## Village of Mukwonago REGULAR PLAN COMMISSION MEETING

Notice of Meeting and Agenda *Tuesday, February 12, 2019* 

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 January 8, 2019 regular meeting

#### 4. 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. Proposal to Amend Prior Planned Unit Development Approval for Edgewood Meadows Condominiums

#### 5. New Business

Discussion and Possible Action on the Following Items:

- A. Recommendation to the Village Board for Amendment of the Planned Unit Development Approval for Edgewood Meadows Condominiums; Multiple Tax Key Numbers from MUKV 2091-989-0096 to MUKV 2091-989-101
- B. Recommendation to the Village Board for Amendment of Sections 100-303, 100-305 and 100-306 of the Municipal Code (a/k/a/ Zoning Ordinance) Regarding the Historic Preservation Commission
- C. Conceptual Review of a Proposal to Redevelop 1370 Main St (CTH ES); MUKV 2011-002-002

#### 6. 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, January 8, 2019

#### Call to Order

Chairman Winchowky called the meeting to order at 6:00 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

#### **Roll Call**

Commissioners present: Fred Winchowky, Chairman

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

Commissioner excused:

Also present: Bruce Kaniewski, Planner/Zoning Administrator

Mark Blum, Village Attorney

Linda Gourdoux, Deputy Clerk/Treasurer

#### **Minutes**

Motion made by Decker/Werner to approve the minutes of the December 11, 2018 regular meeting, carried.

#### **Old Business**

# Consider recommendation to Village Board regarding amendment to Historic Preservation Commission Standards of Chapter (100) of the Municipal Code

Blum gave overview of State law and concerns addressed by Plan Commission.

Motion Penzkover/Werner to Recommend to the Village Board to Modify Municipal Code Sections 100-305 and 100-306 to comply with State law and address the membership of Historic Preservation Committee as proposed by the Village Attorney.

Motion Abruzzo/Decker to Recommend to the Village Board to eliminate the Design Sensitivity Area and/or Historic Preservation District.

## Recommendation to Village Board to Approve the Sale of Property to Super Products, LLC, 130 Boxhorn Dr; part of #A477300003

Blum gave explanation for having this on the Plan Commission agenda

Motion Penzkover/Werner to Recommend to Village Board to Approve the Sale of Property to Super Products, LLC, 130 Boxhorn Dr; part of #A477300003 with regard to the overall Comprehensive Plan

#### **New Business**

Recommendation to Village Board for the 1<sup>st</sup> Phase of Chapman Farms Final Plat of Subdivision on behalf of Bielinski Homes, Inc.; MUKV 1957-997-012

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Kaniewski made presentation on final plat; stressed Sandhill Ln would be a 60ft wide public right-of-way within the condominium area

John Donovan with Bielinski commented on Bielinski's willingness to continue to work with the Village to move this project forward

Motion by Decker/Werner to Recommend to Village Board for the 1<sup>st</sup> Phase of Chapman Farms Final Plat of Subdivision on behalf of Bielinski Homes, Inc; MUKV 1957-997-012, subject to Village Planner recommendations listed in letter dated January 3, 2019, carried.

- 1. A 60-foot wide public right-of-way within the condominium area (Sandhill Ln)
- 2. Approval is granted for the Chapman Farms Final Plat pursuant to the plat dated December 6, 2018 prepared by Grady L. Gosser, further subject to conditions of the approval
- The final plat shall not be signed by Village officials and recorded until the following items are satisfied:
  - a. Comments of the WI Dept of Administration and Waukesha County are addressed on the final plat.
  - Comments from the Village Engineer's office and the Village Planner/Zoning Administrator (that include all Village staff comments) are addressed on the final plat
  - c. Village Board approved Developer Agreements are signed by the applicant.
  - d. A Village Board approved Storm Water Maintenance Agreement is signed by the applicant
  - e. Submittal of the required Letter of Credit(s) by the applicant, in a form approved by the Village Attorney
  - f. Submittal and approval by Village staff of Deed Restrictions and Homeowner Association Documents
  - g. Written verification from the Village Engineer's office and the Village Planner/Zoning Administrator that all required modifications have been included on the final plat.

# Recommendation to Village Board for Approval of the Ralph Hibbard Extraterritorial Certified Survey Map (Heaven City Development Corporation) in the Town of Vernon; VNT 2090-997-002

Kaniewski gave overview of project

Motion by Decker/Penzkover to Recommend to Village Board for Approval of Ralph Hibbard Extraterritorial Certified Survey Map (Heaven City Development Corporation) in the Town of Vernon; VNT 2090-997-002, carried

# Recommend to Village Board for Approval of Instrument Development Corporation, Site Plan and Architectural Review for 810 and 820 Swan Dr to Construct an Industrial Addition; MUKV 1970-987 and MUKV 1970-998-007

Kaniewski gave overview of project

Bill Matthews, Anderson Ashton, gave detailed overview of project

Motion Penzkover/Decker to Recommend to Village Board for Approval of Instrument Development Corporation, Site Plan and Architectural Review for 810 and 820 Swan Dr to Construct an Industrial Addition; MUKV 1970-987 and MUKV 1970-998-007 with the following Village Planner recommendations in the letter dated January 2, 2019; and applicant expanding an existing parking lot without curb and gutter; and applicant widening proposed drive off of Holz Parkway, carried

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- 1. Site Plan and Architectural Review approval for the construction of an addition of approximately 25,500 square feet along with associated site improvements on behalf of Instrument Development Corporation shall be subject to all plans and information submitted by the applicant, CJ Engineering, Anderson Ashton, Inc. and other sub consultants with all plans and information on file in the office of the Zoning Administrator. 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 and design of the site shall remain unchanged.
- 2. Pursuant to Section 100-402 (f)(5)b. of the Municipal Code (Zoning Ordinance), the Plan Commission approved a waiver to the requirement to install curb and gutter surrounding the new parking lot.
- 3. Pursuant to Section 100-402 (b)(3) of the Municipal Code (Zoning Ordinance), the Plan Commission approved a reduction of the amount of provided on-site parking spaces. Should the Village of Mukwonago identify that additional parking spaces are needed for the entire facility, within 60 days' notice from the Village applicant shall submit application and all necessary plans for approval of the additional parking spaces. Said additional parking shall be completed within 180 days of the notice from the Village.
- 4. Prior to the issuance of a building permit to raze the building with an address of 810 Swan Dr and any other site construction to prepare the site for the addition, the following shall occur:
  - Submittal of and Village approval of a Certified Survey Map combining three properties; the adjacent Village owned property, 810 Swan Dr and 820 Swan Dr
  - Final Village Board approval of transfer of adjacent Village owned land to the applicant pursuant to the terms of transfer completed by the applicant. Filing of transfer documents should occur concurrently with recording of the Certified Survey Map
  - c. The recording of a Developers Agreement as approved by the Village Board and signed by the applicant. The Developer's Agreement shall include responsibilities of the applicant to restore the Holz Partway multi-use trail immediately after construction of the Holz Parkway access drive, as part of the approved site plan.
  - d. The recording of a Storm Water Maintenance Agreement as approved by the Village Board and signed by the applicant. Prior to approval of the agreement, a complete storm water management plan shall be approved by the Village Engineer.
  - e. Submittal by the applicant for approval of the Village Attorney of a timeframe and sequence of events to remediate existing soil contamination.
- 5. Prior to the start of any site construction or issuance of a building permit for the addition, whichever occurs first, the following shall occur:
  - All final site development plans shall be consistent with the plans noted in Condition No. 1 and as modified pursuant to points listed within this Condition No. 5.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox Box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.

- c. Approval of the site construction plans by the Utilities Director, especially approval of construction drawings of new Village sanitary sewer and/or water supply connections to the addition, along with proper abandonment of existing connections no longer needed.
- d. Approval of building plans by the Supervisor of Inspections after receipt of approval of building plans by the State of Wisconsin.
- e. The Supervisor of Inspections, the Utilities Director, the Public Works Director and the Village Engineer shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
- f. Approval by the Zoning Administrator of a dumpster enclosure detail, final landscape plan and final site lighting plan. The final landscape plan shall include an inventory and remediation plan if needed of existing trees to be removed, pursuant to Section 34-146 of the Village Municipal Code.
- g. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
- h. Approval of directional, no parking signs and other on-site traffic control signs locations by the Police Chief, which also may include pavement markings.
- 6. Furthermore, in addition to the requirements within Condition No 5, before any site construction all Village Department Heads shall verify in writing, they have approved the final plans and drawings within their purview; a pre-construction meeting shall be held with the applicant's representatives and contractors, and Village Department Heads and representatives; and all required fees owed by the applicant shall be paid to the Village.
- 7. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with submitted and approved plans.
  - b. Completion of the building in accordance with approved plans and all applicable codes.
  - c. Completion of paving of driveways and parking lots, including parking space pavement markings and all other pavement markings including handicapped parking signs, and installation of on-site traffic control signs.
  - d. Completion of all utility connections.
- 8. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items required in Condition No 5
  - b. Installation of dumpster enclosure, site lighting and site landscaping, as shown on approved plans.
- 9. All on-site signs (freestanding and wall signs) shall be approved by separate review and permit.

Recommend to Village Board for C & H Wolf Run, LLC Site Plan and Architectural Review Approval for Southwest Corner of STH 83 and Wolf Run to Construct a Retail Store for Verizon; MUKV 2015-997-006

Kaniewski presented project overview

Jay Campbell, Campbell Construction JD Inc. and David Hazenfield, H2C Commercial gave project overview

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Motion Abruzzo/Decker to Recommend to Village Board for C & H Wolf Run, LLC Site Plan and Architectural Review Approval for Southwest Corner of STH 83 and Wolf Run to Construct a Retail Store for Verizon; MUKV 2015-997-006 with the following Village Planner recommendations in letter dated January 3, 2019, carried; Penzkover abstained from vote

- 1. Site Plan and Architectural Review approval for the construction of an addition of a 3,000 square feet retail building with associated site improvements at the southwest corner of STH 83 and Wolf Run shall be subject to all plans and information submitted by the property owner, Endpoint Solutions, Schroeder Holt Architects and other sub consultants with all plans and information on file in the office of the Zoning Administrator. 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 and design of the site shall remain unchanged.
- 2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the applicant and/or property owner shall submit to the Village Zoning Administrator written concurrence from the neighboring property owner regarding shared access and the shared dumpster enclosure location
- 3. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the applicant and/or property owner shall sign the agreement with the Village allowing the owner to construct the Wolf Run median opening.
- 4. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - All final site development plans shall be consistent with the plans noted in Condition No 1 and as modified pursuant to points listed within this Condition No.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to Knox Box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.
  - Approval of the site construction plans by the Utilities Director, especially approval of construction drawings of new Village sanitary sewer and/or water supply connections to the building
  - d. Approval of building plans by the Supervisor of Inspections after receipt of approval of building plans by the State of Wisconsin
  - e. The Supervisor of Inspections, the Utilities Director, the Public Works Director and the Village Engineer shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
  - f. Approval by the Zoning Administrator of the final landscape plan and final site lighting plan
  - g. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
  - h. Approval of directional, no parking signs and other on-site traffic control signs locations by the Police Chief, which also may include pavement markings.
- 5. Furthermore, in addition to the requirements within Condition No 4, before any site construction all Village Department Heads shall verify in writing they have approved the final plans and drawings within their purview; a pre-construction meeting shall be held with the applicant's representatives and contractors, and Village Department

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Heads and representatives; and all required fees owed by the applicant shall be paid to the Village.

- 6. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with submitted and approved plans.
  - b. Completion of the building in accordance with approved plans and all applicable codes.
  - c. Completion of paving of driveways and parking lots, including parking space pavement markings and all other pavement markings including handicapped parking signs, and installation of on-site traffic control signs.
  - d. Completion of all utility connections.
- 7. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items required in Condition No 6.
  - b. Installation of dumpster enclosure, site lighting and site landscaping, as shown on approved plans
- 8. All on—site signs (freestanding and wall signs) shall be approved by separate review and permit.

#### Adjournment

Meeting adjourned at 7:14 p.m.

Respectfully Submitted,

Linda Gourdoux Deputy Clerk/Treasurer

# NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO PLAN COMMISSION TO CONSIDER AN AMENDMENT TO A PLANNED UNIT DEVELOPMENT (EDGEWOOD MEADOWS CONDOMINIUMS)

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 Tuesday, February 12, 2019, commencing at 6:30 P.M. or soon thereafter to consider the following matter:

**REGARDING:** Amend the Planned Unit Development known as Edgewood

Meadows Condominiums originally approved in 2005 that lies within the R-10 Medium Density Multi-Family Residential Zoning District, to change the site plan, dwelling unit mix and building design allowing construction of 17 side-by-side condominium buildings for a total of 34 condominium units intermixed with the prior constructed 32 condominium units within five buildings; therefore, reducing the amount of condominium units on Lots 2, 3 and 4 from the originally approved 96 units to 66 units. The proposal does not include amendment to the 2005 approval of 24 units within three buildings on Lot 1. The Planned Unit Development amendment is pursuant to Section 100 53 (2) of Village Municipal Code

is pursuant to Section 100-53 (3) of Village Municipal Code.

Edgewood Meadows Condominiums along Edgewood Avenue south of County Trunk Highway ES, with internal streets of Grey

Fox Trail and Cardinal Lane

**APPLICANT/OWNER:** Harmony Homes, Inc.

**LEGAL DESCRIPTION:** 

**LOCATION:** 

Being Lots 2, 3 and 4 of Certified Survey Map No. 10090 located in the Southwest ¼ of the Southeast ¼ and the Southeast ¼ of the Southwest ¼ of Section 19, Town 5 North, Range 19 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 Village Clerk

To be published: January 23 and January 30, 2019



### Village of Mukwonago

Office of the Village Planner

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February 2, 2019

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

Re: Edgewood Meadows Condominiums/Amendment of Planned Unit Development

Bryce P. Styza of Harmony Homes, Inc. in conjunction with Wayne Foster requests an amendment of the original Planned Unit Development (PUD) approval of the Edgewood Meadows Condominium development. The Plan Commission is scheduled to conduct a public hearing to consider the amendment and a recommendation to the Village Board.

Pursuant to the new PUD standards adopted in 2017, previously approved PUD's in good standing can be amended under the new process of the Plan Commission holding a public hearing under Conditional Use guidelines.

As a reminder, the Village Zoning Ordinance definition of a PUD is as follows:

"Planned Unit Development. A Planned Unit Development (PUD) is an alternate zoning tool for developments that propose a creative and innovative solution with a layout that is not achievable by the standards of the underlying or base zoning district. The PUD is intended to permit developments that will be enhanced by coordinated area site planning, diversified location of structures, diversified building types, and/or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic; to provide attractive recreation and open spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; and to ensure adequate standards of construction and planning. The PUD Overlay District under this Chapter will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the Village, while at the same time maintaining the land use density and other standards or use requirements set forth in the underlying or base zoning district."

The stated regulatory intent of a PUD is as follows:

"Regulatory Intent. A Planned Unit Development Overlay District, as defined under Planned Unit Development in Section 100-29, is a regulatory process allowing modifications to a development plan to meet overall community land use goals and density criteria without being bound by exact development standards of an individual zoning district. The process provides a flexible regulatory framework designed to allow developers greater freedom, imagination and flexibility in the development of land while ensuring substantial compliance with the basic intent of the comprehensive plan and zoning code. In the Village of Mukwonago, a Planned Unit Development is an overlay district approved as a Conditional Use which does not appear on the municipal zoning map until a Planned Unit Development Overlay District is approved for the development site."



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#### **The PUD Process**

The Village PUD process is like a preliminary plat and final plat of subdivision process. As with a preliminary plat, this first PUD review step is to consider the General Development Plan (GDP) including the zoning modifications requested by the applicant. The description of a GDP is as follows:

"General Development Plan. The first stage is a general development plan which shows the entire property holding. The general development plan shows the general locations of buildings or building envelopes, common open spaces, parking and drive areas, principal landscape features and all public infrastructure planned for the entire unified development site. If the development is proposed to occur in phases, sequence of development should be indicated. It is recognized that general development plans are often submitted prior to the identification of the ultimate land user or the specific land uses."

If the GDP PUD gains conditional use approval, then a Detailed or Final Development Plan is (FDP) submitted. During this step, similar to a final plat, detailed design drawings which include final grading and erosion control plans are submitted for Plan Commission recommendation to the Village Board. The FDP step does not require a public hearing. Several matters that will be covered during FDP review are fire hydrant placement within the section of the private drive extension, grading and erosion control plans and a final landscape plan. I assume the applicant will immediately file for FDP approval.

#### **Original Approval**

Edgewood Meadows Condominiums is located along Edgewood Avenue east of the Fox River, 0.4 mile south of CTH ES. Originally on 20+ acres, the development was approved in 2005 for a total of 120 condominium units, which included eight, 8-unit buildings with individual unit attached garages, eight, 4-unit buildings with individual unit attached garages and three, 8-unit buildings with underground parking. Only three of the 8 units and two of the 4-unit buildings were constructed for 32 units. At the end of this report please see photos of the existing buildings.

In 2005 the property was rezoned to R-10 with a Planned Unit Development overlay that set building footprints and locations. At that time, R-10 allowed a maximum density of 8 dwelling units per acre. Now, the R-10, Medium Density Multi-Family Residential District allows a maximum density of 10 dwelling units per acre. Part of the Northeast Key Area of the Village Comprehensive Plan, the development is designated with the land use of Medium Density Multi-Family Residential.

Public streets, sanitary sewer and public water lines, and storm water management facilities were installed with initial construction. The east-west Grey Fox Trail provides the main access points with Edgewood Avenue. Cardinal Lane extends northward from Grey Fox Trail which ends in a temporary cul-de-sac. Whenever the former Par-3 Edgewood Golf Course and Driving Range is redeveloped to the north, Cardinal Lane is planned to be extended. Sanitary sewer through this site will also extend northward to serve properties extending to CTH ES. The northeast portion of the site was approved with a private drive to provide access to 28 units. The private drive has been partially completed.



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With dedication of the streets, the site was divided into four lots. Three of the lots (total of 15.2 acres) are part of the proposed amendment. The fourth west end lot of 2.7 acres is not part of the proposal, therefore, the plan for three, 8-unit buildings with underground parking will remain as originally approved.

#### **Proposed Amendment and PUD Modifications**

The proposal is to construct 17 buildings of side-by-side condominiums for a total of 34 units intermixed with existing buildings. The resultant number of condominium units for this amendment is 66 units, reduced from 96 units. The proposal also includes transferring 0.9 acre to the west portion of the site on which the 8-unit buildings with underground parking are approved. Therefore, there will be 66 units on 14.3 acres, or 4.6 dwelling units per acre.

Pursuant to submitted floor plans, each ranch level unit will have approximately 1,480 square feet of living space which will include two bedrooms and two full baths, and a full basement. Each unit will have an attached 2-car garage.

Hardie Plank Siding will be the main exterior building material. The roof will be covered with dimensional shingles. During the meeting the applicant will present proposed building colors. During concept review, several Plan Commission members indicated a preference for placement of face brick on the building. The applicant is not opposed to adding face brick but states the building front with the porch/fence design would hide any face brick. However, there is opportunity to add face brick to the sides of the front extending garage and wrap the brick around to the garage front.

The requested modifications via the PUD are as follows (pursuant to R-10 standards adopted in 2017 for a complex of multi-family buildings):

- 1. A minimum 30-foot street yard building setback instead of the required 40 feet (and building setback of 20 feet from the private drive).
- 2. A minimum 38-foot rear yard building setback instead of the required 40 feet, although most of the units meet to exceed a 40-foot rear yard setback.
- 3. A minimum 20-foot separation between buildings instead of the required 30 feet, although the building separations vary between 20 to over 30 feet.

The request for modifications using the PUD process, especially setback modifications, is fairly typical for condominium proposals such as this. One size and one set of standards do not fit all situations. Street yard setbacks were modified under the original PUD approval for this development.

#### **Other Matters**

Village Attorney Mark Blum has reviewed the original Developer's Agreement. A new agreement is not needed; only an amendment to identify responsibilities of the developer with the new plan. In addition, a new storm water maintenance agreement is necessary.

The applicants have been coordinating with the current homeowner's association. As I understand, the one association will remain with two capital accounts.







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#### **Criterial for Approval**

As the Plan Commission considers a recommendation to the Village Board, below is the criteria for approval as stated within the zoning ordinance standards for a PUD.

"Criteria for Approval. The intent of the PUD procedures is to enable the developer to have greater flexibility in planning for land uses and site design than would be permitted under standard zoning provisions. However, there are some general criteria that the Plan Commission will follow in reviewing and approving PUDs. Criteria for approval include:

- (a) A Planned Development may be allowed by the Plan Commission where natural features are determined to warrant preservation.
- **(b)** Existing mature vegetation and natural topography will be preserved to the greatest extent feasible.
- (c) The character and intensity of the proposed development must be compatible with existing and planned land uses on nearby and adjoining properties.
- (d) The proposed development must not result in diminishment of property values of adjoining or nearby properties.
- (e) Existing and planned street and highway improvements are adequate to handle the projected volumes of traffic generated by the proposed development.
- (f) There is adequate capacity in the public sanitary sewer and stormwater sewer system to handle projected demand.
- (g) The proposed circulation system and the design and layout of utilities have taken into account existing and potential streets and utility systems on adjoining parcels.
- (h) The extent of paving, drainage, patterns or topographic modifications will not disrupt natural drainage patterns on adjoining or nearby sites or otherwise result in environmental damage to downstream areas. "

#### Recommendation

I support the requested PUD modifications as noted within the body of this report and recommend approval of the amended PUD but suggest the Plan Commission consider and discuss comments about adding face brick to the building facade.

I recommend the following conditions of approval as a conditional use.

- 1. Approval of this Planned Unit Development General Development Plan for 34 condominium units within 17 buildings intermixed with the prior constructed 32 condominium units shall be subject to the submitted plans on file in the office of the Village Zoning Administrator.
- Approval of this Planned Unit Development General Development Plan for an additional 34 condominium units within 17 buildings shall be subject to the requested modifications as listed in the body of this report (the modifications will be fully listed within the Conditional Use Resolution to be considered by the Village Board).



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- 3. Approval of this Planned Unit Development General Development Plan shall be consistent with the original Planned Unit Development approval in 2005 for Edgewood Meadow Condominiums.
- 4. Approval of this Planned Unit Development General Development Plan shall be subject to the entire Final Development Plan submittal conformance to all applicable Village development ordinances, standards and policies, including but not limited to an amended Developers Agreement, an amended Storm Water Maintenance Agreement, submission of updated Homeowners Association Documents, and the applicant recording of a new Condominium Plat.

I appreciate the opportunity to assist the Village with review of this proposal. Should questions arise, please feel free to contact me.

Sincerely,

Bruce Kaniewski, AICP

Village Planner/Zoning Administrator

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# Edgewood Meadows Condominiums Photos of Existing Buildings







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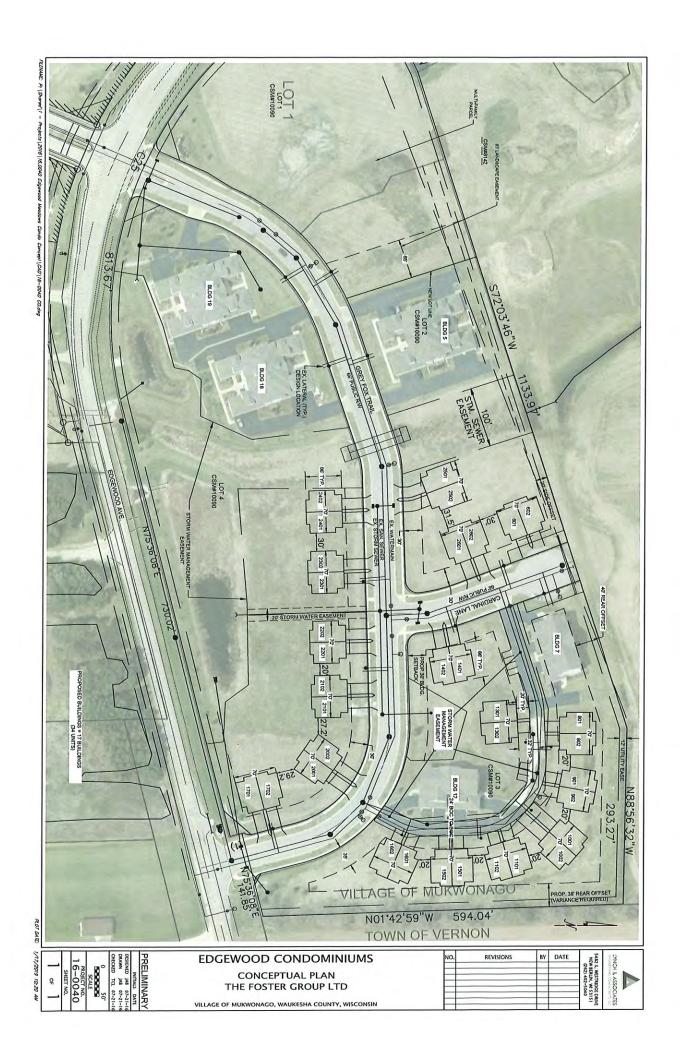
# REDEVOLPMENT OF EDGEWOOD MEADOWS CONDOMINIUMS PROJECT SUMMARY

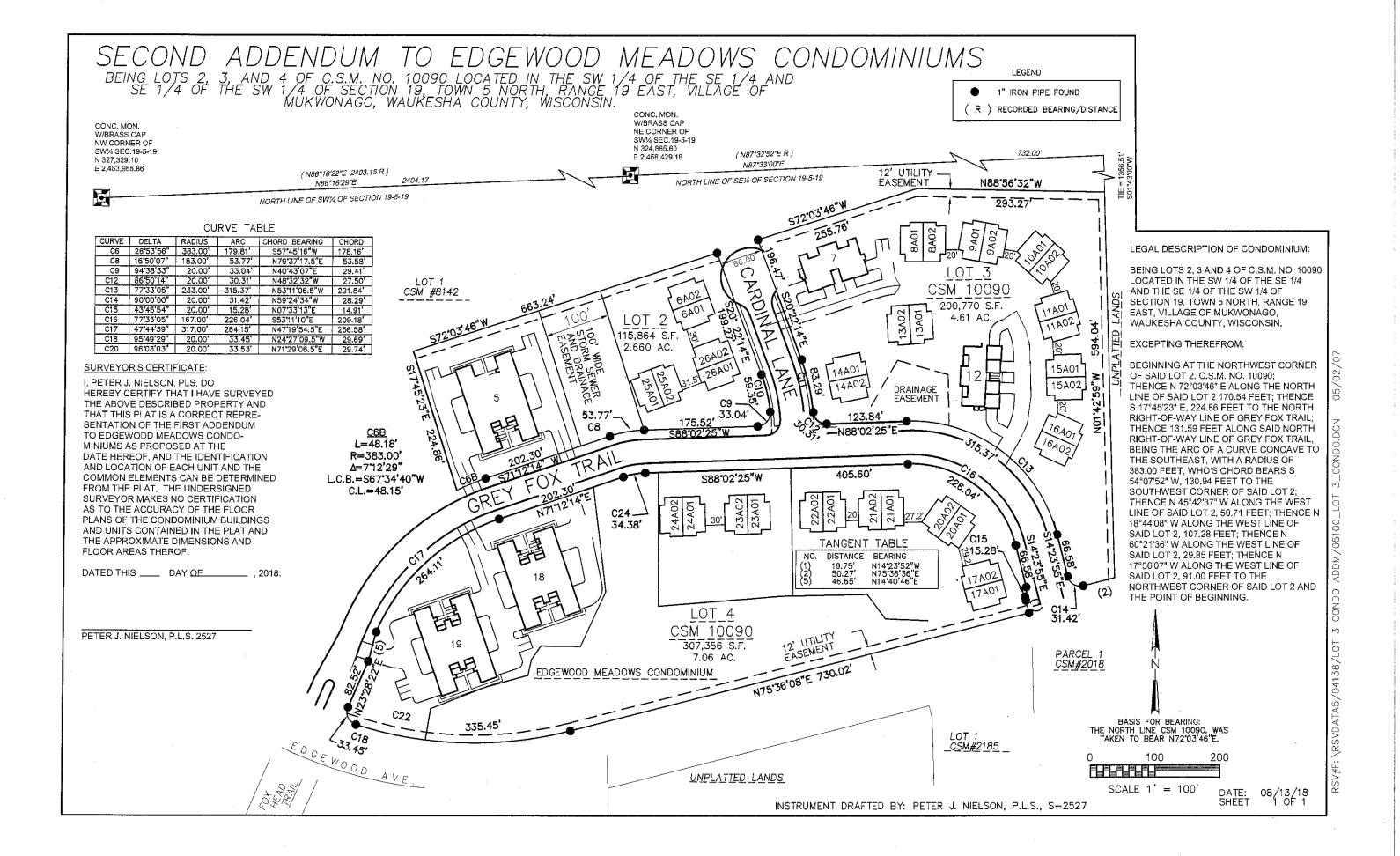
Build (17) 2 unit buildings to complete Edgewood Meadows Condominiums.

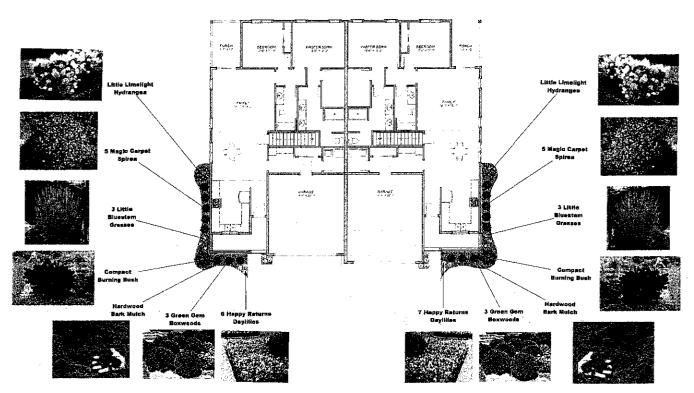
It is proposed that Edgewood Meadows Condominiums be restructured and the unbuilt units of (4) and (8) unit buildings be changed to (2) unit buildings. The density will be reduced from 96 units to 66 units consisting of the built 32 units and 17 (2) unit buildings to be built. Area for building (4) .876 ac shall be removed from Edgewood Meadows Condominiums and attach to adjacent multifamily land. This will require 100% agreement by owners and the Village of Mukwonago to record the second Addendum to Edgewood Meadows plat.

The existing road pattern, grading plan, second storm water and utility plan will be utilized with no change except for adjustment of building location and sewer and water lateral additions as necessary.

It is anticipated the individual units will sell for approximately  $$340,000 \times 34$  which would create an end value of \$11,500,000. This is a completion of an improved project which consists primarily of building construction on an approved condominium pad. The improved private road will be completed.



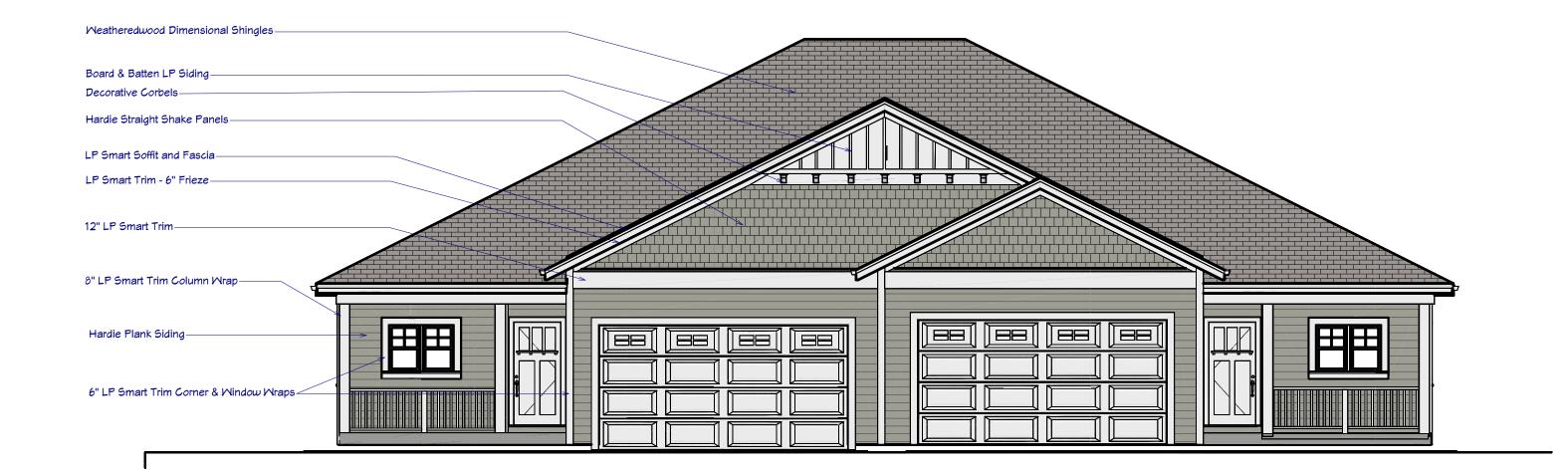




Grey Fox Trail

A Planting Plan for: Edgewood Meadows Condominiums Mukwonago, Wisconsin





Exterior - Front Elevation



Exterior - Back Elevation

Redevelopment

DATE:

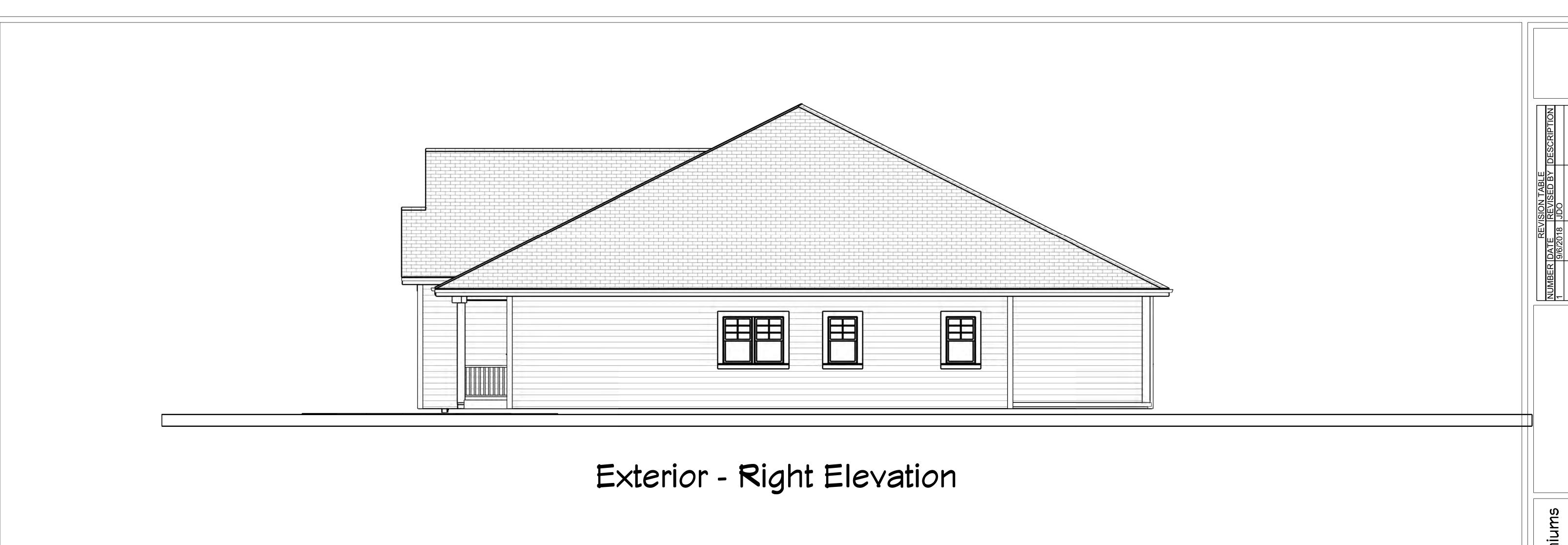
9/6/2018

SCALE:

1/4" = 1'

SHEET:

P-1





Exterior - Left Elevation

degewood Condominiums
Redevelopment

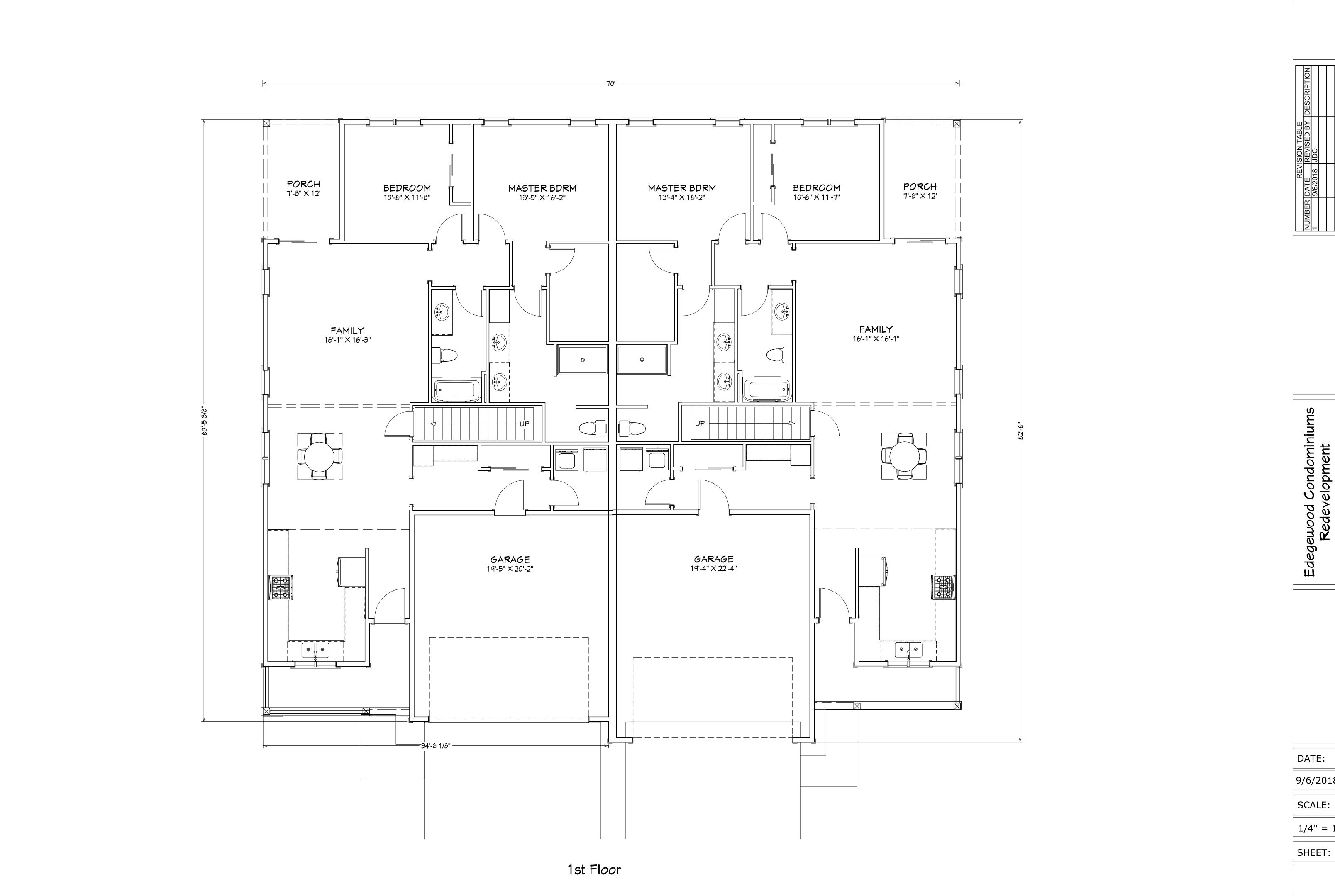
DATE

9/6/2018

SCALE:

1/4" = 1'

SHEET:



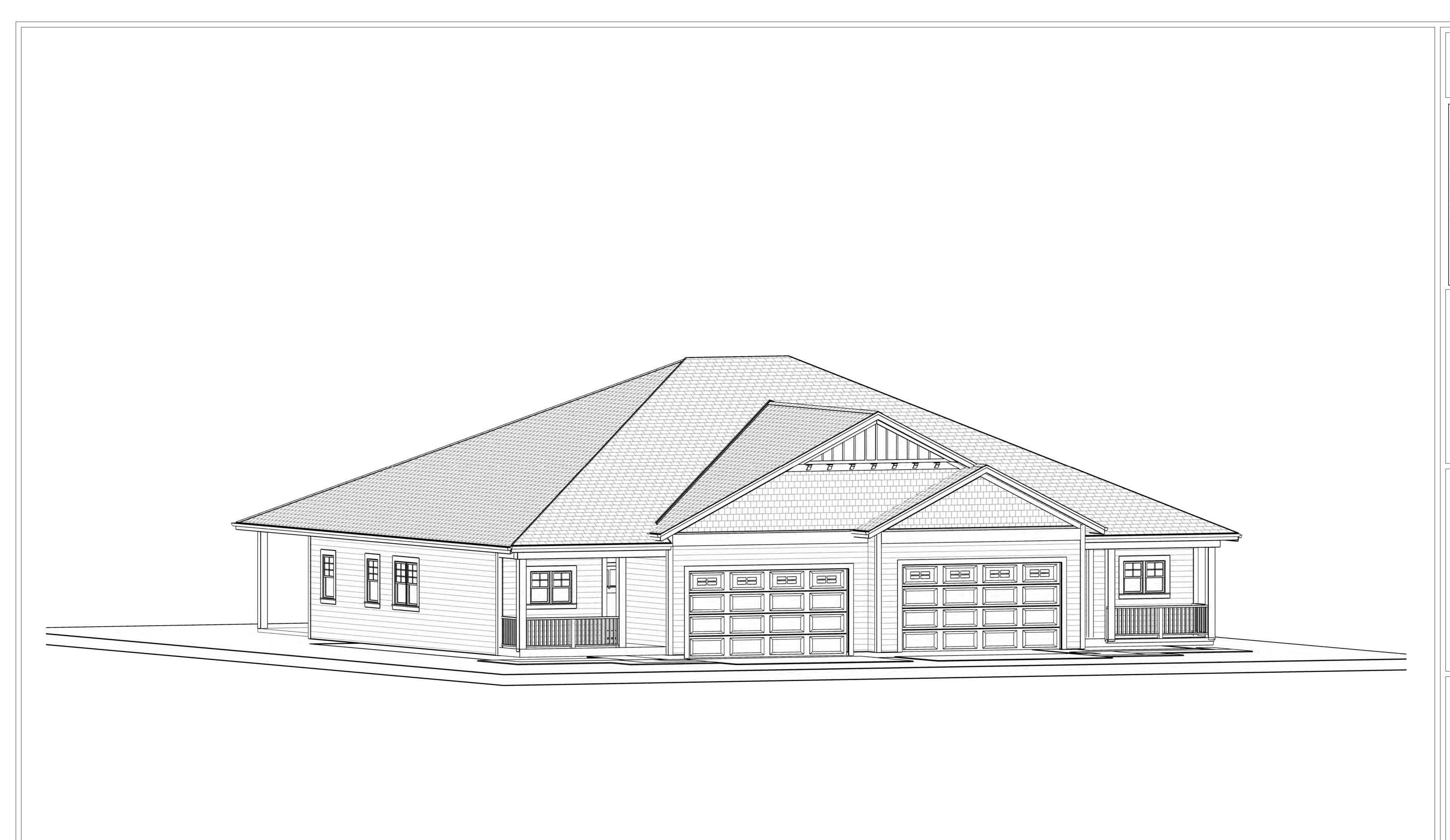
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DATE:

9/6/2018

1/4" = 1'

SHEET:



Edegewood Condo Redevelopm

DATE:

9/6/2018

SCALE:

1/4" = 1'

SHEET:



### 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

February 6, 2019

Re: Proposed Historic Preservation Ordinance Amendment

Village President Fred Winchowky and Members of the Plan Commission:

During your January meeting the Plan Commission provided direction regarding an amendment to Sections 100-303, 100-305 and 100-306 of the zoning ordinance pertaining to the composition of the Historic Preservation Commission and the rules governing historic preservation pursuant to State law. Subsequently, Village staff scheduled a public hearing at the Village Board level for Wednesday, February 20, 2019 to consider the amendment. At this time, the Commission is asked to provide a formal recommendation to the Village Board.

Attached please find the draft proposal as prepared by Village Attorney Mark Blum.

Commissioners will recall discussion and direction about duties of the Historic Preservation Commission that appear in Section 100-601 of the zoning ordinance (Site Plan and Architectural Review standards). In addition to updating that section of the plan, Staff is vetting a draft of the changes as recommended to provide the Commission a draft to review at the March meeting.

Thank you for your consideration of the amendment. Should questions arise, please feel free to contact me.

Sincerely,

Bruce Kaniewski

Village Planner/Zoning Administrator

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#### VILLAGE OF MUKWONAGO WAUKESHA AND WALWORTH COUNTIES

#### ORDINANCE NO. \_\_\_\_

# ORDINANCE TO AMEND SECTIONS 100-303, 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 100-303, 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.

<b>PASSED AND ADOPTED</b> by the Village Board this	day of, 2018.
	APPROVED:
Countersigned:	Fred Winchowky, Village President
Judith A. Taubert, Village Clerk	



### 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

February 7, 2019

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

Re: Potential Redevelopment of 1370 Main Street/Concept Review for New Plans

Jeffrey L. Mueller requests a concept review to redevelop 1370 Main Street (CTH ES). A concept review allows the applicant to gain feedback from general Plan Commission discussion about the proposal while no votes are taken.

The subject property is located along the west side of Main Street, south of Brolen Meadows Community Based Residential Facility and on the opposite side of CTH ES from The Orchards of Mukwonago Subdivision. The Village Comprehensive Plan designates the property for Low Intensity Commercial/Business. The subject site was once part of a larger property. At the request of the prior owner soon after annexation from the Town of Mukwonago, during 2005 the Village rezoned the larger property to B-3, Community Business District, and approved a Certified Survey Map. Brolen Meadows sits on the northern lot of the CSM. At the same time, the property owner entered into an agreement with the Village to remove several single-family homes on the site. One home remains that is part of this proposal.

#### The Proposal

Please see a detailed write-up submitted by Mr. Mueller. There are three components to the proposal, which are as follows:

- 1. Convert the existing home to offices. Overall, offices are a permitted use in B-3, with some exceptions being a conditional use.
- 2. Construct a new office building.

for 1Kmi

3. Construct mini-storage buildings; a conditional use in B-3.

The applicants and staff look forward to your input.

Sincerely,

Bruce Kaniewski, AICP

Village Planner/Zoning Administrator

### Village of Mukwonago Concept Review – Development of 1370 Main

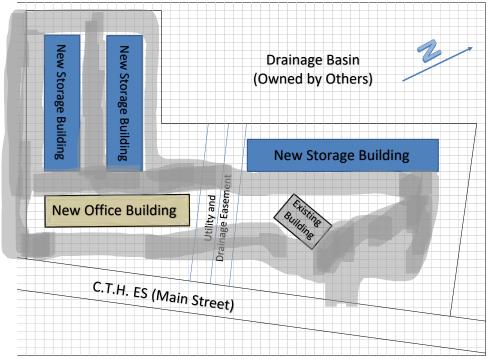
Presented by Jeff Mueller

#### **EXECUTIVE SUMMARY**

I believe the Village of Mukwonago could benefit significantly from a small business incubator (real estate development) that provides modular and scalable office and rental space for entrepreneurs starting out in business or looking to graduate and expand beyond home based operations. Good quality individual office spaces, with reasonable road access and frontage adjoining appropriate usable storage rental space at a fair price provide a catalyst for many small businesses to develop, grow and thrive. There is a 2.8 acre parcel of land at 1370 Main street (CTY ES), just North of the elegant Farmer that I believe would be perfect for just such a business incubator real estate development.

#### **CONCEPT DETAILS**

We propose developing the 2.8 acre parcel @ 1370 Main Street, Mukwonago into a small business development "Hive" where multiple businesses may share common space amenities, bathrooms, hallways and parking while individually renting offices and storage space that is modular and scalable to fit the growing needs of their business. We envision remodeling the existing building on the site and creating 5 individual offices with shared/common kitchen space, waiting area, restrooms (incl. ADA compliant) and hallways. We would build storage/warehouse units directly behind this office space and additional office space to the Southas indicated in the scaled FIGURE 1 below growing as demand dictates. Note each square is 10'x10'. There are multiple areas where lot line set-back reduction from 25' to 20' will likely be requested in order to allow proper aisle width and turning radii for fire trucks.



#### General Note:

Please note that FIGURE 1 is meant to show conceptual layout and scale and that appropriate architectural drawings and layouts will be completed prior to project execution.

#### **Build Quality:**

Build quality would be "average nice" in order to provide an appealing climate for small business owners but not so high as to drive office space costs beyond that which is needed to allow rent to remain tenable for fledgling businesses. The remodeled existing building would remain and support \$350-\$750 a month office spaces, a need and rarity in Mukwonago.

#### Storage Space:

The storage units would vary in size, configuration and amenities but largely would be built to storage unit standards with "improved aesthetics" not simply "tin huts". Storage unit ends would include some stonework/brickwork and landscaping to provide appropriate aesthetic appeal. Color pallets would be more neutral earthtones to fit in with the nearby surroundings. Those built to storage unit codes and standards would be used as prescribed by the standard. If a new or existing tenant required/requested a different usage or build specification, the necessary modifications to ventilation, fire protection, etc. could be properly considered and built into the new units if approval was available and appropriate. A potential aesthetic example is included below for reference in FIGURE 2. Stonework or Brickwork would likely go 1/3 of the way up the building from the ground and be capped with appropriate stone or brick.



#### Parking:

The layout provides for ample parking on the road side of the office buildings as well as North and East of the Existing Building and potentially over the utility and drainage easement between the two office structures. The gray space in FIGURE 1 indicates one rough potential design for concrete or asphalt paving which allows for basic parking, flow and proper large vehicle turning radii.

#### Access:

The two access/egress points off of Main Street (at the South most point of the property and near the existing building) should be ample to provide for efficient traffic flow. The road on the Southmost property line would be maintained and expanded as would the required barrier space between the property and railway.

#### Easements:

The layout largely contemplates existing utility and access/egress easements and should provide for proper stormwater flow.

#### **Project Timing:**

Initially the existing structure would be turned into office space and storage units would be built to the west of the west of the house. The build-out of the additional offices and storage space would be completed as initially built and available space is consumed. This provides some level of customization to be made available to existing clients looking to expand in specific and/or unique ways.

#### Other Considerations:

The developer has capital funding residing with a licensed intermediary (First American Exchange Co.) in a section 1031 transfer following the sale of commercial property in Sheboygan County and has identified this property as of February 4, 2019 as one of three potential properties in Waukesha County which are being listed as potential sies for investment and development under the federal 1031 transfer rules. In order to meet the additional federal requirements for proper transfer the property will need to be acquired by June 18, 2019 and as such any needed approvals, architectural work and/or any other necessary pre-closing actions prescribed by the village would need to be completed prior to this date unless completion post cosing was properly contemplated and approved.

#### Developer Background:

The developers, Mr.& Mrs. Mueller, are WI born and raised . They live on Eagle Spring lake west of Mukwonago and have moved here following Mr. Mueller accepting a role as President of Generac's Consumer Power Business in November 2017. They are owners and investors in multiple Wisconsin businesses including Plymouth Brewing Company LLC, PBC Properties LLC, Earth Purified LLC, Mueller Properties and have been active as Golden Angel investors in the greater Milwaukee area. They are in the process of selling off various commercial and residential properties in Sheboygan County and relocating to Waukesha County. Both were employed at Kohler Company for many years. Mr. Mueller for 24 years, serving 5 years as President of Kohler Faucets Worldwide. He also lead Broan – Nutone in Hartford, WI for several years prior to assisting in selling it to Melrose PLC. Mr. Mueller has background as a plumber with a bachelor's degree in mechanical engineering and a master's degree in business administration from Marquette University. Their daughter is close-by attending the University of Wisconsin in Whitewater.

Developer's personal email is 66jeffmueller@gmail.com

Developer's personal cell is (920) 698-2477

Village of Mukwonago 440 River Crest Court, P.O. Box 206 Mukwonago, WI 53149 Phone: (262) 363-6420 Fav. (262) 363-6425

Fax: (262) 363-6425 www.villageofmukwonago.com

# VILLAGE OF MUKWONAGO SITE PLAN, ARCHITECTURAL, AND PLANNED UNIT DEVELOPMENT (PUD) APPLICATION Application Fee: Below

Date Submitted:	2	8-	10	1	
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(Please check one)

- ☐ Minor Site Plan (Buildings less than 600 sq. ft.): \$135,00 plus \$.02 per sq. ft.
- ☐ Site Plan and/or Architectural Review: \$250.00 plus \$.02 per sq. ft.
- Conceptual Site Plan and/or Architectural Review: \$200.00 plus \$.02 per sq. ft.
- Planned Unit Development (PUD) Review: \$185.00 plus \$25.00/unit
- Resubmittal of or Amendment to Site Plan and/or Architectural Review: \$200.00

#### 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. The application packet must be filed with the Village Clerk at least 30 days prior to the meeting of the Planning Commission at which action is desired. The Plan Commission meets on the second Tuesday of each month at 6:30 p.m.

Materials listed below must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 100 Article IX. Section 100-601(f) and other pertinent sections of Village ordinances, 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: Site Plan/Architectural Plan/Planned Unit Development

PO Box 206

Mukwonago, WI 53149 Village Clerk's Office

Deliver to:

440 River Crest Court

Email to:

planner@villageofmukwonago.com

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

APPLICANT (Full Legal Name)			
Name: Jeffrey L Muelley			
Company: N/A			
Address: 5107 W 34880 5 Shote Drive	City: Makupayo	State: WI	Zip: <u>\$307</u> ;
Daytime Phone: <u>920 698-2477</u>	Fax:		
E-Mail: 66 Jeff Mueller & Gmeil Com	- Area & Married Marri	<u>:</u> .	

PROPERTY INFORMATION
Property Owner (s) (if different from applicant): TD Wisc., I LLC
Address: 4/0 Sunnitu Smith to City: Aliva likes State: WT zip: 5380
Daytime Phone: 44-651-2517 FX:
E-Mail: folenite Suntit Swith. Com
Present Zoning: <u>B-3</u> Tax Key No(s).: <u>MUK / 2011007007</u>
Location/Address: 1370 MATN ST, MUKWONAGO, WI
Present Use: VACANT Intended Use: Office + STOYUNE RINTU
+ Development, 241 N. Brownbay, Svite 400
PROCEDURAL CHECKLIST FOR SITE PLAN/ARCHITECTURAL PLAN/PUD REVIEW AND APPROVAL
Submittals for review must include and be accompanied by the following:
Application:
<ul> <li>Completed application form including the procedural checklist.</li> </ul>
□ Application fee: See page 1.

#### Other Documents:

- □ Five(5) complete sets of Application and materials, in addition to the original, for Village of Mukwonago review.
- Project Summary: Please attach a statement detailing the reasons and background for this request including: details of proposal, services provided, wares sold, plans and hours of operation, number of employees, frequency of customer visits, frequency of deliveries to site, description of any interior/exterior modifications or additions to be made to property, any outside storage (dumpsters, trucks, materials...), number of parking stalls, screening/buffer type, any other information available. *PLEASE EXPLAIN IN DETAIL*.
- 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.

Agreement for Reimbursable Services (separate application).

- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- All Site Plan, Architectural, and Planned Unit Development review requests require Plan Commission review and Village Board approval.

#### CERTIFICATION

Applicant hereby certifies that:

- 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").
- 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 ane, all of the owners of the property must sign this Application).

M. 1 Marll

The state of	Jay - 11 vovern	
Signature - Property Owner  Thomas F. Della-the Name & Title (PRINT)  1/28/15  PRINTS	Signature - Applicant  Teffret L Mueller  Name & Title (PRINT)  1-28-19	
Date Signature - Property Owner	Date	
Name & Title (PRINT)	Name & Title (PRINT)	
Date	Date	
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Date Pald	Receipt #	ĝ.
Plan Commission Date(s)	Village Board Date(s)	TAX COLUMN TIMES AND TAX AND T
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Escrow Required?	Escrow Amount	77
Plan Commission Disposition		
Village Board Disposition		* *************************************