

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

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, June 25, 2019. 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: Ald. Diane Wulf (acting Mayor and
6 serving for Mayor Joe Chilsen), Ald. Tom Smith, Jan Brock, Paul Gleason, Skip Temte, Craig
7 Breitsprecher, Steven Nott

8

9 Also Present: City Administrator Eric Rindfleisch, Deputy City Clerk JoAnn Marcon, Planning
10 Manager Katie Aspenson, City Legal Counsel Amanda Jackson, Ald. Boondi Iyer, Planning
11 Technician Zach Peterson

12

13 Excused Absences: Mayor Joe Chilsen, City Engineer Jarrod Holter

14

15 **Item 2 – Approval of minutes from previous meeting**

16

17 Motion by Craig, second by Ald. T. Smith, to approve the minutes from the May 28, 2019
18 regular Plan Commission meeting and the May 29, 2019 Special Plan Commission meeting as
19 printed and on file in the City Clerk’s Office.

20

21 On voice vote, motion carried.

22

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

24

25 Ald. Wulf called for anyone wishing to provide public input.

26

27 **Tyler Dahl**

28 **2920 Baier Lane**

29 **La Crosse**

30

31 Tyler told the Plan Commission he is attending this evening’s meeting to answer questions
32 regarding the proposed landscaping plan for Dahl Honda, and he said, “We’ve taken the
33 considerations of the residents, and also this committee and the Common Council, to what that
34 landscaping plan should entail. I commend city staff for working with us very diligently on that,
35 and I think they’ve done a good job in the background explaining that we’ve taken most of those
36 things into consideration when we proposed this project.”

37

38 **George Luecke**

39 **227 Heritage Lane**

40 **Onalaska**

41

42 “We are the southernmost condo unit that would be adjacent to the Dahl Honda dealership. We

Reviewed 7/1/19 by Katie Aspenson

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

2

43 received the landscape plan, and we're very excited about it. I think it's done very tastefully.
44 We particularly like the border with arborvitae trees and the fact they're going to leave tall,
45 mature trees by us so we don't get the highway noise and we won't see their building. We're
46 really pleased, all in all, with the plan. I just wanted to tell all of you that."

47

48 **Peter Congdon**

49 **2216 Germann Court**

50 **Onalaska**

51

52 "Unlike George, I live farther south and I have some issues and some questions. At one point a
53 fence was proposed. I understand the berm has been removed, but I didn't see anything about a
54 fence being put up. Our view, most of the trees we look out onto are going to be taken down
55 around the cellphone tower. That is really the only noise barrier that we have, so anything that is
56 south of the cellphone tower ... There is a big grove of trees there that are medium-sized, but
57 they do a great job of blocking noise from I-90. My major question is, are those going to be
58 taken down? Also, is there going to be a fence put up in addition to the arborvitae to block our
59 view of the cars in the parking lot? How big will those trees be when they go in? How long will
60 it take for them to get to full height and provide full canopy that we've been talking about?
61 Those are my main concerns. We were at first led to believe there would be a berm with a fence,
62 and then landscaping in addition to that. Now it sounds like we're down to just arborvitae,
63 which I honestly don't think is going to do a lot to initially block our view of the parking lot – at
64 least not for several years. Then that's still not going to do anything about blocking out the view
65 of the lights. Thank you."

66

67 **Deb Carlson**

68 **2226 Germann Court**

69 **Onalaska**

70

71 "I have visited with Tyler, and I have reviewed the plans I have seen, and I'm feeling much
72 better about the entire process at this point in time. I have a concern particularly with just my
73 backyard in that there is a lot of brush. There are dead trees. It's never been cleaned up. Those
74 around me have had their backyards cleaned up because of Dairyland Power, or they were taken
75 down during the addition of the three houses south of me. My yard has been left unattended.
76 The Rockwood property is ... I see it in my backyard, and there are dead trees. My brother
77 actually has removed one of her dead trees. Now there is still another one in my backyard. It
78 sounds like the mature trees are fine, and I understand everybody would like them for a noise and
79 light barrier. However, in visiting with Tyler for a couple minutes prior to the meeting, they
80 understand that all the weeds and all the brush and all of that debris needs to be removed, and
81 that is something that will be considered. I want to make sure that the city does consider that and
82 works together to make sure that the bugs, the weeds, the dead trees, and all of the debris is
83 cleaned up. I have arborvitae across my backyard as well."

84

85 **Benjamin Menden**
86 **2212 Germann Court**
87 **Onalaska**
88

89 “I just want to back up what my neighbor, Pete, was saying as far as the concern about the fence.
90 It’s not just from an aesthetic point of view, but also from a security point of view. I do have
91 multiple people passing through my yard. I’ve actually had items stolen out of my car before. I
92 think by thinning out the brush that is there is going to make it so much easier for people to pass
93 through. And they’re going to choose that route if it is easier.”
94

95 Ald. Wulf called three times for anyone else wishing to provide public input and closed that
96 portion of the meeting.
97

98 **Consideration and possible action on the following items:**
99

100 **Item 4 – Review and consideration to Vacate and Discontinue a portion of Crestwood Lane,**
101 **submitted by the City of Onalaska, 415 Main Street, Onalaska, WI 54650**
102

- 103 1. All conditions run with the land and are binding upon the original developer and all heirs,
104 successors and assigns. The sale or transfer of all or any portion of the property does not
105 relieve the original developer from payment of any fees imposed or from meeting any
106 other conditions.
107
- 108 2. Any omissions of any conditions not listed in committee minutes shall not release the
109 property owner/developer from abiding by the City’s Unified Development Code
110 requirements.
111

112 Katie said the City of Onalaska began the process to vacate and discontinue a portion of
113 Crestwood Lane on May 9 to facilitate future private development in nearby areas. At its May
114 14 meeting, the Common Council approved Preliminary Resolution 30-2019 to vacate and
115 discontinue a portion of Crestwood Lane. A public hearing has been scheduled for 7 p.m. at the
116 July 9 Common Council meeting for review and consideration of the proposed vacation request.
117 Katie noted copies of the applicant letter request and an exhibit showing the proposed
118 vacation/discontinuance area and legal description have been included in commission members’
119 packets.
120

121 Paul asked why it is appropriate for the Plan Commission to make a recommendation prior to the
122 July 9 public hearing. Paul said the Plan Commission typically is cautioned not to take such an
123 action, noting that the Plan Commission Subcommittee does not do that. Paul asked, “How is
124 this different?”
125

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

4

126 Katie told Paul the Plan Commission Subcommittee typically hears the general comments made
127 by the public, and she said, “If, at times, they are requested to make a recommendation ... At this
128 point the Common Council did the initial hearing. We have a minimum of 40 days between the
129 Preliminary Resolution and the Final Resolution, and the intent is to gain as much feedback as
130 possible. Statutory requirements have this process moving through the Plan Commission.
131 That’s why we’re asking for a recommendation tonight.”

132

133 Motion by Skip, second by Craig, to forward with the two stated conditions for a public hearing
134 at the July 9 Common Council meeting the recommendation of approval of vacating and
135 discontinuing a portion of Crestwood Lane, submitted by the City of Onalaska, 415 Main Street,
136 Onalaska, WI 54650.

137

138 On voice vote, motion carried.

139

140 **Item 5 – Review and consideration of a Certified Survey Map (CSM) submitted by Laura**
141 **Olson on behalf of Gundersen Clinic LTD, 1910 South Avenue, La Crosse, WI 54601 to**
142 **reconfigure two (2) parcels and create an outlot for Kinney Coulee Road South (6.66 acres)**
143 **at 3015 Kinney Coulee Road South, Onalaska, WI 54650 (Tax Parcel #s 18-3649-0 & 18-**
144 **3650-0)**

145

146 1. Certified Survey Map Fee: \$75.00 plus \$10.00/lot = \$95.00 (PAID).

147

148 2. Applicant/owner to dedicate Outlot 1 to the public for roadway purposes (Kinney Coulee
149 Road South).

150

151 3. Recorded copy of Final CSM to be submitted to City Engineering Department.

152

153 4. New lot pins required. Intermediate lot stakes required for all lots over 150’ in depth.

154

155 5. CSM shall note all easements.

156

157 6. Any future improvements to these parcels may be subject to additional City permits (i.e.,
158 building permits, zoning approvals).

159

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

164

165 8. Any omissions of any conditions not listed in minutes shall not release the property
166 owner/developer from abiding by the City’s Unified Development Code requirements.

167

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

5

168 Katie said the Comprehensive Plan identifies this area as a Medical Facilities District. This
169 district is intended to accommodate healthcare and medical facilities that should be well-
170 designed to spur adjacent economic development, be compatible with neighborhoods, and
171 integrate into natural landscapes. Ancillary and appropriate land suited for this district are
172 offices, retail establishments, restaurants, personal service, transient lodging, as well as
173 residential living facilities as an accessory use to the medical facilities. Katie said the purpose of
174 the Certified Survey Map is to reconfigure the two noted parcels and also create an outlet for
175 Kinney Coulee Road South to be dedicated to the public for roadway purposes. The applicant is
176 seeking approval of the CSM, and Katie noted there are eight conditions of approval for this
177 development. Katie also noted city staff has been working with Gundersen Health Systems on
178 this project for nearly a decade.

179

180 Motion by Ald. T. Smith, second by Steven, to approve with the eight stated conditions a
181 Certified Survey Map (CSM) submitted by Laura Olson on behalf of Gundersen Clinic LTD,
182 1910 South Avenue, La Crosse, WI 54601 to reconfigure two (2) parcels and create an outlet for
183 Kinney Coulee Road South (6.66 acres) at 3015 Kinney Coulee Road South, Onalaska, WI
184 54650 (Tax Parcel #s 18-3649-0 & 18-3650-0).

185

186 Craig asked Katie if Gundersen has provided specific plans for the site.

187

188 Katie said, "Not at this time."

189

190 Paul said it appears a significant portion of South Kinney Coulee Road has been built across
191 private property, and he asked if this is why an outlet is being dedicated. Paul also asked how
192 this had occurred.

193

194 Katie said City Engineer Jarrod Holter, who is absent this evening, would be able to provide the
195 history pertaining to part of Paul's question. Regarding the other part of Paul's question, Katie
196 said, "I believe it was part of when Gundersen was actually installed and the city partnered with
197 them. We've been working for a number of years to clean it up; specifically, to make sure the
198 right-of-way is on city property and we are appropriately maintaining it. That's one of the key
199 factors of this Certified Survey Map."

200

201 On voice vote, motion carried.

202

203 **Item 6 – Review and Consideration of a Landscaping Plan for the construction of an auto**
204 **dealership and service center (Dahl Honda) at 2520 Midwest Drive/384 Theater**
205 **Road/N4375 Theater Road, Onalaska, WI 54650 (Tax Parcel #s 18-3568-40, 18-3570-70, &**
206 **9-93-0)**

207

208 Katie noted that at the May 28 Plan Commission meeting the commission had requested a more
209 specific landscaping plan for the proposed Dahl Honda dealership. Katie said, "At that meeting,

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**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

6

210 we had offered that screening could occur in a variety of ways. For example, it could be fencing,
211 berming, [or] landscaping. We do not specify which one, but those were all considered options,
212 or a combination thereof, and the Plan Commission would have the ability, if they wanted and
213 did so desire, to require certain types of landscaping screening.” Katie noted the Plan
214 Commission had requested at its May 28 meeting that Dahl family representatives come forward
215 and propose a landscaping plan that would suit the needs of the public. City staff sent that
216 landscaping plan to every property located within 250 feet of the boundary so that property
217 owners would have the details they had requested. To be specific, property owners wanted to
218 know what would be planted, what would be installed, and all the details thereof. These details
219 have been included in commission members’ packets.

220

221 Katie noted the applicant intends to construct an automotive dealership and service center on the
222 aforementioned parcels, which are in the process of being annexed into the City of Onalaska and
223 zoned Light Industrial. The attached Landscaping Plan includes details pertaining to
224 landscaping/screening/buffering the residential neighborhood from the proposed automotive
225 dealership. The applicant’s proposed plan is meant primarily to screen vehicles. The plan
226 intends to accomplish this through the use of evergreen trees, which provide screening on a year-
227 round basis. The proposed evergreen trees include Emerald Green Arborvitae, which grow to 12
228 to 15 feet in height with a four-foot canopy, and Woodward Globe Arborvitae, which grow to
229 four to 10 feet in height with a 10-foot canopy. The Landscaping Plan also notes the location of
230 “Existing Mature Trees to Remain” in two locations. The plan also notes the 12-foot height
231 limitation for vegetation/structures within the Dairyland Power Company easement area. Lastly,
232 the plan notes the removal of the existing cell tower access and existing buildings with the plan
233 to restore vegetation in those areas.

234

235 Katie said per the applicant, storm water moves through this area with many of the neighboring
236 properties draining onto the sites in question. For that reason, the applicant is reluctant to
237 construct any berms that would/could dam water on neighboring properties. Katie noted the
238 applicant also included updated building elevations for the new automotive dealership. The final
239 page has a rendering that depicts the proposed evergreen trees and the screen they would
240 provide. The applicant states the proposed exceeds the 80-percent minimum opaqueness for the
241 required buffer/screen. Further, additional site landscaping for the parking lot and the
242 surrounding building will be required for review during the city staff Site Plan Review process.
243 Katie said this is strictly for the buffering and the screening of the neighboring residences from
244 the proposed dealership. Katie noted the action requested this evening is for the Plan
245 Commission to consider the attached Landscaping Plan, and she said, “If approved, we will
246 move with this during Site Plan Review and require that what is proposed is installed as shown
247 on this plan.”

248

249 Ald. Wulf noted a fence had been mentioned during public input, and she also noted Katie had
250 stated fencing, berming, or a combination thereof was to be considered.

251

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

7

252 Katie said the applicants had a variety of options as to how they chose to screen, and she told
253 Ald. Wulf city staff had not specified which option they had to choose. The applicants could do
254 a combination, or one of the previously stated methods.

255

256 Motion by Steven, second by Craig, to approve a Landscaping Plan for the construction of an
257 auto dealership and service center (Dahl Honda) at 2520 Midwest Drive/384 Theater
258 Road/N4375 Theater Road, Onalaska, WI 54650 (Tax Parcel #s 18-3568-40, 18-3570-70, & 9-
259 93-0).

260

261 Craig said, "In my mind, it seems that reasonable care has been taken here to safeguard as well
262 as possible, given a new facility going in the adjoining properties. I think one of the things the
263 gentleman alluded to [regarding] a berm, with a runoff situation from those properties onto the
264 Dahl property, I guess in my mind a berm probably wouldn't be desirable, either, unless those
265 property owners actually took steps on their own to contain the water onto their own property to
266 mitigate that situation. I know during [public input] security for adjoining properties was
267 brought up. I don't see where the new facility is responsible to provide additional security
268 beyond what is probably currently existing for neighboring properties."

269

270 Steven referred to a sentence in the staff reports that reads "*The applicant states that the*
271 *proposed exceeds the 80-percent minimum opaqueness for the required buffer/screen,*" and he
272 asked Katie if it is the city's view that it also exceeds the standard.

273

274 Katie stated she is not a professional landscaper, and she told Steven, "We also depend on firms
275 to provide that information. When I wrote that statement, it came from specifically the applicant.
276 Also, I was looking at the proposed rendering and showing of how wide some of these trees are
277 going to go. It looks as though it would meet that. Eighty percent opaqueness is very difficult
278 for any one person to judge. That's why I asked for that rendering, so that the Plan Commission
279 could consider it as well. It's likely something we'll be making more clear moving forward."

280

281 Skip asked if coordination with Dairyland Power required since this involves its easement.

282

283 Katie told Skip yes and said, "They'll have to make sure everything they are installing is under
284 the maximum height, which is 12 feet. If they were to build anything in that area, typically site
285 plans are sent to Dairyland, and then they make comments and they have their own conditions of
286 approval. City staff get copies of that, and we include that in our packet and documents."

287

288 Skip asked Katie if that information would be provided to her.

289

290 Katie said yes.

291

292 Ald. T. Smith said, "I would like to compliment both parties. I think this has been a great
293 opportunity with a business and neighbors working together. ... It's never 100 percent, but I

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**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

8

294 have to give credit to the Dahl family for being a neighbor and working with the neighborhood
295 and doing the best we can to make it a win-win situation. Kudos to both sides.”

296

297 On voice vote, motion carried.

298

299 **Item 7 – Review and Consideration of Invoice No: 018-021-13 from Hoisington Koegler**
300 **Group, inc. for Onalaska Unified Development Code (UDC)/Zoning Rewrite Project**

301

302 Katie noted a copy of the most recent from HKGi has been included in commission members’
303 packets. The invoice totals \$14,669.30.

304

305 Motion by Craig, second by Skip, to approve Invoice No: 018-021-13 in the amount of
306 \$14,669.30 from Hoisington Koegler Group, inc. for Onalaska Unified Development Code
307 (UDC)/Zoning Rewrite Project.

308

309 Skip asked if the Billed to Date amount of \$62,546.36 includes the \$14,669.30.

310

311 Katie said it does.

312

313 On voice vote, motion carried.

314

315 **Item 8 – Discussion related to UDC/Zoning Rewrite Project ~ Discussion about regulations**
316 **for Accessory Structures**

317

318 Katie said HKGi has noted there are a few “hot topics” on which the Plan Commission might
319 wish to spend more time. The Plan Commission will first discuss regulations for accessory
320 structures this evening. Katie noted that in 2017 the Plan Commission had worked extensively
321 on accessory structures, and she said, “We just want to make sure we’re all on the same page as
322 to what the standards we have today, and if there are areas that staff or the Plan Commission
323 would recommend looking further into. It’s very likely that the way it’s organized today will not
324 be what happens in the actual code, but we’re looking for the ‘meat’ of that section, and then it
325 will be spliced accordingly.” Katie said city staff will take the information back to HKGi, and
326 Jeff Miller and Rita Trapp will insert it and continue to proceed. That way, Jeff and Rita will
327 already know the information when the Plan Commission holds its next working group with
328 HKGi on July 16.

329

330 Craig said he has been troubled since the new ordinance was put into place approximately 18
331 months ago. Craig stated that while he believes city staff had done a commendable job
332 performing research and discovering the City of Onalaska was at the time the third-most lenient
333 community based on the communities to which it was being compared, “for some reason, beyond
334 the recommendation of this group, it was seen fit to increase the amount of square footage
335 allowed for accessory structures beyond what already existed. I don’t know why that was done,

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**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

9

336 but I would be very strongly in favor of taking that back to what it was previously. That was
337 effective and appropriate. I think given our geographic area, I think we're going to pay the price
338 for expanding the amount of accessory structure square footage allowed, with additional runoff
339 that the city is going to end up having to deal with at some point in time, which I believe is going
340 to unduly burden taxpayers and the city in dealing with that in the future. I think we need to get
341 back to what the Plan Commission recommended two years ago that somehow was changed at
342 the Council level.”

343

344 Katie noted the city had increased the amount of detached accessory structures, allowing lot
345 coverage from 20 percent to 25 percent. Katie explained that going back would be limiting lot
346 coverage to 20 percent maximum in the rear yard.

347

348 Paul asked if it is 25 percent of the entire lot.

349

350 Katie said it is 25 percent of the rear yard, starting at the rear foundation of the residence,
351 expanding toward the side yards, and then all the way back to the rear property line.

352

353 Ald. Wulf, who was elected in 2018, noted she was not serving on Common Council when this
354 decision was made, and she said, “I am all for having the Plan Commission revisit this. As
355 someone who has chaired the Board of Zoning Appeals for 13 of 15 years, this is something that
356 I personally could not have supported if I would have been on Council at the time. I watched it
357 from the outside looking in, and I just never understood the reasoning behind it. It escaped me
358 why Council did change it from the 20 percent to the 25 percent.” Ald. Wulf asked Katie to give
359 the Plan Commission some background regarding the reasons why city staff had recommended
360 retaining the 20 percent maximum.

361

362 Katie noted she had brought with her the staff report from 2017 and said, “Historically, the
363 purpose of the maximum 20 percent allotment was to prevent large pole structures from being
364 installed in residential areas to not detract from the residential character of a neighborhood.
365 When considering an increase to this maximum, there are a variety of issues that staff was able to
366 note:”

367

- 368 • The increase of structures increases the amount of impervious surfaces, which can cause
369 a decrease in water infiltration in the city's green space areas in the front, side and rear.
- 370 • The reduction in infiltration ends up causing an increased demand on the city's storm
371 water management system.
- 372 • From a fire safety perspective, as the distance between structures decreases or the more
373 structures there are, there are increased fire safety concerns and the necessary need for
374 proper fire flow in order to fight a fire if one were to occur.

375

376 Katie noted staff completed a review of nearby communities of similar size, and she said most
377 communities had a twofold system. This means they had a maximum requirement as a

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**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

10

378 percentage, then they also followed up with a maximum square footage. Katie cited the example
379 of a citizen being able to have 20 percent of his/her rear yard, but he/she cannot exceed 1,000
380 square feet. Katie said the City of Onalaska was considered lenient because it did not have that
381 extra cap – the city had a flat 20 percent across the board. Katie said staff divided the city into
382 three areas, including the smaller historic downtown where lots can vary between the minimum
383 of 7,200 square feet, and lots that are between three to five acres. The 20 percent increases with
384 the larger amount of parcel that one owns. Katie noted that staff has issued permits within the
385 last 18 months and she said citizens who have now met the 25 percent have structures that are
386 considered legal nonconforming as they were appropriately permitted. Katie said, “If something
387 were to occur in the future, they would now be capped, which would make sense. If they did any
388 removal, they would not be able to replace in kind. Rather, they would have to go back down to
389 20 percent.” Katie told commission members that while she is unable to tell them exactly how
390 many permits have been issued, “there have been permits issued.”

391

392 Paul asked, “Currently we have no maximum size – only 20 percent ...?”

393

394 Katie corrected Paul and said it is 25 percent of the rear yard. Katie further explained one may
395 construct any type of accessory structure he/she chooses, provided it is detached. This includes
396 pools, storage sheds, gazebos, and detached decks.

397

398 Paul asked if there is a limitation on the number of accessory structures that are allowed.

399

400 Katie told Paul there is not and noted the city used to regulate how many (e.g. one shed, one
401 pool, one detached garage, plus another). Katie said this became “overly overburdensome” for
402 staff as there were times citizens would construct a structure and not obtain a permit. Katie said
403 the resolution was to allow citizens to do whatever they want, provided it does not exceed 25
404 percent. Katie said, “Had it remained at 20 percent, that rule still would have been proposed by
405 staff – just flat across the board 20 percent, or 25 percent. You break that up however you like.”

406

407 Paul said he agrees with Craig that 20 percent was a reasonable limit and stated he would be
408 comfortable with an “absolute limit.” Paul noted that even with a 20-percent maximum someone
409 could construct a 9,000-square foot accessory structure on a one-acre rear yard.

410

411 Katie told Paul citizens do just as he stated, or they construct multiple accessory structures.
412 Katie said, “It does add up. It’s my understanding when people were originally looking at this
413 they were considering more of the smaller properties in Onalaska that maybe only have a one-car
414 garage and they don’t have enough for more than just a single shed and they wanted to do
415 something else with their property.”

416

417 Craig asked if perhaps staff could come back with a recommendation on maximum square
418 footages for consideration.

419

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

11

420 Katie said she would be happy to include the research staff had previously conducted.

421

422 Paul asked, “Has there been any consideration to ... I’m thinking of the smaller lots we have
423 where 20 percent might be well under 1,000 square feet – I’m using 20 percent; I know it’s not
424 25 – 20 percent, but in the case where 20 percent is less than 1,000, and the 1,000 is allowed?”

425

426 Katie told Paul the Plan Commission may create the rule however its members like and said,
427 “The ultimate goal of zoning is to be as clear and concise as possible. When you can add more
428 rules and layers to it, just from an administrative standpoint of trying to educate the public ... We
429 send them to the code, they read it and they don’t understand. We educate them and explain it to
430 them. But the more changes that you make, it’s just not as easy for the public. We can definitely
431 consider and look at it, though.”

432

433 Paul suggested wording it to state the limitation is the greater of 1,000 square feet or 20 percent
434 of the rear yard.

435

436 Steven said he believes the Plan Commission should discuss this item in the future once its
437 members have more information so that it may appear on a meeting agenda and the public may
438 attend and provide feedback.

439

440 Paul stated for clarification that 1,000 square feet would be allowed in any instance.

441

442 Steven said the Plan Commission would not need to make that decision this evening and stated
443 commission members may participate in an in-depth discussion when the public has an
444 opportunity to be present.

445

446 Jan noted her backyard is nearly two acres and asked if perhaps the Plan Commission should
447 distinguish between lots that are smaller and lots that are larger.

448

449 Paul said it is his impression that no one on the Plan Commission favors continuing with the 25
450 percent with no limit on actual square footage.

451

452 Steven said it seems as though the figures being mentioned are arbitrary and stated, “For me,
453 there is going to have to be reasoning. ... If I had a one-acre lot of land and I wanted to put a
454 pool and a shed in it, why would the city tell me I can’t put a pool and a shed in because I went
455 to 1,010 feet? We can have the discussion, but at this point it all just seems arbitrary to me.”

456

457 Paul said he knows of no other alternative than an arbitrary limit.

458

459 Craig said he believes the percentage was shown to be “very lenient” in city staff’s original
460 report. Craig further said, “I think complicating that, I’m not sure that’s really necessary. I think
461 20 percent is generous for everybody given the amount of property that you have.”

Reviewed 7/1/19 by Katie Aspenson

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

12

462
463 Steven said he believes simpler is always better in terms of regulations.

464
465 Paul said he is concerned about the very small lots (1,500 to 2,000 square feet) and stated a
466 homeowner is limited to 300 to 400 square feet total for an accessory structure.

467
468 Ald. Wulf, who represents the Second District, noted there are several smaller homes and smaller
469 lots in her district, and said the homeowners usually “live smaller.” Ald. Wulf also said someone
470 who wants a larger house and a larger footprint typically has a larger lot.

471
472 Craig said he does not believe the City of Onalaska should compensate for choices its citizens
473 make, stating he believes it is a “really slippery slope,” and it is “a difficult line to try to walk all
474 the way through.” Craig said he believes the percentages are fair, given the size of one’s
475 property, “and I just go back to staff’s original study that 20 percent was shown to be quite
476 generous. I think we need to get back there given the geographic uniqueness of the area. I just
477 think it’s the right thing to do. Down the road 20 years, that can always be changed. But I think
478 we need to get back to basics and do the right things for the right reasons.”

479
480 Paul asked Craig if he is suggesting 20 percent, but no absolute limit.

481
482 Craig told Paul he is and said, “I think historically, or at least the last number of years, that has
483 worked fairly well for anybody. I’m not sure we’ve seen a ton of structures going in that are
484 horse barns unless there’s enough property to make that look good.”

485
486 Paul asked if the city’s policy was 20 percent with no absolute limitations until it was changed in
487 2017.

488
489 Katie told Paul he is correct, noting that policy had been in place since 1969.

490
491 Craig said he is not interested in limiting flexibility within properties, stressing he does not
492 believe in that. However, Craig also said, “I think protecting what we have, in defense of runoff,
493 I think it’s important we be conscious of that. And it really appeared that 20 percent did that
494 very, very nicely. Until one situation came up, that was never questioned for years.”

495
496 Katie told the Plan Commission she will be able to provide its members with data pertaining to
497 what other communities do at the next meeting.

498
499 Paul addressed detached and attached decks and said it is his understanding a detached deck is an
500 accessory structure even if it is one inch away from the foundation.

501
502 Katie told Paul he is correct.

503
Reviewed 7/1/19 by Katie Aspenson

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

13

504 Paul said it is his understanding it ceases being an accessory structure and becomes part of the
505 primary structure if one takes a 2-by-8 board, slides it into the gap, and puts a bolt through it to
506 the foundation.

507
508 Katie told Paul he is correct and said it then must follow the principal structure rear yard setback.

509
510 Paul asked if there is a different rear yard setback for a detached item.

511
512 Katie told Paul he is correct and said this is a good example of how city staff has enforced
513 ordinances over the years. Katie said it never has been written previously, and she then referred
514 to the second page of the memorandum included in commission members' packets and noted this
515 is where the load-bearing question is addressed. Katie said if a deck is supported by a house, it is
516 part of the house. By comparison, if it is not supported by the house and attached by a 2-by-8, it
517 is not considered part of the actual principal structure as it may be removed.

518
519 Paul asked if there is a logical reason to distinguish this.

520
521 Katie told Paul there are state building codes and said she is concerned that perhaps there might
522 be a building code issue as to how the different decks being load-bearing are constructed versus
523 being freestanding.

524
525 Jan asked if citizens are capable of utilizing covenants.

526
527 Katie told Jan neighborhood covenants are not enforceable by city ordinances. Katie said
528 neighborhood covenants may be more restrictive than city ordinances. However, the city will
529 not enforce them.

530
531 Jan addressed R-160 zoning on the third page of the memorandum and asked if it still is
532 appropriate today.

533
534 Katie told Jan that R-160 will be reviewed and said, "We're going to find a way to work them
535 out. This is what our code is today. It will obviously change in whatever route we choose."

536
537 Katie addressed Section 13-6-7 ("Accessory Uses or Structures"), Subsection 'b' ("Principal Use
538 to be Present") and said the city wants to ensure there is a residential or a commercial structure
539 present prior to the construction of a shed. Katie asked Plan Commission members wish to
540 continue with this.

541
542 Plan Commission members acknowledged they would.

543
544 Katie asked if there were questions pertaining to Section 13-6-7, Subsection 'c' ("Placement
545 Restrictions – Residential District"). Katie also said she recommends keeping in place the

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

14

546 setbacks, as written. Katie next directed commission members' attention to Section 13-6-7,
547 Subsection 'c', Paragraph 2 ("Detached Accessory Structure Setbacks"), Subparagraph 2, which
548 reads as follows: "*Detached accessory structures shall not exceed 15 feet in height except when*
549 *permitted in a Traditional Neighborhood Development for the purposes of granny flats or*
550 *second-story apartments.*" Katie said this has become a more contentious question the
551 Inspection Department receives frequently. Katie said citizens now own more "toys" such as
552 recreational vehicles, and many of these items are larger than they were in the past. Katie said
553 citizens wish to store items such as recreational vehicles on their own property, and she noted
554 that currently a garage door might not be able to make that possible if a garage measures 15 feet
555 from the foundation to the peak of its roof, unless there is a flat roof on the garage. Katie noted
556 that in 2017 the city had increased the distance from 15 feet to 20 feet for Commercial structures.
557 The reason for this is oftentimes commercial property owners have larger equipment such as
558 snowplows and construction equipment that needs to be stored indoors. Katie said that while
559 citizens have requested a variance to go higher than 15 feet, it never will be possible to do so
560 "because there's never anything about [their] land that would prevent [them] from meeting this
561 height."

562

563 Paul asked if the 15 feet is measured as the maximum height at the highest point.

564

565 Katie said yes.

566

567 Paul said that would preclude any motor home storage because typically a 12-foot door is
568 required, and that in turn requires a 14-foot sidewall and a pitch that would take the height to 15
569 feet. Paul also said he believes it would have the effect of limiting the overall size, noting a
570 citizen will not have a 3,000-square foot accessory structure if it is not possible to exceed 15 feet.

571

572 Craig said it is possible to fit a semi-truck at 20 feet.

573

574 Paul said if a structure has a 14-foot sidewall and measures 40 feet wide – a typical size for a
575 medium-sized pole barn-type structure – and it has a 4:12 roof pitch, the height will be
576 approximately 21 feet.

577

578 Katie noted city staff has begun seeing what Paul had described, and she told commission
579 members commercial entities have told city staff their structure will be a principal structure, and
580 therefore they will seek to obtain a Conditional Use Permit so they may go as high as they wish.
581 Katie said, "They found a way to get around the 20-foot rule. Granted, city staff are working on
582 tightening up what is a principal structure – does it have heat and electric and it's not just cold
583 storage – to prevent people from getting around that rule. That's a question. We had someone
584 who proposed almost the exact same structure that you're requesting. They wanted to be at 22
585 feet in order to get their equipment in. They ended up dropping it two feet because they didn't
586 want to go through the Conditional Use Permit process, which caused some heartache on their
587 end. The 20-foot was put forth by city staff. That can be changed. Fifteen [feet] has been in

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

15

588 effect for a number of years. That can also be changed. Most times, people come in asking for
589 18 to 20 feet in height. The rub they see is if it is attached, you can be as high as your house.
590 We really don't have a height limitation at that point. ... I feel it's important for staff to bring
591 forward to the Plan Commission, what are the common questions that we're getting from the
592 public? What's the feedback that we're getting from the public? This is a heartache point. It's
593 not that you have to change it, but it's something I would encourage you to consider and think
594 about." Katie noted the Commercial Building Code allows one to go much higher, and she
595 pointed out the city is much more limited in terms of the Building Code versus what the city's
596 Zoning Code is.

597
598 Paul said he believes the effect of the 15-foot limit is a citizen is unable to store a motor home
599 onsite. Further, the overall height of a structure will be limited, and Paul said this might
600 encourage citizens to construct two structures if they need more space for items that do not
601 require excess height. Paul said he sees the logic in increasing the height, stating he would
602 prefer to see one structure that is taller than seeing two structures.

603
604 Katie noted the 15 feet goes back to the original idea that people did not want to see pole sheds
605 because they get taller as they get larger. Katie said staff wants to ensure there is a cap so that
606 residential character is retained, yet perhaps there could be a larger building so that more
607 buildings are not constructed.

608
609 Craig said he is not concerned with height due to the 20 percent being in place. Craig also said,
610 "I think with that percentage in place, it becomes, what allows somebody to be able to store a
611 motor home? They're going to be limited enough where they can't store their five semis on their
612 residential property, which is something that I'm not sure promotes the character of a Residential
613 neighborhood. On the other hand, maybe Commercial is a little low. Maybe that can be raised
614 up as well."

615
616 Ald. Wulf asked if it is more preferable to see a motor home in a Residential district, or to see a
617 15- to 20-foot shed that houses the motor home.

618
619 Amanda asked if the Zoning Code differentiates between temporary swimming pools versus
620 permanent swimming pools.

621
622 Katie said it is based on the overall diameter of the pool. It is not necessary to obtain a permit if
623 a pool is less than 15 feet in diameter.

624
625 Paul asked if there is any regulation of the ratio of residence square footage to garage/storage
626 square footage. Paul cited the example of an individual with an irregular lot size who wants to
627 construct a pole barn, but he/she cannot as there first must be a primary structure. Paul asked
628 what prevents someone from constructing a 6,000-square foot pole barn and finishing out 1,000
629 square feet of said barn as heated space with a restroom, bedroom, and cooking facilities. Paul

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

16

630 said, “Then you have your big storage, and it’s a metal pole barn in the middle of a
631 neighborhood. Is that something somebody could do right now?”

632
633 Katie responded, “Provided they’re following all the requirements of the Uniform Dwelling
634 Code for what it is they are building, we’d let people’s personal tastes reign. It’s not what we
635 would necessarily want, but provided you’re meeting all the code requirements, we don’t
636 regulate people’s personal opinion in architecture.”

637
638 Katie addressed Section 13-6-7, Subsection ‘f’ (“Temporary Uses and Structures”), and noted
639 tents, canopies, and similar membrane-material structures have been added. Katie said citizens
640 are allowed to have such structures 180 days in a calendar year without having to obtain a
641 Building Permit, and then they must take it down. Katie told commission members citizens will
642 erect a tent structure over a recreational vehicle from October until May, and then remove it.
643 Katie next addressed Section 13-6-7, Subsection ‘k’ (“Retaining Walls”) and said retaining walls
644 may be on the side yard and in the rear yard, and they must be three feet off the property line
645 from the street yard. Katie next addressed Section 13-6-7, Subsection ‘i’ (“Outdoor Lighting”) and
646 said a light pole may not exceed 30 feet in height. It also must be set back a minimum of
647 three feet to an abutting property line. Katie said she likely will bring forward comments
648 pertaining to Commercial temporary sales and outdoor sales at a future Plan Commission
649 meeting.

650
651 Craig asked if there is anything that prevents a “permanent inground pool-type situation” in
652 which someone concretes in his/her entire backyard.

653
654 Katie told Craig any pavement must stay a minimum of three feet off the property line. Katie
655 said the city does not regulate how much a citizen may pave, nor does it regulate how much
656 he/she may concrete. Katie said that in theory, someone could pave his/her entire rear yard with
657 a three-foot wide buffer around the exterior and install a basketball hoop as the city does not
658 have a rule related to maximum impervious surface.

659
660 Craig asked Katie if it would be possible to examine a pool situation and devising something
661 more than a three-foot setback to allow surface penetration of water. Craig said he is aware of
662 locations in the city where the water runoff is creating problems, and he cited the example of a
663 citizen who owns an inground pool and the entire backyard is concreted. Craig said this
664 individual uses his snowblower to remove snow and blow it against the neighboring houses and
665 onto neighboring properties in the winter.

666
667 Paul asked if the city has any maximum impervious coverage for single-family homes.

668
669 Katie said no.

670
671 Paul asked if there is maximum impervious coverage for multifamily dwellings.

Reviewed 7/1/19 by Katie Aspenson

672
673 Katie said there is a green space requirement for multifamily dwellings. The city does not have a
674 maximum impervious surface requirement anywhere else. Katie said it would be possible to see
675 how other communities address this issue.

676
677 Craig said he believes the artificial transfer of something from one property to another must be
678 addressed.

679
680 Steven asked if there is a law that currently precludes that and said it simply might be a matter of
681 enforcing an existing law.

682
683 Craig said he had addressed a situation with Jarrod in the past regarding runoff from a large
684 garage. Craig noted there was a drainage pipe coming off the primary drain that ran up to the
685 property line and onto neighboring properties.

686
687 Amanda said if someone is following city code, it would be an issue between the homeowners.
688

689 **Item 9 – Discussion related to UDC/Zoning Code Rewrite Project ~ Discussion about**
690 **regulations for Accessory Dwelling Units (ADUs)**

691
692 Katie said the Plan Commission had discussed at its May 29 meeting allowing ADUs and if they
693 were to be allowed, what standards and regulations should be put into place. Katie noted ADUs
694 are dwelling units located on the same lot as a primary home, and they have their own entrance,
695 kitchen, living area, and bathroom. They also are sometimes called an in-law suite, a granny flat,
696 or a carriage house. ADUs are a common zoning topic today because of the national challenge
697 of housing affordability and availability. Katie referred to pages 2 and 3 of HKGi's
698 memorandum regarding ADUs and noted HKGi has included a potential definition of ADUs,
699 different standards, language and thresholds. Katie mentioned the following potential standards:

700

701 **Type**

- 702
- 703 • **Internal** – Within the principal structure, such as a converted basement or attic.
 - 704 • **Attached** – Share one or more walls with the principal structure. These are generally
705 constructed as additions or conversions of attached garages.
 - 706 • **Detached** – These may be the conversion of an existing, detached garage, additions to a
707 detached garage, or freestanding structures.

708

709 **Owner-Occupied**

- 710 • **Example standard** – The owner(s) of the residence in which the accessory dwelling unit
711 is created must continue to occupy at least one of the dwelling units as their primary
712 residence, except for a bona fide temporary absence.

713

Parking Spaces

Reviewed 7/1/19 by Katie Aspenson

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

18

- 714 • **Example standard** – Off-street parking spaces must be available for use by the owner-
715 occupant(s) and tenant(s).
716 • **Potential thresholds**
717 ○ None required
718 ○ One required for ADU, two required for main home
719 ○ Two required for ADU, one required for main home
720 ○ Two required for ADU, two required for main home
721 ○ Primary home must have four off-street spaces
722

723 **Entrance location**

- 724 • **Example standard** – Any new, separate outside entrance serving an accessory dwelling
725 unit shall be located on the side or in the rear of the building.
726

727 Craig said he does not have a strong opinion one way or the other regarding this particular
728 application. However, Craig asked if this fits the nature of the City of Onalaska today.
729

730 Katie said she receives two to three requests for ADUs – either to convert a dwelling or create
731 one – every calendar year.
732

733 Craig asked, “As rental properties?”
734

735 Katie said, “No. It’s usually for an in-law or an aging family member. I haven’t had anyone
736 come forward – at least in their discussions with me – and tell me they wanted it to be rental,
737 which is another conversation. But it’s always for a relative.”
738

739 Craig said, “My gut reaction after hearing that is to say, as long as the property owner resides [in
740 the primary dwelling unit]. There can be some latitude.”
741

742 Katie asked Plan Commission members if they wish to have ADUs in the City of Onalaska.
743

744 Paul told Katie that while he is theoretically in favor of ADUs, he also has a difficult time seeing
745 them utilized in the city on more than “a very rare occasion.” Paul said, “So I ask myself, should
746 we mess with it at all?”
747

748 Steven said he believes the interest in ADUs for use for an aging family member or an extended
749 family member likely will increase over time. Steven said he has based his opinion on what he
750 sees as an increase in housing costs, and he predicted there will be more instances of extended
751 families living together, as was the case more than 100 years ago. Steven said, “I don’t see any
752 reason why we should prevent that type of a situation here in Onalaska.”
753

754 Ald. T. Smith noted his son resides in Scottsdale, Arizona, where there are residences
755 comparable to ADUs. Ald. T. Smith also noted such units are starting appear more frequently on
Reviewed 7/1/19 by Katie Aspenson

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

19

756 the East and West coasts.

757

758 Steven, who is retired from the United States Army, noted he was stationed in Germany for 3½
759 years and said it was very common for extended families to live together.

760

761 Paul asked Steven if the term “living together” means living in the same dwelling unit.

762

763 Steven told Paul there were separate units, and families could mingle if they so desired. Steven
764 said, “I think it fits almost exactly the type of explanation they have right here for the definition.”

765

766 Paul said from his perspective if there are multiple people residing in the same home – even if
767 there is a door into a separate wing of the house – and if one may travel freely between the two
768 wings of the home, it no longer is an ADU.

769

770 Steven told Paul he had seen at least one such structure in the City of La Crosse, noting he and
771 his family had looked at such a home when they were relocating to this area. The structure was
772 separate and had its own bedrooms, its own kitchen, and its own entrance.

773

774 Paul reiterated he theoretically is in favor of ADUs and said, “But I think if we proceed with it,
775 we need to put a lot of thought into the definitions and make it reasonably restrictive.”

776

777 Steven said, “You want to make sure we’re not opening it up for abuse. If the intent is still a
778 predominantly family environment ... We don’t want it to become, this is the new small business
779 sector of Onalaska.”

780

781 Katie asked Plan Commission members if they would want a home occupation in an ADU.

782

783 Craig said he would approve of having a home occupation in ADUs, as long as restrictions are in
784 place.

785

786 Katie asked commission members if they would want the ADUs to be considered rentals, or if an
787 extended member of the family (aunt, uncle) would have to reside in them.

788

789 City Administrator Rindfleisch said he believes owner-occupied and the independent sale of the
790 ADU would help restrict that.

791

792 Katie asked commission members if they would want to allow one or more than one ADU on a
793 particular parcel.

794

795 Paul said only one.

796

797 Katie asked commission members if they want to have a maximum number of occupants, noting

**Plan Commission
of the City of Onalaska**

Tuesday, June 25, 2019

20

798 HKGi's current proposal is two to four occupants. Katie noted ADUs generally vary from 200 to
799 500 square feet, and she said staff would ensure that they met the minimum building code for an
800 efficiency apartment. Katie said, "In theory, having two people in an efficiency, looking at it
801 from the small end, that's a 200-square foot accessory dwelling unit. Do you want more than
802 two people to reside in a space like that?" Katie noted HKGi stated an example threshold of a
803 maximum ADU size is 650 to 1,000 square feet. Another example is the percentage of the
804 overall footprint of the home. Another is the finished floor area.

805

806 Steven said that while Europe is generally more regulatory than the United States, he has seen
807 neighborhoods with ADUs and "the flavor is family residential areas despite the fact they have
808 them." Steven asked if perhaps there is a city that has a partnership with a German city, and city
809 representatives could ask the German city representatives how ADUs are regulated there.

810

811 Craig said he believes extended families living together in Europe are a societal tradition, and he
812 pointed out that is not the societal tradition in the United States. Craig noted relatives used to
813 live with family members in the past and said, "That's a completely different thing. I think
814 creating that is creating something that really truly doesn't exist to a large extent in the rural U.S.
815 I'm not sure that I'm interested in making this – and I don't mean this derogatorily – an
816 experimental ground. Looking through all of this, my initial impression was the same. There are
817 a lot of regulations that will have to come into play here if we go this direction. I kind of go
818 back to my original premise: Is this something that's really for Onalaska right now? I'm just
819 thinking out loud with you."

820

821 Ald. T. Smith asked Katie if HGKi has examples of other cities in the area.

822

823 Katie said, "This is that. These are standards and best practices from APA."

824

825 City Administrator Rindfleisch said ADUs may be rented out and provide individuals with
826 additional income. City Administrator Rindfleisch said he believes it is logical to have off-street
827 parking, and also that it is prudent to have owner-occupied ADUs. City Administrator
828 Rindfleisch said, "I think we're picturing in our heads what the use is. ... I don't think there will
829 be a lot of demand for it, but I think there will be enough that it warrants putting it in the new
830 plan. I don't think we necessarily have to go with all of [what HKGi has presented]."

831

832 Ald. T. Smith said he likes the fact what HKGi has presented are examples of real situations, and
833 it is a matter of determining what will work for the city.

834

835 Katie said the list HKGi had prepared can be simplified, and items that seem extraneous can be
836 removed. A condensed list will be presented to the Plan Commission in July.

837

838 **Item 10 – Notice of a special Plan Commission meeting on July 16, 2019 at 2:00 P.M.**
839 **related to the UDC/Zoning Code Rewrite Project**

Reviewed 7/1/19 by Katie Aspenson

**Plan Commission
of the City of Onalaska**
Tuesday, June 25, 2019
21

840
841 Katie asked Plan Commission members to attend the meeting, noting both Rita Trapp and Jeff
842 Miller will be at the meeting. Katie noted a significant amount of information will be discussed.

843
844 **Adjournment**

845
846 Motion by Craig, second by Paul, to adjourn at 8:25 p.m.

847
848 On voice vote, motion carried.

849
850
851 Recorded by:

852
853 Kirk Bey