

CITY OF ONALASKA MEETING NOTICE

COMMITTEE/BOARD: Plan Commission Sub-Committee
DATE OF MEETING: July 19, 2016 (Tuesday)
PLACE OF MEETING: City Hall – 415 Main Street (Police Training Room)
TIME OF MEETING: 4:30 P.M.

**Please Note
Change of
Location**

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 Certified Survey Map (CSM) submitted by Charlie Handy on behalf of La Crosse County, 400 4th Street North, La Crosse, WI 54601 (property owner) to combine 5 parcels into two (2) lots, one lot (23-acres) and one outlot (3.36 acres) to be dedicated to the public located in the City of La Crosse and the City of Onalaska including 6500 – 6502 – 6506 – 6510 State Road 16, La Crosse, WI 54601, State Road 16, La Crosse, WI 54601 and Berlin Drive, Onalaska, WI 54650 (Tax Parcels #18-4458-0, 17-10560-60, 17-10560-50, 17-10575-30, and 17-10560-10).
5. Review and Consideration of a Certified Survey Map (CSM) submitted by Duane Schulze, 2009 Charles Avenue, Onalaska, WI 54650 regarding 2009 Charles Avenue, Onalaska, containing 0.68 acres and two (2) lots (Tax Parcel # 18-4197-0).
6. Discussion and consideration regarding the Public Forum on June 16, 2016 and the draft Payment In Lieu of Taxes (PILOT) ordinance.

Adjournment

PLEASE TAKE FURTHER NOTICE that members of the Common Council of the City of Onalaska who do not serve on the commission 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 Charter Com.
Onalaska Holmen Courier Life
WIZM WKTY WLXR WKBH
WLSU WKBT WXOW
*Committee Members

*Skip Temte
*Jarrod Holter, City Engineer
* *Kevin Schubert
Charlie Handy
Duane Schulze
Plan Comm. Members
Onalaska Public Library
* * Alternate Member – for City Engineer

Date Notices Mailed and Posted: 07-14-16

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.



CITY OF ONALASKA

Agenda Item:

4

STAFF REPORT

Plan Commission Sub-Committee – July 19, 2016

- Agenda Item: Consideration of a Certified Survey Map (CSM) containing a total of 27.11 acres reconfiguring five parcels into (2) parcels.
- Applicant: Charlie Handy on behalf of La Crosse County, 400 4th Street North, La Crosse, WI 54601
- Owners: La Crosse County, 400 4th Street North, La Crosse, WI 54601 and City of Onalaska, 415 Main Street, Onalaska, WI 54650
- Parcel Numbers: #18-4458-0, 17-10560-60, 17-10560-50, 17-10575-30, and 17-10560-10.
- Site Location: La Crosse County Landfill and International Business Park II
- Existing Zoning: Manufactured and Mobile Home District (R-MMH) owned by the City of Onalaska. Remaining lands located in the City of La Crosse.
- Neighborhood Characteristics: Properties within 250 feet of the properties in question include a variety of commercial/industrial businesses in the La Crosse Industrial Park, La Crosse County Landfill, and agricultural land.
- Conformance with Land Use Plan: The Comprehensive Plan identifies this area as *Commercial*. 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.
- Background: The purpose of the Certified Survey Map is to facilitate the project labeled as The International Business Park II. This park will be one large 23-acre lot adjacent to the existing International Business Park and the La Crosse County Landfill and a small portion in the City of Onalaska. The CSM shows a single lot with a Light Industrial use and Outlot 1 mapped for dedication to the public for road and utility purposes. The applicant intends to install the road and utilities in Outlot 1 in late 2016 – early 2017 in order to invite a large business to locate in the La Crosse / Onalaska area for job creation and tax-base generation.
- Action Requested: The applicant seeking approval of the Certified Survey Map. Staff recommends approval with the conditions following in this packet.

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

July 19, 2016

Agenda Item 4:

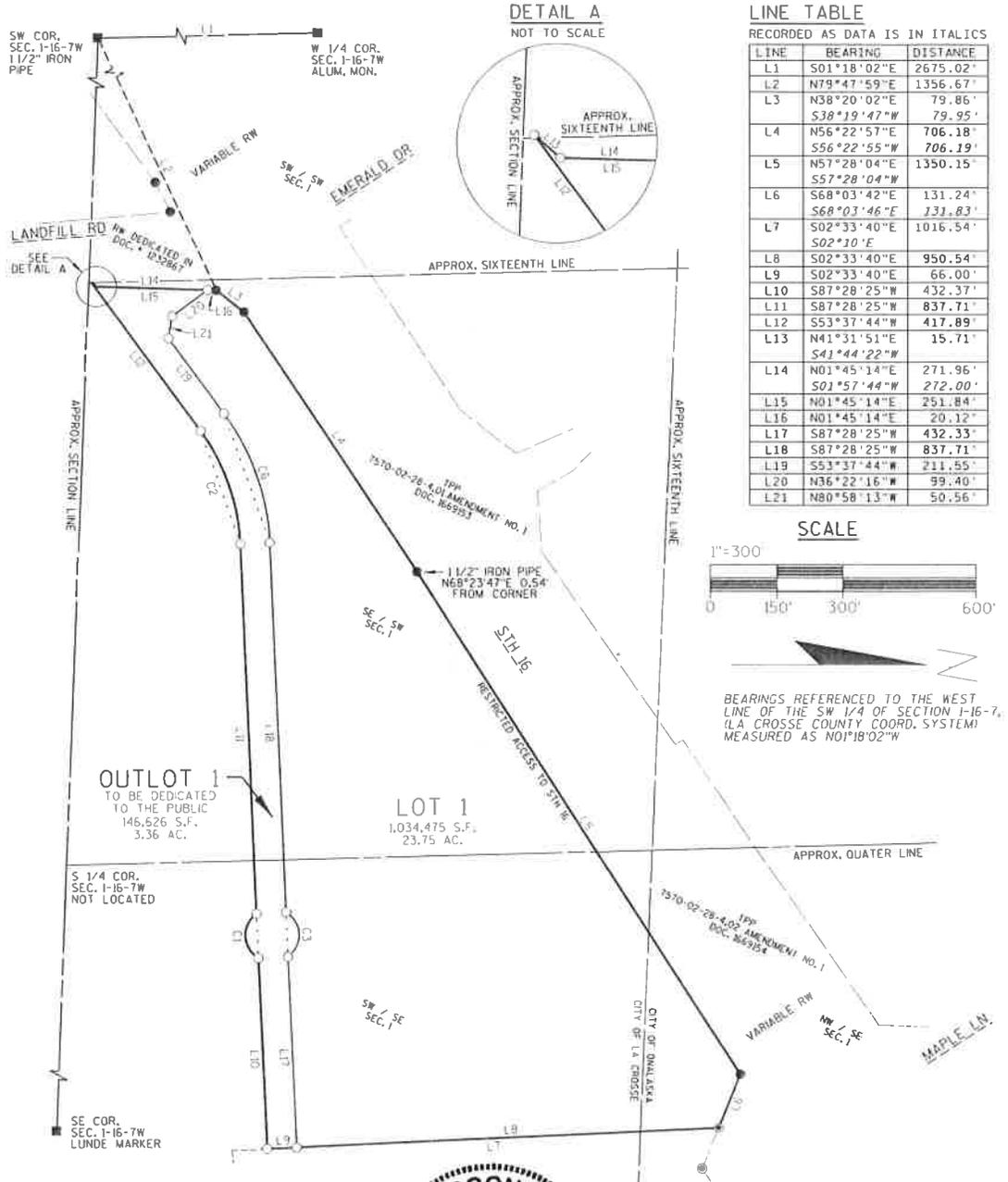
Review and Consideration of a Certified Survey Map (CSM) submitted by Charlie Handy on behalf of La Crosse County, 400 4th Street North, La Crosse, WI 54601 (property owner) to combine 5 parcels into two (2) lots, one lot (23-acres) and one outlot (3.36 acres) to be dedicated to the public located in the City of La Crosse and the City of Onalaska including 6500 – 6502 – 6506 – 6510 State Road 16, La Crosse, WI 54601, State Road 16, La Crosse, WI 54601 and Berlin Drive, Onalaska, WI 54650 (Tax Parcels #18-4458-0, 17-10560-60, 17-10560-50, 17-10575-30, and 17-10560-10).

1. CSM Fee of \$75.00 + \$10.00 per lot x 2 lots = \$95.00 (NOT PAID).
2. Recorded copy of Final CSM to be submitted to City Engineering Department.
3. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.
4. CSM shall note all easements.
5. Public utilities and street installed in Outlot 1 to be adequately sized to served City of Onalaska development to east.
6. City of Onalaska to be allowed to connect future City street to street dedicated as part of Outlot 1.
7. Any future improvements to these parcels will be subject to additional City permits (i.e., building permits, zoning approvals).
8. 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.

CERTIFIED SURVEY MAP NO. _____

VOLUME _____, PAGE _____.

PART OF THE SW 1/4 OF THE SW 1/4, PART OF THE SE 1/4 OF THE SW 1/4, PART OF THE SW 1/4 OF THE SE 1/4, ALL IN SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF LA CROSSE, ALSO THAT PART OF THE NW 1/4 OF THE SE 1/4, SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF ONALASKA, ALL IN LA CROSSE COUNTY, WISCONSIN.



DATED THIS 7TH DAY OF JULY, 2016

Jason L. Cance
JASON L. CANCE, P.L.S. 2688

SEH INC.
10 N. BRIDGE STREET
CHIPPWA FALLS, WI, 54729



CERTIFIED SURVEY MAP NO. _____
 VOLUME _____, PAGE _____.

PART OF THE SW 1/4 OF THE SW 1/4, PART OF THE SE 1/4 OF THE SW 1/4, PART OF THE SW 1/4 OF THE SE 1/4, ALL IN SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF LA CROSSE, ALSO THAT PART OF THE NW 1/4 OF THE SE 1/4, SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF ONALASKA, ALL IN LA CROSSE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, JASON L. CANCE, WISCONSIN PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY: THAT I HAVE SURVEYED, DIVIDED, AND MAPPED PART OF THE SW 1/4 OF THE SW 1/4, PART OF THE SE 1/4 OF THE SW 1/4, PART OF THE SW 1/4 OF THE SE 1/4, PART OF THE NW 1/4 OF THE SE 1/4, ALL IN SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF LA CROSSE, LA CROSSE COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 1; THENCE S01°18'02"E ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 1 A DISTANCE OF 2675.02 FEET TO THE SW CORNER OF SAID SECTION 1; THENCE N79°47'59"E 1356.67 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF STH 16 ALSO BEING THE POINT OF BEGINNING; THENCE N38°20'02"E 79.86 FEET ALONG THE SOUTHERLY RIGHT OF WAY OF STH 16; THENCE N56°22'57"E 706.18 FEET ALONG SAID SOUTHERLY RIGHT OF WAY; THENCE N57°28'04"E 1350.15 FEET ALONG SAID SOUTHERLY RIGHT OF WAY; THENCE S68°03'42"E 131.24 FEET ALONG SAID SOUTHERLY RIGHT OF WAY; THENCE S02°33'40"E 1016.54 FEET; THENCE S87°28'25"W 432.37 FEET; THENCE 118.61 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 60.00 FEET AND A CHORD WHICH BEARS S87°28'25"W 100.22 FEET; THENCE S87°28'25"W 837.71 FEET; THENCE 275.86 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 467.00 FEET AND A CHORD WHICH BEARS S70°33'05"W 271.86 FEET; THENCE S53°37'44"W 417.89 FEET; THENCE N41°31'51"E 15.71 FEET; THENCE N01°45'14"E 271.96 FEET TO THE POINT OF BEGINNING.

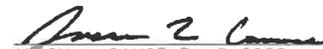
SAID PARCEL CONTAINS 1,181,101 SQUARE FEET (27.11 ACRES) MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS BOTH IMPLIED AND RECORDED.

THAT I HAVE MADE SUCH A SURVEY AT THE DIRECTION OF CHARLIE HANDY, COUNTY PLANNER, COUNTY OF LA CROSSE, 400 4TH STREET NORTH, LA CROSSE, WI 54601.

THAT THIS MAP IS A TRUE AND CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATE STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF LA CROSSE AND THE CITY OF ONALASKA, IN SURVEYING DIVIDING, AND MAPPING THE SAME.

DATED THIS 7TH DAY OF JULY, 2016.


 JASON L. CANCE P.L.S. 2688



CITY OF LA CROSSE APPROVAL CERTIFICATE

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE CITY OF LA CROSSE,

 CITY ASSESSOR

 DATE

 BUILDING & INSPECTIONS

 DATE

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE	TANGENT BACK	TANGENT FORWARD
C1	118.61'	60.00' R	113°15'58"	S87°28'25"W	100.22'	S30°50'26"W	N35°53'36"W
C2	275.86'	467.00' L	33°50'41"	S70°33'05"W	271.86'	S87°28'25"W	S53°37'44"W
C3	118.61'	60.00' R	113°15'58"	N87°28'25"E	100.22'	N30°50'26"E	S35°53'36"E
C6	314.84'	533.00' L	33°50'41"	S70°33'05"W	310.29'	S87°28'25"W	S53°37'44"W

CERTIFIED SURVEY MAP NO. _____
VOLUME _____, PAGE _____.

PART OF THE SW 1/4 OF THE SW 1/4, PART OF THE SE 1/4 OF THE SW 1/4, PART OF THE SW 1/4 OF THE SE 1/4, ALL IN SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF LA CROSSE, ALSO THAT PART OF THE NW 1/4 OF THE SE 1/4, SECTION 1, TOWNSHIP 16 NORTH, RANGE 7 WEST, CITY OF ONALASKA, ALL IN LA CROSSE COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

THE COUNTY OF LA CROSSE, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID CORPORATION CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THIS CERTIFIED SURVEY MAP.

THE COUNTY OF LA CROSSE, DOES FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

CITY OF LA CROSSE

IN WITNESS WHEREOF, THE SAID COUNTY OF LA CROSSE HAS CAUSED THESE PRESENTS TO BE SIGNED BY TARA JOHNSON, ITS COUNTY BOARD CHAIR, AND COUNTERSIGNED BY GINNY DANKMEYER, ITS COUNTY CLERK, AT LA CROSSE WISCONSIN, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED ON THIS _____ DAY OF _____ 2016;

IN THE PRESENCE OF:

CORPORATE NAME

(CORPORATE SEAL) COUNTY BOARD CHAIR

COUNTERSIGNED: _____
COUNTY CLERK



Jason L. Cance
7-7-16

STATE OF WISCONSIN
LA CROSSE COUNTY

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2016, TARA JOHNSON, COUNTY BOARD CHAIR, AND GINNY DANKMEYER, COUNTY CLERK OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH BOARD CHAIR AND CLERK OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

(NOTARY SEAL) _____ NOTARY PUBLIC, _____, WISCONSIN

MY COMMISSION EXPIRES _____.

COMMON COUNCIL APPROVAL CERTIFICATE

RESOLVED THAT THIS CERTIFIED SURVEY MAP, LOCATED IN THE CITY OF ONALASKA, IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF ONALASKA.

DATE: _____
JOE CHILSEN, MAYOR

HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ONALASKA.

CARIBURMASTER, CITY CLERK



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

SUBDIVISION APPLICATION

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/Drainage, Utilities, Site Layout, Landscaping, etc.

➔ **Application Fee** (Payable to the City of Onalaska) = \$75 + \$10/lot. Other fees may apply.

If incomplete, no further processing of the application will occur until the deficiencies are corrected.

\$95.-

Brief Description of Request for Subdivision.

ONE LARGE LOT WITH ONE OUTLOT TO BE DEDICATED TO THE PUBLIC FOR ROAD & UTILITIES

Easements on Property:

Access: Yes No

Utility: Yes No

Other: _____

Utilities Serving Property:

Water: Yes No

Sanitary Sewer: Yes No

Number of Lots: PORTIONS OF 9
(Existing)

Number of Lots: 2
(Proposed)

Property Address: 6500 STATE RD 16

Parcel Number:
18- 4458-0

Zoning District:

Applicant: LA CROSSE COUNTY - CHARLIE HANBY

Mailing Address: 400 4th ST. Rm 2040

City, State, Zip: LA CROSSE WI 54601

Phone Number: 608 785-5919

Email: chandy@lacrosecounty.org Primary Contact

Business: SAME

Owner/Contact:

Mailing Address:

City, State, Zip:

Phone Number:

Email: Primary Contact

Property Owner: SAME

Contact:

Mailing Address:

City, State, Zip:

Phone Number:

Email: 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 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:

Date: 6-28-16

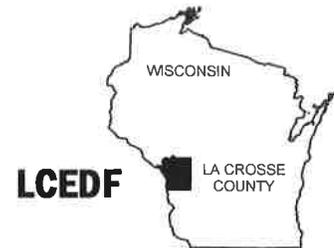
Signature of Property Owner:

Date:

OFFICE USE ONLY:	Date Submitted:	Permit Number:
Permit Fee:	<input type="checkbox"/> Cash <input type="checkbox"/> Check #	Application Received by:

LA CROSSE COUNTY ECONOMIC DEVELOPMENT FUND

A Nonprofit Corporation Created by the County Board To Support
Economic Development in La Crosse County



SUPPORT OFFICES AND CONTACT INFORMATION

OFFICE OF COUNTY ADMINISTRATOR
400 4th Street North
La Crosse Wisconsin 54601
Telephone: 608.785.9700
Email: ornalley.steve@co.la-crosse.wi.us
Fax: 608.789.4821

OFFICE OF COUNTY BOARD CHAIR
400 4th Street North
La Crosse Wisconsin 54601
Telephone: 608.785.9563
Email: doyle.steve@co.la-crosse.wi.us
Fax: 608.789.4821

OFFICE OF COUNTY PLANNER
400 4th Street North
La Crosse Wisconsin 54601
Telephone: 608.785.9722
Email: handy.charles@co.la-crosse.wi.us
Fax: 608.785.5922

OFFICE OF COMMUNITY
DEVELOPMENT SPECIALIST
400 4th Street North
La Crosse Wisconsin 54601
Telephone: 608.785.5792
Email: fukuda.brian@co.la-crosse.wi.us
Fax: 608.785.5922

CORPORATION COUNSEL OFFICE
400 4th Street North, Room 2350
La Crosse Wisconsin 54601
Telephone: 608.785.9577
Email: shepherd.william@co.la-crosse.wi.us
Fax: 608.785.9751

COUNTY FINANCE DEPARTMENT
400 4th Street North, Room 2150
La Crosse Wisconsin 54601
Telephone: 608.785.9580
Email: ingvalson.gary@co.la-crosse.wi.us
Fax: 608.789.7818

MISSISSIPPI RIVER REGIONAL
PLANNING COMMISSION
1707 Main Street, Suite 240
La Crosse Wisconsin 54601
Telephone: 608.785.9396
Email: greg@mrrpc.com
Fax: 608.785.9394

June 29, 2016

To Whom it May Concern:

The La Crosse County Economic Development Department is writing this letter to describe the project that is being labeled The International Business Park II. This park will be one large, (23) acre lot adjacent to the existing International Business Park and the La Crosse County Landfill. This park is within the existing Tax Increment District 9 of the City of La Crosse, except that small portion which is within the City of Onalaska. The certified survey map that we have submitted with this cover letter shows the single lot with light industrial use, and an outlot mapped for dedication to the public for road and utility purposes. This proposal will be to install road and utilities in the outlot in late 2016, early 2017 to provide public services to this 23 acre parcel in order to invite a large business to locate in the La Crosse/ Onalaska area for job creation and tax base generation.

Most of the 23 acre parcel is within the City of La Crosse. The small portion of the parcel that is within the City of Onalaska is the 1.37 acre portion of the parcel to the northeast corner, which requires approval from the City of Onalaska for the sub-division of the land.

This letter is La Crosse County's formal request to the City of Onalaska for approval of this sub-division of land via a certified survey map.

Thank you for your consideration.

Sincerely;

Charles Handy
County Planner
(608) 785-5919



CITY OF ONALASKA
 landfill_rd_2016

**PROPOSED COUNTY
DEVELOPMENT (LOT 1)
& ROADWAY**


 GIS Dept
 Map Designer: Joe Barstow
 Date: 07/13/2016

 1 in = 250 ft

This map is to be used for reference purposes only. Every effort has been made to make this map as accurate as possible.



CITY OF ONALASKA

Agenda Item:

5

STAFF REPORT

Plan Commission Sub-Committee – July 19, 2016

- Agenda Item: Consideration of a Certified Survey Map (CSM) containing 0.68 acres and 2 lots
- Applicant/Owner: Duane Schulze, 2009 Charles Avenue, Onalaska, WI 54650
- Parcel Number: 18-4197-0
- Existing Zoning: Single Family Residential (R-1) District
- Neighborhood Characteristics: The zoning of land within 250 feet of the proposed site includes single family residential, single and/or duplex residential, and Public & Semi-Public. Uses within 500 feet along the same streets of the site include residences (single family, two-unit housing, multi-family and parkland.
- Conformance with Comprehensive The Comprehensive Plan's Future Land Use Plan designates this area as *Mixed Density Residential*. This district is intended for residential units.
- Background: The applicant is requesting approval to divide a parcel into two (2) lots and to construct a single family residence on the current vacant portion of the parcel. An existing single family residence is located on Lot 1 of the proposed CSM and an existing garage spans both Lots 1 & 2. The garage will be removed by the applicant prior to finalization of the CSM.
- Action Requested: The applicant seeking approval of the Certified Survey Map. Staff recommends approval with the conditions following in this packet.

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

July 19, 2016

Agenda Item 5:

Consideration of a Certified Survey Map (CSM) submitted by Duane Schulze, 2009 Charles Avenue, Onalaska, WI 54650 regarding 2009 Charles Avenue, Onalaska, containing 0.68 acres and two (2) lots (Tax Parcel # 18-4197-0).

1. CSM Fee of \$75.00 + \$10.00 per lot x 2 lots = \$95.00 due before final approval of CSM by the City. (NOT PAID)
2. Property owner to remove detached accessory structure prior to recording CSM with the La Crosse County Register of Deeds.
3. Park Fee of \$922.21 per residential unit. Park fee to be paid prior to issuance of a building permit.
4. Recorded copy of Final CSM to be submitted to City Engineering Department.
5. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.
6. CSM shall note all easements (i.e., power line easement).
7. Future lateral to be installed for Lot 2 at the cost of the property owner.
8. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals) and additional City fees (i.e., parks fees, green fee).
9. 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.
10. Any omissions of any conditions not listed shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

CERTIFIED SURVEY MAP

LOT 49, OF THE SECOND ADDITION TO SCHALLERS OAK PARK ADDITION, BEING PART OF THE SW-SW OF SECTION 28, T17N, R7W, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN.

LEGAL DESCRIPTION:

LOT 49, OF THE SECOND ADDITION TO SCHALLERS OAK PARK ADDITION, BEING PART OF THE SW-SW OF SECTION 28, T17N, R7W, CITY OF ONALASKA, LA CROSSE COUNTY, WISCONSIN. SUBJECT TO AND TOGETHER WITH ANY EASEMENTS, COVENANTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD. CONTAINS 30,713± S.F. OR 0.71± ACRES.

I, CHRISTIAN J. RUNNING, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY: THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES, AND WITH THE SUBDIVISION ORDINANCES OF LA CROSSE COUNTY, AND THE CITY OF ONALASKA, AND UNDER THE DIRECTION OF DUANE SCHULZE, OWNER OF SAID LAND, THAT I HAVE SURVEYED, DIVIDED AND MAPPED THE ABOVE CERTIFIED SURVEY MAP; THAT SUCH MAP CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED.

CHRISTIAN J. RUNNING
PLS 2558
DATE: 7/08/16

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	138.00'	97.63'	95.61'	S64°18'49"W	40°32'11"
C2	15.00'	21.08'	19.39'	N84°18'44"E	80°32'00"
C3	184.00'	38.60'	38.53'	S49°24'39"E	12°01'15"
C4	184.00'	138.00'	134.79'	N21°54'54"W	42°58'15"
C5	184.00'	176.60'	169.90'	N27°55'31"W	54°59'30"
C1 TAN BRGS.	N84°34'54"E	N44°02'44"E			
C2 TAN BRGS.	N44°02'44"E	S55°25'16"E			
C3 TAN BRGS.	S55°25'16"E	S43°24'01"E			
C4 TAN BRGS.	S43°24'01"E	S00°21'55"E			
C5 TAN BRGS.	S55°25'16"E	S00°21'55"E			

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE CITY OF ONALASKA.

SIGNATURE _____ TITLE _____

FOR:
DUANE SCHULZE
2009 CHARLES AVE.
ONALASKA, WI 54650
BY:
RUNNING LAND SURVEYING
700 DAUPHIN ST.
LA CROSSE, WI
54603
608-779-5322



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

SUBDIVISION APPLICATION

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) = \$75 + \$10/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.

DEVIDE 1 LOT INTO TWO LOTS

Easements on Property:

Access: Yes No

Utility: Yes No

Other: _____

Utilities Serving Property:

Water: Yes No

Sanitary Sewer: Yes No

Number of Lots: 1
(Existing)

Number of Lots: 2
(Proposed)

Property Address: 2009 Charles Ave

Parcel Number:
18- 4147-0

Zoning District: R-1

Applicant: DUANE J SCHULZE

Mailing Address: 1226 S 25th St.

City, State, Zip: LA CROSSE WI 54601

Phone Number: 608 519 6698

Email: DUANE@MARLINBUILT.COM Primary Contact

Business:

Owner/Contact:

Mailing Address:

City, State, Zip:

Phone Number:

Email: Primary Contact

Property Owner:

Contact: DUANE J SCHULZE

Mailing Address: 1226 S. 25th ST

City, State, Zip: LA CROSSE WI 54601

Phone Number: 608 519 6698

Email: DUANE@MARLINBUILT.COM 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 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: *Duane J Schulze*

Date: 7-11-16

Signature of Property Owner: *Duane J Schulze*

Date: 7-11-16

OFFICE USE ONLY: Date Submitted:

Permit Number:

Permit Fee: Cash Check #

Application Received by: *✓*



CITY OF ONALASKA

STAFF REPORT

Plan Commission Sub-Committee – July 19, 2016

Agenda Item: Discussion and consideration regarding the Public Forum on June 16, 2016 and the draft Payment In Lieu of Taxes (PILOT) ordinance.

Background:

On May 27, 2016 the City of Onalaska sent out letters to all tax-exempt property owners with a copy of the draft Payment in Lieu of Taxes (PILOT) ordinance and invited the agencies/businesses to attend a Public Forum hosted by the Plan Commission on June 16, 2016. The City did not send letters to federal, state, local governments (County and City), school districts, and utilities/railroads as they are already taxing jurisdictions or are exempt from local property taxes and instead pay special state taxes.

The purpose of a PILOT agreement is to assist in the City's burden of providing City services which benefit tax-exempt organizations such as street lighting, street cleaning and maintenance, police and fire protection, and snow removal.

Attached is the most updated version of the City's PILOT Fact Sheet and the existing draft PILOT Program Ordinance.

Items for Discussion as brought forward by PILOT Public Forum Participants:

- Modifying the instances where PILOTs may be initiated: Currently -
 - Rezoning;
 - Variance;
 - Conditional Use Permit;
 - Development Agreement;
 - Purchase of taxable land to convert to tax-exempt property;
 - New building or building expansion/addition that requires Site Plan Review.
- Modifying the area the PILOT would apply to. Currently, it would apply to an entire property. Another option would be only the portion of the property that triggered then need for a PILOT.
- Modifying the multiplier amount. Currently, the City's mill rate would be multiplied by the assessed value of the property. Another option would be utilizing the Police, Fire, & Streets (Essential Services) portion of the General Fund.
- Modify the requirement for a PILOT and routinely ask for tax-exempt properties to volunteer to make payments.

Also, for reference purposes only – below is a link to a document found on the City of Onalaska's website under "News and Announcements" that discusses different types of PILOTs put in place throughout the United States. While this paper does not necessarily cover Wisconsin, it does provide additional information and background pertaining to PILOTs.

http://www.cityofonalaska.com/vertical/sites/%7BE2D95124-B506-4063-A7E4-C086F6654A75%7D/uploads/Payments_in_Lieu_of_Taxes_by_Nonprofits_-_Which_Nonprofits_Make_PILOTs_and_Which_Localities_Receive_Them.pdf

Action Requested: Discussion and consideration regarding information provided by public forum participants and the draft PILOT Program Ordinance.



CITY OF ONALASKA

PLANNING/ZONING DEPARTMENT

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July 14, 2016

City of Onalaska – Payment in Lieu of Taxes (PILOT) Program Fact Sheet

On May 27, 2016 the City of Onalaska sent out letters to all tax-exempt property owners with a copy of the draft Payment in Lieu of Taxes (PILOT) Ordinance and invited agencies to attend a Public Forum hosted by the Plan Commission on June 16, 2016. The City did not send letters to federal, state, local governments (County & City), school districts, and utilities/railroads as they are already taxing jurisdictions or are exempt from local property taxes and instead pay special taxes.

The purpose of a PILOT agreement between the City and a tax-exempt agency is to assist in the City's burden of providing City services which benefit tax-exempt agencies such as street lighting, street cleaning/maintenance, police and fire protection, and snow removal.

The City has, and will continue to have, the ability to enter into PILOT agreements with tax-exempt agencies. The proposed draft PILOT Ordinance provides a policy describing the process for entering into a PILOT agreement with the City, in what circumstances a PILOT agreement would be initiated, and how the PILOT amount would be determined. *If the draft PILOT Ordinance is not passed, it will not remove the City's ability to enter into PILOT agreements with tax-exempt agencies.*

Below are a series of questions asked by PILOT Public Forum Participants with answers provided by City Staff & Legal Counsel:

1. Authority for municipalities to establish PILOTs?

Payments in lieu of taxes are designed to allow local municipalities to be paid for services conferred to properties which have been granted a tax exemption by the State government. There are certain situations where the Wisconsin Statutes explicitly mandate a payment in lieu of taxes. Examples properties owned by housing authorities, certain property owned by the Department of Natural Resources, certain County run properties, public parking facilities, certain theaters and the Kickapoo Valle Reserve are subject to statutory PILOT payments. Wisconsin statutes general allow municipalities to enter into contracts and to collect fees regarding services. PILOT agreements have been interpreted to arise from those general powers granted to municipalities.

2. What is the purpose of the draft PILOT Ordinance?

The purpose of the ordinance is to create a clear and transparent process that tax-exempt agencies would move through with the City of Onalaska to set up a PILOT Agreement. The ordinance specifies how the PILOT Agreement would be drafted and how the amount of the PILOT Agreement would be calculated. The ordinance would ensure that all tax-exempt agencies would be treated uniformly and fairly regardless of the applicant.

3. Why is the City proposing a PILOT Ordinance now?

The City of Onalaska, along with many governments, is attempting to create transparency and accountability to all residents, businesses/agencies, and property owners within the community. PILOT Agreements historically in Onalaska were determined on a case-by-case basis, some utilizing the Mill Rate Formula, others Police & Fire Protection and Streets “Essential Services” payments, others based on square footage of use, and the conversion of taxable land to tax-exempt status. This ordinance would standardize the process and have all PILOT Agreements follow the same formula. Again, the City of Onalaska has, and will continue to have, the ability to enter into PILOT Agreements with tax-exempt agencies. *If the draft PILOT Ordinance is not passed, it will not remove the City’s ability to enter into PILOT agreements with tax-exempt agencies.*

4. How long has the City of Onalaska been entering into PILOT agreements?

City of Onalaska records indicate the oldest PILOT agreement is 35 years old. It is possible that a PILOT may have been collected prior to 1981, but the City does not have more detailed records due to changes in accounting standards.

5. How many PILOT Agreements does the City of Onalaska currently have?

15 PILOT Agreements with tax-exempt agencies.

6. How many of the 15 PILOT Agreements are required by state/federal laws?

4 of the 15 PILOT Agreements are required by state/federal laws.

7. What is the City of Onalaska Mill Rate?

.00649909

8. When did the City of Onalaska begin utilizing the Mill Rate for determining PILOT Agreement amounts?

2002.

9. When did the City of Onalaska begin entering into PILOT Agreements with tax-exempt agencies outside of housing-related PILOTs?

2002.

10. What percentage of the City’s general revenue fund is devoted to Police & Fire Protection, and Streets budget items “Essential Services”?

Thirty-four percent (34%) of the general revenue fund is devoted to “Essential Services”. If debt service to fund capital improvements for “Essential Services” was included, the percentage would be a total of fifty-nine (59%) percent.

11. How much revenue overall would the City of Onalaska receive if all tax-exempt property owners entered into PILOT Agreements with the City (using the Mill Rate formula noted in the draft ordinance)?

Annually, the City of Onalaska receives tax-exempt property reports which request approximate values of land and structures/improvements to be provided to the City. These forms are submitted by tax-exempt property owners and are estimates. The estimated overall value of tax-exempt properties in the City of Onalaska is \$42,500,000.00 dollars. This

amount multiplied by the City's Mill Rate amounts to \$276,211.33 dollars. In order to provide a more accurate value, the City Assessor would need to complete on-site inspections and actual cost approach analysis.

12. How much revenue overall would the City of Onalaska receive if all tax-exempt property owners entered into PILOT Agreements with the City (using the percentage of the general fund devoted to Police & Fire Protection and Streets budget items "Essential Services")?

As stated previously, the estimated overall value of tax-exempt properties in the City of Onalaska is \$42,500,000.00 dollars. This amount multiplied by the "Essential Services" percentage of the general fund amounts to \$93,398.10 dollars. If the debt service percentage to fund capital improvement projects for "Essential Services" was included, the amount would increase to \$164,142.23 dollars. In order to provide a more accurate value, the City Assessor would need to complete on-site inspections and actual cost approach analysis.

13. Why can't the City of Onalaska raise taxes to cover the amounts noted in Questions 10 & 11 and what services have been reduced or cut over the past 10+ years?

Under Wisconsin State Statutes that govern towns/cities/villages, the levy limit worksheet only allows governments to increase revenues from one year to another based on growth and additional debt taken on by the City. The City of Onalaska has continually had to reduce services to stay under the state-mandated levy limit and cannot raise taxes to satisfy the amounts listed in Questions 10 & 11 for this reason.

Examples of such services reduced, removed, or now require a fee for services, include but are not limited to the following:

- La Crosse Municipal Transit (MTU): Reduction in transit hours running along the fixed route in Onalaska.
- Animal Control: Reduced hours of service and added new fees to pay for services.
- Delays in Funding or Not Funding Fixed Assets: ex) Vehicles (police, fire, municipal), upgrades to IT Technology needs, facility repairs, park equipment replacement, etc.)
- Yard Waste Program: was once a free service, City now charges a fee for service.
- Large Item Pick-up Program: was once a free service, no longer offered.
- Overall fee increases for Park & Recreation Programs and less programs offered.
- Reduction in Flower Baskets on City light poles, flower beds – now volunteer-based.
- Police Department unable to provide "extra attention" activities (vacation house checks, having increased presence on "fast" streets, providing "standbys" for domestic situations). No longer provide finger-printing services.
- Police Department reduction in ability to perform "self-initiated activity", additional traffic enforcement, and bicycle patrol due to increased calls and less staff time.
- Fire Department CPR/First Aid – Fire Extinguisher Training: was once a free service, City now charges a fee for training.
- The City has routinely had to reduce personnel staff and not re-hire positions due to levy limits. This has an indirect impact of services that the City can provide to the community as less available staff mean that projects can be delayed or may be addressed on a slower basis.

14. How does the Religious Land Use & Institutionalized Persons Act (RLUIPA) affect the application of the proposed PILOT Ordinance to religious institutions?

A simplified answer, is that “core religious functions” are exempt from PILOT Agreements while other uses require an analysis to determine whether the proposed use is a religious exercise and, if not, are subject to a PILOT Agreement. The one exception is that if a PILOT Agreement is entered into voluntarily in which the case RLUIPA would not apply.

The crux of the Religious Land Use & Institutionalized Persons Act (RLUIPA) is that the government *cannot impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution*, unless the government demonstrates that the imposition of the burden on that person, assembly or institution is (a) in furtherance of a compelling governmental interest and (b) is the least restrictive means of furthering that compelling governmental interest. The “compelling purpose” of a PILOT is the recognition by not-for-profit institutions that they are utilizing public services and should pay a fair share towards those services. When a property is tax-exempt, they do not pay towards the services they receive from the City, such as a fire protection, police protection, streets and parks even though they and the people who they serve utilize and enjoy those services. Regular taxpayers and for-profit institutions are subsidizing the not-for-profits institutions by paying for services being enjoyed by not-for-profits. It is difficult to say that all taxpayers support each not-for-profit institution. Therefore, the real RLUIPA analysis occurs at the time that the religious institution makes its request for a variance or other exception from a land use regulation to the City – which is prior to PILOT analysis. A RLUIPA analysis is then made to determine if the use is religious and, if so, then whether the land use regulation subject to (a) and (b) above. Where it is determined that the use is religious or that RLUIPA applies, a PILOT Agreement should not be required.

Religious exercise has been broadly interpreted to including operations of homeless shelters, soup kitchens, and similar social services, accessory uses such as fellowship halls, parish halls, and similar meeting rooms, religious education, operation of a religious retreat center, religious gatherings in homes, construction or expansion of schools, even where the facilities would be used for both secular and religious activities. If a religious institution were to construct a building addition to serve the noted uses above, a PILOT Agreement would not be required.

However, religious exercise is not all encompassing and it is becoming more common for religious institutions to expand into non-religious uses. In 2006, the 10th Circuit Court of Appeals determined that a Wyoming jury property found that daycare was not a sincere exercise of the church’s religion, thereby upholding the City of Cheyenne’s denial of a variance from an ordinance prohibiting commercial operations of a daycare in a residential district. The Court further held that the zoning ordinance was neutral and generally applicable and did not substantially burden the exercise of religion. The same rationale can be applied for a PILOT Agreement for *a use which is not considered an exercise of religious freedom*. Once the use has been determined to not be a religious exercise, then the use should be reviewed under the proposed PILOT Ordinance and the request should be treated in the same manner that any other similar zoning request within the City would be. For example, if all non-profit commercial daycares are required to enter into a PILOT Agreement

(at the time of a zoning request or otherwise) and if a daycare operated by the church is not a religious exercise, the church should be asked to enter into a PILOT Agreement as other similar non-religious uses.

Payment in Lieu of Taxes

3-5-1 Payment in Lieu of Taxes

Sec. 3-5-1 Payment in Lieu of Property Taxes (“PILOT”).

- (a) **Purpose.** There is created a fair share payment in lieu of taxes program in which the City seeks payments from owners of tax-exempt properties in recognition of the services those properties receive from the City. Payments received through this program are intended to diversify the City’s revenue sources, compensate the City for lost revenues resulting from the large portion of the City’s land area that is tax-exempt and reduce the subsidy of service provision to tax-exempt properties by owners of taxable properties. By creating this ordinance, the City seeks to generate additional revenues needed to maintain the high level of services it provides to residents, businesses and visitors, even during times of limited financial resources and challenging city budgets.
- (b) **Definitions.**
- (1) "Assessor" is the City of Onalaska Assessor
 - (2) “Owner” means a tax-exempt organization or institution that owns or intends to acquire real property in the City of Onalaska.
 - (3) “PILOT” means Payment in Lieu of Taxes.
- (b) **Administrative Authority.**
The City Finance Department is authorized and directed to carry out the program established in this section, with assistance to be provided by other City departments as noted.
- (c) **Procedure.**
- (1) **Initiation.** The procedures described in this subsection shall be initiated by the Finance Department whenever the City Planning Department or Assessor receives a new application for property tax exemption or whenever the Planning Department notifies the Assessor and Finance Director that an Owner has demonstrated its intent to expand, improve, replace or acquire a facility, as evidenced by an application for a site plan, development agreement, zoning change, conditional use or variance.
 - (2) **PILOT Project Profile.** The Planning Department shall contact the Owner regarding the possibility of an agreement to make payments in lieu of taxes to the City. As part of this communication, the Planning Department shall provide the Owner with a new PILOT Project Profile form on which the Owner is asked to provide the information about the tax-exempt institution and its existing and proposed facilities that is necessary for development of a PILOT. The Planning Department shall ask the Owner to submit for a new PILOT Project Profile form and the master plan for the project.
 - (3) **Communication.** Once the Owner submits the new PILOT Project Profile form and master plan showing existing and proposed facilities, the Assessor shall calculate the anticipated amount of the PILOT and the Finance Director, Attorney and a representative from the Planning Department shall discuss the formulation of the PILOT agreement and the amount of the annual payment with the owner.

(4) Guidelines for Establishing PILOT Amount. The PILOT amount shall be calculated by multiplying the value of the owner's property by the City's mill rate each year in which the property is determined to be tax exempt. The Assessor shall estimate the value of the tax-exempt property, including both existing facilities and new construction, using standard appraisal methodologies that the Assessor deems most appropriate.

(5) PILOT Agreement. The Attorney's office in conjunction with the Finance Department shall draft the PILOT agreement between the City and Owner. If the Owner's tax exempt property contains multiple buildings or facilities and the Owner anticipates multiple alterations to the buildings or facilities, the agreement may take the form of a comprehensive agreement that applies to all buildings and facilities on the property. The provisions of a PILOT agreement may include but shall not be limited to the following:

- a. The parties agree that the City will provide the Owner's property with public services typically funded by the property tax, such as fire and police protection, street maintenance and street lighting.
- b. The Owner of the tax exempt property understands that it may still be subject to special assessments, special charges, special taxes or fees charged by the City pursuant to the City's statutory authority.
- c. The Owner agrees to pay an annual PILOT for the tax-exempt property. The method of calculating the PILOT shall be specified, as shall the technique for annually adjusting the PILOT for inflation.
- d. The Owner shall pay the entire PILOT on or before January 31 of the year following the tax year for which the PILOT was calculated. Alternatively the Owner may pay 1/2 of the PILOT on or before January 31st with the other 1/2 being paid on or before July 31st.
- e. The City may use the PILOT revenues for purposes it deems appropriate. The Finance Director shall treat all PILOT payments as general fund revenues and account for them specifically in the General Property Taxes category.
- f. The City reserves the right to grant or deny the Owner's application for tax-exempt status, pursuant to § 70.11, Wis. Stats. If the City grants tax-exempt status, the City may review, reconsider and, if necessary, altar that tax-exempt status each January. If part or all of the property does not qualify for tax-exempt status, the impact on the PILOT shall be specified.
- g. The agreement shall be considered void from the date of its execution if the Owner does not become the holder of legal title to the property by December 31 of the tax year or if the Assessor determines that the property is no longer tax exempt.

- (d) **Execution.** The PILOT shall be executed when the Owner of the tax-exempt property, the Mayor, the Clerk and the City Attorney have signed the Agreement.
- (e) **Awareness.** The Planning Department along with the Assessor shall develop, implement and continuously maintain a campaign to create awareness of the fair share payment in lieu of taxes program among property owners requesting exemption and current owners of tax exempt properties.
- (f) **Impact.** Whether or not an Owner has entered into a PILOT shall not have an effect on the property's tax exempt status.
- (g) **When Required.** A PILOT agreement shall be a voluntary agreement except in all instances in which the City can legally require a PILOT, for example a conditional use permit, development agreement or other similar agreement or condition.