The Meeting of the Plan Commission of the City of Onalaska was called to order at 7:00 p.m. on Tuesday, May 22, 2018. It was noted that the meeting had been announced and a notice posted at City Hall.

Roll call was taken, with the following members present: Mayor Joe Chilsen, Ald. Jim Binash, City Engineer Jarrod Holter, Jan Brock, Paul Gleason, Craig Breitsprecher, Steven Nott

Also Present: Deputy City Clerk JoAnn Marcon, Planner/Zoning Inspector Katie Aspenson, Ald. Diane Wulf, Ald. Jerry Every, Ald. Ron Gjertsen

Excused Absence: Skip Temte

Item 2 – Approval of minutes from previous meeting

Motion by Ald. Binash, second by Craig, to approve the minutes from the previous meeting as printed and on file in the City Clerk's Office.

On voice vote, motion carried.

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

Mayor Chilsen called for anyone wishing to provide public input.

Marcia Horvath
1205 County Road PH
Onalaska

"I would like to talk about the proposed expansion of businesses at the corner of County Road PH and Highway 157. First of all, I want to say that I appreciate that this proposed rezoning has changed from B-1 to Transitional Commercial. That acknowledges the fact there is a residential neighborhood right next to the proposed construction site where people have their homes. And it maintains the landscaping and setback requirements that make it blend into the surrounding area. That said, I'm still a little concerned about the increase in traffic with the new businesses, and the new traffic flow around the businesses. Of course the traffic will increase significantly because the express purpose of new businesses is to pull in more customers. I think these increases will have a negative effect on an already-complex traffic area. On the proposed site map we were given, there will be a new driveway running around the building and coming out along the back of the building where the small parking lot at 1204 County Road PH currently is. As for now, the big in-and-out on traffic is across the street from Jansen Place, away from the neighborhood homes. However, with the new traffic pattern there will be cars and trucks coming in and out all day right across the street from us, bringing traffic directly into the neighborhood. Basically, we'll be looking at a delivery alley out our front door. [Inaudible] that a traffic impact

study be done before the rezoning is approved to determine what the new construction is going to do to the traffic patterns in our neighborhood. Thank you."

Leo Bronston
163 East Larkspur Lane
Onalaska

"I'm here to speak in favor of Item No. 5, [which is] a rezoning request that I put forward for the church property that is adjacent to the property I own at 1202 County Road PH. I'll be sitting in the back if you have any questions. I just wanted to make sure you were aware I was here. Thank you."

Nick Roush
N2980 Antony Road
Bangor

Nick told the Plan Commission he is attending tonight's meeting to speak in favor of Item No. 8, which is to rezone a parcel from Single Family Residential to Multifamily Residential to allow for a multifamily development on the property located at 9522/9530 East 16 Frontage Road. Nick also said he is available to answer questions from commission members.

Chuck Foust
1900 North Kinney Coulee Road
Onalaska

"I'm proposing to put up some storage units, and if you have any questions I'll be in the back."

Dick McGarry
1220 County Road PH
Onalaska

"Though we appreciate that Mr. Bronston has resubmitted his zoning request as T-C, we still have some concerns that need to be addressed, the main one being the issue of increased traffic. The City Engineer has stated that the intersection of Highway 157 and PH is very congested, and it is one of the top 10 locations in La Crosse County where traffic accidents occur. He thinks that from a traffic impact analysis it's not going to have a large effect. … We have a concern that, has a traffic impact study been done, or is there one planned? The City Engineer also said the addition of the drive-through at the coffee shop [inaudible] effect because you'll have more traffic at peak times probably going in there to use those services. Our question is, why would a business locate in Mr. Bronston's new building if they didn't anticipate a lot of traffic for their business? He also said that the traffic does impact one of the neighbors [inaudible] because that neighbor lives across the street from the proposed driveway shown on the site plan. He thinks

that there will be a new spot where people will go in and you won't see as many left turns into the existing driveway. Our question is, won't that just push more traffic farther down PH? We feel that a traffic impact study or analysis is an important step in helping to resolve traffic issues that exist today, as well as the increased traffic problems that new businesses in this area will bring. Thank you."

Dennis Stannard
1224 PH West
Onalaska

"My property borders the church property. I've lived out there for 46 years. That's a lot of property tax. The concerns I have you've heard over and over already: additional buildings, additional traffic, noise – not to mention the domino effect that's possible, and of course what effect it would have on the value of our property. You've heard this over and over, and so I thought that just for a minute I would take a little bit of a different approach. … I would like for you to take just a couple of seconds here, and I would like for you to visualize this development – the buildings, the increased traffic, the noise. I would like you to put a picture in your mind of what this development would look like off of PH. Now, I would like for you to visualize this development in your backyard. Thank you."

Jacob Wallace
1214 County Road PH
Onalaska

"I'm the Senior Pastor at River of Life Church. I am here to state that we are in favor of the [inaudible]. We are in favor of the property that it's going on. As a church, we have voted to sell our property to Leo Bronston; [it was] almost unanimous. As a church board, we had multiple discussions on the traffic that will be coming through as well. It will also be helpful for us as a church for that traffic to come through, as you can well imagine. Also, as far as traffic goes, as I sit in my parking lot and look out the window I notice that there's already quite a bit of traffic using our church parking lot as a drive-through. Having another driveway would be helpful."

Betsy Stannard
1224 PH West
Onalaska

"I stand opposed to further development at this site. As I talked to you last time, I tried to share the changes that have gone on out there and how we've coped pretty well. I guess we thought with that beautiful church behind us and that green space that we were maybe home-clear. We opposed the development of that lot where Caribou Coffee is with First Federal moving on down the line because we were afraid of just the very thing we're talking about here tonight:

encroachment. How far are you going to go? That's a big thing that sticks in our mind. So thinking on it, I thought this is all kind of interesting. When I was working I didn't have time to do this. I went online and looked at, what does a homeowner do when businesses encroach on your neighborhood? It was kind of interesting. It really came back to the city, and it comes back to the Plan Commission with some of the questions that you should think about as you think about this development. I'm just going to pick and choose things that meant some things to me."

Mayor Chilsen offered to take the information Betsy had brought with her and have it entered into the record when she is done speaking, if she so desires.

Betsy highlighted the following points from a two-part series written by Wendy Grey entitled, "Bringing Commercial Uses Closer to Existing Residential Neighborhoods:"

"What is the city trying to do when this land use changed that's looking at us tonight? Why are we doing it? They gave us ideas. Is the neighborhood deteriorating because of something? No. All of our houses are in great shape. We're all inhabitable; [it's a] very nice neighborhood. The second thing is, what uses are going to be allowed? In this letter it still doesn't seem real specific to me what is going to be there. What uses will be allowed, and how will they be regulated? It says to expect questions about the likelihood of increased traffic or crime inside the neighborhood. Be ready to answer questions about tools the local government has to enforce standards intended to mitigate those impacts. Those are all things we think about, the traffic [being] number one. There are good reasons for us to work together."

Julie McGarry
1220 County Road PH
Onalaska

"We've been here many times before – at least at the March 27 Plan Commission meeting. You've heard a lot of our reasons as to why we were very concerned about more development. We're going back and hitting the things that we feel deserve the most attention. Of course, we appreciate Dr. Bronston resubmitting his zoning request as Transitional Commercial. My question is, is this going to require Conditional Use Permits for him to put whatever he wants in there? I don't know. It just said, 'Transitional Commercial.' Is he still going to do a restaurant with a possible drive-through? A business office? A medical MRI office? I don't know for sure. We are concerned, of course, with the things that go along with it, and hopefully they will be addressed in the site plan. That's the other question: Is the site plan the same as the one that was submitted before? I'm assuming it is, but signage, lights, noise, business hours, parking – which I think he's pretty well accommodated for. One main thing we're concerned about is the possibility of a drive-through at the coffee shop, as well as a drive-through at the restaurant. One other thing I'd like to address is at the April 10 Common Council meeting where this was all brought up, Alderman Binash said – and this is from the minutes – *"It should be noted that in 2015 this area was part of a comprehensive city plan designated 'Commercial.' "* That's not

true. Dr. Bronston's parcel right now at 1202 [County Road PH] is [zoned] Transitional Commercial with Conditional Use Permits, [and] 1204 [County Road PH] is [zoned] R-1. The church field that he is requesting is [zoned] R-1. It is not [zoned] Commercial. The other thing is, at the March 27 Plan Commission meeting, Mr. Gleason made the statement: *"I think we also need to be realistic in that this area is going Commercial. It has sat still for quite a while, but inevitably I believe it will be a Commercial area. Do we stymie what I think is a nice development simply in order to do nothing and defer, but not ultimately prevent, the conversion to Commercial for that site and eventually more of that area?"* It came across like this decision was already made that our neighborhood is going to go Commercial whether we like it or not. Maybe he didn't mean it that way; it's hard for me to say. But it was kind of a surprise to have somebody say, 'You're going to go Commercial.' "

JoAnn informed Julie she had reached her three-minute speaking limit.

Julie concluded, "That was one of the concerns the neighbors had."

Mayor Chilsen called three times for anyone else wishing to provide public input and closed that portion of the meeting.

Consideration and possible action on the following items:

Item 4 – Public Hearing: Approximately 7:00 P.M. (or immediately following Public Input) – Consideration of a Conditional Use Permit request filed by Mike Dolan of SAC Wireless, 540 West Madison Street, 16th Floor, Chicago, IL 60661 on behalf of Carole Nelson, USCOC of La Crosse, LLC, 8410 West Bryn Mawr Avenue, Chicago, IL 60631 to replace three (3) existing antennas and add six (6) radio units to the telecommunications structure located at 1033 2nd Avenue Southwest, Onalaska, WI 54650 (Tax Parcel #18-939-0)

Katie said this CUP request pertains to allowing Sprint to replace three existing antennas and add six new radio units along with the associated cabling to the existing telecommunications structure. The application is being made by SAC Wireless on behalf of Sprint. The applicant has provided the following information to be considered:

- Project Plan Set
- Statement of Justification for Project
- Structural Analysis Report prepared by Tower Engineering Professionals
- Photo simulations (existing and proposed views)
- Conditional Use Permit Application & Checklist

Katie said the telecommunications structure is a 118-foot tall monopole with three existing antennas. There is no intention to make improvements to or replace the equipment cabinets as

part of this application. According to the applicant, this telecommunications tower and site was selected because it has sufficient space for antennas to provide better coverage to users within this area, and upgrading this facility would be the least disruptive to the community. Further, the applicant states that the site will not generate excessive traffic to complete the project and will not cause noise, air, light or water pollution. It also will not generate noise, light, dust or vibrations. The height and footprint of the structure will not change with this project. Katie said the project is not considered a substantial change by the Federal Communications Commission's definition as the equipment will be installed at 102 feet or below. The height of the structure will not increase. New equipment will not protrude from the structure by more than 6 feet. No new cabinets will be installed, no excavation is required for the project. Katie said the Structural Analysis Report prepared by Tower Engineering Professionals states the tower was originally designed for a basic wind speed of 85 mph with no ice, and 74 mph with a ½-inch ice thickness. Katie said Tower Engineering Professionals had completed an analysis and the tower passed. This means that the tower and its foundation have sufficient capacity to carry the existing, proposed, and reserved future loading. No modifications were recommended. Katie noted that telecommunication structures and towers are permitted only by CUP per Section 13-5-5, and pursuant to standards set forth in Section 13-8-11. Katie said the City of Onalaska has no basis for denial of the CUP, but has found the basis to impose the following four conditions:

1. Owner/developer shall pay all fees and have all plans reviewed and approved by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to issuance of occupancy permits. **Substantial Evidence:** This condition provides notice to the owner/developer that they are to follow procedure for orderly development in the City of Onalaska in order to promote the health, safety and welfare of the City.

2. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns so long as the conditional use is being actively used. **Substantial Evidence:** This condition acknowledges and provides public notice of the term and puts the owner/developer and future owners on notice that they are bound by the conditions and that they can continue the use as long as they follow the conditions and actively use the conditional use.

3. Owner/developer shall abide by the City's Ordinances, Unified Development Code and Building Code requirements, as amended. **Substantial Evidence:** This condition assures that the owner/developer understands they must follow the city's Unified Development Code and Building Code, which they are required to follow in every way, and that as they are receiving the benefit of being allowed to have a use that is not within the standards of the City's zoning code, failure to follow City ordinances may result in loss of their Conditional Use Permit.

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

use. **Substantial Evidence:** This shifts the burden to the owner of the property to provide proof that the use is active and continuing. Ensuring that existing permits are still valid and being properly used ensures compliance with the City's procedures and ordinances, and promotes interaction and communication with the City, which furthers orderly development and the health, safety and welfare of the City.

Katie noted that only where no reasonable conditions could exist to allow the Conditional Use may a CUP be denied. Katie also noted the applicant is participating in tonight's meeting via telephone.

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

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

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

Motion by Ald. Binash, second by Craig, to approve with the four stated conditions a Conditional Use Permit request filed by Mike Dolan of SAC Wireless, 540 West Madison Street, 16th Floor, Chicago, IL 60661 on behalf of Carole Nelson, USCOC of La Crosse, LLC, 8410 West Bryn Mawr Avenue, Chicago, IL 60631 to replace three (3) existing antennas and add six (6) radio units to the telecommunications structure located at 1033 2nd Avenue Southwest, Onalaska, WI 54650 (Tax Parcel #18-939-0).

On voice vote, motion carried.

Item 5 – Public Hearing: Approximately 7:10 P.M. (or immediately following previous hearing at 7:00 P.M.) – Consideration of a Rezoning request filed by Leo Bronston, 1202 County Road PH, Suite 100, Onalaska, WI 54650 on behalf of River of Life Assembly of God, Inc., 1214 County Road PH, Onalaska, WI 54650, to rezone a portion of a tax parcel from Single Family Residential (R-1) to Transitional Commercial (T-C) to facilitate the construction of a new commercial development on the property located at 1214 County Road PH, Onalaska, WI 54650 (Tax Parcel #18-3542-0)

1. Rezoning Fee of $300.00 (PAID).

2. Upon finalization of rezoning and once ownership is retained by Leo Bronston, property owner of 1204 County Road PH, shall have a Certified Survey Map approved by the City of Onalaska documenting new tax parcel boundaries and recorded with the La Crosse County Register of Deeds.

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

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

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

Katie noted the property in question is currently zoned Single Family Residential, and properties within 250 feet of the property in question include single-family residences, a church, and commercial businesses. The Comprehensive Plan identifies this area as Commercial. This district is intended to accommodate large- and small-scale commercial and office development. A wide range of retail, service, lodging and office uses are appropriate in this district. Katie noted that Dr. Bronston owns the property located at 1204 County Road PH, and he has a conditional offer to purchase approximately 1.3 acres from River of Life directly adjacent to the commercial property. The property located at 1204 County Road PH is zoned Transitional Commercial, and River of Life is zoned Single Family Residential. Katie said the purpose of the request is to rezone a portion of 1214 County Road PH to Transitional Commercial to allow for a new commercial development that may include professional offices, restaurants, a coffee shop, personal service establishments, and/or medical-related services. Katie said some of the mentioned proposed uses might require CUPs. The remainder of the parcel owned by River of Life would continue as Single Family Residential. Katie noted there are five conditions of approval tied to this development.

Mayor Chilsen opened public hearing and called for anyone wishing to speak in favor of the rezoning request.

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

Mayor Chilsen called for anyone wishing to speak in opposition to the rezoning request.

Betsy Stannard
1224 PH West
Onalaska

"I guess what I would wonder, and would like to know again, is what the city sees they gain in doing this versus maybe a neighborhood that doesn't want it. There have been a lot of calls to our alderman [stating] that they are not in favor of it. The second thing is, if it were to pass, where does it stop? … We look to you. I guess anybody can come in and do anything they want to the land around us, and we look to government to help us have a voice. And I guess you are our voice."

Mayor Chilsen called three times for anyone else wishing to speak in opposition to the rezoning request and closed the public hearing. Mayor Chilsen then asked Katie to reread the uses.

For clarification, Katie asked Mayor Chilsen if he means the proposed uses or the uses that are allowed in that particular district.

Mayor Chilsen said the uses that are allowed.

Katie said the uses that are outright permitted in the Transitional Commercial District include: retail stores, financial institutions and credit unions, bakeries, retail businesses only, personal service establishments (e.g. massage, hair salon), bed and breakfast establishments, professional offices, food stores (e.g. delicatessen, bakeries), and apartment hotels. Katie also said existing residents are supposed to comply with Residential District rules. Katie said Conditional Uses include grocery stores, laundry and dry-cleaning establishments (self-serve and pickup), restaurants, department stores, pet shops, clinics, coffee shops, radio broadcasting studios, utilities (communication structures and towers), and planned residential development (e.g. cluster developments, garden apartments, group housing, independent senior living housing, multifamily dwellings, conversion from Commercial to Multifamily, tourist homes).

Mayor Chilsen asked Katie, "Does this abide by our long-range plan?"

Katie said yes and noted the property in question is zoned Single Family Residential. Katie also noted that zoning differs from land use. Land use is how the use is currently being utilized. Katie referred to the city's current land use plan and said, "We have this area as being open for recreation because it's currently vacant land, but it's owned by the church. It's essentially open space at this point. We have for our future land use category, which is the city's vision for how we see the future to be in the next 15, 20 years of what we want in Onalaska, the entire area of Dr. Bronston's and westward all the way to the property line, is Commercial."

Mayor Chilsen asked, "And that's the land use?"

Katie told Mayor Chilsen, "That's the future land use plan."

Motion by Paul, second by Craig, to approve with the five stated conditions a Rezoning request filed by Leo Bronston, 1202 County Road PH, Suite 100, Onalaska, WI 54650 on behalf of River

of Life Assembly of God, Inc., 1214 County Road PH, Onalaska, WI 54650, to rezone a portion of a tax parcel from Single Family Residential (R-1) to Transitional Commercial (T-C) to facilitate the construction of a new commercial development on the property located at 1214 County Road PH, Onalaska, WI 54650 (Tax Parcel #18-3542-0).

Jarrod said, "As we talked about at the last rezoning request, obviously one of the concerns of the neighborhood is traffic. We are allowed by our code to require a traffic impact study. Typically on a building such as this with this size we have not required that study for, in my memory at the city, a building of this size. Some of the parcels that come to mind that we've required a traffic impact analysis for was the Wal-Mart at Market Place, the Skemp Clinic at Theater Road – some of those parcels that we know are going to be very large and traffic generators that are going to make a sizeable difference to the traffic impacts to our traffic system. The site plan that has been proposed as a preliminary site plan does show a second driveway further into the neighborhood. It is approximately a few hundred feet past the existing driveway. It does go past the narrowing of the street which was put in in 2003 as a traffic-calming measure to delineate it is the neighborhood along with the stop signs and the speed tables that were installed in the neighborhood. There will be encroachment into the neighborhood with the traffic. I don't think the traffic will be going further than that driveway. I do believe the traffic-calming enhancements that were put in in the 2003 project have been relatively successful. You don't see the large cut-through traffic that you would without them. Does than mean that people still go through? There are people who still go through to Shopko from that area, or beyond that over to Theater Road.

The main concern, as was pointed out by the residents, would be the drive-throughs. Without the drive-through, I think the 6,000 square-foot development wouldn't even be noticeable with what's out there today. It depends on what use goes in there. A coffee shop is different than a professional office building where you have someone come in at 8 in the morning and stay at their office desk until 5 at night. That's only two trips in and out. There will be peak times where the drive-through at Caribou Coffee, if that's what stays in that location, will have more traffic. I will not disagree with that. In the larger, overarching traffic in the area, when you look at what comes out of Jansen Place from the variety of uses that we have in that Commercial district, this is not nearly as large as that area. I think that's the message that I was trying to convey at the last meeting. In the area, this will not be a significant difference compared to the congestion you currently see at Jansen Place. It's always up to the Plan Commission or the City Engineering staff when we do site plan review to require a traffic impact analysis. Typically in the past we have not required one for this size development."

Paul said, "I think a traffic impact analysis in a situation like this is an unfair burden on the owner. In order to really tell us anything meaningful, you would have to ask him to do an impact analysis on the entire intersection in the Commercial and Residential development area. A traffic impact analysis on his development only isn't going to tell you anything. I'm not in favor of making that requirement. I agree with Jarrod's opinion that the amount of traffic added by

this … Well, you can correct me if I am misstating, but my opinion is the amount of traffic added by this will be insignificant compared to the total traffic that is there."

Ald. Binash said, "One of the impressions I got from several of the meetings was that if we move from B-1 to T-C that the residents in the area would be comfortable with that, and that's the impression I got the last time we all met. I think that is the reason Dr. Bronston came back with this from B-1 to T-C. It appeared to be a favorable position because it would have to be a Conditional Use Permit for anything that goes on out there, and the site plan would have to be approved. I don't believe I misspoke, but if I did, in 2015 wasn't there a Comprehensive Plan that said this area was going to be Commercial to the west area and this was the long-range plan for this particular area?"

Katie said, "Yes. The future land use plan is that it would go Commercial, and it was approved in 2015/early 2016."

Ald. Binash said that is what he was referring to back then and told Julie Schumacher she is correct in that the area is zoned Single Family Residential. Ald. Binash said, "That's the reason, at present, I thought this T-C would satisfy the residents in the area, and I do understand your concerns about traffic and what's going to be going in there. But in listening to the conversations that have been going on here, I thought with the ingress and egress that it may not have a significant impact. And with the T-C over the B-1, I thought that would meet with the approval of the residents."

Craig said, "Number one, I agree with Alderman Binash. My impression out of the prior meeting also was that the conversion to a T-C zone versus a B-1 zone would alleviate a lot of the concerns. But what I'm understanding now is some of the neighboring residents just simply don't want any development there. And as much as I understand that and I can appreciate that, one of the questions that comes up along that line that was asked in testimony tonight was, what is the city trying to do? My response is, the city is not trying to do anything. These are requests that have been brought forth by property owners that have the same rights as each of you do to exercise the use of those properties within the established ordinances that exist. So with that in mind, I think we have to hear what they want to do, and I don't think anyone up here would willfully try to do anything that would harm your properties. But by the same token, they have the right to use those properties in a reasonable manner according to the ordinances. That's kind of the way I look at it. This seems to be reasonable to me."

Steven said, "Craig just said probably better than what I was about to say, but you have three competing interests here I have identified, and obviously everybody has very strong opinions. You have the interests of the residents, the interests of the developer, and the interests of the property owner, and trying to weigh those out. Everybody has certain rights and expectations with their own property as well. Also, [as] with Alderman Binash, that was my understanding, because when we last talked about this in front of this commission, my recollection is a good

portion of the discussion was that the T-C was going to alleviate a lot of these concerns."

Jan thanked Katie for reading the list of permitted uses for Transitional Commercial and asked, "Would I be incorrect to say that most of the things that you read are already existing in that area, either in the shopping mall over by Red Lobster or in the existing area? A lot of those things are already there – small businesses [and] coffee shops."

Katie said, "There are a number of them. They're also in a different zoning district; they're in the Light Industrial, which for the most part allows almost all uses without a Conditional Use. As mentioned, some of the uses – not all – would require a Conditional Use Permit. So if there was a restaurant or a coffee shop, those would be required to come back here, obtain a Conditional Use Permit, and move through that process. The personal service establishment, the professional office, the medical-related, that requires a Conditional Use Permit, but the others would be outright permitted. Depending on what happens on those properties, it's also possible that some that are in the current facility may move to this location. If that's the case, they would still need to get a Conditional Use Permit. They wouldn't be grandfathered in because it's a separate property. If something needed a Conditional Use Permit Dr. Bronston's present location – for instance, if a restaurant went in where Dr. Bronston's property is – he would have to get another Conditional Use Permit for his existing property. This does not grandfather in this process for anyone."

On voice vote, motion carried.

Steven temporarily excused himself from the meeting to return a telephone call.

Item 6 – Public Hearing: Approximately 7:20 P.M. (or immediately following previous hearing at 7:10 P.M.) – Consideration of a Conditional Use Permit request filed by Mark Bateman, 1030 Windsong Lane, Onalaska, WI 54650 on behalf of St. Paul's Lutheran Church, 1201 Main Street, Onalaska, WI 54650, to install an Electronic Message Center sign which will exceed zoning district size requirements and replace the existing freestanding sign at 1201 Main Street, Onalaska, WI 54650 (Tax Parcel #18-733-0)

Mayor Chilsen noted Craig is recusing himself from this item, meaning he cannot take into account discussion or voting.

Katie said this CUP request pertains to allowing an Electronic Message Center Sign as part of an overall, new freestanding sign, to exceed the size requirements for a freestanding sign of the Public & Semi-Public District at St. Paul's Lutheran Church. The applicant is proposing to install a new freestanding sign that will replace the existing freestanding sign along Sand Lake Road. The new sign will be 11 feet in height, which is allowed, and 12 feet, 5 inches in width, with a total of 137.5 square feet. This exceeds the square footage allotment of 32 square feet. Katie noted that approximately 42.75 square feet of the sign is the sign itself, while the

remaining square footage is the monument/sign foundation. This conditional use is permitted only by approval of the Plan Commission, 13-6-29(2)(a)(5), and pursuant to standards set forth in Sections 13-8-11. Katie said the city has no basis for denial of the CUP, but has found a basis to impose the following four conditions:

1. Owner/developer shall pay all fees and have all plans reviewed and approved by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to issuance of occupancy permits. **Substantial Evidence:** This condition provides notice to the owner/developer that they are to follow procedure for orderly development in the City of Onalaska in order to promote the health, safety and welfare of the City.

2. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns so long as the conditional use is being actively used. **Substantial Evidence:** This condition acknowledges and provides public notice of the term and puts the owner/developer and future owners on notice that they are bound by the conditions and that they can continue the use as long as they follow the conditions and actively use the conditional use.

3. Owner/developer shall abide by the City's Ordinances, Unified Development Code and Building Code requirements, as amended. **Substantial Evidence:** This condition assures the owner/developer understands they must follow the city's Unified Development Code and Building Code, which they are required to follow in every way, and that as they are receiving the benefit of being allowed to have a use that is not within the standards of the City's zoning code, failure to follow City ordinances may result in loss of their Conditional Use Permit.

4. The Conditional Use Permit shall be reviewed every five (5) years to ensure continued use. **Substantial Evidence:** This shifts the burden to the owner of the property to provide proof that the use is active and continuing. Ensuring that existing permits are still valid and being properly used ensures compliance with the City's procedures and ordinances, and promotes interaction and communication with the City, which furthers orderly development and the health, safety and welfare of the city.

Katie said only when no reasonable conditions could exist to allow the Conditional Use may a CUP be denied.

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

Mark Bateman
1030 Windsong Lane

Onalaska

"I put in for the request, and I am a member at St. Paul's Lutheran Church. This project has been on the books for a long time, and funding has finally come through for this, so we're very excited about the possibility of the sign. Someone is going to show a picture of what we have right now, and it really needs to be upgraded, so we would really look to you to approve this Conditional Use. The only reason we're here is 100-some feet with the base of the sign. The actual face of the sign falls right in line with what the VFW did [inaudible]."

Doug Bakken
618 14th Avenue North
Onalaska

Doug identified himself as a member at St. Paul's Lutheran Church and noted the church has been a part of the City of Onalaska for more than 130 years. Doug noted that St. Paul's has more than 1,400 members and referred to a letter attached in commission members' packets that states St. Paul's will utilize the sign for community announcements of special events, including church services, special services, special guests, choirs, musicians, and more. The letter also notes that at least once a year St. Paul's has a special drive for its local food pantry. This also will be announced via the sign. Doug noted the church's current sign is approximately 5½ feet tall. The rest of Doug's comments were inaudible on the recording.

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

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

Motion by Ald. Binash, second by Paul, to approve with the four stated conditions a Conditional Use Permit request filed by Mark Bateman, 1030 Windsong Lane, Onalaska, WI 54650 on behalf of St. Paul's Lutheran Church, 1201 Main Street, Onalaska, WI 54650, to install an Electronic Message Center sign which will exceed zoning district size requirements and replace the existing freestanding sign at 1201 Main Street, Onalaska, WI 54650 (Tax Parcel #18-733-0).

On voice vote, motion carried, 6-0.

Item 7 – Public Hearing: Approximately 7:30 P.M. (or immediately following previous hearing at 7:20 P.M.) – Consideration of a Conditional Use Permit request filed by Charles Foust, 1900 North Kinney Coulee Road, Onalaska, WI 54650 to construct a fifteen (15) unit mini-storage building which will be a second principal structure on the property located at 1900 North Kinney Coulee Road, Onalaska, WI 54650 (Tax Parcel #18-3654-73)

Katie said this CUP request pertains to allowing the use of mini-storage warehousing and a second principal structure on a parcel at 1900 North Kinney Coulee Road. The applicant intends to construct a 15-unit mini-warehouse approximately 150 feet long by 28 feet deep, with 10-foot garage doors. The garage doors will face Interstate 90 with architectural features (two-toned structure) facing North Kinney Coulee Road for the adjacent neighbors. Further, the applicant intends to landscape the area in front of the structure, and he will not allow overnight parking to keep the integrity of the neighborhood intact. Katie said the applicant will have a paved driveway entrance in the area to provide access to units, and also for Fire Department accessibility with limited lighting above the garage doors so to not impact the neighboring properties. Katie said this CUP is permitted only by approval of the Plan Commission per Section 13-5-18(f) and 13-1-14(b), and pursuant to standards set forth in Section 13-8-11. Katie said the city has no basis for denial of the CUP, but has found a basis to impose the following four conditions:

1. Owner/developer shall pay all fees and have all plans reviewed and approved by the City prior to obtaining a building permit. Owner/developer must have all conditions satisfied and improvements installed per approved plans prior to issuance of occupancy permits. **Substantial Evidence:** This condition provides notice to the owner/developer that they are to follow procedure for orderly development in the City of Onalaska in order to promote the health, safety and welfare of the City.

2. All conditions run with the land and are binding upon the original developer and all heirs, successors and assigns so long as the conditional use is being actively used. **Substantial Evidence:** This condition acknowledges and provides public notice of the term and puts the owner/developer and future owners on notice that they are bound by the conditions and that they can continue the use as long as they follow the conditions and actively use the conditional use.

3. Owner/developer shall abide by the City's Ordinances, Unified Development Code and Building Code requirements, as amended. **Substantial Evidence:** This condition assures the owner/developer understands they must follow the city's Unified Development Code and Building Code, which they are required to follow in every way, and that as they are receiving the benefit of being allowed to have a use that is not within the standards of the City's zoning code, failure to follow City ordinances may result in loss of their Conditional Use Permit.

4. The Conditional Use Permit shall be reviewed every five (5) years to ensure continued use. **Substantial Evidence:** This shifts the burden to the owner of the property to provide proof that the use is active and continuing. Ensuring that existing permits are still valid and being properly used ensures compliance with the City's procedures and ordinances, and promotes interaction and communication with the City, which furthers orderly development and the health, safety and welfare of the City.

Katie said only when no reasonable conditions could exist to allow the Conditional Use may a CUP be denied.

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

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

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

Motion by Craig, second by Steven, to approve with the four stated conditions a Conditional Use Permit request filed by Charles Foust, 1900 North Kinney Coulee Road, Onalaska, WI 54650 to construct a fifteen (15) unit mini-storage building which will be a second principal structure on the property located at 1900 North Kinney Coulee Road, Onalaska, WI 54650 (Tax Parcel #18-3654-73).

Ald. Binash referred to the CUP application and noted it states there are limited redevelopment options due to the limited space on the applicant's property. Ald. Binash said what the applicant is proposing seems to fit in with what is in the area.

Paul asked if there is a reason why the property cannot be divided into two parcels, thereby avoiding the Conditional Use.

Katie said the CUP is required in two instances, stating, "It's to have a second principal structure on the property, but it's also to have the mini-storage warehouse that is not a permitted use in this district. It's a twofold CUP. If they have proper frontage, they would need 200 feet of linear frontage to divide the property." Katie added a CUP still would be required if it was a separate parcel.

Jan referred to the applicant's brief description of the building plans and noted one of the items states the building facing the road will be landscaped approximately 150 feet. Jan asked if this is facing North Kinney Coulee Road, or if it is facing Interstate 90.

Katie said the rear of the building would face North Kinney Coulee Road, and the garages would face Interstate 90.

Jan again referred to the applicant's brief description of the building and noted one of the items states there will be a retaining wall, if needed.

Katie said a retaining wall, which might be needed based on the site, also would be on the North Kinney Coulee Road. Katie said it has not yet been determined if a retaining wall is needed.

On voice vote, motion carried.

Item 8 – Public Hearing: Approximately 7:40 P.M. (or immediately following previous hearing at 7:30 P.M.) – Consideration of a Rezoning request filed by Nicholas Roush, Roush Rentals, 707 La Crosse Street, Office 102, La Crosse, WI 54601 on behalf of Elmwood Partners, 1859 Sand Lake Road, Onalaska, WI 54650 to rezone a parcel from Single Family Residential (R-1) to Multi-Family Residential (R-4) to allow for a multifamily development on the property located at 9522/9530 East 16 Frontage Road, Onalaska, WI 54650 (Tax Parcel #18-3613-3)

1. Rezoning Fee of $300.00 (PAID).

2. A Park Fee of $922.21 will be required per residential unit to be paid to the City prior to obtaining a Building Permit.

3. Topography Map Fee: $10.00 per acre * 4.59 acres = $45.90 dollars to the City prior to obtaining a Building Permit.

4. Exterior storage is prohibited.

5. In the event of more than one (1) principal structure, the applicant will need to obtain a Conditional Use Permit issued by the Plan Commission.

6. Site Plan Permit required for new development in advance of building permit applications, including detailed architectural plans, landscape, drainage, erosion control, and other required information/plans (fire accessibility, hydrant locations, etc.). Any future improvements to these parcels may be subject to additional City permits (i.e., building permits).

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

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

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

requirements.

Mayor Chilsen announced that Paul is recusing himself from this item.

Katie said the existing zoning is Single Family Residential (R-1), and properties within 250 feet of the properties in question include a variety of commercial businesses (services, office, retail), and a golf course. Katie said the Comprehensive Plan identifies this area as Mixed Use District/Smart Growth Area. This district allows complementary land uses, including housing (primarily multifamily), retail, offices, commercial service, and civic uses in an efficient, compact development. Katie said the applicant intends to construct multiple apartment buildings, meaning a maximum of four, two-story apartment buildings with a walk-out lower floor to take advantage of unique site characteristics. The property owner will be required to obtain a Conditional Use Permit from the Plan Commission in order to have multiple principal structures on a parcel. During that process, the applicant will propose a revised/final site plan for consideration. Katie noted the attached site plan and building elevations are conceptual-only for discussion purposes. The property owner also will be required to obtain a Site Plan Permit and comply with the Unified Development Code (landscaping, parking, green space requirements, setbacks, etc.) and obtain all required permits from other relevant state agencies prior to construction activities commencing.

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

Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the rezoning request.

Nick Roush, Roush Rentals
N2980 Antony Road
Bangor

Nick presented a conceptual design of the multifamily development to commission members and said it is similar to a recently constructed property located along State Trunk Highway 16 and Gillette Street in the City of La Crosse. Nick encouraged commission members to examine this property and said, “I think it is an opportunity on this site to take what I think is a very challenging site … and make it a real asset.” Nick continued his presentation, noting there is “great access” to State Trunk Highway 16. The remainder of Nick’s comments were inaudible on the recording.

Mayor Chilsen called three times for anyone else wishing to speak in favor of the rezoning request and closed that portion of the public hearing.

Mayor Chilsen called three times for anyone wishing to speak in opposition to the rezoning request and closed the public hearing.

Motion by Craig, second by Ald. Binash, to approve with the nine stated conditions a Rezoning request filed by Nicholas Roush, Roush Rentals, 707 La Crosse Street, Office 102, La Crosse, WI 54601 on behalf of Elmwood Partners, 1859 Sand Lake Road, Onalaska, WI 54650 to rezone a parcel from Single Family Residential (R-1) to Multi-Family Residential (R-4) to allow for a multifamily development on the property located at 9522/9530 East 16 Frontage Road, Onalaska, WI 54650 (Tax Parcel #18-3613-3).

Craig stated he likes the layout and said he believes this will be "a really marketable property."

Ald. Binash asked what is in the general area where the apartments will be constructed.

Nick said there is primarily Commercial property located to the east and noted Café D'Vine and Co-Op Credit Union are in close proximity. Nick said the La Crosse Country Club is located to the north of the property, and the La Crosse Country Club's driving range is located to the west.

Ald. Binash asked Nick if he is seeing the general public moving toward renting rather than purchasing homes.

Nick told Ald. Binash one trend he is seeing is household formation occurring later in life for men and women in their 20s and 30s, meaning they are choosing to marry later in life and also choosing to have fewer children. Nick said these individuals also are choosing to travel and choosing to rent rather than purchase a home. Nick said recent college graduates also lack sufficient funding to purchase a home and are choosing to rent, and he also said he believes younger individuals have high expectations regarding their rental options. Nick said individuals who are "empty nesters" also are choosing to rent because they no longer want the responsibility of home ownership. Nick said he has seen the two generations connect at other properties.

Ald. Binash asked Nick if anything special must be done because he is constructing a large complex near a creek.

Nick said he is working with Jarrod and his staff as well as the Wisconsin Department of Natural Resources. Nick said it is important to determine what is and is not a wetland, and the high-water mark of the creek also must be identified. Nick said the complex must be located a certain distance from the water. Nick said it also will be crucial to make provisions for stormwater.

Jan asked if the apartment buildings will be two stories, plus the walk-out.

Nick said yes and told Jan as one enters the parking lot the structure will be two stories. Nick's explanation of the walk-out was inaudible on the recording.

Jan described the apartment complex located at STH 16 and Gillette Street as being "very nice"

and asked Nick if there will be garages at the Onalaska complex.

Nick said there will be garages and told Jan they will be located along the eastern border of the property.

Jan noted the closest residential property is located on French Road, and she noted Sunnydale Acres is located across STH 16. Jan expressed concern over the narrow width of East 16 Frontage Road and told Nick, "You go past all of these businesses, office buildings, and retail. I'm just not sure I like residential [property] right there."

Jarrod said, "The frontage road there is … I want to say it's 30 feet wide. It should be plenty wide enough for the traffic that you're going to see from these units at the dead end there. About the only time I've seen a problem out there is when The Treehouse has its "Super Sale of the Year" going on and they have parking in the road. We had problems with that a couple of different times. But most of those retail establishments never have overflow parking from their parking lot, so there's nobody parking along that road. I think with the road width you see out there today it's going to be fine."

Jan asked Jarrod if the cul-de-sac will need to be enlarged.

Jarrod said no.

Jarrod noted there is a lack of pedestrian connections in the area. However, Jarrod also said the City of Onalaska is working with La Crosse County on attempting to possibly apply for grants. Jarrod noted an off-street path was created when STH 16 was reconstructed from the landfill toward the Village of West Salem, and he said there is a future plan to create a pedestrian connection that would run from the landfill, past Woodman's, and down to South Kinney Coulee Road. Jarrod said, "That is the one thing the area is lacking," and he noted the connection would be created on the other side of STH 16 from the apartment complex.

Craig inquired about the anticipated rent.

Nick said median rent for a two-bedroom apartment likely will be approximately $1,000 a month. Nick also said he is attempting to construct an upscale apartment "at price point that more people can afford. We see a tremendous demand right now for workforce housing, and you have to be at a price point that fits into that model where their income lies. We found that that is kind of a sweet spot for what we're going to have there. We're also going to have some mixed densities and apartments. There are going to be some one-bedroom units, some twos, and some threes so that we can help create that opportunity."

Jan said that while she believes the plan is "fabulous," her lone concern is that she questions whether this is an appropriate residential area.

Katie noted the city's Comprehensive Plan for its Future Land Use Plan directs this area to be a Mixed-Use District/Smart Growth Area. Katie said, "It's supposed to be a combination of housing, and it does specifically call out multifamily housing as opposed to single-family."

Nick said there will be a Commercial component located in close proximity to his Residential component, thereby creating "a symbiotic relationship" between the people who reside there and the businesses present.

On voice vote, motion carried, 6-0.

Item 9 – Public Hearing: Approximately 7:50 P.M. (or immediately following previous hearing at 7:40 P.M.) – Consideration of amendments to the Unified Development Code Sections 13-6-23(3), 13-6-25(2)(f)(1), 13-6-26(2)(a)(5), 13-6-26(2)(a)(7), 13-6-26(2)(b)(2), 13-6-27(2)(b)(2), 13-6-28(2)(b)(2), 13-6-29(2)(a)(5), 13-6-29(2)(b)(2), 13-6-31(1)(d), 13-6-31(2)(e), 13-6-31(1)(j), and 13-6-31(2)(k) related to Signage in City of Onalaska, and Sections 13-8-11, 13-1-12, 13-1-14(b) related to Conditional Use Permits, Site Regulations and General Provisions

Katie said commission members' packets include a variety of ordinance amendments related to the Sign Ordinance, Conditional Use Permits, Site Regulations and General Provisions as proposed by city staff and city legal counsel. Katie said this is being done primarily to address concerns associated with Wisconsin 2017 Act 67, which is directly related to Conditional Use Permits. The proposed ordinance amendments are as follows:

- **Section 13-6-23(3):** Removes the requirement that temporary signs are to be setback a minimum of five feet from the right-of-way. All other location requirements would remain intact.
- **Section 13-6-25(2)(f)(1):** Removes the need for a CUP to be less than 100 feet away from a residential structure. Updates the language so that Electronic Message Center Signs may not be within 100 feet of an abutting residential district parcel line. However, such signs may be allowed within 100 feet of a residential district parcel line only if the parcel is separated from the sign/property in question by a public right-of-way (across the street). Katie said Electronic Message Center Signs typically are perpendicular to the road, and this means individuals to the north and south, or east or west, would be the most impacted. Katie said, "If you have a residential property, it would measure the sign to the residential property. You have to be a minimum of 100 feet away." However, if there is only Commercial property to the north and south, or east and west, but there is Residential across the street, the sign could be within 150 feet and obtaining a CUP would not be necessary. Katie cited the example of the American Legion Post 336's sign, noting there is residential property across the street.
- **Sections 13-6-26(2)(a)(5), 13-6-26(2)(a)(7) & 13-6-26(2)(b)(2):** Removes allowance to

exceed zoning district standards through a CUP and states sign illumination standards. Katie cited the example of St. Paul's Lutheran Church, which was allowed to obtain a variance from the city's sign code to exceed standards.

- **Section 13-6-27(2)(b)(2):** Removes allowance for property owner to increase number of wall signs for distinct and unrelated services through a CUP. The city currently allows one sign for each distinct and unrelated. Katie cited the example of a strip mall, noting that each business inside Valley Plaza has a particular sign for it. Katie said this removes the ability to have someone come in with a CUP because it is likely city staff could not find a reason to deny that permit. Katie said, "It puts more control in the city versus someone coming in and asking for the moon and us having no opportunity to deny."
- **Section 13-6-28(2)(b)(2):** Removes allowance for property owner to increase number of wall signs for distinct and unrelated services through a CUP.
- **Sections 13-6-29(2)(a)(5) & 13-6-29(2)(b)(2):** Removes difference in signage allowance for permitted uses versus conditional uses. Katie said the goal is to treat everyone the same based on the district and not based on a Conditional Use. Katie said this section attempts to properly zone the city's religious institutions, noting many are either zoned Single Family Residential or R-2. These institutions must amend their CUP whenever they alter their property in any way. Katie said the city is getting better zoning rules if religious institutions are placed in a Public & Semi-Public District, which has very specific signage regulations for that district. Katie said, "Right now, we would have to rule as the district, which would be Residential, and in theory we could be allowing a home occupation in a Residential District the same type of signage allotment to do whatever they wanted, come in with a CUP, and the city loses control. This is where we're trying to, instead of having people get CUPs to do everything they want, properly rezone themselves so that they're in the right district. Then they don't need a Conditional Use Permit, in most cases."
- **Sections 13-6-31(1)(d) & 13-6-31(2)(e):** Removes maximum size for construction-related banners on fencing in commercial and residential areas, as required by Wisconsin Legislative Action.
- **Sections 13-6-31(1)(j) & 13-6-31(2)(k):** Removes the requirement that sidewalk signs are to be setback a minimum of 5 feet from the right-of-way. All other location requirements remain intact.
- **Section 13-8-11:** Removes incorrect language regarding Conditional Uses, confusing language regarding highway access, removes language regarding "importance of service to the Community" as a review criteria (not evidence-based), and better defines "compatibility" for neighborhoods, merging compatibility with neighborhood protections subsections.
- **Sections 13-1-12 & 13-1-14:** Removes duplicative language regarding requiring a Conditional Use Permit for more than one principal structure on a parcel and confusing language regarding increases setbacks between properties with different zoning districts. Katie noted there is another section of the code that better addresses buffering and

screening when there are different uses. The city may require larger landscaping buffers through the Plan Commission and site plan review when Commercial property is located next to Residential property. Also removes language regarding potential conditions the Plan Commission may impose on a Conditional Use Permit application.

Mayor Chilsen opened the public hearing and called for anyone wishing to speak in favor of the amendments to the Unified Development Code.

Mayor Chilsen called three times for anyone wishing to speak in favor of the amendments to the Unified Development Code and closed that portion of the public hearing.

Mayor Chilsen called three times for anyone wishing to speak in opposition to the amendments to the Unified Development Code and closed the public hearing.

Motion by Craig, second by Ald. Binash, to approve the amendments to the Unified Development Code Sections 13-6-23(3), 13-6-25(2)(f)(1), 13-6-26(2)(a)(5), 13-6-26(2)(a)(7), 13-6-26(2)(b)(2), 13-6-27(2)(b)(2), 13-6-28(2)(b)(2), 13-6-29(2)(a)(5), 13-6-29(2)(b)(2), 13-6-31(1)(d), 13-6-31(2)(e), 13-6-31(1)(j), and 13-6-31(2)(k) related to Signage in City of Onalaska, and Sections 13-8-11, 13-1-12, 13-1-14(b) related to Conditional Use Permits, Site Regulations and General Provisions.

Craig complimented Katie for her work and said he believes "this cleans up a lot of loopholes where the city would not have had control over a lot of situations, and it takes that control back." Craig said he believes it also "cleans up a few things, but beyond that, I think it also protects reasonably – not excessively, but reasonably – the rights for some of these properties to have effective signage."

Steven also commended Katie for her work and then inquired about Section 13-6-31(1)(d); specifically, if a developer has limits on the types of messages or information. Steven asked, "Is it restricted only to construction site-type information?"

Katie said no and told Steven that would be content-based regulation. Katie said, "We do have the ability, if there is something of a lewd nature or if profanity was put on the banner. But we do not have the ability to regulate if it's just construction banners. The only regulation we have is the height of the fence. That obviously tells you how large the banner can be."

Steven asked if a developer may sell his banner space.

Katie said the city does not allow off-premise signage and told Steven, "If we identify off-premise signage throughout the code, we can work with them to have that removed. They cannot advertise services that are not being sold on their property. The only opportunity that you can do that is the use of the billboard. That's separately regulated."

Craig said that if he correctly understands the regulations, the only thing the city may regulate related to content is if it is generally considered publicly offensive.

Katie told Craig he is correct. Katie then commended Attorney Amanda Jackson of O'Flaherty Heim Birnbaum Kirchner & Curtis, Ltd. for working with her on the ordinance amendments.

On voice vote, motion carried.

Item 10 – Consideration of additional Plan Commission meeting schedule/timing to accommodate UDC/Zoning Rewrite Project

Katie said, "In working with our consultant, they have seen our agendas of past and can see they can be quite lengthy. An example tonight is an almost two-hour meeting, and that was just working on our routine business. There is a question of if there is a time that would work generally with the Plan Commission schedule to have a meeting where you would only discuss [the] zoning rewrite. We could do it in a couple different ways. It's not going to be monthly. I would notify you at least a month in advance of that date, but it essentially would be how you keep the fourth Tuesday of the month open for Plan Commission meetings. It could be similar to that."

Katie presented the following options:

- The meeting could begin at 5 p.m. on the night of a regular Plan Commission meeting, members could specifically discuss zoning, and public hearings would begin at 7 p.m. and the Plan Commission would proceed with the regularly scheduled meeting.
- On the afternoons of the Plan Commission Subcommittee meetings, which typically last 30 minutes and are held the second Tuesday of the month starting at 4:30 p.m., the Plan Commission could meet upon the adjournment of the Plan Commission Subcommittee meeting, approximately at 5 p.m. There would need to be a firm ending time to the meeting as the Common Council meeting begins at 7 p.m.
- There currently are no meetings scheduled on the third Tuesday of the month.
- Meetings also could be held Monday evenings, with the exception of the first Monday of the month.

Katie told commission members this project will last approximately two years and said she is working with the consultant on holding a project kickoff, with the goal of holding it in June.

Mayor Chilsen asked commission members if they want to have time to think about it and email either him or Katie with their preferences.

Paul asked if Wednesday and Thursday evenings have been ruled out.

Katie said most individuals prefer not to meet Thursday evenings and told Paul some committee meetings are held on the second and fourth Thursdays of the month. Katie also noted the Finance and Personnel Committee, Administrative and Judiciary Committee, Utilities Committee, and the Community Development Authority all meet on Wednesdays early in the month.

Paul asked if daytime meetings are a possibility.

Katie said city staff is available to meet during the day and told Paul commission members may make the decision to meet during the day.

Mayor Chilsen, Paul, Craig and Steven all said the meetings would need to be held in the afternoon.

Jan said she likes the idea of meeting before the Plan Commission meeting.

Steven said he is concerned about having a meeting prior to another meeting due to fatigue and the fact he might not be giving sufficient attention to the public input portion of the Plan Commission meeting as well as the agenda items themselves.

Craig said he believes Steven has made a valid point as Plan Commission members want to devote sufficient attention to the agenda items. Craig said, “I think to ensure that, maybe a daytime meeting is the way to go.”

Katie asked if Monday afternoons would work for commission members.

Commission members said yes.

Katie said joint meetings with the Common Council might be necessary throughout the process.

Adjournment

Motion by Craig, second by Jan, to adjourn at 8:46 p.m.

On voice vote, motion carried.

Recorded by:

Kirk Bey

Reviewed 5/24/18 by Katie Aspenson