

JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES
MONDAY JUNE 19, 2023
7:00 PM
BOARD ROOM
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.

Present: Jeff Pfannerstill, Jeff Bierman, Ann Wallschlager, David de Courcy Bower, Tim Hallquist, Dino Xykis, and Chip Schneeberger.

Others Present: John Ford, Pat Connaughton, Dave Lamerond, Caroline Joyce, Jim Romanowicz, Lisa Burgett, Ben Nelson, Scott Hussinger, Ryan Amtmann and Deputy Clerk Bushey.

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.

Caroline Joyce 526 W. Capitol Drive- commented on the quarry project. She said a new law came out recently about the reuse and repurposing of quarries. She is also concerned about traffic in that area. Jim Romanowicz 193 Hill St – asked how many exits will be coming out of the project, the timeframe, the number of units, estimated population and effect on Police and Fire. Plan Commission Chairman Pfannerstill said the developers will be presenting their plan tonight.

Dave Lamerand 536 Saxony Ct – is a former Village president for 26 years and said a lot of time and effort was spent years ago envisioning what that site could be developed into. He said one of them was high density, he said they looked at the traffic studies back then.

He said they originally looked at a range of 400-450 units and feel the number of units is too low and the Village is running out of developable land. He said it will be a good tax base for the Village and the school systems.

Lisa Burgett 510 Hill St – would like developer to address the erosion of the pit itself.

1. Consideration of a motion to approve the Architectural Board/Plan Commission minutes from May 15, 2023-

Motion (Wallschlager/Hallquist) to approve the minutes for the May 15, 2023, meeting. Carried (7-0).

2. Architectural Board review and consideration of plans for a modified roof plan for Aquatech, 1150 James Drive-

Ken Cray and Rick Hargarten from MSI General were present. Mr. Cray said a few years back they increased a section of the roof due to some equipment they put in the building. He said business is doing well so they would like to expand that a little bit. They would like to mimic the section of the roof that is raised, and it is not noticeable from the front of the building and architecture would be similar to what has already been previously approved.

Motion (DeCourcy-Bower/Schneeberger) to approve the modified roof plan for Aquatech, 1150 James Drive. Carried (7-0).

3. Architectural Board review and consideration of plans for a sunroom addition on the Davis property, 721 E. Capitol Drive-

Tim Rigsby from the Rigsby Group explained the sunroom addition. The home has an existing deck over their garage, and they would like to build a 3-seasons room that connects to the inside of the home and covers 2/3 of the deck. Bierman asked about the existing door headers being able to hold the load and Mr. Rigsby said they are having it engineered now and there will be an engineered stamp drawing for the structural part. Brief discussion on headers and continuous headers.

Motion (DeCourcy-Bower/Bierman) to approve the sunroom addition with the building inspector verifying it has been engineered properly with the proper signature. Carried (7-0).

4. Architectural Board review and consideration of an application for signage for CL & D, 535 Norton Drive.

No one was present for CL & D and Pfannerstill said the paperwork is in the packet. Building Inspector Hussinger said it is for replacement signage and they knew they needed to be present. Wallschlager asked if they are changing anything with lighting or landscaping. Hussinger said the wall sign is non illuminated, and one wall sign and 2 accessory. Pfannerstill asked if there were any reason, he would deny it other than them not being present and Hussinger said no.

Motion (deCourcy-Bower/Schneeberger) to approve application for signage for CL & D, 535 Norton Drive. Carried (7-0).

5. Plan Commission will conduct a review for Hartland Quarry, a proposed PUD development ("Project") whose approval and rezoning is being sought by Three Leaf Partners LLC on Property tax keys HAV0730981, HAV0730985, HAV0730987, HAV

Village Manager Bailey reminded everyone this is meeting number one they have to come back to pc in a month and at point if the Plan Commission felt they would move it forward to the Village Board. The Village Board would have a first hearing would be held at the end of July you would set a public hearing for 30 days so that would go into August, the final approval of this if everything went well, would be September/October, just to give everyone an idea of the time frame of what something like this does take.

- a. Proposed preliminary site and building plans for ten Multi-Family Apartments (240 Units) and three townhomes (27 units);
- b. Proposed plans for the Amenities for the Project;
- c. Proposed rezoning to RM-2 in conjunction with a PUD Agreement for the Project;
- d. Proposed petition for a Planned Unit Development.

John Ford the president of Three Leaf Partners LLC was present to present the Quarry project. He said they are a full-service real estate development company and developer of the Hartland Quarry Project.

The project is located at 700 W. Capitol Dr., and totals approximately 45 acres. The unique and very challenging site poses a number of added levels of consideration to make this development successful. They have worked with staff and consultants over the last several months to find a successful solution for all parties. They will present the plan tonight that shows a challenging site and turn it into approximately 267 residential units that would be home to 400-500 residents. The overall economic impact to the community and surrounding areas will be significant. Mr. Ford introduced co-owner Pat Connaughton to give a background on The Three Leaf Partners.

Pat Connaughton explained he grew up under a general contractor so what he found was a lot of his father's impact in the real estate game was personalizing and being able to explain who he was and how passionate he was about real estate. Mr. Connaughton said he has become no different and that is where Three Leaf was born from, have 3 different leaves that create impacts through real estate and in many different ways. The Three Leaf Company overall tries on a daily basis to utilize real estate as a vehicle to have an impact on the communities they work in both physically with real estate that is built but also with community members in which the real estate is built. They have done that where they have partnered with mission-based organizations & they have found ways to develop excess land they have to help them find ways to monetize and put money towards their mission but to continue to impact school systems and create scholarships for kids in those communities. He said this project is to bring more people into the Village of Hartland, raise the tax base, help with employment, and shed light on what is great about this community. He said they want feedback so it is something the Village can be proud of and wanted to let the board know how they try to operate at Three Leaf Partners.

John Ford explained the project itself is 267 units multi-family and condominium development with a total development costs estimated at 90.7 million. He said GLA is a very experienced architect they have worked with on multiple projects previously. Troy Jacoby from GLA explained the overall plan and project layout. He explained there are 10 2-story apartment buildings that have no common corridors, and they have direct entry into the units on the 1st & 2nd floors. The townhomes will be directly on the street off Capitol Drive and the short end of the buildings were positioned along Capitol Drive, so it looks like a smaller 2 story home and nestled between those townhomes is the clubhouse. The proposed quarry project has a boulevard that is pedestrian friendly as well as tree lined sidewalks. The townhomes will have a mix of 2- and 3-bedroom units, have gable roofs, shed roofs, and porches but they will try to do it in a modern contemporary way as well as pulling stone into the project. The clubhouse will have a fitness room, a concierge table, pool table, fireplace, and direct access to the pool as well as some offices for the development. The materials will be white, buff, some darker colors with stone and wood accents. The apartment units will have a garage with the bulk of the garages being positioned behind the building. There is a mix of 1, 2 and 3-bedroom units in the development. The same materials will be carried across through every building.

Craig Donzi the engineering manager for Payne and Dolan gave some background details of the site and explained the civil design of the site. The majority of the property is internally drained with no natural outlet for stormwater runoff other than infiltration. The depths of the groundwater based on well-drillers records for the properties surrounding the site is in excess of 200 ft at each of those wells. As a

result, the property is an internally drained gravel pit with two large pockets of concentrated silt overlaying the native gravel. These are located in the lowest points of the pit at the northwest corner adjacent to the Village's Water Tower property and northwest corner adjacent to the cemeteries. A brief explanation of the materials placed on the site in the 80's, 90's and 2000's was given. Mr. Donzi said they have worked with the architects and Three Leaf partners to determine what the buildable footprint is and what is economical to deliver. He said there has been significant effort to reduce the width of the developable area, narrowing up streets, reducing travel speeds, making it a walkable community. He said they have worked diligently with the Village engineer and building inspector on the dimensions between buildings, dimensions of roads, one-way streets, and two-way streets. They have looked at alternative options of how utilities are going to serve this site to provide water connection from Capitol and two connection points in the villages water system.

Mr. Ford said it is vital to understand the geotechnical conditions of the soil on the site and introduced Mike Frede a senior engineer from Geo Test to give an overview of the geotechnical work that has been completed to date as well as the next steps as the development moves forward.

Mr. Frede said the site does have significant challenges, but they can all be managed and dealt with. He said the conditions will be superior for the support of structures not only buildings but retaining walls and pavements. He said the soil primarily consists of native materials that were placed there by glaciers and man-made materials that have been brought in. The base of the original pit consists primarily of granular sand and gravel. The materials that have been brought in by man consists of a large area of a lot of concrete which will be removed in its entirety, crushed, and reused as engineered fill. There is fill that was brought in from a local sewer project in the northern part of the property that they evaluated those materials, they were placed limited documentation and it suggests those materials were suitably compacted, but they will do further evaluation to confirm they are suitable. Those materials will not actually support building foundations, they will support new engineered fill because that part of the property will be raised up. Mr. Frede said they are more concerned about making sure that it will not compress under the weight of additional fill that is placed over it. There is also fill over by the former asphalt facility and a lot of those soils will also be removed during construction activities and then they will be if suitable reused as engineered fill so everywhere on this property where there are structures whether it is buildings, retaining walls, pavements they will all be supported by suitable soils. Mr. Frede said another part of their evaluation is looking at the bluffs and they have spent a substantial amount of time evaluating those bluffs and have good baseline data that will be utilized in slope stability analyzes to make sure those slopes are stable and safe during and after construction.

Mr. Ford said understanding the environmental conditions of the site is equally important and how they could affect the design and other factors.

Bob Seagal from Endpoint Solutions gave an overview from an environmental standpoint. He stated as environmental consultants it is their job to identify the knowns and unknowns and as they progress through the project hopefully, they make the unknowns into known. He said in the end their goal is to provide a site that is protective to human health in the environment. Mr. Seagal said one of the knowns right now is a closed leaking underground storage tank site in the far west corner north of the current office building. He said that site was closed by the DNR previously, there is some residual contamination left behind so one of the unknowns is how could that contamination affect the plan development. There are plans moving forward to do some additional investigation in that area, not from the standpoint of reopening it with the DNR per se, but to identify is there anything there residually that could impact

residents and how they can properly manage those soils once they start excavating that site. Mr. Seagal stated that the great unknown on the site was the fill material that has been placed on the site since the Quarry shut down. He said Geotechnical test holes were done with a backhoe and they could see the character of the soil. Test samples were taken from each of the test holes and were analyzed for volatiles, semi-volatiles, metals and pcb's. The results showed no vocs, no pcb's and some isolated impacts of very low concentration of semi-volatiles, which is probably just small pieces of asphalt that was from fill that was brought in from road projects that is mixed in with the soil. Mr. Seagal said they will be working closely with the DNR. A question was asked whether they will do a phase 2 and the answer was the sampling they did as part of the test pit investigation with Geotech was the beginning of phase 2. Mr. Seagal said the additional investigation will progress as the project progresses. Xykis asked Mr. Frede if he thought they would have drive piles for the stability of the foundation, especially looking at the elevation differences and ground water flow. Mr. Frede said no they would not need piles.

DeCourcy-Bower commented that from the environmental side of the property, this is what he does for his job. He said from the initial findings the site has pretty typical constituents and fairly clean. He said anytime you move a property from a use like a quarry or industrial use to residential, it is critically important that they evaluate that to make sure it is being done safely. He said he was pleased with some of the initial investigations that have been done and there is more clarification and additional things that need to be done around the underground storage tank area. He said nothing he has seen so far screams at him that there is something that would prevent this kind of development from happening.

Mr. Frede said a major effort will be employed during construction especially the site improvement phase where a lot of material are going to be moved there's going to be a lot of grading and during that whole process they will be on site and evaluating all the soils that are being moved all the materials that are being picked up and crushed, if they find anything not suitable it will be removed.

Village Manager said the Village is taking the proactive stance that they will have someone hand in hand with them as well making sure everyone agrees.

Mr. Ford gave a quick recap of everything that was presented so far:

- 90.7 million development
- 240 stacked flat units
- 27 townhomes for condominiums
- 5500 sq. ft. clubhouse
- 1-bedroom units will be 37 % of total units
- 2- bedroom units will be 45 %
- 3-bedroom units will be 17%
- Unit sizes will range from 700 ft – 1652 ft.
- The rent range will be from 1492-2924 per month.
- Development will have clubhouse, fitness center, sidewalks, and walking path.
- Development will have dog run area, grilling area, playground, pool, & community center
- Project schedule – overall site to take 3 months, vertical construction 18 months, total schedule approximately 21 months.
- Development is on 45 acres with 60% open space due to slopes & sides.
- Parking spaces will be a total of 661.

- Traffic analysis was performed and meets recommendations.
- Trees on Capitol will be cleared for visibility.
- Single primer entrance on Capitol with stop sign control
- Supports Village installing a right turn island on Vettleson to eliminate some of westbound traffic.

Mr. Ford explained the TIF request. He also responded to an earlier comment of why they do not have more density, stating that a 3-story mid-density apartments with underground parking towards the back portion would hinder the financial performance. He said they have submitted a TIF request of 9.9 million dollars of TIF assistance which totals 11% of development cost. Additionally, they are asking for a waiver of impact fees above the Del-hart fees. The Del-Hart fees are just north of six thousand dollars per unit, they are requesting a waiver of those fees that totals approximately one million dollars of added value for at total incentive of 11 million dollars is their request from the Village that equals 12% of total development costs.

Wallschlagler asked what the amount of ADA stalls out of the 661. It was stated they will absolutely meet the code.

Bierman asked about the condominiums being owner owned and when they come back will there be some type of association, and Mr. Ford responded yes. Bierman commented on a tunnel that used to be in the gravel pit that led north under Hill Street that is now the apartment complex there and it was hollow.

Hallquist said he likes the concept and has no concerns at this time. Pfannerstill commented that he liked the idea and liked the concept as well.

Schneeberger asked what the plan is for the vegetation on the hillside as far as invasive species. Craig Donzi said the goal is to keep everything 15 ft above the finished floor and keep that vegetation in place, it is serving its purpose of keeping most of the slopes stable and there are a few isolated areas that need some attention. Mr. Donzi said the tree roots are doing what they are supposed to do and keeping the slopes stable.

DeCourcy-Bower said he always reverts back to what the Village of Hartland Comprehensive Development Plan shows, and the job of the plan commission is to look at what did we say is going to be the future of this piece of property for the Village. He said it shows it is planned to be multi-family residential housing with a portion of the space as green space and when he looks at this plan it is exactly what the vision for this property was. He said he thinks it would be a beneficial reuse of an underutilized piece of property close to the Village Center, it would support the businesses. DeCourcy-Bower said he thinks it is unique that it is surrounded by bluffs and has very limited impact on the neighbors. He said he feels like it is a great opportunity and could have a positive project that could happen in the Village. Xykis said he is happy with everything he has seen and heard. He said he is concerned about the slopes, but he thinks it is doable.

Village Manager Bailey reminded everyone there is no action taken on this tonight, and this will come back to the Plan Commission on July 17th. He said the only way this would move forward is if engineering, building inspection, geo-environmental, TIF, Police, Fire and DPW is comfortable bringing it forward. He said there is still a lot of work to do, and the next time the Plan Commission sees this the goal would be for the Village Staff to be comfortable with it, that will bring something forward that works out TIF financially. He said this is meeting one and the next meeting the Plan Commission would move this forward to the Village Board. Building Inspector Hussinger said the rezoning petition has to be modified, it is being rezoned to RM1 not RM2 and now with the idea of condominiums it will be either

RM1 and RM3 or just RM1 and we will need to talk to the Village Attorney about that. Ryan Amtmann commented that he thinks the development team has the parts and pieces in place and the expertise to move forward in the next steps to make sure the site is engineered in a way that is functional and safe. Pfannerstill asked for staff to come up with a timeline so if this goes forward it will make it easier for the public.

6. Plan Commission review of proposed modifications to Article IV Conditional Uses to create Division 7 (sec. 46-909) "Hotel/Motel Uses" to allow hotels in the B-2, B-3, and B-4 Districts as Conditional Uses.

Village Manager Bailey said the Village had nothing for hotels and a developer is looking to put a hotel across the street on Cottonwood. They just touched base with the Village we are hoping to have a meeting with them in a couple of weeks. He said they have been working with Village Attorney de la Mora and what is being presented is a Conditional Use through a PUD. Hussinger said it would be in a B3, a B5 and possibly in a B2 zoning, but also so the Village has protection through the PUD. He said this will be moved forward to the Village Board for a Public Hearing and three readings and Attorney de La Mora was present for any questions or concerns.

DeCourcy-Bower said if he is understanding this correctly the ordinance is essentially designed for it to be like a very standard hotel look and requirements for a typical layout in terms of for example buffers to adjacent properties offsets from lot lines, things like that. He said he wanted to make sure it does not have the flexibility for someone to come to the Village with a creative approach, so that we could have a hotel across the street on Cottonwood and is part of the intent of the ordinance.

Attorney de la Mora said what they did was they looked at the ordinances that exist in other communities, jumping off primarily with the Brookfield ordinances. He said the reality that we have here is that a lot of sites that may be candidate for hotel development are surrounded already by existing businesses and differing setbacks in some cases historic setbacks so it was concluded that it was necessary to look at each prospective site in a critical way and make adjustments to allow the establishment of hotel at the same time not disrupting neighborhood unreasonably. He said they moved the hotel category from a permitted use where once the zoning is there you can come in and put in a hotel as long as the required setbacks are met which in most cases are far greater than most of our B2 areas would permit. He said to give the Village more control on a case-by-case basis we recommended that it be a conditional use arrangement so it can come before the Plan Commission and the Board and to accommodate the conditional use with the requirement that there be a PUD agreement in place. He said the advantage of the agreement allows the Village Board to exercise discretion in modifying the setback, and the height requirements for the typical placement and to require things that are not obvious now in the abstract depending on the site. He said it is a process that will accommodate a tailored solution for the placement of a hotel.

Bierman commented on how some hotels have small kitchens etc. and asked if someone wanted to make it more of an apartment-based thing would they need to come back and rezone that specific property. He said when we do this, we want to make sure that is area is designated for the hotel/motel only. Attorney de la Mora said the use as long as it continues is locked in on a conditional use, however there is a provision in the event there is a transfer of ownership, we have to have 45 days of advanced notice of the transfer and the new owner has to come in to apply for the continuation of the PUD.

DeCourcy-Bower asked if the ordinance covers Airbnb's. Attorney de la Mora said it does not, it adopts the state health code regulations of hotels. Attorney de la Mora referenced line 63-89 and said this would not be intended to be applied to short term rentals. He said this is primarily meant to be a commercial operation not incidental to Airbnb.

Motion (DeCourcy-Bower/Schneeberger) to send to the Village Board modifications Article IV Conditional Uses to create Division 7 (sec. 46-909) "Hotel/Motel Uses" to allow hotels in the B-2, B-3, and B-4 Districts as Conditional Uses. Carried (7-0).

7. Consideration of changing the time of regular meeting of the Joint Architectural Board/Plan Commission to 6:30 pm.

Motion (Hallquist/Schneeberger) to change the time of the Joint Architectural Board/Plan Commission meeting from 7:00 pm to 6:30 pm. Carried (7-0).

8. Announcements-

None at this time.

9. Adjourn

Motion (Schneeberger/Wallschlager) to adjourn. Carried (7-0).
Adjourned at 8:27 pm.

Respectfully submitted by

Recording Secretary,
Deidre Bushéy, Deputy Clerk