

**Plan Commission
of the City of Onalaska**

Tuesday, September 22, 2015

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, September 22, 2015. It was noted that the meeting had been announced and a notice
3 posted 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, Sue
7 Peterson

8

9 Also Present: City Clerk Cari Burmaster, Land Use and Development Director Brea Grace

10

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

12

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

15

16 On voice vote, motion carried.

17

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

19

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

21

22 **Frank Collas**

23 **216 Oak Forest Drive**

24 **Onalaska**

25

26 “I’m here on behalf of Clearwater Farm as partly a volunteer there and a board member, but also
27 as an Onalaska citizen. I’ve reviewed the PUD description, and I’m suggesting that it is a
28 correction to the zoning as opposed to a change because I read what the uses were of the current
29 zoning, and none of them have ever applied to that parcel of land. Prior to the development of
30 that area I am somewhat certain that it was probably agricultural land before that and that it was
31 probably incorrectly zoned. But more importantly, Clearwater Farm is a totally volunteer-run,
32 nonprofit organization that doesn’t have deep pockets. I know the question tonight on whether
33 it’s a substantial change in the PUD zoning, and I’m here to say that it’s not necessarily a change
34 as it is a correction to the zoning.”

35

36 **Todd Wiedenhaft of Lost Island Wine, LLC**

37 **570 Theater Road, Suite 100**

38 **Onalaska**

39

40 “My wife Jennifer and I are the owners of Lost Island Wine. We’re here in support of the
41 Conditional Use Permit that we applied for essentially for our brewery, which would be in
42 addition to the winery that we currently have at 570 Theater Road, Suite 100. The support for

Reviewed 9/29/15 by Brea Grace

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43 that is essentially we've achieved 50 to 60 percent growth over the last three years, year over
44 year. Most of that is due to the tourism. One of the fastest-growing industries in the state is the
45 winery and boutique winery and craft brewery industry. We're pulling in tourism as far away as
46 Minneapolis, Chicago, Milwaukee and Madison. We've even pulled in tourism from other states
47 as far away as Texas and New York. ... What that does is it brings in tourists who stay in our
48 hotels, go into our restaurants and spend money right here in our community because it's a 20-
49 percent growth in that industry, and we don't see that stopping for the next 10 years. So we
50 would like to get the approval for this Conditional Use Permit to manufacture and bottle alcohol,
51 which we don't plan initially to bottle the beer. It's mainly going to be on tap for our guests to
52 have in addition to the wine we already serve. I know one question was spent grains, which I
53 addressed in my letter. As a matter of fact, I just had a conversation with these folks at
54 Clearwater Farm. Our intent is to donate those grains for feed for the animals that they have
55 because of the small production. I know that was one of the issues that was brought up
56 previously."

57

58 **Shari Collas, President of Clearwater Farm**
59 **216 Oak Forest Drive**
60 **Onalaska**

61

62 "I guess my biggest thing is that that field is such an eyesore out there. [There are] 4-foot tall
63 thistles. Paul, you live there and know what it looks like. The thistles are blowing all over that
64 valley. Coyotes were living in there and [they] killed our turkey and her babies this summer.
65 It's just really bad. It's blowing weeds into our beautiful gardens. You have pictures that I took
66 of the gardens and pictures of the thistles. We even mow a barrier around our garden to keep
67 that stuff away. I had kids out there weed-whacking the thistles down because it is bad, and the
68 animals would basically make it beautiful out there. Three to four days a week they would be
69 out there basically mowing that field. The fencing will be as beautiful as it is the rest of the area.
70 It is going to cost us about \$4,000 to put up fencing in that field if you so agree with this
71 proposal. I will reiterate that the \$700 is a hardship. I am going to go back to my board and see
72 if they may just say 'we're done' because it's a lot of money. We take in about \$25,000 to
73 \$30,000 a year. We have no financial support from the city or any other major entity. It's all
74 fundraising on our part, and all volunteer work. That's where we are. Thank you."

75

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

78

79

Consideration and possible action on the following items:

80

81 **Item 4 – Public Hearing: Approximately 7:00 P.M. (or immediately following Public**
82 **Input): Consideration of an application for a Conditional Use Permit (CUP) filed by Kelly**
83 **Schmitz, Wienmann Properties, LLC, 2310 Mill Street, New London, WI 54961 on behalf**
84 **of US Cellular and JLP Associates II of Eden Prairie, c/o Dewey Johnson, 6500 City West**

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Parkway, Eden Prairie, MN 55344-7701 to allow the replacement of 3 antenna, the addition of 3 remote radio units and other equipment, a Class 2 Collocation, on the existing cell tower at 9348 State Road 16, Onalaska, WI 54650 (Tax Parcel #18-4013-0)

- 85 1. Conditional Use Permit of \$100.00 (*PAID*)
- 86
- 87
- 88
- 89
- 90
- 91 2. Applicant to provide Federal Communication Commission (FCC) license numbers and
- 92 registration numbers if applicable.
- 93
- 94 3. Applicant to provide the City with proof of liability coverage, a minimum of \$2,000,000,
- 95 which shall contain or be endorsed to contain those provisions required by the City
- 96 standard general contract insurance specifications for general liability and umbrella
- 97 liability as specifically outlined in Exhibit A hereto and as may be amended to be in
- 98 effect until removal of the structure.
- 99
- 100 4. Performance Bond. The owner of the antennas shall provide to the City of Onalaska,
- 101 prior to the issuance of the Building Permit, a performance bond in an amount based on a
- 102 written estimate of a qualified remover of said types of structures or Twenty Thousand
- 103 Dollars (\$20,000) whichever is less, to guarantee that the antennas, equipment, etc. will
- 104 be removed when no longer in operation. The City of Onalaska will be named as an
- 105 obligee in the bond and must approve the bonding company. The City may require an
- 106 increase in the bond amount after five (5) year intervals to reflect increases in the
- 107 Consumer Price Index. The owner of the telecommunication tower shall supply any
- 108 increased bond within a reasonable time, not exceeding sixty (60) days from the City's
- 109 request. A letter of credit may be substituted in the amount set forth above. Performance
- 110 bond or letter of credit is to be in effect until removal of the antennas, equipment, etc.
- 111
- 112 5. Abandonment. Any antenna, mobile service facility or mobile services support structure
- 113 that is not operated for a continuous period of twelve (12) months shall be considered
- 114 abandoned. Upon request by the owner of the antenna, mobile service facility or mobile
- 115 services support structure, the Land Use and Development Director may authorize one
- 116 extension to the time limit to abandon for an additional six (6) month period. Such
- 117 extension shall be based on City finding that the owner or permit holder is actively
- 118 seeking tenants for the site. After the expiration of the time periods established above,
- 119 the following shall apply:
- 120
- 121 a. The owner of such antenna, mobile service facility or mobile services support
- 122 structure shall remove said antenna, mobile service facility or mobile services support
- 123 structure, including all supporting equipment, building(s) and foundation(s) to the
- 124 depth of 5 feet below the surface within ninety (90) days of receipt of notice from the
- 125 Land Use and Development Director notifying the owner of such abandonment. Site
- 126 shall be restored to its original condition or a condition approved by the Land Use and

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- 127 Development Director. If removal to the satisfaction of the Land Use and
128 Development Director does not occur within said ninety (90) days, the Land Use and
129 Development Director may order removal utilizing the established bond as provided
130 above and salvage said antenna, mobile service facility or mobile services support
131 structure, including all supporting equipment, building(s), and foundation(s). If there
132 are two or more users of a single mobile services support structure, this provision
133 shall not become effective until all operations of the mobile service support structure
134 cease. If a bond has not been previously established or is not current, the City may
135 perform the work and bill or assess the owner or permit holder of the mobile services
136 support structure for the work performed in addition to an administrative fee.
- 137 b. The owner of the antennas shall notify the Land Use and Development Director
138 within 45 days of the date when the antenna is no longer in operation.
139
- 140 6. Site Plan Permit Approval needed prior to issuance of building permit and any
141 construction activities.
142
- 143 7. Building Permit(s) and Electrical Permit(s) required prior to any construction activities.
144
- 145 8. Mobile services facilities, support structures and antennas shall be designed and
146 constructed in accordance with the State of Wisconsin Uniform Building Code, National
147 Electric Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Fire
148 Code, City of Onalaska Building Code, Electronic Industries Association (EIA),
149 American National Steel Institute Standards (ANSI), and American National Standards
150 Institute (ANSI) in effect at their time of manufacture. Mobile service facilities and
151 support structures shall not interfere with or obstruct existing or proposed public safety,
152 fire protection or Supervisory Controlled Automatic Data Acquisition (SCADA)
153 operation telecommunication facilities. Any actual interference and/or obstruction shall
154 be corrected by the applicant at no cost to the City.
155
- 156 9. Fire Prevention. All mobile services facilities including antennas shall be designed and
157 operated in accordance with all applicable codes regarding fire protection.
158
- 159 10. Telecommunication tower, equipment and facilities shall be designed to reduce negative
160 impacts on the surrounding environment by implementing the following measures:
161
- 162 a. Changes to tower, equipment and facilities shall be designed to blend with existing
163 architecture in the area or shall be screened from sight by mature landscaping and
164 shall be located or designed to minimize their visibility.
165
- 166 11. Outdoor lighting shall be adequately downcast, shielded and hooded so that no excessive
167 glare or illumination is cast upon the adjoining properties.
168

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- 169 12. Exterior storage of materials is prohibited.
170
171 13. Antenna owners shall provide the Land Use and Development Director a
172 Telecommunications Facility Information Report within 45 days of Plan Commission
173 approval, which provides the City with accurate and current information concerning the
174 telecommunications facility owners and providers. The Report shall include the tower
175 owner name(s), address(es), phone number(s), contact person(s), the antenna owner
176 names(s), address(es), phone number(s), contact person(s).
177
178 14. All conditions run with the land and are binding upon the original developer and all heirs,
179 successors and assigns. The sale or transfer of all or any portion of the property does not
180 relieve the original developer from payment of any fees imposed or from meeting any
181 other conditions.
182
183 15. Any omissions of any conditions not listed in minutes shall not release the property
184 owner/developer from abiding by the City's Unified Development Code requirements.
185

186 Brea said modifications are being proposed to the stealth cell phone tower located in the Ground
187 Round parking lot. The antenna is being upgraded to make it more compatible with the newer
188 technologies in cell phones. Three antennas will be removed and three antenna panel units will
189 be added. Three remote radio units also will be added, as will items for the equipment facility
190 located adjacent to the cell phone tower. Brea said staff recommends approval of the CUP with
191 the conditions listed in commission members' packets. Brea noted she had worked with the City
192 Attorney's office on the conditions and said she had spoken with Kelly Schmitz of Wienmann
193 Properties, which was unable to send a representative to this evening's meeting. Brea said Kelly
194 told her that Wienmann Properties understands that the city requires this process, and also that
195 the permit will not be released until the information in the conditions is provided. Brea noted
196 that the city had made a clerical error in its notifications in that the incorrect neighborhood had
197 been notified of this evening's public hearing, which will proceed as planned upon the
198 recommendation of legal counsel. Brea said a public hearing also will be held for the true and
199 accurate 250-foot neighborhood on October 5. Brea said the city must comply with two tiers of
200 regulations. The first is State of Wisconsin Statutes pertaining to cell phone towers and the
201 city's 45-day response time. The second is the CUP notification requirement. Two public
202 hearings will be held in order to meet both legal requirements.

203
204 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
205 Conditional Use Permit application.

206
207 Mayor Chilsen called three times for anyone wishing to speak in favor of the Conditional Use
208 Permit application and closed that portion of the hearing.

209
210 Mayor Chilsen called three times for anyone wishing to speak in opposition to the Conditional

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211 Use Permit application and closed the public hearing.

212

213 Motion by Ald. Bialecki, second by Skip, to approve with the attached conditions an application
214 for a Conditional Use Permit (CUP) filed by Kelly Schmitz, Wienmann Properties, LLC, 2310
215 Mill Street, New London, WI 54961 on behalf of US Cellular and JLP Associates II of Eden
216 Prairie, c/o Dewey Johnson, 6500 City West Parkway, Eden Prairie, MN 55344-7701 to allow
217 the replacement of 3 antenna, the addition of 3 remote radio units and other equipment, a Class 2
218 Collocation, on the existing cell tower at 9348 State Road 16, Onalaska, WI 54650.

219

220 Craig noted a stealth-type tower is located at the site and asked Brea if the city is within its right
221 to insist that the stealth characteristics remain in place.

222

223 Brea said State of Wisconsin Statutes require that a zoning permit not be denied based on
224 aesthetics. Brea said it is her opinion that what is being proposed still would make the tower a
225 stealth tower.

226

227 Paul said, "I can't help but kind of laugh a little bit that the petitioners don't even feel the need to
228 show up for this now that our hands have been tied in terms of any meaningful regulation. I
229 understand that they had the decency to call, but the bottom line is I think this will be a regular
230 thing from here on."

231

232 Ald. Bialecki noted that the City of Onalaska has much less control over cell phone towers due to
233 language that was included in the last State of Wisconsin budget.

234

235 Jan asked Brea if the city only can ask Wienmann Properties to follow Condition No. 10.

236

237 Brea said yes, noting that while the city may make recommendations about the aesthetics of the
238 tower, it cannot make any requirements.

239

240 Craig asked Brea to contact City Attorney Sean O'Flaherty and obtain input on where the city
241 stands with existing stealth cell phone towers.

242

243 Ald. Bialecki asked Brea to share with the Common Council any information she obtains from
244 Sean as soon as possible.

245

246 On voice vote, motion carried, 7-1.

247

248 **Item 5 – Public Hearing: Approximately 7:10 P.M. (or immediately following Public**
249 **Hearing at 7:00 P.M.): Consideration of an application for a Conditional Use Permit**
250 **(CUP) filed by Todd Wiedenhaft, Lost Island Wine, LLC, 570 Theater Rd., Ste. 100,**
251 **Onalaska, WI 54650 to allow the manufacturing and bottling of alcoholic beverages (beer**
252 **and wine) at 570 Theater Road, Suite 100, Onalaska, WI 54650 (Tax Parcel #18-4017-5)**

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- 253
254 1. Conditional Use Permit Fee of \$150.00 (*PAID*)
255
256 2. Site Plan Permit Approval required for any exterior improvements. Building Permits
257 required for any structural modifications, electrical, plumbing or HVAC modifications.
258
259 3. No outdoor storage.
260
261 4. Applicant agrees to install odor mitigation measures as dictated by negative impacts to
262 adjacent land uses as required by the Land Use & Development Director or Plan
263 Commission.
264
265 5. Compliance with City Ordinance 9-2 including but not limited to obtaining a Discharge
266 Permit.
267
268 6. Removal of spent grain and other byproducts from the premise in a timely manner as
269 determined by the Land Use & Development Director.
270
271 7. CUP to be re-reviewed by the Plan Commission prior to onsite business expansions (i.e.,
272 packaging operations) and at the time of any significant expansions in quantities brewed
273 (either as a singular expansion or a cumulative effect).
274
275 8. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
276 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
277 and improvements installed per approved plans prior to issuance of occupancy permits.
278
279 9. All conditions run with the land and are binding upon the original developer and all heirs,
280 successors and assigns. The sale or transfer of all or any portion of the property does not
281 relieve the original developer from payment of any fees imposed or from meeting any
282 other conditions.
283
284 10. Any omissions of any conditions not listed in the minutes shall not release the property
285 owner/developer from abiding by the City's Unified Development Code requirements.
286

287 Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the
288 Conditional Use Permit application.
289

290 **Frank Collas**
291 **216 Oak Forest Drive**
292 **Onalaska**
293

294 "We actually are patrons of Lost Island, and it's a fantastic place. They run a class operation. I
Reviewed 9/29/15 by Brea Grace

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295 really have never seen any [undesirable customers] in the place. I don't mean to categorize
296 people, but it's an upstanding, tax-paying, good wine great place to visit. If you haven't been
297 there I suggest that you do try it because it's a nice atmosphere. I know that the class of the
298 organization will carry over to his brewery operation."
299

300 **Todd Wiedenhaft of Lost Island Wine, LLC**
301 **570 Theater Road, Suite 100**
302 **Onalaska**
303

304 "We try to present a class operation. We have a laid-back operation where want to have it
305 inviting for customers, especially tourism. It's really a big deal for us. We get people there who
306 constantly ask us where to eat and where to stay when they call us [to ask] when they can come
307 and visit. We're the first winery in Onalaska. We will be the first operating brewery, assuming
308 we get the Conditional Use Permit to move forward. I know a permit was taken out north of
309 here, but we're ready to go as long as we get the ventilation system installed, which is dependent
310 on this permit. We're very excited to be able to have that opportunity, so I appreciate you taking
311 the time to hear this for us. Thank you."
312

313 **Jeff Pralle**
314 **4026 Beverly Drive**
315 **Onalaska**
316

317 "I got to know Todd and Jennifer probably a little over three years ago, and they are a couple of
318 just outstanding character. They're hard-working and they've really become more and more
319 known, but at one time kind of a hidden asset to the community. I have just seen their business
320 grow because of their hard work and their honest ethics, and they make a great product too. The
321 tourism [aspect] is kind of important because they will draw more people into the community as
322 they continue to grow. I hope you approve this Conditional Use Permit because believe it or not,
323 with this they're going to take up another 2,000 square feet in the building that they're in. I think
324 it bodes well for them how hard they've worked to grow this business and be an asset to the
325 community in Onalaska. I'm in favor of it, so I just hope you can approve it and let them move
326 their business forward. Thank you."
327

328 Mayor Chilsen called three times for anyone else wishing to speak in favor of the Conditional
329 Use Permit application and closed that portion of the public hearing.
330

331 Mayor Chilsen called three times for anyone wishing to speak in opposition to the Conditional
332 Use Permit application and closed the public hearing.
333

334 Brea said the CUP is for the manufacturing and bottling of alcoholic beverages (both beer and
335 wine) in a Light Industrial Zoning District. This is allowed as a CUP. Brea said staff has
336 reviewed the proposal with the standards for review (compatibility with the existing

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337 neighborhood, consistency with the Comprehensive Plan, importance of services to the
338 community, neighborhood protections) included in committee members' packets. Brea said staff
339 recommends approval based on the 10 conditions included in committee members' packets.

340
341 Motion by Ald. Bialecki, second by Craig, to approve with the 10 listed conditions an application
342 for a Conditional Use Permit (CUP) filed by Todd Wiedenhaft, Lost Island Wine, LLC, 570
343 Theater Rd., Ste. 100, Onalaska, WI 54650 to allow the manufacturing and bottling of alcoholic
344 beverages (beer and wine) at 570 Theater Road, Suite 100, Onalaska, WI 54650.

345
346 Craig asked that close attention be paid to Condition No. 6.

347
348 Paul asked if the CUP is to manufacture beer in addition to wine at the site.

349
350 Brea said the CUP is for both beer and wine, noting that the permit should have been issued
351 before the use began there. Brea noted that she had consulted with Sean and said it is
352 appropriate that the CUP be required to manufacture both beer and wine.

353
354 Paul asked if there is a tasting room at Lost Island Wine.

355
356 Todd said there is a tasting room present that has been twice expanded. There is a space for
357 private parties, and Lost Island Wine has obtained a Garden Permit so patrons may consume
358 beverages in the courtyard.

359
360 Jan asked if there is a ventilation system present for wine making operations.

361
362 Todd noted the building permit through Schneider Heating and Air Conditioning for the new
363 ventilation system is dependent on approval of the CUP. Todd noted he never was presented
364 with a CUP when he was looking for a place to open Lost Island Wine and said the CUP "cleans
365 up" what originally should have been in place for the manufacturing and bottling of wine. Todd
366 said that permit should be held until this process is complete and approved. At that time a
367 custom ventilation system will be installed for the brewery. Todd said Schneider Heating and
368 Air Conditioning examined the design of the brewing system and put together a proposal based
369 on the manufacturer's specifications of the system. Todd said the system is an adjustable half-
370 barrel system and noted that Lost Island Wine will manufacture five to seven different types of
371 beer. Todd also noted that odor will not be a factor.

372
373 On voice vote, motion carried.

374
375 **Item 6 – Consideration of an annexation application for Tax Parcel #9-110-0 (1.17 acres) at**
376 **W5955 County Road OS, applicant Spencer Hegenbarth, W5955 County Road OS,**
377 **Onalaska, WI 54650**

378

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- 379 1. Payment of all fees including ACT 317 fees (\$722 for first installment).
380
381 2. Payment of Deferred Special Assessments:
382
383 a. Deferred Water Special Assessment from 1991 for County Rd. OS = \$728.64
384
385 b. Deferred Sanitary Sewer Special Assessment from 1991 for County Rd. OS =
386 \$1,401.24
387
388 c. Deferred Water Special Assessment from 1983 for Pralle Road = \$1,844.89
389
390 3. Greens Coulee Sanitary Sewer Fee = \$317 per acre * 1.17 acres = \$370.89
391
392 4. Topography Map Fee - \$10 per acre * 1 acre = \$10
393
394 5. Park Fee - \$922.21 per residential unit
395
396 6. Annexed land to be placed in the R-1 Single-Family Residential Zoning District.
397
398 7. Owner/developer must notify City prior to any utility connection to City-owned utilities
399 takes place.
400
401 8. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
402 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
403 and improvements installed per approved plans prior to issuance of occupancy permits.
404
405 9. All conditions run with the land and are binding upon the original developer and all heirs,
406 successors and assigns. The sale or transfer of all or any portion of the property does not
407 relieve the original developer from payment of any fees imposed or from meeting any
408 other conditions.
409
410 10. Any omissions of any conditions not listed in Plan Commission Minutes shall not release
411 the property owner/developer from abiding by the City's Unified Development Code
412 requirements.
413

414 Brea said the property, which is located at the corner of County Road OS and Pralle Road, is
415 requesting annexation from the Town of Medary into the City of Onalaska. The septic system on
416 the property has failed, and the intention is to hook up to sanitary sewer and ultimately water
417 service. Brea said she has reviewed the annexation process with Spencer Hegenbarth and also
418 discussed with him the fees that are noted in commission members' packets. Brea noted that the
419 city had received a letter from the Department of Administration regarding the proposed
420 annexation and said it is the DOA's position that the annexation is found to be in the public

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421 interest. The annexation would continue to have a homogeneous shape to the City of Onalaska.
422 Brea said staff recommends approval with the 10 conditions listed in commission members'
423 packets.

424

425 Motion by Ald. Bialecki, second by Craig, to approve with the 10 listed conditions an annexation
426 application for Tax Parcel #9-110-0 (1.17 acres) at W5955 County Road OS, applicant Spencer
427 Hegenbarth, W5955 County Road OS, Onalaska, WI 54650.

428

429 Craig noted that the Town of Medary is aware of and approves of the annexation.

430

431 On voice vote, motion carried.

432

433 **Item 7 – Consideration of a substantial modification determination to the Greens Coulee**
434 **Community Park Planned Unit Development (PUD) for Zone 2 adjacent to Clearwater**
435 **Farms, submitted by Shari Collas, on behalf of Clearwater Farm Foundation, Inc., 760**
436 **Green Coulee Road, Onalaska, WI (Tax Parcel #18-675-125)**

437

438 1. Applicant to enter into a Grazing Land Lease agreement with the City of Onalaska.

439

440 2. Applicant shall abide by all requirements and conditions of the previously approved
441 Greens Coulee Community Park Planned Unit Development and with previous City
442 approvals.

443

444 3. A 10-foot buffer to be maintained along wetlands.

445

446 4. All conditions run with the land and are binding upon the original developer and all heirs,
447 successors and assigns. The sale or transfer of all or any portion of the property does not
448 relieve the original developer from payment of any fees imposed or from meeting any
449 other conditions.

450

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

453

454 Brea said Clearwater Farm wishes to expand the grazing area onto City of Onalaska property
455 south of the existing farm. The PUD that was approved by the city in 2002 had three zones.
456 Zone 1 includes the Clearwater Farm Foundation property. Zone 2 includes the City of Onalaska
457 lower parkland. The proposal is within Zone 2, which does not outright specify agricultural or
458 zoning as permitted uses. Brea said staff believes that this modification to the PUD needs to be
459 reviewed and determined by the Plan Commission if it is a substantial or non-substantial change.
460 Brea noted that staff had consulted with legal counsel and said it is staff's opinion that this is a
461 substantial change in the sense that the fencing is proposed to be permanent, with a gated and
462 locked gate system to which the city would have access. Brea noted that public access would be

Reviewed 9/29/15 by Brea Grace

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463 significantly changed from its current state, which is it is part of the parkland and the public may
464 access it at any time. Brea said if the Plan Commission determines that this is a substantial
465 change, a public hearing would be scheduled at a subsequent meeting. At that time the Plan
466 Commission would decide on the proposed modification.

467
468 Motion by Ald. Bialecki, second by Craig, to determine a substantial change to the Greens
469 Coulee Community Park Planned Unit Development (PUD) for Zone 2 adjacent to Clearwater
470 Farms, submitted by Shari Collas, on behalf of Clearwater Farm Foundation, Inc., 760 Green
471 Coulee Road, Onalaska, WI.

472
473 Ald. Bialecki referred to Frank Collas' statement that he believes this is a correction to the
474 zoning and said he is unsure if there is language in the city's ordinances that discusses
475 corrections versus substantial changes.

476
477 Shari said the field is marsh-like and damp and noted she has never seen anyone playing on it,
478 nor is there anyone who utilizes it. Shari pointed out that there are overgrown thistles on the
479 field and reiterated that "it is not used for anything." Shari noted the city typically mows the
480 field once a year. Shari referred to an individual who owns 13 acres near the field and said he
481 does not approve of individuals who run their dogs on his property. Shari said she has
482 encouraged these individuals to run their dogs on Zone 2, but they have refused because it is very
483 damp.

484
485 Craig noted that the field's current condition does not exempt it from considerations as a real
486 change in the intended use.

487
488 Skip said, "I look at this as not a substantial change because I don't think that we're changing
489 something here to grazing land. I look at this as these people are going to provide a free service
490 of grazing cleaning to a park area. Therefore, it is not a substantial change. But if it were a
491 substantial change requiring a Conditional Permit, I think that the people benefitting the most
492 from this is the Park Department. They should be the ones asking for the Conditional Permit, not
493 Clearwater Farm. My way of thinking of this is it is not a substantial change."

494
495 Paul said, "I thought about this a bit today, and I came in with the belief that it was a substantial
496 change. My reasoning is that we are taking public property and making it into private exclusive
497 use property, and I think that's serious. From my front porch I see the barn, and what you have
498 done there is just phenomenal. I enjoy it every day. But I think this is something that we have to
499 give the public the chance to have input on, and there may be none. Secondly, I would hope
500 that maybe would be a forum for a little bit of discussion about the entirety of Zone 2 and not
501 just this small portion. It is pretty much all non-native, invasive plants, and I agree it's wet a lot.
502 But it could be converted to native plants if there was some impetus to do it. It could be much
503 more attractive than it is. But primarily we're taking public property, no matter how little used,
504 and making it exclusively private. And I think that warrants a hearing."

Reviewed 9/29/15 by Brea Grace

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13

505

506 Jan said she agrees with Paul and stated, “I also think that we somehow always owe it to the
507 property owners who have purchased property and built homes in that area. We’ve talked about
508 this a number of times, and it always bothers me when we go back and we change something.
509 People invested their hard-earned dollars in their homes there, and all of a sudden we’re
510 changing the use. I don’t really have a real problem with the change in use other than we’re
511 using city land. But on the other hand, I think the people need a chance to tell us what they
512 think.”

513

514 Skip asked Sue, who chairs the Parks and Recreation Board, if this is a permanent or a temporary
515 arrangement.

516

517 Brea said it is her understanding that the fencing would be permanent and noted Sean has drafted
518 a lease between the City of Onalaska and Clearwater Farm. Brea said it is her understanding that
519 there is no termination date.

520

521 Sue said she believes the Parks and Recreation Board had requested a periodic review based on
522 long-range park planning.

523

524 Skip asked Shari and Frank if this is a permanent or temporary arrangement.

525

526 Frank said, “The public is probably the people who benefit the most from this. Clearwater Farm
527 is actually looking to improve a situation that exists. If you look at the stretch of walk along
528 Clearwater Farm, there is no more heavily trafficked walking area and no more enjoyable
529 walking area than what Clearwater Farm has done along Green Coulee Road there. There are
530 hundreds of people that stop weekly and enjoy the animals. We’re turning a piece of garbage
531 land that is basically nothing but ... I drove by there the other day and there was some caught-up
532 cardboard or something that had blown in there and gotten caught. It’s an eyesore, and you can
533 pretty much take it for what it’s worth. Speaking to the permanent fencing, just a month or so
534 ago we moved fencing on the north end of our field. There is no permanency to the fencing.
535 Anything that gets put up can be taken down. As far as the term of it, we’re not going to stick
536 \$4,000 in fencing in, say, a year from now unless there’s something that occurs that is reasonable
537 cause to terminate it. [Then] we would look at something that is a little more long-term.”

538

539 Ald. Bialecki said, “I think in the city’s interest we should date that somewhere. Five years, 10
540 years – either way. I’m not sure if we have an open-ended lease if that’s the wise thing to do.”

541

542 Brea said staff planned to send back the terms of the lease to the Parks and Recreation Board for
543 review. Brea said the Parks and Recreation Board could reach an agreement with Clearwater
544 Farm regarding the intervals at which the lease would be reviewed. The lease then could be
545 advanced to the Common Council.

546

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14

547 Craig said he believes a public hearing should be held and agreed with Ald. Bialecki in that a
548 date needs to be involved. Craig said, "I don't on the surface have a problem with the use, but I
549 think we need to go through the appropriate process so that those other people in the community
550 who may have a different perspective can be heard and we can take those things into
551 consideration."

552

553 On voice vote, motion carried, 7-1.

554

555 Skip requested a recess.

556

557 Mayor Chilsen briefly recessed the Plan Commission.

558

559 **Item 8 – Update on a Certified Survey Map (CSM) submitted by Andy Luttcens of Davy**
560 **Engineering on behalf of Valley View Business Park, LLP, PO Box 325, Onalaska, WI**
561 **54650 for the purpose of realigning Lots 1, 2 and Outlot 1 in the Nathan Hills Estates**
562 **Subdivision (Tax Parcels #18-5941-0 and 18-5942-0)**

563

564 Brea said this is the CSM the Plan Commission had approved at its August 25 meeting and
565 advanced it to the Common Council. Brea noted that two minor changes had been made to the
566 CSM following the September 8 Common Council meeting. One regarded the 50-foot highway
567 setback line on the south side of the property and the project developer's understanding of what
568 the highway setback meant for the development. Brea said the property owner and the
569 prospective owners wanted to shift the property line between Lot 1 and Lot 2 further north.
570 Doing so would have given Lot 1 approximately 16 additional feet of property. Brea noted this
571 alteration had occurred since the Plan Commission had seen the document. There also has been
572 a shift in the stormwater easement area between Lot 1 and Lot 2, with movement toward Outlot
573 1. Brea said the stormwater pipe had to be moved, and subsequently the easement area had to be
574 moved slightly north. Brea said staff believes these were minor changes to the CSM and noted
575 staff had approved them and forwarded the CSM for final approval. Brea said Sean agreed that
576 the modifications were minor, but he also asked to bring this item forward to the Plan
577 Commission so its members could be informed of the changes on the CSM.

578

579 **Item 9 – Discussion and consideration of Changes to Zoning Fees**

580

581 Brea noted both staff and Sean's office have been examining the city's zoning fees and said staff
582 is proposing changes to several of them. The changes have been listed in commission members'
583 packets, as has a page that estimates a total amount of staff time per application. Brea the
584 estimates are cumulative from the City Clerk's Office, the Fire Department, the Inspections
585 Department and Engineering. Brea said city expenses also were estimated. These are direct
586 expenses that include items such as publication cost in the newspaper for public hearings,
587 copying and printing costs, mailing costs and City Attorney costs.

588

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15

589 Motion by Ald. Bialecki, second by Craig, to approve Changes to Zoning Fees.

590

591 Ald. Bialecki noted a question had been asked about whether the changes to the zoning fees
592 would be consistent with communities of similar size to Onalaska and communities in the area
593 and said they would be.

594

595 Skip asked Brea if she wanted to comment on the new schedule for the City of La Crosse that
596 had recently appeared in the newspaper.

597

598 Brea said she believes the proposed changes for the City of Onalaska move it a step closer to
599 where the City of La Crosse currently is.

600

601 Paul said he believes it is appropriate to charge for out-of-pocket expenses. Paul also said he
602 was uncomfortable charging for staff time or basing fees on what other communities do. Paul
603 said he has examined the schedule and attempted to determine a pattern as to how staff had
604 arrived at the proposed fee in terms of expenses. Paul said he has not found a pattern and added
605 he could support an increase that was a multiple of 1½ times expenses. However, Paul added he
606 will vote no to the proposed changes.

607

608 Craig said what other communities do is irrelevant to him and it does not play a part in what the
609 city needs to do. Craig said, "I think what we really need to do is take a reasonable look at how
610 much staff time is spent on this type of thing. And I think quite frankly in the past we've been
611 low, in my experience, with other communities. But again, I don't think that's the mitigating
612 factor here. I think, what are the actual expenses and can we reasonably go here? And I think
613 anybody who is involved in business knows that there are costs that aren't always tangible. And
614 I think we need to allow for those without getting carried away. And I don't think it's the
615 obligation of every taxpayer to pay for staff costs associated with every type of development
616 necessarily. I think we need to be real careful with what we do with this. But I don't think what
617 staff is requesting here is excessive, and I'm going to support this."

618

619 Paul said, "I don't think these fees that are proposed are going to scare anybody away. I'm not
620 concerned about that. It does concern me a little bit that once we do start charging for staff time,
621 do we then start charging for actual staff time and fringe benefits? Once again, I looked for a
622 pattern. Are we charging a modest amount per hour of staff time, plus expenses? But that's not
623 really the case in this proposal. Site plan review is an example. Eleven hours of staff time, \$18
624 of costs. The proposed fee is \$75, so that equates to about \$5 an hour charged for staff time in
625 that one. But as you go through them there's no consistent pattern that I could find. That's what
626 I was looking for."

627

628 Jan noted that many of the fees either have doubled or more than doubled and asked if there
629 would be any merit in possibly raising the fees on a two-tier schedule. Jan suggested perhaps
630 raising fees now and then again in two years.

Reviewed 9/29/15 by Brea Grace

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16

631
632 Craig said he agrees with Paul in that the city must exercise caution with the increase in fees.
633 Craig said he believes Onalaska has always been a community that has encouraged development,
634 and that the fee structure has always lent itself to that. Craig said, “But again, just as we can’t let
635 what other communities do on a fee scale determine how high we go, we also can’t say we’re not
636 going to charge anything because we want to encourage development or are willing to look at
637 developmental options. So I think this strikes that happy medium, and I think it isn’t going to
638 scare anybody away. But I think Paul is right in that we have to be aware of this and not let this
639 get out of hand.”

640
641 On voice vote, motion carried, 7-1.
642

643 **Item 10 – Review and discussion of 2015 Comprehensive Plan Update & Project Schedule**

644
645 Brea noted that commission members’ packets include a schedule for the 2015 Comprehensive
646 Plan Update. Brea noted that there is no “hard and fast deadline” and this is staff’s best guess at
647 this time as to what the next steps are in the Comprehensive Plan process. Brea noted there will
648 be a public open house from 4:30 p.m. to 7:30 p.m. on Wednesday, September 30 in the
649 Common Council Chambers. The public will have the opportunity to review the plan, ask
650 questions and provide feedback. A formal presentation will begin at 5:30 p.m., and it is expected
651 to last approximately 20 minutes. Brea said the Long Range Planning Committee will discuss
652 the comments from the open house and make appropriate edits to the document. Once the Long
653 Range Planning Committee reaches a point where its members believe the document is
654 satisfactory, they will recommend approval to the Plan Commission – possibly as soon as
655 October. The Plan Commission would then examine the final planning document both in
656 October and November. Brea said the Plan Commission is tentatively scheduled to hold a formal
657 public hearing on the 2015 Comprehensive Plan Update at its December 15 meeting. A 30-day
658 notice for the hearing is required, per State of Wisconsin Statutes, and adjacent municipalities,
659 school districts and Western Technical College also must be notified. Brea noted that adjacent
660 municipalities and school districts have been invited to the September 30 open house. Common
661 Council adoption of the 2015 Comprehensive Plan Update either would occur at its January 12
662 or February 9 meeting. Brea noted the current document can be found at cityofonalaska.com
663 under “News and Announcements.”

664
665 **Item 11 – Discussion and consideration of setting a Public Hearing with Plan Commission**
666 **for the 2015 Comprehensive Plan Update**

667
668 Brea asked Plan Commission members if they feel comfortable scheduling a public hearing for
669 December 15.

670
671 Ald. Bialecki asked Brea if she will have sufficient time to gather the appropriate input and
672 disseminate it to the Plan Commission.

Reviewed 9/29/15 by Brea Grace

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17

673
674 Brea said yes.

675
676 Motion by Ald. Bialecki, second by Craig, to set the Public Hearing for the 2015 Comprehensive
677 Plan Update for the Tuesday, December 15 Plan Commission meeting.

678
679 Cari said she will need the public hearing publication prepared by Friday, November 6 to send to
680 the Onalaska/Holmen Courier Life so it could appear in the Friday, November 13 edition.

681
682 On voice vote, motion carried.

683
684 **Item 12 – Review and discussion of 2016-2020 Capital Improvements Budget**

685
686 Jarrod said the Board of Public Works will begin to pare down the 2016 CIB at its October 6
687 meeting. Jarrod noted the 2016 CIB currently shows slightly more than \$13 million worth of
688 projects and said the city typically bonds for \$3.5 million. Jarrod said Plan Commission
689 members may share with the Public Works Department any suggestions as to what community
690 projects they believe residents would need for infrastructure. Jarrod said the focus of the last two
691 CIBs has been on repaving some of the city’s urban neighborhoods as the infrastructure under
692 the streets was installed in the late 1960s and early 1970s.

693
694 Jan asked if “Cemetery Enhancements – 13th Avenue South” is in collaboration with the
695 Cemetery Project.

696
697 Jarrod said this is the same project for which the Cemetery Committee has been soliciting
698 donations. Jarrod noted the first list sent to the Board of Public Works does not list anything in
699 the final three columns. There are financials figures in the final three columns of the next list,
700 and some of the projects have been bonded in previous years. Jarrod noted the donations for the
701 Cemetery Project would be listed under the “Less Amount Other Sources” column and said the
702 final column is the final amount needed for borrowing. Jarrod said it will not be necessary to
703 borrow the entire \$13 million as this figure will be less based on what is available from previous
704 projects and what is being obtained from other sources such as grants and donations.

705
706 **Item 13 – Report from Land Use & Development Director**

707
708 a. 2015 Building Permit & Development Update

709
710 Brea reported the following:

- 711
712 • The city has issued permits for approximately \$41.3 million worth of projects (\$16.1
713 million in residential investment and \$25.2 in commercial investment) through the end of
714 August. The five-year average in overall investment is \$26.6 million; is \$11.3 million in

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18

- 715 residential investment; and is \$15.4 million in commercial investment.
- 716 • Fifty-four permits have been issued for single-family homes and duplexes with a total
717 approximate value of \$14.6 million. The 54 permits issued surpasses every year since
718 2008, with the exception of 2013. Through August 2015, the value of \$14.6 million is
719 slightly below the 2013 value of \$14.9 million and the 2007 value of \$15.8 million.
- 720 • Permits have been issued for 84 new multiunit structures, and an additional \$6.3 million
721 has been invested in residential properties through August 2015.
- 722 • Nine permits have been issued for new commercial structures through August 2015.
- 723 • Site plans currently under review include a 74-unit residential apartment complex on
724 Sand Lake Road by Traditional Trades; a new 4,300 square-foot financial institution on
725 State Trunk Highway 16 for Co-op Credit Union; a 33,500 square-foot office building on
726 STH 16 for the Festival Foods Support Center; and a 40-by-40 foot cold storage
727 accessory structure and parking lot expansion for Luke's Auto.
- 728 • Larger site plan reviews that have been completed include Associated Bank, Three
729 Amigos, LLC, Altra Federal Credit Union, Dahl Automotive, Firefighters Credit Union,
730 Allergy Associates, the National Guard Armory, Dairy Queen, Kujak Dental, YMCA, a
731 32-unit apartment complex along Abbey Road, Arby's, City of Onalaska Well No. 9, two
732 16-unit residential apartment complexes along Abbey Road, and Audio Video Pros.
- 733 • Other building permits issued for larger commercial projects which have had site plan
734 review prior to 2015 include a triplex by Traditional Trades on Krause Road and two six-
735 plexes by Nathan Hills Estate, LLC on Coronado Circle.
- 736 • Other larger commercial projects that pulled a building permit but did not require a site
737 plan review include Mathy Construction, Valley Plaza Shopping Center, Altra Federal
738 Credit Union, Rocky Rococo and Dahl Automotive.

739
740 **Adjournment**

741
742 Motion by Ald. Bialecki, second by Craig, to adjourn at 8:11 p.m.

743
744 On voice vote, motion carried.

745
746
747 Recorded by:

748
749 Kirk Bey