

Date: May 11, 2024

To: Village of East Troy Plan Commission

From: Tim Schwecke, Zoning Administrator

Subject: Four-lot certified survey map for commercial uses located at northwest corner of STH 20 and CTH ES (RA51400001); Goodden ES20 LLC and ACG Development #4, LLC (Jason Heinonen, agent)

Application 2024-08; <https://s.zoninghub.com/2YUHFG1EKY>

Meeting May 13, 2024 Plan Commission meeting

Description Goodden ES20 LLC and ACG Development #4, LLC own the subject property and have submitted an application to create four commercial lots and one outlot.

Subject Property



The proposed lots comply with the dimensional standards for the zoning district in which they are located (HB). Given the size and configuration of Lot 3 and 4, it may not be possible to comply with the Village's standards for turning movements for fire trucks.

Notice requirements Aside from being shown on the meeting agenda, no other public notice is required.

Proposed motion Recommend to the Village Board the approval of the certified survey map based on the general and specific conditions listed below.

General conditions:

1. **Staff and governmental approval.** Prior to the Village signing the final CSM, the commencement of any construction of any improvement, whether public or private, or any site development, the developer 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 Administration per ch. 236, Wisconsin Statutes and ch. Comm. 85, Wisconsin Administrative Code; and Wisconsin Department of Administration per ch. 236, Wisconsin Statutes.
2. **Professional fees.** Petitioner shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.

3. **Payment of charges.** Any unpaid bills 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 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 the conditional approval.
4. **Surveyor's responsibility.** Although the Village of East Troy has reviewed the subdivision plat/certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matters and compliance with all state and local codes, ordinances, and procedures.

Specific conditions:

1. The petitioner must obtain the approval of the Village Engineer.
2. Revise the owner's name on sheet 1 to be consistent with the owner's name on sheet 4.
3. Some of the bearings in the tables on sheet 2 are inconsistent (e.g., L28 for Lot 3 and Lot 4). Verify all content and revise accordingly.
4. The surveyor's certificate incorrectly states the area included in the survey. Revise accordingly. (Presumably its supposed to be 207,544 square feet.)
5. Correct the typo (submited) in the owner's certificate.
6. The surveyor's seal, signature, and date must appear on all sheets of the final CSM. The same revision date must also be noted on each sheet.
7. Include the following note(s) on the face of the CSM substantially as follows:
 - The configuration and size of some of the lots may limit the development potential due to site design requirements in the Village's zoning code including turning movements for fire trucks.
8. If the property is currently mortgaged, a consent of mortgage certificate with a notary is required because land is being dedicated to the public for road purposes.
9. Include a no-access strip on the common lot line with Main Street and North Street, except for the single access point approved by Walworth County.
10. The interior lot lines should be a lighter line weight as compared to the perimeter line.
11. The purpose and ownership of the outlot should be specified.
12. The 34-foot access easement should indicate who has the right to use the same.
13. The 34-foot access easement is presumably intended for private utilities. If correct, that should be so stated and the developer must verify the width of the easement is sufficiently wide to accommodate all necessary utilities.
14. The developer must prepare and submit a private street maintenance agreement to the Village and obtain the approval of the same. The agreement must be submitted to the register of deeds office for recording when the final CMS, as approved by the Village, is submitted for recording.
15. The developer must submit a storm water management plan to the Village Engineer and obtain approval of the same.

16. Prior to any land-disturbing activity, the developer must submit a storm water maintenance agreement to the Village Engineer and obtain approval of the same.
17. The Village Board must approve the storm water maintenance agreement as recommended by the Village engineer.
18. The developer must submit the approved storm water maintenance agreement with the Walworth County register of deeds office for recording, when the final CMS, as approved by the Village, is submitted for recording.

Attachments:

1. Certified survey map, 4-2-2024



Overview: The Village of East Troy has adopted land divisions regulations (Chapter 495 of the municipal code) to regulate subdivisions, condominiums, and certified survey maps within the Village and within 1.5 miles of the municipal boundary (i.e., extraterritorial plat review in surrounding towns).

Governing regulations: The procedures and standards governing the review of this application are found in Chapter 495 of the Village's municipal code.

General instructions: Complete this application and submit five copies to the Village Clerk at the mailing address shown above. Before you formally submit your application, you are encouraged to meet with the zoning administrator who can answer any questions you may have. If you have any questions, do not hesitate to contact the zoning administrator at (920) 728-2814 or via email at tim.schwecke@civitekconsulting.com. You may download this form at <http://villageofeasttroy.zoninghub.com/highlights/procedures/procedure.aspx>.

Application fee: \$150 plus \$5 per lot (per unit for condos) and charges for professional services

Application submittal deadline: Applications must be submitted by the second Monday of the month by 12:00 pm at the Village Hall.

1. Petitioner:

Property Owner

Developer

Name Goodden ES20 LLCACG

Goodden ES20 LLCACG

Street Address 5000 S Towne Dr Suite 100 N

5000 S Towne Dr Suite 100 N

City, State, Zip Code New Berlin, WI 53151

New Berlin, WI 53151

Daytime telephone number 262 366-6990

262 366-6990

Email rgoodden@acgwi.com

rgoodden@acgwi.com

2. Agent contact information: Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

Agent 1

Agent 2

Name Nick Draskovich

Jason Heinonen

Company Endpoint Solutions

Endpoint Solutions

Street Address 6871 South Lovers Lane

6871 South Lovers Lane

City, State, Zip Code Frankin, WI 53132

Frankin, WI 53132

Daytime telephone number (414) 427-1200

(414) 427-1200

Email nick@endpointcorporation.com

jason@endpointcorporation.com

3. Type of application (select one)

- Certified Survey Map (CSM)
 - Create Additional Parcels
 - Merge Two Adjoining Parcels
 - Modify The Loft Line Between Two Adjoining Parcels
- Preliminary Plat
- Extraterritorial

4. Subject property information

Physical Address 1882 CTH ES, East Troy, WI 53120

Tax key number(s) RA51400001

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Village Clerk.

5. Zoning information (refer to the Village's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> RH-35 Rural Holding | <input type="checkbox"/> TR-8 Two-Family Residential | <input type="checkbox"/> NB Business Park |
| <input type="checkbox"/> SR-3 Estate Residential | <input type="checkbox"/> AR-9 Attached Residential | <input checked="" type="checkbox"/> HB Highway Business |
| <input type="checkbox"/> SR-4 Suburban Residential | <input type="checkbox"/> MR-10 Multi-Family Residential | <input type="checkbox"/> CB Central Business |
| <input type="checkbox"/> SR-5 Neighborhood Residential | <input type="checkbox"/> MHR-6 Mobile Home Residential | <input type="checkbox"/> BP Business Park |
| <input type="checkbox"/> SR-6 Traditional-Front Residential | | <input type="checkbox"/> LI Light Industrial |
| <input type="checkbox"/> SR-7 Traditional-Rear Residential | | <input type="checkbox"/> GI General Industrial |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> PD Planned Development | <input type="checkbox"/> GP Groundwater Protection | <input type="checkbox"/> FP 100-Year Floodplain |
| <input type="checkbox"/> DD Downtown Design | <input type="checkbox"/> NFC Natural Features Conservan | <input type="checkbox"/> FP 500-Year Floodplain |
| | | <input type="checkbox"/> SW Shoreland-Wetland |

6. Adjoining land uses and zoning

	Zoning district(s)	Current Uses
North	AG	agricultural
South	HB	Commercial (gas station)
East	HB	Commercial (gas station)
West		Cemetary

7. Preliminary Checklist (§ 495-17 of the land division regulations)

(All yes answers must be explained in detail by attaching maps and supporting documentation describing the impacts of the proposed development.)

- | Yes | No | I Land resources. Does the site involve the following? |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Changes in relief and drainage patterns (attach a topographic map showing, at a minimum, 2-foot contour intervals) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | A landform or topographic feature of local or regional interest |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | A floodplain [if yes attach 2 copies of a typical stream valley cross section showing the channel of the stream, the 100-year floodplain limits and the floodway limits (if officially adopted) of each side of the channel and a cross section of area to be developed] |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | An area of soil instability: greater than 18% slope and/or organic soils, peats, or mucks at or near the surface |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | An area of bedrock within 6 feet of the soil surface |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | An area with the groundwater table within 10 feet of the soil surface |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | An area with fractured bedrock within 10 feet of the soil surface |

- Prevention of gravel extraction
- A drainageway for 5 or more acres of land
- Lot coverage of more than 50% impermeable surfaces
- Prime agricultural land
- Wetlands and marshes
- Land elevation above 950 (USGS datum)
- Mapped environmental corridors

Yes **No** **II Water resources. Does the proposed project involve any of the following?**

- Location within an area traversed by a navigable stream or dry run
- Greater than 10% change in the capacity of a stormwater storage facility or flow of a waterway within 1 mile
- The use of septic tank – soil absorption fields for on-site waste disposal
- Lowering of water table by pumping or drainage
- Raising of water table by altered drainage patterns
- Lake frontage

Yes **No** **III Biological resources. Does the proposed project involve any of the following?**

- Critical habitat for plants and animals of community interest
- Endangered, unusual or rare species
- Removal of over 25% of the present trees

Yes **No** **IV Human and scientific interest. Does the proposed project involve any of the following?**

- An area of archaeological interest
- An area of geological interest
- An area of hydrological interest
- Historic buildings or monuments
- Buildings or monuments of unique architecture
- An area of identified community recreation use

Yes **No** **V Energy, transportation and communications.**

- Does the development increase the traffic flow in any collector system by more than 10%?
- Is the development traversed by an existing or planned utility corridor? (gas, electricity, water, sewer interceptor, communications, storm sewer)

Yes **No** **VI Population. Does the development increase by more than 10% the school population of any school serving the development?**

-

Yes **No** **VII Additional information on any of the above that may have a significant environmental impact.**

-

Yes **No** **VIII Appendices and supporting material.**

-

8. Applicant certification

◆ I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.

◆ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with Section 13-1-195(A) of the Village's municipal code to pay for the services of independent consultants the Village elects to retain to help review this application. Depending on the nature of the proposed project, such independent consultants may include planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts. I further understand, the Village may delay acceptance of the application as complete, or may delay final approval of the proposal, until all outstanding fees have been paid. I further understand that such fees must be paid even if this application is withdrawn or denied. If the applicant or the property owner does not pay such fees upon request, such fees may be assigned to the property owner as a special assessment to the subject property.

◆ I understand that submission of this application authorizes Village officials and employees, Plan Commission members, Village Board members, and other designated agents, including those retained by the Village, to enter the property to conduct whatever site investigations are necessary to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.

◆ I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.

◆ I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:
R. Goosby
Name - Print

[Signature]
Name - Signature

3-29-24
Date

Name - Print

Name - Signature

Date

Applicant (if different than Property Owner):
Susan Heinonen
Name - Print

[Signature]
Name - Signature

3-29-24
Date

Name - Print

Name - Signature

Date

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF THE SE 1/4 OF THE NE 1/4 SECTION 20, TOWNSHIP 4 NORTH, RANGE 18 EAST, IN THE VILLAGE OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

PREPARED FOR:
ANDERSON COMMERCIAL GROUP

PREPARED BY:
RAY J. FOOTLAND
4000-8
ENDPOINT SOLUTIONS CORP.
6871 S. LOVERS LANE RD.
FRANKLIN, WI 53132

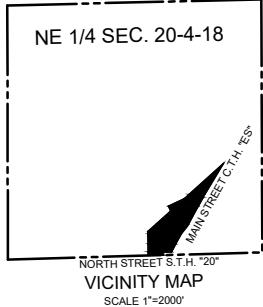
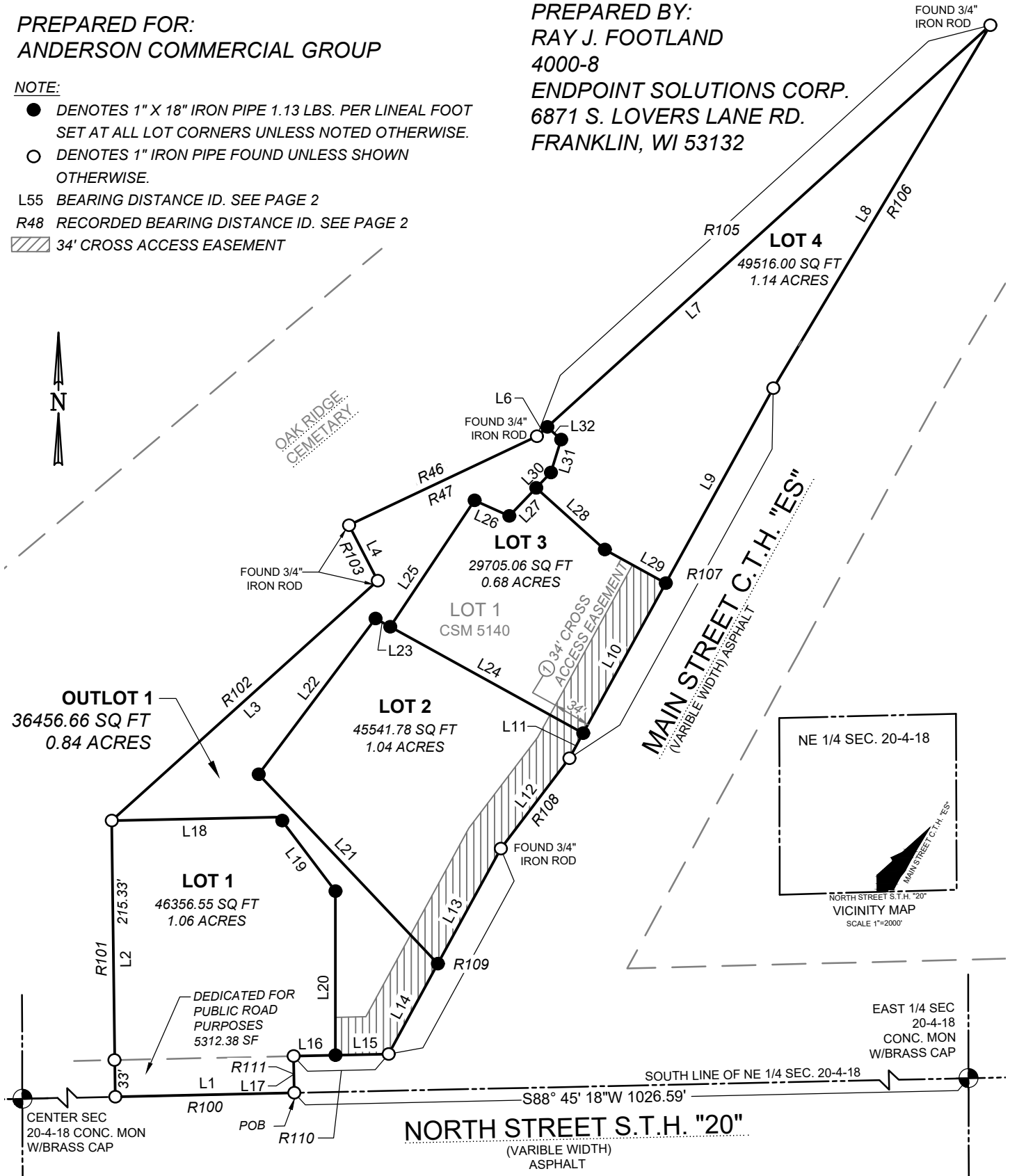
NOTE:

- DENOTES 1" X 18" IRON PIPE 1.13 LBS. PER LINEAL FOOT SET AT ALL LOT CORNERS UNLESS NOTED OTHERWISE.
- DENOTES 1" IRON PIPE FOUND UNLESS SHOWN OTHERWISE.

L55 BEARING DISTANCE ID. SEE PAGE 2

R48 RECORDED BEARING DISTANCE ID. SEE PAGE 2

▨ 34' CROSS ACCESS EASEMENT

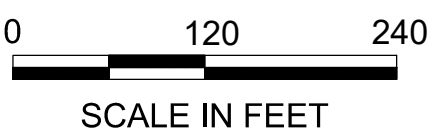


① PERMANENT, NON-EXCLUSIVE RECIPROCAL EASEMENTS FOR THE BENEFIT OF LOTS 1-4 FOR VEHICULAR AND PEDESTRIAN ACCESS AMONG LOTS 1-4 AND TO AND FROM MAIN STREET.

BEARINGS REFER TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE, IN WHICH THE SOUTH LINE OF THE NE 1/4 SEC 20-4-18 BEARS S88°45'18"W.

Endpoint Solutions

6871 S. Lovers Lane
Franklin, WI 53132



Phone: (414) 427-1200		Fax: (414) 427-1259
DRAWN BY: JRT	DATE: 4/2/2024	SHEET 1 OF 4
REVIEWED BY: RJF	PROJECT NO: 330-010-007	
REVISION:		

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF THE SE 1/4 OF THE NE 1/4 SECTION 20, TOWNSHIP 4 NORTH, RANGE 18 EAST, IN THE VILLAGE OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

RECORDED LINE TABLE CSM 5140		
LINE #	DISTANCE	BEARING
<i>R100</i>	160.93	N88° 45' 18"E
<i>R101</i>	248.13	S00° 44' 24"E
<i>R102</i>	321.94	S47° 56' 57"W
<i>R103</i>	56.17	S27° 16' 48"E
<i>R104</i>	186.81	S64° 41' 05"W
<i>R105</i>	549.87	S47° 47' 39"W
<i>R106</i>	380.02	N30° 51' 52"E
<i>R107</i>	379.64	N28° 51' 50"E
<i>R108</i>	101.96	N37° 10' 18"E
<i>R109</i>	210.42	N28° 38' 18"E
<i>R110</i>	85.31	N88° 45' 18"E
<i>R111</i>	33.00	N00° 57' 46"W

LOT 3 LINE TABLE		
LINE #	DISTANCE	BEARING
L10	154.03	S28° 52' 03"W
L11	25.59	S28° 50' 31"W
L12	101.96	S37° 10' 18"W
L13	117.94	S28° 38' 18"W
L14	92.48	S28° 38' 18"W
L15	47.76	S88° 45' 18"W
L16	37.55	S88° 45' 18"W
L17	33.00	S00° 57' 46"E
L24	213.14	S61° 06' 04"E
L25	136.57	N33° 42' 17"E
L26	34.28	S65° 51' 24"E
L27	34.82	N43° 47' 30"E
L28	82.81	S48° 07' 43"E
L29	62.68	S61° 08' 10"E

LOT 1 LINE TABLE		
LINE #	DISTANCE	BEARING
L1	160.93	S88° 45' 18"W
L2	248.13	N00° 44' 24"W
L16	37.55	S88° 45' 18"W
L17	33.00	S00° 57' 46"E
L18	150.73	N88° 45' 22"E
L19	83.48	S37° 06' 52"E
L20	147.51	S00° 00' 00"E

LOT 4 LINE TABLE		
LINE #	DISTANCE	BEARING
L7	537.37	N47° 47' 40"E
L8	380.02	S30° 51' 50"W
L9	200.02	S28° 51' 50"W
L10	154.03	S28° 52' 00"W
L11	25.59	S28° 50' 30"W
L12	101.96	S37° 10' 20"W
L13	117.94	S28° 38' 20"W
L14	92.48	S28° 38' 20"W
L15	47.76	S88° 45' 20"W
L16	37.55	S88° 45' 20"W
L17	33.00	S00° 57' 50"E
L28	82.81	S48° 07' 40"E
L29	62.68	S61° 08' 10"E
L31	31.01	N17° 08' 50"E
L32	16.83	N47° 44' 00"W

LOT 2 LINE TABLE		
LINE #	DISTANCE	BEARING
L11	25.59	S28° 50' 31"W
L12	101.96	S37° 10' 18"W
L13	117.94	S28° 38' 18"W
L14	92.48	S28° 38' 18"W
L15	47.76	S88° 45' 18"W
L16	37.55	S88° 45' 18"W
L17	33.00	S00° 57' 46"E
L21	234.39	N43° 24' 40"W
L22	174.90	N36° 52' 31"E
L23	213.14	S61° 06' 04"E
L24	213.14	S61° 06' 04"E

Endpoint Solutions

6871 S. Lovers Lane
Franklin, WI 53132

Phone: (414) 427-1200		Fax: (414) 427-1259
DRAWN BY: JRT	DATE: 4/2/2024	SHEET 2 OF 4
REVIEWED BY: RJF	PROJECT NO: 330-010-007	
REVISION:		

CERTIFIED SURVEY MAP NO. _____

BEING A PART OF THE SE 1/4 OF THE NE 1/4 SECTION 20, TOWNSHIP 4 NORTH, RANGE 18 EAST, IN THE VILLAGE OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, RAY FOOTLAND JR, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED A PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 20, TOWNSHIP 4 NORTH, RANGE 18 EAST, IN THE VILLAGE OF EAST TROY, WALWORTH COUNTY WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEING LOT 1 OF CSM 5140 AND BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE EAST 1/4 CORNER SAID SECTION 20; THENCE S88°45'18"W ALONG THE SOUTH LINE OF SAID NE 1/4 SECTION 20, 1026.59 FEET TO THE PLACE OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE CONTINUING S88°45'18"W ALONG SAID SOUTH LINE, 160.93 FEET; THENCE N00°44'24"W, 248.13 FEET; THENCE N47°56'57"E, 321.94 FEET; THENCE N27°16'48"W, 56.17 FEET; THENCE N64°41'05"E, 186.81 FEET; THENCE N47°47'39"E, 549.87 FEET; THENCE S30°51'52"W, 380.02 FEET; THENCE S28°51'50"W, 379.64 FEET; THENCE S37°10'18"W, 101.96 FEET; THENCE S28°38'18"W, 210.42 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE TRUNK HIGHWAY 20; THENCE S88°45'18"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 85.31 FEET; THENCE S00°57'46"E, 33.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NE 1/4 SECTION 20, AND THE PLACE OF BEGINNING.

SAID PARCEL CONTAINS 207.544 SQUARE FEET OR 4.76 ACRES MORE OR LESS.

I FURTHER CERTIFY THAT I HAVE MADE SAID SURVEY, LAND DIVISION, AND CSM BY THE DIRECTION OF GOODEN ES20 LLC & ACG DEVELOPMENT #4, LLC, OWNERS OF SAID LANDS.

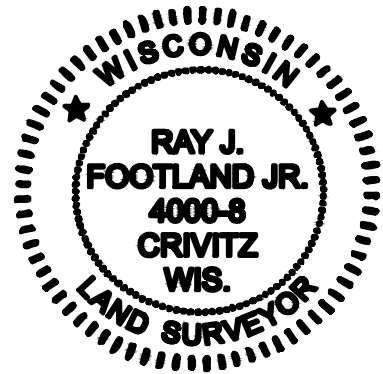
THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LANDS SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE VILLAGE OF EAST TROY, WALWORTH COUNTY, WISCONSIN IN SURVEYING, DIVIDING, AND MAPPING THE SAME.

DATED THIS 27th DAY OF MARCH, 2024



RAY FOOTLAND JR.
WISCONSIN PROFESSIONAL LAND SURVEYOR, NO. 4000-8
(original if signed in red)



Endpoint Solutions

6871 S. Lovers Lane
Franklin, WI 53132

Phone: (414) 427-1200		Fax: (414) 427-1259
DRAWN BY: JRT	DATE: 4/2/2024	SHEET 3 OF 4
REVIEWED BY: RJF	PROJECT NO: 330-010-007	
REVISION:		

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BEING A PART OF THE SE 1/4 OF THE NE 1/4 SECTION 20, TOWNSHIP 4 NORTH, RANGE 18 EAST, IN THE VILLAGE OF EAST TROY, WALWORTH COUNTY, WISCONSIN.

VILLAGE BOARD APPROVAL

APPROVED BY THE VILLAGE BOARD OF THE VILLAGE OF EAST TROY ON THIS DAY ____ OF _____, 2024.

Robert M. Johnson, Village President

Lorri Alexander, Village Clerk

OWNER'S CERTIFICATE OF DEDICATION:

GOODDEN ES20 LLC & ACG DEVELOPMENT #4, LLC, as owner, hereby certifies that they have caused the land described above to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Ordinances of the Village of East Troy, and that this map is required to be submitted to the following for approval or objection: Village of East Troy.

Witness the hand and seal of said owners this _____ day of _____, 2024.

In the presence of: GOODDEN ES20 LLC

Witness

Ray Goodden

ACG DEVELOPMENT #4, LLC

Steve Anderson

STATE OF WISCONSIN
COUNTY OF WALWORTH

Personally came before me this _____ day of _____,

2024, the above named _____,

of GOODDEN ES20 LLC & ACG DEVELOPMENT #4, LLC, to me be known to be the person who executed the forgoing instrument and acknowledged the same.

My commission expires: _____

Notary Public

Endpoint Solutions

6871 S. Lovers Lane
Franklin, WI 53132

Phone: (414) 427-1200		Fax: (414) 427-1259
DRAWN BY: JRT	DATE: 4/2/2024	SHEET 4 OF 4
REVIEWED BY: RJF	PROJECT NO: 330-010-007	
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