

PLAN COMMISSION
City of Hartford
August 13, 2018

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

ABSENT AND EXCUSED: None

ALSO PRESENT: City Planner Justin Drew

Call to Order - Chairperson Michalak called the meeting to order at 5:00 p.m. in the Common Council Chambers of Hartford City Hall, 109 N. Main Street.

Minutes - Motion by Kuepper, second by Wintringer to approve minutes of July 9. Motion carried. Minutes of July 23 were deferred to a later meeting.

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

Public Hearing: Conditional Use Permit - Hartford Joint No. 1 School Use, 635 W. Sumner Street and 622 Mueller Road

Opening of Hearing:

Chairperson Michalak declared the hearing open, and requested a reading of the public notice.

Reading of Public Notice:

Mr. Drew read the public notice.

Staff Review: Proposed Conditional Use to Locate a Multi-Family Residential Building in the B-3 General Business District:

Hartford Joint 1 School District has submitted a request for a Conditional Use Permit to allow property at 635 W. Sumner Street/622 Mueller Road to be used for a school. The property is one building with three condo units. Two of those units, 635 W. Sumner Street and 622 Mueller Road, are currently housing the Boys & Girls Club. Previously, these units were used by Wellspring Church under a conditional use approved in 2005. Hartford Joint 1 School District intends to establish a K-8 alternative school in this location, and is working with the City's building inspection department to determine necessary upgrades and designations. The B-3 General Business District allows as a conditional use 'Public and private institutional uses such as public buildings; churches'. A school use would be considered an institutional use. There is an existing sidewalk from Mueller Street to the building to facilitate student drop off and pick up. The Joint 1 School District proposes to house up to ten students and approximately three Staff at this facility. Planning Staff recommended approval of the Conditional Use Permit for the Hartford Joint 1 School District for 635 W. Sumner Street/622 Mueller Road to allow use as a school in the B-3 General Business District. Mr. Drew also noted that members of the School District were in attendance and available to answer questions.

Appearances in Favor:

*Laura Schefer, Director of Special Education, Hartford Jt. 1 School District - Ms. Schefer reviewed the students expected to attend this school, children with 'atypical responses to typical situations', emotionally and behaviorally disturbed. There will be 8 - 10 students who are currently in other schools, some as far away as Milwaukee and Fond du Lac. There are difficulties with costs and re-integration into the school district when students are so far away.

Appearances in Opposition:

*Ali Karbassi, owner of a neighboring property - there are safety issues; children come onto his property where there is a pond. They throw balls into the street. It is not a safe area for children.

*John Feucht, 631 Mueller Road - Children and safety issues, there were 9 balls on Mueller Road just today, last week two cars almost hit children. Very unsafe unless there is a fence around the property. Plus two ponds to the west of the property, children are running into the woods. Current supervision is terrible and there is going to be a tragedy.

Closing of Hearing:

Chairperson Michalak closed the hearing.

Discussion by Plan Commission:

Chairperson Michalak requested comments by members. Member Kuepper asked about the staffing/supervision at the Boys and Girls Club. Mr. Drew noted that there are full time employees, and the current use is much more intense than what is being proposed. Member Kuepper asked if the proposed use would be in another part of the building. Mr. Drew explained that the Boys and Girls Club will be moving to Lincoln School. Member Kuepper asked about the current number of children. Mr. Drew estimated the number of students at around 30. Member Stapleton noted that there are at least 30 children and no fencing. Chairperson Michalak asked about the ratio of students to teachers in the new use. Mr. Drew said the ratio will be about 3 adults (teacher, counselor, aide) to 10 students. Alderperson Liaison Wintringer observed that the nature of the use going forward will be different than the current use, with more structure and a different focus, instruction vs. recreation and more inside classroom use than outside activities. Member Stapleton asked when the Boys and Girls Club will be leaving. Mr. Drew replied that the move would take place next month. Chairperson Michalak noted the legitimate concerns about safety and wondered if a fence was a good idea. Member Kuepper stated that a fence could be required if safety situations continue to arise. Member Henke asked how long a conditional use was good for. Mr. Drew explained that a conditional use runs with the property and can be revisited as needed. Member Henke noted that he could only support a six-month conditional use at this time. Chairperson Michalak requested consideration of a review after a full school year. Member Henke was agreeable but noted that the Plan Commission needed to be proactive if an issue pops up. Member Henke asked why, if the school district has space for the Boys and Girls club, they don't have space for 10 students? Member Stapleton asked where these students have been. Chairperson Michalak noted that education for these students is mandated and needed to take place outside of our City and County, and that has been extraordinarily expensive. He noted that creating space for these students should be limited to Jt. 1 students only, without any expansion outside of the district. Member Regan asked if a fence has been discussed. Mr. Drew

stated that fencing has not been discussed and he does not know what State mandates are in place for this.

At this point Member Regan indicated that he had a question for Laura Schefer, who came to the podium. Member Regan asked if the school district was aware of the current situation at this property. Ms. Schefer affirmed, but noted that the Boys and Girls club is run independently and is not part of the school district. Ms. Schefer noted that the Boys and Girls club's space use at Lincoln will be for before and after school activity. Locating the school use away from other schools is appropriate because of the atypical responses students have to a traditional school setting. Ms. Schefer emphasized the school districts commitment to safety, and noted that the school will be focusing on educational needs, with a completely different focus than the Boys and Girls Club. Member Regan asked if the Boys and Girls Club will be gone completely from this building. Ms. Schefer affirmed. Member Regan asked if a fence has been considered as part of this proposal. Ms. Schefer noted that it will be reviewed and the pond considerations are important. She noted that the concerns of the community will be considered, and asked members to remember that the children at this school are part of the community and will have successes as well as mishaps. Member Henke emphasized that this was not a 'one and done' situation but the Plan Commission should revisit this at some point. He asked about physical education and outdoor time for the children. Ms. Schefer noted that while physical education is mandated, flexibility is a key part of this program and students will go outside when appropriate.

Official Action Regarding Proposed Conditional Use to Locate a School Use in the B-3 General Business District

Member Henke moved for approval of the conditional use to locate a school in the B-3 General Business District, 635 W. Sumner Street/622 Mueller Road. Second by Kuepper. Motion by Henke, second by Kuepper to amend original motion to include a requirement to revisit the conditional use in June 2020, or after the first full year of occupation.

At this point Ali Karbassi requested to comment again. Chairperson Michalak allowed. Mr. Karbassi again stressed his concerns about safety and expressed his belief that any injuries as a result of this will be the responsibility of Plan Commission members.

Chairperson Michalak reviewed the motions. Mr. Drew noted that he has the ability to bring the matter back to the Plan Commission at any time.

First Motion carried.

Motion with amendment carried.

Review of a Rezoning Request for Lots 1 - 4 and 7 - 12 of the Windsong Crossing Subdivision from Rs-4 Single-Family Residential to Rd-2 Two-Family Residential

Executive Summary Review:

In July of 2011, a rezoning of lots 1 - 12 of Windsong Crossing to single family residential from two family residential was approved by the Common Council. At the time the developer was receiving inquiries about single family construction in this portion of the subdivision, along Broadmoore Drive. Lots 5 and 6 are now owned by other entities. The lots were never built upon, and now the applicant believes that the market for two-family buildings is strong. A number of other subdivisions also rezoned two-family lots to single-family in the wake of the recession (Red Oaks, Mount Vernon, Skyway Park). This reduced the total number of two-

family lots within the City by approximately 50. In the intervening years most of the remaining two-family lots in the City were built upon. The current inventory of available two-family lots is 58, and the current inventory of available single-family lots is 255. Based on the reduced demand and the heightened interest the applicant has received, he believes that the lots will be built out more quickly as two-family lots. The original plat for the Windsong Crossing Subdivision, approved in 2005, was for 34 two-family lots, a total of 68 units. The rezoning in 2011 brought the unit total to 56 (44 two-family and 12 single family). The requested rezone changes the total to 66 units (64 two family and 2 single family). The requested rezone increases the total units in the subdivision from the number approved in 2011, but the number of units remains less than the original approved density. This is a mixed-use area, as lots west, north and east of these lots are zoned for both single-family and two-family use. Industrial properties are to the south. The Smart Growth Plan identifies the subdivision for development at medium density (3.0-5.8 units per acre). The Smart Growth Plan does not prescribe what types of housing are allowed within a given density zone. The proposed zoning change conforms to the Smart Growth Plan. The lots meet the minimum area (12,000 square feet) and width (80 feet) requirements of the Rd-2 District. Approving the rezoning will increase the fees that the Parks department will collect by \$12,500, and the fees that the Wastewater department will collect by \$55,800 once all of the lots are developed. Staff recommended approval of the rezoning request for Lots 1- 4 and 7 - 12 of the Windsong Crossing Subdivision from Rs-4 Single-Family District to Rd-2 Two-Family District.

Plan Commission Discussion, Windsong Crossing Rezoning Request:

Mr. Drew reviewed the executive summary, noting that permits are ready to be pulled and ground broken if this request is approved. Mr. Drew also noted additional sewer hookup and park fees for 2-family vs. single family lots, and an increased tax base as well. Chairperson Michalak asked for comments. Motion by Henke, second by Wintringer to recommend approval of the rezoning request to Council. Chairperson Michalak noted that in his discussion with builders, all of the recently-built apartments are rented, indicating a strong need for multifamily housing. Member Kuepper asked why the remaining two single family lots are not being rezoned. Mr. Drew explained that the lots are owned by others and there has been no request for rezoning. Member Regan asked if the owners of the two lots had been contacted. Mr. Drew noted that the owners would have received the public hearing notice and he has not received any feedback. Member Regan expressed his concern about the two remaining lots and indicated that this did not seem to be the best route for planning purposes. Mr. Drew noted that this is a mixed-use development as is the development to the west. Member Regan noted the Plan Commission's history of not supporting flip-flopping of lot designations. Member Kuepper asked if the two lots could be converted to duplex lots. Mr. Drew explained that the lots were originally duplex lots. Member Stapleton also expressed his concern about flip-flopping. Chairperson Michalak reviewed the history of the lots (first duplex, then single family, now requesting duplex designation), noting that he had spoken to the developer who indicated that he had tried to pull the original request for single-family rezoning. Mr. Drew explained that the request for rezoning to single-family had been turned in and could not be withdrawn at that point. Chairperson Michalak noted that the single-family rezoning would not have happened in the first place but rules and requirements forced the rezoning after the developer wanted to

withdraw it. Member Kuepper asked about the need for this type of housing. Mr. Drew noted that he had recently updated housing numbers and most duplex housing lots are wrapped up in senior housing. Member Kuepper asked for the updated numbers. Chairperson Michalak requested a vote on the motion. Motion carried.

Site Plan Review, ProAmPac, 2261 Innovation Way

Executive Summary Review:

ProAmPac (formerly Polyfirst Packaging) is proposing an addition at their current facility that would involve moving two silos to a new location further back from Innovation Way, and constructing four new silos. The property is within the Wellhead Protection Overlay District, which is intended to prevent contamination of ground water near an active municipal well (Well #15). ProAmPac/Polyfirst Packaging uses plastic pellets to produce plastic bags. Due to the large quantity of pellets the company uses, they prefer to ship a larger quantity of the plastic pellets and store them in outdoor silos. Because the plastics used in bag production are shipped to the site in the form of solid, non-water soluble pellets, the proposed silos do not appear to pose a threat to the wellhead. There are 6 silos currently at the site; two are 34 feet tall and four are 20 feet tall. They are located just east of the building set back 300 feet from Innovation Way. Under the proposal, a new concrete pad set back 400 feet from Innovation Way would be added. The two 34 foot tall silos would be moved to the new concrete pad. Two additional 34 foot tall silos would also be placed on the new concrete pad. In addition, two 60 foot tall silos would be placed on the new concrete pad. The property is in the Dodge Industrial Park and is surrounded by other industrial properties. The new proposed silos would be painted to match the exterior color of the building. They would be located southeast of the building. Silos are common within the Dodge Industrial Park. The existing building has a 68 foot tall tower to accommodate manufacturing equipment. The maximum allowable height in the M-4 District is 45 feet. However, the Plan Commission can waive this for certain structures, including silos. Given the distance from Innovation Way to the proposed silos, Staff believes that the height modification should be approved. The proposed additions will result in a slight increase of impervious surface, which should not impact storm water drainage. No change in utility service is requested. The Planning Staff recommended approval of the site plan for the ProAmPac silo addition.

Plan Commission Discussion, ProAmPac Site Plan:

Mr. Drew reviewed the executive summary. Chairperson Michalak requested comments. There were no comments. Motion by Henke, second by Anderek to approve site plan. Motion carried.

Site Plan Review, Vault Safe Self Storage, 7520 W. Sumner Street

Executive Summary Review:

Vault Safe Storage, LLC is proposing a large self-storage/warehouse complex on the northern portion of 7520 West Sumner Street. The Council approved an annexation petition for the property in July of this year. The annexation served to separate out a new lot from the parent parcel, which remains in the Town. A new Independence Avenue address will be assigned for the self-storage development and it will be located on Independence Avenue, closer to Liberty Avenue. The property is adjacent to the Dodge Industrial Park and is surrounded by other industrial properties to the north and

west, and Town properties to the south and east. The project would be done in phases with the first four buildings at the south end of the property. The plan shows four structures in the first phase with a total area of 34,400 square feet. All of the proposed buildings are oriented north to south. The structures would meet the street setbacks (50 feet proposed - 30 feet minimum), side setbacks (39 feet proposed - 10 feet minimum), lot coverage (52% proposed for all phases - 60% maximum), and building height (14 feet proposed - 45 feet maximum) requirements for the M-1 district. The plan shows four buildings in the first phase. The building fronting Independence Avenue will be 200 feet x 40 feet. The other three buildings will be 220 feet x 40 feet. The street-facing **façade of the first building is proposed to be primarily garage doors with metal siding** between the doors and a steel roof. The Plan Commission required a similar use, the Hartford Flex Center at 2250 Constitution Avenue, to have masonry present on all street-facing facades. Though this property is not in the Dodge Industrial Park, it is a far more visible site, and Staff believes that the applicant should be required to use some type of masonry material between the garage doors, rather than metal siding. Staff has informed the applicant of this proposed condition. A driveway is proposed north of the first building onto Independence Avenue. The driveway entrance meets the code standards for width (40 feet maximum) and side yard setback (15 feet minimum). When the final phase is completed, Staff will require a secondary access from Liberty Avenue. The plan shows no parking spaces. The tenants would park in front of their rental unit. The parking lot would be paved. The grading plan calls for directing stormwater towards the western portion of the property, where a new stormwater management pond would be created. The applicant is working with the City Engineer to ensure that the proposed grading and stormwater management plan meet City requirements. Water and electric services are available to the property from Independence Avenue. Sanitary Sewer Service is available from Liberty Avenue. None of the buildings are proposed to have sewer and water service. A fence is proposed around the four buildings. It would be a six-foot high decorative fence along Independence Avenue and a six-foot high chain link fence along the north, east and south sides. No exterior dumpster is shown on the plan. The submitted landscaping plan shows a mix of Prairie Fire Crab, Callery Pear, and Pagoda Dogwood trees planted along the west and south sides of the first phase of the development. Staff believes that the submitted plan is appropriate. A photometric plan meeting City requirements was submitted for the first phase. Staff recommended approval of the Site Plan Review for Vault Safe Self Storage, subject to **changing the metal siding between the garage doors for the street facing façade to a masonry material approved by Staff.**

Plan Commission Discussion, Vault Safe Self Storage Site Plan:

Mr. Drew reviewed the executive summary. Chairperson Michalak noted that the development will not be directly off West Sumner Street. Mr. Drew clarified that the project will have an Independence Avenue address. Chairperson Michalak asked about the total number of units. A representative from Keller noted that the number of units could reach 680, with a mix of 10 x 10, 10 x 20, 10 x 30 and 12 x 30 units. Member Kuepper asked if the units could house something as large as a boat. The Keller

representative affirmed for the 12 x 30 units. Member Regan asked if the applicants were aware of the masonry requirement. The Keller representative noted that the applicants are not planning on placing masonry on the non-street sides and explained that the process for applying masonry was cumbersome and did not add to the aesthetics of the buildings. The smooth wall is also preferred by the owner. Chairperson Michalak asked if the color is white. The Keller representative noted that the color is cream. Member Regan asked Mr. Drew if he was aware of the proposed change. Mr. Drew affirmed and stated that the applicants are being given the opportunity to make their case. Member Regan asked Mr. Drew for his opinion. Mr. Drew noted that this project is not in the Industrial Park and not subject to the same covenants, but is next to the Industrial Park and also next to the flagship employer of the park, QuadGraphics. Masonry has been required on every other building in the Park, and this location is more visible than some of the Park lots. Mr. Drew noted that the proposed development will be set back 50 feet, with decorative wrought iron fencing and landscaping in front. Member Henke noted that Quad has corrugated metal siding and still has not applied the masonry required by the Plan Commission 15 - 20 years ago. At this point the Keller representative noted that fencing is expected to be black vinyl chain link, and if screening is an issue they would be open to more landscaping. He explained that while masonry might look good on the end walls it doesn't approve the appearance of the rest of the building. Mr. Drew noted that the submitted plans show decorative fencing, not chain link, along Independence Avenue. Current plan shows chain link but that was not the plan he reviewed. Chairperson Michalak asked which plan was being reviewed. Mr. Drew indicated that it could be the Plan Commission's choice, but noted that if masonry was not required he would encourage a more decorative fence than chain link. Chairperson Michalak observed that vinyl chain link fencing looks nice at first but does deteriorate over time. What requirements would be in place to guarantee maintenance long-term? Mr. Drew noted that the City's property maintenance code could be used on a complaint basis. Member Regan asked why the fencing was changed to chain link. The Keller representative noted that last minute changes were taking place as they worked through final details. Member Regan asked if applicants were amenable to changing the fencing back. The Keller representative introduced Steve, the owner, who noted that there is a significant cost difference between the two fence types and promised that the vinyl fencing will be maintained. Steve explained that the building system they want to use was chosen for its clean, finished look and they are trying to do everything they can within reason. Member Regan noted that he was kind of onboard with the proposed changes for the building, but jumping from decorative fencing to chain link is a big difference for all locations. The Keller representative noted that they might want to drop the roof pitch as well. Chairperson Michalak asked for clarification - flatter? The Keller representative noted that the roofing would not be visible at all. Chairperson Michalak asked about visuals from STH 60. Mr. Drew noted that given the grading and distance, the project would probably not be visible from STH 60. Chairperson Michalak asked how the City could attract a premier client for the southern portion of the original lot if they were looking at chain link fencing and no-frills building at their northern boundary. Steve the owner noted that the only area that could be seen from STH 60 is the south-west corner. Member Henke expressed his continued concern about the visuals from Independence Avenue as this is an entrance to the Industrial Park. Could the west side of the property

be bermed? Mr. Drew noted that a four-foot berm is a possibility, and Member Henke observed that a fence on top of a berm would provide good screening. The Keller representative stated that they would be putting the fence behind the berm. Mr. Drew reviewed proposed landscaping and observed that more landscaping would be necessary. The Keller representative asked what landscaping would be required. Member Regan suggested that the increased landscaping screening be an exchange for the lack of masonry units requested. Member Kuepper asked if the Plan Commission would need to review a new submittal. Mr. Drew noted that it would be up to the Plan Commission. The Keller representative stated that he would work with Staff on landscaping but would like the plan approved today. Discussion ensued regarding roofing and colors. Roofing could be changed from building to building depending on location, with higher roofs at the front of the development. Colors are in the beige/gray/black range and were chosen to give the development a clean, finished look. Motion by Henke, second by Regan to approve the site plan with the following changes: higher roof pitches on buildings fronting Independence Avenue, berm on Independence Avenue with additional landscaping, and chain link fencing. Member Kuepper requested updated renderings when available. Motion carried.

Review of a Resolution Recommending Sale of a Portion of the Property Known as 2011 Innovation Way, Tax Key Number 230-1017-1311-004

Executive Summary Review:

Prior to the City divesting of property, State Statutes require that the Plan Commission approve a resolution in support of the sale. The City holds industrial park lands originally owned by the Hartford Area Development Corporation (HADC) until a buyer comes forward to purchase property. Typically, the HADC and the buyer agree on an offer to purchase and then the City Plan Commission and Council approve a resolution to sell the land back to the HADC for \$1. In this instance the offer to purchase was made directly with the City. Carmex Precision Tools LLC (Carmex) has submitted an offer to purchase for approximately 2.6 acres of land at 2011 Innovation Way. The purchase price is \$24,000 per acre. 2011 Innovation Way includes a significant amount of floodplain, and based on the included map, the purchased acreage would be 2.63 acres and include no floodplain lands. The sale of the property was authorized by the Common Council in June. The Plan Commission and Common Council must now approve resolutions allowing the sale to go forward. If the land sale is approved, the City will Commission the creation of a certified survey map creating the contemplated lot. Planning Staff recommended approval of the Resolution recommending that a portion of the property known as 2011 Innovation Way be approved for sale.

Plan Commission Discussion, Resolution Recommending Sale of a Portion of 2011 Innovation Way

Mr. Drew reviewed the executive summary. Chairperson Michalak asked for comments. There were no comments. Motion by Henke, second by Stapleton to approve the resolution recommending the sale of a portion of 2011 Innovation Way. Motion carried.

Adjournment - Meeting adjourned at 6:13 p.m. by call of Chair

Respectfully submitted,

City of Hartford Plan Commission, August 13, 2018

Justin Drew, City Planner

Compiled by Char Smelter, Planning Secretary