

**JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES - Amended
MONDAY, JANUARY 17, 2022
7:00 PM
BOARD ROOM
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: James Schneeberger, Tim Hallquist, Jeff Bierman, Jeff Pfannerstill, Ann Wallschlager, Dino Xykis and David deCourcy-Bower.

Others Present: Interim-Administrator Bailey, Scott Hussinger, Shawn Hoppe, Ryan Amtmann, Logan Wehmeyer, Kristin Sanden, Joe Graush and Deputy Clerk Bushey.

Call to Order- 7:00 pm

Roll Call taken.

Public Comments: Please be advised the Joint Architectural Board/Plan Commission will receive comments from the public related to any item(s) on the agenda for a three-minute time period per person, with time extensions per the Chairman's discretion.

1. Consideration of a motion to approve the Architectural Board/Plan Commission minutes from December 20, 2021.

Motion (Wallschlager/Hallquist) to approve the minutes for the Architectural Board/Plan Commission meeting on November 15, 2021. Carried (7-0).

2. Items related to a request for a Conditional Use for the operation of an arcade for Sweet Dreams/Guppies Game room, 540 Hartbrook Drive-

a. Public Hearing for the consideration of a Conditional Use request.

Pfannerstill opened the public hearing at 7:01pm for comments. There were no comments, so he closed the Public Hearing at 7:02 pm.

b. Consideration of a motion to recommend approval of the Conditional Use Permit.

Interim-Administrator Bailey asked Building Inspector Hussinger if there were any issues. Hussinger said there were no issues based on the business plan of operation and hours of operation. Wallschlager commented that the bathroom was listed as a "public bathroom," but it really isn't public, it is for customers only. Hussinger said it is a unisex bathroom and they can strike the word public.

Motion (Hallquist/Bierman) to recommend approval of the Conditional Use Permit. Carried (7-0).

3. Plan Commission review and consideration of a request for a Conditional Use for the operation of a self-secured self-storage facility for FreeUp Storage of Harland, LLC, 840 Rose Drive-

a. Preliminary consideration of plans for the proposed Conditional Use.

Hussinger said the property is being sold and there will be a name change. He said the Conditional Use is owner sensitive so that is why they are going through this process. So tonight, they are letting you know they would like to begin the process and if you are comfortable enough with it and want to set the public hearing for the next Plan Commission meeting. Hallquist asked if there would be any changes in the operation and Hussinger said no and next month we could look at that in detail.

b. Motion to set a Public Hearing to be held during the regular Plan Commission meeting on February 21, 2022.

Motion (Hallquist/Wallschlager) to consider the Conditional Use and set the Public Hearing for February 21, 2022. Carried (7-0).

4. Architectural Board review and Plan Commission review and consideration of site and building plans for construction of storage units for Stor It Right – Hartland, 420 E. Industrial Drive.

Joe Graush was present to explain the site and building plans. He said they came about 6 months ago for a concept review of this project, but it took longer than anticipated. He said the storage facility is a Class A storage brand, and is different than others because 85% of the square feet is Climate controlled. And gearing more towards the boat & vehicles storage. He said the word they use in the industry for that type of storage is mega storage with the largest space being 15 x 65, with majority of the spaces being 12/14 ft x 30/40 ft. Graush said with the climate controlled they are looking at doing some document storage as well. He said another unique aspect of this storage is that is a drive-up access facility.

He said they will have an office in this facility. He said someone will be in the office full-time at first then part-time thereafter. He went on to say that most of the overhead doors are 14 ft high. Ryan Amtmann from Ruckert & Mielke said in the packet is a review letter with a compilation of staff comments was issued on 1/12/22. He said Joseph and his team were able to respond to that letter and made most of the adjustments that are already in the plans that you see in your packet. He said here are a few items that need to be resolved and one of the items relates to storm water management. He went on to say they he has a high level of confidence that with a large infiltration basin on the north side of the property and the 2 infiltration basins on the west side of the property it will meet village requirements because the infiltration rates in that area are quite high. He said Mr. Graush's engineer needs to do some updates for the storm water management plan and that needs to be in writing as well set their maintenance agreement. Amtmann said the other item is related to lot coverage. He said the lot coverage allowable in this area is 60% coverage and with the proposal as they have laid it out with the rooftop and pavement, they would be at 65.3% for lot coverage which the village code would allow the plan commission and board to approve that extra 5% as long as they have an adequate storm water management plan. He said a couple other items that staff pointed out, there is a generator on the front side of the building and staff suggested it be screened as that is the norm with some type of fence. Mr. Graush would like that visible for the customers and there will be some landscaping and bushes that will screen it to

some extent, but it will still be visible when driving in the driveway. He said Hussinger can speak to the signage as they will have a monument sign and 1 wall sign that will be lite and internal downcast lights that will illuminate the inner drive aisles.

There will also be no doors on the backside on west and east side. Amtmann said from his point of view it is important to see that stormwater management plan updated and to him by the end of the week. He said he could support conditional approval based upon that stormwater management plan meeting the village requirements in his review as well as the other requirements that are yet to be resolved those of which are not really major.

Xykis commented that the generator needs to be spaced so far from the building and needs to have enough air flow. Hussinger said 1 way to soften the view is to use a section of fence as it softens the view from the street. Mr. Graush said the generator is a small in the scheme of things. He said the generator is important to them as a business as its rare for a storage facility to have a generator and they want the customers to see it. Xykis asked how many kilowatts and amps the generator and Mr. Graush said he doesn't have that number right now. Hussinger said it is only in case of loss of power. He said I'm sure it goes through a test cycle once a week and during the day. Pfannerstill asked if the generator being visible going to be a code issue. Hussinger said it is not a code issue. He said if the Plan Commission says it is allowed, it is ok, and he just wanted the Plan Commission to know about it. He said the landscaping screens the view.

Wallschlager said a previous company that came to the Plan Commission that had a generator we made them put a fence around it. Hussinger said that was a large commercial building. Bierman commented on siding design on a nearby facility and asked when that facility went in, if that design was something the architectural board did at the time who wanted the elevation at the street to be a little different than the just the other normal sides of the building, if that was done on their own or requested by the board to be different, and he thinks it should be consistent with that.

The petitioner said it is called a boomerang and they didn't want to be the typical boring storage facility, so they are trying to add a little architectural interest on the other 2 buildings.

Schneeberger asked if they were required to have fire protection and Mr. Graush said they are not required by code to have fire protection. He said there is a 3-hour cmu wall in building 1 & 2, he said they are required to have a firewall every 12, 000 sq. feet per code. And he said they are no required to have any specific ventilation per code. He said they are hvac controlled so they are cold air returns so the ceilings are open so there is room for air to flow in the ceiling. Schneeberger asked if the plan is state approval and Graush said yes, it is, the village requires it because it is a commercial building.

Hussinger pointed out that is a state issue, but he said the facility next door doesn't have any hvac, he said they do in their office but not in their storage area. Graush said if the state required ventilation, they would put it in there. There was brief discussion on the state confirming standards.

Hussinger said they are looking for approval for 1 wall sign and 1 monument sign, so we need to look at that at some point. deCourcy-Bower commented that in the plan of operation he didn't see anything about prohibiting hazardous material and he thinks something should be in the Plan of Operations that states no hazardous materials allowed to be stored. Mr. Graush said he would

be more than happy to put that in the Plan of Operations. Hussinger said we will just need to see an updated business plan of operation.

Hussinger said the wall sign is 70 sq. feet and illuminated. Hussinger asked if it would be illuminated all night and Mr. Graush said he had not thought about it, but he would prefer for it to be. Hussinger said there is residential on Cottonwood. Mr. Graush said he is willing to work on a dimmable option and willing to work on any concerns with neighbors.

Motion (Hallquist/deCourcy-Bower) to conditional approve meeting the requirements set forth by the Village engineer, and Building Inspector with the approval of the signage, the landscaping and lighting on/off schedule of 10pm and the no storage of hazardous materials. Carried (7-0).

5. Items related to a conceptual site plan for the proposed development of property located north of 1112 Lisbon Ave-

a. Plan Commission review of proposed site plan

Shawn Hoppe the owner of the property was present and said they are looking to get approval for the site plan and move forward. He said the site plan is for 2 houses, a cul-de-sac a shared driveway. Interim-Administrator Bailey said at the last Plan Commission meeting he and Building Inspector were tasked to reaching out to some of the owners of the land locked properties. He said they did reach out to one of the owners of the land locked parcel and the other is landlocked and not touching this property. Hussinger said he reached out and talked to the owner of the landlocked parcel who also lives adjacent to the landlocked property on Merton Ave. He said he does not wish to have that parcel developed ever. He said he would prefer this property never be built on, so he is in favor of the Village removing the road extension from our Land Use Plan.

b. Discussion regarding a possible amendment to the COMP plan based on project proposal.

Hussinger said he thinks what needs to be determined is if there is support for this site plan and if there is then we need to amend the Land Use Plan and direct staff to begin that process.

Pfannerstill said what this board needs to decide is this in the best interest of the Village and if it were then the process would involve changing the plan for the future which included roads that would go through this property and being fully transparent.

Bailey said if this site plan is something the Plan Commission decides they like, the process to amend the code would take several months and all the property owners in the subdivision and the surrounding properties would be notified that there would be a public hearing. Hallquist asked if this property would then become part of Lake Country Meadows or would it stand alone. Hussinger said it would stand alone.

deCourcy-Bower said 2 things to note. He said the comp plan and images that were included in the packet for clarity those are from the old comp plan, the previous comp plan. He said when we were discussing revising the old comp plan, to the new updated one, we did discuss this particular area and at that time when the comp plan was done, the densities that were allowed in the western half were increased to try to encourage development of these properties.

He said his understanding is, that there was a proposal or plan that came before the board that didn't make it to Plan Commission that was more aligned with that and it essentially got rejected.

He said he would encourage speaking not with just 1 of the property owners. He said really any of the properties that the Land Use would change, should be reached out to. He said if folks were in agreement that it should be changed to undeveloped and no desire or intent to develop these properties, he is ok with it. He said the Hammer property at one point said the same thing, they said no we never want to develop the properties which is why it wasn't developed, so he said he is a little cautious to just rely on 1 property owner saying they don't want to develop a property to shift , but again if it is the general consensus of all the property owners then he is certainly open to amending and changing the comp plan, but he wants to make sure that happens.

Bierman asked if this is a separate parcel and Hussinger said this parcel is a unique parcel and it has no structures on it. He also asked about the overflow drain. Hussinger reminded everyone that this is just a concept plan, and they will have to submit engineered plans. He said they just wanted to make sure it was on the plan; he said the plan details will be in front of this board in the future.

Bierman asked if the properties to the west were ever developed, does that have to go down to the pump station at Shelly or does that drain at Merton for sewer. He said in other words, are we taking all these that are left and saying if it ever got developed there is a 100 ft strip that gravity feed doesn't work for sewer therefore it can never be developed. Hussinger said no because the 2 landlocked parcels if they are developed in the future, they would have to provide road access and Likely through their own properties and utility access through their own properties. He said 90% of our sewers are gravity sewers but we do have some grinder pumps in the Village of Hartland and those are common just not very common in Hartland. He said if someone had to take their sanitary sewer, 1 gravity to outside the house with a septic system and a pump on it, they are going to pump it all the way up to Merton Ave for example and connect to the sanitary sewer there.

Bierman asked if having an easement for sewer and water coming in off Badger is deeming that land having to go down to Shelly for those sewers or would each one have to have a pump and pump it down to Merton.

Hussinger said for these two lots, he can't say for sure right now but thinks they would have a gravity sewer and for the landlocked parcels at the very least they have access to sewer and water through the homes owned by the owners of the landlocked parcels, they could run their sewer through their sewer lateral. Brief discussion on access to sewer and the landlocked parcels.

Pfannerstill said he didn't know if you will get all the owners to agree on the same thing and he said things do change. And we need to take into consideration the long history of this. Bierman said he is for it but wants to know that we don't create a dead space and a large expense.

Amtmann said it is a great point regarding sewer and water. He said on one hand we could extend to the westerly edge at a significant cost and who would pay that to service lands that you don't know if they are going to develop. He said you could also do a preliminary design to see you could best service those lots in sewer and water and preserve an easement as was mentioned. He said he thinks you could go either way; you could go off Merton or you could go in this direction but as Hussinger mentioned it might have to be on a pump on privately owned pump station.

deCourcy-Bower said as we go through the process, I just want people who are buying properties to understand what their ability to develop is based on the comp plan. He said if we think there are all these hurdles that are getting in the way of being developed the properties to the west then I would rather go through the comp plan process transparently and say look it's not going to get developed because of the limitations of those lots because of those limitations, it planned to be undeveloped so at least someone buying it knows rather than right now us showing a higher density and someone coming to the board and getting shot down. He said he just wants to make sure we are transparent in our comp plan and what we show in our comp plan and what the actual intent is and what the actual decision is going to be rather than show something that doesn't reflect what is actually going to happen.

Bailey said we currently have a site plan in front of us that doesn't match our comp plan and if this is something the board doesn't want to go any further with, then there isn't any point in going through changing the comp plan currently.

Wallschlager said it is one of the best plans that I've have seen for this property. She said she has seen developments before us with a lot of houses on it, down to 3 now 2. She said if we have to review the comp plan which is just a guideline for us, she said she doesn't know how we can say no to 2 houses on this parcel vs you can't build anything.

Xykis said his comments are along the same line as Wallschlager's. He said the comp plan is a guidance and he is very much in favor.

deCourcy-Bower commented that he too believes that property owners have the right to develop their property and he too also believes that they have the right to do that in accordance with what the comp plan shows. His concern is that other property owners came forward with plans according to the comp plan and were down. He said he wants transparency in the comp plan so property owners know what they can and can't do, it is only fair. He said the comp plan should be updated so everyone knows what the plans are. Pfannerstill pointed out that to update the comp plan, the property owners need to be notified and that hasn't happened yet, and to update the comp plan will take months to do it properly and transparently.

Motion (Xykis/Wallschlager) to begin the process in directing staff to look into updating the comp plan for this property and surrounding area and start the process moving forward. Carried (7-0).

6. Announcements-

Pfannerstill commented that today is Martin Luther King Day and not cancelling the meeting is not meant to take away anything from this day.

7. Adjourn

Motion (Schneeberger/Wallschlager) to adjourn. Adjourned at 8:05 pm.

Respectfully submitted by

Recording Secretary,
Deidre Bush y, Deputy Clerk