



VILLAGE OF MOUNT HOREB

E. Main Street

Mount Horeb, WI 53572

Phone: (608) 437-6884 Fax: (608) 437-3190

Email: mhinfo@mounthorebwi.info Web: mounthorebwi.info

VILLAGE BOARD AGENDA Wednesday, May 1, 2024 at 7:00 PM

Municipal Building Board Room
138 E. Main Street
Mount Horeb, WI

- 1) Call to order
- 2) Pledge of Allegiance
- 3) Roll call
- 4) Public Comments – non-agenda items
- 5) Consent Agenda
 - a. Consideration of March 27, 2024 Meeting Minutes
 - b. Consideration of April 03, 2024 Meeting Minutes
 - c. Consideration of April 15, 2024 Reorganization Meeting Minutes
 - d. Consideration of Residential Exterior Improvement Program Grant Application: Anthony Miller, 210 Wilson Street
 - e. Consideration of Residential Exterior Improvement Program Grant Application: 307 N Third Street, Jackie and Ryan Monfils
 - f. Consideration of Ordinance 2024-10, AN ORDINANCE TO AMEND SECTION 12.01(8) CIGARETTES, TO INCLUDE TOBACCO PRODUCTS AND ELECTRONIC VAPING DEVICES
 - g. Consideration of Resolution 2024-05, A RESOLUTION TO AMEND MUNICIPAL WARD PLAN
 - h. Consider Committee and Commission Appointments
 - i. Consideration of Street Use Permit Application for Mount Horeb Summer Frolic Committee, Frolic Parade, on June 9, 2024
 - j. Consider Pay Request #1 for Street Project 24-100
 - k. Consideration of Ordinance 2024-07 R-3 Multi-Family Residential to General Development Plan for 109 & 113 Valley Dr & 302 Adams St
 - l. Consideration of Ordinance 2024-08 Amending Chapter 17 & Chart 1 Accessory Building Height Limitations
 - m. Consideration of Conditional Use Permit Resolution 2024-07 2011 Springdale St Symdon Motors Accessory Building

- 6) Agenda Items
 - a. Legislative update from Congressman Mark Pocan - Morgan Salli
 - b. Consideration of Ordinance 2024-05 Zoning Change PD-1 to General Development Plan 1881 Springdale St
 - c. Consideration of Ordinance 2024-09, AN ORDINANCE PURSUANT TO § 64C(4) OF 2023 WISCONSIN ACT 73 TO OPT-OUT OF EXTENDED CLOSING HOURS FOR LICENSED ALCOHOL PREMISES DURING THE REPUBLICAN NATIONAL CONVENTION
 - d. Consideration: Proclamation for Public Service Recognition Week May 5th - 11th
 - e. Consideration: Annual Review of Village Ethics Policy
 - f. Discussion: Sidewalk Cafe permits
- 7) Committee Reports:
 - a. Community Development Authority
 - b. Dane County Cities & Villages Association Report
 - c. Finance/Personnel
 - d. Historic Preservation Committee Report
 - e. Library Board
 - f. Mount Horeb Area Chamber of Commerce
 - g. Mount Horeb Area Joint Fire Department
 - h. Parks, Recreation, and Forestry Commission
 - i. Plan Commission
 - j. Public Safety Committee
 - k. Public Works Committee
 - l. School Liaison
 - m. Sustainability and Natural Resources Committee
 - n. Tourism Commission
 - o. Utility Commission
- 8) Village President's report
- 9) Village Administrator's report
- 10) Village Clerk's report
- 11) Closed Session
 - a. Closed Session: Discussion/Consideration: Purchase of Lukken Farm for Park Space and Development. The Village Board may convene in closed session as authorized by Wisconsin Statute 19.85(1)(e) for the purpose of deliberating or negotiating the investing of public funds or conducting other specified public business, whenever competitive or bargaining

reasons require a closed session. The Village Board may reconvene in open session and discuss and take action on the subject matter discussed in closed session.

- b. Closed Session: Discussion/Consideration: Purchase of Land for Business Park Development. The Village Board may convene in closed session as authorized by Wisconsin Statute 19.85(1)(e) for the purpose of deliberating or negotiating the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Village Board may reconvene in open session and discuss and take action on the subject matter discussed in closed session.

12) Meeting adjournment.

UPON REASONABLE NOTICE, EFFORTS WILL BE MADE TO ACCOMMODATE THE NEEDS OF DISABLED INDIVIDUALS THROUGH APPROPRIATE AIDS AND SERVICES. FOR INFORMATION OR TO REQUEST THIS SERVICE, CONTACT ALYSSA GAFFNEY, CLERK, AT 138 E MAIN STREET, MOUNT HOREB, WI (608) 437-9404.



AGENDA ITEM REPORT

MEETING DATE	PREPARED BY
May 1, 2024	

AGENDA ITEM # 5.a

Consideration of March 27, 2024 Meeting Minutes

BACKGROUND

RECOMMENDATION

ATTACHMENTS

1. Joint Village Board and PC Meeting Minutes 032724 draft



VILLAGE OF MOUNT HOREB

E. Main Street

Mount Horeb, WI 53572

Phone: (608) 437-6884 Fax: (608) 437-3190

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JOINT VILLAGE BOARD AND PLAN COMMISSION AGENDA

Wednesday, March 27, 2024 at 7:00 PM

DRAFT MEETING MINUTES

- 1) Call to order
Village President Ryan Czyzewski called the meeting to order at 7:00pm.
- 2) Roll call
 - a. Village Board
Present were Ryan Czyzewski, Cathy Scott, Marc Schellpfeffer, Nate Gauger, and Tim White. Brett Halverson and Ben Jones were absent. Also present were Administrator Nic Owen and Village Clerk Alyssa Gaffney.
 - b. Plan Commission
Present were Commissioners Ryan Czyzewski, Nate Gauger, Andrew Kidd, Destinee Udelhoven and Peggy Zalucha. Sarah Best and Jill Remmert-Willis were absent. Also present were Village Administrator Nic Owen, Village Planner Ben Rohr, and Assistant Clerk Jean Culberson.
- 3) Agenda Items
 - a. Public Hearing Comprehensive Plan Amendment 109 & 113 Valley Drive & 302 Adams Street
Property owners Rick North and Brad North spoke about the plan. Village Planner Ben Rohr explained exactly what is being considered. The public hearing opened at 7:04pm. Village resident Mica Sloan spoke in support of the project. With no one else wishing to speak, the public hearing closed at 7:05pm. Rohr spoke about the project and fielded questions from the Plan Commission and Village Board.
 - b. PC: Consideration of Resolution 2024-03 Comprehensive Plan Amendment - Valley Drive & Adam Street
Udelhoven motioned, Gauger seconded to PC: Consideration of Resolution 2024-03 Comprehensive Plan Amendment - Valley Drive & Adam Street. Motion carried by unanimous voice vote.
 - c. VB: Consideration of Ordinance 2024-03 Comprehensive Plan Amendment - Valley Drive and Adams Street

Scott motioned, White seconded to VB: Consideration of Ordinance 2024-03 Comprehensive Plan Amendment - Valley Drive and Adams Street. Motion carried by unanimous voice vote.

- d. Public Hearing on Zoning Change R-2 to R-3 109 & 113 Valley Drive & 302 Adams
The public hearing opened at 7:08pm. With no one wishing to speak, the public hearing closed at 7:09pm.
- e. PC: Recommendation on Ordinance 2024-04 Zoning Change R-2 to R-3 109 & 113 Valley Drive & 302 Adams Street
Gauger motioned, Zalucha seconded to PC: Recommendation on Ordinance 2024-04 Zoning Change R-2 to R-3 109 & 113 Valley Drive & 302 Adams Street. Motion carried by unanimous voice vote.
- f. VB: Consideration of Ordinance 2024-04 Zoning Change R-2 to R-3, 109 & 113 Valley Drive and 302 Adams Street
Schellpfeffer motioned, White seconded to VB: Consideration of Ordinance 2024-04 Zoning Change R-2 to R-3, 109 & 113 Valley Drive and 302 Adams Street. Motion carried by unanimous voice vote.
- g. Village Board Adjournment
With there being no further business before the Village Board, White motioned, Scott seconded to adjourn the Village Board portion of the meeting at 7:11pm Motion carried by unanimous voice vote.

Minutes by Alyssa Gaffney, Village Clerk

- h. Consideration of February 28, 2024 Meeting Minutes
Gauger Motioned, Zalucha seconded to Consideration of February 28, 2024 Meeting Minutes. Motion carried by unanimous voice vote.
- i. Consideration of Certified Survey Map to combine 3 lots at 109 & 113 Valley Drive & 302 Adams Street
Owen gave an overview of the need to combine lots for townhouses. No discussion. Gauger Motioned, Zalucha seconded to Consideration of Certified Survey Map to combine 3 lots at 109 & 113 Valley Drive & 302 Adams Street. Motion carried by unanimous voice vote.
- j. Public Hearing Conditional Use Permit Zoning Code 17.14(4)(b) Design Requirement 1920 Commerce Drive - Dental Building
Project Manager Charlie McCall and Sketchworks Architecture Designer Rose gave a brief overview of the 7000 square foot proposed dental building. Rohr explained that the code requires the proposed building be located at or within 30 feet of all abutting street right-of-way in the Springdale Corridor. The proposed building is 113 feet from Springdale Street and cannot meet the requirement due to the steep slope of the site. The hearing opened at 7:16pm. There were no public comments and the hearing closed at 7:17pm. Rohr gave a summary of the design review and

recommendations for the proposed dental building. At the request of the Commission, McCall gave a presentation on the project. McCall stated the Mount Horeb Fire Department did not review the access and the signage plan would be a separate submittal. The Commission reviewed and approved the building materials and lighting plan. Zalucha Motioned for the approval of the Conditional Use Permit and Design Review subject to the Village Planner Memorandum recommendations including review of the signage plan at a future meeting. Udelhoven seconded and the Motion carried by unanimous voice vote.

- k. Consideration of Resolution 2024-04 Conditional Use Permit Design Requirement - Proposed Dental Building
Approved with motion in item j.
- l. Public Hearing on Zoning Change PD-1 to General Development Plan 1881 Springdale St
Developer Tim Neitzel and Knothe Bruce Architect Matt Tills gave an overview of the proposed 3-story, 24 unit mixed use building. Rohr gave an overview of the land use. The public hearing opened at 7:47pm. Those who spoke in opposition and/or submitted letters: Donald Taft, Rosemary Kavon and Jason Geiger. Those who registered in opposition: LuAnn Walton. Those who spoke in support: Marc Shellpfeffer. Cathy Scott spoke to question the zoning change and Rohr explained the mixed use on the first floor required the zoning change. The hearing closed at 8:00pm.
- m. Consideration of Ordinance 2024-05 Zoning Change PD-1 to General Development Plan 1881 Springdale St
The Commission discussed the elevations, pedestrian pathways, the triangle shape for truck traffic, and questioned first floor commercial. Tills and Neitzel informed on the common parking agreement and that there was no way to control foot traffic to the grocery store. Neitzel will speak with the owner of Miller's regarding a walkway. Tills questioned what the tenant common space would be considered if residential use on the first floor was removed. Rohr explained and spoke about other conditions that would require the development plan. Gauger motioned to table for elevations and additional discussion at the next meeting. Zalucha seconded and the Motion carried by unanimous voice vote.
- n. Symdon Design Review
Contractor Nick Urumoglu from Cleary Building Corporation gave an overview of the proposed 1200 square foot cold storage building for Symdon Motors. Two issues that are of concern are the impervious surface and the height. The parcel is grandfathered in for the current impervious surface. Urumoglu suggested moving the proposed building to a blacktop location, thus removing the issue. The second issue is the proposed building exceeds the 15-foot maximum height for an accessory structure in the Planned Business Zoning. Rohr presented two options for

the height issue: wait for the future Zoning Ordinance recodification project or amend the current code to allow all districts to exceed the height limits if a conditional use permit is granted. The Commission agreed to proceed with the code amendment and future discussion on impervious surface and the landscaping of the project.

4) Committee Reports:

- a. Plan Commission Chair Report
No Report.
- b. Village Planner Report
Rohr no report. Rohr will be sending a Sun Prairie research study on the property value impact of multi-family adjacent to single-family properties.
- c. Building Inspector Report
No Report.

5) Meeting adjournment.

Zalucha Motioned to adjourn at 8:58pm and Kidd seconded. Motion passed by unanimous voice vote.

Minutes by Jean Culberson, Assistant Clerk

**VILLAGE OF MOUNT HOREB
VILLAGE BOARD MEETING MINUTES
APRIL 3, 2024**

The Village Board met in regular session in-person on the above date in the Board Room of the Mount Horeb Municipal Building.

Call to Order/Roll Call: Village President Ryan Czyzewski called the meeting to order at 7:00pm. The Pledge of Allegiance was recited. Present were Trustees White, Jones, Halverson, Schellpfeffer, Gauger, and Scott. Also present were Administrator Nic Owen, Village Clerk Alyssa Gaffney, Village Attorney Bryan Kleinmaier, and Youth-In-Government students Siobhan Mertz and Ethan Fendrick.

Public Comments: None

Consent Agenda: Schellpfeffer moved, White seconded to approve the following consent agenda items: March 6, 2024 meeting minutes; Certified Survey Map to combine lots at 109 & 113 Valley Drive & 302 Adams Street; Resolution 2024-04 Conditional Use Permit Design Requirement-proposed dental building; Alcohol Beverage License application for BS Hospitality, DBA Bar Manzo, at 209 E Main Street; and Alcohol License Agent Nathan Mergen for BS Hospitality, DBA Bar Manzo. Motion carried by unanimous voice vote.

Introduction of Wastewater Superintendent Michael Brace: Brace introduced himself and gave a brief overview of his background.

Proclamation in Recognition of Mount Horeb Schools: Czyzewski and White explained this item. Czyzewski read the proclamation. Alec MacWilliams, who is a teacher at the school and representing the United Against Hate organization, spoke about the proclamation. The board members gave their input and Scott recused herself from the discussion. White moved, Halverson seconded to approve the proclamation. All voted aye, with the exception of Scott, who voted nay. Motion carried.

Legislative update from Congressman Mark Pocan – Morgan Salli: Due to the inclement weather, the Congressman could not attend.

Presentation of Library Annual Report: Library Director Jessica Gretzinger presented her annual library report and fielded questions from the board.

Arbor Day Proclamation: Czyzewski read the proclamation. Gauger moved, White seconded to approve the proclamation. Motion carried by unanimous voice vote.

Consider Sidewalk Café Amendment to Chapter 12.09 Ordinance 2024-06:

Owen explained this item. Skal business owner Brian Ladow spoke on his concerns about the regulations of the permit. The board members gave their input. Jones moved, Halverson seconded to approve the ordinance. Motion carried by unanimous voice vote.

Consider April 15, 2024 for Reorganizational Meeting and Oaths: The board set April 15th at 5:30pm for the Reorganizational meeting and oaths.

Committee reports: All committee reports were given, with no action taken.

Village President's report: Czyzewski congratulated John Klein on his upcoming retirement. He stated it is National Library Week next week, and National Library Worker's Day is April 9th. He also spoke about citizen nominations and the Youth In Government program.

Village Administrator's report: Owen thanked Gaffney, her staff, and the election officials on their work with the election.

Village Clerk's report: Gaffney thanked Deputy Clerk Jelle and the poll workers, and gave some statistics on the voter turnout at the April 2nd election. She also spoke on some items that will be on the May agenda.

Closed Session: Discussion/Consideration: Purchase of Lukken Farm for Park Space and Development. The Village Board may convene in closed session as authorized by Wisconsin Statute 19.85(1)(e) for the purpose of deliberating or negotiating the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Village Board may reconvene in open session and discuss and take action on the subject matter discussed in closed session: Halverson moved, Scott seconded to convene in closed session at 8:26pm. Motion carried by unanimous roll call vote. There was no action taken on this item.

Closed Session: Discussion and Consideration of Repair/Raze Order for building at 101 Perimeter Road (Karakahl Country Inn) previously issued by Village Board and possible litigation related to Order. The Village Board may convene in closed session as authorized by Wisconsin Statute 19.85(1)(g) for the purpose of conferring with legal counsel for the Village who is rendering oral or written advice concerning strategy to be adopted by the Village with respect to litigation in which it is or is likely to become involved. The Village Board may reconvene in open session and discuss and take action on the subject matter discussed in closed session:

Jones moved, White seconded to convene to closed session at 8:27pm. Motion carried by unanimous roll call vote. There was no action take in closed session. White moved, Gauger seconded to reconvene to open session at 9:20pm. Motion carried by unanimous voice vote. Halverson moved, Schellpfeffer seconded to approve the following statement: We understand that Dhruv, LLC filed a complaint in Dane County Circuit Court on March 4, 2024 that generally seeks recovery of costs from an insurance company to pay for repairs to the structure and the property. We also understand that Dhruv, LLC has executed a contract with Certi-Dry for the restoration and reconstruction of the structure on the property. However, the ability of Dhruv and Certi-Dry to complete the repairs of the structure on the property is entirely dependent on Dhruv prevailing in its litigation with the insurance company. In fact, the contract does not identify a start date or completion date for the work. As such, the Village Board hereby directs the Village Administrator that Section 1 of the Order is not satisfied; specifically, while Dhruv may have an executed contract to repair the structure on the property, Dhruv has not demonstrated, and cannot demonstrate, that the repairs will proceed in a reasonable time period. Motion carried by unanimous voice vote.

Adjournment: With no further business before the board, White moved, Halverson seconded to adjourn @ 9:22pm. Motion carried by unanimous voice vote.

Minutes by Alyssa Gaffney, Village Clerk

**VILLAGE OF MOUNT HOREB
VILLAGE BOARD REORGANIZATIONAL MEETING MINUTES
MONDAY, APRIL 15, 2024**

The Village Board of the Village of Mount Horeb met on the above date in-person in the Board Room of the Municipal Building.

Call to Order/Roll Call: Village President Ryan Czyzewski called the meeting to order at 5:30pm. Present were Village Board Trustees Marc Schellpfeffer, Brett Halverson, Ben Jones, Cathy Scott, and Jason Fendrick. Trustee Tim White was absent. Also present were Administrator Nic Owen and Village Clerk Alyssa Gaffney.

Trustee oath/swearing-in and presentation of Certificates of Election: Clerk Gaffney stated Tim White was sworn in last week, since he would be absent tonight. She proceeded to swear in Marc Schellpfeffer as Village Trustee and presented him with his Certificate of Election.

Consider Committee and Commission appointments: Czyzewski explained this item. Halverson moved, Jones seconded to approve the appointments as presented. Motion carried by unanimous voice vote.

Adjournment: There being no further business before the Board, Scott moved, Schellpfeffer seconded to adjourn the meeting at 5:37pm, carried by unanimous voice vote.

Minutes by Alyssa Gaffney, Village Clerk



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 5.d

Consideration of Residential Exterior Improvement Program Grant Application:
Anthony Miller, 210 Wilson Street

BACKGROUND

The project consists of three separate improvements to the exterior of the home: window replacement, gutter replacement and masonry repair/replacement. Using the scoring rubric for reviewing grant applications, the project scores well for the home being 100 years old, being below 100% of the average assessed value, using quality materials, the thoroughness of the application, improving energy efficiency with window replacement, and it is restoring the existing brick elements. The scoring rubric is included in your packet as well. The CDA recommends approval. Since we only have 2 applicants out of the 5 available grants, we will readvertise that there are still funds available.

RECOMMENDATION

ATTACHMENTS

1. Miller 210 Wilson St
2. Miller Scoring
3. Scoring Rubric



HERITAGE

COMMUNITY

OPPORTUNITY

VILLAGE OF MOUNT HOREB

E. Main Street

Mount Horeb, WI 53572

Phone: (608) 437-6884 Fax: (608) 437-3190

Email: rahinfo@mounthorebwi.info Web: mounthorebwi.info

RESIDENTIAL EXTERIOR IMPROVEMENT PROGRAM GRANT APPLICATION

(Please complete and submit one application for the complete project)

APPLICANT INFORMATION

Applicant Name Anthony Miller
Property Address 210 Wilson St.
Phone (608) 769-5311 Email anthonymiller161@gmail.com

PROPERTY INFORMATION

Year Home Built 1923 Purchase Year of Home 2018
Assessed Value of Home \$ 346,400.00

PROJECT INFORMATION

Proposed Start Date 4/15/24 Proposed Completion Date 8/30/24
Contractor Name - see attached - Contractor License # - see attached -
Contractor Address - see attached -
Street City State Zip
Contractor Phone - see attached - Contractor Email - see attached -
Total Project Estimate \$ 6,830.00 Grant Request \$ 3,415.00
Other funding sources that will be used: personal savings

Project Narrative (attach additional sheets if necessary).

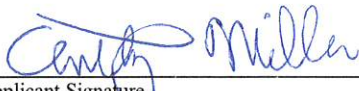
Please include information related to the work that will be done, colors that will be used, why there is a need for the project, and other information that will be relevant to making a decision on the grant application.

- see attached page -

DOCUMENTS TO INCLUDE

- ☒ Two contractor proposals
- ☒ Site plan
- ☒ Copy of Contractor License
- ☒ Proof of Insurance
- ☒ Photos of what will be repaired

Certification: The information provided above is true and accurate to the best of my knowledge and I have read and understand the guidelines of the Village of Mount Horeb Residential Exterior Improvement Program and agree to abide by its conditions. I acknowledge that the Village Board has the right to terminate this agreement under the Residential Exterior Improvement Program if I, as the applicant, am found to be in violation of any conditions set forth in the guidelines of the program. I understand this is a matching grant up to \$5,000.


Applicant Signature

4/1/24
Date

Office Use Only	
Date Application Received: _____	Does this applicant qualify for a building permit? ☐ Yes ☐ No
Community Development Authority Review Date: _____ ☐ Recommended approval without conditions ☐ Recommended approval with conditions ☐ Recommended denial Recommended conditions or reason for denial (if applicable): 	
Common Council Review Date: _____ ☐ Approved without conditions ☐ Approved with conditions ☐ Denied (reasons below) Conditions or reason for denial (if applicable): 	
Authorized Grant Amount: _____	
Date Check Issued: _____	

Project Narrative:

This project is proposed to include three aspects of improvement to the exterior of the house that will include window replacement, gutter replacement, and masonry repair/replacement.

The first aspect is the replacement of five exterior windows to the lower level of the house. The current windows are wood framed plexi-glass with insulation stuffed between them and the interior single pane window or wood framed plexi-glass that exists on the interior of the house. The date of the windows is unknown and does not provide sufficient insulation or protection to the interior of the house. This aspect of the project would include removal of the existing windows, assessment of the existing framing and replacement if necessary, installation of new vinyl slider windows in bronze color to match the existing exterior/trim color and trim to match. Removal of existing widows as well.

Preferred contractor: Howard Carpentry
Address: S8103 Dale Rd
Loganville, WI 53943
Phone: (608) 635-6324

E-mail: customcarpentry00@gmail.com
License number: 667-DCQ
Window quote: \$2,900.00

The second aspect of the project is the removal and replacement of gutters. The current gutters are a combination of steel and aluminum gutters that do not match around the house and have missing downspouts in multiple locations. The age of the current gutters is unknown. There are two locations where the gutters have pulled away from the house, causing water to drop next to the house which has caused water to enter the basement of the house due to lack of drainage in those areas. The lack of downspouts has caused mortar to be compromised in multiple locations that needs to be repaired. This aspect of the project would include the removal of the existing gutters and replacement with 5" gutters with 3"x4" downspouts in the identical locations to the existing gutters. The color would be brown to match the existing trim of the house. This will allow proper water removal around the house and prevent water from entering the basement or damaging the brick/motor exterior of the house.

Preferred contractor: Seamless Gutters Ultd
Address: 240 Industrial Dr.
New Glarus, WI 53574
Phone: (608) 527-5699

E-mail: Mike@sgullc.com
License number: 031700018
Gutter quote: \$1,430.00

The third aspect of the project is the masonry repair/replacement. There are multiple locations on the exterior of the house where mortar has fallen out and needs to be replaced. Tuck-pointing will be completed on multiple locations around the house to include: North side of garage where downspout is missing and around window frame, west side of garage around window frame and where mortar has cracked down to towards ground, southwest corner of house where brick has broken and mortar is missing, front steps of house where mortar is missing in multiple locations. The proposal is the tuck-point locations around the house and check joints the need to be re-sealed to prevent water from getting in and then to replace the front step walls due to the condition of the walls and the water damage that has already occurred. The current condition looks visually unappealing and if further deterioration occurs it could lead to compromised integrity of the structure. The color used in motor and brick would match the current colors used as communicated by the contractor.

Preferred contractor: Bill Markin
Address: 2251 State Rd. 92
Mount Horeb, WI 53572
Phone: (608) 957-6339

E-mail:
License number:
Masonry quote: \$2,500.00

Total project cost: \$6,830.00



HERITAGE
COMMUNITY
OPPORTUNITY

VILLAGE OF MOUNT HOREB

E Main Street
Mount Horeb, WI 53572
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Email: mhinfo@mounthorebwi.info Web: mounthorebwi.info

RESIDENTIAL EXTERIOR IMPROVEMENT PROGRAM

PROJECT CLOSE-OUT

Grant Recipient _____

Property Address _____

☐ Attach photos of completed project.

By signing below, you verify that all work on this project had been completed to the best of your knowledge and, in your opinion, is acceptable to you and completed in accordance with the requirements of the Residential Exterior Improvement Program and consistent with the nature of this application.

Contractor Signature

Date

Applicant Signature

Date

Village Staff

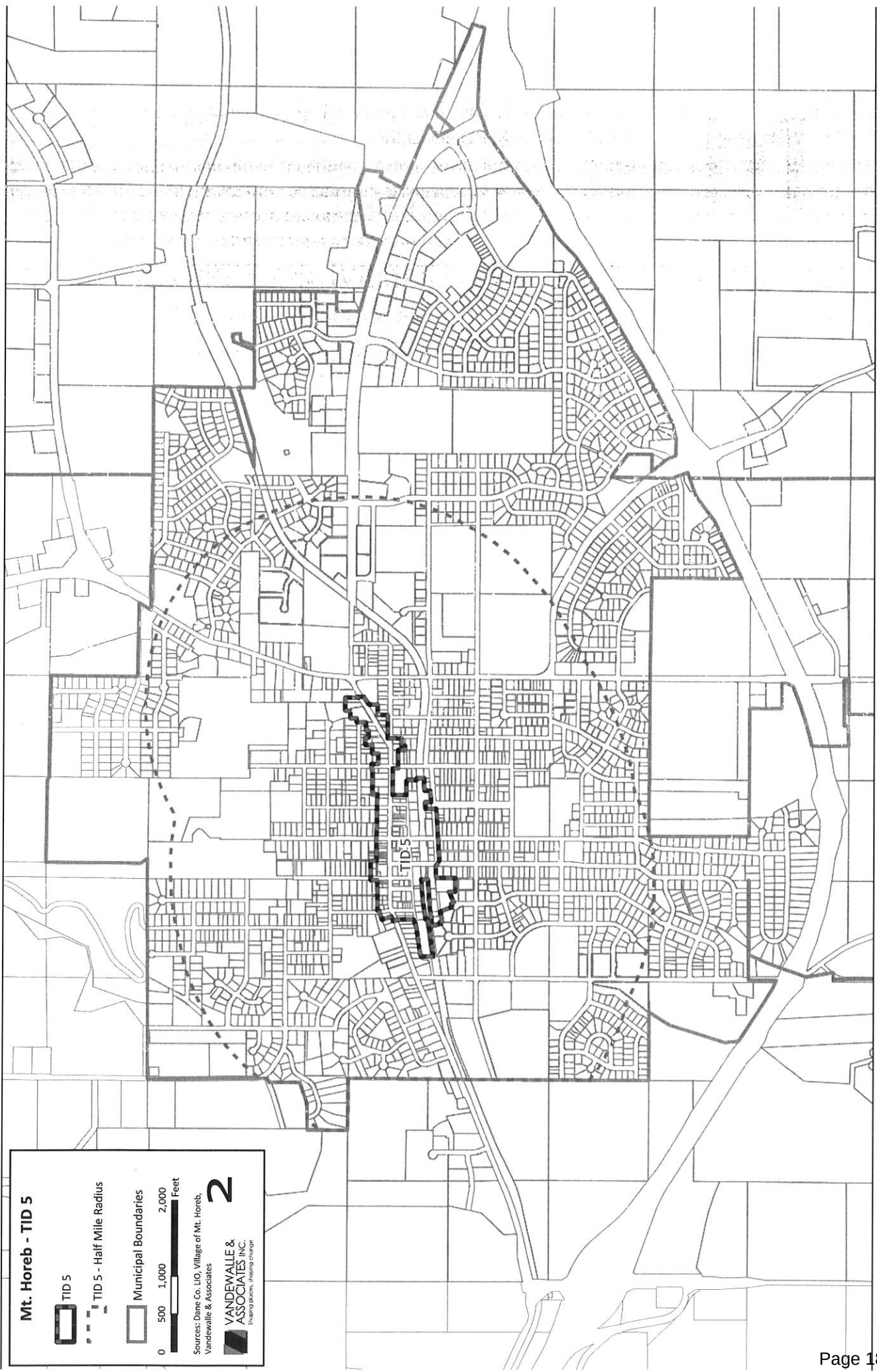
Date

Village Treasurer Signature

Date

Village Administrator Signature

Date



Mt. Horeb - TID 5



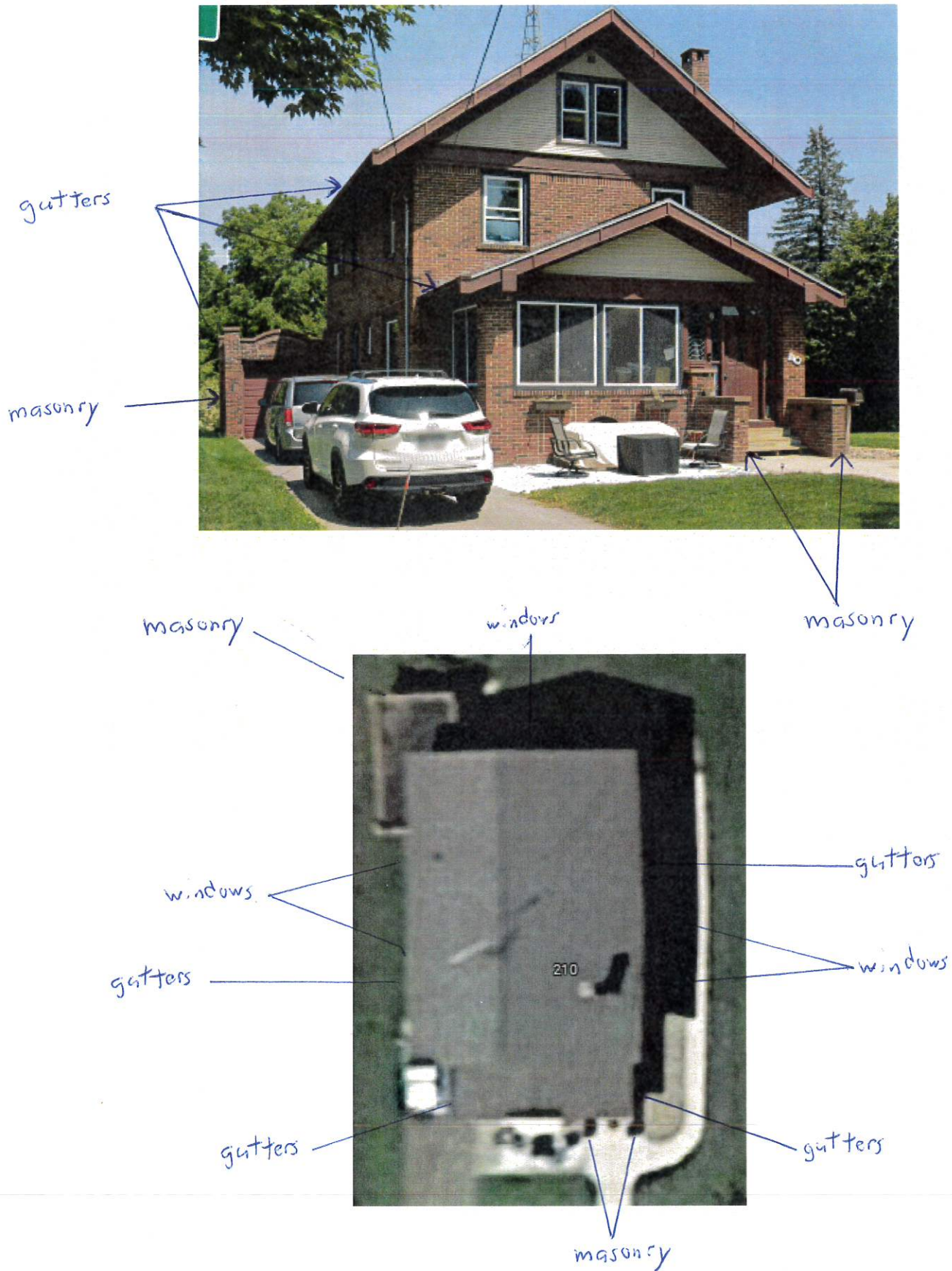
0 500 1,000 2,000 Feet

Sources: Dane Co. I/O, Village of Mt. Horeb, Vandewalle & Associates

2

VANDEWALLE & ASSOCIATES INC.
PLANNING, DESIGN, ENGINEERING, CONSTRUCTION

Site Plan:

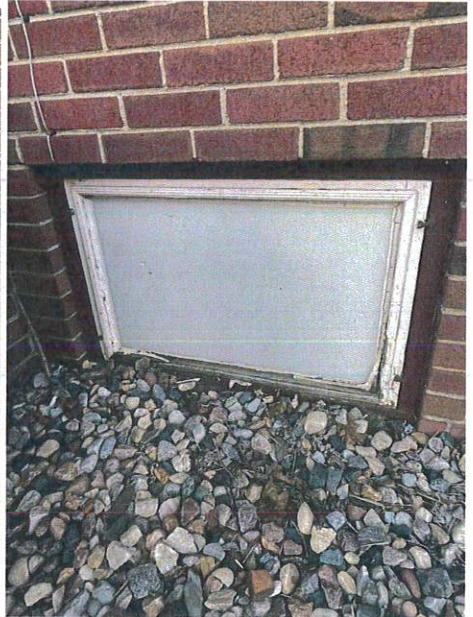




masonry

gutters

windows





Quote

Howard Carpentry LLC

6086356324

customcarpentry00@gmail.com

BILL TO

Tony Miller

anthonyrmiller161@gmail.com

Quote

131

Date

20 Mar 2024

Item	Quantity	Price	Amount
Basement windows	1	\$2,900.00	\$2,900.00
Six basement sliders			
Bronze out, white in vinyl window			
Caulk and install			

Subtotal \$2,900.00

Grand Total

\$2,900.00

contractor license # 667-DCQ

State of Wisconsin

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
COMMITTED TO EQUAL OPPORTUNITY IN EMPLOYMENT AND LICENSING

DWELLING CONTRACTOR QUALIFIER

NO. 667 - DCQ

STEPHEN A HOWARD
S8103 DALE RD,
LOGINVILL, WISCONSIN 53943
UNITED STATES

Expires: 02/21/2026

The person whose name appears on this document has complied with the provisions of the Wisconsin Statutes and holds the credential specified on the front of this card. To verify the current status of this credential, use "Lookup a License" at dsps.wi.gov.

The named person has complied with Wisconsin Statutes and holds the credential specified.
Signature: Stephen A Howard

Ch 440.11, Wis Statutes, requires you to notify the Department of a name or address change within 30 days. Please submit corrected information via the web at dsps.wi.gov or by mail to DSPS at PO Box 8935, Madison WI 53708-8935.



Customer Proposal

Dealer Information

Tri State Custom Windows
3940 Wisconsin 23
DODGEVILLE WI 53533
Noah Bocek
☎ 1-608-930-1945
✉ noah@tristatecustomwindows.com

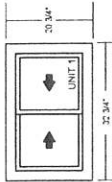
Customer Information

Tony Miller
210 Wilson St
Mt. Horeb WI 53572
☎ 608-769-5311
✉ anthonymiller161@gmail.com

Order Information

Quote Name: Tony Miller Basement Sliders
Quote ID: Q142964
Date Created: March 19, 2024
Date Modified: March 19, 2024
Expiration Date: April 18, 2024

10



Quantity: 4
Series: Midwest
Interior Color: White
Interior Trim: No - "
Notes:

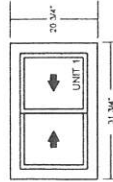
Unit Price: \$305.83
Location: Basement Sides
Exterior Color: White
Exterior Trim: Wrap Exterior in Metal

Line Price: \$1,223.32
Installation: Insert- Wrap Exterior
Glass Package: 272
Hardware: White

Overall W x H: 32 3/4" X 20 3/4"
Screen: FLEX - STD
Decorative Glass: N/A
Accessory: N/A

Unit #	Type	Width	Height	Glass Strength	Grilles	Grille Pattern	U-Factor SHGC
1	Slider	32.7500"	20.7500"	Annealed	No	N/A	

20



Quantity: 2
Series: Midwest
Interior Color: White
Interior Trim: No - "
Notes:

Unit Price: \$300.12
Location: Basement Back
Exterior Color: White
Exterior Trim: Wrap Exterior in Metal

Line Price: \$600.24
Installation: Insert- Wrap Exterior
Glass Package: 272
Hardware: White

Overall W x H: 31 3/4" X 20 3/4"
Screen: FLEX - STD
Decorative Glass: N/A
Accessory: N/A

Unit #	Type	Width	Height	Glass Strength	Grilles	Grille Pattern	U-Factor SHGC
1	Slider	31.7500"	20.7500"	Annealed	No	N/A	



Sub Total: \$1,823.56
Installation: \$2,250.00
Delivery Fee: \$0.00
Material Surcharge: \$0.00
Sales Tax - 5.50 % : \$100.29
Your Project Cost: \$4,173.85

Tony Miller

Customer Name

Customer Signature

Date

Noah Bocek

Sales Rep Name

Noah Bocek

Sales Rep Signature

March 19, 2024

Date

Notes

Windows quoted as exact size, white on white, replacements. No interior trim work included. Wrap exterior with brown aluminum

Weighted Average Energy Values & Project Square Feet

U-Factor: 0 SHGC: 0 VT: 0

Windows FT²: 28.03

Doors FT²: 0

Payment Terms

Down Payment: 50% = \$2,086.93

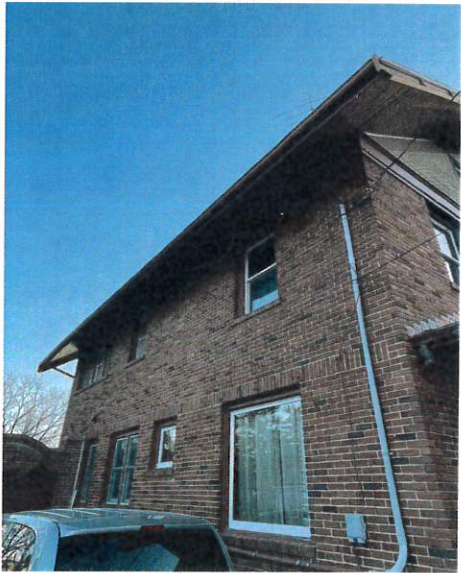
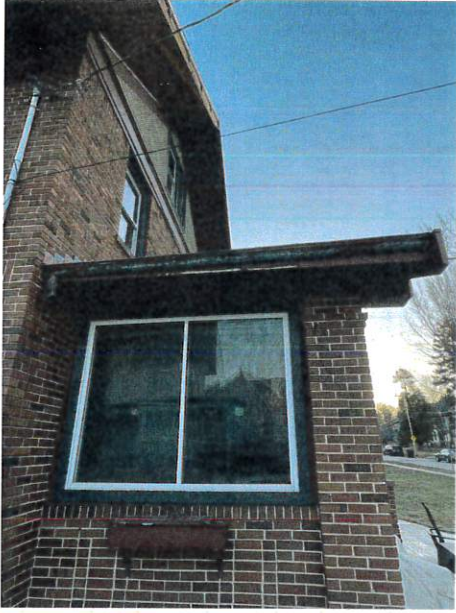
Balance Due: 50% = \$2,086.93

Payment Terms: Payment due upon project completion.

Late Payment:

Disclaimer

When Tri State Custom Windows (TSCW) is installing, the install price includes all materials, labor and disposal fees. This quote also includes replacing any existing framing that we find to be deteriorated during the removal/installation process. All window coverings, including blinds and curtains, must be removed by the customer, prior to the install teams arrival. All operable windows come with a full FlexScreen. Windows installed by anyone other than TSCW, DO NOT include pre-made jamb extensions. Post installation: It may be necessary for customers to paint and/or do minor drywall repairs after installation of windows and trim.



Proposal

SEAMLESS GUTTERS UNLIMITED

Seamless Gutters Unlimited
P.O. Box 485
New Glarus, WI 53574
(608)527-5699

PROPOSAL SUBMITTED TO:

TONY MILLER

JOB NAME:

STREET:

210 WILSON ST.

JOB LOCATION:

CITY, STATE AND ZIP CODE:

MT MOREB

Contractor

HOME PHONE:

CELL PHONE:

769-5311

License #

031700018

WORK PHONE:

DATE:

3-4-24

We hereby submit specifications and estimates

Color:

BROWN

Five-inch gutters: \$ 110'

Six-inch gutters: _____

Mitres: _____

Downspout-2x3 _____

Downspout-3x4 84'

New flashing: _____

Hinges: _____

Remove existing: _____

Haul away old: _____

Gutter cover: _____

Other: _____

Price complete: \$ 1430.-

SATISFACTION GUARANTEED!!!

We Propose hereby to furnish material and labor - complete accordance with above specifications, for the sum of:

_____ dollars (\$ _____)

Payment to be made as follows: Payable upon completion or as agreed upon acceptance of proposal.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only on written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmens Compensation insurance.

Authorized

Signature

Note: This proposal may be withdrawn by us if not accepted within thirty (30) days.

Acceptance of Proposal

- The above prices, specifications and conditions are satisfactory

and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of acceptance: _____

Signature: _____

Signature: _____

Division of Professional Credential
Processing
4822 Madison Yards Way
Madison, WI 53705
Phone: (608) 266-2112
Fax: (608) 267-0592
Email: dpscredtrades@wi.gov
Website: www.dps.wi.gov

Certification, License, or Registration Card

Below you will find your certification, license or registration card. This card serves as an additional piece of documentation of licensure that may be carried on person. To view details about your credential or continuing education log into the eSLA portal where you can view your credential status or use the public lookup to verify the status of your CE.

Wisconsin Department of Safety and Professional Services	
SEAMLESS GUTTERS UNLIMITED LLC	
Credential ID: DC-031700018	
Certification, License, or Registration Name	Expires:
Dwelling Contractor	2025-03-07
Signature:	

Please review the information on the card. If errors or discrepancies are found, you may contact the Department at 608-266-2112 or email DPS CredTrades@wi.gov, and provide your ID number printed on the card. The Department should be notified of changes in addresses as they occur. Notification of address changes is the responsibility of the credential holder. A renewal notice will be emailed to the email address on file 30, 60, and 90 days before expiration. Before the expiration date of each credential indicated on the card. Renewals are contingent upon compliance with the requirements specified in Wisconsin Administrative Code SPS 305.

**Frey Construction & Home Improvements, LLC**

530 Park Avenue
 Prairie du Sac, WI 53578
 (608) 643-7914

Contractor License # 049800082

www.freyconstruction.com

Customer Information

Tony & Beth Miller
 210 Wilson St
 Mount Horeb WI 53572

(608)769-5311
 anthonymiller161@gmail.com

Date: 03/04/2024
 Rep: Grant Snider

Locations INCLUDED in scope of work to be performed

Replacing the existing gutters with new 5" gutters and 3X4 downspouts. Color TBD at a later time, rollex coil is not a close enough match

Locations EXCLUDED in scope of work to be performed

No insulation work

Gutters**Existing Gutter - 5" with 3x4 Downspouts****Product Details**

Tear off existing gutters. Clean up, recycle, and dispose of all waste. Install 5" K-Style, .032 thickness (Heaviest Seamless Aluminum) Seamless Gutters fastened with Hidden Hangers and 3x4 downspouts..

2 Story

Color

TBD

 Tony & Beth Miller

03/04/2024

 Date

 Grant Snider

03/04/2024

 Date

This space intentionally left blank

Customer Information**Tony & Beth Miller**210 Wilson St
Mount Horeb WI 53572

(608)769-5311

anthonymiller161@gmail.com

Date: 03/04/2024

Rep: Grant Snider

Homeowner's Association

No

Built before 1978?

Yes

Historical Association

No

Estimated Job Timeline**Estimated Start Date**

3/15/2024-4/15/2024 weather permitting

Estimated Date of Completion

3/15/2024-4/15/2024 weather permitting

Total Contract Amount

\$3,539.50

Deposit

\$350.00

Deposit Form of Payment

Credit Card

Balance Due

\$3,189.50

Balance Form of Payment

Check

Financing Details**Amount Financed**

\$0.00

FINANCING IS SUBJECT TO CREDIT APPROVAL

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Terms and Conditions

1. **Contract Price:** Customer agrees to pay Frey Construction & Home Improvement, LLC ("Contractor") the Balance Due upon Substantial Completion of the Project. "Substantial Completion" means the earlier of the following: (i) the date Customer takes possession of the Project site; (ii) the date completion of the Project allows for the Project site to be occupied or used for its intended purpose; or (iii) the issuance of an occupancy permit by the applicable governmental entity. The Balance Due is subject to adjustment in accordance with these Terms and Conditions. The specific job details, together with these Terms and Conditions, shall be referred to as the "Contract." This Contract may be withdrawn by Contractor if not accepted by Customer within 30 days of receipt.
2. **The Project:** Contractor shall provide the labor, materials, and equipment necessary to complete the project (the "Project") in a professional manner. Contractor may engage subcontractors to perform work hereunder. The Project may be completed in phases as determined by Contractor and Customer.
3. **Contract Time:** Contractor shall not be required to commence work on the Start Date unless Customer has paid the deposit. Subject to any extensions set forth in this Contract, Contractor will accomplish Substantial Completion of the Project by the Estimated Date of Completion.
4. **Permits:** Contractor will be responsible for obtaining all necessary permits for the Project. Permit costs will be added to the Balance Due in a Separate Invoice.
5. **Delays:** Contractor shall give Customer timely notice of any delay. The notice will specify the reason for the delay and a new proposed Estimated Start Date or Date of Completion. If the Project is delayed by any cause outside the control of Contractor, including any change requested or caused by Customer or by any public authority, site condition, labor dispute, adverse weather conditions, force majeure, or delays in delivery of materials, the Estimated Date of Completion shall be extended by the duration of such delay.
6. **Project Photographs:** Customer hereby grants permission to Contractor for Contractor to use photographs of the Project site for marketing purposes.
7. **Past Due Invoices:** Past due invoices will be subject to 1% interest charges per month until paid. The interest will be applied to the previous month's balance.
8. **Costs:** In the event Contractor prevails in any action or proceeding to collect any amount due Contractor under this Contract, or otherwise enforce this Contract, Contractor shall be entitled to recover from Customer, in addition to any other damages, its costs and expenses including reasonable attorneys' fees.
9. **Supervision of the Project:** Contractor shall be the authority for the proper placement of fixtures in accordance with recognized standards. Customer agrees that the supervision of the working forces rests exclusively with Contractor. Customer shall have the right to observe the progress of the Project provided, however, that Contractor shall not be responsible for any injury to Customer during said observations.
10. **Differing Site Conditions:** A "Differing Site Condition" is any physical condition at the Project Site that is materially different from those normally encountered in the construction of this type of Project, such as rotten wood, etc. If Contractor encounters a Differing Site Condition, Contractor shall provide notice to Customer. If a Differing Site Condition is encountered by Contractor when performing the Project, then the Contract Price and the Estimated Date of Completion Date shall be adjusted as follows: (i) the Contract Price shall be adjusted to include the additional costs incurred by Contractor, including time and material at \$80.00 per hour plus 25% over material, labor, and subcontractor costs; and (ii) the Estimated Date of Completion Date shall be extended a reasonable number of days necessary to complete the Project.
11. **Mold Abatement:** This contract does not include, unless expressly specified, any mold abatement, removal, or cleaning. If mold is found existing on the premises, any cost to abate, remove, or clean shall be paid by the homeowner as an extra. In addition, any warranty given to the homeowner under this contract does not include the cost to abate, remove, or clean mold that may be found on the premises in the future.
12. **Project Site Damage:** Contractor is not responsible for damage to the interior of the Project site caused by exterior work, including knick-knacks and pictures falling off walls, nail pops, and cracked drywall. Contractor is not responsible for concrete damage caused by equipment.
13. **NOTICE CONCERNING CONSTRUCTION DEFECTS:**
WISCONSIN LAW CONTAINS IMPORTANT REQUIREMENTS YOU MUST FOLLOW BEFORE YOU MAY FILE A LAWSUIT FOR DEFECTIVE CONSTRUCTION AGAINST THE CONTRACTOR WHO CONSTRUCTED YOUR DWELLING OR COMPLETED YOUR REMODELING PROJECT OR AGAINST A WINDOW OR DOOR SUPPLIER OR MANUFACTURER. SECTION 895.07 (2) AND (3) OF THE WISCONSIN STATUTES REQUIRES YOU TO DELIVER TO THE CONTRACTOR A WRITTEN NOTICE OF ANY CONSTRUCTION CONDITIONS YOU ALLEGE ARE DEFECTIVE BEFORE YOU FILE YOUR LAWSUIT, AND YOU MUST PROVIDE YOUR CONTRACTOR OR WINDOW OR DOOR SUPPLIER THE OPPORTUNITY TO MAKE AN OFFER TO REPAIR OR REMEDY THE ALLEGED CONSTRUCTION DEFECTS. YOU ARE NOT OBLIGATED TO ACCEPT ANY OFFER MADE BY THE CONTRACTOR OR WINDOW OR DOOR SUPPLIER. ALL PARTIES ARE BOUND BY APPLICABLE WARRANTY PROVISIONS.
14. **Repairs:** Contractor shall not be obligated to repair any construction defect caused, in whole or in part, by: (i) Customer's improper maintenance of the Project; (ii) natural occurrences beyond Contractor's control; (iii) defects in materials supplied by anyone other than the Contractor; (iv) any work performed by Customer or Customer's agents; (v) normal wear and tear; and (vi) materials or products covered by other warranties.

15. Warranties: EXCEPT FOR THOSE WARRANTIES PROVIDED TO THE CUSTOMER IN WRITING, CONTRACTOR MAKES NO OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, AS TO ANY MATTER WHATSOEVER, INCLUDING WITHOUT LIMITATION THE CONDITION OF THE WORK, ANY IMPLIED WARRANTY OF MERCHANTABILITY, USE, HABITABILITY, OR FITNESS FOR A PARTICULAR PURPOSE, AND ANY AND ALL SUCH OTHER WARRANTIES ARE HEREBY DISCLAIMED. CUSTOMER AGREES THAT IN NO EVENT SHALL CONTRACTOR BE LIABLE TO CUSTOMER FOR ANY LOSS OF USE, LOSS OF BUSINESS, LOSS OF PROFIT, EMOTIONAL DISTRESS, PERSONAL INJURY, BODILY INJURY, DEATH, OR INDIRECT, INCIDENTAL OR, CONSEQUENTIAL DAMAGES, CAUSED DIRECTLY OR INDIRECTLY BY THE ACTS OR OMISSIONS OF CONTRACTOR UNDER THE CONTRACT. ANY WRITTEN WARRANTIES PROVIDED TO CUSTOMER, IF ANY, ARE NOT ASSIGNABLE TO ANY OTHER PARTY.

16. LIEN NOTICE: AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, CONTRACTOR HEREBY NOTIFIES OWNER THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON OWNER'S LAND MAY HAVE LIEN RIGHTS ON OWNER'S LAND AND BUILDINGS IF NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO THE UNDERSIGNED CONTRACTOR, ARE THOSE WHO CONTRACT DIRECTLY WITH THE OWNER OR THOSE WHO GIVE THE OWNER NOTICE WITHIN SIXTY (60) DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION. ACCORDINGLY, OWNER WILL LIKELY RECEIVE NOTICES FROM THOSE WHO FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION, AND OWNER SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO OWNER'S LENDER, IF ANY. CONTRACTOR AGREES TO COOPERATE WITH OWNER AND THE OWNER'S LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID.

17. Miscellaneous terms: If any provision of this Contract shall be deemed invalid or unenforceable, such invalidity or unenforceability shall not invalidate the entire Contract; instead, the entire Contract shall be construed as if not containing the particular invalid or unenforceable provision, and the rights and obligations of Customer and Contractor shall be construed and enforced accordingly. This Contract shall be binding upon, and inure to the benefit of, the parties hereto and their respective legal representatives, heirs, personal representatives, administrators, successors and assigns. All disputes shall be resolved in the courts of the State of Wisconsin. The interpretation, construction and performance of this Contract shall be governed by the laws of the State of Wisconsin. This Contract shall constitute the entire agreement between Customer and Contractor with respect to its subject matter, and shall not be modified or amended except by a writing signed by Customer and Contractor. A change order signed by the parties shall constitute such a modification whether attached or separately executed. The provisions of this Contract supersede all prior oral and written quotations, communications, and understandings of the parties with respect to the subject matter of this Contract. No oral representations or statements made by Customer or Contractor or their representatives or agents shall modify the terms and conditions of this agreement. Consulting with Counsel. Customer has read this contract and has had the opportunity to consult third parties, including attorneys. Customer understands the terms and conditions of the contract.

By signing below you confirm that you (the Customer) have received the terms & conditions of the Contract and are in agreement.

Tony & Beth Miller

03/04/2024

Date

Grant Snider

03/04/2024

Date

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NOTICE OF CONSUMER'S RIGHT TO RECEIVE LIEN WAIVERS

If a consumer requests lien waivers, a seller of home improvement services must provide lien waivers from all contractors, subcontractors, and material suppliers. This Wisconsin law protects consumers from having liens filed against their property. Lien waivers prevent the filing of a lien on your home in the event that a contractor does not pay suppliers or subcontractors.

For more information about home improvement law, contact the Wisconsin Consumer Protection Bureau at 1-800-422-7128 or www.datcp.wi.gov.

Tony & Beth Miller**03/04/2024**

Date

Grant Snider**03/04/2024**

Date

By signing below you confirm that you (the Customer) have received the Wisconsin "Right to Cure" Law brochure.

Tony & Beth Miller**03/04/2024**

Date

Grant Snider**03/04/2024**

Date

By signing below you confirm that you (the Customer) have received the The Notice of Cancellation.

Tony & Beth Miller**03/04/2024**

Date

Grant Snider**03/04/2024**

Date

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NOTICE OF CANCELLATION

You may cancel this agreement by mailing a written notice to:
 Frey Construction & Home Improvement, LLC
 530 Park Ave
 Prairie du Sac, WI 53578
 USA

before midnight of the third business day (excluding Saturdays, Sundays and holidays) after you signed this agreement. If you wish, you may use this page as that notice by writing "I hereby cancel" and adding your name and address. A duplicate of this page is provided by the seller for your records. If you cancel, any property traded in, any payments made by you under the contract of sale, and any negotiable instruments executed by you will be returned within 10 BUSINESS DAYS following receipt by the seller of your cancellation notice, and any security interest arising out of this transaction will be cancelled.

NO LATER THAN MIDNIGHT OF THE THIRD BUSINESS DAY FROM THE DATE OF THIS CONTRACT.

I HEREBY CANCEL THIS CONTRACT.

 SIGNATURE DATE: BUYER'S

You may cancel this agreement by mailing a written notice to:
 Frey Construction & Home Improvement, LLC
 530 Park Ave
 Prairie du Sac, WI 53578
 USA

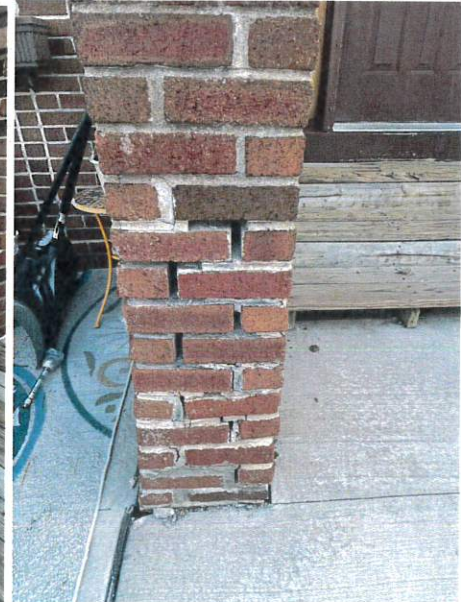
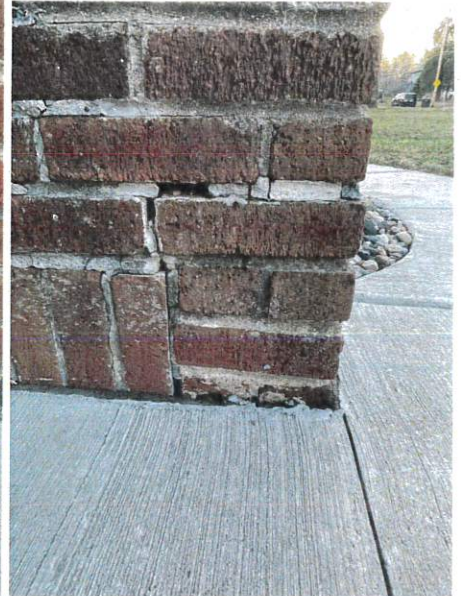
before midnight of the third business day (excluding Saturdays, Sundays and holidays) after you signed this agreement. If you wish, you may use this page as that notice by writing "I hereby cancel" and adding your name and address. A duplicate of this page is provided by the seller for your records. If you cancel, any property traded in, any payments made by you under the contract of sale, and any negotiable instruments executed by you will be returned within 10 BUSINESS DAYS following receipt by the seller of your cancellation notice, and any security interest arising out of this transaction will be cancelled.

NO LATER THAN MIDNIGHT OF THE THIRD BUSINESS DAY FROM THE DATE OF THIS CONTRACT.

I HEREBY CANCEL THIS CONTRACT.

 SIGNATURE DATE: BUYER'S

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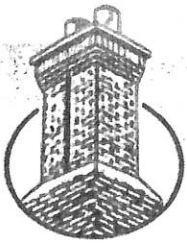
Bill markin
2251 State Rd 92
Mt Horeb, WI 53572

608-957-6339

INVOICE NO. 392716

Invoice

BILL TO		SERVICE PERFORMED AT	
ADDRESS 210 Wilson St		ADDRESS	
CITY, STATE, ZIP Mt Horeb, WI 53572		CITY, STATE, ZIP	
CUSTOMER ORDER NO.	SOLD BY	TERMS	DATE
Class A tuck pointing & brick repair includes tuck pointing and replacement of bad brick and water seal			
total amount of bid		\$ 2,500.00	



CARLSON'S CHIMNEY

PROFESSIONAL CHIMNEY SERVICES

33445 Michaels Rd, Cazenovia WI, 53924 1-608-983-2568

Proposal Submitted To:

Tony ?

??

Mt. Horeb

WI

Input Date 3/7/2024

Home #

Work #

Cell # 1-608-769-5311

Email ??

Condition Report:

Per pictures: Severely Cracked & Deteriorating Mortar Joints, Possible loose brick.

Scope Of Work

Grind out 100% of the deteriorated mortar joints. Tuck-point, which includes grinding out 1 inch of the old mortar, cleaning and rinsing the dust and chimney, and applying new mortar to damp surface to ensure integrity and quality.

Reset any loose brick as needed.

All mortar & concrete will be tinted to match existing color as close as possible.

Time and Material

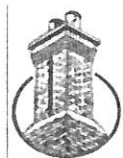
Ground level labor rate \$ 85.00 per hr

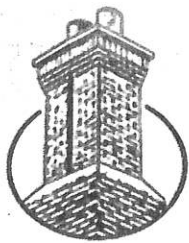
Estimated time: 10 - 12hrs

Estimated Materials:

\$ 850.00 - \$ 1020.00

\$150.00 - \$ 200.00

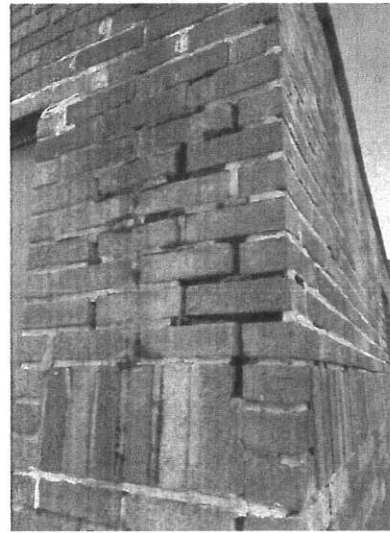
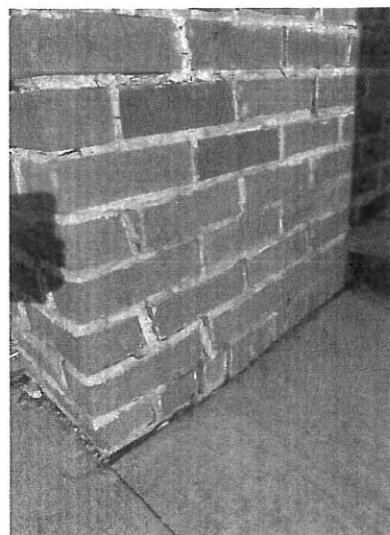
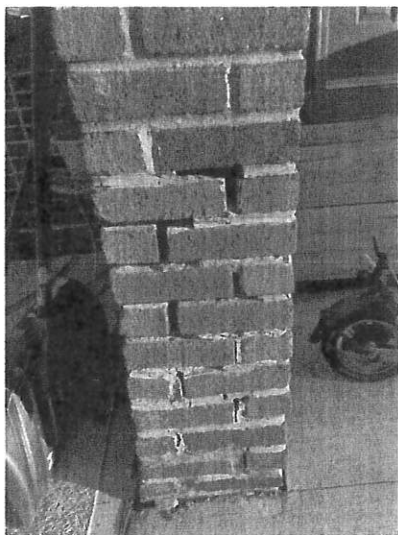




CARLSON'S CHIMNEY

PROFESSIONAL CHIMNEY SERVICES

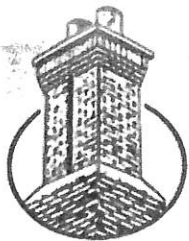
33445 Michaels Rd, Cazenovia WI, 53924 1-608-983-2568



Daily Procedures:

- All debris shall be cleaned up on a daily basis.
- The roof shall be protected as needed with canvas tarps / plywood and rinsed to prevent mortar stains.
- All incidental debris will be removed from gutters.
- The mortar mixing area will be swept and rinsed clean to prevent mortar stains.
- The chimney will be covered to and protected to the best of our ability. Note: The furnace and water heater flue will be left open to allow gases vent properly.
- You will be informed of the job's progress and the start and finish times.
- We complete our jobs one at a time. You can rely on us to arrive daily until the job is complete (weather permitting or unless otherwise notified).





CARLSON'S CHIMNEY

PROFESSIONAL CHIMNEY SERVICES

33445 Michaels Rd, Cazenovia WI, 53924 1-608-983-2568

WARRANTIES & ACCEPTANCE OF PROPOSAL FORM

Insurance: The customer will receive an updated Certificate of Insurance from our agent upon request by contacting the House of Insurance at 414-327-3800, 7431 West Coldspring Road Greenfield, WI 53220.

Product Warranties:

All warranties include all labor and materials necessary to replace/repair any defective item.

Stainless Steel: Lifetime

Aluminum Liners: 15 years (when connected to a gas water heater only), 5 years (when connected to a boiler or fan assisted gas furnace)

B-Vent Liner Systems: 15 years (100% warranty, not prorated)

Stone And Brick Masonry Rebuilds: 15 years (when completely rebuilt from the roof-line). 10 years on portion of the rebuild.

Poured Concrete Caps: 15 years. Excludes any cracks caused by extensive heat from the fireplace.

Flashings: 10 years, no leak or until a new roof is installed.

Tuck-pointing: 7 years (2 years if previously tuck-pointed)

Chim-Saver Water Repellent: Warranted to repel water for 10 years. Excludes any brick or stone deterioration.

Regency/Hampton Stoves and Inserts: Lifetime on the unit (3 years on the blowers).

20-year Warranty: Applicable when the chimney is completely relined with stainless steel liners, completely rebuilt (from the roof-line or lower), and a new flashing is installed.

Note: If a furnace / boiler is venting into the chimney without an UL (Certified Listed Liner), the masonry has a 3 year warranty.

All Warranties are transferable to the next homeowner.

If required, the homeowner would be responsible for permit and fees.

Forman Contact Information:

Chris Carlson, Owner / Operator: 414-617-6956 chris@carlsonschimney.com

Total (tax included): 1220.00

35% Down Payment Due the day the job is started: 420.00
800.00

Balance Due upon completion:

ACCEPTANCE OF CONTRACT: The above prices, specifications, and conditions are satisfactory. The customer hereby authorizes and accepts Carlson's Chimney to perform the work as specified. Payments WILL be made as outlined above. All warranties are cancelled if payment is not made as agreed. A 20% cancellation fee will apply to all contracts cancelled after three business days. All accounts past due 15 days after the job is completed are subject to a 25% APR interest fee.

"CUSTOMERS RIGHT TO CANCEL": The customer may cancel this agreement by mailing a written notice to Carlson's Chimney at 33445 Michaels Rd Cazenovia WI, 53924 within three days from signed contract.

Approximate Start Date 3- 4 weeks after contract is signed. (Weather Permitting)

AUTHORIZED BY: Chris Carlson

DATE: 3/7/2024

Chris Carlson Certified Chimney Sweep # 6104

X Tony ?

DATE _____



Residential Improvement Program Scoring			
Level of Performance	Strong	Fair	Weak/Poor
Score	10-7 Points	6-4 Points	3 Point or Below
Property Condition		5	
Age of home	10		
Percentage of Average Assessed Value	10		
Percentage of Improvements of Assessed Value			3
Repair of historical elements		6	
Quality of materials	7		

Thoroughness of application	7		
Sustainability, energy efficiency		5	
Financial Hardship			3
<u>Application Score</u>			
Score			56
Total Overall Points for Grant Application: 100 Points			

United Way 2020-2022 Community Impact Grant Scoring Rubric

Section 1- Program Information, Target Population, United Way Criteria & Population			
Level of Performance	Strong	Fair	Weak/Poor
Score	10-7 Points	6-4 Points	3 Point or Below
<i>Program Description: Is the program goal or purpose clearly identified?</i>	Program description clearly identifies program goals or purpose.	Program description adequately describes the program goals or purpose.	Program description marginally identifies program goals or purpose.
<i>United Way Criteria: Does the program clearly align with United Way program criteria?</i>	Program clearly aligns with selected United Way program criteria.	Program somewhat aligns with selected United Way program criteria.	Program does not appear to align with selected United Way program criteria.
<i>Target Population: Is the target population clearly identified?</i>	Target population is clearly identified, and agency has demonstrated experiencing serving this population.	Target population is somewhat identified, and agency has demonstrated experience serving this population.	Target population is marginally identified, and agency has little previous experience serving this population.
<i>Innovation and Duplication of Services: Is there clear description on program providing non-duplicated services?</i>	Description shows unique/innovative approach to addressing need and is not duplicating other services.	Description shows some innovation in approach and may have duplication but provides complementary services to other agencies.	Description shows marginal innovation/unique approach to addressing issues and is a duplication of services.
Level of Performance	Strong or N/A	Fair	Weak/Poor
Score	5 Points	4-3 Points	2 Points or Below
<i>Workplace Campaigns: If applicable, all partners agree to run a workplace campaign, which should include capturing participation, setting a goal and running a campaign.</i>	Program ran a strong campaign and included information on participation and goals. N/A if new program applying.	Program ran a campaign but did not demonstrate strong participation efforts or goal setting.	No participation in United Way campaign.
<i>Organization's Financial Document Submission: if applicable, all financial documentation should be turned in complete and on time.</i>	Program turned all financials in on time. N/A if new program applying.	Program turned in financials on time or turned in financials past due once or twice with explanation.	Financials consistently turned in past deadline or not at all.

Section 2- Program Design, Outcome Measures and Evaluation			
Level of Performance	Strong	Fair	Weak/Poor
Score	6-5 Points	4-3 Points	2 Points or Below
<i>Program Core Services: Are they well thought out and clearly explained?</i>	Program core services including resources, activities and participation are well thought out and clearly explained.	Program core services including resources, activities and participation are partially thought out and somewhat explained.	Program core services including resources, activities and participation are not well thought out and not well explained.
<i>Program Activities: Are changes within the program participants clearly identified through program activities/services?</i>	Changes to occur within program participants as the direct result of the program activities/services are clearly defined.	Changes to occur within program participants as the direct result of the program activities/services are somewhat defined.	Changes to occur within program participants as the direct result of activities/services are marginally or not defined.
Level of Performance	Strong	Fair	Weak/Poor
Score	5-4 Points	3 Points	2 Points or Below
<i>Partnerships & Collaborations: Are program partnerships and collaborations clearly defined and used to enhance program delivery?</i>	Program clearly uses partnerships and collaborations to enhance program delivery.	Program partnerships and collaborations are suggested but not clearly defined.	No program partnerships or collaborations are discussed.
Level of Performance	Strong	Fair	Weak/Poor
Score	6-5 Points	4-3 Points	2 Points or Below
<i>Outcome Measures: Are the outcomes measurable actions, realistic and timely? Are they achievable?</i>	Measurable action, realistic and timely outcome measures (program objectives) are listed. Outcomes seem achievable.	Outcome measures somewhat specific, measurable, action oriented, realistic and timely. Outcome appear somewhat achievable.	Outcome measure is not specific, measurable or appear to be achievable.
<i>Data Collection: Is there a data collection plan in place to be used for future program improvements?</i>	A well thought out collection plan is in place to use the collected data for future program improvements.	A data collection plan is listed but it is unclear how the information will be used for future program improvements.	The data collection plan is not well explained, no details are provided to show how evaluation data will be used for future program improvements.

Section 3- Budget Justification and Narratives			
Level of Performance	Strong	Fair	Weak/Poor
Score	15-10 Points	9-5 Points	4 Points or Below
Budget: Is the budget detailed, complete, and clearly supports the work outlined?	Budget is detailed, complete and clearly supports the work outlined. Revenue/expense seems reasonable.	Adequate budget information. Appears to somewhat support the work outlined.	The program budget is vague and/or incomplete and is unclear how it supports the work outlined.
Detailed Budget Narrative: Is use/purpose of funding detailed and clear?	Each expense line item on budget is clearly identified and shows the purpose of funding.	Most expense line items on budget are somewhat identified and shows purpose of the funding.	Expense line items marginally identified or not identified, and purpose of funding is unclear.
Section 4- Success Story			
Level of Performance	Yes	No	
Score	1 Point	0 Points	
Success Story	Story provided that aligns with	No story provided.	
Total Overall Points for Grant Application: 100 Points			



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 5.e

Consideration of Residential Exterior Improvement Program Grant Application: 307 N Third Street, Jackie and Ryan Monfils

BACKGROUND

This application is to replace a deteriorating retaining wall that supports the property's driveway. The project scores well for property condition, age of home, percentage of average assessed value, quality of materials and thoroughness of the application. The scoring rubric is included in your packet. The CDA recommends approval.

RECOMMENDATION

ATTACHMENTS

1. 2024-02-07 Residential Exterior Imp Program - 307 N Third
2. Monfils Scoring



HERITAGE
COMMUNITY
OPPORTUNITY

VILLAGE OF MOUNT HOREB

E. Main Street
Mount Horeb, WI 53572
Phone: (608) 437-6884 Fax: (608) 437-3190
Email: mhinfo@mounthorebwi.info Web: mounthorebwi.info

RESIDENTIAL EXTERIOR IMPROVEMENT PROGRAM GRANT APPLICATION

(Please complete and submit one application for the complete project)

APPLICANT INFORMATION

Applicant Name Jacquelyn Monfils
Property Address 307 N Third Street, Mount Horeb
Phone 414-313-0484 Email jackiemonfils777@gmail.com

PROPERTY INFORMATION

Year Home Built ~1920 Purchase Year of Home 2018
Assessed Value of Home \$ 324,300

PROJECT INFORMATION

Proposed Start Date June 2024 Proposed Completion Date July 2024
Contractor Name Maple Leaf Inc. (Anthony Johnson) Contractor License # 93-003578-012418
Contractor Address 2416 Spring Rose Road, Verona, WI 53593
Street City State Zip
Contractor Phone 608-845-2203 Mobile Contractor Email ajohnson@mapleleaflandscape.com
Total Project Estimate \$ 8040.75 Grant Request \$ 4020.00
Other funding sources that will be used: No other public funding sources.

Project Narrative (attach additional sheets if necessary).

Please include information related to the work that will be done, colors that will be used, why there is a need for the project, and other information that will be relevant to making a decision on the grant application.

The 105' structural, wood timber retaining wall is failing due to rot. Several attempts to brace the wall have been previously made as seen in the photos attached.

This wall supports the neighbor's driveway and no longer stands vertical. A new limestone rock wall is proposed and will also greatly improve

the look and feel of the area since the wall is visible to all Village pool and park visitors.

Thank you for providing this program and offering this potential opportunity for us.

DOCUMENTS TO INCLUDE

- ☐ Two contractor proposals
- ☐ Site plan
- ☐ Copy of Contractor License Information.
- ☐ Proof of Insurance
- ☐ Photos of what will be repaired

Certification: The information provided above is true and accurate to the best of my knowledge and I have read and understand the guidelines of the Village of Mount Horeb Residential Exterior Improvement Program and agree to abide by its conditions. I acknowledge that the Village Board has the right to terminate this agreement under the Residential Exterior Improvement Program if I, as the applicant, am found to be in violation of any conditions set forth in the guidelines of the program. I understand this is a matching grant up to \$5,000.

Applicant Signature 

02-07-2024
Date

Office Use Only	
Date Application Received:	Does this applicant qualify for a building permit? ☐ Yes ☐ No
Community Development Authority Review Date: _____	
☐ Recommended approval without conditions ☐ Recommended approval with conditions ☐ Recommended denial	
Recommended conditions or reason for denial (if applicable): 	
Common Council Review Date: _____	
☐ Approved without conditions ☐ Approved with conditions ☐ Denied (reasons below)	
Conditions or reason for denial (if applicable): 	
Authorized Grant Amount: _____	
Date Check Issued:	



VILLAGE OF MOUNT HOREB

E. Main Street
Mount Horeb, WI 53572
Phone: (608) 437-6884 Fax: (608) 437-3190
Email: mhinfo@mounthorebwi.info Web: mounthorebwi.info

RESIDENTIAL EXTERIOR IMPROVEMENT PROGRAM

PROJECT CLOSE-OUT

Grant Recipient _____

Property Address _____

☐ Attach photos of completed project.

By signing below, you verify that all work on this project had been completed to the best of your knowledge and, in your opinion, is acceptable to you and completed in accordance with the requirements of the Residential Exterior Improvement Program and consistent with the nature of this application.

Contractor Signature

Date

Applicant Signature

Date

Village Staff

Date

Village Treasurer Signature

Date

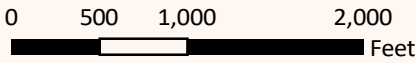
Village Administrator Signature

Date

Mt. Horeb - TID 5

-  TID 5
-  TID 5 - Half Mile Radius

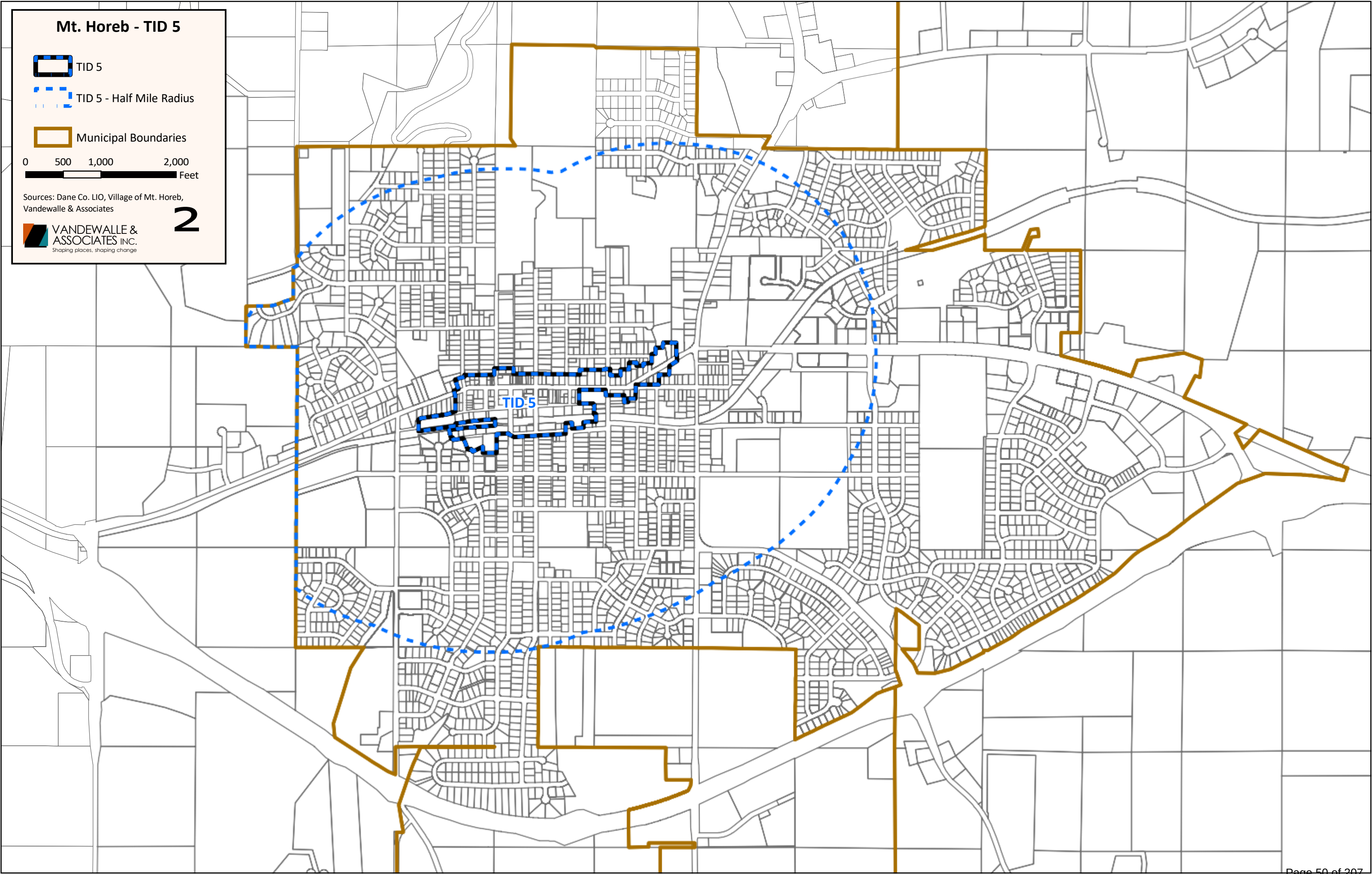
 Municipal Boundaries



Sources: Dane Co. LIO, Village of Mt. Horeb,
Vandewalle & Associates

 **VANDEWALLE &
ASSOCIATES INC.**
Shaping places, shaping change

2





Jackie Monfils <jackiemonfils777@gmail.com>

Landscape Proposal

Anthony Johnson <AJohnson@mapleleaflandscape.com>

Wed, Feb 7, 2024 at 9:50 AM

To: Jackie Monfils <jackiemonfils777@gmail.com>, Ryan Monfils <Ryanmonfils@gmail.com>

Hi Jackie (& Ryan),

I've spoken with the estimator that you originally met with that gave me the numbers for the proposal. All the pricing is still good on the estimate. If you have any other questions, feel free to contact me and we look forward to working with you this year.

Thank you,

Anthony (Tony) Johnson

Landscape Admin Asst.



[Quoted text hidden]

Contract of Agreement/Proposal – 2023

10/18/2023



Dependable, Professional, Expert Service
2416 Spring Rose Road • Verona, WI 53593
P.O. Box 930095 • Verona, WI 53593-0095
(608)845-2203 • Fax (608)848-2250
www.mapleleaflandscape.com

Jackie Monfils
307 N Third Street
Mt Horeb, WI 53572

P: (414) 313-0484
E: jackiemonfils777@gmail.com

We hereby submit specifications and estimates for:

- Travel, set up, deliveries, clean up, and removal of existing timber wall
\$700.00 + tax
- Furnish and install 210 face feet (105' by 2') of limestone boulder retaining wall. Furnish and install 140N wall fabric to control erosion.
\$6,300.00 Non-taxable
- Furnish and all necessary topsoil, Madison Parks seed with Quick-to-Grow, and straw erosion netting to repair all damage due to machinery access
\$950.00 + tax

Taxable: \$1,650.00 Tax: \$90.75 Non-taxable: \$6,300.00 Total: \$8,040.75

Permits:

- There are no building or construction permits necessary for Maple Leaf's work.

Timeline

Maple Leaf's work will be scheduled upon receipt of a signed contract. Maple Leaf will inform you of any changes in scheduling. If Maple Leaf anticipates any delays, it will notify you. Please note that the weather may significantly impact Maple Leaf's timeline estimate.

SEE BACK/ATTACHED SHEET FOR ADDITIONAL TERMS & CONDITIONS

Note: This proposal may be withdrawn by us if not accepted within 30 days.

To accept this contract, please sign/date below and return one of the copies. By signing below, you are agreeing to the above proposal in addition to the terms and conditions.

X	Date	X	Date
Customer Signature		Joel Grant, Maple Leaf Inc.	

NOTICE OF CONSUMER'S RIGHT TO RECEIVE LIEN WAIVERS

If a consumer requests lien waivers, a seller of home improvement services must provide lien waivers from all contractors, subcontractors, and material suppliers. This Wisconsin law protects consumers from having liens filed against their property. Lien waivers prevent the filing of a lien on your home in the event a contractor does not pay suppliers or subcontractors.

For more information about home improvement law, contact the Wisconsin Consumer Protection Bureau at 1-800-422-7128 or www.datcp.wi.gov.

Acknowledgement of Receipt

Consumer's Signature	Date
----------------------	------

Landscape Terms & Conditions

Acceptance: This proposal may be withdrawn by Maple Leaf, Inc. if not accepted within 30 days. Prices, specifications, and conditions as outlined in this proposal/contract are satisfactory and hereby accepted. Maple Leaf, Inc. is authorized to do the work as specified in this proposal/contract. Deposit is due at time of acceptance as described within payment terms.

Payment Terms: For projects less than \$10,000.00 a deposit of 50% is required at the time of acceptance. For projects equal to or greater than \$10,000.00 in value; a deposit of 30% is required at the time of acceptance, 30% due upon commencement of project, and 30% due at time indicated within mutually agreed upon project schedule. Unless terms are specified to the contrary, full payment is required upon completion. If payment in full is not received within 10 days from invoice date, a finance charge of 1.5% per month (18% APR), or the maximum legal rate if less than 18% APR, will be added to the total due. **All credit card payments will automatically be billed an additional 4% processing fee to each balance being paid.**

Breach of Contract: In the event you fail to pay as required by this agreement, any fees or costs incurred by Maple Leaf, Inc. in the demand, commencement and/or prosecution of collection activities, including actual attorneys' fees, will be borne by you.

Early Termination of Contract: In the event that Maple Leaf, Inc. terminated this agreement for cause, or Owner terminates this agreement early without cause, Owner shall be obligated to pay for all services actually received, plus Maple Leaf, Inc.'s loss, based on the number of occasions services would have been provided had the agreement not been terminated early, for the remaining term of the agreement.

Cancellation of Services: Failure to pay the total amount within forty-five (45) days of service may result in Maple Leaf, Inc.'s refusal to perform additional services under this proposal/contract.

Opportunity to Cure: In the event of default by Maple Leaf, Inc. for failure to complete work in a timely fashion, or to customer's reasonable satisfaction, this agreement cannot be terminated by customer unless, prior to such termination, Maple Leaf, Inc. is given reasonable notice of such default, and an opportunity to cure, Maple Leaf, Inc. shall have ten (10) business days from receipt of written notice to cure any alleged defects or deficiencies.

Warranty: On accounts paid in full, according to terms, a 2-year warranty from the date of invoice exists on installed hardscape craftsmanship or product defects (excluding poured concrete). Hardscape is defined as landscaping constructed with natural stone, pavers, bricks, and block. A 1-year warranty exists on installed original plant material (if properly cared for) for a one-time replacement on zone 4 plant material only (excludes perennials and annuals); labor for replacement plantings will be billed additionally. Sod and Seed are not guaranteed since their survival depends solely on the care given after installation.

Concrete & Stamped Concrete: Maple Leaf Inc. will make every attempt necessary to avoid cracks that may occur during/after installation. Due to the freeze thaw cycles in our climate, we will not guarantee that our concrete will not crack. In most cases, joints will be tooled in or cut into the installation in an attempt to direct cracks along a specified line. Maple Leaf Inc. is not responsible for any color variation found within any concrete. Salt should not be used on concrete less than 3 years old or if unsealed. Maple Leaf will not be held responsible for pitting of concrete due to early or excessive salt use.

Driveway Damage: Dropping of product in the city street is illegal in most jurisdictions; if this is the case for your project, we will be dropping product in your personal driveway. Maple Leaf Inc., is not responsible for any damages to your driveway during dropping of these materials for your project. Maple Leaf Inc. holds no responsibility to any damage caused by equipment, trucks, or materials relating to cracking, pitting, scratching, or catastrophic failure to any pavement areas.

Additions, Revisions, and Damage: Additions to the contract specifications involving extra costs or work arising out of Owner's breach of this Agreement, will require prior written approval (change order form) and will become an extra charge over and above the original Proposal/Contract.

Rate Adjustments: Maple Leaf Inc. reserves the right to adjust its rates at any time or assess surcharges based upon increases or decreases in fuel costs, disposal facility costs, vendor costs or due to changes in local, state, or federal laws and regulations.

Scheduling: Jobs are scheduled upon receipt of the signed Proposal/Contract. You will be notified of an approximate start date. Occasionally, our schedule needs adjusting due to weather, job delays, back ordered material, etc.

NOTICE OF LIEN RIGHTS: AS REQUIRED BY THE WISCONSIN CONSTRUCTION LIEN LAW, MAPLE LEAF, INC. HEREBY NOTIFIES OWNER THAT PERSONS OR COMPANIES FURNISHING LABOR OR MATERIALS FOR THE CONSTRUCTION ON OWNERS LAND MAY HAVE LIEN RIGHTS ON OWNERS AND BUILDINGS IF NOT PAID. THOSE ENTITLED TO LIEN RIGHTS, IN ADDITION TO MAPLE LEAF, INC. ARE THOSE WHO CONTRACT DIRECTLY WITH THE OWNER, OR THOSE WHO GIVE THE OWNER NOTICE WITHIN 60 DAYS AFTER THEY FIRST FURNISH LABOR OR MATERIALS FOR THE CONSTRUCTION. ACCORDINGLY, OWNER PROBABLY WILL RECEIVE NOTICES FROM THOSE WHO FURNISH LABOR AND MATERIALS FOR THE CONSTRUCTION, AND SHOULD GIVE A COPY OF EACH NOTICE RECEIVED TO THE MORTGAGE LENDER, IF ANY. MAPLE LEAF, INC. AGREES TO COOPERATE WITH THE OWNER AND THE OWNERS LENDER, IF ANY, TO SEE THAT ALL POTENTIAL LIEN CLAIMANTS ARE DULY PAID.

Acts of God: Strikes, accidents, inclement weather or other "acts of god" which cause damage to the work performed, death of nursery stock or delays are beyond our control and do not constitute non-performance or liability on our behalf.

Utilities: Diggers Hotline will be called prior to commencement of projects to mark public utilities (Electric, Gas, and Cable). Diggers Hotline does not mark private utilities such as, but not limited to: drain tile, low voltage lighting, invisible fence, irrigation lines and heads, septic lines, and pool equipment lines. Maple Leaf, Inc. cannot be held responsible for damage to and/or repair of unmarked/mismarked public/private utilities on site. Marking of all private utilities on the site prior to start of the project is the responsibility of the owner.



Site Plan - Retaining Wall Reconstruction
Village of Mount Horeb
February 1, 2024



State of Wisconsin
Department of Agriculture, Trade and Consumer Protection

Company Information

Business License #: 93-003578-012418

Business Name: MAPLE LEAF INC

Contact: JOEL GRANT

Address Line 1: 2416 SPRINGROSE RD

City, State, Zip: VERONA, WI 53593

County: DANE

Date Last Updated: 4/1/2024

Search By: [Business Location Name](#) [Business License Number](#) [Business City/County or Zip](#)

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Data provided by Wisconsin Department of Agriculture, Trade & Consumer Protection in cooperation with Kelly Registration Systems, Inc. The data is freely available to anyone. Please send an [email](#) if you find incorrect information.

Kittleson Landscape, Inc.

Jackie Monfils
307 N. 3rd street
Mount Horeb, WI 53572

10486 CTH ID
Blue Mounds, Wisconsin 53517
Telephone (608) 437-8845
Fax (608) 437-4422
www.kittlesonlandscape.com

13 October 2023

We are pleased to propose the following work as described below:

- 1) Remove existing timber retaining wall on south side of property and replace it with A limestone retaining wall. We will use the neighbor's driveway for access and stage material in Monfils front lawn on third street.

Total for this portion is \$7440.00 nontaxable

- 2) Repair all damaged lawn areas to include topsoil, grass seed, fertilizer and straw mulch.

Total for this portion is \$1886.00 taxable

ROUGH GRADE AND OR BLACK DIRT IF NEEDED WILL BE ADDITIONAL.
I have read and agreed to contract terms as stated below.

Customer Signature _____

Date _____

30% deposit sent \$_____.00

Sincerely,

Ryan Henry
Kittleson Landscape Inc.



10486 CTH ID
Blue Mounds, Wisconsin 53517

Telephone (608) 437-8845

Fax (608) 437-4422

www.kittlesonlandscape.com

30% Down payment is required. Payment in full is due at the time of completion or within 10 days of that date. Accounts remaining unpaid after 30 days of completion will be considered past due and will be assessed finance charge and a \$5.00 late charge per billing cycle. The finance charge shall be calculated at the periodic rate of 2.0% per month (ANNUAL PERCENTAGE RATE OF 24%). The unpaid balance upon which is a finance charge is computed is the closing balance of the prior statement, plus any credit purchase made or finance charges incurred during the monthly period, less and payments made or credits from adjustments for purchase refunds given during the monthly period.

In the event Customer is (1) in default as defined by 425.103 of the Wisconsin Statutes or Debtor is not a customer as defined by the Wisconsin Consumer Act, then the failure to pay within 10 days of the statement date and (2) has not cured the default within 15 calendar days of the date of mailing of notice to cure the full amount of Customer's account shall, without prior notice or demand, become immediately due and payable.

Kittleson Landscape, Inc. is not responsible for washouts or settling due to sub grade work by others or on new construction.

Work performed beyond "growing season" will be at the responsibility of the owner

If Kittleson Landscape Inc. is short of all or part of the nursery stock described herein, Kittleson landscape, Inc., can at its option substitute delivery for the nursery stock in short supply with similar kinds of equal value or deduct the nursery stock in short supply from the sales contract.

Trees and shrubs have a 1 year warrantee from the date they are installed. If proper care was not performed as in watering the warrantee is void.

Perennials have a warrantee of the growing season they are installed. (Also with proper care taken.)

Seed and sod warrantee does not apply if proper care is not taken. If high winds and or heavy rains occur, repairs Will be completed on a time and material basis.



Image 1: Photo taken facing southeast at the failing retaining wall visible to all park goers. The lowest timber layer is completely rotted. The wall is tipping and does not stand vertical.



Image 2: Photo taken facing southwest. Lighter wood areas represent temporary stabilization measures added in past couple years to extend the life of the wall. Timbers closest to Third St are completely rotted and the area is not supported.



Image 3: Aerial view of 307 and 305 N. Park. Retaining wall extents shown in light green. Source: DCImap, Dane County.

State Bar of Wisconsin Form 11 - 2003
LAND CONTRACT
(TO BE USED FOR NON-CONSUMER ACT TRANSACTIONS)

Document Number

Document Name

CONTRACT, by and between Mark D. Nicholson and Jeanne A. Nicholson Revocable Trust ("Vendor," whether one or more), and Ryan P. Monfils and Jacquelyn T. Monfils (H/W) ("Purchaser," whether one or more).

Vendor sells and agrees to convey to Purchaser, upon the prompt and full performance of this Contract by Purchaser, the following real estate, together with the rents, profits, fixtures and other appurtenant interests "Property", in Dane County, State of Wisconsin:

Lot One (1), Block Eighteen (18), Park Addition to Mt. Horeb, in the Village of Mt. Horeb, Dane County, Wisconsin.

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5500103

06/28/2019 03:26 PM

Trans Fee: 699.00

Exempt #:

Rec. Fee: 30.00

Pages: 4

Recording Area

Name and Return Address

Mark Nicholson
6183 S. Packard Ave
Cudahy, WI 53110

157/0606-122-5871-6

Parcel Identification Number (PIN)

This is homestead property.
(is) (is not)

This is not a purchase money mortgage.
(is) (is not)

Purchaser agrees to purchase the Property and to pay to Vendor at 6183 S. Packard Ave, Cudahy, WI 53110 the sum of \$ 229,235.42 in the following manner:

(a) \$ 29,235.42 at the execution of this Contract; and

(b) the balance of \$ 200,000.00, together with interest from the date hereof on the balance outstanding from time to time at the rate of 3.875 % per annum until paid in full as follows:

First payment of \$940.47 to be paid on or before August 1, 2019. Payments received after the 15th of the month will be assessed a 5% late charge on the payment amount.

provided the entire outstanding balance shall be paid in full on or before _____ ("Maturity Date"). Payments shall be applied first to interest on the unpaid balance at the rate specified and then to principal.

CHOOSE ONE OF THE FOLLOWING OPTIONS: IF NO OPTION IS CHOSEN, OPTION A SHALL APPLY:

☐ A. Any amount may be prepaid without premium or fee upon principal at any time.

☒ B. Any amount may be prepaid without premium or fee upon principal at any time after January 1, 2020

☐ C. There may be no prepayment of principal without written permission of Vendor.

State Bar Form 11 - Page 1

Nicholson Realty Inc. 6183 S Packard Ave Cudahy, WI 53110-3029
Mark Nicholson

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026

Phone: 414.762.1616

Fax: 414.764.4140

www.ziplogix.com

Jackie Monfils

Electronic Real Estate Transfer Receipt

Wisconsin Department of Revenue
Instructions

SMTV6

1. Grantors and grantees must review this receipt, noting grantor and grantee responsibilities
2. Mail or deliver the following items:

Dane County Register of Deeds, 210 MARTIN LUTHER KING JR BLVD, RM 110, PO BOX 1438, MADISON, WI 53701-1438

- This receipt page and a transfer fee of \$699.00
- The deed or instrument of conveyance and a recording fee of \$30.00 (regardless of the number of pages)

To view real estate transfer return details online, visit:

<https://ww2.revenue.wi.gov/RETRWebPublic/application>. You will need your receipt number, total value of real estate transferred, and the last name of one grantor or grantee.

Receipt **SMTV6**. Filed June 27, 2019, 3:19 PM - **Dane County**. Conveyance date **2019-06-14**.

Value transferred	\$233,000	Transfer fee	\$699.00
Value subject to fee	\$233,000	Fee exemption number	
Grantors	Mark D. Nicholson and Jeanne A. Nicholson Revocable Trust		
Grantees	Monfils, Ryan P. and Jacquelyn T.		
Tax bill address	Ryan P. and Jacquelyn T. Monfils, 307 North 3rd Street, Mount Horeb, Wisconsin 53572		
Property Location	307 North 3rd Street (Village of Mount Horeb)		
Parcels	157/060612258716		
Legal description	Lot 1, Block 18, Park Addition to Mt. Horeb, in the Village of Mt. Horeb, Dane County, Wisconsin.		

Grantor responsibilities: Grantors are responsible for paying the proper fee amount—verify the total property value, fee amount and fee exemption before sending this receipt to the county Register of Deeds.

Grantee responsibilities: Grantees assert that this property is a primary residence.

Preparer	Land Closing Services, Inc., 414-259-5060, cseleski@landclosingservices.net
Grantor agent	Mark D. Nicholson, 414-762-7330
Grantee agent	

If you have questions on the Real Estate Transfer Return (RETR), visit the Wisconsin Department of Revenue's Real Estate Transfer Fee web page at: revenue.wi.gov/retr/index.html, or contact your County Register of Deeds. To locate your Register of Deeds, visit: wrdaonline.org. Information on a real estate transfer return is used to administer various Wisconsin laws, including: income tax, real estate transfers, rental unit energy efficiency, lottery tax credit, and general property tax. Whether you are a resident, part-year resident, or non-resident, you must report the transfer of Wisconsin real estate in a taxable transaction on your Wisconsin income tax return. If you are a non-resident, you must file Form 1NPR to report the sale.

Penalties imposed under the following Wisconsin Statutes or Administrative Code:
 Using an improper exemption - sec. 77.26(8), Wis. Stats.; falsifying the property value - sec. 77.27, Wis. Stats.;
 improperly claiming lottery and gaming credit as primary residence - chapter tax 20.12, Wis. Adm. Code.
 Weatherization program under sec. 101.122, Wis. Stats., no longer exists.

Renewal Declarations Homeowners Policy



Please read your policy

Named Insured(s)

Ryan Monfils
Jacquelyn T Monfils
307 N 3rd St
Mount Horeb WI 53572-1755

American Family Insurance Company
6000 American Parkway
Madison WI 53783

For customer service and claims service
24 hours a day, 7 days a week

1-800-MY AMFAM (1-800-692-6326)
amfam.com

Policy Information

Policy number	Policy period	Billing account number
41045-45683-76	6/27/2023 to 6/27/2024	606-289-169-84

Total premium with discounts applied \$1,134.46

Total premium if paid in full \$1,077.75

Discounts Applied to this Policy

Affinity Discount – University of Wisconsin - Madison
AutoPay Discount
Loyalty Discount
Multi-Product Discount
Paperless Discount

These discounts reduced your total premium by \$427.63

Residence Premises Information

Location	Residence use	Residence type
307 N 3rd St Mount Horeb WI 53572-1755	Primary Residence	Single Family Dwelling

Section I - Property Coverage

	Previous Limit	New Limit
Coverage A - Dwelling	\$399,000	\$433,000
Open Perils		
Coverage A limit is increased using an inflation index of 8.50% for your area		
Coverage B - Other Structures		
Perils: Same as Coverage A - Dwelling		
Unscheduled Structures	\$5,000	\$5,000
Scheduled Structures		
Garage - Detached without Living Quarters	\$32,900	\$35,700
Coverage B limit is increased using an inflation index of 8.50% for your area		
Coverage C - Personal Property	\$159,600	\$173,200
Broad Named Perils		
Coverage C limit is increased using an inflation index of 8.50% for your area		
Coverage D - Loss Of Use	\$79,800	\$86,600
Coverage D limit is increased using an inflation index of 8.50% for your area		
Additional Coverage		
Fungi Or Bacteria	\$10,000	\$10,000

Section II - Liability Coverage**Per Occurrence Limit**

Coverage E - Personal Liability	\$500,000
Dangerous Dog And Exotic Animal Liability	\$25,000
Coverage F - Medical Expense	\$25,000

Deductible(s)	Previous Amount	New Amount
Property Deductible	\$2,000	\$2,000
Windstorm Or Hail Deductible	\$2,000	\$2,000

Policy Forms and Endorsements

Form or Endorsement Number	Name(s)
HO 80 03 01 14	Homeowners Form
AL 00 04 05 17	American Family Mutual Insurance Company, S.I. Amendatory Endorsement
HO 81 53 12 22	Wisconsin Amendatory Endorsement
HO 04 41 01 14	Additional Insured Coverage
HO 86 03 01 15	Dangerous Dog And Exotic Animal Liability Limit
HO 86 10 01 14	Increased Dwelling Limit Coverage
HO 84 16 09 22	Ordinance Or Law Coverage
HO 04 90 09 22	Personal Property Replacement Cost Coverage
HO 84 26 12 20	Pollutant Cleanup And Removal
HO 86 05 10 22	Roof Replacement Cost Coverage For Windstorm And Hail
HO 84 25 02 20	Water Coverage From An Outside Water Source (This is not Flood Insurance)

Endorsement Details

Endorsement Name	Previous Limit	New Limit	Premium
Dangerous Dog And Exotic Animal Liability Limit	\$25,000	\$25,000	No Charge
Increased Dwelling Limit Coverage	\$79,800	\$86,600	No Charge
Ordinance Or Law Coverage	\$399,000	\$433,000	Included
Pollutant Cleanup And Removal	\$5,000	\$5,000	No Charge
Water Coverage From An Outside Water Source (This is not Flood Insurance)	\$25,000	\$25,000	No Charge

Other Interest(s)

Mortgagee(s)
 NEWREZ LLC ITS SUCCESSORS AND/OR ASSIGNS ATIMA
 PO BOX 7050
 TROY MI 48007-7050
 Loan No.: 0578347415

Important Information**Amounts of insurance:**

Please review the coverage amount on your home. We recommend (and may require) that your Coverage A limit be equal to the estimated cost to rebuild your home. Your agent can help you estimate the replacement cost based on your home's features. He or she can also help you determine whether you have enough coverage to replace your personal property. Visit www.amfam.com for more information about homeowners insurance.

Damage caused by flooding:

If you have added the Inland Flood Coverage endorsement you will have limited flood coverage. If you have not added the Inland Flood Coverage endorsement, this policy does not cover any damage to your property caused by flooding. The Inland Flood Coverage endorsement is not affiliated with the National Flood Insurance

Important Information (continued)

Program (NFIP) and would not satisfy mandatory flood insurance coverage should it be required by your federally regulated mortgage lender. If you need coverage that meets these requirements, flood insurance is available through the NFIP for properties within communities that participate in this program. The NFIP is a federally backed flood insurance program, which is administered by Federal Emergency Management Agency (FEMA), a federal government agency. American Family Insurance is a participating insurance carrier of the NFIP Write-Your-Own program. If your community participates in the NFIP, your American Family agent can assist you in obtaining flood insurance through the NFIP. Not all communities participate in the NFIP. However, flood insurance may still be available even if you do not live in a participating community. Contact your American Family Insurance agent or visit floodsmart.gov.

Renewal:

Failure to pay the renewal premium by the due date extinguishes your right to renewal. We offer several ways for you to make payment including online, by phone, mail or at any American Family agent's office.

Agent Information

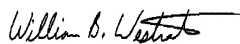
Stokes & Associates, Inc.

pstokes@amfam.com

3830 ATWOOD AVE
Madison WI 53714-2879
608-221-1149

Declarations are effective on the date shown. These declarations form a part of this policy and replace all other declarations which may have been issued previously for this policy. If these declarations are accompanied by a new policy, the policy replaces any which may have been issued before with the same policy number.

AUTHORIZED
REPRESENTATIVE


President


Secretary

Residential Improvement Program Scoring			
Level of Performance	Strong	Fair	Weak/Poor
Score	10-7 Points	6-4 Points	3 Point or Below
Property Condition		6	
Age of home	10		
Percentage of Average Assessed Value	10		
Percentage of Improvements of Assessed Value			3
Repair of historical elements			3
Quality of materials		6	

Thoroughness of application	7		
Sustainability, energy efficiency			0
Financial Hardship			3
Application Score			
Score			48
Total Overall Points for Grant Application: 100 Points			



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

AGENDA ITEM # 5.f

Consideration of Ordinance 2024-10, AN ORDINANCE TO AMEND SECTION 12.01(8) CIGARETTES, TO INCLUDE TOBACCO PRODUCTS AND ELECTRONIC VAPING DEVICES

BACKGROUND

A new law was passed that businesses who sell electronic vaping devices need to apply for a license from the Municipality, just like cigarettes and tobacco.

RECOMMENDATION

ATTACHMENTS

1. Ord 2024-10 Cigarette, Tobacco, and Vaping Products sales

**VILLAGE OF MOUNT HOREB
ORDINANCE 2024-10**

**AN ORDINANCE TO AMEND SECTION 12.01(8) CIGARETTES, TO INCLUDE
TOBACCO PRODUCTS AND ELECTRONIC VAPING DEVICES**

The Village Board of the Village of Mount Horeb, Wisconsin, do ordain as follows:

Chapter 12.01 of Mount Horeb Code of Municipal Ordinances is amended as follows
(changes in bold):

12.01 - LICENSE OR PERMIT REQUIRED.

A license or permit shall be required for each of the following businesses or activities at the indicated license or permit fee, which shall be for one year, unless otherwise indicated:

(1) AMUSEMENT AND MUSIC DEVICES (Section 12.09). \$20.

(2) AMUSEMENTS AND SHOWS, PUBLIC (Section 12.04).

(a) Carnivals. \$20 per day.

(b) All Other Shows. \$20 per day.

(3) DIRECT SELLERS.

(a) \$20.00 for one week permit

(b) \$40.00 for one month permit

(c) \$100.00 for one year permit

(4) DOG LICENSES. See Ch. 174, Wis. Stats.

(5) FERMENTED MALT BEVERAGES. (§ 12.03).

(a) Class A retailer's license.

(b) Class B retailer's license.

(c) Temporary Class B ("picnic") license.

(d) License for less than 12 months.

(e) Provisional license.

(6) INTOXICATING LIQUOR. (§ 12.03).

(a) Retail Class A license.

(b) Retail Class B.

(c) Reserve retail Class B license.

- (d) Temporary Class B ("picnic") license.
- (e) Retail Class C license.
- (f) License for less than 12 months.
- (g) Provisional License.
- (7) Alcohol operator's license.
 - (a) Provisional license. See § 125.17(5), Wis. Stats.
- (8) CIGARETTE, **TOBACCO PRODUCT, ELECTRONIC VAPING DEVICE** SALES. See § 134.66, Wis. Stats.
- (9) TAXICABS: TAXICAB BUSINESS LICENSE; TAXICAB OPERATOR'S PERMIT.
 - .
 - .
 - .

This ordinance shall take effect and be in full force after its passage and publication as required by law.

Introduced and passed this 1st day of May, 2024.

APPROVED:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

APPROVED: _____

PUBLISHED/POSTED: _____



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

AGENDA ITEM # 5.g

Consideration of Resolution 2024-05, A RESOLUTION TO AMEND MUNICIPAL WARD PLAN

BACKGROUND

This resolution is due to adding another ward to the Village (Ward 12). When the new redistricting lines were drawn and approved, the east side Kwik Trip was put into a different assembly district, thus needing to create a separate ward for that parcel.

RECOMMENDATION

ATTACHMENTS

1. reso 2024-05 AMEND MUNICIPAL WARD PLAN
2. EXHIBIT A- CENSUS BLOCK LIST & WARD MAP 042424

**VILLAGE OF MOUNT HOREB
RESOLUTION 2024-05
TO AMEND MUNICIPAL WARD PLAN**

WHEREAS, Wisconsin Statutes, Section 5.15, requires all cities, villages and towns with a population of 1,000 or more to establish municipal wards based on the results of the 2020 census, and

WHEREAS, Section 5.15(1)(b) of the Statutes requires that, to suit the convenience of the voters residing therein each ward shall, as far as practicable, be kept compact and observe the community interest of existing neighborhoods and other settlements, and

WHEREAS, Section 5.15(2)(d) of the Statutes requires every municipality to make a good faith effort to accommodate the tentative plan submitted by the county in which it is located under section 59.10(2)(a) or (3)(b)1., and shall divide itself into wards in such a manner that will permit the creation of county supervisory districts in accordance with the population requirements for the plan specified in s.59.10(2)(a) or (3)(b)1., and

WHEREAS, Section 5.15(4)(a) of the Statutes requires that the resolution shall number all wards in the municipality in unique whole numbers in consecutive order, beginning with the number one, shall designate the polling place for each ward, and shall describe the boundaries of each ward consistent with the conventions set forth in s. 4.003. The resolution shall be accompanied by a list of the block numbers used by the U.S. Bureau of the Census, that are wholly or partly contained within each ward, with any block numbers partly contained within a ward identified, and a map of the municipality which illustrates the revised boundaries, and

WHEREAS, Section 5.15(4)(b) of the Statutes requires that within 5 days after adoption or enactment of a resolution under this section, the municipal clerk shall transmit one copy of the resolution to the county clerk of each county in which the municipality is contained, accompanied by the list and map specified in 5.15(4)(a). If the population of the municipality exceeds 10,000 the municipal clerk shall furnish one copy to the legislative bureau at the same time. Each copy shall identify the name of the municipality and the county or counties in which it is located.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Mount Horeb adopts the wards described as follows: (changes in **bold**)

<u>Ward Number*</u>	<u>Population</u>	<u>Polling Location</u>
1	770	Public Library- 105 Perimeter Rd
2	785	Public Library- 105 Perimeter Rd
3	726	Public Library- 105 Perimeter Rd
4	826	Public Library- 105 Perimeter Rd
5	846	Public Library- 105 Perimeter Rd
6	906	Senior Center- 107 N Grove St
7	753	Senior Center- 107 N Grove St
8	736	Senior Center- 107 N Grove St
9	809	Senior Center- 107 N Grove St
10	597	Senior Center- 107 N Grove St
11	0	Senior Center- 107 N Grove St
12	0	Public Library- 105 Perimeter Rd

Total Population: January 2020 7,754

*For a description of each ward, see the attached map and census blocks (Exhibit A).

BE IT FURTHER RESOLVED, that upon passage, a copy of this resolution shall be filed with the Village Clerk, who shall transmit a copy of the ward plan and this resolution to the County Clerk within five days of its adoption. This resolution shall remain unchanged until a further decennial federal census of population indicates that the population of a ward is then above or below the applicable population range or until the ward boundaries are required to be changed under 5.15(1)(a).

Introduced and passed this 1st day of May, 2024.

APPROVED:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

CENSUS BLOCK	WARD
550250128001004	1
550250128001006	3
550250128001007	3
550250128001008	1
550250128001009	3
550250128001010	1
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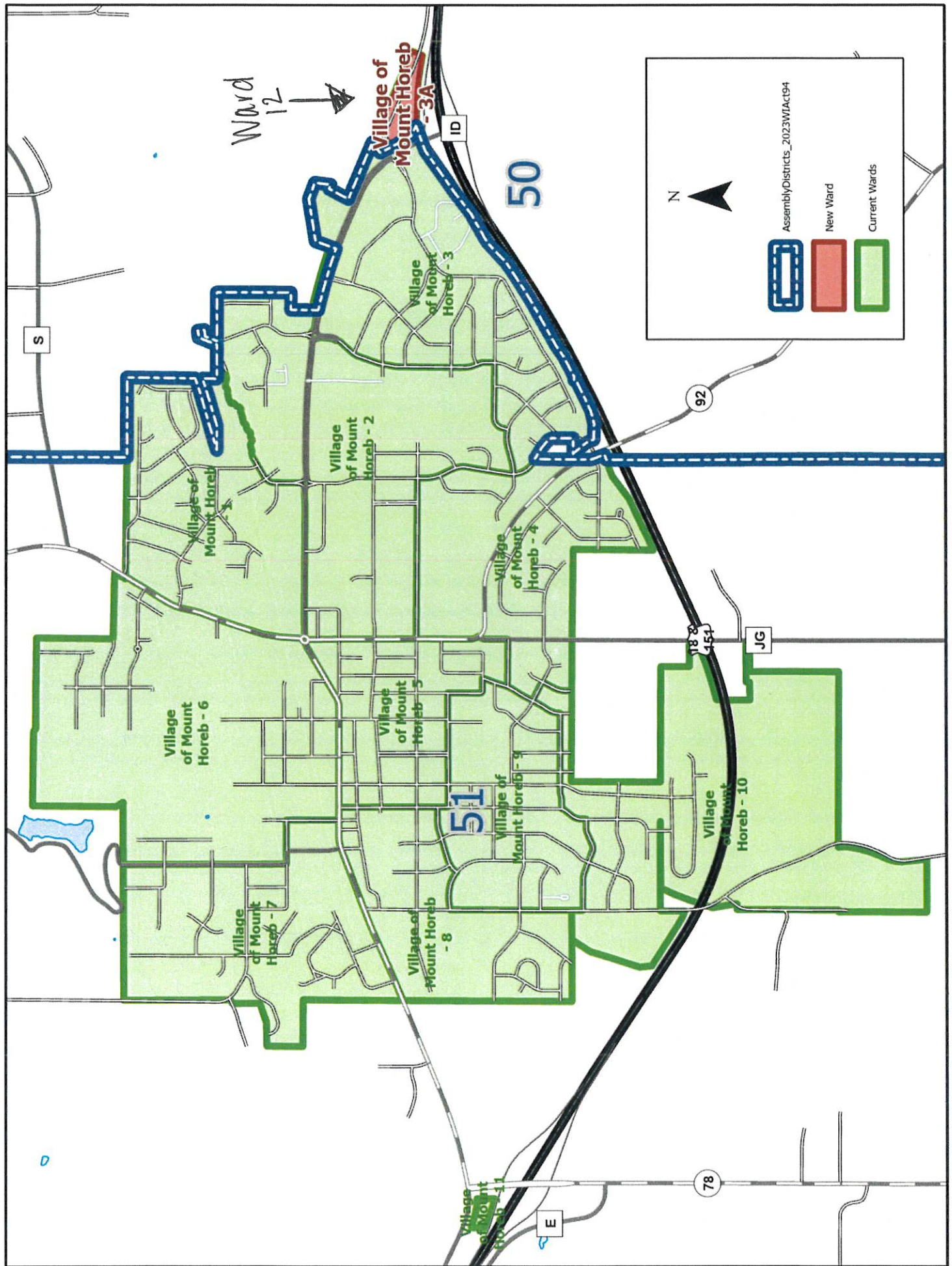
EXHIBIT A (4 pages)

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550250128001067	1
550250128002005	7
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550250128004056	10
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550250128004061	4
550250128004046_01	10
550250128001005_01	3
550250128001005_02	3
550250128004025	11
550250128001005	12

UPDATED ON 04/24/24 TO ADD WARDS 11 & 12





AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

AGENDA ITEM # 5.h

Consider Committee and Commission Appointments

BACKGROUND

There are several updates to the Committees and Commissions appointment list since approval at the Reorganization Meeting

Sustainability & Natural Resources Committee - Brett Halverson (replaces Nate Gauger)

Board of Review - Leah Lipska

CableTV - Tim White

RECOMMENDATION

ATTACHMENTS

None



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

AGENDA ITEM # 5.i

Consideration of Street Use Permit Application for Mount Horeb Summer Frolic Committee, Frolic Parade, on June 9, 2024

BACKGROUND

RECOMMENDATION

ATTACHMENTS

1. Street Use Permit- Frolic Parade 2024

**Village of Mt Horeb
Street Use Permit Application**

\$20.00

Applicant Name: Mt. Horeb Summer Frolic Committee

Address: _____ Telephone: _____

Event Sponsor (if different than above): NA

Address: _____ Telephone: _____

Responsible Person(s) (if different than above): Randy Hefty

Address: _____ Telephone: (608) 513-2627

Event Information

Start date: 6-9-2024 Time: 9:30 AM End Date: 6-9-2024 Time: 2:00 PM
(Include set-up and tear-down/clean-up time)

Detailed description of street(s) proposed to be used: Garfield to 1st, 1st to Henry,
Henry to Grundahl Park

Estimated number of persons: 80 to 90 units (Certificate of Insurance may be required)

Use of street (include a detailed description of all activities such as vending, music, selling of food or alcohol beverages, location and use of tents, stages, or other equipment, and a detailed plan for clean-up after the event): Parade Vehicles + Personnel on Streets

If using recording or sound amplification equipment please describe: _____

MC at Center Avenue

Designate any public facilities or equipment to be used (additional costs may be incurred): _____

Street Cones + Barricades

I certify that I have read and understand the Village of Mount Horeb Ordinance 2006-17 An Ordinance To Require Street Use Permits, and agree to adhere to all of the rules and requirements outlined in the Ordinance and that all information provided on this application is true and correct.

Randy Hefty
Signature

3-1-2024
Date

CHIEF OF POLICE: 3-7-24 ☒ ACCEPTED ☐ DECLINED VILLAGE ADMINISTRATOR: ☐ ACCEPTED ☐ DECLINED

RECEIPT#: _____ LICENSE# _____



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 5.j

Consider Pay Request #1 for Street Project 24-100

BACKGROUND

This is the first pay request from Rule Construction for the 2024 street project. The Village Engineer has reviewed the request and is recommending approval.

RECOMMENDATION

ATTACHMENTS

1. LTR 2024-0424 Pay Request 1 Rule 24-100

SMITHGROUP

April 24, 2024

Nic Owen
Village Administrator
VILLAGE OF MOUNT HOREB
138 East Main Street
Mount Horeb, WI 53572

Re Pay Request No. 1 – Contract 24-100, 2024 Street Improvements

Dear Nic,

Enclosed is Payment Request No. 1 from Rule Construction, Ltd. for work performed to date on the above referenced project. This payment request is recommended for payment in the amount of \$58,425.00. A summary of the payment is listed below, and the detailed request has been attached.

TOTAL AMOUNT REQUESTED TO DATE	\$61,500.00
LESS RETAINAGE	\$3,075.00
NET AMOUNT DUE	\$58,425.00
AMOUNT OF PREVIOUS PAYMENTS	-
AMOUNT DUE THIS APPLICATION	\$58,425.00

If you have questions, please do not hesitate to call. Thank you.

Sincerely,



Heather Brose, PE
Associate | Civil Engineer

cc: Rule Construction, Ltd. via Email

Contractor's Application for Payment No. 1

Application Period: 4/15/2024 to 4/17/24		Application Date: 4/17/2024	
To (Owner): Village of Mount Horeb	From (Contractor): Rule Construction, Ltd.	Via (Engineer): Smith Group	
Project: Mount Horeb 2024 Street Improvements	Contract: 24-100		
Owner's Contract No.: 24-100	Contractor's Project No.: 24-100	Engineer's Project No.: 24-100	

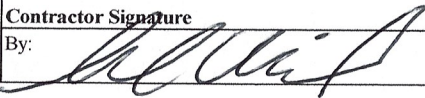
**Application For Payment
Change Order Summary**

Approved Change Orders			1. ORIGINAL CONTRACT PRICE.....	\$	\$1,085,253.00
Number	Additions	Deductions	2. Net change by Change Orders.....	\$	
			3. Current Contract Price (Line 1 ± 2).....	\$	\$1,085,253.00
			4. TOTAL COMPLETED AND STORED TO DATE		
			(Column F total on Progress Estimates).....	\$	\$61,500.00
			5. RETAINAGE: 5% of First 50%		
			a. 5% X \$61,500.00 Work Completed.	\$	\$3,075.00
			b. X Stored Material....	\$	
			c. Total Retainage (Line 5.a + Line 5.b).....	\$	\$3,075.00
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$58,425.00
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	
			8. AMOUNT DUE THIS APPLICATION.....	\$	\$58,425.00
			9. BALANCE TO FINISH, PLUS RETAINAGE		
			(Column G total on Progress Estimates + Line 5.c above).....	\$	\$1,026,828.00
TOTALS					
NET CHANGE BY					
CHANGE ORDERS					

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:
 (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
 (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
 (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature

By:  Date: 4/17/2024

Payment of: \$ \$58,425.00
 (Line 8 or other - attach explanation of the other amount)

is recommended by: Heather R. Brose April 24, 2024
 (Engineer) (Date)

Payment of: \$ _____
 (Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Date)
 (Owner)

Approved by: _____ (Date)
 Funding or Financing Entity (if applicable)

Contractor's Application

EJCDC® C-620 Contractor's Application for Payment
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Page 1 of 1



To: Village of Mount Horeb Plan Commission
From: Village Planner: Ben Rohr, AICP
Date: April 24, 2024
Re: Proposed Zoning Map Amendment from R-3 Multi-Family Residential Zoning to a Planned Development - General Development Plan (GDP) for 11 Townhome Units at 107 Valley Drive, 111 Valley Drive, and 300 Adams Street for Rick North.

Introduction

Project Overview

Rick North is proposing Planned Development zoning to accommodate 11 townhome units within three different buildings on a 28,136 square foot (0.65-acre) parcel. Formerly three separate lots, the parcels were combined via Certified Survey Map during the March meeting. Additionally, the property received approval of a Comprehensive Plan Amendment to the Multi-Family Residential land use category and rezoning to the R-3 Multi-Family Residential Zoning District at the March meeting.

The property is located at the corner of Valley Drive and Adams Street within an existing mixed-residential neighborhood. This includes multi-family apartments, duplexes, and single-family homes within walking distance of the school campus. The property is currently vacant and has been for many years, awaiting future development. This is considered an infill development project because it's surrounded by existing development on all sides, served by existing Village utilities and infrastructure, and was previously platted.

The proposed project includes three separate buildings that combine for a total of 11 new townhome-style units with individual entries, garages, and access. In summary this includes:

	Number of Units Per Building	Garage Access From	Pedestrian Access From
Building 1 (North)	4	Rear Alley	Valley Drive
Building 2 (Middle)	3	Rear Alley	Valley Drive
Building 3 (South/Adams St.)	4	Adams Street	Adams Street

Each unit (+/- 1,260 square feet) includes a one-car garage, 3 bedrooms, living areas, kitchen, and bathroom. Additionally, the developer is planning to create and establish a condominium plat for the property which will enable each unit to be sold separately and a new condominium association will be formed to fund and perform maintenance within the common areas. This will ensure architectural and aesthetic consistency across the development long-term.

The project is a direct response to the Village's 2021 Housing Report commissioned by the Housing Task Force. The report identified that there are projected increases in new households over the next decade and

a need for more, diverse housing options in Mount Horeb. This type of proposed housing unit is desperately lacking in the Village, and the project will help meet the identified need and advance the recommendations of the Housing Report, in addition to the Village's Comprehensive Plan.

The proposed owner-occupied townhome configuration is unique and desirable for Mount Horeb. It features smaller units and lower price points, in addition to greater densities than would be possible with a single or two-family development. This type of unit configuration has become more popular across Dane County over the past decade, but only a few exist within Mount Horeb today. Further, there are future benefits for residents of this development with the proximity of the site to the school campus, downtown, and nearby parks and open spaces.

The site features both sloping topography and shallow bedrock. This presents challenges related to building configuration, basements, and stormwater management. However, the applicant has utilized the slope and rear-alley on the site to design buildings that work within those constraints. Additionally, the use of stormwater detention and plantings on the north side of the property provides buffer space between this project and the existing single-family home on the adjacent lot.

The project has conceptually been brought before the Plan Commission in January for review and comment and for a Comprehensive Plan Amendment, Zoning Map Amendment, and Certified Survey Map review and approvals in March. The requested General Development Plan (GDP), if approved by the Village, would establish a new zoning on the subject property. It is anticipated that the project will pursue approval of the Specific Implementation Plan (SIP) for design and operational details in May.

Zoning

The site is currently zoned R-3 Multi-Family Residential. Through the proposed GDP rezoning, the property will be establishing a customized GDP and use the R-3 zoning district as the comparable district under the Planned Development.

Section 17.39 lists the permitted and conditional principal and accessory uses of the R-3 Multi-Family Residential zoning district. Currently, the district permits attached single-family townhomes as a permitted by-right land use. All other existing permitted and conditional principal, accessory, and temporary land uses in the R-3 district would remain the same.

Currently, the following standards apply to townhomes (Section 17.20(1)(a)5.):

- May not be split into additional residences.
- Minimum Building Code-required fire-rates wall assembly division shall separate living areas from the lowest level through the roof.
- Individual sanitary sewer and water laterals are required for each dwelling unit.
- No more than 8 and no fewer than 3 townhome dwelling units may be attached per group.
- All units shall be located a minimum of 30 feet from the boundary of the property.
- Minimum parking requirements per Section 17.132.

Section 17.39 provides the bulk dimensions for the R-3 district:

Lot and Density Requirements		
	Village Standards	Proposed
Min. Lot Area*	35,200 sf	28,136 sf
Min. Lot Width	75'	256'
Min. Street Frontage	50'	256' and 110'
Max. Building Height	35'	40'
Min. Landscape Surface Ratio	60%	49%
Max. Impervious Surface Ratio	40%	51%
Minimum Building Setbacks		
	Village Standards	Proposed*
Front or Street (Valley Drive and Adams Street)	30'	39' and 18' (Valley Drive) 18' (Adams Street)
Side (Adjacent SF Home)	15'	17'
Rear (Alley)	25'	16' and 11'

*Minimum 3,200 square feet of lot area required per 3-bedroom unit. 11 total 3-bedroom units equates to a minimum lot area of 35,200 sf required.

Section 17.132 provides the minimum required off-street parking spaces:

Parking Requirements*			
	Village Standards	Village Standards Based on Proposed Units	Proposed On-Site Parking Provided*
Three-Bedroom+ Units	2.0 stalls/unit	11 units at 2.0 stalls/unit = 22 spaces	22 spaces
Total		22 spaces	22 spaces

*Each unit will have a one-car, attached garage in addition to space for one vehicle to be parked on-site within the driveway. Both garage and driveway parking spaces count towards meeting the on-site parking requirements.

If flexibility is granted in the General Development Plan (zoning) step, a Planned Development can exceed the minimums/maximums as indicated above and incorporate additional permitted land uses.

Comprehensive Plan

The Village's recent amendment to the Comprehensive Plan designates the site in the Multi-Family Residential category, which is defined as, "a variety of residential uses, including multi-family apartment complexes, condominiums, townhouses, and single and two-family residences served by public sanitary sewer and water systems."

The Housing and Neighborhood Chapter goes on to contain design standards for multi-family projects, which includes:

- Incorporate architectural design that fits the context of the surrounding neighborhood.
- Locate parking behind buildings.
- Provide generous landscaping.
- Whenever possible, develop contiguous yards to encourage use by residents and guests.

- Incorporate balconies, porches, varied building and façade setbacks, varied roof design, and bay windows to avoid monotonous facades.

Other relevant goals, objectives, and policies from the plan that align with the proposed development include the following:

- Leverage available platted lots to accommodate new residential development opportunities.
- Provide a variety of housing types, densities, arrangements, and costs to accommodate the needs, desires, and life cycles of existing and future residents.
- Increase the amount, type, and availability of affordable and workforce housing options in the Village.
- Promote infill and redevelopment practices to help diversify the community's housing stock.

Project Ownership

The land is currently owned by the applicant and proposed developer, Rick North.

Background Information about Planned Developments

A Planned Development is a unique zoning district which is specific to a particular project or area. In addition to enabling flexibilities from zoning requirements, Planned Developments also enable the imposition of higher standards for design and operation, and/or requirements related to timing. With the resulting combination of customized flexibility and control, every Planned Development is reviewed on its relation to the subject property, nearby properties, and the community as a whole.

Every Planned Development has three steps:

- Conceptual discussion to identify project concepts and concerns.
- General Development Plan (GDP) to establish the unique zoning district.
- Specific Implementation Plan (SIP) to approve design and operation details.

Planned Developments also allow for the developer and municipality to establish the zoning for multi-phased projects through the GDP step, while allowing expensive engineering and architecture plans to be submitted later as a sequence of SIPs, as the need for each building or phase evolves.

To further protect the public interest, Mount Horeb's zoning requirements for Planned Developments require the applicant to explicitly list items of requested zoning flexibility from the existing district regulations, in addition to clearly depicting them on submittal drawings.

If the GDP is approved, the approval of a Specific Implementation Plan (SIP) will be required at a subsequent date. The SIP submittal requires all of the details of development, including specific exterior materials and colors, floor plans, detailed exterior lighting plans, and detailed landscaping plans.

Formal General Development Plan (GDP) Review

Requested Flexibility from Zoning Ordinance Requirements:

The proposed GDP identifies the following items of flexibility from the standards of the R-3 Multi-Family Residential zoning district:

1. The **Minimum Setbacks for Townhome Land Uses** established in Section 17.20(1)(a)5. of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum setbacks for Townhome land uses are 30 feet on all sides. The proposed development has an 11-foot setback from

the eastern property line (alley), 18-foot setback from southern property line (Adams Street), a 17-foot setback from the northern property line (existing home), and 18-foot setback from the western property line (Valley Drive).

2. The **Minimum Front and Street Setback** established for the R-3 district in Section 17.39 of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum front and street setback is 30 feet. The proposed project has an 18-foot setback from the southern property line (Adams Street) and an 18-foot setback from the western property line (Valley Street).
3. The **Minimum Rear Setback** established for the R-3 district in Section 17.39 of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum rear setback is 25 feet. The proposed project has an 11-foot setback from the eastern property line (alley).
4. The **Minimum Lot Area** established for the R-3 district in Section 17.39 of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum lot area required is based on the number of units and the number of bedrooms in each unit (35,200 sf required). The proposed project will have a minimum lot area of 28,136 sf.
5. The **Minimum Landscape Surface Area Ratio and Impervious Surface Area Ratio** established for the R-3 district in Section 17.39 of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum landscape surface area ratio requirement is 60% and the maximum impervious surface area ratio is 40%. The proposed project has a landscape surface area ratio of 49% and impervious surface area ratio of 51%.
6. The **Maximum Building Height** established for the R-3 district in Section 17.39 of the Zoning Ordinance will not be met by this proposal. Specifically, the maximum height is 35 feet. The proposed project is 40 feet tall.

Analysis of Requested Flexibilities

The project's proposed flexibilities are needed because of the existing Zoning Ordinance's stringent requirements on multi-family land uses and overly large setback requirements that wouldn't facilitate this type of infill project. Additionally, the project aims to address the Village's housing shortage and documented need for additional, diverse housing formats as illustrated in the Comprehensive Plan.

While the Zoning Ordinance is planned to be rewritten in 2024 to address these specific types of situations and foster new housing opportunities, today the ordinance has stringent requirements (lot sizes, setbacks, height, and open space) for all multi-family land uses. Further, as is common with infill development, there are existing constraints that must be overcome to make the site developable (topography and existing development and infrastructure on all sides). In my opinion, this project is attempting to work within those constraints to deliver a type of project that works best within its existing surroundings and furthers the Village's goals through the use of multiple orientations of buildings, utilization of the alley for access, sloping topography creating a walk-out lower-level opportunity, plantings to buffer the project from existing development to the north, and improved stormwater management.

Documented Housing Shortage:

- Dane County is projected to grow by 20,000 households between now and 2040. All communities in the Dane County region will continue to experience pressure for increased housing if growth continues as projected.
- A lack of housing units priced for members of the workforce will be a constraint on the available labor pool. Additionally, an increase in the proportion of retired residents could indicate a current or future need for housing options suitable for senior citizens.
- 2021 Housing Task Force Survey (1,442 responses):
 - Concerns related to housing costs:
 - Worried that homes in Mount Horeb are becoming too expensive – 66% strongly agree or agree
 - Worried that others I care about will not be able to live in Mount Horeb – 55% strongly agree or agree
 - How much do you agree or disagree with the following statement:
 - Like to see a wider variety of housing options – 60% strongly agree or agree
 - Which type of housing would suit your needs:
 - Condominiums – over 30% for owner and renter respondents
- Average New Housing Units Per Decade in Mount Horeb:
 - 1990-1999 = average of 72 new units per year
 - 2000-2009 = average of 58 new units per year
 - 2010-2020 = average of 37 new units per year
 - 2021 = 37 new units
 - 2022 = 56 new units
 - 2023 = 35 new units + 63 apartments approved (Steve Brown Apartments)

Source: Village of Mount Horeb Housing Task Force Report and Village of Mount Horeb Building Inspector

The documented need for more housing and greater housing diversity in the Village creates the need for land use and density flexibilities as proposed.

Additional Review

The following are observations of the proposed project, many of which will be further reviewed through the SIP stage.

1. **Building Quality:** The proposed GDP provides a high-quality building of sound design and materials that enhance the aesthetic look of the area and site. They are consistent with the surrounding neighborhood.
2. **Project Layout:** The project layout works well within the confines of the existing development patterns surrounding it. Access to all units will come from the alley or Adams Street, stormwater management on-site is improved, and the two different building orientations provide variety on the site and adequate building separation. There are no sidewalks in this area around this project site, but pedestrian connections are proposed between the buildings and Valley Drive.
3. **Project Scale/Number of Units:** The proposed GDP represents a density of 11 dwelling units on 0.65 acres – or about 17 dwelling units per acre. This is generally in line with the densities of the existing multi-family development to the east and south of the proposed project. The existing topography in the Village creates a situation where some multi-story structures seem much larger or

smaller than others due to their exiting grade differences. Overall, due to grade changes on this lot, the proposed height of the new building will be generally consistent with the height of the existing multi-family development around the site, but will appear larger in scale from Valley Drive because the site slopes over 10 feet from east to west.

4. **Architecture:** The proposed GDP as depicted on the elevations has a pitched roof which fits well in the context of the existing homes in the area. Overall, variation in materials, heights, projections from the façade, glazing, and roof pitch provide articulation along each façade.
5. **Site Design:** The proposed GDP as depicted on the site plan provides access to each unit from the alley and Adams Street and on-site parking within garages and driveways. The applicant has worked within the confines of the existing site topography to provide access from the alley and integrate ground floor walk-outs to those units facing Valley Drive.
6. **Landscaping:** The proposed GDP does not currently include a landscaping plan, but the specific plan for the site will be submitted and reviewed as part of the SIP process.
7. **Lighting:** The proposed GDP does not currently include a lighting plan, but the specific plan for the site will be submitted and reviewed as part of the SIP process.
8. **Signage:** The proposed GDP does not include any exterior signage. The specific signage plan for the site will be submitted and reviewed as part of the SIP process, if any is desired.
9. **Requested Zoning Flexibility:** I support granting flexibility for setbacks and bulk dimensional standard requirements because of the following. First, the Zoning Ordinance standards are clearly outdated and do not reflect the Village's goals, objectives, and priorities as outlined within the 2022 Comprehensive Plan. Second, the project helps meet the housing shortage experienced across Mount Horeb and increases the diversity of the Village's housing stock. Finally, the existing site configuration and surrounding built environment are leveraged to improve the development through walk-out lower levels, access off the alley and Adams Street, and plantings utilized as a buffer between existing lower-density development to the north. Overall, the proposed development provides a unique and high-quality infill residential development within Mount Horeb.

Village Planner's Recommendations Regarding the GDP

If acceptable to the Plan Commission, the Village Planner recommends the Plan Commission make, consider, and adopt a motion which makes a finding that the criteria for GDP submittals and approval have been met, and that also recommends approval of the proposed GDP Zoning Map Amendment by the Village Board, inclusive of full and continuous compliance with the submittal documents, the list of flexibilities and conditions provided in the submittal, and with any conditions identified by Village Staff and the Plan Commission, including 1-9, below:

1. The proposed flexibility to allow a minimum building setback for Townhome land uses less than 30 feet down to 11 feet along the eastern property line (alley), 18 feet on the southern property line (Adams Street), 17 feet on the northern property line (existing home), and 18 feet on the western property line (Valley Drive) should be granted as proposed in the GDP submittal.

2. The proposed flexibility to allow a minimum front and street setbacks less than 30 feet should be granted to 18 feet on the southern property line (Adams Street) and 18 feet on the western property line (Valley Street) as proposed in the GDP submittal.
3. The proposed flexibility to allow minimum rear setbacks less than 25 feet should be granted to 11 feet on the eastern property line (alley) as proposed in the GDP submittal.
4. The proposed flexibility to allow the minimum lot area to be less than 35,200 square feet should be granted to 28,136 square feet as proposed in the GDP submittal.
5. The proposed flexibility to allow the minimum landscape surface area ratio to be less than 60% should be granted to 49% as proposed in the GDP submittal and the proposed flexibility to allow the maximum impervious surface ratio to be greater than 40% should be granted to 51% as proposed in the GDP submittal.
6. The proposed flexibility to allow maximum building heights greater than 35 feet should be granted to 40 feet as proposed in the GDP submittal.
7. The Village's design review standards be applied through the SIP phase of project review.
8. The applicant shall establish a condominium plat for the property and establish a condominium association for the property to be reviewed and approved by staff.
9. Any additional requirements identified by Village Staff, the Village Engineer, the Plan Commission, or the Village Board.



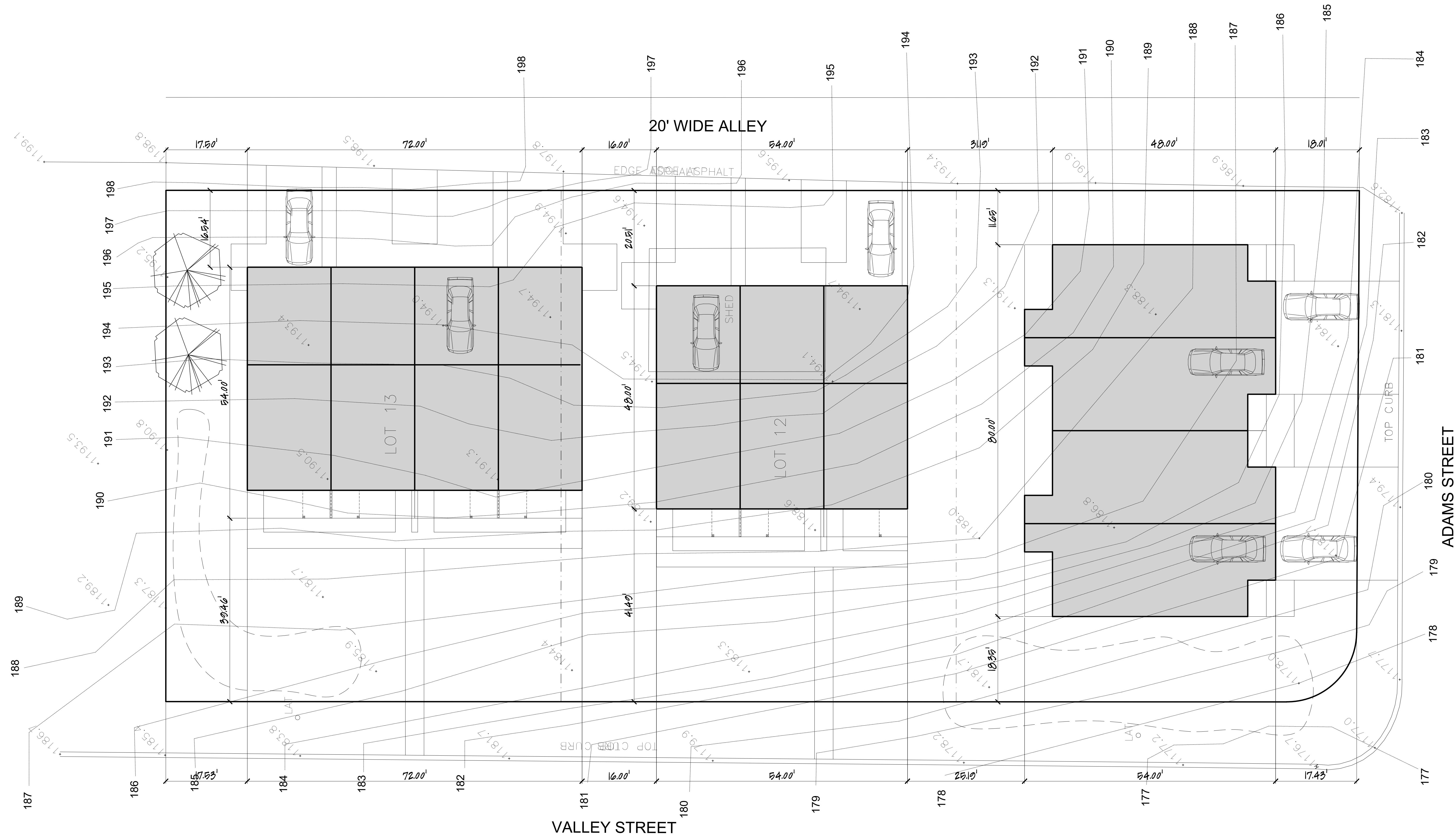
STREET VIEW - VALLEY DRIVE
PRINTED SCALE 1/8" = 1'0" - 24x36 PAPER



STREET VIEW - ALLEY
PRINTED SCALE 1/8" = 1'0" - 24x36 PAPER

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FILE	
MOUNT HOREB APTS. DWG	
SHEET	

SITE PLAN
PRINTED SCALE 1"=10'-0" 24x36 PAPER



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FILE

MOUNT HOREB APTS. DWG

SHEET

NORTH
DESIGN
BUILD LLC

NB

608.405.2297
608.250.9548

VALLEY DRIVE TOWNHOUSES

MT. HOREB, WISCONSIN

Page 94 of 207

SITE PLAN
PRINTED SCALE 1"=10'-0" 24x36 PAPER



SITE DATA		
LOT AREA	28,136	Sq. Ft.
BUILDINGS	9,752	Sq. Ft.
DRIVES, WALKS, PATIO	4,362	Sq. Ft.
TOTAL		
GREEN AREA	14,022	Sq. Ft.
	49.8%	

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NORTH
DESIGN
BUILD LLC

NB

608.405.2297
608.280.9548

VALLEY DRIVE TOWNHOUSES
MT. HOREB, WISCONSIN

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FILE
MOUNT HOREB APTS. DWG

SHEET

**VILLAGE OF MOUNT HOREB
ORDINANCE 2024-07**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION
FROM R-3 MULTI-FAMILY RESIDENTIAL TO PD-GENERAL PLAN DEVELOPMENT**

WHEREAS, North Design Build LLC is the owner of the property located at 302 Adams Street, 113 Valley Drive, and 109 Valley Drive in the Village of Mount Horeb further described as parcel numbers: 060612376115, 060612376222, and 060612376339

WHEREAS, North Design Build LLC has made application to the Village to request a change in zoning from R-3 Multi-Family Residential to PD-General Plan Development for the above referenced parcels; and

WHEREAS, pursuant to sec. 62.23(7)(d), Stats., the Plan Commission held a public hearing on the application on April 24, 2024, which was preceded by publication of a class 2 notice under ch. 985, Stats.; and

WHEREAS, after the public hearing, the Plan Commission determined that changing the zoning classification of the above referenced property to PD-General Plan Development would promote the public health, safety, and general welfare of the Village and would allow appropriate use of the property, and therefore recommended that the zoning classification of the property be changed; and

WHEREAS, the proposed use is consistent with the Comprehensive Plan; and

WHEREAS, the Village Board concurs with the recommendation of the Plan Commission/Historic Preservation Commission.

NOW THEREFORE, pursuant to sec. 62.23(7)(d), Stats., and Chapter 17.431 of the Village Code, the Village Board of the Village of Mount Horeb, Dane County, Wisconsin, do ordain as follows:

Section 1. Rezoning of the above referenced property shall take effect after passage and posting pursuant to law; and

Sections 2. Subject to above section, zoning classification of the above referenced property is hereby designated PD-General Plan Development and the Zoning Map of the Village shall be amended accordingly.

The foregoing ordinance was duly adopted by the Village Board of the Village of Mount Horeb at the meeting held on May 1, 2024.

By:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

APPROVED: _____

PUBLISHED/POSTED: _____



VANDEWALLE & ASSOCIATES INC.

MEMORANDUM

To: Village of Mount Horeb
From: Village Planner, Ben Rohr, AICP
Date: April 24, 2024
Re: Accessory Structure Height Zoning Ordinance Amendments

Background

In 2018, the Village addressed accessory structure heights in the R-1, R-2, and MSB zoning districts. This included a provision that allowed accessory buildings to exceed the 15-foot height limit, with a Conditional Use Permit. In recent discussions related to a potential project on an existing developed commercial property, the applicant wished to exercise the same provision to increase the height of an accessory structure. However, this is not possible because the language in Section 17.16(5) specifically states:

“Height limitations. No accessory building in an R-1 or R-2 Residential District or Main Street Business District shall exceed 15 feet in height, as measured from the floor to the midpoint between the eaves and the peak, unless a conditional use permit is granted. The accessory building will not be allowed to exceed the elevation of the principal structure on the lot. In all other zoning districts, accessory buildings shall comply with the height limits set forth in Chart 1 of this chapter.”

Chart 1 is the code’s summary table of all lot, yard, and building requirements for all zoning districts. Commercial zoning districts (NB, PB, CB, and PO) have a maximum 15-foot height limit for all accessory structures. For comparison, the industrial zoning districts (I-1, I-2, and PI) have a maximum 60-foot height limit for all accessory structures.

The proposed amendment would create a uniform approach in addressing exceptions to accessory building heights across all zoning districts via the Conditional Use Permit process. All other accessory structure requirements would remain in place to provide the Village with an opportunity to consider height exceptions on an individual case-by-case basis.

Comprehensive Plan Consistency

Within the 2022 Village of Mount Horeb Comprehensive Plan, several goals, objectives, and strategies align with the proposed Zoning Ordinance Amendment. These include:

- Promote a future land use pattern that contains a logical and sustainable mix of uses and building types.
- Guide development to promote efficient land use patterns.

- Maintain high standards in the Zoning Ordinance for buildings, landscaping, signage, building materials, and parking areas.
- As necessary, prepare updates and revisions to the Zoning and Subdivision Ordinances to reflect land use and community character goals.
- Promote non-residential development opportunities with visibility and access via the east and west USH 18/151 interchanges.

While accessory building height isn't explicitly talked about within the Comprehensive Plan, the proposed amendments in conjunction with the Village's high quality design standards advance many of the ideas above. I believe that the proposed Zoning Ordinance Amendment is consistent with the Village's Comprehensive Plan.

Proposed Zoning Ordinance Amendments

All proposed revised language is below.

17.16(5) Accessory Buildings and Uses.

Height limitations. No accessory building in ~~any district an R-1 or R-2 Residential District or Main Street Business District~~ shall exceed ~~the height limits set forth in Chart 1 of this chapter~~ 15 feet in height, as measured from the floor to the midpoint between the eaves and the peak, unless a conditional use permit is granted. The accessory building will not be allowed to exceed the elevation of the principal structure on the lot. ~~In all other zoning districts, accessory buildings shall comply with the height limits set forth in Chart 1 of this chapter.~~

Chart 1 Lot, Yard, and Building Requirements

Footnote 13: ~~Accessory building maximum height may be exceeded up to the evaluation of the principal structure on the lot~~ Excess of 15 feet in height by conditional use permit process only.

~~Add Footnote 13 to all Accessory Building Maximum Heights listed for each zoning district.~~

Village Planner's Recommendation

Adapting the Accessory Building Height requirements to be uniform across all zoning districts provides greater consistency in the application of the ordinance. It may have been an omission in 2018 when the related code amendment was done to this section because it's likely that there have been requests in the past for accessory building height exceptions in other districts.

While utilizing a Conditional Use Permit process to handle this type of situation is not a recommended long-term solution, it does make sense given the timing of the full Zoning Code Rewrite project just getting started. A more holistic approach to how the Village handles accessory structure heights will be addressed through that process. However, I recommend adopting this interim approach for consistency reasons at this time.

ZONING CODE

17 Attachment 2

Village of Mount Horeb

Chart 1

Lot, Yard and Building Requirements

[Amended 5-3-2000 by Ord. No. 2000-05; 4-5-2006 by Ord. No. 2006-08; 9-6-2006 by Ord. No. 2006-23; 1-3-2007 by Ord. No. 2007-01; 1-2-2008 by Ord. No. 2008-02; 7-8-2009 by Ord. No. 2009-18; 11-6-2013 by Ord. No. 2013-10; 8-3-2016 by Ord. No. 2016-01; 9-5-2018 by Ord. No. 2018-08; 10-3-2018 by Ord. No. 2018-11; 7-10-2019 by Ord. No. 2019-03]

Add Footnote 13 for All Zoning Districts

	Min. Lot Area (square feet)	Min. Lot Width (feet) (at front setback line)	Min. Street Frontage at Right-of-Way (feet)	Max. Building Height (feet)/ Size	Max. Impervious Surface (%)	Principal Building Min. Front Yard (feet)	Principal Building Min. Side Yard (feet)	Principal Building Min. Rear Yard (feet)	Accessory Building Max. Height (feet)	Accessory Building Min. Distance from Side Lot Line (feet)	Accessory Building Min. Distance from Rear Lot Line (feet)	Design Review Required
Old Village Area R-1 and R-2 17.73	10,000	75	50/40	35/2.5 stories	40	30	8 min./ 16 combined ²	30	15 ¹³	3	5 ¹¹	No
R-1	10,000	75	50/40 ¹	35/2.5 stories	40	30	8 min./ 20 combined ²	40	15 ¹³	5	5 ¹¹	No
R-2 (single family, 2-flats, duplex)	10,000	75	50/40 ¹	35/2.5 stories	40	30	8 min./ 20 combined ²	35	15 ¹³	5	5 ¹¹	No
R-2 (zero lot line)	10,000 ³	Total of 75/min. 25 per individual dwelling	Total of 50/40 min. 20/15 per individual dwelling ¹	35/2.5 stories	65	30	0/8 ⁴	35	15 ¹³	5	5 ¹¹	No
R-3	See Note #5	75	50/40 ¹	35/2.5 stories	40	30	15	25	15	5	5 ¹¹	Yes
R-3 (townhouses/ zero lot line)	See Note #5	75	50/40 ¹	35/2.5 stories	40	30	15	25	15	5	5 ¹¹	Yes

MOUNT HOREB CODE

	Min. Lot Area (square feet)	Min. Lot Width (feet) (at front setback line)	Min. Street Frontage at Right-of-Way (feet)	Max. Building Height (feet)/ Size	Max. Impervious Surface (%)	Principal Building Min. Front Yard (feet)	Principal Building Min. Side Yard (feet)	Principal Building Min. Rear Yard (feet)	Accessory Building Max. Height (feet)	Accessory Building Min. Distance from Side Lot Line (feet)	Accessory Building Min. Distance from Rear Lot Line (feet)	Design Review Required
R-4	See Note #5	Total of 75/min. 20 per individual dwelling	Total of 50/40 min. 20/15 per individual dwelling ¹	35/2.5 stories	40	30	15	25	15	5	5 ¹¹	Yes
MSB	2,400	24	50/40 ¹	N/A	90	As existing as of January 1, 2009	8 ⁴	20 ¹⁰	15 ¹³	5	5	Yes
NB	10,000	75	50/40 ¹	35/5,000 square feet for ground floor	80	20	8 min./ 20 combined ²	25	15	5	5	Yes
PB ⁷	20,000	75	50/40 ¹	45/ See Group Developments	75	20	10	25	15	5	5	Yes
CB	2,000	24	N/A	50 max/ 20 min.	N/A	N/A	N/A	N/A	15	5	5	Yes
PO	20,000	75	50/40 ¹	45/ See Group Developments	75	20	10	25	15	5	5	Yes
I-1	20,000	100	50/40 ¹	35	60	10	30	20	60	10	10	Yes
I-2	40,000	100	50/40 ¹	35	60	10	30	20	60	10	10	Yes
P1	40,000	100	50/40 ¹	50	75	25 ⁹	15/30 ¹²	30	60	3 ¹¹	3 ¹¹	Yes
A-1	5 acres ⁸	200	50/40 ¹	35/2.5 stories	N/A	30	30	30	100	45	45	No
CO-1	N/A	N/A	50/40 ¹	35	N/A	30	30	30	60	10	10	Yes
PD-1	3 acres ⁸	See PD-1 for regulations determination										

NOTES:

ZONING CODE

- ¹ Minimum street frontage of 50 feet on a regular street, and 40 feet for a cul-de-sac for individual attached dwellings a minimum of 20 feet on a regular street and 15 feet on a cul-de-sac applies.
- ² For corner lots, the sides yard adjacent to the street shall not be less than 30 feet for residential properties and 20 feet for commercial properties.
- ³ Total of 10,000 square feet before the structure is divided and then lots must be a minimum of 4,000 square feet.
- ⁴ The lot line adjacent to a common wall will be 0 feet from side yard or will meet the Building Code and Fire Code in the case of V-shaped duplexes and twin homes. See also, § 17.20(1)(a)2 and (1)(a)3. **[Amended 3-3-2021 by Ord. No. 2021-02]**
- ⁵ For multifamily dwelling units, the following minimum square footage of lot area applies:
 - Efficiency and 1 bedroom: 1,800 square feet.
 - 2 bedroom units: 2,900 square feet.
 - 3 bedroom units: 3,200 square feet.
 - 4 or more bedroom units: 4,300 square feet.The minimum lot area for single family and two-family shall be the same as in the R-2 District.
- ⁶ For townhomes split into individual attached dwellings, the minimum lot area shall be equivalent to the formula for all multifamily dwellings, above, and the minimum lot width shall be 20 feet for interior units and 30 feet for end units.
- ⁷ Shopping centers require a minimum area of three acres, a minimum street frontage of 400 feet, a minimum 100-foot front yard setback, a minimum of 40-foot rear yard setback and a minimum of 40-foot side yard setback.
- ⁸ For residential unit only.
- ⁹ Minimum 40-foot front yard setback for a lot adjacent to a street with an officially mapped right-of-way equal to or exceeding 100 feet.
- ¹⁰ Minimum of 20 feet from a nonresidential rear lot line and a minimum of 30 feet from a residential rear lot line.
- ¹¹ Minimum of 10 feet from an alley.
- ¹² Minimum of 20 feet setback from residential side lot line, and 15 feet from nonresidential side lot line.
- ¹³ Excess of 15 feet in height by conditional use permit process only.

Accessory buildings are not permitted to encroach upon any easement and are not permitted in the front yard except in Zoning District A-1 with an 80-foot setback required or on certain corner lots with a conditional use permit in the residential zoning districts per Section 17.16(8)

For properties adjacent to a limited access highway or the Military Ridge Trail right-of-way, where extra lot depth has been provided in accordance with Ch. 18.40(3)(a) of this Code and the same is noted on the plat, the 30 feet immediately adjacent to such highway or right-of-way shall not be counted to meet any minimum side or rear yard requirement.

ORDINANCE NO. 2024-08
VILLAGE OF MOUNT HOREB

AN ORDINANCE TO AMEND CHART 1,
AND CHAPTER 17 OF THE CODE OF ORDINANCES
RELATING TO ACCESSORY BUILDING HEIGHT

The Village Board of the Village of Mount Horeb, Dane County, Wisconsin, do ordain as follows:

Chapter 17 of the Code of Ordinances is amended as follows: **(amendments in bold)**

Chart 1 is amended at the points where the column labeled "Accessory Building Max. Height (ft.)" intersects with the rows labeled R-3, R-3(townhouses/zero lot line), R-4, NB, PB, CB, PO, I-1, I-2, PI, A-1, CO-1, PD-1 to 15¹³.

Chart 1 footnote 13 is amended to **If greater than maximum height Excess of 15 feet in height** by Conditional Use Permit process only

17.16 ACCESSORY BUILDINGS AND USES.

(5) HEIGHT LIMITATIONS. No accessory building in ~~an R-1 or R-2 Residential~~ **any** District shall exceed 15 feet in **the maximum** height, as measured from the floor to the midpoint between the eaves and the peak, unless a Conditional Use Permit is granted. The accessory building will not be allowed to exceed the elevation of the principal structure on the lot. ~~In all other zoning districts accessory buildings shall comply with the height limits set forth in Chart 1 of this chapter.~~

The foregoing ordinance was duly adopted by the Village Board of the Village Mount Horeb at its meeting held on May 1, 2024.

By:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

APPROVED: _____

PUBLISHED/POSTED: _____

CHART 1 Mount Horeb Lot, Yard, and Building Requirements(Am. #2000-05; #2006-08; #2006-23; #2007-01; #2008-02; 2009-18; #2013-10; 2016-01; #2018-08; #2018-11, 2021-02, 2024-08)

	Min. Lot Area (sq. ft.)	Min. Lot Width (ft.) (at front setback line)	Min. Street Frontage at Right-of-Way (ft.)	Max. Building Height (ft.)/Size	Max. Impervious Surface (%)	Principal Building Min. Front Yard (ft.)	Principal Building Min. Side Yard (ft.)	Principal Building Min. Rear Yard (ft.)	Accessory Building Max. Height (ft.)	Accessory Building Min. Distance from Side Lot Line (ft.)	Accessory Building Min. Distance from Rear Lot Line (ft.)	Design Review Required
Old Village Area R-1 & R-2 17.73	10,000	75	50/40	35/2.5 stories	40	30	8 min/16 combined ²	30	15 ¹³	3	5 ¹¹	No
R-1	10,000	75	50/40 ¹	35/2.5 stories	40	30	8 min./20 combined ²	40	15 ¹³	5	5 ¹¹	No
R-2 (single family, 2-flats, duplex)	10,000	75	50/40 ¹	35/2.5 stories	40	30	8 min./20 combined ²	35	15 ¹³	5	5 ¹¹	No
R-2 (zero lot line)	10,000 ³	Total of 75/Min. 25 per individual dwelling	Total of 50/40 Min. 20/15 per individual dwelling ¹	35/2.5 stories	65	30	0/8 ⁴	35	15 ¹³	5	5 ¹¹	No
R-3	See footnote #5	75	50/40 ¹	35/2.5 stories	40	30	15	25	15 ¹³	5	5 ¹¹	Yes
R-3 (townhouses/ zero lot line)	See footnote #6	Total of 75/Min. 20 per individual dwelling	Total of 50/40 Min. 20/15 per individual dwelling ¹	35/2.5 stories	40	30	0/8 ⁴	25	15 ¹³	5	5 ¹¹	Yes
R-4	See footnote #5	Total of 75/Min. 20 per individual dwelling	Total of 50/40 Min. 20/15 per individual dwelling ¹	35/2.5 stories	40	30	15	25	15 ¹³	5	5 ¹¹	Yes
MSB	2,400	24	50/40 ¹	N/A	90	As existing as of January 1, 2009	8 ⁴	20 ¹⁰	15 ¹³	5	5	Yes
NB	10,000	75	50/40 ¹	35/5,000 s.f. for ground floor	60	20	8 min./20 combined ²	25	15 ¹³	5	5	Yes
PB ⁷	20,000	75	50/40 ¹	45/See Group Developments	75	20	10	25	15 ¹³	5	5	Yes
CB	2,000	24	N/A	50 max./20 min.	N/A	N/A	N/A	N/A	15 ¹³	5	5	Yes
PO	20,000	75	50/40 ¹	45/See Group Developments	75	20	10	25	15 ¹³	5	5	Yes
I-1	20,000	100	50/40 ¹	35	60	10	30	20	60 ¹³	10	10	Yes
I-2	40,000	100	50/40 ¹	35	60	10	30	20	60 ¹³	10	10	Yes
PI	40,000	100	50/40 ¹	50	75	25 ⁹	15/30 ¹²	30	60 ¹³	3 ¹¹	3 ¹¹	Yes
A-1	5 acres ⁸	200	50/40 ¹	35/2.5 stories	N/A	30	30	30	100 ¹³	45	45	No
CO-1	N/A	N/A	50/40 ¹	35	N/A	30	30	30	60 ¹³	10	10	Yes
PD-1	3 acres ⁸	SEE PD-1 FOR REGULATIONS DETERIMINATION										
¹ Minimum street frontage of 50 feet on a regular street, and 40 feet for a cul de sac. For individual attached dwellings a minimum of 20 feet on a regular street and 15 feet on a cul de sac applies. ² For corner lots, the side yard adjacent to the street shall not be less than 30 feet for residential properties and 20 feet for commercial properties ³ Total of 10,000 square feet before the structure is divided and then lots must be a minimum of 4,000 square feet. ⁴ The lot line adjacent to a common wall shall be 0 feet from side yard, or shall meet the Building Code and Fire Code in the case of V-Shaped Duplexes and Twin Homes. See also, Sections 17.20(1)(a)2 and (1)(a)3. ⁵ For multifamily dwelling units, the following minimum square footage of lot area applies: Efficiency and 1 bedroom—1,800 s.f. 2 bedroom units—2,900 s.f. 3 bedroom units—3,200 s.f. 4 or more bedroom units—4,300 s.f. The minimum lot area for single family and two-family shall be the same as in the R-2 District. ⁶ For townhomes split into individual attached dwellings, the minimum lot area shall be equivalent to the formula for all multifamily dwellings, above, and the minimum lot width shall be 20 feet for interior units and 30 feet for end units. ⁷ Shopping centers require a minimum area of 3 acres, a minimum street frontage of 400 feet, a minimum 100 foot front yard setback, a minimum of 40 foot rear yard setback, and a minimum of 40 foot side yard setback. ⁸ For residential use only. ⁹ Minimum 40 foot front yard setback for a lot adjacent to a street with an officially mapped right-of-way equal to or exceeding 100 feet. ¹⁰ Minimum of 20 feet from a nonresidential rear lot line and a minimum of 30 feet from a residential rear lot line. ¹¹ Minimum of 10 feet from an alley. ¹² Minimum of 30 feet setback from residential side lot line, and 15 feet from nonresidential side lot line. ¹³ Excess of 15 feet in height Exceeding maximum height identified requires approval of a Conditional Use Permit. NOTES: Accessory buildings are not permitted to encroach upon any easement and are not permitted in the front yard except in zoning district A-1 with an 80 foot setback required. For properties adjacent to a limited access highway or the Military Ridge Trail right-of-way, where extra lot depth has been provided in accordance with Ch. 18.40(3)(a) of this Code and the same is noted on the plat, the 30 feet immediately adjacent to such highway or right-of-way shall not be counted to meet any minimum side or rear yard requirement.												



MEMORANDUM

To: Village of Mount Horeb Plan Commission
From: Village Planner Ben Rohr, AICP
Date: April 24, 2024
Re: Village Planner's Site Plan and Design Review Comments for a Proposed Accessory Structure for Symdon Motors at 2011 Springdale Street.

Introduction

The applicant, Nick Urumoglu, on behalf of Symdon Motors is proposing a new accessory structure on the existing car dealership site. The property is located at the interchange of USH 18/151 and Springdale Street, west of Kwik Trip, east of the GrandStay Hotel, south of Lillehammer Lane and north of USH 18/151.

The proposed structure is 1,200 square feet in the southwest corner of the site on the existing paved parking area. The structure will be used for storage of equipment and vehicles and will not be climate controlled. The project came before the Plan Commission in March for concept review.

The site is zoned Planned Business, which allows accessory structures up to 15 in height. The principal land use of the property will remain the same and no other changes to the property are proposed.

If the proposed Zoning Ordinance Amendments are approved, an accessory building in the Planned Business district can exceed the minimum height requirements with approval of a Conditional Use Permit. Today, the applicant is seeking review and action on the Conditional Use, Site Plan, and Design Review.

The Village's Zoning Ordinance defines accessory uses, buildings, or structures as, "a use, building, or structure on the same lot of record with and of a nature customarily incidental and subordinate to the principal use, building, or structure."

This review is based on the plan set dated April 15, 2024. Any requirement that is not met is underlined.

Zoning District, Land Use, and Site Layout Requirements

The Subject Property has Planned Business (PB) Zoning:

- The principal land use is not proposed to change on the property and will remain the same as today.
- The following requirements apply to accessory structures in the PB district:
 - No accessory structure may be constructed on a lot which doesn't have principal structure = met

- Accessory structures must comply with the setback requirements in Chart 1 = met, see below
- The maximum height of all accessory structures is limited to 15', unless a Conditional Use Permit is granted. Accessory structures may not exceed the elevation of the principal structure on the site = met, see below
- PB Zoning District intensity (coverage) and bulk (setback and height) requirements for accessory structures are all met.

Village Standard Type	Village Standard Minimums/Maximums	Proposed Development
Height*	15'	20' 4"
Side Lot Setback	5'	40'
Rear Lot Setback	5'	144'
Site Impervious Surface**	75%	80%

*Height may be exceeded with the approval of a Conditional Use Permit up to the height of the principal structure on the lot. The principal structure height on the lot today is approximately the same height as the proposed accessory structure.

**Overall site impervious surface is not proposed to be increased with the new accessory structure. Per Section 17.85, existing nonconforming sites are granted legal conforming status. The result is that the site currently exceeds the maximum impervious surface limit, but because the new accessory structure is not adding any new impervious surfaces, the legal conforming status is retained for the overall site.

- Site Design, Landscaping, and Signage: Except for those areas noted below, all Design Review requirements are met. If acceptable to the Plan Commission, these will require explicit waivers from the Design Review Requirements. These issues are discussed in detail in the Recommendations Section, below.

Conditional Use Permit Review

All proposed conditional uses must be evaluated based on the review standards of Section 17.57 of the Zoning Ordinance. Section 17.57 states that no application for a conditional use shall be recommended for approval by the Plan Commission, or granted by the Village Board, unless the Commission finds that all the following six conditions are present. These conditions are presented below, in plain text, with my evaluation comments following each condition are underlined.

- (1) That the establishment, maintenance, or operation of the conditional use shall not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare. I believe this condition is met. The proposed accessory structure does not have an impact on the community's public health, safety, morals, comfort, or general welfare.
- (2) That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use, and the proposed use is compatible with the then existing use of adjacent land. I believe this condition is met. The proposed development complements the existing structures on the site and allows for a reduction in outdoor uses associated with site's existing operations, which will improve the appearance of the site and compatibility of it with adjacent property uses.

- (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. I believe this condition is met. The proposed development will not be seen from USH 18/151 due to the elevation of the site related to the roadway. The accessory structure may be visible from Lillehammer Lane and the GrandStay Hotel. However, some existing screening is located near the western property line and the location of the proposed new accessory structure. Additionally, the accessory structure is nearly 400' from the GrandStay Hotel and approximately 300' from Lillehammer Lane. Together, this will mitigate the impacts of the structure on neighboring properties.
- (4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.
I believe this condition is met. The proposed accessory structure will not require any new infrastructure and the Village Engineer has concluded that the stormwater management of the site is adequate to accommodate the new structure via existing infrastructure.
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
I believe this condition is met. The proposed accessory structure will not require any new ingress or egress and will use the existing site's access points. No new traffic will be produced by the proposed structure.
- (6) That the conditional use shall conform to all applicable regulations of the (zoning) district in which it is located.
This condition is met. Outside of the need for a Conditional Use Permit to allow a taller accessory structure on the site, the proposed development meets all zoning district requirements.

Design Review Requirements per Section 17-14:

Design Review by the Plan Commission is required under Section 17.14 of the Zoning Ordinance. Design Review is required for all development projects in the Village, except residential development with three or fewer dwelling units. The Design Review requirements in Section 17.14(4)(b) identify 27 Design Directives. The Plan Commission has the ability to waive any Design Directive or add additional design requirements upon a finding that the additional design requirement would improve the project.

This project complies with Design Review requirements. I recommend the Plan Commission discuss the few remaining waivers required that have been underlined.

1. Site Grading:

- a. The grading plan shall preserve existing grades to the greatest extent possible, particularly at the perimeter of the site.
 - This requirement is met. No grading changes are proposed.
- b. In no instance shall proposed grading create transitions to adjoining properties or rights-of-way that are unsafe, unstable or create drainage problems.
 - This requirement is met. No grading changes are proposed.
- c. Site grading shall also preserve or create an attractive site appearance in conjunction with the proposed development.

- This requirement is met. No grading changes are proposed.

2. Existing Site Vegetation and Other Natural Features:

- a. The grading and development plans shall preserve, protect, and maintain important existing site vegetation as identified by the Plan Commission. Examples include hedgerows, groves and individual specimen trees.
 - This requirement is met. No existing vegetation is proposed to change on-site.
- b. Topsoil used at the development site should be from on site, to the extent possible, particularly in areas under the drip line of preserved vegetation.
 - This requirement is met. No grading changes are proposed.

3. Site Layout Relation to Abutting Streets:

- a. In general, the layout of buildings, structures, pavement, parking and landscaping shall be compatible with the general pattern for similar land uses in the vicinity, as determined by the Plan Commission.
 - This requirement is met. The proposed site layout remains unchanged, outside of removing less than 10 parking spaces. The site already exceeds all parking minimums.
- b. The general site layout shall result in an attractive appearance to all abutting streets, as determined by the Plan Commission.
 - The site layout meets this requirement.

4. Building Setbacks:

- a. Building setbacks shall comply with the requirements of the zoning district, and with the additional requirements listed below in subparagraphs 4.b. and 4.c.
 - This requirement is met on all sides of the proposed building.
- b. Within the downtown area, and particularly along Main Street and the commercially developed portions of intersecting streets, the entire street side of buildings shall be located at or within 3 feet of all abutting street rights-of-way, unless an exception is granted through the conditional use process.
 - This requirement is not applicable.
- c. Within the CTH ID corridor between STH 78 and USH 151, the entire street side of buildings shall be located at or within 30 feet of all abutting street rights-of-way, unless an exception is granted through the conditional use process. Parking shall not be permitted in this area. Drives for one-way circulation and/or emergency vehicle access may be permitted through the conditional use process.
 - This requirement is not applicable.

5. Building Height:

- a. Building heights shall comply with the requirements of the zoning district, and with the additional requirements listed below in subparagraphs 5.b. and 5.c.
 - This requirement is met, if the Conditional Use is granted for the accessory height increase.

- b. Within the downtown area, and particularly along Main Street and the commercially developed portions of intersecting streets, building heights shall be a minimum of 20 feet and shall be a minimum of 2 stories, unless an exception is granted through the conditional use process.
 - This requirement is not applicable.
- c. Within the CTH ID corridor between STH 78 and USH 151, building heights shall provide a functional or decorative building tower or related architectural feature that exceeds the height of the majority of the building facade by at least 7 feet, unless an exception is granted through the conditional use process. Roofs, and roof appurtenances such as cupolas, shall not count toward this requirement.
 - This requirement is not applicable.

6. Building Mass:

- a. Buildings over 5,000 square feet of gross floor area shall be subject to the requirements for large developments.
 - This requirement is not applicable. The proposed accessory structure is 1,200 square feet.

7. Building Facades:

- a. Long building facades shall be visually broken up and variegated with staggers and offsets as determined appropriate by the Plan Commission.
 - This requirement is not met. However, the structure is small in context to the site and existing structures. It also matches the architectural design of the other existing buildings on-site. I recommend waiving this requirement.
- b. All building facades facing streets, drives or parking areas shall provide regularly spaced openings for windows and doors, and regularly spaced decorative elements such as piers and columns. The size and spacing of these features shall be compatible with nearby structures that meet this requirement, as determined by the Plan Commission.
 - This requirement is not met. However, the structure is small in context to the site and existing structures. It also matches the architectural design of the other existing buildings on-site. I recommend waiving this requirement.
- c. All building facades facing streets, drives or parking areas shall provide a pattern of upper story openings that is compatible with the pattern established by the ground floor, as determined by the Plan Commission.
 - This requirement is not applicable for a one-story structure.
- d. Within the downtown zoning district, and particularly along Main Street and the commercially developed portions of intersecting streets, building facades shall employ traditional storefront design by providing pilasters, transom windows, cornices, lintels and related decorative details to highlight transitions between the ground floor and upper stories and between upper stories and the parapet.
 - This requirement is not applicable.

8. Exterior Building Materials:

- a. Exterior materials for multi-family, office, or commercial buildings may not include metal wall panels, concrete panels, plain concrete block, asphalt, or spandrel window panels, unless an exception is granted through the conditional use process.
 - This requirement is not met. Metal wall panels are proposed on the accessory structure. However, the structure is small in context to the site and existing structures. It also matches the architectural design of the other existing buildings on-site. I recommend waiving this requirement.
- b. Hard and durable materials including decorative block, brick or stone, shall be required on all exterior portions of the structure within 40 inches of the adjacent grade.
 - This requirement is not met. No decorative base is proposed. However, the structure is small in context to the site and existing structures. It also matches the architectural design of the other existing buildings on-site. I recommend waiving this requirement.

9. Exterior Building Colors:

- a. Exterior colors of all buildings, structures, appurtenances and paving shall be compatible and harmonious with those of existing buildings in the immediate area which conform to these design requirements, as determined by the Plan Commission.
 - i. Within the downtown area, the Victorian color palette shall be used, or other colors must be approved by the Plan Commission.
 - This requirement is not applicable.
 - ii. Throughout the rest of the Village, primary colors including red, blue, green, yellow, black, and fluorescent colors shall not be permitted. Where an integral part of site design, muted versions of these colors may be used, as approved by the Plan Commission.
 - This requirement is met on all portions of structure using grey colors.
 - iii. High gloss paints and other exterior finishes are not permitted.
 - This requirement is met on all portions of the building.
 - iv. Color patterns shall be used consistently throughout the property, as determined by the Plan Commission.
 - This requirement is met on all portions of the building.

10. Exterior Doors:

- a. All exterior doors visible from streets, drives or parking areas shall provide decorative design elements.
 - This requirement is not met. However, the structure is small in context to the site and existing structures. It also matches the architectural design of the other existing buildings on-site. I recommend waiving this requirement.

11. Windows:

- a. Spandrel panels, mirrored glass or heavily-tinted windows are not permitted. Where screening is desired, vertical or horizontal strip blinds may be used.

- This requirement is met. None of those materials are proposed.
- b. Windows may not be obscured by paper or other attached materials on more than 5% of any individual window panel.
 - This requirement is met. None proposed.

12. Roofs:

- a. Roof forms and materials shall be compatible and harmonious with those of existing buildings in the immediate area which conform to these design requirements, as determined by the Plan Commission.
 - This requirement is met. Another existing structure on the lot includes a similar pitched roof to the proposed accessory structure.
- b. Metal roofs shall not be used for multifamily, office or commercial buildings, unless an exception is granted through the conditional use process.
 - This requirement is not met. However, the structure is small in context to the site and existing structures. It also matches the architectural design of the other existing buildings on-site. I recommend waiving this requirement.
- c. Roof forms shall be designed to accommodate the requirements in subparagraphs 5.c. and 7.d., above.
 - This requirement is not applicable.
- d. Rooftop mechanical equipment shall not exceed the elevation of the lowest point of the surrounding building parapet or roof.
 - This requirement is met. None proposed.

13. Exterior Building Appurtenances:

- a. Building facades shall be uncluttered by the minimal use and careful placement of brackets, wiring, meter boxes, antennae, gutters, downspouts and other appurtenances. Where necessary, such features shall be colored to blend in, rather than contrast, with the immediately adjacent building exterior.
 - This requirement is met.

14. Awnings:

- a. Awnings, where approved by the Plan Commission, shall complement the character of the building.
 - This requirement is not applicable. None proposed.
- b. Soft, weather-treated canvas or vinyl materials which allow for flexible or fixed installation may be used. Metal canopies are prohibited.
 - This requirement is not applicable. None proposed.
- c. Backlighting is prohibited.
 - This requirement is met. No backlighting is proposed.

15. Trash Containment Structures:

- a. Trash containment structures shall be designed to fully conceal trash storage.
 - This requirement is not applicable. None proposed.

- b. Trash containment structures shall be constructed in the same materials and colors as the ground floor of the principal building.
 - This requirement is not applicable. None proposed.
- c. Wood or synthetic wood gates shall be used and shall be arranged in a pattern to provide complete opacity. Metal panel gates and metal fence gates with strips are prohibited.
 - This requirement is not applicable. None proposed.

16. Freestanding Canopy Structures:

- a. Freestanding canopy structures, such as those providing shelter at a gas station or drive-up banking station, shall be designed to complement the design of the principal building, as determined by the Plan Commission.
 - This requirement is not applicable. None proposed.
- b. Canopy roofs shall employ the same pitch, materials and colors as the roof of the principal building, unless an exception is granted through the conditional use process.
 - This requirement is not applicable. None proposed.
- c. Canopy supports shall be decorative in nature and shall employ the same materials and colors as the principal building. Exposed nondecorative supporting poles are not permitted.
 - This requirement is not applicable. None proposed.

17. Other Structures:

- a. Outbuildings shall employ the same high-quality exterior building materials as used on the principal building.
 - This requirement is met. The structure matches the existing buildings on-site.
- b. Walls and fences shall employ high-quality materials such as metal pickets, stone, decorative block or brick which complement the principal building, as determined by the Plan Commission.
 - This requirement is not applicable. None proposed.

18. Exterior Lighting:

- a. All exterior lighting shall use decorative fixtures, as approved by the Plan Commission. Such fixtures shall be consistent in design theme throughout the site.
 - No light fixture specifications have been submitted. It is unknown if this requirement is met.
- b. All exterior light bulbs shall not be visible from beyond any property line. Directional or cutoff fixtures shall be used to meet this requirement.
 - No light fixture specifications have been submitted. It is unknown if this requirement is met.
- c. Lighting at the property lines shall not exceed 0.5 footcandles over ambient conditions.
 - No photometric plans have been submitted. It is unknown if this requirement is met.

- d. Maximum lighting shall not exceed 10.0 footcandles on the site, except in areas serving in-vehicle uses such as drive-up windows and fueling areas. In such locations, maximum lighting shall not exceed 25.0 footcandles.
 - No photometric plans have been submitted. It is unknown if this requirement is met.
- e. Freestanding light fixtures shall not exceed a total height of 20 feet.
 - This requirement is met. None proposed.

19. Exterior Signage:

- a. Exterior signage shall complement the design of the overall site, as determined by the Plan Commission.
 - This requirement is met. None proposed.
- b. Freestanding sign supports shall be decorative in nature and shall employ the same materials and colors as the principal building. Exposed nondecorative supporting poles are not permitted.
 - This requirement is met. None proposed.

20. Outdoor Display or Storage:

- a. All outdoor display and/or storage areas must be clearly depicted and labeled on an approved site plan. Said label shall specify the general types of materials to be displayed or stored, including: retail or rental display; retail or rental vehicle display; long-term business vehicle storage; equipment storage; refuse storage; scrap equipment or vehicle storage.
 - This requirement is met. None proposed.
- b. Outdoor storage areas shall be adequately screened from view from adjacent properties and streets, drives and parking areas, as determined by the Plan Commission.
 - This requirement is met. None proposed.

21. Pavement Materials:

- a. All traffic circulation, parking and pedestrian areas shall be provided with a hard, durable surface such as concrete, asphalt, pavement blocks or bricks. Gravel is not acceptable.
 - This requirement is not applicable. No changes proposed.
- b. Durable, porous pavement techniques are encouraged, and the overall coverage of pavement on all sites should be minimized so as to reduce stormwater runoff.
 - This requirement is not applicable. No changes proposed.

22. Pedestrian Facilities:

- a. Public sidewalks or multipurpose paths shall be required along all street frontages, per Village standards.
 - This requirement is not applicable for an accessory structure.
- b. Paved pedestrian connections are required between all street frontage pedestrian facilities and public doorways. Said connections shall be a minimum of 5 feet wide.

- This requirement is not applicable for an accessory structure.
- c. Where pedestrian connections cross vehicle circulation areas, a crosswalk clearly delineated by color and/or texture is required.
 - This requirement is not applicable for an accessory structure.

23. Traffic Circulation:

- a. Traffic circulation patterns shall be safe and understandable by vehicle operators, as determined by the Plan Commission.
 - This requirement is met. The minimum traffic circulation changes will not impact existing traffic circulation patterns.
- b. Traffic patterns which are determined as too complicated by the Plan Commission shall be prohibited. Complications may be identified due to steep grades, inadequate throat depths, offset intersections, too many intersections within a particular area, dangerous and conflicting traffic movements, movements compromised by limited visibility, or restricted turning radii for the types of vehicles likely present on the site.
 - This requirement is met. The minimum traffic circulation changes will not impact existing traffic circulation patterns.
- c. No traffic circulation shall be permitted within 10 feet of a street or drive right-of-way or easement, nor within 5 feet of any other property line, except within the downtown area, or as approved as through the conditional use process.
 - This requirement is not applicable. No changes proposed.
- d. Within the CTH ID corridor between STH 78 and USH 151, refer to subparagraph 4.c. above regarding limitations on drives located adjacent to street rights-of-way.
 - This requirement is not applicable. No changes proposed.

24. Parking:

- a. All parking areas located within required principal building setback areas shall be visually screened from streets by a continuous landscaped hedge, fence, wall or berm with a minimum height of 40 inches over the elevation of the adjacent portion of the parking lot at time of installation. Gaps in this hedge are permitted for pavement approved as part of the site design.
 - This requirement is not applicable. No changes proposed.
- b. Within the downtown area, and particularly along Main Street and the commercially developed portions of intersecting streets, parking shall not be located along a street frontage unless an exception is granted through the conditional use process.
 - This requirement is not applicable.
- c. Within the CTH ID corridor between STH 78 and USH 151, refer to subparagraph 4.c. above regarding the prohibition of parking adjacent to street rights-of-way.
 - This requirement is not applicable. No changes proposed.
- d. Bicycle parking shall be provided at a rate of one bicycle space for every 10 vehicle parking spaces up to a total of 20 bicycle spaces.
 - This requirement is not applicable for an accessory structure.

25. Building Foundation Landscaping:

- a. A minimum 10-foot wide landscaping bed or planter shall be provided along at least 50% of each wall facing a street, drive or parking area, except within the downtown area.
 - This requirement is not met. Some existing screening is already in place along the western property line near the location of the proposed accessory structure. I recommend this requirement is waived.
- b. This bed or planter shall be located adjacent to or within 10 feet of the building foundation.
 - This requirement is not met. Some existing screening is already in place along the western property line near the location of the proposed accessory structure. I recommend this requirement is waived.
- c. This bed or planter shall be landscaped appropriately as determined by the Plan Commission.
 - This requirement is not met. Some existing screening is already in place along the western property line near the location of the proposed accessory structure. I recommend this requirement is waived.

26. Street Frontage Landscaping:

- a. A minimum 10-foot wide landscaped area shall be provided adjacent to the frontage of all streets and drives, except within the downtown area.
 - This requirement is not applicable. No changes proposed.
- b. This area shall be landscaped appropriately as determined by the Plan Commission. At minimum, one canopy-type street tree (maple, oak, hickory, ginkgo, honey locust or similar species) shall be required for every 50 feet of street or drive frontage, except within the downtown area. Said trees shall be a minimum 2-inch to 2.5-inch caliper.
 - This requirement is not applicable. No changes proposed.

27. Parking Lot Landscaping:

- a. Parking lot landscaping shall comply with the requirements of §17.136
 - This requirement is not applicable. No changes proposed.
- b. Subsection 24.a., above, shall also apply along street and drive frontages.
 - This requirement is not applicable. No changes proposed.
- c. Subsection 24.c., above, shall also apply along CTH ID.
 - This requirement is not applicable. No changes proposed.

Village Planner's Recommendations:

I recommend the Plan Commission approve the following:

1. Approval of the Conditional Use to permit an accessory structure taller than the maximum requirements in the Planned Business Zoning District.
2. Site Plan and Design Review packet, including waivers for:
 - a. 7.a. and b.: Allow the façade of the accessory structure to be unarticulated and have no regularly spaced windows and doors provided.
 - b. 8.a. and b.: Allow metal wall panels and a non-decorative base along all facades.
 - c. 10.a.: Allow non-decorative doors on the facades.
 - d. 12.b.: Allow a metal roof.
 - e. 25.a.-c.: Allow the accessory structure to have no building foundation landscaping.
3. Village staff review and approval of the following that meets all Design Review requirements. If any waivers are requested by the applicant from the Design Review requirements, the proposed plans must be reviewed and approved by the Plan Commission.
 - a. Light fixture specifications.
 - b. Photometric plans that extend to the property line.
4. An erosion control checklist is provided by the applicant and approved by the Village Engineer.
5. Any other comments or recommendations of the Village Engineer, Village Fire Department, and/or Plan Commission.



P.O. BOX 930220
VERONA, WI 53593-0220
(608) 845-9700 / Fax (608) 845-7070
www.clearybuilding.com



To: Village of Mount Horeb Plan Commission

From: Cleary Building Corporation: Nick Urumoglu

Date: February 26, 2024

Re: Design Review for Proposed Cold Storage Building at Symdon Motors 2011 Springdale Street

Written Narrative:

Property owner: Ron Symdon

Address: 2011 Springdale Street
Mount Horeb, WI, 53572

Construction Contractor: Cleary Building Corporation – Nick Urumoglu

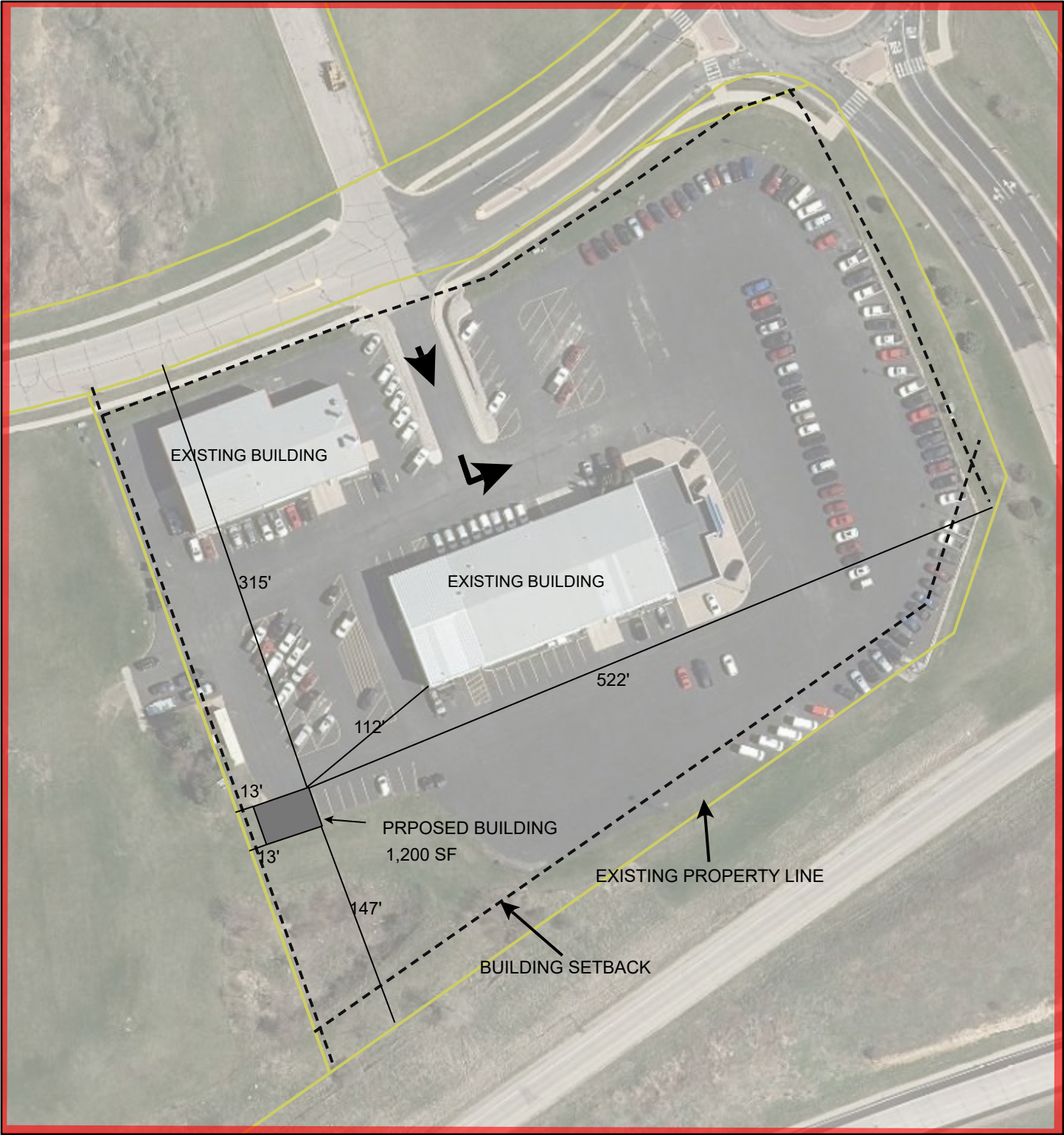
Address: 190 Paoli Street
Verona, WI, 53593

The purpose of this written narrative is to provide background to The Village of Mount Horeb Plan Commission regarding the Design review for a new Cold Storage Building to serve Symdon Motors at 2011 Springdale Street, located at the Southwest corner of the Springdale Street and Lillehammer Lane. The proposed building would be 30 feet wide by 40 feet long for a total of 1,200 square foot. The proposed building has an eave height of 15' 4" with a peak height of 20' 4" and a mean height average of 17' 10". The proposed cold storage building is a Post Frame structure with corrugated steel exterior using exposed fasteners for both siding and roofing finishes. These materials are similar to the exterior finish of the two existing buildings. The east face of the proposed building contains two overhead doors. The North sidewall contains a single man door. The other two sides of the building are blank walls. The proposed building would serve as additional unoccupied cold storage for Symdon Motors.

The proposed cold storage building would be built at the South West corner of the existing asphalted parking lot. Approx. three parking stalls or approximately 540 square feet of existing asphalt would be removed for the proposed building to be built over that area. Given the existing asphalt is an impervious surface, the new building itself will add only approximately 660 square feet of new impervious surface. All non-impervious green space disturbed by construction is planned to be return to its existing state as typical lawn grass.

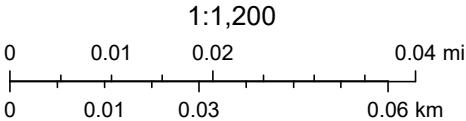
built with pride before the  *is applied*

Symdon Motors Cold Storage Building



February 27, 2024

 Parcels



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



P.O Box 930220
Verona, WI 53593-0220
Phone: (608) 845-9700
Fax: (608) 845-7070

2/26/2024
SYMDON MOTORS, INC
Doc ID: 8316620240226115440
Job ID: 2023105415

Elevations & Floor Plan

Customer Information

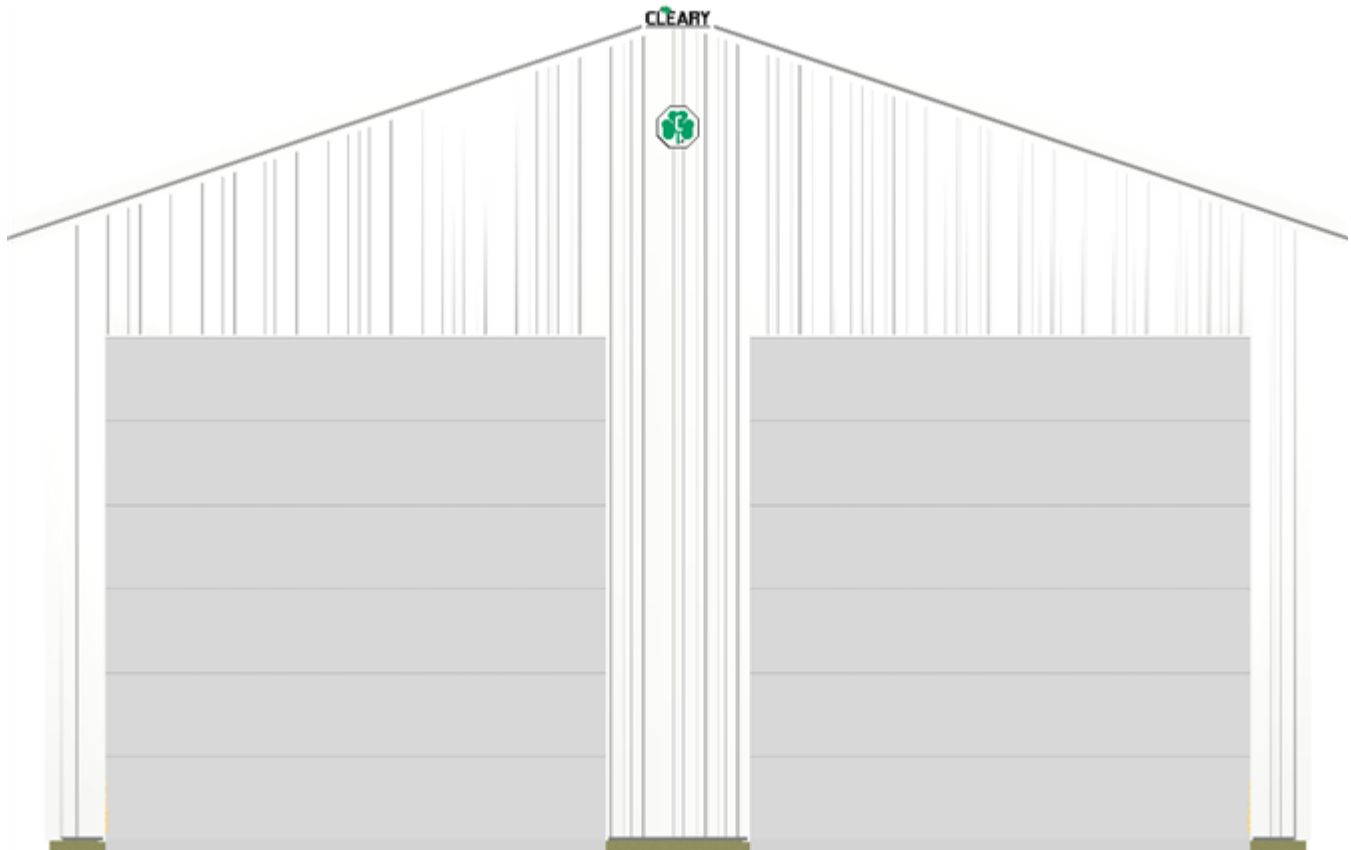
Building Specification For:

SYMDON MOTORS, INC
2011 SPRINGDALE ST
MOUNT HOREB, WISCONSIN 53572
Home Phone: () -
Cell Phone: (608) 437-5555
Email: RSYMDON@SYMDON.NET

Building Site Location:

Location: N/A
Tenant: N/A
2011 SPRINGDALE ST
MOUNT HOREB, WISCONSIN 53572
County: DANE

Elevations for Building 1



East End Wall 1 on Building 1

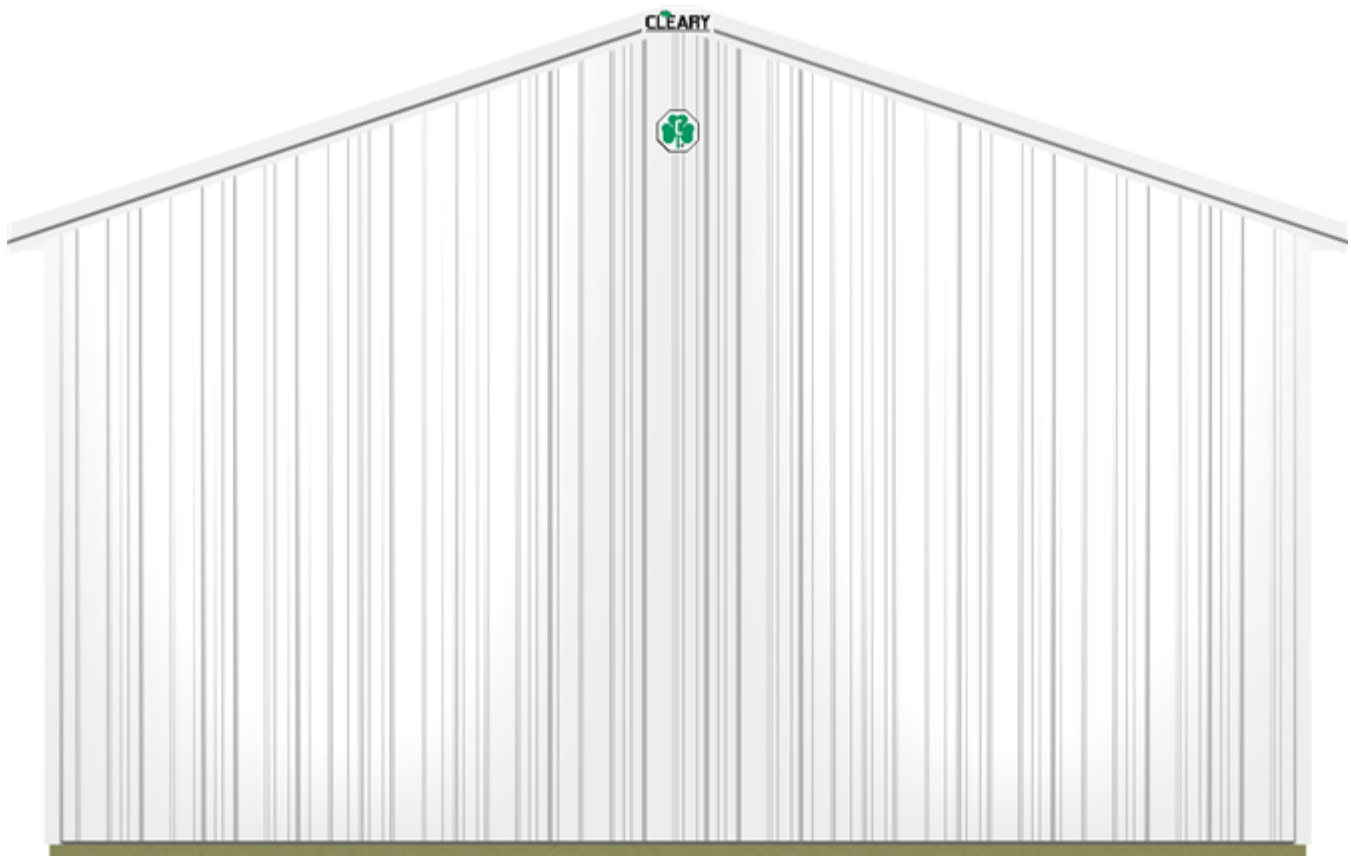
Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



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Verona, WI 53593-0220
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Fax: (608) 845-7070

2/26/2024
SYMDON MOTORS, INC
Doc ID: 8316620240226115440
Job ID: 2023105415

Elevations & Floor Plan



West End Wall 2 on Building 1

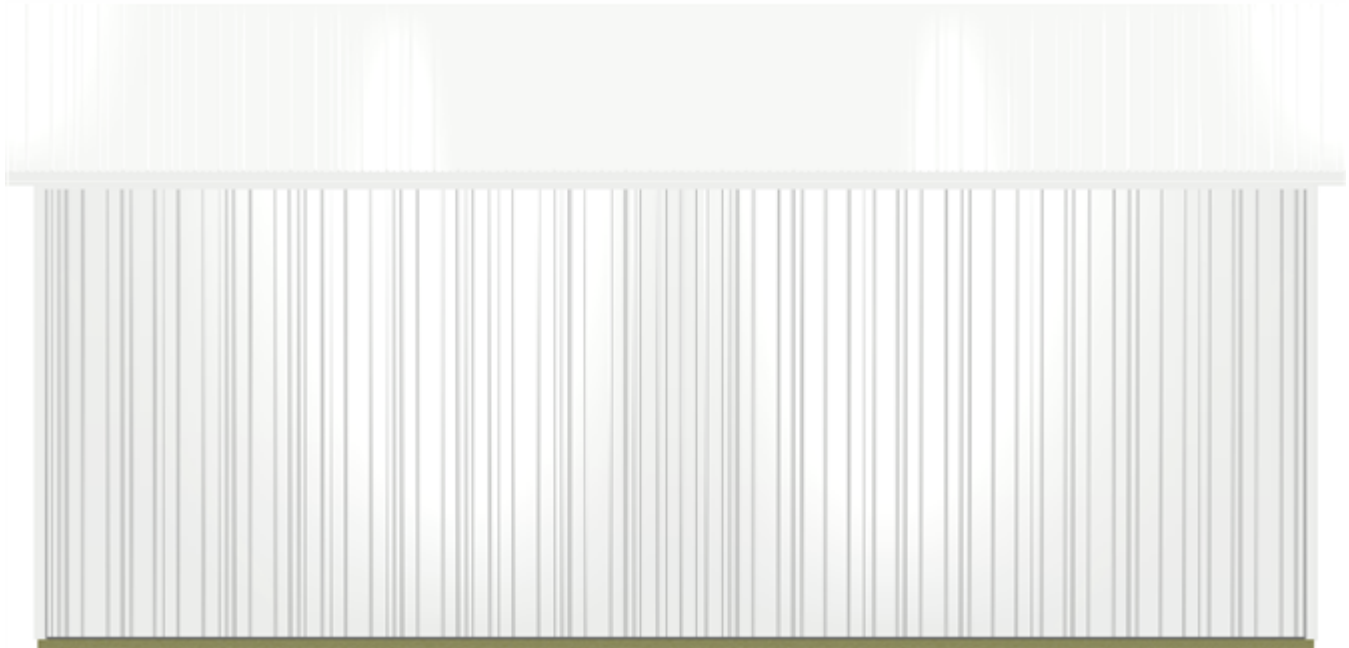
Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



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2/26/2024
SYMDON MOTORS, INC
Doc ID: 8316620240226115440
Job ID: 2023105415

Elevations & Floor Plan



South Side Wall 1 on Building 1

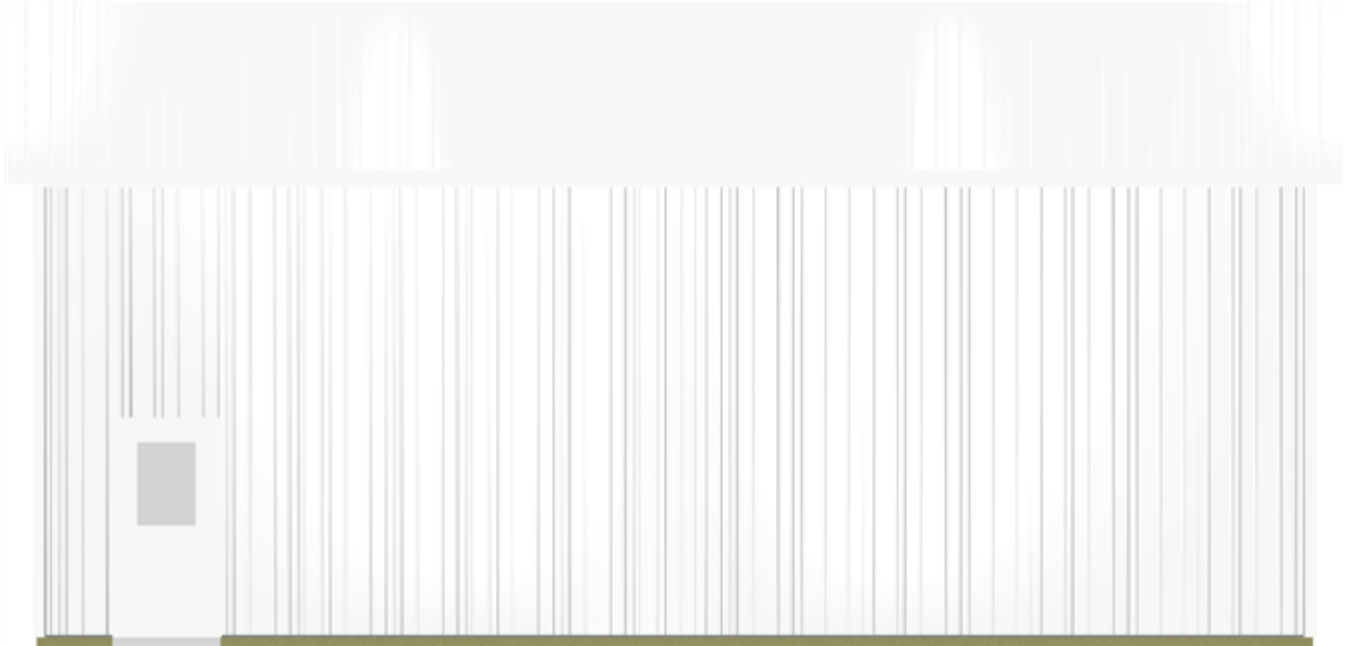
Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.



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Doc ID: 8316620240226115440
Job ID: 2023105415

Elevations & Floor Plan

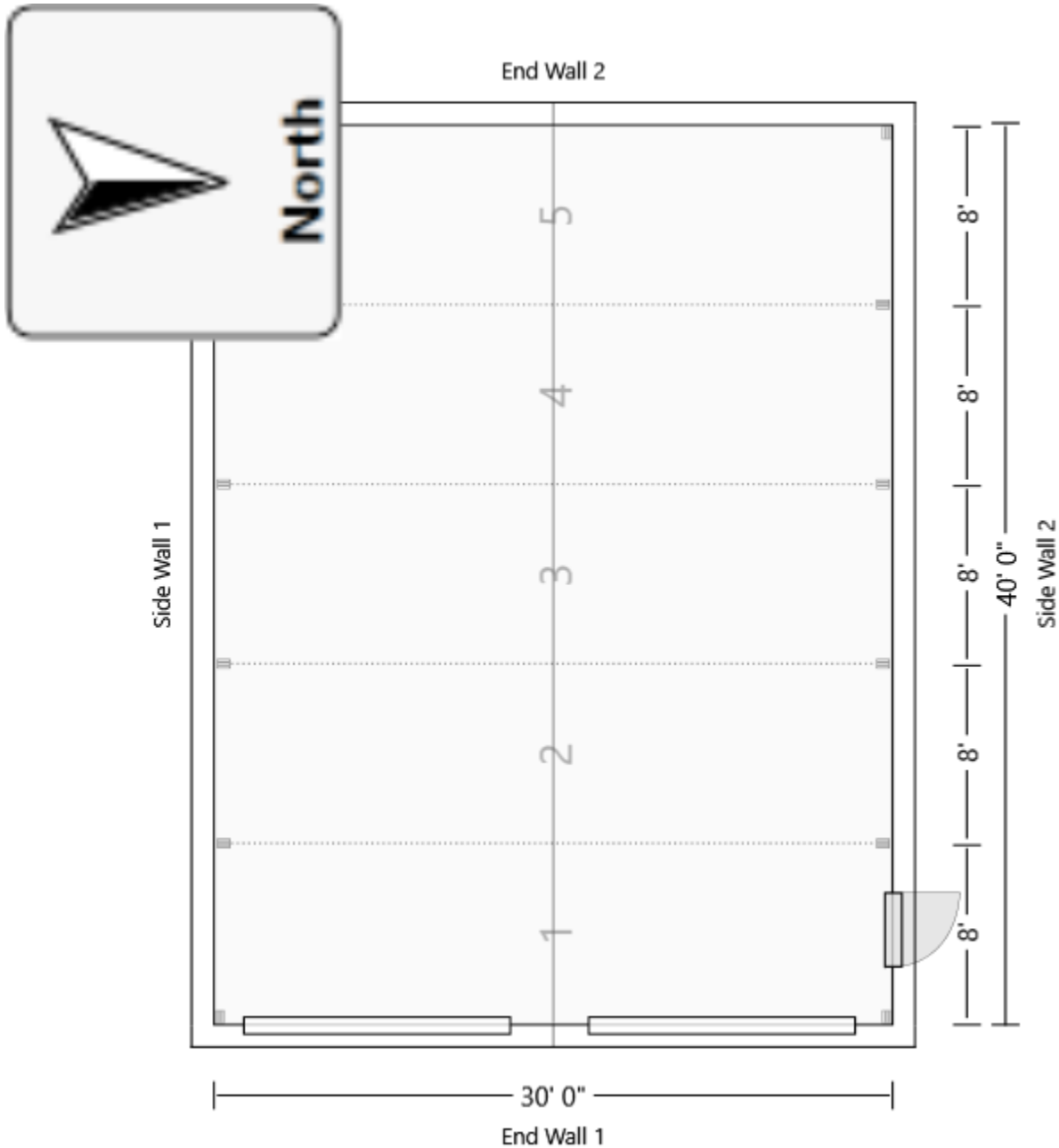


North Side Wall 2 on Building 1

Note: These colors are as close to the actual colors as permitted by printing. Actual metal samples must be reviewed with your Sales Specialist. Colors vary depending upon position and angles.

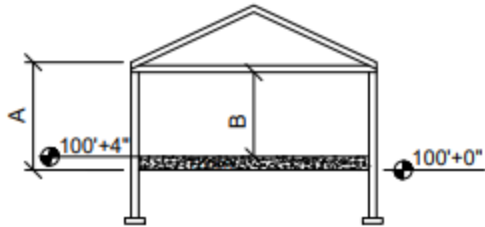
Elevations & Floor Plan

Floor Plan



Elevations & Floor Plan

Interior Clearances and Exterior Heights



Standard Lower Chord Truss (SLC)

Interior Clearances:

"B" = Clearance from finished floor to bottom of truss: **13' 8"**
(Clearance is reduced by the thickness of any ceiling and the thickness of any floor covering)

Exterior Heights:

"A" = Actual Eave Height: **15' 4"**
Roof Peak Height: **20' 4"**
Roof Pitch: **4/12**

Top of concrete floor must be at 100'+4" for this foundation type. If thicker concrete floor is desired, the extra thickness will be below the 100'+0" mark.

RESOLUTION 2024-07

CONDITIONAL USE PERMIT FOR EXCEPTION TO MOUNT HOREB ZONING CODE 17.16(5)(a).

WHEREAS, an application for a Conditional Use Permit to allow an exception to the Mount Horeb Zoning code 17.16(5)(a). related to the maximum height for accessory structures at 2011 Springdale Street, parcel 0607-074-9621-1, has been filed with the Village of Mount Horeb by Ron Symdon; and

WHEREAS, said property is currently zoned PB-Panned Business in which the Zoning code 17.16(5)(a). states within the maximum height for an accessory structure is 15-feet without a Conditional Use Permit; and

WHEREAS, the matter was the subject of a public hearing before the Plan Commission/Historic Preservation Commission on April 24, 2024 after due notice as required by law; and

WHEREAS, the Plan Commission is recommending approval of the following Conditional Use exception from Village Code 17.16(5)(a).

WHEREAS, after due consideration and being fully advised in the premises, the Board of Trustees of the Village of Mount Horeb deems it to be in the interest of the general public to allow the desired exception of said property, as hereinafter set forth, as a Conditional Use; and

WHEREAS, the proposed use is consistent with the Village of Mount Horeb Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Mount Horeb, Dane County, Wisconsin, that a Conditional Use Permit to allow an accessory structure with a height of 20 feet 4 inches at the peak at 2011 Springdale Street is hereby granted.

Introduced and passed this 1st day of May, 2024.

By: _____
Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 6.b

Consideration of Ordinance 2024-05 Zoning Change PD-1 to General Development Plan 1881 Springdale St

BACKGROUND

After a public hearing and discussion and consideration over two meetings, the Plan Commission is recommending approval of the General Development Plan for a 3-story mixed use, commercial and residential building at 1881 Springdale Street. Their recommended approval includes the suggestions of the Village Planner's review memo which is included in this packet. The original review letter from the Village planner from February is also included for your reference. The plan that was recommended for approval consists of 23 residential units including studio, one-bedroom and two-bedroom units and 2 commercial spaces of 1,460 and 895 square feet on the first floor. The first floor would also contain an exercise room and other common areas for the residents.

At the public hearing, neighboring property owners expressed their opposition to the project. The main concerns were the building not fitting in with the surrounding area due to its height and increased traffic and noise with additional residents. We also received several emails and letters from neighbors which are included in your packet. Additionally, a statement was made by a member of the public during the public hearing regarding the negative effects of multifamily developments on the value of nearby single-family homes. I'm including in your packet a study recently conducted by the City of Sun Prairie that shows that multifamily developments do not negatively affect the value of nearby homes.

The Plan Commission tabled the item at the March meeting and requested the applicant consider adding additional commercial space to the building and asked for additional details to show how the proposed mixed-use building will fit in next to the residential homes to the south. The applicant has added additional commercial space and the revised floor plans, renderings and additional details are included in your packet. The applicant also has revised the renderings and layout to reflect the addition of additional commercial space on the first floor of the building.

A comment was made at the second meeting by a neighboring property owner that the



AGENDA ITEM REPORT

developer should consider changing from a pitched roof to a flat roof to lessen the impact of the new building on the view from the properties to the south. The consensus was that the pitched roof is a better fit for the neighborhood and offers a better view than a flat roof. The developer will consider lowering the roof height to be under the 45-foot max height. This will be reviewed and discussed in the Specific Implementation Plan phase.

RECOMMENDATION

ATTACHMENTS

1. Mt Horeb Mixed Use GDP Submittal
2. 2024-04-18 - 1881 Springdale St - GDP Supplement (3)
3. 2024-04-16 - 2363 Context Sections
4. 1881 Springdale Street Mixed Use Building GDP 3.27.24
5. 1881 Springdale Street Mixed Use Building GDP 2.28.24
6. Varney Comments 4.15.24
7. Kavon Email
8. Taft Letter
9. Varney Letter w/out email
10. Ord 2024-05 GDP rezone 1881 Springdale



VILLAGE OF MOUNT HOREB
Zoning Administrator 608-437-9409
138 East Main Street
Mount Horeb, WI 53572

PLAN COMMISSION APPLICATION

PROJECT NAME: Mixed-Use Building- 1881 Springdale

Project Address 1881 Springdale St. Mount Horeb, WI 53572 Parcel Number: 060707304291

[Access Dane Link](#)

Zoning Map

Current Zoning PD-1 Planned Development Future Land Use Zoning: Planned Mixed Use

(select zoning layer in map)

(select future land use layer in map)

APPLICANT: <u>Matthew Tills, Knothe and Bruce Architects</u>	
ADDRESS: <u>8401 Greenway Blvd, Suite 900 Middleton, WI 53562</u>	
PHONE: <u>608-836-3690</u>	EMAIL: <u>mtills@knothebruce.com</u>

OWNER: <u>MMI LLC</u>	
ADDRESS: <u>5701 Voges Rd. Madison, WI 53718</u>	
PHONE: <u>(608) 516-8601</u>	EMAIL: <u>tim@airtemperature.com</u>

PROJECT DESCRIPTION: Three-story mixed-use multi-family building with 24 apartment units including: a mix of studio, one-bedroom, and two bedroom apartments; approximately 1,250 sf of commercial ground floor tenant space; and 23 covered parking stalls for residential use on the first floor.

OWNER/APPLICANT SIGNATURE: _____

DATE: 1-29-2024

FEES & DEPOSITS: (CHECK ALL THAT APPLY)

Application	Fee	Public Hearing-	Developer Deposit:
☐ Certificate of Appropriateness (for Central Business Zoning)	No Fee		An escrow deposit is required in accordance with the Development Application Agreement.
☐ Certified Survey Map (CSM) <i>scroll to Section 18.61 in schedule</i>	<u>Schedule</u>		
☐ Certified Survey Map Extraterritorial <i>scroll to Section 18.61 in schedule</i>	<u>Schedule</u>		
☐ Comprehensive Plan Amendment	\$150.00	Class One	Total Fee Paid: _____
☐ Conditional Use Permit (changes in USE of property)	\$150.00	Class Two	
☐ Conditional Use Permit (planned development district)	\$200.00	Class Two	Date: _____
☐ Design Review	\$100.00		
☒ General Development Plan (GDP)	\$200.00		Fee Waived By: _____
☐ Specific Improvement Plan (SIP)	\$300.00		
☐ Zoning Amendment (changes in zoning)	\$150.00	Class Two	
☐ Zoning Amendment (planned development district)	\$200.00	Class Two	

noted on calendar. A schedule of deadlines can be found on the Zoning page of the Village website: Plan Commission Calendar. **Consultation with the Village Administrator is highly encouraged to discuss procedure and necessary forms prior to any submittal.**

Note: applications requiring a public hearing will be scheduled for a hearing according to the publication deadline, with action considered at the scheduled Plan Commission meeting following the public hearing. Applicants are encouraged to contact the Village Administrator for a pre-application meeting to review the project and submittal requirements prior to submitting an official application.

Class One = Published in newspaper for one week / Class Two = Published in newspaper for two weeks

Application submittals should include:

- 1) Fully executed **Plan Commission Application**
- 2) Fully executed **Development Application Agreement** (attached)
 - A development agreement is a voluntary contract between a local jurisdiction and a person who owns or controls property within the jurisdiction, detailing the obligations of both parties and specifying the standards and conditions that will govern development.
- 3) Full payment for all associated fees
- 4) Written narrative of the proposed project
- 5) One electronic copy of **full submittal**
 - emailed to (2 parties) Nic.Owen@mounthorebwi.info and mhbuildinginspector@mounthorebwi.info,
 - or provided to our offices on a USB device or submitted via downloaded file

All **submittals** must contain the following to be considered complete:

- 1) Written narrative must include:
 - a. Owner and/or developer names and addresses
 - b. Where applicable; architect and/or engineer names and addresses
 - c. Description of proposed uses
 - d. Calculation indicating total site size, building floor area, number of parking stalls, amount of impervious surface, and amount of non-impervious green space
- 2) A scaled site plan which must include:
 - a. Name of project and date of plan preparation
 - b. Scale of drawing and north arrow
 - c. Property boundaries
 - d. Where applicable; both the one hundred (100) year recurrence interval floodplain and the floodway delineations
 - e. Where applicable; wetlands as delineated in the WDNR Wetland Inventory and 75' setback line from such wetlands
 - f. Existing and proposed easements on the subject property
 - g. Adjoining public street rights-of-way, street pavements, and sidewalk locations; existing and proposed driveways and curb cuts; and parking and loading areas
 - h. Location of existing and proposed building footprints with building and yard setback lines indicated
 - i. Location and size of any existing or proposed signs and fencing
 - j. Location and type of all outdoor lighting proposed to illuminate the site; including a photometrics plan of the site (See Village Code Chapter 17.14 (4))
- 3) Building Plans which must include:
 - a. Elevation drawing of each new or remodeled building façade, indicating height,

- materials and building dimensions
 - b. Colored renderings of all façades of the principal building showing the proposed colors
 - c. Building materials samples (upon request)
- 4) Grading and Stormwater Management Plan, including:
- a. Existing and proposed topography shown at a contour interval of not less than two (2) feet at National Geodetic Vertical Datum
 - b. Location and dimension of Stormwater retention or detention basins and/or stormwater conveyances
- 5) Landscape Plan that meets all landscaping standards (See Village Code Chapter 17.14(25-27))
- 6) Parking Calculations
- 7) Escrow fees as outlined in the Development Application Agreement
- 8) Erosion Control and Stormwater Management Application and fees. *No person may begin a land disturbing construction activity or land developing activity subject to this division until the person has paid the Erosion Control Review and Inspection fee.
- 9) Erosion Control Plan
- 10) Signage Plan (Village Code Chapter 17.171)
- 11) Design Review guideline (See Village Code Chapter 17.14)
- 12) Refer to Mount Horeb Village Code Chapter 17-Zoning Code for all supporting details of required documentation.

DEVELOPMENT APPLICATION AGREEMENT

This Development Application Agreement (the "Agreement") is made and entered into this 30 day of January, 2024, by and between the Village of Mount Horeb, a Wisconsin municipal corporation (the "Village"), and Tim Neitzel (the "Applicant").

RECITALS

- A. The Applicant plans to file, or has filed, an application for approval by the Village of one or more of the following activities within the Village's jurisdiction: site plan / conditional use permit / rezone / variance / other development (hereinafter referred to as the "Development").
- B. The Village desires to review and take action on the Development in a timely manner in accordance with all applicable federal, state and local laws and regulations, and without unreasonable expense to Village taxpayers.
- C. The Applicant agrees and acknowledges that decisions and approvals regarding the Development are legislative determinations to be made in the Village's discretion and that the Applicant's compliance with this Agreement does not, in any way, entitle the Applicant to approval of the Development.
- D. The process of reviewing the plans and documents associated with the Development will cause the Village to incur direct and indirect expenses including, but not limited to, staff time and fees and expenses incurred by the Village for outside consultant services related to review of the Development (e.g., engineers, attorneys, accountants, planners, and other professionals).

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, and for good and valuable consideration, the Village and the Applicant agree as follows:

- 1. *Recitals.* The representations and recitations set forth in the foregoing paragraphs are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this paragraph.
- 2. *Applicant to Reimburse Village Review Costs.* The Applicant shall reimburse the Village for all direct and indirect costs and expenses related to the Village's review of the Development. The direct and indirect costs and expenses include, but are not limited to, staff time and fees and expenses incurred by the Village for outside consultant services (e.g., engineers, attorneys, accountants, planners, and other professionals). For purposes of this Agreement, the direct and indirect costs and expenses shall be referred to as "Review Costs." Village staff time shall be charged at current rates.

3. *Deposit Required to Fund Reimbursement Account.*

- a. To ensure that funds are readily available to the Village for reimbursement of the Review Costs as provided in paragraph 2 above, the Applicant shall deposit with the Village an amount determined by the Village Zoning Administrator to be used to pay the Review Costs (the "Deposit"). The Village Zoning Administrator shall use the following table as a guide to determine the amount of the Deposit:

- (1) Small additions (<2,500 sf) shall require a \$1,500 Deposit.
- (2) Small-sized projects (<5,000 sf) shall require a \$3,500 Deposit.
- (3) Medium-sized projects (<10,000 sf) shall require a \$5,500 Deposit.
- (4) Large-sized projects (>10,000 sf) shall require a \$10,000 Deposit.
- (5) In addition to the amounts identified in (1) through (4), any Development that requires a development agreement or tax incremental financing assistance from the Village shall require an additional \$5,000 to \$10,000 Deposit.

All Deposit amounts shall be determined by the Village Zoning Administrator in his/her sole discretion and are not subject to challenge by the Applicant. Generally small additions will be less than 2,500 square feet, small projects less than 5,000 square feet, medium projects less than 10,000 square feet and large projects are over 10,000 square feet.

- b. The Applicant is responsible for payment of all Review Costs regardless of whether the amount exceeds the amount initially deposited with the Village. The Village reserves the right to require the Applicant to deposit additional amounts if the Village Zoning Administrator determines that additional amounts are necessary because of the size of the Development or because the Reimbursement Account (defined below) has been depleted.
- c. The Deposit may be provided in the form of cash, a certified check, cashier's check, personal check, or some other form as approved by the Village.
- d. The required Deposit must be made by the Applicant upon execution of this Agreement.
- e. The Applicant agrees and acknowledges that the Village will not process the application(s) associated with the Development and that the Village may suspend or otherwise stop activities associated with the Development if the Applicant fails to comply with this Agreement.
- f. The Village shall place and maintain the Deposit in a segregated, non-interest-bearing account to be used solely for the purpose of reimbursing the Review Costs in accordance with paragraph 4 below (the "Reimbursement Account").

4. *Village Withdrawals from the Reimbursement Account.*

- a. After complying with the notification requirements of paragraph 4.b. below, the Village is entitled to make withdrawals from the Reimbursement Account to pay Review Costs in accordance with paragraph 2 above.
- b. Not less than 5 days prior to making any withdrawal from the Reimbursement Account, the Village shall provide the Applicant with an itemized invoice for Review Costs incurred, together with a written notice of the Village's intent to withdraw such funds from the Reimbursement Account.
- c. Withdrawals from the Reimbursement Account may be made as often as necessary to reimburse the Review Costs. In the event that the balance of Applicant's Reimbursement Account reaches \$1,000 or less, the Village shall have the discretion to continue withdrawing funds from the Reimbursement Account; to invoice the Applicant directly for payment; or to require the Applicant to pay additional monies to the Village, which monies shall be deposited in the Reimbursement Account. Payments for directly invoiced bills shall be due 30 days from the date the invoice is mailed to the Applicant.
- d. Any amounts remaining in the Reimbursement Account after the Village as taken final action on the Development and all Review Costs have been paid shall be promptly refunded to the Applicant.

5. *Authority/Binding Effect.* The parties agree that the undersigned signatories to this Agreement have full power and authority to act on behalf of the Village and the Applicant, and that all necessary and enabling resolutions have been enacted. This Agreement shall bind the heirs, successors and assigns of the Applicant and the Village.

6. *Notification of Parties.*

Any notices to be provided under this Agreement may be made by delivery in person, by First Class mail, or by electronic mail (request a read receipt required) as provided below:

To Village: Village of Mount Horeb
 Village Administrator
 138 East Main Street
 Mount Horeb, WI 53572
 Email: Nic.Owen@mounthorebwi.info

To Applicant: Tim Neitzel

Email: tim@airtemperature.com

7. *Severability.* If any provision of this Agreement is deemed invalid, then the invalidity of said provision shall not affect the validity of any other provision hereof.
8. *Amendment, Withdrawal, or Release.* This Agreement may be withdrawn, amended or released only by a written document duly executed by both parties.
9. *Effective Date.* This Agreement shall be effective commencing on the date indicated in the first paragraph above.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by the duly authorized individuals and officers below.

VILLAGE OF MOUNT HOREB

By: Nicholas Owen
Nicholas W Owen
Administrator

APPLICANT

By: 
Print name: Tim Neitzel
Title: Owner

January 30, 2024

Nic Owen
Administrator
Village of Mount Horeb
138 East Main Street
Mt. Horeb, WI 53573



Re: Letter of Intent – GDP Review
1881 Springdale
Mt. Horeb, WI

Mr. Nic Owen,

The following is submitted together with plans and elevations for Plan Commission consideration at a General Development Plan (GDP) level.

Organizational Structure:

Owner:

MMI LLC
5701 Voges Rd
Madison, WI 53718
Contact: Tim Neitzel
Phone: 608-516-8601
tim@airtemperature.com

Architect:

Knothe & Bruce Architects, LLC
8401 Greenway Blvd., Ste. 900
Middleton, WI 53562
(608) 836-3690
Contact: Matt Tills
mtills@knothebruce.com

Engineer:

Snyder & Associates
5010 Voges Rd
Madison, WI 53718
Contact: Scott Anderson, P.E.
Phone: 608-838-0444
sanderson@snyder-associates.com

Landscape Design:

Snyder & Associates
5010 Voges Rd
Madison, WI 53718
Contact: Andy Meessmann, PLA
Phone: 608-838-0444
ameessmann@snyder-associates.com

Project Location:

The proposed development is located at 1881 Springdale St., Parcel Number: 060707304291, west of Telemark Parkway, south of Commerce Drive, adjacent to Miller's grocery store. The existing 0.9-acre parcel is currently undeveloped with grassy vegetation across the site. The project Owner also has ownership of the adjacent .5 acre parcel (# 060707304441) which consists primarily of shared parking and vehicular access for Miller's grocery store. A new cross-access easement will be created to provide access to the principal project site.

Zoning

The current property is zoned PD-1. The proposed project will require a GDP and SIP amendment to the existing Planned Development to permit the following:

- Residential use on the ground floor
- Building height of 3 stories

Project Description:

The project consists of a 3-story, 24 unit mixed use building with 1,252 SF of commercial space and enclosed first-floor parking. The building will include a mix of studio, one bedroom and two-bedroom units. Residential amenities include: a community room, exercise room and outdoor grilling/gathering space for residents' use.

The shallow bedrock on the site limits underground facilities. A basement level will not be provided. The garage parking portion of the first floor is partially below grade along the street side resulting in a perceived building height of two stories along the south property edge. This is the site that abuts the single family residences to the south.

Architectural Design:

The design aesthetic is a traditional residential vernacular style consisting of composite board-and batten siding, horizontal lap siding, and stone veneer base. The roof will be pitched with two step-down areas for visual interest. Residents' will have access to a rooftop patio on the NE corner of the building. All units will have private balconies, in-unit laundry, high-quality interior finishes and modern amenities. Windows will be high-quality aluminum or fiberglass composite.

On-Site Parking:

The parking garage on the first floor will be reserved for residents' use. Surface parking for both commercial and residential use will be provided. Circulation and connection to the existing adjacent parking lot will be coordinated via a new cross-access easement as required.

Proposed modifications to the adjacent parcel (# 060707304441) include: a new garage entry drive for the proposed building; restriping of the existing parking stalls; and a new curbed stormwater feature to benefit the overall vehicular traffic circulation to the grocery store parking lot from Commerce Drive.

Stormwater/ Landscape Design:

Preliminary stormwater management design concept includes: two new stormwater basins. One is located within the center of the primary site adjacent to the residents' common patio area. The second is located on the adjacent site as a new curbed island, positioned to improve traffic circulation into the grocery store parking lot.

Landscaping design includes a variety of screening plantings adjacent to the building as well as trees and shrubs. Planting types will be selected based on native and low-maintenance varieties. A line of trees will be located along the south edge of the property to provide visual screening to the single-family houses to the south.

Social & Economic Benefits:

This development will provide high- quality housing in an area with access to walk-able amenities and outdoor public spaces. Located between the commercial development (Miller and Sons Supermarket) and single family housing to the SW, this development is an ideal location for quality, medium density housing.

Project Data:**Site / Building Data** (Parcel 060707304291 only, unless noted otherwise):

Lot Area:	40,445 S.F./0.93 acres
Floor Area: (see below)	31,318 S.F.
Floor Area Ratio:	.77
Dwelling Units:	24 D.U.
Lot Area/D.U.:	1,685 S.F./ D.U.
Density:	25.8 units / acre
Lot Coverage:	
Impervious:	21,484 S.F. (53.1%)
Pervious:	18,961 S.F.
Building Height:	3 Stories/ 47' +/-
Commercial Area:	1,252 S.F.

Dwelling Unit Mix

Studio	04 (17%)
One Bedroom	08 (33%)
Two Bedroom	12 (50%)
Total Dwelling Units	24

Building Floor Area

Floor 1 (excl. garage)	5,216 S.F.
Floor 2	14,331 S.F.
Floor 3	11,771 S.F.
Total Area	31,318 S.F.

Garage Area (Floor 1) 10,084 S.F.

Parking (Auto) (Parcel 060707304291)

Garage	23
Surface	10
Total Area	33 stalls
Parking Ratio	1.38 stalls/unit

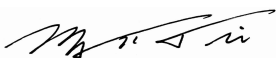
Additional shared parking in adjacent parcel

Surface 18 stalls

Parking Ratio of
Incl. shared parking: 2.1 stalls/unit

Thank you for your time and consideration of this GDP proposal.

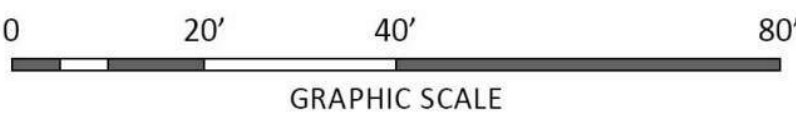
Sincerely,



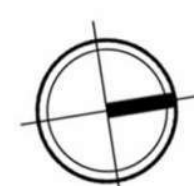
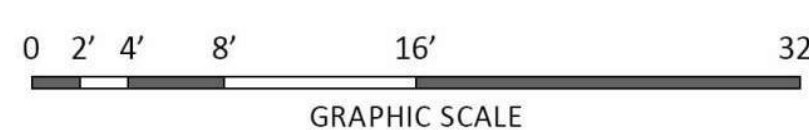
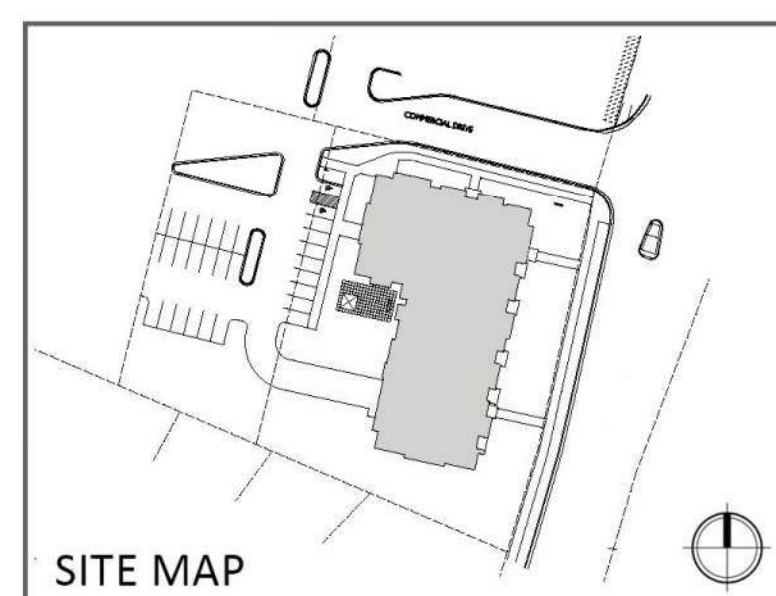
Matt Tills, AIA



Site Development Data:	
Zoning	GDP/PD
Densities:	
Lot Area	40,445 S.F./0.93 ACRES
Dwelling Units	23 units
Lot Area / D.U.	1,758 S.F./ D.U.
Density	25 units/Acre
Lot Coverage:	
Building Footprint	MAX. 40%
Community Patio	16,199 S.F.
Paving Footprint	736 S.F.
Total Footprint	5,046 S.F.
	21,981 S.F. (54.3%)
Building Height	3 stories, +/- 47'-0"
Floor Area Calculations:	
First Floor	5,264 S.F.
Second Floor	14,331 S.F.
Third Floor	11,771 S.F.
Total:	31,366 S.F.
Parking Garage	10,084 S.F.
Commercial Area	2,117 S.F.
Dwelling Unit Mix:	
Studio	4 (17%)
One Bedroom	8 (35%)
Two Bedroom	11 (48%)
Total Dwelling Units	23
Vehicle Parking Stalls:	
Parking Garage	23
Surface	5
Commercial	5
Total	33 stalls
Parking Ratio	1.43 stalls/unit



SITE PLAN



SECOND FLOOR PLAN

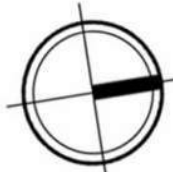
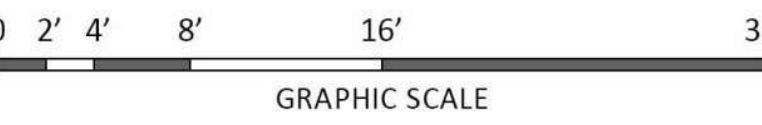
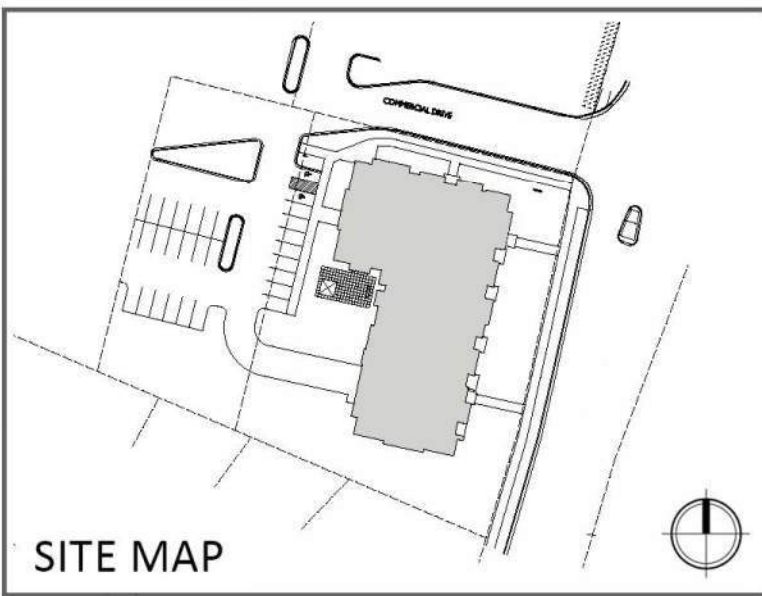
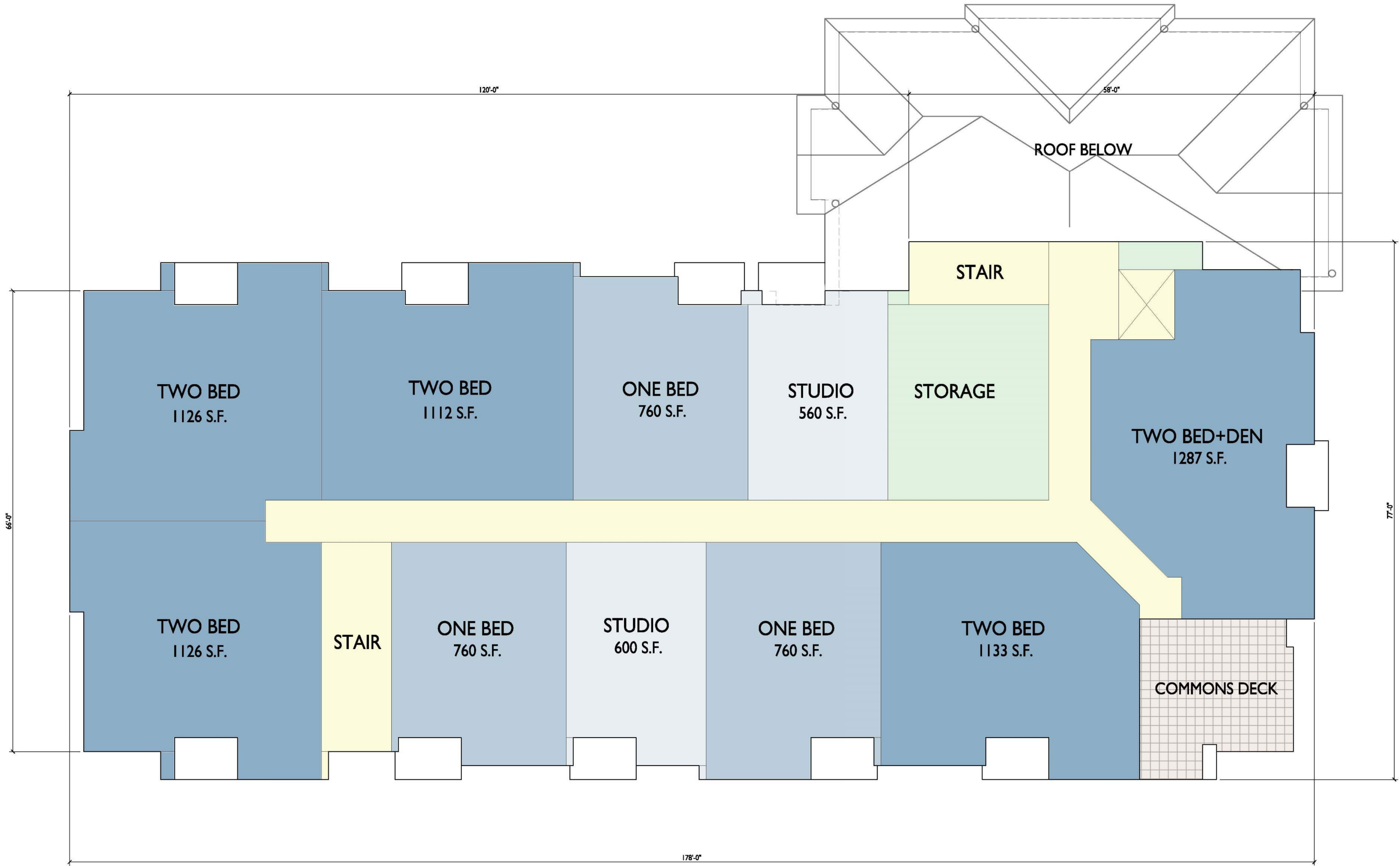
MIXED-USE DEVELOPMENT
1881 SPRINGDALE STREET, MOUNT HOREB, WI

GDP SUBMITTAL | 04.18.2024 | #2363



LEGEND

- CIRCULATION
- AMMENITY
- STUDIO
- 1 BEDROOM
- 2 BEDROOM
- MECH./STORAGE
- GARAGE
- TRASH/RECYCLE
- COMMERCIAL
- ROOF DECK



THIRD FLOOR PLAN

MIXED-USE DEVELOPMENT
1881 SPRINGDALE STREET, MOUNT HOREB, WI
GDP SUBMITTAL | 04.18.2024 | #2363



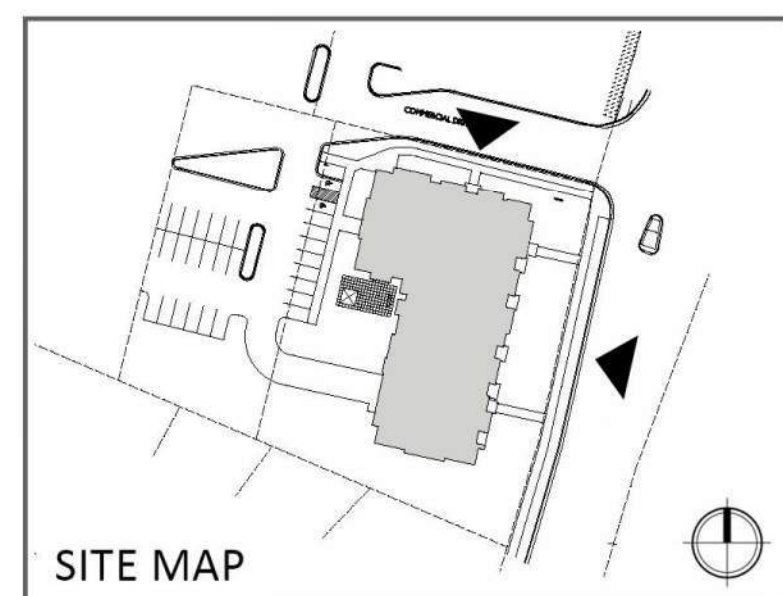


EAST ELEVATION ALONG TELEMAR PARKWAY



NORTH ELEVATION

ELEVATIONS



0 2' 4' 8' 16' 32'
GRAPHIC SCALE

MIXED-USE DEVELOPMENT
1881 SPRINGDALE STREET, MOUNT HOREB, WI

GDP SUBMITTAL | 04.18.2024 | #2363



knothe • bruce
ARCHITECTS

Phone: 608.836.3690 8401 Greenway Blvd., Suite 900
Middleton, WI 53562

ISSUED
Issued for GDP Submittal - January 30, 2024
Plan Review - April 16, 2024

PROJECT TITLE
Mixed-Use
Development

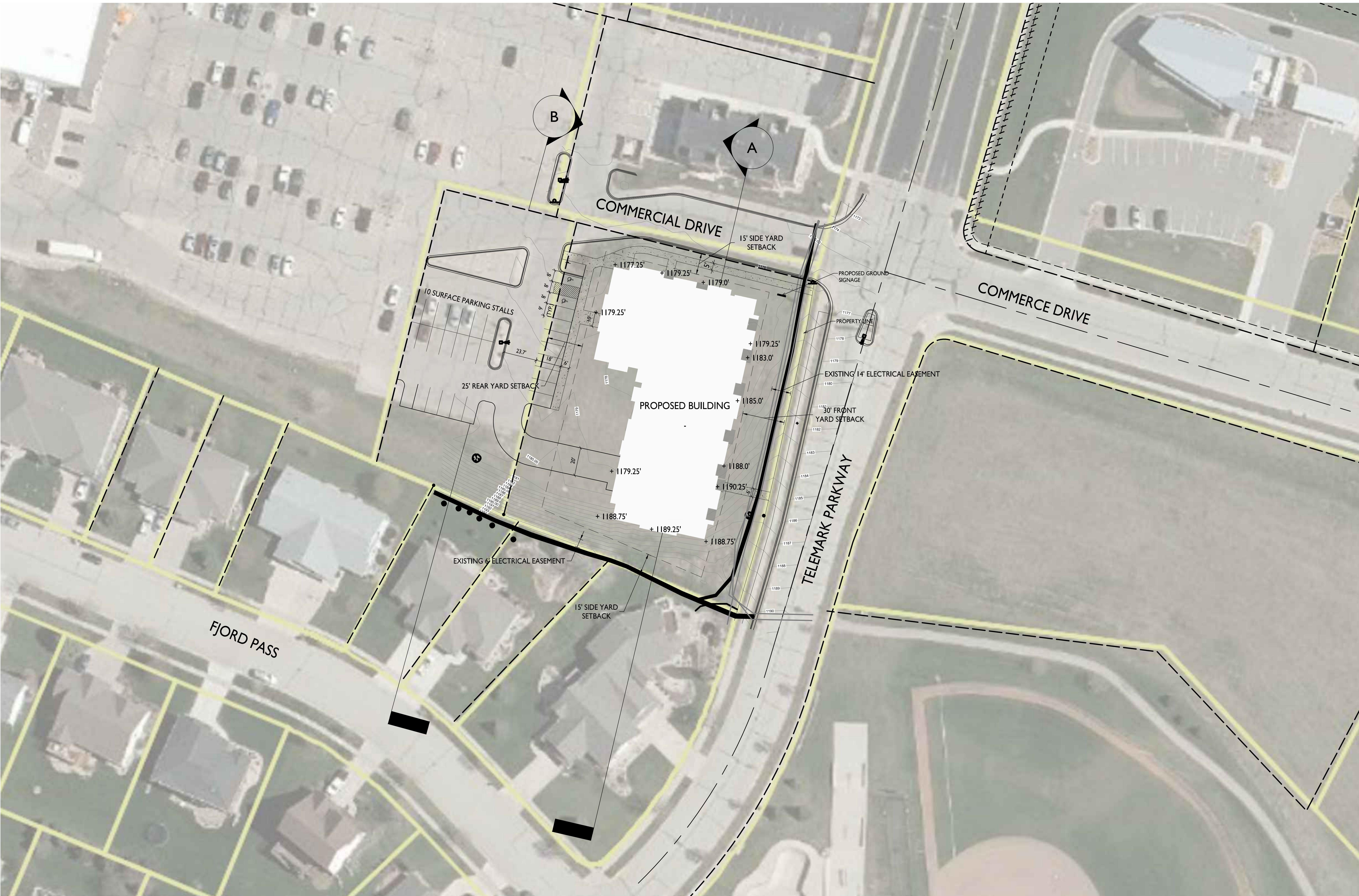
1881 Springdale Street,
Mount Horeb, WI
SHEET TITLE
Site Plan

SHEET NUMBER

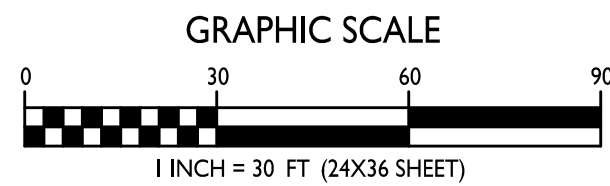
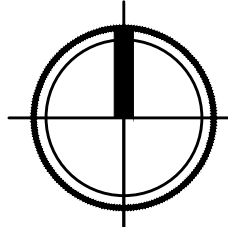
C-I.1

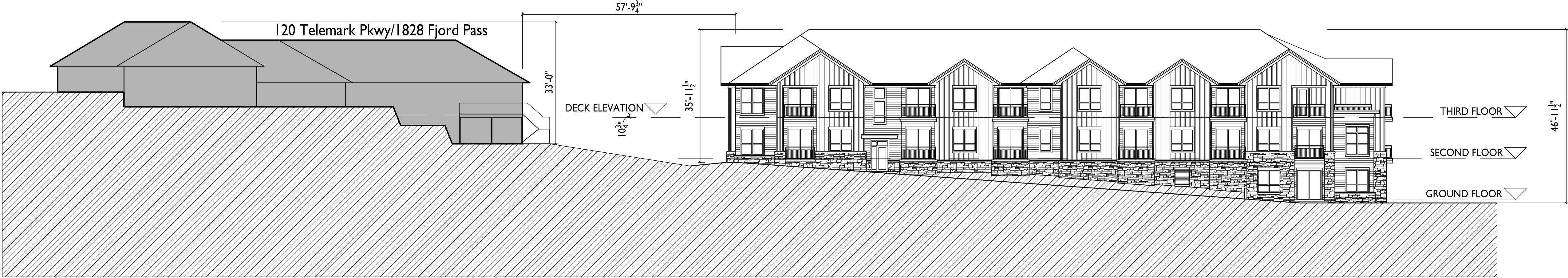
PROJECT NO. 2363

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I
C-I.1
SITE PLAN
1" = 30'-0"





A SITE SECTION FACING EAST ALONG TELEMARK PKWY
1/16" = 1'-0"



B SITE SECTION FACING WEST ALONG PARKING LOT
1/16" = 1'-0"

ISSUED
Issued for GDP Submittal - January 30, 2024
Plan Review - April 16, 2024

PROJECT TITLE
**Mixed-Use
Development**

1881 Springdale Street,
Mount Horeb, WI
SHEET TITLE
Site Sections

SHEET NUMBER

A-2.3

PROJECT NO. **2363**
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To: Village of Mount Horeb Plan Commission
From: Village Planner Ben Rohr, AICP
Date: March 27, 2024
Re: Proposed Zoning Map Amendment from Planned Development with underlying Planned Business (PB) zoning to a modified Planned Development - General Development Plan (GDP) for a 3-Story Mixed-Use Building at 1881 Springdale Street for MMI, LLC.

Introduction

Project Overview

MMI, LLC (Tim Neitzel) is proposing a modification to the existing Planned Development zoning to accommodate a three-story mixed-use building with 24 multi-family housing units and 1,250 square feet of commercial space on an existing 0.9-acre parcel and adjacent 0.5-acre parcel. The project is proposed on the west side of Telemark Parkway within the Miller & Sons Supermarket shopping center complex. One property is currently a vacant greenfield site, and the other is currently utilized as overflow parking for the shopping center. Single-family and two-family homes exist to the south, Miller and Sons Supermarket and parking areas exist to the west, multi-tenant commercial development exists to the north, and the developing Cape Commons industrial and commercial area exists to the east.

The proposed mixed-use building will be a combination of market rate multi-family apartments (4 studio units, 8 one-bedroom units, and 12 two-bedroom units) and leased commercial space (1,250 sf). The mixed-use building will include a shared outdoor patio, exercise room, and rear yard greenspace/patio for the residential tenants. In-building and surface vehicle parking are provided for both uses. Pedestrians can access the site from a planned sidewalk connection to Telemark Parkway that extends the full length of the northern property line and another sidewalk further to the south.

The project is a direct response to the Village's 2021 Housing Report commissioned by the Housing Task Force. The report identified that there are projected increases in new households over the next decade and a need for more housing options. It also surveyed residents and over 50% of respondents stated that there weren't enough rental options in the Village today. The proposed range of multi-family unit types within the project will help meet the identified need and advance the recommendations of the Housing Report, in addition to the Village's Comprehensive Plan.

The 0.9-acre property is entirely vacant and has been for many years, awaiting future development. The 0.5-acre property to the west (under the same ownership) is utilized as overflow parking for the larger shopping center complex. This project is considered to be an infill development because the property is surrounded by existing development on three sides and future planned development on the other (to the east).

The property features both sloping topography and shallow bedrock. This presents challenges related to underground parking and has created the need for in-building, first floor parking. However, the applicant has utilized the slope in the building design to effectively screen the first-floor parking on two sides of the structure.

The proposed mixed-use building is unique and desirable for Mount Horeb. It features both leased commercial space and multi-family apartments within the same structure. While common throughout other communities in Dane County, only a few have been proposed within Mount Horeb. This type of development in this location also provides great benefits to the new residents where they can walk to nearby amenities (shopping, daycare, and park).

Finally, there are opportunities to leverage existing on-site parking to accommodate the parking demand anticipated from this type of project. First floor parking will be exclusively for residents, but visitors and commercial patrons will have the ability to park on-site and on the adjacent property in areas that are currently underutilized. A proposed cross access easement between the two lots and improvements to the western lot's surface parking will accommodate this shared parking situation.

The project has conceptually been brought before the Plan Commission in January for review and comment. The requested General Development Plan (GDP), if approved by the Village, would establish the new zoning on the subject property. It is anticipated that the project will pursue approval of the Specific Implementation Plan (SIP) for design and operational details in April.

Zoning

The site is currently zoned Planned Development with an approved GDP and underlying Planned Business (PB) zoning. The original GDP was approved in 2005 for the site and has there have been several lot reconfiguration and amendments to it since that time. Below is a summary of those previous actions (also see the attached Appendix for more information):

- 2004 – GDP concept was brought before the Village to accommodate a group development for the multi-building commercial development planned. A Traffic Impact Analysis was done as part of this initial concept review.
- 2005 – GDP and CSM approved by the Village for a slightly different configuration of lots and buildings as you see today, but this established the Planned Business underlying zoning district.
- 2007-2008 – GDP amended by the Village related to a larger grocery store building being permitted. However, there were no impactful changes to the lot configuration or uses.
- 2011 – CSM was approved by the Village that created the lot layout you see today. In order to approve this CSM and create Lot 4 (1875 Springdale Street – small western parcel), the GDP was permitted this lot to have a paved surface setback of 0' and a permitted principal Off-Site Parking land use.
- 2012 – GDP was amended and the SIP approved by the Village for the grocery store development. This included a defined truck route through the parking area and Lot 4, in addition to a landscaping and lighting plan that impacted Lot 4. It also approved a shared parking situation for the entire development. To note, Village Engineer comments from this approval included the western most parking lot island on Lot 4 be a concrete curbed island.
- 2014 – Village approved the removal of the easement that was established with a previous CSM, running east-west across the site.

The large tuck access route previously approved does cross the western property associated with the proposed development (Lot 4). The proposed development retains the triangular-shaped parking lot island in the northwest corner to facilitate this access to continue as approved and includes curbing around that island to reflect the Engineer comments in 2012. The other proposed improvements to the parking area on the western parcel will not impact the tuck access route, shared parking situation, or the previously approved GDP.

Through the proposed GDP rezoning, the property will be modifying the existing GDP and using the Planned Business (PB) zoning district as the comparable district under the Planned Development. Section 17.42(2) lists the permitted and conditional principal and accessory uses of the Planned Business (PB) zoning district. Currently, the PB district permits mixed-use commercial and residential buildings under the Commercial Apartments accessory land use category. The proposed Planned Development would change the regulation of Multi-Family land uses (Apartments) from requiring a conditional use permit to being allowed as a permitted by-right principal use. All other existing permitted and conditional principal, accessory, and temporary land uses in the PB district would remain the same. As often occurs when there are multiple uses proposed for a single property, a project can have two principal uses (residential and commercial).

Currently, multi-family dwelling units are limited by Section 17.20(1)(a)7. Apartment Land Uses, to the following standards:

- No more than 8 dwelling units in a building.
- Any building containing more than 4 dwelling units shall provide additional site design features such as underground parking, architectural elements, landscaping, and/or on-site recreational facilities.
- All apartment units shall be located a minimum of 30 feet from the boundary of the property.

Section 17.42(7) provides the bulk dimensions for the PB district:

Lot and Density Requirements		
	Village Standards	Proposed*
Min. Lot Area	20,000 sf	40,445 sf
Min. Lot Width	75'	175'
Min. Street Frontage	50'	250'
Max. Number of Floors	4 floors	3 floors
Max. Building Height	45'	47'
Min. Landscape Surface Ratio	25%	53%
Max. Impervious Surface Ratio	75%	47%
Max. Floor Area Ratio	0.30	0.77
Minimum Building Setbacks		
	Village Standards	Proposed*
Front or Street	20'	30'
Side (nonresidential)	10' or 0'	15'
Side (residential)	10'	30'
Rear	25'	30'
Paved Surface (all sides)	10'	0' (west), 5' (north), >30' (south)
Accessory Structures	5'	NA
Building Separation	20'	>20'

*Only includes 1881 Springdale Street (parcel # 060707304291).

Section 17.132 provides the minimum required off-street parking spaces:

Parking Requirements			
	Village Standards	Village Standards Based on Proposed Units	Proposed On-Site Parking Provided*
Efficiency Unit	1.0 stalls/unit	4 units at 1.0 stalls/unit = 4 spaces	23 in-building spaces 30 surface spaces
One-Bedroom Unit	1.5 stalls/unit	8 units at 1.5 stalls/unit = 12 spaces	
Two- Bedroom+ Units	2.0 stalls/unit	12 units at 2.0 stalls/unit = 24 spaces	
General Commercial Standards	1 stall/300 sf	1,252 sf = 4 spaces	
Total		44 spaces	53 spaces

*In-building parking is proposed for only residents within the new building and surface parking is proposed for residential visitors and commercial patrons. The applicant has indicated that a cross access/shared parking agreement will be establish with the right for residential and commercial users of the eastern property to park within the western property's existing parking area (also planned to be improved).

If flexibility is granted in the General Development Plan (zoning) step, a Planned Development can exceed the minimums/maximums as indicated above and incorporate additional permitted land uses.

Comprehensive Plan

The Village's 2022 Comprehensive Plan designates the site in the Planned Mixed Use category which is defined as "a carefully controlled mix of commercial, office, mixed use, light assembly, and/or multi-family uses, with approvals granted only after submittal, public review, and approval of site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans. Development should comply with detailed design standards included in the Economic Development Chapter." Further, the Comprehensive Plan indicates that Planned Mixed Use projects should create active live-work environments that can be conveniently reached by a variety of transportation modes, including walking.

The Economic Development Chapter goes on to contain design standards for mixed-use projects, which includes:

- Utilization of common driveways serving more than one commercial use
- High-quality landscaping treatments throughout the site
- Parking on the side or rear of buildings
- Safe, convenient, and separated bicycle and pedestrian facilities and access
- High-quality building materials and lighting incorporated

Other relevant goals, objectives, and policies from the plan that align with the proposed development include the following:

- Support mixed use development projects as designated on the Future Land Use Map that integrate non-residential and residential uses into high-quality, unified places.
- Identify opportunities for and actively encourage infill and redevelopment opportunities in areas where existing utilities and infrastructure are available.

- Provide a variety of housing types, densities, arrangements, and costs to accommodate the needs, desires, and life cycles of existing and future residents.
- Promote infill and redevelopment practices to help diversify the community's housing supply.
- Guide new housing to areas within the Village with convenient access to commercial and recreational facilities, transportation systems, schools, shopping, jobs, and other necessary facilities and services.
- Encourage residential uses be incorporated into upper-story downtown buildings, infill, redevelopment, and new commercial/office development to increase the viability and vitality of the community.

Project Ownership

The land is currently owned by the applicant and proposed developer, MMI, LLC (Tim Neitzel).

Background Information about Planned Developments

A Planned Development is a unique zoning district which is specific to a particular project or area. In addition to enabling flexibilities from zoning requirements, Planned Developments also enable the imposition of higher standards for design and operation, and/or requirements related to timing. With the resulting combination of customized flexibility and control, every Planned Development is reviewed on its relation to the subject property, nearby properties, and the community as a whole.

Every Planned Development has three steps:

- Conceptual discussion to identify project concepts and concerns.
- General Development Plan (GDP) to establish the unique zoning district.
- Specific Implementation Plan (SIP) to approve design and operation details.

Planned Developments also allow for the developer and municipality to establish the zoning for multi-phased projects through the GDP step, while allowing expensive engineering and architecture plans to be submitted later as a sequence of SIPs, as the need for each building or phase evolves.

To further protect the public interest, Mount Horeb's zoning requirements for Planned Developments require the applicant to explicitly list items of requested zoning flexibility from the existing district regulations, in addition to clearly depicting them on submittal drawings.

If the GDP is approved, the approval of a Specific Implementation Plan (SIP) will be required at a subsequent date. The SIP submittal requires all of the details of development, including specific exterior materials and colors, floor plans, detailed exterior lighting plans, and detailed landscaping plans.

Formal General Development Plan (GDP) Review

Requested Flexibility from Zoning Ordinance Requirements:

The proposed GDP identifies the following items of flexibility from the standards of the Planned Business (PB) zoning district:

1. The **Permitted Principal Land Use** established for the PB district in Section 17.42 of the Zoning Ordinance only allows multi-family uses as an accessory use. Multi-Family is proposed to be the principal land uses for this project (in addition to commercial). Specifically, Commercial Apartments are permitted as an accessory land use. The proposed use contains two principal land uses - multi-family (Apartments) and commercial (to be determined).

2. The **Maximum Number of Dwelling Units Limit** established for Multi-Family uses in Section 17.20(1)(a)7. of the Zoning Ordinance will not be met by this proposal. Specifically, the maximum number of dwelling units per building is 8 for Apartment land uses. The proposed use is 24-units in one building.
3. The **Minimum Setbacks for Apartment Land Uses** established for Multi-Family uses in Section 17.20(1)(a)7. of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum setbacks for Apartment land uses are 30 feet on all sides. The proposed development has a 15-foot setback from the northern property line.
4. The **Maximum Floor Area Ratio** established for the PB district in Section 17.42 of the Zoning Ordinance will not be met by this proposal. Specifically, the maximum floor area ratio is 0.30. The proposed project will have a floor area ratio of 0.77 (this calculation only includes the eastern lot with the proposed mixed-use building).
5. The **Maximum Building Height** established for PB the district in Section 17.42 of the Zoning Ordinance will not be met by this proposal. Specifically, the maximum building height requirement is 45 feet. The proposed project is 47 feet tall.
6. The **Minimum Paved Surface Setback** established for the PB district in Section 17.42 of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum paved surface setback from all property lines is 10 feet. The proposed project will have a 0-foot paved surface setback from western property line (shared parking lot on adjacent property to the west) and a 5-foot paved surface setback from the northern property line (sidewalk).

Analysis of Requested Flexibilities

The project's proposed flexibilities are needed because of existing Zoning Ordinance's stringent requirements on Apartment land uses, lack of opportunities for mixed-use development with residential occurring on the first floor, and the configuration of adjacent properties that facilitate the need for a Planned Development to accommodate this type of infill project. Additionally, the project aims to address the Village's housing shortage and documented need for additional, diverse housing formats as illustrated in the 2022 Comprehensive Plan.

While the Zoning Ordinance is planned to be rewritten in 2023 to address these specific types of situations and foster new housing opportunities, today the ordinance has stringent requirements (units per building, setbacks, and mixing of uses) for Apartment land uses and mixed-use buildings. Further, the ordinance's current floor area ratio standards are oriented to only accommodate one-story, suburban commercial buildings and do not reflect the Village's desire to allow multi-story, mixed-use development. Finally, as is common with infill development, there are existing constraints that must be overcome to make the site developable. In my opinion, this project is attempting to work within those constraints to deliver a type of project that works best within its existing surroundings and furthers the Village's goals through the use of the topography to shield the in-building parking, accommodating stormwater management facilities to improve infiltration, and utilize shared parking in existing underutilized surface parking areas.

Documented Housing Shortage:

- Dane County is projected to grow by 20,000 households between now and 2040. All communities in the Dane County region will continue to experience pressure for increased housing if growth continues as projected.
- A lack of housing units priced for members of the workforce will be a constraint on the available labor pool. Additionally, an increase in the proportion of retired residents could indicate a current or future need for housing options suitable to senior citizens.
- 2021 Housing Task Force Survey (1,442 responses):
 - In your opinion, are there a sufficient number of options in Mount Horeb for the following types of people?
 - Renters, with families. 59% said definitely not or probably not.
 - Renters, in general. 55% said definitely not or probably not.
- Average New Housing Units Per Decade in Mount Horeb:
 - 1990-1999 = average of 72 new units per year
 - 2000-2009 = average of 58 new units per year
 - 2010-2020 = average of 37 new units per year
 - 2021 = 37 new units
 - 2022 = 35 new unit + 63 apartments approved (Steve Brown Apartments)

Source: Village of Mount Horeb Housing Task Force Report and Village of Mount Horeb Building Inspector

The documented need for more housing and greater housing diversity in the Village create the need for land use and density flexibilities as proposed.

Additional Review

The following are observations of the proposed project, many of which will be further reviewed through the SIP stage.

1. **Building Quality:** The proposed GDP provides a high-quality building of sound design and materials that enhance the aesthetic look of the area and site. They are consistent with similar projects approved in Mount Horeb and around Dane County.
2. **Project Layout:** The project layout works well within the confines of the existing development patterns surrounding it. The majority of setbacks are met, and all minimum parking requirements are met (with the utilization of the western property's existing surface parking area). No new driveway will be needed as ingress and egress will occur via the existing driveway from Telemark Parkway serving the larger commercial development area and new pedestrian connections will be provided to the site.
3. **Project Scale/Number of Units:** The proposed GDP represents a density of 24 dwelling units on 0.93 acres – or about 26 dwelling units per acre. This is generally in line with densities that were approved with the Gorman Affordable Housing project in 2019-20 and the 1800 Springdale Street mixed-use project in 2022. This project's density is lower than the approved Steve Brown Apartments project downtown in 2023 and is below the typical density of 30 to 40 dwelling units per acre for three-story buildings served by in-building/under-building parking. The existing topography in the Village creates a situation where some multi-story structures seem much larger or smaller than others due to their existing grade differences. Overall, due to grade changes, the proposed height of the new building will be generally consistent with the height of the existing homes located to the south, but will appear larger in scale from Telemark Parkway/Springdale Street roundabout.

4. **Architecture:** The proposed GDP as depicted on the elevations has a pitched roof which fits well in the context of the existing homes to the south and several of the commercial developments fronting Springdale Street. The outlier in this area will be the Miller and Sons Supermarket that has a flat roof. Overall, variation in materials, heights, projections from the façade, glazing, and roof pitch provide articulation along each façade.
5. **Site Design:** The proposed GDP as depicted on the site plan provides vehicle, pedestrian, and bicycle access to the project and parking for all modes. It also includes both indoor and outdoor recreational amenities for residents and visitors. Due to anticipated increases in traffic volume using the commercial drive entry to the site from Telemark, the Village will explore additional pedestrian crossing improvements at the intersection.
6. **Landscaping:** The proposed GDP provides preliminary landscaping plans as depicted on the elevations and site plan. Parking lot, property line, and building foundation landscaping look to meet Village standards and will provide screening to the existing homes to the south. The specific plan for the site will be submitted and reviewed as part of the SIP process.
7. **Lighting:** The proposed GDP does not include an exterior lighting plan. The specific lighting plan for the site will be submitted and reviewed as part of the SIP process.
8. **Signage:** The GDP proposes a ground-mounted sign at the northeast corner of the site and on-building wall signs for the commercial tenant. The specific signage plan for the site will be submitted and reviewed as part of the SIP process.
9. **Requested Zoning Flexibility:** I support granting flexibility for the use, density, and intensity requirements because of the following. First, the Zoning Ordinance standards are clearly outdated and do not reflect the Village's goals, objectives, and priorities as outlined within the 2022 Comprehensive Plan. Second, the project helps meet the housing shortage currently in the Village and increases the diversity of the Village's housing stock. Finally, the existing site configuration and surrounding built environment are leveraged to improve the development through shielding the in-building parking via grade changes, accommodating new stormwater management on-site, and utilizing shared parking in an area currently underutilized for surface parking. The proposed development provides a unique and high-quality infill mixed-use development within Mount Horeb.

Village Planner's Recommendations Regarding the GDP

If acceptable to the Plan Commission, the Village Planner recommends the Plan Commission make, consider, and adopt a motion which makes a finding that the criteria for GDP submittals and approval have been met, and that also recommends approval of the proposed GDP Zoning Map Amendment by the Village Board, inclusive of full and continuous compliance with the submittal documents, the list of flexibilities and conditions provided in the submittal, and with any conditions identified by Village Staff and the Plan Commission, including 1-9, below:

1. The proposed flexibility to allow Apartments as principal by-right land use in the PB zoning district should be granted as proposed in the GDP submittal.

2. The proposed flexibility to allow the maximum building size to exceed 8 dwelling units per building should be granted up to 24 dwelling units as proposed in the GDP submittal.
3. The proposed flexibility to allow a minimum building setback less than 30 feet down to 15 feet along the northern property line should be granted as proposed in the GDP submittal.
4. The proposed flexibility to allow a maximum floor area ratio greater than 0.30 should be granted up to 0.8 as proposed in the GDP submittal.
5. The proposed flexibility to allow a maximum height greater than 45 feet tall should be granted up to 47 feet as proposed in the GDP submittal.
6. The proposed flexibility to allow a minimum paved surface setback less than 10 feet should be granted down to zero feet along the west property line and 5 feet along the northern property line as proposed in the GDP submittal.
7. The Village's design review standards be applied through the SIP phase of project review.
8. The applicant shall obtain a cross access easement between parcel 06070730441 and 060707304291 to allow residential and commercial parking to be permitted on both properties.
9. Any additional requirements identified by Village Staff, the Village Engineer, the Plan Commission, or the Village Board.

Appendix

Lot Development History

000001

CERTIFIED SURVEY MAP

BEING A DIVISION OF PART OF LOT 3, NORTH CAPE COMMONS, AS RECORDED IN VOLUME 58-057A OF PLATS, ON PAGES 303-308, AS DOC. No. 3965915, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 7, T6N, R7E, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN.

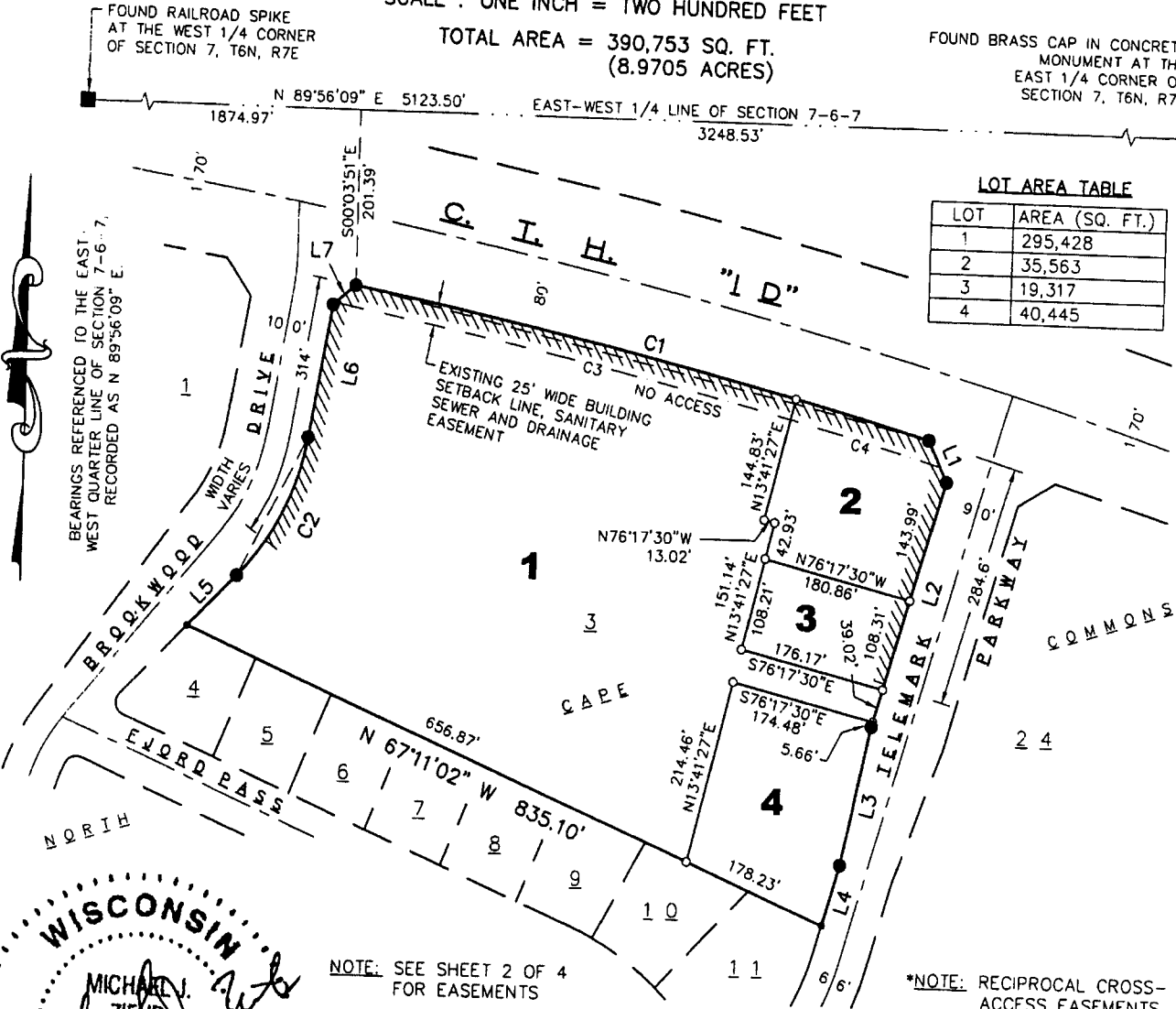


SCALE : ONE INCH = TWO HUNDRED FEET

TOTAL AREA = 390,753 SQ. FT.
(8.9705 ACRES)

FOUND BRASS CAP IN CONCRETE MONUMENT AT THE EAST 1/4 CORNER OF SECTION 7, T6N, R7E

FOUND RAILROAD SPIKE AT THE WEST 1/4 CORNER OF SECTION 7, T6N, R7E



LOT AREA TABLE

LOT	AREA (SQ. FT.)
1	295,428
2	35,563
3	19,317
4	40,445



4-27-2005
Revised: 5-12-2005
Revised: 7-15-2005
Revised: 8-30-2005
Revised: 9-23-2005

NOTE: SEE SHEET 2 OF 4 FOR EASEMENTS

*NOTE: RECIPROCAL CROSS-ACCESS EASEMENTS BETWEEN LOTS 1, 2, 3 AND 4.

LEGEND

- 3/4" SOLID IRON ROD FOUND
- 1-1/4" SOLID IRON ROD FOUND
- 3/4" x 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

NO ACCESS ALLOWED

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 25°29'49" E	52.23'
L2	S 16°10'22" W	296.98'
L3	S 11°58'51" W	164.16'
L4	S 16°10'22" W	73.00'
L5	N 44°31'35" E	82.84'
L6	N 09°33'51" E	156.71'
L7	N 48°42'23" E	35.30'

CURVE DATA

NUMBER	CENTRAL ANGLE	CHORD BEARING	RADIUS	ARC	CHORD	TAN. BRG. BACK	TAN. BRG. AHEAD
C1	05°22'50"	S 77°07'18" E	7559.49	709.91	709.65	S 79°48'43" E	S 74°25'53" E
C2	34°57'43"	N 27°02'42.5" E	300.00	183.06	180.23	N 09°33'51" E	N 44°31'35" E
C3	04°06'50"	S 77°45'19" E	7559.49	542.76	542.64		
C4	01°16'01"	S 75°07'03" E	7559.49	167.15	167.15		

MAP NO. 11540

DOCUMENT NO. 4113718

VOLUME 70 PAGE 191

PLOT VIEW: PAGE1

\\projects\\NEI07\\csm\\csm-NEI07-revised.dwg

SURVEYED FOR:

T-SQUARED, LLC
C/O TIM NEITZEL
5301 VOGES ROAD
MADISON, WI 53718

SURVEYED BY:

CALKINS ENGINEERING, LLC
5010 VOGES ROAD
MADISON, WI 53718
(608) 838-0444

NEI07
SHEET 1 OF 4

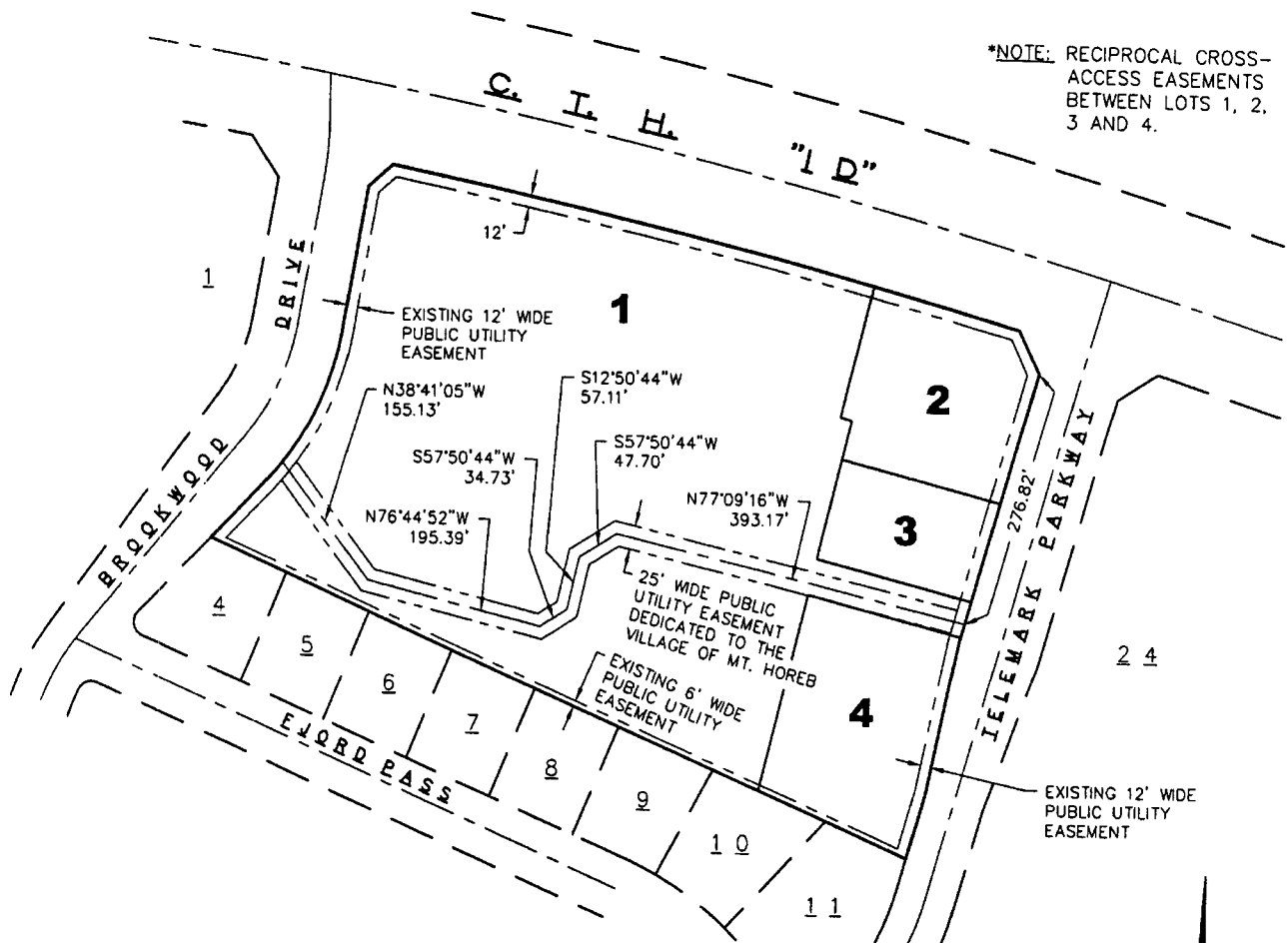
CERTIFIED SURVEY MAP

BEING A DIVISION OF PART OF LOT 3, NORTH CAPE COMMONS, AS RECORDED IN VOLUME 58-057A OF PLATS, ON PAGES 303-308, AS DOC. No. 3965915, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 7, T6N, R7E, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN.

0 100 200 400 600

SCALE : ONE INCH = TWO HUNDRED FEET

EASEMENT DETAILS



ACCEPTANCE OF DEDICATION

The Village of Mt. Horeb hereby accepts the dedication as shown on this Certified Survey Map.

John Zimmer
 John Zimmer, Village President

Cheryl Sutter
 Cheryl Sutter, Village Clerk

State of Wisconsin }
 County of Dane } ss

Personally came before me this 26 day of September, 2005, the above named John Zimmer, Village President and Cheryl Sutter, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Virginia L. Johnson
 Notary Public, State of Wisconsin

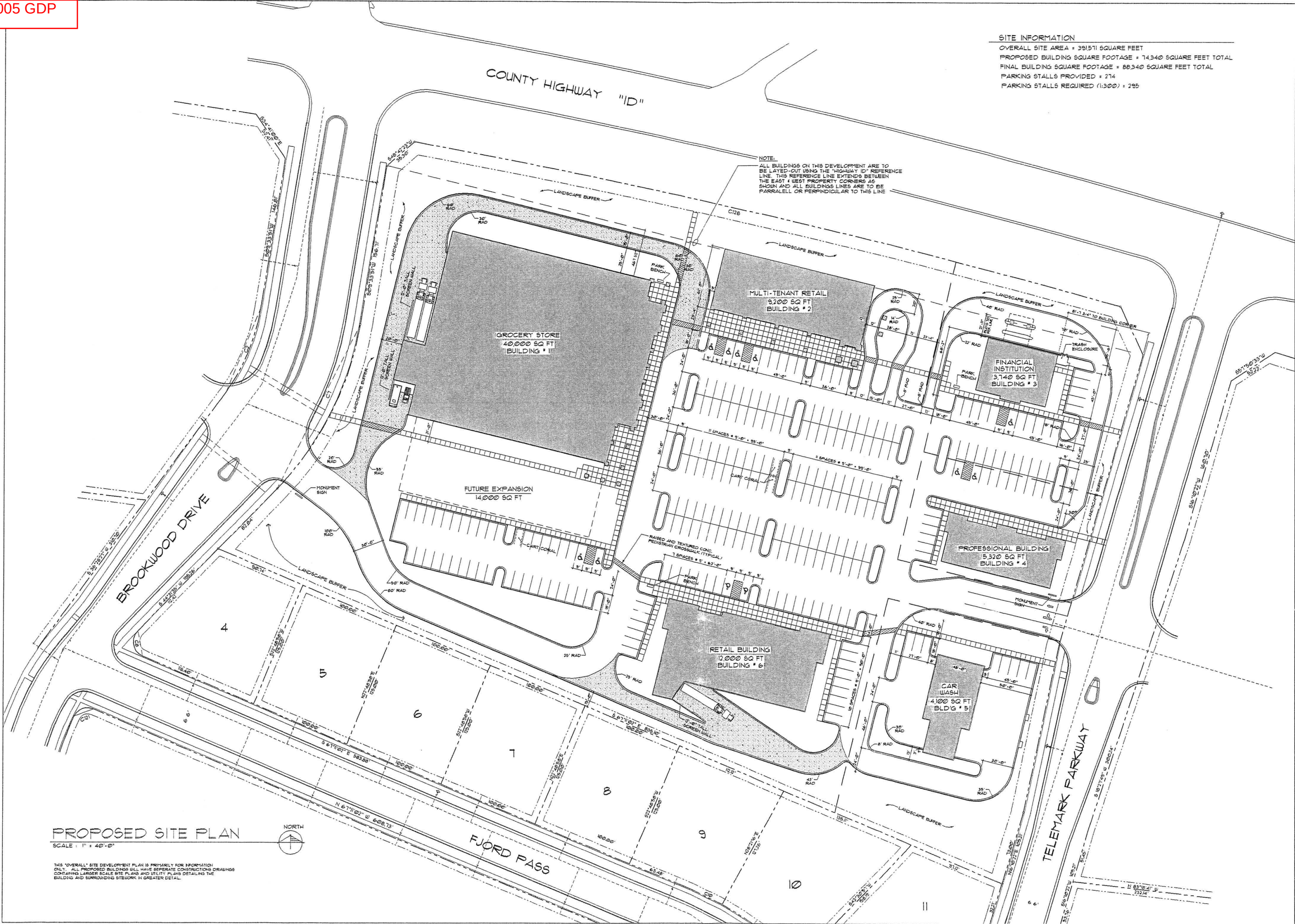
My Commission expires: 11-04-07

MAP NO. 11540
 DOCUMENT NO. 4113718
 VOLUME 70 PAGE 192

SURVEYED BY:
 CALKINS ENGINEERING, LLC
 5010 VOGES ROAD
 MADISON, WI 53718
 (608) 838-0444

PLOT VIEW: PAGE2
 \projects\NEI07\csm\csm-NEI07-revised.dwg

NEI07
 SHEET 2 OF 4



SITE INFORMATION
OVERALL SITE AREA = 391,571 SQUARE FEET
PROPOSED BUILDING SQUARE FOOTAGE = 74,340 SQUARE FEET TOTAL
FINAL BUILDING SQUARE FOOTAGE = 88,340 SQUARE FEET TOTAL
PARKING STALLS PROVIDED = 274
PARKING STALLS REQUIRED (1:300) = 295

TJK
DESIGN AND
CONSTRUCTION

634 West Main Street
Madison, WI 53703
608-251-1090
FAX 608-251-1092

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OF TJK DESIGN AND CONSTRUCTION CO., INC.

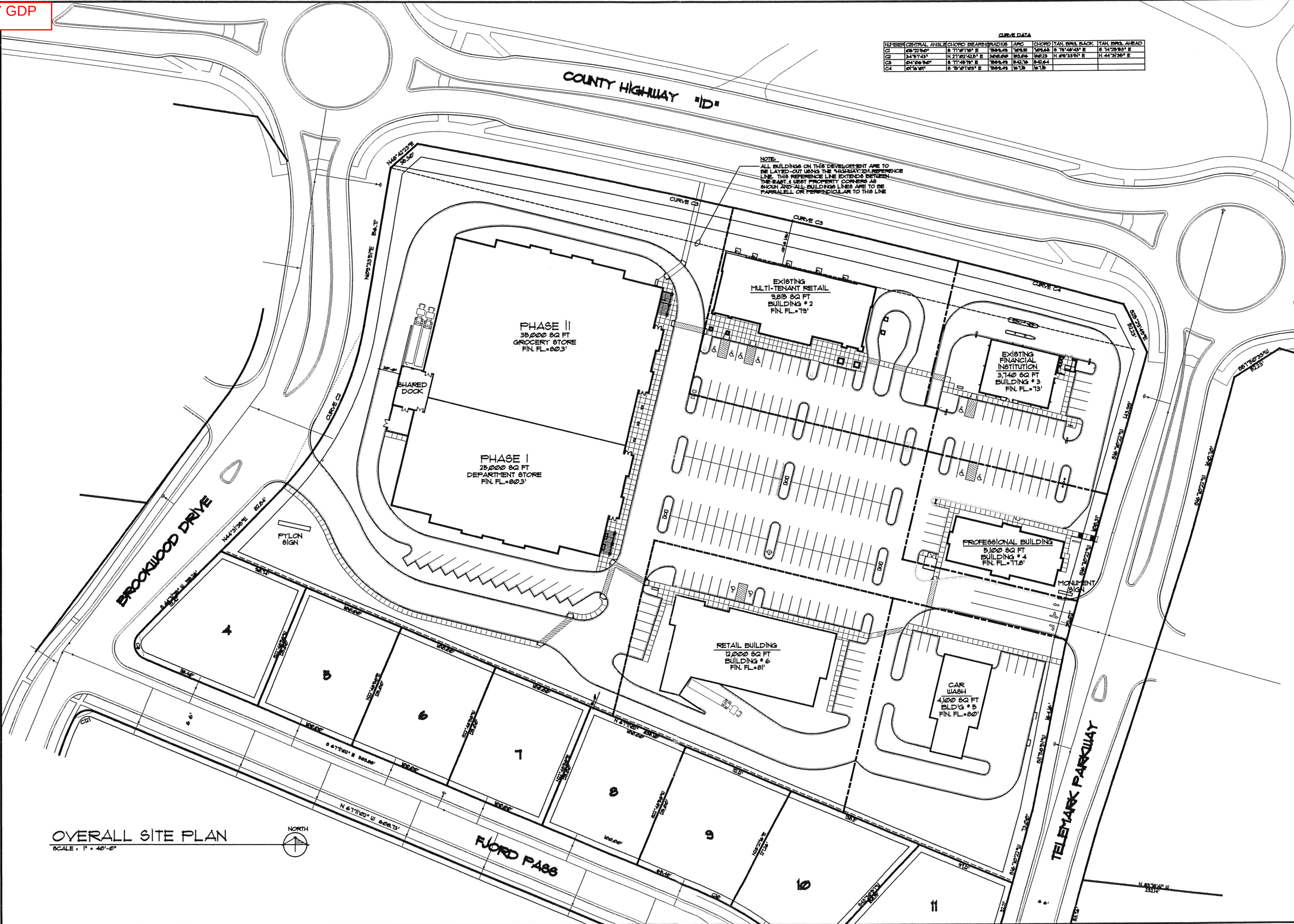
PROPOSED SITE FOR:
**MT. HOREB
DEVELOPMENT**
MT. HOREB, WISCONSIN

C-1.1

5.18.05

CURVE DATA									
NUMBER	CENTRAL ANGLE	CHORD BEARS	RADIUS	ARC	CHORD	TAN. BRS. BACK	TAN. BRS. AHEAD		
C1	68°22'50"	S 71°07'18" E	789.49	109.81	109.81	0 78°48'43" E	0 74°28'55" E		
C2	34°51'43"	N 27°02'42" E	340.69	103.66	103.66	N 08°33'51" E	N 44°31'30" E		
C3	64°28'50"	S 71°49'18" E	789.49	109.81	109.81	0 78°48'43" E	0 74°28'55" E		
C4	67°16'31"	S 70°47'03" E	789.49	109.81	109.81	0 78°48'43" E	0 74°28'55" E		

NOTE:
ALL BUILDINGS ON THIS DEVELOPMENT ARE TO
BE LAYED-OUT USING THE "HIGHWAY 10" REFERENCE
LINE. THIS REFERENCE LINE EXTENDS BETWEEN
THE EAST & WEST PROPERTY CORNERS AS
SHOWN AND ALL BUILDING LINES ARE TO BE
PARALLEL OR PERPENDICULAR TO THIS LINE



OVERALL SITE PLAN

SCALE: 1" = 40'-0"





Stock No. 26273

CERTIFIED SURVEY MAP No. 13196

BEING A DIVISION OF LOT 1 AND LOT 3, CERTIFIED SURVEY MAP NUMBER 11540, AS RECORDED IN VOLUME 70 OF CERTIFIED SURVEY MAPS, ON PAGES 191-194, AS DOCUMENT NUMBER 4113718, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 06 NORTH, RANGE 07 EAST, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN.

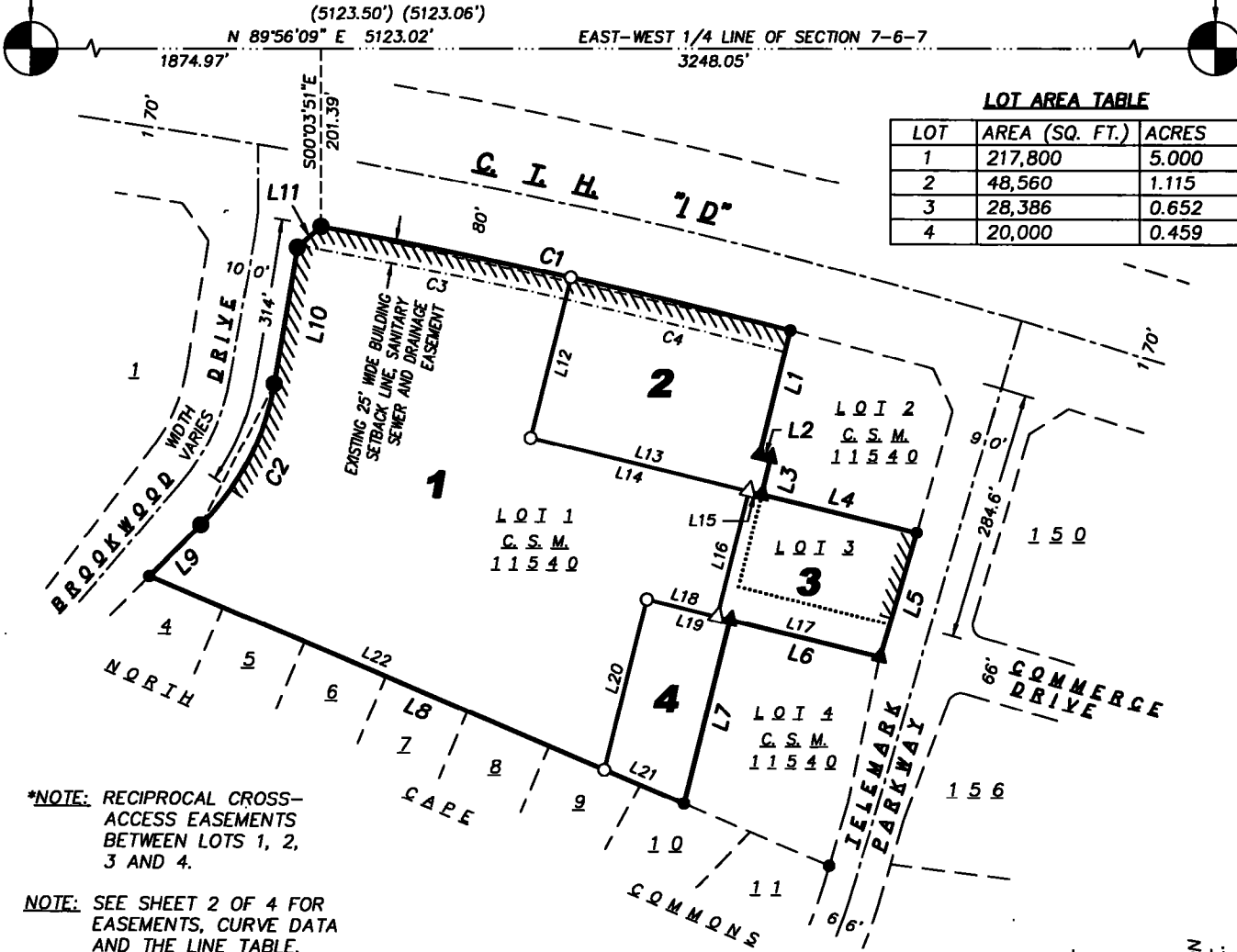


SCALE: ONE INCH = TWO HUNDRED FEET

TOTAL PLATTED AREA = 314,745 SQ. FT.
(7.2255 ACRES)

FOUND BRASS CAP IN CONCRETE MONUMENT AT THE EAST 1/4 CORNER OF SECTION 7, T6N, R7E

FOUND 1-1/4" SOLID IRON ROD AT THE WEST 1/4 CORNER OF SECTION 7, T6N, R7E

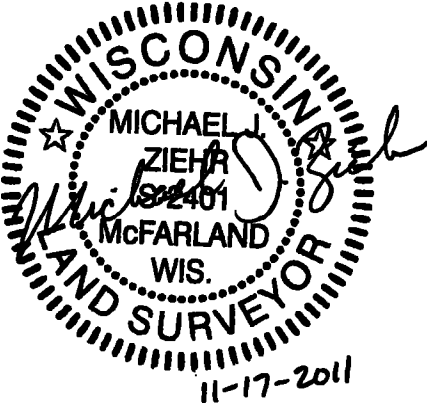


LOT AREA TABLE

LOT	AREA (SQ. FT.)	ACRES
1	217,800	5.000
2	48,560	1.115
3	28,386	0.652
4	20,000	0.459

*NOTE: RECIPROCAL CROSS-ACCESS EASEMENTS BETWEEN LOTS 1, 2, 3 AND 4.

NOTE: SEE SHEET 2 OF 4 FOR EASEMENTS, CURVE DATA AND THE LINE TABLE.



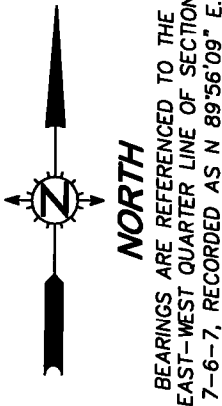
LEGEND

- 3/4" SOLID IRON ROD (S.I.R.) FOUND
- 1-1/4" SOLID IRON ROD (S.I.R.) FOUND
- SURVEY MARKER NAIL FOUND
- 3/4" x 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.
- SURVEY MARKER NAIL SET
- () INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

..... PREVIOUSLY PLATTED LINE

////// NO ACCESS ALLOWED



C.S.M. No. 13196
Doc. No. 4814633
Vol. 85 Page 27

SURVEYED FOR:
National Construction, Inc.
4070 Brigham Road
Blue Mounds, WI 53517

SURVEYED BY:
Snyder & Associates, Inc.
5010 Voges Road
Madison, WI 53718
(608) 838-0444
www.snyder-associates.com



SNYDER & ASSOCIATES
Engineers and Planners

FN: NC101
DATE: 10-06-11
REVISIONS:

SHEET
1 OF 4

Plot View: Sheet1
Drawing Name: P:\PROJECTS\N\NC101\Survey\CSM\NC101-csm.dwg



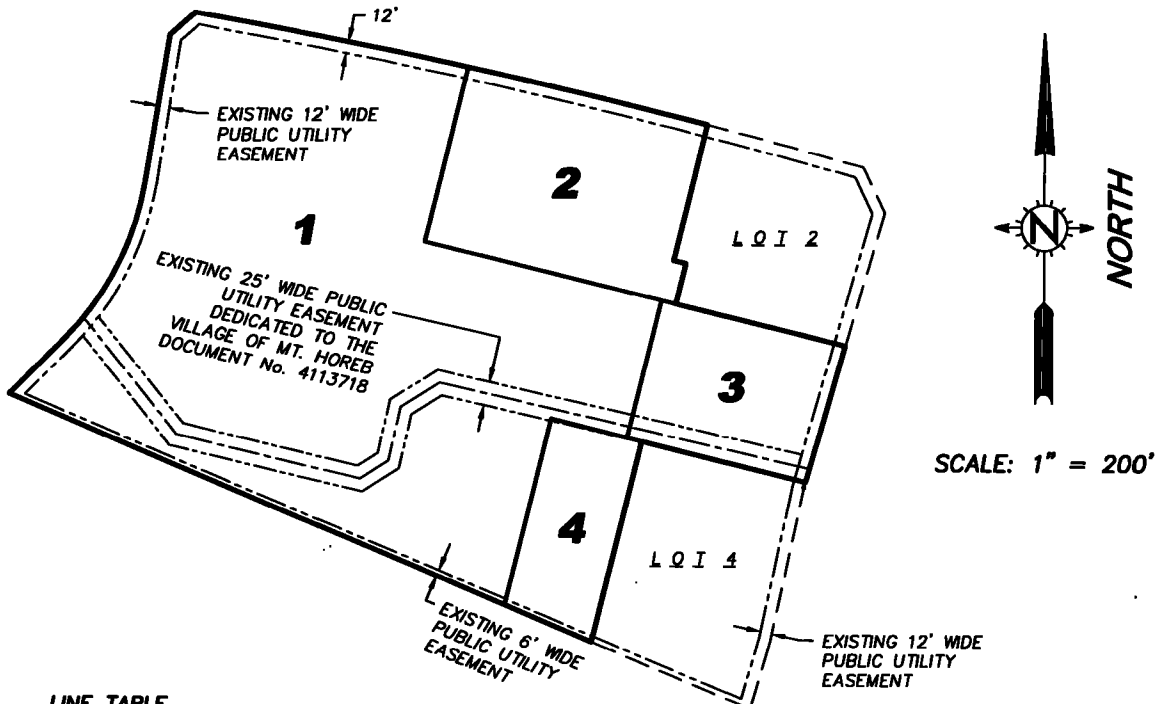
Stock No. 26273

CERTIFIED SURVEY MAP No. 13196

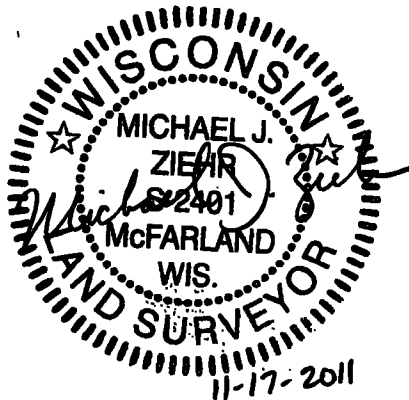
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CURVE DATA

NUMBER	CENTRAL ANGLE	CHORD BEARING	RADIUS	ARC	CHORD	TAN. BRG. BACK	TAN. BRG. AHEAD
C1	04°06'50"	S 77°45'19" E	7559.49'	542.76'	542.64'	S 79°48'43" E	S 75°41'54" E
C2	34°57'43"	N 27°02'42.5" E	300.00'	183.06'	180.23'	N 09°33'51" E	N 44°31'35" E
C3	02°10'52"	S 78°43'18" E	7559.49'	287.76'	287.74'		
C4	01°55'58"	S 76°39'53" E	7559.49'	255.00'	254.99'		

EASEMENT DETAILS**LINE TABLE**

NUMBER	DIRECTION	DISTANCE
L1	S 13°41'27" W	144.98'
L2	S 76°17'30" E	13.02'
L3	S 13°41'27" W	42.93'
L4	S 76°17'30" E	180.86'
L5	S 16°10'22" W	147.33'
L6	N 76°17'30" W	174.48'
L7	S 13°41'27" W	214.46'
L8	N 67°11'02" W	656.87'
L9	N 44°31'35" E	82.84'
L10	N 09°33'51" E	156.71'
L11	N 48°42'23" E	35.30'
L12	S 13°54'23" W	186.63'
L13	S 76°22'21" E	268.71'
L14	S 76°22'21" E	253.56'
L15	S 76°22'21" E	15.15'
L16	S 13°42'29" W	147.18'
L17	N 76°17'30" W	189.67'
L18	N 76°17'30" W	81.56'
L19	N 76°17'30" W	96.75'
L20	S 13°41'27" W	198.95'
L21	N 67°11'02" W	98.00'
L22	N 67°11'02" W	558.87'



C.S.M. No. 13196

Doc. No. 4814633

Vol. 85 Page 28

SURVEYED FOR:

National Construction, Inc.
4070 Brigham Road
Blue Mounds, WI 53517

SURVEYED BY:

Snyder & Associates, Inc.
5010 Voges Road
Madison, WI 53718
(608) 838-0444
www.snyder-associates.com

**SNYDER & ASSOCIATES**

Engineers and Planners

Plot View: Sheet2

Drawing Name: P:\PROJECTS\W\NC101\Survey\CSM\NC101-csm.dwg

FN: NC101

DATE: 10-06-11

REVISIONS:

**SHEET
2 OF 4**



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PROJECT:
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SUPERMARKET -
MOUNT HOREB**

- ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR AND SUBCONTRACTORS MUST CHECK ALL DETAIL AND DIMENSIONS OF THEIR TRADE AND BE RESPONSIBLE FOR THE SAME.

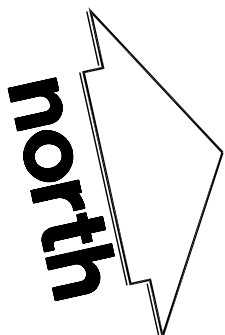
MODIFICATIONS:	
GN: DOS	02-10-12
WN: DOS	02-10-12
COVERED: WPIV	-
AGE OF MT. HOREB	02-27-12
AGE OF MT. HOREB	03-30-12
NT SUBMITTAL	04-18-12
NT SUBMITTAL	05-01-12
NT SUBMITTAL	06-01-12

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Milwaukee Area (414) 258-1181
Hearing Impaired TDD (800) 542-2288
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SIDE PLAN

C-1.0



CTH ID

S. BROOKWOOD DRIVE

FUTURE ADDITION
FFE = 718400

PROPOSED BUILDING
FFE = 718400

STORM WATER
MANAGEMENT

EXISTING BUILDING

SMALL TRUCK
LOADING DOCK

PROPOSED
HYDRANT

RED MOVEMENT SHOWS
TRUCKS BACKING INTO EXISTING
SITE FROM
DOCKS

YELLOW MOVEMENT SHOWS
TRUCKS BACKING INTO DOCK

LEGEND (PROPOSED)	
	PROPERTY LINE
	BUILDING LINE
	FUTURE BUILDING LINE
	BOLLARD
	EDGE OF CONCRETE
	FUTURE PAVEMENT AREA
	STORMWATER AREA
	18" CONCRETE CURB & GUTTER
	PROPOSED CONCRETE PAVEMENT
	PROPOSED ASPHALT PAVEMENT



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- STRUCTURAL ENGINEERING
- LANDSCAPE ARCHITECTURE

MADISON REGIONAL OFFICE
161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
608.848.5060 PHONE | 608.848.2265 FAX
MADISON | MILWAUKEE
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**NATIONAL
CONSTRUCTION INC.**

701 E. WASHINGTON AVE.
MADISON, WI

PROJECT:
**MILLER & SONS
SUPERMARKET -
MOUNT HOREB**

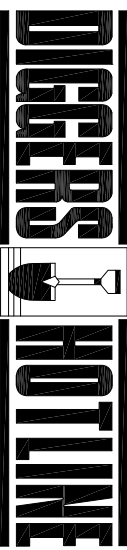
PROJECT LOCATION:
VILLAGE OF MT. HOREB
DANE COUNTY, WI

JSD PROJECT NO.: 09-3507

SEAL/SIGNATURE:

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THE ACCURACY OF THE INFORMATION AND DETAIL, AND SUBCONTRACTORS MUST CHECK ALL DETAIL AND DIMENSIONS OF THEIR TRADE AND BE RESPONSIBLE FOR THE SAME.

DESIGN:	DOS	02-10-12
DRAWN:	DOS	02-10-12
APPROVED:	WPM	-
PLAN MODIFICATIONS:		
VILLAGE OF MT. HOREB		02-27-12
VILLAGE OF MT. HOREB		03-30-12
CLIENT SUBMITTAL		04-18-12
CLIENT SUBMITTAL		05-01-12
CLIENT SUBMITTAL		06-01-12



Toll Free (800) 242-8511
Milwaukee Area (414) 238-1181
Hearing Impaired TDD (800) 542-2289
www.DigestersHotline.com

SHEET TITLE:
**TRUCK TURNING
MOVEMENTS**

SHEET NUMBER:
EXHIBIT

"BUILDING RELATIONSHIPS WITH A COMMITMENT TO EXCELLENCE THROUGH INTEGRITY, QUALITY AND EXPERIENCE"

- 100.2.0.4213? CIVIL ENGINEERING
- 2? SURVEYING & MAPPING
- 2? CONSTRUCTION SERVICES
- 2? WATER RESOURCES
- 2? PLANNING & DEVELOPMENT
- 2? TRANSPORTATION ENGINEERING
- 2? STRUCTURAL ENGINEERING
- 2? LANDSCAPE ARCHITECTURE

MADISON REGIONAL OFFICE
101 E. WASHINGTON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
608.848.5060 PHONE | 608.848.2255 FAX
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NATIONAL
CONSTRUCTION INC.

701 E. WASHINGTON AVE.
MADISON, WI

PROJECT:
MILLER & SONS
SUPERMARKET -
MOUNT HOREB

PROJECT LOCATION:
VILLAGE OF MT. HOREB
DANE COUNTY, WI

JSD PROJECT NO.: 09-3507

SEAL SIGNATURE:

DRAFT

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING FOR CONFLICTS, THE USER OF THESE PLANS AND SUBCONTRACTORS MUST CHECK ALL DETAIL AND DIMENSIONS OF THEIR TRADE AND BE RESPONSIBLE FOR THE SAME.

DESIGN	JLF	02-25-12
DRAWN	JLF	04-23-12
APPROVED	WPN	-
PLAN MODIFICATIONS		
CANOPY TREE REVISION		04-23-12
PARKING ISLAND TREE REVISION		05-30-12
PARKING ISLAND TREE REVISION		05-10-12

DIGGERS HOTLINE

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Milwaukee Area (414) 256-1181
Hearing Impaired TDD (800) 542-2289
www.DiggersHotline.com

SHEET TITLE:
LANDSCAPE PLAN

SHEET NUMBER:
L-1.0

LEGEND (PROPOSED)

- PROPERTY LINE
- PROPOSED 1 FOOT CONTOUR
- PROPOSED 5 FOOT CONTOUR
- BUILDING LINE
- FUTURE BUILDING LINE
- POLYETHYLENE EDGING
- EDGE OF CONCRETE
- FUTURE PAVEMENT AREA
- 18" CONCRETE CURB & GUTTER
- PROPOSED CONCRETE PAVEMENT
- PROPOSED ASPHALT PAVEMENT
- PROPOSED BIORETENTION BASIN SEED
- POLYETHYLENE EDGING

PLANT SYMBOLS LEGEND

- CANOPY TREE
- CANOPY TREE
- EVERGREEN TREE
- TALL DECIDUOUS SHRUB
- EVERGREEN SHRUB
- ORNAMENTAL GRASS

GRADING AND SEEDING NOTES

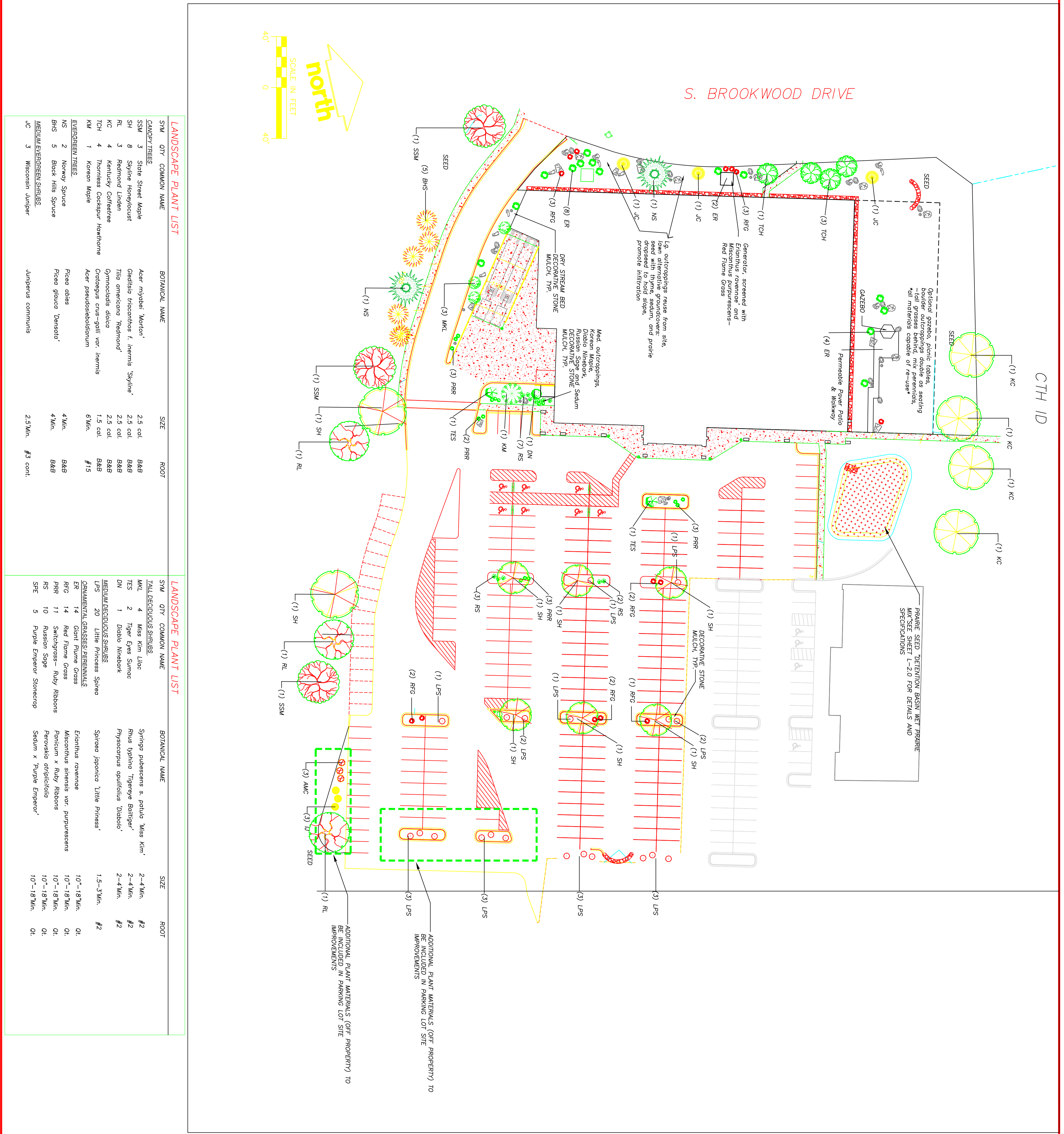
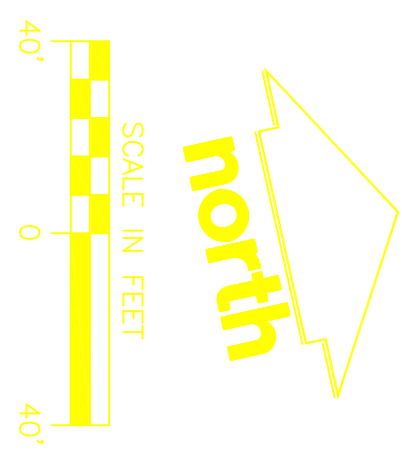
- CONTRACTOR SHALL VERIFY ALL GRADES. MAKE SURE ALL AREAS DRAIN PROPERLY AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL PROTECT ADJACENT PROPERTIES WITH SILT FENCING FOR EROSION CONTROL UNTIL A VEGETATIVE COVER HAS BEEN ESTABLISHED.
- CONTRACTOR SHALL SCARIFY ALL COMPACTED PREVIOUS AREAS PRIOR TO SEEDING AND MULCHING.
- CONTRACTOR SHALL WATER ALL NEWLY SEEDD AREAS IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.

LANDSCAPE NOTES

- REFER TO PROJECT MANUAL FOR DETAILED SPECIFICATIONS.
- REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGENDS.
- REFER TO CIVIL DRAWINGS FOR GRADING AND EROSION CONTROL PLANS AND PROPOSED UTILITIES.
- GENERAL: ALL WORK IN THE P-C-U-W AND PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF THE WISCONSIN DEPARTMENT OF TRANSPORTATION. THE CONTRACTOR SHALL NOT WAIVER ANY REQUIREMENTS OR SPECIFICATIONS FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES. LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO UTILITIES. CONTRACTOR MUST CALL 1-800-382-5544 FOR UTILITY LOCATIONS AT LEAST THREE DAYS PRIOR TO DIGGING. PROTECT PREVIOUSLY INSTALLED WORK OF OTHER TRADES. THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
- DRAWING FOR REVIEW - NOT FOR CONSTRUCTION UNLESS OTHERWISE NOTED IN THE TITLE BLOCK.
- SEE SHEET L-2.0 FOR ALL OTHER NOTES AND SPECIFICATIONS

PARKING AREA LANDSCAPE REQUIREMENTS

USE OF PROPERTY: COMMERCIAL/RETAIL - GROCERY
GROSS SQUARE FEET OF OFFICE: N/A
NUMBER OF EMPLOYEES IN WAREHOUSE: N/A
NUMBER OF EMPLOYEES IN OFFICE: N/A
CAPACITY OF OFFICE AREA: N/A
NUMBER OF PARKING STALLS REMOVED: N/A
NUMBER OF SURFACE PARKING STALLS: 201
TOTAL NUMBER OF ACCESSIBLE STALLS: 7
TOTAL NUMBER OF PARKING STALLS: 208



LANDSCAPE PLANT LIST

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT
CANOPY TREES					
SSM	3	Stare Street Maple	Acer nyjabel 'Morton'	2.5 cal.	B&B
SH	8	Skyline Honeylocust	Gledisia tricoctifus f. inermis 'Skyline'	2.5 cal.	B&B
RL	3	Redmond Linden	Tilia americana 'Redmond'	2.5 cal.	B&B
KC	4	Kentucky Coffeetree	Gymnocidus dioica	2.5 cal.	B&B
TCH	4	Thornless Cockspur Hawthorne	Cotoneus crus-galli var. inermis	1.5 cal.	B&B
KM	1	Korean Maple	Acer pseudobaldidum	6'Wln.	#15
EVERGREEN TREES					
NS	2	Norway Spruce	Picea abies	4'Wln.	B&B
BHS	5	Black Hills Spruce	Picea glauca 'Bersata'	4'Wln.	B&B
MEDIUM EVERGREEN SHRUBS					
JC	3	Wisconsin Juniper	Juniperus communis	2.5'Wln.	#3 cont.

LANDSCAPE PLANT LIST

SYM	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT
TALL DECIDUOUS SHRUBS					
MKL	4	Miss Kim Lilac	Syringa pubescens s. patula 'Miss Kim'	2-4'Wln.	#2
TES	2	Tiger Eyes Sumac	Rhus typhina 'TigerEye Balltiger'	2-4'Wln.	#2
DN	1	Diablo Ninebark	Physocarpus opulifolius 'Diablo'	2-4'Wln.	#2
MEDIUM DECIDUOUS SHRUBS					
LPS	20	Little Princess Spruce	Spiraea japonica 'Little Princess'	1.5-3'Wln.	#2
ORNAMENTAL GRASSES/PERENNIALS					
ER	14	Giant Plume Grass	Eranthus ravennae	10'-18'Wln.	Qt.
RFQ	14	Red Flame Grass	Miscanthus sinensis var. purpurescens	10'-18'Wln.	Qt.
RRR	11	Switchgrass- Ruby Ribbons	Panicum x Ruby Ribbons	10'-18'Wln.	Qt.
RS	10	Russian Sage	Perovskia atriplicifolia	10'-18'Wln.	Qt.
SPE	5	Purple Emperor Stonecrop	Sedum x 'Purple Emperor'	10'-18'Wln.	Qt.

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A	4	EM25 400M MOG GCSG SR4W	EUROTIQUE ARCHITECTURAL LUMINAIRE WITH SR4W REFLECTOR, CLEAR SAG GLASS LENS.	ONE 400-WATT CLEAR ED28 METAL HALIDE, HORIZONTAL POS.	EM25_400M_MOG_GCSG_SR4W.ies	32000	0.72	885
	B	2	EM25 400M MOG GCSG SR3	EUROTIQUE ARCHITECTURAL LUMINAIRE WITH SR3 REFLECTOR, CLEAR SAG GLASS LENS.	ONE 400-WATT CLEAR ED28 METAL HALIDE, HORIZONTAL POS.	EM25_400M_MOG_GCSG_SR3.ies	32000	0.72	444.6

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #2	+	1.1 fc	8.0 fc	0.0 fc	N / A	N / A

LUMINAIRE LOCATIONS											
No.	Label	Location		Z	MH	Orientation	Tilt	X	Aim		Z
		X	Y						Y		
1	A	475.5	413.0	30.0	30.0	105.9	0.0				
2	A	642.0	371.5	30.0	30.0	104.0	0.0				
3	A	612.5	255.0	30.0	30.0	105.9	0.0				
4	A	450.0	296.0	30.0	30.0	104.0	0.0				
5	B	162.5	354.5	30.0	30.0	59.0	0.0	163.8	355.3		0.0
6	B	291.0	250.5	30.0	30.0	20.0	0.0	291.5	251.9		0.0



Miller & Sons
Supermarket
Mt. Horeb, WI

Designer

E & S Electric

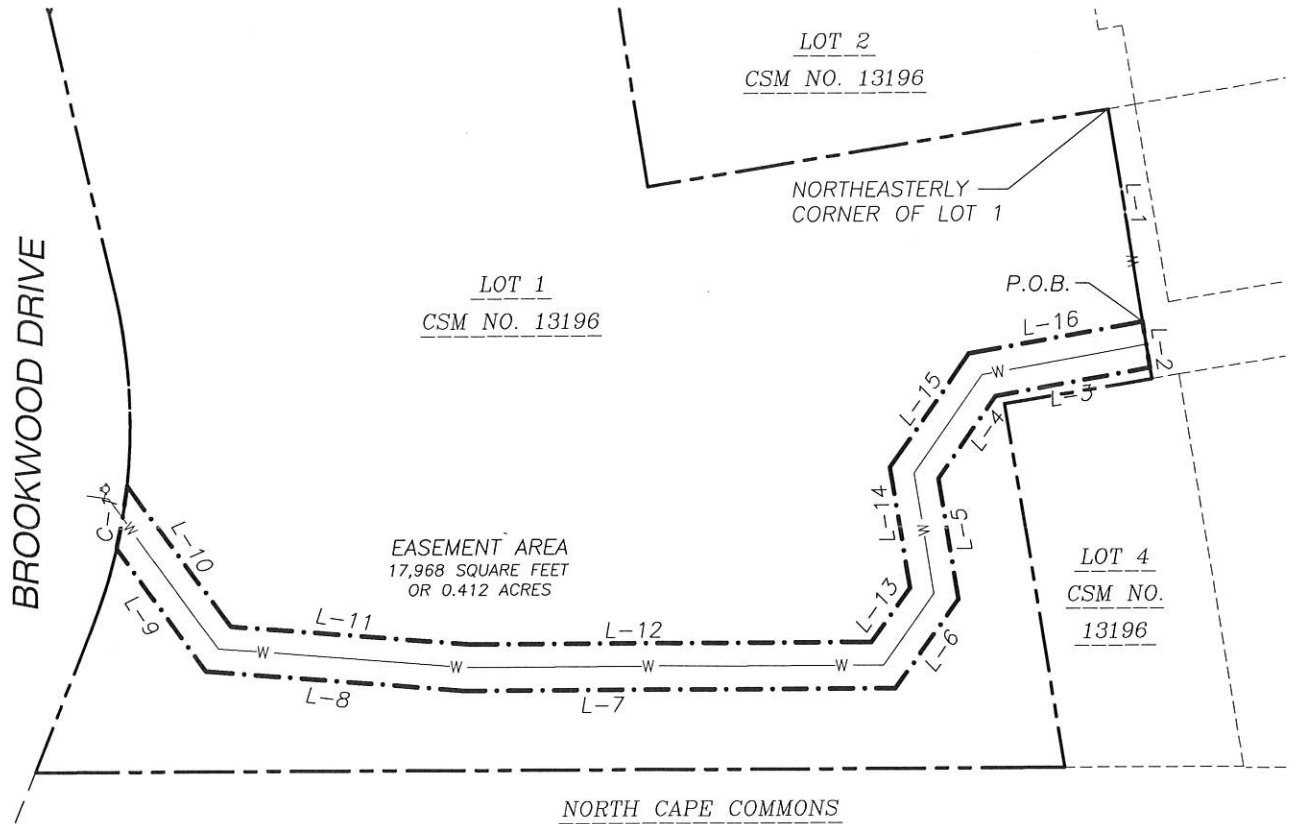
Date

Jul 18 2012

Drawing No.

1 of 1

EXHIBIT A



LEGEND

- HYDRANT
- EASEMENT LINE
- PARCEL BOUNDARY
- PLATTED LOT LINE
- WATER LINE
- P.O.B. POINT OF BEGINNING

NOTES

- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE SOUTHWESTERLY LINE OF LOT ONE, C.S.M. No. 13196, RECORDED AS N 67°11'02" W.
- FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON APRIL 11, 2012.

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 13°42'29" E	115.99'
L-2	S 13°42'29" E	25.00'
L-3	N 77°09'20" W	85.53'
L-4	S 58°16'06" W	54.51'
L-5	S 13°43'51" W	66.33'
L-6	S 58°41'27" W	58.70'
L-7	N 67°14'49" W	233.54'
L-8	N 62°39'26" W	140.77'
L-9	N 13°32'23" W	82.61'
L-10	S 13°32'23" E	95.31'
L-11	S 62°39'26" E	128.35'
L-12	S 67°14'49" E	219.78'
L-13	N 58°41'27" E	35.60'
L-14	N 13°43'51" E	66.22'
L-15	N 58°16'05" E	75.00'
L-16	S 77°09'20" E	96.16'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-1	34.76'	300.00'	06°38'22"	34.74'	N 32°28'36" E

EXHIBIT

PART OF LOT 1, CERTIFIED SURVEY MAP No. 13196 AS RECORDED IN VOLUME 85, ON PAGES 27-30, AS DOCUMENT No. 4814633, BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 07, TOWNSHIP 06 NORTH, RANGE 07 EAST, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN

PREPARED BY:

JSD Professional Services, Inc.
• Engineers • Surveyors • Planners
161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
PHONE: (608)848-5060

PREPARED FOR:

NATIONAL CONSTRUCTION, INC.
701 E. WASHINGTON AVE.
MADISON, WI 53703

PROJECT NO: 09-3507

FILE NO: A-256

FIELDBOOK/PG: -

SHEET NO: 1 OF 1

SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: TJB

APPROVED BY: WPW



0 50' 100'
SCALE: 1" = 100'



To: Village of Mount Horeb Plan Commission
From: Village Planner Ben Rohr, AICP
Date: February 28, 2024
Re: Proposed Zoning Map Amendment from Planned Development with underlying Planned Business (PB) zoning to a modified Planned Development - General Development Plan (GDP) for a 3-Story Mixed-Use Building at 1881 Springdale Street for MMI, LLC.

Introduction

Project Overview

MMI, LLC (Tim Neitzel) is proposing a modification to the existing Planned Development zoning to accommodate a three-story mixed-use building with 24 multi-family housing units and 1,250 square feet of commercial space on an existing 0.9-acre parcel and adjacent 0.5-acre parcel. The project is proposed on the west side of Telemark Parkway within the Miller & Sons Supermarket shopping center complex. One property is currently a vacant greenfield site, and the other is currently utilized as overflow parking for the shopping center. Single-family and two-family homes exist to the south, Miller and Sons Supermarket and parking areas exist to the west, multi-tenant commercial development exists to the north, and the developing Cape Commons industrial and commercial area exists to the east.

The proposed mixed-use building will be a combination of market rate multi-family apartments (4 studio units, 8 one-bedroom units, and 12 two-bedroom units) and leased commercial space (1,250 sf). The mixed-use building will include a shared outdoor patio, exercise room, and rear yard greenspace/patio for the residential tenants. In-building and surface vehicle parking are provided for both uses. Pedestrians can access the site from a planned sidewalk connection to Telemark Parkway that extends the full length of the northern property line and another sidewalk further to the south.

The project is a direct response to the Village's 2021 Housing Report commissioned by the Housing Task Force. The report identified that there are projected increases in new households over the next decade and a need for more housing options. It also surveyed residents and over 50% of respondents stated that there weren't enough rental options in the Village today. The proposed range of multi-family unit types within the project will help meet the identified need and advance the recommendations of the Housing Report, in addition to the Village's Comprehensive Plan.

The 0.9-acre property is entirely vacant and has been for many years, awaiting future development. The 0.5-acre property to the west (under the same ownership) is utilized as overflow parking for the larger shopping center complex. This project is considered to be an infill development because the property is surrounded by existing development on three sides and future planned development on the other (to the east).

The property features both slopping topography and shallow bedrock. This presents challenges related to underground parking and has created the need for in-building, first floor parking. However, the applicant has utilized the slope in the building design to effectively screen the first-floor parking on two sides of the structure.

The proposed mixed-use building is unique and desirable for Mount Horeb. It features both leased commercial space and multi-family apartments within the same structure. While common throughout other communities in Dane County, only a few have been proposed within Mount Horeb. This type of development in this location also provides great benefits to the new residents where they can walk to nearby amenities (shopping, daycare, and park).

Finally, there are opportunities to leverage existing on-site parking to accommodate the parking demand anticipated from this type of project. First floor parking will be exclusively for residents, but visitors and commercial patrons will have the ability to park on-site and on the adjacent property in areas that are currently underutilized. A proposed cross access easement between the two lots and improvements to the western lot's surface parking will accommodate this shared parking situation.

The project has conceptually been brought before the Plan Commission in January for review and comment. The requested General Development Plan (GDP), if approved by the Village, would establish the new zoning on the subject property. It is anticipated that the project will pursue approval of the Specific Implementation Plan (SIP) for design and operational details in March.

Zoning

The site is currently zoned Planned Development with an approved GDP and underlying Planned Business (PB) zoning. The original GDP was approved in 2005 for the site and has there have been several lot reconfiguration and amendments to it since that time. Below is a summary of those previous actions (also see the attached Appendix for more information):

- 2004 – GDP concept was brought before the Village to accommodate a group development for the multi-building commercial development planned. A Traffic Impact Analysis was done as part of this initial concept review.
- 2005 – GDP and CSM approved by the Village for a slightly different configuration of lots and buildings as you see today, but this established the Planned Business underlying zoning district.
- 2007-2008 – GDP amended by the Village related to a larger grocery store building being permitted. However, there were no impactful changes to the lot configuration or uses.
- 2011 – CSM was approved by the Village that created the lot layout you see today. In order to approve this CSM and create Lot 4 (1875 Springdale Street – small western parcel), the GDP was permitted this lot to have a paved surface setback of 0' and a permitted principal Off-Site Parking land use.
- 2012 – GDP was amended and the SIP approved by the Village for the grocery store development. This included a defined truck route through the parking area and Lot 4, in addition to a landscaping and lighting plan that impacted Lot 4. It also approved a shared parking situation for the entire development. To note, Village Engineer comments from this approval included the western most parking lot island on Lot 4 be a concrete curbed island.
- 2014 – Village approved the removal of the easement that was established with a previous CSM, running east-west across the site.

The large tuck access route previously approved does cross the western property associated with the proposed development (Lot 4). The proposed development retains the triangular-shaped parking lot island in the northwest corner to facilitate this access to continue as approved and includes curbing around that island to reflect the Engineer comments in 2012. The other proposed improvements to the parking area on the western parcel will not impact the tuck access route, shared parking situation, or the previously approved GDP.

Through the proposed GDP rezoning, the property will be modifying the existing GDP and using the Planned Business (PB) zoning district as the comparable district under the Planned Development. Section 17.42(2) lists the permitted and conditional principal and accessory uses of the Planned Business (PB) zoning district. Currently, the PB district permits mixed-use commercial and residential buildings under the Commercial Apartments accessory land use category. The proposed Planned Development would change the regulation of Multi-Family land uses (Apartments) from requiring a conditional use permit to being allowed as a permitted by-right principal use. All other existing permitted and conditional principal, accessory, and temporary land uses in the PB district would remain the same. As often occurs when there are multiple uses proposed for a single property, a project can have two principal uses (residential and commercial).

Currently, multi-family dwelling units are limited by Section 17.20(1)(a)7. Apartment Land Uses, to the following standards:

- No more than 8 dwelling units in a building.
- Any building containing more than 4 dwelling units shall provide additional site design features such as underground parking, architectural elements, landscaping, and/or on-site recreational facilities.
- All apartment units shall be located a minimum of 30 feet from the boundary of the property.

Section 17.42(7) provides the bulk dimensions for the PB district:

Lot and Density Requirements		
	Village Standards	Proposed*
Min. Lot Area	20,000 sf	40,445 sf
Min. Lot Width	75'	175'
Min. Street Frontage	50'	250'
Max. Number of Floors	4 floors	3 floors
Max. Building Height	45'	47'
Min. Landscape Surface Ratio	25%	53%
Max. Impervious Surface Ratio	75%	47%
Max. Floor Area Ratio	0.30	0.77
Minimum Building Setbacks		
	Village Standards	Proposed*
Front or Street	20'	30'
Side (nonresidential)	10' or 0'	15'
Side (residential)	10'	30'
Rear	25'	30'
Paved Surface (all sides)	10'	0' (west), 5' (north), >30' (south)
Accessory Structures	5'	NA
Building Separation	20'	>20'

*Only includes 1881 Springdale Street (parcel # 060707304291).

Section 17.132 provides the minimum required off-street parking spaces:

Parking Requirements			
	Village Standards	Village Standards Based on Proposed Units	Proposed On-Site Parking Provided*
Efficiency Unit	1.0 stalls/unit	4 units at 1.0 stalls/unit = 4 spaces	23 in-building spaces 30 surface spaces
One-Bedroom Unit	1.5 stalls/unit	8 units at 1.5 stalls/unit = 12 spaces	
Two- Bedroom+ Units	2.0 stalls/unit	12 units at 2.0 stalls/unit = 24 spaces	
General Commercial Standards	1 stall/300 sf	1,252 sf = 4 spaces	
Total		44 spaces	53 spaces

*In-building parking is proposed for only residents within the new building and surface parking is proposed for residential visitors and commercial patrons. The applicant has indicated that a cross access/shared parking agreement will be establish with the right for residential and commercial users of the eastern property to park within the western property's existing parking area (also planned to be improved).

If flexibility is granted in the General Development Plan (zoning) step, a Planned Development can exceed the minimums/maximums as indicated above and incorporate additional permitted land uses.

Comprehensive Plan

The Village's 2022 Comprehensive Plan designates the site in the Planned Mixed Use category which is defined as "a carefully controlled mix of commercial, office, mixed use, light assembly, and/or multi-family uses, with approvals granted only after submittal, public review, and approval of site, landscaping, building, signage, lighting, stormwater, erosion control, and utility plans. Development should comply with detailed design standards included in the Economic Development Chapter." Further, the Comprehensive Plan indicates that Planned Mixed Use projects should create active live-work environments that can be conveniently reached by a variety of transportation modes, including walking.

The Economic Development Chapter goes on to contain design standards for mixed-use projects, which includes:

- Utilization of common driveways serving more than one commercial use
- High-quality landscaping treatments throughout the site
- Parking on the side or rear of buildings
- Safe, convenient, and separated bicycle and pedestrian facilities and access
- High-quality building materials and lighting incorporated

Other relevant goals, objectives, and policies from the plan that align with the proposed development include the following:

- Support mixed use development projects as designated on the Future Land Use Map that integrate non-residential and residential uses into high-quality, unified places.
- Identify opportunities for and actively encourage infill and redevelopment opportunities in areas where existing utilities and infrastructure are available.

- Provide a variety of housing types, densities, arrangements, and costs to accommodate the needs, desires, and life cycles of existing and future residents.
- Promote infill and redevelopment practices to help diversify the community's housing supply.
- Guide new housing to areas within the Village with convenient access to commercial and recreational facilities, transportation systems, schools, shopping, jobs, and other necessary facilities and services.
- Encourage residential uses be incorporated into upper-story downtown buildings, infill, redevelopment, and new commercial/office development to increase the viability and vitality of the community.

Project Ownership

The land is currently owned by the applicant and proposed developer, MMI, LLC (Tim Neitzel).

Background Information about Planned Developments

A Planned Development is a unique zoning district which is specific to a particular project or area. In addition to enabling flexibilities from zoning requirements, Planned Developments also enable the imposition of higher standards for design and operation, and/or requirements related to timing. With the resulting combination of customized flexibility and control, every Planned Development is reviewed on its relation to the subject property, nearby properties, and the community as a whole.

Every Planned Development has three steps:

- Conceptual discussion to identify project concepts and concerns.
- General Development Plan (GDP) to establish the unique zoning district.
- Specific Implementation Plan (SIP) to approve design and operation details.

Planned Developments also allow for the developer and municipality to establish the zoning for multi-phased projects through the GDP step, while allowing expensive engineering and architecture plans to be submitted later as a sequence of SIPs, as the need for each building or phase evolves.

To further protect the public interest, Mount Horeb's zoning requirements for Planned Developments require the applicant to explicitly list items of requested zoning flexibility from the existing district regulations, in addition to clearly depicting them on submittal drawings.

If the GDP is approved, the approval of a Specific Implementation Plan (SIP) will be required at a subsequent date. The SIP submittal requires all of the details of development, including specific exterior materials and colors, floor plans, detailed exterior lighting plans, and detailed landscaping plans.

Formal General Development Plan (GDP) Review

Requested Flexibility from Zoning Ordinance Requirements:

The proposed GDP identifies the following items of flexibility from the standards of the Planned Business (PB) zoning district:

1. The **Permitted Principal Land Use** established for the PB district in Section 17.42 of the Zoning Ordinance only allows multi-family uses as an accessory use. Multi-Family is proposed to be the principal land uses for this project (in addition to commercial). Specifically, Commercial Apartments are permitted as an accessory land use. The proposed use contains two principal land uses - multi-family (Apartments) and commercial (to be determined).

2. The **Maximum Number of Dwelling Units Limit** established for Multi-Family uses in Section 17.20(1)(a)7. of the Zoning Ordinance will not be met by this proposal. Specifically, the maximum number of dwelling units per building is 8 for Apartment land uses. The proposed use is 24-units in one building.
3. The **Minimum Setbacks for Apartment Land Uses** established for Multi-Family uses in Section 17.20(1)(a)7. of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum setbacks for Apartment land uses are 30 feet on all sides. The proposed development has a 15-foot setback from the northern property line.
4. The **Maximum Floor Area Ratio** established for the PB district in Section 17.42 of the Zoning Ordinance will not be met by this proposal. Specifically, the maximum floor area ratio is 0.30. The proposed project will have a floor area ratio of 0.77 (this calculation only includes the eastern lot with the proposed mixed-use building).
5. The **Maximum Building Height** established for PB the district in Section 17.42 of the Zoning Ordinance will not be met by this proposal. Specifically, the maximum building height requirement is 45 feet. The proposed project is 47 feet tall.
6. The **Minimum Paved Surface Setback** established for the PB district in Section 17.42 of the Zoning Ordinance will not be met by this proposal. Specifically, the minimum paved surface setback from all property lines is 10 feet. The proposed project will have a 0-foot paved surface setback from western property line (shared parking lot on adjacent property to the west) and a 5-foot paved surface setback from the northern property line (sidewalk).

Analysis of Requested Flexibilities

The project's proposed flexibilities are needed because of existing Zoning Ordinance's stringent requirements on Apartment land uses, lack of opportunities for mixed-use development with residential occurring on the first floor, and the configuration of adjacent properties that facilitate the need for a Planned Development to accommodate this type of infill project. Additionally, the project aims to address the Village's housing shortage and documented need for additional, diverse housing formats as illustrated in the 2022 Comprehensive Plan.

While the Zoning Ordinance is planned to be rewritten in 2023 to address these specific types of situations and foster new housing opportunities, today the ordinance has stringent requirements (units per building, setbacks, and mixing of uses) for Apartment land uses and mixed-use buildings. Further, the ordinance's current floor area ratio standards are oriented to only accommodate one-story, suburban commercial buildings and do not reflect the Village's desire to allow multi-story, mixed-use development. Finally, as is common with infill development, there are existing constraints that must be overcome to make the site developable. In my opinion, this project is attempting to work within those constraints to deliver a type of project that works best within its existing surroundings and furthers the Village's goals through the use of the topography to shield the in-building parking, accommodating stormwater management facilities to improve infiltration, and utilize shared parking in existing underutilized surface parking areas.

Documented Housing Shortage:

- Dane County is projected to grow by 20,000 households between now and 2040. All communities in the Dane County region will continue to experience pressure for increased housing if growth continues as projected.
- A lack of housing units priced for members of the workforce will be a constraint on the available labor pool. Additionally, an increase in the proportion of retired residents could indicate a current or future need for housing options suitable to senior citizens.
- 2021 Housing Task Force Survey (1,442 responses):
 - In your opinion, are there a sufficient number of options in Mount Horeb for the following types of people?
 - Renters, with families. 59% said definitely not or probably not.
 - Renters, in general. 55% said definitely not or probably not.
- Average New Housing Units Per Decade in Mount Horeb:
 - 1990-1999 = average of 72 new units per year
 - 2000-2009 = average of 58 new units per year
 - 2010-2020 = average of 37 new units per year
 - 2021 = 37 new units
 - 2022 = 35 new unit + 63 apartments approved (Steve Brown Apartments)

Source: Village of Mount Horeb Housing Task Force Report and Village of Mount Horeb Building Inspector

The documented need for more housing and greater housing diversity in the Village create the need for land use and density flexibilities as proposed.

Additional Review

The following are observations of the proposed project, many of which will be further reviewed through the SIP stage.

1. **Building Quality:** The proposed GDP provides a high-quality building of sound design and materials that enhance the aesthetic look of the area and site. They are consistent with similar projects approved in Mount Horeb and around Dane County.
2. **Project Layout:** The project layout works well within the confines of the existing development patterns surrounding it. The majority of setbacks are met, and all minimum parking requirements are met (with the utilization of the western property's existing surface parking area). No new driveway will be needed as ingress and egress will occur via the existing driveway from Telemark Parkway serving the larger commercial development area and new pedestrian connections will be provided to the site.
3. **Project Scale/Number of Units:** The proposed GDP represents a density of 24 dwelling units on 0.93 acres – or about 26 dwelling units per acre. This is generally in line with densities that were approved with the Gorman Affordable Housing project in 2019-20 and the 1800 Springdale Street mixed-use project in 2022. This project's density is lower than the approved Steve Brown Apartments project downtown in 2023 and is below the typical density of 30 to 40 dwelling units per acre for three-story buildings served by in-building/under-building parking. The existing topography in the Village creates a situation where some multi-story structures seem much larger or smaller than others due to their existing grade differences. Overall, due to grade changes, the proposed height of the new building will be generally consistent with the height of the existing homes located to the south, but will appear larger in scale from Telemark Parkway/Springdale Street roundabout.

4. **Architecture:** The proposed GDP as depicted on the elevations has a pitched roof which fits well in the context of the existing homes to the south and several of the commercial developments fronting Springdale Street. The outlier in this area will be the Miller and Sons Supermarket that has a flat roof. Overall, variation in materials, heights, projections from the façade, glazing, and roof pitch provide articulation along each façade.
5. **Site Design:** The proposed GDP as depicted on the site plan provides vehicle, pedestrian, and bicycle access to the project and parking for all modes. It also includes both indoor and outdoor recreational amenities for residents and visitors. Due to anticipated increases in traffic volume using the commercial drive entry to the site from Telemark, the Village will explore additional pedestrian crossing improvements at the intersection.
6. **Landscaping:** The proposed GDP provides preliminary landscaping plans as depicted on the elevations and site plan. Parking lot, property line, and building foundation landscaping look to meet Village standards and will provide screening to the existing homes to the south. The specific plan for the site will be submitted and reviewed as part of the SIP process.
7. **Lighting:** The proposed GDP does not include an exterior lighting plan. The specific lighting plan for the site will be submitted and reviewed as part of the SIP process.
8. **Signage:** The GDP proposes a ground-mounted sign at the northeast corner of the site and on-building wall signs for the commercial tenant. The specific signage plan for the site will be submitted and reviewed as part of the SIP process.
9. **Requested Zoning Flexibility:** I support granting flexibility for the use, density, and intensity requirements because of the following. First, the Zoning Ordinance standards are clearly outdated and do not reflect the Village's goals, objectives, and priorities as outlined within the 2022 Comprehensive Plan. Second, the project helps meet the housing shortage currently in the Village and increases the diversity of the Village's housing stock. Finally, the existing site configuration and surrounding built environment are leveraged to improve the development through shielding the in-building parking via grade changes, accommodating new stormwater management on-site, and utilizing shared parking in an area currently underutilized for surface parking. The proposed development provides a unique and high-quality infill mixed-use development within Mount Horeb.

Village Planner's Recommendations Regarding the GDP

If acceptable to the Plan Commission, the Village Planner recommends the Plan Commission make, consider, and adopt a motion which makes a finding that the criteria for GDP submittals and approval have been met, and that also recommends approval of the proposed GDP Zoning Map Amendment by the Village Board, inclusive of full and continuous compliance with the submittal documents, the list of flexibilities and conditions provided in the submittal, and with any conditions identified by Village Staff and the Plan Commission, including 1-9, below:

1. The proposed flexibility to allow Apartments as principal by-right land use in the PB zoning district should be granted as proposed in the GDP submittal.

2. The proposed flexibility to allow the maximum building size to exceed 8 dwelling units per building should be granted up to 24 dwelling units as proposed in the GDP submittal.
3. The proposed flexibility to allow a minimum building setback less than 30 feet down to 15 feet along the northern property line should be granted as proposed in the GDP submittal.
4. The proposed flexibility to allow a maximum floor area ratio greater than 0.30 should be granted up to 0.8 as proposed in the GDP submittal.
5. The proposed flexibility to allow a maximum height greater than 45 feet tall should be granted up to 47 feet as proposed in the GDP submittal.
6. The proposed flexibility to allow a minimum paved surface setback less than 10 feet should be granted down to zero feet along the west property line and 5 feet along the northern property line as proposed in the GDP submittal.
7. The Village's design review standards be applied through the SIP phase of project review.
8. The applicant shall obtain a cross access easement between parcel 06070730441 and 060707304291 to allow residential and commercial parking to be permitted on both properties.
9. Any additional requirements identified by Village Staff, the Village Engineer, the Plan Commission, or the Village Board.

Appendix

Lot Development History

000001

CERTIFIED SURVEY MAP

BEING A DIVISION OF PART OF LOT 3, NORTH CAPE COMMONS, AS RECORDED IN VOLUME 58-057A OF PLATS, ON PAGES 303-308, AS DOC. No. 3965915, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 7, T6N, R7E, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN.

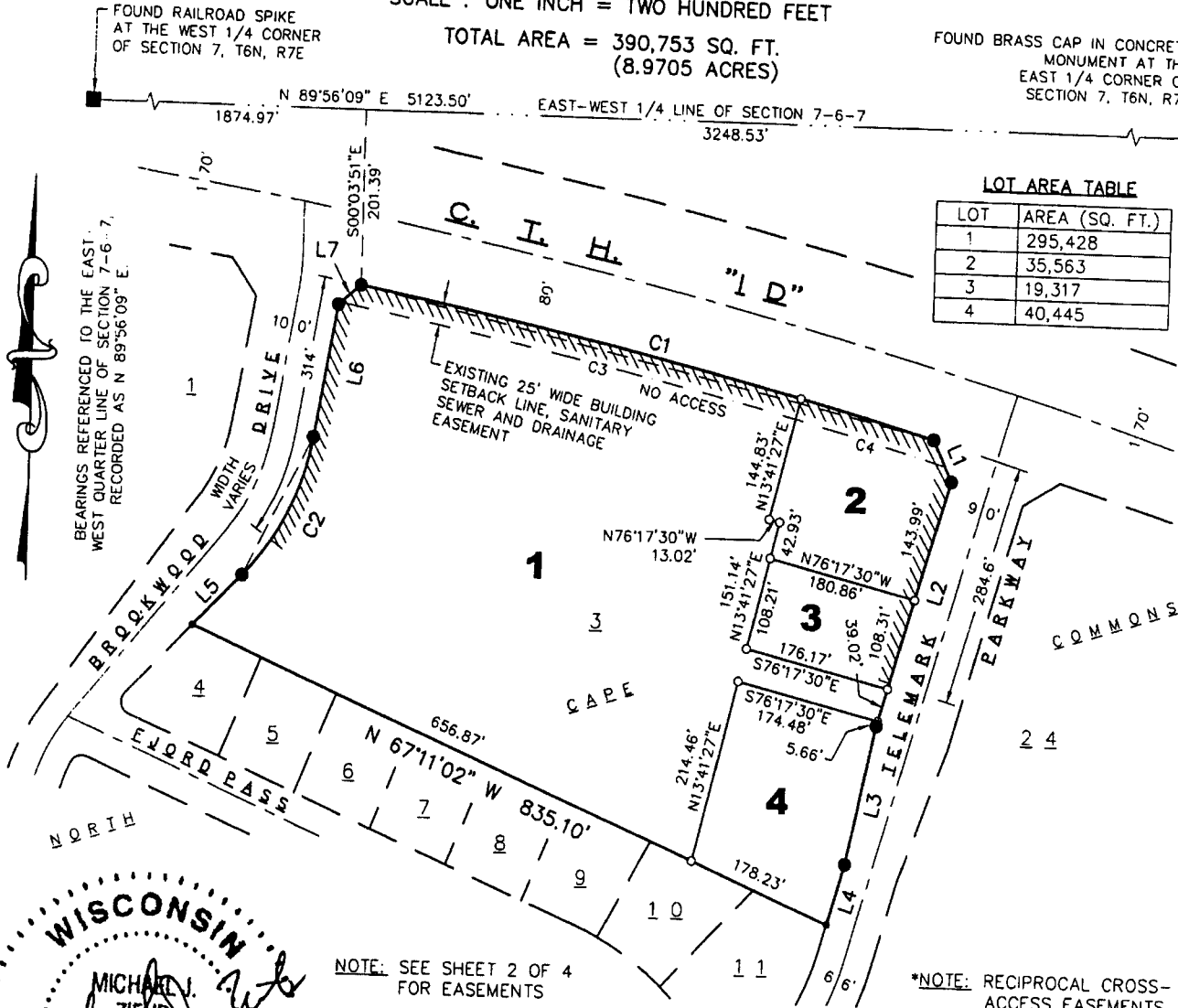


SCALE : ONE INCH = TWO HUNDRED FEET

TOTAL AREA = 390,753 SQ. FT.
(8.9705 ACRES)

FOUND BRASS CAP IN CONCRETE MONUMENT AT THE EAST 1/4 CORNER OF SECTION 7, T6N, R7E

FOUND RAILROAD SPIKE AT THE WEST 1/4 CORNER OF SECTION 7, T6N, R7E



LOT AREA TABLE

LOT	AREA (SQ. FT.)
1	295,428
2	35,563
3	19,317
4	40,445

NOTE: SEE SHEET 2 OF 4 FOR EASEMENTS

*NOTE: RECIPROCAL CROSS-ACCESS EASEMENTS BETWEEN LOTS 1, 2, 3 AND 4.

LEGEND

- 3/4" SOLID IRON ROD FOUND
- 1-1/4" SOLID IRON ROD FOUND
- 3/4" x 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

NO ACCESS ALLOWED

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 25°29'49" E	52.23'
L2	S 16°10'22" W	296.98'
L3	S 11°58'51" W	164.16'
L4	S 16°10'22" W	73.00'
L5	N 44°31'35" E	82.84'
L6	N 09°33'51" E	156.71'
L7	N 48°42'23" E	35.30'

CURVE DATA

NUMBER	CENTRAL ANGLE	CHORD BEARING	RADIUS	ARC	CHORD	TAN. BRG. BACK	TAN. BRG. AHEAD
C1	05°22'50"	S 77°07'18" E	7559.49	709.91	709.65	S 79°48'43" E	S 74°25'53" E
C2	34°57'43"	N 27°02'42.5" E	300.00	183.06	180.23	N 09°33'51" E	N 44°31'35" E
C3	04°06'50"	S 77°45'19" E	7559.49	542.76	542.64		
C4	01°16'01"	S 75°07'03" E	7559.49	167.15	167.15		

MAP NO. 11540

DOCUMENT NO. 4113718

VOLUME 70 PAGE 191

PLOT VIEW: PAGE1

\\projects\\NEI07\\csm\\csm-NEI07-revised.dwg

SURVEYED FOR:

T-SQUARED, LLC
C/O TIM NEITZEL
5301 VOGES ROAD
MADISON, WI 53718

SURVEYED BY:

CALKINS ENGINEERING, LLC
5010 VOGES ROAD
MADISON, WI 53718
(608) 838-0444

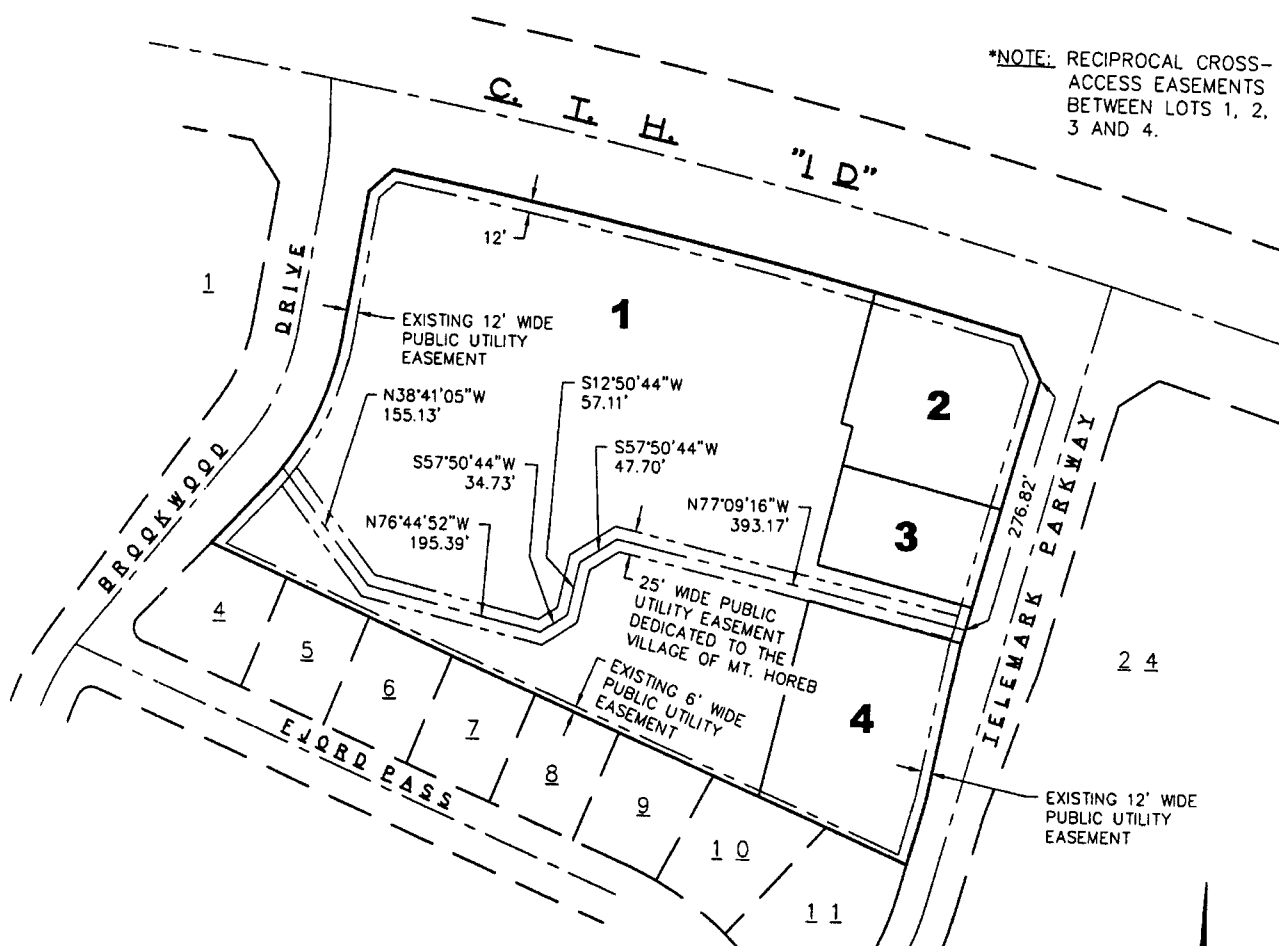
NEI07
SHEET 1 OF 4

000002

BEING A DIVISION OF PART OF LOT 3, NORTH CAPE COMMONS, AS RECORDED IN VOLUME 58-057A OF PLATS, ON PAGES 303-308, AS DOC. No. 3965915, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 7, T6N, R7E, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN.



EASEMENT DETAILS



John Zimmer
John Zimmer Village President

Cheryl Sutter
Cheryl Sutter Village Clerk

State of Wisconsin)
County of Dane) ss

Personally came before me this 26 day of September, 2005, the above named John Zimmer, Village President and Cheryl Sutter, Village Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Monica L. Gerson
Notary Public, State of Wisconsin

My Commission expires: 11-04-07

MAP NO. 11540
DOCUMENT NO. 4113718
VOLUME 70 PAGE 192

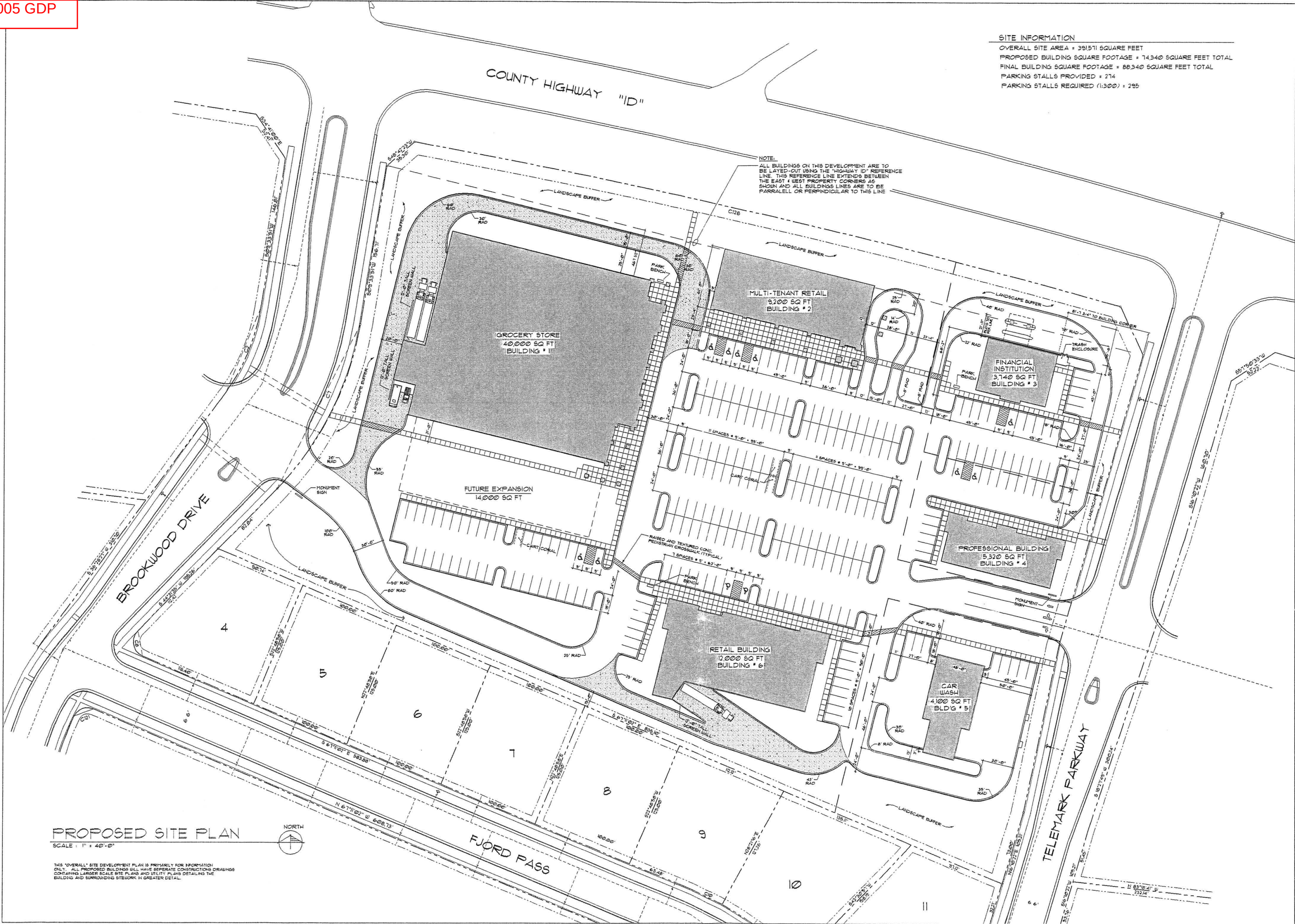
PLOT VIEW: PAGE2

\\projects\NEI07\csm\csm-NEI07-revised.dwg

SURVEYED BY:

CALKINS ENGINEERING, LLC
5010 VOGES ROAD
MADISON, WI 53718
(608) 838-0444

NEI07
SHEET 2 OF 4



SITE INFORMATION
OVERALL SITE AREA = 391,571 SQUARE FEET
PROPOSED BUILDING SQUARE FOOTAGE = 74,340 SQUARE FEET TOTAL
FINAL BUILDING SQUARE FOOTAGE = 88,340 SQUARE FEET TOTAL
PARKING STALLS PROVIDED = 274
PARKING STALLS REQUIRED (1:300) = 295



634 West Main Street
Madison, WI 53703
608-251-1090
FAX 608-251-1092

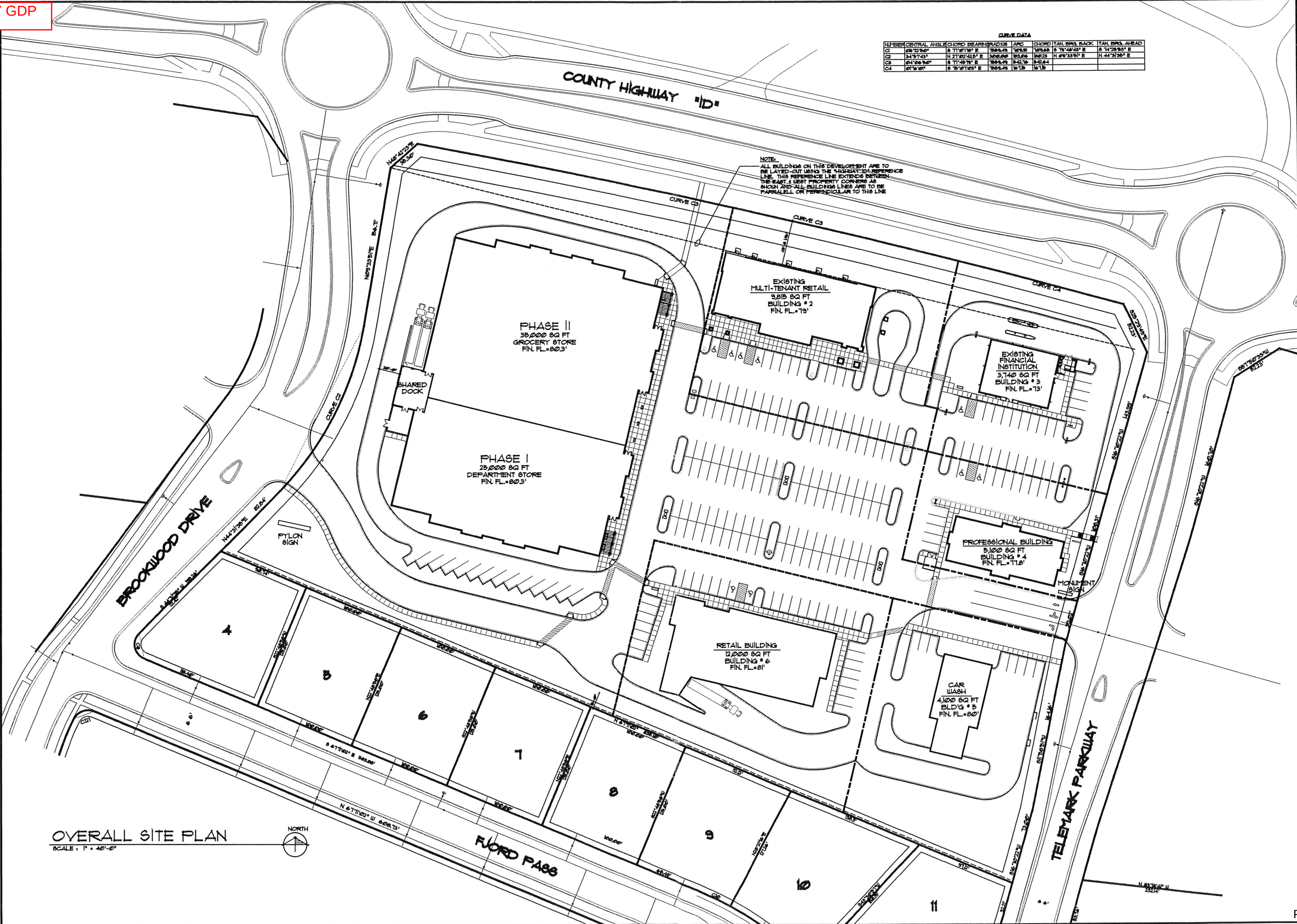
COPYRIGHTED DRAWING
THIS DOCUMENT OR THE INFORMATION
HEREIN IS NOT TO BE REPRODUCED,
DISTRIBUTED, USED OR DISCLOSED
WITHOUT THE WRITTEN AUTHORIZATION
OF TJK DESIGN AND CONSTRUCTION CO., INC.

PROPOSED SITE FOR:
**MT. HOREB
DEVELOPMENT**
MT. HOREB, WISCONSIN

C-1.1
5.18.05

CURVE DATA									
NUMBER	CENTRAL ANGLE	CHORD BEARS	RADIUS	ARC	CHORD	TAN. BRS. BACK	TAN. BRS. AHEAD		
C1	68°22'50"	6°11'01" E	789.49	109.81	109.81	6°19'48" E	6°14'28" E		
C2	34°15'43"	N 27°02'42" E	340.60	103.66	103.66	N 08°33'01" E	N 44°33'00" E		
C3	64°28'50"	6°11'48" E	789.49	109.81	109.81	6°19'48" E	6°14'28" E		
C4	67°16'01"	6°19'42" E	789.49	109.81	109.81	6°19'48" E	6°14'28" E		

NOTE:
ALL BUILDINGS ON THIS DEVELOPMENT ARE TO
BE LAYED-OUT USING THE "HIGHWAY 10" REFERENCE
LINE. THIS REFERENCE LINE EXTENDS BETWEEN
THE EAST & WEST PROPERTY CORNERS AS
SHOWN AND ALL BUILDING LINES ARE TO BE
PARALLEL OR PERPENDICULAR TO THIS LINE





Stock No. 26273

CERTIFIED SURVEY MAP No. 13196

BEING A DIVISION OF LOT 1 AND LOT 3, CERTIFIED SURVEY MAP NUMBER 11540, AS RECORDED IN VOLUME 70 OF CERTIFIED SURVEY MAPS, ON PAGES 191-194, AS DOCUMENT NUMBER 4113718, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 06 NORTH, RANGE 07 EAST, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN.

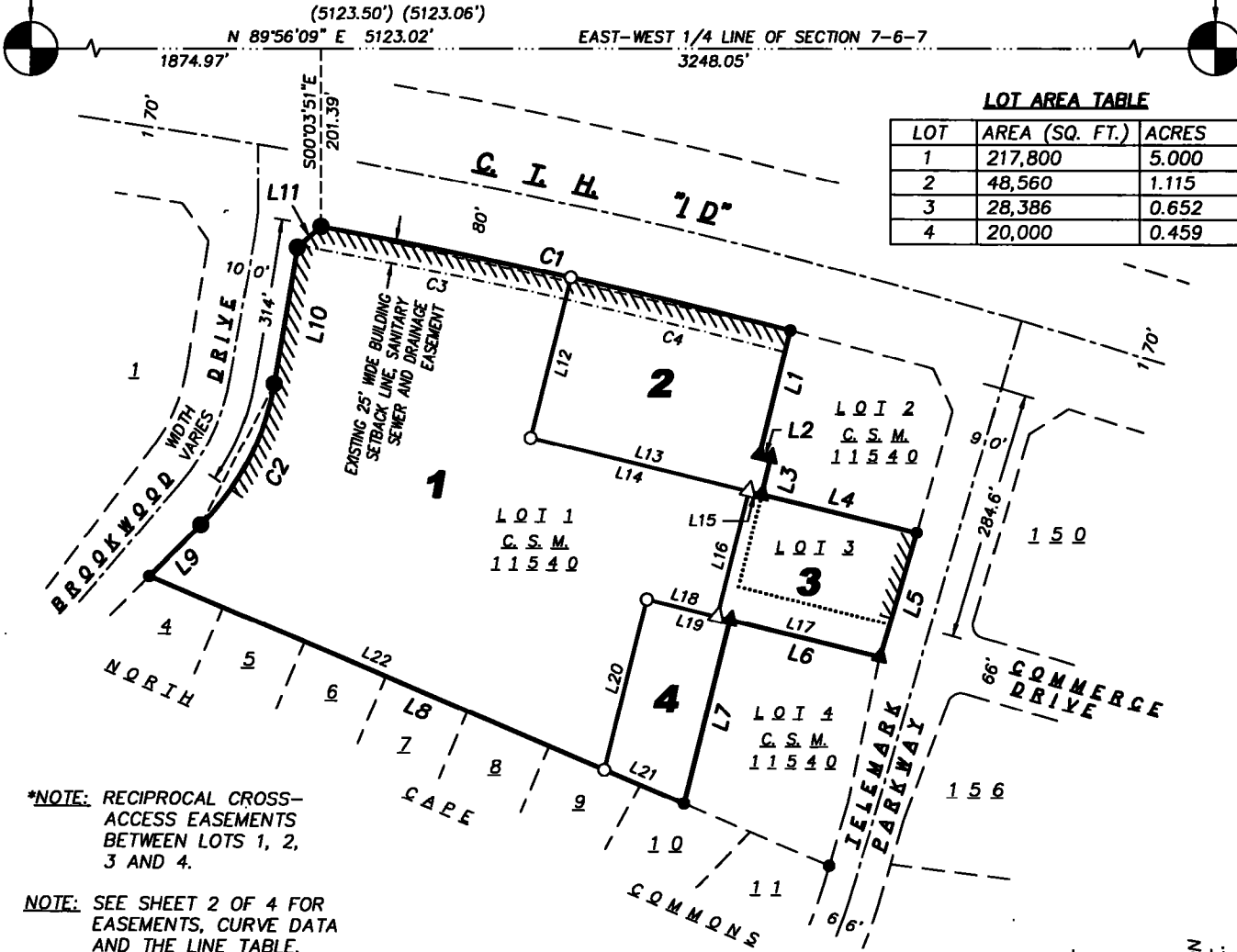


SCALE: ONE INCH = TWO HUNDRED FEET

TOTAL PLATTED AREA = 314,745 SQ. FT. (7.2255 ACRES)

FOUND BRASS CAP IN CONCRETE MONUMENT AT THE EAST 1/4 CORNER OF SECTION 7, T6N, R7E

FOUND 1-1/4" SOLID IRON ROD AT THE WEST 1/4 CORNER OF SECTION 7, T6N, R7E

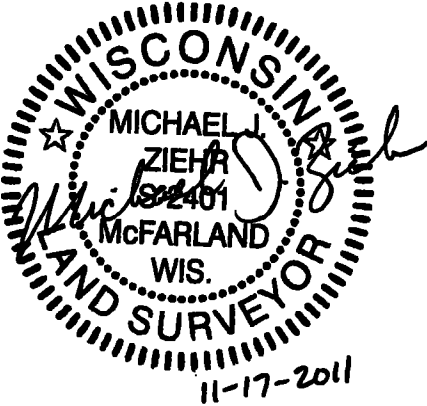


LOT AREA TABLE

LOT	AREA (SQ. FT.)	ACRES
1	217,800	5.000
2	48,560	1.115
3	28,386	0.652
4	20,000	0.459

*NOTE: RECIPROCAL CROSS-ACCESS EASEMENTS BETWEEN LOTS 1, 2, 3 AND 4.

NOTE: SEE SHEET 2 OF 4 FOR EASEMENTS, CURVE DATA AND THE LINE TABLE.



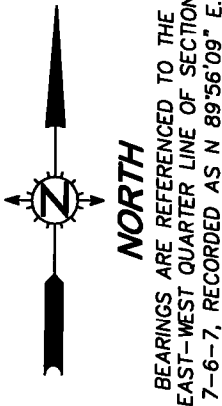
LEGEND

- 3/4" SOLID IRON ROD (S.I.R.) FOUND
- 1-1/4" SOLID IRON ROD (S.I.R.) FOUND
- SURVEY MARKER NAIL FOUND
- 3/4" x 18" SOLID IRON RE-ROD SET, WT. 1.50 lbs./ft.
- SURVEY MARKER NAIL SET
- () INDICATES RECORDED AS

DISTANCES ARE MEASURED TO THE NEAREST HUNDREDTH OF A FOOT.

PREVIOUSLY PLATTED LINE

NO ACCESS ALLOWED



C.S.M. No. 13196

Doc. No. 4814633

Vol. 85 Page 27

SURVEYED FOR:
National Construction, Inc.
4070 Brigham Road
Blue Mounds, WI 53517

SURVEYED BY:
Snyder & Associates, Inc.
5010 Voges Road
Madison, WI 53718
(608) 838-0444
www.snyder-associates.com



SNYDER & ASSOCIATES
Engineers and Planners

FN: NC101
DATE: 10-06-11
REVISIONS:

SHEET
1 OF 4

Plot View: Sheet1
Drawing Name: P:\PROJECTS\N\NC101\Survey\CSM\NC101-csm.dwg



Stock No. 26273

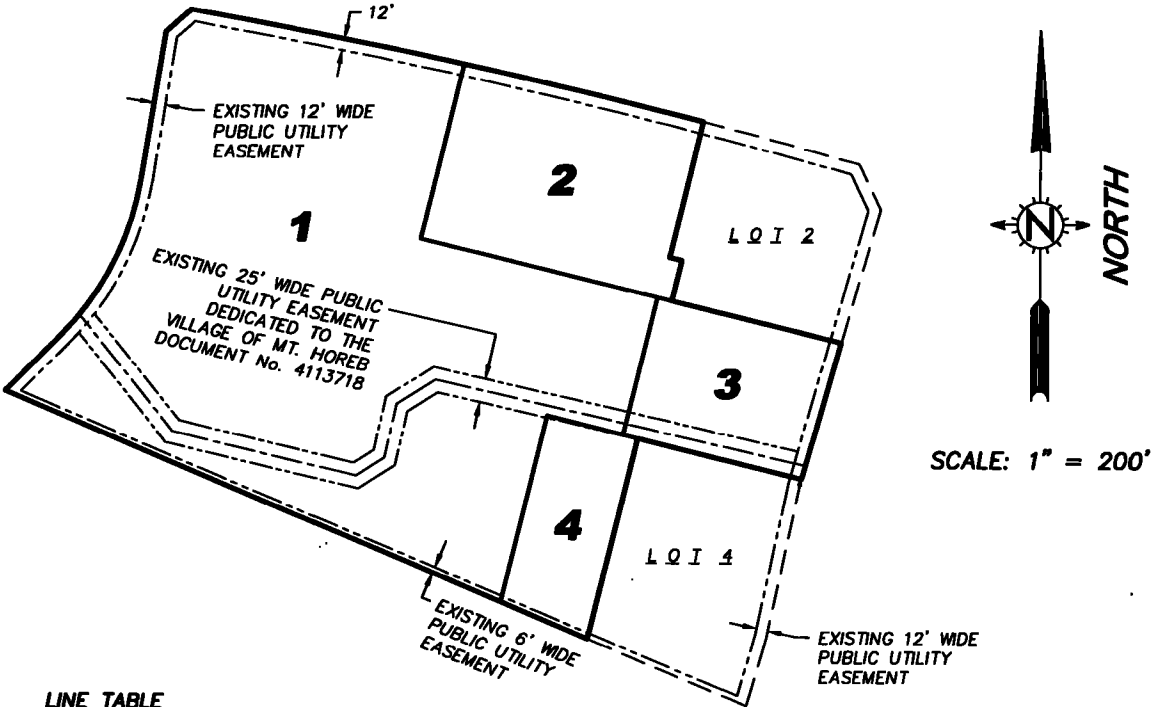
CERTIFIED SURVEY MAP No. 13196

BEING A DIVISION OF LOT 1 AND LOT 3, CERTIFIED SURVEY MAP NUMBER 11540, AS RECORDED IN VOLUME 70 OF CERTIFIED SURVEY MAPS, ON PAGES 191-194, AS DOCUMENT NUMBER 4113718, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 OF THE SW 1/4 AND THE NW 1/4 OF THE SE 1/4 OF SECTION 7, TOWNSHIP 06 NORTH, RANGE 07 EAST, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN.

CURVE DATA

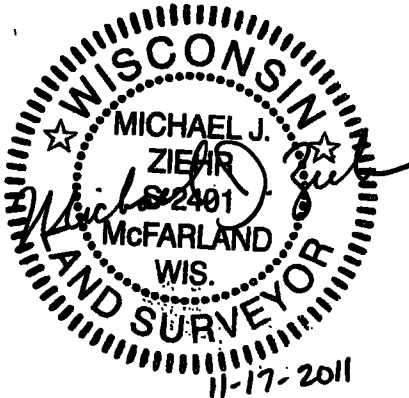
NUMBER	CENTRAL ANGLE	CHORD BEARING	RADIUS	ARC	CHORD	TAN. BRG. BACK	TAN. BRG. AHEAD
C1	04°06'50"	S 77°45'19" E	7559.49'	542.76'	542.64'	S 79°48'43" E	S 75°41'54" E
C2	34°57'43"	N 27°02'42.5" E	300.00'	183.06'	180.23'	N 09°33'51" E	N 44°31'35" E
C3	02°10'52"	S 78°43'18" E	7559.49'	287.76'	287.74'		
C4	01°55'58"	S 76°39'53" E	7559.49'	255.00'	254.99'		

EASEMENT DETAILS



LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 13°41'27" W	144.98'
L2	S 76°17'30" E	13.02'
L3	S 13°41'27" W	42.93'
L4	S 76°17'30" E	180.86'
L5	S 16°10'22" W	147.33'
L6	N 76°17'30" W	174.48'
L7	S 13°41'27" W	214.46'
L8	N 67°11'02" W	656.87'
L9	N 44°31'35" E	82.84'
L10	N 09°33'51" E	156.71'
L11	N 48°42'23" E	35.30'
L12	S 13°54'23" W	186.63'
L13	S 76°22'21" E	268.71'
L14	S 76°22'21" E	253.56'
L15	S 76°22'21" E	15.15'
L16	S 13°42'29" W	147.18'
L17	N 76°17'30" W	189.67'
L18	N 76°17'30" W	81.56'
L19	N 76°17'30" W	96.75'
L20	S 13°41'27" W	198.95'
L21	N 67°11'02" W	98.00'
L22	N 67°11'02" W	558.87'



C.S.M. No. 13196
 Doc. No. 4814633
 Vol. 85 Page 28

SURVEYED FOR:
 National Construction, Inc.
 4070 Brigham Road
 Blue Mounds, WI 53517

SURVEYED BY:
 Snyder & Associates, Inc.
 5010 Voges Road
 Madison, WI 53718
 (608) 838-0444
 www.snyder-associates.com

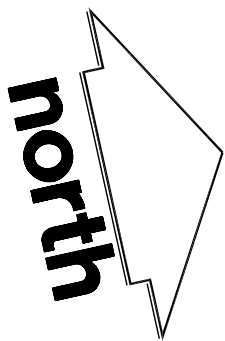


SNYDER & ASSOCIATES
 Engineers and Planners

FN: NC101
 DATE: 10-06-11
 REVISIONS:

SHEET
2 OF 4

Plot View: Sheet2
 Drawing Name: P:\PROJECTS\W\NC101\Survey\CSM\NC101-csm.dwg



CTH ID

S. BROOKWOOD DRIVE

FUTURE ADDITION
FFE = 718400

PROPOSED BUILDING
FFE = 718400

STORM WATER
MANAGEMENT

EXISTING BUILDING

SMALL TRUCK
LOADING DOCK

PROPOSED
HYDRANT

RED MOVEMENT SHOWS
TRUCKS BACKING INTO EXISTING
SITE FROM
DOCKS

YELLOW MOVEMENT SHOWS
TRUCKS BACKING INTO DOCK

LEGEND (PROPOSED)	
	PROPERTY LINE
	BUILDING LINE
	FUTURE BUILDING LINE
	BOLLARD
	EDGE OF CONCRETE
	FUTURE PAVEMENT AREA
	STORMWATER AREA
	18" CONCRETE CURB & GUTTER
	PROPOSED CONCRETE PAVEMENT
	PROPOSED ASPHALT PAVEMENT

JSD Professional Services, Inc.
Engineers • Surveyors • Planners
"BUILDING RELATIONSHIPS WITH A
CONVICTION FOR EXCELLENCE AND
THROUGH TRUST, QUALITY AND EXPERIENCE"

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- WATER RESOURCES
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- TRANSPORTATION ENGINEERING
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- LANDSCAPE ARCHITECTURE

MADISON REGIONAL OFFICE
161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
608.848.5060 PHONE | 608.848.2265 FAX
MADISON | MILWAUKEE
KENOSHA | APPLETON
www.jsdinc.com

SERVICES PROVIDED TO:
**NATIONAL
CONSTRUCTION INC.**

701 E. WASHINGTON AVE.
MADISON, WI

PROJECT:
**MILLER & SONS
SUPERMARKET -
MOUNT HOREB**

PROJECT LOCATION:
VILLAGE OF MT. HOREB
DANE COUNTY, WI

JSD PROJECT NO.: 09-3507

SEAL/SIGNATURE:

ALTHOUGH EVERY EFFORT HAS BEEN MADE
IN PREPARING THESE PLANS AND CHECKING
THEIR ACCURACY, THE ENGINEER, ARCHITECT,
AND SUBCONTRACTORS MUST CHECK ALL
DETAIL AND DIMENSIONS OF THEIR TRADE
AND BE RESPONSIBLE FOR THE SAME.

DESIGN:	DOS	02-10-12
DRAWN:	DOS	02-10-12
APPROVED:	WPM	-
PLAN MODIFICATIONS:		
VILLAGE OF MT. HOREB		02-27-12
VILLAGE OF MT. HOREB		03-30-12
CLIENT SUBMITTAL		04-18-12
CLIENT SUBMITTAL		05-01-12
CLIENT SUBMITTAL		06-01-12

DIGESTERS HOTLINE
Toll Free (800) 242-8511
Milwaukee Area (414) 238-1181
Hearing Impaired TDD (800) 542-2289
www.DigestersHotline.com

SHEET TITLE:
**TRUCK TURNING
MOVEMENTS**

SHEET NUMBER:
EXHIBIT

JSD Professional Services, Inc.
• Engineers • Surveyors • Planners

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MADISON REGIONAL OFFICE
1487 161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
608.848.5008 PHONE | 608.848.2255 FAX
MADISON | MILWAUKEE
KENOSHA | APPLETON

www.jsdinc.com

SERVICES PROVIDED TO:
NATIONAL CONSTRUCTION INC.

701 E. WASHINGTON AVE.
MADISON, WI

PROJECT:
MILLER & SONS SUPERMARKET - MOUNT HOREB

PROJECT LOCATION:
VILLAGE OF MT. HOREB DANE COUNTY, WI

JSD PROJECT NO.: **09-3507**

SEAL/SIGNATURE:

DRAFT

DESIGN: JLF 04-23-12
APPROVED: WPV

PLAN MODIFICATIONS:

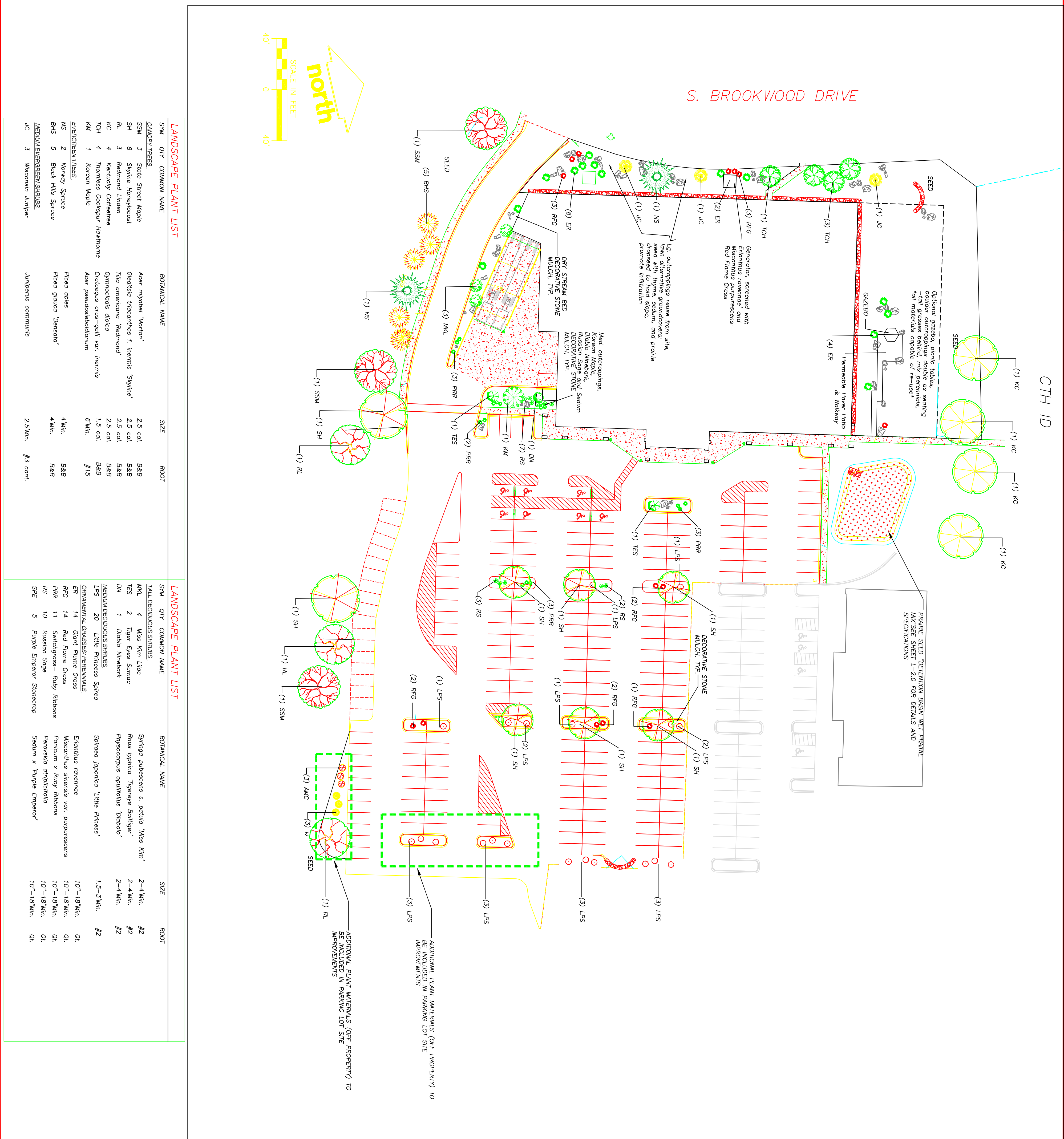
CANOPY TREE REVISION	DATE:
PARKING ISLAND TREE REVISION	05-01-12
PARKING ISLAND TREE REVISION	05-10-12

Toll Free (800) 242-8511
Madison Area (414) 256-1101
Hearing Impaired TDD (800) 542-2269
www.DiggerShotline.com

SHEET NUMBER:
L-1.0

LANDSCAPE PLAN

DIGGERS HOTLINE



LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A	4	EM25 400M MOG GCSG SR4W	EUROTIQUE ARCHITECTURAL LUMINAIRE WITH SR4W REFLECTOR, CLEAR SAG GLASS LENS.	ONE 400-WATT CLEAR ED28 METAL HALIDE, HORIZONTAL POS.	EM25_400M_MOG_GCSG_SR4W.ies	32000	0.72	885
	B	2	EM25 400M MOG GCSG SR3	EUROTIQUE ARCHITECTURAL LUMINAIRE WITH SR3 REFLECTOR, CLEAR SAG GLASS LENS.	ONE 400-WATT CLEAR ED28 METAL HALIDE, HORIZONTAL POS.	EM25_400M_MOG_GCSG_SR3.ies	32000	0.72	444.6

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #2	+	1.1 fc	8.0 fc	0.0 fc	N / A	N / A

LUMINAIRE LOCATIONS											
No.	Label	Location		Z	MH	Orientation	Tilt	Aim		X	Z
		X	Y					Y			
1	A	475.5	413.0	30.0	30.0	105.9	0.0				
2	A	642.0	371.5	30.0	30.0	104.0	0.0				
3	A	612.5	255.0	30.0	30.0	105.9	0.0				
4	A	450.0	296.0	30.0	30.0	104.0	0.0				
5	B	162.5	354.5	30.0	30.0	59.0	0.0	163.8	355.3		0.0
6	B	291.0	250.5	30.0	30.0	20.0	0.0	291.5	251.9		0.0



Plan View
Scale 1" = 40'



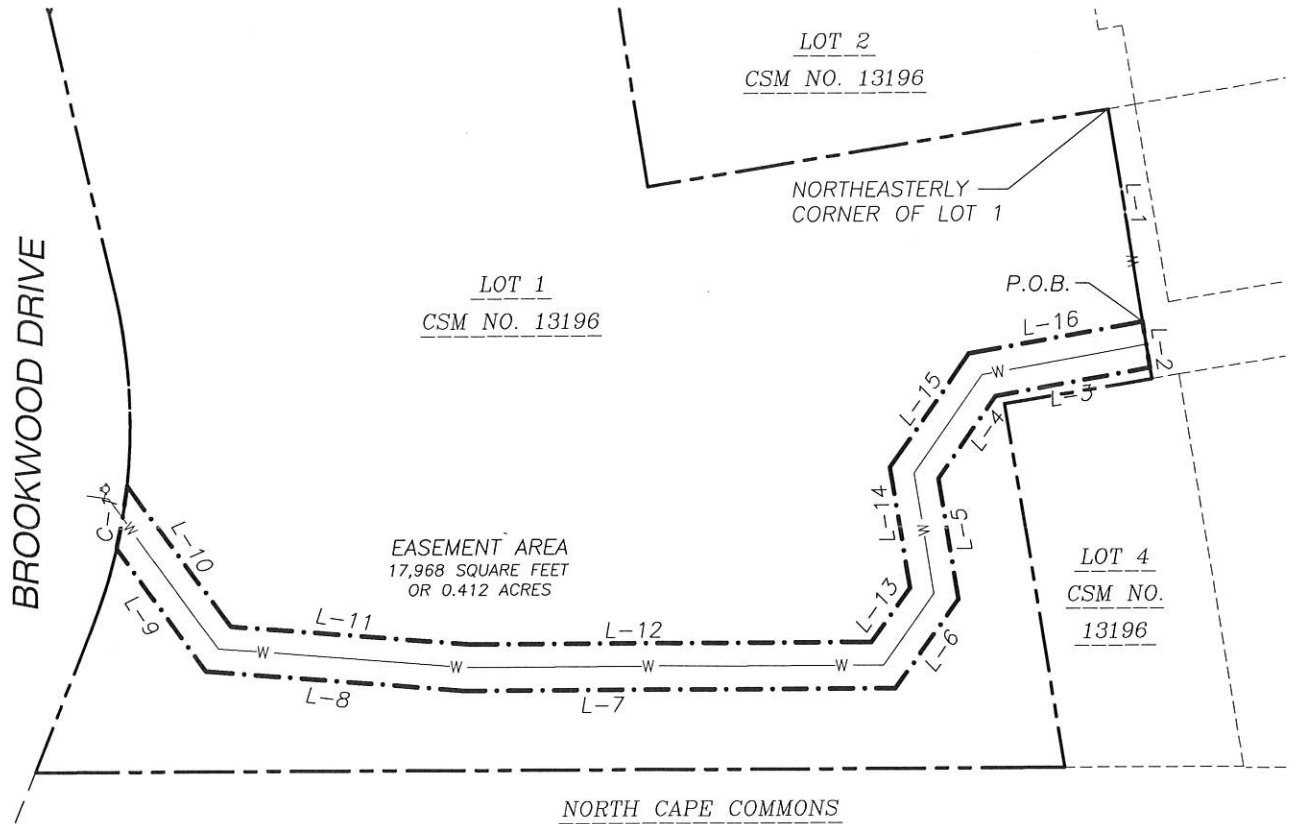
Miller & Sons
Supermarket
Mt. Horeb, WI

Designer
E & S Electric

Date
Jul 18 2012

Drawing No.

EXHIBIT A



LEGEND

- HYDRANT
- EASEMENT LINE
- PARCEL BOUNDARY
- PLATTED LOT LINE
- WATER LINE
- P.O.B. POINT OF BEGINNING

NOTES

- BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE SOUTHWESTERLY LINE OF LOT ONE, C.S.M. No. 13196, RECORDED AS N 67°11'02" W.
- FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON APRIL 11, 2012.

LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 13°42'29" E	115.99'
L-2	S 13°42'29" E	25.00'
L-3	N 77°09'20" W	85.53'
L-4	S 58°16'06" W	54.51'
L-5	S 13°43'51" W	66.33'
L-6	S 58°41'27" W	58.70'
L-7	N 67°14'49" W	233.54'
L-8	N 62°39'26" W	140.77'
L-9	N 13°32'23" W	82.61'
L-10	S 13°32'23" E	95.31'
L-11	S 62°39'26" E	128.35'
L-12	S 67°14'49" E	219.78'
L-13	N 58°41'27" E	35.60'
L-14	N 13°43'51" E	66.22'
L-15	N 58°16'05" E	75.00'
L-16	S 77°09'20" E	96.16'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-1	34.76'	300.00'	06°38'22"	34.74'	N 32°28'36" E

EXHIBIT

PART OF LOT 1, CERTIFIED SURVEY MAP No. 13196 AS RECORDED IN VOLUME 85, ON PAGES 27-30, AS DOCUMENT No. 4814633, BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 07, TOWNSHIP 06 NORTH, RANGE 07 EAST, VILLAGE OF MOUNT HOREB, DANE COUNTY, WISCONSIN

PREPARED BY:

JSD Professional Services, Inc.
• Engineers • Surveyors • Planners
161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
PHONE: (608)848-5060

PREPARED FOR:

NATIONAL CONSTRUCTION, INC.
701 E. WASHINGTON AVE.
MADISON, WI 53703

PROJECT NO: 09-3507

FILE NO: A-256

FIELDBOOK/PG: -

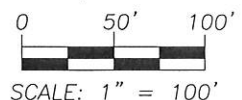
SHEET NO: 1 OF 1

SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: TJB

APPROVED BY: WPW



April 8, 2024

Village of Mount Horeb
Attention: Mr. Nic Owen, Village Administrator
138 East Main Street
Mount Horeb, WI 53572

Dear Mr. Owen,

If I were not eight states away from this meeting, I would be here in full force to oppose the proposed zoning change for construction at 1881 Springdale Street, an out lot in the Miller's grocery store center. The proposed development is right in the back yard of a number of homeowners who will be adversely impacted by the proposed three-story mixed-use structure. I am one of those homeowners.

Here are six reasons why the proposed zoning request should be denied:

1. **TRUST.** The homeowners who will be impacted by the proposed change in zoning trusted the Village's original land use and zoning plan when we put down our roots on Fjord Pass. We were aware that development of the buildings adjacent to the Miller's grocery store parking lot was not complete. It was also clear that the use and design standards for the area would be consistent with the other buildings. We trusted that the Village would respect homeowners who relied on that information when they bought their homes and that the Village would maintain the design integrity, not bite on the first shiny object put before it by outside interests.
2. **LOCATION.** As homeowners, we recognize that all people want their own places to call home. We do not oppose this the construction of new housing, but oppose the location of this project. There are many other places in the Village of Mt. Horeb where this structure can be built and fit in with its neighborhood. The developers can certainly find other sites that are compatible with their proposal.
3. **CONSISTENCY.** The existing commercial structures in the Miller's retail complex are tasteful, low-profile and blend in well with the adjacent residential neighborhood. A three-story structure in this location will be an ugly, out-of-place eyesore and compromise the original intent of the Village to develop this area.
4. **HOURS OF OPERATION.** When we homeowners on Fjord Pass bought our homes, we were aware of the existing commercial buildings in the Miller's complex. Those businesses have business hours. A 24-unit apartment building does not have business hours and does NOT fit in with the neighborhood.
5. **VIOLATION OF VILLAGE POLICY.** Your own code (Section (b) of 17.49 PD-1 Planned Development District states that its provisions apply for "areas of the community experiencing a lack of significant investment." If you know the neighborhood in question well, you know that it is NOT experiencing a lack of investment. To the contrary, single-family and tasteful commercial development has been brisk.
6. **VIOLATION OF DEVELOPMENT CHARACTER.** Section 6(a) in the same code indicates that a project may be considered if it is "compatible with the physical nature of the site, with particular concern for the presentation of natural features and open space." There are no three-story structures in the area of the Miller's complex. The closest apartment buildings in the area are

clustered with other apartment buildings. How can the Village agree the proposed structure is compatible on the proposed site? If the Village does not want to abide by its own code, why do you have it?

Bottom line: Do the right thing. Preserve the trust nearby homeowners placed in you when they bought their homes. Abide by your own code. Build the apartment structure, but build it somewhere else where it fits in and does not need variances and zoning changes to be compatible.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael V. Varney", with a stylized flourish at the end.

Michael V. Varney
1824 Fjord Pass

Village of Mount Horeb
Village Administrator, Nic Owen
138 East Main Street
Mount Horeb WI 53572

RE: March 27 Hearing--Proposed PD-1 Planned Development Zoning Change

Mr. Owen:

Having received notice of the Zoning change request I am responding as a directly adjacent property owner.

I do not believe that the proposed use of a three story, mostly residential structure is appropriate for this lot; although a development consistent with the existing style of businesses could certainly be a good addition to the area. Those existing businesses being the grocery store, small strip mall, bank and another small business. None of these businesses are more than one story.

The proposed project is being called "mixed used", but is mostly residential, with just one commercial space. To be consistent with current village planning it isn't the right place for residential development.

I am also in agreement with the points brought up by my neighbors regarding this proposal and see no reason to repeat them here.

I would request that this proposal not be approved.

Thank you,
Rosemary Kavon
1826 Fjord Pass

DONALD A. TAFT
1828 Fjord Pass
Mount Horeb, WI 53572-3631

Cell Phone: 608-622-4280

Email:

13 March 2024

Village of Mount Horeb
Attention: Mr. Nic Owen, Village Administrator
138 East Main Street
Mount Horeb, WI 53572

Dear Mr. Owen:

Thank you for inviting me to attend and to speak at the 27 March hearing about a proposed PD-1 Planned Development Zoning Change.

I plan to attend and to speak. This note will give attendees a record of what I will say.

Section (b) of 17.49 PD-1 Planned Development District states that its provisions and purpose apply for “areas of the community experiencing a lack of significant investment.” Our part of Mount Horeb is **not** experiencing a lack of significant investment. We have seen a dozen streets of residential homes, dental offices, a credit union branch, and a convenience store built in recent years. Our part of Mount Horeb is vibrant; **not** lacking in significant investment. We believe that the provision of PD-1 Planned Development do **not** apply to this project.

Further, Section 6(a) goes on to say a project could be considered if it is “compatible with the physical nature of the site, with particular concern for the preservation of natural features and open space.” All of the other buildings in and around this space are single-story buildings. There are **no** multiple-story buildings let alone one of three stories.

The adjacent property owners believe that this project does **not** meet the requirement of PD-1 Planned Development District. Furthermore, even if PD-1 were to apply, this project is not compatible with the site.

We respectfully request that the project be disapproved.

Sincerely,

Donald A. Taft

27MarHearing

Michael V. Varney

1824 Fjord Pass
Mt. Horeb, WI 53572

Mr. Nic Owen
Village Administrator
Village of Mt. Horeb
138 E. Main St.
Mt. Horeb, WI 53572

Dear Mr. Owen,

I am writing in reference to the letter I received from the Village of Mt. Horeb regarding a public hearing on March 27 concerning the proposed PD-1 Planned Development zoning change for the property at 1881 Springdale Street in Mt. Horeb.

As a "backyard neighbor" to this property, I must state in the strongest possible language that I object to this change. When my neighbors and I purchased our homes on Fjord Pass in the late 2010s, we did so based on the known zoning restrictions and the character of existing structures in our neighborhood. We relied on the Village's zoning decision that governed future construction on vacant land in our neighborhood as part of our decision to put down roots where we did.

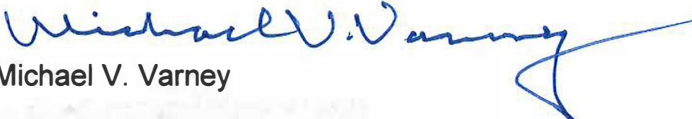
Existing commercial buildings between Springdale Street and Fjord Pass are tasteful, low-profile buildings that include Miller's Supermarket, the small adjacent strip center, an adjacent bank and a structure in the Miller's out lot. ALL of these one-story buildings have a horizontal roofline, represent the character of this neighborhood and (we assume) comport with the Village's intentions for development. We found these buildings to be completely compatible with our residential properties located immediately south on Fjord Pass.

What is NOT acceptable is multi-story, vertically-oriented building of any kind. It seems apparent that the developers requesting this zoning modification want to maximize their profits on a lot with a small footprint by building vertically. The problem is that they want to do this at the expense of the families who already live there. Building vertically is inconsistent with the Village's original planning strategy. A three-story behemoth would be a completely out of place on this lot. There are other locations in Mt. Horeb where this kind of building can be sited.

Mt. Horeb is a beautiful community that has maintained its character and charm as it has grown. Growth seems to have been well-managed by the Village. Please stay true to your original planning intentions. I urge you to consider the rights of residents who have already invested in this neighborhood and who have relied on Village planning. Please DENY the requested change in zoning that would allow the construction of any structure that is out of character with its place in our neighborhood.

Thank you.

Sincerely,


Michael V. Varney

**VILLAGE OF MOUNT HOREB
ORDINANCE 2024-05**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION FROM PLANNED
DISTRICT TO GENERAL DEVELOPMENT PLAN FOR
PARCEL 0607-073-0429-1 AT 1881 SPRINGDALE STREET

WHEREAS, MMI LLC is the owner of parcel 0607-073-0429-1, located at 1881 SPRINGDALE Street in the Village of Mount Horeb; and

WHEREAS, MMI LLC has made application to request the zoning classification of the above referenced property be changed from PD-1 Planned Development with underlying Planned Business zoning to a modified Planned development - General Development Plan for a proposed 3-story mixed-use building including commercial space and a 24-unit multi-family dwelling project

WHEREAS, the Village Plan Commission held a public hearing regarding the zoning request on March 27, 2024 which was preceded by publication of a class 2 notice under ch. 985, Stats.; and

WHEREAS, the Village Plan Commission determined that changing the zoning classification of the above referenced property from PD-1 Planned Development with underlying Planned Business zoning to a modified Planned development - General Development Plan would promote the public health, safety, and general welfare of the Village and would allow appropriate use of the property, and therefore recommends that the zoning classification of the property be changed as requested; and

WHEREAS, the proposed use is consistent with the Comprehensive Plan; and

WHEREAS, the Village Board concurs with the recommendation of the Plan Commission.

NOW THEREFORE, the Village Board of the Village of Mount Horeb, Dane County, Wisconsin, do ordain as follows:

Section 1. Rezoning of the above referenced property shall take effect after passage and posting pursuant to law; and

Section 2. Subject to the above section, the zoning classification of the above referenced property is hereby designated modified Planned development - General Development Plan, and the Zoning Map of the Village shall be amended accordingly.

The foregoing ordinance was duly adopted by the Village Board of the Village Mount Horeb at its special meeting held on March 27, 2024.

By:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

APPROVED: _____

PUBLISHED/POSTED: _____



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

AGENDA ITEM # 6.c

Consideration of Ordinance 2024-09, AN ORDINANCE PURSUANT TO § 64C(4) OF 2023 WISCONSIN ACT 73 TO OPT-OUT OF EXTENDED CLOSING HOURS FOR LICENSED ALCOHOL PREMISES DURING THE REPUBLICAN NATIONAL CONVENTION

BACKGROUND

Due to the Republican National Convention being located in Milwaukee this year, businesses with alcohol licenses in many counties in Wisconsin may stay open until 4am during the convention. We as a municipality are permitted to opt out of this closing time and stay at our normal regulated closing hours.

RECOMMENDATION

ATTACHMENTS

1. Ord 2024-09- Opt out of extended closing hours

**VILLAGE OF MOUNT HOREB
ORDINANCE 2024-09**

**An Ordinance Pursuant to § 64c(4) of 2023 Wisconsin Act 73 to Opt-Out of
Extended Closing Hours for Licensed Alcohol Premises During the Republican
National Convention**

WHEREAS, § 64c(4) of 2023 Wisconsin Act 73 provides for an extension of the closing hours in Chapter 125 for alcohol licensees located in Kenosha, Racine, Walworth, Rock, Milwaukee, Waukesha, Jefferson, Dane, Ozaukee, Washington, Dodge, Columbia, Sheboygan, or Fond du Lac County commencing on the first day of the Republican National Convention in the summer of 2024 until the day after said convention's last day; and

WHEREAS, § 64c(4) of 2023 Wisconsin Act 73 further provides that a municipality located with the aforementioned counties may establish a disqualification process for alcohol licensees that it has licensed or may opt out of the extended hours otherwise permitted by § 64c(4) of 2023 Wisconsin Act 73 by the enactment of an ordinance after the effective date of 2023 Wis. Act 73; and

WHEREAS, the Village of Board of Trustees finds that the public health, safety, and welfare will be promoted by opting out of the extended closing hours provided for the Republican National Convention;

NOW THEREFORE, the Village Board of the Village of Mount Horeb, Dane County do hereby ordain as follows:

SECTION I. Pursuant to §§ 64c(4)(b)(3), 64c(4)(c)(3), and 64c(4)(d)(3) of 2023 Wisconsin Act 73, the Village of Mount Horeb hereby acts to "opt-out" of the extended hours otherwise permitted under 2023 Wis. Act 73, § 64c for the Republican National Convention, and the closing hours set forth in the closing hours specified in Wis. Stat. §§ 125.29(8)(a), 125.52(5)(a), and 125.53(4)(a), 125.32(3)(a), 125.68(4)(c)1 shall remain in effect throughout and convention period.

SECTION II. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION III. This Ordinance shall take effect after its passage and posting/publication as required by law.

The foregoing ordinance was duly adopted by the Village Board of the Village of Mount Horeb at its regular meeting held on May 1, 2024.

APPROVED:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

APPROVED: _____
PUBLISHED: _____



HERITAGE
COMMUNITY
OPPORTUNITY

Village of Mount Horeb

138 E Main Street

Mount Horeb, WI 53572

Phone (608) 437-6884/Fax (608) 437-3190

Email: mhinfo@mounthorebwi.info Website: www.mounthorebwi.info

PROCLAMATION FOR PUBLIC SERVICE RECOGNITION WEEK

Whereas, the men and women who serve in our public service sector are the backbone of our Village government and play a vital role in ensuring the well-being of our community; and

Whereas, these dedicated public servants work tirelessly to provide essential services to our Village, maintaining our roads, parks, and infrastructure, ensuring the safety our community, and continuously striving to offer high quality of services and amenities for our residents and businesses,

Whereas, Public Service Recognition Week offers an opportunity to honor and recognize the tireless efforts of our public servants, who work selflessly day in and day out to serve the public good;

Let us recognize the outstanding work and dedication of our public servants, and let us express our heartfelt thanks for their commitment to the public good. Together, let us honor and celebrate the vital role of public service in our communities and our nation.

Now, therefore, I, Ryan Czyzewski, do hereby proclaim the week of May 5th through May 11th, 2024, as Public Service Recognition Week in the Village. I call upon all Village residents to join me in recognizing the hard work, dedication, and sacrifice of our public servants.

DATED this 1st day of May 2024.

Signed: _____
Ryan Czyzewski, Village President



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

AGENDA ITEM # 6.e

Consideration: Annual Review of Village Ethics Policy

BACKGROUND

Educate new and existing Board members and address any modifications before Committees and Commissions have their annual reminder of it at their 1st meeting after May 1st with new citizen members

RECOMMENDATION

ATTACHMENTS

1. Ethics Code

Ethics Code

1. Statement of Purpose.

- (a) The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established in this Code of Ethics for all Village of Mount Horeb officials and employees, whether elected or appointed, paid or unpaid, including members of boards, committees and commissions of the Village, as well as any individuals who are candidates for elective office as soon as such individuals file nomination papers with the Village.
- (b) The purpose of this Ethics Code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions that are incompatible with the best interests of the Village of Mount Horeb and by directing disclosure by such officials and employees of private financial or other interests in matters affecting the Village. The Village Board believes that a Code of Ethics for the guidance of elected and appointed officials and employees will help them avoid conflicts between their personal interests and their public responsibilities, will improve standards of public service and will promote and strengthen the faith and confidence of the citizens of this Village in their elected and appointed officials and employees. The Village Board hereby reaffirms that each elected and appointed Village official and employee holds his or her position as a public trust, and any intentional effort to realize substantial personal gain through official conduct is a violation of that trust. The provisions and purpose of this Ethics Code and such rules and regulations as may be established are hereby declared to be in the best interests of the Village of Mount Horeb.

2. Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Public Official.** Those persons serving in statutory elected or appointed offices provided for in Chapter 62 of the Wisconsin Statutes, and all members appointed to boards, committees and commissions established or appointed by the Village President and/or Village Board pursuant to this Code of Ordinances, whether paid or unpaid.
- (b) **Public Employee.** Any person excluded from the definition of a public official who is employed by the Village.
- (c) **Anything of Value.** Any gift, favor, loan, service or promise of future employment, but does not include reasonable fees and honorariums, or the exchange of seasonal, anniversary or customary gifts among relatives and friends.
- (d) **Business.** Means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual or any other legal entity which engages in profit-making activities.
- (e) **Personal Interest.** The following specific blood or marriage relationships:
 - (1) A person's spouse, mother, father, child, brother or sister; or
 - (2) A person's relative by blood or marriage who receives, directly or indirectly, more than one-half ($\frac{1}{2}$) support from such person or from whom such person receives, directly or indirectly, more than one-half ($\frac{1}{2}$) of his support.
- (f) **Significant Interest.** Owning or controlling, directly or indirectly, at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of the outstanding stock of at least ten percent (10%) or Five Thousand Dollars (\$5,000.00) of any business.

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- (g) **Financial Interest.** Any interest which shall yield, directly or indirectly, a monetary or other material benefit to the officer or employee or to any person employing or retaining the services of the officer or employee.
 - (h) **Staff.** Any full- or part-time employee of the Village.

3. Statutory Standards of Conduct.

There are certain provisions of the Wisconsin Statutes which should, while not set forth herein, be considered an integral part of any Code of Ethics. Accordingly, the provisions of the following sections of the Wisconsin Statutes, as from time to time amended, are made a part of this Code of Ethics and shall apply to public officials and employees whenever applicable, to wit:

- (a) **Sec. 19.59.** State Ethics Law.
- (b) **Sec. 946.10.** Bribery of Public Officers and Employees.
- (c) **Sec. 946.11.** Special Privileges from Public Utilities.
- (d) **Sec. 946.12.** Misconduct in Public Office.
- (e) **Sec. 946.13.** Private Interest in Public Contract Prohibited.

4. Responsibility of Public Office.

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of this State and carry out impartially the laws of the nation, state and municipality, to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their office regardless of personal considerations, recognizing that the public interest must be their prime concern. Their conduct in both their official and private affairs should be above reproach so as to foster respect for government.

5. Dedicated Service.

- (a) Officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.
- (b) Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.
- (c) Members of the Village staff are expected to follow their appropriate professional code of ethics. Staff members shall file a copy of such professional ethics codes with the Village Clerk. The Village Clerk may notify the appropriate professional ethics board of any ethics violations involving Village employees covered by such professional standards.

6. Fair and Equal Treatment.

- (a) **Use of Public Property.** No official or employee shall use or permit the unauthorized use of Village-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as Village policy for the use of such official or employee in the conduct of official business, as authorized by the Village Board or authorized board, commission or committee.
- (b) **Use of Village Stationery.** No official or employee shall use, or permit the unauthorized use of, Village stationery for personal use.

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- (c) **Obligations to Citizens.** No official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen. No official or employee shall use or attempt to use his or her position with the Village to secure any advantage, preference or gain, over and above his rightful remuneration and benefits, for himself or for a member of his or her immediate family.
 - (d) **Political Contributions.** No official shall personally solicit from any Village employee, other than an elected official, a contribution to a political campaign committee for which the person subject to this Chapter is a candidate or treasurer.

7. Conflict of Interest.

(a) Financial and Personal Interest Prohibited.

- (1) No official or employee of the Village, whether paid or unpaid, shall engage in any business or transaction or shall act in regard to financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of official duties in the public interest contrary to the provisions of this Chapter or which would tend to impair independence of judgment or action in the performance of official duties.
- (2) Any member of the Village Board who has a financial interest or personal interest in any proposed legislation before the Village Board shall disclose on the records of the Village Board the nature and extent of such interest; such official shall not participate in debate or vote for adoption or defeat of such legislation.
- (3) Any non-elected official who has a financial interest or personal interest in any proposed legislative action of the Village Board or any board, commission or committee upon which the official has any influence or input or of which the official is a member that is to make a recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Village Board or the appropriate board, commission or committee the nature and extent of such interest. Such official shall not participate in debate or discussion or vote for adoption or defeat of such legislation.
- (4) Any Village employee who has a financial interest or personal interest in any proposed legislative action of the Village Board or any board, commission or committee upon which the employee has any influence of input, or of which the employee is a member, that is a make to recommendation or decision upon any item which is the subject of the proposed legislative action shall disclose on the records of the Village Board or the appropriate board, commission or committee the nature and extent of such interest.

- (b) **Disclosure of Confidential Information.** No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Village, nor shall such information be used to advance the financial or other private interests of the official or employee or others.

(c) Gifts and Favors.

- (1) No official or employee, personally or through a member of his immediate family, may solicit or accept, either directly or indirectly, from any person or organization, money or anything of value if it could be expected to influence the employee's official actions or judgments or be considered a reward for any action or inaction on the part of the official or employee.
- (2) No official or employee personally, or through a member of his immediate family, shall accept any gift, whether in the form of money, service, loan, thing or promise, from any person which could reasonably be expected to impair his independence of judgment or action in the performance of his duties or grant in the discharge of his duties any improper favor, service or thing of value. However, it is not a conflict of interest for any public official or employee to receive hospitality that is unsolicited and unrelated to government business, such as a meal, and that is not intended to influence the official.

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- (3) An official or employee is not to accept hospitality if, after consideration of the surrounding circumstances, it could reasonably be concluded that such hospitality would not be extended were it not for the fact that the guest, or a member of the guest's immediate family, was a Village official or employee. Participation in celebrations, grand openings, open houses, informational meetings and similar events are excluded from this prohibition. This paragraph further shall not be construed to prevent candidates for elective office from accepting hospitality, as a properly reported political contribution, from citizens for the purpose of supporting the candidate's campaign. (The State Ethics Board has interpreted "hospitality" as it applies to state officials as including meals, beverages and lodging which a person offers at his residence and would have been offered if the recipient was not an official).
 - (4) Gifts received by an official or employee or his immediate family under unusual circumstances shall be referred to the Village Board within ten (10) days of receipt for recommended disposition. Any person subject to this Chapter who becomes aware that he is or has been offered any gift, the acceptance of which would constitute a violation of this Subsection, shall, within ten (10) days, disclose the details surrounding said offer to the Village Board. Failure to comply with this reporting requirement shall constitute an offense under this Chapter.
- (d) **Representing Private Interests Before Village Agencies or Courts.**
- (1) Non-elected Village officials and employees shall not appear on behalf of any private person (other than him or herself, his or her spouse or minor children) before any Village agency, board, commission or the Village Board if the official or employee or any board, commission or committee of which the official or employee is a member has any jurisdiction, discretion or control over the matter which is the subject of such representation.
 - (2) Elected Village officials may appear before Village agencies on behalf of constituents in the course of their duties as representatives of the electorate or in the performance of public or civic obligations. However, the disclosure requirements of Subsection (a) above shall be applicable to such appearances.
- (e) **Ad Hoc Committee Exceptions.** No violation of the conflict-of-interest restrictions of this Section shall exist, however, where an individual serves on a special ad hoc committee charged with the narrow responsibility of addressing a specific issue or topic in which that individual, or the employer or a client of that individual, has an interest so long as the individual discloses to the Village Board that such interest exists.
- (f) **Contracts with the Village.** No Village official or employee who, in their capacity as such officer or employee, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract with some function requiring the exercise of discretion on his part shall enter into any contract with the Village unless, within the confines of Sec. 946.13, Wis. Stats.:
- (1) The contract is awarded through a process of public notice and competitive bidding or the Village Board waives the requirement of this Section after determining that it is in the best interest of the Village to do so.
 - (2) The provisions of this Subsection shall not apply to the designation of a public depository of public funds.

8. Advisory Opinions.

When an official or employee has doubt as to the applicability of a provision of this Ethics Code to a particular situation or definition of terms used in this Chapter, he should apply to the Village Administrator for an advisory opinion from the Village Attorney and will be guided by that opinion when given. The official or employee shall have the opportunity to present his interpretation of the facts at issue and of the applicability provisions of this Chapter before such advisory decision is made. This Chapter shall be operative in all instances covered by its provisions except when superseded by an applicable statutory provision and statutory action is mandatory, or when the application of a statutory provision is discretionary, but determined by the Village Attorney to be more

appropriate or desirable. Advisory requests and opinions shall be kept confidential, except when disclosure is authorized by the requestor, in which case the request and opinion may be made public.

9. Hiring Relatives.

- (a) This Section governs the proposed hiring of individuals for full-time or part-time work as Village employees who are members of the immediate family of Village employees or elected officials. "Immediate family" includes those relatives by blood or marriage defined in Section 2(e) as personal interests.
- (b) Hiring an immediate family member of any current Village employee or elected Village official will be considered only if that individual has the knowledge and skills, experience or other job-related qualifications that warrant consideration for the position. A person cannot be hired for either full-time or part-time employment in a position immediately supervised by a member of that person's immediate family.
- (c) This Section does not apply to non-elected officials who are asked to accept appointment as members of a Village Board, commission or committee; non-elected officials, however, will be expected to disqualify themselves from participation in matters under consideration which may affect the hiring, retention, classification or compensation of their immediate family if currently employed or being considered for employment by the Village.

10. Employees Covered by Collective Bargaining Agreements.

In the event an employee, covered under a collective bargaining agreement, is allegedly involved in an Ethics Code violation, the terms and conditions set forth in the applicable collective bargaining agreement shall prevail in the administration and interpretation of this Ethics Code Chapter.

11. Employee Protection.

No appointing authority, agent of an appointing authority or supervisor may initiate or administer, or threaten to initiate or administer, any retaliatory action against a Village employee following an employee's disclosure of information related to the violation of any federal or state law, rule or regulation, the mismanagement or abuse of authority, a substantial waste of public funds, or a danger to public health and safety. Nothing in this Section restricts the right of the Village as an employer to take appropriate disciplinary action against an employee who knowingly makes an untrue statement or discloses information, the disclosure of which is specifically prohibited by federal or state law, rule or regulation.



AGENDA ITEM REPORT

MEETING DATE

May 1, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 6.f

Discussion: Sidewalk Cafe permits

BACKGROUND

Per discussion from last Village Board meeting, discussion item on the sidewalk cafe permits. No action will be taken but Trustees or staff may propose changes for future consideration based on discussion. Staff recommendations to clarify the required 5-foot pedestrian path are included in ***bold, italics and underlined***.

RECOMMENDATION

ATTACHMENTS

1. Sidewalk cafe permits Code

12.09 Sidewalk cafe permits.

[Added 5-4-2001 by Ord. No. 2001-04]

- (1) Permit required. It shall be unlawful for any person to sell, or offer to sell, any food for beverage at a sidewalk cafe located on any street, alley, sidewalk, street terrace, or other public property, unless a sidewalk cafe permit is obtained.
- (2) Definition. As used in this section, the following terms shall have the meanings indicated:

SIDEWALK CAFE

Any group of tables, chairs, benches, barriers or partitions, trash containers and suitable decorative devices maintained on any part of the public right-of-way for use by the holder of a restaurant permit under Wisconsin Statutes for the sale of food, refreshments and beverages to the public. **The top consideration with sidewalk permits is public safety and providing a clear, unobstructed pathway for pedestrians.**

- (3) Application procedure. [Amended at time of adoption of Code (see Ch. 1, General Government, Art. V)]
 - (a) Application for a sidewalk cafe permit, including the annual permit fee, shall be filed with the Village Building Inspector. The application shall contain required information including a scale drawing of the site, showing the location of all trees, poles, benches, grates, and other amenities or obstructions, and the exact type, size, and location of the proposed furniture, fences, and other vending equipment.
 - (b) The applicant shall furnish a certificate of insurance, which indicates the existence of comprehensive general liability insurance with the Village of Mount Horeb being named as an additional insured and liability limits of not less than \$500,000 per claim and \$1,000,000 annual aggregate. The certificate shall provide 30 days' written notice to the Village prior to cancellation, nonrenewal, or material change to the policy.
 - (c) Permits are valid April 1st to November 1st unless an extension is granted by the Village Administrator. To renew an existing sidewalk cafe permit, the permit holder who meets all applicable requirements need only submit to the Building Inspector a completed renewal application, along with the appropriate annual fee and certificate of insurance. If the permit holder proposes changes to the site, the application shall be processed in the same manner as an initial sidewalk cafe permit application.
- (4) General restrictions. Approved sidewalk cafe permits are subject to the following restrictions and limitations:
 - (a) Service of alcoholic beverages in all sidewalk cafes is limited to customers ordering food. [Amended 4-3-2002 by Ord. No. 2002-11]
 - (b) No portion of a sidewalk cafe shall be permitted within a ten-foot radius of a fire hydrant, curb-out or marked crosswalk. [Amended at time of adoption of Code (see Ch. 1, General Government, Art. V)]
 - (c) All activities at the sidewalk cafe shall maintain a minimum **width of five feet of direct**, unobstructed public pedestrian walkway between the sidewalk cafe and the edge of the sidewalk adjacent to the curb. **Maintaining this width for public safety is a high priority when approving café permits. Café areas should be monitored throughout the day to ensure the area is free of obstructions.**

- (d) No portion of a sidewalk cafe shall be permitted adjacent to any truck, freight, or passenger-loading zone, or adjacent to any handicapped parking space or loading zone.
- (e) No person holding a sidewalk cafe permit may use any public property, such as light poles or other utility poles, flower planters, trees, or other amenities as a point of attachment for any ropes or other devices as part of the sidewalk cafe.
- (f) All sidewalk cafes shall remain within the boundaries of the sidewalk cafe site on the approved application.
- (g) All materials and equipment forming part of the sidewalk cafe, other than tables and chairs, shall be removed from the site from close of business until normal opening of business each day. **All umbrellas must be removed or closed and secured to the table.** [Amended 4-3-2002 by Ord. No. 2002-11]
- (h) No sidewalk cafe shall be open for business between the hours of 10:30 p.m. and 7:00 a.m. [Amended 4-3-2002 by Ord. No. 2002-11]
- (i) All sidewalk cafes shall be maintained in a clean and hazard-free condition at all times. Garbage cans must be emptied daily. [Amended at time of adoption of Code (see Ch. 1, General Government, Art. V)]
- (j) All sidewalk cafes shall use only nonbreakable dinnerware. **No glass is permitted including pitchers.**

[Added 4-3-2002 by Ord. No. 2002-11]

- (5) Procedure for revocation, suspension, or nonrenewal.
 - (a) In addition to any other penalty provided under this chapter, a sidewalk cafe permit may be revoked, suspended, or not renewed for a specific period of time after notice and hearing as provided herein for violation of any provisions of this chapter or any other Village ordinance.
 - (b) Hearing shall be held by the Village Board. The permit holder shall be notified in writing of the charges at least 10 calendar days prior to the hearing. At the hearing, the Building Inspector, or the Building Inspector's designee, shall present evidence of the alleged violation. The permit holder shall have the opportunity to question witnesses, may call witnesses on their own behalf, and may be represented by counsel. [Amended at time of adoption of Code (see Ch. 1, General Government, Art. V)]
 - (c) After due consideration, the Village Board may suspend the permit for a period not to exceed six months, or revoke or not renew the permit for a period not to exceed one year. The violator shall be notified in writing of the findings and determination of the Village Board. [Amended at time of adoption of Code (see Ch. 1, General Government, Art. V)]
 - (d) The decision of the Village Board shall be a final determination and shall be subject only to judicial review as may be provided by law. Any person aggrieved by the Village Board decision hereunder may seek judicial review within 30 days of the date of the final decision. [Amended at time of adoption of Code (see Ch. 1, General Government, Art. V)]
- (6) Penalty for violation. The penalty for violation of any provision of this section is provided in § 25.04 of this Municipal Code.

