



Village of

Germantown
 ...Willkommen

Fee must accompany application

\$1460 Paid _____ Date _____

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

<p>1 APPLICANT OR AGENT CAPSTONE DEVELOPMENT COMPANY N17 W24222 RIVERWOOD DRIVE SUITE 160 WAUKESHA, WI 53188-1134</p> <p>Phone (262) 523-1122</p> <p>Fax ()</p> <p>E-Mail <u>mike@capstonequadrangle.com</u></p>	<p>PROPERTY OWNER CQ WI 2021, LLC % CAPSTONE QUADRANGLE N17 W24222 RIVERWOOD DRIVE SUITE 160 WAUKESHA, WI 53188-1134</p> <p>Phone (262) 523-1122</p>
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2 **TO WHOM SHOULD THE PERMIT BE ISSUED?**
 CQ WI 2021, LLC

<p>3 PROPERTY ADDRESS N128 W20955 HOLY HILL ROAD, GERMANTOWN WI 53076</p>	<p>TAX KEY NUMBER GTVN 181979</p>
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4 **DESCRIPTION OF EXISTING OPERATION**
 Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages as necessary.
 Agricultural-crop fields, but earthwork and foundations in place pursuant to early start permit.

5 **DESCRIPTION OF PROPOSED OPERATION**
 Write the name of the proposed conditional use exactly as it appears in the Municipal Code
 17.33(3)(j) Principal Buildings exceeding a height of 45 feet provided that: (CR Ord. #31-07)

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.
 Per drawings submitted in Plan Commission review and approval, we are requesting to exceed the height limit in this M-1 zoning district (45'-0") by 18" to a height in certain defined locations of 46'-6". See attached narrative.

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary

See attached legal description.

7 SUPPORTING DOCUMENTATION:

- Site Plan and elevations for new construction (can be conceptual) *Elevations already submitted to Plan Commission*
- Photos of existing use and/or proposed use operating elsewhere
- setback Exhibit.
- Narrative description and Municipal Code analysis.

8 READ AND INITIAL THE FOLLOWING:

MJF I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.

MJF I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.

MJF I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.

MJF I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action being taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and timeframe.

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

MJF
Applicant (Principal) 1/11/2023
Date

MJF
Owner (Manager) 1/11/2023
Date
by: Capstone Germantown LLC, a
co-managing member
by: Michael Faber, its: Manager

CAPSTONE QUADRANGLE



January 11, 2023

Mr. Jeffrey W. Retzlaff, AICP
Community Development Director
Village of Germantown
N112W17001 Mequon Road
Germantown, Wisconsin 53022-0337

RE: **Capstone 41 – Phase II: CUP Request: GTVN 181979**
N128 W20955 Holy Hill Road, Germantown Wisconsin
Narrative addressing conditions for exceeding the zoning height restriction

Dear Jeff:

As a component of Village consideration of our request for a Conditional Use Permit to allow the building height to exceed the 45'-0" permitted by the zoning district M-1 by 18 inches in certain limited locations as noted in our drawings, please see below our conclusions regarding how we satisfy all 3 of the conditions:

1. A new or expanded building should normally not exceed the height of any existing principal building(s) on an adjacent or opposing property (across the street) if the height of the new building will be greater than twice the height of the nearest, tallest existing building; **Our request does not come anywhere near being twice the height of the nearest tallest existing building. In general our request only exceeds the permitted height by 3.3% and even then, only on about 10% of the building perimeter. Our design is only about 10% to 14% taller than the majority of new industrial buildings in the vicinity. We conclude this condition is satisfied.**
2. The site design and architecture of the new or expanded building includes additional setback, and, variation or articulation of the wall and roof components of the new or expanded building to provide a transition in height; **Please see attached setback exhibit. This shows that on the north, our building provides 2.3 times the required setback, and on the west, provides 8.0 times the required setback, and on the south provides 1.8 times the required setback. Further, the building design provides variation and articulation of both the walls (panel overlaps, panel returns/notches), window patterning, surface reveal patterns, and roof height (3 different panel heights). We conclude this condition is satisfied.**

3. The new or expanded building is not on property that is adjacent to a residential zoning district or other established residential area. **As noted on our Plan Commission Application regarding adjacent uses, it is our understanding that all adjacent properties to our site are neither residential zoning nor established residential primary use. We conclude this condition is satisfied.**

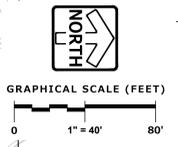
We feel it is important to note that only 10% of the building perimeter edge (panels) would exceed the 45' height; in our design, these only occur at the two west side main corner "office" entrance elements and the center entrance element. The design intent is to give slightly more prominence to the primary entrances so that the architectural vocabulary communicates "entrance" effectively, as well as providing architectural interest. Given the explanation that you provided regarding the origin of this height restriction and conditional use method, where the excess height requested was over 20 feet taller than the 45' limitation, we consider it significant that our request is **only 18 inches taller** (3.3%) than the 45' permitted height. For the vast majority of people in the vicinity, the difference of 18 inches will not be perceptible. It is a **very minor deviation from the 45' norm in the zoning, and even then, only applicable to 10% of the building perimeter.**

Regards,
For CQ WI 2021, LLC

A handwritten signature in blue ink, appearing to read "Michael Faber", with a small flourish at the end.

Michael Faber
Principal

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www.pinnacle-engr.com

PROPOSED BUILDING

F.F.E.=916.45

BUILDING SETBACK
10' REQUIRED
80' PROPOSED

BUILDING SETBACK
30' REQUIRED
70' PROPOSED

BUILDING SETBACK
25' REQUIRED
45' PROPOSED

HOLY HILL ROAD

FUTURE PHASE III BUILDING

F.F.E.=916.45

LEGEND			
	LIGHT DUTY PAVEMENT - 8" CRUSHED AGGREGATE BASE COURSE (1-1/4" DENSE GRADED LIMESTONE) - 3-1/2" ASPHALTIC CONC. (2 LIFTS) LOWER LAYER (5-MT-SB-28-H) UPPER LAYER (5-MT-SB-28-H)		MAN DOOR
	HEAVY DUTY PAVEMENT - 12" CRUSHED AGGREGATE BASE COURSE (1-1/4" DENSE GRADED LIMESTONE) - 5-1/2" ASPHALTIC CONC. (2 LIFTS) LOWER LAYER (5-MT-SB-28-H) UPPER LAYER (5-MT-SB-28-H)		DRIVE IN DOOR
	CONCRETE PAVEMENT (TRUCK DOCK AREA) - 4" CRUSHED AGGREGATE BASE COURSE (1-1/2" DENSE GRADED LIMESTONE) - 7" RCP 4000 PSI AIR ENTRAINMENT CONCRETE WITH 6x6x6 GAUGE STEEL MESH		PROPOSED STREET LIGHT
	CONCRETE SIDEWALK - 6" CRUSHED AGGREGATE BASE COURSE (1-1/2" DENSE GRADED LIMESTONE) - 5" PPC (6x6 WELDED WIRE FABRIC PE RACI 315-92)		PROPOSED SIGN
	GRAVEL SHOULDER - 1-1/4" DENSE AGGREGATE		
	4" SOLID STRIPE		
	4" DIAGONAL AT 45° SPACED 2' O.C.		
	R7-8 HANDICAP PARKING SIGN		
	TAPER CURB HEAD (SEE DETAIL ON SHEET C-14)		
	18" VERTICAL FACE CURB & GUTTER (SEE DETAIL ON SHEET C-14)		
	18" REVERSE VERTICAL FACE CURB & GUTTER (SEE DETAIL ON SHEET C-14)		
	30" CURB & GUTTER (SEE DETAIL ON SHEET C-14)		
	CAST RETAINING WALL (SEE ARCHITECTURAL & STRUCTURAL PLANS)		
	BUILDING DOOR SLAB (2.0% MAX SLOPE 5' WITHIN DRIVE IN OR MAN DOOR) (SEE DETAIL ON SHEET C-12)		
	THICKENED ASPHALT EDGE & 3" GRAVEL SHOULDER (SEE DETAIL ON SHEET C-12)		
	PARKING COUNT (FOR INFORMATION ONLY, NOT TO BE PAINTED)		

WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP INC. MAY 2021

25' WETLAND SETBACK

10' BUILDING SETBACK

PLAN | DESIGN | DELIVER
www.pinnacle-engr.com

PINNACLE ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE: 20725 WATERTOWN ROAD, SUITE 100
BROOKFIELD, WI 53196
(262) 754-8888
CHICAGO | MILWAUKEE | RATIONSVILLE

CAPSTONE 41 - PHASE II

GERMANTOWN, WI

SITE DIMENSIONAL & PAVING PLAN

REVISIONS

REG. JOB NO.: 1262.00B
TOM
START DATE: 11/11/22
SCALE: 1" = 40'

SHEET
C-4
C-14

FOR REVIEW

SITE DIMENSIONAL & PAVING PLAN

Legal Description LOT 2 of CSM 7248

All of Lot 2 of Certified Survey Map No. 7248, as recorded in the Register of Deeds office for Washington County as Document No. 1571463, located in the Northwest 1/4 of the Northeast 1/4 of Section 18, Township 9 North, Range 20 East, Village of Germantown, Washington County, Wisconsin