

JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES -AMENDED
MONDAY APRIL 21, 2025
6:30 PM
BOARD ROOM
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.

Present: Jeff Pfannerstill, Tim Hallquist, Jeff Bierman, Chip Schneeberger (via zoom), David DeCourcy-Bower, and Ann Wallschlager.

Others Present: Ryan Bailey, Scott Hussinger, Deputy Clerk Bushey, Ryan Amtmann, John Ford, and Nicholas Puchacz .

Call to Order- 6:30 pm

Roll Call taken. All present with one vacancy.

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.

- No Comments

1. Consideration of a motion to approve the Jt. Architectural Board/Plan Commission minutes of March 17, 2025 –

Motion (Wallschlager/Hallquist) to approve the Jt. Architectural Board/Plan Commission minutes of March 17, 2025. Carried. (6-0).

2. Architectural Board review and consideration of an application for demolition of existing garage and construction of a new garage, 337 E. Capitol Drive-

The contractor was present. Hussinger said it is less than the max allowed size, meets height and setback requirements.

Motion (DeCourcy- Bower/Hallquist) to approve the application for demolition of existing garage and construction of a new garage. (6-0).

3. Plan Commission and Architectural Board review and consideration of an addition to Lake Country Lutheran, 401 Campus Drive -

Paul Wheeler and Pete Schneider were present and explained it is a 2-story 28,000 sq ft addition to the west side which is the PAC and gym side of the property. The first floor will be for athletic training support services and the second floor will be for staff and academics. They are also proposing to expand the parking lot in two areas. Materials of the addition are to match the materials on the existing building. Hallquist asked Ryan Amtmann about the two questions he had included in the packet and the stormwater. Ryan Amtmann said the stormwater management plan has been updated to include the additional things he had requested, and the stormwater plan is in good shape. He asked regarding the sidewalk crosswalk, could they wrap it around to the south rather into the two lanes and they responded yes, they can, they are trying to do connect it to the senior center and whatever is needed they will do that. Ryan Amtmann asked if they are adding ADA stalls, and they stated they didn't know the exact

specifics on that but they can get the answer for him. Bailey asked Hussinger if he knew the requirements regarding that and Hussinger said that will come with the State plan. Bailey asked when they planned to break ground, and they said early summer.

Motion (DeCourcy- Bower/Hallquist) to approve contingent on the items staff identified getting addressed in the final review. (6-0). Bailey said this will go to the next Village Board meeting.

4. Review of proposed PUD development amendment (“Project”) whose approval is being sought by Three Leaf Development on property tax key HAV 0423981056 located on Campus Drive. The Plan Commission will review:

- a. Proposed amendment of preliminary site and building plans for senior living development (124 units from previous 120);**
- b. Request by the developer to amend the PUD to waive all impact, sewer connection and Regional Sewer Availability Charge fees totaling approximately \$695,546.**

John Ford was present for Three Leaf Development. Village Manager Bailey said the PUD for this has not been signed yet but that was always dependent on the financing but this would be an amendment to the PUD so it would take two plan commission meetings and three village board meetings. Mr. Ford thanked Building Inspector Hussinger and Mr. Amtmann for all the hard work they contributed to on the Westrock Development.

Mr. Ford said he is here for the senior living project and was here last year for the 118 units as they designed it; and the PUD had a maximum of up to 120 units. He said following approval they have been working hard to move it forward, including finalizing design and competitively bidding out the project to confirm we have a financially feasible project. He said following this process it became clear they had some additional work to do in order to make it financially feasible. He said they encountered a number of factors, that lead to this, which were higher than expected construction cost, higher fees than other nearby adjacent communities, inefficient market sector in regards to revenue and operating expenses in the senior industry in particular, tariffs, high interest rates and imbalance of common area to rentable square footage. Overall, as designed and approved the project was not financially feasible, in order to obtain debt financing and investor equity for the project. As we discussed previously in 2024, as the site is not as challenging as the Westrock project, this site still has significant challenges that add to the costs. He said some of those are quick claim deed on the site so the building has to be positioned east of that, fire access, parking and storm water & utilities. He said having to push the site to the east, that site is where the entire site drains to naturally which contributes to the additional cost of having to go to the west portion of the site from a stormwater and utility standpoint. He said the site plan was included in the packet and they feel like the layout is as efficient as they can get, of the site standpoint, water, and design. He said they looked at other areas to make it financially feasible. He said without jeopardizing overall appeal, they targeted four areas, first was construction pricing in which they eliminated twenty-six items to save cost, second was there additional design efficiency they could incorporate, the rooftop common area/clubhouse that was removed and additional units added. He said the third was from revenue standpoint, they updated the market study and where they could push further and lastly they looked at operating standpoint and where they could be more efficient. Nicholas Puchacz from PRA

architect was present via zoom and the Plan Commission was updated on the overall look and the modifications in the design. Mr. Ford commented on the assisted living units needed in the coming years. He said while they have trimmed approx. \$25000 per unit, which is three million, they are still short of ideally where they would like to be in order to achieve debt render financing and equity investors. He said the Lutheran H.S. Association of Greater Milwaukee remains committed to the project and steadfast in their interest in pledging the land into this deal as an investor. He continued on saying the demand is real and will only be growing in the years to come. He said the other locations in Hartland and this product is absolutely needed. He said they are seeking approval on the design modifications to increase the units to 124 and a waiver on the impact fees. He said the current impact fee was \$1.2 million and they are proposing to make a payment of \$570,000 of the Del-hart sewer collection fees and a waiver of the balance of total fees of \$695,000. He said he understands not wanting to set a precedence, but he has some counterpoints. He said waiving fees on such an impactful project like this nearly forty million project is not necessarily like other projects. He said the economic impact for Seniors & family, it is documented they want to live in close proximity of each other. Also, not having available, good senior full continuum care options to meet the demand has a trickle-down effect economically for Hartland, and taxes would be approx. 250,000- 300,000. He said sewer fees, especially in hard economic times, are not charged by the majority of other adjacent communities. He said a similar size project in another community is already 20% leased and they just opened their doors recently. He said this is an investment in growing community, seniors, and continued growth in infrastructure.

Pfannerstill asked Hussinger how it figured out the max on a PUD. Hussinger said there is a max allowable density and utilizing for elderly housing and you increase that overall density by 10%. Hussinger said it is from our Zoning Code. Wallschlager asked about ADA parking which only shows four spaces. Hussinger said it will come out in the State Plan Review they have specific requirements for elderly housing. He said he thinks you could ask for more but thinks it is already built into the State Code. DeCourcy-Bower said overall he has no problems with the changing of the number of units or the aesthetics. Hallquist said he thinks it is great. Bierman agreed with the aesthetics of the building and overall layout. Wallschlager also agreed with the aesthetics. DeCourcy-Bower asked about overall density specific to the portion of the land to east of line. Hussinger said no it includes both parcels and that is the reason for the PUD, we have to tie them together.

Discussion on the financial aspect of the project plus possibly increasing the units and if the petitioner wants to increase the units.

Pfannerstill said he thinks the land is perfect for it and would hate to see it flounder. Wallschlager said she has worked on this all weekend. She went on to say these huge projects will bring more traffic, ambulance calls, police calls, and more wear on our very expensive roads. She said the ambiguous cost of the development will inherently bring to the village of Hartland and our taxpayers does not have to be put on our citizens but on the development itself. She said impact fees are acted to help offset the cost of additional expenses of parks, DPW, rec department, police, fire, and ambulance. She said our utilities do not come free for any business or any citizen in our Village. Utilities such as sewer connection fees, the regional server charges, are basic fees for any new development and should be paid by this developer and not without taxpayer dollars. If the fees will inhibit the developer from building this project, then maybe it need to go back to the drawing board down to the basics. She said she is asking the board to vote no on waiving the fees. Hallquist said he does not think the Village should have to

waive these fees. Bierman agreed that having taxpayers pay for the impact fees is not a good thing, and thinks the impact fees are needed because of the cost of the ambulance runs. He said the fire chief has said four times a week they send ambulances to the elderly homes already. He said he does not think it is a good idea to waive the fees, he thinks the developer should pay it. DeCourcy-Bower said we charge every developer impact fees and thinks we shouldn't be making exceptions for specific projects however what he is hearing is that other communities around the area don't have these fees and how do they make it work, and if they can make it work do they transfer it on to taxpayers and do we want to incentivize a development in the village to the point where we reduce the cost for the development in the Village. He said that needs more evaluation. He said he is interested in a planning point of view; how does that affect developments going forward? Discussion on impact fees. Pfannerstill said he agrees with Hallquist but also agrees with DeCourcy-Bower. Hussinger said on the Village side impact fees are about 2000 a unit and sewer connection fee is 8000. More discussion on impact fees, how it impacts the Village and what it pays for. Pfannerstill said he agrees with deCourcy-Bower, he thinks it needs to be looked at. Hallquist said the new house on North Ave, he had to pay for all the new connection fees. Hussinger said he was already connected and built a new house, but if he built a new house on the second lot, he would have to pay the fees. Discussion on the Fire Department and the future needs for the Fire Department. Brief discussion on if the Village could have enough sewer wise to handle more developments.

DeCourcy-Bower said he understands the value senior living will bring to the community and the impact fees cost a lot of money upfront and they get financially challenging. He said we either need to come to a decision as a community about impact fees whether we want to charge them or not and how to absorb that. The only other option he said he would throughout there is what is the tax rate of the senior living facility currently and is there a way to capture these costs through taxing senior living zoning at a rate proportional to the needs that those type of developments have, he said that is the only way he can see around that.

Bailey reminded everyone this is just a review, and we will come back in a month. He said when you hear sewer connection, that is the cost to connect to our system and that money is used for future upgrades. He said impact fees are truly the impact on the community and their portion of it.

Pfannerstill said I think we do need to take into consideration that some of those people will be people who did live here and want to stay close. He said he thinks that it is important to note and take into consideration as well. He said he would like to take a look at 5 or 6 other communities and see what their impact fees are. Wallschlagler said developers coming to Hartland know, if they do their due diligence, they know, we are not blindsiding people.

Bierman said he thinks it would be better to have the Village Board look at the impact fees as they are more privy to the finances. He said he would hate to kill the project when he feels like he does not have the financial knowledge. Hussinger said he will forward to Village Manager Bailey what other communities do. Hussinger said in Waukesha County if you are in an MMSD east of Calhoun Rd, they do not charge impact fees, it is a tax basis, it is based on the value of your house. He said that is the key difference.

Hallquist commented that if we waive this, where do we stop? If we turn someone else down, are we being biased. He said it could have a snowball effect. Mr. Ford said it is the complexity of the site, and the need and desire to get a fire truck all the way around the building and asked if there is a middle

ground. He said at the end of the day; how do we work together to find a solution. He said is there a way due to the complexity and the additional costs we are incurring, is there a way that those can be considered. Pfannerstill said there are certain things this project is not going to have an impact on. He said they will not have leaf pickup, roads snowplowed, or garbage pickup.

Hussinger said we have different categories, we have industrial, we have commercial we have residential, maybe we have an elderly and now some of these things don't apply. Discussion on impacts and charges in different categories and upgrades. Ford said if they can find a solution they would like to start construction around August of this year. Bailey asked what they would do if the Plan Commission said no, and he said it is not in a good spot. He said they have been leaving no stone unturned, trying to find a solution.

Bailey said this is supposed to come back in a month.

Bierman suggested again moving it to the Village Board, where they can have this discussion, and they have more knowledge on the tax basis. Pfannerstill said he agrees with Bierman. Hussinger said if the fees are waived, fine, if they are not waived fine, if they are waived in part they will need to give some direction. Bailey said he and Hussinger would have to come up with some way of what fees. DeCourcy-Bower said that it is the Plan Commission's legal responsibility to evaluate this and the financial aspects of the PUD. He said Mr. Ford wants to go to the Board to have a conversation and get a pulse, he would not stand in the way of that. Mr. Ford asked if there was any other information the Board would want to see. Pfannerstill said maybe the Board would want to know the numbers, what number would make if feasible.

Schneeberger said they knew the impact fees at the beginning of the project so why are they asking for grace now? Mr. Ford said because of some of the things he mentioned earlier on, the construction cost, and they tried to redesign it and there is still a gap they are not able to solve. Schneeberger said we need more information on impact fees of other areas.

Announcements-

Lake Country Beer Garden will be run by Beer Snobs this year and has been renamed Hartland Beer Garden.

5. Adjourn

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

Adjourned at 8:00 pm.

Respectfully submitted by

Recording Secretary,
Deidre Bushéy, Deputy Clerk