



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, MUNICIPAL BUILDING
101 NORTH MAIN STREET, FORT ATKINSON, WISCONSIN
TUESDAY, MAY 23, 2017 - 4:00 p.m.**

AGENDA

1. Call to order.
2. Roll call.
3. Approve minutes of April 25, 2017 Planning Commission meeting.
4. Review and approve mobile merchant license for Oakdale Farms to operate in parking lot at Ace Hardware, 10 Madison Ave.
Action – Reject—Approve.
5. Review and approve Preliminary Certified Survey Map creating a 0.94 acre lot on East Blackhawk Drive.
Action – Reject—Approve and refer to City Council.
6. Review amended Subdivision Ordinance.
Action – Reject—Approve and refer to City Council.
7. Adjournment.

CC: Chris Rogers
Michelle Ebbert
Brian Juarez
Oakdale Farms
Mark Anderson
News Media

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

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**PLANNING COMMISSION MINUTES
CITY OF FORT ATKINSON
APRIL 25, 2017
978TH MEETING**

CALL TO ORDER.

The meeting was called to order by Chairman Trebatoski in the Council Chambers of the Municipal Building at 4:00 pm.

ROLL CALL.

Present: Commissioner Frame, Commissioner Greenhalgh, Commissioner Highfield, Commissioner Lescohier, Commissioner Scherer, City Engineer Andy Selle and City Manager Matt Trebatoski. Also present: City Attorney Chris Rogers, Building Inspector Brian Juarez and City Clerk/Treasurer Michelle Ebbert.

APPROVE MINUTES OF APRIL 11, 2017 PLANNING COMMISSION MEETING.

Cm. Greenhalgh motioned, seconded by Cm. Scherer to approve the minutes of the April 11, 2017 Planning Commission meeting. Motion carried.

REVIEW AND APPROVE SITE PLAN FOR CONSTRUCTION OF AN ARBY'S RESTAURANT AND STRIP MALL ON MADISON AVENUE.

Engineer Selle discussed the second review of the site plan for Arby's. He addressed the comments from Departments that were referenced at the April 11th meeting. Mr. Breitfelder discussed the formal easement that is being drafted by the adjacent property owners' engineers. The easement will allow discharge onto the adjacent property owners', Mr. Connery. The construction staging will still be worked through as timing between the larger and potential hotel development to the north and the use of the access for Arby's and the strip mall.

Inspector Juarez reviewed the Code requirements of the 10 foot greenspace for the perimeter. Provisions allow them to apply for a trade-off. Breitfelder is working on purchasing additional property to match the perimeter. The developer will add greenspace to allow for picnic and seating area, which will add greenspace and use as an offset for lack of perimeter on that side. That is acceptable to the Code, should the Planning Commission approve.

Cm. Frame commented that he shared Cm. Greenhalgh's concerns from the April 11th meeting. He stated it is practice of the Commission to review all concerns and comments from department heads. Frame confirmed the area is zoned commercial and this being a commercial development, he feels the proposal is in-line with the development and zoning. He supports the idea of picnic tables and green area. Juarez confirmed it does not change anything for parking.

Cm. Greenhalgh commented on the potential study for the intersection near the development. Manager Trebatoski noted the study will take the development into consideration with anticipated increased traffic count.

Cm. Greenhalgh asked on future cooperation with High School and Arby's as far as a walkway. Juarez commented it is possible and with additional developments it can be noted.

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Attorney Rogers inquired on the stormwater easement. Breitfelder noted the seller's attorney is working on the easement. Rogers requested to review the easement, which Breitfelder confirmed he will see to it.

Cm. Frame moved to approve site plan for construction of Arby's restaurant and strip mall with recommendations on Madison Avenue with the following contingencies: provide proof of required State Approvals, review and approval of Stormwater Easement by the City Attorney and further details on construction staging relative to other proposed projects on site. Cm. Greenhalgh seconded the motion. Motion carried.

ADJOURNMENT

Cm. Highfield moved, Cm. Greenhalgh seconded the motion to adjourn the Planning Commission meeting at 4:12 pm. Motion carried.

Respectfully submitted,

Michelle Ebbert
City Clerk/Treasurer



#4

CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538

Date: May 19, 2017

TO: Planning Commission
FROM: Michelle Ebbert, City Clerk/Treasurer
SUBJECT: Mobile Merchant Application – Oakdale Farms

Background:

Ordinance #723 regulating mobile merchants was adopted on October 21, 2014. Approval of a mobile merchant permit is required by the Planning Commission upon a satisfactory investigation of the applicant's business and moral character.

Mobile merchants may operate on private property in the following zoned districts: C-1, C-2, C-3, C-5, M-1 and M-2. If the renting or leasing property, a valid lease must be provided.

Discussion:

Harry Schroeder of Oakdale Farms has applied for such permit to operate a produce stand at Goyer Ace Hardware. The applicant provided a letter from Jim Goyer granting permission for the placement of the produce stand.

Financial Analysis:

The applicant provided the \$25.00 six month license fee. The applicant still owes the \$25.00 application fee.

Staff Recommendation:

Staff recommends approval of the mobile merchant license for Harry Schroeder of Oakdale Farms.

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ENTERED pd. 5-9-17

CITY OF FORT ATKINSON
Mobile Merchant Application
Application Fee is Non-Refundable

SCANNED

Circle One: Daily \$5.00 (per day) Six Month \$25.00 Twelve Month \$50.00 | Application Fee \$25.00 Rec # Staff

1. Full Legal Name Harold Schroeder Date of Birth: 04/15/1957
Address: 129453 Ruckus Rd Phone: 608-444-6780
City: Cambridge State: WI ZIP: 53523 Former Name:
Driver's License Number: 5636-3545-7135-02 Height: 6' Weight: 285

Table with 6 columns: Prior Street Address, City, State, ZIP, From, To

2. Have you ever been convicted of a crime, misdemeanor or violation other than traffic citations? YES NO

Table with 4 columns: Type of Arrest, Summons or Violation or Charge, Month/Year, City, State

3. Proposed location where business will be conducted. Ace Hardware

4. Nature of proposed business. Produce Stand

5. Cities, Villages or Towns where you last conducted business? Fort Atkinson

6. Vehicle Information (Make, Model, Color, License Plate) Gray

- 7. The following items must be presented at time of application.
a. Completed Mobile Merchant Application.
b. Valid State Issued Driver's License or Photo Identification.
c. Proof of approval of health and sanitation by County, State or Federal agencies as required.
d. Proof of liability and contractual liability policy in the amount of one million dollars \$1,000,000.
e. Applicant shall comply with WI Safety & Professional Services Chapter 314, Fire Prevention and National Fire Protection Associations, Chapter 1, Fire Code.

8. Do you own, rent or lease real property located in the City used primarily for the business for which the license application is made for? YES NO

9. Are you an agent or representative of a person, firm or corporation who owns, rents or leases property located within the City used primarily for the business for which license application is made for? YES NO

- a. If you answered No to both questions above, the license fee is \$500.00 and is valid for one year from January 1 - December 31 of the future year.
b. Only one license is issued for City Lot 10. If multiple applications, a closed bidding system with a minimum bid of \$500.00 to determine which application should be approved will be scheduled.

Certification: I hereby certify that the information on this application is complete, accurate and true. I understand that an inaccurate, misleading, or false answer constitutes sufficient reason for rejection, denial, non-renewal, or revocation of my license. Further, I understand that this license is only valid within the city limits of Fort Atkinson. Licensees are required to exhibit their license during hours of operation.

Date: 05-9-17 Signature of Applicant: Harold Schroeder

Table with 2 columns: Police Department Recommendations and Comments, Police: Initial Line Adjacent to Recommendation

DPT - valid clear record APPD - contacts/no arrests/no unpaid fines
NCC - NW JES - no arrest record
CIB - NW CAPP - nothing since 2009
DASD - See Attached



GOYER ACE
10 Madison Avenue
Fort Atkinson, WI 53538
920-563-6677 • 920-563-2114 Fax

May 9, 2017

To Whom It May Concern:

Oakdale Farms has an agreement with 91484 Partners (d/b/a Goyer Ace) to operate a produce stand on our property at 10 Madison Avenue, Fort Atkinson, WI 53538.

Sincerely,



Jim Goyer

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ACE IS THE PLACE

#5



CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538

Date: May 19, 2017

TO: Planning Commission
FROM: Andy Selle, P.E.
SUBJECT: Preliminary CSM

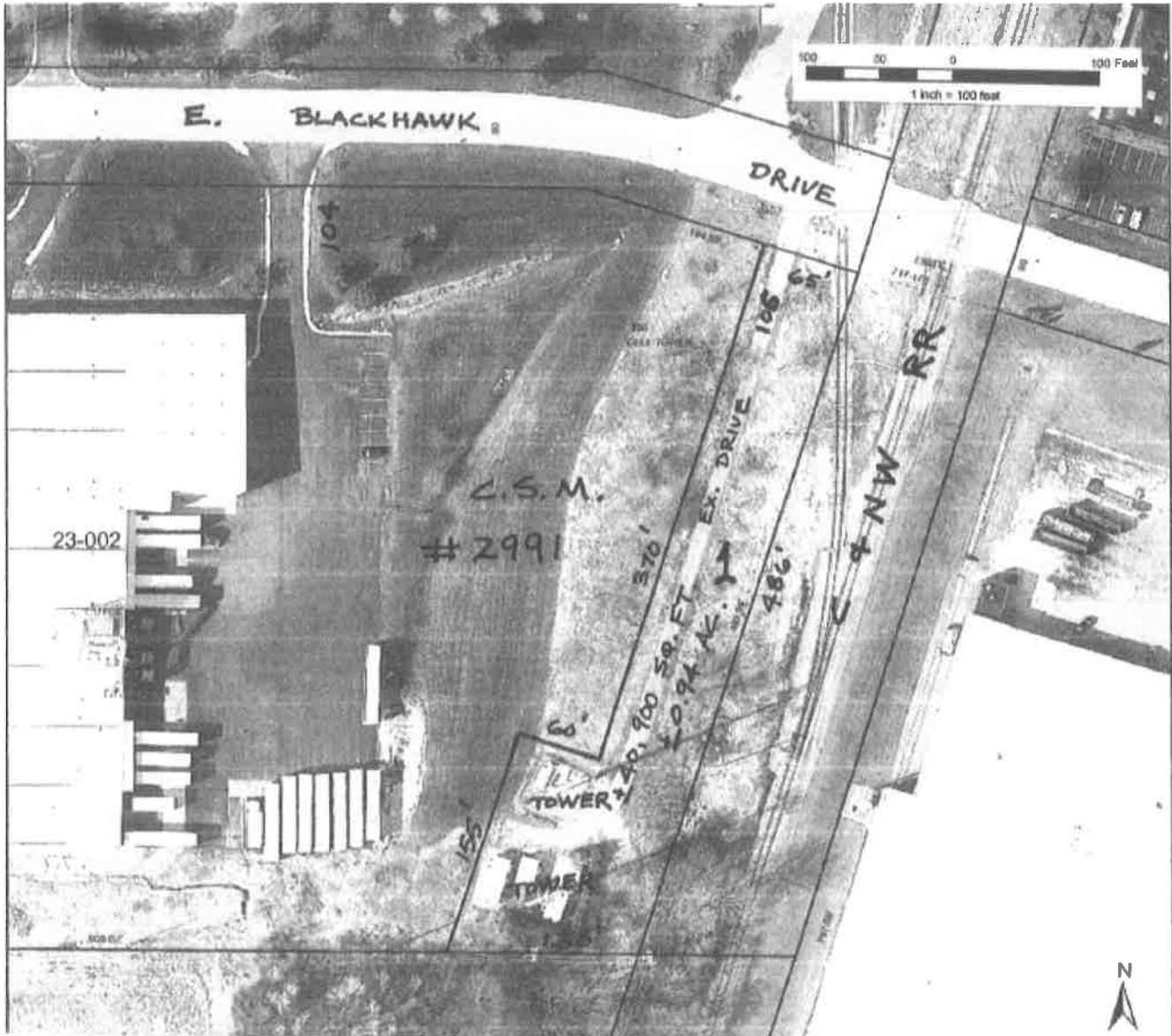
Background:

A preliminary CSM has been submitted by Anderson Surveying for the Wisconsin Packaging property. They would like to break off the east portion of their lot where a communication tower currently exists.



Figure 1: Existing aerial of the property showing water line (blue) and proposed split (yellow)

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Present Zoning - M-2

Figure 2: Proposed lot

City Department Reviews:

All City departments have reviewed the submittal. Only those with comments are noted below.

Water Department: The erosion control plan has been reviewed and approved.

- A water line, noted in Figure 1 runs along the proposed split. An easement was never recorded for access to this line and now would be an appropriate time to formally grant that.

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Recommendation:

Staff recommends approval of the Preliminary CSM contingent upon the addition of a 20' foot utility easement for access to the water line.

Attachments:

Anderson Surveying Submittal

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ANDERSON LAND SURVEYING LLC

Mark E. Anderson, Professional Land Surveyor

May 1, 2017

Andy Selle, P.E., City Engineer
City of Fort Atkinson
101 N Main St
Fort Atkinson, WI 53538

Dear Andy:

Enclosed are three (3) copies of a Preliminary Certified Survey Map prepared by me for FWN LLC, 100 S. Water St. W, Fort Atkinson, WI 53538. Also enclosed is a check for the \$10 fee.

This proposed Certified Survey Map will create an approximately 0.94 acre lot with 2 existing towers and accessory structures at 106 E. Blackhawk Drive which are currently under lease.

Please place this Preliminary on the May 23rd Plan Commission meeting agenda.

If you have any questions please let me know.

Sincerely,

ANDERSON LAND SURVEYING



Mark E. Anderson, P.L.S.

Enclosures

cc: Atty. James Vance

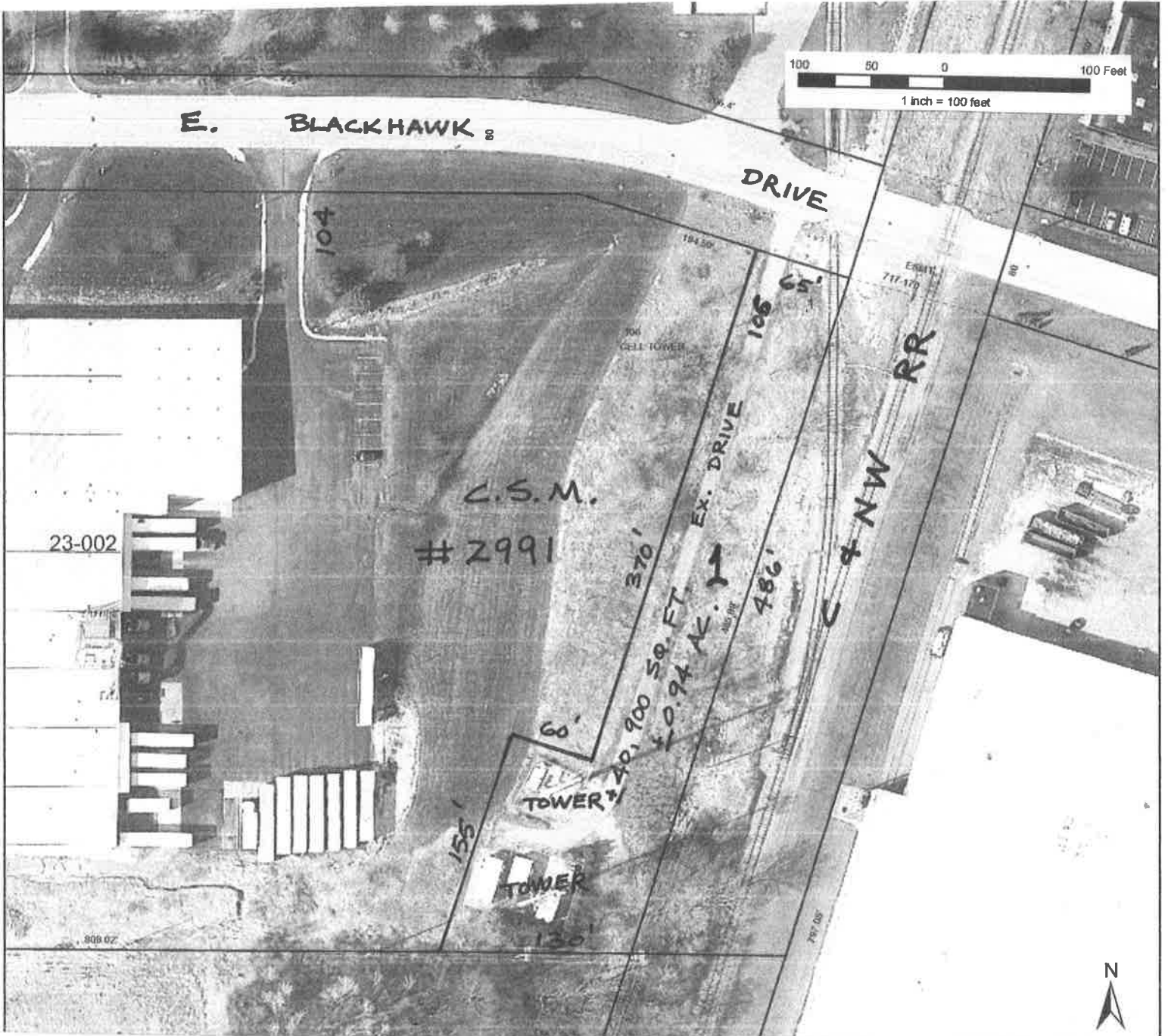
W6141 Star School Rd. Fort Atkinson, WI 53538 Tel: 920-563-8162

andersonlandsurvey@gmail.com

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PRELIMINARY CERTIFIED SURVEY MAP

1 Lot C.S.M. of the Tower Site at 106 E. Blackhawk Dr. part of Lot 1, C.S.M. #2991 in the SW¼ of the NW¼ of Section 34, TN, R14E, City of Fort Atkinson, Jefferson County, Wisconsin



Present Zoning – M-2

PREPARED FOR: FWN LLC
100 S. Water St. W.
Fort Atkinson, WI 53538

Date: May 1, 2017

Sheet 1 of 1

JN 17-24

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ANDERSON LAND SURVEYING LLC
W 6141 Star School Road, Fort Atkinson, WI 53538

Professional Land Surveyor
Phone (920) 563-8162



#6

CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538

Date: May 9, 2017

TO: Planning Commission

FROM: Brian Juarez, Building Inspector/Zoning Administrator

SUBJECT: Rewrite of Subdivision Ordinance to be Renamed "Land Division and Development Ordinance"

Background: The current Subdivision code was written in Sep. of 1993 and has served as the document to instruct land division and development in the City for the last 24 years. As with many documents time is typically not its friend and it has become quite out of date. Many conditions that are commonly dealt with today were simply not conceived of as issues those many years ago and many practices have changed over time. With these issues in mind I have attempted to write a more up to date and progressive code which will hopefully serve for another 24 years.

Discussion: The new code as presented is an amalgamation of codes found in other prosperous communities and of our existing code to create a newer, more inclusive and specific code. This new document will help the City, its citizens, and the prospective developers in creating vibrant, aesthetically pleasing and self-supporting future developments. The following are some of the issues that the new code attempts to address with changes from the original code:

- Updates Scope and Purpose and definitions sections of code.
- Clearly states the step by step process for developers to lay out and submit new development plans by formally addressing steps for plats, subdivisions and certified surveys and ensures compliance with current State statutes.
- Clearly makes it a requirement for all utility, storm water, and access easements to be displayed on documents and recorded at the County to ensure knowledge of their existence.

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- Brings the code into compliance with the City's Comprehensive Plan by requiring the universal installation of sidewalks, bike paths and interconnection and preservation of greenspaces.
- Sets out provisions to preserve and protect greenspace and areas deemed to be environmentally or historically significant.
- Reduces the amounts of impervious surface installed in developments by reducing street widths thereby saving developers and the City money in installation and maintenance costs and reducing storm water runoff.
- Assists in reducing the City's total storm water erosion discharge by enacting clear and complete standards for the planning and installation of erosion control measures in new developments thereby bringing the City into better compliance with WI DNR standards.
- Requires developers to submit plans for entire area owned to avoid piecemeal development that doesn't work as a whole.
- Identifies areas that would be undesirable for development for a number of potential reasons such as groundwater, poor soils, floodplain or environmental or historical value.
- Outlines and updates the minimum standards for dedication of parklands or fee's in lieu of.
- Designed to be able to work in coordination with potential future "traditional neighborhood" zoning and Extra Territorial Zoning as outlined in the Comprehensive Plan.
- Sets standards for identification of building elevations in subdivisions to ensure better planned drainage patterns.
- Sets minimum sidewalk widths and design standards
- Identifies design and type of utility installations including storm and sanitary sewer, water service and lighting keeping future development, maintenance and efficiency in mind.
- Specifies requirements for developers to provide financial assurance and provides for streamlined process for variance and enforcement provisions.

Financial Analysis: This document represents a large number of man hours in research and development of new code language and standards. Hours worked thus far have not been tracked separately by staff. The actual implementation of the code will require approximately \$250.00 worth of notification costs for public hearing and notice. The long term benefits to the City and developers as a whole will be recognized in the reduction of unnecessary duplication of effort and construction of unsustainable infrastructure.

Staff Recommendation: Staff requests that a recommendation of adoption be forwarded to the Ordinance Committee and City Council.

Respectfully Submitted,

Brian Juarez, Building Inspector/Zoning Administrator