

CITY OF ELKHORN
ARCHITECTURAL REVIEW BOARD/CITY PLAN COMMISSION MEETING
Council Chambers, 311 Seymour Ct., Elkhorn, WI
April 18, 2024

The Architectural Review Board/City Plan Commission Meeting was called to order at 6:00 p.m. by Chairman Shiroda followed by the Pledge of Allegiance and Roll Call.

ROLL CALL

Present: Meinel, Hunter, Wuttke, Stotko, Boardman, Geaslen, Shiroda
Absent: None
Also Present: Schwark, Swann, Lindstrom, Ekes
Visitors: Warren Hansen, Joe Doherty, Pat Watts, Ricardo Angeles, Other Unidentified Persons

APPROVAL OF MINUTES

Motion (Boardman/Geaslen) to approve the minutes of the Architectural Review Board and Plan Commission meetings of March 7, 2024. Motion carried unanimously.

PUBLIC HEARING -CUP/C.T.H. H & PROCTOR DR/SIRDOME MIDWEST STORAGE/DOHERTY

Public hearing convened at 6:03 p.m. for the purpose of hearing all interested parties, their attorneys or agents with respect to the proposed Conditional Use Permit to allow rentable mini warehouse storage units to be located on a vacant lot off C.T.H. "H" and Proctor Drive (Tax Key No. YA414900001) submitted by Joe Doherty, Sirdome Midwest Storage. Chairman Shiroda asked if anyone wished to be heard regarding this matter. No one wished to be heard. Chairman Shiroda asked three times if anyone wished to be heard. No one else wished to be heard. Public hearing closed at 6:04 pm.

CUP/SITE PLAN/ARCH REV./C.T.H. H & PROCTOR/SIRDOME MIDWEST STORAGE/DOHERTY

Warren Hansen, Farris, Hansen & Associates, presented the Conditional Use Permit request along with the site plan and architectural review for the Elkhorn Storage Park to be constructed by Sirdome Midwest Storage, Joe Doherty. Mr. Hansen explained they are proposing to construct storage condos on the vacant lot off C.T. H "H" and Proctor Drive in Elkhorn Industrial Park. (Tax Key No. YA414900001). He reported that he is presenting revised plans to address the comments of the City Engineer's Memorandum dated April 1, 2024. He reported that a variance is being requested a reduction of the standard rear lot setback from 25 feet to 10 feet. He addressed the drainage plan, recording a new easement for watermain, bike trail, berm, fencing, and lighting.

The Zoning Administrator provided the Staff Report dated April 10, 2024. The applicant is requesting a Site Plan and Architectural Review and Conditional Use Permit for the construction and operation of rentable mini warehouse storage units located on a vacant lot off of County Road H and Proctor Drive. The applicant is proposing the construction of 6 storage condos (Tax Key YA414900001). Improvements also include a new parking lot and internal driveway system and new stormwater pond. The parcel has a total area of 149,302 S.F. (3.43 Acres). **Staff Review Summary:** Staff recommends that Plan Commission consider the following review comments: 1) In evaluating a request for Conditional Use Permit, the City Plan Commission shall review the application in regard to the following factors in making its recommendation to the Common Council: a) Consistency with the City's Comprehensive Plan, b) Site plan layout, c) Existing and proposed structures, d) Potential impacts on surrounding properties, e) Compatibility with the nearby pattern of development, f) Design of parking areas, g) Driveway locations and access to adjacent roads/roadway system, h) Traffic generation, circulation and potential congestion, i) Infrastructure/utilities including drainage, sewerage, and water systems, j) Proposed business operations, k) Landscaping, l) Lighting, m) Type of construction, n) Construction commencement and completion dates, and o) Sureties.

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2) Area, Yard & Height Requirements: The site plan does not appear to be in compliance with Section 17.5 of the Municipal Code. The rear yard setback in the M-1 Zoning District requires a 25 foot rear yard setback. The property owner has applied for a variance on the rear yard setback, and the ZBA meeting is scheduled for April 25, 2024. 3) Traffic, Loading, Parking and Access: The site plan appears to be in compliance with requirements of Section 17.6. 3) General: City Engineer Review: See Kapur Memorandum (April 1, 2024). Holding tank is depicted on site plan which is not in compliance with Section 13.4.030-Use of the public sewers. 4) Fire Protection. Fire Hydrants do not appear to be in compliance with Section 5.26. Fire hydrants shall be freestanding and located not more than 50 feet or less than 25 feet from the main entrance. Additional hydrants shall be provided around the perimeter of the building so that no fire hydrant is more than 350 feet from another approved hydrant measured by normal access routes, if the building is not protected by a sprinkler system. If the building is protected by a sprinkler system, the maximum distance is 450 feet. See proposed fire hydrant location by Kapur. Fire Lanes do not appear to be in compliance with Section 5.30. Specifications for Fire Lanes. All fire lanes, whether required by this chapter or not, shall meet COMM 62 and NFPA 1, be at least 20' wide. Fire lanes shall be located so that the closest edge of the fire lane is at least 10' from a building but not more than 30' from the building(s) with which it is associated. All curves and turn-arounds shall be designed for a minimum 48' turning radius. Marking of Fire Lanes. Any fire lane, whether required by this chapter or not, shall be marked with approved signs within 5 feet of the beginning and within 5 feet of the end of the fire lane. Spacing between such signs shall not exceed 100 feet. Fire lane signs shall be affixed to a stationary pole or object and shall face in the direction of oncoming traffic. In addition to signage, the curb along each fire lane shall be painted yellow. Where there is no curb, a 4 inch wide stripe shall be painted the full length of the fire lane. In addition to signage and marking described above, any roadway for the exclusive use as a fire lane shall be striped with 4 inch wide yellow stripes. **Staff Recommendations:** Staff recommends that the Plan Commission **TABLE** the conditional use permit, Site Plan Review, and Architectural Review for rentable mini warehouse storage due to the following reasons: There are several items within the submittal that require additional attention and are not in compliance with our current municipal ordinances. Several Engineering comments in Kapur Memorandum (April 1, 2024) have not been addressed. Project revisions were submitted on April 10, 2024, and staff has not had adequate time to review Farris Hansen comments/revisions to Site Plan.

The City Engineer presented the April 1, 2024 Memorandum. **Comments:** Reviewed the information above and offer the following comments: **Site Plan:** 1) It is unclear if the utility easement over the existing watermain referenced on the 1980's as-built drawing was ever finalized. If no such utility easement exists, a new easement will be required based on a confirmed location of the on-site public watermain. Coordination with the City Water Utility is required for proper location of the watermain. 2) City Fire review and approval is required with respect to adequate fire protection and internal emergency vehicle movements throughout the site. The plans show turning radii that would require turning movements through proposed buildings, as well cross-slopes on drive paths that are shown at 9% between Building Nos. 1-2 and 3-4. Both situations restrict fire access. The Elkhorn Fire Department recently confirmed that the largest trucks require 45 foot to complete a right or left turn around buildings. Please clarify the fire access lanes and the 150 foot fire access limits within the development. For example, the turning radius at the SW corner of Building 6 does not accommodate a fire access lane; however, fire access may be reasonable from another route. 3) Proposed grading on the north side of the stormwater basin does not match existing grade at the property line. The topo of berm is labeled at 988.68 and the existing grade at the property line is 978.9. The entire berm of the detention basin (from top to toe) must be contained within the property.

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4) Comment No. 7 of the February 27, 2024 review has not been addressed. *“The City of Elkhorn is reconstructing the existing bike path surrounding the site in summer 2024. Grading shall be proposed to match into the new path. Any alterations deemed necessary for construction of the ingress/egress must be designed and constructed in accordance with the Wisconsin Bicycle Facility Design Handbook.”* a) Cross Slopes for the bike path shall be limited to 2% slopes (including through the proposed ingress/egress driveway). b) Longitudinal Slopes for vertical alignment adjustments for the path shall be limited to a maximum of 5% slopes.

5) Based on conversations with Farris Hansen, two storm sewer system connections are being considered: a) The outfall pipe from the proposed basin will connect to the private storm sewer system on the adjacent property. An agreement signed by both property owners agreeing to this work shall be provided to the City. b) The outfall pipe from the proposed basin will connect into the storm sewer system on Proctor Drive via the City owned parcel. The plans must be revised to include alignment and details of the connection if ultimately proposed.

6) Sheet 1 shall label the invert for the 12 inch outlet pipe at the Outlet Control Structure (OCS) and at the existing structure it connects into. The detail on Sheet 3 labels the outlet pipe as an 8-inch with an invert of 983.0. Please check for consistency.

7) The proposed basin requires a Type A Clay Liner conforming to WDNR Technical Standard 1001. The Wet Pond Cross Section shall be updated to reflect this requirement.

Storm Sewer Report: 8) Concur that the development shall meet the existing release rates from the site as opposed the peak discharge release rates of Chapter 14.05 of the Municipal Code. This parcel is a part of a larger development with a regional detention facility downstream of the proposed improvements that further reduces peak flow rates.

9) Comment No. 7 of the February 27, 2024 review has not been addressed. *“Offsite drainage area from the south, Parcel YV SE 00017E4, as well as the train tracks to the north, shall be included in the drainage area, stormwater model and spillway sizing calculations (assuming clogged condition). Flow rates from the offsite drainage area may be bypassed over an appropriately sized spillway.”* An annotated county contour map shows the estimated off-site drainage divide. We have estimated approximately 2.5 acres of off-site drainage while the calculations account for 1.03 acres.

10) Thank you for separating out the off-site drainage areas in the proposed conditions Hydro CAD model. For comparison purposes, the existing Hydro CAD model shall also include the separate off-site drainage areas.

1) Calculations shall be provided for the proposed overflow weir demonstrating that the spillway is sized to convey the 100 year peak inflow rate from the development and all offsite drainage areas without overtopping the berm.

2) The stormwater maintenance agreement shall be modified to follow the City of Elkhorn template.

Discussion regarding the proposed holding tank to be used to accommodate the office restroom. It was noted that the City does not allow holding tanks and that the applicant would have to remove it from the site plan. Per City ordinance the property would have to connect to City sewer and water to accommodate the restroom. Mr. Hansen reported that he had researched the records and there is no sanitary sewer available close enough to this parcel on C.T. H. “H” and would have to make the connection from either Koopman Lane or Proctor Drive which would be very costly. He said they would remove the restroom from the site plan.

Warren Hansen addressed the issues noted in the previously presented April 10, 2024 Staff Report and April 1, 2024 Memorandum. He also noted that the applicant is requesting a reduction in the rear setback and that the Zoning Board of Appeals will be meeting next week to make the determination. The next step would be to possibly return to the May 2, 2024 for further action.

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Motion (Boardman/Geaslen) to table the Conditional Use Permit, Site Plan and Architectural Review to allow rentable mini warehouse storage units to be located on a vacant lot off C.T.H. "H" and Proctor Drive (Tax Key No. YA414900001) based on Staff recommendations for additional information, sufficient time to review revised plans, and awaiting a variance determination for rear setback reduction. Motion carried unanimously.

PUBLIC HEARING – CUP/1 N. LINCOLN ST./MIDWEST ONE/S. CO. PROPERTIES/ANGELES

Public hearing convened at 6:29 p.m. for the purpose of hearing all interested parties, their attorneys or agents with respect to the proposed Conditional Use Permit to allow outside dining located at 1 North Lincoln Street (Tax Key No. YRW00022A) submitted by Ricardo Angeles, Ricky's Place Restaurant. Chairman Shiroda asked if anyone wished to be heard regarding this matter. No one wished to be heard. Chairman Shiroda asked three times if anyone wished to be heard. No one else wished to be heard. Public hearing closed at 6:30 pm.

CONDITIONAL USE PERMIT/1 N. LINCOLN ST./MIDWEST ONE/S. CO. PROPERTIES/ANGELES

Pat Watts, property owner, presented the Conditional Use Permit request to allow outside dining at Ricky's Place Restaurant at 1 North Lincoln Street, submitted by Ricardo Angeles, applicant. He explained that the outdoor seating would be seasonal, April/May to September/October, weather permitting.

The Zoning Administrator provided the April 18, 2024 Staff Report. The applicant is requesting a conditional use permit for outdoor dining located at 1 N. Lincoln Street from May 1 to September 30, with times of operation 10:30am-8:00pm Tuesday-Friday, 8:00am-8:00pm Saturday, and 8:00am-2:00pm Sunday. The property is already within the adequate zoning district for this operation. **Staff Recommendations:** Staff recommends that the Plan Commission **APPROVE** the conditional use for outdoor dining with the following conditions: 1) The project shall be developed in accordance with the plan of operations. Any deviation from the approved plans shall require zoning administrator and/or Plan Commission approval. 2) The total number of outdoor tables shall not exceed six (6). 3) The tables and chairs shall not be stored outdoors from November-April. 4) The times of outdoor operation shall be as follows: 10:30am-8:00pm Tuesday-Friday, 8:00am-8:00pm Saturday, and 8:00am-2:00pm Sunday. 5) Fencing material and height shall be approved by the zoning administrator. 6) Outdoor seating shall never obstruct public sidewalk or pedestrian access. Discussion.

Motion (Stotko/Meinel) to recommend to Council to approve the Conditional Use Permit request to allow outside dining at 1 North Lincoln Street (Tax Key No. YRW00022A) submitted by Ricardo Angeles, Ricky's Place Restaurant subject to the conditions of the Staff Report dated April 18, 2024. Motion carried unanimously.

GENERAL DISCUSSION

The Zoning Administrator provided a brief update on several proposed and existing projects within the City.

MEETING DATES

The next Plan Commission meeting may be scheduled for Thursday, May 2, 2024.

ADJOURNMENT

Motion (Wuttke/Geaslen) to adjourn. Motion carried unanimously. Meeting adjourned at 6:45 p.m.

Shari McKinney
Plan Commission Secretary