



COMMISSION MEMBERS PRESENT: M. Pirk, J. Kis, D. Driver, J. Maier, D. DeGroot & J. Hewitt

COMMISSION MEMBERS ABSENT:

VILLAGE BOARD MEMBERS PRESENT:

Staff: L. Martin, B. Sasse & Elaine Ekes

1. Call to Order

The meeting was called to order at 1:00 pm by M. Pirk.

2. Public Comment – None

3. Approval of the October 22, 2014 meeting minutes

J. Hewitt motioned, J. Maier seconded to approve the October 22, 2014 meeting minutes. Motion carried 6-0.

4. Minor Amendment to Site Plan to address requirements for fencing at 6300 Washington Ave, Tax Parcel #151-03-22-14-036-000 (current use is known as San Fran Grill) that was approved by the Village on March 16, 1981

Representative: Janet Sabol, 6328 Washington Ave
Lori Geiss, 6300 Washington Ave
Elaine Ekes, Village attorney

The Plan Commission, at its March 16, 1981 meeting, reviewed and approved RZ-3-80 site plan for the original Ground Round Restaurant project located at 6300 Washington Avenue. At that time, the Commission included a condition as part of the approval that a five (5) foot high cedar fence be constructed along the entire 375' western property line adjoining the Sabol property and be maintained in "perpetuity." The property has been leased to two different restaurants since that time, the most recent being the San Fran Grille. On May 15, 2013, the Plan Commission approved a site plan amendment for the San Fran Grille for the installation of an outdoor seating patio on the eastern side of the building. The fence was not discussed at this meeting as it was not relative to improvements on the eastern side of the facility. Staff was also unaware of the condition from 1981 that the fence remains in perpetuity.

The fence was removed by representatives of the San Fran Grille in the summer of 2013. Since that time, Joe Sabol has made numerous requests to the Village and property owner that the fence be replaced and restored to its original condition per the 1981 Plan Commission decision. The Village Administrator and Development staff originally came to an agreement with Lorraine Geiss (San Fran Grille) that the fence would be installed no later than September 1, 2014.



The Plan Commission, at its September 17, 2014 meeting, considered the fence requirement and made a motion to table this item until the November 19th, 2014 Plan Commission meeting with the requirement that the San Fran Grille have their property staked and surveyed and submit a copy of the survey to the Village no later than November 7th, 2014 for review. Ms. Geiss retained American Surveying to perform this work, and had the property re-staked per the 1981 boundary survey. Since the September Plan Commission meeting, the business has also been renamed to The Grill. Village engineering staff performed a site visit on November 12th, 2014 to observe the staking (see attached photos) and estimated the property line as staked to be approximately 24 feet from The Grill's western building facade. It has been requested that the Sabol family provide in writing whether or not they agree with the staking as placed by American Surveying.

L. Martin read a letter from Joe Sabol dated November 18, 2014 to go on record for the Plan Commission.

Janet Sabol stated that Mount Pleasant attorneys have stated several times that Joseph Sabol is not the only name on tax parcel 151-03-22-14-037-000. She is the primary resident of the house and pays the utilities on the bill, Joe lives in Michigan. J. Sabol stated that without the fence her noise level has increased. She added that she has not seen a hard copy of the letter that her brother sent and if Logan emailed her, she does not have a computer at home so did not see anything that would have been emailed to her.

Lori Geiss stated that there was no agreement on the title when the title search was done stating that the fence is required. She has spoken to her attorney, Tina Bass/Christina Bass of Union Grove and if we can't come to an agreement then this will wind up going to court.

Elaine Ekes stated that she worked with staff to prepare three options for the Plan Commission to consider.

J. Maier stated that he feels option three modified would be the direction he would take, that the fence needs to go back in, but the Plan Commission can't get into the legality of where the property line is. When the fence should get put in would be up to the lawyers to decide.

L. Martin mentioned that the property line is not something that the Plan Commission can physically determine.

J. Kis stated that this is probably going to wind up going to court, if the two sides can't agree, it's not our job to be mediators.

D. Degroot stated that he understands the idea of needing a fence, it makes for better neighbors, but he does not like the idea of perpetuity.

Elaine Ekes stated that the original condition did say in perpetuity, but that's a really long time and things change. The draft motions do not include that word, but does include a maintenance



obligation. Option three includes that the property owner of The Grill would be required to install the wood fence along the entire westerly property line (375') 5' to 8' tall and 4' tall between the front of the building to a point just north of the ROW to Highway 20. The fence shall not extend into the vision triangle setback pursuant to ordinance and the determination of the 4' section be in relation to the vision triangle area, the finished side should face away from the property and the fence shall be maintained by the property owner or the business occupying the building.

She added that the Plan Commission needs to determine if they want the fence put back up along the western property line, they can't determine the property line location itself.

The Plan Commission discussed a date certain for the installment of the fence. M. Pirk stated that it had been talked about with staff that six months would be plenty of time to get thru the winter and into the thaw so a fence could be installed and came up with a date around May 20th, 2015.

D. DeGroot motioned, J. Maier seconded, to require the property owner and representative of The Grill to install a wood fence along the entire westerly property line of 375 feet, the height of which should be 5-8' tall between the northern property line to in front of the building and then 4' feet tall in front of the building to a point just north of the right of way of State Highway 20 subject to the following conditions:

1. The fence shall not extend into the vision triangle setback area of as set forth in Sec 90-1001(6)(e) of the Village's Code of Ordinances and the termination of the 4' high fence shall be determined by the vision triangle setback area;
2. The finished side of the fence shall face away from the property; and
3. The fence shall be maintained by the property owner and representative of the Grill or other commercial business occupying the property and that fence be installed by May 20, 2015.

Janet Sabol stated that because of the noise from the highway, the front of her house is further south than the front of the restaurant, she wants to know where the 4' high fence begin? L. Martin stated that it would begin at the front of The Grill. J. Sabol stated that she prefers it be 5' as it originally was. M. Pirk stated that we are following current fence code that it can not exceed 4' high in that area of the lot.

Lori Geiss stated that she is concerned about perpetuity and the maintenance of the fence. She feels that the 375' is too long and feels evergreens would be a better solution. M. Pirk stated that the fence is consistent to what has been done in other residential areas, and that the perpetuity clause was removed. Unless there is a consensus of the property owners for landscaping, the Plan Commission has to stay with the fence that was in the minutes that was agreed upon.

Motion carried 6-0.



5. Consideration of Request for Architectural Modifications within Heartland Village Subdivision OPD | Leffler Applicant

Representative: Ray Leffler, 1111 Lamplighter Ln

In August 2005, the Village Board approved the Overlay Planned Development (OPD) for Heartland Village Subdivision with various conditions relating to building materials, home size, and architectural character. As part of the approval, 11 distinct single family home designs were approved. Since the original approval six years ago, most of the subdivision remains vacant. More recently, TNG 9, LLC (represented by Ray Leffler) has acquired the remaining available lots within the subdivision and is requesting to add additional home design packages to the previously approved selection palette. Because this project was approved as a rezone with OPD, it is subject to the following:

Sec. 90-892 (c)(2)(c)

Any subsequent change or addition to the plans or use shall first be submitted to the plan commission for approval and if, in the opinion of the plan commission, such change or addition constitutes a substantial alteration of the original plan, a public hearing before the village board shall be required and notice thereof shall be given pursuant to section 90-75, and the amendment may or may not be approved by the village board.

Restrictive Covenants were also recorded against all properties within the subdivision and reference the following relating to exterior design of the homes:

Article IV, Section 4.1 – Exterior Design

The exterior of all single-family residences shall be built to a specific pre-approved design. Copies of all pre-approved designs for single family residences to be constructed within the subdivision are attached as Exhibit “D” hereto and incorporated herein by reference. The Committee (referring to Architectural Control Committee) may approve other designs if presented but said design must be of the same architectural class/style as depicted in the pre-approved designs cited above. Once built, the exterior design may not be changed without approval of the Committee and the Village of Mt. Pleasant Planning Commission.

TNG 9, LLC would like to introduce several new home designs in the future, one of which is attached for consideration. All future new home models would be designed to carry the same arts and crafts theme of the subdivision, and also utilize the same approved building materials and color palettes. It is the opinion of staff that the proposed new home design is not a “substantial” deviation from the original intent or approvals for the 2005 OPD. The Plan Commission is required to determine if the proposed new home and any future similar concepts are to be considered substantial.

J. Hewitt motioned, J. Kis seconded to recommend approval of the new home design entitled “The Aspen”, and recommends that future new home design packages requested by TNG 9, LLC be deferred to staff for approval on a case by case basis in accordance with the 2005 color palettes,



materials, and overall arts & crafts theme of the development. Any homes deemed to deviate from the original intent would come before Plan Commission at future dates.

Motion carried unanimously.

Dave DeGroot was excused from the meeting.

6. Site Plan Amendment for Aurora Healthcare located at 8400 Washington Avenue, Tax Parcels #151-03-22-15-048-500, 048-140, 048-180, 048-160 & 048-170 | Aurora Healthcare Applicant

Representatives: Ryan Sargeant, Zimmerman Architectural Studios, 2122 W Mt. Vernon Ave, Milwaukee
Brad Saber, Project Manager with Aurora Healthcare, 5828 S New Berlin Rd, Hales Corners

Aurora Healthcare currently occupies two adjacent stand-alone buildings at 8348 and 8400 Washington Avenue. To meet growing needs, the applicant is proposing a 30,000 square foot addition to connect the two existing facilities. The expansion also includes demolition of the building at 8338 Washington Avenue for expansion of parking facilities. Currently, phase one work is underway to remove and relocate an existing storm water pipe that exists between the two buildings. Construction of the building addition is expected to begin in December 2014 with completion in early September 2015.

J. Maier motioned, D. Driver seconded to recommend approval of the proposed site plan, elevations, and landscape plan (*Site Plan and Elevations by Zimmerman Architectural Studios, Inc. - dated 10.20.14 and 10.21.2014 respectively, Landscape Plan by Zimmerman Architectural Studios, Inc. – dated 10.20.2014*) with the following conditions:

1. Parcels 151-03-22-15-048-500 & 151-03-22-15-048-180 shall be merged to avoid the building addition straddling parcel boundaries. Documentation confirming the merger shall be submitted to Village Development Staff prior to issuance of any building permits.
2. If Parcels 151-03-22-15-048-160 & 151-03-22-15-048-170 (parking expansion) are expected to remain separated or under separate ownership, a cross access/shared parking easement agreement shall be recorded with a copy submitted to Village Planning staff prior to issuance of any building permits.
3. The landscape plan shall be modified to include screening plantings along the eastern elevation of the proposed dumpster enclosure to create a more aesthetic appearance for the surrounding area.



4. All trash receptacles shall be contained within the proposed dumpster enclosure. The enclosure (including gate) shall match the building materials and building colors of the principle structure.
5. Submission/approval of final landscape plan with denoted planting schedule/species prior to the issuance of any building permits.
6. All freestanding lights shall not exceed 20' in total height from ground to top of luminaire. All freestanding and wall pack luminaires shall include cut-off provisions to preclude off-site lighting impacts. The concrete bases of freestanding lights shall remain an unpainted, natural concrete finish.
7. Any on-site loading guard rails or hand rails shall be painted to compliment the building façade materials and color.
8. The rear face of any parapet walls shall be painted to match color of front-side material or wrapped with façade material to match.
9. Any roof top mechanical units shall be screened (as proposed) or shall be located on the ground level and screened with landscape to minimize the visual appearance from any public roads or from within the site.
10. Compliance with State/local building and fire code(s). Please contact South Shore Fire Department Division Chief Mark Pierce regarding fire sprinkler system plan requirements. Mount Pleasant Village fire code requires the submission and approval of fire sprinkler system plans prior to submission of state approved building plans/village building permit.
11. Submission/approval of final civil engineering, grading and storm water drainage plans prepared by a professional engineer prior to issuance of any fill or building permits.
12. All rooftop drainage and downspouts shall be connected to an underground storm water system. No sheet flow of rooftop drainage across pavement shall be allowed.
13. All utilities shall be constructed underground.
14. Payment of all applicable Village Impact fees shall be paid by the applicant prior to issuance of building permit.
15. Any signage for the facility shall require a future sign permit submittal for staff review/approval.

Motion carried unanimously.



7. Site Plan Request for Pleasant Pointe Commons located at 6012 Washington Avenue Tax Parcel #151-03-22-13-100-000 | Jaramillo Applicant

Representatives: Lee Jaramillo, Northterra Real Estate Group, LLC, 5226 Clover Ln
Jason Majusky, ARC Architectural Group, 546 State St

Northterra Real Estate Group, LLC is currently under contract for the purchase of the existing oil change facility at 6012 Washington Avenue (NW corner of Washington and Hunter Drive). Northterra is proposing demolition of the existing facility and construction of a new 7,013 square foot multi-tenant retail center anchored by Firehouse Subs. Other tenants are being pursued with the intent of additional eatery, coffee, and retail entities. The site plan also includes the conceptual future addition of a second building for office use at the north end of the property. Approval of this additional future facility would require subsequent site plan review.

D. Driver motioned, J Maier seconded to recommend approval of the proposed site plan, elevations, and landscape plan (*All plans by ARC Architectural Group, LLC. – site/landscape plan dated 11.14.2014, elevations dated 11.17.2014*) with the following conditions:

16. The existing southwesterly cross access with the property to the west shall be relocated as shown on the proposed site plan. A new cross access easement shall be recorded with a copy submitted to Village Development staff prior to the issuance of any building permits.
17. Documentation confirming the existing east-west cross access spanning through the site between Hunter Drive and the property to the northwest shall be submitted to Village Development staff prior to the issuance of any building permits.
18. The applicant shall work with Village staff and the adjacent property owner to potentially realign the cross access exiting the northeast corner of the Baskin Robbins/Dunkin Donuts property.
19. All trash receptacles shall be contained within the proposed dumpster enclosure. The enclosure (including gate) shall match the building materials and building colors of the principle structure.
20. The landscape plan shall be modified to:
 - a. Add screening plantings around the proposed dumpster enclosure.
 - b. Add landscaping along the western property line.
 - c. Any on-site transformer/electrical box pads shall be screened with plantings.

The final landscape plan with denoted planting schedule/species shall be submitted and approved by Village staff prior to the issuance of any building permits.



21. All glass on the proposed elevations shall be vision glass to allow light to enter and emit from the facility.
22. All freestanding lights shall not exceed 20' in total height from ground to top of luminaire. All freestanding and wall pack luminaires shall include cut-off provisions to preclude off-site lighting impacts. The concrete bases of freestanding lights shall remain an unpainted, natural concrete finish.
23. Any on-site loading guard rails or hand rails shall be painted to compliment the building façade materials and color.
24. The rear face of any parapet walls shall be painted to match color of front-side material or wrapped with façade material to match.
25. Any roof top mechanical units shall be screened (as proposed) to minimize the visual appearance from any public roads or from within the site.
26. Compliance with State/local building and fire code(s). Please contact South Shore Fire Department Division Chief Mark Pierce regarding fire sprinkler system plan requirements. Mount Pleasant Village fire code requires the submission and approval of fire sprinkler system plans prior to submission of state approved building plans/village building permit.
27. Submission/approval of final civil engineering, grading and storm water drainage plans prepared by a professional engineer prior to issuance of any fill or building permits.
28. All rooftop drainage and downspouts shall be connected to an underground storm water system. No sheet flow of rooftop drainage across pavement shall be allowed.
29. All utilities shall be constructed underground.
30. Payment of all applicable Village Impact fees shall be paid by the applicant prior to issuance of building permit.
31. Any signage for the facility shall require a future sign permit submittal for staff review/approval. The signage package shall include signs to clearly define the one way nature of both drives on the east and west sides of the building.

Motion carried unanimously.

**8. Tougas Certified Survey Map Request located along Sandy Lane
Tax Parcel #151-03-22-01-064-040 | Tougas Applicant**

Representative: Troy Tougas, 2405 N. Emmertsen Rd



The subject property is currently zoned R-100 Single Family and consists of 1.78 +/- acres fronting Sandy Lane just east of Emmertsen Road. The applicant is proposing to divide the existing parcel into a total of two (2) typical R-100 lots and a remnant parcel, including a reservation for the possibility of a future public roadway. The Village Master Plan shows the possibility of a roadway connection to the north and south of Sandy Lane around this location. The formal dedication of right-of-way and construction of this road will be development driven in the future, and has the potential of not being necessary at all for surrounding development to occur.

J. Kis motioned, D. Driver seconded to recommend approval of the Tougas certified survey map subject to the following conditions:

1. The Village's Certificate on page 3 shall be modified to read "Stephanie Kohlhagen, Village Clerk/Treasurer" as Village of Mount Pleasant signatory.
2. Submission and approval of a grading and drainage plan, prepared by a state of Wisconsin licensed professional engineer, shall be required prior to the issuance of any building permits on any lots.
3. Payment of any outstanding assessments, taxes or right of recovery is required prior to the Village Clerk signing of the C.S.M.
4. The applicant shall record the Village Board approved C.S.M. with the Racine County Register of Deeds within thirty (30) days of Village Board approval.
5. The landowner shall provide a copy of the recorded C.S.M. to the village planning department within 60 days of Village Board approval or a new C.S.M. application and fee shall be required.

Motion carried unanimously.

**9. Mount Pleasant Commerce Center – Hospitality Court Certified Survey Map Request
Tax Parcel #151-03-22-18-009-000 | MLG Applicant**

Representative: Bob Stelter, MLG, 13400 Bishops Ln, Brookfield

The landowner is proposing to divide the existing 5.045 +/- acres into a total of two (2) lots. Currently, the applicant is in discussion with a development entity for construction of two possible stand-alone buildings on the property, resulting in the land division request. The property is currently zoned BP Business Park.

J. Kis motioned, J. Hewitt seconded to recommend approval of the Mount Pleasant Commerce Center – Hospitality Court certified survey map subject to the following conditions:



1. Submission and approval of a grading and drainage plan, prepared by a state of Wisconsin licensed professional engineer, prior to the issuance of any building permits.
2. Payment of any outstanding assessments, taxes or right of recovery is required prior to the Village Clerk signing of the C.S.M.
3. The applicant shall record the Village Board approved C.S.M. with the Racine County Register of Deeds within sixty (60) days of Village Board approval.
4. The landowner shall provide a copy of the recorded C.S.M. to the village planning department within 60 days of Village Board approval or a new C.S.M. application and fee shall be required.

Motion carried unanimously.

**10. Larrabee Certified Survey Map Request located at 6425 Green Ridge Drive
Tax Parcel #151-03-22-26-111-000 | Larrabee Applicant**

Representative: None

The subject property currently includes two single family homes – 6411 & 6425 Green Ridge Drive. As part of an estate planning clean-up process, the applicant is proposing to divide the existing 0.91 +/- acre parcel into a total of two (2) equally sized R-100 lots. The existing outbuilding on proposed Lot 2 is currently non-conforming due to encroachment within the side-yard setback and would remain in it's legal non-conforming status.

J. Hewitt motioned, J. Kis seconded to recommend approval of the Larrabee certified survey map subject to the following conditions:

1. Payment of any outstanding assessments, taxes or right of recovery is required prior to the Village Clerk signing of the C.S.M.
2. The applicant shall record the Village Board approved C.S.M. with the Racine County Register of Deeds within thirty (30) days of Village Board approval.
3. The landowner shall provide a copy of the recorded C.S.M. to the village planning department within 60 days of Village Board approval or a new C.S.M. application and fee shall be required.

Motion carried unanimously.



**11. Gordon Foods Certified Survey Map Request located at 1025 Green Bay Road
Tax Parcel #151-03-22-13-059-000 | Wisconsin Retail Stores, LLC Applicant**

Representative: Bill Casey, 1300 Gazon Park Way, Wyoming, MI

The landowner is proposing to divide the existing 3.28 +/- acres into a total of two (2) lots. When Gordon Foods developed a portion of the property in 2010-2011, an area of the remaining undeveloped site was intended for a future outlot and/or second retail building. The ownership entity is requesting the division in order to put the proposed Parcel 2 under separate ownership for future development or sale. The property is currently zoned B-2 Community Business. The owner has been made aware that a moratorium for new sanitary sewer connections currently exists on the property. This moratorium is a result of three of the Village sanitary sewer meter areas exceeding their allotted capacity into the City of Racine sewer system during rain events in 2013 and 2014. The Racine Water and Wastewater Utility (RWWU) put the Village on notice in August of 2014, and the sewer utility is in the process of planning solutions to remediate the situation. The moratorium does not prohibit approval of this land division, but does delay the potential for development on the proposed parcel 1 until such time as the Village satisfies the conditions of the RWWU agreement and notice.

D. Driver motioned, J. Kis seconded to recommend approval of the Gordon Foods certified survey map subject to the following conditions:

1. The Village's Certificate on page 3 shall be modified to include a space for date insertion and also read "Stephanie Kohlhagen, Village Clerk/Treasurer" as Village of Mount Pleasant signatory.
2. Payment of any outstanding assessments, taxes or right of recovery is required prior to the Village Clerk signing of the C.S.M.
3. The applicant shall record the Village Board approved C.S.M. with the Racine County Register of Deeds within thirty (30) days of Village Board approval.
4. The landowner shall provide a copy of the recorded C.S.M. to the village planning department within 60 days of Village Board approval or a new C.S.M. application and fee shall be required.

Motion carried unanimously.

12. Commissioner & Staff Reports -

L. Martin stated that he sent an email out regarding the Racine Dental event Wednesday night. He stated that there was also Festival Foods invites in the packets for December 3rd event.



9. Adjournment

J. Hewitt motioned, J. Maier seconded to adjourn at 2:47 p.m. Motion carried unanimously.

*Next meeting is scheduled for ***Wednesday, December 17, 2014 at 1:00 p.m.***

Cc: K. Wahlen L. Martin M. Pierce M. Schmidt L. Hannula
B. Sasse T. Beyer D. McHugh