

**VILLAGE OF HARTLAND
JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES
MONDAY, FEBRUARY 17, 2014
7 PM
Board Room, Municipal Building, 210 Cottonwood Avenue**

Present: Ryan Amtmann, Tim Hallquist, Dave Lamerand, Randy Swenson and Jack Wenstrom. Excused: David deCourcy-Bower and Jamie Stefan.

Others Present: Administrator Cox and Building Inspector/Zoning Administrator Hussinger.
Excused: Clerk Casper

Call to Order

1. Motion (Swenson/Hallquist) to approve the Joint Architectural Board/Plan Commission Minutes of January 20, 2014. Carried (4-0-1). Wenstrom abstained.
2. Consideration of an Architectural Board application for the construction of a 320 s.f. garage addition to the property located at 1108 River Reserve Drive

Property Owner: Dennis & Linda Spindler, 1108 River Reserve Drive
Contractor: PDC Midwest, 1130 James Dr., Hartland, WI 53029

The applicant has subdivision approval and the project meets setback requirements. The siding and shingles will match the existing house/garage.

Motion (Hallquist/Wenstrom) to approve the application for the construction of a 320 s.f. garage addition to the property located at 1108 River Reserve Drive. Carried (5-0).

3. Consideration of an Architectural Board application for the construction of a single-family residence to be located on Lot 1, Mary Hill Subdivision, formerly Lots 19 & 20, 1260 Mary Hill Circle

Property Owner/Contractor: Kingston Builders, Inc., W282 N8578 Theresa Marie Dr., Hartland, WI 53029

The applicant has subdivision approval and the project meets all setback requirements.

Motion (Wenstrom/Hallquist) to approve the application for the construction of a single-family residence to be located on Lot 1, Mary Hill Subdivision, formerly Lots 19 & 20, 1260 Mary Hill Circle. Carried (5-0).

4. Consideration of an Architectural Board application for the installation of signs at 1325 Walnut Ridge Drive for Batteries + Bulbs

Owner: BRC, Inc. 700 Walnut Ridge Dr., Hartland, WI 53029

Contractor: Tube Art Group, (TAG), 2323 West Washington Ave., Yakima, WA 98903

The applicant was not present. This application is for a ground sign, a monument sign and several directional signs. The ground sign hasn't changed, but they have added some low growing plants under the sign. The directional signs are reduced to 4 square feet and are set back 15 feet from the curb. The height of the directional signs is not to exceed four feet.

Motion (Hallquist/Swenson) to approve the application for the installation of signs at 1325 Walnut Ridge Drive for Batteries + Bulbs. Carried (5-0).

5. Consideration of an Architectural Board application for approval of a sign plan including variations from the Sign Code for 625 Walnut Ridge Drive

Owner: Lincoln Trust Company, FBO Grant Lemke, 3079 Village Square Dr., Hartland, WI 53029

Contractor: Signarama, 601 Ryan St., Unit B, Pewaukee, WI 53072

Grant Lemke presented his sign proposal.

This plan is for a multi-tenant building to include three monument signs, with one located on Highway 83 and two located on James Drive, as well as various on-site and wall mounted signs. The signs on James Drive comply with the size, height and location requirements. The sign on Highway 83 varies from the size and height standards. Overall, the plan varies from the standard regarding number of signs. This proposal includes a request for variance from strict compliance with the Sign Code using authority already in the Code for the Architectural Board but also relying on authority (as it relates to height) being considered by the Village Board at this time. If the Architectural Board is satisfied with the plan as presented, the approval should be conditioned on final approval of the Sign Code Amendment authorizing variations from height.

When these signs go up, all temporary signs/banners on the property will be taken down.

The lighted sign on HWY 83 will turn off at 10:00 PM. If that needs to change, the Board can address it in the future.

If Diversified Benefits should move from the building, their sign will come out and not be replaced.

Administrator Cox mentioned that the piece of the code that is being amended right now deals with the height of the sign. It's scheduled for approval on Monday, February 24, 2014.

Motion (Wenstrom/Swenson) to approve the application for approval of a sign plan including variations from the Sign Code for 625 Walnut Ridge Drive, contingent upon final Village Board approval on the amendment regarding sign height that is scheduled to be approved on February 24. Carried (5-0).

PUBLIC HEARINGS and Related Actions - Plan Commission Items

6. PUBLIC HEARING regarding a Conditional Use Permit for Lots 16, 17, 18, 29 & 30 in the proposed Windrush Subdivision for construction and disturbance of land in the proposed UCO Upland Conservancy Overlay District. This is a Conditional Use per Village of Hartland Code of Ordinances Section 46-783(1) & (2).

Petitioner/Owner: James P. Siepmann, Longmeadow Development, LLC, W240 N1221 Pewaukee Rd., Waukesha, WI 53188

Jim Siepmann was present. He talked about the 20 foot UCO easement at the rear of five properties. The rest of the Upland Conservancy Overlay will be overseen by the Waukesha County Land Conservancy. They want to make sure the hard wood trees are preserved.

Public Hearing opened. No comments from the public. Public Hearing closed.

7. Consideration of a motion with recommendations to the Village Board regarding the Conditional Use Permit for Lots 16, 17, 18, 29 & 30 in the proposed Windrush Subdivision.

The Windrush Subdivision has been revised to include only five parcels that contain Upland Conservancy Overlay (UCO) and while the parcels will not be entirely covered by the UCO designation and the related Secondary Environmental Corridor (SEC), the Plan Commission is asked to consider Conditional Use Permits that would outline how the USO/SEC is to be protected. Because the primary structures and a significant portion of the rear yards will be outside the UCO/SEC as it is finally delineated, staff only recommends the following conditions:

1. No construction or addition of any structures in the UCO.
2. No land disturbing activities in the UCO with the exception of utilities and conditioned on full restoration.
3. No removal of vegetation with the exception of non-native or invasive species or for purposes of normal pruning, trimming and shearing of vegetation, removal of dead, diseased or insect infested vegetation, and silvicultural thinning conducted under the recommendation of the WCLC or the easement holder.
4. No removal or defacing of any markers or other methods of delineation used to identify the location of the UCO on the subject parcels or adjacent to the subject parcels.

Motion (Wenstrom/Hallquist) to recommend to the Village Board approval of the Conditional Use Permit for Lots 16, 17, 18, 29 & 30 in the proposed Windrush Subdivision, with the recommendations as listed above. Carried (5-0).

8. Consideration of a motion to recommend approval of the proposed Zoning designations and the proposed Preliminary Plat for the Windrush Subdivision.

The zoning designations are primarily RS-1, Single Family Residential for nearly the entire site. Administrator Cox pointed out on a map where the Lowland Conservancy starts and the overlaying south part of the RS-1 is the Upland Conservancy. There are 57 lots, including the existing Murphy Farm property plus the site for the club house and outlots.

Administrator Cox mentioned a letter that was received by one of the property owners to the east of this development asking that a tree line be installed prior to the start of any construction to shield the view of the construction from the neighbors in Hanover Hills Subdivision.

Mr. Siepmann declined that request. More is known now about the grading than last week when the letter was first received. There is minimal storm water management in Hanover Hills. There are no means by which the Hanover Hills Subdivision storm water is slowed at all. They just have ditch structures intended to move the water through and a couple of ponds that are filled with silt. Consequently, the storm water needs to be handled through grading and will come through Windrush to Greg Good's property to the west. A 36 inch pipe will be installed, but that alone can't control a 100 year storm event. Because of that, an overflow swale will be installed. Mr. Siepmann would not be able to plant trees and get the grading done that is needed.

The Village Board will make a final decision on the trees and use the knowledge that was received regarding handling the storm water.

Kathy & Joe Vicari of Lot 7 on Sutton Drive in Hanover Hills wanted to know why Sutton needs to connect through Windrush Subdivision?

Dave Lamerand stated that there were meetings for Regional Transportation Planning that the Village of Hartland, SEWRPC, the Town of Merton and the Village of Merton participated in a few years ago. We looked at what the best layout for all the subdivisions would be. We looked at Mary Hill, The Traditions, and Mary Hill located in the Town of Merton. We determined that there should be a connection to all the subdivisions with walk paths and roads. If there is an emergency, then we have alternate connecting roads. In our long range planning documents, we show those roads. Since Sutton is already there, we will connect it and it will go through.

Mr. Vicari mentioned that a lot of kids play on that street because it has very little traffic.

The Vicari's were informed that there will be a stub to the west, but it will not go through to Jungbluth Drive until if and when that parcel is developed.

The east side of the development will have a swale, a walk path and some landscaping.

Motion (Hallquist/Wenstrom) to recommend to the Village Board approval of the proposed Zoning designations and the proposed Preliminary Plat for the Windrush Subdivision. Carried (5-0).

9. Consideration of a motion to recommend approval of the proposed Zoning designations and the proposed conceptual Plat for the Homestead Subdivision.

Administrator Cox pointed out on the map the small piece of land that was recently annexed into the Village that is next to the Homestead Subdivision. The entire subdivision is being considered for RS-1, Single Family Residential. There is a small area of Upland Conservancy that exists today, but it does not infringe on any lots.

Motion (Hallquist/Swenson) to recommend to the Village Board approval of the proposed Zoning designations and the proposed conceptual Plat for the Homestead Subdivision. Carried (5-0).

10. PUBLIC HEARING regarding a Conditional Use Permit for Homegrown Farms to operate a temporary retail flower hut in the grass area located adjacent to parking lot at 505 Cottonwood Avenue. This is a Conditional Use per Village of Hartland Code of Ordinances Section 46-469(8) Temporary Uses in the B-2 Zoning District.

Petitioner: Cathy Magill, Homegrown Farms, 36100 Genesee Lake Rd., Oconomowoc, WI 53066

Property Owner: POB Hartland, LLC, 12700 Hillcrest Rd., Ste 158, Dallas, TX 75230

Public Hearing opened. No comments from the public. Public Hearing closed.

11. Motion (Wenstrom/Swenson) to recommend to the Village Board a Conditional Use Permit for the temporary retail flower hut at 505 Cottonwood Avenue (5-Year Agreement). Carried (5-0).

12. PUBLIC HEARING regarding a Conditional Use Permit for Biebel's True Value Hardware to operate a temporary greenhouse at 580 Hartbrook Drive. This is a Conditional Use per Village of Hartland Code of Ordinances Section 46-469(8) Temporary Uses in the B-2 Zoning District.

Petitioner: Biebel's True Value, Sue Biebel, 580 Hartbrook Dr., Hartland, WI 53029
Property Owner: TMPN Hartland LLC, Hartland Plaza, LLC, 11518 N. Port Washington Rd., Ste 103, Mequon, WI 53092

Public Hearing opened. No comments from the public. Public Hearing closed.

13. Motion (Swenson/Amtmann) to recommend to the Village Board a Conditional Use Permit for the temporary greenhouse at 580 Hartbrook Drive.

Discussion: Tim Hallquist questioned the outside storage at Biebel's True Value.

Scott Hussinger stated that he has a detailed document regarding what items can be stored and where on the Biebel's property. The problem is that their storage is starting to creep. The thought was to link this Conditional Use approval upon their abiding by the site plan agreement.

The motion was amended as follows:

Motion Swenson/Amtmann) to recommend to the Village Board a Conditional Use Permit for the temporary greenhouse at 580 Hartbrook Drive (5 year agreement), contingent upon Biebel's Hardware complying with the terms of their existing occupancy permit, specifically outdoor storage of their equipment. Carried (5-0).

14. Consideration of updates to the Village of Hartland Zoning Code Section 46-955 Lighting as presented by Building Inspector Scott Hussinger

The current development standards and the Zoning Code urge the use of high pressure sodium orange cast lighting for outdoor lighting on private property. However, with the introduction of LED as an energy-efficient light source, the ability to achieve the orange cast is severely limited.

A number of contractors contacted Scott Hussinger regarding lighting replacement in the Bark River Commerce Center. They want to go to LED's because they are more efficient and they have great rebate programs by WE Energies. The problem is they don't make LED's in orange cast. The question is, how does the Village feel about getting away from that standard of high pressure sodium orange cast?

Today's standard for lighting is cut off and it is a half foot candle at the property line. We should consider allowing LED's. They last 50,000 hours – they are programmable. As we've seen with the gas stations that have installed LED's under their canopies, they can illuminate directly below, with very little light 25 feet away.

Administrator Cox mentioned that warm white is about as good as you can get with LED lights.

Dave Lamerand asked Scott Hussinger to write a lighting proposal for the board to consider for next month.

15. Discussion/consideration of clarifications to the Sandwich Board Sign permit program.

Regarding the sandwich board signs you see in downtown and other locations, Scott Hussinger and the Business Improvement District took notice and felt that the signs needed to be consistent. They decided on a black-on-black concept. The signs are treated as a permanent temporary sign – a temporary sign that comes back every day. They are not prohibited in the code, but not really allowed in the code either. We decided to come up with a methodology that the Village Board found acceptable.

In general, the Village Board found this acceptable, but had two questions they wanted the Arch Board to consider:

1. Is there a clarification to determine whether there was any problem allowing (if it went to the nth degree) “every” business in the downtown to have one (even if there were multiple tenants in the building)?
2. Do we have a problem with allowing sandwich boards in other districts in the Village? (for example Hartbrook Mall)

Dave Lamerand stated that what we had in mind when we started talking about it was the Business Improvement District. But someone asked, what about Hartbrook? Are we going to have signs up and down Hartbrook Drive? The answer to that is that the signs would have to be adjacent to the sidewalk at their business, not in the right-of-way.

Mr. Lamerand mentioned that there will be a new monument sign built that will list all the businesses in the shopping center and that will be at the road level. If they want to put a sandwich board sign up on the sidewalk by their business, that’s not a problem.

The BID area does have its own difficulties with parking, accessibility and people being able to see what they’ve got. The little business on the corner -- they have their A-frame sign. We are looking to put some uniformity in them. The BID has come up with something reasonable and if they buy it through the BID, they get a discount.

Should B-2 have a different set of rules? For example the Dominoes Pizza could only have one outside of their door.

Motion (Wenstrom/Swenson) to make a clarification to the Sandwich Board Sign permit program using uniform, black on black sandwich boards. The BID businesses will place their sandwich boards near the entrance of their buildings and leave a five foot width for the sidewalk walkway.

The B-2 District business will place their sandwich board signs adjacent to the building/outside their door. Carried (5-0).

16. Adjourn

Motion (Wenstrom/Swenson) to adjourn. Carried (5-0). Meeting adjourned at 8:02 PM.

Respectfully submitted by

Recording Secretary

Lynn Meyer
Deputy Clerk