time employee  
4-5 part-time employees per event/evening

**Daily vehicle activity** – 150-225 vehicles per event/evening

**Solid/Liquid waste** – As of this writing, it appears that the land dictates a holding tank system.

**Quantity/source of water** – Private well flow-rate is monitored by the DNR and will be designed and constructed under their supervision and governed by state, county and local regulations.

**Method of exterior maintenance** – Pavilion will be constructed out of split block, sealed and painted. All windows will be aluminum. Exterior doors will be steel and painted. Part of daily operations will include inspection and cleaning of the property, both inside and out.

**Method of Security** – Construction design includes locking doors & windows. After hours private security & burglar monitoring will be used.

**Future development** – **Phase III** as shown on site plan. This future building, shown only by size, is tentatively planned as a specialty events/banquet hall designed to meet State, County and Local regulations. Site conditions are being prepared to accommodate both Phase II & III pending future approval. Projected Phase III date - 2008

## PROJECT SUMMARY SHEET

**Meeting Date:** March 11, 2004

**Agenda Item:** # 7 & # 8

**Project Description:**

1. Public Hearing of and Review and Recommendation on a Conditional Use Permit Application by Logger's Park LLC and John Bogues, Property Owner, for a Private Commercial Recreation Operation at the Logger's Park Property, 3208 STH 167 (Section 13).
2. Review of and Action on a Proposed Site, Building and Operations Plan for Additional Development of the Logger's Park Recreation Center Property; 3208 STH 167; John Bogues, Property Owner (Section 13).

**Action Required:**

1. Recommendation to APPROVE, APPROVE w/ conditions, or DENY Conditional Use Permit for the Proposed Concession Building; and
2. APPROVE, APPROVE w/ conditions, or DENY the Site, Building & Operations Plans

### Miscellaneous

**Information Attached:**

1. Grading, Lighting, Signage and Landscaping Plans
2. Description of Operation and Proposed Development (by Phase)

## STAFF REVIEW / DISCUSSION

As discussed in January, John Bogues, new owner of the Logger's Park Recreation Center property located at 3208 STH 167, has submitted plans for additional development of this 16-acre property located in the P-1: Park & Recreation Zoning District.

As listed in the plan of operation and phasing schedule (Exhibit 1), Phase I is to include the addition of an arcade to the existing building along with office space.

Phase II will include installation of two (2) additional softball/baseball fields with ancillary fencing and lighting. Phase II is to include installation of additional parking, stormwater facilities, a new separate entrance to STH 175, a 1,800 sqft. concession building with restrooms, four (4) multi-use volleyball/ice skating courts.

Phase III (projected to be in 2008) is to include a new specialty event/banquet hall to be used for special indoor recreation and other events and activities. Although the site grading, landscaping, stormwater facilities, lighting and parking improvements to be included in Phase II will be constructed in anticipation for Phase III development, Bogues is NOT seeking approval for the uses and facilities proposed for Phase III at this time. Further details about the building and associated features for Phase III are not available at this time.

The P-1 Zoning District regulations allow private, indoor recreation facilities with a conditional use permit (see attached district revisions recently adopted in August, 2003). therefore, the purpose for the public hearing is to obtain comments from the public concerning the concession building proposed for Phase II and the uses and activities to be conducted therein. The Town has received a liquor license application for service in both the existing 2-story building and the proposed concession building. A conditional use permit is needed in order to construct and operate the concession building.

With regard to the site grading plans, the issue of stormwater run-off and drainage has not yet been resolved at the time of this review. Stormwater management plans have been prepared and submitted to the County Land Conservation Department for review. No review letter or recommendation has been received to date.

## STAFF RECOMMENDATION

None at this time.

deal with that particular issue. At this time Retzlaff read through the amendment changes; a copy is in the packet. Discussion followed.

Chairman Ehlinger opened the Public Hearing.

Brian Gallitz, 3295 Conestoga Trail---wanted to know if there was enough interest to have this kind of language. He also questioned the length of two (2) years or possibly more as being excessive, especially if you're the one living next to the model home.

Don Weiland, 437 Meadoway---he feels this proposal is very important. He referred to what Miracle Homes had proposed in showing their model homes; we don't want that in our Town. He feels we should have input from the people in the area and have some ordinances to govern what is allowed.

A motion was made by Supervisor Jeffords and seconded by Robinson to close the Public Hearing. Motion carried; 7-0.

Planner Retzlaff responded to the two (2) questions Gallitz had. There are no other developers seeking model home operations at this time. As far as the length of time, this draft is liberal; it was not his intention to present a lock tight ordinance.

Discussion followed.

A motion was made by Robinson and seconded by Supervisor Jeffords to hold over to the next meeting for redrafting. Motion carried; 7-0.

-----  
***Item # 7 Public Hearing of and Review and Recommendation on a Conditional Use Permit Application by Logger's Park LLC and John Bogues, Property Owner, for a Private Commercial Recreation Operation at the Logger's Park Property, 3208 STH 167 (Section 13).***

Planner Retzlaff gave a brief review of this item. He pointed the items in the packet that pertain to this item. Retzlaff indicated that a conditional use permit is needed in order to construct and operate the concession building.

John Bogues came forward and presented their plan of operation. Bogues indicated that the concession stand would be more of a pavilion area. A liquor license has been applied for. They hope to serve adult refreshments along with minor food items. It will not be a tavern. It will be open for special events when there are participants. It will be a four-season structure. They plan on having ice-skating during the winter months. It was clarified that the liquor license they applied for would be for the whole property.

It was requested that he provide a more specific plan of operation indicating hours of operation, menu, etc. (referring to Ordinance 70-131). Discussion followed.

Chairman Ehlinger opened the Public Hearing. No one came forward.

Neureuther suggest taking action tonight. Have Bogues answer any items that need clarification before the next Town Board meeting. It should only be open when the fields are in use and close at a reasonable time after. Discussion followed

A motion was made by Robinson and seconded by Supervisor Jeffords to close the Public Hearing. Motion carried; 7-0

Discussion followed regarding hours of operation and if the information that was submitted tonight was adequate to meet the requirements of 70-131.

A motion was made by Robinson and seconded by Bartel to approve the Conditional Use Permit for the concession stand with the contingency he answers the questions in ordinance 70-131 in writing before the Town Board meeting next week. Motion carried; 6-1 (Chairman Ehlinger voting negative)

-----  
**Item # 8 Review of and Action on a Proposed Site, Building and Operations Plan for Additional Development of the Logger's Park Recreation Center Property; 3208 STH 167; John Bogues, Property Owner (Section 13).**

Retzlaff indicated the storm water run-off and drainage has not yet been resolved at the time of this review. Storm water management plans have been prepared and submitted to the County Land Conservation Department for review. No review letter or recommendation has been received to date.

Bogues introduced Jeff Kenkel, National Survey; who explained the storm water plan.

Dan Goetz, Pioneer Bowl, voiced his concern of the volume of drainage. He indicated he had hired an engineer to evaluate the drainage.

Klug expressed that without the approval from the County, it would not be possible to approve. Discussion followed.

Supervisor Jeffords recommended that the two engineers get together and discuss this matter.

Otto questioned how much of the plan is being approved. He feels the plan should only show specifically what we are asked to approve tonight.

A motion was made by Otto and seconded by Klug to lay over to the next Plan Commission meeting. Bogues is to respond to the issues that were addressed this evening. Motion carried; 7-0.

-----  
**Item # 9 Review, Discussion and Action on a Revised Concept Plan for a 155-Acre Proposed Residential Subdivision on Elmwood Road, ½ miles west of STH 164 (a.k.a. the Oliver Schmitt property); JBJ Development, Property Owner (Sections 10); Continued from February 5.**

Mike McCarty, Baudhuin, Inc., came forward and pointed out the changes made as requested by the Plan Commission at the February 5, 2004 meeting.

There was discussion regarding the road reservations, and adding more of a curve on the road connecting Bambi road to Wejegi.

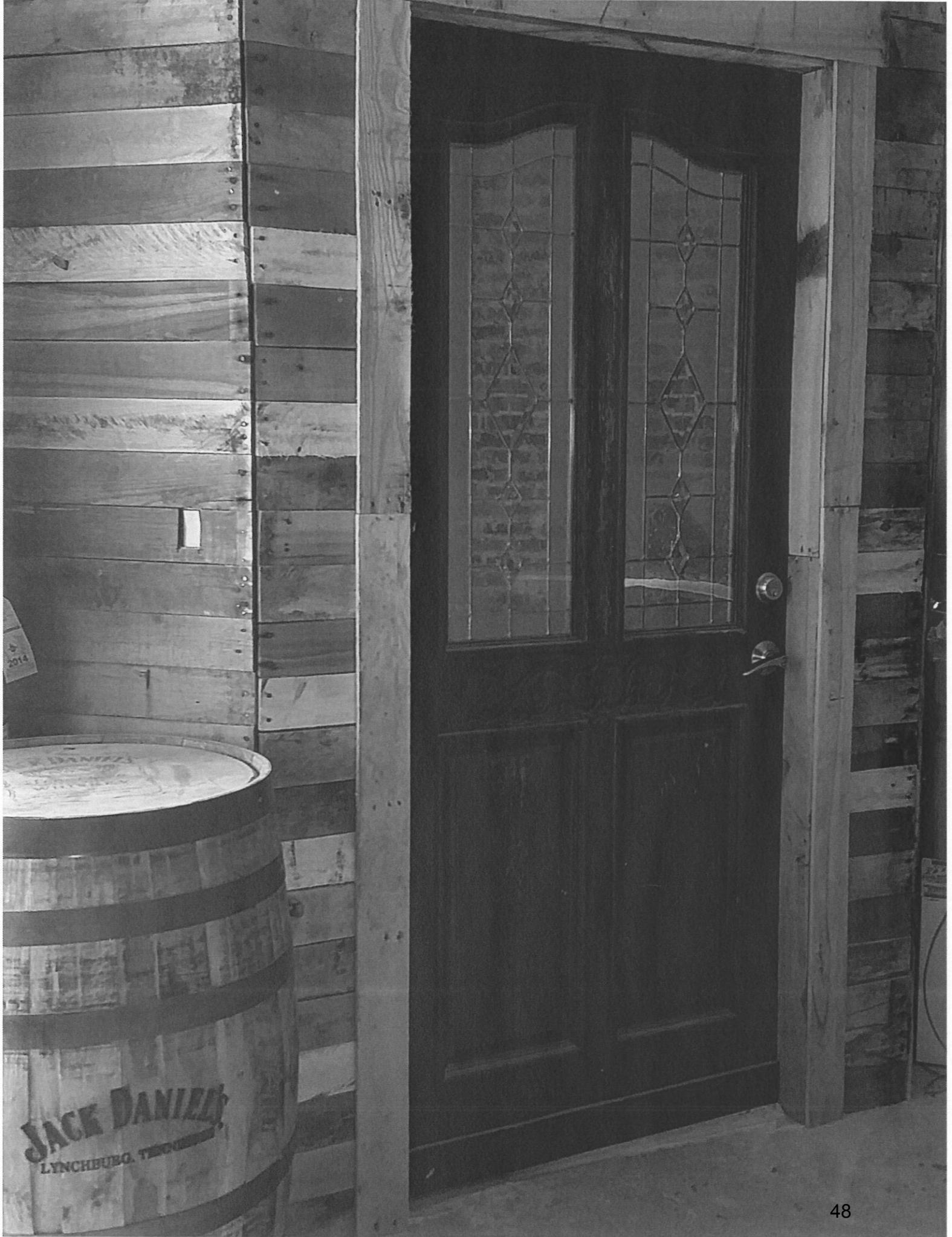
A motion was made by Robinson and seconded by Supervisor Jeffords to approve the concept plan with the contingency they add a curve between Bambi and Wejegi. Motion carried; 7-0.

-----  
**Item # 10 Review and Recommendation on a Proposed Public Road Access/Intersection Location Plan on STH 164 from Pioneer Road to Pleasant Hill Road (Town Staff Proposal).**

Planner Retzlaff gave a brief review of this item. Retzlaff pointed out that this resolution is a formal agreement between the Town of Richfield and the Department of Transportation. As presented in Exhibit 1 to the Resolution, this plan will limit future public, i.e. Town, road access to two (2) new road intersections spaced approximately ¼ mile long STH 164. (Copy is included in packet)

Discussion followed.

Staff recommended that the Resolution and proposed public road access management plan be approved as drafted.





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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: SBOP Chase Electric, 1923 STH 175 (Tax Key: V10\_0306 and V10\_030500Z)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO APPROVE THE PROPOSED BUSINESS, CHASE ELECTRIC, LOCATED AT 1923 STH 175?*

*ISSUE SUMMARY:*

Chase Electric is the owner of the building, located at 1923 STH 175. Currently the Richfield branch of the U.S. Post Office operates out of half of the building, the other half has been boarded up for a number of years, unused. The property owner is seeking Village approvals to operate a sales and service electrical shop. Last winter, the subject property was rezoned to B-5, Downtown Business District. Listed in the "Permitted Principal Uses" in this zoning classification are "Architects, engineers, or other similar professional offices" and "Electrical Supply Stores". Electricians in the State must be licensed through the State of Wisconsin's Department of Safety and Professional Services. Staff believes the intent of the ordinance is met in terms of the business operation being a permitted use.

**Architectural Renderings**

In November of 2015, Chase Electric submitted a proposal to the Architectural Review Board for the construction of an accessory structure. The proposed building is 100' x 34' (3,229 sqft) and is proposed to be constructed with 'lap siding' (LP Smartside/Hardie plank). This building is allowed by code as an accessory use to the zoning district. On the north and south elevations of the primary office building, they are proposing a similar architectural improvement by placing matching siding there as well. From talking with the property owner, they plan to utilize two (2) colors of hardie plank to offer some curbside appeal to the building. They were not required to make improvements to the principle building on the property, but believed by doing so it would improve the overall aesthetics.

After the first Architectural Review Board meeting in November where the decision was tabled, Chairman Wirth and Staff sat down with the developer and the client's architect, to discuss the feedback received from the meeting. To that end, the architect proposed several modifications to the proposed building façade in December, different than what was previously considered in order to reflect the comments of the Board. Attached for your consideration is a communication from the architect outlining those changes and the renderings associated with the same. At the conclusion of the discussion, by the Architectural Review Board the following motion was made:

Motion by Commissioner Duehring to recommend approval to the Plan Commission for the design elevations for the proposed accessory structure, as presented, by The Custom House, LLC for Chase Electric, located at 1923 STH 175 (Tax Key: V10\_030500Z); Seconded by Commissioner Schmechel. Motion passed 4-0-1.

**Lighting Plan**

The Village's Consultant Planner, Tim Schwecke has reviewed the lighting plan prepared by The Custom House, LLC. for the subject property. Our Consultant Planner has verified that the light trespass levels comply with the maximum 0.2 foot-candles at the property boundary line, the fixtures are full cut-off, and the total lumens do not exceed the maximum of amount of lumens, at 22,000. The Lighting Plan and cutsheets for the fixtures are attached for your convenience.

**Site Plan**

The subject properties are identified by the above-referend Tax Keys. They are Part of Lots 2 and 3 of Block A in Laubenheimer's 1<sup>st</sup> Addition. With the State of Wisconsin's STH 175 reconstruction efforts, WisDOT is requiring the relocation of an existing WE Energies pole on the property to accommodate the newly proposed driveway entrance to the location. Currently on the property, without curb and gutter, the entire northern portion of the property is utilized as an uncontrolled access point. Based on WisDOT's newly proposed access and street improvements, the property owner

7c



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: SBOP Chase Electric, 1923 STH 175 (Tax Key: V10\_0306 and V10\_030500Z)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

believed it was in his best interest to hire a surveyor to memorialize the shared access point and shared parking on the property. A copy of the survey and its attachments are included for your consideration. It is worth noting that on the southern boundary of the property a secondary 'access easement' exists and is currently filed at the Washington County Register of Deeds. The traffic pattern for Chase Electric's work vehicles will be such that they will enter on the south side of the property and will have the ability to pull through the proposed accessory structure via two (2) drive-through bays, and will exit on the north side of the property where the highest amount of visibility exists. There will be no parking in front of the building as there currently is now, but there will be curb cuts which will allow for limited parking immediately in front of the commercial operation.

**Plan of Operation**

Chase Electric is a sales/service operation that will operate Monday-Friday. Their operations will be primarily service industry related, but they will have retail fixtures and electrical supply options for their patrons in their storefront. They will also have an office area for patrons who are interested in consultations. Their hours of operation will vary, but it is assumed they will work general business hours of 8AM-6PM or there between. They currently employ five (5) full-time employees and expect 0-5 autos per day, 0-3 customers per day, and one (1) truck delivery per day for electrical supplies. The will occupy the southern half of the building, with the northern half still being occupied by the Richfield U.S. Post Office. Staff's understanding is that a long-term lease exists with them sharing the space on the property.

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY: Katelyn Smith  
Village Deputy Treasurer

Forward to Village Board: N/A  
Additional Approvals Needed: N/A  
Signatures Required: N/A

*ATTACHMENTS:*

1. B-5, Downtown Business District Ordinance
2. Architectural renderings prepared by The Custom House
3. Lighting plan prepared by The Custom House
4. Cut sheets for electrical fixtures
5. Plat of Survey prepared by Mr. Don Thoma, RLS (Exhibits A-C)

7c



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: SBOP Chase Electric, 1923 STH 175 (Tax Key: V10\_0306 and V10\_030500Z)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

**Architectural Renderings**

Motion to accept the recommendation of the Architectural Review Board for the approved accessory structure design and façade upgrade to Chase Electric, located at 1923 STH 175 subject to the Specific Condition of Approval listed below:

- 1. The property owner receives a building permit from the Village’s Inspection Department.

**Lighting Plan**

Motion to accept the recommendation of the Village’s Consultant Planner for the approval of the proposed lighting plan prepared by The Custom House for Chase Electric, located at 1923 STH 175 subject to the Specific Condition of Approval listed below:

- 1. The property owner receives an electrical permit from the Village’s Inspection Department.

**Site Plan**

Motion to approve the proposed Site Plan for Chase Electric, located at 1923 STH 175, subject to the Specific Conditions of Approval listed below:

- 1. The proposed Plat of Survey be formally recorded at the Washington County Register of Deeds and the Village be provided with a copy of the same.
- 2. The Wisconsin Department of Transportation verify to the Village, in writing, that the We Energies pole required to be relocated by the property owner has been done.

**Plan of Operation**

Motion to approve the proposed Plan of Operation for Chase Electric, located at 1923 STH 175, as presented.

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. \_\_\_\_\_

ORDINANCE 2015-10-01

---

**AN ORDINANCE TO CREATE SECTION 70.200.5, A ZONING DISTRICT ENTITLED, B-5, DOWNTOWN BUSINESS DISTRICT AND TO CHANGE THE ZONING CLASSIFICATION OF SPECIFIED PARCELS TO B-5**

---

WHEREAS, the Village of Richfield Village Board initiated this zoning amendment pursuant to Section 70.163(B) of the Village of Richfield Village Code, in recognition of the importance of having a vibrant business community; and

WHEREAS, the Village Board finds that the standards listed in the B-3, General Business District would not allow the redevelopment of the majority of properties located north of STH 167 and south of Pleasant Hill Road along STH 175; and

WHEREAS, upon due notice as specified in Section 70.45 of the Village Code, the Village Plan Commission held a public hearing in this matter on October 1, 2015; and

WHEREAS, the Plan Commission has reviewed the proposed changes and amendments and has made its recommendation to the Village Board at a meeting subsequent to the meeting at which the petition was first submitted, as required by Section 70.163(D) of the Village Code; and

WHEREAS, the Village Board finds that these new regulations being adopted are consistent with the 2014 adopted Comprehensive Plan which talks about the importance of the STH 175 corridor for economic development; and

WHEREAS, the new regulations would allow Staff to better administrate the code in the future without the need and necessity of seeking variances for commercial development; and

WHEREAS, the Village Board of the Village of Richfield having carefully reviewed the recommendation of the Village Plan Commission, being fully informed and advised, having determined that all procedural requirements and notice requirements have been satisfied, hereby determines that the public necessity, convenience, and general welfare and good zoning practice require that the B-5 District be created as described herein, and that the district boundaries be established as described herein.

NOW, THEREFORE, the Village Board of the Village of Richfield, Washington County Wisconsin DO HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Section 70.200.5 of the Village of Richfield municipal code is hereby created entitled "B-5, Downtown Business District" to read as follows:

**§70.200.5 B-5, Downtown Business**

- A. Intent. To establish, enhance, and preserve the unique character of the Village's downtown area along STH 175, north of STH 167 and south of Pleasant Hill Road. The District, which is limited to those properties generally located along STH 175 or abutting properties with

direct highway access, is intended to help act as a gateway to the community by enhancing the opportunities for commercial redevelopment, to establish and maintain small, neighborhood-scale mixed uses, all while encouraging high-quality design and architectural standards befitting of a higher density commercial zoning district.

**B. Permitted Principal Uses.** Permitted Principal Uses in the B-5 district are all principal uses permitted below:

1. Administrative and public service offices
2. Art, dance, or music teaching offices
3. Architects, engineers, or other similar professional offices
4. Bakery good stores
5. Banks, savings and loan association, and other financial institutions
6. Barber and beauty stores
7. Candy/confectionary stores
8. Clothing stores
9. Drugstores
10. Dry cleaning pickup and delivery establishments
11. Florists
12. Fruit and/or vegetable stores
13. General public bookstores
14. General business and professional offices
15. Gift stores
16. Hobby stores
17. Interior decorators
18. Electronic and/or Computer-related sales/services
19. Shoe stores/shoe repair shops
20. Tobacco stores
21. Antique stores
22. Bakeries including the baking of goods for local sale
23. Electrical supply stores
24. Furniture stores
25. Public Buildings & Municipal parking lots

**C. Permitted Accessory Uses.** Permitted accessory uses in the B-5 district are as follows:

1. Garages for storage of vehicles and/or supplies used in conjunction with the operation of the permitted business.
2. Off-street parking and loading areas.

**D. Conditional Uses.**

1. 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 four hundred twenty (420) square feet for an efficiency-type or one-bedroom dwelling unit, and five hundred fifty (550) square feet for a two-bedroom unit. A dwelling unit with more than two bedrooms shall not be allowed.
2. Tavern
3. Sit-down Restaurant
4. Any use not expressly stated in subsection B of this section, but similar in character to the permitted uses. It is generally expected that these uses will be conducted as a retail or service industry business on the premises, catering to the general public.

**E. Lot area and width in the B-5 district are as follows:**

1. Consideration for minimum lot areas and width shall be limited to only those properties directly abutting STH 175 between STH 167 and Pleasant Hill Road shown in Exhibit A.
- F. Building height and size.** Building height and size in the B-5 district as are follows:
1. No building or parts of a building shall exceed 45 feet in height or two-stories, whichever is less.
  2. No individual store, shop or business establishment shall have a total floor area of less than 300 square feet.
  3. The sum total of the first floor area of all principal and accessory buildings shall not exceed 60% of the total lot area, except that the Plan Commission may allow a greater percent of lot coverage with a special exception pursuant to s. 70.161A.
- G. Setbacks and yards.** Setback and yards in the B-5 district are as follows:
1. **East of STH 175:** For all properties in the B-5 district that are located east of STH 175, there shall be minimum setbacks as follows:
    - a. A street yard setback of zero feet but no greater than 15 feet setback from the road.
    - b. A side yard building setback of zero feet.
    - c. A rear yard setback of 10 feet.
  2. **West of STH 175:** For all properties in the B-5 district that are located west of STH 175, there shall be minimum setbacks as follows:
    - a. A street yard setback of zero feet but no greater than 15 feet setback from the road.
    - b. A side yard building setback of 10 feet.
    - c. A rear yard setback of 10 feet.
- H. Parking and loading space.** Parking and loading requirements shall be as specified in the B-3 district (Section 70.199(H)). Parking shall also not be permitted in any street yard.
- I. Minimum utility service.** Minimum utility service in the B-5 district shall be electricity, and county approved wastewater treatment and disposal and water supply systems.
- J. Special regulations.**
1. All business, servicing, processing, displays, and storage shall be conducted within completely enclosed buildings, except for the following: outdoor dining, produce or flower markets, or other similar type bedding plants and shrubs when authorized by the Plan Commission.
  2. To encourage a business use environment in the B-5 district that is compatible with the residential character of the Village, building/zoning permits for permitted uses shall not be issued without prior review by and approval of the Village Plan Commission. Such review and approval shall be concerned with adjacent uses, general layout, building site and operation plans, ingress, egress, parking, loading and unload, drainage, and screening and landscape plans.

**Section 2.** The zoning map of the Village of Richfield is hereby amended to remove the subject lands shown in Exhibit A from the B-3 General Business District, and to place such lands in the B-5 Downtown Business District.

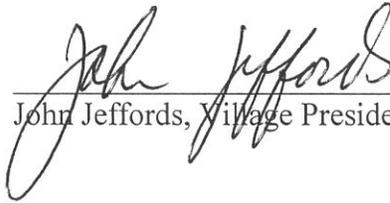
**Section 3.** The Village Engineer is hereby authorized and directed to note this rezoning on the Official Zoning Map of the Village of Richfield immediately following the effective date of this ordinance.

**Section 4. 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 5. Effective Date.** This ordinance shall become effective upon passage and publication/posting.

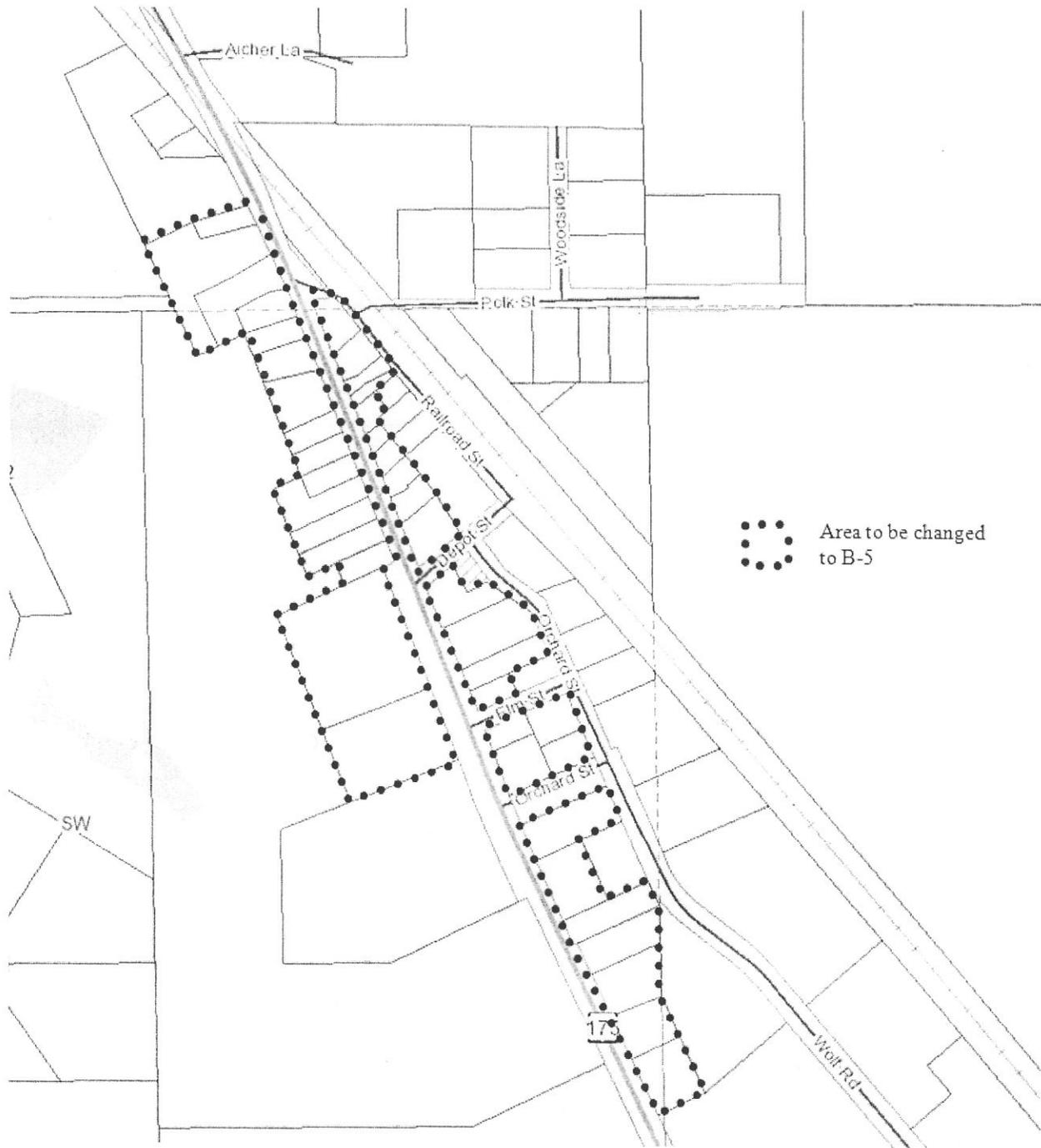
Adopted this 15<sup>th</sup> day of October, 2015.

Attest:

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

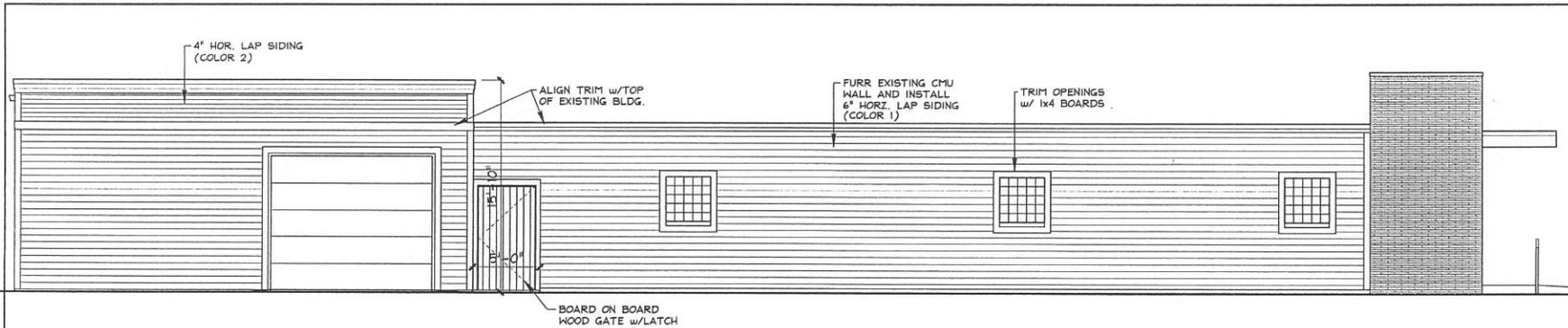
  
\_\_\_\_\_  
Jim Healy, Village Clerk/Administrator

Exhibit A

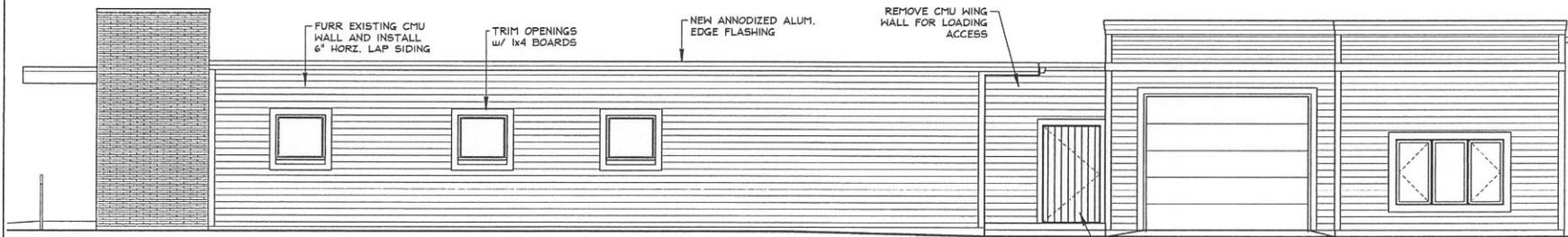


Tax Keys of Subject Parcels: V10-027600A, V10-027600B, V10-027700Z, V10-031300Z, V10-031200Z, V10-0311, V10-031000Z, V10-030900Z, V10-030400Z, V10-030500Z, V10-0306, V10-030700Z, V10-0308, V10-0272, V10-027200A, V10-0271, V10-028900Y, V10-029000Z, V10-0029100Z, V10-029200Z, V10-029300Z, V10-030300Z, V10-030200B, V10-030200Z, V10-030100Z, V10-030000Z, V10-032000H, V10-032000F, V10-032000G, V10-032000Z, V10-0327, V10-034100Z, V10-0329, V10-034000Z, V10-033800Z, V10-033700Z, V10-033600Z, V10-028400Z, V10-0285, V10-028600Z, and V10-028600B

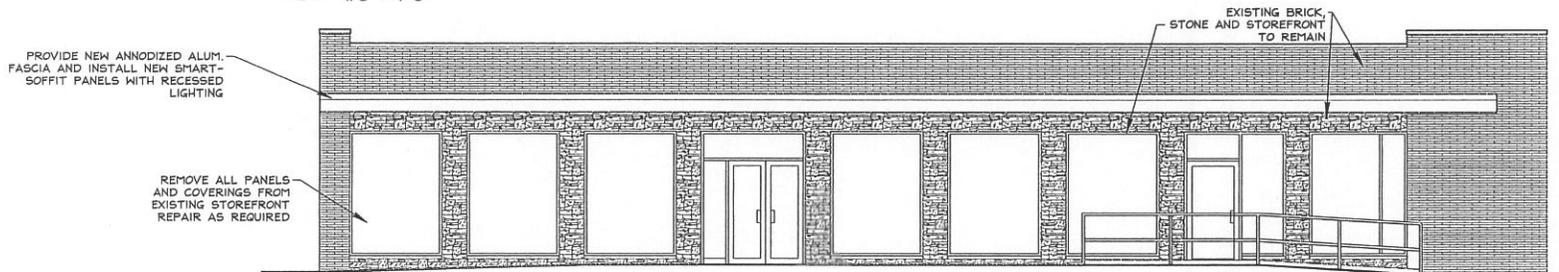




3 LEFT SIDE ELEVATION (SOUTH)  
1/8" = 1'-0"



2 RIGHT SIDE ELEVATION (NORTH)  
1/8" = 1'-0"



1 FRONT ELEVATION (Hwy 175) - EXISTING TO REMAIN  
1/8" = 1'-0"

**THE  
CUSTOM  
HOUSE LLC**  
ARCHITECTURE UNLIMITED

RESIDENTIAL-COMMERCIAL  
1506 S. 58th STREET  
WEST ALLIS, WI 53214  
PHONE (414) 617-0352

Chase Electric  
Offices and Retail  
1923 Hwy 175  
Richfield, WI

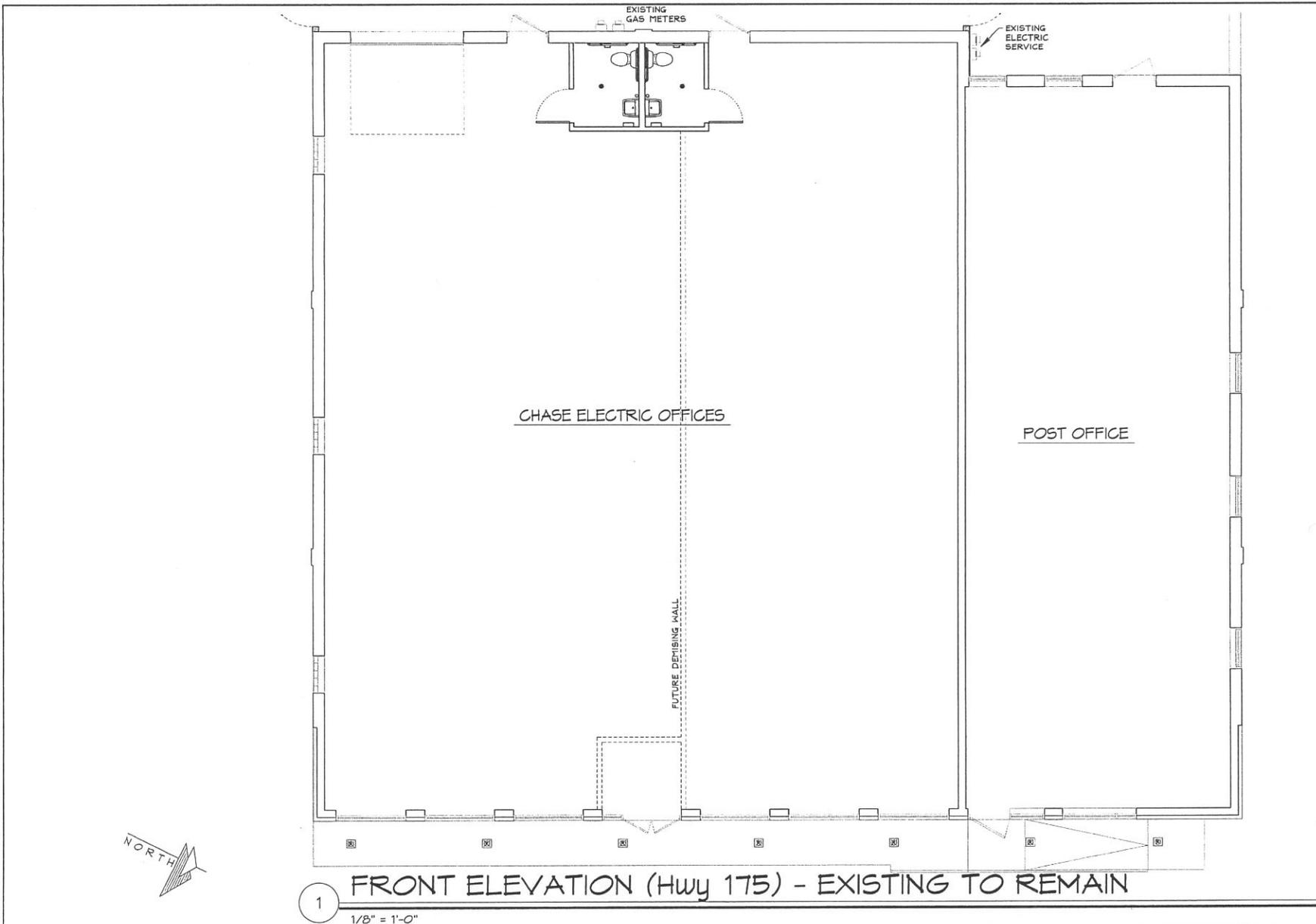
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Pre3	24 Nov, 2015
Pre4	30 Nov, 2015

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Checked By:	DG
Date:	18 Sept, 2015
Job Number:	15.062
Sheet Number	

**A 1**



1 FRONT ELEVATION (Hwy 175) - EXISTING TO REMAIN  
 1/8" = 1'-0"

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Drawn By: DG  
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 Date: 18 Sept, 2015  
 Job Number: 15-062  
 Sheet Number

**A 2**

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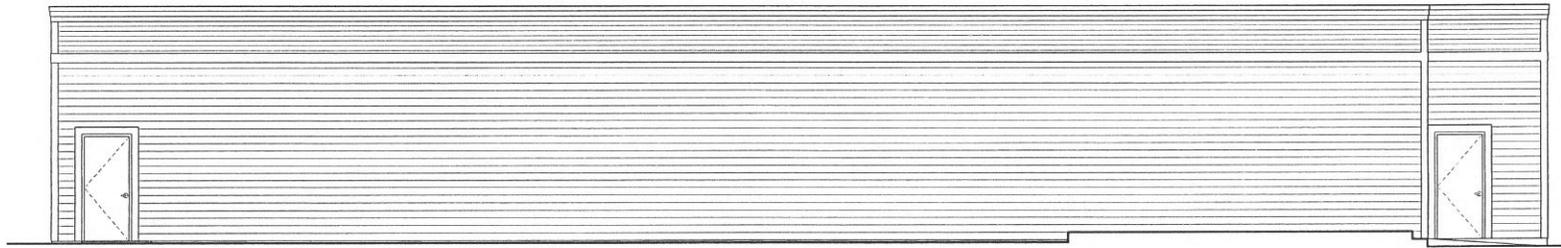
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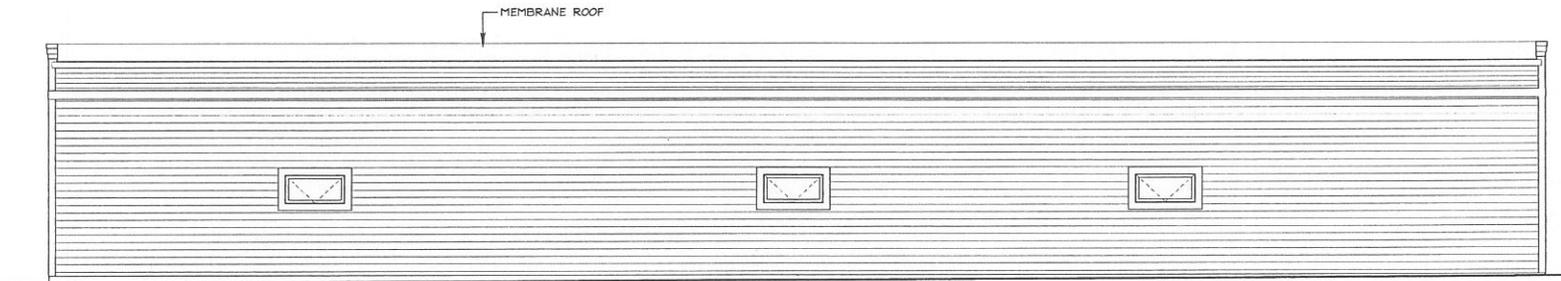
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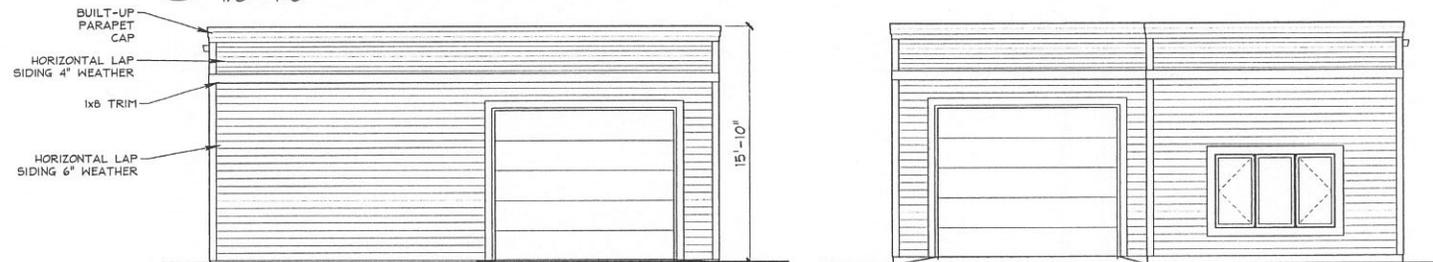
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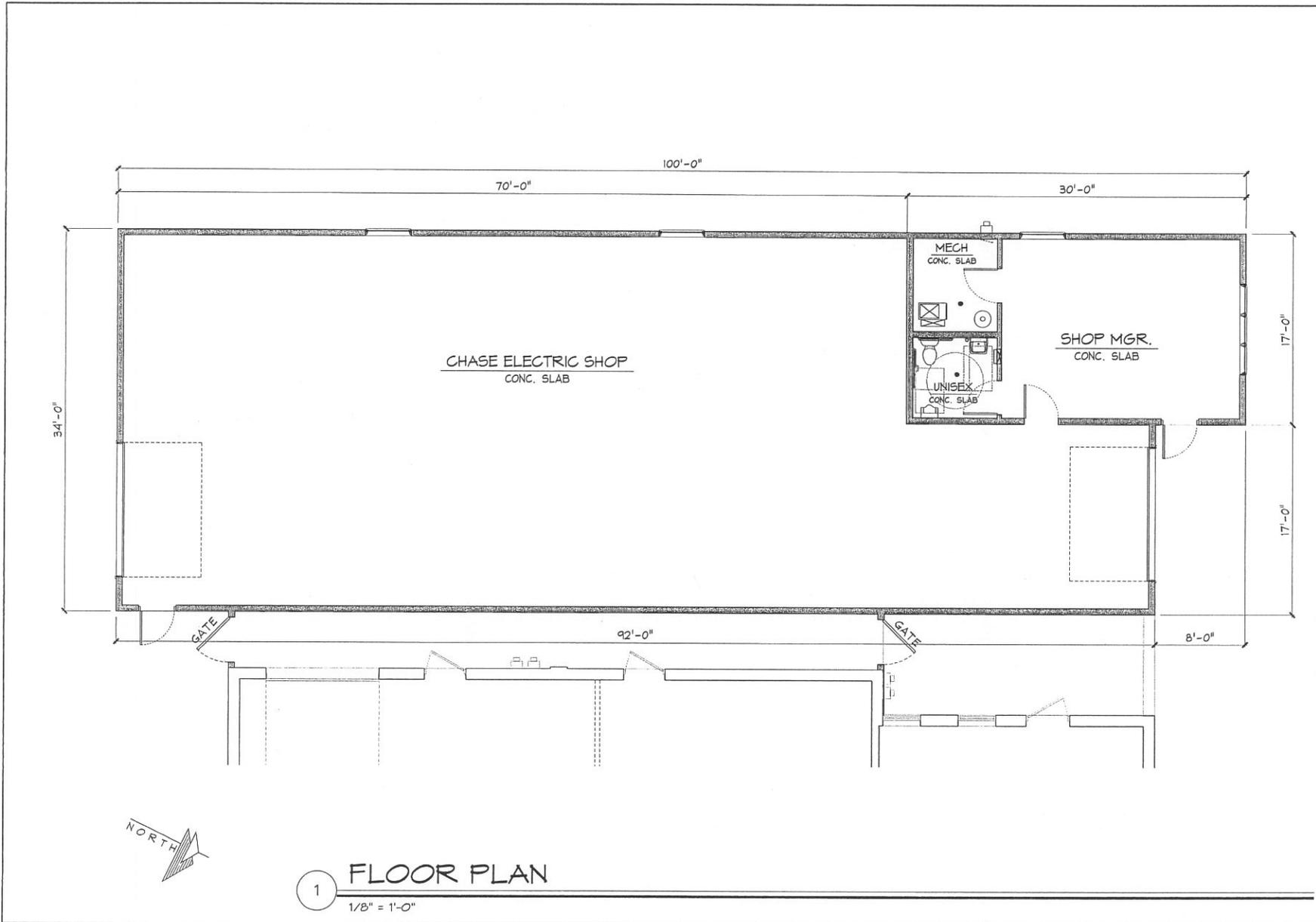
3 RIGHT SIDE ELEVATION (EAST)  
1/8" = 1'-0"



2 LEFT SIDE ELEVATION (WEST)  
1/8" = 1'-0"



1 FRONT AND REAR ELEVATIONS (SOUTH AND NORTH)  
1/8" = 1'-0"



1 FLOOR PLAN  
1/8" = 1'-0"

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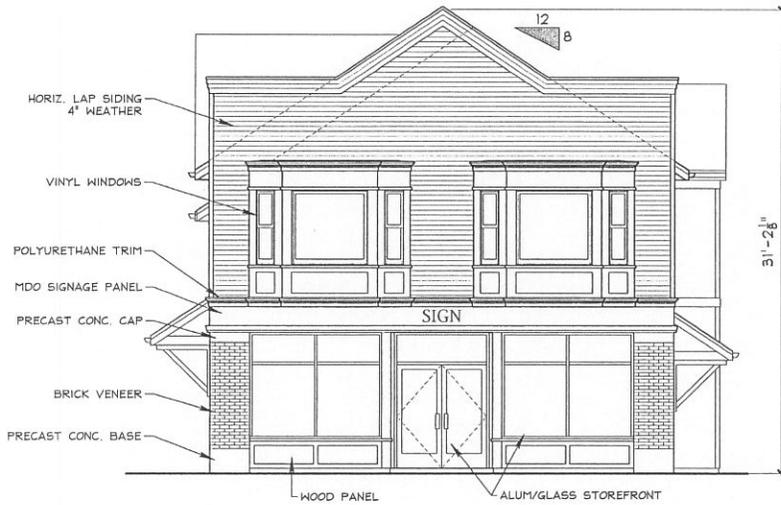
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Prelin 4	30 Nov, 2015

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Checked By: DG  
Date: 16 Sept, 2015  
Job Number: 15.062  
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**A 4**



3 LEFT SIDE ELEVATION (SOUTH)  
1/8" = 1'-0"



1 FRONT ELEVATION (HWY 175)  
1/8" = 1'-0"



2 REAR ELEVATION  
1/8" = 1'-0"

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**A 5**



1 RIGHT SIDE ELEVATION (NORTH)  
 1/8" = 1'-0"

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**A 6**

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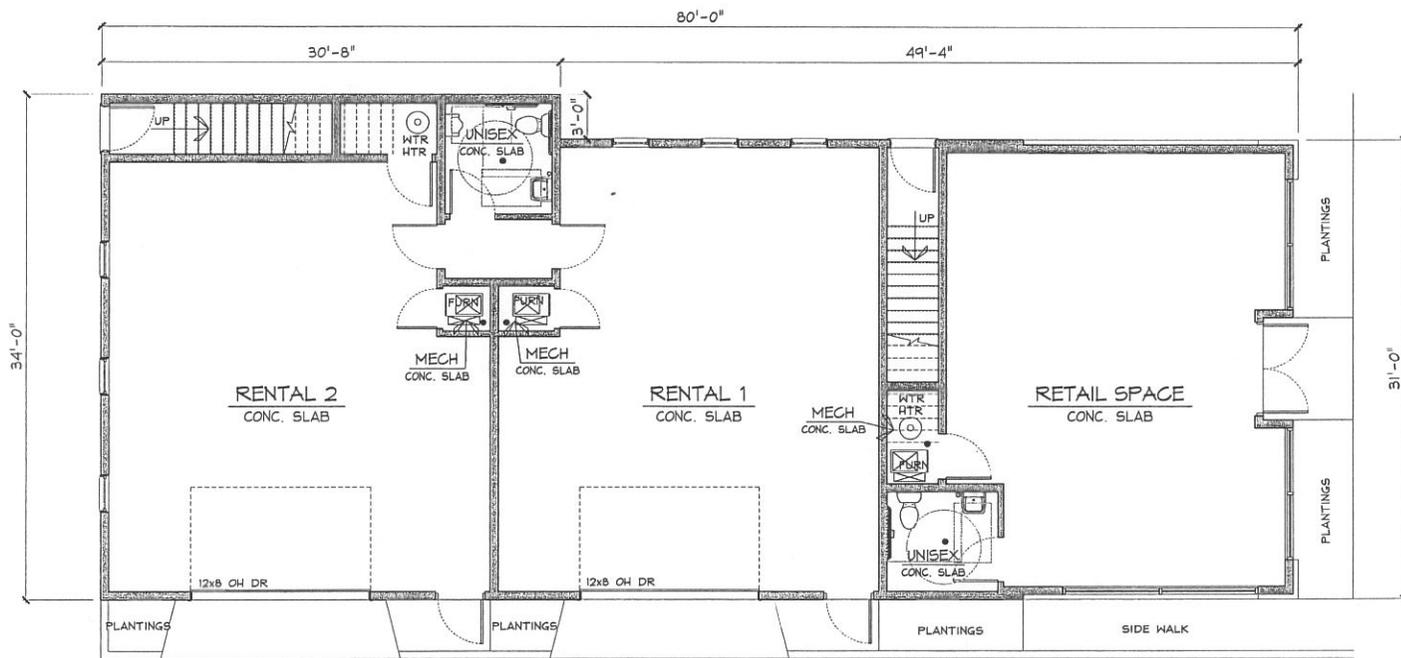
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Date: 10 Sept, 2015

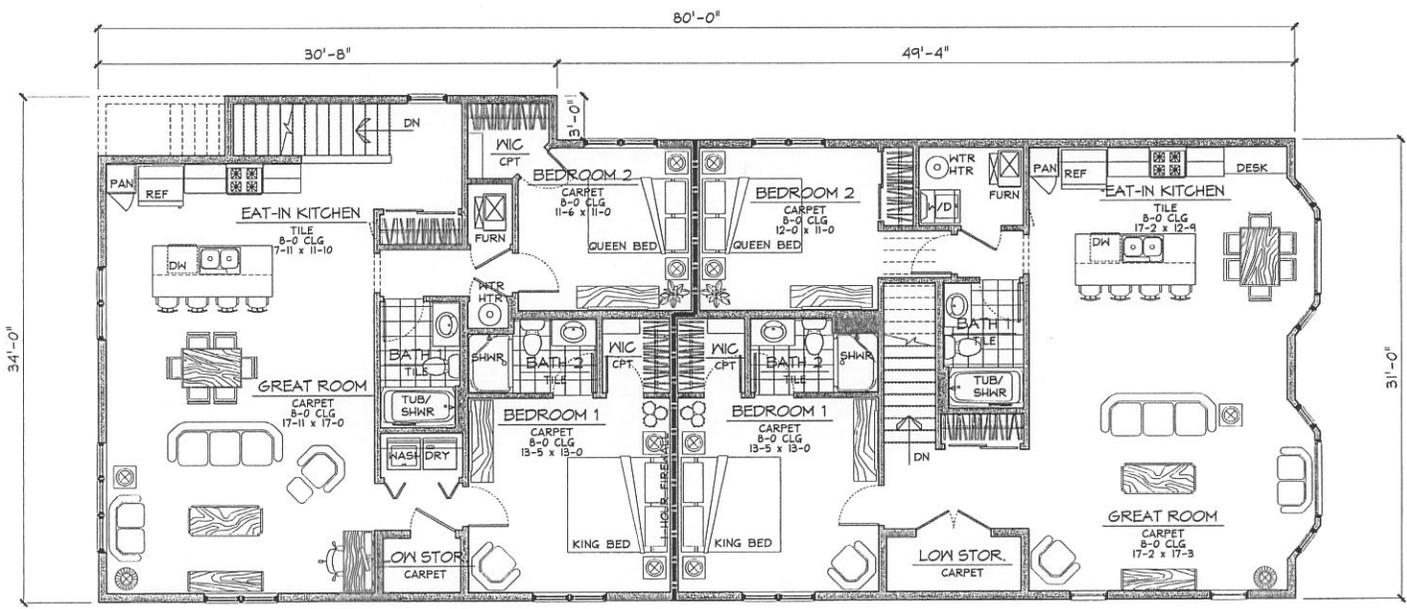
Job Number: 15.062

Sheet Number

**A 7**



**1** FIRST FLOOR PLAN  
1/8" = 1'-0"



1 SECOND FLOOR PLAN  
 1/8" = 1'-0"

**THE CUSTOM HOUSE LLC**  
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A 8

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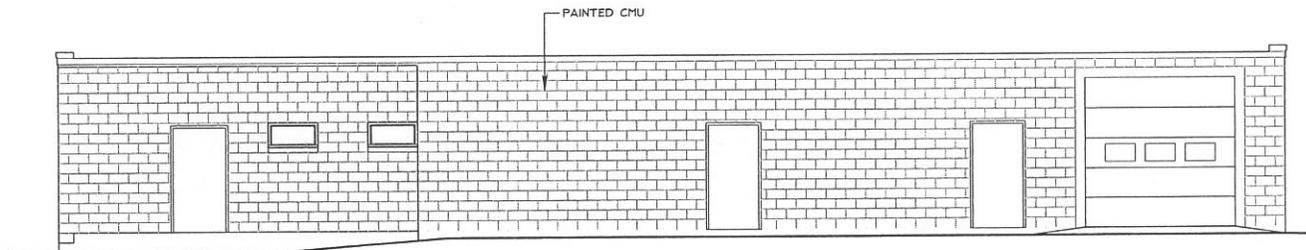
Drawn By:	DG
Checked By:	DG

Date: 16 Sept. 2015

Job Number: 15.062

Sheet Number

**A 9**



1 REAR ELEVATION  
1/8" = 1'-0"





FCC410W-120V-LED/4K/800-BZ-WFL-WFL  
 CHASE SHOP  
 TYPE OC

## FCC410

4" Round Wall, Pendant or Surface Mounted Die-Cast Aluminum Cylinder.



### ORDERING

EXAMPLE: FCCSQ410W-120V-3K-1200-BK-NFL

SERIES	VOLTAGE	SOURCE	TEMPERATURE	LAMP	FINISH	BEAM OPTICS	ACCESSORIES
<b>FCC410</b>	<b>120V</b>	<b>LED</b>	<b>3K</b>	<b>800 Lumens (10W)</b>	<b>BK</b> Black	<b>SP</b> Spot	<b>LD</b> LED Dimming (0-10V)
<b>FCC410P</b>	<b>277V</b>		<b>4K</b>	<b>1200 Lumens (13.5W)</b>	<b>BZ</b> Bronze	<b>NFL</b> Narrow Flood	<b>EC</b> E-Coat
<b>FCC410W</b>	<b>347V<math>\Delta</math></b>				<b>SL</b> Silver	<b>FL</b> Flood	<b>EMR</b> Emergency Backup, Remote
					<b>WH</b> White	<b>WFL</b> Wide Flood	<b>APL</b> Additional Pendant Length
					<b>CC</b> Custom Color		

### SPECIFICATION

#### MOUNTING

- Mounts directly to standard recessed junction box. Additional mounting holes allow unit to be attached directly to mounting surface.
- Pendant (18 in, standard length) with swivel canopy. Consult factory for additional pendant lengths.

#### CONSTRUCTION

- Marine grade, corrosion resistant, heavy walled, high pressure die-cast aluminum with die-cast back mounting plate.
- Lens is 1/4" thick clear, tempered glass. Precision formed semi-specular aluminum for maximum reflectance.
- Continuous silicone gasket to seal out contaminants. Hidden fasteners allow for cover removal to facilitate installation and service.

#### LED

- Lumens stated are the minimum delivered out of the luminaire. LED lifetime is greater than or equal to 70,000 hours with the lumen depreciation greater than L70. All of our luminaires are tested to LM 80 with a CRI of 80+ and color consistency of step 4 MacAdam Ellipse. Integral power supply standard. Input voltage 120V or 277V. Consult factory for dimming, all RGB color changing and any single color options.

#### FINISH

- Six stage chemical pre-treatment process that includes iron phosphate, to prepare the substrate for a UV stable, super durable standard polyester powder coat.
- Optional e-coat process is added to the standard finish including zinc phosphate for a 5 year limited warranty.

#### ELECTRICAL

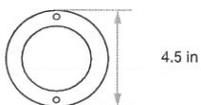
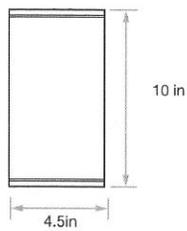
- Ballast** UL listed ballast standard. Ballast has a manufacturer issued 5 year warranty. Please consult factory for other voltage options.

#### LISTING

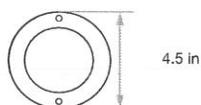
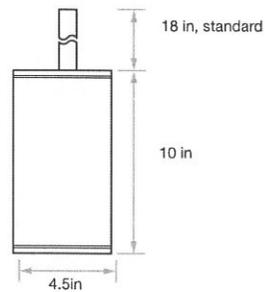
- UL & cUL listed for damp location in up or down position. IP65 Rating.

## DIMENSIONS

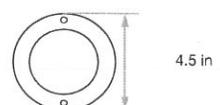
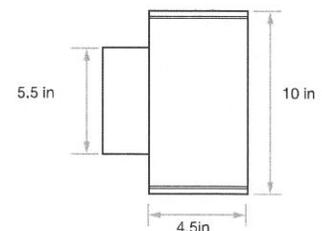
**FCC410**



**FCC410P**



**FCC410W**



## Description

The Halo RL4 series is a retrofit LED Baffle-Trim Module for 4" aperture recessed downlights. The RL4 is designed for use with compatible 4" housings. The RL4 integral LED driver is dimmable at 120 volts. The RL4 lens provides uniform illumination and wet location listing. Precision construction makes any housing AIR-TITE for added HVAC savings and code compliance. Compliant with NFPA 70, NEC section 410.16 (A)(1) and 410.16 (C)(3).

Catalog #	RL460WH840	Type
Project	CHASE SHOP	OD
Comments		Date
Prepared by		

## Specification Features

### MECHANICAL

#### Module-Trim

- Module construction includes LED, heat sink, reflector, lens, baffle and trim ring
- Regressed baffle
- Heat sink designed to conduct heat away from the LED keeping the junction temperatures below specified maximums, even when installed in insulated ceiling environments
- Designer trim finish options (sold separately)
  - White (Paintable) Trim Ring
  - Satin Nickel Trim Ring
  - Tuscan Bronze Trim Ring

#### Lens

- Regressed lens
- Impact-resistant polycarbonate
- Convex form for lamp-like appearance
- High lumen transmission
- Diffusing for even illumination

#### Mounting

- Push-N-Twist universal installation clips
- Clips are pre-installed and designed to fit 4" compatible recessed housings

#### Housing Compatibility

See Housing Compatibility section.

#### LED

- Color Temperature (CCT)\* Options: 2700K, 3000K, 3500K, and 4000K
- Color Rendering Index (CRI)\* Options: 80 and 90
- LED is a chip on board design consisting of a multiple LED package with proximity phosphor coating to create one virtual white light source for a productive "cone of light"

#### LED Chromaticity

- A tight chromaticity specification ensures LED color uniformity, sustainable Color Rendering Index (CRI) and Correlated Color Temperature (CCT) over the useful life of the LED
- LED chromaticity of 3 SDCM exceeds ENERGY STAR® color standards per ANSI C78.377-2008
- 90 CRI model features high color performance with R9 greater than 50

- Every Halo LED is quality tested, measured, and serialized in a permanent record to register lumens, wattage, CRI and CCT
- Halo LED serialized testing and measurement ensures color and lumen consistency on a per-unit basis, and validates long-term product consistency over time

### ELECTRICAL

#### Power Connections

- LED connector is a non-screw base luminaire disconnect offering easy installation with Halo H995 Series LED housings
- LED Connector meets California Title-24 high efficacy luminaire requirement for a non-screw base socket, and where required to qualify as a high efficacy luminaire
- The included E26 medium screw-base Edison adapter provides easy retrofit of incandescent housings (see Housing Compatibility)

#### Ground Connection

Separate grounding cable included on the RL4 module for attachment to the housing during installation.

#### LED Driver

- With the latest "driver-on-board" electronic technology, the driver is integrated in the module.
- 120V 50/60 Hz constant current dimmable driver provides high-efficiency operation
- Driver meets FCC 47CFR Part 15 EMI/RFI consumer limits for use in residential and commercial installations
- Driver features high power factor and low THD and has integral thermal protection in the event of over temperature or internal failure
- If dimming is not required the fixture can be operated from a standard wall switch

#### Dimming

- Designed for continuous dimming capability to nominally 5% with many 120V Leading Edge (LE) and Trailing Edge (TE) Phase Control dimmers. (Dimmers with low end trim adjustment offer greater assurance of achieving 5% level.)

- Consult dimmer manufacturer for compatibility and conditions of use.

**Note:** some dimmers require a neutral in the wallbox.

#### Warranty

Cooper Lighting provides a five year limited warranty on the RL4 LED.

#### Compliance

- UL/cUL Listed 1598 Luminaire (with listed housings)
- UL Classified (with other housings - see Housing Compatibility)
- UL/cUL Listed for Damp Location
- UL/cUL Listed for Wet Location - Shower Applications
- IP65 Ingress Protection rated
- May be installed in IC rated housings in direct contact with air-permeable insulation\*\* and combustible material
- Airtight certified per ASTM E283 (not exceeding 2.0 CFM under 75 Pascals pressure difference)
- 90 CRI: Can be used to comply with California Title 24 High Efficacy requirements. Certified to California Title 20 Appliance Efficiency Database.\*
- 80 CRI: Can be used to comply with California Title 24 Non-Residential Lighting Controls requirements as an LED luminaire.
- Can be used for International Energy Conservation Code (IECC) high efficiency luminaire compliance.
- Can be used for Washington State Energy Code compliance
- ENERGY STAR® Certified luminaire - consult ENERGY STAR® Certified Product List\*
- EMI/RFI per FCC 47CFR Part 15 Class B Consumer limits, suitable for use in residential and commercial installations
- Contains no mercury or lead and RoHS compliant.
- Photometric testing in accordance with IES LM-79
- Lumen maintenance projections in accordance with IES LM-80 and TM-21
- Suitable for use in closets. Compliant with NFPA 70, NEC Sec. 410.16 (A)(1) and 410.16 (C)(3).



RL460WH†  
White

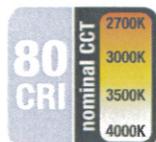
## 4-Inch LED Recessed Retrofit Module-Trim

**80CRI**  
2700K, 3000K,  
3500K, 4000K

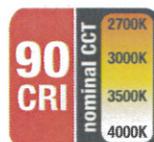
**90CRI**  
2700K, 3000K,  
3500K, 4000K

FOR USE IN  
INSULATED CEILING  
AND NON-INSULATED  
CEILING RATED  
HOUSINGS

HIGH-EFFICACY LED  
WITH INTEGRAL  
DRIVER - DIMMABLE

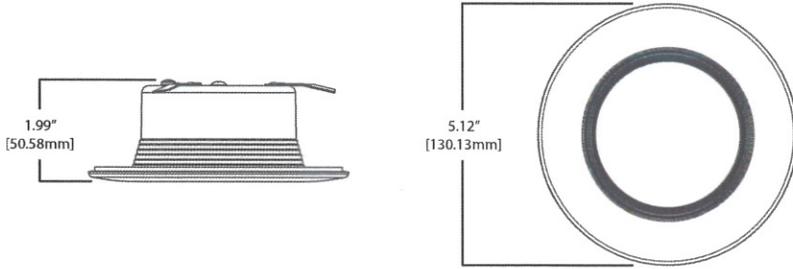


Refer to ENERGY STAR® Certified Products List. Can be used to comply with California Title 24 Non-Residential Lighting Controls requirements as a LED Luminaire.

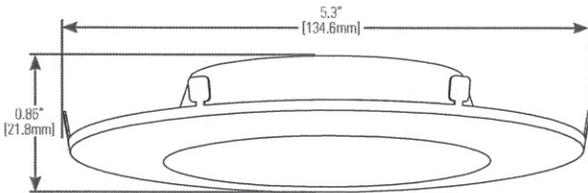


Refer to ENERGY STAR® Certified Products List. Can be used to comply with California Title 24 High Efficacy requirements. Certified to California Title 20 Appliance Efficiency Database.

**RL4 Dimensions**



**Designer Trim Dimensions**



**RL4TRMWH**  
White (Paintable)



**RL4TRMTBZ**  
Tuscan Bronze



**RL4TRMSN**  
Satin Nickel

**Energy Data**

**RL4 Series** (Values at non-dimming line voltage)

Minimum Starting Temp: -30°C (-22°F)
EMI/RFI: FCC Title 47 CFR, Part 15, Class B (Consumer)
Sound Rating: Class A
Input Voltage: 120V
Power Factor: >0.90
Input Frequency: 50/60Hz
THD: <20%
Input Power: 7.3W - 10.0W (per CRI and CCT)
Input Current: 0.075A - 0.0875A (per input power)
Maximum IC (Insulated Ceiling) Ambient Continuous Operating Temperature: 25°C (77°F)
Maximum Non-IC Ambient Continuous Operating Temperature 40°C (104°F)

**Ordering Information**

Sample Number: **RL460WH827PK**

Complete unit includes RL4 LED and Halo H995 series LED housing, or compatible 4" E26 screw based housing, ordered separately. Optional accessory designer trim ring ordered separately. RL4 LED and housing to be ordered separately.

**RL46 Models**

**80 CRI**

- RL460WH827PK**= 4" Retrofit Baffle - Trim LED Module, 80 CRI, 2700K, Matte White
- RL460WH830PK**= 4" Retrofit Baffle - Trim LED Module, 80 CRI, 3000K, Matte White
- RL460WH835PK**= 4" Retrofit Baffle - Trim LED Module, 80 CRI, 3500K, Matte White
- RL460WH840PK**= 4" Retrofit Baffle - Trim LED Module, 80 CRI, 4000K, Matte White

**90 CRI**

- RL460WH927PK**= 4" Retrofit Baffle - Trim LED Module, 90 CRI, 2700K, Matte White
- RL460WH930PK**= 4" Retrofit Baffle - Trim LED Module, 90 CRI, 3000K, Matte White
- RL460WH935PK**= 4" Retrofit Baffle - Trim LED Module, 90 CRI, 3500K, Matte White
- RL460WH940PK**= 4" Retrofit Baffle - Trim LED Module, 90 CRI, 4000K, Matte White

**Accessories (Order Separately)**

- RL4TRMSN**= 4" Satin Nickel Trim Ring
- RL4TRTBZ**= 4" Tuscan Bronze Trim Ring
- RL4TRMWH**= 4" White Paintable Trim Ring
- HE26LED**=Replacement screw base adapter (one included with unit)



E26 Screw base adapter for retrofit (included)

**Housing Compatibility**

**Compatible Halo LED Housings with LED luminaire connector (high-efficacy compliant - Title 24)**

HALO LED	Recessed Can Size	Catalog Number
	4"	H995ICAT, H995RICAT

**Compatible Halo Incandescent E26 Screwbase Housings**

HALO	4"	H99ICAT, H99RTAT, H99TAT
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**Compatible All-Pro Incandescent E26 Screwbase Housings**

ALL-PRO	4"	ET400ATSB, ET400RATSB, ET400ATSB
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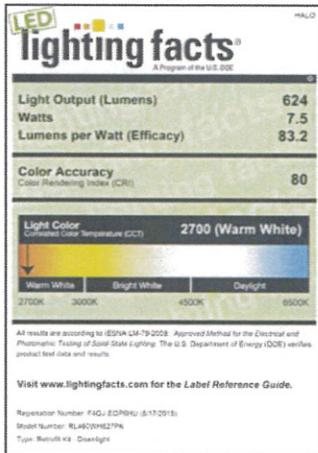
**RL4 Series LED Retrofit is UL Classified for retrofit in the follow 4" recessed housings:**

The RL Series LED light module - trim combination is cULus Listed or UL Classified for use with any 4" diameter recessed housing constructed of steel or aluminum with an internal volume that exceeds 62.3 in<sup>3</sup> in addition to those noted above.

**Lighting Facts**

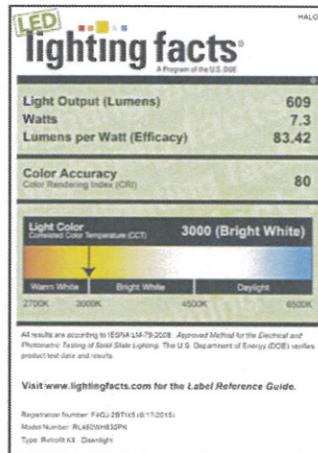
**RL460WH827PK**

2700K Source



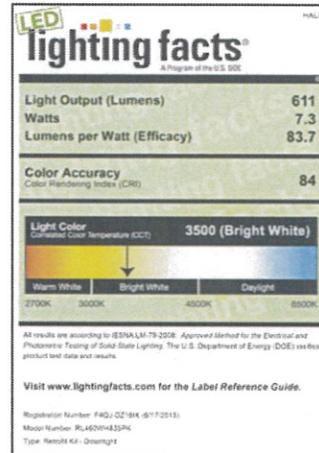
**RL460WH830PK**

3000K Source



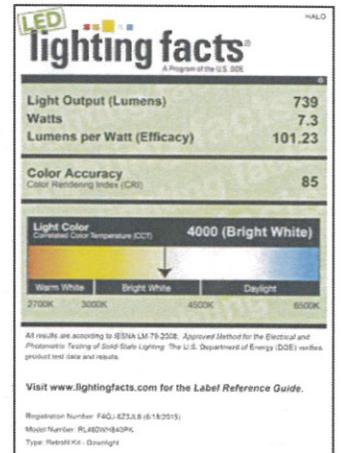
**RL460WH835PK**

3500K Source



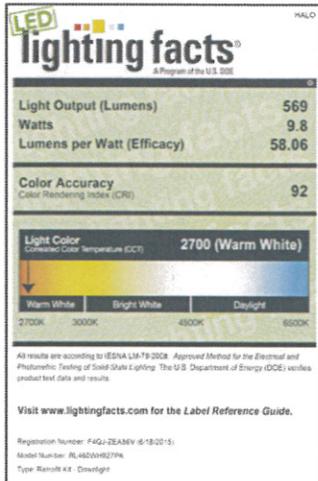
**RL460WH840PK**

4000K Source



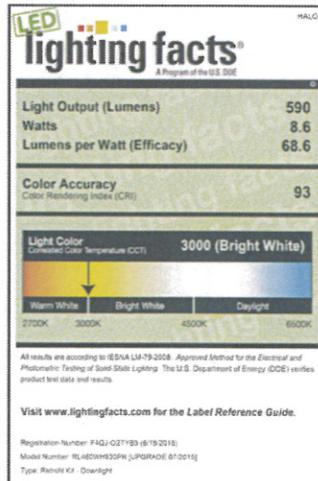
**RL460WH927PK**

2700K Source



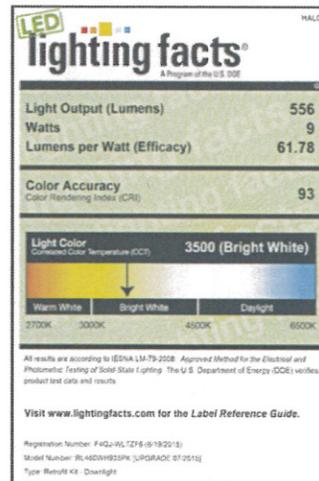
**RL460WH930PK**

3000K Source



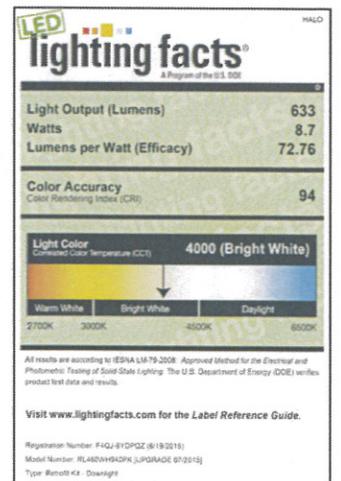
**RL460WH935PK**

3500K Source



**RL460WH940PK**

4000K Source



# XSP Series

XSPW™ LED Wall Mount Luminaire

XSPW-A-O-2-F-G-U-Z  
CHASE SHOP  
TYPE W1

## Product Description

The XSPW™ LED wall mount luminaire has a slim, low profile design intended for outdoor wall mounted applications. The rugged lightweight aluminum housing and mounting box are designed for installation over standard single gang J-Boxes and mud ring single gang J-Boxes. The luminaire allows for through-wired or conduit entry from the top, bottom, sides and rear. The housing design is intended specifically for LED technology including a weathertight LED driver compartment and thermal management. Optic design features industry-leading NanoOptic® Precision Delivery Grid™ system in multiple distributions.

**Applications:** General area and security lighting

## Performance Summary

NanoOptic® Precision Delivery Grid™ optic

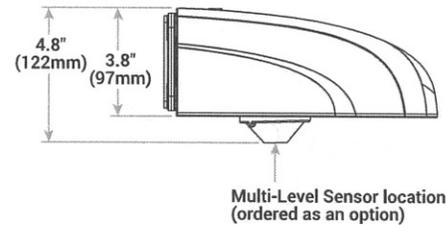
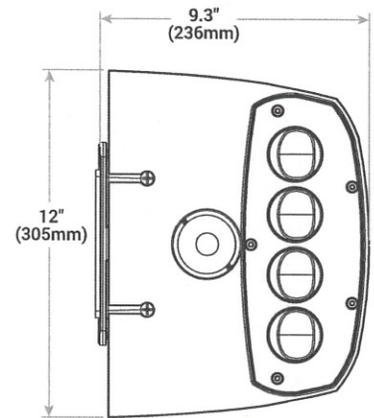
Made in the U.S.A. of U.S. and imported parts

**CRI:** Minimum 70 CRI

**CCT:** 4000K (+/- 300K), 5700K (+/- 500K)

**Limited Warranty\*:** 10 years on luminaire/10 years on Colorfast DeltaGuard® finish

\*See [www.cree.com/lighting/products/warranty](http://www.cree.com/lighting/products/warranty) for warranty terms



## Accessories

Field-Installed
<b>Beauty Plate</b> WM-PLT12** - 12" (305mm) Square WM-PMT14** - 14" (356mm) Square - Covers holes left by incumbent wall packs

\*\* Must specify color

Weight
9.5 lbs. (4.3kg)

## Ordering Information

Example: XSPW-A-0-2-F-G-U-Z

XSPW	A	0	2	F	G	U	Z	
Product	Version	Mounting	Optic	Modules	Input Power Designator	Voltage	Color Options	Options
XSPW	A	0 Wall	2 Type II Medium 3 Type III Medium	F 4000K M 5700K	C 42W G 25W	U Universal 120-277V 1 120V 2 208-277V 6* 347V	S Silver T Black W White Z Bronze	K <b>Multi-Level</b> - Refer to ML spec sheet for details - Available with Input Power Designator C only P <b>Photocell</b> - Not available with K option - Must specify 1, 2, or 6 voltage Y <b>0-10V Dimming</b> - Control by others - Available with Input Power Designator C only - Refer to dimming spec sheet for details

\* Available in Canada only

NOTE: Price adder may apply depending on configuration



Rev. Date: V6 07/31/2015

US: [www.cree.com/lighting](http://www.cree.com/lighting)

T (800) 236-6800 F (262) 504-5415

Canada: [www.cree.com/canada](http://www.cree.com/canada)



T (800) 473-1234 F (800) 890-7507

# XSPW™ LED Wall Mount Luminaire

## Product Specifications

### CONSTRUCTION & MATERIALS

- Slim, low profile design
- Luminaire housing specifically designed for LED applications with advanced LED thermal management and driver
- Luminaire mounting box designed for installation over standard single gang J-Boxes and mud ring single gang J-Boxes
- Luminaire can also be direct mounted to a wall and surface wired
- Secures to wall with four 3/16" (5mm) screws (by others)
- Conduit entry from top, bottom, sides, and rear
- Designed and UL approved for easy through-wiring
- Designed for downlight applications only
- Exclusive Colorfast DeltaGuard® finish features an E-coat epoxy primer with an ultra-durable powder topcoat, providing excellent resistance to corrosion, ultraviolet degradation and abrasion. Silver, black, white and bronze are available
- **Weight:** 9.5lbs. (4.3kg)

### ELECTRICAL SYSTEM

- **Input Voltage:** 120-277V or 347V, 50/60Hz, Class 2 driver
- **Power Factor:** > 0.9 at full load
- **Total Harmonic Distortion:** < 20% at full load
- Integral 10kV surge suppression protection standard
- To address inrush current, slow blow fuse or type C/D breaker should be used
- **10V Source Current:** 0.15 mA

### REGULATORY & VOLUNTARY QUALIFICATIONS

- cULus Listed
- Suitable for wet locations
- Enclosure rated IP66 per IEC 60529
- DLC qualified. Please refer to [www.designlights.org/QPL](http://www.designlights.org/QPL) for most current information
- 10kV surge suppression protection tested in accordance with IEEE/ANSI C62.41.2
- Meets FCC Part 15 standards for conducted and radiated emissions
- Luminaire and finish endurance tested to withstand 5,000 hours of elevated ambient salt fog conditions as defined in ASTM Standard B 117
- Meets Buy American requirements within ARRA
- RoHS compliant. Consult factory for additional details

Electrical Data*							
Input Power Designator	System Watts 120-277V	System Watts 347V	Total Current				
			120V	208V	240V	277V	347V
C	42	46	0.36	0.21	0.19	0.16	0.14
G	25	27	0.22	0.13	0.11	0.10	0.08

\*Electrical data at 25°C (77°F)

Recommended XSPW Series Lumen Maintenance Factors (LMF) <sup>1</sup>						
Ambient	Input Power Designator	Initial LMF	25K hr Projected <sup>2</sup> LMF	50K hr Projected <sup>2</sup> LMF	75K hr Projected <sup>2</sup> LMF	100K hr Calculated <sup>3</sup> LMF
5°C (41°F)	C	1.04	1.02	1.01	1.00	1.00
	G					
10°C (50°F)	C	1.03	1.01	1.00	0.99	0.99
	G					
15°C (59°F)	C	1.02	1.00	0.99	0.98	0.98
	G					
20°C (68°F)	C	1.01	0.99	0.98	0.97	0.97
	G					
25°C (77°F)	C	1.00	0.98	0.97	0.96	0.96
	G					

<sup>1</sup>Lumen maintenance values at 25°C (77°F) are calculated per TM-21 based on LM-80 data and in-situ luminaire testing

<sup>2</sup>In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing ((DUT) i.e. the packaged LED chip)

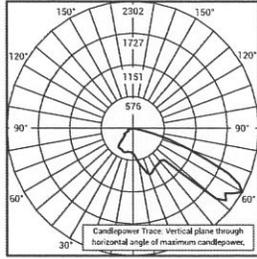
<sup>3</sup>In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing ((DUT) i.e. the packaged LED chip)

XSPW™ LED Wall Mount Luminaire

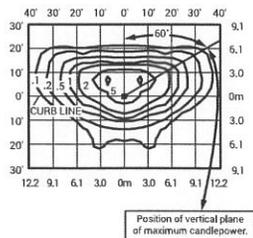
Photometry

All published luminaire photometric testing performed to IESNA LM-79-08 standards by a NVLAP accredited laboratory. To obtain an IES file specific to your project consult: [www.cree.com/Lighting/Products/Outdoor/Wall-Mount/XSP-Series](http://www.cree.com/Lighting/Products/Outdoor/Wall-Mount/XSP-Series)

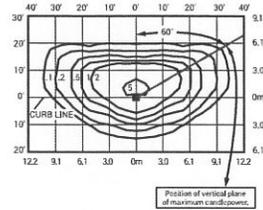
2



CESTL Test Report #: 2014-0017  
BXSPW-A\*-2-F-G-U-S  
Initial Delivered Lumens: 2,739



BXSPW-A\*-2-F-C-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 3,819  
Initial FC at grade

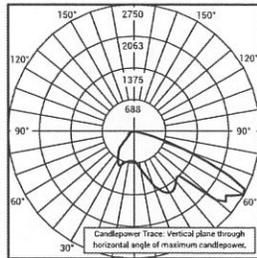


BXSPW-A\*-2-F-G-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 2,529  
Initial FC at grade

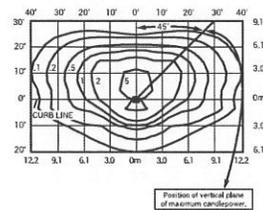
Type II Medium Distribution				
Input Power Designator	4000K		5700K	
	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11
C	3,819	B1 U0 G1	4,109	B1 U0 G1
G	2,529	B1 U0 G1	2,722	B1 U0 G1

\* Initial delivered lumens at 25 °C (77 °F)  
\*\* For more information on the IES BUG (Backlight-Uplight-Glare) Rating visit: [www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf](http://www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf).

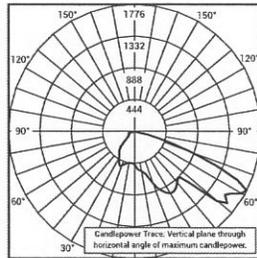
3



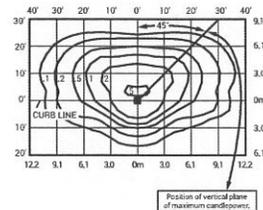
CESTL Test Report #: 2014-0018  
BXSPW-A\*-3-F-C-U-S  
Initial Delivered Lumens: 4,187



BXSPW-A\*-3-F-C-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 3,819  
Initial FC at grade



CESTL Test Report #: 2014-0019  
BXSPW-A\*-3-F-G-U-S  
Initial Delivered Lumens: 2,692



BXSPW-A\*-3-F-G-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 2,529  
Initial FC at grade

Type III Medium Distribution				
Input Power Designator	4000K		5700K	
	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11
C	3,819	B1 U0 G1	4,109	B1 U0 G1
G	2,529	B1 U0 G1	2,722	B1 U0 G1

\* Initial delivered lumens at 25 °C (77 °F)  
\*\* For more information on the IES BUG (Backlight-Uplight-Glare) Rating visit: [www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf](http://www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf).

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# XSP Series

XSPW™ LED Wall Mount Luminaire

XSPW-A-O-2-F-G-U-Z  
CHASE SHOP  
TYPE W2

## Product Description

The XSPW™ LED wall mount luminaire has a slim, low profile design intended for outdoor wall mounted applications. The rugged lightweight aluminum housing and mounting box are designed for installation over standard single gang J-Boxes and mud ring single gang J-Boxes. The luminaire allows for through-wired or conduit entry from the top, bottom, sides and rear. The housing design is intended specifically for LED technology including a weathertight LED driver compartment and thermal management. Optic design features industry-leading NanoOptic® Precision Delivery Grid™ system in multiple distributions.

**Applications:** General area and security lighting

## Performance Summary

NanoOptic® Precision Delivery Grid™ optic

Made in the U.S.A. of U.S. and imported parts

**CRI:** Minimum 70 CRI

**CCT:** 4000K (+/- 300K), 5700K (+/- 500K)

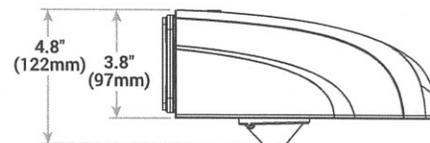
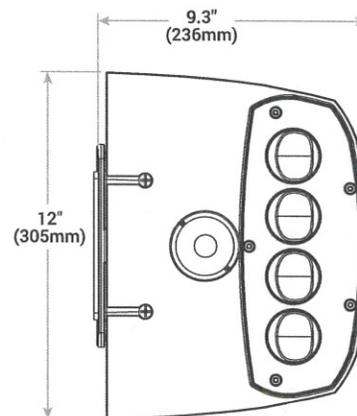
**Limited Warranty\*:** 10 years on luminaire/10 years on Colorfast DeltaGuard® finish

\*See [www.cree.com/lighting/products/warranty](http://www.cree.com/lighting/products/warranty) for warranty terms

## Accessories

Field-Installed
<b>Beauty Plate</b> WM-PLT12** - 12" (305mm) Square WM-PMT14** - 14" (356mm) Square - Covers holes left by incumbent wall packs

\*\* Must specify color



Multi-Level Sensor location  
(ordered as an option)

Weight
9.5 lbs. (4.3kg)

## Ordering Information

Example: XSPW-A-0-2-F-C-U-Z

XSPW	A	0	2	F	G	U	Z	
Product	Version	Mounting	Optic	Modules	Input Power Designator	Voltage	Color Options	Options
XSPW	A	0 Wall	2 Type II Medium 3 Type III Medium	F 4000K M 5700K	C 42W G 25W	U Universal 120-277V 1 120V 2 208-277V 6* 347V	S Silver T Black W White Z Bronze	K Multi-Level - Refer to ML spec sheet for details - Available with Input Power Designator C only P Photocell - Not available with K option - Must specify 1, 2, or 6 voltage Y 0-10V Dimming - Control by others - Available with Input Power Designator C only - Refer to dimming spec sheet for details

\* Available in Canada only

NOTE: Price adder may apply depending on configuration



US: [www.cree.com/lighting](http://www.cree.com/lighting)

T (800) 236-6800 F (262) 504-5415

Rev. Date: V6 07/31/2015

Canada: [www.cree.com/canada](http://www.cree.com/canada)



T (800) 473-1234 F (800) 890-7507

## XSPW™ LED Wall Mount Luminaire

### Product Specifications

#### CONSTRUCTION & MATERIALS

- Slim, low profile design
- Luminaire housing specifically designed for LED applications with advanced LED thermal management and driver
- Luminaire mounting box designed for installation over standard single gang J-Boxes and mud ring single gang J-Boxes
- Luminaire can also be direct mounted to a wall and surface wired
- Secures to wall with four 3/16" (5mm) screws (by others)
- Conduit entry from top, bottom, sides, and rear
- Designed and UL approved for easy through-wiring
- Designed for downlight applications only
- Exclusive Colorfast DeltaGuard® finish features an E-coat epoxy primer with an ultra-durable powder topcoat, providing excellent resistance to corrosion, ultraviolet degradation and abrasion. Silver, black, white and bronze are available
- **Weight:** 9.5lbs. (4.3kg)

#### ELECTRICAL SYSTEM

- **Input Voltage:** 120-277V or 347V, 50/60Hz, Class 2 driver
- **Power Factor:** > 0.9 at full load
- **Total Harmonic Distortion:** < 20% at full load
- Integral 10kV surge suppression protection standard
- To address inrush current, slow blow fuse or type C/D breaker should be used
- **10V Source Current:** 0.15 mA

#### REGULATORY & VOLUNTARY QUALIFICATIONS

- cULus Listed
- Suitable for wet locations
- Enclosure rated IP66 per IEC 60529
- DLC qualified. Please refer to [www.designlights.org/QPL](http://www.designlights.org/QPL) for most current information
- 10kV surge suppression protection tested in accordance with IEEE/ANSI C62.41.2
- Meets FCC Part 15 standards for conducted and radiated emissions
- Luminaire and finish endurance tested to withstand 5,000 hours of elevated ambient salt fog conditions as defined in ASTM Standard B 117
- Meets Buy American requirements within ARRA
- RoHS compliant. Consult factory for additional details

Electrical Data*							
Input Power Designator	System Watts 120-277V	System Watts 347V	Total Current				
			120V	208V	240V	277V	347V
C	42	46	0.36	0.21	0.19	0.16	0.14
G	25	27	0.22	0.13	0.11	0.10	0.08

\*Electrical data at 25°C (77°F)

Recommended XSPW Series Lumen Maintenance Factors (LMF) <sup>1</sup>						
Ambient	Input Power Designator	Initial LMF	25K hr Projected <sup>2</sup> LMF	50K hr Projected <sup>2</sup> LMF	75K hr Projected <sup>2</sup> LMF	100K hr Calculated <sup>3</sup> LMF
5°C (41°F)	C	1.04	1.02	1.01	1.00	1.00
	G					
10°C (50°F)	C	1.03	1.01	1.00	0.99	0.99
	G					
15°C (59°F)	C	1.02	1.00	0.99	0.98	0.98
	G					
20°C (68°F)	C	1.01	0.99	0.98	0.97	0.97
	G					
25°C (77°F)	C	1.00	0.98	0.97	0.96	0.96
	G					

<sup>1</sup>Lumen maintenance values at 25°C (77°F) are calculated per TM-21 based on LM-80 data and in-situ luminaire testing

<sup>2</sup>In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) i.e. the packaged LED chip

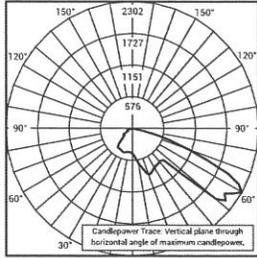
<sup>3</sup>In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times (6X) the IESNA LM-80-08 total test duration (in hours) for the device under testing (DUT) i.e. the packaged LED chip

XSPW™ LED Wall Mount Luminaire

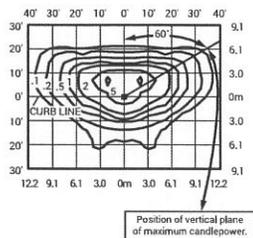
Photometry

All published luminaire photometric testing performed to IESNA LM-79-08 standards by a NVLAP accredited laboratory. To obtain an IES file specific to your project consult: [www.cree.com/Lighting/Products/Outdoor/Wall-Mount/XSP-Series](http://www.cree.com/Lighting/Products/Outdoor/Wall-Mount/XSP-Series)

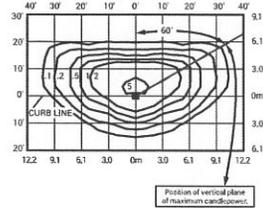
2



CESTL Test Report #: 2014-0017  
BXSPW-A\*-2-F-G-U-S  
Initial Delivered Lumens: 2,739



BXSPW-A\*-2-F-C-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 3,819  
Initial FC at grade

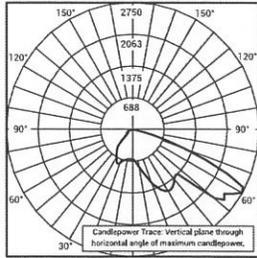


BXSPW-A\*-2-F-G-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 2,529  
Initial FC at grade

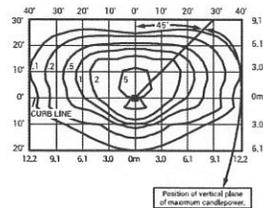
Type II Medium Distribution				
Input Power Designator	4000K		5700K	
	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11
C	3,819	B1 U0 G1	4,109	B1 U0 G1
G	2,529	B1 U0 G1	2,722	B1 U0 G1

\* Initial delivered lumens at 25° C (77° F)  
\*\* For more information on the IES BUG (Backlight-Uplight-Glare) Rating visit: [www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf](http://www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf).

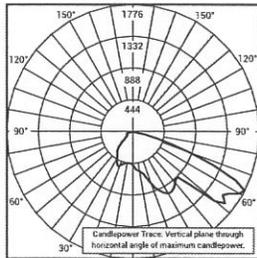
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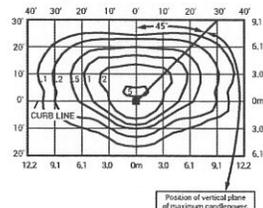
CESTL Test Report #: 2014-0018  
BXSPW-A\*-3-F-C-U-S  
Initial Delivered Lumens: 4,187



BXSPW-A\*-3-F-C-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 3,819  
Initial FC at grade



CESTL Test Report #: 2014-0019  
BXSPW-A\*-3-F-G-U-S  
Initial Delivered Lumens: 2,692



BXSPW-A\*-3-F-G-U-S  
Mounting Height: 10' (3.0m) A.F.G.  
Initial Delivered Lumens: 2,529  
Initial FC at grade

Type III Medium Distribution				
Input Power Designator	4000K		5700K	
	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11	Initial Delivered Lumens*	BUG Ratings** Per TM-15-11
C	3,819	B1 U0 G1	4,109	B1 U0 G1
G	2,529	B1 U0 G1	2,722	B1 U0 G1

\* Initial delivered lumens at 25° C (77° F)  
\*\* For more information on the IES BUG (Backlight-Uplight-Glare) Rating visit: [www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf](http://www.ies.org/PDF/Erratas/TM-15-11BugRatingsAddendum.pdf).

## DESCRIPTION

The patented Lumark Crosstour™ LED Wall Pack Series of luminaires provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

## SPECIFICATION FEATURES

### Construction

Slim, low-profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and large design. The small housing is available in 7W and 18W. The large housing is available in the 26W model. Patent pending secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes three (3) half-inch, NPT threaded conduit entry points. The universal back box supports both the small and large forms and mounts to standard 3-1/2" to 4" round and octagonal, 4" square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. One-piece silicone gasket seals door and back box. Minimum 5" wide pole for site lighting application. Not recommended for car wash applications.

### Optical

Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Solid state LED Crosstour luminaires are thermally optimized with five (5) lumen packages in cool 5000K or neutral warm 3500K LED color temperature (CCT).

### Electrical

LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 7W models operate in -40°C to 40°C [-40°F to 104°F]. 18W and 26W models operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 90% of initial

Catalog #	XTOR2A-N	Type	
Project	CHASE SHOP		W3
Comments		Date	
Prepared by			

light output after 72,000 hours of operation. Three (3) half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized electrical wiring compartment. Integral LED electronic driver incorporates surge protection. 120-277V 50/60Hz or 347V 60Hz models.

### Finish

Crosstour is protected with a Super durable TGIC carbon bronze or summit white polyester powder coat paint. Super durable TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life.

### Warranty

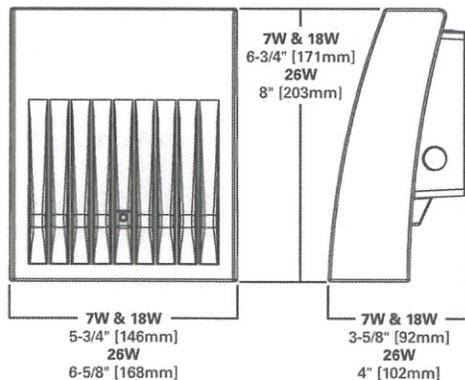
Five-year warranty.



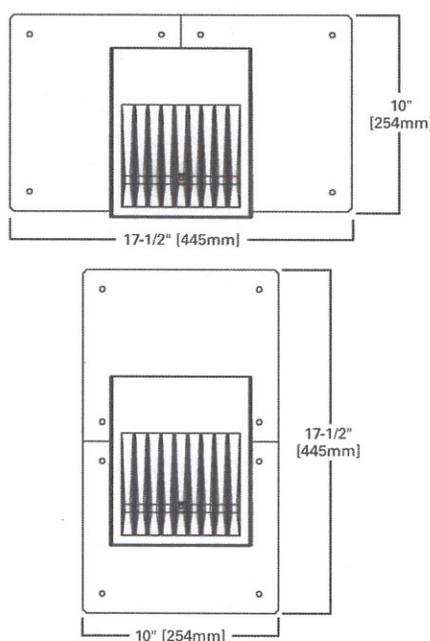
## XTOR CROSSTOUR LED

**APPLICATIONS:**  
WALL / SURFACE  
POST / BOLLARD  
LOW LEVEL  
FLOODLIGHT  
INVERTED  
SITE LIGHTING

## DIMENSIONS



## ESCUTCHEON PLATES



### CERTIFICATION DATA

UL/cUL Wet Location Listed  
LM79 / LM80 Compliant  
ROHS Compliant  
ADA Compliant  
NOM Compliant Models  
IP66 Ingressed Protection Rated  
Title 24 Compliant  
DesignLights Consortium® Qualified\*

### TECHNICAL DATA

40°C Maximum Ambient Temperature  
External Supply Wiring 90°C Minimum

### EPA

Effective Projected Area (Sq. Ft.):  
XTOR1A/XTOR2A=0.34  
XTOR3A=0.45

### SHIPPING DATA:

Approximate Net Weight:  
3.7 – 5.25 lbs. [1.7 – 2.4 kgs.]

LUMEN MAINTENANCE

Ambient Temperature	TM-21 Lumen Maintenance (72,000 Hours)	Theoretical L70 (Hours)
<b>XTOR1A Model</b>		
25°C	> 92%	> 290,000
40°C	> 92%	> 290,000
50°C	> 91%	> 270,000
<b>XTOR2A Model</b>		
25°C	> 91%	> 270,000
40°C	> 90%	> 260,000
50°C	> 88%	> 225,000
<b>XTOR3A Model</b>		
25°C	> 91%	> 280,000
40°C	> 91%	> 270,000
50°C	> 89%	> 240,000

LUMENS - CRI/CCT TABLE

LED Information	XTOR1A	XTOR2A	XTOR2A-N	XTOR3A	XTOR3A-N
Delivered Lumens (Wall Mount)	722	1,633	1,523	2,804	2,284
Delivered Lumens (With Flood Accessory Kit) <sup>1</sup>	468	1,060	978	2,168	1,738
B.U.G. Rating <sup>2</sup>	B0-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0	B1-U0-G0
CCT (Kelvin)	5,000	5,000	3,500	5,000	3,500
CRI (Color Rendering Index)	65	65	70	65	70
Power Consumption (Watts)	7W	18W	18W	26W	26W

NOTES: 1 Includes shield and visor. 2 B.U.G. Rating does not apply to floodlighting.

CURRENT DRAW

Voltage	Model Series		
	XTOR1A	XTOR2A	XTOR3A
120V	0.05A	0.15A	0.22A
208V	0.03A	0.08A	0.13A
240V	0.03A	0.07A	0.11A
277V	0.03A	0.06A	0.10A
347V	0.025A	0.058A	0.082A

ORDERING INFORMATION

Sample Number: XTOR2A-N-WT-PC1

Series <sup>1</sup>	LED Kelvin Color	Housing Color	Options (Add as Suffix)	Accessories (Order Separately)
XTOR1A=Small Door, 7W XTOR2A=Small Door, 18W XTOR3A=Small Door, 26W	[Blank]=Bright White (Standard) 5000K N=Neutral Warm White, 3500K <sup>2</sup>	[Blank]=Carbon Bronze (Standard) WT=Summit White	PC1=Photocontrol 120V <sup>3</sup> PC2=Photocontrol 208-277V <sup>3,4</sup> 347V=347V <sup>5</sup> HA=50°C High Ambient <sup>5</sup>	WG/XTOR=Wire Guard <sup>6</sup> XTORFLD-KNC=Knuckle Floodlight Kit <sup>7</sup> XTORFLD-TRN=Trunnion Floodlight Kit <sup>7</sup> XTORFLD-KNC-WT=Knuckle Floodlight Kit, Summit White <sup>7</sup> XTORFLD-TRN-WT=Trunnion Floodlight Kit, Summit White <sup>7</sup> EWP/XTOR=Escutcheon Wall Plate, Carbon Bronze EWP/XTOR-WT=Escutcheon Wall Plate, Summit White

NOTES: 1 DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details. 2 XTOR1A not available in 3500K. 3 Photocontrols are factory installed. 4 Order PC2 for 347V models. 5 Thru-branch wiring not available with HA option or with 347V. 6 Wire guard for wall/surface mount. Not for use with floodlight kit accessory. 7 Floodlight kit accessory supplied with knuckle (KNC) or trunnion (TRN) base, small and large top visors and small and large impact shields.

STOCK ORDERING INFORMATION

7W Series	18W Series	26W Series
XTOR1A=7W, 5000K, Carbon Bronze	XTOR2A=18W, 5000K, Carbon Bronze	XTOR3A=26W, 5000K, Carbon Bronze
XTOR1A-WT=7W, 5000K, Summit White	XTOR2A-N=18W, 3500K, Carbon Bronze	XTOR3A-N=26W, 3500K, Carbon Bronze
XTOR1A-PC1=7W, 5000K, 120V PC, Carbon Bronze	XTOR2A-WT=18W, Summit White	XTOR3A-WT=26W, Summit White
	XTOR2A-PC1=18W, 120V PC, Carbon Bronze	XTOR3A-PC1=26W, 120V PC, Carbon Bronze

5-DAY QUICK SHIP ORDERING INFORMATION

7W Series	18W Series	26W Series
XTOR1A-WT-PC1=7W, 5000K, Summit White, 120V PC	XTOR2A-PC2=18W, 5000K, 208-277V PC, Carbon Bronze	XTOR3A-PC2=26W, 5000K, 208-277V PC, Carbon Bronze
	XTOR2A-WT-PC1=18W, 5000K, Summit White, 120V PC	XTOR3A-WT-PC1=26W, 5000K, Summit White, 120V PC
	XTOR2A-WT-PC2=18W, 5000K, Summit White, 208-277V PC	XTOR3A-WT-PC2=26W, 5000K, Summit White, 208-277V PC
	XTOR2A-N-WT=18W, 3500K, Summit White	XTOR3A-N-WT=26W, 3500K, Summit White
	XTOR2A-N-PC1=18W, 3500K, 120V PC, Carbon Bronze	XTOR3A-N-PC1=26W, 3500K, 120V PC, Carbon Bronze
	XTOR2A-N-PC2=18W, 3500K, 208-277V PC, Carbon Bronze	XTOR3A-N-PC2=26W, 3500K, 208-277V PC, Carbon Bronze
	XTOR2A-N-WHT-PC1=18W, 3500K, Summit White, 120V PC	XTOR3A-N-WHT-PC1=26W, 3500K, Summit White, 120V PC
	XTOR2A-N-WT-PC2=18W, 3500K, Summit White, 208-277V PC	XTOR3A-N-WT-PC2=26W, 3500K, Summit White, 208-277V PC

## Exhibit A

That part of Lots Two (2) and Three (3) of Block "A" in Map of the Survey of LAUBENHEIMER'S 1ST ADDITION, to the Village of Richfield, in the Northeast Quarter of the Southwest Quarter of Section 12, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin, described as follows:

Beginning at the southwesterly corner of said Lot 2, Block A; thence North 22 degrees 28 minutes 28 seconds West along the westerly line of said Lot 2 Block A, 149.88 feet; thence North 76 degrees 02 minutes 28 seconds East, 143.38 feet; thence South 22 degrees 29 minutes 10 seconds East, 122.19 feet to the southerly line of said Lot 2 Block A; thence South 64 degrees 54 minutes 59 seconds West along the southerly lot line of said Lot 2 Block A, 141.97 feet to the place of beginning.

(Tax Key No. V10\_030500Z).

Info. Note: 1913-1923 State Highway 175, Richfield, Wisconsin 53076.

That part of Lots Two (2) and Lot Three (3) of Block "A" in Map of the Survey of LAUBENHEIMER'S 1ST ADDITION, to the Village of Richfield, in the Northeast Quarter of the Southwest Quarter of Section 12, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin, described as follows:

Commencing at the southwesterly corner of said Lot 2, Block A; thence North 22 degrees 28 minutes 28 seconds West along the westerly line of said Lot 2 Block A, 149.88 feet to the place of beginning of this description; thence continuing along the westerly line of said Lots 2 and 3 Block A, North 22 degrees 28 minutes 28 seconds West, 67.95 feet to the northwesterly corner of Lot 3 Block A; thence North 72 degrees 51 minutes 39 seconds East along the northerly line of said Lot 3 Block A, 142.40 feet; thence South 22 degrees 29 minutes 10 seconds East, 75.94 feet; thence South 76 degrees 02 minutes 28 seconds West, 143.38 feet to the place of beginning.

(Tax Key No. V10\_0306).

Info. Note: 1925-1931 State Highway 175, Richfield, Wisconsin 53076.



# Exhibit C

May 2, 2016

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## **Cross Access Easement area description:**

Part of Lots 2 and 3 of Block "A" in Map of the Survey of LAUBENHEIMER'S 1<sup>ST</sup> ADDITION, to the Village of Richfield, Washington County, Wisconsin, bounded and described as follows;

Commencing at the northwest corner of said Lot 3; thence N 72°51'39" E, along the northerly line of said Lot 3, 142.40 feet, to a point in the westerly right-of-way line of S.T.H. "175"; thence S 22°29'10" E, along said westerly right-of-way line, 44.89 feet, to the point of beginning of lands herein described; thence continuing S 22°29'10" E, along said westerly right-of-way line, 24.00 feet; thence S 67°23'22" W, 133.80 feet; thence N 22°28'28" W, at right angles, 24.00 feet; thence N 67°23'22" E, at right angles, 133.80 feet, to the point of beginning.

## **Parking Easement area description:**

Part of Lots 3 of Block "A" in Map of the Survey of LAUBENHEIMER'S 1<sup>ST</sup> ADDITION, to the Village of Richfield, Washington County, Wisconsin, bounded and described as follows;

Commencing at the northwest corner of said Lot 3; thence N 72°51'39" E, along the northerly line of said Lot 3, 142.40 feet, to a point in the westerly right-of-way line of S.T.H. "175"; thence S 22°29'10" E, along said westerly right-of-way line, 68.89 feet, to the point of beginning of lands herein described; thence continuing S 22°29'10" E, along said westerly right-of-way line, 7.05 feet; thence S 76°02'28" W, 53.13 feet; thence N 67°23'22" E, 46.38 feet, to the point of beginning.

7 d

7d



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: July Plan Commission Meeting  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO MOVE ITS REGULARLY SCHEDULED PLAN COMMISSION EVENT FROM JULY 7<sup>TH</sup> TO JULY 14<sup>TH</sup>?*

*ISSUE SUMMARY:*

This year July 4<sup>th</sup> falls on a Monday. The Village Hall will be closed this day in observance of the holiday. Village Staff wanted to bring this matter before the Plan Commission to see if they had any objections to having our meeting at its regularly scheduled day and time (July 7<sup>th</sup>) or if they believed the meeting ought to be pushed back one (1) week to accommodate any planned vacations or known absences due to the holiday. Commissioner Melzer has already notified Staff of his absence on July 7<sup>th</sup> due to a planned personal commitment, but he has made it known that he would be available for a July 14<sup>th</sup> meeting. No other planned absences have been discussed with Staff at this time.

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY:   
Village Deputy Treasurer

Forward to Village Board: N/A  
Additional Approvals Needed: N/A  
Signatures Required: N/A

*ATTACHMENTS:*

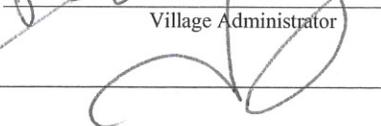
STAFF RECOMMENDATION:

If the Plan Commission decides July 7<sup>th</sup> is amenable, no motion is needed.

July 14<sup>th</sup> Plan Commission Meeting

Motion to direct Staff to publicize the July 14<sup>th</sup> Plan Commission meeting at 7PM on the Village's website as having been changed due to the federal holiday.

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. \_\_\_\_\_

7 e

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: Conceptual Rs-1b Subdivision Review (Tax Keys: V10\_0355912001)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: NONE, DISCUSSION ONLY.*

*ISSUE SUMMARY:*

The Plan Commission tonight is considering a proposed development for the once Phase II of Reflections Village Subdivision by Neumann Companies, Inc. Currently, the approximate 23 acres (Tax Key: V10\_0355912001) is under the ownership of the same Receiver who sold to Neumann Companies Inc. Reflections Village's Phase I in its entirety, now there is an "option to purchase" this Phase II property. In doing their due diligence, Neumann Companies, Inc. is petitioning the Village's Plan Commission to determine in the proposed conceptual Rs-1b subdivision design is amenable. This is the second generation of plans that Staff has reviewed. The subject property consists of 23.03 acres and the parcels range in size from 1.25 acres to a maximum of 1.87 acres along with an open space out lot of 11.38 acres. When Reflections Village was initially proposed and approved by the Village, the connection point did go east to Town Line Road. However, the initial concept of Reflections Village utilized Phase III for this subdivision connection point to that road. The Phase III area has since been sold off to a private individual. While the matter for tonight is slated for 'discussion only', the fundamental policy question for you to consider is whether or not you believe a connection to Town Line Road ought to be constructed as a part of the development for these seven (7) homes.

Staff has reviewed the Village's road map and can say confidently there is no instance in the Village where such a high concentration of homes exists in the Village which does not have multiple access points or one where a future access point to an arterial or collector street could one day be constructed. Two months ago the Plan Commission considered another conceptual subdivision off of Monches Road. At that time the below passage was inserted in the Staff Communication Form for your consideration. It was the Plan Commission's determination that three (3) access points should be constructed for this 20+ home subdivision- Monches Road, Yorkshire Drive, and Plateau Road. While the road names certainly should be substituted, as a Staff we believe that the same principles of basic subdivision planning do apply.

"Providing a strong connected network of roads and pedestrian facilities can help distribute traffic, reduce travel distances, commuter times, improve routing for emergency access, solid waste disposal, mail delivery, and snow plowing. "Good" street connectivity means providing a variety of ways to get from Point "A" to Point "B", from using a car to walking/pedestrian traffic. Staff believes that connecting these two (2) previously planned subdivision terminations with Monches Road would help to achieve three (3) of the "Overarching Policies" for transportation as outlined in the 2014-33 Comprehensive Plan Update:

- Provide a greater range of transportation choices (linages), including quality roads, highways, sidewalks and trails to meet the diverse needs of a growing residential population.
- Provide inspiring and well-maintained public streets in planned developments and hamlets.
- Encourage transportation connections between developments (beyond just roads) to promote opportunities for walking, hiking, and biking through the community to enjoy the natural character of the Village.
- Encourage the expansion of transportation choices for the elderly, disabled, and children (those not able to drive).
- Discourage the development of roadways in environmentally sensitive areas such as wetlands, floodplains, scientific areas, and on soils with engineering limitations.
- Schedule street improvements according to the analysis of existing physical street conditions, and Village budget capacities using the CIP and Budget.



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: Conceptual Rs-1b Subdivision Review (Tax Keys: V10\_0355912001)

DATE SUBMITTED: May 23, 2016

SUBMITTED BY: Jim Healy, Village Administrator

- Direct future access points located along STH 164, STH 167 and STH 175 to intersection public streets spaced at least 1,300 to 2,600 feet apart.
- Whenever feasible, require new development to connect to the existing transportation system (e.g., connect between subdivision).
- Evaluate opportunities to establish bike routes whenever resurfacing or reconstructing a roadway.

In anticipation for tonight’s discussion, Village Staff asked the Richfield Volunteer Fire Company, DPW Supervisor Adam Schmitt and Village Engineer Craig Kunkel to also comment on the proposed design for the subdivision. Fire Chief Kohl did not believe that a connection point to Town Line Road was critical but thought the fire hydrants becoming operational was more of a vital concern. Village Engineer Craig Kunkel believed the proposed concept design could be considered favorable by the Plan Commission but he recommended an emergency access fire lane be constructed. DPW Supervisor Schmitt has concerns regarding the efficiency of his department if a connection to Town Line Road is not made.

*“It is our opinion from an emergency response perspective that road connections should be made to adjoining roads whenever possible, but the more important topic should be that of the fire hydrant system. Per the letter dated March 23<sup>rd</sup> from Kevin Anderson of Neumann Companies to Jim Healy, “The 7 newly created lots will be served by private well and private septic systems and will not connect to the Reflections Village community systems. Our intention is to utilize the existing fire hydrant system as hydrants are currently located at the end of both dead-end streets.” The issue is that the fire hydrant system was never completed and is not in a fully functional state as it sits today. The pressure is too low to supply or maintain any fire ground operation, and the hydrants have out of service tags around the main discharges. This issue was originally supposed to be rectified during Phase 2 of the original plan for Reflections Village. Speaking with Kevin Anderson in a recent phone conversation, he was unaware of the status of the hydrant system and was under the assumption that the fire hydrants were fully functional already.*

*It is the opinion of Fire Chief Terry Kohl, and that of the Richfield Volunteer Fire Company, that the fire hydrant system be placed as the higher priority and necessary changes made to bring it up to fully functional status, in lieu of an access road being created to Townline Road.”– Fire Chief, Terry Kohl*

*“Although the original development plans provided for smaller lots with a connection being provided to Town Line Road, the Village, I understand, is considering allowing the developer to complete the subdivision without the needs for a road extension, in addition to allowing the construction of the seven lots being served by private wells and septic systems. As a word of caution, we generally consider providing multiple entrances to a development as a means to ensure that access for emergency vehicles is provided in case the single entrance became blocked or impassable. I would suggest that the Village consider requiring the developer to extend a ‘fire lane’ from Town Line Road to the development to be used exclusively by emergency vehicles.”– Village Engineer Craig Kunkel*

*“The original configuration where there was to be an alternative entrance/exit on Townline Road would be optimal for winter maintenance and other seasonal operations conducted by the Department of Public Works. Cul-de -sacs pose challenges for snow removal as there is a higher likelihood to push snow into homeowners driveway aprons. Although not impossible, there is a considerable amount of additional time that needs to be allocated to clear these types of*

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: Conceptual Rs-1b Subdivision Review (Tax Keys: V10\_0355912001)  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

areas. By having the connection to Townline, we would have the ability to address the Reflections Subdivision as well as the properties that are east of STH175 in a more efficient manner. With limited staffing, the more "linked" our road system is will give us the ability to promptly service the people of Richfield. I also believe that having this connection would also help disperse traffic from the subdivision, making the Reflections Drive/STH17 intersection less congested and potentially keeping users safer. It would be my recommendation that this connection still be made. I have attached a picture of Townline Road for review. ”– **DPW Supervisor Adam Schmitt**

Tonight for your consideration, Mr. Kevin Anderson from Neumann Companies, Inc. is here to discuss the proposed concept design and solicit feedback from the Plan Commission regarding the proposed conceptual design.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: \_\_\_\_\_  
Village Deputy Treasurer

Forward to Village Board: N/A  
Additional Approvals Needed: N/A  
Signatures Required: N/A

ATTACHMENTS:

1. Washington County GIS aerial overview of subject property
2. Photos taken by DPW Supervisor Schmitt of Town Line Road
3. Concept design submittal by Neumann Companies, Inc.

STAFF RECOMMENDATION:

None, discussion only.

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 1<sup>st</sup> Thursday of every month, and the Village Board meets on the 3<sup>rd</sup> 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: TBD

Property location: SOUTH OF REFLECTIONS VILLAGE

Tax Key Number(s): V10 - 0355912001

Current Zoning of parcel: \_\_\_\_\_

Parcel Size \_\_\_\_\_ acres Percent of greenspace: \_\_\_\_\_ %

Number of lots: \_\_\_\_\_ Number of outlots: \_\_\_\_\_

**Property Owner**

Name: IRON CARLSON - RECEIVED

Company Name: REFLECTIONS RICHFIELD INVESTMENTS, LLC

Address: P.O. BOX 180408

City: DELAFIELD State: WI Zip: 53018

Phone: 262-857-2121 Fax: \_\_\_\_\_ E-mail: RLC@FORSETYCONSULTING.COM

**Applicant/Agent representing the owner**

Name: KEVIN ANDERSON

Company Name: NEUMANN COMPANIES

Address: N27 W 24075 PAUL COURT # 200

City: PEWAUKEE State: WI Zip: 53072

Phone: 262-542-9200 Fax: 262-349-9304 E-mail: KEVIN@NEUMANNCOMPANIES.COM

**Wisconsin Registered Surveyor**

Name: GRADY GOSSEY

Company Name: TRIO ENGINEERING

Address: 12660 W. NORTH AVE, BLD "D"

City: BROOKFIELD State: WI Zip: 53005

Phone: 262-790-1480 Fax: \_\_\_\_\_ E-mail: GGOSSEY@TRIOENG.COM

Affidavit

I (we), being first duly sworn, attest that I am (we are) the Owner(s) <sup>AGENT</sup> 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) <sup>AGENT</sup> 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) <sup>AGENT</sup> 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) <sup>AGENT</sup> 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): AGENT: NEUMANN COMPANIES

Signature of Owner(s): AGENT: [Signature]

Name of Agent(s): KEVIN ANDERSON

The foregoing instrument was sworn to and acknowledged before me this 23 day of MARCH, 2016.

Notary signature: [Signature] Commission expires: 3/27/2016



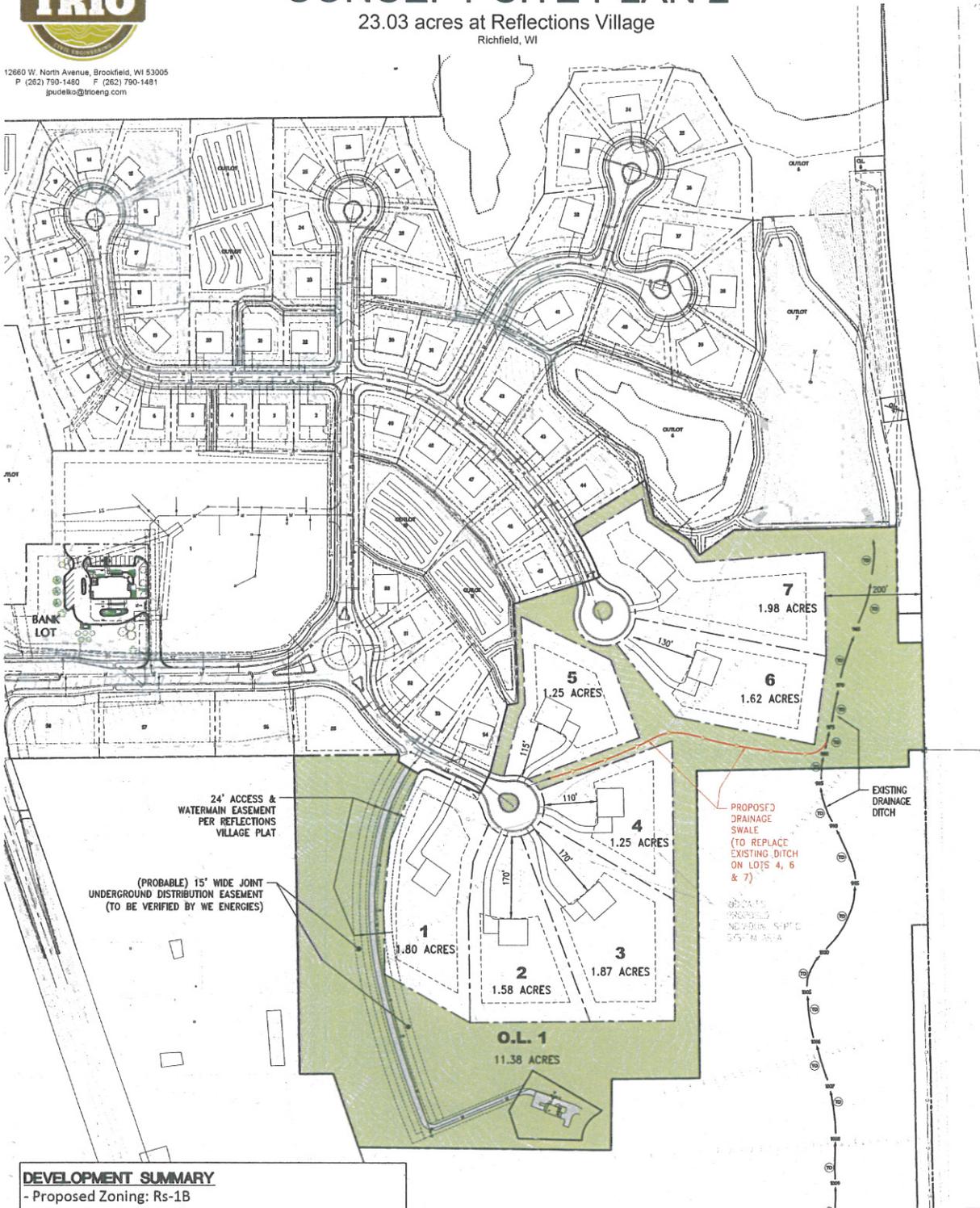


12660 W. North Avenue, Brookfield, WI 53005  
 P (262) 790-1480 F (262) 790-1481  
 jpuvelko@trioeng.com

# CONCEPT SITE PLAN 2

23.03 acres at Reflections Village  
 Richfield, WI

Prepared For:  
 Neumann Companies, Inc.  
 N27 W2405 Paul Court  
 Pewaukee, WI 53072



### DEVELOPMENT SUMMARY

- Proposed Zoning: Rs-1B  
 Single-Family Cluster/Open Space Residential District
- Gross Density: 130,000 s.f./lot
- Lot Characteristics:
  - Lot Area: 1.25 acres (min.)
  - Lot Width = 175' at building setback
- Setbacks:
  - Front = not less than 50'
  - Side = 25'
  - Rear = 40'
- Open Space Characteristics:
  - 40% of total gross area (40% x 23.03 ac = 9.21 ac. min)
  - At least 90% contiguous
  - 50' perimeter buffer
  - At least one 30' wide accessway
  - 200' buffer to Highway property line
  - Maximize the number of lots abutting open space

### SITE DATA

- 7 SINGLE-FAMILY CLUSTER LOTS
- Gross Density: 143,327 s.f./lot
- 2 Proposed Cul-de-sacs (16,700 s.f. pav't)
- Front Setbacks that provide 175' width
- Individual well and septic for each lot
- Contiguous Open Space = 11.38 ac (48.5%)



Scale: 1" = 100' (22"x34")  
 Scale: 1" = 200' (11"x17")

Date: 03-03-16

11/17/2017 10:08:08 AM C:\Users\jpuvelko\Documents\CONCEPT 2 - RW 2016-03-03.dwg

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: Development proposal, Sloppy Joe’s Saloon and Spoon, 3723 Hubertus Road  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION DESIRE FOR VILLAGE STAFF TO WORK WITH THE VILLAGE’S CONSULTANT PLANNER AND ATTORNEY REGARDING A POTENTIAL ORDINANCE AMENDMENT?*

*ISSUE SUMMARY:*

Each year during the month of June, the Village Board considers applications for liquor licenses and ‘unenclosed premise permits’, which are those places physically located outside a building where the consumption of intoxicating beverages is permissible. So around this time of year, it is very common for Village Staff to work intimately for several months leading up to the permitting process with various tavern/restaurant establishments. Over the past few months, the owner of Sloppy Joe’s Saloon and Spoon, Mr. Joe Hennes, has expressed his desire to expand his business on Hubertus Road. His current ‘unenclosed premise permit’ was granted by the Board last year for the area directly east of his building where his red and white tented structure is located (See attached picture). This is the area where he would like to expand his business, by constructing an attached three (3) seasons room with sliding glass panels (vertical and horizontal sliding) and a second story patio. Please see the attached photorealism renderings and floor plans for additional details.

A few years back, Mr. Hennes made considerable investments in his business’ branding, particularly dealing with the quality of food that is served, which has turned his establishment into a place that is as well-known around the region for its high-quality ingredients and food and its easy-going bar atmosphere. This renaissance his establishment he is currently experiencing is drawing in bigger crowds of people on a nightly basis for his weekday specials and regular menu offerings. His menu boasts such items as “Wisconsin Andouille and Chicken Pasta”, “Burgundy Brandy Tenderloin Filets”, “Pan Seared Salmon”, “House Smoked Beef Brisket”, and other more typical restaurant staples like burgers, sandwiches, soups and salads.

In 2014, Sloppy Joe’s was featured on Fox 6’s evening news as having one of the best fish fry’s in southeastern Wisconsin. On February 19<sup>th</sup> of this year, “The Ultimate MKE Fish Fry Guide” was published online and Sloppy Joe’s was the “First Runner-Up” behind the Lakefront Brewery (located in Milwaukee) and ahead of Club Paragon (Greenfield) and Old Serb Hall (again, Milwaukee) as one of the best places to get a fish fry in the Metro-Milwaukee area. This newfound notoriety has led Mr. Hennes to the realization that his current facilities are no longer sufficient for the growing needs of his business. As such, he is seeking assistance from the Village for ways his business can expand.

The property is 0.68 acres and is zoned B-3, General Business District. Pursuant to the Village’s Zoning Code, the property shall have a street yard setback of 30’, a side yard setback of 17’ (based on the width of the parcel at approximately 134’), and a rear yard setback of 25’. Currently, the building encroaches on our right-of-way by approximately six (6) feet, is less than 10’ on the side yard setback to the west, and complies with the rear yard setback. The minimum acreage in this zoning classification is two (2) acres. They are deficient in this regard by 1.32 acres.

Essentially, what we have here is a situation where we have a legal non-conforming lot and a legal non-conforming structure. After consultation with the Village’s Attorney, an amendment to the code could be made to allow a legal, non-conforming properties/structures (but not uses) the ability to expand via a conditional use process and/or special exception process provided that the Plan Commission believes they meet the particulars of the ordinances attached herein and described below for your convenience. The proposed ordinance, which deals specifically with ‘Legal, Non-Conforming Uses’ is taken from the Village of Sussex where our Village Attorney is also their legal counsel. This



# VILLAGE OF RICHFIELD

## PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: June 2, 2016

SUBJECT: Development proposal, Sloppy Joe's Saloon and Spoon, 3723 Hubertus Road  
DATE SUBMITTED: May 23, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

model language, although a different planning concept (legal non-conforming structures/lots vs. uses) variations of the same exist in a number of other communities in southeastern Wisconsin represented by Attorney Macy.

With the proposed ordinance, the property owner would need to petition the Village for his/her property be permitted under a conditional use. However, the burden of proof will be on the property owner to show that the granting of a conditional use is not averse to the public health, safety, or welfare of the community. That the proposed conditional use is not in conflict with the spirit or intent of this zoning code, or otherwise detrimental to the community and particularly the surrounding neighborhood. If the Plan Commission believes that it meets the aforementioned criteria and a conditional use is granted, the property may then be granted a 'special exception' to allow for the expansion of structure on the property. This would be a separate permitting process, but the approvals would work in concert with one another. The structural expansion on the property may not exceed 50% of the square footage existing on the property on the date of the petition. As a part of that process, the ordinance SBOP rules and regulations would apply with architectural controls and Plan Commission reviews.

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY: Kareyau Schmitt  
Village Deputy Treasurer

Forward to Village Board: N/A  
Additional Approvals Needed: N/A  
Signatures Required: N/A

*ATTACHMENTS:*

- 1. Sample Conditional Use Language from Village of Sussex
- 2. Development submittal from MKE Design on behalf of Sloppy Joe's

**STAFF RECOMMENDATION:**

If interested in Staff exploration of this topic:

Motion to direct Staff to prepare a draft ordinance for the Plan Commission's for discussion purposes in July.

If not interested in Staff exploration of this topic:

No action is needed.

APPROVED FOR SUBMITTAL BY:

[Signature]  
Village Staff Member  
[Signature]  
Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

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

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

## SECTION 17.0500 CONDITIONAL USES

### 17.0507 LEGAL NONCONFORMING USES

A. Legal nonconforming uses may be granted conditional use status upon petition of the owner where such use is determined to not be any of the following:

1. Adverse to any of the following:

(a) public health,

(b) safety, or

(c) welfare;

2. In conflict of the spirit or intent of this chapter; or

3. Otherwise detrimental to the community and particularly the surrounding neighborhood.

B. Legal nonconforming conditional uses and affiliated structures in the B-4 district.

Upon petition from a property owner, the Plan Commission may grant special exception to allow for the expansion of both the conditional use and affiliated structure housing said use in the B-4 Central Mixed Use District, subject to all of the following conditions:

1. This subsection 17.0507(B) only applies to properties that have been granted a conditional use permit pursuant to Section 17.0507(A) (Legal Nonconforming Conditional Use) and are located in the B-4 Central Mixed Use District.

2. This subsection only applies to properties that have a non-residential principal use and where the owner of the business with the Legal Nonconforming Conditional Use is also the owner of the structure and property.

3. The expansion of the use/affiliated structure shall be less than a 50% increase in the footprint from the use/affiliated structure prior to expansion area. Any expansion of a structure is subject to Architectural Control Board approval, and maybe expanded into areas of the lot where the expansion fully complies with all offset and setback requirements of the B-4 district, provided that the expansion is otherwise in compliance with all applicable laws. In passing upon such matters, the Architectural Control Board shall consider all of the following factors: the size of the lot; the size and location of the existing legal nonconforming structure; nature of the expansion of the use; the size and location of any other structures on the lot; the size and location of the proposed expansion; the impact, if any, that the expansion may have upon neighboring properties; whether the proposed expansion would violate the intent of the Zoning Ordinance or Design Standards; and such other matters as the Architectural Control Board finds to be relevant in the interests of the public health, safety, welfare, and protection of property values of the Village.

4. The special exception to expand the use/affiliated structure is prohibited if the requested location, structure, or use thereof, would conflict with any applicable federal, State of Wisconsin, or County of Waukesha codes, statutes, rules, ordinances or lawful orders, or with any Village ordinances other than the matters noted in this section, 17.0507.

5. Any special exception requested under this subsection is prohibited if the special exception would conflict with the express requirements of the conditional use permit affecting the property.

6. The Plan Commission shall either grant or deny the special exception, or grant the special exception upon specified reasonable conditions. To grant or conditionally grant the special exception, the Plan Commission must find that the requested expansion of the legal nonconforming conditional use/affiliated structure will not be adverse to the public health, safety or welfare; will not be in conflict with the spirit or intent of this Chapter; and will not otherwise be detrimental to the Village or the immediate neighborhood where the accessory structure would be located. The Plan Commission shall issue its decision in writing, including any conditions of approval, and shall provide a copy of the decision to the petitioner. The decision of the Plan Commission shall be final, and cannot be appealed to the Zoning Board of Appeals.

7. A special exception granted herein shall be effective once it is recorded against the property by the property owner, and shall run with the land in perpetuity unless stated otherwise in the Plan Commission's decision, and subject to subsection (8), below.

8. Should a use and/or structure or the expansion of the use and/or structure approved by special exception be abandoned in any manner, or discontinued in use for twenty four (24) months, or continued other than in strict conformity with the conditions of the original approval, or should a change in the character of the surrounding area or of the structure itself cause it to be no longer compatible with the surrounding areas, or for similar cause based upon considerations of public health, safety or welfare, the special exception may be terminated by action of the Village Board following referral to the Plan Commission for recommendation and a public hearing thereon.

## **Sloppy Joe's Saloon & Spoon**

Established in March of 2003

Annual sponsor of Richfield Little League

Annual sponsor of Richfield Soccer

Annual sponsor of Richfield Lions Club and former Lioness Club

Contributor to Richfield Historical Society

Voted Best Fish Fry in Milwaukee area by Fox 6 News and Studio A

Won 3rd place in Milwaukee's Wingfest at State Fair Park 2015

Won 3rd place in Milwaukee's Wingest at State Fair Park 2014

Joe Hennes and staff contributed at World Championship of BBQ at

Jack Daniel's in Lynchburg, Tennessee - October 2015



