

**PLANNING COMMISSION MINUTES
CITY OF FORT ATKINSON
OCTOBER 25, 2016
972nd 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, Gehred, Greenhalgh, Highfield, Scherer, City Engineer Andy Selle and City Manager Matt Trebatoski. Also present: City Attorney Chris Rogers and Building Inspector Brian Juarez.

Excused absence: None.

APPROVE MINUTES OF SEPTEMBER 27, 2016 PLANNING COMMISSION MEETING.

Cm. Greenhalgh motioned, seconded by Cm. Gehred to approve the minutes of the September 27, 2016 Planning Commission meeting. Motion carried.

REVIEW AND APPROVE SITE PLAN FOR EXTENSION OF RADLOFF ROAD IN THERON SUBDIVISION

Engineer Selle indicated the preliminary plat for this subdivision was approved in May of this year. A Developer's Agreement will be needed prior to the project going forward. This site plan was reviewed by City Staff and all concerns have been addressed.

Cm. Greenhalgh moved to approve the site plan for extension of Radloff Road, contingent on a Developer's Agreement being approved. Cm. Frame seconded the motion. Motion carried.

REVIEW AND APPROVE PARKING LOT SITE PLAN FOR CREAMERY BUILDING AT 201 NORTH MAIN STREET

Engineer Selle indicated there is a need for parking for the Creamery Building and City Staff has been meeting with the property owners to address this situation. During discussions, the aesthetics of the area were reviewed thoroughly. A stormwater detention basin will be placed on the property to address those concerns.

An agreement to maintain the greenspace will be entered into, indicating the City will maintain the trees and mow of the area. Snow removal is typically the responsibility of the adjacent property owner, but that item may also be addressed in the agreement.

Ingress and egress to the lot were discussed, and it was indicated there will be no drive opening onto Main Street, and the opening on Madison Avenue would be a right in/right out only.

Commission members asked if this lot would be available to the public. Mike Herl, one of the owners of the property, indicated parking would be by permit only during the business day; however, after hours it could be used by the public. If this becomes a problem in the future, the owners may determine that this may not be available to the public. There are also discussions about putting some type of feature at the corner of this lot.

Cm. Frame moved to approve the parking lot site plan for Creamery Building at 201 North Main Street contingent on a maintenance agreement. Cm. Greenhalgh seconded the motion. Motion carried.

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.

ADJOURNMENT

Cm. Frame moved, Cm. Highfield seconded the motion to adjourn the Planning Commission meeting at 4:40 pm. Motion carried.

Respectfully submitted,

Leila Carl
Acting Secretary