

MINUTES OF THE REGULAR PLAN COMMISSION MEETING Monday, August 15, 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 Abruzzo
Sterling Fairchild
Robert Harley
John Meiners
Mark Penzkover
Ken Werner
Fred Winchowky, Chairman

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

Minutes

Motion by Fairchild/Harley to approve the July 12, 2016 regular meeting minutes as presented carried.

Public Hearing

Conditional use permit requested by Tina M. O'Bryan, DAA Smokehouse LLC, to allow for outside merchandise sales by installing outdoor seating at the property located at 325 Bay View Road Suites D and E opened at 6:32 p.m.

Applicant Presentation

Tina M. O'Bryan, DAA Smokehouse LLC, presented plans to have outdoor seating on the patio in front of the dining room. Alcohol will be served. The area will be fenced in. The same footprint as the prior restaurant will be used.

Public Comments

None.

Public hearing closed at 6:33 p.m.

Conditional use permit requested by Eddie Cash, Eddie Cash Show, Inc., to allow for an indoor theater at the property located at 575 Bay View Road Suite 7 opened at 6:34 p.m.

Applicant Presentation

Cheryl Cash and Chris Litwin presented plans to host live music concerts. The music is 50's and 60's and would cater mostly to the 55 years old and older crowd. There is seating for 50 people. The concerts would occur on Saturday nights, 7-9 pm, and Sunday afternoons, 2-4 pm. Concession food will be sold, but there will be no alcohol.

Public Comments

Ron Vey, 1022 Bay View Ct. – Had concerns about loud music. (*Applicant responded the music will not be loud and contained indoors*).

Leon Fiegl, 603 Bay View Rd. – Asked why the sign is up already. Asked if alcohol will be served. (*Applicant responded there will not be alcohol*). Asked about adequate parking and traffic before and after the shows. (*Applicant responded there would be 25 cars at the most, and the hours of operation will be off hours from the rest of the businesses, and there are around 85 parking stalls in the lot*).

Public hearing closed at 6:43 p.m.

Conditional use permit requested by Curt Wiebelhaus, Mukwonago Area School District, to allow for the construction of building additions and renovations to Mukwonago High School and accessory structures on the property located at 605 School Road (605 CTH NN) opened at 6:44 p.m.

Applicant Presentation

Curt Wiebelhaus, Mukwonago Area School District, presented plans for a storage shed structure at the southwest corner of the high school track. The existing storage structure would be removed and replaced with a larger storage structure (36' by 56') in conjunction with the Mukwonago Braves Football Association. The structure will be a pole structure with enhancements to blend in with the architecture of the rest of the buildings.

Chris Eger, Bray Architects, presented plans for the construction of building additions and renovations to Mukwonago High School. The proposed alterations to Mukwonago High School include various interior renovations to the existing Cafeteria, Library, offices, upper classrooms and Technical Education spaces. The additions include an approximately 42,000 square foot three station gymnasium with supporting spaces and entrance spaces added to the Northwest corner of the existing building. The second large addition includes a 47,000 square foot auditorium, with support and music classrooms attached to the Northeast corner of the existing building. There are currently 850 parking stalls on the existing property. The renovation and site work would add roughly 100 additional spaces. Currently the parking lot is close to capacity on school days and is at capacity during Friday night football games. Phase 1 will renovate the south and east parking lots.

Public Comments

None.

Public hearing closed at 6:50 p.m.

Unfinished Business

Instrument Development Corp., Site Plan and Architectural Plan Review

Motion by Penzkover/Werner to recommend the Village approve the Site Plan and Architectural Plan Review requested by Kevin Sinnett, Instrument Development Corp., for the construction of an addition on the property located at 820 Swan Dr., known as MUKV1970987 subject to the following conditions carried:

1. Prior to issuance of any building permit for the subject additions, the following must occur with Village Engineer confirmation that the issues have been completed.
 - a. Stabilization of the site grading that has already occurred, in accordance with the Village issued erosion control permit.
 - b. Submittal of site wetland delineation to be approved by the Wisconsin Department of Natural Resources.

- c. A preliminary Storm Water Management Plan in accordance with Village Municipal Code Chapter 34.
2. Prior to issuance of any building permit for the subject additions, the Mukwonago Fire Chief shall determine the need and type of fire suppression within the additions.
3. Approval of the plans for the 2,500 square foot south addition and 9,900 square foot north addition of Instrument Development Corporation at 820 Swan Drive, zoned as M-4 Medium/Heavy Industrial District, shall be subject to the package of documents and plans submitted by the applicant to the Village of Mukwonago. The plans may be further modified to conform to other conditions of approval and all plans may be further modified to conform to Village design standards. However, the basic layout of the site as depicted the site plan shall remain unchanged.
4. All ingress/egress drives and parking areas shown on the site plan shall remain private and shall be maintained in a usable and passable condition at all times.
5. If a Storm Water Management Plan is required as determined by the Village Engineer, approval shall be subject to approval of a Storm Water Maintenance Agreement by the Village Board.
6. With approval, the Plan Commission and Village Board grant allowance of multiple principal buildings on one lot.
7. Prior to issuance of the first building permit, a final landscape plan, exterior site lighting plan and dumpster enclosure plan shall be submitted for the approval of the Zoning Administrator.
8. 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 on the site plan.
9. Only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property.
10. Prior to the start of any site construction or issuance of a building permit for both additions or the additions individually, whichever occurs first, the following shall occur:
 - a. Compliance with Conditions #1 and #2.
 - b. Village Board approval of a Storm Water Maintenance Agreement, if needed.
 - c. All final site development plans shall be consistent with the plans noted in Condition No. 3.
 - d. Approval of the plans by the Fire Chief, which may include, but are not limited to, the internal fire suppression system, external fire department connection location and hydrant locations.
 - e. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
 - f. Approval of building plans shall include appropriate locations of external mechanical equipment to be placed hidden from view from neighboring properties.
11. Prior to temporary occupancy issuance for any addition, and if needed prior to final occupancy permit, the following shall occur:
 - a. Completion of all site grading and storm water management facilities (if needed) 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.
 - e. Completion of the dumpster enclosures for the buildings so occupied.
12. Prior to final occupancy permit for any addition, 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. 11.
 - 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 any other municipal code requirement in the interest of the health, safety and welfare of the public.

Edgewood Village apartment buildings Site Plan and Architectural Plan Review

Motion by Penzkover/Werner to recommend the Village approve the Site Plan and Architectural Plan Review requested by Warren Hansen, WEH Properties/Edgewood Village, LLC, for the construction of apartment buildings on the property located at S92W27800 Edgewood Ave., known as MUKV2091998 subject to the following conditions carried:

1. Approval of the plans for the proposed Edgewood Village development along the east side of Edgewood Avenue, zoned as R-10 Multi-Family District, for five to six-unit multi-family structures, shall be subject to the package of documents and plans submitted by the applicant to the Village of Mukwonago. 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 the site plan shall remain unchanged.
2. All ingress/egress drives and parking areas shown on the site plan shall remain private and shall be maintained in a usable and passable condition at all times.
3. Approval shall be subject to 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. Furthermore, the Developer's Agreement shall provide for applicant installed stop sign exiting the site, the site plan, future guest parking if needed, extension of Village utilities within the Edgewood Avenue right-of-way, on-site easements for Village maintained utilities if needed, and other provisions for the protection of the public health, safety and welfare.
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 final landscape plan, exterior site lighting plan and dumpster enclosure plan shall be submitted for the approval of the Zoning Administrator.
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) pursuant to Condition No. 3.
 - 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. All final site development plans shall be consistent with the plans noted 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 enclosures for the buildings so occupied.
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.

New Business

DAA Smokehouse LLC conditional use permit

Motion by Abruzzo/Fairchild to recommend the Village approve the conditional use permit requested by Tina M. O'Bryan, DAA Smokehouse LLC, to allow for outside merchandise sales by installing outdoor seating at the property located at 325 Bay View Road Suites D and E, known as MUKV2009956005 based on the following findings and subject to the following conditions carried:

Findings:

1. The use is a benefit to the Village.
2. The use is not impairing on the health, safety or welfare of the community.

3. The proposed use is in accordance with the purpose and intent of the B-2, General Business Zoning District.
4. The proposed use is found not to be hazardous, harmful, offensive or adverse to the environment or value of the shopping and the Village of Mukwonago.
5. The proposed use does not change the character of the neighborhood.
6. There was no opposition.

Conditions:

1. The outdoor seating area shall be provided and operated in strict conformance with the petitioner's public hearing presentation, the information submitted on the Request for a Conditional Use Application and the submitted plans.
2. The Conditional Use is granted solely to Tina Marie O'Bryan, 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. 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.
6. 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.
7. The use of outdoor seating and serving of alcohol shall at all times conform to federal, state and local laws.

Recommendation to Village Board concerning conditional use permit requested by Eddie Cash, Eddie Cash Show, Inc., to allow for an indoor theater at the property located at 575 Bay View Road Suite 7, known as MUKV2010978002

The Commission requested the applicant to provide the following:

1. Crowd size numbers from the current location.
2. A Plan of Operation.
3. Work with Village staff to submit proper plans and a floor layout.
4. Staff will contact the Police Dept. regarding any noise complaints from the current location.

Motion by Penzkover/Meiners to postpone the matter until the regular September meeting carried.

Mukwonago Area School District conditional use permit

Motion by Penzkover/Werner to recommend the Village approve the conditional use permit requested by Curt Wiebelhaus, Mukwonago Area School District, to allow for a storage structure on the property located at 605 School Road (605 CTH NN), known as MUKV1960998001 subject to the following conditions carried:

1. Approval of the plans for the 36 foot by 56 foot storage structure shall be subject to the package of documents and plans submitted by the applicant to the Village of Mukwonago.

2. Prior to construction, a building permit shall be issued.

Motion by Penzkover/Werner to recommend the Village approve the conditional use permit requested by Curt Wiebelhaus, Mukwonago Area School District, to allow for phase 1 of the construction of building additions and renovations to Mukwonago High School on the property located at 605 School Road (605 CTH NN), known as MUKV1960998001 subject to the following conditions carried:

1. Approval shall be subject to the submitted plans for the drive aisles and parking lot improvements east and southeast of the school building as shown on submitted plans. The submitted plans may be altered for proper turning movements and proper dimensioning of drive, parking and landscape island design for the approval of the Fire Chief, Village Engineer and Zoning Administrator.
2. Approval shall be subject to approval of a Storm Water Maintenance Agreement by the Village Board.
3. Approval shall be subject to submittal by applicant and approval of the Village Engineer of a soil erosion plan.
4. Prior to the start of phase 1 construction, applicant shall receive from the Village a soil disturbance permit and an erosion control permit.

280 and 282 East Wolf Run Parking

Kaniewski reported that vehicles from the Lynch dealerships are being parked in the grass area. Village code requires vehicles to be parked on paved surface. Plan Commission has no objection to the parking, but would like Lynch to request an amended site plan to include this parking. No action taken.

Conceptual review for annexation, rezoning, mini-storage, and other business on the property located on the south side of at CTH ES at Hidden Lakes Dr.

Bill Canfield and Robert Chandler presented a proposed plan to annex a property along CTH ES across from Hidden Lakes Dr. from the Town of Vernon. Then plan is to construct storage units and/or tenants buildouts on the property. Applicant will proceed with applications for annexation and official review. No action taken.

Steering Committee of the Comprehensive Plan Update

Village Planner Bruce Kaniewski reported that the Steering Committee of the Comprehensive Plan is getting to the finish line soon and will soon be providing a recommendation to the Commission. There will be an open house on Monday, August 29, 4:00 p.m. to 6:00 p.m. The next Steering Committee meeting will be September 8. Information only. No action taken.

Adjournment

Meeting adjourned at 8:44 p.m.

Respectfully submitted,

Steven Braatz, Jr.
Clerk-Treasurer