

PLAN COMMISSION
MEETING MINUTES – October 29 2019

- 1) The meeting was called to order in the Harrison Municipal Building by Chairman Hietpas at 6pm.
- 2) The Pledge of Allegiance was recited.
- 3) Roll Call: Members present were: Jim Fochs, Jim Lincoln, Buddy Lisowe, Darlene Bartlein, Kevin Hietpas, Pat Hennessey, and Dennis Reed.
Staff Present: Mark Mommaerts, Planner; Carie Krause, Deputy Clerk - Treasurer
- 4) Public Participation: None.
- 5) Motion (Lisowe/Lincoln) to approve the minutes of September 24 2019.
Motion carried 7-0.
- 6) Convene Meeting and Enter Public Hearing at 6:01pm
 - a) Comprehensive Plan Amendment – Premier Real Estate Management, LLC – Friendship Drive. No Comments.
 - b) Zoning Map Amendment – Premier Real Estate Management, LLC – Friendship Drive. No Comments.
 - c) Conditional Use Permit – Premier Real Estate Management, LLC – Friendship Drive.
 1. John Maas of JMM Consulting stated that this is a great opportunity for the Village.
 2. Peter Bebeau, Highline Road questioned if there would be some sort of barrier because this will be right up to his property.
 3. Tori Kolonich of Terragon Park Apts questioned if there was truly a need for more apartments because both Terragon Park and Northshore have occupancy.
 4. Sarah Hillenbrand of Premiere Real Estate stated that there is still a need in the area. She also provided statistics of less than 3% vacancy across thousands of Premier Real Estate Management, LLC units across the area.
 - d) Comprehensive Plan Amendment – Southtowne Place – Manitowoc Rd. No Comments.
 - e) Zoning Map Amendment – Southtowne Place – Manitowoc Rd. Planner Mommaerts stated that a letter was received from a resident who is against the project.
 - f) Comprehensive Plan Amendment – Novotny/Sweere – County KK. No Comments.
 - g) Zoning Map Amendment – Novotny/Sweere – County KK. No Comments.
 - h) Official Map Amendment – Novotny/Sweere – County KK. Dave Schmalz of McMahon represented the owners and stated that they are requesting to not run Amy Ave through.
 - i) Zoning Map Amendment – Kimberly Heights 4 – Schmidt Road. No Comments.
 - j) Conditional Use Permit – Bill’s Custom Conveying – Hwy 114. Bill Porretto, owner of Bill’s Custom Conveying stated that he is currently renting and ran out of space.
 - k) Zoning Text Amendment – Driveway Openings. No Comments.
 - l) Zoning Text Amendment – Drainage Easements. No Comments.
- 7) Close Public Hearing and Reconvene Regular Meeting at 6:28pm

8) Items for Discussion and Possible Action

- a) Certified Survey Map – Hopfensperger – W4958 Schmidt Road: Planner Mommaerts introduced the item stating that this item was postponed from the September meeting in order for the applicant to revise the CSM or apply for a lot size variance. The applicant submitted a revised CSM. The applicant is proposing a 1-lot Certified Survey Map (CSM) for the property located at W4958 Schmidt Road (Tax ID 39070). There is an existing house that is proposed to be divided from the remaining lands. The house is currently served with private septic and well. The proposed lot is approximately 267-feet by 162-feet and 43,560-square feet in area. The property is currently zoned General Agricultural [AG]. The AG zoning district requires a minimum of 150-feet of road frontage and a minimum of 1-acre (43,560-square feet) area for new lots.
As proposed, the lot does meet the minimum area requirement of the zoning district. The remnant parcel will have approximately 70-feet of road frontage along Schmidt Road. This could serve as a future road access to the property.
Motion (Lisowe/Bartlein) to approve the Certified Survey Map as received on October 9, 2019 for Hopfensperger.
Motion carried 7-0.
- b) Certified Survey Map – Mueller – Pigeon Road: Planner Mommaerts introduced the item stating that the applicant is proposing a 1-lot Certified Survey Map (CSM) for a parcel on Pigeon Road, Tax ID 43380. The property is approximately 5.05-acres. The property will have a 33-foot access out to Pigeon Road. This 33-foot strip was identified when parcel Tax ID 40180 was created a few years ago via CSM #3578.
Motion (Fochs/Lisowe) to approve the Certified Survey Map for the Mueller property on Pigeon Rd.
Motion carried 7-0.
- c) Plan Commission Resolution 2019-02 – Premier Real Estate Management, LLC – Friendship Drive: Planner Mommaerts introduced the item stating that the applicant is proposing to amend the future land use map in the Comprehensive Plan to allow for multiple-family residential. Currently, the future land use map identifies this area as commercial. When the Village updated the Comprehensive Plan several years ago, this site received much discussion as to whether it should be commercial or multi-family residential. At the time, it was decided to keep it as commercial until a development project was proposed, either commercial or multi-family. There are commercial uses on the north, south and east side of the property and residential uses on the west and south sides. Multi-family residential can be a buffer between the commercial and residential uses.
Motion (Fochs/Lincoln) to approve PC2019-02 Comprehensive Plan Amendment.
Motion carried 7-0.
- d) Zoning Map Amendment – Premier Real Estate Management, LLC – Friendship Drive: Planner Mommaerts introduced the item stating that the applicant is proposing to rezone from General Agricultural [AG] to Multiple-Family Residential [RM] the area for the development. Motion (Lisowe/Fochs) to approve Zoning Map Amendment from General Agricultural [AG] to Multiple-Family Residential [RM].
Motion carried 7-0.
- e) Special Exception to Design Standards – Premier Real Estate Management, LLC – Friendship Drive: Planner Mommaerts introduced the item stating that the applicant is

requesting a special exception to the design standards for the building exteriors. Current ordinance requires brick, block, or other masonry material on 75% of the exterior walls facing a public street. The applicant is proposing 50% brick on all sides of the buildings. Although the street view will not have as much brick, the 50% brick on all sides will make for a more attractive view to adjacent properties and will allow the development to be more cohesive.

Motion (Lisowe/Bartlein) to approve the Special Exception to Design Standards with 50 percent brick on all sides.

Motion carried 7-0.

- f) Conditional Use Permit – Premier Real Estate Management, LLC – Friendship Drive: Planner Mommaerts introduced the item stating that the zoning ordinance requires a Conditional Use Permit for any multiple-family developer greater than 3-buildings or greater than 24-units. The applicant is proposing a 10-building development with 120-units total. Landscaping and buffering should be provided along the single-family residential uses to the west and south. Potentially relocating the dumpster enclosure in the southwest corner of the site to a different area to reduce noise and nuisance issues with the adjacent properties.

Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The applicant works with the Darboy Sanitary District and Village of Harrison on sanitary sewer and water main routing to ensure adjacent properties can be adequately served with water and sanitary sewer.
2. A 20-foot wide berm and landscape area be provided along the south and west sides of the development. The berm should be approximately 5-feet in height with evergreen and other plantings. Care should be taken to design the berm and plantings to shield vehicle headlights shining into adjacent properties.
3. The dumpster enclosure in the southwest corner of the site shall be relocated between buildings 5/8 or 8/9.
4. All exterior parking area lighting shall be direct cut-off fixtures to reduce/eliminate any glare.
5. All provisions of the zoning ordinance and all other Village ordinances shall be met.
6. Any comments or revisions from Village staff during the site plan review process shall be incorporated as conditions of approval.
7. All necessary permits shall be obtained prior to construction.

Motion (Hennessey/Lisowe) to approve the Conditional Use Permit with the 7 conditions listed for Friendship Drive with a modification of the 2nd Condition: changing South and West sides to Southwest & North sides facing residential properties.

Motion carried 7-0.

- g) Plan Commission Resolution 2019-03 – Southtowne Place – Manitowoc Road: Planner Mommaerts introduced the item stating that the applicant is proposing to amend the future land use map in the Comprehensive Plan to allow for two-family residential on the northern portion of the property. Currently, the future land use map identifies this area as only single-family. The applicant wishes to create a slightly higher density residential area via zero lot line homes in order to reduce infrastructure costs per unit to create a more affordable development. The applicant is proposing 16-lots for single-family

attached housing (8 zero lot line buildings). The remaining 13-lots will be for single-family detached homes.

Motion (Fochs/Lincoln) to approve Plan Commission Resolution PC2019-03.

Motion carried 7-0.

- h) Zoning Map Amendment – Southtowne Place – Manitowoc Road: Planner Mommaerts introduced the item stating that the applicant is proposing to rezone from General Agricultural [AG] to Single-Family Residential (Suburban) [RS-1] the area for single-family detached lots and the existing house lot, and from General Agricultural [AG] to Two-Family Residential [RT] that area for single-family attached or zero lot line. Motion (Lisowe/Fochs) to approve the zoning map amendment from AG to RS-1 and RT as presented on the zoning map. Motion carried 7-0.
- i) Plan Commission Resolution 2019-04 – Novotny/Sweere – County KK: Planner Mommaerts introduced the item stating that the applicant is proposing to amend the future land use map in the Comprehensive Plan to allow for multiple-family residential on the southern portion of the property. Currently, the future land use map identifies this area as commercial. The applicant wishes to create a higher density residential area via townhomes (single-family attached dwellings) in order to reduce infrastructure costs per unit to create a more affordable development. The applicant feels that the area adjacent to the stormwater pond will create attractive views for residential development. Motion (Hennessey/Lincoln) to approve the Plan Commission Resolution PC2019-04. Motion carried 7-0.
- j) Zoning Map Amendment – Novotny/Sweere – County KK: Planner Mommaerts introduced the item stating that the applicant is proposing to rezone from Office & Retail Commercial [COR] to Multiple-Family Residential [RM] the area for townhome development. Motion (Lisowe/Bartlein) to approve the Zoning Map Amendment from COR to RM. Motion carried 7-0.
- k) Amy Avenue Extension – Novotny/Sweere – County KK: Planner Mommaerts introduced the item stating that the applicant is requesting that the extension of Amy Avenue be eliminated. There is a temporary cul-de-sac at the end of Amy Avenue on the west side the property for access and a driveway access out to County KK. The applicant is proposing emergency vehicle access between the residential and commercial developments as secondary access points. Staff has concerns about stopping Amy Avenue at each end of this property. The intent was for Amy Avenue to extend from State Park Road to Highline Road. The missing component of Amy Avenue is on this property and a small stretch along the adjacent property. In addition, Darboy Sanitary District has a sanitary sewer & water easement over the land where Amy Avenue is mapped for their existing sewer & water mains. Motion (Lisowe/Fochs) to deny the request to eliminate Amy Ave through the property. Motion carried 7-0.
- l) Certified Survey Map – Novotny/Sweere – County KK: Planner Mommaerts introduced the item stating that the applicant is proposing a 2-lot Certified Survey Map (CSM) in order to create separate parcels for the proposed development. Lot 1 would be for the commercial development. Lot 2 would be for the residential development. Staff

recommends that the right-of-way be dedicated for the extension of Amy Avenue as part of the CSM.

Motion (Fochs/Lisowe) to approve the CSM for the Novotny/Sweere property with the condition that the right-of-way for future Amy Avenue be dedicated to the public for roadway purposes.

Motion carried 7-0.

- m) Zoning Map Amendment – Kimberly Heights 4 – Schmidt Road: Planner Mommaerts introduced the items stating that the applicant is proposing a zoning map amendment (rezoning) for the property located along Schmidt Road (Tax IDs 33246 & part of 33250) in preparation for phase 4 of the Kimberly Heights subdivision. The property is currently zoned General Agricultural [AG]. The applicant wishes to rezone it to Single-Family Residential (Suburban) [RS-1]. The Future Land Use Map as part of the Comprehensive Plan identifies this area as Single-Family Residential (Sewered). Public sewer and water will be available to the subdivision.

Motion (Hennessey/Fochs) to approve the Zoning Map Amendment for Kimberly Heights 4.

Motion carried 7-0.

- n) Certified Survey Map – Kimberly Heights 4 – Schmidt Road: Planner Mommaerts introduced the item stating that the applicant is proposing a 2-lot Certified Survey Map (CSM) for the property located at W5506 Schmidt Road (Tax IDs 33248 & 33250). The property is currently zoned General Agricultural [AG]. There is an existing house and accessory building that will remain on Lot 1. The house is currently served with private septic and well. The proposed lot is approximately 2.84-acres. Lot 2 is proposed to be approximately 10.95-acres. Lot 2 is intended to be further subdivided as part of phase 4 of the Kimberly Heights subdivision (along with Tax ID 33246). Lot 2 is proposed to be rezoned to single-family residential. A portion of the Schmidt Road ROW was previously dedicated by CSM #3685. This CSM will dedicate additional ROW adjacent to Tax ID 33248.

Motion (Fochs/Bartlein) to approve the 2 lot CSM for W5506 Schmidt Rd.

Motion carried 7-0.

- o) Conditional Use Permit – Bill’s Custom Conveying – Hwy 114: Planner Mommaerts introduced the item stating that the applicant is proposing a two-phase development for a property along Hwy 114, between Pigeon Road and Hwy 55, Tax ID 40088. The property is 11.15-acres in size and is zoned General Agricultural [AG]. The property includes 3-acre of wetlands. A wetland crossing is proposed for Phase 1.

Phase 1 is a 10,800-square foot contractor business with offices and indoor storage areas and an 18,000-square foot parking area. The business has 7 employees. Hours of operation are proposed to be 7:00am-5:00pm. Outside storage of excavation equipment (semi-trailer, excavator, and dump truck) is proposed. The applicant wishes to start Phase 1 as soon as possible.

Phase 2 of the development includes 2 mini-warehousing buildings. It is unknown when Phase 2 is anticipated to be built.

Motion (Lisowe/Fochs) to approve the CSM for Bills Custom Conveying with all of the recommended Staff Conditions listed.

Motion carried 7-0.

p) Zoning Text Amendment – Driveway Openings: Planner Mommaerts introduced the item stating that a property owner on Sumac Lane spoke to the Board about a driveway to their shed. The property owner constructed a shed with permit approval. The permit applicant did not include any information for a driveway. Staff was notified that a driveway out to Handle Drive was in the process of being constructed. Staff contacted the property owner to inform them that a second driveway was in violation of the zoning ordinance. The property owner decided to stop the paving at the property line. The property is on the southeast corner of Sumac Lane and Handle Drive. The house has an existing driveway out to Sumac Lane.

The Village Board has interest in amending the ordinance to allow for a second driveway. The Board is asking the Plan Commission to review the ordinance and make a recommendation to the Board for proposed changes, if any.

Motion (Lisowe/Lincoln) to approve the Zoning Text Amendment.

Motion carried 7-0.

q) Zoning Text Amendment – Drainage Easements: Planner Mommaerts introduced the item stating that drainage easements require approval from the Village. Currently, a request is made to the Village Board and is placed on the agenda for the Board to review. The Board has developed a “Permission to Occupy Drainage Easement” form that states that the fence may be removed if drainage issues occur. This form is recorded as part of the deed for future property owners. This issue with this process is time. Many times the applicant must wait 2-3 weeks for approval, or more depending on Board meeting schedule.

Motion (Fochs/Lisowe) to approve the Zoning Text Amendment.

Motion carried 7-0.

9) Items for Discussion

a) Report: Zoning Permits: Single Family YTD is 51, which is 8 less than last year however we have more Commercial Developments this year with an estimated value of about 5 Million dollars more than last year.

10) Next Meeting Date: Tentative November 26 2019 at 6:00pm.

11) Adjourn: Motion (Lisowe/Fochs) to adjourn the meeting at 6:59pm.

Motion carried 7-0.

Prepared by: Carie Krause, Deputy Clerk – Treasurer

Dated: November 4 2019