

PLAN COMMISSION

MEETING MINUTES – February 26, 2019

- 1) Call to Order: The meeting was called to order in the Harrison Municipal Building by Chairman Salm at 6:00pm.
- 2) Pledge of Allegiance: The Pledge was recited.
- 3) Roll Call: Members present were: Pat Hennessey, Dennis Reed, Jim Fochs, Jim Lincoln, Buddy Lisowe, Jim Salm, and Kevin Hietpas.

Staff Present: Mark Mommaerts, Planner

- 4) Public Participation: None.
- 5) Approve Minutes: Motion (Fochs/Hennessey) to approve the minutes of December 11, 2018. Motion carried 7-0.
- 6) Convene Meeting and Enter Public Hearing at 6:02pm.
 - a. Zoning Map Amendment – Hidden Pines Subdivision – Harrisville Lane: The developer of the Hidden Pines subdivision and the current property owner, is requesting a zoning map amendment (rezoning) to rezone their property from General Agricultural [AG] to Single-Family Residential (Suburban) [RS-1] for the Hidden Pines subdivision. The proposed rezoning complies with the Comprehensive Plan and the future land use map designation of single-family residential (sewered). No one spoke in favor of the Zoning Map Amendment. No one spoke in opposition to the Zoning Map Amendment.
 - b. Zoning Map Amendment – Amy Avenue Commercial Development – Amy Avenue: The developer of the Amy Avenue Commercial Development is requesting a zoning map amendment (rezoning) to rezone their property from Office & Retail Commercial [COR] to Business Park [BP]. The proposed rezoning complies with the Comprehensive Plan and the future land use map designation of commercial. The purpose of the rezoning is to allow for light manufacturing and trade/contractor storage offices. No one spoke in favor of the Zoning Map Amendment. No one spoke in opposition to the Zoning Map Amendment.
 - c. Conditional Use Permit – Amy Avenue Commercial Development – Amy Avenue: The applicant is seeking a Conditional Use Permit (CUP) in order to construct 8 commercial buildings (to be constructed in various phases) for retail, trade and contractors, and light industrial uses along Amy Avenue between Prosperity Drive and Highline Road. The property is currently zoned Office & Retail Commercial (COR), however, the applicant is requesting a zoning map

amendment from COR to Business Park (BP) zoning district. Initially, Building #5 will be constructed. Building #1 & #5 are proposed to be 60' x 180', Building #2-4 & #6-8 are proposed to be 60' x 120'. The total number of units will vary based on business needs, but approximately 36- to 42-units are proposed. The applicant is proposing shared parking areas for the buildings. All business materials will be stored inside and the garage/recycling dumpster will be stored in an enclosed area. Each building will have a sanitary sewer & water line shared between the units with each unit having a restroom facility and office area. One freestanding sign is proposed, all other business signs will be wall-mounted. The applicant is seeking a CUP in order to allow trade and contractor businesses and light manufacturing uses to operate within a unit. The applicant is requesting a zoning map amendment from COR to BP (Business Park zoning district) to allow for these uses as a conditional use.

Findings of Fact Zoning. The proposed use conforms to the underlying zoning district intent and design standards and is in harmony with the general purpose and intent of the zoning ordinance. Staff finds that the proposal conforms to the BP zoning district being requested by the applicant via the zoning map amendment process.

Plans. The proposed use conforms to the Harrison Comprehensive Plan and any other officially adopted town plan. Staff finds that the proposed development of retail and trade and contractor offices comply with the commercial designation of the Comprehensive Plan's future land use map.

Traffic. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. Staff finds that all road access is from Amy Avenue and the number of driveways is minimized.

Landscaping and screening. Appropriate landscaping and screening has been or will be provided to protect adjacent uses or properties from light, noise and other visual impacts that are associated with the proposed use as established in Article VI, Access, Parking, and Loading and Article IX, Landscaping and Screening Standards of the zoning ordinance. Staff finds that the plans illustrate a landscape buffer and appropriate green space.

Neighborhood compatibility. The proposed use is compatible with the predominant or prevailing land use of the neighborhood surrounding the proposed development and whether the proposed use creates a nuisance due to noise, odor, or dust. Staff finds that the proposed development complies with the commercial designation of the Comprehensive Plan's future land use map. The proposed development is similar in nature to the development on the south side of Amy Avenue.

Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. Staff finds that sanitary sewer & water facilities, stormwater management facilities, and roadway access are provided.

- d. No one spoke in favor of the Conditional Use Permit. No one spoke in opposition to the Conditional Use Permit.
- e. Zoning Map Amendment – Creekside Estates Subdivision – Woodland Road: The developer of the Creekside Estates subdivision and the current property owner, is requesting a zoning map amendment (rezoning) to rezone their property from General Agricultural [AG] to Single-Family Residential (Suburban) [RS-1] for the Creekside Estates subdivision. The proposed rezoning complies with the Comprehensive Plan and the future land use map designation of single-family residential (sewered). No one spoke in favor of the Zoning Map Amendment. No one spoke in opposition to the Zoning Map Amendment.

7) Close Public Hearing and Reconvene Regular Meeting at 6:09pm.

8) Items for Discussion and Possible Action

- a. Certified Survey Map – Don Mielke – Mielke Road (Tax ID 43796): The property owner owns two agricultural parcels (Tax ID 43796 & 43768) and plans to subdivide the property fronting Mielke Road into single-family lots. There is a future road proposed to access the remaining agricultural lands behind the lots. Lots can be created by Certified Survey Map (CSM), but are limited to four lots every five years. The proposed CSM for Tax ID 43796 will be the fourth lot created within the past five years. Any additional lot splits may require a subdivision plat. The property owner is proposing a 1-lot Certified Survey Map (CSM) for the property located along Mielke Road. The property is zoned General Agricultural (AG). The purpose of the CSM is to create a single-family home site. The AG zoning district currently allows single-family homes as a permitted use. The property owner is working with the Calumet County Planning & Zoning Dept. regarding the private sanitary systems. Access will come from Mielke Road via culvert and private driveway to each lot. Staff has asked for a grading/drainage plan be developed for all the lots created and being proposed along Mielke Road. This will help ensure that the area develops in an orderly fashion and that future drainage issues are avoided. Motion (Lisowe/Lincoln) to approve CSM (Tax ID 43796). Motion carried 7-0.
- b. Certified Survey Map – Don Mielke – Mielke Road (Tax ID 43768): The property owner owns two agricultural parcels (Tax ID 43796 & 43768) and plans to subdivide the property fronting Mielke Road into single-family lots. There is a future road proposed to access the remaining agricultural lands behind the lots. Lots can be created by Certified Survey Map (CSM), but are limited to four lots every five years. The proposed CSM for Tax ID 43768 will be the second and third lot created within the past five years. The property owner is proposing a 2-lot Certified Survey Map (CSM) for the property located along Mielke Road. The

- property is zoned General Agricultural (AG). The purpose of the CSM is to create two single-family home sites. The AG zoning district currently allows single-family homes as a permitted use. The property owner is working with the Calumet County Planning & Zoning Dept. regarding the private sanitary systems. Access will come from Mielke Road via culvert and private driveway to each lot. Staff has asked for a grading/drainage plan be developed for all the lots created and being proposed along Mielke Road. This will help ensure that the area develops in an orderly fashion and that future drainage issues are avoided. Motion (Hennessey/ Lisowe) to approve CSM (Tax ID 43768). Motion carried 7-0.
- c. Relocated Building Permit – Steven VerBust – Zirbel Drive: The applicant is proposing to move a house from W5961 Woodland Road to a lot on State Park Road. There was a change in the final location due to the lot on Zirbel no longer being available. Harrison ordinances require a relocated building permit be approved by the Village Board prior to a move. As part of the process, the Plan Commission must provide the Board a recommendation as to whether the relocated house is compatible with other development in the area to be placed. The process also requires a report from the Building Inspector concerning structural soundness and any improvements that must be made if the building is relocated, and a report from the Public Works Dept concerning the road conditions of the roads along the moving route. The moving route is along Woodland Road to County N to Manitowoc Road to State Park Road. It is anticipated that the move will occur the first or second week of March. After the move, the applicant will have to submit a CSM to create the lot, obtain permits for the house, construct the foundation and place the house on the foundation. Prior to permit issuance, a \$50,000 performance bond and proof of \$1,000,000 public liability insurance must be submitted. Steve VerBust spoke about why he is moving the house. Don Mielke spoke about how other homes in the area were moved in by the same house mover. Motion (Lisowe/Lincoln) to approve the moving house permit with the application and ordinance conditions. Motion carried 7-0.
 - d. Preliminary Plat – Hidden Pines Subdivision – Harrisville Lane: Item was postponed to the March meeting.
 - e. Zoning Map Amendment – Hidden Pines Subdivision – Harrisville Lane: Motion (Lisowe/Fochs) to approve the Zoning Map Amendment. Motion carried 7-0.
 - f. Preliminary Plat – Creekside Estates Subdivision – Woodland Road: The developer is proposing a 40-lot subdivision called Creekside Estates. The subdivision is located on the south side of Woodland Road along Kasten Road and east of S. Coop Road. The subdivision will have lot sizes between 13,000 and

34,000 square feet. A street connection to Woodland Road is proposed and well as future connections to the east and south. In the southwest corner a cul-de-sac from a future roadway off of Ryford Street is planned. Two cul-de-sacs are proposed due to the environmental conditions of existing wetlands and navigable streams. Several stormwater management ponds are proposed based on the topography of the site. Sewer and water must be extended from the Kambura Acres subdivision and Lift Station #6. Sewer and water is proposed to extend along future Ryford Street and connect to this subdivision at Tower Drive. The Plan Commission should explore areas that may be suitable for parkland, or determine if a fee-in-lieu of parkland dedication is appropriate. Woodland Road is an access restricted roadway, the Plan Commission may wish to limit the number of access openings by requiring shared driveways at the ROW line. Staff recommends conditional approval of the Preliminary Plat for Creekside Estates with the following conditions:

1. A temporary turnaround shall be constructed on the southern stub of Edgewood Lane. The northern stub shall connect to Kasten Road.
2. Tower Drive shall be renamed to Noe Road.
3. Woodland Road to be dedicated with 40-feet of road right-of-way.
4. All lots shall have a storm sewer lateral provided for sump pump discharge.
5. Final utility, street plans, and stormwater management/erosion control plans shall be reviewed and approved by the Village Engineer and Village staff in writing prior to approval of the Final Plat and prior to utility and street construction.
6. A Development Agreement shall be executed prior to approval of the final plat.
7. Parkland dedication or a fee-in-lieu of parkland shall be negotiated as part of the Development Agreement.
8. An assessment waiver shall be signed prior to the approval of the final plat, if there will be any assessments by Village. A note, listing the improvements to be assessed, shall be added to the final plat indicating that the Village of Harrison will assess all lots equally.
9. A street light shall be installed at the intersection of Tower Drive and Woodland Road. Any proposed street lights shall be installed and upfront costs to be paid by the Developer. The Village will assume long-term maintenance.
10. All streets to be concrete with 5-foot wide concrete sidewalks on both sides. Street construction to be in accordance with the Harrison Specifications Manual. The exception may be the cul-de-sac in the southwest corner, this street shall match that of the future street to the south.

11. High-back, integral concrete curb shall be utilized rather than the mountable curb.
 12. Access to Outlot 1 and Outlot 2 shall be provided with the ability to avoid the wetlands.
 13. Wetland concerns on Lots 3,5,6, 10 & 23 should be addressed to ensure the lots are buildable. Wetland fill permits granted for these lots shall be provided to the Village and recorded.
 14. All drainageways, drainage easement, and associated infrastructure shall be installed, graded and seeded prior to roadway acceptance.
 15. All utilities, including but not limited to, sewer & water, storm sewer, gas, electric, cable, phone, shall be installed prior to roadway acceptance.
 16. The Village Board shall accept the roadway prior to issuance of building permits and zoning permits.
 17. Erosion Control Silt Fence shall be installed, in accordance with State Specifications, along the right-of-way line of all streets prior to roadway acceptance.
 18. All other improvements, including but not limited to, curb & gutter, concrete paving, sidewalks, shall be installed prior to issuance of building permits or zoning permits, unless the Village Board approves a Subdivision Development Agreement to allow for improvements to be installed at a later date.
 19. All comments from the Village engineer shall be included in the Plan Commission discussion and decision.
 20. Location of all sidewalk curb ramps shall be approved by Harrison staff.
 21. A grading/drainage stormwater management plan and erosion control plan shall be reviewed and approved by the Village engineer and Village staff.
 22. Multiple benchmark locations shall be established for use during building construction and shall be identified on the final grading/drainage plan.
 23. All environmental corridors shall be clearly identified and setback lines to be indicated.
 24. Grading/Drainage Plan shall identify elevations of ground at the foundation.
 25. Other comments from the Public Works Dept. and Village Engineer shall be included in the conditions of approval. These will be provided to the developer upon plan review completion.
Motion (Fochs/Hietpas) to approve the Preliminary Plat of Creekside Estates with staff recommendations. Motion carried 7-0.
- g. Zoning Map Amendment – Creekside Estates Subdivision – Woodland Road:
Motion (Lisowe/Lincoln) to approve the Zoning Map Amendment for Creekside Estates. Motion carried 7-0.

- h. Zoning Map Amendment – Amy Avenue Commercial Development – Amy Avenue: Motion (Hennessey/Fochs) to approve the Zoning Map Amendment. Motion carried 7-0.
- i. Conditional Use Permit – Amy Avenue Commercial Development – Amy Avenue: Staff recommends approval of the Conditional Use Permit request with the following conditions:
 1. A detailed site plan review, pursuant to Section 13.0 of the zoning ordinance, shall be completed prior to issuance of a zoning permit.
 2. Building materials and design shall be as approved by the Plan Commission at the October 2018 meeting. Deviations from the approved elevations shall require review and approval by the Plan Commission.
 3. No outside storage, including but not limited to materials, equipment, or products, shall be allowed for any business within the development.
 4. All mechanical equipment (ground or roof-mounted) shall be screened from view from a public road.
 5. Access to the development shall be from Amy Avenue.
 6. The hours of operation for any business within the development shall be limited to 7:00am to 6:00pm Monday through Friday and 7:00am and 3:00pm on Saturdays. The Plan Commission may approve alternate hours upon request from the business.
 7. Only those uses permitted in the applicable zoning district and trade or contractor uses shall be allowed within the development.
 8. A Zoning Certificate of Occupancy shall be required for initial occupancy of a unit or a change of occupancy for each unit to ensure compliance with the zoning ordinance.
 9. Light manufacturing uses may be allowed after a map amendment (rezoning) to an appropriate zoning district has been approved.
 10. All exterior lighting shall be direct cut-off fixtures
 11. One freestanding sign, that meets the requirements of the zoning ordinance, shall be allowed. All other business signage shall be wall-mounted and shall meet the requirements of the zoning ordinance.
 12. All applicable local, County, and State rules, regulations, and ordinances shall be met.

Motion (Lincoln/Lisowe) to approve the Conditional Use Permit with the staff recommendations and adding #13 that all dumpster shall be located within a dumpster enclosure. Motion carried 7-0.

9) Items for Discussion

- a. Report: Zoning Permits: There were 4 SF permits for January 2019 with an estimated value of approximately \$1.25 million.

10) Next Meeting Date: Tentatively March 26, 2019 at 6:00pm.

11) Adjourn: Motion (Lisowe/Fochs) to adjourn the meeting at 6:45pm
Motion carried 7-0.

Prepared by: Mark Mommaerts, Village Planner

Dated: March 1, 2019