CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: **Plan Commission Sub-Committee**

DATE OF MEETING: October 18, 2016 (Tuesday)

PLACE OF MEETING: City Hall–415 Main Street

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 Conditional Use Permit application to allow the operation of a child care center at 1828 Main Street East, Onalaska, WI 54650 submitted by Marty Groth of Grandma's Arms, 1828 Main Street East, Onalaska, WI 54650, Tax Parcel # 18-4112-0.

5. Review and Consideration of a Planned Unit Development (PUD) application filed by Abbey Court Apartments LLC on behalf of Abbey Court Apartments LLC and Three Amigos Property Management LLC, 1310 Wisconsin Street West, Sparta, WI 54656, for the purpose of developing a multi-family development which includes six (6) multi-family apartments and one (1) clubhouse building on the properties located at 435 Hilltop Drive, 2119 Abbey Road/335 Abbey Court, 325 Abbey Court, 315 Abbey Court, 305 Abbey Court, 310 Abbey Court, 330 Abbey Court/2109 Abbey Road, 2099 Abbey Road, & Abbey Road, Onalaska, WI 54650 (Tax Parcels # 18-4511-300, 18-6361-0, 18-6362-0, 18-6363-0, 18-6364-0, 18-6365-0, 18-6366-0, 18-6367-0, & 18-4511-305).

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
*Ald. Bob Muth – Chair
Ald. Barry Blomquist
Ald. Harvey Bertrand
City Attorney Dept Heads
La Crosse Tribune .
Onalaska Holmen Courier Life
WKTY WLXR WLAX
WKBT WXOW
*Committee Members

*Skip Temte
*Jarrod Holter, City Engineer
* *Kevin Schubert

Marty Groth

Chris Meyer/Brian Miller
Matt Buswell/Abby Court Apartments

Plan Comm. Members
Onalaska Public Library Omni Center
* * Alternate Member – for City Engineer

Date Notices Mailed and Posted: 10-13-16

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.

6. Subdivision Review of a Preliminary Plat filed by 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, 1820 Tahoe Place, Onalaska, WI 54650 and Coronado Villas LLC, 123 7th Street South, La Crosse, WI 54601 for Coronado Circle Development, a 24 parcel lot land division (3.07 acres) along Coronado Circle (private drive) within Nathan Hills Estates located at 462-480 Coronado Circle, 442-452 Coronado Circle, 422-432 Coronado Circle, 402-412 Coronado Circle, 465-467 Coronado Circle & 475-477 Coronado Circle, Onalaska, WI 54650 (Tax Parcels #: 18-5955-3, 18-5955-8, 18-5955-7, 18-5955-6, 18-5955-10 & 18-5955-11)

7. Discussion and consideration of an amendment to the Unified Development Code (UDC) regarding draft language for the creation of a new Medical Campus Zoning District.

8. Review and discussion of a general Boundary Agreement between the City of Onalaska and the Town of Medary and notification of a public hearing regarding the boundary agreement on November 17, 2016 @ 7:00P.M.

9. Adjournment.

Agenda Item:

4

CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – October 18, 2016

Agenda Item: Consideration of a Conditional Use Permit request to allow the operation of a child care center.

Applicant: Martha Groth, on behalf of Grandma's Arms, 1828 Main Street East, Onalaska, WI 54650.

Property Owner: Groth Family I, LLC, N4996 State Road 35, Onalaska, WI 54650

Parcel Number: 18-4112-0

Site Location: 1828 Main Street East, Onalaska, WI

Existing Zoning: Light Industrial (M-1) District

Background:
Martha Groth of Grandma's Arms Daycare has requested a Conditional Use Permit (CUP) to allow the operation of a child care center in a Light Industrial (M-1) Zoning District. The child care center would serve between 20 and up to approximately 65 children. It is expected that there will be between 3-4 teachers and a director (part-time and full-time) beginning with the 20 children. It is expected that the number of employees will grow depending on the age variety of students. The business would operate Monday – Friday from 6:00AM to 6:00PM. The business owner will need to obtain a license for from the Wisconsin Department of Family Children. Previously a daycare operated out of this property and historically there have not been parking-related issues for both drop-off and employee parking. Part-time and full-time teachers typically replace one another and there isn't a large demand overall for employee parking.

Commercial daycare facilities are permitted only by Conditional Use Permit per Section 13-5-15 (c) 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:

1. Compatibility. The property is located on the western side of Main Street East and just south of the Grand View Boulevard intersection, zoned Light Industrial (M-1). Section 13-5-15 (c) of the City's Code of Ordinances conditionally permits children's nurseries and/or daycare centers provide all principal structures and uses have at least a six (6) foot side yard setback. The existing building in question has an approximate 10 foot side yard setback to the north, approximate 65 foot yard setback from Main Street East, 80 foot setback to the rear, and 45 foot setback to the south.

   The zoning of land within 250 feet of the proposed site includes light industrial and single-family residential districts. The uses within 500 feet along the same street of the proposed site include a combination of retail, service-oriented businesses, financial institutions, personal service, and a gas station.

2. Consistency with Comprehensive Plan. The Comprehensive Plan identifies this area as a *Commercial District.* This district is intended to accommodate large and small-scale commercial and office development. A wide range of retail, service, lodging and office uses are appropriate in this district.

3. Importance of Services to the Community. According to the Comprehensive Plan, a Land Use Objective of the City states, *"promoting compatible infill development (infill development occurs on land that is under-developed or vacant lots in development areas) throughout the City…"* This property is located in a Commercial District and has historically operated as a daycare offering a needed service to the greater Onalaska community.

4. Neighborhood Protections. Previously, Childfirst Daycare was located at this property; however it operated without a Conditional Use Permit. Grandma's Arms Daycare is following through with the Conditional Use Permit process and intends to utilize the property in the same regard with indoor classrooms for children and an approximate 4,800 square foot fenced-in play area.

Action Requested:

If the requested Conditional Use Permit is approved by the Plan Commission Sub-Committee, staff recommends including the attached conditions of approval. 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:

October 18, 2016

Agenda Item 4:

Review and Consideration of a Conditional Use Permit request to allow the operation of a child care center in a Light Industrial (M-1) Zoning District, at 1828 Main Street East, Onalaska, WI 54650 submitted by Martha Groth of Grandma's Arms, 1828 Main Street East, Onalaska, WI 54650, Tax Parcel #18-4112-0.

1. Conditional Use Permit Fee of $250.00 (PAID).

2. All signs require permits.

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. 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.

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

9-16-16

My plan is to have Grandma's Arms Early Learning Center
To start with 20 children and grow to approx. 65 children
I would be state licensed
The hours would be 6am to 6pm Monday thru Friday
I would start with 3 to 4 teachers and a director and increase the employees as the center grows

Marty Groth

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

CONDITIONAL USE PERMIT APPLICATION

Property Address: 1828 E Main St. Onalaska

Parcel Number: 18- 4112-0

Zoning District: M-1

Applicant:
Contact: Marty Groth
Mailing Address: N4996 Hwy 35
City, State, Zip: Onalaska, WI 54650
Phone Number: 608-385-5995
Email: MGroth1002@charter.net ☐ Primary Contact

Business: Grandmo's Arms
Owner/Contact: MARTY Groth
Mailing Address: N4996 Hwy 35
City, State, Zip: Onalaska, WI 54650
Phone Number: 608-385-5995
Email: MGroth1002@charter.net ☐ Primary Contact

Property Owner:
Contact: MARTY Groth
Mailing Address: N4996 Hwy 35
City, State, Zip: Onalaska, WI 54650
Phone Number: 608-385-5995
Email: MGroth1002@charter.net ☐ 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.

Signature of Applicant: Marty Groth — Date: 9-6-16

Signature of Property Owner: Marty Groth — Date: 9-6-16

Compatibility with Surrounding Neighborhood:

Consistency with the Comprehensive Plan:

Importance of Services to the Community: Grandma's Arms Early Learning Center for children 6 wk to 6 years

Neighborhood Protections (avoidance of negative externalities):

Other Factors (pertinent to the proposed use):

OFFICE USE ONLY:	Date Submitted: 9/6/16	Permit Number:
Permit Fee: $250	☐ Cash ☒ Check # 10438	Application Received by: Katie Logan

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

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 polices)
  - ▶ 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)

➡ **$250 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:

□ **Fence**	□ **Two Structures on one parcel**	□ **Parking Lot**
□ **Home Occupation**	□ **Automotive Repair / Sales**	☒ **Use** Daycare
□ **Bed & Breakfast**	□ **Warehousing / Storage**	□ **Other**

Brief Description of Proposed Conditional Use:

Daycare with 25 children at onset to grow to 65 children.

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.

CITY OF ONALASKA
REC#: R00054787 09/14/2016 1:50 PM
TRAN: 450 PLANNING & ZONING
OPER: C2 TERM: 2
TKBY : CASH C2
18-4[illegible] MARTHA GROTH 250.00
Paid by MARTHA GROTH
CK 25[illegible] REF:SW - 10438
APPLIED 250.00
TENDERED 250.00
CHANGE 0.00

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, OCTOBER 25, 2016
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 Marty Groth of N4996 Hwy 35, Onalaska, WI 54650 who is requesting a Conditional Use Permit (CUP) for a daycare with 25 children at onset to grow to 65 children from ages 6 weeks to 6 years of age located at 1828 East Main Street, Onalaska, WI 54650.

Property is more particularly described as:

Computer Number: 18-4112-0
Section 10, Township16, Range 7

COACH LITE GREENS II LOT 85 & N 10FT LOT 86

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 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 30th day of September, 2016.

Cari Burmaster
City Clerk

PARCELS WITHIN 250' OF PARCEL: 18-4112-0

Agenda Item:

5

CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – October 18, 2016

Agenda Item: Consideration of a Planned Unit Development (PUD) request – General Development Plan.

Applicant: Matt Buswell on behalf of Abbey Court Apartments, LLC, 1201 North Superior Avenue, Tomah, WI 54660

Property Owner: Abbey Court Apartments LLC & Three Amigos Property Management LLC, 1310 Wisconsin Street West, Sparta, WI 54656

Parcel Numbers: 18-4511-300, 18-6361-0, 18-6362-0, 18-6363-0, 18-6364-0, 18-6365-0, 18-6366-0, 18-6367-0, & 18-4511-305

Site Location: 435 Hilltop Drive, 2119 Abbey Road/335 Abbey Court, 325 Abbey Court, 315 Abbey Court, 305 Abbey Court, 310 Abbey Court, 330 Abbey Court/2109 Abbey Road, 2099 Abbey Road, & Abbey Road Onalaska, WI 54650

Existing Zoning: Multi- Family Residential (R-4) District

Conformance with Comprehensive Plan: The Comprehensive Plan classifies this property as "Mixed Density Residential District" which is intended for residential units. Higher density residential development may be appropriate in locations adjacent to transportation corridors, commercial areas and schools.

Background:

This Planned Unit Development (PUD) request pertains to allowing the construction of six (6) multi-family residential buildings and one (1) clubhouse/community room/pool area on a single site comprised of 11.77 acres. Three (3) of the buildings are proposed to have eighty (80) luxury units (4-stories tall), one (1) building with 40 luxury units (4-stories tall), and two (2) building with thirty-two (32) luxury units (4-stories tall). A total of 344 units are proposed as part of this development, with 326 parking spaces located underground and 317 surface parking spaces which is less than the minimum parking requirements of two (2) stalls per dwelling unit. Overall, the development is proposed to have 53.6% of common open space (6.32 acres).

The developer intends to construction the entire development utilizing a phased approach. Phase 1 is expected to include the Building A (32-unit) and the clubhouse, beginning construction in Summer 2017 with completion in Summer 2018. Phase 2 is expected to include Building B (32-unit), beginning construction in Spring 2018 with completion in Spring 2019. Phase 3 includes the installation of the Future Street/Access Road in Summer 2019 along with construction of Building C (80-unit), expected for completion in Fall 2020. However, according to the applicant, Phase 3 and subsequent phases will be determined based on current market conditions. As constructed buildings are fully leased, the developer intends to begin construction on subsequent buildings on an annual basis as shown in the Abbey Ct. Development Overview timeline document.

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 an 11.77-acre parcel on which the applicants are the current property owners.

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

Unified Development Code Requirement	**Applicant Proposal**
1) *Building Height*	
• Maximum Building Height = **40 feet**	• All proposed apartment buildings are 4-stories at 54' feet in height.
2) Parking	
• 2 parking stalls / unit = 344 units * 2 **= 688 parking stalls needed**	• 326 underground parking stalls + • 317 surface parking stalls **= 643 parking stalls proposed**
3) *Maximum Number of Buildings on a Parcel*	
• 1 Principal Building per Parcel	• All 7 buildings are proposed to be on a single parcel.
4) *Building Setback*	
• Setback from Street Yards: Minimum 25 feet **Maximum 40 feet**	• Setback from Street Yards: 24 unit = 40.12' 24 unit = 58' (average) 80 unit (southernmost) = 157' (average) *All other buildings located substantially further away.

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. 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 are located in the Town of Onalaska include single-family dwellings and vacant land.
- Properties north of the proposed PUD are include a triplex and vacant land zoned for single-family residential.
- Properties east of the proposed PUD include multi-family development and mini-storage warehouse units.
- Properties south of the proposed PUD Eagle Crest Senior Living Facility and L.B. White.

(2) Adequacy of public & private services/infrastructure:
- Development plans are for one (1) ingress/egress onto Abbey Road. A second "future" ingress/egress on the north side of the property proposed to be dedicated for a future

public street. At this time, there is no proposed timeframe for when this road would be constructed.

(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.
- 53.6% of the site is proposed as "open space". Potential park dedication to the City of Onalaska.

(8) Retention of natural, cultural, and historic resources.

(d) PUD Perimeter: PUD to be designed to complement 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 heights are all proposed to be 54' in height.
(h) Environmental Design:
- PUD to be designed to preserve existing vegetation & topography where practical. Developer acknowledges that terrain is a factor in the proposed development and 30% slopes throughout the site are to be maintained. Further, there is a Tree Preservation Plan on-file with the City and minimum standards are proposed to be met by the developer.

(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.
(l) Streets, Utilities, Drainage: Publically dedicated infrastructure to meet City standards.
- Developer intends to request a vacation/discontinuance of Abbey Court to allow for additional developable land and install a private street network that would connect through parking lots.

(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 properties.
- Draft General Site Plan (with building/parking layout, contours).
- Architectural Site Plan (with building/parking layout)
- Architectural Rendering for Buildings
- Application Packet (Developer Letter, Preliminary Schedule / Construction Timeline, PUD application and checklist).

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

October 18, 2016

Agenda Item 5:

Review and Consideration of a Planned Unit Development (PUD) application filed by Abbey Court Apartments LLC on behalf of Abbey Court Apartments LLC and Three Amigos Property Management LLC, 1310 Wisconsin Street West, Sparta, WI 54656, for the purpose of developing a multi-family development which includes six (6) multi-family apartments and one (1) clubhouse building on the properties located at 435 Hilltop Drive, 2119 Abbey Road/335 Abbey Court, 325 Abbey Court, 315 Abbey Court, 305 Abbey Court, 310 Abbey Court, 330 Abbey Court/2109 Abbey Road, 2099 Abbey Road, & Abbey Road, Onalaska, WI 54650 (Tax Parcels #18-4511-300, 18-6361-0, 18-6362-0, 18-6363-0, 18-6364-0, 18-6365-0, 18-6366-0, 18-6367-0, & 18-4511-305).

1. Owner/ shall abide by all requirements and conditions of the Abbey Road Plat approved by the Common Council on June 11, 2013.

2. PUD Application Fee of $700.00 *(PAID).*

3. Park Fee of $922.21 (per unit) due prior to issuance of building permit for each building and/or lands dedicated and improvements to City as approved by the Park Board and Common Council which may offset Park Fees. 344 total units * $922.21/unit = $317,240.24 dollars.

4. Topography Map fee of $10.00 (per acre).

5. Final Implementation Plan to be submitted for review and approval prior to any development activities.

6. Site Plans will be required for individual buildings/parking lots/drives/etc. to be reviewed and approved by City Staff.

7. Owner/developer to provide a copy of the Declaration of Covenants, Conditions and Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement of parking lots/private drives, the buildings including all common areas and green spaces, stormwater management/easement areas, as well as any ownership or use restrictions to the Planning Department and recorded at the La Crosse County Register of Deeds. Any amendments to the aforementioned document to be recorded at the La Crosse County Register of Deeds and an copy provided to the Planning Department.

8. Owner/developer to submit a master signage plan noting location(s) of freestanding monument signs for internal traffic control.

9. Owner/developer to abide by the Airport Overlay Height Zoning Ordinance and obtain any necessary permits from the City of Onalaska and/or City of La Crosse as needed.

10. Owner/developer to submit a master grading and stormwater plan to be approved by the City Engineer.

11. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot buffer surrounding the identified slopes.

12. Owner/developer to maintain existing stormwater detention area along southern parcel line.

13. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOIC application, permit, and associated data prior to construction to the Engineering Department. A City Erosion Control Permit for greater than one (1) acre of land disturbance is required before any earth moving activities occur. Permit to be reviewed and approved a minimum of ten (10) days prior to construction activities.

14. All erosion control BMPs (Best Management Practices) to be installed prior to the start of any construction activities. Swale areas/stormwater ponds to be dug prior to start of construction and prior to initial grading to act as sediment traps. Track pad(s) to be installed with a minimum of 3 to 6 inch stones, one (1) foot deep and fifty (50) feet in length. All disturbed areas to have black dirt placed and seeded within seven (7) days of disturbance.

15. Owner/developer to submit a master utility plan (including any phasing) to be approved by the City Engineer. Any utilities dedicated to the City of Onalaska shall be in a dedicated right-of-way, outlot, or easement.

16. Street right-of-way for a future street must be dedicated along north parcel line or owner/developer to work with neighboring property owner to the north for a mutual dedication. Future street must be installed to City standards fifty (50) feet beyond any proposed driveway access. Temporary cul-de-sac to be installed at end of new street.

17. Owner/developer to request and have the vacation of Abbey Court finalized prior to any construction activities. Outcome of this action is that Abbey Court will become a private drive entrance off of Abbey Road.

18. Parcels to be combined into one (1) parcel for the principal and accessory structures and the parking lot to be located on one parcel. Contact La Crosse County Land Records Department to complete this condition. Parcel modification to be completed prior to issuance of a building permit.

19. City furnished inspector required during utility installations and developer to pay costs.

20. As-builts of all utility work required to be submitted to the Engineering Department.

21. Water services not utilized as part of development shall be abandoned at main.

22. Owner/developer to obtain letters from utility service providers noting that there is adequate power, natural gas, and telephone/internet services available to serve this project and provide to the Engineering Department.

23. Owner/developer to receive written approval from Dairyland Power regarding planned development and locations of buildings in relation to easement on the parcel in question.

24. Owner/developer to submit final, colored renderings of all four (4) sides of proposed buildings noting architectural elevations with details and materials to be approved by the Planning Department.

25. Owner/developer to submit a master open space place with provision for maintenance to be approved by the Planning Department.
26. Owner/developer to submit a master landscaping plan to be approved by the Planning Department.

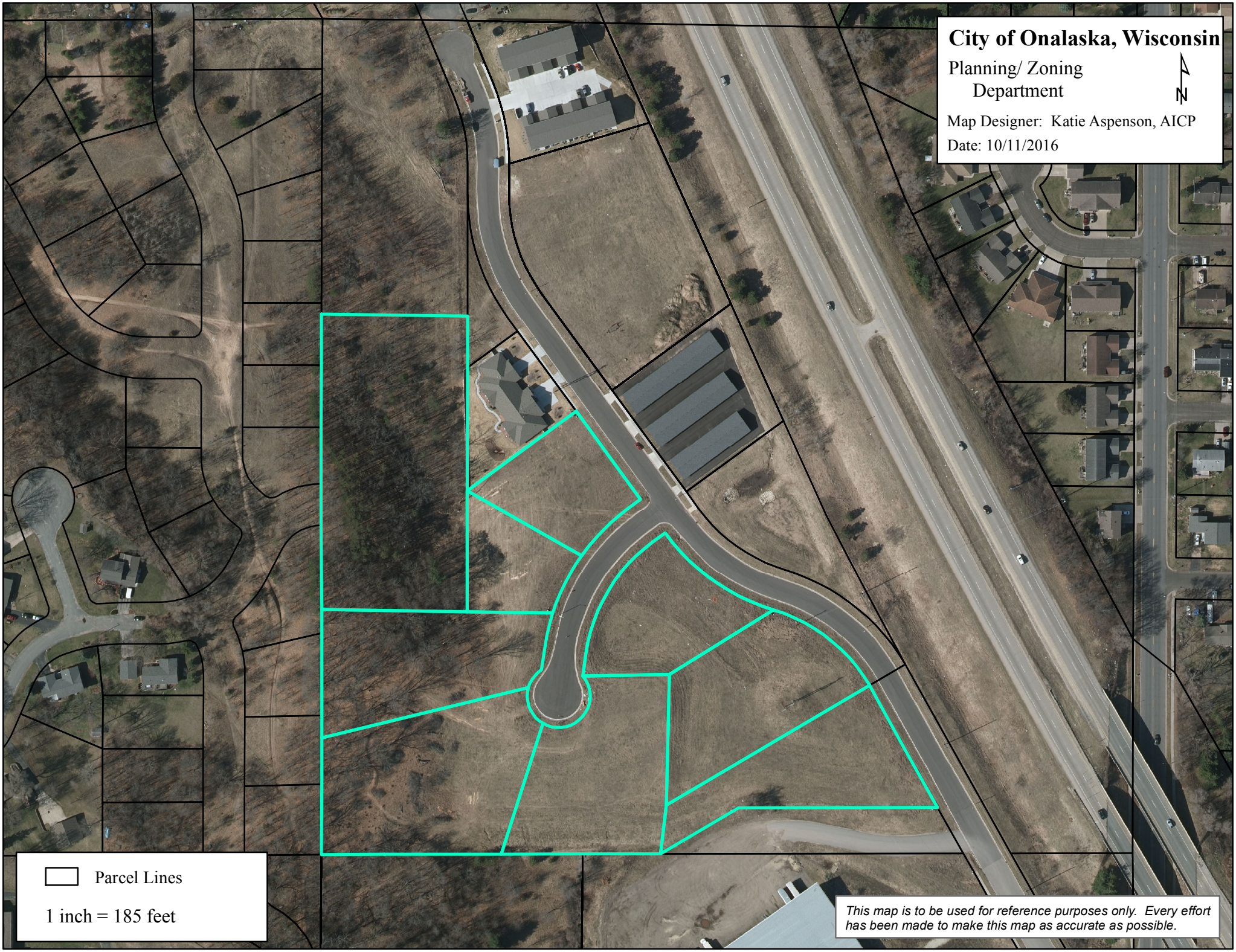
27. Owner/developer to submit a pedestrian accessibility plan (trails, connections, etc.) to be approved by the Engineering & Planning Departments.

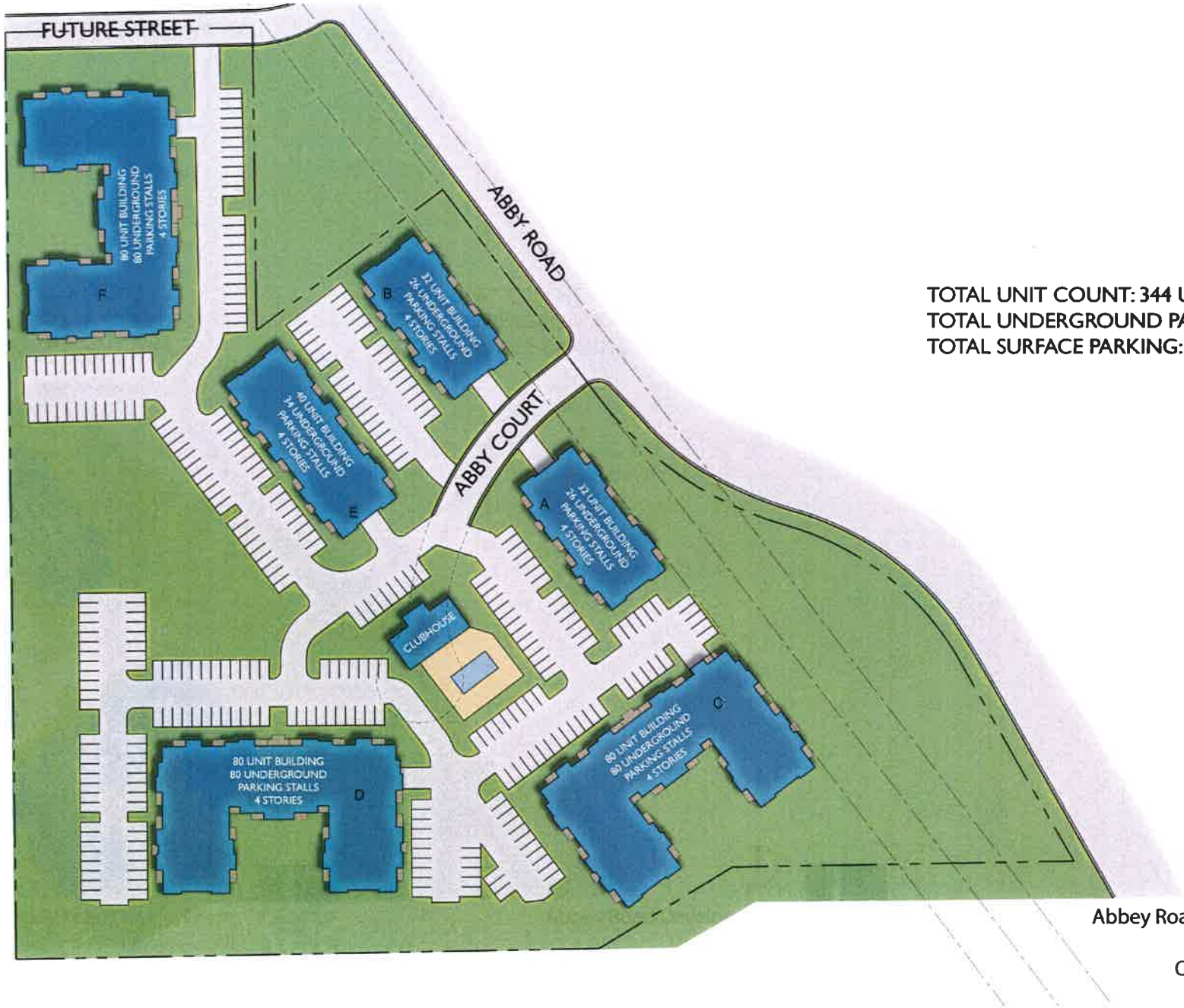
28. Owner/developer to install sidewalk to City standards along full length of Abbey Road.

29. 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.

30. 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.

31. 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.

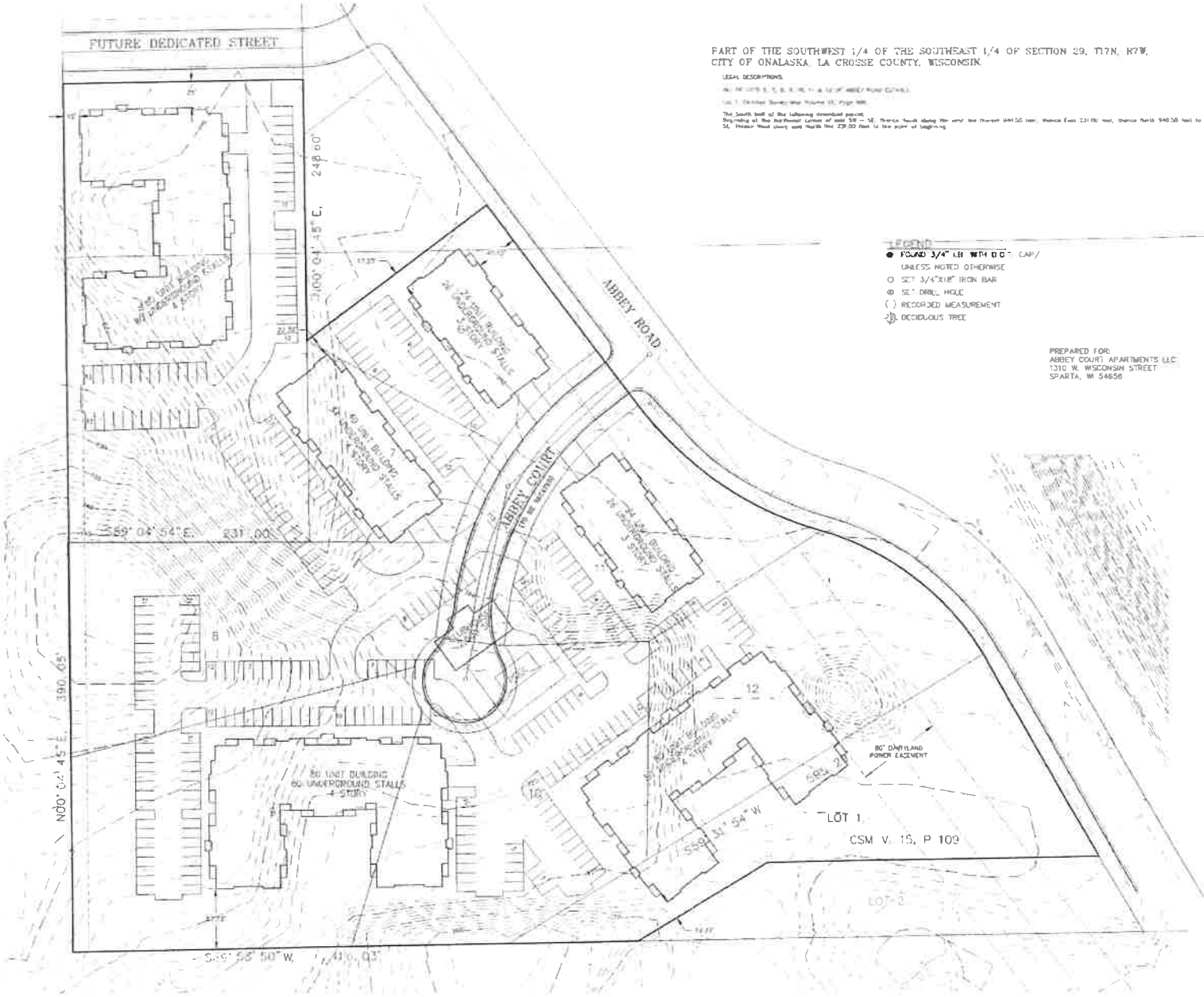

City of Onalaska, Wisconsin
Planning/ Zoning Department
N
Map Designer: Katie Aspenson, AICP
Date: 10/11/2016
Parcel Lines
1 inch = 185 feet
This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.



TOTAL UNIT COUNT: 344 UNITS
TOTAL UNDERGROUND PARKING: 326 SPACES
TOTAL SURFACE PARKING: 317 SPACES

Abbey Road Development
Onalaska, WI
October 10, 2016

knothe • bruce



PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, T17N, R7W,
CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.

LEGAL DESCRIPTIONS

[illegible]

The South half of the following described parcel:
Beginning at the northwest corner of said SW – SE, thence South along the west line thereof 940.50 feet, thence East 231.00 feet, thence North 940.50 feet to the North line of said SW – SE, thence West along said North line 231.00 feet to the point of beginning.

LEGEND

- ● FOUND 3/4" I.B. WITH D.O.T. CAP/ UNLESS NOTED OTHERWISE
- ○ SET 3/4"X18" IRON BAR
- ⊗ SET DRILL HOLE
- ( ) RECORDED MEASUREMENT
- DECIDUOUS TREE

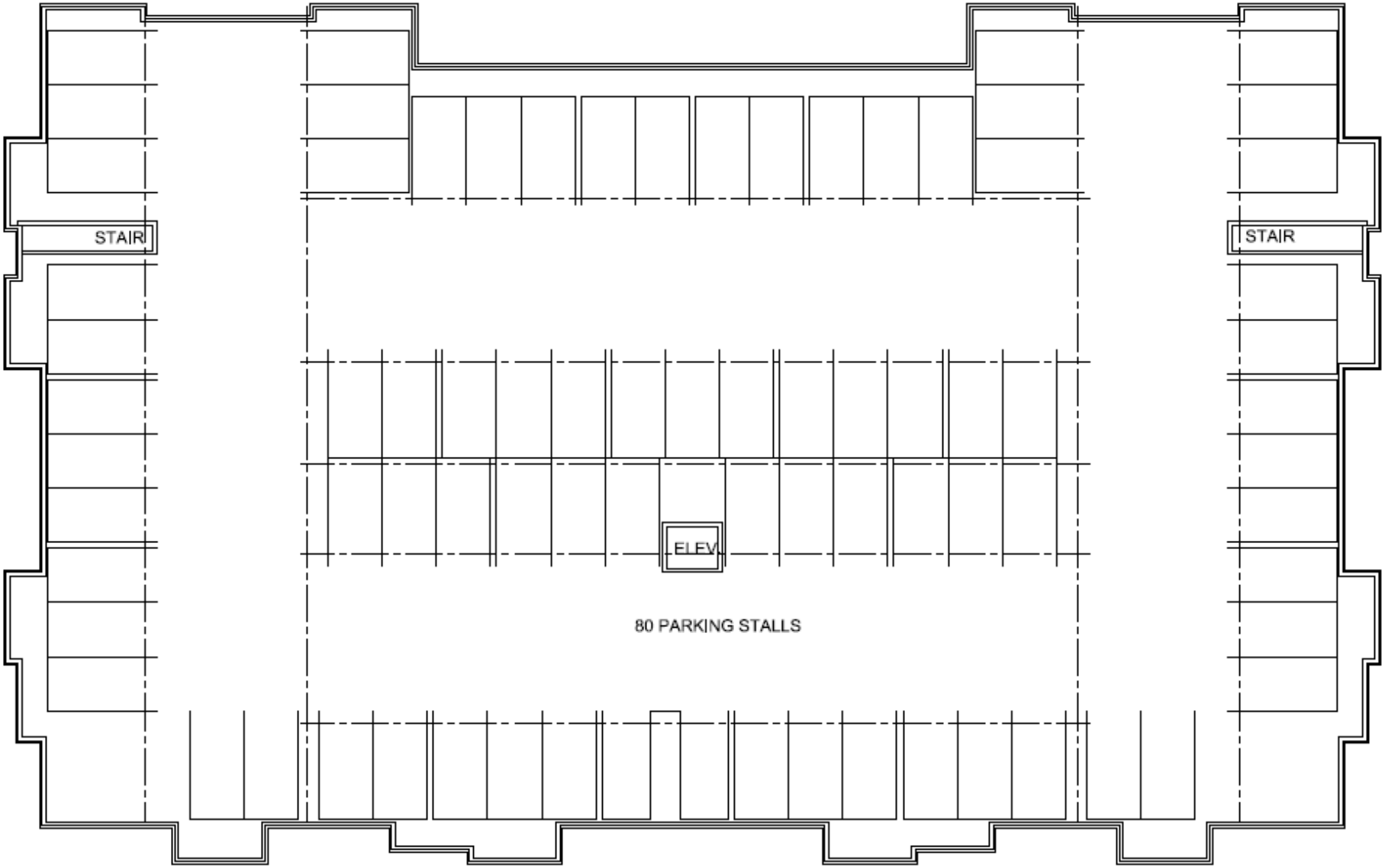
PREPARED FOR:
ABBEY COURT APARTMENTS LLC
1310 W. WISCONSIN STREET
SPARTA, WI 54656

LA CROSSE
ENGINEERING & SURVEYING CO., INC.

ABBEY ROAD DEVELOPMENT
CITY OF ONALASKA
GENERAL SITE PLAN

DATE: [illegible]
FILE: Abbey Road
DRAWN BY: [illegible]

C-1



1 A-1.0 BASEMENT FLOOR PLAN

knothe • bruce ARCHITECTS

ISSUED

PROJECT TITLE
Abbey Road Development

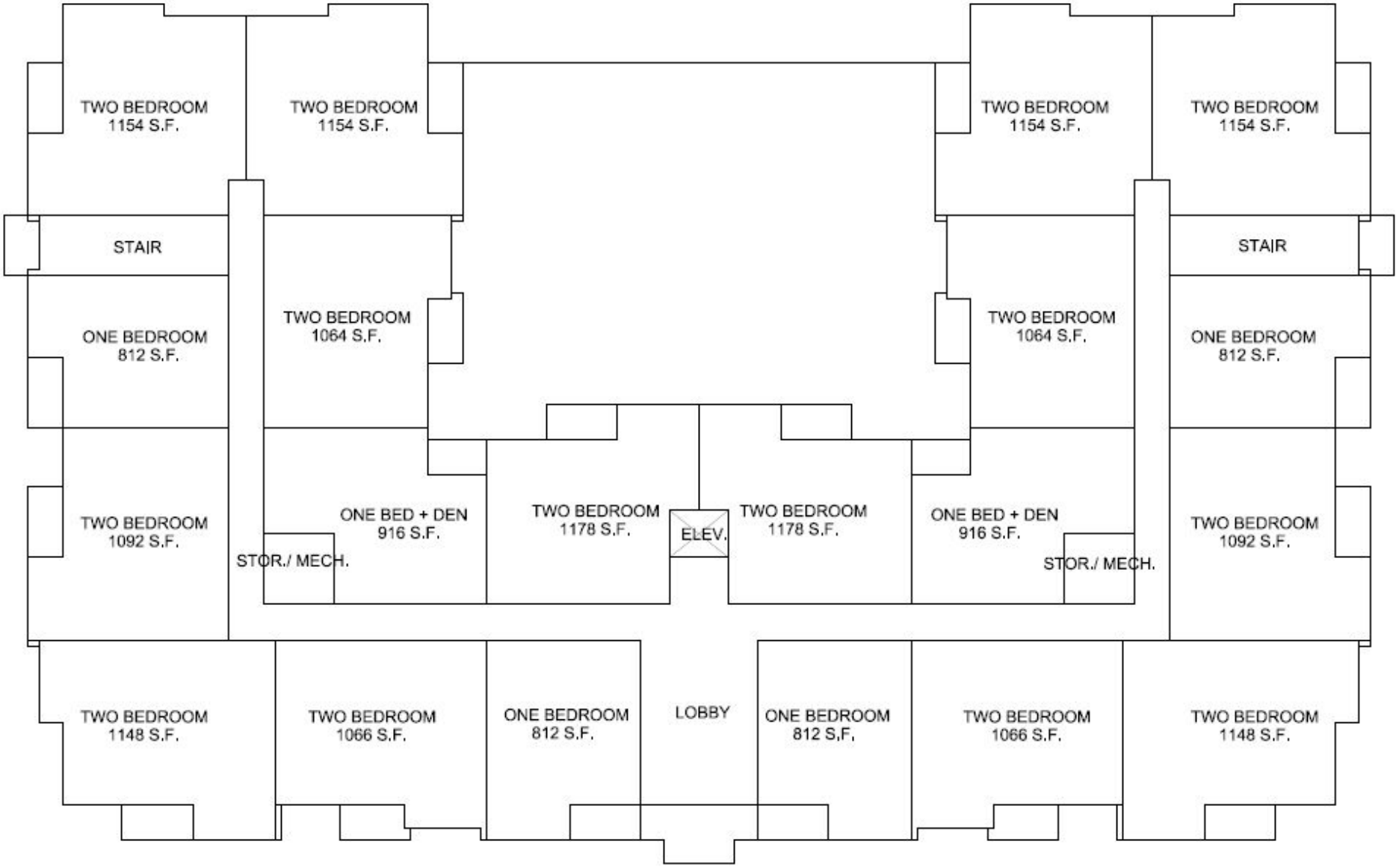
Onalaska, Wisconsin

SHEET TITLE
Basement Floor Plan

SHEET NUMBER
A-1.0

PROJECT NO. 1618

©Knothe & Bruce Architects, LLC



1 A-1.1 FIRST FLOOR PLAN

UNIT MIX:
ONE BEDROOM - 10
ONE BED + DEN - 8
TWO BEDROOM - 62

knothe • bruce ARCHITECTS

ISSUED

PROJECT TITLE
Abbey Road Development

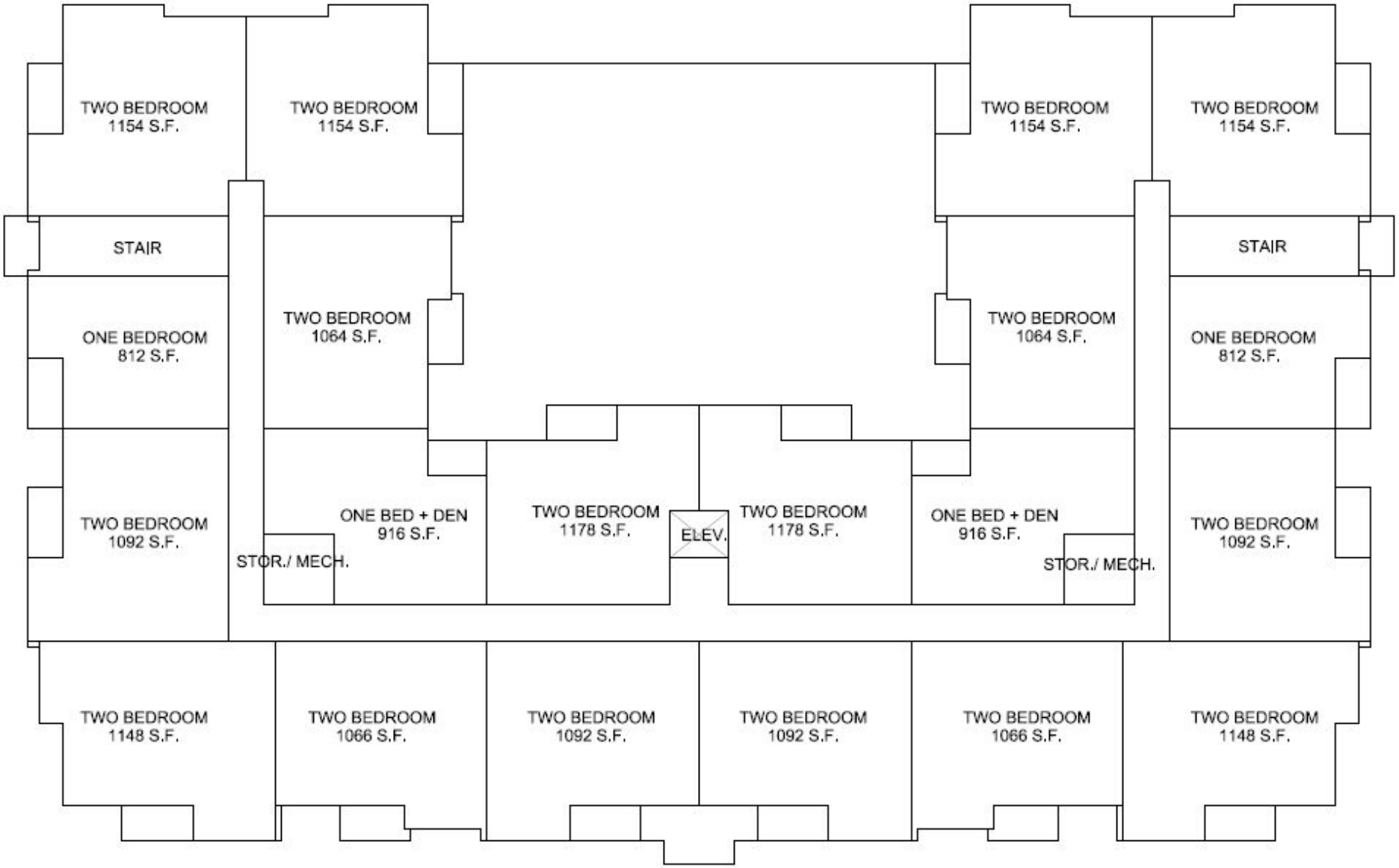
Onalaska, Wisconsin

SHEET TITLE
First Floor Plan

SHEET NUMBER
A-1.1

PROJECT NO. 1618

© Knothe & Bruce Architects, LLC



1 A-1.2 SECOND - FOURTH FLOOR PLAN

knothe • bruce ARCHITECTS

ISSUED

PROJECT TITLE
Abbey Road Development

Onalaska, Wisconsin

SHEET TITLE
Second - Fourth Floor Plan

SHEET NUMBER
A-1.2

PROJECT NO. 1618

1 A-2.1 FRONT ELEVATION

knothe • bruce
ARCHITECTS
Phone: 608.836.3690 Fax: 608.836.3692
Mail: University Ave, Ste 200
Middleton, WI 53562

ISSUED
Issued for Review • June 8, 2016

PROJECT TITLE
Abbey Road Development

Onalaska, Wisconsin

SHEET TITLE
Exterior Elevations

SHEET NUMBER
A-2.1

PROJECT NO. 1618

© Knothe & Bruce Architects, LLC

3 AMIGOS PROPERTY MANAGEMENT

AMERICON CONFIDENCE IN CONSTRUCTION

September 21, 2016

Ms. Katie Aspenson
Planner, Zoning Inspector
City of Onalaska
415 Main Street
Onalaska, Wisconsin 54650

Re: Letter of Intent
General Development Plan
Abbey Court Development

Dear Ms. Aspenson:

The proposed site is located along Abbey Road at Abbey Court and encompasses just under 12 acres. This property is currently zoned R4 Multi-Family Residential District and it is subdivided into individual lots for housing development and will now be combined into one parcel for this Planned Unit Development and the primary use will remain as Multi-Family Residential.

The project consists of a total of 328 units in 6 separate buildings that range from three to four stories, each with underground parking .The buildings will be set at different elevations in order to take advantage of the topography of this site while providing vehicular access to each parking level. The main entry point will be at Abbey Court and a portion of this existing right-of-way will be vacated and utilized for this development. There will also be a Clubhouse building in the center of this development to provide amenities for the residents which may contain a swimming pool, community room, exercise room along with an on-site leasing office.

The design of the buildings will have a strong residential feel to them with pitched roofs and private balconies for every unit. A mixture of masonry and siding will be used to provide the desired character and warmth of a great place to live. The Clubhouse will be constructed early on as it will serve as the heart of this new community.

The interior driveway system will be designed so that it can connect to a possible future public right-of-way at the north end of this property. This will then provide a secondary means of access to this development for emergency vehicles. Primary utilities of water, sanitary and storm sewers will be placed along these drives as well to connect to each of the buildings. A complete storm water management plan and master landscape plan will be developed as part of the Final Implementation Plan Submittal.

3 AMIGOS PROPERTY MANAGEMENT

AMERICON CONFIDENCE IN CONSTRUCTION

In regards to Environmental Design for this development there are some sections of steep terrain that will be preserved and not modified. Also there is a Tree Preservation Plan that exists for this property and the existing trees that are noted on this plan that are still standing will be preserved to the greatest extent possible while maintaining at least the minimum required.

Owner: Abbey Court Apartments, LLC
1310 W. Wisconsin St
Sparta, WI 54656

Engineer: La Crosse Engineering & Surveying Co. Inc.
1212 S 3rd Street
La Crosse, WI 54601
608-782-3433
608-782-3452 fax
Contact: Frederick Hilby
fhilby@laxengineering.com

Architect: Knothe & Bruce Architects, LLC
7601 University Avenue, Ste 201
Middleton, WI 53562
608-836-3690
Contact: Kevin Burow
kburow@knothebruce.com

General Contractor: Americon
1201 N. Superior Ave
Tomah, WI 54660
608-374-4200
Contact: Matt Buswell
mbuswell@americonconstructionco.com
www.americonconstructionco.com

Site Development Data:

Densities:

Lot Area	512,896 S.F. or 11.77 acres
Dwelling Units	328 units
Lot Area / D.U.	1,564 S.F./unit
Density	27.87 units/acre
Setbacks	25' front yard, 10' side yard, and 30' rear yard
Building Height	3-4 stories
Common Open Space	275,125 S.F. (53.6% of lot area)

3 AMIGOS PROPERTY MANAGEMENT

AMERICON CONFIDENCE IN CONSTRUCTION

Project Schedule:

The buildings will be built in phases with the first two 24 unit buildings being built along with the club house. The first buildings are projected to begin in the summer of 2017 with completion late 2018. Then we will move inward to the four story 80 unit. Construction beyond the first two buildings will be determined based on current market conditions. If the buildings become fully leased we will continue building.

Economic Analysis:

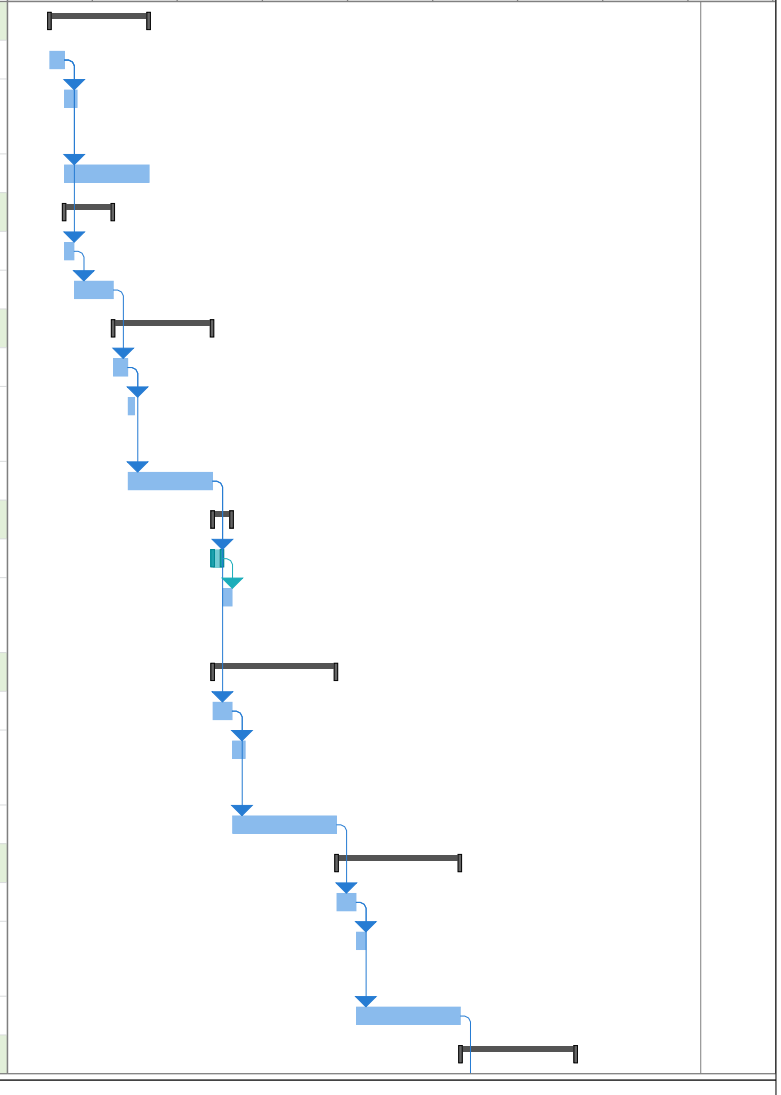
This development will have a positive social and economic impact on not just the City of Onalaska, but the entire region. Many construction industry jobs will be supported/created, additional leasing and maintenance staff added, and high-quality/luxury energy efficient housing will be provided to the marketplace.

Sincerely,

Abbey Court Apartments, LLC

Abbey Ct. Development Overview

ID		Task Mode	Task Name	Duration	Start	Finish
1			**Bldg A**	**305 days**	**Mon 7/3/17**	**Fri 8/31/18**
2			Substructure	45 days	Mon 7/3/17	Fri 9/1/17
3			Infrastructure (utilities,asphalt,curb/gutt	40 days	Mon 9/4/17	Fri 10/27/17
4			Superstructure	260 days	Mon 9/4/17	Fri 8/31/18
5			**Club House**	**150 days**	**Mon 9/4/17**	**Fri 3/30/18**
6			Substructure	30 days	Mon 9/4/17	Fri 10/13/17
7			Superstructure	120 days	Mon 10/16/17	Fri 3/30/18
8			**Bldg B**	**305 days**	**Mon 4/2/18**	**Fri 5/31/19**
9			Substructure	45 days	Mon 4/2/18	Fri 6/1/18
10			Infrastructure (utilities,asphalt,curb/gutt	20 days	Mon 6/4/18	Fri 6/29/18
11			Superstructure	260 days	Mon 6/4/18	Fri 5/31/19
12			**Future Street/ Access Road**	**60 days**	**Mon 6/3/19**	**Fri 8/23/19**
13			Gravel Future street	30 days	Mon 6/3/19	Fri 7/12/19
14			Gravel access roads past clubhouse to future	30 days	Mon 7/15/19	Fri 8/23/19
15			**Bldg C**	**380 days**	**Mon 6/3/19**	**Fri 11/13/20**
16			Substructure	60 days	Mon 6/3/19	Fri 8/23/19
17			Infrastructure (utilities,asphalt,curb/gutt	40 days	Mon 8/26/19	Fri 10/18/19
18			Superstructure	320 days	Mon 8/26/19	Fri 11/13/20
19			**Bldg D**	**380 days**	**Mon 11/16/20**	**Fri 4/29/22**
20			Substructure	60 days	Mon 11/16/20	Fri 2/5/21
21			Infrastructure (utilities,asphalt,curb/gutt	30 days	Mon 2/8/21	Fri 3/19/21
22			Superstructure	320 days	Mon 2/8/21	Fri 4/29/22
23			**Bldg E**	**355 days**	**Mon 5/2/22**	**Fri 9/8/23**

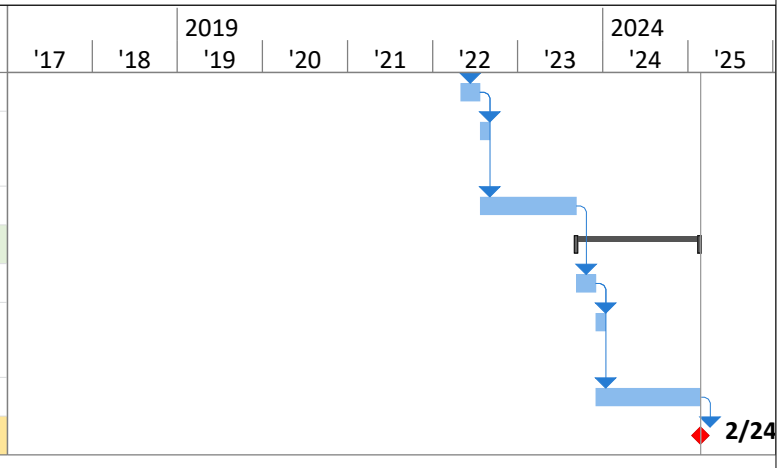


Project: Abbey Ct.
Date: Mon 10/10/16
Owner: 3 Amigos, LLC

Task | Summary | Duration-only
Milestone | Project Summary | Progress

Abbey Ct. Development Overview

ID		Task Mode	Task Name	Duration	Start	Finish
24			Substructure	60 days	Mon 5/2/22	Fri 7/22/22
25			Infrastructure (utilities,asphalt,curb/gutt	30 days	Mon 7/25/22	Fri 9/2/22
26			Superstructure	295 days	Mon 7/25/22	Fri 9/8/23
27			**Bldg F**	**380 days**	**Mon 9/11/23**	**Fri 2/21/25**
28			Substructure	60 days	Mon 9/11/23	Fri 12/1/23
29			Infrastructure (utilities,asphalt,curb/gutt	30 days	Mon 12/4/23	Fri 1/12/24
30			Superstructure	320 days	Mon 12/4/23	Fri 2/21/25
31			**Approximate Completion**	**1 day**	**Mon 2/24/25**	**Mon 2/24/25**



Project: Abbey Ct.
Date: Mon 10/10/16
Owner: 3 Amigos, LLC

Task | Summary | Duration-only
Milestone | Project Summary | Progress

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:

Americon is requesting a PUD on behalf of the 3 Amigos Project Management Company. The proposed PUD consists of (3) three buildings that have 80 luxury multifamily dwelling units with underground parking, (2) two buildings that have 40 luxury multifamily dwelling units with underground pakring, (1) one building that has 24 luxury multifamily dwelling units, and (1) building that is a club house with a pool/offices/ gathering area.

Property Address(es): Abbey CT.

Parcel Number(s): 18-4511-300

18-4511-305	18-6365-0
18-6367-0	18-6364-0
18-6366-0	18-6363-0
18-6361-0	18-6362-0

Applicant/Property Owner: Abbey Court Apartments, LLC

Project Contact: Matt Buswell

Mailing Address: 1201 N. Superior Ave

City, State, Zip: Tomah, WI, 54660

Phone Number: 608-374-4200

Email: mbuswell@americonconstructionco.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 requiremments 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: 9/16/16
Signature of Property Owner:	Date: 9/21/2016

OFFICE USE ONLY:	Date Submitted:	Permit Number:

RECEIVED
SEP 21 2016
BY:

CITY OF ONALASKA
REC#: R00054996 09/21/2016 2:39 PM
TRAN: 450 PLANNING & ZONING
OPER: C2 TERM: 2
TKBY : CASH 02

PUD - ABBEY COURT APTS LLC 700.00

Paid By:ABBEY COUR APTS LLC
CK 700.00 REF:SW - 1071

CITY OF ONALASKA

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 9/14/16

CITY OF ONALASKA

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.**

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   ☒ *Attached*

3. Application Review Fee: $700.00 (Payable to the City of Onalaska).
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   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 9/14/16

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, OCTOBER 25, 2016
APPROX. 7:10 P.M.
(or immediately following public hearing at 7:00 PM)

in Onalaska City Hall, 415 Main Street, Onalaska, Wisconsin 54650 at which time they will consider an application filed by Matt Buswell of 1202 North Superior Avenue, Tomah, WI 54660 who is requesting a Planned Unit Development (PUD) on behalf of 3 Amigos Project Management Company to construct (3) three buildings that have (80) eighty luxury multifamily dwelling units with underground parking, (2) two buildings that have (40) forty luxury multifamily dwelling units with underground parking, (1) one building that has (24) twenty four luxury multifamily dwelling units, and (1) one building that is a club house with pool/offices/ gathering area located on Abby Court, Onalaska.

Property is more particularly described as:

Computer Number: 18-4511-300
Section 29, Township17, Range 7

S1/2 OF PRT SW-SE BEG NW COR S 940.5FT E 231FT N 940.5FT W 231FT TO POB EX PRT FOR HWY SUBJ TO 10FT ESMT IN V837 P793

Computer Number: 18-4511-305
Section 29, Township17, Range 7

CERTIFIED SURVEY MAP NO. 109 VOL 15 DOC NO. 1607465 LOT 1 EX COM S1/4 COR SEC 29 N89D53M50SE 286.21FT TO SW COR LOT 10 ABBEY ROAD ESTATES N89D53M50SE 129.82FT ALG S LN LOT 10 TO W MOST COR LOT 1 CSM NO. 109 VOL 15 & POB N59D31M54SE 153.7FT ALG NWLY LN LO

Computer Number: 18-6361-0
Section 29, Township17, Range 7

ABBEY ROAD ESTATES LOT 6

Computer Number: 18-6362-0
Section 29, Township17, Range 7

ABBEY ROAD ESTATES LOT 7

Computer Number: 18-6363-0
Section 29, Township17, Range 7

ABBEY ROAD ESTATES LOT 8

Computer Number: 18-6364-0
Section 29, Township17, Range 7

ABBEY ROAD ESTATES LOT 9 EX S 5FT OF W 100FT

Computer Number: 18-6365-0
Section 29, Township17, Range 7

ABBEY ROAD ESTATES LOT 10 & PRT LOT 1 CSM NO. 109 VOL 15 DOC NO. 1607465 COM S1/4 COR SEC 29 N89D53M50SE 286.21FT TO SW COR LOT 10 ABBEY ROAD ESTATES N89D53M50SE 129.82FT ALG S LN LOT 10 TO W MOST COR LOT 1 CSM NO. 109 VOL 15 & POB N59D31M54SE 153.7FT AL

Computer Number: 18-6366-0
Section 29, Township17, Range 7

ABBEY ROAD ESTATES LOT 11

Computer Number: 18-6367-0
Section 29, Township17, Range 7

ABBEY ROAD ESTATES LOT 12

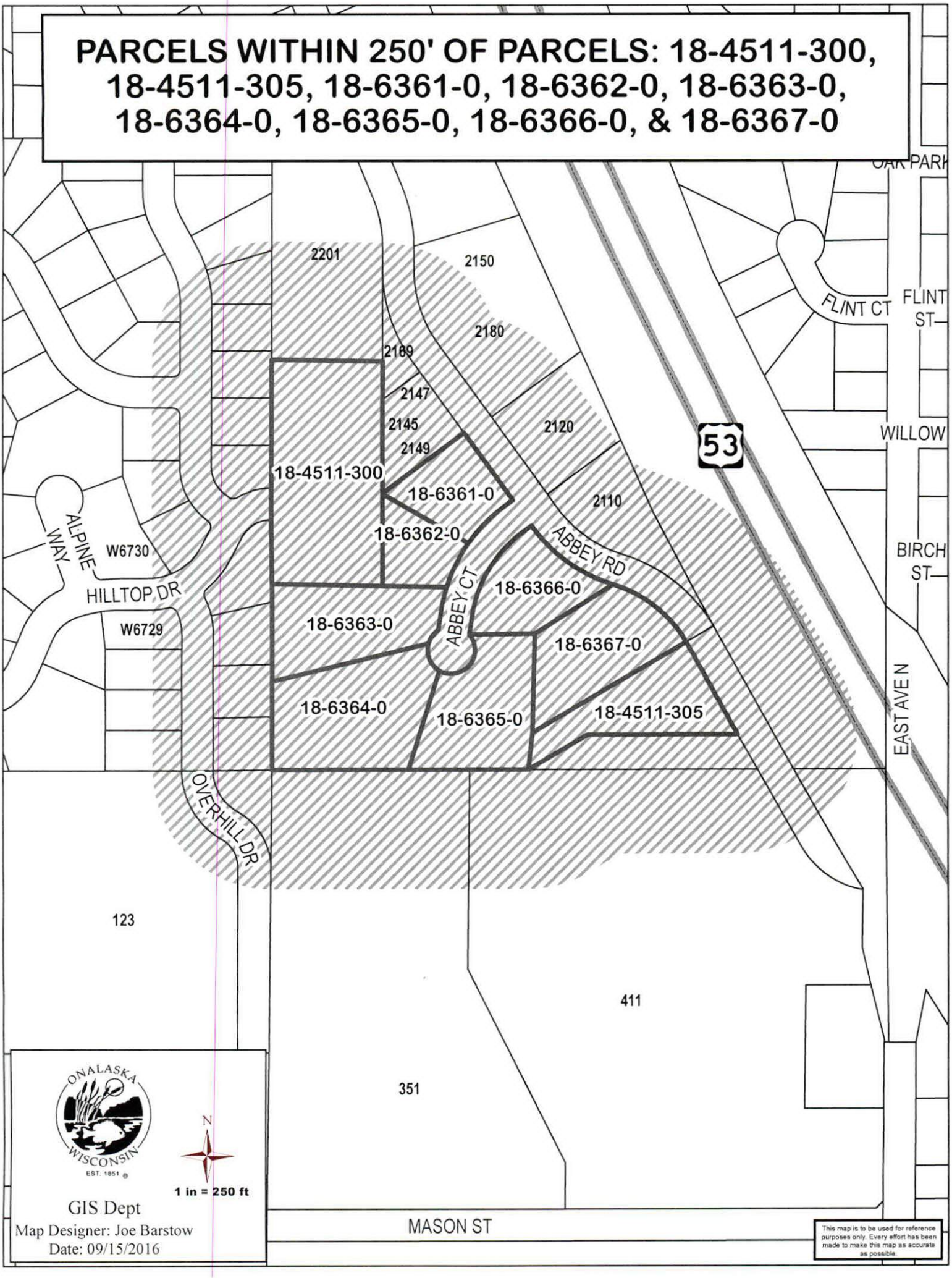
YOU ARE FURTHER NOTIFIED that the City of Onalaska Plan Commission will hear all persons interested, their agent or attorney concerning this matter.

More detailed information on this item will be posted to the City of Onalaska website www.cityofonalaska.com 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 30th day of September, 2016.

Cari Burmaster
City Clerk

PARCELS WITHIN 250' OF PARCELS: 18-4511-300, 18-4511-305, 18-6361-0, 18-6362-0, 18-6363-0, 18-6364-0, 18-6365-0, 18-6366-0, & 18-6367-0



CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – October 18, 2016

Agenda Item:

6

Agenda Item: Subdivision Review of Preliminary Plat for Coronado Circle Development.

Applicant: Chris Meyer of Dream Builders of Wisconsin LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of Brian Miller of Nathan Estates LLC, 1820 Tahoe Place, Onalaska, WI 54650 & Coronado Villas LLC, 123 7th Street South, La Crosse, WI 54601

Property Owners: Brian Miller of Nathan Estates LLC, 1820 Tahoe Place, Onalaska, WI 54650 & Coronado Villas LLC, 123 7th Street South, La Crosse, WI 54601

Parcel Number: 18-5955-3, 18-5955-8, 18-5955-7, 18-5955-6, 18-5955-10, & 18-5955-11

Site Location: Along Coronado Circle (private drive) within Nathan Hills Estates located at 462-480 Coronado Circle, 442-452 Coronado Circle, 422-432 Coronado Circle, 402-412 Coronado Circle, 465-467 Coronado Circle & 475-477 Coronado Circle.

Existing Zoning: Single Family Residential (R-1) and Planned Unit Development (PUD) Zoning Districts

Background:
On February 9, 2016 the Common Council approved an amendment to the Nathan Hills Estates Subdivision Planned Unit Development (PUD) which showed a conceptual division of the existing six (6) parcels that surround Coronado Circle (private drive) into twenty-four (24) individual parcels of land. One of the conditions of approval for the PUD amendment required the submittal of a Preliminary and Final Subdivision Plat for the review and approval by the Plan Commission and Common Council. All parcels boundaries abutting Coronado Circle (private drive) were to be modified to the centerline of the Coronado Circle (private drive) and all drainage, access, and utility easements are to be reflected in the Plat. Onalaska's legal counsel has performed a review of the "Restated Declaration of Covenants, Conditions, and Restrictions of the Nathan Hills Estates Planned Unit Development", which were to be provided to the City of Onalaska and has suggested edits to the document which are necessary to fulfil the Conditions of Approval tied to the approved PUD Amendment.

Attached Documents:

- Proposed Preliminary Plat.
- Proposed "Restated Declaration of Covenants, Conditions, and Restrictions of the Nathan Hills Estates Planned Unit Development".
- Preliminary Plat Application.

Action Requested: The applicant is requesting approval of the Preliminary Plat. Staff recommend the attached conditions of approval if the Preliminary Plat is approved.

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

October 18, 2016

Agenda Item: 6

Subdivision Review of a Preliminary Plat filed by 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, 1820 Tahoe Place, Onalaska, WI 54650 for Coronado Circle Development, a 24 parcel lot land division (3.07 acres) along Coronado Circle (private drive) within Nathan Hills Estates located at 462-480 Coronado Circle, 442-452 Coronado Circle, 422-432 Coronado Circle, 402-412 Coronado Circle, 465-467 Coronado Circle & 475-477 Coronado Circle, (Tax Parcels #: 18-5955-3, 18-5955-8, 18-5955-7, 18-5955-6, 18-5955-10, & 18-5955-11).

1. Preliminary Plat Fee of $200.00 + $25.00 per lot x 24 lots = $800.000 dollars (PAID)

2. Applicant shall abide by all requirements and conditions of previous Drainage and Stormwater Plan approvals and with previous subdivision, plat and PUD approvals for Nathan Hills Estates.

3. Rear yards of the parcels along the "outer circle" of Coronado Circle (private drive) to maintain a 10-foot buffer along rear property line for drainage purposes. Preliminary and Final Plat to be modified to show buffer area.

4. The addition of decks to the parcels along the "outer circle" of Coronado Circle (private drive) will restrict future accessory structures.

5. Homeowner's Association or Condominium Association will be established to address maintenance, repair, and replacement of Coronado Circle, the buildings including all common areas and green spaces, stormwater management/easement areas, as well as any ownership or use restrictions. Additionally, the Homeowner's Association document shall include:
   a) Annual contribution from each property for property taxes, repair and replacement fund;
   b) The Homeowner's Association shall reserve the right to lien each property if an owner defaults on such homeowner's payments due to the association; and
   c) The Homeowner's Association shall provide a statement of outstanding fees due and annual fees anticipated at the request of the owner or owner's realtor (collectively, the "City Requirements.")

   All Homeowner's Association or Condominium Association documents shall be recorded with the La Crosse County Register of Deeds prior to any land transfers. The Planning Department shall be provided with a copy of all Homeowner's Association or Condominium Association documents intended for recording for confirmation of inclusion of the City Requirements. Failure to include the City Requirements shall cause revocation of all permits for the development and shall cause no new permits to be issued. Following recording of such documents, the recorded copies should be placed on file with the City of Onalaska Planning Department. No amendment to the Homeowner's Association or Condominium

Association documents shall occur without a delivery of the amendment to the Planning Department.

6. All abutting property/parcel lines to be modified to centerline of the Coronado Circle easement. All drainage, access and utility easements shall be reflected in the Plat.

7. Creation and recording of legal documents to define ownership, access easements, drainage easements, utility easements (both for public water main, hydrant and private service connections) and maintenance of Coronado Circle.

8. The final lift of asphalt is required for the private street known as Coronado Circle. The final lift shall be installed to the satisfaction of the City Engineer prior to June 15, 2016.

9. Coronado Circle (drive) shall not have on-street parking on both sides. Restriction to be added to the association documents.

10. 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.

11. 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.

O'Flaherty Heim Egan & Birnbaum LTD.
TRIAL, FAMILY, EMPLOYMENT & BUSINESS LAWYERS

Gerard O'Flaherty†*
James G. Birnbaum
Patricia M. Heim
Gregory J. Egan*
Sean O'Flaherty
*Admitted to Practice in WI & MN
†Of Counsel

James W. Richgels
Jessica T. Kirchner*
Aaron D. Birnbaum
Amanda M. Halderson Jackson
Scott J. Curtis*

October 11, 2016

Via email kaspenson@cityofonalaska.com
Ms. Katie Aspenson

Re: Declaration of Covenants for Nathan Hills Estate Planning and Development

Dear Katie:

Pursuant to your request last Friday, I have reviewed the Restated Declaration of Covenants, Conditions and Restrictions of the Nathan Hills Estate Development. I note two sections, as follows:

1) Section 3. Section 3 states that the Plat shows the utility easements which were required by the Planning Commission requirements from June 28, 2016. Section 3 is silent as to access and drainage easements. Those should be described in Section 3 as shown on the Plat.

2) Section 7.3. The City does want to have the ability to enforce the covenants without having the responsibility to enforce them. Consequently, I believe the language in Section 7.3 is acceptable.

3) Missing Section. There is no section related to maintenance of the private road.

4) Additional Issue. Please note that the reflection of the easements on the Plat does not create any of the easements except those that run to the City. Separate documents creating the easements are needed. We should be provided those.

Thank you for your attention to this matter.

Sincerely,

O'FLAHERTY HEIM EGAN & BIRNBAUM LTD.

Sean O'Flaherty

SOF/car

PRELIMINARY PLAT
NATHAN HILLS ESTATE PHASE 3

LOT 3 OF CERTIFIED SURVEY MAP VOLUME 16 PAGE 98.BEING PART OF CERTIFIED SURVEY MAP VOLUME 15 PAGE 96 AND LOT 15, NATHAN HILL ESTATES. LOCATED IN THE NW ¼ OF THE SW ¼, AND THE SW ¼ OF THE SW ¼ OF SECTION 1 , T16N, R7W, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.

SURVEYOR CERTIFICATE
I, JONATHAN A SCHMITZ PLS #2465, DO HEREBY CERTIFY THAT THE MAP SHOWN WITHIN IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY AND THAT I HAVE COMPLIED WITH CHAPTER 9 OF THE CITY OF ONALASKA SUBDIVISION ORDINANCE TO THE BEST OF MY KNOWLEDGE AND BELIEFS.

10\07\2016
JONATHAN A SCHMITZ PLS #2465

WISCONSIN JONATHAN A. SCHMITZ S-2465 SPARTA WI LAND SURVEYOR

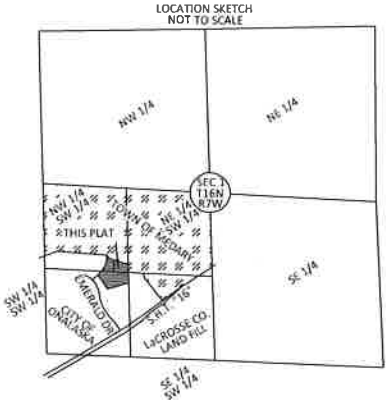
OWNERS
NATHAN HILL ESTATES LLC
1820 TAHOE PL
ONALASKA, WI 54650

SURVEYOR
JONATHAN A SCHMITZ PLS #2465
POINT SURVEYING LLC
18286 COUNTY HIGHWAY TRUNK "A"
NORWALK, WI 54648
608-487-1029
pointsurveying @hotmail.com

APPROVING AUTHORITY
CITY OF ONALASKA

OBJECTING AUTHORITY
DEPARTMENT OF ADMINISTRATION

LOCATION SKETCH
NOT TO SCALE

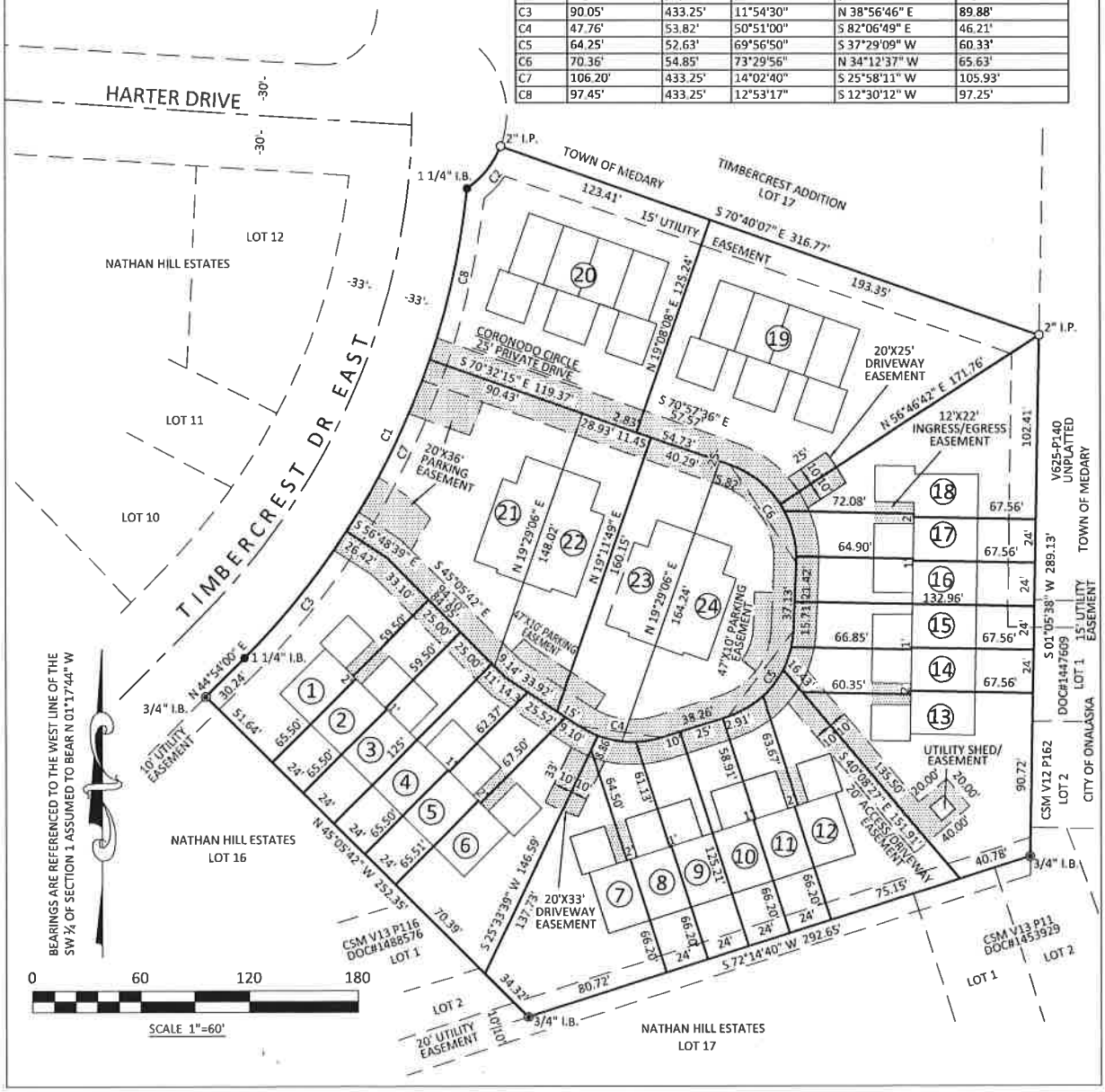


AREA TABLE

LOT #	SQ. FEET	AREA	LOT #	SQ. FEET	AREA
LOT #1	6,594	0.15	LOT #13	8,364	0.19
LOT #2	3,060	0.07	LOT #14	3,303	0.08
LOT #3	3,060	0.07	LOT #15	3,267	0.07
LOT #4	3,080	0.07	LOT #16	3,267	0.07
LOT #5	3,196	0.07	LOT #17	3,306	0.08
LOT #6	6,172	0.14	LOT #18	7,507	0.17
LOT #7	7,507	0.17	LOT #19	18,334	0.42
LOT #8	3,235	0.07	LOT #20	15,784	0.36
LOT #9	3,075	0.07	LOT #21	11,879	0.27
LOT #10	3,063	0.07	LOT #22	6,313	0.14
LOT #11	3,096	0.07	LOT #23	6,536	0.15
LOT #12	6,253	0.14	LOT #24	8,800	0.20

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	293.70'	433.25'	38°50'27"	S 25°28'47" W	288.11'
C2	30.57'	50.00'	35°02'07"	S 38°34'18" W	30.10'
C3	90.05'	433.25'	11°54'30"	N 38°56'46" E	89.88'
C4	47.76'	53.82'	50°51'00"	S 82°06'49" E	46.21'
C5	64.25'	52.63'	69°56'50"	S 37°29'09" W	60.33'
C6	70.36'	54.85'	73°29'56"	N 34°12'37" W	65.63'
C7	106.20'	433.25'	14°02'40"	S 25°58'11" W	105.93'
C8	97.45'	433.25'	12°53'17"	S 12°30'12" W	97.25'



RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICITONS OF

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RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE NATHAN HILL ESTATES PLANNED DEVELOPMENT

The Nathan Hill Estates Homeowners Association, Inc. as the owner of all of the common areas of The Nathan Hill Estates Planned Unit Development, (hereinafter "Nathan Hill"), being a duly created and existing Association as defined by Wisconsin Statutes, hereby makes the following declaration as to limitations, restrictions and uses of the subject real estate for the benefit of the present and all future lot owners ("Lot Owner" or "Lot Owners") of the property located within the subject real estate. Any reference to "Lot Owner" or "Lot Owners" shall also mean "Unit Owner" or "Unit Owners" and vice versa. Any reference to "Lot" shall also mean "Unit" and vice versa.

The restrictions set forth herein shall be covenants running with the land, as provided by law, and shall be binding on all parties and all persons claiming under them.

1. LEGAL DESCRIPTION. The legal description of the real estate which is subject to the restrictions set out herein is attached hereto as EXHIBIT "A" and made a part hereof by reference (the "SUBJECT REAL ESTATE").

2. LAND USE AND CONSTRUCTION REQUIREMENTS.

2.1 Single Family Restriction. All Lots located within the SUBJECT REAL ESTATE have been developed in accordance with the provisions of the planned Unit Development Ordinances for the City of Onalaska, Wisconsin, as they existed at the time of the development and any amendments thereto. Only single family or zero lot line attached residential dwellings ("Residential Dwellings») have been constructed within this Planned Unit Development and any exterior changes shall be subject to prior approval by the Board of Directors (hereinafter "Board").

2.2 Dwelling Size and Type. The Residential Dwellings on any Lot are one and two-story, with two, three or four bedrooms, each with no less than 1,500 square feet of living space, and have attached garages.

2.3 Building Requirements. All Residential Dwellings are wood frame buildings and comply with all applicable building and zoning codes at the time they were constructed.

2.4 Prohibited Structures/Dwellings. No log buildings, basement homes, mobile homes, RV's, trailers, or previously erected buildings shall be built or placed on any Lot. No mobile homes, trailer, RV, tent, shack, barn, storage-shed, or other out building shall be used as a temporary or permanent residence.

2.5 Building Improvements. Any improvements or changes to the exterior of the Unit or the structural integrity of any Residential Dwelling, after it has been initially constructed, shall not be commenced until the Unit Owner receives written approval of the Board, and all procedures followed as specified in Paragraph 5, below.

2.6 Zoning. In the event that any of the above restrictions conflict with the Planned Development District Ordinance for the City of Onalaska, Wisconsin, or planned development zoning for the subject property, said ordinances shall control.

2.7 ATV/Snowmobile/Motorcycle Use. No all-terrain vehicles or snowmobiles shall be operated within the SUBJECT REAL ESTATE by Lot Owners or their guests. If any such vehicles are stored on the SUBJECT REAL ESTATE, said vehicle must be completely stored within a garage. Motorcycles shall be allowed to be operated on Coronado Circle for transportation in and out of Nathan Hill Estates, provided they are equipped with suitable mufflers to prevent excessive noise. The Board shall have the complete authority to determine at what decibel level noise becomes excessive.

3. EASEMENTS. All Lots shall be served with telephone and electricity and other utility easements which are established on the plat and all easements shall provide for the installation and maintenance by the utility company serving Nathan Hill Estates. All Lots shall be subject to a grant of easement and transfer of water and sewer utilities from the Developer to the City of Onalaska. All Lots in all phases shall be subject to a common easement across all Lots as designated on the Plat for the purpose of providing for the installation and maintenance of a multi-zoned underground sprinkler system. The Board reserves the right to modify said easement as it deems appropriate for the development of future phases.

4. HOMEOWNERS ASSOCIATION.

4.1 Membership. One (1) membership in the Homeowners Association shall be issued per Lot in Nathan Hill Estates. Each such membership shall be titled in the name of the owner (or the names of all co-owners, if any) of said Lot. If more than one person owns an interest in a Lot, they shall all be bound by the Articles of Incorporation, the Bylaws, and resolutions adopted by the Homeowners Association.

4.2 Homeowner Association Duties. Among other duties, the Homeowners Association shall provide snow removal, lawn care, weed control, underground sprinkler system repair, replacement of shingles on a predetermined schedule, as set by the Board. The exterior of the Units (including deck rails and mailboxes) will be painted on a predetermined schedule as set by the Board. The Homeowners Association shall also be responsible for maintaining Coronado Circle and for keeping all fire hydrants cleared of snow and debris. Further, the Homeowners Association shall be responsible for maintenance and plowing of the private common access driveway.

4.3 Homeowners Association Not Responsible. The Association is not responsible for cleaning, maintaining, repairing or replacing any of the following items to include, but not limited to:

a. Gutters

b. Exterior Doors

c. Individual Mailboxes

d. Storm Doors

e. Windows

f. Garage Doors

g. Skylights

h. Exterior Damage to Unit caused by storm damage

i. Deck Flooring

j. Sidewalks (except in common areas)

k. Air conditioning units of each separate unit.

4.4 Board Discretion. Paragraphs 4.2 and 4.3 above outline required duties of the Association and required duties of the individual Unit Owners. In the event a situation occurs which is not clearly identified as an Association or Unit Owner responsibility, it shall be the decision of the Board under its sole discretion whether the Association shall perform such a repair, replacement, etc.

4.5 Association Fees. Annually, the Homeowners Association shall set association fees which shall be paid by all Lot Owners on a quarterly basis to fund the duties of the Association. The Homeowners Association shall have the authority to levy special assessment') as needed and to enforce these restrictions against any Lot Owners who violate them.

5. ARCHITECTURAL CONTROL. No additions or modifications to the exterior of the Residential Dwellings or decks nor any landscaping shall be commenced until the plans and specifications thereof and a plan showing the location and details of the structure or landscaping have been approved by the Board (see Section 5.9) as to the quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography, finish grade elevations and exterior property lines. The exterior color shall be one that compliments the environment of the area. The intention of this restriction is to preserve the natural grade, terrain and drainage system and general appearance of Nathan Hill Estates insofar as possible, and to eliminate any excessive cut or fill in order to perpetuate and exemplify the natural beauty of the area for the benefit of all Lot Owners.

The following documentation and materials shall be provided to the Board as a part of the approval process described hereinabove:

5.1 Plans and Specifications. Complete plans and specifications sufficient to secure a building permit in the City of Onalaska, including a plot plan showing the proposed locations of additions, walks, or fences. All of which are subject to Board prior approval which may be granted or denied at the sole discretion of the Board which discretion shall be final and binding on all Lot Owners.

5.2 Elevations. Front elevations and both side elevations, or front elevation and one side elevation and rear elevation of building, plus elevations of walls and fences of Board pre-approved walls and fences, if any.

5.3 Perspective Drawing. A perspective drawing, if deemed necessary by the Board, to interpret adequately the exterior design.

5.4 Sample Materials. Samples and data as to materials, color and textures of all exteriors including roof covering, Board pre-approved fences and walls, if any.

5.5 Blueprints. One set of blueprints which shall be left with the Board until construction is completed.

5.6 Other Information. Any other information required by the Board.

5.7 Required Written Approval. The Board's approval or disapproval as required in these covenants shall be in writing. In the event that the Board, or its designated representative, fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, or in any event if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the relating covenants shall be deemed to have been fully complied with.

5.8 Ordinances. Any improvements to the SUBJECT REAL ESTATE shall be subject to compliance with the Planned Unit Development Ordinances for the City of Onalaska, Wisconsin, and all other zoning ordinances relating thereto.

5.9. Special Committee. A Special Committee may be appointed by the Board from time to time for a specified review process. Said Special Committee shall perform all investigation

and collect all documentation, plans or specifications necessary to make a determination relative to the issue or specific request of a Unit Owner. Said Special Committee shall then make a recommendation to the Board in an advisory capacity. The Board shall then have the full responsibility to take some affirmative action. A Special Committee shall consist of three (3) individuals, with the three (3) Committee members appointed by the Board. Said Special Committee members may be, but do not need to be, Board members. The Committee's recommendation as required in these restrictions shall be in writing and shall be by majority vote.

6. RESTRICTIONS.

6.1 Subdivision of Lots. Further subdivision of any Lot is prohibited. This restriction does not apply to the act of adding future phases of Nathan Hill Estates.

6.2 Trees. The number of trees in Nathan Hill Estates Lots must be consistent with The Nathan Hill Estates landscaping plan to be developed and approved by the membership, specifying the varieties, numbers, and spacing in order to comply with the stated objectives of the Association. Lot Owners may add, at their expense, those trees or bushes specified in the plan to their Lots without obtaining Board approval. Items not included in The Nathan Hill Estates plan will require Board approval prior to planting. Foundation plants and shrubs (including shrubs between driveways) are exempt from this restriction and are the Lot Owner's responsibility.

6.3 Clothes Lines/Gardens. No exterior clothes lines shall be permitted at any time and no gardens may be located in Nathan Hill Estates unless previously approved by the Board.

6.4 Signs/Decorations. No sign of any kind shall be displayed to the public view on any lot with the exception of one sign not more than four (4) square feet advertising the property for sale. Yard decorations shall not fall within the definition of signs, however, the Board has the authority to limit the number, size and type of yard decorations which will be allowed in any Lot.

6.5 Storage Tanks. No storage tanks of any nature shall be permitted either above ground or below ground on any of the Lots comprising the SUBJECT REAL ESTATE.

6.6 Satellite Dish/Antennas. No television or radio towers or antennas shall be permitted on any of the Lots herein. Satellite dishes of not more than 18 inches in diameter or 24 x 36 inch rectangles may be permitted at locations approved in advance by the Board.

6.7 Exterior Lighting. No exterior lighting attached to a separate structure such as a post or pole shall be permitted unless approved by the Board.

6.8 Pools. No pools or exterior hot tubs shall be placed on any Lot. Addition of hot tubs to decks shall follow architectural control requirements as outlined in Section 5.

6.9 Fences. No fences shall be erected on any Lot comprising the SUBJECT REAL ESTATE without the consent of the Board.

6.10 Use of Garage. No garage shall be made into livable or usable living quarters.

6.11 Firewood. No firewood, kindling or lumber of any kind may be stored on any Lot except that said items may be stored within the garage.

6.12 Noxious or Offensive Practices. No noxious or offensive practice, which is a source of annoyance or otherwise interferes with the peaceful possession of other Lot Owners, shall be carried on upon the Lots or the common areas. The Board has the final determination whether a practice is offensive.

No parcel of land shall be used or maintained as a dumping ground. Rubbish, trash, garbage, and other waste shall be kept in clean and sanitary containers. No incinerators, burning barrels, or compost piles are allowed. All garbage, rubbish or trash shall be kept inside the Residential Dwelling except that it may be placed outside the Residential Dwelling or garage up to twelve (12) hours before collection of garbage, rubbish or trash is accomplished, by the appropriate entity, and all such containers must be returned to the interior of the Residential Dwelling within twelve (12) hours of the collection of such garbage, rubbish or trash. There shall be no burning of brush within Nathan Hill Estates.

6.13 Animals. No wild or domestic animals, chicks or other fowl may be kept on any Lot or common area, except that any Lot Owner may keep up to two (2) dogs, or two (2) cats, or one (1) dog and one (1) cat, none of which may weigh more than 30 pounds. No dog kennels shall be permitted. Animal fouling of foot paths, walkways and streets is strictly prohibited. Walking of dogs or cats shall be restricted to the side of the Residential Dwellings. Such

walking shall be limited to leash walking and shall not include free roaming. The owner of the animal violating the restriction shall immediately remove the fouling debris, provided, however, that the Ordinances of the City of Onalaska applying to this situation, including penalties, shall also apply.

6.14 Storage of Vehicles and Boats. Motor homes, camping trailers, boat trailers, boats, or trucks over one ton shall not be stored or parked on any Lot, common area, or on the private street within the SUBJECT REAL ESTATE for more than seventy-two (72) hours except said items which are stored or parked within a garage attached to any dwelling. Subject to restrictions of Paragraph 2.7, parking a motor home, camping trailer, boat trailer, boat, or truck over one (1) ton for more than seventy-two (72) hours shall not be permitted until the prior written approval of the Board is obtained. No semi-tractors or trailers shall be stored or parked on a Lot nor on any street or common area within the SUBJECT REAL ESTATE at any time, except for the purpose of making deliveries or moving persons into or out of Residential Dwellings.

6.15 Parking. Parking of vehicles shall be permitted only in attached garages, upon garage driveways and on the side of Coronado Circle where allowed except that no vehicles shall be parked directly across the street from fire hydrants. During snow removal periods, parking is prohibited along Coronado Circle. This provision shall not be construed to change the restrictions contained in Paragraph 2.7.

6.16 Rental. Nathan Hill Estates is an Association of owner-occupied Units, and said Units are to remain single family dwellings once originally sold by Nathan Hill Estates, LLC. Once sold by Nathan Hill Estates, LLC, it is the intent of the Association that the Units are not be used for rental purposes. However, in an Owner's absence and/or under other circumstances, the Board may approve a rental, after a review and written request by the Owner.

6.17 Playground Equipment. No permanent playground equipment shall be placed on any Lot without Board approval.

7. MISCELLANEOUS.

7.1 Term. Easements are perpetual and run with the land. The remainder of these covenants run with the land and shall be binding on all parties and all persons claiming under them until June 1, 2027, at which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the

then Lot Owners of the Lots has been recorded, agreeing to change or terminate said covenants in whole or in part.

7.2 Severability. Invalidation of any one of these covenants and restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

7.3 Enforcement. Any Lot Owner of any Lot on the SUBJECT REAL ESTATE and The Nathan Hill Estates Homeowners Association, Inc. may bring proceedings at law or in equity against any person(s) violating or attempting to violate these restrictions, and shall be entitled to injunctive or monetary relief or both. Further, the City of Onalaska by its authorized officials may enforce the Homeowners Association responsibilities set forth in Paragraph 7.1 above. However, the City of Onalaska shall have no responsibility for any of the duties set forth in Paragraph 4 above.

7.4 Modification of Restrictions. These restrictions may be altered, changed or modified by vote of at least sixty-seven percent (67%) of the authorized votes of all Lot Owners in the SUBJECT REAL ESTATE, and such alteration, change, modification or amendment shall become effective upon recording thereof. At any time hereinafter, the Board shall have the right to amend these restrictions to comply with changes in the Ordinances of the City of Onalaska.

Provisions to the contrary herein notwithstanding, these restrictions may not be amended or revoked as to the shared access easement over and upon Coronado Circle which easements provide access to parts of the SUBJECT REAL ESTATE.

7.5 Arbitration. Except as set forth in Paragraph 7.3, above, any dispute as to the interpretation of or compliance with these restrictions shall be submitted to binding arbitration. Each of the parties shall appoint an arbitrator of their choice and at their expense, and the two (2) arbitrators so appointed shall select a third arbitrator, the cost of which shall be borne equally by the parties. The decision of the arbitrators shall be final and binding and shall be enforced under the provisions of Wisconsin Statutes, Chapters 788 and 799 and any other Statutes that may apply.

7.6 State and Local Regulations. In the event that any local or state regulations conflict with any of the provisions contained in these restrictive covenants, such local or state regulations shall control.

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

SUBDIVISION APPLICATION - PRELIMINARY PLAT

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) = $200 + $25/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.
Nathan Hills Estates LLC is changing 6 lots into 24 lots with the goal of a Home Owners Association for Town Homes. Having the 24 lots will allow each home to have a lot that they own.

Easements on Property:	Utilities Serving Property:	Number of Lots:
Access: ☒ Yes ☐ No	Water: ☒ Yes ☐ No	6 (Existing)
Utility: ☒ Yes ☐ No	Sanitary Sewer: ☒ Yes ☐ No	24 (Proposed)
Other:		

Property Address: See attachment	(*) **Applicant:** Dream Building & Dev LLC. Chris Meyer Member
Parcel Number: 18- See attachment	Mailing Address: 1589 Medina Lane
	City, State, Zip: Onalaska WI 54650
Zoning District: R-1 w/ PUD Overlay	Phone Number: 608-769-0460
	Email: ☐ Primary Contact

(*) **Business:** Nathan Hills Estates LLC	(*) **Property Owner:** Nathan Hills Estates LLC
Owner/Contact: Brian Miller Member	Contact: Brian Miller Member
Mailing Address: 1820 Tahoe Place	Mailing Address: 1820 Tahoe Place
City, State, Zip: Onalaska WI 54650	City, State, Zip: Onalaska WI 54650
Phone Number: 608-385-9001	Phone Number: 608-385-9001
Email: ☒ Primary Contact	Email: Brian.Miller@Centurytel.net ☒ 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 requiremments 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: Member	Date: Oct 10 - 2016 (*)
Signature of Property Owner:	Date:

OFFICE USE ONLY:	Date Submitted: 10/10/16	**Permit Number:**
Permit Fee: $800.00	☐ Cash ☒ Check # 6535	Application Received by: KA

October 10, 2016

Coronado Circle Development: Preliminary Plat Application

Property Addresses:

- 462-480 Coronado Circle;
- 442-452 Coronado Circle;
- 422-432 Coronado Circle;
- 402-412 Coronado Circle;
- 465-467 Coronado Circle; &
- 475-477 Coronado Circle.

Tax Parcels #:

- 18-5955-3;
- 18-5955-8;
- 18-5955-7;
- 18-5955-6;
- 18-5955-10; &
- 18-5955-11.

Thank you,

Agenda Item:

7

CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – October 18, 2016

Agenda Item: Discussion and Consideration of an amendment to the Unified Development Code regarding draft language for the creation of a new Medical Campus Zoning District.

Background: Attached is proposed draft ordinance language for a new Medical Campus Zoning District in the Unified Development Code. Below is a summarized list from the proposed district:

- Zoning District Purpose and Applicability of District to existing sites that request rezoning into the new district;
- Campus Master Plan Requirement, Content, and Standards for Master Plan Approval/Changes;
- Permitted Uses and Accessory Uses;
- Conditional Uses;
- Height, Setback, and Area Requirements;
- Architectural Review Standards & Site Design Elements; and
- Signage Regulations.

Action Requested: Plan Commission to provide feedback on the proposed language to City Staff and the provided comments will be reviewed by legal counsel, the Community Development Authority, City Staff and SEH, Inc (City's consultant). Future requested action in 2016 will be formal consideration by the Plan Commission and Common Council on the new Medical Campus Zoning District for inclusion in the City's Unified Development Code.

GUNDERSEN
HEALTH SYSTEM®

October 11, 2016

Ms. Katie Aspenson, AICP
Interim Land Use & Development Director
City of Onalaska
415 Main Street
Onalaska, WI 54650

Dear Ms. Aspenson:

Thank you for meeting with Laura Olson and me on Monday, October 3rd to review the proposed draft ordinance for a medical campus zoning district (MCD) within the city of Onalaska.

We appreciate the time that you, Mr. Muth and Mr. O'Flaherty took to go over our questions and concerns about the MCD ordinance. After this discussion, we feel that the majority of our questions and concerns were answered and alleviated. We also appreciate the city's forward thinking to best meet the needs of our residents and community. The MCD will strengthen our working relationship with Onalaska and allow us to better serve our patients, their families and our region.

As we stated during the meeting, Gundersen would like to hold an annual planning meeting with city staff to discuss potential changes to the GHS campus and the changing needs of the community. We are happy to facilitate this annual meeting during the third or fourth quarter so it does not interfere with the city's budget process.

We would also like to explore how we can work together, along with the Wisconsin Department of Transportation, on improving the access to and from our campus. Providing safe alternatives to reaching our campus is an issue we would like to solve within the next few years.

Lastly, we would like to see the list of Conditional Uses (section J) be further explained. As you stated during our meeting, the listed uses are more long-term care. We believe these uses are just as critical to the health of our patients, their families and our communities as the permitted uses. We also understand that the conditional uses could be allowed, but we are concerned about the message the city is sending with these uses being conditional and not permitted.

Thank you again for discussing this opportunity with us. We look forward to working with you and the city of Onalaska in the near and extended future.

Sincerely,

Michael Richards
Executive Director of External Affairs
Gundersen Health System

cc: Joe Chilsen, Mayor of Onalaska

Gundersen Lutheran Medical Center, Inc. | Gundersen Clinic, Ltd.
External Affairs Department 1900 South Ave., Mailstop: H02-009, La Crosse, WI 54601
Email: ExternalAffairs@gundersenhealth.org Phone: (608) 775-1400

ORDINANCE NO. ____ - 2017

AN ORDINANCE TO AMEND TITLE 13 CHAPTER 3 PART 10 OF THE CITY OF ONALASKA CODE OF ORDINANCES RELATED TO SPECIAL DISTRICTS

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

SECTION I. Part 10 of Chapter 3 of Title 13 of the Code of Ordinances of the City of Onalaska is hereby added in its entirety:

CHAPTER 3
SPECIAL DISTRICTS

Part 10: Medical Campus District

Sec. 13-3-62

(a) Purpose. The purpose of the Medical Campus District ("MCD") is to encourage and foster the planning, design and construction of well-functioning, attractive medical campus environments, and coordinate the master plans of these institutions with the City's plans, policies and zoning standards. It is intended, but not required, that multiple principal uses will be present on an overall campus facility without separate lots for each use. The district is intended to:

(1) Encourage the development of medically-related uses which, by their interrelationship, benefit by proximity;
(2) Provide an appropriate and healing setting for delivering high quality healthcare services;
(3) Encourage the preparation of Campus Master Plans than enable adjacent neighborhoods and the broader community to understand the levels of development being proposed, their likely impacts, and appropriate mitigation measures;
(4) Create well-designed development with a unified feel while providing flexibility in placement and clustering of buildings, use of open space, provision for pedestrian and traffic circulation, parking, transit facilities and related site and design considerations; and
(5) Ensure future capacity for the placement of medical facilities to meet the evolving healthcare needs of the City and region.

(b) Pre-Existing Standards. Any development, lot of record, or structure legally operated prior to *(Date of Adoption)*, 2016 shall be considered a permitted use and legally conforming within the MCD. Any redevelopment or addition to a development, lot of record or structure shall be required to conform to the forms and functions and development standards found within the MCD. Any change in form or function shall conform to permitted and conditional form and function standards as described in the MCD.

(c) Campus Master Plan Requirement.

(1) Any MCD created after the effective date of this ordinance shall submit a Campus Master Plan, which shall be approved as part of a zoning map amendment.

(2) Approved Campus Master Plans shall be effective for ten (10) years and requires a full update on or before the end of year eight (8) and every five (5) years thereafter, and, during that period may be altered pursuant to Subsection (E) below.

(3) In a MCD without a Campus Master Plan, individual proposals and changes shall require Conditional Use approval, except that development of a structure more than ten thousand (10,000) square feet within any five (5) year period shall require an approved Campus Master Plan.

(4) In the absence of a Master Plan, dimensional requirements are noted in (l) below.

(d) Contents of a Campus Master Plan. The Campus Master Plan shall include the following elements and information:

(1) Background/History.
A summary of previous planning efforts by the institution in conjunction with the City and/or abutting neighborhoods or other interest groups, an existing site analysis, a description of the campus master planning process and participants, and any other relevant background material.

(2) Mission/Guiding Principles.
A statement that defines the organizational mission and objectives of the institution and describes the role of the master plan within the context of the mission.

(3) Facilities Plan.
A description of existing conditions on the campus and the proposed conditions under the Campus Master Plan, including:

a. Existing Conditions:
   1. Form (building type, height, bulk);
   2. Building and land uses;
   3. Landmarks, historic/archeological sites and districts
   4. Current transportation/access/mobility (parking lots and structures/traffic counts)

b. Proposed Conditions:
   1. Future needs/capital improvements;
   2. Site availability;
   3. Utilities feasibility study and location/relocation of utilities;
   4. Phasing of proposed improvements;
   5. Building form (general building type, height, bulk, etc.);
   6. Building and land uses (including estimated employees and patients);
   7. Landscape treatments;
   8. Green / Open Space;
   9. Sustainability;

10. Relationship to transportation/access plan (parking, transportation demand management, vehicular and pedestrian circulation, etc.)

(e) Standards for Campus Master Plan Approval.
The Common Council will approve or reject the Master Plan as part of the map amendment following a recommendation by the Plan Commission. Approval of the Master Plan will be based on the Plan's treatment of the topics listed above and the degree to which it meets the intent of this district, as well as the following standards:
(1) The Campus Master Plan shall serve the public interest as well as the interest of the institution developing the plan.
(2) The Campus Master Plan shall be consistent with the goals of the Comprehensive Plan and adopted neighborhood, corridor or special area plans adjacent to campus boundaries.

(f) Final Building and Site Design Review.
It is expected that Campus Master Plans will identify building location and maximum height, but is not required to include detailed designs of each building. Building design review will be conducted according to site plan review procedures in Section 13-8, Part 2, Article B including, but not limited to, signage, parking, landscaping, etc.

(g) Changes to Campus Master Plans.
No alteration of an approved Campus Master Plan shall be permitted unless approved by the Plan Commission and Common Council, provided however, the Land Use and Development Director or their designee may issue permits for minor alterations that are consistent with the concept approved by the Common Council. If the change or addition constitutes a substantial change of the original plan, an amendment to the Campus Master Plan will be required. Whether a changes constitutes a substantial change shall be determined by the Plan Commission based upon review and recommendation by the Land Use and Development Director and City Attorney, factors shall include whether the changes constitute a significant change in use, density, or intensity of the overall Campus Master Plan and whether the proposed changes will have negative effects on adjacent properties and districts. An amendment will require an amended Campus Master Plan be submitted for review under the approval standards set forth in Subsection (e) above.

(h) Permitted Uses:
(1) Hospitals for human care;
(2) Professional, medical and administrative offices;
(3) Medical or dental clinics for human care;
(4) Pharmacies and Optical Shops;
(5) Recreation Therapies and related Sports Facilities;
(6) Diagnostic or imaging centers for human care;
(7) Ambulatory surgery, urgent care or outpatient treatment centers;
(8) Hospice;

(9) Laboratories performing medical or dental research, diagnostic testing or analytic clinic work having a direct relationship to the provision of health services;
(10) Medical equipment supply, leasing, or rental;
(11) Helipads or helistops in conjunction with a hospital;
(12) Ambulance or medical carrier services; and/or
(13) Research and development of items including, but not limited to: software, pharmaceuticals, communications, medical devices, and the like.

(i) Permitted Accessory Uses.

(1) Exterior as an accessory use to the primary use.
   a. Off-street parking and loading areas subject to the requirements of Section 13-7-10.
   b. Parking decks and ramps subject to the parking ramp performance standards. Multi-level parking structures shall not count towards building square footage or against percent of building coverage.
   c. Walkways, enclosed, covered or uncovered and spans connecting building over public or private streets or parking lots.
   d. Signs subject to Section 13-6-21 and Subsection O below.
   e. Central Utility Plants and electrical generators subject to screening requirements in this Section and noise mitigation in accordance with City Ordinances and State requirements.
   f. Public transportation facilities.
   g. Bicycle and pedestrian improvements, including bicycle racks.
   h. Parks and playgrounds.
   i. Warehousing and interior storage of equipment, supplies.
(2) Interior as an accessory use to the primary use.
   a. Daycare (child and adult).
   b. Supporting retail and services uses up to X (X) percent of the building's gross floor space including pharmacies, coffee shops, deli's, flower shops, bookstores, gift shops, cafeterias, banking or automated banking machines, and laundry and/or dry cleaning services.
   c. Outpatient services such as chiropractic, massage, acupuncture, counseling and other similar services.
   d. Community rooms.
   e. Wellness, fitness or exercise facilities.
   f. Educational facilities, such as conference rooms, classrooms, laboratories or libraries.
   g. Chapels.

(j) Conditional Uses.

All conditional uses shall be reviewed pursuant to Section 13-5.
(1) Skilled nursing or rehabilitation facilities;
(2) In-patient mental health facilities;
(3) Chemical dependency treatment facilities;
(4) Nursing homes or long-term care facilities;
(5) Lodging facilities for patients and families.

(k) Compatible Uses.

Other uses as deemed compatible and appropriate by Land Use and Development Director and Plan Commission. Where a question arises as to the compatibility of a use, the Land Use and Development Director or their designee may determine if the proposed is similar to a permitted use, and if so may approve the proposed use. If the proposed use is similar to a conditional use, the Land Use and Development Direct or their designee shall refer the issue to the Plan Commission. The Plan Commission shall make a final determination as to whether a proposed use is to be allowed; is compatible as a permitted or conditional use; is compatible as an accessory use; or is a use that is not compatible with the District.

(l) Height, Setback, and Area Requirements.

(1) Minimum Lot Area: Five (5) acres.
(2) Minimum Lot Width: Two hundred (200) feet.
(3) Minimum Street Yard Setback: Twenty (20) feet.
(4) Minimum Side Yard Setback: Twenty (20) feet.
(5) Minimum Rear Yard Setback: Twenty (20) feet.
(6) Minimum Interior (building-to-building) Setback: Twenty (20) feet.
(7) Maximum Height: One hundred (100) feet.
Buildings in excess of height limitation may be allowed, provided that setback requirements from shared parcel boundaries shall be increased by at least one (1) foot for each additional five (5) feet of building height above the maximum building height allowed by this Section, with recommended vegetated or non-vegetated screening. Maximum height limit is subject to compliance with the La Crosse Regional Airport Overlay Zoning District (Chapter 3 – Part 9).

(m) Architectural Review.

Architectural review shall be in conformance with the requirements of this chapter and the following standards, and will follow site plan review procedures in Section 13-8, Part 2, Article B:

(1) The intent of the architectural review is to ensure that architectural features and building designs contribute to a cohesive image and identity for the MCD.
(2) Exterior materials, colors, accents, styles and rooflines shall be compatible with the purpose and intent of this district.
(3) All exterior building and accent materials shall be of a color(s) compatible with other buildings within the district and have comparable color intensity/value. Acceptable colors consist of neutral earth tone colors such as brown, gray, tan, umber, mahogany, terra cotta, forest green, burgundy or dark blue. Glass, brick or decorative stone or high quality architectural concrete panels for exterior building materials shall be required.
(4) To prevent long, monotonous, uninterrupted walls; recesses, projections, columns, offsets, or change in building wall plan or material and/or color shall be required, at a minimum, every seventy-five (75) feet of wall length. Projections, recesses and

decorative columns shall be a minimum of one (1) foot wide and (1) foot deep.

(5) To prevent long monotonous, uninterrupted pitched roof planes; dormers, gables or roof offsets shall be required, at a minimum, every seventy-five (75) feet of pitched roof length.

(n) Site Design Elements.

Landscaping, lighting, signage and other site design elements shall be in conformance with the requirements of this chapter and shall contribute to a cohesive image and identity for the MCD. Internal and external sidewalk and/or trail connections shall be provided for safe and convenient pedestrian movements. Provision for existing or future transit service shall be provided where appropriate.

(1) Screening and Fencing. The City shall require screening via berms and landscaping for any side yard or rear yard immediately adjacent to a residential district. A landscaped buffer zone of not less than twenty (20) feet wide and five (5) feet in height at the time of installation shall be established and maintained, consisting of evergreens, shrubs, or other screening vegetation. Other non-vegetated screening may also be required. Non-vegetative screening to comply with standards set forth in 13-6-10

(2) Environmental Design. Development within the MCD shall be designed to preserve existing vegetation and topography where practical and shall be consistent with the goals and objectives of the Onalaska Comprehensive Plan and La Crosse County Sanitary Sewer Agreement

(3) Parking. Off-street parking for separate uses may be provided collectively if the total number of spaces is not less than the sum of the separate requirements for each such use unless a reduction in required parking is allowed through the campus master plan process. See Section 13-7-10.

(4) Streets, Utilities and Drainage. All publicly dedicated streets, utilities and storm-water facilities shall be designed in accordance with City Ordinances, Policies and Standards. The City may consider flexible standards during site plan review for streets if the developer has demonstrated that the proposed design and layout warrants varying standards and the design meets the provisions of this Ordinance.

(5) Open Space. Overall site to provide a minimum of 10% open space which may include courtyards, grassed areas, pedestrian ways, accessible stormwater ponds, etc.

(6) Landscaping. Standards. Refer to Section 6-4-8(9) and Section 13-7-10(e). Recommended additional landscaping along pedestrian ways.

(7) Accessory buildings. No accessory buildings shall exceed the height, floor space or footprint of a principal building or exceed forty (40) feet in height.

(8) Outdoor display or storage. No outdoor display, sales or storage shall be allowed per Section 13-6-14.

(9) Refuse and recycling. All waste material, refuse, garbage or recycling shall be kept indoors or subject to Sec. 13-6-15.

(10) Other Requirements. The Plan Commission and Common Council may apply additional requirements as necessary to implement the purpose of this district and the Comprehensive Plan.

(o) On-Premise Medical Campus Complex Signage.

In addition to the general City sign provisions (Section 13-6-21), developments within the MCD may install the following signs with dimensions, locations, and amounts as set forth in this section. Signs should be an accent to the architecture with the overall effect being low-key and proportional to the building. As part of the Campus Master Plan, a conceptual signage plan noting locations for all proposed signage (which may include temporary signage), to be provided during staff review.

(1) Freestanding Signs.

A MCD may erect freestanding signs with no more than two (2) faces in conformance with an approved Campus Master Plan.

a. Signs fronting public streets. In no event shall any sign face exceed three hundred (300) square feet for signage frontage a public street. Freestanding signs shall not exceed forty-five (45) in height above the centerline of the grade of the street from which access to the premises is obtained, and setback a minimum of five (5) feet from parcel boundaries. All signs to follow traffic visibility standards in Chapter 7: Mobility Standards.

b. Internal Traffic Control Signs. In addition to other signage permitted within an MCD, traffic control signs are permitted on the parcel(s) containing the campus. Such signs may be erected along public and private roadways to direct vehicles or pedestrians to utilize certain and follow certain streets, paths or access ways within the campus and such signs may not be erected in the public right-of-way. Traffic control signs shall prominently display directions to the emergency room and like services, if any. Traffic control signs shall be freestanding monument-style signs with a maximum height of ten (10) feet and a maximum area of one hundred and fifty (150) square feet per sign face. Final traffic control sign locations shall be determined during site plan review.

(2) Wall Signs. Each building or structure within the MCD may have one (1) wall sign per permitted or approved use, with one (1) sign face for each side of the building that faces a public or private street or parking lot. Each façade may not have wall signs that exceed five hundred (500) square feet in sum and otherwise be consistent with Section 13-6-21 (a)(1).

(3) Building or Structure Addressing. For emergency and fire protection services, each building or structure within the MCD that is open to the public shall prominently display an address street number sign visible from the internal circulation system. Each address sign must be visible from the nearest public or private street and may not exceed fifty (50) square feet. A conceptual addressing plan shall be provided with the Campus Master Plan.

(p) Severability.
In the event that a court of competent jurisdiction adjudges any part of this chapter to be invalid, such judgement shall not affect any other provision of this Chapter not specifically included within the judgement.

(q) Effective Date.
This ordinance shall become effective upon its passage and publication according to law.

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 _____, 2017.

CITY OF ONALASKA

By:_____
Joe Chilsen, Mayor

By:_____
Caroline Burmaster, Clerk

PASSED:
APPROVED:
PUBLISHED:

CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – October 18, 2016

Agenda Item:

8

Agenda Item: Review & Discussion of a general boundary agreement between the City of Onalaska and the Town of Medary.

Background:
A draft general boundary agreement has been developed between the City of Onalaska and the Town of Medary.

The Plan Commission of the City of Onalaska and the Plan Commission of the Town of Medary will hold a joint public hearing on the proposed general boundary agreement on
Thursday, November 17, 2016 at 7:00 PM at Eagle Bluff Elementary School in the music room to gather public testimony.

Action Requested:
Review and discussion by the Plan Commission.

City of Onalaska and
Town of Medary
Boundary Agreement
Under Section 66.0301, Wisconsin Statutes

Draft September 21, 2016

DRAFT

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SECTION 1—INTRODUCTION

The City of Onalaska, a Wisconsin municipal corporation with offices at 415 Main Street, Onalaska, Wisconsin 54650 (hereafter referred to as "City"), the Town of Medary, a Wisconsin municipality with offices at N3393 Smith Valley Road, La Crosse, Wisconsin 54601 (hereafter referred to as "Town") (jointly referred to as "Parties") enter into this Intergovernmental Boundary Agreement (hereafter referred to as "Agreement"), under the authority granted by Wis. Stat. § 66.0301.

WHEREAS, Wis. Stat. § 66.0301 authorizes municipalities to jointly exercise powers and enter into intergovernmental agreements;

WHEREAS, the Parties desire to enter into a formal agreement to define the following matters:

1.1 Specified policies for relations between the Parties including:

(a) Establishing a policy of strong communication practices among the Parties;
(b) Mutual respect for elected officials and staff of each jurisdiction;
(c) Consistent and equitable treatment of all issues raised among the Parties; and
(d) Continued improvement to relations and current cooperation efforts among the Parties;

1.2 Prepare and negotiate cooperative future municipal boundaries, including areas of the Town that would and would not be subject to annexation by the City during the term of this Agreement.

1.3 Develop, subject to fiscal and operational resources, plans and strategies to:

(a) Explore new shared service opportunities between the Parties;
(b) Develop a public participation strategy for intergovernmental projects;
(c) Coordinate on plans for corridors and roads that connect the Parties;
(d) Continue to work with other adjacent municipalities and La Crosse County on land development policies; and

WHEREAS, the Parties have published a Class 1 notice of intent to develop this Agreement and held a public hearing as required by State Statutes, which notice is attached hereto as Exhibit 1;

WHEREAS, the Parties share common borders as shown the map attached hereto and incorporated herein as Exhibit 2; and,

WHEREAS, it is the intention of the Parties that this Agreement be a binding and enforceable contract as provided for in Wis. Stat. § 66.0301.

WITNESSETH:

The Parties enter into this Agreement under the authority of Wis. Stat. § 66.0301 as set forth below:

SECTION 2—PARTICIPATING MUNICIPALITIES

This Agreement applies to the City of Onalaska and Town of Medary, La Crosse County, Wisconsin.

SECTION 3—MUNICIPAL CONTACTS

Any notice, or other communication, required to be given to any Party shall be given to the following persons to and on behalf of such Party:

City of Onalaska Engineer
Attn: Mr. Jarrod Holter
415 Main Street
Onalaska, Wisconsin 54650
608-781-9597
jholter@cityofonalaska.com

Town of Medary Board Chairman
Attn: Ms. Linda Seidel
N3389 Smith Valley Road
La Crosse, WI 54601
608-781-2275
townofmedary@charter.net

The persons holding the positions set forth above may change from time to time. Upon a change of the position holder, this section shall be deemed amended to substitute the new position holder as the party to whose attention correspondence should be sent.

SECTION 4—TIER 1 -RULES FOR ANNEXATION OF LAND IN THE TOWN OF MEDARY AND THE PROVISION OF MUNICIPAL SERVICES TO SUCH LANDS

During the Term of this Agreement:

4.1 The City shall waive the annexation application fee and arrange for payment of the Department of Administration fees from City funds as well as offer other various incentives ("Incentives") which may include waiving park fees, deferred special assessments and

other costs for the residents in Tier 1 as shown on Exhibit 3, Tiers 1-3 Map and Exhibit 4, Tier 1 Map, attached hereto.

4.2 Upon annexation of properties within Tier 1, the City agrees to pay the Town the Act 317 fees.

4.3 The City agrees to annex and maintain those portions of Pralle Road, Germaine Court and Esther Drive currently within Town limits, as adjacent properties are annexed into the City. The City shall budget for rebuilding these streets and any special assessments created to offset the costs of reconstructing these streets shall be payable over a 20-year time period. The City and Town shall work together when annexing streets so as not to create islands.

4.4 At the City's discretion, the Incentives shall be offered for eighteen months after the date of this Agreement and may be offered at the time any property in Tier 1 is sold.

4.5 Upon annexation into the City of Onalaska, the City shall provide municipal services to such property.

SECTION 5—TIER 2 -RULES FOR ANNEXATION OF LAND IN THE TOWN OF MEDARY AND THE PROVISION OF MUNICIPAL SERVICES TO SUCH LANDS

During the Term of this Agreement:

5.1 Properties in Tier 2 are as shown on Exhibit 3, Tiers 1-3 Map and Exhibit 5, Tier 2 map attached hereto.

5.2 Properties in Tier 2 may be annexed to the City of Onalaska by majority annexation. If any annexation occurs in Tier 2A contagious to Parcel #9-376-0 (a 6.74 acre parcel of vacant land) then Parcel #9-376-0 shall be annexed so as to not leave an island of Town property in the future.

5.3 The Town agrees that as the majority of the property in Tier 2 is undeveloped, the Town shall not issue any building permits for new residential units or new commercial developments or remodeling in which the setback of the residential or commercial property will be altered without the consent of the City of Onalaska, following a pre-established set of criteria as set forth on Exhibit 6.

5.4 The Town shall not object to or interfere with annexations within Tier 2.

5.5 Upon annexation into the City of Onalaska, the City shall provide municipal services to such property.

SECTION 6—TIER 3 -RULES FOR ANNEXATION OF LAND IN THE TOWN OF MEDARY AND THE PROVISION OF MUNICIPAL SERVICES TO SUCH LANDS

During the Term of this Agreement:

6.1 Properties in Tier 3 are as shown on Exhibit 3, Tiers 1-3 Map and Exhibit 7, Tier 3 map attached hereto.

6.2 Properties within Tier 3 would not be subject to annexation to the City within the term of this Boundary Agreement unless 75% of the property owners within either Tier 3A or Tier 3B petition for annexation, except that unanimous annexation requests by individual property owners shall be considered on a case by case basis by mutual agreement of the City and Town.

6.3 The Town shall work with the City and allow the City to loop the City owned water system through this area. The Town agrees not to contest any easement acquisitions by the City and to allow the water main to be installed in Town right-of-way. The City agrees to work with the Town Board and provide plans for the location within the right-of-way in the Town at least sixty days prior to any street excavation.

6.4 The City agrees to install the proposed water main loop without special assessing any adjacent property owners.

6.5 The Town agrees to support the City, and if needed assist the City in approaching property owners to discuss the City's needs with respect to the purchase or condemnation of any property for a water main easement within the Town needed for the installation and connection of the water loop.

6.6 The City agrees that at the time of the installation of the water main loop referenced in Section 6 above, the City will install five (5) fire hydrants in the Meadow Wood Subdivision.

6.7 Upon annexation into the City of Onalaska, the City shall provide municipal services to such property.

SECTION 7—UTILITIES & FIRE SERVICE

7.1 The Parties agree that utility privileges will be mutually allowed between all Parties and all Parties may place utilities as provided for under Wis. Stat. § 66.0425 Privileges in Streets, except that no Party under this Agreement shall be required to file a bond under Wis. Stat. § 66.0525(2).

7.2 All Parties waive the necessity to make a request to the other for granting of street privileges but each party shall provide written notice to the jurisdictional Party before

actual street excavation occurs and plans and specifications for any proposed street privileges shall be submitted at least sixty (60) days in advance to the municipality who has jurisdiction of the subject street.

7.3 No consent to any utility placement within such streets shall be unreasonably withheld.

7.4 The City agrees to reduce the basic fire protection fee $100/month for every $1,250,000 in property value that is annexed from the Town to the City, review of the annexations shall occur on an annual basis in December of each year with any applicable reduction beginning in January of the following year.

SECTION 8—SEVERABILITY

If any section, paragraphs, or portion of the Agreement is deemed by any court having lawful jurisdiction of the subject matter of the Agreement to be void, voidable, or invalid for any reason, this Agreement shall be otherwise valid and enforceable as if the void, voidable, or invalid section, paragraph, or portion of the Agreement had not been part of the Agreement.

SECTION 9—REFERENCES

9.1 Any references in this Agreement to any particular agency, organization or officials shall be interpreted as applying to any successor agency, organization or official or to any other agency, organization or official to which contemplated functions are transferred by statute or ordinance.

9.2 Any references in this Agreement to any particular statute or ordinance shall be interpreted as applying to such statute or ordinance as recreated or amended.

SECTION 10—INTERPRETATION

If any term, section or other portion of this Agreement is reviewed by a court or other judicial or *quasi*-judicial entity, such entity shall treat this Agreement as having been jointly drafted by both the City and Town.

SECTION 11—ENTIRE AGREEMENT

The entire agreement of the Parties is contained in this Agreement and it supersedes any and all oral representations and negotiations between the municipalities.

SECTION 12—AUTHORIZATION

This Agreement shall not take effect until approval by the Parties' governing bodies.

SECTION 13—IMPLEMENTATION

The Parties shall take such actions as may be necessary or desirable to implement and effectuate the provisions and intent of this Agreement.

SECTION 14—AGREEMENT DURATION

14.1 This Agreement shall be in full force for a period of ten (10) years from the date of its execution by the Parties.

14.2 This Agreement can be modified or terminated at any time during the Agreement period only with approval of the governing bodies of all Parties.

14.3 This Agreement shall automatically renew for additional renewal periods of five (5) years unless one of the Parties cancels the Agreement by written notice to the other parties at least six (6) months prior to the expiration of the applicable term.

SECTION 15— GOOD FAITH

15.1 The Parties hereby acknowledge that this Agreement imposes upon them a duty of good faith and fair dealing and they shall cooperate fully with each other in implementation of this Agreement.

15.2 The Parties further agree to promptly execute such documents, grant such approvals and take other reasonable steps as may be necessary to carry out the intent of this Agreement.

SECTION 16—BINDING EFFECT

This Agreement shall inure to the benefit of and be binding upon the Parties hereto, as well as their respective heirs, successors and assigns.

SECTION 17—GOVERNING LAW

17.1 This Agreement shall be governed by and construed according to the laws of the State of Wisconsin and, in the event of any dispute, venue shall lie in the Circuit Court for La Crosse County, State of Wisconsin.

17.2 If any Party to this Agreement believes that the other Party is in breach of this Agreement, the aggrieved Party shall promptly serve written notice of said breach upon the other Party. Such notice shall specify the nature of the alleged breach. The Parties shall meet promptly thereafter and endeavor in good faith to resolve any dispute amicably. In such event that the initial meeting fails to resolve the dispute, the non-breaching Party shall have the right to recover damages or seek specific enforcement by applying to the La Crosse County Circuit Court.

SECTION 18—EXHIBITS

Exhibits 1-6 are attached hereto and made a part of this Agreement.

SECTION 19—ADOPTION

IN WITNESS WHEREOF, the City and Town certify that this Agreement, including all exhibits, has been duly approved by their respective governing bodies in accordance with State and local laws, rules and regulations, and each has caused their duly authorized officers to execute this Agreement on the dates written before their respective signatures.

The above and foregoing Agreement was duly adopted by the Common Council of the City of Onalaska at a regular meeting held on _____, 2016 and by Town of Medary Town Board at a regular meeting held on _____ _____, 2016.

CITY OF ONALASKA

ATTEST:

By: _____
Joe Chilsen, Mayor

_____

By: _____
Caroline Burmaster, City Clerk

TOWN OF MEDARY

ATTEST:

By: _____
Linda Seidel, Town Board Chair

_____

By: _____
Susan Miller, Town Clerk

Exhibit 1

NOTICE OF JOINT PUBLIC HEARING OF PROPOSED CITY OF ONALASKA/ TOWN OF MEDARY BOUNDARY AGREEMENT

PLEASE TAKE NOTICE, that on the 17th day of November, 2016 at 7:00 p.m. at Eagle Bluff Elementary School, 200 Eagle Bluff Court, Onalaska, WI 54650, the Plan Commission of the City of Onalaska and Plan Commission of the Town of Medary will be holding a joint hearing on a proposed Boundary Agreement. The Boundary Agreement is pursuant to Wis. Stats. §66.0301. Among the purposes of the proposed Boundary Agreement is the establishment of long-term boundaries between the City and Town in order to reduce annexation disputes and to minimize fragmentation and irregular boundaries. The City and Town invite public comments on the proposed Boundary Agreement before taking final action. Any person may comment on the Boundary Agreement during the hearing or may submit written comments before, at or within 20 days following the hearing. Copies of the proposed Boundary Agreement may be obtained from the following representatives:

<u>City of Onalaska</u>
Ms. Cari Burmaster
City Clerk
City of Onalaska
415 Main Street
Onalaska, WI 54650
608-781-9590
cburmaster@cityofonalaska.com

<u>Town of Medary</u>
Ms. Susan Miller
Town Clerk
Town of Medary
N3393 Smith Valley Rd.
La Crosse, WI 54601
608-781-2275
Medary.clerk@gmail.com

Dated this ____ day of _____,2016

Published by order of City of Onalaska Common Council and Town of Medary Town Board

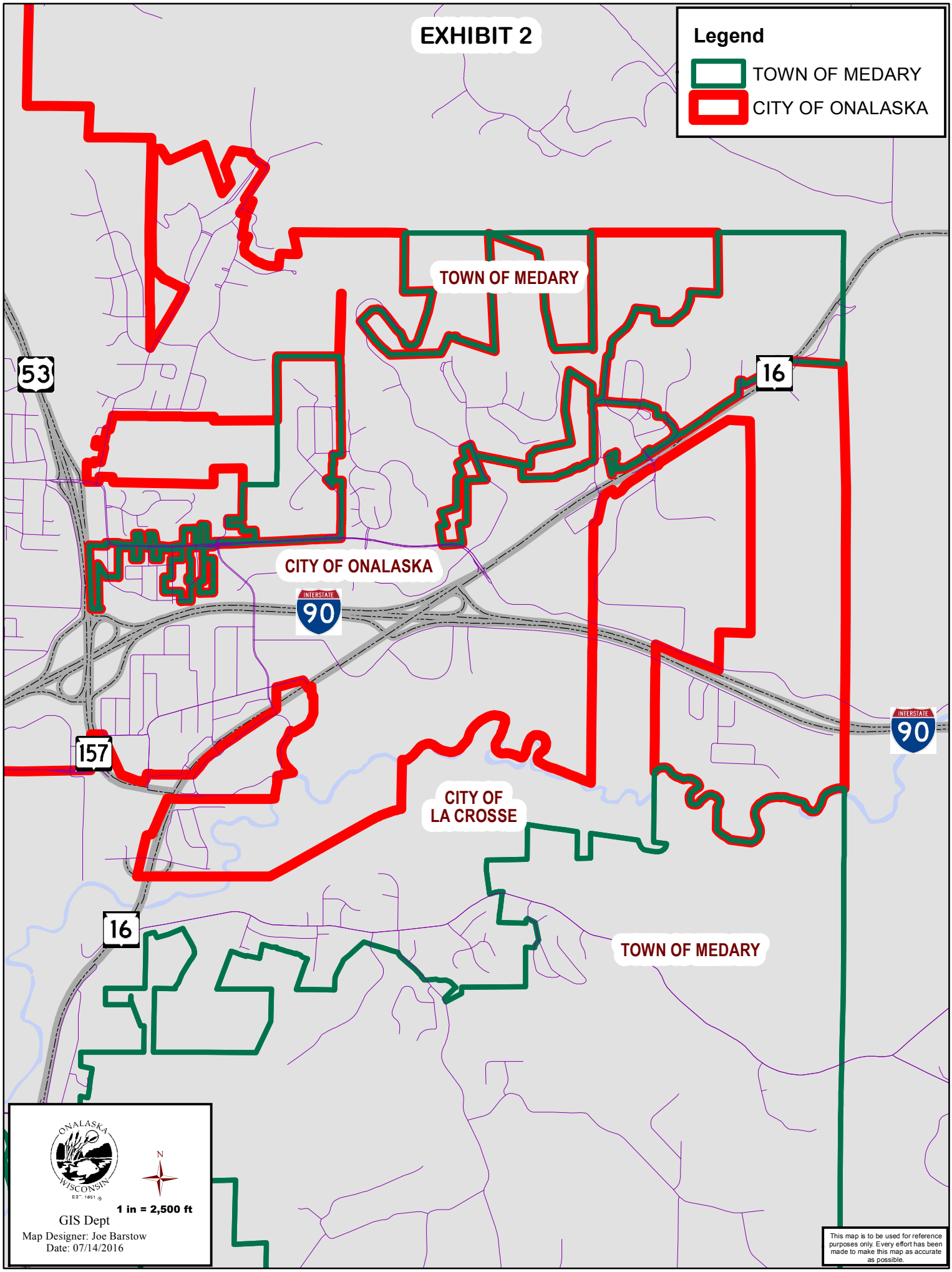
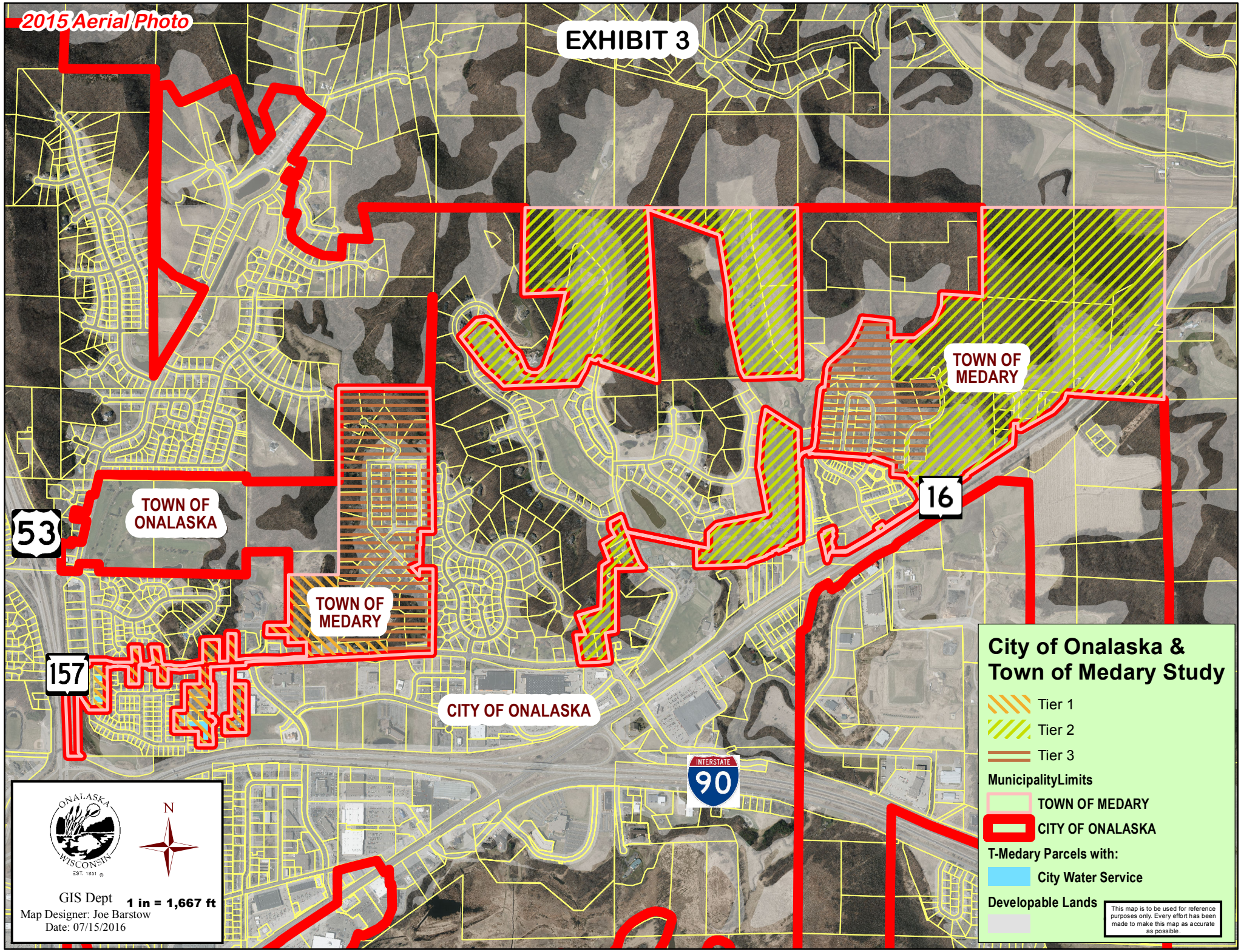
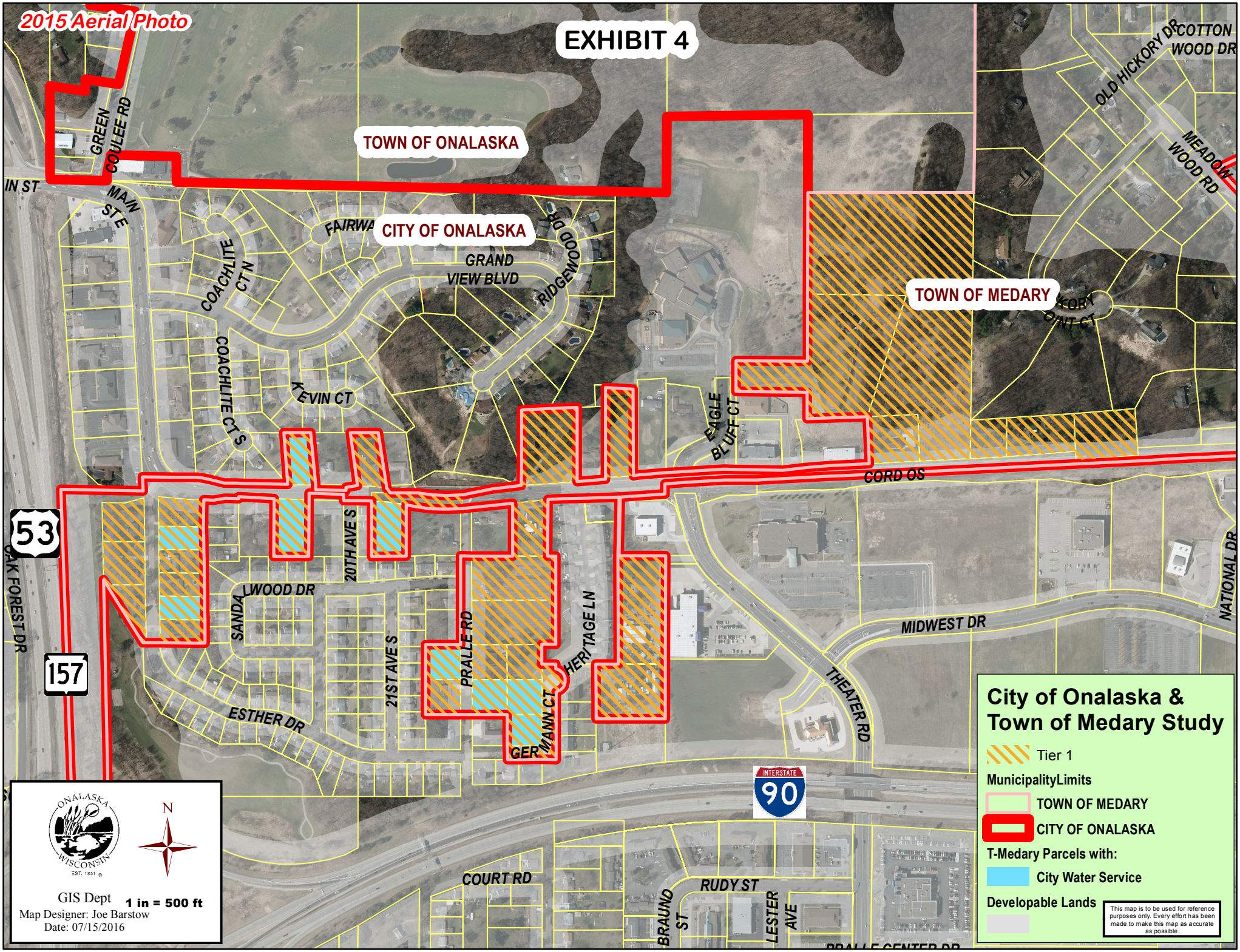


EXHIBIT 2
Legend
TOWN OF MEDARY
CITY OF ONALASKA
TOWN OF MEDARY
53
16
CITY OF ONALASKA
INTERSTATE
90
157
INTERSTATE
90
CITY OF
LA CROSSE
16
TOWN OF MEDARY
ONALASKA
WISCONSIN
EST. 1851
N
1 in = 2,500 ft
GIS Dept
Map Designer: Joe Barstow
Date: 07/14/2016
This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.


2015 Aerial Photo
EXHIBIT 3
TOWN OF MEDARY
TOWN OF ONALASKA
TOWN OF MEDARY
CITY OF ONALASKA
53
157
16
INTERSTATE
90
City of Onalaska & Town of Medary Study
Tier 1
Tier 2
Tier 3
MunicipalityLimits
TOWN OF MEDARY
CITY OF ONALASKA
T-Medary Parcels with:
City Water Service
Developable Lands
This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.
ONALASKA WISCONSIN EST. 1851
N
GIS Dept
Map Designer: Joe Barstow
Date: 07/15/2016
1 in = 1,667 ft


2015 Aerial Photo
EXHIBIT 4
TOWN OF ONALASKA
CITY OF ONALASKA
TOWN OF MEDARY
GREEN COULEE RD
MAIN ST E
COACHLITE CT N
COACHLITE CT S
FAIRWAY
GRAND VIEW BLVD
RIDGEWOOD DR
KEVIN CT
EAGLE BLUFF CT
CORD OS
OLD HICKORY DR
COTTON WOOD DR
MEADOW WOOD RD
HICKORY POINT CT
53
157
OAK FOREST DR
20TH AVE S
21ST AVE S
SANDALWOOD DR
ESTHER DR
PRALLE RD
GERMANN CT
HERITAGE LN
MIDWEST DR
THEATER RD
NATIONAL DR
INTERSTATE 90
COURT RD
RUDY ST
BRAUND ST
LESTER AVE
PRALLE CENTER DR
City of Onalaska & Town of Medary Study
Tier 1
MunicipalityLimits
TOWN OF MEDARY
CITY OF ONALASKA
T-Medary Parcels with:
City Water Service
Developable Lands
This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.
ONALASKA WISCONSIN EST. 1851
N
GIS Dept
1 in = 500 ft
Map Designer: Joe Barstow
Date: 07/15/2016

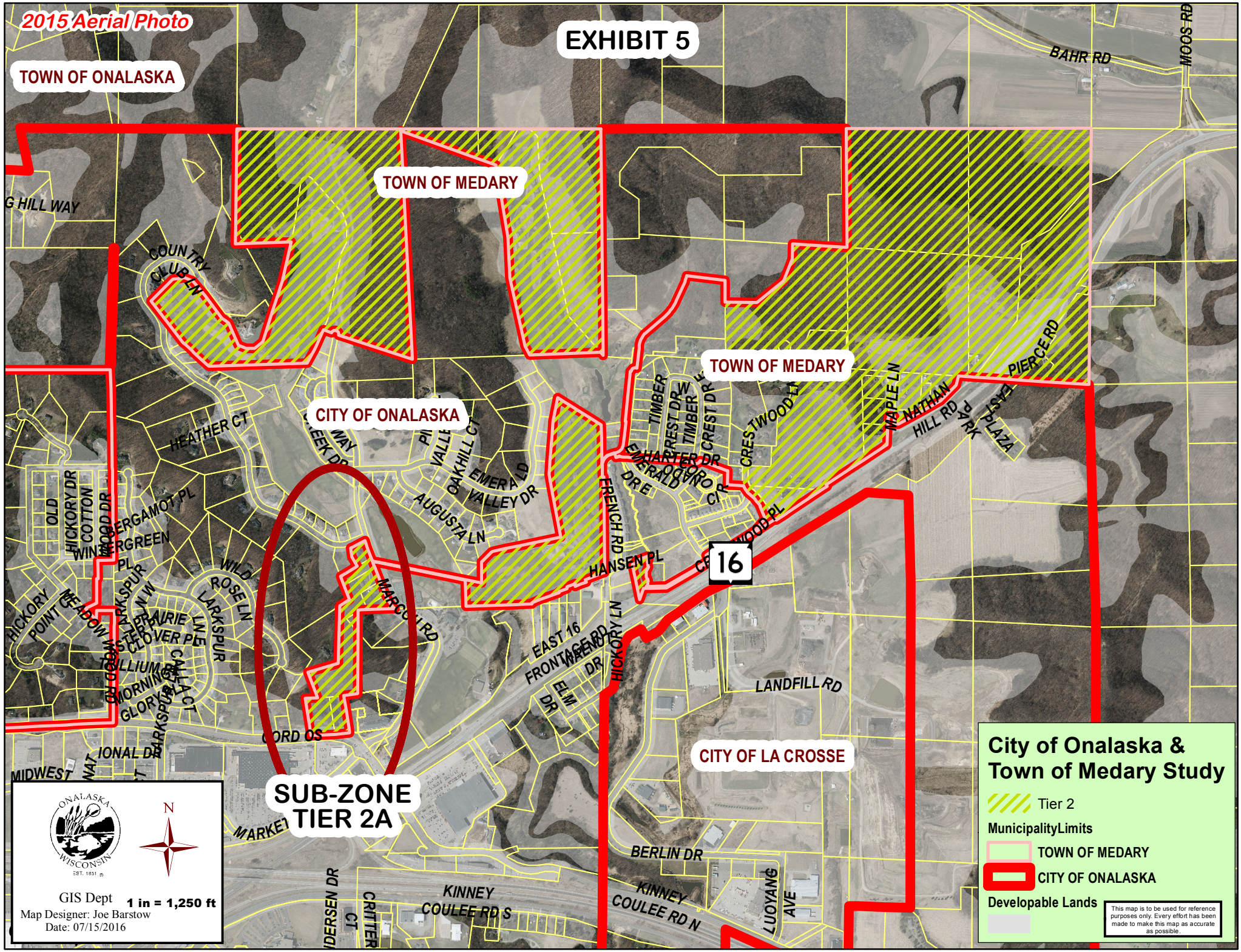

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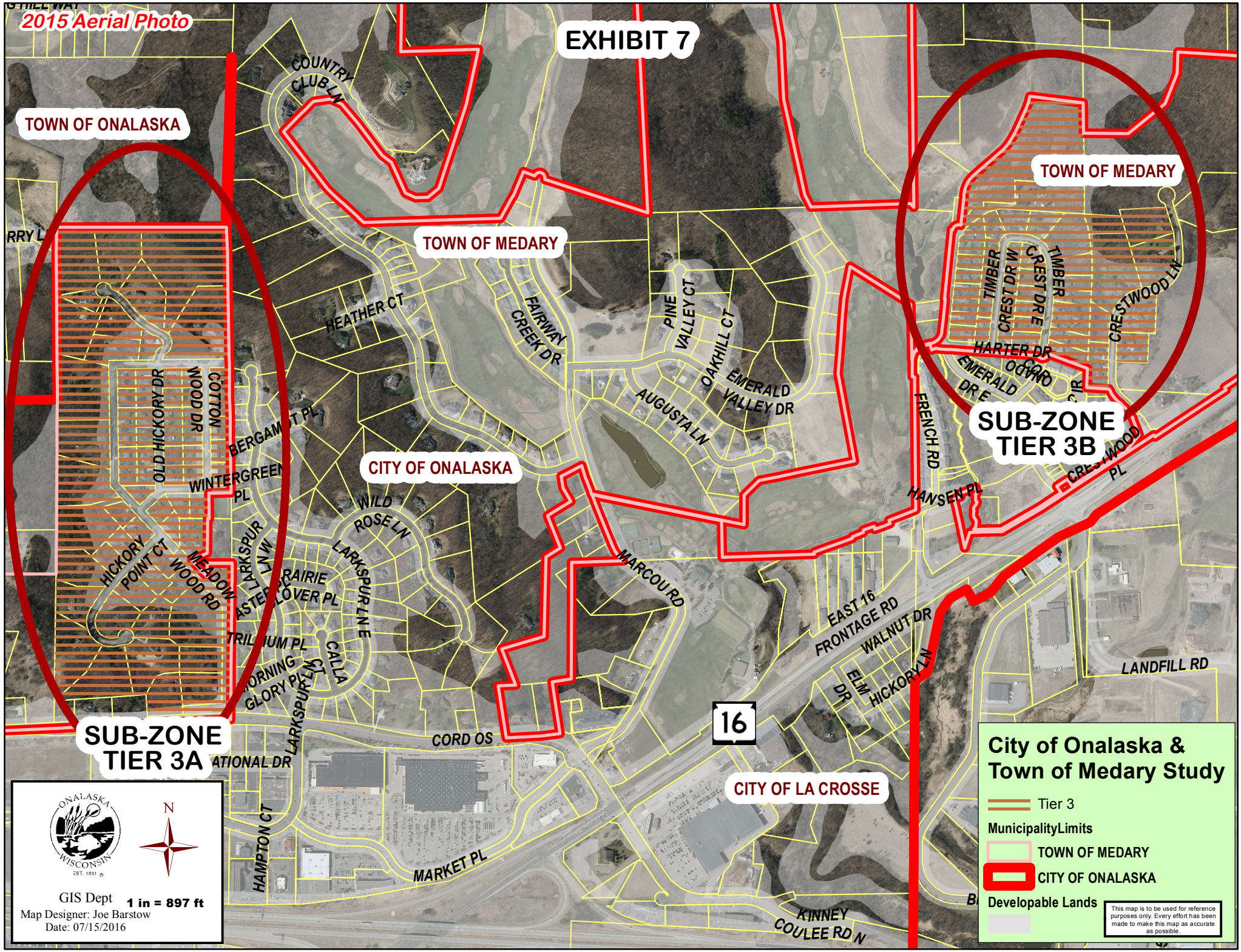
EXHIBIT 5
TOWN OF ONALASKA
TOWN OF MEDARY
TOWN OF MEDARY
CITY OF ONALASKA
CITY OF LA CROSSE
SUB-ZONE TIER 2A
16
BAHR RD
MOOS RD
PIERCE RD
NATHAN HILL RD
MAPLE LN
EAST PLAZA
PARK
CRESTWOOD LN
TIMBER CREST DR
HARTER DR
EMERALD DR
FRENCH RD
HANSEN PL
HICKORY LN
EAST 16
FRONTAGE RD
WALNUT DR
ELM DR
LANDFILL RD
BERLIN DR
KINNEY COULEE RD N
KINNEY COULEE RD S
LUOYANG AVE
MARKET
CORD OS
MARCOU RD
AUGUSTA LN
VALLEY DR
OAKHILL CT
EMERALD
HEATHER CT
COUNTRY CLUB LN
G HILL WAY
OLD HICKORY DR
COTTON WOOD DR
WINTERGREEN PL
BERGAMOT PL
HICKORY POINT
MEADOW WOOD RD
LARKSPUR
PRAIRIE LN
CLOVER PL
TRILLIUM
MORNING GLORY
CALLA CT
WILD ROSE LN
MIDWEST
IONAL DR
N
GIS Dept
1 in = 1,250 ft
Map Designer: Joe Barstow
Date: 07/15/2016
City of Onalaska & Town of Medary Study
Tier 2
MunicipalityLimits
TOWN OF MEDARY
CITY OF ONALASKA
Developable Lands
This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.

Exhibit 6

Criteria for Review of New Residential/Commercial
& Alterations/Remodel where Setbacks Change

1. All new commercial/residential properties in Tier 2 will be reviewed for the following:
    a. Setback
    b. Fire Access/Driveway Grades
    c. Layout as it relates to the future provision of water/sanitary
    d. Water Runoff and Drainage
    e. Whether construction is within a waterway or wetland
    f. Review of Minimum Lot Dimensions

2. New commercial development will be required to submit the information required in the City of Onalaska Site Plan Checklist


2015 Aerial Photo
EXHIBIT 7
TOWN OF ONALASKA
TOWN OF MEDARY
CITY OF ONALASKA
CITY OF LA CROSSE
SUB-ZONE TIER 3A
SUB-ZONE TIER 3B
COUNTRY CLUB LN
HEATHER CT
FAIRWAY CREEK DR
PINE VALLEY CT
OAKHILL CT
EMERALD VALLEY DR
AUGUSTA LN
OLD HICKORY DR
COTTON WOOD DR
BERGAMOT PL
WINTERGREEN PL
WILD ROSE LN
LARKSPUR LN W
LARKSPUR LN E
PRAIRIE ASTER CLOVER PL
TRILLIUM PL
MORNING GLORY PL
CALLA CT
HICKORY POINT CT
MEADOW WOOD RD
MARCOU RD
FRENCH RD
HANSEN PL
TIMBER CREST DR W
TIMBER CREST DR E
CRESTWOOD LN
HARTER DR
EMERALD DR E
CRESTWOOD PL
EAST 16 FRONTAGE RD
WALNUT DR
ELM DR
HICKORY LN
LANDFILL RD
16
CORD OS
ATIONAL DR
HAMPTON CT
MARKET PL
KINNEY COULEE RD N
ONALASKA WISCONSIN EST. 1831
N
GIS Dept
Map Designer: Joe Barstow
Date: 07/15/2016
1 in = 897 ft
City of Onalaska & Town of Medary Study
Tier 3
MunicipalityLimits
TOWN OF MEDARY
CITY OF ONALASKA
Developable Lands
This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.