



December 5, 2017

Fred Winchowky, Village President  
Village of Mukwonago  
440 River Crest Court  
Mukwonago, WI 53149

Re: Conditional Use for Health Clinic/Medical Office  
Aurora Medical Group/120 Chapman Farm Boulevard

Dear President Winchowky and Members of the Plan Commission:

Russell Legg on behalf of Aurora Medical Group has applied for Conditional Use approval for construction of a new medical office building on the 1.7 acre northern lot within the four-lot business area under development by Anderson Commercial Group (ACG). Both a health clinic and medical office require Conditional Use approval in any of the five Village business zoning districts. B-3, Commercial Business District, is the zoning district of the subject site. As has been recent practice, Site Plan and Architectural Review as required by Section 100-601 of the Zoning Ordinance is part of the Conditional Use approval process.

**BACKGROUND**

Currently the Village has a contractor constructing Chapman Farm Boulevard, and in turn, ACG is constructing a private drive and utilities to serve the four lots. The private drive flows directly into the Aurora site.

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

**Conditional Use Considerations**

Medical uses require Conditional Use approvals to ensure the general health, safety and welfare of the public. Aurora uses a contractor to dispose of sharps and medical waste. There will not be a pharmacy within the building. In consultation with the Mukwonago Fire Chief, each building side door will be labeled for quick fire department access. The north side of the building will be the designated location for pick-up of ambulatory patients.

**Site Design**

The building is proposed to sit within the west side of the site, with access and parking on the east side. The single access via the private drive seamlessly enters the site with a circular pattern of the parking lot, and with a drop-off/pick-up lane in front of the main entrance. The site plan shows 67 parking spaces conforming to the parking standard, including more than the required six handicapped parking spaces. In front of the handicapped parking spaces the parking lot island will be a solid surface for handicapped accessibility to a painted cross walk leading to the main entrance.

The building location conforms to the B-3 minimum setback of 25 feet. In B-3, driveway/parking lot setbacks (a/k/a greenspace setbacks) are 15 feet. Applicant has selected to use a clause within the parking standards of



the zoning ordinance to reduce the required 15-foot setback along the south property lines when shared parking is available between neighboring properties. The applicant and ACG are finalizing a shared parking agreement between the subject properties and the two lots to the south. Nonetheless, total lot coverage of building and pavement is proposed at 70.9% (29.1% greenspace), less than the B-3 allowed maximum of 75%. The amount of greenspace will be slightly reduced since the Fire Chief has requested a slight extension of the pavement along the building's south face to improve fire access to the rear of the building.

### **Architectural Plan**

The building exterior will be covered by a combination of natural stone, reddish-brown brick, green metal panels and patterned frit glass, all matching Aurora's architectural standards. A sample board of building materials has been submitted for review by the Commission during the meeting.

During review of the proposal by Department Heads, the exterior building design received the most comments. Matching the more recent construction on the east side of Highway 83 (Waukesha State Bank, Fast Track, etc.), the request of a pitched roof line was presented to Aurora. In addition, staff asked for improvements to the north and west building elevations for a more complete four-sided architecture proposal.

The Aurora architects responded by submitting updated building elevations using more natural stone on each elevation and adding windows to the north elevation. Additional information included with this report provides the architect's justification for a flat roof conforming to Aurora's construction standards which match the Aurora "brand."

### **Lighting Plan**

An initial exterior lighting plan has been submitted. Department Heads recommended that Aurora coordinate with ACG to select a consistent decorative design of light poles and luminaires, hopefully with a design consistent with the coach style street lights to be installed along Chapman Farm Boulevard. As of the time of preparing this report, Aurora and ACG are working toward a coordinated design.

### **Landscape Plan**

A preliminary updated site landscape plan has been submitted. As requested by Department Heads, the updated plan places lower growing plants within the landscaped islands to improve driver visibility around the islands. While the preliminary plan exceeds the minimum requirement for the number of trees (seven), before issuance of a building permit a final landscape plan is needed that provides quantity and planting locations of specific species.

As you will recall, this property was originally purchased by the Village from the Chapman Family Trust. A few months ago, ACG purchased the 6.6-acre Village site to develop under B-3 zoning. The Trust retains ownership of land to the west (zoned B-3) and the farmstead to the north (within Town of Mukwonago but will be ultimately in Village per boundary agreement—planned for Low Density Multi-Family). During a recent meeting with representatives of the Trust about other matters, they expressed a desire for a berm and landscape screening along the north side of the Aurora site. While a drainage swale within the north side setback will not allow a berm,



representatives of Aurora are researching alternatives to increase screening using landscaping. Their findings will be reported during the meeting.

**Other Matters**

ACG has Village approval to install storm water management facilities within an easement on a neighboring lot within the four-lot development, so a storm water management plan is not needed for this application. However, Aurora must comply with erosion control requirements during site construction.

The dumpster enclosure will be located near the northwest corner of the building. The enclosure design with brick on three sides conforms to the design standard of the B-3 district.

**RECOMMENDATION**

For your information, Governor Scott Walker signed into law a recent Wisconsin Legislature initiative commonly called the “property rights act” (Wis. Act 67). The law changes how municipalities must consider requests for any Conditional Use. Members of Village staff have a meeting scheduled with the Village Attorney to discuss what changes are needed to the zoning ordinance to comply with the new law, and in the short term, how the new law potentially impacts potential approval of this application. I will inform the Commission of our conclusions during the meeting.

The current Village Zoning Ordinance standards for adoption of a Conditional Use that appear in Section 100-354 are:

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

Therefore, I concur the proposal conforms to the standards, both internal operations and functionality of the external design. I recommend approval of the requested Conditional Use with the following suggested conditions:

1. The Conditional Use approval includes Site Plan and Architectural Review approval pursuant to Section 100-601 of the Village Zoning Ordinance.
2. The Conditional Use for a Health Clinic/Medical Office on behalf of Aurora Medical Group at 120 Chapman Farm Boulevard (Lot 1 of Certified Survey Map 11632) shall be subject to all plans and information submitted for the application by Zimmerman Architectural Studios, Inc., with supporting plans and information from Harwood Engineering Consultants, with all plans and information on file in the office of the Zoning Administrator. The plans may be further modified to conform to other conditions of approval; the building and floor plans may be modified with the approval of the Zoning Administrator and Supervisor of Inspections to conform to Building and Fire Safety Codes and all plans may be further modified to conform to Village design standards. However, the basic layout of the site as depicted on the site plan shall remain unchanged.
3. All ingress/egress drives and parking areas shown on the site plan shall remain private and shall always be maintained in a usable and passable condition. Applicant shall install additional traffic control signs



(stop signs, no parking signs, etc.) when requested by the Village of Mukwonago Police Chief and/or Fire Chief.

4. Approval and development of the site shall be subject to the Developer's Agreement and Storm Water Maintenance Agreement between the Village and Anderson Commercial Group for Certified Survey Map No. 11632 that applies to Lot 1.
5. Prior to issuance of the first building permit, a final landscape plan and final exterior site lighting plan shall be submitted for approval of the Zoning Administrator. In addition, a signed shared parking agreement between the owners of Lots 1, 2 and 4 of Certified Survey Map No. 11632 shall be presented to the Zoning Administrator prior to issuance of the first building permit.
6. For any freestanding or building wall signs, only signs allowed by the Village Sign Code, and approved by either the Zoning Administrator or Plan Commission, shall be allowed on the property. Any on-site directional signs shall be subject to the approval of the Zoning Administrator in accordance with the Sign Code.
7. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:
  - a. The Village Engineer, the Utilities Director and the Public Works Director shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
  - b. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
  - c. Submittal of information and approvals as noted in Condition No. 5.
  - d. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, the internal fire suppression system, external fire department connection location and hydrant locations. In addition, the Fire Chief shall confirm a turning radii plan submittal by applicant that allows large vehicles to maneuver on the site without impediments.
  - e. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - f. Approval of building plans shall include appropriate locations of the external mechanical equipment to be placed hidden from view from neighboring properties, as approved by the Zoning Administrator.
8. Prior to temporary occupancy issuance for the building, and if needed prior to final occupancy permit, the following shall occur:
  - a. Completion of all site grading and off-site storm water management facilities in accordance with approved plans, including landscaping that is part of the storm water management facilities.
  - b. Completion of all exterior lighting for the addition in accordance with approved plans.
  - c. Completion of the building in accordance with approved plans and all applicable codes.
  - d. Completion of hard drive and parking surfaces from the exterior public right-of-way to the general area surrounding the buildings, including installation of handicapped parking signs and ramps.
  - e. Completion of dumpster enclosure.
9. Prior to final occupancy permit, which shall be issued not later than 120 days after any temporary occupancy permit, the following shall occur:
  - a. Completion of all site and building additions and renovations pursuant to the approved plans and completion of all items within Condition No. 8.



- b. Completion of paving and striping of the entire parking area and curb and gutter where shown on plans, in accordance with approved plans.
  - c. Installation of all site landscaping.
  - d. Completion of all required site improvements pursuant to site construction drawings.
  - e. Completion of any other municipal code requirement in the interest of the health, safety and welfare of the public
10. This Conditional Use granted for a Health Clinic/Medical Office shall not be transferred to any other Conditional Use allowed within the B-3 Zoning District of the Village of Mukwonago. Nothing in this Conditional Use approval shall prevent Aurora Medical Group from transferring ownership of this use of the building and site as a Health Clinic/Medical Office to another entity.

It has been a pleasure assisting the Village with review and recommendation of this proposal. Should any questions arise, please feel free to contact me.

Sincerely,

Bruce S. Kaniewski, AICP  
Village Planner/Zoning Administrator

- Cc: John Weidl, Village Administrator (via email)  
Steven Braatz, Jr., Village Clerk (via email)  
Mark Blum, Village Attorney (via email)  
Kurt Peot, P.E., Village Engineer (via email)  
Robert Harley, Supervisor of Inspections (via email)  
David Brown, Utilities Director (via email)  
Ronald Bittner, Public Works Director (via email)  
Jeffrey Stien, Fire Chief (via email)  
Kevin Schmidt, Police Chief (via email)  
Mark Blum, Village Attorney (via email)  
Russell Legg, Applicant (via email)  
Ryan Sargent, Architect (via email)