

**CITY OF MUSKEGO
PLAN COMMISSION MINUTES**

approved

**7:00 PM Tuesday March 16, 2010 (or immediately following the CDA meeting)
Muskego City Hall, Muskego Room, W182 S8200 Racine Avenue**

Mayor Johnson called the meeting to order at 7:07 PM.

Those present recited the Pledge of Allegiance.

PRESENT

Mayor Johnson, Commissioners Hulbert, Burke, Stinebaugh, Director Muenkel, and Recording Secretary McMullen.

ABSENT

Ald. Fiedler and Commissioners Noah and Jacques.

Recording Secretary McMullen noted that the meeting was properly noticed on March 2, 2010 in accordance with the Open Meeting Law.

APPROVAL OF THE MINUTES OF THE FEBRUARY 17, 2010 MEETING Commissioner Hulbert made a motion to approve the minutes of the February 17, 2010 meeting. Commissioner Burke seconded. Upon a voice vote, motion to approve the minutes was ADOPTED unanimously.

PUBLIC HEARING for a renewal of a Conditional Use in accordance with Section 14 of the City of Muskego Zoning Ordinance for Payne & Dolan for the purpose of continued mining and processing of sand and gravel, and the extension of use of an asphalt plant at the NW corner of Crowbar Road and Janesville Road, in the NE ¼ and SE ¼ of Section 13. Director Muenkel explained the original conditional use approvals required an annual review to ensure all operations are being done in a safe manner. A public hearing is required and also promoted by the petitioner to make sure they are in compliance with the City and surrounding residents. A site inspection showed the site to be maintained and erosion control practices are being followed. When night operations are scheduled, notifications have been sent to affected residents. Staff has not logged any complaints and Ald. Schneider has not received any complaints either.

Ald. Schneider questioned if there will be any night trucking and what the route will be. The petitioner explained there may be a project on 164/43 and they will know more in a month or two.

With no further questions or comments, Mayor Johnson closed the public hearing at 7:13 PM.

OLD BUSINESS FOR CONSIDERATION

None.

OLD BUSINESS SCHEDULED FOR DEFERRAL

None.

CONSENT BUSINESS

Mayor Johnson requested Resolution #P.C. 011-2010 be removed from the consent agenda for discussion. Commissioner Hulbert made a motion to ADOPT Resolutions #P.C. 014-2010, 015-2010, 016-2010, 017-2010, 018-2010, 019-2010, 020-2010, 021-2010, 024-2010, 025-2010,

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026-2010, 027-2010, 028-2010, 030-2010, 031-2010, 032-2010 engross. Commissioner Stinebaugh seconded. Upon a roll call vote, the motion passed unanimously.

RESOLUTION #P.C. 014-2010 . Approval of a three year review for Paul Ruskiewski for a seasonal garden center at Muskego Centre in the SE ¼ of Section 8 (Tax Key No. 2192.973 / W189 S7847 Racine Avenue). Resolution #P.C. 014-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 015-2010 . Approval of an Annual Review for the George Alex property located in the NE ¼ and SE ¼ of Section 25 (Tax Key No. 2257.984 / Loomis Drive). Resolution #P.C. 015-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 016-2010 . Approval of an Annual Review for George Alex / Robert Jacob property located in the NE ¼ of Section 25 (Tax Key No. 2257.973.001 / S98 W12575 Loomis Court & W125 S9912 North Cape Road). Resolution #P.C. 016-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 017-2010 . Approval of an Annual Review for Jetzfuel, located in the SW ¼ of Section 2 (Tax Key No. 2167.995.011 / Janesville Road). Resolution #P.C. 017-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 018-2010 . Approval of an Annual Review for G & G Specialized Carriers LLC located in the NE ¼ of Section 17 (Tax Key No. 2225.999.019 / Apollo Drive). Resolution #P.C. 018-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 019-2010 . Approval of an Annual Review for self storage units for Burbach Builders LLC located in the Muskego Industrial Park in the NW ¼ of Section 16 (Tax Key No. 2221.016.001 / W185 S8095 Racine Avenue). Resolution #P.C. 019-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 020-2010 . Approval of an Annual Review for Bushy's Pub and Grill located in the SW ¼ of Section 2 (Tax Key No. 2167.997.001 / S67 W14831 Janesville Road). Resolution #P.C. 020-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 021-2010 . Approval of an Annual Review for Marx Pioneer Inn property located in the SE ¼ of Section 9 (Tax Key No. 2196.983 / W180 S7808 Pioneer Drive). Resolution #P.C. 021-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 024-2010 . Approval of an Annual Review for the Muskego Gateway Entertainment Complex located in the SE ¼ of Section 5 (Tax Key No. 2180.994.001 / S67 W19491 Tans Drive.) Resolution #P.C. 024-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 025-2010 . Approval of an Annual Review for the RD Meyer Mini Storage property located in the NE ¼ of Section 2 (Tax Key No. 2165.998.012 / W145 S6550 Tess Corners Drive). Resolution #P.C. 025-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 026-2010 . Approval of an Annual Review for the Central Bark Doggy Day Care located in the NW ¼ of Section 16 (Tax Key No. 2222.984.003 / S81 W18460 Gemini Drive). Resolution #P.C. 026-2010 was ADOPTED unanimously.

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RESOLUTION #P.C. 027-2010 . Approval of an Annual Review for the Kuehn property located in the NE ¼ of Section 17 (Tax Key No. 2225.999.012 / S81 W19255 Janesville Road). Resolution #P.C. 027-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 028-2010 . Approval of an annual review for Goodwill Industries at the property located at S75 W17301 Janesville Road (Tax Key No. 2196.032). Resolution #P.C. 028-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 030-2010 . Approval to renew permit for Stan A. Zdanczewicz at the property located at W182 S9292 Parker Drive (Tax Key No. 2243.988). Resolution #P.C. 030-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 031-2010 . Approval of truck parking for Jack and Marvin Strasser at the property located at S76 W17871 Janesville Road (Tax Key No. 2196.975 / Johnny's Petroleum). Resolution #P.C. 031-2010 was ADOPTED unanimously.

RESOLUTION #P.C. 032-2010 . Approval to renew permit for dog kennel for Paws Inn at the property located at S92 W19918 Henneberry Drive (Tax Key No. 2239.999). Resolution #P.C. 032-2010 was ADOPTED unanimously.

NEW BUSINESS FOR CONSIDERATION

RESOLUTION #P.C. 011-2010 - Renewal of a Conditional Use Grant for the purpose of continued mining and processing of sand and gravel, and the extension of use of an asphalt plant for Payne & Dolan in the NE ¼ and SE ¼ of Section 13 (Crowbar Road). Commissioner Hulbert made a motion to ADOPT Resolution #P.C. 011-2010. Commissioner Stinebaugh seconded. Mayor Johnson expressed concern with the existing \$150,000 bond for site restoration. Mayor Johnson suggested the amount may need to be higher. The petitioner stated it has not been updated for a while and was agreeable to meeting with staff to determine a new amount. Commissioner Hulbert made a motion to DEFER Resolution #P.C. 011-2010. Commissioner Stinebaugh seconded. Upon a voice vote, Resolution #P.C. 011-2010 was DEFERRED unanimously.

#P.C. 012-2010 - Review of a Conceptual Rezoning for Hoffmann Management located in the South ½ of Section 16 (Tax Key Nos. 2223.998.004, 2223.998.005, & 2223.998.006 / Racine Avenue). Director Muenkel explained the petitioner is proposing a conceptual rezoning from RM-1 (Multi Family) and RS-2 (Single Family) to a Planned Development District for 40-44 multi-family units. The area is currently zoned RM-1 (multi family), which contains the Willow Glen apartments and RS-2 (single family) that consists of a single family home, road right of way, and vacant land. The 2020 Comprehensive Plan allows up to 2.99 units per acre. This proposal includes 40 units on approximately 13.4 acres. The proposed density equals 2.985 units per acre, which is within the adopted range. Planned Development Districts can also allow up to 10% bonus density, if Plan Commission and Council approve. For this development a 10% bonus would equal four more units, which equals one additional building. The conceptual site plan consists of 40 condo units split between 10 buildings. The garages are positioned so they do not directly face the existing single-family residences to the east. This layout preserves the most amount of open space and conveys the most residential feel. The proposal leaves the eastern most portion of the site as open space. This open area would be used for stormwater management, permanent open space, and landscaping areas.

The building design will include two-story structures consisting of at least 50% masonry products with cement board siding and composite decking for balconies. All units are proposed

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to be about 1,100 to 1,200 square feet in size with private balconies/patios and two-car attached garages. As part of the site redevelopment the petitioner would be providing façade upgrades to the existing buildings in the Willow Glen complex.

There is a private access road leading into this property off of Racine Avenue. That section of roadway was previously dedicated as public right of way. As part of the proposed redevelopment, the petitioner may vacate this right of way to be included as part of the planned development or condo plat. There is also a public right of way stub along the eastern lot line of the parcel. This stub leads to Clearbrook Drive within the County Brook Estates Subdivision. Based upon the proposed layout, there would be no need to connect a public road through this right of way stub and it may be vacated in the future as well.

In 2007, 44 units were proposed on less acreage with no open space. The four unit structures backed up to the single-family residences. The proposal at that time did not meet the 2010 Comprehensive Plan. Staff looks favorable on this plan as it meets the 2020 Comprehensive Plan, fits within the neighborhood, and will provide updates to the existing Willow Glen development.

Ald. Werner explained on February 22, 2010 a neighborhood meeting was held. There were over 60 mailings that went out to affected residents to the neighboring subdivision, along Woods Road, and Racine Avenue. Concerns that were received from the meeting were:

- Why another apartment complex when the existing complex needs work
- Do not want a roadway going into the existing subdivision to the east

Ald. Werner encouraged residents to call him or the developer with questions or concerns. Ald. Werner stated that if a development happens here, the existing apartments have to be updated. Also, any new development needs to stay at least 450 feet away from the closest house in the subdivision to the east. Ald. Werner requested that the citizens along Woods Road, Racine Avenue, and the neighboring subdivision be listened to and their concerns be addressed if this project moves forward to a public hearing and back to Plan Commission.

Mark Taylor, Landcraft Survey and Engineering, was present and stated their intent is to make this development as compatible as possible with the existing neighborhood. Mr. Taylor further stated he feels there is a market for this type of development and also knows that upgrades to the existing apartment complex are needed and will be done as part of this process.

Mayor Johnson questioned if the updates will be done anyway. Mr. Taylor stated they have not been started yet, but interior improvements have begun. Mayor Johnson also noted that it should be clear that no further development should take place in the open space area. Mr. Taylor explained that according to the Comprehensive Plan no other units will be allowed and a management plan will be created.

Commissioner Stinebaugh stated given the constraints of the 2020 Plan and the property itself, the proposed plan looks like a reasonable layout. Commissioner Stinebaugh cautioned that the landscaping maintenance plan should show the woods as woods. Mr. Taylor agreed and stated they have received input from the residents already that they want to see a natural setting with passive open space. Commissioner Stinebaugh added that he would not want the development to come any closer to the lot line. Mr. Taylor stated they planned to stay 450 feet away.

Commissioner Burke also stated he has concerns with the buffer zone and additional landscaping should be added in the open space.

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Mayor Johnson questioned what their plans were for the entrance road off of Racine Avenue. Mr. Taylor explained they are planning to rebuild it into a single lane road. The church has had problems in the past with flooding so they plan on digging up the drain tile and replacing that also. Mayor Johnson further questioned if they planned to add garages to the other buildings. Mr. Taylor stated they did plan on adding garages, but it would involve modifications to the existing parking spaces.

Commissioner Hulbert expressed concern with granting a rezoning and going several densities up. He feels the development should be limited to a Planned Development with the underlying single-family zoning and be allowed 26 units on 13 acres. Director Muenkel noted that could be an option and explained the Comprehensive Plan calls for more areas of multi-family, but there aren't many areas in the City where multi-family uses would fit. Due to the closeness to the higher density Willow Glen apartments and the open space in the surrounding area, this area is a good fit for multi-family.

Commissioner Stinebaugh encouraged coming forward with upgraded details for the existing buildings and by doing a good job on the existing units would go along way with the proposed development.

RESOLUTION #P.C. 013-2010 - Approval of a Building, Site, and Operation Plan for Young's Auto located in the SE ¼ of Section 9 (Tax Key Nos. 2196.971, 2196.972, & 2196.959.001 / S76 W17833 Janesville Road). Commissioner Stinebaugh made a motion to ADOPT Resolution #P.C. 013-2010. Commissioner Burke seconded. Director Muenkel explained a submittal was received for the construction of a new auto repair facility. Due to the Janesville Road reconstruction project both Young's Auto and a separate residential structure on the property will need to be removed. There is an existing conditional use grant on the property that allows repair and limited car sales, but at this time the plan does not show an area for sales. The detailed site plan shows the front of the building to be 41 feet from the right of way. The proposal includes construction of a new collision repair and painting facility. The new building is going to be constructed with 82% masonry products. 100% masonry products will be on the west, east, and north elevations and the southern (rear) elevation consists of 29.5% masonry product. Other architectural features include: varying roof types, varied use of masonry products, banding of materials/colors, large storefront type windows on the front façade, and a pronounced entry. A few staff concerns, which are included in the Resolution, were the colors of the overhead and pedestrian doors must match the main gray color of the building, and there needs to be two rows of horizontal windows added to the side overhead door. The property is in the Redevelopment District #2 Plan area and the CDA met tonight and approved the plans. Parking and access appear to meet the code requirements. Landscaping, lighting, and signage have not been proposed at this time, but will have to be approved before permits can be issued. There is a screened area proposed to the rear of the building that will be enclosed with a 6-foot high board on board fence. This area will store vehicles waiting for repair or pick up and after hour drop offs. This area is proposed to be gravel with a 20' by 20' asphalt area to park vehicles on. There is a separate refuse enclosure proposed on the site plan located at the southeast corner of the parking lot. Details of the materials and design will need to be provided before building permits can be issued. The Resolution also states that no outdoor storage is allowed on the site and that all damaged/wrecked vehicles and materials/parts must be stored/parked within the fence area. Staff recommends approval. Director Muenkel added that the spray booth mechanical will be located in the back in an enclosure area. The petitioner stated there will be no air conditioning for the building, and the vent on the roof is just for air ventilation. Mayor Johnson concluded by saying it is a wonderful

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plan and improves the area. Upon a roll call vote, Resolution #P.C. 13-2010 is ADOPTED unanimously.

RESOLUTION #P.C. 022-2010 . Approval of an Annual Review for the Durham Hill Auto property located in the NE ¼ of Section 25 (S98 W12578 Loomis Drive / Tax Key No. 2257.982.002). Commissioner Stinebaugh made a motion to ADOPT Resolution #P.C. 022-2010. Commissioner Burke seconded. Director Muenkel explained at the time the first inspection was completed there was one car in an unapproved area. A site inspection was completed this week and the property was in compliance. Upon a roll call vote, Resolution #P.C. 022-2010 is ADOPTED unanimously.

RESOLUTION #P.C. 023-2010 . Approval of an Annual Review for Frey Auto located in the NE ¼ & SE ¼ of Section 34 (S107 W16311 Loomis Road / Tax Key Nos. 2296.996 & 2293.996.002). Commissioner Stinebaugh made a motion to ADOPT Resolution #P.C. 023-2010. Commissioner Hulbert seconded. Director Muenkel explained a site inspection was completed and numerous items were still out of compliance. Discussion took place with the owner today and an on site meeting was scheduled for March 29th. Director Muenkel noted this property has the same problems every year. Mayor Johnson suggested the dollar amount of the citations be raised for future noncompliance. Mayor Johnson also suggested that Mr. Frey be asked to attend the next meeting. Commissioner Hulbert made a motion to DEFER Resolution #P.C. 023-2010. Commissioner Burke seconded. Upon a voice vote, Resolution #P.C. 023-2010 was DEFERRED unanimously.

RESOLUTION #P.C. 029-2010 . Approval of renewal of outdoor storage for Ralph W. Rausch at the property located at S83 W18550 Saturn Drive (Tax Key No. 2223.003 / Lake & Country Storage). Commissioner Stinebaugh made a motion to ADOPT Resolution #P.C. 029-2010. Commissioner Burke seconded. Director Muenkel explained five vehicles are allowed in the fenced in area along the north property line. At the time of the site inspection the cars were parked along the west property line. Since that time, the cars have been moved to the north property line and the property is in compliance. Upon a roll call vote, Resolution #P.C. 029-2010 is ADOPTED unanimously.

NEW BUSINESS PLACED ON FILE

None.

MISCELLANEOUS BUSINESS

Lake Park planning is progressing. The site plan should be back from the consultant next month. Commissioner Hulbert noted that the Park Board added this area to the master plan for acquisition.

ADJOURNMENT

Commissioner Hulbert made a motion to adjourn at 8:15 PM. Commissioner Stinebaugh seconded. Upon a voice vote, motion carried. With no further business to come before the Commission, the meeting was adjourned.

Respectfully submitted,

Kellie McMullen
Recording Secretary