

**Plan Commission
of the City of Onalaska**
Tuesday, March 23, 2021
1

1 The Meeting of the Plan Commission of the City of Onalaska was called to order at 7:00 p.m. on
2 Tuesday, March 23, 2021. It was noted that the meeting had been announced and a notice posted
3 at City Hall.

4
5 Roll call was taken, with the following members present (either in person or virtually): Mayor
6 Kim Smith, Ald. Tom Smith, City Engineer Jarrod Holter, Jan Brock, Amber Pfaff, Skip Temte,
7 Craig Breitsprecher

8
9 Also Present (either in person or remotely): City Administrator Eric Rindfleisch, Planning
10 Manager Katie Aspenson, City Attorney Amanda Jackson, Fire Chief Troy Gudie, Deputy City
11 Clerk Stacy Wilk, Ald. Diane Wulf, Ald. Cari Burmaster, Ald. Steven Nott, Ald. Dan Stevens,
12 City Code Enforcement Technician Peter McColl

13
14 **Item 2 – Approval of minutes from previous meeting (March 3, 2021 Special Plan**
15 **Commission meeting)**

16
17 Motion by Ald. T. Smith, second by Jarrod, to approve the minutes from the previous meeting as
18 printed and on file in the City Clerk’s Office.

19
20 On voice vote, motion carried.

21
22 **Item 3 – Public Input (limited to 3 minutes per individual)**

23
24 Mayor K. Smith called three times for anyone attending the meeting in person who wished to
25 provide public input.

26
27 Mayor K. Smith called for anyone viewing the meeting virtually who wished to provide public
28 input.

29
30 **Christopher Dyer, Attorney, Dyer Law Firm, LLC**
31 **200 Mason Street, Suite No. 1**
32 **Onalaska**

33
34 “I’m appearing here today with regard to Agenda Item No. 6. This is with reference to the DNC
35 Holdings, LLC proposal for a PUD. This is on Marcou Road. Earlier today, I emailed a letter to
36 the City Attorney and to the City Planner. In that letter, I referred to additional materials that
37 have been sent to the Plan Commission. These are the City Planner as well. Those were from
38 Chris La Shorne, who is an architect in La Crosse, Wisconsin. This was on behalf of Bijon
39 Jadali and Gabriella Dumitran, my clients who reside at 220 Marcou Road in Onalaska,
40 Wisconsin. The subject that is on the agenda this evening is with reference to their neighboring
41 property and a request by Roush to implement a PUD plan, which we were given notice of I
42 think very late, and we’ve had little opportunity to be able to take a look at it. But nonetheless,

Reviewed 03/29/2021 by Katie Aspenson

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43 we did for materials that we think set forth our opposition at this point to any determination with
44 regard to that application for a PUD approval. I don't know if anybody can signify whether or
45 not they've had an opportunity to review those materials. But nonetheless, at this point we're
46 asking that there be a deferment of any action on that proposition so that we have additional time
47 to be able to conduct research and study with regard to the impact that the proposed development
48 would have on the neighboring property of my clients, as well as the community in general and
49 the neighborhood on Marcou Road.

50

51 The issue is multifaceted, but it begins with what I think is a lack of notice that was provided to
52 my clients last year beginning with the rezoning property and what I think is probably a classic
53 case of spot zoning. And it folds over to today with the proposal that is put before this body to
54 approve, apparently the PUD. I think that what I set forth in my letter, [and] what Mr. La Shorne
55 has in his letter, should impress upon you that this would be too early to act upon that request,
56 [and] that there is an environmental and a direct impact on these neighbors that would result. I
57 know that this is three minutes, so I don't have a lot of time. But I'm asking that you take a look
58 at our letter and that you defer this decision to a later date so that we have an opportunity to put
59 additional data in front of this committee so that we can make more reasoned decisions in this
60 regard."

61

62 Mayor K. Smith called for anyone else who wished to provide public input.

63

64 **Nick Roush, DNC Holdings, LLC**
65 **707 La Crosse Street, Office No. 102**
66 **La Crosse**

67

68 "I guess a few things just to address and maybe assuage some of the concern here. First, to note,
69 as far as we know, all legal notice that was sent out with regard to the property was following all
70 of the normal state and local municipal guidelines with regard to public notice. It's required both
71 for the rezoning, which occurred before we owned the property, for the record, about six months
72 before we purchased it, and also with regard to our PUD request. All of those notices have gone
73 out on time so far as I know, and I'm sure that staff can speak to that when that time comes.
74 Additionally, what I would add is that the project that we're proposing is in alignment with the
75 surrounding properties in the neighborhood. Our plan there is to build a few single-family
76 homes, much like the neighbors it's surrounded with. And to the south there's actually a condo
77 development to the south of our property that immediately abuts us, so what we're proposing is
78 in alignment with that. The square footage of those homes will be somewhere around 3,000
79 square feet or so. We're still finalizing the final details because one of the homes is for my
80 parents. It's not a rental project. ... The project is all about single-family homes for my parents
81 and a couple of their friends. That's our intent with regard to that project. I think other concerns
82 will come up, and I've reviewed Mr. La Shorne's letter as well as Mr. Dyer's letter, and I
83 appreciate the concerns of our neighbors there. But I think we have great experience dealing
84 with challenging sites with our development experience in the past, and [we] should be able to be

85 good stewards and fulfilling this development and our vision for this development without any
86 problems.

87
88 Obviously construction challenges come up, and we've met those challenges many times and
89 risen to the occasion. I think we've got that under our control with our plan for that property. I
90 would imagine there will be more discussion that will come up when our item comes up, and we
91 can cover the additional things. But that's just sort of a brief overview of our plan for that
92 property and what's there."

93
94 **Steve Krogness**
95 **208 Marcou Road**
96 **Onalaska**

97
98 Steve identified himself as the La Crosse Country Club Homeowners Association President and
99 said, "I stand here in opposition to what [Nick Roush] has done. The thing I find interesting is
100 when this was zoned or rezoned, it was done by the city and I have no objection to that. But
101 what I object to is that the rules have changed. If we now want to petition the city to zone that,
102 to have it rezoned back to R-1, the owner, Mr. Roush, must sign off. On the initial letter, which
103 went to the owner, it was stated, 'All we need to do is notify you,' which is fine. But it's the
104 rules change I'm concerned about because if we go forward, I just want to go on record for you
105 to know that I'm disappointed in that rules change because it goes against precedent or past
106 history. Also, with response tagging on to the attorney, would you please answer the question as
107 to whether or not you have received his packet, and have you been able to review it."

108
109 Mayor K. Smith called three times for anyone else wishing to provide public input and closed
110 that portion of the meeting.

111

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

113

114 **Item 4 – Public Hearing: Approximately 7:00 P.M. (or immediately following Public Input)**
115 **to consider a rezoning request filed by Dale Jacobson of Space Matters, LLC, W4917**
116 **Battlestone Station Road, La Crosse, WI 54601 from B-2 (Community Business District) to**
117 **I-1 (Light Industrial District) to allow adjacent parcels to merge for a future commercial**
118 **development previously a portion of 810 2nd Avenue South, Onalaska, WI 54650**
119 **(Previously a Portion of Tax Parcel #18-956-1)**

120

121 1. Rezoning Fee of \$300.00 (PAID).

122

123 2. Prior to any construction activities, property owner to obtain and file a Certified Survey
124 Map (CSM) with La Crosse County Register of Deeds to accurately record dimensions
125 and areas of Tax Parcel #18-951-7 and the portion of Tax Parcel #18-956- 1 acquired.

126

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- 127 3. Prior to any construction activities and obtaining a Building Permit, property owner to
128 work with La Crosse County to merge Tax Parcel #18-951- 7 and previous portion of Tax
129 Parcel #18-956-1 into a single parcel.
130
- 131 4. Adhere to Conditions of Approval for the variance granted by the Board of Zoning
132 Appeals Decision on December 21, 2020.
133
- 134 5. Utility connections to be approved as part of the Site Plan Permit.
135
- 136 6. If in the future the owner/developer creates Declaration of Covenants, Conditions and
137 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
138 of parking lots/private drives, the buildings including all common areas and green spaces,
139 stormwater management/easement areas, as well as any ownership or use restrictions for
140 the parcel/development; a copy shall be provided to the Planning Department and
141 recorded at the La Crosse County Register of Deeds. Any amendments to the
142 aforementioned document to be recorded at the La Crosse County Register of Deeds and
143 a copy provided to the Planning Department.
144
- 145 7. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
146 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
147 and improvements installed per approved plans prior to issuance of occupancy permits.
148
- 149 8. All conditions run with the land and are binding upon the original developer and all heirs,
150 successors and assigns. The sale or transfer of all or any portion of the property does not
151 relieve the original developer from payment of any fees imposed or from meeting any
152 other conditions.
153
- 154 9. Any omissions of any conditions not listed in committee minutes shall not release the
155 property owner/developer from abiding by the City's Unified Development Code
156 requirements.
157

158 Katie said the applicant intends to construct two to three structures, as well as other site
159 improvements, on Tax Parcel No. 18-951-7, and then utilize a portion of a property he recently
160 obtained that is currently zoned Community Business (B-2) for a retaining wall, green space, and
161 potentially signage. According to the staff report, the applicant will be required to complete the
162 following activities if the rezoning request is granted: merge the two parcels into a single parcel
163 and adhere to Board of Zoning Appeals Decision on December 21, 2020 Conditions of Approval.
164 A site plan included in commission members' packets shows the approved development, and the
165 property owner will be required to comply with the Unified Development Code (landscaping,
166 parking, green space requirements, setbacks, etc.) and obtain all required permits prior to
167 construction activities.
168

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169 There was no audio of the meeting for 45 seconds.

170

171 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
172 rezoning request.

173

174 Mayor K. Smith called three times for anyone wishing to speak in favor of the rezoning request
175 and closed that portion of the public hearing.

176

177 Mayor K. Smith called three times for anyone wishing to speak in opposition to the rezoning
178 request and closed the public hearing.

179

180 Motion by Ald. T. Smith, second by Craig, to approve with the nine stated conditions a rezoning
181 request filed by Dale Jacobson of Space Matters, LLC, W4917 Battlestone Station Road, La
182 Crosse, WI 54601 from B-2 (Community Business District) to I-1 (Light Industrial District) to
183 allow adjacent parcels to merge for a future commercial development previously a portion of 810
184 2nd Avenue South, Onalaska, WI 54650 (Previously a Portion of Tax Parcel #18-956-1).

185

186 Skip asked if this is at 810 2nd Avenue South, or at 810 2nd Avenue Southwest.

187

188 Katie said it is at 810 2nd Avenue Southwest, noting there had been a typographical error.

189

190 Katie told commission members she had spoken with the applicant earlier Tuesday, and the
191 applicant is requesting that Condition No. 2 be modified, if the Plan Commission is willing to do
192 so. Katie noted Condition No. 2 currently states, "*Prior to any construction activities, property
193 owner to obtain and file a Certified Survey Map (CSM) with La Crosse County Register of Deeds
194 to accurately record dimensions and areas of Tax Parcel #18-951-7 and the portion of Tax
195 Parcel #18-956- 1 acquired.*" Katie told commission members the applicant wishes to amend
196 the condition so that it states "*... file a Certified Survey Map with La Crosse County Register of
197 Deeds, or a Metes and Boundaries Survey, and file with La Crosse County Surveyor Office.*"
198 Katie said, "Both of those options will achieve what we're looking for this evening."

199

200 Ald. T. Smith asked Katie if he is to assume the city supports the applicant's request.

201

202 Katie told Ald. T. Smith it meets the city's zoning requirements.

203

204 Motion by Craig, second by Ald. T. Smith, to amend the previous motion and amend Condition
205 No. 2 to read in part as follows: "*Prior to any construction activities, property owner to obtain
206 and file a Certified Survey Map (CSM) with La Crosse County Register of Deeds, or a Metes and
207 Boundaries Survey, and file with La Crosse County Surveyor Office ...*"

208

209 Vote on the amendment:

210

211 On voice vote, motion carried.

212

213 Jan asked Katie if she knows what will be constructed on the parcel and said she does not like
214 speculative zoning.

215

216 Katie told Jan the purpose of this section is the owner has obtained additional land located
217 around the corner from Dairy Queen. Katie said, "They own all the way down and around the
218 corner, and city staff have worked with this developer. The purpose of this is no business is
219 going to be going on this portion of the parcel. It would be a retaining wall to improve visibility
220 at that corner, potentially assigned to serve the overall development. Also, they would have
221 potentially some parking to serve the development due to site constraints. They are not required
222 to inform us exactly what it is that they're going to do with that land. That development is
223 already proceeding provided they follow all of the potential uses listed in the Principal Use
224 Section of our UDC. They have to talk to staff before they occupy any building to ensure that
225 we have appropriate parking necessary for all of those uses. We do not know today, but we will
226 know before they begin any occupancy."

227

228 Vote on the original motion, as amended:

229

230 On voice vote, motion carried.

231

232 **Item 5 – Public Hearing: Approximately 7:10 PM (or immediately following the Public**
233 **Hearing at 7:00 P.M.) to consider a rezoning request filed by JET Building & Remodeling,**
234 **LLC, 14534 State 26, Brownsville, MN 55919 on behalf of Andy Begeman of Andy's Auto**
235 **Service, 641 2nd Avenue South, Onalaska, WI 54650 to rezone land from R-2 (Low-**
236 **Medium Density Residential District) to B-1 (Neighborhood Business District) to allow**
237 **adjacent parcels to merge and the construction of an accessory structure on a property**
238 **without an address in Onalaska, WI 54650 (Tax Parcel #18-1190-3)**

239

240 1. Rezoning Fee of \$300.00 (PAID).

241

242 2. A Green Fee of \$638.47 per acre x 0.050 acres = \$31.92 dollars to be paid to the City
243 prior to obtaining a Building Permit.

244

245 3. Prior to any construction activities, property owner to work with La Crosse County Land
246 Records to merge Tax Parcel #18-1468-0, #18 -1190-2, and #18-1190-3 into a single
247 parcel prior to obtaining a Building Permit.

248

249 4. Site Plan Permit is required for new development in advance of building permit
250 applications, including detailed architectural plans, landscape, drainage, erosion control,
251 fire accessibility and other required information/plans. Any future improvements to this
252 parcel may be subject to additional City permits (i.e., building permits).

- 253
254 5. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
255 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
256 and improvements installed per approved plans prior to issuance of occupancy permits.
257
258 6. All conditions run with the land and are binding upon the original developer and all heirs,
259 successors and assigns. The sale or transfer of all or any portion of the property does not
260 relieve the original developer from payment of any fees imposed or from meeting any
261 other conditions.
262
263 7. Any omissions of any conditions not listed in committee minutes shall not release the
264 property owner/developer from abiding by the City's Unified Development Code
265 requirements.
266

267 Katie said the applicant is looking to construct an accessory structure on Tax Parcel No. 18-
268 1190-3. Katie noted the Plan Commission recently had rezoned the small parcel of land, and she
269 said the applicant has obtained a small parcel of land just north of that that the city previously
270 owned (old, abandoned railroad right of way). The applicant wishes to put the ponding for his
271 new accessory structure on that property, and he will be required to merge all three of those
272 together. All three parcels must be zoned the same before they may be merged together. Katie
273 noted a conceptual site plan has been included in commission members' packets, and she said the
274 property owner will be required to obtain a Site Plan Permit, comply with the UDC, and obtain
275 all required permits prior to construction activities. There are seven conditions of approval tied
276 to this development.
277

278 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
279 rezoning request.
280

281 Mayor K. Smith called three times for anyone wishing to speak in favor of the rezoning request
282 and closed that portion of the public hearing.
283

284 Mayor K. Smith called three times for anyone wishing to speak in opposition to the rezoning
285 request and closed the public hearing.
286

287 Motion by Ald. T. Smith, second by Skip, to approve with the seven stated conditions a rezoning
288 request filed by JET Building & Remodeling, LLC, 14534 State 26, Brownsville, MN 55919 on
289 behalf of Andy Begeman of Andy's Auto Service, 641 2nd Avenue South, Onalaska, WI 54650
290 to rezone land from R-2 (Low-Medium Density Residential District) to B-1 (Neighborhood
291 Business District) to allow adjacent parcels to merge and the construction of an accessory
292 structure on a property without an address in Onalaska, WI 54650 (Tax Parcel #18-1190-3).
293

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294 Craig asked Katie if the proposed accessory structure is within the guidelines that the Plan
295 Commission had reestablished after they were changed by the Common Council some time ago.

296
297 Katie said yes.

298
299 Jan noted there is a retention pond and a mention of infiltration, and she asked if the pond would
300 hold standing water. Jan also asked if a fence is necessary if so, or if it is an infiltration system
301 like a rain garden.

302
303 Jarrod told Jan he would characterize the area as more of a rain garden-type infiltration area
304 where, with the soils that are considered in that area, the rainwater would infiltrate. Jarrod said
305 that would be the goal of the area, adding, "We're just trying to keep the runoff so it doesn't go
306 on the neighbor's property."

307
308 On voice vote, motion carried.

309
310 **Item 6 – Public Hearing: Approximately 7:20 PM (or immediately following the Public**
311 **Hearing at 7:10 P.M.) to consider a General Development Plan to create a Planned Unit**
312 **Development (PUD) application filed by Nicholas Roush of DNC Holdings, LLC, 707 La**
313 **Crosse Street, Ofc. 102, La Crosse, WI 54601 to allow a new residential development to**
314 **contain four (4) single family dwellings on a single parcel located at Marcou Road,**
315 **Onalaska, WI 54650 (Tax Parcel #18-3619-1)**

- 316
317 1. Planned Unit Development Fee for \$700.00 dollars (PAID).
318
319 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each buildable
320 unit. 4 total units * \$922.21/unit = \$3,688.84 dollars
321
322 3. Master Utility Plan to be reviewed and approved by the City Engineer. Plan to be
323 submitted as part of the Site Plan Permit.
324
325 4. Final driveway location to be submitted for approval by the City Engineer.
326
327 5. Master Grading and Stormwater Plans to be reviewed & approved by the City Engineer
328
329 6. Owner/developer to submit final, colored renderings of all four (4) sides of proposed
330 buildings noting architectural elevations with details and materials to be approved by the
331 Planning Department.
332
333 7. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
334 buffer surrounding the identified slopes. Building pads/residences/structures shall not
335 infringe upon these areas.
336

- 337 8. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI
338 application, permit, approval letter and associated data prior to construction to the
339 Engineering Department. A City Erosion Control Permit for greater than one (1) acre of
340 land disturbance is required before any earth moving activities occur. Permit to be
341 reviewed and approved a minimum of ten (10) days prior to construction activities.
342
- 343 9. Site Plan Permit is required for new development in advance of building permit
344 applications, including detailed architectural plans, landscape, drainage, erosion control,
345 fire accessibility and other required information/plans. Any future improvements to this
346 parcel may be subject to additional City permits (i.e., building permits).
347
- 348 10. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential
349 equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated
350 fee is \$730.00/REC.
351
- 352 11. Applicant shall submit the Condominium Plat in accordance with Chapter 703, Wis.
353 Stats. for approval by the Wisconsin Department of Administration. Applicant to provide
354 all associated documentation submitted the Department of Administration to the City of
355 Onalaska.
356
- 357 12. If in the future the owner/developer creates Declaration of Covenants, Conditions and
358 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
359 of parking lots/private drives, the buildings including all common areas and green spaces,
360 stormwater management/easement areas, as well as any ownership or use restrictions for
361 the parcel/development; a copy shall be provided to the Planning Department and
362 recorded at the La Crosse County Register of Deeds. Any amendments to the
363 aforementioned document to be recorded at the La Crosse County Register of Deeds and
364 a copy provided to the Planning Department.
365
- 366 13. Final Implementation Plan to be submitted for review and approval prior to any
367 development activities.
368
- 369 14. Owner/developer to be aware that City water system provides service to elevation 930';
370 meeting Wisconsin DNR minimum pressure requirements. Owner/developer to be aware
371 Wisconsin DNR minimum water pressure supplied at a main is 35 psi, which occurs at
372 elevation 930' in the City of Onalaska High Service Zone. Water pressure for owner
373 satisfaction in a typical residential home is higher than the Wisconsin DNR minimum.
374 Owner/developer is required to inform all buyers of water pressures within the
375 development.
376
- 377 15. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
378 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
379 and improvements installed per approved plans prior to issuance of occupancy permits.

380
381 16. All conditions run with the land and are binding upon the original developer and all heirs,
382 successors and assigns. The sale or transfer of all or any portion of the property does not
383 relieve the original developer from payment of any fees imposed or from meeting any
384 other conditions.

385
386 17. Any omissions of any conditions not listed in committee minutes shall not release the
387 property owner/developer from abiding by the City's Unified Development Code
388 requirements.

389
390 Katie said this PUD request is intended to define special site setbacks, architectural
391 specifications, and screening for the development of Tax Parcel No. 18-3619-1 on Marcou Road.
392 The developer intends to construct up to four owner-occupied single-family homes to be
393 subdivided via a condominium plat. The shape of the parcel as well as existing vegetation and
394 topography inhibit close adherence to UDC setback, architectural, and vegetation requirements.
395 Katie noted commission members have in their packets a cover letter from the developer that
396 describes the project; maps of the site showing utilities, grading and drainage, and landscaping in
397 the site plan as well as architectural plans.

398
399 Katie shared with commission members the developer's requests to deviate from the UDC:

- 400
- 401 • **Yard setbacks:** The applicant requests that UDC Section 13.02.25-1 requiring a
402 minimum of 25 feet and maximum of 40 feet setback for Medium Density Residential
403 (R-3) Districts be waived. Due to the parcel shape and limitations on driveway
404 construction the homes in front may be closer than 25 feet by approximately 3 feet, and
405 the homes in the rear are proposed at approximately 192 feet from Marcou Road. A
406 driveway will go between the four homes, and it would serve all four structures. The
407 applicant also requests that UDC Section 13.02.25.B requiring that driveways follow
408 setback rules be waived. Driveways will need to be closer than 10 feet to property line to
409 accommodate home development. Katie said city staff are in support of these requests
410 due to the aforementioned stipulated reasons. Katie also said city staff recommends a
411 minimum 3- foot setback for driveways from an abutting property to be consistent with
412 driveway setbacks in the R-1 & R-2 Districts.
 - 413 • **Architecture:** The applicant requests that Unified Development Code Section
414 13.02.51.B.3 requiring 12-percent transparency for side facades be waived. The
415 applicant wishes to maintain privacy between homeowners, but will attempt to meet the
416 requirement, if possible, within the constraints of the homeowners' desires. The
417 applicant provided a standard architectural design for consideration by the Plan
418 Commission. All proposed residences will have similar architectural features. Katie said
419 city staff supports this request, as typically this applies requirement more so in row
420 housing/smaller apartments. In this case, the applicant is proposing four detached single-
421 family dwellings.

- **Landscaping:** The applicant requests that Unified Development Code Section 13.03.51.B requiring screening alongside rear property boundaries abutting residential uses be waived. Applicant intends to save natural vegetation during construction and will provide appropriate landscaping around homes in keeping with the aesthetic of the surrounding neighborhood. Per the staff report, city staff supports this request. The northern dwellings are approximately 165 feet setback from the northeastern adjacent property, and some 30 percent are located along the property line which are not to be disturbed outside of driveway installation. The southern dwellings are approximately 32 feet from the southwestern property. Included in commission members' packets is a detailed Conceptual Landscape Plan showing both tree preservation efforts and the installation of approximately 17 new trees and general site landscaping.

There was no audio of the meeting for one minute.

Katie noted there are 17 conditions of approval tied to this development.

Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of a General Development Plan to create a Planned Unit Development.

Nick Roush, DNC Holdings, LLC
707 La Crosse Street, Office No. 102
La Crosse

“Thank you, everybody, for listening to me tonight. Let me first say that I completely understand Mr. Jadali’s concern. It’s always challenging when change happens, especially on a neighboring parcel. Having a lot of development experience myself, I know that people get very used to large, undeveloped parcels next to their own being that way for many, many years. And when that time for change comes, it’s hard and I completely understand that. That said, as I said before, our intent that was sort of hinted to in some of these letters was about building rentals. We are not building rentals. We are building four single-family homes, just to be clear on that. There was also a lot of concern about code considerations and adhering to code, code compliance, and all those sorts of things. I’m sort of restating the obvious, but I do know that the head of Planning, Katie Aspenson, and [the head of] Engineering, Jarrod Holter, are both eminently qualified to review those code compliance ...”

Nick Roush’s comments could not be heard for 1 minute, 25 seconds as there was no audio.

Nick’s comments resumed with the following: “ ... challenging sites, large slopes, stormwater retention, snow retention – all of these things – because we have a lot of experience and a great staff of people we work with on those site plan designs to be able to accommodate for those needs. As I mentioned earlier, the zoning of the property to R-3 occurred well before we purchased the property. We bought the property with the best of intentions because of the

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464 existing zoning. With regard to architectural requirements, we met with the architectural
465 approval committee that holds covenant over that entire development that surrounds the La
466 Crosse Country Club to gain their conceptual approval of the site and what we wanted to do
467 before the purchase of the property. We reviewed that with their architectural approval
468 committee, which is why some of this is a little bit of a surprise to me in that we communicated
469 with those folks.

470

471 The last piece I have, because obviously it's difficult to read minds and know what folks are
472 going to say, I would really appreciate an opportunity to speak after arguments against so that I
473 might have a chance to address any of those concerns for the sake of the commission and
474 everybody involved. Thank you so much, and I hope you vote in favor tonight.”

475

476 Mayor K. Smith called three times for anyone else wishing to speak in favor of a General
477 Development Plan to create a Planned Unit Development and closed that portion of the public
478 hearing.

479

480 Mayor K. Smith called for anyone wishing to speak in opposition to a General Development Plan
481 to create a Planned Unit Development.

482

483 **Pam Krogness**
484 **208 Marcou Road**
485 **Onalaska**

486

487 “I’m the Treasurer of the [La Crosse] Country Club Condos Homeowners Association. I’m here
488 to address the Plan Commission concerning the application for the development by Nicholas
489 Roush. This parcel of land was originally listed as Single Residential Environmental Sensitive
490 Land, and unbeknownst to us changed to R-3 Multiple Residences, with the developer asking for
491 multiple variances to fit four single homes on this land. I find it incredibly curious that the
492 rezoning of Marcou Road Lot 1 was approved without any of us who live within 250 feet getting
493 any notice from the city. Nicholas Roush has not been a responsible or a conscientious owner of
494 the lot since owning it. He does not keep the grass on the hill cut to the required height, and he
495 does not keep the sidewalks clear of snow in the winter. Neighbors have fallen, had to walk in
496 the street, and have had to call the city roads department several times this winter and last to get
497 his sidewalks cleared. I have personally called at least three times this winter, and I personally
498 know another resident who has called. The person at the roads department told me I wasn’t the
499 only one who has called. This is an ongoing issue.

500

501 In February we got over 5 inches of snow on February 4. [On] February 11 [we received]
502 another half-inch. [On] February 13 [we received] another half-inch, and then 4 more inches on
503 February 21 for a total of 10 inches which were not plowed. If you recall, the temperature was
504 very cold. By not plowing the snow on the sidewalk, it got very deep, then frozen and turned
505 into a complete, dangerous mess. The roads department generously gave him four days to get it

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506 cleaned up. I don't know why he was given four days when the rest of us have 24 hours.
507 Toward the end of the fourth day it was plowed, but you should have seen it. It was not done
508 very well. I don't know if he took a truck up there or what on the sidewalk, but the grass was
509 torn up and there were big scrapes in the concrete sidewalk. I wish I could say this is an isolated
510 event, but it isn't. I shudder to think how he will take care of the driveway and maintain his
511 properties when he can't even keep the sidewalk clear. There is no one in the neighborhood
512 where you will ever see this issue.

513
514 The driveway he's planning has a northern exposure, meaning the ice will not melt easily. And
515 with the proposed degree of the grade to the drive, cars will not be able to stop and will slide
516 onto Marcou Road. This developer is asking for multiple variances that absolutely should not be
517 approved. I am asking you not to approve his proposal. Be suspect of his wording in the
518 proposal, and I quote: *'will attempt to meet the requirements, if possible.'* He says his proposal
519 will, and I quote: *'benefit the neighborhood and the City of Onalaska.'* Contrary to his claim
520 that he will benefit the neighborhood, I maintain that he has been a poor steward of what he calls
521 *'this beautiful existing topography and vegetation.'* In fact, I contend he has proven himself to
522 be an irresponsible and arrogant landowner who consistently thumbs his nose at current basic
523 city ordinances like shoveling. But then he comes with his hat in his hand tonight asking for
524 variances to a parcel. If the land could support four houses, he wouldn't need to ask for
525 variances. It is apparent using any common sense this property, because of its unique shape,
526 should always have maintained the R-1 zoning. How he will maintain four residences and a long
527 driveway when he doesn't follow guidelines to clear city sidewalks is my question. Please say
528 'no' to this proposal. I thank you for your time, and I appreciate your thoughtful consideration."
529

530 **Mike Baroni, President of the La Crosse Country Club Board of Directors**
531 **300 Marcou Road**
532 **Onalaska**

533
534 "I've never been to one of these. It's rather fascinating. What's going on tonight kind of
535 reminds me of trying to fit a square peg in a round hole. If somebody needs so many variances
536 ... One of the things I certainly would like to ask Mr. Roush is who he spoke to at the Country
537 Club. I've been on the board for the last six years. I've been president for the last four, and we
538 do not have anything like an architectural committee. There's no way in hell he spoke to an
539 architectural committee at the La Crosse Country Club. We oppose this strongly for two
540 reasons. He addressed the driveway; that's our first reason. We think it's extremely unsafe.
541 There's a curve there. There's a lot of traffic coming in and out. The club has two driveways.
542 They come out onto Marcou Road right there. We have a lot of traffic from just normal
543 members coming and going. We host a tremendous number of outside events. We could have
544 200, 300, even 400 people there at a given time at an event, and all of them will be coming out
545 those two driveways. To add another driveway into that mix with the other cars coming back
546 and forth in that to me is dangerous. I don't know this for certain, but I know that when the
547 condos were developed on Marcou Road, they had proposed a driveway onto that part of the

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548 street and they weren't allowed. They had to put it on the other side. I think that was very smart.
549 We think it poses a very, very dangerous situation to put another driveway there. There are four
550 houses, [and] I heard there are three-car garages. That could be 12 cars trying to come in and
551 out, down a slope, blind. Regardless of what he says, it is hard to see around that corner, and
552 then maybe [there are] hundreds of cars coming out of our facility. It's very dangerous.

553
554 Second, the La Crosse Country Club paid about \$125,000 in real estate taxes last year. Take the
555 four houses that he intends to put up there, and maybe they'll be assessed at \$4,000 a year in
556 taxes. That's \$20,000. It doesn't take much of a reduction in the value of our property, and all
557 the properties in the valley, to make up for that. I think it's very short-sighted to think you're
558 going to gain anything. The reason that Emerald Valley has such high property values is because
559 it is absolutely gorgeous. The scenery, the bluffs, the hills, the houses, the landscaping around
560 the houses, [and] the fact the houses are set apart from each other makes it the highest real estate
561 in the entire county. And it's a huge part of your tax base. Sticking four houses [and] cramming
562 them in right in the front as you enter the valley, as you make that turn ... that valley opens up,
563 and that's the view of it. Instead, they're going to be coming in and now they're going to see
564 these four houses crammed on the side of the hill while they're dodging traffic trying to get in
565 and out. It would take a minute drop in real estate values in that area to put the county, the city,
566 and the residents in the hole. I really believe, and the Country Club believes, that if this goes
567 through there are four losers and one winner. The four losers are the Country Club, the residents
568 of the valley, the City of La Crosse, and La Crosse County. The winner is Mr. Roush. We
569 oppose it very strongly. Thank you."

570

571 **Tom Krajewski**
572 **214 Marcou Road**
573 **Onalaska**

574

575 "I want to begin by thanking each of you for your public service. I worked in governmental
576 affairs for a number of years, and I know how important that is, so thank you. I wasn't born
577 here, but my family moved to Onalaska when I was three years old. I was growing up on what
578 was not Schnick Drive. There was no Schnick Drive when I grew up there. I never thought that
579 I would be standing before this body tonight, but here I am. We have lived at 214 Marcou Road
580 for about five years. The property where the developer proposes to build is less than 150 feet
581 from our condo. We enjoy the nature that abounds in the area. We're concerned that this may
582 well disrupt the balance of that nature. As I was leaving home tonight to come here, four deer on
583 the hillside ... Will they be there when this project is done? Let me begin on a positive note. I
584 like the number of rain gardens that are proposed for the site. But a half-dozen rain gardens will
585 not cure the problems with this site. We always expected a family would build a home on that
586 property. We never expected that four homes would go on that site. The site has so many
587 constraints. Normally you would think 2½ acres [would be] plenty of room for four houses. Not
588 this site. The developer proposes to shoehorn four houses into a site that perhaps could support
589 one or perhaps two homes.

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590
591 And we're not talking just four homes; we're talking big homes. Two houses proposed appear to
592 have four bedrooms, a rec room, an office, and three-car garages. There are two more buildings
593 indicated on the plan, but those buildings are so small compared to the other ones. Are they
594 going to grow? And if they grow, are they going to fit on that lot? The developer is asking for a
595 number of exemptions – so many that you have to wonder about the quality of the entire project.
596 Excuse me, but as a result of these exceptions, the project has an air about it. I hope we have
597 zoning rules for a reason. The rules should not be tossed aside when a developer comes along.
598 Earlier, I spoke about the constraints of the site. Allow me to quote from the staff report on this
599 proposal: *'The shape of the parcel, as well as the existing vegetation and topography, inhibit*
600 *close adherence to the Unified Development Code setback architectural and vegetation*
601 *requirements.'* I do not want close adherence to the code; I want adherence to the code. As I
602 understand the code, you can do anything you want as long as it is within the code. Is the code
603 wrong? Perhaps we should change the code rather than violating it.
604

605 Think about this: Why has this property not been developed in the last 20 to 30 years? Is it
606 because it's not suited for development? Is it because it's environmentally sensitive? It certainly
607 is. If you've not had the opportunity to visit the site, I would urge you to do that before moving
608 forward with this project and ultimately oppose the project. Thank you."
609

610 **Kazi Rayhan**
611 **504 Pine Valley Court**
612 **Onalaska**
613

614 "I'll basically make similar statements as the other people have made here. Basically, allowing
615 four homes on that small piece of that awkwardly shaped land is actually sort of dangerous. I
616 myself had a traffic accident on that curve about two years ago. During the winter months it's a
617 very dangerous curve. If you haven't been there, you should go there and see for yourself that it
618 is a dangerous curve. Again, to reemphasize, if the builder wants to build one or two homes,
619 even that would create problems in terms of safety. Four [homes] is just going to be dangerous.
620 I'm not an engineer or an architect or anything, but it's just probably common sense. Another
621 thing is that valley is very beautiful. Having four single dwellings is not consistent with all the
622 other homes in the neighborhood. That probably will actually affect the property price
623 eventually. When we went and bought land and built homes there, we built according to the
624 existing rules and regulations. Allowing a builder to change rules and allowing exemptions is
625 just probably not in the best interest of the neighborhood."
626

627 **Tuenis Zondag**
628 **204 Marcou Road**
629 **Onalaska**
630

631 "I'm one of the owners of one of the condominiums that are there. I'm the unofficial person that
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632 takes care of a lot of that property when we have damage to it. As I walk past that property, I
633 think of all the problems I'm having with dealing with the parts of the property on our
634 condominium that have these sloping hills and having trouble with, number one, getting it
635 mowed; number two, maintaining the grass on it; and number three, when you take a lot of the
636 trees away, we have to start putting more trees in. There's a lot of trees and scrub on that soil
637 there. But when you start putting multiple units in there, you break up the makeup of that soil
638 texture, and underneath it is more stone as far as I can tell from what I deal with. I know that
639 we've had to have some special ways the water has to be handled at our condominium. We've
640 had trouble, and I've had to deal with it in the fact that when the water comes down off the hill,
641 we have a system that goes underneath the ground and comes out at more street level in order to
642 handle that water as opposed to water running down over the side of the hill and washing away.
643 We've had trouble one time with moles and it ruined the grass, and we had about half of that hill
644 sluff off. It took me six months to regain the soil. That meant you had to be there every day and
645 water and take care of it. I'm not sure if the individual who is going to develop this is going to
646 have the same care that I have because I own part of it, so consequently I'm there taking care of
647 it.

648
649 I'm concerned when ... I try to walk there – and I do walk there twice a week – the care that was
650 given to that property, at least with the ice that I had to contend with and the water because it
651 wasn't maintained was something that said to me I'm not sure that the individual that's going to
652 take care of this and a piece of property that is much more hilly than the parts that I have to deal
653 with is really going to be able to put four structures in there and be able to maintain the
654 topography without it ruining it. That's my concern about this based upon my having to take
655 care of the property that we have at the present time.”

656
657 **Steve Krogness**
658 **208 Marcou Road**
659 **Onalaska**

660
661 “I am thrilled to be here. I've never done one of these things, and that shows how important I
662 believe this is. ... I happen to be the President of the Homeowners Association, of which Dr.
663 Tuenis is on, [as are] Pamela Krogness ... and Tom Krajewski. To [Aldersperson] Steve Nott, I
664 apologize. I did send you the information on an email, but I got a bounce-back saying I needed
665 to contact the Administrator. Apparently, my email did not reach you via your firewall. I'd like
666 to start out by saying number one, I take exception to what Mr. Roush said about homeowners. I
667 don't have to be right; I just have to make the developer look bad. I think that is poor play. And
668 again, Mr. Roush is asking to change the rules. He wants to rebut this. When are his concerns
669 going to follow the rules? I find that really, really interesting, and if that is approved and
670 allowed, I represent a contingency here, and I would like the contingency to rebut his comments.
671 We can keep this and maintain a debate, or we can stick to the rules that govern the protocol that
672 has been established.

673

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17

674 Now, getting to my true notes, I want to thank you again. As you know, I'm here in opposition
675 to the PUD. One of my concerns has been brought up, but it's the various elevations that are on
676 this property. Real estate is about location, location, location. But in this case, it's density,
677 density, density, and there is too much density on this plot. I ask the question – and it's not a
678 rhetorical question – with this 2.5, it's actually 2.1 acres, how much of that property is actually
679 buildable? The attorney that spoke has submitted a packet that has an architectural who is an
680 expert who would not make the 'I don't have to be right; I just have to make him look bad'
681 scenario. I think there's a lot of expertise that is here tonight and has had some communication.
682 Aside from that, I am very concerned about the ecosystem and the impact of what he wants to
683 do. If we boil this down to a nutshell, the tipping point here is where he can put a driveway.
684 There is a lot of opposition to where that driveway goes.

685
686 He talks about the history of him being a good developer. I contend that he is a poor landowner.
687 It's been mentioned that he only clears the snow when the pressure becomes so intense that he
688 has to, and then he does it in a cavalier way. Again, he does not pay attention to the rules that
689 the rest of the community do play. I don't understand this. Also, he keeps that grass very, very,
690 very tall. He doesn't afford the same compliance that everybody else does. But getting back to
691 this driveway and the snow removal on the sidewalk, I would like to tell you as a resident I see
692 how many people use this sidewalk. What I see are the elderly. What I see are families with
693 young children. What I see are people who are walking their dogs responsibly, and I see the
694 middle-aged. When we take a look at what he's done by not removing the snow, I have tripped,
695 I have sprained my ankle, and I have almost fallen. His use of his property is inappropriate. He
696 talks about intention. You and I know when you stick a shovel in the ground, [it's] Katie bar the
697 door [and] intention out the window. I can have the best intentions, but I believe based on his
698 history, he's going to take the path of least resistance. That will throw all of his intentions out
699 the window.

700
701 I realize that the notice was sent by Katie, and I believe it was postmarked the 10th. I received it
702 last week. I know you are not responsible for the mail. But why should I be penalized by the
703 U.S. Mail? What I'm asking for is for you to vote this down, but at the very least – at the very
704 least – table this decision. There are a lot of things that are ... This is an onion. Let's unpeel it
705 together. And again, I ask if you grant Mr. Roush the idea that he can change the rules of this
706 meeting, that you allow me to change the rules and rebut what he says because remember, I don't
707 have to be right, I just have to make him look wrong. And I say that facetiously. We are right.
708 Thank you.”

709
710 **Barbara Loomis**
711 **404 Country Club Lane**
712 **Onalaska**

713
714 “I wasn't going to speak tonight, but I feel a need to. I stood before this committee when the
715 Country Club Condos were going to go up. I was 100 percent for it because the developer had

716 always had beautiful properties and took good care of his properties. And I felt it would be an
717 asset when people came into Emerald Valley that they see something that would be beautiful and
718 increase the value. Five years ago, I contacted a developer, and I said, 'I'm looking at this
719 property' – the property we're speaking about tonight. I thought, 'I live in the condos.' Condo
720 life wasn't for me. I needed a big house. I wanted to have parties. I wanted to entertain. I
721 looked at this piece of property, the parcel we're talking about tonight. I contacted a developer
722 who has developed all through Onalaska. You know his name: Dave Evenson. He's built more
723 houses; probably thousands right now in the numbers. So I have him come over and look at the
724 property, and I [said], 'What do you think?' This man, he gave me an honest opinion. He said,
725 'I wouldn't develop that for you to begin with.' He said, 'You have to look at everything about
726 this piece of property. It's not a good piece of property to put a home on. Why do you want
727 this?' I [answered], 'I don't know. What do I know? I'm not a developer. I don't know
728 anything about developing the land to put a proper home on it, let alone four.' So I took his
729 advice. He knows what's going on. He's a developer. He knew what was involved in putting a
730 home up on that hill. And if you haven't seen it, you'd better go look at it.

731
732 I don't begrudge the man for wanting to put up a home, or four homes. What I'm concerned
733 about is I do walk my dog there because I live in the valley. When I walk a dog and I have to
734 have a dog walk in 3 feet of weeds because it hasn't been properly taken care of, and then I walk
735 by those condos and the condo grass is nice and cut, I ask myself, 'Who owns this property?' I
736 knew the woman who did it was Pam Barge. She always took care of it; why is this person not
737 taking care of this property? The 'For Sale' sign was gone. I get upset thinking, 'I have to take
738 care of my property. I'm paying a tremendous amount in taxes, but yet we don't take care of this
739 property.' What's going on? And I'm going to repeat what Pam said about the snow removal.
740 Yeah, I called City Hall because I get a letter from City Hall if I don't shovel my sidewalk within
741 24 hours. I'm sloshing through all this ice and snow, and I'm thinking whoever this person is,
742 they need to be notified. They need to get letters. The City of La Crosse, I think you get 24
743 hours and then they'll come and clean it off for you and give you a bill. So good, bad, or
744 otherwise, the gentleman does not take care of his property like I think a person should. If
745 you're going to own it, you've got to pay to have it taken care of. I'm concerned that a house
746 would go in there. I think the driveway is a hazard, and that's what Evenson told me about
747 building a house there. The driveway is a hazard for anybody coming and going, [and] people
748 walking. I just had to voice my opinion."

749
750 The meeting was briefly paused to address technical difficulties.

751
752 **Christopher Dyer, Attorney, Dyer Law Firm, LLC**
753 **200 Mason Street, Suite No. 1**
754 **Onalaska**

755
756 "I wanted to note for the record that I was unable to hear several minutes of Mr. Roush's
757 statement. And there were other portions of the proceedings this evening that I was unable to

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758 hear as it was cutting out. But one of things I did hear Mr. Roush say was that perhaps my
759 clients, Mr. Jadali and Ms. Dumitran, perhaps don't like change, and they're opposed to this
760 because they prefer to have a vacant lot next to them. That is completely untrue and somewhat
761 ironic because back in 2018 Mr. Jadali did approach the City Planner about the possibility of
762 erecting two homes on the property adjacent to his home in order to house his two sisters. He
763 was assured that this was not going to happen because it was in fact zoned R-1, and he was
764 essentially dissuaded from any further discussion about going forward with anything like that.
765 Further, in talking with Mr. Jadali, I know that he would in fact welcome Mr. Roush if this were
766 a situation where he were actually trying to make his family home next door. But it's not that,
767 and it's quite different from that. I agree with the statements from some of the others that this is
768 sort of tantamount to putting a square peg into a round hole and trying to force this thing into an
769 incompatible location.

770
771 The property, as I understand it, was for sale for quite a long time. The imposition to selling it
772 when it was zoned as R-1 was the cost of ____ to a driveway. If you have an occasion to look at
773 the property, you'll understand why. It's very highly elevated. As mentioned, there are some
774 very steep areas to the property that make it very difficult to develop. Mr. Roush, I guess his
775 message to this board is that, 'You know my work. Trust me.' We've heard from others who
776 don't share the ... who have had some experience with the history and the way he has cared for
777 the property to date _____. [I heard] some very passionate statements, and I think that if
778 nothing else is impressed upon you that this is not a popular idea that is being proposed here. I
779 agree that I think this is a weird lot. It's a triangular-shaped lot. It's a strange mechanism before
780 this body to call it a PUD which, to my knowledge, is just a different undertaking altogether than
781 what we're talking about here with less than 2½ acres of property and four single-family homes.
782 The fact is that Mr. Jadali and his wife are not opposed to change. They are opposed to the type
783 of change that is being proposed here by Mr. Roush. This is his LLC. This isn't Mr. Roush's
784 family home from what we can tell. And it is not, from what I can also tell from our architect
785 Chris La Shorne's documentation, an at all typical situation. Obviously that's the case since he
786 is before this body basically asking for several variances to make this happen.

787
788 The problem that I see right now, there was one potential rendition of what one of the properties
789 would look like, and I think that was designated as the Roush family home. There are one-
790 dimensional maps and things of that nature that have been provided to this body to inspect to try
791 to make a decision going forward. But we don't really have any ability to visually conceptualize
792 how this is going to look from ground level. There isn't anything that's been put in place that
793 will designate the footprint of this development that would allow, for example, Mr. La Shorne to
794 put this into some sort of rendering to have a better appreciation for what it's going to look like.
795 From what I can tell – this is with very little time to respond – this is something that is not in
796 concert with the neighborhood. It is something that is not in concert environmentally, and it is
797 something that is unwelcomed. I think that's pretty obvious at this point. It's not a good fit.
798 We'd like to just sort of take Mr. Roush at his word: Trust me, you know my work. We don't.
799 And those that do don't have as much confidence. And at this point what I will suggest in

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800 request would be that this be deferred, [and] that we have additional opportunity to investigate
801 this to provide this body with additional data to make a reasoned and careful response to this
802 request, which does, to me, seem out of place and incompatible, generally speaking.”

803

804 **Chris La Shorne**
805 **425 28th Street South**
806 **La Crosse**

807

808 “I’m an architect working with Mr. Jadali reviewing his concerns. I put a list together that I
809 submitted, along with Mr. Jadali and his lawyer. I think out of the 13 concerns we have, I want
810 to highlight three of them. The first one would be the stormwater concerns from this property. I
811 understand that there’s rain gardens and there’s probably stormwater collection. But
812 understanding the amount of roof that’s going to be added as opposed to a single-family house
813 where you would have one roof and maybe 2,500 square feet and a driveway running up to
814 potentially a three- or four-car garage – it doesn’t really matter. But in this case, there are four
815 separate dwellings [and] driveways that you have to connect all of them to a driveway that runs
816 down to the street. That’s a considerable amount of hard surfaces to this property that right now
817 is obviously unoccupied and has grass and trees already on it. That retains the water, and it
818 probably has less impact on what adds up in Marcou Road or the stormwater collection there.
819 With this, I could see very easily, without doing calculations, I think I’d probably defer to a
820 landscape architect to help me with determining the actual amount of water in a 100-year
821 rainstorm is what we would determine most stormwater problems with. It would be easy for me
822 to visualize the stormwater system being overwhelmed at this spot. It’s either a road on the
823 property, or it will overwhelm the street.

824

825 I’ll move along to the next concern, which would be the driveway as it goes up to these four new
826 dwellings and it runs along the north property line adjacent to Mr. Jadali. Along that property
827 line, on Mr. Jadali’s side of it, is a series of probably of I think eight to 10 trees. They are very
828 mature trees that are well over 20 years old; they may be 30 or 40 years old. A couple of them
829 are walnut trees. The majority of them are maple trees. They’re within at least 10 feet ... I think
830 I submitted a photograph, if the aldermen can take a look at that. There are two photographs:
831 One that shows the trees, and another one that shows where the telephone pole is so you get at
832 least some kind of reference where the property line is in relation to the trees. It would be very
833 tough to put that driveway in its location and not compact the soil and impact the trees and their
834 life expectancy severely. I think Mr. Jadali had a landscape architect submit a letter. In my
835 experience with trying to save trees on properties, it’s very difficult once you start compacting
836 the roots or disturbing the roots, which this would do because the roots run out well beyond the
837 trunk of the tree. They run to what we generally consider the dripline, which would be the outer
838 boundaries of the leaf system. Those roots would be damaged, and if half the tree dies it may
839 take a period of five to 10 years for the tree to be at a point where it needs to be removed. It
840 would take a considerable amount of time to replace those trees and the age of them to
841 particularly help with the screening of Mr. Jadali’s residence from something like this.

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842
843 The third thing I wanted to point out is the request to reduce the setback from 40 feet to 25 feet.
844 It just strikes me going past the property – and you can see it from the contoured map that was
845 supplied by Mr. Roush for this development – that from the sidewalk to what would be the rear
846 of these houses is going to be 25 feet. It’s going to rise, at least for the house that’s closest to the
847 north, it might be 8 feet to the walk-out floor level. But to the second residence to the south, that
848 rise might be 10 to 12 feet. Then you have a two-story house with two major gables on it. The
849 height of that would be ... The house approximately to the top of the gable might be 25 to 30
850 feet. Then you’ve got the rise to the ground that’s around 10 feet. And then maybe yes, maybe
851 no, it might be an aesthetic thing, I think it would be very difficult to plant trees and do any kind
852 of landscaping behind those houses. Let’s say the neighborhood would be satisfied if there were
853 potential to put landscaping up to hide and bring the scale down of the rear elevations of these
854 houses, where I think it would be very difficult. Planting trees on a 30-percent slope is nearly
855 impossible. Any other landscaping you might put in there could screen the lower part of the
856 houses, but not really of much significance, in my estimation.

857
858 Those were the three things beyond just the nature of the zoning changes and relationship of
859 duplexes versus single-family. It’s economics. When I see a piece of property that’s been for
860 sale for a long time, it usually boils down to price and willingness to bring the price to a point
861 where somebody becomes very interested because they can see how a single-family home might
862 work on that property financially. I have a hesitation in saying I would agree that because of the
863 economics of buying property that it’s appropriate to put four individual dwellings on it to justify
864 the economics the buying of the property. Those were my concerns that I’ve shared with Mr.
865 Jadali and his attorney. There are 11 other comments that we made that could be reviewed by
866 the aldermen. Thank you. I would be glad to answer any questions if there were.”

867
868 **Deborah Kramer**
869 **537 Fairway Creek Drive**
870 **Onalaska**

871
872 “Until Chris La Shorne spoke, it never occurred to me that our view of these homes would be the
873 back of the houses as we drove along Marcou Road. I for one am not interested in looking at the
874 back of anybody’s house. We have beautiful homes in Emerald Valley, and I’m just in shock
875 that we would have to look at the back of homes. This corner is such a blind corner that when I
876 go into the Country Club, even if I’m planning to go over to the eastern side of the parking lot or
877 the eastern parking lot, I use the western driveway because I’m afraid of that blind corner. I also
878 stood in this chamber years ago to oppose the sidewalk to nowhere, and it went in anyway, but
879 one of my oppositions was snow and ice removal that has come up tonight. I knew it would be a
880 problem. I would challenge Mr. Roush to build one lovely residential home that everybody else
881 in the valley would be proud and happy to look at, and happy for your success. But four homes?
882 That just won’t cut it. I counted 14 people in the chamber tonight who are in opposition to it.
883 There are many more people in Emerald Valley who are opposed to it, and that just doesn’t make

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884 good neighbors.”

885

886 Mayor K. Smith called three times for anyone else wishing to speak in opposition to a General
887 Development Plan to create a Planned Unit Development and closed the public hearing.

888

889 Motion by Ald. T. Smith, second by Skip, to defer to the April 27, 2021 Plan Commission
890 meeting consideration of a General Development Plan to create a Planned Unit Development
891 (PUD) application filed by Nicholas Roush of DNC Holdings, LLC, 707 La Crosse Street, Ofc.
892 102, La Crosse, WI 54601 to allow a new residential development to contain four (4) single
893 family dwellings on a single parcel located at Marcou Road, Onalaska, WI 54650 (Tax Parcel
894 #18-3619-1).

895

896 Ald. T. Smith said, “I’ve heard a lot here, and I’ve heard the phone ring all day. I do appreciate
897 everybody’s input – both the positive and the negative. There seems to be a lot of questions
898 [regarding] location – is that the best place for four places on one lot? That just concerns me.
899 Driving by it today, I have some concerns. The elevation, the density of four buildings and a
900 plan for one lot concerns me too. If I was a neighbor, I think I would be concerned. Also, the
901 driveway has come up a lot. I don’t know the answer, and I’m hoping that Mr. Roush can
902 continue to find a solution. We’ve had other situations where we’ve been able to work with the
903 neighbors, get together, and come up with a solution that could be a win-win for everybody. We
904 definitely don’t want to make decisions that are against what the citizens of Onalaska want. For
905 those kinds of things, my motion is that we delay it and give it some more time, as many people
906 said. Let’s sort this out. Let’s see if we can come up with a workable solution. From Mr.
907 Roush’s perspective, I understand and respect that. We’ve worked with him on other
908 developments and have come up with an opportunity to make it a solution for both sides. ...
909 Hopefully before [the April 27 Plan Commission meeting] there will be some dialogue and
910 discussion to come back with more answers and discussion and maybe options.”

911

912 City Administrator Rindfleisch noted that as part of Ald. T. Smith’s motion he had mentioned
913 things in terms of density and building height. City Administrator Rindfleisch referred to the
914 memo that had been presented and noted the development, as zoned, will meet all of the city’s
915 density, perimeter, lot area, and height requirements. City Administrator Rindfleisch said,
916 “Barring the four exemptions that the developer is asking for, and only the four exemptions,
917 which is really what is before the committee this evening, correct? The four exemptions that we
918 talk about ... The driveway is the one we’ve heard the most conversation about, the setbacks, the
919 transparency, and the trees. Outside of that, that development could occur. So as we look at
920 deferring for 30 days, keep in mind that’s the question at hand for the development. And the
921 question in front of the Plan Commission this evening [is regarding] those exceptions and only
922 those four exceptions.”

923

924 Skip said, “The question is asked, why hasn’t this been developed? Well, many years ago –
925 maybe 15 to 20 years ago – Mr. Dickinson came aboard to want to develop part of that land. At

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926 that time we had a turnout like we have tonight, and I heard many of the same things 15, 20 years
927 ago that I heard tonight. I think that scared developers away, and that's why there's been no
928 development of this for 15 to 20 years. Another person says, 'Why do we have to change things?
929 The rules are this way, and that's the way it should stay.' Well, if that's true, when I graduated
930 from high school, Onalaska stopped at 9th Street except for development out Main Street to the
931 cemetery. All this land where these people live was agriculture. No change? They wouldn't be
932 there today. That has to be agriculture because that's what the rules are. Change is something
933 that we have to have to progress. The question you hear tonight – is this good change or not? –
934 [it's] good change. From all I hear, I came here with the idea of on the fence. After I hear all
935 these ideas, I say, 'This is the greatest thing that's come along for this,' because these people's
936 arguments have actually turned me the other way.

937
938 This is an esoteric question, so I don't expect an answer: How can the owner of this property
939 properly use it to his benefit? Everybody is against him. I think the real solution here is that the
940 homeowners' association needs to buy that land, and then all these people's objections will be
941 satisfied. The homeowners' association could the money from the homeowners, buy that land,
942 and then everything would be settled.”

943
944 Craig said, “Over the years, I've heard a number of neighborhood associations fly in the face of
945 the rights of people who bought property adjacent to theirs to do something that is permitted. It
946 bothers me a little bit. I should have the luxury of being able to go on everybody's property and
947 tell them which windows they need to change, and to what models and to what brands. We don't
948 like to do that. I will say additionally that experience with architects over 30 years has taught me
949 that many of them claim or are assumed to have expertise in areas that they do not have. I think
950 that that property is developable. I don't know if this is the right development; I believe it might
951 be. I think I'm in favor of this. When we talk about traffic, egress onto the roadway, my
952 question is, as one lady stated, that one of the driveways into the Country Club is dangerous. Is
953 the Country Club doing anything to change that? With 300 and 400 car events out at the Country
954 Club, what do you do to mitigate danger caused by that? I think some of the arguments fly in
955 your own face. I'll leave it at that for now.”

956
957 Mayor K. Smith asked, “With the way the driveways and the houses are configured on the site, is
958 there the ability to get adequate fire protection services there?”

959
960 Jarrod noted the proposed development driveway is approximately 200 feet off the street, and he
961 said, “We have to look at that as part of the Safe Plan Development. The driveway that is shown
962 is just over 10 percent grade. The Fire Department in years past was asking for nothing over 15
963 percent, and 10 percent is what they would like to have for their maximum. If you get the fire
964 truck to the top of the hill, basically you are now close enough to the buildings to fight the fire.
965 You'd have to back the fire truck down the hill to get out, but the two buildings that are in the
966 back, you'd probably be 50 feet from the farthest building. [Fire Chief Gudie] could chime in,
967 but you're definitely not going to get a fire truck up there and turn around. I would freely admit

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968 that today. I think [with] a fire in those front two structures, you would fight it from the road,
969 just like any other fire.”

970
971 Fire Chief Gudie told commission members he agrees with Jarrod’s statements and said the Fire
972 Department would like to see a 10 percent grade. Fire Chief Gudie said while there are areas
973 where a grade of up to 15 percent is allowed, the Fire Department has adopted a standard of 10
974 percent. Fire Chief Gudie estimated the grade at the plot to be approximately 10.5 percent, and
975 he said he is not certain if Nick Roush has determined whether or not a fire truck could reach the
976 location and turn around.

977
978 Jan noted the hill on Marcou Road is very steep, and she asked what Nick’s landscaping plans
979 are for it if the development were to proceed. Jan said it is necessary to stabilize the hill and
980 have some sort of aesthetic landscaping.

981
982 Nick told Jan the plans will be contact-sensitive for landscaping and said it will be necessary to
983 install thicker vegetation on the steep parts of the landscape that is capable of retaining the soil
984 and precluding erosion. Nick said there also will be a mixture of ornamental trees, shrubs with
985 dense-growing roots, and some prairie plantings that have a deep root system. Nick also said
986 instead of waiting for seeding, he would be sodding and pinning so that it would establish
987 quickly. Partially established plugs likely would be utilized for prairie planting, and they would
988 take root very quickly to preclude erosion after the sites are settled. Nick said, “Of course, this
989 all happens after we make use of all of our erosion protection measures during construction,
990 [meaning] temporary stormwater ponds, places for overflow to go, handling that and city sewer
991 to the best of our ability without overflowing. We would have all those temporary measures in
992 place during construction and before landscaping would happen after construction.”

993
994 Jan asked Nick if he would need any retaining walls.

995
996 Nick said the current plan shows a possible retaining wall above the properties along the heavier
997 slope to the south. Nick also said, “At this point, the rest of our plan does not show retaining
998 walls throughout the rest of the development next to the homes. [There would be] just one wall
999 above the slopes to accommodate a clearance for the driveway.”

1000
1001 Jan asked Nick if the driveway that comes down will line up with the driveway coming out of the
1002 La Crosse Country Club by the tennis courts. Jan also asked Nick what his plans are regarding
1003 the mitigation problems with the neighbor’s trees.

1004
1005 Nick told Jan he does not know at the moment where the driveway lines up with regard to the
1006 western approach, and he said he believes they are offset from one another and do not line up.
1007 Nick next addressed the traffic that comes in and out of there and said, “I think it’s important to
1008 give some context to that, and then I’ll answer the part about the trees. Having been through
1009 multiple traffic studies and turning movements as they relate to a project, when you look at this

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1010 development, the primary movement of traffic will be people when they're northwest-bound on
1011 Marcou Road. They'll be turning left into this development because they're people coming
1012 home from wherever they've been. They're coming home to that location.

1013
1014 The other primary turning movement is when people leave the development, they'll mostly turn
1015 right to head out of the development, past the Country Club, and over to commercial areas and
1016 other road access. Those are the two primary turning movements. When you look at those
1017 primary turning movements, you have great visibility to the northwest. If you're turning right,
1018 you're stopped, you look to the northwest, which would be the only direction of oncoming traffic
1019 that could hit you, then you would turn right with traffic. If you're turning left into the
1020 development, you see oncoming traffic before you turn left across it, just as the neighbor's
1021 driveway does next door. They're very close in proximity. That's the safety aspect, and I would
1022 reiterate if we look at things from a safety perspective and traffic count, the danger happens
1023 when 300 or 400 cars leave the parking lot next door, and not when there's a total of
1024 approximately 16 trips a day from four single-family homes in a development. By scale, that
1025 traffic count is a miniscule increase in traffic, and a miniscule increase in danger at that point.

1026
1027 With regard to the neighbor's trees, there's a couple things. One, we probably have the ability to
1028 make some adjustments to the driveway to add a little extra buffer and probably stay at least 10
1029 feet away by putting a little hip in the driveway to move it slightly as it meets the road. Our
1030 driveway is, at its closest point, 5 feet from the property line, and it diverges from the property
1031 line up to 24 feet at its southwestern-most tip. So if we think about if the neighbor's trees are
1032 approximately 10 feet onto their property, we're anywhere from 15 to 34 feet away from the base
1033 of those trees. I can't make any guarantees as to a tree's fitness long term because unfortunately
1034 trees die. I don't like when that happens. I love all the trees on our property, and we do our best
1035 to take care of them. That said, if we make a little change in the angle of the driveway, we
1036 should be able to make slightly more room. However, if I come back to Ms. Aspenson's
1037 comments earlier about driveway setbacks and proximity, normally in an R-1 setting ... Let's
1038 say this property was zoned R-1, the requirement for a driveway setback to side yard I believe is
1039 3 feet. ... So if this were R-1 – without any variance, without any permission, without any
1040 additional changes – we could put a driveway 3 feet away from the neighbor's property line if it
1041 was just a single-family home. Just one house going there without any variance, any requests,
1042 any additional things. We don't want to do that because we want to be good neighbors. As a
1043 result, we've tried to push that driveway as far away from there as we can and still accommodate
1044 the development, and therefore the health of the trees next door.”

1045
1046 City Administrator Rindfleisch addressed the driveway, noting that according to a La Crosse
1047 County map, the driveway located at the corner of that property would be almost immediately
1048 across from the driveway exit by the La Crosse Country Club tennis courts. City Administrator
1049 Rindfleisch told commission members it would be a face-to-face intersection.

1050
1051 Amber said, “I don't think we're going to get away from developing that plot of land, or really

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1052 any developable plot of land here in Onalaska. This is the place people want to live in La Crosse
1053 County. It's a great city, and the average person prefers a single-family dwelling compared to a
1054 condo or an apartment. I'm sure they'd rather spend the extra money to live in a single-family
1055 home, so the more of those kinds of places we can provide for people to live in, the more
1056 appealing that this place will be ultimately. That said, I would still like to defer and look at that
1057 plot myself. I have yet to drive past it. Will it be developed at some point? Absolutely. Is this
1058 the right development for that specific plot of land? I'm not sure yet."

1059
1060 Jarrod said, "Some of these questions will get answered during our site plan process. That's
1061 where we get into the nuts and bolts of nailing down exactly what the plans are. The driveway
1062 slope, as we talked about with [Fire] Chief Gudie, we did look at that as part of the initial site
1063 plan submittal that you see in your packet tonight. I think the driveway could be shifted over to
1064 get a 10-foot minimum spacing from the property line. The traffic also has come up, and
1065 typically for a single-family home we use nine trips a day in and out. If you did that, it would be
1066 36 trips. I think probably knowing the traffic patterns in the Country Club and the areas out
1067 there, you're probably going to be a little less than that. Those probably aren't going to be nine
1068 trip per day households, but you're probably going to have 30 trips per day coming in and out of
1069 that development. I don't have the exact traffic count for that section of the road, but there's
1070 probably ... between 500 and 1,000 trips a day already on that street. I believe, looking at that, if
1071 you're going to develop that site that is the best location for the driveway opening for being
1072 across from the Country Club driveway, and it's the furthest point from the curve. That curve is
1073 not the greatest traffic feature in the neighborhood because there are a lot of vehicles that take it
1074 over the 15 [mph] precautionary that's posted on the curve.

1075
1076 I've been with the city 25 years and done many projects out in this area. I was out there when
1077 we put the sidewalk in. I was out there when we redid the road, the north half and the south half
1078 in this area. The area does see a large amount of traffic with the Country Club in the actual
1079 clubhouse in that area. Part of it with the traffic is – I guess I don't have an exact number – 75
1080 percent, 80 percent of traffic probably uses that west driveway. Unless there is an event, they
1081 typically aren't using what I call the north driveway, the one that is closer to Country Club Lane.
1082 I do agree with the precaution that the citizens brought up tonight regarding the 10 percent
1083 driveway. It will be a maintenance item for whoever lives there to make sure that they don't
1084 slide down the driveway. I do know that the three township houses there ... When we put the
1085 sidewalk in, part of the reason we shifted part of the street up and put the sidewalk further onto
1086 the city right of way is because those driveways are so steep [and] we couldn't get the sidewalk
1087 in there without doing that. I haven't heard of anyone sliding down one of those driveways into
1088 the street. That doesn't mean it couldn't have happened, but I have not heard of that. Once
1089 again, we shoot for 10 percent when we do engineering projects in the city. We have allowed up
1090 to 15 [percent] in the city. When you start getting over 15, it gets very steep.

1091
1092 Stormwater was brought up. Looking at this site, I do agree that it will be a challenge. They will
1093 have to submit and get a Wisconsin DNR 216 Permit because it's over an acre of disturbance.

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1094 As part of that, and [as part of] our city ordinances, they will have to meet the stormwater rules
1095 we have in the books for what runoff can occur. The developer in their initial proposal did show
1096 some storm sewer going to those biofilters. I do not have exact information; that's part of the
1097 site plan process when we do receive it to review it and ensure that it will work for the site. One
1098 thing I did take away from the public comments tonight is the elevation of the road out there is
1099 probably about 755. They're showing a first walkout elevation – they're a little different
1100 between the two homes that face Marcou Road – [of] 769. [Let's] say that those walkouts are
1101 going to be 15 feet above the elevation of the current street, and then you have another 10 feet
1102 for the first floor, and you have the roofline and/or a third floor if you want to call it that. There
1103 will be a lot of building exposed to the back. But I did look at the ... submittal showing the
1104 stonework and the notes on the architectural rendering ... and they look like they're going to be
1105 very nice. But they're not actual renderings. It might be a nice thing to have a rendering that
1106 shows it from the street. We will have to review some of the water service and sewer service to
1107 the site, but those are typical site plan items that we go over.”
1108

1109 Katie noted questions had been raised pertaining to the PUD process and requests for variances,
1110 and she said, “I just want to let [everyone] know that any property in the City of Onalaska that is
1111 greater than 1 acre has the ability to come forward to the Plan Commission and the Common
1112 Council to request deviation from the code. We have this occur often. There is another one on
1113 the docket for this evening. We recently changed our code so that you are allowed to ask for up
1114 to five deviations from the code. Previous to this year, we had no limit. You could ask whatever
1115 you liked, and it became a task for the Plan Commission and the Common Council to go item-
1116 by-item and decide what they felt was for the best of the development, and what the city was
1117 willing to consider. While it may seem as though Mr. Roush is asking for a lot of variances, he
1118 has the ability to do so. Any property owner has the ability to do so, and there are Planned Unit
1119 Developments within the Country Club itself, some on single-family dwellings. I just wanted to
1120 educate those who had questions related to that process. It is a two-step process. You have the
1121 ability to come forward with a General Development Plan, which is generally more conceptual in
1122 nature, and then you come back with a Final Implementation Plan that has more detail.
1123

1124 As Jarrod alluded to, if a Planned Unit Development is formally approved, city staff take over
1125 and we do more fine-tuning in terms of reviewing site plans and making sure that all aspects of
1126 the code are passed. There are Planned Unit Developments throughout our community, and
1127 we've had them for decades. This is not a new process to the city, though it may be new
1128 specifically to you if you have not heard of them before. I apologize for the USPS mail for those
1129 who did not get the mailing until last week. We allow four days, and this is our standard practice
1130 to send out the mail for it to go to Minneapolis and come back here. That's typically what it
1131 takes for a letter to be received. We did send those out on the 10th. Again, I apologize if people
1132 did not receive it earlier last week or at the end of the previous week, as was anticipated by
1133 staff.”
1134

1135 Motion restated:

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1136
1137 To defer to the April 27, 2021 Plan Commission meeting consideration of a General
1138 Development Plan to create a Planned Unit Development (PUD) application filed by Nicholas
1139 Roush of DNC Holdings, LLC, 707 La Crosse Street, Ofc. 102, La Crosse, WI 54601 to allow a
1140 new residential development to contain four (4) single family dwellings on a single parcel
1141 located at Marcou Road, Onalaska, WI 54650 (Tax Parcel #18-3619-1).

1142
1143 Ald. T. Smith said he still supports deferring this item because “I still think there is an
1144 opportunity to see if we can get closer together with some of these things. We’ve worked with
1145 Mr. Roush before on some other developments, and we were here and we were able to come
1146 together and a little bit closer. I don’t know if Mr. Roush can speak to it today, but I still have a
1147 concern with four units on a single plot. Is there any wiggle room on that where it could be
1148 different? You don’t have to answer that today. ... We’ve talked about the driveway, and there
1149 might be some options there. I still concern with the slope and the water runoff just seeing the
1150 location. To me, I’d be more comfortable if I had a little bit more definite plan or something that
1151 people could see in writing. I know Jarrod said we go to the next step and we flesh out some
1152 [things], but I just think there are a lot of unknowns and a lot of questionable things that people
1153 are asking. That’s why I think we need some more time to work with the developer, get the
1154 feedback, and make the right decision. I’m not against it. I really would love to have that filled
1155 in, whether we have single-family or maybe two-family. Four? I don’t know. But it would be
1156 nice to do that if we can. I just want to make sure we make the right decision.”

1157
1158 Mayor K. Smith thanked everyone who had provided input either in person or virtually and said
1159 the Plan Commission appreciates the feedback.

1160
1161 Katie said that as the property is zoned R-3, there is the ability to construct up to eight units on a
1162 single parcel. Katie noted that is outright permitted by the city, and she said, “If Mr. Roush
1163 comes back with a development that requires no deviation from the code, he is allowed to put
1164 that development in without any say by the Plan Commission or the Common Council. He just
1165 would have to follow every aspect of the code. The asks would fall away, and he would be able
1166 to put it in if he was able to do it.” Katie cited the example of Nick changing the design from
1167 four individual single-family homes to a row of eight townhomes, and she said Nick would have
1168 the ability to do so and not require any permission if he meets every rule. Katie said, “There is,
1169 to some degree, when you come forward with the four units, what is a better fit for the
1170 community? Is it better to have four single-family dwellings? Or do you want to push it that
1171 you can’t control how many units he puts in as long as it follows the code? You just have to
1172 weigh the pros and cons because if he follows the code, he can do whatever he likes. By him
1173 coming forward and asking for deviations, he’s actually allowing you more control into his
1174 development that he would not necessarily have the opportunity to otherwise. It’s just something
1175 to consider as we move forward.”

1176
1177 Mayor K. Smith said, “Part of the reason why I like the idea of deferring is because this has been
Reviewed 03/29/2021 by Katie Aspenson

1178 an educational process as to the specific plans and the process for the neighbors. Having worked
1179 with Nick Roush before, we know that he will be hearing you and responding in ways that will
1180 hopefully make this an even better prospect.”

1181
1182 On roll call vote: Mayor Kim Smith – aye, Ald. Tom Smith – aye, City Engineer Jarrod Holter –
1183 aye, Jan Brock – abstain, Amber Pfaff – aye, Skip Temte – nay, Craig Breitsprecher – nay.
1184 Motion carried, 4-2, with one abstention.

1185
1186 **Item 7 – Public Hearing: Approximately 7:30 PM (or immediately following the Public**
1187 **Hearing at 7:20 P.M.) to consider a General Development Plan to create a Planned Unit**
1188 **Development (PUD) application filed by Excel Engineering, 100 Camelot Drive, Fond du**
1189 **Lac, WI 54935 on behalf of St. Paul’s Lutheran Church, 1201 Main Street, Onalaska, WI**
1190 **54650 to develop/expand the existing building based on the Institutional Master Plan for**
1191 **the religious institution/elementary and middle school located at 1201 Main Street,**
1192 **Onalaska, WI 54650 (Tax Parcel #18-733-0)**

- 1193
1194 1. Planned Unit Development Fee for \$700.00 dollars (PAID).
1195
1196 2. Site Plan Permit is required for new development in advance of building permit
1197 applications, including detailed architectural plans, landscape, drainage, utility, erosion
1198 control, fire accessibility and other required information/plans. Any future improvements
1199 to this parcel may be subject to additional City permits (i.e., building permits).
1200
1201 3. Stormwater Management/Drainage Plan to be reviewed and approved by City Engineer.
1202
1203 4. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
1204 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
1205 and improvements installed per approved plans prior to issuance of occupancy permits.
1206
1207 5. All conditions run with the land and are binding upon the original developer and all heirs,
1208 successors and assigns. The sale or transfer of all or any portion of the property does not
1209 relieve the original developer from payment of any fees imposed or from meeting any
1210 other conditions.
1211
1212 6. Any omissions of any conditions not listed in committee minutes shall not release the
1213 property owner/developer from abiding by the City’s Unified Development Code
1214 requirements.
1215

1216 Katie said this PUD request is to allow for deviations and exceptions to code standards for a
1217 proposed addition to St. Paul’s Lutheran Church, which is located at 1201 Main Street. In
1218 particular, the existing structure and proposed expansion do not meet required side yard setbacks;
1219 may necessitate exceeding allowable retaining wall height of 6 feet; will require removal of

1220 vegetation, thus putting the site under ordinance vegetation requirements; and temporary signage
1221 allotments. Due to the size of the property and placement of the existing structure, the applicant
1222 states that a PUD will allow for the most favorable use of the property. Katie noted the
1223 applicant's plans and a cover letter describing the request have been included in commission
1224 members' packets, and she shared with commission members the requests to deviate from the
1225 UDC:

- 1226
- 1227 • **Yard setbacks:** The applicant requests that UDC Section 13.02.62.E requiring a
1228 minimum of 40 feet setback for places of worship be waived. The existing structure is
1229 currently nonconforming as three sides of the structure have setbacks less than 40 feet.
1230 The proposed addition is suggested to be situated approximately 16.9 feet from the east
1231 property line, which is a similar setback of the existing structure today to the eastern
1232 parcel boundary. If this PUD is approved, the setbacks for the existing and proposed
1233 structure would be in conformance. Given the current facility and size of the property,
1234 the applicant states this is the most favorable location for the expansion. Additionally,
1235 the applicant requests that UDC Section 13.02.68.B requiring that retaining walls be a
1236 maximum of 6 feet in height and terraced a minimum of 3 feet apart be waived. The
1237 project is designed to expand an existing retaining wall with the intent of staying under 6
1238 feet in height, but site conditions may necessitate exceeding maximum allowable height.
1239 Portions of the existing retaining wall along the eastern parcel boundary exceed the 6-
1240 foot-high maximum. If the PUD is approved, this would bring the retaining walls into
1241 conformance. Katie said city staff supports these requests due to the aforementioned
1242 reasons. The proposed addition will not encroach any closer to adjacent Medium Density
1243 Residential (R-2) District properties than existing structure. The applicant is also
1244 endeavoring to construct retaining wall in accordance with UDC, and will only utilize the
1245 exception if necessary.
- 1246 • **Landscaping:** The applicant requests that UDC Section 13.03.31.D.2 requiring one
1247 canopy or evergreen tree per 25 linear feet of street frontage be waived. The site has
1248 street frontage on three sides totaling 1,262.29 linear feet, which, pursuant to the code,
1249 requires 51 trees. There are currently 37 trees on site, and an additional 14 will be gained
1250 in the first stage of construction bringing the total to 51. However, the second stage of
1251 construction will require removing 11 trees, bringing the overall back under the number
1252 required. Katie said city staff supports this request as the applicant is making an effort to
1253 replace trees where possible. Remaining available greenspace after the completion of all
1254 phases of expansion will make additional plantings difficult.
- 1255 • **Signage:** Non-residential parcels are allowed specific temporary signage allotments
1256 based upon frontage. Currently, St. Paul's uses temporary signage to highlight events
1257 pertaining to its use. On the southern boundary (Main Street), the applicant previously
1258 installed wooden signposts (permanent feature) for banner placement. The requested
1259 deviation is to continue this practice year-round. The applicant would be required to
1260 obtain relevant permits as needed.
- 1261

1262 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of a
1263 General Development Plan to create a Planned Unit Development.

1264

1265 **Dan Olson, Pastor of St. Paul's Lutheran Church**
1266 **N4320 Germann Court**
1267 **Onalaska**

1268

1269 "Thanks for having me here. I just want to say that this building project is meant to improve a
1270 quality, Christ-centered education for the 200-plus students that we have at St. Paul's, as well as
1271 give to us a more quality place to worship for our community, and to improve the areas of our
1272 facility that have so many community events in it. The specific place where we are doing the
1273 building project and the remodeling is the oldest part of our building, built back in 1974. It's
1274 going to greatly beautify the Onalaska community and our facility. Thank you."

1275

1276 **Joe Fetcenko**
1277 **1201 Main Street**
1278 **Onalaska**

1279

1280 "I have the privilege of serving as a teacher at St. Paul's, including serving as our Athletic
1281 Director and as a coach here. ... Through enhancements to our campus, including significant
1282 upgrades to athletic, music, and STEM capabilities, I speak for our faculty in saying we are
1283 excited to be better equipped to serve our students and community through this project. Thank
1284 you for your consideration."

1285

1286 **Jason Daye, Excel Engineering**
1287 **100 Camelot Drive**
1288 **Fond du Lac**

1289

1290 Jason identified himself as the civil engineer for this project and complimented Katie for
1291 explaining the goal of said project. Jason told commission members he will answer any
1292 technical questions they might have regarding the site plan.

1293

1294 Mayor K. Smith called three times for anyone else wishing to speak in favor of a General
1295 Development Plan to create a Planned Unit Development and closed that portion of the public
1296 hearing.

1297

1298 Mayor K. Smith called three times for anyone wishing to speak in opposition to a General
1299 Development Plan to create a Planned Unit Development and closed the public hearing.

1300

1301 Motion by Ald. T. Smith, second by Skip, to approve with the six stated conditions a General
1302 Development Plan to create a Planned Unit Development (PUD) application filed by Excel
1303 Engineering, 100 Camelot Drive, Fond du Lac, WI 54935 on behalf of St. Paul's Lutheran

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1304 Church, 1201 Main Street, Onalaska, WI 54650 to develop/expand the existing building based on
1305 the Institutional Master Plan for the religious institution/elementary and middle school located at
1306 1201 Main Street, Onalaska, WI 54650 (Tax Parcel #18-733-0).

1307
1308 Skip asked why the applicant must go through the process of having a PUD in addition to the site
1309 plan permit for an expansion to an existing structure.

1310
1311 For clarification, Katie asked Skip if he is asking why the applicant is doing a Planned Unit
1312 Development and then a site plan review.

1313
1314 Skip said the applicant had to have a site approval to an existing building to start with, and he
1315 asked why the applicant needs the PUD in addition.

1316
1317 Katie explained that the PUD is to allow for the asks, noting the building setbacks do not meet
1318 the 40-foot requirement. Katie also noted the addition also will not meet the 40-foot setback, and
1319 she also mentioned the landscaping request, the retaining walls that would exceed 6 feet in
1320 height, and the temporary signage. Katie said that whenever an applicant wishes not to follow
1321 the code, the only recourse if a plot measures greater than 1 acre is to obtain a PUD. Katie told
1322 Skip that city staff members thoroughly examine all the details related to site plans, and she said
1323 the applicant is going through this process with city staff at the same time of this meeting in
1324 terms of attempting to expedite the process. Katie said approval would not be issued unless both
1325 the Plan Commission and the Common Council approve the project.

1326
1327 Skip asked if perhaps this could be better handled through the site plan.

1328
1329 Mayor K. Smith asked Katie, “Did this change when we updated the way we process things?”

1330
1331 Katie said no and told Mayor K. Smith, “Before our Planned Unit Development, you needed 5
1332 acres of development. As part of the new UDC we reduced that to 1 acre. This is actually good
1333 for St. Paul’s Lutheran Church because it will bring their property into conformance with our
1334 code. To date, they are considered legal nonconforming because they do not meet our code.
1335 This would essentially remove that nonconforming status, which would be good overall for the
1336 property.”

1337
1338 Ald. T. Smith noted he likes the rendering and said the project appears to be a good one.

1339
1340 City Administrator Rindfleisch told commission members a concern he would have going
1341 forward is that as staff conducts site plan review, he wants to ensure there is sufficient parking so
1342 that no parking-related difficulties are created within the surrounding area. City Administrator
1343 Rindfleisch noted St. Paul’s students utilize a portion of the parking lot for outdoor recreation,
1344 and he also noted the building will take up some of that space.

1345
Reviewed 03/29/2021 by Katie Aspenson

1346 Jarrod told commission members the site on which St. Paul's is located is constrained, noting
1347 staff has worked with the owner's engineer regarding the installation of stormwater practices and
1348 what can be done with the wall. Jarrod said, "They've been good to work with. I think it will
1349 benefit the community [and] benefit the use of the site to issue the Planned Unit Development.
1350 And I think overall it will work within the neighborhood. I do agree with [City Administrator
1351 Rindfleisch] on ensuring we have enough parking for events, but just looking at it from staff,
1352 going through it with the owner and their representatives, we've done the best with what is there.
1353 There's a lot going on, but I think it's best to let them improve their site and get it to the next
1354 level."

1355
1356 Katie addressed parking, noting St. Paul's meets all the city's parking standards, provided that
1357 the uses are staggered. Katie said, "When the religious setting is occurring versus school versus
1358 gymnasium, our code allows you that if they're not occurring at the same time you do not need
1359 to use those stalls. They actually meet the code as it is written today, which is why it is not one
1360 of their asks this evening."

1361
1362 On voice vote, motion carried.
1363

1364 **Item 8 – Consideration of a Final Implementation Plan to create a Planned Unit**
1365 **Development (PUD) application filed by Nicholas Roush of DNC Holdings, LLC, 707 La**
1366 **Crosse Street, Ofc. 102, La Crosse, WI 54601 to allow a new residential development to**
1367 **contain four (4) single family dwellings on a single parcel located at Marcou Road,**
1368 **Onalaska, WI 54650 (Tax Parcel #18-3619-1)**

- 1369
1370 1. Contingent on Common Council approval of General Development Plan
1371
1372 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each buildable
1373 unit. 4 total units * \$922.21/unit = \$3,688.84 dollars.
1374
1375 3. Master Utility Plan to be reviewed and approved by the City Engineer. Plan to be
1376 approved as part of the Site Plan Permit.
1377
1378 4. Final driveway location to be submitted for approval by the City Engineer.
1379
1380 5. Master Grading and Stormwater Plans to be reviewed & approved by the City Engineer.
1381
1382 6. Owner/developer to submit final, colored renderings of all four (4) sides of proposed
1383 buildings noting architectural elevations with details and materials to be approved by the
1384 Planning Department.
1385
1386 7. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
1387 buffer surrounding the identified slopes. Building pads/residences/structures shall not
1388 infringe upon these areas.

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8. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI application, permit, approval letter 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.
 9. Site Plan Permit is required for new development in advance of building permit applications, including detailed architectural plans, landscape, drainage, erosion control, fire accessibility and other required information/plans. Any future improvements to this parcel may be subject to additional City permits (i.e., building permits).
 10. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated fee is \$730.00/REC.
 11. Applicant shall submit the Condominium Plat in accordance with Chapter 703, Wis. Stats. for approval by the Wisconsin Department of Administration. Applicant to provide all associated documentation submitted the Department of Administration to the City of Onalaska.
 12. If in the future the owner/developer creates 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 for the parcel/development; a copy shall be provided 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 a copy provided to the Planning Department.
 13. Owner/developer shall provide the City with a check in the amount of \$30.00 made payable to the La Crosse County Register of Deeds. The City shall cause to be recorded the legal description of the Planned Unit Development and the Conditions of Approval tied to the development. These conditions shall not lapse or be waived as a result of any subsequent change in ownership of tenancy.
 14. 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.
 15. 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

1432 other conditions.

1433

1434 16. Any omissions of any conditions not listed in committee minutes shall not release the
1435 property owner/developer from abiding by the City's Unified Development Code
1436 requirements.

1437

1438 Katie said the developer had opted to run the General Development Plan and the Final
1439 Implementation Plan simultaneously, noting the code allows for this. Katie told commission
1440 members she recommends deferring this item to the April 27 Plan Commission meeting, as the
1441 commission had done for Item No. 6. This will allow the developer to proceed accordingly in
1442 tandem.

1443

1444 Motion by Craig, second by Ald. T. Smith, to defer to the April 27, 2021 Plan Commission
1445 meeting Consideration of a Final Implementation Plan to create a Planned Unit Development
1446 (PUD) application filed by Nicholas Roush of DNC Holdings, LLC, 707 La Crosse Street, Ofc.
1447 102, La Crosse, WI 54601 to allow a new residential development to contain four (4) single
1448 family dwellings on a single parcel located at Marcou Road, Onalaska, WI 54650 (Tax Parcel
1449 #18-3619-1).

1450

1451 Amanda's comments were inaudible.

1452

1453 On voice vote, motion carried.

1454

1455 **Item 9 – Consideration of a Final Implementation Plan to create a Planned Unit**
1456 **Development (PUD) application filed by Excel Engineering, 100 Camelot Drive, Fond du**
1457 **Lac, WI 54935 on behalf of St. Paul's Lutheran Church, 1201 Main Street, Onalaska, WI**
1458 **54650 to develop/expand the existing building based on the Institutional Master Plan for**
1459 **the religious institution/elementary and middle school located at 1201 Main Street,**
1460 **Onalaska, WI 54650 (Tax Parcel #18-733-0)**

1461

1462 1. Contingent on Common Council approval of General Development Plan and adherence
1463 to associated Conditions of Approval.

1464

1465 2. Site Plan Permit is required for new development in advance of building permit
1466 applications, including detailed architectural plans, landscape, drainage, utility, erosion
1467 control, fire accessibility and other required information/plans. Any future improvements
1468 to this parcel may be subject to additional City permits (i.e., building permits).

1469

1470 3. Stormwater Management/Drainage Plan to be reviewed and approved by City Engineer.

1471

1472 4. Owner/developer shall provide the City with a check in the amount of \$30.00 made
1473 payable to the La Crosse County Register of Deeds. The City shall cause to be recorded

1474 the legal description of the Planned Unit Development and the Conditions of Approval
1475 tied to the development. These conditions shall not lapse or be waived as a result of any
1476 subsequent change in ownership of tenancy.
1477

- 1478 5. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
1479 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
1480 and improvements installed per approved plans prior to issuance of occupancy permits.
1481
- 1482 6. All conditions run with the land and are binding upon the original developer and all heirs,
1483 successors and assigns. The sale or transfer of all or any portion of the property does not
1484 relieve the original developer from payment of any fees imposed or from meeting any
1485 other conditions.
1486
- 1487 7. Any omissions of any conditions not listed in committee minutes shall not release the
1488 property owner/developer from abiding by the City's Unified Development Code
1489 requirements.
1490

1491 Katie told commission members there is an additional condition that is contingent upon approval
1492 of the General Development Plan. The applicant also has requested to run the GDP and the FIP
1493 simultaneously, and Katie said she is asking that there be seven conditions of approval if this
1494 item is recommended for approval.
1495

1496 Motion by Jarrod, second by Craig, to approve with the seven stated conditions a Final
1497 Implementation Plan to create a Planned Unit Development (PUD) application filed by Excel
1498 Engineering, 100 Camelot Drive, Fond du Lac, WI 54935 on behalf of St. Paul's Lutheran
1499 Church, 1201 Main Street, Onalaska, WI 54650 to develop/expand the existing building based on
1500 the Institutional Master Plan for the religious institution/elementary and middle school located at
1501 1201 Main Street, Onalaska, WI 54650 (Tax Parcel #18-733-0).
1502

1503 On voice vote, motion carried.
1504

1505 **Item 10 – Review and Consideration of a Certified Survey Map (CSM) to reconfigure five**
1506 **(5) existing parcels into four (4) parcels and dedicate Century Place Right-of-Way filed by**
1507 **DNC Holdings, LLC, 707 La Crosse Street, Ofc. 102, La Crosse, WI 54601 for the parcels**
1508 **located at 415, 430, 435, 455 & 475 Century Place, Onalaska, WI 54650 (Tax Parcels #18-**
1509 **6299-0, 18-6300-0, 18-6301-0, 18-6302-0 & 18-6303-0)**
1510

1511 1. CSM Fee of \$75.00 + \$10.00 per lot x 4 lots = \$11 5.00 due before final approval of
1512 CSM by the City. (PAID).
1513

1514 2. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.
1515

- 1516 3. CSM shall note all easements (water, sewer, storm, access, etc.).
1517
1518 4. Property owner to record said CSM with the La Crosse County Register of Deeds and
1519 provide a copy to the Engineering Department.
1520
1521 5. Developer to install/remove/relocate all necessary infrastructure for relation of street,
1522 including but not limited to current street removal, pavement, curb and gutter, storm
1523 sewer, fire hydrants, water main, sanitary sewer, etc.
1524
1525 6. Any future improvements to these parcels will be subject to additional City permits (i.e.,
1526 building permits, zoning approvals).
1527
1528 7. All conditions run with the land and are binding upon the original developer and all heirs,
1529 successors and assigns. The sale or transfer of all or any portion of the property does not
1530 relieve the original developer from payment of any fees imposed or from meeting any
1531 other conditions.
1532
1533 8. Any omissions of any conditions not listed in committee minutes shall not release the
1534 property owner/developer from abiding by the City's Unified Development Code
1535 requirements.
1536

1537 Katie told commission members this request is based off the right of way vacation of Century
1538 Place, noting a portion of that was completed. Katie said DNC Holdings is looking to
1539 reconfigure the five parcels and the Century Place right of way into parcels and then rededicate
1540 Century Place right of way back to the City of Onalaska. Lot 1 will contain 0.94 acres; Lot 2
1541 will contain 2.24 acres; Lot 3 will contain 2.76 acres; and Lot 4 will contain 6.07 acres. The new
1542 Lot 4. The new Lot 4 is the end result of merging the previous Lots 4 and 5. Lastly, the
1543 applicant requested to vacate a portion of Century Place, which is illustrated on the CSM and the
1544 new Century Place Right-of-Way configuration is shown as being dedicated to the public
1545 (containing approximately 1.12 acres). Katie noted a variety of cross-lot easements are required
1546 and are shown on the attached CSM, including highway building setbacks, access, utility and
1547 drainage easements. The proposed parcels meet all dimensional requirements of parcels in the
1548 High Density Residential (R-4) Zoning District. There are eight conditions of approval tied to
1549 this development.
1550

1551 Motion by Ald. T. Smith, second by Craig, to approve with the eight stated conditions a Certified
1552 Survey Map (CSM) to reconfigure five (5) existing parcels into four (4) parcels and dedicate
1553 Century Place Right-of-Way filed by DNC Holdings, LLC, 707 La Crosse Street, Ofc. 102, La
1554 Crosse, WI 54601 for the parcels located at 415, 430, 435, 455 & 475 Century Place, Onalaska,
1555 WI 54650 (Tax Parcels #18-6299-0, 18-6300-0, 18-6301-0, 18-6302-0 & 18-6303-0).
1556

1557 City Administrator Rindfleisch told commission members that when examining the CSM that
1558 was included in their packets, the easement listed between Lots 2 and 3 almost looks like a
Reviewed 03/29/2021 by Katie Aspenson

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1559 connection of Thomas Court. City Administrator Rindfleisch stressed that it is not a connection
1560 to Thomas Court, but rather only a utility easement that runs to Thomas Court from the parcels.

1561

1562 On voice vote, motion carried.

1563

1564 **Adjournment**

1565

1566 Motion by Ald. T. Smith, second by Jarrod, to adjourn at 9:27 p.m.

1567

1568 On voice vote, motion carried.

1569

1570

1571 Recorded by:

1572

1573 Kirk Bey