

**Plan Commission
of the City of Onalaska**
Tuesday, March 22, 2016
1

1 The Meeting of the Plan Commission of the City of Onalaska was called to order at 7:00 p.m. on
2 Tuesday, March 22, 2016. It was noted that the meeting had been announced and a notice posted
3 at City Hall.

4
5 Roll call was taken, with the following members present: Mayor Joe Chilsen, Ald. Jim Bialecki,
6 City Engineer Jarrod Holter, Jan Brock, Paul Gleason, Skip Temte, Craig Breitsprecher, Andrea
7 Benco

8
9 Also Present: City Clerk Cari Burmaster, Interim Land Use and Development Director Katie
10 Aspenson, Ald. Jim Binash, Ald. Bob Muth

11
12 **Item 2 – Approval of minutes from previous meeting**

13
14 Motion by Ald. Bialecki, second by Andrea, to approve the minutes from the previous meeting
15 as printed and on file in the City Clerk’s Office.

16
17 On voice vote, motion carried.

18
19 **Item 3 – Public Input (Limited to 3 minutes per individual)**

20
21 Mayor Chilsen called for anyone wishing to provide public input.

22
23 **Dennis Aspenson**
24 **1735 Pineridge Drive**
25 **Onalaska**

26
27 “I’m thanking the Plan Commission for letting me address you on numerous occasions over the
28 last couple of months, along with the Long Range Planning Committee, which I addressed with
29 my thoughts and concerns about Sand Lake Road. I’m here again tonight to touch on a couple of
30 things. I have a couple of other requests to the other requests that I had at the previous meetings,
31 and this one would be to add streetscaping and pedestrian-friendly street lighting to the Riders
32 Club street project slated for 2018. I think that would fall between this committee and the Board
33 of Public Works, but if we’re going to do something on Riders Club Road that would be the time
34 to do it when that street is torn up in 2018. The other item is I would request that this committee
35 place on the April agenda the Sand Lake corridor projects [Menards Area Master Plan], or that
36 area I’ve been addressing, on the Plan Commission’s agenda for April for open discussion, and
37 to give direction to the department heads and other possible committees on how and when and
38 what your thoughts are on addressing those items in that corridor. With that said, I appreciate
39 the opportunity.”

40
41 **Shari Collas**
42 **216 Oak Forest Drive**

Reviewed 3/29/16 by Katie Aspenson

43 **Onalaska**

44

45 “I’m representing Clearwater Farm. I just wanted to clarify. I know prior the Plan Commission
46 had wanted a 10-foot barrier between the fence that we’ve been given permission for the grazing.
47 We don’t have a problem with the 10-foot barrier. The problem is the mowing of the 10 feet
48 around that huge fence. We are sustained completely by volunteers, so this would be pretty labor
49 intensive. I don’t know if the city is still willing to mow part of it, maybe along the path and
50 along the road. Like I said, we don’t have a problem with the distance, but it’s the mowing. We
51 can’t do it. We can’t do all the upkeep. The other issue – and I don’t know if this has been
52 brought up to you – is the lease also addressed that if the city terminates our lease that they
53 would keep the fencing and all our gates. We also have an issue with that because that’s going to
54 be a substantial amount of money that Clearwater is going to invest into that fencing and gate. If
55 it’s 10 years from now, maybe it won’t be an issue. But let’s say a year from now this lease
56 becomes terminated, we’re going to want our property. That’s where we’re at. Again, we’re
57 flexible when it comes to the distance – just so we don’t have to maintain it. Thank you.”

58

59 **Joyce Diveley**
60 **711 Pleasant Court**
61 **Onalaska**

62

63 “My husband and I own the property at 704-702 Sand Lake Road. It is adjacent to properties up
64 for rezoning tonight for your consideration at 1217 Quincy Street. We’ve owned the property for
65 about 30 years. We own the office building that’s one lot off of the corner. When we originally
66 bought the property we had hoped that we could do a little bit more development on it. But due
67 to all the changes in the economy and things that have gone on, that has never happened. We’ve
68 had an individual come forward that has purchased the property at 1217 Quincy and would like
69 to make an adjacent project where we’re going to have a larger campus and can sustain a second
70 building. We think this is good for the community. We think it’s a good economic base for the
71 community to go from a parking lot and a small home to a 5,000 square-foot office building. We
72 also think it fits with the city’s long range plan, [which is] the eventual development of the Sand
73 Lake corridor. We’re trying to be very conscientious of the neighbors and do what we think will
74 fit in well with the neighborhood. I did send out preliminary letters about a week ago to all the
75 neighbors that would be affected by this and I asked them to please look at the site plan and
76 make sure that if you have any questions to contact me. I did receive one call, and that was
77 concerning the fence on the east side of the property; [specifically], the farthest east on Quincy
78 Street. I had signed my name to the letter as a neighbor because we are obviously involved in
79 this. I only received one call, and it was a question about the fencing. I said the fencing will stay
80 there. They were concerned that we would take the fence down next to their duplex. My
81 husband and I think this is going to be a good project for everybody, and we hope that the Plan
82 Commission will consider giving us some sort of an approval. Thank you.”

83

84 **Cal Erickson**

Reviewed 3/29/16 by Katie Aspenson

85 **213 2nd Avenue North**
86 **Onalaska**
87

88 “I need clarification, and I’ll be happy to wait to fit your convenience. Regarding the Tax Parcel
89 numbers, when you look at Item No. 4 on the agenda tonight and compare with Item No. 13, the
90 lot that I’m adjacent to, Tax Parcel #18-1-0 is not in No. 13. I was confused and wanted
91 clarification to try to understand why that parcel has been excluded.”
92

93 Mayor Chilsen told Cal that his question will be addressed at the appropriate time.
94

95 Cal asked if he will have an opportunity at that time to ask questions.
96

97 Mayor Chilsen said yes.
98

99 Mayor Chilsen called three times for anyone else wishing to provide public input and closed that
100 portion of the meeting.
101

102 **Consideration and possible action on the following items:**
103

104 **Item 4 – Public Hearing: Approximately 7:00 P.M. (or immediately following Public**
105 **Input) – Public Hearing and Consideration of a rezoning request filed by the City of**
106 **Onalaska for City-owned parcels along Irvin Street, 1st Avenue, and 2nd Avenue South**
107 **(State Road 35) from miscellaneous zoning districts including R-1, B-1, M-3, and undefined**
108 **to Public and Semi-Public (P-1) for the purpose of public recreation and open space uses to**
109 **construct the Great River Landing (Tax Parcels #18-1-0, 18-9-100, 18-6-0, 18-15-0, 18-20-1,**
110 **18-19-0, 18-16-0, 18-18-0, 18-2-2)**
111

- 112 1. Any future improvements to this parcel will be subject to additional City permits.
113
114 2. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
115 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
116 and improvements installed per approved plans prior to issuance of occupancy permits.
117
118 3. 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 4. 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 all the properties located within 250 feet of the aforementioned parcel numbers were
128 notified about the public hearing. Katie stressed that only the listed parcels may be rezoned and
129 said the properties located within 250 feet include residential dwellings, commercial businesses,
130 a utility substation, park land and railroad properties. The Comprehensive Plan identifies this
131 area as Downtown Mixed Use, which is supposed to have compact pedestrian-oriented areas
132 with a mixture of neighborhood and recreation-oriented commercial businesses, and also park
133 and open space. The City of Onalaska and the Wisconsin Department of Natural Resources
134 collectively own the aforementioned parcels, and Katie said both parties wish to rezone them to
135 Public and Semi-Public so there is one consistent zoning district for all the properties. Katie said
136 the purpose is to facilitate the construction of the Great River Landing, which will provide safe
137 and accessible access to the waterfront and connectivity to Main Street, downtown Onalaska and
138 the existing Great River State Trail.

139
140 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
141 rezoning request.

142
143 Mayor Chilsen called three times for anyone wishing to speak in favor of the rezoning request
144 and closed that portion of the public hearing.

145
146 Mayor Chilsen called for anyone wishing to speak in opposition to the rezoning request.

147
148 **Cal Erickson**
149 **213 2nd Avenue North**
150 **Onalaska**

151
152 “I’m probably neither, but I want clarification. You mentioned you had four conditions attached
153 to this proposal. I was wondering if you would audibly recite them.”

154
155 Katie recited the four conditions of approval for Cal.

156
157 Cal asked, “For contiguous properties, to those that have been mentioned by Mayor Chilsen,
158 does that impact our contiguous properties at all?”

159
160 Katie said no, stating that the rezoning is only attached to the properties of the question. Katie
161 said the letter she sent to property owners located within 250 feet was meant to inform them of
162 the intent to rezone.

163
164 Mayor Chilsen called three times for anyone wishing to speak in opposition to the rezoning
165 request and closed the public hearing.

166
167 Motion by Ald. Bialecki, second by Craig, to approve with the four attached conditions a
168 rezoning request filed by the City of Onalaska for City-owned parcels along Irvin Street, 1st

169 Avenue, and 2nd Avenue South (State Road 35) from miscellaneous zoning districts including R-
170 1, B-1, M-3, and undefined to Public and Semi-Public (P-1) for the purpose of public recreation
171 and open space uses to construct the Great River Landing.

172

173 Skip said he is abstaining from voting because his family once resided on the property, and also
174 had sold part of the property to the City of Onalaska.

175

176 On voice vote, motion carried, 7-0, with one abstention.

177

178 **Item 5 – Public Hearing: Approximately 7:10 P.M. (or immediately following previous**
179 **hearing at 7:00 p.m.) – Public Hearing and Consideration of a rezoning request filed by**
180 **Weiser Brothers G.C. Inc., 200 Twilite Street, La Crescent, MN 55947 on behalf of Oak**
181 **Forest Dental, 1062 Oak Forest Drive, Onalaska, WI 54650, from Single Family and/or**
182 **Duplex Residential (R-2) to Neighborhood Business (B-1) for the purpose of constructing a**
183 **dental office at 1217 Quincy Street, Onalaska, WI 54650 (Tax Parcel #18-675-4)**

184

185 1. Rezoning Fee of \$300.00 (PAID).

186

187 2. Green Fee of \$638.47/acre to be paid to City prior to obtaining a Building Permit.
188 \$638.41 * .255 acre = \$162.81.

189

190 3. Any future improvements to this parcel will be subject to additional City permits (i.e.,
191 site plan, building permits).

192

193 4. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
194 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
195 and improvements installed per approved plans prior to issuance of occupancy permits.

196

197 5. All conditions run with the land and are binding upon the original developer and all heirs,
198 successors and assigns. The sale or transfer of any or all portion of the property does not
199 relieve the original developer from payment of any fees imposed or from meeting any
200 other conditions.

201

202 6. Any omissions of any conditions not listed in committee minutes shall not release the
203 property owner/developer from abiding by the City's Unified Development Code
204 requirements.

205

206 Katie said the properties located within 250 feet of the one in question include residential
207 dwellings and personal service-related businesses and offices. The Comprehensive Plan
208 identifies this area as a Mixed Use development, which calls for a mixture of complementary
209 land uses, including housing, retail, office, and service and civic uses in an efficient, compact
210 and relatively dense development pattern. The applicant owns the property under review, which

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211 is currently zoned Single Family and/or Duplex Residential. The purpose is to construct a dental
212 office and rezone the property to Neighborhood Business (B-1).

213

214 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
215 rezoning request.

216

217 **Dave Huggett**
218 **1307 Hickory Street**
219 **Onalaska**

220

221 “I own Oak Forest Dental in Onalaska. This fall will be our 16th year, so we’re a very well-
222 established business in town. I think it’s a move forward for my business, and a move forward
223 for the city in this corridor. We’re going to construct a very nice one-story craftsman style
224 building that will fit in well with the neighborhood. We’re going to be very sensitive to
225 neighbors’ concerns about aesthetics. We haven’t had any opposition or any concerns besides
226 what Joyce talked about, [which is] the fence, and that’s easily addressed. I just think that’s it’s
227 going to be a very, very nice addition to that intersection in town, which as you know is only
228 going to get busier. It’s a nice visible spot for a business like ours.”

229

230 **Joyce Diveley**
231 **711 Pleasant Court**
232 **Onalaska**

233

234 “I did think of one other thing that I just wanted to mention that Dave did allude to. When we
235 built our office building we tried to make it as neighbor-friendly as possible by using typical
236 materials that would also be in a typical neighborhood [such as] brick siding, asphalt roof with a
237 pitched roof and not a big glass-and-chrome kind of building. Dave does plan to do a similar
238 type of thing with a pitched roof and asphalt roofing and siding in brick or stone.”

239

240 Mayor Chilsen called three times for anyone else wishing to speak in favor of the rezoning
241 request and closed that portion of the public hearing.

242

243 Mayor Chilsen called for anyone wishing to speak in opposition to the rezoning request.

244

245 **Linda Arlt**
246 **703 Hanson Court**
247 **Onalaska**

248

249 “The side of my house is on Quincy [Street]. I’m not necessarily opposing this, but we were
250 here in the fall when this business asked to have a car dealership put into that area. It went
251 through and there’s no problem. At that time, we brought up the issue of foot traffic. There are
252 crossing guards during school days there. Any other time of the day you try to cross there, it’s

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253 nearly impossible. As the gentleman who's going to own it already said, it's getting to be a
254 busier and busier intersection. I've talked to people who drop children off at [Onalaska] Middle
255 School, and it's nearly impossible to come down Quincy toward the bluff and turn north. You
256 just sit there and sit there and sit there. My objection, again, would be, what is the city going to
257 do to address that problem? In addition to that, we now have a bike path on that road. I see this
258 as a pedestrian issue – not necessarily that the building should not go there. But I really would
259 like the city to look at something even as simple as a flashing light to let people cross. I'm a
260 walker, and I can stand there five minutes even though there's a crosswalk there. They have one
261 of those pyramids there [asking for motorists to] slow down. People don't even pay attention.
262 I've seen children try to cross on bikes, and it's an issue. I really would like the city to look at
263 that before they add more car traffic in that area. Thank you.”

264

265 **Eunice Christensen**
266 **103 Hazelwood Lane**
267 **Onalaska**

268

269 “I don't see it as an opposition issue. I see it as when Mayo comes in there the city's going to
270 have to do something with Sand Lake Road – period. It doesn't matter how many businesses are
271 out there. You're going to have to have something done on Sand Lake Road, because it's bad no
272 matter who is out there.”

273

274 **Peg Thurston**
275 **1309 Quincy Street**
276 **Onalaska**

277

278 “This isn't necessarily in opposition. This is a question regarding the detention pond. Currently
279 the detention pond is the entire length of the building that's presently there. It looks like the
280 detention pond is going to be parallel to Quincy Street and looks much smaller than what's there.
281 I don't understand how the water from that parking lot is going to connect with that detention
282 pond, and whether there's going to be any protection on the street side. I have questions about
283 what that's going to look like – how deep it's going to be, [and] how long it's going to be. It's
284 hard to tell from the drawing that we received. I'm not opposed, but I have questions about
285 that.”

286

287 Mayor Chilsen called three times for anyone else wishing to speak in opposition to the rezoning
288 request and closed the public hearing.

289

290 Motion by Ald. Bialecki, second by Andrea, to approve with the six conditions a rezoning
291 request filed by Weiser Brothers G.C. Inc., 200 Twilite Street, La Crescent, MN 55947 on behalf
292 of Oak Forest Dental, 1062 Oak Forest Drive, Onalaska, WI 54650, from Single Family and/or
293 Duplex Residential (R-2) to Neighborhood Business (B-1) for the purpose of constructing a
294 dental office at 1217 Quincy Street, Onalaska, WI 54650.

Reviewed 3/29/16 by Katie Aspenson

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295

296 Paul asked if Dr. Huggett owns the property proposed for rezoning.

297

298 Katie said yes.

299

300 Paul asked if Dr. Huggett owns Parcel No. 18-675-13, which faces Sand Lake Road.

301

302 Katie said no.

303

304 Paul asked if the Plan Commission is potentially rezoning a parcel that could only face Quincy
305 Street if Dr. Huggett's plans do not come to fruition if the rezoning is approved.

306

307 Katie said yes.

308

309 Paul asked that a condition be added that states the rezoning is only effective after Parcel No. 18-
310 675-4 and Parcel No. 18-675-13 are combined into a single parcel.

311

312 Katie said that per legal counsel, the Plan Commission is not supposed to make rezonings
313 conditional approvals, stating that they're either approved with conditions such as those that are
314 listed, but not an "if/then" situation. Katie said the condition may be added and she would
315 confirm this with legal counsel. The conditions then may be updated at the April 12 Common
316 Council meeting.

317

318 Paul said he does not want to end up with a commercial parcel that only faces Quincy Street.
319 Paul said he does not object to it being combined with a commercial parcel facing Sand Lake
320 Road and stated, "I don't think we should be moving up Quincy Street with separate commercial
321 parcels. If that's the case, I have to vote no."

322

323 Ald. Bialecki asked Katie to confer with legal counsel. Ald. Bialecki then addressed Eunice's
324 comments regarding Mayo's imminent arrival, telling her that she has a "very valid concern."
325 Ald. Bialecki said, "At this point, the city will not speak to that because there have been no
326 building permits or anything on file. More importantly, when we hear that something is coming
327 we would sit down with them and look at a development agreement. That's when we're really
328 going to start focusing on Sand Lake Road and some of the unique problems there." Ald.
329 Bialecki also addressed Linda's question regarding the intersection and said perhaps the Board of
330 Public Works could examine this issue.

331

332 Jarrod addressed Sand Lake Road and said, "With impending future development patterns within
333 the city that could alter that road, those members of the community who have lived here a long
334 time have seen that road transform over many, many years from a county trunk highway to a city
335 street. That roadway is under constant study. We've studied the intersection at Main Street and
336 12th Avenue/Sand Lake Road probably three times in my time here, looking at the signalized

337 intersection. With the future traffic projections that could happen with such items such as the
338 possible extension of 12th Avenue with the proposed DOT work that's in study right now, and
339 proposed development pressure to the north, that will require the city to look at that whole
340 corridor – not only just at Sand Lake and Quincy, but it would be all the way from Redwood
341 Street to Main and continuing down toward Crossing Meadows and [County Trunk Highway]
342 SS. That corridor within the city is one of the few north-south corridors that quite a few people
343 travel. I think you will see more traffic pressure in that area just with further development to the
344 north of Onalaska and it being a convenient route through that direction. It is on our radar. We
345 do continue to study it and look at things in that area.”

346
347 Jarrod next addressed the Sand Lake Road/Quincy Street intersection, noting that a crossing
348 guard and a traffic stanchion are at this location. Jarrod said this is a painted crosswalk, with
349 yellow-green signage signaling that this is a crosswalk. Jarrod said the next step would be to
350 install rapid flashing pedestrian beacons, but he also pointed out that they would have to be part
351 of the Capital Improvements Budget process due to cost. Jarrod noted that pedestrians have a
352 signal light at Main Street to assist them in crossing Sand Lake Road and said two crossings –
353 one at Quincy Street, one at Well Street – might be constituted with a project.

354
355 Jarrod next addressed the storm water at the site, noting that there currently is a conceptual plan
356 but no formal site plan. Jarrod promised that staff would review the site plan that is brought in.
357 Jarrod referred to the March 15 Plan Commission Sub Committee meeting and said there will be
358 a review of the storm water at the site. Jarrod said the site is on “the fringe” of what drains down
359 into stormlift station located on the 1300 block of Main Street. This lift station was redone in
360 approximately 2012, and it now is capable of receiving water from the entire neighborhood.
361 Jarrod referred to Peg's comments regarding the potential storm water ponding area and it will
362 be necessary to have some storm water controls to meet Department of Natural Resources
363 regulations for infiltration and suspended solid removal. Jarrod said staff will be examining the
364 sizing of it and how it incorporates into the site to ensure that the city is able to maintain what
365 may be handled downstream for storm water flow.

366
367 Andrea expressed concern over the two driveways on Quincy Street, noting she travels this area
368 both on bicycle and automobile. Andrea noted that the Kwik Trip intersection is “awful” due to
369 several access points and said she would not want to see the same situation at Quincy Street.
370 Andrea said, “Looking at this plan, I would ask if there was a way to lay it out so we didn't have
371 the first driveway just about, according to the drawing, about a car-length from the intersection.
372 That just seems like poor planning to me. You can see based on the stall length it looks like it's
373 one stall in width. I would try to get that off the corner of Quincy and away from that
374 intersection. I'd rather not have one dumping out into a neighborhood for a business. It seems
375 like you could juggle the layout and move the retention pond and move the driveways and have
376 them all be Sand Lake Road access points. Then I'd be a lot more comfortable with this, just to
377 try to preserve the neighborhood.”

378

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379 Jarrod noted he had examined the site plan when it came in for review and said he encourages
380 neighborhood protections. Jarrod said he believes that in this instance the driveway is better
381 accessed off Quincy Street due to the traffic volumes. Jarrod noted that the traffic volumes on
382 Quincy Street are significantly less and pointed out that Sand Lake Road likely carries 8,000.
383 Jarrod said he believes it would be safer to have the driveway come off onto Quincy Street.
384 Jarrod said staff likely would encourage the driveway to be pushed back further up the side street
385 off the collector if this development was a new, 5-acre development. Jarrod referred to the
386 proposed layout and said the layout would not be ideal with the existing parking if there is a
387 front-facing building on the right-of-way and parking is located in the rear. Jarrod said he
388 believes the developer wants the building to face Sand Lake Road, adding he believes it would
389 be difficult to rotate the building so it faces Quincy Street.

390
391 Andrea asked if there would be one driveway, or if there would be two driveways on Quincy
392 Street.

393
394 Jarrod referred to the layout and said there would be one existing driveway to Sand Lake Road,
395 and there would be a new driveway to Quincy Street that is close to the intersection. Jarrod said
396 he assumes the parking lot in the rear, which would access Quincy Street, is for employees and
397 that there likely would not be many people utilizing it during the day.

398
399 Andrea inquired about the distance from the intersection to the driveway.

400
401 Jarrod said it would be approximately 25 feet from the right-of-way back to the edge of the
402 driveway. Jarrod admitted there are instances where traffic is backed up on Quincy Street
403 heading west and said he does not know if there is a significant amount of cars that back up at
404 the intersection of Sand Lake Road and Quincy Street heading east. Jarrod said that based on
405 traffic volumes he has seen he does not believe they would back up that far.

406
407 Andrea said she assumes individuals would be leaving at various times during the day, and they
408 would be leaving “here and there” when traffic is minimal.

409
410 Craig noted he has both resided in this general area and traveled it extensively, and he said he
411 believes the general nature of the business will keep traffic away from the peak periods.

412
413 Linda Arlt reiterated that she is a walker and said that anytime a motorist drives toward Sand
414 Lake Road and he/she is at the corner of Sand Lake Road and Quincy Street, no one looks in that
415 direction. Linda said motorists are looking right or left in their automobiles to turn onto Sand
416 Lake Road. Linda said that when it is time to cross Sand Lake Road motorists do not look
417 straight ahead to see if there is an automobile coming that way. Linda reiterated that a crossing
418 guard is at the intersection during school hours, and she also noted that summer school is “a
419 nightmare” because pedestrians are not attentive at the corner. Linda expressed doubt that
420 children will look for automobiles entering and exiting the parking lot and said she sees “a

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421 difficult situation” if more traffic is coming off Quincy Street.

422

423 Katie suggested that the property owners be allowed to speak to the Plan Commission and
424 address the sale of the land.

425

426 Joyce said she and her husband are currently in negotiations with Dr. Huggett for him to
427 purchase the corner lot located at 702 Sand Lake Road. Joyce said that, through easements, there
428 will be a sharing of parking on that area. Dr. Huggett needs either five or six for his patients,
429 while his employees will park in the rear of the building. Joyce said she and her husband wish to
430 retain some of the parking for their office building, adding that there already is ample parking
431 present. Joyce said she believes it would be easier to create an easement parking, lawn care, and
432 plowing the parking lot.

433

434 Paul said he understands that Dr. Huggett does not want to purchase the corner lot until he knows
435 the parcel he already has will be rezoned. Paul said, “There is the concern that if it is rezoned
436 and then for whatever reason he does not purchase it, then there is a parcel sitting back there that
437 is zoned Commercial and can have an office building or something built on it and access only
438 Quincy Street. Then we’ve started the process of Commercial uses creeping up Quincy Street
439 instead of along Sand Lake Road. That’s what I don’t want to see happen. I’m not sure how this
440 can be ... I would like to see some input from the [City] Attorney and see how it can be
441 addressed because I am, I would say, in favor of the project, but in the right sequence.”

442

443 Mayor Chilsen asked that City Attorney Sean O’Flaherty review this matter so he can bring a
444 recommendation forward at the April 12 Common Council meeting.

445

446 Craig asked Katie if she believes it would be permissible to add another condition and then let
447 Sean evaluate what the Plan Commission passed.

448

449 Katie said it would be possible to do this and noted this item likely would be placed on the
450 Council’s Non-Consent Agenda. Katie also said Sean would provide input prior to the meeting.

451

452 Motion by Paul, second by Andrea, to amend the previous motion and add Condition No. 7,
453 which states: “*The rezoning will only be effective when the owner of Parcel No. 18-675-4 has*
454 *purchased Parcel No. 18-675-13.*” This will give the owner (Dr. Huggett) direct frontage to
455 Sand Lake Road.

456

457 For clarification, Andrea asked Paul if he is proposing removing the first driveway.

458

459 Paul said no and stated he is not uncomfortable with the proposed site layout.

460

461 Andrea asked Joyce if the first driveway on Quincy Street is necessary, and she asked if only the
462 second driveway is necessary for the separate parking lot.

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463
464 Joyce noted that Dr. Huggett's office will be located closer to the corner and said she assumes
465 that the entrance still will be more on Sand Lake Road, while the exiting will be off Quincy
466 Street. Joyce noted that the driveway will be located after the spruce tree and the parking lot,
467 and she estimated that there will be 30 or 40 feet from the sidewalk to the east. Joyce said, "I
468 really think for the flow of the traffic and for the ease of getting in and out of the parking lot, I
469 really think we'd really like to have that parking lot there. What brought all this about is years
470 ago I worked with [former Land Use and Development Director] Jason Gilman, and it was kind
471 of a suggestion on his part to do that just because of the ease of getting out of the parking lot
472 because Sand Lake is tough to get in and out of."

473
474 Andrea said she realizes that Sand Lake Road is difficult to get in and out of in a car, but she also
475 pointed out that it is extremely difficult to get in and out of on foot or on a bicycle.

476
477 Andrea noted that there are approximately four driveways within a span of 40 to 50 feet at the
478 Kwik Trip located on Sand Lake Road, and there also is an intersection present. Andrea said it is
479 "too overwhelming" for some individuals to navigate this area.

480
481 Joyce noted there are stop signs located at the east and west at the intersection of Quincy Street
482 and Sand Lake Road, and she said she agrees with the neighborhood residents that the corner
483 must be addressed. Joyce said she does not believe this particular project will "push that over the
484 edge." Joyce, who resides in the neighborhood, said she has stood at the corner unable to cross
485 the street for 10 minutes during peak times and that she believes this is an issue the city must
486 address. Joyce added, "I don't think that driveway be a real deterrent."

487
488 Andrea asked how the driveway will be affected if a stop signal is eventually installed at the
489 corner of Sand Lake Road and Quincy Street.

490
491 Jarrod said it likely would be necessary to work within the right-of-way the city has if an urban
492 signalized intersection is eventually installed. Jarrod said staff always looks at a roundabout
493 versus a signal, and if staff looked at a signal it would try to look at what right-of-way is present
494 and "how we best fit what the traffic movements are."

495
496 Skip said he is abstaining from voting because Dr. Huggett is his dentist and his current location
497 is "extremely convenient" to him.

498
499 Vote on the amendment:

500
501 On voice vote, motion carried, 7-0, with one absention.

502
503 Jan asked if it would be possible to place a sign asking motorists exiting onto Quincy Street to be
504 cognizant of children who might be walking along the street.

505
506 Jarrod said, "It is through the site plan process. But I think as long as the site distances ... Right
507 now there is kind of a bank along there. I think as long as the vegetation allows proper site
508 distances and the landscaping does not block that view, I think it's probably no different than
509 multiple spots in the city. As long as you have proper view coming out ... Even the progress of
510 vehicle movement at the intersection comes down to obeying traffic laws and yielding to
511 pedestrians in a crosswalk or on the sidewalk. The biggest thing is going to be site distances to
512 ensure that when someone is walking on the sidewalk they can be seen."

513
514 Vote on the original motion, as amended.

515
516 On voice vote, motion carried, 7-0, with one abstention.

517
518 **Item 6 – Public Hearing: Approximately 7:20 P.M. (or immediately following previous**
519 **hearing at 7:10 p.m.) – Public Hearing and Consideration of a substantial modification to**
520 **the WAL-MART Planned Commercial Industrial District (PCID) at 3107 Market Place,**
521 **submitted by Sarah Smith of Harrison French & Associates, 1705 South Walton**
522 **Boulevard, Suite 3, Bentonville, AR 72712, on behalf of Wal-Mart Stores, Inc., 2001**
523 **Southeast 10th Street, Bentonville, AR 72712 (Tax Parcel #18-3635-8)**

- 524
525 1. PCID Amendment Fee of \$700.00 (PAID).
526
527 2. Abide by all conditions of original PCID Plan approved in March 1997, PCID
528 Amendments approved in June 1999, April 2001, March 2003, October 2014, and Site
529 Plan approved in April 2003.
530
531 3. Owner/developer shall submit detailed building elevations for the first tenant to occupy
532 the Marketplace Development. The City will evaluate the architecture for its
533 compatibility with the surrounding character and development. Upon approval, the
534 owner/developer shall submit, for review and approval by the City, detailed architectural
535 design guidelines for the remained of the Marketplace Development which will provide
536 for a unified and architecturally compatible project.
537
538 4. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
539 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
540 and improvements installed per approved plans prior to issuance of occupancy permits.
541
542 5. All conditions run with the land and are binding upon the original developer and all heirs,
543 successors and assigns. The sale or transfer of any or all portion of the property does not
544 relieve the original developer from payment of any fees imposed or from meeting any
545 other conditions.
546

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- 547 6. Any omissions of any conditions not listed in committee minutes shall not release the
548 property owner/developer from abiding by the City's Unified Development Code
549 requirements.
550

551 Katie said the applicant is requesting to amend the PCID development, allow the exterior
552 building façade to be altered from the current color palate to the proposed blue and gray scheme,
553 and also increase the overall wall signage to 792.9 square feet. This would be an overall increase
554 of 42.52 square feet. Katie said architectural standards have been an important issue for the
555 overall Marketplace Development dating back to 1996. The Plan Commission, Common
556 Council, and City of Onalaska staff made great efforts to ensure that architectural standards,
557 including colors, columns, screening/blending of rooftop units, building materials, and other
558 details were in place and would remain in effect for the life of the development. Katie said
559 during review and subsequent approval of the Final Implementation Plan in 1997, architecture
560 was a heavily debated topic, and she noted that she had included a letter from the Planning
561 Department to the original developer documenting the city's stance. Katie read the following
562 Condition of Approval (Condition No. 14) from the September 9, 1997 Common Council
563 approval of the Final Implementation Plan for Marketplace Development: *"Owner/developer*
564 *shall submit detailed building elevations for the first tenant [Home Depot] to occupy the*
565 *Marketplace Development. The City will evaluate the architecture for its compatibility with the*
566 *surrounding character and development. Upon approval, the owner/developer shall submit, for*
567 *review and approval by the City, detailed architectural design guidelines for the remainder of*
568 *the Marketplace Development which will provide for a unified and architecturally compatible*
569 *project."*
570

571 Katie noted that in 1999 both the Plan Commission and Common Council completed a review of
572 Architectural Standards and Pedestrian Corridor Design for the Marketplace Development for
573 Home Depot, noting the use of "brown coloring," additional lighting details, and architectural
574 details for the project. The PCID was amended in April 2001, and Katie said Condition No. 14
575 was included as a Condition of Approval. Condition No. 14 also was a Condition of Approval
576 when the PCID was amended again in March 2003. In addition to city staff, both the Plan
577 Commission and Common Council reviewed and approved a site plan for Wal-Mart, noting that
578 the color scheme was to be approved by city staff and have the use of "organic colors" and
579 architectural details to blend in with Home Depot and Aldi that already were in place. Katie
580 noted that commission members' packets include recent images of the overall development
581 showing a consistent pattern in terms of color palate. Katie said city staff does not support the
582 proposed color palate scheme because it is contrary to the original PCID conditions in the sense
583 that the overall Marketplace Development was intended to have a consistent, cohesive design
584 and the standards set forth with the original development (Home Depot) were to set the stage for
585 all future development. Katie said city staff does support the proposed signage as total signage
586 for each elevation (front and right) does not exceed a total of 500 square feet.
587

588 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
Reviewed 3/29/16 by Katie Aspenson

589 requested PCID amendment application.

590

591 **Sarah Smith, Harrison French & Associates**
592 **1705 South Walton Boulevard, Suite 3**
593 **Bentonville, Arkansas**

594

595 “The reason for Wal-Mart’s request to update the color scheme to blue and gray is they’re trying
596 to incorporate their brand colors or their corporate colors, with their corporate color being blue.
597 They’re trying to do this to all Wal-Mart stores to unify them. That’s one of the reasons they’re
598 changing the signage as well – to unify all the signage on the stores. ... We understand that
599 we’re supposed to be unified with Home Depot, but we feel that the gray color would still be an
600 earth tone. The only part of the walls that would be blue are the branding walls such as the Wal-
601 Mart spark and the entry vestibules as Home Depot is able to incorporate their color of the
602 orange with the orange canopies.”

603

604 Mayor Chilsen called three times for anyone else wishing to speak in favor of the requested
605 PCID amendment application and closed that portion of the public hearing.

606

607 Mayor Chilsen called three times for anyone wishing to speak in opposition to the requested
608 PCID amendment application and closed the public hearing.

609

610 Motion by Andrea, second by Ald. Bialecki, to deny a request to change the color palate as part
611 of the WAL-MART Planned Commercial Industrial District (PCID) at 3107 Market Place,
612 submitted by Sarah Smith of Harrison French & Associates, 1705 South Walton Boulevard,
613 Suite 3, Bentonville, AR 72712, on behalf of Wal-Mart Stores, Inc., 2001 Southeast 10th Street,
614 Bentonville, AR 72712.

615

616 Skip said Wal-Mart has reached a point where its growth has slowed down and noted that the
617 store is attempting to change its business plan in an attempt to revitalize itself.

618

619 Ald. Bialecki referred to public hearings in the 1990s pertaining to Marketplace Development
620 and noted that many citizens had raised questions regarding signage and color schemes. Ald.
621 Bialecki said, “With regard to the color, it’s consistency throughout that whole development that
622 the city wanted to keep.”

623

624 Craig said, “As much as I’m not in favor of dictating colors to businesses on anything – I don’t
625 think that’s government’s role – I can’t get past the fact that this was an agreement that was
626 entered in good faith by all parties years ago. I understand that Wal-Mart wants to try to
627 incorporate their blue more prominently into the building, but their color has always been blue.
628 This is not a change, so I can’t support this.”

629

630 On voice vote, motion carried.

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631
632 Andrea asked if the commission could be given clarification regarding the change to the signage.
633

634 Katie noted that commission members' packets include an overall square footage that was
635 provided by applicant showing which words would increase in size. Katie said, "It's relatively
636 staying the same. The city has a specific ruling that states how much signage can go on a wall
637 façade. They are allowed up to 500 square feet. They have not reached that amount, so city staff
638 would be in support of approving all of the sign permit applications because it is in line with
639 current city codes. ... I had asked Wal-Mart to bring the whole development as one just so that
640 you were aware that they were looking to increase their signage, which is allowed by city code."
641

642 Andrea asked, "We don't have any other signage requirements in that whole development that
643 would dictate ...?"
644

645 Katie said, "We do, but it did not technically specify a square footage. Therefore, our ordinance
646 would be in effect."
647

648 Sarah said an auto center sign with an arrow would be added. A sign that currently says "Tire
649 and Lube" would be changed to read "Auto Center."
650

651 Jan asked if the Subway sign would be included.
652

653 Sarah said the Subway sign will remain, noting that the square footage is not included with the
654 Subway sign.
655

656 Motion by Ald. Bialecki, second by Paul, to approve a request by Sarah Smith of Harrison
657 French & Associates, 1705 South Walton Boulevard, Suite 3, Bentonville, AR 72712, on behalf
658 of Wal-Mart Stores, Inc., 2001 Southeast 10th Street, Bentonville, AR 72712 for Wal-Mart to
659 enhance its signage (not to exceed 500 square feet) at 3107 Market Place, Onalaska, WI 54650.
660

661 On voice vote, motion carried.
662

663 **Item 7 – Public Hearing: Approximately 7:30 P.M. (or immediately following previous**
664 **hearing at 7:20 p.m.) – Public Hearing and Consideration of a rezoning request filed by**
665 **Mike Gavin, 2902 Wildrose Lane, Onalaska, WI 54650 on behalf of Jeannette Moe, W8206**
666 **Main Street, Holmen, WI 54636 from Single Family and/or Duplex Residential (R-2) to**
667 **Transitional Commercial (TC) for the purpose of constructing an office at 1605-1613 Main**
668 **Street (Tax Parcels #18-782-2 & 18-728-0)**
669

670 1. Rezoning Fee of \$300.00 (PAID).
671

672 2. Green Fee of \$638.47/acre to be paid to City prior to obtaining a Building Permit.

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673 \$638.41 * .62 acre = \$395.81.

674

675 3. Any future improvements to this parcel will be subject to additional City permits (i.e.,
676 building permits).

677

678 4. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
679 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
680 and improvements installed per approved plans prior to issuance of occupancy permits.

681

682 5. All conditions run with the land and are binding upon the original developer and all heirs,
683 successors and assigns. The sale or transfer of any or all portion of the property does not
684 relieve the original developer from payment of any fees imposed or from meeting any
685 other conditions.

686

687 6. Any omissions of any conditions not listed in committee minutes shall not release the
688 property owner/developer from abiding by the City's Unified Development Code
689 requirements.

690

691 Katie said the properties located within 250 feet of those noted include residential dwellings and
692 personal service offices that are zoned Transitional Commercial District. The Comprehensive
693 Plan identifies this area as Mixed Density Residential District. This district is intended to
694 accommodate a mixture of complementary land uses, provided that there are proper zoning
695 controls in place. Katie noted that in 2004 the applicant in question had the east adjacent
696 properties rezoned to Transitional Commercial to facilitate the dental and office uses currently in
697 existence. The applicant intends to continue the same style of development on the properties
698 currently under review with a new office where both a residence and garden currently are. There
699 is an offer of purchase contingent upon rezoning. The purpose of this rezoning is to construct an
700 office zoned Transitional Commercial.

701

702 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
703 rezoning request.

704

705 **Mike Gavin**
706 **2902 Wildrose Lane**
707 **Onalaska**

708

709 "The proposal to have this rezoned has been around for awhile. I had spoken and shared the plan
710 with Jason Gilman about doing something to create a bookend to the two existing buildings I
711 have right now. Based on the setbacks and the parking setbacks ... [With] the Charter building
712 the parking lot basically ends halfway through the very front of the building. Their retention
713 pond is there. The flow in and out of there is basically the one entry on Main Street or going
714 around to 17th Avenue. The proposed building would sit on the very west end and would face

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715 east. We'd have a second entrance that would line up with 16th Avenue. There would almost
716 exclusively be parking where the garden is now on the empty lot. I would love to shift the
717 retention pond further north to kind of parallel the existing Charter building and continue parking
718 in the front so the parking lot in front of Charter could continue into that garden area and have
719 that open up to the north to be parking for both buildings. There would be a fence that would be
720 continued from the north of Valley Dental – actually, InfoTech is in the upper level of that
721 building. That would then encase the entire property all the way around to Mrs. Novak's
722 property, which would be the residence to the west of the proposed building.”

723

724 Mayor Chilsen called three times for anyone else wishing to speak in favor of the rezoning
725 request and closed that portion of the public hearing.

726

727 Mayor Chilsen called for anyone wishing to speak in opposition to the rezoning request.

728

729 **Lois Novak**
730 **1559 Main Street**
731 **Onalaska**

732

733 “I live next door to the property. I can't say that I'm not in favor of it. I am concerned about the
734 value of my property because I have a small lot. He puts this building in and say I want to sell in
735 a year [or] two years. How am I going to sell my small lot at the right value? That's where my
736 concern comes from. He's put up good buildings; I don't have a problem with that. But I'm
737 concerned about the value of my property because mine is a small lot.”

738

739 Mayor Chilsen called three times for anyone else wishing to speak in opposition to the rezoning
740 request and closed the public hearing.

741

742 Motion by Paul, second by Ald. Bialecki, to approve with six conditions a rezoning request filed
743 by Mike Gavin, 2902 Wildrose Lane, Onalaska, WI 54650 on behalf of Jeannette Moe, W8206
744 Main Street, Holmen, WI 54636 from Single Family and/or Duplex Residential (R-2) to
745 Transitional Commercial (TC) for the purpose of constructing an office at 1605-1613 Main
746 Street.

747

748 Katie noted that the site plan included in commission members' packets is conceptual and said
749 that if this item moves forward staff will ensure that all of the setback requirements in terms of
750 the parking lot, building and appropriate screening will be included. Katie said the site plan
751 might be slightly altered.

752

753 Craig asked Jarrod to be aware of the water retention due to the additional parking.

754

755 Jarrod said the city is in a better position due to the revamped Main Street stormlift station.

756 Jarrod said staff will examine storm water areas at the site and added he does not foresee any

757 difficulties with adding retaining ponds.

758

759 Jan asked Mike Gavin if the new building will face east.

760

761 Mike said the primary entrance will face east, adding there might be a common entrance located
762 at the southeast corner of the proposed building. Mike said there would be minimal activity on
763 the west side of the building, which would face Lois' property. Mike also addressed Lois'
764 concerns regarding her land value, noting that the two lots are being purchased for a value
765 greater than the city's appraised value. Mike predicted that Lois' property will increase in value
766 if the Main Street corridor continues to commercialize.

767

768 Katie said a Conditional Use Permit based on the plan Mike had brought forth will be coming
769 before the Plan Commission in the future – perhaps as soon as the April 26 meeting. Katie said
770 Mike plans to merge all the lots together and noted the Plan Commission would be reviewing a
771 CUP to have three principal structures on a single lot.

772

773 Andrea told Mike she would like to see the entrance to the building be “more friendly” to
774 individuals who are not in vehicles. Andrea suggested it might be better if the parking lot was
775 not the first thing that is seen as motorists pass.

776

777 Mike referred to an area on the corner of the building and said he would like this area to be a
778 large patio with outdoor seating.

779

780 On voice vote, motion carried.

781

782 **Item 8 – Review and Consideration of a Discontinuance/Vacation of Main Street west of 2nd**
783 **Avenue South/State Road 35 and the Court Street south alley between Main Street and**
784 **Irvin Street**

785

786 1. All conditions run with the land and are binding upon the original developer and all heirs,
787 successors and assigns. The sale or transfer of any or all portion of the property does not
788 relieve the original developer from payment of any fees imposed or from meeting any
789 other conditions.

790

791 2. Any omissions of any conditions not listed in committee minutes shall not release the
792 property owner/developer from abiding by the City's Unified Development Code
793 requirements.

794

795 Katie referred to commission members' packets, which lists all of the entities with an interest in
796 the property. Katie noted that on March 8 the Common Council had approved a preliminary
797 resolution to vacate and discontinue the two portions of right-of-way. The purpose of the
798 vacation is in the public interest as it will allow property owners to better utilize the vacant land

799 as part of the Great River Landing. Abutting property owners include the City of Onalaska,
800 Burlington Northern Railroad Company, and the State of Wisconsin Department of Natural
801 Resources.

802

803 Motion by Ald. Bialecki, second by Andrea, to approve with the two conditions a
804 Discontinuance/Vacation of Main Street west of 2nd Avenue South/State Road 35 and the Court
805 Street south alley between Main Street and Irvin Street.

806

807 On voice vote, motion carried.

808

809 **Item 9 – Review and Consideration of a Certified Survey Map (CSM) submitted by Calvin**
810 **King, 1010 Valley Vue Drive, Onalaska, for a 2-lot land division (.61 acres) at 1010 Green**
811 **Coulee Road, Onalaska (Tax Parcel #18-5217-0)**

812

813 1. CSM Fee of \$75.00 + \$10.00 per lot x 2 lots = \$95.00 (PAID).

814

815 2. Park Fee of \$922.21 per residential unit. Park Fee to be paid prior to issuance of a
816 building permit on vacant land.

817

818 3. Recorded copy of Final CSM to be submitted to City Engineering Department.

819

820 4. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.

821

822 5. CSM shall note all easements.

823

824 6. Applicant to provide ownership documentation for Parcel #18-5218-0 prior to Common
825 Council review and consideration of the Certified Survey Map.

826

827 7. Any future improvements to these parcels will be subject to additional City permits (i.e.,
828 building permits, zoning approvals).

829

830 8. All conditions run with the land and are binding upon the original developer and all heirs,
831 successors and assigns. The sale or transfer of any or all portion of the property does not
832 relieve the original developer from payment of any fees imposed or from meeting any
833 other conditions.

834

835 9. Any omissions of any conditions not listed shall not release the property owner/developer
836 from abiding by the City's Unified Development Code requirements.

837

838 Katie said the zoning of the land located within 250 feet of the proposed site includes single-
839 family residential, multifamily residential, and Public & Semi-Public zoning districts. The
840 Comprehensive Plan's Future Land Use Plan designates this area as "Conservation/Cluster

841 Residential District.” This district is intended to accommodate primarily single-family
842 development on clustered lots with common open space, outside of environmentally sensitive
843 areas. The applicant is requesting approval to divide a single parcel into two lots, and to
844 construct a single-family dwelling on the current vacant portion of the parcel, which is Lot 3.
845 Katie noted there is an existing single-family residence located on Lot 2 and said both lots meet
846 the single family residential property development regulations as specified in the Unified
847 Development Code. Katie noted that Parcel No. 18-5218-0, which directly abuts Green Coulee
848 Road, is not owned by the applicant. Katie said that prior to the approval of the CSM the
849 applicant must provide documentation proving ownership of all land contained within the
850 proposed CSM.

851
852 Motion by Ald. Bialecki, second by Andrea, to approve with the nine conditions, and the
853 requirement that the applicant must provide proof of ownership of any and all properties
854 involved, a Certified Survey Map (CSM) submitted by Calvin King, 1010 Valley Vue Drive,
855 Onalaska, for a 2-lot land division (.61 acres) at 1010 Green Coulee Road, Onalaska.

856
857 Paul asked if Parcel No. 18-5218-0 shows on the CSM.

858
859 Katie said no and added that Condition No. 6 [describing proof of ownership] is already listed as
860 one of the nine conditions.

861
862 Andrea referred to a rock retaining wall and asked who will maintain it when it is bisected by the
863 division. Andrea also asked if either of the buildings will be affected.

864
865 **Calvin King**
866 **1010 Valley Vue Drive**
867 **Onalaska**

868
869 “The retaining wall is going to be taken out, and the landscape is going to be redone. That’s all
870 part of what’s going to go on when I dig the hole out.”

871
872 On voice vote, motion carried.

873
874 **Item 10 – Review and Consideration of a substantial modification to the Greens Coulee**
875 **Community Park Planned Unit Development (PUD) to allow grazing in Zone 2 (adjacent to**
876 **Clearwater Farms), submitted by Shari Collas, on behalf of Clearwater Farm Foundation,**
877 **Inc. 760 Green Coulee Road, Onalaska, WI (Tax Parcel #18-675-131)**

- 878
879 1. Applicant to enter into a Grazing Land Lease Agreement with the City of Onalaska.
880
881 2. Applicant shall abide by all requirements and conditions of the previously approved
882 Greens Coulee Community Park Planned Unit Development, and with previous City

883 approvals.

884

885 3. All conditions run with the land and are binding upon the original developer and all heirs,
886 successors and assigns. The sale or transfer of any or all portion of the property does not
887 relieve the original developer from payment of any fees imposed or from meeting any
888 other conditions.

889

890 4. Any omissions of any conditions not listed in the minutes shall not release the property
891 owner/developer from abiding by the City's Unified Development Code requirements.

892

893 5. A minimum three (3) foot setback to be maintained from the paved path on the west and
894 southeast sides of the fenced-in grazing area.

895

896 Katie said the application is to modify two of the conditions of approval of the Clearwater Farm
897 Planned Unit Development that allowed grazing within Zone 2, which was approved by the
898 Common Council on November 10, 2015. Katie said the following conditions are under review:

899

- 900 • **Condition No. 3:** A 10-foot buffer to be maintained along wetlands.
- 901 • **Condition No. 6:** A 10-foot setback to be maintained from the paved path on the west
902 and southeast sides of the fenced-in grazing area.

903

904 Katie said the request is to remove Condition No. 3, and also to reduce the buffer setback in
905 Condition No. 6 to a minimum of 3 feet from the paved path on the west and southeast sides of
906 the fenced-in grazing area. Katie said there are updated conditions of approval that reflect the
907 changes, and also that city staff support the requested amendment with the five listed conditions
908 of approval.

909

910 Motion by Paul, second by Craig, to approve with the five listed conditions a substantial
911 modification to the Greens Coulee Community Park Planned Unit Development (PUD) to allow
912 grazing in Zone 2 (adjacent to Clearwater Farms), submitted by Shari Collas, on behalf of
913 Clearwater Farm Foundation, Inc. 760 Green Coulee Road, Onalaska, WI.

914

915 Andrea told Shari it was her understanding that Shari had taken issue with the 10-foot setback.
916 Andrea, who chairs the Parks and Recreation Board, said the board does not object reducing the
917 buffer setback to 3 feet and asked Shari if she expects Parks Department staff to perform the
918 maintenance around the fence.

919

920 Shari said Clearwater Farm personnel is capable of maintaining 3 feet. Shari said Parks and
921 Recreation Director Dan Wick had told her Parks Department staff always runs a mower along
922 the path. Shari also said there was some confusion as to what Parks Department staff will
923 continue to mow.

924

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925 Skip said he believes city staff should be responsible for maintaining the 3 feet between the fence
926 and the pathway as it is city property. Skip said he does not think Clearwater Farm should be
927 responsible for maintaining this area, but its personnel may handle this responsibility if willing.
928

929 Craig said that while he does not disagree with Skip in principle, he also described this as “a
930 give-and-take situation.” Craig said, “I think what we want to do is make sure that they’re
931 maximizing their benefit for what they want to accomplish out there. They’re offering, and have
932 agreed to, maintain that 3 feet. I don’t have a problem accepting that at face value.”
933

934 Skip said he does not believe it should be a requirement.
935

936 Craig said someone must take responsibility.
937

938 Ald. Bialecki said he believes the Plan Commission is overlapping into Parks and Recreation
939 Board issues regarding mowing and stated the Plan Commission’s concern is with the barrier.
940 Ald. Bialecki said ownership of property at the completion of the lease also is a matter for the
941 Parks and Recreation Board.
942

943 Andrea said it was her understanding that the city did not want the fence, adding that she is
944 uncertain of the origins of this requirement.
945

946 Paul said he does not object to having a 3-foot setback, and also that he believes it is more
947 typical practice that the party that is leasing a property is responsible for the maintenance of the
948 property. Paul said he would prefer that Clearwater Farm be responsible for maintaining this
949 area. Paul also said he is uncertain why the city would want the fence materials, noting that the
950 Plan Commission was not involved with drafting the lease.
951

952 Andrea noted the lease originally stated that the city would claim the fence at the completion of
953 the lease. Andrea stressed that the Parks and Recreation Board had not requested this.
954

955 Ald. Bialecki said, “If there’s going to be a lease out there on your turf, nothing is approved until
956 the Parks and Recreation Board has seen it and approved it.”
957

958 Katie noted that she had spoken with Dan Wick and said Dan is working with the city’s legal
959 counsel specifically on that issue and that this will be resolved through the Parks and Recreation
960 Board.
961

962 Ald. Binash noted he had spoken with Dan and said the city was going to take care of the 3 feet.
963 Ald. Binash, who sits on the Parks and Recreation Board, also said the board will review the
964 lease at its March 28 meeting. Ald. Binash said, “We’re going to strike that so that this issue can
965 go forward.”
966

967 On voice vote, motion carried.

968

969 **Item 11 – Discussion and consideration of an amendment to the Unified Development Code**
970 **(UDC) regarding fences**

971

972 Katie said UDC Section 13-6-10 for fences specifies a number of regulations pertaining to fences
973 in residential and nonresidential zoning districts. Katie referred to commission members’
974 packets, which includes proposed language to update the entire fence section to provide clear
975 regulations on fence heights and setbacks in all zoning districts in addition to removing
976 redundant language. Katie said she is asking that the Plan Commission review the proposed
977 ordinance language and potentially recommend to schedule a public hearing at the April 26 Plan
978 Commission meeting for an ordinance amendment.

979

980 Paul referred to the section entitled “Security Fences” and noted he had searched for a definition
981 of a security fence, but was unable to locate one. Paul asked if a definition is present and said he
982 is not certain this section should be included if there is not a definition. Paul asked why it would
983 be excluded from the fence setbacks if there is a definition.

984

985 Katie said it is excluded because the existing language [for that section] had not changed. Katie
986 said staff can change it so that it follows the same style requirement.

987

988 Paul said he believes several questions will be raised if there is no definition and stated he would
989 feel more comfortable if this section is removed.

990

991 Motion by Paul, second by Andrea, to remove 2(c) (“Security Fences”) from Section 13-6-10
992 (“Fences”) of the Unified Development Code.

993

994 On voice vote, motion carried.

995

996 Skip asked if “Hedges” will be removed.

997

998 Katie said “Hedges” were not specifically defined elsewhere. Katie noted that hedges were
999 defined under Item 4. However, staff would use this more in terms of screening and buffering,
1000 and this is covered elsewhere in the ordinance.

1001

1002 Skip noted that nonconforming fences and hedges are addressed under Item ‘g’ and said that
1003 hedges should be removed from there.

1004

1005 Andrea asked if the section regarding fence heights is being deleted.

1006

1007 Katie said it is not, noting that it is the new Item ‘e’ under “Fence Heights,” and it reads: “*Fence*
1008 *heights shall be measured at a point from ground elevation to the top of fence at site of*”

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1009 *installation.”*

1010

1011 Paul said he can see where the definition of height might cause some challenges. Paul said he
1012 believes fence panels are typically sold in 3, 4 or 5 feet, and he noted there always are a few
1013 inches from the ground to the bottom of the fence panel. Paul said someone who purchases a 4-
1014 foot fence will be 3 to 4 inches high and therefore be in violation.

1015

1016 Craig suggested stating that a certain height should not be exceeded rather than defining an exact
1017 height. This would provide an allowance for situations such as this one.

1018

1019 Andrea referred to an instance where a citizen had a fence that might have been set on top of a
1020 wall, thereby creating what could be construed as an 8- or 9-foot fence. Andrea said the Plan
1021 Commission had attempted to alter the wording and clarify how to determine the height of a
1022 fence. Andrea said she believes this is where some of the wording had originated.

1023

1024 Katie noted that the city does not require fence permits and said city staff does not perform fence
1025 inspections. Katie said citizens contact her department inquiring about height maximums, and
1026 staff informs them that the only time the city performs an inspection is if a complaint is
1027 registered. Katie said the UDC may be amended to provide for an allowance.

1028

1029 Paul asked how the city would handle a situation where a citizen registers a complaint over
1030 someone’s fence exceeding a 6-foot height limit by a few inches.

1031

1032 Katie said staff would inform the owner of the fence of the code and if need be staff could ask
1033 the owner to take down the fence and adjust it so it is the proper 6-foot height or the fence owner
1034 could request a Conditional Use Permit.

1035

1036 Skip said, “I don’t think this is much of a problem because I think in most cases fences are put
1037 all the way down to the ground because that’s the whole purpose of the fence. You don’t want
1038 things going underneath it. The way I see that we could handle this is if ... In the statement here
1039 they had that if there was a need to be several inches higher than the restriction, state it that a
1040 conditional permit needs to be applied for.”

1041

1042 Katie said this currently exists.

1043

1044 Craig noted that an alternative already exists with the conditional use.

1045

1046 Paul expressed concern the commission is setting up a situation where anyone who installs a
1047 fence will be in violation. Paul cited the example of a citizen purchasing a 6-foot fence, which
1048 will be 6 feet from the bottom of the panel to the top of the panel. However, the fence will
1049 exceed 6 feet by a few inches if it is measured from the ground. Paul noted there always will be
1050 a gap of 1 to 2 inches.

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1051
1052 Jarrod asked if Item ‘e’ could be worded to say that “Fence height should be measured to a point
1053 from 2 inches (or 3 inches) above ground elevation.”

1054
1055 Paul said he believes either 2 or 3 inches would be sufficient.

1056
1057 Katie asked if the changes as noted to the potential proposed amendment would be brought
1058 forward to the April 26 Plan Commission meeting.

1059
1060 Motion by Craig, second by Ald. Bialecki, to amend Item ‘e’ of Section 13-6-10 (“Fences”) of
1061 the Unified Development Code and allow for measuring from a point measuring no more than 3
1062 inches above ground level to the top of the fence.

1063
1064 On voice vote, motion carried.

1065
1066 Motion by Ald. Bialecki, second by Craig, to forward to a public hearing at the April 26 Plan
1067 Commission meeting discussion and consideration of an amendment to the Unified Development
1068 Code (UDC) regarding fences.

1069
1070 On voice vote, motion carried.

1071
1072 **Item 12 – Discussion and consideration regarding the Onalaska Payment in Lieu of Taxes**
1073 **Policy as adopted by the Common Council on February 9, 2016**

1074
1075 Katie noted that commission members’ packets include a copy of the policy approved by the
1076 Finance and Personnel Committee on February 3, and the Common Council on February 9. The
1077 purpose of the agreement is to assist in the city’s burden of providing city services that benefit
1078 tax-exempt organizations such as street lighting, street cleaning and maintenance, police and fire
1079 protection, and snow removal. Katie noted she had spoken with City Assessor Heather Wolf,
1080 who performed research regarding PILOT agreements, and said Heather noted that the State of
1081 Wisconsin Legislature grants municipalities the power to establish PILOT agreements with tax-
1082 exempt entities. However, the responsibility for establishing the agreements, along with the
1083 process and the formula, to municipalities. Katie noted that in many communities the planning
1084 department, assessors, finance department and legal department are all involved in terms of when
1085 a PILOT is initiated. The assessor’s office establishes the total market value of the project. The
1086 finance department adds in the multiplier of the market value by the municipal tax rate. The end
1087 result is the annual PILOT agreement. Katie said this is the way the City of Onalaska’s policy
1088 has been written, with the addition that the city’s legal counsel is drafting the PILOT agreements
1089 to be executed. Katie said the city’s PILOT policy is initiated at the time a tax-exempt
1090 organization applies for a property exemption, or when it contemplates acquiring, expanding,
1091 improving or replacing its property. Katie cited the example of the Plan Commission or the
1092 Board of Zoning Appeals having the ability to add a PILOT as a condition of approval when a

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1093 CUP or a variance comes forward. PILOT payments would be based upon the value of the
1094 property and the value of forgone revenue due to a tax-exempt status, and will only cover the
1095 city's portion of the property taxes, unless required otherwise. Katie noted she had contacted the
1096 Cities of Milwaukee, La Crosse and Reedsburg and said none have a PILOT policy. Katie said
1097 the City of Onalaska was the only municipality she could find that has this policy available.
1098 Katie noted she had discussed the city's policy and what had prompted it, and she said the
1099 aforementioned municipalities do it on a case-by-case basis.

1100

1101 The three steps to establish a PILOT agreement are:

1102

- 1103 • When an organization applies for an exemption or intends to expand, improve, et cetera,
1104 the Planning Department, City Assessor's Office, and Finance Director will review the
1105 property to determine the appropriate PILOT.
- 1106 • A meeting will take place prior to the issuance of any applicable permits to discuss the
1107 formulation of the PILOT agreement and amount.
- 1108 • Once an agreement in principal is reached, the Finance Director and City Attorney's
1109 office shall work to draft the PILOT agreement, and once approved by all parties the
1110 agreement shall be executed.

1111

1112 Katie said any changes would have to go before the Finance and Personnel Committee as this is
1113 the committee that adopted the original policy. The Common Council would have to approve
1114 any final changes.

1115

1116 Andrea pointed out that it does not encompass the nonprofits that are not making changes and
1117 said she would like to include a "catch-up" clause that states from the effective date of the policy
1118 the city will reassess every five years. Andrea said she believes there must be a way to ensure
1119 that all nonprofits are equally being represented in the PILOT program.

1120

1121 Craig asked Andrea if she is suggesting there should be a review process at an interval that
1122 allows the city to evaluate the situation as it exists with every PILOT program.

1123

1124 Andrea said cited the example of a nonprofit organization seeking a CUP and the PILOT is
1125 discussed at that time. Andrea said a nonprofit that never seeks a CUP will never face PILOT
1126 discussions and noted that this nonprofit would have an advantage over the nonprofit seeking a
1127 CUP.

1128

1129 Craig noted there are entities that are not part of the PILOT process and said he believes the city
1130 is going back and reassessing those.

1131

1132 Andrea said this only occurs when a change is being sought.

1133

1134 Katie said the PILOT policy also would take into effect any new tax-exempt organization

Reviewed 3/29/16 by Katie Aspenson

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1135 coming forward.

1136

1137 Skip noted that the non-tax organizations of the area receive a majority of their revenue from the
1138 residents of the city. Skip pointed out that the payment of the PILOT fees will be paid by the
1139 residents of the city, adding it is similar to an additional tax. Skip said, "I think that before any
1140 PILOT program is put into effect that a wide range advertisement should be made of this, and the
1141 citizens of the city should be encouraged to be involved in the discussions of what we should do
1142 about the PILOT plan. I don't think that the city, like the state has put this in, I don't think that
1143 the city should do something like this. ... I think this needs to be brought out to the citizens of
1144 the city and brought forward so they can say what they think about it."

1145

1146 Craig said that while he does not disagree with Skip, "My contention is, as I stated once before,
1147 that once you have a nonprofit property generating or attempting to generate additional income
1148 beyond what their normal function would be, I think it changes the nature of the property. It's
1149 like saying you can pay fees if you want to, and that doesn't quite work."

1150

1151 Paul said it is his understanding that the implementation is triggered by an application to the city
1152 for some type of approval and stated he agrees with Andrea that there should be a uniform
1153 implementation of the policy on all nonprofits at some point in time. Paul said he is unsure if
1154 this is a possibility due to legality, and he asked Katie, "When it is triggered, is it applied to the
1155 entire value of the nonprofit's property?"

1156

1157 Katie said it is written that it *should* be applied to the entire value, but it does not require that it is
1158 or is not. That is to be determined by the parties during the pre-meeting.

1159

1160 Paul said, "It seems to me that it does not accomplish one of the things that I thought we were
1161 going towards, which is uniformity and the lack of favoritism toward one entity or another in
1162 terms of whether or not it's applied to them, and how much. The formula you use I like because
1163 it looks very organized and systematic, and it doesn't play favorites."

1164

1165 Andrea said, "I think we either apply it to everybody or we apply it to nobody. We can't pick
1166 and choose, and we can't just let people slide under. ... I think everybody pays and everybody
1167 pays some same formula so that there is no bias on the part of whoever is doing the negotiations.
1168 ... I just worry that we're setting ourselves up for issues if we pick and choose."

1169

1170 Craig said, "I think it opens us up, legitimately, for criticism and claims that you're not being fair
1171 somehow."

1172

1173 Katie noted that this is what the city has done historically, and she also noted that this is what the
1174 other communities she has been able to contact are doing. Katie said, "They don't have a set
1175 policy. It is case-by-case. This is common practice because it hasn't been set down formally by
1176 state statute. It's up to the municipality however you want to do it." Katie noted that the City of

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1177 Milwaukee sends a letter to all nonprofits in the city and asks them to voluntarily enter into a
1178 PILOT agreement with the city. Katie said the city might receive one because “they choose to
1179 do so.” Katie said she can bring all the comments from this evening’s discussion to the city’s
1180 legal counsel.

1181
1182 Craig asked Ald. Bialecki if the Common Council had discussed the PILOT program.

1183
1184 Ald. Bialecki said Financial Services Director/Treasurer Fred Buehler had brought this item
1185 before the Finance and Personnel Committee, and Ald. Bialecki also said it was his
1186 understanding that legal counsel had approved the language in the PILOT program. Ald.
1187 Bialecki noted that both the Finance and Personnel Committee and the Common Council had
1188 approved the PILOT policy and said, “That’s a heads-up – next time, look twice. I’m almost
1189 inclined to pull this back from Council approval and reconsider my vote because it’s not a done
1190 product.” Ald. Bialecki indicated that he wishes to change his vote from ‘yes’ to ‘no’ until there
1191 is a final product.

1192
1193 Craig said, “I think to enter into a negotiation-type format related to a PILOT program, I think all
1194 of a sudden you open yourselves up to arbitrary and therefore discriminatory actions. I think
1195 once you establish a policy that’s the same for everybody, I think you then close that loop.”

1196
1197 Katie said no action needs to be taken, and also that she can place this item on the April 26
1198 meeting agenda.

1199
1200 Craig requested that staff bring back this item for the April meeting.

1201
1202 Andrea said it is her understanding that the Plan Commission is not writing this policy and
1203 suggested that the Plan Commission provide input for the committee that will see this next.

1204
1205 Craig asked if this becomes an ordinance.

1206
1207 Katie said this is just a policy.

1208
1209 Ald. Bialecki said he wants to have “a final cut” and stated that the PILOT policy must come
1210 back before the Plan Commission.

1211
1212 Craig asked that the city reconsider some of the terminology in the policy.

1213
1214 Paul said a question he would like to have answered is how the policy may be written so it is
1215 applied in a uniform fashion to all nonprofits. Paul also asked if it may be done in a way that it
1216 does not require a city approval of something to trigger its implementation.

1217
1218 Motion by Ald. Bialecki, second by Skip, to place on the April 12 Common Council agenda

1219 discussion and consideration regarding the Onalaska Payment in Lieu of Taxes Policy, with the
1220 intent to reverse the decision made by the Common Council on February 9 to approve the policy.
1221
1222 On voice vote, motion carried.
1223

1224 **Item 13 – Review and Consideration of a Certified Survey Map (CSM) submitted by Jason**
1225 **Cance, SEH, Inc., 10 North Bridge Street, Chippewa Falls, WI 54729, on behalf of the City**
1226 **of Onalaska and the Wisconsin Department of Natural Resources (WDNR) to combine**
1227 **seven (7) parcels into two (2) parcels at the intersection of Main Street and State Road 35,**
1228 **Onalaska (Tax Parcels #18-2-2, 18-6-0, 18-15-0, 18-16-0, 18-18-0, 18-19-0, and 18-20-1)**
1229

- 1230 1. Recorded copy of Final CSM to be submitted to City Engineering Department.
1231
- 1232 2. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.
1233
- 1234 3. All conditions run with the land and are binding upon the original developer and all heirs,
1235 successors, and assigns. The sale or transfer of all or any portion of the property does not
1236 relieve the original developer from payment of any fees imposed or from meeting any
1237 other conditions.
1238
- 1239 4. Any omissions of any conditions not listed shall not release the property owner/developer
1240 from abiding by the City's Unified Development Code requirements.
1241

1242 Jarrod said this CSM combines seven parcels into two parcels and noted that this takes the
1243 parcels from King Street to Irvin Street west of 2nd Avenue. Jarrod said the city would trade
1244 lands with the Wisconsin DNR. Jarrod referred to Lot 1 and noted that the lot lines for the
1245 proposed trailhead building included in Phase I of the Great River Landing Project need to be a
1246 certain distance away due to fire codes. Jarrod said that if approved, there would be one lot for
1247 the city and one lot for the Wisconsin DNR.
1248

1249 Motion by Ald. Bialecki, second by Andrea, to approve with four conditions a Certified Survey
1250 Map (CSM) submitted by Jason Cance, SEH, Inc., 10 North Bridge Street, Chippewa Falls, WI
1251 54729, on behalf of the City of Onalaska and the Wisconsin Department of Natural Resources
1252 (WDNR) to combine seven (7) parcels into two (2) parcels at the intersection of Main Street and
1253 State Road 35, Onalaska.
1254

1255 Paul noted that this does not correspond exactly with the rezoning that was part of Item 4.
1256 Jarrod said staff had consulted with the La Crosse County surveyor, and there will be a separate
1257 tax parcel to the north.
1258

1259 Paul noted there are two additional tax parcels in the rezoning that are not in the CSM.
1260

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1261 Jarrod said Burlington Northern owns the lot to the left of Lot 2 and noted it is not part of the
1262 CSM.

1263

1264 On voice vote, motion carried.

1265

1266 **Adjournment**

1267

1268 Motion by Skip, second by Adnrea, to adjourn at 9:05 p.m.

1269

1270 On voice vote, motion carried.

1271

1272

1273 Recorded by:

1274

1275 Kirk Bey