



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

PLAN COMMISSION AGENDA

Wednesday, November 20, 2024 at 7:00 PM

Municipal Building Board Room

138 E. Main Street

Mount Horeb, WI

- 1) Call to order
- 2) Roll call
- 3) Agenda Items
 - a. Consideration of October 23, 2024 Meeting Minutes
 - b. Public Hearing 418, 422 and 426 W Main Street - General Development Plan to Rezone PB to R3 to PD Plan Development
 - c. Consideration of Ordinance rezoning 418, 422 and 426 W Main Street to PD Planned Development
 - d. Request for Waiver of Screening of Vents at 1920 Commerce Drive First Choice Dental
 - e. Consideration of Design Application Windows and Exterior Stairs 303 E Main Street
 - f. Consideration of 114-118 E Main Street - Exterior Siding
 - g. Application for Public Art: Driftless Historium 100 S 2nd Street
- 4) Committee Reports:
 - a. Plan Commission Chair Report
 - b. Village Planner Report
 - c. Building Inspector Report
- 5) 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.

PLAN COMMISSION AGENDA
Wednesday, October 23, 2024 at 7:00 PM

DRAFT MEETING MINUTES

1) Call to order

Chair Ryan Czyzewski called the meeting to order at 7:00 pm in the Board Room of the Municipal Building, 138 East Main Street, Mount Horeb, WI.

2) Roll call

Members Present: Sarah Best, Nate Gauger, Andrew Kidd, Jill Remmert-Willis, Destinee Udelhoven

Members Absent: Peggy Zalucha

Others Present: Village Administrator Owen, Village Planner Kruesel, Assistant Clerk Culberson

3) Agenda Items

a. Consideration of September 25th, 2024 Meeting Minutes

Kidd Motioned to approve the minutes of the September 25, 2024 meeting, Gauger seconded and the Motion carried by unanimous voice vote.

b. Public Hearing: Rezone from I-2 General Industrial to PD- Planned Development General Development Plan, Brunsell Brothers LTD, 1204 E Lincoln Street,

Village Planner Kruesel gave an overview and presentation. The primary two reasons for the rezone were to exceed the impervious maximum from 60% to 64% and the building height maximum from 35 feet to 42 feet. Kruesel explained the recommendations in the General Development Plan establishing flexibilities. The Specific Implementation Plan would cover the other issues identified in the agenda packet memo.

Hearing opened at 7:04pm.

Abutting property owner Brian Durtschi questioned the variance application and what is proposed inside the building.

Resident Teri Volk spoke in opposition questioning traffic, public safety, upkeep of the property, and how many employees.

Hearing closed at 7:10pm.

c. Consideration of Ordinance 2024-13 Rezone I-2 General Industrial to PD-Planned Development General Development Plan for 1204 E Lincoln Street

Wade Wyser from Wyser Engineering addressed the public hearing concerns. The intent of the proposed building is for cold storage and he was unsure if the current operations in the existing facility would expand to the proposed facility. The floor plan proposed an office and breakroom for possibly eight employees. Wyser explained the impervious surface code is low compared to surrounding communities and the height for an auxiliary building could be 60 feet and possibly permitted if reviewed. Owen explained the variance application in the packet was intended to be a rezone application. The Commission discussed the traffic flow and the new proposed access from Cox drive as being an exit. The hours of operation were unknown and the landscaping, lighting and other components would be reviewed and discussed in the SIP.

Motion: Best motion to recommend Consideration of Ordinance 2024-13 Rezone I-2 General Industrial to PD-Planned Development General Development Plan for 1204 E Lincoln Street with the following 10/23/24 Village Planner Memorandum GDP conditions and the Commission adding in 6-7-8:

1. The proposed flexibility to allow the maximum impervious surface ratio of the lot to exceed 60% up to 65% should be granted as proposed in the GDP submittal.
2. The proposed flexibility to allow the maximum building height to exceed 35' up to 42' should be granted as proposed in the GDP submittal.
3. The proposed change to the permitted principal land uses in the I-2 district to include Outdoor Storage and Wholesaling as a permitted by-right principal land use, instead of a requiring a Conditional Use be granted as proposed in the GDP submittal.
4. The proposed change to the number of principal buildings permitted per lot in the I-2 district to include two total principal buildings permitted by-right on the lot, instead of requiring a Conditional Use be granted as proposed in the GDP submittal.
5. Any additional requirements identified by Village Staff, the Village Engineer, the Plan Commission, or the Village Board.
6. Building use shall be restricted to primarily cold storage use as presented in the application packet.
7. Truck traffic shall be restricted to Cox Drive only.
8. Operating hours shall occur only during hours allowed during "quiet code hours".

Kidd seconded and Motion carried by unanimous voice vote.

d. Signage Trolls Vape and Smoke 303 East Main Street

The property owner presented two sign color options: maroon or yellow. Gauger motioned to approve either color and Remmert-Willis seconded. After further discussion a decision was made on the maroon color and Gauger withdrew the motion.

Motion: Best motioned to approve the maroon sign at 303 East Main Street and Gauger seconded. Motion carried by unanimous voice vote.

e. Signage First Choice Dental 1920 Commerce Parkway

Owen gave an overview and approval of the signage and Sign Art confirmed.

Motion: Gauger motioned to approve the signage as presented for 1920 Commerce Parkway and Best seconded. Motion carried by unanimous voice vote.

f. Concept Review of Residential Condominium Development, 418-426 W Main Street

Applicants Aaron Boehnen and Kevin Grivalsky presented the 21-23 zero-lot line residential townhouse/rowhouse project. The project will not be a condominium but would utilize an HOA as a neighborhood and not as a condo. The approximate owner-occupied unit cost would be \$400,000-\$425,000. The applicant is requesting reduced setbacks along the public utility easements and building setbacks on Main and Orchard. The shared drive with the neighboring parcel would be the entry with a private one-way street exit to Orchard Lane. Village Planner Kruesel questioned the need for a dedicated public street for the back units that lack a public street.

Boehnen questioned considering duplexes with possible accessory dwelling units. Owen will discuss the utility easement and setbacks with the Utility Department. The Commission gave back positive feedback and for the applicants to continue with the project.

4) Committee Reports:

a. Plan Commission Chair Report

Czyzewski expressed condolences to the passing of Mike Slavney, the former Village Planner, and to Village Planner Ben Rohr on the birth of his son. The November and December meetings will be moved to the 3rd week of the month.

b. Village Planner Report

No report.

c. Building Inspector Report

No report.

5) Meeting adjournment

Best Motioned to adjourn at 8:17pm. Kidd seconded and Motion carried by unanimous voice vote.

Minutes by Assistant Clerk Jean Culberson



AGENDA ITEM REPORT

MEETING DATE

November 20, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 3.b

Public Hearing 418, 422 and 426 W Main Street - General Development Plan to Rezone PB to R3 to PD Plan Development

BACKGROUND

The Plan Commission will hold a public hearing and take action on the proposal to rezone 3 properties on W Main Street from PB Planned Business to PD Planned Development. Village Planner Ben Rohr has provided his review letter and is recommending tabling of this item to continue to work out more of the details of the development. We have also received feedback from the Fire Department that they have access concerns and would like to recommend revisions on to the turn radius.

RECOMMENDATION

ATTACHMENTS

1. 418_426 W Main PJ GDP Boehnen
2. 418-426 W. Main Street Townhome GDP 11.20.24
3. Ord 2024-15 Rodina Real Estate Rezone

VILLAGE OF MOUNT HOREB
PUBLIC HEARING
November 20, 2024

The Plan Commission of the Village of Mount Horeb will hold a public hearing on the above date at 7:00pm in the Board Room of the Municipal Building, 138 E Main Street, Mount Horeb, WI. The purpose of the hearing is to consider an application from Rodina Real Estate for a zoning change from PB – Planned Business to R3 Multi-Family Residential then to PD-General Plan Development District for a zero-lot line residential development located at 418, 422 and 426 W Main Street further described as parcels 0606-114-2277-2, 0606-114-2290-5 and 0606-114-2294-1.

The Village Board, by its Plan Commission, will hear all persons concerning all matters and/or objections written or oral at that time.

PUBLISH: Mount Horeb Mail October 31, 2024
 Mount Horeb Mail November 7, 2024



To: Village of Mount Horeb Plan Commission
From: Village Planner: Ben Rohr, AICP
Date: November 20, 2024
Re: Proposed Zoning Map Amendment from PB Planned Business Zoning to a Planned Development - General Development Plan (GDP) for 21-23 Townhome Units at 418-426 West Main Street for Rodina Real Estate.

Introduction

Project Overview

Rodina Real Estate is proposing Planned Development zoning to accommodate 21-23 townhome units within 7 buildings on three separate parcels currently zoned PB Planned Business (68,000 sf total property).

The property is located at the corner of West Main Street and Orchard Lane within an existing mixed-use area that includes single-family homes, commercial businesses, light industrial uses, and indoor storage. 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 three existing parcels today are designated as Multi-Family Residential on the Village's Comprehensive Plan Future Land Use Map. The development of townhomes and the proposed GDP rezoning is consistent with this designation.

The proposed project includes seven separate buildings that combine for a total of 21-23 new townhome-style units with individual entries, garages, and access. In summary this includes:

	Building Number On Site Plan	Number of Units Per Building	Street Facing
Building 1 (Southwest)	1-3	3	Main Street
Building 2 (Southcentral)	4-6	3	Main Street
Building 3 (Southcentral)	7-8	2	Main Street
Building 4 (Southeast)	9-11	3	Orchard Street
Building 5 (Northeast)	12-14	3	Orchard Street
Building 6 (Northcentral)	15-17	3	Internal Drive
Building 7 (Northwest)	18-21	4	Internal Drive

The developer is proposing to create individual parcels for each unit so that they can be sold separately. This will require a Preliminary and Final Plat that combines the three existing parcels together and establishes new individual parcels for each unit.

Prior to rezoning the property Planned Development and developing a customized GDP for the project, the following items are still unresolved:

- A Preliminary Plat is needed to indicate the size, dimensions, and setbacks associated with each proposed new parcel, building, and unit on the site.
- As discussed during the October Plan Commission meeting, there are remaining unresolved concerns regarding:
 - Establishing new parcels that do not have access from a public right-of-way
 - Public safety access concerns due to the width of the internal drive
 - Stormwater concerns as no stormwater plans have been provided
 - Utility concerns in terms of potentially encroaching existing easements

Village Planner's Recommendations Regarding the GDP

If acceptable to the Plan Commission, the Village Planner recommends the Plan Commission **tables this project** until further information is provided by the applicant and each of the Village Departments has an opportunity to review, comment, and provide input on the proposed project. Specifically, the Village would request:

- Submittal of a Preliminary Plat by the applicant.
- Submittal of a Proposed Stormwater Management Plan by the applicant.
- Submittal of a Proposed Erosion Control and Grading Plan by the applicant.

A recommended set of next steps for this project include:

- Resubmittal of the GDP with the additional plans as noted above.
- Rezoning, Preliminary Plat, and GDP reviewed and acted upon by the Village Plan Commission and Board.
- Submittal of the Final Plat and SIP.
- Final Plat and SIP reviewed and acted upon by the Village Plan Commission and Board.

**VILLAGE OF MOUNT HOREB
ORDINANCE 2024-15**

**AN ORDINANCE CHANGING THE ZONING CLASSIFICATION
FROM I-2 General Industrial TO PD-GENERAL PLAN DEVELOPMENT**

WHEREAS, Patrick Burke is the owner of the properties located at 418, 422 and 426 W Main Street in the Village of Mount Horeb further described as parcel numbers: 0606-114-2277-2, 0606-114-2290-5 and 0606-114-2294-1

WHEREAS, Rodina Real Estate, on behalf of owner Patrick Burke, has made application to the Village to request a change in zoning from PB Planned Development to R3 Multifamily to PD-General Plan Development for the above referenced parcel; and

WHEREAS, pursuant to sec. 62.23(7)(d), Stats., the Plan Commission held a public hearing on the application on November 20, 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 _____.

By:

Ryan Czyzewski, Village President

ATTEST:

Alyssa Gaffney, Village Clerk

APPROVED: _____

PUBLISHED/POSTED: _____

DRAFT



AGENDA ITEM REPORT

MEETING DATE

November 20, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 3.d

Request for Waiver of Screening of Vents at 1920 Commerce Drive First Choice Dental

BACKGROUND

When the Plan Commission approved the design review application, it did not show vents protruding from the roof on the north side of the building. When the building was under construction, staff noticed the vents and approached the applicant about a solution. They have provided several options which are included in your packet and their preferred option is painting the vents to match the roofing material. Village Planner Rohr has reviewed the options and is recommending going with the fully screened option provided.

RECOMMENDATION

ATTACHMENTS

1. Request for Waiver of Screen Requirement
2. Picture Roof Vents
3. First Choice Dental Design Review - Rooftop Mechanicals Review Memo
11.20.24

November 7, 2024

To:

Village of Mount Horeb
Planning Commission Review
138 East Main Street
Mount Horeb, WI 53572

Subject: Request for Vent Screening Alternative

Dear Village Staff,

We are writing to formally request permission to use an alternative method for addressing the silver roof vents on the First Choice Dental project located at 1920 Commerce Dr. The vents are necessary for the HVAC system, which includes economizers that use outside air for cooling. This improves system efficiency, reduces energy consumption, and provides environmental benefits.

Instead of installing physical screening, we propose painting the vents to match the roof color. As shown in the renderings below, the painted vents help reduce their visibility and allow them to blend more seamlessly with the overall design of the building.

This approach will achieve a similar effect to screening, while maintaining the aesthetic quality of the property.

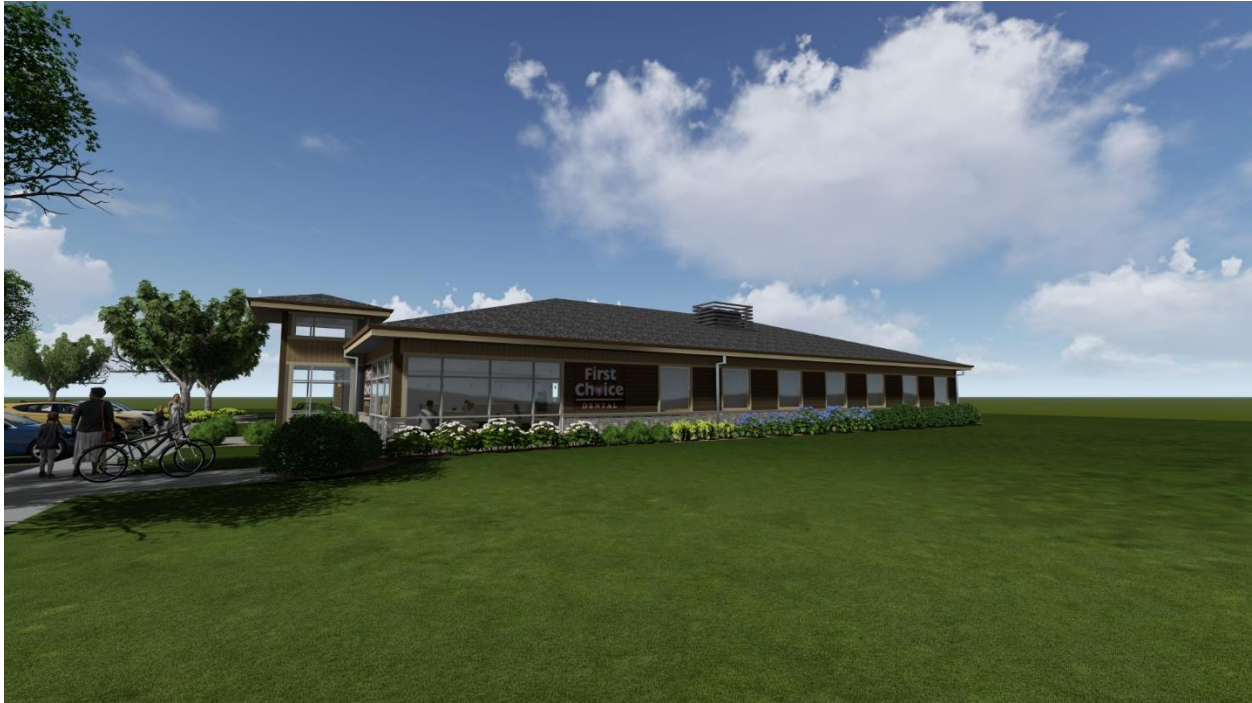
Thank you for considering this request. Please feel free to contact us if you need any further information or clarification.

Sincerely,

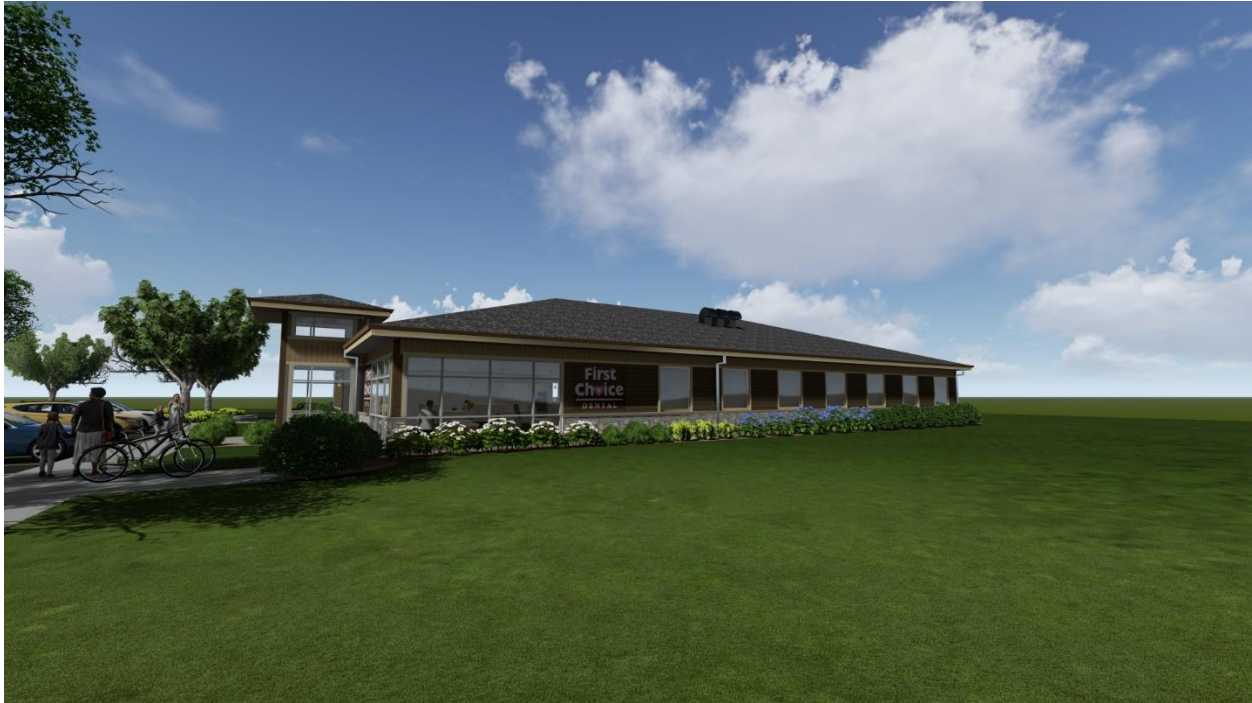


Robin Lawson
Project Manager
1848 Construction

Vent screening:



Painted vent proposed alternative:







MEMORANDUM

To: Village of Mount Horeb Plan Commission
From: Village Planner: Ben Rohr, AICP
Date: November 20, 2024
Re: First Choice Dental Mechanical Screening

Background

March 2024 Plan Commission Meeting - Site Plan and Design Review

First Choice Dental received approval from the Plan Commission for Site Plan and Design Review related to a new 7,000 square foot dental clinic building and associated exterior changes to the property. At that time, no rooftop mechanicals were shown on the submitted plans and the Village Planner Review Memo indicated that the design requirement was met for 17.14(4)(b)12.d. that requires all rooftop mechanicals to be screened from view. See attached Roof Plan and Elevations that were approved during this meeting.

Fall 2024

The project is now constructed (or nearly completed), and Village staff noticed three large silver metal rooftop structures on the north side of the roof (facing Springdale Street). Village staff contacted the applicant regarding the mechanicals and the item is before the Plan Commission here today.

Situation Overview

- The submitted project review materials were complete when reviewed and approved during the March meeting. The only conditions of approval included:
 - Granting the Conditional Use Permit to allow the building to exceed the maximum 30-foot setback from all abutting streets.
 - Design Review waiver for only one pedestrian path connection because of topography constraints associated with establishing a second connection to Springdale Street.
 - Signage Plans be submitted, reviewed, and approved separately (completed October 2024).
- It's not uncommon that when projects get deeper into the details associated with Building Permits and construction documents smaller-scale changes occur, especially related to internal HVAC and similar internal mechanical layouts and designs.
- The now installed ventilation system on the north slope of the pitched roof directly faces Springdale Street, the entryway into the Village. Additionally, due to the hill on this property, the building elevation sits higher than the grade of the roadway along Springdale Street, making the building look larger from that vantage point.

- The Village has taken different approaches in regard to required rooftop screening including waiving such provisions, requiring a separate metal structure for screening, requiring parapets be used as screening, allowing alternative screening approaches, and not allowing rooftop screening.
- The applicant is proposing that instead of adding a separate metal screening structure around the rooftop vents, the vents are painted the same color as the roof to blend with the rooftop's asphalt shingles.



Metal Screening Structure



Painted To Match

Zoning Ordinance Requirements – Design Review Section 17.14

Rooftop mechanical equipment shall be the same height as the lowest elevation point of the surrounding building parapet or roof. However, in the past this has been waived and instead the outdoor display standards have been applied that require adequate screening from view from adjacent properties, streets, drives, and parking areas, as determined by the Plan Commission. Below are two different recent examples of how these standards were applied to other new construction projects:



BACK ELEVATION



Metal screening of rooftop mechanicals



Roof parapet used to screen rooftop mechanicals

Village Planner Discussion

The new First Choice Dental building is at the doorstep to Mount Horeb and can be prominently seen by Village residents, visitors, and other travelers from Springdale Street. The Village strives to achieve high-quality design standards, in particular in high visibility locations like this.

In my opinion, a fully opaque metal structure on all sides of the rooftop ventilation system is better suited to provide screening in comparison to the painted option. A new structure provides more adequate screening, creates an aesthetically pleasing look on the rooftop, and advances the community's goals and objectives for this corridor as codified within the Zoning Ordinance.

The alternative painted option is still an enhancement over the silver-colored ventilation system on the building today. However, in my opinion, it doesn't screen the vents as well because they are still visible from Springdale Street.

Following discussion on this item, the Plan Commission should take one of three motions as outlined below.

Plan Commission Options

1. **Accept the Metal Screening Structure.** Approve a modified version of the Site Plan and Design Review Memo from the March 2024 meeting, inclusive of all recommendations and a new recommendation for 17.14(4)(b)12.d. that states, "The proposed rooftop ventilation system on the northern roof face is adequately screened through the use of a fully opaque metal screening structure surrounding the vents on all sides and matches the color of the roof shingles."
2. **Accept the Painted Vents.** Approve a modified version of the Site Plan and Design Review Memo from the March 2024 meeting, inclusive of all recommendations and a new recommendation for 17.14(4)(b)12.d. that states, "The proposed rooftop ventilation system on the northern roof face is adequately screened through the use of painted vents that matches the color of the roof shingles."
3. **Waive the Requirement (no screening as constructed today).** Approve a modified version of the Site Plan and Design Review Memo from the March 2024 meeting, inclusive of all recommendations and a new recommendation to waive the rooftop mechanical screening requirement in Section 17.14(4)(b)12.d.

Autodesk Docs/First Choice Details - Mount Horeb/240212_First Choice Details - Mt Horeb.rvt

3/1/2024 2:25:04 PM

A
B
C
D

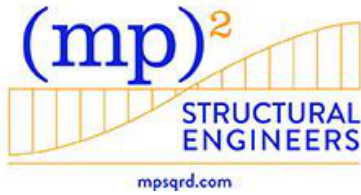
1

2

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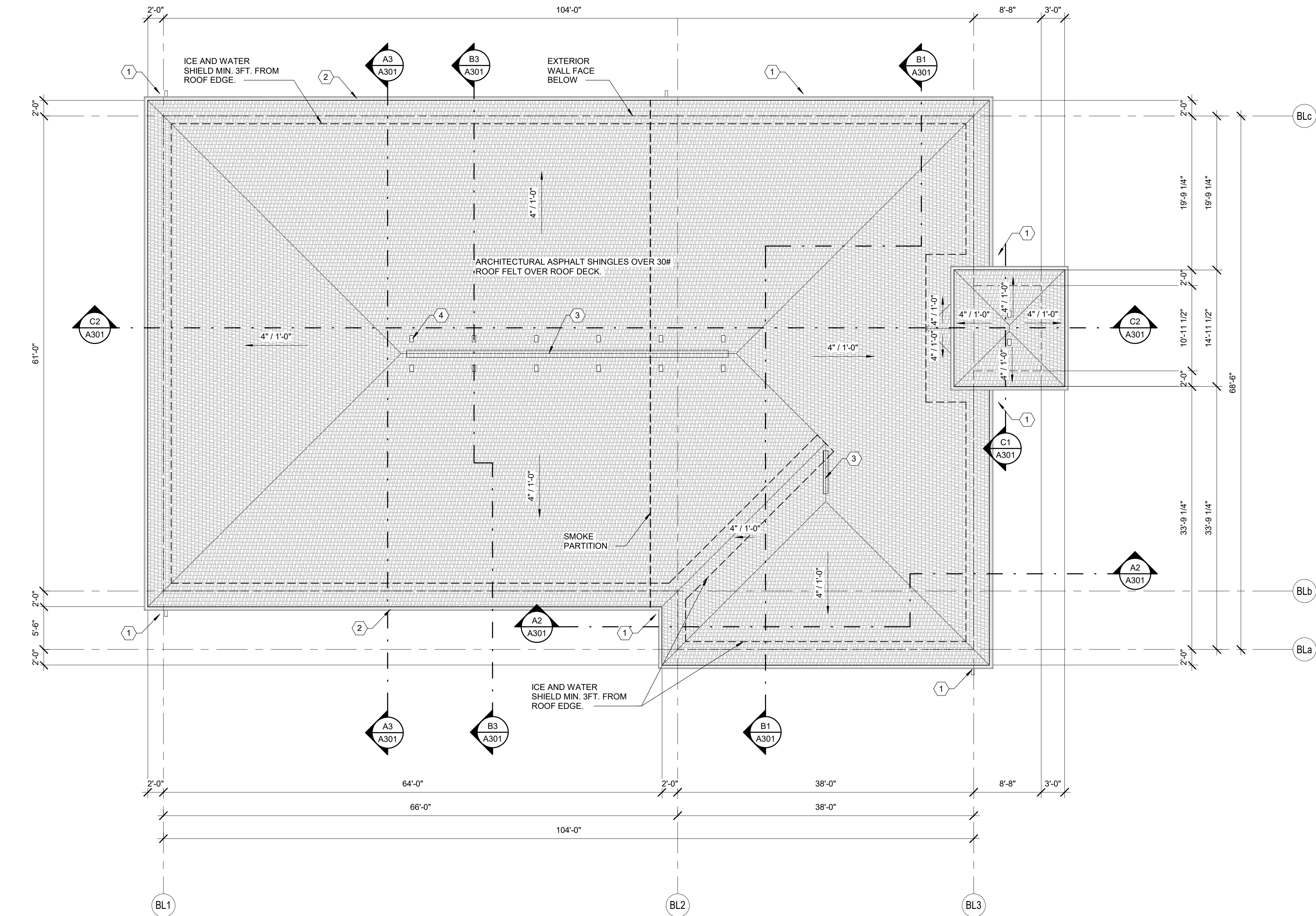
- ROOF PLAN GENERAL NOTES:**
- A. EXTERIOR DIMENSIONS ARE FROM GRIDLINE TO GRIDLINE, OR TO EDGE OF FOUNDATION WALL UNLESS OTHERWISE NOTED. PLEASE CONTACT ARCHITECT WITH ANY DISCREPANCIES.
- B. DIMENSIONS ARE TO FACE OF EAVE UNLESS NOTED OTHERWISE. VERIFY ALL EXISTING CONDITIONS AND ADJUST WALL DIMENSIONS ACCORDINGLY. CONTACT ARCHITECT WITH ANY DISCREPANCIES.
- C. MECHANICAL CHASE INTERIOR WALLS SHALL BE CONTINUOUS TO BOTTOM OF RATED CEILING ASSEMBLY CAP. MAINTAIN CONTINUITY OF FIRE RATING FROM LOWEST FLOOR THROUGH ROOF OR AS OTHERWISE INDICATED.
- D. FINAL DOWNSPOUT / SCUPPER LOCATION(S) SHOULD BE COORDINATED BETWEEN THE ROOFING CONTRACTOR, THE ARCHITECT AND THE CIVIL ENGINEER, VERIFY LOCATION OF DOWNSPOUTS.



- # ROOF PLAN KEYNOTES:**
- 1 DOWNSPOUT LOCATION, SEE A102.
- 2 GUTTER LOCATED AROUND FULL PERIMETER OF ROOF FOOTPRINT
- 3 CONTINUOUS SHINGLE-OVER STYLE RIDGE VENT MIN 18 SQ. INCHES PER LINEAL FOOT OF NET FREE AREA
- 4 ROOF VENT MIN 60 SQ. INCHES OF NET FREE AREA

ROOF VENT CALCULATIONS:

6724 SF ROOF=
1614 SQ INCHES NET FREE AREA RIDGE VENT
CONTINUOUS SHINGLE-OVER SYLE RIDGE VENT MIN 18 SQ. INCHES PER LINEAL FOOT OF NET FREE AREA
ROOF VENT MIN 60 SQ. INCHES OF NET FREE AREA
1614 SQ INCHES NET FREE AREA SOFFIT VENT



A1 ROOF PLAN
1/8" = 1'-0"

FIRST CHOICE DENTAL MT HOREB

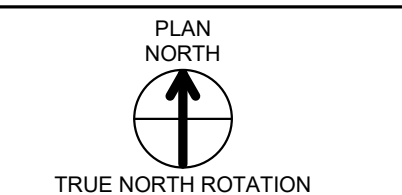
NEW CONSTRUCTION
1920 COMMERCE DRIVE
MT. HOREB, WI 53572

Project Status

24.02.23 FOR CONSTRUCTION

PROJ. #: 23096-01

© SKETCHWORKS
ARCHITECTURE 2024

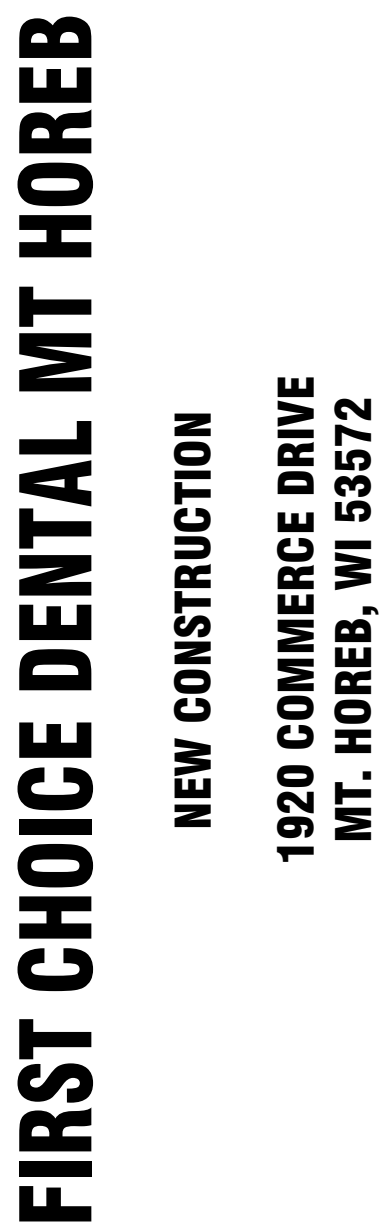


0' 2' 4' 8'
0' 1/4" 1/2" 1"
SCALE: 1/8" = 1'-0"

ROOF PLAN

A103

FOR PERMIT



A201

NOTE: MATERIAL CALLOUTS ARE TYPICAL FOR ALL LIKE CONDITIONS ON ELEVATIONS

FOR PERMIT



AGENDA ITEM REPORT

MEETING DATE

November 20, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 3.e

Consideration of Design Application Windows and Exterior Stairs 303 E Main Street

BACKGROUND

The applicant has submitted a design review application for the replacement of the front window and the extension of the stairway. The window replacement has already been completed due to the condition of the existing windows. The stair extension is needed to make the second floor a legal residential unit. Village Planner Rohr has provided his review comments and recommends approval.

RECOMMENDATION

ATTACHMENTS

1. Design Application Windows-Stairs
2. 300 E. Main Street Design Review 11.20.24
3. 303 East Main - Windows & Stair Pictures
4. SmokeShopStair-Structural-11062024-signed (1)



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

PLAN COMMISSION APPLICATION

PROJECT NAME: Exterior Stairs - Exterior window S, window sign

Project Address 303 E Main St Parcel Number: _____
[Access Dane Link](#)

Zoning Map

Current Zoning _____ Future Land Use Zoning: _____
(select zoning layer in map) (select future land use layer in map)

APPLICANT:	
ADDRESS:	
PHONE:	EMAIL:

OWNER: <u>Ahmed Alattar / Saad Murtadha</u>	
ADDRESS: <u>4238 Barley Ridge Trail - Cherry Valley IL</u>	
PHONE: <u>520-404-3166</u>	EMAIL: <u>TVollSmokeVape@gmail.com</u>

PROJECT DESCRIPTION: Extend existing stairs down to ground -
Replace exterior windows and street sign.

OWNER/APPLICANT SIGNATURE: _____ DATE: 10-22-21

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	

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: _____

Email: _____

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 W Owen
Administrator

APPLICANT

By: _____
Print name: _____
Title: _____



MEMORANDUM

To: Village of Mount Horeb Plan Commission
From: Village Planner: Ben Rohr, AICP
Date: November 20, 2024
Re: Design Review for Exterior Staircase at 300 E. Main Street

Background

Ahmed Alattar and Saad Murtadhq have submitted a request for Design Review for façade alterations. The façade changes include:

- A new black steel staircase that extends to the ground (toward Main Street) from the existing second story black steel landing on the east side of the building.
- The replacement of the existing window on the first floor of the building in the northeast corner that will be impacted by the new staircase location.

The proposed exterior structural changes are to provide additional safety for second floor tenants within the building. All other existing exterior components of the structure and site are proposed to remain unchanged.

The results of the proposed changes do not impact the original components of the structure and reflect other existing buildings in this area, which also has an exterior staircase and landing.

Because of the property's location along Main Street in the Downtown area, these changes will require review and approval under both the Village's Central Business design standards.

Site Plan and Design Review

Design Review is required within the Central Business Zoning District that includes Plan Commission review and approval of any exterior construction, alteration, or remodeling.

Section 17.43(8) of the Zoning Ordinance requires. "No person shall perform, cause, or permit the exterior construction, alteration or remodeling or the removal, movement, or demolition of any building, structure, or other improvement on premises located within the CB Central Business District without determination from the Plan Commission that the proposed development or alteration corresponds with the typical existing layout of the Central Business District and is compatible with the existing characteristics of the area and/or original design of the improvement. In its determination, the Plan Commission shall take into consideration the special character of the downtown and shall promote the preservation of the traditional Main Street facade and its elements of design and architectural features. Those features would include, but would not be limited to,: building width, the rhythmic characteristic

pattern of bays or windows, building heights, horizontal bands or elements, proportions of new buildings to old, proportion and window proportion, rhythm of solids and voids, materials and color, parking, and side, front and rear setbacks. All considerations will promote the historic and architectural qualities of the downtown and act to preserve its original distinctive character.”

The proposed exterior changes meet all setback and other bulk dimensional requirements of the CB zoning district. The proposed building modifications comply with all requirements of the zoning district.

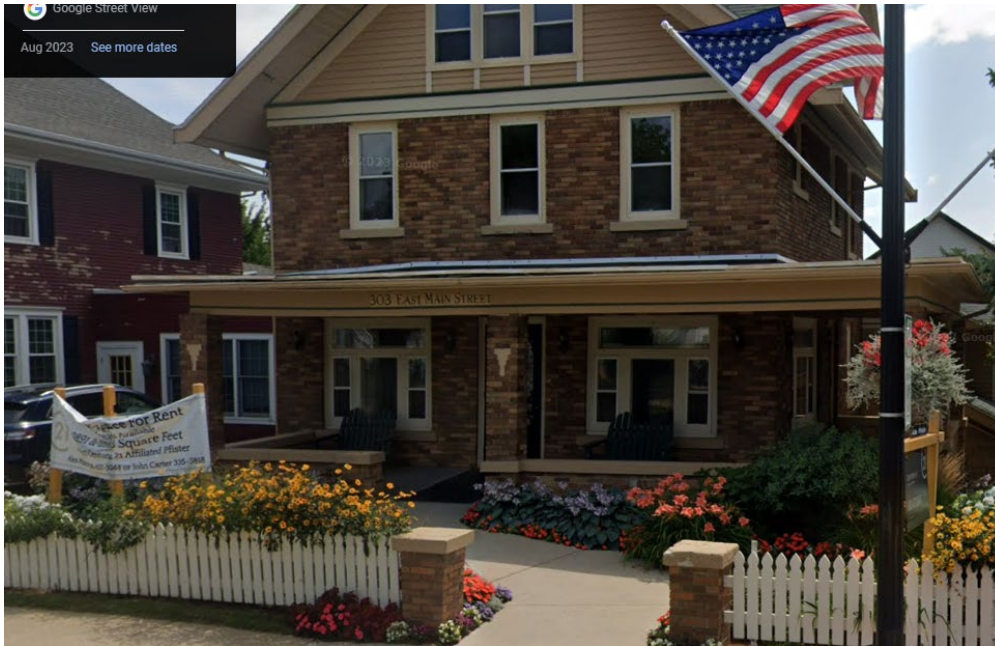
Village Planner’s Recommendation Regarding the Site Plan and Design Review

This project meets the design directives as listed above. I have no recommended changes for the project design. Therefore, after discussion and questions by the Plan Commission about the project, I recommend that the Plan Commission make a finding that the design of the project (including all design directives and any additional design requirements identified by the Plan Commission) makes the development a positive asset to the community, and a positive contribution to the growth and stability of the community’s tax base.

If acceptable to the Plan Commission, the Village Planner recommends the Plan Commission make, consider, and adopt a motion that finds the proposed façade renovations to be fully consistent with the requirements of the Zoning Ordinance, inclusive of full and continuous compliance with the submittal documents, and with any conditions identified by Village Staff and the Plan Commission, as indicated below:

1. Require the property owner to ensure that all elements of the new staircase are located within the property’s boundaries and no portion of the structure shall extend beyond any property lines, subject to approval by Village staff.
2. Require the property owner to provide the design of the proposed window replacement to ensure consistency with the existing window design, subject to approval by Village staff.
3. Any other comments or recommendations of the Village Engineer, Village Fire Department, and/or the Plan Commission.

Previous windows



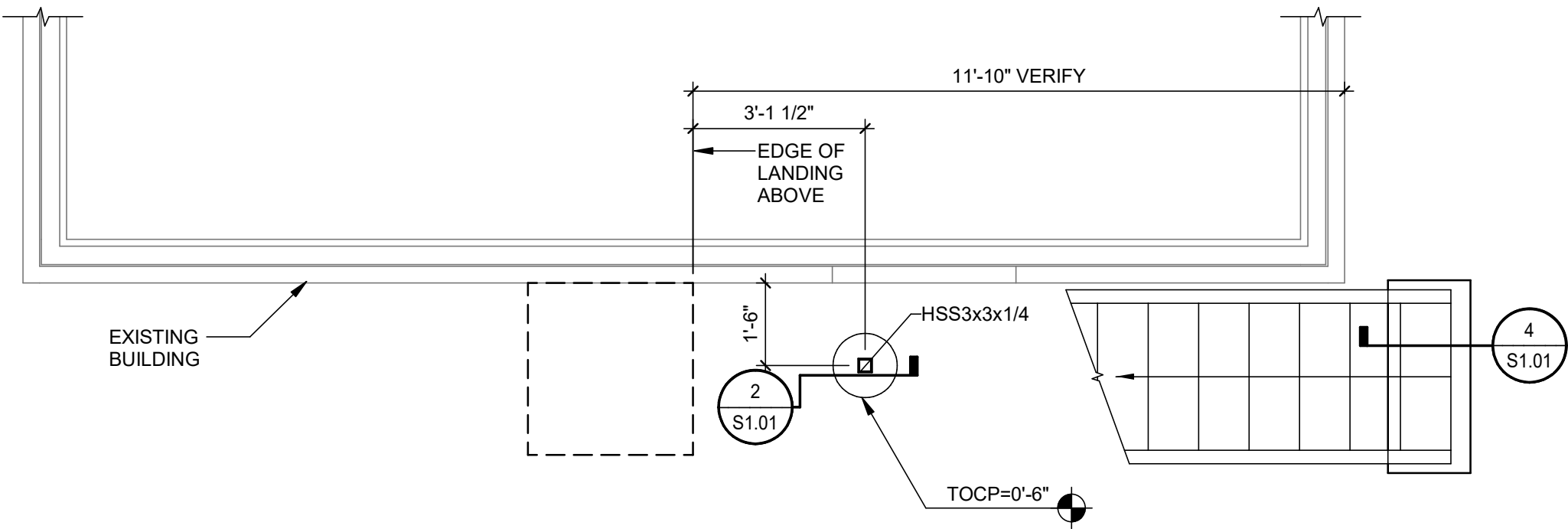
Present:



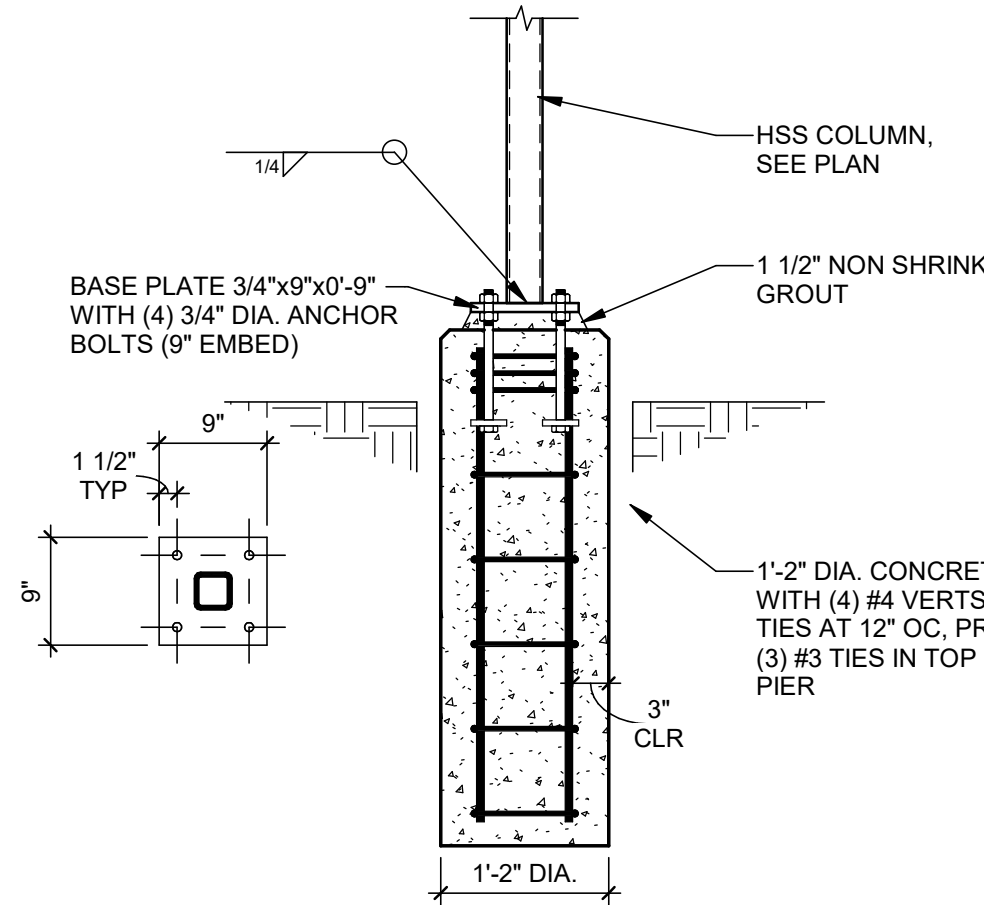
Present Exterior Stairs:



1 FOUNDATION PLAN
SCALE: 3/8" = 1'-0"



2 HSS COLUMN AT PIER
SCALE: NTS



SHEET INDEX

SHEET NUMBER	SHEET TITLE	ORIGINAL DATE	REVISION NUMBER	REVISION DATE
S1.01	FRAMING PLANS AND SECTIONS			

GENERAL NOTES

GENERAL NOTES:

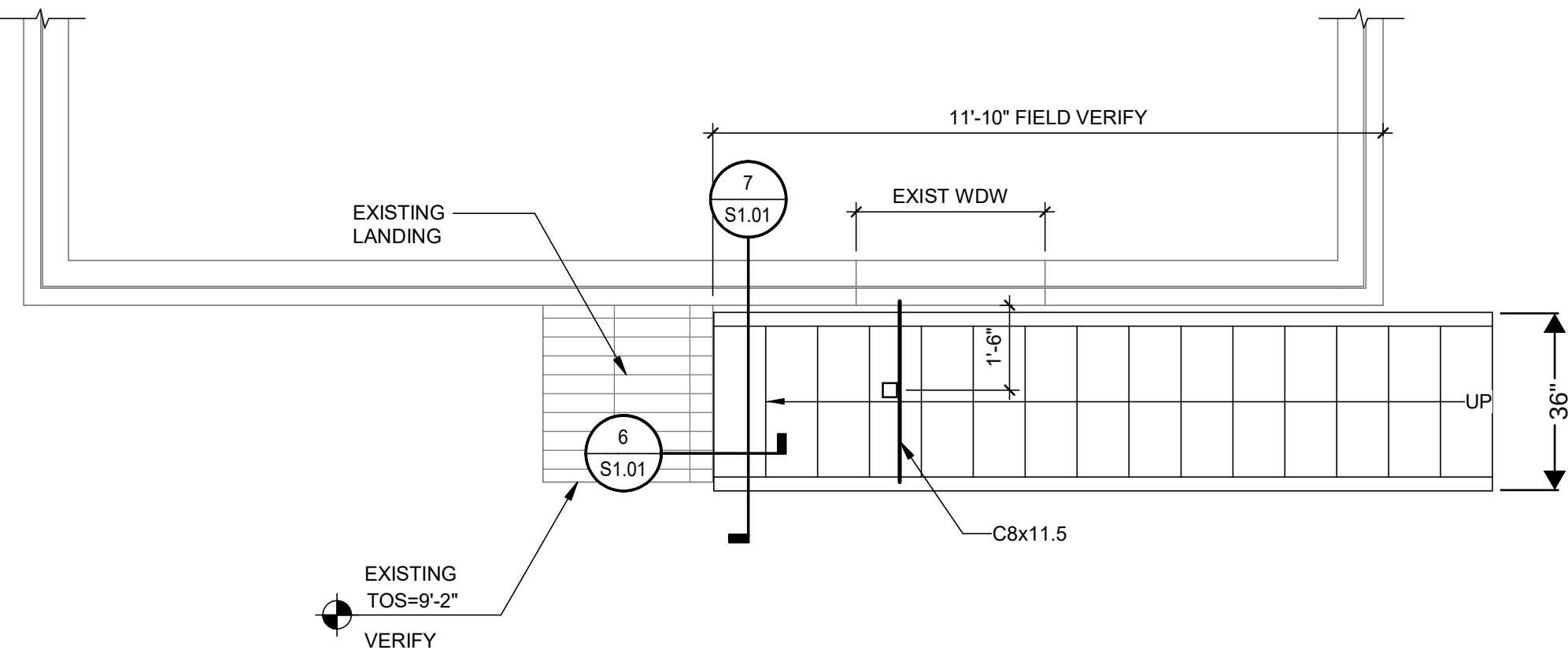
- G1 THE DIMENSIONS SHOWN HERE APPLY TO STRUCTURAL ELEMENTS ONLY, SEE ARCHITECTURAL PLANS FOR ANY DIMENSIONS NOT SHOWN.
- G2 CONTRACTOR SHALL FIELD VERIFY EXISTING STRUCTURAL CONDITIONS. IF ANY DISCREPANCY OCCURS BETWEEN EXISTING CONDITIONS AND PROPOSED ALTERATIONS, CONTRACTOR SHALL CONTACT ARCHITECT AND STRUCTURAL ENGINEER BEFORE PERFORMING ALTERATION WORK.

LEGEND

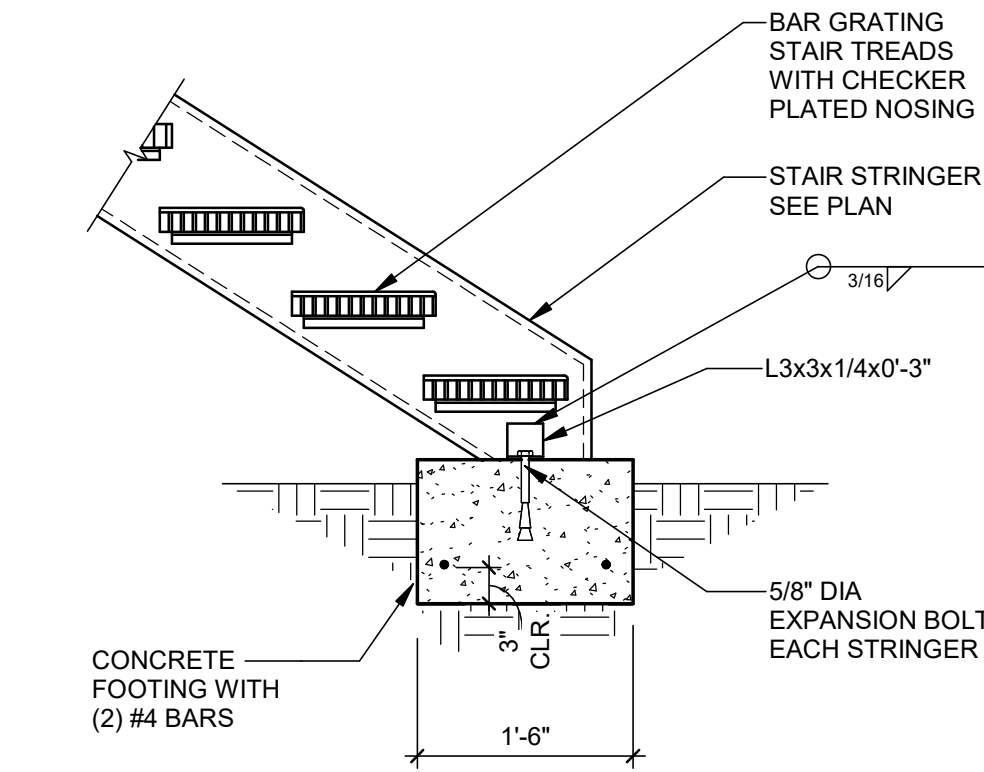
	DETAIL REFERENCE		NEW CONSTRUCTION
	ELEVATION REFERENCE		EXISTING CONSTRUCTION OR PROVIDED BY OTHERS
	GENERAL VIEW REFERENCE		ELEMENT BEYOND/ OPTIONAL
	REVISION CLOUD AND NUMBER		MASONRY (CMU)
			CONCRETE
			EARTH

KEYNOTES

3 STAIR LANING FRAMING PLAN
SCALE: 3/8" = 1'-0"



4 GRATED STEEL STAIR AT GRADE
SCALE: NTS



DESIGN LOADING CRITERIA

- A. APPLICABLE BUILDING CODES:
- 2015 INTERNATIONAL BUILDING CODE (IBC); REFERENCED IN DRAWINGS AS "ADOPTED BUILDING CODE"
 - ASCE 7-10 MINIMUM DESIGN LOADS FOR BUILDING AND OTHER STRUCTURES
- B. RISK CATEGORY: II
- C. DEAD LOADS: SELF WEIGHT OF THE STRUCTURE
- D. LIVE LOADS
- FLOOR LIVE LOADS
 - STAIRS AND EXITWAYS = 100 PSF

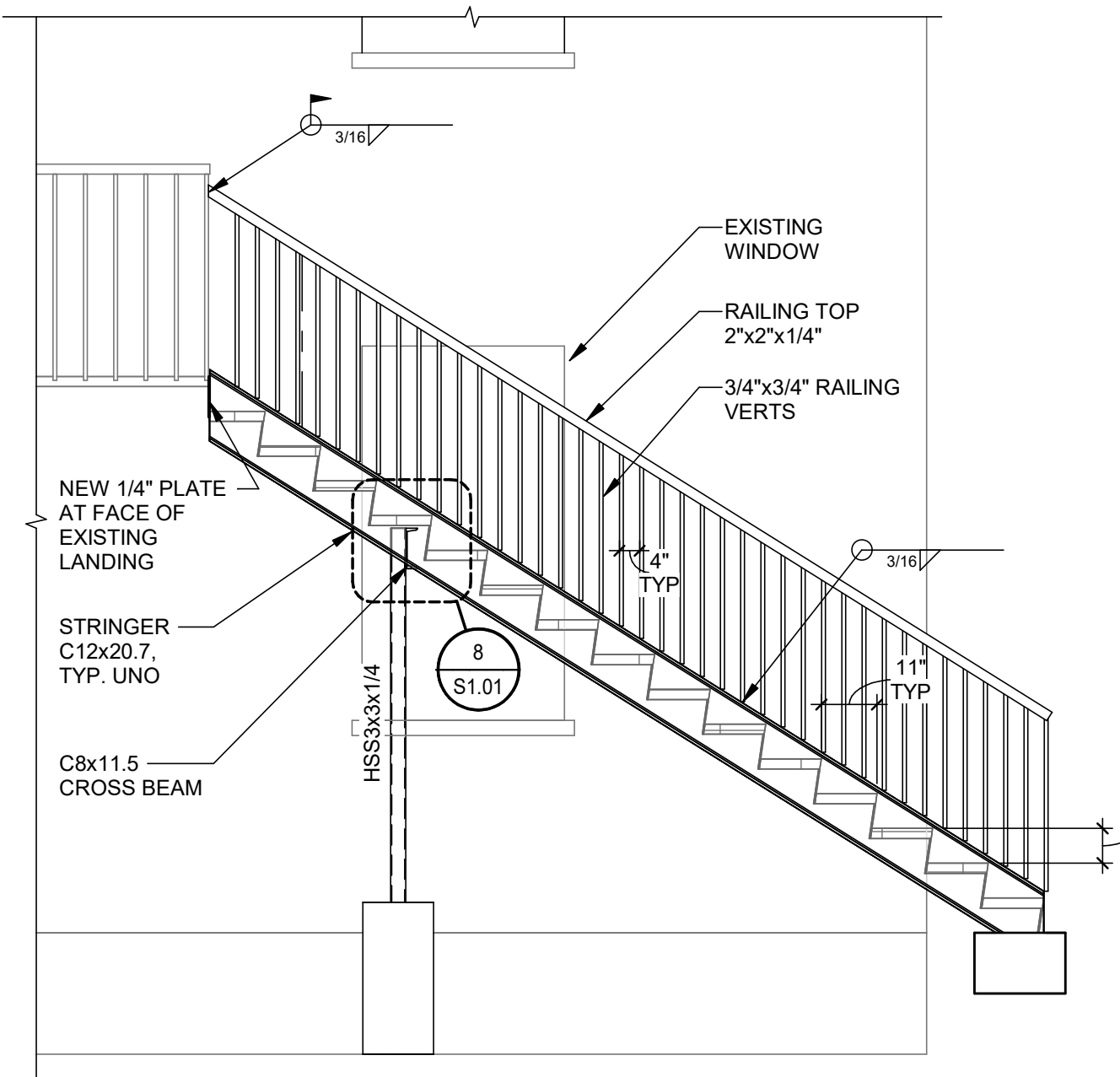
REINFORCING STEEL BAR

- A. GENERAL
- REINFORCING STEEL SHALL BE PLACED IN ACCORDANCE WITH THE CONCRETE AND/OR MASONRY SPECIFICATIONS.
 - REINFORCEMENT BAR WELDING SHALL CONFORM TO CURRENT AWS D1.4 STRUCTURAL WELDING CODE-REINFORCING STEEL
- B. REINFORCING STEEL
- DEFORMED BARS SHALL BE ASTM A615 - GRADE 60.
 - WELDABLE DEFORMED BARS SHALL CONFORM TO ASTM A706 - GRADE 60.

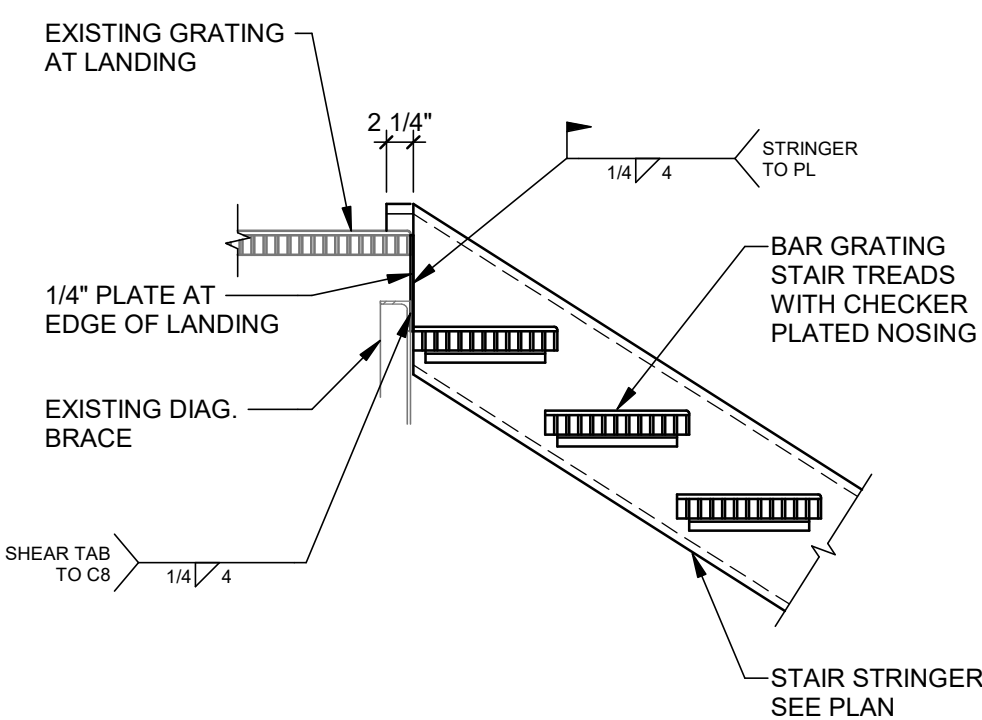
STEEL

- A. GENERAL
- ALL STRUCTURAL STEEL SHALL BE DETAILED, FABRICATED, AND ERECTED IN ACCORDANCE WITH ADOPTED BUILDING CODE CHAPTER FOR "STEEL" AND THE FOLLOWING:
 - AISC 341-10 SEISMIC PROVISIONS FOR STRUCTURAL STEEL BUILDINGS.
 - AISC 360-10 SPECIFICATION FOR STRUCTURAL STEEL BUILDINGS.
 - AISC 303-10 CODE OF STANDARD PRACTICE FOR STEEL BUILDINGS AND BRIDGES.
 - AWS D1.1 STRUCTURAL WELDING CODE STEEL.
 - AWS D1.3 STRUCTURAL WELDING CODE SHEET STEEL.
 - RCSC'S SPECIFICATION FOR STRUCTURAL JOINTS USING ASTM A325 OR A490 BOLTS.
 - AWS D1.7 GUIDE FOR STRENGTHENING AND REPAIRING EXISTING STRUCTURES.
 - AWS D1.8 STRUCTURAL WELDING SEISMIC SUPPLEMENT.
 - ALL WELDING SHALL CONFORM TO CURRENT AMERICAN WELDING SOCIETY STANDARDS AND TO BE PERFORMED BY CERTIFIED WELDERS.
- B. STRUCTURAL STEEL SHAPES
- PLATES, ANGLES, CHANNELS, AND BARS SHALL BE ASTM A36.
 - RECTANGULAR HSS SHAPES SHALL BE ASTM A500-GRADE B ($F_y=48$ ksi)
- C. WELDING
- WELDING ELECTRODES SHALL BE E70XX, UNLESS NOTED OTHERWISE
- D. BOLTS AND CONNECTIONS
- BOLTS IN STANDARD STEEL TO STEEL CONNECTIONS SHALL BE ASTM A325N. IF WEATHER OR CORROSION RESISTANCE BOLTS ARE REQUIRED, USE A325N TYPE 3 BOLTS.
 - HIGH STRENGTH BOLTS IN STEEL TO STEEL CONNECTIONS SHALL BE ASTM A490. THE TWIST-OFF-TYPE TENSION CONTROLLED BOLTS SHALL BE ASTM F1852.
 - ANCHOR BOLTS IN CONCRETE OR MASONRY SHALL BE ASTM F1554 - GRADE 36, UNO.
 - NUTS SHALL BE ASTM A663
 - WASHERS SHALL BE F436. DIRECT-TENSION-INDICATOR WASHERS SHALL BE F959.
 - THREADED RODS SHALL BE ASTM A36.
 - TYPICAL BOLT HOLES IN STEEL SHALL BE 1/16" LARGER THAN BOLT DIAMETER, UNLESS NOTED OTHERWISE ON DRAWINGS. BOLT HOLES FOR ANCHOR BOLTS SHALL BE OVERSIZED PER THE AISC.

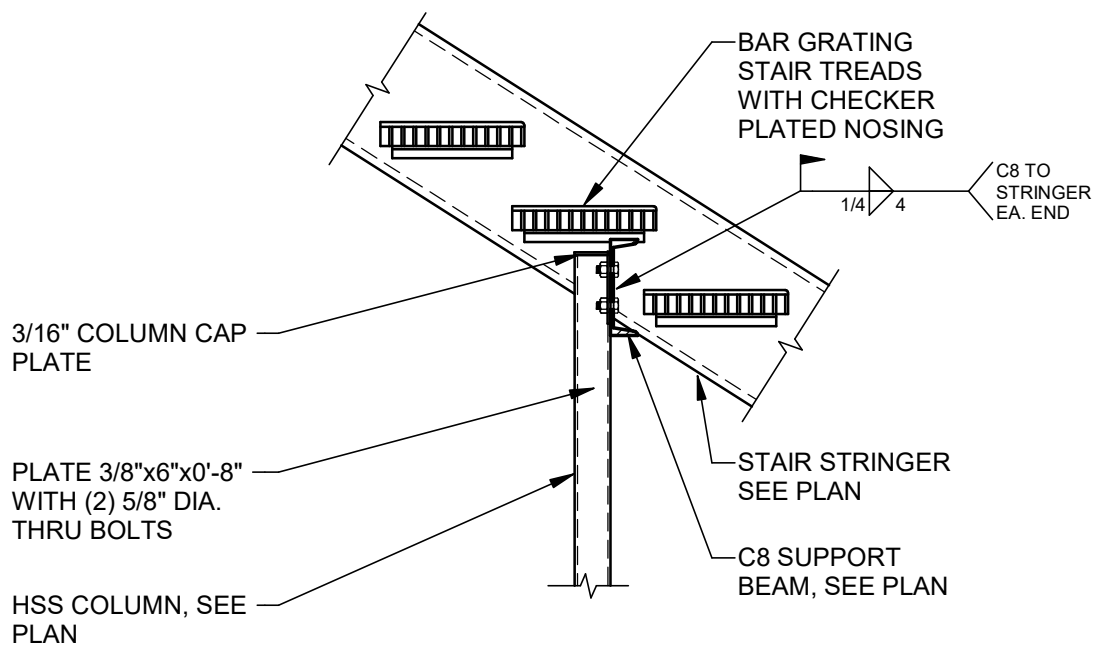
5 STAIR ELEVATION
SCALE: 3/8" = 1'-0"



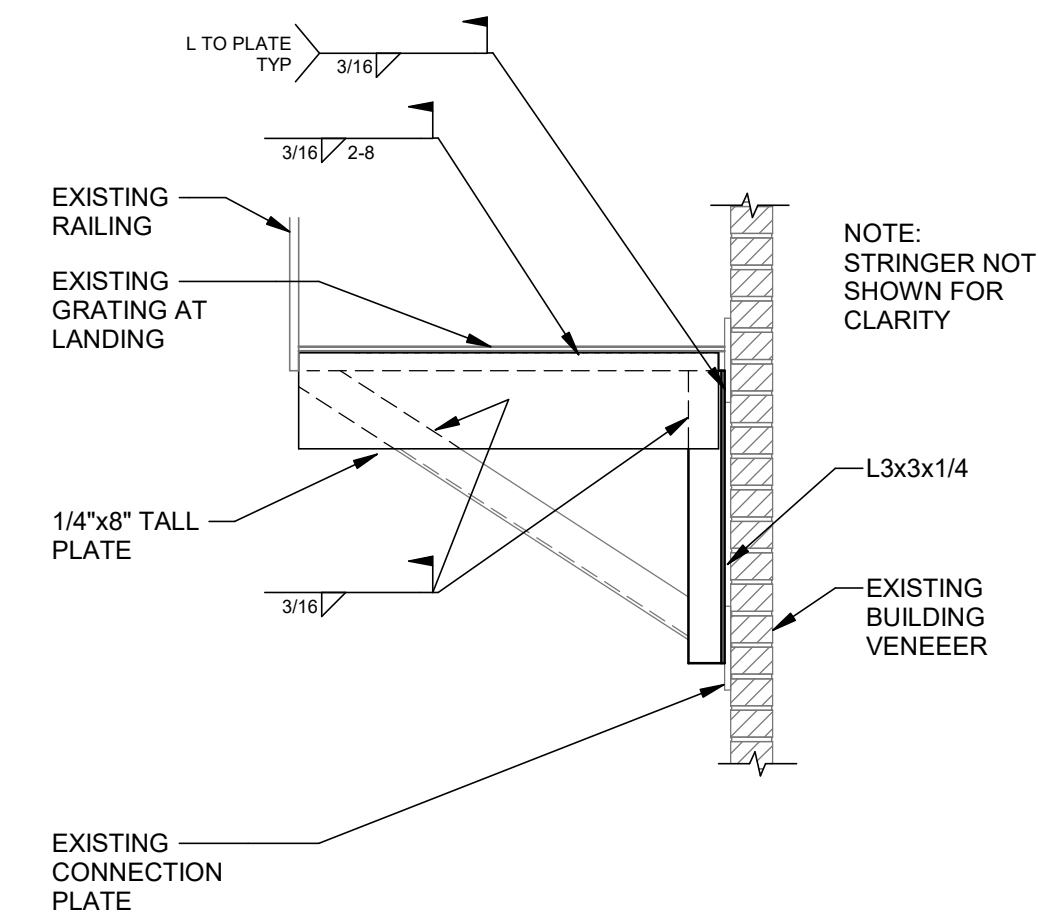
6 GRATED STEEL STAIR FROM LANDING
SCALE: NTS



8 HSS COLUMN AT STRINGER
SCALE: NTS



7 CHANNEL TO WALL ATTACHMENT
SCALE: NTS



DATE	
REVISIONS	
NO.	



AGENDA ITEM REPORT

MEETING DATE

November 20, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 3.f

Consideration of 114-118 E Main Street - Exterior Siding

BACKGROUND

Continued discussion with the applicant on the siding color and trim for the rehabilitation of their building.

RECOMMENDATION

ATTACHMENTS

1. Building Views 114-118 E Main
2. Approved Color Black
3. Central Business Zoning - Color Palettes

VICTORIAN

1900's

IT WAS A PERIOD OF CONTRASTS. Natural shades of sand, stone, slate and earth, on homes designed in the style of a Gothic Revival. Accents were everything, with ornate windows, doors and cornices painted in vivid hues that featured every ornament. And whether you're faithfully restoring a home in perfect detail, or simply love the look, our Victorian Preservation Palette® has all the authentic colors you need.



ARTS & CRAFTS

1900's

IT WAS PURELY USEFUL, AND SIMPLY BEAUTIFUL. But the Arts & Crafts Movement was more than California bungalows and Prairie School villas. It was a blend of Victorian windows, Queen Anne oak, Colonial columns, Gothic half-timbering, Mission dormers and bungalow brackets—all painted in the deep, rich Regency colors. And whether you're a craftsman parrot, or you just like the look, our Preservation Palette® has all the colors you need for utilitarian beauty.



Mount Horeb Central Business
Color Palettes

CLASSICAL/COLONIAL

1800

IT IS THE TRUE AMERICAN STYLE. First created by Thomas Jefferson, this balanced blend of 18th century neoclassicism and 19th century romanticism emulated the spirit of a new nation with its leanings toward Ancient Greek and Roman style. Yellowish whites were used to simulate ancient marble. Rookwood Shutter green was used on outside blinds for its resemblance to the bronze shutters of Renaissance buildings. It's a style that continues in popularity today, and you'll find every authentic shade in our Preservation Palette®.



possible palettes



Samples approximate the actual paint color.
Some colors limited to select product lines.

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CS 3/05

Page 31 of 52



Building Inspector

From: Kathy Hagen on behalf of Kathy.Hagen@mounthorebwi.info
Sent: Thursday, March 24, 2016 8:34 AM
To: MHCourt; Building Inspector
Cc: Nic Owen
Subject: Approved Color Black

Kelly and Jean -

Last night the Plan Commission approved to add black to the list of acceptable colors for the downtown CB Central Business historic district. Staff will be able to approve the color unless you feel the use of black is excessive in which case we can refer to the Plan Commission for determination.

Kathy L Hagen
Assistant Administrator
Village of Mount Horeb
138 E Main Street
Mount Horeb WI 53572
608 437-6884 ext 108

VICTORIAN

1900's

IT WAS A PERIOD OF CONTRASTS. Natural shades of sand, stone, slate and earth, on homes designed in the style of a Gothic Revival. Accents were everything, with ornate windows, doors and cornices painted in vivid hues that featured every ornament. And whether you're faithfully restoring a home in perfect detail, or simply love the look, our Victorian Preservation Palette® has all the authentic colors you need.



Blackwood Dark Red SW 3801
Blackwood Red SW 3803
Blackwood Terra Cotta SW 3805
Blackwood Rose Beige SW 3804



Blackwood Dark Brown SW 3806
Blackwood Medium Brown SW 3807
Blackwood Brown SW 3808
Blackwood Beige SW 3809



Blackwood Shutter Green SW 3809
Blackwood Sash Green SW 3810
Blackwood Blue Green SW 3811
Blackwood Jade SW 3812



Blackwood Dark Green SW 3814
Blackwood Olive SW 3815
Blackwood Antique Gold SW 3816
Downing Straw SW 3817



Blackwood Golden Oak SW 3818
Blackwood Gray SW 3819
Downing Sand SW 3820
Downing Stone SW 3821

ARTS & CRAFTS

1900's

IT WAS PURELY USEFUL, AND SIMPLY BEAUTIFUL. But the Arts & Crafts Movement was more than California bungalows and Prairie School villas. It was a blend of Victorian windows, Queen Anne oak, Colonial columns, Gothic half-timbering, Mission dormers and bungalow brackets—all painted in the deep, rich Regency colors. And whether you're a craftsman parlor, or you just like the look, our Preservation Palette® has all the colors you need for utilitarian beauty.



Baycraft Yellow SW 3822
Baycraft Maple SW 3824
Baycraft Brown SW 3825
Baycraft Oak SW 3826



Baycraft Silver SW 3827
Baycraft Copper Red SW 3828
Baycraft Mahogany SW 3829
Baycraft Brown SW 3830



Baycraft Mist Gray SW 3831
Baycraft Brass SW 3832
Baycraft Sand SW 3833
Baycraft Shingle SW 3834



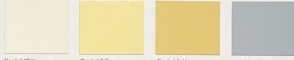
Baycraft Bronze Gray SW 3835
Baycraft Bronze Green SW 3836
Baycraft Rustle Green SW 3837
Baycraft Pewter SW 3838

Mount Horeb Central Business
Color Palettes

CLASSICAL/COLONIAL

1800

IT IS THE TRUE AMERICAN STYLE. First created by Thomas Jefferson, this balanced blend of 18th century neoclassicism and 19th century romanticism emulated the spirit of a new nation with its leanings toward Ancient Greek and Roman style. Yellowish whites were used to simulate ancient marble. Rookwood Shutter green was used on outside blinds for its resemblance to the bronze shutters of Renaissance buildings. It's a style that continues in popularity today, and you'll find every authentic shade in our Preservation Palette®.



Classical White SW 3839
Classical Yellow SW 3840
Classical Gold SW 3841
Colonial Revival Gray SW 3842



Colonial Revival Tan SW 3843
Colonial Revival Stone SW 3844
Colonial Revival Green Stone SW 3845
Colonial Revival Sea Green SW 3846

possible palettes



BODY: Classical Yellow SW 3840
TRIM: Classical White SW 3839
ACCENT: Colonial Revival Green Stone SW 3845



BODY: Colonial Revival Gray SW 3842
TRIM: Colonial Revival Sea Green SW 3846
ACCENT: Classical Gold SW 3841

Samples approximate the actual paint color.
Some colors limited to select product lines.

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Page 33 of 52





AGENDA ITEM REPORT

MEETING DATE

November 20, 2024

PREPARED BY

Nicholas Owen, Administrator

AGENDA ITEM # 3.g

Application for Public Art: Driftless Historium 100 S 2nd Street

BACKGROUND

The Driftless Historium is planning for the addition of a mural on the South Side of their building, facing Buck and Honey's. The proposal is included in this packet. We don't have a good procedure for review of Public Art, such as a mural, so I worked with Village Planner Ben Rohr and found a process from Delavan we would like to follow, and if this process is well received by the Plan Commission, we will adopt it in code. The Delavan code can be found [here](#).

Essentially, since public art can be a very subjective thing, we want to create a straightforward process that allows an applicant to have a reasonable expectation of what they need to provide to achieve approval. Village Planner Rohr and I met with staff from the Historium and Sign Art Studio to review their proposal and the proposed process and all parties were comfortable following that process. The proposal for the mural is included in your packet. The biggest question on this mural is the Historical Society Board would prefer to have their logo on the mural. Having the logo on the mural blurs the line about whether it is strictly public art or a sign.

RECOMMENDATION

ATTACHMENTS

1. DRIFTLESS HISTORIUM - MURAL_R2 - No Logo
2. Driftless Historium - Mural Review Memo 11.20.24
3. City of Delavan, WI Public Art Permits





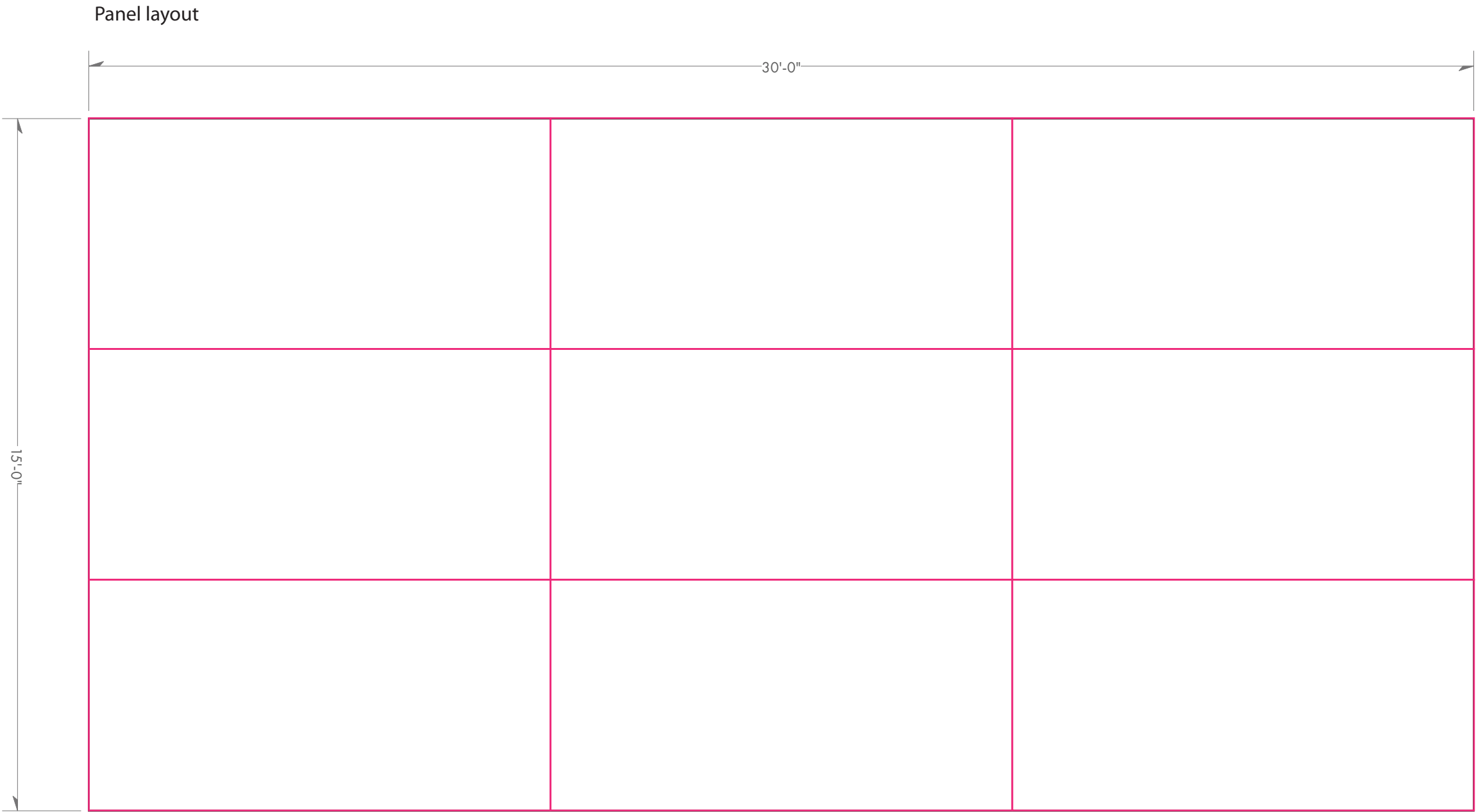
KEY NOTES:
A - Mural Painted on 5x10 ACM PANELS
B - 1/2" Dimensional PVC "Explore the Driftless"
.C - 1/2" Dimensional PVC Driftless Historium Logo, White vinyl on the face.
FINISHES:
CALCULATIONS:

CUSTOMER APPROVAL: _____	DATE: _____	LANDLORD APPROVAL: _____	DATE: _____
By signing this approval you are hereby authorizing Sign Art Studio LLC to proceed with the work as described. Any deviation from these specifications will become the customer's financial responsibility.			
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Mounting location



CUSTOMER APPROVAL: _____		DATE: _____	LANDLORD APPROVAL: _____	DATE: _____	S H E E T
By signing this approval you are hereby authorizing Sign Art Studio LLC to proceed with the work as described. Any deviation from these specifications will become the customer's financial responsibility.				X	
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CUSTOMER APPROVAL: _____	DATE: _____	LANDLORD APPROVAL: _____	DATE: _____
By signing this approval you are hereby authorizing Sign Art Studio LLC to proceed with the work as described. Any deviation from these specifications will become the customer's financial responsibility.			
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S H E E T
X



MEMORANDUM

To: Village of Mount Horeb Plan Commission
From: Village Planner: Ben Rohr, AICP
Date: November 20, 2024
Re: Driftless Historium Mural – 100 S. Second Street

Background

The Village of Mount Horeb has received requests from time to time regarding the installation of public art, in particular in and around the downtown area. Each situation has been handled slightly differently depending on the proposed piece of public art, location, etc. For example, there are a wide variety of troll sculptures in Mount Horeb and those have not been brought forward to the Plan Commission for approval, while in several instances, murals have been reviewed and approved by that body. This has created inconsistencies in the application, review process, and ultimately what's been expected of applicants seeking public art on their properties.

A key defining factor between public art and signage is the use of branding or product names, logos, trademarks, and commercial messages. Public art does not include these elements, whereas signage does and falls within the purview of established Village ordinances and standards. This has been an additional source of confusion regarding the community's approach, policies, and procedures for public art proposals. The Sign Ordinance Section 17.174(13) says that a sign is exempt from the regulations of the ordinance if it is a work of art that does not include a commercial message.

In an attempt to remedy these issues and in light of the Village being open to additional works of public art throughout the community, Village staff have been asked to research and come up with a proposed approach to handling public art separately from the Zoning Ordinance, in particular the Sign Ordinance when the piece of art does not include a commercial message.

The most promising alternative option includes a defined Public Art Ordinance that is separate from the Zoning and Sign Ordinance. An example of this approach has been developed in the City of Delavan (see attached ordinance below). Like Mount Horeb, Delavan is a proponent of public art and created a separate set of procedures and standards to handle their review and approval. This includes:

- Defining the purpose and goals of public art
- Establishing definitions for public art
- Creating eligibility, location, program, and maintenance criteria
- Identifying a permit application and review process

This example ordinance is one that the Village of Mount Horeb would like to test out to gauge how it works and if it is something that should be considered for adoption at a later date. This memo reflects a review of the proposed Driftless Historium Mural in respect to the Public Art Ordinance developed by the City of Delevan. Because the Village does not have any current codified mechanism for handling murals or public art that doesn't contain a commercial message, this memo does not reflect current Village standards or procedures when it comes to the public art portion of this project. Driftless Historium has volunteered to have their proposed project reviewed in this way to provide the Village with an example for subsequent public art applications that may be received in the future.

Analysis

The applicant is proposing to install a 30' x 15' mural on the south wall of the Driftless Historium building that faces E. Front Street and Buck & Honey's. The mural will be painted on panels that are affixed to the surface of the façade. This building face is set approximately 5 feet back from the property line and the proposed mural will not impact the public right-of-way, public safety, visibly, or site access. Additionally, its primary function will be for public viewing from the E. Front Street right-of-way.

The proposed design features an artist depiction of the connection between the region (Driftless Area), farming, and the Village of Mount Horeb. This will enhance the pedestrian experience, add attractiveness to the blank façade, and enrich visitor's experience to this community destination. It will be a static piece of artwork and nonilluminated. The applicant has agreed to maintain the mural following installation to keep it looking aesthetically pleasing on the building façade. Finally, the proposed mural does not exceed the height of the building, extends less than 6" from the building façade, and does not cover any windows, doors, vents, or other distinctive architectural elements of the building.

If the Village adopted a similar ordinance to that of the City of Delevan, a maintenance agreement between the Village and property owner would be required, in addition to a permit issued only after Plan Commission and Village Board approvals.

Outside of the commercial message item discussed further below, this proposed project would meet all requirements of the Delevan Public Art Ordinance.

There are two proposed options for the mural as submitted by the applicant:

- Option A: the Driftless Historium logo is placed in the lower left corner
- Option B: the Driftless Historium logo is removed and not located on the mural at all

Under both the existing Village Sign Code and the example City of Delevan's Public Art Ordinance, the inclusion of branding, logos, or other commercial messages means that this is considered a Wall Sign. This presents another discussion item:

- The logo is located on 1 of 9 proposed panels that make up the mural. The lower left corner panel is approximately 50 sf (10' x 5'). Because it contains a commercial message, under the Village's Sign Ordinance, this would be treated as a Wall Sign. The single panel would conform to the Wall Sign standards. However, if the entire proposed mural (all 9 panels) were to be considered a Wall Sign due to the inclusion of the commercial message, it would not be permitted as it exceeds the maximum size of a Wall Sign for this building.

Option A – Logo Included



Option B – No Logo



Village Planner Discussion

Village staff chose to utilize this project as an example to illustrate how effective and efficient a new Public Art Ordinance could be in reviewing and approving new public art proposed within the community. The Driftless Historium mural meets the criteria as outlined within the Delevan example ordinance, furthers Village goals and objectives, and enhances a key block of downtown Mount Horeb.

However, the commercial message situation requires a discussion by the Plan Commission related to the following items:

1. Should branding, logos, and commercial messages be permitted as part of public art?
 - a. Signage (commercial message) and public art (no commercial message) are inherently treated differently. While in this instance, the commercial message is only a very small portion of the mural, allowing this to be located on a public art piece creates a precedent in that future where proposed public art installations may seek to include a commercial message too.
2. If branding, logos, and commercial messages are permitted to be part of public art, should only that portion of the public art be subject to the Sign Code regulations or should the entire piece of public art be subject to the Sign Code? In this case, that would be 50 sf in the bottom left corner or 450 sf of the entire mural.
 - a. The Sign Code says that public art is exempt from the requirements of the ordinance, but it doesn't currently specify how to regulate public art that contains a commercial message in only one portion. Similar to the situation in item 1 above, how this is handled creates precedent in future proposed public art installations that could include a much larger commercial message or other variation in the split between public art vs. signage.

Overall, my recommendation would be to not permit the logo on this project and treat the entire mural as public art that is exempt from the requirements of the Sign Ordinance. Additionally, I would recommend that the Village pursue the development of a separate Public Art Ordinance that provides a clear set of procedures and requirements for handling this in the future.

If the Village were to continue to default to the Sign Ordinance's Section 17.174(13) that says that a sign is exempt from the regulations of the ordinance if it is a work of art that does not include a commercial message, then there would be nothing for the Village Plan Commission to base an action upon for this project. If it were treated as a Wall Sign under the Sign Ordinance, the size and scale of the proposed mural would not comply. In total, it's currently very difficult to find a regulating mechanism for this project as the Municipal Ordinance is written today.

Village Planner's Recommendations:

I recommend the Plan Commission consider and approve the following requirements for the approval of the Proposed Public Art project at 100 S. Second Street:

1. Require the applicant to install Option B that does not include any branding, logos, or commercial messages.
2. Approval of a public art maintenance agreement between the property owner and the Village of Mount Horeb to be executed prior to construction and be effective for a minimum of five years.
3. Direct Village staff to pursue the development and adoption of a new Public Art Ordinance for the Village of Mount Horeb.
4. Any additional requirements identified by Village Staff, the Village Engineer, the Plan Commission, or the Village Board.

*City of Delavan, WI
Friday, November 15, 2024*

Chapter 7-15. Public Art Permits

[HISTORY: Adopted by the Common Council of the City of Delavan 8-11-2014 by Ord. No. RC-344 (Title 7, Ch. 15, of the 1997 Code). Amendments noted where applicable.]

§ 7-15-1. Purpose.

- (a) The purpose of this chapter is to establish a permitting process that will allow for and encourage the installation of public art throughout the community. Art contributes to livable, aesthetically pleasing and pedestrian-friendly streetscapes. The experience of public art makes a space seem more welcoming. It helps a community remember its past, honor an ideal, and express its values and concerns to future generations. Public art makes a community more livable and more visually stimulating.
- (b) Specific goals of public art are to:
 - (1) Enhance the City's sense of place in the region by providing unique artwork throughout the community in a manner unlike any other place in the area.
 - (2) Celebrate the City's history and cultural spirit and identity through the creation of art that is accessible to the public.
 - (3) Create a recognizable icon.
 - (4) Enhance the appearance and livability of public spaces through the placement of site-specific art projects that respond to the natural and built landscape.
 - (5) Enliven public spaces.
 - (6) Enhance overall quality and identity of the place and/or building.
 - (7) Strengthen community identity, spirit and collective cultural experience through the placement of public art throughout the City.
 - (8) Allow local, regional, national and international artists to share their creations with the community.
 - (9) Stimulate the economic success of businesses.
 - (10) Attract visitors and leave them with a positive impression and a desire to return.
 - (11) Create a more livable community by linking arts and everyday life with the objective of making Delavan the place of choice to live, work, recreate and raise a family.
- (c) Public art should be designed to complement the visual experience of those who live, work or visit the City of Delavan. In addition, the placement of public art throughout Delavan will contribute to the City's economic draw and be an ongoing educational tool and tourism draw for the community. By virtue of the effort, the community should become a richer place for residents and visitors.
- (d) Through the permitting process, the City is able to: (1) ensure that community objectives of public art are achieved; (2) address any public health, safety, and welfare concerns that may arise relative

to the art media or locations proposed; and (3) verify that public access and long-term maintenance issues are addressed.

§ 7-15-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ALTERATIONS

Includes any change to a permitted public art, including but not limited to any change to the image(s), materials, colors, or size of the public art. "Alteration" does not include naturally occurring changes caused by exposure to the elements or the passage of time. Minor changes that result from the maintenance or repair of the public art shall not constitute "alteration." Such minor changes may include slight and unintended deviations from the original image, colors, or materials that occur when the art piece is repaired due to the passage of time or as a result of vandalism.

ARTIST

An individual generally recognized by peers as a professional practitioner of the visual arts as judged by the quality of that professional practitioner's body of work, educational background, experience, past public commissions, and production of artwork. It also may include students or youth who are creating public art under the direct supervision of practicing artist/art teacher.

PROJECT INITIATION DATE

The date on which the first art piece included in the permitted public art project is fully or partially installed on a site.

PUBLIC ART

(a) Includes works of art in any media that have been planned and executed with the specific intention of being sited or staged in or have the ability to be viewed from the physical public domain, usually outside and accessible to all. Public art includes all forms of visual art originally created by an artist or under the artist's direction, whether contemporary or traditional in style, that is located outdoors and is visible to the general public. Works of public art to be placed in the community may include:

(1) **SCULPTURE AND KINETIC ART**

Freestanding, wall supported or suspended; in any appropriate material or combination of materials.

(2) **MURALS AND PAINTINGS**

In any appropriate material or variety of materials, with or without collage.

(3) **MOSAICS**

Including tiled composites on walkway, street furniture and wall surfaces.

(4) **WATER FEATURES**

Including fountains, waterfalls and decorative pools.

(5) **EARTHWORKS**

Environmental works in appropriate outdoor sites.

(6) **GLASS**

Including but not limited to ceramics and lighted glass, including neon and plastic.

(7) **FUNCTIONAL ART**

Including decorative furnishings or fixtures, but not limited to gates, railings, streetlights or seating, if created or decorated by artists as unique elements.

(b) To be considered "public art," the art must be located either upon public property or upon private property for which an agreement to which the City is a party is secured and authorizes

the "public art" subject to the conditions included in the agreement. Whether it is on public or private property, "public art" must be freely accessed by the general public during the normal hours of operation of the premises upon which the art is located. All public art projects must be reviewed by the Plan Commission and approved by the Common Council. Public art that is not approved by the Common Council under this chapter shall also be subject to the provisions of the applicable sections of the Zoning Code and any other ordinance that regulates signs and land use, including any applicable overlay district(s).

SPONSOR (also referred to as APPLICANT)

Any person, firm, corporation or association who applies for and secures a public art permit for the purpose of installing public art as provided for in this chapter. The sponsor shall be responsible for ensuring compliance with all requirements and obligation of the permit including but not limited to obligations relating to maintenance of the public art and its removal if a permit is revoked or terminated. The sponsor shall be a party to any and all agreement(s) provided herein.

§ 7-15-3. Eligibility criteria.

- (a) To be considered "public art," the art must be located either upon public property or upon private property for which an agreement to which the City is a party is secured and authorizes the "public art" subject to the conditions included in the agreement. Whether it is on public or private property, "public art" must be freely accessed by the general public during the normal hours of operation of the premises upon which the art is located. All public art projects must be reviewed by the Plan Commission and approved by the Common Council. The following factors are to be considered in approving "public art":
- (1) Achievement of the goals of public art.
 - (2) The appropriateness of the location for public art.
 - (3) The originality and/or aesthetic quality of the work.
 - (4) The appropriateness of the art media selected for the location.
 - (5) Appropriateness of the work, including theme and size, to a chosen location, including scale of artwork to the site and obstacles of the site.
 - (6) The subject matter is consistent with the goals of public art and appropriate for the proposed location.
 - (7) The artist has demonstrated in the design, aesthetic and functional coordination with the architecture of the building/buildings, streetscape and/or landscape.
 - (8) The proposed maintenance plan and funding level is consistent with "best practices" relative to the type of art media proposed.
 - (9) The sponsor of the program has secured the right to locate the public art on either public or private property as evidenced by a written agreement that may be subject to successful completion of this approval process.

§ 7-15-4. Public art location criteria.

- (a) Display of public art throughout the City is encouraged. There may, however, be areas that are not appropriate for an art display. The following criteria will be considered in determining whether a proposed location for public art should be approved:
- (1) Visibility and public access.
 - (2) Public safety.

- (3) Interior and/or exterior traffic patterns.
 - (4) Relationship of art to the site's existing or future architectural or natural features.
 - (5) Function and uses of the facility or site.
 - (6) Future development plans for the area which may affect the public art project.
 - (7) Relationship of the proposed work to existing works of art or design elements within the site's vicinity.
 - (8) Social or cultural context of the proposed artwork relative to the site and its surrounding environment.
- (b) When a public art display is considered for a particular site, consideration will also be given as to whether or not public art in such a location has the potential to:
- (1) Express the values, diversity and character of the neighborhood.
 - (2) Illustrate the cultural heritage or built heritage or other unique qualities inherent to the site, neighborhood, area or community (such as existing/lost landmarks).
 - (3) Recognize the unique natural settings of shoreline, prairie and wetland present in the City.
 - (4) Reinforce spatial networks that link one neighborhood to another.
 - (5) Enrich the visitor's experience of the place.
 - (6) Enhance the pedestrian experience.
 - (7) Inspire new ways of looking at the community.
 - (8) Reveal aspects of the social, historical, physical or commercial context of the site, neighborhood, area or community.
 - (9) Add to the attractiveness, and therefore, inherent value of the site or area.

§ 7-15-5. Public art program criteria.

- (a) A public art project, once approved, cannot be altered, as further clarified below, unless an amendment reviewed by the Plan Commission is approved by the Common Council.

Additionally, public art, once approved, shall:

- (1) Not have any alterations to the permitted public art.
- (2) Not, if attached to a building:
 - a. Exceed the height of the structure or 100 feet, whichever is lower.
 - b. Extend more than six inches from the building facade.
 - c. Cover windows, doors, vents or other architectural elements such as cornices and pilasters.
- (3) Not contain changing images (moving structural elements, flashing or sequential lights, lighting elements, or other automated methods that result in movement, the appearance of movement, or change of mural image or message, not including static illumination turned off and back on not more than once every 24 hours).
- (4) Not provide for any compensation from the artist or the City to the property owner. "Compensation" is herein defined as the exchange of something of value, including but not limited to money, securities, a real property interest, the barter of goods or services, the

promise of future payment, or the forbearance of debt, and is given to or received by said property owner, or a leaseholder with the right to possession of the wall upon which the public art is to be placed, for the display of the public art, or for the right to place the public art on the property. The applicant shall certify in the registration application that no compensation for the display of the public art or the right to place the public art on the property will be given to or received by the property owner or leaseholder). (However, nothing herein contained is intended to limit or prohibit the compensation of the artist.)

- (5) Not contain any brand name, product name, or abbreviation of the name of any product, company, profession or business, or any logo, trademark, trade name or other commercial message, with the exception of public art that is being created to capture "events" (which may include places, businesses, products, people) of historic value or significance to the Delavan area, except as otherwise approved by the Common Council.
- (6) Remain intact for a minimum of five years subject to the following exceptions:
 - a. The property on which the mural is located is sold and the new owner has requested that the agreement be terminated; or
 - b. The structure or property is substantially remodeled or altered in a way that precludes continuance of the public art.

§ 7-15-6. Public art maintenance criteria.

- (a) Except as otherwise provided for in a written agreement, the sponsor of the project shall retain responsibility for maintenance and regular upkeep of the approved public art per the maintenance plan reviewed and approved in conjunction with the approval of the public art Project. Where appropriate the maintenance plan for the public art shall provide for the treatment of the art with an anti-graffiti coating. If, for any reason, a public art piece is removed, destroyed, or has deteriorated, the owner on which the art is located is responsible for removal except as otherwise provided in a written agreement.

§ 7-15-7. Permit application process.

- (a) A public art permit must be secured for all public art installations. No fee shall be charged for this permit. If the installation is not completed per the approved plan, reinspection fees shall apply.
- (b) Application for a permit for public art must be completed by the sponsoring person, partnership, corporation, limited liability company or other entity and submitted to the Building and Zoning Division of the Public Works Department and shall include the following information:
 - (1) Completed City application form for a public arts permit.
 - (2) Project information on the program including each location (including alternate locations, if any). A dimensioned sketch for each location identifying the boundaries within which the public art element is to be located. Pictures depicting the relationship of the public art element to adjacent buildings and spaces.
 - (3) The overall theme of the public art project and, if applicable, a listing of the specific topics (including alternates, if any) that will be addressed in the individual public art elements of the project.
 - (4) Information on the materials to be utilized for the project and the durability of these materials.
 - (5) Maintenance plan which plan shall include evidence of available funds or a funding source to cover the cost of the maintenance plan as proposed.

- (6) Acknowledgement that agreements must be secured for each location at which public art is to be located, which agreements shall, at minimum, provide rights to the program sponsor to access the property for maintenance purposes and require the owner of the property to commit to maintaining the public art element on the property for a minimum of five years except as otherwise provided for in this chapter.

§ 7-15-8. Permit review process.

- (a) Once submitted, a public art permit application shall be reviewed by the Building and Zoning Administrator as follows:
 - (1) The Building and Zoning Administrator shall determine whether the application is complete and whether the proposed project meets the eligibility criteria to be considered a public art project. If the Building and Zoning Administrator determines that the application is not complete or does not fulfill the eligibility criteria to be considered public art, he shall return the application to the applicant. If the Building and Zoning Administrator determines that the application is complete, he shall so notify applicant.
 - (2) Upon notifying the applicant that his application is complete, the Building and Zoning Administrator shall review the application and evaluate and comment on whether the public art project as proposed meets the criteria established under the program.
 - (3) Upon completion of his review, the Building and Zoning Administrator shall then submit the application to the Plan Commission for review and recommendation to the Common Council as to whether the public art permit should be issued.
- (b) Plan Commission review and recommendation.
 - (1) The Plan Commission shall consider the application at a regular or special meeting open to the public. The public art project sponsor shall be in attendance to present a summary of the proposal and to answer questions that may arise at the meeting.
 - (2) The Plan Commission shall consider the effectiveness of the proposed public art project in meeting the objectives of and criteria for the program and the effect of the proposed project on the health, safety, morals, and general welfare of the surrounding areas and the overall community. The Plan Commission may request further information and/or additional reports from the Building and Zoning Administrator and/or the sponsor.
 - (3) Within 60 days after the public meeting (or within an extension of said period requested in writing by the applicant and granted by the Plan Commission), the Plan Commission is to submit to the Common Council a report on its findings as to whether, in the opinion of the Plan Commission, a public art permit should be approved for the proposed public art project. Said report shall also identify any and all conditions of approval that may be recommended by the Plan Commission.
 - (4) If the Plan Commission fails to make a report within 60 days after the adjournment of the public meeting at which this matter was presented (unless extended as provided for in this section), then the Common Council may proceed with the consideration of the public art permit.
- (c) Common Council review and consideration.
 - (1) The Common Council shall consider the public art application following receipt of the report from the Plan Commission or following the expiration of the 60-day period if no report is filed.
 - (2) The Common Council shall consider the Plan Commission's recommendation regarding the proposed public art project. The Council may request further information and/or additional reports from the Plan Commission, the Building and Zoning Administrator, and/or the applicant. The Common Council shall also consider the effectiveness of the proposed public art project in meeting the objectives of and criteria for the program and the effect of the proposed project on

the health, safety, morals, and general welfare of the surrounding areas and the overall community.

- (3) The Common Council, in the permitting of a public art project, may impose, in addition to the standards and requirements expressly specified by the Municipal Code, additional conditions which the Plan Commission and Common Council consider necessary to protect the best interests of the surrounding area or the City as a whole.
- (4) The Common Council may approve the public art permit application as originally proposed, may approve the application with modifications (per the recommendations of the Building and Zoning Administrator, the Plan Commission, authorized outside experts, or its own members), or may deny approval of the application.

§ 7-15-9. Effect of denial.

No application which has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except if new information is submitted to the Building and Zoning Administrator sufficient to change his recommendation, or the proof of a change of factors used to deny said application is found to be valid by the Building and Zoning Administrator.

§ 7-15-10. Time limits on completion.

Once a permit for a public arts project has been approved, this project, unless an extension is granted by formal action of the Common Council, must commence ("Project Initiation Date") within 365 days of said approval of the permit by the Common Council, and shall be completed within 730 days of the project initiation date. The failure to initiate or complete the project within the periods set forth herein shall automatically constitute a revocation of the public art permit.

§ 7-15-11. Termination or revocation of an approved permit.

- (a) Any public art project found not to be in compliance with the terms of this chapter and/or the conditions under which a permit for the project was issued under this chapter shall be considered in violation of this chapter and shall be subject to the penalties set forth under § 1-1-7 of this Code of Ordinances. A public art permit may be revoked for such a violation by majority vote of the Common Council.
- (b) Public art created or installed under a public art permit that has been terminated or revoked must be removed within 60 days of the date of the notice to remove, or sooner based upon a finding by the Common Council that it is a detriment to the public health, safety, or welfare. If said public art is not removed within the time period provided in the notice, the City shall have the right, but not the obligation, to either remove or contract for the removal of the non-permitted public art media and shall bill the property owner, or other responsible party as provided for in the agreement, for all costs incurred in taking this action. Any costs incurred shall be in addition to the penalties set forth in § 1-1-7 of the Code of Ordinances.

Village of Mount Horeb, Building Inspection

Dept. Building Inspector's Report

August 2024

Month to Date

177 - Building permits have been issued for general construction since Jan . 1St 10 - new UDC permit

Year to Date

6 -General permits in July

10- New UDC single family homes since Jan. 1st

Large Commercial projects currently active

- Upland Hills Remodel is Ongoing
- MARC Project started
- Dental Clinic/Commerce St

- First Choice Dental Permits have been issued

Village of Mount Horeb, Building Inspection

Dept. Building Inspector's Report

September 2024

Year to Date

194 - Building permits have been issued for general construction since Jan . 1St

14 - new UDC permit since Jan 1st

17 -General permits in August

4 - New UDC single family homes since August 1st

Large Commercial projects currently active

- Upland Hills Remodel is Ongoing
- MARC Project started
- Dental Clinic/Commerce St

- First Choice Dental Permits have been issued

Village of Mount Horeb, Building Inspection

Dept. Building Inspector's Report

October 2024

Year to Date

217 - Building permits have been issued for
general construction since Jan . 1St

18 - New UDC permit since Jan 1st

23 -General permits in October

4 - New UDC single family homes
since October 1st

Large Commercial projects currently active

- Upland Hills Remodel
is Ongoing
- MARC Project started
- Dental Clinic/
Commerce St

- First Choice Dental is
ongoing