

**PLANNING COMMISSION
CITY OF FORT ATKINSON
MINUTES
JUNE 22, 2010
884th MEETING**

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

Members present: Wilmet, Camplin, Frame, Hamm, Highfield and Woods

Members absent: Stroinski

Others present: Rudy Bushcott, Brian Juarez, Sandy Mayer and Craig Ellsworth

Item #1: Review and approve request by Wellington Meadows to annex a 5.00 acre parcel located at N2550 Memorial Drive, and to set ward and zoning.

Jeff Woods said this request is for the five (5) acre parcel that is located at the north end of Memorial Drive. The parcel currently has a Community Based Residential Facility (CBRF) housing unit on it with 26 residents. The proposed ward for the parcel is Number 8 and the zoning that is being requested is R-3, Multi-Family Residential. The parcel meets the setback and lot requirements of the R-3 Zoning Code. A CBRF requires a conditional use permit in an R-3 zone, so if the Commission approves the annexation request, they will also be approving a conditional use permit. Wellington Meadows has been working with the City to connect to the water and sanitary sewer system. The City has also been working with Wellington Meadows on a PILOT (Payment In Lieu of Taxes) Agreement to cover the cost of City services to the parcel. Adjacent property owners have been notified concerning the annexation request and no one had contacted staff prior to the meeting. Right now there are no problems with the request for annexation.

When asked by Cm. Camplin, John Wilmet said there would be no taxes paid to the City by Wellington Meadows, but there would be water and sanitary billing based on their usage, and a Stormwater Fee based on their impervious surface. The City is working with them to determine a value of the property, and that value times the City's tax rate would determine their PILOT Agreement payment. This would make the City whole.

John Wilmet asked where the utilities would be placed and extended from. Jeff Woods said the water main would be extended north from the Memorial/Florence intersection and their water lateral would be tapped off of that. There is any existing sewer running across the southern portion of their property that they would be able to tap a lateral off of.

Ray Shannon, of 630 Rogers Street, asked if there are any plans to expand the existing facilities. John Wilmet said that Wellington Meadows has not indicated any plans to expand the facility. They are annexing the existing building to get access to City sewer and water.

John Wilmet said the action at this meeting would be to recommend to the Council to approve the annexation, with ward and zoning, and that a public hearing would be held at the July 20, 2010 Council meeting when they would take action on the recommendation.

Motion by Roz Highfield, seconded by Bonnie Hamm, to recommend to the Council to approve the annexation of 5.00 acres by Wellington Meadows and to set the Ward at 8 and the zoning at R-3. The motion passed by a 6-0 voice.

Item #2: Review and approve request to rezone parcel located at the northeast corner of Robert Street and West Milwaukee Avenue from C-3 (General Commercial) to C-5 (Downtown Business).

Jeff Woods said the existing zoning on the parcel is C-3, General Commercial, and a medical clinic is a permitted use. The setback requirements of the C-3 zone prevent the proposed layout of the clinic building with a zero side yard setback against the City's park property. The request is to rezone the parcel to C-5, Downtown Business. The C-5 zoning lists a medical clinic as a permitted use, and also allows for zero lot line setbacks. This would allow the building to be placed at the property line on the park side without the need for a variance for the side yard setback. A No Build Easement would be required from the City to allow windows and fire breaks in the wall at the lot line. City Staff is working on drafting the Easement. This zoning would allow the best placement of the building and allow for the maximum green space on the parcel. The concept site plan that was reviewed at the last meeting would meet the zoning requirements of the C-5 zone. The C-5 zone does fit this parcel, as noted in the Comprehensive Plan, which shows this lot as "Downtown Use." That is defined as for pedestrian-oriented commercial, office, community facility and residential uses. The use will encourage compatible new development, and will promote the first floor specialty retail, restaurants, and commercial services uses. The adjacent property owners were notified about the request and one owner did contact staff asking questions about the proposed development, but was not against the rezoning.

John Wilmet said this is a result of trying to determine how to get this development to occur and fit on the parcel without having to request a variance. This rezoning will accomplish that and still be within the definition of the Comprehensive Plan. The Owner and architect are here to answer any questions on the proposed project. If there are no questions, the action would be to recommend to the Council to approve the rezoning. A public hearing would be held at the July 20, 2010 Council meeting, at which time the Council would act on the recommendation.

Motion by Cm. Camplin, seconded by Roz Highfield, to recommend to the Council to approve the request to rezone the property located at the northeast corner of Robert Street and West Milwaukee Avenue from C-3, General Commercial to C-5, Downtown Business. The motion passed by a 6-0 voice vote.

Item #3: Approval of Minutes and Adjournment.

A motion to approve the Minutes of the June 8, 2010 meeting was made by Rich Frame, seconded by Cm. Camplin, and passed by a 6-0 voice vote. A motion to adjourn was made by Roz Highfield, seconded by Cm. Camplin, and passed by a 6-0 voice vote. The meeting adjourned at 4:12 p.m.

Respectfully submitted,

Jeffrey L. Woods, P.E.
Secretary