

## **PLAN COMMISSION MINUTES**

August 14, 2017

5:30 PM

### **Meeting Room A & B**

City-County Government Center

160 S Macy Street  
Fond du Lac, Wisconsin

### **OPENING CEREMONIES**

#### **Attendance**

##### **Present**

Hertha Longo  
Stan Ramaker  
David Washkoviak  
Nicole Wiese  
Dan Nielsen  
Anne Pierce  
Derek TerBeest  
Jordan Skiff

##### **Absent**

Sarah Van Buren

##### **Administrative Staff**

Joellyn Dahlin, Principal Planner  
Dyann Benson, Dir of Comm Development

#### **Declaration Quorum Present**

Chairperson Washkoviak declared a quorum present.

#### **CONSENT AGENDA**

July 17, 2017 Minutes

A Motion was made by Jordan Skiff to approve the minutes of July 17, 2017 and seconded by Anne Pierce, and the motion was **Passed**.

Ayes: Longo, Nielsen, Jr., Pierce, Ramaker, Skiff, TerBeest, Washkoviak, Wiese

Absent: Van Buren

#### **PUBLIC HEARING**

Public Hearing Regarding The Proposed Creation Of Tax Incremental District Number Twenty-Two Boundaries And The Proposed Project Plan For The District

Effect: Designate the Boundaries of Tax Incremental District Twenty-Two as set forth in the project plan; adopt the Project Plan for Tax Incremental District Twenty-Two; recommend to City Council that Tax Incremental District Twenty-Two be created.  
Location: 1 N Main Street

Initiator: Community Development Director

Dyann Benson, Director of Community Development, explained the process of creating a Tax Incremental District and addressed questions from Commission Members and audience.

A Motion was made by Derek TerBeest to approve the creation of Tax Incremental District Twenty-Two and the proposed project plan for the district and seconded by Nicole Wiese, and the motion was **Passed.**

Ayes: Longo, Nielsen, Jr., Pierce, Ramaker, TerBeest, Washkoviak, Wiese

Abstain: Skiff

Absent: Van Buren

#### Zoning Upon Annexation

Effect: Zone Land M-1 Upon Annexation

Location: S Hickory Street

Initiator: Fond du Lac County

A Motion was made by Nicole Wiese to recommend to the City Council a zoning designation of M-1 (Industrial) upon annexation of the subject property and seconded by Stan Ramaker, and the motion was **Passed.**

Ayes: Longo, Nielsen, Jr., Pierce, Ramaker, Skiff, TerBeest, Washkoviak, Wiese

Absent: Van Buren

#### **ACTION**

##### Special Use Permit

Effect: Develop land for residential use.

Location: 1212 Ducharme Parkway

Initiator: Joe Ziegler

Chairperson Washkoviak recused himself from the Special Use Permit Action Item and Commission Member Derek TerBeest chaired the meeting moving forward.

Joe Ziegler, initiator of Special Use Permit, presented the development plan to the Commission and spoke in support of permit approval.

#### **Spoke in support of Special Use Permit at 1212 Ducharme Parkway**

Theron Bashaw, 1091 Bluehill Ave, Fond du Lac, WI

George Rawson, N7650 Cty Rd WH, #8, Fond du Lac, WI

Dale Hansen, N2652 Cty Rd WH #11, Fond du Lac, WI

**Read into record, written opposition to Special Use Permit at 1212 Ducharme Parkway**

James Roberts, 1315 S Main St, Fond du Lac, WI

Ashton Winter, 1135 Spring Lake Dr, Fond du Lac, WI

Mike Fortune, 34 Oakridge Ct, Fond du Lac, WI

Larry and Debra Heller, 1153 Ducharme Pkwy, Fond du Lac, WI

**Spoke in opposition to the Special Use Permit at 1212 Ducharme Parkway**

Christine Carew, 421 N Country Ln, Fond du Lac, WI

Bentley Curran, 447 N Country Ln, Fond du Lac, WI

John Redding, 383 N Country Ln, Fond du Lac, WI

Kerry McGrath, 1107 Spring Lake Rd, Fond du Lac, WI

Debra Heller, 1153 Ducharme Pkwy, Fond du Lac, WI

Larry Heller, 1153 Ducharme Pkwy, Fond du Lac, WI

Tom Guilfoile, 517 N Country Ln, Fond du Lac, WI

Doug Kohlman, 401 N Country Ln, Fond du Lac, WI

David Washkoviak, 339 E Division St, Fond du Lac, WI

Mike Fortune, 34 Oakridge Ct, Fond du Lac, WI

Tamara Waidelich, 429 N Country Ln, Fond du Lac, WI

Paul Smedberg, 1066 Pine Lake Dr, Fond du Lac, WI

**Appeared in regards to Special Use Permit at 1212 Ducharme Parkway**

Chris Maury, 1151 Spring Lake Dr, Fond du Lac, WI

**Appeared in opposition to Special Use Permit at 1212 Ducharme Parkway**

Ann Bartelt, 441 N Country Ln, Fond du Lac, WI

Sarah Haubenschild, 1148 Spring Lake Dr, Fond du Lac, WI

Community Development staff recommends to the City Council approval of the Special Use Permit, subject to the following condition:

1. A detailed site plan prepared by a licensed professional shall be reviewed and approved by the Site Plan Committee prior to the issuance of required permits for site development. The site plan shall effectively address site drainage, lighting, erosion control, stormwater management, fire protection, and utilities. The required landscape plan shall address required setback areas, foundation plantings and screening of open parking areas. In addition, the landscape plan shall include a substantial arrangement of plantings along the west lot line to provide a visual buffer for the adjacent subdivision.

A Motion was made by Jordan Skiff to recommend to City Council, approval of the Special Use Permit with condition as listed and seconded by Daniel Nielsen, Jr., and the motion was **Passed**.

Ayes: Longo, Nielsen, Jr., Pierce, Ramaker, Skiff, TerBeest, Wiese

Abstain: Washkoviak

Absent: Van Buren

#### **ADJOURN**

A Motion was made by Nicole Wiese to adjourn at 6:47 PM and seconded by Stan Ramaker, and the motion was **Passed**.

Ayes: Longo, Nielsen, Jr., Pierce, Ramaker, Skiff, TerBeest, Wiese

Abstain: Washkoviak

Absent: Van Buren

COMMISSION AGENDA  
CITY OF FOND DU LAC, WISCONSIN  
July 17, 2017 Minutes

Subject:

Effect:

Initiator:

Location:

Recommendation:

ATTACHMENTS:

File Name

[Minutes\\_2017\\_7\\_17\\_Meeting\(355\).pdf](#)

## **PLAN COMMISSION MINUTES**

July 17, 2017

5:30 PM

**Meeting Room A & B**

City-County Government Center

160 S Macy Street

Fond du Lac, Wisconsin

### **OPENING CEREMONIES**

#### **Attendance**

##### **Present**

David Washkoviak (5:32 PM)

Dan Nielsen

Anne Pierce

Derek TerBeest

Jordan Skiff

##### **Absent**

Hertha Longo

Stan Ramaker

Nicole Weise

Sarah Van Buren

##### **Administrative Staff**

Joellyn Dahlin, Principal Planner

#### **Declaration Quorum Present**

Commission Member, Derek TerBeest, called the meeting to order and declared a quorum present.

#### **CONSENT AGENDA**

June 19, 2017 Minutes

A Motion was made by David Washkoviak to approve the minutes of June 19th, 2017 and seconded by Jordan Skiff, and the motion was **Passed.**

Ayes: Nielsen, Jr., Pierce, Skiff, TerBeest, Washkoviak

Absent: Longo, Ramaker, Van Buren, Wiese

#### **INPUT**

Audience Comments

##### **Spoke in support of the Special Use Permit for Marian University at 45 S National Avenue**

Kathleen Candee, N1499 US Hwy 45, Campbellsport, WI

Colleen O'Meara, 309 W Johnson St, Madison, WI

James Lundberg, 5709 Windy Dr, Ste D, Stevens Point, WI

**Appeared in support of the Special Use Permit for Marian University at 45 S National Avenue**

Paul Raisleger, 309 W Johnson St, Madison, WI

**ACTION**

Special Use Permit

Effect: Expand and renovate educational building.

Location: 45 S National Avenue

Initiator: Marian University

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

1. A detailed site plan prepared by a licensed professional shall be reviewed and approved by the Site Plan Committee prior to modification of the existing building for the building addition. The site plan shall effectively address site drainage, lighting, erosion control, stormwater management, fire protection, utilities, and landscaping.

A Motion was made by David Washkoviak to recommend approval of the Special Use Permit for Marian University at 45 S National Avenue to the City Council with the following condition and seconded by Daniel Nielsen, Jr., and the motion was **Passed**.

Ayes: Nielsen, Jr., Pierce, Skiff, TerBeest, Washkoviak

Absent: Longo, Ramaker, Van Buren, Wiese

**ADJOURN**

A Motion was made by David Washkoviak to to adjourn at 5:40 PM and seconded by Anne Pierce, and the motion was **Passed**.

Ayes: Nielsen, Jr., Pierce, Skiff, TerBeest, Washkoviak

Absent: Longo, Ramaker, Van Buren, Wiese

COMMISSION AGENDA

CITY OF FOND DU LAC, WISCONSIN

**Public Hearing Regarding The Proposed Creation Of Tax Incremental District Number Twenty-Two  
Boundaries And The Proposed Project Plan For The District**

Subject: Effect: Designate the Boundaries of Tax Incremental District Twenty-Two as set forth in the project plan; adopt the Project Plan for Tax Incremental District Twenty-Two; recommend to City Council that Tax Incremental District Twenty-Two be created.  
Location: 1 N Main Street  
Initiator: Community Development Director

Effect:

Initiator:

Location:

Recommendation:

ATTACHMENTS:

File Name

[TID 22 Plan Commission Memo.doc](#)

[TID 22 PROJECT PLAN.pdf](#)



# ***CITY OF FOND DU LAC - Memorandum***

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## **Department of Community Development**

**Date:** August 9, 2017

**To:** City Plan Commission

**From:** Dyann Benson, Community Development Director

**Re:** Tax Incremental District Number Twenty-Two

Enclosed is the proposed Project Plan for Tax Incremental District Number Twenty-Two (TID 20), which will be the subject of a public hearing the August 14 meeting.

TID 22 will be utilized to assist in the redevelopment of the property at Retlaw Hotel, 1 North Main Street. Hotel Retlaw, LLC will redevelop the property into a 125 room independent, full service affordable luxury hotel. The redevelopment of the hotel will require a significant investment in order to restore the historic character and update the amenities. These improvements will result in a \$25 million investment in the property.

In order to help make the project financially feasible, the City will provide a public investment to the developer of \$2.3 million. As part of the project, \$300,000 from the investment will go towards courtyard improvements. Increment generated by the project will be used to repay the debt which should take between 18-20 years. The investment is provided to the developer only upon completion of the project and issuance of a certificate of occupancy. The investment is structured as a forgivable loan, enabling the City to secure a mortgage against the property. A development agreement detailing these terms is included as part of the process.

Tax Incremental Financing (TIF) has been used successfully in the City to fund the creation of industrial parks, the business park and a number of redevelopments. The City was able to pay off and close several TIDs early because they were successful in fostering development. The City of Fond du Lac has been careful and successful in the use of Tax Incremental Financing.

TIF is authorized in state law and has been in use in Wisconsin since the 1970s. The creation of a TID requires the approval of the Plan Commission, the City Council, and the Joint Review Board. The Joint Review Board includes representatives of the taxing jurisdictions: the County, the City, the School

District and MPTC. Once a TID is created, the additional taxes generated within the district are used to pay back the costs of the district.

Please note that the Plan Commission is charged with three tasks in the creation of a Tax Incremental District: to designate the TID boundaries, to adopt the project plan, and to recommend to the City Council that the district be created. The recommended motion for the TID is:

- to designate the boundaries of the Tax Incremental District as set forth in the project plan;
- to adopt the Project Plan;
- to recommend to the City Council that the Tax Incremental District be created.

Should you have any questions regarding the proposed TID, please contact me at [dbenson@fdl.wi.gov](mailto:dbenson@fdl.wi.gov) or 322-3440. Thank you.

# TAX INCREMENTAL DISTRICT NUMBER TWENTY-TWO



PROJECT PLAN

JULY 2017

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## TIMELINE

TID NO. 22

ACTION	DATE	NOTES
Notice to taxing authorities	July 7	Mail out copy of Public Notice – include cash grants statement
Blight letter and Public Hearing Notice	July 17	To owners
Public Hearing Notice #1 for Plan Commission	July 31	Publish Reporter
Public Hearing Notice #2 for Plan Commission	Aug. 7	Publish Reporter
Public Notice – Class 1 – for JRB meeting	July 17-18	Must be at least 5 days prior to JRB
Joint Review Board – initial meeting	July 24-28	Include Development Agreement
Plan Commission – combined public hearings	Aug. 14	Send Project Plan early Public Hearing – Project Plan and TIF Boundaries
City Council adoption	Sept. 13	1. Requires 14 day waiting period. 2. Approve Project Plan 3. Create District
Public Notice – Class 1 – for JRB	Sept. 14	Must be at least 5 days prior to JRB
Notice to Joint Review Board	Sept. 14	Immediately after Council adoption
Joint Review Board – certification meeting	Sept. 18-25	Depends on Council adoption date – also check with board members – must be within 30 days after receiving resolution JRB to approve Creation resolution
JRB notification to City	Sept. 25	Must be within 7 days of JRB decision

**City of Fond du Lac  
TID No. 22 – Joint Review Board**

<b>School District Representative</b>	<b>County Representative</b>
Michael Gerlach	Erin Gerred
Director of Business Services	Director of Administration
Fond du Lac School District	Fond du Lac County
72 W 9 <sup>th</sup> Street	160 S Macy Street
Fond du Lac, WI 54935	Fond du Lac, WI 54935
906-6442	929-3156
<a href="mailto:gerlachm@fonddulac.k12.wi.us">gerlachm@fonddulac.k12.wi.us</a>	<a href="mailto:erin.gerred@fdlco.wi.gov">erin.gerred@fdlco.wi.gov</a>
<b>MPTC Representative</b>	<b>City Representative</b>
Vicky Fitzgerald	Joe Moore
Director of Finance	City Manager
Moraine Park Technical College	City of Fond du Lac
235 N National Avenue, PO Box 1940	160 S Macy Street, P.O. Box 150
Fond du Lac, WI 54935	Fond du Lac, WI 54936-0150
929-3236	322-3408
<a href="mailto:vfitzgerald@morainepark.edu">vfitzgerald@morainepark.edu</a>	<a href="mailto:jmoore@fdl.wi.gov">jmoore@fdl.wi.gov</a>
<b>Citizen Representative</b>	<b>City Staff</b>
Randy Mittelstaedt	Tracy Salter, Director of Administration
Vice President	322-3452
National Exchange Bank & Trust	<a href="mailto:tsalter@fdl.wi.gov">tsalter@fdl.wi.gov</a>
P.O. Box 988	Dyann Benson, Community Development Director
Fond du Lac, WI 54936-0988	322-3440
924-2244	<a href="mailto:dbenson@fdl.wi.gov">dbenson@fdl.wi.gov</a>
<a href="mailto:rmittels@nebat.com">rmittels@nebat.com</a>	

City of Fond du Lac  
Notice of Public Hearing  
Regarding the Proposed Creation of Tax Incremental District  
Number Twenty-Two and the Proposed Project Plan Therefor

Notice is hereby given that the City of Fond du Lac Plan Commission will hold a public hearing on Monday, August 14, 2017 at 5:30 pm in Room A of the City-County Government Center, 160 South Macy Street, Fond du Lac, Wisconsin, regarding the proposed creation of Tax Incremental District Number Twenty-Two and the proposed Project Plan for the District. Copies of the proposed Project Plan are available upon request at the Community Development Office, City-County Government Center, 160 South Macy Street, Fond du Lac, Wisconsin, or by calling 920-322-3440, or on the web at [www.fdl.wi.gov](http://www.fdl.wi.gov).

Most of the proceeds of the proposed Tax Incremental District will be paid to Hotel Retlaw, LLC, the developers of the Hotel Retlaw, to assist in the redevelopment of the property located at 1 N. Main Street into a full-service independent hotel within the City. The project represents a key property within the City's historic downtown.

Tax Key No.: FDL 15-17-10-44-816-00

Address: 1 N. Main Street, Fond du Lac, Wisconsin

That part of Lots 10, 11, 12, 13 and the South 20.00 feet of Lot 14 in Block 3 in Van Renselaer's Addition to the City of Fond du Lac, being a part of the East ½ of the Southeast ¼ of Section 10, Township 15 North, Range 17 East, in the City of Fond du Lac, Fond du Lac County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of said Block 3; Thence North 01 degree 39' 40" West along the East line of Block 3 aforesaid 158.98 feet to a point; Thence North 89 degrees 37' 43" West along the North line of Lot 10 aforesaid 53.90 feet to the Northeast corner of lands described in Volume 890, Page 65 and 66 as Document No. 406192 recorded on December 13, 1984 in the Register of Deeds Office, Fond du Lac County; Thence South 00 degrees 01' 30" West along the East line of said lands 0.36 feet to a point; Thence North 89 degrees 58' 30" West along the South line of said lands 61.54 feet to a point; Thence South 00 degrees 01' 30" West along the East line of said lands 33.50 feet to a point; Thence North 89 degrees 58' 30" West along the South line of said lands 3.57 feet to a point on the West line of said Lot 10; Thence South 01 degrees 39' 30" East along said West line 54.10 feet to the Northeast corner of lands described in Volume 889 on page 736 as Document No. 405591 recorded on December 6, 1984 in the Register of Deeds Office, Fond du Lac County; Thence North 89 degrees 38' 30" West along the North line of said lands 15.39 feet to a point; Thence South 01 degree 46' 00" East along the West line of said lands 11.63 feet to a point; Thence North 89 degrees 37' 43" West along the North line of the South 20.00 feet of Lot 14 aforesaid 104.65 feet to a point on the West line of said Block 3; Thence South 01 degree 39' 30" East along the said West line 60.10 feet to a point; Thence South 89 degrees 53' 45" East along the South line of Block 3 aforesaid 240.00 feet to the point of beginning.

The district can generally be described as the land located at 1 N. Main Street or the property known as the Retlaw Hotel in Fond du Lac.

Publish July 31 and August 7, 2017.



## GOAL AND OBJECTIVES

The goal of Tax Incremental District Number Twenty-Two (TID 22) is to assist in the redevelopment of the property at 1 North Main Street, the Retlaw Hotel into a full-service independent hotel providing affordable luxury with modern amenities, a restaurant and event meeting space. This redevelopment will require substantial renovation of the hotel to restore the building's historic character and implement the vision for this cornerstone property.

The Retlaw Hotel represents one of the most important commercial buildings constructed in the City during the 1920s and was the second hotel constructed by Walter Schroeder, a prominent hotelier in Milwaukee. His Schroeder Hotel Company was one of the largest hotel chains in Wisconsin during the 1920s. (Other Schroeder Hotels include the Hotel Astor in Milwaukee, Hotel Northland in Green Bay, Hotel Wausau in Wausau and Hotel Loraine in Madison.) From the day it opened until the 1970s, the Retlaw Hotel was the only first-class hotel in the City.

In the early 1920s, the City experienced both population and manufacturing growth, however this growth was not reflected in other areas of the City. The community was looking for modern institutions to reflect the City's growth and ambitions. The new Retlaw Hotel would fill that gap. An editorial in the Daily Commonwealth, the local newspaper, pointed out the impression a hotel would make on visitors to the city. From its opening in 1923 to the 1970s, the Retlaw Hotel served the City's premier hotel, hosting such dignitaries as John F. Kennedy, Hubert Humphrey and Eleanor Roosevelt.

The hotel was sold in the 1950s, which was the start of the hotel's slow progression from a premier facility to mediocre lodging until, in 2016, it went to auction after foreclosure. Hotel Retlaw, LLC in conjunction with its partners, acquired in the hotel property in summer 2016 with plans to restore the historic character and restore the hotel as an integral part of the City's commercial and social fabric.

The downward spiral of the Retlaw Hotel as it moved towards foreclosure and auction was a significant concern for the City. The lack of reinvestment by previous owners impacted the overall condition of the property, and the long-term vacancy is a blighting influence on the downtown and on Downtown Fond du lac Partnership's efforts to attract new businesses and individuals to the area. The redevelopment of this property by Hotel Retlaw, LLC will remove downtown blight and restore the historic character of the Main Street frontage.

The goal of TID 22 will be realized by attaining the following objectives:

1. To financially assist a developer with the redevelopment of the property into a independent hotel with approximately 125 rooms.
2. To facilitate the expansion of the tax base of the City through the redevelopment of a property which is presently vacant, underutilized and in need of reinvestment.

3. To facilitate the attraction new economic opportunities to the downtown and tourism development throughout the community.

### DECLARATION

State law requires that the basis for creation of a Tax Incremental District be clearly stated, out of the several potential types of districts which may be authorized. Tax Incremental District Number 22 is an area at least 50% of which is a blighted area, as stated in Section 66.1105, Wisconsin Statutes.

The hotel was sold in the 1950s, which was the start of the hotel's slow progression from a premier facility to mediocre lodging until, in 2016, it went to auction after foreclosure. Hotel Retlaw, LLC in conjunction with its partners, acquired in the hotel property in summer 2016 with plans to restore the historic character and restore the hotel as an integral part of the City's commercial and social fabric.

The downward spiral of the Retlaw Hotel as it moved towards foreclosure and auction was a significant concern for the City. The lack of reinvestment by previous owners impacted the overall condition of the property, and the long-term vacancy is a blighting influence on the downtown and on Downtown Fond du lac Partnership's efforts to attract new businesses and individuals to the area.

The planned investment will address the blighted conditions and redevelop the property into a viable project that will contribute to the tax base.

### PROJECT SUMMARY AND SCHEDULE

Tax Incremental District Number Twenty-Two (TID 22) is made up entirely of an underutilized and blighted property at 1 North Main Street. See the TID 22 Boundary Map for the exact boundaries of the TID. The developer intends to renovate the property into a full-service independent hotel with approximately 125 rooms.

The purpose of TID 22 is to provide a method for the City of Fond du Lac to assist in the redevelopment of the property described above. The property is presently blighted and needs rehabilitation to convert this property into a viable development. The redevelopment and renovation of the property into a use that can contribute to the community beyond its previous standing and use requires a significant financial investment to meet building code requirements and address years of failing to reinvest into the property. The City of Fond du Lac wishes to help to redevelop the property, but it would not be financially feasible for the City to do so without the creation of this Tax Increment District.

The proceeds of TID 22 will be used to subsidize the redevelopment of the property up to a total of \$2,300,000. The funds will be provided to Hotel Retlaw, LLC or the

appropriate designee, upon certificate of occupancy. Tax increment created by the redevelopment property will be used by the City to repay the debt borrowing.

Renovation of the interior and exterior of the existing building is expected to late summer of 2017, and to be completed in by late summer of 2018.

#### CREATION DATE

The date of creation for capture of all new taxable value created within TID 22 shall be January 1, 2017. This shall be used as the base in computing any increments that may accrue in the tax base for the District.

#### LIST OF PUBLIC IMPROVEMENTS

There will be public improvements financed or constructed as part of Tax Incremental District Number Twenty-Two. Project costs will include \$2,300,000 in cash payments made to the owners of the property at 1 N. Main Street to assist in the redevelopment of the property into an independent affordable luxury hotel with approximately 125 room. The public improvement includes \$70,000 in investment in the Portland Ramp for upgrading the elevators. The total cost for the work is \$100,000, however, based upon ramp usage, only 70% of the ramp is used by hotels guests and staff while the remaining 30% is used by other individuals, residents or employees in the downtown. In addition to the public improvements, minor administrative costs will be charged to the TID.

#### DESCRIPTION OF TIMING AND METHODS OF FINANCING

The City will borrow funds for TID 22 to enable the cash payment to the developer upon certificate of occupancy. The cash assistance payment will be financed with long-term borrowing in the form of General Obligation debt. City administrative costs, such as State of Wisconsin fees, The City of Fond du Lac conducts its annual borrowing in February of each year making funds available no earlier than March of 2018.

#### ESTIMATED NON-PROJECT COSTS

There will be no non-project costs charged to TID 22.

#### RELOCATION

There will be no residents displaced by TID 22, and thus there will be no need for residential relocation.

## MASTER PLAN, ZONING, BUILDING AND OTHER CODE CONSIDERATIONS

TID 22 is consistent with the goals, objectives and strategies of the City of Fond du Lac Comprehensive Plan. The Comprehensive Plan specifically identifies the need to give attention to the redevelopment of the older areas of the city. In addition, the Comprehensive Plan states that properties must be deteriorated, economically obsolescent and/or marginally underutilized before it will become in the redevelopment of those properties. The Comprehensive Plan also encourages developers to look at redevelopment opportunities versus development of agricultural or open space land. Appropriate zoning designations and regulations are in place to manage revitalization of this property. No changes to zoning or building codes are anticipated.

In 2015, Envision FDL began, which started with a team of community partners embarking on a visioning and strategic planning effort to answer the question, “What should the Fond du Lac area look like in 10-20 years and how do we get there?” The redevelopment of the Retlaw Hotel into a modern property bringing population, foot traffic and economic activity to the downtown was identified as Strategic Objective No. 5 in the Envision Fond du Lac final report.

In 2016, the City Council created the Downtown Exploratory Committee (DEC) to identify areas for improvement within the downtown. As part of these efforts, the DEC identified two (2) recommendations supporting the redevelopment of the Retlaw Hotel. First, the DEC recommended targeted redevelopment of priority/opportunity properties. The acquisition of the Retlaw Hotel by Hotel Retlaw, LLC supports the recommendation and will facilitate the redevelopment of other properties in the downtown by drawing more traffic and economic activity to the downtown. The second recommendation supports additional investment in the Arts & Entertainment District. The location of the Retlaw Hotel within the Arts & Entertainment District provides a key opportunity to further that recommendation. The restoration of the Retlaw Hotel’s facilities and historic character will create opportunities to attract and support events and initiatives in the District, as well as support established facilities such as the Thelma Sadoff Center for the Arts.

## ECONOMIC FEASIBILITY STUDY

No funds will be advanced or paid until after the developer obtains a certificate of occupancy. This means that the renovation of the hotel, an approximately \$14 million investment, will be completed prior to the distribution of funds to the developer. This approach minimizes the risk to the City and insures that the hotel is completed prior to the investment of public dollars. The City will also have a mortgage against the property to further protect the public investment.

The Tax Increment Revenue Projection spreadsheet indicates the tax increments which will be received throughout the life of the TID. The Annual Cash Flow Projection

spreadsheet shows how these tax are distributed to debt service and administrative costs. These spreadsheets demonstrate the economic feasibility of TID 22.

### ORDERLY DEVELOPMENT

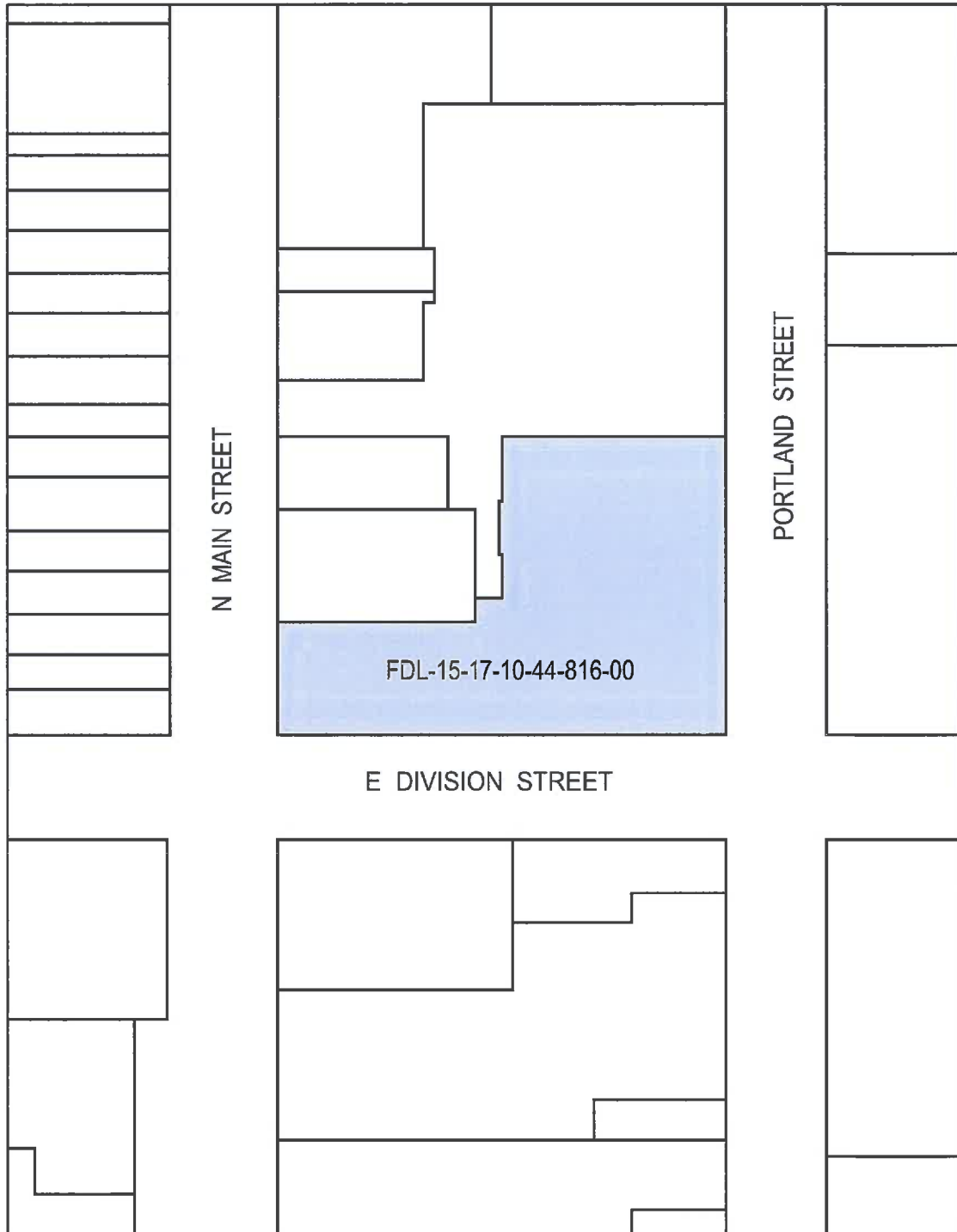
The creation of Tax Incremental District Number Twenty-Two promotes the City's goal of orderly, sustained redevelopment and revitalization of older areas of the City. By supporting efforts to continue to revitalize this area and encourage reinvestment, the City will help to insure a healthy tax base and economy for the entire community.

### FINDINGS

- Within TID 22, properties meeting the blighted area designation represent more than 50%, by area, of all real property.
- The redevelopment and revitalization of property within TID 22 will significantly enhance the value of all property in the District. Supporting private investment will increase property values District-wide.
- It is estimated that as of January 1, 2017, using equalized values, that the base value of TID 22 plus the values of existing TIDs within the City, does not exceed 12% of the total equalized value of taxable property within the City.
- The blight removal and rehabilitation described herein for TID 22 would not occur without the creation of the district.

City of Fond du Lac

# TID No. 22

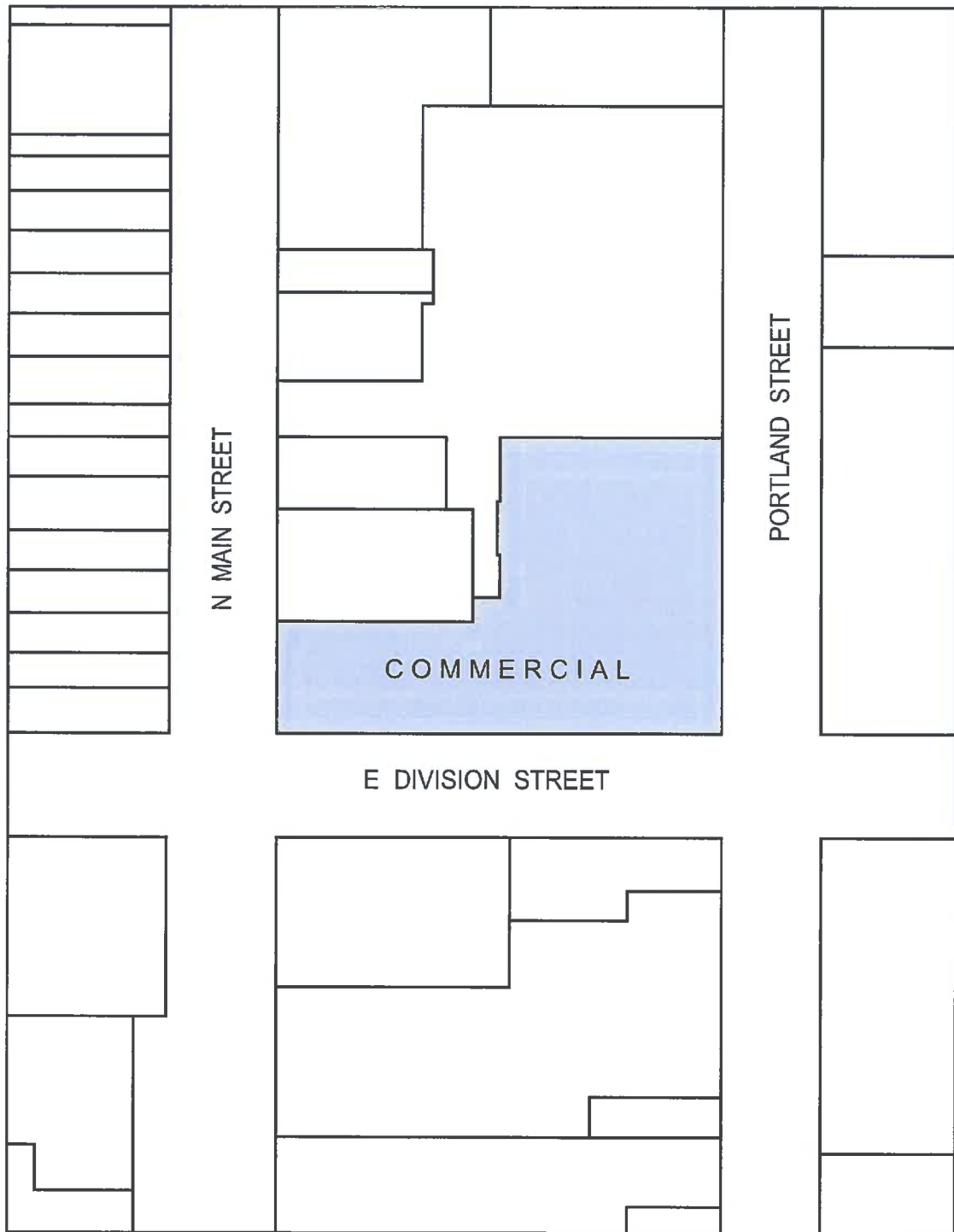


TID NO. 22 BOUNDARY



City of Fond du Lac  
TID No. 22

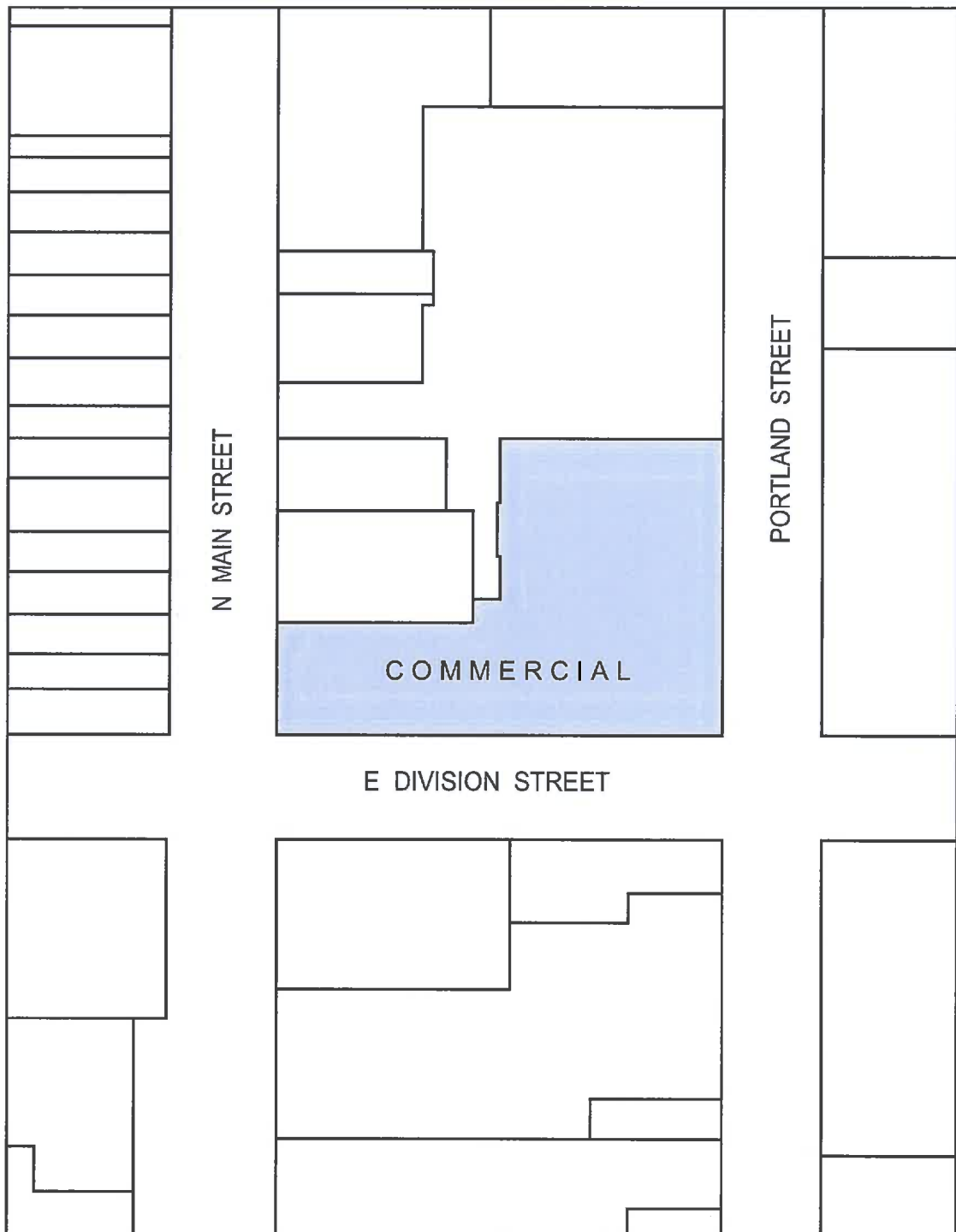
EXISTING LAND USE



TID NO. 22 BOUNDARY



City of Fond du Lac  
TID No. 22  
PROPOSED LAND USE



TID NO. 22 BOUNDARY





**City of Fond du Lac**  
**Tax Incremental District Number Twenty-Two**  
**Tax Increment Revenue Projection**

<u>Year Assessed</u>	<u>Year Available</u>	<u>Increment Value</u>	<u>Tax Rate</u>	<u>Projected Tax Increment</u>
2018	2019	\$ -	\$ 24.00	\$ -
2019	2020	8,818,100	24.00	211,634.40
2020	2021	8,818,100	24.00	211,634.40
2021	2022	8,818,100	24.00	211,634.40
2022	2023	8,818,100	24.00	211,634.40
2023	2024	8,818,100	24.00	211,634.40
2024	2025	8,818,100	24.00	211,634.40
2025	2026	8,818,100	24.00	211,634.40
2026	2027	8,818,100	24.00	211,634.40
2027	2028	8,818,100	24.00	211,634.40
2028	2029	8,818,100	24.00	211,634.40
2029	2030	8,818,100	24.00	211,634.40
2030	2031	8,818,100	24.00	211,634.40
2031	2032	8,818,100	24.00	211,634.40
2032	2033	8,818,100	24.00	211,634.40
2033	2034	8,818,100	24.00	211,634.40
2034	2035	8,818,100	24.00	211,634.40
2035	2036	8,818,100	24.00	211,634.40
				<u>\$ 3,597,784.80</u>

Assumptions:

- 1) Property value remains the same throughout projection period.
- 2) Tax rate remains the same throughout the life of the district.

**City of Fond du Lac**  
**Tax Incremental District Number Twenty-Two**  
**Annual Cash Flow Projection**

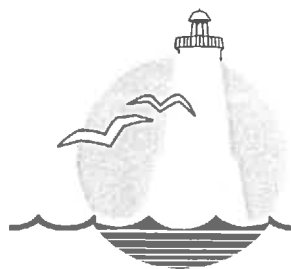
<u>Year</u>	<u>Tax Increment Revenue</u>	<u>Debt Service</u>	<u>Legal &amp; Admin Costs</u>	<u>Debt Proceeds</u>	<u>Project Costs</u>	<u>Annual Cash Increase (Decrease)</u>	<u>Cash Balance (Deficit)</u>
2018	\$ -	\$ -	\$ (1,000)	\$ 2,460,000	\$ (2,370,000)	\$ 89,000	\$ 89,000
2019	-	(86,100)	(3,500)			(89,600)	(600)
2020	211,634	(186,100)	(3,500)			22,034	21,434
2021	211,634	(207,600)	(3,500)			534	21,969
2022	211,634	(203,225)	(3,500)			4,909	26,878
2023	211,634	(198,850)	(3,500)			9,284	36,163
2024	211,634	(194,475)	(3,500)			13,659	49,822
2025	211,634	(215,100)	(3,500)			(6,966)	42,856
2026	211,634	(209,850)	(3,500)			(1,716)	41,141
2027	211,634	(204,600)	(3,500)			3,534	44,675
2028	211,634	(199,350)	(3,500)			8,784	53,460
2029	211,634	(194,100)	(3,500)			14,034	67,494
2030	211,634	(213,850)	(3,500)			(5,716)	61,778
2031	211,634	(207,725)	(3,500)			409	62,188
2032	211,634	(201,600)	(3,500)			6,534	68,722
2033	211,634	(195,475)	(3,500)			12,659	81,382
2034	211,634	(214,350)	(3,500)			(6,216)	75,166
2035	211,634	(217,350)	(3,500)			(9,216)	65,950
2036	211,634	0	(3,500)			208,134	274,085
	<u>\$ 3,597,785</u>	<u>\$ (3,349,700)</u>	<u>\$ (64,000)</u>	<u>\$ 2,460,000</u>	<u>\$ (2,370,000)</u>	<u>\$ 274,085</u>	<u>\$ 274,085</u>

**City of Fond du Lac**  
**Tax Incremental District Number Twenty-Two**  
**Debt Payment Schedule**

Year	Principal	Interest	Total	Balance
2018				2,460,000
2019	-	86,100	86,100	2,460,000
2020	100,000	86,100	186,100	2,360,000
2021	125,000	82,600	207,600	2,235,000
2022	125,000	78,225	203,225	2,110,000
2023	125,000	73,850	198,850	1,985,000
2024	125,000	69,475	194,475	1,860,000
2025	150,000	65,100	215,100	1,710,000
2026	150,000	59,850	209,850	1,560,000
2027	150,000	54,600	204,600	1,410,000
2028	150,000	49,350	199,350	1,260,000
2029	150,000	44,100	194,100	1,110,000
2030	175,000	38,850	213,850	935,000
2031	175,000	32,725	207,725	760,000
2032	175,000	26,600	201,600	585,000
2033	175,000	20,475	195,475	410,000
2034	200,000	14,350	214,350	210,000
2035	210,000	7,350	217,350	-
Totals	2,460,000	889,700	3,349,700	

Assumptions:

- 1) 16-year debt repayment term.
- 2) Interest rate of 3.5% per year.
- 3) Debt includes project costs of \$2,370,000 and one year capitalized interest.



# City of Fond du Lac First on the Lake

Website: [www.fdl.wi.gov](http://www.fdl.wi.gov)

City-County Government Center  
160 S. Macy Street~P.O. Box 150~Fond du Lac, WI 54936-0150

July 27, 2017

Joint Review Board  
Fond du Lac City Council  
Plan Commission of the City of Fond du Lac Wisconsin  
Director of Community Development  
160 South Macy Street  
Fond du Lac WI 54935

RE: Legal Opinion on Project Plan of TID 22 – 1 N. Main Street.

Ladies and Gentlemen:

I am the attorney for the City of Fond du Lac, Fond du Lac County, Wisconsin. I have examined the Project Plan for TID 22 for the above-referenced property generally encompassing 1 N Main Street, Fond du Lac, Wisconsin, and such other documents as I considered appropriate and necessary to enable me to render this opinion.

Based on the foregoing, pursuant to Section 66.1105(4)(f), *Wis. Stats.*, I am of the opinion that:

- (1) The TID 22 Project Plan is complete.
- (2) The TID 22 Project Plan complies with the requirements of Section 66.1105(4), *Wis. Stats.* The property within TID 22 contains blight. Further, this redevelopment project would not occur without the funding coming from this TID.

Very truly yours,

Deborah Hoffmann  
City Attorney  
City of Fond du Lac  
(920)322-3423

## **JOINT REVIEW BOARD RESOLUTION**

### **A Resolution Approving the Project Plan and Creation Resolution for Tax Incremental District Number Twenty-Two, City of Fond du Lac**

**WHEREAS**, Section 66.1105 of the Wisconsin Statutes provides the authority and procedure for creating tax incremental districts; and

**WHEREAS**, the City of Fond du Lac has complied with those procedures in a timely manner by:

- a. Holding properly noticed public hearings regarding the creation of proposed Tax Incremental District Number Twenty-Two (the "District") and the proposed project plan therefor (the "Project Plan");
- b. Giving required notices to the appropriate officials of all local government entities having the power to levy taxes on property located within the District; and
- c. Convening a Joint Review Board.

**WHEREAS**, the Plan Commission has adopted the Project Plan for the District as has the City Council; and

**WHEREAS**, this Joint Review Board hereby makes the following findings regarding the District:

- a. No less than 50% by area of the real property within the District is blighted or in need of rehabilitation or conservation work;
- b. Improvement of such area is likely to enhance significantly the value of substantially all the other real property in the District;
- c. The project costs relate directly to blight elimination, rehabilitation and promoting development within the District;
- d. The equalized value of taxable property of the District plus all existing districts within the City does not exceed 12% of the total equalized value of taxable property within the City; and
- e. The blight elimination work and rehabilitation described in the Project Plan for Tax Incremental District Number Twenty-Two would not occur without the creation of the District.

**NOW, THEREFORE, BE IT RESOLVED BY THE** Joint Review Board for Tax Incremental District Number Twenty-Two of the City of Fond du Lac that:

1. Tax Incremental District Number Twenty-Two is a blighted area within the meaning found in Section 66.1105, Wisconsin Statutes. The creation of a tax incremental district in the area in question for the purpose of

rehabilitation or conservation is deemed to be in the public interest and a proper public purpose; and

2. The Project Plan for the District is feasible, in conformity with the Comprehensive Plan of the City, and is hereby approved; and
3. The blight elimination and rehabilitation described in the Project Plan for Tax Incremental District Number Twenty-Two would not occur without the creation of the District; and
4. The City Council Resolution dated September 13, 2017 Approving and Creating Tax Incremental District Number Twenty-Two is hereby approved.

ADOPTED: September\_\_\_\_, 2017

JOINT REVIEW BOARD

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

REPRESENTING

Moraine Park Technical College

Fond du Lac School District

Fond du Lac County

City of Fond du Lac

Citizen Representative

**COMMISSION AGENDA  
CITY OF FOND DU LAC, WISCONSIN  
Zoning Upon Annexation**

Subject:           Effect: Zone Land M-1 Upon Annexation  
                  Location: S Hickory Street  
                  Initiator: Fond du Lac County

Effect:

Initiator:

Location:

Recommendation:

**ATTACHMENTS:**

**File Name**

[PH Notice ANNEXATION ZONING FDL County.pdf](#)

[Annexation Map.pdf](#)

[Annexation - Legal.pdf](#)

[Annexation Zoning Map.pdf](#)

[Annexation - Staff Memo to PC.pdf](#)

[Public Notification - Annexation Zoning.pdf](#)

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Fond du Lac, Wisconsin, will conduct a Public Hearing at 5:30 p.m. August 14, 2017 in Meeting Room A of the City-County Government Center, 160 South Macy Street, at the request of Fond du Lac County to zone property upon annexation to M-1 (Manufacturing). The land to be zoned upon annexation is described as follows:

A parcel of land being Certified Survey Map No. 55 of Volume 2 of Certified Survey Maps Pages 55 and 55A and also part of the N.W.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$  and part of the N.E.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$ , all in Section 33, Town 15 North, Range 17 East, in the Town of Fond du Lac, Fond du Lac County, Wisconsin and being more particularly described as follows:

Beginning at the North  $\frac{1}{4}$  corner of said Section 33; thence South  $89^{\circ}42'52''$  East along the North line of the N.E.  $\frac{1}{4}$  of said Section, 1323.05 feet; thence South  $00^{\circ}15'50''$  West along the East line of the N.W.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$ , 1281.19 feet; thence North  $89^{\circ}40'34''$  West 1326.18 feet; thence North  $89^{\circ}41'04''$  West 33.00 feet; thence North  $00^{\circ}24'13''$  East 1280.22 feet; thence South  $89^{\circ}49'29''$  East along the North line of the N.W.  $\frac{1}{4}$ , 33.00 feet to the point of beginning. Parcel described contains 39.92 acres more or less.

All persons having an interest in the area are invited to participate in the hearing and express their opinion. Written communications will also be considered. For further information you are invited to contact the Community Development Department at (920) 322-3440. Published in accordance with Section 62.23, Wisconsin Statutes.

Dated this 26th day of July 2017

MARGARET HEFTER  
City Clerk

Published: August 3<sup>rd</sup>, 2017 and August 6<sup>th</sup>, 2017



ZONING UPON ANNEXATION  
RECOMMENDED ZONING: M – 1 (INDUSTRIAL)

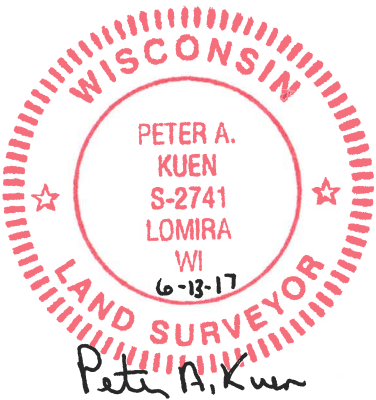
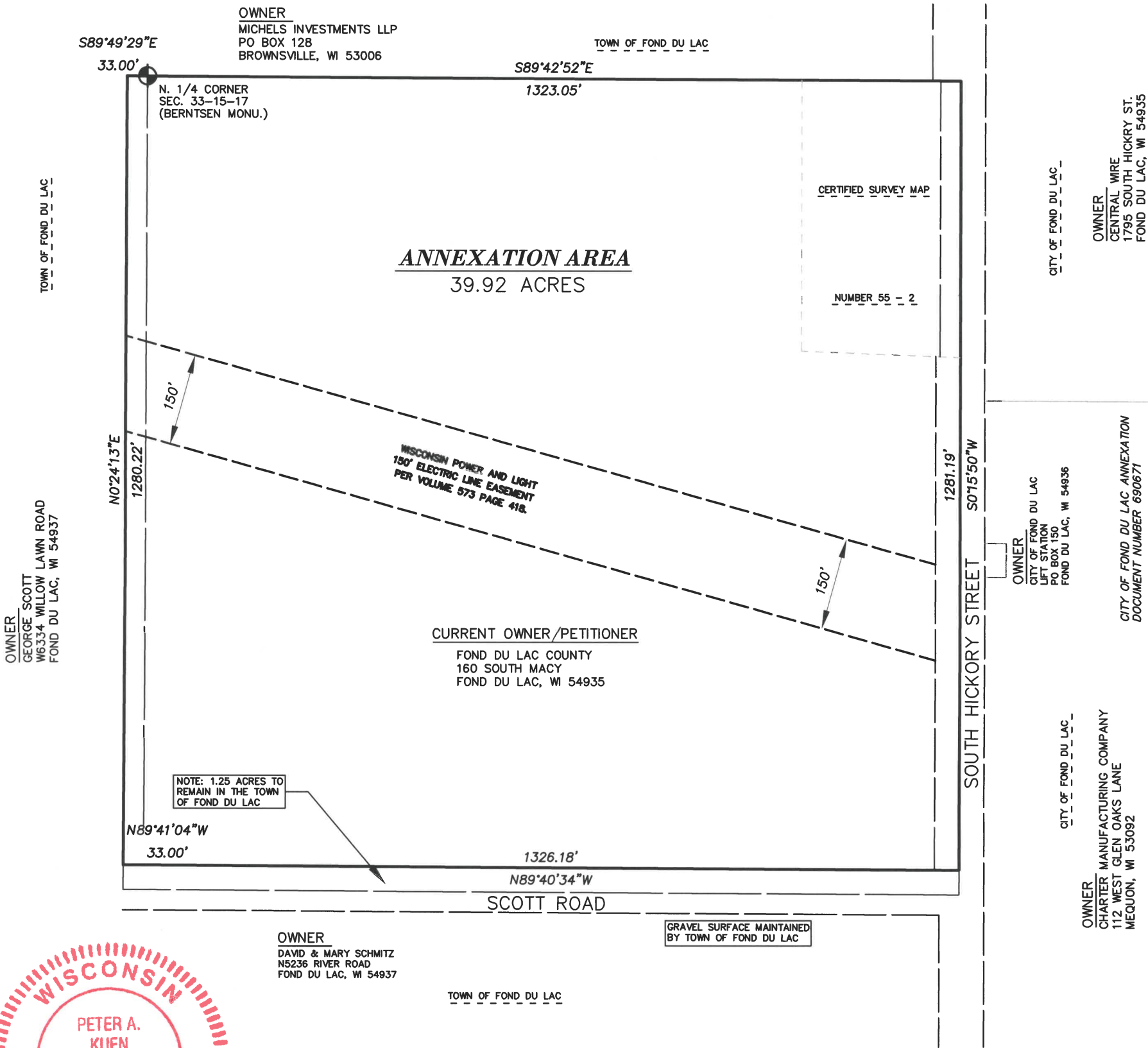


SITE



# ANNEXATION MAP

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2 OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4, ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF FOND DU LAC, FOND DU LAC COUNTY WISCONSIN.



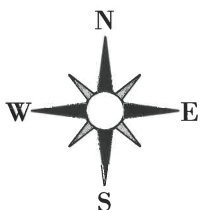
## LEGAL DESCRIPTION

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2 OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4, ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF FOND DU LAC, FOND DU LAC COUNTY WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

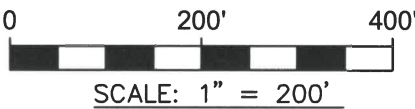
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 33; THENCE SOUTH 89°42'52" EAST ALONG THE NORTH LINE OF THE N.E. 1/4 OF SAID SECTION, 1323.05 FEET; THENCE SOUTH 00°15'50" WEST ALONG THE EAST LINE OF THE N.W. 1/4 OF THE N.E. 1/4, 1281.19 FEET; THENCE NORTH 89°40'34" WEST 1326.18 FEET; THENCE NORTH 89°41'04" WEST 33.00 FEET; THENCE NORTH 00°24'13" EAST 1280.22 FEET; THENCE SOUTH 89°49'29" EAST ALONG THE NORTH LINE OF THE N.W. 1/4, 33.00 FEET TO THE POINT OF BEGINNING.

PARCEL DESCRIBED CONTAINS 39.92 ACRES MORE OF LESS.

SHEET 1 OF 1  
JUNE 13, 2017



BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE N.E. 1/4 OF SECTION 33, WHICH BEARS SOUTH 89°42'52" EAST ACCORDING TO THE FOND DU LAC COUNTY COORDINATE SYSTEM.



THIS DOCUMENT WAS DRAFTED BY PETER A. KUEN

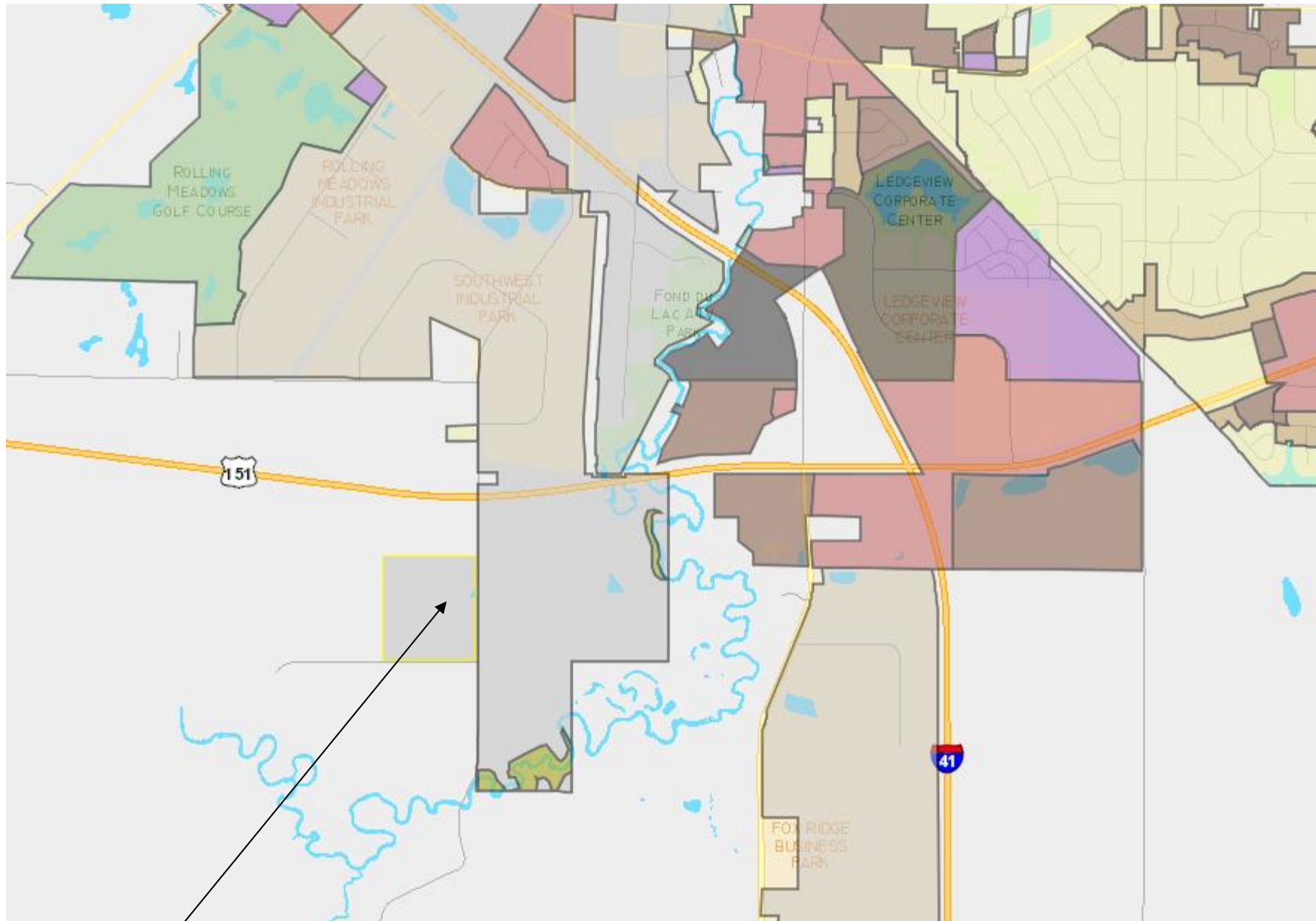
**FOND DU LAC COUNTY  
SURVEYOR**

PETER A. KUEN PLS NO. 2741

FOND DU LAC COUNTY  
HIGHWAY COMMISSION  
301 DIXIE ST.  
FOND DU LAC, WI 54936  
(920) 929-3492

# ZONING UPON ANNEXATION

Recommended Zoning: M-1 (Industrial)



SITE

# ***CITY OF FOND DU LAC - Memorandum***

---

Department of Community Development

**Date:** August 9, 2017

**To:** Plan Commission

**From:** Joellyn Dahlin, Principal Planner

**Re:** Zoning Upon Annexation – **S Hickory Street** (T09-15-17-33-02-001 and 002)

**Applicant:** Fond du Lac County

**Request:** Zone land to be annexed M-1 (Industrial)

**Zoning:**

Site:	Farmland Preservation (Town of Fond du Lac)
North:	Farmland Preservation (Town of Fond du Lac)
South:	Farmland Preservation (Town of Fond du Lac)
East:	M-1 (Industrial)
West:	Farmland Preservation (Town of Fond du Lac)

**Land Use:**

Site:	Agricultural
North:	Agricultural
South:	Agricultural
East:	Industrial (Central Wire, Inc.)
West:	Agriculture

## **Analysis**

The property to be annexed is 39.92 acres of land located on South Hickory Street south of USH 151. The property is owned by Fond du Lac County and is the future site of the Fond du Lac County Highway Garage. Project design of the new facility is expected next year, with construction in 2019 and 2020.

The Plan Commission is charged with the task of determining appropriate zoning for the property; a designation of M-1 (Industrial) is proposed upon annexation. The M-1 district allows industrial and allied development.

The proposed zoning reflects the Comprehensive Plan land use designation of the property. The proposed zoning designation would extend existing M-1 zoning that serves property east of the subject site and north of USH 151 site within the nearby South West Industrial Park.

## **Recommendation**

Community Development staff suggests that the Plan Commission recommend to the City Council a zoning designation of M-1 (Industrial) upon annexation of the subject property.

## Public Notification - Zoning Upon Annexation/FDLCO

Parcel Number	Site Address	Mailing Address 1	Mailing City	Mailing State	Mailing Zip
FDL-15-17-33-11-003-00	1795 S HICKORY ST	ONE NORTH ST			
T09-15-17-33-02-001-00		160 S MACY ST	FOND DU LAC	WI	54935
T09-15-17-33-02-002-00	N5278 HICKORY RD	160 S MACY ST	FOND DU LAC	WI	54935
FDL-15-17-33-11-001-00	0 S HICKORY ST	W7870 SANDY BEACH RD	FOND DU LAC	WI	54935
T09-15-17-28-15-001-00		PO BOX 128	BROWNSVILLE	WI	53006
T09-15-17-28-15-090-00		944 VANDERPERREN WAY	GREEN BAY	WI	54304

**COMMISSION AGENDA  
CITY OF FOND DU LAC, WISCONSIN  
Special Use Permit**

Subject:           Effect: Develop land for residential use.  
                  Location: 1212 Ducharme Parkway  
                  Initiator: Joe Ziegler

Effect:

Initiator:

Location:

Recommendation:

**ATTACHMENTS:**

**File Name**

[SUP Application - Ziegler.pdf](#)

[SUP Ziegler - Vicinity Map.pdf](#)

[Ziegler SUP site plan.pdf](#)

[Ziegler SUP Elevations.pdf](#)

[PC Memo - SUP Ziegler 1212 Ducharme.pdf](#)

[Public Notification - Ziegler SUP.pdf](#)

City of Fond du Lac

**SPECIAL USE PERMIT**

**Application**

**PROPERTY LOCATION:** Lot #62 Hunter's Grove (1212 DuCharme Parkway)

Tax Key Number (Vacant Land): FDL-15-18-06-533-00

Project Applicant			
Name Joe Ziegler			
Mailing Address 439 S Main Street	City Fond du Lac	State WI	ZIP Code 54935
Email Address [REDACTED]		Phone Number [REDACTED]	
Landowner (Complete this information if the project applicant is not the property owner.)			
Name			
Mailing Address	City	State	ZIP Code
Email Address		Phone Number	
Landowner Certification			
If the person requesting the special use permit is not the owner of the property affected by the proposal, the consent of the landowner is necessary. Refer to the LANDOWNER AUTHORIZATION form included with the special use permit application packet.			

Description of present use of property:

Vacant Farm Field Part of Hunters  
Grove Subdivision, Zoned "Office"

Description of proposed use of property and/or proposed site development:

30 unit Single Story Cottage Style Multi  
Family units.

Time schedule for use and/or development of the property:

START site work  
Fall of 2017 -  
2018 Complete.

PROJECT APPLICANT SIGNATURE

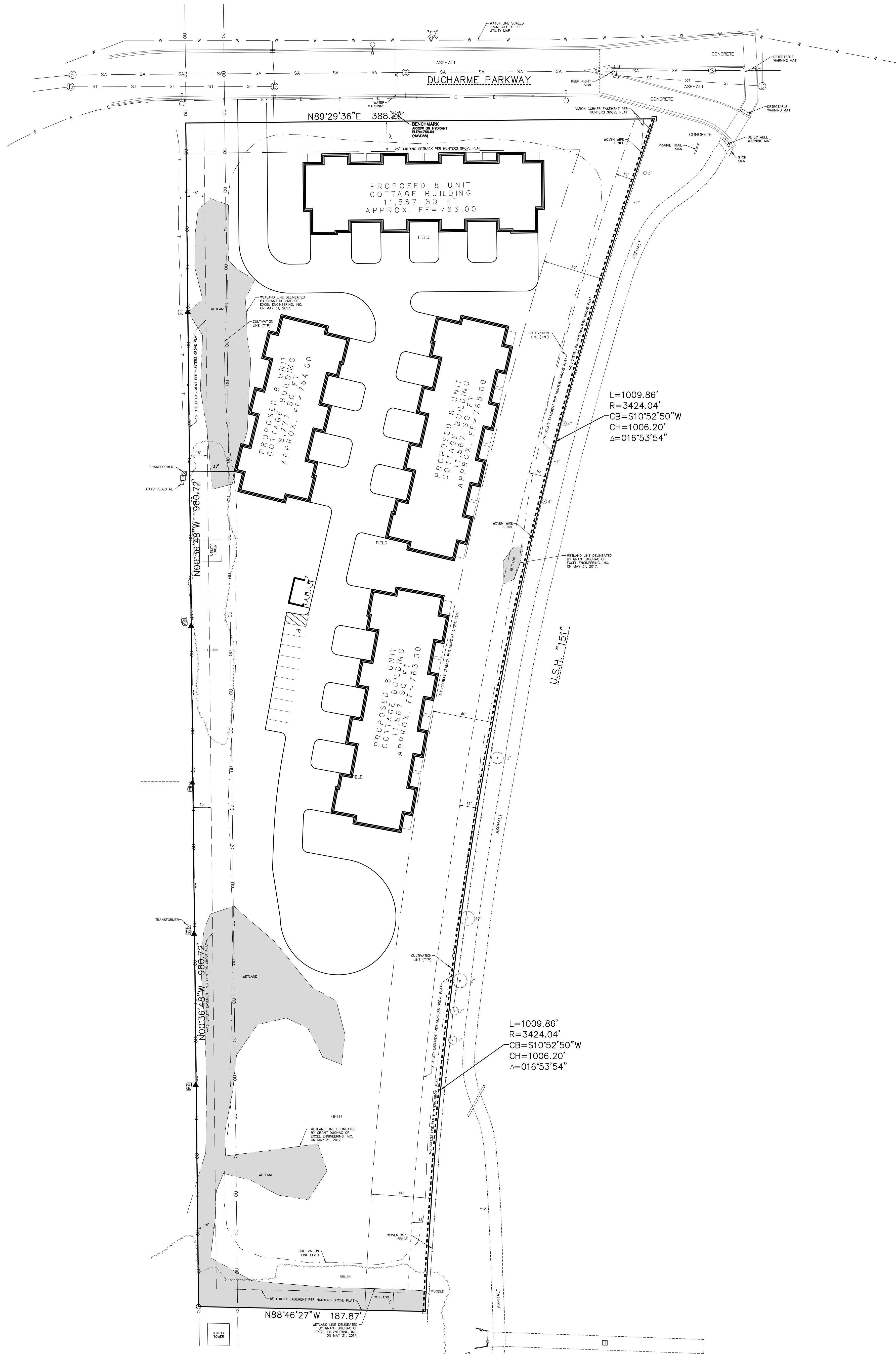
Joe Ziegler



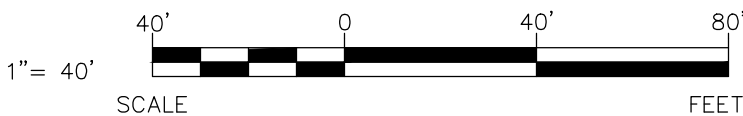


SITE





CONCEPT PLAN



PROJECT INFORMATION	
PROJECT NUMBER	1722720

PROPOSED DEVELOPMENT  
**HUNTERS GROVE COTTAGES**  
FOND DU LAC, WI

PROFESSIONAL SEAL

PRELIMINARY DATES
JUNE 14, 2017
JULY 18, 2017

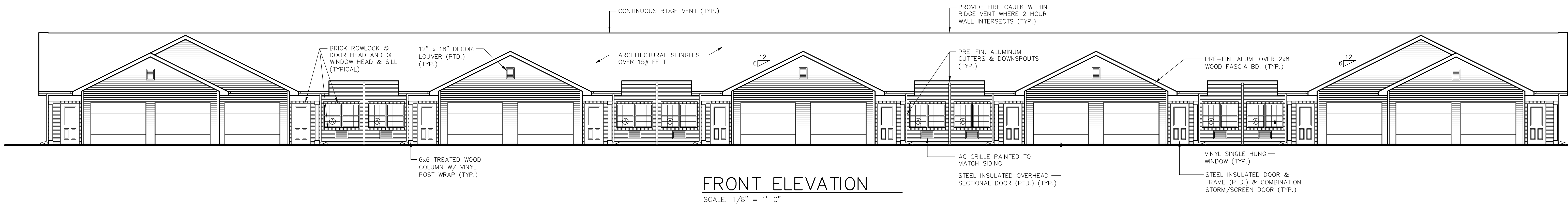
NOT FOR CONSTRUCTION

SHEET INFORMATION

SITE PLAN

SHEET NUMBER

C1.2



FRONT ELEVATION

SCALE: 1/8" = 1'-0"



SIDE ELEVATION

SCALE: 1/8" = 1'-0"

WINDOW SCHEDULE				
SYM.	MAT'L	DESCRIPTION	CATALOG NO.	NOM. UNIT SIZE W.x.H.
(A)	VINYL	PLYGEM PRO SERIES - CLASSIC SINGLE HUNG	TVBSH3040-2	6'-0" x 4'-0"
(B)	VINYL	PLYGEM PRO SERIES - CLASSIC SINGLE HUNG	TVBSH3052-2	6'-0" x 5'-2"
(C)	VINYL	PLYGEM PRO SERIES - CLASSIC SINGLE HUNG	TVBSH3052	3'-0" x 5'-2"

- ENERGY STAR WINDOWS
- WINDOWS TO HAVE GRILLES BETWEEN GLAZING
- PER IBC 2408.3.6 SAFETY GLAZING ADJACENT TO A DOOR WHERE THE NEAREST EXPOSED EDGE OF THE GLAZING IS WITHIN 24"

- \* WINDOW UNIT TO MEET EGRESS CLEAR OPENING REQUIREMENTS
- 20" CLEAR WIDTH NET OPENING
- 24" CLEAR HEIGHT NET OPENING
- 5.7 MIN S.F. CLEAR OPENING FOR EGRESS (GRADE-FLOOR OPENINGS)



SIDE ELEVATION

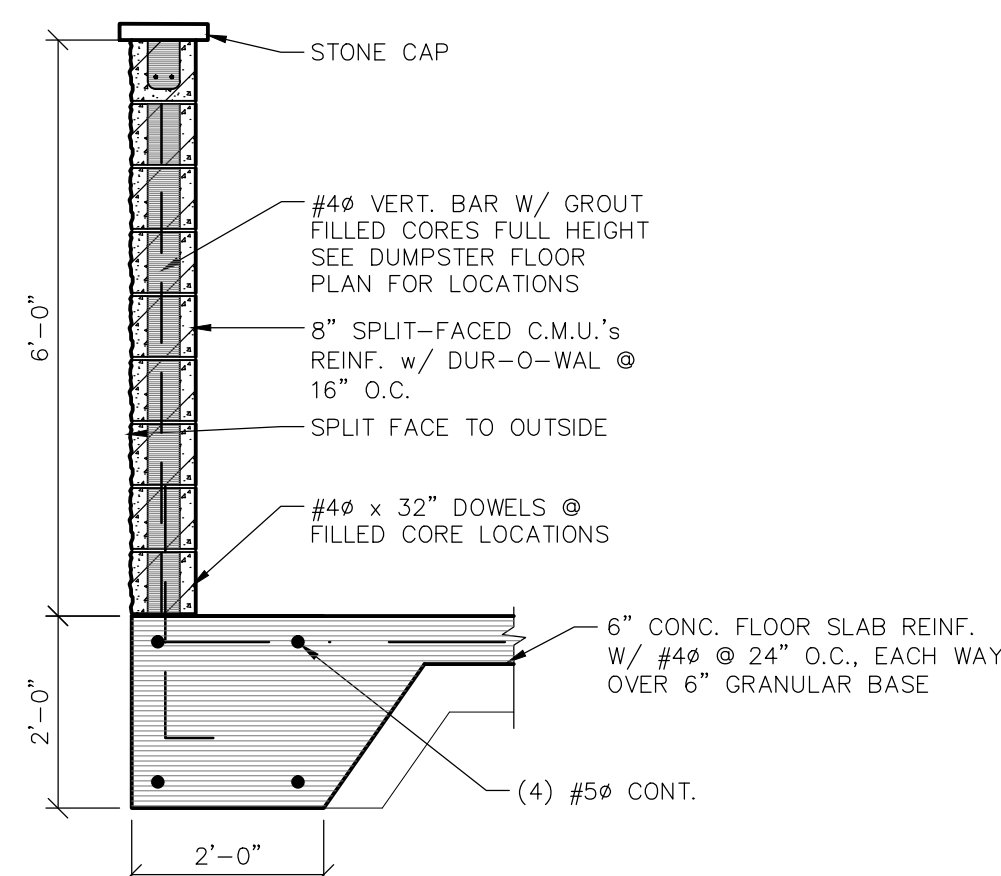
SCALE: 1/8" = 1'-0"



REAR ELEVATION

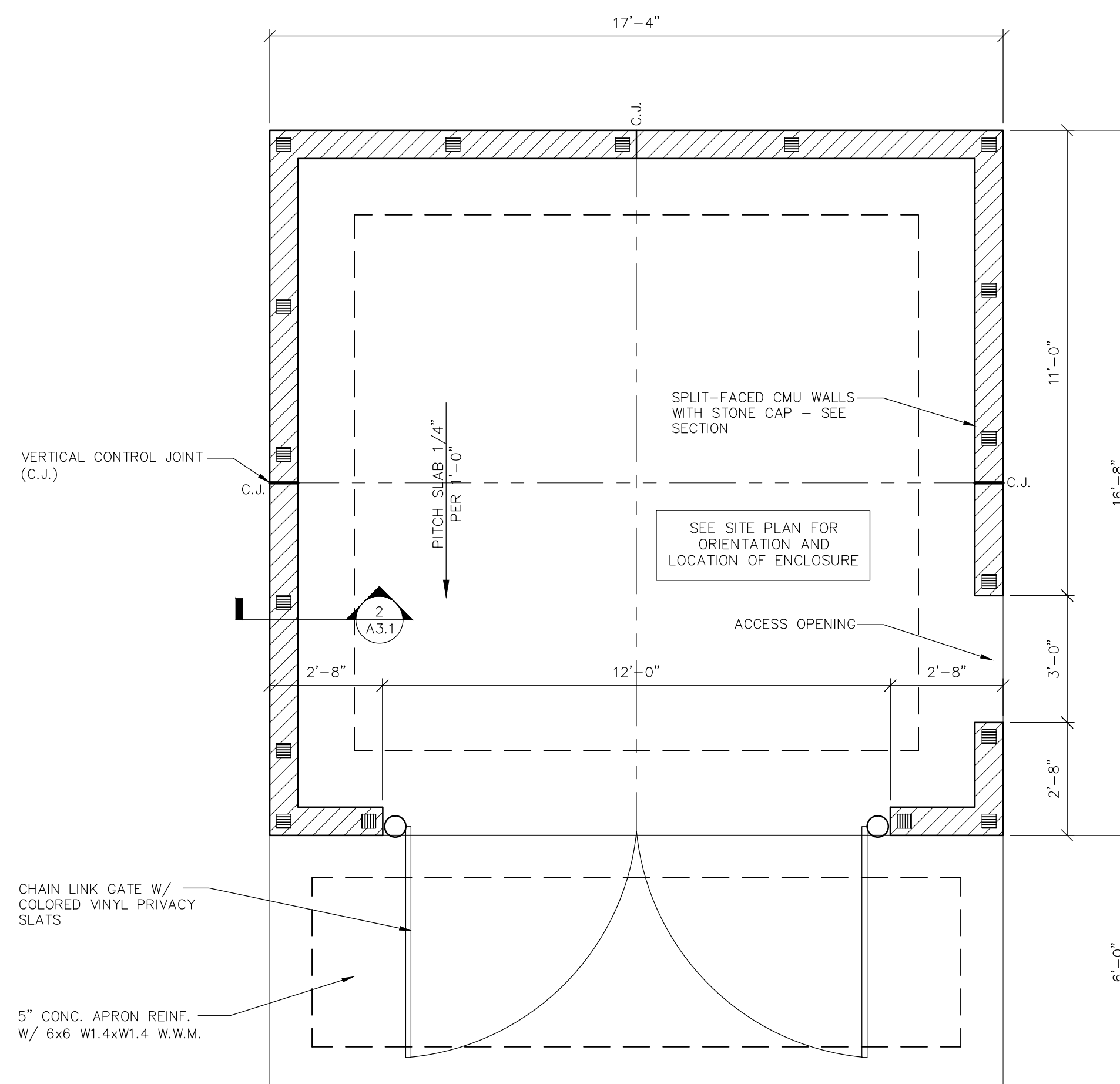
SCALE: 1/8" = 1'-0"

NOTE:  
EXTERIOR ELEVATIONS SHOWN APPLY TO BOTH BUILDINGS 'A' & 'B'



SECTION  
A2.0

SCALE: 1/2" = 1'-0"



DUMPSTER ENCLOSURE PLAN  
A2.0

SCALE: 3/8" = 1'-0"

# ***CITY OF FOND DU LAC - Memorandum***

---

Department of Community Development

**Date:** August 9, 2017

**To:** Plan Commission

**From:** Joellyn Dahlin, Principal Planner

**Re:** Special Use Permit – **1212 Ducharme Parkway**

**Applicant:** Joe Ziegler

**Request:** Develop vacant land for residential use.

**Zoning:**

Site:	O (Office)
North:	C-2 (General Business)
South:	A (Agricultural)
East:	A
West:	R-1 (Single Family Residential)

**Land Use:**

Site:	Undeveloped Land
North:	Undeveloped Land (Future Business Use)
South:	Prairie Trail
East:	Prairie Trail/USH 151
West:	Spring Lake Subdivision

<b>Analysis</b>
-----------------

The subject property is 5.94 acres of undeveloped land on the south side of Ducharme Parkway west of USH 151. The Prairie Trail separates the property from the highway. The surrounding area is largely undeveloped except for several homes on Ducharme Parkway and North Country Lane. Undeveloped land on Ducharme Parkway opposite the subject site is zoned for business use and will allow future commercial development. The Spring Lake subdivision to the west is zoned for single family use, as is land to the northwest on the north side of Ducharme Parkway.

Zoning regulations categorize development as a *permitted* use or a *special* use. A permitted land use is allowed as a matter of right. The zoning of the subject site allows professional offices, medical clinics and similar businesses as permitted land uses. Residential use of the property is allowed as a special use. Special uses are evaluated on an individual basis and require an extra level of review.

The property owner would like to develop the site for residential use, consisting of four single story buildings with a total of 30 apartment units. Three buildings would provide

eight apartments each and one building would offer six. The expected demographic for the apartments are professional persons of single or two-person households. The apartments would not be age restricted, but would be attractive to mature residents because of the building layout and single-story building design.

Residential development in the O (Office) district is regulated by the standards of the R-4 (Multifamily) district. The R-4 standards consider the proximity of properties that are zoned for single family use, limiting allowable density and requiring enhanced building setbacks. Reflective of the property size, the number of apartments proposed (30) is significantly less than what the site would potentially allow (58 units). In comparison, development of the property for detached single family condominium homes would allow 43 separate dwellings.

The site configuration, highway setback restrictions, utility easements, and wetland areas limit the placement of buildings within the northerly half of the property, thereby allowing a significant area of open space. One building is positioned parallel to Ducharme Parkway; the building has a setback of more than 50 feet from the east lot line along the Prairie Trail and a setback of more than 100 feet from the west lot line that adjoins the Spring Lake subdivision. Building 2 (eight units) and Building 3 (eight units) are oriented in a north-south direction and are situated on the east side of the property; the buildings are more than 150 feet from the west lot line. Building 4 is also oriented in a north-south configuration and is situated on the west side of the site. Building 4 is the smallest of the buildings, with 6 living units. The nearest point of Building 4 to the west lot line is 37 feet; the setback increases to nearly 80 feet at the north end of the structure. The proposed development exceeds minimum setback requirements.

The setback requirements for the proposed development are more restrictive than the setback requirements for a commercial building(s) that could be constructed as a matter of right. The minimum side yard setback along the west lot line for a commercial building is 20 feet; a minimum setback of 30 feet is required for the proposed residential use. Zoning regulations in the Office district do not regulate building height, allowing the potential for a multistory commercial building. The building height for a residential use is limited to 35 feet, which is the same height allowed in the adjacent single family district.

Access to the property would be provided with one driveway on Ducharme Parkway approximately 400 feet west of the intersection at USH 151. The exact location of the driveway would be determined in the City's review of a site plan and would consider visibility for pedestrians and vehicles, and traffic safety. The proposed driveway width is the same width at the right-of-way that is allowed for single family development.

Given the property location and the type of development planned, the proposed use is suitable for the site. The low profile of the single story buildings, along with an attractive building design with materials comparable to or similar to materials used in homes in the area, will complement existing and future development.

<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, subject to the following condition:

1. A detailed site plan prepared by a licensed professional shall be reviewed and approved by the Site Plan Committee prior to the issuance of required permits for site development. The site plan shall effectively address site drainage, lighting, erosion control, stormwater management, fire protection, and utilities. The required landscape plan shall address required setback areas, foundation plantings and screening of open parking areas. In addition, the landscape plan shall include a substantial arrangement of plantings along the west lot line to provide a visual buffer for the adjacent subdivision.

## Public Notification - Special Use Permit/Ziegler

Parcel Number	Site Address	Mailing Address 1	Mailing City	Mailing State	Mailing Zip
FDL-15-17-01-44-772-00	1151 DEER RUN	843 MULLEN DR	FOND DU LAC	WI	54935
FDL-15-17-01-44-750-00	551 N COUNTRY LA	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-751-00	543 N COUNTRY LA	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-752-00	531 N COUNTRY LA	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-754-00	507 N COUNTRY LA	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-755-00	493 N COUNTRY LA	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-756-00	477 N COUNTRY LA	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-757-00	1150 DEER RUN	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-773-00	1148 DUCHARME PKY	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-17-01-44-774-00	1138 DUCHARME PKY	889 E JOHNSON ST	FOND DU LAC	WI	54935
FDL-15-18-06-33-070-00		% CITY CLERK	FOND DU LAC	WI	54936
FDL-15-17-01-44-753-00	517 N COUNTRY LA	517 N COUNTRY LN	FOND DU LAC	WI	54935
FDL-15-17-01-44-788-00	1153 DUCHARME PKY	1153 DUCHARME PKWY	FOND DU LAC	WI	54935
FDL-15-18-06-33-531-00	1227 DUCHARME PKY	1718 VAN ZEELAND CT	LITTLE CHUTE	WI	54140
FDL-15-18-06-33-532-00	1207 DUCHARME PKY	1718 VAN ZEELAND CT	LITTLE CHUTE	WI	54140
FDL-15-18-06-33-533-00	1212 DUCHARME PKY	1718 VAN ZEELAND CT	LITTLE CHUTE	WI	54140
FDL-15-18-06-33-513-00	448 HUNTER DR	1718 VAN ZEELAND CT	LITTLE CHUTE	WI	54140
FDL-15-18-06-33-523-01	1289 DUCHARME PKY	1718 VAN ZEELAND CT	LITTLE CHUTE	WI	54140
FDL-15-18-06-33-529-01		1718 VAN ZEELAND CT	LITTLE CHUTE	WI	54140
FDL-15-17-01-44-997-00	0 PRAIRIE RD	1325 S MAIN ST	FOND DU LAC	WI	54935
FDL-15-18-06-33-535-00	0 DUCHARME PKY	944 VANDERPERREN WAY	GREEN BAY	WI	54304