

Village of Mukwonago
SPECIAL PLAN COMMISSION MEETING
Notice of Meeting and Agenda
Wednesday, July 18, 2018

Time: **6:00 p.m.**

Place: **Mukwonago Municipal Building/Board Room, 440 River Crest Court**

1. Call to Order

2. Roll Call

3. Public Hearings

All persons interested in making comments about any of the public hearing items will be heard. Formal petitions and written comments regarding any of the public hearing items may be submitted tonight. During the public hearing(s), if you wish to be heard, the Plan Commission asks that you begin by stating your name and address, speak for no more than three minutes and attempt to avoid duplication. Each person speaking at the public hearing must sign the Public Hearing Appearance sign-in sheet before speaking. The sign-in sheet is available on the table located at the back of the room.

- A. Conditional Use approval to allow an alternative school within the pending conditional use category of "School, Specialty or Personal Instruction"

4. New Business

- A. Recommendation to Village Board to Consider Conditional Use approval to allow an alternative school within the pending conditional use category of "School, Specialty or Personal Instruction" at 475 McKenzie Rd, MUKV 1970-998-025

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.

**NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO PLAN
COMMISSION TO CONSIDER AN APPLICATION FOR A SPECIALTY SCHOOL
CONDITIONAL USE
(MUKWONAGO AREA SCHOOL DISTRICT)**

Please take notice there will be a public hearing before the Plan Commission of the Village of Mukwonago in the Board Room of the Village Hall, 440 River Crest Court, Mukwonago, Waukesha and Walworth Counties, on Wednesday, July 18, 2018, commencing at 6:00 P.M. or soon thereafter to consider the following matter:

REGARDING: Consider conditional use approval to allow an alternative school within the pending conditional use category of "School, Specialty or Personal Instruction"

TAX KEY/LOCATION: MUKV 1970-998-025/475 McKenzie Road

APPLICANT: Mukwonago Area School District

PROPERTY OWNER: Lillian LLP, P. O. Box 182, Mukwonago, WI

PROPERTY ZONING; M-1, Limited Industrial District

LEGAL DESCRIPTION:

Lot 1 of Certified Survey Map No. 8035, being a division of the Northwest ¼ of Section 25, Town 5 North, Range 18 East, Village of Mukwonago, Waukesha County, Wisconsin.

The proposal may be viewed at Village Hall, 440 River Crest Court, Mukwonago, WI during business hours.

All interested parties will be heard. Written comments will be accepted up to the time of the hearing. For more information, please contact Bruce Kaniewski, Village Planner, at (262) 363-6420 x. 2111, or planner@villageofmukwonago.com.

Judith A. Taubert
Deputy Clerk

To be published: June 27 and July 4, 2018



Village of Mukwonago

Office of the Village Planner

P.O. Box 206, 440 River Crest Court, Mukwonago, Wisconsin 53149
(262) 363-6420 x.2111 Fax: (262) 363-6425

www.villageofmukwonago.com

July 11, 2018

Fred Winchowky, Village President
Village of Mukwonago
440 River Crest Court
Mukwonago, WI 53149

Re: Specialty School Conditional Use/Mukwonago Area School District
476 McKenzie Drive

Dear President Winchowky and Members of the Plan Commission:

During your June meeting, the Plan Commission was asked to provide a recommendation to the Village Board regarding a zoning ordinance amendment to allow specialty schools as a permitted use within the M-1 and M-2 zoning districts. The Plan Commission recommended specialty schools should be allowed as a conditional use. Therefore, a new public hearing is scheduled for the Village Board meeting of Wednesday, July 18, 2018 to consider a zoning ordinance amendment to allow specialty schools as a conditional use with the M-1 and M-2 zoning districts.

Subject to approval of the amendment, the Mukwonago Area School District has applied for conditional use approval to locate a specialty school within the Lillian Vernon building at 476 McKenzie Drive. The Plan Commission is requested during the special meeting to conduct a public meeting to consider the school district's request, and then provide a recommendation. The subject property is zoned M-1.

Background

Please see attached information submitted by the school district regarding the request. Lillian Vernon is a catalog merchant and online retailer that sells household, children's and fashion accessory products. Originally this location manufactured candles but has transformed into light assembly and distribution of its products.

The school district proposes to lease the eastern most end cap of about 1,900 square feet of the building. The space was originally office space for Lillian Vernon. After management offices were moved into the production area, this eastern most end cap has been mostly unused and occasionally occupied by overstock sales open to the public.

The space has its own entrance facing McKenzie Drive with a parking lot immediately outside the entrance, just south of Fox Street (CTH ES). Employees of Lillian Vernon have other entrances and exits to utilize. The interior is finished with offices and open areas conducive to learning within the alternative school concept, according to the school district.

Recently Fire Chief Jeff Stien, Supervisor of Inspections Bob Harley and I met at the site with representatives of Lillian Vernon and the school district. We discussed required changes to exit signs and lighting to ensure public



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safety of the occupants and locations of fire extinguishers. The space has a fire suppression system, as required by the Village fire code for an educational use.

If the conditional use is approved, the school district will paint walls and change the carpeting in advance of the upcoming school year. The only change to the exterior indicated by the school district will be a sign identifying the location on the glass of the door or the glass surrounding the door. Pursuant to the sign code, no permit is needed for the window sign if the sign covers 20% or less of the glazed area.

Recommendation

I recommend approval of the requested conditional use at the request of the Mukwonago Area School District to utilize a portion of 476 McKenzie Drive as a specialty school, subject to approval of the zoning ordinance amendment by the Village Board to allow a specialty school as conditional use in the M-1 and M-2 zoning districts. The proposal will occupy an underutilized space. The space is conveniently located at the edge of the Mukwonago Industrial Park (albeit McKenzie Drive flows into a single-family neighborhood to the south), away from heavier industrial uses. Hopefully, proximity to industrial uses will encourage co-ops or apprentices of the students with the nearby businesses.

I suggest the following findings of fact be included in the motion to approve the Conditional Use.

1. The proposed use is consistent with the original design of the subject building as office space.
2. The proposed use will have its own entrance away from the light assembly and distribution use of the remainder of the building.
3. The proposed use has access to its own separate vehicular parking area, with ease of accessibility from a county highway.
4. The proposed use is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
5. The proposed use is found to be properly considered, including small area or conference room style alternative learning environments to suit the needs of the students.

I further recommend the following conditions be placed with approval of the Conditional Use.

1. The use of the approximately 1,932 square foot space on the east end of the building with an address of 476 McKenzie Drive as a specialty school shall be consistent with the written information and plans submitted by the Mukwonago Area School District along with statements made at the public hearing by the representatives of the school district or by others on behalf of the applicant. The submitted information is on file in the office of the Zoning Administrator.
2. Any future expansion or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall always be maintained in a clean and presentable condition. No debris shall accumulate on the site. Prior to the issuance of an occupancy permit, applicant shall comply with all exiting, lighting and other public safety changes to the space as required by the Fire Chief and Supervisor of Inspections.
4. This Conditional Use approval shall not be transferred within the subject property to another Conditional Use category without submittal and approval for a new Conditional Use.



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5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
6. Any window signs shall conform to Chapter 64 of Village Municipal Code. As stated by the applicant, no other exterior signage shall be allowed.
7. Prior to issuance occupancy for the use, applicant shall pay all required charges and fees to the Village.
8. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

It has been a pleasure assisting the Village with review and recommendation of this proposal. Should any questions arise, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce S. Kaniewski".

Bruce S. Kaniewski, AICP
Village Planner/Zoning Administrator

Village of Mukwonago
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Mukwonago, WI 53149
Phone: (262) 363-6420
Fax: (262) 363-6425
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VILLAGE OF MUKWONAGO

CONDITIONAL USE PERMIT APPLICATION

Application Fee: \$450

Date Submitted: 6/21/18

CONTACTS

Zoning and Planning Department

Contact: Bruce Kaniewski
Phone: (414) 339-4105
Fax: (262) 363-6425
Email: planner@villageofmukwonago.com

GUIDELINES

The undersigned petition is to consider a request, as stated herein, for the specified parcel(s) of land and will be reviewed by the Plan Commission and Village Board of the Village of Mukwonago.

Conditional use applications require a public hearing. To ensure the public hearing will be properly advertised, the application must be submitted **at least 30 days prior to the meeting** in which the Plan Commission will hold the public hearing. The Plan Commission meets on the second Tuesday of each month at 6:30 p.m.

Materials listed on page 3 must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 100-354 and other pertinent sections of Village ordinances, WI Stats. 62.23, and as necessary to permit review that is consistent with proper planning practice. The Village will strive to accommodate reasonable requests for informal preliminary staff review, however the Village shall not place any items on the agenda for Plan Commission consideration until such time as the application is complete in accordance with all requirements specified on this and other attached application forms.

Mail completed applications to: Village Planner
ATTN: Conditional Use Permits
PO Box 206
Mukwonago, WI 53149
Deliver to: Village Clerk's Office
440 River Crest Court
Email to: planner@villageofmukwonago.com

Complete, accurate and specific information must be entered. Please Print.

APPLICANT (*Full Legal Name*)

Name: Curt Wiebelhaus
Company: Mukwonago Area School District
Address: 385 Veterans Way City: Mukwonago State: WI Zip: 53149
Daytime Phone: 414-303-4608 Fax: _____
E-Mail: wiebecu@masd.k12.wi.us

APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: same

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

ARCHITECT

Name: NA

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

PROFESSIONAL ENGINEER

Name: NA

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

REGISTERED SURVEYOR

Name: NA

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

CONTRACTOR

Name: NA

Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Daytime Phone: _____ Fax: _____

E-Mail: _____

PROPERTY AND PROJECT INFORMATION

Present Zoning: M-1 Tax Key No(s): MUKV1970998025
Address/Location: 475 McKenzie Road ukwonago WI 53149

A. I/We request a conditional use permit for:

To allow Mukwonago Area School District's new alternative education program (a
specialty school) to occupy the space within the M-1 zoning as a conditional use.

B. The property is presently used as:

Vacant

C. Name of Architect, Professional Engineer, or Contractor: NA

D. Project Timetable: Start Date: 7/19/18 Completion Date: 8/1/18

E. All of the Proposed Use(s) of the property will be:

Principal Use Alternative education site that will allow MASD to educate students that will perform
better in a non-traditional environment.

Secondary Use _____

Accessory Use _____

F. I/We represent that I/we have a vested interest in this property in the following manner:

☐ Owner

☒ Leasehold. Length of Lease: _____

☐ Contractual. Nature of contract: _____

☐ Other. Please explain

PROCEDURAL CHECKLIST FOR CONDITIONAL USE REVIEW AND APPROVAL

This form is designed to be a guide for submitting a complete application for a conditional use.

Application Submittal Packet Requirements for Village and Applicant Use (Check off List)

Application:

- ☐ Completed application form including the procedural checklist and justification of the proposed conditional use.
- ☐ Application fee: \$450
- ☐ Agreement for Reimbursable Services (separate application)

Required site drawings:

- ☐ Survey of the property
- ☐ Landscape plan
- ☐ Parking plan (including parking computations)
- ☐ Lighting plan (including photo metrics)
- ☐ Proposed location and connection to the sanitary sewer and water mains
- ☐ Drainage plan (if applicable)
- ☐ All building elevations
- ☐ Floor plans

Other Documents:

- ☐ Plan of operation/proposal
- ☐ Overview of the adjoining lots (including list of parcel identification numbers and names and mailing addresses of the current owners for all properties within 300 feet of the subject property)
- ☐ **Electronic Submittals are required.** Email (or CD ROM) with all plans and submittal materials in Adobe PDF to planner@villageofmukwonago.com.
- ☐ Any additional information as determined by Village staff

JUSTIFICATION OF THE PROPOSED CONDITIONAL USE

The Plan Commission and Village Board of the Village of Mukwonago will base their decisions on the category standards listed below. It is in the best interest of the applicant to base their presentation on the same applicable set of standards when presenting their petition. **Applicant: Please fill out ALL of the questions. Use additional sheets of paper if needed.**

- A. How is the proposed conditional use (the use in general, independent of its location) in harmony with the purposes, goals, objectives, policies and standards of the Village of Mukwonago Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

This specialty school will have little impact on the site or neighbors. There will be a morning session and and afternoon session with a low volume of traffic for this space that is less than 2000 sf.

- B. How is the proposed conditional use, in its specific location, in harmony with the purposed, goals, objectives, policies and standards of the Village of Mukwonago Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the Village?

This specific site allows for easy access in and out for the limited number of students and staff that will be utilizing the space. The site allows for the separation from the "traditional" school setting that is desired for the students that will be in attendance. This site will better transition students to a post-high school environment.

- C. Does the proposed conditional use, in its proposed location and as depicted on the required site plan (see Section 100-354 (a), (b), and (c)), result in any substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan, or any other plan, program, map ordinance adopted or under consideration pursuant to official notice by the Village or other governmental agency having jurisdiction to guide development?

No.

- D. How does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

The proposed use is low impact to the area and property with a limited number of students.

- E. Is the proposed conditional use located in an area that will be adequately served by and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?

Yes

- F. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use (as identified in Sections 100-354 (e)(1) and (2)), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts?

Yes

CERTIFICATION

Applicant hereby certifies that:

1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.
2. Affirms that no Village of Mukwonago elected or appointed official or employee has a proprietary interest in the above referenced property for which this applications being filed (except as stated below under "Exceptions").
3. None of the above referenced individuals has been promised or given any contract for consultation, planning or construction in relation to this project (except as stated below under "Exceptions").
4. Applicant has read and understands all information in this packet.

Applicant further understands the policies of the Village regarding change of zonings and property development. Conditions of the resolution regarding all approvals are strictly followed. Certificates of Occupancy are not given until all conditions of approval have been met

By the execution of this application, applicant hereby authorizes the Village of Mukwonago or its agents to enter upon the property during the hours of 7:00 am to 7:00 pm daily for the purpose of inspection. Applicant grants this authorization to enter even if this land has been posted against trespassing pursuant to Section 943.13 WI Stats.

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).



Signature - Property Owner

SUSAN D'AMOUR - OWNER

Name & Title (PRINT)

6/21/18

Date



Signature - Applicant

Curt Wiebelhaus Project Director

Name & Title (PRINT)

6/22/18

Date

Signature - Property Owner

Name & Title (PRINT)

Date

Signature - Applicant's Representative

Name & Title (PRINT)

Date

FOR OFFICE USE ONLY

Date Paid	Receipt #	Date(s) Notice Published	Date Notices Mailed
Public Hearing Date	Plan Commission Date(s)	Village Board Date(s)	Resolution Number
Escrow Required? <input type="checkbox"/> Yes <input type="checkbox"/> No		Escrow Amount	
Plan Commission Disposition			
Village Board Disposition			



Mukwonago Area School District

Building Better Schools Together

June 21, 2018

To: Village of Mukwonago
From: Tim Lemke, Director of Pupil Services
Re: Plan of Operation

The large and/or traditional school environment is becoming less effective for increasing numbers of students. Research shows this is especially true for at-risk, vulnerable, and disengaged students. At the same time, some students are finding success in smaller alternative education programs that attempt to integrate learning and meaningful work. These programs create sustained, family-like support systems of peers and caring adults. They develop an "opportunity structure" by setting rigorous standards and high expectations for students. They pay attention to the quality of staff and display an ongoing commitment to staff development. Most importantly, they focus on developing and transforming the whole person by demonstrating respect for individual intelligence and the ability to contribute to the community. In Wisconsin, school districts are meeting this challenge and developing alternative education programs to address the needs of their students.

Mukwonago Area School District is also engaged in this process and will deliver an alternative education to students at a specialty school in an off-site location. The following information are the details related to the Operation of the program:

- Typical Hours of Operation Staff:
 - 7:00 AM-4:00 PM
- Number of Staff Members: Minimum of 3 staff members
- Hours of Operation Students:
 - Session #1: 7:45 AM-10:45 AM (Students can arrive between 7:30 AM and 7:45 AM)
 - Session #2: 11:45 AM-2:45 PM (Students can arrive between 11:30 AM and 11:45 AM)
- Number of Students:
 - Range Per Session: Initially – 6 - 9 Students, with the desire to expand to 7 – 15 students
- Days per Week: 5 Days Per Week (Monday – Friday)
- Calendar: Follows MASD School Calendar for days of attendance, holidays, early release, etc..
- Transportation:
 - School District Transportation
 - Parent Drop Off
 - Student Driving
- General Overview of Services: Students will engage in a small group educational environment in order to develop skills related to academic needs, social emotional needs, and behavioral needs along with development in the areas of post-secondary readiness and employability.



Lillian Rose, Inc.

Student Parking
and Drop-off
(9 stalls)

Staff Parking and
Overflow (shared lot
with Lillian Rose)

Rollnack

Kezman Transportation
Services

Proposed MASD Alternative Education Site



Lilian Rose - MASD Alternative Ed Site
Northeast Elevation



Lilian Rose - MASD Alternative Ed Site
Southeast Elevation



A hand-drawn floor plan of a building, oriented vertically. The plan features a large rectangular room with a smaller rectangular area at the top. To the left of the main room is a narrow corridor or hallway. A blue arrow points to the top-left corner of the main room. The entire drawing is enclosed within a red border. The drawing is on a piece of paper with a grid pattern on the left side.

MASD ALTERNATIVE EDUCATION SITE

Apprx 1932 SF

