

## MINUTES OF THE REGULAR PLAN COMMISSION MEETING Tuesday, February 9, 2016

### Call to Order

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

### Roll Call

Commissioners present: Joe Hankovich  
Sterling Fairchild  
John Meiners  
Ken Werner  
Mark Penzkover  
Joe Abruzzo  
Fred Winchowky

Also present: Judith Taubert, Deputy Clerk-Treasurer

### Minutes

Motion by Werner/Abruzzo to approve the January 12, 2016 regular meeting minutes as presented carried.

### Public Hearings

Conditional use permit requested by Jessica L. Ballard, Tri Skill Community Day Program, to allow for an adult day care program on the property located at 231 Roberts Drive, known as MUKV1974906 opened at 6:31p.m.

Jessica Ballard explained the reason for the conditional use to allow for an adult day care program on the property located at 231 Roberts Drive, First Congregational Church.

Judy Martin, 121 MacArthur Drive, had questions that were addressed,  
Harlan Petersen, 231 Roberts Drive, spoke in favor of the Community Adult Day Care.  
Kevin Clark, 201 Roberts Drive, spoke in favor of the adult day care program.  
Diane Williams, 201 W. Parkview, Eagle, WI, spoke in favor of the adult day care program.

Public hearing closed at 6:40 p.m.

### New Business

#### Tri Skill Community Day Program

Motion by Abruzzo/Werner to Recommend the Village Board approve the conditional use permit requested by Jessica L. Ballard, Tri Skill Community Day Program, to allow for an adult day care program on the property located at 231 Roberts Drive, known as MUKV1974906 subject to the 4 findings and 8 conditions in the Village Planners letter dated February 4, 2016:

Findings:

1. The use of the structure is in accordance with the purpose and intent of the R-2, Single Family Village Residential District.
2. The use of the structure is found not to be hazardous, harmful, offensive or adverse to the environment or value of the neighborhood and the Village of Mukwonago.

3. The use of the structure does not change the character of the neighborhood.
4. The use of the structure supports a public community purpose.

Terms of Approval:

1. The use within First Congregational Church of Mukwonago, 231 Roberts Drive, by TriSkill Community Day Program shall be operated in strict conformance with the petitioner's public hearing presentation, and the information submitted on the Request for a Conditional Use Application, especially the description of the use.
2. The conditional use is granted solely to the TriSkill Community Day Program operated by Jessica Ballard, and is not transferrable, as a private school allowed as a conditional use in the R-2 zoning district of the Village of Mukwonago, allowed within a church that is also a conditional use in the R-2 zoning district. Nothing in this conditional use shall prohibit another owner to petition the Village for a new conditional use should a change in ownership occur.
3. The use of the building for TriSkill Community Day Program shall be limited to the class room space on the 1st floor (handicapped accessible) portion of the building. Should other levels of the building become handicapped accessible, nothing in this conditional use shall prohibit a petition to the Village for an amended conditional use for utilization of another level.
4. The use of the building for TriSkill Community Day Program is not to be a place of assembly.
5. No part of the site or structure shall be utilized as residential or overnight sleeping quarters or accommodations.
6. The conditional use shall be renewed by the Plan Commission and the Village Board within one (1) year of approval, with a second one (1) renewal, and then subsequent five (5) year renewals. Renewal of the conditional use shall be granted if the use of property and structure are found to be operation in accordance with terms of approval of this conditional use. Findings of nonconformance shall be grounds for termination of this conditional use.
7. The use of the structure shall conform at all times with building codes and fire safety codes. The use shall be subject to periodical inspections by the Mukwonago Fire Department and Village of Mukwonago Building Inspection and/or Zoning Administrator staff.
8. The use of the structure shall conform at all times with federal, state and local laws.

**Planner's Report**

**Comprehensive Plan Update**

Planner submitted proposed schedule with time to be set to be followed after the Village President's appointments on February 16<sup>th</sup> Regular Village Board Meeting.

**Adjournment**

Meeting adjourned at 6:55 p.m.

Respectfully Submitted,

Judith A. Taubert  
Deputy Clerk-Treasurer