

Village of



Fee Must Accompany Application

\$820 Paid h Date 8-3-20

\$200 PC Consultation Only
Paid _____ Date _____

**PLANNED DEVELOPMENT DISTRICT (PDD)
AMENDMENT APPLICATION**

Applications NOT signed by the Property Owner(s) will not be accepted. Attach additional sheets and/or include supplemental information in support of your application.

APPLICANT OR AGENT:

Steven Buck, PMP
C/O Gehl Foods, LLC

Address: N116W15970 Main St.
Germantown, WI 53022

Phone: (262) 735-7219

FAX: _____

E-Mail: sbuck@gehlfoods.com

PROPERTY OWNER(S):

AGNL Dairy, LLC

Address: 245 Park Avenue, 24th Floor
New York, NY 10167

Phone: (212) 883-2486

FAX: _____

E-Mail: ispeltz@angelogordon.com

PDD Name & Resolution No.:

Gehl Foods Planned Development District ("Gehl Foods District")
Resolution 55-2019

Legal Description of Property or Area (metes and bounds description):

See Attached
Attach separate legal description if necessary

Check all that apply:

- REQUEST TO AMEND PDD ZONING
- REQUEST TO AMEND PDD GENERAL DEVELOPMENT PLAN
- REQUEST TO AMEND PDD CONDITIONS & RESTRICTIONS

List of Proposed Amendment(s) (include Resolution # and Condition #):

Attach Revised Plan(s) or Separate Pages as Necessary

Resolution 55-2019 Condition 5

Amend lot, setback, building, and other "bulk" requirements established that supersede those set forth in the underlying M-1 Zoning District regulations for the parcel located at N116W15960 Main Street; M-1: Limited Industrial District to add an increase of the maximum height of accessory structures from 45 ft. to 52 ft.

Detailed Explanation and Justification for Proposed Amendment(s):

Attach Revised Plan(s) or Separate Pages as Necessary

Gehl Foods committed to making operational, equipment, and/or other facility changes to reduce the current level of noise associated with the process of receiving or generating nitrogen as part of the conditions for creation of the Gehl Foods Planned Development District. To fulfill this commitment to the Village and its residents, Gehl Foods made an agreement with Airgas to install a Nitrogen Generation Unit at our Main Street facility. This unit can generate a sufficient quantity of nitrogen to meet the routine needs of Gehl Foods' production equipment.

The Nitrogen Generation Unit is made up of several pieces of equipment, one of which is a cylindrical tank structure known as a "cold box" with dimensions of 51 ft tall and 6 ft in diameter. All of the other equipment associated with the Nitrogen Generation Equipment is well under the 45 ft height restriction for the M-1 zoning district.

The cold box is a standard piece of equipment for Airgas and can not be altered to meet the 45 ft requirement. Additionally, Airgas does not offer an alternative that can meet the routine nitrogen demands for Gehl Foods.



Village of
 ★★ ★
Germantown
 ...Willkommen

Fee must accompany application

\$1460 Paid h Date 8-3-20

CONDITIONAL USE PERMIT APPLICATION

Pursuant to Section 17.42 of the Municipal Code

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

<p>1 APPLICANT OR AGENT Steven Buck, PMP</p> <hr/> <p>C/O Gehl Foods, LLC</p> <hr/> <p>N116W15970 Main St.</p> <hr/> <p>Germantown, WI 53022</p> <hr/> <p>Phone (262) 735-7219</p> <hr/> <p>Fax ()</p> <hr/> <p>E-Mail sbuck@gehlfoods.com</p>	<p>PROPERTY OWNER AGNL Dairy, LLC</p> <hr/> <p>245 Park Avenue, 24th Floor</p> <hr/> <p>New York, NY 10167</p> <hr/> <p>Phone (212) 883-2486</p> <hr/> <p>ispeltz@angelogordon.com</p>
--	--

2 **TO WHOM SHOULD THE PERMIT BE ISSUED?**

Gehl Foods, LLC

3 PROPERTY ADDRESS	TAX KEY NUMBER
N116W15970 Main St.	GTNV 221-964-001

4 **DESCRIPTION OF EXISTING OPERATION**

Briefly describe the use as it exists today, including use, size, number of employees, hours of operation, etc. If this permit involves new construction, describe the current status of the property, e.g. "vacant." Use additional pages as necessary.

Nitrogen is delivered by tanker truck to outdoor storage tanks.

5 **DESCRIPTION OF PROPOSED OPERATION**

Write the name of the proposed conditional use exactly as it appears in the Municipal Code
 Agricultural and dairy product silos, cooling towers, and other accessory structures whose height exceeds 45 feet.
 (Cr. Ord. #23-03; Am. Ord. #31-07)

Describe the proposed use, including size, number of employees, hours of operation and extent of any new construction/alterations.

Nitrogen will be generated on-site by a Nitrogen Generation Unit supplied by Airgas. One component will be 52 ft. high as measured from grade.

6 METES AND BOUNDS LEGAL DESCRIPTION OF PROPERTY – REQUIRED

Attach pages as necessary
See Attached.

7 SUPPORTING DOCUMENTATION:

- Site Plan and elevations for new construction (can be conceptual)
- Photos of existing use and/or proposed use operating elsewhere
- _____
- _____

8 READ AND INITIAL THE FOLLOWING:

- SB I understand that the Village is under no obligation to issue a Conditional Use Permit and will do so only if the applicant successfully demonstrates that the proposed use is harmonious with the neighborhood and the long range goals of the Village.
- SB I will notify the Village if any aspects of the conditional use changes. I understand that failure to do so may result in the revocation of the CUP.
- SB I understand that a Conditional Use Permit is valid only if the conditions and restrictions of the permit are met. I understand that failure to comply with any aspect of the permit may result in revocation.
- SB I understand that Village Staff is required to post one or more signs along the street frontage of and/or on the property subject of this application that indicate to nearby property owners and the general public that a public hearing of my application will be held before the Village Plan Commission and/or Village Board prior to action being taken on this application; I hereby grant Village Staff permission to enter onto the property for the expressed purpose of installing said sign(s) provided Village Staff is responsible for installing, maintaining and removing said signs in a reasonable manner and timeframe.

9 SIGNATURES – ALL APPLICATIONS MUST BE SIGNED BY OWNER!

AGNL Dairy, L.L.C., a Delaware limited liability company
By: AGNL Manager III, Inc., its Manager
By: Gordon J. Whiting, President

Steve Buck 08-03-2020
Applicant Date
Steve Buck - Sr. Project Leader
Gehl Foods, LLC

Gordon J. Whiting 7/29/2020
Owner Date



Jeffrey W. Retzlaff, AICP - Director, Community Development Department
Village of Germantown
N112 W17001 Mequon Road
Germantown, WI 53022

August 3, 2020

Mr. Retzlaff

Gehl Foods is applying for a PDD Amendment and Conditional Use Permit for our property located at N116 W15970 Main St. The purpose of these applications is to install a nitrogen generation facility.

Project Description:

Gehl Foods committed to making operational, equipment, and/or other facility changes to reduce the current level of noise associated with the process of receiving or generating nitrogen as part of the conditions for creation of the Gehl Foods Planned Development District. To fulfill this commitment to the Village and its residents, Gehl Foods made an agreement with Airgas to install a Nitrogen Generation Unit at our Main Street facility. This unit can generate a sufficient quantity of nitrogen to meet the routine needs of Gehl Foods' production equipment. Installation of the equipment will be on the North portion of our property, directly across Fond Du Lac Ave. (Hwy 145) from our Crusader Ct. warehouse facility.

The Nitrogen Generation Unit is made up of several pieces of equipment, one of which is a cylindrical tank structure known as a "cold box" with dimensions of 52 ft tall and 6 ft in diameter. All the other equipment associated with the Nitrogen Generation Equipment is well under the 45 ft height restriction for the M-1 zoning district. The equipment will be installed on a concrete pad constructed for this purpose and will occupy space that is currently impervious parking lot area.

The "cold box" is a standard piece of equipment for Airgas and cannot be altered to meet the 45 ft requirement. Additionally, Airgas does not offer an alternative that can meet the routine nitrogen demands for Gehl Foods. Therefore, we are respectfully requesting an amendment to the PDD and a Conditional Use Permit to allow installation of the Nitrogen Generation Unit to proceed.

If there are any questions or more information required, please feel free to contact me.

Thank You,

Steve Buck, PMP – Sr. Project Leader
Gehl Foods, LLC
262-735-7219



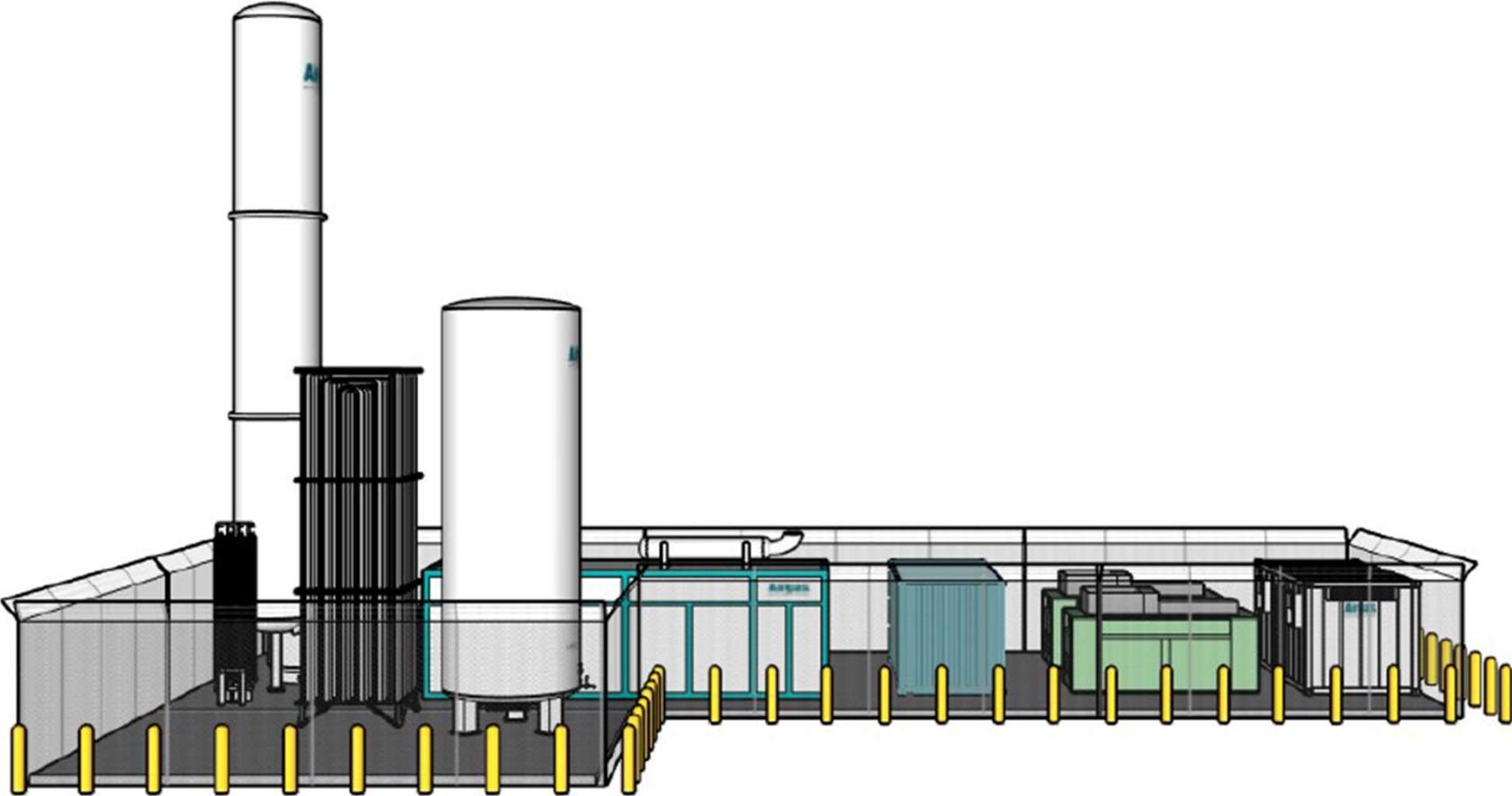
Attachment to PDD Amendment Application

Metes and Bounds Descriptions:

Metes and Bounds Description of N116W15970 Main Street (Tax ID 221964001):
Being a redivision of Lot 1 of Certified Survey Map No. 6802, Outlot 19 and Outlot 20 of Assessor's Plat (SW $\frac{1}{4}$ NE $\frac{1}{4}$) in the Village of Germantown, in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Town 9 North, Range 20 East, Washington County, Wisconsin.

Gehl Foods Nitrogen Generator

Elevation View



Gehl Foods Nitrogen Generator

Hwy. 145@ Crusader Ct. Looking SE



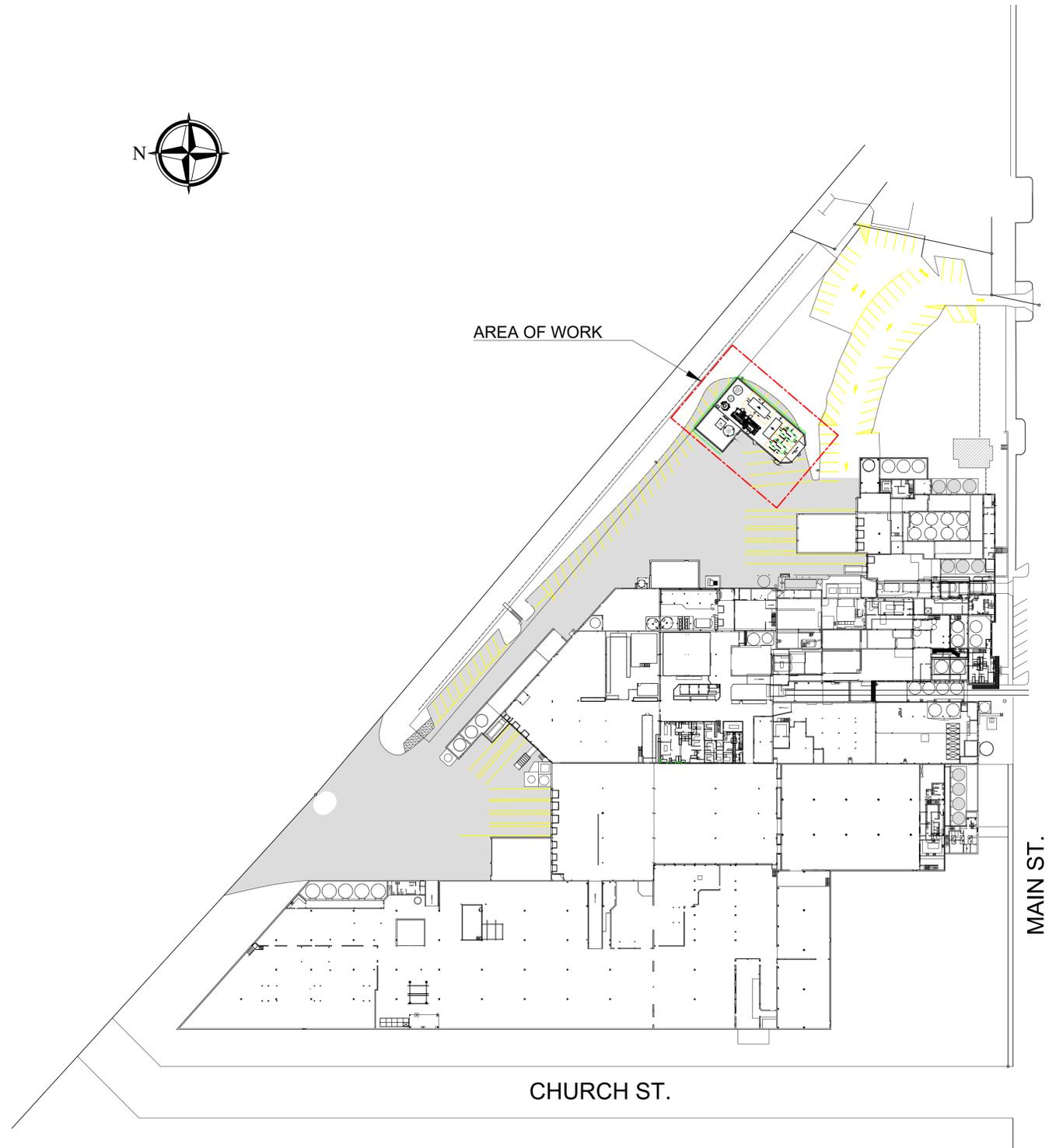
Equipment Is Hidden Behind Trees, Shown Here For Location



Gehl Foods Nitrogen Generator

Hwy. 145 @ Main St. Looking NW





AREA OF WORK

MAIN ST.

CHURCH ST.

SITE PLAN
SCALE: $\frac{1}{64}'' = 1'-0''$

Sheet Title: **NITROGEN GENERATION SITE PLAN**

Project:

Description:

Database ID:

Description:

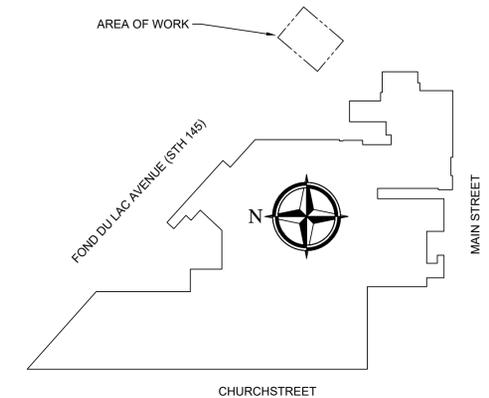
Edit Date:

Edit Time:

Version Author:

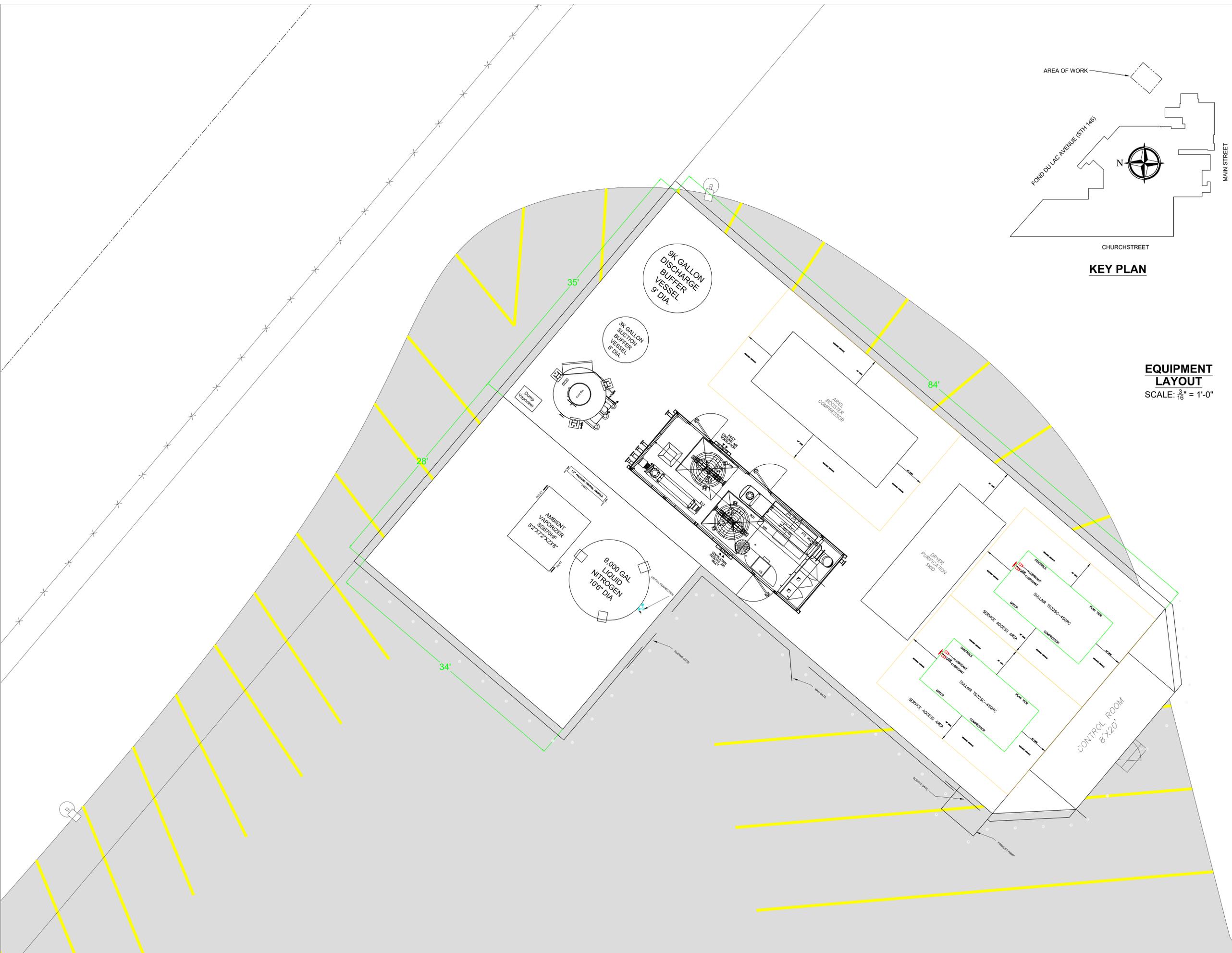
Version Editor:

Drawing No:



KEY PLAN

EQUIPMENT LAYOUT
 SCALE: $\frac{3}{16}'' = 1'-0''$



NITROGEN GENERATION EQUIPMENT LAYOUT

Sheet Title:	NITROGEN GENERATION EQUIPMENT LAYOUT
Edit Date:	
Edit Time:	
Version Author:	
Version Editor:	
Drawing No.:	
Project:	
Description:	
Datagram ID:	
Datagram Description:	