

Village of Mukwonago
REGULAR PLAN COMMISSION MEETING
Notice of Meeting and Agenda
Tuesday, October 9, 2018

Time: **6:30 p.m.**
Place: **Mukwonago Municipal Building/Board Room, 440 River Crest Court**

1. Call to Order
2. Roll Call
3. Approval of minutes for the September 11, 2018 regular meeting
4. New Business
Discussion and Possible Action on the Following Items
 - A. Consider recommendation to Village Board regarding change to roof materials and trim colors for Midwest Storage, LLC.
 - B. Consider recommendation to Village Board regarding amendment to Historic Preservation Commission Standards of Chapter 100 (Zoning) of the Municipal Code
 - C. Information Only – Plan Commission Workshop
5. Adjournment

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Clerk's Office, 440 River Crest Court, (262) 363-6420, Option 4.

MINUTES OF THE PLAN COMMISSION MEETING **Tuesday, September 11, 2018**

Call to Order

Deputy Clerk Gourdoux called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Commissioners present: Joe Abruzzo
Jim Decker
John Meiners
Mark Penzkover
Ken Werner
Robert Harley

Commissioner excused: Fred Winchowky, Chairman

Also present: Bruce Kaniewski, Planner/Zoning Administrator
Linda Gourdoux, Deputy Clerk/Treasurer

In the Absence of the Chair, Gourdoux asked for a motion to nominate Chair Pro Tem.
Motion by Decker/Werner to nominate Penzkover as Chair, carried

Minutes

Motion made by Abruzzo/Decker to approve the minutes of the August 8, 2018 regular meeting, carried.

New Business

Consider Signage for First Congregational Church; 231 Roberts Dr; MUKV 1974-906

Motion by Werner/Decker to Approve Signage for First Congregational Church; 231 Roberts Dr; MUKV 1974-906 subject to the following recommendations by the Village Planner, carried.

1. Approval is pursuant to the submitted plans on file in the office of the Zoning Administrator
2. Applicant must obtain building and electrical permits for the sign, and the existing sign must be removed before inspection approval of the proposed sign

Consider Demolition of Principal and Accessory Structure at 715 Main St; MUKV 1976-205

Motion by Abruzzo/Werner to Approve Demolition of Principal and Accessory Structure at 715 Main St; MUKV 1976-205 subject to working with Building Supervisor for proper erosion control on the site, carried

Recommendation to Village Board to Approve the Resubmitted Architectural Plans for Kids Connection, Inc.; 130 Chapman Farms Blvd; MUKV 1962-996-007

Kaniewski stated that Resolution 2018-041 will need to be updated also

Motion by Decker/Abruzzo to Recommend to the Village Board Approval of the Resubmitted Architectural Plans for Kids Connection, Inc.; 130 Chapman Farms Blvd; MUKV 1962-996-007, carried

Adjournment

Meeting adjourned at 6:43 p.m.

Respectfully Submitted,

Linda Gourdoux
Deputy Clerk/Treasurer

DRAFT



Village of Mukwonago

Office of the Village Planner

440 River Crest Court, Mukwonago, Wisconsin 53149
(262) 363-6420 x.2111

www.villageofmukwonago.com
planner@villageofmukwonago.com

October 5, 2018

Re: Change of Roof Materials and Building Colors
Robert Chandler; Midwest Holdings, LLC

Village President Fred Winchowky and Members of the Plan Commission:

Village Board Resolution No. 2017-099 approved the Conditional Use for a mini-warehouse storage development along CTH ES east of Edgewood Avenue at the request of Robert Chandler on behalf of Midwest Holdings, LLC. At that time, Conditional Use approval was combined with Site Plan and Architectural approval. Attached please find the subject resolution.

Condition No. 5 indicates "the buildings shall be constructed with architectural roof shingles." The applicant proposes a different roof material, which in turn, creates the need to change the color of the trim materials of the storage buildings.

The different material and color will be presented at the meeting.

Sincerely,

Bruce S. Kaniewski, AICP
Village Planner/Zoning Administrator

RESOLUTION 2017-099

Updated

~~CONDITIONAL USE PERMIT~~
**TO ALLOW FOR AN INDOOR, MINI-WAREHOUSE,
ROBERT CHANDLER, MIDWEST HOLDINGS, LLC
VACANT PROPERTY, MUKV2091988**

WHEREAS, pursuant to Section 100-352 of the Zoning Code, an application for a conditional use permit has been filed for approval of the use of the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr. to allow for an indoor, mini-warehouse, submitted by Robert Chandler, Midwest Holdings, LLC, in the Village of Mukwonago, which application was filed in the office of the Village Clerk, Village of Mukwonago, Wisconsin, and

WHEREAS, after proper notice pursuant to the Village of Mukwonago Zoning Code, a public hearing was noticed in the official newspaper as a Class II notice, and with notice being mailed at least ten (10) days prior to the date of such public hearing to the owners of record of the properties situated within 300 feet of the boundaries of the properties affected, a public hearing was held on September 12, 2017, and

WHEREAS, these preliminary plans have been reviewed and recommended by the Village Plan Commission, and

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Mukwonago, Wisconsin hereby approves the preliminary plans for the use of the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr. to allow for an indoor, mini-warehouse, submitted by Robert Chandler, Midwest Holdings, LLC, based upon the plans submitted to the Village and the public hearing conducted on this matter and for the following reasons:

1. The proposal conforms to the minimum standards of the B-3 zoning district.

NOW, THEREFORE, BE IT FURTHER RESOLVED this conditional use permit shall be subject to the following conditions:

1. The Conditional Use for the Indoor Mini-Warehouse facility shall be subject to the following: Site and Utility Plan-East; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 30, 2017.
 - a. Grading and Erosion Control-East; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 30, 2017.
 - b. Landscape Plan-East; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 29, 2017.
 - c. Building elevation plan on file in the office of the Zoning Administrator
 - d. The "Request for Conditional Use and Narrative" prepared by Canfield Buildings dated August 1, 2017.
2. The plans referenced in Condition #1 may be further modified to conform to other conditions of approval and the final site storm water, grading and engineering plans. The plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections to conform to Building and Fire Safety Codes and all plans may be further

- modified to conform to Village design standards. However, the basic layout of the site as depicted the site plan shall remain unchanged.
3. The Conditional Use shall not become effective until the Certified Survey Map submitted by applicant is approved by the Village and recorded in the Office of the Waukesha County Register of Deeds.
 4. All ingress/egress drives shown on the site plan shall remain private and shall be maintained in a usable and passable condition at all times. All ingress/egress drives shall be paved with a solid surface.
 5. The buildings shall be constructed with architectural roof shingles.
 6. The site shall be maintained in a clean condition and free of debris at all times. No outside storage of any kind shall be allowed.
 7. Only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property.
 8. Before any construction commences on the site, the following shall occur:
 - a. Completion of all public improvements of the new street as required by the Developer's Agreement approved in conjunction with the Certified Survey Map.
 - b. Issuance of grading/erosion control permit.
 9. Applicant may construct the ten (10) indoor mini-storage buildings in phases from west to east. Prior to issuance of the first building permit, the following shall occur:
 - a. Approval by the Village Engineer or assigns of the final site grading and utility extension plans.
 - b. Approval by the Supervisor of Inspections of building plans after receipt of approval of building plans by the State of Wisconsin.
 - c. Installation of a public water supply and fire hydrants pursuant to the utility extension plans.
 - d. Approval by the Mukwonago Fire Chief of the building plans.
 - e. Approval by the Mukwonago Fire Chief of the system of Fire Department emergency ingress through the gate system.
 - f. Approval of the Zoning Administrator of any external site lighting plan.
 - g. Submittal of proper information for issuance of a building permit for the approved perimeter fencing and entrance gate.
 10. Prior to temporary occupancy issuance for any one building or grouping of buildings, if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is part of the storm water management facilities.
 - b. Completion of a solid paved surface of the entrance, from the entrance to the building of said temporary occupancy, and 24 feet wide surrounding the building of said temporary occupancy; all in conformance with the approved site plan, as approved by the Zoning Administrator.
 - c. Completion of all exterior lighting for entrance in accordance with approved plans.
 - d. Completion of the building(s) in accordance with approved plans and all applicable codes.
 - e. Completion of the entrance gate and all site perimeter fencing.
 11. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
 - a. Completion of all items within Condition No. 10.
 - b. Completion of all paving, in accordance with approved plans.
 - c. Installation of all site landscaping.

- d. Completion of all required public improvements as specified in the Storm Water Management Plan.
- e. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public.

NOW, THEREFORE, BE IT FURTHER RESOLVED the permittee, upon the granting of this Conditional Use Permit, shall agree to accept the same in writing.

Passed and dated this 19th day of September 2017.

VILLAGE OF MUKWONAGO

By: _____
Fred Winchowky, Village President

Attest: _____
Steven A. Braatz, Jr., Village Clerk

ACCEPTANCE

This conditional use permit is accepted, and permittee agrees to abide by the terms thereof.

Village of Mukwonago

By: _____
Owner

Midwest Holdings, LLC

By: _____
Agent

**HIPPENMEYER, REILLY, BLUM
SCHMITZER, FABIAN & ENGLISH, S.C.**

MARK G. BLUM
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RICHARD S. HIPPENMEYER
(1911-1979)
WILLIAM F. REILLY
(1932-2007)

EMAIL: MGBLUM@HRBLAWFIRM.COM

August 23, 2018

Via Email

(president@villageofmukwonago.com) Mr.
Fred Winchowky, Village President
Village of Mukwonago
440 River Crest Court, PO Box 206
Mukwonago, WI 53149

Via Email (jweidl@villageofmukwonago.com)

Mr. John Weidl, Village Administrator
Village of Mukwonago
440 River Crest Court, PO Box 206
Mukwonago, WI 53149

Re: Historic Preservation Ordinance

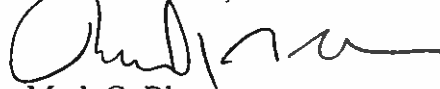
Gentlemen:

Enclosed is a revised draft of the Ordinance concerning the Historic Preservation Commission. The revision is modified Section 100-303, which speaks to the issue of the Historic Preservation Commission composition. I have taken out the references to the skills that are desired on the Commission, e.g., real estate broker, architect, historian, etc. I have also taken out the language regarding having one Village Board member and at least three citizen members. Therefore, at this point, you basically have a clean slate as to the composition of the Commission. I have kept the language that refers to the terms of office.

Please let me know if this addresses your concerns on this subject.

Sincerely,

HIPPENMEYER, REILLY, BLUM,
SCHMITZER, FABIAN & ENGLISH, S.C.



Mark G. Blum,
Village Attorney

MGB/jb
Enc.

Cc: Ms. Linda Gourdoux

**VILLAGE OF MUKWONAGO
WAUKESHA AND WALWORTH COUNTIES**

ORDINANCE NO. ____

**ORDINANCE TO AMEND SECTIONS 100-305 and 100-306
OF THE VILLAGE OF MUKWONAGO MUNICIPAL CODE
REGARDING THE HISTORIC PRESERVATION COMMISSION**

WHEREAS, the Village is desirous of amending Sections 100-305 and 100-306 to update the provisions of that Ordinance to better reflect the requirements of Wis. Stat. §62.23(7)(em) and recent changes to the same; and

NOW THEREFORE, the Village Board of the Village of Mukwonago, Waukesha and Walworth Counties do hereby ordain as follows:

SECTION I

Section 100-303 of the Municipal Code of the Village of Mukwonago is hereby repealed and recreated to read as follows:

A Historic Preservation Commission is hereby created, consisting of seven (7) members. The Village President shall appoint the Commission subject to confirmation by the Village Board. Of the initial members so appointed, two shall serve a term of one (1) year; two shall serve a term of two (2) years; and three shall serve a term of three (3) years. Thereafter, the term of each member shall be three (3) years.

SECTION II

Section 100-305(b)(3) f. of the Municipal Code of the Village of Mukwonago is hereby amended to read as follows:

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall be constructed with materials that are similar in design, color, scale, architectural appearance, and other visual qualities.

SECTION III

Section 100-305(c) of the Municipal Code of the Village of Mukwonago is hereby amended to read as follows:

Appeals. Should the commission decline to issue a certificate of appropriateness due to the failure of the proposal to conform to the guidelines, the applicant may appeal such decision to the village board within 30 days. The village board may, by a majority vote, overturn the commission's decision declining to issue a certificate of appropriateness. In addition, if the commission declines to issue a certificate of appropriateness, the commission shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a certificate of appropriateness within the guidelines of this article.

SECTION IV

Section 100-306(a)(1) of the Municipal Code of the Village of Mukwonago is hereby amended to read as follows:

The commission may, after notice and public hearing, designate historic structures and historic sites, or rescind such designation or recommendation, after application of the criteria in section 100-304 above. At least ten days prior to such hearing, the commission shall, by first-class mail, notify the owners of record, as listed in the office of the village assessor, who are owners of property in whole or in part situated within 200 feet of the boundaries of the property affected. These owners shall have the right to confer with the commission prior to final action by the commission on the designation. Notice of such hearing shall also be published as a Class 1 notice under the Wisconsin statutes. The commission shall also notify the following: department of public works, parks division, fire and police departments, health department, building inspector, and the plan commission. Each such department may respond to the commission with its comments on the proposed designation or rescission.

SECTION V

Section 100-306(b)(3) a. of the Municipal Code of the Village of Mukwonago is hereby amended to read as follows:

Historic preservation commission. The historic preservation commission shall hold a public hearing when considering the plan for a historic district. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 1 notice under the Wisconsin statutes in the official village paper. Notice of the time, place, and purpose of the public hearing shall also be sent via first class mail by the village clerk to the owners of record, as listed in the office of the village assessor, who are owners of the property within the proposed historic district or are situated in whole or in part within 200 feet of the boundaries of the proposed historic district. Such notice is to be sent at least ten days prior to the date of the public hearing. Following the public hearing, the historic preservation commission shall vote to recommend, reject, or withhold action on the plan. This recommendation shall be forwarded to the village plan commission and the village board.

SECTION VI

All Ordinances or parts of Ordinances contravening the terms and conditions of this Ordinance are hereby to that extent repealed.

SECTION VII

The several sections of this Ordinance shall be considered severable. If any section shall be considered by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the other portions of the Ordinance.

SECTION VIII

This Ordinance shall take effect upon passage and publication as approved by law, and the Village Clerk shall so amend the Code of Ordinances of the Village of Mukwonago, and shall indicate the date and number of this amending ordinance therein.

PASSED AND ADOPTED by the Village Board this _____ day of _____, 2018.

APPROVED:

Countersigned:

Fred Winchowky, Village President

Linda Gourdoux, Deputy Village Clerk

Who Should Attend

Plan commission members, planners, zoning administrators, elected officials and anyone else who has an interest in learning about the new laws related to conditional uses.

Benefits of Participation

This workshop can help bridge the knowledge/experience gap and increase confidence for those who will make decisions affecting their community for years to come.

Plan Commission Handbooks Are Available for Purchase & Pick -Up at the Workshop

Interested in purchasing a Plan Commission Handbook? Purchase a handbook when you register for the workshop. Pick up the book at the workshop. (Preorders only) Cost is \$20.00. See Registration Form.

Workshop Location

Genesee Town Hall
S43 W31391 Hwy. 83
Genesee Depot, WI



An EEO/AA employer, University of Wisconsin-Extension provides equal opportunities in employment and programming, including Title VI, IX and ADA requirements. Please make requests for reasonable accommodations to ensure equal access to educational programs as early as possible preceding the scheduled program, service or activity.

BALANCING COMMUNITY VALUES, LOCAL DISCRETION & NEW STATE RULE ON CONDITIONAL USES

Enhance Your
Plan Commission Skills

October 30, 2018
6:30-8:30 pm
Genesee Town Hall

**A Plan Commission
Workshop Offered by
Waukesha County
UW-Extension**



Waukesha County

PLAN COMMISSION WORKSHOP

October 30, 2018 — 6:30-8:30 PM — Genesee Town Hall

Agenda Overview

- ◆ **Welcome and Agenda Review**
- ◆ **Presentation:** Rebecca Roberts will provide an overview of new state laws related to conditional uses. She will discuss new state standards, the role of local decision-makers, the public hearing process, and what happens when a decision is appealed.
Presenter: Rebecca is a Land Use Specialist with the Center for Land Use Education at UW-Stevens Point. She is an author of the Plan Commission Handbook and Zoning Board Handbook and provides education and outreach for local officials throughout the state.
- ◆ **Panel Discussion: *Sharing knowledge & experience to help you become an effective Plan Commissioner***

Panelists:
Ben McKay, Chief Community Assistance Planner, Southeast Wisconsin Regional Planning Commission (SEWRPC)
Sharon Leair, Town of Genesee Chairman
Jeff Herrmann, Administrator/Planner, Town of Oconomowoc & Town of Genesee
John Siepman, Siepman Realty & Town of Merton Plan Commission Member
- ◆ **Wrap Up and Evaluation**

Workshop is \$40. Registration is required. Space is limited. No Refunds.

Contact Ann Wied at 262-548-7788 or awied@waukeshacounty.gov for more information.

October 30, 2018—Plan Commission Workshop

Name _____
Company _____
Address _____
City _____ State _____
Zip _____ Phone _____
Email _____
Please attach list of additional attendees with email addresses.
Credit Card Type _____ Exp Date _____
Name on Card _____
Card No. _____

I/We plan to attend and have enclosed
\$40 per person for a total of \$_____.
\$20 per copy of Plan Commission Book, total
quantity: _____

Mail your completed registration form and check
payable to **Waukesha County UW-Extension** to:
Waukesha County UW-Extension
Plan Commission Workshop
515 W Moreland Blvd AC G22
Waukesha WI 53188
Online registration is available at
<http://uwex.maxgalaxy.net>

Credit Card information will be shredded immediately after registration is processed