Village of Mukwonago
REGULAR PLAN COMMISSION MEETING
Notice of Meeting and Agenda
Tuesday, September 12, 2017

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

*Denotes amendment to agenda

1. Call to Order

2. Roll Call

3. Approval of minutes for the August 8, 2017 regular meeting

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

   A. Conditional use permit requested by Brad Treichel, ProHealth Care, to allow for a second floor addition to a medical clinic on the property located at 240 Maple Avenue, known as MUKV2016993 and MUKV2016993001
   B. Conditional use permit requested by Robert Chandler, Midwest Holdings LLC, to allow for an indoor, mini-warehouse and outdoor storage of vehicles, in conjunction with another use on the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988

5. New Business
   Discussion and Possible Action on the Following Items

   A. Recommendation to Village Board concerning conditional use permit requested by Brad Treichel, ProHealth Care, to allow for a second floor addition to a medical clinic on the property located at 240 Maple Avenue, known as MUKV2016993 and MUKV2016993001
   B. Recommendation to Village Board concerning conditional use permit requested by Robert Chandler, Midwest Holdings LLC, to allow for an indoor, mini-warehouse and outdoor storage of vehicles, in conjunction with another use on the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988
   C. Recommendation to Village Board concerning certified survey map requested by Robert Chandler, Midwest Holdings LLC, to allow for an indoor, mini-warehouse and outdoor storage of vehicles, in conjunction with another use on the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988
   D. Recommendation to Village Board concerning the release of a temporary turnaround easement on the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996001
E. Recommendation to Village Board concerning certified survey map requested by Steve Anderson, ACG Development, LLC the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996001

F. *Recommendation to Village Board concerning Rescission, Revival, and Modification Agreement with ACG Development LLC and Dewey Farm, LLC

6. Adjournment

It is possible that members of, and possibly a quorum of, members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services. For additional information or to request this service, contact the Clerk’s Office, 440 River Crest Court, (262) 363-6420, Option 4.
MINUTES OF THE REGULAR PLAN COMMISSION MEETING
Tuesday, August 8, 2017

Call to Order
Chairperson Fred 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: Joe Abruzzo
Jim Decker
Robert Harley
John Meiners
Fred Winchowky, Chairman
Commissioners excused: Mark Penzkover
Ken Werner
Also present: Steven Braatz, Clerk-Treasurer
Bruce Kaniewski, Village Planner

Minutes
Motion by Decker/Abruzzo to approve the minutes of the June 13, 2017 regular meeting carried.

New Business
1150 Fox Street Change of Zoning
John Donovan, representing the applicant, presented preliminary plans for the construction of two 4-family apartment buildings on the site located at approximately 1150 Fox Street. The proposal requires a change of zoning from R-4 PUD to R-10. Bielinski is working with Waukesha County to determine the appropriate access to CTH ES. The proposal will still need to come back to the Plan Commission for site and architectural plan review. Decker expressed concerns with increased traffic and the need for traffic signals at the intersection of CTH ES and Eastern Trail. Motion by Abruzzo/Harley to recommend the Village Board approve the application of Harry Bielinski, Bielinski Homes, for a zoning district boundary change from R-4 PUD (Residential Planned Unit Development Overlay District) to R-10 (Medium Density Multi-Family Residential District) for the property located on the west side of Fox Street at approximately 1150 Fox Street. The request conforms with the comprehensive plan. Motion carried (Decker voted no).

Citizens Bank Site Plan and architectural review
Motion by Harley/Decker to recommend the Village Board approve the Site Plan and architectural review requested by Charles Miller, Citizens Bank, for the construction of a building on the property located on the west side of S. Rochester St. north of Bay View Rd. at approximately 875 S. Rochester Street, known as MUKV2014992002 contingent upon the following reasons and conditions carried:

Reasons:
1. The proposal conforms to the development standards of the B-2, General Business District zoning assigned to the site.
Conditions:
1. Site construction shall be consistent with the plans prepared by Schroeder & Holt Architects, dated July 10, 2017, on file in the office of the Zoning Administrator. Adjustment to the floor plan may occur to conform to building and health safety codes.
2. Site construction and development shall adhere to Village Board Resolution 2017-028, which cites the conditions of approval for the drive-through facility Conditional Use.
3. Yield signs shall be placed on each side of the drive-through exit at locations approved by the Mukwonago Police Chief.
4. Any signs shown on the submitted plans shall be subject to separate review and permit.

Preliminary consideration of amendment to Comprehensive Plan 2035 requested by Harry Bielinski, Bielinski Homes, for the property located northeast of the intersection of CTH EE and W. Veterans Way

John Donovan, representing the applicant, presented preliminary plans for the construction of a 25-unit apartment building at the site located northeast of the intersection of CTH EE and W. Veterans Way. Kaniewski explained Bielinski Homes has submitted an application for a rezoning for their 2.57 acre property at the northwest corner of West Veterans Way and CTH EE from A-1 (Agricultural District) to R-10 (Medium Density Multi-Family Residential District, maximum of 10 dwelling units per acre). However, since the Village Comprehensive Plan designates the site for Low Density Multi-Family, which correlates to the new R-5 Low Density Multi-Family Residential District (maximum of five dwelling units per acre), the applicant has been informed the comprehensive plan must be amended before Village officials can consider rezoning, pursuant to the consistency requirement of Section 66.1001 of State Statutes. Donovan asked the Commission if the amendment to the Comprehensive Plan was achievable. Meiners, a former member the the Comprehensive Plan Amendment Steering Committee, informed Donovan that there was lots of discussion about this site during the proceedings of the steering committee. They settled on Low Density Multi-Family designation, and if there was an attempt to change that, there would be lots of public outcry. The Commission asked that the applicant work with the current designation and come back with a proposal. Kaniewski and the Police Chief will work with Waukesha County in an effort to reduce the speed limit on CTH EE.

Adjournment
Meeting adjourned at 7:19 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer
NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO PLAN COMMISSION TO CONSIDER AN APPLICATION FOR A CONDITIONAL USE PERMIT

Please take notice that 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, September 12, 2017, commencing at 6:30 p.m., to consider the following matter(s):

PUBLIC HEARING: 
Conditional Use Permit – Second floor addition for a medical clinic

TAX KEY/ADDRESS: MUKV2016993 and MUKV2016993001, 240 Maple Avenue
LEGAL DESCRIPTION: Lot 1 of Certified Survey Map No. 11145, recorded as Document No. 4064790 in the Office of the Waukesha Register of Deeds; part of the Northwest ¼ and Northeast ¼ of the Southeast ¼ and Southwest ¼ of the Northeast ¼ of Section 36, Town 5 North, Range 18 East; Village of Mukwonago, Waukesha County, Wisconsin.

OWNER: Waukesha Memorial Hospital Inc.
APPLICANT: ProHealth Care
MATTER: Applicant seeks a conditional use permit for a second floor addition for a medical clinic, pursuant to standards of the B-5, Planned Business and Light Industrial Development zoning district.

The proposed plans may be viewed at Village Hall, 440 River Crest Court, Mukwonago, WI during business hours or on the Village web site at www.villageofmukwonago.com.

All interested parties will be heard. Written comments will be accepted up to the time of the hearing. For more information regarding this public hearing, please contact Steve Braatz, Village Clerk, at (262) 363-6420, Option 4, or sbraatzjr@villageofmukwonago.com.

Steven A. Braatz, Jr.
Village Clerk

To be published: August 31 and September 5, 2017
NOTICE OF PUBLIC HEARING BEFORE THE VILLAGE OF MUKWONAGO PLAN
COMMISSION TO CONSIDER AN APPLICATION FOR A CONDITIONAL USE PERMIT

Please take notice that 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, September 12, 2017, commencing at 6:30 p.m., to consider the following matter(s):

**PUBLIC HEARING:** Conditional Use Permit – Indoor, Mini-Warehouse and Outdoor storage of vehicles, in conjunction with another use

**TAX KEY/ADDRESS:** MUKV2091988, Vacant

**LEGAL DESCRIPTION:** Lot 1 of Certified Survey Map No. 7679, recorded as Document N. 2044202 in the Office of the Waukesha County Register of Deeds; Village of Mukwonago, Waukesha County, Wisconsin.

**OWNER:** Midwest Commercial Funding LLC

**APPLICANT:** Midwest Holdings LLC

**MATTER:** Applicant seeks a conditional use permit for an “Indoor, Mini-Warehouse” and a Conditional Use for “Outdoor storage of vehicles, in conjunction with another use,” pursuant to the B-3, Community Business District, zoning district standards. Consideration of the conditional uses includes review of the site and architectural plans.

The proposed plans may be viewed at Village Hall, 440 River Crest Court, Mukwonago, WI during business hours or on the Village web site at [www.villageofmukwonago.com](http://www.villageofmukwonago.com).

All interested parties will be heard. Written comments will be accepted up to the time of the hearing. For more information regarding this public hearing, please contact Steve Braatz, Village Clerk, at (262) 363-6420, Option 4, or sbraatzjr@villageofmukwonago.com.

Steven A. Braatz, Jr.
Village Clerk

To be published: August 31 and September 5, 2017
September 5, 2017

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

Re:  Conditional Use for Second Floor Addition
ProHealth Care; 240 Maple Avenue

Dear President Winchowky and Members of the Plan Commission:

Brad Treichel on behalf of ProHealth Care has submitted an application requesting Conditional Use approval allowing a second-floor addition of 31,370 square feet to their facility at 240 Maple Avenue. Under the B-5, Planned Business and Light Industrial Development District zoning of the site, all medical uses require Conditional Use approval. The prior addition of the Emergency Department gained Conditional Use approval, and the initial approval of the facility was approved by a Planned Unit Development, which under zoning administration is a Conditional Use.

The second-floor addition will be to the south side of the facility. When the facility was originally approved in 2002 it was made known that multiple stories would be part of future expansion. The existing one-story south end of the building was constructed to handle multiple stories.

Architecturally, the addition exterior will match existing building design and materials. Internally, the final floor plan is not yet known, but the addition will house clinical and medical office space.

The applicant is not proposing any additional parking areas, stating the existing amount of parking spaces is sufficient. With prior approvals, the Village agreed to a 40% reduction of provided parking spaces as allowed by parking regulations of the zoning ordinance. With submittal of plans for the prior Emergency Department addition, ProHealth submitted a parking study justifying the 40% reduction. The site has plenty of open space to add parking should the need arise. Please see the inset on the site plan for the parking calculations.

**RECOMMENDATION**

Subject to hearing public hearing comments, I recommend approval of the 31,370 square foot second floor addition to the ProHealth facility. Public safety will be protected via facility policy regarding storage, use of and disposal of potentially hazardous materials. Public benefit will be derived from the architectural design matching current conditions, and the use is consistent with the purpose and intent of the B-5 zoning district.

I further recommend approval subject to the following conditions:

1. This Conditional Use shall be valid for a period of one (1) year following approval by the Village Board; construction of the addition shall commence within the one year period.
2. Construction of the addition shall be consistent with the plans submitted for the Conditional Use by Epstein Uhen Architects, dated August 14, 2017; on file in the office of the Zoning Administrator.
3. A Village of Mukwonago Building Permit is required to commence construction; the construction plans shall conform to applicable federal, state and local requirements, and building plans, egress and fire suppression shall be approved by the Mukwonago Fire Chief, prior to issuance of a building permit.

4. Should the Village of Mukwonago identify that additional parking spaces are needed for the entire facility, within 60 days of notice from the Village applicant shall submit application and all necessary plans for approval of the additional parking spaces. Said additional parking shall be completed within 180 days of the notice from the Village.

5. All prior Village of Mukwonago conditions of approval for the facility remain in effect.

I appreciate the opportunity to assist the Village with this matter. If any questions arise, please feel free to contact me.

Sincerely,

Bruce S. Kaniewski, AICP
Village Planner/Zoning Administrator

Cc: John Weidl, Village Administrator (via email)
    Steven Braatz, Jr., Village Clerk (via email)
    Mark Blum, Village Attorney (via email)
    Kurt Peot, P.E., Village Engineer (via email)
    Robert Harley, Supervisor of Inspections (via email)
    David Brown, Utilities Superintendent (via email)
    Ronald Bittner, Public Works Director (via email)
    Jeffrey Stien, Fire Chief (via email)
    Kevin Schmidt, Police Chief (via email)
    Brad Treichel, Applicant (via email)
    John McGinnis, Applicant’s Representative (via email)
    Tony Breitlow, Architect (via email)
VILLAGE OF MUKWONAGO
CONDITIONAL USE PERMIT APPLICATION
Application Fee: $450

Date Submitted: ____________________

CONTACTS

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

GUIDELINES

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

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

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

Mail completed applications to: Village Planner
ATTN: Conditional Use Permits
PO Box 206
Mukwonago, WI 53149

Deliver to:
Village Clerk’s Office
440 River Crest Court

Email to:
planner@villageofmukwonago.com

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

APPLICANT (Full Legal Name)

Name: Brad Treichel

Company: ProHealth Care

Address: 725 American Ave

City: Waukesha

State: WI

Zip: 53226

Daytime Phone: 262.928.5517

Fax: 262.928.5657

E-Mail: Bradley.Treichel@phci.org
# Applicant is Represented by (Full Legal Name)

Name: John McGinnis  
Company: ProHealth Care  
Address: 725 American Ave  
City: Waukesha  
State: WI  
Zip: 53226  
Daytime Phone: 262.928.1000  
Fax: 262.928.5657  
E-Mail: john.mcginnis@phcl.org

# Architect

Name: Tony Brellow  
Company: Eppstein Uhen Architects  
Address: 333 East Chicago St.  
City: Milwaukee  
State: WI  
Zip: 53202  
Daytime Phone: 414.291.8171  
Fax: 414.271.7794  
E-Mail: tonyb@eua.com

# Professional Engineer

Name: Tom Hildebrandt  
Company: Pierce Engineers (structural)  
Address: 181 North Broadway  
City: Milwaukee  
State: WI  
Zip: 53202  
Daytime Phone: 414.278.6060  
Fax: 414.278.6061  
E-Mail: tnh@pierceengineers.com

# Registered Surveyor

Name: Not applicable. Building is a vertical expansion on top of current POB roof.  
Company:  
Address:  
City:  
State:  
Zip:  
Daytime Phone:  
Fax:  
E-Mail: 

# Contractor

Name: To be determined through bidding process.  
Company:  
Address:  
City:  
State:  
Zip:  
Daytime Phone:  
Fax:  
E-Mail: 
PROPERTY AND PROJECT INFORMATION

Present Zoning: B-5

Tax Key No(s.): MUKV2016993, MUKV2016993001

Address/Location: 240 Maple Avenue, Mukwonago WI 53149

A. I/We request a conditional use permit for:
   The vertical expansion of the existing professional office building portion of the DN Greenwald facility. A new second story
   is proposed to be constructed above this existing single story portion of building.

B. The property is presently used as:
   The property is presently used for healthcare related services by ProHealth Care. The specific area that the vertical
   addition is proposed for is a professional office building that provides outpatient treatment services that range from urgent
   care to specialty physician practices.

C. Name of Architect, Professional Engineer, or Contractor: Tony Breitlow, Architect

D. Project Timetable: Start Date: Fall 2017  Completion Date: Spring/ Summer 2018

E. All of the Proposed Use(s) of the property will be:
   Principal Use: Professional Office Building
   Secondary Use: Outpatient care services.
   Accessory Use:

F. I/We represent that I/we have a vested interest in this property in the following manner:
   ☑ Owner
   ☐ Leasehold. Length of Lease: ____________________________
   ☐ Contractual. Nature of contract: ____________________________
   ☐ Other. Please explain
PROCEDURAL CHECKLIST FOR CONDITIONAL USE REVIEW AND APPROVAL

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

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

Application:
☑ Completed application form including the procedural checklist and justification of the proposed conditional use.
☑ Application fee: $450
☐ Agreement for Reimbursable Services (separate application) Submitted on 8/11/17 along with design drawings.

Required site drawings: Submitted on 8/11/17.
☐ Survey of the property not applicable - proposed project is a vertical expansion of an existing building
☐ Landscape plan not applicable - proposed project is a vertical expansion of an existing building
☐ Parking plan (including parking computations) not applicable - proposed project is a vertical expansion of an existing building
☐ Lighting plan (including photo metrics) not applicable - proposed project is a vertical expansion of an existing building
☐ Proposed location and connection to the sanitary sewer and water mains not applicable - proposed project is a vertical expansion of an existing building
☐ 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@mukwonago.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?

The proposed addition follows through on the planned expansion of the building. When the original one-story (plus lower level) professional office building portion of the facility was designed and built in the mid-2000s the design allowed for additional stories above.

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?

The proposed addition follows through on the planned expansion of the building. When the original one-story (plus lower level) professional office building portion of the facility was designed and built in the mid-2000s the design allowed for and anticipated additional stories to be built above.
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?

The proposed vertical expansion does not inherently change the character or function of the facility. Except for the construction of one stair tower (to allow for proper exit distribution) the building footprint and surrounding site plan are intended to remain unchanged from the current conditions. The one-story addition will be designed to match the look and character of the existing building below. No additional parking is proposed at this time per review of current stall counts and existing parking census numbers. This can be reviewed further to confirm acceptability. The hope with this addition is that the public welfare and health can be improved with the increased access to healthcare services the DN Greenwald facility can provide with the increased square footage.

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

The vertical expansion maintains the current property use and provides additional square footage for patient care services. The hours of operation will remain similar to what the facility operates with today. Additional patient census numbers may result in additional car traffic to the facility but not in an amount that would negatively impact the environment or rural feel of the area.

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?

Because the vertical addition was planned for in this area of the facility, there are no anticipated undue burdens being placed on the facility, utilities, or public services. Arrival and disposal of supplies, materials, etc. to support the new second floor will follow the same processes and protocol as currently used by the facility.

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?

We feel the vertical expansion and the increased square footage for patient care services will further enhance the health care opportunities that can be provided by ProHealth Care to the residents of Mukwonago and other surrounding communities.
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 application 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)

8/4/17

____________________________
Date

________________________________________
Signature - Applicant's Representative

____________________________
Name & Title (PRINT)

6/24/17

____________________________
Date

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<tbody>
<tr>
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<tr>
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<tr>
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Escrow Required?  ☐ Yes  ☐ No

Plan Commission Disposition

Village Board Disposition
D.N. Greenwald Center – 2nd floor Clinic Expansion
Mukwonago, WI

The D.N. Greenwald Center is approximately 210,000 square feet medical facility. It incorporates the following components:

- PHCMA - medical clinic and Urgent Care,
- PMR – physical medicine rehab,
- Tenant space for Moreland OB practice,
- Regional Cancer Center (RCC) medical oncology, radiation oncology, and pharmacy
- Waukesha Memorial Hospital imaging, lab, and behavior health departments.
- Loading dock and various support space.

The current hours of operation are 7:00 am to 9:00 pm.

The facility currently has a peak Full Time Employee (FTE) of 166.

ProHealth Care is proposing to add a vertical addition of approximately 34,000 square feet onto current rooftop of the existing Clinic. The addition is a clinic facility that will round out available outpatient services to patients. This project is a next step in a master plan for the site. The building was originally designed to accommodate this expansion in regards to structural, mechanical and electrical engineering. There is no change to site layout, site lighting or landscaping.

The hours of operation for the clinic space will remain 7:00 to 9:00.

The facility maximum FTEs will be 200 at peak hours.
EXISTING SITE LIGHTING/SITE LAYOUT TO REMAIN AS IS

SITE NOTES
1. All site lighting fixtures to be updated to LED compliant.
2. Cut-off time requirement to be met.
3. Emergency lighting and sign illumination to be updated to LED compliant.

PARKING CALCULATIONS BASED ON SOFT

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<th>Existing Buildings</th>
<th>Proposed Parking Calculations</th>
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<td>Total</td>
<td>210</td>
<td>170,700</td>
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**Total Required for Existing Buildings**

| 210 | 170,700 |

**Total Required for Proposed Addition**

| 210 | 170,700 |

**Total Required for Additional Parking Space**

| 210 | 170,700 |

**Note:** The plan is subject to the City of Glen Cove Planning Board approval and City Planning Commission Review.
PHC- DN GREENWALD CLINIC EXPANSION
BUILDING ELEVATIONS
Steve Braatz

From: Bruce Kaniewski
Sent: Wednesday, September 06, 2017 11:34 AM
To: Steve Braatz
Subject: FW: ProHealth Care DNG Expansion Project: Parking narrative

Steve;

Please include this email in the Plan Commission epacket.

Thanks,

Bruce

From: Tony Breitlow [mailto:Tonyb@eua.com]
Sent: Tuesday, September 5, 2017 5:04 PM
To: Bruce Kaniewski <planner@villageofmukwonago.com>
Cc: Treichel, Bradley W. <bradley.treichel@phci.org>; McGinnis, John P <John.McGinnis@phci.org>; Adam Ruhland <adamr@eua.com>; steven.fisco@graef-usa.com
Subject: ProHealth Care DNG Expansion Project: Parking narrative

Bruce: The following is sent on behalf of ProHealth Care for your use in pulling together your report to the Plan Commission board. As discussed over the phone this is a short narrative explaining our approach to the parking at DNG.

Please let me know if you need anything else on this.
Thanks,
Tony

Regarding parking at the DN Greenwald facility:
- The existing campus requires 675 stalls based on building square footages. 675 less the Village of Mukwonago’s 40% allowable reduction (270 stalls) brings the overall total required number down to 405 stalls. The new second floor addition is 31,370 square feet and thus requires 125 additional parking stalls. 125 stalls minus 50 (40% allowable reduction) brings the total required new stalls down to 75. Thus, the total new numbers of stalls required on campus once the second floor addition is built is 480 (405 + 75).
- With 641 existing stalls currently on campus, no additional stalls are required to support the new square footage.
- Additionally, a stall usage study was completed in 2013 as part of the Emergency Department project. At that time, there were 483 stalls on campus to support the Professional Office Building and Ambulatory Care areas. At peak times those parking lots were observed to be less than 40% occupied.
- As ProHealth Care respectfully submits on this next phase of campus expansion we feel that there is ample parking in place to support the additional clinic square footage being proposed. Should traffic volume grow and the stall usage rate increase we can engage in discussions regarding construction of new stalls but for now would like to avoid disrupting additional green space.

Tony Breitlow
Project Manager
September 7, 2017

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

Re: Conditional Uses and Two Lot and One Outlot Certified Survey Map
Approximately 1600 Fox Street (CTH ES)

Dear President Winchowky and Members of the Plan Commission:

Robert Chandler of Midwest Holdings, LLC submitted applications to place storage units and outside vehicle storage on eight acres of land along the south side of Fox Street (CTH ES), east of the intersection of Edgewood Avenue and CTH ES. Included is a request for a 2-lot and 1-outlot Certified Survey Map (CSM). The recently attached property was formerly referred to as the Dodd property. Earlier this year the Village Board approved a rezoning of the site from A-1, Agricultural (the zoning district automatically assigned at time of attachment) to B-3, Community Business District consistent with the Comprehensive Plan designation of Low Intensity Commercial Business.

At this time, the Plan Commission is asked to take the following actions:

1. Conduct a public hearing and consider granting a Conditional Use for an “Indoor, Mini-Warehouse” and a Conditional Use for “Outdoor storage of vehicles, in conjunction with another use,” listed as allowable Conditional Uses within the B-3 zoning district.
2. Consideration of the Conditional Uses includes review of the site and architectural plans.
3. Consider a 2-Lot and 1-Outlot CSM that includes a 66 foot wide public right-of-way.

All considerations will be recommendations to the Village Board.

**Application Data**

<table>
<thead>
<tr>
<th>Lot Number</th>
<th>Proposed Use</th>
<th>Lot Size</th>
<th>Proposed Building Coverage (B-3 Maximum of 35%)</th>
<th>Proposed Impervious Surface Coverage (B-3 Maximum of 75%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1</td>
<td>Mini-Warehouse (10 buildings, 296 units)</td>
<td>3.75 Acres</td>
<td>31.0%</td>
<td>74.4%</td>
</tr>
<tr>
<td>Lot 2</td>
<td>Open Vehicle Storage</td>
<td>3.39 Acres</td>
<td>NA</td>
<td>57.2%</td>
</tr>
<tr>
<td>Outlot 1</td>
<td>Storm Water Basin</td>
<td>0.44 Acre</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

Please Note: The coverage percentages are calculated via coverage information provided by the applicant shown on the site plan, divided by the size of the lots shown on the CSM. The lot size data shown on the site plan does not match the CSM.
Surrounding Conditions

Below please see a map of the site and surrounding area taken from a map provided within a previous report to the Plan Commission. The subject property is shown in red. The green color site is the Edgewood Village Apartments site.

Below is a summary of surrounding land uses.

<table>
<thead>
<tr>
<th>Direction from Site</th>
<th>Current Use</th>
<th>Village Plan Designation</th>
<th>Town of Vernon/Village of Mukwonago Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Hidden Lakes Subdivision</td>
<td>Medium Lot Single Family</td>
<td>Town: R-2 Residential</td>
</tr>
<tr>
<td>Northeast (Northside of CTH ES)</td>
<td>Vernon English Lutheran Church</td>
<td>Medium Lot Single Family</td>
<td>Town: R-2 Residential</td>
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<tr>
<td>Northeast (Southside of CTH ES)</td>
<td>Midway Gas Station</td>
<td>Low Intensity Commercial/Business</td>
<td>Town: B-2 Local Business</td>
</tr>
<tr>
<td>East</td>
<td>Vernon Congregation of Jehovah Witnesses</td>
<td>Government and Institutional</td>
<td>Town: R-1 Residential</td>
</tr>
<tr>
<td>East</td>
<td>Single Family Home</td>
<td>Low Intensity Commercial/Business</td>
<td>Town: R-1 Residential</td>
</tr>
<tr>
<td>South and Southeast</td>
<td>Vacant (former 9 hole golf course and driving range)</td>
<td>Low Density Multi-Family</td>
<td>Town: RRD-5 Rural Residential Density</td>
</tr>
<tr>
<td>Southwest</td>
<td>Edgewood Village Apartments (under construction)</td>
<td>Medium Density Multi-Family</td>
<td>Village: R-10 Median Density Multi-Family</td>
</tr>
<tr>
<td>West</td>
<td>Single Family Home</td>
<td>Low Intensity Commercial/Business</td>
<td>Town: B-2 Local Business</td>
</tr>
</tbody>
</table>
Certified Survey Map and Site Access

Decades ago Waukesha County approved a 1-Lot CSM for this site. The CSM provided for a 66 foot wide right-of-way reservation through the middle of the site, opposite of Hidden Lakes Drive. The proposed CSM officially dedicates the right-of-way. The location and width of the dedication conforms to the Village Official Map.

Jason Meyer, Permits Coordinator for Waukesha County Public Works, has indicated via emails with a representative of the applicant and Village staff that the proposed dedication of the south leg of the intersection is approved, but that will be the only access from CTH ES. Furthermore, the County will require additional right and left turning lanes matching the turning lanes for existing Hidden Lakes Drive. Village staff concurs with the additional turning lanes. As this new street is extended in the future to access planned residential to the south, pursuant to the Official Map, staff predicts residents of this area will use this intersection more than the Edgewood Avenue intersection because of greater site distances east and west along CTH ES.

Applicant submitted preliminary engineering plans to install a street with a 36 foot pavement width lined with curb and gutter. The street will be the only access for the indoor storage units on the east side of the site and the outdoor vehicle storage on the west side of the site. The applicant and several Village staff members did not care for my suggestion to install a short median within the new street just south of the intersection with CTH ES, matching the Hidden Lakes Drive median on the north side of CTH ES. Installation of a median needs an 80 foot right-of-way, according to Village standards. However, the north leg of the Hidden Lakes Drive right-of-way is only 60 feet wide. I feel strongly that the Village can deviate from its standards to match existing conditions to provide consistency of a safety feature and an aesthetic feature.

All of the highway and street improvements to be installed by the applicant will be addressed in a Developer’s Agreement to be prepared at a future date.

An aspect noticed by the Village Engineer’s office is that the prior CSM noted required 50 foot setbacks from CTH ES and the internal right-of-way reservation. Current Village B-3 setbacks are 25 feet. Subject to concurrence of the Village Attorney, prior to recording of the new CSM the applicant must request the Village Board to release the 50 foot setback restriction.

The CSM and the site plans submitted for the Conditional Uses indicate wetlands on the site. The CSM must note the person who completed the wetland delineation and the date of delineation. Currently the CSM only shows who surveyed the delineation. In addition, the applicant must submit written acceptance of the delineation by the Wisconsin Department of Natural Resources.

Lastly, the outlot will be the storm water management basin for Lots 1 and 2. The CSM must reflect that the outlot will have fractional ownership of both Lots 1 and 2 (should the applicant sell one or both of the lots), and the Storm Water Maintenance Agreement will reflect that ownership of both lots will share in maintenance of storm water facilities.

Village Utilities

The fire department is requiring installation of fire hydrants within the indoor storage site. The developer of the Edgewood Village Apartments was required to extend the public water main to the north end of the
development within the Edgewood Avenue right-way, according to Village policy. This development will connect to that water main. The water main will be extended through an easement along the north end of the apartment site (easement was obtained at insistence of Village staff during approval of the apartments), through Lot 2 of the new CSM to provide service to Lot 1.

Applicant does not need sanitary sewer service at this time. The indoor and outdoor storage sites will not provide restroom facilities. Village policy requires a development must extend sewer to the farthest point of the property. In the case of this site, the sewer will be extended from the northern edge of the apartment site to the east end of the subject site along CTH ES. However, since the subject site is essentially a “bowl” with the east and west sides sloping down to the middle, it has been the Village’s long range sewer service plan to serve the subject side from the south. Therefore, the nearest sewer line to efficiently serve the site is at the end of Cardinal Lane, within the Edgewood Meadows Condominium development, one-quarter mile to the south.

Further discussions with the applicant are needed to specify all the requirements and timing of installing Village utilities, which will be stated in the Developer’s Agreement.

**Mini-Storage Site**

The mini-storage site will have a single access point from the new public street. There will be no on-site manager. The entrance will be gated with keypads to allow for customer access. The Fire and Police Departments will need key card access. A six foot decorative fence is proposed to outline the north and west sides of the paved area surrounding the buildings, and a six foot chain link fence is proposed to outline the east and south sides. Buildings on the site conform to the minimum B-3 setbacks of 25 feet, and the drive aisle setbacks conform to the minimum B-3 greenspace requirement of 15 feet.

Applicant has submitted a plan showing large truck turning movements. The plan works as shown, but I question if planned bollards to be placed at each building corner will impede turning movements.

During review of the proposal between Village staff and the applicant’s representatives, major topics included the architectural design of the buildings and landscaping surrounding the perimeter of the site.

Over the course of the past three months, several different building designs were submitted. The design submitted by the applicant for final consideration has been deemed ‘just ok’ by Village staff. After reviewing the plans presented at the public hearing, I encourage the Plan Commission to consider improvements to the building design.

Applicant has provided an updated site landscape plan that fits Village staff’s expectations for extensive screening of the site, especially along the site’s east and south sides.

**Open Storage Site**

The open storage site will have a single access point from the new public street, and keypad access with the vehicle parking area outlined by fencing. The access drive will cross an identified wetland. The applicant will need written approval from the Wisconsin Department of Natural Resources to cross the wetland.
A recently submitted updated site landscape plan meets Village staff expectations for extensive screening. For the record, the west side of Lot 2 is covered by woodland of mostly ‘scrub’ trees. Village staff suggests the proposed landscape plan is acceptable to conform to the tree preservation and/or replacement standards of Chapter 34 of Village Municipal Code.

**Recommendation**

Subject to public comments received during the public hearing, I recommend approval of the requested Conditional Uses and CSM. The proposal conforms to the minimum standards of the B-3 zoning district. I will provide a recommended list of conditions for each action under separate cover at a later time. The conditions will ensure that the standards for granting of a Conditional Use are adhered to, as noted in the Zoning Ordinance.

I appreciate the opportunity to assist the Village with this matter. If any questions arise, please feel free to contact me.

Sincerely,

Bruce S. Kaniewski, AICP
Village Planner/Zoning Administrator

Cc: John Weidl, Village Administrator (via email)
Steven Braatz, Jr., Village Clerk (via email)
Mark Blum, Village Attorney (via email)
Kurt Peot, P.E., Village Engineer (via email)
Robert Harley, Supervisor of Inspections (via email)
David Brown, Utilities Superintendent (via email)
Ronald Bittner, Public Works Director (via email)
Jeffrey Stien, Fire Chief (via email)
Kevin Schmidt, Police Chief (via email)
Rob Chandler, Applicant (via email)
Paul Jenswold, Applicant’s Engineer (via email)
Bill Canfield, Applicant’s Representative (via email)
September 8, 2017

Mr. Fred Winchowky  
Village President  
Village of Mukwonago  
P.O. Box 206  
Mukwonago, WI  53149

Re: Midwest Storage Development  
Preliminary Storm Water Review

Dear President Winchowky:

We have reviewed a preliminary storm water submittal for the Midwest Storage development located along CTH ES (National Avenue) that was received on September 6, 2017. This review is required by the Village Storm Water ordinance to determine if early site planning has accounted for the requirements of the Ordinance. The intent is to avoid large changes to developments after the Planning Commission and Village Board have approved the concept and site plan.

We believe the preliminary site plan and storm water management plan submitted will meet the requirements of the Village Ordinance. If the Planning Commission and the Village Board would choose to approve these documents, we would request that you make approvals subject to our ongoing detailed technical review of the storm water management plan, and construction drawings for the requirements of Department Heads and Village Ordinances. We also request that the permits to allow construction be withheld until this technical review is complete.
If you or any staff member should have any questions, please feel free to contact me.

Very truly yours,

RUEKERT & MIELKE, INC.

Brennen E. Fischer, E.I.T., CFM
Project Engineer
bfischer@ruekert-mielke.com

BEF:sjs

cc: John Weidl, Village of Mukwonago
    Steven Braatz, Jr., CMC/WCMC, Village of Mukwonago
    Bruce Kaniewski, Village of Mukwonago
    Bob Harley, Village of Mukwonago
    Mark G. Blum, Village of Mukwonago
    Dave Brown, Village of Mukwonago
    Ron Bittner, Village of Mukwonago
    Robert Chandler, Midwest Commercial Funding, LLC
    Paul Jenswold, P.E., Jahnke & Jahnke Associates, Inc.
    Kurt A. Peot, P.E., Ruekert & Mielke, Inc.
    File
VILLAGE OF MUKWONAGO
CONDITIONAL USE PERMIT APPLICATION
Application Fee: $450

Date Submitted: ____________________________

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

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

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

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

Mail completed applications to: Village Planner
ATTN: Conditional Use Permits
PO Box 206
Mukwonago, WI 53149

Deliver to:
Village Clerk’s Office
440 River Crest Court

Email to:
planner@villageofmukwonago.com

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

APPLICANT (Full Legal Name)

Name: Robert Chandler
Company: Midwest Holdings LLC
Address: N81 W 33630 Chicester St. E. City: Oconomowoc State: WI Zip: 53066
Daytime Phone: 414 731 1151 Fax: ____________________________
E-Mail: robert.chandler@live.com
APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: William E. Canfield
Company: Canfield Custom Buildings
Address: 966 W 2780 River Rd City: Waukesha State: WI Zip: 53189
Daytime Phone: 262-544-9230 Fax: 
E-Mail: bill@canfieldbuildings.com

ARCHITECT

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

PROFESSIONAL ENGINEER

Name: Pat Stairs
Company: American Design & Build
Address: 3350 S. River Rd City: West Bend State: WI Zip: 53095
Daytime Phone: 262-334-3811 Fax: 
E-Mail: Pat@teamagq.net

REGISTERED SURVEYOR

Name: Paul Janswold
Company: Jahnke & Jahnke & Associates
Address: 711 W. Moreland Blvd City: Waukesha State: WI Zip: 53188
Daytime Phone: 262-542-5797 Fax: 262-542-7698
E-Mail: survey@jahnkeandjahnke.com

CONTRACTOR

Name: 
Company: Canfield Custom Buildings
Address: 966 W 2780 River Rd City: Waukesha State: WI Zip: 53189
Daytime Phone: 262-544-9230 Fax: 
E-Mail: bill@canfieldbuildings.com
A. We request a conditional use permit for:

300 - 10x20 Self Storage Units
and
Outdoor Self Storage

B. The property is presently used as:

Vacant

C. Name of Architect, Professional Engineer, or Contractor: Canfield Custom Buildings

D. Project Timetable: Start Date: Oct 2017, Completion Date: May 2018

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

Principal Use: Self Storage Units Inside

Secondary Use: Self Storage Units Outside

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

☑ Owner

☐ Leasehold. Length of Lease: __________________________

☐ Contractual. Nature of contract: __________________________

☐ Other. Please explain __________________________
PROCEDURAL CHECKLIST FOR CONDITIONAL USE REVIEW AND APPROVAL

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

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

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

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

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

JUSTIFICATION OF THE PROPOSED CONDITIONAL USE

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

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

It is in keeping with the growth plan for Village of Mukwonago

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

Owner conducted a professional study and there is a sufficient need for storage units in the area.
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?

It will bring the Proposed Road plan for Village of McKee Manor to its next step and set up for future connection.

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?

It is consistent w the B-3 zoning use

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?

It will be an asset to the community and provide a needed service

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

Yes.
CERTIFICATION

Applicant hereby certifies that:

1. All of the above statements and other information submitted as part of this application are true and correct to the best of his or her knowledge.
2. Affirms that no Village of Mukwonago elected or appointed official or employee has a proprietary interest in the above referenced property for which this application is 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 - Property Owner

_____________________________  Name & Title (PRINT)

_____________________________  Date

_____________________________  Signature - Applicant's Representative

_____________________________  Name & Title (PRINT)

_____________________________  Date

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<table>
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<th>Village Board Date(s)</th>
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<table>
<thead>
<tr>
<th>Plan Commission Disposition</th>
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<table>
<thead>
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<th>Village Board Disposition</th>
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</table>
Midwest Commercial Properties
1521 Waukesha, Rd
Caledonia, WI 53108

Village of Mukwonago
440 River Crest Court
PO Box 206
Mukwonago, WI 53149

1 Aug 2017

Request for Conditional Use and Narrative

The property is located on County Hwy ES just West of Cernis Midway Market and directly South of Hidden Lakes Subdivision entrance. Recently annexed into the Village of Mukwonago.

Property owner Midwest Commercial Properties is requesting that the property be annexed into the Village of Mukwonago for the purpose of immediate and future development.

Phase 1 of the proposed development will be for Self Storage Units to be rented to the general public. There will be 10 buildings of various sizes as per submitted site plan. These will be divided into appropriate storage units ranging from 10’ x 20’ to 10’ x 15’. 300 storage units are proposed. The units will be non-heated. The buildings will have concrete floor, wood frame, metal roof, roll up doors that face perpendicular to and away from Hwy ES. The street side will have a façade of split faced brick for 4’ up walls and LP Smartside gable wall.

The lot will be fenced for security. It will be a 6’ tall Decorative Vertical bar Security Fence with matching gate. The access around the buildings will be paved blacktop and green space will be created as much as possible on the lot. There is a proposed Storm Water basin to contain water onto the site. There will be appropriate landscaping of the street side and perimeter of lot to include a combination of evergreens and deciduous hardwoods and shrubs to provide curb appeal.

The site will be properly lighted and the lighting will be contained onsite with no light pollution onto the adjoining properties. There are no parking stalls proposed at this time. The rental customers will come and go from the storage units with expected time on site to be around 5 – 15 minutes per visit to the unit. Research of the area has shown that there is a demand for this type of rental unit in this density in the local area. There will be appropriate access for fire trucks, police and service vehicles as required by State of Wi and local codes. Rental customers will have 24/7 access to the units by a key code or card reader. There will not be a need for a dumpster on site.

Phase 2 is for proposed for outdoor parking of RVs, Boats, Campers as self storage. Landscaping, decorative fence and gate code access will be similar to Phase 1. Stormwater as submitted.
A Blacktop Road will be built directly across from Hidden Lakes Dr. entrance. It will be built from North to South across entire property and will be set up to connect to the next property to the South for future. It will have a Fire Truck turnaround point.
DIG IN WISCONSIN

FACILITIES BEFORE YOU

PARTICIPANTS UNDERGROUND

TO OBTAIN LOCATIONS OF

TOLL FREE

1-800-242-8511

CALL DIGGERS HOTLINE

WIS STATUTE 182.0175(1974)

REQUIRES MIN. 3 WORK DAYS

NOTICE BEFORE YOU EXCAVATE

MILW. AREA 259- 1181

SCALE IN FEET

0

50'

N

S

W

E

CHECKED BY:  P.J.J.

JAHNKE & JAHNKE ASSOCIATES INC.

711 W. MORELAND BLVD.-WAUKESHA,WI.53188

TEL (262) 542-5797  FAX (262) 542-7698

NW 1/4 SECTION 19, T5N, R19E

DRAWN BY:  N.S.

SCALE: 1"=50'

FILE NO.: VERNON-200

BOOK NO.: VERNON 24, PG 12 SHEET  1  OF  8

FILE NAME:S:\PROJECTS\S8551\DWG\S8551.DWGJOB: S-8551

DATE: DECEMBER 5, 2016

PART OF THE NE 1/4 OF THE SW 1/4 OF SEC. 19, T5N, R19E

AND PART OF THE SE 1/4 OF THE NW 1/4 SECTION 19, T5N, R19E

EXISTING CONDITIONS & DEMOLITION PLAN

VILLAGE OF BURGESSADO, WAUKESHA COUNTY, WISCONSIN

NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer and/or Surveyor does not guarantee their exact location or the location of others not shown. Contact Diggers Hot line, Inc., Etc.

REVISED: AUGUST 30, 2017
SITE DATA:

TOTAL SITE AREA:
LOT 1: 3.839 AC
LOT 2: 3.751 AC
R.O.W.: 0.478 AC

PROPOSED IMPERVIOUS AREA:
LOT 1:
ROOF: 1.161 AC 30.0% PAVEMENT: 1.629 AC 42.6%
LOT 2:
PAVEMENT: 1.939 AC 51.7%
R.O.W.: 0.307 AC 64.2%

PAVEMENT: 0.307 AC 64.2%

PAVING NOTES:
1. ALL WORK SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION, 2017 EDITION.
2. ASPHALT PAVEMENT (PUBLIC STREET): 4" ASPHALT 8" AGGREGATE BASE
3. ASPHALT PAVEMENT (DRIVEWAYS): 3" ASPHALT 6" AGGREGATE BASE
4. ASPHALT PAVEMENT SHALL BE INSTALLED IN TWO LIFTS.
SURFACE: 4MT 58-28 S (12.5MM)
BINDER: 3MT 58-28 S (19 MM)
5. ADJUST ALL MANHOLEs AND VALVE BOXES TO 3/8 INCH TO 1/2 INCH BELOW FINAL PAVEMENT GRADE.
6. TACK MUST BE APPLIED BETWEEN EACH LAYER OF ASPHALTIC CONCRETE UNLESS OTHERWISE APPROVED BY THE ENGINEER. THE TACK MUST BE ALLOWED TO CURE BEFORE PAVING.
7. CONCRETE CURB AND GUTTER SHALL BE EITHER 36" ROLL FACE, 30" VERTICAL FACE, OR 18" VERTICAL FACE AS CALLED FOR ON THE PLAN.
8. CONCRETE CURB AND GUTTER SHALL BE JOINTED EVERY 10 FEET WITH A FELT JOINT EVERY 200 TO 250 FEET, AT ALL RADII, AND WITHIN 3 FEET OF AN INLET.
9. CURB AND GUTTER SHALL NOT BE PLACED WHEN: THE AIR TEMPERATURE IS BELOW 35 DEGREES FAHRENHEIT; ON FROZEN BASE; OR DURING RAIN EVENTS. THE BASE IS CONSIDERED TO BE FROZEN WHEN A SURFACE TEMPERATURE OF THE BASE IS AT OR BELOW 32 DEGREES FAHRENHEIT AS MEASURED BY THE FIELD REPRESENTATIVE WITH AN INFRARED TEMPERATURE GAUGE.
STORM SEWER NOTES:

1. ALL WORK SHALL CONFORM TO THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN, BOTH RETAINED OR ALONG SPECIFICATION 8.6.0, THE REQUIREMENTS OF THE VILLAGE OF MUKWONAGO.

2. ALL WORK SHALL BE COORDINATED WITH THE GENERAL CONTRACTOR. CONTRACTORS SHALL CONTACT DIGGERS HOTLINE A MINIMUM OF 3 WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.

3. ALL UTILITY WORK SHALL BE COORDINATED WITH THE GENERAL CONTRACTOR. CONTRACTORS SHALL CONTACT DIGGERS HOTLINE A MINIMUM OF 3 WORKING DAYS PRIOR TO THE START OF CONSTRUCTION.

4. ALL MANHOLES SHALL BE A MINIMUM OF 48 INCHES IN DIAMETER WITH A NEENAH R1710 OR R1580 MANHOLE FRAME.

5. CONNECTIONS TO MANHOLES SHALL BE ENCIRCLED WITH MORTAR TO ENCLOSE OPENING AND BACK PLASTER INTERIOR AND EXTERIOR.

6. STORM SEWERS OUTSIDE OF THE RIGHT-OF-WAY SHALL BE PVC SDR 35 CONFORMING TO CHP. 8.10.0 OF THE STANDARD SPECIFICATIONS UNLESS OTHERWISE NOTED.

7. STORM SEWER WITHIN THE RIGHT-OF-WAY SHALL BE REINFORCED CONCRETE SEWER PIPE (RCP) AND SHALL MEET THE REQUIREMENTS OF ASTM C-76 AND SWS 8.6.0. JOINTS SHALL BE CEMENT MORTARED TYPE JOINTS, AS PER SWS 3.2.11 OR RUBBER GASKET JOINTS AS PER SWS 3.2.11.

8. CLASS C BEDDING IS REQUIRED FOR BEDDING AND COVER. 9. ALL STORM SEWERS SHALL HAVE MECHANICALLY COMPACTED GRANULAR BACKFILL IN PAVED AREAS AND WITHIN 5 FEET OF THE PAVED AREAS. SPOIL BACKFILL WILL BE ALLOWED IN NON-PAVEMENT AREAS.

10. ADJUST MANHOLE IN ROADWAY TO 3/8 TO 1/2 INCH BELOW FINAL PAVEMENT GRADE.

11. CATCH BASINS SHALL BE CONSTRUCTED PER FILE 25 OF THE STANDARD SPECIFICATIONS.
CONSTRUCTION SEQUENCE (SEE SOIL LOSS & SEDIMENT DISCHARGE CALCULATION TOOL FOR SPECIFIC DATE REQUIREMENTS):


2. CLEAR AND GRUB SITE. TREES AND STUMPS SHALL BE REMOVED FROM SITE.

3. STRIP TOPSOIL IN BUILDING AND PAVEMENT AREAS. IMMEDIATELY RESTORE AREA ADJACENT TO PAVEMENT ONCE THE SUBGRADE IS CONSTRUCTED.

4. BEGIN BUILDING CONSTRUCTION. BACKFILL BUILDING AND INSTALL TEMPORARY SEED AND MULCH ON DISTURBED AREA.

5. FINISH GRADE SITE AND IMMEDIATELY RESTORE ALL DISTURBED AREAS WITH TOPSOIL, SEED, AND EROSION MAT.

6. CONTRACTOR TO REMOVE AND DISPOSE OF ALL TEMPORARY EROSION CONTROL MEASURES ONCE THE SITE IS STABILIZED.

ESTIMATED START DATE: AUGUST 2017
ESTIMATED COMPLETION DATE: NOVEMBER 2017
ESTIMATED DISTURBED AREA = X.XX ACRES
ESTIMATED NEW IMPERVIOUS AREA = X.XX ACRES

DIVERSION SWALE @ 1%

GRADING & EROSION CONTROL NOTES:

A. ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE VILLAGE OF MUKWONAGO AND THE WISCONSIN DNR TECHNICAL STANDARDS.

B. ALL DISTURBED AREAS ON SITE SHALL BE TOPSOILED (4" THICK), SEEDED AND STABILIZED WITH EROSION MAT CLASS I TYPE B FOR SLOPES FLATTER THAN 4:1. SLOPES OF 4:1 OR GREATER SHALL BE STABILIZED WITH EROSION MAT CLASS II TYPE B.

C. TEMPORARY EROSION CONTROL IS REQUIRED FOR ANY AREA LEFT INACTIVE FOR MORE THAN SEVEN DAYS. TOPSOIL AND SPOIL STOCKPILES SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS OF LAYUP USING AGRICULTURAL RYE WITH A SEEDING RATE OF 3 LBS/1000 SQUARE FEET. INSTALL SILT FENCE ON THE DOWNSLOPE SIDE OF THE PILE TO REDUCE SEDIMENT RUNOFF.

D. ALL PUBLIC AND PRIVATE STREETS ARE TO BE KEPT CLEAN AT ALL TIMES. THE STREETS ARE TO BE SWEPT CLEAN, ONCE A DAY, AT A MINIMUM OR AS REQUIRED BY VILLAGE.

E. THE PERMANENT SEED MIXTURE SHALL BE WIS.DOT SEED MIXTURE NO. 40 AND SOWN AT THE RATE OF 4 LBS/1000 SQ. FT. SEED MIXTURE NO. 40 CONSISTS OF 35% KENTUCKY BLUEGRASS, 20% RED FESCUE, 20% HARD FESCUE AND 25% IMPROVED FINE PERENNIAL RYEGRASS. THE TEMPORARY SEED MIX SHALL BE WINTER WHEAT.

F. FERTILIZE SOIL WITH 10 LBS/1000 SQ. FT. OF 20-10-10 FERTILIZER.

G. ANY DEWATERING THAT MAY BE REQUIRED DUE TO UTILITY OR BUILDING CONSTRUCTION SHALL BE COMPLETED SO THAT THE WATER IS PUMPED INTO A TYPE II GEOTEXTILE BAG CONFORMING TO DNR TECHNICAL STANDARD 1061. THE GEOTEXTILE BAG SHALL BE PLACED ON VEGETATED/STABILIZED GROUND AND DISCHARGED TO A SEDIMENT BASIN OR TRAP. SHOULD NO BASIN EXIST, THE GEOTEXTILE BAG SHALL BE PLACED ON FILTER FABRIC AND SURROUNDED BY A GRASS OR OTHER VEGETATION.

H. ALL BUILDING AND WASTE MATERIAL SHALL BE DISPOSED OF OFF SITE TO PREVENT RUNOFF OF MATERIAL INTO THE STORM SEWER SYSTEM.

I. DUST CONTROL SHOULD BE ADRESSED PER DNR TECHNICAL STANDARD 1068. AT A MINIMUM USE WATER. USE POLYMERS, TACKIFIER AND SOIL STABILIZERS IF NEEDED. INSPECT DAILY TO DETERMINE THE NEED TO IMPLEMENT A CONTROL.

J. DRAINAGE AND DIVERSITY OF PROTECTION AREAS TO PREVENT ORIFICE BLOCKAGE. DRAINAGE TO A SEPARATE BASIN IN A VEGETATED AREA DESIGNED TO TREAT THE WATER FROM THE DRAINAGE BASIN SHALL BE PLACED ON THE SITE AND CERNED BY A PERMANENT小さな EROSION CONTROL MEASURE.

K. DRAINAGE BASIN SHALL BE EQUIPPED WITH TRASH RACK TO PREVENT BLOCKAGE OF ORIFICES.

L. ANY DRAINAGE BASIN Shall BE GROUNDED TO DIRECT RUNOFF TO THE DRAINAGE BASIN AND AWAY FROM THE ROADWAY.

M. ANY DRAINAGE BASIN SHALL BE GROUNDED TO DIRECT RUNOFF TO THE DRAINAGE BASIN AND AWAY FROM THE ROADWAY.

N. ANY DRAINAGE BASIN SHALL BE GROUNDED TO DIRECT RUNOFF TO THE DRAINAGE BASIN AND AWAY FROM THE ROADWAY.

O. ANY DRAINAGE BASIN SHALL BE GROUNDED TO DIRECT RUNOFF TO THE DRAINAGE BASIN AND AWAY FROM THE ROADWAY.

P. ANY DRAINAGE BASIN SHALL BE GROUNDED TO DIRECT RUNOFF TO THE DRAINAGE BASIN AND AWAY FROM THE ROADWAY.
DIG IN WISCONSIN

FACILITIES BEFORE YOU

PARTICIPANTS UNDERGROUND

TO OBTAIN LOCATIONS OF

TOLL FREE

1-800-242-8511

CALL DIGGERS HOTLINE

WIS STATUTE 182.0175(1974)

REQUIRES MIN. 3 WORK DAYS

NOTICE BEFORE YOU EXCAVATE

MILW. AREA 259-1181

CHECKED BY: PJJ

JAHNKE & JAHNKE ASSOCIATES INC.

711 W. MORELAND BLVD.-WAUKESHA,WI.53188

TEL (262) 542-5797  FAX (262) 542-7698

NW 1/4 SECTION 19, T5N, R19E

DRAWN BY: GEM

SCALE: 1"=50'

FILE NO.: VERNON-200

BOOK NO.: VERNON 24, PG 12 SHEET 6 OF 8

FILE NAME:S:\PROJECTS\S8551\DWG\S8551.DWG

JOB: S-8551

DATE: JUNE 6, 2017

PART OF THE NE 1/4 OF THE SW 1/4 OF SEC. 19, T5N, R19E

AND PART OF THE SE 1/4 OF THE

NW 1/4 SECTION 19, T5N, R19E

VILLAGE OF FRANKLIN, WAUKESHA COUNTY, WISCONSIN

JAHNKE & JAHNKE ASSOCIATES INC.

PLANNERS & PROFESSIONAL ENGINEERS

ROADWAY PLAN & PROFILE

REVISED: AUGUST 30, 2017
September 8, 2017

Mr. Fred Winchowky  
Village President  
Village of Mukwonago  
P.O. Box 206  
Mukwonago, WI  53149

Re: Midwest Storage Development, C.T.H. “ES”  
Certified Survey Map Review

Dear Mr. Winchowky:

Pursuant to the Village’s request, we have completed our review of the Midwest Storage Certified Survey Map (CSM) submitted by Jahnke & Jahnke, on August 30th, 2017, for the compliance with Wisconsin Administrative Code Chapter A-E 7, Wisconsin Statute Chapter 236.34 (utilizing the 12/2016 check list from plat review), and the Village of Mukwonago Land Division Code Article IV, Section 45.

1. Per A-E 7: No comment at this time.

2. 236.20 (3)(b): It appears that the Section Lines, Bearings and Distances, and Monument descriptions were accidentally turned off.

3. Per Article IV, Section 45-94 (9): The floodland shoreland boundaries, and contour line lying at a vertical distance of two feet above the elevation of the 100 year recurrence interval flood. A note would likely satisfy this item.

4. General Comments:

   A. This is a redivision of Lot 1 of C.S.M. 7679. There are 50’ Building Setbacks shown from all roadways. There is also a note on that C.S.M. further explaining how those restrictions could be lifted in the future. Please show that note and the 50’ setbacks.

   B. The latest submittal did not include the certificate pages 3 and 4. I have an earlier submittal with those pages intact. They appear to be good except where the notary signs, “Wisconsin” is misspelled.
We recommend that the items listed above be addressed to the satisfaction of the governing authorities prior to Village approval.

Thank you for allowing us to be of service. If you have any questions, please contact our office.

Very truly yours,

RUEKERT & MIELKE, INC.

Christopher J. Ruetten, P.L.S.
Professional Land Surveyor
cruetten@ruekert-mielke.com

cc: John Weidl, Village of Mukwonago
    Steven Braatz, Jr., CMC/WCMC, Village of Mukwonago
    Bruce Kaniewski, Village of Mukwonago
    Mark G. Blum, Village of Mukwonago
    John Stigler, Jahnke & Jahnke Assoc. Inc.
    Brennen E. Fischer, Ruekert & Mielke, Inc.
    File
VILLAGE OF MUKWONAGO
CERTIFIED SURVEY MAP (CSM) APPLICATION
Application Fee: Below

Date Submitted: ____________________________

FEES

(Please check one)
☐ 1-2 Lot CSM: $150
☐ 3-4 Lot CSM: $250 + $16/lot

CONTACTS

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

GUIDELINES

The undersigned petition is to consider a request, as stated herein, for the specified parcel(s) of land and will be reviewed by the Plan Commission and Village Board of the Village of Mukwonago. The application packet must be filed with the Village Clerk at least 30 days prior to the meeting of the Planning Commission at which action is desired.

Materials listed below must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 45 Article IV and other pertinent sections of Village ordinances, WI Stats. 236.34, 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: Certified Survey Map
PO Box 206
Mukwonago, WI 53149

Deliver to:
Village Clerk’s Office
440 River Crest Court

Email to:
planner@villageofmukwonago.com

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

APPLICANT INFORMATION (Full Legal Name)

Name: Robert Chandler
Company: Midwest Holdings LLC
Address: N81 W33630 Chicory St. E City: Oconomowoc State: WI Zip: 53066
Daytime Phone: 414-731-1151 Fax:
E-Mail: robert.chandler@live.com
APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: William E Canfield
Company: Canfield Custom Buildings
Address: 266 W 27890 River Rd City: Waukesha State: WI Zip: 53189
Daytime Phone: 262 544 9230 Fax: 262 544 4066
E-Mail: bill@canfieldbuildings

PROPERTY INFORMATION

Property Owner(s) (if different from applicant):
Address: City: State: Zip:
Daytime Phone: Fax:
E-Mail:
Present Zoning: Tax Key No(s.):
Location/Address:
Present Use: Vacant Intended Use: Self-Storage

PROCEDURAL CHECKLIST FOR CERTIFIED SURVEY MAP REVIEW AND APPROVAL

In the case of a CSM, the submittal date, for the purposes of WI Stats. 236.34, is the date that the application is certified as complete by Village staff. The application packet must be filed with the Village Clerk at least 30 days prior to the meeting of the Planning Commission at which action is desired.

Certified Survey Maps shall be prepared as provided in § 236.34 (1m) (c) Wis. Stats. and Article IV of the Land Division Ordinance. Submittals for review must include and be accompanied by the following:

Application:
☐ Completed application form including the procedural checklist.
☐ Application fee: See page 1.
☐ Agreement for Reimbursable Services (separate application).

Other Documents:
☐ Five(5) complete sets of Application and materials, in addition to the original, for Village of Mukwonago review.
☐ Project Summary: Please attach a statement detailing the reasons and background for this request including: details of proposal, services provided, wares sold, plans and hours of operation, number of employees, frequency of customer visits, frequency of deliveries to site, description of any interior/exterior modifications or additions to be made to property, any outside storage (dumpsters, trucks, materials...), number of parking stalls, screening/buffer type, any other information available. PLEASE EXPLAIN IN DETAIL.
☐ Electronic Submittals are required. Email (or CD ROM) with all plans and submittal materials in Adobe PDF to planner@mukwonago.com.
☐ Any additional information as determined by Village staff.

• Upon receipt of a complete submittal, staff review will be conducted within ten business days.
• All Certified Survey Map requests require Plan Commission review and Village Board approval.
• All Certified Survey Map requests shall comply with Chapter 236 of the Wisconsin State Statutes.

Certified Survey Map (Minor) Application (Rev 08/16)
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 application is 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.)

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<th>Signature - Property Owner</th>
<th>Signature - Applicant</th>
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<td>Robert Chandler - President</td>
<td>9 Aug 2017</td>
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NOTE: DIRECT VEHICULAR ACCESS TO C.T.H. "ES" IS PROHIBITED.

WITHIN THE VISION CORNER EASEMENT, THE HEIGHT OF PLANTINGS, BERRMS, FENCES, SIGNS AND OTHER STRUCTURES ARE LIMITED TO 24" ABOVE THE INTERSECTION ELEVATION. NO DRIVEWAYS ARE PERMITTED WITHIN THE VISION CORNER.

LEGEND

- SOIL BORING
- 1" PIPEDRAIN PLACED
- IRON PIPE 18" X 1" DIA. PLACED 1.13 LBS. PER LIN. FT.
- SECTION CORNER MONUMENT

SCALE IN FEET

0' 150'

REFERENCE BEARING: THE SOUTH LINE OF THE NORTHWEST 1/4 OF SEC. 19, T5N, R19E WAS USED AND HAS A BEARING OF S 88°16'22" W BASED ON WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NAD-27

INSTRUMENT DRAFTED BY JOHN R. STIGLER
CERTIFIED SURVEY MAP NO. Sheet 2 of 4

Being a Redivision of Lot 1 of Certified Survey Map No. 7679, recorded as Document No. 2044202 and being part of the SE 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 19, Town 5 North, Range 19 East, in the VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN

LEGEND
- IRON PIPE 18" x 1" DIA. PLACED 1.13 LBS. PER LIN. FT.

SCALE IN FEET
0'  60'

LOT 1
163,395 SQ.FT.
3.7510 AC.

LOT 2
147.764 SQ.FT.
3.3922 AC.

OUTLOT 1
19,463 SQ.FT.
0.4468 AC.

EXISTING WETLANDS LOCATED BY JAHNKE & JAHNKE ON JUNE 14TH, 2017

FILE NAME: S:\projects\S8551\dwg\S8551CSM.dwg
P.S. MUKWONAGO 1059

JOHN R. STIGLER - Wis. Reg. No. S -1820
DATED this 30th DAY of AUGUST, 2017

INSTRUMENT DRAFTED BY JOHN R. STIGLER
Resolution to Release Temporary Turnaround Easement

Please see the attached Resolution.

Legal Description attached as Exhibit A.

Drafted By:
Attorney Mark G. Blum
Hippenmeyer, Reilly, Blum,
Schmitzer, Fabian & English, S.C.
720 Clinton St., PO Box 766
Waukesha, WI 53187-0766
Phone: (262) 549-8181
Email: mgblum@hrblawfirm.com
RESOLUTION NO. ____

RESOLUTION TO RELEASE A TEMPORARY TURNAROUND EASEMENT

WHEREAS, the Village of Mukwonago (hereinafter referred to as the "Village") is the owner of a parcel known as Lot 1 of Certified Survey Map No. 11572, which was recorded on June 15, 2017 with the Waukesha County Register of Deeds as Document No. 4282886 (a copy of which is attached hereto and marked as Exhibit A); and

WHEREAS, the Village is considering offers for the sale of said parcel; and

WHEREAS, one of the proposed purchasers has requested that the Temporary Turnaround Easement as shown in the southwest corner of Lot 1 of CSM 11572 (Exhibit A) be released; and

WHEREAS, the Village has reviewed this request and the necessity for the maintenance of the Turnaround Easement; and

WHEREAS, Village Staff has concluded that, based upon the proposed development of Lot 1 by the potential purchaser, a need for this Turnaround Easement is no longer present; and

WHEREAS, the proposed request to release the road reservation is in compliance with all requirements of the Village Subdivision and Zoning Ordinances; and

WHEREAS, the ______ day of _____________, the Plan Commission for the Village considered the request to release the road reservation and recommended to the Village Board that this be accomplished; and

WHEREAS, the road reservation was never accepted for dedication by the Village;

WHEREAS, the Village Board has carefully reviewed the request of the proposed purchaser, Village Staff and the Plan Commission and has therefore determined that the proposed request to release the 66’ radius Temporary Turnaround Easement as found on CSM No. 11572 as recorded with the Waukesha County Register of Deeds Office as Document No. 4282886 is in the best interest of the Village and therefore, should be conditionally approved.

NOW, THEREFORE, BE IT RESOLVED that the proposed request to release the 66’ radius Temporary Turnaround Easement as provided for in CSM No. 11572 (Exhibit A) is hereby approved.

BE IT FURTHER RESOLVED that Village Staff is directed to take such actions as are necessary to effectuate the intention of this Resolution and to see that the Resolution is recorded with the Waukesha County Register of Deeds Office.
Approved this _____ day of September, 2017.

APPROVED:

Attestation: ________________________________

Fred Winhowky, Village President

Steve Braatz, Jr., Village Clerk

CERTIFICATION

I hereby certify that this is a true and correct copy of the Resolution adopted by the Village Board on the _____ day of April, 2017.

__________________________
Steve Braatz, Jr., Village Clerk
CERTIFIED SURVEY MAP NO. 11300.

Being Lot 1 of Certified Survey Map No. 11300, being a part of the Southwest ¼ of the Northwest ¼ of Section 23, Town 5 North, Range 18 East, in the Village of Mukwonago, Waukesha County, Wisconsin.

SURVEYORS CERTIFICATE

I, Terrance E. Pisarek, Professional land surveyor, do hereby certify: That I have surveyed, divided and mapped a parcel of land being Lot 1, Certified Survey Map No. 11300, being a part of the Southwest ¼ of Section 23, Town 5 North, Range 18 East, in the Village of Mukwonago, Waukesha County, Wisconsin.

Commencing at the Southwest corner of the Northwest ¼ of said Section 23; thence North 89°22'13" East, along the South line of the Northwest ¼ of said Section 23, 330.90 feet; thence North 00°37'47" West, perpendicular to the South line of the Northwest ¼ of said Section 23, 397.65 feet to the Westerly line of said Lot 1 and the Point of Beginning; thence continuing North 00°37'47" West line along said Westerly line, 552.37 feet to the Northerly line of said Lot 1; thence North 89°22'13" East, along said Northerly line, 294.87 feet to the Southwesterly line of State Trunk Highway "83"; thence South 40°50'26" East, along said Southwesterly line, 216.68 feet; thence North 49°09'35" East, along said Southwesterly line, 13.96 feet; thence South 36°41'06" East along said Southwesterly line, 253.44 feet to a point of curve; thence Southwesterly 194.66 feet along said Southwesterly line and curve concave to the Southwest, having a radius of 2420.00 feet and a chord bearing of South 34°22'33" East 194.66 feet to the Northerly line of Chapman Farm Boulevard; thence South 56°33'48" West along said Northerly line, 31.80 feet to a point of curve; thence Southwesterly along said Northerly line and curve concave to the North, having a radius of 60.00 feet and a chord bearing S72°58'01" West 33.89 feet; thence South 09°22'13" West, along said Northerly line, 145.25 feet to the Point of Beginning, dedicating those areas along S.T.H. "83" and Chapman Farm Boulevard as shown on this Plat, to the State of Wisconsin Department of Transportation for public Road purposes, containing 8.51 acres of land exclusive of the dedicated Right of Way as shown on this Plat.

That I have made such survey, land division and map by the direction of the Village of Mukwonago, Owner of said land.

That such map is a true representation of all exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the Land Division Ordinances of the Village of Mukwonago in surveying, dividing and mapping the same.

Dated this 2nd Day of May, 2017

Revised this 10th Day of May, 2017

OWNERS CERTIFICATE

I, Fred Winchowky as Village President of the Village of Mukwonago, Owner, do hereby certify that I have caused the land described to be surveyed, divided, mapped and dedicated, as represented on this map in accordance with the requirements of Chapter 236 of the Wisconsin State Statutes and the Village of Mukwonago Land Division Ordinance.

I also certify that this plat is required to be approved by the following: The Village of Mukwonago

DATE: 6-9-2017

Fred Winchowky, Mukwonago Village President

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)

Personally came before me this 9th day of June, 2017, the above named person to me be known to be the person who signed the foregoing instrument and acknowledged that she executed the same.

My commission expires: 5-19-2021

Notary Public

Notary Public State of Wisconsin
CERTIFIED SURVEY MAP NO. 11572

Being Lot 1 of Certified Survey Map No. 11300, being a part of the Southwest ¼ of the Northwest ¼ of Section 23, Town 5 North, Range 18 East, in the Village of Mukwonago, Waukesha County, Wisconsin.

VILLAGE PLANNING COMMISSION APPROVAL
Approved by the Village of Mukwonago Planning Commission on the 15th day of May 2017.

Fred Winchowky, Chairperson

Judith A. Taubert, Deputy Clerk

VILLAGE BOARD APPROVAL
Approved by the Village of Mukwonago Board on the 16th day of May 2017.

Fred Winchowky, President

Steven Braatz Jr., Clerk

Dated this 2nd Day of May, 2017
Revised this 10th Day of May, 2017

Wisconsin Department of Natural Resources

4262866
REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON:
June 15, 2017 03:18 PM
James R. Behrend
Register of Deeds
4 PG
TOTAL FEE: $38.00
TRANS FEE: $8.00
Book 115 Page 277-280

Sheet 4 of 4
September 6, 2017

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

Re: Four Lot Certified Survey Map
Village Owned Chapman Property

Dear President Winchowky and Members of the Plan Commission:

ACG Development, LLC has a contract to purchase and develop the 6.5 acre Village owned site at the northwest corner of STH 83 and Chapman Farms Boulevard (construction recently started). ACG has submitted a 4-Lot Certified Survey Map (CSM) in anticipation of acquiring the land and commencing site development activities.

Earlier this year the Village rezoned the site to B-3, Community Business District, consistent with the Comprehensive Plan designation of Low Intensity Commercial/Business. Each of the four lots conforms to minimum B-3 requirements of 40,000 square feet lot size and 150 foot width. Applicant has submitted a drawing showing Lot 1 is greater than 150 feet wide at the 25 foot building setback line from the highway.

**Temporary Turn Around Easement**

A prior CSM approved and recorded for this site included a temporary turn around easement at the end at the dedication of Chapman Farms Boulevard. Due to the final design of the boulevard street and the location of the ingress/egress of the four lots of this CSM, Village staff recommends the temporary turn around easement is no longer necessary. The Village Attorney has drafted a release of the easement for your review and recommendation to the Village Board as a separate agenda item.

**Easements**

Each lot has the required frontage along a public right-of-way, but due to the restriction of no direct access to Highway 83 placed on Lots 1, 2 and 3, the CSM provides for a 60 foot wide private road and utility easement. The easement will be the ingress/egress for all four lots. Both on-site sanitary sewer and public water lines maintained by the Village will be within the easement. From the public lines, development on each lot will extend sewer and water to their buildings within privately maintained lines.

About 40% of Lot 4 is a storm water easement that will contain a series of storm water management basins. All lots will drain to the basins within the easement. The Storm Water Maintenance Agreement will contain language that owners of all lots will share in maintenance of the storm water management facilities. Please see the attached letter dated September 5, 2017 from Rebecca Alonge of Ruekert-Mielke indicating preliminary approval of the Storm Water Management Plan.
For your information, language has not been finalized on the CSM or within separate easement documents for the private road and utility easement, for the easement for the Village maintained utilities within the private road and utility easement and for the storm water easement. While discussions toward finalizing the language have been on-going, I recommend final language be subject to the approval of the Village Attorney.

In addition, preparation of a Developer’s Agreement is underway which will specify requirements of proper maintenance of the private road to ensure proper passage of emergency vehicles.

**Setbacks**

Sections 45-94 (6) and 45-94 (7) allow the Plan Commission to have setbacks shown on the CSM as required by the zoning district, or greater setbacks than the minimum setbacks required by the zoning district. I normally do not recommend setbacks be shown on a subdivision plat or a CSM because if the Village changes the setbacks of the zoning district, the setbacks shown on a plat or CSM remain as deed restrictions. In the case of this CSM, showing greater setbacks on the CSM is appropriate.

The B-3 zoning district building setbacks adopted earlier this year are 25 feet for the street, side and rear yards, which eliminates the need for interpretation of which yard is which. Since the private road and utility easement is 30 feet onto Lots 2, 3 and 4, buildings could be constructed immediately adjacent to the easement.

The required B-3 greenspace perimeter setback is 15 feet from all property lines. However, the parking regulations of the zoning ordinance have a provision that the greenspace setback does not apply when cross access or shared parking is provided between neighboring lots. The private road easement eliminates the requirement of the greenspace setback.

I anticipate that allowing construction of a building or a parking lot immediately adjacent to the easements will not generate quality site design which is always sought by Village officials. In addition, a building adjacent to the easement may limit the ability to properly maintain or replace utilities within the easements. Therefore, I recommend the CSM provide a 10 foot building and greenspace setback line from the private road and utility easement and a 10 foot building setback line from the storm water easement.

**Recommendation**

I recommend approval of the 4-lot CSM subject to the conditions of approval as listed below. With the conditions of approval, the CSM conforms to zoning and land division standards. I am also of the opinion the lot layout provides the basis for a successful business development anticipated by Village officials when the decision was made to purchase the site.

1. Recording of the CSM at the office of the Waukesha County Register of Deeds shall occur after ACG Development, LLC acquires the property from the Village of Mukwonago (which means the CSM owner’s certificate must be changed).
2. Signatures of Village officials on the CSM and recording of the CSM shall not occur until all the following items are satisfactory completed:
   a. Approval by the Village Attorney of all easement language appearing on the CSM and/or separate easement documents. Any separate easement document shall be approved by the Village Board.
b. Approval by the Village Engineer or assigns of the final Storm Water Management and Soil Erosion Plan.

c. Approval by the Village Engineer or assigns of the final overall site grading and site sewer and water utility plans.

d. Approval by the Village Board of the Storm Water Maintenance Agreement and a Developer’s Agreement, subject to final review by the Village Attorney. In addition, the agreements shall be signed by ACG Development, LLC.

e. Inclusion on the CSM of a 10 foot building and greenspace setback line from the 60 foot Private Road and Utility Easement and a 10 foot building setback line from the Storm Water Easement on Lot 4.

f. Approval by the Village Engineer or assigns and the Zoning Administrator of all necessary technical revisions to the CSM.

I appreciate the opportunity to assist the Village with this matter. If any questions arise, please feel free to contact me.

Sincerely,

[Signature]

Bruce S. Kaniewski, AICP
Village Planner/Zoning Administrator

Cc: John Weidl, Village Administrator (via email)
    Steven Braatz, Jr., Village Clerk (via email)
    Mark Blum, Village Attorney (via email)
    Kurt Peot, P.E., Village Engineer (via email)
    Robert Harley, Supervisor of Inspections (via email)
    David Brown, Utilities Superintendent (via email)
    Ronald Bittner, Public Works Director (via email)
    Jeffrey Stien, Fire Chief (via email)
    Kevin Schmidt, Police Chief (via email)
    Steve Anderson, Applicant (via email)
    Tom Gilgenbach, Applicant’s Engineer (via email)
September 7, 2017

Mr. Fred Winchowky  
Village President  
Village of Mukwonago  
P.O. Box 206  
Mukwonago, WI  53149

Re: Chapman Property (Village of Mukwonago)  
Preliminary Certified Survey Map Review

Dear Mr. Winchowky:

Pursuant to the Village’s request, we have completed our review of the Chapman Property (Village of Mukwonago) Preliminary Certified Survey Map (CSM) submitted by JSD Professional Services, on September 1, 2017, for the compliance with Wisconsin Administrative Code Chapter A-E 7, Wisconsin Statute Chapter 236.34 (utilizing the 12/2016 check list from plat review), and the Village of Mukwonago Land Division Code Article IV, Section 45.

1. Per A-E 7: No comment at this time.

2. 236.20 (2)(b): The legend of monuments has a solid black dot for a “Found 0.75” Dia.” The word rebar is missing. Also on the north line of Lot 1, there are two 1” IP found with different symbols.

3. Per Article IV, Section 45-94 (9): The floodland shoreland boundaries, and contour line lying at a vertical distance of two feet above the elevation of the 100 year recurrence interval flood. The previous recorded CSM has a note for this property that would satisfy this item.

4. General Comments:

A. It is our understanding that the Village currently owns the parcel in question, but will be selling to Anderson Commercial Group before the C.S.M. is recorded. Therefore, all references to the owner need to be changed from the Village to Anderson Commercial Group.

B. It is also our understanding that The Storm Water Easement and the Private Road & Utility Easement will be dedicated by separate instruments by Anderson Commercial Group, to the Village prior to the C.S.M. being recorded. The C.S.M. should show those easements and their recording information on the face of the C.S.M.
C. The two easements appear to be connected. I believe there is a missing line.

D. It is our understanding that a resolution has been drafted that will release the Temporary Turn Around Easement on Lot 4. This can be removed from the C.S.M.

We recommend that the items listed above be addressed to the satisfaction of the governing authorities prior to Village approval.

Thank you for allowing us to be of service. If you have any questions, please contact our office.

Very truly yours,

RUEKERT & MIELKE, INC.

Christopher J. Ruetten, P.L.S.  
Professional Land Surveyor  
cruetten@ruekert-mielke.com

CJR:jkc

cc:  John Weidl, Village of Mukwonago  
Steven Braatz, Jr., CMC/WCMC, Village of Mukwonago  
Bruce Kaniewski, Village of Mukwonago  
Mark G. Blum, Village of Mukwonago  
Andrew W. Wilkowski, JSD Professional Services  
Rebecca K. Alonge, Ruekert & Mielke, Inc.  
Thomas G. Williamson, Ruekert & Mielke, Inc.  
File
Mr. Fred Winchowky  
Village President  
Village of Mukwonago  
P.O. Box 206  
Mukwonago, WI  53149

Re: Chapman 6 Acre Parcel  
Preliminary Storm Water Review

Dear President Winchowky:

We have reviewed a preliminary storm water submittal for the Chapman 6 acre parcel development located along Chapman Farms Boulevard that was received on August 31, 2017. This review is required by the Village Storm Water ordinance to determine if early site planning has accounted for the requirements of the Ordinance. The intent is to avoid large changes to developments after the Planning Commission and Village Board have approved the concept and site plan.

We believe the preliminary site plan and storm water management plan submitted will meet the requirements of the Village Ordinance. If the Planning Commission and the Village Board would choose to approve these documents, we would request that you make approvals subject to our ongoing detailed technical review of the storm water management plan, and construction drawings for the requirements of Department Heads and Village Ordinances. We also request that the permits to allow construction be withheld until this technical review is complete.

If you or any staff member should have any questions, please feel free to contact me.

Very truly yours,

RUEKERT & MIELKE, INC.

Rebecca K. Alonge, E.I.T.  
Project Engineer  
ralonge@ruekert-mielke.com

RKA: sjs  
cc: John Weidl, Village of Mukwonago  
Steven Braatz, Jr., CMC/WCMC, Village of Mukwonago  
Bruce Kaniewski, Village of Mukwonago  
Bob Harley, Village of Mukwonago  
Mark G. Blum, Village of Mukwonago  
Dave Brown, Village of Mukwonago  
Ron Bittner, Village of Mukwonago  
Steve Anderson, Anderson Commercial Group  
Kurt A. Peot, P.E., Ruekert & Mielke, Inc.  
File
VILLAGE OF MUKWONAGO
CERTIFIED SURVEY MAP (CSM) APPLICATION
Application Fee: Below

Date Submitted: 8/11/17

FEES
(Please check one)
☐ 1-2 Lot CSM: $150
☒ 3-4 Lot CSM: $250 + $16/lot

CONTACTS
Zoning and Planning Department
Contact: Bruce Kaniewski
Phone: (414) 339-4105
Fax: (262) 363-6425
Email: planner@mukwonoagov.com

GUIDELINES
The undersigned petition is to consider a request, as stated herein, for the specified parcel(s) of land and will be reviewed by the Plan Commission and Village Board of the Village of Mukwonago. The application packet must be filed with the Village Clerk at least 30 days prior to the meeting of the Planning Commission at which action is desired.

Materials listed below must be provided to the Village of Mukwonago in accordance with Village Municipal Code Chapter 45 Article IV and other pertinent sections of Village ordinances, WI Stats. 236.34, 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: Certified Survey Map
PO Box 206
Mukwonago, WI 53149

Deliver to:
Village Clerk’s Office
440 River Crest Court

Email to:
planner@mukwonoagov.com

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

APPLICANT INFORMATION (Full Legal Name)

Name: STEVE ANDERSON
Company: ACG DEVELOPMENT, LLC
Address: 8575 W. FOREST HOME, 53246
City: GREENFIELD State: WI zip: 53228
Daytime Phone: (414) 858-5200 Fax: (414) 425-2877
E-Mail: sanderson@andersoncommercialgroup.com
APPLICANT IS REPRESENTED BY (Full Legal Name)

Name: SAME

Company: 

Address: 

City: 

State: 

Zip: 

Daytime Phone: 

Fax: 

E-Mail: 

PROPERTY INFORMATION

Property Owner(s) (if different from applicant): 

VILLAGE OF Mukwonago

Address: 

TAX KEY # MUKV1962996001

City: 

Mukwonago

State: WI

Zip: 53

Daytime Phone: 

262-363-6420 x2100

Fax: 

E-Mail: jweidl.villageofmukwonago@gmail.com

Present Zoning: Commercial

Tax Key No(s): 

TAX KEY # MUKV1962996001

Location/Address: Hwy B3, North of NN, Mukwonago, WI

Present Use: AGRICULTURAL

Intended Use: COMMERCIAL

PROCEDURAL CHECKLIST FOR CERTIFIED SURVEY MAP REVIEW AND APPROVAL

In the case of a CSM, the submittal date, for the purposes of WI Stats. 236.34, is the date that the application is certified as complete by Village staff. The application packet must be filed with the Village Clerk at least 30 days prior to the meeting of the Planning Commission at which action is desired.

Certified Survey Maps shall be prepared as provided in § 236.34 (1m) (c) Wis. Stats. and Article IV of the Land Division Ordinance. Submittals for review must include and be accompanied by the following:

Application:
- Completed application form including the procedural checklist.
- Application fee: See page 1.
- Agreement for Reimbursable Services (separate application).

Other Documents:
- Five sets of Application and materials, in addition to the original, for Village of Mukwonago review.
- Project Summary: Please attach a statement detailing the reasons and background for this request including: details of proposal, services provided, works sold, plans and hours of operation, number of employees, frequency of customer visits, frequency of deliveries to site, description of any interior/exterior modifications or additions to be made to property, any outside storage (dumpsters, trucks, materials...), number of parking stalls, screening/buffer type, any other information available. PLEASE EXPLAIN IN DETAIL.
- Electronic Submittals are required. Email (or CD ROM) with plans and submittal materials in Adobe PDF to planner@villageofmukwonago.com.
- Any additional information as determined by Village staff.

- Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- All Certified Survey Map requests require Plan Commission review and Village Board approval.
- All Certified Survey Map requests shall comply with Chapter 236 of the Wisconsin State Statutes.
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).

X
Signature - Property Owner

JOHN S. WEIDL, VILLAGE
ADMINISTRATOR
Name & Title (PRINT)

Date

X
Signature - Applicant

STEVE ANDERSON, MEMBER
Name & Title (PRINT)

Date

X
Signature - Property Owner

Village President
Name & Title (PRINT)

Date

X
Signature - Applicant’s Representative

Name & Title (PRINT)

Date

FOR OFFICE USE ONLY

Date Paid

8/29/17

Receipt #

17435. 1100

Plan Commission Date(s)

9/12/17

Village Board Date(s)

9/19/17

Escrow Required? ☐ Yes ☐ No

Escrow Amount

Plan Commission Disposition

Village Board Disposition
CERTIFIED SURVEY MAP NO.
LOT 1 OF CERTIFIED SURVEY MAP NO. 11572, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWN 8 NORTH, RANGE 18 EAST, IN THE VILLAGE OF Mukwonago, Waukesha COUNTY, WISCONSIN.

PRELIMINARY

CHAPMAN FARM BOULEVARD
80' RIGHT-OF-WAY

BLACK BEAR BLVD

north

SCALE: 1' = 150'

BEARING BASIS:
ALL BEARINGS ARE REFER TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 23, WHICH HAS A WISCONSIN STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) BEARING OF N92°21'13"E.
ALL MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE-HUNDREDTH OF A FOOT.
ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE SECOND.

THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO S.T.H. "83" FROM THIS C.S.M.

SEE SHEET 3 FOR CURVE AND LINE TABLES
DATED THIS 11TH DAY OF AUGUST, 2017.
THIS INSTRUMENT WAS DRAFTED BY ANDREW W WILKOWSKI, S-3121.

PREPARED BY:

DISTURBED LANDS

UNDISTURBED LANDS

SOUTHWEST CORNER, NORTHWEST 1/4
SECTION 23, TOW. R18E
CONCRETE MONUMENT
W/BRAZIL CAP
N. 329,778.88
E. 2,446,146.60

LEGEND

• FOUND PLS MONUMENT
○ SET 0.75" DIA. REBAR
18" LONG WEIGHING
1.5 LB/FT
• FOUND 0.75" DIA.
□ EX. EASEMENT AREA
AS NOTED

PROJECT NO.: 16-7324
FILE NO.: B-4
FIELDBOOK/PG.

SURVEYED BY:

DRAWN BY:

CHECKED BY:

APPROVED BY:

VOL. PAGE
DOC. NO.
C.S.M. NO.
CERTIFIED SURVEY MAP NO. ___

LOT 1 OF CERTIFIED SURVEY MAP NO. 11572, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWN 5 NORTH, RANGE 18 EAST, IN THE VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, ANDREW WILKOWSKI, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED A PARCEL OF LAND BOUNDED AND DESCRIBED AS FOLLOWS:

LOT 1 OF CERTIFIED SURVEY MAP NO. 11572, RECORDED IN THE WAUKESHA COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 4282886, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWN 5 NORTH, RANGE 18 EAST, IN THE VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN.

LANDS CONTAINING 283,758 SQUARE FEET OR 6.5142 ACRES

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP AT THE DIRECTION OF THE VILLAGE OF MUKWONAGO, OWNER.

THAT SUCH MAP IS A TRUE REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE LAND DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATE STATUTES AND THE LAND DIVISION CODE OF THE VILLAGE OF MUKWONAGO.

ANDREW WILKOWSKI
PROFESSIONAL LAND SURVEYOR

AUGUST 11, 2017

DATE

OWNER'S CERTIFICATE

I, FRED WINCHOWKY, AS VILLAGE PRESIDENT OF THE VILLAGE OF MUKWONAGO, OWNER, DO HEREBY CERTIFY THAT I HAVE CAUSED THE LAND HERETOFOR DESCRIBED TO BE SURVEYED, DIVIDED AND MAPPED IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 236.34 OF THE WISCONSIN STATE STATUTES AND THE LAND DIVISION CODE FOR THE VILLAGE OF MUKWONAGO.

FRED WINCHOWKY
VILLAGE PRESIDENT

DATE

STATE OF WISCONSIN) SS
WAUKESHA COUNTY ) SS

PERSONALLY CAME BEFORE ME THIS ______ DAY OF ________, 2017, THE ABOVE NAMED FRED WINCHOWKY, VILLAGE OF MUKWONAGO PRESIDENT, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, WAUKESHA COUNTY, WISCONSIN

MY COMMISSION EXPIRES

DATED THIS 11th DAY OF AUGUST, 2017.
THIS INSTRUMENT WAS DRAFTED BY ANDREW W WILKOWSKI, S—3121.
PRELIMINARY

CERTIFIED SURVEY MAP NO.         ____________
LOT 1 OF CERTIFIED SURVEY MAP NO. 11572, BEING PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWN 5 NORTH, RANGE 18 EAST, IN THE VILLAGE OF MUKWONAGO, WAUKESHA COUNTY, WISCONSIN.

VILLAGE OF MUKWONAGO PLAN COMMISSION APPROVAL
APPROVED FOR RECORDING PER VILLAGE OF MUKWONAGO PLAN COMMISSION ACTION OF ____________, 2017.

FRED WINCHOWKY
CHAIRPERSON
JUDITH A. TAUBERT
DEPUTY CLERK

DATE

VILLAGE BOARD APPROVAL CERTIFICATE

RESOLVED THAT THIS CERTIFIED SURVEY MAP, WHICH HAS BEEN DULY FILED FOR THE APPROVAL OF THE VILLAGE OF MUKWONAGO VILLAGE BOARD, BE AND THE SAME IS HEREBY APPROVED AND THE DEDICATIONS, IF ANY DESIGNATED HEREIN, ARE HEREBY ACKNOWLEDGED AND ACCEPTED BY THE VILLAGE OF MUKWONAGO.

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE VILLAGE OF MUKWONAGO ON THIS ______ DAY OF __________, 2017.

FRED WINCHOWKY
PRESIDENT

STEVEN BRAATZ JR.
CLERK

LINE TABLE

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CURVE TABLE

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<th>TANGENT OUT</th>
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<td>N39°06'05&quot;W</td>
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DATED THIS 11th DAY OF AUGUST, 2017.

THIS INSTRUMENT WAS DRAFTED BY ANDREW WILKOWSKI, S.3121.
RESCISSION, REVIVAL, AND MODIFICATION AGREEMENT

THIS AGREEMENT (this “Agreement”) is entered into as of September _____, 2017 by and between VILLAGE OF MUKWONAGO, a Wisconsin municipal corporation (the “Village”), ACG DEVELOPMENT LLC, a Wisconsin limited liability company (“ACG”), and DEWEY FARM, LLC, a Wisconsin limited liability company (“Dewey”). The Village, ACG, and Dewey are collectively referred to below as the “Parties,” with each being a “Party.”

RECsITALS

A. The Village and Dewey executed a Right of First Refusal to Purchase Real Estate dated March 17, 2015 (the “ROFR Agreement”), pursuant to which Dewey granted the Village a right of first refusal to purchase Dewey’s real estate located at W298 S8944 Highway 83, Mukwonago, Wisconsin, consisting of approximately 5.71 acres and identified by tax key no. MUKV 1962-994, as more particularly described on the attached Exhibit A (the “Property”).

B. Under a Commercial Offer to Purchase dated November 1, 2016, and accepted March 1, 2017 (the “ACG Offer”), Dewey agreed to sell to ACG, and ACG agreed to purchase from Dewey, the Property, for the sum of $335,000.00.

C. The ACG Offer was subject to the Village waiving its right of first refusal to purchase the Property under the ROFR Agreement.

D. After receiving notice from Dewey of the ACG Offer, the Village, pursuant to a Notice to Dewey Farm, LLC, exercised its right of first refusal to purchase the Property from Dewey under the ROFR Agreement for the sum of $335,001.00 (the “ROFR Exercise”).

E. Pursuant to the ROFR Agreement and the ROFR Exercise, the Village currently has the right to purchase the Property from Dewey.

F. The Village desires to rescind the ROFR Exercise, and ACG and Dewey desire to revive and modify the ACG Offer, on the terms set forth below.

AGREEMENT

In consideration of the foregoing recitals, and for other consideration, the receipt and sufficiency of which the Parties acknowledge, THE PARTIES AGREE AS FOLLOWS:

1. Village Rescission of the ROFR Exercise. Subject to the terms of this Agreement the Village hereby rescinds the ROFR Exercise. Dewey hereby accepts the Village’s rescission of the ROFR Exercise. The Village and Dewey agree that the Village has no obligation to purchase the Property from Dewey, and Dewey has no obligation to sell the Property to the Village, on account of the ROFR Exercise. All rights and responsibilities of the Village and Dewey with respect to the ROFR Exercise are hereby released and terminated upon the execution of this Agreement.
2. **Revival and Modification of the ACG Offer.** ACG and Dewey hereby revive the ACG Offer, in its entirety, and agree that the terms of the ACG Offer are enforceable by and against ACG and Dewey as if the Village did not exercise, but rather waived, its right of first refusal to purchase the Property at the time it delivered the ROFR Exercise. As of the date ACG and Dewey execute this Agreement, ACG and Dewey affirm all of their respective obligations, warranties, and representations under the ACG Offer. Furthermore, ACG and Dewey agree that the ACG Offer is modified as follows:

   (a) The expiration date of the Review Period (as defined in the ACG Offer), and the expiration date of all of ACG’s contingencies under the ACG Offer originally scheduled to expire 180 days after the original acceptance date of the ACG Offer, are changed to March 31, 2018.

   (b) Excluding the reference in clause (a), above, all references in the ACG Offer to the terms “acceptance” and “acceptance date” shall mean the date ACG receives a copy of Dewey’s signed counterpart to this Agreement.

   (c) ACG’s obligation to close on the purchase of the Property is contingent on ACG (or its affiliated successors or assigns) first closing on the purchase from the Village of the real estate located at the intersection of Highway 83 and Chapman Farm Boulevard, consisting of approximately 6.5 acres and identified by tax key no. MUKV1962996001 (the “Chapman Property”).

   Except as modified in this Section 2, all terms of the ACG Offer remain in full force and effect.

3. **Village ROFR Waiver.** With respect to Dewey’s sale of the Property to ACG pursuant to the ACG Offer, as amended by this Agreement and from time to time, the Village waives all rights of first refusal it may have to purchase the Property from Dewey.

4. **ACG Obligations.** In consideration of the Village’s rescission of the ROFR Exercise, ACG: (a) within three (3) business days after the Parties’ execution of this Agreement, shall pay to the Village the sum of One Thousand Eight Hundred and Fifty Dollars ($1,850.00); (b) agrees that it shall not close on the purchase of the Property from Dewey until after ACG (or its affiliated successors or assigns) closes on the purchase from the Village of the Chapman Property; and (c) shall assign its right, title, and interest in the ACG Offer, as amended by this Agreement and from time to time, to the Village if ACG does not close on the purchase of the Property from Dewey by July 1, 2018.

5. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be considered an original and all of which shall constitute one and the same document. Signatures transmitted via electronic mail or facsimile shall be considered original signatures.

6. **Parties.** All of the terms of this Agreement shall be binding upon, inure to the benefit of, and be enforceable by the Parties and their respective successors and assigns.
7. **Additional Documents.** Each Party shall, at any time and from time to time after execution of this Agreement, upon the request of any other Party, or its successors or assigns, execute, acknowledge and deliver to such other Party such further instruments as are reasonably necessary to effectuate the terms of this Agreement.

8. **Entire Agreement.** This Agreement is the complete agreement between the Parties and can be modified only by a written agreement signed by the Parties. No promises or agreements, other than those set forth in this Agreement, have been made to any Party to induce any of them to enter into this Agreement. All prior or contemporaneous agreements, understandings, discussions, and communications, whether written or oral, relating to the transactions described in this Agreement are revoked and superseded by this Agreement. Notwithstanding the foregoing, the Village’s written consent shall not be required for any amendment to the ACG Offer.

9. **Governing Law.** This Agreement shall be construed under the internal laws of the State of Wisconsin.

10. **Clauses Severable.** Any provision in this Agreement deemed invalid or unenforceable by any court of competent jurisdiction shall not invalidate or make unenforceable the remaining provisions of this Agreement. Each such invalid or unenforceable provision shall be severed from this Agreement and treated in all respects as if it never constituted a part of this Agreement.

11. **Recording.** Any Party may at any time record a copy of this Assignment with the Office of the Register of Deeds for Waukesha County.

12. **Authority.** Each individual executing this Agreement on behalf of a Party certifies that he or she is authorized to do so.

[Signatures on following page.]
Dated as of the date first written above.

VILLAGE OF MUKWONAGO
By: __________________________
    Fred Winchowky, President
By: __________________________
    Steve Braatz, Jr., Clerk

ACG DEVELOPMENT LLC
By: __________________________
    Steve Anderson, Authorized Member

DEWEY FARMS, LLC
By: __________________________
    Cheryl Dewey, Authorized Agent

STATE OF WISCONSIN )
    ) SS
COUNTY OF WAUKEsha )

This instrument was acknowledged before me on September ____, 2017 by Fred Winchowky and Steve Braatz, Jr., as President and Clerk, respectively, of Village of Mukwonago.

Notary Public, State of Wisconsin
My commission ____________________

STATE OF WISCONSIN )
    ) SS
COUNTY OF MILWAUKEE )

This instrument was acknowledged before me on September ____, 2017 by Steve Anderson, as Authorized Member of Anderson Commercial Group LLC.

Notary Public, State of Wisconsin
My commission ____________________

STATE OF WISCONSIN )
    ) SS
COUNTY OF _________________)

This instrument was acknowledged before me on September ____, 2017 by Cheryl Dewey, as Authorized Agent of Dewey Farms, LLC.

Notary Public, State of Wisconsin
My commission ____________________
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Part of the Northwest ¼ of Section 23, Town 5 North, Range 18 East, Town of Mukwonago, Waukesha County, Wisconsin: Commencing at the Southeast corner of the Northwest ¼ of the Northwest ¼ of Section 23, thence South 765.60 feet; thence S78° West 302.28 feet; thence N40° West 858 feet; thence N12° East 160.38 feet, thence East 910.14 feet to the point of beginning; excluding Volume 453/16 recorded as Document No. 3223981 in the Office of the Waukesha County Register of Deeds, and excluding Document No. 3688691.

Drafted by Adam A. Bardosy
Mallery & Zimmerman, S.C.
731 North Jackson Street, Suite 900
Milwaukee, Wisconsin 53202