

PLAN COMMISSION
City of Hartford
May 9, 2016

PRESENT: Chairperson Michalak, Members Anderek, Stapleton, Regan, Henke, Kuepper, Alderperson Liaison Rusniak

ABSENT: None

ALSO PRESENT: City Planner Justin Drew

Call to Order – Chairman Michalak called the meeting to order at 7:00 p.m. in the Common Council Chambers of Hartford City Hall, 109 N. Main Street.

Minutes - Motion by [], second by Henke approving the minutes of April 11, 2016. Motion carried.

Appearances – There were no appearances.

Chairperson Timothy Michalak noted the welcome for himself and returning member Dennis Regan.

Sign Review: Creative License, 52 N. Main Street

Executive Summary Review:

Signworks submitted an application for wall signs for the front and back of the Creative License business at 52 N. Main Street. The business is under new ownership and the new owners would like to change out the current signage. The previous Creative License sign included a logo and lettering in multiple colors and was used both front and back. The submitted design for the new front sign has only lettering, but separates the lettering into the business name on the left side and the slogan ('It's in you, let the ART out!') on the right side. The sign measures 72 square feet, below the 84.6 maximum allowed, and is comprised of premium vinyl lettering applied to a painted background. Colors are white with blue lettering (business name, left side), and blue with white lettering (slogan, right side). Small touches of red are included on both sides. The green panel shown on the rendering will be painted white. The back sign measures 15 square feet, below the 72.9 maximum allowed. It consists of the business name in larger lettering and the slogan in smaller lettering. Lettering is blue with touches of red on a white background. The back sign is aluminum with printed graphics. Both signs meet code requirements for size, color and placement. Planning staff recommended approval of the signs.

Plan Commission Discussion, Creative License Sign:

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. There was no discussion.

MOTION by Kuepper, second by Henke to approve the Creative License signage at 52 N. Main Street. Motion carried.

Conditional Use Permit Public Hearing for Broan-NuTone, 926 W. State Street, to Allow a Building Height Greater than the 35 Feet Allowed by Code in the M-2 Industrial District

Executive Summary Review:

In April 2016, The Plan Commission endorsed, and the Common Council approved, an ordinance amending the zoning code to allow buildings in manufacturing districts to exceed the height restriction as a conditional use after review by the Plan Commission. This change allowed the City to make decisions on building heights in industrial areas based upon building height water pressure studies, the proximity of residential properties, the heights of surrounding buildings, and the proximity of fire hydrants. Broan-Nutone is seeking to build a 136,000 square foot addition to their facility. The addition would face North Wacker Drive and would primarily be for warehousing. In order to efficiently use the warehouse space, they are requesting a conditional use to allow the building to be 48 feet tall. The increased height is requested to maximize the efficiency of the warehouse space. The base height restriction in the M-2 District is 35 feet. According to the water pressure study commissioned by the City of Hartford Water Utility, water pressure for buildings in this area would be adequate up to at least a 60 foot height. The proposed height is below this threshold. The proposed addition would be built on the northeast side of Broan-Nutone land, across North Wacker Drive from Woodlawn Union Park. The proposed addition would be setback approximately 190 feet from North Wacker Drive and 97 feet from the north property line. The proposed addition would be at least 120 feet from the nearest industrial building, and at least 365 feet away from the nearest residence. In addition, the grade in this area slopes north to south, so that the base of the proposed addition would be approximately 10 feet lower than the industrial building to the north as well as the residence to the north east. The industrial building to the north is between 25 and 30 feet tall. The Planning Staff recommended approval of a Conditional Use Permit for Broan-Nutone to allow a building height greater than the 35 feet allowed by Code in the M-2 Limited Industrial District.

Plan Commission Discussion, Conditional Use Permit Public Hearing, Broan-NuTone:

Chairperson Michalak declared the hearing open and requested the reading of the notice. Mr. Drew read the notice and proceeded to Staff Review, going over the executive summary. Chairperson Michalak requested appearances in favor; there were none. Chairperson Michalak requested appearances in opposition; there were none.

Chairperson Michalak closed the hearing and requested Plan Commission discussion. Chairperson Michalak noted that both he and Alderperson Rusniak have reviewed the new height requirement rules and it appears to be a good application for it.

MOTION by Regan, second by Rusniak to approve the conditional use allowing a building height greater than 35 feet at 926 W. State Street. Motion carried.

Site Plan Review – Broan-NuTone Warehouse Expansion, 926 W. State Street

Executive Summary Review:

Background: Broan-Nutone is seeking to build a 136,000 square foot addition to their facility. The addition would face North Wacker Drive and would primarily be for warehousing. Broan Management has not committed to going forward with this project. At this point, they are seeking approvals in order to firm up prices for an approved plan. In addition, they are waiting for a decision by Washington County on the proposed Northern Transportation Route. Washington County has contracted SEWRPC to update the 2005 study of the Northern Transportation Route. The findings of this study are expected later in the summer. The property

is surrounded by other industrial properties to the north, west and south, and Woodlawn Union Park and single-family and two-family properties to the east. The proposed addition would be setback approximately 190 feet from North Wacker Drive and 97 feet from the north property line. The proposed buildings would meet all applicable setback requirements. Lot coverage would increase to 43%, below the 50% allowed by Code. The proposed addition calls for smooth precast concrete wall panels, painted to match the existing building, surrounded by rustication accents to break up the mass of the structure. The beige addition will match/complement the existing building color. Clear anodized aluminum transom windows would be present on each side. Overall, Staff believes the proposed addition is appropriate. The addition would eliminate a large parking area on the north side of the property. This would be offset by restriping the remaining parking stalls on the north side of the building from 10' wide to 9' wide spaces. In addition, 98 new parking stalls are proposed on the east side of the building. This should be ample, and meets Code requirements. The proposed addition calls for 14 loading docks on the east side of the building. All of the loading docks are setback more than 100 feet from an adjacent street, as required by Code.

The existing driveway at the northeast corner of the lot would be removed. A new driveway near the delivery bays is proposed. It meets setback and maximum width requirements. The proposed addition will result in an increase of impervious surface. As a result, a new stormwater management facility is proposed at the northwest corner of North Wacker Drive and Madison Drive. Staff reviewed the drainage plans and concluded that the pond as proposed will adequately manage stormwater from the increased impervious area. The City does have some stormwater needs in this area and is discussing sizing the pond to handle regional stormwater needs as well. Any oversizing for City needs would be done at City expense. Staff reviewed the utility plans. There are a few minor points that need to be clarified with the Developer's Engineer, but nothing that would cause a substantive change to the site plan. The landscape plan shows eight maple and honeylocust trees flanking the north parking lot and the delivery area on North Wacker Drive. In addition, 15 spruce and 21 juniper trees will be planted along North Wacker Drive and surrounding the proposed stormwater pond. The landscape plan also calls for an appropriate mix of ornamental shrubs and trees along North Wacker Drive and surrounding the pond. A retaining wall along the northeast corner of the property will also serve to shield some of the building and delivery bays from North Wacker Drive. A photometric plan meeting City requirements has been submitted. The Planning Staff recommended approval of the Broan-Nutone Warehouse Expansion.

Plan Commission Discussion, Broan-NuTone Site Plan:

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. Member Kuepper noted the intended stormwater retention pond and the City's possible involvement in enlarging it, and asked where water was currently going. Mr. Drew noted that water is coming from the north and going to the pond in Black's subdivision. Alderperson Rusniak commented on the attractiveness of the development and commended Broan-NuTone for an excellent looking building..

MOTION by Henke, second by Kuepper to approved the site plan for Broan-NuTone at 925 W. State Street Motion carried.

Conditional Use Permit Public Hearing for Oriole Pond Apartments, for a Planned Unit Development East of STH 83 and South of Red Oak Estates

Executive Summary Review:

The Common Council approved the Annexation Petition in March, and the Rezoning Petition in April of 2016. Charlie Boyso has submitted a plan for six 16-unit buildings and five 12-unit buildings. The property is zoned Rm-3 Multi-Family Residential. Multi-Family buildings of this size are allowed in the Rm-3 Multi-Family Residential District as a Conditional Use (up to 24 unit buildings can be approved). The Rm-3 Multi-Family District requires 2,074 square feet per dwelling unit. The proposed average area per multi-family unit is approximately **4,952 ft²** for the property. The common areas, including yards and parking lots will be maintained by the owner. The Developer has not requested reduced setbacks as part of the PUD. The Development Plan meets the standard 25-foot street-yard setbacks (*50-foot setback proposed for STH 83 and Whistle Way*), and 20-foot sideyard setbacks, (*30 foot setbacks proposed*). In addition, the structures must be separated by at least 20 feet. A minimum 30-foot building separation is proposed. The sum total of the first floor of the principal building and all accessory buildings shall not exceed **25%**. The lot coverage proposed is approximately 17.5% of the 17.7-acre site. Staff believes that the scale of the proposed 12-unit and 16 unit buildings (9,100 and 9,900 square feet respectively) is appropriate in this area given the separation of the proposed buildings to surrounding development (at least 360 feet), and the City's positive experience with a similar mix of development types and building scale in Gateway Estates. The Planning Staff recommended approval of a Conditional Use Permit for a Planned Unit Development for six 16-unit buildings and five 12-unit buildings at Oriole Ponds Apartments.

Plan Commission Discussion, Conditional Use Public Hearing, Oriole Pond Apartments PUD:

Chairperson Michalak declared the hearing open and requested the reading of the notice. Mr. Drew read the notice and proceeded to Staff Review, going over the executive summary. Chairperson Michalak requested appearances in favor. Charlie Boyso, N2729 Taylor Road, who will be working as the developer/builder of this project, introduced himself and gave his history as a developer and area resident. He noted the intention of having full-time management, cleaning and maintenance staff onsite and the benefit that provides in self-policing the complex. John Lonergan, W2302 Pond Road, Neosho, noted that he has worked with Mark McCune on many projects and all have been an asset to the community; he is sure that the same level of excellence will prevail. Mark McCune, 2466 Lough Lane, Town of Erin, reviewed the history of the development and compared the current plans with earlier plans, noting the improved quality of the development and the quality control and safety planned. He described the open space and landscaping and expressed pride in the plan, thanking all connected with the development and in particular the developer and engineer. Mr. McCune also mentioned the possibility of an extension of the bike path along STH 83 as part of development plans. Tom Hostad, appearing on behalf of the Hartford Area Development Corporation, noted the need for local housing for Hartford's workforce and the benefit of new citizens in the community. Chairperson Michalak requested appearances in opposition; there were none.

Chairperson Michalak closed the hearing and requested Plan Commission discussion. There was no discussion.

MOTION by Henke, second by Kuepper to approve the conditional use permit for Oriole Pond Apartments. Motion carried.

Site Plan Review for Oriole Pond Apartments. Located East of State Trunk Highway 83 and South of the Red Oak Estates Subdivision

Executive Summary Review:

The property is surrounded by single-family uses to the north, town single-family uses to the west, and farmland to the east and south. The proposed multi-family buildings would be arranged around a circular driveway that would be accessed from Whistle Way.

The proposed Multi-Family buildings would have the following setbacks and lot coverage:

- **53 feet** from the STH 83
- **65 feet** from the new proposed Right-of-Way
- **30 feet** from the eastern property line
- **30 feet** from the northern property line
- Lot Coverage would be approximately **18%** of the 8.8-acre site, below the 25% maximum allowed by Code in the Rm-3 District

The adopted Smart Growth Plan identifies this area for high density residential development (8.0-11.0 units per acre). The area to the north and west calls for medium density residential development at a density of between 1.1-5.8 units per acre. The density proposed for this development would be 8.8 units per acre. As proposed, the site plan would meet the zoning requirements (*setbacks, lot coverage, etc.*) of the Rm-3 zoning District with an approved Planned Unit Development. The Developer proposes a mix of one and two bedroom apartments arranged in 12-unit and 16-unit structures. The proposed buildings would be two stories tall. 12-unit buildings would have attached garage stalls for each unit. 16-unit buildings would have detached garages for each unit adjacent to the building. In addition, a club house, pool area, and garage are proposed at the south end of the development. Staff believes that the style of the multi-family buildings is appropriate and helps to hide the view of the garages from the street. The façade would be composed of a brick veneer on the first floor, with vinyl siding on the second floor. Numerous changes of plane and windows are present along each façade. Dormers do a good job of breaking up the scale of the building. The clubhouse would be a 1-story building with a brick façade. Overall, Staff believes that the proposed design is appropriate and will fit in well with the surrounding pattern of development. The development would be accessed from two driveways to the new Whistle Way Right-of-Way, which intersects with STH 83. Staff had concerns with the initial design of Whistle Way and worked with the Developers to create a street design that addressed those concerns. The City always insists on at least two access points (or the potential for two access points when additional development occurs) to ensure proper emergency access. The plan meets this requirement with a 14 foot-wide emergency access easement on the north side of the development (which connects to Firefly Trail). The access easement will have a knock-down gate to discourage vehicles from using the access, except in case of emergency. Additional access points to this development would also be possible with future development. The Developer owns land to both the south and east. As a result, additional development to the south would eventually result in another access point to STH 83 (subject to DOT approval), and additional development to the east would result in a road that would loop back up to Firefly Trail in the Red Oak Subdivision. The proposal indicates 156 garage stalls, 160 parking stalls, and parking space in front of each attached garage. In total, 376 parking spaces are provided, or an average of 2.4 spaces per unit (the Code requires 2 spaces per

unit). The property slopes from the high point at the northwest corner. Stormwater will be directed to two wet ponds in the center of the development. In addition, an infiltration pond is shown on the southeast side of the development. Staff and an engineering consultant reviewed the grading plan as well as the sewer and water plans. They determined that some minor corrections and changes to the plans were needed. They discussed these issues with the Developer's engineer and the changes are being made to the City's satisfaction. Sanitary sewer, water, and electric services are available from the Red Oak Estates Subdivision. The Developer is also working with Hartford Electric to establish easement locations. 20 foot easements are proposed throughout the development and in most places it will be parallel to the sanitary sewer easement. The Utility Superintendent noted that if patios are extended beyond the building footprint, they should not extend into the electric easement. The Fire Chief determined that an emergency siren is needed in this part of the City. Staff is working with the Developer to find an appropriate location near the entrance to the development. A four-foot tall berm will surround the west and north sides of the development. An 8-foot tall berm will be installed along the east property line of the development. The submitted landscape plan shows more than 190 Black Hills Spruce and Austrian Pines as well as 60 ornamental trees planted along the tops of the proposed berms. In addition, 44 maples, oaks, honey locusts and lindens will be planted around the driveway. A large number of deciduous and evergreen shrubs and ornamental trees would surround the foundation of each building (more than 50 per building). A trash enclosure is shown on the northwest side of the property. Staff recommends that the dumpster be enclosed with wood fencing and a gate. The Developer is amenable to this. Exterior lighting for the parking lots is proposed, and the owner has provided a photometric plan meeting City requirements. A development agreement detailing infrastructure improvement costs, timing, and guarantees has not been reviewed by the City yet. As a result, the site plan approval is contingent upon Council approval of a development agreement for the property, and no building permits can be issued until the agreement is approved. The Planning Staff recommended approval of the Site Plan for Oriole Ponds Apartments contingent upon an approved Development Agreement.

Plan Commission Discussion, Oriole Pond Apartments Site Plan:

Chairperson Michalak requested discussion. There was no discussion.

MOTION by Henke, second by Anderek to approve the site plan for Oriole Pond Apartments, contingent on completion of an approved Development Agreement. Member Henke then asked about the safety shelf of the pond. Discussion ensued about the water level of the safety shelf along the edge of the pond. The pond is 20' deep, the safety shelf is 13' wide. Mr. Drew also corrected the name of Whistle Way – it is Whistle Drive. Motion carried.

Site Plan Review Amendment – Hartford Flex Center, 2250 Constitution Avenue

Executive Summary Review:

At the April 2016 Plan Commission meeting, an amended site plan was reviewed. The site plan changed the layout and appearance of the buildings, but not the proposed use or use characteristics. The new plan showed seven buildings with a total area of 37,300 square feet, oriented north to south. A main change is the removal of an office area and vehicle bay. After concerns were expressed by Plan Commissioners regarding the lack of an updated landscaping plan, a change from a masonry requirement, and lack of an approved review by the Hartford Area Development Corporation, the site plan review was tabled. The developer has submitted an updated landscaping plan, showing 6 Green Mountain sugar maples at the entrance area on

Constitution Avenue, three red oaks east of the entrance, and Emerald Green arborvitae along the buildings facing Goodland Road (west side of lot). All areas including the east side of the lot will be graded and seeded. The previous landscape plan showed numerous decorative shrubs and ornamental trees planted around Building #1. In addition, the plan showed 6 Autumn Blaze Maples along the west side of Building #2 as well as 3 Norway Pines. Two other concerns raised at the April meeting were the use of metal siding rather than masonry, and the lack of input by the HADC. Tom Hostad, Executive Director of the Hartford Area Development Corporation, has informed the Planning Department that the Board of Directors has recommended approval of the site plan, believing it is “consistent with the covenants for the Dodge Industrial Park”. The recommendation was approved by motion at the April 19 board meeting. Staff recommended approval of the Site Plan Review Amendment for the Hartford Flex Center.

Plan Commission Discussion, Hartford Flex Center:

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. Member Regan asked what the status is of the masonry on the west side of the property. Mr. Drew described brick wainscoting on the bottom, hardy plank siding halfway up and vinyl siding under the gable for the area facing Constitution, and metal façade on Goodland with Arbor Vitae as a screen. Mr. Drew noted that the Hartford Area Development Corporation had indicated that arbor vitae are more attractive than masonry. Chairperson Michalak asked for discussion on a berm on the Goodland Road side of the buildings. Mr. Drew affirmed that there is room for a berm, and the land slopes south to north. Member Regan noted that the concern about masonry was high at the last meeting and has been required on past projects in the Industrial Park. He noted the length of the row of landscaping and asked what would happen if some of the plantings died. He noted a previous approval for siding that did not work as planned and indicated that siding was not consistent with the requirements of the HADC covenants.

Member Kuepper asked what the distance was between Goodland Road and the closest building. Mr. Drew stated 40 feet. Alderperson Rusniak asked is there is room for a berm, and Mr. Drew noted that even with a utility easement on the far west side of the property, there is room. Member Regan asked how high the building would be; Mr. Drew said 18 feet. Chairperson Michalak asked if it was possible to have both a berm and plantings, and Member Kuepper noted an example at the Hartford Square Condominium development to the west of CTH K.

Member Stapleton reminded everyone that the location is essentially in the country and expressed doubt that the plantings would survive foraging by deer.

Member Henke noted his disappointment at the submittal but declared he would defer to the HADC and vote in favor, but with regrets.

MOTION by Regan, second by Stapleton to DENY the Hartford Flex Center site plan, 2250 Constitution. Ayes (to deny): Members Stapleton, Anderek, Regan, Rusniak. Nays: Members Henke, Kuepper, Michalak. Motion to deny approved, 4 - 3.

Proposed Amendment to the City of Hartford Smart Growth Plan

Executive Summary Review:

In 2010 the Plan Commission and Common Council approved the nine elements of the City of Hartford 2030 Smart Growth Plan and component Long-Range Land Use Map. The Long-

Range Land Use Map was subsequently amended for small areas later in 2010, 2012 and earlier in 2016. During the Smart Growth review process, Staff indicated that proposed changes were likely to come forward occasionally, primarily from land owners. The Plan Commission and Common Council can vote to change the City of Hartford 2030 Smart Growth Plan at any time. Ideally the Long-Range Land Use Map should serve as a template of how the City views the current and future mix of land uses in and around Hartford. However, some of the land uses described in the Long-Range Land Use Map do not ideally describe the land use that exists or could appropriately exist in a given area. It is important that the City of Hartford keep zoning and land use flexible to ensure that compatible uses can be intermixed, thus creating more memorable and sustainable neighborhoods. Staff recommended that the City of Hartford 2030 Smart Growth Plan and Long-Range Land Use Map be amended to reflect the following changes:

Land North of the Current Terminus of Liberty Avenue: The adopted Smart Growth Plan identifies this area for commercial development. The applicant is requesting medium density residential development (5.8 to 8.0 units per acre). The area to the west and south calls for commercial development. The area to the north is identified as conservancy and is not intended to be developed. The density proposed for this development would be 6.1 units per acre. Staff supports a change to the Smart Growth plan to allow for higher density residential development in this area. Multi-Family development remains the dominant portion of the residential development market in southeastern Wisconsin, and demand for additional multi-family development is high. Also, the land is separated from the existing commercial development and its location north of the large Wal-Mart stormwater pond and south of the Rubicon River make it tucked away. Staff does not believe that the land is viable for commercial uses, which need to be visible from a main transportation arterial. Its location does make it attractive for higher density residential development. It is very near a number of commercial and retail establishments. It is also near the Dodge Industrial Park, the largest employment center in the area. Eventually, Liberty Avenue will extend to the western leg of Liberty Avenue in the Dodge Industrial Park, and the proposed development will bring this closer to reality. Office use would be appropriate here as well, but given the City's location away from the interstate, we have never been a major draw for office parks and uses. Also, the Smart Growth Plan only identifies one other area outside the current City boundary for high density residential development (on STH 60 south of Wal-Mart). However, sanitary sewer is not currently available to this area, making it less developable in the short term. Finally, the City has long had a goal of maintaining a housing composition of 55% Single Family, 15% Two Family, and 30% Multi Family that it has followed when reviewing both short-term and long-term land use decisions. The City is currently more than 1% low on multi-family housing. The multi-family housing category includes condominiums, senior only housing, and apartments. If all approved and partially approved developments within the City were built out, the City would be more than 2% low for multi-family housing. Staff believes that this area is appropriate given its location on a State arterial road as well as the general compatibility of all types of residential development as long as they are planned correctly. The City has numerous examples of this (e.g. Gateway Estates). This area already has or is planned for a mix of all types of housing. Staff recommended that the City of Hartford 2030 Smart Growth Plan Long-Range Land Use Map be amended for the land

north of the current terminus of Liberty Avenue to allow for medium density residential development (5.8-8.0 units per acre).

Plan Commission Discussion, Proposed Amendment to the Smart Growth Plan:

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. Alderperson Rusniak noted that he was in favor of approving the Smart Growth Plan in order to facilitate the development, which he believes is a good place for residential housing. Chairperson Michalak mentioned a discussion with the City Attorney regarding housing and different types of housing. Chairperson Michalak noted that he is on record as not being a proponent of expansion of low income high density multifamily housing because of a broken school district funding system. Depending on the mix of housing, a disproportionate burden is placed on the tax base of local school districts. Money doesn't travel with a child, it stays in a zip code. Chairperson Michalak requested the tabling of this proposal until commission members have had a chance to study legal issues. Chairperson Michalak asked Mr. Drew if currently the Smart Growth Plan does not support the proposed amendment. Mr. Drew affirmed. Chairperson Michalak asked Mr. Drew for clarification that the Plan Commission was not obligated to change the Smart Growth Plan. Mr. Drew affirmed. Chairperson Michalak explained that before the Commission moves on this and opens the door, and gets to the point where we can no longer control what we do, why give a blanket ok, then find out housing doesn't fit with what the majority of the population of the City of Hartford is looking for. Chairperson Michalak noted that this is the first step to retain control based on what is currently on the books, and asked Mr. Drew to affirm what is currently in the Smart Growth Plan. Mr. Drew stated that the Smart Growth Plan calls for commercial development in this area. Chairperson Michalak stated that he would like to study this proposal more and speak again to the City Attorney, so as not to lose control of decisions on the type of housing going in, and not to lose control in future if everything becomes automatic. Chairperson Michalak continued that this is a turning point before we lose control and become a rubber stamp, which is not in the best interests of the taxpayers of the City of Hartford. Chairperson Michalak moved to table the proposed amendment to the City of Hartford Smart Growth Plan and requested discussion. There was no discussion and no second. Chairperson Michalak requested a vote; motion carried

Adjournment – Motion by Kuepper, and seconded by Regan for adjournment. Motion carried. Meeting was adjourned at 7:55 p.m.

Respectfully submitted,
Justin Drew, City Planner

Compiled by Char Smelter, Planning Secretary