

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, November 8, 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, November 8, 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, Ald. Bob Muth, City
6 Engineer Jarrod Holter,

7
8 Also Present: Interim Land Use and Development Director Katie Aspenson, Fire Chief Don
9 Dominick

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. Muth called three times for anyone wishing to provide public input and closed that portion
21 of the meeting.

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

24
25 **Item 4 – Review and Consideration of a Conditional Use Permit application to allow the**
26 **conversion of existing commercial space into four (4) efficiency apartments and a waiver**
27 **from the required 45% green space requirement located at 544 2nd Avenue North,**
28 **Onalaska, WI 54650, submitted by Benjamin Thorud, on behalf of CT Real Estate LLC,**
29 **803 Deerwood Street, Holmen, WI 54636 (Tax Parcel #18-668-0)**

- 30
31 1. Conditional Use Permit Fee of \$250.00 (PAID).
32
33 2. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
34 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
35 and improvements installed per approved plans prior to issuance of occupancy permits.
36
37 3. All conditions run with the land and are binding upon the original developer and all heirs,
38 successors and assigns. The sale or transfer of all or any portion of the property does not
39 relieve the original developer from payment of any fees imposed or from meeting any
40 other conditions.
41
42 4. Any omissions of any conditions not listed in meeting minutes shall not release the

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43 property owner/developer from abiding by the City’s Unified Development Code
44 requirements.
45

46 Katie said this is a CUP request to allow the conversion of existing commercial space into four
47 efficiency apartments as well as a waiver from the required 45 percent green space requirement.
48 The property in question has three levels, with the highest level containing four efficiency
49 apartments. Both the second and first (lower) levels are for commercial use. Existing residences
50 are outright permitted in the B-2 District, provided that the standards for R-4 (Multifamily) are
51 met on site. Katie said there must be 35 percent green space for use by residents to recreate on
52 site if there are four multifamily units, adding that this standard has been met. However, if the
53 request to modify the second floor and add four additional efficiency apartments is approved, the
54 applicant would be required to increase green space from 35 to 45 percent. The applicant is
55 asking for a waiver of the additional 10 percent. This is allowable through the issuance of a CUP
56 if the Plan Commission determines it appropriate. Katie said staff had reviewed Compatibility,
57 Consistency with the Comprehensive Plan, Importance of Services to the Community, and
58 Neighborhood Protections. Katie also noted there are four conditions of approval tied to the
59 development if the CUP is forwarded to the Plan Commission.
60

61 Motion by Skip, second by Jarrod, to forward with four conditions of approval to the Plan
62 Commission for a public hearing at its November 15 meeting review and consideration of a
63 Conditional Use Permit application to allow the conversion of existing commercial space into
64 four (4) efficiency apartments and a waiver from the required 45% green space requirement
65 located at 544 2nd Avenue North, Onalaska, WI 54650, submitted by Benjamin Thorud, on behalf
66 of CT Real Estate LLC, 803 Deerwood Street, Holmen, WI 54636.
67

68 Skip noted the applicant “can’t win” because parking spaces will be lost if green space is created.
69

70 Jarrod noted this is a redevelopment site and said, “You still have the code for the reasons it was
71 intended: You have enough green space so you don’t have someone trying to put something in
72 that space that doesn’t fit. This has a historical perspective that it already is existing. You have
73 to look at consistency of the implementation of the code and how you want to view it in light of
74 redeveloping properties, which I think you’re going to see more of in the City of Onalaska.
75 You’re going to see more redevelopment of existing properties within the city.”
76

77 On voice vote, motion carried.
78

79 **Item 5 – Review and Consideration of a Planned Unit Development (PUD) application filed**
80 **by Abbey Court Apartments, LLC on behalf of Abbey Court Apartments, LLC and Three**
81 **Amigos Property Management, LLC, 1310 Wisconsin Street West, Sparta, WI 54656, for**
82 **the purpose of developing a multifamily development which includes six (6) multifamily**
83 **apartments and one (1) clubhouse building on the properties located at 435 Hilltop Drive,**
84 **2119 Abbey Road/335 Abbey Court, 325 Abbey Court, 315 Abbey Court, 305 Abbey Court,**

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85 **310 Abbey Court, 330 Abbey Court/2109 Abbey Road, 2099 Abbey Road, and Abbey Road,**
86 **Onalaska, WI 54650 (Tax Parcels #18-4511-300, 18-6361-0, 18-6362-0, 18-6363-0, 18-6364-**
87 **0, 18-6365-0, 18-6366-0, 18-6367-0, & 18-4511-305)**

- 88
- 89 1. Owner/developer shall abide by all requirements and conditions of the Abbey Road Plat
90 approved by the Common Council on June 11, 2013.
- 91
- 92 2. PUD Application Fee of \$700.00 (PAID).
- 93
- 94 3. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each building
95 and/or lands dedicated and improvements to City as approved by the Park Board and
96 Common Council which may offset Park Fees. 344 total units * \$922.21/unit =
97 \$317,240.24.
- 98
- 99 4. Topography Map fee of \$10.00 (per acre).
- 100
- 101 5. Final Implementation Plan to be submitted for review and approval prior to any
102 development activities.
- 103
- 104 6. Site Plans will be required for individual buildings/parking lots/drives/etc., to be
105 reviewed and approved by City Staff.
- 106
- 107 7. Owner/developer to provide a copy of the Declaration of Covenants, Conditions and
108 Deed Restrictions, etc., that at a minimum address maintenance, repair, and replacement
109 of parking lots/private drives, the buildings including all common areas and green spaces,
110 stormwater management/easement areas, as well as any ownership or use restrictions to
111 the Planning Department and recorded at the La Crosse County Register of Deeds. Any
112 amendments to the aforementioned document to be recorded at the La Crosse County
113 Register of Deeds and a copy provided to the Planning Department.
- 114
- 115 8. Owner/developer to submit a master signage plan noting location(s) of freestanding
116 monument signs for internal traffic control.
- 117
- 118 9. Owner/developer to abide by the Airport Overlay Height Zoning Ordinance and obtain
119 any necessary permits from the City of Onalaska and/or City of La Crosse as needed.
- 120
- 121 10. Owner/developer to submit a master grading and stormwater plan to be approved by the
122 City Engineer.
- 123
- 124 11. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
125 buffer surrounding the identified slopes.
- 126

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- 127 12. Owner/developer to maintain existing stormwater detention area along southern parcel
128 line.
129
- 130 13. Owner/developer to submit a digital and hard copy of the WIDNR NR 2016/NOIC
131 application, permit and associated data prior to construction to the Engineering
132 Department. A City Erosion Control Permit for greater than one (1) acre of land
133 disturbance is required before any earth moving activities occur. Permit to be reviewed
134 and approved a minimum of ten (10) days prior to construction activities.
135
- 136 14. All erosion control BMPs (Best Management Practices) to be installed prior to the start of
137 any construction activities. Swale areas/stormwater ponds to be dug prior to start of
138 construction and prior to initial grading to act as sediment traps. Track pad(s) to be
139 installed with a minimum of 3 to 6-inch stones, one (1) foot deep and fifty (50) feet in
140 length. All disturbed areas to have black dirt placed and seeded within seven (7) days of
141 disturbance.
142
- 143 15. Owner/developer to submit a utility master plan (including any phasing) to be approved
144 by the City Engineer. Any utilities dedicated to the City of Onalaska shall be in a
145 dedicated right-of-way, outlot or easement.
146
- 147 16. Street right-of-way for a future street must be dedicated along north parcel line or
148 owner/developer to work with neighboring property owner to the north for a mutual
149 dedication. Future street must be installed to City standards fifty (50) beyond any
150 proposed driveway access. Temporary cul-de-sac to be installed at end of new street.
151
- 152 17. Owner/developer to request and have the vacation of Abbey Court finalized prior to any
153 construction activities. Outcome of this action is that Abbey Court will become a private
154 drive entrance off of Abbey Road.
155
- 156 18. Parcels to be combined into one (1) parcel for the principal and accessory structures and
157 the parking lot to be located on one parcel. Contact La Crosse County Land Information
158 Department to complete this condition. Parcel modification to be completed prior to
159 issuance of a building permit.
160
- 161 19. City furnished inspector required during utility installations and developer to pay costs.
162
- 163 20. As-builts of all utility work required to be submitted to the Engineering Department
164 within sixty (60) days of occupancy of each building.
165
- 166 21. Water services not utilized as part of development shall be abandoned at main.
167
- 168 22. Owner/developer to obtain letters from utility service providers noting that there is

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- 169 adequate power, natural gas, and telephone/internet services available to serve this
170 project and provide to the Engineering Department.
171
- 172 23. Owner/developer to receive written approval from Dairyland Power regarding planned
173 development and locations of buildings in relation to easement on the parcel in question.
174
- 175 24. Owner/developer to submit final, colored renderings of all four (4) sides of proposed
176 buildings noting architectural elevations with details and materials to be approved by the
177 Planning Department.
178
- 179 25. Owner/developer to submit a master open space plan with provision for maintenance to
180 be approved by the Planning Department.
181
- 182 26. Owner/developer to submit a master landscaping plan to be approved by the Planning
183 Department.
184
- 185 27. Owner/developer to submit a pedestrian accessibility plan (trails, connections, etc.) to be
186 approved by the Engineering & Planning Departments.
187
- 188 28. Owner/developer to install sidewalk to City standards along full length of Abbey Road
189 upon occupancy of the first apartment building.
190
- 191 29. Owner/developer to secure water main easement with adjacent property to south and
192 install a water main loop.
193
- 194 30. Any future improvements to these parcels will be subject to additional City permits (i.e.,
195 site plan approvals, building permits, zoning approvals). Owner/developer shall pay all
196 fees and have all plans reviewed and approved by the City prior to obtaining a building
197 permit. Owner/developer must have all conditions satisfied and improvements installed
198 per approved plans prior to issuance of occupancy permits.
199
- 200 31. All conditions run with the land and are binding upon the original developer and all heirs,
201 successors and assigns. The sale or transfer of all or any portion of the property does not
202 relieve the original developer from payment of any fees imposed or from meeting any
203 other conditions.
204
- 205 32. Any omissions of any conditions not listed in minutes shall not release the property
206 owner/developer from abiding by the City's Unified Development Code requirements.
207

208 Katie said the Plan Commission had referred this item at its October 25 meeting, noting the staff
209 report has been modified slightly from the original report. The primary change is that the
210 applicant is suggesting that the two structures closest to Abbey Road be three stories instead of

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211 four stories. There would be 24 units instead of 32. This move also would impact the amount of
212 required parking. A total of 328 units are being proposed for the entire development, which
213 would have 326 parking spaces located underground and 317 surface parking spaces (643 total).
214 Katie said the regular city ordinance would require an additional 13 parking spaces, noting that
215 the developer is closer than what originally was proposed. The phasing plan remains unchanged.
216 Katie referred to the second page of the staff report, noting building height is still present and the
217 revised number of parking spaces has been included. Katie referred to No. 5 (“Density in R-4
218 Zoning Districts”), noting the city requires 2,000 square feet of land for one-bedroom units and
219 2,500 square feet of land for two-bedroom units. Katie said, “Based off of conversations that we
220 had at the previous meeting, if 25 percent of those units are one bedroom and 75 percent are two
221 bedroom [units], they would allow a maximum density of 217 dwelling units knowing that that
222 has not been 100 percent figured out just yet. That is an approximation just for reference. The
223 code would allow 217 units, and they are proposing to do 328 units. That is the difference – an
224 increase of 111 dwelling units, which they are looking to increase based on the use of the
225 Planned Unit Development system.”

226

227 Katie noted city staff has added more information [to the packet], which includes a new utility
228 plan as well as a new grading plan that shows the site will not be cut down to flat, but rather will
229 be maintained in its hillier elevations. Another condition of approval has been added, bringing
230 the total to 32.

231

232 Motion by Skip, second by Ald. Muth, to forward to the Plan Commission recommending
233 approval with 32 conditions of approval a Planned Unit Development (PUD) application filed by
234 Abbey Court Apartments, LLC on behalf of Abbey Court Apartments, LLC and Three Amigos
235 Property Management, LLC, 1310 Wisconsin Street West, Sparta, WI 54656, for the purpose of
236 developing a multifamily development which includes six (6) multifamily apartments and one
237 (1) clubhouse building on the properties located at 435 Hilltop Drive, 2119 Abbey Road/335
238 Abbey Court, 325 Abbey Court, 315 Abbey Court, 305 Abbey Court, 310 Abbey Court, 330
239 Abbey Court/2109 Abbey Road, 2099 Abbey Road, and Abbey Road, Onalaska, WI 54650.

240

241 Jarrod said both he and Assistant City Engineer Kevin Schubert had examined the plans and
242 stated it appears the storm water, sanitary sewer and water main all will work for the site. Jarrod
243 said that while there will be a significant amount of traffic in this area, he believes it will be
244 defused and distributed throughout the traffic system due to the presence of East Avenue. Jarrod
245 referred to Condition No. 29, which has been added, and said staff needs to work with the
246 developer on examining the water main, which presently only serves East Avenue. Jarrod said
247 his fear with having one water main connection would be there only would be a single feed if
248 there was a failure. This would result in no water for the entire complex and the rest of the
249 development. Jarrod said he believes there will be adequate parking and green space at the
250 development. Jarrod also said he believes the developer is “going vertical versus massing a land
251 area, so it is a more condensed development that would hopefully fit with what we have in that
252 area.”

Reviewed 11/10/16 by Katie Aspenson

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253
254 Ald. Muth noted he has compared the old reports to the new ones, and also has spoken with Fire
255 Chief Dominick. Ald. Muth said the safety of citizens is a priority and stated he wants to make
256 sure both Fire Chief Dominick and Police Chief Jeff Trotnic “are satisfied with us moving along
257 at a rate that they’re comfortable with [and] that our citizens are protected.” Ald. Muth said he
258 presented a scenario to Fire Chief Dominick of a fire occurring in the first building along Court
259 Road where he asked how high the ladder truck goes as well as if there is adequate space to fight
260 a fire in an upper floor. Ald. Muth said he knows the members of the full Plan Commission have
261 several questions and invited Fire Chief Dominick to address the subcommittee.

262
263 Fire Chief Dominick noted that this is in the early stages and said, “I want to make sure that there
264 are conditions that are out there, but that doesn’t substitute for a proper plan review according to
265 the fire and safety standards and the life safety factors taken in. I would have more of a
266 definitive understanding if we get at the time or the developers get at the time a fire protection
267 checklist for site development, which, if this is done, we haven’t received a copy of it. It would
268 answer a lot of questions. On that sheet, it’s right out of the code that we’re making sure that
269 there are roads that will support a fire truck when the building materials arrive and they’re
270 maintained 365 days a year, and throughout the project we have those access routes. It is in there
271 and again, it’s not part of what we’re doing now. But without scales to actually understand dead-
272 end parking lots and distances and water supply and the loop system ... I did not receive
273 anything back on what the needed fire flows are, which would really be beneficial to know what
274 size of water main to have. Again, it’s in the early stages, but I just wanted to say that we don’t
275 have enough that we could really do a plan review right now. But it’s in those stages.”

276
277 Ald. Muth said he had received emails from citizens who had read about the project in the
278 newspaper, including one from a citizen who mentioned the possibility of unearthing a Native
279 American burial site during construction.

280
281 Jarrod noted that a majority of the site already has been disturbed through grading and said a
282 permit from the Wisconsin Department of Natural Resources must be obtained when more than
283 one acre is disturbed. Jarrod said the site is outside of both the State Trunk Highway 35 and
284 Sand Lake Road archaeological districts.

285
286 Ald. Muth said he wants to obtain a better understanding of the future road off Abbey Road
287 because it will affect Fire Department and Police Department access as well as traffic flow.

288
289 **Rick Beyer, Abbey Court Apartments, LLC member**
290 **No address given**

291
292 Rick said the piece to the west will be developed in the future and will be brought into the City
293 of Onalaska. Rick said this piece “lays out so nice” with the road that will be introduced, adding
294 that it just needs to be developed.

Reviewed 11/10/16 by Katie Aspenson

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295

296 Jarrod noted one of the conditions of approval is the future street connection. Jarrod said the
297 vacant land in the Town of Onalaska was platted several years ago and noted it eventually will
298 connect to Hilltop Drive, providing another possible access point from STH 35. Jarrod said
299 Abbey Road currently is connected, although there are barricades present, and suggested that
300 perhaps a removable gate could be installed. Jarrod said there also is access via L.B. White's
301 parking lot.

302

303 Katie noted she had contacted Dairyland Power Cooperative to inform them of the potential
304 development and said she has sent a copy of the plans received thus far. Katie said Dairyland
305 Power Cooperative representatives currently do not have any direct concerns regarding the
306 project. Katie said there also have been discussions regarding potentially creating a city park and
307 noted that Dairyland Power Cooperative does not object to having a park under the power line.
308 There is an 8-foot height maximum for any infrastructure that is installed.

309

310 Jarrod referred to Fire Chief Dominick's point about not yet having a completed checklist for the
311 Fire Department and said there are aspects of the plan that have not yet been satisfied, including
312 access to three to four sides of the building. Jarrod noted L.B. White must have a path around
313 the building that is the beginning of a walking path, but is 18 feet wide and a fire truck may be
314 driven in the first 200 feet of it. Jarrod said he believes these are items that can be worked out as
315 the development progresses through the site plan process and plans become more refined. Jarrod
316 also said he believes the water system must run through the city's water model, and there must
317 be adequate fire flow. Jarrod said he believes the water system can supply three hydrants at once
318 if the water main is looped. Jarrod said several intricacies (e.g. vehicle access, where snow is
319 placed, storm water, private utilities, cable television) are examined with every development.

320

321 Skip asked, "We have enough checks and balances as the procedure goes along that we can meet
322 the objections that Bob brought up and that the Fire Chief was concerned about as this gets
323 developed, don't we?"

324

325 Katie said if the general development plan is forwarded by the Plan Commission to the Common
326 Council and it receives Council approval, there is another step that involves a Final
327 Implementation Plan. This plan comes back through both the Plan Commission and the
328 Common Council. Katie said it is different than a rezoning, noting the amendment has been
329 made if the Common Council approves the final development plan. However, before a
330 contractor may begin constructing buildings, they still have to do a site plan review on each
331 individual building in addition to the General Development Plan and Final Implementation Plan.
332 Katie said, "We're at the 30,000-foot level at the moment. As every stage continues we get more
333 and more refined details as we go on."

334

335 Ald. Muth noted that the process is at Step 1.

336

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337 Skip noted the ordinance states there must be two parking spots for each unit and said he can
338 understand the requirement as it pertains to one-story condominiums. Skip asked, “When we
339 have a high density, what scientific method was used to come up with two stalls per unit?”

340

341 Katie said it is flatly applied to all residential dwellings.

342

343 Skip again asked about the scientific reason behind requiring two stalls per unit.

344

345 Jarrod said the Zoning Code has had the same number for several years and noted there are new
346 planning materials that show millennials are not inclined to own two automobiles. Jarrod said
347 that unlike in the downtown district in the City of La Crosse, there currently is no transit in this
348 neighborhood. Jarrod admitted there is no current scientific data supporting two stalls per unit
349 and said, “The planning echelon is stating that that is getting to be an outdated number, but it’s
350 what is currently in our code.”

351

352 On voice vote, motion carried.

353

354 **Item 6 – Discussion and consideration of an amendment to the Unified Development Code**
355 **(UDC) regarding draft language for the creation of a new Medical Campus Zoning District**

356

357 Katie said an updated version of the Medical Campus District has been included in subcommittee
358 members’ packets. This version includes updated definitions of what the medical campus
359 specifically is supposed to entail as well as definitions of a hospital and a clinic. Staff also added
360 changes to permitted uses based on feedback given at the October 25 Plan Commission meeting.
361 Staff made a change in the conditional uses for longer than 30 continuous days – permitted
362 versus conditional is less than 30 days to more than 30 days. A change was made in the height
363 setback in area requirements for minimum lot area. There is a 5-acre minimum, but there can be
364 contiguous and noncontiguous parcels that are greater than that. Staff also added a reference to
365 temporary signage; specifically, it is allowed on the premises provided signs do not exceed 15
366 square feet. Signage must be located on private infrastructure such as light poles, may not be in
367 the public right-of-way or within 5 feet of said right-of-way. Temporary signage also cannot be
368 illuminated. All applicable fees must be paid (amount to be determined), and a public hearing
369 would be required.

370

371 Skip referred to m7 (“Height, Setback, and Area Requirements”) and asked if the Fire
372 Department is prepared to protect a 100-foot tall structure.

373

374 Fire Chief Dominick noted the Fire Department’s aerial currently is 95 feet and said it would
375 depend on setbacks. Fire Chief Dominick said, “The further we move away from a building, the
376 angle of inclination takes us where that distance doesn’t cover it.”

377

378 Skip asked if the maximum height should be changed because of this, or if there should be plans

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379 to upgrade fire protection.

380

381 Fire Chief Dominick said it is a consideration and told Skip he had not made any notes on this.

382 Fire Chief Dominick said the Fire Department can negotiate with the risks when developments or
383 certain aspects of growth enter a community.

384

385 Skip asked if the 100-foot maximum should be decreased “to make sure that we don’t have some
386 major problem. This can be dealt with as times go by?”

387

388 Fire Chief Dominick said yes.

389

390 Motion by Skip, second by Ald. Muth, to forward to the November 15 Plan Commission meeting
391 for discussion and consideration an amendment to the Unified Development Code (UDC)
392 regarding draft language for the creation of a new Medical Campus Zoning District.

393

394 On voice vote, motion carried.

395

396 **Adjournment**

397

398 Motion by Skip, second by Ald. Muth, to adjourn at 5:07 p.m.

399

400 On voice vote, motion carried.

401

402

403 Recorded by:

404

405 Kirk Bey