

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

Tuesday, November 10, 2015

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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 10, 2015. It was noted that the meeting had been announced
3 and a notice posted at City Hall.

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

7

8 Also Present: Land Use and Development Director Brea Grace, Planner/Zoning Inspector Katie
9 Aspenson

10

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

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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.

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16 On voice vote, motion carried.

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

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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 – Discussion and consideration of an amendment to the Unified Development Code**
26 **(UDC) regarding zoning fees**

27

28 Brea noted that a public hearing will be held at the November 17 Plan Commission meeting
29 regarding proposed changes to the zoning fees. Brea noted that the zoning fees are listed in
30 committee members’ packets, and they include Conditional Use Permits, Rezoning and/or Text
31 Amendments, Certified Survey Map reviews, Zoning Verification Letters, Republication Fees,
32 Site Plan Reviews, Preliminary Plat Reviews, Final Plat Reviews, and Street Variations/Right-of-
33 Way Discontinuances. Brea recommended obtaining public feedback before any changes are
34 made.

35

36 Motion by Ald. Bialecki, second by Skip, to advance to a public hearing at the November 17
37 Plan Commission meeting discussion and consideration of an amendment to the Unified
38 Development Code (UDC) regarding zoning fees.

39

40 On voice vote, motion carried.

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Item 5 – Review and Consideration of a Conditional Use Permit request to allow the operation of a child care center at 1001 Quincy Street, Onalaska, WI 54650 in a Public & Semi-Public (P-1) Zoning District, submitted by Andy LeFebre on behalf of Rivers Harvest Church/Rivers Harvest Inc., 1001 Quincy Street, Onalaska, WI 54650 (Tax Parcel #18-697-0)

1. Conditional Use Permit Fee of \$150.00 (PAID)
2. Site Plan Permit required for any alteration to the existing parking lot, building footprint or accessory structure.
3. Property owner to provide a conceptual site plan designating fenced area. Fencing to comply with standards set forth in Section 13-6-10 of the Unified Development Code.
4. All signs require permits.
5. 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.
6. 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.
7. Any omissions of any conditions not listed in Plan Commission Sub-Committee Minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

Brea said Rivers Harvest Church is considering adding a daycare to its facility. The daycare would serve up to 50 children between the ages of 6 weeks and 5 years old. The business would operate Monday through Friday from 6 a.m. to 5:30 p.m. Brea referred to the Standards for Review (Compatibility, Consistency with Comprehensive Plan, Importance of Services to the Community, Neighborhood Protections, and Conformance with Other Requirements of City/State Ordinances/Statutes) listed in committee members' packets and said property owners within 250 feet of the property have been notified about the November 17 public hearing. Brea referred to the seven conditions of approval listed in committee members' packets. Brea referred to Condition No. 3 and noted that the fencing has been installed too close to the sidewalk and appears to be in the city right-of-way. Brea said staff recommends that the fence be pushed back 3 feet from the public right-of-way. Brea noted that the applicants wish to address this topic with the Plan Commission.

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85 Ald. Bialecki said he appreciates the fact there is off-street parking to accommodate a daycare
86 service.

87
88 Brea asked the applicant to address the Plan Commission Sub Committee about the 3-foot
89 setback on the fence.

90
91 **Andy LeFebre, Rivers Harvest Church**
92 **1001 Quincy Street**
93 **Onalaska**

94
95 Andy noted that the daycare will start by caring for children ages birth to 3 years old. Andy
96 addressed the fencing, noting that the fence had been constructed with the belief it could be
97 placed on the line. Andy said, "We started 2 to 3 feet in, and we were running into our main
98 water line, so the water guy came out. We hit it about five times, and he said, 'Why don't you
99 put it up against the sidewalk?' Actually, we started correctly not knowing that there was even a
100 setback. We ended up putting it along the sidewalk, and it looks nice. I'd hate to have to take it
101 out and redo it, but that's the background of it."

102
103 Ald. Bialecki asked if there is a conflict with City of Onalaska code, or if a precedent is being
104 set.

105
106 Brea said that because there is a CUP this is time where certain exemptions specific to the
107 property may be set. Brea said, "I guess I would argue that it doesn't set a precedent because
108 we're doing this through a Conditional Use Permit process. But that is what the code requires."
109

110 Jarrod said fences typically are required to be set back 3 feet so there is no encroachment onto a
111 neighbor's property. Jarrod also noted that City of Onalaska code calls for a sidewalk to be
112 installed on the right-of-way line so that the sidewalk concrete ends at the right-of-way line.
113 Jarrod said, "If you put the fence right up to it, the fence is actually so close to the sidewalk that
114 it inhibits the use of the sidewalk whether it's a bicyclist or somebody walking or a stroller. We
115 always want to have the fence set back for that purpose, and also in relation to a driveway to let
116 people get more sight distance so the fence isn't blocking their view and they have to pull even
117 more onto the sidewalk or the driveway to be able to see when they come out and leave that
118 entrance." Jarrod said this is part of the reasoning for not placing a fence on the right-of-way,
119 adding, "As long as it's not inhibiting use of the sidewalk, I wouldn't have a problem as part of
120 the Conditional Use Permit if you wanted to issue it that you could use it. But typically those are
121 the reasons we want to see it set back."

122
123 Andy noted that the fence is a chain link fence.

124
125 Jarrod mentioned snow removal, noting that snow either could be shoveled or blown through a
126 chain link fence.

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127
128 Ald. Bialecki asked Jarrod if he wants to make a motion to add an eighth condition regarding the
129 fence.

130
131 Jarrod noted that Condition No. 3 addresses the fence and suggested modifying this condition.

132
133 Motion by Ald. Bialecki, second by Skip, to move forward for public hearing at the November
134 17 Plan Commission meeting review and consideration of a Conditional Use Permit request to
135 allow the operation of a child care center at 1001 Quincy Street, Onalaska, WI 54650 in a Public
136 & Semi-Public (P-1) Zoning District, submitted by Andy LeFebre on behalf of Rivers Harvest
137 Church/Rivers Harvest Inc., 1001 Quincy Street, Onalaska, WI 54650.

138
139 Jarrod asked if Rivers Harvest Church will be allowed to leave the fence in its present position.

140
141 Ald. Bialecki said that based on what Jarrod had discussed he does not object to allowing the
142 fence to remain where it is provided that no precedent is being set.

143
144 Motion by Jarrod, second by Skip, to amend the previous motion and edit Condition No. 3 to
145 read: "Fence as installed is approved as part of Conditional Use Permit as long as it does not
146 hinder use of sidewalk."

147
148 Vote on the amendment:

149
150 On voice vote, motion carried.

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152 Vote on the original motion, as amended:

153
154 On voice vote, motion carried.

155
156 **Item 6 – Review and Consideration of a request for a Conditional Use Permit (CUP) to**
157 **allow the operation of a child care center at 1960 State Road 35, Onalaska, WI 54650, in a**
158 **Single-Family Residential (R-1) Zoning District, submitted by Sheila Schabel of Heaven’s**
159 **Steps Child Care and Tim Van Eijl & Sheila Schabel on behalf of Lakeview Community**
160 **Church/International Church of Foursquare Gospel, 1960 State Road 35, Onalaska, WI**
161 **54650 (Tax Parcel #18-2096-60)**

- 162
163 1. Conditional Use Permit Fee of \$150.00 (PAID).
164
165 2. Site Plan Permit required for any alteration to the existing parking lot, building footprint
166 or accessory structure.
167
168 3. Property owner to provide a conceptual site plan designating fenced area. Fencing to

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- 169 comply with standards set forth in Section 13-6-10 of the Unified Development Code
170 prior to the November 17th Plan Commission meeting.
171
172 4. All signs require permits.
173
174 5. Building inspection required prior to daycare opening. Any code violations pertaining to
175 life/safety issues and building weatherization to be addressed prior to daycare opening.
176
177 6. Damaged directional sign for the church to be repaired, replaced or removed within 60
178 days of Plan Commission approval. All new signs and sign replacements will require a
179 City Sign Permit. Property owner to bring existing freestanding signs into compliance
180 with the Unified Development Code Sections 13-6-21 & 13-6-26.
181
182 7. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
183 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
184 and improvements installed per approved plans prior to issuance of occupancy permits.
185
186 8. All conditions run with the land and are binding upon the original developer and all heirs,
187 successors and assigns. The sale or transfer of all or any portion of the property does not
188 relieve the original developer from payment of any fees imposed or from meeting any
189 other conditions.
190
191 9. Any omissions of any conditions not listed in Plan Commission Sub-Committee Minutes
192 shall not release the property owner/developer from abiding by the City's Unified
193 Development Code requirements.
194

195 Katie noted that Lakeview Community Church is seeking a CUP to allow the operation of a child
196 care center in a Single-Family Residential (R-1) Zoning District. The center would serve up to
197 50 children between the ages of 6 weeks and 6 years old. The business would operate Monday
198 through possibly Saturday, potentially from 5 a.m. to 5:30 p.m. There is potential for Saturday
199 care depending on need by customers. The child care center also is expected to have a 4-foot
200 high fenced playground area approximately 40-by-50 feet. A map of the playground area will be
201 included in the Plan Commission packet at the November 17 meeting. Katie said staff examined
202 the Standards for Review (Compatibility, Consistency with Comprehensive Plan, Importance of
203 Services to the Community, Neighborhood Protections, Conformance with Other Requirements
204 of City/State Ordinances/Statutes). Katie referred to the public hearing at the November 17 Plan
205 Commission meeting and said any property owner within 250 feet of the proposed child care
206 center will have the opportunity to provide input.
207

208 Jarrod noted that the site is not hooked up to City of Onalaska water and sewer and said city code
209 requires hookup within one year if it is adequately available. Jarrod noted that Lakeview
210 Community Church does not have it on its frontage, so therefore it is not adequately available.

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211 The church is currently on a private well and septic system.

212

213 Motion by Jarrod, second by Ald. Bialecki, to add a 10th condition stating that if water and sewer
214 utilities are inadequately sized or have experienced failure, hookup to City of Onalaska utilities
215 would be required.

216

217 On voice vote, motion carried.

218

219 Motion by Ald. Bialecki, second by Jarrod, to move forward to public hearing at the November
220 17 Plan Commission meeting review and consideration of a request for a Conditional Use Permit
221 (CUP) to allow the operation of a child care center at 1960 State Road 35, Onalaska, WI 54650,
222 in a Single-Family Residential (R-1) Zoning District, submitted by Sheila Schabel of Heaven's
223 Steps Child Care and Tim Van Eijl & Sheila Schabel on behalf of Lakeview Community
224 Church/International Church of Foursquare Gospel, 1960 State Road 35, Onalaska, WI 54650.

225

226 On voice vote, motion carried.

227

228 **Item 7 – Update on 2015 Comprehensive Plan Update review process**

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230 Katie said she expects a new draft to be ready this week for review by both the Plan Commission
231 and the Long Range Planning Committee. The document will be placed on cityofonalaska.com
232 once it has been received. Katie said the city is on schedule to hold the public hearing for the
233 Comprehensive Plan Update at the December 15 Plan Commission meeting, noting that the
234 public hearing notice has been sent. Letters of notification about the public hearing also have
235 been sent to all adjacent and surrounding local units of government.

236

237 **Adjournment**

238

239 Motion by Ald. Bialecki, second by Skip, to adjourn at 4:54 p.m.

240

241 On voice vote, motion carried.

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243

244 Recorded by:

245

246 Kirk Bey