

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

### **Tuesday, January 9, 2018**

#### **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

#### **Minutes**

Motion by Penzkover/Abruzzo to approve the minutes of the December 12, 2017 regular meeting carried.

#### **New Business**

##### **Chapman Farms Blvd. certified survey map**

Pursuant to prior agreement with the Chapman Family, the Village of Mukwonago is the applicant for a two-lot Certified Survey Map (CSM). The division of the 11.6-acre site is west of the land previously owned by the Village and now under development by Anderson Commercial Group. The Comprehensive Plan designates the property for Low Intensity Commercial/Business. During 2017 the Village rezoned the site to B-3, Community Business District, consistent with zoning of the properties to the east. The B-3 zoning district allows a minimum lot size of 40,000 square feet and a minimum lot width of 150 feet. The CSM extends the Chapman Farm Boulevard right-of-way 355 feet. Proposed Lot 1 on the north side of the right-of-way is 4.56 acres and proposed Lot 2 on the south side of the right-of-way is 6.37 acres. Proposed Lot 2 is designed to be potentially divided into smaller lots or remain at 6.37 acres. When a land division creates new right-of-way, the Village Land Division Ordinance requires submittal of plans to construct the new street. Village staff has been informed by representatives of the Chapman Family their contract with a purchaser of property to the west includes a provision the purchaser will construct the 355 feet length of street.

Motion by Penzkover/Decker to recommend the Village Board grant an exception, as allowed by Section 45-22 of the Land Division Ordinance, to delay construction of the street. Staff is directed to prepare a Developer's Agreement to require construction of the street and compliance with Village storm water and erosion control regulations before any further land division or land development occurs within Lots 1 and 2 of this CSM. This approval is based on the following findings:

1. Exceptional Circumstances. As the applicant, the Village of Mukwonago is not in the position to construct the extended street; however, the property owner understands their

responsibility to follow through with constructing the extended street in accordance with Village specifications.

2. Preservation of Property Rights. Delaying construction of the extended street follows the same process which delayed construction of the initial length of Chapman Farms Boulevard and its intersection with STH 83 until land development was imminent on the lots within the Certified Survey Map that dedicated the right-of-way or that completion of the street is needed for another purpose.
3. Absence of Detriment. The exception will not be detrimental to adjacent property given the fact the subject property owner owns the property to the west which will eventually benefit from the extended street.

Motion by Decker/Werner to recommend the Village Board approve the certified survey map requested by Village of Mukwonago for the property located south and west of Chapman Farms Blvd., known as MUKV1962996002, subject to the following conditions carried:

1. Prior to recording of the CSM, any technical corrections to the CSM shall be accepted by Village staff.
2. Prior to recording of the CSM, a Developer's Agreement shall be approved by the Village Board and signed by the representative of the property owner and Village officials. The Developer's Agreement shall include, but not be limited to, the following provisions:
  - a. Prior to any further land division of the subject CSM or any type of land disturbance or development (other than current tilling of the site for farming purposes) within any of the divided lots, the extension of Chapman Farms Boulevard shall be constructed by the property owner or assigns in accordance with Village of Mukwonago specifications.
  - b. Construction of the extension of Chapman Farms Boulevard or any type of land disturbance or development (other than current tilling of the site for farming purposes) within any of the divided lots shall be subject to the Village Storm Water and Erosion Control regulations.

#### **Fairwinds North conceptual subdivision review**

Bielinski Homes requests a concept review of a preliminary proposal to construct 48 condominium units and 86 single-family homes on 64 acres of the Chapman family property. If Fairwinds Boulevard were extended exactly northward, the Village Comprehensive Plan designates the area for Low Density Multi-Family (maximum of five dwelling units per acre). The area is currently zoned as R-10, Medium Density Multi-Family Residential. The remainder of the proposed development site is planned for Medium Lot Single Family II with a minimum lot size of 15,000 square feet. The existing zoning of R-1, Single Family Medium Lot Residential District matches the plan designation. The proposal leaves about 21 acres of the original 85.5 acres to be retained by the Chapman family.

Plan Commission is supportive of the proposal. Commission would like staff to review the roundabout, lighting, and private vs. public street for the condominium section of the development. The next steps require the following approvals:

1. Rezone of the proposed multi-family area from current R-10 to R-5, Low Density Multi-Family Residential.
2. Preliminary Plat of Subdivision for the entire site and then applicant will most likely request subsequent Final Plat of Subdivisions within phases of the preliminary plat.

### **Chapter 64, Sign Code, amendments**

Chapter 64 of the Municipal Code, known as the sign code, allows business logos to be part of wall signs and other sign types only with the business name, and limits the size of the logo to 50% of the total sign area. Recently, applications have been received for wall signs with only the business logo. Weidl, Harley and Kaniewski recommend the Village Board with Plan Commission consider amending the sign code to allow logo-only signs because there are many businesses readily recognizable only by their logo. Kaniewski has begun reviewing the sign code and drafting amendments to allow logo only signs. In addition, a review of the sign code should also be done due to the 2015 U.S. Supreme Court ruling in the case of Reed et. al., v. Town of Gilbert, AZ. The ruling sets limits upon controlling sign content. Plan Commission concurs with continuing to work on the matter. A detailed proposed amendment will return at a future meeting.

### **Adjournment**

Meeting adjourned at 7:33 p.m.

Respectfully Submitted,

Steven Braatz, Jr.  
Clerk-Treasurer

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

### **Tuesday, January 23, 2018**

#### **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  
Fred Winchowky, Chairman  
Commissioner excused: Ken Werner

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

#### **New Business**

##### **Tax Incremental District No. 5**

Weidl presented the proposed project plan for Tax Incremental District #5 (TID #5). TID #5 is proposed to be created as an industrial use district. The Village will acquire the current parcel located at 1515 S. Rochester St., known as the "Sugden Site," to facilitate development of an existing agricultural parcel into an industrial park. The Village's existing industrial park is currently at full capacity. With no other spaces available for industrial development, manufacturers are discouraged from locating to Mukwonago. With the acquisition of Sugden site, the Village has obtained lands prime for the location and development of new manufacturing facilities. However, the parcel presents several obstacles to developers and the Village. The parcel's distance from existing development, lack of access to utilities, wetlands, environmental hazards, and topography have created conditions that would not allow this parcel to not be a profitable venture for a private developer alone and thus it is unlikely that any development would occur "but for" the usage of tax increment financing (TIF). The Village is currently working with a relocation of the Banker Wire business to the new industrial as an anchor tenant. Banker Wire has sold their existing building, and is under tight timelines to complete construction of their new building.

Kaniewski presented some minor changes to the TID#5 proposed plan.

1. Page 10, first paragraph, last sentence, strike "or commercial."
2. Page 29, Section 12, third sentence, replace existing with, "Key area properties are designated for an Industrial Land Use and High Intensity Commercial/Business land use."
3. Page 29, Section 13, first sentence, add "will" between "TID #5" and "have."

Motion by Decker/Penzkover to adopt Resolution 2018-003: *A Resolution Proposing the Creation of Tax Incremental District No. 5, of the Village of Mukwonago, Wisconsin* carried.

**Adjournment**

Meeting adjourned at 7:03 p.m.

Respectfully Submitted,

Steven Braatz, Jr.  
Clerk-Treasurer

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

### **Tuesday, February 13, 2018**

#### **Call to Order**

Recording Secretary Linda Gourdoux 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

Commissioner excused: Fred Winchowky, Chairman

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
John Weidl, Administrator/Economic Development Director  
Linda Gourdoux, Recording Secretary

In the Absence of the Chair, Gourdoux asked for a motion to nominate Chair Pro Tem.  
Motion made by Decker/Abruzzo to nominate Penzkover as Chair carried.

#### **Minutes**

Motion made by Abruzzo/Decker to approve the minutes of the January 9, 2018 regular meeting and the January 23, 2018 special meeting carried.

#### **Public Hearings**

##### **Storage Werks**

Conditional use permit requested by Andrew Reahm, Storage Werks Mukwonago, for a new Indoor Mini-Warehouse Facility within the B-2, General Business District on the property located on the east side of Mukwonago Dr. and north of Bay View Rd., known as MUKV2009954002.

Andrew Reahm, presented an overview of the project.

No other public comments.

Public Hearing closed at 6:35 p.m.

##### **Mukwonago Animal Hospital**

Conditional use permit requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1065 N. Rochester Street, known as MUKV1963996001.

Email received by Village Planner from neighboring property owner objecting to proposal. No other public comments.

Public Hearing closed at 6:36 p.m.

### **Proposed Project Plan and boundaries for the Village's Tax Incremental District No. 5 ("TID 5")**

Weidl presented introductory comments about the project plan, indicating potential TID 5 would be the mechanism to extend utilities to and install infrastructure on the Sugden property along Highway 83 to construct a business park. The Village has a contract to purchase the 116 acre site. The Joint Review Board has endorsed the draft plan. After Village Board consideration of the plan, the Joint Review Board will reconvene to consider final approval. Village officials are working with a local industry to build a new 190,000 square foot plant on 16 acres of the site, that will be the anchor use within the business park. Other businesses are interested in purchasing land and constructing new buildings.

#### **Public Comments**

Kevin McCarthy, 1475 S Rochester St – Concerns regarding farm machinery access to STH 83; location of controlled intersection; easements on his property; special assessments for utilities; damage to drain tiles

Marilyn McCarthy, S108W27690 Maple Ave – Concerns with family farm remaining in operation; notify them when issues come up

Matthier Fermolz – 1601 E Racine Ave, Waukesha – Attorney for McCarthy's – Request delay in action until meeting can be held to address concerns

Email received from attorney's office in regards to the McCarthy farm driveway and a pending agreement with the Wisconsin Department of Transportation regarding the driveway.

Public Hearing closed at 6:46 p.m.

### **New Business**

#### **Storage Werks**

Recommendation to Village Board concerning conditional use permit requested by Andrew Reahm, Storage Werks Mukwonago, for a new Indoor Mini-Warehouse Facility within the B-2, General Business District on the property located on the east side of Mukwonago Dr. and north of Bay View Rd., known as MUKV2009954002

Kaniewski gave overview of the project.

Motion by Decker/Harley to recommend to the Village Board to accept Conditional Use Permit requested by Andrew Reahm, Storage Werks with the following findings of fact and conditions of approval, carried.

1. The proposed use is consistent with the intent of the B-2, General Business District with the provision of a service catering to the entire community area. Applicant has noted the need for quality indoor storage to serve the growing residential community.
2. The proposed use is consistent with the variety of other retail and service business uses within the Bay View Road corridor.

3. The proposed use is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community. The proposed plan protects the quality portion of on-site wetlands and the substantial amount of landscape plantings will supplement the existing environmental site features.
4. The proposed use will promote a safe environment given the entrance and exit gate system, and on-site lighting, that will be implemented by the applicant.

The following conditions are added to the recommendation for the Conditional Use.

1. The operation of the Conditional Use for an indoor mini-warehouse facility shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. No business or occupation shall occur within any rented indoor warehouse/storage space. No business or occupation shall occur outside of any building on the site.
4. The property shall be maintained in a clean and presentable condition always. No debris shall accumulate on the site.
5. A solid paved surface in a good, passible condition shall be provided for emergency accessibility to each building and surrounding each building side to 30 feet. Emergency accessibility to each building includes the solid paved surface clear of ice and snow, or any debris or materials.
6. No vehicles, equipment or materials of any kind shall be stored or displayed outside of any building or indoor storage space at any time.
7. This Conditional Use approval shall not be transferred within the subject property to another Conditional Use category without submittal and approval for a new Conditional Use.
8. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
9. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before to issuance of an occupancy permit.
10. Prior to issuance of the first building permit for the use, a Storm Water Management Plan shall be approved by the Village Board and signed by the applicant.
11. Prior to issuance of the first building permit for the use, a 24-foot-wide easement shall be provided to the benefit of the Village from the Mukwonago Drive right-of-way to the on-site storm water basin. The easement shall include Village access to the basin.
12. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

Recommendation to Village Board concerning site plan and architectural review requested by Andrew Reahm, Storage Werks Mukwonago, for a new Indoor Mini-Warehouse Facility within the B-2, General Business District on the property located on the east side of Mukwonago Dr. and north of Bay View Rd., known as MUKV2009954002



Andrew Reahm and his representatives brought samples of building finishes. Discussion was held on the landscape, visibility from the road; security, cameras and fencing around pond; height of stone on exterior.

Motion by Decker/Abruzzo to recommend to the Village Board to accept site plan and architectural review requested by Andrew Reahm, Storage Werks with the following conditions, including changes to stone exterior carried.

1. Site Plan and Architectural Review approval for the Storage Werks facility, shall be subject to all plans and information submitted for the application by Pinnacle Engineering Group and Stephen Perry Smith Architects, Inc.; 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 and design of the site shall remain unchanged. **Exterior stone will be brought up to 32" and the remaining wall difference will place the window aesthetic.**
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - a. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, knox box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.
  - c. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - d. 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.
  - e. 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.
3. Prior to temporary occupancy issuance for the first building, and if needed prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with submitted plans.
  - b. Completion of the storm water management basin.
  - c. Completion of the building in accordance with approved plans and all applicable codes.
  - d. Completion of paving of both driveways.
  - e. Installation of all on-building security lighting and installation of two lights within the Mukwonago Drive right-of-way next to each driveway.
4. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items required in Condition No. 3.

- b. Completion of all perimeter site fencing as shown on approved plans (temporary fencing shall be allowed where a future building will be constructed).
- c. Completion of paving and striping of the entire parking area for the rental office, proper signage of one handicapped parking space as shown on approved plans.
- d. Installation of all site landscaping as shown on approved plans.

### **Mukwonago Animal Hospital**

Recommendation to Village Board concerning conditional use permit requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1065 N. Rochester Street, known as MUKV1963996001

Kaniewski gave overview of the project

Motion by Decker/Abruzzo to recommend to the Village Board to accept Conditional Use Permit requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility with the following findings of fact and conditions of approval, carried.

- 1. The animal hospital with grooming and boarding has been operating without incident for many years.
- 2. The existing and expanded use is consistent with the intent of the B-2, General Business District with the provision of a service catering to the entire community area.
- 3. The existing and expanded use is consistent with other business uses within this portion of STH 83 north of CTH NN, many of which are allowed via approved Conditional Uses.
- 4. The existing and expanded use is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.

The following conditions are added to the recommendation for the Conditional Use.

- 5. The operation of the Conditional Use for an animal hospital with grooming and boarding (including a dog run) shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
- 6. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
- 7. This Conditional Use approval shall not be transferred within the subject property to another conditional Use category without submittal and approval for a new Conditional Use.
- 8. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
- 9. This Conditional Use includes approval of the Plan Commission of the reduction of on-site parking spaces from 41 to 36.
- 10. Should the demand for on-site parking ever exceed supply, the applicant shall install additional parking spaces as shown on Sheet C100, the Site Grading, Paving and Drainage Plan. If requested in writing by the Village of Mukwonago, applicant shall install the additional parking spaces within 120 days.
- 11. Animal waste shall be removed from the dog run daily.

12. Prior to issuance of a building permit for the addition, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid prior to issuance of an occupancy permit.

Recommendation to Village Board concerning site plan and architectural review requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1065 N. Rochester Street, known as MUKV1963996001

Project Contractor and Architect presented samples of windows to be installed. Answered questions regarding hours of operation and fencing height.

Motion by Decker/Abruzzo to recommend to the Village Board to accept site plan and architectural review requested by Tom Herlugson, MAH Property LLC, for an Animal Hospital, Grooming and Boarding Facility with the following conditions carried.

1. Site Plan and Architectural Review approval for the addition to the Mukwonago Animal Hospital, 1065 N. Rochester Street, shall be subject to all plans and information submitted for the application by Chaput Land Surveys, Ellena Engineering Consultants, LLC and PURE Architecture Studio, LLC; 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 and design of the addition shall remain unchanged.
2. All ingress/egress drives and parking areas shall remain private and shall always be maintained in a usable and passable condition.
3. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - a. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
  - b. 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.
  - c. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - d. 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.
4. 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 in accordance with submitted plans.
  - b. Completion of the building in accordance with approved plans and all applicable codes.
5. 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. 4.
- b. Completion of re-paving of all parking spaces disturbed during construction.
- c. Completion of striping of the entire parking area and proper signage of two handicapped parking spaces as shown on approved plans.
- d. Installation of all site landscaping as shown on approved plans.

**Proposed Project Plan and boundaries for the Village's Tax Incremental District No. 5 ("TID 5")**

**Resolution 2018-006:** A Resolution Designating Boundaries and Adopting the Project Plan for Tax Incremental District No. 5, of the Village of Mukwonago, Wisconsin. Concerns were addressed by Penzkover. Penzkover recommended that McCarthy's, their attorney, Village staff meet within the next week to further discuss concerns.

Motion by Decker/Harley to recommend to the Village Board to accept Resolution 2018-006 carried.

**Adjournment**

Meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Linda Gourdoux  
Recording Secretary

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

### **Tuesday, March 13, 2018**

#### **Call to Order**

Village President and 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: Fred Winchowky, Chairman  
Jim Decker  
Robert Harley  
John Meiners  
Mark Penzkover

Commissioner excused: Joe Abruzzo  
Ken Werner

Also present: Bruce Kaniewski, Village Planner/Zoning Administrator  
John Weidl, Administrator/Economic Development Director

#### **Minutes**

Motion made by Penzkover/Decker to approve the minutes of the February 13, 2018 regular meeting. Motion carried unanimously.

#### **Public Hearing**

##### **Educators Credit Union**

Conditional use permit requested by Glenn Brusky on behalf of Educators Credit Union, for a drive-through banking facility within the B-3, Community Business District on the property located 100 Chapman Farm Boulevard.

Glenn Brusky presented an overview of the project. Brusky noted all financial transactions on the site, in the building and via drive-through, will be handled by interactive teller machines off-site in their Sturtevant office.

No other public comments were heard or received.

Public Hearing closed at 6:34 p.m.

#### **New Business**

##### **Educators Credit Union Conditional Use**

Consideration of a conditional use permit requested by Glenn Brusky on behalf of Educators Credit Union, for a drive-through banking facility within the B-3, Community Business District on the property located 100 Chapman Farm Boulevard. Kaniewski noted Village staff recommends approval as the proposal meets minimum design and safety standards for a conditional use. The applicant has widened the by-pass lane to 12 feet at the request of the Fire Chief. Pursuant to questions from Penzkover, project architect Steve

Kuhnen and Brusky noted the vehicle exiting from the three drive-through lanes and the one by-pass lane will be one-way. All lanes will be open 8:00 A.M. to 7:00 P.M.

Motion by Penzkover/Decker to recommend to the Village Board to accept Conditional Use Permit requested by Glenn Brusky of Educators Credit Union with the findings of fact and conditions of approval as recommended by the Village Planner. Motion carried unanimously.

#### Findings of Fact:

1. The proposed use is consistent with the intent of the B-3, Community Business.
2. The proposed use is consistent with the variety of other retail and service business uses within north side commercial/business area of the Village of Mukwonago.
3. The proposed use is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.

The following conditions are added to the recommendation for the Conditional Use.

1. The on-going operation of the Conditional Use for drive-through financial transaction lanes for Educators Credit Union shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansions or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be maintained in a clean and presentable condition always. No debris shall accumulate on the site.
4. This Conditional Use approval shall not be transferred within the subject property to another Conditional Use category without submittal and approval for a new Conditional Use.
5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
6. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before to issuance of an occupancy permit.
7. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

#### **Educators Credit Union Site Plan and Architectural Review**

Consideration of a recommendation to Village Board concerning site plan and architectural review requested by Glenn Brusky on behalf of Educators Credit Union to construct a 3,030 square foot building, a separate structure with three drive-through lanes and one by-pass lane, parking for 22 vehicles and install landscaping and parking lot lighting, on property located at 100 Chapman Farm Boulevard.

Kaniewski indicated the site plan conforms to B-3 setbacks, has sufficient amount of parking spaces and proposed external light fixtures matching the fixtures of the recently approved and

neighboring Aurora Medical facility. However, Kaniewski noted a desire to have the air conditioning condensing units moved to the opposite site of the building away from the Chapman Farm Boulevard frontage, and that during review of the architectural design it was noted the brick color was too dark. Kaniewski urged the Plan Commission to discuss the architecture per their responsibility to review per B-3 zoning district standards.

Kuehnen stated Educators has agreed to relocate the condenser units to the building's north side. The brick color fits the Educators brand, stated Kuehnen, further noting the brick color fits with the major use of glass and tan wood-like material as contrasting colors. In response to Winchowky question, Brusky noted the new board chairman wants to change the brand to a more modern design, so this will be the first of its kind. Kuehnen added as project architect his firm proposed several alternative brick colors to the credit union board. The board likes the brick color as presented. Penzkover expressed a desire for a contrast in color with a lighter brick mortar color. Discussion ensued with representatives of Educators, Plan Commissioners and Weidl about the brick color and the color contrasts of the building.

Harley asked for submittal of number of employees before a building permit is issued.

Motion by Penzkover/Decker to recommend to the Village Board to accept site plan and architectural review requested by Educators Credit Union with the following conditions, including the relocation of air conditioning condenser units and submittal of number of employees to occupy the building. Motion carried 4 to 1.

1. Site Plan and Architectural Review approval for the new Educators Credit Union facility, shall be subject to all plans and information submitted for the application by the applicant, Bray Architects and Terra Tec Engineering, LLC, 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 and design of the site shall remain unchanged. Furthermore, approval is subject to the relocation of the air conditioning condensing units to the north elevation near the building's west side.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - a. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.
  - c. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - d. 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.

- e. 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.
3. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with submitted and approved plans.
  - b. Completion of the storm water management basin for the overall four lot development.
  - c. Completion of the building in accordance with approved plans and all applicable codes.
  - d. Completion of paving of driveways and parking lots, including parking space pavement markings and all other pavement markings.
4. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items required in Condition No. 3.
  - b. Installation of all site landscaping as shown on approved plans.

### **Mukwonago High School Signs**

Consideration of signage requested by Curt Wiebelhaus of the Mukwonago Area School District for approval of proposed wall signs and on-site directional signs for Mukwonago High School. Kaniewski stated the sign code requires Plan Commission approval of signs for schools and on any property over three acres. The proposal would add three wall signs: A recently revised submittal provided wall signs that meet the sign code of a 150 square foot sign advertising the performance arts center, a sign over the front main entrance and a sign on the west side of the school stating "Mukwonago High School." The sign code states all wall signs cannot exceed 300 square feet and any one sign cannot exceed 150 square feet. A series of different styles of on-site directional signs will direct visitors to use the correct driveway to different school activities and functions, direct visitors to the north and south gym entrances and also identify the east, south and west parking lots. Kaniewski noted while the directional signs do not conform to standards for directional signs allowed in the sign code, the sign code states on institutional properties, such as a school, the Plan Commission can approve signs to achieve a public purpose. In this case, assisting many visitors to and within the site with good and clear directional signs is in the public interest.

Plan Commissioners and Wiebelhaus discussed the merit of allowing the performing arts center sign to have a local family name with naming rights, with several Commissioners noting all school district taxpayers paid for the school expansion and not just one family, and allowing this sign to set precedent within another part of the Village if another less desirable name gains naming rights on another facility. Wiebelhaus noted the local Lynch Dealership will have naming rights of the athletic field, with a new formal field entrance to be review by the Village in upcoming months. Kaniewski reminded Commissioners of the recent U.S. Supreme Court case in which the ability of municipalities to control sign content has been curtailed.

Motion by Decker/Harley to allow the wall signs and on-site directional signs at Mukwonago High School as proposed, subject to legal review by the Village Attorney. Motion carried 3 to 2.



### **Pick 'N Save Site Plan and Architectural Review**

Consideration of a recommendation to the Village Board concerning site plan and architectural review requested by Brianna Cotten on behalf of Roundy's Supermarket, Inc./Ultra Mart Foods, Inc. to facilitate their new online grocery pickup service at 1010 N. Rochester Street. Kaniewski explained the request is to change the current service door along the south side of the building for employee access to deliver groceries to parked vehicles, redesign 10 parking spaces into six parking spaces for pickup, and install traffic style signs within parking lot islands directing drivers to the pickup parking. The marketing name of the pickup service is "Clicklist." Cotten noted interior remodeling will also occur to create a staging area for pickup deliveries, and overall interior remodeling to update market brand, but with retaining the Pick 'N Save name. Commissioners stated to Cotten to encourage her superiors to paint the fading color of the building exterior. Kaniewski noted a change of the liquor license to allow sale of beer and wine sales with the on-line pickup will be considered by the Village Board.

Motion by Penzkover/Decker to approve the request for site plan and architectural review for changes to allow pickup of on-line ordering of groceries at 1010 N. Rochester St., subject to the following condition:

Site pavement markings, directional signage and change of the east door shall be in conformance with the plans submitted with the application prepared by BRR Architecture and the applicant on file in the office of the Village Zoning Administrator.

Motion carried unanimously.

### **Pick 'N Save Wall Signs**

Consideration of two new wall signs with an existing wall sign for Pick 'N Save at 1010 N. Rochester Street. Kaniewski stated the sign code requires Plan Commission review of signs on properties over three acres. The latest submittal by the sign company meets the sign code with the main Pick 'N Save sign at the maximum of 150 square feet for any one sign, and overall square footage of all signs, that includes the existing Citizens Bank sign and a new Starbucks sign, does not exceed 215 square feet, as based on building frontage. Harley questioned the need for multiple signs. Kaniewski responded the sign code allows five separate signs.

Motion by Penzkover/Decker to approve the request of Pick 'N Save for three wall signs as proposed. Motion carried 4 to 1.

### **TID #5 Rezoning from A-1 to M-4**

Consideration of a recommendation to the Village Board regarding the a zoning district boundary change (rezoning) of 116 acres at 1515 S Rochester St. from A-1, Agricultural to M-4, Median/Heavy Industrial, for the Village construction of a new business. Kaniewski commented the Village Board will hold the public hearing to consider the rezoning on March 21, 2018. Plan Commissioners have reviewed the Tax Incremental District proposal during past meetings. The proposed zoning conforms to the Comprehensive Plan.

Motion by Penzkover/Decker to recommend to the Village Board approval of the proposed rezoning. Motion carried unanimously.

### **Banker Wire Site Plan and Architectural Review**

Consideration of recommendation to the Village Board concerning site plan and architectural review requested by Dave Stout, President of Banker Wire to construct a new 185,165 square foot industrial facility on 15.6 acres within the new business park, with a future potential address of 123 W. Banker Way. Weidl stated Village staff has been working closely with Briohn Construction toward Banker Wire submitting proper plans to start construction after acquisition of the site from the Village and approval must be subject to acquisition. Kaniewski noted the site plan is properly designed, meeting all M-4 setbacks, with a great landscape plan. The plan shows an area for a planned 50,000 square foot addition, and reserves sufficient area for a full complement of parking spaces for the initial construction and future expansion, if ever needed. Several Commissioners' noted the excellent exterior design of the proposed building.

Motion by Penzkover/Decker to recommend to the Village Board approval of the requested site plan and architectural review for Banker Wire subject to the conditions listed below. Motion carried unanimously:

1. Site Plan and Architecture Review approval for the Banker Wire facility shall be subject to zoning of the site to M-4, Medium/Heavy Industrial District, Village approval of a Certified Survey Map and acquisition of the site by Banker Wire.
2. Site Plan and Architectural Review approval for the Banker Wire facility shall be subject to all plans and information submitted for the application by Briohn Design Group and JSD Professional Services, Inc.; 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 and design of the site shall remain unchanged.
3. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - a. All final site development plans shall be consistent with the plans noted in Condition No. 2 or as modified.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox Box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.
  - c. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - d. 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.
  - e. 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.
  - f. Approval of a final landscaping plan by the Zoning Administrator.
  - g. In accordance with a Developer's Agreement to any other agreement with the Village, construction may occur without the availability of sanitary sewer and a public water supply.

- h. A gravel emergency access path shall be established to the construction site and properly maintained during construction.
- 4. Prior to temporary occupancy issuance, if needed prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with submitted plans.
  - b. Completion of the building in accordance with approved plans and all applicable codes.
  - c. Completion of paving of parking and driveways.
- 5. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items required in Condition No. 4.
  - b. Completion of final paving and striping of the entire parking area to be completed with first phase construction as indicated on the site plan, and signage for the handicapped parking spaces as shown on approved plans.
  - c. Installation of all site landscaping as shown on approved plans.
  - d. Connection of the building to sanitary sewer and a public water supply.

### **Bielinski Rezoning to R-5, Low Density Multi-Family**

Consideration of a recommendation to the Village Board concerning application of Harry and Frank Bielinski of Bielinski Homes, Inc. for a zoning district boundary change (rezoning) of 11.03 acres to R-5, Low Density Multi-Family District. Subject property extends from the northwest corner of the Fairwinds Subdivision, immediately west of vacant property with B-3, Community Business District zoning owned by the Chapman Family Trust. The Village Board will hold the rezoning public hearing on March 21, 2018.

Kaniewski stated this rezoning would remove the last remnant of R-10 zoning from a prior planned residential development and rezone a small portion of current R-1 single family zoning to R-5. The proposal conforms to the comprehensive plan.

John Donovan, representing Bielinski Homes, came forward and stated the irregular configuration of the site to be rezoned is due to the curvature of streets within the proposed larger single family residential development of the Chapman property. This subject site will be developed as condominiums.

Several Commissioners noted the land use of this area was a major topic during the 2016 Comprehensive Plan Update, and the proposed R-5 zoning with condominium development is a good solution.

Motion by Penzkover/Decker to recommend to the Village Board approval of the proposed rezoning. Motion carried unanimously.

### **HISTORIC PRESERVATION REVIEW, 201 PEARL AVENUE**

Historic preservation review by the Plan Commission to consider an addition of a three car garage with living space above the garage, requested by Nick Caradonna and Rebecca Porchert, for 201 Pearl Avenue within the design sensitivity design review area. Caradonna noted this proposal is a change from a detached garage approved in 2016. The façade of the addition will match exterior materials of the existing home, with a similar roof line. In response to questions from the Commission, Kaniewski stated the proposed addition matches the

setbacks of the existing home, and therefore is permitted pursuant to the newer Village Center Overlay Zoning District. Several Commissioners indicated this proposal has a better appearance than the 2016 approval.

Motion by Penzkover/Decker to approve the historic preservation review for 201 Pearl Avenue as presented. Motion carried unanimously.

### **Adjournment**

Meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Bruce Kaniewski, AICP  
Village Planner/Zoning Administrator

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

### **Tuesday, April 10, 2018**

#### **Call to Order**

Village President and 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: Fred Winchowky, Chairman  
Jim Decker  
Robert Harley  
John Meiners  
Mark Penzkover  
Ken Werner

Commissioner excused: Joe Abruzzo

Also present: Bruce Kaniewski, Village Planner/Zoning Administrator  
John Weidl, Administrator/Economic Development Director  
Dave Brown, Utilities Director

#### **Minutes**

Motion made by Decker/Werner to approve the minutes of the March 13, 2018 regular meeting. Motion carried unanimously.

#### **New Business**

##### **Mukwonago High School Athletic Stadium Entrance**

Consideration of a Site Plan and Architectural Review requested by Mr. Curt Wielbelhaus on behalf of Mukwonago Area School District, for construction of the Mukwonago High School athletic stadium entrance and ticket booths, along with associated improvements within and surrounding the stadium. The application includes approval of signs on the entrance/ticket booths structure. Wielbelhaus stated the district has received donations to construct a formal entrance in conjunction with the completion of the high school additions. Brick color of the ticket booths at the northwest side of the stadium will be consistent with the high school additions. Black vinyl coated decorative fencing will extend each side of the ticket booths, and black vinyl coated chain-link fencing will extend around the remainder of the stadium. Safety bollards shown on the submitted plans surrounding the colored concrete oval before entering the stadium will be replaced by large concrete landscape planters. Wiebelhaus noted signs on the entrance structure will identify major donors.

Kaniewski stated staff met with the applicant and is satisfied several gates behind the stadium seating will provide sufficient customer exiting after large event or during an emergency. Commissioner Penzkover noted an objection to having private names on public buildings.

Motion by Decker/Werner to recommend to the Village Board to approve the Site Plan and Architectural Review submittal for construction of the Mukwonago High School athletic stadium entrance and ticket booths, along with associated improvements surrounding the stadium, with the conditions of approval as recommended in the Village Planner's April 3, 2018 report. Motion carried 5 to 1.

The following conditions are added to the recommendation:

1. Construction of the Mukwonago High School athletic stadium formal entrance, including associated stadium improvements and signs at the entrance, shall be subject to the plans submitted for the proposal prepared by Bray Architects on file in the office of the Zoning Administrator. Prior to construction, a final plan shall be approved by the Zoning Administrator showing concrete planters along the outer edges of the promenade.
2. Prior to start of construction, the Mukwonago Area School District shall apply for and obtain all applicable building permits for the project from the Village of Mukwonago.
3. The Mukwonago Area School District shall comply with overall site post-construction finalization of the Storm Water Maintenance Agreement, as directed in the April 3, 2018 letter from Ruekert-Mielke.

#### **Bielinski—Chapman Certified Survey Map**

Harry and Frank Bielinski of Bielinski Homes, Inc. with concurrence of the Chapman Family Trust have submitted a Two-Lot Certified Survey Map for consideration. The 86.6-acre site is completely north of the Fairwinds Subdivision, about 1,100 feet west of Rochester Street (STH 83). Bielinski Homes has a contract to purchase the 64.5 acre proposed Lot 2 for residential development. The Chapman Family intends to retain the 22.1 acre proposed Lot 1.

Mr. John Donovan came forward to present the application. This request is the first step of many steps toward construction of a multi-family condominium and single-family development. Mr. Kaniewski noted the proposed lots should be changed to outlots since they do not have any street frontage as required by zoning.

Motion by Decker/Penzkover to recommend to the Village Board to approve the Certified Survey Map requested by Bielinski Homes with concurrence of the Chapman Family Trust with conditions of approval as recommended in the Village Planner's April 3, 2018 report. Motion carried unanimously.

The following conditions are added to the recommendation:

1. Prior to Village signature placement on the Certified Survey Map, the lots shall be renamed as Outlot 1 and Outlot 2.
2. Prior to Village signature placement on the Certified Survey Map, any technical revisions shall be made by the applicant and verified by the Village Engineer. The name of the Village Clerk shall be changed to Judith A. Taubert.
3. After Village and property ownership placement on the Certified Survey Map, the Certified Survey Map shall be recorded by the Village Attorney office.

## **Chapman Farms Preliminary Plat of Subdivision**

Harry and Frank Bielinski of Bielinski Homes, Inc. with concurrence of the Chapman Family Trust have submitted a Preliminary Plat for consideration, north of the Fairwinds Subdivision. Bielinski Homes has a contract to purchase the 64.5-acre site from the Chapman family. Mr. Kaniewski noted the preliminary plat includes the 11 acres of the east side of the site recently rezoned to R-5, Low Density Multi-Family. The remainder of the site remains R-1, Medium Lot Single Family zoning with a minimum lot size of 15,000 square feet. Both the R-1 and R-5 zonings conform to the Village Comprehensive Plan. The preliminary plat includes 88 lots and six outlots of which 86 lots are designed for single family within the R-1 district. Each of the single family lots conforms to the minimum lot size of 15,000 square feet. Two lots are zoned as R-5 and are planned for a condominium development.

Bielinski Homes was represented by Donovan and Mr. Josh Pudelko of Trio Engineering. The Bielinski Homes representatives, Plan Commissioners and Kaniewski discussed point-by-point matters regarding the preliminary plat which included first phase connection of collector streets with a roundabout at the intersection of the collector streets, modifications to side lot lines and lot widths for several lots to allow for a curvilinear street pattern and to require a public street through the condominium site, amongst many other minor considerations.

Motion by Penzkover/Werner to recommend to the Village Board approval of the Chapman Farms Preliminary Plat of Subdivision with the following conditions:

1. The Preliminary Plat of Chapman Farms, submitted by Bielinski Homes (hereinafter, "applicant"), is a proposed 88 lot and 6 outlot subdivision. At time of consideration of approval of the preliminary plat, Lots 1 and 2 have the Village of Mukwonago assigned zoning of R-5, Low Density Multi-Family, with a maximum multi-family dwelling unit density of five dwelling units per acre. Lots 3 through 88, including Outlots 1 through 6, have Village of Mukwonago assigned zoning of R-1, Single-Family Medium Lot Residential District, with a minimum lot size of 15,000 square feet.
2. The Preliminary Plat of Chapman Farms submitted by the applicant is approved by the Village of Mukwonago Board of Trustees on April 18, 2018 subject to the following:
  - a. The Preliminary Plat of Chapman Farms, dated March 8, 2018, prepared by Trio Engineering.
  - b. Conditions of approval from the State of Wisconsin and Waukesha County.
  - c. Submittal of a wetland delineation certified by the Wisconsin Department of Natural Resources.
  - d. Submittal of a soil test report in reference to meeting the requirements of the Village of Mukwonago Storm Water Management and Erosion Control regulations.
  - e. The layout of proposed access and residential structures shown on Lots 1 and 2 of the preliminary plat are not included in this approval.
  - f. Outlot 6 may be eliminated on a final plat. If eliminated, applicant may increase the number of single family zoned lots from 86 to 87.
  - g. Should information provided by Conditions 2c and/or 2d change the layout of lots and/or streets of the preliminary plat, a new preliminary plat shall be submitted for approval.
3. Submittal of a final plat including Lot 2 shall include a dedicated public street with a 60-foot width extending between the south and northwest ends of Lot 2.

4. Submittal for final plat approval may include platting of the entire preliminary plat or a portion of the preliminary plat. Nonetheless, the initial final plat submittal shall include the following:
  - a. The dedication and improvement of Chapman Farm Boulevard a distance of at least 180 feet west of the intersection of the centerlines with Fairwinds Boulevard.
  - b. The dedication and improvement of Fairwinds Boulevard a distance of at least 180 feet north of the intersection of the centerlines with Chapman Farm Boulevard.
  - c. The Chapman Farm Boulevard and Fairwinds Boulevard intersection shall be improved with a roundabout, with design approved by the Village of Mukwonago. Driveways for access to Lots 9, 11 and 28 of the preliminary plat shall be specified on the final plat.
  - d. Improvement of Chapman Farm Boulevard by Bielinski Homes, their successors or assigns east of the subject preliminary plat approximately 355 feet, to provide a continuous connection between Chapman Farm Boulevard within this preliminary plat and State Trunk Highway 83. This improvement shall match the profile of Chapman Farm Boulevard and be subject to approval by the Village Engineer.
  - e. The dedication of Outlot #5 to the Village of Mukwonago. Outlot #5 shall be graded and seeded by Bielinski Homes, as approved by the Village of Mukwonago, prior to dedication acceptance by the Village of Mukwonago.
  - f. A complete Storm Water Management and Erosion Control Plan for the entire area of the preliminary plat conforming to the requirements of the Village of Mukwonago Storm Water Management and Erosion Control regulations.
  - g. The complete Storm Water Management and Erosion Control Plan shall be accompanied by coordinated Storm Water Maintenance Agreements for each of the multiple family zoned and single family zoned areas. The agreements shall specify ownership of the outlots in which the storm water facilities will be located.
5. Submittal of the entire final plat, or the initial final plat and subsequent final plats, all implementing the approved preliminary plat, shall conform to all requirements of the Village of Mukwonago Land Division Ordinance, Standard Design Specifications, other applicable requirements of Village Municipal Code and conditions of approval of this preliminary plat.
6. Submittal of the entire final plat, or the initial final plat and subsequent final plats, all implementing the approved preliminary plat shall be accompanied by Homeowner Association Documents and Deed Restrictions to be reviewed by the Village of Mukwonago and a Developers Agreement to be approved by the Village of Mukwonago. Said Developers Agreement shall indicate Homeowner Association responsibility of maintenance of the Access Trails through Outlot 3.
7. The preliminary plat shows 40 side property lines that are not radial or perpendicular to the street centerline as required by the Land Division Ordinance. Pursuant to written justification submitted by the applicant dated March 26, 2018, on file in the office of the Village Zoning Administrator, the Plan Commission and Village Board approves the exception to allow the side property lines as presented on the approved preliminary plat, pursuant to Section 45-22, Exceptions and Modifications, of the Municipal Code.
8. Corner Lots 11, 18, 20, 54, 65, 67 and 88 do not comply with the Zoning Ordinance and Land Division Ordinance requirement of a full 120-foot lot width, as defined. Pursuant to written justification submitted by the applicant dated March 26, 2018, on file in the office of the Village Zoning Administrator, the Plan Commission and Village Board approves the exception to allow the narrower corner lots, pursuant to Section 45-22, Exceptions and



Modifications, of the Municipal Code. Approval of the exception is subject to the final plat identifying the rear and interior side setbacks and the driveway locations of each corner lot, to maximize building envelope area, as approved by the Village Planner, who will consult with applicable Village staff. The exception with actions approved by the Village Planner shall be specifically listed within the Developer's Agreement of the applicable final plat.

9. Lots 22, 23 and 24 do not comply with the Zoning Ordinance and Land Division Ordinance requirement of a minimum 100-foot lot frontage at the front property line. Pursuant to written justification submitted by the applicant dated March 26, 2018, on file in the office of the Village Zoning Administrator, the Plan Commission and Village Board approves the exception to allow the narrower lot frontages, pursuant to Section 45-22, Exceptions and Modifications, of the Municipal Code. Approval of the exception is subject to the final plat identifying the driveway locations of each lot coordinated with location of utility location and other facilities within the right-of-way, as approved by the Village Planner, who will consult with applicable Village staff. The exception with actions approved by the Village Planner shall be specifically listed within the Developer's Agreement of the applicable final plat.
10. Court "A" cul-de-sac does not comply with the standard cul-de-sac dimensions as required by the Land Division Ordinance. Pursuant to written justification submitted by the applicant dated March 26, 2018, on file in the office of the Village Zoning Administrator, the Plan Commission and Village Board approves the exception to allow the non-standard cul-de-sac design, pursuant to Section 45-22, Exceptions and Modifications, of the Municipal Code. Approval of the exception is subject to the final plat identifying the cul-de-sac center island (Outlot 4) size and design plans of the cul-de-sac as approved by the Village Planner, who will consult with applicable Village staff. The exception with actions approved by the Village Planner shall be specifically listed within the Developer's Agreement of the applicable final plat, in addition to the requirement of Homeowner's Association documents specifying perpetual association maintenance of the landscaping of the cul-de-sac landscaping.
11. All street names shown on any final plat shall be approved by the Village of Mukwonago.
12. Any assignment of development rights by applicant to another entity shall comply with all conditions of approval.

Motion carried unanimously.

### **Fairwinds Subdivision Phase 5 Electric Easements**

Donovan of Bielinski Homes has requested Plan Commission determination of the location of the electric easements within phase 5 of the Fairwinds Subdivision. Section 45-118 of Chapter 45 of the municipal code (a/k/a Land Division Ordinance) provides an opportunity for the Plan Commission to provide an opinion about easements.

Kaniewski stated Phase 5 is the northwest section of the Fairwinds Subdivision. While the 37 single family lots were platted with the overall final plat of the subdivision, infrastructure for the lots has not been constructed. In late 2017 Bielinski Homes submitted construction drawings to Village staff to complete Phase 5. At that time, the drawings showed easements to benefit WE Energies to place electric lines serving the homes along the rear of the lots, consistent with the first four phases of the subdivision. When construction drawings were resubmitted, staff

noted easements with electric transformers and pedestals were located in front yards. Staff notified Bielinski Homes front yard easements would not be acceptable.

Staff met with representatives of WE Energies about the matter. Unlike the completed phases of Fairwinds, phase 5 is very hilly with steeper slopes than normal within the Village. WE Energies representatives stated the steepness provides difficulty in placing transformers and pedestals on a flat surface. WE Energies presented plans showing front yard electric easements with eight transformers and three pedestals serving two-thirds of the lots, while the remainder would be served by the traditional rear yard easements and electric power facilities.

Donovan pointed out other Village single family subdivisions have front yard electric facilities, and noted he agrees to place transformers and pedestals 20 feet into the properties from the front property line.

Motion by Decker/Penzkover to approve of the request of Bielinski Homes allowing front yard electric utility easements with Phase 5 of Fairwinds Subdivision, subject to the following conditions:

1. Consistency with the WE Energies utility plan for Phase 5 submitted March 29, 2018, on file in the office of the Zoning Administrator, except that transformers and pedestals shall be located a minimum of 20 feet from the front property lines.
2. Bielinski Homes shall submit a landscape plan to place plantings on the street side of transformers and pedestals located in the front yard of phase 5 of the Fairwinds Subdivision. Said landscaping shall be installed immediately after installation of the transformers and pedestals, and shall be a condition of occupancy of the residence on said lot.

Motion carried unanimously.

### **Tax Incremental District #5 Certified Survey Map**

Kaniewski noted the Village of Mukwonago proposes a 1-Lot and 3-Outlot Certified Survey Map to divide the 116 acre new business park site. The Village has now acquired the site from the Sugden Trust. The land division is another step toward starting infrastructure and site grading construction. Lot 1, at 15.6 acres, is the site for the proposed new Banker Wire manufacturing plant. As is common practice in municipality developed business parks, the outlots are intentional to retain flexibility to divide hopefully in the near future when specific business or industrial users purchase land from the Village. Rezoning of the site to M-4, Medium/Heavy Industrial District is pending at the Village Board level.

Motion by Decker/Penzkover to recommend to the Village Board approval of the Certified Survey Map for Tax Incremental District #5, subject to the following conditions:

1. Prior to recording of the Certified Survey Map, street names shall be identified.
2. Prior to recording of the Certified Survey Map, the name of the Village Clerk shall be changed to Judith A. Taubert.
3. Prior to recording of the Certified Survey Map, the Village Board shall approve a Storm Water Maintenance Agreement.

4. Prior to recording the Certified Survey Map, no access shall be shown on the map along STH 83 and along the new public street to a point behind the dedicated left hand turn lane.

Motion carried unanimously.

### **Mukwonago Water Utility Booster Station Site Zoning District Boundary Change**

Kaniewski stated the Plan Commission is asked to recommend the Village Board regarding a zoning district boundary change (rezoning) from B-5, Planned Business and Light Industrial Development District, to P, Public and Semipublic District of 0.1 acre at the southwest corner of Maple Avenue and Maple Court. The Village Board is scheduled to hold a public hearing to consider the rezoning at their meeting of April 18, 2018. Within the Village Comprehensive Plan, the property is designated for Low Intensity Commercial Business. The existing B-5 zoning makes the very small lot unbuildable. The P, Public and Semipublic District is the appropriate zoning district for a municipal facility. "Water measurement and water control facilities" are permitted uses in the P district. There are no required minimum building setbacks for this type of facility in the P district.

Utilities Director Dave Brown commented the booster station is necessary for the extension of water main to serve the new business park (TID #5) and especially planned business park expansion west and south of TID #5. Because of existing topographical elevations within and surrounding TID #5, the booster station will pump municipal water to provide adequate water pressure for fire protection and use by the new businesses.

Motion by Decker/Penzkover to recommend to the Village Board approval of the zoning district boundary change for the proposed Booster Station site from B-5 to P-1, subject to Village acquisition of the property from Waukesha Memorial Hospital. Motion carried unanimously.

### **Mukwonago Water Utility Booster Station Site Plan and Architectural Review**

Brown and Mr. Mike Michalski of Ruekert Mielke came forward and noted the proposed 617 square foot building will house six pumps, with room for a future pump. The exterior will be covered with brick, hardie plank siding and a metal standing seam roof. The northern most visible side will have faux windows and two dormers with faux windows. The south elevation will have a man-door, double service doors and two faux windows. Kaniewski noted part of the driveway and parking will be on Village right-of-way that is unimproved.

Plan Commissioners reviewed the submitted potential exterior schemes, and directed Village staff to work with the contractor to finalize the colors to be consistent with the nearby ProHealth medical facility. A Commissioner noted the landscape plan must conform to Village code.

Motion by Decker/Penzkover to recommend to the Village Board approval of the Site Plan and Architectural Plan for the proposed Booster Station site, subject to Village acquisition of the property from Waukesha Memorial Hospital and further subject to the submitted plans. Motion carried unanimously.

### **Adjournment**

Meeting adjourned at 8:17 p.m.

Respectfully Submitted,

Bruce Kaniewski, AICP  
Village Planner/Zoning Administrator

DRAFT

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

### **Tuesday, May 8, 2018**

#### **Call to Order**

Village President and 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: Fred Winchowky, Chairman  
Joe Abruzzo  
Jim Decker  
Robert Harley  
Mark Penzkover  
Ken Werner

Commissioner excused: John Meiners

Also present: Bruce Kaniewski, Village Planner/Zoning Administrator

#### **Minutes**

Motion made by Decker/Penzkover to approve the minutes of the May 8, 2018 regular meeting. Motion carried unanimously.

#### **New Business**

##### **Freestanding Sign for Thomas' Greenhouse and Gardens S108 W28220 Maple Avenue**

Mr. Kaniewski explained Jennifer Thomas of the Garden Mart will soon be opening a second location within the former 3D Greenhouse location, leased from the ProHealth ownership of the property. A freestanding sign is requested. Pursuant to the sign code, the Plan Commission must approve signs on properties over three acres. The business name part of the sign will be a 32 square foot panel of aluminum, with a 16 square foot changeable reader board below the business name sign, for a total sign size of 48 square feet. The sign code allows a maximum sign size of 100 square feet with a height of 12 feet.

Motion by Decker/Werner to approve the sign submittal on behalf of Jennifer Thomas, with the requirement the applicant shall receive a building permit to install the sign, subject to the submitted sign plan, and that installation shall be at least 10 feet from the front property line. Motion carried unanimously.

##### **Walton 1-Lot and 1-Outlot Certified Survey Map**

Mr. Kaniewski stated Frederick L. and Penney B. Walton request consideration of a 1-Lot and 1-Outlot Certified Survey Map (CSM) with the address of S109 W27980 Maple Avenue. The 11.3-acre site is immediately west of the former DeBack 3D Greenhouse site now owned by ProHealth. A prior CSM of the ProHealth property provides an 80-foot-wide street reservation

partially adjacent to the Walton property. The Walton's desire to sell off the front half with the home and retain the back half for development whenever the street reservation is improved.

Motion by Decker/Penzkover to recommend approval to the Village Board of the Certified Survey Map on behalf of Frederick and Penney Walton with the conditions as listed below. Motion carried unanimously.

1. Prior to Village officials affixing signatures to the final Certified Survey Map, the following restriction must be added for Outlot 1:

"Outlot 1 does not have access to, or frontage along, a fully improved public right-of-way in accordance to Village of Mukwonago standards for use as a public street. Outlot 1 shall remain designated as an outlot and therefore, shall not be further divided by a Plat of Subdivision, a Certified Survey Map or any other land transfer, and shall not be utilized for any use other than tilled for agricultural purposes or remain fallow as open space, and shall not have any building or structure of any type constructed thereon, until any one of the following occurs:

- a. Full improvement in accordance with Village of Mukwonago standards as a public street of the abutting 80-foot-wide public street reservation as shown on Certified Survey Map No. 11556. Full improvement shall mean, but not be limited to, a paved driving surface at a width conforming to the Village of Mukwonago standards for a collector street, curb and gutter and storm sewer. Full improvement may also include public water, sanitary sewer, street trees and street lights.
  - b. Outlot 1 is combined with any neighboring property having proper access and frontage along a fully improved public right-of-way.
  - c. Outlot 1 is provided with access and frontage along a fully improved public street other than the abutting 80-foot-wide public street reservation as shown on Certified Survey Map No. 11556.
  - d. The easement over Lot 1 to provide ingress-egress access to Outlot 1 shall not be construed to be access for the purpose of this restriction."
2. Prior to Village officials affixing signatures to the final Certified Survey Map, a 16-foot-wide ingress-egress easement shall be added on Lot 1 to the benefit of Outlot 1, with the following restriction:  
  
"The 16-foot-wide easement over Lot 1 to provide ingress-egress access to Outlot 1 shall remain until Outlot 1 is converted to a buildable lot in accordance with Outlot 1 restrictions of this Certified Survey Map."
  3. Prior to Village officials affixing signatures to the final Certified Survey Map, the CTH NN notation shall be removed with Maple Avenue as the official name of the right-of-way.
  4. Prior to recording of the Certified Survey Map by the Village of Mukwonago, the Village Zoning Administrator shall approve the additions and revisions made to the map as required by Conditions 1 through 3.

## **Adjournment**

Meeting adjourned at 6:40 p.m.

Respectfully Submitted,

Bruce Kaniewski, AICP  
Village Planner/Zoning Administrator

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

### **Tuesday, June 12, 2018**

#### **Call to Order**

Village President and 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: Bruce Kaniewski, Planner/Zoning Administrator  
Linda Gourdoux, Deputy Clerk/Treasurer

#### **Minutes**

Motion made by Decker/Penzkover to approve the minutes of the May 8, 2018 regular meeting carried.

#### **Public Hearings**

##### **Fleury's Body Repair**

Conditional use permit requested by Jim Fleury, Fleury's Body Repair Mukwonago, for an addition and substantial improvements to the existing facility. Auto body repair requires Conditional Use approval in the B-2, General Business District located at 1006 Main St., known as MUKV2009984.

Russell Rapoza, presented an overview of the project.

No other public comments.

Public Hearing closed at 6:32 p.m.

##### **Bielinski/Chapman PUD**

Consider Planned Unit Development approval as a Conditional Use pursuant to Section 100-53 of the Village Municipal Code (a/k/a Zoning Ordinance). A Planned Unit Development allows modifications to development standards, such as building setbacks. Harry or Frank Bielinski, Bielinski Homes is proposing to construct side-by-side condominium units on the property with the base zoning district of R-5, Low Density Multi-Family District. Part of MUKV1957997/Vacant property approximately 1,100 feet west of the intersection of Rochester Street (STH 83) and Chapman Farm Boulevard and north/northeast of the current northern terminus of Fairwinds Boulevard.



John Donovan, presented an overview of the project.

No other public comments.

Public Hearing closed at 6:35 p.m.

## **New Business**

### **Amendment to Add Specialty School as Permitted Use in M-1 and M-2**

Recommendation to Village Board to Amend Chapter 100 (Zoning Ordinance) to add the category of "School, specialty or personal instruction" as Permitted Use in M-1 and M-2 and include a definition of the same.

Curt Wiebelhaus/Kaniewski gave overview of the project.

Motion by Abruzzo/Penzkover to recommend to the Village Board to accept the proposed definition of "School, Specialty or Personal Instruction" to be added to end of table of Permitted and Conditional Uses, Section 100-208, is as follows:

"School, specialty or personal instruction" means a business, professional, trade or other specialty school. This term includes, but is not limited to, a school offering instruction in music, art, dance, martial arts, GED preparation, computer use or programming, or cosmetology."

Motion carried unanimously.

Motion by Abruzzo/Penzkover to recommend to the Village Board to Amend Chapter 100 (Zoning Ordinance) to add the category of "School, specialty or personal instruction" as Conditional Use in M-1 and M-2 and include the definition of the same.

Motion carried unanimously.

### **Fleury Auto Body**

Recommendation to Village Board to consider a Conditional Use for Fleury Auto Body.

Russell Rapoza gave overview of the project

Motion by Penzkover/Abruzzo to recommend to the Village Board to accept Conditional Use Permit requested by Jim Fleury, Fleury's body Repair 1006 Main St/MUKV2009984, with the following findings of fact and conditions of approval, carried.

1. The proposed use is consistent with the intent of the B-2, General Business District.
2. The proposed use is consistent with the variety of auto related business uses along Main Street south of the Mukwonago River.
3. The proposed use is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.

The following conditions are added to the recommendation for the Conditional Use.

1. The on-going operation of auto body shop shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansion or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be always maintained in a clean and presentable condition. No debris shall accumulate on the site. Prior to the issuance of a building permit for the presented new building and addition, applicant shall designate one area on the site plan for the storage of scrap metal and used auto parts, as approved by the Zoning Administrator. All scrap metal and auto parts shall be stored only within the designated area, and shall be periodically removed from the site.
4. This Conditional Use approval shall not be transferred within the subject property to another Conditional Use category without submittal and approval for a new Conditional Use.
5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
6. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before to issuance of an occupancy permit.
7. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

Recommendation to Village Board concerning site plan and architectural review requested by Jim Fleury, Fleury's Body Repair within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1006 Main Street, known as MUKV2009984

Russell Rapoza, Architect presented samples of design materials to be installed. Jim Fleury answered questions regarding parking and barb-wire fencing.

Motion by Decker/Meiners to recommend to the Village Board to accept site plan and architectural review requested by Jim Fleury, Fleury's body Repair with the following conditions carried.

1. Site Plan and Architectural Review approval for the expansion of Fleury Auto Body shall be subject to all plans and information submitted for the application by the applicant, Raposa Design and Endpoint Solutions, 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 and design of the site shall remain unchanged.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:

- a. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox Box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.
  - c. Approval of the site construction plans by the Utilities Director to protect existing utilities on and around the site.
  - d. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - e. The Supervisor of Inspection, the Utilities Director and the Public Works Director shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
  - 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.
3. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
    - a. Completion of all site grading in accordance with submitted and approved plans.
    - b. Completion of the building in accordance with approved plans and all applicable codes.
    - c. Completion of paving of driveways and parking lots, including parking space pavement markings and all other pavement markings.
  4. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
    - a. Completion of all items required in Condition No. 3.
    - b. Installation of all site landscaping as shown on approved plans.

### **Bielinski/Chapman PUD**

Recommendation to the Village Board to consider Bielinski Homes request for Planned Unit Development approval as a conditional use.

Motion by Abruzzo/Penzkover to recommend to the Village Board the requested modifications via the PUD are as follows (pursuant to R-5 standards adopted in 2017 for a complex of two-family buildings):

1. A minimum 25 foot street yard building setback instead of the required 35 feet (although the site plan shows building setbacks from the collector streets at or exceeding 35 feet).
2. A minimum 35 foot rear yard building setback instead of the required 50 feet.
3. A minimum 22 foot separation between buildings instead of the required 30 feet.
4. A minimum 438 square foot garage for one of the two attached garages within each structure (the second garage in each building exceeds the required minimum of 480 square feet).
5. A 60 foot public street right-of-way width instead of 66 foot wide as required by the Village Land Division Ordinance.
6. A minimum one foot distance from the outside edge of the private cul-de-sac to the nearest property line.
7. Future approval of Landscape and Building Design Plans

Motion carried.

**Mallory Mukwonago TC, LLC (ENSA)**

Recommendation to Village Board to consider Architectural Review Approval for Mallory Mukwonago TC, LLC 727 E Veterans Way

Robert A Siegel, Mallory Mukwonago TC, LLC, gave an overview of project.

Motion by Decker/Harley to recommend to the Village Board the Architectural Review Approval for Mallory Mukwonago TC, LLC, 727 E Veterans Way carried.

**Reschedule August 14, 2018 Regular Meeting to August 8, 2018, at 6:30 p.m. at  
440 River Crest Ct., Mukwonago, WI 53149**

Motion by Winchowky/Decker, carried.

**Adjournment**

Meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Linda Gourdoux  
Deputy clerk/Treasurer

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

### **Tuesday, July 10, 2018**

#### **Call to Order**

Recording Secretary Linda Gourdoux 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

Commissioner excused: Fred Winchowky, Chairman

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Linda Gourdoux, Recording Secretary

In the Absence of the Chair, Gourdoux asked for a motion to nominate Chair Pro Tem.

Motion made by Werner/Decker to nominate Penzkover as Chair carried.

#### **Minutes**

Motion made by Decker/Werner to approve the minutes of the June 12, 2018 regular meeting carried.

#### **New Business**

##### **Kids Connection Child Care**

Recommendation to Village Board to Consider Site Plan and Architectural Review for Kids Connection Child Care, 130 Chapman Blvd, MUKV 1962-996-007

Kaniewski gave overview of the project. MSI General discussed changes that were made after discussions with staff.

Motion by Abruzzo/Werner to recommend to the Village Board to accept the Site Plan and Architectural Review for Kids Connection Child Care with the following conditions, carried.

1. Site Plan and Architectural Review approval for the Kid Connection facility shall be subject to all plans and information submitted for the application by MSI General and JSD Professional Services, Inc. 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 and design of the site shall remain unchanged.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:

- a. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox Box and notification requirements, internal fire suppression, external fire department connection location, hydrant locations and design of parking lot landscape islands.
  - c. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - d. 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.
  - e. 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.
  - f. Approval of a final landscaping plan by the Zoning Administrator.
  - g. All required review fees and charges due to the Village of Mukwonago shall be paid.
3. Prior to temporary occupancy issuance, and if needed, prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with submitted plans.
  - b. Completion of the building in accordance with approved plans and all applicable codes.
  - c. Completion of paving of parking and driveways.
4. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items required in Condition No. 3.
  - b. Completion of final paving and striping of the entire parking area to be completed with first phase construction as indicated on the site plan, and signage for the handicapped parking spaces as shown on approved plans.
  - c. Installation of all site landscaping as shown on approved plans.
  - d. Connection of the building to sanitary sewer and a public water supply.

### **Triple Crown**

Recommendation to Village Board to Consider Site Plan and Architectural Review for Triple Crown, 102 W Boxhorn Dr., #AA7730003

Kaniewski gave overview of the project. Briohn discussed design.

Motion by Harley/Decker to recommend to the Village Board to accept Site Plan and Architectural for Triple Crown with the following conditions, carried.

1. Site Plan and Architecture Review approval for the Triple Crown facility shall be subject to Village approval of a Certified Survey Map and acquisition of the site from the Village of Mukwonago by Triple Crown.
2. Site Plan and Architectural Review approval for the Triple Crown facility shall be subject to all plans and information submitted for the application by Briohn Design Group and JSD Professional Services, Inc. with all plans and information on file in the office of the Zoning Administrator. Approval includes the reduction in the amount of parking spaces provided with initial construction. 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 and design of the site shall remain unchanged.

3. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - a. All final site development plans shall be consistent with the plans noted in Condition No. 2 or as modified, and completion of all documentation as indicated in Condition No. 1.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox Box and notification requirements, internal fire suppression, external fire department connection location, hydrant locations and design of parking lot landscape islands.
  - c. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - d. 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.
  - e. 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.
  - f. Approval of a final landscaping plan by the Zoning Administrator.
  - g. In accordance with a Developer's Agreement or any other agreement with the Village, construction may commence without the availability of sanitary sewer and a public water supply.
  - h. A gravel emergency access path shall be established to the construction site and properly maintained during construction.
4. Prior to temporary occupancy issuance, and if needed, prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading in accordance with submitted plans.
  - b. Completion of the building in accordance with approved plans and all applicable codes.
  - c. Completion of paving of parking and driveways.
5. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all items required in Condition No. 4.
  - b. Completion of final paving and striping of the entire parking area to be completed with first phase construction as indicated on the site plan, and signage for the handicapped parking spaces as shown on approved plans.
  - c. Installation of all site landscaping as shown on approved plans.
  - d. Connection of the building to sanitary sewer and a public water supply.

### **Bielinski Homes Condominiums (Vilas at Chapman Farms)**

Recommendation to Village Board to Consider Review of Landscaping and Building Design Plans for Bielinski Homes Condominiums (Vilas at Chapman Farms)

Kaniewski gave overview of the project. Donovan discussed changes that were made after discussions with staff.

Motion by Decker/Meiners to recommend to the Village Board to accept Landscaping and Building Design Plans for Bielinski Homes Condominiums (Vilas of Chapman Farms) 1,100 feet west of intersection STH 83 and Chapman Farms Blvd, part of MUKV 1957-997 with the following conditions, carried.

1. While plantings have been added to the rear yards, I prefer a consistent pattern of plantings in all rear yards; consistent as to that shown behind buildings 10 through 14.
2. Street trees (trees within the right-of-way) are subject to approval of the Public Works Director pursuant to Village street tree standards.
3. The submitted landscape plan is missing a planting schedule which was requested to be submitted. At the time of preparing this report, the planting schedule has not been received. Therefore, once received, I may present additional comments at the meeting.

### **YMCA Additional Parking**

Recommendation to Village Board to Consider Minor Site Plan Review for YMCA additional parking, 245 E Wolf Run, MUKV 2013-995-006

Kaniewski gave overview of the project.

Motion by Abruzzo/Decker to recommend to the Village Board to accept Minor Site Plan Review for YMCA additional parking, 245 E Wolf Run, MUKV 2013-995-006 with the following conditions, carried.

1. The construction of the 17 additional parking spaces shall be consistent with the plan submitted with the application prepared by Kahler Slater Architects, on file in the office of the Zoning Administrator.
2. Prior to the start of construction, an erosion control plan shall be submitted and approved by the Village Engineer.
3. Prior to the start of construction, applicant shall obtain a soil disturbance permit from the Building Inspection Department.

### **Styza Extraterritorial Certified Survey Maps**

Recommendation to Village Board to Consider Two (2) Extraterritorial Certified Survey Maps in Town of Mukwonago for Stephen Styza, northwest corner of CTH NN and Beulah Rd, MUKT 1949-998

Kaniewski gave overview of the project.

Motion by Decker/Werner to recommend to the Village Board to accept the Two (2) Extraterritorial Certified Survey Maps in Town of Mukwonago for Stephen Styza, northwest corner of Cth NN and Beulah Rd, MUKT 1949-998 with the following conditions, carried

1. Prior to Village signature placement on the Certified Survey Maps, a Village signature page shall be added to the documents.
2. Prior to Village signature placement on the Certified Survey Maps, the Town of Mukwonago shall provide the Village Planner with documentation of Town approval.

### **Historic Preservation Review for Josh Peterson**

Recommendation the Village Board to Consider Historic Preservation Review for Josh Peterson, 403 Division St, MUKV 1973-196



Kaniewski gave overview of the project.

Motion by Meiner/s/Decker to recommend to the Village Board to accept the Historic Preservation Review for Josh Peterson, 403 Division St, MUKV 1973-196 with the following condition, carried.

The new window replacements shall be consistent with the drawings submitted for this review prepared by Thrive Architects, on file in the office of the Zoning Administrator.

**Adjournment**

Meeting adjourned at 7:13 p.m.

Respectfully Submitted,

Linda Gourdoux  
Deputy Clerk/Treasurer

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

### **Wednesday, July 18, 2018**

#### **Call to Order**

Chairman 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: Jim Decker  
Robert Harley  
Fred Winchowky, Chairman  
Mark Penzkover  
Ken Werner

Commissioner excused: John Meiners  
Joe Abruzzo

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Mark Blum, Village Attorney  
John Weidl, Administrator

#### **Public Hearing**

##### **Specialty School Conditional Use**

**Conditional Use approval to allow an alternative school within the pending conditional use category of “School, specialty or Personal Instruction”, 475 McKenzie Rd, MUKV 1970-998-025**

Hearing Open Time: 6:01 pm

Kaniewski gave presentation and history

Curt Wiebelhaus – Mukwonago Area School District – spoke on behalf of the proposal.

Public Comments – None

Hearing Closed Time: 6:05 pm

Discussion – Winchowky asked if school busing would be involved – no, private vehicles only; grades impacted – high school, program goes well possible addition of middle school; Penzkover asked about total students – maximum of 15 per session; no access to other parts of the building, not impacting egress.

#### **New Business**

**Recommendation to the Village Board for Conditional Use approval to allow an alternative school within the pending conditional use category of “School, Specialty, or Personal Instruction”, 475 McKenzie Rd, MUKV 1970-998-025**

Motion by Penzkover/Decker to Recommend to the Village Board for Conditional Use approval to allow an alternative school within the pending conditional use category of "School, Specialty or Personal Instruction", 475 McKenzie Rd, MUKV 1970-998-025 with the following conditions from Planner supplemental letter, carried.

### **Mukwonago Area School District Specialty School Conditional Use Revised Conditions of Approval**

1. The use of the approximately 1,932 square foot space on the east end of the building with an address of 476 McKenzie Drive as a specialty school shall be consistent with the written information and plans submitted by the Mukwonago Area School District along with statements made at the public hearing by the representatives of the school district or by others on behalf of the applicant. The submitted information is on file in the office of the Zoning Administrator.
2. Any future expansion or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be always maintained in a clean and presentable condition. No debris shall accumulate on the site. Prior to the issuance of an occupancy permit, applicant shall comply with all exiting, lighting and other public safety changes to the space as required by the Fire Chief and Supervisor of Inspections.
4. This Conditional Use approval shall not be transferred within the subject property to another Conditional Use category without submittal and approval for a new Conditional Use.
5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
6. Any window signs shall conform to Chapter 64 of Village Municipal Code. As stated by the applicant, no other exterior signage shall be allowed.
7. ***Handicapped parking signs shall be installed for each of the eight (8) striped handicapped parking stalls located within the parking area west of the subject building prior to occupancy of the subject use, pursuant to Section 346.505 (2)(a) of Wisconsin State Statutes.***
8. Prior to issuance occupancy for the use, applicant shall pay all required charges and fees to the Village.
9. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

### **Adjournment**

Meeting adjourned at 6:11 p.m.

Respectfully Submitted,

John Weidl  
Administrator

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

### **Wednesday, August 8, 2018**

#### **Call to Order**

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

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Linda Gourdoux, Deputy Clerk/Treasurer

#### **Minutes**

Motion made by Decker/Werner to approve the minutes of the July 10, 2018 regular meeting and July 18, 2018 Special Plan Commission meeting, carried.

#### **Public Hearing**

**Consider Conditional Uses for Contractor's Shop and Contractor's Yard within B-3, Community Business District; 461 River Crest Ct; MUKV 2009-006**

Hearing Open Time: 6:32 pm

Dave Hazenfield, H2C Commercial Real Estate – Representative for Campbell Construction gave project overview

Kaniewski gave additional information

Public Comments – None

Hearing Closed Time: 6:35 pm

#### **New Business**

##### **461 River Crest Ct Conditional Uses**

**Recommendation to Village Board regarding Conditional Uses for Contractor's Shop and Contractor's Yard within B-3, Community Business District; 461 River Crest Ct; MUKV 2009-006**

Discussion – Penzkover asked about combustible bulk storage. Will not be on site, only 5 gallon containers behind building.

Motion by Penzkover/Decker to Recommend to the Village Board to accept the Conditional Uses for Contractor's Shop and Contractor's Yard within B-3, Community Business District; 461 River Crest Ct; MUKV 2009-006 subject to findings of fact and the following conditions, carried.

1. The proposed uses are consistent with the intent of the B-3, General Business District.
2. The proposed uses are consistent with the design and layout of the site and buildings on the site.
3. The proposed low intensity uses are found to be appropriately located at the end of a business cul-de-sac street and next to the Canadian National Rail Line.
4. The proposed uses are found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
5. The proposed uses will not be harmful to the neighboring Mukwonago River corridor as the existing site has grass covered buffers between impervious areas of the site and the shared property line with the river corridor.

#### Addition Conditions for Approval of Conditional Uses

1. The use of 461 River Crest Court for a Contractor's Shop and a Contractor's Yard shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Prior to receiving an occupancy permit to occupy the principal building and/or accessory buildings on the site, the Village Building Inspection Department and the Mukwonago Fire Department shall gain access to the buildings to inspect exit pathways and lighting, and other health and safety code requirements, such as storage of flammable liquids. Applicant shall make any changes to conform to current state building code or fire code.
3. Any future expansion or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
4. The property shall be always maintained in a clean and presentable condition. No debris shall accumulate on the site. All outside storage of equipment or materials shall be placed in an orderly manner.
5. Approval of the Conditional Uses shall not be transferred within the subject property to another Conditional Use category or categories without submittal and approval for a new Conditional Use.
6. If these Conditional Uses remains in good standing, the Conditional Uses may be transferred ownership without gaining new Conditional Uses.
7. Prior to occupancy of the site, applicant shall pay all required charges and fees to the Village.
8. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

#### **Certified Survey Map**

**Recommendation to Village Board regarding 1-Lot Certified Survey Map; Northwest Corner of STH 83 and Boxhorn Dr.; part of #AA77300003**

Kaniewski gave overview.

Motion by Penzkover/Decker to Recommend to the Village Board regarding 1-Lot Certified Survey Map; Northwest Corner of STH 83 and Boxhorn Dr; part of #AA77300003, with the following conditions carried.

1. Prior to Village officials signing of the CSM, final documents conveying the property from the Village of Mukwonago to Triple Crown Products shall be finalized.
2. Prior to Village officials signing of the CSM, the Village Planner/Zoning Administrator shall confirm completion of minor revisions.

**Mukwonago Sale of Approximately 7.5 Acres to Triple Crown  
Recommendation to Consent to Village Board, Village of Mukwonago for the Sale of  
approximately 7.5 acres to Triple Crown Products; Northwest Corner of STH 83 and  
Boxhorn Dr; part of #AA77300003**

Kaniewski stated this request came from the Village Attorney. State law requires Plan Commission to consent/approve property sales. No other information was available. Members asked Kaniewski to clarify reasons with Village Attorney

Motion by Decker/Penzkover to Recommend to the Village Board to Consent to the Sale of approximately 7.5 acres to Triple Crown Products; Northwest Corner of STH 83 and Boxhorn Dr; part of #AA77300003, carried.

**Extraterritorial Certified Survey Map  
Recommendation to Village Board regarding Extraterritorial 1-Lot Certified Survey Map  
in Town of East Troy; Village of Mukwonago Well Site #7; approximately W1000 CTH J;  
#PET300001D2**

Kaniewski gave overview.

Motion by Penzkover/Decker to Recommend to the Village Board regarding Extraterritorial 1-Lot Certified Survey Map in Town of East Troy; Village of Mukwonago Well Site #7; approximately W1000 CTH J; #PET300001D2, carried.

**Adjournment**

Meeting adjourned at 6:49 p.m.

Respectfully Submitted,

Linda Gourdoux  
Deputy Clerk/Treasurer

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

### **Tuesday, September 11, 2018**

#### **Call to Order**

Deputy Clerk Gourdoux 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  
John Meiners  
Mark Penzkover  
Ken Werner  
Robert Harley

Commissioner excused: Fred Winchowky, Chairman

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Linda Gourdoux, Deputy Clerk/Treasurer

In the Absence of the Chair, Gourdoux asked for a motion to nominate Chair Pro Tem.

Motion by Decker/Werner to nominate Penzkover as Chair, carried

#### **Minutes**

Motion made by Abruzzo/Decker to approve the minutes of the August 8, 2018 regular meeting, carried.

#### **New Business**

##### **Consider Signage for First Congregational Church; 231 Roberts Dr; MUKV 1974-906**

Motion by Werner/Decker to Approve Signage for First Congregational Church; 231 Roberts Dr; MUKV 1974-906 subject to the following recommendations by the Village Planner, carried.

1. Approval is pursuant to the submitted plans on file in the office of the Zoning Administrator
2. Applicant must obtain building and electrical permits for the sign, and the existing sign must be removed before inspection approval of the proposed sign

##### **Consider Demolition of Principal and Accessory Structure at 715 Main St; MUKV 1976-205**

Motion by Abruzzo/Werner to Approve Demolition of Principal and Accessory Structure at 715 Main St; MUKV 1976-205 subject to working with Building Supervisor for proper erosion control on the site, carried

##### **Recommendation to Village Board to Approve the Resubmitted Architectural Plans for Kids Connection, Inc.; 130 Chapman Farms Blvd; MUKV 1962-996-007**

Kaniewski stated that Resolution 2018-041 will need to be updated also

Motion by Decker/Abruzzo to Recommend to the Village Board Approval of the Resubmitted Architectural Plans for Kids Connection, Inc.; 130 Chapman Farms Blvd; MUKV 1962-996-007, carried

**Adjournment**

Meeting adjourned at 6:43 p.m.

Respectfully Submitted,

Linda Gourdoux  
Deputy Clerk/Treasurer



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

### **Tuesday, October 9, 2018**

#### **Call to Order**

Chairman 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: Fred Winchowky, Chairman  
Jim Decker  
John Meiners  
Mark Penzkover  
Ken Werner  
Robert Harley

Commissioner excused: Joe Abruzzo

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Linda Gourdoux, Deputy Clerk/Treasurer

#### **Minutes**

Motion made by Decker/Werner to approve the minutes of the September 11, 2018 regular meeting, carried.

#### **New Business**

##### **Consider Recommendation to Village Board Regarding change to roof materials and trim colors for Midwest Storage, LLC**

Kaniewski/Harley made presentation on changes to roof materials and trim colors

Motion by Penzkover/Decker to Recommend to the Village Board to Approve change to roof materials and trim colors for Midwest Storage, LLC, carried.

##### **Consider Recommendation to Village Board Regarding Amendment to Historic Preservation Commission Standards of Chapter 100 (Zoning) of the Municipal Code**

Motion by Decker/Werner to Table further discussion to a future date when the Village Attorney is available to better explain the changes to State Law on Historic Preservation Commissions, carried

##### **Information Only – Plan Commission Workshop**

Commission Members should contact Deputy Clerk if interested in attending or getting a workbook

#### **Adjournment**

Meeting adjourned at 7:02 p.m.

Respectfully Submitted,

Linda Gourdoux  
Deputy Clerk/Treasurer

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

### **Tuesday, November 13, 2018**

#### **1. Call to Order**

Chairman 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.

#### **2. Roll Call**

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

Commissioner excused: Robert Harley

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Cynthia Howard, Recording Secretary

#### **3. Minutes for Approval**

Motion by Decker/Werner to approve the minutes of the October 9, 2018 regular meeting Plan Commission meeting, carried.

#### **4. New Business**

##### **A. Fox Street Townhomes/Bielinski Investments, LLC**

Village Planner Bruce Kaniewski gave the commission an overview of the proposed project to be located at 1150 Fox Street: Property zoned R-10, conforms with Comprehensive Plan, two two-story buildings with basements, four residential units, coach lamps to be installed at each driveway as well as two at the front entrance.

Mr. John Donovan, Development Manager for Bielinski Investments LLC gave a presentation of the site plan to the commission of the proposed project: 0.83-acre project exceeds square foot of units per zoning, two-color proposed for the site, no stormwater required since it is under one acre, no state approval required, individual driveway garbage service (no dumpsters), no turn lane on CTH ES is provided at this time-county is reviewing plan, separate request for small lit entrance signage.

Discussion ensued by the commission to address their concerns about room for future sidewalks in the right-of-way, county to decide on the need for a turn-lane, public hearing comments, and project timeline.

**Motion** by Penzkover/Decker to Recommend to the Village Board Bielinski Investments, LLC, Site Plan and Architectural Review Approval for the Fox Street

Townhomes at approximately 1150 Fox Street (CTH ES); MUKV1968996, subject to the Village Planner's Recommendation Letter dated November 7, 2018. Motion carried unanimously.

**B. Meadowland Townhomes/Bielinski Investments, LLC**

Village Planner Bruce Kaniewski gave the commission an overview of the proposed project to be located at the Northwest Corner of CTH EE and CTH NN: Property zoned R-5, conforms with Comprehensive Plan and setbacks, six two-story buildings with basements, twelve residential units, coach lamps to be installed at each driveway as well as two at the front entrance, Fire Chief to address concerns about roadway alignment with Stoecker Farm Blvd., stormwater management required for wet pond and rain garden, and desire for additional landscaping and screening behind the buildings.

Mr. John Donovan, Development Manager for Bielinski Investments LLC gave a presentation of the site plan to the commission of the proposed project: exceeds square foot per zoning, two-color proposed for the site, wet pond and rain garden overflow into storm sewers at Southeast corner of property, individual driveway garbage service (no dumpsters), no sidewalks, request to county to lower speed limit unsuccessful, retaining wall along ½ of west side of property along with varying land elevations, private drive does not connect to adjoining developments, no sidewalks, costs for boring for sewers along property to future connections to be absorbed by developer, may consider a sidewalk from CTN EE to connect to private driveway.

Discussion ensued by the commission to address their concerns about the challenge for future sidewalks in the right-of-way along CTH EE because of the low ditch line and elevations, county to decide about pedestrian crossing marking across CTH EE to access park, paved emergency drive, enhanced landscaping buffer and rear side of building aesthetics, Developer's Agreement requirement because of sewers, Stormwater Maintenance Agreement, and project timeline.

**Motion** by Penzkover/Decker to Recommend to the Village Board Bielinski, LLC, Site Plan and Architectural Review Approval for the Meadowland Townhomes at Northwest Corner of CTH EE and CTH NN; MUKV1960999003, subject to the Village Planner's Letter of Recommendations dated November 6, 2018. Motion carried unanimously.

**C. The Box Shelf Storage, LLC/CSM**

Rob Chandler representing The Box Shelf Storage, LLC presented their proposal for a two-lot Certified Survey Map (CSM), to include right-of-way for mini storage approved last year on the west side of the property.

Discussion ensued about the required Stormwater Management Plan and Developers Agreement. Commissioner Abruzzo inquired about the need for amending the Conditional Use Permit (CUP) since they are creating a new parcel. The road name

listed as “Hidden Lakes Road” is a placeholder and the Village should agree upon a road name prior to recording the CSM.

**Motion** by Decker/Penzkover to Recommendation to the Village Board for Rob Chandler on behalf The Box Shelf Storage, LLC for a 2-Lot Certified Survey Map at CTH ES and Hidden Lakes Drive; MUKV2091998, subject to the Village Attorney recommendation concerning the existing CUP and the Village Planner’s letter of Recommendations dated November 7, 2018. Motion carried unanimously.

#### **D. ProHealth Care/Hospital Addition**

Village Planner Bruce Kaniewski reported that staff has reviewed as is pleased with the end results of the proposed hospital addition after discussions with the petitioner. He gave the commission an overview of the proposed project to be located at 240 Maple Avenue, also provided as a written report in the packets: Realignment of front entrance and add-on to the entrance with realigned parking, changes to the site plan for better traffic flow shows drive in a horseshoe shape, building in compliance with zoning, highest elevation is sixty feet exposed but surrounding elevations are lower in areas, addition fifteen parking spaces consistent with previous request to postpone balance for future parking spaces-to be monitored by the municipality, second floor addition is still under construction, and stormwater is conforming.

Mr. John Ford, the project architect representing ProHealth Care, gave a power point presentation of the site plan to the commission of the proposed project: 20,000 sq. ft. exterior, 18,900 sq. ft. shell space to be filled, 70,000 sq. ft. vertical space, total of 24 in-patient rooms (12 phase one; balance reserved for future), new areas for surgical procedures, dietary, enhanced lab and imaging, increased and enhanced front entrance, island to be filled in for parking and handicap stalls, police and fire department comments have been addressed by modifying the curb cuts for fire truck access, may entertain additional handicap parking spaces in the rear, no valet parking at this time, new aesthetics to cover roof-top mechanicals, materials to used harmonious with existing architecture.

Discussion ensued by the commission to address their concerns about handicap parking, the oxygen tank to be located in rear of building and enclosed with screening, construction traffic to utilize one of the two campus entrances, temporary road construction signage needed, FAA approval for helicopter pad, creation of five to seven new jobs, construction timeline, and reduction of transfers to Waukesha Memorial Hospital due to enhanced facilities.

Stephanie Orzechowski, Chief Administrative Officer for ProHealth, and Mike Stern, Construction Manager, participated in the discussion with the Plan Commission.

**Motion** by Abruzzo/Penzkover to Recommendation to the Village Board for ProHealth Care, Site Plan and Architectural Review Approval to Construct a Hospital Addition and Associated Improvements at 240 Maple Avenue; MUKV2016993002, subject to

the Village Planner's letter of Recommendations dated November 7, 2018. Motion carried unanimously.

**E. Super Products, LLC/130 W Boxhorn Drive**

Village Planner Bruce Kaniewski gave the commission an overview of the proposed project to be located at the 130 W Boxhorn, the third new business to move into the Village's business park. The site plan encompasses the entire north side of the former McCarthy farm, and said plan has been revised to construction an initial 171,000 sq. ft. building (similar in size to Bankers Wire). He reported on the proposed truck traffic flow, and the request of the petitioner to reduce the number of required parking spaces because of the building size as there will only be 150 employees, the stormwater management is acceptable to Village staff, there is a pond on the back side along with truck parking. A Conditional Use Permit will be on the next Plan Commission agenda for consideration.

Domenico Ferrante of Briohn Design, Alex Egan, of Briohn Building, and Rizal Iskandarjach of JSD Professional Services, provided testimony on behalf of the petitioner, Super Products and reviewed the site plan: locations of the employee parking shown along the west side of the development, three shift work schedule, 50 employees per each shift, storage and raw materials will be screened to the rear of the property, assembly truck traffic will access the development from the southeast corner going west and then proceeding north to enter the assembly area of the building, delivery truck traffic and parking for the chassis would access the property from the southeast corner heading immediately north and then west along the rear side of the building. The locations surrounding the subject property were outlined as Bankers Wire to the south, Triple Crown to the east, McCarthy Farm to the northeast, and the pond to the North.

Discussion ensued by the commissioners regarding the construction traffic access on Boxhorn to be addressed in the Developers Agreement, construction timeline, use of materials, possible spring stabilization in the Northwest corner of the subject property, indoor assembly, relocation of the business from the New Berlin headquarters, designated 70,000 sq. ft. future expansion area, and single-story office/display area.

**Motion** by Werner/Decker to Recommendation to the Village Board for Super Products, LLC, Site Plan and Architectural Review Approval at approximately 130 W. Boxhorn Drive; part of #A477300003, subject to the Village Planner's Letter of Recommendations dated November 10, 2018. Motion carried unanimously.

**F. Walmart/Exterior Alteration/250 Wolf Run**

Village Planner Bruce Kaniewski provided the commission a background report of the proposed project to be located at 250 Wolf Run: gray color pallet, orange signage letters, blue accent stipe and rear building with polyurethane reflective feature, repainting non-brick areas on the front of the building, darker gray on the wainscoting located on the sides of the structure.

Adam Ward, Architect Project Manager of Cyntergy was present and provided testimony on behalf of the petitioner, Walmart: Paint color samples were provided, Walmart started a rebranding effort about three years ago with a new color pallet and clean and modern look, facilities are typically remodeled, or maintenance work is done every five to seven years.

Discussion ensued about the project timeline starting with final building plans by the end of December, interior construction in February, followed by exterior painting as weather permits.

**Motion** by Werner/Decker to Recommendation to the Village Board for Walmart Real Estate Business Trust, Architectural Review Approval for Exterior Alterations at 250 Wolf Run; MUKV2013994001, subject to the Village Planner's Recommendation Letter dated November 10, 2018. Motion carried unanimously.

#### **G. Walmart/Signage Amendment/250 Wolf Run**

Adam Ward, Architect Project Manager of Cyntergy was present and provided testimony on behalf of the petitioner, Walmart of the signage plans which requires Plan Commission approval in compliance with the Development Agreement. There will be two additional exterior signs: one for the auto center and one for the vision center. Some of the existing signs with have language changes. The overall signage will increase by 44 sq. ft.

Village Planner Bruce Kaniewski stated that the size of the signage is appropriate for the size of the building.

Discussion ensued; the request complies with the Planned Unit Development (PUD), overall allowable signage based on the 600 linear feet of the building frontage would be around 450 sq. ft. as calculated using the 2012 sign code which is not applicable to this PUD, the signage colors were clarified that the white trim is going to be dark gray.

**Motion** by Werner/Penzkover to Recommendation to the Village Board for Walmart Real Estate Business Trust, Signage Plan Amendment at 250 Wolf Run; MUKV2013994001, subject to the Village Planner's Recommendation Letter dated November 10, 2018. Motion carried unanimously.

#### **H. Change Next Meeting Time**

Village Planner Bruce Kaniewski stated that the Plan Commission requested information about the Historical Preservation Ordinance at their December meeting and that the Village Attorney had a conflict with the start time. Commissioner Abruzzo reported that he may be late arriving to the December meeting.

**Motion** by Decker/Abruzzo to Consider changing time of the Dec. 11, 2018 Plan Commission meeting to start at 5:30 p.m.

**5. Adjournment**

Chairman Winchowky declared the meeting adjourned at 8:06 p.m.

Respectfully Submitted,

Cynthia L. Howard  
Recording Secretary

Linda Gourdoux  
Deputy Clerk-Treasurer

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

### **Tuesday, December 11, 2018**

#### **1. Call to Order**

Chairman Winchowky called the meeting to order at 5:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

#### **2. Roll Call**

Commissioners present: Fred Winchowky, Chairman  
Jim Decker  
Robert Harley  
John Meiners  
Mark Penzkover

Commissioner excused: Joe Abruzzo (*arrived at 5:54 p.m.*)  
Ken Werner

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Mark Blum, Village Attorney (*left at 6:05 p.m.*)  
Cynthia Howard, Recording Secretary

#### **3. Minutes for Approval**

Motion by Decker/Penzkover to approve the minutes of the November 13, 2018 regular meeting Plan Commission meeting, carried.

#### **4. Old Business**

##### **A. Historical Preservation**

Village Planner Bruce Kaniewski introduced to the commission proposed amendments to Historic Preservation Commission (HPC) Standards of Chapter (100) of the Municipal Code, as provided in the memorandums by the Village Planner and Village Engineer, respectively.

Village Planner Kaniewski gave the commission insight as to the current Historical Preservation consideration by the Plan Commission and prior to 2008 the separate Historical Preservation Commission.

Village Attorney Mark Blum stated that the Village's Historical Preservation Ordinance (HPO) needs to be consistent with the new State law, specifically the HPC must be a separate, independent body with identified members to be sought that have a specific skillset, but not as a requirement, and said operations of the HPC must include an appeal structure and process. Attorney Blum reported on the existing Historical Preservation District and Design Sensitivity Areas, lack of plan for Design Sensitivity Areas, consideration of a property-by-property review or maintaining a neighborhood design review, and possible listening sessions to gather input from the public on how to proceed with a plan.



Discussion ensued between the Plan Commission members, Village Planner, and Village Attorney regarding leaving room to modify the HPO areas to include future annexations, controlling costs for HPC review and the materials or design standards directed upon the affecting landowners by the HPC, consideration of real estate tax discounts, existing 25+/- designated homes, roles and responsibilities of the HPC, and possible use of downtown budget funds to create a plan.

*Commissioner Abruzzo arrived at 5:54 p.m.*

Attorney Blum stated that the Plan Commission's recommendation is required to move forward and he outlined the possible actions for the Plan Commission. He added that State Law would take precedence over the local ordinance until the time that the Village adopts the required changes.

Upon conclusion of all discussion, it was the consensus of the Plan Commission to table action on this matter until further discussion and consideration by the Plan Commission on January 8, 2019 at their meeting to be held at 6:00 p.m. to accommodate the Village Attorney's schedule.

## **5. New Business**

### **A. Edgewood Meadows Condominiums/Harmony Homes/Concept Review**

Village Planner Bruce Kaniewski gave the commission an overview of concept plan and Proposed Amendment to Plan Unit Development/Site and Architectural Plans for Edgewood Meadows Condominiums, Edgewood Avenue on behalf of Harmony Homes, Inc.; MUKV 2091-989-006 through MUKV 2091-989-101. Planner Kaniewski reported that the property is zoned R-10 Multi-family and the Planned Unit Development (PUD) was approved in 2005 for 120 units. He stated that Harmony Homes is asking for a smaller density development of 17 side-by-side duplexes for a total of 34 residential units. He stated that a public hearing would be required to amend the PUD on a future date.

Mr. Wayne Foster and Mr. Joe Wendorff spoke on behalf of Harmony Homes:

- They reported on the status of securing signatures of the homeowners and their corresponding mortgage companies required to amend the PUD.
- Of the existing unit, there are 34 individual owners, 4 units owned by Harmony Homes, and 8 bank-owned units.
- The duplexes market would appeal to the 50+ owners, each unit would a ranch style with approximately 1500 square feet, consist of a lower level basement, have a 2-car attached garage, and driveway parking.
- They are proposing one home owners' association (HOA) for the PUD with separate capital reserve accounts, one for the existing units and one for the conceptual duplex units.
- The HOA cannot be turned over to the owners until the PUD is 75% complete, which is making it impossible for owners/purchasers to secure FHA funding.

- There would be around .88 acres added to open space to the northwest area on the site.
- The color scheme would be complimentary, and the trim would match the existing units.

Discussion ensued by the commission to address their concerns about the need for a landscaping plan, additional parking area for guests, inclusion of brick facia, and concerns about the private roadway.

No action was taken.

#### **B. Kay's Academy/715 Main/Pirouette Properties**

Village Planner Bruce Kaniewski gave the commission an overview of the proposed project to be a redevelopment of the 715 Main Street property, to consist of a new building within the code required 3 foot setbacks, for the purpose of dance instruction on the main floor with a walkout lower level for a future business tenant, utilization of the two existing entrances, 3' setback requirements, and materials as submitted with the exception of the brick color to be the sample provided at the meeting.

Mr. Tim Fikkert representing the Petitioner described the round drive student drop-off/pick up area using safety precautions in the design and traffic signage, the building aesthetics, use of thin brick pasted on the concrete exterior, use of brick-stamp for the exposed foundation, and parking as required by code.

Matt from Lynch & Associates stated that they would be back-grading to the exposed building.

Discussion ensued by the commission to address their concerns about:

- Brick sample.
- Parking stalls based on the facility use, future tenant business parking.
- Sufficiency of existing water and sewer utilities available to the property and inquiries to secure utility easement(s) for same to possibly connect to the manhole on the corner.
- Possible entrance amendment to/from county highway and left turns out of facility.
- State erosion control standards.
- Lighting plan and luminaries.
- Brick enclosed dumpster.
- Revisit landscaping plan.

**Motion** by Penzkover/Abruzzo to Recommend to the Village Board approval of the Pirouette Properties (Kay's Academy of Dance), Site Plan and Architectural Review Approval for 715 Main Street; MUKV 1976-205, subject to use of brick sample as submitted, and subject to the Village Planner's conditions as set forth in the Village Planner's Letter of Recommendation dated December 11, 2018. Motion carried. Commissioner Harley voted nay.

### **C. Super Products/130 W Boxhorn Drive/Certified Survey Map/Sale of Village Property**

Village Planner Bruce Kaniewski gave the commission an overview of the proposed one-lot Certified Survey Map (CSM) which consists of an outlot detention basin and requires sale of Village owned property. Planner Kaniewski reported that the TIF (Tax Incremental Financing) project plan assigns the Village with the task of stormwater management and maintenance in the TIF district.

**Motion** by Decker/Penzkover to Recommend to the Village Board approval of a 1-Lot Certified Survey Map on behalf of Super Products, LLC, 130 W. Boxhorn Dr; part of #A477300003, subject to the Village Planner's conditions as provided in the Planner's Letter of Recommendation dated December 5, 2018. Motion carried unanimously.

**Motion** by Decker to Recommend to the Village Board approval of the sale of property located at 130 W. Boxhorn Dr; part of #A477300003, to Super Products, LLC as required under Wis. Sec. 62.23. Motion failed due to lack of a second.

**Motion** by Abruzzo/Penzkover to Table this matter until the January 8, 2019 Plan Commission meeting to make an informed recommendation to the Village Board on the sale of property located at 130 W. Boxhorn Dr; part of #A477300003, to Super Products, LLC as required under Wis. Sec. 62.23. Discussion ensued about a Closed Session. The motion carried unanimously.

### **D. Taco Bell/Albor Restaurant Group/920 Greenwald Court**

Village Planner Bruce Kaniewski gave the commission an overview of the proposed plans to change the exterior design and add an exterior cooler to have the same color and design as provided in the drawings, to the Taco Bell store at 920 Greenwald Court. The existing tree may be lost during the renovation and in the event that it is removed the Planner recommends shrubbery to replace it so that the signage is better viewed by travelers.

Mr. Mario Valentini of MRV Architects spoke on behalf of the Petitioner as to the Plan of Operation and need for increased operational/storage space. He described the new cooler as being sealed, but not attached, to the exterior of the building, and utilizing the existing back door to gain access to the cooler from the operations. There would be a new exterior door added to the cooler for deliveries. The cooler would sit on a concrete slab, not a full frost footing. He stated that one tree may be impacted by the footing construction. The timeline is based on weather for this project.

**Motion** by Decker/Harley to Recommend to the Village Board approval of the Albor Restaurant Group (Taco Bell), Site Plan and Architectural Review for 920 Greenwald Court, subject to the Village Planner's conditions as set forth in the Planner's Letter of Recommendation dated December 3, 2018. Motion carried unanimously.

**E. Wittbrot Rezone/MUKV 1974-968**

Village Planner Bruce Kaniewski described the proposed rezone from A-1 to R-2 as surrounded by R-2 zoning and consistent with the Comprehensive Plan. Planner Kaniewski stated that there will be a Public Hearing on December 19, 2018 regarding this rezone petition.

Mrs. Wittbrot told the commission that the property would be used for a single-family residence for them with a driveway to be located off of Spring Street.

**Motion** by Penzkover/Decker to Recommend to the Village Board Rezone from A-1, Agricultural District to R-2, Single Family Historical Lot Residential District, approximately 3.6 Acres of Land Bounded by Eagle Lake Avenue (CTH LO), Spring Street and Bay Street on behalf of Henry William Patrick Wittbrot IV; MUKV 1974-968. Motion carried unanimously.

**6. Adjournment**

Chairman Winchowky declared the meeting adjourned at 7:17 p.m.

Respectfully Submitted,

Cynthia L. Howard  
Recording Secretary

Linda Gourdoux  
Deputy Clerk-Treasurer