



**PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS, MUNICIPAL BUILDING  
101 NORTH MAIN STREET, FORT ATKINSON, WISCONSIN  
TUESDAY, OCTOBER 24, 2017 - 4:00 p.m.**

**AGENDA**

1. Call to order.
2. Roll call.
3. Approve minutes of October 10, 2017 Planning Commission meeting.
4. Review and approve conditional use for auto repair/sales at 250 East Blackhawk Drive (zoned M-2 / change of ownership).  
Action – Reject—Approve.
5. Year review of Scrap Metal Services operations plan at 115 Lorman Street.  
Action – Accept and file.
6. Adjournment.

CC: David Westrick  
Michelle Ebbert  
Brian Juarez  
Klug Realty Partners LLC  
Scrap Metal Services  
Bruce Loeb  
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.***

**PLANNING COMMISSION MINUTES  
CITY OF FORT ATKINSON  
OCTOBER 10, 2017  
984TH 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: Commissioners Highfield, Lescohier and Scherer, City Manager Trebatoski and City Engineer Andy Selle. Also present: City Clerk/Treasurer Michelle Ebbert, City Attorney Westrick and Building Inspector Brian Juarez.

Excused absence: Cm. Frame and Cm. Greenhalgh.

APPROVE MINUTES OF SEPTEMBER 12, 2017 PLANNING COMMISSION MEETING.

Cm. Highfield motioned, seconded by Cm. Scherer to approve the minutes of the September 12, 2017 Planning Commission meeting. Motion carried.

REVIEW AND APPROVE SITE PLAN FOR BUILDING ADDITION AT 740 REENA AVENUE (DEAN CLINIC).

Engineer Selle reviewed the site plan submitted by SSM Health for an addition onto the east side of the existing Dean Clinic on Reena Avenue. The existing building has 18,829 square feet, and will be adding 10,570 square feet. The total lot area is 3.54 acres, with approximately 105,187 square feet of impervious area.

The following comments were received by Departments:

Building Inspector: landscaping, specifically screening for their parking lot per 15.10.2(L)2, must be improved to meet the Code.

Stormwater: this parcel will disturb over an acre of ground and is therefore required to meet both stormwater quality and quantity requirements laid out in the City Code.

The erosion control plan is noted to include: employ BMPs that reduce sediment transported in stormwater off the site by 80% during construction, include measures to prevent tracking of sediment off site by machines/vehicles, prevent erosion during site dewatering activities and protect all storm drains from receiving sediment laden stormwater.

Cm. Lescohier confirmed the amount of parking that currently exists and the estimated number of stalls post construction. The clinic will experience a gain of approximately 40 stalls for a total of 143.

Cm. Lescohier moved to approve the site plan for building addition at 740 Reena Avenue with the following conditions: landscaping be improved around the perimeter of the parking lot to meet Code and peak flow for the 100 YR event be adjusted to reduce or maintain predevelopment flow. Seconded by Cm. Scherer and motion carried.

REVIEW AND APPROVE SITE PLAN FOR PARKING LOT LAYOUT AND ACCESS AT HAUMERSON'S POND

Engineer Selle reviewed the request for the parking lot that would serve the property. The plan shows a one-way access from Zida Street with a parking area and pedestrian paths. These areas will only be installed as gravel for the first season to ensure the use is consistent with the plan. Lighting will utilize existing poles, however they will be adjusted to deter light from shining on adjacent residential properties.

Department review provided the following comments:

**Stormwater Review:** The proposed one way road, parking area, and shelter footprint will not disturb over an acre, technically not requiring stormwater management. However, with the City's continued commitment to improvements in water quality, a stormwater feature in the form of a rain garden to capture parking lot runoff is planned. Stormwater improvements are not required until impervious materials (asphalt, concrete etc.) are installed.

**Erosion Control Review:** Some site grading is expected with each iteration of improvements, exposing bare soils to possible erosion. The site drains toward the pond and will require sediment barriers in the form of silt fence or silt socks to ensure sediment laden runoff is contained. Following grading, disturbed areas will be stabilized with turf seed and straw mulch to ensure permanent cover is established. The Building Inspector will be responsible for ensuring these controls are in place and maintained.

**Engineering Department:** The Engineering Department has no concerns related to the overall site plan. Traffic flow in a one-way direction will reduce congestion and impact on the existing homes in the area along Zida Street.

**Fire Department:** A minimum 20 foot access will be needed to within 50 feet of the building for emergency purposes. The current plan does not accomplish this, however, if the flagpole were removed and the area between the drop-off and building were paved – this would be an easy solution. Several other solutions exist on the site and the Fire Department can suggest improvements as more permanent layouts are considered in the future.

Steve Mode addressed the Commission and discussed the traffic patterns as it relates to the presented site plan. He discussed the addition of a landscape barrier/buffer along Zida Street that will aid in eliminating headlights being shined in on adjacent residential properties. He envisions a tree lined barrier versus a shorter berm.

Mode pointed out on the site plan, future construction of a storage building adjacent to the parking lot. Inspector Juarez confirmed this site plan does not include this storage building located on the south corner of the parking lot. Mode confirmed this is a future plan. Juarez reminded him the storage building would need site plan approval and Staff review.

Mode discussed an existing chain link fence that sections off the City property versus the School District parking lot. Discussion continued on access for the Fire Department and City sanitary vehicles

that would need access around the perimeter of the property.

Manager Trebatoski asked about liability insurance for the parking lot. This will be researched as the parking lot property is owned by the School District of Fort Atkinson.

Joseph Grams, 414 Zida Street - Spoke on the parking lot adjacent to his property, that when he purchased it, it was on a quiet dead end street. He has safety concerns for his family and concerns for the additional traffic, noise and headlights since the development of the area.

Cm. Lescohier moved to approve the site plan for parking lot layout and access at Haumerson's Pond with contingencies to include a tree line shield or buffer along Zida Street to minimize parking and traffic distractions to adjacent residential properties, to maintain a minimum 20 foot access within 50 feet of the building for emergency purposes, regrading of handicap access and following the stormwater management plan before and after impervious surface area is finalized and creation of an access road for City vehicles to the south of the building. Motion seconded by Cm. Highfield and carried.

#### ADJOURNMENT

Cm. Scherer moved, Cm. Highfield seconded the motion to adjourn the Planning Commission meeting at 4:25 pm. Motion carried.

Respectfully submitted,

Michelle Ebbert  
City Clerk/Treasurer

**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date: October 20, 2017**

**TO:** Planning Commission

**FROM:** Andy Selle, P.E.

**SUBJECT:** Conditional Use Permit Request – 250 E Blackhawk Dr

**Background:**

K&F Auto Sales have acquired the property at 250 E Blackhawk Dr. The property is currently zone M2 – Heavy industrial – and previously housed Precision Alignment. Automobile sales businesses are a conditional use under this zoning.



Figure 1: Existing aerial



Figure 2: Street view of current property

**City Department Reviews:**

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

Zoning – The property is zoned M-2 “Heavy Industrial.” All requirements can be met under the zoning code contingent upon the following:

1. A handicap access must be provided pursuant to 15.10.1 (H) of the zoning code.
2. Landscaping – the mature trees along the north portion of the lot should remain. Paving for the parking areas may need to be adjusted slightly to accommodate this. Leaving this space will meet the requirements of section 15.10.2 (L) of the zoning code

**Recommendation:**

Staff recommends approval of the Site Plan with the conditions as outlined in the “Department Reviews” section of this memo.



CITY OF FORT ATKINSON, WISCONSIN

Application for Conditional Use Permit

Date of Application:

October 11, 2017

Property Owner/Applicant:

Klug Realty Partners, LLC – Pending purchase of the property – closing date TBD (before 12/15/17)

Current Owner of the property is:

~~Rob Diestler~~ Rob Diestler

Address of Property:

250 Blackhawk Drive, Fort Atkinson, WI 53538

Mailing Address:

N5345 County Road A, Lake Mills, WI 53551

Phone Number:

920-648-8261

Email:

[Lee@kfautosalesandservice.com](mailto:Lee@kfautosalesandservice.com)

Present Zoning: M-2 / Industrial Park

Present use of property:

Auto Repair

Requested conditional use:

Auto Repair

Used Car Sales

\$75.00 filing fee paid on:

(Notices are mailed to property owners within a 100-foot distance of this property exclusive of right-of-way to notify them of this request. Planning Commission reviews request and makes recommendation to approve or deny.)

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**CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538**

**Date:** Oct. 11, 2017

**TO:** Planning Commission  
**FROM:** Andy Selle, P.E.  
**SUBJECT:** Review of Operational Plan (Conditional Use)

On October 25, 2016, the Planning Commission approved an operational plan/conditional use for Scrap Metal Services to operate at the former Lorman's/Loeb site at 115 Lorman Street. One of the contingencies of the approval was that the operation would be reviewed in a year.

The owner, Bruce Loeb, has informed me that Scrap Metal Services did not utilize the site as they had expected and have ceased operations. As a result, the review of the operational plan is a moot point.

If you have any questions or comments on this matter, please feel free to contact me.

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**PLANNING COMMISSION MINUTES  
CITY OF FORT ATKINSON  
OCTOBER 25, 2016  
972<sup>nd</sup> MEETING**

**REVIEW AND APPROVE OPERATIONS PLAN FOR SCRAP METAL FACILITY AT 115 LORMAN STREET**

Engineer Selle said a lot of research was done on this request, and it was found that as long as the use is consistent with what has been done, the conditional use is transferred over to the new operator. An operations plan has been submitted by Scrap Metal Services, the new business operator, to determine that the operations will be the same as Lorman's. City Staff feels that they have arrived at a point where they feel the operations will be identical to that of the previous operator.

Selle informed the Commission that when Lorman's began operations, there probably wasn't a Zoning Code in effect and they were considered to be "grandfathered in" for zoning purposes and were not granted an official conditional use. Therefore, the matter before the Commission is not approval of a conditional use, but a continuance of an existing use.

Brian Juarez said the Zoning Code says that uses that existed prior to the Zoning Code and Ordinances being adopted, would automatically be considered a conditional use. As part of the operations plan, this matter will be reviewed in a year. There are also requirements noted in the memo distributed with the agenda that will be required to be met by SMS.

Jerry Corcoran of SMS indicated they will have cameras on the ATM and the scale, as well as recording all license plate numbers for security purposes. It was indicated they will continue to monitor the cleanliness of the streets in the area and use the street sweeper when needed.

Cm. Gehred said it would be appreciated if the trucks would use Jefferson Street to Cramer Street and then to North Main Street (Highway 89). In the past they have used residential streets in the area instead of that route. Mr. Loeb indicated their trucks were not supposed to go through the residential area and this matter will be addressed. A question was also asked if they would be utilizing the rail line for the new operation, and it was indicated that at this time they do not have any customers to utilize that. It was also indicated the first trucks would be leaving/entering the property at 7:00 a.m.

Cm. Gehred asked if there are requirements for particle matter measurements of airborne pollution. It was indicated there is air monitoring done and they are required to meet EPA and DNR regulations.

Tammy Doellstedt addressed the Commission and indicated she was not in favor of approving this request. She said the business is very noisy for a residential area; the trucks tear up the streets; and at one time they were operating as late as 11:00 p.m. She said according to the City's Comprehensive Plan, we want clean industry. She then asked if a conditional use expires after non-use, to which Brian Juarez said the Zoning Code says there is not an automatic termination clause after non-use, there is a review clause. It was indicated that by the Commission taking this action at this time, the City will have more control of the situation than with the previous owner.

Brian Juarez indicated discussions had taken place as to what could happen to the property if this type of business were not to operate there any longer, and it was determined that turning it into a residential development would not be viable.

Cm. Greenhalgh said this business has worked hard with the community in the past and has supported many art venues and other projects. She likes the control the City will have that we didn't previously have. The property is properly zoned for this type of operation and they have met the requirements they need to meet.

Cm. Frame moved to approve the operations plan for a scrap metal facility at 115 Lorman Street contingent on the conditional use permit requirements noted in the memo distributed with the agenda. Cm. Greenhalgh seconded the motion. Motion carried.