



**PLANNING COMMISSION MEETING
COUNCIL CHAMBERS, MUNICIPAL BUILDING
101 NORTH MAIN STREET, FORT ATKINSON, WISCONSIN
TUESDAY, NOVEMBER 14, 2017 - 4:00 p.m.**

AGENDA

1. Call to order.
2. Roll call.
3. Approve minutes of October 24, 2017 Planning Commission meeting.
4. Review and approve mobile merchants license for Rabl's Christmas Trees to sell Christmas Trees in the parking lot at Shopko, 1425 Janesville Avenue.
Action – Reject—Approve.
5. Review and approve Preliminary Certified Survey Map creating two new lots at the intersection of East Highland Avenue and Whitewater Avenue, and to rezone those parcels from C-1 (Service Business District) to R-2 (Two Family Residential).
Action – Reject—Approve and refer to City Council for public hearing.
6. Adjournment.

CC: David Westrick
Michelle Ebbert
Brian Juarez
Rabl's Christmas Trees
Jim Hedrick
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.

**PLANNING COMMISSION MINUTES
CITY OF FORT ATKINSON
OCTOBER 24, 2017
985TH 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 Frame, 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. Highfield and Cm. Greenhalgh.

APPROVE MINUTES OF OCTOBER 10, 2017 PLANNING COMMISSION MEETING.

Cm. Scherer motioned, seconded by Cm. Lescohier to approve the minutes of the October 10, 2017 Planning Commission meeting. Motion carried.

REVIEW AND APPROVE CONDITIONAL USE FOR AUTO REPAIR/SALES AT 250 E. BLACKHAWK DRIVE (ZONED M-2/CHANGE OF OWNERSHIP).

Engineer Selle discussed the purchase of said property by K&F Auto Sales. The property is zoned M-2 and previously housed Precision Alignment. Automobile sales businesses are a conditional use under this zoning.

All Departments have reviewed the request with the following comments:

Zoning – the property is zoned M-2 Heavy Industrial. All requirements can be met under the Zoning Code contingent upon the following: a handicap access must be provided pursuant to 15.10.1 (H) of the Zoning Code.

Cm. Frame asked if there was a limit to the number of vehicles that can be for sale on the property. Inspector Juarez stated there is no restriction on the number of cars for sale on site. Juarez added they have their own limits with being able to maneuver vehicles around those for sale and those on site for repair. They do have some interior storage available. The new property owners have hopes in the future to expand and purchase adjacent property to offer more space for sales. They also pointed out where customer parking would be provided.

Cm. Frame moved, seconded by Engineer Selle to approve the conditional use for auto repair/sales at 250 E. Blackhawk Drive (zoned M-2 / change of ownership). Motion carried.

YEAR REVIEW OF SCRAP METAL SERVICES OPERATIONS PLAN AT 115 LORMAN STREET.

Engineer Selle provided the Planning Commission meeting outcome on October 25, 2016 that pertained to the operation of Scrap Metal Services at 115 Lorman Street. One of the contingencies of the approval was that the operation would be reviewed in one year. The owner, Bruce Loeb has

informed Staff that Scrap Metal Services did not utilize the site as they expected and have ceased operations. As a result of the business closure, annual review is not necessary. Should another business chose to re-open, it would be reviewed by Staff with potential review and approval by Planning Commission depending on the business plan and use of the property.

No action was taken.

ADJOURNMENT

Cm. Frame moved, Cm. Scherer seconded the motion to adjourn the Planning Commission meeting at 4:10 pm. Motion carried.

Respectfully submitted,

Michelle Ebbert
City Clerk/Treasurer



#4

CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538

Date: November 7, 2017

TO: Planning Commission
FROM: Michelle Ebbert, City Clerk/Treasurer
SUBJECT: Mobile Merchant Application – Rabl's Christmas Trees

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 they renting or leasing property, a valid lease must be provided.

Discussion:

Normal Rabl of Rabl's Christmas Trees applied for a Mobile Merchant permit to sell Christmas trees in the Shopko parking lot on Janesville Avenue. Formally, they sold trees in the Frostie Freeze parking lot.

The request was provided to Departments for review. No comments or concerns were expressed.

Financial Analysis:

The applicant provided the application fee for a six month license.

Staff Recommendation:

Staff recommends approval of the mobile merchant license for Norman Rabl of Rabl's Christmas Trees.

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920-563-7760

Copy - done

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

1 MONTH

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

Full Legal Name: NORMAN E. RAIBL (RAIBLS CHRISTMAS TREES) Date of Birth: [REDACTED]

Address: 1026 - County Road M - Lot 44 Phone: [REDACTED]

City: ADAMS State: WI ZIP: 53910 Former Name: _____

Driver's License Number: [REDACTED] Height: 5'-10 Weight: 250

Prior Street Address (if above address is less than 5 years)	City	State	ZIP	From	To
<u>out City of Fort Municipal Bldg to 101 N Main St</u>	<u>Fort</u>	<u>WI</u>	<u>53538</u>		

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

yes, please identify where and when they occurred.

Type of Arrest, Summons or Violation or Charge	Month/Year	City	State

Proposed location where business will be conducted. SHOPCO FORT ATKINSON WI

Nature of proposed business. CHRIS(MAS TREES

Cities, Villages or Towns where you last conducted business? (47 YR - FORT ATK.)

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

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

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: Nov 21, 2017 Signature of Applicant: Norman E. Raibl

Police Department Recommendations and Comments:	Police: Initial Line Adjacent to Recommendation
	Approve: _____ Deny: _____
	Clerk Initial: _____ Bldng Insp: _____
	Notes: <u>2 of 2</u>

CITY OF FORT ATKINSON, Fort Atkinson, WI, 53538

Date: November 10, 2017

TO: Planning Commission

FROM: Andy Selle, P.E.

SUBJECT: Preliminary CSM, Zero Lot Line, and Rezone Requests – Lot 49
Highland Heights Subdivision

Background:

Jim Hedrick owner of Lot 49 (noted below) is requesting to split two parcels from Lot 49 under a preliminary CSM. He is requesting that each lot is rezoned from its current C-1 (Service Business) to R-2 (Two-Family Residential). In addition, he is requesting a conditional use permit for a zero lot line division of parcels 1 and 2.



Figure 1: Existing aerial of the property

Wastewater – Each parcel should be served by its own 4” sanitary lateral located on the parcel it serves. Existing sanitary laterals, if oversized, must be capped and abandoned in the terrace.

Recommendation:

Staff recommends approval of the Preliminary two-lot CSM, the Rezoning request from C-2 to R-2, and the Zero Lot Line request contingent upon the following submittals to the City Engineer:

1. A completed Certified Survey Map
2. As-built information of new and abandoned laterals
3. Progress on final stormwater improvements, noted by retainage of a design firm with expertise in such
4. Confirmation of registration of CSM and Maintenance Agreement with the Jefferson County Register of Deeds.

Attachments:

Original submittal J&J Enterprises



F O R T • A T K I N S O N

CITY OF FORT ATKINSON, WISCONSIN

Application for Rezoning

Date of Application: 8-31-17

Property Owner/Applicant: Jim Hedrick

Address of Property: Highland Ave. between Whitewater Ave + Lenah

Mailing Address: PO Box 158
Fort Atkinson, WI 53538

Phone Number: 608-751-0816

Email: bpeck@badgerbasementsystems.com

Current Zoning: C-1

Requested Zoning: R-2

Narrative of Proposed Use: Build Duplex/Condos

\$200.00 filing fee paid on: 8-31-17

- List of City Zoning:
- R-1 Single-family residential
 - R-2 Two-family residential
 - R-3 Multi-family residential & office district
 - C-1 Service business district
 - C-2 Central business district
 - C-3 General commercial district
 - C-5 Downtown business district
 - M-1 Light industrial district
 - M-2 Heavy industrial district

(Planning Commission reviews request and makes recommendation to City Council; City Council holds public hearing, and if approved, adopts Ordinance amending Zoning.)

ANDERSON LAND SURVEYING LLC
Mark E. Anderson, Professional Land Surveyor

August 30, 2017

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

Dear Andy:

Enclosed are two (2) copies of a Preliminary Certified Survey Map / Concept Plan prepared by me for Jim Hedrick, W5821 Hackbarth Road, Fort Atkinson, WI 53538.

Mr. Hedrick will be dropping of the form and fee.

This proposed Certified Survey Map will rezone part of Lot 49, First Addition to Highland Heights from C-1 to R-2 and create 2 duplex lots.

Please place this Preliminary on the next 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: Jim Hedrick

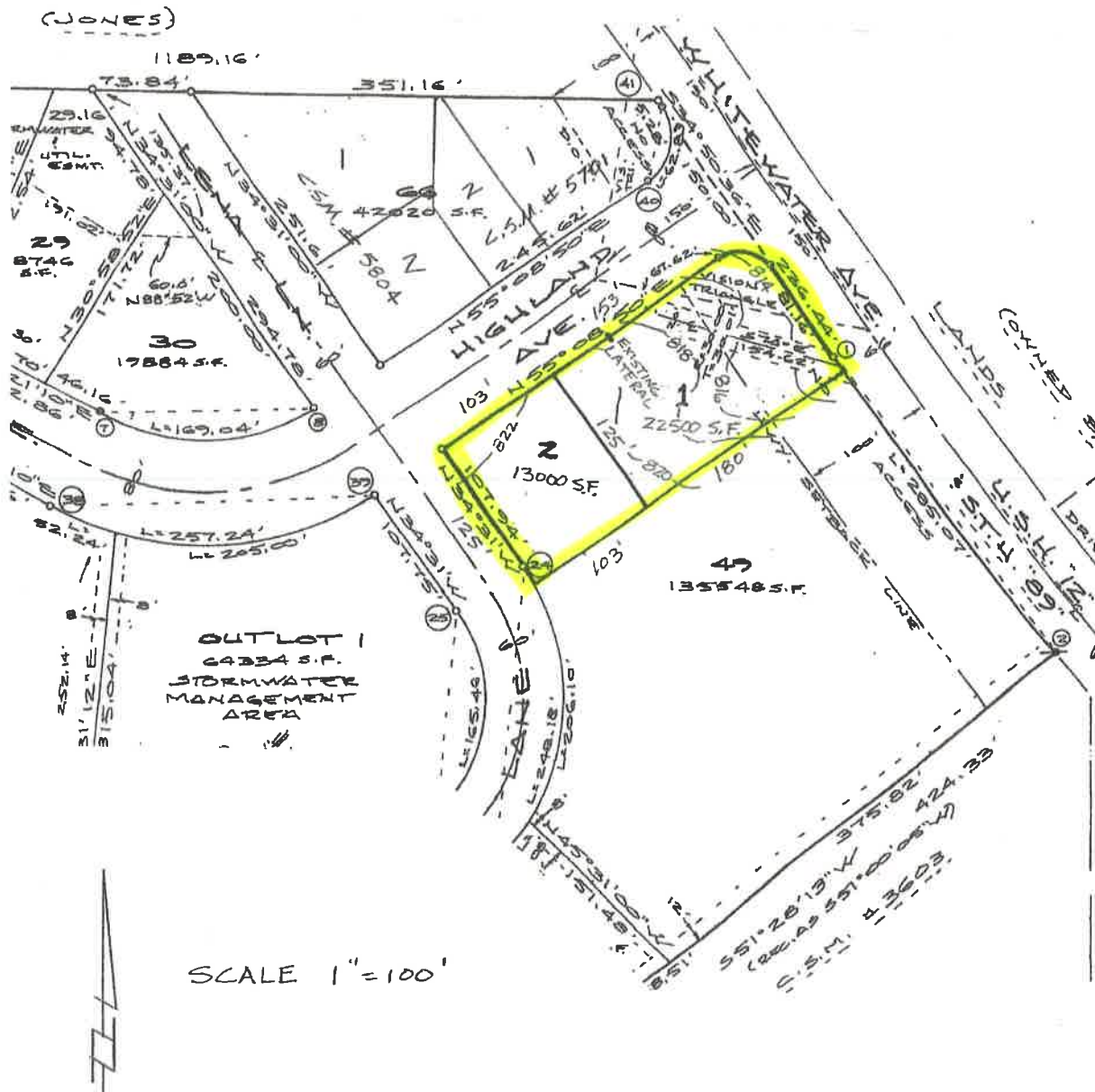
W6141 Star School Rd. Fort Atkinson, WI 53538 Tel: 920-563-8162

andersonlandsurvey@gmail.com

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PRELIMINARY CERTIFIED SURVEY MAP / CONCEPT PLAN

2 Lot C.S.M. part of Lot 49, FIRST ADDITION TO HIGHLAND HEIGHTS in the NE¼ of the
SW¼ of Section 10, T5N, R14E, City of Fort Atkinson, Jefferson County, Wisconsin



Present Zoning – C-1
Proposed Zoning – R-2

Note: There is an existing sanitary sewer lateral and water service off Highland Ave. for Lot 49 which may be oversized for residential, if so a new service may have to be installed for Lot 1. A new sanitary lateral and water service will be installed for Lot 2 off Lena Lane

PREPARED FOR: Jim Hedrick
W5821 Hackbarth Road
Fort Atkinson, WI 53538

Revised 11-1-17
Date: August 30, 2017

Sheet 1 of 1

JN 15-38

ANDERSON LAND SURVEYING LLC
W6141 Star School Road, Fort Atkinson, WI 53538

Professional Land Surveyor
Phone (920) 563-8162

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