

# CITY OF ONALASKA MEETING NOTICE

**COMMITTEE/BOARD:** Plan Commission Sub-Committee  
**DATE OF MEETING:** May 19, 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. Review and Consideration of a rezoning request filed by Marianne Buchanan on behalf of Wesley and Florence Spors Irrevocable Trust, W2815 Shorewood Ct, West Salem, WI 54669, from Interim Single Family Residential District (R-1) to Light Industrial District (M-1) for development of property located at N4502 French Road and 200 French Road (Tax Parcels #18-4453-0 & 9-451-0).
5. Review and Consideration of an Ordinance to Amend the Unified Development Code, Section 13-6-6 regarding Telecommunication Structures and Towers.
6. Review and Consideration of a rezoning request filed by Keith Heinze on behalf of Luther High School, 1501 Wilson Street, Onalaska, WI 54650, from Single Family and/or Duplex Residential District (R-2) to Public and Semi-Public District (P-1) for the purpose of merging three (3) parcels into one (1) parcel for property located at 1501 Wilson Street (Tax Parcels #18-1023-1 & 18-1037-0).
7. Review and Consideration of a Planned Unit Development (PUD) application filed by CADC Investments LLC on behalf of Paul L. Nelson, 700 Angel Court Holmen, WI 54636, for the purpose of developing a multi-family development on the property located at 2137 Sand Lake Road (Tax Parcel #18-4509-1).
8. Review and Consideration of a Planned Unit Development (PUD) Amendment application filed by Paragon Associates on behalf of I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54603, for the purpose of subdividing Walnut Grove Lot 2 into two (2) buildable lots on the property located at 1005 Summers Day Lane (Tax Parcel #18-6307-0).

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  
Chris Meyer & Brian Miller  
JD Manske Family Land Holdings Inc.  
Marianne Buchanan      John Schmitz  
Keith Heinze      Steve Peters  
Alexis Brott - CADC Investments LLC  
Paragon Associates      I & B of Hudson  
Chuck Olson – Coldwell Banker  
Plan Comm. Members  
Onalaska Public Library  
\* \* Alternate Member – for City Engineer

Date Notices Mailed and Posted: 05/14/15

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.

9. Review and Consideration of a Conditional Use Permit application filed by Steve Peters of Two Beagles Brewpub, 403 Cedar Bird Lane, Holmen, WI 54636 to allow the operation of a brewpub at 910 2nd Avenue North (Tax Parcel #18-1276-0).
10. Review and Consideration of a substantial alteration determination for the Nathan Hill Estates Subdivision Planned Unit Development (PUD) for 402-412, 422-432, and 442-452 Coronado Circle (Lots 3 and 4 of Certified Survey Map 1601242), submitted by Chris Meyer of Dream Builders of Wisconsin LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of Nathan Estates LLC (Tax Parcels # 18-5955-4 & 18-5955-5).
11. Consideration of a Certified Survey Map (CSM) submitted by John Schmitz of Point Surveying on behalf of Brian Miller of Nathan Estates LLC, 121 West Franklin Street, Sparta, WI 54656 for the purpose of subdividing Lots 3 & 4 of Certified Survey Map 1601242 into three (3) buildable lots on Coronado Circle in the Nathan Hills Estates Planned Unit Development (Tax Parcels # 18-5955-4 & 18-5955-5).
12. Consideration of a Certified Survey Map (CSM) submitted by Jeff Moorhouse of Paragon Associates on behalf of I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54603, for the purpose of subdividing Walnut Grove Lot 2 into two (2) buildable lots on the property located at 1005 Summers Day Lane (Tax Parcel #18-6307-0).
13. Review of Amendment to Title 2 Chapter 4 of the City of Onalaska Code of Ordinances pertaining to powers of the Plan Commission. (FIO)
14. Review and discussion of 2015 Comprehensive Plan Update, Chapter 8 – Intergovernmental Cooperation.
15. Adjournment



# CITY OF ONALASKA

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

- Agenda Item: Review & Consideration of a rezoning request.
- Applicant: Marianne Buchanan on behalf of Wesley & Florence Spors Irrevocable Trust, W2815 Shorewood Ct, West Salem, WI 54669
- Parcel Numbers: Tax Parcels #18-4453-0 & 9-451-0
- Site Locations: 200 French Road & N4502 French Road, Onalaska, WI 54650
- Existing Zonings: Single Family and/or Duplex Residential (R-2) District: 18-4453-0  
Interim Single Family Residential (R-1): 9-451-0. An application for annexation of this parcel to the City of Onalaska was approved last month by the Plan Commission.
- Neighborhood Characteristics: Properties within 250 feet of the proposed rezoning includes a variety of residential dwellings including single family homes and twindos, in addition to an industrial storage facility and vacant land within the Nathan Hill Estates that allows senior-living and commercial businesses. Within 500 feet include a variety of commercial businesses along the East State Road 16 Frontage Road and additional residential dwellings.
- Conformance with Land Use Plan: The Comprehensive Plan identifies this area as *Commercial/Industrial*. This district is intended to accommodate a wide range of businesses and employment uses including retail, service, lodging, office, and industrial. It is important for development within these districts to be attractively designed.
- Background: The applicant owns both properties under review and intends sell both lots for the development of a financial institution on the southern property that is currently in the annexation process in 2015.
- Action Requested: As a public hearing will be held at the Plan Commission meeting, testimony from the public should be listened to and considered before deciding on the requested rezoning application.

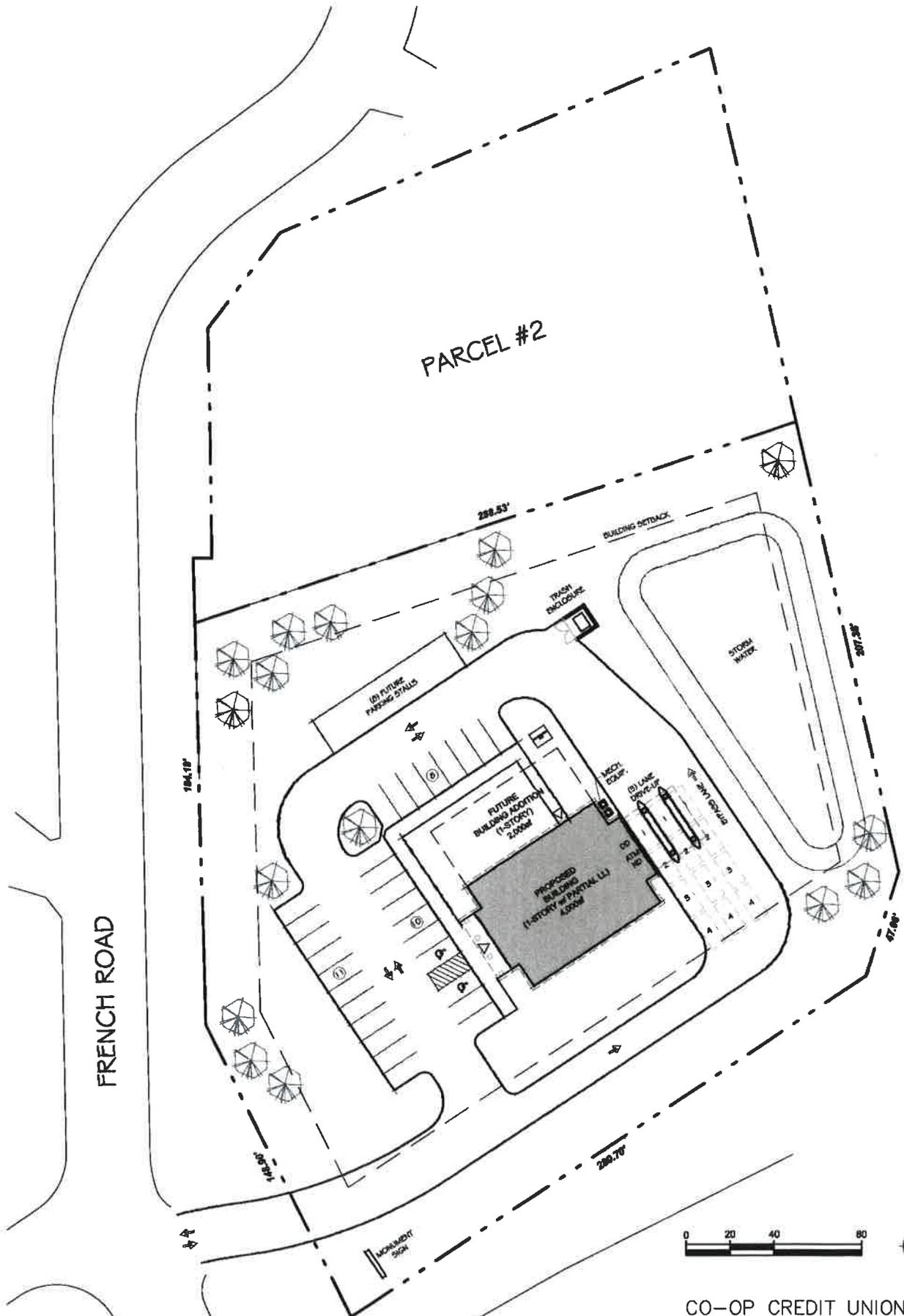
# REQUEST FOR ACTION & POSSIBLE CONSIDERATION BY PLAN COMMISSION SUB-COMMITTEE:

May 19, 2015

## Agenda Item 4:

**Review and Consideration of a rezoning request filed by Marianne Buchanan on behalf of Wesley and Florence Spors Irrevocable Trust, W2815 Shorewood Ct, West Salem, WI 54669, from Interim Single Family Residential District (R-1) to Light Industrial District (M-1) for development of property located at N4502 French Road and 200 French Road (Tax Parcels #18-4453-0 & 9-451-0).**

1. Rezoning Fee of \$150.00 (PAID).
2. Rezoning for Tax Parcel # 9-451-0 contingent upon completion of annexation.
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. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals).
5. 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.
6. 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.



STATE ROAD 16



CO-OP CREDIT UNION  
 SITE PLAN  
 N4502 FRENCH ROAD, MEDARY, WI 54850  
 SCALE: 1" = 40'-0" 02-24-15





City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

### REZONING OR TEXT AMENDMENT APPLICATION

**Property Address:**  
N4502 FRENCH ROAD

**Parcel Number:**  
9-451-0

**Zoning District:**  
currently township to R-1

**Business:** Co-op Credit Union

**Owner/Contact:** ERIC CHRISINGER

**Mailing Address:** 100 E MAIN ST

**City, State, Zip:** BLACK RIVER FALLS, WI

**Phone Number:** 715-284-533

**Email:** echrasinger@co-opscu.coop act

**Applicant:** WESLEY & FLORENCE SPORS IRREVOCABLE

**Contact:** MARIANNE BUCHANAN TRUSTEE TRUST

**Mailing Address:** 112815 SHOREWOOD CT

**City, State, Zip:** WEST SALEM, WI 54669

**Phone Number:** 609-396-5248

**Email:** busybs@charter.net  Primary Contact

**Property Owner:**

**Contact:** SAME AS ABOVE

**Mailing Address:**

**City, State, Zip:**

**Phone Number:**

**Email:**  Primary Contact

*The undersigned hereby makes application at the location stated herein. Ther undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.*

<b>Signature of Applicant:</b> Marianne E. Buchanan (trustee)	<b>Date:</b> 3-4-15
<b>Signature of Property Owner:</b>	<b>Date:</b>

<b>OFFICE USE ONLY:</b>	<b>Date Submitted:</b> 3/24/15	<b>Permit Number:</b>
<b>Permit Fee:</b> \$150-	<input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check # 3624	<b>Application Received by:</b> BJ



City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

## REZONING OR TEXT AMENDMENT APPLICATION

The following checklist will ensure the timely processing of your application:

➔ **Overview/ Cover Letter Describing the following:**

- ▶ Detailed Description of Proposed Rezoning or Text Amendment
- ▶ Description of how Proposed Rezoning Meets Unified Development Code Standards
  - ▶ Compatibility with Surrounding Neighborhood (existing and anticipated development within 250 ft of proposed use and within 500 ft along the same street)
  - ▶ Consistency with the Comprehensive Plan (relationship of proposed use to the goals, objectives and policies)

➔ **\$150 Permit Application Fee (Payable to the City of Onalaska)**

*If incomplete, no further processing of the application will occur until the deficiencies are corrected.*

*A Map or Text Amendment to the City of Onalaska Unified Development Code / Zoning Ordinance may be proposed at any time. Amendments to the Zoning District Map or Overlay District Map proposed by the public shall be initiated by submitting a completed application by owners of all parcels proposed to be rezoned. The application for amendments to the Text of the UDC / Zoning Ordinance shall include the text in question as well as proposed text.*

**Request for Amendment to:**

- Zoning District Map (Rezoning)**       **Zoning Ordinance (Text Amendment)**  
 **Zoning Overlay District Map (Rezoning)**

**Description of Request to Amend the Unified Development Code - Zoning Ordinance: (Text and/or Map(s)):**

Existing Zoning District: \_\_\_\_\_ Proposed Zoning District: M-1

FINANCIAL institution

*Per Wisconsin's Open Meeting Law, comments on this permit application, either by the applicant or concerned citizen, shall be raised in person at the scheduled meeting or brought up to City Staff (through conversation, written letter or email) for review at the scheduled meeting. Due to Wisconsin's Open Meeting Law, Plan Commissioners and Alderpersons are unable to discuss this matter outside of a scheduled public meeting. Thank you.*

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY OF ONALASKA  
PLAN COMMISSION**

Please take notice that the City Plan Commission for the City of Onalaska will hold a public hearing on

**TUESDAY, MAY 26, 2015  
APPROX. 7:00 P.M.  
(or immediately following public input)**

in Onalaska City Hall, 415 Main Street, Onalaska, Wisconsin 54650 at which time they will consider an application filed by Marianne Buchanan for Wesley and Florence Spors Irrevocable Trust, W2815 Shorewood Ct, West Salem, WI 54669, who is requesting rezoning from Interim R-1 to M-1 for development of property located at N4502 French Road and 200 French Road, Onalaska, WI 54650.

Property is more particularly described as:

Computer Number: 18-4453-0

Section 01, Township16, Range 7

PRT SW-SW LYG NLY ANNEX LN IN ORD NO. 735-91 & SLY & WLY FOLL DESC LN COM SW COR SEC 1 E ALG S LN TO C/L RD N1D2MW TO INTER C/L OLD CTH-B & POB N66D53ME 288.3FT S12D40ME TO S LN SW-SW & TERM SD LN EX PRT FOR FRENCH RD AS ON PLAN NO. 50 & AS IN V1098 P939 & AS ON PLAN NO. 176 & AS IN V175 P254 EX PRT FOR HANSEN PL AS EX IN V1151 P343 & PER SS80.01(5) & EX PRT IN DOC NO. 1434953

Property is more particularly described as:

Computer Number: 9-451-0

Section 12, Township16, Range 7

PRT NW-NW COM NW COR NW ¼ S ALG W LN 411.3FT TO C/L HWY N55D50ME 39.4FT TO POB NELY ALG C/L 456.8FT N12D40MW TO N LN NW-NW W ALG N LN TO C/L RD S1D2MW ALG C/L TO POB & PRT SW-SW SEC 1 COM SW COR E ALG S LN TO C/L RD & POB N1D2MW TO INTER C/L RD N66D53ME 288.3FT S12D40ME TO S LN SEC 1 W TO POB EX PRT ANNEX TO C ONALASKA IN ORD NO. 735-91 & EX PRT FOR STH-16 AS ON PLAN NO. 50Z & AS IN V1098 P939 & AS ON PLAN NO. 83F & AS IN V175 P254 & EX PRT FOR FRENCH RD AS ON PLAN NO. 50Z & AS IN V1098 P939 & ON PLAN NO. 176H & AS IN V175 P254

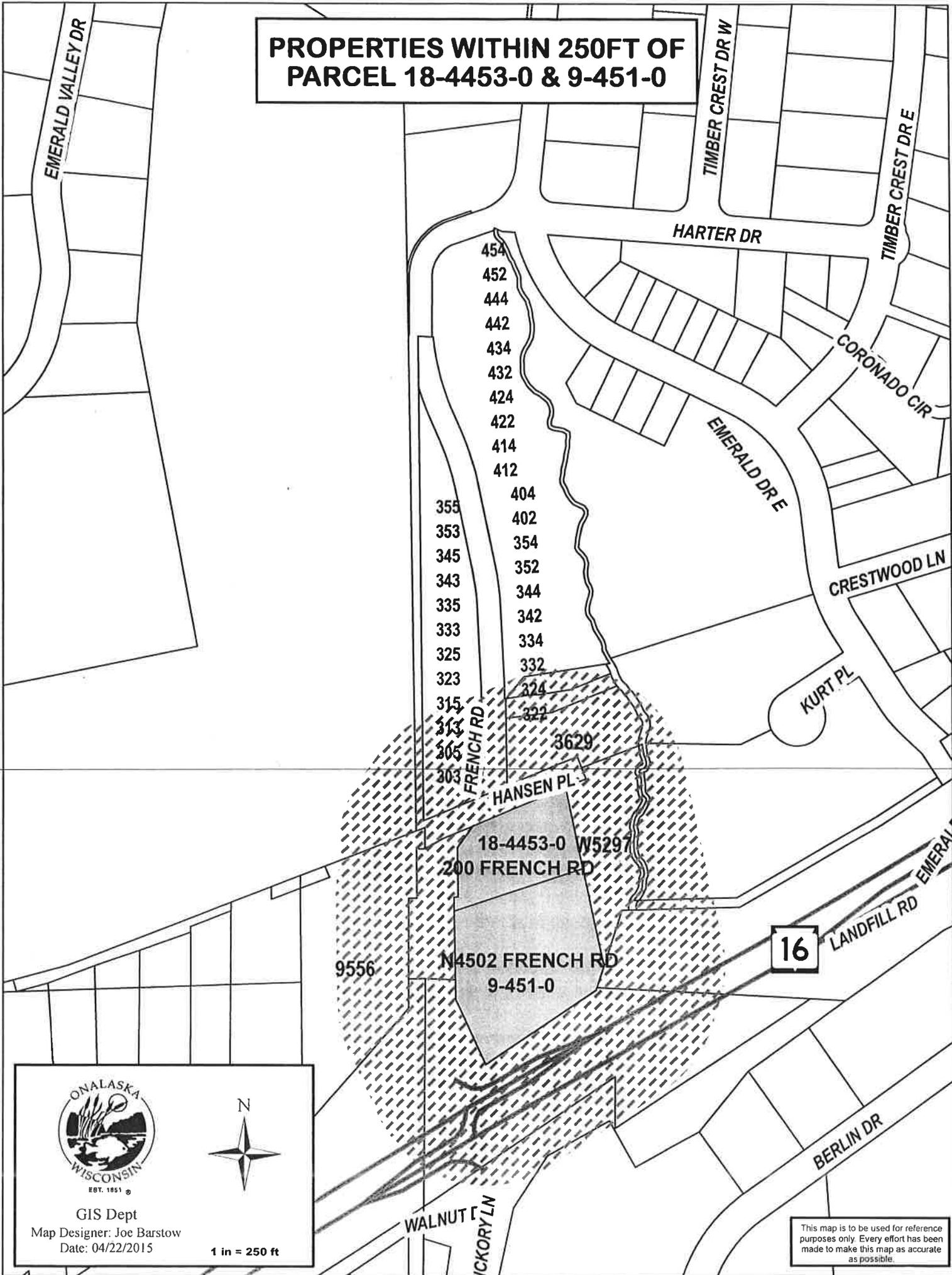
YOU ARE FURTHER NOTIFIED that the City of Onalaska Plan Commission will hear all persons interested, their agent or attorney concerning this matter.

More detailed information on this item will be posted to the City of Onalaska website [www.cityofonalaska.com](http://www.cityofonalaska.com) the Friday before the scheduled meeting under Agendas & Minutes/Plan Commission. This posting will contain the Plan Commission Agenda and all attachments referencing this item.

Dated this 8<sup>th</sup> day of May, 2015.

Cari Burmaster  
City Clerk

**PROPERTIES WITHIN 250FT OF  
PARCEL 18-4453-0 & 9-451-0**



ONALASKA  
WISCONSIN  
EST. 1851

GIS Dept  
Map Designer: Joe Barstow  
Date: 04/22/2015

1 in = 250 ft

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 – May 19, 2015

Agenda Item:

# 5

Agenda Item: Consideration of an Ordinance to Amend the Unified Development Code, Section 13-6-6 regarding Telecommunication Structures and Towers.

Background: The 2013 state biennial budget bill (2013 Wisconsin Act 20) included significant changes to State Statutes limiting local regulation of communication towers (cellular and broadcast). This includes the following that municipalities cannot:

- Limit cell phone towers to certain zoning districts.
- Require a minimum setback to a residential district.
- Impose a setback or fall zone requirement that is different from a requirement that is imposed on other types of commercial structures.
- Disapprove an application based on an assessment by the political subdivision of the suitability of other locations for conducting the activity.
- Require monopole design.
- Limit the height of a cell phone tower to under 200-feet.
- Require stealth towers / stealth applications.
- Disapprove an application based solely on aesthetic concerns.
- Disapprove an application based solely on the height of the tower or on whether the structure requires lighting.
- Limit the duration of any permit that is granted.
- Prohibit placement of emergency power systems.
- Require that a call phone tower be placed on property owned by the political subdivision.
- Impose environmental testing, sampling or monitoring requirements, or other compliance measures for radio frequency emissions.
- Enact an ordinance related to radio frequency signal strength or the adequacy of mobile service quality.
- Require an applicant to construct a distributed antenna system instead of either constructing a new tower or using collocation.
- Consider a project to be a substantial modification if the project adds more than 20-feet to the height of a tower that is not more than 200-feet tall but the greater height is necessary to avoid interference with an existing antenna.
- Consider a project to be a substantial modification if the project adds 20-feet or more to the diameter of the tower but the greater diameter is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable.

But, the City can charge a higher fee and require a bond.

## *CITY OF ONALASKA*

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Another change is the requirement that the municipal decision on an application has to be made within 45-days or 90-days, depending on the type proposal (e.g. Class 1 Collocation or Class 2 Collocation).

The City's Unified Development Code (UDC) will need to change so our municipal code is consistent with State Statutes. Changes are needed in two sections: Section 13-6-6 pertaining to Accessory Structures: Telecommunication Structures and Towers and Section 13-5-14 pertaining to Conditional Use Permit standards. A public hearing is scheduled for the May 26<sup>th</sup> Plan Commission for review of Section 13-6-6. A public hearing will be scheduled next month to review changes to Section 13-5-14 and the proposed Ordinance No. 1500-2015.

Ordinance No. 1499-2015 would replace and recreate the existing Section 13-6-6. Attached is a copy of proposed ordinance language to conform to state requirements regarding telecommunication towers, as well as the existing ordinance language.

Requested Action: As a public hearing will be held at the Plan Commission meeting, testimony from the public should be listened to and considered before deciding on the requested text amendment application.

ORDINANCE NO. 1499-2015

AN ORDINANCE TO AMEND TITLE 13 CHAPTER 6 OF THE CITY OF ONALASKA CODE OF ORDINANCES  
RELATED TO TELECOMMUNICATION STRUCTURES AND TOWERS

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Section 6 of Chapter 6 of Title 13 of the Code of Ordinances of the City of Onalaska related to Telecommunication Structures and Towers is hereby deleted in its entirety and replaced as follows:

**Sec. 13-6-6 Telecommunication Structures and Towers.**

**1. Mobile Service Support Structures and Facilities**

- (a) **Purpose.** The purpose of this ordinance is to regulate by conditional use permit (1) the siting and construction of any new mobile service support structure and facilities; (2) with regard to class 1 collocation, the substantial modification of an existing support structure and mobile services facilities; and (3) with regard to a class 2 collocation, collocation on an existing support structure which does not require the substantial modification of an existing support structure and mobile services facilities. It is the intent of the City of Onalaska to regulate Mobile Service Support Structures and Facilities as permitted by Wisconsin State Statutes Chapter 66.0404.
- (b) **Authority.** The City of Onalaska has the specific authority under Wis. Stat. §66.0404.
- (c) **Definitions.** The definitions contained in sec. 66.0404(1) Wis. Stats. are hereby adopted and incorporated by reference.
- (d) **Exemptions.** The following shall be exempt from the requirement to obtain a conditional use permit, unless otherwise noted:
  - (1) The use of all receive-only television antenna and satellite dishes.
  - (2) Amateur Radio and/or Receive-Only Antennas. This ordinance shall not govern the installation of any antenna that is owned and/or operated by a federally licensed amateur radio operator and is used for amateur radio purposes or is used exclusively for receive only purposes.
  - (3) Mobile services providing public information coverage of news events of a temporary or emergency nature.
- (e) **Siting and Construction of any New Mobile Services Support Structure and Facilities or the Substantial Modification of an Existing Support Structure and Mobile Service Facilities (Class 1 Collocation).**
  - (1) **Conditional Use Permit Required.** A conditional use permit is required for the siting and construction of a new mobile services support structure and facility and/or substantial modification of an existing support structure and mobile service facilities (Class 1 Collocation) and is subject to the conditions set forth in this ordinance as well as any applicable site plan

review and permitting and building and electrical permitting under City Ordinances 15-1-2 and 15-1-73.

- (2) **Applications for Conditional Use Permit.** Applications for a conditional use permit shall be provided by the Land Use and Development Director. Applications shall be completed and filed with the Land Use and Development Director and shall include the following information.
- i. Name and business address and contact information for the applicant, for the property owner and for the owner of the structure.
  - ii. Map detailing location of the proposed or affected support structure
  - iii. Map detailing location of the proposed mobile service facility and areas within 1,000 feet of such facility.
  - iv. Applicant shall provide the total number of collocation positions designated and proposed positions to be occupied.
  - v. 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.
  - vi. If the application substantially modifies an existing support structure, a construction plan which describes the proposed modification to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling and related equipment associated with the proposed modifications, as well as a visual analysis, photo simulation or graphic illustration showing what the proposed mobile service facility and support structure will look like in its surroundings.
  - vii. If the application is to construct a new mobile service support structure, a construction plan which describes a proposed mobile service support structure and equipment network components, including antennas transmitters, receivers, base stations, power supplies, cabling and related equipment to be placed on or around the new mobile services support structure.
  - viii. If the application is to construct a new mobile service support structure, a detailed explanation as to why the applicant chose the proposed location and why applicant did not choose collocation, including a sworn statement from the individual who has responsibility over the placement of the mobile services functionality, coverage and capacity; is technically unfeasible or is economically burdensome to the mobile services provider.
  - ix. If an applicant submits an application for a permit to engage in an activity described in this ordinance, which contains all of the information required under i. through vi. above, the Land Use and Development Director shall consider the application complete. If the Land Use and Development Director does not believe the application is complete, applicant shall be notified in writing within

ten (10) days of receiving the application, that the application is not complete and outlining the required information needed to complete the application. An applicant may resubmit an application as often as necessary until it is complete.

- x. The fee for a Conditional Use Permit for a Class 1 Collocation shall be \$3,000.00.

(3) **Referral to Plan Commission.** After an application is complete as determined by the Land Use and Development Director, the matter shall be referred to the City of Onalaska Plan Commission for review.

- i. Within ninety (90) days of its receipt of a complete application, the Plan Commission and Land Use & Development Director shall complete all of the following or the applicant may consider the application approved, except that the applicant and the City may agree in writing to an extension of the 90 day period:

- i. Review the application to determine if it complies with all applicable aspects of the political subdivision's building code and subject to the limitations in this section and the zoning ordinance.
- ii. Make a final decision whether to approve or disapprove the application.
- iii. Notify the applicant in writing of its final decision.
- iv. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

- ii. The Plan Commission may deny an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described in 13-6-6(d)(2)(vi) above.

- iii. An applicant must provide the Plan Commission with proof that the support structure complies with district setbacks established in 13-1-15(2)(4) 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 required in 13-1-15(2)(4) including snow and ice fall areas, then the zoning ordinance does not apply to such a structure unless the Plan Commission or Zoning Department provides the applicant with substantial evidence that the engineering certification is flawed.

(4) **Limitations.** Conditional Use Permits for siting and construction of any new mobile service support structure and facilities and land use permits for Class 1 Collocations shall only be granted provided the following conditions exist:

- i. If the location of the proposed mobile services support structure or mobile service facility is on leased land, the lease agreement does not preclude the lessee from entering into leases on the site with other provider(s) and there is no other lease provision operating as a bar to collocation of other providers.

- ii. The applicant has obtained Federal Communications Commission (FCC) license numbers and registration numbers if applicable.
- iii. The applicant and/or agent have copies of Findings of No Significant Impacts (FONSI) statement from the Federal Communications Commission (FCC) or Environmental Assessment or Environmental Impact Study (EIS) if applicable.
- iv. The applicant and/or agent have copies of the determination of “no hazard” from the Federal Aviation Administration (FAA) including any aeronautical study determination or other findings, if applicable.
- v. The applicant and/or agent have plans indicating security measures (i.e. access, fencing, lighting etc.)
- vi. For new mobile service support structures, the applicant has obtained 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 and submits a map identifying the fall zone of the mobile service facility, including ice and snow fall zones
- vii. The applicant and/or agent have proof of liability coverage.
- viii. The applicant and/or agent have copies of an Affidavit of Notification indicating that all operators and owners of airports located within five (5) miles of the proposed site have been notified via certified mail and the applicant has complied with any airport overlay zoning districts.
- ix. The facility of collocation is designed to promote site sharing, such that space is 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.

(f) **Class 2 Collocation.**

- (1) **Conditional Use Permit Required.** A conditional use permit is required for collocation on an existing support structure and mobile service facilities (Class 2 Collocation) and is subject to all of the conditions for a Class 1 Collocation as well as those conditions listed below.
- (2) **Applications for Conditional Use Permit.** Applications for a conditional use permit shall be provided by the Land Use and Development Director. Applications shall be completed and filed with the Land Use and Development Director and shall include the following information.
  - i. The name and business address of and the contact individual for the applicant, for the property owner, and for the owner of the proposed mobile service facility and for the existing support structure.
  - ii. A map detailing the location of the proposed or affected support structure.
  - iii. A map detailing the location of the proposed mobile service facility and areas within 1,000 feet of said facility.

- (3) A Class 2 Collocation is subject to the same requirements for the issuance of building and electrical permits to which any other type of commercial development or land use development is subject including sections 15-1-2 and 15-1-73 of the City Ordinances.
- (4) The fee for a Conditional Use Permit for a Class 2 Collocation shall be \$500.00 per s. 66.0404(4)(d).
- (5) If an applicant submits to the Land Use and Development Director an application for a Conditional Use Permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the Land Use and Development Director shall consider the application complete. If any of the required information is not in the application, the Land Use and Development Director shall notify the applicant in writing, within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.
- (6) Within 45 days of its receipt of a complete application, the Plan Commission and Land Use and Development Director shall complete all of the following or the applicant may consider the application complete, except that the applicant and City may agree in writing to an extension of the 45 day period.
  - i. Make a final decision whether to approve or disapprove the application.
  - ii. Notify the applicant, in writing, of its final decision.
  - iii. If the application is approved, issue the applicant the relevant conditional use permit.
  - iv. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.
- (g) **Information Report.** The purpose of the report under this section is to provide the City with accurate and current information concerning the telecommunications facility owners and providers who offer or provide telecommunications services within the county or that own or operate telecommunications facilities within the county, to assist the City in enforcement of this subsection and to assist the City in monitoring compliance with local, state and federal laws.
  - (1) Information Report. All telecommunications tower owners of any new telecommunications tower shall submit to the Land Use and Development Director a Telecommunications Facility Information Report (the "Report") within 45 days of the following events:
    - i. Following conditional use permit approval;
    - ii. Receipt of a written request from the City of Onalaska Land Use and Development Director; or
    - iii. Any change in occupancy of the tower.The Report shall include the tower owner name(s), address(es), phone number(s), contact person(s) and proof of bond as security for removal. The tower owner shall supply the tower height and current occupancy, if applicable, the number

of collocation positions designated, occupied or vacant. This information shall be submitted on the City form provided and designed for such use and shall become evidence of compliance.

(h) **Removal/Security for Removal.** It is the express policy of the City of Onalaska and this ordinance that telecommunications towers be removed once they are no longer in use and are not a functional part of providing telecommunications service, and that it is the telecommunications provider's responsibility to remove such telecommunications towers and restore sites to original conditions or conditions approved by the City of Onalaska Land Use and Development Director or designee. Restoration shall include removal of any subsurface structure or foundation, 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 as requested by the telecommunications provider. Permittee 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. The owner of any telecommunications 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 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 provider shall supply any increased bond within a reasonable time, not exceeding sixty (60) days from the City's request. A permittee may substitute a letter of credit in the amount set forth above or in the alternative, a permittee with several sites in the City may submit a master bond to cover all of said sites. A master bond or a letter of credit, may in the City's discretion, be in an amount sufficient to secure removal from one site if the master bond or letter of credit provides for replenishing any amount use as the master bond or letter of credit covers any other site in the City.

(i) **Structural Design and Environmental Standards.**

(1) **Mobile Service Support Structure, Antenna and Facilities Requirements.** All mobile service facilities and mobile service support structures except exempt facilities as defined in subsection (d), shall be designed to reduce the negative impact on the surrounding environment by implementing the measures set forth below.

i. Mobile services support structures shall be construed of metal or other nonflammable material, unless specifically permitted by the City to be otherwise.

- ii. Satellite dish and parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their functions.
  - iii. 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.
  - iv. 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.
- (2) **Site Development.** A parcel intended for the location of new mobile service facilities, mobile service support structures, and equipment compounds shall be located so as to permit expansion for mobile service facilities to serve all potential collocators.
- (3) **Vegetation Protection and Facility Screening.**
- i. Except exempt facilities as defined in subsection (d), all mobile service facilities shall be installed in a manner as to minimize disturbance to existing native vegetation and shall include suitable mature landscaping to screen the facility, when required by the Plan Commission or Land Use and Development Director. All impacted vegetation (trees, shrubs, etc.) shall be replaced on site on a one-for-one basis. For purposes of this section “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.
  - ii. 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 maintained on the site.
- (4) **Fire Prevention.** All mobile services facilities shall be designed and operated in accordance with all applicable codes regarding fire protection.
- (5) **Noise and Traffic.** All mobile service facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To that end

the following measures shall be implemented for all mobile services facilities, except exempt facilities as defined in subsection (d):

- i. 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, and
- ii. Backup generators, if present, shall be operated only during power outages and for testing and maintenance purposes.

(6) **Separation Requirements.** Mobile service support structures shall be separated by a minimum of 2,640 feet, except that:

- i. Two (2) mobile service support structures may be permitted to be located within 100 feet of each other subject to approval by the City of Onalaska Plan Commission.
- ii. Camouflaged mobile service support structures are exempt from the separation between mobile service support structures requirement listed above.

(j) **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 application, the City of Onalaska Land Use and Development Director may extend the time limit to abandon once for an additional six (6) month period. Such extension shall be based on the 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:

- (1) 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 foundations 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 City of Onalaska 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 and building(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 assess the owner or permit holder of the mobile services support structure.
- (2) The recipient of a conditional use permit allowing a mobile service support structure and facility under this section, 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.

(h) **Severability.** If any of provision of this ordinance or its application to any person or circumstance is held invalid according to Wisconsin State Statutes §66.0404, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application and to this end the provisions of this ordinance are severable.

(i) **Penalty Provisions.** Any person, partnership, corporation or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$100.00 nor more than \$500.00, plus the applicable surcharges, assessments and costs for each violation and/or revocation of the conditional use permit. Each day a violation exists or continues constitutes a separate offense under this ordinance.

2. **Radio Broadcast Services and Other Telecommunication Facilities and Structures.**

(a) **Purpose.** The purpose of this ordinance is to regulate by conditional use permit the siting and construction of any new Radio Broadcast Services facilities or other non-mobile service telecommunication facilities. Radio Broadcast Services Facilities are defined as facilities for the regular provision of a commercial or noncommercial service involving the transmission, emission or reception of radio waves for the transmission of sound or images in which the transmissions are intended for direct reception by the general public including antennas and antenna support structures. Other Tower/Telecommunication Structures shall include any ground or roof mounted pole, spire, structure or combination thereof taller than fifteen (15) feet, including supporting lines, cables, wires, and masts, intended primarily for the purpose of mounting an antenna, meteorological device or similar apparatus above grade.

(b) **Application.**

(1) **Conditional Use Permit Required.** A conditional use permit is required for:

- i. The modification of a pre-existing facility or structure if the modification is inconsistent with the original zoning permit,
- ii. The construction of any new radio broadcast service facility or structure or other telecommunication facility or structure.

(2) **Application.** The Land Use and Development Director will provide a conditional use permit application upon request. An applicant's form will be processed upon completion and submittal of the Application to the Land Use and Development Director. The Application must contain the following information:

- i. The name and business address of the applicant, along with the name of a contact person. The name and contact of the property owner if different from applicant.
- ii. The location and type of the proposed facility and structure.

- iii. A construction plan describing the existing or proposed facility structure and the equipment and network components, including antennas, base stations, cabling, power supplies, receivers, transmitters and related equipment to be placed on or around the new facility and structure.
- iv. Proof of consent from the property owner, if different from applicant (a copy of the lease will suffice).
- v. A report from a qualified and licensed professional which includes:
  - a. Tower height and design including a cross section and elevation;
  - b. The height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas;
  - c. Tower capacity, including the number and type of antennas that it can accommodate;
  - d. Steps that applicants will take to avoid interference with established public safety telecommunications;
  - e. Engineers stamp and registration number.
- vi. A Radio Broadcast Service Facility or Other Telecommunication Structure is subject to the same requirements for the issuance of building and electrical permits to which any other type of commercial development or land use development is subject including sections 15-1-2 and 15-1-73 of the City Ordinances except that the fee for a Conditional Use Permit for a radio broadcast facility or other telecommunication structure and facility shall be \$500.00.

If an applicant submits to the Land Use and Development Director an application for a Conditional Use Permit to engage in an activity described in this ordinance, which contains all of the information required under this ordinance, the Plan Commission shall consider the application complete. If any of the required information is not in the application, the Land Use and Development Director shall notify the applicant in writing within 5 days of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

- (3) **Review.** Within 45 days of its receipt of a complete application, the Plan Commission shall complete all of the following or the applicant may consider the application complete, except that the applicant and City may agree in writing to an extension of the 45 day period.
  - i. Make a final decision whether to approve or disapprove the application.
  - ii. Notify the applicant, in writing, of its final decision.
  - iii. If the application is approved, issue the applicant the relevant conditional use permit.

- iv. If the decision is to disapprove the application, include with the written notification substantial evidence which supports the decision.

The Plan Commission shall review the application to determine if it complies with all applicable aspects of the City's zoning ordinances, subject to the limitations in Wis. Stat. §66.0404.

- (c) **Requirements.** All of the conditions set forth above for a Class 2 Collocation shall remain for a Radio Broadcast Service Structure or Facility and Other Telecommunication Structures. Additionally, the following additional requirements shall be required in the interest of public safety:

- i. **Lighting.** Towers and antennas shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When incorporated into the approved design of the tower or antenna, light figures used to illuminate ball fields, parking lots or similar areas may be allowed with approval from the Plan Commission.

- ii. **Signs and Advertising.** The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.

- iii. **Antennas Mounted on Roofs, Walls and Existing Towers.** The placement of telecommunication antennas on roofs, walls and existing towers may be approved by the Plan Commission provided the antennas meet the requirements of this Code, after submittal for a Conditional Use Permit and a report prepared by a qualified engineer indicating the existing structure or tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure. Complete details of all fixtures and couplings and the precise point of attachment shall be indicated.

- iv. **Interference with Public Safety Telecommunications.** No new or existing telecommunications service shall interfere with public safety telecommunications. All applications for new service shall be accompanied by an intermodulation study, which provides a technical evaluation of existing and proposed transmissions and indicates all potential interference problems.

- (d) **Abandonment.** Any antenna, radio broadcast or telecommunication support structure that is not operated for a continuous period of twelve (12) months shall be considered abandoned. Upon application, the City of Onalaska Land Use and Development Director may extend the time limit to abandon once for an additional six (6) month period as requested by the property owner. Such extension shall be based on the 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:

- (1) The owner of such antenna, radio broadcast or telecommunication facility or radio broadcast or telecommunication support structure shall remove said

antenna, facility or service support structure, including all supporting equipment, building(s) and foundations 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 City of Onalaska Land Use and Development Director may order removal utilizing the established bond as provided above and salvage said antenna, facility or support structure, including all supporting equipment and building(s). If there are two or more users of a single services support structure, this provision shall not become effective until all operations of the support structure cease. If a bond has not been previously established or is not current, the City may perform the work and assess the owner or permit holder of the mobile services support structure.

(2) The recipient of a conditional use permit allowing a mobile service support structure and facility under this section, 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.

(d) **Severability.** If any of provision of this ordinance or its application to any person or circumstance is held invalid according to Wisconsin State Statutes §66.0404, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application and to this end the provisions of this ordinance are severable.

(e) **Penalty Provisions.** Any person, partnership, corporation or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$100.00 nor more than \$500.00 and/or revocation of the conditional use permit, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_ day of \_\_\_\_\_, 2015.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

- (c) **Construction.** Wind energy conversion systems shall be constructed and anchored in such a manner to withstand wind pressure of not less than forty (40) pounds per square foot in area.
- (d) **Noise.** The maximum level of noise permitted to be generated by a wind energy conversion system shall be fifty (50) decibels, as measured on a dBA scale, measured at the lot line.
- (e) **Electro-Magnetic Interference.** Wind energy conversion system generators and alternators shall be filtered and/or shielded so as to prevent the emission of radio-frequency energy that would cause any harmful interference with radio and/or television broadcasting or reception. In the event that harmful interference is caused subsequent to the granting of a Conditional Use Permit, the operator of the wind energy conversion system shall promptly take steps to eliminate the harmful interference in accordance with Federal Communications Commission regulations.
- (f) **Location and Height.** Wind energy conversion systems shall be located in the rear yard only and shall meet all setback and yard requirements for the district in which they are located and, in addition, shall be located not closer to a property boundary than a distance equal to their height. Wind energy conversion systems shall not exceed one hundred twenty (120) feet in height; however, all such systems over seventy-five (75) feet in height shall submit plans to the Federal Aviation Administration (FAA) to determine whether the system is to be considered an object affecting navigable air space and subject to FAA restrictions. A copy of any FAA restrictions imposed shall be included as a part of the wind energy conversion system Conditional Use Permit application. Wind Energy systems shall not be located on ridgelines where they will visually dominate the skyline.
- (g) **Fence Required.** All wind energy conversion systems shall be surrounded by a security fence not less than six (6) feet in height. A sign shall be posted on the fence warning of high voltages.
- (h) **Utility Company Notification.** The appropriate electric power company shall be notified, in writing, of any proposed interface with that company's grid prior to installing said interface. Copies of comments by the appropriate utility company shall accompany and be part of the application for a Conditional Use Permit.

#### Sec. 13-6-6 Telecommunication Structures and Towers.

The placement of wireless telecommunication antennas on new structures such as buildings, flag poles and light standards shall first require the review of the Plan Commission to determine if the structure being proposed is a stealth application or requires a Conditional Use Permit application under Section 13-6-6. If no Conditional Use Permit is required, the applicant is required to submit a Site Plan Permit application.

- (a) **Purpose.** In order to accommodate the communication needs of the Onalaska area while protecting the public health, safety, and general welfare of the community, the City of Onalaska finds that these regulations are necessary in order to:
  - (1) Facilitate the provision of wireless telecommunication services to the residents and businesses of the City;
  - (2) Minimize adverse visual effects of towers through careful design and setting standards;
  - (3) Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements; and

## Accessory Uses and Miscellaneous Standards

### 13-6-6

- (4) Maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas in order to reduce the number of towers needed to serve the community.
- (b) **Definitions.** In this Section:
  - (1) **Amateur Radio.** Wireless telecommunication technology used by private, nonprofit entities for non-commercial usage.
  - (2) **Antenna.** Any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including, but not limited to, directional antennas, such as panels, microwave dishes, and satellite dishes, and omni directional antennas, such as whip antennas.
  - (3) **Commercial Wireless Telecommunication Services.** Licensed commercial wireless telecommunication services including Cellular Microwave Technology, Personal Communication Services (PCS), Specialized Mobilized Radio (SMR), Enhanced Specialized Mobilized Radio (ESMR), paging, and similar services that are marketed to the general public.
  - (4) **Public Utility.** Persons, corporations, or governments supplying gas, electric, transportation, water, sewer, or landline telephone service to the general public. For the purpose of this Section, commercial wireless telecommunication service facilities shall not be considered public utility uses, and are defined separately.
  - (5) **Stealth Application.** Any structure used for the mounting or support of a telecommunication antenna or apparatus that disguises the equipment from view of the public and is complimentary to the surrounding land uses or environment.



*Examples of Stealth Applications of Wireless Communication Facilities*

- (6) **Tower/Telecommunication Structure.** Any ground or roof mounted pole, spire, structure, or combination thereof taller than fifteen (15) feet, including supporting lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.
- (7) **Tower, Multi-User.** A tower to which is attached the antennas of more than one (1) commercial wireless telecommunication service provider or governmental entity.

**Accessory Uses and Miscellaneous Standards**

**13-6-6**

- (8) **Tower, Single-User.** A tower to which is attached only the antennas of a single user, although the tower may be designed to accommodate the antennas of multiple users as required in this Code.
- (c) **Permit Required.** All commercial wireless telecommunication structures except amateur radio operators licensed by the FCC, which may be permitted pursuant to Section 13-6-2 of the City Zoning Code and stealth facilities as determined by the Plan Commission, require a Conditional Use Permit pursuant to Section 13-5-14(c) of the City of Onalaska Zoning Code.
- (d) **Location.**
  - (1) Towers shall only be permitted in B-1, B-2, M-1, M-2, and M-3 Zoning Districts.
  - (2) Towers must be a minimum of one thousand (1,000) feet from a Residential District. Stealth facilities as determined by the Plan Commission may be located less than one thousand (1,000) feet from a Residential District.
- (e) **Co-Location Requirements.** All commercial wireless telecommunication towers erected, constructed, or located within the City shall comply with the following requirements:
  - (1) A proposal for a new commercial wireless telecommunication service tower shall not be approved unless the Plan Commission and Common Council finds that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one (1) mile radius of the proposed tower due to one (1) or more of the following reasons:
    - a. The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.
    - b. The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified and licensed professional engineer and the interference cannot be prevented at a reasonable cost.
    - c. Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer.
    - d. Other unforeseen reasons that make it infeasible to locate the planned telecommunications equipment upon an existing or approved tower or building.
  - (2) It shall be the developer's responsibility to provide adequate proof that no such opportunity for co-location is possible.
  - (3) Any proposed commercial wireless telecommunication service tower shall be designed, structurally, electrically, and in all respects, to accommodate both the applicant's antennas and comparable antennas for at least two (2) additional users if the tower is over one hundred (100) feet in height or at the least one (1) additional user if the tower is over sixty (60) feet in height. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.
- (f) **Tower Construction Requirements.** All towers erected, constructed, or located within the City, and all wiring therefore, shall comply with all local, state and federal codes and regulations.

## Accessory Uses and Miscellaneous Standards

### 13-6-6

- (g) **Tower and Antenna Design Requirements.** Proposed or modified towers and antennas shall meet the following design requirements:
- (1) Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration.
  - (2) Commercial wireless telecommunication service towers shall be of a monopole design unless the Plan Commission and Common Council determines that an alternative design would better blend in to the surrounding environment.
- (h) **Tower Setbacks and Placement.** Towers shall conform with each of the following minimum setback requirements:
- (1) Towers shall meet the setbacks of the underlying zoning district and must meet the height restrictions as outlined in Section 13-1-15(a)(4).
  - (2) Towers shall not be located between a principal structure and a public street, with the following exceptions:
    - a. In M-1, M-2, and M-3 Zoning Districts, towers may be placed within a side yard abutting an internal street.
    - b. On sites adjacent to public streets on all sides, towers may be placed within a side yard abutting a local street.
- (i) **Tower Lighting.** Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. When incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower pending Plan Commission approval.
- (j) **Signs and Advertising.** The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.
- (k) **Accessory Utility Buildings.** All utility buildings and structures accessory to a tower shall be architecturally designed to blend in with the surrounding environment and shall meet the minimum setback requirements of the underlying zoning district. Ground mounted equipment shall be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the architectural character of the surrounding neighborhood.
- (l) **Abandoned or Unused Towers or Portions of Towers.** Abandoned or unused towers or portions of towers shall be removed as follows:
- (1) All abandoned or unused towers and associated facilities shall be removed within twelve (12) months of the cessation of operations at the Site. A copy of the relevant portions of a signed lease which requires the applicant to remove the tower and associated facilities upon cessation of operations at the site shall be submitted at the time of application. In the event that a tower is not removed within twelve (12) months of the cessation of operations at a site, the tower and associated facilities may be removed by the City and the costs of removal assessed against the property.
  - (2) Unused portions of towers above a manufactured connection shall be removed within six (6) months of the time of antenna relocation. The replacement of portions of a tower previously removed requires the issuance of a new Conditional Use Permit.

**Accessory Uses and Miscellaneous Standards**

**13-6-6**

- (m) **Antennas Mounted on Roofs, Walls, and Existing Towers.** The placement of wireless telecommunication antennas on roofs, walls, and existing towers may be approved by the Plan Commission and Common Council, provided the antennas meet the requirements of this Code, after submittal of an application for a Conditional Use Permit and a report prepared by a qualified and licensed professional engineer indicating the existing structure or tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure. Complete details of all fixtures and couplings, and the precise point of attachment shall be indicated.
- (n) **Interference with Public Safety Telecommunications.** No new or existing telecommunications service shall interfere with public safety telecommunications. All applications for new service shall be accompanied by an intermodulation study, which provides a technical evaluation of existing and proposed transmissions and indicates all potential interference problems. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the City at least ten (10) business days in advance of such changes and allow the City to monitor interference levels during the testing process.
- (o) **Additional Submittal Requirements.** In addition to the information required elsewhere in this Code, conditional use applications for towers shall include the following supplemental information:
  - (1) A report from a qualified and licensed professional which:
    - a. Describes the tower height and design including a cross-section and elevation;
    - b. Documents the height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas;
    - c. Describes the tower's capacity, including the number and type of antennas that it can accommodate;
    - d. Documents what steps the applicant will take to avoid interference with established public safety telecommunications;
    - e. Includes an engineer's stamp and registration number; and
    - f. Includes other information necessary to evaluate the request.
  - (2) For all commercial wireless telecommunication service towers, a letter of intent committing the tower owner and his/her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.
  - (3) Before the issuance of building permit, the following supplemental information shall be submitted:
    - a. Proof that the proposed tower complies with regulations administered by the Federal Aviation Administration; and
    - b. A report from a qualified and licensed professional engineer, which demonstrates the tower's compliance with the aforementioned structural and electrical standards.
  - (4) A visual analysis, photo simulation, or graphic illustration showing what the tower will look like in its surroundings.

## Accessory Uses and Miscellaneous Standards 13-6-6

- (p) **Structure Height.**
  - (1) **Towers.** The height of towers shall be determined by measuring the vertical distance from the tower's point of contact with the ground or rooftop to the highest point of the tower, including all antennas or other attachments. When towers are mounted upon other structures, the combined height of the structure and tower must meet the height restrictions of Section 13-1-15(a)(4) of the Zoning Code.
  - (2) **Height Limitations.** In all Non-Residential Zoning Districts, the maximum height of any tower, including all antennas and other attachments, shall not exceed one (1) foot for each three (3) feet the tower is set back from the nearest property line up to a maximum height of one hundred twenty (120) feet.
- (q) **Violations.**
  - (1) It shall be unlawful to construct, use, build, or locate any telecommunication structure in violation of any provision of this Section.
  - (2) Any person, firm, or corporation who fails to comply with the provisions of this Section shall, upon conviction, be subject to the general penalty found in Section 1-1-7 and/or revocation of the Conditional Use Permit issued. Each day the violation continues shall constitute a separate offense.

### Sec. 13-6-7 Accessory Uses or Structures.

- (a) **Building Permit Required.** No owner shall, within the City of Onalaska, build, construct, use or place any type of an accessory building, including prefabricated accessory buildings, until a building permit shall have first been obtained from the Department of Inspection. Application for an accessory building permit shall be made in writing to the Department of Inspection. With such application, there shall be submitted a fee pursuant to the City Building Code and a complete set of plans and specifications, including a plot plan or drawing accurately showing the location of the proposed accessory building with respect to adjoining alleys, lot lines and buildings. If such application meets all requirements of this Section, the application shall be approved.
- (b) **Principal Use to be Present.** An accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction on the same parcel. Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided.
- (c) **Placement Restrictions - Residential District.** An accessory use or structure in a Residential District may be established subject to the following regulations:
  - (1) **Accessory Building Number Limits** In any Residential District, in addition to the principal building, the following is permitted:
    - a. One (1) detached garage or one (1) attached garage,
    - b. One (1) swimming pool,
    - c. One (1) children's play structure, and
    - d. One (1) additional accessory building.
    - e. Swimming pools (except small inflatable or plastic children's pools or pools less than fifteen (15) feet in diameter), detached decks, storage sheds, play structures permanently anchored to the ground, and any other permanently anchored structure are considered accessory structures.

**ORDINANCE NO. 1500-2015**

**AN ORDINANCE TO AMEND TITLE 13 CHAPTER 5 OF THE CITY OF ONALASKA CODE OF ORDINANCES RELATED TO PUBLIC AND SEMIPUBLIC CONDITIONAL USES**

THE COMMON COUNCIL OF THE CITY OF ONALASKA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. Subsection (c) of Section 14 of Chapter 5 of Title 13 of the Code of Ordinances of the City of Onalaska related to Public and Semipublic Conditional Uses is hereby deleted in its entirety and replaced as follows:

(c) Utilities in all districts, provided all principal structures and uses are not less than forty (40) feet from any residential district lot line.

SECTION II. This Ordinance shall take effect and be in force from and after its passage and prior to publication although it will be published in due course.

Dated this \_\_\_ day of \_\_\_\_\_, 2015.

CITY OF ONALASKA

By: \_\_\_\_\_  
Joe Chilsen, Mayor

By: \_\_\_\_\_  
Caroline Burmaster, Clerk

PASSED:  
APPROVED:  
PUBLISHED:

## Conditional Uses 13-5-13

deteriorate the nature of the surrounding neighborhood. Establishments otherwise qualifying under this Section regulating bed and breakfast establishments shall not be subject to the requirements of this Zoning Code with respect to signs.

- (h) **Termination of Permit.** A Bed and Breakfast Use Permit shall be void upon the sale or transfer of the property ownership. The Plan Commission shall review and conditionally approve or disapprove an application submitted by a person anticipating the purchase of premises for such use. A permit issued in accordance with Subsection (c) above shall be valid until terminated by action of the Land Use and Development Director for violation of the provisions of this Section, or of State of Wisconsin regulations as set forth in Chapter HSS 195 or Chapter HSS 197, Wis. Adm. Code, or as above provided.

### Sec. 13-5-14 Public and Semipublic Conditional Uses.

The following public and semipublic conditional uses shall be conditional uses and may be permitted as specified:

- (a) Airports, airstrips and landing fields in the M-1, M-2 and M-3 Industrial Districts, A-1 Agricultural District, F-2 Regional Floodplain District, and P-1 Public and Semipublic District, provided the site area is not less than twenty (20) acres.
- (b) Governmental and cultural uses, such as fire and police stations, community centers, libraries, public emergency shelters and museums, in all residential and business districts, M-1, M-2 and M-3 Industrial Districts and P-1 Public and Semipublic District.
- (c) Utilities in all districts, provided all principal structures and uses are not less than forty (40) feet from any residential district lot line. ~~Telecommunications structures and towers are permitted only in the B-1, B-2, B-3, M-1, M-2, and M-3 Districts and must be a minimum of one thousand (1,000) feet from a Residential District.~~
- (d) Public passenger transportation terminals, such as heliports, bus and rail depots, except airports, airstrips and landing fields, in all business districts and the M-1, M-2 and M-3 Industrial Districts, provided all principal structures and uses are not less than one hundred (100) feet from any Residential District boundary.
- (e) Public, parochial and private elementary and secondary schools and churches in the R-1, R-2-3 and R-4 Residential Districts and P-1 Public and Semipublic District, provided the lot area is not less than two (2) acres and all principal structures and uses are not less than forty (40) feet from any lot line.
- (f) Colleges; universities; hospitals; sanitariums, religious, charitable, penal and correctional institutions; cemeteries and crematories in the A-1 Agricultural District and P-1 Public and Semipublic District, provided all principal structures and uses are not less than forty (40) feet from any lot line.
- (g) Parking lots may be permitted as a conditional use.



City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

## REZONING OR TEXT AMENDMENT APPLICATION

The following checklist will ensure the timely processing of your application:

➔ **Overview/ Cover Letter Describing the following:**

- ▶ Detailed Description of Proposed Rezoning or Text Amendment
- ▶ Description of how Proposed Rezoning Meets Unified Development Code Standards
  - ▶ Compatibility with Surrounding Neighborhood (existing and anticipated development within 250 ft of proposed use and within 500 ft along the same street)
  - ▶ Consistency with the Comprehensive Plan (relationship of proposed use to the goals, objectives and policies)

➔ **\$150 Permit Application Fee (Payable to the City of Onalaska)**

*If incomplete, no further processing of the application will occur until the deficiencies are corrected.*

*A Map or Text Amendment to the City of Onalaska Unified Development Code / Zoning Ordinance may be proposed at any time. Amendments to the Zoning District Map or Overlay District Map proposed by the public shall be initiated by submitting a completed application by owners of all parcels proposed to be rezoned. The application for amendments to the Text of the UDC / Zoning Ordinance shall include the text in question as well as proposed text.*

**Request for Amendment to:**

- Zoning District Map (Rezoning)
- Zoning Ordinance (Text Amendment)
- Zoning Overlay District Map (Rezoning)

**Description of Request to Amend the Unified Development Code - Zoning Ordinance: (Text and/or Map(s)):**

Existing Zoning District: \_\_\_\_\_ Proposed Zoning District: \_\_\_\_\_

\_\_\_\_\_ <sup>Code</sup>

Amendment to <sup>the</sup> Unified Development ~~Ordinance~~

Section 13-6-6 - Telecommunication

Structures and Towers

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Per Wisconsin's Open Meeting Law, comments on this permit application, either by the applicant or concerned citizen, shall be raised in person at the scheduled meeting or brought up to City Staff (through conversation, written letter or email) for review at the scheduled meeting. Due to Wisconsin's Open Meeting Law, Plan Commissioners and Alderpersons are unable to discuss this matter outside of a scheduled public meeting. Thank you.*

*No charge  
City of Onalaska  
is applicant*

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY OF ONALASKA  
PLAN COMMISSION**

Please take notice that the City Plan Commission for the City of Onalaska will hold a public hearing on:

**TUESDAY, MAY 26, 2015  
APPROX. 7:10 PM (or immediately following public hearing at  
7:00pm)**

in Onalaska City Hall, 415 Main Street, Onalaska, WI 54650, at which time they will Consider an Ordinance to Amend the Unified Development Code Section 13-6-6 - Telecommunication Structures and Towers:

YOU ARE FURTHER NOTIFIED that the City of Onalaska Plan Commission will hear all persons interested, their agent or attorney, concerning this matter.

More detailed information on this item will be posted to the City of Onalaska website [www.cityofonalaska.com](http://www.cityofonalaska.com) the Friday before the scheduled meeting under Agendas & Minutes/Plan Commission. This posting will contain the Plan Commission Agenda and all attachments referencing this item.

Dated this 8th day of May, 2015.

Cari Burmaster  
City Clerk



# CITY OF ONALASKA

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

- Agenda Item: Review & Consideration of a rezoning request.
- Applicant: Keith Heinze on behalf of Luther High School, 1501 Wilson Street, Onalaska, WI 54650
- Parcel Numbers: 18-41-1 & 18-41-2
- Site Location: Luther High School, 1501 Wilson Street, Onalaska, WI 54650
- Existing Zoning: Single Family and/or Duplex Residential (R-2) District
- Neighborhood Characteristics: Properties within 250 feet of the properties in question includes a variety of residential dwellings including, single family homes, twindos/duplexes, and apartment buildings, in addition to two commercial uses (retail and financial services).
- Conformance with Land Use Plan: The Comprehensive Plan identifies this area as *Institutional*. This district is intended to accommodate civic, institutional, and related uses including schools and churches, etc. It is important for public and institutional developments within this district to set a high stand for architecture and site design for the community.
- Background: The applicant owns both properties under review, in addition to the main school property at 1501 Wilson Street. The school building and athletic fields are located on three parcels with two different zoning designations. The applicant intends to merge all three parcels into a single parcel to allow for future development to Luther High School. Staff recommends that prior to merging the parcels all properties be of the same zoning designation.
- Action Requested: As a public hearing will be held at the Plan Commission meeting, testimony from the public should be listened to and considered before deciding on the requested rezoning application.

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

May 19, 2015

## Agenda Item 6:

**Review and Consideration of a rezoning request filed by Keith Heinze on behalf of Luther High School, 1501 Wilson Street, Onalaska, WI 54650, from Single Family and/or Duplex Residential District (R-2) to Public and Semi-Public District (P-1) for the purpose of merging three (3) parcels into one (1) parcel for property located at 1501 Wilson Street (Tax Parcels #18-1023-1 & 18-1037-0).**

1. Rezoning Fee of \$150.00 (PAID).
2. Exterior storage is prohibited.
3. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals).
4. 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.
5. 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.
6. Any omissions of any conditions not listed in committee minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

# Luther High School

*Keeping Christ in Higher Education*



Mr. James Mahnke – Student Affairs

Mr. Paul Wichmann – Principal

Mr. Keith Heinze – Administrative Affairs

To: City of Onalaska, Department of Planning and Zoning

Re: Rezoning Application

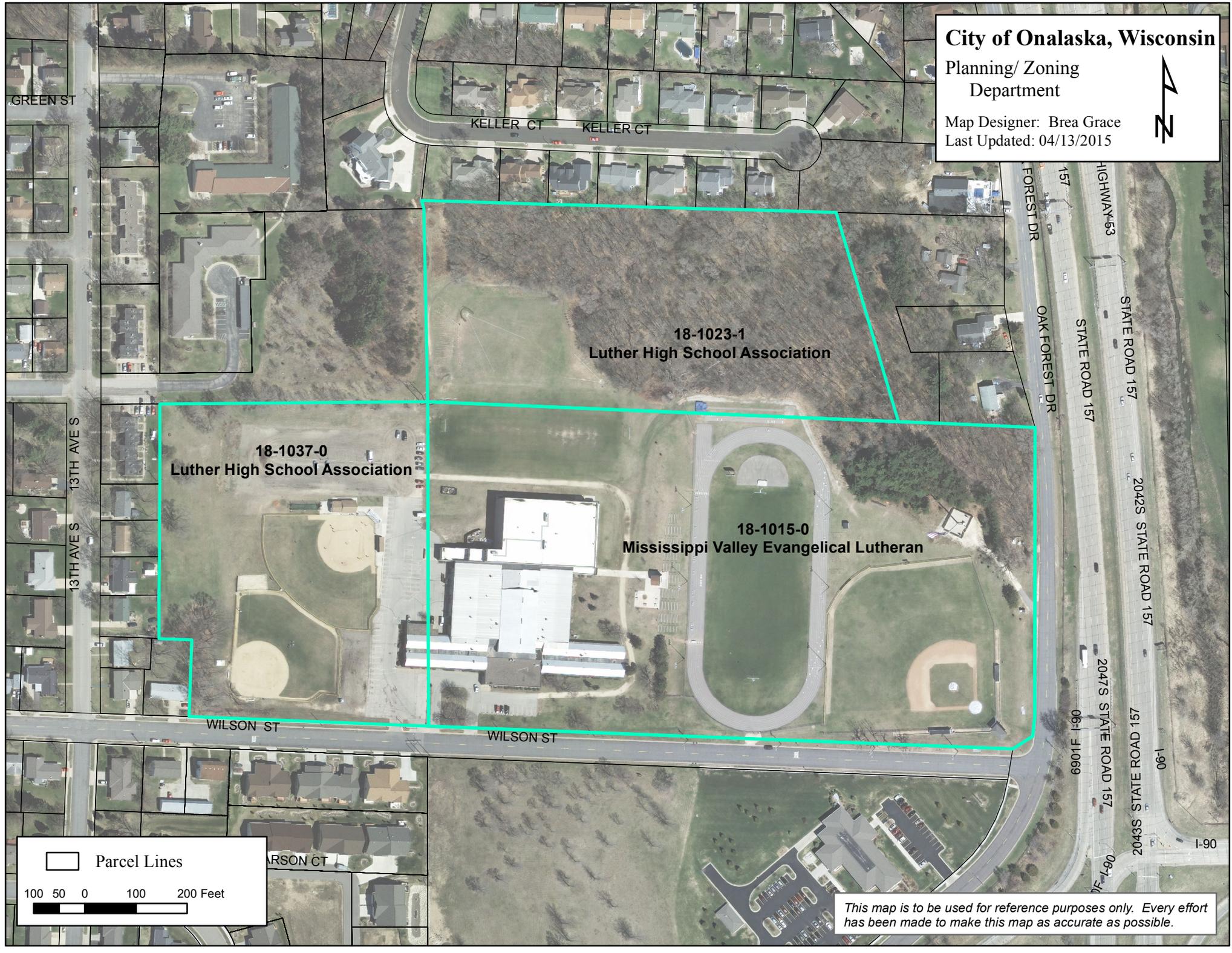
Date: 4/22/15

From: K. Heinze

Luther High School makes the following rezoning request:

Parcels 18-1037-0 and 18-1023-1 be rezoned from R2 to PI to match Parcel 18-1015-0 which is zoned PI.

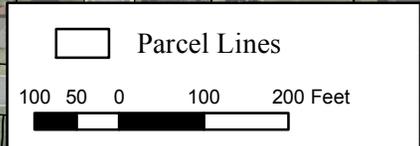
This rezoning will allow us to merge our three parcels into one parcel and become more compatible with the residential area around us since we are a Public Institution.



**18-1023-1**  
 Luther High School Association

**18-1037-0**  
 Luther High School Association

**18-1015-0**  
 Mississippi Valley Evangelical Lutheran



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

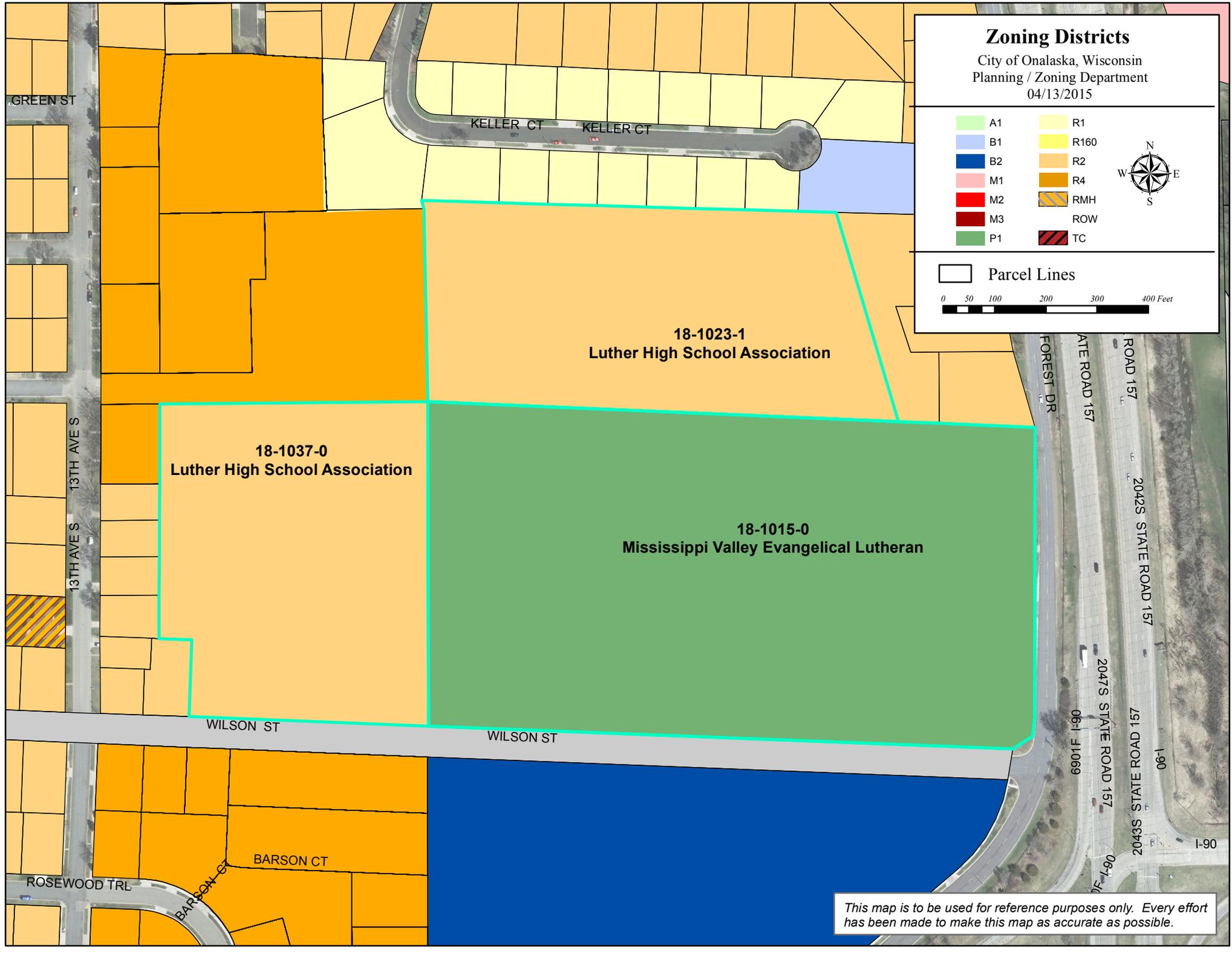
# Zoning Districts

City of Onalaska, Wisconsin  
Planning / Zoning Department  
04/13/2015

	A1		R1
	B1		R160
	B2		R2
	M1		R4
	M2		RMH
	M3		ROW
	P1		TC



 Parcel Lines



**18-1023-1**  
Luther High School Association

**18-1037-0**  
Luther High School Association

**18-1015-0**  
Mississippi Valley Evangelical Lutheran

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Brea + Katie



City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

### REZONING OR TEXT AMENDMENT APPLICATION

Property Address: 1501 Wilson St.  
 Parcel Number: 18-1037-0, 18-1023-1  
 Zoning District: R2 currently

Business: Luther High School  
 Owner/Contact: Keith Heinze  
 Mailing Address: 1501 Wilson St.  
 City, State, Zip: Onalaska, WI  
 Phone Number: 783-5435 x 109  
 Email: heinkeit@luther.k12.wi.us  Primary Contact

Applicant:  
 Contact:  
 Mailing Address:  
 City, State, Zip:  
 Phone Number:  
 Email:  Primary Contact

Property Owner:  
 Contact:  
 Mailing Address:  
 City, State, Zip:  
 Phone Number:  
 Email:  Primary Contact

The undersigned hereby makes application at the location stated herein. The undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.

Signature of Applicant: Keith Heinze, Assistant Principal Date: 4/22/15  
 Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

OFFICE USE ONLY:	Date Submitted:	Permit Number:
Permit Fee:	<input type="checkbox"/> Cash <input type="checkbox"/> Check #	Application Received by:

CITY OF ONALASKA  
 REC#: R00006802 04/22/2015 1:35 PM  
 TRAN: 450 PLANNING & ZONING  
 OPER: C1 TERM: 1  
 TKBY: CASH 01  
 =====  
 rezoning LUTHER 150.00  
 Paid By: rezoning LUTHER  
 CK 150.00 REF: EE 46843  
 -----  
 APPLIED 150.00  
 TENDERED 150.00  
 -----  
 CHANGE 0.00



City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

# REZONING OR TEXT AMENDMENT APPLICATION

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**Request for Amendment to:**

- Zoning District Map (Rezoning)       Zoning Ordinance (Text Amendment)
- Zoning Overlay District Map (Rezoning)

**Description of Request to Amend the Unified Development Code - Zoning Ordinance: (Text and/or Map(s)):**

Existing Zoning District: R2 Proposed Zoning District: P1

*SEE COVER LETTER.*

*Per Wisconsin's Open Meeting Law, comments on this permit application, either by the applicant or concerned citizen, shall be raised in person at the scheduled meeting or brought up to City Staff (through conversation, written letter or email) for review at the scheduled meeting. Due to Wisconsin's Open Meeting Law, Plan Commissioners and Alderpersons are unable to discuss this matter outside of a scheduled public meeting. Thank you.*

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY OF ONALASKA  
PLAN COMMISSION**

Please take notice that the City Plan Commission for the City of Onalaska will hold a public hearing on

**TUESDAY, MAY 26, 2015  
APPROX. 7:20 P.M.**

**(or immediately following public hearing at 7:10pm)**

in Onalaska City Hall, 415 Main Street, Onalaska, Wisconsin 54650 at which time they will consider an application filed by Keith Heinze for Luther High School, 1501 Wilson Street, Onalaska, WI 54650, who is requesting rezoning from R-2 to P-1 for the purpose of merging the three parcels into one parcel for property located at 1501 Wilson Street, Onalaska, WI 54650.

Computer Number: 18-1023-1  
Section 09, Township16, Range 7

ASSESSORS PLAT OF ONALASKA OUTLOT 122 COM NW COR S1D6ME 255FT  
TO POB S88D1ME 803FT S16D51ME 430.31FT N88D1MW 909.96FT N1D6MW  
408.05FT TO POB EX V741 P449

Property is more particularly described as:

Computer Number: 18-1037-0  
Section 09, Township16, Range 7

ASSESSORS PLAT OF ONALASKA OUTLOT 126 EX INGSWOOD II ADDN & EX  
2<sup>ND</sup> ADDN HIGHLAND PARK ADDN & EX V754 P139, V737 P470, V716 P454, V444  
P724, V372 P388 & EX PRT FOR STREETS

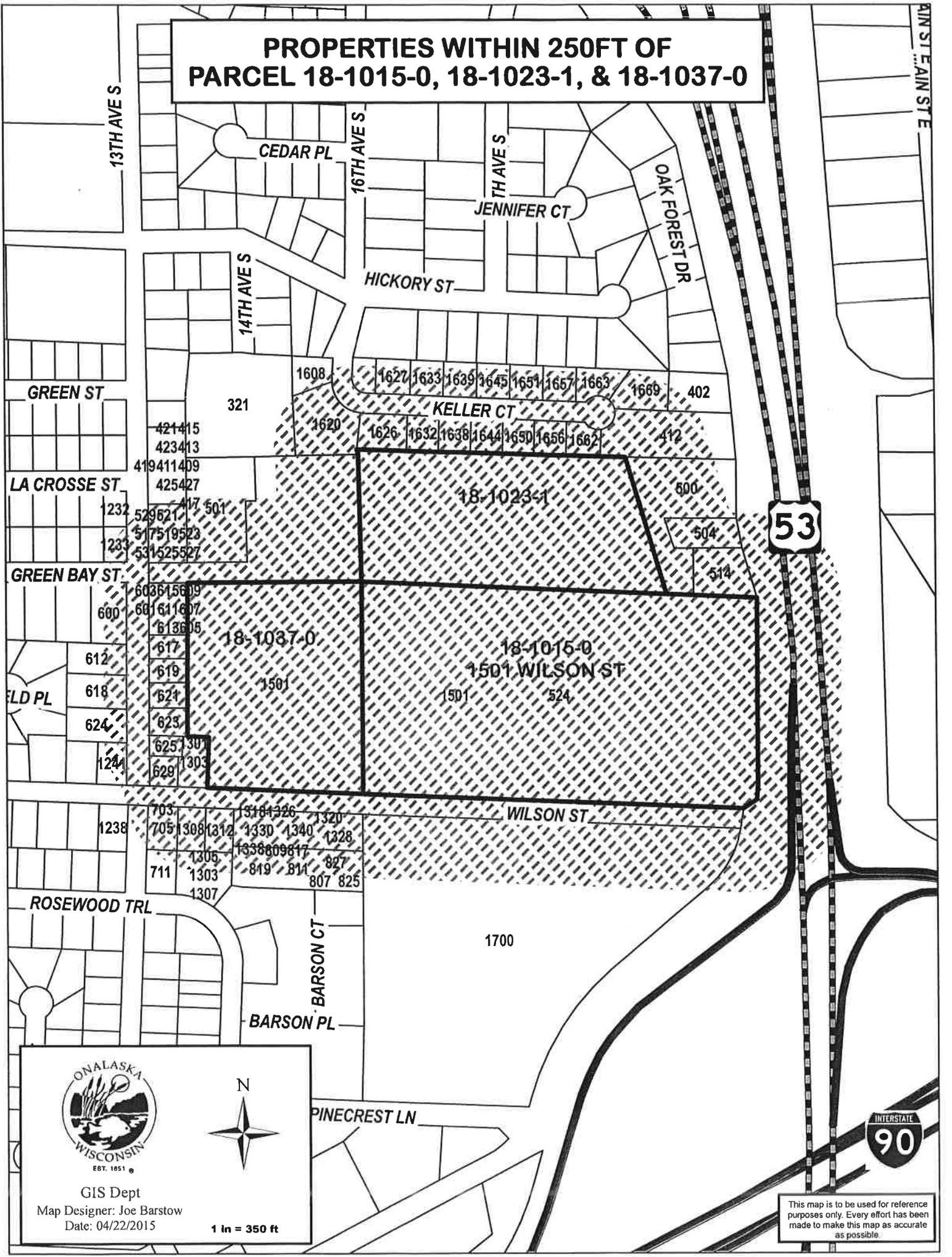
YOU ARE FURTHER NOTIFIED that the City of Onalaska Plan Commission will hear all persons interested, their agent or attorney concerning this matter.

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Dated this 8<sup>th</sup> day of May, 2015.

Cari Burmaster  
City Clerk

# PROPERTIES WITHIN 250FT OF PARCEL 18-1015-0, 18-1023-1, & 18-1037-0



GIS Dept  
Map Designer: Joe Barstow  
Date: 04/22/2015

1 in = 350 ft



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 – May 19, 2015

<u>Agenda Item:</u>	Consideration of a Planned Unit Development (PUD) request.
<u>Applicant:</u>	Dale Brott, Clint Meyer, and Alexis Meyer, CADC Investments LLC, 700 Angel Court, Holmen, WI 54636
<u>Property Owner:</u>	Life Estate of Paul L Nelson, Life Estate of Janet S. Nelson, Debra J Thompson, Lynnaus L Gilbertson
<u>Parcel Number:</u>	18-4509-1
<u>Site Location:</u>	2137 Sand Lake Road, Onalaska, WI
<u>Existing Zoning:</u>	Single Family Residential (R-1) District
<u>Conformance with Comprehensive Plan:</u>	The Comprehensive Plan classifies this property as “Mixed Density Residential District” which is intended to accommodate primarily single-family and duplex/two-flat residential development. A limited higher density residential development may also be permitted in appropriate locations along the periphery of the district. The proposed PUD is for a property located on the periphery as Sand Lake Road is a geographical boundary between Parks & Open Space and Mixed Density Residential Districts.

### Background:

This Planned Unit Development (PUD) request pertains to allowing the construction of multiple multi-family residential buildings in three phases of construction with the following capacity. Phase #1 includes an apartment building with 44 units. Phase 2 includes a second apartment building with 44 units. Phases #1 and #2 would have a total of 24 one-bedroom units and 68 two-bedroom units. Phase #3 encompasses 11 townhomes which would be attached in a set of 3 buildings. Each townhome unit would have two bedrooms and be built “on-slab” with attached 2-car garages.

The applicant intends to construct Phase #1 in 2015-2016 and Phases #2 and #3 in 2017-2018, with final occupancy of the townhomes in December 2018.

### Planned Unit Development (PUD)

A Planned Unit Development may be used as a custom zoning district for any land use or combination of land uses. The proposed PUD is proposed as an overlay zoning district on a 5.31-acre parcel on which the applicants currently have an offer to purchase.

The following chart identifies where the PUD proposed to deviate from the standards established by the Unified Development Code.

## CITY OF ONALASKA

Unified Development Code Requirement		Applicant Proposal	
<i>1) Parking Space Allotment</i>			
<ul style="list-style-type: none"> <li>2 parking stalls per dwelling unit</li> </ul>	<ul style="list-style-type: none"> <li>2 stalls * 103 units <b>= 206 parking stalls</b></li> </ul>	<ul style="list-style-type: none"> <li>1 parking stall per 1-bedroom unit</li> <li>2 parking stalls per 2-bedroom unit</li> </ul>	<ul style="list-style-type: none"> <li>24 stalls for 1-bedrooms</li> <li>136 stalls for 2-bedrooms <b>=160 parking stalls for apartment units.</b></li> <li>22 stalls for 2-bedroom townhomes <b>=182 parking stalls for entire development</b></li> </ul>
<i>2) Building Height</i>			
<ul style="list-style-type: none"> <li>Maximum Building Height = <b>40 feet</b></li> </ul>		<ul style="list-style-type: none"> <li>Apartment Building Heights = <b>51 feet</b></li> </ul>	
<i>3) Maximum Number of Buildings on a Parcel</i>			
<ul style="list-style-type: none"> <li>1 Principal Building per Parcel</li> </ul>		<ul style="list-style-type: none"> <li>The 2 apartment buildings proposed as Phases #1 &amp; #2 would be on one parcel.</li> <li>The townhomes of Phase #3 would be a one separate parcel that includes 3 standalone structures, each with multiple units.</li> </ul>	
<i>4) Building Setback</i>			
<ul style="list-style-type: none"> <li>Setback from Street Yards: Minimum 25 feet <b>Maximum 40 feet</b></li> </ul>		<ul style="list-style-type: none"> <li>Setback from Street Yards: Building #2: 78 feet (average) Building #3: 47 feet (average)</li> </ul>	

Standards for Review:

The following decision criteria are used to review the Planned Unit Developments as defined in Section 13-3-5 of the Unified Development Code. Staff comments on each criterion are bulleted.

(a) Permitted Uses.

- Proposed uses include multi-family housing developed with apartments and townhomes. Other permitted uses shall be consistent with the Unified Development Ordinance.

(b) Conditional Uses:

- None Proposed. Shall be consistent with the Unified Development Ordinance.

(c) Proposed Density:

(1) Effect on adjacent properties:

- Properties west of the proposed PUD include single-family dwellings and vacant land zoned for single-family dwellings.
- Properties south of the proposed PUD include single-family dwellings and a cluster of five (5) structures that contain attached townhomes (multi-family).

(2) Adequacy of public & private services/infrastructure:

- Development plans for one ingress/egress onto Sand Lake Road. Water and sewer are available adjacent to the site.

(3) Overall design

(4) Scale and massing of structures

(5) Building elevations and setbacks

(6) Landscaping, screening and buffering

(7) Open space provision and design

## CITY OF ONALASKA

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- (8) Retention of natural, cultural, and historic resources
- (d) PUD Perimeter: PUD to be designed to compliment existing uses
- (e) Lot Area: Consideration of proposed design & layout
- (f) Setbacks: Setbacks may vary in PUD's provided the developer has demonstrated that the proposed design & layout meets the provisions of the Unified Development Code.
- (g) Building Height: Building height may vary provided the developer has demonstrated that the proposed building meets the provisions of the Unified Development Code.
- (h) Environmental Design: PUD to be designed to preserve existing vegetation & topography where practical.
- (i) Common Open Space: Common open space to be functional, improve appearance & aesthetics, is accessible and adds to/connects to an existing open space system.
- (j) Architecture: Developer to incorporate architectural planning and implementation provisions for controlling the architecture by protective covenants or other similar method.
- (k) Parking: Parking rations may vary.
- (l) Streets, Utilities, Drainage: Publically dedicated infrastructure to meet City standards.
- (m) Traffic Calming & Good Street Design: to be considered in PUD design.
- (n) Circulation/Access: Site to be designed to promote a grid network of streets, minimize dead ends and cul-de-sacs. PUD's to include provisions for pedestrians, bicycles and transit.
- (o) Landscaping: PUD master landscape plan to include street trees, screening, parking lot landscaping & the preservation of mature, health hardwood trees where applicable.
- (p) Signage: Master signage plan to be included in PUD. Minimize number of freestanding signs.

### Action Requested:

As a public hearing will be held at the Plan Commission meeting, testimony from the public should be listened to and considered before deciding on the requested PUD application.

### Attachments

- Map of existing premise.
- Proposed architectural site layout and building elevations for the two 44-unit buildings.
- Draft grading plan. (A revised plan is expected and will be submitted to the Plan Commission when available.)
- The pictures in the packet represent similarly designed facilities previously constructed by the applicants.

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

May 19, 2015

## Agenda Item 7:

**Review and Consideration of a Planned Unit Development (PUD) application filed by CADC Investments LLV on behalf of Paul L. Nelson, 700 Angel Court Holmen, WI 54636, for the purpose of developing a multi-family development on the property located at 2137 Sand Lake Road (Tax Parcel #18-4509-1).**

1. PUD Application Fee of \$700.00 (*PAID*).
2. Park Fee of Park fee of \$922.21 (per unit) due prior to issuance of building permit.
3. Topography Map fee of \$10.00 (per acre).
4. Payment of 1998 Special Assessments: \$8,399.52 for water and \$14,349.18 for sanitary sewer.
5. Final Implementation Plan to be submitted for review and approval prior to any development activities.
6. Owner/developer to provide a development schedule indicating construction commencement and completion, project phases, the dedication of public improvements, and administration of covenants.
7. FEMA Letter of Map Revision (LOMR) must be submitted to the City Engineer prior to any grading work.
8. Owner/developer to submit a master grading and stormwater plan to be approved by the City Engineer.
9. Owner/developer to submit a master utility plan for utility improvements for each development phase to be approved by the City Engineer.
10. Owner/developer to submit final, colored renderings of architectural elevations with details and materials to be approved by the Planning Department.
11. Owner/developer to submit a master open space plan with provision for maintenance to be approved by the Planning Department.
12. Owner/developer to submit a master landscaping plan to be approved by the Planning Department.
13. Obtain a survey from a qualified archeologist as this site is located in the Sand Lake Archaeological District. Final report to be submitted to the City prior to any earthwork.
14. Driveway access to Sand Lake Road to be approved by La Crosse County.
15. Owner/developer to install sidewalk to City standards along full length of Sand Lake Road.
16. Site's location in B3 Airport Overlay Zoning District requires completion of the Land Use Permit.

17. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals). 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.
18. 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.
19. 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.

CADC Investments LLC

700 Angel Ct

Holmen, WI 5463

(608)783-5809

We, CADC Investments LLC, are comprised of Dale Brott, Clint Meyer, and Alexis Meyer. Together, and separately the members of CADC Investments have been building and renting a vast variety of homes to residents of Milwaukee, West Salem, La Crosse, Onalaska and Holmen for thirty plus years. Our goal is to provide a high quality living experience to multi-generational renters; with a focus on seniors and business professionals.

Our proposed Planned Unit Development (PUD) will incorporate a technologically advanced living environment with superior amenities, and an aesthetically pleasing environment. Our proposed multi-story, condo style, apartments will be comprised of one and two bedroom units. Each unit will provide tenants with energy efficient appliances, including a stove, fridge, microwave, dishwasher, washer and dryer. Additionally, each unit will have a fireplace, air conditioning, gas heat, and ceiling fans. All one bedroom units will be allowed one underground parking space. All two bedroom units will allow for one underground parking space and one outdoor space.

In addition to the quality put into each unit, these facilities will provide residents with the security of locked/coded entries, underground parking, monitored hallways and common areas, and fire sprinklers. For the convenience of each tenant these buildings will also offer on site secure mail delivery, indoor refuse disposal and recycling, soft water, handi-cap accessible entries, elevators, public bathrooms, community rooms, and exercise facilities.

The structures will be constructed of 8 foot poured basement walls, and wood framed walls. The exteriors will be finished with matching vinyl siding, architectural shingles and brick ledge four feet high around the perimeter. Each balcony will be wood framed.

The proposed cottages along the Northwest property line will all be two bedroom, two bathroom units. Each unit will have a two car attached garage. Interior amenities will include stove, fridge, dishwasher, microwave, washer/dryer hook-ups, air conditioning, gas heat, and fireplace. Exteriors will be finished with vinyl siding, architectural shingles and a brick ledge four feet high in the front of the garages and the front of the homes.

May 4, 2015

PUD GDP

I. Economic Overview

A. Proposed investment

- a. Building #1- \$3 million
- b. Building #2- \$3 million
- c. Building #3- \$1,100,000.00

B. Residential Units

- a. 24 1-bedroom units, 740-1000 square feet/unit, ea. assigned 1 parking space
- b. 68 2-bedroom units, 1040-1300 square feet, ea. assigned 2 parking spaces
- c. 11 2-bedroom units on slab with attached 2 car garage, 1200 square feet

C. Job creation

- 1- General maintenance
- 1- Interior housekeeping
- 1- grounds keeper
- 1- Office/ clerical

II. Development organization

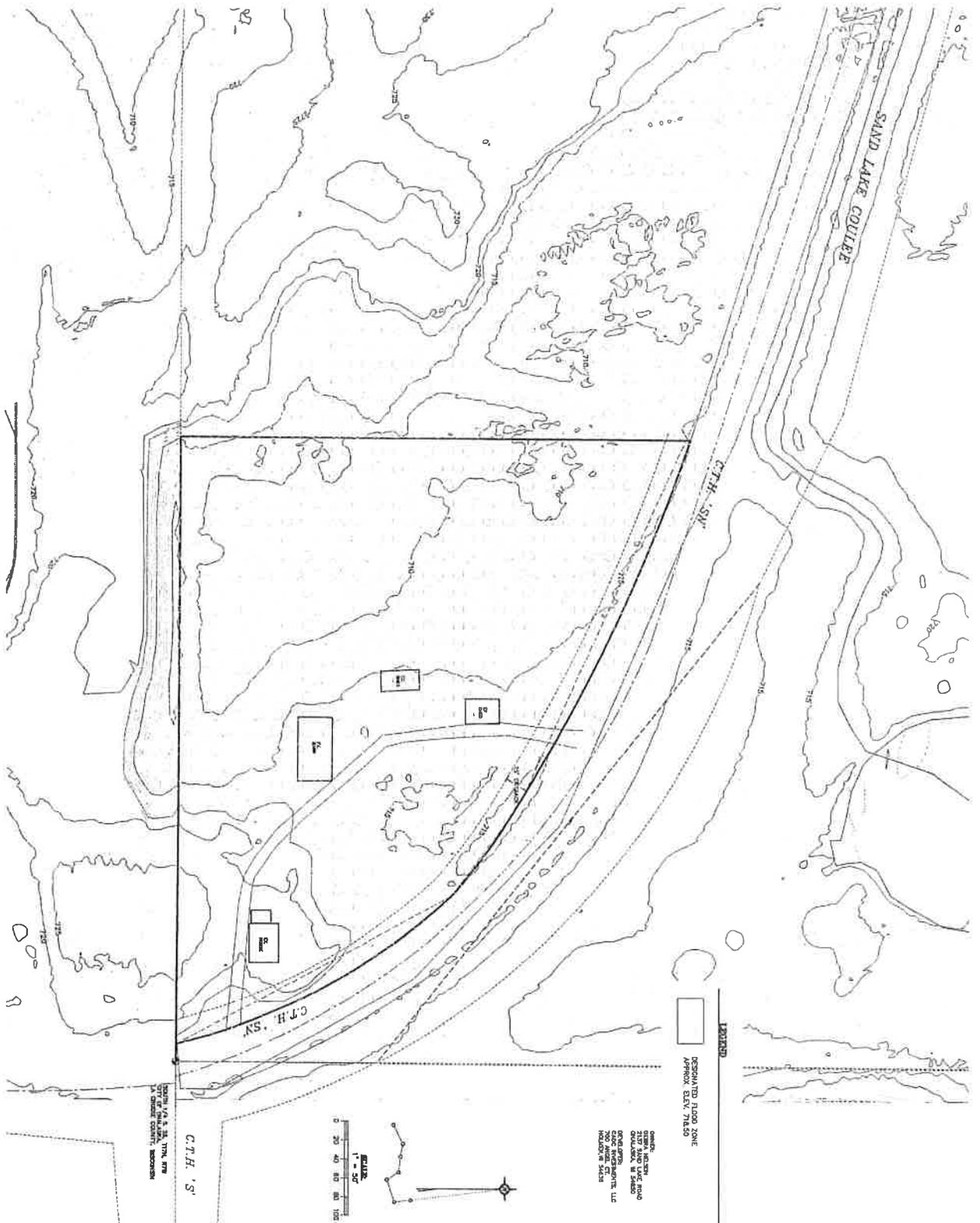
- A. PUD owned and operated by CADC investment LLC
- B. CSM overlay details future partial split
- C. Will be maintained by ingress/ egress easements for traffic and utilities

III. Timing associated with phasing plan

- A. Phase I- 44-46 units (east side of property nearest Sand Lake Rd) Bldg #1
  - a. Start date- August 2015
  - b. Completion- August 2016
  - c. Full occupancy- February 2017

- B. Phase II- 44-46 units, Bldg #2**
  - a. Start date- April 2017
  - b. Completion- May 2018
  - c. Full occupancy- September 2018
  
- C. Phase III- 11 townhomes (4/4/3 units)**
  - a. Start date- June 2017
  - b. Completion- June 2018
  - c. Full occupancy- December 2018



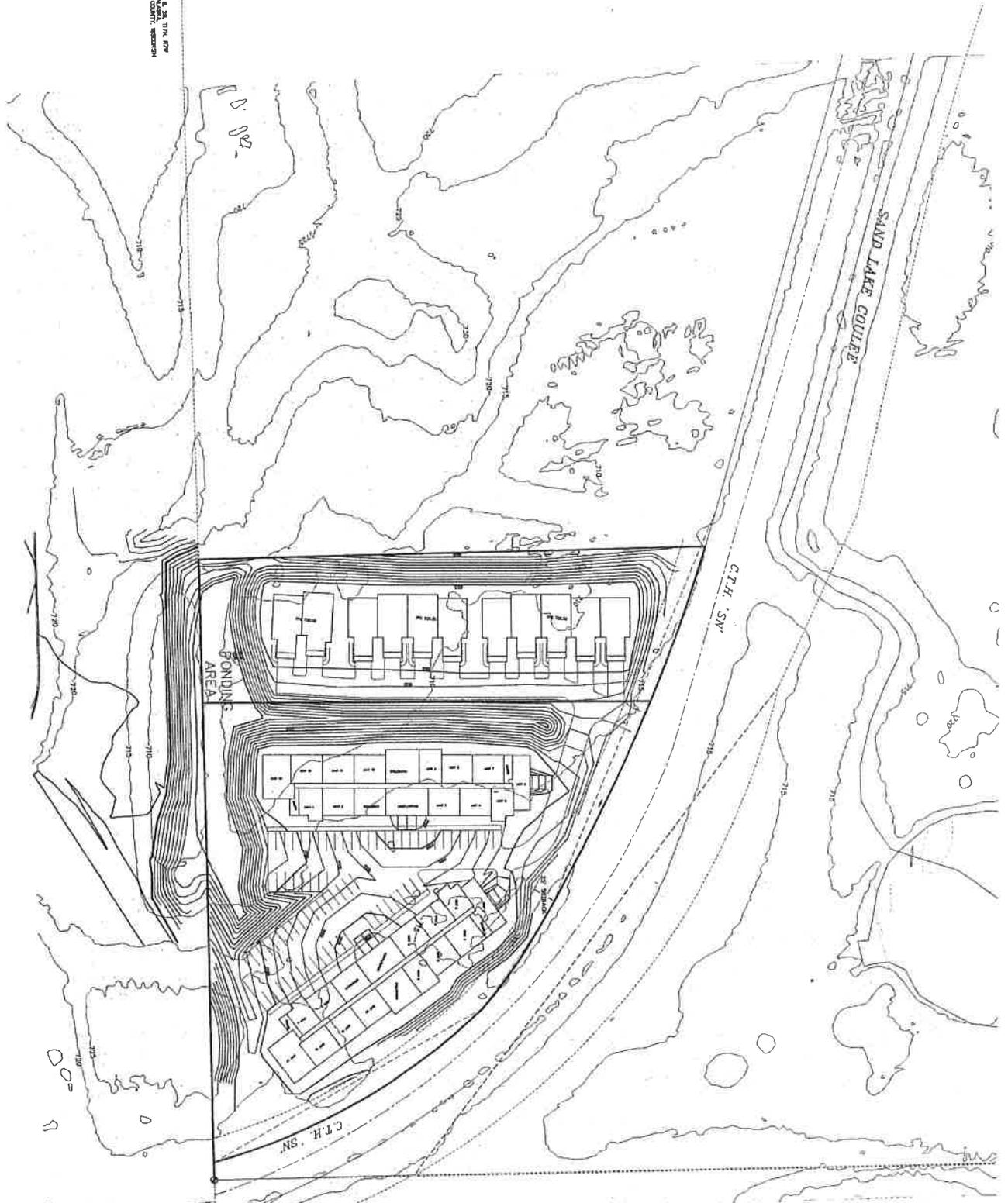


CADC INVESTMENTS LLC  
 2137 SAND LAKE ROAD, ONALASKA  
 EXISTING CONDITIONS  
 PRELIMINARY - PLANNED UNIT DEVELOPMENT

LA CROSSE ENGINEERING & SURVEYING  
 COMPANY, INC.  
 1212 SOUTH 3rd STREET  
 LA CROSSE, WI 54601  
 PHONE (608) 785-3453  
 FAX (608) 785-3452

RECEIVED  
 APR 11 2013  
 BY:

L.A. 200 171N, 87W  
COUNTY RESOLUTION



BOUNDARY LINE OF SAND LAKE ROAD  
AS SHOWN ON COUNTY RESOLUTION

C.T.H. 'S'



BOUNDARY LINE OF SAND LAKE ROAD  
AS SHOWN ON COUNTY RESOLUTION

C1

CADC INVESTMENTS LLC  
2137 SAND LAKE ROAD, OMAHASKA  
PRELIMINARY - PLANNED UNIT DEVELOPMENT

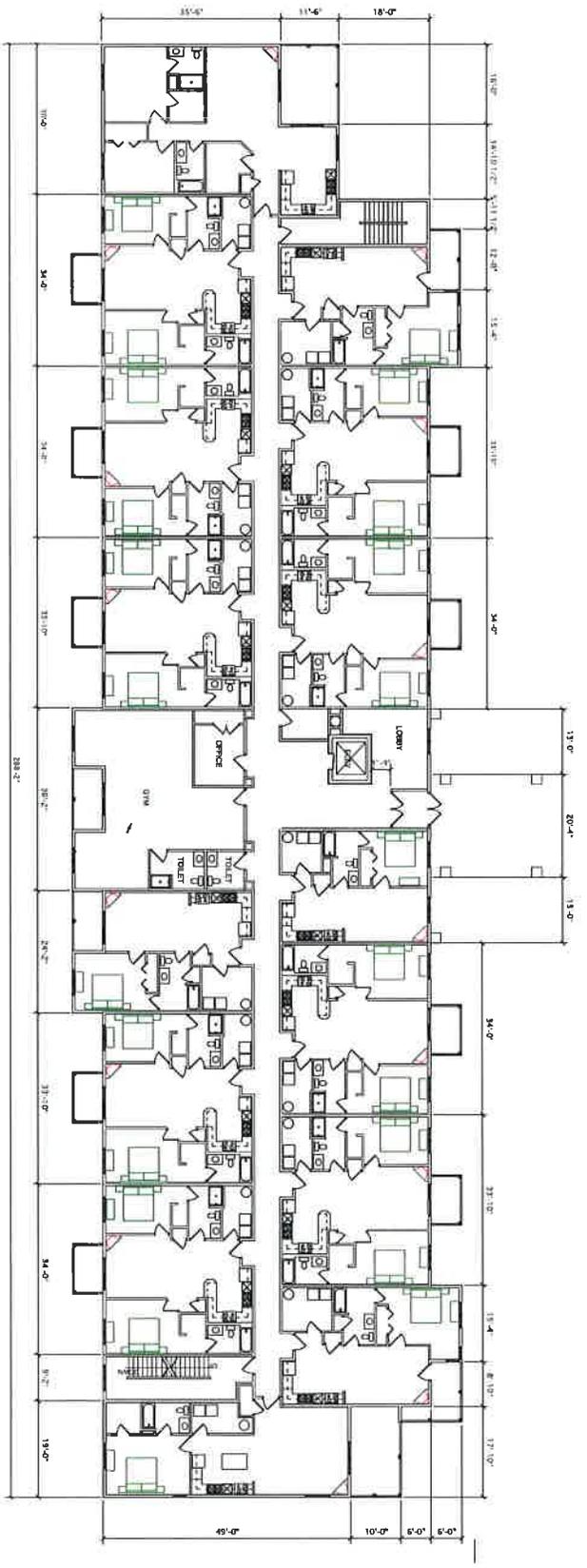
LA CROSSE ENGINEERING & SURVEYING  
COMPANY, INC.  
1212 SOUTH 3rd STREET  
LA CROSSE, WI 54601  
PHONE: (608) 785-8333  
FAX: (608) 785-2122

RECEIVED  
APR 22 2015  
BY:





**BUILDING STREET ELEVATION**  
SCALE 3/32" = 1'-0"



**FIRST FLOOR PLAN**  
SCALE 3/32" = 1'-0"

**NELSON PROPERTY PUD DEVELOPMENT**  
SAND LAKE ROAD  
ONALASKA WI

**CHRIS L A SHORNE**  
ARCHITECTURE  
3843 Ebnor Cottage Pl, La Crosse WI 54601  
(608) 785-2856  
Architecture and Design  
for Residential, Commercial, Medical, Transportation

Sheet No:	<b>A2</b>
Project No.:	2018.007
Date:	06.04.2018
Drawing Name:	







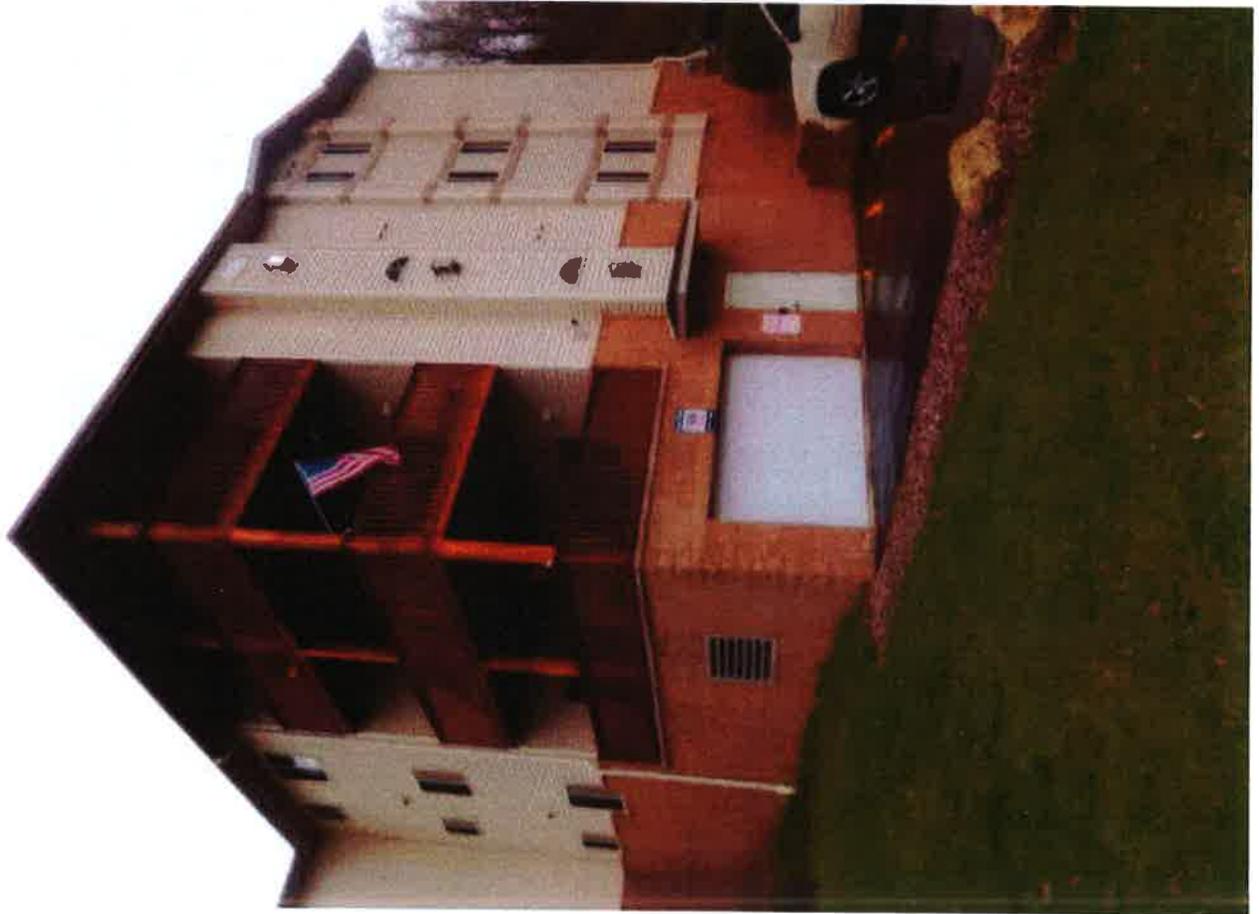
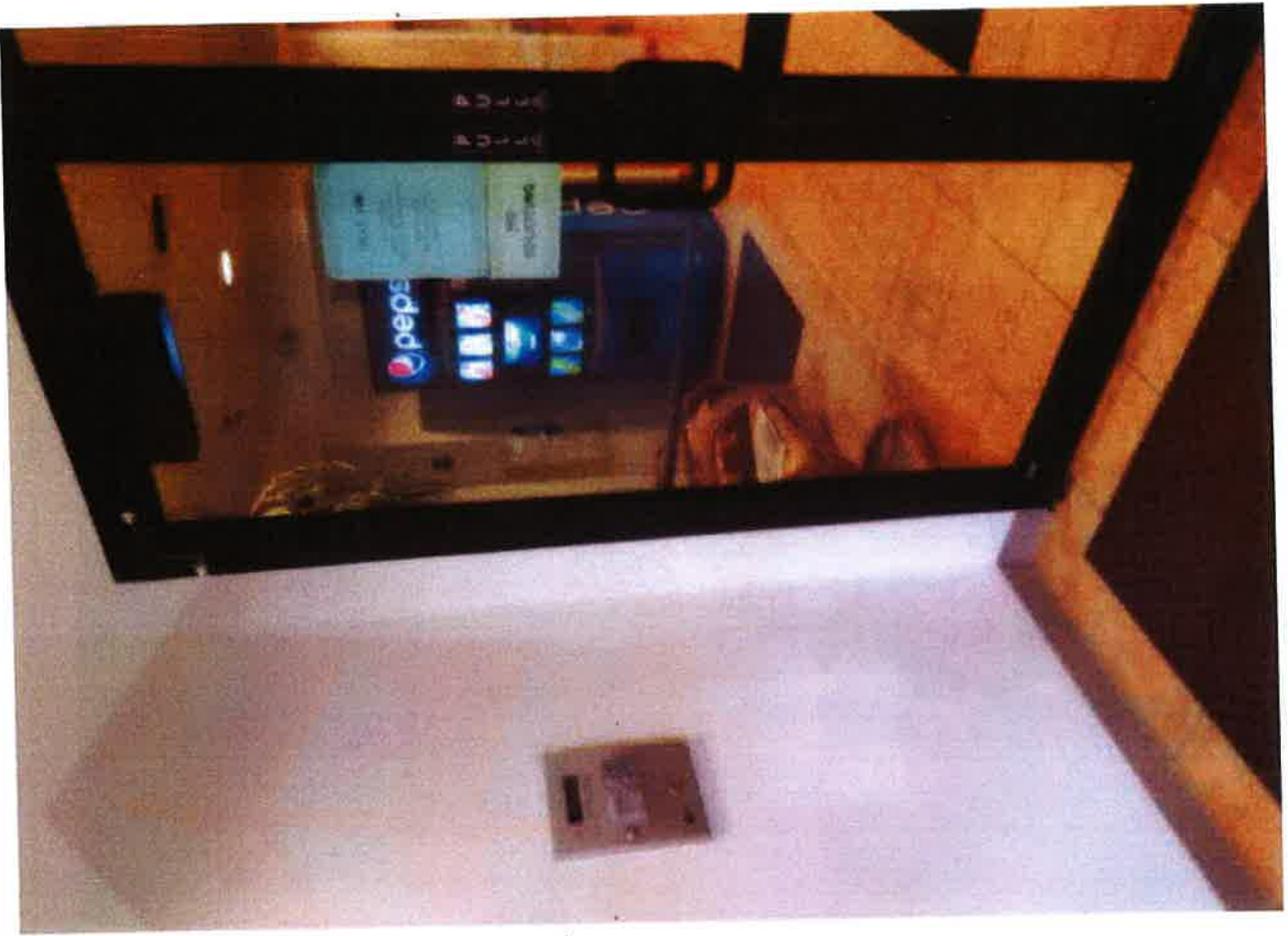




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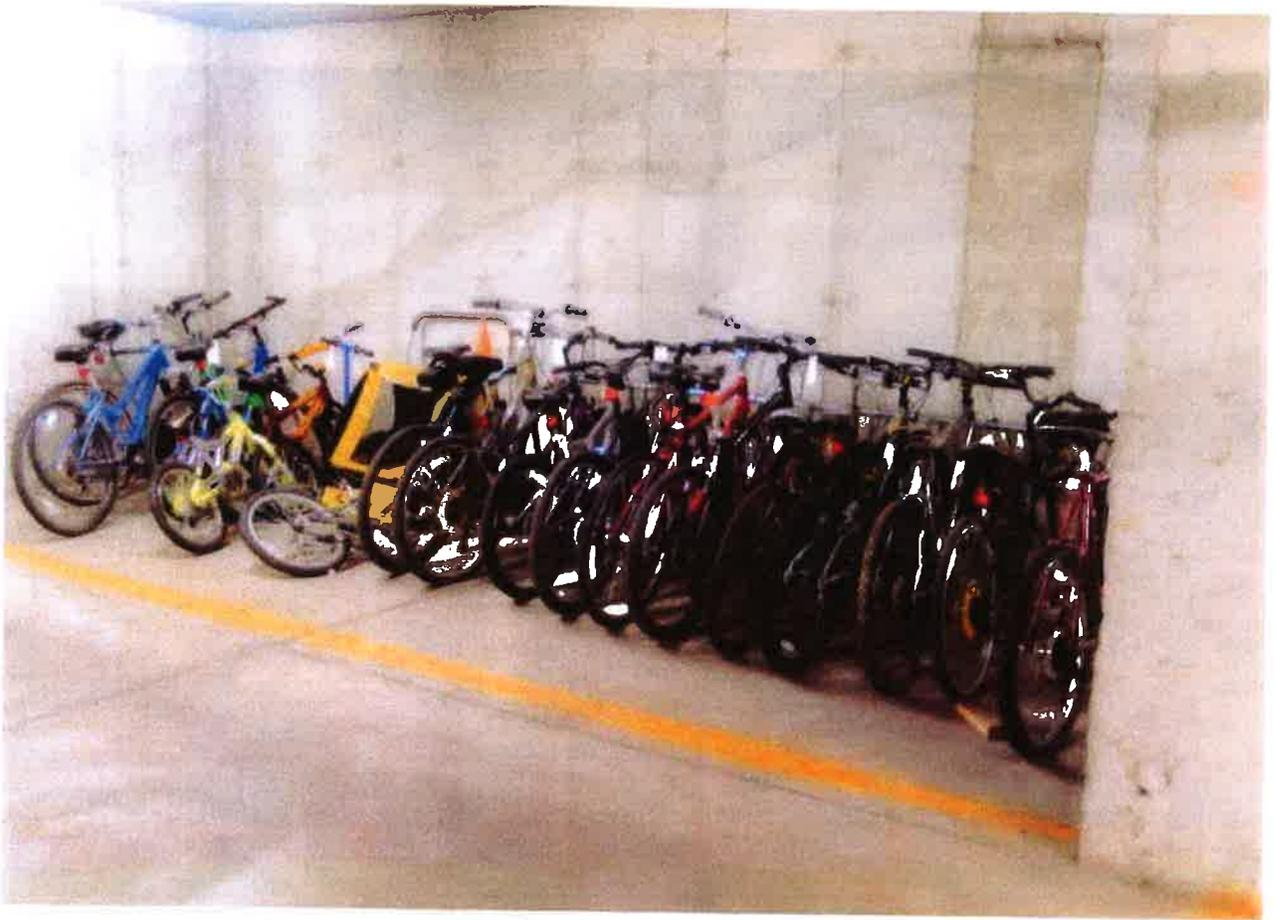






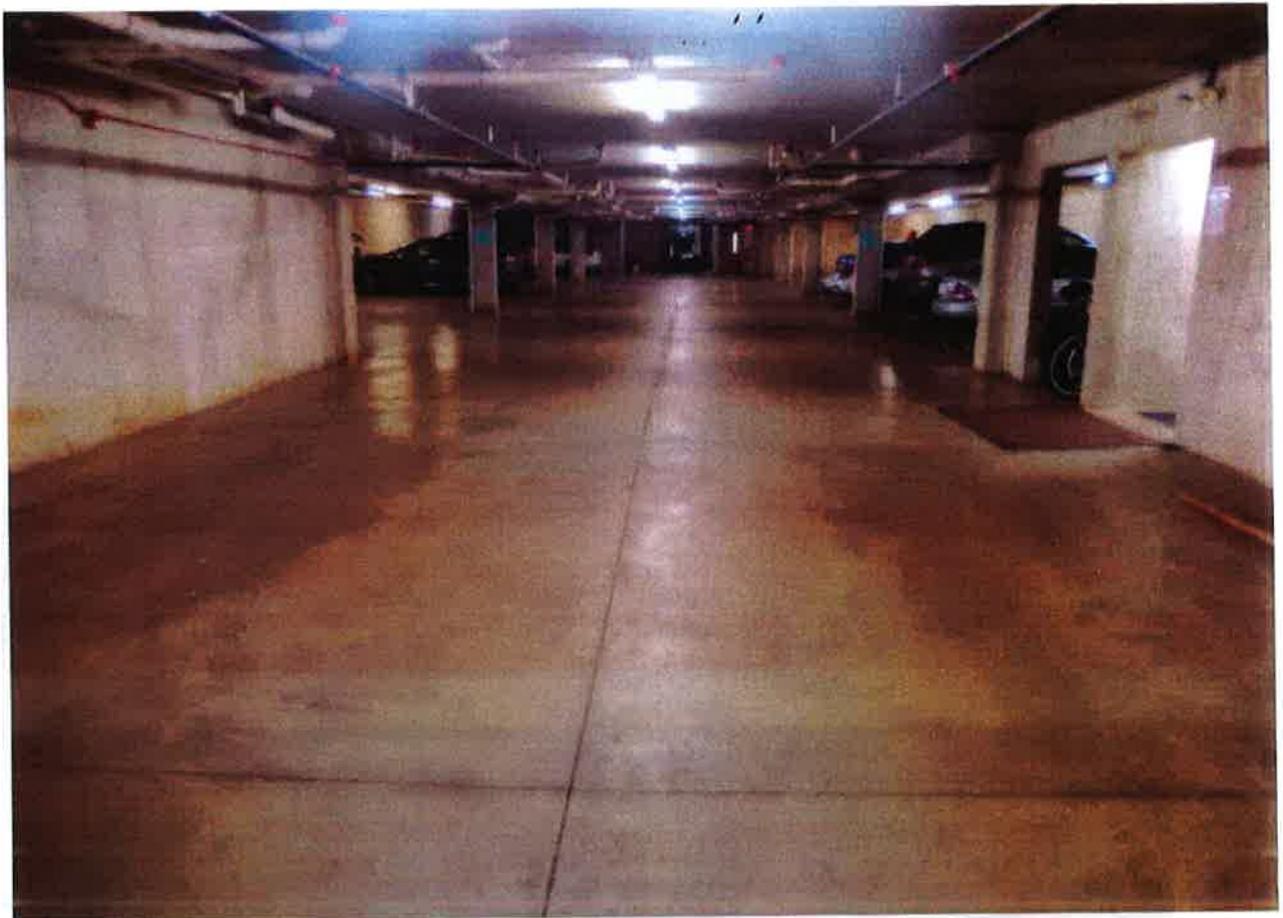
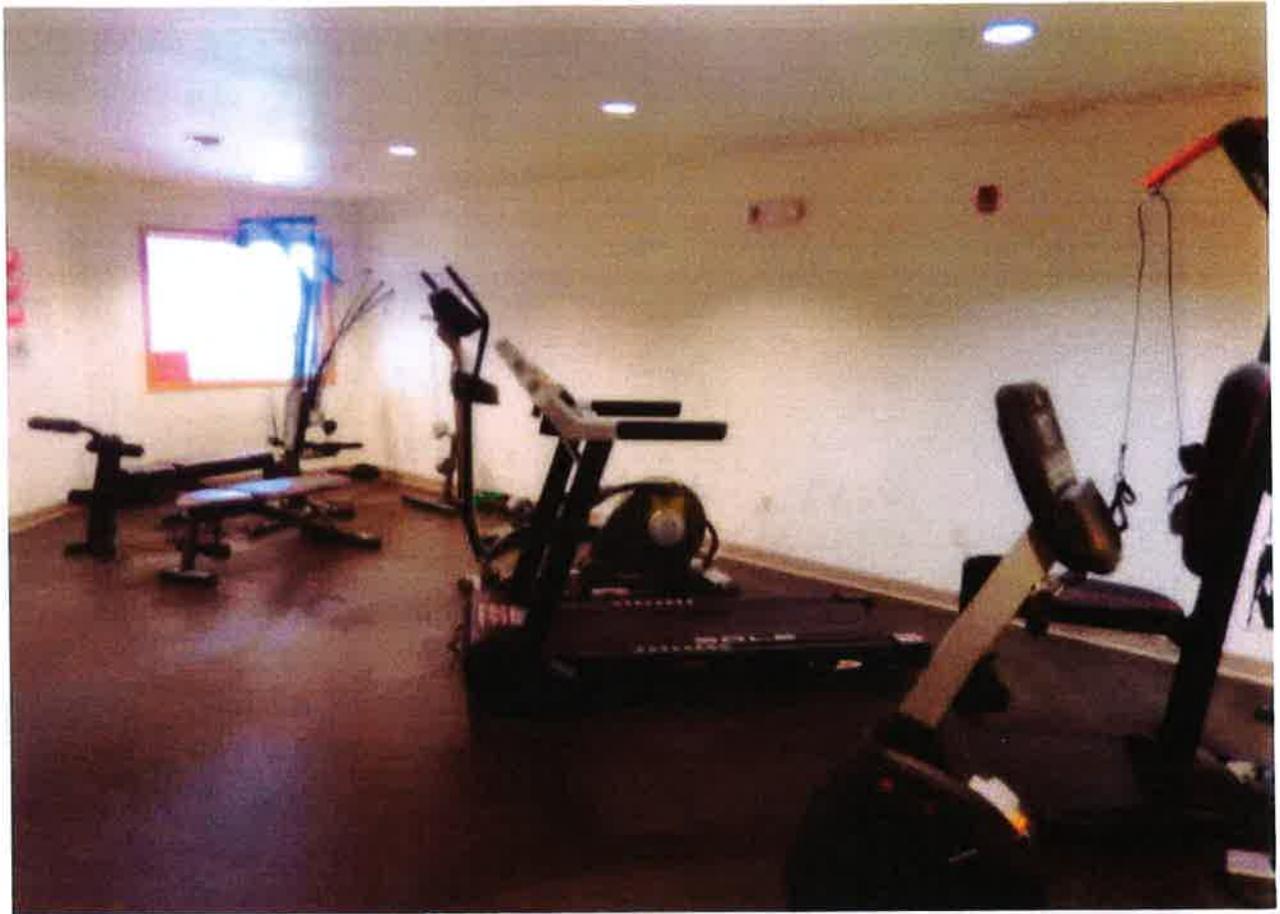
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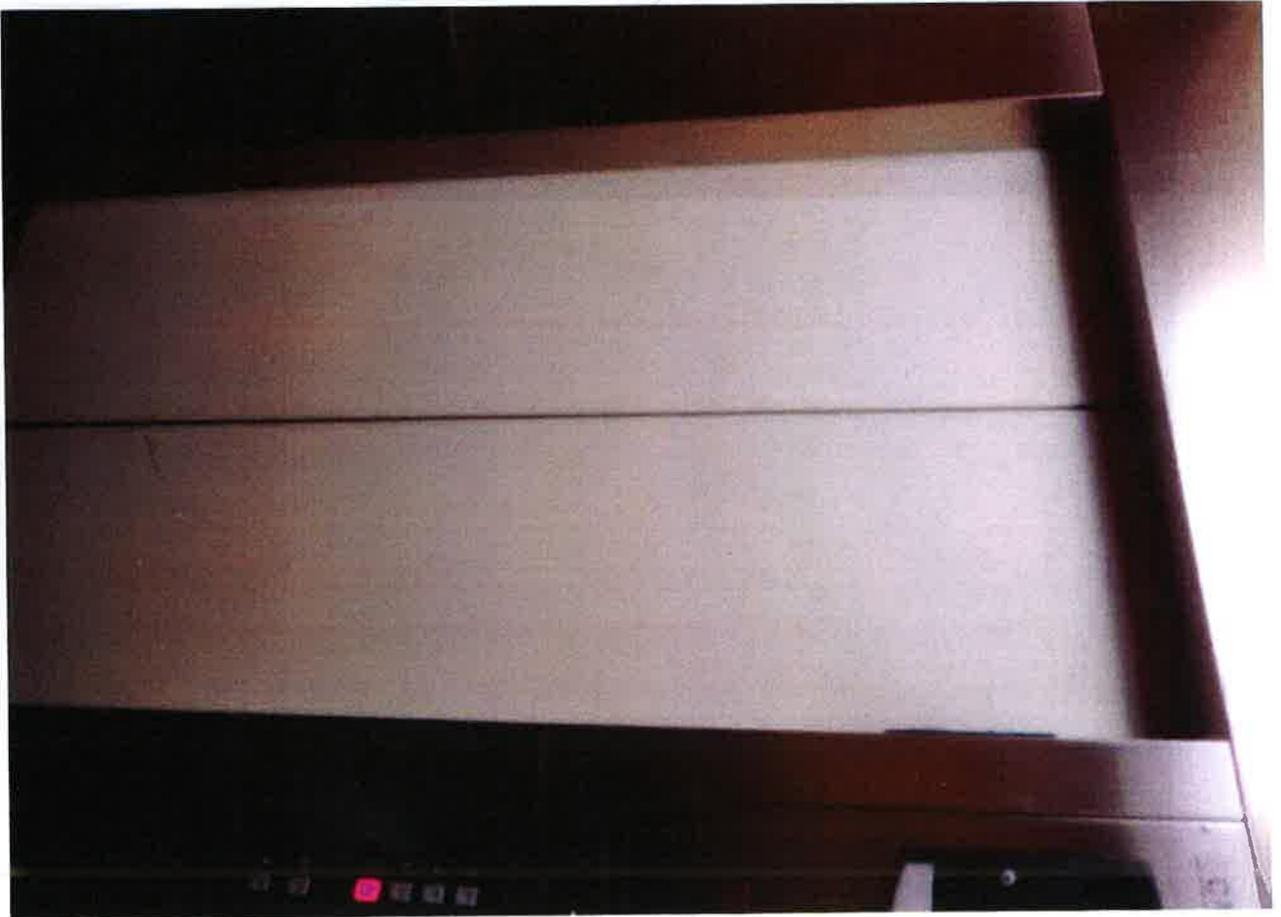


















City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

# PUD GENERAL DEVELOPMENT PLAN APPLICATION

The following checklist will ensure the timely processing of your application:

➔ **Overview/ Cover Letter Describing the following:**

- ▶ A statement describing character and goals of the PUD and a general schedule for implementation.
- ▶ Plan Set including: Proposed site plan, density, uses, lot area, setbacks, building heights, common open space, landscaping, architecture, parking, streets/circulation, signage, utilities, & drainage.

➔ **\$700 Permit Application Fee** (Payable to the City of Onalaska).

*If incomplete, no further processing of the application will occur until the application is complete.*

A Planned Unit Development (PUD) may be used as a custom zoning district for any land use or combination of land uses. The minimum size of a PUD is five (5) acres. A PUD is reviewed through a two-part process: 1) General Development Plan (GDP) and a 2) Final Implementation Plan. A GDP requires a public hearing at a Plan Commission meeting where the developer provides a plan set for the PUD including all items noted above (Sections 13-3-5 & 13-3-7 of the Unified Development Code). If the GDP is approved, the next step is completing a Final Implementation Plan reviewed by the Plan Commission and Common Council for final approval.

**Brief Description of Request for a PUD:**

have PUD to allow for multifamily development. <sup>Proposed plan</sup> ~~will~~ <sup>will</sup> ~~allow~~ two three story, one and two bedroom, condo style apartments, and cottage style buildings <sup>with</sup> each with two bedrooms, and two car attached garages

Property Address(es):

Parcel Number(s):

18-	18-
18-	18-
18-	18-
18-	18-

Zoning District:

Applicant/Property Owner: CADK Investments LLC

Project Contact: Alexis Meyer / Dale Brott

Mailing Address: 700 Angel Ct, office

City, State, Zip: Holmen, WI 54636

Phone Number: 608 792 7329 / 792 9662

Email: alexis@rent10.com | dale@dalebrott.com

The undersigned hereby makes an application for the location stated herein. The undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.

Signature of Applicant:

Date: 4/21/15

Signature of Property Owner:

Date: 4/21/15

OFFICE USE ONLY:	Date Submitted:	Permit Number:
Permit Fee:	<input type="checkbox"/> Cash <input type="checkbox"/> Check #	Application Received by:



# CITY OF ONALASKA

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## Planned Unit Development Checklist (General Development Plan)

The submittal to your proposed project must include the following information in order to be considered an Application for Planned Unit Development (PUD) Review for General Development Plan (GDP). The submittal of the proposed project must include the following information in order to be considered a complete application for a GDP. Refer to City of Onalaska's Unified Development Code for more information regarding standards, plans, and requirements (Sections 13-3-5 & 13-3-7). **Please provide the following with the site plan application submittal: two (2) full-size copies (24" x 36"), two (2) 11" x 17" copies, and a 24" x 36" electronic version of entire plan set.**

1. Completed Planned Unit Development (PUD) General Development Plan Application form with completed and signed checklist.  
 *Attached*
2. A cover letter is required providing a statement describing the character of the PUD and general schedule for implementing the development. Other information includes, but not limited to, permitted/conditional uses, acreage, proposed density, and setbacks, building height, environmental design, common open space, architecture, parking, streets, utilities, and drainage, circulation/access, landscaping and signage. This information will be used by the Plan Commission in addition to items in the plan set to review the PUD.  
 *Attached*
3. Application Review Fee: \$700.00 (Payable to the City of Onalaska).  
 *Submitted*
4. **Plan Set.** New development will require a professionally drawn site plan to be submitted, drawn to an engineered scale, and include the following items:
  - A. Plan of the project area and its relationship to surrounding properties with existing topography, easements, existing vegetation and all other features within one hundred (100) feet of the proposed PUD.
  - B. Identify the following:
    - 1) Pattern of proposed land uses;
    - 2) Pattern, shape, size, arrangement, and disunity of proposed use areas;
    - 3) Pattern and design of all circulation provisions;
    - 4) Pattern and design of all common open space areas (including proposed management);
    - 5) Utility provisions;
  - C. Economic analysis of the developed including proposed investment, phasing, job creation, etc. if required.
  - D. A general outline of the organizational structure for the enforcement and administration of protective covenants if applicable.
  - E. A schedule for the implementation of the development.  
 *Attached*     *Does Not Apply, Please state reason:* \_\_\_\_\_

*All information listed above is attached to this application and I understand that incomplete submittals may delay the processing of the application.*

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY OF ONALASKA  
PLAN COMMISSION**

Please take notice that the City Plan Commission for the City of Onalaska will hold a public hearing on

**TUESDAY, MAY 26, 2015  
Approx. 7:30 P.M.  
(or immediately following public hearing at 7:20pm)**

in Onalaska City Hall, 415 Main Street, Onalaska, Wisconsin 54650 at which time they will consider an application filed by CADC Investments LLC for Paul L. Nelson, 700 Angel Court, Holmen, WI 54636 for the purpose of developing a Planned Unit Development (PUD) to allow for multi-family development on the property located at 2137 Sand Lake Road, Onalaska, WI 54650.

Property is more particularly described as:

Computer Number 18-4509-1

Section 28, Township 16, Range 7

PRT SE-SW COM SW COR N89D 31ME 645.7FT TO POB CONT N89D31ME

684FT TO C/L CTH-SN N37D13MW 502.24FT N66D26MW 414.8FT S

571.57FT TO POB EX .11AC FOR R/W IN V1043 P738 & EX .55AC PREV

TAKEN

YOU ARE FURTHER NOTIFIED that the City of Onalaska Plan Commission will hear all persons interested, their agent or attorney concerning this matter.

More detailed information on this item will be posted to the City of Onalaska website [www.cityofonalaska.com](http://www.cityofonalaska.com) the Friday before the scheduled meeting under Agendas & Minutes/Plan Commission. This posting will contain the Plan Commission Agenda and all attachments referencing this item.

Dated this 8th Day of May, 2015.

Cari Burmaster  
City Clerk





# CITY OF ONALASKA

Agenda Item:

# 8

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

- Agenda Item: Consideration of a Planned Unit Development Amendment for Walnut Grove Subdivision.
- Applicant: Jeff Moorhouse of Paragon Associates on behalf of I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54601
- Property Owner: I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54601
- Parcel Number: 18-6307-0
- Site Location: Intersection of Summers Day Lane and Walnut Place
- Existing Zoning: Single Family Residential (R-1) and Planned Unit Development (PUD) Zoning Districts

Background:

This request is to review the proposed changes to the Walnut Grove Subdivision Planned Unit Development (PUD) to subdivide Lot 2 into two (2) buildable lots.

PUD History:

- Approval of Final Implementation Plan for Subdivision PUD in January 2007.
- Approval of PUD Amendment to waive maximum front yard setbacks and proposed lot density from thirty (30) lots to seven (7) lots November 2009.
- Approval of Revised Preliminary Plat (Replat) for lot configuration, lot access, and cul-de-sac redesign approved in September 2012.
- Approval of Non-Substantial Alteration to PUD in October 2012 to be consistent with replat reconfiguration approved by Plan Commission in September 2012.
- Approval of Final Plat for Walnut Grove Addition in November 2012.
- Staff approval of a “Minor Modification” of Walnut Grove PUD in October 2014 to adjust the boundaries of Lot 7 through a Certified Survey Map.

Enclosed please find:

- Approved Walnut Grove PUD Final Plat approved in November 2012.
- Approved Walnut Grove PUD Drainage Plan approved in November 2012.
- Proposed Walnut Grove PUD Lot Layout Plan with setbacks (for proposed lot split).
- Proposed Walnut Grove PUD Grading/Erosion Control/Utilities (for proposed lot split).

- Action Requested: As a public hearing will be held at the Plan Commission meeting, testimony from the public should be listened to and considered before deciding on the requested PUD Amendment application.

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

May 19, 2015

## Agenda Item 8:

**Review and Consideration of a Planned Unit Development (PUD) Amendment application filed by Paragon Associates on behalf of I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54603, for the purpose of subdividing Walnut Grove Lot 2 into two (2) buildable lots on the property located at 1005 Summers Day Lane (Tax Parcel #18-6307-0).**

1. Owner/developer shall abide by all conditions of Walnut Grove PUD approvals and all plat approvals, including but not limited to:
  - A) All dwellings that are setback more than 50' from the public right of way must have the following fire protection:
    - i) Driveway no steeper than 10% grade
    - ii) Driveway width 18' minimum
    - iii) Driveway must be designed to accommodate fire truck loading
    - iv) Structure must be maximum 400' laying distance to the nearest fire hydrantIf any of these conditions are not met alternate fire protection measures must be taken (i.e. sprinkler in the building) and approved by Engineering and Fire Departments.
  - B) Structures shall not be permitted on ridgelines where they are sky-lined per comprehensive plan recommendations.
2. A copy of the amended 20' Stormwater Easement across Lot 2 shall be provided to the City prior to the issuance of a Building Permit.
3. Ingress/Egress and Utility Easement across Lot 3, which serves Lot 2 to be amended as needed for proposed reconfiguration of lots. A copy of the amendment easement to be provided to the City.
4. Owner/developer must notify the City prior to any utility connection to public utilities. Water and sanitary sewer for Lot 21 to be served from easement along South lot line.
5. At the beginning of the private road, Walnut Place (which provides access to Traci's Plat), all house numbers accessed off that road shall be signed or the private road shall be named as a private street.
6. All future improvements to these parcels will be subject to additional City permits (i.e., building permits, zoning approvals) and additional City fees (i.e., parks fees, green fee). Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to issuance of the occupancy permit.
7. 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.

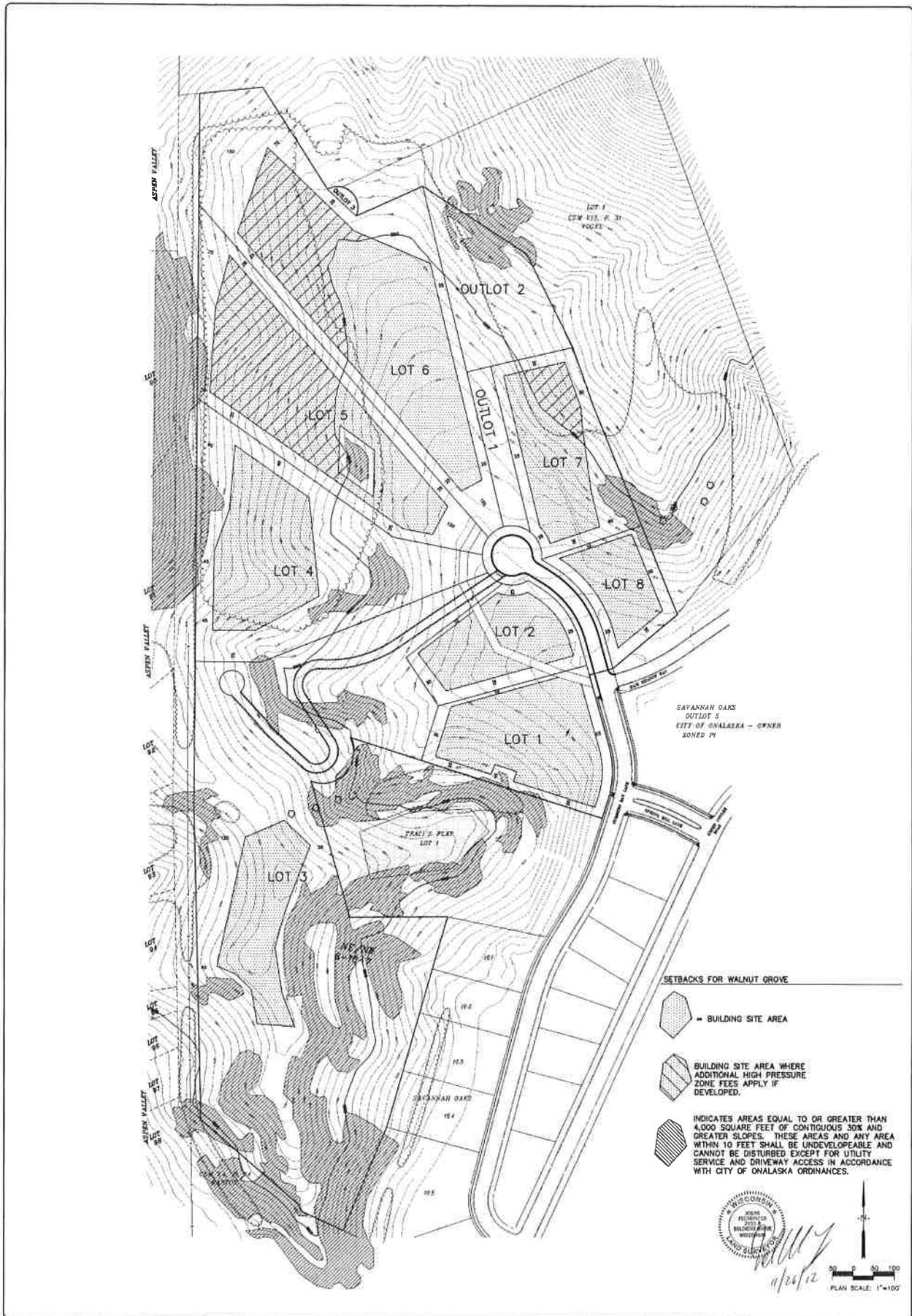
8. Any omissions of any conditions not listed in the minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.







# EXISTING PUD MAP

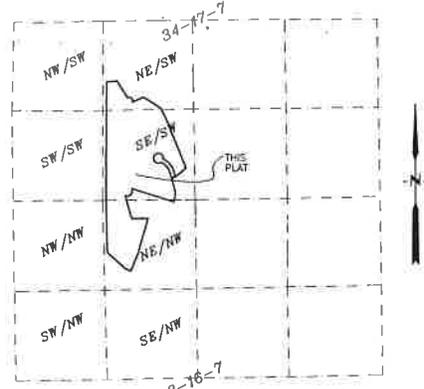


# FINAL PLAT (EXISTING)

**WALNUT GROVE**  
 LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST  
 QUARTER (NE/SW), AND PART OF THE SOUTHEAST QUARTER OF THE  
 SOUTHWEST QUARTER (SE/SW) OF SECTION 34, T17N, R7W,  
 AND IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER  
 (NE/NW) OF SECTION 3, T16N, R7W,  
 CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.

**SURVEYORS CERTIFICATE**

I, PAUL E. FAIRCHILD, REGISTERED LAND SURVEYOR #2558, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, AND THE SUBVISION REGULATIONS OF THE CITY OF ONALASKA, AND UNDER THE DIRECTION OF THE OWNERS OF SAID PLAT AS LISTED BELOW, I HAVE SURVEYED, DIVIDED, AND MAPPED WALNUT GROVE, THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED, AND THAT THIS LAND IS LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, T16N, R7W, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SE/SW) AND PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/SW) OF SECTION 34, T17N, R7W, LOCATED IN THE CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH SECTION LINE THEREOF, N89°31'51"E, 1354.51 FEET TO THE SOUTHWEST CORNER OF SAID SE/SW; THENCE ALONG THE SOUTH LINE OF SAID SE/SW, N89°31'08"E, 35.36 FEET TO THE POINT OF BEGINNING; THENCE N00°22'35"E, 1728.87 FEET TO THE SOUTH LINE OF THE PARCEL DESCRIBED IN DOCUMENT #146010; THENCE ALONG SAID SOUTH LINE, N84°42'37"E, 151.81 FEET; THENCE CONTINUING ALONG SAID SOUTH LINE, S33°30'43"E, 232.97 FEET TO THE ARC OF A 50 FOOT RADIUS C&A-DE-S&C CURVE, CONCAVE TO THE SOUTHWEST; THENCE 128.00 FEET ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS S47°41'38"E, 95.21 FEET; THENCE ALONG THE WEST LINE OF LOT 1 OF CERTIFIED SURVEY MAP, VOLUME 13, P. 31, THE NEXT 5 CALLS: 1) N49°58'45"E, 177.99 FEET; 2) S87°13'37"E, 300.44 FEET; 3) S31°13'30"E, 252.22 FEET; 4) S18°27'02"E, 145.13 FEET; 5) S22°08'18"E, 550.00 FEET TO THE NORTHWEST LINE OF SAVANNAH GAKS PLAT; THENCE ALONG SAID NORTH AND WEST LINES THE NEXT 5 CALLS: 1) S50°10'47"W, 203.31 FEET; 2) S74°19'29"W, 80.00 FEET; 3) S45°41'31"E, 174.30 FEET TO THE BEGINNING OF A 250 FOOT RADIUS CURVE, CONCAVE TO THE NORTHWEST; 4) 128.22 FEET ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS S01°00'17"W, 128.41 FEET TO THE END OF SAID CURVE; 5) S17°42'05"W, 48.84 FEET TO THE NORTHEAST CORNER OF TRACTS PLAT; THENCE THE NEXT FIVE CALLS ALONG THE EXTERIOR BOUNDARY OF SAID TRACTS PLAT: 1) N72°26'25"W, 44.22 FEET; 2) S18°11'44"E, 13.58 FEET TO THE BEGINNING OF A 75 FOOT RADIUS CURVE, CONCAVE TO THE NORTHWEST; 3) 171.82 FEET ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS S47°21'31"W, 124.55 FEET TO THE END OF SAID CURVE; 4) S16°09'10"E, 343.48 FEET; 5) N89°38'58"E, 236.88 FEET TO THE WEST LINE OF SAID SAVANNAH GAKS PLAT; THENCE ALONG SAID WEST LINE, S18°14'26"W, 528.40 FEET; THENCE CONTINUING ALONG SAID WEST LINE, S22°23'00"W, 211.25 FEET; THENCE N05°11'00"W, 112.53 FEET TO THE NORTH LINE OF CERTIFIED SURVEY MAP, VOLUME 4, PAGE 74; THENCE ALONG SAID NORTH LINE, N05°28'37"W, 19.06 FEET; THENCE CONTINUING ALONG SAID NORTH LINE, N49°13'13"W, 308.84 FEET; THENCE N01°21'26"W, 752.10 FEET TO THE POINT OF BEGINNING, CONTAINING 42.70 ACRES.



**LIMITED LIABILITY COMPANY OWNERS' CERTIFICATE**

I, B. L.L.C., A LIMITED LIABILITY COMPANY (LLC) DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID LLC HAS CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THIS PLAT, AND DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY A 236.10 OR A 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: STATE OF WISCONSIN, DEPARTMENT OF ADMINISTRATION, CITY OF ONALASKA.

IN WITNESS WHEREOF, THE SAID LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY BEAR SHABAN, MANAGING MEMBER, THIS 4<sup>TH</sup> DAY OF December, 2012.

IN THE PRESENCE OF:  
 BEAR SHABAN

STATE OF WISCONSIN )  
 COUNTY OF LA CROSSE ) SS  
 PERSONALLY CAME BEFORE ME THIS 4<sup>TH</sup> DAY OF December, 2012, BEAR SHABAN, MANAGING MEMBER OF THE ABOVE NAMED LLC, KNOWN TO ME THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE HAD EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID LLC, BY ITS AUTHORITY.

MY COMMISSION EXPIRES 12-12-2016  
 Amy Schuster, ONALASKA, WISCONSIN  
 NOTARY PUBLIC



**CONSENT OF CORPORATE MORTGAGEE**

NORTHWEST BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, NORTHEAST OF THE ABOVE DESCRIBED LAND, DOES HEREBY CONSENT TO THE SURVEYING, DIVISION, MAPPING AND DEDICATION OF THE LAND DESCRIBED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE OWNERS CERTIFICATE.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY GERALD JACOBSON, ITS PRESIDENT, AT CHIPPewa Falls, WISCONSIN, ON THIS 3<sup>RD</sup> DAY OF December, 2012.

IN THE PRESENCE OF: NORTHWEST BANK  
 GERALD JACOBSON, PRESIDENT

STATE OF WISCONSIN )  
 COUNTY OF LA CROSSE ) SS  
 PERSONALLY CAME BEFORE ME THIS 3<sup>RD</sup> DAY OF December, 2012, GERALD JACOBSON, KNOWN TO ME TO BE PRESIDENT OF THE ABOVE NAMED CORPORATION, AND TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH OFFICER OF SAID CORPORATION, AND ACKNOWLEDGED THAT HE HAS EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICER AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.  
 Gerald M. Schmidt, Chippewa Falls, WISCONSIN  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES 8-30-2014

**CERTIFICATE OF CITY TREASURER**

I, FRED BUEHLER, BEING THE DULY QUALIFIED, AND CITY TREASURER OF THE CITY OF ONALASKA, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF 12-17-2012 (DATE) ON ANY LAND INCLUDED IN THE PLAT OF WALNUT GROVE.

Fred Buehler, 12-17-2012  
 FRED BUEHLER, DATE  
 CITY TREASURER

**CERTIFICATE OF COUNTY TREASURER**

I, DONNA M. HANSON, BEING THE DULY ELECTED, QUALIFIED, AND ACTING TREASURER OF THE COUNTY OF LA CROSSE, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF (DATE) ON ANY LAND INCLUDED IN THE PLAT OF WALNUT GROVE.

DONNA M. HANSON, DATE  
 COUNTY TREASURER

**CITY OF ONALASKA APPROVAL CERTIFICATE**

RESOLVED, THAT THE PLAT OF WALNUT GROVE, HAS OF HONORABLE OWNERS, IS HEREBY APPROVED BY THE COMMON COUNCIL.  
 12/17/12  
 DATE: [Signature] CLARENCE MATHER

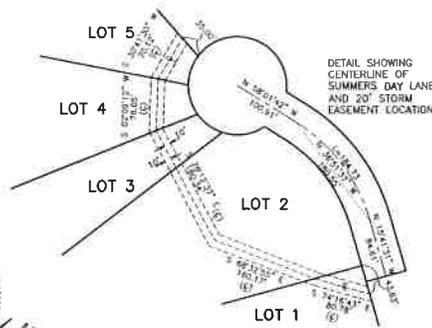
I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ONALASKA.  
 12-17-12  
 DATE: [Signature] CAROLINE BURMASTER, CITY CLERK

**CERTIFICATE OF REGISTER OF DEEDS**

I, CHERYL McBRIDE, REGISTER OF DEEDS, DO HEREBY CERTIFY THAT THE PLAT OF WALNUT GROVE, WAS RECEIVED FOR RECORD, THIS DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_.

CHERYL McBRIDE  
 REGISTER OF DEEDS

CURVE DATA				
C1 Δ = 144°23'20" R = 50.00 L = 126.00 C = S47°41'38"E 95.21 TB = N24°30'02"E N87°06'42"E	C2 Δ = 131°06'20" R = 75.00 L = 171.82 C = S47°41'21"E 136.55 TB = N87°05'29"W N18°11'49"W	C3 Δ = 310°45'00" R = 72.00 L = 390.50 C = N31°58'17.5"E 60.00 TB = N7°20'50"E N68°35'45"E	C3 LOT 2 Δ = 51°21'48" R = 72.00 L = 64.54 C = N82°16'39"E 82.41	
C3 LOT 3 Δ = 302°11' R = 72.00 L = 45.77 C = N57°49'51"W 43.00	C3 LOT 4 Δ = 302°51' R = 72.00 L = 45.76 C = N17°24'39.5"W 43.00	C3 LOT 5 Δ = 282°12' R = 72.00 L = 45.77 C = N18°00'32"E 43.00	C3 LOT 6 Δ = 302°51'12" R = 72.00 L = 45.77 C = N57°25'44"E 43.00	
C3 OUTLOT 1 Δ = S4°24'45" R = 72.00 L = 68.36 C = N79°08'17.5"W 63.84	C3 LOT 7 Δ = 59°17'45" R = 72.00 L = 74.51 C = N22°18'02.5"W 71.23	C4 Δ = 42°20'11" R = 220.00 L = 182.56 C = N38°13'36.5"W 158.89	C5 Δ = 42°20'11" R = 280.00 L = 206.89 C = N38°13'36.5"W 202.22	
C6 Δ = 332°3'36" R = 220.00 L = 126.22 C = N01°00'17"E 126.41				

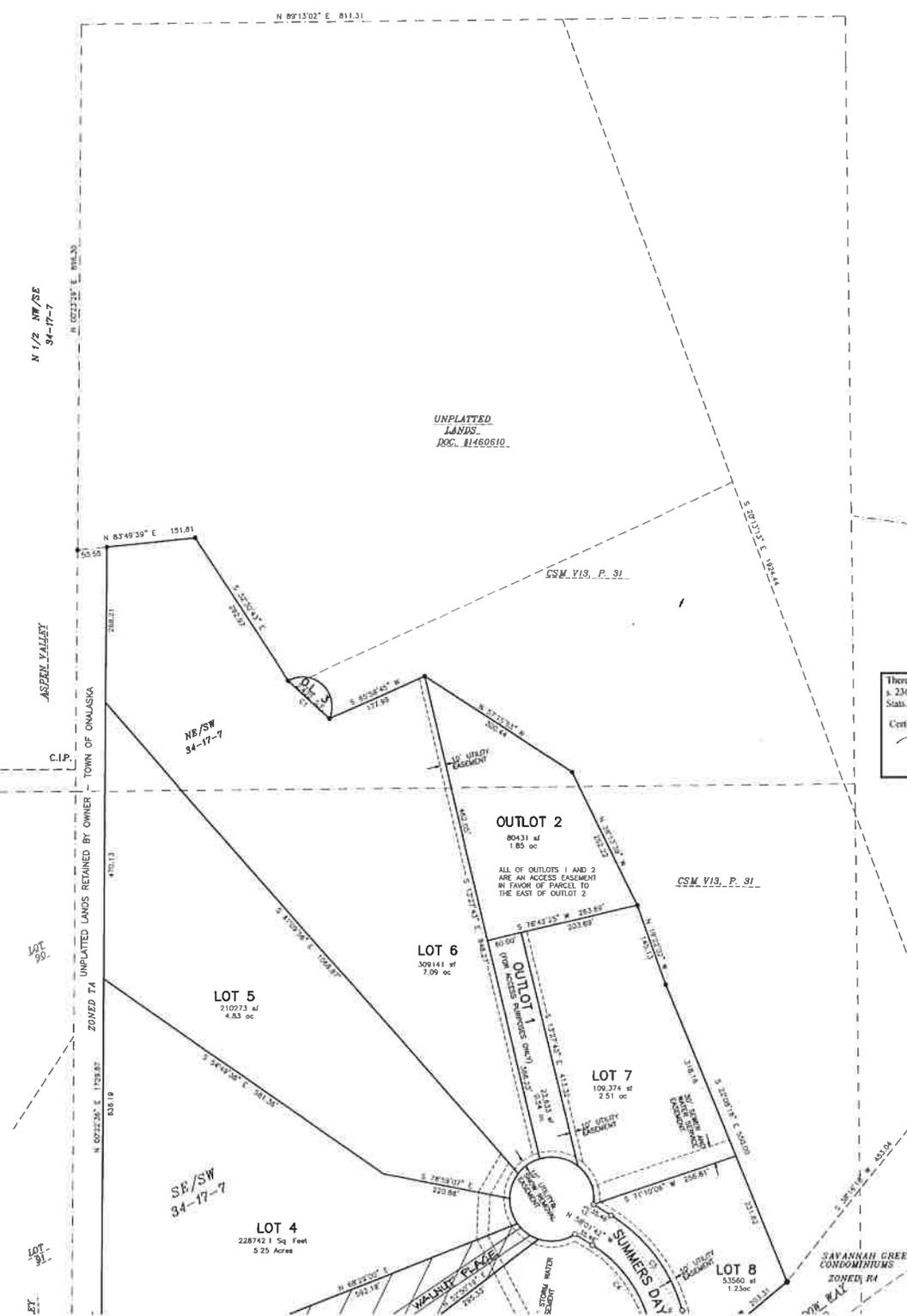


There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis Stats as provided by s. 236.12, Wis Stats.  
 Certified NUMBER 1614, 2012  
 [Signature] Department of Administration

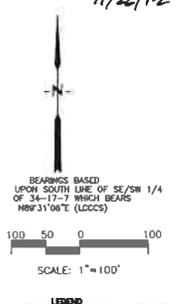
**PARAGON ASSOCIATES**  
 832 COPOLAND AVE  
 LA CROSSE, WI 54603  
 (608) 781-3110 FAX (608) 781-3197  
 SURVEYING ENGINEERING LANDSCAPE ARCHITECTURE

# WALNUT GROVE

LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/SW), AND PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE/SW) OF SECTION 34, T17N, R7W, AND IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/NW) OF SECTION 3, T16N, R7W, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.



There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.  
 Certified **NOVEMBER 16<sup>TH</sup>, 2012**  
*Rene M. Pank*  
 Department of Administration



- FOUND 1" IRON PIPE
- FOUND 3/4" IRON BAR
- SET 1 1/4" x 24" IRON BAR (4.178 / 17)
- SET 3/4" x 24" IRON BAR (1.50 LBS/LIN FT) AT ALL OTHER PROPERTY CORNERS

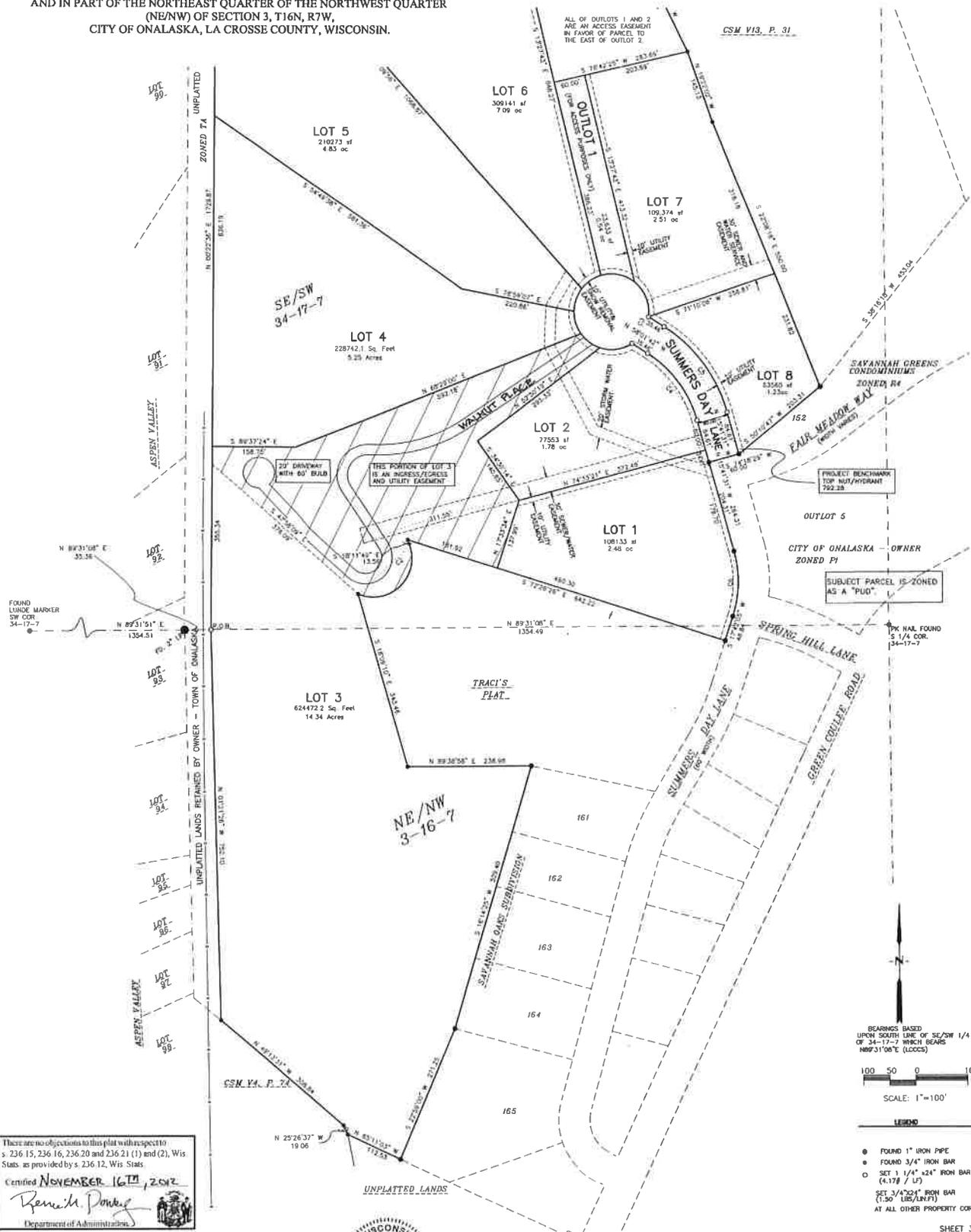
SHEET 2 OF 3  
**PARAGON ASSOCIATES**  
 Environmental Design & Consulting  
 CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE - SURVEYING  
 633 COPELAND AVENUE, LA CROSSE, WI 54603  
 TEL: 608.781.3110 FAX: 608.781.3197 Paragon-Assoc.biz

OWNER/DEVELOPER:  
 BEKIR SHEBANI  
 I & B OF HUDSON, LLC  
 422 CALLAWAY BLVD  
 LA CROSSE, WI 54603

SURVEYOR:  
 PAUL E. FAIRCHILD, RLS  
 PARAGON ASSOCIATES  
 632 COPELAND AVE.  
 LA CROSSE, WI, 54603

# WALNUT GROVE

LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/SW), AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SE/SW) OF SECTION 34, T17N, R7W, AND IN PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE/NW) OF SECTION 3, T16N, R7W, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.



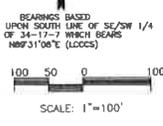
There are no objections to this plat with respect to s. 236 15, 236 16, 236 20 and 236 21 (1) and (2), Wis Stats. as provided by s. 236 12, Wis Stats.

Certified **NOVEMBER 16<sup>TH</sup>, 2012**

*Rene M. Ponsky*  
 Department of Administration

OWNER/DEVELOPER:  
 BEKIR SHEBANI  
 I & B OF HUDSON, LLC  
 422 CALLAWAY BLVD.  
 LA CROSSE, WI 54603

SURVEYOR:  
 PAUL E. FAIRCHILD, RLS  
 PARAGON ASSOCIATES  
 632 COPELAND AVE.  
 LA CROSSE, WI, 54603



- LEGEND
- FOUND 1" IRON PIPE
  - FOUND 3/4" IRON BAR
  - SET 1 1/4" x 24" IRON BAR (4.178 / U)
  - SET 3/4" x 24" IRON BAR (1.56" UBS/LIN)
- AT ALL OTHER PROPERTY CORNERS

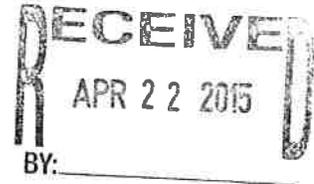
SHEET 3 OF 3

**PARAGON ASSOCIATES**  
 Environmental Design & Consulting  
 CIVIL ENGINEERING, LANDSCAPE ARCHITECTURE, SURVEYING  
 832 COPELAND AVENUE, LA CROSSE, WI 54603  
 Tel: 608.781.1110 Fax: 608.781.3197 Paragon-Annex 30



April 21, 2015

City of Onalaska  
Planning/Zoning Department  
415 Main Street  
Onalaska, WI 54650



Dear Sir or Madam,

Attached is the Subdivision application, PUD/PCID amendment application, CSM, drainage plan and setback plan for Maple Grove Lot 2. The proposal is to subdivide Maple Grove Lot 2 into two buildable lots.

If you have further questions, please do not hesitate to contact me at 781-3110.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Moorhouse".

Jeff Moorhouse, President  
Paragon Associates, Inc.

Brea



City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

### PUD / PCID AMENDMENT APPLICATION

The following checklist will ensure the timely processing of your application:

- ➔ Overview/ Cover Letter Describing the following:
    - ▶ Detailed Description of Proposed Amendment
    - ▶ Plan Set including: Grading/Draingage, Utilities, Site Layout, Landscaping, etc.
  - ➔ \$700 Permit Application Fee (Payable to the City of Onalaska) if a Public Hearing is requested or required\*.
- If incomplete, no further processing of the application will occur until the deficiencies are corrected.*

An amendment to an approved Planned Unit Development (PUD) or Planned Commercial Industrial District (PCID) may be proposed at any time. Amendments shall be initiated by submitting a completed application by owners of the parcels in question. Depending on the degree of the amendment, a public hearing may be required by the Plan Commission.

\*Any changes to the PUD/PCID requires Plan Commission and if determined a substantial change, the Plan Commission and Common Council will review the amendment with a public hearing.

**Brief Description of Request to Amend a PUD or PCID.**

Request to subdivide Walnut Grove Lot 2 into 2 buildable lots.

Property Address: 1005 Summers Day Ln.  
 Parcel Number: 18- 6307-0  
 Zoning District: R1 - PUD

Applicant: Paragon Associates  
 Mailing Address: 632 Copeland Ave.  
 City, State, Zip: La Crosse, WI 54603  
 Phone Number: 608-781-3110  
 Email: jeffm@paragon-assoc.biz  Primary Contact

Business:  
 Owner/Contact:  
 Mailing Address:  
 City, State, Zip:  
 Phone Number:  
 Email:  Primary Contact

Property Owner: I & B of Hudson LLC  
 Contact: Bekir "Chili" Shabani  
 Mailing Address: 422 Callaway Blvd.  
 City, State, Zip: La Crosse, WI 54603  
 Phone Number: 608-498-1168  
 Email: chilishabani@gmail.com  Primary Contact

The undersigned hereby makes an application for the location stated herein. The undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.

Signature of Applicant: *[Signature]* Date: 4/22/2015  
 Signature of Property Owner: *[Signature]* Date: 4-27-15

<input type="checkbox"/> OFFICE USE ONLY:	Date Submitted:	Permit Number:
Permit Fee:	<input type="checkbox"/> Cash <input type="checkbox"/> Check #	Application Received by:

APPLIED 700.00  
 CK 700.00 REF:SN - 424  
 Paid BY: PARAGON ASSOC  
 CABANI

18-6307-0 700.00

CITY OF ONALASKA  
 REC#: R00006804 04/22/2015 2:22 PM  
 TRAN: 450 PLANNING & ZONING  
 OPER: CI TERM: 1  
 TRSY: CASH 01

RECEIVED  
 APR 22 2015  
 BY: \_\_\_\_\_

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY OF ONALASKA  
PLAN COMMISSION**

Please take notice that the City Plan Commission for the City of Onalaska will hold a public hearing on

**TUESDAY, MAY 26, 2015  
Approx. 7:40 P.M.  
(or immediately following public hearing at 7:30pm)**

in Onalaska City Hall, 415 Main Street, Onalaska, Wisconsin 54650 at which time they will consider an application filed by Paragon Associates for I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54603 for the purpose of amending a Planned Unit Development (PUD) to subdivide Walnut Grove Lot 2 into 2 buildable lots on the property located at 1005 Summers Day Lane, Onalaska, WI 54650.

Property is more particularly described as:

Section 34, Township 17, Range 7

WALNUT GROVE SUBDIVISION – LOT 2

INITIATES AT THE EXTENSION OF SUMMERS DAY LANE FROM THE  
NW CORNER OF SAVANNAH OAKS SUBDIVISION

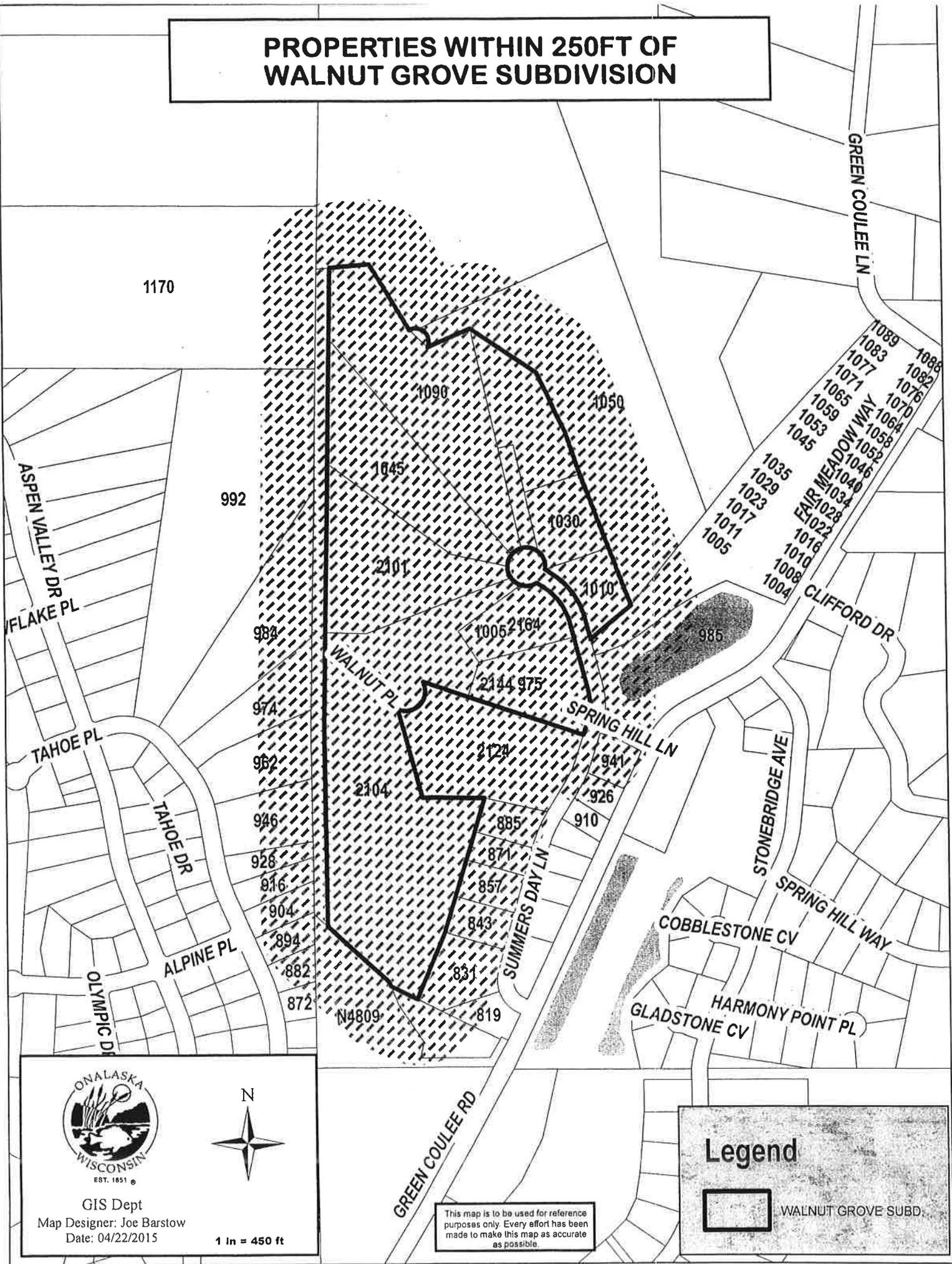
YOU ARE FURTHER NOTIFIED that the City of Onalaska Plan Commission will hear all persons interested, their agent or attorney concerning this matter.

More detailed information on this item will be posted to the City of Onalaska website [www.cityofonalaska.com](http://www.cityofonalaska.com) the Friday before the scheduled meeting under Agendas & Minutes/Plan Commission. This posting will contain the Plan Commission Agenda and all attachments referencing this item.

Dated this 8th Day of May, 2015.

Cari Burmaster  
City Clerk

# PROPERTIES WITHIN 250FT OF WALNUT GROVE SUBDIVISION





N



GIS Dept  
Map Designer: Joe Barstow  
Date: 04/22/2015

1 in = 450 ft

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

## Legend


WALNUT GROVE SUBD.



# CITY OF ONALASKA

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

- Agenda Item: Consideration of a Conditional Use Permit request to allow the operation of a “brewpub”.
- Applicant: Steve Peters, Two Beagles Brewpub, 403 Cedar Bird Lane, Holmen, WI 54653.
- Property Owner: Dave Hegenbarth, Hegenbarth Investments, 2416 Cedar Creek Lane, Onalaska, WI 54650
- Parcel Number: 18-1276-0
- Site Location: 910 2<sup>nd</sup> Avenue North, Onalaska, WI
- Existing Zoning: Neighborhood Business (B-1) District

### Background:

Steve Peters of Two Beagles Brewpub has requested a Conditional Use Permit (CUP) to allow the operation of a brewpub at the previous restaurant “Seasons By the Lake”. The intention is to re-purpose the restaurant and install a small brewing system with a full bar and restaurant. Enclosed is a letter from the applicant with a detailed description of the proposed business. Staff finds that brew pubs are distinctly similar in nature to such uses that are only permitted by Conditional Use Permit per Section 13-1-13(d)(2) 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 application:

1. Compatibility. The restaurant is located at the intersection of 2<sup>nd</sup> Avenue North (State Highway 35) and Spruce Street and is zoned Neighborhood Business (B-1) District. The zoning of land within 250 feet of the proposed site includes neighborhood business and single family and/or duplex residential. The uses within 500 feet along the same street include a gas station/convenience store, hotels, photography studio, chiropractic office and residential dwellings.
2. Consistency with Comprehensive 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.
3. Importance of Services to the Community. According to the Comprehensive Plan, a Land Use Objective of the City states, “*by capitalizing on opportunities for infill and redevelopment along the corridors.*” This project is proposed to re-purpose a closed restaurant along State Highway 35 – a major commercial corridor in Onalaska. A brew pub would also serve as a destination on the Great River Road.
4. Neighborhood Protections. The prior uses of this property were restaurants. The applicant is proposing a similar use with the addition of a “small brewing system” and support equipment that would be stored inside the facility. The applicant intends to coordinate with a local farmer to utilize spent brewing material (i.e., hops) on a daily or every other day basis. The applicant

## *CITY OF ONALASKA*

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intends to install a cooling unit that will require Site Plan Permit Approval and screening to lessen the impact on neighbors. Please see the attached cover letter provided by the applicant that details the proposed business.

5. Conformance with Other Requirements of City/State Ordinances/Statutes: Applicant to obtain all required City, State, and Federal licenses as needed.

**Action Requested:** As a public hearing will be held at the Plan Commission meeting, testimony from the public should be listened to and considered before deciding on the requested Conditional Use Permit application.

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

May 19, 2015

## Agenda Item 9:

### Review and Consideration of a Conditional Use Permit application filed by Steve Peters of Two Beagles Brewpub, 403 Cedar Bird Lane, Holmen, WI 54653 to allow the operation of a brewpub at 910 2nd Avenue North (Tax Parcel #18-1276-0).

1. Conditional Use Permit Fee of \$150.00 (*PAID*).
2. Contingent upon Site Plan Permit Approval prior to any construction activities (including location of a cooling unit outside of the building), as well as necessary Building & Plumbing Permits.
3. No outdoor storage.
4. Applicant agrees to install odor mitigation measures as dictated by negative impacts to adjacent land uses as required by the Land Use & Development Director or Plan Commission.
5. Compliance with City Ordinance 9-2 including but not limited to obtaining a Discharge Permit.
6. Removal of spent grain and other byproducts from the premise in a timely manner as determined by the Land Use & Development Director.
7. CUP to be re-reviewed by the Plan Commission prior to on-site business expansions (i.e., packaging operations) and at the time of any significant expansions in quantities brewed (either as a singular expansion or a cumulative effect).
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 the minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

# Two Beagles Brewpub

## Executive Summary

Two Beagles Brewpub is currently under lease negotiations for the former Seasons by the Lake restaurant located at 910 2<sup>nd</sup> Ave in Onalaska. The location is currently zoned as B-1 but it appears that this zoning will not be sufficient to run a brewpub.

As part of the brewpub concept, Two Beagles Brewpub will operate a microbrewery and restaurant. The primary draw will be the brewery and craft beers with the restaurant being a secondary draw. The brewery will start operation with six handcrafted beers with plans to expand to 12 beers within two years. There will be year round beer offerings, these anchor brews will be a Kolsch style beer, an amber ale, an IPA and a brown ale. The other two brews will be a rotating seasonal selection such as a pumpkin ale in the fall, barrel aged stout in the winter months, etc. The restaurant will consist of a relatively simple kitchen with sandwiches and pizza as the primary staples. The menu will vary seasonally with the focus being on fresh foods, local to the area and an artisanal, simple menu.

Primary owners of Twin Beagles Brewing Company, LLC, dba Two Beagles Brewpub are Steve and Christie Peters. Steve has over 10 years of commercial brewing experience and 15 years overall. He started homebrewing in the mid 1990's and turned this into a career in the early 2000's when he landed a job with City Brewing Company in LaCrosse, WI. Christie Peters has over 20 years of management and professional HR experience and is currently employed as a VP of HR at Duratech in LaCrosse, WI. Christie started her career managing a Taco Bell restaurant in LaCrosse and has since worked in banking, medical and now screen printing industries.

The current business plan for Two Beagles is very conservative and targets 500 barrels of beer sold in year one. The brewhouse is sized at 7.5 barrels per brew (232 gallons) with tanks sized accordingly. The brewing operation consists of a malt mill, brewing kettle heated by a steam boiler, combination mash lauter vessel, cold water chiller to cool the wort on the way to the fermenters (four each) and six serving tanks. The fermenters and serving tanks will be cooled by a small glycol cooling system. Spent grain will be hauled away within 24 hours after brewing and used as animal feed on local farms.

The boiler will be an addition to the premises and will be housed in a room custom built for that purpose in the northeast corner of the building. The malt mill will likewise be housed in its own room next to the boiler, ground malt will be conveyed from the mill to the mash vessel with a mechanical conveyor. The glycol chiller is roughly the size of a large central air unit and will be placed outside the building along the north east wall and piped into the building.

Internal building modifications include the aforementioned rooms for the boiler and malt mill. In addition, the actual brewing equipment and tanks will be on display behind a glass wall in the large banquet room in the northeast corner of the building. This room will be converted to primarily contain the brewing operation and display it to the public. There will be a trench drain cut into the floor of this room for drainage. Also, prior to the modifications completed by the current owner, there were two large double doors into this banquet room, one of which was walled in. This door will be opened back up to more properly display the equipment.

The last major modification of the premises will be to convert the small private banquet room behind the bar to a serving tank room. Serving tanks are finished beer tanks which will feed the taps in the bar area. This room will have windows installed so the public can see the tanks when they walk into the restaurant.

Brewing typically produces odors just as any food operation does. Typically there is an exhaust stack from the brewkettle piped outside the facility. This is also the plan for Two Beagles. Brewing would only be completed during daylight hours and typically would only happen three times per week. If the pleasing odor of a brewing operation starts to cause complaints there are methods to mitigate this prior to exhaust to the outside.

Finished beer will be sold in tasting flights, as pints and in growlers (large, half gallon jugs filled at the time of purchase).

Staffing will consist of one Brewmaster/owner, a chef (to be hired later), four additional full time employees and six part time employees. This staff will support the annual sales volumes noted above. More staff will be added as necessary to support increased sales in future years with subsequent profit growth.

As the business expands future considerations will need to include packaging operations including sales of kegs, bottles and/or cans. This site is limited in space, though, so these operations would need to occur in a separate location so should not be considered at this time.



# CONDITIONAL USE PERMIT APPLICATION

The following checklist will ensure the timely processing of your permit:

➔ Overview/ Cover Letter Describing the following:

- ▶ Detailed Description of Proposed Conditional Use
- ▶ Description of how Proposed Conditional Use Meets Unified Development Ordinance Standards (use form on next page or attach an explanation each of the following:)
  - ▶ Compatibility with Surrounding Neighborhood (existing and anticipated development within 250 ft of proposed use and within 500 ft along the same street)
  - ▶ Consistency with the Comprehensive Plan (relationship of proposed use to the goals, objectives and policies)
  - ▶ Importance of Services to the Community (provided by the proposed use)
  - ▶ Neighborhood Protections (avoidance of negative impacts)
  - ▶ Other Factors (pertinent to the proposed use)

➔ Site Sketch and Photographs (if applicable)

➔ \$150 Permit Application Fee (Payable to the City of Onalaska)

*If incomplete, no further processing of the application will occur until the deficiencies are corrected.*

*A Conditional Use is a land use or development that would not generally be appropriate within a district but might be allowed in certain locations within the district if specific requirements are met. The compatibility must be judged on the basis of the particular circumstances and may require additional conditions set by the Plan Commission & Common Council before development or occupancy is permitted. The intent is to allow a reasonable degree of discretion in determining the suitability of a particular development at a specific location.*

Application for:

- |                                          |                                                       |                                                          |
|------------------------------------------|-------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Fence           | <input type="checkbox"/> Two Structures on one parcel | <input type="checkbox"/> Parking Lot                     |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Automotive Repair / Sales    | <input type="checkbox"/> Use _____                       |
| <input type="checkbox"/> Bed & Breakfast | <input type="checkbox"/> Warehousing / Storage        | <input checked="" type="checkbox"/> Other <u>Brewpub</u> |

Brief Description of Proposed Conditional Use:

Repurpose of Bar and grill currently dba. "Seasons by the Lake" to a brewpub. Would include locating one cooling unit outside and a small brewing system and support equipment inside.

*Proposed conditional use must meet the requirements of the Unified Development Ordinance. Per Wisconsin's Open Meeting Law, comments on this permit application, either by the applicant or concerned citizen, shall be raised in person at the scheduled meeting or brought up to City Staff (through conversation, written letter or email) for review at the scheduled meeting. Due to Wisconsin's Open Meeting Law, Plan Commissioners and Councilors are unable to discuss this matter outside of a scheduled public meeting. Thank you.*



BY: \_\_\_\_\_



City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

### CONDITIONAL USE PERMIT APPLICATION

Property Address: 910 2<sup>nd</sup> Ave N

Parcel Number: 18-

Zoning District:

Applicant: Two Beagles Brewpub

Contact: Steve Peters

Mailing Address: 403 Cedar Bird Lane

City, State, Zip: Holmen, WI 54653

Phone Number: 608-797-6235

Email: sndcpeters@aol.com  Primary Contact

Business:

Owner/Contact: DAVE HEGENBARTH

Mailing Address: 2416 CEDAR CREEK LN

City, State, Zip: ONALASKA WI 54650

Phone Number: 608-797-2884

Email: HEGENBARTHDAVE@GMAIL.COM  Primary Contact

Property Owner: DAVE HEGENBARTH PRES. HEGENBARTH INVEST-MENUS

Contact: DAVE HEGENBARTH

Mailing Address: 2416 CEDAR CREEK LANE

City, State, Zip: ONALASKA WI 54650

Phone Number: 608-797-2884

Email: HEGENBARTHDAVE@GMAIL.COM  Primary Contact

The undersigned hereby makes application at the location stated herein. The undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.

Signature of Applicant: [Signature] Date: 4-22-15

Signature of Property Owner: [Signature] Date: 4-22-15

Compatibility with Surrounding Neighborhood:

\_\_\_\_\_

\_\_\_\_\_

Consistency with the Comprehensive Plan:

\_\_\_\_\_

\_\_\_\_\_

Importance of Services to the Community:

\_\_\_\_\_

\_\_\_\_\_

Neighborhood Protections (avoidance of negative externalities):

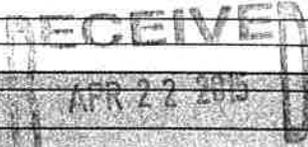
\_\_\_\_\_

\_\_\_\_\_

Other Factors (pertinent to the proposed use):

\_\_\_\_\_

\_\_\_\_\_



OFFICE USE ONLY:	Date Submitted:	Permit Number:
Permit Fee:	<input type="checkbox"/> Cash <input type="checkbox"/> Check #	Application Received by:

**NOTICE OF PUBLIC HEARING  
BEFORE THE CITY OF ONALASKA  
PLAN COMMISSION**

Please take notice that the City Plan Commission for the City of Onalaska will hold a public hearing on:

**TUESDAY, MAY 26, 2015  
APPROX. 7:50 P.M.  
(or immediately following public hearing at 7:40pm)**

in Onalaska City Hall, 415 Main Street, Onalaska, WI 54650, at which time they shall consider an application filed by Steve Peters / Two Beagles Brewpub, 403 Cedar Bird Lane, Holmen, WI who is requesting a Conditional Use Permit to allow the operation of a brewpub at 910 2<sup>nd</sup> Avenue North, Onalaska, WI 54650.

Property is more particularly described as:

Computer Number: 18-1276-0

Section 05, Township 16, Range 07

SUNSET BOULEVARD ADDITION LOTS 6 & 7 BOCK 4 & .12AC

GOVERNMENT LOT 4 DESC IN V754 P767

YOU ARE FURTHER NOTIFIED that the City of Onalaska Plan Commission will hear all persons interested, their agent or attorney, concerning this matter.

More detailed information on this item will be posted to the City of Onalaska website [www.cityofonalaska.com](http://www.cityofonalaska.com) the Friday before the scheduled meeting under Agendas & Minutes/Plan Commission. This posting will contain the Plan Commission Agenda and all attachments referencing this item.

Dated 8th day of May, 2015.

Cari Burmaster  
City Clerk

CART

# PROPERTIES WITHIN 250FT OF PARCEL 18-1276-0

TROY ST

1005

937

933

937 947

933 932

945 939

941 943

929 930

935

928 927

926

923

916

912

18-1276-0  
910 2ND AVE  
910

35

WEST AVE

902

309

PARK AVE

SPRUCE ST

848

812

818

308

851

840

830



GIS Dept

Map Designer: Joe Barstow  
Date: 04/22/2015

1 in = 150 ft

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

Agenda Item:

# 10

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

- Agenda Item: Consideration of a substantial alteration determination for the Nathan Hill Estates Subdivision Planned Unit Development (PUD) for 402-412, 422-432, and 442-452 Coronado Circle (Lots 3 and 4 of Certified Survey Map 1601242).
- Applicant: Chris Meyer of Dream Builders of Wisconsin LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of Nathan Estates LLC
- Property Owner: Brian Miller, Nathan Estates LLC, 1820 Tahoe Place, Onalaska, WI 54650
- Parcel Numbers: 18-5955-4 and 18-5955-5
- Address(es): 402-412, 422-432, and 442-452 Coronado Circle (Lots 3 & 4)
- Site Location: Coronado Circle off of Timbercrest Drive East in Nathan Hills
- Existing Zoning: Single Family Residential (R-1) and Planned Unit Development (PUD) Zoning Districts

### Background:

This request is to review and determine whether the proposed changes to the Nathan Hills Estates Subdivision Planned Unit Development (PUD) constitute a substantial alteration.

The substantial alteration determination is for Lots 3 and 4 of Certified Survey Map 1601242, the remaining parcels on the outer ring of “Coronado Circle”. The applicant proposes one (1) modification to the PUD:

- 1) Allow the construction of attached decks to the rear of the six-unit structures in place of approved concrete patios.

The proposed change would decrease the required 30-foot rear yard setback.

Enclosed please find:

- Approved site plan layout (9-18-2014).
- PUD Modification Request (4-15-2015).

Action Requested: The applicant is requesting approval of the proposed changes. The Plan Commission should first determine if the change is substantial or non-substantial. If determined that the change is non-substantial, the requested modification may be approved or denied by the Plan Commission. If determined that the change is substantial, a public hearing will be scheduled for a subsequent Plan Commission, where Plan Commission review and determination would also occur.

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

May 19, 2015

## Agenda Item 10:

**Consideration of a substantial alteration determination for the Nathan Hill Estates Subdivision Planned Unit Development (PUD) for 402-412, 422-432, and 442-452 Coronado Circle (Lots 3 and 4 of Certified Survey Map 1601242), submitted by Chris Meyer of Dream Builders of Wisconsin LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of Nathan Estates LLC (Tax Parcels # 18-5955-4 & 18-5955-5).**

1. Obtain site plan approval for the proposed modifications to the principle structures.
2. Accessory structures for residential properties are allowed up a maximum area of twenty (20) percent of rear yards. Proposed deck square footages (109 SF/deck) to be included as part of the allotted twenty (20) percent calculation. If proposed decks are not constructed, the full twenty (20%) area for accessory structure square footage may be utilized.
  - a. Building #1 (Units 402-412) has approximately 5,850 square feet in the rear yard allowing a maximum total of 1,170 square feet for accessory structures. Six (6) decks at 109 SF/deck amount to 654 square feet. Approximately 516 square feet remain for future accessory structures on this lot.
  - b. Building #2 (Unit 422-432) has approximately 7,650 square feet in the rear yard allowing a maximum total of 1,530 square feet for accessory structures. Six (6) decks at 109 SF/deck amount to 654 square feet. Approximately 876 square feet remain for future accessory structures on this lot.
  - c. Building #3 (Unit 442-452) has approximately 10,805 square feet in the rear yard allowing a maximum total of 2,161 square feet for accessory structures. Six (6) decks at 109 SF/deck amount to 654 square feet. Approximately 1,507 square feet remain for future accessory structures on this lot.
3. Applicant shall abide by all requirements and conditions of previous Drainage and Stormwater Plan approvals and with previous subdivision and plat approvals for Nathan Hills Estates.
4. Rear yards to maintain a 10-foot buffer along rear property line for drainage purposes.
5. The addition of decks will restrict future accessory structures.
6. Owner/developer must 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 the occupancy permit.
7. 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.
8. Any omissions of any conditions not listed in the minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

City of Onalaska Review Department:

Coronado Circle 18 Unit Condominium Development:

Project Owners: Nathan Hill Estate LLC: Managing Member Brain Miller

Project Manager: Dream Builders of Wisconsin LLC: Member Chris Meyer

April 15, 2015

We are requesting that we are able to change the Non-porous concrete patios out the back to an above ground deck.

When the architect designed the building layout, I do not believe that he took into account the elevations of the land. We had to lower the elevation of the back of the building so as to have a correct transition from Nathan Hills Estates LLC property to the neighboring properties. With the change that was made in the elevations we are able to take care of water control & erosion control more effectively.

We have been given permission to change the concrete slabs to the decks, however we were told that we could not attach the decks to the building. We would like to attach the decks to the building for a more stable & more appealing finished product.

The decks will not infringe on the required green space for the project. We will be replacing the approved non-porous concrete slabs with the decks, which will help the water drainage & provide more green space or porous space for water control. Under the decks we will be installing landscape stone which will allow water to soak into the ground effectively

With all of the buildings in the immediate area, commercial & non-commercial, having wood decks attached to the buildings, we are not requesting anything that has not already been approved within the Nathan Hills Developed area. Pending elevations on future buildings we would like to request that we can continue with the attached decks & or the concrete patios.

We thank you for the consideration of our request. We would prefer that the request be considered without a public hearing due to the fact that we are not proposing anything that is out of the norm within the immediate neighboring properties. We believe that this is actually an improvement over the approved plan of the non-porous concrete slabs.

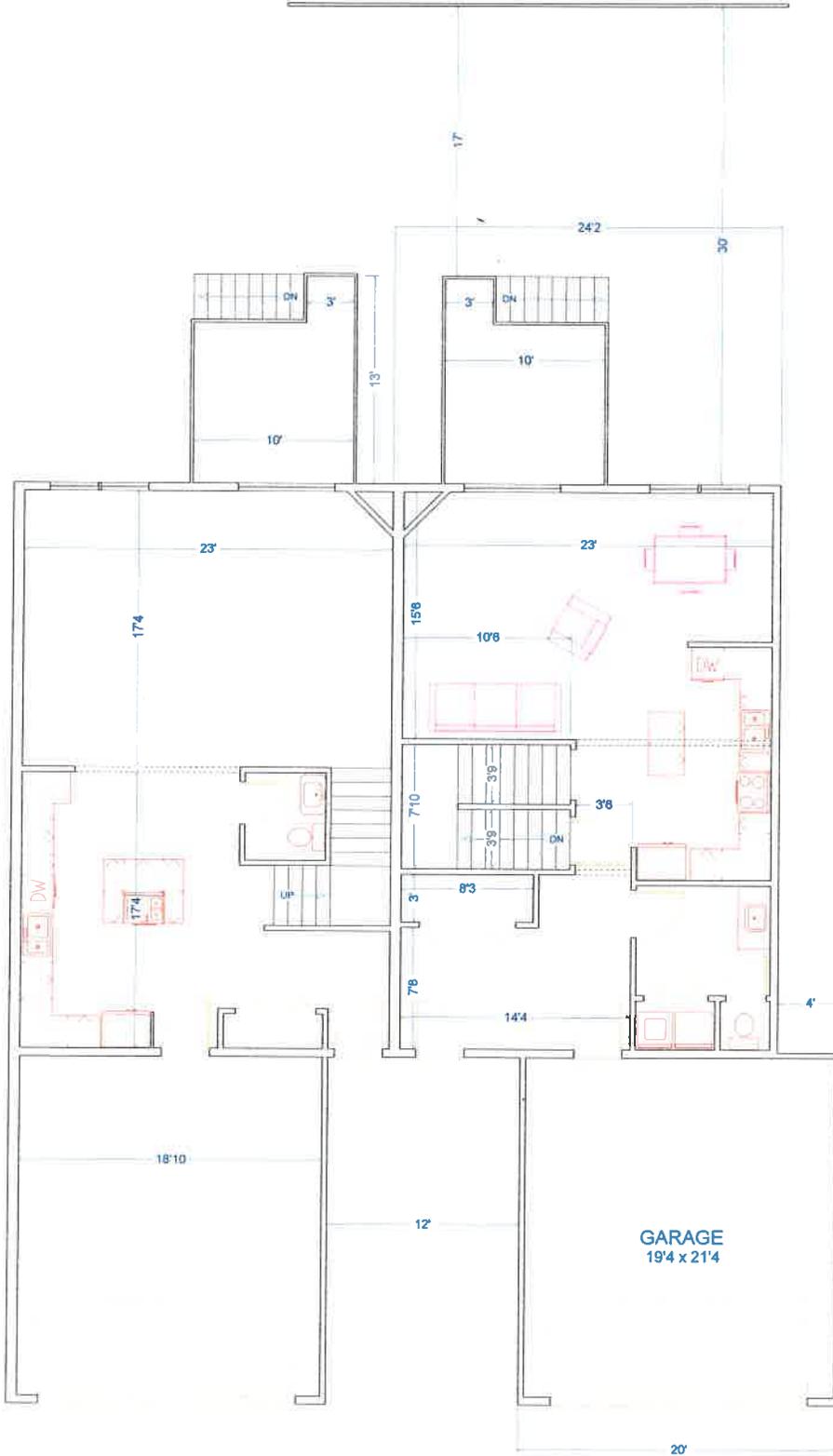
Thank You!

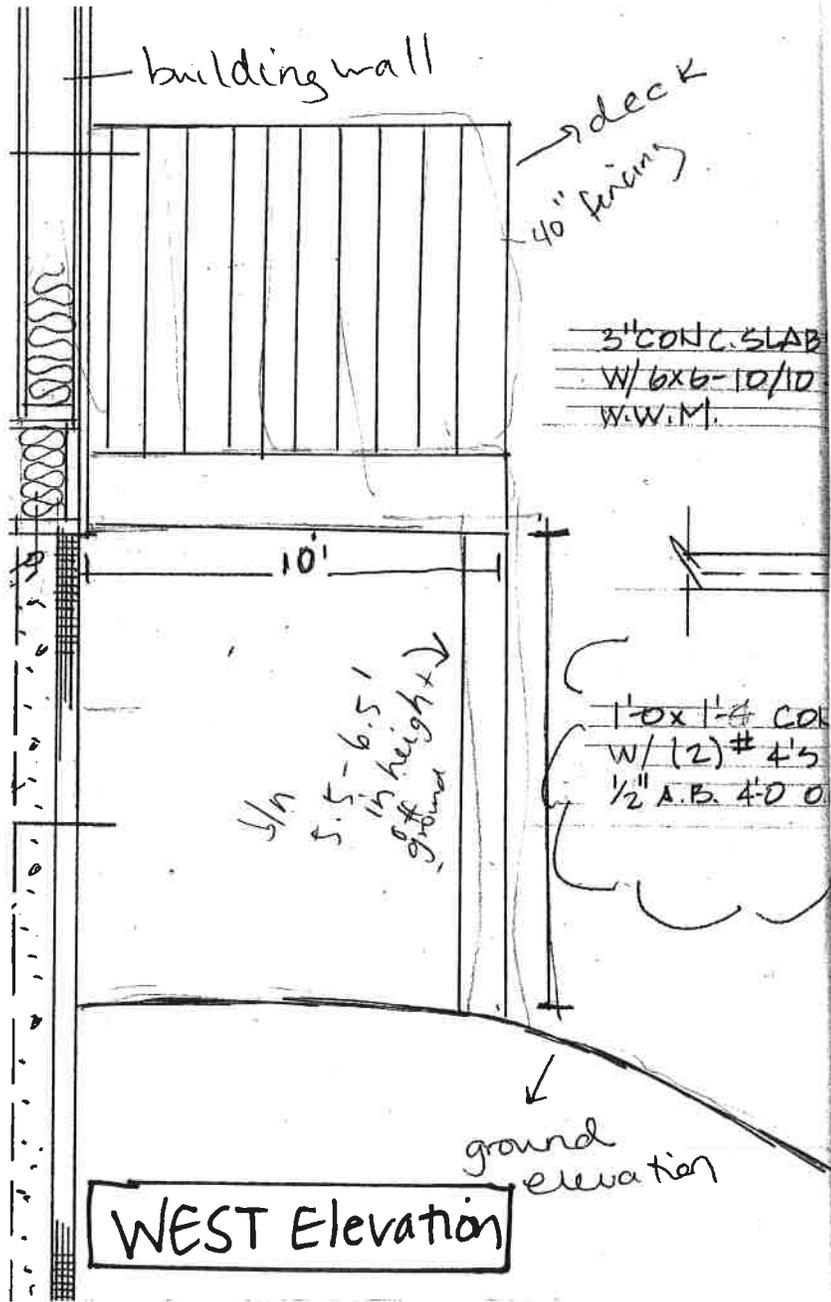
Brian Miller & William Skemp Members  
Nathan Hills Estates LLC

Christopher Meyer Member  
Dream Builders of Wisconsin LLC

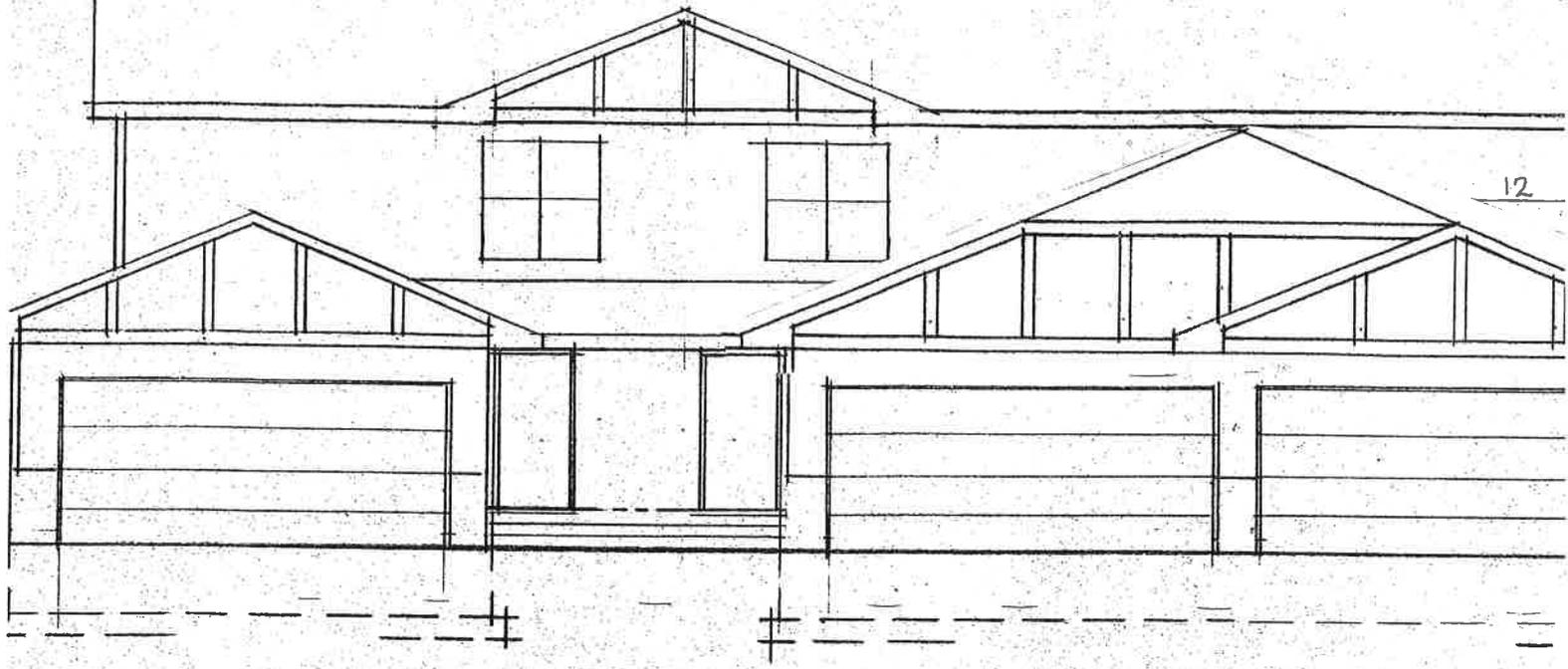


Rear Property Line Set Back

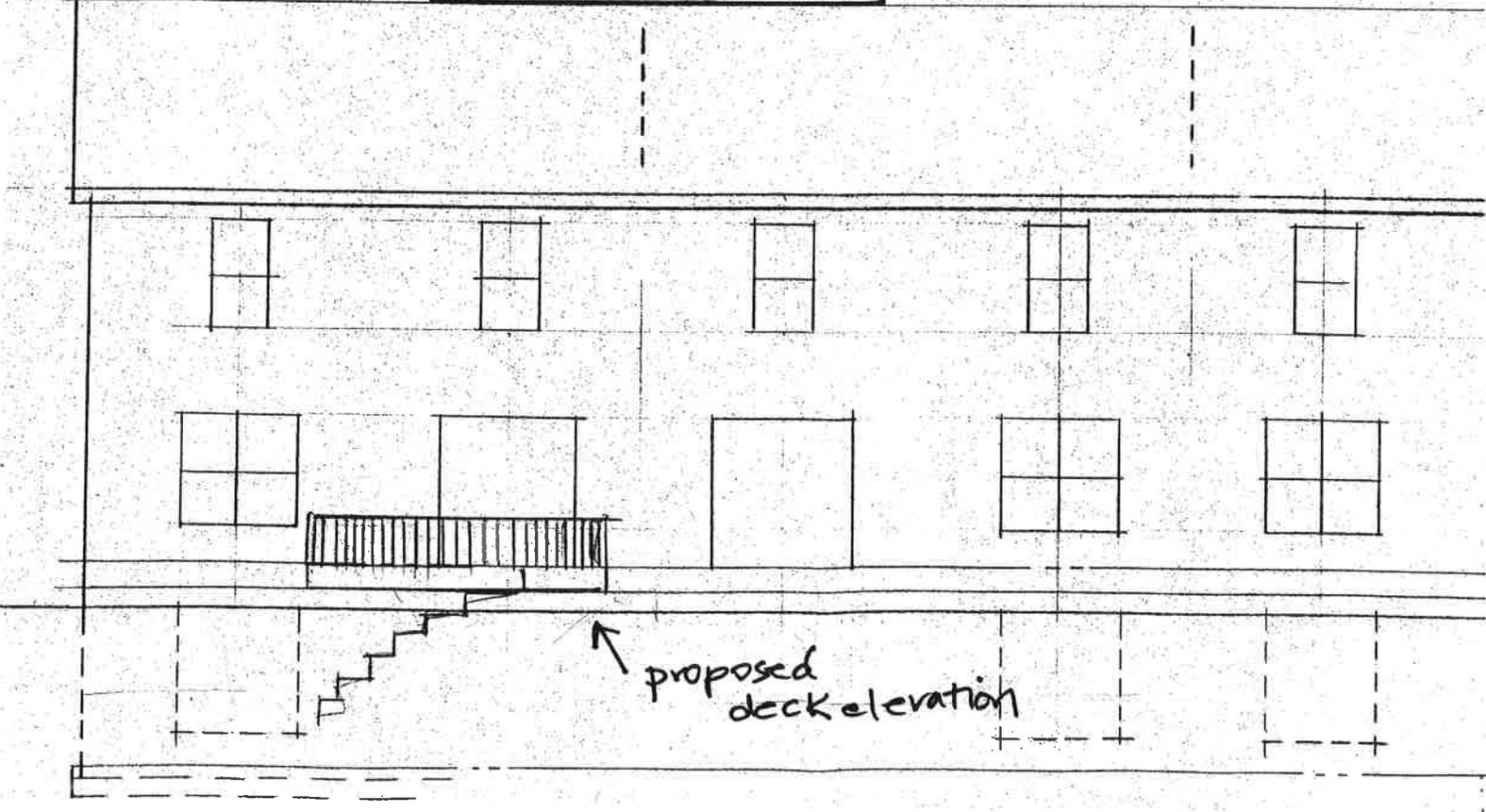




# North Elevation



# South Elevation





City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

### PUD / PCID AMENDMENT APPLICATION

The following checklist will ensure the timely processing of your application:

➔ **Overview/ Cover Letter Describing the following:**

- ▶ Detailed Description of Proposed Amendment
- ▶ Plan Set including: Grading/Draingage, Utilities, Site Layout, Landscaping, etc.

➔ **\$700 Permit Application Fee** (Payable to the City of Onalaska) if a Public Hearing is requested or required\*.

*If incomplete, no further processing of the application will occur until the deficiencies are corrected.*

An amendment to an approved Planned Unit Development (PUD) or Planned Commercial Industrial District (PCID) may be proposed at any time. Amendments shall be initiated by submitting a completed application by owners of the parcels in question. Depending on the degree of the amendment, a public hearing may be required by the Plan Commission.

\*Any changes to the PUD/PCID requires Plan Commission and if determined a substantial change, the Plan Commission and Common Council will review the amendment with a public hearing.

**Brief Description of Request to Amend a PUD or PCID.**

*See attached letter of request.*

*402 - 412*

*1402 - 1412 Coronado Circle Onalaska*

*- TAX MAP #*

*- CSM V 15 P 96*

Property Address: *All of Coronado Circle City*

Parcel Number:

*18-005955-05*

Zoning District:

Applicant: *Dream Builders of WI LLC*

Mailing Address:

City, State, Zip:

Phone Number: *608-769-0460*

Email:  Primary Contact

Business: *Dream Builders of WI LLC*

Owner/Contact: *Chris Meyer*

Mailing Address: *1589 Medary Lane*

City, State, Zip: *Onalaska WI 54650*

Phone Number: *608-769-0460*

Email: *Dreambuilders@wisconsin.com*  Primary Contact

Property Owner: *Nathan Hills Estates*

Contact: *Brian Miller*

Mailing Address: *1813 Tahoe Place*

City, State, Zip: *Onalaska WI 54601*

Phone Number: *608-385-9001*

Email:  Primary Contact

The undersigned hereby makes an application for the location stated herein. The undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.

Signature of Applicant: *[Signature]*

Date: *April 16-15*

Signature of Property Owner:

Date:

OFFICE USE ONLY:

Date Submitted: *KM*

Permit Number:

Permit Fee: *TBD*

Cash

Check #

Application Received by: *KM*

RECEIVED  
APR 16 2015

KM



# CITY OF ONALASKA

Agenda Item:

# 11

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

- Agenda Item: Consideration of a Certified Survey Map (CSM) for the purpose of subdividing Lots 3 & 4 of Certified Survey Map 1601242 into three (3) buildable lots on Coronado Circle in the Nathan Hills Estates Planned Unit Development
- Applicant: John Schmitz of Point Surveying on behalf of Brian Miller of Nathan Estates LLC, 121 West Franklin Street, Sparta, WI 54656
- Property Owner: Brian Miller of Nathan Estates LLC, 121 West Franklin Street, Sparta, WI 54656
- Parcel Number: 18-5955-4 & 18-5955-5
- Site Location: 402-412, 422-432, and 442-452 Coronado Circle (Lots 3 & 4)
- Existing Zoning: Single Family Residential (R-1) and Planned Unit Development (PUD) Zoning Districts.
- Neighborhood Characteristics: The zoning of land within 250 feet of the proposed site includes Single Family Residential with a Planned Unit Development (PUD) Overlay that allows multi-family dwellings.
- Conformance with Comprehensive Land Use Plan: The Comprehensive Plan's Future Land Use Plan designates this area as *Conservation/Cluster Residential District*. This district is intended to accommodate primarily low density single family development on clustered compact lots with common open space and outside of environmentally sensitive areas.
- Background: The applicant is requesting approval to subdivide two existing parcels into three parcels, as was proposed and approved through the PUD amendment in 2014. One of the two parcels has a townhome under construction. A second and third townhome are planned for the near future.
- Action Requested: The applicant seeking approval of the Certified Survey Map.

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

May 19, 2015

**Agenda Item 11:**

**Consideration of a Certified Survey Map (CSM) submitted by John Schmitz of Point Surveying on behalf of Brian Miller of Nathan Estates LLC, 121 West Franklin Street, Sparta, WI 54656 for the purpose of subdividing Lots 3 & 4 of Certified Survey Map 1601242 into three (3) buildable lots on Coronado Circle in the Nathan Hills Estates Planned Unit Development (Tax Parcels # 18-5955-4 & 18-5955-5).**

1. CSM Fee of \$40.00 + \$10.00 per lot x 3 lots = \$70.00 due before final approval of CSM by the City.
2. Recorded copy of Final CSM to be submitted to City Engineering Department.
3. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.
4. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals) and additional City fees (i.e., parks fees, green fee).
5. 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.
6. Any omissions of any conditions not listed shall not release the property owner/developer from abiding by the City's Unified Development Ordinance requirements.

**CERTIFIED SURVEY MAP #**  
 BEING LOTS 3 AND 4 OF 15 C.S.M. 96, PART OF  
 LOT 15, NATHAN HILL ESTATES. LOCATED IN THE  
 NW 1/4 OF THE SW 1/4, AND THE SW 1/4 OF THE SW 1/4  
 OF SECTION 1, T16N, R7W, CITY OF ONALASKA,  
 LA CROSSE COUNTY, WISCONSIN.

**LEGEND**

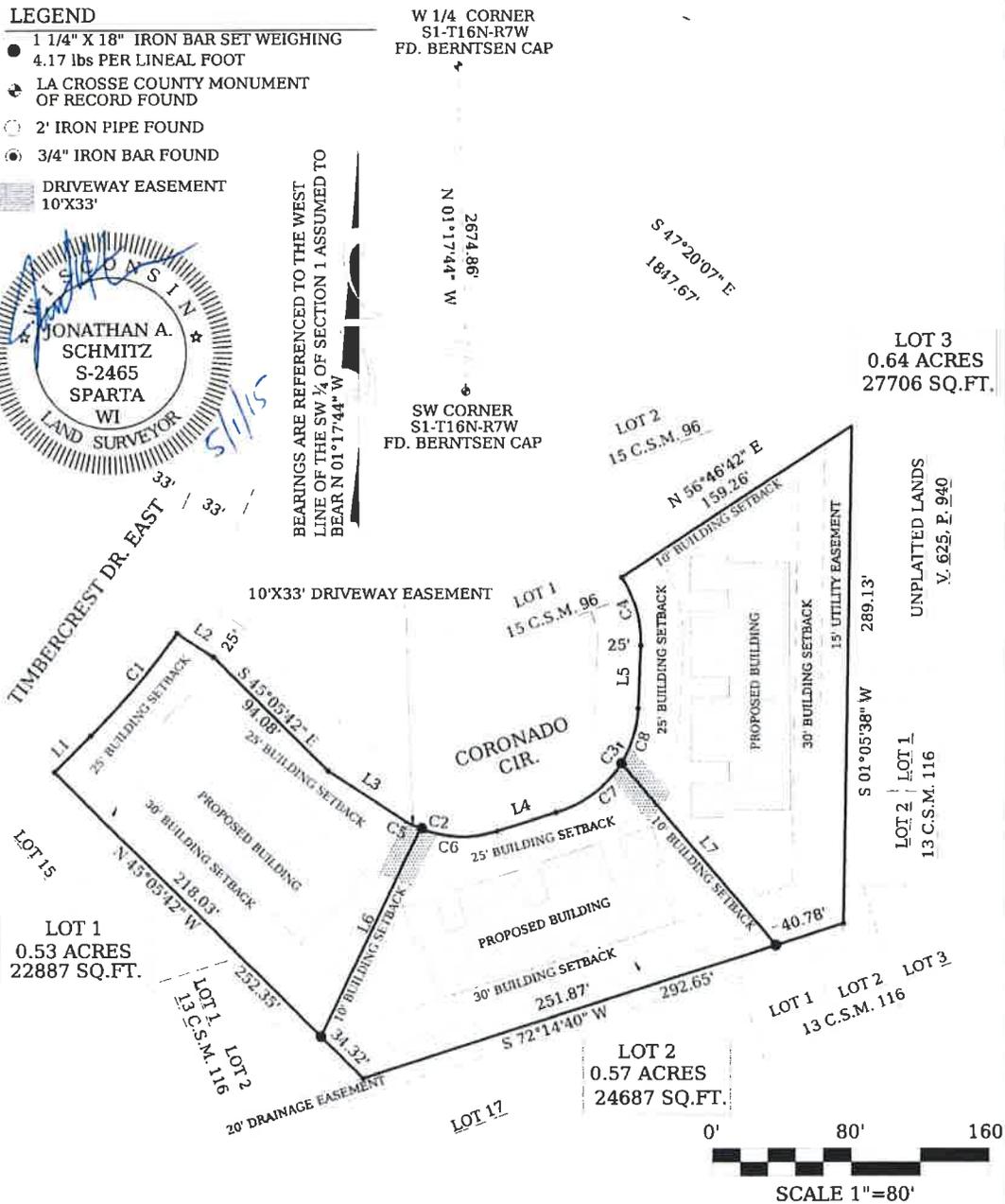
- 1 1/4" X 18" IRON BAR SET WEIGHING 4.17 lbs PER LINEAL FOOT
- ⊕ LA CROSSE COUNTY MONUMENT OF RECORD FOUND
- 2' IRON PIPE FOUND
- ⦿ 3/4" IRON BAR FOUND
- ▨ DRIVEWAY EASEMENT 10'X33'



BEARINGS ARE REFERENCED TO THE WEST  
 LINE OF THE SW 1/4 OF SECTION 1 ASSUMED TO  
 BEAR N 01°17'44" W

W 1/4 CORNER  
 S1-T16N-R7W  
 FD. BERNTSEN CAP

SW CORNER  
 S1-T16N-R7W  
 FD. BERNTSEN CAP



POINT SURVEYING LLC.  
 123 NORTH WATER STREET  
 SPARTA, WI 54656  
 608-269-0744  
 JONATHAN SCHMITZ RLS #2465

THIS INSTRUMENT WAS DRAFTED  
 AND DRAWN BY JONATHAN SCHMITZ

JOB #S1T16NR7W

CLIENT: BRIAN MILLER  
 121 W. FRANKLIN ST.  
 SPARTA, WI 54656

PAGE 1  
 OF 2 PAGES

**CERTIFIED SURVEY MAP #**  
 BEING LOTS 3 AND 4 OF 15 C.S.M. 96. PART OF LOT 15, NATHAN HILL ESTATES. LOCATED IN THE NW 1/4 OF THE SW 1/4, AND THE SW 1/4 OF THE SW 1/4 OF SECTION 1, T16N, R7W, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.

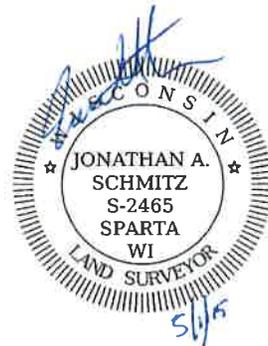
**CERTIFIED SURVEY MAP FOR BRIAN MILLER**  
 A PARCEL OF LAND CONTAINING 1.74 ACRES( 75,280sq.ft.). BEING LOTS 3 AND 4 OF 15 C.S.M. 96. PART OF LOT 15, NATHAN HILL ESTATES. LOCATED IN THE NW 1/4 OF THE SW 1/4, AND THE SW 1/4 OF THE SW 1/4 OF SECTION 1, T16N, R7W, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN. BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 1;  
 THENCE S 47°20'07" E A DISTANCE OF 1847.67' TO THE NE CORNER OF SAID LOT 3 OF 15 C.S.M. 96, AND THE POINT OF BEGINNING;  
 THENCE S 01°05'38" W ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 289.13' TO THE SE CORNER OF SAID LOT 3;  
 THENCE S 72°14'40" W ALONG THE SOUTH LINE OF SAID 15 C.S.M. 96 A DISTANCE OF 292.65 TO THE SW CORNER OF SAID LOT 4 OF 15 C.S.M. 96;  
 THENCE N 45°05'42" W ALONG THE WEST LINE OF SAID LOT 4 A DISTANCE OF 252.35' TO THE NW CORNER OF SAID LOT 4;  
 THENCE N 44°54'18" E ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 30.24' TO THE BEGINNING OF A CURVE TO THE LEFT;  
 THENCE ALONG SAID NORTH LINE AN ARC LENGTH OF 77.54', SAID CURVE HAVING A RADIUS OF 433.00', A DELTA ANGLE OF 10°15'39", A CHORD BEARING OF N 39°46'29" E, AND A CHORD LENGTH OF 77.44';  
 THENCE S 56°48'39" E A DISTANCE OF 25.27';  
 THENCE S 45°05'42" E A DISTANCE OF 94.08';  
 THENCE S 56°41'26" E A DISTANCE OF 50.20' TO THE BEGINNING OF A CURVE TO THE LEFT;  
 THENCE ALONG SAID CURVE AN ARC LENGTH OF 58.86', SAID CURVE HAVING A RADIUS OF 66.32', WITH A DELTA ANGLE OF 50°51'00", A CHORD BEARING OF S 82°06'56" E, AND A CHORD LENGTH OF 56.95';  
 THENCE N 72°27'34" E A DISTANCE OF 35.90' TO THE BEGINNING OF A CURVE TO THE LEFT;  
 THENCE ALONG SAID CURVE AN ARC LENGTH OF 82.58', SAID CURVE HAVING A RADIUS OF 65.13', WITH A DELTA ANGLE OF 72°38'54", A CHORD BEARING OF N 38°12'54" E, AND A CHORD LENGTH OF 77.16';  
 THENCE N 02°30'44" E A DISTANCE OF 36.46' TO THE BEGINNING OF A CURVE TO THE LEFT;  
 THENCE ALONG SAID CURVE AN ARC LENGTH OF 41.87', SAID CURVE HAVING A RADIUS OF 67.35', WITH A DELTA ANGLE OF 35°37'14", A CHORD BEARING OF N 15°16'16" W, AND A CHORD LENGTH OF 41.20' TO THE NW CORNER OF SAID LOT 3;  
 THENCE N 56°46'42" E ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 159.26' TO THE POINT OF BEGINNING AND THERE TERMINATING. SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, AND RIGHT OF WAY OF RECORD.

THAT I HAVE COMPLIED WITH THE CITY OF ONALASKA SUBDIVISION ORDINANCES AND THE CURRENT PROVISIONS OF CHAPTER 236.34 OF THE REVISED WISCONSIN STATUTES ON SURVEYING AND MAPPING SAME. THAT THIS CERTIFIED SURVEY IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY OF THE LANDS SURVEYED AND MAPPED.

CERTIFIED THIS 1st DAY OF May, 2015

*Jonathan A. Schmitz*  
 JONATHAN A. SCHMITZ  
 PROFESSIONAL LAND SURVEYOR #2465



**CURVE TABLE**

LINE	BEARING	DISTANCE
L1	N 44°54'18" E	30.24'
L2	S 56°48'39" E	25.27'
L3	S 56°41'26" E	50.20'
L4	N 72°27'34" E	35.90'
L5	N 02°30'44" E	36.46'
L6	N 25°33'39" E	134.06'
L7	N 40°08'27" W	138.59'

**LINE TABLE**

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	433.00'	77.54'	77.44'	N 39°46'29" E	10°15'39"
C2	66.32'	58.86'	56.95'	S 82°06'56" E	50°51'00"
C3	65.13'	82.58'	77.16'	N 38°12'54" E	72°38'54"
C4	67.35'	41.87'	41.20'	N 15°16'16" W	35°37'14"
C5	66.32'	13.16'	13.14'	S 62°22'43" E	11°22'26"
C6	66.32'	45.69'	44.79'	S 87°48'09" E	39°28'27"
C7	65.13'	48.62'	47.50'	N 53°09'16" E	42°46'10"
C8	65.13'	33.96'	33.58'	N 16°49'49" E	29°52'44"

POINT SURVEYING LLC.  
 123 NORTH WATER STREET  
 SPARTA, WI 54656  
 608-269-0744  
 JONATHAN SCHMITZ RLS #2465

THIS INSTRUMENT WAS DRAFTED  
 AND DRAWN BY JONATHAN SCHMITZ

JOB #S1T16NR7W

CLIENT: BRIAN MILLER  
 121 W. FRANKLIN ST.  
 SPARTA, WI 54656

PAGE 2  
 OF 2 PAGES

City of Onalaska, Wisconsin

Planning/Zoning  
Department

Map Designer: Brea Grace  
Last Updated: 05/08/2015



Parcel Lines



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, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

## SUBDIVISION APPLICATION

The following checklist will ensure the timely processing of your application:

- ➔ Overview/ Cover Letter Describing the following:
    - ▶ Detailed Description of Proposed Subdivision
    - ▶ Plan Set Including: Plot Plan, Legal Description, Grading/Draingage, Utilities, Site Layout, Landscaping, etc.
  - ➔ Application Fee (Payable to the City of Onalaska) = \$40 + \$10/lot. Other fees may apply.
- If Incomplete, no further processing of the application will occur until the deficiencies are corrected.*

Brief Description of Request for Subdivision.

*splitting 2 lots into 3*

**Easements on Property:**

Access:  Yes  No  
 Utility:  Yes  No  
 Other: \_\_\_\_\_

**Utilities Serving Property:**

Water:  Yes  No  
 Sanitary Sewer:  Yes  No

Number of Lots: 2  
 (Existing)  
 Number of Lots: 3  
 (Proposed)

Property Address:

Parcel Number:  
18-5955-5

Zoning District:

Applicant: POINT SURVEYING Jon Schmitt

Mailing Address: PO BOX 131

City, State, Zip: SPARTA, WI 54656

Phone Number: 608-987-1029

Email: pointsurveying@hotmail.com  Primary Contact

Business:

Owner/Contact:

Mailing Address:

City, State, Zip:

Phone Number:

Email:  Primary Contact

Property Owner: Brian Miller

Contact: " "

Mailing Address: 121 W. Franklin St

City, State, Zip: SPARTA, WI 54656

Phone Number: 608-269-2633

Email: N/A  Primary Contact

*The undersigned hereby makes an application for the location stated herein. The undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.*

Signature of Applicant:

*[Signature]*

Date: 5-7-2015

Signature of Property Owner:

*[Signature]*

Date: 5/7/15

OFFICE USE ONLY:

Date Submitted: 5/8/2015

Permit Number:

Permit Fee:

Cash

Check #

Application Received by: BJ

*Please invoice.*



# CITY OF ONALASKA

Agenda Item:

# 12

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

- Agenda Item: Consideration of a Certified Survey Map (CSM) containing 1.78 acres and 2 lots.
- Applicant: Jeff Moorhouse, Paragon Associates on behalf of I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54601
- Property Owner: I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54601
- Parcel Number: 18-6307-0
- Site Location: Intersection of Summers Day Lane and Walnut Place in the Walnut Grove Subdivision
- Existing Zoning: Single Family Residential (R-1) and Planned Unit Development (PUD) Zoning Districts.
- Neighborhood Characteristics: The zoning of land within 250 feet of the proposed site includes Single Family Residential, Multi-Family Residential, Public & Semi-Public and Planned Unit Developments.
- Conformance with Comprehensive Land Use Plan: The Comprehensive Plan's Future Land Use Plan designates this area as *Conservation/Cluster Residential District*. This district is intended to accommodate primarily single family development on clustered compact lots with common open space, outside of environmentally sensitive areas.
- Background: The applicant is requesting approval to divide Lot 2 of the existing Plat into two (2) lots and to construct a single family dwelling on each lot. Lot 2 is currently vacant.
- Action Requested: The applicant seeking approval of the Certified Survey Map.

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

May 19, 2015

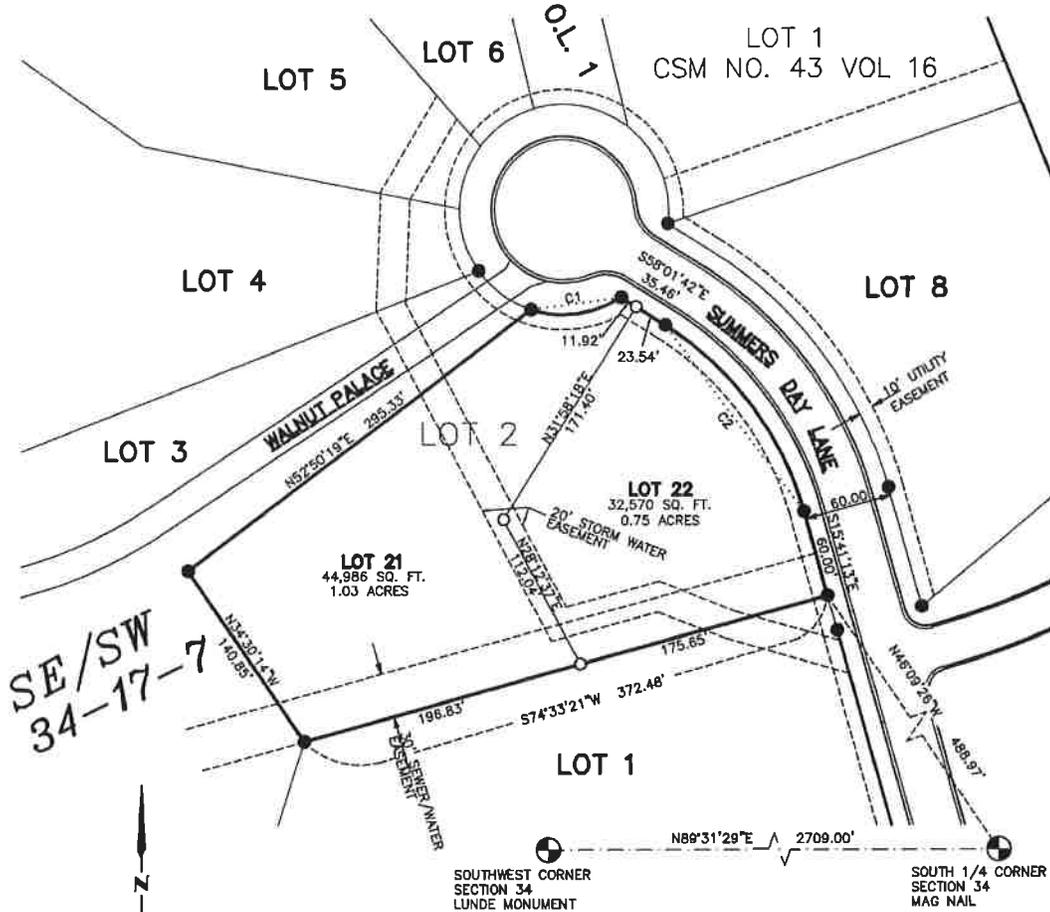
## **Agenda Item 12:**

**Consideration of a Certified Survey Map (CSM) submitted by Jeff Moorhouse of Paragon Associates on behalf of I & B of Hudson, LLC, 422 Callaway Boulevard, La Crosse, WI 54603, for the purpose of subdividing Walnut Grove Lot 2 into two (2) buildable lots on the property located at 1005 Summers Day Lane (Tax Parcel #18-6307-0).**

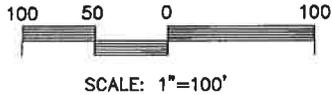
1. CSM Fee of \$40.00 + \$10.00 per lot x 2 lots = \$60.00 due before final approval of CSM by the City. (PAID)
2. Park Fee of \$922.21 per residential unit x 2 = \$1,844.42. Park fee to be paid prior to issuance of a building permit.
3. Recorded copy of Final CSM to be submitted to City Engineering Department.
4. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.
5. Verification of square footages of existing and new lots.
6. A copy of the amended 20' Stormwater Easement across Lot 2 shall be provided to the City prior to the issuance of a Building Permit.
7. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals) and additional City fees (i.e., parks fees, green fee).
8. 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.
9. Any omissions of any conditions not listed shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

**CERTIFIED SURVEY MAP    Volume    Page**

ALL OF LOT 2 WALNUT GROVE, PART OF THE SE-SW, SECTION 34, TOWNSHIP 17 NORTH, RANGE 7 WEST, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN



  
**BASIS FOR BEARINGS**  
 THE SOUTH LINE OF THE SW 1/4  
 ASSUMED TO BEAR  
 N89°31'29"E  
 (LA CROSSE COORDINATE SYSTEM)



C1:  
 R=72.00'  
 L=64.54'  
 Δ=51°21'47"  
 CHORD= N82°16'39"E, 62.41'  
 TANGENTS=  
     N72°02'27"W  
     N56°35'45"E

C2:  
 R=220.00'  
 L=162.56'  
 Δ=42°20'11"  
 CHORD= S36°51'37"E, 158.89'  
 TANGENTS=  
     N15°41'31"W  
     S58°01'42"E

**LEGEND**

- SET 3/4" x 18" IRON BAR (1.5 LBS/LIN FT)
- FOUND IRON PIPE
- ( ) RECORDED AS BEARINGS AND/OR DISTANCES

**SURVEYOR**  
 JACOB K. STEPHENSON #3076  
 PARAGON ASSOCIATES  
 632 COPELAND AVENUE  
 LA CROSSE WI 54603

**OWNER**  
 I AND B OF HUDSON, LLC  
 422 CALLAWAY BLVD  
 LA CROSSE WI 54603

SHEET 1 of 2


**PARAGON ASSOCIATES**  
 Environmental Design & Consulting  
 CIVIL ENGINEERING · LANDSCAPE ARCHITECTURE · SURVEYING  
 632 COPELAND AVENUE · LA CROSSE, WI 54603  
 Tel.608.781.3110 Fax.608.781.3197 Paragon-Assoc.biz

APR 22 2013  
 BY: \_\_\_\_\_

DESCRIPTION

ALL OF LOT 2 WALNUT GROVE, PART OF THE SE-SW, SECTION 34, TOWNSHIP 17 NORTH, RANGE 7 WEST, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE N 46°09'26"W, 488.97 FEET TO THE SOUTHEAST CORNER OF LOT 2 OF SAID SUBDIVISION AND WEST RIGHT-OF-WAY SUMMERS DAY LANE; THENCE S74°33'21"W, 372.48 FEET ALONG THE SOUTH LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N34°30'14"W, 140.85 FEET ALONG THE WEST LINE OF SAID LOT 2 TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE N52°50'19"E, 295.33 FEET ALONG THE NORTH LINE OF SAID LOT 2 TO THE WEST RIGHT-OF-WAY OF SAID ROAD AND THE BEGINNING OF A 72.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST; THENCE ALONG THE ARC OF SAID CURVE 64.54 FEET ALONG SAID RIGHT-OF-WAY, THE CHORD OF WHICH BEARS N82°16'39"E, 62.41 FEET; THENCE S58°01'42"E, 35.46 FEET ALONG SAID RIGHT-OF-WAY AND BEGINNING OF A 220.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF SAID CURVE 162.56 FEET ALONG SAID RIGHT-OF-WAY, THE CHORD OF WHICH BEARS S36°51'37"E, 158.89 FEET; THENCE S15°41'13"E, 60.00 FEET ALONG SAID RIGHT-OF-WAY AND POINT OF BEGINNING.

PARCEL CONTAINS 77,556 SQ. FT.± AND/OR 1.78 ACRES AND IS SUBJECT TO ALL EASEMENTS IMPLIED AND/OR RECORDED.

SURVEYOR'S CERTIFICATE

I, JACOB K. STEPHENSON, PROFESSIONAL LAND SURVEYOR #3076, HEREBY CERTIFY THAT THIS IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF, MADE UNDER THE DIRECTION OF, I AND B OF HUDSON, LLC, OWNER, AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES, AND THE CITY OF ONALASKA SUBDIVISION CONTROL ORDINANCE IN SURVEYING, DIVIDING AND MAPPING THE ABOVE DESCRIBED PARCEL.

\_\_\_\_\_  
JACOB K. STEPHENSON                      PLS#3076  
PARAGON ASSOCIATES

OWNER'S CERTIFICATE

I, I AND B OF HUDSON, LLC, AS OWNER, DO HEREBY CERTIFY THAT I HAVE CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, DIVIDED, AND MAPPED AS SHOWN HEREON.

\_\_\_\_\_ SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
I AND B OF HUDSON, LLC

CITY OF ONALASKA

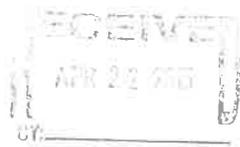
THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE CITY OF ONALASKA

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR





City of Onalaska, Department of Planning & Zoning, 415 Main Street, Onalaska, WI 54650

# SUBDIVISION APPLICATION

The following checklist will ensure the timely processing of your application:

- ➔ **Overview/ Cover Letter Describing the following:**
    - ▶ Detailed Description of Proposed Subdivision
    - ▶ Plan Set including: Plot Plan, Legal Description, Grading/Draingage, Utilities, Site Layout, Landscaping, etc.
  - ➔ **Application Fee** (Payable to the City of Onalaska) = \$40 + \$10/lot. Other fees may apply.
- If incomplete, no further processing of the application will occur until the deficiencies are corrected.*

### Brief Description of Request for Subdivision.

Request to split Lot 2 of Walnut Grove Subdivision into  
2 buildable lots.

### Easements on Property:

Access:  Yes  No  
 Utility:  Yes  No  
 Other: \_\_\_\_\_

### Utilities Serving Property:

Water:  Yes  No  
 Sanitary Sewer:  Yes  No

Number of Lots: 1  
(Existing)  
 Number of Lots: 2  
(Proposed)

Property Address: 1005 Summers Day Ln  
 Parcel Number:  
18- 6307-0  
 Zoning District:  
R1 - PUD

Applicant: Paragon Associates  
 Mailing Address: 632 Copeland Ave.  
 City, State, Zip: La Crosse, WI 54603  
 Phone Number: 608-781-3110  
 Email: jeffm@paragon-assoc.biz  Primary Contact

Business:  
 Owner/Contact:  
 Mailing Address:  
 City, State, Zip:  
 Phone Number:  
 Email:  Primary Contact

Property Owner: I & B of Hudson LLC  
 Contact: Bekir "Chili" Shabani  
 Mailing Address: 422 Callaway Blvd.  
 City, State, Zip: La Crosse, WI 54603  
 Phone Number: 608-498-1168  
 Email: chilishabani@gmail.com  Primary Contact

The undersigned hereby makes an application for the location stated herein. The undersigned agrees that all work shall be done in accordance with the requirements of the City of Onalaska Unified Development Code / Zoning Ordinance and with all other applicable City Ordinances and the laws and regulations of the State of Wisconsin.

Signature of Applicant: [Signature] Date: 4/22/2015  
 Signature of Property Owner: [Signature] Date: 4-21-15

OFFICE USE ONLY: Date Submitted: \_\_\_\_\_ Permit Number: \_\_\_\_\_  
 Permit Fee:  Cash  Check # \_\_\_\_\_ Application Received by: \_\_\_\_\_

60.00 60.00 7 DRS 2 SABANI APPLIED

PAID BY PARAGON ASSOC  
CK 60.00 REF 15W - 4248

18-6307-0 60.00

# RECEIVED

APR 22 2015

BY: \_\_\_\_\_  
 REC#: R00006805 04/22/2015 2:21 PM  
 CITY OF ONALASKA  
 TRN#: 450 PLANNING & ZONING  
 OPER: 01 TERM: 1  
 TRKY: CASH 01



# *CITY OF ONALASKA*

## *STAFF REPORT*

Plan Commission Sub-Committee – May 19, 2015

Agenda Item:

#13

Agenda Item: Review of an amendment to Title 2 Chapter 4 of the City of Onalaska Code of Ordinances. (FIO)

Background: Title 2 Chapter 4 of the Code of Ordinances is the authorizing municipal ordinance for the Plan Commission, consistent with State Statutes. The purpose of the amendment is to clarify the approval responsibilities of the Plan Commission, including site development plans (when forwarded by the Land Use & Development Director to the Plan Commission) and requests for Conditional Use Permits. The amendment will bring this Section of the City's Code into conformity with language granting these approval responsibilities in the Zoning Ordinance.

Attached is a copy of existing ordinance language with proposed amendments (in red) to conform to state requirements regarding telecommunication towers.

As this matter has been reviewed and approved for 1<sup>st</sup> and 2<sup>nd</sup> Readings by A&J on May 6<sup>th</sup> and Common Council on May 12<sup>th</sup>, this item is For Information Only for the Plan Commission.

## Tracked Changes

### Sec. 2-4-5 City Plan Commission.

- (a) **Composition.** The Pan Commission shall consist of eight (8) members as follows: the Mayor, one (1) Council Member, Director of Public Works, the Park and Recreation Board President or Vice-President in the event of the President's unavailability, and four (4) citizens.
- (b) **Appointment.**
  - (1) **Election/Appointment of Council Member**~~Member~~. At its annual meeting in April of each year the Common Council shall, by a two-thirds (2/3) vote of its members, elect one (1) of its number as member of the City Plan Commission for a period of one (1) year from and after the first day of May next ensuing.
  - (2) **Appointment and Terms of Citizen Members.** The four (4) citizen members shall be appointed by the Mayor and confirmed by the Common Council to hold office for a period ending respectively one (1), two (2) and three (3) years thereafter from the succeeding first of May. Annually during April, members shall be appointed for a term of three (3) years.
- (c) **Organization of Commission.** The Mayor shall serve as presiding officer. The Plan Commission shall organize by the election of a vice-chairman, secretary and such other officers as may in their judgment be necessary.
- (d) **Record.** The Plan Commission shall keep a written record of its proceedings to include all actions taken, a copy of which shall be filed with the City Clerk. Five (5) members shall constitute a quorum but all actions shall require the affirmative approval of a majority of all of the members of the Commission.
- (e) **Duties.**
  - (1) **The Master Plan.**
    - a. The Plan Commission may make, adopt and, as necessary, amend, extend or add to the master plan, subject to Common Council confirmation, for the physical development of the City including areas outside of its boundaries which, in the Plan Commission's judgment, bear relation to the development of the City. ~~the~~The master plan, with the accompanying maps, plats and descriptive and explanatory matter, shall show the Commission's recommendations for such physical development, and may include, among other things without limitation because of enumeration, the general location, character and extent of streets, highways, freeways, street grades, roadways, walks, parking areas, public places and areas, parks, parkways, playgrounds, sites for public buildings and structures, and the general location and extent of sewers, water conduits and other public utilities whether privately or publicly owned, the acceptance, widening, narrowing, extension, relocation, removal, vacation, abandonment or change of use of any of the foregoing public ways, grounds, places, spaces, buildings, properties, utilities, routes or terminals, the general location, character and extent of community centers and neighborhood units, and a comprehensive zoning plan.

- b. The Plan Commission may adopt the master plan as a whole by a single resolution, or as the work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts thereof, any such part to correspond generally with one or more of the functional subdivisions of the subject matter of the plan. The adoption of the plan or any part, amendment or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Plan Commission, subject to confirmation by the Common Council. The resolution shall refer expressly to the maps, descriptive matter, and other matters intended by the Commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part thereof by the identifying signature of the secretary of the Commission, and a copy of the plan or part thereof shall be certified to the Common Council. The purpose and effect of the adoption and certifying of the master plan or part thereof shall be solely to aid the Plan Commission and the Common Council in the performance of their duties.
- (2) **Mandatory Referrals to Commission.** The Common Council or officer of the City having final authority thereon shall refer to the Plan Commission, for its consideration and report before final action is taken by the Council, public body or officer, the following matters: the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, ~~change of use~~, sale, acquisition of land for or lease of land for any street, alley or other public ways (along with other appropriate City boards or commissions), park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the City or within the territory over which the City is given platting jurisdiction by Chapter 236, Wis. Stats.; the location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any land use ordinance. Unless such report from the Commission is made within thirty (30) days, or such longer period as may be stipulated by the Common Council, the Council or other public body or officer may take final action without it.
- (3) ~~(3) **Miscellaneous Powers.**~~ **Miscellaneous Powers.** The Plan Commission exercises final review and approval of site development plans and requests for conditional use permits and has the authority to make those decisions which the City of Onalaska Zoning Code (Title 13) has given the Plan Commission the authority to make, including but not limited to approval of non-substantial changes to Planned Unit Developments, sign approval for Roof Signs, extensions for the limitations to Outdoor Displays and Sales, approval of Temporary Sales Events and approval of Tower Lighting. The Plan Commission may make reports and recommendations relating to the plan and development of the City to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. It may recommend to the Common Council programs for public improvements. All public officials shall, upon request, furnish to the Plan Commission, within a reasonable time, such available information as it may require for its work. The Plan Commission, its members and employees, in the performance of its

functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments and markers thereon. In general, the Plan Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Common Council.

- (f) **Vacancies.** Vacancies shall be filled by appointment for the remainder of the unexpired term in the same manner as appointment for the full term.
- (g) **Compensation.** No compensation shall be paid for service on the Commission. Citizen members shall take the official oath as required by Sec. 19.01, Wis. Stats., said oath to be filed with the City Clerk.



# CITY OF ONALASKA

## STAFF REPORT

Plan Commission Sub-Committee – May 19, 2015

Agenda Item:

# 14

**Agenda Item:** Review and discussion of 2015 Comprehensive Plan Update, Chapter 8 – Intergovernmental Cooperation.

**Background:** The Long Range Planning Committee (LRPC) is in the process of updating the existing 2005-2025 Comprehensive Plan into the 2015 Comprehensive Plan Update.

The committee is seeking additional feedback on the revised chapters and other City Committees will have opportunities to review relevant chapters in addition to the LRPC.

Plan Commission comments will be provided to the LRPC.

Chapters 2-7 Reviewed by Plan Commission:

- Issues & Opportunities;
- Housing;
- Transportation;
- Utilities & Community Facilities;
- Agricultural, Natural, and Cultural Resources; and
- Economic Development.

All revised chapters are available on the City's Webpage [www.cityofonalaska.com](http://www.cityofonalaska.com) for review and comment by the public. Go to "Planning Department" and select "2015 Comprehensive Plan Update".

Chapters Available on City Website:

- Issues & Opportunities;
- Housing;
- Transportation;
- Utilities & Community Facilities;
- Agriculture, Natural, & Community Resources;
- Economic Development; and
- Intergovernmental Cooperation.

## 8.0 Intergovernmental Cooperation

### 8.1 Existing Conditions

### 8.2 Assessment of Future Conditions

### 8.3 Growth Trends and Planning Activities in Adjacent Communities

*Wis. Stats. 66.1001(2)(g)  
(g) Intergovernmental cooperation element. A compilation of objectives, policies, goals, maps, and programs for joint planning and decision making with other jurisdictions, including school districts and adjacent local governmental units, for siting and building public facilities and sharing public services. The element shall analyze the relationship of the local governmental unit to school districts and adjacent local governmental units, and to the region, the state and other governmental units. The element shall consider, to the greatest extent possible, the maps and plans of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, with which the local governmental unit shares common territory. The element shall incorporate any plans or agreements to which the local governmental unit is a party under s. 66.0301, 66.0307 or 66.0309. The element shall identify existing or potential conflicts between the local governmental unit and other governmental units that are specified in this paragraph and describe processes to resolve such conflicts.*

Intergovernmental cooperation is an important tool needed to operate in an efficient and cost effective manner, as well as to control and promote growth in an orderly fashion for the City of Onalaska, as well as the adjacent units of government.

### 8.1 Existing Conditions

#### *Intergovernmental Plans, Agreements, and Relationships*

The City currently does not have any cooperative boundary agreements as defined under State Statute 66.0307. A regional master plan as defined under State Statute 66.0309 has been completed by the Mississippi River Regional Planning Commission (MRRPC). Other indirect relationships exist between neighboring jurisdictions, the Onalaska School District, La Crosse County, the MRRPC, WDNR, WisDOT, and several other State agencies/departments. Enhancing the relationship of the City with all adjoining and overlapping jurisdictions can and will advance dialogue and actions necessary to ready the City for future changes in land use and growth pressures.

Other existing intergovernmental agreements include:



Agreement Number	Parties	Title
394-03	Holmen, West Salem, Bangor, Rockland, Town of Campbell, Town of Shelby	Joint Municipal Court
368-02	Metropolitan Planning Organization	Intermunicipal Agreement
358-01	La Crosse County Aging Unit	Community Center Lease
359-01, 461-05	Villages of Holmen, West Salem	Shared Ride Transit Agreement
360-01, 414-04	Onalaska School District	Rowe Park Maintenance Contract & Parking Lot Addition
345-01	Winona and Houston Counties	Mutual Aid Agreement
322-00	La Crosse County	Emergency Management Documentation Guidelines
235-95	Onalaska School District	Police Liaison Officer
223-94	La Crosse County Land Conservation	Cooperative Agreement-Erosion Control
444-05	La Crosse County	Landfill Siting Agreement
456-05 & 454-05	City of La Crosse, Towns of Onalaska, Campbell, Shelby, Hamilton, Villages of Holmen, West Salem	Cooperative Recycling Agreement & Recycling Brochure
468-08 & 510-07	City of La Crosse, Village of Holmen	Emergency Water Supply
474-06	La Crosse County	Bear Cat Vehicle usage for emergency response.
492-06	Mississippi Valley Conservancy Partnership	Bluff Land Preservation
533-08, 2015	La Crosse County, Mississippi River Regional Planning Commission	Multi-Hazard Mitigation Plan
546-09		WisWarn Mutual Aid & Assistance Agreement
554-09 & 538-11	Trempealeau	MOU for K-9
561-09	Town of Campbell	Building Inspection Services
570-10		Mutual Aid Box Alarm System (MABAS) Mutual Aid
588-11	La Crosse County Library	Services Agreement
		911 System: Joint Powers Agreement
2012, 2014	Town of Onalaska, Town of Medary, City of La Crescent, MN	Fire Department Mutual Aid Agreement
2014	La Crosse County	Multi-Disciplinary Team Response to Child Maltreatment



## Adjacent Jurisdictions

The City of Onalaska is located in La Crosse County and borders the Towns of Onalaska and Medary. The City shares a common boundary with the City of La Crosse to the south. The Village of Holmen abuts the City to the north, while West Salem lies to the east of the City. Surface waters, including the Black River, the Mississippi River and Lake Onalaska, create a natural boundary to the west.

The City is not currently a party to any cooperative boundary agreements. However, there is a stipulated boundary agreement between the City of Onalaska and the City of La Crosse that was approved in 1997 as it related to a small portion of the Town of Medary (South Kinney Coulee area) that was involved in annexation litigation between the two Cities.

The City of Onalaska lies entirely within the La Crosse Sewer Service Area, and contracts with the City of La Crosse for all of its wastewater treatment. The Cities also work cooperatively to coordinate the Metropolitan Transit Utility as well.

The City has been in talks with the Town of Medary and the Village of Holmen to consider developing and entering into possible cooperative boundary agreements.

The City of Onalaska currently provides fire service to the Town of Onalaska. A portion of the Town is also served by the La Crosse Sewer Service Area. The Town of Onalaska has recently gathered a petition to incorporate, and plans to file with the Wisconsin Department of Administration. If approved, the result of the incorporation would impact the ability of the City of Onalaska to grow and expand into areas of the Town in the future.

The Village of Holmen and the City have historically had a cooperative relationship. They have been working towards developing a cooperative boundary agreement, and in general, have worked cooperatively to provide utilities and services in a cost effective matter – including Shared-Ride Transit and a future sanitary sewer connection.

The Village of West Salem lies to the east of Onalaska but does not share a border. As the Village continues to grow, as does the City, it is recognized that there is a possibility that they will share a common border at some point in the future.

Although not adjacent, the Town of Campbell and the City of Onalaska have been working together cooperatively. The City of Onalaska performs building inspections for the Town of Campbell.

### *Why Collaborate?*

- Provide a wider network of compatible businesses for clustering.
- Provide a greater array of services available to a larger market.
- Create traffic patterns that capitalize on the contributions of multiple communities, while retaining a greater number of dollars within the region.
- Pool government resources to prevent overlapping or duplicative services.
- Consolidate heavy-cost services.
- Pool government resources to achieve volumes necessary to access deep discounts not available individually.
- Share financial resources to protect natural resources.

*Source: Wisconsin Economic Development Institute, Inc., A Guide to Preparing the Economic Development Element of a Comprehensive Plan. 2003.*



## **Schools**

Students in the City of Onalaska generally attend public school in the Onalaska School District, with some children attending the Holmen School District. The City's relationship with the School District is cooperative. The City has been supportive of the Onalaska School District's expansion needs when they have arisen, and will continue to work with both school districts on future needs as they arise.

## **County and Regional Agencies**

The City of Onalaska is located in La Crosse County. The County has limited jurisdiction within the City.

The relationship between the City of Onalaska and La Crosse County can be characterized as one of cooperation. Particular areas of emphasis include economic development, general mutual aid agreements with emergency services, and transportation issues.

La Crosse County and the City of Onalaska are part of the Mississippi River Regional Planning Commission (MRRPC). Regional planning commissions provide planning assistance, assist local interests in responding to state and federal programs, serve as a coordinating agency for programs, and provide other technical and advisory assistance to local governments.

### *Healthy collaborations:*

- Are less competitive than traditional decision-making.
- Are based on joint learning and fact finding.
- Feature opportunities for creative and systemic thinking.
- Encourage parties to participate jointly in the decision-making process.
- Can be ongoing processes that accept new players.
- Structure participant interaction to encourage constructive dialogue, discussion and deliberation.
  - Accommodate mutual gain negotiation.
- Address matters of procedure and relationships as well as substance.
  - Allocate implementation responsibility across as many parties in the process as the situation warrants.'

Source: Daniels and Walker, Oregon State University.

## **State Agencies**

WDNR and WisDOT are the primary state agencies the City of Onalaska must coordinate with to achieve the goals and objectives of this Plan.

WDNR has a lead role in wildlife protection and the protection and sustained management of woodlands, wetlands, and other natural wildlife habitat areas. The activities of the WDNR are discussed further in the Agricultural, Natural, and Cultural Resources Element of this Plan. Additional information is also available on-line at [www.dnr.state.wi.us](http://www.dnr.state.wi.us).

WisDOT is also a key player in the planning and development of transportation facilities in the City of Onalaska. WisDOT is responsible for the maintenance of Interstate 90, USH 53, and State Roads 16, 35, and 157. The City will continue to coordinate with WisDOT with respect to decisions regarding all roadways under WisDOT jurisdiction. Additional information is also available on-line at [www.dot.state.wi.us](http://www.dot.state.wi.us).

Open communication and participation in land use and transportation decisions, which may impact the City, is an important priority for intergovernmental cooperation in the future.



### ***Onalaska Armory***

The Onalaska Armory, located at 910 Oak Forest Drive, is home to the Wisconsin National Guard's Company A, 32<sup>nd</sup> Brigade Special Troops Battalion and U.S. Army Reserve units. The Armory recently went through a \$3 million remodel in 2013.



### ***United States Fish and Wildlife Conservation Office***

The US Fish and Wildlife office runs an office as N5727 County Road Z. The visitor center provides opportunity to learn about the refuge that they maintain, go through interactive exhibits about the diverse wildlife and habitats. This area also has a river walk, miles of paved and gravel trails traversing through prairie lands.

### ***United States Geological Survey – Upper Midwest Environmental Sciences Center (UMESC)***

This facility conducts applied research to solve natural resource management problems. Their office is located at 2630 Fanta Reed Road. A primary target of their work includes monitoring the Mississippi River and testing new procedures and applications for research prior to rolling out those strategies agency-wide.

## **8.2 Assessment of Future Conditions**

In the future, an open and continuous dialogue between the City, La Crosse County, and other governmental jurisdictions will result in cooperative and mutually beneficial efforts. These efforts are critical to the future planning and development of public and shared services and open communications. Without the coordination and cooperation of local governmental



jurisdictions, decisions critical to preserving and enhancing local and regional characteristics, activities, and natural resources will be compromised.

As growth and land use changes continue in the area, development in the City of Onalaska may be a contentious topic to neighboring property owners, and surrounding communities. Collaboration with communities in the region to attract new development and retain existing businesses is vital. Continued work with adjacent jurisdictions towards cooperative boundary agreements would also reduce contention and potential conflict.

### ***Conflict Resolution Procedures***

The City recognizes the importance of coordinating with neighboring communities. If conflicts arise, initial attempts to resolve such conflicts could involve written or face-to-face communication between elected or appointed community officials. If these efforts do not result in a mutually satisfactory agreement, more formal conflict resolution methods could be explored, such as mediation or arbitration. Additional conflict resolution techniques are available as described in Wisconsin State Statutes 802.12.

## **8.3 Growth Trends and Planning Activities in Adjacent Communities**

*Competition has been shown to be useful up to a certain point and no further, but cooperation, which is the thing we strive for today, begins where the competition leave off.*

*Franklin D. Roosevelt*

The City of Onalaska will seek to cooperate with all neighboring municipalities, the county, state agencies, and the school district for mutual benefit. To ensure compatibility with the planning goals and objectives identified in the City of Onalaska’s Comprehensive Plan, the City will share their plan with adjacent communities and agencies and would like to participate in future planning efforts with these entities.

## **8.4 Goals, Objectives and Policies**

### **Goals and Objectives**

Goal 1: Continue to work cooperatively and maintain excellent relations with all governmental units in and around the region.

#### Objectives

- a. Frequently communicate with other government officials (staff, elected and appointed officials) both formally (on committees, etc.) and informally (telephone calls, emails, etc.).
- b. Participate on regional or joint planning committees.
- c. Coordinate on planning efforts (e.g., comprehensive, land



use, transportation, and natural resource protection), regulations, and specific land use decisions.

- d. Share information, equipment, resources, facilities, technology, services and possibly revenue that have cross-jurisdictional use.
- e. Evaluate the creation of intergovernmental agreements with the City of La Crosse; Villages of Holmen and West Salem; Towns of Onalaska, Medary, and Hamilton.
- f. Evaluate existing intergovernmental cooperation efforts and determine the need to maintain, improve, expand or dissolve existing agreements.

Goal 2: Work with neighboring communities to lower the costs of providing services.

#### Objectives

- a. Achieve cost efficiencies, combined with excellent public service delivery, through cooperative public service arrangements.
- b. Identify opportunities to jointly provide expanded or new services such as additional recreational programs or parks facilities with neighboring communities.

Goal 3: Collaborate with all neighboring jurisdictions, La Crosse County, and organizations (e.g., Mississippi Valley Conservancy, economic development entities, etc.) to implement this Comprehensive Plan.

#### Objectives

- a. Collectively protect natural resources that are particularly threatened by impending development (bluffs, water resources, etc.).
- b. Work collectively to create a coordinated growth and development strategy for the region.

### Policies and Recommendations

- 1) Work with surrounding communities and La Crosse County



to develop compatible land use and zoning regulations.

- 2) Cooperate with surrounding jurisdictions to improve service delivery.
- 3) Jointly plan transportation and trail (bicycle and pedestrian) improvements and connections.
- 4) Work cooperatively to implement regional planning efforts.
- 5) Continue to participate in existing intergovernmental cooperation efforts including emergency services, the Shared Ride Transit Service and the La Crosse Metropolitan Transit Utility.
- 6) Work with the Village of Holmen, Town of Onalaska, and City of La Crosse to make the Great River Road a signature corridor that provides a sense of pride for residents and a major attraction for tourists through the region.
- 7) Involve the school districts in long range planning efforts and in reviewing current development proposals.
- 8) Consider participating in a regional Purchase of Development Rights and similar programs to preserve environmentally sensitive areas, important open spaces for recreational uses or other public purposes, and farmland.

