

**VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
May 23, 2023**

- 1) The meeting was called to order in the Harrison Municipal Building by Allison Blackmer at 6:00 pm.
- 2) The Pledge of Allegiance was recited.
- 3) Roll Call: Members present: Allison Blackmer, Jim Lincoln, Darlene Bartlein, Mark Van Hefty, and Kent Gross
Members excused: Dennis Reed and Pat Hennessey
Staff Present: Josh Sherman Assistant Planner, Meghan Winkler, Deputy Clerk/Treasurer
Public Present: 17

4) Public Participation: None

5) Minutes of April 18, 2023:

Motion (Van Hefty/Lincoln) to approve the minutes of April 18, 2023 as printed and circulated.

Motion carried 5-0.

6) Convene Meeting and Enter Public Hearing:

Motion (Lincoln/Gross) to convene meeting and enter public hearing at 6:01 pm.

Motion carried 5-0.

a. Zoning Map Amendment – Troy Mueller – Pigeon Rd

Kevin Deno, N8290 Pigeon Road – spoke in support of the business
Dan Uttecht, 1101 Bonnie Drive – just asked a question

b. Conditional Use Permit – Troy Mueller – Pigeon Rd

No speakers

c. Conditional Use Permit – State Storage Group – Pigeon Rd

No speakers

d. Planned Development Overlay – Atlas Development – Northshore Villas Condominium – Old Highway Rd

No speakers

- e. Update to Bicycle and Pedestrian Connections Map – Comprehensive Outdoor Recreation Plan

No speakers

7) Close Public Hearing and Reconvene Regular Meeting:

Motion (Van Hefty/Bartlein) to close public hearing and reconvene regular meeting at 6:06 pm.

Motion carried 5-0.

8) Items for Discussion and Possible Action

- a. Zoning Map Amendment – Troy Mueller – Pigeon Rd

The applicant is proposing to rezone property located on Pigeon Road, directly north of the railroad tracks, from Rural Residential [RR] to General Agricultural [AG]. The Location ID is 40156. The purpose of the rezoning is to construct and operate a trade and contractor office at this location. A trade and contractor office is a conditional use under General Agricultural zoning. The applicant's residence, where he currently operates his contractor business, is on the other side of Pigeon Road, across from the proposed rezoning.

The proposed rezoning is consistent with the Comprehensive Plan. The surrounding properties to the west of this area are zoned General Agricultural. There is a proposed self-storage facility abutting the west lot line of the proposed rezoning.

Motion (Van Hefty/Bartlein) to approve the Zoning Map Amendment from Rural Residential [RR] to General Agricultural [AG] as submitted.

Motion Carried 5-0.

- b. Conditional Use Permit – Troy Mueller – Pigeon Rd

The applicant is requesting a Conditional Use Permit (CUP) in order to construct and operate a trade and contractor office for the property located on Pigeon Road, directly north of the railroad tracks, location ID 40156. A trade and contractor office is a conditional use under General Agricultural zoning. The applicant has proposed a Zoning Map Amendment to change the zoning from Rural Residential [RR] to General Agricultural [AG]. The applicant's residence, where he currently operates his contractor business, is on the other side of Pigeon Road, across from the proposed rezoning.

The applicant's intention to move the construction operation from its current location, which is directly across Pigeon Road on their personal resident property. They propose to build a 36'x96' contractor building, containing office space, for up to five office staff, and a shop to house vehicles, tools, and materials. The crew staff will only be on site at the beginning and end of day. Hours of operation are Monday to Friday 7:00am – 6:00pm. Work vehicles will be parked inside the shop while there will be parking to the south of the building for three trailers.

Basis for Approval: (from the Zoning Ordinance Section 117-319) Each item must be met in order to grant approval.

1. *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 this chapter. Where there is an existing nonconforming structure, the design standards of the underlying zoning district may be waived by the plan commission and village board. Mini-warehousing storage facilities are a conditional use under the AG zoning district.*
2. *Plans. The proposed use conforms to the comprehensive plan and any other officially adopted plan. The proposed use of the property as a trade and contractor office conforms to the Comprehensive Plan.*
3. *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. The main entrance is will be on Pigeon Road.*
4. *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. The applicant will leave existing trees to the west and south of the parcel. The application will be required to submit a complete drainage and site plan.*
5. *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. There is a proposed self-storage facility abutting the west lot line of the proposed rezoning.. The applicant's residence is on the other side of Pigeon Rd.*
6. *Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. At present the property has access to single phase electrical service located on Pigeon Road. No other utilities are present at the property boundary.*

Motion (Gross/Van Hefty) to approve the Conditional Use Permit (CUP) request with the following conditions:

1. *A detailed site plan review, pursuant to Article XIII of the zoning ordinance, shall be completed prior to issuance of a zoning permit.*
2. *A detailed Drainage and Stormwater plan shall be completed prior to issuance of a zoning permit.*
3. *Hours of operation shall be Monday-Friday 7:00am-6:00pm.. The Plan Commission may approve different hours of operation upon request and review.*
4. *Access to the development should be from Pigeon Road.*
5. *Only those uses permitted in the applicable zoning district shall be allowed within the development.*
6. *All applicable local, County, and State rules, regulations, and ordinances shall be met.*
7. *Outside trailer storage shall be screened from view from the roadway as much as possible via a landscape berm and plantings.*

Motion carried 5-0.

c. Conditional Use Permit – State Storage Group – Pigeon Rd

The applicant is requesting a Conditional Use Permit (CUP) in order to construct and operate a self storage facility under the State Storage Group, which currently has four other locations in the Fox Valley. This specific location seeks to serve area residents and businesses with approximately 80,000 square feet of indoor non-heated individual storage units and approximately 60 non-covered parking spaces located within the interior of the property. Parking spaces are planned to serve the demand of nearby residents needing a clean, secure location to park their RV's, campers, and boats. The outdoor storage of "junk" cars will not be permitted.

The buildings will be constructed and orientated to ensure the outdoor parking is placed between the buildings in a courtyard-style arrangement and not visible to neighboring residences (existing and planned) or to Pigeon Road. The site itself will consist of above average steel over frame buildings with a focus on a more improved aesthetic than existing storage units located in the area. Additionally, this site offers mature tree lines to help further improve the aesthetics of the development. The site will also provide a secure area by virtue of access-controlled gates, CCTV monitoring, and unobtrusive site lighting. The site will also be fully paved with asphalt to further enhance the image of the facility, and to eliminate dust issues to adjoining properties.

The property's location is all of Location ID 40154 and 1 acre of the southeast corner of Location ID 40146. Final boundaries will be subject to Certified Survey Map so that the property will consist of 10 acres of contiguous property. The proposed site is currently zoned General Agricultural [AG] and mini-warehousing is a conditional use in the AG zoning district.

The concept plan for this proposal was regarded favorable by the Plan Commission during the January 24, 2023 meeting.

Basis for Approval: (from the Zoning Ordinance Section 117-319) *Each item must be met in order to grant approval.*

1. *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 this chapter. Where there is an existing nonconforming structure, the design standards of the underlying zoning district may be waived by the plan commission and village board. Mini-warehousing storage facilities are a conditional use under the AG zoning district.*
2. *Plans. The proposed use conforms to the comprehensive plan and any other officially adopted plan. The proposed use of the property as a self storage facility conforms to the Comprehensive Plan.*
3. *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. The main entrance is will be on Pigeon Road.*
4. *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. The applicant has stated that perimeter landscaping offers mature tree lines to help improve the aesthetics of the development.*
5. *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. The surrounding land uses are for future Ag, Vacant, or Undeveloped development according to the Comprehensive Plan.

- 6. Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. At present the property has access to single phase electrical service located on the West side of Pigeon Road (same side of as project site). No other utilities are present at the property boundary.*

Motion (Lincoln/Bartlein) to approve the Conditional Use Permit (CUP) request with the following conditions:

- 1. The outdoor storage of “junk” cars will not be permitted.*
- 2. A detailed site plan review, pursuant to Article XIII of the zoning ordinance, shall be completed prior to issuance of a zoning permit.*
- 3. A detailed Drainage and Stormwater plan shall be completed prior to issuance of a zoning permit.*
- 4. No outside storage, including but not limited to material, equipment, or products, shall be allowed for any business within the development, but exempting RV’s campers, and boats.*
- 5. Access to the development should be from Pigeon Road.*
- 6. Only those uses permitted in the applicable zoning district shall be allowed within the development.*
- 7. All applicable local, County, and State rules, regulations, and ordinances shall be met.*

Motion carried 5-0.

d. Final Plat – North Shore Ridge – FORE Development – Firelane 10

The applicant is proposing a 21-lot and 2-outlot final plat for a new subdivision called North Shore Ridge. The subdivision is located off of Firelane 10, throughout the southern portion of Firelane 11, and north of Lake Winnebago.

Firelane 10 will be extended from the west, as a private road. Brick Lane, north of the railroad tracks will be dedicated to the public at a width of 60-feet for the right-of-way. South of the railroad tracks, Brick Lane will be a private road. There are 5-lots and 1-outlot north of the railroad tracks with the remainder of the lots south of the railroad tracks. 5 of the lots will have linear water front footage on Lake Winnebago. There is a tributary flowing north to south and emptying into Lake Winnebago running through the lower half of the subdivision. Sewer and water will be extended throughout the subdivision.

Motion (Van Hefty/Bartlein) to approve the Final Plat for North Shore Ridge with the following conditions:

- 1. Utility Easement shall be amended to include sanitary sewer and water facilities.*
- 2. All review comments from the Village staff shall be included in the Plan Commission discussion and decision.*
- 3. 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.*
- 4. All lots shall have a storm sewer lateral provided for sump pump discharge.*
- 5. All drainageways, drainage easement, and associated infrastructure shall be installed, graded and seeded prior to roadway acceptance.*

6. *All utilities, including but not limited to, sanitary sewer, water, storm sewer, gas, electric, cable, phone, shall be installed prior to roadway acceptance.*
7. *The Village Board shall accept the roadway in a “graveled state”, with a temporary asphalt binder, prior to issuance of building permits and zoning permits.*
8. *All final improvements, including but not limited to, curb & gutter, asphalt paving, sidewalks, and trails 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.*

Motion carried 5-0.

- e. **Planned Development Overlay – Atlas Development – Northshore Villas Condominium – Old Highway Rd**

The applicant is proposing a condo plat called Northshore Villas Condominium. The property is located on the southwest corner of Old Highway Road and Northshore Road. The property currently consists of three lots, Location IDs 42188, 45590 & 45592. A Planned Development Overlay [PDO] will be recorded over the current zoning of Single-Family Residential (Suburban) [RS-1].

The condo plat compromises ten stand-alone condo units. Each single-story unit averages around 1,500 square feet of living space. Each unit has its own driveway and utilities. The roadway will be a private road. The North Shore Woods subdivision, comprising residential lots, is directly south of this proposal.

As part of the zoning ordinance, any Planned Development Overlay [PDO] Development must have an approved Development Plan and Declaration. Attached to this memo is a draft *Development Plan and Declaration for Planned Development Overlay #23-01*. The declaration addresses development that would typically not be permissible under the regular zoning in exchange for other considerations/conditions that are not typically part of developments. In this case, the PDO Declaration will allow for a higher density of residential development (10-units) in exchange for landscape requirements and building height restrictions (no more than 21-feet).

Motion (Van Hefty/Lincoln) to approve the Development plan and Declaration for Planned Development Overlay #23-01 for the Noreshore Villas Condominium.

Motion carried 5-0.

- f. **Condo Plat – Atlas Development – Northshore Villas Condominium – Old Highway Rd**

The applicant is proposing a condo plat called Northshore Villas Condominium. The property is located on the southwest corner of Old Highway Road and Northshore Road. The property currently consists of three lots, Location IDs 42188, 45590 & 45592. A Planned Development Overlay [PDO] will be recorded over the current zoning of Single-Family Residential (Suburban) [RS-1].

The condo plat compromises ten stand-alone condo units. Each single-story unit averages around 1,500 square feet of living space. Each unit has its own driveway and utilities. The roadway will be a private road. The North Shore Woods subdivision, comprising residential lots, is directly south of this proposal.

The developer is proposing an area of easement to be released for proposed pickle ball courts. This area is located in a maintenance easement in the southeast corner of the development.

Motion (VanHefty/Gross) to approve the Northshore Villas Condominium Plat with the following conditions:

1. *Within this PDO district, up to 10 (ten) Single-Family, detached condominium units are considered permitted uses pursuant to section 117-93 (f), Exceptions to Use Regulations.*
2. *Access to the units shall be through a private driveway with access to Old Highway Road.*
3. *All units are limited to one-story with a roof height not to exceed 21-feet from top of roof to ground grade.*
4. *A landscape barrier shall be constructed along the southern property line. Such barrier may be a staggered double row of evergreens, or a berm with a single row of evergreens on top. Such evergreen plants must be at least 5-feet at time of planting. Other plantings may be incorporated into the landscape barrier. Such landscape barrier shall be maintained by all future owners of the development by replacing dead or dying plants.*
5. *Accessory buildings shall be prohibited.*
6. *Any outdoor lighting shall be of similar nature to outdoor lighting found on a typical single-family home.*
7. *A development declaration shall be recorded pursuant to section 117-93, Planned Development Overlay district [PDO], of the Village of Harrison Zoning Ordinance.*

Motion carried 5-0.

g. Conditional Use Permit Modification – Fairways Lawn Care – W5206 Amy Ave

In August 2021, the Village approved a Conditional Use Permit (CUP) for Fairways Lawn Care & Snow Removal, LLC to operate a trade and contractor business at property located at W5206 Amy Ave, Loc ID 33148. As part of the CUP, the Village approved 9 conditions, one of which was to restrict the hours of operation to 7:00am-5:00pm Monday through Friday and 7:00am - 12:00pm on Saturdays. Customer visits will be by appointment only.

The applicant wishes to amend the proposed hours of operation to be Monday through Sunday 7:00am – 6:00pm and during snow events.

The Plan Commission was granted authority under the August 2021 CUP to approve alternate hours than those listed in the CUP, see condition #3. The request is for 6 additional hours on Saturday and 11 additional hours on Sundays.

Motion (Van Hefty/ Bartlein) to approve the additional hours of operation for the existing Conditional Use Permit to Monday through Sunday 7:00 am – 6:00 pm plus during snow events.

Motion carried 5-0.

h. Special Exception to Design Standard – Fairways Lawn Care – W5206 Amy Ave

The applicant is requesting a special exception for design standards on a trade and contractor office, for Fairways Lawn Care & Lawn Care & Snow Removal, LLC, located at W5206 Amy Ave. The location is zoned [COR] Office & Retail Commercial.

Per Village Code [Sec. 117-87(O)(2)], Special exceptions may be granted by the Plan Commission. The current code states, “*Materials.* At least fifty (50%) percent of all exterior walls facing a public or private street and at least the lower one-third (1/3) of all other exterior walls shall be glass, brick, block, fieldstone, siding or other architectural masonry material. Roofs which exceed a pitch of more than three inches in 12 inches shall either be shingled or have an architectural metal roofing system.”

The applicant is proposing a 60’x150’ trade and contractor office with exterior building cladding to consist of 3-foot high cultured stone on all four sides of the building with exposed fastener steel above. The applicant is requesting an exception to the (50%) percent of all exterior walls...shall be glass, brick, block, fieldstone, siding or other architectural masonry material.

In April 2021, the Village approved many amendments to the zoning ordinance to reduce the quantity of stone/brick required. This is the first such request under those new provisions.

*Motion (Bartlein/Van Hefty) to approve the exception to design standard for a trade and contractor office because of conformity with existing buildings surrounding the business.
Motion carried 5-0.*

- i. Update to Bicycle and Pedestrian Connections Map – Comprehensive Outdoor Recreation Plan

In order to finalize a change to the Bicycle & Pedestrian Connections Map (trail map) as part of the Comprehensive Outdoor Recreation Plan (CORP) a public hearing must be held.

Information from April 18th Meeting:

At the March meeting, the Plan Commission asked staff to revise the trail map to include the following:

1. Trail on Woodland Road (from County N to future Eisenhower Drive). {Note, after reviewing the map, staff is recommending that the trail on Woodland Road extend from County N to Lake Park Road. }
2. Trail on future Noe Road (from Manitowoc Road to Woodland Road).
3. Trail on Hwy 114 (from County N/Firelane 12 to Pigeon Road) to be the recommended location instead of a trail along the railroad tracks (from North Shore Road to Pigeon Road). {Note, staff kept the route along the railroad tracks as a second option in case there was willingness from the property owners to sell or deed land for a trail. }

Attached to this memo is an updated draft of the Bicycle & Pedestrian Connections Map as part of the CORP that includes the three items listed above.

Information from March 21st Meeting:

At the February 28th Village Board meeting, the Board wanted the Plan Commission to review the Trail Map as part of the Comprehensive Outdoor Recreation Plan (CORP) to identify areas for future trails. The current trails map identify the major streets that re identified for future trails. Trails are typically used to connect regional points of interest, such as parks, schools, recreational areas, and commercial areas. Bike lanes, sidewalks, and trails work together to create a safe passage network for pedestrian and recreational users.

One issue to look at is how does the High Cliff Connector Trail (from Menasha to Sherwood) fit into this plan. Currently, there is a trail shown along the railroad from Firelane 12 to Pigeon Road in the Harrison CORP trail map. Is the best route along the railroad or should the plan identify the trail along Hwy 114?

The Village Board adopted an ordinance to require developments to include trails as part of new subdivisions (or provide a fee in lieu of trail construction) on streets identified in the trail map. The trail map should identify all the streets or areas that should have trails.

Motion (Gross/Lincoln) to approve the draft Bicycle & Pedestrian Connections Map (trail map) as part of the Comprehensive Outdoor Recreation Plan (CORP) as presented.

Motion carried 5-0.

9) Items for Discussion

a. Report: Zoning Permits

The reports and permits are on file at Village Hall.

10) Set Next Meeting Date

- Tentatively June 20, 2023 at 6:00pm

11) Adjourn

Motion (Bartelin/Van Hefty) to adjourn at 6:26 pm.

Motion carried 5-0.

Prepared by: Meghan Winkler, Deputy Clerk/Treasurer

Dated: 5/24/2023