

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 Ruckert-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 Ruckert 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