

Village of Mukwonago  
**Notice of Meeting and Agenda**

**PLAN COMMISSION MEETING**  
**Tuesday, July 14, 2020**

Time: **6:30 pm**

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

**1. Call to Order**

**2. Roll Call**

**3. Comments from the Public**

*Please be advised, per Wisconsin Statute Sec. 19.84(2), information and comment will be received from the public by the Plan Commission. The Public Comment Session is granted to the public at the start of each Plan Commission meeting. The Public Comment Session shall last no longer than fifteen (15) minutes and individual presentations are limited to three (3) minutes per speaker. However, these time limits may be extended at the discretion of the Chief Presiding Officer. The Plan Commission may not respond to or have any discussion on information received during the public comment session unless it is placed upon the Agenda for a subsequent meeting.. Public comments should be addressed to the Plan Commission as a body. Presentations shall not deal in personalities personal attacks on members of the Plan Commission, the applicant for any project or Village Employees. Comments shall not be used to engage others in a debate in this forum. All comments, questions and concerns should be presented in a respectful professional manner. Any questions to an individual member of the Plan Commission or Staff will be deemed out of order by the Presiding Officer.*

**4. Approval of Minutes**

4.1 Approval of June 9, 2020 minutes

[20200609 PlanCommissionMinutesdraft.pdf](#)

**5. 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.*

5.1 Notice of Public Hearing before the Village of Mukwonago Plan Commission to consider an application for a Conditional Use for an Animal Training Facility use out of an existing structure, Zoned as M-4, Industrial, on Parcel MUKV 1970-998-006 (760 Swan Drive, Property has multiple addresses on same structure) (David J Rampacek, Owner; Patti Muraczewski, Applicant)

[Cond Use PH Notice 760 Swan Dr Mukwonago 20200617.pdf](#)

- 5.2 Notice of Public Hearing before the Village of Mukwonago Plan Commission to consider an application for a Conditional Use for a landscape contractor use out of the interior of an existing structure, zoned as M-2, Industrial, with Village Center Overlay District (Multi-Purpose Perimeter Sub-District) on Parcel MUKV 1976-981 (414 S Rochester St) (Darwin N Greenwald, Owner; Chris Fickau, Applicant)

[Cond Use PH Notice 414 S Rochester Mukwonago 20200612.pdf](#)

## 6. New Business

*Discussion and Possible Action on the Following Items*

- 6.1 Recommendation to the Village Board to approve **RESOLUTION 2020-30** on Conditional Use Request for a proposed indoor dog training use at 760 Swan Drive (DAVID J RAMPACEK , Owner; Patti Muraczewski, Applicant); Parcel MUKV 1970-998-006.

[Staff Report - 760 Swan Dr CU](#)

[Cond Use App 760 Perkins Dr Dog Training](#)

[760 Swan Dr Cond Use photos](#)

[RESOLUTION 2020-30 CU for Animal Training Facility MUKV 1970-998-006.pdf](#)

- 6.2 Recommendation to the Village Board to approve **RESOLUTION 2020-31** on Conditional Use Request for a proposed indoor contractor storage use for landscaping business at 414 S. Rochester St. (Darwin N. Greenwald , Owner; Chris Fickau, Applicant); Parcel MUKV 1976-981.

[Staff Report - 414 S Rochester St Indoor Contractor Storage CU AR](#)

[Fickau CU attach.pdf](#)

[RESOLUTION 2020-31 CU for Contractor Storage Facility MUKV 1976-981.pdf](#)

- 6.3 Recommendation to the Village Board to approve **RESOLUTION 2020-32** on Site Plan and Architectural Review Request for a proposed exterior garage remodel by adding garage door for landscaping business at 414 S. Rochester St. (Darwin N. Greenwald , Owner; Chris Fickau, Applicant); Parcel MUKV 1976-981.

[Staff Report - 414 S Rochester St Indoor Contractor Storage SPAR](#)

[Fickau SPAR attach](#)

[RESOLUTION 2020-32 SPAR 414 S Rochester Fickau Landscaping.pdf](#)

- 6.4 Concept Review Request for a proposed Eight Unit Condominium Development at 200 Grand Ave. (JENTZSCH PROPERTIES ULRICH M & KAREN A JENTZSCH, Owner; Ulrich Jentzsch, Applicant); Zoned as B-1, Neighborhood Business District/ Village Center Overlay District (Multi Purpose Perimeter); Parcel MUKV 1976-085-001.

[Staff Report - Jentzsch Condos Concept 200 Grand Ave](#)

[DRAWINGS 6-15-20 200 Grand Ave Concepts 8 condos](#)

- 6.5 Change date of the August 11, 2020 Plan Commission meeting due to a conflict with the Partisan Election.

## 7. Adjournment

It is possible that 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, 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 Municipal Clerk's Office, (262) 363-6420.

## MINUTES OF THE PLAN COMMISSION MEETING Tuesday, June 9, 2020

### Call to Order

Chairman Winchowky 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: Fred Winchowky, Chairman  
Jim Decker  
Jason Wamser  
Mark Penzkover  
Eric Brill

Commissioners excused: Robert Harley

Also present: Ben Kohout, Planner/Zoning Administrator  
Linda Gourdoux, Deputy Clerk/Treasurer

### Comments from the Public

No Public Comments

### Minutes

Motion made by Decker/Penzkover to approve the minutes of the March 10, 2020 regular meeting, carried.

### New Business

**Recommend to the Village Board approval of RESOLUTION 2020-25 of the Extraterritorial Certified Survey Map Review of property located outside of and within 1.5 miles of Village Boundary in Town of Vernon for Hibbard Property at S91W27850 W National Ave (Heaven City Development Co., Owner; Ralph Hibbard, Applicant); Parcel VNT 2090-997-002.**

Kohout gave overview of project

Motion made by Decker/Penzkover to approve RESOLUTION 2020-25 of the Extraterritorial Certified Survey Map Review of property located outside of and within 1.5 miles of Village Boundary in Town of Vernon for Hibbard Property at S91W27850 W National Ave (Heaven City Development Co., Owner; Ralph Hibbard, Applicant); Parcel VNT 2090-997-002, carried

**Recommend to the Village Board approval of RESOLUTION 2020-26 of the Extraterritorial Certified Survey Map Review for property located outside of and within 1.5 miles of Village Boundary in Town of Waterford for Copper Creek Pass, LLC, property on State Highway 83, near Janesville Rd. (Copper Creek Pass, LLC, Owner; Garret Foat, Applicant); Parcel #016041907004001.**

Kohout gave overview of project

Motion by Decker/Brill to approve RESOLUTION 2020-26 of the Extraterritorial Certified Survey Map Review for property located outside of and within 1.5 miles of Village Boundary in



Town of Waterford for Copper Creek Pass, LLC, property on State Highway 83, near Janesville Rd. (Copper Creek Pass, LLC, Owner; Garret Foat, Applicant); Parcel #016041907004001, carried

**Recommend to the Village Board approval of RESOLUTION 2020-23 for Monument Sign for Storage Werks located at 950 Mukwonago Drive (MBAR Holdings, LLC, Owner; Robert Hinz, Applicant); Parcel MUKV 2009-954-002.**

Kohout gave overview of project

Motion by Decker/Penzkover to approve RESOLUTION 2020-23 for Monument Sign for Storage Werks located at 950 Mukwonago Drive (MBAR Holdings, LLC, Owner; Robert Hinz, Applicant); Parcel MUKV 2009-954-002, carried

**Recommend to the Village Board approval of RESOLUTION 2020-24 for Monument Sign for Edgewood Village Apartment Complex located at 1400 Edgewood Ave (Edgewood Village Apartments, LLC, Owner; Warren Hansen, Applicant); Parcel MUKV 2091-998.**

Kohout gave overview of project

Motion by Wamser/Penzkover to approve RESOLUTION 2020-24 for Monument Sign for Edgewood Village Apartment Complex located at 1400 Edgewood Ave (Edgewood Village Apartments, LLC, Owner; Warren Hansen, Applicant); Parcel MUKV 2091-998, carried

**Recommend to the Village Board approval of an extension of time request to complete construction for approved Special Use Permit granted for Haase House in effect for property at 312 Roberts Drive, Parcel MUKV 1963-028.**

Kohout gave overview of project

Motion by Decker/Penzkover to approve a three-month extension of time to October 17, 2020, to complete construction for approved Special Use Permit granted for Haase House in effect for property at 312 Roberts Drive, Parcel MUKV 1963-028, carried

**Recommend to the Village Board approval of a Site Plan Amendment for Mukwonago Animal Hospital Parking Lot expansion, to the West, located at 1065 N Rochester St (MAH Property, LLC, Owner; Tom Herlugson, Applicant); Parcel MUKV 1963-996-001.**

Kohout gave overview of project

Motion by Decker/Penzkover to approve a Site Plan Amendment for Mukwonago Animal Hospital Parking Lot expansion, to the West, located at 1065 N Rochester St (MAH Property, LLC, Owner; Tom Herlugson, Applicant); Parcel MUKV 1963-996-001, with the following conditions, carried

1. Site Plan approval is valid for a period of one (1) year from date of Village Board approval. A new application and subsequent required filings as required by ordinance shall be submitted for consideration if no building permit is applied for during said time frame.
2. The stormwater rain garden shall be properly maintained to the standards designed in the plans dated May 27, 2020. Any additional parking lot expansion/alterations resulting in additional impervious surface area shall be reevaluated to ensure stormwater runoff compliance.
3. In the event of failure of the rain garden, stormwater runoff must meet requirements of the Village Engineers.
4. Must present a revised Lighting Plan with light fixtures and showing Photo Metrics at lot line.

**Review and Comment on Conceptual Site Plan for Nursing Home Facility (75 beds), located on Southwest Corner of National Ave and Hidden Lakes Dr on vacant land of 3.38 acres (The Box Self Storage, LLC, Owner; Robert Chandler, Applicant); Parcel MUKV 2091-988-002.**

Kohout gave overview of project  
Matt Mehring, Anderson Ashton, Design/Builder  
No action required at this time

**Updates from Civitek Consulting on Sign Code Re-Write.**

Time Schwecke, Owner, gave updates  
No action required at this time

**Adjournment**

Meeting adjourned at 7:28 p.m.

Respectfully Submitted,  
Linda Gourdoux  
Deputy Clerk/Treasurer

DRAFT

**NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO PLAN COMMISSION TO  
CONSIDER AN APPLICATION FOR A CONDITIONAL USE FOR AN ANIMAL TRAINING FACILITY USE OUT  
OF AN EXISTING STRUCTURE, ZONED AS M-4, INDUSTRIAL, ON PARCEL NO. MUKV 1970-998-006  
(760 Swan Drive, Property has multiple addresses on same structure)**

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, July 14, 2020, commencing at 6:30 P.M. or soon thereafter to consider the following matter:

<b>REGARDING:</b>	Consider a request for an animal training use as a Conditional Use pursuant to Section 100-208 of the Village Municipal Code, permitted and conditional uses in the Manufacturing Districts, the Zoning Ordinance. A Conditional Use may be considered for a place of pet training pursuant to Section 100-208, Permitted and Conditional Uses of M-4 District. Applicant is proposing to conduct a dog training facility use out of approximately 645 square feet on the interior of the structure at 760 Swan Drive, with the zoning district of M-4, Medium/Heavy Industrial District.
<b>TAX KEY/LOCATION:</b>	<b>MUKV 1970-998-006</b> , located on the North side of Swan Drive, approximately 500 feet West of Holz Parkway.
<b>OWNER:</b>	DAVID J RAMPACEK
<b>APPLICANT:</b>	For Pet's Sake, Patti Muraczewski

All interested parties will be heard. Written comments will be accepted up to the time of the hearing. The text of the proposed amendments are available in the office of the Village Clerk at 440 River Crest Ct from 8 am to 5 pm Monday through Thursday and 8 am to noon Friday. For more information, please contact Ben Kohout, Village Planner, at (262) 363-6420 x. 2111, or [planner@villageofmukwonago.com](mailto:planner@villageofmukwonago.com).

This Notice is being provided by the Village as required under Wisconsin Statute 62.37(7). Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals(s) through appropriate aids and services. For additional information or to request this assistance, please contact Diana Dykstra, Village Clerk at (262) 363-6420 x 2103.

ALL PERSONS INTERESTED WILL BE AFFORDED A HEARING AT THE ABOVE TIME AND PLACE.

Diana Dykstra  
Village Clerk

To be published:     June 25, 2020 AND  
                               July 2, 2020

**NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO PLAN COMMISSION TO  
CONSIDER AN APPLICATION FOR A CONDITIONAL USE FOR A LANDSCAPE CONTRACTOR USE OUT OF  
THE INTERIOR OF AN EXISTING STRUCTURE, ZONED AS M-2, INDUSTRIAL, WITH VILLAGE CENTER  
OVERLAY DISTRICT (MULTI-PURPOSE PERIMETER SUB-DISTRICT) ON PARCEL NO. MUKV 1976-981  
(414 S. ROCHESTER ST.)**

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, July 14, 2020, commencing at 6:30 P.M. or soon thereafter to consider the following matter:

<b>REGARDING:</b>	Consider a request for a landscape contractor use as a Conditional Use pursuant to Section 100-153 of the Village Municipal Code, permitted and conditional uses in the Village Center Overlay Districts, the Zoning Ordinance. Applicant is proposing to conduct a landscape contractor business storage use on the interior of an existing detached garage structure, with no outside storage proposed, with the base zoning district of M-2, Light Industrial District.
<b>TAX KEY/LOCATION:</b>	<b>MUKV 1976-981</b> , located on the East side of S. Rochester Drive (STH 83), approximately 75 ft. South of intersection with Meacham St.
<b>OWNER:</b>	DARWIN N GREENWALD AND DONNA E GREENWALD
<b>APPLICANT:</b>	Chris Fickau, Fickau Landscape

All interested parties will be heard. Written comments will be accepted up to the time of the hearing. The text of the proposed amendments are available in the office of the Village Clerk at 440 River Crest Ct from 8 am to 5 pm Monday through Thursday and 8 am to noon Friday. For more information, please contact Ben Kohout, Village Planner, at (262) 363-6420 x. 2111, or [planner@villageofmukwonago.com](mailto:planner@villageofmukwonago.com).

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ALL PERSONS INTERESTED WILL BE AFFORDED A HEARING AT THE ABOVE TIME AND PLACE.

Diana Dykstra  
Village Clerk

To be published:      June 25, 2020 AND  
                                 July 2, 2020

**Staff Report**

July 2, 2020

Fred Winchowky, Plan Commission Chair,  
Plan Commissioners

**Re: Conditional Use Request for Indoor Dog Training Facility use for Existing Structure at 760 Swan Drive  
(multiple addresses for same structure); MUKV1970998006**

**Zoning**

M-4, Medium/Heavy Industrial District

**Proposal**

The plans detail the interior modification of an existing leasable unit within an existing building for the purposes of housing dog training activities. The applicant desires to modify the interior of the structure only by placing walls and bales of hay for exercises for dogs to train them.

The request for kennel/training use at this location is a conditional use.

**Zoning Review**

The proposed use of animal training (indoor in this case) is a conditional use found in the provisions of 100-208.

Conditional uses were revised in August of 2019, to create and update criterion upon which the State and governing bodies shall determine if Conditional uses may be approved or not. The following criteria was established and analyzed with this report, from Section 100-352 and 100-354:  
100-352:

- (6) All applications for a Conditional Use Permit must be accompanied by a Plan of Operation that describes in detail, acceptable to the Zoning Administrator, the following characteristics as proposed:
  - a. Hours of operation;
  - b. Number of employees, including both full time equivalents and maximum number of personnel to be on the premises at any time;
  - c. Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate the impacts of these matters on neighboring properties;
  - d. Descriptions of any materials stored outside and any activities, processing or other operations taking place outside of an enclosed building;
  - e. Compliance with the Village's Storm Water Ordinance, Erosion Control Standards where applicable;
  - f. Sanitary facilities and private on-site waste transfer systems are in compliance with the requirements of the County agencies with jurisdiction;
  - g. Facilities for managing removal of trash, solid waste and recycling materials;

- h. Anticipated daily traffic, including, but not limited to, the types and weights of vehicles, night provisions, necessary intersection and road improvements or other measures proposed to accommodate increased traffic and/or the weight of the vehicles being utilized;
- i. List of hazardous, toxic or explosive materials to be stored on site and any spill containment, safety or pollution measures which will be put in place for the use;
- j. Outdoor lighting and measures taken to mitigate light pollution, impacts to neighboring properties;

100-354:

- (h) The Plan Commission shall require the following standards for approval to be met in order to approve any Conditional Use Permit Application:
  - (1) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or welfare of the Village.
  - (2) That the uses, values and enjoyment of other property in the surrounding neighborhood that are already permitted shall be, in no foreseeable manner, substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
  - (3) That the establishment of the conditional use will not impede the normal and ordinary development and improvement of the surrounding property for uses permitted within the district and/or which are consistent with the standards in the Comprehensive Plan.
  - (4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the use.
  - (5) That adequate measures have been taken or will be taken providing ingress and egress to minimize traffic congestion on public streets so as not to diminish the level of service of any intersection which is impacted by traffic arising from the conditional use.
- (i) The Plan Commission shall approve a Conditional Use Permit if the terms and conditions of this Ordinance are met. However, in the event the terms and conditions of the Ordinance are not consented to and complied with by the applicant, the Commission may reject the Conditional Use Permit. In addition, the Commission may reject the Conditional Use Permit Application or place conditions on it if substantial evidence, as defined in Wisconsin Statute §62.23(7) is presented. That evidence shall demonstrate the inability of the applicant to comply with or meet the conditions of this Ordinance or that the conditions to be applied by the Plan Commission are necessary to protect the public health, safety or welfare of the community based upon the presentation of substantial evidence.

**Analysis of Application:** Staff finds the applicant has supplied all applicable material to the satisfaction of these requirements, pursuant to 100-352 (6), as the proposed activity is proposed indoors in an industrial setting with no nearby residences or businesses to be affected.

**Parking:** The applicant is proposing to utilize existing space provided on the property for employees and guests when they park for services and to work on site. The applicant has stated there will be six (6) participants and associated vehicles at any one time. The proposed hours are 6pm to 9pm Tuesday and Wednesdays; Thursday, 2pm-5pm; and Saturday and Sunday from 8am to 2pm. There appears to be sufficient parking spaces on-site, however, there doesn't appear to be any markings or handicap spaces available. **The Village code requires striping of parking stalls and one handicap space be designated for every 25 spaces. Therefore, staff would suggest adding this as a condition of approval. If the Plan Commission agrees with this, it has been included as a condition of approval below.**

### **Recommendation for Conditional Use**

I recommend approval of the Conditional Use to allow the use of indoor dog training use, as outlined in the applicant request. The proposal conforms to minimum code requirements. 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 intent of the M-4, Medium/High Density Industrial zoning guidelines for this property.
2. The proposed use is consistent with the indoor usage found on this property.
3. The proposed use of dog training is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.

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

1. The on-going operation of the Conditional Use for "For Pet's Sake" dog training business shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be maintained in a clean and presentable condition always. No debris shall accumulate on the site.
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.
5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
6. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village.
7. 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.
8. Approval for the interior remodel shall be subject to all plans and information submitted for the application by the applicant, Patti Muraczewski, March 9, 2020, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor 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.
9. Prior to the issuance of a building permit, the following shall occur:
  - a. All final plans shall be presented to the building inspection office for a building permit and shall be consistent with the plans noted in Condition No. 8 or as modified.
  - b. Approval of the building plans by the Fire Chief.
  - c. Approval of building plans by the Building Inspector.
10. Prior to occupancy issuance, the following shall occur:
  - a. A building permit for occupancy shall be issued by the Building Department. Completion of the interior finish in accordance with approved plans which require a building permit and all applicable codes.

**b. Parking lot striping shall be added to the entire property, to accommodate this use and existing and proposed uses out of the existing storefronts on the property. Said parking surface area shall be striped, including provisions for handicap stalls, meeting requirements of 100-402, shall be shown on a site plan and presented to the Zoning administrator for approval.**



Village of Mukwonago  
440 River Crest Ct  
Mukwonago, WI 53149  
Phone: (262) 363-6420  
Fax: (262) 363-6425  
www.villageofmukwonago.com

**VILLAGE OF MUKWONAGO**  
**CONDITIONAL USE PERMIT APPLICATION**  
Application Fee: \$450

Date Submitted: MARCH 9, 2020

3-9-20  
BK

**CONTACTS**

**Zoning and Planning Department**  
Contact:  
Phone: (262) 363-6420 ex 2111  
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  
440 River Crest Ct  
Mukwonago, WI 53149  
Deliver to: Village Clerk's Office  
440 River Crest Ct  
Email to: planner@villageofmukwonago.com

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

**APPLICANT (Full Legal Name)**

Name: Patti Muraczewski  
Company: For Pet's Sake  
Address: 828 Perkins Dr. #200 City: Mukwonago State: WI Zip: 53149  
Daytime Phone: 262-363-4529 Fax: cell 414-750-0152  
E-Mail: patti@forpetsake.cc

**APPLICANT IS REPRESENTED BY (Full Legal Name)**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**ARCHITECT**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

VILLAGE OF MUKWONAGO  
440 RIVER CREST CT  
MUKWONAGO, WI 53149  
Phone : (262) 363-6420

Zip: \_\_\_\_\_

**PROFESSIONAL ENGINEER**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Received From: MURACZEWSKI PATTI  
Date: 03/09/2020  
Receipt: 41726  
Cashier: rgallo  
Time: 4:46:43 PM

FOR PETS SAKE INC  
CUP DOG TRAINING FACILITY

Zip: \_\_\_\_\_

ITEM REFERENCE	AMOUNT
100.11 Zoning Review Fees	
Zoning Review Fees	\$450.00
TOTAL	\$450.00
Check 2457	\$450.00
Total Tendered:	\$450.00
Change:	\$0.00

**REGISTERED SURVEYOR**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Zip: \_\_\_\_\_

**CONTRACTOR**

Name: \_\_\_\_\_  
Company: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

PROPERTY AND PROJECT INFORMATION

MUKV 1970 998006 BK

Present Zoning: M-4 Industrial Tax Key No(s): MUK 21970 998 017

Address/Location: 770 Swan Dr.  
BK 760

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

For Pet's Sake Training

B. The property is presently used as:

vacant (was a dog rescue before)

C. Name of Architect, Professional Engineer, or Contractor: \_\_\_\_\_

D. Project Timetable: Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

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

Principal Use dog training

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: 1 yr.

☐ 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](mailto: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?

*We train dogs to be better members of the community through obedience*

- B. How is the proposed conditional use, in its specific 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?

*We will be holding different training classes at this site. We will be using the facility on a limited basis right now. Perhaps 20 hrs a week. Dogs would be inside and not left overnight*

- 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, usually only 6 people  
and cars at one time

Weekly <sup>2 nights</sup> Tues + Wed 6:00 - 9:00  
Thursday 1 day 7-2-5  
Trials: weekends 8-12 (Sat + Sun)

- 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?

Nothing should change No  
outside structures built.

- 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?

No

- 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?

There already is a dog day  
care and boarding facility  
There is nothing more than  
this.

## 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

\_\_\_\_\_  
Name & Title (PRINT)

\_\_\_\_\_  
Date

  
Signature - Applicant

Piotr Muraczewski, Pres.  
Name & Title (PRINT)

3/3/2020  
Date

\_\_\_\_\_  
Signature - Property Owner

\_\_\_\_\_  
Name & Title (PRINT)

\_\_\_\_\_  
Date

←   
Signature - Applicant's Representative

← Kenneth Mueller (Agent)  
Name & Title (PRINT)

← 3-6-20  
Date

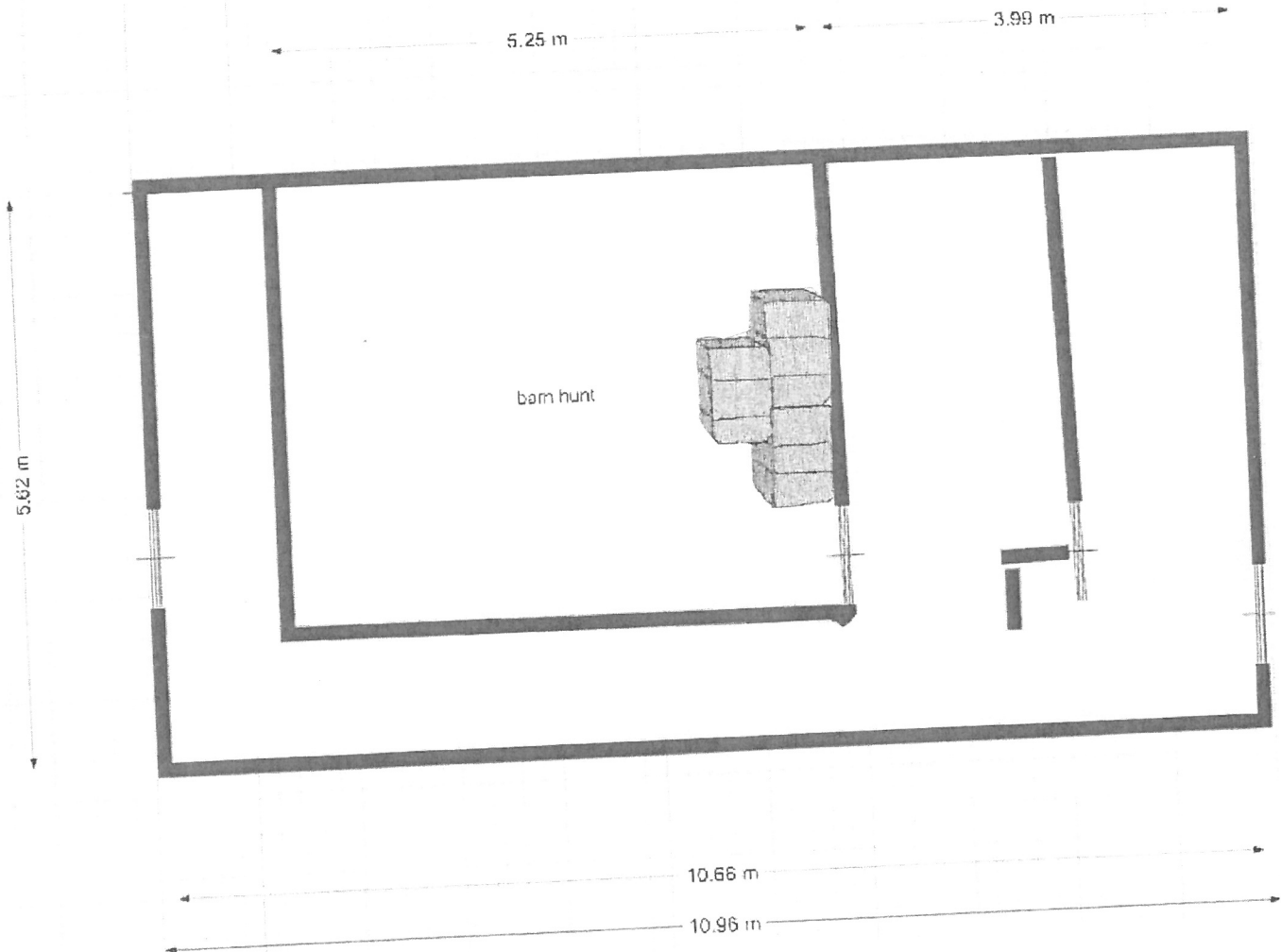
### FOR OFFICE USE ONLY

Date Paid <u>3-9-2020</u>	Receipt # <u>41726</u>	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			

760 Swan Dr.

3/10/2020

Floorplanner - New floorplan



For Pets Sake  
looking to rent 760 BK  
Swan Dr. I met  
with the Fire Chief  
and he suggested I  
send you a layout

We would be  
lining the north  
wall with metal  
and we would have  
hay bales in the  
middle ring.

Pat Muraczewski  
414-750-0152











## **RESOLUTION 2020-30**

### **CONDITIONAL USE PERMIT FOR THE USE OF A BUILDING AS AN INDOOR DOG TRAINING FACILITY, PATTI MURACZEWSKI, FOR PET'S SAKE, 760 SWAN (MULTIPLE UNIT STRUCTURE), MUKV 1970-998-006**

**WHEREAS**, pursuant to Section 100-352 and 100-354 of the Zoning Code, an application for a conditional use permit has been filed for approval of the use of a building as an indoor dog training facility 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 July 14, 2020, 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 a building as an indoor dog training facility submitted by Patti Muraczewski, For Pet's Sake, based upon the plans submitted to the Village and the public hearing conducted on this matter and for the following reasons:

1. The proposed use is consistent with the intent of the M-4, Medium/High Density industrial zoning guidelines for this property.
2. The proposed use is consistent with the indoor usage found on this property.
3. The proposed use of dog training is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.
5. There were no public objections.

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

1. The on-going operation of the Conditional Use for "For Pet's Sake" dog training business shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be maintained in a clean and presentable condition always. No debris shall accumulate on the site.
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.
5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.

6. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village.
7. 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.
8. Approval for the interior remodel shall be subject to all plans and information submitted for the application by the applicant, Patti Muraczewski, March 9, 2020, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to confirm to other conditions of approval; the building and floor 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.
9. Prior to the issuance of a building permit, the following shall occur:
  - a. All final plans shall be presented to the building inspection office for a building permit and shall be consistent with the plans noted in Condition No. 8 or as modified.
  - b. Approval of the building plans by the Fire Chief.
  - c. Approval of building plans by the Building Inspector.
10. Prior to occupancy issuance, the following shall occur:
  - a. A building permit for occupancy shall be issued by the Building department. Completion of the interior finish in accordance with approved plans which require a building permit and all applicable codes.
  - b. Parking lot striping shall be added to the entire property, to accommodate this use and existing and proposed uses out of the existing storefronts on the property. Said parking surface area shall be striped, including provisions for handicap stalls, meeting requirements of Section 100-402, shall be shown on a site plan and presented to the Zoning Administrator for approval.

**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 15<sup>th</sup> day of July 2020.

VILLAGE OF MUKWONAGO

By: \_\_\_\_\_  
Fred Winchowky, Village President

Attest: \_\_\_\_\_  
Diana Dykstra, Village Clerk-Treasurer

## ACCEPTANCE

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

Village of Mukwonago

By: \_\_\_\_\_  
Owner

Property Owner

By: \_\_\_\_\_  
Agent

Applicant

By: \_\_\_\_\_  
Agent

### Staff Report

July 1, 2020

Fred Winchowky, Plan Commission Chair,  
Plan Commissioners

**Re: Conditional Use Request for Indoor Contractor Storage and Architectural Review for Modifications for Existing Structure at 414 S. Rochester St.; MUKV1976981**

### Zoning

M-2, Light Industrial District; Village Center Overlay District, Multi-Purpose Perimeter Sub District (VCO)

### Proposal

The plans detail the modification of an existing garage building within the facility of the “former Fickau Lumber” facility. The garage in question is approximately 24 feet by 48 feet (1,152 s.f.) and currently has one garage stall on the north end, with a small window in the middle. The applicant desires to modify the structure by removing the wall and window in the middle and replacing with a garage door to create an additional garage stall. There are no plans by the applicant to alter the materials or colors of the existing building exterior on the property.

The request for contractor storage at this location is a conditional use. Additionally, the conversion and exterior remodeling of structures within the Village Center Overlay District requires architectural review by the Plan Commission.

### Zoning Review

The proposed use of contractor storage (indoor in this case) is a conditional use found in the provisions of Village Center Overlay District, Multi-Purpose Perimeter Sub District, guidelines and provisions under 100-153(f)(2).

Conditional uses were revised in August of 2019, to create and update criterion upon which the State and governing bodies shall determine if Conditional uses may be approved or not. The following criteria was established and analyzed with this report, from Section 100-352 and 100-354:

100-352:

- (6) All applications for a Conditional Use Permit must be accompanied by a Plan of Operation that describes in detail, acceptable to the Zoning Administrator, the following characteristics as proposed:
  - a. Hours of operation;
  - b. Number of employees, including both full time equivalents and maximum number of personnel to be on the premises at any time;

- c. Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate the impacts of these matters on neighboring properties;
- d. Descriptions of any materials stored outside and any activities, processing or other operations taking place outside of an enclosed building;
- e. Compliance with the Village's Storm Water Ordinance, Erosion Control Standards where applicable;
- f. Sanitary facilities and private on-site waste transfer systems are in compliance with the requirements of the County agencies with jurisdiction;
- g. Facilities for managing removal of trash, solid waste and recycling materials;
- h. Anticipated daily traffic, including, but not limited to, the types and weights of vehicles, night provisions, necessary intersection and road improvements or other measures proposed to accommodate increased traffic and/or the weight of the vehicles being utilized;
- i. List of hazardous, toxic or explosive materials to be stored on site and any spill containment, safety or pollution measures which will be put in place for the use;
- j. Outdoor lighting and measures taken to mitigate light pollution, impacts to neighboring properties;

100-354:

- (h) The Plan Commission shall require the following standards for approval to be met in order to approve any Conditional Use Permit Application:
  - (1) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or welfare of the Village.
  - (2) That the uses, values and enjoyment of other property in the surrounding neighborhood that are already permitted shall be, in no foreseeable manner, substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
  - (3) That the establishment of the conditional use will not impede the normal and ordinary development and improvement of the surrounding property for uses permitted within the district and/or which are consistent with the standards in the Comprehensive Plan.
  - (4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the use.
  - (5) That adequate measures have been taken or will be taken providing ingress and egress to minimize traffic congestion on public streets so as not to diminish the level of service of any intersection which is impacted by traffic arising from the conditional use.
- (i) The Plan Commission shall approve a Conditional Use Permit if the terms and conditions of this Ordinance are met. However, in the event the terms and conditions of the Ordinance are not consented to and complied with by the applicant, the Commission may reject the Conditional Use Permit. In addition, the Commission may reject the Conditional Use Permit Application or place conditions on it if substantial evidence, as defined in Wisconsin Statute §62.23(7) is presented. That evidence shall demonstrate the inability of the applicant to comply with or meet the conditions of this Ordinance or that the conditions to be applied by the Plan Commission are necessary to protect the public health, safety or welfare of the community based upon the presentation of substantial evidence.

**Analysis of Application:** Staff finds the applicant has supplied all applicable material to the satisfaction of these requirements, pursuant to 100-352 (6). Staff understands in conversations with the applicant, and in reviewing the materials, the proposed landscaping contracting business may not need a dumpster, or said list, and this is up to the Plan Commission if they desire additional information on these elements prior to rendering a decision.

**Structure:** The Village Center Overlay guidelines give reference to performance standards for exterior remodels, as found in 100-153(h)(2). These guidelines follow the procedures of section 100-601. The architectural design

and materials and colors of exterior remodels shall conform to the requirements of the base zoning district. In this case, the base zoning district is M-2.

When reviewing the M-2 guidelines, from 100-203(f,g,h), the structure does conform to the requirements, as the structure is painted block building, which is a tan color with gray asphalt roof material.

**Refuse Enclosure:** The standards for the base zoning shall be followed. There is currently no on-site dumpster enclosure which conforms to the M-2 standards. Staff spotted two dumpsters, one nearest the garage in question and one adjacent to the existing retail establishment, which were not enclosed. Staff observed loose materials surrounding the dumpsters and supports the establishment of an enclosure for the benefit of the entire property. The standards call out a need to be enclosed with a six foot high masonry material compatible with materials used on the street side of the principal building. The applicant has suggested utilizing existing structure along the eastern edge of the retail building, and could be modified into an enclosure. Staff does not support this request and finds a suitable enclosure would be more in line with updating this property to current standards in an effort to reduce clutter and to corral debris currently found on the property. A question for the Plan Commission is if they desire to have this included as a condition of approval with this use or if what is currently on site sufficient to meet the conditional use approval standards? **If so, a condition of approval has been included and highlighted in the following recommendations.**

**Lighting:** Applicant has not supplied any lighting information with this request. Should lighting be proposed, staff could review and evaluate lighting to ensure compatibility with Section 100-601(e).

**Landscaping:** There is no landscaping proposed with this exterior architectural review. Section 100-203 (j) does require minimum landscaping standards for new construction. Staff is not recommending adding landscaping with this request, although the Plan Commission may recommend, if they feel there will be outside storage.

**Parking:** The applicant is proposing to utilize existing space provided on the property for employees when they park for work. The applicant has stated there will be four (4) full time employees. There is sufficient parking on-site. A matter for the Plan Commission is to consider if they feel the applicant will be required to upgrade the current gravel parking surface areas for employees to a hard surface with this request? Staff would recommend at least to stripe the existing solid surface parking area, so as to bring the property into compliance. Staff would like to point out there is an existing retail business on the premises and there is a potential concern to not take away existing spaces from the current retail business already on-site. A potential solution could be to require additional paved, marked parking spaces dedicated to the proposed landscaping contractor. There is other available space for lease currently being marketed and this could come up in the future with other requests. Staff supports the upgrading of the property at this time to bring into compliance. **If Plan Commission agrees with this assessment, a condition has been included to stripe parking stalls surrounding the retail business on the solid surface on the property, has been included and highlighted in the following recommendations.**

### **Recommendation for Conditional Use**

I recommend approval of the Conditional Use to allow construction and the use of indoor contractor storage, as outlined in the applicant request. The proposal conforms to minimum code requirements. 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 intent of the M-2, Light Industrial and Village Center Overlay zoning guidelines for this property.

2. The proposed use is consistent with the indoor usage found on this property.
3. The proposed use of indoor storage is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.

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

1. The on-going operation of the Conditional Use for Fickau Landscaping business shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be maintained in a clean and presentable condition always. No debris shall accumulate on the site.
4. No outside storage of work vehicles, equipment, or trailers shall be located on the premises outside of the garage structure.
5. 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.
6. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
7. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before to issuance of an occupancy permit.
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.

#### **Recommendation for Architectural Review**

I recommend approval of S Architectural Review with the conditions listed below. The site plan conforms to M-2 setbacks and parking requirements.

1. Architectural Review approval for the exterior remodel on the garage structure to be utilized by Fickau Landscaping shall be subject to all plans and information submitted for the application by the applicant, Chris Fickau, dated June 4, 2020, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor 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. A building permit, with all applicable plans, shall be reviewed for compliance with all building code requirements.
3. The garage door shall match the style and color of existing garage door, as much as practicable, and as represented to and recommended approval by the Plan Commission.
4. A dumpster enclosure site plan and construction plans, meeting requirements of 100-601, shall be submitted for review and approval of the Zoning Administrator.
5. Four parking stalls, to be utilized by the business, shall be a part of the existing paved surface. Said entire existing paved parking surface area shall be striped, including provisions for handicap stalls, meeting



requirements of 100-402, shall be shown on a site plan and presented to the Zoning administrator for approval.

# **Fickau Landscape Inc.**

**630 Augusta Drive Mukwonago, WI 53149 Phone (262) 363-5106**

**March 6 2020**

**To Ben Kohout Community Planner Village of Mukwonago**

## **Provide Scope of work for existing building at old lumber yard in Mukwonago:**

**I am asking to proceed in the possible installation of a new overhead garage door in a space where an old door existed. It is an existing out building that had 2 separate garage doors when it was originally built. Over the course of years, one door had been removed and a studded wall put in its place. I am asking to remove that wall and put a new garage door back as it was. The new door will match the currant door in size, type and color. The fame work for the old door is still in place with header. With this new door in place all materials will be kept inside around this building with no outside storage. This is storage for landscape equipment. My normal operational hours are from 730am to 5pm Monday thru Friday.**

**Thank you for your consideration.**

**Chris Fickau**





## Village of Mukwonago GIS

DISCLAIMER: The Village of Mukwonago does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 83'

## VILLAGE OF MUKWONAGO

440 River Crest Court  
PO Box 206  
Mukwonago, WI 53149  
262-363-6420

Print Date: 7/2/2020





↑  
New garage door

- This is a concrete block building.
- There was a garage door in this location previously.
- I would like to remove the studed wall and install new garage door to match existing one.
- There is a concrete header to support the building opening with a 6x8 timber frame.
- There are 4 full time employees.
- They will be parking cars during the days in the back parking area.
- There will be no outside storage around this building.

## PROPERTY AND PROJECT INFORMATION

Present Zoning: \_\_\_\_\_ Tax Key No(s): \_\_\_\_\_

Address/Location: 414 B South Rochester Street Mukwonago, WI 53149

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

To install garage door in same place where one previously existed.

B. The property is presently used as:

Rental / garage / storage area for Fickam Land scape.

Normal business hours M-F 7am 5pm

C. Name of Architect, Professional Engineer, or Contractor: \_\_\_\_\_

D. Project Timetable: Start Date: July 15 '20 Completion Date: Aug 15 '20

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

Principal Use Storage

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

Rental - on going rental - Been there renting since 1997

## 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 *N/A*
- ☐ Landscape plan *N/A*
- ☐ Parking plan (including parking computations) *N/A*
- ☐ Lighting plan (including photo metrics) *N/A*
- ☐ Proposed location and connection to the sanitary sewer and water mains *N/A*
- ☐ Drainage plan (if applicable) *N/A*
- ☐ All building elevations *N/A*
- ☐ Floor plans *N/A*

#### 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
- ☐ 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?

*The installation of this garage door is for the ongoing expansion of my business. To build a business and employ to more people.*

- B. How is the proposed conditional use, in its specific 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?



## CERTIFICATION

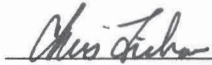
Applicant hereby certifies that:

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.

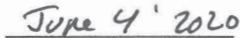
*(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization 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



Name & Title (PRINT)



Date

Signature - Applicant

Name & Title (PRINT)

Date

Signature - Property Owner

Name & Title (PRINT)

Date

Signature - Applicant's Representative

Name & Title (PRINT)

Date

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















## **RESOLUTION 2020-31**

### **CONDITIONAL USE PERMIT FOR THE USE OF A BUILDING INDOOR CONTRACTOR STORAGE, CHRIS FICKAU, FICKAU LANDSCAPING, 414 S ROCHESTER ST, MUKV 1976-981**

**WHEREAS**, pursuant to Section 100-352 and 100-354 of the Zoning Code, an application for a conditional use permit has been filed for approval of the use of a building as an indoor dog training facility 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 July 14, 2020, 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 a building as an indoor contractor storage submitted by Chris Fickau, Fickau Landscaping, based upon the plans submitted to the Village and the public hearing conducted on this matter and for the following reasons:

1. The proposed use is consistent with the intent of the M-2, Light Industrial and Village Center Overlay zoning guidelines for this property.
2. The proposed use is consistent with the indoor usage found on this property.
3. The proposed use of indoor storage is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.
5. There were no public objections.

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

1. The on-going operation of the Conditional Use for Fickau Landscaping business shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be maintained in a clean and presentable condition always. No debris shall accumulate on the site.
4. No outside storage of work vehicles, equipment, or trailers shall be located on the premises outside of the garage structure.
5. 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.

6. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
7. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before issuance of an occupancy permit.
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.

**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 15<sup>th</sup> day of July 2020.

VILLAGE OF MUKWONAGO

By: \_\_\_\_\_  
Fred Winchowky, Village President

Attest: \_\_\_\_\_  
Diana Dykstra, Village Clerk-Treasurer

## ACCEPTANCE

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

Village of Mukwonago

By: \_\_\_\_\_  
Owner

Property Owner

By: \_\_\_\_\_  
Agent

Applicant

By: \_\_\_\_\_  
Agent



**Staff Report**

July 1, 2020

Fred Winchowky, Plan Commission Chair,  
Plan Commissioners

**Re: Conditional Use Request for Indoor Contractor Storage and Architectural Review for Modifications for Existing Structure at 414 S. Rochester St.; MUKV1976981**

**Zoning**

M-2, Light Industrial District; Village Center Overlay District, Multi-Purpose Perimeter Sub District (VCO)

**Proposal**

The plans detail the modification of an existing garage building within the facility of the “former Fickau Lumber” facility. The garage in question is approximately 24 feet by 48 feet (1,152 s.f.) and currently has one garage stall on the north end, with a small window in the middle. The applicant desires to modify the structure by removing the wall and window in the middle and replacing with a garage door to create an additional garage stall. There are no plans by the applicant to alter the materials or colors of the existing building exterior on the property.

The request for contractor storage at this location is a conditional use. Additionally, the conversion and exterior remodeling of structures within the Village Center Overlay District requires architectural review by the Plan Commission.

**Zoning Review**

The proposed use of contractor storage (indoor in this case) is a conditional use found in the provisions of Village Center Overlay District, Multi-Purpose Perimeter Sub District, guidelines and provisions under 100-153(f)(2).

Conditional uses were revised in August of 2019, to create and update criterion upon which the State and governing bodies shall determine if Conditional uses may be approved or not. The following criteria was established and analyzed with this report, from Section 100-352 and 100-354:

100-352:

- (6) All applications for a Conditional Use Permit must be accompanied by a Plan of Operation that describes in detail, acceptable to the Zoning Administrator, the following characteristics as proposed:
  - a. Hours of operation;
  - b. Number of employees, including both full time equivalents and maximum number of personnel to be on the premises at any time;

- c. Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate the impacts of these matters on neighboring properties;
- d. Descriptions of any materials stored outside and any activities, processing or other operations taking place outside of an enclosed building;
- e. Compliance with the Village's Storm Water Ordinance, Erosion Control Standards where applicable;
- f. Sanitary facilities and private on-site waste transfer systems are in compliance with the requirements of the County agencies with jurisdiction;
- g. Facilities for managing removal of trash, solid waste and recycling materials;
- h. Anticipated daily traffic, including, but not limited to, the types and weights of vehicles, night provisions, necessary intersection and road improvements or other measures proposed to accommodate increased traffic and/or the weight of the vehicles being utilized;
- i. List of hazardous, toxic or explosive materials to be stored on site and any spill containment, safety or pollution measures which will be put in place for the use;
- j. Outdoor lighting and measures taken to mitigate light pollution, impacts to neighboring properties;

100-354:

- (h) The Plan Commission shall require the following standards for approval to be met in order to approve any Conditional Use Permit Application:
  - (1) That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or welfare of the Village.
  - (2) That the uses, values and enjoyment of other property in the surrounding neighborhood that are already permitted shall be, in no foreseeable manner, substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
  - (3) That the establishment of the conditional use will not impede the normal and ordinary development and improvement of the surrounding property for uses permitted within the district and/or which are consistent with the standards in the Comprehensive Plan.
  - (4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the use.
  - (5) That adequate measures have been taken or will be taken providing ingress and egress to minimize traffic congestion on public streets so as not to diminish the level of service of any intersection which is impacted by traffic arising from the conditional use.
- (i) The Plan Commission shall approve a Conditional Use Permit if the terms and conditions of this Ordinance are met. However, in the event the terms and conditions of the Ordinance are not consented to and complied with by the applicant, the Commission may reject the Conditional Use Permit. In addition, the Commission may reject the Conditional Use Permit Application or place conditions on it if substantial evidence, as defined in Wisconsin Statute §62.23(7) is presented. That evidence shall demonstrate the inability of the applicant to comply with or meet the conditions of this Ordinance or that the conditions to be applied by the Plan Commission are necessary to protect the public health, safety or welfare of the community based upon the presentation of substantial evidence.

**Analysis of Application:** Staff finds the applicant has supplied all applicable material to the satisfaction of these requirements, pursuant to 100-352 (6). Staff understands in conversations with the applicant, and in reviewing the materials, the proposed landscaping contracting business may not need a dumpster, or said list, and this is up to the Plan Commission if they desire additional information on these elements prior to rendering a decision.

**Structure:** The Village Center Overlay guidelines give reference to performance standards for exterior remodels, as found in 100-153(h)(2). These guidelines follow the procedures of section 100-601. The architectural design



and materials and colors of exterior remodels shall conform to the requirements of the base zoning district. In this case, the base zoning district is M-2.

When reviewing the M-2 guidelines, from 100-203(f,g,h), the structure does conform to the requirements, as the structure is painted block building, which is a tan color with gray asphalt roof material.

**Refuse Enclosure:** The standards for the base zoning shall be followed. There is currently no on-site dumpster enclosure which conforms to the M-2 standards. Staff spotted two dumpsters, one nearest the garage in question and one adjacent to the existing retail establishment, which were not enclosed. Staff observed loose materials surrounding the dumpsters and supports the establishment of an enclosure for the benefit of the entire property. The standards call out a need to be enclosed with a six foot high masonry material compatible with materials used on the street side of the principal building. The applicant has suggested utilizing existing structure along the eastern edge of the retail building, and could be modified into an enclosure. Staff does not support this request and finds a suitable enclosure would be more in line with updating this property to current standards in an effort to reduce clutter and to corral debris currently found on the property. A question for the Plan Commission is if they desire to have this included as a condition of approval with this use or if what is currently on site sufficient to meet the conditional use approval standards? **If so, a condition of approval has been included and highlighted in the following recommendations.**

**Lighting:** Applicant has not supplied any lighting information with this request. Should lighting be proposed, staff could review and evaluate lighting to ensure compatibility with Section 100-601(e).

**Landscaping:** There is no landscaping proposed with this exterior architectural review. Section 100-203 (j) does require minimum landscaping standards for new construction. Staff is not recommending adding landscaping with this request, although the Plan Commission may recommend, if they feel there will be outside storage.

**Parking:** The applicant is proposing to utilize existing space provided on the property for employees when they park for work. The applicant has stated there will be four (4) full time employees. There is sufficient parking on-site. A matter for the Plan Commission is to consider if they feel the applicant will be required to upgrade the current gravel parking surface areas for employees to a hard surface with this request? Staff would recommend at least to stripe the existing solid surface parking area, so as to bring the property into compliance. Staff would like to point out there is an existing retail business on the premises and there is a potential concern to not take away existing spaces from the current retail business already on-site. A potential solution could be to require additional paved, marked parking spaces dedicated to the proposed landscaping contractor. There is other available space for lease currently being marketed and this could come up in the future with other requests. Staff supports the upgrading of the property at this time to bring into compliance. **If Plan Commission agrees with this assessment, a condition has been included to stripe parking stalls surrounding the retail business on the solid surface on the property, has been included and highlighted in the following recommendations.**

### **Recommendation for Conditional Use**

I recommend approval of the Conditional Use to allow construction and the use of indoor contractor storage, as outlined in the applicant request. The proposal conforms to minimum code requirements. 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 intent of the M-2, Light Industrial and Village Center Overlay zoning guidelines for this property.

2. The proposed use is consistent with the indoor usage found on this property.
3. The proposed use of indoor storage is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.

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

1. The on-going operation of the Conditional Use for Fickau Landscaping business shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be maintained in a clean and presentable condition always. No debris shall accumulate on the site.
4. No outside storage of work vehicles, equipment, or trailers shall be located on the premises outside of the garage structure.
5. 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.
6. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
7. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before to issuance of an occupancy permit.
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.

#### **Recommendation for Architectural Review**

I recommend approval of S Architectural Review with the conditions listed below. The site plan conforms to M-2 setbacks and parking requirements.

1. Architectural Review approval for the exterior remodel on the garage structure to be utilized by Fickau Landscaping shall be subject to all plans and information submitted for the application by the applicant, Chris Fickau, dated June 4, 2020, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor 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. A building permit, with all applicable plans, shall be reviewed for compliance with all building code requirements.
3. The garage door shall match the style and color of existing garage door, as much as practicable, and as represented to and recommended approval by the Plan Commission.
4. A dumpster enclosure site plan and construction plans, meeting requirements of 100-601, shall be submitted for review and approval of the Zoning Administrator.
5. Four parking stalls, to be utilized by the business, shall be a part of the existing paved surface. Said entire existing paved parking surface area shall be striped, including provisions for handicap stalls, meeting



requirements of 100-402, shall be shown on a site plan and presented to the Zoning administrator for approval.

# **Fickau Landscape Inc.**

**630 Augusta Drive Mukwonago, WI 53149 Phone (262) 363-5106**

**March 6 2020**

**To Ben Kohout Community Planner Village of Mukwonago**

**Provide Scope of work for existing building at old lumber yard in Mukwonago:**

**I am asking to proceed in the possible installation of a new overhead garage door in a space where an old door existed. It is an existing out building that had 2 separate garage doors when it was originally built. Over the course of years, one door had been removed and a studded wall put in its place. I am asking to remove that wall and put a new garage door back as it was. The new door will match the currant door in size, type and color. The fame work for the old door is still in place with header. With this new door in place all materials will be kept inside around this building with no outside storage. This is storage for landscape equipment. My normal operational hours are from 730am to 5pm Monday thru Friday.**

**Thank you for your consideration.**

**Chris Fickau**





## Village of Mukwonago GIS

DISCLAIMER: The Village of Mukwonago does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1" = 83'

## VILLAGE OF MUKWONAGO

440 River Crest Court  
PO Box 206  
Mukwonago, WI 53149  
262-363-6420

Print Date: 7/2/2020





↑  
New garage door

- This is a concrete block building.
- There was a garage door in this location previously.
- I would like to remove the studed wall and install new garage door to match existing one.
- There is a concrete header to support the building opening with a 6x8 timber frame.
- There are 4 full time employees.
- They will be parking cars during the days in the back parking area.
- There will be no outside storage around this building.



## PROPERTY AND PROJECT INFORMATION

Present Zoning: \_\_\_\_\_ Tax Key No(s): \_\_\_\_\_

Address/Location: 414 B South Rochester Street Mukwonago, WI 53149

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

To install garage door in same place where one previously existed.

B. The property is presently used as:

Rental / garage / storage area for Fickam Land scape.

Normal business hours M-F 7am 5pm

C. Name of Architect, Professional Engineer, or Contractor: \_\_\_\_\_

D. Project Timetable: Start Date: July 15 '20 Completion Date: Aug 15 '20

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

Principal Use Storage

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

Rental - on going rental - Been there renting since 1997

## 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 *N/A*
- ☐ Landscape plan *N/A*
- ☐ Parking plan (including parking computations) *N/A*
- ☐ Lighting plan (including photo metrics) *N/A*
- ☐ Proposed location and connection to the sanitary sewer and water mains *N/A*
- ☐ Drainage plan (if applicable) *N/A*
- ☐ All building elevations *N/A*
- ☐ Floor plans *N/A*

#### 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
- ☐ 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?

*The installation of this garage door is for the ongoing expansion of my business. To build a business and employ to more people.*

- B. How is the proposed conditional use, in its specific 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?



## CERTIFICATION

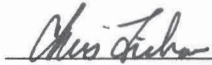
Applicant hereby certifies that:

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.

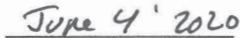
*(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization 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



Name & Title (PRINT)



Date

Signature - Applicant

Name & Title (PRINT)

Date

Signature - Property Owner

Name & Title (PRINT)

Date

Signature - Applicant's Representative

Name & Title (PRINT)

Date

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















**RESOLUTION 2020-32**

**RESOLUTION APPROVING SITE PLAN AND ARCHITECTURAL REVIEW  
FOR BUILDING REMODEL;  
CHRIS FICKAU, APPLICANT  
414 S ROCHESTER ST; MUKV 1976-981**

**WHEREAS**, pursuant to Section 100-601, and 100-153 of the Zoning Code, an application for a site plan and architectural review has been filed for the approval of building remodel for indoor contractor storage, a permitted use within the M-2, Light Industrial and Village Center Overlay, which application was filed in the office of the Village Clerk, Village of Mukwonago, Wisconsin, and

**WHEREAS**, the application has been submitted by Chris Fickau of Fickau Landscaping, and

**WHEREAS**, a building remodel for indoor contractor storage in the M-2, Light Industrial and Village Center Overlay Zoning District in which the subject property is located, and

**WHEREAS**, the plan of operation and plans have been reviewed and recommended by the Village Plan Commission.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of the Village of Mukwonago, Wisconsin hereby approves the site plan and architectural review for remodel of building located at 414 S Rochester St, based upon the plan of operation and plans submitted to the Village.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** this site plan and architectural review approval shall be subject to the following conditions:

1. Architectural Review approval for the exterior remodel on the garage structure to be utilized by Fickau Landscaping shall be subject to all plans and information submitted for the application by the applicant, Chris Fickau, dated June 4, 2020, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor 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. A building permit, with all applicable plans, shall be reviewed for compliance with all building code requirements.
3. The garage door shall match the style and color of existing garage door, as much as practicable, and as represented to and recommended approval by the Plan Commission.
4. A dumpster enclosure site plan and construction plans, meeting requirements of 100-601, shall be submitted for review and approval of the Zoning Administrator.
5. Four parking stalls, to be utilized by the business, shall be part of the existing paved surface. Said parking surface area shall be striped, including provisions for handicap stalls, meeting requirements of 100-402, shall be shown on a site plan and presented to the Zoning Administrator for approval.



**NOW, THEREFORE, BE IT FURTHER RESOLVED** the applicant, upon the approval of this site plan and architectural review shall agree to accept the same in writing.

Passed and dated this 15<sup>th</sup> day of July 2020.

VILLAGE OF MUKWONAGO

By: \_\_\_\_\_  
Fred Winchowky, Village President

Attest: \_\_\_\_\_  
Diana Dykstra, Village Clerk-Treasurer

## ACCEPTANCE

This site plan and architectural review is accepted, and permittee agrees to abide by the terms thereof.

Village of Mukwonago

By: \_\_\_\_\_  
Representative

Property Owner

By: \_\_\_\_\_  
Agent

Print Name:\_\_\_\_\_

Applicant

By: \_\_\_\_\_  
Agent

Print Name:\_\_\_\_\_



Village of  
**Mukwonago**  
Office of the Village Planner

---

440 River Crest Court, Mukwonago, Wisconsin 53149 - Tel. (262) 363-6420 - Fax (262) 363-6425 – planner@villageofmukwonago.com

Date: July 2, 2020

To: Fred Winchowky, Village President, Chair of Planning Commission AND  
Plan Commissioners

Cc: John Weidl, Village Administrator (via email); Diana Dykstra, Village Clerk (via email); Bob Harley,  
Supervisor of Inspections (via email); Mark Blum, Village Attorney (via email); Pete Gesch, Village  
Engineer (via email); Kevin Schmidt, Police Chief (via email); Jeff Stien, Fire Chief (via email); Ron  
Bittner, Public Works Director (via email); David Brown, Public Services Director (via email); Ulrich  
Jentzsch, applicant (via email)

From: Ben Kohout, AICP; Village Zoning Administrator/Planner

Subject: Condominium Units, Eight Total Units in side by side at 200 Grand Avenue; **Site Plan and  
Conditional Use CONCEPT Review**

Meeting(s): July 14, 2020 Plan Commission

---

**Property location**

200 Grand Avenue

**Current zoning**

B-1, Neighborhood Business Commercial; Village Center Overlay Zoning (Multi-Purpose Perimeter Sub District)

**Proposed zoning**

B-1, Neighborhood Business Commercial; Village Center Overlay Zoning (VCOZD, Multi-Purpose Perimeter Sub District); Concept review providing for Attached Condominium Units (8 total units) as a permitted use in the VCOZD.

**Previous review(s)**

N/a

**Description**

Staff received plans by means of an electronic application submittal on June 15, 2020. The applicant, Ulrich (Ollie) Jentzsch, is requesting a conceptual review for a condominium development on an existing property. Plans call for Eight (8) total condominium units in a side-by-side attached fashion, with five units facing Grand Avenue and three units facing County Highway ES. Access is proposed from an existing driveway curb cut along

Grand Avenue and the structures will be accessed from the interior, with two stall garages on the main level. Stairs will lead up to a second level, where the main living area will be, and a third level is proposed for bedroom area(s).

The proposed use for condominiums is permissible through the allowances afforded in Section 100-153, Village Center Overlay guidelines. Residences are called out as permissive in 100-153 (6)(a).

The Village Code affords a conceptual site plan review prior to a formal review of a site plan and associated final civil calculations. The purpose of this review is to present the plans to the Plan Commission to see if the Commission agrees with the Code provisions and the proposed scale, scope, density and architecture of the proposal. Following feedback, the applicant may then decide on how best to proceed onward

The following departments have reviewed the plans and offer the following:

1. Public Services such as water and sewer adequacy for the structure needs and availability are present and no concerns were expressed;
2. Public Works such as streets, sidewalks and streetlights are present and no concerns were expressed;
3. Engineering such as stormwater surface water run off provisions and accommodations were reviewed and is considered exempt from Village standards. With this being said, the applicants will need to demonstrate where the stormwater runoff will go and how it will be handled during a site plan review.
4. Fire Department has concerns over potential blocking of area with visitors/residents parking between structures. There are no local fire code issues. There is a fire hydrant along County Highway ES and a need for no parking curb markings may be necessary to protect this hydrant for access.
5. Police Department has concerns over potential parking along County Highway ES and may need to review implementing no parking along this area.

This review is conceptual in nature and will cover the overall compliance with zoning provisions. Further review will be required, once final civil plans are submitted for formal review and recommendation, when the applicant chooses to do so.

### **Zoning standards**

Staff has reviewed the following sections:

1. Section 100-153, Village Center Overlay Standards; 100-151; B-1, Neighborhood Commercial Standards.

The property is zoned as B-1, with Village Center Overlay (Multi Purpose Perimeter Sub district), which affords allowances for residential in the Village Center Overlay Areas.

The Village Center Overlay standards supersedes the base zoning district and creates a unique set of standards by which development shall be evaluated. This affords the opportunity for the Plan Commission to review and weigh in on how the proposal does/does not meet the spirit and intent of the Overlay standards, as listed out in the Ordinance.

The Village Center Overlay Zoning Standards have been reviewed and evaluated:



1. Residential units need to be a minimum of 950 square feet for two bedroom units. The units proposed are two bedrooms. at two different configurations; 1,440 s.f. of living area and a 720 s.f. two stall garage. (two levels of living area, with a base footprint of 24 by 30 feet each);
2. Parking requirements call for one off street parking space per bedroom; two parking spaces are provided on the main level with a two stall garage for each unit;
3. The building heights are set at a minimum of two stories and maximum of three stories, or 35 feet; the proposed structures are three stories.
4. Setbacks are established for this lot as 10 feet interior side yard along the neighboring single family properties zoned R-3 to the northeast of the subject site; 10 feet is provided. The front and rear setbacks for structures in the Village Center Overlay
5. Parking surface area shall be 3 feet from adjacent properties; 3 feet is provided.

### **Items to Consider When Evaluating this Proposal**

**Density:** The Overlay Zoning District is silent on stating a maximum density for residential housing. The proposed density of 8 units on this 0.3 acre property is greater than what is customarily found in other areas where condominiums are proposed. The typical density is 5 acres/unit. The proposed density is 27 units/acre, when accounting for lot size. However, the Village Center Overlay district's intent is to allow for higher densities of residential units in the downtown area. The Village Center Overlay District is envisioned as a high intensity area, with street level activity, which can lead to a successful retail core. Section 100-153(f)(6)(a) states there are no limitations on the number of residential units within the Retail Center. The proposed density meets the Village Center Overlay standards. The overall height limitation of three stories is meant to limit overall density. The Plan Commission is authorized to review the proposal and make determinations, according to the Overlay standards. Is the Plan Commission okay with the proposed density and resulting layout?

**Architecture:** The proposal incorporates beige smart siding (LP material – coated wood board) on the second and third levels, with white trim, dark red brick cladding for the appurtenances (or bump outs) along the front façade for articulation, and brown/cream fieldstone along the main levels. The second levels will feature

The standards of architecture are to follow the base standards found in B-1. These call for Materials such as masonry, stone, stucco, wood, glass, Dryvit, vinyl and aluminum siding. Metal is not permitted. A minimum of 25 percent of the gross area of street sides of buildings must be masonry. Exterior building colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, black, or fluorescent colors shall be prohibited. Building trim and architectural accent elements may feature brighter colors, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Staff finds these standards are met with this request, but finds a need to address the flat façade facing the intersections, to the West. Staff would suggest adding additional brick/articulation in the roof in the form of a dormer or false dormer. This could mimic the Walgreen's treatment, where there are false windows on the second level. Adding these design elements could further the architectural improvements and interest in the downtown and set an example for other future development to follow and mimic.

**Layout:** Having eight units on the property results in buildings fronting onto Grand Avenue, County ES, and having a 22-foot-wide drive aisle down the middle. In anticipation of potential guests, staging areas outside of the garage stalls, and having a garbage truck maneuver this site, will present many challenges. Staff would advise to consider reducing the number of units, so as to create an opportunity of a better layout for a turning area, potential off street parking spaces for guests and more room for snow removal and dumpster access. Staff would encourage the removal of at least one dwelling unit, so as to provide additional space for snow removal, as piling of snow along the southern edge, nearest the intersection, could create site obstructions. Also, better

access/location of the dumpster, and it moving away from the intersection, could be a better visual for the busy intersection. Finally, should the condos be viewed as the best option and the layout is deemed appropriate, a potential advisement of snow removal, in lieu of plowing/pushing to sides, could be a requirement of site plan approval, when that comes up.

**Use of Property:** The Overlay district permits for residential dwellings at this location. The question for the Plan Commission is if they are okay with the condo use presented? The other options could be retail or retail on main floor with residential on top. The latter option could create additional congestion and staff finds the condo use may be the least intense land use, and a potential better fit for this triangular shaped property with access challenges. The proposed higher density residential can create a natural transition from single family residential neighborhood to north from busy commercial corridor to the south.

### **Recommendation**

This is a conceptual review and staff is not offering a recommendation. The applicant has come forward seeking general guidance from the Commission on overall layout, scale, architecture, density, and direction for refinements prior to further consideration of the property.

Staff finds the proposal meets the intent of the Village Center Overlay district, and thinks the density may be able to be reduced by at least one unit, to create a better layout opportunity. In addition, additional architectural treatment along the blank wall area, targeted for lp siding, would improve the aesthetics.

### **Attachments**

1. Conceptual Plans dated June 15, 2020
2. Project Summary



MUKWONAGO  
CONDOS

200 Grand Avenue  
Mukwonago, WI

DRAWING INDEX:

SP-1	SITE PLAN, SITE LOCATION MAP, DRAWING INDEX
A-1	UNIT FLOOR PLANS
A-2	BUILDING "B" ELEVATIONS
A-3	ELEVATION SKETCHES

PROJECT DESCRIPTION:

NEW CONDO COMPLEX WITH 8 TOTAL UNITS  
BETWEEN TWO BUILDINGS.

BUILDING "A" INFORMATION:

MAIN FLOOR:	3,646 S.F.
TOTAL BUILDING:	10,938 S.F.
NO. OF FLOORS:	3

SITE INFORMATION:

SITE AREA:	12,901 S.F.	(.297 ACRE)
FOOTPRINT AREA:	5,806 S.F.	(45.0 %)
PAVED AREA:	5,028 S.F.	(38.9 %)
SIDEWALK AREA:	228 S.F.	(1.8 %)
GREEN SPACE AREA:	1,839 S.F.	(14.3 %)

BUILDING "B" INFORMATION:

MAIN FLOOR:	2,112 S.F.
TOTAL BUILDING:	6,432 S.F.
NO. OF FLOORS:	3

PLANTING SCHEDULE

TYPE	DESCRIPTION	PLANTING SIZE	MATURE SIZE
A	HONEYLOCUST 'SKYLINE'	2" CAL	30' DIA
B	FLOWERING CRAB 'RADIANT'	6-8" H	10' DIA
C	ARBOR VITAE 'PYRAMIDAL'	3-4" H	6' DIA
D	TAXUS 'TAUNTONI'	18-24" H	4' DIA
E	DWARF SPIREA 'FROEBELI'	15-18" H	3' DIA

NOTE: MATURE SIZES GIVEN ARE FOR PLANT SIZE  
AFTER 7-12 YEARS GROWTH TYP.

SITE LOCATION

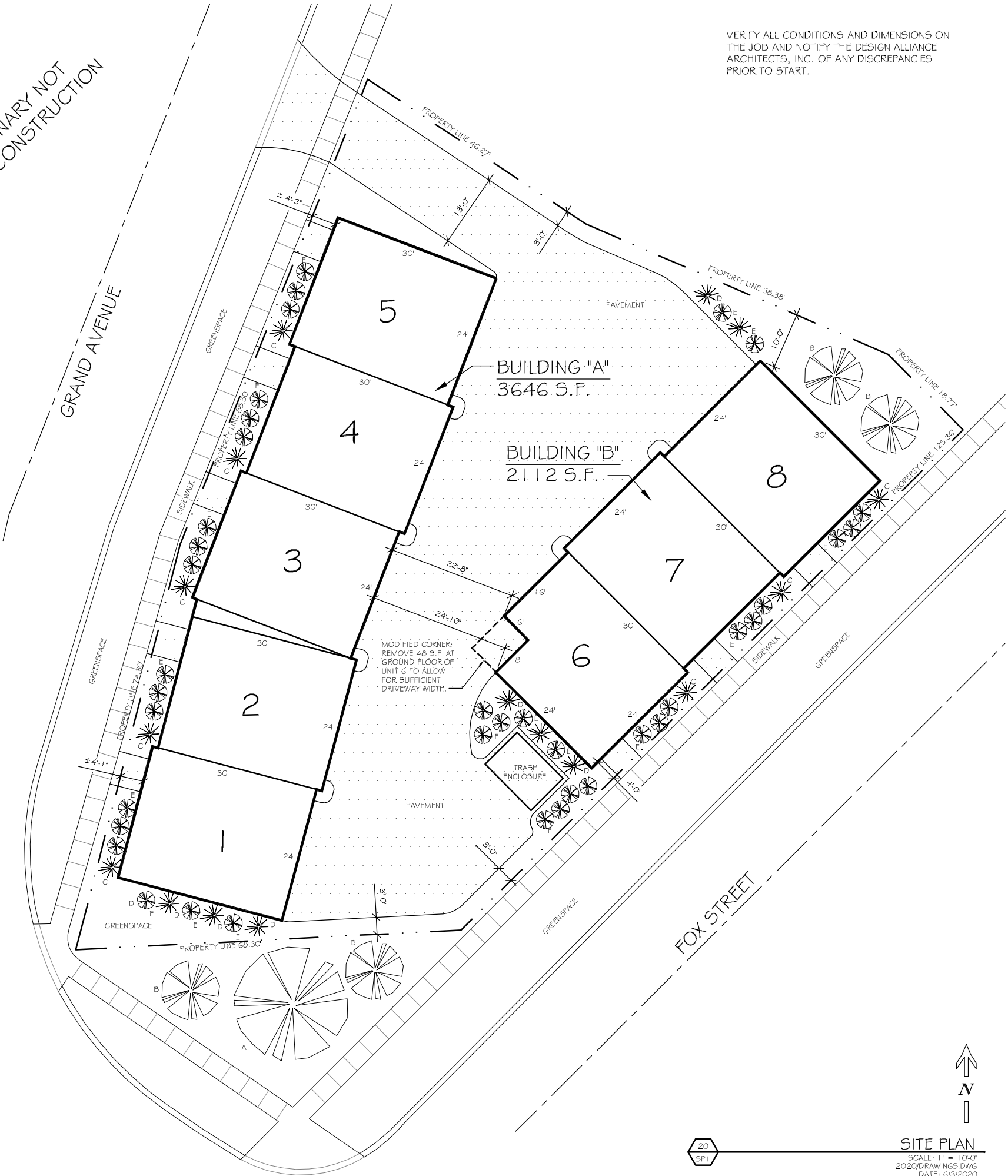


SITE LOCATION MAP

SCALE: N.T.S.  
2020/DRAWINGS.DWG  
DATE: 6/3/2020

ALL DRAWINGS ARE  
1/2 SCALE SHOWN

PRELIMINARY NOT  
FOR CONSTRUCTION



VERIFY ALL CONDITIONS AND DIMENSIONS ON  
THE JOB AND NOTIFY THE DESIGN ALLIANCE  
ARCHITECTS, INC. OF ANY DISCREPANCIES  
PRIOR TO START.

MUKWONAGO CONDOS  
200 Grand Avenue  
Mukwonago, WI

DRAWING NAMES

SITE PLAN

REVISIONS

PROJECT DATA

DATE: 6/15/2020  
DRAWN BY: C.J.  
CHECKED BY: P.W.

SHEET NO.

SP-1

Design  
Alliance  
Architects, Inc.

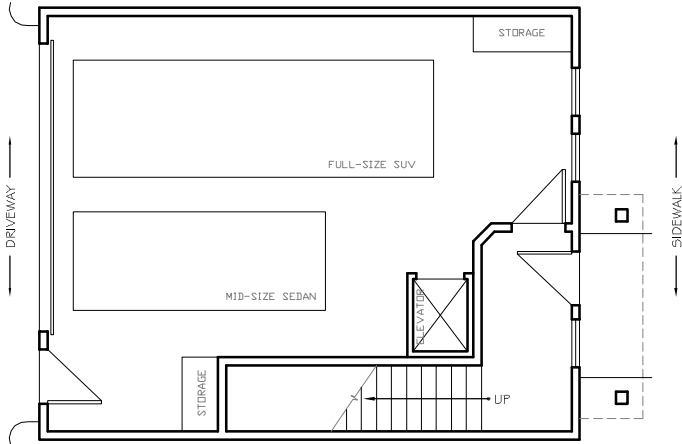
1003 Madison Avenue  
Fort Atkinson, WI

(920) 563-3465

VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB AND NOTIFY THE DESIGN ALLIANCE ARCHITECTS, INC. OF ANY DISCREPANCIES PRIOR TO START.

ALL DRAWINGS ARE  
1/2 SCALE SHOWN

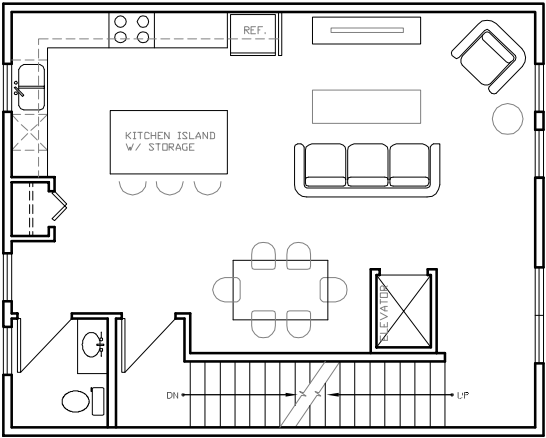
PRELIMINARY NOT  
FOR CONSTRUCTION



16  
A1

FIRST FLOOR

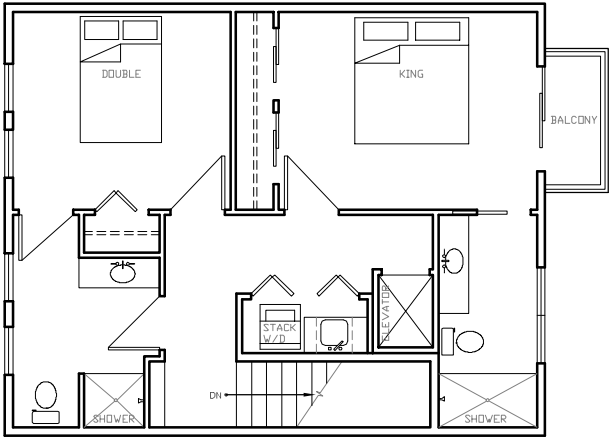
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2020/DRAWINGS.DWG  
DATE: 6/3/2020



18  
A1

SECOND FLOOR

SCALE: 3/16" = 1'-0"  
2020/DRAWINGS.DWG  
DATE: 6/3/2020



20  
A1

THIRD FLOOR

SCALE: 3/16" = 1'-0"  
2020/DRAWINGS.DWG  
DATE: 6/3/2020

MUKWONAGO CONDOS  
200 Grand Avenue  
Mukwonago, WI

DRAWING NAMES

UNIT FLOOR PLANS


REVISIONS


PROJECT DATA

DATE: 6/15/2020

DRAWN BY: C.J.

CHECKED BY: P.W.

SHEET NO.

A-1

Design  
Alliance  
Architects, Inc.

1003 Madison Avenue  
Fort Atkinson, WI

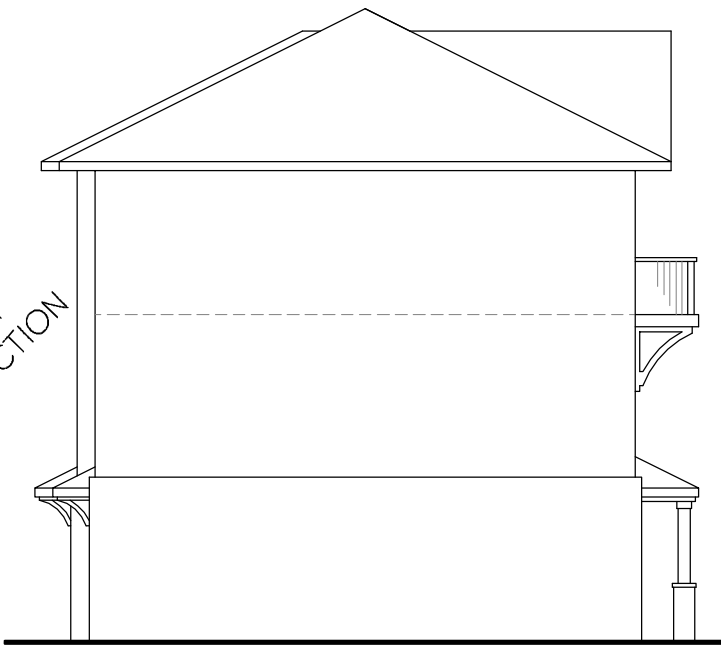
(920) 563-3466



VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB AND NOTIFY THE DESIGN ALLIANCE ARCHITECTS, INC. OF ANY DISCREPANCIES PRIOR TO START.

ALL DRAWINGS ARE  
1/2 SCALE SHOWN

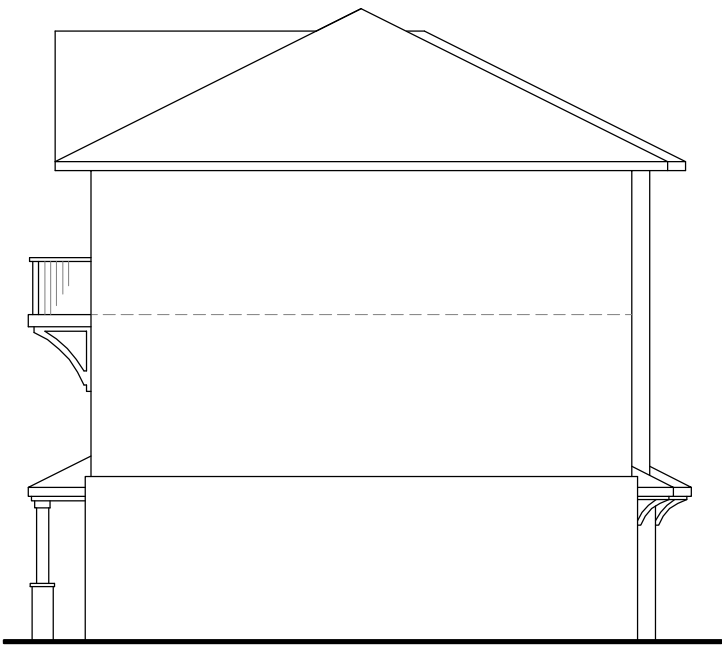
PRELIMINARY NOT  
FOR CONSTRUCTION



7  
A2 BUILDING "B" SOUTH ELEVATION  
SCALE: 3/16" = 1'-0"  
2020/DRAWINGS.DWG  
DATE: 6/3/2020



10  
A2 BUILDING "B" WEST ELEVATION  
SCALE: 3/16" = 1'-0"  
2020/DRAWINGS.DWG  
DATE: 6/3/2020



17  
A2 BUILDING "B" NORTH ELEVATION  
SCALE: 3/16" = 1'-0"  
2020/DRAWINGS.DWG  
DATE: 6/3/2020



20  
A2 BUILDING "B" EAST ELEVATION  
SCALE: 3/16" = 1'-0"  
2020/DRAWINGS.DWG  
DATE: 6/3/2020

MUKWONAGO CONDOS  
200 Grand Avenue  
Mukwonago, WI

DRAWING NAMES

BUILDING "B" ELEVATIONS

REVISIONS

PROJECT DATA

DATE: 6/15/2020

DRAWN BY: C.J.

CHECKED BY: P.W.

SHEET NO.

A-2

VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB AND NOTIFY THE DESIGN ALLIANCE ARCHITECTS, INC. OF ANY DISCREPANCIES PRIOR TO START.

PRELIMINARY NOT FOR CONSTRUCTION

ALL DRAWINGS ARE 1/2 SCALE SHOWN

**MUKWONAGO CONDOS**  
200 Grand Avenue  
Mukwonago, WI

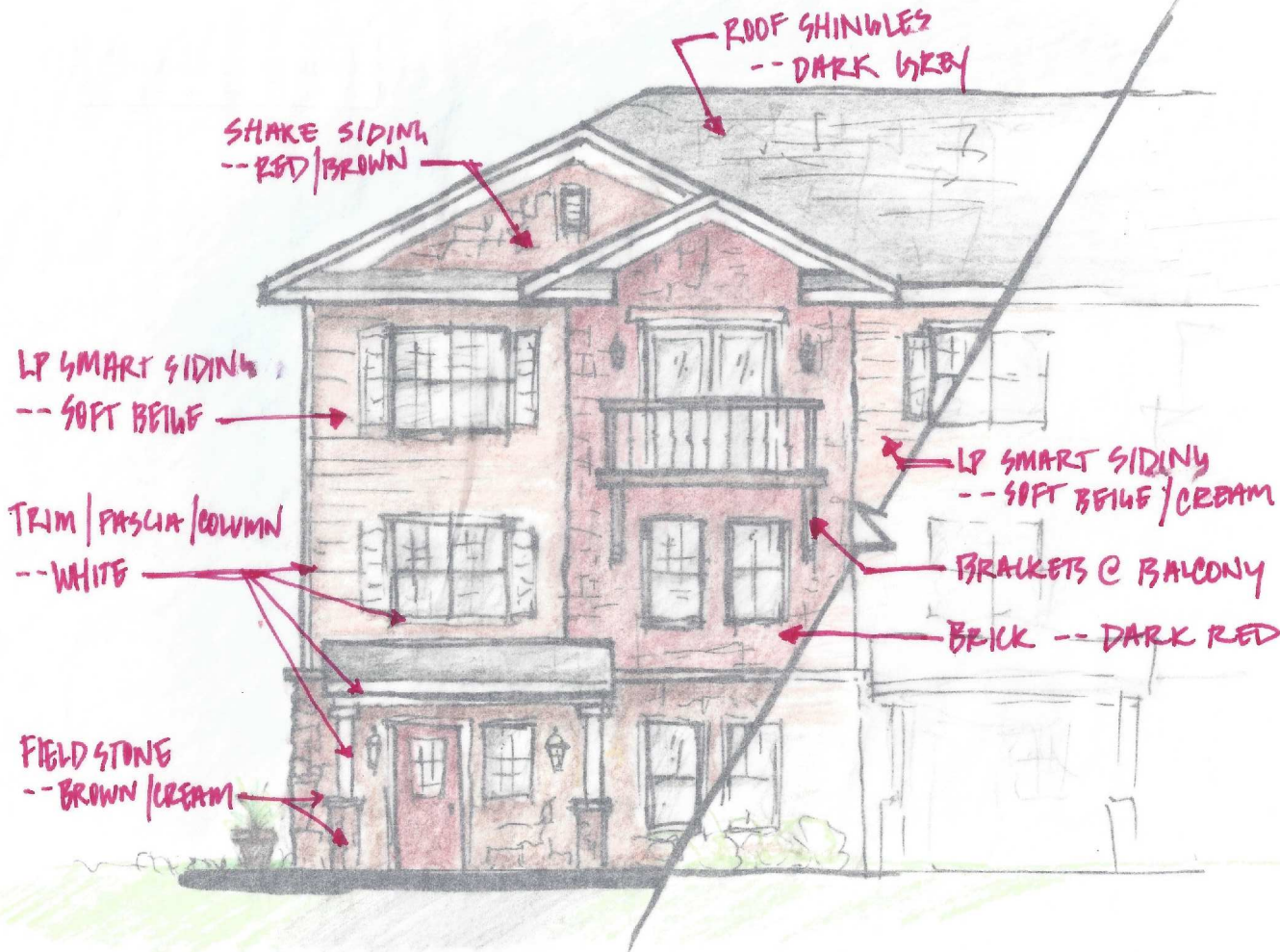
DRAWING NAMES  
ELEVATION SKETCHES

REVISIONS

PROJECT DATA  
DATE: 6/15/2020  
DRAWN BY: C.J.  
CHECKED BY: P.W.

SHEET NO.

A-3



ELEVATION SKETCH / MATERIALS  
SCALE: N.T.S.  
2020/DRAWINGS.DWG  
DATE: 6/3/2020



ELEVATION SKETCH  
SCALE: N.T.S.  
2020/DRAWINGS.DWG  
DATE: 6/3/2020