

**VILLAGE OF HARTLAND  
JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES  
MONDAY, FEBRUARY 20, 2017  
7:00 PM  
BOARD ROOM  
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: Ryan Amtmann, David deCourcy-Bower, Tim Hallquist, James Schneeberger, Randy Swenson and Jack Wenstrom. Excused: David Lamerand.

Roll Call

In the absence of Chairperson Lamerand, a Chairperson Pro-Tem was appointed.

Motion (Hallquist/Schneeberger) to appoint Jack Wenstrom as Chairperson Pro-Tem for the February 20, 2017 Joint Architectural Board/Plan Commission Meeting. Carried (6-0).

1. Motion (deCourcy-Bower/Swenson) to approve the Jt. Architectural Board/Plan Commission Minutes of January 16, 2017. Carried (5-0-1). Hallquist abstained.
2. Architectural Board review and consideration of an application for a covered entry addition at 793-795 Imperial Drive.

The application is for the rear-entry cover on a split-level duplex. The roof materials will match the existing roof as much as possible. The siding will be smart side smooth and will be painted to match the existing siding color as closely as possible. The Board recommended that the light over the doorway shine downward.

Motion (Hallquist/Schneeberger) to approve an application for a covered entry addition at 793-795 Imperial Drive. Carried (6-0).

3. Architectural Board review and consideration of an application for installation of a score board on the soccer field at Lake Country Lutheran High School, 401 Campus Drive.

The applicant was not present. The sign is about 1,200 feet from the road and is perpendicular to the road. The fields are non-illuminated, therefore they are not used at night.

Motion (Hallquist/Swenson) to approve an application for installation of a score board on the soccer field at Lake Country Lutheran High School, 401 Campus Drive. Carried (6-0).

4. Architectural Board and Plan Commission review and consideration of site and building plans and request for Conditional Use for construction of a secured self-storage facility located on Rose Drive, Benchmark Secured Storage of Hartland LLC, Applicant, Perspective Design, Engineer/Architect.
  - a. Preliminary consideration of plans for the proposed Conditional Use (Storage Establishments)

Doug Hafemann stated that the development is comprised of a three-story, 47,000 s.f. building, which will feature temperature/humidity control of varying size units from 4 ft. x 4 ft. lockers to 10 ft. by 20 ft. units. There will also be 20,000 s.f. traditional drive up units varying in size from 10 ft. x 7 ½ ft. to the largest being 12 ft. x 45 ft. It will have a staffed office, TV monitors displaying footage from real-time security cameras, a comfortable waiting/lounging area, a conference room, a beverage area, background music in the corridors of the climate controlled building and available Wi-Fi.

Mr. Hafemann stated that the 12 ft. x 18 ft. overhead door would be adequate for fire and DPW access.

There was discussion regarding the utility easement on the property and the Village's request for the applicant to pave, maintain and service the area that leads to the easement. The plan is for swinging, gated fences which will be locked and the key given to the DPW.

Mr. Hafemann questioned the request from the Village to require the applicant to pay the expense for the paving and maintaining the area to the Village easement. The easement already exists and is used now without pavement.

Administrator Cox stated that the purpose of the pavement is to make sure that the easement is assessable by a fire truck at all times, as is the plowing. The Village only has to go out there for maintenance activities now. Those are scheduled when access is not difficult.

Mr. Hafemann stated that he received an email from the Fire Department that stated access was adequate. They did see the site plan.

If the developer is going to pay for paving the area, he would like customers to be able to use some of the area. Scott Hussinger stated that it is not an ingress/egress easement, it's a utility easement. It would accommodate public works vehicles, but it would not be wide enough to be considered a driveway. Access for seasonal maintenance is different than access year round. It needs to be paved so it can be plowed.

Mr. Hafemann asked if they could bring a driveway around the property and yet still be on their property. There is room for that. The Commission responded that they might be open to that plan. It was questioned as to what it would do to the current landscape plan. The applicant felt that it would not be a problem to slightly change the landscape plan to accommodate this driveway plan. They may need to adjust some of the building length to accommodate a fire truck that would have to go down the center aisle. It would facilitate the carport, which would not need a door or through traffic.

Administrator Cox thought that it might put in peril three spruce trees, a maple tree and a crab tree by changing the driveway plan (all the screening on the east side). The property to the east is an outlot/pond for the Geason Commerce Center.

Mr. Hafemann requested that the Village consider his alternative plan for the driveway.

Administrator Cox stated that the alternative plan puts into peril the impervious surface calculation (which is a moot point if it's on another parcel) and you lose four trees and have to move or wedge in four trees which there is a 25 foot setback on the side. Also, it keeps the driveway away from the building.

Scott Hussinger told the applicant to draw up the plan as he would like it to be, along with the landscaping plan.

Ryan Amtmann mentioned one of the swales along the outside of the building looks like the storm water is not contained -- the land looks flat. It needs to be contained.

Properties to the west have full, mature trees. Scott Hussinger mentioned that a landscape buffer, not necessarily full screening would be required there. There will be swales three or four feet deep almost to the property line, so the vegetation will be gone there. The landscape plan will need to take into account that things will be planted on steep slopes.

A change from the original plan is that there is no metal on the outside of any of the buildings.

The average number of vehicles entering a storage facility daily is about 19.8 in the North Central area of the country and 21.4 nationally.

There are no planned parking lines, however, there may be traffic flow lines.

There will be either a roll out dumpster or a dumpster located behind the fence where Advanced Disposal will have a code to get inside.

The sign will not be able to be above the second story sill (the applicant would have preferred it on the third story, however, the code does not allow that). There is no monument sign planned at this time. The sign could be installed on the south face of the building.

- b. Motion to set a Public Hearing to be held during the regular Plan Commission meeting on March 20, 2017

Motion (Swenson/Schneeberger) to set a Public Hearing to be held during the regular Plan Commission meeting on March 20, 2017. Carried (6-0).

5. Plan Commission review and consideration of a concept site plan for a condominium development on the 38-acre property located at and adjacent to N56 W28628 CTH K (Lisbon Road).

The concept plan for the proposed development consists of 9 single-family condominium units and 74 two family units for a total of 83 dwelling units. The proposed plan calls for a density of 1.71 units per acre. The Comprehensive Plan calls for a maximum of 1.33 units per acre in a clustered development pattern. Of additional consideration is how this density is calculated. The 1.71 units per acre calculation (which is about 128% of the Plan densities) is based on the entire portion of the site minus only the ROW area. While it is clear that the area of public right of way is netted out of the calculation, it has recently been suggested that the environmental area should be removed as well. The parcel includes about 13 acres of Isolated Natural Resource area in the northwest portion of the property, the inclusion or exclusion of which would account for about a 17 unit swing in the maximum number of housing units allowed.

Matt Neumann from Neumann Companies described the background of his company. He explained that the plan of condominiums on this parcel came from the fact that there are numerous \$750,000 - \$800,000 single family lots and homes in the surrounding area and this piece of land poses quite a few challenges for single family homes in that range.

There are two major highways on two sides of this property and you would not want to build close to them. Lot prices would not be able to compete with some of the other surrounding available lots.

Mr. Neumann would purchase 11 acres of adjacent property from the Siepmann Realty to add to the acreage of this parcel at the northeast corner. In the northeast corner is a future well site and a SEWRPC delineated wetland.

There are 19 homes available on MLS today in the \$600,000 range and above. Twelve have sold. It's a year and a half supply. Statewide and nationwide, supply is at an all-time low at about a three month supply. Building more homes at that higher price range is not something that is needed right now.

On the condo side, there were five listed, four of those five have accepted offers. The Hartland population is likely to want to downsize from the larger homes to condominiums.

Mr. Neumann said his preference would be to have private (with a connection for emergency vehicles) rather than public roads. However, they would work with the Village to make the streets public if that is preferred.

The public was given an opportunity to express their thoughts on this planned development.

Those who spoke were Dino Xykis (605 Southern Oak Dr.), Joe Walicki (624 Southern Oak Dr.), Kevin King (1264 Mary Hill Circle), Mark Leslie (578 Southern Oak Circle), Steve Newton (614 Southern Oak Drive), and Susan Gerard (606 Southern Oak Dr.) An email from Scott Wade (607 Southern Oak Dr.) was read by Administrator Cox.

The Mary Hill Subdivision homeowners had many of the same concerns:

- The notice for the meeting was not received far enough in advance of the meeting or some neighbors did not receive notice at all.
- Traffic flow in Mary Hill Subdivision would increase, not only during construction of the development, but after construction when their streets would be used by residents in the new development.
- Safety is a concern for children, due to the increased traffic.
- According to residents who talked to Waukesha County, CTH KE is not planned to be rerouted in the near future.
- The development is too dense.
- There may be an issue with the private driveway between the development and Mary Hill Subdivision.
- Residents do not want Southern Oak Drive to go through to the new development.
- It was questioned whether an environmental impact study or a traffic study has been done.

Mr. Neumann addressed the residents' concerns:

There will be Public Hearings in the future for the annexation and rezoning – it takes months for this process. This is not the last time the public will be able to voice their opinions. This is a concept plan that is very early in the process.

- Traffic impact analysis has not been done. It is typically done when you have a subdivision of more than 100 homes or units. This plan calls for 83 units. If the Village or the County would require it, then it would be done. CTH K is a major county road with a lot of traffic. CTH KE also has a lot of traffic, but county highways are built for that -- the subdivision roads are not. The traffic from this development will go out to the county highways.
- An environmental study would not get done for a few months, as well as geo-tech and soil borings. That happens when the design is solidified. It's too early in the process.
- The condos will be single-story condos with exposed basements – that is what the market is demanding now. They will have a 4 – 8 foot exposure. However, topography will not be a problem.
- Mr. Neumann pointed out a planned temporary access road off of CTH K that will take all of the construction traffic on that road. They will work with the County to accomplish that road.

- The connector road is not in the County's budget cycle or plans. However, with the Siepmann's property being developed and if this project goes through, the County may move that road project up.
- Regarding the connection between the walking trail from Mary Hill Subdivision, the private driveway, and the proposed development, Mr. Neumann's preference would be to have private roads, with an emergency access only between Mary Hill Subdivision and this development. The condo association would own the road and maintain the road. Mr. Neumann would be O.K. with some sort of gate, if the Village would agree with it. If the road is public, then there would be a through road between Mary Hill Subdivision and this development.

The applicant would like to break ground this year and hopefully finish the first condominiums in the spring of 2018. It will depend upon how long the process takes. A healthy home market is diversification. A saturation of homes in the \$600,000-plus range is not good for home values.

The Comprehensive Plan does show a connector road between Mary Hill Subdivision and any development on the North 40 property. It may not take into consideration the private driveway. Something that was done for the Sanctuary of Hartland was to make an 8 foot wide pedestrian only access to the Woodlands Subdivision. A similar layout might be a possible solution for this area instead of a roadway. They used breakaway bollards on each end, which restricts vehicular traffic. That pedestrian/emergency vehicle area might also be a good way to connect to the environmental corridor with a trail and making it a community asset.

M. Neumann noted that if they would build single family homes, the road would be public and a road connection in this area would be made.

Mr. Neumann's concept plan shows the Waukesha County preferred route (northern route) for the HWY KE connector road. The Village is at a point now where staff would encourage changing the comprehensive plan to show the northern alignment.

Administrator Cox stated that the density with this concept is at least 20 units above what is suggested for this site on the Comprehensive Plan. There is a question as to whether that is even the right number. How does the Plan Commission want to calculate that in the implementation of the Comprehensive Plan? Staff has included in the calculations that we've made the environmental area in the northwest part of the project for the calculations. We took a look at the site, minus a factor for rights of way and multiply that by 1.3. There has been some suggestion that the environmental corridor should not count. The Village Code would require if we allow for a density calculation to use the environmental corridor, because we are not developing there, there needs to be special permission given to move that density somewhere else on the site. If that 13 acres accounts for about 17 households, the Plan Commission and the Village Board would have to make a decision on how those 17 households would get moved somewhere else on the site. At minimum that's a conditional use. Perhaps it's a planned unit development. The question is what would be the right number of units.

It's very clear in the Village's Comprehensive Plan that the isolated natural resource area not be developed. It could have passive use trails in it. We anticipate that there will be sanitary sewer cutting through there. The goal would be to have that remain a feature of the property.

Mr. Neumann is working with the Village to preserve the environmental corridor, the well site and a park in the northeast corner. In turn, they are asking for density above what is in the Comprehensive Plan.

Ryan Amtmann asked if potentially a PUD was used, what is the anticipated density in terms of the number of people, what's the anticipated density in total square footage of the buildings and how would that compare to a traditional single family type layout. Is there more people per building?

Mr. Neumann stated that if you have 65 single family homes with an average square footage of 3,000, it is 195,000 sq. ft. of building. Eight-three units at 2,100 s.f. per unit comes to 174,000 s.f. of building.

The number of people anticipated in homes would be  $3.5 \times 65 = 227.5$ . Condo units would be estimated at 207 people. It is possible that the likely buyers of the condos would spend some time away probably during the winter months.

A 65 lot single family development would be \$150,000 - \$200,000 lot prices and \$600,000 - \$800,000 homes. For 83 condos, the price point would be approximately \$400,000 to \$500,000 for approximately 2,000 - 2,200 s.f.

Administrator Cox indicated that staff's position is that there is nothing in the Village's regulations that would allow more than 70.62 houses on this property. Based on the Comprehensive Plan, this is the number. If the Plan Commission believes it's appropriate to go to a number higher than that, you have to amend the Comprehensive Plan and you have to figure out how to do the zoning. You have the ability to bump that 10%. If you don't follow the Comprehensive Plan when you zone it, the public present at the meeting have standard to sue the Village.

Mr. Neumann thought that they could probably do the development with 70 - 72 condo units without changing the Master Plan, as long as the Village would work with them on allowing private roads and putting in a glorified walkway/emergency vehicle area between Mary Hill and the development.

The issue was brought up that if the park area in the northeast part of the development receives a P-1 zoning, would that not be able to be used as part of the calculations for density? Staff will look into that.

The developer is willing to put in trails and grant public easement in the environmental area. There still is the issue of the private driveway to work out.

Administrator Cox mentioned if this goes forward, the Village would have to spend some time with the County, developer and the property owners in the area to decide where the best access point would be.

Jack Wenstrom addressed the developer with the fact that with private roads, the maintenance costs go to the condo owners, which is a very large expense. It is easier and less expensive for the developer.

Matt Neumann stated that if the roads are private, they are owned by the homeowners and are not dedicated to the Village. If the Village would want the roads to be public, the developer would agree to that. People who move into a condo understand, through the budget and deed restrictions, there are different dynamics from a single family development. Snow removal and landscaping are also part of the budget. What is less expensive for a private road is the design -- the width of the road, the setbacks from the road, the developer can design the street profile. Not that it's a cheaper road, it still needs to meet the standards and go through inspections.

The Plan Commission members were unanimous in the decision to not have more than 71 units for this development. If the developer still wants to pursue the project, he should work with staff.

There is still the issue of the private driveway. There are at least two places that the Village would need to cross for this development to occur. One is for the road connecting to Southern Oak Drive. Mr. Neumann has been told that he needs to contact the private owner. If that area becomes a path/emergency access, then it might be done with an easement.

If this goes forward at a lower density, the Plan Commission feels that the connection at Southern Oak could be an emergency entrance/exit only -- a foot path similar to what is in the Sanctuary Subdivision. Since it is a challenging property, it offers more flexibility to have private roads. The Commission was in agreement with private roads. The developer was encouraged to cluster buildings and leave as much open space as possible.

Mr. Neumann thought that the project would be doable with about 72 units, a private road and a pathway/emergency vehicle area.

The Commission would like to see a revised plan before making any motions for approval. Mr. Neumann will come back next month with a revised concept plan.

6. Plan Commission review and consideration of a final extraterritorial plat for Hawks Haven in the Town of Delafield.

No homeowners from the River Reserve Subdivision were present.

There are no changes from the conceptual plat to the final plat.

The sanitary sewer will be served by the Village of Hartland under the terms of the Lake Country Corridor Compact. Additionally, because of the area's topography, the storm water from the site flows through Hartland as well.

Staff comments on this project:

- The proposed utility installation and storm water plan calls for removal of a section of the berm that has separated the Hawk's Haven area from the River Reserve in Hartland for a number of decades. Staff is concerned about this and recommends that it be restored after utilities are installed.
- A number of issues arise from the fact that our sewer utility will be serving outside the corporate limits that require some coordination between the Town and the Village. Among the issues are the design and inspection of the utility and the matter of collecting our proper connection fees as well as the assessment of charges against a tax bill if charges are not paid.
- At issue is also the fact that the storm water from this subdivision will be entering Hartland and the Village will be responsible for the quality of this water under our permits. As such, it is appropriate for Hartland to permit the pond and regulate it in accordance with our Village Code including inspection and maintenance requirements.
- The residents of this subdivision should be required to contribute to the cost of the Village's maintenance of the infrastructure and regulatory compliance efforts related to the water from the subdivision. The cost is paid by properties in the Village via the general tax levy.

Mr. Bergman stated that he spoke to the two affected River Reserve homeowners of the berm, who told him that it would be O.K. with them not to restore the berm. Most of the work will be on Mr. Spindler's property.

Mr. Amtmann stated that when River Reserve II was put in, the storm water plan included extending a 24 inch storm sewer which goes south out of the cul de sac and terminates at the inlet. There should be less water flowing off this site when it is developed as to what it is today. There will be two infiltration basins up to a ten year storm. With the higher storms it will be released at a lesser rate. In an emergency situation, it would flow over land either through the berm cut out or if the berm was put back in place, there would be a secondary culvert pipe that would go through the berm for emergency overflow purposes. Mr. Bergman would prefer to leave the berm open rather than install a pipe.

There are a few technical issues to address in the final plat.

The Village Board will get a copy of a three party agreement with the Town of Delafield to administer this relationship with sanitary sewer (the customers will get a bill from us). In terms of the storm water, the Village would like the Town to develop a mini storm water utility for this area (a fee to the Village). The Village Board will be asked to approve contingent upon the three-party agreement.

Motion (Hallquist/Schneeberger) to recommend approval to the Village Board a final extraterritorial plat for Hawks Haven in the Town of Delafield, contingent upon developing the three party agreement with the Town of Delafield. Carried (6-0).

7. Adjourn

Motion (Swenson/deCourcy-Bower) to adjourn. Carried (6-0). Meeting adjourned at 9:45 PM.

Respectfully submitted by  
Recording Secretary,

Lynn Meyer  
Deputy Clerk