

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, February 16, 2016

1

1 The Meeting of the Plan Commission Sub Committee of the City of Onalaska was called to order
2 at 4:30 p.m. on Tuesday, February 16, 2016. It was noted that the meeting had been announced
3 and a notice posted at City Hall.

4
5 Roll call was taken, with the following members present: Skip Temte, City Engineer Jarrod
6 Holter, Ald. Jim Bialecki

7
8 Also Present: Interim Land Use and Development Director Katie Aspenson, Ald. Jim Binash,
9 Jan Brock of the Plan Commission

10
11 **Item 2 – Approval of minutes from previous meeting**

12
13 Motion by Skip, second by Jarrod, to approve the minutes from the previous meeting as printed
14 and on file in the City Clerk’s Office.

15
16 On voice vote, motion carried.

17
18 **Item 3 – Public Input (limited to 3 minutes per individual)**

19
20 Ald. Bialecki called three times for anyone wishing to provide public input and closed that
21 portion of the meeting.

22
23 **Consideration and possible action on the following items:**

24
25 **Item 4 – Review and Consideration of Resolution No. 1-2016 recommending that the**
26 **Common Council adopt the Comprehensive Plan prepared by the Plan Commission and**
27 **Long Range Planning Committee, and adopt the Comprehensive Plan as “City of Onalaska**
28 **2015 Comprehensive Plan”**

29
30 Motion by Ald. Bialecki, second by Skip, to approve Resolution No. 1-2016 recommending that
31 the Common Council adopt the Comprehensive Plan prepared by the Plan Commission and Long
32 Range Planning Committee, and adopt the Comprehensive Plan as “City of Onalaska 2015
33 Comprehensive Plan.”

34
35 On voice vote, motion carried.

36
37 **Item 5 – Review and Consideration of a request by Steve Bluske of Shopko to host a tent**
38 **sale event in 2016 that will last until August 31, 2016 at 9366 State Road 16, Onalaska, WI**
39 **(Tax Parcel #18-3589-9)**

40
41 Motion by Ald. Bialecki, second by Skip, to approve a request by Steve Bluske of Shopko to
42 host a tent sale event in 2016 that will last until August 31, 2016 at 9366 State Road 16,

Reviewed 2/17/16 by Katie Aspenson

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43 Onalaska, WI.

44

45 On voice vote, motion carried.

46

47 **Item 6 – Review and Consideration of a request by Tracy Sacia of Home Depot to host a**
48 **tent sale event in 2016 that will last until July 15, 2016 at 2927 Market Place, Onalaska, WI**
49 **(Tax Parcel #18-3635-4)**

50

51 Motion by Ald. Bialecki, second by Skip, to approve a request by Tracy Sacia of Home Depot to
52 host a tent sale event in 2016 that will last until July 15, 2016 at 2927 Market Place, Onalaska,
53 WI.

54

55 On voice vote, motion carried.

56

57 **Item 7 – Discussion and Consideration regarding churches and daycares in the City of**
58 **Onalaska**

59

60 Ald. Bialecki referred to a copy of a memo included in committee members’ packets and said he
61 believes that the city’s legal counsel is recommending that a working group be formed.

62

63 Katie said three options have been brought forward for the Plan Commission to consider at its
64 February 23 meeting: allow the illegal nonconforming use, require that the properties be brought
65 into compliance, or change the Zoning Code to allow daycares without Conditional Use Permits.

66

67 Jarrod said he believes this item should be passed onto the full Plan Commission so all its
68 members may provide input.

69

70 Ald. Bialecki said he agrees with Jarrod, noting that this item also involves Conditional Use
71 Permits. Ald. Bialecki said, “Generally speaking, I think some of those in the context of other
72 daycares have not been applied for. I think that might have been because no one approached the
73 city to say they needed one. Generally speaking, I think the Conditional Use Permit process
74 needs to stay in place. It’s not just for this reason, but generally for the city so you have control
75 within the city.” Ald. Bialecki said factors such as hours of operation, parking and traffic must
76 be taken into consideration and reiterated he agrees with Jarrod that it would be wise for the
77 entire Plan Commission to examine and discuss this topic.

78

79 Ald. Bialecki addressed the PILOT (Payment in Lieu of Taxes) program and asked if it would be
80 possible to obtain the language passed by the State of Wisconsin during the 2010 budget process.
81 Ald. Bialecki said it is his understanding that a municipality may charge the full mill rate on
82 certain activities, including churches, if it so chooses. Ald. Bialecki also asked to look into if
83 any other municipalities are utilizing a similar practice.

84

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85 Katie promised she would research Ald. Bialecki's questions and noted that legal counsel will be
86 present at the February 23 Plan Commission meeting.

87
88 Motion by Ald. Bialecki, second by Skip, to forward to the February 23 Plan Commission
89 meeting discussion and consideration regarding churches and daycares in the City of Onalaska.

90
91 Skip said he had confused daycares with preschools, noting that they are different, and
92 questioned whether there are daycares or preschools at city churches. Skip pointed out that
93 preschools operate differently than daycares.

94
95 On voice vote, motion carried.

96
97 **Item 8 – Discussion and Consideration regarding fence setbacks in non-residential zoned**
98 **properties in the City of Onalaska**

99
100 Katie referred to Ordinance 13-6-10, which states that the 3-foot setback requirement for
101 residential fences is for residential districts only. Katie noted that this is the opposite of the
102 policy city staff has been implementing. Katie said the City's legal counsel has encouraged the
103 Plan Commission to discuss the city's policy and potentially establish fence regulations in all
104 districts. Katie expressed hope that, if needed, either an ordinance amendment or an improved
105 policy will be established within the next 90 days.

106
107 Ald. Bialecki suggested asking city legal counsel what will happen to those with fencing already
108 in place if the city passes a policy requiring everyone to adhere to the setback requirement.

109
110 Katie said that if the ordinance is amended and includes new rules stating everyone in the city,
111 regardless of district, must adhere to the setback policy, everyone who currently has a fence that
112 does not meet the setback requirement will be grandfathered in. Katie said, "It would be a legal,
113 nonconforming structure."

114
115 Ald. Bialecki asked if the fence at Rivers Harvest Church is currently considered legal.

116
117 Katie said yes.

118
119 Skip asked, "When we talk about expanding this, what is the benefit to the citizens of the city to
120 expand it? I'm one of these people who would like to see us keep down the number of
121 ordinances and control as much as possible, and that we only do things that are really to the
122 benefit. Is this really to the benefit of the citizens for us to do this?"

123
124 Ald. Bialecki referred to comments made at past meetings about the fencing protecting a park at
125 Sand Lake Road and said the fencing is there for safety reasons. Ald. Bialecki said the same is
126 true for the fencing at the Coulee Golf Bowl golf course, which is located in the Town of

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127 Onalaska but abuts the City of Onalaska. Ald. Bialecki also noted that Mathy Construction,
128 which is located on 10th Avenue North, erected a fence for security reasons.

129
130 Skip again asked about the benefit of expanding the setback and said it should not be expanded if
131 there is no benefit to doing so.

132
133 Jarrod said he believes there is a 3-foot setback rule for residential districts because in many
134 instances citizens are unsure of the exact location of lot lines. Jarrod said, "I think if you did
135 change anything you'd probably want to have something, which I'm sure is already covered in
136 the Public Works portion of the ordinance under 'Sidewalks,' that you can't block or impede a
137 sidewalk. So you can't have a fence, even if it is on their property, hanging over or impeding the
138 use of the sidewalk. It's probably covered in other areas if you don't want to have a certain
139 setback."

140
141 Motion by Ald. Bialecki, second by Skip, to forward to the February 23 Plan Commission
142 meeting discussion and consideration regarding fence setbacks in non-residential zoned
143 properties in the City of Onalaska.

144
145 On voice vote, motion carried.

146
147 **Item 9 – Discussion and Consideration regarding Conditional Use Permits in the City of**
148 **Onalaska**

149
150 Ald. Bialecki reiterated he believes that the Conditional Use Permit process needs to remain in
151 place.

152
153 Katie said city staff has been reviewing the language contained in the Conditional Use Permit
154 policy as public input and neighborhood protections are essential when development occurs.
155 Katie noted that legal counsel had examined the city's conditions and said "there are some where
156 we could be a little more clear. The purpose of this is to add clarity for people when they're
157 coming in to get their Conditional Use Permits for what types of conditions the city has. We
158 already have a good list, but there are some tweaks that can happen. The other part is the level of
159 review needed for amending a Conditional Use Permit. Typically we have people, anytime they
160 want to change their use or expand their use, come back in and amend their Conditional Use
161 Permit. We just want to formalize that process that we have and put it in the ordinance."

162
163 Motion by Ald. Bialecki, second by Skip, to forward to the February 23 Plan Commission
164 meeting discussion and consideration regarding Conditional Use Permits in the City of Onalaska.

165
166 On voice vote, motion carried.

167
168

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169 **Adjournment**

170

171 Motion by Ald. Bialecki, second by Skip, to adjourn at 4:57 p.m.

172

173 On voice vote, motion carried.

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175

176 Recorded by:

177

178 Kirk Bey