

MINUTES OF THE REGULAR PLAN COMMISSION MEETING **Tuesday, December 11, 2018**

1. Call to Order

Chairman Winchowky called the meeting to order at 5:30 p.m. located in the Board Room of the Mukwonago Municipal Building, 440 River Crest Ct.

2. Roll Call

Commissioners present: Fred Winchowky, Chairman
Jim Decker
Robert Harley
John Meiners
Mark Penzkover

Commissioner excused: Joe Abruzzo (*arrived at 5:54 p.m.*)
Ken Werner

Also present: Bruce Kaniewski, Planner/Zoning Administrator
Mark Blum, Village Attorney (*left at 6:05 p.m.*)
Cynthia Howard, Recording Secretary

3. Minutes for Approval

Motion by Decker/Penzkover to approve the minutes of the November 13, 2018 regular meeting Plan Commission meeting, carried.

4. Old Business

A. Historical Preservation

Village Planner Bruce Kaniewski introduced to the commission proposed amendments to Historic Preservation Commission (HPC) Standards of Chapter (100) of the Municipal Code, as provided in the memorandums by the Village Planner and Village Engineer, respectively.

Village Planner Kaniewski gave the commission insight as to the current Historical Preservation consideration by the Plan Commission and prior to 2008 the separate Historical Preservation Commission.

Village Attorney Mark Blum stated that the Village's Historical Preservation Ordinance (HPO) needs to be consistent with the new State law, specifically the HPC must be a separate, independent body with identified members to be sought that have a specific skillset, but not as a requirement, and said operations of the HPC must include an appeal structure and process. Attorney Blum reported on the existing Historical Preservation District and Design Sensitivity Areas, lack of plan for Design Sensitivity Areas, consideration of a property-by-property review or maintaining a neighborhood design review, and possible listening sessions to gather input from the public on how to proceed with a plan.

Discussion ensued between the Plan Commission members, Village Planner, and Village Attorney regarding leaving room to modify the HPO areas to include future annexations, controlling costs for HPC review and the materials or design standards directed upon the affecting landowners by the HPC, consideration of real estate tax discounts, existing 25+/- designated homes, roles and responsibilities of the HPC, and possible use of downtown budget funds to create a plan.

Commissioner Abruzzo arrived at 5:54 p.m.

Attorney Blum stated that the Plan Commission's recommendation is required to move forward and he outlined the possible actions for the Plan Commission. He added that State Law would take precedence over the local ordinance until the time that the Village adopts the required changes.

Upon conclusion of all discussion, it was the consensus of the Plan Commission to table action on this matter until further discussion and consideration by the Plan Commission on January 8, 2019 at their meeting to be held at 6:00 p.m. to accommodate the Village Attorney's schedule.

5. New Business

A. Edgewood Meadows Condominiums/Harmony Homes/Concept Review

Village Planner Bruce Kaniewski gave the commission an overview of concept plan and Proposed Amendment to Plan Unit Development/Site and Architectural Plans for Edgewood Meadows Condominiums, Edgewood Avenue on behalf of Harmony Homes, Inc.; MUKV 2091-989-006 through MUKV 2091-989-101. Planner Kaniewski reported that the property is zoned R-10 Multi-family and the Planned Unit Development (PUD) was approved in 2005 for 120 units. He stated that Harmony Homes is asking for a smaller density development of 17 side-by-side duplexes for a total of 34 residential units. He stated that a public hearing would be required to amend the PUD on a future date.

Mr. Wayne Foster and Mr. Joe Wendorff spoke on behalf of Harmony Homes:

- They reported on the status of securing signatures of the homeowners and their corresponding mortgage companies required to amend the PUD.
- Of the existing unit, there are 34 individual owners, 4 units owned by Harmony Homes, and 8 bank-owned units.
- The duplexes market would appeal to the 50+ owners, each unit would a ranch style with approximately 1500 square feet, consist of a lower level basement, have a 2-car attached garage, and driveway parking.
- They are proposing one home owners' association (HOA) for the PUD with separate capital reserve accounts, one for the existing units and one for the conceptual duplex units.
- The HOA cannot be turned over to the owners until the PUD is 75% complete, which is making it impossible for owners/purchasers to secure FHA funding.

- There would be around .88 acres added to open space to the northwest area on the site.
- The color scheme would be complimentary, and the trim would match the existing units.

Discussion ensued by the commission to address their concerns about the need for a landscaping plan, additional parking area for guests, inclusion of brick facia, and concerns about the private roadway.

No action was taken.

B. Kay's Academy/715 Main/Pirouette Properties

Village Planner Bruce Kaniewski gave the commission an overview of the proposed project to be a redevelopment of the 715 Main Street property, to consist of a new building within the code required 3 foot setbacks, for the purpose of dance instruction on the main floor with a walkout lower level for a future business tenant, utilization of the two existing entrances, 3' setback requirements, and materials as submitted with the exception of the brick color to be the sample provided at the meeting.

Mr. Tim Fikkert representing the Petitioner described the round drive student drop-off/pick up area using safety precautions in the design and traffic signage, the building aesthetics, use of thin brick pasted on the concrete exterior, use of brick-stamp for the exposed foundation, and parking as required by code.

Matt from Lynch & Associates stated that they would be back-grading to the exposed building.

Discussion ensued by the commission to address their concerns about:

- Brick sample.
- Parking stalls based on the facility use, future tenant business parking.
- Sufficiency of existing water and sewer utilities available to the property and inquiries to secure utility easement(s) for same to possibly connect to the manhole on the corner.
- Possible entrance amendment to/from county highway and left turns out of facility.
- State erosion control standards.
- Lighting plan and luminaries.
- Brick enclosed dumpster.
- Revisit landscaping plan.

Motion by Penzkover/Abruzzo to Recommend to the Village Board approval of the Pirouette Properties (Kay's Academy of Dance), Site Plan and Architectural Review Approval for 715 Man Street; MUKV 1976-205, subject to use of brick sample as submitted, and subject to the Village Planner's conditions as set forth in the Village Planner's Letter of Recommendation dated December 11, 2018. Motion carried. Commissioner Harley voted nay.

C. Super Products/130 W Boxhorn Drive/Certified Survey Map/Sale of Village Property

Village Planner Bruce Kaniewski gave the commission an overview of the proposed one-lot Certified Survey Map (CSM) which consists of an outlot detention basin and requires sale of Village owned property. Planner Kaniewski reported that the TIF (Tax Incremental Financing) project plan assigns the Village with the task of stormwater management and maintenance in the TIF district.

Motion by Decker/Penzkover to Recommend to the Village Board approval of a 1-Lot Certified Survey Map on behalf of Super Products, LLC, 130 W. Boxhorn Dr; part of #A477300003, subject to the Village Planner's conditions as provided in the Planner's Letter of Recommendation dated December 5, 2018. Motion carried unanimously.

Motion by Decker to Recommend to the Village Board approval of the sale of property located at 130 W. Boxhorn Dr; part of #A477300003, to Super Products, LLC as required under Wis. Sec. 62.23. Motion failed due to lack of a second.

Motion by Abruzzo/Penzkover to Table this matter until the January 8, 2019 Plan Commission meeting to make an informed recommendation to the Village Board on the sale of property located at 130 W. Boxhorn Dr; part of #A477300003, to Super Products, LLC as required under Wis. Sec. 62.23. Discussion ensued about a Closed Session. The motion carried unanimously.

D. Taco Bell/Albor Restaurant Group/920 Greenwald Court

Village Planner Bruce Kaniewski gave the commission an overview of the proposed plans to change the exterior design and add an exterior cooler to have the same color and design as provided in the drawings, to the Taco Bell store at 920 Greenwald Court. The existing tree may be lost during the renovation and in the event that it is removed the Planner recommends shrubbery to replace it so that the signage is better viewed by travelers.

Mr. Mario Valentini of MRV Architects spoke on behalf of the Petitioner as to the Plan of Operation and need for increased operational/storage space. He described the new cooler as being sealed, but not attached, to the exterior of the building, and utilizing the existing back door to gain access to the cooler from the operations. There would be a new exterior door added to the cooler for deliveries. The cooler would sit on a concrete slab, not a full frost footing. He stated that one tree may be impacted by the footing construction. The timeline is based on weather for this project.

Motion by Decker/Harley to Recommend to the Village Board approval of the Albor Restaurant Group (Taco Bell), Site Plan and Architectural Review for 920 Greenwald Court, subject to the Village Planner's conditions as set forth in the Planner's Letter of Recommendation dated December 3, 2018. Motion carried unanimously.

E. Wittbrot Rezone/MUKV 1974-968

Village Planner Bruce Kaniewski described the proposed rezone from A-1 to R-2 as surrounded by R-2 zoning and consistent with the Comprehensive Plan. Planner Kaniewski stated that there will be a Public Hearing on December 19, 2018 regarding this rezone petition.

Mrs. Wittbrot told the commission that the property would be used for a single-family residence for them with a driveway to be located off of Spring Street.

Motion by Penzkover/Decker to Recommend to the Village Board Rezone from A-1, Agricultural District to R-2, Single Family Historical Lot Residential District, approximately 3.6 Acres of Land Bounded by Eagle Lake Avenue (CTH LO), Spring Street and Bay Street on behalf of Henry William Patrick Wittbrot IV; MUKV 1974-968. Motion carried unanimously.

6. Adjournment

Chairman Winchowky declared the meeting adjourned at 7:17 p.m.

Respectfully Submitted,

Cynthia L. Howard
Recording Secretary

Linda Gourdoux
Deputy Clerk-Treasurer