

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Plan Commission Sub-Committee
DATE OF MEETING: April 21, 2015 (Tuesday)
PLACE OF MEETING: City Hall – 415 Main Street (Common Council Chambers)
TIME OF MEETING: 4:30 P.M.

PURPOSE OF MEETING

1. Call to Order and roll call.
2. Approval of minutes from the previous meeting.
3. Public Input (limited to 3 minutes per individual)

Consideration and possible action on the following items:

4. Consideration of an application for a Conditional Use Permit (CUP) filed by R. Shane Begley, 14114 S. Country Circle, Gordon, WI 54838 on behalf of Elinor Thorud (Sand Lake Development, LLC); Brian Meier (Central States Tower); and Verizon Wireless to allow the construction of a multi-tenant communication facility and a tower with an overall height of 125' at 111 Sand Lake Road, Onalaska, WI 54650.
5. Consideration of an annexation application for Tax Parcel #9-451-0 (1.995 acres) at N4502 French Road, applicant Marianne Buchanan, on behalf of Wesley & Florence Spors Irrevocable Trust, W2815 Shorewood Court, West Salem, WI 54669.
6. Reconsideration of Rezoning request filed by Laura McCormick & Jean Donohoe, 426 2nd Avenue South, Onalaska, WI 54650, to rezone two adjacent parcels located at 420 & 426 2nd Avenue S from Neighborhood Business (B-1) District to Community Business (B-2) to allow an increase of use options, including but not limited to a church (Tax Parcels #18-41-1 & 18-41-2).
7. Consideration and review of a request by Ralph Kloiber of HOM Furniture to host two (2) thirty (30) day tent sale events in 2015 at 9519 State Road 16, Onalaska, WI 54650, (Tax Parcel #18-3625-4).
8. Update on Town of Onalaska's Incorporation Petition.
9. Update and discussion about Cooperative Boundary Agreement with Village of Holmen.

Adjournment

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the committee may attend this meeting to gather information about a subject over which they have decision making responsibility. Therefore, further notice is hereby given that the above meeting may constitute a meeting of the Common Council and is hereby noticed as such, even though it is not contemplated that the Common Council will take any formal action at this meeting.

NOTICES MAILED TO:

Mayor Joe Chilsen
Ald. Jim Binash
Ald. Jim Olson
*Ald. Jim Bialecki - Chair
Ald. Bob Muth
Ald. Barry Blomquist
Ald. Harvey Bertrand
City Attorney Dept Heads
La Crosse Tribune Charter Com.
Onalaska Holmen Courier Life
WIZM WKTY WLXR WKBH
WLSU WKBT WXOW

*Committee Members

*Skip Temte
*Jarrod Holter, City Engineer
**Kevin Schubert
JD Manske Family Land Holdings Inc.
Marianne Buchanan
Shane Begley
Laura McCormick and Jean Donohoe
Ralph Kloiber
Plan Comm. Members
Onalaska Public Library

* * Alternate Member – for City Engineer

Date Notices Mailed and Posted: 04/17/15

In compliance with the Americans with Disabilities Act of 1990, the City of Onalaska will provide reasonable accommodations to qualified individuals with a disability to ensure equal access to public meetings provided notification is given to the City Clerk within seventy-two (72) hours prior to the public meeting and that the requested accommodation does not create an undue hardship for the City.



CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – April 21, 2015

- Agenda Item: Consideration of a Conditional Use Permit (CUP) request to allow the construction of a multi-tenant communication facility and a tower with an overall height of 125 feet.
- Applicant: R. Shane Begley, 14114 S. Country Circle, Gordon, WI 54838 on behalf of Elinor Thorud (Sand Lake Development, LLC); Brian Meier (Central States Tower); and Verizon Wireless
- Property Owner: Elinor Thorud (Sand Lake Development, LLC)
- Parcel Number: 18-767-1
- Site Location: 111 Sand Lake Road (West of Center 90 strip mall)
- Existing Zoning: Community Business (B-2) District

Background:

This Conditional Use Permit (CUP) request pertains to allowing the construction of a proposed telecommunication tower and antennas with an overall height of 125 feet. It is proposed to be a multi-tenant tower, meaning that multiple telecommunication companies may be allowed to place their antennas on this structure. The application is being made by Center States Tower and Verizon Wireless.

Additionally the tower is proposed to exceed the height limitations established by the Airport Overlay Zoning. The applicants are seeking a variance to exceed the approximate 89' height maximum established by City Ordinances with a 125' overall structure height (tower + antennas). Variances from the Airport Overlay Zoning are requested from the City of La Crosse's Board of Zoning Appeals (as owner of the airport). Further, in addition to the construction of the tower and antennas, the applicant proposes as 55' x 70' fenced compound and a Verizon 12' x 18' shelter and exterior generator, as well as associated antennas and hardware.

Telecommunication structures and tower are permitted only by Conditional Use Permit per Section 13-6-6 and pursuant to standards set forth in Sections 13-8-11.

Standards for Review:

The following decision criteria were used to review the submitted conditional use:

1. Compatibility. The site is located off Monroe Street, behind Center 90 and behind the U.S. Post Office. Properties within 250 feet of the site are zoned a combination of Single Family and/or Duplex Residential, Public & Semi-Public, and Neighborhood Business. The uses within 500 feet along the same street of the site include residences, businesses, public facilities, and a school.

CITY OF ONALASKA

2. Consistency with Comprehensive Plan. The Comprehensive Plan identifies this area as *Mixed Use or TND*. This district is intended to allow a mixture of complementary land uses including housing, retail, office, service, and civic uses in an efficient, compact and relatively dense development pattern.
3. Importance of Services to the Community. The intent is to increase telecommunication coverage in the area.
4. Neighborhood Protections. Review of the application will consider the potential negative impacts this development may have on neighboring properties and how they are reduced.

As a public hearing is scheduled, public comment should be considered into this decision.

5. Conformance with Other Requirements of City/State Ordinances/Statutes:
Project to be in conformance with the standards set forth in State Statute 66.0404.

Action Requested:

A public hearing was held at the March 24th Plan Commission meeting. The application was referred to the April 28th Plan Commission meeting.

If the requested Conditional Use Permit is forwarded by the Plan Commission Sub-Committee, staff recommends the conditions of approval listed on the following page.

REQUEST FOR ACTION & POSSIBLE CONSIDERATION BY PLAN COMMISSION SUB-COMMITTEE:

April 21, 2015

Agenda Item 4:

Consideration of an application for a Conditional Use Permit (CUP) filed by R. Shane Begley, 14114 S. Country Circle, Gordon, WI 54838 on behalf of Elinor Thorud (Sand Lake Development, LLC); Brian Meier (Central States Tower); and Verizon Wireless to allow the construction of a multi-tenant communication facility and a tower with an overall height of 125' at 111 Sand Lake Road, Onalaska, WI 54650.

1. Conditional Use Permit Fee of \$150.00 (*PAID*).
2. Applicant to provide a more detailed collation analysis with an explanation as to why collocation is “technical infeasible”, why the proposed location was selected including details on coverage and capacity in the applicant’s search ring. To be provided to the City prior to the 04/28/2015 Plan Commission meeting.
3. As the location of the proposed telecommunications tower and facilities are on leased land, the lease agreement shall not preclude the lessee from entering into leases on the site with other provider(s) and there shall not be any other lease provision operating as a bar to collocation of other providers.
4. The facility shall be designed to promote site sharing for collocation, with space reasonably available to collocators and such that telecommunication towers and necessary appurtenances, including but not limited to parking areas, access road, and utilities are shared by site users whenever possible.
5. Applicant shall supply the total number of collocation positions designated and proposed positions to be occupied.
6. Applicant to obtain Federal Communications Commission (FCC) license numbers and registration numbers if applicable.
7. Applicant to obtain a Findings of No Significant Impacts (FONSI) statement from the FCC or Environmental Assessment or Environmental Impact Study (EIS) if applicable.
8. Applicant to obtain a determination of “no hazard” from the Federal Aviation Administration (FAA) including any aeronautical study determination or other findings, if applicable.

9. Applicant to obtain a report prepared by an engineer licensed by the State of Wisconsin certifying the structural design of the tower and its ability to accommodate additional antennas. Applicant to submit a map identifying the fall zone of the support structure, including ice and snow fall zones.
10. Applicant to provide the City with proof of liability coverage, a minimum of \$2,000,000.
11. Removal. It shall be the owner of the telecommunication tower's responsibility to remove the telecommunications tower and facilities once it is no longer in use and is not a functional part of providing telecommunications service. Site shall be restored to its original condition or a condition approved by the Land Use and Development Director. Restoration shall include removal of any subsurface structure(s) or foundation(s), including concrete used to support the telecommunications tower down to 5 feet below the surface. After a telecommunications tower is no longer in operation, the provider shall have 180 days to effect removal and restoration unless weather prohibits such efforts and an extension is granted by the Land Use and Development Director. Applicant shall record a document with the La Crosse County Register of Deeds showing the existence of any subsurface structure remaining below grade. Such recording shall accurately set forth the location and describe the remaining structure.
12. Performance Bond. The owner of the telecommunication tower shall provide to the City of Onalaska, prior to the issuance of the Conditional Use Permit, a performance bond in an amount based on a written estimate of a qualified remover of said types of structures or Twenty Thousand Dollars (\$20,000) whichever is less, to guarantee that the telecommunications tower will be removed when no longer in operation. The City of Onalaska will be named as an obligee in the bond and must approve the bonding company. The City may require an increase in the bond amount after five (5) year intervals to reflect increases in the Consumer Price Index. The owner of the telecommunication tower shall supply any increased bond within a reasonable time, not exceeding sixty (60) days from the City's request. A letter of credit may be substituted in the amount set forth above.
13. Abandonment. Any antenna, mobile service facility or mobile services support structure that is not operated for a continuous period of twelve (12) months shall be considered abandoned. Upon request by the owner of the antenna, mobile service facility or mobile services support structure, the Land Use and Development Director may authorize one extension to the time limit to abandon for an additional six (6) month period. Such extension shall be based on City finding that the owner or permit holder is actively seeking tenants for the site. After the expiration of the time periods established above, the following shall apply:
 - a. The owner of such antenna, mobile service facility or mobile services support structure shall remove said antenna, mobile service facility or mobile service support structure, including all supporting equipment, building(s) and foundation(s) to the depth as otherwise herein required within ninety (90) days of receipt of notice from the Land Use and Development Director notifying the owner of such abandonment. If removal to the satisfaction of the Land Use and Development Director does not occur within said ninety (90) days, the Land Use and Development Director may order removal utilizing the established bond as provided above and salvage said antenna, mobile services facility or mobile service support structure, including all supporting equipment, building(s), and foundation(s). If there are two or more users of a single mobile services support structure, this provision shall not become effective until all operations of the mobile service support

structure cease. If a bond has not been previously established or is not current, the City may perform the work and bill or assess the owner or permit holder of the mobile services support structure for the work performed in addition to an administrative fee.

- b. The owner of the telecommunication tower or the current owner or operator, shall notify the Land Use and Development Director within 45 days of the date when the mobile services facility is no longer in operation.
14. Site Plan Permit Approval needed prior to issuance of building permit and any construction activities.
15. Building Permit(s) and Electrical Permit(s) required prior to any construction activities.
16. Mobile services facilities, support structures and antennas shall be designed and constructed in accordance with the State of Wisconsin Uniform Building Code, National Electrical Code, Uniform Plumbing Code, Uniform Mechanical Code, and Uniform Fire Code, City of Onalaska Building Code, Electronic Industries Association (EIA), American National Steel Institute Standards (ANSI), and American National Standards Institute (ANSI) in effect at their time of manufacture. Mobile service facilities and support structures shall not interfere with or obstruct existing or proposed public safety, fire protection or Supervisory Controlled Automatic Data Acquisition (SCADA) operation telecommunication facilities. Any actual interference and/or obstruction shall be corrected by the applicant at no cost to the City.
17. Fire Prevention. All mobile services facilities shall be designed and operated in accordance with all applicable codes regarding fire protection.
18. Compliance with Airport Overlay Zoning height limitation of 800' AMSL, or compliance with variance if issued by the City of La Crosse Board of Zoning Appeals to exceed this height.
19. Support structure shall comply with the required setbacks as established by the B-2 Community Business District of 6' street and side yard setbacks and 10' rear yard setback, or with an engineering certification showing that a mobile service support structure, or an existing structure is designed to collapse within a smaller area than the setback or fall zone area as required in the B-2 District including snow and ice fall areas.
20. Telecommunication tower and facilities shall be designed to reduce negative impacts on the surrounding environment by implementing the following measures:
 - a. Mobile services support structures shall be constructed of metal or other nonflammable material, unless specifically permitted by the City to be otherwise.
 - b. Satellite dish and parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their functions.
 - c. Equipment compounds shall be constructed of non-reflective materials (visible exterior surfaces only). Equipment compounds shall be designed to blend with existing architecture in the area or shall be screened from sight by mature landscaping, and shall be located or designed to minimize their visibility. "Mature landscaping" shall mean trees, shrubs or

other vegetation of a minimum initial height of five (5) feet that will provide the appropriate level of visual screening immediately upon installation.

21. Applicant to provide photo simulations of proposed tower prior to the 03/24/2015 Plan Commission meeting. Tower is encouraged to be designed as a stealth tower (e.g., flag pole).
22. Chain link fence and slats shall be maintained in good repair to screen all equipment. Chain link fence shall not be permitted to have barbed wire.
23. Building, equipment platform and equipment shall be screened by landscaping. Suitable mature landscape screening required along the western and southern boundary facing residential dwellings through the use of evergreens and deciduous materials. Plant names, and locations to be indicated on a landscaping plan to be submitted to the Plan Commission or Land Use & Development Director for review and approval. Plant screening shall be sufficient to provide year-round screening within three (3) years of installation and any plant material which does not live shall be replaced within six (6) months. Screening must effectively obscure view from adjacent residential areas. The minimum width of the screened area to the north shall be ten (10) feet.

Upon project completion, the owner(s)/operator(s) of the facility shall be responsible for maintenance and replacement of all required landscaping as long as a telecommunication facility is operational on the site.

24. Telecommunication structure & facility shall be constructed and operated in such a manner as to minimize the amount of disruption (i.e., noise, traffic) caused to nearby properties.
 - a) Noise-producing construction activities shall take place only on weekdays (Monday through Saturday, non-holidays) between the hours of 7:00 a.m. and 7:00 p.m. except in times of emergency repair.
 - b) Generator shall comply with Ordinance 11-2-9 and the maximum permissible sound levels. Generator shall be designed and screened to reduce noise. Backup generators shall be operated only during power outages and for testing and maintenance purposes.
25. Outdoor lighting installations shall not be permitted closer than three (3) feet to an abutting property line. All lighting shall be adequately downcast, shielded and hooded so that no excessive glare or illumination is cast upon the adjoining properties.
26. All drives/parking areas to be paved with asphalt or concrete.
27. As applicant is proposing the removal of existing parking spaces, applicant to work with City and property owner to verify parking requirements for the existing commercial businesses is maintained.
28. Exterior storage of materials is prohibited.
29. Telecommunications tower owners shall provide the Land Use and Development Director a Telecommunications Facility Information Report within 45 days of Plan Commission approval,

which provides the City with accurate and current information concerning the telecommunications facility owners and providers. The Report shall include the tower owner name(s), address(es), phone number(s), contact person(s).

30. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
31. Any omissions of any conditions not listed in minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.



CITY OF ONALASKA

Agenda Item:

5

STAFF REPORT

Plan Commission Sub-Committee – April 21st, 2015

- Agenda Item: Consideration of an annexation application for N4502 French Road, Parcel #9-451-0 (1.995 acres).
- Applicant: Marianne Buchanan, on behalf of Wesley & Florence Spors Irrevocable Trust, W2815 Shorewood Court, West Salem, WI 54669
- Property Owner: Wesley & Florence Spors Irrevocable Trust, W2815 Shorewood Court, West Salem, WI 54669
- Parcel Number: 9-451-0
- Site Location: N4502 French Road
- Existing Zoning: La Crosse County Zoning Designation: Rural.
- Neighborhood Characteristics: Single-Family Residential, Single Family & Duplex Residential, Light Industrial, & Transitional Commercial.
- Conformance with Comprehensive Plan: The Comprehensive Plan identifies this area as being within the City's smart growth planning area. The Comprehensive Plan identifies review criteria for annexations, of which the follow are applicable:

The City should approve proposals for annexation into the City of Onalaska only when meeting the following utilities and community facilities criteria, or if other important community goals are met:

- The area proposed for annexation has access to or can be easily connected to areas already served by the City, thereby allowing efficient delivery of services, facilities and utilities.*
- The increased tax base and overall benefit to the City of approving the annexation outweigh the actual financial impact on the community for providing police, fire, road maintenance and other public improvements and services to the annexation area.*

The Comprehensive Plan also states that decision on annexations should also address the following criteria/standards: *i) Economic impacts; ii) Social impacts; and iii) Environmental impacts.*

- Background: The property at N4502 French Road is directly south of the municipal boundary. The applicant is requesting that this 1.995 acre parcel be annexed into the City of Onalaska. The applicant intends to sell this lot and the adjacent lot (200 French Road) and complete development of a financial institution in 2015.

CITY OF ONALASKA

Action Requested: Wesley & Florence Spors Irrevocable Trust, is requesting approval of the application requesting that the City of Onalaska annex Parcel #9-451-0.

Staff supports this annexation request as it City water & sewer services are readily available to serve this parcel. Approval is recommended with the conditions listed on the following attachment.

REQUEST FOR ACTION & POSSIBLE CONSIDERATION BY PLAN COMMISSION SUB-COMMITTEE:

April 21st, 2015

Agenda Item 5:

Consideration of an annexation application Tax Parcel #9-451-0 (1.995 acres) at N4502 French Road, applicant Marianne Buchanan, on behalf of Wesley & Florence Spors Irrevocable Trust, W2815 Shorewood Court, West Salem, WI 54669.

1. Payment of all fees including ACT 317 fees (\$831 for first installment).
2. Payment of State Road 16 Zone Sanitary Sewer Fee - \$825 per acre @ 2-acres (\$1,650).
3. Topography Map Fee - \$10 per acre * 2 acres = \$20 minimum fee.
4. Park Fee - \$922.21 per residential unit.
5. Annexed land to be placed in the R-1 Single-Family Residential Zoning District.
6. Owner/developer must connect to City water and sewer utilities within one-year of annexation approval.
7. Owner/developer must notify City prior to any utility connection to City-owned utilities takes place.
8. Owner/developer shall pay all fees and have all plans reviewed and approved by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to issuance of occupancy permits.
9. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
10. Any omissions of any conditions not listed in minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

Brea

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
http://doa.wi.gov/municipalboundaryreview/

Petitioner Information

Name: WESLEY & FLORENCE SPORS IRREVOCABLE
Address: Taust
MARILYN BUCHANAN, TRUSTEE
W2815 Shorewood Ct WEST SALEM, WI 54669
Email: busyb@charter.net

Office use only:

Petitioners phone:

608-396-5248

Town clerk's phone:

City/Village clerk's phone:

1. Town where property is located: Medary
2. Petitioned City or Village: Onaska
3. County where property is located: Lacrosse
4. Population of the territory to be annexed: 0
5. Area (in acres) of the territory to be annexed: 2
6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): 9-451-0

Contact Information if different than petitioner:

Representative's Name and Address:

Chuck Olson
118 S 7th Street
Lacrosse, WI 54601
Phone: 609-784-9930
E-mail: chuck@chr.vervalley.com

Surveyor or Engineering Firm's Name & Address:

LOWEE REGIONAL LAND SURVEYORS
917 S 4th Street
Lacrosse, WI 54601
Phone: 608-784-1614
E-mail:

Required Items to be provided with submission (to be completed by petitioner):

1. Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
2. Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
3. Signed Petition or Notice of Intent to Circulate is included
4. Indicate Statutory annexation method used:
 - Unanimous per s. 66.0217 (2), or
 - OR
 - Direct by one-half approval per s. 66.0217 (3)
5. Check or money order covering review fee [see next page for fee calculation]

Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

Required Fees

There is an initial filing fee and a variable review fee

\$ 200 **Initial Filing Fee** (required with the first submittal of all petitions)
\$200 – 2 acres or less
\$350 – 2.01 acres or more

\$ 200 **Review Fee** (required with all annexation submittals except those that consist ONLY of road right-of-way)
\$200 – 2 acres or less
\$600 – 2.01 to 10 acres
\$800 – 10.01 to 50 acres
\$1,000 – 50.01 to 100 acres
\$1,400 – 100.01 to 200 acres
\$2,000 – 200.01 to 500 acres
\$4,000 – Over 500 acres

\$ 400 **TOTAL FEE DUE** (Add the Filing Fee to the Review Fee)

THIS CHECK IS VOID WITHOUT A BLUE & BURGUNDY BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT ANGLE TO VIEW

CCU
CO-OP CREDIT UNION

100 E. MAIN ST.
P.O. BOX 157
BLACK RIVER FALLS, WI 54615
715-284-5333

12-4286
2750

CORPORATE CENTRAL CREDIT UNION
TIALES CORNERS, WI 53130

NO. 850158
REF# 123854
03/20/15
ADMINISTRATIVE

PAY
FOUR HUNDRED AND 00/100 DOLLARS

TO THE ORDER OF
WISCONSIN DEPARTMENT
OF ADMINISTRATION

AMOUNT
\$400.00

VOID AFTER 60 DAYS FROM DATE

Tim J. Champ...
AUTHORIZED SIGNATURE
SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

⑈ 8 50 1 58 ⑈

⑆ 275082866⑆ 9208275977 1204⑈

Date fee received: _____

Payee: _____

Check Number: _____

Check Date: _____

Amount: _____

AFFIDAVIT OF CIRCULATOR

I, Marianne Buchanan (trustee) being duly sworn, state: I reside at W2815 Shorewood Ct. West Salem WI 54669, Wisconsin. I personally circulated the attached petition in the town(s) of Medary, La Crosse County, Wisconsin, commencing on the 4th day of March, 2015 and terminating on the 4th day of March, 2015, and personally obtained each signature on this petition. I know that each person who signed is an elector or owner of the property located in the territory proposed for annexation and signed the petition with full knowledge of its content of the date indicated opposite his or her name. I know their respective residences given. I reside in the area described above. I am aware that falsifying this affidavit is punishable under Sections 12.13(3)(a) and 946.32(1)(a) of the Wisconsin statutes.

Subscribed and sworn to before me this 4th day of March, 2015.

Amber J. Metcalf
Notary Public Expires: May 29, 2016
State: WI County: La Crosse

Marianne F. Buchanan (trustee)
Signature of Circulator



PETITION FOR ANNEXATION

TO: City Clerk
City of Onalaska
415 Main Street
Onalaska, WI 54650

TO: City Clerk
Town of Medary
N3393 Smith Valley Road
La Crosse, WI 54601

We, the undersigned, Wesley & Florence Spors Irrevocable Trust
(Printed Name(s))

do hereby respectively petition the City of Onalaska, Wisconsin, to annex the real estate described hereinafter to the City of Onalaska, which is to be detached from the township of Medary, County of LaCrosse, Wisconsin to the City of Onalaska and that the subject property be zoned

R-1 upon annexation.

The property, which is the subject of this petition, is contiguous to the current boundaries of the City of Onalaska. A complete and accurate legal description and a scaled map of the area is attached hereto and incorporated herein by reference as EXHIBIT "A".

This instrument constitutes a Petition for direct annexation pursuant to Section 66.0217(2), Wisconsin Statutes. The number of electors residing within the boundaries of this property is 0 and the undersigned are the sole owners and fee title holders to these properties. Therefore, pursuant to Section 66.0217(4), no notice or publication is required.

A copy of this Petition is being mailed to the State of Wisconsin, Department of Administration, for review as required by Section 66.0217(6), Wisconsin Statutes along with the requisite Department of Administration annexation fee. See Annexation Review Fee Guide.

A complete and detailed legal description and map must accommodate this petition at the time of application in order for it to be placed on the Plan Commission Meeting agenda. Short forms or abbreviated legal descriptions will not be accepted. Maps must be to scale and dimensioned.

<u>SIGNATURES OF PETITIONERS</u>	<u>ADDRESS OF PROPERTY</u>	<u>DATE OF SIGNATURE</u>
<u>Margaret E. Buchanan (trustee)</u>	<u>N4502 FAENCU ROAD</u>	<u>3-4-15</u>

Tax Parcel Identification Numbers: 9-451-0
Contact Person: Chuck Olson Telephone (608) 784-9930
Address: 119 S 7th St LaCrosse, WI 54601 Email: Chuck@cb.rivervalley.com

For office use:	Date: _____	Initials: _____	
Enclosures:	<input type="checkbox"/> Petition	<input type="checkbox"/> Legal Description	<input type="checkbox"/> Map

415 Main Street, Onalaska, WI 54650 Land Use & Development Director 608-781-9590



CITY OF ONALASKA

Agenda Item:

6

STAFF REPORT

Plan Commission Sub-Committee – April 21, 2015

- Agenda Item: Public Hearing & Consideration of a rezoning request.
- Applicant: Laura McCormick & Jean Donohoe, 426 2nd Avenue South, Onalaska, WI 54650
- Parcel Numbers: 18-41-1 & 18-41-2
- Site Location: 420 & 426 2nd Avenue South, Onalaska, WI 54650
- Existing Zoning: Neighborhood Business (B-1) District
- Neighborhood Characteristics: Properties within 250 feet of the property in question includes a variety of commercial uses including, but not limited to, hearing center, financial offices, restaurant, sign and refrigeration stores, law, financial, and chiropractic offices, and residential dwellings.
- Conformance with Land Use Plan: The Comprehensive Plan identifies this area as *Commercial*. This district is intended for business uses, including retail, restaurant, lodging, professional offices, banks/credit unions, and related uses. The recommended zoning districts include B-1 & B-2.
- Background: The applicant owns both properties at 420 & 426 2nd Avenue South, formerly known as the “Timbers” building, which has been renamed “Prairie Square”. The applicant would like to rezone the parcels to Community Business (B-2) to accommodate a wider variety of commercial uses that are outright permitted in the B-2 District and a church in the northern building. Properties adjacent to the parcels in question and immediately south are also zoned B-2.
- A public hearing was held on this matter at the November 18th, 2014 Plan Commission meeting. The Plan Commission recommended approval of the rezoning with the first five conditions listed on the next page. (Additional conditions are recent additions and recommendations by staff.) Subsequent to Plan Commission action, the matter was reviewed by the Common Council and forwarded to A&J where 1st and 2nd and 3rd and Final Readings were held. The Common Council has held the 1st and 2nd Reading, however this item was tabled during the 3rd and Final Reading, then sent back to the Plan Commission for re-review.
- Action Requested: Staff requests that the Plan Commission consider new information and information that was not considered about these properties:
- The October 16th, 2014 rezoning application stated that the property would be leased to the church. The New Hope Fellowship Church is now considering purchasing one, possibly both buildings. The northern building has commenced use as a church around October 5th, 2014, at which time the use was not and still is not in conformance with the current B-1 Zoning District.

CITY OF ONALASKA

The southern building is being considered for use as offices for the church and a coffee/book shop run by the church.

- Parking. When the site plan for the Timbers development was approved 27 parking stalls existed on site, plus the previous property owner had a parking agreement with the City on adjacent City property. Looking at the current and proposed uses of the Timbers buildings, the following is required:
 - Church – 1 stall required for every 5 chairs. The Official Occupant Load from Calvin King, the City’s Commercial Building Inspector is 202 persons. Therefore 41 parking stalls will be required.
 - Office – 1 stall required for every 150 square feet. Approximately 5,740 gross square feet is estimated (including bathrooms and storage). Using this number for an estimate, not more than 39 stalls would be required if the full southern building was used as office space.

Proof of parking will be required for all uses; this could be in the form of a shared parking agreement with adjacent uses.

- The property is within TIF District #4. This was not considered originally when the application was reviewed by the Plan Commission.

REQUEST FOR ACTION & POSSIBLE CONSIDERATION BY PLAN COMMISSION SUB-COMMITTEE:

April 21, 2015

Agenda Item 6:

Consideration of Rezoning request filed by Laura McCormick & Jean Donohoe, 426 2nd Avenue South, Onalaska, WI 54650, to rezone two adjacent parcels located at 420 & 426 2nd Avenue S from Neighborhood Business (B-1) District to Community Business (B-2) to allow an increase of use options, including but not limited to a church (Tax Parcels #18-41-1 & 18-41-2).

1. Rezoning Fee of \$150.00 (PAID).
2. No outdoor storage of articles, goods, materials, finished or semi-finished products or like equipment shall be permitted unless such items are completely screened by city-approved fencing or structural enclosures.
3. Owner/developer shall pay all fees and have all plans reviewed and approved by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to issuance of occupancy permits.
4. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns. The sale or transfer of all or any portion of the property does not relieve the original developer from payment of any fees imposed or from meeting any other conditions.
5. Any omissions of any conditions not listed in Plan Commission Minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.
6. Proof of parking and a list of uses with building square footage shall be provided to the Plan Commission for existing and proposed uses, in accordance to minimum standards established by the Unified Development Code.
7. Property owner to enter into a Payment in Lieu of Taxes (PILOT) in form and substance acceptable to the City.



**REQUEST FOR REZONING
BEFORE THE CITY PLAN COMMISSION
Onalaska, Wisconsin**

RECEIVED
OCT 16 2014
BY: KM

Application Fee: \$150.00

Date Oct. 16 2014

I (we), Laura McCormick, Jean Donshoe, the owner(s) of the following described property, do hereby make request to appear before the City Plan Commission to have my property rezoned from B1 to B2 for the purpose of leasing to church, possible caterer, personal service establishments,

DESCRIPTION OF PROPERTY:

Tax Parcel # 18-41-001 and 18-41-002 Lot # 1 and 2 Block # 6
 Addition _____ Total Sq. Footage of Parcel 23521
 Street Address 420 and 426 2nd Avenue S.
 Location and Classification of Adjacent Zoning Districts: P1, B1, B2

UTILITIES AVAILABLE: Water: Yes No _____ Sanitary Sewer: Yes No _____

PLEASE ATTACH:

- Complete Legal Description
- Copy of Plot/Site Plan
- Proof of Ownership Required (Tax Bill, Deed, Etc.)
- 250' List

(Note: List of names of property owners within 250 foot radius of property requesting Rezoning and Existing Use of Properties will be provided by the City.)

IMPORTANT: A scaled plan of proposed improvements or uses must be attached for Plan Commission consideration. Attach plan at the time of application.

NOTE TO APPLICANT: You must abide by the City of Onalaska's UNIFIED DEVELOPMENT CODE (UDC). Please visit our website www.cityofonalaska.com to view the UDC, listed under Agendas, Meetings, Minutes & Ordinances, Code of Ordinances, Title 13 - Planning.

Owner Information -- (attach additional sheet if more room is needed)

Name of Owner (printed) <u>Laura McCormick</u>	Phone Number <u>507-313-1667</u>	Address <u>426 2nd Ave S.</u>
Signature <u>Laura McCormick</u>	<u>608-783-2600</u>	City, State, Zip <u>Onalaska WI 54650</u>
Name of Owner (printed) <u>Jean Donshoe</u>	Phone Number <u>608-769-4489</u>	Address
Signature <u>Jean Donshoe</u>	<u>608-783-2600</u>	City, State, Zip

Contact Person

Name (please print) <u>Laura McCormick</u>	Phone Number <u>507-313-1667</u>	Address
		City, State, Zip

For office use: Date: 10-16-14 Initials: KM
 Enclosures: \$150 Filing Fee Site Plan Complete Legal Description Proof of Ownership 250' List

420 and 426 2nd Avenue S.

Onalaska, WI 54669

City Plan Commission

City of Onalaska

415 Main Street

Onalaska, WI 54650

October 14, 2014

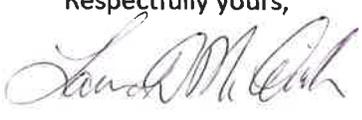
Dear Committee Members,

We are submitting a Request for Rezoning due to our leasing of space to (New Hope) church, which we understand does not fall under Zone 1. We would also like the potential to negotiate space with catering operations; personal service establishments; or to simply widen our potential tenent options, all of which would fall under the category of Zone 2.

Our buildings at 420 and 426 2nd Avenue South have limited parking spaces available. The desirable operating hours of a church will have a positive impact on attracting other potential tenants who may have concerns over shared parking spaces.

Please consider our request for change.

Respectfully yours,



Laura McCormick

Jean Donohoe

PRAIRIE SQUARE PROPERTIES



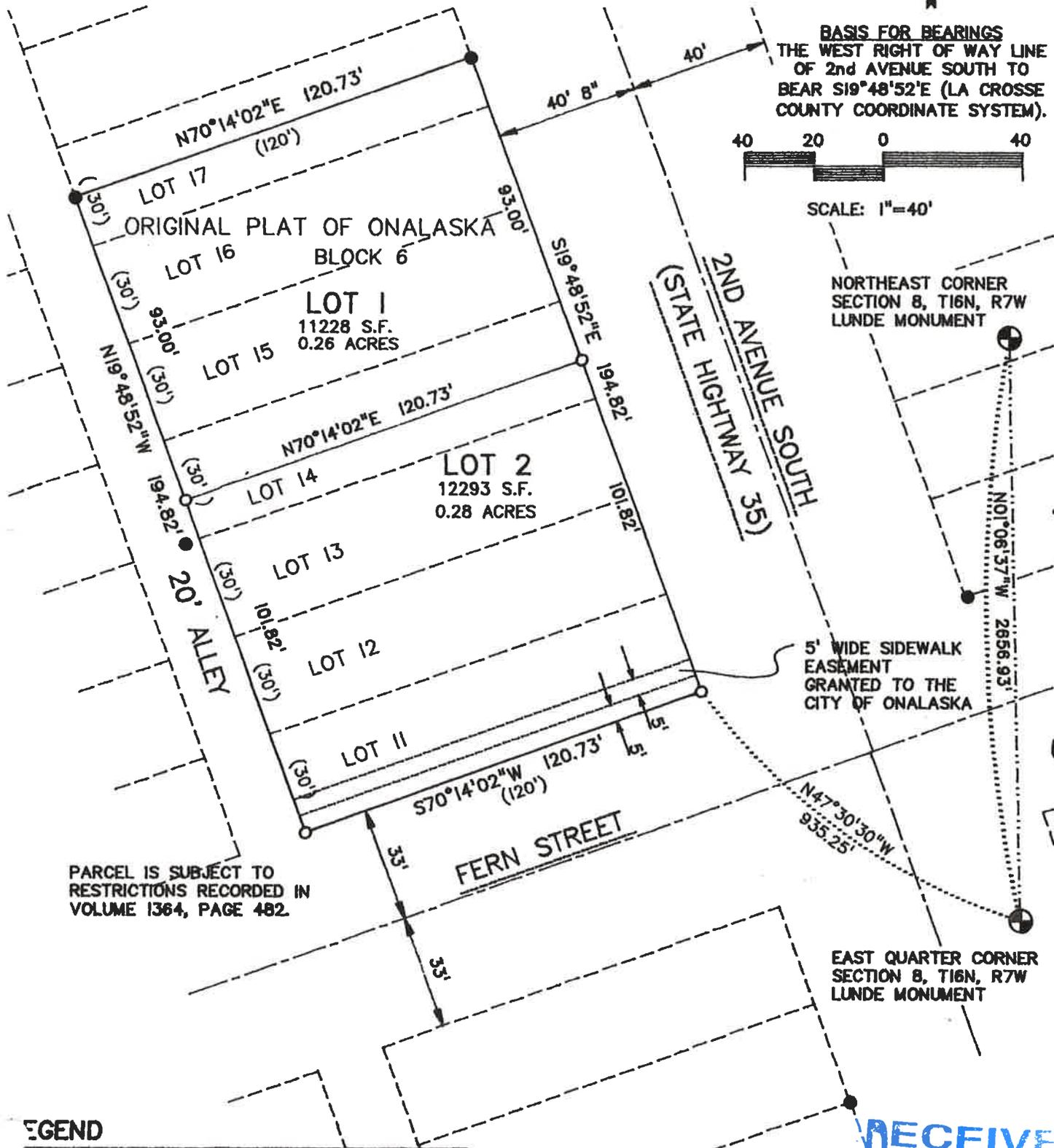
3. The land referred to in the Commitment is described as follows:

Lots 1 and 2 of Certified Survey Map filed November 15, 2006 in Volume 13 of Certified Survey Maps, pages 39 and 39A as Document No. 1462640, being Lots 11, 12, 13, 14, 15, 16, and the South 1/2 of Lot 17 in Block 6 of the Original Plat of Onalaska, La Crosse County, Wisconsin.

*420 and 426 2nd Ave. S
(Tax Parcel Nos. 18-41-001 and 18-41-002)*

RECEIVED
OCT 16 2014
BY: _____

LOT 11, LOT 12, LOT 13, LOT 14, LOT 15, LOT 16, AND THE SOUTH HALF OF LOT 17, OF BLOCK 6, OF THE ORIGINAL PLAT OF ONALASKA, LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.



BASIS FOR BEARINGS THE WEST RIGHT OF WAY LINE OF 2nd AVENUE SOUTH TO BEAR S19°48'52"E (LA CROSSE COUNTY COORDINATE SYSTEM).



SCALE: 1"=40'

NORTHEAST CORNER SECTION 8, T16N, R7W LUNDE MONUMENT

5' WIDE SIDEWALK EASEMENT GRANTED TO THE CITY OF ONALASKA

EAST QUARTER CORNER SECTION 8, T16N, R7W LUNDE MONUMENT

Vol 13 Page 51

PARCEL IS SUBJECT TO RESTRICTIONS RECORDED IN VOLUME 1364, PAGE 482.

LEGEND

- SET 3/4" x 18" IRON BAR (1.5 LBS/LIN FT)
● FOUND 1" IRON PIPE (UNLESS NOTED)
⊕ SECTION CORNER



RECEIVED OCT 16 2014 BY:

City of Onalaska, Wisconsin

Planning/ Zoning
Department

Map Designer: Katie Meyer
Last Updated: 10/16/2014



Zoning Districts:

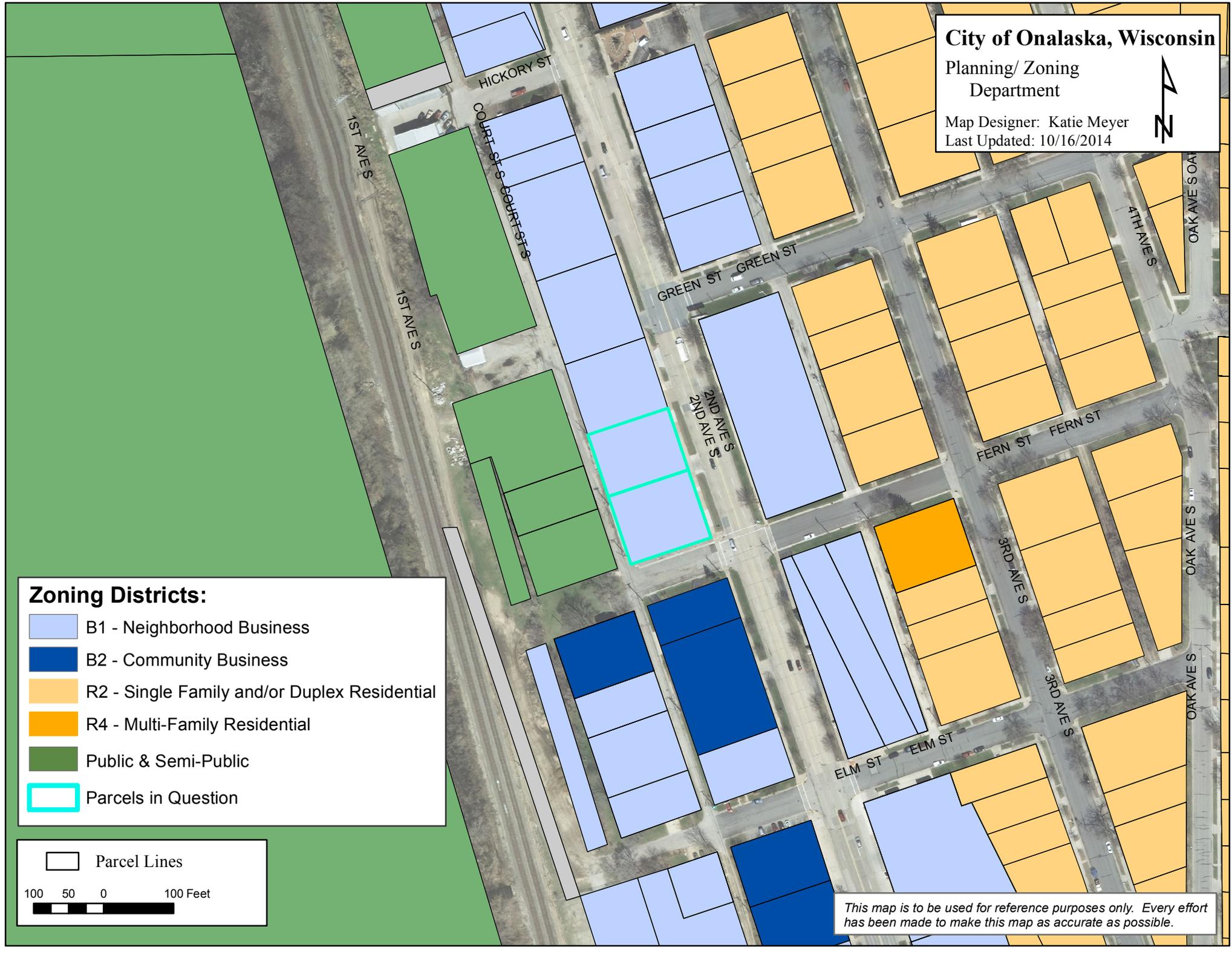
-  B1 - Neighborhood Business
-  B2 - Community Business
-  R2 - Single Family and/or Duplex Residential
-  R4 - Multi-Family Residential
-  Public & Semi-Public
-  Parcels in Question

 Parcel Lines

100 50 0 100 Feet



This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.





CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – April 21, 2015

Agenda Item:

7

Agenda Item: Consideration and review of a request by Ralph Kloiber of HOM Furniture to host two (2) thirty (30) day tent sale events in 2015 at 9519 State Road 16, Onalaska, WI Tax Parcel #18-3625-4.

Background:

The City of Onalaska allows outdoor sales and displays as a permitted accessory use in certain zoning districts subject to the following conditions (Section 13-6-14):

- 1) Outdoor display and sales must be shown on the site plan for the property and are subject to the approval of the City.
- 2) **Outdoor display and sales are limited to thirty (30) days per calendar year unless approved by the City Plan Commission.**
- 3) Outdoor display and sales shall be limited to the goods sold at the principal use present on the site except for temporary sales events authorized by the City Plan Commission.
- 4) Outdoor display and sales areas shall not include portable toilets and more than two (2) temporary signs advertising the sale.

City staff received a request from HOM Furniture on April 9, 2015 to exceed the thirty (30) day tent sale limit at their Onalaska location. Generally, HOM Furniture holds two (2) tent sales annually during the same time period at all locations and would like to continue this practice in Onalaska. The events are scheduled for May 15 – June 13th and August 14 – September 13, 2015.

Recommended Action:

Approve the request by HOM Furniture to allow a maximum of two (2) thirty (30) day tent sales at 9519 State Road 16, Onalaska, WI, conditioned upon obtaining a tent permit for each event from the Onalaska Inspection Department.

Grace, Brea

From: Shelly Brost <sbrost@homfurniture.com>
Sent: Thursday, April 09, 2015 5:44 PM
To: Meyer, Katie
Cc: Ralph Kloiber; David Greene
Subject: HOM Furniture Tent Sale Events

Follow Up Flag: Follow up
Flag Status: Flagged

Good Evening Katie,

HOM Furniture is requesting two 30-day tent sale events for 2015 (the same as last year) to be held at: 9519 State Road 16, Onalaska.

The event dates are as follows:

May 15th - June 13th

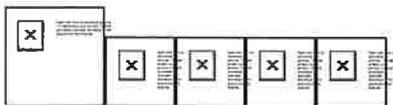
August 14th - September 13th

We generally hold two tent sales each year on the same dates in all our markets. It is important for us to have this continuity for our advertising campaigns.

In March, we mailed the \$100 fee and the 'Temporary Outdoor Sales Tent Permit' application for the first sale which begins in May.

Sincerely,

Shelly Brost
Administrative Supervisor
Accounting | Real Estate
HOM Furniture, Inc.
tel 763.862.9488 | fax 763.767.3606



Please consider your environmental responsibilities before printing this email. Reduce, Reuse, Recycle.