

JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES
MONDAY, OCTOBER 17, 2022
7:00 PM
BOARD ROOM
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.

Present: Jeff Bierman, Jeff Pfannerstill, Ann Wallschlager, Tim Hallquist, David DeCourcy-Bower, and Dino Xykis.

Others Present: Shawn Hoppe, Ryan Amtmann, Ben Nelson, Dave Felkner, Chief Misko and Deputy Clerk Bushey.

Xykis left the meeting at 7:45pm.

Excused: Hussinger and Schneeberger

Call to Order- 7:00 pm

Roll Call taken.

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 comments were made:

- Steven Secosh 213 W. Park Ave – concerned about conceptual development on 221 Cottonwood. Concerned about traffic flow and grade.
- Gary Strombeck 305 Badger Dr. – asked how the development will work and will are they looking to break ground.
- Nicholas Gomez 221 Park Ave. – commented that he moved to Hartland to get away from things like this. Concerned about the traffic it will bring and doesn't like the massive building
- Marilyn Haroldson 301 Cottonwood Ave. – concerned about parking issues with development.
- Sandy Corrigan 1007 Lisbon Ave. – commented on agenda item #2. Concerned with the additional traffic it will add and traffic speed. Asked how many units and where will they enter.

1. Consideration of a motion to approve the Architectural Board/Plan Commission minutes from Sept. 19, 2022.

Motion (Hallquist/Xykis) to approve the minutes for the September 19, 2022, meeting. Carried (6-0).

2. Plan Commission review and consideration of a request of a proposed Planned Unit Development for property north of 1112 Lisbon Ave-

Shaw Hoppe was present and said he had updated the plans per what the Village had asked for. He addressed some of the questions and said upon approval hope to get started in December but not sure of when they will break ground but possibly beginning of 2023. He said there is a PUD condo declaration that goes along with it, with an association made up of the residents of the 2 homes being built on the property. He said regarding traffic, access would be off Eagle Pass with a shared driveway off the end of Eagle Pass at the end of the cul-de-sac so there shouldn't be any large amount of traffic.

Village Manager said the Village Attorney is working on the PUD Condo Association agreement for the 2 owners and said if approved by Plan Commission this would go to the Village Board. He said from there a Public Hearing would be set 30 days from that and then a second reading and the meeting after that it would be approved.

Village Engineer Ryan Amtmann said they have reviewed the plans and the applicant has addressed the comments. He pointed out a couple key element things and said a stormwater management plan is not required due to the low impervious area, however the applicant is going beyond based on Village Staff request to implement some storm water features. He said along the shared driveway, on the east side of the driveway there is a ditch, swale will catch all the stormwater runoff from the dry areas. By the cul-de-sac along Eagle Pass there will be a small basin that will infiltrate the water before it goes into the storm system into the neighboring subdivision.

He said the other thing to point out is there is a provision for a 40 ft access and utility easement that would extend from Eagle Pass west to the westerly property line to provide for potential for a drive and utilities to access 2 single parcels to the west. He said utility layouts, draining and grading are acceptable from their point of view.

Bierman asked why they didn't put these into 2 lots and Mr. Hoppe said originally, they wanted to but went with the staff recommendations but didn't know all the details of why this would work better for everyone.

Bierman commented that if a sewer lateral fails, one homeowner would be responsible if the sewer lateral is at one end. DPW Director Felkner commented that would have to be spelled out in the PUD agreement how that shared driveway and sewer lateral how it would be paid for if it fails and the repairs. He said every homeowner in Hartland owns to the sewer lateral from the basement all the way to the sewer main and it's the homeowner's responsibility. Brief discussion on the sewer lateral and easement. Bierman brought up situation recently with another home. Amtmann explained the reason the Village staff recommended the PUD with the condo association was because if it was split into 2 lots, that northerly lot would have to abut street frontage & village right away that doesn't exist. He said there would have to be a cul-de-sac built on Badger drive to get the footage adjacent to village street to allow for the CMS to split it into 2 lots. He said the one you are taking about whole lot fronts the roadway and the driveway was off a shared easement. Bierman said then when you come back, you will come back you will have written up plans, agreement, rules & regulations for parking etc., because we need to see that. Mr. Hoppe said they submitted those to the village attorney August 31st and have not heard anything.

Audio issues

Comment was made this plan is better than the high density that has come before. Pfannerstill said he wanted to make sure the neighbors are protected also.

Audio issues

Bierman commented that if he is going to approve this, he would like to see what the association has for rules and regulations like we normally have.

Bailey commented that he received an email from the village attorney, and it said, you don't need to worry about the condo that will be taken care of at the Village Board.

Audio issues

Pfannerstill said he wanted to make sure it meshes with the neighbors. Bierman said he would like to see the building plans. Pfannerstill commented that at the moment we are dealing with the property. Bailey said what we have done before in this situation is we make a motion and leave it up to the Village Board and then it is up to staff for approval of the engineering plans, the village attorney approval and all of that has to be done.

Pfannerstill made a motion to move this to the Village Board. Motion died due to no second.

DeCourcy-Bower said he and Wallschlager could not hear the motion. Pfannerstill said the motion died due to no second and he wanted to give them time to comment. Pfannerstill apologized for lack of consistency in audio.

DeCourcy-Bower asked when the Village Engineer commented on the frontage on a village street, if the property to the north, could there be a situation where that lot extended to the cul-de-sac on the south with the driveway and have 2 separate lots both abut that single cul-de-sac.

DeCourcy-Bower thought it would be cleaner if it were 2 separate lots and he foresees complicated issues setting up property for 2 houses on one property with a condo association.

Bailey commented that he wished the building inspector was present to help explain this however he is on vacation, and they have been working on this for 4-5 months. He said they explored every possible way to do this by creating 2 lots.

DeCourcy-Bower asked if in the future if these 2 properties could be separated. Bailey said that would be something to talk to Hussinger about.

DeCourcy-Bower said he appreciates the access to the west and that we typically see PUD & plans, and this is just a snapshot. He said there seemed to be a lot of questions.

Wallschlager asked if these are houses or if they are condo. Bailey said it is one lot, so these are condos. He said it like the condos up at Lake Country Lutheran, just on a smaller scale.

Ms. Wolf the co-owner of the property commented that they are houses that are condos and the design is in line with the other houses. She said the reason it is called a condo, is because of the condo association.

Pfannerstill asked if the materials of the houses will be like those in Lake Country meadows and Ms. Wolf said yes.

Bailey said she submitted the PUD Condo Association Agreement to the Village Attorney back on August 31st. Pfannerstill said he will contact the Village Attorney and have it by Wednesday.

Motion (Hallquist/Bierman) to move the proposed Planned Unit Development for property north of 1112 Lisbon Ave forward to the Village Board. Carried (5-0). DeCourcy-Bower abstained.

3. Discussion and consideration of a conceptual plan for development of a multi-use building at 221 Cottonwood Ave-

Pfannerstill said this came from the Village Board and it talks at least 8 steps for this become a reality. He said 7 years ago, you would not find out about a project like this until it was almost done when it came to the Village Board. He said 5 years ago, the decision was made to have the developer go and propose to the Village Board before it went to the Plan Commission, so everyone knew about it to make it transparent.

James Kupfer and Adam Hertel were present to explain what is being proposed. Mr. Kupfer said he wanted to address something first that has been the hardest part of the whole plan, which is the elevation. He said the 1st floor is at the elevation they will be digging at. The hill that is in the project which is pretty close to the end of the building, they will be excavating 11-12 ft, which means from the west only a portion of the 2nd floor will be visible. He said from the east you will see all the floor. He said the 1st floor is all commercial, 3000 sq ft. rental space and a 5000 sq ft. event hall. He said there will be a kitchen for the rental hall, as well as a conference room, an exercise room for the whole building and a lobby for the second floor. He said the 2nd floor will be boutique hotel in the category of extended stay which means the rooms are larger. The rooms will have a small kitchenette and a slight partitioning wall to separate the bed from the living space as well as its own laundry facility.

Audio issues

He said the 3 and 4th floor will have a smaller footprint to allow for a balcony for each apartment. He said there will be 26 apartments, 8 of those are 2 bedrooms. He said they will have underground parking space that will have access off of Cottonwood and there will be a parking space for each bedroom.

He said parking for the hotel will be the public municipal parking located north to the site. There will also be angled parking spaces in front of the building on Park which will be the least used spaces and will be used by the tenants of the 3000 sq. commercial space. He said they will not be adding huge additional traffic to Park Ave, and they do not have a desire to change the 1-way pattern. Mr. Kupfer said he did a parking study and counted 230 parking spaces in a 5-minute walk and less than 2 blocks. He said normal weddings are between 125 – 275 people. He said a 150-person wedding would need 50 parking spaces and 15 of those are people who are in the wedding and already staying in the hotel.

He said going south on Cottonwood where the farmers market is, there are 60 parking spaces. He said they would like to break ground in April of 2024. He said they tried to keep the building not looking commercial and they have a flat roof, and it will have 2 entrances. He said there will be several parking spaces on Cottonwood for loading and unloading.

Pfannerstill asked what can be done for the restaurants in the downtown area if all the spaces are taken because of an event. Mr. Kupfer said make the wedding party sign a contract, give them parking stickers, and dictate where they park but won't police where they are parking. Brief discussion on the parking in the downtown area.

Mr. Kupfer said Covid-19 has changed the event business and it has dropped 25-30%.

Wallschlager asked about the 26 apartments and the breakdown. He said there will be 4 2-bedroom, 2 studio and 7 1-bedroom on each floor. She said she didn't see any bathrooms for the rental space.

Mr. Kupfer said it is all common space on the first floor. She asked about the laundry and exercise room. He said the laundry room is for the hotel, and the exercise room is for all the apartments and hotel.

Wallschlager asked about sq feet of lot and building. Mr. Kupfer said the lot is 26,000 sq ft and the building is 16,000 sq ft.

Wallschlager said there are issues with street parking and feels they need more parking.

DeCourcy-Bower pulled up the B-3 district in the code to point out that there are references to 2 documents the Village of Hartland Master Plan and the Village Center Revitalization Plan. He said that is a document that focuses on where in the Village Center and he said there was discussion and work done to evaluate if this type of development may or may not work. He also showed the image in the comp plan that showed Park Ave. and pointed out the green along the road on the plan, which is a setback, a

buffer to the street frontage into the yards. He said the way the Plan envisioned it is that residential houses along Park Ave would maintain their frontages and that sort of front yard both on the north and south side of Park Ave all the way over to Cottonwood. He said then on Cottonwood there would be a reduced frontage. He pointed out the properties to the west of the 221 Park.

He said his second comment was that the Village specifically asked residents about 4 story buildings. He said basically the context is that mostly wanted 1 or 2 story, properly designed 3 stories and possibly 4 stories could fit comfortably in this context. He said in otherwards they could be appropriate for the village. He said the design for a 4-story building is the diminished upper story, which is a concept that should be considered when going for 4 story, which looks like a 3-story, but the 4-story is part of a roof line. He said in the public comment section excerpt, the public perception was, that most people were in agreement that 3 story would work but 4 story could be a challenge. And the concept of going 4 stories up where you don't have a diminished upper story appears to be too massive. And the final thing he said was that in the Village plan said the southern section of Cottonwood and the north side of Pawling could support taller buildings. He went on to say in his view that is the southern portion and along Pawling some existing properties as well. He said he wanted to that out so people could see where he is coming from. He said he felt they are trying to put an awful lot into a very small piece of property. He said they are trying to do apartments, a hotel, and an event center. He said he some concerns about an event center that has an outdoor area that abuts up to residential properties with no screening. He said it is very compact in there. He said he likes a lot of the concepts they are trying to do there, but when push comes to shove, the feedback is you are going to tall, not trying to diminish the upper story to make if fit better. He said he thinks the frontage looks like it is along Park Ave and not Cottonwood, which doesn't line up with the plan. He said if you have apartments going on and a hotel and an event center, the parking is just not enough. He said he understands what they are trying to do, but this piece of land is not the right land to do this on, it is just too small of a piece of land to do it.

Bierman said to add on to DeCourcy-Bowers comment, it is just too much. He went over the amount of parking spaces needed according to the Village code and it is not enough, which would require a change in the Village Code do this on this lot. He said he doesn't think the village put the lot there for a hotel, but it put it there for everyone. He said during trick or treating during the day, that lot is full, and it is full all day.

Hallquist said he agrees with Bierman and Wallschlager that there needs to be more parking and he agrees with DeCourcy-Bower, that the concept as presented is too big for the property. He said if they want to downsize and bring it back that would be great. He said he likes the idea and likes the rejuvenation for Hartland but what they are presenting it too big.

Bailey went over the timeline if it was moved forward and said this is a long process. He reminded everyone that this is just a concept.

Wallschlager asked if they could just come back next month with a smaller plan. Pfannerstill said they could, but what we are discussing is what they have presented in front of us, and we have given them the comments but if this were to move forward it is not mandatory. He said thinks it is appropriate for the Plan Commission to vote yea or nay. He said a vote to allow it to go through the process means we would continue to discuss it, a vote to shoot it down means that they could come back with something else. He said this is only conceptual, but he feels there should be some type of vote and it should be the board as a whole.

DeCourcy-Bower said he thinks from his perspective the concept is one thing. He said the concept here is to redevelop the property but for him this is so far removed from what they can actually do, he would like to make a motion to deny the concept or to reject the concept.

Motion (DeCourcy-Bower/Wallschlager) to deny concept.

Pfannerstill asked if there was any discussion, and said he feels this a detriment to Cottonwood and North Ave and the revitalization of Hartland. He said we will keep pushing for the revitalization, but he feels it will be detrimental in the long run, with developers looking to revitalize Hartland on those properties and it will set a precedent which will make it very difficult for the Village Board to keep the taxes down. Bierman said he wishes it was worded to deny this concept plan that was presented. Discussion on a possible amendment to the motion.

Motion (DeCourcy-Bower/Wallschlager) to reject this concept of a 4-story building on this property as presented at this meeting. Roll Call taken. Carried (3-2).

Bierman – yes

Wallschlager – yes

Pfannerstill – no

Hallquist – no

de Courcy-Bower - yes

4. Announcements-

None.

5. Adjourn

Motion (Hallquist/Bierman) to adjourn. Carried (5-0).

Adjourned at 8:38 pm.

Respectfully submitted by

Recording Secretary,

Deidre Bush y, Deputy Clerk