



# City of Waupun

201 E. Main Street

Phone: 920-324-7917

Fax: 920-324-7939

*"Wild Goose Center of Wisconsin"*

March 12, 2015

TO: Plan Commission Members  
FROM: Mayor, Kyle Clark  
SUBJECT: Plan Commission meeting scheduled for **Wednesday, March 18, 2015, at 4:45 p.m.** in the Council Chambers, City Hall, Waupun.

## AGENDA

1. Call to Order
2. Roll Call
3. Approve minutes of the December 17, 2014 meeting.
4. Discuss Home Occupation license for Tammy Staniec to operate a nail salon at 704 Park St., as approved on October 16, 2013.
5. Discuss /Approve Meadowview Heights Subdivision – vacating public right-of-way.
6. Adjournment

Cc: Common Council  
Mary Kay Vogel  
City Attorney & Department Managers  
Fond du Lac Reporter, WMRH, Neighbors  
Tammy Staniac  
Rhonda Sheely  
Sandy Riel

It is possible that members of and possibly a quorum of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any other governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact Angie Hull, City Clerk at 920-324-7900.

CITY OF WAUPUN  
PLAN COMMISSION  
MINUTES OF THE December 17, 2014 MEETING  
(\*DRAFT\*)

1. Call to Order:  
The Plan Commission met at 4:45 p.m. in the Council Chambers, City Hall, Waupun.
2. Roll Call:  
Members Present: Kyle Clark, Fred Lueck, Richard Flynn, Nancy Vanderkin, Elton TerBeest, Derek Drews, and Scott Aylesworth  
Staff Present: Mary Kay Vogel
3. Chairman Clark called for the approval of the minutes of the November 19, 2014 meeting. Motion by Vanderkin, seconded by TerBeest to approve the minutes of the November 19, 2014 meeting. Motion carried, unanimously.
4. Public Hearing – Ordinance Amendment to define Group Child Care Centers and to allow said use as a Conditional Use in the B-1, B-3, B-4, and M-1 Zoning Districts. Chairman Clark read the call of the hearing and its purpose. No staff report was provided to the committee prior to or during the hearing. Mary Kay Vogel, Zoning Administrator noted the City Zoning Ordinance does not have a definition of what constitutes a Group Child Care Center. The City Staff recommends that the following definition be inserted in Section 16.02 of the City Zoning Ordinance

“Group Child Care Center – A Group Child Care Center is licensed under DCF251, WI Adm. Code, to provide care and supervision to 9 or more children for less than 24 hours a day. A Group Child Care Center can also be certified under DCF 202, WI Adm. Code, to provide care and supervision to school age children 7 and older.”

Lueck suggested the reference number be changed from 16.02 (15m) to 16.02 (15a) as you should use up to the letters A-L before starting with M.

The Staff also suggested that Group Child Care Centers be allowed as a Conditional Use in the B-1, B-3, B-4 and M-1 Zoning Districts.

No further facts were presented for or against the proposed amendments so Chairman Clark declared the hearing closed.

Motion by Aylesworth, seconded by Drews to recommend to the Council approval of an Ordinance to amend Chapter Sixteen of the Municipal Code of the City of Waupun to add the definition of Group Child Care Center to Section 16.02 Definitions (15a) and to allow said Group Child Care Centers as a Conditional Use under Sections 16.04 (1)(d)(ii), 16.04(3)(d)(vi), 16.04(4)(d)(iii), and 16.05(1)(e)(i). Motion carried, unanimously.

5. Public Hearing – Gillian Greenfield request for a Conditional Use Permit to operate a Group Child Care Center within a B-3 Shopping Center District at 1001 W. Main St. per Section 16.04(3)(d)(vi) of the Waupun Municipal Code.

Chairman Clark read the call of the hearing and its purpose. No staff report was presented to the committee prior to or during the hearing.

Gillian Greenfield appeared and discussed her proposal for a Group Child Care Center at 1001 W. Main St. (the old McDonalds Building). She said she would obtain a License for 40-45 kids this spring and the age of the kids would range from 6 weeks to 12 years old.

Lueck questioned Ms. Greenfield as to if they have a business plan, an interior floor plan, exterior site plan, off street parking plan, screening, and lighting plans, etc. for the site. She said no.

Mary Kay felt they were not needed as this is a State Licensed Facility. Lueck then questioned why we just recommended the ordinance be amended to allow this type of use as a Conditional Use. Conditional Uses are uses not permitted in a Zoning District but can be allowed if the use is similar to the permitted use in the district and the use can be allowed by the City if it does not affect the surrounding uses, neighboring properties, and that is done by including conditions in the permit to protect the adjacent property owners rights and property values. He feels that conditions should be required to protect the adjacent properties now and in the future. Without any formal business plan, floor plan, site plan, etc., the City has no idea what this business will look like or how it will be operated.

No further facts were presented for or against this Conditional Use Permit, so Chairman Clark declared the hearing closed.

Motion by TerBeest, seconded by Vanderkin to grant a Conditional Use Permit for a Group Child Care Center at 1001 W. Main St. with no conditions.

Vote: Aylesworth, Drews, TerBeest, Vanderkin, Flynn, and Clark – “AYE”  
Lueck – “NAY”  
Motion carried 6/1.

6. Site Plan Review – National Bank of Waupun, 210 E. Main St.

Mary Kay Vogel, Zoning Administrator provided a memo to the Plan Commission outlining a proposed canopy over the entrance to the National Bank along Main St. She noted the parcel is located within a B-2 Zoning District where Banks are a permitted use. They are proposing a canopy over the banks front entrance which will extend past the existing setback.

Section 16.04(2)(c)(iv) does not require any front yard setbacks but this section of Main St. requires that all remodeling and all new construction conform to the building setback lines as presently exists, and no sidewalk, alley or public right of way as presently exists shall be encroached upon. In this case, the proposed canopy will exceed the building setback line as presently exists.

Jesse Treuden, project Architect for the Redmond Company and the National Bank discussed their building plans. He feels the new canopy will better define the Banks Entrance.

Motion by Vanderkin, seconded by Flynn to approve the site plan for the National Bank on the

condition a Variance to the building setback is obtained, if possible.

Vote: Aylesworth, Drews, TerBeest, Vanderkin, Flynn, and Clark – “AYE”  
Lueck – “NAY”  
Motion Carried, 6/1.

7. Motion by Vanderkin, seconded by Aylesworth to adjourn the meeting. Motion carried, meeting adjourned at 5:22 p.m.

Fred Lueck  
Secretary

CITY OF WAUPUN  
PLAN COMMISSION  
MINUTES OF THE OCTOBER 16, 2013 MEETING  
(Approved 11/20/2013)

1. Call to Order:

The Plan Commission met at 4:45 p.m. in the Council Chambers, City Hall, Waupun.

2. Roll Call:

Members Present: Jodi Steger, Fred Lueck, Richard Flynn, Nancy Vanderkin, Elton TerBeest, and Derek Drews

Member Excused: Scott Aylesworth

Staff Present: Mary Kay Vogel and Kyle Clark

3. Chairman Steger called for the approval of the minutes of the September 18, 2013 meeting. Motion by TerBeest, seconded by Vanderkin to approve the minutes of the September 18, 2013 meeting. Motion carried, unanimously.

4. Public Hearing – Conditional Use Permit Application for Tammy Staniec to operate a nail salon as a home occupation at 704 Park St. Chairman Steger read the call of the hearing and its purpose. City Zoning Administrator passed out a memo to the committee explaining the proposed request. The business is presently operated at 208 E Franklin St. under a Conditional Use Permit granted in 2007. Mary Kay noted the property at 704 Park St. is zoned R-4 and home occupations are permitted in all residential districts provided conditions listed in Section 16.13 of the Zoning Ordinance are met. Ms. Staniec said she has a manicurist license and also has a license from the State of Wisconsin.

She submitted a floor plan with no dimensions so it cannot be determined if the home occupation will exceed 25% of the home floor area. Her equipment consists of a vented nail table and two chairs. She said her home occupation does not create excessive noise, vibration or heat. She also has an air purifier to control dust and odor. She has room for one client car in her driveway. She also proposes a 2 sq. ft carved stone sign for her business. She also understands she needs city plumbing and electrical inspections as well as an inspection by the Fire Department. Mary Kay noted that two (2) neighbors contacted her and they have concerns about having a business in their residential area and the potential of their property values being devaluated.

Lueck noted that barber shops and beauty parlors are prohibited as a home occupation Beauty Parlors are generally defined as a place of business for hair, stylists, manicurist and foot and other beauty aids. Ms. Staniec noted she will not sell any products from her home. No further facts were presented for or against this proposal so Chairman Steger declared the hearing closed.

Motion by Vanderkin, seconded by Drews to grant a Conditional Use Permit to Tammy Staniec to operate a nail salon at 704 Park Street subject to the following conditions:

1. The Conditional Use Permit for Ms. Staniec to operate a nail salon at 208 E Franklin St. shall become null and void and cease to exist upon opening a new nail salon at 704 Park St. as a home occupation.
2. The applicant shall prove to the City Zoning Administrator that the total area devoted to this home occupation does not exceed 25% of the floor area of the home involved excluding the garage.
3. The home occupation shall comply with all provisions of Section 16.13 of the Zoning Code pertaining to home occupation.
4. Non resident employees are not permitted.

5. Electrical, plumbing, and Fire Department inspections must be made and approved prior to opening this new home occupation

Vote: Drews, TerBeest, Vanderkin, and Steger – “AYE”  
Flynn and Lueck – “NAY”  
Motion carried 4/2

5. Public Hearing – Change to sign ordinance, Section 16.11(4) of the Municipal Code. Chairman Steger read the call of the hearing and its purpose. City Administrator Kyle Clark noted that Dave Decker, a developer in the City asked about sign size and permit requirements for signs for apartments, etc. He is proposing a 3' x 6' = 18 sq. ft. sign for his new apartment buildings.

Kyle noted Section 16.11(4) of the municipal code of the City of Waupun refers to types of signs. He pointed out that a Type 8 sign is one allowed for advertising resthomes, lodges, apartment complexes, and private non-profit clubs which shall not exceed 20 sq. ft. in area per side located on the premises. Lueck pointed out that the language in the proposed ordinance amendment appears to be outdated. Terms like resthomes, lodges and private non-profit clubs should be removed and updated to nursing homes, assisting living facilities, Alzheimer's and similar facilities as well as condos, and senior living facilities should also be included in the proposed provision. No further facts were presented for or against the proposed ordinance amendment so Chairman Steger declared the hearing closed.

Motion by Lueck, seconded by TerBeest to provide a favorable recommendation to the City Council to amend Section 16.11 (4) of the Municipal Code of the City of Waupun entitled “Type of Signs, maximum size and location to amend and repeal and recreate the subsection designated “Type 8” as follows:

Type 8 Signs advertising nursing homes, assisted living facilities, Alzheimer's care, and similar facilities, as well as apartment complexes, condos, senior living facilities not exceeding 20 sq. ft. in area per side located on the premises.

Vote: Drews, TerBeest, Vanderkin, Flynn, Lueck, and Steger – “AYE”  
Motion carried, unanimously.

6. Discuss/Approve Site Plan for Fox Valley Savings Bank at 101 S. Madison St. The project manager representing the Fox Valley Saving bank explained the proposed roof alteration. Currently the building has a flat roof and they would like a pitched roof over the existing structure to give the building a new look. It is also part of a maintenance program as they have experienced on-going roof leak issues throughout the building. The existing roof will remain in place and the new roof structure will be placed over it. New gutters and downspouts will also be added. The maximum height of the roof will be 29'.

They will be adding a trellis at the front door along Madison St. and screen the AC unit. They will also be placing a decorative element on top of the current tower element, providing a prominent feature to the bank. Power lines will also be removed and placed underground. Mary Kay noted the present zoning code allows a maximum of 50' in height and they are only going to 29'. All other yard and setback requirements will be met.

Motion by Vanderkin, seconded by Flynn to approve the site plan for Fox Valley Savings Bank at 101 S. Madison St. as presented.

Vote: TerBeest, Vanderkin, Flynn, Lueck, Steger – “AYE”  
Drews – abstain  
Motion carried 5/0/1

7. Discuss/approve site plan for Accell Automotive Repair, LLC at 99 Fond du Lac St.

Jim Viola from Accell Automotive appeared and requested a permit to add a lean too off the back of his building for storage and cleanliness purposes. The structure will be made of wood framing and steel exterior to match the existing building. The addition would be approximately 30' long and 11' 6" high and slanting to 9' in height. The addition will not be heated. Mary Kay noted that Mr. Viola should meet with her to discuss yard and setback requirements for the addition.

Motion by TerBeest, seconded by Vanderkin to approve the site plan for Accell Automotive Repair LLC at 99 Fond du Lac St. on the condition they meet with the City Zoning Administrator to confirm the location and possible yard requirements.

Vote: Drews, TerBeest, Vanderkin, Flynn, Lueck, and Steger – “AYE”  
Motion carried 6/0.

8. Motion by Lueck, seconded by Drews to adjourn the meeting, motion carried, meeting adjourned at 5:07 p.m.

Fred Lueck  
Secretary

# Meadowview Heights Subdivision



