

President Wagner called the Plan Commission to order on January 20, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, FENNEL & WAGNER. Also present: Planner Kaniewski & Attorney Reilly.

Moved by Fennel, seconded by Townsend, to approve the minutes of the December 16, 2002 meeting as presented. Motion carried without a negative vote.

At 7:03 p.m. the Public Hearing on the Comprehensive/Master Plan Amendment was opened. Dan Scheel, Elegant Farmer on ES – The frontage across from the Elegant Farmer, this is the only expansion area for the business and I would like the Commission to consider changing that to commercial.

Planner – As long as the Village controls commercial so it does not become a strip commercial zone, then changing it to commercial would fit.

Public Hearing was closed at 7:05 p.m.

At 7:05 p.m. the Public Hearing on the Comprehensive Amendments to the Zoning Ordinance was opened. No one appeared for or against. Hearing was closed at 7:06 p.m.

#### **NEW BUSINESS:**

**REZONING FROM A-1 TO P-1 – 1616 HONEYWELL ROAD-RHON ROBERTS, MUKWONAGO BAPTIST CHURCH** – Change of zoning would be for lot 1. Moved by Hankovich, seconded by Fickau, to recommend to the Village Board the change of zoning from A- to P-1 for 1616 Honeywell Road. Motion carried without a negative vote.

**APPROVAL OF CSM-1616 HONEYWELL ROAD-RHON ROBERTS, MUKWONAGO BAPTIST CHURCH** – Moved by Hankovich, seconded by Fennel, to recommend to the Village Board the approval of the CSM with the following conditions:

1. That a 66-foot reservation be shown on Lot 2 to extend 643.97 feet.
2. The 66-foot reservation area also includes an ingress/egress easement to the benefit of Lot 1.

Motion carried without a negative vote.

**CONCEPTUAL APPROVAL OF CSM-MEADOWVIEW LANE-MARTIN ZESS** – Owner proposes a 4-lot CSM between Eagle Lake Avenue and Ahrens Drive.

Fickau – I don't like to block the land to the east.

Bronk – Have you talked to the neighbor to the east? Reply-The owner to the east is not interested in development.

A letter should be sent out by the Clerk and put back on the agenda for February. Letter should state that is what is being proposed, and send copy of plan with it. If they have comments they should come to the meeting or put it in writing and send it to the Clerk. Send a copy to the owner.

**CSM-OLD VILLAGE LIBRARY AND WELL #2 SITE** – Outlot 1 to be sold to neighboring property owner and Lot 1 will be the old library property. Moved by Hankovich, seconded by Townsend to recommend to the Village Board the approval of the CSM. Motion carried without a negative vote.

**CSM FOR LOT LINE ADJUSTMENT-WALGREEN PROPERTY** – Adjustment is for an additional 5 feet at the intersection of STH 83 & CTH ES. Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of the CSM for Walgreen's property. Motion carried without a negative vote.

**CONCEPTUAL APPROVAL OF MUKWONAGO DRIVE EXTENSION** – Owner, Mr. Greenwald proposes extending Mukwonago Drive to the north and then west to CTH 'ES'. Road 'A' should be wider at the intersection with CTH 'ES'. Zoning would be B-2 with a

minimum lot size of two acres. Plan Commission does not seem to have an objection with this plan.

**CONCEPTUAL PRESENTATION OF PHANTOM WOODS DEVELOPMENT – JOE GRASCH** – This is a 20-acre parcel. Multi-family living with a single-family look. Development will include a clubhouse. This will be a 3-phase development and will take about 6 years.

Planner's comments: Use and design is appropriate for the location. Site has a lot of uniqueness to it.

Grasch: Design of buildings will be the same but the colors will be different. Exterior will be brick, stucco, or hardy plank; there will be vinyl used. Pool will be in the 2<sup>nd</sup> phase and the Club House will be in the 1<sup>st</sup> phase.

Plan Commission members do not seem to have an objection to the plan.

**CONCEPTUAL PLAN FOR MLG PROJECT-CTH 'ES'/REGEES I** – This is R-2 zoning with R-4 PUD overlay. R-2 district requires a minimum lot size of 12,000 square feet. Average lot size is 15,641 square feet and the smallest lot is 13,000 square feet. Commission members would like the developer to research alternative designs for the five lots that would exit onto Honeywell Road. Waukesha County would have shoreline review. Developer must submit for approvals from DNR and Army Corp of Engineers. Comprehensive Master Plan does recommend a multi use trail plan.

Bronk – Something needs to be done regarding the 5 lots that exit onto Honeywell Road. The joining of the 2-cul du sacs would take care of any future talks with the neighbors to the south. The Village still needs the multi use trail.

Fickau – I would like to see 15,000 square foot lots, minimum.

Fennel – I have a problem with the 5 lots on Honeywell but not with the lot size.

Bronk & Townsend agree with 15,000 square foot lots.

Townsend & Fennel agree that the 5 lots on Honeywell is a concern and if cul du sacs are the solution then cul du sacs it should be.

**BLUE BAY RESTAURANT SIGN REVIEW** – There will 3 signs; 2 wall mounted and 1 monument sign. Burgundy background will match the trim on the building. Moved by Hankovich, seconded by Fickau, to approve the signage with blue lettering and burgundy background. Motion carried without a negative vote.

#### **HISTORIC PRESERVATION COMMITTEE:**

**INN THE OLDEN DAYS SIGN REPLACEMENT** – Sign replacement was approved by the Historic Preservation Committee. Sign would fit into existing structure. Moved by Fickau, seconded by Townsend, to approve the sign replacement. Motion carried without a negative vote.

#### **OLD BUSINESS:**

**LINDENGROVE PROPOSED EXPANSION** – The existing developers agreement approved the number of units and until they build additional taxable units they cannot build non-taxable units. Village Attorney is to review the developer's agreement and report back at the next plan commission meeting.

**HANNAH HOME HEALTH CARE BUILDING ALTERATIONS** – They lowered the building 2 feet and brought in earth tone colors. Caps around the top will be stainless steel to match the signs. Staff will review the lighting plan. Historic Preservation Commission has accepted the 2 colors and building layout. Moved by Townsend, seconded by Fennel, to accept the HPC recommendation and approve the alterations as proposed. Motion carried without a negative vote.

#### **NEW BUSINESS CONTINUED:**

**ORDINANCE NO. 697** – Residential Land Use Map needs to be updated. Request was for Elegant Farmer land east of ES to be changed to commercial. This is the only place that the

Elegant Farmer can expand. Owner should come back soon for a change of zoning. Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of Ordinance No. 697. Motion carried without a negative vote. NOTE: The March Plan Commission agenda will have multi-family dwellings per acre size and large lots with sidewalks, curb & gutter.

**ORDINANCE NO. 698** –Moved by Townsend, seconded by Fickau, to recommend to the Village board the approval of Ordinance No. 698. Motion carried without a negative vote.

**ORDINANCE NO. 699** –Moved by Townsend, seconded by Fennel, to recommend to the Village board the approval of Ordinance No. 699. Motion carried without a negative vote.

**ORDINANCE NO. 700** –Moved by Townsend, seconded by Fennel, to recommend to the Village board the approval of Ordinance No. 700. Motion carried without a negative vote.

**ORDINANCE NO. 701** –Moved by Townsend, seconded by Fennel, to recommend to the Village board the approval of Ordinance No. 701. Motion carried without a negative vote.

**ORDINANCE NO. 702** –Moved by Townsend, seconded by Fickau, to recommend to the Village board the approval of Ordinance No. 702. The Village will retain in the interim the language in 100-601(D)(14) of the present zoning code. Motion carried without a negative vote.

Moved by Fennel, seconded Townsend and carried to adjourn the meeting at 9:31 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk-Treasurer

President Wagner called the Planning Commission to order on February 17, 2003 at 7:00 p.m. Members present: BRONK, TOWNSEND, FENNEL & WAGNER. Excused: HANKOVICH and FICKAU. Also present: Planner Kaniewski & Attorney Reilly.

Moved by Townsend, seconded by Fennel, to approve the minutes of the January 20<sup>th</sup> meeting as presented. Motion carried without a negative vote.

**NEW BUSINESS:**

REZONING FROM A-1 AND BFD-2 TO BFD-2 – 115 LAKE STREET – CITIZENS BANK OF MUKWONAGO – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of rezoning 115 Lake St. from A-1 and BFD-2 to BFD-2. Motion carried without a negative vote.

LINDENGROVE/LINDENRIDGE DEVELOPER'S AGREEMENT – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval the developer's agreement for Lindengrove/Lindenridge with the following conditions: 1) Dumpster enclosures must be placed on the site and 2) a landscape plan shall be presented for Village Planner approval showing the relocation/replanting of trees that are currently in the area of the proposed addition. Motion carried without a negative vote.

WETLAND INFORMATION ON SEEGER PROPERTY – MLG COMMERCIAL – Andy Bruce presented changes made to the MLG plat. The DNR designated an area as a navigable stream, so lots were changed to reflect a 75' setback from the stream. The lots were brought up in size, the smallest being 15,000 square feet. Average lot size is now 19,114 square feet. Cul du sacs along Honeywell were connected with two entrances from Honeywell for emergency personnel, per Fire and Police Departments' suggestions. Plan Commission felt comfortable with the changes made to the plat.

VACATION OF ALLEY – WEST SIDE AVENUE – Nothing will be done by the Village until a property owner or owners decide something needs to be done.

**ORDINANCE #703:** AN ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE OF MUKWONAGO' S ZONING ORDINANCE AMENDING THE REGULATION OF SIGNAGE – Economic Development Adhoc Committee is still in discussion.

**ORDINANCE #704:** AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE VILLAGE OF MUKWONAGO' S ZONING ORDINANCE TO REVISE THE PARKING REQUIREMENTS – Economic Development Adhoc Committee is still in discussion.

ORDINANCE FOR PEARL ST./GRAND AVE. DISTRICT – There was discussion on whether there should be some kind of designation for properties in this district to recognize them as something special. A public hearing will need to be set up to pass this ordinance. Item will come back to committee after attorney review and hearing.

MC KENZIE HOUSE PROPERTY – Townsend read the recommendations from the Historic Preservation Commission regarding the McKenzie House Property. The lot should be rezoned to R-2 (Single-family Village Residential), leaving open the possibilities of a single family dwelling or professional space. There should be a review date for any construction to the house of not less than 50 years. An offer to sell should be created to any interested buyer with the

buyer presenting a Request for Proposal (RFP). With the low interest rates, now is the time to find a buyer. There should be a condition of sale that the house not be razed or moved.

PLANNER'S REPORT – Kaniewski explained that the Village did not receive a Smart Growth grant.

HOME DEPOT REVIEW – Dave Behrens of Greenberg Farrow presented landscaping, lighting, site, building elevation and signage plans. He also discussed parking, site grading and the outlots. Bronk spoke of various concerns he had. He felt there needed to be more green space, the site plan did not truly represent the topography and the canopy over the pick-up area needed to be corrected to have a better appearance. He was also concerned with the setbacks and the outlots. Tom Berg spoke of the discussions from the Adhoc Committee regarding signage and parking saying they have strived to create the ordinances to conform to all businesses in the Village, specifically in the Gateway District.

LETTER FROM DOROTHY HERRIGES REGARDING NAME OF NEW ROAD (OLD MAPLE AVENUE) THROUGH GATEWAY DISTRICT – Names of the new roads in the Gateway District is decided by the Village and will be looked into at a later date.

Steven A. Braatz, Jr.  
Deputy Clerk

President Wagner called the Plan Commission meeting to order on March 17, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, & WAGNER. Excused: FENNEL. Also present: Attorney Reilly and Planner Kaniewski.

Moved by Townsend, seconded by Fickau, to approve the minutes of the February 17, 2003 meeting as presented. Motion carried without a negative vote. McKenzie property is to be on the April Plan Commission agenda.

**OLD BUSINESS:**

**CONCEPTUAL APPROVAL OF CSM-MEADOWVIEW LANE** – Martin Zess is the owner of property. New plan, dated 03-13-03, was discussed. The plan shows a temporary cul-du-sac. Commission felt the original plan was a better use. Adjoining property owners were notified and no one expressed an interest in developing with Mr. Zess at this time. Moved by Hankovich, seconded by Townsend, to have property owner go forward with the proper drawings and submit them to the Plan Commission for approval. Motion carried without a negative vote.

**NEW BUSINESS:**

**REVIEW BUILDING ELEVATION-HOME DEPOT** – Architecture was addressed and the materials that will be used were discussed tonight. The precast insulated concrete wall panel is a stamped pad, 4" x 16" in size. Bars in the garden centers are 20' long with meshing around lower part. Exposed trees will be shown on the right elevation and will be included in the landscaping plan when it is presented for approval. Elevation from building to road is a 12-15 foot difference. The multi use trail is the Village's responsibility and if sidewalks are installed on both sides of the road for this project, then there may not be a need for a multi use trail. The truss is shown as not being enclosed, that would have to be enclosed to get approval. Architect will look at that. The use of metal panels at the entrances was questioned. It should be painted EIFS instead of metal and should be painted the same color as the brown pillars.

**CONCEPTUAL DEVELOPMENT APPROVAL-HONEY MEADOW & REZONE PROPERTY FROM R-2 TO R-3** – Plan has been reduced from 16 units to 12 units. Estimated square footage of each unit is 1300. They will submit colors and material use later. Concerns by neighbors were: site density, storm water management, long-term maintenance, and adequacy of site landscaping. Price range of the units is about \$180,000.00. Copy of their statement was presented for the record. Plan has three buildings with 4 units for a total of 12 units. Planner recommends the change of zoning and use. Developer will look at the window size and exterior materials when they submit preliminary plans. Moved by Hankovich, seconded by Townsend, to approve the conceptual development plan as submitted. Motion carried without a negative vote. Moved by Hankovich, seconded by Fickau, to recommend to the Village Board the change of zoning from R-2 to R-3. Public hearing would be held on April 1<sup>st</sup>. Motion carried without a negative vote.

**FOX RIVER VIEW [KROGSTAD PROPERTY]** – Moved by Hankovich, seconded by Fickau, to recommend to the Village Board the approval of the annexation ordinance. Motion carried without a negative vote. The submitted conceptual plan has 4.6 units per acre. There will be 92 condo units and 98 single-family units. Sewer and water extensions will be through the Two Rivers subdivision. Condo plan shows the roads to be private. Developer will look at the road access again. They need to address the 100-year flood plain area. Conceptual plan was tabled until the April meeting.

**CSM – DAN SCHEEL, S. MAIN STREET** – This consists of a 3.5-acre split from a larger piece of property. Land will be donated to the New Life Community Church. Planner also recommends changing the zoning from A-1 to P-1. Moved by Townsend, seconded by Fickau, to approve the CSM contingent upon land being rezoned to P-1. Motion carried without a negative vote. [Note: CSM is not to be recorded until the change of zoning is approved.]

**CSM – DARWIN GREENWALD, GREENWALD COURT** – This is a two-parcel lot, each lot is approximately 1.35 acres in size. Commission had concerns about the lot line and one lot not

meeting the 100-foot frontage setback and the 50-foot setback for land adjacent to I-43. Moved by Hankovich, seconded by Townsend, to approve the CSM contingent upon Lot 2 having the 100' setback at the building line and the 50' setback shown for the I -43 corridor, and approved by the Village Planner and Building Inspector. Motion carried without a negative vote. [Note: to be approved by the Village Board when new CSM is submitted with the proper corrections.]

***MULTI FAMILY DWELLINGS PER ACRE SIZE AND LARGE LOTS WITH SIDEWALKS, CURB & GUTTER*** – Planner suggests holding a public hearing to amend Master Plan and Residential Zoning Districts. Planner is to continue working with the Adhoc Committee and to address the number of dwelling units per acre.

***BOUNDARY AGREEMENT PROPOSAL*** – Village Attorney presented a map showing the areas of discussion and the proposal with the Town of East Troy. The Town Board of the Town of East Troy is reviewing the agreement tonight. Moved by Fickau, seconded by Townsend, to recommend to the Village Board the approval of the boundary agreement proposal as presented if the Town of East Troy Board approved it at their meeting tonight. Motion carried without a negative vote.

**COMMENTS FROM THE FLOOR:** Dan Scheel explained to the Commission the plans for his new site for the Elegant Farmer. Mr. Scheel is to come back to the Commission with plans showing where the new site will be and then the Commission will discuss the change. He will be scheduled for the April meeting if plans are submitted.

Moved by Fickau, seconded by Townsend and carried to adjourn the meeting at 9:18 p.m.

Bernard W. Kahl, MMC  
Village Admin/Clerk/Treas

President Wagner called the Planning Commission meeting to order on April 14, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, FENNEL, & WAGNER. Also present: Attorney Reilly, Planner Kanisewski, & Engineer Peot.

Moved by Fickau, seconded by Fennel, to approve the minutes of the March 17, 2003 meeting as corrected. Motion carried without a negative vote.

**OLD BUSINESS:**

**VILLAGE CAR CARE-FINAL APPROVAL** – Moved by Hankovich, seconded by Townsend, to approve the site plan and changes to the overhead door. Committee wants to have a decorated light on the building instead of the square one shown. CSM must be approved before occupancy permit is issued. Motion carried without a negative vote.

**NEW BUSINESS:**

**ORDINANCE 708 – CEDAR HOMES** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the change of zoning for the property known as the Old County Property from A-1 (Agricultural District) to R-1 (Single Family Community). Motion carried without a negative vote.

**REZONING FROM A-1 TO R-1 – THE ORCHARDS – MLG DEVELOPMENT** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the change of zoning from A-1 to R-4 PUD with R-1 restrictions. Motion carried without a negative vote.

**PRELIMINARY PLAT-THE ORCHARDS** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of The Orchards preliminary plat subject to the following conditions:

1. Approval of the plat shall be subject to Village Board approval of the rezoning of the property.
2. The Final Plat shall provide a dedication of an additional 17 feet of right-of-way to CTH ES where the current right-of-way narrows.
3. The Final Plat, final engineering plans and the developer's agreement shall comply with Waukesha County requirements for design of the ingress/egress along CTH ES.
4. Wetland identification signs shall be placed on the side lot lines between lots, at the boundary of the delineated wetland, of all areas of the plat that are abutting wetlands. The homeowner's Association shall be responsible for maintaining and replacing signs, when needed, and shall be so stated in the developer's agreement.
5. All wetlands shall be designated as a Preservation Easement on the Final Plat.
6. The multi-use trail shown on the Preliminary Plat shall be placed within the CTH ES right-of-way, subject to approval of Waukesha County, and shall be extended northward to the intersection of CTH ES and Honeywell Road. If county approval is not granted, every effort shall be made to place the multi-use trail within the 30 foot landscape easement without decreasing the ability to buffer, with landscaping, CTH ES from the home sites.
7. A landscape plan for the landscape easements shall be submitted and approved with the Final Plat.
8. The developer's Architectural Control documents shall be an exhibit to the developer's agreement, to ensure the Village of the high standards of the developer.
9. The Final Plat shall show squared right-of-way intersections.
10. Prior to Final Plat approval, if needed, the developer shall comply with the zoning requirements of the Waukesha County Shoreland-Wetland Ordinance.

Motion carried without a negative vote.

**CSM-TID #3 – MUKWONAGO AMBULATORY CARE CENTER** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of the CSM conditioned upon all right-of-ways shown as dedications on all subsequent documents, and that the northwest

boundary of the CSM be consistent with boundary of the open space. Motion carried without a negative vote.

***PLANS FOR PROPOSED MUKWONAGO AMBULATORY CARE CENTER*** – This is a 27.06-acre site with an additional 3-acre site across the road and a smaller lot adjoining. There will be 473 parking spaces. Moved by Hankovich, seconded by Townsend, to recommend to the Board of Building and Zoning Appeals that the building design and use is good for the area and that the landscaping would be acceptable. Motion carried without a negative vote.

***SIGNAGE AND PARKING LOT SETBACKS FROM RIGHT-OF-WAY – B&G AUTO BODY*** – Moved by Townsend, seconded by Fennel, to recommend approval to the Village Board that the color for all the signage for this property be in the burgundy color and that the light pole on top of the building be removed. Motion carried without a negative vote. Parking lot setback from right-of-way was discussed. Moved by Hankovich, seconded by Fennel, that the green space be waived in the spirit of the letter. Motion carried without a negative vote.

***STORMWATER MANAGEMENT ORDINANCE*** – President Wagner asked that the Engineer, Tom Berg, and the Clerk explore possible grants for storm water management.

***REVIEW OF INFRASTRUCTURE DESIGN FOR TID #3*** – Plans are for 5 foot sidewalks; 120 foot right-of-way, curb and gutter, double lane roads that are 28 feet face to face, 25 foot terrace area. Commission prefers the carriage lights with the Madison poles and that placement of poles would be evenly placed. Commission agrees that the Village acquires the land for the open spaces and maintain it. Commission agrees to 6-foot sidewalks and to the green space, buffer, ponds, and storm water management district.

***TRANSFER OF LAND TO THE CEMETARY*** – Moved by Fennel, seconded by Townsend, to recommend to the Village Board to transfer a piece of property back to the Cemetery Board and that they reimburse the Village for our expenses for the transfer. Motion carried without a negative vote.

***HISTORIC PRESERVATION COMMISSION – 400 S. ROCHESTER ST.*** – Information was presented what the owner was going to repair and add to the property and the recommendation that the HPC requested that he do to the property. This was an information item only.

***PLANNER'S REPORT:*** Planner is working on the Shoreland/Wetland ordinance, which would make the Village's ordinance more restrictive than the County ordinance. A full ordinance will be presented at a later meeting. PUD for B-4 zoning, applicant (Home Depot) asks for deviation from present ordinance. Referred to the Adhoc committee to review.

President Wagner announced that a special Plan Commission meeting would be held on May 5, 2003 at 7:00 p.m.

Moved by Townsend, seconded by Fennel and carried to adjourn the meeting at 9:46 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk/Treas

President Wagner called the Planning Commission meeting to order on May 5, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, FENNEL & WAGNER.

Also present: Attorney Reilly and Planner Kaniewski.

Moved by Fennel, seconded by Townsend, to approve the minutes of the April 14, 2003 meeting as presented. Motion carried without a negative vote.

**NEW BUSINESS:**

***SIGNAGE AND BUILDING COLOR – B & G AUTO BODY*** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of the building color of light gray, light on the roof may stay, and accept the sign color of burgundy and red. Motion carried without a negative vote.

***RESOLUTION 2003-12*** – Moved by Fickau, seconded by Townsend, to recommend to the Village Board the adoption of Resolution 2003-12: A RESOLUTION TO CORRECT RESOLUTION 2003-10. Motion carried without a negative vote.

***APPROVAL OF PRELIMINARY PLAT FOR MUKWONAGO DRIVE EXTENSION – DICK GREENWALD*** – Moved by Hankovich, seconded by Fennel, to recommend to the Village Board the approval of the preliminary plat subject to the following conditions:

1. With approval of the final plat, the Developers Agreement shall address the terms and conditions of the wetland preservation easements.
2. With approval of the final plat, the Developers Agreement shall indicate the interpretation that the wetland area within Lots 5 & 6 is not to be included in the buildable size of those lots.
3. Approval of this preliminary plat is subject to final approval of the storm water management and water quality plan for the site.
4. The approval of the final plat, shall address the comments regarding protection of natural resources of the site from SEWRPC and the Waukesha County Department of Parks and Land Use, and shall comply with the conditions listed in the letter from the Waukesha County of Public works [except the Daniels property issue].

Motion carried without a negative vote.

***CONCEPTUAL LAND DIVISION AND SITE PLAN FOR RESIDENTIAL LOTS 1 & 2 AND OUTLOT 3 IN FAIRWINDS-PROPOSED WAUKESHA STATE BANK*** – Item was withdrawn by requestor at the meeting.

***MAPLE STREET EXTENDED – FRANCIS VAN WINKLE*** – Item was placed on the table. It needed more information, and the requestor was not present at the meeting.

***PETITION TO ATTACH MAPLE AVENUE*** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board, the approval to attach Maple Avenue to the Village. Motion carried without a negative vote.

***BOUNDARY AGREEMENT – TOWN OF EAST TROY*** – Agreement is in draft form and is informational.

***VACATION OF ROAD SOUTH OF BAY STREET*** – Moved by Hankovich, seconded by Fennel, to recommend to the Village Board to vacate said road as long as the property owners pay the cost. Motion carried without a negative vote.

***DEVELOPER'S AGREEMENT – MINOR'S HOMESTEAD*** – Moved by Townsend, seconded by Fickau to recommend to the Village Board the approval of the Developer's Agreement for Minor's Homestead. Motion carried without a negative vote.

***AMENDMENT TO ARTICLE II, DIVISION 7 OF THE ZONING CODE*** – This was the first presentation and the item will be on the agenda for next meeting. Eventually a public hearing will be held. If any planning commission member has comments they should direct them to the Village Planner.

**ORDINANCE NO. 709 & ORDINANCE NO. 710** – Both ordinances are not ready at this time but the final draft should be ready for the next agenda. Next Tuesday the Adhoc Committee will review these two ordinances. Any comments should be directed to the Village Planner.

**ORDINANCE NO. 711** – Moved by Fennel, seconded by Hankovich, to recommend to the Village Board the adoption of Ordinance No. 711 with the understanding that ordinance numbers stated throughout the document, that the Attorney will have the ability to make changes regarding those numbers: **AN ORDINANCE TO CREATE SECTION 100-154(j) OF THE MUNICIPAL CODE OF THE VILLAGE OF MUKWONAGO PERTAINING TO PLANNED UNIT DEVELOPMENTS WITHIN THE B-4 ZONE.** Motion carried on a vote of 5 ayes and 1 nay (Fickau voting ‘no’).

**CORRESPONDENCE:** Letter from MAAAC, Inc., was read and will be further discussed at a later date.

Moved by Townsend, seconded by Fennel and carried to adjourn the meeting at 8:56 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the Planning Commission to order on May 19, 2003 at 7:00 p.m. Members present: FICKAU, BRONK, TOWNSEND, FENNEL & WAGNER. Excused: HANKOVICH. Also present: Planner Kaniewski & Attorney Reilly.

Moved by Townsend, seconded by Fennel, to approve the minutes of the May 5<sup>th</sup> meeting as presented. Motion carried without a negative vote.

## **OLD BUSINESS**

**MAPLE STREET EXTENDED – FRANCIS VAN WINKLE** – Francis Van Winkle appeared to ask the Village to return the strip of land that was dedicated to the extension of Maple Street. Mr. Van Winkle was asked to search for any recorded documents that shows who actually owns the property.

**AMENDMENT TO ARTICLE II, DIVISION 7 OF THE ZONING CODE PERTAINING TO FLOODPLAIN/Shoreland/Wetland Zoning** – Kaniewski explained the new floodplain/wetland designations to use that follow the new DNR requirements.

**ORDINANCE 710: AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE VILLAGE OF MUKWONAGO'S ZONING ORDINANCE TO REVISE THE PARKING REQUIREMENTS** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of ORDINANCE #710: AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE VILLAGE OF MUKWONAGO'S ZONING ORDINANCE TO REVISE THE PARKING REQUIREMENTS. Motion carried without a negative vote.

## **NEW BUSINESS**

**MULTI USE TRAILS – JAMES KAVEMEIER** – Jim Kavemeier of the Waukesha County Parks System gave a presentation on the Parks System, the Land Acquisition and Greenway Programs and the County Multi-Use Trail System.

**REZONING FROM A1 TO R3 – HWY ES, PHANTOM WOODS RD. – JOE GRASCH** – Joe Grascch discussed the possible zoning for his land between the Amato Ford property and Phantom Woods Rd. He presented conceptual plans which showed numerous 4- and 8-family buildings with one road going through it. The rezoning issue will be at the June Plan Commission meeting with the public hearing the following night by the Village Board.

**DISCUSSION OF PROPERTY EAST OF HAWKS RIDGE – JOE GRASCH** – Joe Grascch has the property east of Hawks Ridge under contract. Has a few ideas, but the Commission agreed an extension of Hawks Ridge would be appropriate.

**REZONING FROM A1 TO P1 – 1650 MAIN ST. – DAN SCHEEL** – Moved by Fickau, seconded by Townsend, to recommend to the Village Board the approval of the rezoning of the Dan Scheel property from A1 to P1. Motion carried without a negative vote.

**CONCEPTUAL APPROVAL – AMENDMENT OF LONG RANGE LAND USE PLAN – THE ELEGANT FARMER** – Item held until next meeting.

**EXTRATERRITORIAL REVIEW OF CSM – PICKERING DR. – WILLIAM EICHFELD** – Moved by Bronk, seconded by Fennel, to recommend to the Village Board the approval of the CSM on Pickering Dr. to William Eichfeld. Motion carried on a vote of 4 ayes and 1 nay (Fickau voting no).

**EXTRATERRITORIAL REVIEW OF CSM – LAKESIDE DR./OAK ST. – RANDALL & SUSAN KNOELKE** - Item held until next meeting for Planner review.

**REZONING FROM B-4 TO B-4 PUD – HOME DEPOT – DAVE DELACH** – Public Hearing and decision will be held June 12.

**CONCEPTUAL REVIEW – HOME DEPOT PLANS** – Dave Delach presented new plans for Home Depot. Commission discussed the signage with all signs on the building to be single lettering, lighting regarding spillage onto neighboring properties and street, and other issues.

Item will be presented again at the June 12 special meeting. Commission agreed on the name of the road to stay Maple Avenue.

***ORDINANCE #713: AN ORDINANCE TO ATTACH CERTAIN PROPERTY TO THE VILLAGE OF MUKWONAGO (SCOTT & LAURIE BRIESATH)*** – Moved by Fickau, seconded by Fennel, to recommend to the Village Board the approval of ORDINANCE #713: AN ORDINANCE TO ATTACH CERTAIN PROPERTY TO THE VILLAGE OF MUKWONAGO (SCOTT & BRIESATH). Motion carried without a negative vote.

***CONCEPTUAL REVIEW OF ZONING FOR KROGSTAD PROPERTY*** – Paul Van Henkelum and Mark Holliday presented conceptual plans for Krogstad property along Edgewood Avenue. There will be 80 units of condos and 89 units of single-family homes. Commission agreed that multi-use trails should be included and the condos should be on the north side Edgewood Ave. with the single-family homes on the south side.

***ZONING REVIEW FOR MEADOW PARK ESTATES FOR LOTS NORTH AND SOUTH OF SMALL FARM RD.*** – The lots on the north side of Small Farm Rd. will be split into 3 lots and the four lots to the south will be residential. The lots need to be rezoned from M1. Item will come back to the Plan Commission when rezoning and CSM's have been submitted.

***RIGHT-OF-WAY LANDSCAPING FOR TID #3*** – Kaniewski presented plans for landscaping along the road right-of-way in the TID #3. Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval the landscaping plans for the road right-of-way in TID #3. Motion carried without a negative vote.

***DEVELOPER'S AGREEMENT – PINEHURST VILLAGE*** – Moved by Fickau, seconded by Fennel, to recommend to the Village Board the approval of the Pinehurst Village Developer's Agreement subject to approval by the department heads, engineer, planner and attorney. Motion carried on a vote of 4 ayes and 1 nay (Townsend voting no). Item will be presented to the Village Board on June 3.

Moved by Fickau, seconded by Townsend and carried to adjourn the meeting at 10:07 pm.

Steven A. Braatz, Jr.  
Deputy Clerk

President Wagner called the Special Planning Commission meeting to order on June 12, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, FENNEL, HAWKS, & WAGNER. Also present: Attorney Reilly, Engineer Peot, & Planner Kaniewski.

President Wagner welcomed new Planning Commission member Sara Hawks.

**HOME DEPOT REQUEST FOR REZONING TO PLANNED UNIT DEVELOPMENT (PUD):** Kaniewski informed the Planning Commission of Home Depot's request of rezoning from B-4 to B-4 PUD per the recently adopted Planned Unit Development ordinance. Within the PUD, modifications to zoning code standards are allowed if adopted by the Village Board. Later the Village Board will conduct a public hearing to consider the rezoning to PUD with the accompanying modifications.

Kaniewski continued by indicating the requested modifications include: number of parking stalls, the size of wall signage and the request for an off-site freestanding structural sign, 35 foot light poles in-lieu-of the required 25 feet, and a reduction in greenspace setback where the greenspace is provided elsewhere on the site.

President Wagner commenced discussion by asking about the parking modifications. Kaniewski stated under the recently adopted parking standards, the Home Depot building along with the accompanying Garden Center would require 643 parking spaces. With the PUD, modifications would allow the reduction to 438 parking spaces. Mr. Kaniewski stated he agrees with the requested modifications, as larger stores do not necessitate the higher parking ratio as smaller stores. During discussion the commissioners agreed with the modifications to parking spaces.

President Wagner then turned attention to the request for modifications to the sign ordinance, as allowed under a PUD. Kaniewski stated the draft of a new sign ordinance is still at the ADHOC Committee level. Therefore, the modifications would be from the existing sign ordinance regulations of the zoning ordinance. Commissioner Hankovich stated the current sign ordinance allows a maximum wall sign of 100 square feet. Kaniewski continued that under PUD modifications, the front identification sign could be allowed at a size equal to one square foot for each linear front foot of building. The Home Depot building, excluding the fenced-in garden center, is 440 feet in length. Home Depot is requesting a 420 square foot front wall identification sign, which would be slightly less than the allowable modification. A second store wall identification sign is allowed on another wall face, at a square footage equal to the lineal footage of that building face. Home Depot requests a rear building identification sign of 290 square feet with a 440 feet building length. Informational signs are allowed per the PUD on the building to not exceed 30 percent of the size of the front identification sign. Home Depot is requesting three front elevation identification signs for the nursery, tool rental and contractor pick-up. Those signs total 120 square feet, slightly less than 30 percent rule.

Lastly, Kaniewski continued, Home Depot requests a PUD modification to locate an off-site 30-foot tall freestanding structural sign at the northeast corner of new Wolf Run and STH 83. The proposed sign would have a 10 by 10 foot Home Depot sign face and another 10 by 10 foot sign face for one or two other large commercial establishment within the Gateway District, and a brick base for a potential location of a marketing name for the entire commercial area. Mr. Kaniewski referred to the information of other structural type signs and sizes submitted by Home Depot representatives. Home Depot previously submitted an off-site sign drawing with a height of approximately 24 feet. Kaniewski recommended the 25-foot tall sign appears to have a proper height to width ratio making the sign look smaller than the taller 30-foot sign.

Wagner solicited comments about the requested signage modifications. Hankovich indicated the front sign is proportional to the size of the front of the building. Kaniewski stated all lettering, pursuant to the draft of the new ordinance under consideration by the ADHOC Committee for the Gateway District, would be individual letters, void of any box signs. Commissioners agreed

the modifications to the size of the front and rear wall signs and the informational signs are suitable and consistent with this type of commercial activity.

Commissioners discussed the off-site sign height of 25 feet versus 30 feet. Opinions ranged from prohibiting any off-site signage, to allowing only a monument sign, to allowing a 30-foot sign. Reilly commented any off-site sign must be subject to agreement of the property owner on which the sign is to be located.

Discussion among commissioners continued about adjacent grade of the sign in relation to the adjacent street grades. Home Depot representative David Behrens stated Home Depot would master grade the site west of the Home Depot facility on which the sign would be located. The master-grading plan indicates a grade of approximately 820 feet. It was ascertained the 820 grade is several feet below the ultimate grade of the adjacent Wolf Run construction and much lower than the centerline of the adjacent STH 83. Discussion pursued about the sign base, the height of the sign and how the height of the sign should be calculated from the adjacent grade.

A majority of the Commission agreed the off-site sign is appropriate for a 30-foot tall sign measured from the base of the 820-foot grade, regardless of the grades of the adjacent right-of-ways. In addition, the sign would be limited to advertise three major tenants or commercial establishments within the Gateway District, be constructed as shown on the exhibit submitted by Home Depot, and not include any marketing name for the commercial area. It was also added the sign must be subject to agreement of the property owner.

Wagner turned to the request for the modifications for 35-foot light pole height. Kaniewski added at the 35-foot height, decorative poles are not available. The luminaries shown on the lighting plan provides semi-cutoff luminaries and not full cut-off luminaries as a stated standard of the Zoning Ordinance. Commissioners expressed concern about light pollution. Upon questions from the commission, Hankovich referenced the existing Wal-Mart lighting plan. The Wal-Mart light poles, installed prior to any Village lighting ordinance, are 39-foot tall and with the luminaries increasing the total height to 42 feet. In response to questions, Behrens commented the parking lot lights would be timed to be turned off approximately one-half hour after close. Hankovich added there would be some light spill over for this type of lighting, which would not be an issue since the neighboring properties are commercial. Behrens added there would not be any light spill over onto the adjacent I-43. Commissioners reached consensus at a 35 foot pole height as appropriate given the fact that a lower pole height would increase the number of light poles and provide an inadequate amount of light distribution across the entire parking surface.

Commissioners then discussed other aspects of the external lighting plan, although not related to the PUD modifications, but a part of the overall site plan. Commissioners agreed that the semi-cutoff luminaries are appropriate. For the two spotlights providing architectural “wash” on the building front, Behrens agreed with Wagner to place shields at the top of the spotlights to avoid light pollution. Commissioners agreed with the front spotlights with the top shield and also with the back wall light packs as submitted.

Wagner asked about the greenspace modifications. Kaniewski indicated the Home Depot plans shows a nine-foot parking lot setback from the rear lot line of the adjacent satellite lots. During discussion at previous Commission meetings, it was interpreted this setback must be considered the front setback, which B-4 standards require a 20-foot greenspace area. A reduced greenspace setback can be allowed when there are additional greenspace areas shown on the plan, including the parking lot landscape islands. There is a sufficient greenspace area shown elsewhere on the plan, with a fifty-foot and above rear yard greenspace setback. Also, Kaniewski noted there are minor setback modifications per the PUD needed along the side yard setbacks.

Commissioners all agreed the minor modifications for the greenspace setbacks are appropriate.

Moved by Fennel, seconded by Townsend to recommend to the Village Board rezoning of the Home Depot property from B-4 to B-4 PUD and with the following conditions to support the modifications:

1. The off-site freestanding structural sign shall be subject to agreement, as approved by the Village Attorney, with the property owner of the off-site property.
2. The off-site structural sign shall be limited to no more than 3 of the major tenants within the Gateway Commercial District, and a marking name for the district must not be part of the sign.
3. The off-site structural sign shall be limited to a 30-foot height above the 820 base grade elevation.
4. The off-site sign shall be designed in accordance to the plans submitted for the off-site sign by Home Depot, dated May 8, 2003.
5. The wall signage shall be limited to the front identification sign; rear identification sign and the three informational signs as depicted on the building elevation plans dated May 20, 2003.
6. All other provisions of the Village's sign ordinance shall be followed.
7. The PUD modifications for the number of parking spaces shall be allowed with 438 as the minimum number of parking spaces on the Home Depot site.
8. Prior to issuance of the building permit, the zoning administrator shall verify the final site plans shows 438 parking spaces on the site.
9. The 35-foot light poles be allowed pursuant to the PUD modifications.
10. Off-site lighting shall be consistent with and limited to the site-lighting plans with this application.
11. The spotlights lighting the front of the Home Depot building shall be installed with a top shield, to prevent light pollution, as verified by the zoning administrator.
12. The PUD modifications for greenspace setback shall be allowed.
13. Pursuant to the site plan dated June 5, 2003, no other modification shall be allowed unless during construction minor modification are made to the site plan pursuant to the minor modification standards of the Developers Agreement, further subject to final adoption at a future date of the Home Depot's Developers Agreement.

**CERTIFIED SURVEY MAP ON BEHALF OF HOME DEPOT:** Kaniewski presented a series of three Certified Survey Maps Home Depot submitted to divide the property within the Gateway District, also known as Tax Incremental District No. 3. The Certified Survey Maps dedicates the new Wolf Run right-of-way and the extension of the realigned Maple Avenue, and dedicates land for the open space corridor and the regional detention pond.

Moved by Hankovich, seconded by Fennel, to recommend to the Village Board adoption of the three Certified Survey Maps to divide property, and dedicate the right-of-ways and open space within TID No. 3 on lands owned by Darwin Greenwald subject to the Village Attorney and Village Engineer verifying compliance with review comments and the Town of Mukwonago transfers jurisdiction of Maple Avenue to the Village. Motion carried without a negative vote.

**CONDITIONAL USE REQUEST OF HOME DEPOT:** Kaniewski indicated on May 27, 2003 the Board of Zoning and Building Appeals held a public hearing to consider a Conditional Use request by Home Depot for outside display of various items, including display of seasonal related items, the location of the outdoor Garden Center within the enclosed fence, the location of parking of several vehicles for rent on the property, and the location of large tool rental equipment storage. President Wagner focused on the seasonal outdoor display of items. President Wagner stated he does not believe outside storage is very appropriate, and other Home Depot's in the metropolitan area do not present a good track record of proper appearance, of

outdoor display. Behrens presented his recommendation on behalf of Home Depot to severely limit the location and amount of outdoor display, such as total of six types of grills, not six of each grill type. Hankovich noted it appears Home Depot is requesting outdoor display, in-lieu-of total inventory exterior storage. Other Commission responses varied from prohibiting any outdoor display to that of other businesses in the Village having outside display and Home Depot should be permitted to have outdoor display. After substantial discussion, Wagner summarized the comments by stating outside display must be minimal and tastefully done, and the materials to be displayed are representative of inventory and not the entire inventory. President Wagner suggested the Commission forward a response to the Board of Zoning and Building Appeals, since final action lies with the Board, that the Board consider minimal and tasteful season display of materials in placing conditions upon the conditional use. After discussion on Wagner's suggestion, reaction of the Commissioners remained mixed. Therefore, Wagner determined to forward the Commissioner's comments to the Board and allow the Board to make a final decision with their area of responsibility and expertise.

Parking of trucks and trailers for rent was discussed. Again, appearance was the major concern. Behrens requested two trucks and two trailers be allowed to be parked in the lumber vestibule area, and the remaining two truck and two trailers be parked in the parking area adjacent to the Garden Center. After further discussion, Behrens revised his parking request to one vehicle and one trailer within the vestibule area with the remainder to be parked next to the Garden Center. Plan Commissioners agreed and indicated these comments would be forwarded to the Board for consideration.

The Commission did not take any formal action regarding the conditional use, but stated their comments would be forwarded to the Board.

**SITE PLAN AND ARCHITECTURAL PLAN REVIEW AND APPROVAL:** Kaniewski stated the Zoning Ordinance requires the Plan Commission to grant approval for the Site Plan and Architectural Review. Kaniewski noted many of those aspects have already been discussed with the PUD and the conditional use topics. However, he recommends the Plan Commission officially approve all aspects of the plan. It was also noted Commission previously reviewed numerous aspects of the plan, such as the building elevations, site planning and landscaping at many meetings over the past eight months. In response to questions from the Commissioners, Behrens indicated building colors would be per the previously submitted material sample board. Commissioners agreed to the colors shown on the material sample board. There would not be any dumpster on this site as garbage would be contained within a compactor and picked up from the compactor and hauled away. There would not be any refuse allowed outside the building.

It was noted the landscape plan has been revised per the Village Planners' comments, except minor modifications are still desired. Hankovich indicated that approval should include the minor moving of final placement of the trees at the front of the building to coordinate with the previously discussed outside display areas, if those display areas are allowed. The commissioners agreed with that statement.

President Wagner questioned the rectangular design of the off-site water quality pond on the parcel to the east, noting there could be a more aesthetically appealing design. Village Engineer Peot stated issues remain to be resolved with the storm water management plan and the aesthetic design is one of the items to be resolved. Peot further noted the water quality pond could be moved or increased in size depending upon the use of the property to the east of Home Depot. Wagner also made the point of pond safety and Peot commented there would be a safety shelf that will turn into wetland vegetation.

Moved by Townsend, seconded by Fennel, approval of Site Plan and Architectural Review, and all the other related plans regarding the site design, subject to the following conditions:

1. Approval shall be subject to the Site Plan dated June 10, 2003, the Base Plan dated May 8, 2003, the Landscape Plan with minor modifications as required by the Village Planner dated June 5, 2003, the Site Lighting Plan dated June 5, 2003, the Building Elevation Plan dated May 20, 2003, and the Off-Site Sign Plan and the Wall Signs Plan dated May 8, 2003.
2. Copies of the minutes of this meeting shall be attached to all the final plans, with copies available to the Village Clerk, Village Zoning Administrator, Village Planner and Village Engineer, to ensure compliance with all said conditions.
3. All conditions previously referenced for the PUD modifications shall also apply to the Site Plan and Architectural Review Plan approval.
4. All landscaping must be properly maintained at all times, and any dead planting(s) must be removed and replaced when feasible to do so.
5. During installation of the landscape according to the approved landscape plan, minor revisions shall be allowed to adjust the landscape placement in relation to the outside display area, if approved.
6. Prior to issuance of a building permit on the site, Village Attorney shall be provided documentation of ingress/egress easements for the benefit of neighboring commercial properties.
7. Prior to issuance of a building permit, proper easement documents shall be provided for the review and approval of the Village Attorney for approval of the off-site water quality pond.
8. The external design of the building shall be consistent with the material samples on file in the office of the Village Clerk.
9. On the architectural building elevation, all horizontal banding shall be in a terracotta color.
10. Prior to occupancy, developers shall install proper on-site traffic control signs, in accordance with the approved site plan. Additional traffic control signs, turning arrows and/or pavement markings, etc, shall be added at the cost of Home Depot to improve public safety when requested by the Village of Mukwonago Police Chief.
11. Unless modified by PUD approval, all zoning ordinance standards or municipal code requirements shall apply to the subject site, such as submittal of a Letter of Credit for landscaping.

**HOME DEPOT DEVELOPER'S AGREEMENT:** Home Depot's Attorney Bob Leibsle indicated revisions to the draft were made in a meeting earlier this week with the Village Attorney and Village Planner. Home Depot officials are reviewing the revisions and a revised copy will be submitted to the Village Attorney on June 13, 2003. Attorney Reilly suggested delaying consideration of the Developer's Agreement until the Planning Commission meeting of June 16, 2003. Planning Commission members agreed.

**PINEHURST VILLAGE SUBDIVISION DEVELOPERS AGREEMENT:** Attorney Reilly stated the Pinehurst Village Subdivision Developer's Agreement was previously reviewed and recommended approval by the Plan Commission. At this time, there have been several modifications, and therefore, requests a re-review. A question arose about the Developer's Agreement limiting the number of permits issued per year. Discussion pursued whereas there are pros and cons to either limiting the number of permits, or limiting the number of lots constructed in each phase, which would limit the number of lots available to be constructed. It was determined to limit the phasing.

Moved by Fickau, seconded by Townsend to recommend to the Village Board adoption of the Pinehurst Development Agreement, subject to revising said Developer's Agreement to control construction of phasing. Motion carried without negative vote.

Moved by Townsend, seconded by Fennel and carried to adjourn the meeting at 9:33 p.m.

Bruce S. Kaniewski, AICP  
Village Planner

President Wagner called the Planning Commission meeting to order on June 16, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, FENNEL, HAWKS, & WAGNER. Also present: Attorney Reilly, Engineer Peot, & Planner Kaniewski. Moved by Fickau, seconded by Townsend, to approve the minutes of the May 19, 2003 meeting as presented. Motion carried without a negative vote.

#### **OLD BUSINESS:**

**EXTRATERRITORIAL REVIEW OF CSM-LAKESIDE DR/OAK ST-RANDALL & SUSAN KNOELKE** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of the CSM for Randall & Susan Knoelke as submitted. Motion carried without a negative vote.

**MAPLE STREET EXTENDED-FRANCIS VAN WINKLE** – Moved by Hankovich, seconded by Townsend, to recommend to the Village Board the vacation of Maple Street extended and that the property be returned to Mr. Van Winkle. Motion carried without a negative vote.

**DEVELOPER'S AGREEMENT-HOME DEPOT** – Village Attorney Reilly went through the agreement with the Plan Commission members page by page. Attorney Jim Howe, representing Home Depot answered questions about the agreement. Attorney Reilly will review all the changes with the Village Board at their meeting on Tuesday night. Some of the changes recommended are:

Page 1 – Storage shall mean - Tool Rental Area and Contractor Pickup Area. Merchandise sale shall be Merchandise Display.

Page 2 – Attorney will verify dollar amounts. Agreement will not be signed until jurisdiction transfer is signed. Site Plan & Development Plan was approved June 12, 2003.

Page 3 – Dates to be verified for all plans. Offsite tenant sign has not been approved with Greenwald. Stormwater Plan has not been approved at this time by the State. Access to lands to the east from driveway to the west is subject to agreement by department heads.

Page 4 – Contingent upon transfer of Maple Avenue.

Page 5 - #3 - Agreements not signed until permits are received.

Page 6 - #3 - the Village Engineer shall approve such connections. C (3) – should be the Village Engineer.

Page 7 – Construction timing – redefined ‘to your site’ and include DOT approval. Change the wording of ‘time extension’ to cover the Village.

Impact Fees to be verified and determined once plans are submitted.

Page 9 -#3 - costs of improvements, reducing of special assessment. Strike the wording.

Page 10 - #I - Tenant signage language to be rewritten. The Village Engineer and the Zoning Administrator/Supervisor of Inspections shall approve landscaping & grading plans. Plan must include the stockpiling of dirt on the site and its removal.

Page 11 – Village Plan Commission shall review again.

Page 12 – Offsite tenant sign, modification shall be attached as an exhibit. Developer obligations – strike the ‘liquidated damages to Home Depot’.

Page 16 - #H – Village billings – within 30 days of receiving invoices from the Village, payment must be received.

Moved by Fennel, seconded by Townsend, to recommend to the Village Board the approval of the Developer's Agreement with Home Depot with the changes discussed. Motion carried without a negative vote.

#### **NEW BUSINESS:**

**CONCEPTUAL APPROVAL-AMENDMENT OF LONG RANGE LAND USE PLAN – THE ELEGANT FARMER:** Request was made for an amendment to the plan to correct the map for lands shown at the intersection of CTH ES and CTH J. Commission agreed to a mix of

commercial and residential uses. Item will be placed on the next Plan Commission agenda for discussion.

**REVIEW OF PROPOSED MULTI-FAMILY BUILDINGS – BIRCHROCK CORNERS – GARTH HARRIS:** Moved by Townsend, seconded by Fennel, to recommend to the Village Board that the developers agreement be amended to allow construction of two (2) triplexes on the development instead of the three (3) duplexes as shown on the plan. Motion carried without a negative vote.

**REZONING FROM A-1 TO R-1 & R-3 – HWY ES/EDGEWOOD AVENUE –** Waukesha County has sent a letter of objection to rezoning. Hearing will be held at the Village Board meeting and a determination made at that time.

**APPROVAL OF PRELIMINARY PLAT – FOX RIVER VIEW –** Mark Holiday of Harmony Homes was present to answer concerns raised in the Planners report. Discussion was held on the Procedural Comments and the Substantive Comments in Regard to Single Family lots. The Planner and the Developer will address these comments further. Comments on the Condominium Section were not addressed at this time. No further discussion or action was taken at this time.

**APPROVAL OF FINAL PLAT – MINOR'S HOMESTEAD –** The 30 foot easement shown on the rear of the lots abutting the school property is a combined easement for water and drain flushing. Planner is waiting for comments from the State. Moved by Fennel, seconded by Fickau, to recommend to the Village Board the approval of the Minor's Homestead Final Plat with changes that were discussed. Motion carried without a negative vote.

**LANDCAPE PLANTING PLAN FOR PROPERTIES ON NORTHWESTERN PORTION OF MINOR'S HOMESTEAD –** Moved by Hankovich, seconded by Fennel, to recommend to the Village Board the approval of the landscape planting plan with condition that no plantings be in the bottom half of the ditch in this area. Motion carried without a negative vote.

Moved by Townsend, seconded by Fennel and carried to adjourn the meeting at 9:57 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Planning Commission to order on July 14, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, FENNEL, HAWKS, & WAGNER. Also present: Attorney Reilly & Planner Kaniewski.

Moved by Fickau, seconded by Fennel, to approve the minutes of the June 12 & 16, 2003 meetings as presented. Motion carried without a negative vote.

**OLD BUSINESS:**

***REZONING FROM A-1 TO R-1 – KROGSTAD PROPERTY ON EDGEWOOD AVE –***

Commission members felt that blocks in residential areas should not be longer than 1500 feet and if it was there would need to be a good reason to have made that decision. Slope-as long as final is about 12% the commission is satisfied and nothing should be left in open spaces. 12% is after grading. Multi Use Trails – developer should check with the county. Trails should not be within the subdivision that goes nowhere. Commission members felt that it should be located along Edgewood Avenue for this subdivision. Moved by Fennel, seconded by Townsend, to recommend to the Village Board the change of zoning request from A-1 to R-1 and FW for those lands west of Edgewood Avenue, excluding those lands east of Edgewood Avenue. Motion carried without a negative vote.

**NEW BUSINESS:**

***REZONING FROM M-1 TO R-4 (LOT 26, BLOCK 5) FOR SMALL FARM ROAD/HOLZ PARKWAY & CERTIFIED SURVEY MAP OF LOTS 12 & 13; MEADOW PARK ESTATES***

– Developer proposes 4 residential lots on the south side of Small Farm Road and 3 residential lots on the north side. The ‘environmental corridor’ should be noted on each map as ‘primary environmental corridor’. Planner explains that there are several issues for the recommendation not to proceed with the CSM. Both the county and SEWRPC maintain a standard of no more than one dwelling unit per five acres of primary environmental corridor, so the creation of four new residential lots in this area would also be inconsistent with these adopted plans. The applicant needs to furnish the Village with a copy of the letter from the Army Corp of Engineers stating that the developer has permission to fill the wetland in question. At this point it appears that the land division is inadvisable due to the location of the wetlands. A CSM may only be used for land divisions resulting in four or fewer lots, by state law. Commission took no action at this time.

***REZONING FROM B-2 TO B-3; CONTINENTAL SAVINGS BANK CENTER – [Wolf Run & HWY 83]*** – This is a land lease with option to purchase. Moved by Townsend, seconded by Fennel, to recommend approval to the Village Board of the change of zoning to B-3. Motion carried without a negative vote.

***CSM FOR CONTINENTAL SAVINGS BANK CENTER*** – Moved by Townsend, seconded by Fennel, to recommend to the Village Board the approval of the CSM contingent upon WisDOT and department heads reviews of modifications and approvals. Motion carried without a negative vote.

***SITE PLAN, ARCHITECTURAL, BUILDING ELEVATION, SITE LIGHTING AND LANDSCAPE PLAN FOR CONTINENTAL SAVINGS BANK CENTER – [site plan]***

Cross over traffic from gas station and bank center should vary to allow for best access to each property. DOT has requested 3 lanes of eastbound traffic on Wolf Run. Road width will be 80 feet, lot will have 6 parking lanes less than what is shown. No action required. ***[Architectural]*** Commission had no concerns. ***[Building elevation]*** Commission had no concerns. ***[Landscape plan]*** Commission had no concerns. ***[Lighting]*** Commission had no concerns. They will come back to the Plan Commission for signage and a recommendation to the Board of Building and Zoning Appeals. Moved by Hankovich, seconded by Townsend, to recommend approval and that it be noted that the landscaping plan will be changed and reviewed by the department heads. Motion carried without a negative vote.

The applicant withdrew ***HAWKS RIDGE EAST REZONING*** at this time.

***ARCHITECTURAL REVIEW OF BIRCHROCK CORNERS MULTI-FAMILY BUILDING –***

This change is from 3 duplex buildings to 2 triplex buildings. Exposed rear foundations will be covered with textured surface. Once he gets the permit from DNR, he would not have to come back to the Plan Commission. Moved by Hankovich, seconded by Fennel, to allow construction to start on building number 1 and hold permit for building number 2 until he receives permit from DNR. Motion carried without a negative vote.

***CSM – MARTIN ZESS – CHELSEA COURT –*** Moved by Hankovich, seconded by Townsend, to recommend to the Village Board the approval of the CSM subject to the following conditions:

1. That a note be added to CSM indicating the intent and usage of the storm sewer and utility easement along the west side of the CSM.
2. Where the storm sewer and utility easement widens adjacent to the cul-de-sac, that widening shall be dimensioned on the face of the CSM.
3. The face of the CSM shall show restrictions for driveway locations, which shall be in the approximate center of the 77.80 feet west property line for Lot 1, and for Lots 2 & 3 adjacent to the common side property line between the lots.
4. All pages of the CSM shall be submitted to the Village Engineer for review of technical conditions.
5. If the entire site is found to be at or over 3.0 acres, a Storm Water Management Plan shall be submitted for approval of Village Engineer.
6. The CSM shall not be recorded until all conditions of approval have been met.

Motion carried without a negative vote.

***DEVELOPER'S AGREEMENT-WAUKESHA MEMORIAL HOSPITAL, INC. –*** Major change from previous draft is item 'L' Future Site Development. Moved by Fennel, seconded by Fickau to recommend to the Village Board the approval of the Developer's Agreement with WMH. Motion carried without a negative vote.

***PHASE II OF FAIRWINDS SUBDIVISION –*** The developer will be coming to the Plan Commission soon to request approval of Phase II.

***RESOLUTION 2003-20-MAPLE STREET –*** Public hearing will be held on August 19, 2003 and notice will be published as a Class 3 Notice. Moved by Fickau, seconded by Townsend, to recommend to the Village Board the approval of Resolution 2003-20 and that it be in the public interest to vacate the street. Motion carried without a negative vote.

***RESOLUTION 2003-21-BAY STREET –*** Public hearing will be held on August 19, 2003 and notice will be published as a Class 3 Notice. Moved by Hankovich, seconded by Townsend, to recommend to the Village Board the approval of Resolution 2003-21. Motion carried without a negative vote.

**HISTORIC PRESERVATION COMMISSION:**

HPC reported that the property owner of 506 Main Street will be reroofing and painting of his garage. A temporary sign will be placed at the Dollar Store located at 109 Lake Street.

**PLANNER'S REPORT:**

The Comprehensive Land Use Plan review for Elegant Farmer property will be discussed next month. The Ad Hoc Committee will be meeting again to review zoning requirements. Shoreline/Floodplain Ordinance is almost ready for review.

Moved by Fennel, seconded by Townsend and carried to adjourn the meeting at 8:50 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the Planning Commission to order at 7:00 p.m. on August 18, 2003. Members present: HANKOVICH, BRONK, TOWNSEND, FENNEL, HAWKS, & WAGNER. Member excused: FICKAU. Also present: Attorney Reilly and Planner Kaniewski. Moved by Townsend, seconded by Fennel, and carried to approve the minutes of the July 14, 2003 meeting as presented. Motion carried without a negative vote.

### **NEW BUSINESS:**

**WAUKESHA POWER EQUIPMENT – APPROVAL OF ARCHITECTURAL REVIEWS & SITE PLAN.** Building size is approximately 7,600 square feet. The facility will share a retention area with Greenwald property. At the department head review of the plans, they would like the aesthetics of the street face of the building improved and provide additional information for the plan of operations. They will be appearing before the Board of Building and Zoning Appeals for a conditional use permit for outside display and that they are within 1500 feet of the Interstate System. They do not plan on any repairs outside the building. Goose neck light fixtures on the north side of the building. They will have security lights on after hours. Planner recommends approval subject to three conditions: 1) The applicant will work with the Village Engineer to determine the size and type of storm water management facility that will be required on-site. 2) The applicant will provide a sampling manhole at the right-of-way line as requested by Village staff in order to permit waste water testing in the future should that be necessary. 3) A utility easement passes across the southwestern corner of the site and it was not shown on the submitted plans. Moved by Fennel, seconded by Townsend, to approve the architectural and site plan for Waukesha Power Equipment subject to the three conditions. Motion carried without a negative vote. Moved by Townsend, seconded by Fennel, to forward to the Board of Building and Zoning Appeals a copy of the minutes and letter of the Plan Commission action. Motion carried without a negative vote.

### **OLD BUSINESS:**

**PRELIMINARY PLAT OF FOX RIVER VIEW - HARMONY HOMES.** Developer has asked for directions of some issues from the Planning Commission. Issues are:

1. County doesn't want control of the floodway way or wetland area in the Homeowners Association, but to the Village or County. It is to be left natural, County may put in a walking trail or the Village or homeowners association could do that until the County puts it in. Commission would like control given to the County.
2. Trail location. Commission felt that a trail should go from the NE corner of the subdivision to Highway ES to Two Rivers subdivision. Planner will check further with the County and the Town of Vernon.
3. Plan shows an 80-foot right-of-way on Edgewood. Plan Commission would like 100-foot right-of-way.
4. Green strip along Lot 39. Commission would like it reserved for future road purposes.
5. Outlot 5 should be reserved for detention pond, pumping station, and park play area. Village Engineer to work with developer on this area and show locations on the final plat.

**ORDINANCE NO. 709 – ORDINANCE AMENDING THE PROVISIONS OF THE VILLAGE OF MUKWONAGO ZONING ORDINANCE AMENDING THE REGULATION OF SIGNAGE.** Another section is to be added to address the smaller signs that are placed on front yards. Item 'B' is to be changed to include language regarding small signs. Moved by Townsend, seconded by Fennel, to recommend approval of the Ordinance to the Village Board with the change as presented. Motion carried without a negative vote.

### **PLANNER'S REPORT:**

The Ad Hoc Committee has completed a big portion of their work on the ordinances and they should be recognized for that work.

The Shoreland/Wetland Ordinance is almost complete and will be presented when the draft is done.

At the next meeting the Planner is to give to each Planning Commission member a copy of a map showing where the trails should be located.

Moved by Townsend, seconded by Fennel and carried to adjourn the meeting at 8:32 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the Planning Commission meeting to order on September 15, 2003 at 7:00 p.m. Members present: FICKAU, BRONK, FENNEL, HAWKS, & WAGNER. Members excused: HANKOVICH & TOWNSEND. Also present: Attorney Reilly and Planner Kaniewski.

Moved by Hawks, seconded by Bronk, to approve the minutes of the August 18, 2003 minutes as presented. Motion carried without a negative vote.

#### **NEW BUSINESS:**

**MUKWONAGO CENTER - HIGHWAY 83 & CCH NN** – Development will be located north of Pick N Save. When complete it will consist of 60,000 square feet of retail space and will be done in phases. Lighting plans have been submitted. Parking is on maximum build out. Landscape plan is being reviewed with the Planner. Utilities and grading plans have been reviewed. Road to be widening to 24 feet with ‘No Parking’ posted along road. Water will drain into the storm water system to the west. **[clarification made to minutes on 10-20-03 reading as]** ‘Water will drain into the storm water system to the west and will end up in the regional retention pond’.

**Wagner** – I think you will have an issue with the road; 24 feet width is not enough.

**Bronk** – What happened to the landscaping in front of the building, between the sidewalk and building? **Reply**–Canopy will cause shading problems.

**Bronk** – The road is going to be a problem. **Reply**–We have land to make it wider, we will review this. We will look at 3-10’ lanes, center lane being a turn lane.

**Fickau** – How will deliveries be handled and where? **Reply**–Deliveries will be to the rear of the building; trucks will come off road to rear of the building. They will not go through the parking area.

**Fennel** – I agree, you will have a problem with the road and that will create traffic problems.

**Hawks** – How has the parking be figured? **Reply**–We exceed the amount of parking spaces required.

**Wagner** – Does the development abut a Village road? **Reply**–Will remain as one parcel until a village road is installed.

Moved by Fickau, seconded by Fennel, to recommend to the Village Board the approval of the site plan and the architectural plan based on the following conditions:

1. The site shall be developed in general conformance with the plans with a last revised date of September 9, 2003, as prepared by the Albion Group Architects.
2. Prior to issuance to any building permit on the site, the Landscape Plan shall be revised and approved by the Village Planner in conformance with the Village Planner’s comments.
3. Prior to issuance of a building permit, applicant and Village shall enter into a Developer’s Agreement, with said Developer’s Agreement requiring that an access easement be provided to the southeast corner of the site to allow the Village accessibility to the adjacent well house, for proper maintenance and utilization of on-site utility and storm water drainage, require other conditions of approval.
4. Prior to issuance of a building permit, the Village Engineer shall review and approve all on-site engineering, including storm water drainage, water quality and public utilities.
5. With Phase I building construction, all 220 parking spaces as shown on the Site Plan west of Phase I and Phase II development shall be constructed along with the three driveways from the parking lot to the western access drive.
6. Prior to construction of future phases, additional Site Plan and Architectural Plan approvals shall be gained from the Village.
7. This Site Plan and Architectural Plan approval shall not replace any required Conditional Use approval.

8. The road in front of the development should be widened to 30 feet (3-10' lanes with the center lane being a turn lane).
9. Plantings near the building will be review again by the landscaper at Ruekert & Mielke.

Motion carried without a negative vote.

***HONEY MEADOWS-CEDAR MILLS HOME*** - A proposed development consisting of 12 condo units in 3 buildings. Engineers say that the water drainage as shown will work. Units will be ranch style with 2 bedrooms. The plans meet the requirements from the Fire Chief. Village has review the storm water plan. Price of the condos will start at \$200,000 and this will be a condo association. The Village will review the landscaping plan again. Condos will have basements. Lighting plan includes 8 poles with shoebox type lamps. Retaining wall will be located on the south side of the property and will be small, plans have not been developed at this time, and the Planner will review it. Moved by Fickau, seconded by Fennel, to recommend to the Village Board the approval of Site Plan and Architectural Plans and letter of recommendation to the Board of Building and Zoning Appeals, and subject to the following conditions as set by the Planner:

1. The subject site shall be developed in accordance to the plans dated September 15, 2003.
2. Prior to issuance of a building permit, final Landscaping Plans shall be reviewed and approved by the Village Planner, in conjunction with comments previously forwarded to the applicant.
3. Prior to issuance of a building permit, the applicant and Village shall enter into a Developer's Agreement, with said Developer's Agreement outlining the terms and responsibilities of the applicant in completing the project as proposed.
4. Prior to issuance of a building permit, the Village Engineer shall approve all engineering plans and Storm Water Management Plans.
5. Prior to issuance of a building permit, a lighting photometric plan shall be submitted for the review and approval of the Village Planner, with zero foot candle light spill-over onto neighboring properties.

Motion carried without a negative vote.

***HAWK'S RIDGE EAST PLAN REVIEW*** - Joe Grascch, developer, stated that changes have been made as proposed by SEWRPC and those changes were shown on the map that was handed out to members tonight. He will deliver to the Village a new set of plans with the current change date noted. Moved by Fickau, seconded by Bronk, to recommend to the Village Board the approval of the Site Plan and Architectural Plans, subject to the following conditions:

1. Site Plan and Architectural Plan approvals shall be subject to the receipt of a letter from SEWRPC allowing for encroachment into the Primary Environmental Corridor, pursuant to the plan dated September 15, 2003.
2. Prior to issuance of building permit, landscaping plans shall be subject to the review and approval of the Village Planner.
3. Prior to issuance of a building permit, a site lighting plan and photometric plan shall be subject to the review and approval of the Village Planner, in accordance with Village Ordinance.
4. Prior to any site plan, the Village Engineer shall review and approve the final engineering plans for the site including the storm water management and water quality plan.
5. Prior to any site development, a Developer's Agreement shall be agreed upon between the applicant and the Village, with conditions in the Developer's Agreement to include, but not limited to, the requirement of the Home Owners Association and/or applicant to install and maintain "no parking" signs along all driveways, as required by the Police Chief and/or the Fire Chief; the water main shall be looped and all other conditions of approval shall be within the Developer's Agreement.

Motion carried without a negative vote.

**ORDINANCE NO. 716-MCKENZIE HOUSE, 219 GRAND AVENUE:** Moved by Fennel, seconded by Fickau, to recommend to the Village Board the change of zoning for the property at 219 Grand Avenue from P-1 to R-2. Motion carried without a negative vote.

**PEITION TO ATTACH PROPERTY-FRIENDS OF EAST TROY RAILROAD MUSEUM:** Moved by Fickau, seconded by Fennel, to recommend to the Village Board the attachment of 1.522 acres of the East Troy Railroad property from the Town of Mukwonago to the Village of Mukwonago. Motion carried without a negative vote.

**RESOLUTION 2003-27:** Moved by Fickau, seconded by Fennel, to recommend to the Village Board the vacation of the unnamed and unimproved road located south of Bay Street and contiguous to Phantom Lake. Motion carried without a negative vote.

**RESOLUTION 2003-28:** Land would go back to lot #2 which is where it came from. The parcel is about 60' wide by 737' long. Moved by Fickau, seconded by Fennel, to recommend to the Village Board the vacation of Maple Street that is unimproved. Motion carried without a negative vote.

**OLD BUSINESS:**

**FOX RIVER VIEW-PRELIMINARY PLAT:** Moved by Fickau, seconded by Fennel, to recommend to the Village Board the approval of the preliminary plat subject to the following conditions:

1. The 83 lot, 5 Outlot subdivision is approved pursuant to the preliminary plat prepared by RSV Engineering, with the last revised date of September 8, 2003, and subject to Village Engineer approval of a final Storm Water Management Plan.
2. Lots 1, 38, 39, 40 and 59 shall have "no access" restrictions to Edgewood Avenue placed on the Final Plat.
3. On the final plat, vision corner easement shall be placed at all intersections.
4. Prior to submittal of the final plat, all wetland delineations must be verified and approved by the Wisconsin Department of Natural Resources.
5. With the submittal of the final plat, the developer and Village shall agree to the location and type of play equipment and any other recreational activities within Outlot 5, and shall be duly noted as the responsibility of the developer to install such play equipment and/or activities, in the Developer's Agreement.
6. The Developer's Agreement shall indicate provisions for the reconstruction of Edgewood Avenue should construction of the subject subdivision cause the deterioration of Edgewood Avenue pavement.

Motion carried without a negative vote.

**REZONING OF HAWKS RIDGE EAST:** Moved by Fennel, seconded by Fickau, to recommend to the Village Board the change of zoning for Hawks Ridge East from R-2 to R-10. Motion carried without a negative vote.

**ACCESS PLANNING TO STH 83 NORTH OF CTH NN:** Commission members were in agreement that Fairwinds Road should extend through the Chapman Farm to STH 83. Planner will prepare work for the amendment to the Master Plan to address the access plan.

**SHORELAND-WETLAND & FLOODPLAIN ORDINANCE:** Commission members were in agreement that we should proceed with the changes in this ordinance. The Planner will proceed with discussions with other agencies and come back to the commission with a final recommendation.

**MULTI USE TRAILS:** Planner will work on a more detailed map for review by the commission at a later date.

Moved by Wagner, seconded by Fennel and carried to adjourn the meeting at 9:47 p.m.

Bernard W. Kahl, MMC  
Administrator/Clerk-Treasurer

President Wagner called the Village Planning Commission to order on October 20, 2003 at 7:00 p.m. Members present: FICKAU, BRONK, FENNEL, HAWKS, & WAGNER. Members excused: HANKOVICH & TOWNSEND. Also present: Attorney Reilly and Planner Kaniewski.

Moved by Fennel, seconded by Fickau, to clarify the statement under the Mukwonago Center, which reads 'Water will drain into the storm water system to the west'. It should read 'Water will drain into the storm water system to the west and will end up in the regional retention pond'. Motion carried without a negative vote.

### **NEW BUSINESS:**

**CSM – MacArthur Square Condominiums-Jerome Martens** – The Board of Building and Zoning Appeals has delayed approval of the conditional use request until the Village Board approved the CSM. Moved by Fennel, seconded by Hawks, to recommend to the Village Board the approval of the CSM for Jerome Martens. Motion carried without a negative vote.

**Developers Agreement-Honey Meadow Condominiums** – Moved by Fickau, seconded by Fennel, to recommend to the Village Board the approval of the Developers Agreement. Approval is subject to the review and approval by the Building Inspector. Motion carried without a negative vote.

**Storm Water Pipe Outlet Easement – Minor's Homestead** – Moved by Fickau, seconded by Fennel, to recommend to the Village Board the approval of the Storm Water Pipe Outlet Easement. Planner will look at the site for possible fencing. Motion carried without a negative vote.

**Resolution 2003-30: A Resolution authorizing the sale of land to the Mukwonago Rotary Foundation, Inc.** – It is noted here that Village Attorney Shawn N. Reilly is also a Board Member of the Mukwonago Rotary Foundation, Inc. The Village Board is aware of the conflict and consents to Attorney Shawn N. Reilly representing the Village of Mukwonago in this matter. Moved by Fennel, seconded by Fickau, to recommend approval of Resolution 2003-30 to the Village Board. Motion carried without a negative vote.

**Resolution 2003-31: A Resolution authorizing the purchase of property from the Mukwonago Area Arts and Activities Center, Inc.** - It is noted here that Village Attorney Shawn N. Reilly is also a Board Member of the Mukwonago Area Arts and Activities Center, Inc. The Village Board is aware of the conflict and consents to Attorney Shawn N. Reilly representing the Village of Mukwonago in this matter. Moved by Fennel, seconded by Fickau, to recommend approval of Resolution 2003-31 to the Village Board. Motion carried without a negative vote.

**HPC Minutes and Reports** – Item was referred to the next Plan Commission meeting.

### **OLD BUSINESS:**

**Rezoning from R-2 to R-10 – Highway NN – Hawks Ridge East** – Moved by Fickau, seconded by Fennel to recommend to the Village Board the approval of the rezoning ordinance for Hawks Ridge East. Motion carried without a negative vote.

**PLANNERS REPORT:** The Shoreland/Wetland Ordinance is at the DNR for review.

Moved by Fickau, seconded by Fennel and carried to adjourn the meeting at 7:33 p.m.

Bernard W. Kahl, MMC  
Village Clerk

President Wagner called the Planning Commission meeting to order on November 17, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, FENNEL, HAWKS, & WAGNER. Members excused: TOWNSEND. Also present: Attorney Reilly and Planner Kaniewski.

Moved by Fickau, seconded by Hankovich, to approve the minutes of the October 20, 2003 minutes as presented. Motion carried without a negative vote.

At 7:03 p.m. the Public Hearing on the Comprehensive/Master Plan Amendment was opened. *Gilbert Yerke, S79 W28995 Frog Alley Rd.*, spoke as the owner of 22 acres in the proposed area. He did not see a notice published or receive a letter in the mail. He discussed a temporary cul de sac on his property, the road behind Ace and Culvers and other issues that concerned him. He also spoke unofficially as a member of the Town of Mukwonago Plan Commission. Issues discussed was the topography of the area on Major's property, the wetland area, including the stream to the north and the pond, and the density. He explained that Hwy 83 will eventually be a 4-lane road to Hwy 59 and had a discussion on people residing on a 4-lane road versus a business that may not work in the downtown.

*Brett Engelking, Bielinski Development*, explained they he is evaluating the Major property for development. The main concern was the DOT access to Hwy 83.

*Planner Kaniewski* gave a presentation on the issue. The main intent is to show where the main roads will possible be constructed as the area is developed.

*Hankovich* is concerned with the commercial sprawl in that area in relation to the rehabilitation of the downtown area. He is also concerned with residential abutting commercial and then becoming residential again in the area east of Hwy 83 and north of Culvers.

*Bronk* is also concerned with the commercial area on the north end and the commercial area in the downtown.

*Gail Yerke, S79 W28995 Frog Alley Rd.*, applauded the Village for discussing the issue and being forward thinking. She stated that Hwy 83 is a major thoroughfare, and people will want to shop there.

*Reilly* stated that another public hearing will need to be held since it was not published.

Public Hearing closed at 7:38 pm.

#### **NEW BUSINESS**

**ORDINANCE NO. 719:** *AN ORDINANCE TO AMEND THE COMPREHENSIVE/MASTER PLAN FOR RESIDENTIAL DESIGNATIONS AND DENSITIES* – Another public hearing will be held. Item tabled for the next meeting.

**DISCUSSION ON THE STATUS OF THE FUTURE OF THE DOWNTOWN AREA** – There was a short discussion on what needs to be done to the downtown area. Historic Preservation Commission should be involved, and since Townsend is not here, the issue will be tabled for any further discussions and decisions. Item tabled for the meeting in either December or January.

**RESOLUTION 2003-33:** *RELOCATION ORDER – PLANK ROAD PROJECT* – This resolution will start the process in the taking of property for the Plank Road Project for the repair and installation of sidewalks and the installation of a stormwater system and cul de sacs. Moved by Hankovich, seconded by Fickau, to recommend to the Village Board the approval of **Resolution 2003-33: Relocation Order – Plank Road Project**. Motion carried without a negative vote.

**HISTORIC PRESERVATION REPORTS** – Item tabled for when Townsend is present.

#### **PLANNER'S REPORT**

Kaniewski noted that he received a call from Joe Grasc. Grasc explained that he acquired the farmhouse that Hawk's Ridge East surrounds. New plans will be presented at a future meeting. Moved by Hankovich, seconded by Fickau and carried to adjourn at 7:55 pm.

Steve Braatz  
Deputy Clerk

President Wagner called the meeting of the Planning Commission to order on December 15, 2003 at 7:00 p.m. Members present: FICKAU, HANKOVICH, BRONK, TOWNSEND, FENNEL, HAWKS, & WAGNER. Also present: Attorney Reilly and Planner Kaniewski. Moved by Fennel, seconded by Fickau, to approve the minutes of the November 17, 2003 as presented. Motion carried without a negative vote.

**NEW BUSINESS:**

***REZONING OF LOT 26, BLOCK 5 OF MEADOW PARKS ESTATES*** – Moved by Hankovich, seconded by Fennel, to recommend to the Village Board the approval of the change of zoning from M-1 [Limited Industrial District] to R-4 [Planned Residential Development District]. Motion carried without a negative vote.

***ORDINANCE NO. 722 TO AMEND THE DISTRICT ZONING MAP*** – Moved by Fennel, seconded by Fickau, to recommend to the Village Board the approval of Ordinance No. 722: An ordinance to amend the district zoning map of the Village of Mukwonago. Motion carried without a negative vote.

***CSM-LOT 26, BLOCK 5, MEADOW PARK ESTATES*** – Item was referred to the next meeting for more information.

***HAWKS RIDGE EAST CONCEPTUAL REVIEW*** – The Commission members support the new layout that shows the purchase of the farmhouse and the new layout of buildings. This will be discussed further at the January meeting. Developer was encouraged to have a letter from SEWRPC regarding the development.

***THE ORCHARDS-PHASING PLAN*** – Phase One will have 55 lots. Developer will put up a letter of credit guaranteeing that the road to Honeywell and the multi-use trail along CTH ES be completed by August 1, 2005. Developer figures that Phase One will be sold out in one year. Total development will consist of three phases. Moved by Hankovich, seconded by Fickau, to recommend to the Village Board the approval of the phasing of The Orchards Subdivision. Motion carried without a negative vote.

***STATUS OF THE FUTURE OF THE DOWNTOWN AREA*** – Commission member Townsend gave an oral report. We currently have one new structure and nine remodeling. Agree with the letter dated November 15<sup>th</sup> from R&M. We are looking at 1890-1910 architectural structures. Area needs to be more pedestrian friendly. More marked crosswalks would help as well as detailed marking for parking. If more trees were planted along the streets it would have a more inviting look to the area. Committee will be working more with the Planner and his staff for more ideas.

Moved by Townsend, seconded by Fennel and carried to adjourn the meeting at 8:06 p.m.

Bernard W. Kahl, MMC  
Admin/Clerk-Treasurer