

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, January 14, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m.

#### **Roll Call**

Commissioners present: Mike Sellenheim  
Joseph Hankovich  
John Hogan  
Jaime Vega  
Joseph Abruzzo  
Fred Winchowky

Commissioners excused: Mark Penzkover

Also present: Bruce Kaniewski, Village Planner  
Jake Bibis, Attorney  
Judith Taubert, Deputy Clerk

#### **Minutes**

Motion by Abruzzo/Sellenheim to approve the December 10, 2013 regular meeting minutes as presented carried unanimously. Hogan abstained.

#### **Unfinished Business**

##### **Policy Direction regarding requirement of recently annexed/attached properties receiving proper zoning classifications**

Item tabled until later in meeting.

##### **Review of Proposed Developers Agreement with Waukesha Memorial Hospital**

At the request of the applicant, the item is postponed until the next regular meeting.

#### **New Business**

##### **240 Maple Avenue Certified Survey Map**

Motion by Hankovich/Sellenheim to recommend the Village Board approve the Certified Survey Map for the property located at 240 Maple Avenue, Tax Key Nos. MUKV2016993 and MUKV2016993001, subject to the conditions and approvals of the Village Staff carried unanimously.

##### **525 Oakland Ave. and 529 Oakland Ave. Certified Survey Map**

Motion by Hankovich/Abruzzo to recommend the Village Board approve the Certified Survey Map for the properties located at 525 Oakland Ave. and 529 Oakland Ave., Tax Key Nos. MUKV1973244 and MUKV1973245 carried unanimously subject to the following conditions:

1. Grant waivers to Chapter 45, Land Division Ordinance of the Municipal Code to allow access to an unimproved right-of-way, a lot frontage less than 100 feet (Lot 2) and not require building lines, additional yards or lands to be reserved, to be shown on the map.
2. Village officials shall not sign the CSM until the Village Engineer certifies revisions have been made according to comments 1, 2, 3 in the letter dated December 28, 2013.

**Preliminary Plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I recommendation**

At the request of the letter received by the applicant asking for a 60 day extension, the item is postponed until the regular March meeting.

**N9200 CTH ES in the Town of East Troy Extraterritorial Certified Survey Map**

Motion by Hankovich/Abruzzo to recommend the Village Board approve the extraterritorial Certified Survey Map for the property located at N9200 CTH ES in the Town of East Troy, Tax Key No. #PA137900001 carried unanimously subject to the following conditions:

1. Previous conditions shall be added to the Certified Survey Map as related to the 2006 agreement because there are safety issues over the driveway location carried unanimously. The 2006 recommendation stated access to lot 1 should be as far to the east on Miramar or as far to the south on ES with turn lanes. For lot numbers 2 & 3; if the driveway is off of CTH ES then there should be egress and ingress lanes installed before occupancy is permitted. Both items should be included on the plat. The 2006 motion was carried with the following conditions:
  - A. Prior to recording of the CSM, revisions shall be made to the CSM in accordance with the letter dated May 24, 2006 from David M. Buechl, P.E., R.L.S. of Ruekert-Mielke. (*Editor's Note: Engineer confirmed those conditions were met.*)
  - B. Prior to recording of the CSM, the Village shall review and approve of all revisions.
  - C. Prior to recording of the CSM, Walworth County shall approve all technical revisions requested by other reviewing agencies.

**W298S10725 Phantom Woods Road in the Town of Mukwonago Extraterritorial Certified Survey Map**

Motion by Sellenheim/Hogan to recommend the Village Board approve the extraterritorial Certified Survey Map for the property located at W298S10725 Phantom Woods Rd. in the Town of Mukwonago, Tax Key Nos. MUKT2005237 and MUKT2011005001 subject to approval by the Town of Mukwonago and the Village of Mukwonago receiving copies of that approval carried unanimously.

**Policy Direction regarding requirement of recently annexed/attached properties receiving proper zoning classifications**

Item brought back to the table. Item is postponed until the next regular meeting.

**Village Planner Reports**

**Letters of support for Potential Multi-Family development on a Portion of the Chapman Property near STH 83 and Black Bear Blvd., Tax Key No. MUKV 1962996**

Commission asked Planner to write a letter of approval for possible multi-family development.

**Review of the Village policy regarding the ratio of single-family to multi-family units**

Discussion only. No action taken.

**Review of potential amendment to Division 7 of the Zoning Ordinance regarding Floodplain Zoning**

Item remains on the agenda.

**Adjournment**

Motion by Hankovich/Sellenheim to adjourn the meeting at 8:33 p.m. carried unanimously.

Respectfully Submitted,

Judith A. Taubert  
Deputy Clerk

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, February 11, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m.

#### **Roll Call**

Commissioners present: Mike Sellenheim  
Joseph Hankovich  
John Hogan  
Jaime Vega  
Mark Penzkover  
Fred Winchowky

Commissioners excused: Joseph Abruzzo

Also present: Bruce Kaniewski, Village Planner  
Shawn Reilly, Village Attorney  
Jake Bibis, Attorney  
Judith Taubert, Deputy Clerk

#### **Minutes**

Motion by Sellenheim/Hankovich to approve the January 14, 2014 regular meeting minutes as presented carried unanimously.

#### **Unfinished Business**

##### **Policy Direction regarding requirement of recently annexed/attached properties receiving proper zoning classifications**

Item tabled until next regular meeting.

##### **Waukesha Memorial Hospital Developers Agreement**

Motion by Penzkover/Sellenheim to recommend the Village Board approve the amendment to the developers agreement with Waukesha Memorial Hospital carried unanimously.

##### **Review of potential amendment to Division 7 of the Zoning Ordinance regarding shoreland/floodplain zoning**

Items to remain on the agenda.

#### **New Business**

##### **Well #7**

Motion by Penzkover/Hogan to recommend the Village Board approve the Quit Claim Deed and the Lease and Easement Agreement with Glen and Lisa Caine for the purpose of obtaining land for Well #7 carried unanimously.

#### **Adjournment**

Motion by Hogan/Penzkover to adjourn the meeting at 6:58 p.m. carried unanimously.

Respectfully Submitted,

Judith A. Taubert  
Deputy Clerk

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, March 11, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:35 p.m.

#### **Roll Call**

Commissioners present: Mike Sellenheim  
Joseph Hankovich  
John Hogan  
Mark Penzkover  
Fred Winchowky

Commissioners excused: Joseph Abruzzo  
Jaime Vega

Also present: Bruce Kaniewski, Village Planner  
Judith Taubert, Deputy Clerk

#### **Minutes**

Motion by Hogan/Hankovich to approve the February 11, 2014 regular meeting minutes as presented carried unanimously.

#### **Public Hearing**

The Public hearing to consider an application by Carl Goede for expansion of the conditional use permit for Rivers Edge Car Wash for the construction of vacuum cleaning stations at the property located at 809 S. Rochester Street opened at 6:36p.m.

Carl Goede, Rivers Edge Car Wash, 809 S. Rochester Street presented his plan of operation as submitted for the vacuum cleaning stations.

No one spoke for or against the conditional use permit.

Public hearing closed at 6:40 p.m.

Motion by Hankovich/Hogan to recommend the Village Board approve the expansion of the conditional use permit requested by Carl Goede, Rivers Edge Car Wash, for the construction of vacuum cleaning stations at the property located at 809 S. Rochester St. with the following conditions carried unanimously:

1. The plan description for the construction of the vacuuming stations as presented shall be followed.
2. 5 vacuum stalls with 6 arches.
3. Paving additional 7 parking stalls
4. Arches to match blue building stripe as close as possible.
5. Vacuum station only available when car wash is open.
6. Will follow all previous conditions set by other conditional use permits.

#### **Unfinished Business**

**Discussion of Policy Direction regarding requirement of recently annexed/attached properties receiving proper zoning classifications**

Item postponed until next regular meeting.

**Review of potential amendment to Division 7 of the Zoning Ordinance regarding shoreland/floodplain zoning**

Item postponed until next regular meeting.

**New Business**

**Minor's Estates**

Motion by Hankovich/Penzkover to recommend the Village Board approve the request by Minor's Homestead Addition #3 for another extension until the April 15<sup>th</sup> Village Board meeting carried unanimously.

**Premier Woods**

Tim Seidel, Architect LLC, 530 Cymric Ct, Wales, WI, presented the preliminary plans for the Premier Woods development on Phantom Woods Road and CTH ES. After discussion, it was recommended Mr. Seidel readdress the plans and come back to the Planning Commission.

**Half-Time Sports Grille signage**

Motion by Sellenheim/Penzkover to accept the signage approval for the installation of signage located at 200 S. Rochester Street as presented by Mark Weiss, Half-Time Sports Grille carried unanimously.

**STH 83 Jurisdictional Transfer**

The STH 83 Jurisdictional Transfer is proceeding with more negotiating.

**Adjournment**

Motion by Hankovich/Sellenheim to adjourn the meeting at 8:47 p.m. carried unanimously.

Respectfully Submitted,

Judith A. Taubert  
Deputy Clerk

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, April 8, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
John Hogan  
Mark Penzkover  
Jaime Vega  
Joseph Abruzzo  
Fred Winchowky  
Commissioner excused: Mike Sellenheim

Also present: Bruce Kaniewski, Planner  
John Weidl, Administrator  
Shawn Reilly, Attorney  
Steven Braatz, Jr., Clerk-Treasurer

#### **Announcement of closed session**

Chairperson Winchowky announced the Plan Commission will convene into closed session later in the meeting pursuant to Wisconsin Statutes **§19.85(1)(e)** to review the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago.

#### **Minutes**

Motion by Hankovich/Hogan to approve the March 11, 2014 regular meeting minutes as presented carried unanimously.

#### **Unfinished Business**

##### **Recently annexed/attached properties zoning classifications**

Motion by Abruzzo/Penzkover to authorize staff, pursuant to staff recommendation, to schedule a public hearing for zoning reclassifications of recently annexed/attached properties throughout the Village carried unanimously.

##### **Review of potential amendment to Division 7 of the Zoning Ordinance regarding shoreland/floodplain zoning**

Item will remain on the agenda.

##### **Premier Woods development**

The applicant is working with the DNR regarding the road width. Plan Commission is in favor of the conceptual site plan/architectural plan for Premier Woods development located on Phantom Woods Road and CTH ES.

##### **Recommendation to Village Board regarding Preliminary Plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I**

Item will remain on the agenda based upon the property owner's request.

## **New Business**

### **GEITS GROUP for conceptual consideration of a proposed gasification plant**

Rajesh Neilore from GEITS GROUP, and Steve Jenkins and Allan Erickson from CH2MHILL, gave a presentation on a proposed gasification plant in the potential new industrial park on STH 83 south of I43. Plan Commission in favor for GEITS GROUP to proceed for future considerations.

### **Fox River View and Edgewood Meadows Condominiums Subdivisions developers agreement amendment**

Motion by Penzkover/Abruzzo to recommend the Village Board approve the developers agreement amendment for Fox River View and Edgewood Meadows Condominiums Subdivisions pending the Village Attorney's recommended changes carried unanimously.

### **W299S10560 Phantom Woods Rd. extraterritorial certified survey map**

Motion by Penzkover/Hogan to recommend the Village Board approve the extraterritorial certified survey map for the property located at W299S10560 Phantom Woods Rd. in the Town of Mukwonago carried unanimously contingent upon the following conditions:

1. Prior to Village officials signing the CSM, the Village Engineer shall verify the final copy of the CSM has been revised in accordance to comments 2, 3, 4, 5, 6, and 8 in the April 3, 2014 letter from Christopher L. Ruetten, P.L.S of Ruekert & Mielke.
2. Prior to Village officials signing the CSM, the applicant shall provide to the Village Clerk written confirmation from the Town of Mukwonago that the matters of comments nos. 7 and 9 have been reviewed and found acceptable by the Town.

### **Brooklife Church Sign**

Motion by Abruzzo/Penzkover to approve the monument sign for Brooklife Church on the property located at 857 S. Rochester St. as presented carried unanimously.

### **Bear Place Apartment Homes Sign**

Motion by Hankovich/Hogan to approve the wall-mounted sign for Bear Place Apartment Homes on the property located at 730 N. Rochester St., in lieu of a ground-mounted sign as allowed under the zoning, as presented carried unanimously.

### **Consideration of Request by Greenwald Family Partnership to Gift the Millenium Gardens/Manor property, located in the Town of Mukwonago, to the Village**

Plan Commission would like staff to explore the option further and bring more details, including the terms of the gift, back to the Commission.

### **Future Plan Commission meeting dates**

Discussion only. No action taken.

## **Closed Session**

Motion by Penzkover/Hankovich to convene into closed session at 8:40 p.m. pursuant to Wisconsin Statute **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to review the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago carried unanimously upon roll call vote.



Discussion held in closed session. Motion by Penzkover/Hogan to adjourn closed session and reconvene to open session at 8:59 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously.

Motion by Penzkover/Abruzzo to recommend the Village Board approve the offer to sell property from Horter/Lynch LLC to the Village of Mukwonago document contingent upon Village Attorney review and amendments carried unanimously.

**Adjournment**

Motion by Penzkover/Vega to adjourn the meeting at 9:00 p.m. carried unanimously.

Respectfully Submitted,

Steven A. Braatz, Jr.  
Clerk-Treasurer

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, May 13, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
Mike Sellenheim  
Mark Penzkover  
Fred Winchowky

Commissioner excused: John Hogan  
Jaime Vega  
Joe Abruzzo

Also present: Bruce Kaniewski, Planner  
Judith Taubert, Deputy Clerk

#### **Announcement of closed session**

Chairperson Winchowky announced the Plan Commission will convene into closed session later in the meeting pursuant to Wisconsin Statutes **§19.85(1)(e)** to review the modifications to the existing letter of intent with the Greenwald Family Limited Partnership and offer to purchase property for the purposes of a right-of-way within TID #3.

#### **Approval of minutes**

Motion by Hankovich/Penzkover to approve the April 8, 2014 regular meeting minutes as presented carried unanimously.

#### **Public Hearings**

The Public hearing to consider an application by Mukwonago Lions Club for a conditional use permit for the construction of snack shack and shelter building at the property located at 931 N. Rochester St. opened at 6:32 p.m.

Darold Kukowski, W858 Harmony Lane, East Troy, representing the Mukwonago Lions Club presented their plans as submitted for construction of a snack shack and shelter in Field Park. He explained that there would only be prepackaged goods and beverages. It will have picnic tables and benches for people to sit and have shelter. There was concern regarding the metal roof near the third base area but Mr. Kukowski explained that the roof would be supported with wood underneath the metal.

Richard Hill, 229 Lincoln Avenue – Spoke against putting up another building in Field Park taking away green space in a park. Suggested putting improvements into the existing pavilion.

Public hearing closed at 6:43 p.m.

Motion by Penzkover/Sellenheim to recommend the Village Board approve the conditional use permit requested by Mukwonago Lions Club for the construction of snack shack and shelter building at the property located at 931 N. Rochester St.

Reasons for granting the conditional use permit are as follows:

1. The building will be donated to the Village for public use and benefit

The conditions of the conditional use permit are as follows:

1. The building is a consistent use of the park.
2. It is not an adverse use of the park
3. The Village will receive lien waivers when the building is turned over to the Village.
4. The location is subject to the approval by the Inspection Dept. and the Public Works Department as to the best location for the building.
5. Waive the fees for the Conditional Use Permit due to the fact that the building will be donated to the Village.

Motion carried.

The Public hearing to consider an application by Cynthia Eggleston, Mukwonago Food Pantry, for a conditional use permit to use the property located at 225 Eagle Lake Ave. as a social service facility opened at 7:00 p.m.

Cynthia Eggleston, 200 Fox St., Executive Director for the Food Pantry, presented her plan of operation as submitted to convert the property located at 225 Eagle Lake Avenue as a social service facility. The building will be used as a resource center. Anyone offering services will have to be non-profit and have insurance. Eagle's Wing will hold a free clinic. ADRC will hold classes to educate and assist families who have aging and/or disabilities. The Backpack Coalition, Inc. will offer once a year backpacks and school supplies. Energy Assistance will be there to assist families in need.

Richard Hill, 229 Lincoln Avenue – Spoke in favor of the resource center however, he was concerned if this makes the building tax exempt and it will come off the Tax Roll?

Molly Witte, 310 Eagle Lake Avenue – Said that what Cindy is doing for the Community is awesome. She appreciates the Food Pantry and medical services provided. She has done fund raising and has donated to the Food Pantry. She Cindy was nice enough to give her a tour and within this tour she stated that they would be housing homeless people. She showed her rooms with beds in them that they had already purchased and also a room with beds for a family to use. She hasn't spoken to anyone regarding this but, she and her neighbors are very concerned if homeless people are going to be there. She wanted to know if there would be another public hearing if they come back to the Planning Commission to have approval of a homeless shelter.

Lois Clement, 240 Eagle Lake Avenue – Lives across the street and is concerned if her property value is going to go down if there are homeless people staying there.

Karen Piotrowski, W15174 Garden Terrace, Muskego, 53150 – A volunteer with Eagle's Wings spoke of the history of Eagle's Wings Free Clinic, Inc. Cindy has extended an invitation for them to come to the resource center. They are very grateful. She can understand that the services will bring in people and that could make people concerned, however, the people are already here. There are many people that live and go to school in our own community that need help. Just because people are out of work and don't have insurance and need their services doesn't mean that they are bums. She explained that there would be no narcotics or addictive drugs on site.

President Winchowky received emails for and against the resource center. They would be on file in the Clerk's Office for anyone to read.

Kurt Schmidt, 932 S. 86<sup>th</sup> St., West Allis, 53214 – Said he was very upset that the neighbors didn't talk to them first and had spread rumors of a homeless shelter. They don't understand the need of the Community and they should have found out what the Food Pantry was asking for first instead of bad mouthing the facility.

Ann Marie McPherson, 208 Eagle Lake Avenue – wondered why other counties would be involved. Fred clarified that it meant that other counties have the same services. Cindy explained that people from other counties could come on the days that they are in Mukwonago if it is more convenient for them as well as people from our community could go to other counties.

Jeff Vincent, 148 Eagle Lake Ave. – Helps out at a Hope Center in Waukesha and he is concerned with the location. He said that some of the people that come to the Center for services are homeless and drug addicts and they hang around the facility. He is concerned for his family and neighborhood if this type of people are coming for help.

Kurt Schmidt, 932 S. 86<sup>th</sup> St., West Allis, 53214 – Said that this is not a Hope Center and he cannot understand why the people think that this will bring out all the bums.

Perry Anderson, 134 Eagle Lake Ave. – Concerned of drawing people in. Food Pantry is a great thing.

Mary Kohl, S93W31166 County Rd NN – Member of Food Pantry Board, many of services offered at the Food Pantry will be at the resource center. It is unfortunate that lack of healthcare and jobs lead to assumptions of drug addiction. People with drug addictions will look to other sites not the resource center.

Public hearing closed at 7.25 p.m.

Motion by Sellenheim/Penzkover to recommend the Village Board approve the conditional use permit requested by Cynthia Eggleston, Mukwonago Food Pantry, for a conditional use permit to use the property located at 225 Eagle Lake Ave. as a social service facility subject to the findings and terms of sheet as prepared by the Village Planner

Reasons for granting the conditional use permit are as follows:

1. The use of the site and structure is in accordance with the purpose and intent of the B-1 Community Business District.
2. The use of the site and structure is found not to be hazardous, harmful, offensive or adverse to the environment or value of the neighborhood and the Village of Mukwonago.
3. The use of the site and structure does not change the character of the neighborhood.
4. The use of the site and structure supports a public community purpose.
5. A number of citizens either spoke at the hearing or submitted written comments in support of the petition.

The conditions of the conditional use permit are as follows:

1. The use of the property at 225 Eagle Lake Avenue, Mukwonago, WI owned by Mukwonago Food Pantry shall be operated in strict conformance with the petitioner's public hearing presentation, and the information submitted on the Request for a Conditional Use Application, especially the description of the principal use.
2. The conditional use is granted solely to the Mukwonago Food Pantry, and is not transferrable, as a "social service facility" as allowed as a conditional use in the B-1 zoning district of the Village of Mukwonago. Nothing in this conditional use shall prohibit another owner to petition the Village for a new conditional use should a change in

ownership occur. A social service facility means a facility operated by an organization which provides services such as training, counseling, health or the distribution of food or clothing. This term includes, but is not limited to, a facility offering life skills training, substance abuse counseling, housing services or a neighborhood recovery center. The term does not include an emergency residential shelter.

3. The use is not to be used as a place of assembly.
4. Kitchen facilities are not allowed on the site, except through amendment of this conditional use and with State of Wisconsin approval of a commercial kitchen with required venting and fire suppression system.
5. No part of the site or structure shall be utilized as residential or overnight sleeping quarters or accommodations.
6. The conditional use shall be renewed by the Plan Commission and the Village Board within one (1) year of approval, with a second one (1) renewal, and then subsequent five (5) year renewals. Renewal of the conditional use shall be granted if the use of property and structure are found to be operation in accordance with terms of approval of this conditional use. Findings of nonconformance shall be grounds for termination of this conditional use.
7. Within two weeks of approval of this conditional use, petitioner shall submit to the Village Clerk a letter from the Board of Directors of the Mukwonago Food Pantry indicating an understanding of the terms and a statement of agreement to conform to the terms of this conditional use.
8. Petitioner shall annually submit to the Village Clerk, no later than April 30 of each calendar year, a list of names and contact information of the Board of Directors of the Mukwonago Food Pantry.
9. The use of the structure shall conform at all times with building codes and fire safety codes. The use shall be subject to periodical inspections by the Mukwonago Fire Department and Village of Mukwonago Building Inspection and/or Zoning Administrator staff.
10. The use of the structure shall conform at all times with federal, state and local laws.

Motion carried.

The Public hearing to consider an application by Conny MacIntosh for a conditional use permit to use the property located at 501 Main St. as a single-family residence opened at 8:05 p.m.

Conny MacIntosh, W256S5081 Oakdale Dr.; Waukesha presented her plan to use the property located at 501 Main St. as her single-family residence. She would like to live there with her daughter. Maybe someday she would like to use it as a Barber Shop if possible.

No comments from the public.

Public hearing closed at 8:08 p.m.

Motion by Penzkover/Sellenheim to recommend the Village Board approve the conditional use permit requested by Conny MacIntosh for a conditional use permit to use the property located at 501 Main St. as a single-family residence.

Reasons for granting the conditional use permit are as follows:

1. B-1 zoning allows for a single-family residence as a conditional use.

The conditions of the conditional use permit are as follows:

1. The proposal shall meet the residential requirements
2. Would have to come back for another conditional use or variance if she moved her Barber Shop to the property at 501 Main Street.

Motion carried.

The Public hearing to consider the proposed amendment to the Project Plan for the Village's Tax Incremental District No. 3 opened at 8:14 p.m.

Bruce Kaniewski, Village Planner, explained the proposed amendment to the Project Plan for the Village's Incremental District. The basic change is to allow the Village to purchase property to encourage and accelerate industrial development and business development instead of using tax incremental funding or bonding to allow TID development for infrastructure. Use the Village bonding power of the Community to purchase property now and put in the infrastructure and then allowing the property development to pay back. Taking funds now for funds that will be available in the future. Being self-sufficient.

Marilyn McCarthy, S108W27690 Maple Ave. – Spoke that they would like more information. She has concerns regarding putting in a road at the bottom of 40 acres of the McCarthy farm. It will hurt farming because it will not drain properly. They have received many different maps and it is confusing. They would like to sit down with Bruce to have him explain more of the plans for development.

Public hearing closed at 8:18 p.m.

Motion by Penzkover/Sellenheim to adopt Resolution No. 2014-12: A Resolution Adopting Project Plan Amendment No. 1 for Tax Incremental District No. 3, Village of Mukwonago, Wisconsin and Submitting the Amendment to the Village Board for Approval carried.

## **Unfinished Business**

### **Shoreland/floodplain zoning**

The Village Planner will schedule a public hearing in June for the amendment to Division 7 of the Zoning Ordinance regarding shoreland/floodplain zoning.

### **Preliminary Plat for Minor's Estates**

Motion by Hankovich/Sellenheim to recommend the Village Board grant an extension of the Preliminary Plat for Minor's Estates until the June meeting carried.

### **Proposed Village Center Overlay Zoning District**

Item will remain on the agenda.

### **Proposed amendments to Section 100-403 of the Municipal Code pertaining to required parking standards**

Item will remain on the agenda.

### **Millenium Gardens/Manor property**

Motion made by Penzkover/Sellenheim to direct the Village Administrator to write a letter to Greenwald Trust to ask them to answer the questions posed in a letter within two weeks or we cannot consider this offer. This is the first step, and we need to consider the neighboring properties. Motion carried.

## **New Business**

### **Consideration of Historic Preservation approval of proposed addition for the property located at 300 Pearl Ave.**

Ryan Menghe, 6511 W. Division St., Mequon, representing Sue Perkins, presented plans to restore footprint of house as in 1903 as presented. Motion by Hankovich/Sellenheim to accept the Historic Preservation approval for the proposed addition for the property located at 300 Pearl Ave. carried.

### **Status of improvements to downtown municipal parking, including internal and directional signage for the municipal lots and other matters pertaining to downtown parking**

Bruce asked for direction to improve signage and downtown parking and go to Public Works Committee for approval. No action taken.

### **Sign code standards allowing temporary special community event signage for farmers market**

Item will remain on the agenda pending verification of the sign code from Village Planner and Zoning Administrator.

## **Closed Session**

Motion by Penzkover/Sellenheim to convene into closed session at 9:00 p.m. pursuant to Wisconsin Statute **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to review the modifications to the existing letter of intent with the Greenwald Family Limited Partnership and offer to purchase property for the purposes of a right-of-way within TID #3 carried unanimously upon roll call vote.

Discussion held in closed session. Motion by Penzkover/Sellenheim to adjourn closed session and reconvene to open session at 9:10 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously.

Motion by Penzkover/Sellenheim to recommend the Village Board approve the offer to purchase property for the purposes of a right-of-way within TID #3 from Greenwald Family Limited Partnership contingent upon Village Attorney review and amendments carried unanimously.

## **Adjournment**

Motion by Penzkover/Sellenheim to adjourn the meeting at 9:11 p.m. carried.

Respectfully Submitted,

Judith A. Taubert  
Deputy Clerk

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, June 10, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:31 p.m.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
Mike Sellenheim  
Mark Penzkover  
Jaime Vega  
Joe Abruzzo  
Fred Winchowky

Also present: Bruce Kaniewski, Planner  
Judith Taubert, Deputy Clerk

#### **Announcement of closed session**

Chairperson Winchowky announced the Plan Commission will convene into closed session later in the meeting pursuant to Wisconsin Statutes **§19.85(1)(e)** to review the offer to purchase property within TID #3.

#### **Approval of minutes**

Motion by Penzkover/Sellenheim to approve the May 13, 2014 regular meeting minutes as presented carried unanimously.

#### **Unfinished Business**

##### **Preliminary Plat for Minor's Estates**

Motion by Penzkover/Abruzzo to recommend the Village Board grant an extension of the Preliminary Plat for Minor's Estates until the July 8th meeting carried.

##### **Proposed Village Center Overlay Zoning District**

Item will remain on the agenda.

##### **Proposed amendments to Section 100-403 of the Municipal Code pertaining to required parking standards**

Item will remain on the agenda.

##### **Millenium Gardens/Manor property**

Item will remain on the agenda.

##### **Status of improvements to downtown municipal parking, including internal and directional signage for the municipal lots and other matters pertaining to downtown parking**

Item will remain on the agenda.

##### **Sign code standards allowing temporary special community event signage for farmers market**

Zoning Administrator talked with Public Works and it is okay for them to leave the sign up this year. No action taken.



## **New Business**

### **Village Board amendments to Section 100-282 of the Municipal Code pertaining to shoreland/floodplain zoning.**

Motion by Abruzzo/Sellenheim to recommend the Village Board adopt the amendments to Section 100-282 of the Municipal Code pending providing Overlay maps carried.

### **200 S. Rochester St. Architectural Review Amendment**

Motion made by Hankovich/Penzkover to recommend to the Village Board to allow Food & Beverage in the west side of the building in a 36" fenced in area on Half-Time Property located at 200 S. Rochester St., Tax Key #MUKV 1976118. Conditions are:

1. No Smoking in outdoor fenced in area.
2. There will be a limit of 4 36" tables in the outdoor fenced in area.
3. No food and beverage on the ramp

Motion carried.

### **200 S. Rochester St. Historic Preservation approval**

Motion by Hankovich/Abruzzo to approve the decorative fence for the exterior area at the property located at 200 S. Rochester St. carried.

### **W1059 Spleas Skoney Road, Town of East Troy, Extraterritorial Certified Survey Map**

Motion by Penzkover/Hankovich to recommend the Village Board approve the extraterritorial certified survey map for the property located at W1059 Spleas Skoney Road, Tax Key #s PET1000008 and PSP00013, in the Town of East Troy, subject to the following conditions, carried:

1. Prior to Village officials signing the CSM, the CSM shall be revised in accordance with the comments by Village Engineer Kurt Peot, P.E.
2. Prior to Village officials signing the CSM, the applicant shall provide the Village Clerk written confirmation that the Town of East Troy has approved the CSM.

### **East Shore Drive, Town of East Troy, Extraterritorial Certified Survey Map**

Motion by Sellenheim/Penzkover to recommend the Village Board approve the extraterritorial certified survey map for the property located on East Shore Drive, Tax Key #s PET900004C and PET900004D, in the Town of East Troy, subject to the following conditions, carried:

1. Prior to Village officials signing the CSM, the right-of-way name shall be changed to East Shore Road, not Drive as shown (per Walworth GIS, The Street name suffix is Road.
2. Prior to Village officials signing the CSM, the applicant shall provide the Village Clerk written confirmation that the Town of East Troy has approved the CSM.

### **Discussion and consideration of policy direction as it relates to the minimum distance between gas stations**

Referred to the Fire Chief for more information. No action taken.

### **Information only**

The August 12<sup>th</sup> Plan Commission will be at the Mukwonago Community Library at 6:30 p.m.

### **Closed Session**

Motion by Penzkover/Sellenheim to convene into closed session at 8:00 p.m. pursuant to Wisconsin Statute **§19.85(1)(e)** (*Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session*) to review the offer to purchase property within TID #3 carried unanimously upon roll call vote.

Discussion held in closed session. Motion by Penzkover/Sellenheim to adjourn closed session and reconvene to open session at 8:18 p.m. pursuant to Wis. Stats. **§19.85(2)** for possible additional discussion and/or action concerning any matter discussed in closed session carried unanimously.

Motion by Penzkover/Sellenheim to recommend the Village Board approve the offer to purchase property with the insertion of contingency of an access road from the DOT carried

### **Adjournment**

Motion by Penzkover/Sellenheim to adjourn the meeting at 8:21 p.m. carried.

Respectfully Submitted,

Judith A. Taubert  
Deputy Clerk

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, July 8, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
Mike Sellenheim  
Mark Penzkover  
Joe Abruzzo  
Fred Winchowky

Commissioner excused: Jaime Vega

Also present: Bruce Kaniewski, Planner  
Steven Braatz, Jr., Clerk-Treasurer

#### **Minutes**

Motion by Penzkover/Hankovich to approve the June 10, 2014 regular meeting minutes as presented carried unanimously.

#### **Public Hearing**

The Public hearing to consider an application by Sharon Runkel, Hoovers Hause All Dog Rescue, for a conditional use permit for the use of property as an animal boarding facility for the property located at 750 Swan Dr. opened at 6:32 p.m.

Andrea Roeder and Annette Mayfield presented plans for a facility to house dogs during transition period between adoption events. There will not be veterinary care at the facility.

No one appeared for against.

Public hearing closed at 6:40 p.m.

Hankovich noted that this plan is not really included in the ordinance as they are boarding dogs and not getting paid for it. He also feels this is an appropriate location based on similar businesses in the area and no prior complaints. Roeder stated there will be one full-time employee from 7:00-10:00 a.m. and 5:00-8:00 p.m. Showings are Monday through Saturday. Revenue is based on adoption fees.

Motion by Penzkover/Sellenheim to recommend the Village Board approve the conditional use permit requested by Sharon Runkel, Hoovers Hause All Dog Rescue, for conditional use permit for the use of property as an animal boarding facility for the property located at 750 Swan Dr.

Reasons for granting the conditional use permit are as follows:

1. The use is similar to what is included in the Municipal Code.
2. There is history of similar businesses in the area and no complaints.
3. There were no objections.

The conditions of the conditional use permit are as follows:

1. There shall be a review within one year of final approval unless there are noise and nuisance complaints that would cause an earlier review.
2. There shall be no odors from animal waste.
3. The recommended capacity of dogs in the facility at any one time should be 20 adult dogs and 10 puppies. The mandatory maximum shall be 30 total dogs.

Motion carried.

## **Unfinished Business**

### **Preliminary Plat for Minor's Estates**

Motion by Penzkover/Sellenheim to recommend the Village Board approve postponing the consideration of the preliminary plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I to no later than the regular September Plan Commission meeting carried.

### **Proposed Village Center Overlay Zoning District**

Motion by Sellenheim to approve the Village Center Overlay Zoning District with the change to 2,500 square feet. Motion rescinded. Motion by Hankovich/Penzkover to postpone the matter until the regular August Plan Commission meeting carried.

### **Proposed amendments to Section 100-403 of the Municipal Code pertaining to required parking standards**

Motion by Sellenheim to accept the proposed amendments to Section 100-403 of the Municipal Code pertaining to required parking standards. Motion rescinded. Item will remain on the agenda.

### **Status of improvements to downtown municipal parking, including internal and directional signage for the municipal lots and other matters pertaining to downtown parking**

Item will remain on the agenda.

### **Sign code standards allowing temporary special community event signage for farmers market**

Item will remain on the agenda.

## **New Business**

### **Attachment of the property**

Motion made by Hankovich/Sellenheim to recommend the Village Board approve the attachment of the property known as MUKT1959988004 pursuant to the Municipal Boundary with the Town of Mukwonago. The Town adopted an ordinance approving the detachment at the beginning of July. Abruzzo noted that there is a conditional use permit attached to the CSM. Braatz will get a copy of the conditional use permit from the Town, and Hankovich will review to see if it is needed under Village regulations. Motion carried.

### **Discussion and Consideration of changes to types of motor vehicle related uses allowed in business and manufacturing zoning districts**

Item will remain on the agenda.

## **Adjournment**

Meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.  
Clerk-Treasurer

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, August 12, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m. located in the Community Room of the Library Building, 511 Division Street.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
John Hogan  
Mike Sellenheim  
Mark Penzkover  
Jaime Vega  
Fred Winchowky

Commissioner absent: Joe Abruzzo

Also present: Bruce Kaniewski, Planner  
Judith Taubert, Deputy Clerk-Treasurer

#### **Minutes**

Motion by Penzkover/Sellenheim to approve the July 8, 2014 regular meeting minutes as presented carried unanimously.

#### **Public Hearing**

The Public Hearing to consider a sign exception permit requested by Greg Landon, Landon Enterprises of Wisconsin, LLC for the construction of a sign at the property located at 1090 N. Rochester St. opened at 6:33 p.m.

Greg Landon, owner of Culvers, 1090 N. Rochester St. presented his case for wanting a sign exception permit for a 20% larger and taller sign than the current sign code allows. He is the first person asking for an exception. There are unknown safety issues if the sign is smaller. There are not a lot of fast food businesses at this time but in the future there could be more competition. They need to be visible. Not a lot of trees grown to block HWY 83. The building is very near the entrance. Visibility and Safety of his employees are most important. With the new sign he wants to place landscaping in a proportionate size.

Mark Wessell, Springfield Sign, Springfield, MO clarified the dimensions of the sign. There is a rise in grade coming from HWY 83 explaining that reducing the sign will hinder visibility. The address is on the base. If the sign is lowered, the address would be down in the landscaping. Lowering the sign will further diminish customer base for people like him just driving through.

Susan Schmear, 934 Robins Lane, spoke against the sign saying that you can see the sign from her house and Hwy NN. She wanted to see the sign that they want to put up. After seeing the picture of the sign, she said that the change in sign won't hurt them. Most local residents know where Culvers is. If you were just passing through you would Google the location, agrees that the Village needs unification but not a new Culvers sign.

Public hearing closed at 6:54 p.m.

Kaniewski noted that there were two factors in this request. 1) The previous sign was approved under the previous sign code. To change a sign you have to come up to the current code. 2) As of January 1, 2015 all existing signs must be brought to the current sign code. Next year he would have to change the sign. He has been in contact with us regarding the new sign.

Hankovich explained that the sign would be going from 100 sq ft to 84 sq ft not a 40% loss as stated. The base was not counted in the sq. footage. He handed out a map that showed he went out and checked a 600 ft area around and there was no obstruction anywhere. He is trying to use the book. He cannot find anything unusual or unique to cause a hardship.

During discussion there was concern of setting a precedent. Landon said he has been in the Village for 17 years. He wants to re-invest in the sign to update and use the latest technology and he wants to landscape with a proportionate size for a nice presentation. He is concerned with visibility and safety of his employees.

Motion by Penzkover/Sellenheim to approve the exception to the sign code based on the safety issues that were discussed and proportionality. Approval would grant additional 20% larger and taller than the current code allows. Motion carried upon roll call vote (Hankovich and Vega voted No).

### **Public Hearing**

The Public hearing to consider a conditional use permit requested by Annette Mayfield, Lucky Dog! Dog Day Care Inc., to use the property located at 764-770 Swan Drive as an animal boarding facility opened at 7:29 p.m.

Annette Mayfield presented plans to relocate her dog day care business from 823 Perkins Drive to the multi-tenant building at 764-770 Swan Drive and also use as an animal boarding facility. She said there is no zoning in Mukwonago for a dog daycare or boarding of dogs. She said the new location is smaller but better suited for the boarding dogs. It will save her a lot of money in rent. She would be renting two units. The front has an area for an office. There will be a better play area. There will be an area for kennels and a separate area for boarding. There will be outdoor fencing so dogs don't bark when people come out of the building. There will be cameras in the front & back door and play areas. The day care is open 6:00 am to 6:00 pm Monday through Friday. Weekends and Holidays the staff will come in at 9:00 am and 5:00 pm and stay for at least 2 hours each time.

No one appeared for or against.

Public hearing closed at 6:32 p.m.

Hankovich feels this is an appropriate location based on no prior complaints.

Motion by Hankovich/Hogan to recommend the Village Board approve the conditional use permit requested by Annette Mayfield, Lucky Dog! Dog Day Care Inc. to relocate her dog day care business from 823 Perkins Drive to the multi-tenant building at 764-770 Swan Drive and also use as an animal boarding facility with the same conditions as the 823 Perkins Drive location.

Reasons for granting the conditional use permit are as follows:

1. The use is similar to what is included in the Municipal Code.
2. There is history of the business in the area and no complaints.
3. There were no objections.

The conditions of the conditional use permit are as follows:

1. The amount of dogs will be less in the boarding area due to the smaller size of the building.
2. The hours of operation will be 6:00 am to 6:00 pm, Monday through Friday. Weekend/Holidays two people will be there 9:00 am & 5:00 pm (2 hours each time)
3. The recommended capacity of dogs in the facility at any one time should be 10-15 dogs.
4. There will be areas sectioned off in the fenced area for excrement.
5. The Plan of Operation dated July 1, 2014 will be followed.
6. Two gates shall be installed in the fenced area to provide two means of ingress and egress.

Motion carried.

### **Unfinished Business**

#### **Proposed Village Center Overlay Zoning District**

Item will remain on the agenda

#### **Proposed amendments to Section 100-403 of the Municipal Code pertaining to required parking standards**

Item will remain on the agenda.

#### **Status of improvements to downtown municipal parking, including internal and directional signage for the municipal lots and other matters pertaining to downtown parking**

Item will remain on the agenda.

#### **Sign code standards allowing temporary special community event signage for farmers market**

Item will remain on the agenda.

#### **Discussion and Consideration of changes to types of motor vehicle related uses allowed in business and manufacturing zoning districts**

Item will remain on the agenda.

#### **Consideration of conceptual site plan/architectural plan for Premier Woods development located on Phantom Woods Road and CTH ES**

Motion by Penzkover/Sellenheim to recommend to the Village Board the consideration of conceptual site plan/architectural plan for Premier Woods development located on Phantom Woods Road and CTH ES whether or not the DNR grants the 2<sup>nd</sup> egress, the Village should still support the development carried.



## **New Business**

### **Consideration of request by Dale Moseler for an extension and/or amendment to the development agreement for M&M Properties Subdivision**

Motion by Penzkover/Sellenheim to recommend to the Village Board to consider the request for an extension and/or amendment to the development agreement for M&M Properties Subdivision for a 2 year extension and then re-apply for an extension or remove the dwellings within 90 days per Developer's Agreement carried.

### **Draft to amend the zoning ordinance to expand Planned Unit Development standards to multiple zoning districts**

Item will remain on the agenda.

## **Adjournment**

Meeting adjourned at 8:37 p.m.

Respectfully Submitted,

Judith A. Taubert  
Deputy Clerk-Treasurer

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, September 9, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
John Hogan  
Mike Sellenheim  
Mark Penzkover  
Jaime Vega  
Fred Winchowky  
Commissioner excused: Joe Abruzzo

Also present: Bruce Kaniewski, Planner  
Mark Blum, Village Attorney  
Steven A. Braatz, Jr., Clerk-Treasurer

#### **Minutes**

Motion by Hankovich/Sellenheim to approve the August 12, 2014 regular meeting minutes as presented carried unanimously.

#### **Public Hearing**

The Public Hearing to consider a conditional use permit requested by Jeff Osgood, Kwik Trip, Inc., to allow for a car wash, fueling station, and outside sales on the properties located on the east side of STH 83, north of Black Bear Blvd, known as MUKV1962990003 and MUKV1962993 opened at 6:33 p.m.

#### Applicant Presentation

Hans Zietlow, Director of real estate for Kwik Trip, presented the site plan for the proposed Kwik Trip fueling station and car wash on the properties located on the east side of STH 83, north of Black Bear Blvd. The building will be 5,500 square feet and all brick. There will be a separate diesel canopy. There is 24% green space. The Wisc DOT has approved the STH 83 access. The vast majority of traffic will be cars. There are two driveways on Marshview Dr. to separate the cars and trucks. There will be picnic tables and a storm water retention area. The carwash can handle one car per five minutes. There will be plenty of stacking. There will be no drift of light off site.

#### Public Comments

Tim Gehl, 1176 Black Bear Dr. – Spoke in opposition. Reasons are decreased property values, access and overabundance of other gas stations in the Village.

Darwin Greenwald, 1243 Fox River Ct. – Spoke in opposition. Reasons are overabundance of other gas stations in the Village, economic impact of a larger chain closing smaller stores, creates blight, increased traffic, and causes an environmental hazard.

Michael Screnock, 1 S. Pinckney St., Madison, Attorney for the DC Properties – Spoke in opposition. Stated the submitted site plan does not conform to section 100-21(5)(g) requiring 100' of driving surface after the vehicle exits the car wash. Also stated the use of the property violates section 100-21 (5)(a) as this property is less than 1,000 feet from the Shell station to the south.

Mary Liskow, 1170 Black Bear Dr. – Spoke in opposition. Reasons are safety concerns with traffic and access, concerns with fuel leakage into the storm water pond, and proximity to another station.

Manoj Gupta, owner of Village Mini Mart, 201 N. Rochester St. – Spoke in opposition. Reason is economic impact of a larger chain closing smaller stores.

Baljit Gill, owner of BJ's BP, 122 Arrowhead Ct. – Spoke in opposition. Reason is overabundance of other gas stations in the Village.

Jim Khasria, owner of Village Pumper Two, 710 Main St. – Spoke in opposition. Reason is overabundance of other gas stations in the Village.

Darwin N. Greenwald, 632 Oakland Ave. – Spoke in opposition. Reasons are economic impact of a larger chain closing smaller stores and difficulty converting the property into anything other than a gas station due to the tanks in the ground.

Public hearing closed at 7:09 p.m.

Penzkover expressed concern about the turning radius on the STH 83 access and the potential for trucks needing to stop on STH 83 before entering. Zietlow stated that the turning radiuses do not overlap, but there is potential for conflict, even in the most well designed driveway. They designed it to have traffic flow well, and they do not see it is an issue. Hankovich expressed concern about the site layout and traffic flow. Zietlow presented another potential site layout, moving the diesel canopies to the north, the carwash closer to STH 83, and spinning the store. Hankovich recommended the matter be postponed to review the new site plan. Penzkover asked if Marshview Dr. was built to handle large vehicle traffic. Hankovich stated that it was built with four inches of asphalt to handle medium duty traffic.

Motion made by Penzkover/Hankovich to postpone the consideration of the conditional use permit requested by Jeff Osgood, Kwik Trip, Inc., to allow for a car wash, fueling station, and outside sales on the properties located on the east side of STH 83, north of Black Bear Blvd, known as MUKV1962990003 and MUKV1962993 to the October 14, 2014 Plan Commission meeting carried.

### **Unfinished Business**

**Proposed Village Center Overlay Zoning District, Proposed amendments to Section 100-403 of the Municipal Code pertaining to required parking standards, Status of improvements to downtown municipal parking, including internal and directional signage for the municipal lots and other matters pertaining to downtown parking, and Sign code standards allowing temporary special community event signage for farmers market**

Items will remain on the agenda.

### **Allowable and conditional uses in business and manufacturing zoning districts**

Motion by Sellenheim/Penzkover to authorize staff to proceed with scheduling a public hearing on October 14, 2014, to consider amendments to Sections 100-157 and 100-208 of the Municipal Code carried.

### **Minor's Estates Preliminary Plat**

Motion by Penzkover/Hankovich to recommend the Village Board approve postponing the consideration of the preliminary plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I to the October 14 meeting carried.

## **New Business**

### **Kwik Trip certified survey map**

Motion by Penzkover/Sellenheim to recommend the Village Board approve the certified survey map requested by Jeff Osgood, Kwik Trip, Inc., for the properties located on the east side of STH 83, north of Black Bear Blvd, known as MUKV1962990003 and MUKV1962993 carried.

### **730 Perkins Dr. site plan/architectural plan**

Motion made by Penzkover/Hogan to recommend the Village Board approve the site plan/architectural plan approval requested by 730 Perkins LLC for the property located at 730 Perkins Dr. known as MUKV1970999022.

The conditions are:

1. Approval of the plans shall be subject to the plans submitted by MSI General that include the Site Plan, Sheet C-101 dated August 21, 2014, the Preliminary Grading Plan, Sheet CE-3 dated August 22, 2104 and the Exterior Elevations, Sheet A-201 dated July 1, 2104. The plans may be further revised to conform to other conditions of approval subject to the approval of the Zoning Administrator.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - a. The Village Engineer and Building Inspector shall approve the final grading plan.
  - b. Approval of the plans by the Fire Chief, which shall include a hard paved surface extending along the sides to the back edge of the addition.
  - c. Approval of building plans by the Building Inspector.
3. Prior to temporary occupancy issuance, if needed to occur prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with approved plans.
  - b. Completion of all exterior lighting in accordance with approved plans.
  - c. Completion of the addition in accordance with approved plans and all applicable codes.
  - d. Completion of a hard surface extending along the sides to the back edge of the addition. For temporary occupancy, the hard surface may be gravel but must be paved for final occupancy.
4. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items within Condition No. 3.
  - b. Completion of additional paving and striping of the parking areas, in accordance with approved plans.

Motion carried.

### **Lynch Ventures certified survey map**

Motion made by Sellenheim/Hogan to recommend the Village Board approve the certified survey map requested by Mark Greene, Lynch Ventures, for the property located on East Wolf Run, north of Wal-Mart, known as MUKV2013994002.

The conditions are:

1. Granting of a waiver to Section 45-116 (b) of the Land Division Ordinance that requires side lot lines be radial to curved street centerlines. The large size of the lots supersedes the need to comply with the requirement.
2. Prior to recording of the CSM, a revised CSM shall be submitted for the review of the Village Engineer's office to include the following:
  - a. Complete all revisions as recommended by the Village Engineer's office.

Motion carried.

### **TID #3 certified survey map**

Motion made by Penzkover/Sellenheim to recommend the Village Board approve the certified survey map requested by Village of Mukwonago, for the properties located on the west side of STH 83, south of East Wolf Run, known as MUKV2015995001 and MUKV2016997001.

The conditions are:

1. Granting of a waiver to Section 45-116 (b) of the Land Division Ordinance that requires side lot lines be radial to curved street centerlines. The large size of Lots 1 and 2 supersedes the need to comply with the requirement, and granting of the waiver allows creation of regularly shaped lots for appropriately shaped building envelopes.
2. Approval of the CSM shall be subject to the granting of Highway 83 access approval by the Wisconsin Department of Transportation.

Motion carried.

### **MUKV2015995001 and MUKV2016997001 change of zoning**

Motion by Vega/Hankovich to recommend the Village Board approve the change of zoning requested by Village of Mukwonago, for the properties located on the west side of STH 83, south of East Wolf Run, known as MUKV2015995001 and MUKV2016997001, from the current zoning districts of B-4, Commercial Business Design District, and the M-2, Light Industrial District to the B-4, Commercial Business Design District and the M-4, Median/Heavy Industrial District carried.

### **Adjournment**

Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Steven A. Braatz, Jr.  
Clerk-Treasurer

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, October 14, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
John Hogan  
Mike Sellenheim  
Mark Penzkover  
Joe Abruzzo  
Fred Winchowky

Commissioner excused: Jaime Vega

Also present: Bruce Kaniewski, Planner  
John Weidl, Village Administrator  
Steven A. Braatz, Jr., Clerk-Treasurer

#### **Minutes**

Motion by Penzkover/Sellenheim to approve the September 9, 2014 regular meeting minutes as presented carried unanimously.

#### **Public Hearing**

The Public Hearing to consider a conditional use permit requested by Darwin D. Greenwald, DC Properties, LLP, to expand the existing conditional use permit to attach a strip of property to the existing property under the permit for the property located at 1060 North Rochester Street, known as MUKV1963999004 and part of MUKV1963999015 opened at 6:32 p.m.

#### Petitioner

Darwin Greenwald, DC Properties, LLP – The reason for the request is to protect the road behind his property and the businesses use the road. He is not looking to make changes to the road. There will be no changes to the character of the neighborhood. There will be no changes to the traffic flow. There would be no impact to the public. The lot will be zoned the same. This will help to insure some permanence to keeping that road in place. It is important to have that road for their customers.

Dale Thorpe, attorney for DC Properties, LLP – This is an expansion of an existing business. If the Plan Commission chooses to move forward with this, asks that it be recognized that Mr. Greenwald has taken the appropriate steps to join the legal descriptions together.

#### Public Comments

Tom McKeever, owner of 1210 Marshview Dr. – Spoke against the proposal. It has nothing to do with the desire to expand or improve the current business, but rather it is about controlling the proposed development on land that is not owned by the petitioner to control and eliminate competition. Asks the Commission to deny the request to send a message that these tactics are not welcome and we welcome the expansion of our tax base.

Tim Gehl, 1176 Black Bear Dr. – Spoke in favor of the proposal. Residents in The Glen use the road during peak traffic times on STH 83, and have a vested interest in maintaining it.

Neil Greenwald, W245S7245 Heather Ridge Dr., Vernon – Spoke in favor of the proposal. He uses that road to get in and out of the Shell Station and the businesses adjacent to the road.

By gaining the conditional use permit and staying there, customers will be able to use it as it gets harder to get onto STH 83.

Public hearing closed at 6:44 p.m.

## **Unfinished Business**

### **Kwik Trip, Inc.**

Motion made by Abruzzo/Penzkover to recommend the Village Board approve the conditional use permit requested by Jeff Osgood, Kwik Trip, Inc., to allow for a car wash, fueling station, and outside sales on the properties located on the east side of STH 83, north of Black Bear Blvd, known as MUKV1962990003 and MUKV1962993.

The reasons are:

- A. Such use and/or structures are in accordance with the purpose and intent of the zoning district in which it is located.
- B. Such use and/or structures are found to be not hazardous, harmful, offensive or adverse to the environment or value of the neighborhood and community.

The conditions are:

- A. Approval of the plans for the proposed Kwik Trip store at the northeast corner of North Rochester Street (STH 83) and Black Bear Boulevard, pursuant to Conditional Uses for fuel fueling station, car wash and outside display, shall be subject to the package of documents and plans submitted by Kwik Trip, Inc. to the Village of Mukwonago on October 1, 2014. The plans may be further modified to conform to other conditions of approval; the floor plans may be modified with the approval of the Building Inspector to conform to Building and Fire Safety Codes and all plans may be further modified to conform to Village design standards. However, the basic layout of the site as depicted on Sheet SP1, Site Plan, shall remain unchanged.
- B. Approval shall be subject to approval of the Village Board of a Storm Water Maintenance Agreement and a Developer's Agreement. The Developer's Agreement shall list these conditions of approval, a list of all final plans for the project, Kwik Trip responsibilities for off-site improvements as indicated on the final plans and payment in the amount of \$97,845.88, subject to verification of the cost estimate, for the future upgrade of Marsh View Drive and Black Bear Boulevard.
- C. With approval, the Plan Commission and Village Board verifies the property subject to the Conditional Use request for a fuel fueling station is more than 1,000 feet from the nearest existing fuel station property previously approved with a Conditional Use.
- D. With approval, the Plan Commission and Village Board approves allowance of two principal building on one lot, approves allowance of four driveways from external right-of-ways to access the site, and approves that Sheet SP1 adheres to the minimum required amount of green space.
- E. Approval for Outside Display shall be subject to the displays in an orderly and neat appearance and located as shown on submitted plans. Displays shall not block building entrances, customer walkways or vehicle flow. All sales of outside displayed materials shall be transacted within the store except for temporary sales of a special event or community group. Additional conditions for outside display may appear in the Developer's Agreement. The Zoning Administrator may require the relocation or removal of any outside display that does not meet the standards of this approval.

- F. Prior to approval of a Developer's Agreement, a revised landscape plan shall be submitted for the approval of the Zoning Administrator and Village Planner. The revised landscape plan shall be consistent with submitted Sheet SP 1.2 but shall provide enhancements as indicated in the body of this report dated October 10, 2014.
  - 1. Applicant shall submit a tree inventory list.
- G. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - 1. The Village Engineer shall approve all site engineering plans and documents, including a complete Storm Water Management Plan.
  - 2. Village Board approval of a Storm Water Maintenance Agreement and a Developer's Agreement (to include a submitted and Village approved Letter of Credit for any off-site improvements).
  - 3. Recording of the Certified Survey Map combining the two existing properties into one lot.
  - 4. Written approval from the Wisconsin Department of Transportation allowing access to and from State Trunk Highway 83.
  - 5. Submittal of the signed easement with the neighboring property owner for shared use and reconstruction of the shared access to and from State Trunk Highway 83. Submittal shall include any documents for Village review and approval to revise the Village held easement on the neighboring property for access to a Village owned lift/pump station to the west of the neighboring property.
  - 6. Completion of all approvals listed in Condition No. 2, and all plans shall be consistent with the plans listed in Condition No. 1 or as modified and identified in the Developer's Agreement.
  - 7. Approval of the plans by the Fire Chief, which may include, but are not limited to, the internal fire suppression system, external fire department connection location and hydrant locations.
  - 8. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - 9. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties.
- H. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
  - 1. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is a part of the storm water management facilities.
  - 2. Completion of all exterior lighting in accordance with approved plans.
  - 3. Completion of the buildings in accordance with approved plans and all applicable codes.
  - 4. Completion of a hard parking surface, including installation of handicapped parking signs and ramp.
  - 5. Completion of the dumpster enclosure.
- I. Prior to final occupancy permit, which shall be issued not later than 90 days after any temporary occupancy permit, the following shall occur:
  - 1. Completion of all items within Condition No. 8.
  - 2. Completion of paving and striping of the entire parking area, in accordance with approved plans.
  - 3. Installation of all site landscaping.



Motion carried.

### **Minor's Estates**

Motion by Penzkover/Sellenheim to recommend the Village Board approve postponing the consideration of the preliminary plat for Minor's Estates for the property located west of Minor's Homestead Addition #3 and east of CTH I to the December 9 meeting carried.

### **Village Center Overlay Zoning District, parking standards, and Sign code standards**

Motion by Penzkover/Sellenheim to postpone the consideration of proposed Village Center Overlay Zoning District, Proposed amendments to Section 100-403 of the Municipal Code pertaining to required parking standards, status of improvements to downtown municipal parking, including internal and directional signage for the municipal lots and other matters pertaining to downtown parking, and sign code standards allowing temporary special community event signage for farmers market meeting carried.

### **New Business**

#### **DC Properties, LLP**

Motion by Penzkover/Sellenheim to postpone the consideration of the conditional use permit requested by Darwin D. Greenwald, DC Properties, LLP, to expand the existing conditional use permit to attach a strip of property to the existing property under the permit for the property located at 1060 North Rochester Street, known as MUKV1963999004 and part of MUKV1963999015 carried.

#### **Regulation of vehicle related businesses and other businesses ordinance**

Motion by Hankovich/Abruzzo to recommend the Village Board adopt the ordinance to amend Sections 100-157 and 100-208 of the Village of Mukwonago Municipal Code (Zoning) pertaining to the regulation of vehicle related businesses and other businesses carried.

#### **Floodplain districts and standards ordinance**

Motion by Hankovich/Sellenheim to recommend the Village Board adopt the ordinance to repeal and recreate Division 7 of Chapter 100 of the Village of Mukwonago Municipal Code (Zoning) regarding floodplain districts and standards and amend Section 100-857 referencing amendments to floodplain districts carried.

#### **Historic Preservation Commission review**

Motion by Sellenheim/Penzkover to approve the Historic Preservation Commission review of proposed sign requested by Trisha Rodriguez, Envirocon Inc., for the property located at 111 North Rochester Street carried.

### **Adjournment**

Meeting adjourned at 8:02 p.m.

Respectfully Submitted,  
Steven A. Braatz, Jr.  
Clerk-Treasurer

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, November 11, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:32 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

#### **Roll Call**

Commissioners present: Joseph Hankovich  
John Hogan  
Mike Sellenheim  
Mark Penzkover  
Joe Abruzzo  
Jaime Vega  
Fred Winchowky

Commissioner excused: Jaime Vega

Also present: Bruce Kaniewski, Planner  
John Weidl, Village Administrator  
Steven A. Braatz, Jr., Clerk-Treasurer

#### **Minutes**

Motion by Penzkover/Hankovich to approve the October 14, 2014 regular meeting minutes as presented carried unanimously.

#### **Public Hearing**

The Public Hearing to consider a conditional use permit requested by Mukwonago Area School District to allow for the construction of dugouts and a scoreboard on the softball field on the property located at 605 CTH NN W, known as MUKV1960998001 opened at 6:34 p.m.

#### Petitioner

Curt Wiebelhaus – Re-positioning the softball field. Installing masonry dugouts along first and third base lines. Also installing a new scoreboard.

#### Public Comments

None.

Public hearing closed at 6:36 p.m.

#### **New Business**

##### **Mukwonago Area School District conditional use permit**

Motion made by Abruzzo/Penzkover to recommend the Village Board approve the conditional use permit requested by Mukwonago Area School District to allow for the construction of dugouts and a scoreboard on the softball field on the property located at 605 CTH NN W, known as MUKV1960998001. The reasons are: A) No one spoke for or against the proposal, B) The proposal is not detrimental nor a devaluation of the property, and C) The proposal meets the current zoning of the property. The condition is A) The proposed dugouts and scoreboard shall be constructed in accordance to the plans submitted. Motion carried.

### **Consideration of amendment to Fairwinds Subdivision Developers Agreement**

Motion by Abruzzo/Penzkover to recommend the Village Board approve the amendment to Fairwinds Subdivision Developers Agreement, subject to final review by the Village Attorney, including recommendation regarding deed restrictions, carried.

### **Unfinished Business**

#### **DC Properties, LLP conditional use permit**

Motion by Penzkover/Sellenheim to postpone action on the conditional use permit requested by Darwin D. Greenwald, DC Properties, LLP, to expand the existing conditional use permit to attach a strip of property to the existing property under the permit for the property located at 1060 North Rochester Street, known as MUKV1963999004 and part of MUKV1963999015 until such time as the Board of Building and Zoning Appeals considers the appeal by DC Properties LLC on issues concerning the Kwik Trip Conditional Use Permit request, based on the recommendation by the Village Attorney, carried.

#### **Proposed Village Center Overlay Zoning District**

Motion by Penzkover/Abruzzo to authorize the Village Planner to proceed with scheduling a public hearing for amendments to the zoning code pertaining to the proposed Village Center Overlay Zoning District carried.

#### **Required parking standards**

Motion by Penzkover/Abruzzo to authorize the Village Planner to proceed with scheduling a public hearing for amendments to the zoning code pertaining to the proposed required parking standards carried.

#### **Status of improvements to downtown municipal parking, including internal and directional signage for the municipal lots and other matters pertaining to downtown parking**

Item will remain on the agenda.

#### **Sign code standards allowing temporary special community event signage for farmers market**

Item can be removed from the agenda.

#### **Review draft of ordinance to amend zoning ordinance to expand Planned Unit Development standards to multiple zoning districts**

Item will remain on the agenda.

### **Adjournment**

Meeting adjourned at 7:33 p.m.

Respectfully Submitted,  
Steven A. Braatz, Jr.  
Clerk-Treasurer

## **MINUTES OF THE REGULAR PLAN COMMISSION MEETING**

### **Tuesday, December 9, 2014**

#### **Call to Order**

Chairperson Fred Winchowky called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

#### **Roll Call**

Commissioners present: John Hogan  
Mike Sellenheim  
Mark Penzkover  
Joe Abruzzo  
Fred Winchowky  
Commissioner excused: Jaime Vega  
Joseph Hankovich

Also present: Bruce Kaniewski, Planner  
John Weidl, Village Administrator  
Judith Taubert, Deputy Clerk-Treasurer

#### **Minutes**

Motion by Penzkover/Hogan to approve the November 11, 2014 regular meeting minutes as presented carried unanimously.

#### **Unfinished Business**

##### **Review draft of ordinance to amend zoning ordinance to expand Planned Unit Development Standards to Multiple Zoning Districts**

Item will remain on the agenda.

##### **DC Properties, LLP conditional use permit**

Motion by Penzkover/Sellenheim to postpone the consideration of the conditional use permit requested by Darwin D. Greenwald, DC Properties, LLP, to expand the existing conditional use permit to attach a strip of property to the existing property under the permit for the property located at 1060 North Rochester Street, known as MUKV1963999004 and part of MUKV1963999015 until the Village Board's decision on the Kwik Trip conditional use permit carried.

##### **Minor's Estates Preliminary Plat**

Motion by Penzkover/Sellenheim to recommend to the Village Board postponement of the consideration of the Preliminary Plat for Minor's Estates Homestead Addition #3 and east of CTH I until the January 13, 2015 Planning Commission meeting carried.

#### **New Business**

##### **Orchards of Mukwonago Addition #2 preliminary plat**

Motion made by Abruzzo/Penzkover to recommend the Village Board approve the preliminary plat, requested by The Orchards of Mukwonago LLC, for Addition #2 of the Orchards of Mukwonago, which includes 26 lots and three outlots, subject to the following conditions:

- A. Approval is subject to the preliminary plat prepared by Donald C. Chaput, PLS, with a last revised date of November 12, 2014.

- B. Approval recognizes the approval of lot width variances by the Board of Zoning and Building Appeals for Lots 98 through 103. The variances shall be duly noted in the Developer's Agreement approved with the final plat with stipulations that:
  - 1. driveway placements as shown on the preliminary plat shall be adhered to.
  - 2. final engineering plans shall not place any fire hydrant or street light at the far end of the cul-de-sac, and placement of other items, such as street trees shall be avoided, if possible.
- C. The final plat shall conform to all comments as provided by the Village Engineer.
- D. The final plat shall conform to all comments as provided in the letter dated December 2, 2014, from Jason Fruth, Planning & Zoning Manager for Waukesha County.
- E. With submittal of the final plat a revised landscape plan shall be submitted.
- F. In addition to the final plat conforming to comments of the Village Engineer, Waukesha County and any other agency, on Lots 82 and 107 the final plat shall provide "no access" directly to Honeywell Road and a landscape easement along the Honeywell right-of-way
- G. The Developer's Agreement approved with the final plat shall include, but not limited to, the following requirements with submittal of a surety by the developer to ensure completion of the requirements:
  - 1. Installation of multi-use trail along CTH ES to the intersection of CTH ES and Honeywell Road as required in the original Developer's Agreement.
  - 2. Installation of landscaping within the landscaping easements as per the landscaping plan approved by the Village with the final plat.
  - 3. Installation of a turning and/or by-pass lane within the Honeywell Road right-of-way at the intersection with Regees Road, as approved by the Village with the final plat.
  - 4. The Village Engineer shall work with staff and the Developer for completion of the developers agreement and final plat.
  - 5. A deadline for the installation of the infrastructure shall be provided prior to the approval of the Final Plat.

Motion carried.

### **Towns-Pozorski/Chapman certified survey map**

Motion made by Abruzzo/Sellenheim to recommend the Village Board approve the certified survey map, requested by Tamara Towns-Pozorski, for part of the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996 subject to the following conditions:

- A. Prior to Village Officials placing signatures on the Certified Survey Map, the Village Engineer and Village Planner shall review and approve of the Certified Survey Map to ensure all conditions of approval are satisfied.
- B. Approval of a Developer's Agreement by the Village Board to require the construction of the west leg of Black Bear Boulevard from Highway 83 to the west line of the Certified Survey Map, with the agreement referencing construction drawings for the construction as approved by the Wisconsin Department of Transportation and the Village Engineer, with submittal of a surety to the Village in an amount of the estimated construction cost as approved by the Village Engineer and in a form approved by the Village Attorney, and with a timeline for construction completion. The construction drawings shall include installation of Village utilities to serve the subject lot and may include over-sizing of Village utilities to serve the larger area. The construction drawings shall include provisions to comply with storm water management requirements.
- C. Revisions to the Certified Survey Map shall include the following:

1. Compliance with comments in the Village Engineer's letter dated December 5, 2014.
2. Compliance with comments in the email from Art Baumann of the Wisconsin Department of Transportation dated December 3, 2014.
3. The width of the Black Bear Boulevard Right-of-Way shall be a minimum of 100 feet.
4. The north lot line of the subject lot shall extend to the south line of the Chapman 25.7 acre farmstead site.

D. No condition shall be at or complied with at the Village's expense.

Motion carried.

### **Gearbox Express site/architectural plans**

Motion made by Penzkover/Hogan to recommend the Village Board approve the site/architectural plans, requested by Gearbox Express, of proposed building for part of the property located on the west side of STH 83, south of East Wolf Run, known as MUKV2015995001 subject to the following conditions:

- A. Approval of the Site Plan and Building Architectural Plans, prepared by Excel Engineering dated November 19, 2014, to allow the applicant to request of the Mukwonago Inspection Department to issue all necessary permits for commencement of site grading and installation of on-site utilities to connect to off-site municipal utilities to be constructed, subject to the following:
  1. Acquisition of the 10.92 acre property and the adjacent right-of-way by the Village of Mukwonago, and then transfer of the 10.92 acre property from the Village of Mukwonago to Mukwonago Property Group, LLC.
  2. Village Engineer approval, with other Village staff concurrence, of the site grading and erosion control plans as prepared by Excel Engineering.
  3. Village Engineer approval, with other Village staff concurrence, of the on-site utility plans as prepared by Excel Engineering.
  4. Wisconsin Department of Transportation approval of temporary access to Highway 83 within the dedicated right-of-way.
  5. Inspection Department approval, with other Village staff support, of the design of the temporary access road.
  6. Construction of the temporary access road to Highway 83 by the applicant.
  7. Applicant receipt of all permits and approvals from the Wisconsin Department of Natural Resources to commence site work, with copies forward to the Inspection Department.
  8. Applicant receipt of any other required federal, state or local permits and approvals.
- B. Final approval of the Site Plan and exterior Building Architectural Plans shall be given by the Village Zoning Administrator, with other Village staff concurrence, after revisions are made to the plans prepared by Excel Engineering pursuant to Village staff review. The revisions may include, but are not limited to, showing "land banked" future parking areas, design and location of the fire lanes, wider turning radii from the public street into the private driveway, and submittal of a landscape plan showing at least 36 bagged and burlapped trees to be planted on the site. Should differences occur between the applicant and the Zoning Administrator toward final approval, the Village Plan Commission shall be responsible for arbitrating the revisions and granting final approval.
- C. Prior to the issuance of a building permit to commence building construction, the following shall occur:
  1. Completion of all requirements in Condition #1 should site grading and on-site utilities not start until issuance of the permit for the building.

2. Final approval of the Site Plan and exterior Building Architectural Plan as indicated in Condition #2.
  3. Approval of building plans by the Building Inspector in accordance with Village building code standards after receipt of approval of building plans by the State of Wisconsin.
  4. Approval of the plans by the Fire Chief, which may include, but are not limited to, the internal fire suppression system, external fire department connection location and hydrant locations.
  5. Applicant continued maintenance of the temporary access road until which time the permanent street surface is constructed by the Village of Mukwonago.
  6. Village receipt of approval from the Wisconsin Department of Transportation to construct a permanent access to Highway 83.
- D. Prior to temporary occupancy issuance, if needed prior to final occupancy permit, the following shall occur:
1. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is a part of the storm water management facilities.
  2. Completion of all exterior lighting in accordance with approved plans.
  3. Completion of the buildings in accordance with approved plans and all applicable codes.
  4. Completion of a hard parking surface, including installation of handicapped parking signs and ramp.
  5. Completion of the dumpster enclosure.
  6. Connection of the on-site sanitary sewer and municipal water services to the external Village installed services.
  7. Connection of the on-site drainage facilities to the external Village installed storm water management facility.
  8. Village completion of the permanent intersection with Highway 83 and completion of the first layer of asphalt within the adjacent right-of-way.
  9. Village Board approval of a Storm Water Maintenance Agreement, with agreement signed by the applicant.
- E. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
1. Completion of all items within Condition No. 4.
  2. Completion of paving and striping of the entire parking area, in accordance with approved plans.
  3. Installation of all site landscaping.
- F. Approval of any exterior signage shall occur through a separate process.
- G. The applicant and Village officials/staff agree that throughout the entire site and building construction process that coordination is essential as both entities will be constructing infrastructure/facilities within the same general location. Adjustments to the sequencing of construction of approved plans may occur as approved by the Zoning Administrator, with other Village staff concurrence.

### **Kezman Trucking site/architectural plans**

Motion made by Penzkover/Hogan to recommend the Village Board approve the site/architectural plans, requested by Kezman Trucking, of proposed building for the property located at 437 McKenzie Rd., known as MUKV1970998028 subject to the following conditions:

- A. Approval of the plans shall be subject to the plans prepared by Raposa Design Architecture, dated November 13, 2014.
- B. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - 1. The Building Inspector shall approve the final soil erosion plan.
  - 2. Approval of building plans by the Building Inspector.
  - 3. Approval of site exterior lighting plan by the Zoning Administrator.
- C. Prior to temporary occupancy issuance, if needed to occur prior to final occupancy permit, the following shall occur:
  - 1. Completion of all site grading in accordance with approved plans.
  - 2. Completion of all exterior lighting in accordance with approved plans.
  - 3. Completion of the addition in accordance with approved plans and all applicable codes.
- D. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
  - 1. Completion of all items within Condition No. 3.
  - 2. Completion of additional striping of the parking areas, in accordance with approved plans.

Motion carried.

#### **Sommer/Pitts attachment**

Motion by Sellenheim/Abruzzo to recommend the Village Board to approve the attachment property, requested by Judith Sommer and Jacqueline Pitts, for the property located on STH 83 south of TID #3 known as MUKT2016997002 pursuant to the Municipal Boundary with the Town of Mukwonago carried.

#### **Planned Unit Development standards**

Motion by Penzkover/Sellenheim to authorize the Village Planner to place the amendments to the Planned Unit Development standards in ordinance form for presentation to Plan Commission at the next regular meeting, and to schedule a Public Hearing for January 20, 2015 Village Board meeting carried.

#### **Adjournment**

Meeting adjourned at 7:48 p.m.

Respectfully Submitted,  
Judith A. Taubert  
Deputy Clerk-Treasurer