

**Plan Commission
of the City of Onalaska**

Tuesday, April 27, 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, April 27, 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 remotely): Mayor
6 Kim Smith, Ald. Tom Smith, City Engineer Jarrod Holter, Jan Brock, Gargi Chauduri, Skip
7 Temte, 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. Jim Olson, Ald. Dan Stevens,
12 Code Enforcement Technician Peter McColl

13

14 **Item 2 – Approval of minutes from previous meeting (March 23, 2021)**

15

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

18

19 Skip said that while Line 118, which shows an address of 810 2nd Avenue South, is technically
20 correct, he asked that there be a footnote to clarify that the address is actually 810 2nd Avenue
21 Southwest.

22

23 Motion by Skip, second by Ald. T. Smith to amend the previous motion to show that the correct
24 address for Item 4 in the March 23, 2021 Plan Commission meeting is 810 2nd Avenue
25 Southwest.

26

27 Skip stated as a point of order he does not believe an amendment is necessary as the address is
28 technically correct. Skip requested that a footnote be utilized to state the address is 810 2nd
29 Avenue Southwest.

30

31 Mayor K. Smith told Skip his footnote would be an amendment.

32

33 Vote on the amendment:

34

35 On voice vote, motion carried.

36

37 Original motion restated:

38

39 To approve the minutes from the March 23, 2021 Plan Commission meeting, as amended.

40

41 On voice vote, motion carried.

42

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

44

45 Mayor K. Smith called for anyone wishing to provide public input.

46

47 **Bijon Jadali**

48 **220 Marcou Road**

49 **Onalaska**

50

51 “My property is sharing the property line with the parcel in discussion tonight [under Item Nos.
52 13 and 14]. I would like to address my concerns about how the Planning Department handled
53 the rezoning, and now handling the approval of the PUD application. It was mid-2018 when I
54 approached the Planning Department about my intention on purchasing the land in discussion
55 tonight. I wanted to know, what can be built on that property? I was informed that this land is
56 zoned R-1, and I can build a single-family house. I had a second meeting asking for conditions
57 that would allow us to build a multifamily house. The Planning and Engineering Department
58 informed me that the utilities and the sewer system cannot handle multifamily housing on this
59 land. I even had a third meeting with the Planning Department to find out the conditions for
60 rezoning this land. I was told because of the reasons I just mentioned and the limitation of the
61 land use of this property that rezoning cannot be done. Because of all this information I was
62 given, I didn’t pursue buying the land. My intention was to build a single house with two levels
63 for two families. I was planning to use my property driveway to access this land. Building one
64 house with one roof and using the existing driveway probably was the best solution for the
65 neighborhood and this environmentally protected area. Unfortunately, I was discouraged to
66 develop this property by information provided by the city staff.

67

68 My understanding is that the City of Onalaska was working on this Unified Development Code
69 for the entire City of Onalaska for almost 18 months. This plan was proposed in November
70 [and] December of 2019, and approved in March of 2020. It seems that work on this Unified
71 [Development Code] plan was going on when I approached the city regarding the possibility of
72 rezoning this land. I don’t know when the Planning Department pushed this new zoning of this
73 land into the new [UDC], and most importantly, why. When I questioned the Planning
74 Department why this was included in the [UDC], I was told [it was] because this land was not
75 developed for a very long time.”

76

77 Amanda informed Bijon he had exceeded his three-minute speaking limit.

78

79 Bijon said he has two more pages to read and asked that he be allowed to continue due to his
80 language barriers and the inability to speak more quickly.

81

82 Mayor K. Smith told Bijon the pace at which he speaks is irrelevant and said everyone is allowed
83 to speak for only three minutes during public input.

84

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85 Bijon noted individuals had spoken for more than three minutes at previous meetings and no one
86 had said anything.

87

88 Mayor K. Smith said each individual is allowed to speak for three minutes during public input so
89 that everyone has the opportunity to speak.

90

91 Bijon said, “There are things which probably I contacted you to talk to you about this, and you
92 didn’t answer my ...”

93

94 Mayor K. Smith told Bijon she had spoken to him.

95

96 Bijon told Mayor K. Smith he had left her another message regarding wanting to have a personal
97 meeting, but she had not contacted him. Bijon then said he will read what he is asking for this
98 evening’s meeting.

99

100 Bijon said, “I would like to have, before approving this ... We find it extremely disrespectful to
101 the process to place this Final Implementation Plan on the same agenda as the General
102 Development Plan when dealing favorably with the public on a project that is not without
103 controversy. It gives the impression that there is no intention to listen to objections which we are
104 making. What is the purpose of the public hearing and public input? We are asking before
105 approving any General [Development Plan] or Final Implementation Plan to have the detailed
106 erosion and stormwater control plans, drawn detailed plans showing the exact slope and the exact
107 position, as well as the stormwater runoff into the project stormwater management device, and
108 the stormwater runoff into the project stormwater management device. Most importantly, to
109 provide a detailed plan for a 20-foot-high retaining wall, with details regarding how this wall can
110 be built without significant disturbance to the environmentally protected area, and providing the
111 OSHA-required 1-to-1 slope for workers’ safety. It appears that the construction of this wall will
112 disturb the area, anyway. The developer will most likely ask for forgiveness type of installation.
113 The covenants should be submitted as part of the PUD final development. [I am asking for] a
114 detailed plan for all phases of this development as part of the Final Implementation Plan since
115 the developer will build these houses in multiple phases. Please, let’s look at the detailed plans
116 before approval of this application. Thank you very much.”

117

118 **Christopher Dyer, Attorney, Dyer Law Firm, LLC**

119 **200 Mason Street, Suite No. 1**

120 **Onalaska**

121

122 “I want to hopefully finish the comments that Bijon Jadali was attempting to make regarding the
123 rezoning of the individual property that’s at issue here with regard to Roush Developments. The
124 zoning occurred with a notice being sent to one person: the owner of the property that was being
125 rezoned. This small property was rezoned to R-3. It is an environmentally sensitive property. It
126 should not have been rezoned to R-3. But moreover, there should have been proper notice

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127 provided to the public who has an interest in being able to voice their opinions on what was
128 happening with that property. In my opinion, the notice was grossly inadequate. The notice that
129 was provided to the public did not provide a map identifying the properties that were being
130 rezoned and would change the use of the property at issue. Nor did the notices describe the
131 property with sufficient detail to give the public notice that property was being rezoned,
132 including Mr. Jadali, who lived next door. He learned about this situation after the fact with only
133 a few days' notice before the matter was coming up for consideration before this body. This is a
134 very small piece of property, but it is very highly elevated. This would be a different situation if
135 it was on flat land. This is very highly elevated. It's going to result in significant issues with
136 erosion, potentially, and with stormwater runoff. There has not been an adequate plan presented
137 to this body to be able to nullify concerns that this is going to happen. That was the discussion at
138 the last meeting, and from what I can tell, nothing happened except for certain exemptions were
139 removed from the request.

140

141 Again, this is an environmentally sensitive property, and it is a weird plan that is being presented
142 to this body to approve – nobody can doubt that. I don't know of any other situation like this
143 that is being proposed to be developed in Onalaska like this. This is a weird situation. It is a
144 weird piece of property, highly elevated with very specific concerns to the greater community
145 around it, and to the individual property owners next to it. We object to the way that this has
146 proceeded from the point that it was rezoned to today's proceedings, and we're asking this body
147 to reject the proposal from Roush.”

148

149 **Nick Roush, DNC Holdings, LLC**
150 **707 La Crosse Street, Office No. 102**
151 **La Crosse**

152

153 “I am here to speak in favor of this development, and to quickly address a few things that have
154 come up thus far. First and foremost, we purchased the property with the R-3 zoning already in
155 place. That was not part of our process; that occurred previous to our purchase. We purchased
156 the property with the intent of using it with the existing zoning. Our plan is consistent with that
157 zoning; in fact, there's up to 10 units allowed in an R-3 parcel and we only have four single-
158 family residences planned for that parcel. Just to address a couple of the concerns that have
159 come up. The concern is that this is a 'spot zoning.' In my professional opinion, that's not true
160 because there's a parcel right next door that is multiple twindominiums developed on a smaller
161 parcel where the density of units per acre is actually higher than the parcel that we've purchased.
162 It isn't spot zoning; it's actually contiguous with the property to the southeast. That said, there
163 was some commentary about it being a strange plan and sort of not making sense based on
164 anything else in Onalaska. Actually, the neighboring parcel has a singular driveway that is used
165 to access multiple twindos, just the same way that we're planning a singular driveway to access
166 multiple parcels on a single plat, so it's actually really similar. It is a sloped site, much like all of
167 the sites that wrap around that part of Marcou Road. And we're very familiar with dealing with
168 stormwater requirements and the things that are required from an engineering perspective on

Reviewed 05/03/2021 by Katie Aspenson

169 those parcels. Those are all things that we will work out in detail with site plan approval and
170 staff. I feel confident that we can achieve this development and have it be a great project and
171 look fantastic when it's done, and it hopefully will be an asset to the neighborhood. I hope the
172 Plan Commission holds those things in consideration tonight. Thank you.”

173
174 Mayor K. Smith called three times for anyone else wishing to provide public input and closed
175 that portion of the meeting.

176

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

178

179 **Item 4 – Public Hearing: Approximately 7:00 PM (or immediately following Public Input)**
180 **to consider a Conditional Use Permit request filed by Aaron Adelman of SMJ**
181 **International, 49030 Pontiac Trail, Suite 100, Wixom, MI 48393 on behalf of T-Mobile**
182 **Central, LLC, Attn: Bilal Baktroukh, 1400 Opus Place, Downers Grove, IL 60515 on**
183 **behalf of Centurritel of Wisconsin, LLC, 2615 East Avenue South, La Crosse, WI 54601 to**
184 **replace three (3) existing antennas with six (6) new antennas and replace six (6) Remote**
185 **Radio Units (RRU) with six (6) new RRU, and adding ancillary equipment to the existing**
186 **telecommunications tower located at 580 Lester Avenue, Onalaska, WI 54650 (Tax Parcel #**
187 **18-4013-0)**

188

189 1. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
190 prior to obtaining applicable building permits. Owner/developer must have all conditions
191 satisfied and improvements installed per approved plans prior to issuance of occupancy
192 permits.

193

194 2. All conditions run with the land and are binding upon the original developer and all heirs,
195 successors and assigns so long as the conditional use is being actively used.

196

197 3. Owner/developer shall abide by the City's Ordinances, Unified Development Code and
198 Building Code requirements, as amended.

199

200 4. The Conditional Use Permit shall be reviewed every five (5) years to ensure continued
201 use.

202

203 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
204 Conditional Use Permit request.

205

206 Mayor K. Smith called three times for anyone wishing to speak in favor of the Conditional Use
207 Permit request and closed that portion of the public hearing.

208

209 Mayor K. Smith called three times for anyone wishing to speak in opposition to the Conditional
210 Use Permit request and closed the public hearing.

211
212 Katie said the telecommunications structure is a 160-foot tall monopole and T-Mobile will be
213 adding its equipment to this site's tower. According to the applicant, they will not be extending
214 the height of the structure, will not be adding any lighting to the tower, and will not change the
215 existing use of the tower. The Structural Analysis Report as prepared by American Tower
216 Corporation states that the tower and foundation can support the proposed equipment.
217 Telecommunication structures and tower are permitted only by Conditional Use Permit per
218 Section 13.02.68.T, and pursuant to standards set forth in Sections 13.05.22. Katie said while the
219 city has no basis for denial of the CUP, it has found a basis to impose the following conditions:

- 220
- 221 1. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
222 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
223 and improvements installed per approved plans prior to issuance of occupancy permits.
224 **Substantial Evidence:** This condition provides notice to the owner/developer that they
225 are to follow procedure for orderly development in the City of Onalaska in order to
226 promote the health, safety and welfare of the City.
227
 - 228 2. All conditions run with the land and are binding upon the original developer and all heirs,
229 successors and assigns so long as the conditional use is being actively used. **Substantial**
230 **Evidence:** This condition acknowledges and provides public notice of the term and puts
231 the owner/developer and future owners on notice that they are bound by the conditions
232 and that they can continue the use as long as they follow the conditions and actively use
233 the conditional use.
234
 - 235 3. Owner/developer shall abide by the City's Ordinances, Unified Development Code and
236 Building Code requirements, as amended. **Substantial Evidence:** This condition
237 assures the owner/developer understands that they must follow the city's Unified
238 Development Code and Building Code, which they are required to follow in every way,
239 and that as they are receiving the benefit of being allowed to have a use that is not within
240 the standards of the City's zoning code, failure to follow City ordinances may result in
241 loss of their Conditional Use Permit.
242
 - 243 4. The Conditional Use Permit shall be reviewed every five (5) years to ensure continued
244 use. **Substantial Evidence:** This shifts the burden to the owner of the property to
245 provide proof that the use is active and continuing. Ensuring that existing permits are
246 still valid and being properly used ensures compliance with the City's procedures and
247 ordinances, and promotes interaction and communication with the City, which furthers
248 orderly development and the health, safety and welfare of the community.
249

250 Katie said that only where no reasonable conditions could exist to allow the Conditional Use,
251 may a Conditional Use Permit be denied. Katie told commission members city staff
252 recommends approval with the four stated conditions.

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253
254 Motion by Ald. T. Smith, second by Craig, to approve with the four stated conditions a
255 Conditional Use Permit request filed by Aaron Adelman of SMJ International, 49030 Pontiac
256 Trail, Suite 100, Wixom, MI 48393 on behalf of T-Mobile Central, LLC, Attn: Bilal Baktroukh,
257 1400 Opus Place, Downers Grove, IL 60515 on behalf of Centurytel of Wisconsin, LLC, 2615
258 East Avenue South, La Crosse, WI 54601 to replace three (3) existing antennas with six (6) new
259 antennas and replace six (6) Remote Radio Units (RRU) with six (6) new RRU, and adding
260 ancillary equipment to the existing telecommunications tower located at 580 Lester Avenue,
261 Onalaska, WI 54650 (Tax Parcel # 18-4013-0).

262
263 Craig noted there had been a previous discussion regarding review procedures for conditional
264 uses, and he asked when it had changed to five years, or if it always had been five years.

265
266 Katie told Craig an applicant used to have to begin the CUP every 12 months, and she said that
267 as this one amends one that currently is on file, the applicant must continue to utilize the
268 structure every time an adjustment or a swap is made. Katie said, "This is ensuring that they are
269 in fact using their Conditional Use Permit."

270
271 Jan asked if the two additional base cabinets will fit in the fenced area.

272
273 Katie said yes.

274
275 On voice vote, motion carried.

276
277 **Item 5 – Public Hearing: Approximately 7:10 PM (or immediately following the Public**
278 **Hearing at 7:00 P.M.) to consider a General Development Plan to create a Planned Unit**
279 **Development (PUD) application filed by Terry Weiland of Weiland Construction, 600 L.**
280 **Hauser Road, Onalaska, WI 54650 to merge two (2) parcels and construct a new two (2)**
281 **unit residential structure in addition to an existing five-plex on a single parcel located at**
282 **2215-2217-2219-2221-2223 Abbey Road and Abbey Road, Onalaska, WI 54650 (Tax**
283 **Parcels # 18-4511-315 and 18-4511-314)**

- 284
285 1. Planned Unit Development Fee for \$700.00 dollars (PAID).
286
287 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each buildable
288 unit. 2 total units * \$922.21/unit = \$1,844.42 dollars
289
290 3. Final Implementation Plan to be submitted for review and approval prior to any
291 development activities.
292
293 4. Site Plan Permit is required for new development in advance of building permit
294 applications, including detailed architectural plans, landscape, drainage, erosion control,

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8

- 295 fire accessibility and other required information/plans. Any future improvements to this
296 parcel may be subject to additional City permits (i.e., building permits). All easements to
297 be detailed on site plan. Dairyland Powerline Easement to be staked on-site in advance of
298 construction activities and all lot pins exposed for setback-measuring purposes.
299
- 300 5. When “future street” is installed along the northern property line, a minimum of one (1)
301 tree to be installed in the boulevard for every twenty-five (25) linear feet of street
302 frontage within six (6) months of road construction completion. Trees installed within the
303 Dairyland Power Line Easement to be selected off the City’s Low Growth Tree List.
304
- 305 6. Owner/developer shall submit a detailed Utility Plan for servicing the vacant lot for
306 review and approval by the City Engineer. Plans to be submitted for review and approval
307 at least ten (10) days prior to proceeding with work.
308
- 309 7. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential
310 equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated
311 fee is \$730.00/REC.
312
- 313 8. Owner/developer shall provide the City with a check in the amount of \$30.00 dollars
314 made payable to the La Crosse County Register of Deeds. Owner shall sign the Quit
315 Claim Deed for Tax Parcel # 18-4511-317 prior to issuance of a building permit. The
316 City shall cause to be recorded the Quit Claim Deed to transfer Tax Parcel # 18-4511-317
317 from owner to the City of Onalaska.
318
- 319 9. Owner/developer shall provide the City with a second signed check in the amount of
320 \$30.00 dollars made payable to the La Crosse County Register of Deeds prior to issuance
321 of a building permit. The City shall cause to be recorded the legal description of the
322 Planned Unit Development and the Final Implementation Plan Conditions of Approval
323 tied to the development. These conditions shall not lapse or be waived as a result of any
324 subsequent change in ownership of tenancy.
325
- 326 10. The City shall cause to be recorded the Quit Claim Deed with the La Crosse County
327 Register of Deeds to transfer Tax Parcel # 18-4511-316 from the City to the developer.
328 Upon recordation, owner/developer shall merge Tax Parcel #18-4511-316, Tax Parcel #
329 18-4511-315, and Tax Parcel # 18-4511-314 with the La Crosse County Real Estate
330 Lister prior to issuance of a building permit.
331
- 332 11. If in the future the owner/developer creates Declaration of Covenants, Conditions and
333 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
334 of parking lots/private drives, the buildings including all common areas and green spaces,
335 stormwater management/easement areas, as well as any ownership or use restrictions for
336 the parcel/development; a copy shall be provided to the Planning Department and

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337 recorded at the La Crosse County Register of Deeds. Any amendments to the
338 aforementioned document to be recorded at the La Crosse County Register of Deeds and
339 a copy provided to the Planning Department.

340

341 12. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
342 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
343 and improvements installed per approved plans prior to issuance of occupancy permits.

344

345 13. All conditions run with the land and are binding upon the original developer and all heirs,
346 successors and assigns. The sale or transfer of all or any portion of the property does not
347 relieve the original developer from payment of any fees imposed or from meeting any
348 other conditions.

349

350 14. Any omissions of any conditions not listed in committee minutes shall not release the
351 property owner/developer from abiding by the City's Unified Development Code
352 requirements.

353

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

356

357 Mayor K. Smith called three times for anyone wishing to speak in favor of a General
358 Development Plan to create a Planned Unit Development (PUD) and closed that portion of the
359 public hearing.

360

361 Mayor K. Smith called three times for anyone wishing to speak in opposition to a General
362 Development Plan to create a Planned Unit Development (PUD) and closed the public hearing.

363

364 Katie said this Planned Unit Development (PUD) request is to define special site setbacks and
365 architectural standards for the development of Tax Parcel No. 18-4511-314, which is located just
366 off Abbey Road. Previously, the City of Onalaska approved a Certified Survey Map where the
367 anticipated access for this new parcel would be off a new city street that would run perpendicular
368 to Abbey Road. The new city street was to be constructed up to the southern parcel line and
369 install a temporary driveway to provide legal access to this parcel. Katie said the applicant is
370 requesting to merge the property on which there is a five-plex with the property that is currently
371 vacant in order to provide immediate access to Abbey Road off the existing driveway instead of
372 installing the new city street. A new, two-unit residential building would then be constructed on
373 former lot. Katie noted street yard setbacks exceeding the maximum allowable distance (40 feet)

374

375 Katie noted the developer had provided the attachments included in commission members'

376

377

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- 378 • **Yard Setbacks:** To waive UDC Section 13.02.25-1 requiring a minimum of (25 feet and
379 maximum of 40 feet setback for High Density Residential (R-4) Districts. The request is
380 primarily due to the powerline easement. Katie said it is not possible to situate new
381 construction within the required setbacks, and she noted the proposed location is
382 approximately 150 feet from the property line. Katie said the applicant is proposing a
383 different solution to allow the vacant parcel to be developed through a secondary means
384 of the PUD. Katie said when the new city street is installed, the city would require a
385 secondary means of access, which is shown in the site plan that they would connect to the
386 new city street to serve it from the street and the driveway. The structure will be fully
387 compliant with city code once that occurs. This development will meet all other setbacks
388 (rear, side, and between buildings) as required in the UDC.
- 389 • **Architecture:** Katie said building images have been provided for Plan Commission
390 consideration, and she told commission members the applicant is asking to deviate from
391 two sections of the city's R-4 standards that require additional architectural details for
392 facades that front on a public street. An applicant must provide additional vertical
393 articulation every 40 feet, at a minimum. There also must be minimum transparency of
394 20 percent, and there shall be no blank walls greater than 30 percent. Katie explained
395 that the front of a house faces the street when someone orients off a new street. In this
396 case, the side of the house fronts the street. As such, the side façade is proposed to solely
397 contain vinyl siding with no design articulations. Further, the applicant proposes a single
398 window which does not meet the 20 percent requirement and exceeds the 30 percent
399 blank wall requirement. Per the staff report, Katie said city staff supports the
400 transparency and blank wall deviation request due to the proposed orientation of the
401 structure for access purposes. In an effort to provide additional architectural features to
402 the future public street side of the structure, Katie said city staff recommends that the
403 applicant provide an additional 3- to 4-foot band of along the base of the structure in a
404 different material such as the stone feature on the front of the structure. City staff
405 required something similar during the site plan review of the five-plex as a portion of the
406 side yard faces the public street.

407
408 Katie noted there are 14 conditions tied to this development.

409
410 Motion by Craig, second by Skip, to approve with the 14 stated conditions a General
411 Development Plan to create a Planned Unit Development (PUD) application filed by Terry
412 Weiland of Weiland Construction, 600 L. Hauser Road, Onalaska, WI 54650 to merge two (2)
413 parcels and construct a new two (2) unit residential structure in addition to an existing five-plex
414 on a single parcel located at 2215-2217-2219-2221-2223 Abbey Road and Abbey Road,
415 Onalaska, WI 54650 (Tax Parcels # 18-4511-315 and 18-4511-314).

416
417 Jan asked if the applicant still will be required to construct the street at a future date.

418
419 Katie told Jan approval of this item will allow the applicant not to have to install the street in
Reviewed 05/03/2021 by Katie Aspenson

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420 order to construct the residence as the applicant will provide a different means of access to it.
421 Katie said, “When the city takes ownership of that ... we could have the road installed at a future
422 date.”

423
424 Jarrod said the city so chose, it could levy special assessment powers, install the street, and
425 assess the properties if the street was needed at a future date. Jarrod said the street connection
426 that is shown is for future development purposes if a connection is needed to the lands located to
427 the west of this Abbey Road area. Jarrod said the city is reserving it for future street purposes.
428

429 Katie told commission members if they wish to require the additional architectural feature, it
430 would need to be added to the conditions of approval.

431
432 On voice vote, motion carried.

433
434 **Item 6 – Public Hearing: Approximately 7:20 PM (or immediately following the Public**
435 **Hearing at 7:10 P.M.) to consider an Annexation Petition submitted by Amy and Marty**
436 **Lorentz of Scenic Valley Properties, LLC, 2371 Cobblestone Cove, Onalaska, WI 54650 to**
437 **annex a vacant residential parcel addressed Green Coulee Road from the Town of**
438 **Onalaska to the City of Onalaska (Tax Parcel # 10-1-1)**

- 439
440 1. Annexation Application Fee: \$300.00 dollars (PAID).
441
442 2. Payment of Green Coulee Sanitary Sewer Fee: \$346.00 per acre *1.39 acres = \$480.94
443 dollars.
444
445 3. Payment of Green Coulee High Pressure Zone: \$2,247.00 per acre * 1.39 acres =
446 \$3,123.33 dollars.
447
448 4. Topography Map Fee: \$10.00 per acre *1.39 acres = \$13.90 dollars.
449
450 5. Park Fee: \$922.21 dollars per residential unit due prior to issuance of a building permit.
451
452 6. Annexed land to be placed in Low Density Residential (R-1) District.
453
454 7. Owner/developer to submit detailed Utility Plan for approval by the City Engineer.
455 Owner/developer must notify City prior to any utility connection to City-owned utilities
456 takes place.
457
458 8. Owner/developer to obtain a Street Opening Permit prior to utility work.
459
460 9. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
461 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
462 and improvements installed per approved plans prior to issuance of occupancy permits.

463
464 10. All conditions run with the land and are binding upon the original developer and all heirs,
465 successors and assigns. The sale or transfer of all or any portion of the property does not
466 relieve the original developer from payment of any fees imposed or from meeting any
467 other conditions.

468
469 11. Any omissions of any conditions not listed in minutes shall not release the property
470 owner/developer from abiding by the City's Unified Development Code requirements.

471
472 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
473 Annexation Petition.

474
475 Mayor K. Smith called three times for anyone wishing to speak in favor of the Annexation
476 Petition and closed that portion of the public hearing.

477
478 Mayor K. Smith called for anyone wishing to speak in opposition to the Annexation Petition.

479

480 **Calvin King**
481 **1004 Green Coulee Road**
482 **Onalaska**

483

484 "I don't know if I'm really for or against the annexation. It seems like it's almost a balloon on a
485 string. The property doesn't face any city street, and it's just being connected by an easement.
486 It's going to be used off of a town road. The other thing I wonder about is, what would any
487 setbacks be measured off of when they build the house on this? There is no front street yard.
488 And what would the side yards be measured from? The other thing is, is this going to be zoned
489 R-1? That's what it's going to be, one parcel. I'm probably not in favor of the way it is because
490 I don't know how you would do any setbacks or where the house would be located. There's
491 already a problem there with elevation and looking down into other people's houses. This would
492 be built right above another house. I guess I'm not for it. Thank you."

493

494 **John Noble**
495 **N4915 Clifford Drive**
496 **Onalaska**

497

498 "My question is regarding the R-1 zoning. I'm not opposed to a single-family residence there.
499 It's future splitting of that parcel. Can that parcel be built on? Can that property be split to have
500 two properties both there?"

501

502 Mayor K. Smith told John this is an opportunity for him to speak, and commission members will
503 address his questions if they wish to do so.

504

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13

505 John said, "My opposition would be splitting that lot. Thank you."

506

507 Mayor K. Smith called three times for anyone else wishing to speak in opposition to the
508 Annexation Petition and closed the public hearing.

509

510 Katie said what is being presented is to annex a parcel of land and construct a single-family
511 dwelling on land that is currently vacant and accessed off Clifford Drive, which is an offshoot of
512 Green Coulee Road. The Comprehensive Plan identifies this area as Environmentally Sensitive,
513 which is intended for lower density single family development on compact lots with common
514 open space that allows for the protection of environmentally sensitive areas. The property is
515 directly adjacent to the City of Onalaska on the southern and the western sides. If successful, the
516 applicant proposes to construct a single-family home on the property in keeping with the
517 surrounding neighborhood characteristics. The utilities to serve this dwelling would be accessed
518 via an easement through an abutting City of Onalaska tax parcel. Katie noted there are 11
519 conditions of approval tied to this development.

520

521 Motion by Ald. T. Smith, second by Skip, to approve with the 11 stated conditions an
522 Annexation Petition submitted by Amy and Marty Lorentz of Scenic Valley Properties, LLC,
523 2371 Cobblestone Cove, Onalaska, WI 54650 to annex a vacant residential parcel addressed
524 Green Coulee Road from the Town of Onalaska to the City of Onalaska (Tax Parcel # 10-1-1).

525

526 Katie addressed Calvin King's question and noted the street yard setback would be off of
527 Clifford Drive, and the side yard setbacks would be measured off the northern property line and
528 also the southwestern property line. Katie explained that the rear property would be what is
529 immediately adjacent to City of Onalaska land, which is other residential properties.

530

531 Gargi asked if a utility line already has been installed, or if it will be installed when the property
532 is annexed or rezoned.

533

534 Jarrod said he has been in contact with the developer and noted the developer has the 20-foot
535 utility easement. Jarrod said the laterals would need to be run down from Stonebridge Avenue
536 and through the utility easement in order for City of Onalaska water and sewer services to reach
537 the lot. Jarrod said it appears it would be feasible to do so; however, it would come at a cost to
538 the developer. Jarrod said the developer is willing to bear that cost.

539

540 Jan asked, "We don't have city sewer and water in Clifford Lane?"

541

542 Jarrod said that is correct.

543

544 Jan asked if the applicant would need to connect there if the city installed those services.

545

546 Jarrod noted Clifford Drive is currently located in the township and said, "If we did put utility

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14

547 services and annexed that at some point, we would have to look at that. If their services did not
548 have any reason to relocate, we would probably let them stay in the easement because they have
549 a legal right with that easement and it's receiving city services. But we could have them relocate
550 to Clifford Drive if the need arose if we put the city sewer and water in the street."

551
552 Jan asked if the commission is voting on the annexation.

553
554 Mayor K. Smith said the commission is voting on the Annexation Petition with the 11
555 conditions, and she asked Katie to explain what the ensuing steps would be if the Plan
556 Commission approves the Annexation Petition.

557
558 Katie said the petition would go before additional city committees and ultimately the Common
559 Council if it is passed by the Plan Commission. Katie further explained that the property would
560 be brought into the City of Onalaska, re-addressed, and immediately rezoned R-1 (Single Family
561 Residential). Katie said the developer would be required to pull the necessary building permits
562 and obtain the necessary utilities in order to serve the residence.

563
564 On voice vote, motion carried.

565
566 **Item 7 – Public Hearing: Approximately 7:30 PM (or immediately following the Public**
567 **Hearing at 7:20 P.M.) to consider a Rezoning application submitted by Jacob Burch of**
568 **Logistics Development Group, LLC, 2102 State Highway 16, La Crosse, WI 54601 to**
569 **rezone a parcel of land from Single Family Residential (R-1) to Medium Residential**
570 **District (R-3) to allow for the construction of three (3) twinhomes located at Lot 9**
571 **Crestwood Circle, Onalaska, WI 54650 (Tax Parcel # 18-6559-0)**

- 572
573 1. Rezoning Fee of \$300.00 (PAID).
574
575 2. Adhere to all Crestwood Estates Planned Unit Development Conditions of Approval as
576 approved by the Common Council on February 12, 2019:
577 a. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each
578 buildable lot. 18 total lots * \$922.21/unit = \$16,599.788 dollars.
579 b. Topography Map fee of \$10.00 (per acre) \$10/acre x 23.16 acres = \$231.60 dollars to
580 be paid prior to obtaining a Building Permit.
581 c. Development is contingent upon City installation of water booster station along
582 Crestwood Lane. Installation of water booster station is contingent upon City funding
583 the project through the City of Onalaska Capital Improvements Budget, receiving
584 necessary permits and approvals, and obtaining lands for the water booster station.
585 d. Owner/developer to be aware that City water system provides service to elevation
586 930'; meeting Wisconsin DNR minimum pressure requirements. Owner/developer to
587 be aware Wisconsin DNR minimum water pressure supplied at a main is 35 psi,
588 which occurs at elevation 930' in the City of Onalaska High Service Zone. Water

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15

- 589 pressure for owner satisfaction in a typical residential home is higher than the
590 Wisconsin DNR minimum. Lots 13-18 building pad and home elevations will exceed
591 service elevation for water system. Owner/developer to supply City with written plan
592 for water service to these lots. Owner/developer is required to inform all lot buyers of
593 water pressures within the Crestwood Estates development.
- 594 e. All infrastructure design for development to be approved by the City Engineer.
595 Review of street widths and pavement cross section with final approval by the City
596 Engineer.
 - 597 f. Phasing of construction of infrastructure in development to be coordinated with City
598 infrastructure installation along Crestwood Lane.
 - 599 g. Final Implementation Plan to be submitted for review and approval prior to any
600 development activities.
 - 601 h. Owner/developer shall record with the La Crosse County Register of Deeds, the legal
602 description of the Planned Unit Development and the Conditions of Approval tied to
603 the development. These conditions shall not lapse or be waived as a result of any
604 subsequent change in ownership of tenancy.
 - 605 i. If in the future the owner/developer creates Declaration of Covenants, Conditions and
606 Deed Restrictions, etc. that at a minimum address maintenance, repair, and
607 replacement of parking lots/private drives, the buildings including all common areas
608 and green spaces, stormwater management/easement areas, as well as any ownership
609 or use restrictions for the parcel/development; a copy shall be provided to the
610 Planning Department and recorded at the La Crosse County Register of Deeds. Any
611 amendments to the aforementioned document to be recorded at the La Crosse County
612 Register of Deeds and a copy provided to the Planning Department.
 - 613 j. Master Grading and Stormwater plan to be reviewed & approved by the City
614 Engineer.⁴
 - 615 k. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
616 buffer surrounding the identified slopes. Building pads/residences/structures may not
617 infringe upon this area.
 - 618 l. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI
619 application, permit, approval letter and associated data prior to construction to the
620 Engineering Department. A City Erosion Control Permit for greater than one (1) acre
621 of land disturbance is required before any earth moving activities occur. Permit to be
622 reviewed and approved a minimum of ten (10) days prior to construction activities.
 - 623 m. All erosion control BMPs (Best Management Practices) to be installed prior to the
624 start of any construction activities. Swale areas/stormwater ponds to be dug prior to
625 start of construction and prior to initial grading to act as sediment traps. Track pad(s)
626 to be installed with a minimum of 3- to 6-inch stones, one (1) foot deep and fifty (50)
627 feet in length. All disturbed areas to have black dirt placed and seeded within seven
628 (7) days of disturbance.
 - 629 n. Master Utility Plan (including any phasing) to be reviewed and approved by the City
630 Engineer including a schedule. Any utilities dedicated to the City of Onalaska shall be

- 631 in a dedicated right-of-way, outlot, or easement. Master Utility Plan to note hydrant
632 locations.
- 633 o. Land Preservation Plan (landscaping/open space/tree preservation) to be reviewed
634 and approved by the Planning Department.
- 635 p. Note tree removal / clearing / grubbing limitations on Grading Plan.
- 636 q. City-furnished Inspector required during utility installations and developer to pay
637 costs.
- 638 r. As-builts of all utility work required to be submitted to the Engineering Department
639 within sixty (60) days of occupancy of first residential dwelling.
- 640 s. Owner/developer to obtain letters from utility service providers noting that there is
641 adequate power, natural gas, and telephone/internet services available to serve this
642 project and provided to the Engineering Department.
- 643 t. All lot pins to be installed at 150' (maximum interval).
- 644 u. Recommend 13R sprinkler systems for residences due to anticipated topography,
645 setbacks of homes of streets and non-direct driveways.
- 646 v. Any future improvements to these parcels will be subject to additional City permits
647 (i.e., site plan approvals, building permits, zoning approvals). Owner/developer shall
648 pay all fees and have all plans reviewed and approved by the City prior to obtaining a
649 building permit. Owner/developer must have all conditions satisfied and
650 improvements installed per approved plans prior to issuance of occupancy permits.
- 651 w. All conditions run with the land and are binding upon the original developer and all
652 heirs, successors and assigns. The sale or transfer of all or any portion of the property
653 does not relieve the original developer from payment of any fees imposed or from
654 meeting any other conditions.
- 655 x. Any omissions of any conditions not listed in minutes shall not release the property
656 owner/developer from abiding by the City's Unified Development Code
657 requirements.
- 658
- 659 3. Adhere to all Crestwood Estates Planned Unit Development Amendment Conditions of
660 Approval as approved by the Common Council on June 9, 2020:
- 661 a. Planned Unit Development Fee for \$700.00 dollars (PAID).
- 662 b. Adhere to all Crestwood Estates Planned Unit Development Conditions of Approval
663 as approved by the Common Council on February 12, 2019: (See Condition 2 above).
- 664 c. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each
665 buildable unit. 22 total unit * \$922.21/unit = \$20,288.62 dollars. Note: if the Park Fee
666 increases in the future, the property owner will be required to pay the increased Park
667 Fee at the time of the development.
- 668 d. Water booster station construction has been delayed and it is projected it may not be
669 available for use until end of 2020 (Date has not been confirmed). Building permits
670 for structures can be issued but no final occupancy will be issued until City has water
671 booster station is in service.

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17

- 672 e. Applicant to create an Outlot for “Pond A” to be dedicated to the City of Onalaska
673 and provide an accessible access easement to the City for maintenance purposes.
- 674 f. Topography Map fee of \$10.00 (per acre) $\$10/\text{acre} \times 23.16 \text{ acres} = \231.60 dollars to
675 be paid prior to the City of Onalaska signing the Final Plat.
- 676 g. Applicant to note on Planned Unit Development and subsequent replatting
677 documents, shared driveway easements where applicable.
- 678 h. Applicant to re-apply for a new Preliminary Plat and Final Plat for Crestwood Estates
679 Subdivision to the City of Onalaska and Wisconsin Department of Administration.
- 680 i. Provided the Final Plat is approved by the City of Onalaska and Wisconsin
681 Department of Administration and after “Lot 9” is assigned a Tax Parcel Number.
682 Applicant to apply to rezone “Lot 9” as indicated in the proposed attachment from R-
683 1 District to the R-3 District to allow the construction of up to eight (8) units on a
684 single parcel.
- 685 j. Once “Lot 9” has been appropriately zoned to the R-3 District, applicant shall submit
686 a Condominium Plat in accordance with Chapter 703, Wis. Stats. for approval by the
687 Wisconsin Department of Administration. Applicant to provide all associated
688 documentation submitted the Department of Administration to the City of Onalaska.
- 689 k. Any future improvements to these parcels will be subject to additional City permits
690 (i.e., site plan approvals, building permits, zoning approvals). Owner/developer shall
691 pay all fees and have all plans reviewed and approved by the City prior to obtaining a
692 building permit. Owner/developer must have all conditions satisfied and
693 improvements installed per approved plans prior to issuance of occupancy permits.
- 694
- 695 4. Park Fee Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each
696 buildable unit on Lot 9. $8 \text{ total units} * \$922.21/\text{unit} = \$7,377.68$ dollars. Note: if the Park
697 Fee increases in the future, the property owner will be required to pay the increased Park
698 Fee at the time of the development.
- 699
- 700 5. Once “Lot 9” has been appropriately zoned to the R-3 District, applicant shall submit a
701 Condominium Plat in accordance with Chapter 703, Wis. Stats. for approval by the
702 Wisconsin Department of Administration. Applicant to provide all associated
703 documentation submitted the Department of Administration to the City of Onalaska.
- 704
- 705 6. Any future improvements to these parcels will be subject to additional City permits (i.e.,
706 site plan approvals, building permits, zoning approvals). Owner/developer shall pay all
707 fees and have all plans reviewed and approved by the City prior to obtaining a building
708 permit. Owner/developer must have all conditions satisfied and improvements installed
709 per approved plans prior to issuance of occupancy permits.
- 710
- 711 7. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
712 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
713 and improvements installed per approved plans prior to issuance of occupancy permits.

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714
715 8. All conditions run with the land and are binding upon the original developer and all heirs,
716 successors and assigns. The sale or transfer of all or any portion of the property does not
717 relieve the original developer from payment of any fees imposed or from meeting any
718 other conditions.

719
720 9. Any omissions of any conditions not listed in committee minutes shall not release the
721 property owner/developer from abiding by the City's Unified Development Code
722 requirements.

723
724 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
725 Rezoning application.

726
727 **Jacob Burch**
728 **724 Richmond Street**
729 **La Crosse**

730
731 "First, thank you for your time this evening reviewing our request. I just wanted to briefly
732 identify some of the benefits we feel this update has for this development. First and foremost, it
733 allows us the ability to eliminate some of the concern we initially had with longer driveways
734 crossing a ravine. This will allow the build sites that we're attempting to build to be closer to the
735 main road, providing easier access for public service men and women. Also, to second that, it
736 will also provide the ability for additional, more affordable housing for that area of the
737 community. Again, thank you for your time."

738
739 Mayor K. Smith called three times for anyone else wishing to speak in favor of the Rezoning
740 application and closed that portion of the public hearing.

741
742 Mayor K. Smith called three times for anyone wishing to speak in opposition to the Rezoning
743 application and closed the public hearing.

744
745 Katie said the applicant intends to construct four twindos (eight units) on a single lot in
746 Crestwood Estates, and she noted Lot 9 is currently Low Density Residential (R-1) District. The
747 applicant is requesting rezoning to Medium Density Residential (R-3) District as required by
748 Crestwood Estates Planned Unit Development Amendment Conditions of Approval dated June 9,
749 2020. Katie noted Lot 9 of this plat is the only lot proposed to be rezoned to Medium Density
750 Residential (R-3). The remaining lots will continue as Low Density Residential (R-1) and be
751 developed as single-family homes. Katie noted the next step for the applicant was to formally
752 apply for rezoning once the plat was approved, and she said there are nine conditions of approval
753 tied to this development.

754
755 Motion by Jarrod, second by Ald. T. Smith, to approve with the nine stated conditions to approve
Reviewed 05/03/2021 by Katie Aspenson

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19

756 a Rezoning application submitted by Jacob Burch of Logistics Development Group, LLC, 2102
757 State Highway 16, La Crosse, WI 54601 to rezone a parcel of land from Single Family
758 Residential (R-1) to Medium Residential District (R-3) to allow for the construction of three (3)
759 twinhomes located at Lot 9 Crestwood Circle, Onalaska, WI 54650 (Tax Parcel # 18-6559-0).

760
761 Jan noted that while the yellow sheet states Jacob will construct three twinhomes, the
762 information given to commission members states Jacob will construct for twinhomes and the
763 map shows three.

764
765 Mayor K. Smith said it is her understanding three twinhomes will be constructed.

766
767 Katie said three twinhomes will be constructed and she apologized for the error.

768
769 On voice vote, motion carried.

770
771 **Item 8 – Public Hearing: Approximately 7:40 PM (or immediately following the Public**
772 **Hearing at 7:30 P.M.) to consider a General Development Plan to create the North Kinney**
773 **Coulee Apartments Planned Unit Development (PUD) application filed by Justin Birdd of**
774 **Birdd Properties, PO Box 27, West Salem, WI 54669 on behalf of Goehner Investments,**
775 **LLC, PO Box 1085, La Crosse, WI 54602 to allow a new multi-family development**
776 **containing four (4) apartments on a single parcel located at Kinney Coulee Road North,**
777 **Onalaska, WI 54650 (Tax Parcel # 18-3625-3)**

- 778
779 1. Planned Unit Development Fee for \$700.00 dollars (PAID).
780
781 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each building.
782 195 total units * \$922.21/unit = \$179,830.00 dollars.
783
784 3. Pralle Annexation Area - Sanitary Sewer Fee: \$806.00 (per acre) \$806.00/acre x 21.07
785 acres = \$16,982.42 dollars to be paid to the City prior to obtaining a Building Permit.
786
787 4. Final Implementation Plan to be submitted for review and approval prior to any
788 development activities.
789
790 5. Owner/developer shall prepare and submit a Master Drainage/Stormwater Management
791 Plan for review and approval by the City Engineer.
792
793 6. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI
794 application, permit, approval letter and associated data prior to construction to the
795 Engineering Department. A City Erosion Control Permit for greater than one (1) acre of
796 land disturbance is required before any earth moving activities occur. Permit to be
797 reviewed and approved a minimum of ten (10) days prior to construction activities.
798

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- 799 7. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
800 buffer surrounding the identified slopes. Building pads/residences/structures shall not
801 infringe upon these areas.
802
- 803 8. Owner/developer to provide a phasing plan that depicts what infrastructure/site
804 improvements (grading, stormwater controls, landscaping, future road, utilities, etc.) that
805 are required with each phase for the development. Schedule will include a map with a
806 “bubble diagram” around each area noting proposed construction year.
807
- 808 9. Master Grading Plan to be reviewed & approved by the City Engineer. Note tree removal
809 / clearing / grubbing limitations on Grading Plan.
810
- 811 10. All erosion control BMPs (Best Management Practices) to be installed prior to the start of
812 any construction activities. Swale areas/stormwater ponds to be dug prior to start of
813 construction and prior to initial grading to act as sediment traps. Track pad(s) to be
814 installed with a minimum of 3- to 6- inch stones, one (1) foot deep and fifty (50) feet in
815 length. All disturbed areas to have black dirt placed and seeded within seven (7) days of
816 disturbance.
817
- 818 11. Master Utility Plan Phasing/Schedule to be reviewed and approved by the City Engineer.
819 Any utilities dedicated to the City of Onalaska shall be in a dedicated right-of-way,
820 outlot, or easement.
821
- 822 12. Owner/developer must notify the City prior to any utility connection to public utilities.
823 City-furnished Inspector required during utility installations and developer to pay costs.
824
- 825 13. As-built data for water, sanitary, and storm infrastructure to be submitted to City within
826 sixty (60) days of Occupancy Permit issuance.
827
- 828 14. Owner/developer to submit final, colored renderings of all four (4) sides of proposed
829 buildings noting architectural elevations with details and materials to be approved by the
830 Planning Department.
831
- 832 15. Site Plan Permit is required for new development in advance of building permit
833 applications, including detailed architectural plans, landscape, drainage, erosion control,
834 fire accessibility and other required information/plans. Any future improvements to this
835 parcel may be subject to additional City permits (i.e., building permits).
836
- 837 16. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential
838 equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated
839 fee is \$730.00/REC.
840
- 841 17. Owner/Developer to obtain any required permitting from the City of La Crosse for tie in

842 of water and sanitary sewer system in Berlin Drive.
843

844 18. If in the future the owner/developer creates Declaration of Covenants, Conditions and
845 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
846 of parking lots/private drives, the buildings including all common areas and green spaces,
847 stormwater management/easement areas, as well as any ownership or use restrictions for
848 the parcel/development; a copy shall be provided to the Planning Department and
849 recorded at the La Crosse County Register of Deeds. Any amendments to the
850 aforementioned document to be recorded at the La Crosse County Register of Deeds and
851 a copy provided to the Planning Department.
852

853 19. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
854 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
855 and improvements installed per approved plans prior to issuance of occupancy permits.
856

857 20. All conditions run with the land and are binding upon the original developer and all heirs,
858 successors and assigns. The sale or transfer of all or any portion of the property does not
859 relieve the original developer from payment of any fees imposed or from meeting any
860 other conditions.
861

862 21. Any omissions of any conditions not listed in committee minutes shall not release the
863 property owner/developer from abiding by the City's Unified Development Code
864 requirements.
865

866 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of a
867 General Development Plan to create the North Kinney Coulee Apartments Planned Unit
868 Development (PUD) application.
869

870 **Justin Birdd**
871 **PO Box 27**
872 **West Salem**
873

874 "We've been working with the city the last couple months. I think we've got all the bugs
875 worked out. It's a beautiful development. We're excited to work under the PUD with the city.
876 It is zoned properly already, but we do have a few asks that we need, so we're coming in under a
877 PUD, which allows us to work closely with the city and it works out best for both parties. [It is]
878 a beautiful development with 196 units [with] walking trails, a dog park, [and] a community
879 building. We got permission from the City of La Crosse to hook to the sewer, and everything
880 else worked out. I talked with the Fire Chief tonight, and it seems like we've got everything
881 under control. I would ask you to approve this tonight, and thank you for your time."
882

883 Mayor K. Smith called three times for anyone else wishing to speak in favor of a General

884 Development Plan to create the North Kinney Coulee Apartments Planned Unit Development
885 (PUD) application and closed that portion of the public hearing.

886
887 Mayor K. Smith called three times for anyone wishing to speak in opposition to a General
888 Development Plan to create the North Kinney Coulee Apartments Planned Unit Development
889 (PUD) application and closed the public hearing.

890
891 Katie said this PUD request is to facilitate a multi-phased development on a single parcel which
892 is currently zoned Multifamily. The property has approximately 6½ acres of relatively flat
893 buildable area, and approximately 14½ acres of wooded slope steeply down to an unnamed
894 stream, which flows from the northeast around the western and southern sides of the parcel. The
895 applicant is requesting exceptions to the UDC relating to site setbacks, architectural
896 transparency, and parking lot landscaping requirements. The proposed development will consist
897 of four primary multifamily residential buildings. Under the current proposed plan, three of the
898 buildings will house 51 units and one building will house 42 units. Each building will have
899 underground parking and three stories of apartments. A community building with a fitness
900 center will be constructed separately and shared by all residential buildings. Additional shared
901 community facilities include pickleball and basketball courts, a dog park, and a walking path
902 connecting the development to a regional trail. Katie noted a tentative schedule, a cover letter,
903 the General Development Plan, and the proposed architectural design standards all have been
904 included in commission members' packets.

905
906 Katie noted the applicant is requesting the following deviations:

- 907
- 908 • **Yard Setbacks:** The applicant requests that Unified Development Code Section
909 13.02.25-1 requiring a minimum of 25 feet and a maximum of 40 feet for street yard
910 setbacks for High Density Residential (R-4) be waived. Due to limitations in the
911 buildable area on the site, Building 1 has a proposed approximate 140-foot Street Yard
912 Setback; Building 2 with an approximate 360-foot Street Yard Setback; Building 3 with
913 an approximate 460-foot Street Yard Setback; and Building 4 with an approximate 320-
914 foot Street Yard Setback. Katie told commission members city staff supports this request
915 due to the unique parcel configuration and the limited Street Yard serving the parcel.
916 This development will meet all other setbacks (rear, side, and between buildings) as
917 required in the UDC.
 - 918 • **Architecture:** Building renderings have been provided for Plan Commission
919 consideration. The applicant requests that UDC Section 13.02.51.3.b requiring side and
920 rear facades visible from a public street, park, or plaza, have a minimum of 12 percent
921 transparency be waived for a portion of a structure that abuts a public street. The current
922 proposed architectural designs detail approximately 7 percent transparency for end walls
923 on Buildings 1, 2, and 4, and approximately 10 percent transparency for end walls on
924 Building 3. This design is intended to ensure privacy of residences on these sides of the
925 buildings from adjacent shared use areas such as patios. Katie told commission members

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926 city staff supports this request due to the reasons stipulated above. The applicant meets
927 transparency requirements elsewhere in their design and the buildings, which do not will
928 be well removed from the street and public view.

929 • **Landscaping:** The applicant requests that UDC Section 13.03.31.E.1 requiring
930 landscaping interior landscape islands for parking lots exceeding 50 stalls be waived.
931 Due to limitations in the buildable area on the site, islands would inhibit free flow of
932 traffic through parking lots and occupy valuable space. The applicant has included a
933 Master Landscaping Plan for Plan Commission consideration. Katie told commission
934 members that city staff supports this request due to the reasons stipulated above. The
935 applicant proposes site and parking lot landscaping which exceeds the amount required in
936 the UDC. Rather than interior parking lot islands, multiple peninsulas are located at the
937 end of parking lot aisles.

938

939 Katie noted there are 21 conditions of approval tied to this development.

940

941 Motion by Ald. T. Smith, second by Craig, to approve with the 21 stated conditions a General
942 Development Plan to create the North Kinney Coulee Apartments Planned Unit Development
943 (PUD) application filed by Justin Birdd of Birdd Properties, PO Box 27, West Salem, WI 54669
944 on behalf of Goehner Investments, LLC, PO Box 1085, La Crosse, WI 54602 to allow a new
945 multi-family development containing four (4) apartments on a single parcel located at Kinney
946 Coulee Road North, Onalaska, WI 54650 (Tax Parcel # 18-3625-3).

947

948 Craig said he assumes Fire Chief Gudie has seen the plan, and he noted the applicant has made
949 accommodations for some of the potential fire truck access points. Craig asked Fire Chief Gudie
950 if he has any other concerns.

951

952 Fire Chief Gudie said he does not have any other concerns at this time, noting he had discussed
953 the fire protection plan with Justin, which includes the 30-foot access, building height, and
954 sprinkler system. Fire Chief Gudie said, “Looking at the previous plan that was submitted with
955 the five buildings, I don’t think that would have worked too well. You’re correct, and we talked
956 about that tonight to try to make more room for Fire Department access with the four buildings
957 versus the five.”

958

959 Craig asked Fire Chief Gudie if there has been any discussion related to sprinklers.

960

961 Fire Chief Gudie told Craig a 13R system will be installed. The system is code-compliant with
962 three-story structures.

963

964 On voice vote, motion carried.

965

966 **Item 9 – Public Hearing: Approximately 7:50 PM (or immediately following the Public**
967 **Hearing at 7:40 P.M.) to consider an Annexation Petition filed by Christopher Meyer of**

968 **Grandview Estates, LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of JD Manske**
969 **Family Land Holdings, LLC, 4833 Sheboygan Avenue, Suite 320, Madison, WI 54705 for**
970 **the properties located along State Highway 16 from the Town of Medary to the City of**
971 **Onalaska (Tax Parcels # 9-23-0, 9-14-0, 9-13-3 and 9-13-0)**

- 972
- 973 1. Annexation Application Fee: \$300.00 dollars (PAID).
 - 974
 - 975 2. Annexed land to be placed in Low Density Residential (R-1) District.
 - 976
 - 977 3. Park Fee of \$922.21 (per unit) and Green Fee of \$638.47/acre will be due prior to
978 obtaining Building Permits, as applicable. Note: if the Green/Park Fees increase in the
979 future, the property owner will be required to pay the increased Green/Park Fees at the
980 time of the development.
 - 981
 - 982 4. If future lot divisions are to occur, applicant/owner to a Certified Survey Map and/or
983 Preliminary and Final Plats as applicable, as approved by the Common Council.
 - 984
 - 985 5. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
986 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
987 and improvements installed per approved plans prior to issuance of occupancy permits.
 - 988
 - 989 6. All conditions run with the land and are binding upon the original developer and all heirs,
990 successors and assigns. The sale or transfer of all or any portion of the property does not
991 relieve the original developer from payment of any fees imposed or from meeting any
992 other conditions.
 - 993
 - 994 7. Any omissions of any conditions not listed in minutes shall not release the property
995 owner/developer from abiding by the City's Unified Development Code requirements.

996

997 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
998 Annexation Petition.

999

1000 **Christopher Meyer**
1001 **1589 Medary Lane**
1002 **Onalaska**

1003

1004 “I am here, first of all, speaking on the annexation part, and I will join you again for the rezoning
1005 of the annexation because it seems like tonight you’re in a great mood and everything is being
1006 approved, so I know we’ll go the next step. We have had four meetings prior to tonight’s
1007 meeting on this very topic, and if my recollection is correct we’ve had input from 16 members
1008 that serve the city in one capacity or another. And up until tonight, we have received unanimous
1009 votes on approving what we are proposing this evening. And I hope tonight carries that same
1010 record.”

**Plan Commission
of the City of Onalaska**
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25

1011
1012 Mayor K. Smith called three times for anyone else wishing to speak in favor of the Annexation
1013 Petition and closed that portion of the public hearing.

1014
1015 Mayor K. Smith called three times for anyone wishing to speak in opposition to the Annexation
1016 Petition and closed the public hearing.

1017
1018 Katie told commission members this property includes vacant land located adjacent to State
1019 Trunk Highway 16 and Crestwood Lane, and it currently is located in the Town of Medary. The
1020 neighborhood characteristics include single-family homes, two-family residential, and
1021 multifamily developments. The Comprehensive Plan recently was amended to allow a
1022 combination of Mixed-Density Residential, Mixed-Use District “Smart Growth Area,”
1023 Environmentally Sensitive Residential, and Environmental Corridor. Katie said the applicant
1024 intends to annex a total of 35.32 acres of vacant farmland/blufflands via four tax parcels from the
1025 Town of Medary to the City of Onalaska with the intention to develop a mixed-use development.
1026 The City of Onalaska is directly adjacent to the north and south of the subject parcels and would
1027 be primarily accessed off of Crestwood Lane. The applicant recently amended the
1028 Comprehensive 2015 Future Land Use Map to accommodate this development request. The
1029 applicant has requested Single Family Residential (R-1) as the incoming zoning district that
1030 would cover the entire area. Katie said additionally, as shown in Item No. 10, the applicant is
1031 requesting a PUD for a full description to further establish future zoning for this development.
1032 There are seven conditions tied to this development.

1033
1034 Motion by Jarrod, second by Ald. T. Smith, to approve with the seven stated conditions an
1035 Annexation Petition filed by Christopher Meyer of Grandview Estates, LLC, 1589 Medary Lane,
1036 Onalaska, WI 54650 on behalf of JD Manske Family Land Holdings, LLC, 4833 Sheboygan
1037 Avenue, Suite 320, Madison, WI 54705 for the properties located along State Highway 16 from
1038 the Town of Medary to the City of Onalaska (Tax Parcels # 9-23-0, 9-14-0, 9-13-3 and 9-13-0).

1039
1040 On voice vote, motion carried.

1041
1042 **Item 10 – Public Hearing: Approximately 8:00 PM (or immediately following the Public**
1043 **Hearing at 7:50 P.M.) to consider a General Development Plan to create the Grandview**
1044 **Estates Planned Unit Development (PUD) application filed by Christopher Meyer of**
1045 **Grandview Estates, LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of JD Manske**
1046 **Family Land Holdings, LLC, 4833 Sheboygan Avenue, Suite 320, Madison, WI 54705 to**
1047 **allow a mixed-use development containing a combination of single family residences,**
1048 **twindo/duplexes, 3-8 unit townhomes/rowhouses, multi-family dwellings, and commercial**
1049 **uses located along State Highway 16, Onalaska, WI 54650 (Tax Parcels # 9-23-0, 9-14-0, 9-**
1050 **13-3 and 9-13-0)**

1051
1052 1. Planned Unit Development Application Fee: \$700.00 (PAID).

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2. Park Fee of \$922.21 (per unit) and/or Green Fee of \$638.47/acre will be due prior to obtaining Building Permits, as applicable. Note: if the Green/Park Fees increase in the future, the property owner will be required to pay the increased Green/Park Fees at the time of the development.
 3. Topography Map Fee of \$10.00 (per acre) $\$10.00/\text{acre} \times 35.32 \text{ acres} = \353.20 dollars to be paid prior to signing of Final Plat/Certified Survey Map.
 4. US Highway 16 Sanitary Sewer Fee* of \$900.00 (per acre) $\$900.00/\text{acre} \times 35.32 \text{ acres} = \$31,788.00$ to be paid prior to signing of Final Plat/Certified Survey Map.
 5. Crestwood Lane Connection Charges. Final charges confirmed at time of Final Plat submittal. Fee due prior to signing of Final Plat/Certified Survey Map.
 6. Crestwood Lane Booster Station Charges. Final charges confirmed at time of Final Plat submittal. Fee due prior to signing of Final Plat/Certified Survey Map.
 7. 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.
 8. Final Implementation Plan to be submitted for review and approval prior to any development activities.
 9. Owner/developer to merge Tax Parcels # 9-23-0, 9-14-0, 9-13-3, 9-13-0, and 18-4483-501 into a single parcel once annexation is complete. Owner/developer to complete Platting/Certified Survey Map process for future subdivision of land.
 10. Owner/developer shall prepare and submit a Master Drainage/Stormwater Management Plan for review and approval by the City Engineer.
 11. 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.
 12. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot buffer surrounding the identified slopes.
 13. Owner/developer to provide a phasing plan that depicts what infrastructure/site improvements (grading, stormwater controls, landscaping, future road, utilities, etc.) that are required with each phase for the development. Schedule will include a map with a

- 1097 “bubble diagram” around each area noting proposed construction year.
1098
1099 14. Master Grading Plan to be reviewed & approved by the City Engineer. Note tree removal
1100 / clearing / grubbing limitations on Grading Plan.
1101
1102 15. All erosion control BMPs (Best Management Practices) to be installed prior to the start of
1103 any construction activities. Swale areas/stormwater ponds to be dug prior to start of
1104 construction and prior to initial grading to act as sediment traps. Track pad(s) to be
1105 installed with a minimum of 3 to 6- inch stones, one (1) foot deep and fifty (50) feet in
1106 length. All disturbed areas to have black dirt placed and seeded within seven (7) days of
1107 disturbance.
1108
1109 16. Owner/developer shall prepare and submit a Master Utility Plan and Final Street, Water
1110 & Hydrant Locations, Sanitary Sewer and Storm Sewer Plans for review and approval by
1111 the City Engineer. Master Utility Plan Phasing/Schedule to be reviewed and approved by
1112 the City Engineer. Any utilities dedicated to the City of Onalaska shall be in a dedicated
1113 right-of-way, outlot, or easement.
1114
1115 17. Owner/developer to be aware that City water system provides service to elevation 930’;
1116 meeting Wisconsin DNR minimum pressure requirements. Owner/developer to be aware
1117 Wisconsin DNR minimum water pressure supplied at a main is 35 psi, which occurs at
1118 elevation 930’ in the City of Onalaska High Service Zone. Water pressure for owner
1119 satisfaction in a typical residential home is higher than the Wisconsin DNR minimum.
1120 Owner/developer to provide building pad and home elevations for proposed Lots 35-55
1121 for City Engineer to determine if the elevations will exceed service elevation for water
1122 system. Owner/developer to supply City with written plan for water service to these
1123 impacted lots. Owner/developer is required to inform all impacted lot buyers of water
1124 pressures within the Grandview Estates development.
1125
1126 18. Owner/developer must notify the City prior to any utility connection to public utilities.
1127 City-furnished Inspector required during utility installations and developer to pay costs.
1128
1129 19. As-builts of all utility work required to be submitted to the Engineering Department
1130 within sixty (60) days of occupancy of first residential dwelling.
1131
1132 20. Owner/developer to obtain letters from utility service providers noting that there is
1133 adequate power, natural gas, and telephone/internet services available to serve this
1134 project and provided to the Engineering Department.
1135
1136 21. Master Open Space Place with provision for maintenance and pedestrian accessibility
1137 plan (trails, connections, etc.) to be reviewed and approved by the Engineering &
1138 Planning Departments.
1139

- 1140 22. Master Landscaping Plan to be submitted as part of the Final Implementation Plan to be
1141 reviewed and approved by the Engineering & Planning Departments.
1142
- 1143 23. Site Plan Permit required for new development (construction of 3+unit townhomes,
1144 multi-family and commercial) in advance of building permit applications, including
1145 detailed architectural plans, landscape, drainage, erosion control, and other required
1146 information/plans (fire accessibility, hydrant locations, etc.).
1147
- 1148 24. If in the future the owner/developer creates Declaration of Covenants, Conditions and
1149 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
1150 of parking lots/private drives, the buildings including all common areas and green spaces,
1151 stormwater management/easement areas, as well as any ownership or use restrictions for
1152 the parcel/development; a copy shall be provided to the Planning Department and
1153 recorded at the La Crosse County Register of Deeds. Any amendments to the
1154 aforementioned document to be recorded at the La Crosse County Register of Deeds and
1155 a copy provided to the Planning Department.
1156
- 1157 25. All lot pins to be installed at 150' (maximum interval).
1158
- 1159 26. Recommend 13R sprinkler systems for residences where applicable due to anticipated
1160 topography, setbacks of homes of streets and non-direct driveways.
1161
- 1162 27. Any future improvements to these parcels will be subject to additional City permits (i.e.,
1163 site plan approvals, building permits, zoning approvals). Owner/developer shall pay all
1164 fees and have all plans reviewed and approved by the City prior to obtaining a building
1165 permit. Owner/developer must have all conditions satisfied and improvements installed
1166 per approved plans prior to issuance of occupancy permits.
1167
- 1168 28. All conditions run with the land and are binding upon the original developer and all heirs,
1169 successors and assigns. The sale or transfer of all or any portion of the property does not
1170 relieve the original developer from payment of any fees imposed or from meeting any
1171 other conditions.
1172
- 1173 29. Any omissions of any conditions not listed in minutes shall not release the property
1174 owner/developer from abiding by the City's Unified Development Code requirements.
1175

1176 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of a
1177 General Development Plan to create the Grandview Estates Planned Unit Development (PUD)
1178 application.
1179

1180 **Christopher Meyer**
1181 **1589 Medary Lane**
1182 **Onalaska**

**Plan Commission
of the City of Onalaska**

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29

1183
1184 “Thank you for the unanimous annexation. The next step is in front of you, which is the
1185 rezoning requirements that we are asking for. To have this development work, this is kind of a
1186 necessity to go forward. The economic impact that we are proposing to bring into the City of
1187 Onalaska on these 35 acres is just under \$35 million worth of development. In today’s tax mill
1188 rate, it is just under \$900,000 of tax base being brought into the city. Our proposed plan is
1189 basically a mirror of the existing neighborhood around the property. It is the single-family
1190 homes, twinhomes, eight units – just a mix of the existing neighborhood. It fits very well, and I
1191 believe that’s why we received unanimous decisions up until today. The map that has been
1192 presented to you by Katie is pretty much the exact same map that we went through the entire
1193 process with, with two or three small tweaks.

1194
1195 The reason why we are asking to have the development approved as a PUD is really only two
1196 things that we’re asking for that are nonconforming. The first item is on the R-3 and the R-2
1197 zoning. We’re requesting a 6-foot setback versus the required 10-foot setback. The original
1198 development had 37 lots, and we dropped it down to 34 lots to increase the green space and
1199 lower the density. To give the people who have interest in our lots a little bit more flexibility for
1200 the twinhomes, that is why we are requesting a 6-foot setback versus a 10-foot setback. The
1201 other items we are requesting that’s not conforming to a standard, straightforward development
1202 is only for three lots: Lot 39, Lot 40, and Lot 41. These lots are located on a bluff area, and
1203 because of the building sites on these three lots, the setback is greater than the 50-foot that is in
1204 the code on a cul-de-sac. These three lots, if needed, we can separate out of the development and
1205 leave them in the Town of Medary. Then, if the 10-foot setback being requested to a 6-foot
1206 setback isn’t adapted, then the last item we’re asking for actually doesn’t need to exist. The last
1207 item we’re asking to be omitted is the 15-percent green space that’s required when you apply for
1208 a PUD. If you apply for a development that is not a PUD, this 15-percent green space is not
1209 required anywhere within the City of Onalaska’s code.

1210
1211 In closing, we would like it to go forward as we presented it. We do understand that two of the
1212 items are not supported by the city staff, which is the 6-foot setback to the 10[-foot setback].
1213 With our adjustments dropping down from 37 lots to 34 lots, we’ve actually decreased the
1214 density and increased the green space. And the three lots, we would like to bring them into the
1215 City of Onalaska, but it would be easy enough to leave them where they’re at and then work with
1216 them through a different avenue. But we would like it to go through as presented. Thank you
1217 very much for your time this evening.”

1218
1219 Mayor K. Smith called three times for anyone else wishing to speak in favor of a General
1220 Development Plan to create the Grandview Estates Planned Unit Development (PUD)
1221 application and closed that portion of the public hearing.

1222
1223 Mayor K. Smith called for anyone wishing to speak against a General Development Plan to
1224 create the Grandview Estates Planned Unit Development (PUD) application.

1225
1226 **Brad Heitzman**
1227 **N4603 Crestwood Lane**
1228 **Onalaska**
1229

1230 “I have a couple concerns. One is the R-3 zoned lots. I didn’t really see any kind of
1231 specification on how many units were going to go in there versus two to six. That’s kind of a big
1232 span. And then [I am] also [concerned about] access. I’m looking at the map and it’s showing
1233 ... It says in the plan that there is going to be access to Maple Lane, but that’s shown as 104,
1234 which is supposed to be stormwater. I’m just concerned that’s bringing in 100 new commuters,
1235 which could cause a lot of congestion at that intersection between Emerald Drive and Highway
1236 16.”

1237
1238 Mayor K. Smith called three times for anyone wishing to speak against a General Development
1239 Plan to create the Grandview Estates Planned Unit Development (PUD) application and closed
1240 the public hearing.

1241
1242 Katie referred to the map and said Lots 1 through 8, Lots 22 to 26, and Lots 33 and 34 are
1243 colored purple, shown to be a variety of two-unit to six-unit rowhouse/townhomes, and they are
1244 zoned R-3 Medium-High Density Residential. Lots 9 through 21 and Lots 27 through 32 are
1245 colored yellow, shown to either be twinhomes or duplexes, and they are zoned R-2 Low-Medium
1246 Density Residential. Lots 35 through 55 are colored blue, shown to be single-family homes, and
1247 are zoned R-1 Low Density Residential. Lots 56 through 59 are colored red, shown to be mixed
1248 commercial/multifamily residential, and are zoned MU-N Mixed-Use Neighborhood.

1249
1250 Katie said the first request for deviation from the Unified Development Code pertains to Section
1251 13.02.32.D. (“Permitted Uses”). Katie explained that generally, prior to requesting a PUD, the
1252 base zoning district is in place. In this instance, the applicant is requesting to annex land into the
1253 city and have all said land zoned Single Family Residential (R-1) District. Katie explained that
1254 the purpose for this request is to allow for an easier transition to eventually subdivide the parcels
1255 through the platting process and have the “right of zoning” intact via approval of a PUD – the
1256 General Development Plan. Katie told commission members if they approve this General
1257 Development Plan showing the lots she had noted in the associated colors, they essentially are
1258 establishing a right that the applicant will be able to do those zones in those districts. The
1259 General Development Plan will be conditioned upon the approval of the Final Implementation
1260 Plan (FIP), which has not yet come forward, and the proposed zoning is not considered “final”
1261 until the FIP is approved by both the Plan Commission and the Common Council. Provided the
1262 Final Implementation Plan is approved and the future Preliminary and Final Plat(s) also are
1263 approved, the city would require that the noted Purple, Yellow, and Red Areas be appropriately
1264 rezoned to match the PUD designations. Katie said it is anticipated that the subsequent
1265 rezonings would be approved as they would be required by the city. Any deviations from the
1266 PUD designations would require amending the PUD in addition to necessary rezonings.

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Katie noted a tentative schedule, cover letter, proposed covenants, and a General Development Plan all have been included in commission members' packets. Katie then highlighted the following development and design standards:

- **Density:** The developer has specified preferred zoning districts for individual lots. All parcels proposed for Medium Density Residential (R-3) and Mixed-Use Neighborhood (MU-N), if solely multifamily, will be required to provide the minimum green space requirement of 25 percent on all individual parcels. Further, the R-3 parcels would be allowed to have up to a maximum of eight units per parcel, provided minimum lot areas are met. Katie said it might be necessary to merge parcels to obtain the necessary setbacks and minimum lot areas. There are no proposed deviations from the UDC.
- **Lot Area:** All proposed lots will be required to adhere to minimum lot sizes per the appropriate zoning districts. In the event that the developer chooses to merge lots or further subdivide, the property owner/developer will be required to adhere to minimum lot sizes based upon the use within the specified zoning district. This will be reviewed during the platting process. If not achievable based on available land, the use will not be permitted. There are no proposed deviations from the Unified Development Code.
- **Yard Setbacks:** The applicant requests two setback deviations for this development. The first request is to establish special Street Yard Setbacks for Lots 39, 40, and 41 to accommodate designated building pads. Due to slope constraints, the building pads will exceed the maximum Street Yard Setback. As of yet, there are no exact locations for these, and this is a requirement of the Final Implementation Plan. Katie said this is a common request and noted city staff supports this request. The second request is to reduce the Side Yard Setback in the proposed R-2 and R-3 Districts from the required ten 10 feet to 6 feet. Katie said city staff does not support the reduction of the Side Yard Setback to 6 feet. The 10-foot side yard setback has been consistently applied on all twindo/duplex and multifamily subdivision developments since the original adoption of the Zoning Code in Onalaska. The purpose of the setback is to ensure fire protection between structures, reduced density, and an increase of green space/recreation areas for dwelling residents.
- **Common Open Space:** The applicant has requested to waive the 15 percent open space requirement. The applicant/developer stated that the Lots noted as 101, 102, 103, 104 and 105 may vary between stormwater ponding areas and/or potential parkland which comprise of approximately 2.88 acres (9.4 percent of open space). Katie said in order to meet the city's rules, dedicated parks are required to be a minimum of two acres in size and only accessible stormwater ponds can be counted in the open space requirement. Katie said if there is a 30-percent slope and it is not accessible to the public, that open space could not apply to the 15 percent. None of the aforementioned lots exceed two acres in size. Therefore, none of the areas could be public parks and the park fee could not be reduced. Katie said the developer could do a private park that he holds. Katie noted city staff does not support the request. Planned Unit Developments are intended to

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1309 allow for creative developments that provide common open spaces for all residents to
1310 enjoy. Katie noted comments were made from both the Long Range Planning Committee
1311 and Plan Commission members that questioned the availability of parkland/recreational
1312 areas for all of the new residents that will live there. Katie stated she does not believe
1313 common open space is being addressed by the development, and she said the applicant
1314 was correct in stating it is not required to provide the additional 15 percent if a standard
1315 subdivision is created as it only is for PUDs. Katie said the reason for that is the city is
1316 allowing flexibility from its code as a “give,” “and one of those requirements that they
1317 are supposed to provide to us and to the residents to make it a unique development is to
1318 give us a minimum of 15 percent of common open space for all residents.” Katie said if
1319 the developer offers a minimum 2-acre parkland site, approvable by the Parks, Recreation
1320 and Library Board, in addition to accessible stormwater ponds to serve the residents, city
1321 staff may support a reduced open space requirement, but staff does not support having
1322 none. Further, this request strengthens city staff’s concerns related to the previous
1323 reduced Side Yard Setback request as less open space overall is being proposed for the
1324 new development.

- 1325 • **Architecture:** The applicant has provided a draft set of Covenants that would govern
1326 architecture design elements of the structures, subdivision design controls to requirement
1327 minimum spacing between repeated design elements and square footage minimums
1328 which have been included in commission members’ packets. The applicant will be
1329 required to adhere to all district-specific architectural standards for the Mixed-Use
1330 Neighborhood (MU-N) and Medium Density Residential (R-3) Districts as no deviations
1331 from the UDC have been proposed.
- 1332 • **Parking:** All dwellings and/or commercial developments will be required to adhere to
1333 proper parking stall requirements at the time of development. At this time, there are no
1334 proposed deviations from the UDC.

1335

1336 Katie noted there are 29 conditions of approval tied to this development.

1337

1338 Mayor K. Smith asked Jarrod to address the traffic and stormwater runoff concerns.

1339

1340 Jarrod told commission members a new traffic signal will be fully operational within the next
1341 few weeks at the intersection of Emerald Drive East and State Trunk Highway 16, and he said
1342 that traffic signal will assist with access to STH 16. Jarrod admitted traffic will increase along
1343 Crestwood Lane, but he also noted the street is 37 feet wide and expressed confidence that the
1344 street can handle the volume of traffic. Jarrod next addressed stormwater and the outlots that are
1345 shown, noting that while staff has not yet seen calculations, this is standard. Jarrod said the
1346 developer most likely will need several of the outlots to be utilized for stormwater management
1347 so that the city ordinances for stormwater runoff and Department of Natural Resources standards
1348 for 35 acres of development can be met. Jarrod said, “I think it’s doable in what’s shown just
1349 with the lay of the land. I think they could probably get it to work, but you’re not going to have
1350 a lot of land left.”

Reviewed 05/03/2021 by Katie Aspenson

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of the City of Onalaska**

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1351

1352 Motion by Ald. T. Smith, second by Craig, to approve with the 29 stated conditions a General
1353 Development Plan to create the Grandview Estates Planned Unit Development (PUD)
1354 application filed by Christopher Meyer of Grandview Estates, LLC, 1589 Medary Lane,
1355 Onalaska, WI 54650 on behalf of JD Manske Family Land Holdings, LLC, 4833 Sheboygan
1356 Avenue, Suite 320, Madison, WI 54705 to allow a mixed-use development containing a
1357 combination of single family residences, twindo/duplexes, 3-8 unit townhomes/rowhouses,
1358 multi-family dwellings, and commercial uses located along State Highway 16, Onalaska, WI
1359 54650 (Tax Parcels # 9-23-0, 9-14-0, 9-13-3 and 9-13-0).

1360

1361 Craig said, “Number one, I cannot possibly support a 40-percent reduction in side yard setbacks.
1362 I think going the route of a PUD grants you flexibility in the development process, but that
1363 doesn’t mean everything in the Unified Development Code goes out the window. I think these
1364 things are important. I think it’s necessary. Additionally, the reduction in green space, I also, as
1365 staff indicated, I find that unacceptable as well. I think there are other things possibly that can be
1366 done to accommodate that, and I guess I’d like to see the developer explore those options.”

1367

1368 Jan noted she always speaks against density and told Craig she agrees with him, especially given
1369 the current state of the world. Jan said, “We need additional green space. I know it doesn’t seem
1370 like a lot, but it could be, especially today.”

1371

1372 Ald. T. Smith said he believes the points both Craig and Jan had noted are important, and he
1373 stated, “This is a big development. This is going to be a lot of space. I would hope that maybe
1374 the developers can come back with some alternatives that would make it a win-win for both.”

1375

1376 Skip asked Ald. T. Smith if he would be willing to withdraw his motion and defer this item.

1377

1378 Ald. T. Smith told Skip he would be willing to do so.

1379

1380 Skip said he will withdraw his second.

1381

1382 City Administrator Rindfleisch told commission members they could grant approval with the 29
1383 conditions, but not the items the applicant is requesting. City Administrator Rindfleisch said, “If
1384 you wish to add one or more of his specific requests, you may do so and add those to the motion.
1385 But the motion, as made, is just the ones that staff approved.”

1386

1387 Mayor K. Smith asked Katie, “If this is approved, the setbacks will be the 10 foot [setbacks]?”

1388

1389 Katie said, “Normally if staff is not in support of it, it’s ultimately up to the Plan Commission
1390 and Common Council. If you want the setback to remain at 10 feet, I would add a condition of
1391 approval that would state that it would remain at 10 feet. If you want 15 percent open space, I
1392 would state a condition that they would be able to do so. Otherwise everything that they are

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34

1393 approving essentially that we support. We do support the underlying zoning district being R-1,
1394 and that they would be able to establish the right of zoning. And we absolutely support the
1395 special street yard setbacks for those lots that are up in the bluffland area. Those would be the
1396 two pieces. If you wanted the 10-foot setback, I would have a condition that states that. And if
1397 you want a particular open space amount, I would have a condition that states that. Also to note,
1398 though, this is a General Development Plan. The applicant still has to provide additional details
1399 to the Final Implementation Plan. They have to give us a Master Landscaping Plan. They have
1400 to give a drainage plan, grading plans – all of that information. The intent is if you establish
1401 these as conditions, when they come back for the Final [Implementation Plan] they could ask
1402 again. And potentially based on what it is that they’ve provided at that time ... Today you could
1403 say 15 percent, [and] they could come back and they could essentially have a Final
1404 Implementation condition that maybe you agree to 10 percent or 12 percent. You can always
1405 change those conditions in the future. The purpose of the General Development Plan at this
1406 point is primarily establishing the right of zoning. So, based on those two pieces.”

1407

1408 Katie asked Christopher to clarify if the setback is solely for the R-2 development or for the R-3
1409 development, and she stated city staff supports keeping the 10-foot setback at both.

1410

1411 Craig asked Christopher if he has looked at options that would satisfy the requirements, and
1412 Craig stated he would like to see them if Christopher has done so.

1413

1414 Christopher said, “We have looked at different options, and at this time the 6-foot setback
1415 requirements, we would like to withdraw it. It was only to give flexibility for people that are
1416 interested in the lots so they could maybe make a larger footprint. But with the lot sizes that we
1417 reduced from, we originally started out with 75-foot lots and we went to 90-foot lots. We just
1418 built a twinhome on Crestwood Drive with a 90-foot lot, and the 10-foot setbacks were quite
1419 adequate. We were just looking for flexibility, that’s all. The only reason why we need a PUD
1420 is for the three lots, the one requirement of the more than 50-foot setbacks. I guess what my
1421 point is, is a PUD necessary for just three lots versus over the entire development of 59 lots?”

1422

1423 Katie told Christopher, “For one, you need it to establish your base zoning district, or you would
1424 just have to follow all the standards. If we’re amending that decision, that’s substantially
1425 different than what we noticed as a public hearing. If you were going from the 35-acre down to
1426 only three lots, I would defer to our City Attorney. But I think that’s substantial enough that
1427 that’s something we would have to re-notice. If you did choose to simply no longer ask for a 6-
1428 foot setback and just stay at the 10[-foot setback], that’s fine and that would satisfy that concern
1429 of the Plan Commission so they would no longer be asking for the 6-foot [setback]. ... But you
1430 also need a PUD if you want to guarantee your zoning, which applies to the entire development.
1431 If you didn’t want to guarantee your zoning and you wanted to come in on a case-by-case basis
1432 after the platting process [and] after it’s all been carved up, you would have that opportunity to
1433 just follow a standard rezoning process. This is more of a guarantee of what you would like to
1434 do in the future as opposed to coming in after the fact, after a preliminary plat, after a final plat,

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1435 after everything's developed in terms of streets and utilities, then you would come back to
1436 rezone."

1437
1438 City Administrator Rindfleisch said, "I would maintain that, based on what I'm hearing both
1439 from the developer and some concerns from the Plan Commission and staff, that approving the
1440 General Development Plan at this point in time with the 29 conditions, especially if he's pulling
1441 off the request for the 6-foot setback, still makes sense to me because as Katie mentioned, we
1442 still have to come back for the Final Implementation Plan. That gives both the developer and the
1443 Plan Commission time to think about the 15-percent green space requirements, and possibly
1444 come back with a different plan or reasons why that doesn't work. You'll see it again, but in
1445 order to keep things moving forward, I would recommend the original motion and second that
1446 was already presented, especially since he's pulling away from the 6-foot setback and we can
1447 make progress on the other 15 percent issue."

1448
1449 Mayor K. Smith asked if the Plan Commission would want to have an amendment specifying the
1450 condition of the 10-foot setback being maintained, as well as the 15-percent green space.

1451
1452 Katie told Mayor K. Smith, "You would no longer have to address the 10-foot side yard setback
1453 as they're willing to not ask for it any longer. If you were to continue to move this forward
1454 tonight and your only concern at this time is the green space, I would recommend adding a
1455 condition of approval requiring whatever percentage you are comfortable with today and again,
1456 knowing in the future with the Final Implementation Plan that is negotiable if the developer
1457 should ask."

1458
1459 Motion by Ald. T. Smith to amend the previous motion and add a 30th condition of approval
1460 stating the city requires at least 15 percent of green space.

1461
1462 City Administrator Rindfleisch said he believes it would be appropriate to reframe a motion as
1463 the original motion and second had been withdrawn. City Administrator Rindfleisch said he
1464 does not believe there still is a motion on the floor.

1465
1466 Motion by Ald. T. Smith, second by Craig, to approve with the 29 stated conditions, plus a
1467 requirement of at least 15 percent green space, a General Development Plan to create the
1468 Grandview Estates Planned Unit Development (PUD) application filed by Christopher Meyer of
1469 Grandview Estates, LLC, 1589 Medary Lane, Onalaska, WI 54650 on behalf of JD Manske
1470 Family Land Holdings, LLC, 4833 Sheboygan Avenue, Suite 320, Madison, WI 54705 to allow
1471 a mixed-use development containing a combination of single family residences,
1472 twindo/duplexes, 3-8 unit townhomes/rowhouses, multi-family dwellings, and commercial uses
1473 located along State Highway 16, Onalaska, WI 54650 (Tax Parcels # 9-23-0, 9-14-0, 9-13-3 and
1474 9-13-0).

1475
1476 Craig asked, "Doesn't the open space, as Tom presented it, fly in the face of the original motion?"

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1477 You're stating things two different ways. Or are we amending that language to say 15percent
1478 [open space] ...?"

1479
1480 City Administrator Rindfleisch told Craig the original motion by Ald. T. Smith had been pulled,
1481 and Skip had pulled the second. City Administrator Rindfleisch explained that Ald. T. Smith
1482 was restating the original motion, but amending the motion as he stated it.

1483
1484 Mayor K. Smith said the new motion on the floor is to approve the PUD with the 29 conditions,
1485 and a 15-percent green space requirement.

1486
1487 Jarrod noted the developer may come in with a Final Implementation Plan and a different
1488 proposal with other characteristics that the Plan Commission could examine for possible
1489 approval. Jarrod also noted those conditions could be altered at the time of the Final
1490 Implementation Plan, and he said he assumes city staff will work with the developer in an
1491 attempt to find something that would be acceptable.

1492
1493 Mayor K. Smith said, "They probably will have to be altered to meet the 15 percent [open
1494 space]."

1495
1496 Craig said this will allow the developer to proceed with development, and the Plan Commission
1497 will have the opportunity to review this again.

1498
1499 Jan noted an addendum states that sidewalks on one side would be optimal, and she asked if this
1500 is something the Plan Commission needs to discuss.

1501
1502 Katie told Jan that typically is addressed during the platting process, and she said staff is aware it
1503 is "an ask on the table."

1504
1505 Christopher said that while he is not opposed to the green space, he asked, "If the three lots in
1506 question that need the variance of the 50-foot setback that makes this request a PUD at all, if
1507 when somebody applies to build on those lots, if they request once they know the exact location
1508 of the home, if they request at that time for a variance to build on that site, is that acceptable and
1509 then we don't need to have a PUD at all?"

1510
1511 Katie told Christopher the PUD is needed not only for the special setback, but also for the ability
1512 to establish a right of zone ahead of time so that he feels comfortable with moving forward.
1513 Katie said, "It's more than just that one setback for what you'd like to do. During the Final
1514 Implementation Plan, the city is going to want to look at those individual lots in question and
1515 propose a building pad where they could build their driveway and the foundation of the home.
1516 So when someone goes to buy that land, those setbacks are already installed, and they will not
1517 need a variance. They can already go in because you have this PUD on file."

1518

1519 On voice vote, motion carried.

1520

1521 **Item 11 – Consideration of a Final Implementation Plan to create a Planned Unit**
1522 **Development (PUD) application filed by Terry Weiland of Weiland Construction, 600 L.**
1523 **Hauser Road, Onalaska, WI 54650 to merge two (2) parcels and construct a new two (2)**
1524 **unit residential structure in addition to an existing five-plex on a single parcel located at**
1525 **2215-2217-2219-2221-2223 Abbey Road and Abbey Road, Onalaska, WI 54650 (Tax**
1526 **Parcels # 18-4511-315 and 18-4511-314)**

1527

1528 1. Contingent on Common Council approval of General Development Plan.

1529

1530 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each buildable
1531 unit. 2 total units * \$922.21/unit = \$1,844.42 dollars.

1532

1533 3. Site Plan Permit is required for new development in advance of building permit
1534 applications, including detailed architectural plans, landscape, drainage, erosion control,
1535 fire accessibility and other required information/plans. Any future improvements to this
1536 parcel may be subject to additional City permits (i.e., building permits). All easements to
1537 be detailed on site plan. Dairyland Powerline Easement to be staked on-site in advance of
1538 construction activities and all lot pins exposed for setback-measuring purposes.

1539

1540 4. When “future street” is installed along the northern property line, a minimum of one (1)
1541 tree to be installed in the boulevard for every twenty-five (25) linear feet of street
1542 frontage within six (6) months of road construction completion. Trees installed within the
1543 Dairyland Power Line Easement to be selected off the City’s Low Growth Tree List.

1544

1545 5. Owner/developer shall submit a detailed Utility Plan for servicing the vacant lot for
1546 review and approval by the City Engineer. Plans to be submitted for review and approval
1547 at least ten (10) days prior to proceeding with work.

1548

1549 6. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential
1550 equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated
1551 fee is \$730.00/REC.

1552

1553 7. Owner/developer shall provide the City with a check in the amount of \$30.00 dollars
1554 made payable to the La Crosse County Register of Deeds. Owner shall sign the Quit
1555 Claim Deed for Tax Parcel # 18-4511-317 prior to issuance of a building permit. The
1556 City shall cause to be recorded the Quit Claim Deed to transfer Tax Parcel # 18-4511-317
1557 from owner to the City of Onalaska.

1558

1559 8. Owner/developer shall provide the City with a second signed check in the amount of
1560 \$30.00 dollars made payable to the La Crosse County Register of Deeds prior to issuance
1561 of a building permit. The City shall cause to be recorded the legal description of the

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1562 Planned Unit Development and the Final Implementation Plan Conditions of Approval
1563 tied to the development. These conditions shall not lapse or be waived as a result of any
1564 subsequent change in ownership of tenancy.
1565

1566 9. The City shall cause to be recorded the Quit Claim Deed with the La Crosse County
1567 Register of Deeds to transfer Tax Parcel # 18-4511-316 from the City to the developer.
1568 Upon recordation, owner/developer shall merge Tax Parcel #18-4511-316, Tax Parcel #
1569 18-4511-315, and Tax Parcel # 18-4511-314 with the La Crosse County Real Estate
1570 Lister prior to issuance of a building permit.
1571

1572 10. If in the future the owner/developer creates Declaration of Covenants, Conditions and
1573 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
1574 of parking lots/private drives, the buildings including all common areas and green spaces,
1575 stormwater management/easement areas, as well as any ownership or use restrictions for
1576 the parcel/development; a copy shall be provided to the Planning Department and
1577 recorded at the La Crosse County Register of Deeds. Any amendments to the
1578 aforementioned document to be recorded at the La Crosse County Register of Deeds and
1579 a copy provided to the Planning Department.
1580

1581 11. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
1582 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
1583 and improvements installed per approved plans prior to issuance of occupancy permits.
1584

1585 12. All conditions run with the land and are binding upon the original developer and all heirs,
1586 successors and assigns. The sale or transfer of all or any portion of the property does not
1587 relieve the original developer from payment of any fees imposed or from meeting any
1588 other conditions.
1589

1590 13. Any omissions of any conditions not listed in committee minutes shall not release the
1591 property owner/developer from abiding by the City's Unified Development Code
1592 requirements.
1593

1594 Katie addressed the architectural deviation and told commission members if they want the
1595 applicant to install additional façade improvement and architectural delineation, they will need to
1596 add a condition of approval to the 13 conditions city staff has brought forward tonight.
1597

1598 Motion by Jarrod, second by Craig, to approve with the 13 stated conditions a Final
1599 Implementation Plan to create a Planned Unit Development (PUD) application filed by Terry
1600 Weiland of Weiland Construction, 600 L. Hauser Road, Onalaska, WI 54650 to merge two (2)
1601 parcels and construct a new two (2) unit residential structure in addition to an existing five-plex
1602 on a single parcel located at 2215-2217-2219-2221-2223 Abbey Road and Abbey Road,
1603 Onalaska, WI 54650 (Tax Parcels # 18-4511-315 and 18-4511-314).
1604

1605 On voice vote, motion carried.

1606

1607 **Item 12 – Consideration of a Final Implementation Plan to create the North Kinney Coulee**
1608 **Apartments Planned Unit Development (PUD) application filed by Justin Birdd of Birdd**
1609 **Properties, PO Box 27, West Salem, WI 54669 on behalf of Goehner Investments, LLC, PO**
1610 **Box 1085, La Crosse, WI 54602 to allow a new multi-family development containing four**
1611 **(4) apartments on a single parcel located at Kinney Coulee Road North, Onalaska, WI**
1612 **54650 (Tax Parcel # 18-3625-3)**

1613

1614 1. Contingent upon approval of the General Development Plan by the Common Council.

1615

1616 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each building.
1617 195 total units * \$922.21/unit = \$179,830 dollars.

1618

1619 3. Pralle Annexation Area - Sanitary Sewer Fee: \$806.00 (per acre) \$806.00/acre x 21.07
1620 acres = \$16,982.42 dollars to be paid to the City prior to obtaining a Building Permit.

1621

1622 4. Owner/developer shall prepare and submit a Master Drainage/Stormwater Management
1623 Plan for review and approval by the City Engineer.

1624

1625 5. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI
1626 application, permit, approval letter and associated data prior to construction to the
1627 Engineering Department. A City Erosion Control Permit for greater than one (1) acre of
1628 land disturbance is required before any earth moving activities occur. Permit to be
1629 reviewed and approved a minimum of ten (10) days prior to construction activities.

1630

1631 6. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
1632 buffer surrounding the identified slopes. Building pads/residences/structures shall not
1633 infringe upon these areas.

1634

1635 7. Owner/developer to provide a phasing plan that depicts what infrastructure/site
1636 improvements (grading, stormwater controls, landscaping, future road, utilities, etc.) that
1637 are required with each phase for the development. Schedule will include a map with a
1638 “bubble diagram” around each area noting proposed construction year.

1639

1640 8. Master Grading Plan to be reviewed & approved by the City Engineer. Note tree removal
1641 / clearing / grubbing limitations on Grading Plan.

1642

1643 9. All erosion control BMPs (Best Management Practices) to be installed prior to the start of
1644 any construction activities. Swale areas/stormwater ponds to be dug prior to start of
1645 construction and prior to initial grading to act as sediment traps. Track pad(s) to be
1646 installed with a minimum of 3 to 6-inch stones, one (1) foot deep and fifty (50) feet in
1647 length. All disturbed areas to have black dirt placed and seeded within seven (7) days of

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- 1648 disturbance.
1649
- 1650 10. Master Utility Plan Phasing/Schedule to be reviewed and approved by the City Engineer.
1651 Any utilities dedicated to the City of Onalaska shall be in a dedicated right-of-way,
1652 outlot, or easement.
1653
- 1654 11. Owner/developer must notify the City prior to any utility connection to public utilities.
1655 City-furnished Inspector required during utility installations and developer to pay costs.
1656
- 1657 12. As-built data for water, sanitary, and storm infrastructure to be submitted to City within
1658 sixty (60) days of Occupancy Permit issuance.
1659
- 1660 13. Owner/developer to submit final, colored renderings of all four (4) sides of proposed
1661 buildings noting architectural elevations with details and materials to be approved by the
1662 Planning Department.
1663
- 1664 14. Site Plan Permit is required for new development in advance of building permit
1665 applications, including detailed architectural plans, landscape, drainage, erosion control,
1666 fire accessibility and other required information/plans. Any future improvements to this
1667 parcel may be subject to additional City permits (i.e., building permits).
1668
- 1669 15. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential
1670 equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated
1671 fee is \$730.00/REC.
1672
- 1673 16. Owner/Developer to obtain any required permitting from the City of La Crosse for tie in
1674 of water and sanitary sewer system in Berlin Drive.
1675
- 1676 17. If in the future the owner/developer creates Declaration of Covenants, Conditions and
1677 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
1678 of parking lots/private drives, the buildings including all common areas and green spaces,
1679 stormwater management/easement areas, as well as any ownership or use restrictions for
1680 the parcel/development; a copy shall be provided to the Planning Department and
1681 recorded at the La Crosse County Register of Deeds. Any amendments to the
1682 aforementioned document to be recorded at the La Crosse County Register of Deeds and
1683 a copy provided to the Planning Department.
1684
- 1685 18. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
1686 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
1687 and improvements installed per approved plans prior to issuance of occupancy permits.
1688
- 1689 19. All conditions run with the land and are binding upon the original developer and all heirs,
1690 successors and assigns. The sale or transfer of all or any portion of the property does not

1691 relieve the original developer from payment of any fees imposed or from meeting any
1692 other conditions.
1693

1694 20. Any omissions of any conditions not listed in committee minutes shall not release the
1695 property owner/developer from abiding by the City's Unified Development Code
1696 requirements.
1697

1698 Katie noted there are no changes from the General Development Plan to the Final
1699 Implementation Plan and said there are 20 conditions of approval tied to this development.
1700

1701 Motion by Ald. T. Smith, second by Skip, to approve with the 20 stated conditions a Final
1702 Implementation Plan to create the North Kinney Coulee Apartments Planned Unit Development
1703 (PUD) application filed by Justin Birdd of Birdd Properties, PO Box 27, West Salem, WI 54669
1704 on behalf of Goehner Investments, LLC, PO Box 1085, La Crosse, WI 54602 to allow a new
1705 multi-family development containing four (4) apartments on a single parcel located at Kinney
1706 Coulee Road North, Onalaska, WI 54650 (Tax Parcel # 18-3625-3).
1707

1708 On voice vote, motion carried.
1709

1710 **Item 13 – Consideration of a General Development Plan to create a Planned Unit**
1711 **Development (PUD) application filed by Nicholas Roush of DNC Holdings, LLC, 707 La**
1712 **Crosse Street, Office 102, La Crosse, WI 54601 to allow a new residential development to**
1713 **contain four (4) single family dwellings on a single parcel located at Marcou Road,**
1714 **Onalaska, WI 54650 (Tax Parcel # 18-3619-1)**
1715

- 1716 1. Planned Unit Development Fee for \$700.00 dollars (PAID).
1717
- 1718 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each buildable
1719 unit. 4 total units * \$922.21/unit = \$3,688.84 dollars.
1720
- 1721 3. Master Utility Plan to be reviewed and approved by the City Engineer. Plan to be
1722 submitted as part of the Site Plan Permit.
1723
- 1724 4. Final driveway location to be submitted for approval by the City Engineer.
1725
- 1726 5. Master Grading and Stormwater Plans to be reviewed & approved by the City Engineer.
1727
- 1728 6. Owner/developer to submit final, colored renderings of all four (4) sides of proposed
1729 buildings noting architectural elevations with details and materials to be approved by the
1730 Planning Department.
1731
- 1732 7. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
1733 buffer surrounding the identified slopes. Building pads/residences/structures shall not

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- 1734 infringe upon these areas.
1735
1736 8. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI
1737 application, permit, approval letter and associated data prior to construction to the
1738 Engineering Department. A City Erosion Control Permit for greater than one (1) acre of
1739 land disturbance is required before any earth moving activities occur. Permit to be
1740 reviewed and approved a minimum of ten (10) days prior to construction activities.
1741
1742 9. Site Plan Permit is required for new development in advance of building permit
1743 applications, including detailed architectural plans, landscape, drainage, erosion control,
1744 fire accessibility and other required information/plans. Any future improvements to this
1745 parcel may be subject to additional City permits (i.e., building permits).
1746
1747 10. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential
1748 equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated
1749 fee is \$730.00/REC.
1750
1751 11. Applicant shall submit the Condominium Plat in accordance with Chapter 703, Wis.
1752 Stats. for approval by the Wisconsin Department of Administration. Applicant to provide
1753 all associated documentation submitted the Department of Administration to the City of
1754 Onalaska.
1755
1756 12. If in the future the owner/developer creates Declaration of Covenants, Conditions and
1757 Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement
1758 of parking lots/private drives, the buildings including all common areas and green spaces,
1759 stormwater management/easement areas, as well as any ownership or use restrictions for
1760 the parcel/development; a copy shall be provided to the Planning Department and
1761 recorded at the La Crosse County Register of Deeds. Any amendments to the
1762 aforementioned document to be recorded at the La Crosse County Register of Deeds and
1763 a copy provided to the Planning Department.
1764
1765 13. Final Implementation Plan to be submitted for review and approval prior to any
1766 development activities.
1767
1768 14. Owner/developer to be aware that City water system provides service to elevation 930';
1769 meeting Wisconsin DNR minimum pressure requirements. Owner/developer to be aware
1770 Wisconsin DNR minimum water pressure supplied at a main is 35 psi, which occurs at
1771 elevation 930' in the City of Onalaska High Service Zone. Water pressure for owner
1772 satisfaction in a typical residential home is higher than the Wisconsin DNR minimum.
1773 Owner/developer is required to inform all buyers of water pressures within the
1774 development.
1775
1776 15. Owner/developer shall pay all fees and have all plans reviewed and approved by the City

1777 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
1778 and improvements installed per approved plans prior to issuance of occupancy permits.
1779

1780 16. All conditions run with the land and are binding upon the original developer and all heirs,
1781 successors and assigns. The sale or transfer of all or any portion of the property does not
1782 relieve the original developer from payment of any fees imposed or from meeting any
1783 other conditions.
1784

1785 17. Any omissions of any conditions not listed in committee minutes shall not release the
1786 property owner/developer from abiding by the City's Unified Development Code
1787 requirements.
1788

1789 Katie noted this particular item had been referred from the March 23 Plan Commission meeting.
1790 Katie noted the applicant has withdrawn some of the original requests he had proposed, and she
1791 told commission members the applicant is still asking to construct four single-family dwellings.
1792 Katie noted the following:

- 1793
- 1794 • A minimum of 25 percent green space must be provided. The applicant still shows 57
1795 percent green space for the development, and there are no proposed deviations.
 - 1796 • The yard setbacks have been maintained.
 - 1797 • The applicant is requesting that UDC Section 13.02.25-1 requiring a minimum of 25 feet
1798 and maximum of 40 feet setback for Medium Density Residential (R-3) Districts be
1799 waived. Due to the parcel shape and limitations on driveway construction, the homes in
1800 front may be closer than 25 feet by approximately 3 feet, and the homes in the rear are
1801 proposed at approximately 192 feet from Marcou Road, exceeding maximum allowed
1802 street yard setback by approximately 152 feet. Katie said city staff supports this request
1803 due to the reasons stipulated above. This development will meet all other setbacks (rear,
1804 side, and between buildings) as required in the UDC.
 - 1805 • The previous driveway setback that the applicant requested to reduce is no longer. The
1806 applicant will be required to install the driveway a minimum of 10 feet from the setback.
 - 1807 • The applicant is no longer requesting architectural transparency requirements. The
1808 applicant will be required to meet all aspects of the city's R-3 design standards.
1809

1810 Katie noted there are 17 conditions of approval tied to this development.
1811

1812 Motion by Craig, second by Skip, to approve with the 17 stated conditions a General
1813 Development Plan to create a Planned Unit Development (PUD) application filed by Nicholas
1814 Roush of DNC Holdings, LLC, 707 La Crosse Street, Office 102, La Crosse, WI 54601 to allow
1815 a new residential development to contain four (4) single family dwellings on a single parcel
1816 located at Marcou Road, Onalaska, WI 54650 (Tax Parcel # 18-3619-1).
1817

1818 Ald. T. Smith noted he had made a motion at the March 23 Plan Commission meeting to defer

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44

1819 this item to tonight’s meeting so that more information could be obtained. Ald. T. Smith thanked
1820 Nick Roush for coming back, and he acknowledged there were concerns regarding some of the
1821 requirements, and also that there still will be concerns. Ald. T. Smith said, “[Nick] did come
1822 back and basically came pretty close to following all of the standards, with minimal exceptions.
1823 Looking at that and getting my questions answered, I’m much more comfortable in supporting
1824 this now than I was last month. I will be supporting this.”

1825
1826 Jan thanked Nick for speaking to the neighbors and addressing the concerns that were raised at
1827 the March 23 Plan Commission meeting. Jan said, “I still think the character of the
1828 neighborhood, to me, does not support four units. I could definitely support two, but I
1829 understand that the zoning will allow four. I’m sorry for that, because I think two would be
1830 better. I just don’t think it fits into the neighborhood.” Jan then asked Fire Chief Gudie if
1831 sprinklers should be recommended due to the steepness of the driveway.

1832
1833 Fire Chief Gudie noted the plan states it is at 10 percent, and he told Jan that 10 percent is
1834 compliant. Fire Chief Gudie said the only thing he would look at is the angle of approach so that
1835 the fire truck does not hit the driveway when it pulls up. Fire Chief Gudie said he wants to
1836 ensure there is a smooth transition from the road, and he told commission members Jarrod had
1837 told him the Fire Department would have no issues with its vehicles due to the sidewalk.

1838
1839 Jan said she still has concerns regarding the density.

1840
1841 Skip said he will be abstaining from voting due to the legal issues that were previously
1842 discussed, stating he does not have sufficient knowledge to vote yes or no.

1843
1844 On roll call vote: Mayor Kim Smith – nay, Ald. Tom Smith – aye, City Engineer Jarrod Holter –
1845 aye, Jan Brock – abstain, Gargi Chauduri – aye, Skip Temte – abstain, Craig Breitsprecher – aye.
1846 Motion carried, 4-1, with two abstentions.

1847
1848 **Item 14 – Consideration of a Final Implementation Plan to create a Planned Unit**
1849 **Development (PUD) application filed by Nicholas Roush of DNC Holdings, LLC, 707 La**
1850 **Crosse Street, Office 102, La Crosse, WI 54601 to allow a new residential development to**
1851 **contain four (4) single family dwellings on a single parcel located at Marcou Road,**
1852 **Onalaska, WI 54650 (Tax Parcel # 18-3619-1)**

- 1853
1854 1. Contingent on Common Council approval of General Development Plan.
1855
1856 2. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each buildable
1857 unit. 4 total units * \$922.21/unit = \$3,688.84 dollars.
1858
1859 3. Master Utility Plan to be reviewed and approved by the City Engineer. Plan to be
1860 approved as part of the Site Plan Permit.

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4. Final driveway location to be submitted for approval by the City Engineer.
 5. Master Grading and Stormwater Plans to be reviewed & approved by the City Engineer.
 6. Owner/developer to submit final, colored renderings of all four (4) sides of proposed buildings noting architectural elevations with details and materials to be approved by the Planning Department.
 7. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot buffer surrounding the identified slopes. Building pads/residences/structures shall not infringe upon these areas.
 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

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1904 payable to the La Crosse County Register of Deeds. The City shall cause to be recorded
1905 the legal description of the Planned Unit Development and the Conditions of Approval
1906 tied to the development. These conditions shall not lapse or be waived as a result of any
1907 subsequent change in ownership of tenancy.
1908

1909 14. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
1910 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
1911 and improvements installed per approved plans prior to issuance of occupancy permits.
1912

1913 15. All conditions run with the land and are binding upon the original developer and all heirs,
1914 successors and assigns. The sale or transfer of all or any portion of the property does not
1915 relieve the original developer from payment of any fees imposed or from meeting any
1916 other conditions.
1917

1918 16. Any omissions of any conditions not listed in committee minutes shall not release the
1919 property owner/developer from abiding by the City's Unified Development Code
1920 requirements.
1921

1922 Katie noted there is no change from the General Development Plan to the Final Implementation
1923 Plan, and she said there are 16 conditions of approval tied to this development.
1924

1925 Motion by Ald. T. Smith, second by Craig, to approve with the 16 stated conditions a Final
1926 Implementation Plan to create a Planned Unit Development (PUD) application filed by Nicholas
1927 Roush of DNC Holdings, LLC, 707 La Crosse Street, Office 102, La Crosse, WI 54601 to allow
1928 a new residential development to contain four (4) single family dwellings on a single parcel
1929 located at Marcou Road, Onalaska, WI 54650 (Tax Parcel # 18-3619-1).
1930

1931 On voice vote, motion carried.
1932

1933 **Item 15 – Consideration of an application submitted by Jim Binash, 700 Westwood Drive,**
1934 **Onalaska, WI 54650, on behalf of American Legion Post #336, 731 Sand Lake Road,**
1935 **Onalaska, WI 54650 requesting a Special Exception Permit to the City of Onalaska Sign**
1936 **Code for the property located at 731 Sand Lake Road, Onalaska, WI 54650**
1937

1938 Katie said the applicant is requesting to install a 35-foot high flagpole, with a 6-by-10 foot flag in
1939 the northwestern corner just adjacent to the baseball diamond. The applicant has provided a map
1940 showing this. Katie noted Section 14.02.23.B.10 states: "*Flags shall not exceed 25 square feet*
1941 *per face ... The maximum flagpole height shall be 25 feet.*" Katie noted the review criteria
1942 includes the following:
1943

1944 1. What are the particular provisions or requirements of the Sign Ordinance regulations that
1945 prevent the compliance of the regulations?

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- 1946 • The Sign Ordinance does not allow flagpoles greater than 25 feet in height and flags
1947 greater than 25 square feet per face.
- 1948 2. What are the special conditions, circumstances or characteristics of the land, building or
1949 structure that prevent the use of current sign regulations in compliance with the
1950 requirements of the Ordinance?
- 1951 • The applicant states that current use of the property as a baseball diamond restricts
1952 flag placement. Placing the flag beyond the outfield fence will allow all spectators
1953 and players to see the flag, which is difficult with the current flag placement.
1954 Applicant also states that a larger height size will improve visibility. Previously, the
1955 city did not regulate flag sizes or flagpole heights.
- 1956 3. What is the particular burden that would result if the specified provisions or requirements
1957 of the Sign Ordinance were applied to the subject property?
- 1958 • The applicant states that the flag is not fully visible and players and spectators during
1959 the playing of the National Anthem at sporting events will have limited visibility.
- 1960 4. What is the minimum extent to which it would be necessary to deviate the requirements
1961 in order to permit the proposed construction of signage?
- 1962 • The applicant requests a 10-foot deviation from the ordinance maximum allowable
1963 height for flagpoles and a 35-foot deviation from the ordinance maximum allowable
1964 area per flag sign face.
- 1965

1966 Katie said city staff is proposing consideration of the Special Exception Application.

1967

1968 Motion by Skip, second by Craig, to approve an application submitted by Jim Binash, 700
1969 Westwood Drive, Onalaska, WI 54650, on behalf of American Legion Post #336, 731 Sand Lake
1970 Road, Onalaska, WI 54650 requesting a Special Exception Permit to the City of Onalaska Sign
1971 Code for the property located at 731 Sand Lake Road, Onalaska, WI 54650.

1972

1973 Craig asked, “Where are we trying to get visibility to that that extra 10 feet is going to buy us?”

1974

1975 **Mike Rude**
1976 **930 4th Avenue North**
1977 **Onalaska**

1978

1979 Mike, who represents American Legion Post 336, said, “Right now we have a scoreboard that’s
1980 24 feet high. The flagpole next to it is 18 feet. We wanted the flag to be presented higher than
1981 the scoreboard. That’s mainly what the request is for.”

1982

1983 Craig asked if the flag is being placed behind the scoreboard.

1984

1985 Mike told Craig the flag, which is 18 feet high, will be placed where the current one is located.
1986 Mike told commission members it is being paid for by Doreen Cunningham in memory of her
1987 husband, Merle, who passed away in December 2020 due to COVID-19. Mike noted Merle
Reviewed 05/03/2021 by Katie Aspenson

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- 1988 Cunningham had always said the flagpole and the flag should be higher than the scoreboard.
1989
- 1990 Craig asked, "Twenty-five feet won't suffice?"
1991
- 1992 Mike said "Twenty-five [feet] would make it as high as the scoreboard. It would make the pole
1993 as high, but the flag would be at the equal length of the scoreboard."
1994
- 1995 Jan noted Mike had answered one of her questions regarding if the flag would be as high as the
1996 scoreboard.
1997
- 1998 Mike noted the scoreboard is 24 feet and said, "If we get 35 feet it will be higher."
1999
- 2000 Jan asked if a larger flag will be placed on the flagpole if the flagpole is higher.
2001
- 2002 Mike said that per guides regarding flags, there are minimum and maximum-sized flags for the
2003 flagpole.
2004
- 2005 Jan noted there are apartments located in close proximity and asked if a larger flag creates more
2006 noise when it is windy.
2007
- 2008 Mike told Jan he does not know and said the apartments' residents have not said anything about
2009 the other flag in the past.
2010
- 2011 Mayor K. Smith noted the flag measures 6-by-10 feet, and she asked Katie what factors had gone
2012 into the 25-foot regulations. Mayor K. Smith also asked Katie if she can envision a risk or
2013 nuisance that a 35-foot flagpole and a larger flag could cause.
2014
- 2015 Katie said the reason the city began regulating this is there was a potential development that
2016 wanted to have a proposed flag that measured more than 2,400 square feet, which is a larger
2017 footprint than the average house. Katie said, "Because of that, we didn't think that was
2018 appropriate and in line with the City of Onalaska and how we present these symbols throughout
2019 our community, so that is why we went to address that. This happens to be in a mixed-use
2020 neighborhood. Depending on if it's a commercial district, they can actually go higher. We're
2021 trying to be respectful of the neighborhood. Based on what it is that they're looking for, staff
2022 was supportive of their request of an additional 10 feet. They're not out of compliance with the
2023 Airport Height Overlay District. This is an allowable use within that district. That was our
2024 justification."
2025
- 2026 Mayor K. Smith noted there once had been a request to install a cell tower at that site, and that
2027 request had been denied in a similar area.
2028
- 2029 Katie told Mayor K. Smith she did not remember one in the last eight years and noted one had
Reviewed 05/03/2021 by Katie Aspenson

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2030 recently been approved on the back side of Center 90. Katie noted the applicant had requested a
2031 variance through the City of La Crosse, and the City of La Crosse denied the variance request.
2032 Katie noted the applicant ultimately was allowed to install a cell tower, but one that was not as
2033 high as the applicant wanted it to go.

2034
2035 Mayor K. Smith inquired about the height of the tower.

2036
2037 Katie said she does not know.

2038
2039 On voice vote, motion carried.

2040
2041 **Closed Session**

2042
2043 To consider a motion to convene in closed session under Section 19.85(1)(e) for the purpose of
2044 deliberating or negotiating the purchasing of public properties, the investing of public funds or
2045 conducting other specified public business, whenever competitive or bargaining reasons require a
2046 closed session:

2047
2048 • Review and Consideration of a Development Agreement with Traditional Trades, LLC

2049
2050 Motion by Craig, second by Ald. T. Smith, to convene in Closed Session.

2051
2052 On roll call vote: Mayor Kim Smith – aye, Ald. Tom Smith – aye, City Engineer Jarrod Holter –
2053 aye, Jan Brock – aye, Gargi Chauduri – aye, Skip Temte – aye, Craig Breitsprecher – aye. In
2054 Closed Session at 9:02 p.m.

2055
2056
2057 Recorded by:

2058
2059 Kirk Bey