

Notice and Agenda
Hartford City Plan Commission

Date: March 9, 2020

Time: 5:30 p.m.

Common Council Chambers
Lower Level City Hall - 109 North Main Street

-
1. Call to Order
 2. Minutes of February 10, 2020
 3. Appearances
 4. Discussion and Consideration of a Site Plan Review – Goeman’s Rapid Mart Addition, 2712 East Sumner Street
 5. Discussion and Consideration of a Request to Have a Private Driveway Dedicated as a Private Street for The Conservancy, Located at 1329 – 1345 South Wilson Avenue
 6. Adjournment

“Persons with disabilities requiring special accommodations for attendance at the meeting should contact City Clerk at least one (1) business day prior to the meeting.”

“Members of the Common Council may attend the above meeting. Pursuant to State ex. rel. Badke v. Greendale Village Board, 173 Wis.2d 553, 494 N W 2d 408 (1993) such attendance may be considered a meeting of the Common Council. This notice is given so that members of the Common Council may attend the meeting without violating the open meeting law.”

PLAN COMMISSION
City of Hartford
February 10, 2020

PRESENT: Chairperson Timothy C. Michalak, Vice-Chairperson Dennis Regan, Members Tom Stapleton, Tony Anderek, Scott Henke and Alderperson Liaison Barry Wintringer

ABSENT AND EXCUSED: Member Ralph Kuepper

ALSO PRESENT: City Planner Justin Drew

Call to Order – Chairperson Michalak called the meeting to order at 5:30 p.m. in the Common Council Chambers of Hartford City Hall, 109 N. Main Street.

Minutes – Chairperson Michalak requested review of the minutes of January 13, 2020. Motion by Regan, second by Anderek to approve minutes of January 13. Motion carried.

Appearances – Chairperson Michalak invited appearances. There were no appearances.

Discussion and Consideration of Proposed Wall and Ground Signs in the Business Improvement District – Rincón Building, 225 N. Main Street

Executive Summary Review:

Creative Sign submitted an application for wall signage and ground (directional) signage for the multi-family development currently under construction at 225 North Main Street. Businesses in the B-3/Business Improvement/HAPEO areas downtown are required to obtain approval from the Plan Commission for signage. By code, the square footage for wall signs is 3 square feet for every 1 linear foot of building frontage facing an access street. Given that the property faces both Main Street and State Street, and has access from both streets, the owners have a generous square footage minimum (over 1000 s.f.) to work with. The requested building signage consists of channel letters on the south side of the building, and main canopy address numbers. The channel letter signage consists of backlit vertical lettering placed parallel to the five windows on the south side of the building closest to Main Street. The letters are aluminum with lexan backing, backlit with LED around the perimeter of the individual letters/numbers. The lettering and numbers combine to form a 48.3' x 2.6' total sign, or 125.5 square feet. The canopy address numbers are the same as the building signage: channel letters, aluminum and lexan construction, and backlit with LED. The numbers measure 1.25' x 3.16', or 3.95 square feet. The ground sign is a basic directional sign, noting the name of the building, entrance/parking information, and a directional arrow symbol. It consists of an aluminum face on aluminum tubing. Colors are white lettering on a dark gray background. The sign is 5' high with signage area measuring 3' x 2'. It is expected to be placed 5' from the driveway and 5' from the right of way, and meets setback requirements. The Planning Staff recommended approval.

Plan Commission Discussion, Wall and Ground Signs, 225 N. Main Street:

Mr. Drew reviewed the executive summary. Chairperson Michalak complimented the submitted renderings and requested comments. There were no comments. Motion by Henke, second by Stapleton to approved wall signs. Motion carried.

Discussion and Consideration of a Concept Plan Review of a Condominium Proposal at 3141 and 3151 County Trunk Highway (CTH) K

Executive Summary Review:

Hoffman Properties, LLC has submitted a concept plan for a mix of two-family and multi-family buildings in a condominium development for a total of 14 residential units on 2.2 acres. The parcels are currently in the Town of Harford. At this point, Hoffman Properties, LLC is seeking Plan Commission input on the proposed use and general site layout. If approved, the properties would need to be annexed to the City, zoned for multi-family use, and additional details regarding landscaping, building design, and engineering would come before the Plan Commission as part of a more in-depth site plan review. The property is surrounded by single family properties to the west and north, multi-family properties to the east and two-family properties and a WE Energies substation to the south. The developer proposes to modify the northern building by adding two garages and two living units, converting the southern building to 3 living units, adding a two-family building between the two existing building, and adding a 4-unit building on the south end of the property. The setbacks would be as follows: 33 feet from the CTH K Right-of-Way; 17 feet from the rear lot line (20 feet is required); 25 feet from the north lot line; 82 feet from the south lot line. Lot Coverage at buildout would be approximately 21.7% of the 2.2 -acre site, which exceeds the requirements for the Rm-1 District, but meets the requirements of the Rm-2 District. The adopted Smart Growth Plan identifies this area for residential development at a density of 3.0 – 5.81 units per acre. The proposed plan for 14 units would exceed the density allowed by the Smart Growth Plan. The proposed mix of two-family, three-family and four-family buildings would be allowed in the Rm-1 or Rm-2 Multi-Family District as a permitted use. All of the proposed units would continue to access CTH K from a shared driveway that empties onto CTH K near the north end of the property. The property slopes down from east to west. The developer has set aside an area for stormwater management at the lowest spot on the property. A review of a detailed grading and stormwater management plan would take place as part of the final site plan. Water is available from CTH K. Sewer would need to be extended about 200 feet north to the property in a new easement on WE-Energies property. A review of detailed utility plans would take place as part of the final site plan review. Landscaping and lighting plans would be submitted with Final Site Plan submittals. The developer is aware that the density is too high and has indicated that 13 units (which would meet the density requirements) would work for the project. Removing one unit would also likely get the project below 20% lot coverage, and thus allow for Rm-1 zoning. The rear lot line setback could be dealt with by moving the 4-family building a little to the east. Planning Staff recommended approval subject to revisions that would allow the project zoning requirements and the Smart Growth Plan Density requirements.

Plan Commission Discussion, Concept Plan Review, 3141 and 3151 CTH K:

Mr. Drew reviewed the Executive Summary. Chairperson Michalak requested comments and asked about grading and Utility placement, are costs assumed by developer. Mr. Drew affirmed. Chairperson Michalak asked if the development was rental. Mr. Drew clarified that the development is expected to be a condominium development. Member Anderek asked how traffic would flow with only one driveway. Mr. Drew noted that sight lines are good in the current location but the Fire & Rescue chief would need to

provide input. Member Regan asked if rezoning would occur no matter what. Mr. Drew explained the process (annexation, rezone, site plan). Member Regan stated that he would be in favor of 14 units, Member Henke concurred. Plan Commission members and the developer engaged in discussion regarding location of sewer/water/electric. The developer understands that he will need to move 200' of sewer line from Chapel Hill subdivision. Motion by Henke, second by Regan to approved the signs with conditions as noted. Motion carried.

Discussion and Consideration of a Rezoning Request for a Portion of 110 North Pike Lake Drive

Executive Summary Review:

Design2Construct, representing Delaney Group LLC, requested the rezoning of a portion of 110 North Pike Lake Drive, tax key number 36-2201-008-003, to B-4 Professional Office District. The property is currently zoned B-5 Highway Business District and C-1 Lowland Conservancy District. The change in zoning is requested only for the area zoned B-5. The applicant is in the process of developing the property for offices. The rezoning is requested as part of a development plan that includes review of a certified survey map and site plan. The property is surrounded by Institutional and Multi-Family zoning to the north, Town property to the east, Highway Business zoning to the south, and Professional Office zoning to the west. The property meets size requirements for B-4 zoning. The certified survey map indicates that the property will be split into two lots, both of which will meet size requirements for B-4 zoning as well. The proposed CSM provides a more detailed mapping of the border between the B-4 and C-1 designations, indicated by a broken line showing the most recent wetland delineation (2015). The Land Use Map indicates this property is appropriate for commercial development. Planning Staff recommended approval.

Plan Commission Discussion, Rezoning Request, 110 North Pike Lake Drive (portion)

Mr. Drew reviewed the executive summary. Chairperson Michalak requested comments. Motion by Henke, second by Anderek to recommend approval of rezoning request. Motion carried.

Discussion and Consideration of a Certified Survey Map for 110 North Pike Lake Drive

Executive Summary Review:

Design2Construct submitted a certified survey map splitting the parcel into two lots and an outlet. The two lots are intended for office development and the certified survey map is part of a process that includes a concept plan review (completed in December 2019) and a concurrent rezoning and site plan review in February 2020. Lot 1, fronting along East Sumner Street and North Pike Lake Drive, is 4.967 acres (216,375 square feet). Lot 2, fronting along North Pike Lake Drive, is 4.907 acres (213,761 square feet). The outlet is a portion of wetland extending east from the main lot and fronting East Sumner Street. It is 1.048 acres (45,668 square feet). Both Lot 1 and Lot 2 meet the area requirements for the intended B-4 Professional Office District zoning. The Planning Staff recommended approval.

Plan Commission Discussion, 110 North Pike Lake Drive CSM

Mr. Drew reviewed the executive summary. Chairperson Michalak requested comments. Motion by Henke, second by Stapleton to recommend approval of the CSM. Motion carried.

Discussion and Consideration of a Site Plan Review of an Office Building at 110 North Pike Lake Drive

Executive Summary Review:

Design 2 Construct submitted a site plan for an office building at the northeast corner of Pike Lake Drive and East Sumner Street (STH 60). The Plan Commission approved a conceptual plan for the proposed office use in November 2019. The property is surrounded by the Aurora medical clinic to the east, land zoned for institutional uses to the north, a retail coffee business to the south, and Town of Hartford wetland to the east. The development that would occur from this site plan would be located on Lot 1 of the CSM. Lot 1 is 4.967 acres. The eastern half of lot 1 is wetland and the southern portion holds the stormwater pond. The proposed building would be 7,377 square feet and would be arranged near the center of the property at the top of the grade and would have the following setbacks, all of which meet Code requirements: 40 feet from the North Pike Lake Drive Right-of-Way; 231 feet from the East Sumner Street Right-of-Way; 147 feet from a new proposed north lot line; 278 feet from the east lot line. Lot Coverage at buildout would be approximately 3.4% of the 4.97 - acre lot, which meets the requirements for the B-4 Office District. The adopted Smart Growth Plan identifies this area for commercial development. The proposal adheres to the Smart Growth Plan. The proposed office use is allowed in the B-4 Office District as a permitted use. The submitted plans for the building show two leasable tenant spaces. The building would be a single-story flat roof structure with a façade primarily of brick, stone veneer and synthetic stucco, along with decorative entrance canopies, and an employee patio area facing to the south. Overall, the proposed design is modern and clean. The building would be accessed from a 24-foot-wide driveway on Pike Lake Drive. The Municipal Code permits driveways in the B-4 District up to 30 feet wide at the ROW line with 10-foot minimum setbacks from adjacent properties. The property sits on a ridge and slopes down to the wetlands on the east and the stormwater pond on the south. The pond was sized to accommodate development from this lot and no additional stormwater management is required. Design 2 Construct has submitted an extensive landscape plan that includes seven street trees (Linden, Kentucky Coffee tree and Hackberry), six additional canopy trees (Maple, Honeylocust, Oak) around the parking lot, two smaller trees (Lilac and Spruce) and 71 ornamental shrub plantings. Overall it is a varied and appropriate landscape plan. The Developer submitted a photometric plan meeting City requirements. Electric, sanitary sewer and water are available to the property from North Pike Lake Drive. The plans indicate that the 6" water lateral will be reduced to a 2" lateral near the right-of-way. The developer/owner is responsible for the cost of the extension and they should contact Mike Thimm to discuss transformer locations, extension costs, etc. Planning Staff recommended approval.

Plan Commission Discussion, 110 N. Pike Lake Drive Site Plan

Mr. Drew reviewed the executive summary, noting that the approval is subject to approval of the rezone by the Common Council. Chairperson Michalak requested comments. Motion by Wintringer, second by Anderek to approve site plan. Member Anderek asked about signage along E. Sumner Street. Mr. Drew noted that signage would be approved through an internal review. Motion carried.

Discussion and Consideration of an Amended Site Plan Review – Trade Tech Addition, 2231 Constitution Avenue

Executive Summary Review:

The Plan Commission approved an 18,012 square foot addition to the main building at 2231 Constitution Avenue in December 2019. Trade Tech has determined that the approved addition would be insufficient for their needs and has submitted an amended site plan. Trade Tech is a full service machine shop including CNC machining, large machining, welding, fabricating and

project management. They are surrounded by industrial properties to the north, south and east and Town of Rubicon land to the west. The proposed addition would be erected south of the original building, which was approved in 2006 and completed in 2007. The proposed addition footprint is the same as the previously approved addition except for a 45' x 90' bump out at the southeast corner that would be setback 35 feet from the south border of the property. The new addition meets all setback requirements (*45-foot street yard, 25 foot side yard, 25 foot rear yard*) of the M-4 district. The other change to the site plan is the increased height of the addition to allow for greater crane functionality. The height of the proposed addition is 35 feet above grade, which meets the 45-foot maximum height allowed in the M-4 District. The addition would increase lot coverage to 25.4% of the property, below the 50% maximum lot coverage allowed by Code. The property is in Zone B of the Wellhead Protection Overlay District, which has a maximum allowable impervious surface of 60%. After the addition and additional asphalt paving on the southeast side of the building, impervious surface would be 50.9% of the site. The addition would be composed of gray insulated metal panels. Five large garage doors and three man doors would be located on each exposed side of the addition. It would include a new shop bay, two new bathrooms, and a new welding and fabrication area. Given the location of the structure behind the existing building, Staff believes the metal siding is appropriate and meets Code requirements. Stormwater on this property drains to a regional pond and the addition will not materially impact the capacity and function of the pond. Water and electric service will be extended from the existing building to the addition. Given the location of the addition behind the existing building, and the presence of existing mature landscaping along Goodland Road, no additional landscaping or lighting is proposed or required. Planning Staff recommended approval.

Plan Commission Discussion, 2231 Constitution Avenue Addition

Mr. Drew reviewed the executive summary. Chairperson Michalak requested comments and asked if drainage is affected. Mr. Drew replied that the City Engineer has reviewed the site plan and approved drainage. Motion by Henke, second by Wintringer to approve the site plan. Motion carried.

Meeting adjourned by call of Chair at 5:53 p.m.

Respectfully submitted,
Justin Drew, City Planner

Compiled by Char Smelter, Planning Secretary

Executive Summary

Title: Site Plan Review – Goeman’s Rapid Mart Addition, 2712 East Sumner Street

Background: The owner proposes a 1,600 square foot addition to the west side of the existing building as well as a new fuel canopy west of the building. The property is zoned B-5 Highway Business District.

Site Plan Criteria and Staff Comment:

Section 13.0324 (h) of the Municipal Code grants the Plan Commission the power to review and approve site plans based on the following criteria:

Adjacent Uses, General Layout, Building Plans

The proposed building addition would be setback 50 feet from the East Sumner Street Right-of-Way (ROW) and 135 feet from the west property line and meets all setback requirements (*40-foot street yard, 10-foot side yard*) of the B-5 district. The new canopy would be setback 35 feet from the west property line and 85 feet from the East Sumner Street ROW, and also meets setback requirements. The new gas storage tank area would be setback 20 feet from the west property line and 18 feet from the north property line, and meets setback requirements.

The height of the building would be 24.5 feet above grade, which meets the 35-foot maximum height allowed in the B-5 District. The changes would increase lot coverage to 14.3% of the property, below the 30% maximum lot coverage allowed by Code.

The addition would be composed of a stone veneer wainscot and vinyl siding to match the adjacent car wash. Numerous windows would be present on the west façade and the drive through window on the south elevation would be moved west into the addition area. The brick on the existing building would be painted to complement the addition. The new canopy is proposed in BP’s latest design motif. Staff believes the overall design of the additions is appropriate and meets Code requirements.

Grading, Drainage, and Utilities

Impervious surface of the lot does not change.

Water and electric service will be extended from the existing building to the addition.

Landscaping and Lighting

Given the location of the addition into an existing paved area, no additional landscaping is proposed or required. The photometric plan for the new canopy lights meets City requirements.

Recommendation The Planning Staff recommends APPROVAL of the Site Plan Review for the Goeman’s Rapid Mart Addition, 2712 East Sumner Street.

Prepared By:	 Justin Drew, City Planner	3/5/20 Date
Reviewed By:	 Jason Schall City Engineer	3-5-2020 Date

CITY OF HARTFORD
APPLICATION FOR SITE PLAN REVIEW
(PLEASE PRINT OR TYPE)

For official use only		
Account #100.604.440000.44420 (#78)		
<input type="checkbox"/> Site Plan Minor/No additional sf:	\$250.00	Date of PC Review: _____
<input type="checkbox"/> Site Plan, <10,000 sf construction	\$400.00	Zoning Administrator signoff: _____
<input type="checkbox"/> Site Plan, 10,000 – 50,000 sf	\$600.00	_____
<input type="checkbox"/> Site Plan, Industrial Construction, >50,000 sf	\$800.00	
<input type="checkbox"/> Site Plan, Commercial Construction, >50,000 sf	\$800.00	
Date Paid: _____	Total Fees Paid: _____	

Project Name: <u>Boeman's RAPID MART</u>	
Project Location (Address or Legal Description): <u>2712 - E Sumner ST</u> <u>HARTFORD WI 53027</u>	
Tax Key Number: <u>2301002010</u>	Zoning: _____
General Project Description: <u>20' Addition of The West Side of Building</u>	

Applicant Name: <u>RAPID MART of HARTFORD INC</u>		
Address: <u>2712 E Sumner ST</u>		
City: <u>HARTFORD</u>	State: <u>WI</u>	Zip: <u>53027</u>
Daytime Phone: <u>262-573-3189</u>	Fax: _____	Other: _____
Owner Name: <u>CHRISTOPHER J GOEMAN</u>		
Address: <u>4755 Jacobs Rd</u>		
City: <u>West Bend</u>	State: <u>WI</u>	Zip: <u>53095</u>
Daytime Phone: <u>262-573-3189</u>	Fax: _____	Other: _____
Contractor Name: <u>JRB Homes</u>		
Address: <u>6006 Dear Rd</u>		
City: <u>HARTFORD</u>	State: <u>WI</u>	Zip: <u>53027</u>
Daytime Phone: <u>414-510-6177</u>	Fax: _____	Other: _____

See attached information regarding submittal requirements.



ARE YOU READY FOR A REFRESH?

BP is rolling out a sleek new look to help attract customers to your site! Pump up the curb appeal at your stations and invest in the new image elements:

- | | |
|--|--|
| <p>① MID</p> <ul style="list-style-type: none"> + Brighter sign head with internal LED retrofit kit | <p>② Canopy</p> <ul style="list-style-type: none"> + New 3D bullnose fascia; bigger & brighter Helios buttons |
| <p><i>Under canopy*</i> →</p> | |
| <p>③ Canopy columns</p> <ul style="list-style-type: none"> + Painted white and BP Retail Green with BP Bright Green decal | <p>④ Canopy flags</p> <ul style="list-style-type: none"> + BP Bright Green with 3D number decal |
| <p>⑤ Amenity units</p> <ul style="list-style-type: none"> + BP Green | <p>⑥ Dispensers</p> <ul style="list-style-type: none"> + New image valance, door skin and risers |

Contact your BP sales representative for more details on how you can update and improve your site.

* Please note that sites must upgrade all under canopy elements with the new image if upgrading in order to be compliant with the 2016 Helios Standards. Installation of only select items under the canopy is not in compliance with the Visual Standards Audit and will be marked off for Helios Standards.

All items are Co-op eligible in accordance to 2016 Co-op guidelines.



1 NW CORNER
C1 N.T.S.



2 WEST ELEVATION
C1 N.T.S.



3 SW CORNER
C1 N.T.S.



4 CAR WASH
C1 N.T.S.





SOUTH ELEVATION



WEST ELEVATION

FFU
 FISCHER-FISCHER-THEIS, INC.
 ADDRESS: 10000 S. JENSEN BLVD.
 822 WESTBROOKWAY, WAUKESHA, WISCONSIN 53186-2188
 (TEL) 262-547-8888 • FAX (TEL) 262-547-8888 • E-MAIL: FFF@FFU-THESIS.COM

ADDITION TO GOEMAN'S RAPID MART
 2712 EAST SUMMER ROAD
 HARTFORD, WISCONSIN

02/17/2005	LCF

PROJECT NO.
20016

SHEET NO.
A1

Executive Summary

Title: Discussion and Consideration of a request to have a private driveway dedicated as a Private Street for the Conservancy, located at 1329-1345 South Wilson Avenue.

Background: In 2019 the City completed approvals for the Conservancy, a two-family and 4-family condominium development located at 1329-1345 South Wilson Avenue. The development consists of three 4-family buildings and eight 2-family buildings with a private driveway on 2.28 acres of land.

The Developer, Greg James, has submitted a request to have the driveway dedicated as a Private Street rather than a driveway so that he can give the units Conservancy Court addresses rather than South Wilson Avenue addresses. The Developer claims that the South Wilson Avenue addresses create confusion and delivery issues, especially since the adjacent portion of South Wilson Avenue does not currently connect to segments of South Wilson Avenue to the north. Additional comments and arguments for the Private Street proposal from the Developer are attached.

Section 7.24 of the Hartford Municipal Code lists a set of criteria that must be met in order to create a private street. Relevant Code sections are below, with more critical sections bolded.

The City has not allowed for the dedication of a private street in more than 20 years (the last two were Hartford Square and Serenity in the late 1990's). However, in the last 20 years numerous condominium and apartment developments have been created with private driveways. These include Willow Glen and Foxhaven condominiums, Gateway Estates apartments, Bridlewood condominiums, as well as Wilson Heights, Oriole Pond and Birch Crossing apartments.

Private driveways tend to be narrower, lack curb and gutter, lack sidewalks, and are not signed as streets. Because of this, they are less expensive to build than Private Streets, which in turn are less expensive to build than Public Streets.

7.24 PRIVATE STREETS.

1) Scope. This Section is to provide for private streets, to be owned by an association of owners of the adjoining properties. A "Private" street may be created in a new subdivision or condominium plat, hereinafter collectively referred to as "Development", in accordance with the terms of this Section. The Common Council shall have discretion to accept or reject an application to create a private street.

2) Procedure. Application to create a private street in a new development shall be made by including:

(a) All necessary information to show compliance with the terms of this Section in the papers filed with the application for approval of the plat of development.

(b) Proposed articles of incorporation and proposed bylaws for a non-for-profit corporation to be formed, for all the owners of property adjoining the private street, to maintain the street and to carry out the responsibilities of the association under this Section. The Plan Commission will consider the proposal in conjunction with the planned unit development conditional use, and shall make a recommendation to the Common Council. The Common Council may accept or reject the proposal. If the Common Council accepts the proposal the not-for-profit corporation shall be formed, the owners of all of the property shall sign all documents

necessary to create a covenant running with the land agreeing to abide by all of the requirements of the association, including the requirement to pay dues to the association sufficient to provide for present maintenance and future repairs and reconstruction of the private streets.

3) Guidelines. In determining whether to approve the private street under the terms of this Section the Common Council will consider the following guidelines:

- (a) The street must be a residential street.
- (b) The residents in the neighborhood desire to maintain the residential quality of the neighborhood.
- (c) **The density of development abutting the street must not result in an Average Daily Traffic (ADT) of more than 800.**
- (d) **The private street will not create an undue burden on traffic.** The Street Hierarchy of the City of Hartford shall not permit private streets, other than residential access streets and residential subcollector streets, as defined by Chapter 13 of the Municipal Code.
- (e) **The private street is not detrimental to the provision of emergency services to the adjoining residents or to existing or future residents in proximity to the development.**
- (f) **It is in the best interest of the City, considering planning for the entire City, to create a private street.**
- (g) The private street does not conflict with mapped streets pursuant to the City of Hartford Official Map.

4) Requirements for a Private Street. Any private street created under the terms of the Section shall comply with the following requirements:

- (a) **Residential access streets and residential subcollector streets shall be constructed to the standard specifications of the City of Hartford except that the cartway width of a private street may be reduced to 24 feet wide for a two-way street or 22 feet wide for a one-way street.**
- (b) Where parking is permitted on one side of a private street side, a 6-foot-wide parking lane shall be constructed in addition to the cartway width requirements above.
- (c) **The Common Council may, upon 2/3 vote, waive the requirement for the installation of curb and gutter adjacent to a private street, provided that alternate drainage methods are provided.**
- (d) **The Common Council may, upon 2/3rd vote waive the requirement for the installation of sidewalk adjacent to a private street, provided that alternate pedestrian accommodations are provided.**

5) Responsibility of Not-For-Profit Corporation. The nonprofit corporation formed for the owners of adjoining property shall have the responsibility of maintaining the street and any sidewalks or other public ways along the private street. The nonprofit corporation shall require all the property owners of adjoining properties to pay regular dues to cover all costs of maintaining the street. An annual budget shall be prepared by the nonprofit corporation to assist in arriving at dues.

Analysis: The Developer can meet the procedural requirements of creating a private street by assigning maintenance responsibilities to the condominium association. The proposed street would be for residential purposes and the City of Hartford Official Map does not show this area as having a publicly dedicated street. No parking would be allowed on the private street, so a 6-foot wide parking lane would not be required. Given that the City has already approved the private driveway location and dimensions, the proposed private street would not be detrimental to the provision of emergency services or create an undue burden on traffic in terms of the width of the road. The development is projected to create approximately 175 average daily vehicle trips, well below the 800 allowed by Code for a private street.

No curb and gutter are planned, but alternate drainage methods are provided. As a result, this criterion can be met with a 2/3 "Yes" vote of the Council. The proposed private street **does not** meet the required cartway width of 24 feet (22 feet is proposed). A 22-foot wide cartway is allowed in the case of a one-way street, but this is intended to be for two-way traffic. In addition, no sidewalk is planned for the proposed private street. This requirement can be waived with a 2/3 "Yes" vote of the Council if alternate pedestrian accommodations are provided. No alternate pedestrian accommodations are provided.

Finally, the Council needs to determine that it is in the best interest of the City to create a private street. Staff strongly believes that it is **NOT in the best interests of the City** to allow this private driveway to be dedicated as a private street. If approved, this action would set a precedent that would likely result in numerous other existing developments petitioning to have their private driveways reclassified as private streets, resulting in dozens of new streets and potential confusion for emergency services. Similarly, most new multi-family developments would request private streets instead of driveways.

In addition, this is a case of trying to have the best of both worlds; having the reduced cost of a driveway but the benefits of a street. Finally, the City has a long history of requiring that streets be public and available to the public. Private streets blur the line between something that is intended for a public purpose and something that is intended for a private purpose. The City has only approved two private streets and none in the last twenty years because we don't like them. They create confusion for the City in terms of plowing and maintenance, and extra work for the City in terms of policing who can and cannot be on the private streets. Multiple developments have requested private streets during this time, but the other developers did not pursue the matter when it became clear that Staff would not support it.

Recommendation: Given that the proposal does not meet all of the criteria in Section 7.24 of the Hartford Municipal Code for the creation of a Private Street, Staff recommends denial of the request to have a private driveway dedicated as a Private Street for the Conservancy, located at 1329-1345 South Wilson Avenue.

Prepared By: J. Justin Drew 3/4/20
Justin Drew, Date
City Planner

Reviewed By: Jason Schall 3-4-2020
Jason Schall Date
City Engineer

Approved By: Steven Volkert 3-4-2020
Steven Volkert, Date
City Administrator

ROUTING: PLAN COMMISSION 03/09/20
COMMON COUNCIL 03/10/20

January 23, 2020

Mr. Greg James
CONDO DEVELOPMENT, INC
318 N Lake Road, #101
Oconomowoc, WI 53066

RE: Hartford Conservancy Condos

Dear Mr. James:

You requested the addresses for the condos in The Conservancy development to be on Conservancy Court. Conservancy Court was approved as a private driveway. The City of Hartford does not assign addresses along private driveways. The City of Hartford has assigned addresses along private streets in the past, but not private drives. Section 7.22 of the Hartford municipal code requires a "uniform system of numbering for all houses and buildings fronting on all streets, alleys, and highways in the City". Therefore the addresses for The Conservancy Condos have been assigned along S. Wilson Avenue.

To change the addresses to Conservancy Court, you will need to change the designation of Conservancy Court to a private street. The City of Hartford does have requirements for designating private streets. This requires Plan Commission and Common Council review and approval. There are also minimum design standards required for private street construction. I have enclosed Section 7.24 of the Hartford Municipal Code which contains the requirements for a private street. It should be noted the current design of Conservancy Court does not meet the minimum standards of a private street required in the municipal code. If you proceed with the request to change its designation to a private street, you may be required to alter the design of the private drive or to seek a variance from the Common Council.

If you choose to move forward with this request, please contact Justin Drew in the City's Planning Department to start the process.

If you have any questions or concerns regarding this issue, please contact my office at (262) 673-8263.

Sincerely,

CITY OF HARTFORD

Jason W. Schall
City Engineer

Cc Justin Drew, City Planner

Enclosures

Condo Development, Inc.

Brian, Brad, Greg James
318 North Lake Road #101
Oconomowoc, WI 53066

City of Hartford
Planning Commission &
Common Council
Hartford Conservancy Condos

Office: (262) 569-1516
Fax: (262) 569-8066

We are seeking a variance so that our 22' (vs 24') wide pavement would be a two way (vs one way) traffic private street (vs private driveway) and no adjacent sidewalk and no curb and gutter per enclosed site plan.

Condo Plat has not been recorded pending determination of Conservancy Court as a residential private street vs a private driveway.

Parking is not permitted on either side of our street. Residents by condo rules park in their garage. Visitors by rule park in driveways or in one of two 5 space parking lots. No Parking signs on our street.

Enclosed are our parking rules signed by the first 11 and all future condo buyers at the time they sign offer to purchase. They signed on one side of a two printed side page.

Part of the condo document book each condo buyer signs a receipt for, states "Section 8.7 - Motor Vehicles. The owners, lessees or occupants of any unit, jointly or severally, shall not keep more than one motor vehicle for each vehicle space in their unit's garage (excluding motor-cycles) on the condominium, and vehicles shall be parked only in garage."

Condo buyers also sign at time of occupancy, the enclosed disclosure of parts of the City Developers Agreement that applies to the Condo Association owners, including "The condo street is private and maintained and plowed by Condo Association. No sidewalk next to private condo street."

We would also add to that Disclosure, "City approval prohibits any parking on Conservancy Court to be enforced by Condo Assoc per signs posted."

Per condo document book, violations of condo provisions will result in penalties assessed and collectable by a lien against the condo unit title.

We enclose the Wisconsin Department of Financial Institutions Articles of Incorporation for Hartford Conservancy Condominium Owners Association, Inc as a non-for-profit non-stock which has the authority to collect dues from all condo owners to maintain common areas including the street.

Our stormwater gutters are approved and installed in the middle of our concave to be paved street. Our street only serves our condos and is not a main traffic street so no sidewalk. We are installing a sidewalk on Wilson Ave which is and will be a main traffic street.

We are attempting to apply as a private street on behalf of our senior residents. If their address numbers can't be for Conservancy Court as a street on the City map, visitors and delivery people are not going to find the condos. We have been using Wilson Ave for the addresses and construction material trucks are not finding us since Wilson does not come out to Hwy 83 and some are coming onto deadend Wilson from Monroe. If the condo owners live on Conservancy Court then we would like their addresses to be Conservancy Court.

We have talked to the Postmaster and they have no problem delivering on Conservancy Court. Based on the above provisions, we appreciate your consideration of our request for a variance for our private street.

**APPEAL REQUEST CITY OF HARTFORD
 APPLICATION FOR APPEAL - VARIANCE**
 Planning Commission 3-9-20, Common Council 3-10-20

FOR OFFICE USE ONLY	
Account #: 100.604.444100.44410 (#76)	
Public Hearing Fee: \$300.00	
PLEASE NOTE: Fee does not cover publication costs, which are billed back to the applicant.	
Total Fee Received:	Date Filed:

(Please Print in Black Ink or Type)			
Address of Subject Property: <u>1345 S. Wilson Ave Hartford. 2-6-20</u>			
Tax Key Number: <u>36-2803003025</u>		Zoning District: <u>Rd2 & Rm3</u>	
Existing Use: <u>Utilities installed & 6 bldgs under construction</u>			
Applicant Name: <u>Condo Development Inc</u>			
Address: <u>318 N. Lake Rd. #101</u>			
City, State, Zip: <u>Oconomowoc, WI 53066</u>			
Phone: <u>262-569-1516</u>	Fax: <u>262-569-8066</u>	Email: <u>Hartfordsquare 2 @ Gmail.com</u>	
Owner Name: <u>Condo Development Inc</u>			
Address: <u>318 N. Lake Rd. #101</u>			
City, State, Zip: <u>Oconomowoc, WI 53066</u>			
Phone: <u>262-569-1516</u>	Fax: <u>262-569-8066</u>	Email: <u>hartfordsquare 2 @ Gmail.com</u>	
See attached letter and exhibits			
Attorney Name: _____			
Address: _____			
City, State, Zip: _____			
Phone: _____	Fax: _____	Email: _____	

To the Board of Appeal: I hereby (choose one):

- Variance from Planning Commission and Common Council
- Appeal from the decision of the Plan Commission
- Appeal from the decision of the Zoning Inspector
- Appeal from the decision of the Zoning Administrator/Engineering Staff

Please attach the following documentation:

1. Copy of the decision or order rendered.
2. Statement of the principal points on which appeal is based. Please include why you feel there has been an error in any requirement, permit decision or refusal made by an administrative official, or an error in fact, procedure or finding made by the Plan Commission.
3. Reason why the applicant is an aggrieved person.
4. Any additional documentation which may help the Board in their decision.

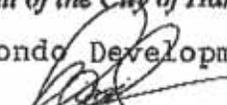
The applicant is strongly encouraged to discuss the appeal with the Planning and Zoning Administrator prior to filing of the application. Additional information from the applicant may be required by the City Plan Commission, Zoning Board of Appeals, City Engineer, or Director of Planning and Zoning.

Prior to the public hearing, the City is required by law to post notice of the request in a local newspaper, and to notify all owners of property within 200 feet of the subject property of the date, time and location of the Public Hearing at which the request will be heard.

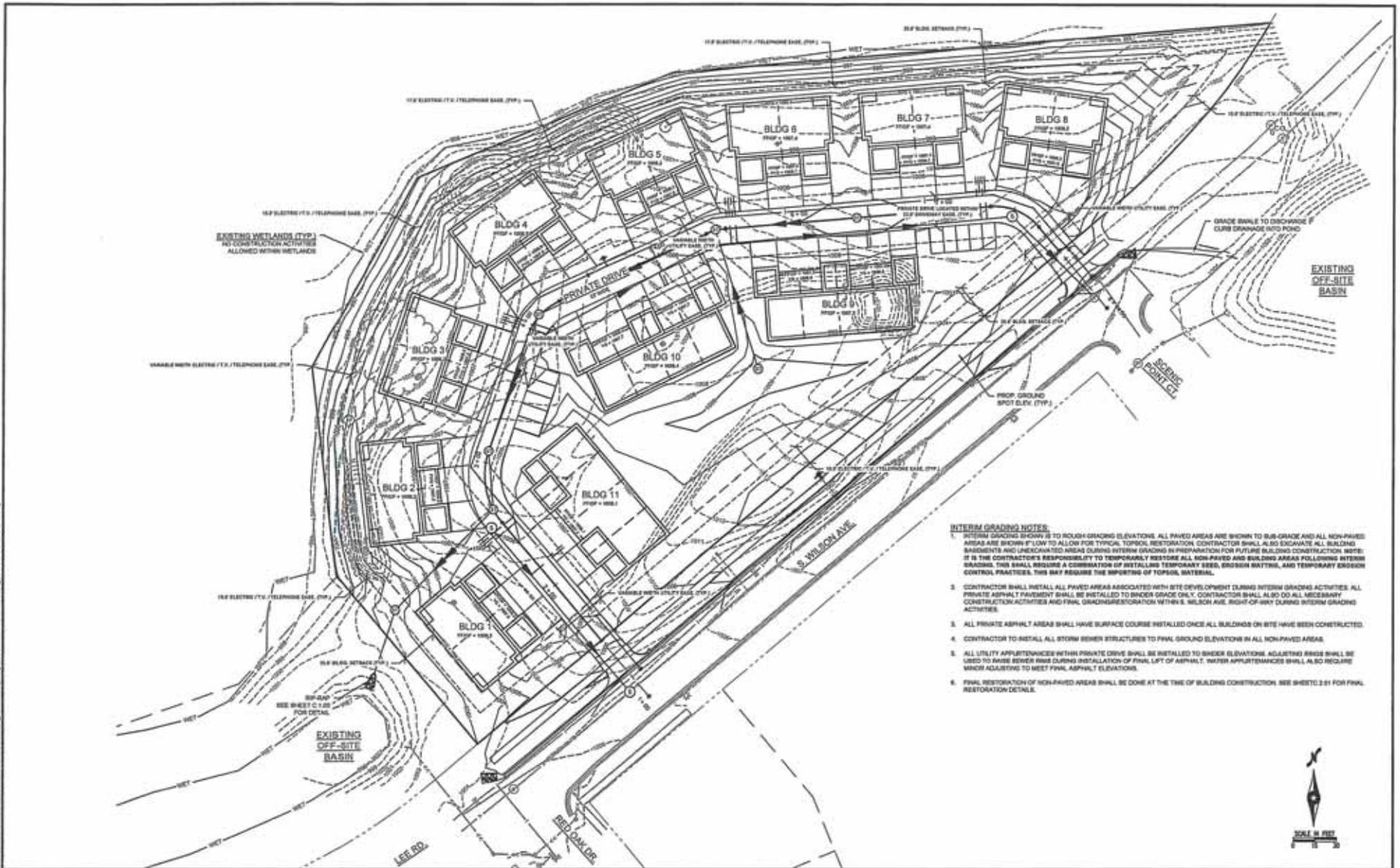
I hereby depose that this application, all submitted documentation and statements contained in the papers submitted herewith are true and correct. I further accept all liability, which may be a result of the City of Hartford relying on the information I am providing in this application.

Condo Development Inc

Signature of Applicant:


Greg James, President

Date: 2-6-20



INTERIM GRADING NOTES:

1. INTERIM GRADING SHOWN IS TO ROUGH GRADING ELEVATIONS. ALL PAVED AREAS ARE SHOWN TO SUB-GRADE AND ALL NON-PAVED AREAS ARE SHOWN 6" LOW TO ALLOW FOR TYPICAL TOPSOIL RESTORATION. CONTRACTOR SHALL ALSO EXCAVATE ALL BUILDING FOUNDATIONS AND UNEXCAVATED AREAS DURING INTERIM GRADING IN PREPARATION FOR FUTURE BUILDING CONSTRUCTION. NOTE: IT IS THE CONTRACTOR'S RESPONSIBILITY TO TEMPORARILY RESTORE ALL NON-PAVED AND BUILDING AREAS FOLLOWING INTERIM GRADING. THIS SHALL REQUIRE A COMBINATION OF INSTALLING TEMPORARY SEED, GROSS BATTING, AND TEMPORARY EROSION CONTROL PRACTICES. THIS MAY REQUIRE THE IMPORTING OF TOPSOIL MATERIAL.
2. CONTRACTOR SHALL INSTALL ALL PAVED AREAS ASSOCIATED WITH SITE DEVELOPMENT DURING INTERIM GRADING ACTIVITIES. ALL PRIVATE ASPHALT PAVEMENT SHALL BE INSTALLED TO FINISH GRADE ONLY. CONTRACTOR SHALL ALSO DO ALL NECESSARY CONSTRUCTION ACTIVITIES AND FINAL GRADING/RESTORATION WITHIN S. WILSON AVE. RIGHT-OF-WAY DURING INTERIM GRADING ACTIVITIES.
3. ALL PRIVATE ASPHALT AREAS SHALL HAVE SURFACE COURSE INSTALLED ONCE ALL BUILDINGS ON SITE HAVE BEEN CONSTRUCTED.
4. CONTRACTOR TO INSTALL ALL STORM SEWER STRUCTURES TO FINAL GROUND ELEVATIONS IN ALL NON-PAVED AREAS.
5. ALL UTILITY APPURTENANCES WITHIN PRIVATE DRIVE SHALL BE INSTALLED TO FINISH ELEVATIONS. ADJUSTING RISERS SHALL BE USED TO RAISE SEWER RISERS DURING INSTALLATION OF FINAL LIFT OF ASPHALT. WATER APPURTENANCES SHALL ALSO REQUIRE RISERS ADJUSTING TO MEET FINAL ASPHALT ELEVATIONS.
6. FINAL RESTORATION OF NON-PAVED AREAS SHALL BE DONE AT THE TIME OF BUILDING CONSTRUCTION. SEE SHEETS 2.01 FOR FINAL RESTORATION DETAILS.

DESIGNER:	MM	2	2/21	02/20/20	REVISED PER DEVELOPER COMMENTS
CHECKED BY:	STP	1	2/21	02/20/20	REVISED PER CITY COMMENTS
DESIGN TEAM	NO.	BY	DATE		REVISIONS

PHONE: 931.446.8899
201 MARBLE AVENUE
SELMAVILLE, TN 37574
www.seh.com

THE CONSERVANCY
CITY OF HARTFORD, WI

INTERIM GRADING PLAN

FILE NO.	1214L_D008	C 2.02
DATE	08/02/19	

Date: 1/22/2019 12:28 AM Author: P:\113144_Conservancy\CityOfHartford\1214L_D008\1214L_D008.dwg & ENC.dwg

