

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, January 10, 2017

Call to Order

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

Roll Call

Commissioners present: Sterling Fairchild
John Meiners
Joe Abruzzo
Ken Werner
Fred Winchowky, Chairman
Commissioner excused: Robert Harley
Mark Penzkover

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

Minutes

Motion by Werner/Fairchild to approve the December 13, 2016 regular meeting minutes as presented carried.

New Business

Annexation of property from the Town of Vernon

Bill Canfield, representing applicant Robert Chandler, sent an email to the Village Clerk asking the Plan Commission to postpone their request regarding annexation of the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as VNT2091999005 from the Town of Vernon to the next regularly scheduled meeting. Plan Commission accepted the postponement.

MUKV1962996002 change of zoning

Motion by Meiners/Werner to recommend the Village Board authorize staff to schedule a Public Hearing for the change of zoning requested by the Village of Mukwonago for the property located on the west side of STH 83 across from Black Bear Blvd, known as MUKV1962996002, from R-10 (Multiple-family District) to B-3 (Community Business District) carried.

Preliminary review of amendments to Chapter 100

Village Planner Kaniewski and the Planning Commission reviewed all the proposed changes to Chapter 100 of the Municipal Code of the Village of Mukwonago (Zoning Code) pertaining to Residential Districts, Business Mixed Use, and Planned Unit Development standards as it relates to the implementation of the Amendment to "Comprehensive Plan 2035". The Commission recommended some changes. Village Planner Kaniewski will make the recommended changes and bring back to the next regularly scheduled meeting. No action taken.

Adjournment

Meeting adjourned at 7:59 p.m.

Respectfully submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, February 14, 2017

Call to Order

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

Roll Call

Commissioners present: Robert Harley
Sterling Fairchild
John Meiners
Mark Penzkover
Joe Abruzzo
Ken Werner
Fred Winchowky, Chairman

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

Minutes

Motion by Werner/Fairchild to approve the January 10, 2017 regular meeting minutes as presented carried. Penzkover abstained.

New Business

Annexation of property from the Town of Vernon

Motion by Penzkover/Werner to recommend the Village Board approve the petition for direct annexation of property from the Town of Vernon requested by Robert Chandler for the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as VNT2091999005 carried.

Change of zoning requests

Motion by Penzkover/Werner to recommend the Village Board approve the change of zoning requested by Douglas & Debra DeBack for the property located north/northeast of S108W28220 Maple Ave., known as MUKV2138998, from A-1 (Agricultural District) to B-5 (Planned Business and Light Industrial Development District) carried. The public hearing will be conducted on February 21, 2017.

Motion by Harley/Fairchild to recommend the Village Board approve the change of zoning requested by the Village of Mukwonago for the property located on the west side of STH 83 across from Black Bear Blvd, known as MUKV1962996002, from R-10 (Multiple-family District) to B-3 (Community Business District) carried. The public hearing will be conducted on February 21, 2017.

Motion by Meiners/Penzkover to recommend the Village Board approve the change of zoning requested by the Village of Mukwonago for the property located on the west side of STH 83 across from Black Bear Blvd, known as MUKV1962996001, from R-10 (Multiple-family District) to B-3 (Community Business District) carried. The public hearing will be conducted on March 21, 2017.

Feather and Fringe Boutique, 216 Main St., Minor Site Plan Review

Motion made by Abruzzo/Fairchild to grant an exception to the requirement of providing 10 on-site parking spaces solely to Nicole Marie Gunderson, Feather and Fringe Boutique, for the operation of a boutique business at the property located at 216 Main St., known as MUKV1976217. There is no room on the site to add parking spaces; therefore, there are site constraints and sufficient nearby on-street parking to justify the exception. This approval is contingent upon the following conditions:

1. Prior to occupancy, applicant shall obtain all required building permits for interior alterations.
2. Prior to issuance of an occupancy permit, the Fire Department and Building Inspection Department shall inspect the site to ensure compliance with all codes for the occupancy.
3. Prior to installation of any sign or signs for the business, applicant shall obtain a building permit.

Motion carried.

YMCA addition Site Plan and Architectural Plan Review

Motion made by Abruzzo/Werner to recommend the Village Board approve the Site Plan and Architectural Plan Review requested by Geoff Mertens, YMCA of Greater Waukesha County, for the construction of an addition of 10,400 sq. ft. on the existing structure at the property located at 245 E Wolf Run, known as MUKV2013995006. The addition is within the expansion footprint as shown on plans with the approval in 2011, and the design matches the existing building. This approval is contingent upon the following conditions.

1. Approval of the plans to construct a 10,400 square foot addition to the Mukwonago YMCA shall be subject to the package of plans submitted on behalf of the applicant by Kahler Slater, Inc., and VJS Construction Services, dated January 9, 2016, on file in the office of the Village Clerk. Prior to commencement of any site construction or issuance of any building permit, final plans shall be reviewed and approved by the Supervisor of Inspections, Fire Chief, Village Planner and Village Engineer. The final plans shall be modified to conform to all applicable Village codes and other conditions of approval; the floor plans may be modified with the approval of the Supervisor of Inspections to conform to Building and Fire Safety Codes.
2. Approval includes relocation of the existing east elevation wall sign to the new east elevation. A building permit will be required for sign relocation.
3. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - a. Completion of all required approvals as listed in Condition No. 1.
 - b. 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.
 - c. Approval of building plans by the Building Inspector after receipt of approval of building plan by the State of Wisconsin.
 - d. Approval of site grading and erosion control for the addition and additional parking spaces by the Village Engineer.
 - e. Approval of plans showing a handicapped ramp from the sidewalk to the handicapped parking spaces east of the addition by the Village Planner.
 - f. Approval of any new exterior lighting by the Village Planner.
4. Prior to temporary occupancy issuance, if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of site grading surrounding the addition.

- b. Completion of any new exterior lighting.
 - c. Completion of the addition in accordance with final approved plans and all applicable codes.
 - d. Completion of a hard parking surface with concrete curb and gutter, including installation of handicapped parking signs and ramp in accordance with final approved plans.
 - e. Completion of the dumpster enclosure.
5. Prior to final occupancy permit, which shall be issued not later than 90 days after any temporary occupancy permit, the following shall occur:
- a. Completion of all items within Condition No. 4.
 - b. Completion of paving and striping of the additional parking area, in accordance with approved plans.
 - c. Completion of ground cover surrounding the addition, surrounding the additional parking area and any other areas disturbed during construction.

Motion carried.

Town of Vernon extraterritorial certified survey map

Motion made by Penzkover/Abruzzo to recommend the Village Board approve the extraterritorial certified survey map, requested by Marjohn Farms LLC, Chris Simon, Agent, for the property located southeast of the intersection of Maple Ave. and Craig Ave. in the Town of Vernon, known as VNT2140999. The resulting land division retains conformance with the Village's Comprehensive Plan. This approval is contingent upon the following condition:

1. Prior to Village Officials applying signatures to the Certified Survey Map, written approvals from the Town of Vernon and Waukesha County shall be provided to the Village Clerk.

Motion carried.

857 S. Rochester St. Conceptual Site Plan Review

Motion by Abruzzo/Penzkover to approve the conceptual site plan review requested by Zach Knutson, CLK Real Estate, LLC, for creation of two outlots on part of the property located at 857 S. Rochester St., known as MUKV2009978 carried.

Village Center Overlay Zoning District and Review of amendments to the Zoning Code

Motion by Penzkover/Werner to schedule a special meeting on Tuesday, February 28, 2017 at 6:30 p.m. to review the ordinance to repeal and recreate of Sec. 100-153 and repeal Sec. 100-204 of the Municipal Code of the Village of Mukwonago pertaining to the creation of a Village Center Overlay Zoning District and amendments to Chapter 100 of the Municipal Code of the Village of Mukwonago (Zoning Code) pertaining to Residential Districts, Business Districts, Business Mixed Use, and Planned Unit Development standards as it relates to the implementation of the Amendment to "Comprehensive Plan 2035" carried.

Adjournment

Meeting adjourned at 7:20 p.m.

Respectfully submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, March 14, 2017

Call to Order

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

Roll Call

Commissioners present: John Meiners
Mark Penzkover
Joe Abruzzo
Ken Werner
Fred Winchowky, Chairman

Members excused: Robert Harley
Sterling Fairchild

Also present: Judith Taubert, Deputy Clerk-Treasurer
Bruce Kaniewski, Village Planner/Zoning Administrator
Mark Blum, Village Attorney

Minutes

Motion by Werner/Meiners to approve the February 14, 2017 regular meeting minutes as presented carried.

New Business

Wal-Mart Site Plan and Architectural Plan Review

Wal-Mart desires to start an on-line grocery pick-up service. Customers will pick-up ordered groceries along the east side of the building, parking in designated spaces. Wal-Mart employees will deliver the groceries directly to customer's vehicle. Several direction signs and a new wall sign will be added for the use, along with new pavement markings. Interior alterations will be minor.

Motion by Penzkover/Abruzzo to recommend the Village Board approve the Site Plan and Architectural Plan Review requested by Jeff Waggener, Wal-Mart R.E. Bus. Trust, for the remodel of the proposed Online Grocery Pickup on the existing structure at the property located at 250 E Wolf Run, known as MUKV2013994001 for the following reasons and subject to the following conditions carried:

Reasons:

1. The proposal is consistent with the original intended site and building design.
2. The proposal does not appear to create any negative impact toward public safety.

Conditions:

1. Site pavement markings, directional signage and change of the east door shall be in conformance with the plans submitted by BRR Architecture on behalf of Wal Mart Real Estate Business Trust, with the building elevation dated January 12, 2017; and sheets C1, N1, SP1, SP2, A1, A1.1 and A1.2 dated February 8, 2017.

2. Before issuance of a building permit for interior alterations and a building permit for the "Pickup" wall sign, all on-site dumpsters shall be located within an approved dumpster enclosure.

Zoning Code Amendments

Blum and Kaniewski discussed various changes to the Village Center Overlay Zoning District. Based on the amount of changes, another public hearing will need to occur. Motion by Penzkover/Abruzzo to direct staff to proceed with the public hearing procedures for the consideration of adoption of the ordinance to repeal and recreate of Sec. 100-153 and repeal Sec. 100-204 of the Municipal Code of the Village of Mukwonago pertaining to the creation of a Village Center Overlay Zoning District, with the public hearing being scheduled on April 18, 2017 carried.

Motion made by Penzkover/Meiners to direct staff to proceed with the public hearing procedures for the consideration of adoption of various amendments to Chapter 100 of the Municipal Code of the Village of Mukwonago (Zoning Code) pertaining to Business Districts, Business Mixed Use, and Planned Unit Development standards as it relates to the implementation of the Amendment to "Comprehensive Plan 2035", with the public hearing being scheduled on April 18, 2017 carried. Amendments to the Residential District section will be discussed at a future meeting.

Adjournment

Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, April 11, 2017

Call to Order

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

Roll Call

Commissioners present: John Meiners
Mark Penzkover
Joe Abruzzo
Ken Werner
Fred Winchowky, Chairman
Robert Harley
Sterling Fairchild

Also present: John Weidl, Village Administrator
Judith Taubert, Deputy Clerk/Treasurer

Minutes

Motion by Penzkover/Werner to approve the March 14, 2017 regular meeting minutes as presented carried.

Public Hearing

Conditional use permit requested by Zachary Knutson, CLK Mukwonago, LLC, to allow for two (2) drive-through facilities with two (2) proposed outbuildings on part of the property located at 857 S. Rochester Street, known as MUKV2009978 opened at 6:31 p.m.

Public Comments

None.

Public hearing closed at 6:32 p.m.

New Business

CLK Mukwonago, LLC Conditional Use

Motion by Abruzzo/Penzkover to recommend the Village Board approve the conditional use permit requested by Zachary Knutson, CLK Mukwonago, LLC, to allow for two (2) drive-through facilities with two (2) proposed outbuildings on part of the property located at 857 S. Rochester Street, known as MUKV2009978. The requirement of a Conditional Use for a drive-through facility ensures review that traffic circulation will not compromise public safety. The proposed design does not compromise public safety. The approval includes approval of site and architectural plans for the Starbucks/Qdoba building. The approval is contingent upon the following conditions:

1. The conditional use permit will commence after the effective date of the proposed amendments to the B-2 zoning district standards.
2. The Conditional Uses for the drive-through lanes for the Starbucks/Qdoba building and the bank, including Site Plans and Architectural Plans (except architectural plans for the bank building) all be subject to all plans submitted for the application by CLK Mukwonago, LLC, on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor plans may be modified

with the approval of the Zoning Administrator and Supervisor of Inspections 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 the site plan shall remain unchanged.

3. All ingress/egress drives and parking areas shown on the site plan shall remain private and shall be maintained in a usable and passable condition at all times. A signed and recorded copy of the ingress/egress agreement between the applicant and Brooklife Church shall be presented to the Village Zoning Administrator. In addition, prior to issuance of the first building permit, the final plan for design of new parking lot islands immediately west of the subject sites shall be presented for the approval of the Zoning Administrator.
4. Approval shall be subject to approval of the Storm Water Maintenance Agreement by the Village Board.
5. Prior to issuance of the first building permit, a final landscape plan, exterior site lighting plan and dumpster enclosure plan shall be submitted for approval of the Zoning Administrator.
6. The property shall be maintained in a clean condition, free of debris at all times.
7. Only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property. On-site directional signs shall be subject to the approval of the Zoning Administrator in accordance with the Sign Code.
8. 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 shall approve all site engineering plans and documents, including a complete Storm Water Management Plan and an Erosion Control Plan.
 - b. Recording of the Two-Lot and One-Lot Certified Survey Map.
 - c. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
 - d. Submittal of information and approvals as noted in Conditions Nos. 2, 3 and 4.
 - e. 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.
 - f. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - g. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
9. Prior to temporary occupancy issuance for part of the existing building or additions, if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is part of the storm water management facilities.
 - b. Completion of all exterior lighting for the addition in accordance with approved plans.
 - c. Completion of the addition in accordance with approved plans and all applicable codes.
 - d. Completion of hard drive and parking surfaces from the exterior public right-of-way to the general area surrounding the buildings, including installation of handicapped parking signs and ramps.
 - e. Completion of dumpster enclosures.

- f. Temporary occupancy may be granted for one of the two buildings prior to completion of the second building and area surrounding the second building, if access to the completed building is approved by the Zoning Administrator.
10. 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. 9.
 - b. Completion of paving and striping of the entire parking area, in accordance with approved plans.
 - c. Installation of all site landscaping.
 - d. Completion of all required public improvements as specified in the Storm Water Management Plan.
 - e. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public.
 - f. Final occupancy may be granted for one of the two buildings prior to completion of the second building and area surrounding the second building.

Motion carried.

CLK Mukwonago, LLC CSM

Motion by Penzkover/Werner to recommend the Village Board approve the certified survey map for the property located at 857 S. Rochester Street, known as MUKV2009978 subject to approval by the Village Engineer and approval of the amendment to the minimum lot size standards of the B-2 zoning district carried.

Boy Scout Eagle Pergolas Project

Motion by Penzkover/Werner recommend the Village Board approve the construction of pergolas as part of a Boy Scout Eagle project at the property located at 857 S. Rochester Street, known as MUKV2009978 subject to the following conditions carried:

1. Prior to start of construction, applicants shall apply for and receive a building permit from the Supervisor of Inspections.
2. Applicants shall request all inspections as specified by the Supervisor of Inspections at time of building permit.
3. The project shall be completed within one year of permit issuance, and completed consistent with the submitted plans and drawings on file in the Zoning Administrator Office.

Robert Chandler's request for Change of Zoning

Motion by Abruzzo/Werner to recommend the Village Board approve the change of zoning requested by Robert Chandler, Midwest Holdings LLC, for the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., formerly known as VNT2091999005, from A-1 to B-3. The zoning applies to the entire property to maintain consistency with the Comprehensive Plan. Motion carried.

Douglas DeBack Certified Survey Map

Motion by Penzkover/Meiners to recommend the Village Board approve the certified survey map requested by Douglas DeBack for the property located north/northeast of S108W28220 Maple Ave., known as MUKV2138998 subject to the adoption of the amendment to the Official Map, the release of the road reservation, and the following conditions recommended by the Village Engineer carried:

1. Per A-E 7.05 (4) Parcel Location- There are monuments shown to the west with no bearing or distance. There are also section splits that do not appear to be shown. Please show and describe all monuments used for determining the location of the parcel.
2. Per Wisconsin Statute Chapter 236.34 (1m) (c) – In the caption on each page there are 2, ¼ ¼ calls missing. The NE ¼ of the NE ¼ Sec. 36, and the NW ¼ of the SE ¼ Sec. 36.
3. Per Wisconsin Statute Chapter 236.20 (2) (b) – The Legend for monuments shall indicate the type, and outside diameter. (IRON PIPE/ROD (FOUND)) is not specific enough.
4. Per Wisconsin Statute Chapter 236.20 (3) (e) – Abutting street lines should be shown by dotted or dashed lines.
5. Per Wisconsin Statute Chapter 236.025 (1) Ordinary High Water Marks – Since the creek shown is deemed “Navigable” per the county GIS website, either the ordinary high water mark determined by the DNR be shown, or the “approximate” ordinary high water mark be shown with the note “approximate ordinary high water mark is shown for reference only”.
6. Per Wisconsin Statute Chapter 236.20 (6) – A CSM with lots that extend to the water’s edge shall include the following note “Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.”
7. Per Wisconsin Statute Chapter 236.34 (1m) (d) (2) – In the Surveyor’s Certificate, there are the same 2, ¼ ¼ call missing as referenced above, and the distance of 913.62 feet along the east line of the Southeast Quarter is different than the distance of 913.50 feet shown on the map.
8. Village of Mukwonago Land Division Ordinance Chapter 45-93 (b) – The proposed land to be divided contains floodlands or shorelands, therefore all the data required by section 45-44 must be shown.
 - A. Per 45-44 (4) Show the owners of record for abutting unplatted lands.
 - B. Per 45-44 (9) Show 2 benchmarks.
 - C. Per 45-44 (10) Show the high water elevation.
 - D. Per 45-44 (11) Show water elevations at the time of survey.
 - E. Per 45-44 (12) Show a contour two feet above the 100 year flood line.
 - There is a note on sheet 1 stating that a street reservation on the adjacent lot to the west will be terminated upon recording of this CSM. Since that area is not a part of this CSM, it cannot be modified.

Douglas DeBack Request to Amend the Village Official Map

Recommendation to the Village Board regarding an ordinance to amend the Official Map requested by Douglas DeBack for the property located north/northeast of S108W28220 Maple Ave., known as MUKV2138998 will be held for a future meeting to address the Village Planner’s concerns suggesting changes be made to the north-south road.

Village Center Overlay Zoning District

Motion by Meiners/Harley to recommend to the Village Board to approve an ordinance to repeal and recreate Sec. 100-153 and repeal Sec. 100-204 of the Municipal Code of the Village of Mukwonago pertaining to the creation of a Village Center Overlay Zoning District subject to the revision of map on the south end carried.

Zoning Ordinance Amendments Chapter 100

Suggested changes to the Planned Unit Development Overlay Regulations ordinance included the following:

1. Section 100-53 (4). Line 5. End the sentence with “except for those listed in subsection (5) of this Section.”
2. Correct the numbering.

Suggested change to the Business Mixed Use Overlay Standards ordinance included the following:

1. Section 100-54 (7)(c). End of the paragraph. Remove “with” and end the sentence.

Motion by Penzkover/Meiners to recommend the Village Board adopt the Planned Unit Development Overlay Regulations ordinance and the Business Mixed Use Overlay Standards ordinance as corrected carried (Abruzzo voted no).

Conceptual Site Plan and Architectural Plan Review requested by Andrew Reahm, Storage Werks Mukwonago, for the construction of a storage facility at the property located between Mukwonago Drive and the railroad tracks, behind 360 Bay View Rd., known as MUKV2009954002

Item has been withdrawn.

Change of date for May meeting

The May meeting has been changed to Monday, May 8, 2017 at 6:30 p.m.

Adjournment

Meeting adjourned at 7:59 p.m.

Respectfully submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE SPECIAL PLAN COMMISSION MEETING

Monday, April 17, 2017

Call to Order

Chairperson Fred Winchowky called the meeting to order at 6:00 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Commissioners present: John Meiners
Mark Penzkover
Ken Werner
Fred Winchowky, Chairman

Commissioners excused: Joe Abruzzo
Robert Harley
Sterling Fairchild

Also present: Bruce Kaniewski, Village Planner/Zoning Administrator
Steven Braatz, Clerk/Treasurer

Unfinished Business

Official Map amendments

At the April 11, 2017 meeting, the Commission had concerns regarding the size of the proposed road right-of-way along the DeBack property, the location, and the connection to Wolf Run on the north end. Kaniewski explained that a new exhibit was created that changed the width to 100', placed the proposed road right-of-way completely on the DeBack property, and created a "hook" to connect it to Wolf Run on the north end. Kaniewski also noted that the official map amendment includes on Exhibit B three recent annexations. Motion made by Werner/Penzkover to recommend the Village Board approve the amendments to the Official map pursuant to Exhibit A dated April 13, 2017, and Exhibit B as submitted. The approval shall be contingent upon public hearing testimony. Motion carried.

New Business

Resolution 2017-030

Kaniewski explained that a road reservation was included on the DeBack CSM from the Pro Heath Care property. This resolution releases that road reservation, which is a cleaner method. Motion by Penzkover/Werner to recommend the Village Board adopt Resolution 2017-030: *A Resolution to Release Road Reservation* carried.

Adjournment

Meeting adjourned at 6:12 p.m.

Respectfully submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Monday, May 15, 2017

Call to Order

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

Roll Call

Commissioners present: John Meiners
Mark Penzkover
Joe Abruzzo
Ken Werner
Fred Winchowky, Chairman
Robert Harley
Jim Decker

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

Minutes

Motion by Penzkover/Werner to approve the minutes of the April 11, 2017 regular meeting and April 17, 2017 special meeting carried.

Public Hearing

Public Hearing for a conditional use permit requested by Darwin Greenwald, DC Properties, LLP, to allow for a drive-through facility and changes to the existing fueling station building and site on the property located at 122 Arrowhead Drive, known as MUKV2015997004 and MUKV2015997005 opened at 6:32 p.m.

Kip Golden, Contractor, representing the applicant described the site plans for a drive-through facility and changes to the existing fueling station building.

Public Comments

None.

Public hearing closed at 6:39 p.m.

New Business

122 Arrowhead Dr. Development

Motion by Penzkover/Abruzzo to recommend the Village Board approve the conditional use permit requested by Darwin Greenwald, DC Properties, LLP, to allow for a drive-through facility and changes to the existing fueling station building and site on the property located at 122 Arrowhead Drive, known as MUKV2015997004 and MUKV2015997005. The approval is contingent upon the following conditions:

1. The Conditional Uses for the drive-through lane for the Arby's Restaurant addition to the BP fueling station and convenience store at the southwest corner of I-43 and Highway 83 building, for an additional diesel pump fuel island and for associated changes to the existing facility shall be subject to all plans and information submitted for the application by Mach IV Engineering & Surveying, LLC and CR Structures Group, Inc. on behalf of

applicant DC Properties, LLP, on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections 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 the site plan shall remain unchanged.

2. All ingress/egress drives and parking areas shown on the site plan shall remain private and shall be maintained in a usable and passable condition at all times.
3. Approval shall be subject to acceptance of the Storm Water Maintenance Agreement by the Village Board.
4. Prior to issuance of the first building permit, a final landscape plan, final exterior site lighting plan and final dumpster enclosure plan shall be submitted for approval of the Zoning Administrator. The landscape plan shall show a total of 70 trees, including existing trees, with emphasis on planting of pine trees west and south of the additional truck parking area to provide a landscape screen to buffer the truck parking area from the neighboring residential structures.
5. The property shall be maintained in a clean condition, free of debris at all times. Prior to occupancy, Arby's shall install exterior refuse containers near property exit points. The containers shall be aesthetically pleasing and shall be subject to the approval of the Zoning Administrator.
6. For any new signs, only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property. On-site directional signs shall be subject to the approval of the Zoning Administrator in accordance with the Sign Code.
7. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - a. Compliance with all points included in the May 11, 2017 letter from the Village Engineer's office. The Village Engineer, the Superintendent of Utilities and the Public Works Director shall approve all site engineering and utility plans and documents, including a complete and final Storm Water Management Plan and an Erosion Control Plan.
 - b. Recording of the One-Lot Certified Survey Map.
 - c. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
 - d. Submittal of information and approvals as noted in Conditions Nos. 3 and 4.
 - e. 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.
 - f. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - g. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
8. Prior to temporary occupancy issuance for any part of the additions, if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is part of the storm water management facilities.
 - b. Completion of all exterior lighting for the addition in accordance with approved plans.

- c. Completion of the addition in accordance with approved plans and all applicable codes.
 - d. Completion of hard drive and parking surfaces from the exterior public right-of-way to the general area surrounding the buildings, including installation of handicapped parking signs and ramps.
 - e. Completion of dumpster enclosure.
 - f. Temporary occupancy may be granted for a portion of the addition or renovation to the existing building if other portions of the addition or renovations are not completed, subject to public safety.
9. Temporary occupancy may be issued for the additional diesel fuel pump island and canopy addition without completion of other additions and renovations on the site; however all surfaces surrounding the new pump island shall be paved.
10. 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 site and building additions and renovations pursuant to the approved plans and completion of all items within Condition No. 8.
 - b. Completion of paving and striping of the entire parking area and curb and gutter where shown on plans, in accordance with approved plans.
 - c. Installation of all site landscaping.
 - d. Completion of all required site improvements as specified in the Storm Water Management Plan.
 - e. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public
11. The conditional use for the restaurant drive-through lane shall be granted solely for an Arby's restaurant. Nothing in this conditional use approval shall prevent another restaurant operator from applying for a new conditional use.
12. The applicant shall work with Village staff to come up with a satisfactory appearance of the west elevation.

Motion carried.

Motion by Penzkover/Meiners to recommend the Village Board approve the certified survey map requested by Darwin Greenwald, DC Properties, LLP, to allow for the property located at 122 Arrowhead Drive, known as MUKV2015997004 and MUKV2015997005 carried.

Village of Mukwonago CSM

Motion by Harley/Penzkover to recommend the Village Board approve the certified survey map requested by Village of Mukwonago for part of the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996001 carried.

Ordinances to Amend Chapter 100 of Village Code, Zoning Ordinance pertaining to the Business Zoning Districts

The Planning Commission recommended changes to the amendments and to come back to the next regular Planning Commission meeting.

Historic Preservation Commission Review of 525 S. Rochester St.

Motion by Penzkover/Werner to approve the Historic Preservation Commission review of the exterior remodel at the property located at 525 S. Rochester St., known as MUKV1976179 subject to materials submitted carried.

Conceptual Site Plan and Architectural Plan Review for Storage Werks Mukwonago

The Planning Commission looked at the Conceptual Site Plan and Architectural Plan Review requested by Andrew Reahm, Storage Werks Mukwonago, for the construction of a storage facility at the property located between Mukwonago Drive and the railroad tracks, behind 360 Bay View Rd., known as MUKV2009954002. More information is needed. No action taken.

Adjournment

Meeting adjourned at 8:53 p.m.

Respectfully submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, June 13, 2017

Call to Order

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

Roll Call

Commissioners present: Joe Abruzzo
Jim Decker
Robert Harley
John Meiners
Mark Penzkover
Ken Werner
Fred Winchowky, Chairman

Also present: Josh Bachert, Administrator Intern
Jeff Belongia, Bond Advisor
Steven Braatz, Clerk-Treasurer
Bruce Kaniewski, Village Planner
John Weidl, Administrator/Economic Development Director

Approval of minutes for the May 15, 2017 regular meeting

Motion by Decker/Abruzzo to approve the minutes of the May 15, 2017 regular meeting carried.

Motion by Werner/Penzkover to amend the agenda as follows carried:

1. #5A
2. #5B
3. #5D
4. #5E
5. #4A
6. #5C
7. #5F
8. #5G

New Business

Fire Station #1 addition

Fire Chief Jeff Stien and Architect Brian Fischer presented plans for an addition of slightly over 1,300 square feet and interior alterations to the headquarters station at 1111 Fox Street.

Motion by Penzkover/Decker to recommend the Village Board approve the Site Plan and Architectural Review requested by Mukwonago Fire Department for the construction of an addition to Fire Station #1 at the property located at 1111 Fox St., known as MUKV1969989 contingent upon the following reasons and conditions carried:

Reason:

1. Building setbacks conform to the M-4 district.

Conditions:

1. The additions shall conform to the submittal by Fischer-Fischer-Theis, Inc.
2. Prior to the issuance of a building permit, the Mukwonago Village Board shall approve a contract with a contractor to construct the additions.
3. Prior to the issuance of a building permit, the Mukwonago Zoning Administrator shall approve the final landscape plan.

1610 Honeywell Rd. sign permit

Jaime Dieman, Innovative Signs, presented plans for a proposed freestanding two-sided sign including an electronic message board and a two-foot tall brick base at the property located at 1610 Honeywell Road.

Motion by Harley/Decker to approve the sign permit requested by Mukwonago Baptist Church for the construction of a monument sign at the property located at 1610 Honeywell Rd. contingent upon the following reasons and conditions carried:

Reasons:

1. The proposed sign conforms to the sign code.
2. The proposed sign is consistent with the use and size of the property.

Village Center Overlay Zoning District Ordinance

Kaniewski explained the Village Board elected to send the Village Center Overlay Zoning District ordinance back to Plan Commission to consider the public comments from the May 16, 2017 public hearing. Based on the public hearing and other conversations he had with business and property owners, he offered the following suggested minor changes to the Village Center Overlay Zoning District ordinance:

1. Page 4, Residential; ground floor or 1st floor facing street, under Multi-Purpose Perimeter. Change from Conditional Use to Permitted.
2. Page 5, Residential; upper floor above 1st floor, under Retail Center. Change from Conditional Use to Permitted.
3. Page 6, Public Museum, under Retail Center. Add "except existing is permitted" after Permitted.
4. Page 6, Second Hand Store. Add "Antique Shops to the Type of Use.
5. Page 6, Second Hand Store, under Retail Center. Change from Not Permitted to Conditional Use.
6. Page 7, second footnote after table. Add "on ground floor or 1st floor facing street" between the word "permitted" and "with."

Motion by Harley/Werner to rescind the April 11, 2017 recommendation to the Village Board to adopt the Village Center Overlay Zoning District ordinance carried.

Motion by Harley/Werner to recommend the Village Board adopt the Ordinance to Amend Sections 100-51, 100-153, 100-202 and 100-204 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to the Creation of Village Center Overlay Zoning Standards and Elimination of the Fire District Overlay Districts, incorporating the suggested minor changes by the Village Planner on June 13, 2017 carried.

Request to create a Downtown Mukwonago Strategic Plan Steering Committee

Village Resident Roger Walsh stated a citizens group of the Village of Mukwonago is requesting that Overlay Zoning be set aside at this time and that the Village approve forming a Downtown Mukwonago Strategic Plan Steering Committee. The purpose of the Steering Committee is to produce a document, including Design and Design Standards, that will guide the Economic Development of a unique and traditional downtown now and for future generations. A useful/working Strategic Development Plan includes implementation. Such factors as * “responsibilities for execution, sequencing of projects, potential costs, and funding sources” are key to success for all Stakeholders. Plan Commission discussed and felt this may be best handled by the Economic Development Committee. Motion by Penzkover/Decker to include the request by Village resident Roger Walsh, representing a group of concerned Village residents, to create a Downtown Mukwonago Strategic Plan Steering Committee on the June 20, 2017 Village Board agenda for Board consideration carried.

Business Zoning Districts Standards Ordinance

Kaniewski presented a few minor changes to the Business Zoning Standards since the May meeting as follows:

1. Sec. 100-151 (d). Change Minimum Lot Dimensions category to Minimum Lot Width. Strike the standard and replace with “80 feet.”
2. Sec. 100-151 (d), Maximum Lot Coverage. Change 60% to 65%.
3. Sec. 100-151 (d), second footnote after table. Add “100-151 (j) and” between the words “Sections” and “100-453.”
4. Sec. 100-151 (e)(2). Add c. Four-sided architecture is required.
5. Sec. 100-152 (d), second footnote after table. Add “100-152 (k) and” between the words “Sections” and “100-453.”
6. Sec. 100-152 (e), Maximum Lot Coverage. Change 75% to 70%.
7. Sec. 100-152 (e), Minimum Floor Area per Building. Change 2,000 to 1,200.
8. Sec. 100-152 (f)(2). Add c. Four-sided architecture is required.
9. Sec. 100-154 (d), Minimum Lot Area. Change One acre to 40,000.
10. Sec. 100-154 (d), Maximum Lot Coverage. Change 80% to 75%.
11. Sec. 100-154 (d), first footnote after table. Change minimum setback to 15.
12. Sec. 100-154 (d), second footnote after table. Add “100-154 (k) and” between the words “Sections” and “100-453.”
13. Sec. 100-154 (e), Minimum Lot Width. Change 150 to 100.
14. Sec. 100-154 (e), Minimum Greenspace Perimeter. Change 15 to 10.
15. Sec. 100-154 (f)(2). Add c. Four-sided architecture is required.

Motion by Penzkover/Decker to recommend the Village Board adopt the ordinance to amend Chapter 100 of Village Municipal Code, known as the Zoning Code, specifically pertaining to standards within the business zoning districts (Sections 100-151 through 100-157), removal of Section 100-153 (Business Fire Overlay District), adjusting section numbers, revising the listing of all zoning district amending and adding definitions to be consistent with the proposed amendments, incorporating the suggested changes by the Village Planner on June 13, 2017 carried.

Creation of Tax Incremental District No. 4

Motion by Penzkover/Decker to adopt Resolution 2017-062: *A Resolution Proposing the Creation of Tax Incremental District No. 4, of the Village of Mukwonago, Wisconsin* carried.

Amendments to Chapter 45 of Village Municipal Code

Commission reviewed the proposed ordinance to amend Chapter 45 of Village Municipal Code, known as the Land Division Code and had no issues. Kaniewski will proceed with a formal ordinance draft at the next meeting.

Residential Zoning Districts Standards Ordinance

Commission reviewed the proposed Residential Zoning Districts Standards ordinance, and had no issues. Kaniewski will proceed with a formal ordinance draft at the next meeting.

Adjournment

Meeting adjourned at 8:31 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, July 11, 2017

Call to Order

Clerk-Treasurer Steven Braatz, Jr. called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Commissioners present: Joe Abruzzo
Jim Decker
Robert Harley
John Meiners
Mark Penzkover
Ken Werner

Commissioners excused: Fred Winchowky, Chairman

Also present: Josh Bachert, Administrator Intern
Steven Braatz, Clerk-Treasurer
Bruce Kaniewski, Village Planner
John Weidl, Administrator/Economic Development Director

Motion by Decker/Werner to elect Penzkover as acting chairperson carried.

Minutes

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

Public Hearing

Proposed Project Plan and boundaries for the Village's Tax Incremental District No. 4 ("TID 4")

Public Hearing for the Project Project Plan and boundaries for the Village's Tax Incremental District No. 4 ("TID 4") opened at 6:31 p.m.

Bachert presented the updated plan. The Joint Review Board requested phase two be removed and added in later as an amendment. The bond offering was also changed to be retired in 17 years instead of 20, which reduces the expenditure period from 15 years to 12 years.

Public Comments

Marianne Walsh, 142 Oakland Ave. – Wants quality of life, not just dollar signs. Asked various questions about what TIF districts are and how they are paid for.

Public hearing closed at 6:39 p.m.

New Business

Tax Incremental District No. 4 Resolution

Motion by Decker/Harley to adopt **Resolution 2017-066**: *A Resolution Designating Boundaries and Adopting the Project Plan for Tax Incremental District No. 4, of the Village of Mukwonago, Wisconsin* carried.

St. Johns Evangelical Lutheran Church parking lot expansion

Motion by Harley/Decker to waive the requirement to install curb and gutter surrounding the newly proposed St. Johns Evangelical Lutheran Church parking lot carried.

Motion by Harley/Decker to recommend the Village Board approve the Minor Site Plan requested by St. Johns Evangelical Lutheran Church for the addition of parking spaces at the property located at 410 W. Veterans Way, known as MUKV1963996008 contingent upon the following reasons and conditions carried:

Conditions:

1. Site Plan approval to expand the St. John's Evangelical Lutheran Church parking lot shall be subject to the plans submitted by Farris, Hansen & Associates, Inc., with a last revised date of June 16, 2017, and landscape plans submitted by James Chesebro.
2. Prior to the start of any site construction, the following shall occur:
 - a. Approval by the Village Engineer of all final site engineering, final site storm water management and site erosion control measures.
 - b. Approval of the final site lighting plan by the Zoning Administrator.
 - c. Issuance of Soil Disturbance/Erosion Control Permit by the Village Inspection Department.
3. Prior to installation of parking lot lights, issuance of an electrical permit by the Village Inspection Department.

Land Division Exceptions and Modifications Ordinance

Motion by Decker/Werner to recommend the Village Board adopt the ordinance to Create Subsection 45-22 of Chapter 45 of the Mukwonago Municipal Code of the Village of Mukwonago Pertaining to Land Division Exceptions and Modifications carried.

Residential Zoning Districts Ordinance

Kaniewski offered one correction: on page 3 of the ordaining ordinance, Section XVII, #3, change "Director" to "Zoning Administrator." Motion by Werner/Decker to recommend the Village Board adopt the ordinance to Amend Sections 100-51, 100-101, 100-102, 100-103, 100-104, 100-105, 100-107, 100-108, 100-109, 100-110 and 100-111 and Create Section 100-115 of Chapter 100 of the Village of Mukwonago Municipal Code, Known as the Zoning Ordinance, Pertaining to Residential Zoning Districts as amended carried.

Adjournment

Meeting adjourned at 7:05 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, August 8, 2017

Call to Order

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

Roll Call

Commissioners present: Joe Abruzzo
Jim Decker
Robert Harley
John Meiners
Fred Winchowky, Chairman

Commissioners excused: Mark Penzkover
Ken Werner

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

Minutes

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

New Business

1150 Fox Street Change of Zoning

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

Citizens Bank Site Plan and architectural review

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

Reasons:

1. The proposal conforms to the development standards of the B-2, General Business District zoning assigned to the site.

Conditions:

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

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

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

Adjournment

Meeting adjourned at 7:19 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, September 12, 2017

Call to Order

Deputy Clerk-Treasurer Judith Taubert called the meeting to order at 6:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

Roll Call

Commissioners present: Joe Abruzzo

Jim Decker

Robert Harley

John Meiners

Commissioners excused: Mark Penzkover

Ken Werner

Fred Winchowky, Chairman

Also present:

Rebecca Alonge, Village Engineer

Bruce Kaniewski, Village Planner/Zoning Administrator

Judith Taubert, Deputy Clerk-Treasurer

John Weidl, Administrator/Economic Development Director

Motion by Harley/Meiners to elect Decker as acting chairperson carried.

Minutes

Motion by Harley/Meiners to approve the minutes of the August 8, 2017 regular meeting carried.

Public Hearing

Public Hearing for the conditional use permit requested by Brad Treichel, ProHealth Care, to allow for a second floor addition to a medical clinic on the property located at 240 Maple Avenue, known as MUKV2016993 and MUKV2016993001 opened at 6:35 p.m.

Applicant Presentation

Tony Breitlow, Architect for ProHealth Care, was present to answer any questions.

Public Comments

None

Public hearing closed at 6:35 p.m.

Public Hearing for the conditional use permit requested by Robert Chandler, Midwest Holdings LLC, to allow for an indoor, mini-warehouse and outdoor storage of vehicles, in conjunction with another use on the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988 opened at 6:38 p.m.

Applicant Presentation

Bill Canfield, S66W27890 River Road, Waukesha, WI 53189, representing Robert Chandler was there to answer questions regarding the landscaping plans, location of the outdoor storage of vehicles and building materials.

Public Comments

Ed Moline, S67W24385 Skyline Ave., Waukesha, - wanted clarification on what “another use” meant.

Craig Hein, S92W27720 Edgewood Ave., Mukwonago – spoke against the storage units. He wants to eventually build a subdivision behind the units and it will devalue property. He would like a buffer and a privacy fence. He is concerned with the maintenance of the landscaping. He feels they should change the design of the outdoor facility to make the vehicle storage area into an indoor building. Concerned with oil and gas leakage of the vehicles being stored.

Warren Hansen, Edgewood Apartments – spoke against the outdoor storage units. He thinks there is a better use for the property.

Public hearing closed at 6:49 p.m.

New Business

ProHealth Care 2nd Floor Addition

Motion by Meiners/Abruzzo to recommend the Village Board approve the conditional use permit requested by Brad Treichel, ProHealth Care, to allow for a second floor addition to a medical clinic on the property located at 240 Maple Avenue, known as MUKV2016993 and MUKV2016993001 subject to the following reasons and conditions carried:

Reasons:

1. The addition fits with the existing building.
2. The Conditional Use complies with the B-5 Planned Business and Light Industrial Development District zoning use.
3. The Building and addition is a public benefit.

Conditions

1. This Conditional Use shall be valid for a period of one (1) year following approval by the Village Board; construction of the addition shall commence within the one year period.
2. Construction of the addition shall be consistent with the plans submitted for the Conditional Use by Epstein Uhen Architects, dated August 14, 2017; on file in the office of the Zoning Administrator.
3. A Village of Mukwonago Building Permit is required to commence construction; the construction plans shall conform to applicable federal, state and local requirements, and building plans, egress and fire suppression shall be approved by the Mukwonago Fire Chief, prior to issuance of a building permit.
4. Should the Village of Mukwonago identify that additional parking spaces are needed for the entire facility, within 60 days of notice from the Village applicant shall submit application and all necessary plans for approval of the additional parking spaces. Said additional parking shall be completed within 180 days of the notice from the Village.
5. All prior Village of Mukwonago conditions of approval for the facility remain in effect.

Midwest Holdings Storage Units Development

Motion by Harley/Abruzzo to recommend the Village Board approve the conditional use permit requested by Robert Chandler, Midwest Holdings LLC, to allow for an indoor, mini-warehouse located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988 subject to the following conditions listed by the Village Planner and the Planning Commissions additional recommendations listed carried:

1. The Conditional Use for the Indoor Mini-Warehouse facility shall be subject to the following: Site and Utility Plan-East; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 30, 2017.
 - a. Grading and Erosion Control-East; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 30, 2017.
 - b. Landscape Plan-East; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 29, 2017.
 - c. Building elevation plan on file in the office of the Zoning Administrator
 - d. The "Request for Conditional Use and Narrative" prepared by Canfield Buildings dated August 1, 2017.
2. The plans referenced in Condition #1 may be further modified to conform to other conditions of approval and the final site storm water, grading and engineering plans. The plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections 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 the site plan shall remain unchanged.
3. The Conditional Use shall not become effective until the Certified Survey Map submitted by applicant is approved by the Village and recorded in the Office of the Waukesha County Register of Deeds.
4. All ingress/egress drives shown on the site plan shall remain private and shall be maintained in a usable and passable condition at all times. All ingress/egress drives shall be paved with a solid surface. The ingress/egress drive access to the site from the adjacent right-of-way shall be widened from the 30 feet width shown on the site plan if directed by the Village Public Works Director, to no more than 36 feet wide.
5. The buildings shall be constructed with architectural roof shingles.
6. The site shall be maintained in a clean condition and free of debris at all times. No outside storage of any kind shall be allowed.
7. Only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property.
8. Before any construction commences on the site, the following shall occur:
 - a. Completion of all public improvements of the new street as required by the Developer's Agreement approved in conjunction with the Certified Survey Map.
 - b. Issuance of grading/erosion control permit.
9. Applicant may construct the ten (10) indoor mini-storage buildings in phases from west to east. Prior to issuance of the first building permit, the following shall occur:
 - a. Approval by the Village Engineer or assigns of the final site grading and utility extension plans.
 - b. Approval by the Supervisor of Inspections of building plans after receipt of approval of building plans by the State of Wisconsin.
 - c. Installation of a public water supply and fire hydrants pursuant to the utility extension plans.
 - d. Approval by the Mukwonago Fire Chief of the building plans.
 - e. Approval by the Mukwonago Fire Chief of the system of Fire Department emergency ingress through the gate system.
 - f. Approval of the Zoning Administrator of any external site lighting plan.
 - g. Submittal of proper information for issuance of a building permit for the approved perimeter fencing and entrance gate.

10. Prior to temporary occupancy issuance for any one building or grouping of buildings, if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is part of the storm water management facilities.
 - b. Completion of a solid paved surface of the entrance, from the entrance to the building of said temporary occupancy, and 24 feet wide surrounding the building of said temporary occupancy; all in conformance with the approved site plan, as approved by the Zoning Administrator.
 - c. Completion of all exterior lighting for entrance in accordance with approved plans.
 - d. Completion of the building(s) in accordance with approved plans and all applicable codes.
 - e. Completion of the entrance gate and all site perimeter fencing.
11. 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. 10.
 - b. Completion of all paving, in accordance with approved plans.
 - c. Installation of all site landscaping.
 - d. Completion of all required public improvements as specified in the Storm Water Management Plan.
 - e. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public.

Motion by Harley/Abruzzo to recommend the Village Board approve the conditional use permit requested by Robert Chandler, Midwest Holdings LLC, to allow for outdoor storage of vehicles, in conjunction with another use on the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988 subject to the following conditions listed by the Village Planner and the Planning Commissions conditions. Harley amended his motion to include that Occupancy will not be given until the indoor storage is finished carried:

1. The Conditional Use for the Outdoor Vehicle Storage Facility shall be subject to the following:
 - a. Site and Utility Plan-West; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 30, 2017.
 - b. Grading and Erosion Control-West; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 30, 2017.
 - c. Landscape Plan-West; prepared by Jahnke & Jahnke Associates, Inc., with a last revised date of August 29, 2017.
 - d. The "Request for Conditional Use and Narrative" prepared by Canfield Buildings dated August 1, 2017.
2. The plans referenced in Condition #1 may be further modified to conform to other conditions of approval and the final site storm water, grading and engineering plans. The plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections to conform to Municipal 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 the site plan shall remain unchanged.
3. The Conditional Use shall not become effective until the Certified Survey Map submitted by applicant is approved by the Village and recorded in the Office of the Waukesha

County Register of Deeds. Use of the site for outside storage is contingent upon the completion of the Indoor Storage Facility approved via Resolution No. 2017-100; however, site grading may occur but no site paving or preparation for site paving, such as stone base, shall be permitted until the Indoor Storage Facility is completed with an occupancy permit for all ten (10) buildings issued by the Building Inspector.

4. All vehicles stored on the site shall road worthy; meaning that vehicles such as cars, classic cars, trucks and recreational vehicles shall be licensed; and other recreational vehicles, such as campers to be towed and boats on trailers shall be capable of road travel. No maintenance of vehicles of any kind shall occur on the site, except for matters to properly return the vehicle to road worthiness, such as replace a flat tire or a dead battery. All vehicles stored on the site shall be placed within the striped lines pursuant to the site plan. All drives between the striped rows of parking spaces shall be open and clear of any impediments at all times.
5. All access drives and parking areas shown on the site plan shall be paved with a solid surface. All parking spaces shall be striped as shown on the site plan.
6. All ingress/egress drives shown on the site plan shall remain private and shall be maintained in a usable and passable condition at all times. All ingress/egress drives shall be paved with a solid surface. The ingress/egress drive access to the site from the adjacent right-of-way shall be widened from the 24 feet width shown on the site plan if directed by the Village Public Works Director, to no more than 36 feet wide, to assist with turning movement of large vehicles in and out of the site.
7. The site shall be maintained in a clean condition and free of debris at all times.
8. Only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property.
9. Before any construction commences on the site, the following shall occur:
 - a. Completion of all public improvements of the new street as required by the Developer's Agreement approved in conjunction with the Certified Survey Map.
 - b. Issuance of grading/erosion control permit.
 - c. Approval of the Zoning Administrator of any external site lighting plan.
 - d. Approval by the Mukwonago Fire Chief of the system of Fire Department emergency ingress through the gate system.
 - e. Written approval from the Wisconsin Department of Natural Resources to cross and fill a wetland for the ingress/egress drive.
 - f. Submittal of a Letter of Credit in the estimated amount to complete all site perimeter fencing and landscaping in accordance with approved plans. The Letter of Credit shall be in a form approved by the Village Attorney. After installation of the fencing and landscaping, applicant may request the Village Board to reduce the Letter of Credit amount by 75%. A total of 25% of the Letter of Credit shall be retained to ensure that the landscaping survives one (1) full growing season. For the purpose of this approval, a full growing season shall be defined as plantings that installed and living April 1 through October 31 in a calendar year. Applicant shall replace all plantings that do not survive one growing season, or the Village shall utilize the Letter of Credit to replace the plantings.
10. The site shall not be occupied for the approved use until the drives and parking areas are paved, all perimeter fencing and landscaping is installed, the entrance gate is installed with the approved Fire Department access, any external lighting is installed, and completion of all required improvements for the storm water management plan all in accordance with approved plans.

11. Within one (1) year and 30 days of occupancy, and every one (1) year thereafter, Village staff shall inspect the site and report to the Plan Commission if the use is conforming to all conditions of approval within this resolution, and if motorized and recreational vehicles and equipment parked on the site conforms to standards of protecting the health, safety and welfare of the general public. If the Plan Commission finds the use is not operated to support the public benefit, the Plan Commission may require corrective actions be taken within a specific time frame, or the Plan Commission may recommend to the Village Board revocation of this Conditional Use.

Motion by Abruzzo/Meiners to recommend the Village Board approve the certified survey map requested by Robert Chandler, Midwest Holdings LLC, to allow for an indoor, mini-warehouse and outdoor storage of vehicles, in conjunction with another use on the property located on the south side of CTH ES at the intersection of CTH ES and Hidden Lakes Dr., known as MUKV2091988 subject to the following conditions carried:

1. Recording of the CSM at the office of the Waukesha County Register of Deeds shall not occur until applicant requests in writing, and the Village Board approves the removal of the 50 foot Building Setbacks as shown on prior CSM No. 7679.
2. Signatures of Village officials on the CSM and recording of the CSM shall not occur until all the following items are satisfactory completed:
 - a. Approval by the Village Engineer or assigns of the final Storm Water Management and Soil Erosion Plan.
 - b. Approval by the Village Engineer or assigns of the final construction plans for improvements of the new right-of-way, and improvements of turning lanes within the CTH ES right-of-way as required and approved by Waukesha County Highway Department.
 - c. Approval by the Village Engineer or assigns of the final overall site grading and site sanitary sewer and water utility plans.
 - d. Approval by the Village Board of the Storm Water Maintenance Agreement and a Developer's Agreement, subject to final review of the Village Attorney. In addition, the agreements shall be signed by Midwest Holdings, LLC; and Letters of Credit as required for the Storm Water Maintenance Agreement the Developer's Agreement shall be submitted as approved by the Village Attorney. The Developer's Agreement shall specify the timing and location of extending and installing a public water supply and sanitary sewer to the site, and the street and highway public improvements.
 - e. Approval by the Village Engineer or assigns and the Zoning Administrator of all necessary technical revisions to the CSM, including but not limited to Village staff approval of the naming of the new street, and identifying whom completed and the date of the wetland delineation along with date of approval of the wetland delineation by the Wisconsin Department of Natural Resources.

Village-Owned Chapman Property

Motion by Harley/Meiners to recommend the Village Board approve the release of a temporary turnaround easement on the property located on the west side of STH 83, across from Black Bear Blvd., known as MUKV1962996001 carried.

Motion by Abruzzo/Meiners to recommend the Village Board approve the certified survey map requested by Steve Anderson, ACG Development, LLC the property located on the west

side of STH 83, across from Black Bear Blvd., known as MUKV1962996001 subject to the following conditions carried:

1. Recording of the CSM at the office of the Waukesha County Register of Deeds shall occur after ACG Development, LLC acquires the property from the Village of Mukwonago (which means the CSM owner's certificate must be changed).
2. Signatures of Village officials on the CSM and recording of the CSM shall not occur until all the following items are satisfactory completed:
 - a. Approval by the Village Attorney of all easement language appearing on the CSM and/or separate easement documents. Any separate easement document shall be approved by the Village Board.
 - b. Approval by the Village Engineer or assigns of the final Storm Water Management and Soil Erosion Plan.
 - c. Approval by the Village Engineer or assigns of the final overall site grading and site sewer and water utility plans.
 - d. Approval by the Village Board of the Storm Water Maintenance Agreement and a Developer's Agreement, subject to final review by the Village Attorney. In addition, the agreements shall be signed by ACG Development, LLC.
 - e. Inclusion on the CSM of a 10 foot building and greenspace setback line from the 60 foot Private Road and Utility Easement and a 10 foot building setback line from the Storm Water Easement on Lot 4.
 - f. Approval by the Village Engineer or assigns and the Zoning Administrator of all necessary technical revisions to the CSM.

Dewey Property

Motion by Meiners/Abruzzo to recommend the Village Board approve the Rescission, Revival, and Modification Agreement with ACG Development LLC and Dewey Farm, LLC carried.

Adjournment

Meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, October 10, 2017

Call to Order

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

Roll Call

Commissioners present: Joe Abruzzo
Jim Decker
Robert Harley
John Meiners
Mark Penzkover
Ken Werner
Fred Winchowky, Chairman

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

Minutes

Motion by Decker/Werner to approve the minutes of the September 12, 2017 regular meeting carried.

Public Hearing

Public Hearing for the sign special exception requested by Gregory S. Landon, Landon Enterprises of Wisconsin, LLC on behalf of D&G Enterprises of Wisconsin, LLC, on the property located at 1090 N. Rochester Street opened at 6:34 p.m.

Gregory S. Landon, Landon Enterprises of Wisconsin, LLC explained his request and presented pictures of the proposed signage.

Public Comments

None

Public hearing closed at 6:41 p.m.

New Business

1090 N. Rochester Street sign special exception

Motion by Penzkover/Decker to approve the special exception requested by Gregory S. Landon, Landon Enterprises of Wisconsin, LLC on behalf of D&G Enterprises of Wisconsin, LLC, on the property located at 1090 N. Rochester Street based on the applicant's interpretation that street frontage is the full width of the front west elevation and sign area calculated as allowed in the Ordinance plus 20% as a special exception, contingent upon the following conditions, carried (Abruzzo, Harley and Werner voted no):

1. The special exception does not compromise the public health, safety and welfare.
2. The special exception will allow new wall signage consistent with the renovated building exterior, creating clear identity of the business.

3. The special exception will allow new wall signage replacing older and existing wall signage that is nonconforming pursuant to the standards of the Village sign code.

Developments and Projects Updates

Village Planner gave a presentation of updates regarding various developments and Village projects. Discussion only, no action to be taken.

Adjournment

Meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Judith Taubert
Deputy Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, November 14, 2017

Call to Order

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

Roll Call

Commissioners present: Joe Abruzzo
Jim Decker
Robert Harley
John Meiners
Mark Penzkover
Ken Werner
Fred Winchowky, Chairman

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

Minutes

Motion by Decker/Werner to approve the minutes of the September 12, 2017 regular meeting carried.

New Business

Citizens Bank 875 S. Rochester St. wall signs

Charles Miller, Citizens Bank, submitted plans for three wall signs on the north, south, and east elevations. Kaniewski explained that the sign code regulates the total size of wall signage by the front width of the building. Total wall signage in square feet cannot exceed 75% of the lineal front building width. In this case due to building placement, either the north or east building side could be considered the building frontage. Although the sign code defines building frontage, the definition does not provide clarity to this situation.

The bank desires the Commission to consider the north elevation as the front, which is the elevation with the drive-thru lanes. The 49 foot width of the north elevation allows 36.75 square feet of total building wall signs. The bank proposes signs on the north, south and east elevations totaling 32.33 square feet. If the north elevation is not considered the front, then the sign code does not allow any wall signage on the north elevation because it would be considered a side wall without any public entrance. The east elevation is 31.5 square feet wide, which would allow total wall signage of 23.63 square feet.

Kaniewski concurs with the bank's position that the north elevation is the building front; the three proposed wall signs are appropriately sized for each elevation, pursuant to submitted drawings. Supervisor of Inspections feels the east elevation should be considered the front of the building, not the elevation with the drive-thru lanes, so he cannot support this.

Motion by Penzkover/Werner to approve the request by Charles Miller, Citizens Bank, to install three wall signs on the building located at 875 S. Rochester St., pursuant to the submitted drawings. The Commission agrees that the north elevation is the building front,

making the proposed signs appropriately sized for each elevation. Motion carried (Harley voted no).

Conservation Subdivision Design Overlay District

“Update to Comprehensive Plan 2035” set forth several areas for potential conservation subdivisions covering a total of approximately 560 acres. Village staff is aware that at least one property owner with a site designated for a conservation subdivision is considering offers from developers to sell. Therefore, we should start review of proposed standards for adoption to be prepared for the eventual conservation subdivision application. Wisconsin’s Comprehensive Planning Law defines a conservation subdivision as “a housing development in a rural setting that is characterized by compact lots and common open space” preserving unique natural resources and other open space for the use and enjoyment of the subdivision residents. However, conservation subdivisions can be used in urban or suburban settings as transition areas between urban and rural. As such, the “Conservation Subdivision Design Overlay” designation of the Comprehensive Plan is shown along the edges of the Village adjacent to larger lot development within neighboring towns. The conservation subdivision overlay is shown over base land uses with minimum single-family lot sizes of 15,000, 25,000 and 37,500 square feet.

Commission discussed and will discuss further at the January meeting. No action taken.

Adjournment

Meeting adjourned at 7:21 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer

MINUTES OF THE REGULAR PLAN COMMISSION MEETING

Tuesday, December 12, 2017

Call to Order

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

Roll Call

Commissioners present: Joe Abruzzo
Jim Decker
Robert Harley
John Meiners
Mark Penzkover
Ken Werner
Fred Winchowky, Chairman

Also present: Steven Braatz, Clerk-Treasurer
Bruce Kaniewski, Planner/Zoning Administrator
John Weidl, Administrator/Economic Development Director

Minutes

Motion by Decker/Harley to approve the minutes of the November 14, 2017 regular meeting carried.

Public Hearings

Public hearing for the sign special exception requested by Josh Peterson, Brooklife Church, on the property located at 857 S. Rochester Street to allow one freestanding sign to be located five (5) feet from the property line as opposed to ten (10) feet as required by Section 64-23 (g) opened at 6:32 p.m.

Josh Peterson, Applicant, explained the request is to allow the relocation, which will cause the sign to be 5 feet away from the property. After taking the sign down for construction, Brooklife realized the original location was not appropriate.

No comments from the public.

Public hearing closed at 6:34 p.m.

Public hearing for conditional use permit requested by Russ Legg, Aurora Health Care, for a Health Clinic and Medical Office within the B-3, Community Business District on the property located at 120 Chapman Farms Blvd, known as MUKV1962996004 opened at 6:34 p.m.

Mike Bergmann, representative of Applicant, gave a brief presentation on the proposal and plan of operation for the Aurora health care clinic.

Wendy Chapman, W299S8915 STH 83 – Asked the applicant and Commission to consider some landscaping on the north side of the property to shield against noise and visual elements.
Marianne Walsh, 142 Oakland Avenue – Asked if we really need another health care facility in the Village. Asked the Commission to vote no.

Public hearing closed at 6:39 p.m.

New Business

Brooklife Church sign special exception

Brooklife intends to re-install its freestanding sign that stood near the corner of Rochester Street (STH 83) and Bay View Road. The sign was removed to facilitate construction of the outbuilding housing Starbucks and Qdoba. When the land was divided via Certified Survey Map for the outbuilding, a corner outlot was retained by Brooklife for continued placement of the sign. However, between Brooklife and the outlot developer, it was determined re-installing the sign at its prior location would create too much sign clutter. Planner concurs. The sign is proposed to be installed north of the Citizens Bank outbuilding just south of the driveway with STH 83. At this location, there is no room for the sign to be placed between the property line and the curb of the internal drive with the required ten-foot setback. Staff asked the applicant to look into moving the sign 10 to 15 feet southward to improve driver visibility at the driveway with the highway. The exact same sign will be replaced, with a maximum sign structure height of 18 feet, which is four feet over the allowance per the sign code for a vertical monument sign on a property over three acres. Since the taller sign was allowed by the prior zoning administrator, Commission is asked to allow continued use of the sign.

Motion by Penzkover/Werner to approve the special exception requested by Josh Peterson, Brooklife Church, on the property located at 857 S. Rochester Street to allow one freestanding sign to be located five (5) feet from the property line as opposed to ten (10) feet as required by Section 64-23 (g), based upon the following findings, carried:

1. The special exception does not compromise public health, safety and welfare.
2. The special exception will allow proper separation of freestanding signs along this portion of STH 83 north of Bay View Road.
3. To achieve proper separation of freestanding signs, internal site design does not allow re-installation of the Brooklife sign with a ten foot setback.

Aurora Health Care conditional use permit

Aurora is proposing to construct a one-story building slightly over 15,000 square feet. The building will sit on the western half of the property with its main entrance facing east (toward Highway 83).

Motion by Decker/Penzokover to recommend the Village Board approve the conditional use permit requested by Russ Legg, Aurora Health Care, for a Health Clinic and Medical Office within the B-3, Community Business District on the property located at 120 Chapman Farms Blvd, known as MUKV1962996004, based upon the following reasons and subject to the following conditions, carried (Winchowky voted no):

Findings:

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

Conditions:

1. The Conditional Use approval includes Site Plan and Architectural Review approval pursuant to Section 100-601 of the Village Zoning Ordinance.
2. The Conditional Use for a Health Clinic/Medical Office on behalf of Aurora Medical Group at 120 Chapman Farm Boulevard (Lot 1 of Certified Survey Map 11632) shall be subject to all plans and information submitted for the application by Zimmerman Architectural Studios, Inc., with supporting plans and information from Harwood Engineering Consultants, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections 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 the site plan shall remain unchanged.
3. All ingress/egress drives and parking areas shown on the site plan shall remain private and shall always be maintained in a usable and passable condition. Applicant shall install additional traffic control signs (stop signs, no parking signs, etc.) when requested by the Village of Mukwonago Police Chief and/or Fire Chief.
4. Approval and development of the site shall be subject to the Developer's Agreement and Storm Water Maintenance Agreement between the Village and Anderson Commercial Group for Certified Survey Map No. 11632 that applies to Lot 1.
5. Prior to issuance of the first building permit, a final landscape plan and final exterior site lighting plan shall be submitted for approval of the Zoning Administrator. In addition, a signed shared parking agreement between the owners of Lots 1, 2 and 4 of Certified Survey Map No. 11632 shall be presented to the Zoning Administrator prior to issuance of the first building permit.
6. For any freestanding or building wall signs, only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property. Any on-site directional signs shall be subject to the approval of the Zoning Administrator in accordance with the Sign Code.
7. 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, the Utilities Director and the Public Works Director shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
 - b. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
 - c. Submittal of information and approvals as noted in Condition No. 5.
 - d. Approval of the site construction and building 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. In addition, the Fire Chief shall confirm a turning radii plan submittal by applicant that allows large vehicles to maneuver on the site without impediments.
 - e. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - f. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
8. Prior to temporary occupancy issuance for the building, and if needed prior to final occupancy permit, the following shall occur:

- a. Completion of all site grading and off-site storm water management facilities in accordance with approved plans, including landscaping that is part of the storm water management facilities.
 - b. Completion of all exterior lighting for the addition in accordance with approved plans.
 - c. Completion of the building in accordance with approved plans and all applicable codes.
 - d. Completion of hard drive and parking surfaces from the exterior public right-of-way to the general area surrounding the buildings, including installation of handicapped parking signs and ramps.
 - e. Completion of dumpster enclosure.
9. 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 site and building additions and renovations pursuant to the approved plans and completion of all items within Condition No. 8.
 - b. Completion of paving and striping of the entire parking area and curb and gutter where shown on plans, in accordance with approved plans.
 - c. Installation of all site landscaping.
 - d. Completion of all required site improvements pursuant to site construction drawings.
 - e. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public
10. This Conditional Use granted for a Health Clinic/Medical Office shall not be transferred to any other Conditional Use allowed within the B-3 Zoning District of the Village of Mukwonago. Nothing in this Conditional Use approval shall prevent Aurora Medical Group from transferring ownership of this use of the building and site as a Health Clinic/Medical Office to another entity.

Bielinski Homes CTH EE and CTH NN property zoning district boundary change

Motion by Penzkover/Decker to recommend the Village Board approve the zoning district boundary change from A-1 (Agricultural District) to R-5 (Low Density Multi-Family Residential District) for the property located on the Northwest Corner of CTH EE and CTH NN (Veterans Way) carried.

Aptar Site Plan and Architectural Review

The eight cooling towers will be located along the side of the building facing McKenzie Drive, surrounded by a 12-foot tall screen wall covered by metal prefinished panels. The purpose of the consolidation of the cooling towers is to improve efficiencies allowing new technology and reduce overall electrical requirements. Aptar proposes to plant three Colorado Green Spruce evergreens and one Norway Maple between the property line and pavement drive accessing the west side of the building to soften the western view of the towers with screen wall. Staff is very pleased with how Aptar takes good care of its grounds and landscaping.

Motion by Abruzzo/Werner to recommend the Village Board approve the Site Plan and Architectural Review requested by Gary Schleicher, Aptar, for the consolidation of four cooling towers to one on the west side of the facility located at 711 Fox Street, known as MUKV1970989 and MUKV1970998003, subject to the following conditions, carried:

1. Approval shall be subject to the plans submitted on behalf of Aptar prepared by Oliver Construction, on file in the office of the Zoning Administrator.

2. Before issuance of a building permit, the Supervisor of Inspections and the Fire Chief shall approve of the construction drawings.
3. Before issuance of a building permit, the Supervisor of Inspections shall approve of the Erosion Control Plan.
4. Before final occupancy is granted, all new landscaping shall be installed.

McDonald's Remodel Site Plan and Architectural Review

The proposed addition will extend the building about 10 feet across the full width of the building to the south, along with a 9 foot vestibule extension. While the existing service counter will remain, the addition will provide more customer waiting space and allow installation of two order kiosks. The kiosks will be used to order food, (like a large iPad), with the order delivered directly to the customer at their selected table (receipt with a computer chip in the table will allow employees to track location of customer). According to the applicant, the kiosks are in use at the I-43/Highway 164 McDonalds restaurant, with 20% customer usage. Additionally, applicant indicates about 70% of customers use the drive-thru.

Through discussion, applicant agreed to relocate the door in the vestibule, relocate the handicap parking stalls to the original location and add one more, and add a railing outside of the west door.

Motion by Penzkover/Werner to recommend the Village Board approve the Site Plan and Architectural Review requested by Dion Conn, DP&K, Inc. for building and site alterations for the remodel of the building on the property located at 1020 N. Rochester Street, known as MUKV1963999003, subject to the changes made at the meeting and the following conditions, carried:

1. The approval of Site Plan and Architectural Review for an addition and associated alterations to the existing restaurant at 1020 N. Rochester Street shall be subject to all plans and information submitted for the application Haag Müller, Inc. on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections 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 the site plan shall remain unchanged.
2. Exterior design and other plan improvements to address concerns in the Village Planners report dated December 7, 2017 shall be submitted for approval of the Zoning Administrator. The landscape plan shall show a total of 12 trees, including existing trees.
3. The property shall be maintained in a clean condition, free of debris at all times. Prior to occupancy, McDonalds shall install new exterior refuse containers near property exit points. The containers shall be aesthetically pleasing and shall be subject to the approval of the Zoning Administrator.
4. For any new signs, only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property. On-site directional signs shall be subject to the approval of the Zoning Administrator in accordance with the Sign Code.

5. 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, the Superintendent of Utilities and the Public Works Director shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
 - b. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
 - c. Submittal of information and approvals as noted in Condition No. 2.
 - d. 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.
 - e. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - f. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
6. Prior to temporary occupancy issuance for any part of the existing building or addition, or if needed, prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading, including hard surface walkway to building ingress/egress.
 - b. Completion of the addition in accordance with approved plans and all applicable codes.
 - c. Completion of all pavement markings and traffic control signs as required by the Zoning Administrator, Police Chief or Fire Chief.
 - d. Completion of installation of handicapped ramps, relocated handicapped parking spaces with required handicapped signs.
 - e. Temporary occupancy may be granted for a portion of the addition or renovation to the existing building if other portions of the addition or renovations are not completed, subject to public safety approval by Supervisor of Inspections and/or Fire Chief.
7. 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 site and building additions and renovations pursuant to the approved plans and completion of all items within Condition No. 6.
 - b. Installation of all site landscaping.
 - c. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public
8. Construction of the addition shall be started within one (1) year of this approval, or this approval shall become null and void.

200 Grand Avenue application for demolition of a principal building

Motion by Penzkover/Decker to approve the application of Ulrich Jentzsch, Jentzsch Properties, for the demolition of a principal building on the property located at 200 Grand Avenue, known as MUKV1976085001, accepting the following findings submitted by the applicant, carried:

1. The Property or structure located at 200 Grand Avenue is not currently, nor has it ever been listed and registered on any federal, state or local Historic Register. There is no historic record of any persons or events every taking place or having previously

occupied the parcel or structure. In addition, the property and structure are outside of the Village of Mukwonago historic district boundaries. In March of 2017, a phase I environmental site assessment was performed on the property. That report also did not cite or discover any past historical significance in any way. The property is not currently, nor has it even had any stated public purpose. The parcel and structure have never been owned by any public or government department or agency and has always been a privately held parcel. This property is zoned as a commercial property and is located in the buffer zone of downtown and the Grand Avenue Historic District. Therefore, we have found there is no historical significance, not any stated public purpose or interest in the land or structure located at 200 Grand Avenue.

2. The current structure on the site is not the original structure that was on this parcel. The structure was used as a two-family dwelling in its most recent use. The structure is in the buffer zone, between the downtown business district and a residential area. The closest and largest commercial property is a Walgreens built in the early 2000's and it has no historical or architectural relationship to the Walgreens. The property is adjacent to two single family residences. Neither of the adjacent residences are close in design or architectural style, and both of those residences were constructed decades after the structure at 200 Grand Ave. There is no historical or architectural relationship with those properties. The property across CTH ES is a commercial retail multi use building. The era of construction is close, but considering the structure across CTH ES has always been a commercial retail-used property, and the structure located at 200 Grand Ave. has been a residential dwelling, we do not see similar architectural elements between those properties. All of the surrounding structures have different architectural elements due to being built in different timeframes. Neighboring homes have been rebuilt and / or have been renovated as needed which, in turn, changed the appearance to a more modern style. The Walgreens being built in the recent past has no similar architectural elements. The 200 Grand parcel is located in the buffer zone, between the historic downtown retail district and a more modern residential homes and commercial building. Therefore this property should be a blend of old and new in its architectural design, which is our intent for this property. The structure at 200 Grand Ave. does not have any historical or architectural relationship to any of the surrounding properties as they are all completely different uses, built during completely different eras with completely different construction and exterior finish materials.
3. The demolition of this property benefits the public in numerous ways. As referenced above the Phase 1 environmental report conducted on this property has revealed the potential presence of contaminated soils, asbestos and lead paint, all which are known public health hazards to the surrounding area and public. In addition, there are numerous significant structural failures and damage that deem this structure unsafe to occupy. Simply for the health hazard reasons this structure needs to be razed. This property is not ADA accessible in anyway, therefore limiting the ability of a disabled persons from utilizing the structure. Due to how out-of-date this property is from a code perspective, and due to the structural damage it currently has, in the event of a fire or other catastrophic event, this structure would create a significant risk for our police, fire and EMS personal in the event they needed to deal with an event or occurrence at this structure. For all these reasons alone and the life safety aspect this structure needs to be razed. In addition to the safety concerns for the public and considering the proximity to the downtown business district, and the fact that this parcel is zoned commercial, the use and development that can be developed on this

parcel will increase the value of the developed improvements significantly above the current taxable assessed value, thereby raising the tax base and taxable income for the Village of Mukwonago and Waukesha county. The increased tax base allows those funds to be used to benefit the local public and residences and in turn, giving the Village the ability to increase the tax base without raising local residential taxes, which in turn saves the local residential land owners taxes. We currently have many great small businesses in the downtown business district of Mukwonago and conversion of this property to a use with a higher occupancy, will drive additional business consumers to the downtown business district, in turn positively impacting our existing downtown business district. For all these reasons mentioned above, what is best for the public and the Village of Mukwonago is to raze this structure and work to incentivize the developer to develop this property into a more useful and appropriate use.

4. The condition of the structure at 200 Grand Ave. is in such poor and out dated condition. To bring this structure into compliance with state and local codes makes renovating and updating this structure cost prohibitive for anyone to renovate this structure. This structure has lived its life expectancy and, as mentioned, has significant structure failures and damage due to a previous fire. The repairs from that fire were not rebuilt in a code compliant manner, as well as it appears additional work was performed on the structure over the years, without permits and following code compliance when that work was performed. The overall age, structural failures and neglect of the structure shows this structure has maximized its life expectancy and it needs to be razed. This parcel is zoned commercial and the cost to renovate and update this structure into code compliance isn't feasible. The structure is not ADA accessible, and the structure has been vacant for over a year, therefore, the entire structure and mechanicals must be brought into current code standards which would require ALL of the electrical, plumbing and HVAC equipment to be removed and replaced. The code requirements for structural floor loading, to prevent the collapse of the existing floor, would mean the floors would need to be removed and replaced to occupy this structure. Due to the previous fire and the repairs not being done in a code complaint manner, the entire roof and structure would need to be removed and replaced.

The Current positioning and location of the building on the site does not allow for the access and parking to be designed in a manner that allows efficient and safe parking on the site. Therefore, if the building remains, a development would have a greater negative impact on the parking in the downtown area and make it more difficult to access the site and building, which could cause people to not utilize whatever services may be offered by the property. Razing and repositioning a structure on the site allows onsite parking to be designed appropriately.

The future design of a new development could tie historical aspects to properties located in the downtown historic district and be designed as a more appropriate use and design for a property located in buffer zone, as this property is. The new development will be code compliant, ADA accessible, and have all the appropriate life safety elements designed into the structure.

Adjournment

Meeting adjourned at 8:33 p.m.

Respectfully Submitted,

Steven Braatz, Jr.
Clerk-Treasurer