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**VILLAGE OF WAUNAKEE / TOWN OF WESTPORT  
JOINT PLAN COMMISSION  
Town of Westport Community Rm.,  
5387 Mary Lake Rd., Town of Westport  
December 11, 2018 6:00 PM**

Agendas may change prior to the commencement of the meeting.  
Please check the posting board at the Village Hall, 500 W. Main Street,  
Waunakee, Wisconsin for the current agenda.

**AGENDA**

**CALL TO ORDER**

**ROLL CALL: Ken Sipsma, Dean Grosskopf, Eileen Bruskewitz, Brad Zeman, Brian Malich, Tim Black**

**MINUTES**

**1 September 11, 2018**

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

**NEW BUSINESS**

- 1 Discuss and Take Action on Certified Survey Map, Site Plan and Specific Implementation Plan for Boston Pizza, Kilkenny Farms Commons**
- 2 Initial Consultation Kilkenny Farms West General Development Plan and Certified Survey Map**
- 3 Discuss and Take Action on 4-Lot CSM Kilarney Way, Kilkenny Farms**

**ADJOURN**

Any person who has a qualifying disability as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format should contact the municipal clerk at (608) 850-8500, 500 West Main Street, Waunakee, Wisconsin, at least twenty-four hours prior to the commencement of the meeting so that any necessary arrangements can be made to accommodate each request.

**VILLAGE OF WAUNAKEE BOARD AND PLAN COMMISSION MEETING  
TOWN OF WESTPORT BOARD AND PLAN COMMISSION MEETING**

Notice is hereby given that the Village or Town Board or Village or Town Plan Commission may attend this meeting. No action will be taken by the Village or Town Board or Village or Town Plan Commission at this meeting.

*Next scheduled meeting is 1/15/2019 6:00:00 PM.*

**VILLAGE OF WAUNAKEE/TOWN OF WESTPORT  
JOINT PLAN COMMISSION MEETING  
500 West Main Street  
September 11, 2018 6:00 PM**

**Meeting Minutes**

**CALL TO ORDER**

**ROLL CALL: Ken Sipsma, Dean Grosskopf, Eileen Bruskewitz, Brad Zeman, Brian Malich, Tim Black**

**MINUTES**

**1 August 14, 2018**

Motion by Dean Grosskopf to To Approve , seconded by Brian Malich. Motion carried unanimously:

Ayes: Eileen Bruskewitz, Dean Grosskopf, Ken Sipsma, Brian Malich, Chris Thomas

Not Present: Tim Black, Pat McGowan

Motion Pass. For: 5 - Eileen Bruskewitz, Dean Grosskopf, Ken Sipsma, Brian Malich, Chris Thomas, Against: 0, Absent: 2.

**PUBLIC COMMENT**

**NEW BUSINESS**

**1 Initial Consultation, Mini Storage Units, Spahn, 5490 CTH Q, Town of Westport**

Mike Spahn presented plan and responded to questions. Members were not favorable to a rezone, but directed applicant to work with staff on possible alternatives for this site. Consultation only. No formal action taken.

**2 Initial Consultation, Dremsa, Proposed Additional Residence on Lot located at 5846 Endres Road, Town of Westport**

Applicant was not present for the meeting. Mr. Wilson informed the Joint Plan Commission members that the Town Plan Commission had not shown support for the proposal the previous evening. No action required.

**3 Public Hearing and Discussion Action on A request to Amend the GDP for Kilkenny Farms Commons to Consolidate 82 Multi-Family Units Previously Approved for Lots 263/264 to Lot 2 of CSM 14357**

Motion by Dean Grosskopf to To Approve Recommend approval of the Kilkenny Farms Commons GDP Amendment, as recommended by the Village Plan Commission, to the Village Board., seconded by Brian Malich. Motion carried unanimously:

Ayes: Dean Grosskopf, Ken Sipsma, Brian Malich, Chris Thomas  
Not Present: Eileen Bruskewitz, Tim Black, Pat McGowan

Motion Pass. For: 4 - Dean Grosskopf, Ken Sipsma, Brian Malich, Chris Thomas, Against: 0,  
Absent: 3.

**4            Woodland Drive/Peaceful Valley Parkway Public Informational Meeting Update**

**Staff gave an update on the upcoming meeting. No action necessary.**

**ADJOURN**

Respectfully Submitted,

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## **WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 12/11/2018

**ITEM:** NEW BUSINESS

**TITLE:** Discuss and Take Action on Certified Survey Map, Site Plan and Specific Implementation Plan for Boston Pizza, Kilkenny Farms Commons

**ISSUE SUMMARY:** Attached is the CSM and site plan for the proposed restaurant. The building design and materials are high quality. Our consultants have pointed out concerns with the parking location and building orientation. The plan commission should provide policy direction in these two items before final approval consideration is given. See attached memos.

**STAFF RECOMMENDATION:** None at this time as staff needs clear policy direction on building orientation and parking.

**RECOMMENDED MOTION:** No motion necessary at this time, but the JPC should provide clear policy direction on the parking and building orientation.

**ATTACHMENT(S):** Submittal and Staff Comments

**FOR MORE INFORMATION CONTACT:** [kevin@waunakee.com](mailto:kevin@waunakee.com) or (608) 849-6276





Boston Pizza

DISCLAIMER: The Village of AssetAlly does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 419'

VILLAGE OF AssetAlly  
123 Fake Street  
PO Box 206  
AssetAlly, WI 53149  
262-555-5555

Print Date: 12/6/2018

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**To:** Kevin Even, Village of Waunakee  
**From:** Jason Valerius, AICP  
**Subject:** Boston Pizza Site Plan  
**Date:** December 4, 2018

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### **Request**

Applicant is seeking site plan and CSM approval for a Boston Pizza restaurant on the east side of Hwy Q south of Water Wheel Drive.

### **Background Information**

This site is at the southwest corner of the Kilkenny Farms development and will be a prominent “gateway” feature at the Village’s southwest edge along Hwy Q. A gas station and convenience store are proposed for the adjacent site to the north, though I have not seen a site plan for that project.

### **Applicable Zoning & Development Code Regulations**

The site is zoned Planned Unit Development and is subject to the General Development Plan, amended September 17, 2018.

### **Consistency with the Village Comprehensive Plan**

The Plan indicates commercial land use, which this is. On page 66 the plan states a goal that this entrance corridor will be “attractive and inviting”, and adds a specific policy, 4.1: “Development along the community’s primary entrance corridors requires special attention and design effort in the development process to ensure a strong and attractive entrance. This should include the selection of high quality materials and designs for buildings, exceptional landscaping, and buffering techniques to obscure the view of features not intended for view from a highway, such as residential rear yards, garage doors and loading docks.”

The design of the building is decent, in that it has good proportions and the pitched roof portion is distinctive and attractive. I would prefer to see an adjustment to the front door façade to incorporate more stone, more muted colors, and/or a flat roof with extended eaves over the entry feature. I think the Village should expect a unique, locally-relevant design with high quality materials that will look as good here 30 years from now as it does when it is constructed. This will be your front door.

The site plan places the building about 115’ from the Hwy Q right-of-way, with three rows of parking in front of the building. This is dissimilar from other completed buildings along Hwy Q in Kilkenny farms, which are closer to the highway and do not place parking in that Hwy Q yard.

## MEMO

December 3, 2018

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### Consistency with the Village Zoning Ordinance

The 2018 General Development Plan shows a building at the far southwest corner of this site, with parking to the east. It also shows a driveway connection to Simon Crestway. The proposed site plan has parking wrapped around three sides of the building (common for this type of use) resulting in a more conventional and auto-dominant appearance from Hwy Q. Regarding parking, the GDP requires 4.3 spaces per 1,000 SF, or a total of 27 spaces. There appear to be about 215 seats in the restaurant. The plan provides 79 parking stalls, including accessible spaces, or about 1 per 2.7 seats. As a point of reference (since the parking is determined by the GDP), the Village ordinance requires 1 parking spot per 3 seats, or about 72.

### MSA Recommendation

I have a concern with the deep setback and front yard parking in this layout. I appreciate that the parking areas are distributed around the building and therefore less dominant in overall appearance, but I wonder if the Village will be satisfied with having 27 of those stall between the building and the highway. Perhaps the building could be rotated 90 degrees and located near the northwest corner of the site, closer to the highway. The parking would still be visible from the highway (something that the operator probably wants), but the building would be more prominent. This arrangement would screen from view the back side of the proposed convenience store to be built immediately to the north. This approach would also resolve another concern I have about parking: when the restaurant is busy, customers will not be able to see the parking in front of the building to know if a spot is available, but they will likely try their luck since that is where the entrance is. This will induce extra parking congestion at these times.

I encourage reconsideration of the front door façade, perhaps taking design cues from the nearby Waunakee Community Bank.

Sincerely,  
MSA Professional Services, Inc.



Jason Valerius, AICP  
Consultant Planner





**Strand Associates, Inc.®**

910 West Wingra Drive

Madison, WI 53715

(P) 608-251-4843

(F) 608-251-8655

December 3, 2018

Mr. Kevin Even, P.E.  
Village of Waunakee  
500 West Main Street  
P.O. Box 100  
Waunakee, WI 53597

Re: Boston Pizza Site Plan

Dear Kevin,

We received site, grading, and utility plans, and Certified Survey Map (CSM) for the proposed restaurant and sports bar in the Kilkenny Farms Commercial area. The proposed site is the southmost lot of the development that fronts CTH Q. The CSM is required to reconfigure the lots in that area to provide adequate space for the proposed restaurant. We have reviewed these plans, and have the following comments.

### **Parking, Circulation, and Site Improvements**

There is one access to the site from Village of Waunakee (Village) roads, that is, to Water Wheel Drive. The driveway is 24 feet wide, which should be considered a minimum acceptable width. No parking will be allowed along the driveway at that width. A future driveway connection and cross access easement to the east to the southerly extension of Simon Crestway should be considered, as it may be beneficial to have connected uses for ease of access to all businesses that develop there.

The required number of stalls for the proposed facility based on formulas in the code (restaurant, one stall per three seats), is approximately 74 stalls, based on the stated seating capacity of 222 persons. This count does not include any seasonal patio seating they may have. The plan calls for 79 stalls, which meets the requirement of the Village code. The plan uses a one-way access plan for the front of the business (facing CTH Q). Regarding this route, a one-way sign should be added to help direct traffic in the correct direction. Also, the western row of stalls appears to be slightly narrow. If the plan were changed to make the striping to extend 19.5 feet from the curb line instead of the 18.5 feet shown, they would still have acceptable aisle width for one-way traffic.

No photometric lighting plans was provided, nor any lighting fixture information. This information should be provided for review prior to approval of the plan.

Details should be provided on the construction of the waste and recycling enclosure.

### **Site Utilities**

Sewer and water services are intended to be extended from mains on Water Wheel Drive. These extensions are consistent with the plan to serve a convenience store proposed on the lot north of this site in 2017. Under that plan, the sewer and water mains were to be considered public mains within an easement dedicated for their purpose. If it is still the case that these utilities are to be publicly owned,

RKS:tl|S:\MAD\1600-1699\1602\701\WRD\2018 Site Plan Comments\11. Boston Pizza\Boston Pizza site plan review.docx

Mr. Kevin Even, P.E.  
Village of Waunakee  
Page 2  
December 3, 2018

then the materials of construction shown in this plan will need to be modified. For water main and services larger than 2 inches, the pipe should be ductile iron, Class 52 instead of polyvinyl chloride (PVC), with 7 feet of cover. Also, all water services must have a valve near the tee connection at the main. The applicant should provide for a continuation of water main to the east for future looping connection to Simon Crestway. The location of this main should be carefully considered to work in harmony. An easement for this watermain looping should be shown on the CSM. with future improvements to the adjacent Lot 2 of the CSM. Because the Village will own these utilities, full plan and profile drawings of these improvements should be provided for review.

All water services should be shown to extend at least 10 feet into the lots they will serve in order to prevent removal of sidewalks within the access drive.

Storm sewers shown in the same utility easement (within the access driveway) are shown as high density polyethylene (HDPE). The Village standard for storm sewer below pavements in reinforced concrete pipe. If the Village is to own the storm sewers within the easement or driveway, the material should be changed to concrete. All piping on the site itself (generally speaking, south of SAN MH-1) would be considered private, and the applicant is free to use the materials it wishes to use there.

Regarding the routing of stormwater at the south end of the property, careful consideration should be given to the location of the outlet pipe leading from this site. It may be more suitable to future development east of this project if it were located closer to the south line of this property, keeping it out of any possible future building footprint. An easement should be shown on the CSM to reserve a route of discharge across Lot 2 of the CSM.

### **Grading, Erosion Control, and Stormwater Management**

The plan shows curbing and inlets around the parking and drive areas that contain and collect runoff. While spot grades and contours lines are provided on the proposed site, it is not clear how the new improvements will blend with the exiting lands, especially at the west side of the site. The applicant should provide better information on existing and proposed contours around the perimeter of the site where matching existing ground and path.

A retaining wall up to 5 feet in height is proposed along the south line of the site. This drop is adjacent to an outdoor patio and seating area. A decorative fence should be provided along this area, or at least in the vicinity of the patio.

We recently received the applicant's stormwater management plan separately from the main packet of information, and it is currently under review.

### **Signage**

No ground sign is shown on the plans, but details on several wall signs are shown for the north, west and south facades. Each sign is well below the maximum 150 square feet of area required by code. There is a stipulation in the code that requires signs not to extend above the wall they are mounted on. It appears that two of the signs are mounted on the top of wall; however, because there is a taller wall behind that frames the signs, it gives a nice appearance in our opinion.

Mr. Kevin Even, P.E.  
Village of Waunakee  
Page 3  
December 3, 2018

**CSM**

Easements should be provided across Lot 2 of the CSM for a future water main looping route to Simon Crestway, and to reserve a route for drainage relief from Lot 1 of the CSM across Lot 2.

Sincerely,

STRAND ASSOCIATES, INC.®

A handwritten signature in black ink, appearing to read "R. Kent Straus", with a long horizontal flourish extending to the right.

R. Kent Straus, P.E.

c: Todd Schmidt, Administrator, Village of Waunakee  
Bryan Kleinmeier, Stafford Rosenbaum  
Tim Herlitzka, Village of Waunakee Utilities  
Ed Freer, SmithGroupJJR



To: Kevin Even  
Tracy Meinholz  
From: Randy Dorn  
Dave Dresen  
Tim Herlitzka  
RE: Boston Pizza – Site Plan and CSM  
Date: November 30, 2018

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This memo provides comments for the Boston Pizza – Site Plan and CSM submittal. These are initial comments based on preliminary plans.

- We will require a looped water system through the property and ask the applicant to provide a proposed design. One option would be to bring the water main to the south property line then east to a future connection on Simon Crestway with easements provided to the satisfaction of the utility.
- Additional comments regarding the materials used for water and sewer construction are being presented by Strand Associates.
- An easement will be required for the utilities located in the private road leading to the building. This easement document should be similar to the easement for the road adjacent to the bank to the north of this site.
- The easement area for the electric facilities needs to be able to be utilized by the utility. As currently drawn, parking stalls, curbs, and the retention pond conflict with this.
- We would like to know the estimated electric load and suggest the applicant contact Dave Dresen, Electric Superintendent, at 575-0462. Dave will also be able to discuss the easement conflicts noted above.
- The utility offers a free New Construction Design Program for prospective building owners and developers, design professionals, and construction contractors to deliver high performance buildings that provide improved energy efficiency, peak load reduction, improved systems performance, and better comfort. Energy savings are targeted by simulating incremental improvements of efficiency in lighting, HVAC, and other building systems. The program seeks to capture synergistic energy savings by encouraging the design and construction of buildings as integrated systems. We encourage the applicant to contact Clint Cry, our energy services representative at (608) 825-1756, to discuss details about the program. Program information can be found here - [https://www.waunakeeutilities.com/sites/waunakeeutilities.com/files/Waunakee\\_NewConstDesignAssist\\_CutSheet\\_F\\_EconDev.pdf](https://www.waunakeeutilities.com/sites/waunakeeutilities.com/files/Waunakee_NewConstDesignAssist_CutSheet_F_EconDev.pdf)



## PLAN COMMISSION APPLICATION

PROJECT ADDRESS / NAME: Boston Pizza CSM - Lot 2 & Pt. of Lot 3, CSM No. 14532

APPLICANT:	<u>KilKenny Farms, LLC</u>		
ADDRESS:	<u>3564 Egge Road, DeForest WI</u>		
PHONE:	<u>608-241-0102</u>	EMAIL:	<u>jktierney999@gmail.com</u>

OWNER:	<u>KilKenny Farms, LLC</u>		
ADDRESS:	<u>3564 Egge Road, DeForest WI</u>		
PHONE:	<u>608-241-0102</u>	EMAIL:	<u>jktierney999@gmail.com</u>

PROJECT DESCRIPTION: Prepared 2-lot CSM to create a parcel for the Boston Pizza restaurant on CTH Q at the entrance to the Village

OWNER/APPLICANT SIGNATURE: [Signature] Agent for Owner/Applicant DATE: 11/12/2018

FEES: (CHECK ALL THAT APPLY)		ESCROW DEPOSIT:
• SITE PLAN	<input type="checkbox"/> \$320	An escrow deposit is required in accordance with the Development Application Agreement.
• REZONE	<input type="checkbox"/> \$345	
• CONDITIONAL USE PERMIT	<input type="checkbox"/> \$350	ESCROW FEE PAID: _____ DATE: _____ FEE WAIVED BY: _____
• CERTIFIED SURVEY MAP	<input checked="" type="checkbox"/> \$100 + \$25 per lot	
• PRELIMINARY PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• FINAL PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• GDP/SIP APPROVAL	<input type="checkbox"/> \$475	
TOTAL: <u>150</u>		



# BIRRENKOTT SURVEYING



BIRRENKOTT SURVEYING INC.  
1677 N. BRISTOL STREET  
SUN PRAIRIE, WIS. 53590  
608-837-7453

PREPARED FOR:  
DON TIERNEY  
3564 EDE ROAD  
DEFOREST, WI 53532  
608-241-0102

L:\2011\Tierney\160679-Lot 263\181055

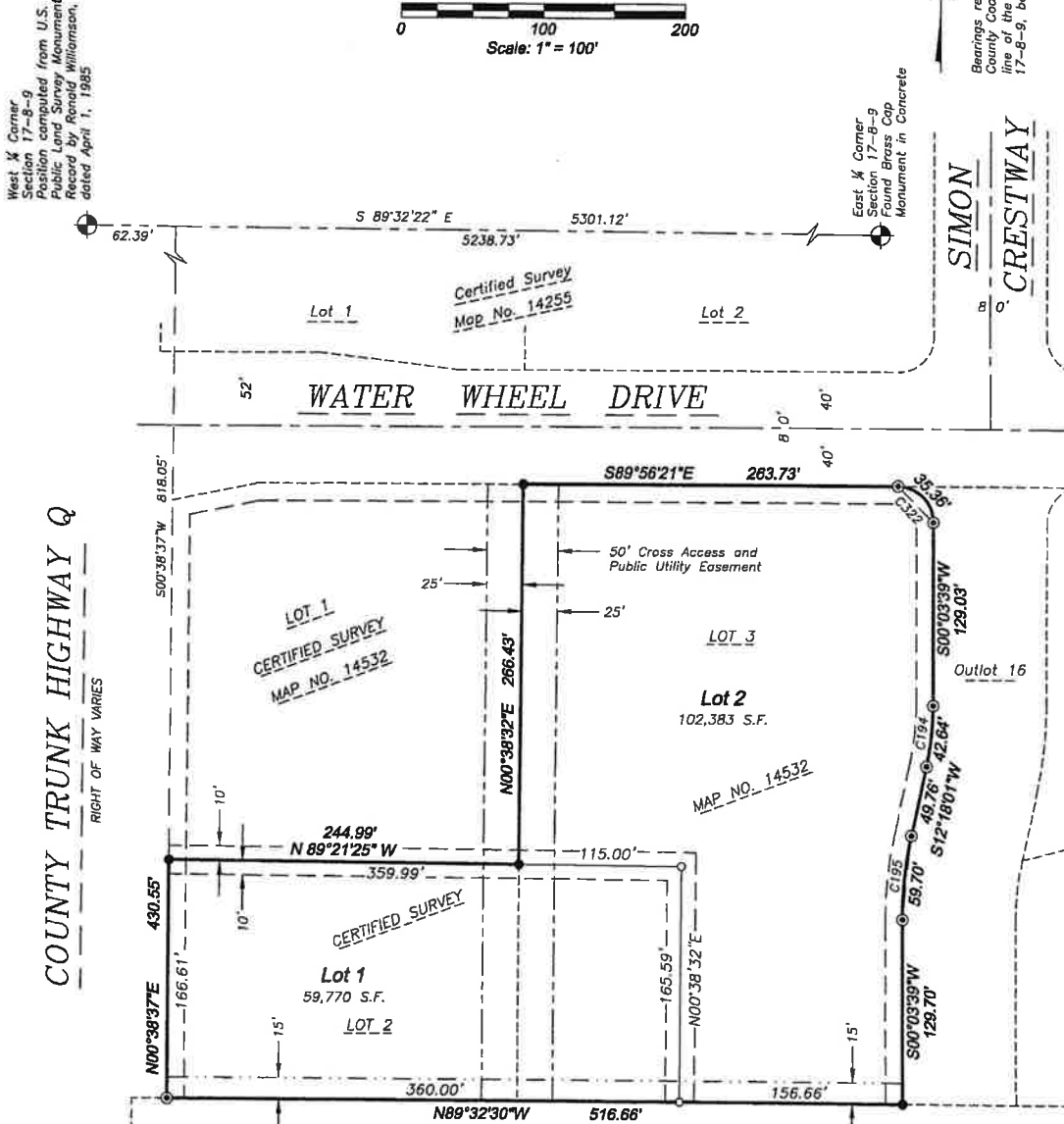
West 1/4 Corner  
Section 17-B-9  
Position computed from U.S.  
Public Land Survey Monument  
Record by Ronald Williamson,  
dated April 1, 1985

## CERTIFIED SURVEY MAP

Lots 2 and 3, Certified Survey Map No. 14532, as recorded in Volume 100 of Certified Survey Maps of Dane County on Pages 161-163, located in the Northwest 1/4 of the Southwest 1/4, Section 17, T8N, R9E, Village of Waunakee, Dane County, Wisconsin

0 100 200  
Scale: 1" = 100'

Bearings referenced to the Dane County Coordinate System, the North line of the Southwest 1/4 of Section 17-B-9, bearing S89°32'22"E



COUNTY TRUNK HIGHWAY Q  
RIGHT OF WAY VARIES

### Curve Data

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA ANGLE
C194	200.00'	42.72'	42.64'	S 06°10'50" W	12°14'22"
C195	280.00'	59.81'	59.70'	S 06°10'50" W	12°14'22"
C322	25.00'	39.27'	35.36'	S 44°56'21" E	90°00'00"

### Legend

- = Found 1-1/4" O.D. Iron Pipe
- ⊙ = Found 1-1/4" Rebar
- = 1-1/4" O.D. x 24" Iron Pipe Set, Weight = 1.68 Lbs/Ft
- = Public utility easement, 12' wide except as noted
- - - - - = 15' Public utility and sidewalk easement
- ===== = 50' Cross Access and Public Utility Easement

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_

Sheet 1 of 3  
Office Map No. 160679



## CERTIFIED SURVEY MAP

DATED: November 12, 2018

### Birrenkott Surveying, Inc.

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

#### Mortgagee Certificate:

First Business Bank, mortgagee of certain of the lands described hereon, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Certified Survey map, and does hereby consent to the certification of Kilkenny Farms, LLC, owner.

#### First Business Bank

\_\_\_\_\_  
Jim Hartlieb, President

State of Wisconsin )  
Dane County ) ss

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Larry G. Skaar, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin.

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

\_\_\_\_\_  
Printed name

Notes: Utilities Easement: No poles or buried cables are to be placed on any lot line or corner.

The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.

Wetlands, if present, have not been delineated.

This survey is subject to any and all easements and agreements both recorded and unrecorded.

This survey shows no above-ground improvements. No guarantee is made for below-ground structures.

#### Surveyed For:

Donald and Joanne Tierney  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

Surveyed: C.K.C.  
Drawn: M.A.P.  
Checked: M.A.P./D.V.B.  
Approved: D.V.B.  
Field book:  
Tape/File: J:\2011\Carlson\110118

Document No. \_\_\_\_\_

Sheet 2 of 3  
Office Map No.: 181055

Certified Survey Map No. \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_



# CERTIFIED SURVEY MAP

DATED: November 12, 2018

## Birrenkott Surveying, Inc.

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

### Surveyor's Certificate:

I, Daniel V. Birrenkott, hereby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

Daniel V. Birrenkott, Professional Land Surveyor No. S-1531

### Description:

Lots 2 and 3, Certified Survey Map No. 14532, as recorded in Volume 100 of Certified Survey Maps of Dane County on Pages 161-163, located in the Northwest ¼ of the Southwest ¼, Section 17, T8N, R9E, Village of Waunakee, Dane County, Wisconsin; Containing 162,153 square feet, or 3.722 acres.

### Owners Certificate:

As owner, Kilkenny Farms, LLC, does hereby certify that it has caused the lands described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as shown. It also certifies that this Certified Survey Map is required to be submitted to the Village of Waunakee as a required approving authority.

### Kilkenny Farms, LLC

Donald C. Tierney, Member

### State of Wisconsin )

### Dane County ) ss

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Larry G. Skaar, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Dane County, Wisconsin.

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

Printed name

### Village of Waunakee Approval Certificate:

Resolved, that this Certified Survey Map is hereby acknowledged and accepted by the Village of Waunakee and is approved for recording by the Village of Waunakee this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Julee R. Helt, Clerk, Village of Waunakee

Dated

Notes: Utilities Easement: No poles or buried cables are to be placed on any lot line or corner.

The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.

Wetlands, if present, have not been delineated.

This survey is subject to any and all easements and agreements both recorded and unrecorded.

This survey shows no above-ground improvements. No guarantee is made for below-ground structures.

### Surveyed For:

Donald and Joanne Tierney  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

Surveyed: C.K.C.  
Drawn: M.A.P.  
Checked: M.A.P./D.V.B.  
Approved: D.V.B.  
Field book:  
Tape/File: J:\2011\Carlson\110118

### Register of Deeds Certificate:

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2018  
at \_\_\_\_\_ o'clock \_\_\_\_\_ m and recorded in Volume \_\_\_\_\_ of Certified Survey  
Maps of Dane County on Pages \_\_\_\_\_.

Kristi Chlebowski, Register of Deeds

Document No. \_\_\_\_\_

Certified Survey Map No. \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_

Sheet 3 of 3  
Office Map No.: 181055

# BIRRENKOTT SURVEYING



BIRRENKOTT SURVEYING INC.  
1677 N. BRISTOL STREET  
SUN PRAIRIE, WIS. 53590  
608-837-7463

PREPARED FOR:  
DON TIERNEY  
3564 COLE ROAD  
DETROIT, MI 48202  
608-241-0102

L:\2011\Tierney\Lot 263\Meffert CSM v2

## CERTIFIED SURVEY MAP

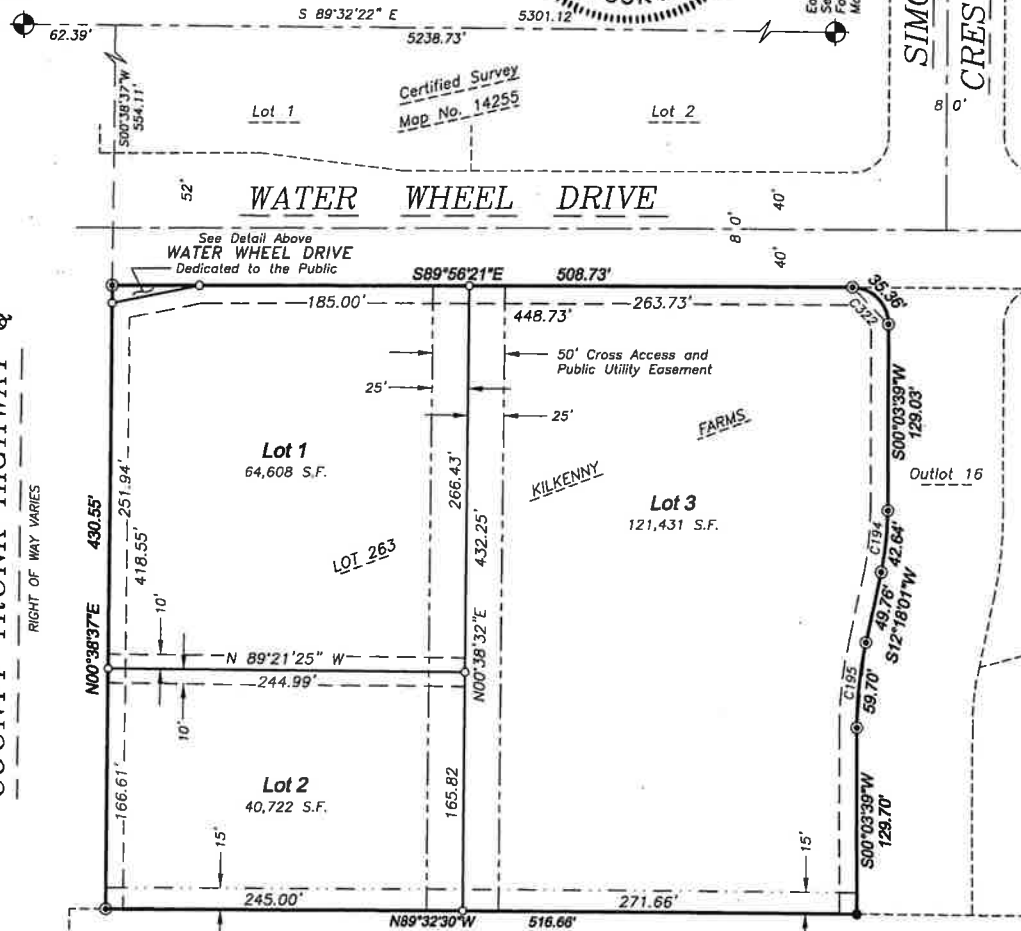
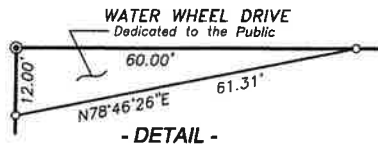
Lot 263, Kilkenny Farms, located in the Northwest 1/4 of the Southwest 1/4,  
Section 17, T8N, R9E, Village of Waunakee, Dane County, Wisconsin

Scale: 1" = 100'



Bearings referenced to the Dana  
County Coordinate System, the North  
line of the Southwest 1/4 of Section  
17-8-9, bearing S89°32'22" E

West 1/4 Corner  
Section 17-8-9  
Position computed  
Public Land Survey Monument  
Record by Ronald Williamson,  
dated April 1, 1985



### Curve Data

CURVE	RADIUS	ARC	CHORD	CHORD BEARING	DELTA ANGLE
C194	200.00'	42.72'	42.64'	S 06°10'50" W	12°14'22"
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### Legend

- = Found 1-1/4" O.D. Iron Pipe
- ⊙ = Found 1-1/4" Rebar
- = 1-1/4" O.D. x 24" Iron Pipe Set, Weight = 1.13 Lbs/Ft
- = Public utility easement, 12' wide except as noted
- - - - - = 15' Public utility and sidewalk easement
- = 50' Cross Access and Public Utility Easement

CERTIFIED SURVEY MAP NO. 14532  
VOLUME 100 PAGE 16  
DOCUMENT NO. 5333260

Sheet 1 of 3  
Office Map No. 160679

# CERTIFIED SURVEY MAP

DATED: JUNE 12, 2017




**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

## Mortgagee Certificate:

First Business Bank, mortgagee of certain of the lands described hereon, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Certified Survey Map, and does hereby consent to the certificate of Kilkenny Farms, LLC, owner.

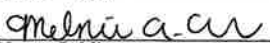
**First Business Bank**

  
Jim Hartlieb, President

**State of Wisconsin )**

**Dane County ) ss**

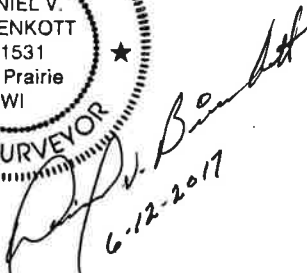
Personally came before me this 14th day of JUNE, 2017, the above-named Jim Hartlieb, to me known to be the person who executed the foregoing instrument and acknowledged the same.

  
Notary Public

My Commission Expires JUNE 14, 2018

MELANIE A. CASS  
Printed name



  
6.12.2017

## Surveyed For :

Donald and Joanne Tierney  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

Surveyed: CKC  
Drawn: MAP  
Check: MAP  
Approved: DVB  
Field book:  
Tape/File: J:\CARLSON\110118 Document No. 5333260

Sheet 2 of 3  
Office Map No.: 160679

Certified Survey Map No. 14532, Volume 100, Page 162

# CERTIFIED SURVEY MAP

DATED: JUNE 12, 2017



**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

## Surveyor's Certificate

I, Daniel V. Birrenkott, hereby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed, divided and mapped the lands described hereon and that the map is a correct representation of all of the exterior boundaries of the land surveyed and division of that land, in accordance with the information provided.

*[Signature]*  
Daniel V. Birrenkott, Registered Land Surveyor No. S-1531

6-12-2017

## Description:

Lot 263, Kilkenny Farms, located in the Northwest 1/4 of the Southwest 1/4, Section 17, T8N, R9E, Village of Waunakee, Dane County, Wisconsin; Containing 227,121 square feet, or 5.214 acres.

## Owners Certificate:

As owner, Kilkenny Farms, LLC, does hereby certify that it has caused the lands described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as shown. It also certifies that this Certified Survey Map is required to be submitted to the Village of Waunakee as a required approving authority.

Kilkenny Farms, LLC

*[Signature]*  
Donald C. Tierney, Member

State of Wisconsin )  
Dane County ) ss

Personally came before me this 13<sup>th</sup> day of June, 2017, the above-named Donald C. Tierney, to me known to be the person who executed the foregoing instrument and acknowledged the same.

*[Signature]*  
Notary Public

My Commission Expires 8-28-20

*[Signature]*  
Amy Scott  
Printed name



## Village of Waunakee Approval Certificate:

Resolved, that this Certified Survey Map is hereby acknowledged and accepted by the Village of Waunakee and is approved for recording this 14<sup>th</sup> day of June, 2017.

*[Signature]*  
Julee R. Helt, Village of Waunakee clerk

Dated 6/14/17



## Notes:

Utility Easement: No poles or buried cables are to be placed on any lot line or corner. The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.

Wetlands if present have not been delineated.

This survey is subject to any and all easements and agreements both recorded and unrecorded.

## Surveyed For :

Donald and Joanne Tierney  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

## Register of Deeds Certificate:

Received for recording this 14<sup>th</sup> day of June, 2017

at 08:29 o'clock P. m and recorded in Volume 100 of Certified Survey Maps

of Dane County on Pages 161-163

Rec'd 6/14/17 12:03 p.m.

Document No. 5333260

*[Signature]*  
Kristi Chlebowski, Register of Deeds

Surveyed: CKC  
Drawn: MAP  
Check: MAP  
Approved: DVB  
Field book:  
Tape/File: J:\CARLSON\110118

Sheet 3 of 3  
Office Map No.: 160679

Certified Survey Map No. 14532, Volume 100, Page 163

## **DESCRIPTION OF PROPOSED CSM**

The proposed CSM is designed to create a lot for the site for the Boston Pizza restaurant to be located on Lot 2 and a part of Lot 3 of Certified Survey Map No. 14532, Village of Waunakee, Dane County, Wisconsin. The restaurant will be located along the east side of CTH Q at the entrance to the Village, just south of the Randy Meffert convenience store site. The application for the SIP for the restaurant is being filed by Jewell Associates. The parcel being created for the restaurant will be accessed by means of an access easement that has been recorded for access to the convenience store site from Water Wheel Drive.

The surveyor for this Certified Survey Map is Mark Pynnonen at Birrenkott Surveying, Sun Prairie, Wisconsin.



## PLAN COMMISSION APPLICATION

PROJECT ADDRESS / NAME: Tierney Development - Boston Pizza

APPLICANT: Don Tierney	
ADDRESS: 3564 Egge Road	
PHONE: 608-575-6538	EMAIL: dontierney999@gmail.com

OWNER: Don Tierney	
ADDRESS: 3564 Egge Road	
PHONE: 608-575-6538	EMAIL: dontierney999@gmail.com

PROJECT DESCRIPTION: Construction of a new building and site to be used for a Pizza restaurant.

OWNER/APPLICANT SIGNATURE: Paul K. [Signature]

DATE: 11/13/18

FEES: (CHECK ALL THAT APPLY)		ESCROW DEPOSIT:
• SITE PLAN	<input checked="" type="checkbox"/> \$320	An escrow deposit is required in accordance with the Development Application Agreement.
• REZONE	<input type="checkbox"/> \$345	
• CONDITIONAL USE PERMIT	<input type="checkbox"/> \$350	
• CERTIFIED SURVEY MAP	<input type="checkbox"/> \$100 + \$25 per lot	
• PRELIMINARY PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• FINAL PLAT	<input type="checkbox"/> \$100 + \$50 per dwelling unit	
• GDP/SIP APPROVAL	<input type="checkbox"/> \$475	ESCROW FEE PAID: _____
TOTAL: _____		DATE: _____
		FEE WAIVED BY: _____



**Project Narrative -  
Tierney – Boston Pizza  
Waunakee, WI**

**Owners/Developer:**

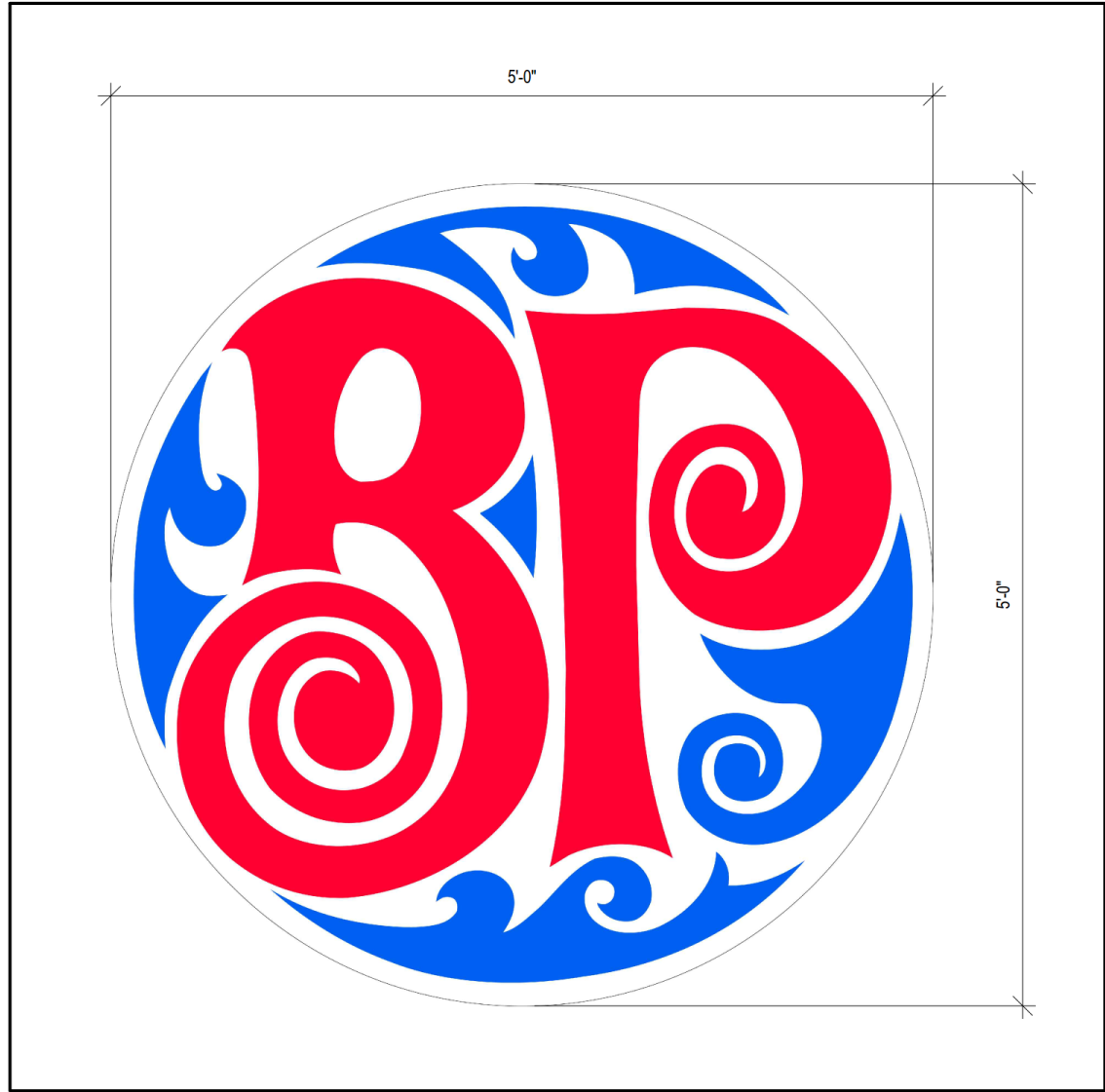
Don Tierney  
3564 Egge Road  
Deforest, WI  
608-575-6538

**Architect:**

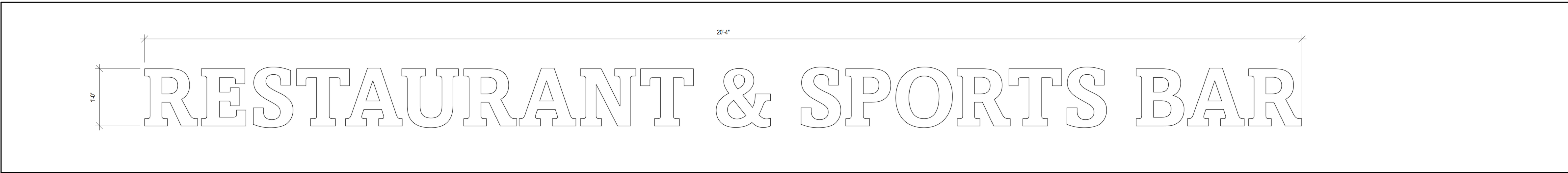
Jewell Associates  
Paul Kardatzke  
560 Sunrise Drive  
Spring Green, WI  
608-588-7484

The Boston Pizza project consists of the construction of a 6,133 SF restaurant and associated access road and parking. The Boston Pizza project site is located to the south east of the intersection of County Highway Q and Water Wheel Drive. As part of this project, an access road will be extended south from Water Wheel Drive.

Total Site Size: 59,770 SF  
Building Floor Area: 6,133 SF  
Parking Stalls: 79 stalls (4 ADA accessible)  
Impervious Surface: 48,844 SF(82%)  
Non-Impervious Surface: 10,926 SF(18%)



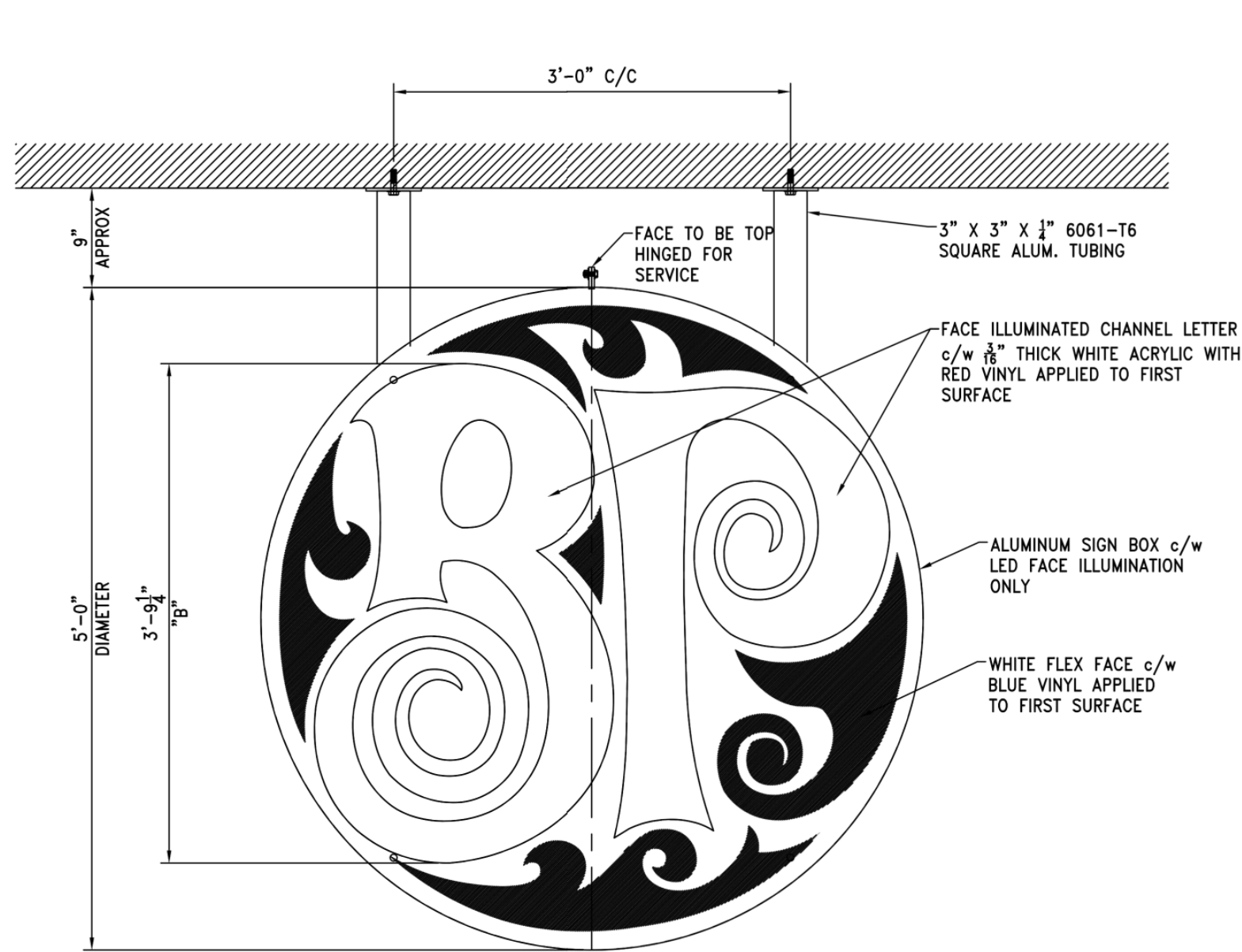
1 ES1.1 - BP RONDEL - FRONT



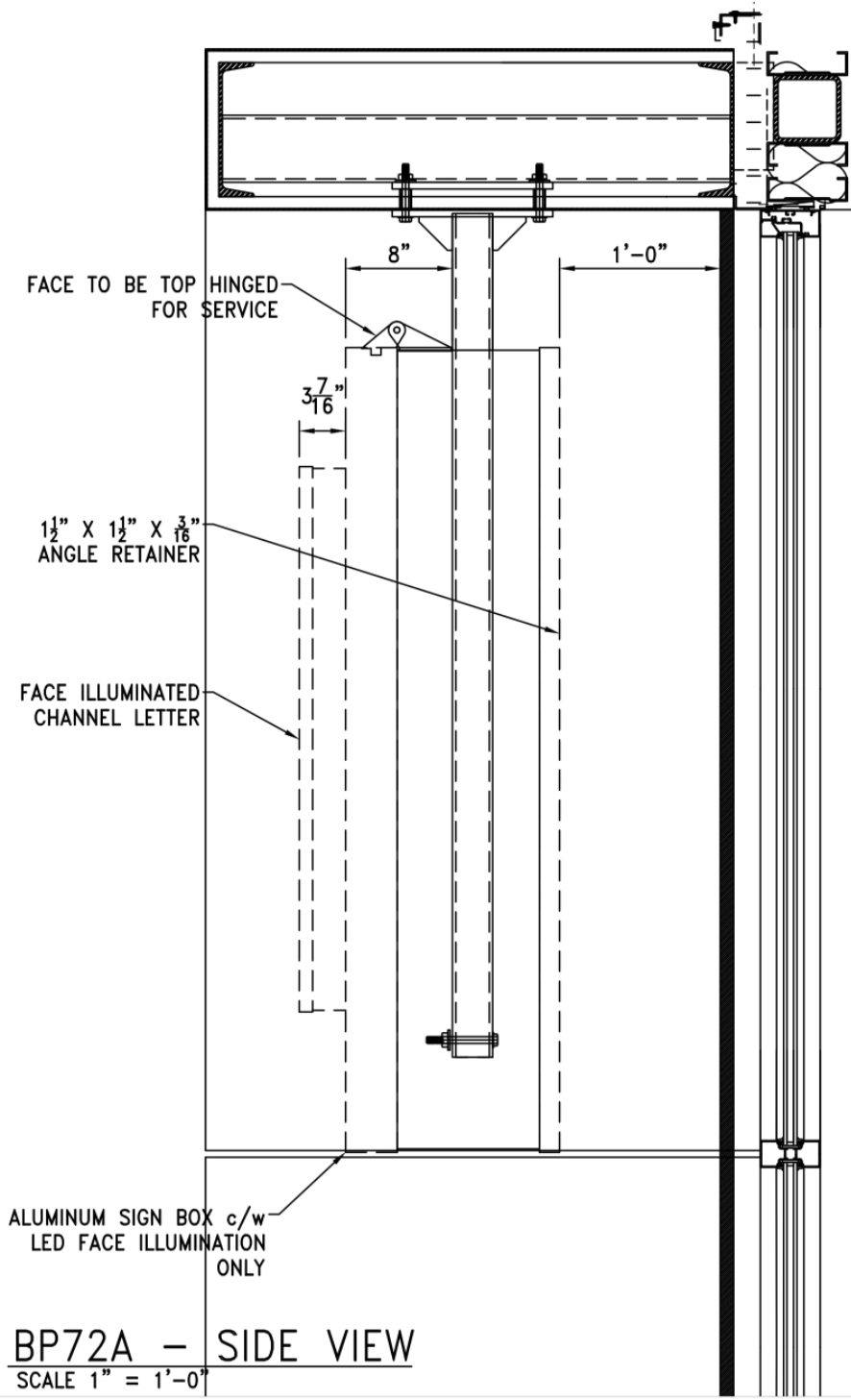
3 ES2- "RESTAURANT & SPORTS BAR" - INDIVIDUAL LETTERS



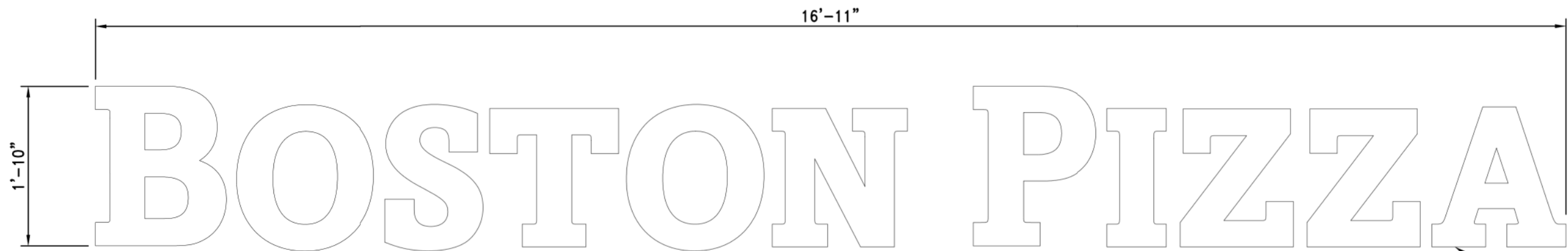
4 ES3.1 & ES3.2 - "BOSTON PIZZA"- INDIVIDUAL LETTERS



BP72A - FRONT ELEVATION  
SCALE 1" = 1'-0"

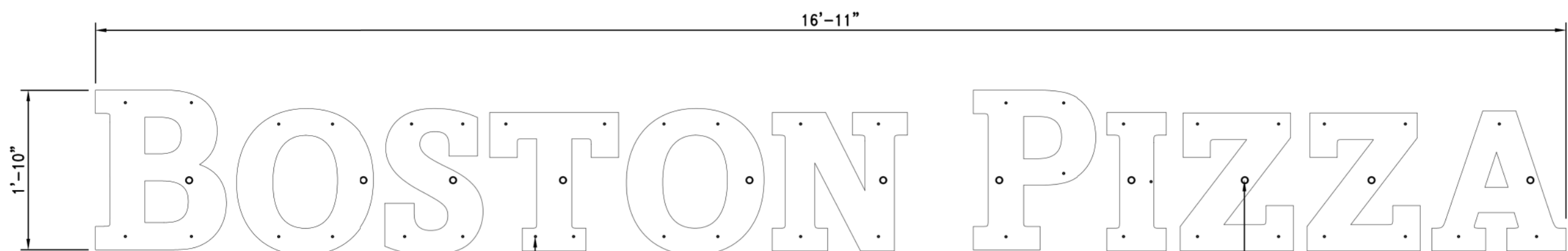


BP72A - SIDE VIEW  
SCALE 1" = 1'-0"



ALUM CHANNEL LETTERS  
c/w LED ILLUMINATION

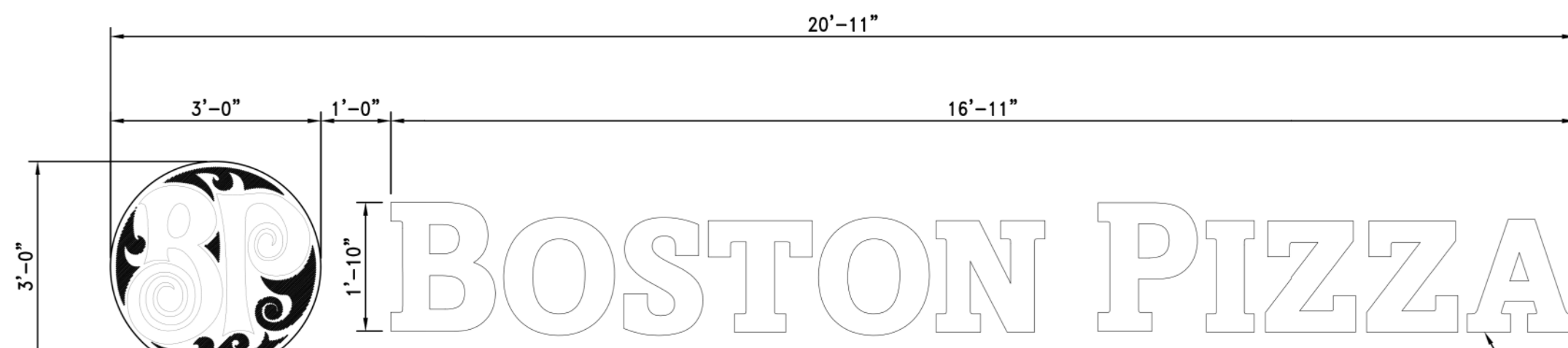
CHANNEL LETTERS ELEVATION  
SCALE 3/4" = 1'-0"



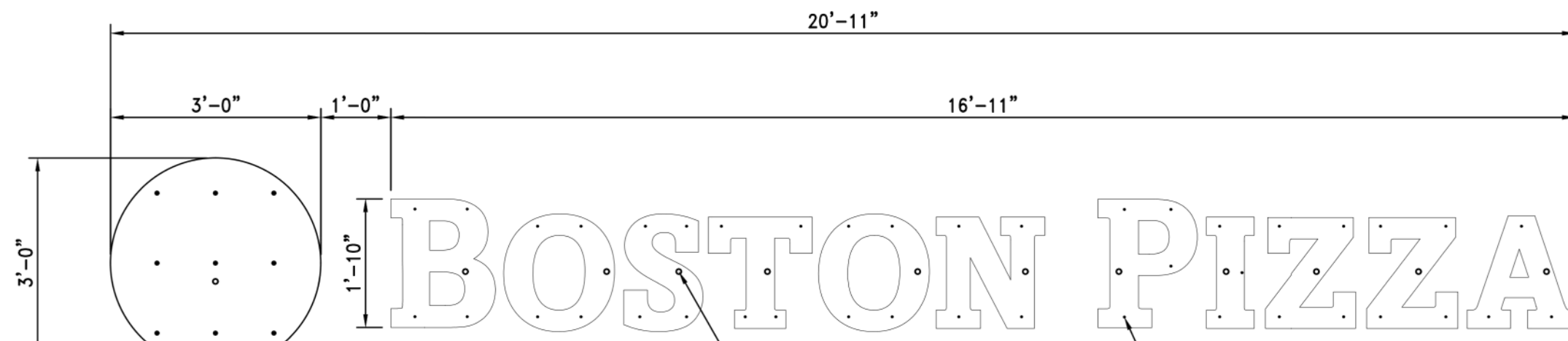
TYPICAL MOUNTING  
HOLE LOCATION

TYPICAL ELECTRICAL  
FEED HOLE LOCATION

CHANNEL LETTERS ELEVATION  
SCALE 3/4" = 1'-0"

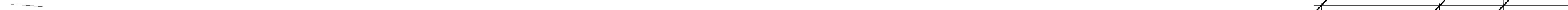


3' ROUNDEL & CHANNEL LETTERS  
SCALE 1/2" = 1'-0"



APPROX WEIGHT = 10 LBS PER LETTER  
= 20 LBS ROUNDEL

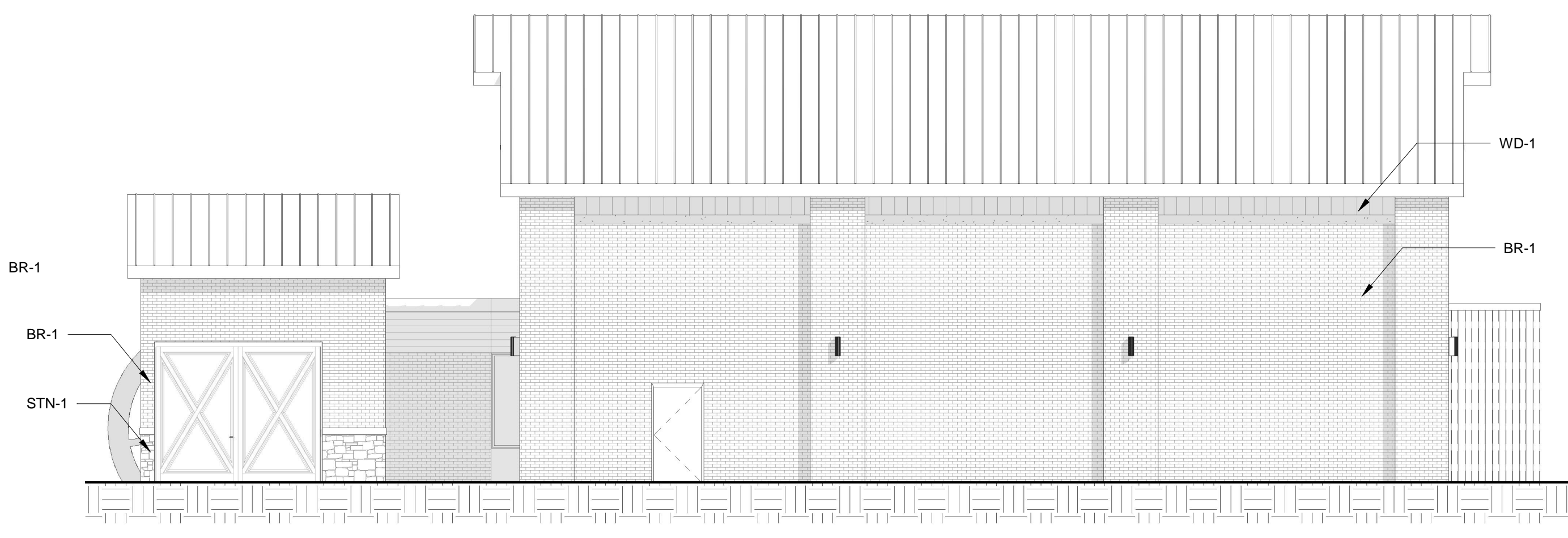
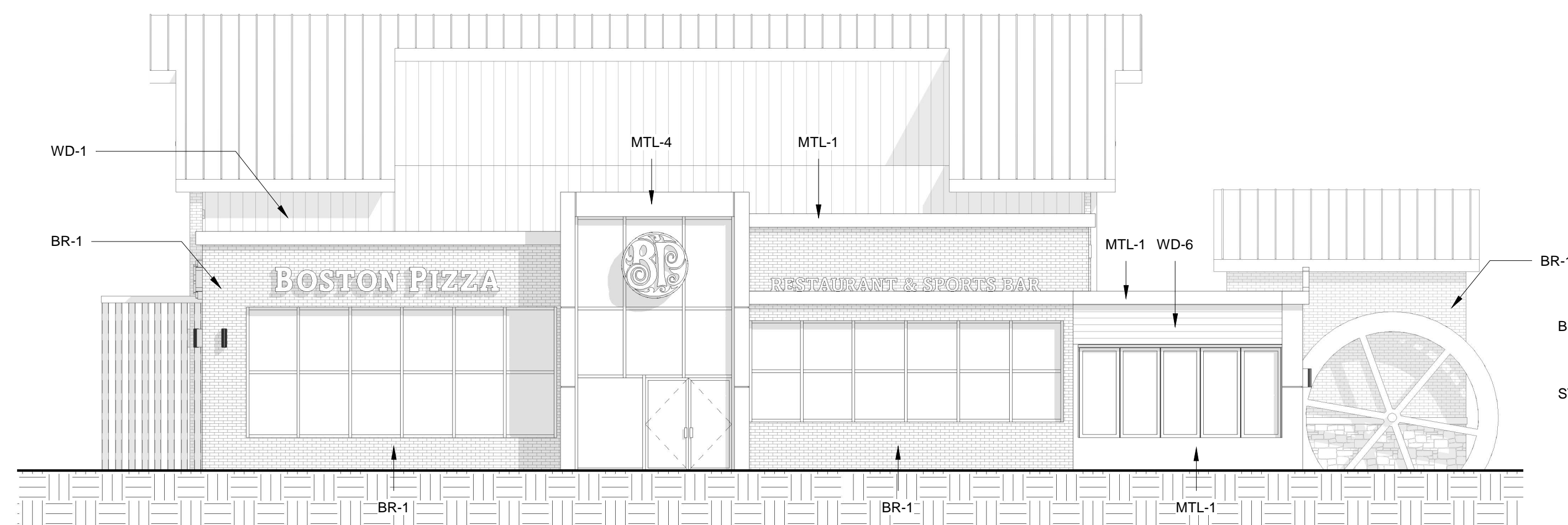
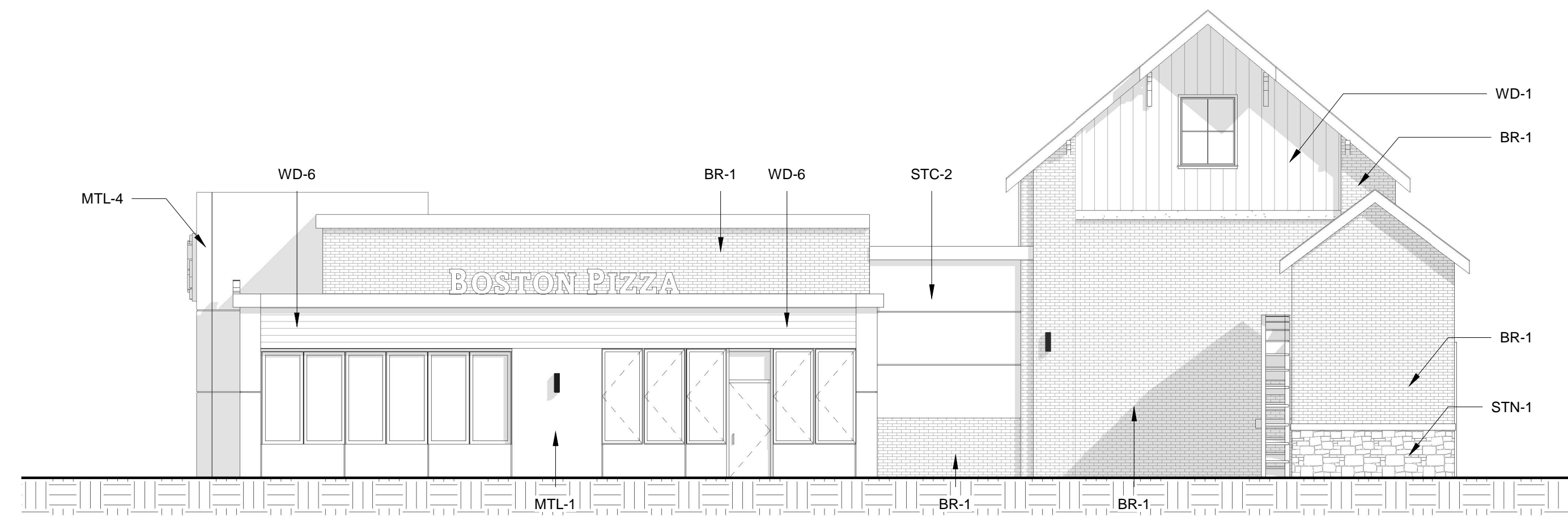
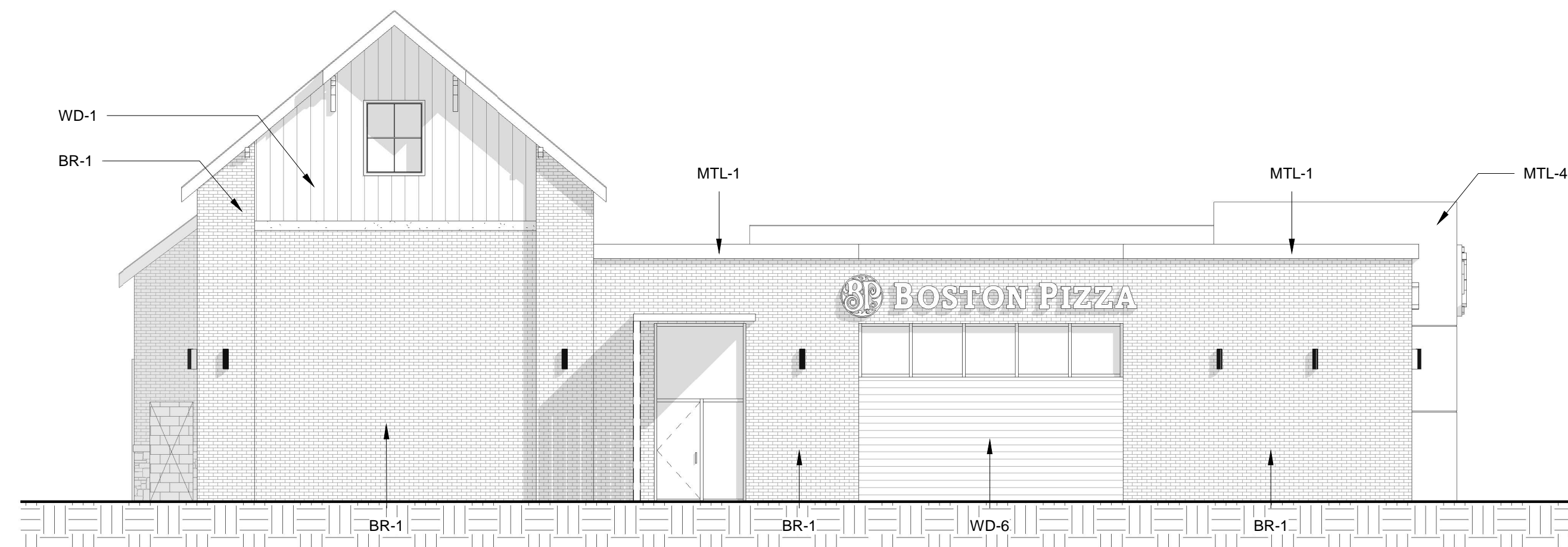




23 of 58

Project number <b>T44060</b>	Sheet number <b>A1.0</b>
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<b><u>FINISH SCHEDULE:</u></b>	
BR-1	BRICK CLADDING EXTERIOR BRAMPTON BRICK MIDNIGHT LEGATO 3-1/2" FULL-BRICK
MTL-1	ALUCOBOND PANELS POWDER COATED - TIGER DRYLAC RAL 7022 SEMI GLOSS
MTL-4	ALUCOBOND PANELS PATRIOT RED PVDF 3
STC-2	STUCCO FINISH MATCH BM2112-40 STONE 1" REVEALS BETWEEN PANELS
STN-1	STONE
WD-1	VERTICAL WOOD SIDING COLOR TO MATCH WD-6
WD-6	EXTERIOR WOOD LOOK PLANK ATLANTIC ARCHITECTURAL SYSTEMS V-LINE PLANK SYSTEM 04 SYSTEM SYSTEMS 1402/02 CHERRY



**JEWELL**  
associates engineers, inc.  
Engineers - Surveyors - Architects

560 Sunrise Drive  
Spring Green, WI 53588  
phone: 608-588-7484  
fax: 608-588-9322

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**Tierney - Boston Pizza**  
**Wausaukee**  
**Dane County, WI**

Date  
**11-13-2018**

[illegible]

Drawing Name  
**Exterior Elevations**

Project number <b>T44060</b>	Sheet number <b>A2.0</b>
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Site Size: 59,770 sf

Building Size: 6,133 sf

Impervious Area: 48,844 sf (82%)

Non-Impervious Green Space: 10,926 sf (18%)

Parking Spaces:

1 stall per 3 seats: 74 stalls minimum = 222 seats allowed

79 stalls provided (4 ADA accessible)



560 Sunrise Drive  
Spring Green, WI 53588  
phone: 608-588-7484  
fax: 608-588-9322

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**Tierney - Boston Pizza**  
**Waukegan**  
**Dane County, WI**

Date  
**11-13-2018**

[illegible]

Drawing Name  
**Site Plan**

Project number <b>T44060</b>	Sheet number <b>C2.0</b>
---------------------------------	-----------------------------



This is a detailed site plan for a building complex, likely a school or institutional facility, showing parking lots, building footprints, and surrounding terrain. The plan includes numerous elevation points (e.g., 903.74, 904.38, 900.82) and drainage arrows indicating water flow. A north arrow is located in the upper right corner, and a scale bar indicates 0' to 15'. The building complex is centrally located, with parking areas on the left and right. The plan also shows various utility lines and structures, including a 'CURB CUT ROAD' on the right side.



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Date  
**11-13-2018**

Drawing Name  
**Grading Plan**

28 of 38





## **WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 12/11/2018

**ITEM:** NEW BUSINESS

**TITLE:** Initial Consultation Kilkenny Farms West General Development Plan and Certified Survey Map

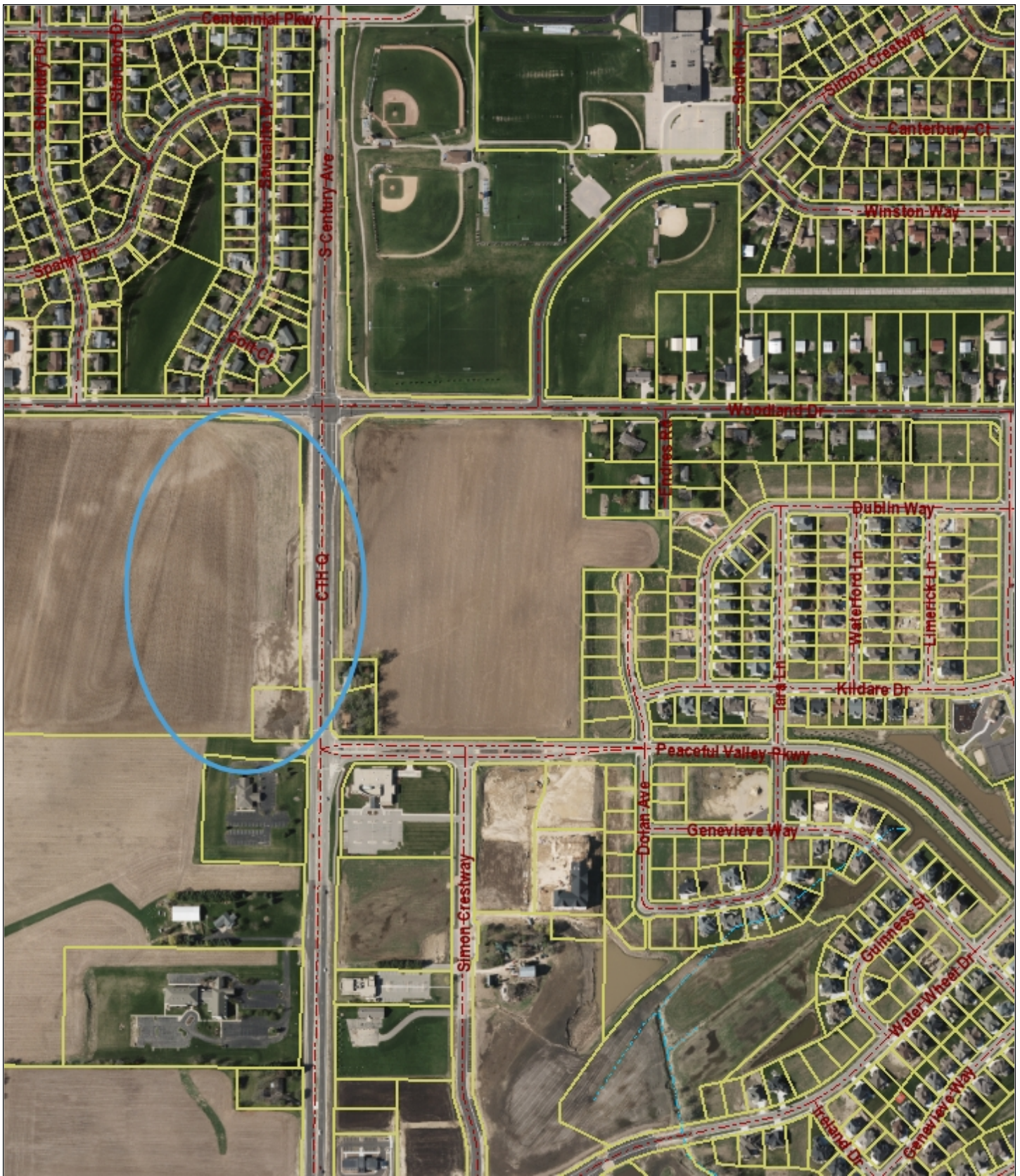
**ISSUE SUMMARY:** Attached is a GDP amendment for a grocery store on the west side of CTH Q.

**STAFF RECOMMENDATION:** No action necessary, but would recommend that the Plan Commission provide feedback as outlined in Mr. Valerius memo.

**RECOMMENDED MOTION:** No action, but encourage the developer to work with staff to provide additional detail as outlined in Mr. Valerius memo.

**ATTACHMENT(S):** Applicant Submittal and Staff Comments

**FOR MORE INFORMATION CONTACT:** [kevin@waunakee.com](mailto:kevin@waunakee.com) or (608) 849-6276



## Kilkenny West GDP

DISCLAIMER: The Village of AssetAlly does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 419'

VILLAGE OF AssetAlly  
123 Fake Street  
PO Box 206  
AssetAlly, WI 53149  
262-555-5555

Print Date: 12/6/2018



November 15, 2018

**VIA ELECTRONIC MAIL**

Mr. Kevin Even  
Village Engineer  
Village of Waunakee  
P.O. Box 100  
Waunakee, WI 53597

Mr. Thomas Wilson  
Town Administrator  
Town of Westport  
5387 Mary Lake Road  
Waunakee, WI 53597

**RE:** Letter of Application – Statement of Use and Supplement to Zoning/CSM  
Application – GDP and Certified Survey Map, Kilkenny Farms West  
Commercial Center, Village of Waunakee, Dane County, Wisconsin

Dear Mr. Even and Mr. Wilson:

This letter, along with the copies of the proposed General Development Plan (GDP) and Certified Survey Map (CSM), and the other accompanying documents, will constitute the application of Kilkenny Farms West, LLC for approval of the proposed GDP and CSM for Kilkenny Farms West Commercial Center on the west side of CTH Q, between Woodland Drive and Peaceful Valley Parkway in the Village of Waunakee. The application is limited to the commercial area along CTH Q and does not cover any of the residential development areas which will eventually be part of the Kilkenny Farms West development.

The certified survey map proposes three lots, a northern lot (Lot 1) for a regional grocery store, anticipated to be approximately 67,000 square feet in size, on a parcel of 8-10 acres, a middle lot (Lot 2) for general commercial use, but suitable for retail, restaurant, service or office use, of approximately 5 acres in size and which could be further divided and include an internal private driveway arrangement, and a southern parcel (Lot 3) for a convenience store, car wash and fueling station, of approximately 1.8 to 3 acres. The final dimensions of each of the lots is subject to completion and approval of the Specific Implementation Plans for Lots 1 and 3.

The certified survey map will have access by means of a right-in, right-out and left-in from CTH Q, which will enter the CSM between Lots 1 and 2 and connect to Peaceful Valley Parkway on the westerly edge of the CSM. In addition to the CTH Q connection identified above, the CSM will be served by an extension of Peaceful Valley Parkway from CTH Q to the west, and then to the north, where it will connect to Woodland Drive at Holiday Drive. The west end of the connection to CTH Q, between Lots 1 and 2, as well as driveways for all of the CSM lots, will connect with this extension of Peaceful Valley Parkway.

With signals at Woodland Drive and CTH Q, and at Peaceful Valley Parkway and CTH Q, and with the complete loop of CTH Q, Peaceful Valley Parkway and Woodland, plus the right-in, right-out and left-in, the traffic capacity and management at this location will be excellent for this commercial center. The owners/operators of Lots 1 and 3 will direct their company delivery trucks to use Peaceful Valley at CTH Q, and the right-in, right-out, left-in, for deliveries to the two stores, to limit truck traffic on Woodland Drive. Except for the right-in, right-out and left-in and the Peaceful Valley intersection with CTH Q, the Certified Survey Map will not have direct access to CTH Q. Further, the CSM will not have direct access to Woodland Drive, except at the Peaceful Valley intersection.

Stormwater management for the CSM area will be handled on each lot within the commercial area, including detention and required infiltration, and management of grease and oil. Sanitary sewer to service this area was brought across CTH Q this summer from Kilkenny Farms. Public water service will be brought to the site from a connection on Woodland Drive.

The lands involved are already annexed to the Village, are in the CARPC-approved urban service area, and are located within the MMSD boundaries. Also, the proposed development is consistent with the adopted Village of Waunakee plans for this area, including the recently adopted neighborhood plan.

All of these parcels are intended to be rezoned by the Village of Waunakee to the PUD zoning classification under the Waunakee zoning ordinance. Accompanying this application is the proposed text of the GDP, along with a plan map. There are no outlots proposed in the CSM or GDP, just the three commercial lots. The lands involved will be subject to covenants to be negotiated with each individual owner of each parcel, but the developer plans to maintain the high standards that the developer has insisted on in all of the other Tierney-family developments.

All of the lands subject to this application are now owned by Lone Silo North Addition, LLC in fee. Kilkenny Farms West, LLC will be the developer of the property. Both entities are owned and managed by Don and Joanne Tierney and their family.

The public improvements in the first phase of the commercial project will be constructed or installed during the 2019 construction season. The pace of installation of all of the public improvements depends on market and economic conditions, the terms of the development agreement(s) with the Village and other matters.

If you need assistance with compiling a list of the names and addresses of the owners of lands within 300 feet of the boundaries of the lands to be rezoned, please let me know, but I think that the Village can readily assembly this information.

MR. KEVIN EVEN  
MR. THOMAS WILSON  
NOVEMBER 15, 2018  
PAGE 3

The surveyor for this project is:

Mark Pynnonen  
Birrenkott Surveying  
Sun Prairie, Wisconsin.  
Telephone: 608-837-7463;  
Facsimile: 608-837-1081;  
E-mail: [mpynnonen@birrenkottsurveying.com](mailto:mpynnonen@birrenkottsurveying.com)

The attorney for the developer for this project is:

Michael J. Lawton  
Boardman & Clark LLP  
Madison, Wisconsin  
Telephone: 608-286-7236;  
Facsimile: 608-257-1507;  
Email: [mlawton@boardmanclark.com](mailto:mlawton@boardmanclark.com)

We look forward to working with you and the other representatives of the Village of Waunakee and Town of Westport in processing this application.

Sincerely,

BOARDMAN & CLARK LLP



Michael J. Lawton  
Agent for Kilkenny Farms West, LLC

MJL/ay

**GENERAL DEVELOPMENT PLAN  
FOR THE KILKENNY FARMS WEST  
COMMERCIAL DEVELOPMENT, VILLAGE  
OF WAUNAKEE, DANE COUNTY,  
WISCONSIN, TO BE ZONED IN THE PLANNED  
UNIT DEVELOPMENT  
(PUD) DISTRICT**

Kilkenny Farms West, LLC, a Wisconsin limited liability company (the “Developer”), owner of a fee title interest with respect to Lots 1-3, Certified Survey Map No. \_\_\_\_\_, Village of Waunakee, Dane County, Wisconsin (“Development Lands”), and being the Developer of said Development Lands, hereby submits the following General Development Plan for the development of the Development Lands, pursuant to Sec. 106-803 of the Waunakee Zoning Code:

**Return to:**

Michael J. Lawton  
Boardman & Clark LLP  
P.O. Box 927  
Madison, WI 53701-0927

1. **Lands Subject to this General Development Plan.** The real property subject to this General Development Plan consists of:

See attached list

**Parcel Identification Number**

Lots 1-3 of Certified Survey Map No. \_\_\_\_\_, Village of Waunakee, Dane County, Wisconsin. The entire tract of land to be rezoned consists of \_\_\_\_\_ acres more or less (“Development Lands”).

2. **General Description of Uses.** The Development Lands are to be rezoned in the planned unit development district (PUD) under Secs. 106-801 et seq. of the Waunakee Zoning Code. The Development Lands will consist of three (3) commercial lots, which may be further divided into one or more additional commercial lots in the future, subject to the provisions of the Waunakee Subdivision Ordinance, Chapter 236, Wis. Stats., and this General Development Plan.

3. **Kilkenny Farms West Commercial Center.**

A. **General Provisions.**

The Development Lands shall be known as “Kilkenny Farms West Commercial Center”. Attachment A titled “Kilkenny West Commercial GDP” that accompanies this document shall be deemed to be a part of this General Development Plan for the Development Lands. The provisions within Attachment A shall apply to development of Kilkenny Farms West Commercial Center.

For the avoidance of doubt, any grocery or supermarket building on Lot 1 within Certified Survey Map No. \_\_\_\_\_ may have a ground floor area of up to 68,000 square feet, notwithstanding any limitations on maximum building size otherwise contained in the Waunakee zoning code, and may have a drive-up window for sale or delivery of merchandise and/or services, and engage in outdoor sales and merchandise display incidental to the principal use (within the area designated in the SIP for such lot), all without the requirement for a conditional use permit if otherwise required under the Waunakee zoning code.

Also for the avoidance of doubt, any convenience grocery store located on Lot 3 within Certified Survey Map No. \_\_\_\_\_ may have a ground floor area of up to 11,000 square feet and may have a drive-up window for sale or delivery of merchandise and/or services, a car wash, a fueling station for the sale of gasoline, diesel fuel, ethanol or alternative fuels, and engage in outdoor sales and merchandise display incidental to the principal use (within the area designated in the SIP for such lot), all without the requirement for a conditional use permit if otherwise required under the Waunakee zoning code.

The setback requirements for Kilkenny Farms West Commercial Center shall be as follows, unless modified in a future SIP for a particular lot: The front, side and rear yard setback requirement shall be ten (10) feet.

**B. Development and Design Guidelines for Kilkenny Farms West Commercial Center.**

The Village, the Joint Plan Commission and the Developer intend to establish a vibrant commercial district with quality commercial architecture, providing an attractive entrance to the Village. The planned commercial development is also intended to provide strong street and sidewalk links to the adjacent residential uses and promote a walkable neighborhood.

Landscaping and lighting shall be sympathetic to and contribute to the overall appearance and unity of design of the commercial district. Lighting shall incorporate night sky standards with appropriate cut-off fixture design. Sidewalks in private development shall connect to public sidewalks of the overall development.

**C. Design Guidelines for Lots 1-3 within the Development Lands.**

All buildings over 50,000 SF in ground floor area in a single building shall comply with the following design guidelines, but such a building does not require a conditional use approval and may be approved as part of the SIP approval process:

- (A) At least two primary entrances;
- (B) The building elevations shall include a combination of masonry, glass and other materials in combination with variations of building planes in order to reduce the massing of the structure;
- (C) The building design will be subject to Specific Implementation Plan/Site Plan review and approval and Village/Town Architectural Review Committee approval; and
- (D) The service loading dock area must be incorporated architecturally.

4. **Specific Implementation Plans Required.** Specific Implementation Plans (SIP's) are required for all Kilkenny Farms West Commercial Center lots. The SIPs shall be consistent with this GDP and shall control with respect to all matters that are covered therein. It is anticipated that further divisions of Kilkenny Farms West Commercial Center lots may be approved in the future through replats or certified survey maps and such divisions may be reflected in the SIP's. All building/architectural, site, landscaping, signage, lighting and parking plans for all

development shall follow the architectural and design standards for Kilkenny Farms West Commercial Center established herein and shall be addressed during the SIP process.

5. **Conditional Uses for Lots in Kilkenny Farms West Commercial Center.**

Notwithstanding the permitted uses identified in both Section 3 above and Section 6 below, the following provisions shall apply to all Kilkenny Farms West Commercial Center lots, being the Development Lands:

- (a) Except for uses identified in this Section 5 as conditional uses, there shall be no other conditional uses in the Kilkenny Farms West Commercial Center lots. Chapter 106, Article V of the Village of Waunakee Zoning Code, shall apply to all conditional uses.
- (b) The following uses shall constitute conditional uses and require a conditional use permit (unless such activity or use is specifically approved in the SIP for the particular use and lot, or is expressly permitted under Section 3 above without a conditional use permit):
  - (1) Drive-thru or drive-in facilities
  - (2) Outdoor displays or sales.
  - (3) Any patios, bars, decks, or outdoor seating areas where alcohol is to be served and/or consumed.
  - (4) Outdoor storage.
  - (5) Auto repair or service uses, including: automotive accessory stores, automobile rental agencies, automobile service shops including shops for general mechanical repairs and electrical, battery, ignition and radiator repair, glass replacement, car washes and wheel alignment service.
  - (6) All government or utility uses which are not a permitted use in all zoning districts under the Waunakee zoning code.

6. **Permitted Uses – Kilkenny Farms West Commercial Center.** The following uses, and uses incidental thereto, shall be permitted uses in the Development Lands:

- (a) Grocery stores and supermarkets (including drive-ups, drive-throughs, fueling stations for gasoline, diesel, ethanol or alternative fuels, car washes and outdoor displays and sales of merchandise, all where designated on the SIP);
- (b) Professional and other offices;
- (c) Retail sales including, but not limited to, the following: animal hospitals and pet shops, antique shops, audio and video equipment and merchandise, bakeries, barber shops, bicycle shops, book stores, candy and ice cream stores, carpet stores, camera and photographic supply stores, catering services, clocks and watches, clothing and apparel stores, computer and computer accessory stores, china and glassware stores, coin stores, custom dressmaking, department and



discount stores, drug stores, dry cleaning and laundry, electronic and houseware appliance stores, flower shops, gift shops, hardware and paint stores, hobby stores, jewelry stores, leather goods and luggage stores, locksmiths, meat markets, musical instrument stores, office supply stores, optical goods stores, orthopedic sales and supplies, pet grooming, pet stores, photo studios, picture frame shops, schools for music, dance and martial arts schools, sewing machine shops, shoe stores, sporting goods stores, tailor shops and travel bureaus;

(d) Banks, credit unions, and other financial institutions (including drive-ups and drive-throughs if designated on the SIP);

(e) Medical and dental offices, optical shops, physical therapy, urgent care, chiropractic, pharmacy or other health care clinics, or related or customary uses, and exercise/fitness facilities (include drive-ups and drive-throughs if designated on the SIP);

(f) Hotels and/or restaurants (including bars, decks and patios, whether or not alcohol is served, drive-ups and drive-throughs, all if designated on the SIP));

(g) Service businesses that provide services to the general public and produce minimal off-site impacts, including the following: barber and beauty shops; dry-cleaning pick-up stations; interior decorating/upholstery; locksmith; mailing and packaging services; photocopying, document reproduction services; consumer electronics and repair; shoe repair; tailor shop; and watch repair, and other small goods repair (including drive-ups and drive-throughs if designated on the SIP); and

(h) Convenience stores (including drive-ups and drive-throughs, car washes, fueling stations for gasoline, diesel, ethanol or alternative fuels, and outdoor display and sale of merchandise, if designated on the SIP), but such use:

(1) Shall be required to have quality architectural design for any buildings or other structures; and

(2) Design and building materials shall be approved by the architectural review committee appointed by the Joint Plan Commission..

7. **Permitted Uses – Uses Not Specified.** Uses not specified in this General Development Plan that are found by the Joint Plan Commission to be sufficiently similar to specified permitted uses in the General Development Plan may be allowed by the Joint Plan Commission.

8. **General Limitation on Uses.** No uses shall be permitted on the Development Lands which are not permitted uses, or conditional uses, under the provisions of this General Development Plan, or amendments to the General Development Plan which may be approved in the future under the Waunakee zoning code. Uses identified as conditional uses shall require a Conditional Use Permit pursuant to the applicable Village Code provisions, unless such conditional uses are permitted by this General Development Plan without requiring a Conditional Use Permit. All of the detail contained in the Certified Survey Map No. \_\_\_\_\_ with respect to the lots described therein shall be deemed incorporated into this General Development Plan by reference.

9. **SIP Requirement and Transfer Restriction.** Except where otherwise indicated above, the uses of the lands subject to this General Development Plan will be subject to approval of a Specific Implementation Plan by the Village of Waunakee in accordance with the Waunakee Zoning Code, except that existing agricultural uses may continue until a specific parcel is developed under an approved Specific Implementation Plan. No lot within the Development Lands shall be transferred, sold or conveyed to any other party, other than to Developer or an affiliate of Developer, the Village of Waunakee or to a bona fide mortgagee, without the prior approval of a development agreement for such lot between the Developer or the owner thereof and the Village of Waunakee. No land disturbance or construction associated with development of the lands within the Development Lands shall be commenced by the Developer or the owner thereof, unless an agreement for land division improvements for and in connection with such land disturbances or construction has been executed by the Developer or the owner thereof and the Village of Waunakee.

10. **Commercial SIPs.** The various Specific Implementation Plan(s) for the Kilkenny Farms West Commercial Center may provide that certain of the zoning requirements for the commercial zoning classifications of the Waunakee zoning ordinance be modified or waived by the Village Board of the Village of Waunakee, including, but not limited to, requirements with respect to signage, lighting, parking lot and driveway design and landscaping, but if the modifications are determined to be minor by the Village Engineer, then only the approval of the Joint Plan Commission, and not the Village Board, shall be required. All such zoning requirement modifications or waivers for all of the commercial lots in the Development Lands shall be dealt with in the Specific Implementation Plan(s), where permitted, and such Plans shall control over the requirements of the Waunakee zoning code with respect to such matters.

11. **Covenants.** Development on the subject lands will also be subject to the terms, provisions and conditions of covenants, restrictions, conditions and easements to be agreed upon between the Developer and each owner of a lot within the Development Lands prior to the development of the lands in question, unless waived by the Joint Plan Commission. The Village agrees to take reasonable steps to consult with the Developer before issuing a building permit in an effort to ensure that the building or other improvements have been approved by the Developer or such other party who has architectural review approval powers with respect thereto under recorded covenants which govern such lands.

12. **Amendments.** The foregoing General Development Plan may not be amended or modified without the consent of the Joint Plan Commission of the Village and Town and the Village Board of the Village, but if the amendment is a minor modification in the opinion of the Village Engineer, approval by the Village Board of the Village of Waunakee shall not be required for any such modification or amendment.

## **INFORMATIONAL STATEMENT**

The applicant makes the following additional informational statement in connection with its request for rezoning to the PUD classification:

13. **Valuation.** It is anticipated that the value of the improved lots on the Development Lands shall be at least \$15,000,000 when fully built-out.

14. **Commercial Construction Timing.** It is anticipated that portions of the Development Lands will see the start of construction of at least one (1) commercial building within approximately eighteen (18) months after this GDP is approved by the Village Board. Development of the balance of the commercial area will depend on market and economic conditions and completion of one or more development agreements with the Village. The overall build out of the commercial areas is estimated at this time at approximately 5 years, subject to market and economic conditions and completion of development agreements with the Village.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

KILKENNY FARMS WEST, LLC

By: \_\_\_\_\_  
Donald C. Tierney, Member

By: \_\_\_\_\_  
Joanne K. Tierney, Member

STATE OF WISCONSIN     )  
  ) ss.  
COUNTY OF DANE         )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2019, the above-named Donald C. Tierney and Joanne K. Tierney, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

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

This instrument drafted by:  
Michael J. Lawton, Attorney for Developer

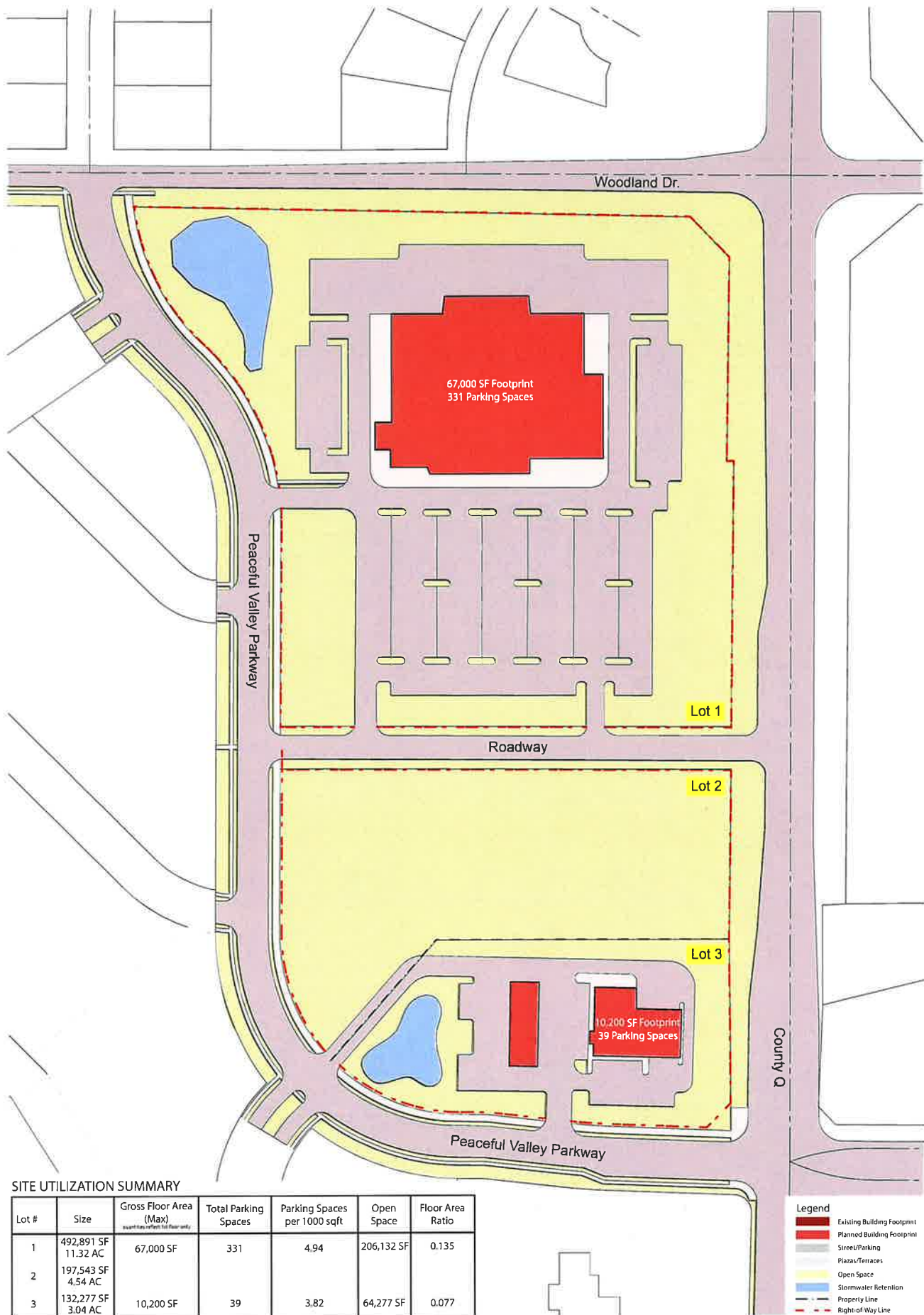
### **CERTIFICATION OF APPROVAL**

The aforesaid General Development Plan was approved by the Village Board of the Village of Waunakee on \_\_\_\_\_, 2019.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2019.

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Julie Helt, Village Clerk



**PREPARED FOR:**  
DON TIERNEY  
3564 EGRE ROAD  
DEFOREST, WI 53532  
608-241-0102

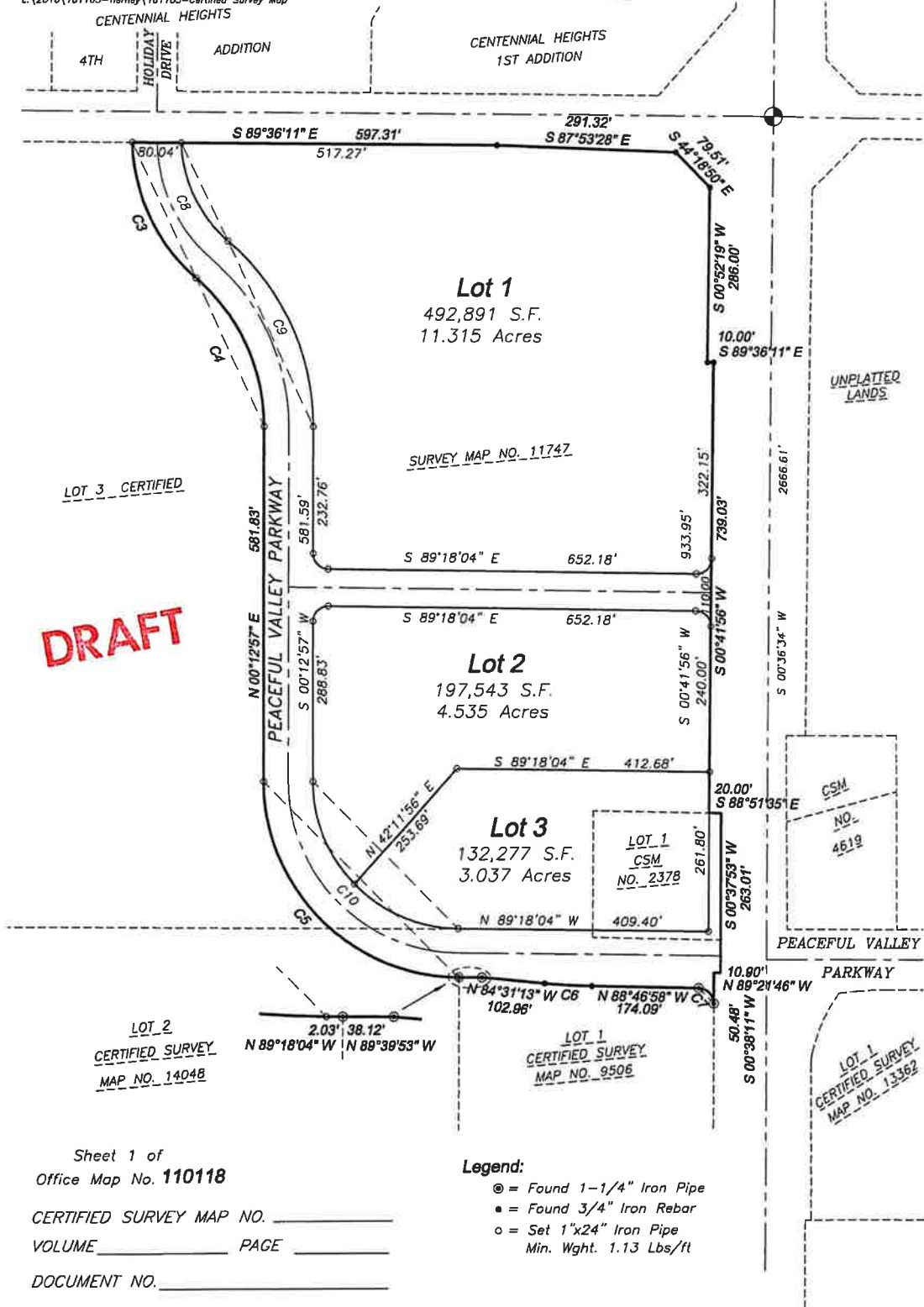
***CERTIFIED SURVEY MAP***

Part of Certified Survey Map No. 5669, part of Certified Survey Map No. 6679, part of the Southwest ¼ of the Northwest ¼ and part of the Northwest ¼ of the Southwest ¼, Section 17, T8N, R9E, Village of Waunakee, Dane County, Wisconsin

WOODLAND DRIVE

L:\2016\161103-Tierney\161103-Certified Survey Map

## CENTENNIAL HEIGHTS



Sheet 1 of  
Office Map No. **110118**

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_

**Legend:**

- ◎ = Found 1-1/4" Iron Pipe  
 ● = Found 3/4" Iron Rebar  
 ○ = Set 1"x24" Iron Pipe  
 Min. Wght. 1.13 Lbs/ft

We live at the corner of Woodland and Holiday, right across the street from the newly approved pre-annexation of Lone Silo North Don Tierney development.

When we had the "once every 500 year" flood event in 2000, we had 42" of water that broke in our walkout basement door and flooded the basement. After that flood, the Village of Waunakee put in a 60" culvert under the bike path of Woodland Drive just east of the corner of our property, slanting southwest towards what is now Don Tierney's property. Kevin Even visited our house the morning after the flood, and again during the construction of the bike path and Woodland Drive to let us know that the new culvert would be opened up and used "when" the property across the street was developed. As homeowners, we want to ensure that this culvert will be opened up and connected to whatever storm drain system is developed south of Woodland Drive.

The water retention area behind our house that sits between Holiday and Sausalito has a 30" and 60" inlets, and a single 30" outlet that carries the water back in town. If the new 60" culvert is connected to Tierney's property, all the overflow water during a flood type event will flow through that culvert south to Dorn Creek (which IS how the water flows with heavy rains).

We want to make sure the Village of Waunakee and Mr. Tierney are aware of this culvert and would hope to include that plan of connecting it into their ongoing development.

Steve and Pam Hubacher  
6124 Woodland Drive  
Waunakee

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**To:** Kevin Even, Village of Waunakee  
**From:** Jason Valerius, AICP  
**Subject:** Kilkenny Farms West Commercial Center  
**Date:** December 3, 2018

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### **Request**

Applicant is seeking approval for a General Development Plan and certified survey map for lands southwest of the intersection of Hwy Q and Woodland Drive.

### **Background Information**

This site is part of a larger area for which development is planned and the Urban Service Area (USA) amendment has already been approved.

### **Applicable Zoning & Development Code Regulations**

The proposed GDP would determine the zoning regulations for this site and is subject to Article IV – Planned Unit Development District. The proposed CSM is subject to the subdivision ordinance.

### **Consistency with the Village Comprehensive Plan**

The Plan identifies these lands as a combination of commercial use (near Hwy Q) and “Mixed Use”, which is specifically described as follows:

*West Village Gateway, West of Hwy Q*

*a. This site, between Hwy Q and the proposed extension of South Holiday Drive, is suitable for commercial uses, multi-unit residential uses such as apartments or senior housing, or vertical mixed use buildings with upper floor residential and ground floor commercial. The boundary between this area and the adjacent Commercial land use designation along Hwy Q is not precisely defined, but it is the intent of this plan to avoid locating residential uses of any type directly adjacent to Hwy Q. The precise configuration of roads, parcels and uses should be figured out through the development process, during which a neighborhood plan will be required for this area. That plan should demonstrate an appropriate transition of uses from commercial use along the highway to lower-density residential use within the neighborhood.*

The proposed use is consistent with the intended use, however I have not seen a neighborhood plan to indicate the relationship between these uses and the planned residential uses to the west of these sites.



## MEMO

December 3, 2018

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Section 3 of the GDP requires that “the service loading dock area must be incorporated architecturally.” However the comprehensive plan describes the need for “exceptional landscaping, and buffering techniques to obscure the view of features not intended for view from a highway, such as residential rear yards, garage doors and loading docks” (page 66).

### **Consistency with the Village Zoning Ordinance**

The PUD ordinance describes the process for consideration and approval of a GDP. This submittal generally satisfies the procedural requirements, except the following:

- *133-893 (e) Minimum green area. The minimum green area shall be 30 percent.*  
This may be satisfied, it just isn't calculated or confirmed as a requirement in the GDP.
- *133-894 (b)(2)(i) Characteristics of soils related to contemplated specific uses;*  
This will allow confirmation that there are no wet or otherwise unbuildable soils.
- *133-894 (b)(2) (j) Existing topography on the site with contours at no greater than two-foot intervals.*  
This information will allow proper consideration of stormwater planning, street grades and views from various locations.
- *133-894 (b)(1)(d) Any proposed departures from the standards of development as set forth in this chapter, chapter 129, other village regulations or administrative rules, or other universal guidelines*  
The GDP doesn't specify any requested departures from standards of development, instead deferring to the Specific Implementation Plan process the identification and approval of any such departures.

### **Consistency with the Subdivision Ordinance**

The only concern I have is with the reverse curves of the proposed new road immediately south of Woodland Drive. This is a collector street and Sec. 129-193 requires a tangent of 100 feet between those reverse curves.

### **MSA Recommendations**

- Regarding use and urban design, I would like to see a neighborhood plan for the larger area before recommending approval of this GDP.
- Though not subject to any specific regulations of which I am aware, I note the potential for confusion by carrying Peaceful Valley Parkway ( an east-west street) around to the north to connect it with Holiday Drive (a north-south street). A neighborhood plan might confirm that this is the best street configuration or reveal alternatives that resolve this minor naming and navigation challenge.
- I encourage the expansion of the language about loading docks to say that they will be fully screened from view from Hwy Q, and preferably from Woodland Drive as well.
- There are several conditional uses identified in Section 5 of the GDP that are also listed in Section 6 as permitted uses. These should not be listed as permitted uses.

## MEMO

December 3, 2018

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- Section 10 describes an approval process for waiver of Village zoning requirements in the SIP process, as approved either by the Village Board or the Village Engineer and the Joint Plan Commission (JPC). Would the JPC not have approval authority even if (especially if) the Village Engineer thinks the changes are significant and in need of Village Board approval?
- The submittal should include the required information in the PUD ordinance, as noted above. If the applicant wants to defer the identification of adjustments to the zoning standards in the SIP process, the plan commission should confirm that approach as acceptable.

Sincerely,  
MSA Professional Services, Inc.

A handwritten signature in black ink, appearing to read "Jason Valerius". The signature is fluid and cursive, with the first name "Jason" and last name "Valerius" clearly distinguishable.

Jason Valerius, AICP  
Consultant Planner



## **WAUNAKEE/WESTPORT JOINT PLAN COMMISSION SUMMARY SHEET**

**MEETING DATE:** 12/11/2018

**ITEM:** NEW BUSINESS

**TITLE:** Discuss and Take Action on 4-Lot CSM Kilarney Way, Kilkenny Farms

**ISSUE SUMMARY:** This 4-Lot CSM is a simple lot line adjustment to remove one lot and create 4 larger lots on Kilarney Way.

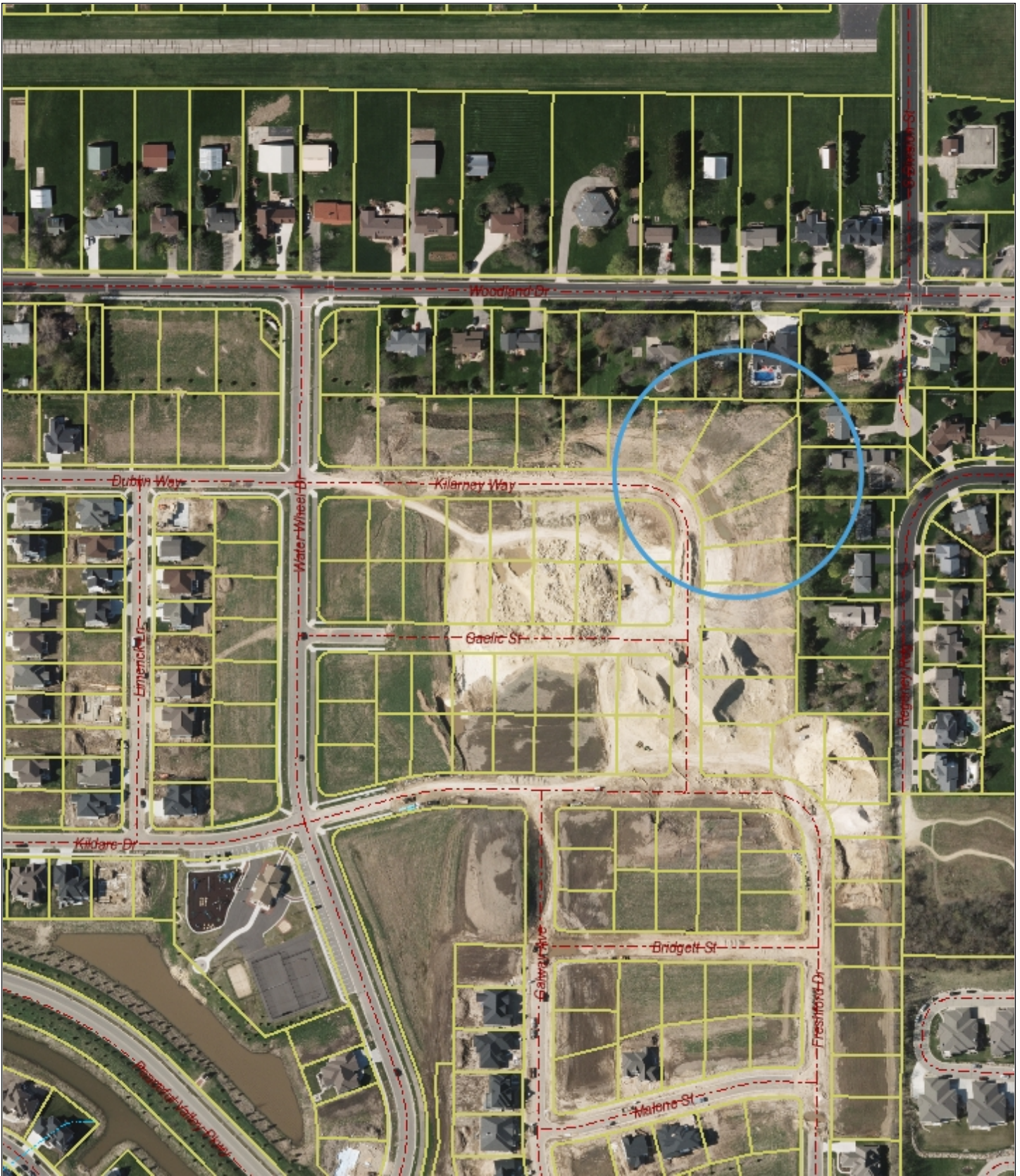
**STAFF RECOMMENDATION:** Staff recommends approval as presented

**RECOMMENDED MOTION:** Motion to recommend approval to the Village and Town Boards.

**ATTACHMENT(S):** CSM and Staff Comments

**FOR MORE INFORMATION CONTACT:** [kevin@waunakee.com](mailto:kevin@waunakee.com) or (608) 849-6276





## Kilarney Way CSM

DISCLAIMER: The Village of AssetAlly does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 209'

VILLAGE OF AssetAlly  
123 Fake Street  
PO Box 206  
AssetAlly, WI 53149  
262-555-5555

Print Date: 12/6/2018



B  
1  
S  
6

PREPARED FOR:  
DON TIERNEY  
3564 EGRE ROAD  
DEFOREST, WI 53532  
608-241-0102

L:\2011\110118-Tierney\3-Lot CSM

***Lots 8-12, Kilkenny Farms, located in the Northwest ¼ of the Northeast ¼, Section 17, T8N, R9E, Village of Waunakee, Dane County, Wisconsin***



Scale: 1" = 60'

(S 89°41'41" E)  
S89°17'48"E

2656.26'

1118.94'

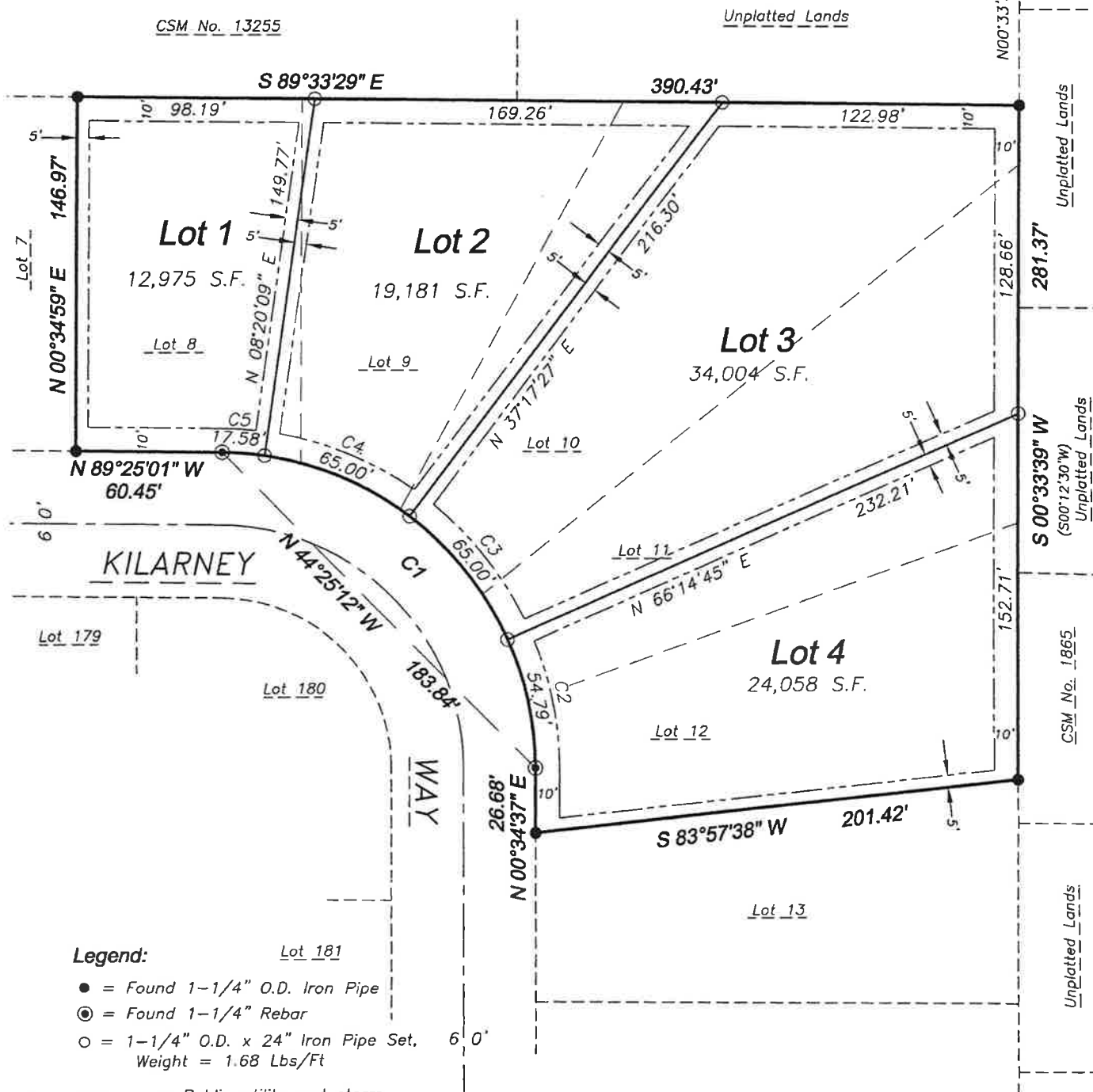
Northwest Corner  
Section 17-8-9  
Found Aluminum Monument

Northeast Corner  
Section 17-8-9  
Found Aluminum Monument

CURVE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	130.00'	204.19'	89°59'39"	N 44°25'12" W	183.84'
C2	130.00'	55.21'	24°19'53"	N 11°35'19" W	54.79'
C3	130.00'	65.70'	28°57'18"	N 38°13'54" W	65.00'
C4	130.00'	65.70'	28°57'18"	N 67°11'12" W	65.00'
C5	130.00'	17.59'	7°45'10"	N 85°32'26" W	17.58'

CSM No. 13255

### Unplatted Lands



**Legend:**

Lot 181

- = Found 1-1/4" O.D. Iron Pipe  
 ◎ = Found 1-1/4" Rebar  
 ○ = 1-1/4" O.D. x 24" Iron Pipe Set,  
 Weight = 1.68 Lbs/Ft

= Public utility and storm  
water drainage easement  
(Sizes noted)

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

DOCUMENT NO. \_\_\_\_\_

Sheet 1 of 3  
Office Map No. **181020**



# CERTIFIED SURVEY MAP

DATED: October 31, 2018

## Birrenkott Surveying, Inc.

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

### Mortgagee Certificate:

First Business Bank, mortgagee of certain of the lands described hereon, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Certified Survey Map, and does hereby consent to the certificate of Kilkenny Farms, LLC, owner.

### First Business Bank

\_\_\_\_\_  
Brian E. Hagen, Senior Vice President

### State of Wisconsin ) Dane County ) ss

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Brian E. Hagen, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin.

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

Notes: Utilities Easement: No poles or buried cables are to be placed on any lot line or corner.  
The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.  
Wetlands, if present, have not been delineated.  
This survey is subject to any and all easements and agreements both recorded and unrecorded.  
This survey shows no above-ground improvements. No guarantee is made for below-ground structures.

### Surveyed For:

Donald and Joanne Tierney  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

Surveyed: C.K.C.  
Drawn: M.A.P.  
Checked: M.A.P./D.V.B.  
Approved: D.V.B.  
Field book:  
Tape/File: J:\2011\Carlson\110118

Document No. \_\_\_\_\_

Sheet 2 of 3  
Office Map No.: 181020

Certified Survey Map No. \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_





# CERTIFIED SURVEY MAP

DATED: October 31, 2018

## Birrenkott Surveying, Inc.

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

### Surveyor's Certificate:

I, Daniel V. Birrenkott, hereby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

Daniel V. Birrenkott, Professional Land Surveyor No. S-1531

### Description:

Lots 8-12, Kilkenny Farms, located in the Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Section 17, T8N, R9E, Village of Waunakee, Dane County, Wisconsin; Containing 90,218 square feet, or 2.071 acres.

### Owners Certificate:

As owner, Kilkenny Farms, LLC, does hereby certify that it has caused the lands described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as shown. It also certifies that this Certified Survey Map is required to be submitted to the Village of Waunakee as a required approving authority.

### Kilkenny Farms, LLC

Donald C. Tierney, Member

### State of Wisconsin )

### Dane County ) ss

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, the above-named Larry G. Skaar, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin. My Commission Expires \_\_\_\_\_

### Village of Waunakee Approval Certificate:

Resolved, that this Certified Survey Map is hereby acknowledged and accepted by the Village of Waunakee and is approved for recording by the Village of Waunakee this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

With the recording of this Certified Survey Map, the public utility and storm water drainage easements on the lots of this Certified Survey Map as depicted on the typical easement detail shown on the plat of Kilkenny Farms are hereby released by the Village of Waunakee. New easements as shown hereon are hereby established.

Julee R. Helt, Clerk, Village of Waunakee

Dated

Notes: Utilities Easement: No poles or buried cables are to be placed on any lot line or corner.  
The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.  
Wetlands, if present, have not been delineated.  
This survey is subject to any and all easements and agreements both recorded and unrecorded.  
This survey shows no above-ground improvements. No guarantee is made for below-ground structures.

### Surveyed For:

Donald and Joanne Tierney  
3564 Egge Road  
DeForest, Wis. 53532  
837-0102

### Register of Deeds Certificate:

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2018

Surveyed: C.K.C.  
Drawn: M.A.P.  
Checked: M.A.P./D.V.B.  
Approved: D.V.B.  
Field book:  
Tape/File: J:\2011\Carlson\110118

at \_\_\_\_\_ o'clock \_\_\_\_\_ m and recorded in Volume \_\_\_\_\_ of Certified Survey  
Maps of Dane County on Pages \_\_\_\_\_.

Kristi Chlebowski, Register of Deeds

Document No. \_\_\_\_\_

Certified Survey Map No. \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_

Sheet 3 of 3  
Office Map No.: 181020