

**PLAN COMMISSION**  
**City of Hartford**  
**March 8, 2021**

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

ABSENT & EXCUSED: Ralph Kuepper

ALSO PRESENT: City Planner Justin Drew

**Call to Order** - Chairperson Michalak called the meeting to order at 5:30 p.m.

**Minutes** - Chairperson Michalak requested review of the minutes of February 8, 2021. Motion by Stapleton, second by Regan to approve minutes of February 8. Motion carried.

**Appearances** - Chairperson Michalak requested appearances. There were no appearances.

**Public Hearing: Conditional Use Permit, 35 E. Sumner Street**

**Executive Summary Review:** The proposed use is not a fit for any of the approved uses in the B-3 District, nor does it fit clearly in other districts. An approval as a conditional use allows review and oversight of the business and potentially creates a baseline for future similar uses. The owner (Alyxandra Murdock) intends to conduct private and group lessons, a day school, boot camp, and dog sports. The property will be fenced in the back. No retail sales are expected at this point but retail is allowed in B-3. No overnight stays or boarding are planned. Ms. Murdock's business will take the entire first floor. The outdoor space will be for dog training and play, but will be supervised by employees only. No public classes will take place outside. The business does not include day care, although a day school is planned. The difference is in the type of activity and level of engagement. Ms. Murdock explains: "At most doggy daycares the focus is entirely on playing with other dogs. They have an average staff ratio of 15 dogs to 1 handler. Dog handlers at daycares are not trainers. At my day school the focus will be on teaching obedience and manners in a controlled setting. I will keep a strict ratio of 5 dogs to 1 trainer. I am a certified professional dog trainer and intend to thoroughly train any staff before handing them a leash. Nuisance behaviors like barking or digging will not be allowed. We will always be working to improve the behavior of the dogs in our care." The property is surrounded by commercial uses. The Hilt Building to the west has upper-level apartments but as noted above no dog training classes will be conducted outside and staff will be trained to maintain a controlled environment. After

review of the application, Staff does not believe that the proposed use would be harmful, hazardous, offensive, or otherwise adverse to the community and is in accord with the purpose and intent of the B-3 General Business District. However, in order to ensure that the proposed use retains the facets of the original submittal, Staff recommends approval with the following conditions:

Approval is for stated uses only: private lessons; group lessons; day school; boot camp; dog sports.

Future contemplated uses (including expansion to retail) should be reviewed by the Planning Director to determine if the use is compatible with standard zoning for B-3 or if the conditional use approval needs to be, or is able to be, expanded to include the proposed use(s). This review by the Planning Director could include either internal approval or the option of requiring a Plan Commission review of the use expansion.

Opening of Hearing: Chairperson Michalak declared the hearing open.

Reading of Public Notice: Mr. Drew read the public notice. Chairperson Michalak requested a definition of dog sports. Ms. Murdock came to the podium and explained that dog sports are obedience, agility and fun classes for dogs.

Staff Review: Mr. Drew reviewed the executive summary.

Appearances in Favor: Karen Murdock, mother-in-law of Ms. Murdock, and Susan McLain, 7211 W. Waterford Road, client of Ms. Murdock, both spoke in favor.

Appearances in Opposition: There were no appearances in opposition.

Closing of Hearing: Chairperson Michalak declared the hearing closed.

Discussion by Plan Commission: Member Anderek asked about the number of floors in the building. Mr. Drew replied that there is basement space but he is not sure it is suitable for rental. Member Anderek asked about fencing. Mr. Drew believes fencing will include the grass area.

Official Action: Motion by Henke, second by Kohler to approve conditional use with the condition that the approval is for stated uses only and other uses must be brought to the Planning Department for internal or external (Plan Commission) approval. Motion carried.

### **Discussion and Consideration of a Concept Plan - Single Family Residential Development Located North of Mount Vernon Estates Subdivision**

Executive Summary Review: A developer recently approached City Staff about the possibility of annexing and developing 50 acres of land north of the Mount Vernon Estates Subdivision into a single family development with approximately 100 lots. A Concept Plan is the first step for the Developer to gauge the viability of a potential development. Concept Plans are meant to look at the type and scale of the proposed development as well as the overall development pattern. Infrastructure, grading, and stormwater management details would be completed during the platting process, if the development proceeds to that point. The proposed development would be bound by the Washington County Golf Course and the Full-Pail Heights Town of Hartford Subdivision on the west. The timing of this proposal is coincidental to the City's recently approved annexation of the Washington County Golf Course and does not rely on that approval in

any way. The property was already contiguous to the City from the Mount Vernon Estates Subdivision. Staff has traditionally included projections on the potential economic impact of a development project during the annexation process, but will now be including it in the concept plan reviews. With approximately 100 lots, some of which would overlook the golf course, Staff believes that the total built out valuation of the project would be approximately \$35,000,000 and would generate City taxes of approximately \$225,000 annually. In addition, the development would generate approximately \$585,000 in sewer hookup fees, \$125,000 in park fees, and \$330,000 in building inspection fees. There are currently 160 unbuilt single family lots available in the City of Hartford. This represents perhaps three years of supply. In conjunction with the 87 single-family lots proposed as part of the Neuville project, this subdivision would provide an important addition to the City inventory of single-family lots. This proposed development would likely not have any completed homes until 2022, at which point the existing single family lot inventory will be further depleted. The land is surrounded by the Washington County Golf Course and the Full-Pail Heights Town of Hartford Subdivision on the west, the Mount Vernon Estates Subdivision to the south, The Hilldale Park Town of Hartford Subdivision and agricultural properties to the east, and agricultural property to the north. 97 lots are proposed. Lots 89-90 and Outlot 1 are considered Environmental Corridor by the Southeast Wisconsin Regional Plan Commission (SEWRPC), and the developer will be discussing the development potential of these 3 areas with SEWRPC. As a result, a few additional lots may be possible. The proposal shows an extension of Mount Vernon Drive into the Subdivision as well as a road connection with Logan Road in the Full-Pail Heights Subdivision. The plan also proposes a cul-de-sac at the high point of the land and two future road connections if the property to the north is developed. Staff indicated to the developer that we had concerns about the two road stubs at the north end of the development, as it is difficult to back up a plow or garbage truck for that length of street. The developers have subsequently indicated that they intend to cul-de-sac the street bound by lots 57 and 58, and will work with the City to create a temporary turnaround for the street bound by lots 49 and 50. Staff agrees with this proposal, as two roads accessing Clover Road are not required if the property to the north is developed. The adopted Smart Growth Plan identifies this area for low density residential development at a density of up to 1.0 units per acre. This land use designation was assigned to this area more than 20 years ago, more as a holding designation than anything else. No City subdivisions have been developed at densities that low, and it is not economically feasible to develop on City sewer and water with nearly 1 acre lots. The proposal would require an amendment to the Smart Growth Plan to allow medium density residential development of 1.1-2.9 units per acre (Approximately 2.0 units per acre is proposed). Staff believes that the proposed number of units and subdivision layout would work well on the property and would be a welcome addition to the City. The single-family lots appear to meet the minimum area and width requirements of the Rs-4 Single-Family District. The Development proposes an extension of Mount Vernon Drive into the Subdivision as well as a road connection with Logan Road in the Full-Pail Heights Subdivision. The plan

also proposes a cul-de-sac at the high point of the land and two future road connections if the property to the north is developed. Staff generally tries to avoid cul-de-sacs, but given the grade change of the land in this area, a cul-de-sac is the only viable street layout here. In the long-term, there would be 3 access points to the subdivision, which should help distribute the increased traffic. Most of the traffic would flow south out of the Mount Vernon Estates Subdivision to Hilldale Drive. Staff believes that the subdivision layout and traffic distribution will function adequately. Sidewalk would be required on both sides of all streets. The property generally slopes down to the south, though there is a high point on the west central portion of the property. A more thorough review of a detailed grading and stormwater management plan would take place as part of a preliminary plat review. Outlots 2 and 3 are expected to be stormwater management areas. Electric Power is available from the Mount Vernon Estates Subdivision. This development is contiguous to Hartford Electric's service territory. Sanitary sewer and water would be extended from the Mount Vernon Estates Subdivision. Both have been oversized to accommodate this proposed development, as well as the existing homes in the adjacent Town subdivisions as well as additional development to the north. The developer believes that they will not need a sanitary lift station, and that it will all flow on gravity, though this detail will be more thoroughly analyzed during the platting process. Staff recommended approval.

Plan Commission Discussion, Concept Plan, Single Family Residential Development North of Mount Vernon Estates Subdivision:

Mr. Drew reviewed the Executive Summary. Chairperson Michalak asked Mr. Drew to point out the area that allows this subdivision to be considered. Mr. Drew noted that the Mount Vernon Estates subdivision has been in place for more than 10 years. Chairperson Michalak requested appearances in favor:

Brian Depies, project manager for SEH, noted that he had developed the concept plan for the developers, and reviewed the developers' history. Mr. Depies described this as a 'move up subdivision', with more space including space for 3 car garages. Mr. Depies requested approval and noted that he is available to answer questions.

Chairperson Michalak requested appearances in opposition:

Fred Wittenberger, 947 Mount Vernon Drive, noted his concern regarding a 100 lot subdivision using Mount Vernon Drive as an exit point. He noted his concern about the quality of the homes. Mr. Drew noted that homes will be potentially valued at \$350,000.

Al Resch, 944 Mount Vernon Drive, expressed concern about traffic through the Mount Vernon subdivision and lack of sidewalks along Hilldale Drive.

Laurel Jaeke, 3908 Ernst Drive, expressed concern about the density of the subdivision and noted that lots abutting the golf course are 'cookie cutter' sized and not deserving of a golf course view. Ms. Jaeke also noted her concern about lack of a fire department location north of the railroad tracks. Ms. Jaeke asked Plan Commission members to consider: 1 - Fire service improvements; 2 - school upgrades; 3 - the dip in the hill at Ernst and Clover Road is dangerous and improvements in area roads should be considered.

Chairperson Michalak noted that the Common Council has been in discussion for a couple of years regarding an additional fire station, and that Ms. Jaeke's concerns were well founded. Alderperson Liaison Kohler asked about structures currently on the

property, noting that he could see a barn on the mapping. Mr. Drew explained that no one lives on the property and the barn is empty. Motion by Henke, second by Anderek to approve the concept plan for the property located north of Mount Vernon Estates Subdivision. Member Henke noted his support of a third access point, and possibly a fourth connecting through the golf course. Chairperson Michalak noted that the lots abutting the golf course should be double lots. Motion carried.

**Discussion and Consideration of a Concept Plan - Multi-Family Residential Development Located on County Highway K East of the Terminus of Schauer Drive**

**Executive Summary Review:** A developer recently approached City Staff about the possibility of annexing and developing the 27.5 acres of land on County Trunk Highway K east of the terminus of Schauer Drive and north of the Town Hall property into a multi-family development with approximately 228 apartments, developed in 3 phases. Basco LLC developed and manages the 156-unit Oriole Ponds apartment complex on the south side of the City off of State Trunk Highway 83, and proposes the same type of 12 unit and 16 unit two-story buildings for this development. Apartments would mostly be a mix of 1 and 2-bedroom units, and there would be a clubhouse, garage and pool area. Most of the properties involved are part of a former gravel pit. A Concept Plan is the first step for the Developer to gauge the viability of a potential development. Concept Plans are meant to look at the type and scale of the proposed development as well as the overall development pattern. Infrastructure, grading, and stormwater management details would be completed during the site plan process, if the development proceeds to that point. The proposed development would be bound by County Trunk Highway K on the west, the Town Hall property on the south, undeveloped Town property on the east, and City commercial properties on the north. The properties are contiguous to the City on the north side. Staff has traditionally included projections on the potential economic impact of a development project during the annexation process, but will now be including it in the concept plan reviews. With 228 units Staff believes that the total built out valuation of the project would be approximately \$23,000,000 and would generate City taxes of approximately \$225,000 annually. In addition, the development would generate approximately \$1,200,000 in sewer hookup fees, \$285,000 in park fees, and \$170,000 in building inspection fees. There are 16 unbuilt multi-family (MF) units on two lots available in the City of Hartford in the Bridlewood Subdivision. 168 potential multi-family units have been removed from the inventory in the past few years as most of the Bridlewood Subdivision was rezoned for two-family use (loss of 96 MF units), the Red Oak Condos property was rezoned for a mix of two-family and four-family condos (loss of 36 MF units), and the second phase of the Ridgedale Condominiums was rezoned for institutional use (loss of 36 MF units). In addition, the City endorsed the redevelopment plan for the Hartford Plaza, which called for 150 units of multi-family. Given that Festival Foods is moving forward on this site, a redeveloped Hartford Plaza site is unlikely to include any, or at least as many, multi-family units. Demand for apartments in Hartford remains strong, as evidenced by the quick lease up of the Oriole Ponds, Birch Crossings and Wilson Heights developments over the past 6 years. This proposed project would help replace the lost multi-family units described above, and would fit in

well with the other proposed single family and single family / two-family projects already proposed for the City (Weyer and Neuville). This proposed development would not have any completed apartments until 2022, and would likely take six years to build out all three phases. Staff spent some time updating and analyzing the City's housing composition recently. Assisted living projects built in the last 18 years had been assigned to multi-family units, but this specialized form of housing should really be in its own category, and Staff is working to amend the housing composition to incorporate a new category. In the meantime, Staff removed those units that are assisted living from the multi-family designation. The City is currently at 55.6% single-family, 15.3% two-family and 29.1% multi-family. If all available and contemplated lots/units were built out, all three categories would be within 1.5% of the goal ratio, with only two-family units being higher than the goal. The development area is surrounded by multi-family and commercial properties on the west, the Town Hall property on the south, undeveloped Town property on the east, and City commercial properties on the north. The proposed driveway pattern has three lobes. Each lobe would form one phase of the project. Given the severe grade changes on this property (55 feet of elevation change) and the large amount of grading necessary to make a project work here, potential development patterns are limited and Staff believes that the proposed driveway pattern is appropriate to minimize driveway pitch. This development would be located directly adjacent to the Town of Hartford Hall and park property. Based on demographics provided by Basco LLC for Oriole Ponds, Staff expects 25-30 children at this apartment complex at buildout. Staff expects that these children would utilize the Town park and playground area and requested that the developer look into how a pedestrian connection could be created to the Town property given the grades. Similarly, Staff asked the developer to explore working with the owner of the Aldi commercial center to create a pedestrian access from the apartments to the commercial site. The adopted Smart Growth Plan identifies this area for commercial development. This land use designation was assigned to this area more than 20 years ago at a time when large scale retail developments were much more common. Staff has talked to interested parties about this site for years, and no one has been able to make anything work. Commercial is not practical for this area in part because of the changing commercial retail economy, and in part because of the severe grade changes that make a flat development site impractical. The grade changes pose both an engineering and economic hurdle to development at this site, and multi-family development provides the best, and perhaps only, chance of it being developed. The proposal would require an amendment to the Smart Growth Plan to allow high density residential development of 8.0-11.0 units per acre (Approximately 8.3 units per acre is proposed). This is the same density range for the Hartford Square Condominiums to the west. Staff believes that the proposed number of units and layout of the apartment complex would work well on the property and would be a welcome addition to the City. The development site can meet the zoning requirements of the Rm-3 Multi-Family District. The number of units per building would require a conditional use permit, the same process as for Oriole Ponds. The proposal shows an intersection with Schauer Drive. As part of the development process, Staff would require a traffic study to

determine if traffic signals or other intersection / right-of-way improvements would be necessitated by the addition of 228 apartments. Similar to Oriole Ponds and other recently approved apartment projects, the internal road system would be private driveways and parking areas. The plan shows one entrance onto CTH K at the intersection with Schauer Drive as well as an emergency access on an existing access easement that connects to STH 60 east of the Super 8 motel. The property slopes dramatically down from the south, west and east to the north, creating something of a bowl. A more thorough review of a detailed grading and stormwater management plan would take place as part of a preliminary plat review, though the Developer does show four ponds between the buildings that would serve as both stormwater management and decorative landscaping. Electric Power is available to the development. This development is contiguous to Hartford Electric's service territory. Sanitary sewer would come from STH 60 through the existing easement next to the Super 8. Water would come from the same location as well as from CTH K in order to create a looped system. Similar to Oriole Ponds, both utilities would be public but placed within easements on private property. Staff recommended approval.

Plan Commission Discussion, Concept Plan, CTH K

Mr. Drew reviewed the executive summary, noting that the easement connection at the Super 8 location would be gated and not available for vehicle use. Chairperson Michalak requested appearances in favor:

Charlie Boysa, potential developer, noted his expertise in multi-family development and the fact that he developed Oriole Ponds apartments. He noted the Oriole Ponds apartments have been full since 2019, and that both Wilson Heights and Birch Crossing apartments (the most recent apartment developments in Hartford) are full with waiting lists. Mr. Boysa reviewed demographics in the area noting the need for housing at a good price point for working class people. Mr. Boysa explained the topographical and subsequent grading issues identified with the site and his awareness that this is going to be a big investment for his company. Mr. Boysa also noted the style of development that he runs, with full-time management employed onsite.

Chairperson Michalak requested appearances in opposition:

Ryan Lippert, 3060 Glassgo Road, noting that he is the chairperson of the Town of Hartford, and explained that Town of Hartford residents have heard that they have no business using City parks. Mr. Lippert asked for consideration of the Town and noted that City staff and residents were welcome to attend Town meetings, asking City and Town to work together. Mr. Lippert noted that in spite of Town residents not feeling welcome at City parks, this development would be encouraging City residents to use the Town Hall park. Mr. Lippert asked that the City and Town start working together.

Aldersperson Liaison Kohler noted the clarification regarding the Super 8 emergency exit and thanked Mr. Drew for clarifying that it will not be used as an access or exit point. Chairperson Michalak requested attention to mosquito mitigation at the four ponds onsite. He also assured the Town of Hartford that residents are welcome to use City parks. Member Anderek stated his concern about traffic at the exit intersection on CTH K. Mr. Drew noted that a traffic study is being required for both proposed subdivisions.

Motion by Henke, second by Stapleton to approve the concept plan for CTH K. Motion carried.

Meeting adjourned by call of Chairperson at 6:34 p.m.

Respectfully submitted,  
Justin Drew, City Planner

Compiled by Char Smelter, Planning Secretary



