

PLAN COMMISSION AGENDA

December 9, 2013
5:30 p.m.

Meeting Rooms D & E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

I. OPENING CEREMONIES

- A. Attendance
- B. Declaration Quorum Present

II. APPROVAL OF MINUTES

November 18, 2013

III. PETITIONS AND COMMUNICATIONS

A. CONSTRUCTION OF CURB AND GUTTER

Effect: To initiate administrative action for the construction of and levying special assessments

Location: East Arndt Street: From N Main Street to 476.44 feet east of N Park Avenue

Fifteenth Street: From S Main Street to Ellis Street

West Second Street: From S Brooke Street to 16 west of Harrison Place

Initiator: Paul De Vries, City Engineer

B. SPECIAL USE PERMIT

Effect: Construct a convenience store with gas pumps

Location: 158 North Main Street

Initiator: Kwik Trip Inc.

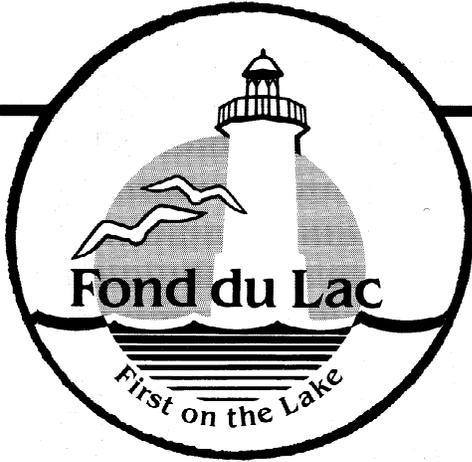
C. SPECIAL USE PERMIT

Effect: Construct mini storage buildings as secondary use

Location: 440 South Rolling Meadows Drive

Initiator: Design Homes Inc.

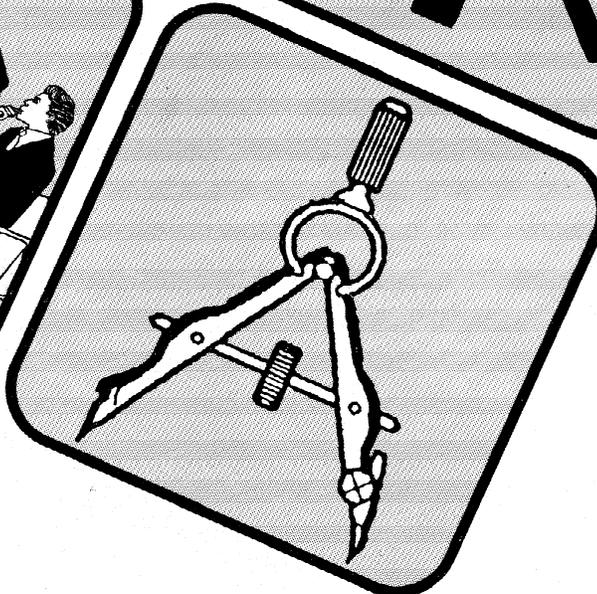
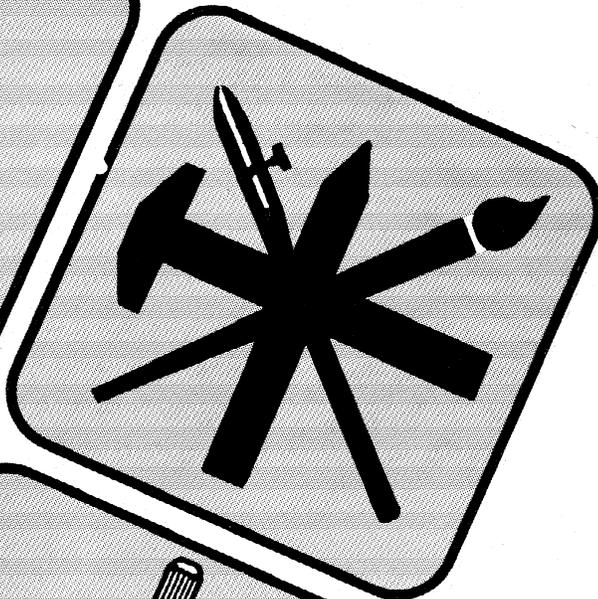
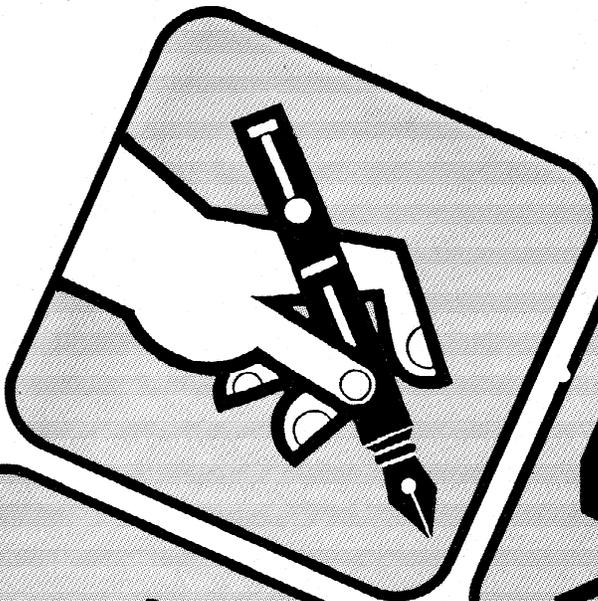
VI. ADJOURN



City Planning Commission

Dec. 9, 2013

5:30 pm



PLAN COMMISSION MINUTES

November 18, 2013
5:30 P.M.

Meeting Rooms D&E
City-County Government Center

160 South Macy Street
Fond du Lac, Wisconsin

OPENING CEREMONIES

ROLL CALL: Present: Lee Ann Lorrigan
Jordan Skiff
Paul Smedberg
David Washkoviak
Marilyn Zangl

Absent: Dave Erickson (excused)
Brent Schumacher (excused)
Stan Ramaker (excused)
Hertha Longo (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner

Chairman Smedberg declared a quorum present.

APPROVAL OF MINUTES

September 16, 2013

Motion made by Commissioner Skiff to approve the September 16, 2013 minutes of the Plan Commission as presented.

Seconded by Commissioner Zangl.

ROLL CALL VOTE: Aye - Lorrigan, Skiff, Smedberg,
Washkoviak, Zangl
Nay - None

Carried.

REPORTS OF OFFICERS

Initiator: City Engineer
Subject: Conveyance of land (.34-acres)
Location: 45 South National Avenue

Motion made by Commissioner Zangl to recommend to the City Council approval of a resolution for the conveyance of land as proposed.

PETITION

CITY COUNCIL
FOND DU LAC, WISCONSIN

November 13, 2013

The undersigned petitioners, being owners of property herein described, respectfully request your honorable body to take such action as will cause the construction of:

- | | |
|--|---|
| <input type="checkbox"/> Sanitary Sewer Main | <input type="checkbox"/> Storm Sewer |
| <input type="checkbox"/> Sewer Laterals | <input type="checkbox"/> Grade and Gravel |
| <input type="checkbox"/> Water Main | <input checked="" type="checkbox"/> Curb and Gutter |
| <input type="checkbox"/> Water Lateral | <input type="checkbox"/> Permanent Type Pavement |
| <input type="checkbox"/> Street Lighting | <input type="checkbox"/> Sidewalk |

On E. Arndt Street from N. Main Street to 476.44 feet east of N. Park Avenue.
On Fifteenth Street from S. Main Street to Ellis Street.
On W. Second Street from S. Brooke Street to 162 feet west of Harrison Place.

SIGNATURE OF OWNER(S) (Please sign in ink)	ADDRESS OF PROPERTY (If different than address of residence please state both - please print)	ADDRESS OF RESIDENCE (Please print)
Paul DeVries, City Engineer Agent for City of Fond du Lac 		160 South Macy Street Fond du Lac WI 54936- 0150

plan commission memorandum

Date: November 25, 2013
To: Plan Commission
From: Paul De Vries, City Engineer PDV
RE: 2014 Construction of Public Improvements

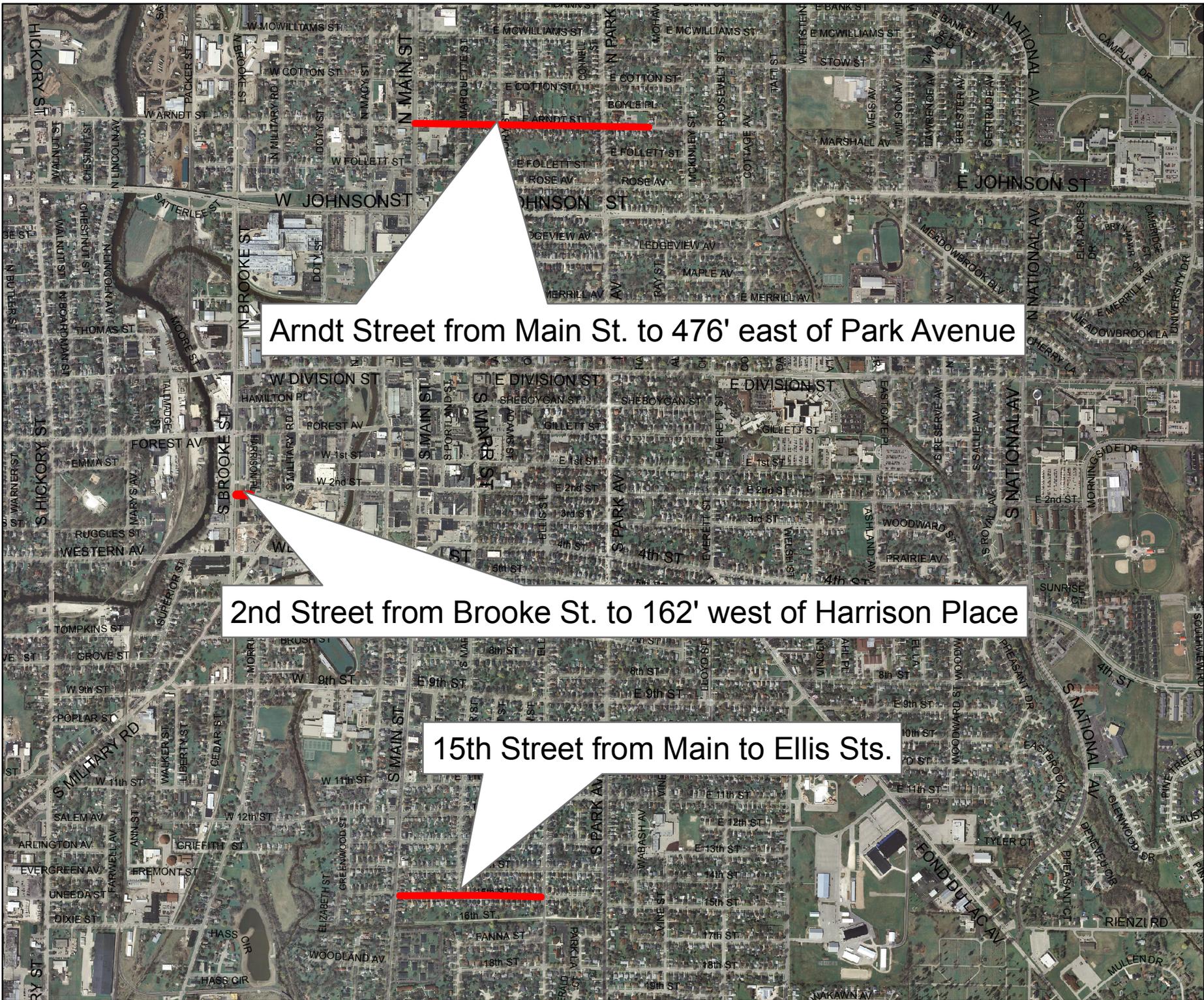
This petition was initiated by Paul De Vries, City Engineer. The proposed public improvements include construction of new curb and gutter as a part of the Clearwater Elimination Program, street reconstruction work. The location for special assessment of curb and gutter are:

- On 15th Street from Main Street to Ellis Street
- On E. Arndt Street from Main Street to 476' east of Park Avenue
- On 2nd Street from Brooke Street to 162' west of Harrison Place

On 15th Street and Arndt Street, the streets will be reconstructed to restore the considerable amount of trench excavation required as a result of the underground work that will take place. On 2nd Street, a new section of street will be constructed to connect to Brooke Street. Affected property owners would be assessed pursuant to the normal assessment practices for this type of work. The assessment will be $\frac{1}{4}$ of the actual cost of curb and gutter construction per assessable front foot. Approval of a preliminary resolution is requested for work anticipated during the 2014 construction season.

Recommendation

Engineering and Community Development Department suggest a motion to recommend to the City Council approval of a preliminary resolution.



Arndt Street from Main St. to 476' east of Park Avenue

2nd Street from Brooke St. to 162' west of Harrison Place

15th Street from Main to Ellis Sts.

North arrow pointing up.

ZONING PETITION - SPECIAL USE PERMIT



PROPERTY ADDRESS OF SPECIAL USE PERMIT: 158 N. MAIN ST FOND DU LAC, WI

Tax Key Number if vacant land: _____

Petitioner: JEFF OSGOOD - KWIK TRIP, INC. (Name) 1626 OAK ST LA CROIXE, WI 54602 (Address)

Petitioner Phone Number: _____

Email: _____

Property Owner: MRED - I ASSOCIATES (KATHLEEN READMOND - AGENT) (Name) W228 N 745 WETTINGHOUND DR (Address) WAUKESHA, WI 53186

PROPOSAL: TO CONSTRUCT A KWIK TRIP CONVENIENCE STORE WITH ADJACENT FUELING CANOPY.

Property zoning classification:

- | | | |
|--|--|---|
| <input type="checkbox"/> B-2 (Neighborhood Shopping) | <input type="checkbox"/> R-2 (Single Family Residential) | <input type="checkbox"/> CR (Commercial Recreation) |
| <input type="checkbox"/> B-3 (Central Shopping) | <input type="checkbox"/> R-3 (Single Family Residential) | <input type="checkbox"/> M-1 (Manufacturing) |
| <input checked="" type="checkbox"/> B-4 (Service Commercial) | <input type="checkbox"/> R-3.5 (One & Two Family) | <input type="checkbox"/> M-2 (Manufacturing) |
| <input type="checkbox"/> B-5 (Special Commercial) | <input type="checkbox"/> R-3.75 (Central Area Residential) | <input type="checkbox"/> M-3 (Planned Manufacturing/Office) |
| <input type="checkbox"/> B-6 (Planned Shopping) | <input type="checkbox"/> R-4 (Multifamily Residential) | <input type="checkbox"/> M-4 (Planned Manufacturing/Business) |
| <input type="checkbox"/> O (Office) | <input type="checkbox"/> R-5 (Multifamily Residential) | |

Description of Existing Land Use and/or Development:

- RESIDENTIAL _____
- COMMERCIAL WALGREENS STORE
- INDUSTRIAL _____
- VACANT _____
- OTHER _____

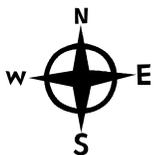
Type of Proposed Development: New construction. Remodel/expand existing building.

Proposed time schedule for development and/or use of the property: MARCH 2014

PETITIONER SIGNATURE Jeff Osgood

City Clerk: _____ Date Rec'd _____ Receipt # _____ Project # _____

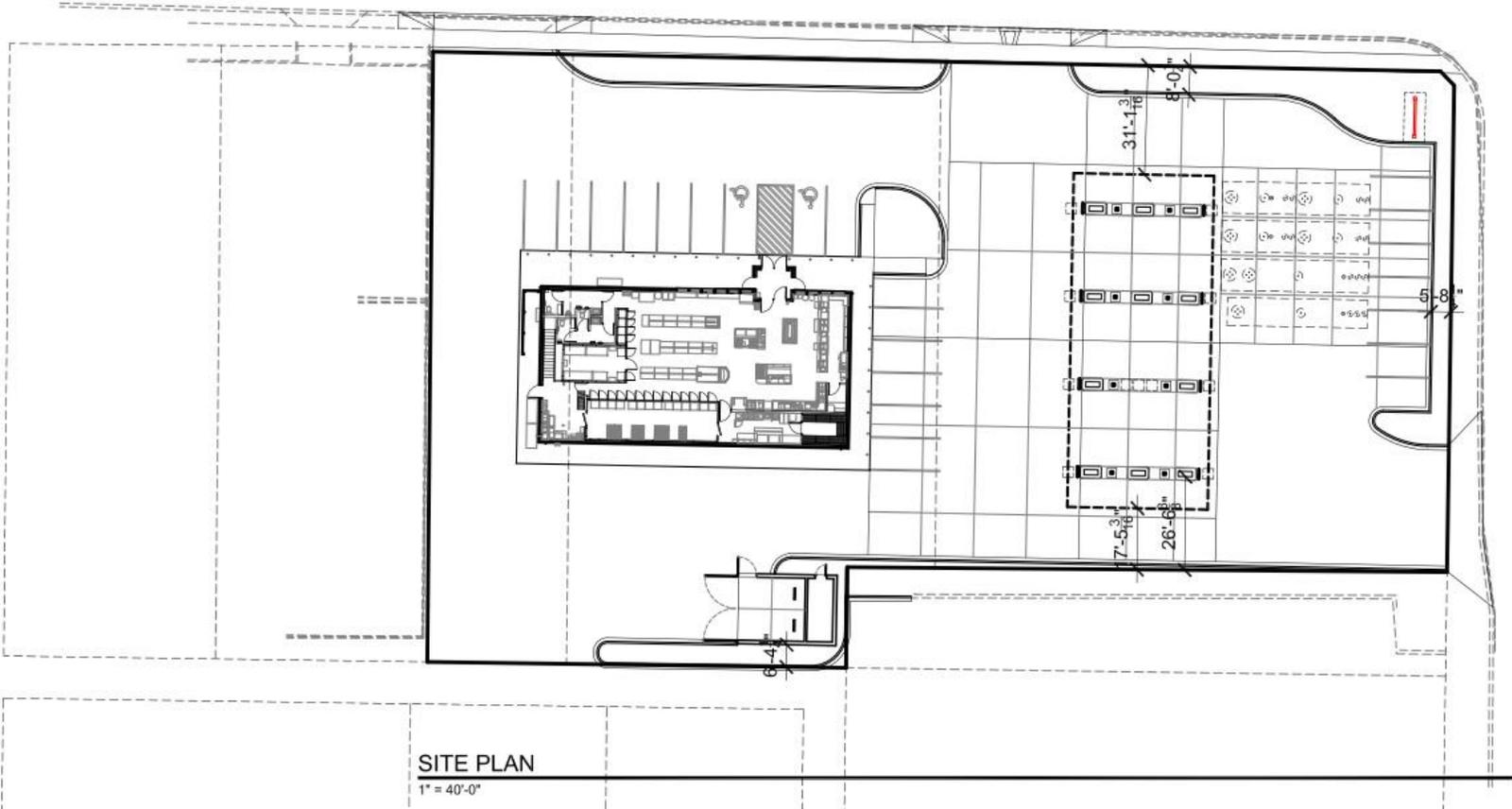
SPECIAL USE PERMIT – KWIK TRIP
158 NORTH MAIN STREET



PROPOSED SITE PLAN

WEST JOHNSON STREET

NORTH MAIN STREET



SITE PLAN

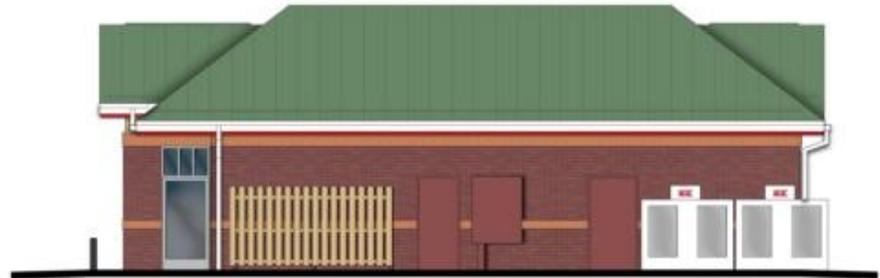
1" = 40'-0"



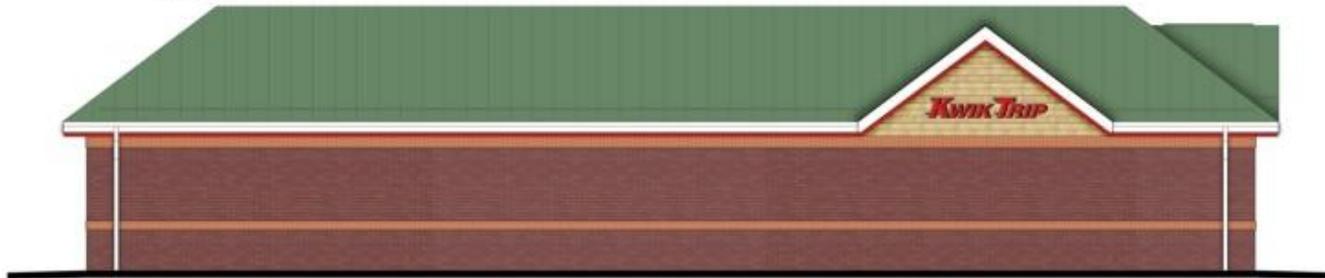
1 NORTH ELEVATION
1/4"=1'-0"



2 EAST ELEVATION
1/4"=1'-0"



3 WEST ELEVATION
1/4"=1'-0"



4 SOUTH ELEVATION
1/4"=1'-0"



FRONT ELEVATION
3/16" = 1'-0"



SIDE ELEVATION
3/16" = 1'-0"

CITY OF FOND DU LAC - Memorandum

Water Utility

Date: December 4, 2013

To: Joellyn Dahlin, Principal Planner

From: Kathryn Scharf, Water Operations Manager

Re: Wellhead Protection Plan
Proposed Kwik Trip Development

The City of Fond du Lac Wellhead Protection Plan (WHPP) establishes criteria for protection of the municipal water supply by identifying lands within the recharge area of each of our deep-water wells. The WHPP names two zones of protection around each well. Zone A is the 5-year time of travel zone of contribution (size varies for each well), and Zone B is simply a 1200-foot radius surrounding the well. A Wellhead Protection Overlay District is identified on the City of Fond du Lac Zoning Map and discussed in Section 11.05 A.7 of the Zoning Code.

The proposed Kwik Trip development at the southwest corner of North Main Street and West Johnson Street falls within Zone B of the City's municipal Well No. 12. According to the WHPP the siting of an underground or aboveground petroleum storage tank is totally prohibited within 600 feet of the well and will not be allowed in this area. The attached sketch shows the approximate boundary and corresponding lands affected.

The remaining portion of the property is still within Zone B of the WHPP. This poses a concern as City wells in the north field have relatively shallow casing pipe with a higher potential for entry of contaminants. Additional protection within this zone will be required. By providing proper containment (a double-walled tank, or spill containment area) the City Water Utility will approve placement of a tank(s) on the property outside of the 600-foot radius and recommend approval of a special use permit.

plan commission memorandum

Date: December 4, 2013
To: Plan Commission
From: Joellyn Dahlin, Principal Planner
RE: Request for Special Use Permit – Kwik Trip

Location: 158 N Main Street

Applicant: Jeff Osgood o/b/o Kwik Trip

Request: Redevelop property zoned for commercial use with gas station and convenience store, and allow such land use in the Wellhead Protection Overlay District.

Zoning:

Site:	B-4 (Service Commercial)
North:	B-4
South:	B-4
East:	B-4
West:	M-2

Land Use:

Site:	Former Walgreens (Vacant Building)
North:	Walgreens
South:	FDL Police Department/FABOH
East:	Agnesian Convenient Care Clinic
West:	Alliant Substation

Analysis

The subject property is located at the southwest corner of North Main Street and West Johnson Street. The property is the site of a former Walgreens store. Demolition of the vacant building is planned to make way for the construction of a convenience store and gas station.

The property is zoned for commercial use. The proposed convenience store is a permitted use; a gas station requires approval of a special use permit. Zoning

regulations also require a special use permit for the gas station because of the property's location within the Wellhead Protection Overlay District.

The special use permit requirement demands that issues in developing the property are carefully considered. A gas station is generally acceptable on property zoned for commercial use; the special use permit assures compatibility with neighboring land uses. Property access and internal circulation, as well as aesthetic controls for landscaping and site appearance are very important.

The special use permit requirement for the property's location within the Wellhead Protection Overlay District is to protect the municipal water supply and well fields. The regulations of this district are based on the City of Fond du Lac Wellhead Protection Plan and apply in addition to all other regulations of the zoning designation for the property. The analysis of wellhead protection regulations is discussed in the attached memorandum from City of Fond du Lac Water Operations Manager Kathryn Scharf. The implementation of underground and aboveground protection of storage tanks will assure a safe use and is included as a condition of special use permit approval.

The site development plan proposes two structures on the 1.04-acre property. The 3,872 square foot convenience store is situated to face West Johnson Street and is sited in the general area of the former Walgreens store. Fuel dispensers are located on four islands beneath a canopy structure east of the convenience store. Building materials of the convenience store feature red brick with tan accents to create an attractive appearance for this prominent location.

Access to the property has been carefully evaluated by City Engineering staff in review of the proposed site plan. Continued use of two existing driveways on West Johnson Street is planned; property constraints, use of the property and the proximity to the intersection do not reasonably allow modification of either driveway. An existing driveway on North Main Street will be shifted slightly south of the existing location to increase the distance from the intersection. Traffic conditions during peak travel times will naturally restrict use of all three driveways to mostly right-in/right-out turning movements.

The property is situated in a commercial area and the proposed use creates no conflicts with any nearby land use. Existing site conditions provide no landscape elements and the parking lot for the former retail use extends to the lot lines along both Johnson and Main Streets. Redevelopment of the property creates opportunity

for the inclusion of landscape setback areas along the Johnson Street and Main Street lot frontages.

The project cost including associated equipment is \$2.8 million. The store will be open 24 hours a day and 7 days a week, and create 20-25 jobs.

Recommendation

Community Development staff suggests a motion to recommend to the City Council approval of the Special Use Permit to allow the land use as proposed, and permit a gas station on property within the Wellhead Protection Overlay District, subject to the following conditions:

1. The installation and use of underground and aboveground fuel tanks shall comply with requirements of the Wellhead Protection Overlay District and appropriate requirements of the City of Fond du Lac Water Utility.
2. Underground and aboveground fuel tanks shall provide proper containment (double-walled tank, or spill containment area). Proof of compliance with this requirement shall be provided to the Building Inspector in conjunction with required plans for review and approval of a building permit.
3. Underground and aboveground fuel tanks shall not be installed or located within the restricted southwest area of the lot as shown on the Wellhead Protection Overlay District Map.

Public Notification - Special Use Permit

Kwik Trip - 158 N Main Street

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site Address
FDL-15-17-10-13-654-00	208 N MACY ST	FOND DU LAC	WI	54935	208 N MACY ST
FDL-15-17-10-13-651-00	N3056 KELLY RD	FOND DU LAC	WI	54937	64 W FOLLETT ST
FDL-15-17-10-14-876-00	601 W SCOTT ST	FOND DU LAC	WI	54937	229 N MAIN ST
FDL-15-17-10-42-256-00	W228 N745 WESTMOUND DR	WAUKESHA	WI	53186	180 N MAIN ST
FDL-15-17-10-42-285-00	% CITY CLERK	FOND DU LAC	WI	54936	126 N MAIN ST
FDL-15-17-10-13-663-00	209 N MACY ST STE A	FOND DU LAC	WI	54935	209 N MACY ST
FDL-15-17-10-14-877-00	207 N MAIN ST	FOND DU LAC	WI	54935	207 N MAIN ST
FDL-15-17-10-13-617-00	244 N MACY ST	FOND DU LAC	WI	54935	244 N MACY ST
FDL-15-17-10-42-282-00	PO BOX 590	FOND DU LAC	WI	54936	143 DOTY ST
FDL-15-17-10-13-656-00	P O BOX 11	FOND DU LAC	WI	54936	198 N MACY ST
FDL-15-17-10-13-657-00	P O BOX 11	FOND DU LAC	WI	54936	194 N MACY ST
FDL-15-17-10-42-257-00	P O BOX 11	FOND DU LAC	WI	54935	186 N MACY ST
FDL-15-17-10-42-261-00	PO BOX 11	FOND DU LAC	WI	54936	57 W JOHNSON ST
FDL-15-17-10-41-068-00	1022 E ADAM ST	SPRINGFIELD	IL	62703	32 E JOHNSON ST
FDL-15-17-10-13-659-00	212 N MAIN ST	FOND DU LAC	WI	54935	10 W FOLLETT ST
FDL-15-17-10-13-660-00	212 N MAIN ST	FOND DU LAC	WI	54935	212 N MAIN ST
FDL-15-17-10-41-069-00	PO BOX 128	BROWNSVILLE	WI	53006	145 N MAIN ST
FDL-15-17-10-42-286-00	W228N745 WESTMOUND DR	WAUKESHA	WI	53186	158 N MAIN ST
FDL-15-17-10-41-016-00	195 N MAIN ST	FOND DU LAC	WI	54936	195 N MAIN ST
FDL-15-17-10-13-655-00	N4548 MINK RD	EDEN	WI	53019	204 N MACY ST
FDL-15-17-10-13-661-00	W1742 HWY HH	MALONE	WI	53049	208 N MAIN ST
FDL-15-17-10-41-018-00	2201 CALUMET DR	SHEBOYGAN	WI	53081	171 N MAIN ST
FDL-15-17-10-13-652-00	N5853 CTY W	MT CALVARY	WI	53057	60 W FOLLETT ST
FDL-15-17-10-13-616-00	237 N MACY ST	FOND DU LAC	WI	54935	237 N MACY ST
FDL-15-17-10-13-653-00	212 1/2 N MACY ST	FOND DU LAC	WI	54935	212 N MACY ST
FDL-15-17-10-13-613-00	771 E DIVISION ST	FOND DU LAC	WI	54935	232 N MAIN ST
FDL-15-17-10-13-614-00	771 E DIVISION ST	FOND DU LAC	WI	54935	228 N MAIN ST
FDL-15-17-10-13-662-00	% WALGREEN CO REAL ESTATE PROPERTY TX	DEERFIELD	IL	60015	192 N MAIN ST
FDL-15-17-10-42-260-00	N8571 TOWNLINE RD	VAN DYNE	WI	54979	55 W JOHNSON ST
FDL-15-17-10-42-285-01	REAL ESTATE DEPT	MADISON	WI	53718	161 N MACY ST

ZONING PETITION - SPECIAL USE PERMIT



PROPERTY ADDRESS OF SPECIAL USE PERMIT: 440 S. Rolling Meadows Dr.
Tax Key Number if vacant land: _____

Petitioner: Design Homes Inc. 440 S. Rolling Meadows Dr. FDL 54937
(Name) (Address)

Petitioner Phone Number: _____

Email: _____

Property Owner: LORANA LTD. P.O. box 239 Prairie du Chien, WI 53821
(If not the same as Petitioner) (Name) (Address)

PROPOSAL: To build storage buildings (mini-storage)
behind or display of homes. Also possible outside storage.

Property zoning classification:

- | | | |
|--|--|---|
| <input type="checkbox"/> B-2 (Neighborhood Shopping) | <input type="checkbox"/> R-2 (Single Family Residential) | <input type="checkbox"/> CR (Commercial Recreation) |
| <input type="checkbox"/> B-3 (Central Shopping) | <input type="checkbox"/> R-3 (Single Family Residential) | <input type="checkbox"/> M-1 (Manufacturing) |
| <input type="checkbox"/> B-4 (Service Commercial) | <input type="checkbox"/> R-3.5 (One & Two Family) | <input type="checkbox"/> M-2 (Manufacturing) |
| <input checked="" type="checkbox"/> B-5 (Special Commercial) | <input type="checkbox"/> R-3.75 (Central Area Residential) | <input type="checkbox"/> M-3 (Planned Manufacturing/Office) |
| <input type="checkbox"/> B-6 (Planned Shopping) | <input type="checkbox"/> R-4 (Multifamily Residential) | <input type="checkbox"/> M-4 (Planned Manufacturing/Business) |
| <input type="checkbox"/> O (Office) | <input type="checkbox"/> R-5 (Multifamily Residential) | |

Description of Existing Land Use and/or Development:

- RESIDENTIAL _____
- COMMERCIAL 20 year old FDL company selling VDC modular homes w/ storage facility behind store front.
- INDUSTRIAL _____
- VACANT _____
- OTHER _____

Type of Proposed Development: New construction. Remodel/expand existing building.

Proposed time schedule for development and/or use of the property: Summer 2014

PETITIONER SIGNATURE Tim Roberts Tim Roberts

City Clerk: [Signature] Date Rec'd _____ Receipt # _____ Project # 02-30000104

SPECIAL USE PERMIT – DESIGN HOMES
440 S ROLLING MEADOWS DRIVE



SPECIAL USE PERMIT – DESIGN HOMES
440 S ROLLING MEADOWS DRIVE

VIEW FROM ROLLING MEADOWS DRIVE LOOKING WEST



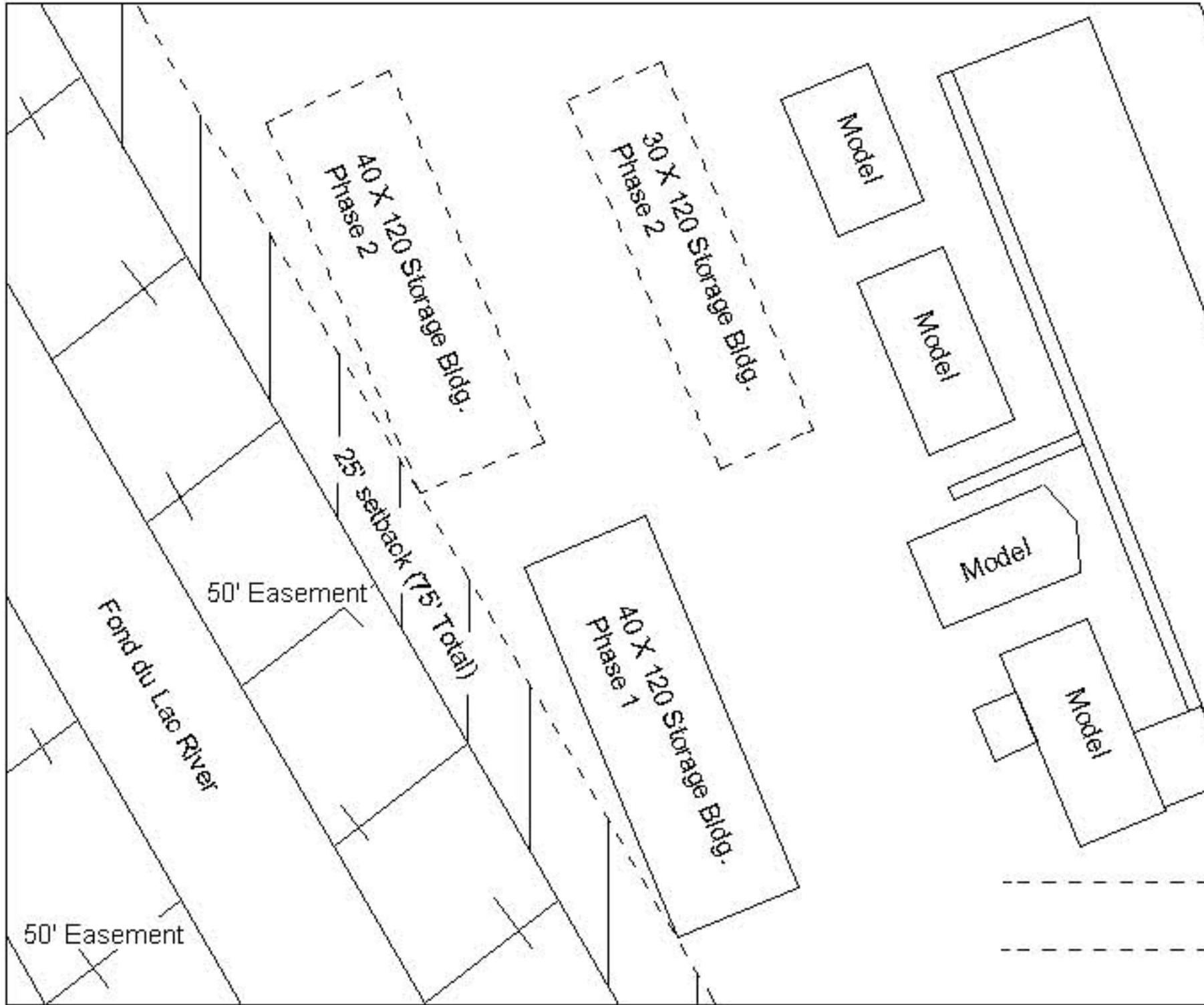
357'

Design Homes, Inc
440 S. Rolling Meadows Dr.
Fond du Lac, WI 54937

Legal Description: Lot #3, located in
the SW 1/4 of the SW 1/4 and the
NW 1/4 of the SW 1/4 of section 16
and the NE 1/4 of the SE 1/4 of
section 17, town 15 north - range 17
east, city of Fond du Lac, Fond du
Lac County, Wisconsin

PROPOSED SITE PLAN

300'



323'

S. Rolling
Meadows Dr.



473'

plan commission memorandum

Date: December 4, 2013
To: Plan Commission
From: Joellyn Dahlin, Principal Planner
RE: Request for Special Use Permit – Design Homes

Location: 440 S Rolling Meadows Drive
Applicant: Design Homes Inc.
Request: Construct ministorage buildings as secondary use for commercial property.
Zoning: Site: B-5 (Special Commercial)
North: B-5
South: B-5
East: M-1 (Manufacturing)
West: Commercial – Town of Fond du Lac
Land Use: Site: Design Homes Sales Lot
North: Vacant Land
South: Vacant Land
East: U.S. Highway 41
West: FDL County Airport

Analysis

The subject property is located on Rolling Meadows Drive near the Fond du Lac County Airport. The property is the site of factory-built model homes offered by Design Homes. As a secondary use of the property the petitioner would like to add ministorage buildings.

The property is zoned for commercial use. Ministorage and warehouses are a special use in a commercial zoning district. The purpose of a special use permit is to assure a use appropriate to the subject property and compatible with the surrounding area.

The site currently provides two rows of model homes situated parallel to Rolling Meadows Drive. A parking lot for the business is located in front of the model homes. Three ministorage buildings are proposed westerly of the model homes, to be constructed in three phases. Each structure provides 10'x20' storage units with 10'x10' storage units at each end of the building.

The property is situated with no adjacent land uses. The addition of ministorage buildings as a secondary land use behind the model homes will create no conflict within the property or for any nearby property.

A conditional approval of the special use permit is suggested to assure and maintain a land use appropriate for the property.

Recommendation

Community Development staff suggests a motion to recommend to the City Council approval of the Special Use Permit, subject to the following conditions:

1. The open outdoor storage or parking of vehicles, trailers, recreational equipment or any other items is prohibited.
2. Use of the building(s) shall be limited to storage only; the operation of any type of business within any storage unit is prohibited.
3. Exterior building and/or trim paint color(s) should be non-reflective and utilize an earth tone color palette. Approval of a color palette by the Community Development Department is required as part of the site plan review and approval.
4. Landscape plantings shall be provided within the Rolling Meadows setback area to screen the parking area and enhance the appearance of the property.

Public Notification - Special Use Permit
Design Homes - 440 S Rolling Meadows Drive

Parcel Number	Mailing Address 1	Mailing City	Mailing Zip	Site Address
FDL-15-17-21-23-502-00	1585 W 20TH AVE	OSHKOSH	54902	948 S ROLLING MEADOWS DR
FDL-15-17-21-23-501-00	N5544 GLACIER CT	FOND DU LAC	54937	947 S ROLLING MEADOWS DR
FDL-15-17-21-23-504-00	CITY COUNTY GOV CENTER	FOND DU LAC	54935	950 ROGERSVILLE RD
FDL-15-17-21-23-500-00	947 S ROLLING MEADOWS DR	FOND DU LAC	54937	935 S ROLLING MEADOWS DR
FDL-15-17-21-22-251-00	815 S ROLLING MEADOWS DR	FOND DU LAC	54937	815 S ROLLING MEADOWS DR
FDL-15-17-16-33-504-01	W6475 ROGERSVILLE RD	FOND DU LAC	54937	0 ROGERSVILLE RD
FDL-15-17-16-33-503-00	PO BOX 13571	GREEN BAY	54307	480 S ROLLING MEADOWS DR
FDL-15-17-21-23-503-00	%MERZ RESIDUARY TRUST	FOND DU LAC	54935	1140 US HIGHWAY 151
FDL-15-17-21-22-252-00	944 VANDERPERREN WAY	GREEN BAY	54304	851 S ROLLING MEADOWS DR