

**JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES - Amended  
MONDAY, MAY 16, 2022  
7:00 PM  
BOARD ROOM  
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

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

Others Present: Scott Hussinger, Ann Grevenkamp, Carol Landwehr, Jessie Puzach, John Rodell, Mike Cantani Ben Nelson and Deputy Clerk Bushey.

Excused: Dino Xykis

Call to Order- 7:02 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.

Ann Grevenkamp 618 Renson Road – commented on the St. Charles construction and the parking issue on Renson Road. She said even though the parking lot is finished the parking issues on the road have not been resolved. She said in the last week no parking signs were put up and she said she has almost been hit 2x trying to get out of her driveway. She asked if a traffic study has been done and commented on emergency vehicles not being able to get up the road due to parking issues.

**1. Consideration of a motion to approve the Architectural Board/Plan Commission minutes from April 18, 2022.**

Motion (deCourcy-Bower/Schneeberger) to approve the minutes for the April 18, 2022 meeting. Carried (6-0).

**2. Architectural Board review and consideration of an application for a sign for Hartland Riverwalk, 211 Lawn Street and 180 E. Capitol Drive.**

This agenda item was tabled until next month due to no one being present from Hartland Riverwalk.

Motion (Hallquist/Wallschlager) to table the sign until June 20<sup>th</sup> Plan Commission meeting for Hartland Riverwalk 211 Lawn Street and 180 E. Capitol Drive. Carried (6-0).

**3. Architectural Board review and consideration of an application for signage for Stor-it-Right, 440 E. Industrial Drive-**

Hussinger stated this was previously reviewed and approved. He said it was an error on his part putting this on the agenda and does not need to be reviewed again as it was previously reviewed and approved.

Motion (Hallquist/Schneeberger) to dismiss this agenda item due to clerical error. Carried. (6-0).

**4. Architectural Board review and consideration of an application for a façade improvement to the north and south elevations for Hartland Inn, 110 Cottonwood Avenue.**

Chet Hendriks was present to explain the façade improvements. He said the structure is not up to building codes due to the fire and not structurally sound. He went on to say they would like to remove the lower structure and rebuild the structure and put a deck for the apartment above. And on the south elevation they would like to remove the windows and put in French doors with railing, and they would open to let air in. He said there will be 2 apartments upstairs and a restaurant downstairs. He said they have started some of the fire restoration. Hallquist suggested that people would like to see the sign restored instead of throwing it away. Wallschlager asked what the measurement on the railing is and asked if an animal or baby could fall through there because there is no bottom on it. Mr. Hendricks said they will put a bottom on it.

Bierman asked if only one of the apartments would have access to the deck and Mr. Hendriks said just one. Bierman also commented that the concrete section by the former gas station has been hit numerous times. deCourcy-Bower asked about the coloring and if the Board was looking at that right now and Pfannerstill said the Board was not looking at that at this time. Mr. Hendriks said they were going to go with the white. Brief discussion on the coloring and the railing coloring. Pfannerstill commented that if they are planning any major changes to the coloring they would need to come back. Hussinger said they do need to come back and verify what the colors will be. deCourcy-Bower said typically when we see things like this, we see a color scheme. Pfannerstill said the Board would like to see a rendering of what it will look like when it is done.

Motion (deCourcy-Bower/Hallquist) to approve as described with any color changes coming back to the Board. Carried. (6-0).

**5. Plan Commission review and consideration of an application for proposed playground and equipment at St Charles, 313 Circle Drive.**

Mike Cantani the operations director was present to explain what they are proposing. He said they are proposing a new playground area, which will cover 38,000 sq ft, 500 total perimeter feet and will be 63 x 84 ft. He said the current structure is 21 years old and insurance won't cover to improve it or relocating it.

Hussinger commented that the new play structure will be closer to the street. Pfannerstill asked if the ball field is still going in and Mr. Cantani said no. deCourcy-Bower asked if the retention pond will be wet or dry and Mr. Cantani said dry. Hallquist asked what type of flooring the play structure will have and Mr. Cantani said it will be poured foam. The question was asked what will become of the existing area and Mr. Cantani said they will put down topsoil and it will be seeded.

deCourcy-Bower recommended they plant a few trees around the play structure because playgrounds can get hot. Wallschlager asked if the fence to the ball field would be removed and Mr. Catani said it has already been removed.

Motion (deCourcy-Bower/Hallquist) to approve the playground as presented without the ball field. Carried. (6-0).

**6. Plan Commission review and consideration of an application for a 12' x 24' non-illuminated floating wooden deck for Birch and Banyan, 150 E. Capitol Drive**

Jessie Puzach from Birch & Banyon was present to explain what she is proposing. She said she has had the building for about 6 years now and has been trying to beautify the property a little bit. She said she put flowerpots upfront and redid driveway and the only area that does not look as polished is the grass area that the banks let her use. She said she has been working with the bank the last several months and they decided on a temporary deck which means it is not poured concrete. It will be rectangular 24 x 12 ft, non-illuminated just used during normal business hours. She said she is looking at doing 4 tables, have a couple big umbrellas to provide shade. Pfannerstill when you build this you are going to take the concrete post support piers and they will be the base, and will they be drill down some even though it is not poured concrete, are you going to put some rock down. She said they were originally so if you look at the bottom left of the plan it has like a corkscrew to give it some support, but the cinder blocks will be on top of the dirt. Ms. Puzach said she had a concern about a possible needed ADA ramp. She said she does not have room for an ADA ramp and is hoping the existing seating on the sidewalk would meet the ADA need. There was discussion on possibly lowering the deck, putting the deck in another spot and an ADA compliant access. There was discussion on the possibility of using a zigzag type of ramp. Hussinger said if the Board is ok with the deck as is and some type of ramp with access from the north, he could work out the details with her later. Pfannerstill asked Ms. Puzach if she was ok with a ramp from the north. She said she would have to go back to the corporate at the bank to make sure because that would be extending more than what was planned.

Ms. Puzach commented on possibly using a temporary ramp. Pfannerstill asked if the Village has seen proof that the bank is ok with it. Ms. Puzach said they have a written agreement. Pfannerstill asked if someone gets hurt who gets charged and Ms. Puzach said she does. Pfannerstill asked Administrator Bailey if we have seen proof and he said the amendment is in the packet. Bailey said he has not heard from Corporate, but Mr. Osendorf was present.

Wallschlager asked about the deck being 1 ft from the driveway and 2 ft from the sidewalk. Hussinger said the back of the sidewalk is the property line so it will be close to the property line but in a B3 zoning that can be done. He said as far as the driveway, what sticks out is vehicle contact with the deck but that is for the Plan Commission to access. Hallquist asked if there will be restoration if the deck is moved around. It was stated that if one of the party sells it is up to Ms. Puzach to restore the area. Bierman commented if it is 17 inches out of the ground, there will be the need for more than 1 stair so it would have to be pushed back. There was discussion on possible solutions for the seventeen inches and Bierman said a good solution would be to lower it a couple inches. Pfannerstill asked Mr. Osendorf if digging in a couple inches could be done and he said as long as they are not bringing in a backhoe

digging a couple inches would be ok. Bierman said they would have to dig in 3 inches to bring it down to 14 inches total on the ground and he knows it is not level there. Pfannerstill said if this is approved Ms. Puzach needs to make sure it is level. deCourcy-Bower asked if the side that is open is the length of the driveway. Ms. Puzach said she does not have a preference and did the Board have a preference. deCourcy-Bower said his preference would be if it was a smaller entrance to the front. There was more discussion on the location of the entrance. Hallquist asked if she has considered signage, so people do not bring in food from other establishments.

Motion (Bierman/deCourcy-Bower) to approve the floating wooden deck with the restriction that it only has one step and 2 rises with the top of the structure only being 14 inches above grade and ADA compliant. deCourcy-Bower seconded the motion with the amendment that the west side of deck also include a railing except for the access point.

#### **7. Plan Commission review and consideration of an application for the installation of a second outdoor pool, storage shed, pump house and outdoor pool bar at Bristlecone Pines clubhouse-**

Representative for The Legends was present and said The Legends at Bristlecone Pines would like to build a new zero depth children's pool, a walk-in pool for mothers and their children. He said there will be a series of play features. He said on the left side of the drawing is a pump house that will be very discreet between a berm and shrubbery. He said there also have a tiki bar 8 x 12 ft and staffed with 1 staff person with a sink and running water. He said it will be 12 ft away from other pool structures and are working with Neuman pools. He said the timing is they would like to start as soon as possible. Pfannerstill asked Hussinger had any reservations and he said no. Hallquist said the zero-depth pool is right next to the other pool and he asked if there would be a barrier to keep kids from the big pool. It was stated it will follow state code. He also said there are lifeguards on duty at all times. And he said the pool is never run at dark.

Motion (Hallquist/Schneeberger) to approve the outdoor pool, storage shed, pump house and outdoor pool bar at Bristlecone Pines. Carried (6-0).

#### **8. Plan Commission review of proposed future land use map-**

Pfannerstill said this was requested by the Plan Commission, so we keep things in line and so citizens know exactly what the Village is planning to do. Administrator Bailey said everyone was tasked with this several months ago. He said this is Plan Commission review today and nothing more. He said then it will come back for another Plan Commission review and will go to the Village Board for the first reading. He went on to say there are 5 properties he would like to point out:

- Hartridge Drive – small corner that is owned by Village & was going to be a second firehouse. He said it has been deemed not be ideal for a firehouse or police station due to size so it would be changed to high density residential.
- Merton Ave (Hammer Property) – the change would be low density residential to be in line with the neighborhood

- DOT site (across from quarry) – has sold to Kwik trip and Kwik trip has not stated any plans with it. Staff believes the intent to be commercial so that is why staff has made that change to commercial.
- Zion property also over by the DOT site– not owned by a church, is currently public/institutional. It is privately owned, and we are showing it used to be commercial. Current owner is bringing things forward for an event venue. Board can change it.
- North – owned by the Gehl family. Rupert & Mielke and gave us 2 options. Option 1- low density residential. Option 2 - 80% residential and 20% commercial. Staff recently met with Gehl family, and they are still going through the design phase but there is a desire to do some residential. This property is in the town of Merton, they are going through discussions with Merton if they want to develop in Merton or come to Hartland if they need water or sewer. He said again, this is just review.

Hallquist commented on option #2 whose idea was it to put commercial there, Bailey said it was their idea. Brief discussion on option 1 and 2.

Wallschlager commented on the Zion Lutheran property and asked if it was 2 properties. Bailey said yes and Wallschlager asked if they were both being considered for Commercial. Bailey said yes but said there is a concern if the one property is a house and whoever buys it and realizes it has hundreds of people next door every night. Wallschlager said so we would want the house commercial, and Bailey said that would be up to the owners, but it is a concern. Wallschlager said she does not want to have to change it twice. Bailey recommended Board members take a drive past the property in the next month and take a look at it.

deCourcy-Bower asked if we put the Zion on the plan as commercial and someone comes and tears it down and build a strip mall because it is commercial. He said commercial opens the village up to all the uses we do not want there and it is a very narrow band of uses. He said if someone comes to use with something different than a wedding venue or something that uses the church, we have the ability to deny it or say that is not the intent of that property. Pfannerstill said he agreed and said we can still restrict. Hussinger said part of the review process is to make sure it is compatible with the neighborhood. Pfannerstill right now it is proposed as an event venue and not the hustle bustle of a strip mall. Bailey commented that zoning is where we can restrict some of those uses. deCourcy-Bower commented would it be better to be mixed use to give us more flexibility to

Hussinger said when these properties came before us in the past, we all envisioned for a B3 classification. He said the residential property could stand alone as an office building. Hussinger said we could try to get a hold of the owner and have him come in with a plan before next month. Pfannerstill said we do have a right to restrict, and he doesn't want the right to restrict unless it is the right thing.

Discussion on Commercial for the Zion property. deCourcy-Bower said more specifically for this one is commercial right there in that area. He still thinks we could have a mixed-use plan and have that be the venue we are talking about, and it would fit that use of the property. He said rather than be commercial, mixed use give us a little more ability to say a portion of this needs to be residential at some in the future and that might help us with what the future of the property looks like. Because it gives the ability to say actually a large piece of this needs to be residential. He said he could see shops on the bottom and residential on the top. He said it might give a little more flexibility instead of straight up commercial. Bailey said he agrees, he thinks downtown mixed use would be the preferred but is there any

requirement because it is about a half mile from touching any other property of mixed use. Hussinger said mixed use is good, but the mixed-use downtown does not offer any setbacks, high intensity. He said in our downtown mixed use only we could have a strip mall. deCourcy-Bower said to think about the pros and cons of both

deCourcy-Bower asked if there was any reason for the drop in density on the Gehl property. He said part of the discussion on the comp plan was to offer houses that were more affordable range so is that why it ended up at that density. Bailey said we could do that, but the family plans to keep it in the family as long as possible, but we could leave it as is.

Hussinger said we have a system limitation and we have about 50 due's available in that part of the village, so that might limit the density. deCourcy-Bower said maybe for that one check with the village engineer. He said if we cannot have a medium density then they didn't bring that up when we made this change and we did discuss that, and he is surprised if it is not possible but no sense in putting it on the map if we can't do it. Pfannerstill asked Hussinger to explain a DUE. Hussinger said a DUE is domestic user equivalent, it is the sewer capacity equal to one house. He said we have enough sewer capacity in that part of the village to accommodate fifty houses.

8: 21pm Pfannerstill requested a break.

8:22 meeting resumed.

deCourcy-Bower said that was his understanding too, that we tried on the northeast end of the village but just did not have the wasn't the capacity and this was the only place to provide this type of housing. Pfannerstill says this will need more review and will take more discussion.

deCourcy-Bower said he wanted clarity on the process, at the next meeting is the review and at the end of the meeting we are making a recommendation to forward it on. Pfannerstill said if we decide.

deCourcy-Bower said he does not want to delay it again and he does not know if commercial makes sense on that corner. Hussinger said that when they met with the owner, it is related to dairy and going to be related and not knickknack shops. deCourcy-Bower said once a property is rezoned, and someone can do what they want to some extent. Pfannerstill pointed out that corner is not in Hartland, but deCourcy-Bower said this is the land use plan and what we say to everyone about what we could possibly have there. Hussinger said any commercial use on that property he only sees being accomplished by PUD and you write a detailed zoning ordinance for that property and that is how you protect yourself and he said he told that to the property owners too. deCourcy-Bower asked if the property owners near the Merton Avenue property happy with the change and Bailey said he has not heard from them, but they would all get notified with the Public Hearing for it.

deCourcy-Bower said minor point that some properties on Merton Avenue should be medium density and not dropping to low density because of the size of the property. Hussinger said the properties on the east side are bigger than you think. deCourcy-Bower asked if he could verify that and Hussinger said sure. Brief discussion on medium density and low density on Merton Ave.

## **9. Announcements-**

Pfannerstill said Trustee Ludtke resigned and it takes effect 5/31/22. He said per ordinance the Village President announces a name and is approved by the board. He said a citizen appointment does not negate their existing appointment.

**10. Adjourn**

Motion (Schneeberger/deCourcy-Bower) to adjourn. Carried (6-0).

Adjourned at 8:36 pm.

Respectfully submitted by

Recording Secretary,

Deidre Bush y, Deputy Clerk