

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, April 19, 2016

1

1 The Meeting of the Plan Commission Sub Committee of the City of Onalaska was called to order
2 at 4:33 p.m. on Tuesday, April 19, 2016. It was noted that the meeting had been announced and
3 a notice posted at City Hall.

4

5 Roll call was taken, with the following members present: Skip Temte, City Engineer Jarrod
6 Holter

7

8 Also Present: Interim Land Use and Development Director Katie Aspenson, Ald. Jim Binash,
9 Ald. Bob Muth, Craig Breitsprecher.

10

11 Excused Absence: Ald. Jim Bialecki

12

13 **Item 2 – Approval of minutes from previous meeting**

14

15 Motion by Skip, second by Jarrod, to approve the minutes from the previous meeting as printed
16 and on file in the City Clerk’s Office.

17

18 On voice vote, motion carried.

19

20 **Item 3 – Public Input (limited to 3 minutes per individual)**

21

22 Jarrod called for anyone wishing to provide public input.

23

24 **Rich Gillette, Root River Racing Representative**

25 **1922 Maplewood Place**

26 **Onalaska**

27

28 “We’re doing [Item] No. 6, [which is] the review of the site and purpose of the building that I
29 wish to have Wieser Brothers Construction build for me. I have a letter that I put together as to
30 the purpose and general use of the building. If you would like to have those, I can pass them
31 out.”

32

33 Jarrod said a copy of the letter has been included in committee members’ packets.

34

35 **Dave Huggett**

36 **1307 Hickory Street**

37 **Onalaska**

38

39 “I’m here for Agenda Item No. 8, [which is] the reconsideration of a rezoning request. I’m here
40 to inform the Plan Commission [Sub Committee] that I have satisfied the contingency for having
41 an agreement with the property owner, Joyce Diveley, to purchase her property contingent upon
42 rezoning.”

Reviewed by Katie Aspenson 4/21/16

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Keith Heinze
206 South Elm Street
La Crescent, Minn.

“I’m here representing Luther High School, and we are Items 10 and 11. We’re losing our cell tower, and we have requests to keep the foundation and repurpose it, and we also have a request to, if we have to remove it, not to have to go the 5 feet, but 3 feet.”

Jarrold called three times for anyone else wishing to provide public input and closed that portion of the meeting.

Consideration and possible action on the following items:

Item 4 – Review and Consideration of a Conditional Use Permit request filed by the City of Onalaska for City & Wisconsin Department of Natural Resources (WDNR)-owned parcels along Irvin Street, 1st Avenue, and 2nd Avenue South (State Road 35) to construct the Great River Landing (Tax Parcels #18-1-0, 18-9-100, 18-6-0, 18-15-0, 18-20-1, 18-19-0, 18-16-0, 18-18-0, 18-2-2)

1. Contingent upon finalization of Public & Semi-Public rezoning designation
2. Any future improvements to this parcel will be subject to additional City permits
3. Owner shall have all plans reviewed and approved by the City prior to obtaining a building permit. Owner must have all conditions satisfied and improvements installed per approved plans prior to issuance of occupancy permits.
4. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns. The sale or transfer of any or all portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
5. Any omissions of any conditions not listed in committee minutes shall not release the property owner/developer from abiding by the City’s Unified Development Code requirements.

Katie said the City of Onalaska and the Wisconsin Department of Natural Resources jointly own the land within the CUP request of the Great River Landing. Parks are outright permitted in the P-1 District; however, in order to install a structure a CUP per Section 13-5-18 is required. Katie said staff reviewed the submitted conditional use based on compatibility, consistency with the Comprehensive Plan, importance of services to the community, and neighborhood protections.

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85 Five conditions of approval are attached if the CUP request is forwarded to the full Plan
86 Commission, for a public hearing.

87
88 Motion by Jarrod, second by Skip, to forward to the April 26 Plan Commission meeting review
89 and consideration of a Conditional Use Permit request filed by the City of Onalaska for City &
90 Wisconsin Department of Natural Resources (WDNR)-owned parcels along Irvin Street, 1st
91 Avenue, and 2nd Avenue South (State Road 35) to construct the Great River Landing.

92
93 On voice vote, motion carried.

94
95 **Item 5 – Review and Consideration of a Conditional Use Permit request filed by Mike**
96 **Gavin, 2902 Wildrose Lane, Onalaska, WI 54640 on behalf of Jeannette Moe, W8206 Main**
97 **Street, Holmen, WI 54636 for the purpose of allowing three (3) structures on a single parcel**
98 **at 1605, 1613, 1621 & 1637 Main Street, Onalaska (Tax Parcels #18-728-2, 18-728-0 & 18-**
99 **727-1)**

- 100
101 1. Contingent upon finalization of Transitional Commercial (T-C) District rezoning
102 designation.
- 103
104 2. Tax Parcels #18-728-2, 18-728-0, and 18-727-1 shall be combined into one (1) parcel.
105 Contact La Crosse County Land Records Department to complete this condition. Parcel
106 modification to be completed prior to issuance of building permit.
- 107
108 3. Green Fee of \$638.47/acre to be paid to the City prior to obtaining a building permit.
109 \$638.41 * .62 acre = \$395.81 dollars.
- 110
111 4. Any future improvements to this parcel will be subject to additional City permits and fees
112 (i.e., site plan, building permits).
- 113
114 5. Owner shall have all plans reviewed and approved by the City prior to obtaining a
115 building permit. Owner must have all conditions satisfied and improvements installed
116 per approved plans prior to issuance of occupancy permits.
- 117
118 6. All conditions run with the land and are binding upon the original developer and all heirs,
119 successors and assigns. The sale or transfer of any or all portion of the property does not
120 relieve the original developer from payment of any fees imposed or from meeting any
121 other conditions.
- 122
123 7. Any omissions of any conditions not listed in committee minutes shall not release the
124 property owner/developer from abiding by the City's Unified Development Code
125 requirements.
- 126

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127 Katie said that in 2004 the applicant had the east adjacent properties rezoned to Transitional
128 Commercial to facilitate the dental and office uses in existence today at 1621 and 1637 Main
129 Street. The applicant intends to continue the same style of development on the properties
130 currently under review to be rezoned to Transitional Commercial. The three parcels in question
131 would be merged to form a single parcel that would have a total of three principal structures.
132 The construction of more than one principal structure on a single lot is only permitted by CUP
133 per Section 13-1-14(b). Katie said staff considered the standards for review, including
134 compatibility, consistency with the Comprehensive Plan, importance of services to the
135 community, and neighborhood protections. Katie said there are seven conditions of approval
136 tied to the development if the CUP request is forwarded to the full Plan Commission, for a public
137 hearing.

138
139 Motion by Skip, second by Jarrod, to forward to the April 26 Plan Commission meeting review
140 and consideration of a Conditional Use Permit request filed by Mike Gavin, 2902 Wildrose Lane,
141 Onalaska, WI 54640 on behalf of Jeannette Moe, W8206 Main Street, Holmen, WI 54636 for the
142 purpose of allowing three (3) structures on a single parcel at 1605, 1613, 1621 & 1637 Main
143 Street, Onalaska.

144
145 Katie noted that the Plan Commission had approved a rezoning request from Single Family
146 and/or Duplex Residential (R-2) to Transitional Commercial (TC) at its March 22 meeting.
147 Katie said all the neighbors received another notice regarding the CUP ahead of the public
148 hearing scheduled for the April 26 Plan Commission meeting.

149
150 On voice vote, motion carried.

151
152 **Item 6 – Review and Consideration of a Conditional Use Permit request filed by Treavor**
153 **Millin, 200 Twilite Street, La Crescent, MN 55947 for the purpose of allowing**
154 **warehousing/storage/small engine repair at 566 & 570 Lester Avenue (Tax Parcels #18-**
155 **4011-0 & 18-4012-0)**

- 156
157 1. Tax Parcels #18-4011-0 & 18-4012-0 shall be combined into one (1) parcel. Contact La
158 Crosse County Land Records Department to complete this condition. Parcel modification
159 to be complete prior to issuance of building permit.
160
161 2. Any future improvements to this parcel will be subject to additional City permits and fees
162 (i.e., site plan, building permits).
163
164 3. Owner shall have all plans reviewed and approved by the City prior to obtaining a
165 building permit. Owner must have all conditions satisfied and improvements installed
166 per approved plans prior to issuance of an occupancy permit.
167
168 4. All conditions run with the land and are binding upon the original developer and all heirs,

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169 successors and assigns. The sale or transfer of any or all portion of the property does not
170 relieve the original developer from payment of any fees imposed or from meeting any
171 other conditions.

172

173 5. Any omissions of any conditions not listed in committee minutes shall not release the
174 property owner/developer from abiding by the City's Unified Development Code
175 requirements.

176

177 Katie said Wieser Brothers intends to construct a building and parking lot to be leased to Root
178 River Racing. The building will be approximately 14,672 square feet, and it will have space to
179 store transportation trucks, trailers and race vehicles inside the building. There also will be light
180 repairs inside the building and two offices for business operations. The project also is proposed
181 to have seven parking stalls. Katie noted that the applicant has submitted for review a building
182 architecture. The proposed use of storage and light vehicle repair in a Light Industrial (M-1)
183 District is permitted by CUP. Staff has considered compatibility, consistency with the
184 Comprehensive Plan, importance of services to the community, and neighborhood protections.
185 Katie said there are five conditions of approval tied to the development if this item is forwarded
186 to the April 26 Plan Commission meeting, for a public hearing.

187

188 Motion by Skip, second by Jarrod, to forward to the April 26 Plan Commission meeting review
189 and consideration of a Conditional Use Permit request filed by Treavor Millin, 200 Twilite
190 Street, La Crescent, MN 55947 for the purpose of allowing warehousing/storage/small engine
191 repair at 566 & 570 Lester Avenue.

192

193 On voice vote, motion carried.

194

195 **Item 7 – Review and Consideration of an amendment to the Unified Development Code**
196 **(UDC) regarding fences**

197

198 Katie noted that a number of amendments had been proposed at the March 22 Plan Commission
199 meeting and said committee members' packets include both a red-line version and a clean
200 version of regulations pertaining to fences in residential and non-residential zoning districts.
201 Katie said staff proposed language to update the entire fence section to provide clear regulations
202 on fence heights and setbacks in all zoning districts in addition to removing redundant language.
203 A public hearing is scheduled for the April 26 Plan Commission meeting.

204

205 Motion by Skip, second by Jarrod, to forward to the April 26 Plan Commission meeting review
206 and consideration of an amendment to the Unified Development Code (UDC) regarding fences.

207

208 On voice vote, motion carried.

209

210 **Item 8 – Reconsideration of a rezoning request filed by Wieser Brothers G.C. Inc., 200**

Reviewed by Katie Aspenson 4/21/16

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211 **Twilite Street, La Crescent, MN 55947 on behalf of Oak Forest Dental, 1062 Oak Forest**
212 **Drive, Onalaska, WI 54650 from Single Family and/or Duplex Residential (R-2) to**
213 **Neighborhood Business (B-1) for the purpose of constructing a dental office at 1217 Quincy**
214 **Street, Onalaska, WI 54650 (Tax Parcel #18-675-4)**

- 215
- 216 1. Rezoning Fee of \$300.00 (PAID).
- 217
- 218 2. Green Fee of \$638.47/acre to be paid to City prior to obtaining a Building Permit.
- 219 \$638.41 * .255 acre = \$162.81 dollars.
- 220
- 221 3. Any future improvements to this parcel will be subject to additional City permits and fees
- 222 (i.e., building permits).
- 223
- 224 4. Owner/developer shall pay all fees and have all plans review and approved by the City
- 225 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
- 226 and improvements installed per approved plans prior to issuance of occupancy permits.
- 227
- 228 5. All conditions run with the land and are binding upon the original developer and all heirs,
- 229 successors and assigns. The sale or transfer of any or all portion of the property does not
- 230 relieve the original developer from payment of any fees imposed or from meeting any
- 231 other conditions.
- 232
- 233 6. Any omissions of any conditions not listed in committee minutes shall not release the
- 234 property owner/developer from abiding by the City's Unified Development Code
- 235 requirements.
- 236
- 237 7. The rezoning will only be effective when the owner of Parcel No. 18-675-4 has
- 238 purchased Parcel No. 18-675-13 – **CONDITION ADDED BY PLAN COMMISSION** on
- 239 3/22/16.
- 240

241 Katie noted that the Plan Commission had reviewed this rezoning request at its March 22

242 meeting. A seventh condition was added, and this condition is underlined on the attached

243 conditions of approval. However, the rezoning only will be effective when the owner of Parcel

244 No. 18-675-4 has purchased Parcel No. 18-675-13. Katie said this is not an allowable condition

245 of approval as it is considered a conditional rezoning. Katie said the Plan Commission may only

246 forward an application when it is fully satisfied with the application as it stands before the

247 commission. Katie noted that the applicant has a conditional offer accepted by the adjoining

248 property owner satisfying that condition. Katie said the action requested this evening is to

249 remove Condition No. 7 and move the entire project forward to the Plan Commission for its

250 April 26 meeting.

251

252 Motion by Jarrod, second by Skip, to delete Condition No. 7 and forward with six conditions of

Reviewed by Katie Aspenson 4/21/16

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253 approval to the April 26 Plan Commission meeting reconsideration of a rezoning request filed by
254 Wieser Brothers G.C. Inc., 200 Twilite Street, La Crescent, MN 55947 on behalf of Oak Forest
255 Dental, 1062 Oak Forest Drive, Onalaska, WI 54650 from Single Family and/or Duplex
256 Residential (R-2) to Neighborhood Business (B-1) for the purpose of constructing a dental office
257 at 1217 Quincy Street, Onalaska, WI 54650.

258

259 Skip asked if it would be more appropriate to send Item 8 forward recommending approval.

260

261 Motion by Jarrod, second by Skip, to recommend approval of a rezoning request filed by Wieser
262 Brothers G.C. Inc., 200 Twilite Street, La Crescent, MN 55947 on behalf of Oak Forest Dental,
263 1062 Oak Forest Drive, Onalaska, WI 54650 from Single Family and/or Duplex Residential (R-
264 2) to Neighborhood Business (B-1) for the purpose of constructing a dental office at 1217
265 Quincy Street, Onalaska, WI 54650.

266

267 Jarrod asked if the Plan Commission is required to request that an offer to purchase be placed
268 under file.

269

270 Katie said that she has a copy of the offer to purchase.

271

272 Ald. Binash asked if the apartment complex located on the corner will be razed.

273

274 Katie said Joyce Diveley owns the property located at the intersection of Sand Lake Road and
275 Quincy Street (a parking lot area). Katie said the request is to rezone the residential house to B-
276 1 so the parking lot may be merged with the residential house and then redeveloped.

277

278 Jarrod told Ald. Binash that the apartment complex to which he is referring is located on the
279 southwest corner and said the development would be located on the northeast corner of the
280 intersection (of Sand Lake Road & Quincy Street).

281

282 On voice vote, motion carried.

283

284 **Item 9 – Discussion and consideration regarding the Onalaska Payment in Lieu of Taxes**
285 **Policy**

286

287 Katie noted that the Plan Commission had raised several questions at its March 22 meeting
288 regarding PILOT payments. Katie said the purpose of a PILOT is to assist in the city's burden of
289 providing city services (e.g. street lighting, street cleaning and maintenance, police and fire
290 protection, snow removal) that benefit tax-exempt organizations. Katie noted that at its April 12
291 meeting the Common Council sent the policy back to the Plan Commission for further review.
292 Katie said the city's legal counsel is in the process of making edits that will address the Plan
293 Commission's questions, mainly related to the PILOT process as a whole. Katie said the revised
294 PILOT policy will be included copies of the Plan Commission meeting packet that should be

Reviewed by Katie Aspenson 4/21/16

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295 distributed this week. Katie said staff is asking to forward this item to the Plan Commission for
296 consideration.

297

298 Motion by Skip, second by Jarrod, to forward without recommendation to the April 26 Plan
299 Commission meeting discussion and consideration regarding the Onalaska Payment in Lieu of
300 Taxes Policy.

301

302 Skip said, "I think we need to take a different look at things here. I think we are getting into a
303 situation where we're basically looking at the trees, and we need to step back and look at the
304 forest. I think we need to look back and say, 'Do we really want to eliminate tax-exempt
305 organizations in Onalaska?' Even though it's called a PILOT program, if it's mandatory it's still
306 a tax, so we no longer have tax-exempt organizations. [Rather], we have organizations that are
307 all being taxed under this new thing. So I think before we move forward with a PILOT program
308 we should have some sort of a public hearing to see if the citizens of Onalaska want to eliminate
309 tax-free organizations."

310

311 Katie said, "We are looking at moving forward with something similar in that nature [and]
312 having a public hearing and an in-depth discussion regarding PILOTs in the City of Onalaska."

313

314 On voice vote, motion carried.

315

316 **Item 10 – Review and consideration a request from Keith Heinze on behalf of Luther High**
317 **School to allow an exception to Section 13-6-6-1 (h) Removal/Security for Removal**
318 **regarding abandoned cell towers**

319

320 Katie said that within the last year both the Plan Commission and the Common Council had
321 approved an ordinance amendment specific to decommissioning telecommunication towers
322 within the City of Onalaska. The applicant currently has an inactive cell tower and associated
323 facilities at Luther High School, and Katie said staff has been working with the school to
324 appropriately decommission the tower and the support equipment. The final deadline to remove
325 the entire structure and support structures and base is July 31. Katie referred to the staff report,
326 which includes the section the section that specifically discusses the removal and the security for
327 removal regarding abandoned cell towers. Katie said Luther High School is requesting an
328 exception to allow the foundation and base – most of which is located below the ground, with a
329 small portion of it being above ground – and the electrical service to remain in place and be
330 repurposed as a foundation for a different accessory structure (flagpole, cross, pole sign) that
331 would be outright permitted on the site.

332

333 Motion by Skip, second by Jarrod, to recommend approval of a request from Keith Heinze on
334 behalf of Luther High School to allow an exception to Section 13-6-6-1 (h) Removal/Security for
335 Removal regarding abandoned cell towers.

336

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337 For clarification, Jarrod said the motion is to approve Luther High School's request to repurpose
338 the abandoned cell tower structure.

339

340 On voice vote, motion carried.

341

342 **Item 11 – Review and consideration of a second request from Keith Heinze on behalf of**
343 **Luther High School to allow an exception to Section 13-6-6-1 (h) Removal/Security for**
344 **Removal regarding abandoned cell towers**

345

346 Katie said the city's current ordinance states that if the base (the subsurface to below the
347 building) is removed, it must go down to 5 feet. Luther High School is requesting to go down to
348 3 feet. Katie said the city did not have the 5-foot rule when the cell tower was installed and
349 noted that Luther High School has a lease agreement with the cell tower to go down to 3 feet.
350 Katie said the purpose of this request is if Luther High School decides not to repurpose the cell
351 tower.

352

353 Motion by Skip, second by Jarrod, to approve a second request from Keith Heinze on behalf of
354 Luther High School to allow an exception to Section 13-6-6-1 (h) Removal/Security for Removal
355 regarding abandoned cell towers and remove the base down to 3 feet instead of 5 feet.

356

357 On voice vote, motion carried.

358

359 **Adjournment**

360

361 Motion by Skip, second by Jarrod, to adjourn at 5:01 p.m.

362

363 On voice vote, motion carried.

364

365

366 Recorded by:

367

368 Kirk Bey