

MINUTES OF THE REGULAR PLAN COMMISSION MEETING **Tuesday, June 14, 2016**

Call to Order

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

Commissioner excused: Mark Penzkover
Joe Abruzzo

Also present: Bruce Kaniewski, Village Planner
Judith Taubert, Deputy Clerk-Treasurer
Bob Harley, Building Codes Official

Minutes

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

Public Hearing

Conditional use permit requested by Pamela L. Turner, Pam's Fine Wines LLC, to allow for the installation of outdoor seating at the property located at 100 Main St., Suite 1, known as MUKV1976109001 opened at 6:33 p.m.

Pamela L. Turner explained the reason for the conditional use to allow for the installation of outdoor seating at the property located at 100 Main St., Suite 1, known as MUKV1976109001 and submitted 6 letters of support from area businesses and residents to be on file in the Clerk's Office.

John Baker, 247 Fox Street, spoke in favor of the outdoor seating.

Michael Schell, S91W33856 Cty Road NN, said he supports what Pam is doing for the Community.

Duane Thornton, W338S8983 Cty Hwy E, spoke in favor of the outdoor seating.

Jim Goetz, 207 Field Street, spoke in favor of what this would do for the downtown area.

Public hearing closed at 6:44 p.m.

New Business

100 Main St., Suite 1

Motion by Werner/Fairchild to recommend the Village Board approve the conditional use permit application by Pamela Turner of the business Pam's Fine Wines to allow an outdoor seating environment consistent with floor plan submitted to the Village subject to the following findings and conditions carried:

Findings:

1. The final construction of such space will not change the character of the neighborhood and may augment and amplify the development in the downtown business district
2. The proposed use is in accordance with the purpose and intent of the B-2, General Business Zoning District.
3. The proposed use is found not to be hazardous, harmful, offensive or adverse to the environment or value of the downtown and the Village of Mukwonago.
4. The proposed use does not change the character of the neighborhood.

Conditions:

1. The outdoor seating area shall be provided and operated in strict conformance with the petitioner's public hearing presentation, and the information submitted on the Request for a Conditional Use Application.
2. The Conditional Use is granted solely to Pamela Lynn Turner, and is not transferrable. 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. Use of the outdoor seating and serving of alcohol via the Conditional Use is conditioned upon applicant maintaining a valid liquor license from the Village of Mukwonago for outdoor service.
4. Use of the outdoor seating and serving of alcohol via the Conditional Use is limited between April 1st and November 15th of each year.
5. Applicant shall install lighting at the front corners of the enclosure subject to the approval of the Mukwonago Police Department and Village of Mukwonago Building Inspection and/or Zoning Administrator staff.
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) year renewal, and then subsequent five (5) year renewals. Renewal of the conditional use shall be granted if the use of the property is 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. Use of the outdoor seating and serving of alcohol via the Conditional Use shall at all times conform to building codes, fire safety codes and health codes. The use shall be subject to periodic inspections by the Mukwonago Police Department and Village of Mukwonago Building Inspection and/or Zoning Administrator staff.
8. The use of outdoor seating and serving of alcohol shall at all times conform to federal, state and local laws.
9. Within the outdoor seating area, applicant shall provide an adequate amount of trash containers and ashtrays, and the area shall be continually serviced to be kept clean at all times.

CTH ES and Phantom Woods Rd.

Motion by Hankovich/Werner to recommend the Village approve the Site Plan and Architectural Plan Review for the construction of apartment buildings on the property located at CTH ES and Phantom Woods Road known as MUKV2011984 subject to the following conditions carried:

1. Approval of the plans for the proposed second phase of Premier Woods Multi-Family development at the northwest corner of Main Street (STH 83) and Phantom Woods Road,

for two-8 unit multi-family structures, shall be subject to the package of documents and plans submitted by the applicant to the Village of Mukwonago on April 8, 2016 with a portion of the plans revised with a submittal dated May 19, 2016. 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 Building Inspector to conform to Building and Fire Safety Codes and all plans may be further modified to conform to Village design standards. However, the basic layout of the site as depicted on Sheet 5, Site Plan, shall remain unchanged.

2. All ingress/egress drives and parking areas shown on Sheet 5 shall remain private and shall be maintained in a usable and passable condition at all times.
3. Approval shall be subject to approval of a Storm Water Maintenance Agreement and a Developer's Agreement by the Village Board. The Developer's Agreement shall list these conditions of approval, a list of all final plans for the project, and responsibilities for off-site improvements.
4. With approval, the Plan Commission and Village Board grant allowance of multiple principal buildings on one lot.
5. Prior to issuance of the first building permit, a landscape plan shall be submitted for the approval of the Zoning Administrator and Village Planner.
6. The property shall be maintained in a clean condition, free of debris at all times. No junk, inoperable or abandoned vehicles, or vehicles undergoing repair shall be kept on the property at any time. No vehicles shall be parked in any area not designated for vehicle parking as provided for on Sheet 5.
7. Only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property.
8. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
 - a. The Village Engineer shall approve all site engineering plans and documents, including a complete Storm Water Management Plan.
 - b. Village Board approval of a Storm Water Maintenance Agreement and a Developer's Agreement (to include a submitted and Village approved Letter of Credit for any off-site improvements).
 - c. Submittal of the signed easements granted to the Village of Mukwonago providing access to maintain on-site sanitary sewer and potable water lines and hydrants.
 - d. Completion of all approvals listed in Condition No. 3, and all plans shall be consistent with the plans listed in Condition No. 1 or as modified and identified in the Developer's Agreement.
 - e. Approval of the plans by the Fire Chief, which may include, but are not limited to, the internal fire suppression system, external fire department connection location and hydrant locations.
 - f. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - g. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties.
9. Prior to temporary occupancy issuance for any building, and if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading and storm water management facilities in accordance with approved plans, including landscaping that is a part of the storm water management facilities.
 - b. Completion of all exterior lighting for the building in accordance with approved plans.

- c. Completion of the building in accordance with approved plans and all applicable codes.
 - d. Completion of a hard drive and parking surfaces from the exterior public right-of-way to the general area surrounding the building, including installation of handicapped parking signs and ramp.
 - e. Completion of the dumpster enclosure for the building.
10. Prior to final occupancy permit for any building, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
- a. Completion of all items within Condition No. 9.
 - b. Completion of paving and striping of the entire parking area, in accordance with approved plans.
 - c. Installation of all site landscaping.
 - d. Completion of all required public improvements as specified in the Developer's Agreement.
 - e. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public.

926 Perkins Dr.

Motion by Werner/Meiners to recommend the Village Board approve the application by GS Global to add 14 parking spaces to the north end of their parking lot contingent upon strictly following the Site Plan submitted to the Village on June 3, 2016 which includes replacing the trees removed for the parking, and subject to the following conditions carried:

1. Site plan approval is subject to the drawing submitted by GS Global.
2. During the construction, applicant shall adhere to proper erosion control measures.
3. Applicant shall replace the trees to be removed for the additional parking.

Chapter 64 (Sign Code) amendment

Motion by Hankovich/Werner to recommend the Village Board approve the amendments (marked in red) to Chapter 64 (Sign Code) regarding directional sign standards for industrial properties carried.

Steering Committee of the Comprehensive Plan Update

Village Planner Bruce Kaniewski reported that the Steering Committee of the Comprehensive Plan will be sending out/had sent out letters to property owners showing key areas that will be discussed and the schedule when these areas will be discussed. Tuesday, June 28th, 4:00 p.m. to 6:30 p.m. there will be an Informational open house at the Village Hall to show maps to the public to show areas that will be discussed by the Steering Committee of the Comprehensive Plan. Information only. No action taken.

Historic Preservation Commission

210 Grand Ave.

Motion made by Fairchild/Werner to postpone the consideration of Historic Preservation Commission approval for the Construction of a boat shelter at the property located at 210 Grand Ave., known as MUKV1976085. This will give the applicant 30 days to come back and submit plans that comply to the Buffer Zone of the Historic Preservation. A variance may also be required to construct the boat shelter in the side yard. Motion carried.

Adjournment

Meeting adjourned at 7:41 p.m.

Respectfully Submitted,

Judith A. Taubert
Deputy Clerk-Treasurer