

**PLANNING COMMISSION  
CITY OF FORT ATKINSON  
MINUTES  
JANUARY 12, 2010  
876<sup>th</sup> MEETING**

The meeting was called to order by Acting Chairman Woods in the Council Chambers of the Municipal Building at 4:00 p.m.

Members present: Wilmet, Gray, Camplin, Highfield, Rybicke Stroinski and Woods

Members absent: None

Others present: Ramesh Shah, Joe Ester and Rob Williams

Item #1: Review and Approve Preliminary Certified Survey Map creating one (1) lot and one (1) Outlot, east of W5527 Hwy 106 (Extra-Territorial).

Jeff Woods said this Certified Survey Map would create a six-acre parcel and a 66-foot wide outlot, which would provide access to the existing lot. The parcel and outlot are located just east of the former Highsmith Building. The City's Comprehensive Plan shows this area is outside of the current Urban Service Area, which ends at the east side of the Rock River on Hwy. 106. The Future Land Use Map in the Comprehensive Plan has this area designated as Agricultural/Rural. This is defined at agricultural uses, farmland and limited rural housing as allowed under the Farmland Preservation Policies of Jefferson County. The proposal is to rezone the new lot and outlot from A-1 County Zoning to A-3 County Zoning. The new zoning would be Agricultural/Rural Residential, which is defined at limited rural development on lands that are not suited for agricultural production or would have limited impact on agricultural production. The new parcel, with the A-3 zoning, would fit the City's Comprehensive Plan. I see no problems with the Preliminary Certified Survey Map as presented.

Motion by Cm. Gray, seconded by Roz Highfield, to recommend to the Council to approve the Preliminary Certified Survey Map creating one lot and one outlot, east of W5527 Hwy 106, Extra-Territorial. Bill Camplin asked what is the reason for the limited agricultural value/production of this parcel. Jeff Woods said that it would be the grade of the lot and John Wilmet added the condition of the soil also affects the agricultural value. The question was called and the motion was passed by a 7-0 voice vote.

Item #2: Review and Approve Preliminary Certified Survey Map creating one (1) lot with Road Right-of-Way on Reena Avenue (south of Taco Bell/KFC).

Jeff Woods said this area is currently zoned C-1, Highway Business. The parcel is 162,000 square feet, which meets the minimum lot size of 3,000 square feet. The Certified Survey Map would also dedicate the right of way for the proposed frontage street, 43.5 feet would be dedicated right-of-way and 16.5 feet would be permanent easement. The proposed development/use of the property would be for a 54 unit apartment building. This development would require a conditional use and a site plan submittal, which would happen at a future Planning Commission meeting. The frontage road, street, sidewalk, water, sanitary and storm

would be constructed by the City and funded through the Tax Incremental District #8, located in the northwest corridor of the City. This is per the Road Dedication Agreement dated March 19, 2009. The time line for construction in the agreement will have to be updated to reflect the revised construction schedule. The only issue with the Certified Survey Map is that the City's layout shows the frontage road as an extension of Commonwealth Drive, not a new street. The Survey should be revised to reflect the street name.

Dennis Rybickie said the City has been anticipating the construction of this frontage road for a long time. John Wilmet said that is true, but there will not be any construction of the road or utilities until there is a Developer's Agreement to cover the construction of the apartments.

Bill Camplin asked if there is a contingency plan that would address the access points for Taco Bell/KFC once this frontage road is constructed. John Wilmet said that once the frontage road is constructed the access for Taco Bell/KFC that is on Reena Avenue will be moved to the frontage road.

Motion by Dennis Rybickie, seconded by Cm. Gray, to recommend to the Council to approve the Preliminary Certified Survey Map creating one lot with road right-of-way on Reena Avenue south of Taco Bell/KFC, with the change in the name of the road to Commonwealth Drive. Bill Camplin asked if Mr. Shah would like the street to be named Mehta Lane, there is a process that he could go through to get the name changed. Mr. Shah said that he would like to have it named Mehta Lane. Cm. Gray asked why the street would be called Commonwealth Drive. Jeff Woods said the City maps show Commonwealth Drive extending west from current end (west of Reena Avenue) and then curving to the north and east and ending back at Reena Avenue. There is no corner or intersection where a name change can occur. Cm. Gray felt that it would be better to have the new street named Mehta Lane and then have that intersect into Commonwealth Drive. Cm. Gray asked if Commonwealth Drive would be extended across the Bypass? Jeff Woods said that is one of the options the City would be investigating to provide a second access point to the area west of the Bypass. Cm. Gray said if that happens then there would be an intersection where the name change could occur. The motion was revised by the maker and second of the motion to keep the name of the frontage road as Mehta Lane, as indicated on the Survey Map. The question was called on the revised motion and it passed by a 7-0 voice vote.

Item #3: Review and Approve request to approve rezoning of property on Janesville Avenue (across from Klement Business Park) from C-3, General Commercial to R-3 Multi-Family Residential.

Jeff Woods said this parcel was originally annexed in February, 2002 and was then zoned C-3, General Commercial. At that time the proposed development was a commercial development consisting of a gas station, branch bank, restaurant and other businesses. The proposed development has changed to five 24-unit apartment buildings. This would require a conditional use permit in a C-3 zoning or it is a permitted use in an R-3 zoning. The owner has decided to request to rezone the property to R-3 zoning. The existing parcel is 524,462 square feet, which meets the R-3 code requirement of 12,000 square feet. The existing zoning that surrounds the parcel is M-2, Industrial Park to the east in the Klement Business Park, and A-1, County Zoning on the other three sides. The City's Comprehensive Plan Future Land Use Map shows this area as Planned Mixed Use. This is defined as a mix of commercial and residential uses on public sewer and water that is designed to facilitate a carefully designed blend of Community

Commercial, Mixed Residential, Community Facilities and Parks and Environmental Corridors. An R-3 zoned use would fit with the City's Comprehensive Plan.

Jeff Woods said notices were sent out to the surrounding property owners and a response was received from Jack Mays. Mr. Mays said that he was not opposed to the development, but he was concerned how the development would affect his 66-foot wide easement and his ability to use the easement to access his farmland west of the Bike Trail with farm equipment. His 66-foot wide easement goes from Hwy. 26 to the Bike Trail, where it changes to a 30-foot wide easement. His easement is recorded at Jefferson County in Volume 921, page 344. Mr. Mays said that he had been in contact with Mr. Ester when the property was annexed and expressed his concerns with the easement.

Rob Williams, of TDI Associates, Inc., said the owner is serious about moving forward with the development of apartments on this parcel. Cm. Gray felt the owner would be putting a restriction on the land by rezoning it as opposed to keeping the C-3 zoning. John Wilmet asked how the access easement of Jack Mays was going to be addressed. Rob Williams said the owners have not worked out the exact details with Mr. Mays, but they will be providing him with a paved and gravel road that he can use to get to with his farm equipment to access his fields to the west. The details will be finalized to maintain his access. Bill Camplin asked when this property was annexed and they filled in to allow development, was the filling operations done according to permits obtained from the Dept. of Natural Resources? Rob Williams said all of the filling operations were done according to the Department. John Wilmet asked if the five units were going to be built all at once or will it be a continuous build? Rob Williams said there will be a continuous build. One would be built and as it gets rented out the next building would be constructed.

Bill Camplin said that since this development will be part of the "Gate-Way" to the City there will be some sensitivity to the type of architecture of the buildings and of the landscaping and green spaces. This will be looked at when the site plan is submitted.

Motion by Cm. Gray, seconded by Bill Camplin, to recommend to the Council to approve the rezoning of the property on Janesville Avenue across from the Klement Business Park from C-3, General Business, to R-3, Multi-Family Residential. The motion passed by a 7-0 voice vote.

Item #4: Approval of Minutes and Adjournment.

A motion to approve the Minutes of the December 8, 2009 meeting was made by Dennis Rybicki, seconded by Bill Camplin, and passed by a 7-0 voice vote. A motion to adjourn was made by Bill Camplin, seconded by Cm. Gray, and passed by a 7-0 voice vote. The meeting adjourned at 4:23 p.m.

Respectfully submitted,

Jeffrey L. Woods, P.E.  
Secretary