

**Plan Commission Sub Committee
of the City of Onalaska**

Tuesday, October 20, 2015

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, October 20, 2015. 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, Assistant City Engineer
6 Kevin Schubert, Ald. Jim Bialecki

7
8 Also Present: Planner/Zoning Inspector Katie Aspenson

9
10 Excused Absence: City Engineer Jarrod Holter

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

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

16
17 On voice vote, motion carried.

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

20
21 Ald. Bialecki called for anyone wishing to provide public input.

22
23 **Joyce Diveley**
24 **711 Pleasant Court**
25 **Onalaska**

26
27 “My husband, Mike, and I are the owners of the property in question [on] the first agenda item
28 [located at] 704 Sand Lake Road. We were approached a little while back ... I should start this
29 very briefly and say that one of the reasons this is coming about is because the real estate
30 commercial market has been tough for rentals. We had a unit about a year ago that we put up for
31 lease that we turned into what we call a small business center. We have five small offices with a
32 joint conference/reception area – mostly, I think, to help entrepreneurs who are looking for one
33 office or something small. Bill Thomas and his partner, Chris, approached us. They were going
34 to start a wholesale auto business, and at first I was [skeptical]. [I said,] ‘I don’t know if I want a
35 wholesale auto business at my place.’ Well, I think the operative word here is ‘wholesale.’ We
36 have talked to them at great length about what they plan to do here. They will buy from dealers
37 and sell to dealers. There will be no retail on the property. They have to have a sign by state
38 law, but there is not going to be a big fluorescent sign or anything like that. They don’t deal
39 directly with the public. They needed an office space and a few spots to park the cars. We
40 agreed that we would work with them to get their business up and going since they’re
41 entrepreneurs at this, and we’re always appreciate of entrepreneurs. We are in favor of this
42 moving forward and hope that the city will consider this as a viable business. Let me also say

Reviewed 10/23/15 by Katie Aspenson

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, October 20, 2015

2

43 one other thing. This is a one-year lease term, so should this not work out within a year we will
44 probably terminate that lease. But we're hoping that this will work out and that they can
45 eventually move into a bigger spot in a better location that will get their business up and going."

46

47 **Peg Thurston**
48 **1309 Quincy Street**
49 **Onalaska**

50

51 "Our neighborhood is very residential. We're concerned that the character of the neighborhood
52 could change with a more commercial business being on that property. It's also a school
53 crossing zone on that corner. We just have a lot of questions about how many cars could be
54 parked there for sale. I understand [Joyce] said two or three at a time, but I'm just wondering
55 how the character of that commercial property could change."

56

57 **John Gardner**
58 **713 Hanson Court**
59 **Onalaska**

60

61 "I live right around the corner from where this proposed change is. We remember when they
62 first zoned that. We were told it would be just a one-story building. Look at it now; it got to
63 two. How do we know that, if the business is allowed to come in there, that it will not change
64 and it will not become more commercial over time? We're also concerned with more traffic on
65 that street. There is enough traffic if you just take into account within a mile either way. And
66 we're concerned about the values of our property over time. This is a quiet residential
67 neighborhood, and if that changes that would affect us. Both my wife and I are not anti-business.
68 I'm a retired CPA. But I am concerned that the whole character of the area could be changed,
69 and that's not a minor consideration for us. Kids walk to and from school, and more traffic could
70 make it more dangerous. We would recommend that the Plan Commission not agree to this as it
71 stands."

72

73 **William Thomas**
74 **N8618 County Road TT**
75 **Holmen**

76

77 "I am going to be one of the owners of the business. The business is going to be really small.
78 Like Joyce said, [the cars] are not sold to any public sales; it's only to dealers. All sales will be
79 done offsite. All it's going to be is an office building for recordkeeping, and a couple of cars
80 will be there. There won't be any additional traffic, per se. The safety of kids is not going to be
81 a concern because there isn't going to be people there looking at cars or driving by to look at
82 them because none of them are for sale when they're there. They're just parked there waiting for
83 a sale to a dealer, so I don't see a safety concern. The surrounding area will not change because
84 there is not a huge sign that's going to go up. It will be a small sign stating that the business is

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, October 20, 2015

3

85 there. The state just needs a sign for the business to be there. I don't see a problem with the
86 business there or affecting the community. Thank you.”

87

88 **Linda Arlt**
89 **703 Hanson Court**
90 **Onalaska**

91

92 “When we moved into this neighborhood there were covenants that existed then. I understand
93 that's different than what we're talking about today. Some of those covenants have been broken
94 over the years. We've been told that because they were broken we have no ground to stand on
95 anymore in terms of boats, trailers and things being parked in our neighborhood. We've
96 contacted City Hall. Where I'm going with this is it says 'auto,' so a precedent is being set here.
97 Let's say this business leaves within a year and a bigger business now that sells cars comes in
98 and says, 'a precedent was set that there was a car dealer there before, so now we have the right
99 to do this.' That would be my concern.”

100

101 Ald. Bialecki called three times for anyone else wishing to provide public input and closed that
102 portion of the meeting.

103

104 **Consideration and possible action on the following items:**

105

106 **Item 4 – Consideration of a request for a Conditional Use Permit to allow a wholesale**
107 **automotive sales business at 702-704 Sand Lake Road, Onalaska, WI 54650, zoned**
108 **Neighborhood Business (B-1), application filed by William Thomas, N8618 County Road**
109 **TT, Holmen, WI 54636 (Tax Parcels #18-675-12 & 18-675-13)**

110

111 1. Conditional Use Permit Fee of \$150.00 (PAID).

112

113 2. Applicant to maintain a Wholesale Dealer License from the Wisconsin Department of
114 Transportation and abide by license requirements.

115

116 3. The location of all vehicles sales and vehicle display arenas to comply with diagram
117 provided to the City from the applicant and approved by the Plan Commission.

118

119 4. All vehicles to be located on approved hard surfaces (concrete, asphalt, etc.).

120

121 5. Exterior storage of materials is prohibited.

122

123 6. All conditions run with the land and are binding upon the original developer and all heirs,
124 successors and assigns. The sale or transfer of all or any portion of the property does not
125 relieve the original developer from payment of any fees imposed or from meeting any
126 other conditions.

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, October 20, 2015

4

127

128

129

130

131

132

133

134

135

136

137

138

139

140

141

142

143

144

145

146

147

148

149

150

151

152

153

154

155

156

157

158

159

160

161

162

163

164

165

166

167

168

7. 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.

Katie said William Thomas of Tri-State Wholesalers has requested a CUP to allow a wholesale automotive business at 702-704 Sand Lake Road. The sale of vehicles in this zoning district is only permitted by a CUP. Katie said this business is allowed through the issuance of a Wholesale Dealer License by the Wisconsin Department of Transportation. The business only would be allowed to sell to licensed dealers, and the general public is unable to purchase from this business. Other requirements from the state license include having a permanent business location with indoor office spaces, as is proposed; an outdoor vehicle display lot; a business sign; and posted notice that sales are only restricted to licensed dealers and not to the general public. Katie noted that committee members' packets include a copy of the license that is required and said the business would have an office space for recordkeeping and day-to-day operations. Vehicles would be parked temporarily on site. Katie said the applicant has put forward a site plan that shows the outlay of the property and where the parking stalls are located. Katie noted the parking stalls marked 'x' are where automobiles might be parked. Katie said this area currently is a vegetated buffer maintained by the property owner located along Sand Lake Road. Katie also noted there is additional vegetation along Quincy Street, where a residential home is located, and said the area is against the retention pond where a fence is located along the eastern boundary. Katie said staff would require that all landscaping and screening be maintained by the property owner to provide cover of the parking lot area.

Katie said staff examined the following standards for review:

- **Compatibility:** Surrounding lands are zoned Single Family and/or Duplex Residential (R-2) with Neighborhood Business (B-1) and Community Business (B-2) parcels across Sand Lake Road. Uses within 250 feet of the proposed site include the American Legion, Insurance Center, service and retail businesses, an apartment, and multiple single-family residential dwellings. Additional uses within 500 feet along the same street are generally single-family residential dwellings and a commercial real estate office.
- **Consistency with the Comprehensive Plan:** This area is identified as Mixed Use District, which is intended to allow a mixture of complementary land uses including housing, retail, office, service and civic uses in an efficient, compact and relatively dense development pattern.
- **Importance of Services to the Community:** According to the Comprehensive Plan, an economic development objective of the city states: "By attracting firms that complement the existing industries and increase business for established companies." There are many licensed vehicle dealerships within the City of Onalaska and nearby communities. The applicant states that the business would bring in a new inventory of quality vehicles to be sold at lesser prices.
- **Neighborhood Protections:** As stated before, the majority of sales would not occur on

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, October 20, 2015

5

169 site and the general public will not be able to purchase vehicles from the business and the
170 business will adhere to Wisconsin DOT requirements for signage and posting required
171 information. The applicant has identified that a maximum of six parking stalls would be
172 necessary for this business of the existing 46 parking stalls on site. Any request by the
173 applicant for additional parking stalls would require Plan Commission review.

- 174 • **Conformance with Other Requirements of City/State Ordinances/Statutes:**
175 Applicant to obtain all required state licenses as needed.

176

177 Katie noted a public hearing will be held at the October 27 Plan Commission meeting and said
178 there are seven conditions of approval tied to the development if it proceeds.

179

180 Ald. Bialecki told those in attendance that a final decision will not be rendered today and this
181 item will be referred to the full Plan Commission for a public hearing. Ald. Bialecki asked Joyce
182 when the structure at 702-704 Sand Lake Road was constructed.

183

184 Joyce told Ald. Bialecki it was constructed in 1985.

185

186 Ald. Bialecki asked if any infractions had occurred when the building added a second story.

187

188 Katie said there was a building permit issued when the structured added a second story and noted
189 she has the conditions of approval from when the building was first developed. Katie said the
190 conditions discussed having security lighting that was down-lit and shielded, the construction of
191 the building, fencing and screening (the applicant has complied with this). Katie said the only
192 item that staff has been unable to verify is that a deed restriction was to be placed on the building
193 for offices exclusively. Katie said, "This business would have an office, but there would be an
194 accessory component too, which would be the cars. That would be something for the Plan
195 Commission to determine if that still falls within the original approval."

196

197 Ald. Bialecki said he always examines situations such as this to ensure that there are no
198 overflows in areas. Ald. Bialecki also referred to the public comments regarding covenants and
199 said the city does not enforce neighborhood covenants.

200

201 Skip referred to Condition No. 5 and said an automobile should not be considered "exterior
202 storage material."

203

204 Katie said staff can edit this condition accordingly.

205

206 Kevin asked William if anything will be placed on the automobiles indicating that they are for
207 sale, adding he believes some resident fear that the area will become a parking lot for used cars
208 and therefore attract the general public.

209

210 William said the automobiles "will just sit there" and will not be displayed for members of the

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, October 20, 2015

6

211 general public to examine. William said the sign on the premises will state the automobiles only
212 are for dealer sales and not for sale to the general public.

213

214 Motion by Ald. Bialecki, second by Skip, to refer to a public hearing at the October 27 Plan
215 Commission meeting consideration of a request for a Conditional Use Permit to allow a
216 wholesale automotive sales business at 702-704 Sand Lake Road, Onalaska, WI 54650, zoned
217 Neighborhood Business (B-1), application filed by William Thomas, N8618 County Road TT,
218 Holmen, WI 54636.

219

220 On voice vote, motion carried.

221

222 **Item 5 – Consideration of a substantial modification to the Greens Coulee Community**
223 **Park Planned Unit Development (PUD) to allow grazing in Zone 2 (adjacent to Clearwater**
224 **Farms), submitted by Shari Collas, on behalf of Clearwater Farm Foundation, Inc., 760**
225 **Green Coulee Road, Onalaska, WI (Tax Parcel #18-675-131)**

226

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

228

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

232

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

234

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

239

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

242

243 Katie noted that this item, which was to determine if it was a substantial modification, had come
244 before both the Plan Commission Sub-Committee and the Plan Commission at their respective
245 September meetings. Clearwater Farms is planning a development to allow grazing within Zone
246 2, which is owned by the City of Onalaska. This zone includes lower parkland, and permitted
247 uses allowed within Zone 2 include parks, arboretums, playgrounds, fishing, wading and skating,
248 etc. Katie said staff has determined that grazing would not be outright permitted and noted that
249 the Parks and Recreation Board had reviewed and recommended approval of this use. Katie said
250 Planning Department staff also supports this use, but added that both the Parks and Recreation
251 Board and Planning Department staff believed that public opinion on the matter is requested.
252 Katie said a public hearing will be held at the October 27 Plan Commission meeting and noted

Reviewed 10/23/15 by Katie Aspenson

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, October 20, 2015

7

253 there are five conditions of approval.

254

255 Motion by Ald. Bialecki, second by Skip, to move to a public hearing at the October 27 Plan
256 Commission meeting consideration of a substantial modification to the Greens Coulee
257 Community Park Planned Unit Development (PUD) to allow grazing in Zone 2 (adjacent to
258 Clearwater Farms), submitted by Shari Collas, on behalf of Clearwater Farm Foundation, Inc.,
259 760 Green Coulee Road, Onalaska, WI.

260

261 On voice vote, motion carried.

262

263 **Item 6 – Consideration of landscaping requirements associated with the Conditional Use**
264 **Permit for the cell phone tower at 111 Sand Lake Road, Onalaska, WI 54650, applicant R.**
265 **Shane Begley, 14114 South Country Circle, Gordon, WI 54838 on behalf of Elinor Thorud**
266 **(Sand Lake Development, LLC); Brian Meier (Central States Tower); and Verizon**
267 **Wireless (Tax Parcel #18-767-1)**

268

269 Katie noted that the Plan Commission had approved this CUP at its April 28 meeting and said
270 the applicant has asked for review of the following two conditions of approval:

271

272 21. Chain link fence with vertical sandstone colored slats to be 8 feet in height, and to be
273 maintained in good repair through the existence of the facilities and structure (i.e.,
274 replacement of broken or missing slats in a timely manner) to screen all equipment.
275 Chain link fence shall not be permitted to have barbed, razor, or other similar wire.

276

277 22. Building, equipment platform and equipment shall be screened by landscaping and/or
278 fencing, as determined by the Plan Commission. A minimum of one (1) 2½” caliper
279 canopy tree per 25 feet of street frontage is required as boulevard trees. Boulevard trees
280 to be selected from a City list of recommended boulevard tree species. Additional
281 landscaping is required along western and southern boundaries of fence enclosure. Plant
282 names and locations to be indicated on a Landscaping Plan to be submitted to the Land
283 Use & Development Director for review and approval. Any plant material which does
284 not live shall be replaced within six (6) months.

285

286 Katie said the applicant has requested that the Plan Commission re-review the proposed
287 landscaping plan and noted that committee members had received an updated plan. One side
288 shows a 6-foot cedar fence that would located on all four sides of the structure. Katie said the
289 applicant has been unable to secure approvals from the United States Postal Service to allow
290 planting on USPS property, which is located in the 5-foot grassy area immediately west of the
291 fenced-in cell tower facility. Katie said the applicant is requesting approval from the Plan
292 Commission to allow an improved fencing type as an alternate to planting on the west side of the
293 facility. Katie said that due to the maintenance and the fact the owner is not on site, both City
294 Engineer Jarrod Holter and Land Use and Development Director Brea Grace agree that a cedar-

Reviewed 10/23/15 by Katie Aspenson

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, October 20, 2015

8

295 type fence would offer a better screen and they support this change. Katie said the landscaping
296 plan shows evergreen trees that would be spaced 8 feet apart on the western side, and these trees
297 would need to be planted on USPS property. Katie also said there would be a better opportunity
298 to maintain a fence because it is unknown who would perform landscaping in a timely manner.

299
300 Motion by Ald. Bialecki, second by Skip, to approve consideration of changes to landscaping
301 requirements associated with the Conditional Use Permit for the cell phone tower at 111 Sand
302 Lake Road, Onalaska, WI 54650, applicant R. Shane Begley, 14114 South Country Circle,
303 Gordon, WI 54838 on behalf of Elinor Thorud (Sand Lake Development, LLC); Brian Meier
304 (Central States Tower); and Verizon Wireless.

305
306 Skip noted that under normal conditions the city may revoke a CUP if any of the conditions or
307 approval is violated asked what action the city can take under the State of Wisconsin's laws
308 regarding cell phone towers if this applicant does not comply with these conditions of approval.

309
310 Ald. Bialecki asked Katie to discuss this with City Attorney Sean O'Flaherty.

311
312 On voice vote, motion carried.

313
314 **Item 7 – Update on 2015 Comprehensive Plan Update including public comments and**
315 **feedback from September 30th Open House**

316
317 Katie noted that more than 40 citizens attended the open house, which included a presentation by
318 Brad Hentschel of Short Elliott Hendrickson. Katie said the Long Range Planning Committee
319 had examined the public comments at its October 15 meeting and is addressing changes. Katie
320 said legal counsel has reviewed the entire Comprehensive Plan and made suggestions. The Long
321 Range Planning Committee will be reviewing the document at its November 5 meeting, and
322 Katie said it should be coming before the Plan Commission for its scheduled December 15
323 public hearing.

324
325 **Item 8 – Report from Land Use & Development Director**

326
327 a. Development Update

328
329 Katie said Brea will discuss the development update at the October 27 Plan Commission
330 meeting.

331
332 b. Joint Plan Commission meeting with the Town of Medary Plan Commission on
333 November 11th, 2015 to review general purposes of cooperative boundary agreements

334
335 Katie informed committee members about the meeting.

336
Reviewed 10/23/15 by Katie Aspenson

**Plan Commission Sub Committee
of the City of Onalaska**

Tuesday, October 20, 2015

9

337 **Closed Session**

338

339 To consider a motion to convene in Closed Session under Section 19.85(1)(e) of the Wisconsin
340 Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the
341 investing of public funds or conducting other specified public business whenever competitive or
342 bargaining reasons require a closed session:

343

- 344 • Consideration, development and approval of negotiating strategy regarding cooperative
345 boundary agreement with Town of Medary

346

347 If any action is required in Open Session, as the result of the Closed Session, the Committee will
348 reconvene in Open Session to take the necessary action and/or continue on with the printed
349 agenda.

350

351 Motion by Ald. Bialecki, second by Skip, to convene in Closed Session.

352

353 On voice vote, motion carried.

354

355

356 Motion by Skip, second by Ald. Bialecki, to adjourn from Closed Session.

357

358 On voice vote, motion carried.

359

360 Meeting adjourned at 4:58 p.m.

361

362

363

364 Recorded by:

365

366 Kirk Bey