

# PLAN COMMISSION AGENDA

April 14, 2014  
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

March 17, 2014

## III. PUBLIC HEARING

## IV. PETITIONS AND COMMUNICATIONS

### A. SPECIAL USE PERMIT

Effect: Utilize existing building in the Central  
Business District for educational program.  
Location: 30 S Main Street  
Initiator: Marian University

## V. REPORT OF OFFICERS

Declaration of Surplus Property  
Sullivan Drive (FDL-15-17-16-43-520-00)

Initiator: Fleet Farm

## VI. ADJOURN

# PLAN COMMISSION MINUTES

March 17, 2014  
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 - Dave Erickson  
Lee Ann Lorrigan  
Paul Smedberg  
David Washkoviak  
Marilyn Zangl  
Stan Ramaker  
Hertha Longo

Absent - Jordan Skiff (excused)  
Brent Schumacher (excused)

Administrative Staff - Joellyn Dahlin, Principal Planner

Chairman Smedberg declared a quorum present.

## APPROVAL OF MINUTES

### February 17, 2014

Motion made by Commissioner Longo to approve the February 17, 2014 minutes of the Plan Commission as presented.

Seconded by Commissioner Ramaker.

ROLL CALL VOTE: Aye - Erickson, Longo, Lorrigan,  
Ramaker, Smedberg,  
Washkoviak, Zangl

Nay - None

Carried.

## PUBLIC HEARING

### REPEAL AND RECREATION OF THE ZONING CODE AND ZONING MAP

Effect: Repeal and recreate the City of Fond du Lac 1984 Zoning Ordinance and the Zoning Map, and adopt a new zoning code and zoning map, Chapter 720 of the Code of Ordinances for the City of Fond du Lac

Initiator: Principal Planner



**PLAN COMMISSION MINUTES**

March 17, 2014

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**PETITIONS AND COMMUNICATIONS**

**SPECIAL USE PERMIT**

Effect: Replace existing sign with new Electronic Message Center sign

Location: 550 Fond du Lac Ave/FDL County Fairgrounds

Initiator: David Burke o/b/o Fond du Lac County

Appeared in Support and to Ask/Answer Questions:

David Burke, Fond du Lac County

Dan Nielsen, (Flyway Signs) N5528 Miranda Way, Fond du Lac

Motion made by Commissioner Longo to recommend to the City Council approval of the Special Use Permit, subject to the following conditions:

1. Special use permit approval presumes reuse of the existing sign pole with no change of location. Sign size shall be the same or less than the existing sign.
2. The electronic message center shall comply with regulations for message timing and use. Blinking, flashing and animated messages are prohibited.
3. Use of the sign shall relate to events and functions of the property. Off-site advertising for unrelated uses and commercial business is not permitted.

Seconded by Commissioner Lorrigan.

ROLL CALL VOTE: Aye - Erickson, Longo, Lorrigan,  
Ramaker, Smedberg,  
Washkoviak, Zangl

Nay - None

Carried.

**ADJOURN**

Motion made by Commissioner Erickson to adjourn.

Seconded by Commissioner Zangl.

ROLL CALL VOTE: Aye - Erickson, Longo, Lorrigan,  
Ramaker, Smedberg,  
Washkoviak, Zangl

Nay - None

Carried.

**PLAN COMMISSION MINUTES**

March 17, 2014

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Meeting adjourned at 5:45 p.m.

MARGARET HEFTER  
DEPUTY CITY CLERK

MH/maa

# ZONING PETITION – SPECIAL USE PERMIT



**PROPERTY ADDRESS OF SPECIAL USE PERMIT:** 30 S. Main Street  
Tax Key Number if vacant land: \_\_\_\_\_

Petitioner: Marian University, Inc. 45 @. National Avenue, Fond du Lac, WI 54935  
(Name) (Address)

Petitioner Phone Number: [REDACTED]

Email: [REDACTED]

Property Owner: The Nielsen Company (US), LLC 30 S. Main Street, Fond du Lac, Wisconsin  
(If not the same as Petitioner) (Name) (Address)

**PROPOSAL:** See attached Exhibit A

## 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 checked="" 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 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 \_\_\_\_\_  
 INDUSTRIAL \_\_\_\_\_  
 VACANT \_\_\_\_\_  
 OTHER \_\_\_\_\_

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

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

**PETITIONER SIGNATURE**

John A. St. Peter, Attorney for Marian University, Inc.

City Clerk: \_\_\_\_\_ Date Rec'd \_\_\_\_\_ Receipt # \_\_\_\_\_ Project # \_\_\_\_\_

## EXHIBIT A

### Addendum to Zoning Petition – Special Use Permit Submitted by Marian University, Inc.

#### Background

This Application concerns property located at 30 S. Main Street, City of Fond du Lac, Wisconsin (“Property”). The Property is currently owned and occupied by The Nielsen Company (US), LLC. Marian University, Inc. (“Applicant”) is in negotiation for the acquisition of the Property with a closing to occur in June 2014.

Attached for reference is an aerial photo of this well-known existing Downtown of Fond du Lac commercial office facility.

#### Description of Proposed Use

The Property consists of a three level commercial office building. The Applicant’s proposed use of the building is for both professional office space and for educational programs for the School of Nursing and Health Professions. The lower level (Level 1) is intended to be used for professional office space leased to the existing owner. The main floor (Level 2), which includes a kitchen area, would be used for the School of Nursing and Health Professions programs, including classrooms for student instruction, simulation labs, nursing resource center, faculty and staff offices and cafeteria area to support students, faculty and staff. The cafeteria may also be opened to the general public. Level 2 would be designed with a capacity to serve between 250 and 300 students and with office space for approximately 40 faculty and staff. Finally, the top floor (Level 3) would be used for professional offices and administration functions for an unnamed tenant. (Note: The proposed uses of Level 1 and Level 3 would not require a special use permit under the Zoning Code.)

#### Reservation of Rights

The issuance of the proposed SUP does not alter or modify The Nielsen Company (US), LLC’s existing zoning approval to use all or any portion of the property for office use regardless whether the Nielsen-Marian transaction closes. Furthermore, the rights and privileges authorized by the SUP shall run with the land and shall be binding upon and accrue to the benefit of all successors in interest.

30 SOUTH MAIN STREET



SPECIAL USE PERMIT – MARIAN UNIVERSITY  
30 S MAIN STREET



site



SPECIAL USE PERMIT – MARIAN UNIVERSITY  
30 S MAIN STREET

MAIN STREET VIEW OF PROPERTY – LOOKING WEST



# plan commission memorandum

**Date:** April 9, 2014  
**To:** Plan Commission  
**From:** Joellyn Dahlin, Principal Planner  
**RE:** Request for Special Use Permit – Marian University

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**Location:** 30 South Main Street

**Applicant:** Marian University

**Request:** Utilize existing building in the Central Business District for educational program purposes.

**Zoning:** Site: B-3 (Central Shopping)  
North: B-3  
South: B-3  
East: B-3  
West: B-3

**Land Use:** Site: The Nielsen Company  
North: Bank One  
South: Parking Lot - Private  
East: Downtown Businesses  
West: Macy Street Parking Ramp

## Analysis

The subject property is the site of the Nielsen Company in Downtown Fond du Lac. Marian University proposes to acquire the property and requests approval of a special use permit to allow an educational use.

The property is zoned for business use. An educational use is not a permitted land use, however, it could be allowed as a special use. The purpose of a special use permit is to assure a use appropriate to a property and compatible with the surrounding area.

The existing building consists of three floor levels. Marian University proposes to use the main level of the building for office space and for educational programs for the School of Nursing and Health Professions. The plan anticipates interior changes to create areas for student instruction, simulation labs, a nursing resource center, faculty and staff offices, and a cafeteria. Interior alterations would be designed with a capacity to serve 250-300 students and office space for approximately 40 faculty and staff members.

The lower level is intended to be used for professional office space leased to the existing owner (Nielsen Company). The top level of the building would potentially provide professional office space for an unnamed tenant. The special use permit does not affect the continued or future use of the building for office purposes. Professional offices and similar uses are a permitted use in the Downtown Business District.

Exterior changes to the building are not proposed; there are no issues related to development standards that must be considered in the special use permit proposal. The property is situated within the Downtown Parking District. Adequate opportunity for parking is available in the public parking ramp adjacent to the building and – if necessary – in other downtown parking lots.

Approval of the special use permit will allow utilization of an existing building compatible with the mix of existing businesses and uses in the Downtown. Moreover, the inclusion of educational use will further goals of the Downtown Development Plan to provide a healthy and unique mix of services and businesses.

<b>Recommendation</b>
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Community Development staff suggests a motion to recommend to the City Council approval of the Special Use Permit.

Public Notification - Special Use Permit

30 South Main Street

Parcel Number	Mailing Address 1	Mailing City	Mailing State	Mailing Zip	Site Address
FDL-15-17-10-43-620-00	PO BOX 4900	SCOTTSDALE	AZ	85261	30 S MAIN ST
FDL-15-17-10-43-619-00	PO BOX 810490	DALLAS	TX	75381	8 S MAIN ST
FDL-15-17-10-44-839-01	N8389 SALES RD	VAN DYNE	WI	54979	17 S MAIN ST
FDL-15-17-10-44-842-00	W4806 FULTON ST	FOND DU LAC	WI	54935	41 S MAIN ST
FDL-15-17-10-44-843-00	W4806 FULTON ST	FOND DU LAC	WI	54935	43 S MAIN ST
FDL-15-17-10-43-618-00	PO BOX 150	FOND DU LAC	WI	54936	18 S MAIN ST
FDL-15-17-10-43-616-00	PO BOX 150	FOND DU LAC	WI	54936	0 S MACY ST
FDL-15-17-10-43-617-00	15850 W BLUEMOUND RD	BROOKFIELD	WI	53005	17 FOREST AVE
FDL-15-17-10-44-832-00	1 S MAIN ST	FOND DU LAC	WI	54935	1 S MAIN ST
FDL-15-17-10-44-835-00	9 S MAIN ST	FOND DU LAC	WI	54935	9 S MAIN ST
FDL-15-17-10-44-846-00	2800 E LAKE ST	MINNEAPOLIS	MN	55406	55 S MAIN ST
FDL-15-17-10-44-844-00	45 S MAIN ST	FOND DU LAC	WI	54935	45 S MAIN ST
FDL-15-17-10-43-618-01	10 FOREST AVE	FOND DU LAC	WI	54936	0 S MAIN ST
FDL-15-17-10-44-834-00	7 S MAIN ST	FOND DU LAC	WI	54935	7 S MAIN ST
FDL-15-17-10-44-833-00	PO BOX 2362	FOND DU LAC	WI	54936	5 S MAIN ST
FDL-15-17-10-44-845-00	47 S MAIN ST	FOND DU LAC	WI	54935	47 S MAIN ST

SURPLUS PROPERTY – FDL-15-17-16-43-520-00  
SULLIVAN DRIVE



**SITE**

SURPLUS PROPERTY – FDL-15-17-16-43-520-00  
SULLIVAN DRIVE



SITE

# plan commission memorandum

**Date:** April 9, 2014  
**To:** Plan Commission  
**From:** Joellyn Dahlin, Principal Planner  
**RE:** Surplus Property – Sullivan Drive (FDL-15-17-16-43-520-00)

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Mills Properties Inc. (Fleet Farm) would like to purchase City-owned property on Sullivan Drive. The site is approximately .56 acres in size. The lot is adjacent to the Fleet Farm store owned by Mills Properties. The City-owned property, if acquired, would be used for employee parking.

All City Departments have been notified of the proposal for acquisition and none have indicated a need to retain the property in City ownership. Pursuant to past practice, the purchase price would be based on the value of the property. The City would retain an easement for existing storm and sanitary sewer facilities.

<b>Recommendation</b>
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Community Development staff suggests a motion to recommend that the City Council authorize sale of the subject real estate.