



## CITY OF EAU CLAIRE

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*Department of Public Works*

*Phone: (715) 839-4934*

*Fax: (715) 552-7288*

January 9, 2012

Mr. Jay Tappen

**WEST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION**

800 Wisconsin Street, Suite D2-401

Mail Box 9

Eau Claire, WI 54703-3606

RE: Type IV Sewer Service Plan Amendment – Oakwood Business Park Lot 4  
Environmentally Sensitive Areas – Slopes in Excess of 20 Percent  
Amended Request

Dear Mr. Tappen:

With this letter, the City of Eau Claire requests the WCWRPC's consideration and approval of a Type IV – Sewer Service Plan Amendment for Oakwood Business Park Lot 4 to maintain consistency with the previously approved plans and to support in-fill development. The City understands that the WCWRPC will coordinate the WisDNR review of this amendment as part of the approval process.

A General Development Plan was approved for Oakwood Business Park in 2003. This plan identified areas in excess of 20% slope and also designated a Conservancy Area. Slopes in excess of 20% are excluded from the Chippewa Falls/Eau Claire Urban Sewer Service Area Plan for 2025 (SSAP) prepared in 2007. Adjusting boundaries of the Conservancy Area is not regulated by the SSAP.

The 1.38 acres proposed to be amended is adjacent to areas already disturbed for roadway cuts and adjacent to fairly heavy commercial development. The 1.38 acres includes 0.45 acres that must be removed to create the required vision triangle at the intersection of Bullis Farm Road and Keystone Crossing. The proposed grading for future Lot 4 development will cut into the side of the slope and does not include disturbances at the top of the ridge line south of Keystone Crossing.

The City of Eau Claire Plan Commission approved the Grading and Restoration grading plan for Lot 4 on September 19, 2011, contingent on:

1. Providing a Sewer Service Plan Type IV Plan Amendment request and application materials to the City of Eau Claire for submittal to the West Central Regional Planning Commission.

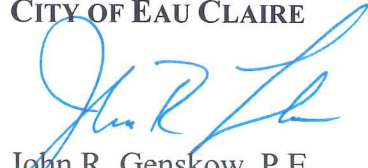
2. Development on areas with slopes currently in excess of 20% not being allowed until such time as a Type IV amendment to the SSAP has been approved and the SSAP has been amended.
3. Applicant providing a revised Conservancy Map that adds an equal or larger amount of land to the Conservancy Area in relation to the amount of land taken out of the Conservancy to expand this commercial lot, prior to grading the site.

The grading plan and the design of the slope stabilization was done under the supervision of a Professional Engineer, licensed to practice in the State of Wisconsin, to protect against potential damage due to erosion.

Please contact me at (715) 839-4934 if you have any questions or would like to discuss this further.

Thank you.

**CITY OF EAU CLAIRE**



John R. Genskow, P.E.  
Deputy City Engineer

rkW

Enclosures

cc: Darryl Tufte, Director of Community Development  
Tom Gilbert, WisDNR  
Dan Clumpner, Oakwood Business Park, LLC  
Disa Wahlstrand, Ayres Associates

**REQUEST FOR A TYPE IV PLAN AMENDMENT TO THE  
CHIPPEWA FALLS / EAU CLAIRE URBAN SEWER SERVICE PLAN**

**OAKWOOD BUSINESS PARK GENERAL DEVELOPMENT PLAN  
LOT 4/R-3P, KEYSTONE CROSSING  
EAU CLAIRE, WISCONSIN**

**1. Background**

- A. The Chippewa Falls / Eau Claire Urban Sewer Service Plan for 2025 (SSP), approved by the Wisconsin Department of Natural Resources (WDNR) July 5, 2007, delineates Environmentally Sensitive Areas including wetlands, shore lands, floodplains, steep slopes, and other limiting physical features.
- B. A General Development Plan for Oakwood Business Park was approved by the City of Eau Claire in 2003.
- C. The Development Agreement for the construction of Bullis Farm Road was entered into in July of 2006. Construction of the Bullis Farm Road/Keystone Crossing intersection requires grading of the easterly 45 feet of Lot 4 Oakwood Business Park General Development Plan to achieve the required vision triangle.
- D. The City of Eau Claire Plan Commission approved the restoration grading plan for the northeast corner of Lot 4 Oakwood Business Park General Development Plan on September 19, 2011. The approval included conditions concerning the amendment to the Sewer Service Area Plan because the grading included disturbing of slopes in excess of 20%. (See attached Plan Commission Staff Report and Minutes, Agenda Item 5.)
- E. The WDNR issued a "Plan Acceptance for Post Construction Performance Standards for Runoff" referenced under Permit No. WI-S067831-3.
- F. A Type IV amendment is required to allow a previously designated Environmentally Sensitive Area to be developed.
- G. The purpose of this request is to modify the limits of the Environmentally Sensitive Area in a designated location, to permit the expansion of an existing developable lot on slopes that exceed 20%.
- H. City of Eau Claire sanitary sewer is currently available to this lot from Keystone Crossing.

**2. Location**

- A. The area of the proposed plan amendment is located on the southeast side of Eau Claire. The request area is located on Keystone Crossing between Golf Road and Commonwealth Avenue. (See attached Location Map.)

### 3. Request to Amend Boundary

- A. It is requested that the WDNR consider this submittal of a Type IV – Plan Amendment for approval as described below:
1. It is requested that the Sewer Service Plan map be updated to eliminate 1.38 Acres of the Environmentally Sensitive Area of slopes greater than 20% from Lot 4/R-3P, Keystone Crossing of the 2003 Oakwood Business Park General Development Plan. The 1.38 acres includes 0.45 acres of slopes in excess of 20% that must be removed to create the required vision triangle at the intersection of Keystone Crossing and Bullis Farm Road.
  2. The Environmentally Sensitive Area and the SSP Map shall be amended in the said location to allow the grading of the lot to expand the future developable area. The boundary is amended with a condition of approval that no construction may occur until an Erosion Control Plan is approved by the City of Eau Claire.

### **AMENDMENT JUSTIFICATION**

- A. The following technical information follows requirements listed within Section 6.3 Sewer Service Area Amendment Process of the Chippewa Falls/Eau Claire Urban Sewer Service Area Plan for 2025. This supporting documentation serves as justification for a Type IV amendment; specifically for development of an environmentally sensitive area involving slopes in excess of 20%.
- (1) *Proximity to Streams*
    - i. The proposed area of development is not located close nor discharges directly to any river, stream, or water body tributary. The closest water body point to which the development could affect is Otter Creek; a tributary of the Eau Claire River. The proposed development is located approximately 6,760 feet west of the area's outfall to Otter Creek and should not negatively impact the river with direct runoff from erosion.
  - (2) *Downstream Drainage*
    - i. Treatment of surface water runoff and drainage and peak rate runoff control is accomplished by a regional storm water pond and infiltration basin. This storm water facility is approximately three acres in size and designed to treat and serve the surrounding commercial development and infrastructure. Specifically, the storm water facility is located along the far eastern extent of Bullis Farm Road at the northwest quadrant of the Interstate 94 and USH 53 intersection. It is owned, operated, and maintained by the City of Eau Claire. From the detention pond, treated storm water discharges to the I-94 right-of-way, through a series of swales and culverts, and ultimately discharges to Otter Creek.
  - (3) *Consistency with Existing Development Patterns*
    - i. Sanitary sewers within much of Oakwood Business Park are currently constructed and in service to the surrounding development. Existing sewer and other utilities are routed down Keystone Crossing, Commonwealth Avenue and Bullis Farm Road (Phase 1), and serve establishments such as Globe University, Texas Roadhouse, and Wells

Fargo. These utilities, including sanitary sewer constructed in 2004, are already in place in Keystone Crossing to serve this lot. Therefore, sewer is not being extended due to the proposed amendment area development. Instead, development of this lot will encourage further infill development of an already heavily developed and disturbed area.

- ii. As approved in the 2003 General Development Plan, the Bullis Farm Road – Phase 2 development will be a continuation of Bullis Farm Road – Phase 1 roadway and utilities which are routed west off Commonwealth Avenue. Phase 2 of the development will extend the roadway and utilities west and northerly to join up with Keystone Crossing.

(4) *Compliance with the City Comprehensive Land Use Plan*

- i. The proposed development is consistent with the current City of Eau Claire Comprehensive Land Use Plan.

(5) *Cost Effective Sewer Service*

- i. As described in subpart (3), *Consistency with Existing Development Patterns*, sanitary sewer service present in Keystone Crossing will serve this lot. Sewer service has been extended past the proposed amendment area and environmentally sensitive area in order to serve commercial development and/or lots. There are no additional sewer extension costs to serve this lot beyond what was expended in 2004.

(6) *Erosion Control Plans*

- i. Erosion and sedimentation issues that could occur at the proposed site will be minimized, controlled, and enforced by requiring the contractor to exercise control measures set forth by the Wisconsin DNR issued WPDES General Permit No. WI-S067831-3 Construction Site Storm Water Runoff for the site grading and erosion control plan. This plan was prepared by a professional engineer of Ayres Associates licensed to practice in the State of Wisconsin.
- ii. An Erosion Control Plan must be approved by City of Eau Claire prior to construction on this lot.
- iii. Erosion control measures will include silt fencing, inlet protection, tracking control, and erosion control matting. All disturbed areas will be restored and protected as soon as possible after construction activities have ceased. Techniques implemented by the selected contractor will be consistent with those outlined by the Wisconsin DNR Technical Standards for Erosion Control.

(7) *Environmental Impacts*

- i. The amendment area is located at the intersection of existing Keystone Crossing and future Bullis Farm Road. To provide public infrastructure to the overall development, these two roadways and their utilities have and will cut through Environmental Sensitive Areas (20% slopes). In order to complete Bullis Farm Road and provide for a safer intersection, the 20% slope areas through the eastern portion of this lot would be graded. These activities will take place under a previous development and plat approval to provide safe public infrastructure.
- ii. To expand upon a naturally more level, developable area of less than 20% slopes in this lot, the isolated area of remaining 20% slopes after

road development would be modified. A total of 1.38 acres of environmentally sensitive area would be disturbed.

- iii. The western portion of the lot and its environmentally sensitive areas would not be disturbed.

(8) *Soils*

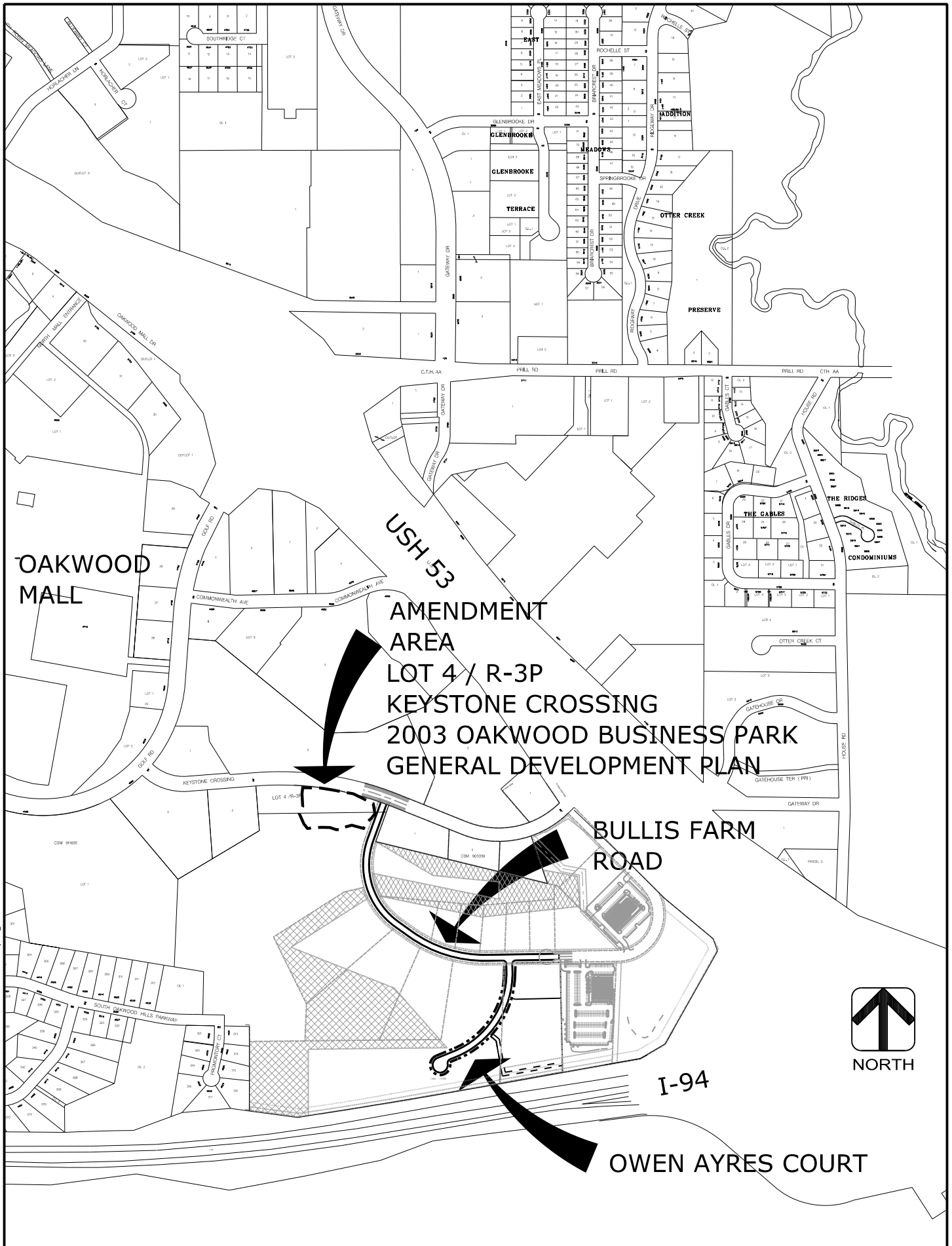
- i. Soils within the environmentally sensitive area of OWBP is predominately characterized by well drained loam; mapped as the Elkmound loam. These soils are generally medium to finely textured in the upper horizons that extend to weakly cemented sandstone bedrock. These soils formed in loamy deposits and are typically found on upland ridges. Permeability is moderate to moderately rapid in the upper horizons and moderately slow to moderate in the sandstone bedrock. Slopes can range up to 60 percent; in the amendment area, slopes are consistent with this survey. The potential for runoff and associated erosion range from negligible to high depending upon the slope. The Bullis Farm Road area has moderate risk as shown on the K erosion factor risk ratings map within the appendices (NRCS – Web Soil Survey).

(9) *Permits*

- i. A Storm Water Notice of Intent – Land Disturbing Activity has been filed with the WDNR. Facility FIN: 45552
- ii. The City of Eau Claire Plan Commission approved the site plan on September 19, 2011.

**ATTACHMENTS:**

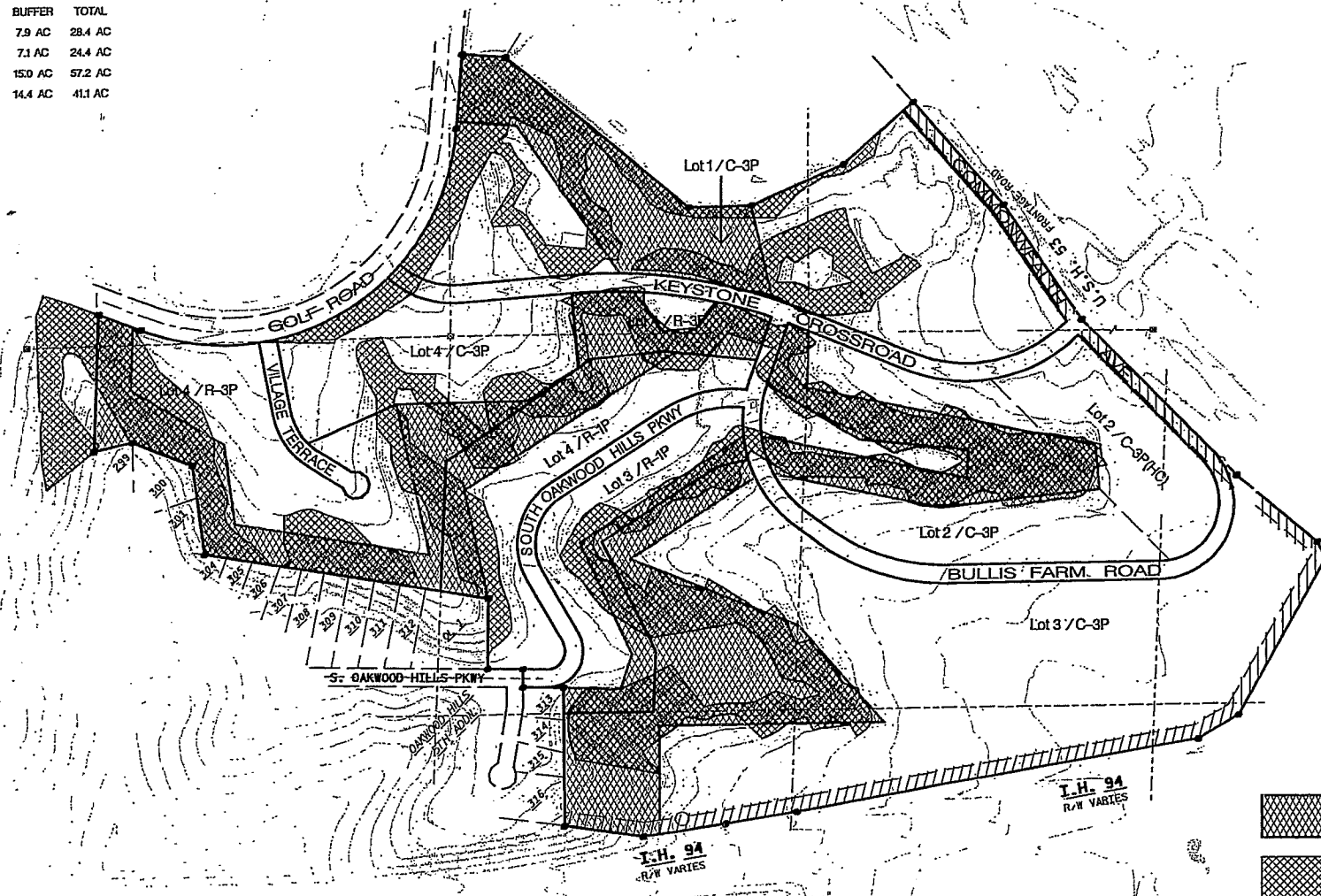
- Location Map
- Oakwood Business Park General Development Plan Map 1
- Exhibit Showing Environmentally Sensitive Area (>20% Slopes)
- Grading and Erosion Control Plan
- Legal Description
- City of Eau Claire Plan Commission Staff Report
- City of Eau Claire Plan Commission Minutes
- Wisconsin Department of Natural Resources Letter – Permit No. WI-S067831-3
- USDA Eau Claire County Soil Survey Excerpt



|                                   |                               |   |   |              |                             |
|-----------------------------------|-------------------------------|---|---|--------------|-----------------------------|
| DES BY<br>DR BY<br>CHK BY<br>DATE | DJP<br>CRB<br>DLW<br>SEP 2011 | BULLIS FARM ROAD - PHASE 2<br>OAKWOOD BUSINESS PARK, LLC<br>EAU CLAIRE, WISCONSIN | <b>AYRES</b><br>ASSOCIATES<br>EAU CLAIRE, WISCONSIN | LOCATION MAP | FIGURE NO<br>1<br>SHEET XXX |
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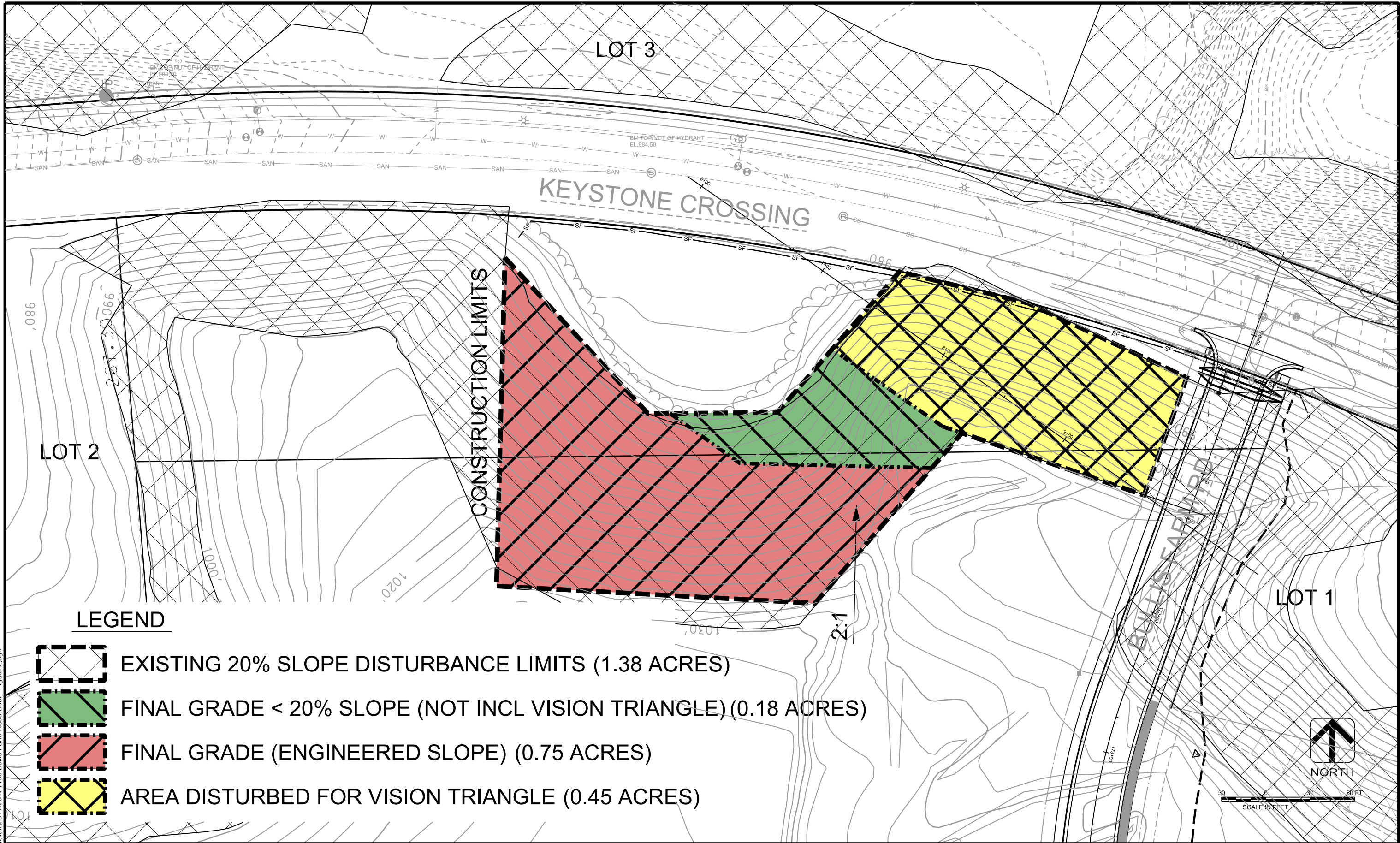
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9/28/2011  
V:\ES\Engcad\ENGINE\EAU\Clair\2011\23121100 Bullis Farm Road\Location Map.dgn

| PARCEL | DEVELOPABLE | BUFFER  | TOTAL   |
|--------|-------------|---------|---------|
| 1      | 20.6 AC     | 7.9 AC  | 28.4 AC |
| 2      | 17.3 AC     | 7.1 AC  | 24.4 AC |
| 3      | 42.2 AC     | 15.0 AC | 57.2 AC |
| 4      | 28.7 AC     | 14.4 AC | 43.1 AC |



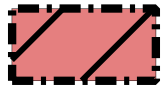



# OAKWOOD BUSINESS PARK GENERAL DEVELOPMENT PLAN MAP 1





**LEGEND**

-  EXISTING 20% SLOPE DISTURBANCE LIMITS (1.38 ACRES)
-  FINAL GRADE < 20% SLOPE (NOT INCL VISION TRIANGLE) (0.18 ACRES)
-  FINAL GRADE (ENGINEERED SLOPE) (0.75 ACRES)
-  AREA DISTURBED FOR VISION TRIANGLE (0.45 ACRES)

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1/6/2012  
J:\ENGINE\EAUCLAIR\2011\23121100 Bullis Farm Road\Brian\_Figure 2.dgn

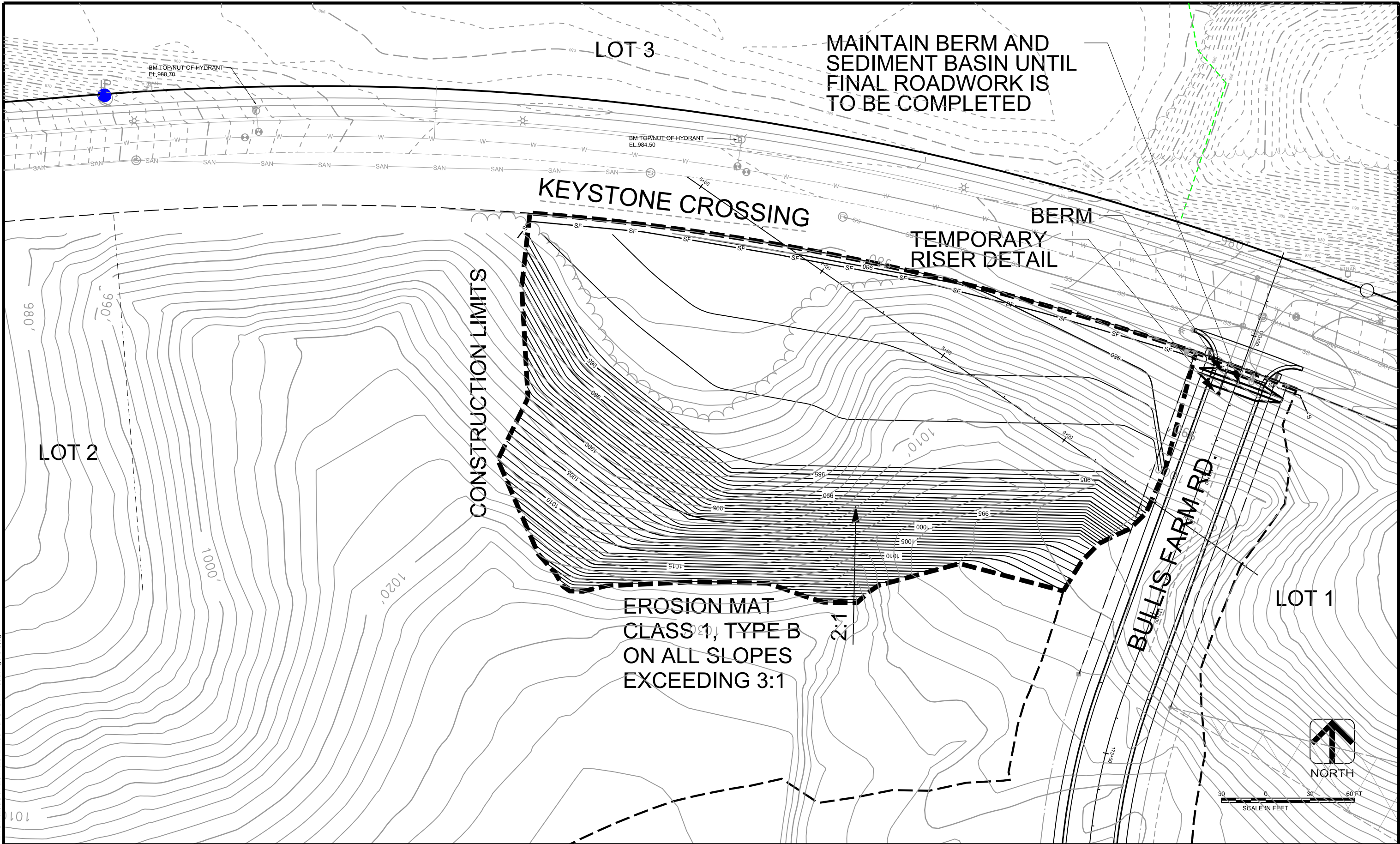
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| DES BY | DJP | BOOK NO |            |    |          |      |                                |          |  |
| DR BY  | CRB | JOB NO  | 23-1420,00 |    |          |      |                                |          |  |
| CHK BY | DLW | DATE    | OCT 2011   | NO | 10/28/11 | DATE | SHEET NO 5,6,7,8,11,19,20 & 22 | REVISION |  |
|        |     |         |            |    |          |      |                                |          |  |

BULLIS FARM ROAD - PHASE 2  
OAKWOOD BUSINESS PARK, LLC  
EAU CLAIRE, WISCONSIN



ENVIRONMENTALLY SENSITIVE AREA  
BORROW SITE GRADING AND EROSION CONTROL PLAN





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|--------|-----|---------|------------|---|------|----------|--|----|------|----------|--|
| DES BY | DJP | BOOK NO | XXX        | <b>NOT - FOR - CONSTRUCTION<br/>PRELIMINARY PLAN<br/>NOT-FOR-CONSTRUCTION</b> |      |          |  |    |      |          |  |
| DR BY  | CRB | JOB NO  | 23-1211.00 |   |      |          |  |    |      |          |  |
| CHK BY | DLW | DATE    | SEP 2011   |   |      |          |  |    |      |          |  |
|        |     |         |            | NO  | DATE | REVISION |  | NO | DATE | REVISION |  |

BULLIS FARM ROAD - PHASE 2  
OAKWOOD BUSINESS PARK, LLC  
EAU CLAIRE, WISCONSIN



BORROW SITE GRADING AND EROSION CONTROL PLAN

|            |   |
|------------|---|
| DRAWING NO | 3 |
| SHEET NO   |   |

ADDITIONAL LANDS SOUTH OF KEYSTONE CROSSING  
TO BE ADDED TO SEWER SERVICE AREA

Part of the Fractional Northwest Quarter of the Northeast Quarter, Section 2, Township 26 North, Range 9 West and part of the Southwest Quarter of the Southeast Quarter, Section 35, Township 27 North, Range 9 West, City of Eau Claire, Eau Claire County, Wisconsin bounded By a line described as follows:

Commencing at the northeast corner of said Section 2;  
Thence S89°48'04"W, on the north line of said section, 1317.32 feet to the northeast corner of said fractional northwest quarter of the northeast quarter;  
Thence N51°00'10"W, 122.05 feet to the intersection of the centerlines of Keystone Crossing And Bullis Farm Road, as platted;  
Thence N71°09'03"W, 32.96 feet to a point on the westerly right-of-way line of Bullis Farm Road and the point of beginning;  
Thence N71°09'03"W a distance of 130.46 feet;  
Thence S40°49'13"W a distance of 152.54 feet;  
Thence N86°54'29"W a distance of 216.27 feet;  
Thence N01°28'27"E a distance of 222.73 feet;  
Thence S42°33'50"E a distance of 143.38 feet;  
Thence N89°34'25"E a distance of 87.70 feet;  
Thence N40°57'34"E a distance of 126.41 feet;  
Thence S76°19'02"E a distance of 89.45 feet;  
Thence S64°50'22"E a distance of 119.15 feet;  
Thence S19°55'40"W, on the westerly right-of-way line of Bullis Farm Road, 84.80 feet to the point of beginning.

Said parcel contains 60217 square feet or 1.382 acres of land, more or less.

## STAFF REPORT

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**TO:** Plan Commission

**HEARING DATES:**

**PLAN COMMISSION:** 9/19/11, 7:00 p.m.  
City Hall, Council Chambers

**FROM:** Community Development

**FILE NO.:** SP-1123

**CITY COUNCIL:** None

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**AGENDA ITEM:** Request to approve a site plan to allow the grading of an area in excess of 20% slope at Keystone Crossing and (future) Bullis Farm Road.

**APPLICANT:** Ayres Associates (Disa Wahlstrand), 3433 Oakwood Hills Pkwy., Eau Claire, WI 54702-1590, FAX: 715-831-7500

**PROPERTY OWNER:** Oakwood Business Park, LLC (Dan Clumpner), 3430 Oakwood Mall Dr., Eau Claire, WI 54701

**ENGINEER/ARCHITECT/  
SURVEYOR:** same

**TYPE OF INTEREST:** engineer

**SURROUNDING LAND USE:**

|        |            |
|--------|------------|
| North: | vacant     |
| East:  | commercial |
| South: | vacant     |
| West:  | vacant     |

**AREA:** N/A

**EXISTING ZONING:** C-3P

**EXISTING LAND USE:** vacant

**PROPOSED ZONING:** same

**PROPOSED LAND USE:** grading

**COMPREHENSIVE PLAN:** Oakwood Hills Land Use Plan

**APPLICANT'S STATEMENT:**

## **ANALYSIS**

Ayres Associates is requesting approval of a site plan to allow the grading of an area in excess of 20% slope at Keystone Crossing and (future) Bullis Farm Road. Attached is the grading plan for the project. The grading plan shows the connection of Bullis Farm Road to Keystone Crossing, which is under a development agreement approved by the City Council. Applicant, as part of this agreement, would also provide a vision triangle at the corner of the two streets for traffic safety. The remaining grading to the west would be to expand an existing commercial lot for future development.

The property is partially within an environmentally sensitive area due to slopes in excess of 20% grade. Section 17.12.290 of City Code states:

17.12.290 A. No development or land disturbance activity shall be allowed within any environmentally sensitive area except after issuance of a permit by the City, such permit only to be issued if the owner demonstrates the proposed development or land disturbance activity is expressly allowed under any of the following: "The provisions of the Chippewa Falls/Eau Claire Urban Sewer Service Area Plan, adopted by reference herein, for all areas of 20% or greater slope."

The grading for the street and vision triangle are exceptions to the Sewer Service Plan provision and have been approved as part of the development agreement. The grading for the remainder of the area to the west to expand the commercial site will require a Type IV amendment to the Sewer Service Plan. We believe this is a reasonable request for this situation and that such amendment should be initiated by the City. The property has sewer service in Keystone Crossing and the grading would expand the site along the existing street. Making more efficient use of existing sewer service is a goal of the City's Comprehensive Plan and the Sewer Service Plan. Providing proper erosion control and site drainage is provided with the request (see below).

The site is also part of a Conservancy area that was provided by applicant with the zoning of the property. Condition #7 of the zoning for the property states: "The land areas in Conservancy may change, but the amount of land shall not be less than the acreage in the existing plan and shall include the specific areas identified by the developer." The attached map illustrates the existing Conservancy for this zoning. Applicant will need to provide the same area or larger to replace the Conservancy used in the grading of this site for expansion of the commercial lot.

Grading and Drainage: The site is tributary to the regional storm water facility constructed for the Oakwood Business Park, located adjacent to the intersection of Commonwealth Avenue and Bullis Farm Road. The proposed grading cuts into the existing slope and moves the slope in excess of 20% further to the south. The proposed grading does not remove the top of the existing ridge, except where Bullis Farm Road will cut through.

The proposed grading of this area is consistent with the parameters used to size the storm sewer conveyance system and the runoff detention facility.

Construction site erosion control BMPs will be required until the disturbed area stabilizes. Post construction storm water best management practices (BMPs) are not required to improve runoff water quality because there is no impervious area proposed with this grading plan. Future development will require water quality BMPs similar to the other developed sites within the Oakwood Business Park to meet the water quality requirements for new development identified in NR151.

Public Utilities: Water and sewer service is available to the site in Keystone Crossing; record dimensions of public facilities can be obtained by calling the Engineering Division. Service stubs have been extended to the right-of-way line adjacent to the westerly portion of the area to be disturbed. Additional utility connections, should they be required in the future, will require a work in the right-of-way permit and a plumbing permit.

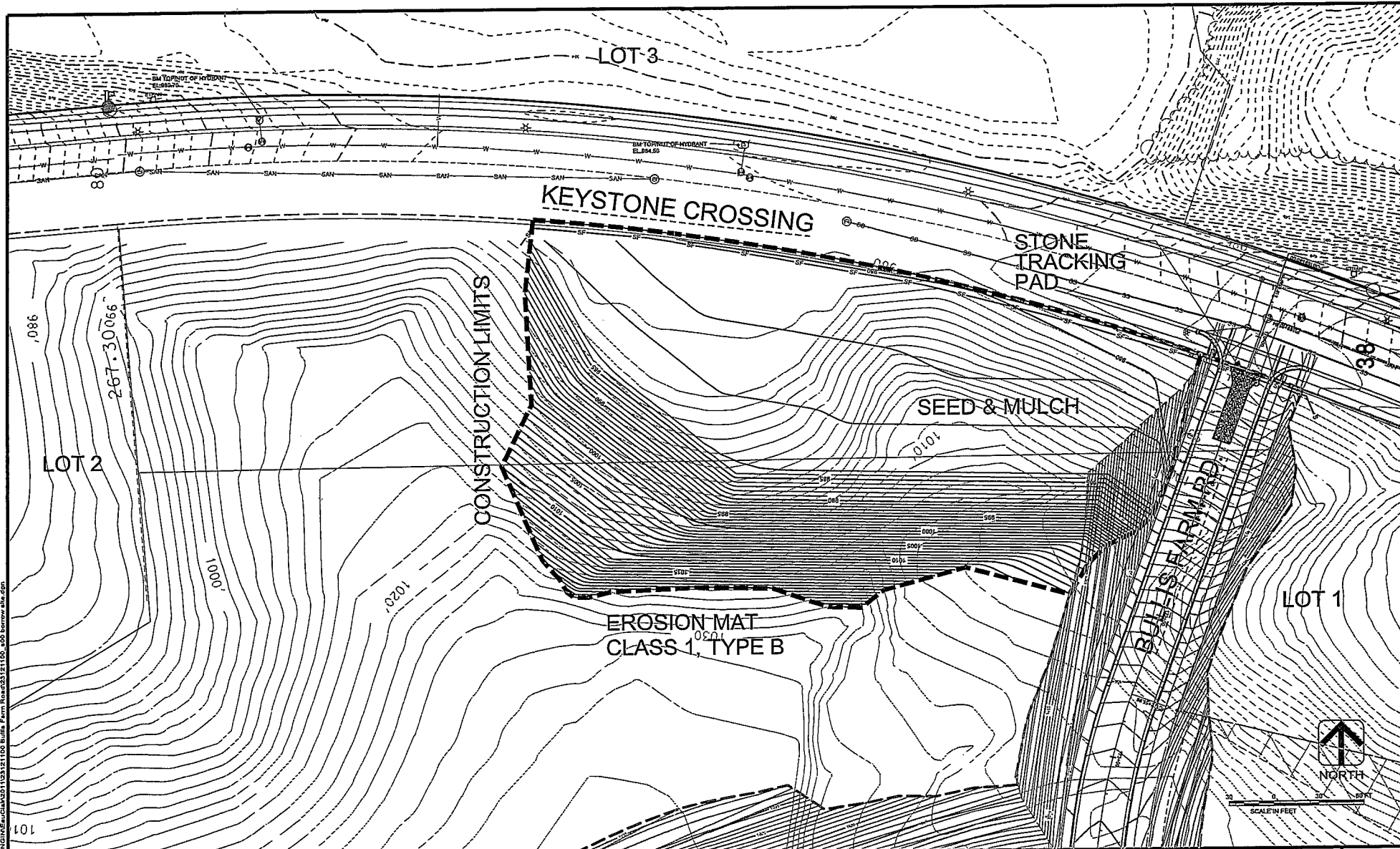
Portions of the site were identified in the General Development Plan approved for this area as having slopes greater than 20%. The General Development Plan was approved in 2003. The existing contours shown on the grading plan also indicate areas with slopes greater than 20%. Slopes in excess of 20% are excluded from the Chippewa Falls/Eau Claire Urban Sewer Service Area Plan for 2025 (SSAP), prepared by the West Central Regional Planning Commission and approved by the Wisconsin Department of Natural Resources in 2007. The primary concern identified in the SSAP is that slopes in excess of 20% are more prone to erosion without more intensive or engineered best management practices and erosion control measures. The proposed grading plan provides engineered best management practices and erosion control measures and will not result in direct runoff into streams or rivers.

While the proposed grading plan does not include plans to develop this area, the grading does open up developable land within the Oakwood Business Park adjacent to existing utilities in Keystone Crossing. A Type IV SSAP amendment should be submitted to allow "infill" commercial development on the re-graded areas that currently have slopes in excess of 20%.

## **RECOMMENDATION**

We recommend approval of SP-1123 subject to the following conditions:

1. Provide a Sewer Service Plan Type IV Plan Amendment request and application materials to the City of Eau Claire for submittal to the West Central Regional Planning Commission.
2. Development on areas with slopes currently in excess of 20% will not be allowed until such time as a Type IV amendment to the SSAP has been approved and the SSAP has been amended.
3. Applicant shall provide a revised Conservancy map that adds an equal or larger amount of land to the Conservancy area in relation to the amount of land taken out of the Conservancy to expand this commercial lot, prior to grading the site.

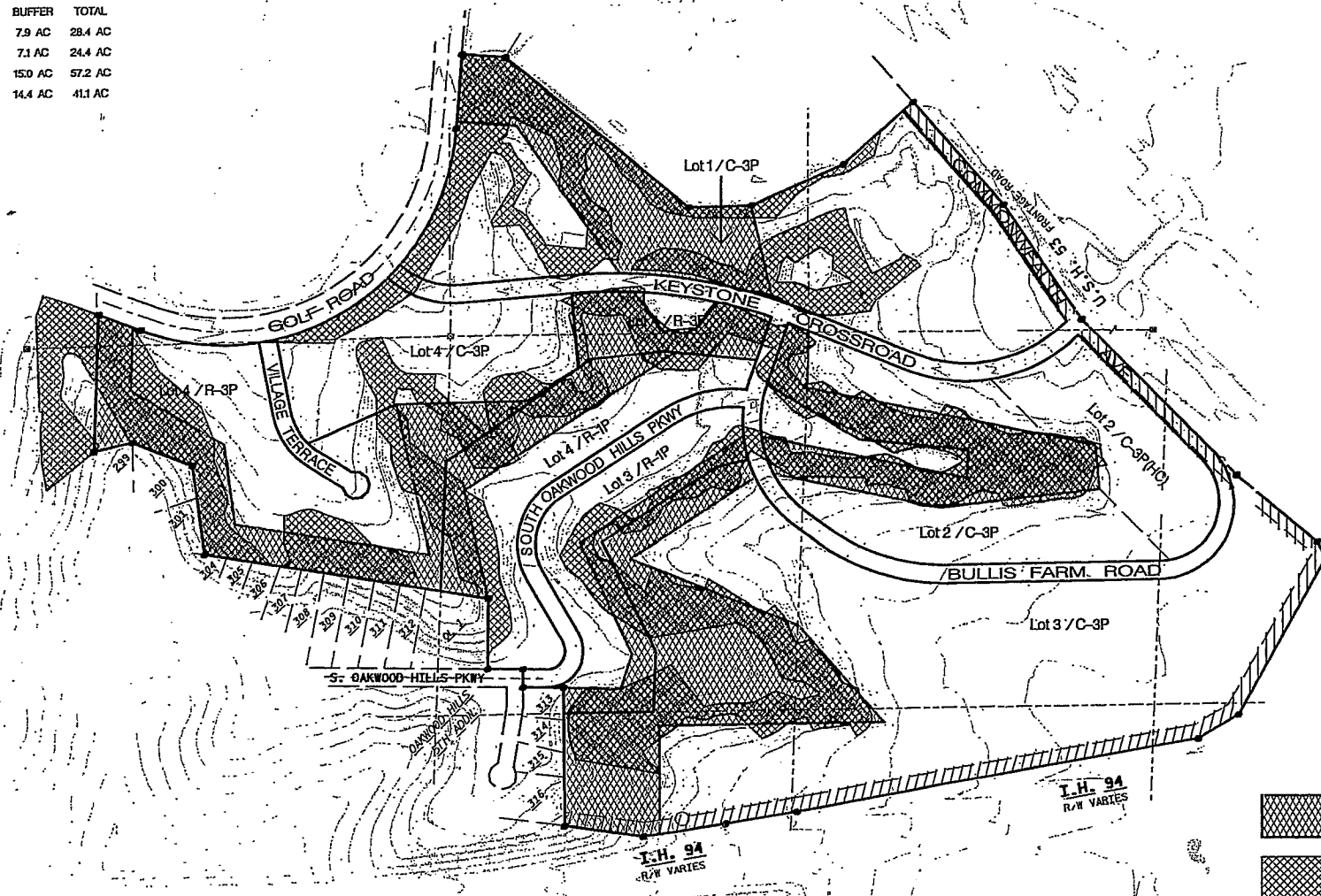








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# OAKWOOD BUSINESS PARK GENERAL DEVELOPMENT PLAN MAP 1

**CITY OF EAU CLAIRE  
PLAN COMMISSION MINUTES**

**Meeting of September 19, 2011**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Klinkhammer, FitzGerald, Larson, Kayser, Strobel, Duax, Pearson

Staff Present: Messrs. Tufte, Noel, Genskow

The meeting was chaired by Mr. Kayser.

**1. CONDITIONAL USE PERMIT (CZ-0904-Amd) – Dog Day Care, 2208 Heimstead Road**

Mr. Tufte presented a request to amend a conditional use permit for an existing kennel at 2208 Heimstead Road. The request is to extend the hours of operation to overnight stays.

Michelle Pacovsky, owner of the Happy Pooch Doggie Daycare and Grooming business, stated she would like to change the hours of operation to take in more dogs as her business is growing. There would be two shifts to take care of all the dogs. The night shift dogs would be allowed outdoors to “do their business” until 10:30 p.m., then they would stay in the rest of the night. She will keep the overhead door to the outdoor area closed in the first hour of the morning to keep dog barking from affecting her neighbors.

Tom Larson, 2215 Fenner Street, stated he lives directly behind the business and has concerns with more dog barking affecting his sleep since he works night shifts.

Todd Trigg, 18969 75<sup>th</sup> Avenue, Chippewa Falls, stated the business has helped him with his dog care needs. He said the business is well-run and the owner handles dogs well.

George Pacovsky, 1170 W. Northstar Lane, stated they try to get the dogs to calm down within the first few minutes of their arrival. A staff person always watches the dogs when they are outside.

Mr. FitzGerald moved to approve the conditional use permit per the staff report, adding that 10:30 p.m. is the last time the dogs can be outside and the overhead door be closed for the first hour in the morning. Mr. Klinkhammer seconded and the motion carried.

**2. GENERAL SITE DEVELOPMENT PLAN (PZ-1106) – Sherman Elementary School Addition**

Mr. Tufte presented a request to allow an addition to Sherman Elementary School. The addition is to the west of the existing building and the 89 parking stalls provided will meet parking regulations. The parking lot will have landscaping and shade trees, along with a bus-drop off. There is a 10’ pedestrian trail to the north that can be used as another emergency access.

Applicant, Charlie Kramer with Eau Claire Area School District, spoke in support of the project. He said they keep the 10’ trail plowed in the winter.

Mr. Klinkhammer moved to recommend approval of the general site development plan per the staff report. Mr. Strobel seconded and the motion carried.

3. **CERTIFIED SURVEY MAP (CSM-2-11) – Bullis Court**

Mr. Tufte presented the request to approve a Certified Survey Map with 66' right-of-way dedication for Bullis Court. The site location extends south of Bullis Farm Road. The CSM would create three lots. One lot would be for the new Holiday Inn. The proposed street name will have to be changed since there is another street in the city with that name. The Development Agreement will provide the details on construction of the street.

Disa Wahlstrand, with Ayres Associates, spoke in support of the project and said the name of the street will now be called Owen Ayres Court.

Mr. FitzGerald moved to recommend approval of the Certified Survey Map per the staff report. Mr. Klinkhammer seconded and the motion carried.

4. **SITE PLAN (SP-1122) – Drive-up Facility, 2308 E. Clairemont Avenue**

Mr. Tufte presented a request to approve the site plan for a new drive-up facility for an Erbert and Gerbert restaurant within the Mega Holiday convenience store. There are 30 stalls on site, which is enough to meet parking regulations. The first condition in the approval letter should be changed to state: "City of Eau Claire Department of Public Works approval of grading plan."

Guy Rossato of 622 Lamplighter Court, representing the applicant, spoke in support of the project.

Mr. FitzGerald moved to approve the site plan per the revised conditions of the staff report. Mr. Duax seconded and the motion carried.

5. **SITE PLAN (SP-1123) – Grading of 20% Slope, Keystone Crossing**

Mr. Tufte presented the request to approve a site plan to allow the grading of an area in excess of 20% slope. The grading changes create a better vision triangle for the future intersection of Keystone Crossing and Bullis Farm Road. Grading would also allow a commercial lot to be larger in size. This request triggers an amendment to the Urban Sewer Service Plan. Staff believes the request is reasonable to send to the DNR and Regional Planning Commission since municipal services are nearby. The site is in a conservancy area that closely matches the higher slopes as part of the original general development plan. The applicant has the choice where to locate the replacement conservancy land within the development. The new conservancy land should be undisturbed land however.

Applicant, Disa Wahlstrand with Ayres Associates, stated they have not determined where the replacement conservancy land will be yet.

Mr. FitzGerald moved to approve the site plan per the conditions of the staff report. Mr. Klinkhammer seconded and the motion carried.

6. **DISCUSSION/DIRECTION**

A. **Waterways Plan – Discovery Chapter**

Mr. Tufte presented the initial draft of the Waterways Plan. Primary issues have been identified and staff would like to get the Plan Commission's input before public meetings begin. The

Advisory Committee members have been selected. The plan looks at the water features within city limits and beyond into the Urban Sewer Service Area. The plan will focus on rivers, creeks, and lakes. Initial topics addressed are economic development, ecology, neighborhood quality, and recreational. As part of the process, the City of Altoona will be asked to participate on the planning for Eau Claire River.

Mr. Kayser suggested adding that park and waterway corridors should be coordinated in a unified way for better tourist and resident use. Mr. Strobel was concerned about the erosion off the bluff along the south side of the Eau Claire River. Mr. Duax wanted to add historical information on natural springs along the north part of the Chippewa River (near Old Wells Road). He also wanted to know about the future preservation of the islands in the Chippewa River. Mr. FitzGerald wanted to know about the redevelopment plans of gravel pits along the south segment of the Chippewa River.

**B.    Zoning and Parking for Universities**

Mr. Noel presented the study on higher learning parking standards and zoning. Thirteen communities in Minnesota, Iowa, and Wisconsin were surveyed. Standards varied depending on the city and the type of university. Green Bay and Oshkosh also required a parking study like Eau Claire. Green Bay and Eau Claire zone their public universities mostly P-Public, but communities like Milwaukee, Platteville, and River Falls have specific university zoning districts.

Mr. Strobel was concerned about parking problems at the university. Mr. Kayser stated traffic hunting for on-street parking within the Third Ward Neighborhood has gotten better since the 2-hour parking limit signage was changed.

**C.    Code Compliance Items**

None.

**D.    Future Agenda Items**

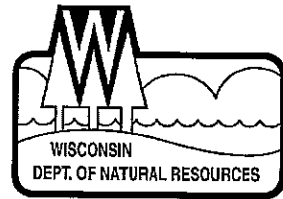
None.

**7.    MINUTES**

The minutes of the meeting of September 6, 2011, were approved.

---

Thomas Pearson  
Secretary



September 26, 2011

Dan Clumpner  
Oakwood Business Park, LLC  
PO Box 617  
Eau Claire, WI 54701

SUBJECT: Coverage Under WPDES General Permit No. WI-S067831-3: Construction Site Storm Water Runoff

Permittee Name: Oakwood Business Park, LLC  
Site Name: Bullis Farm Road - Phase 2  
FIN: 45552

Dear Permittee:

The Wisconsin Department of Natural Resources received your Construction Project Consolidated Permit Application or Notice of Intent, on September 21, 2011, for the Bullis Farm Road - Phase 2 site and has evaluated the information provided regarding storm water discharges from your construction site. We have determined that your construction site activities will be regulated under ch. 283, Wis. Stats., ch. NR 216, Wis. Adm. Code, and in accordance with Wisconsin Pollutant Discharge Elimination System (WPDES) General Permit No. WI-S067831-3, Construction Site Storm Water Runoff. All erosion control and storm water management activities undertaken at the site must be done in accordance with the terms and conditions of the general permit.

The **Start Date** of permit coverage for this site is September 26, 2011. The maximum period of permit coverage for this site is limited to 3 years from the **Start Date**. Therefore, permit coverage automatically expires and terminates 3 years from the Start Date and storm water discharges are no longer authorized unless another Notice of Intent and application fee to retain coverage under this permit or a reissued version of this permit is submitted to the Department 14 working days prior to expiration.

A copy of the general permit along with extensive storm water information including technical standards, forms, guidance and other documents is accessible on the Department's storm water program Internet site. The Department's Internet site is: <http://www.dnr.state.wi.us/runoff/stormwater.htm>

To obtain a copy of the general permit, please download it and the associated documents listed below.

- Construction Site Storm Water Runoff WPDES general permit No. WI-S067831-3:  
[http://dnr.wi.gov/runoff/pdf/stormwater/permits/construction/construction\\_permit\\_S067831-3.pdf](http://dnr.wi.gov/runoff/pdf/stormwater/permits/construction/construction_permit_S067831-3.pdf)
- Construction site inspection report form:  
[http://dnr.wi.gov/runoff/pdf/stormwater/3400187\\_Construction\\_Site\\_Inspection\\_Report.pdf](http://dnr.wi.gov/runoff/pdf/stormwater/3400187_Construction_Site_Inspection_Report.pdf)

- Notice of Termination form:  
<http://dnr.wi.gov/runoff/pdf/stormwater/3400162.pdf>

If, for any reason, you are unable to access these documents over the Internet, please contact me and I will send them to you.

To ensure compliance with the general permit, please read it carefully and be sure you understand its contents. Please take special note of the following requirements (This is not a complete list of the terms and conditions of the general permit.):

1. The Construction Site Erosion Control Plan and Storm Water Management Plan that you completed prior to submitting your permit application must be implemented and maintained throughout construction. Failure to do so may result in enforcement action by the Department.
2. The general permit requires that erosion and sediment controls be routinely inspected at least every 7 days, and within 24 hours after a rainfall event of 0.5 inches or greater. Weekly written reports of all inspections must be maintained. The reports must contain the following information:
  - a. Date, time, and exact place of inspection;
  - b. Name(s) of individual(s) performing inspection;
  - c. An assessment of the condition of erosion and sediment controls;
  - d. A description of any erosion and sediment control implementation and maintenance performed;
  - e. A description of the site's present phase of construction.
3. A **Certificate of Permit Coverage** must be posted in a conspicuous place on the construction site. The Certificate of Permit Coverage (WDNR Publication # WT-813) is enclosed for your use.
4. When construction activities have ceased and the site has undergone final stabilization, a Notice of Termination (NOT) of coverage under the general permit must be submitted to the Department.

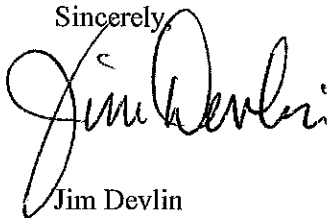
It is important that you read and understand the terms and conditions of the general permit because they have the force of law and apply to you. Your project may lose its permit coverage if you do not comply with its terms and conditions. The Department may also withdraw your project from coverage under the general permit and require that you obtain an individual WPDES permit instead, based on the Department's own motion, upon the filing of a written petition by any person, or upon your request.

If you believe that you have a right to challenge this decision to grant permit coverage, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to ss. 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to s. 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with s. NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with s. NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

Thank you for your cooperation with the Construction Site Storm Water Discharge Permit Program. If you have any questions concerning the contents of this letter or the general permit, please contact Jim Devlin at (715) 684-2914.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Devlin". The signature is fluid and cursive, with the first name "Jim" and last name "Devlin" clearly distinguishable.

Jim Devlin  
West Central Region  
Storm Water Management Specialist

ENCLOSURE: Certificate of Permit Coverage



# CERTIFICATE OF PERMIT COVERAGE

## UNDER THE WPDES CONSTRUCTION SITE STORM WATER RUNOFF PERMIT Permit No. WI-S067831-3

Under s. NR 216.455(2), Wis. Adm. Code, landowners of construction sites with storm water discharges regulated by the Wisconsin Department of Natural Resources (WDNR) Storm Water Permit Program are required to post this certificate in a conspicuous place at the construction site. This certifies that the site has been granted WDNR storm water permit coverage. The landowner must implement and maintain erosion control practices to limit sediment-contaminated runoff to waters of the state in accordance with the permit.

## EROSION CONTROL COMPLAINTS should be reported to the WDNR Tip Line at **1-800-TIP-WDNR (1-800-847-9367)**

Please provide the following information to the Tip Line:

WDNR Site No. (FIN): 45552

Site Name: Bullis Farm Road - Phase 2

Address/Location: Located between Bullis Road and Keystone Crossing City of EAU CLAIRE

Additional Information:

Landowner: Oakwood Business Park, LLC

Landowner's Contact Person: Dan Clumpner

Contact Telephone Number: (715) 832-8707

Permit Start Date: September 26, 2011

By: \_\_\_\_\_



# USDA Eau Claire County Soil Survey

## Excerpt

LOCATION ELKMOUND

WI

Established Series  
Rev. TAM-HFG-JJJ  
12/2006

## ELKMOUND SERIES

The Elkmound series consists of well drained soils that are shallow to a paralithic contact with sandstone. They formed in loamy deposits that are a mixture of loess, slope alluvium, and residuum. Permeability is moderate or moderately rapid in the loamy mantle and moderately slow or moderate in the sandstone. Slopes range from 0 to 60 percent. Mean annual precipitation is about 32 inches. Mean annual air temperature is about 47 degrees F.

**TAXONOMIC CLASS:** Loamy, mixed, superactive, mesic, shallow Typic Dystrudepts

**TYPICAL PEDON:** Elkmound loam - on a 9 percent convex slope in a cultivated field at an elevation of about 920 feet. (Colors are for moist soil unless otherwise stated.)

**Ap**--0 to 6 inches; dark brown (10YR 3/3) loam, pale brown (10YR 6/3) dry; weak fine subangular blocky structure; very friable; about 12 percent sandstone channers and about 2 percent igneous gravel and cobble; slightly acid; abrupt smooth boundary. (6 to 9 inches thick)

**Bw**--6 to 12 inches; yellowish brown (10YR 5/4) channery loam; weak medium subangular blocky structure; very friable; about 30 percent sandstone channers; moderately acid; clear wavy boundary. (6 to 11 inches thick)

**2Cr**--12 to 60 inches; yellowish brown (10YR 5/4) and light yellowish brown (10YR 6/4) fine grained weakly cemented platy sandstone.

**TYPE LOCATION:** Dunn County, Wisconsin; about 1.5 miles southeast of Elkmound; 1950 feet south and 2100 feet east of the northwest corner of sec. 36, T. 28 N., R. 11 W. USGS Elk Creek Lake, Wis. Quad. Latitude - 44 degrees 51 minutes 53 seconds N. Longitude - 91 degrees 31 minutes 48.4 seconds W. NAD 27.

**RANGE IN CHARACTERISTICS:** Depth to the base of soil development and depth to the paralithic contact with sandstone range from 10 to 20 inches. Clay content of the particle-size control section ranges from 5 to 20 percent. Volume of sandstone channers or other gravel ranges from 0 to 20 percent in the A or Ap horizon. Volume of sandstone channers ranges from 0 to 35 percent in the Bw horizon and volume of other gravel from 0 to 20 percent. Volume of cobbles or sandstone flagstones ranges from 0 to 5 percent throughout the soil. Reaction ranges from very strongly acid to slightly acid.

The Ap horizon has hue of 7.5YR or 10YR, value of 3 or 4, and chroma of 2 to 4. Where value moist is 3, value dry is 6 or more. Uncultivated pedons have a thin A horizon with hue of 7.5YR or 10YR, value of 2 or 3 and chroma of 1 or 2. Texture of the Ap or A horizon is loam or sandy loam or the gravelly analogues.

Some pedons have an E horizon with hue of 7.5YR or 10YR, value of 4 to 6, and chroma of 2 or 3.

Texture is the same as the Ap or A horizon above.

The Bw horizon has hue of 10YR, and value and chroma of 3 through 6. Value and chroma of 3 do not occur together. Texture is loam or sandy loam or the gravelly analogues.

Some pedons have a 2BC horizon with hue of 7.5YR or 10YR, value of 4 to 6, and chroma of 3 to 6. Texture is loamy sand, loamy fine sand, sand or fine sand.

The 2Cr horizon has color like the 2BC horizon. It is weakly cemented sandstone with horizontal cleavage. In some areas the sandstone formations contain thin, hard, iron-cemented layers.

**COMPETING SERIES:** There are no competing series. Related series in other families are [Basehor](#), [Boone](#), [Hixton](#), [Northfield](#), and [Ramsey](#). Basehor, Boone, and Ramsey soils are siliceous. Hixton and Northfield soils have an argillic horizon.

**GEOGRAPHIC SETTING:** Elkmound soils are on convex slopes on upland ridges underlain by sandstone, but in some places are on lake terraces. In Dunn County, Elkmound soils are in previously glaciated, bedrock controlled landscapes and typically on the Eau Claire and Mt. Simon formations. Slopes range from 0 to 60 percent. Elkmound soils formed in a mixture of loess, slope alluvium, and residuum underlain by sandstone. Mean annual precipitation ranges from 28 to about 35 inches. Mean annual air temperature ranges from 46 to about 51 degrees F.

**GEOGRAPHICALLY ASSOCIATED SOILS:** These are the [Boone](#), [Gale](#), [Hixton](#), and [Northfield](#) soils. They are all on similar landscapes but not easily distinguished from one another on surface features alone. Gale soils have thicker, finer textured sola and argillic horizons.

**DRAINAGE AND PERMEABILITY:** Well drained. The potential for surface runoff ranges from negligible to high. Permeability is moderate or moderately rapid in the loamy mantle and moderately slow or moderate in the sandstone.

**USE AND VEGETATION:** Some of the less sloping areas of these soils are used for cropland. Common crops are corn, small grain, and hay. Many areas are used for woodland and some are used for pastureland. Native vegetation is mixed deciduous forests, with oak predominating.

**DISTRIBUTION AND EXTENT:** Western and west-central Wisconsin. This soil is of large extent.

**MLRA SOIL SURVEY REGIONAL OFFICE (MO) RESPONSIBLE:** St. Paul, Minnesota

**SERIES ESTABLISHED:** Green County, Wisconsin, 1969. Source of the name is the city of Elkmound in Dunn County.

**REMARKS:** There is some question as to whether the mineralogy would be best characterized as siliceous rather than mixed mineralogy.

**2006-** Due to the shale seams that are common to the Eau Claire and Mt. Simon Formations, it remains classified as mixed. In Dunn, Chippewa, and Eau Claire Counties, previous glacial ice events provided the Precambrian rock fragments that are commonly on the surface of and mixed in the Elkmound soil. This revision provides a new typical pedon in Dunn County which gets the type location back to where it was originally proposed. This revision also changes the bedrock from R to Cr which in turn changes the classification from Lithic Dystrudepts to Typic Dystrudepts. Field study is needed to determine if

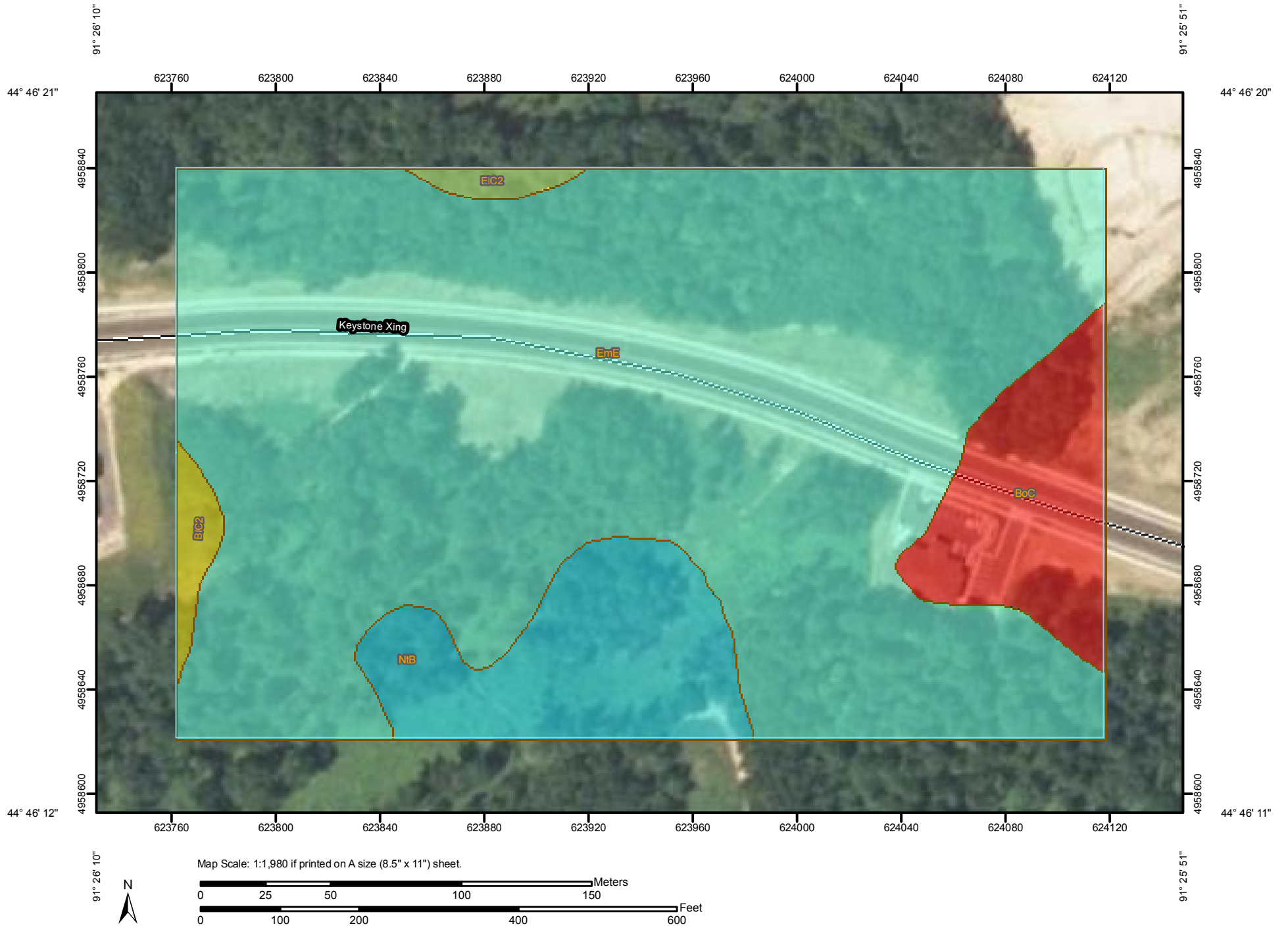
Elk mound mapped in other counties is on different unglaciated bedrock formations where the soil may be siliceous.

Diagnostic horizons and features recognized in this pedon are: ochric epipedon - 0 to 6 inches (Ap); cambic horizon - 6 to 12 inches (Bw); other features - paralithic contact - 12 inches (Cr).

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National Cooperative Soil Survey  
U.S.A.

K Factor, Whole Soil—Eau Claire County, Wisconsin  
(Bullis Farm Road - Phase 2, Oakwood Business Park, LLC)



## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Units

### Soil Ratings

 .02

 .05

 .10

 .15

 .17

 .20

 .24

 .28

 .32


 .37

 .43

 .49

 .55


 .64

 Not rated or not available

### Political Features

 Cities

### Water Features

 Streams and Canals

### Transportation

 Rails



Interstate Highways



US Routes



Major Roads



Local Roads

## MAP INFORMATION

Map Scale: 1:1,980 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:15,840.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
Coordinate System: UTM Zone 15N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Eau Claire County, Wisconsin  
Survey Area Data: Version 8, Jun 24, 2009

Date(s) aerial images were photographed: 6/17/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## K Factor, Whole Soil

| K Factor, Whole Soil— Summary by Map Unit — Eau Claire County, Wisconsin (WI035) |  |        |              |                |
|--|--|--------|--------------|----------------|
| Map unit symbol  | Map unit name                                      | Rating | Acres in AOI | Percent of AOI |
| BIC2   | Billett sandy loam, 6 to 12 percent slopes, eroded | .17    | 0.2          | 1.1%           |
| BoC  | Boone-Plainbo complex, 6 to 12 percent slopes      | .02    | 1.5          | 8.0%           |
| EIC2   | Eleva sandy loam, 6 to 12 percent slopes, eroded   | .24    | 0.1          | 0.7%           |
| EmE  | Elkmound loam, 20 to 45 percent slopes             | .32    | 15.4         | 80.0%          |
| NtB  | Northfield silt loam, 2 to 6 percent slopes        | .37    | 1.9          | 10.1%          |
| <b>Totals for Area of Interest</b>   |  |        | <b>19.2</b>  | <b>100.0%</b>  |

## Description

Erosion factor K indicates the susceptibility of a soil to sheet and rill erosion by water. Factor K is one of six factors used in the Universal Soil Loss Equation (USLE) and the Revised Universal Soil Loss Equation (RUSLE) to predict the average annual rate of soil loss by sheet and rill erosion in tons per acre per year. The estimates are based primarily on percentage of silt, sand, and organic matter and on soil structure and saturated hydraulic conductivity (Ksat). Values of K range from 0.02 to 0.69. Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water.

"Erosion factor Kw (whole soil)" indicates the erodibility of the whole soil. The estimates are modified by the presence of rock fragments.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

*Layer Options:* Surface Layer

(Bullis Farm Road - Phase 2, Oakwood Business Park, LLC)





## MAP LEGEND






















### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Units

### Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot



Very Stony Spot



Wet Spot



Other

### Special Line Features



Gully



Short Steep Slope



Other

### Political Features



Cities

### Water Features



Streams and Canals

### Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

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## Map Unit Legend

| Eau Claire County, Wisconsin (WI035) |  |              |                |
|--------------------------------------|--|--------------|----------------|
| Map Unit Symbol                      | Map Unit Name                                      | Acres in AOI | Percent of AOI |
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| EIC2                                 | Eleva sandy loam, 6 to 12 percent slopes, eroded   | 0.1          | 0.7%           |
| EmE                                  | Elk mound loam, 20 to 45 percent slopes            | 15.4         | 80.0%          |
| NtB                                  | Northfield silt loam, 2 to 6 percent slopes        | 1.9          | 10.1%          |
| <b>Totals for Area of Interest</b>   |  | <b>19.2</b>  | <b>100.0%</b>  |