

JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES
MONDAY, APRIL 19, 2021
7:00 PM
BOARD ROOM
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.

Present: Jeff Pfannerstill, James Schneeberger, Tim Hallquist, Jeff Bierman & Ann Walllschlager. David de Courcy-Bower and Dino Xykis attended via Zoom.

Others Present: Administrator Rhode, Ryan Amtmann, Ben Nelson, James Siepmann, Hector de la Mora and Deputy Clerk Bushey. Attending via Zoom: Alan Krenke, L. Mieth, Soryal Soryal, Adam & Rachel Krenke, Jackie Hendriks, Mark Drew, Scott W., Natasha Jambrek, Kim Carlisle Joe Ferguson, and Brad Kropp.

Call to Order- 7:03 pm

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.

The following people commented on the Sandhill Development:

- Heidi Brandt N59 W28135 Ainsworth Rd. – Lives on the backside of the development and said the area has always been residential and the area does not need high density. Commented that the traffic is already bad in the area and does not think there is anything in the area for retired people.
- Alan Krenke 1643 Twisted Oak Ct.- Would like to it single family residence. Commented that the traffic is bad on KE and feels it will affect property values.
- Soryal Soryal 1640 Upland Ct. – Commented the area does not need a multi-family development.
- Natasha Jambrek 1614 Whistling Hill Circle – Said the traffic is a concern, thinks there is a higher demand for single family residence vs multi-family, and asked what the completion time is.
- Adam Krenke 1676 Whistling Hill Circle – Said the traffic is already busy in the area and thinks that structure for traffic should be put in place first.

1. Consideration of a motion to approve the Architectural Board/Plan Commission minutes from March 15, 2021.

Motion (de Courcy-Bower/Hallquist) to approve the minutes for the Architectural Board/Plan Commission meeting on March 15, 2021 with the amendment to add de Courcy-Bower language. Carried (7-0).

2. Architectural Board review and consideration of an application for construction of a detached garage on the Olson property, 235 Meadow Lane-

Mr. Olson would like to tear down the existing 1 car garage and replace it with a new 2 car 24x28 detached wood frame garage. Hussinger said he normally would just approve this type of thing,

however since they want to exceed the 15 ft height max, he thought it should come to the Arch board for approval.

Motion (de Courcy-Bower/Xykis) to approve the application for a detached garage on the Olson property. Carried (7-0).

3. Architectural Board review and consideration of an application for construction of a new residence on the Ferro Property, 1014 E. Capitol Drive-

Tony Ferro was present and said he would like to build a small house on the existing lot. He said there are a lot of challenges with the existing grades. He said it will be a 2-story house with a full basement with prefinished siding. Wallschlager said she drove past the property and commented that it is a small lot. She asked about the neighbors shed that looks close to the lot line. Mr. Ferro said the corner of their shed does encroach on his property, but he does not have a problem with it. Wallschlager asked how he would access the basement and he said from the inside. Building Inspector Hussinger asked about the roof shingle. Mr. Ferro said the shingles will be Tesla shingles which is a solar shingle. Xykis asked about the weight density and Mr. Ferro said it is the same density as regular shingle. Xykis commented that the shed does encroach on Mr. Ferro's property however that is between the property owners and the Village has no liability. Bierman asked about the grading plan. Mr. Ferro explained the grade and his plan for that. Hussinger said the Village needs to approve a grading plan and has not seen one. Hussinger said the grading is tricky as this is the last house to be built, the grading has to be pretty precise to direct the drainage properly. The other thing he pointed out is that there is no sewer and water in front of this property, Hussinger said there is sewer and water close by so the Village has to approve a sewer and water plan before he issues a building permit.

Mr. Ferro said he has been in contact with Waukesha County about the connection points for that because it does fall on Capitol Drive as the water does fall on the left and right of this property.

Motion (Hallquist/Schneeberger) to approve the application for construction of a new residence at 1014 E. Capitol Drive. Carried (7-0).

4. Architectural Board review and consideration for signage for Batteries Plus, 1325 Walnut Ridge Drive.

Melissa Cataldo from Innovative Signs was present via Zoom for Batteries Plus. She said they are looking to replace 2 signs. The 1st sign is the wall sign on the main building, it is about 82 sq. ft. will be non-illuminated and falls within the Villages code. The 2nd sign is a monument sign with a 21 ft. setback, and it faces out towards Walnut Ridge. She said Batteries Plus is just changing out the faces on either side with their new logo. She said she had spoken to Hussinger about a month ago he has mentioned submitting a landscape plan for the monument. There is no landscaping around it. But a landscape plan has been submitted and will be put in later in the spring or after the panels have been replaced.

Motion (de Courcy-Bower/Hallquist) to approve the application for 2 signs & a landscape plan for Batteries Plus, 1325 Walnut Ridge. Carried (7-0).

5. Architectural Board consideration of an application for installation of a second oxidizer for CL & D Digital at 535 Norton Drive.

Aaron Jahn was present for CL & D Digital. He explained they are looking to add a 2nd oxidizer that is 60 x 16 ft. Mr. Jahn said the current oxidizer is situated up on a hill and cannot be seen, and there is a 6 ft tall fence. Hussinger asked if it is illuminated, and Mr. Jahn said the current one does have some lighting behind it, but there's no plans for lighting at this time. Hussinger asked if it had any other equipment such as an air compressor that makes noise. Mr. Jahn said the concrete pad does have one air compressor and it does make a little bit of noise, but they are taking away 4 other air compressors that have more noise than that. Hussinger asked if it is a single tank or multiple components, Mr. Jahn said it has 2 different hoppers, but it is one machine.

Pfannerstill said it was difficult to make a determination without a picture of the oxidizer and asked the petitioner how soon they planned on starting, and Mr. Jahn said as soon as they get approval. Pfannerstill said he thinks it is appropriate to see a picture of where it is going and what it is going to look like even if it is sketched in. Petitioner said they could provide a comparison of the 2 and size comparisons as well as a drawing of it. Hussinger said the slab itself is not an issue but they need to see it.

de Courcy-Bower commented on the line of site on Norton Drive, and said he is less concerned about the visual in an industrial area, so he is not too concerned with that aspect. But what is more of a concern for him is what is the noise that gets generated, is it truly less than what is currently there and then what is the treating efficiency of it. He said it would be useful to have the specs on the oxidizer so they could approve the slab today.

The petitioner did not bring with them a picture or drawing of the oxidizer they are requesting installation for, so Pfannerstill said they can be approved for the concrete slab but they will need to come to next month's meeting so the Plan Commissioners can see what it will look like.

Motion (de Courcy-Bower/Pfannerstill) to approve the concrete slab only. Petitioner will need to come back next month for approval of the oxidizer. Carried (7-0).

6. Plan Commission review and consideration of an Extraterritorial Certified Survey Map for the property located at N46W28542 Willowbrook Ct. in the Town of Delafield.

Hussinger explained it is not likely for this property to come into the Village or affect the Village.

Motion (de Courcy-Bower/Schneeberger) to approve the Extraterritorial Certified Survey Map for property located at N46W28543 Willowbrook Ct. in the Town of Delafield. Carried (7-0).

5-minute recess taken at 7:50 pm

Meeting resumed at 7:56 pm

7. The Hartland Plan Commission will conduct a review for Sandhill East Multifamily, a proposed PUD development ("Project") whose approval and rezoning is being sought by Siepmann Realty Corporation on property tax key HAV0388 989 001 located east of CTH KE and north of CTH K.

The Plan Commission will examine:

- a. Proposed plans for 33 two family buildings and 11 four family buildings;**
- b. Proposed plans for Amenities for the Project;**
- c. Proposed Planned Unit Development (PUD) Agreement for the Project;**
- d. Proposed rezoning to RM-3 in conjunction with a PUD Agreement for the Project;**
- e. Proposed Security to assure the completion of limited public improvements and private utilities of the Project.**

If the Plan Commission is satisfied that the level of detail presented meets the requirements of Hartland Village Ordinances sec. 46-808, it may act to refer this Project to the Village Board for the scheduling of a Public Hearing pursuant to Hartland Village Ordinances sec.46-40.

Pfannerstill pointed out there is a typo in the wording of agenda item a, it should read "Proposed plans for 33 two family buildings and 11 four family buildings."

Jim Siepmann and Craig Caliendo were present and said they just want to explain what they have done since the last meeting. Mr. Siepmann said they have done a lot of engineering and work with the Attorney for the Village to get the PUD agreement in order and all the easements. He said he has been working with Ruckert & Mielke. He said as you all know this is supposed to be private sewer and water in this project and private streets. He said some high-level things that he wanted to hit on was just a reminder that comprehensive land use plan shows this area to be up to 2.5 units per acre so they would potentially have the right to come to the Village to ask for 150 units but they are not trying to maximize this property. They are trying to make it a nice site. They utilized that same street pattern that was spoken of this evening, but they changed the unit style obviously to 2 family and 4 family units. The buildings are modeled after single family homes, with the garages being turned to the side so they look like single family homes not 2 families. He said the 4 family will have 2 garages on each side of the units. He went on to say they have done all of the storm water studies and there was a concern about drainage on neighbors to the east and north of us, we completed that stormwater in the engineering study that has been proposed. He went on to say there has been some discussion about traffic and he thinks they can prove that the traffic from a condominium project is less than what you find in a single-family development. Mr. Siepmann said they are having to go thru a TIA (traffic impact analysis) with the County, being that they accessed the site only by County Highways being Winkleman to the west and K to the south: and those studies will be going forward after tonight's meeting. He said they did reach out to Arrowhead School District to make sure they could accommodate the additional homes there and they said they have plenty of capacity at this time and looking forward to more house stops in their district with the decreasing enrollment at this time. He commented on values and he said they are hoping for the 4 family to be in the 400,00+ range per unit and the 2 family 500,000+. He said there was a question on the impact of condominiums in single family area and said he thinks Bristlecone is a

great example of community right now where you have single family and condos and they have done really well over the years with no decrease in value of the single family.

Regarding the landscaping he said there will be public and private trails which will be paved trails along with open space. He said there will be 3 cul-de-sacs with green islands with landscape, he said those will have community collection areas where they will have a fire pit and some benches and an area where the community can gather. He said with street trees they will adhere to the Village Street tree plan. Craig Caliendo said they spent a lot of time on the buildings themselves, staggering the garage doors so the units will look like single family not like a sea of garage doors. He said they have a combination of several different elevations. He said although there will be continuity in the style there will be a lot of variety and they will be using the same exterior materials they use on their high-end style single family homes. He went on to say he thinks there is a big demand for retiring people and young professionals.

Ryan Amtmann went over his memo and said as Mr. Siepmann had mentioned he has interacted with staff numerous times to further along their documents as well as the PUD agreement which is in the packet as well as the exhibits that are attached to the proposed site plans, the details for sewer and water and the streets which are proposed to be private. The forms in completeness are 90% complete. Their engineer has had time to make changes that were requested. On pg. 2 are key points:

- 1- Will occur in 4 phases and will commence with phase 1 & 2.
- 2- The PUD agreement would require a letter of credit & would be providing credit for phase 1 & 2.
- 3- 2 access points highway k and ke, they will be commencing with TIA in specific to those 2 intersections and will require a Waukesha County Highway permit.
- 4- There will be a Sewer & water utility easement provided from Homestead Drive to Hill Ct in Overlook Trails for the ability of future water/sewer to be in this corridor.
- 5- Siepmann team is evaluating the sanitary sewer system layout. They are considering a shallower gravity system with private pumping or a pressure system/
- 6- Separate from the Sandhill PUD agreement approval, Siepmann Corp has agreed to work the Village to solidify the reservation of the previously identified future water well site on the 40-acre parcel.

Amtmann commented that in Rhode's memo identifies several items that are relative to the 40-acre parcel. He said #1 Siepmann Development will provide sewer & water easement to connect the overlook trails, (hilltop court) so that there would be a route through the 40-acre parcel that would connect to sandhill, but that is in future purposes. Other items include a future well site, and coordination for the County to locate a future right of way thru that property for the ultimate alignment of K & KE and as Rhode mentioned in his memo that is not in the County's 5-year plan. He went on to say that the traffic issue related to this development on this County highway is really a County issue that needs to get resolved at a County level and it would be helpful to forward any comments on the traffic issue to the County in addition to this board.

There was discussion on the traffic issues and Xykis asked if the TIA will be available to the public and Amtmann said yes.

Rhode commented that there was a lot of time spent going over things with the Developer.

Schneeberger asked about lighting and Siepmann said there will be a single light post at each driveway, coach lights on the structures and all 3 intersections as well as a couple street lights. A question regarding transformers came up and Rhode said even though staff and the Developer would like them set back, the leadership at WE Energies is not allowing flexibility at this time. There was brief discussion on the public trails and plowing. Schneeberger asked about the plowing of the public trails, and Rhode said at this time we don't mandate the plowing of the public trails, he said the only one that gets plowed which Schneeberger may be thinking of, is a public trail in Paradise Trail that cuts thru subdivision and Lake Country Lutheran, that is a public Village trail, and the Village unit does plow it, but the rest of the public trails are not treated. Siepmann said the trail all the way around the perimeter is public and the internal trails are private. Also, he said Carol Jungbluth whose property is in the far corner has an easement by the open space and that will remain. Wallschlager asked about the debris and garbage removal from the detention pond and once a month. It was stated that is standard and pretty typical. She also asked about the Hartland Maintenance and access easement.

There was brief discussion on the plowing of the trails.

Wallschlager commented that she thinks the paths should be shoveled and asked Siepmann if they would be plowed, and he said if the Village wants them done, they will do them. Wallschlager commented that if it is in the agreement than it should be done.

Rhode said the public paths are owned and maintained by the HOA. He did point out that there is a provision in the form of an agreement that the Village has permission to go on property to fix things or remove a tree if it is not removed.

Xykis said he thinks the trail system is the best solution and said the developer and the engineer did a great job.

De Courcy-Bower commented on a few points for clarification on his end. He said he thought the trail looked really nice, and said he thought it would be nice if the public ones were plowed so if someone from a different subdivision wanted they can access these in this area. He thought it would be nice if the trail came down towards County K similar to the way they do in Mary Hill, just so if someone is coming off the trail to the south it's a little easier and if they could put some crossings so people can get in and out easier, rather than walk to a driveway to get access.

Second thing he commented on was to the north, he said it would nice if there was some sort of easement that extended on the northern end of the property to get connection into this future parcel, similar to what was done at Overlook Trails where there were various legs going into the adjacent property and we have the flexibility to expand the trail system into future developments.

He also said it would be nice if the trails were not right up against a pretty busy road in the future.

His final comment was regarding Teri Lane and how it comes in at the beginning of the S curve and with the planned stormwater pond he asked if there was any concern for having a driveway or road coming in on the curve of an s curve. He said he was concerned on that & how it gets connected into the future S. He said he is concerned in the future how it is hitting this road at a wrong angle.

Pfannerstill asked if the setbacks have been approved by the County and Siepmann said they just got confirmation today that he believes the KE alignment is now correct and now the next steps are the access points to make sure they work with Winkleman and the future KE. De Courcy-Bower said the point he was getting at is, if they are planning storm water ponds have to be tough to relocate

Teri Lane to the north. He said before the Plan Commission gives approval, he just wanted to make sure it gets ironed out. He said he thinks the density looks good and there is a demand out there for this type of development. Amtmann responded to deCourcy-Bowers question about the intersection configuration. He said this approval needs to be contingent on having a TIA completed, having an opportunity to review that and making sure the Village Board is comfortable with the configuration of where the road connects on the s curve. He said that is going to be a County thing, they are not going to give a permit for those connections if it does not fit within the geometrics design criteria and layouts they require. He commented said as the TIA is looked at, he would ask Siepmann to consider what the commissioner said as far as a future westerly access in that same location to make sure that study is being done and addressed. Siepmann said regarding the trail they were trying to get it to go more west so that was their focus but thought it was a fair comment, and they will look at how they intersect with K right now and how that can intersect better. Biermann commented about the elevation of the retention pond stormwater by the trail and if there were a lot of rain there would be 3 ft of water in the retention pond, he asked if it would be possible to put an island in the middle. Siepmann responded there is a safety shelf all the way around it.

He asked what the width will be of the private roads and the petitioner responded it will be 27ft back-to-back with curb and asphalt. Rhode commented that there will be no parking on the right side. He said both the PD and FD did a review and are comfortable with it.

Hallquist commented on the future well site and asked if that will be a contractual agreement. Rhode said they are working on the 4 key points of what they are calling the west 40, and they are important to the overall development of the area, the well site, the right of way, the trail, the connectivity of the trail and he said all of those are key items. He said unfortunately until the County locks in the S curve its difficult to do all the other stuff. He said one thing the developer has agreed to, is to give the Village an easement to the water & sewer utility being subject to being adjusted. He said we are working on the well site and the trails and the rest of the package once the County locks in that S curve. He said again it is an important piece, but somewhat a separate piece. Hallquist asked if that will be reviewed after that gets settled?

Pfannerstill said there is not anything that we needed because that site is set, Ruckert & Mielke studied and set it. He said if he is not mistaken a study was done and we cannot just move the site. Hallquist said, no what he meant is once the S curve is set and then the Village will progress with the contract. Rhode said he did have a conversation with the County, and they were very close to committing for the right of way (not the building) of the S curve, locking in on where the S curve will go (not the building of it). He thinks the development has pushed them to lock in on where the S curve will go, the miles per hour and the variables. He said this is the closest we have ever been to the County committing to where that S curve will go. He said whether or not that ever gets on their capital plan that is a political item with the County. Pfannerstill said he is trying to be very careful because based on these discussions, someone could go back thru the minutes and if that S curve never goes on, it gets very hard to negotiate for that site. He said they have been talking about this for 16 years. He said if they put it on the plan, it is 5 years out and it is currently not on their plan. But if they did put it on their plan, the earliest it would be done is 6 years.

Xykis said a comment was made earlier that the developer has the right to change the water & sewer. He said if there is a change, does the Village or the County have responsibility if something does not work right other than the developer.

Rhode said the challenge we are looking at is there are several sections in the development that the gravity fed sewer system would get very deep and a deep sewer system causes potential problems long term. He said the developer is looking at other options like a forced sewer system which we have in the Village, Lake Country has plenty examples of that. He said we do not know what they finalized on, but that is a logistical item that we do not see that stopping the development. He said whether they choose 1 method or another, the sewage gets to us at the property line and we take it from there, so we obviously have a vested interest in it, that it works and is done correctly. He said that is why the Village has Ruekert & Mielke and Scott Hussinger to inspect and whatever they propose will be adequate to service what their needs are, but at this time they are going thru 2 different options which we are both comfortable with.

Pfannerstill said one of the reasons he was in favor of the concept plan was that this would not hurt the property values and that he does not think it will be a hard sell with the current movement. He said the County will have to address the traffic. He said the Village has begged the County to do something, sent letter and has gone to meetings in Merton. He said he will keep pressing but cannot force them.

Regarding the well site, he commented that the Village needs to secure that well site. He said all the pressure in the water system in Hartland comes from the water towers. He briefly explained how the water comes from the wells, goes to the water tower. The water pressure is increased and then goes out to the Village. All the wells feed the system and if 1 well is turned off, it does not hurt the system, but he said the Village must secure that well site. He said we need to pay for it and get it on the books. He said because if all the sudden the Village has a contaminated well, or if something happened that there were 2 contaminated wells, the Village would need that well site to keep up. He said this development does not put the Village in a place that the Village cannot handle the capacity. He said it is important to get this done and said he is not looking to get it done for free. He said it is like a safety net for Hartland if the Village were to lose a well.

deCourcy-Bower said Pfannerstill made an excellent point which is water security. He said with the number of constituents and the potential if regulations change which they may, could impact the ability to get clean water. His question was if the well and water supply is critical, is there any reason it could not be part of this development. Rhode said it does not mean any water we do not already have though. He commented on Pfannerstill's point that if the Village were to lose 2 wells, the Village would be hamstrung and that is the reality. Rhode said there is nothing being proposed on this 40-acre lot as part of this development. He said the owner/developer has worked with the Village all the way back when they gave the Village permission to go site that well and has agreed to all of those conditions over all those years. He said he thinks the important part is working with the County to lock down the future KE. He said once we have a future KE, a parcel can be created, and the Village can work on acquiring that. He said those are important key steps and does not know if we can tie approval or recommendation from the plan commission to an action like that.

deCourcy-Bower asked if the west 40 was being developed as part of this development. Rhode said it is not. de Courcy asked if the Village was putting a sanitary sewer through it. Rhode we are not.

Rhode said we are putting nothing in, Siepmann has agreed to future connections but no ground is being disturbed and he can understand how that is confusing. He said when this first started we looked into the west 40 to how it plays into this development. He said then originally some wires were crossed, when we added up the unit count, we thought it was also including units in the west 40. And so, for the initial part of this project we thought this was one development, but it is not. He said it has been clarified that it is just the 62 acres but nothing with the west 40. He has agreed to do easements because they are mutually beneficial. He has agreed to work with us on the well site, he has agreed to put in the trail system and connect the trail system in the future. Rhode said we have gotten some good commitments from him and are working on putting that in writing but at this point and time they are 2 separate developments.

Pfannerstill said the current zoning of the property is RS-1 and he likes the look of the development. He said to Mr. Siepmann that well site is imperative to the safety of the water supply to the Village, and he does not want it for free. He asked can we somehow make the well site a part of this and lock it in for the Village of Hartland. He went on to say if that property gets sold the Village is not guaranteed that water. He said we do not want to end up the situation if a well gets contaminated we do not have clean water, and he said again we don't want it for free. Siepmann said he will not commit right now. He said he has told staff, promised staff that he would run that parallel to Sandhill, working out with the County to get the S curve resolved with KE so we can define where the well site will be. He said but he wants them to run parallel and does not want that well site to be tied to Sandhill at all, it is a totally different ownership group ultimately. He said you are just going to have to trust us, but he is not going to tie them together. He said he has told that to staff multiple times. He said he has promised staff that they would work with them on it, and he understands how important that well site is to the Village, we will get it done.

8:59 Break taken.

9:07 meeting resumed.

Rhode said he just wanted to point out a couple items. He said they did submit building plans and architectural elements for the buildings. He said what this body has done in the past is review those upfront and approve them. He said to keep the process moving instead of having to keep coming before the committee to get it reviewed, the committee reviews all the potential plans in advance with the color schemes and if they are comfortable with them then just the Building Inspector does the review after the HOA has approved the design and it goes forward from there. He said if anyone has any questions on the design elements now would be a good time to bring that up and review it.

Hussinger asked them to quick summarize their plans. Siepmann said on the side-by-side buildings, they have 2-unit building will be 3 different buildings with 4 different floor plans. The floor plans range from 1500-1900 sq ft. and what they have done is infused what they have learned in building small single-family ranches into these condos. He went on to say they are $\frac{3}{4}$ the way thru a 140-unit project in Oconomowoc and it has been very successful. He said they just started a project to the west of there off of Silver Lake where they have taken the same floor plans and just changed the exteriors to make the Mediterranean feel that kind of match some existing units over there. He said the floor plans with the 2-unit buildings are very tried and true. He said the 4-unit buildings are

actually 2 2-unit buildings that are sandwiched together but again infuses what they see in the small single-family homes they are building and allows them to achieve a less expensive price point. He said they all will have basements, so the customer has the option of finishing out the lower level. The masonry will be thin cut stone, fiber cement siding and heavy dimensional shingle on the roof. They submitted color palettes, they pick the exterior schemes and sprinkle it through out the development, so you get a flow without monotony.

Rhode said all the attachments are here and there are a couple blank lines in the PUD, we are waiting on some of those final numbers that are typically taken from the construction engineer's cost. He said the Village engineer reviews those and if is comfortable with those numbers then plug them in. He said the PUD is similar to some of the other ones and asked the Village attorney to point out what items are different than other PUD's like Paradise Trails for example.

Attorney de la Mora said the PUD is discretionary and you are not under any obligation to adopt it. He said you can take into consideration elements that relate to the development itself. He said for example the well, there is a nexus there. He said at the same time, the well situation is not something that this development needs at this time. He said it has been pointed out that the Village has sufficient water, but it is potentially a fractional need that this development has, and other parts of the Village will have. He went on to say the approach that has been suggested by the Village Administrator is a very sound one, that the Village should be prepared to compensate for that particular well site. He simply because from their discussions it is not something that can be moved around to the far northwest corner of that lot. He said there is a specific spot in the ground that has been demonstrated to be where that well should be and then there are considerations in regard to that spot to what else you can site near there. He said he does not see that as a major issue however if the Village is looking at it simply from the standpoint of the resolution of that issue, if it truly is perceived to be a long-term issue, you are never going to have as much leverage as you have right now to resolve that problem. de la Mora said one way to deal with the situation is to have an appraisal of what is there, so you know what the interest is. He said in a different sense you are being asked to basically grant zoning approval for the entire track and to the Administrators question, essentially with regards to the lightning develop they paid for all of the infrastructure that was associated with that development. He said with regards to the Neumann PUD development which is a little bit like this particular development in that those were single family houses, there were 2 phases, but he did not recall if they were asked to put up a letter of credit for the 2nd phase. Rhode said there were 2 different letters of credit and the Village just got the 2nd letter of credit for phase 2. Attorney de la Mora said from a historic perspective that is his response.

Pfannerstill said he would give a brief history, and hopefully someone remembers it. He said some of these are tied together. He said the hilltop road that they talked about just on the left side when looking at the plot or just to the west, is the old north 40 which is the Glen at Overlook Trails now. He said it may not make a difference and wanted to show what was good on the Villages part, it did not have anything to do with the property that was on there that shows the S road on there. He said at that time the developer was looking to do an 80-acre parcel which included this S curve parcel but at the time the way it went, it went thru and is now 40 acres, but the board voted it down. He went on to say that at that time someone who didn't have to speak but they did, and he was more than happy to hear them speak and he believed it was Jim Siepmann. He said Siepmann

asked that the S be put into the comprehensive plan because that road formally showed going to the south.

He said the Village did not have to do it but said that is where it is going to go anyways, lets get this done for them right now and the Village did it. He went on to say sometimes even though an entity does not have to do something they go ahead and do it, to make it easier on planning.

He said he would really like to get that well site and finds it unfortunate that they cannot lock down the well site.

Pfannerstill asked Amtmann how much adjusting can be done on that well site. Amtmann said the Village contracted with their firm 10 years ago to do a well siting study which looked at all the vacant parcels out in this area, and the most promising location is the location on the 40-acre parcel. He said there was a test boring that was done, water pump rates that were determined and they would advise that the location not move.

Pfannerstill said he thinks it is a fantastic development and he does agree with the Village attorney on the points he said. He said after this goes, we have a 40-acre parcel that the County is going to take about 11 acres off because they have to put that road in so that takes away from what the developer has. He said it make it more difficult because that takes away from a developer being able to run business.

deCourcy asked if just the ground of phase 1 & 2 meet the density requirement because the 4 family homes are in phase 1 & 2 so there is a higher density in phase 1 & 2 than there is in phases 3 & 4. He said he just wanted to be transparent on what the density is and wants to know if phases 1 & 2 meet the comp plan.

Hussinger said the entire site is encumbered and addressed in the PUD document and it is not up to the private party to split this up. Pfannerstill said if this does not work out, they would do something different for 3 & 4, and Hussinger said but they would need our permission.

Rhode said the PUD locks this development in, as is. He said the PUD covers the whole site.

Rhode said if they build 1 & 2 and something happens and they do not build 3 & 4, they cannot just build something else, the PUD locks up the entire project. There was brief discussion on the phases.

Wallschlager commented that she agrees that the well is imperative, the Village as a whole needs that and it is very important.

Siepmann said they are on the threshold of getting the alignment approved. He said that should be done relatively soon. He said the village always has the powers to take that well site if we do not accommodate them through eminent domain. He said we still have to develop that 40-acres so at that time the Village has the right to request the well and there are all sorts of thresholds here to get that well site. So, he isn't sure why the Village is trying to tie it to the 60 acres. He said he told everyone in the room with the Village attorney there, he is working parallel to get Sandhill approved and to get that well site accommodated for you. He said for example, the S curve of the road is a curve and we don't know where the alignment of the easement will be until we know where that curve is. He said we do not want to take a square out of the middle of the 40 and have it overlap with the right of way of the future KE, we need to get that resolved. He said if you tie us down with that to get this started, he has a problem with that and he does not think it is fair to them.

deCourcy-Bower asked when the traffic study would be completed. Siepmann said they have not initiated the study yet and the talked to the County today for clarification. He said it is a 2-layer study so they have to do all the numbers in analyzing it first, submit that to the County so that the

County can review it and then come back with comments before they do the design side of it; so it will be a couple months at least to get the TIA done.

deCourcy-Bower asked Amtmann do we typically approve permits without a complete traffic study. Amtmann said the reason the study is being done for that intersection is to determine whether or not there will be a bypass lane on the west side of the road. He said so what that will be is a bump out opposite of where that intersection, a bump out to the west, so that traffic can bypass.

Amtmann said that section of road that is connected to the County highway is part of the phase 1, the contractors would begin on highway K and progress to the north with utility work. He said there will be an access coming off of highway K so he thinks it would be reasonable to give that approval with that one intersection contingent on this traffic study. He said the connection to highway K has already been approved by the County and there should not be any changes to the access points that already exist, so he would be comfortable with that.

Pfannerstill reminded everyone that Plan Commission would need to recommend to the Village Board to set the Public Hearing. Rhode commented that if there was a positive recommendation out of this group tonight, the Village Board would have this on their agenda the 26th of April to set a Public Hearing then it would be no shorter than 15 days and no longer than 30 days so it would either have to be the 17th of May or the 24th of May.

deCourcy-Bower asked if this would come back to the Plan Commission. Rhode said what they have done in the past is to have a joint meeting because the 15 day is too close of a window to be on a Village Board night so that falls to the next Plan Commission meeting as a potential of May 17th. He said they have had the Joint meeting for the Public Hearing where the Plan Commission and the Village Board are in the same room at the same time for the Public Hearing and then choose to take action.

Motion (deCourcy-Bower/Hallquist) to recommend to the Village Board to set the Public Hearing for items a-e. Carried (7-0).

9:35 Break taken.

9:43 meeting resumed.

8. Architectural Board/Plan Commission review and consideration of items related to a rezoning request and building improvements for 415 W. Capitol Drive for new event center project.

- a. Plan Commission review and consideration of a request to consider a petition to rezone property located at 415 W. Capitol Drive from Institutional to the B-3 Central Business/Mixed-Use District (The first review of the rezoning request, two reviews are required before a recommendation to the Village Board).**
- b. Plan Commission preliminary review of the site plan and building improvements.**
- c. Architectural Board preliminary review of building improvements/materials.**

Chris Miller from Miller Marriot was present and explained what they are proposing. He said they are requesting to rezone the property. He said the church and house property were split and they are looking to put the properties back together. He said they will be restoring the church, add bathrooms to the 1st floor and adding a bridal suite. He said they will be taking down the school and

adding a new 24 sq ft addition. He said it is a glass box added to the church, to let the church shine as it is, but trying to create some more indoor space for events. He said on the east side they have an indoor/outdoor fireplace. He said directly east of the patio they have a large green space, so they are creating different types of spaces to have different types of events.

He said they are also proposing to take the house down and put a new house up. Mr. Miller said they are also looking at increasing the parking. He went on to explain the new house, he said he would like it to look appropriate for the neighborhood with a wrap around porch and tuck under garage. He said it will be a 4-bedroom 3 bath house and will be a place for guests to stay. He said they will replace the windows and trim on the church as well. He went on to explain the exterior with the pictures that were included in the packet. The landscaping and outdoor space was explained, and it was said they are trying to create some privacy for outdoor weddings. He said it is a glass box added to the church, to let the church shine as it is, but trying to create some more indoor space for events. He said on the east side they have an indoor/outdoor fireplace. He said directly east of the patio they have a large green space, so they are creating different types of spaces to have different types of events.

Rhode explained they will have come back for the next meeting & will have to come back 2 more times for the rezone. It was stated it fits the B-3 zoning very well and the parking is a very important item. Amtmann commented that on page 3 of his memo the average event attendance will be about 150 people. The 16 parking stalls on Capitol Drive was pointed out and it was stated that the stalls are owned by the Village of Hartland, but the petitioner will do the maintenance. Mr. Miller said they could also do shuttles back & forth to other parking areas in the Village. Xykis asked what the parking is for a large event. Pfannerstill said 300 but said there is plenty of parking.

deCourcy-Bower said the building is a historical building and he would like the petitioner to preserve as much as possible regarding the windows. Miller said they worked with Marvin windows and they will be custom made. He said they will be a similar style. deCourcy-Bower said he would like to see them preserve and repair instead of replaced. He asked if the stain glass windows could be stored somewhere on site.

Biermann said he would like to see the business plan such as how many weddings a day will there be, how much noise/music will be out of the back porch, will there be a sound buffer and what are the hours of operation.

Motion (Bierman/Schneeberger) to move this item forward. Carried (7-0). This item will come back next month.

9. Announcements- none

10. Adjourn

Motion (Schneeberger/Wallschlager) to adjourn. Adjourned at 10:15 pm.

Respectfully submitted by
Recording Secretary,
Deidre Bush y, Deputy Clerk