

## **MINUTES OF THE PLAN COMMISSION MEETING** **Tuesday, June 12, 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: Joe Abruzzo  
Jim Decker  
Robert Harley  
John Meiners  
Mark Penzkover  
Ken Werner  
Fred Winchowky, Chairman

Also present: Bruce Kaniewski, Planner/Zoning Administrator  
Linda Gourdoux, Deputy Clerk/Treasurer

### **Minutes**

Motion made by Decker/Penzkover to approve the minutes of the May 8, 2018 regular meeting carried.

### **Public Hearings**

#### **Fleury's Body Repair**

Conditional use permit requested by Jim Fleury, Fleury's Body Repair Mukwonago, for an addition and substantial improvements to the existing facility. Auto body repair requires Conditional Use approval in the B-2, General Business District located at 1006 Main St., known as MUKV2009984.

Russell Rapoza, presented an overview of the project.

No other public comments.

Public Hearing closed at 6:32 p.m.

#### **Bielinski/Chapman PUD**

Consider Planned Unit Development approval as a Conditional Use pursuant to Section 100-53 of the Village Municipal Code (a/k/a Zoning Ordinance). A Planned Unit Development allows modifications to development standards, such as building setbacks. Harry or Frank Bielinski, Bielinski Homes is proposing to construct side-by-side condominium units on the property with the base zoning district of R-5, Low Density Multi-Family District. Part of MUKV1957997/Vacant property approximately 1,100 feet west of the intersection of Rochester Street (STH 83) and Chapman Farm Boulevard and north/northeast of the current northern terminus of Fairwinds Boulevard.

John Donovan, presented an overview of the project.

No other public comments.

Public Hearing closed at 6:35 p.m.

## **New Business**

### **Amendment to Add Specialty School as Permitted Use in M-1 and M-2**

Recommendation to Village Board to Amend Chapter 100 (Zoning Ordinance) to add the category of "School, specialty or personal instruction" as Permitted Use in M-1 and M-2 and include a definition of the same.

Curt Wiebelhaus/Kaniewski gave overview of the project.

Motion by Abruzzo/Penzkover to recommend to the Village Board to accept the proposed definition of "School, Specialty or Personal Instruction" to be added to end of table of Permitted and Conditional Uses, Section 100-208, is as follows:

"School, specialty or personal instruction" means a business, professional, trade or other specialty school. This term includes, but is not limited to, a school offering instruction in music, art, dance, martial arts, GED preparation, computer use or programming, or cosmetology."

Motion carried unanimously.

Motion by Abruzzo/Penzkover to recommend to the Village Board to Amend Chapter 100 (Zoning Ordinance) to add the category of "School, specialty or personal instruction" as Conditional Use in M-1 and M-2 and include the definition of the same.

Motion carried unanimously.

### **Fleury Auto Body**

Recommendation to Village Board to consider a Conditional Use for Fleury Auto Body.

Russell Rapoza gave overview of the project

Motion by Penzkover/Abruzzo to recommend to the Village Board to accept Conditional Use Permit requested by Jim Fleury, Fleury's body Repair 1006 Main St/MUKV2009984, with the following findings of fact and conditions of approval, carried.

1. The proposed use is consistent with the intent of the B-2, General Business District.
2. The proposed use is consistent with the variety of auto related business uses along Main Street south of the Mukwonago River.
3. The proposed use is found to be not hazardous, harmful, offensive or adverse to environment or value of the neighborhood or community.
4. The proposed use is found to be properly designed.

The following conditions are added to the recommendation for the Conditional Use.

1. The on-going operation of auto body shop shall be consistent with the written information and plans submitted by the applicant along with statements made at the public hearing by the applicant or by others on behalf of the applicant.
2. Any future expansion or changes to the plan of operation as presented shall gain a new or amended Conditional Use approval.
3. The property shall be always maintained in a clean and presentable condition. No debris shall accumulate on the site. Prior to the issuance of a building permit for the presented new building and addition, applicant shall designate one area on the site plan for the storage of scrap metal and used auto parts, as approved by the Zoning Administrator. All scrap metal and auto parts shall be stored only within the designated area, and shall be periodically removed from the site.
4. This Conditional Use approval shall not be transferred within the subject property to another Conditional Use category without submittal and approval for a new Conditional Use.
5. If this Conditional Use remains in good standing, this Conditional Use may be transferred ownership without gaining a new Conditional Use.
6. Prior to issuance of the first building permit for the use, applicant shall pay all required charges and fees to the Village. In addition, any other charges and fees accrued during construction shall be paid before to issuance of an occupancy permit.
7. Applicant and/or property owner shall be responsible for enforcement of all requirements of this Conditional Use approval. If not enforced by property owner, the property owner will be responsible for compliance and financial penalties as allowed by municipal code.

Recommendation to Village Board concerning site plan and architectural review requested by Jim Fleury, Fleury's Body Repair within the B-2, General Business District to allow a rear addition to the existing facility on the property located at 1006 Main Street, known as MUKV2009984

Russell Rapoza, Architect presented samples of design materials to be installed. Jim Fleury answered questions regarding parking and barb-wire fencing.

Motion by Decker/Meiners to recommend to the Village Board to accept site plan and architectural review requested by Jim Fleury, Fleury's body Repair with the following conditions carried.

1. Site Plan and Architectural Review approval for the expansion of Fleury Auto Body shall be subject to all plans and information submitted for the application by the applicant, Raposa Design and Endpoint Solutions, 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 and design of the site shall remain unchanged.
2. Prior to the start of any site construction or issuance of a building permit, whichever occurs first, the following shall occur:

- a. All final site development plans shall be consistent with the plans noted in Condition No. 1 or as modified.
  - b. Approval of the site construction and building plans by the Fire Chief, which may include, but are not limited to, Knox Box and notification requirements, internal fire suppression, external fire department connection location and hydrant locations.
  - c. Approval of the site construction plans by the Utilities Director to protect existing utilities on and around the site.
  - d. Approval of building plans by the Building Inspector after receipt of approval of building plans by the State of Wisconsin.
  - e. The Supervisor of Inspection, the Utilities Director and the Public Works Director shall approve all site engineering and utility plans and documents, including a complete Erosion Control Plan.
  - 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.
3. Prior to temporary occupancy issuance, and if needed prior to final occupancy permit, the following shall occur:
    - a. Completion of all site grading in accordance with submitted and approved plans.
    - b. Completion of the building in accordance with approved plans and all applicable codes.
    - c. Completion of paving of driveways and parking lots, including parking space pavement markings and all other pavement markings.
  4. Prior to final occupancy permit, which shall be issued no later than 120 days after any temporary occupancy permit, the following shall occur:
    - a. Completion of all items required in Condition No. 3.
    - b. Installation of all site landscaping as shown on approved plans.

### **Bielinski/Chapman PUD**

Recommendation to the Village Board to consider Bielinski Homes request for Planned Unit Development approval as a conditional use.

Motion by Abruzzo/Penzkover to recommend to the Village Board the requested modifications via the PUD are as follows (pursuant to R-5 standards adopted in 2017 for a complex of two-family buildings):

1. A minimum 25 foot street yard building setback instead of the required 35 feet (although the site plan shows building setbacks from the collector streets at or exceeding 35 feet).
2. A minimum 35 foot rear yard building setback instead of the required 50 feet.
3. A minimum 22 foot separation between buildings instead of the required 30 feet.
4. A minimum 438 square foot garage for one of the two attached garages within each structure (the second garage in each building exceeds the required minimum of 480 square feet).
5. A 60 foot public street right-of-way width instead of 66 foot wide as required by the Village Land Division Ordinance.
6. A minimum one foot distance from the outside edge of the private cul-de-sac to the nearest property line.
7. Future approval of Landscape and Building Design Plans

Motion carried.

**Mallory Mukwonago TC, LLC (ENSA)**

Recommendation to Village Board to consider Architectural Review Approval for Mallory Mukwonago TC, LLC 727 E Veterans Way

Robert A Siegel, Mallory Mukwonago TC, LLC, gave an overview of project.

Motion by Decker/Harley to recommend to the Village Board the Architectural Review Approval for Mallory Mukwonago TC, LLC, 727 E Veterans Way carried.

**Reschedule August 14, 2018 Regular Meeting to August 8, 2018, at 6:30 p.m. at 440 River Crest Ct., Mukwonago, WI 53149**

Motion by Winchowky/Decker, carried.

**Adjournment**

Meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Linda Gourdoux  
Deputy clerk/Treasurer