The Meeting of the Plan Commission of the City of Onalaska was called to order on Tuesday, September 22, 2020. 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 Kim Smith, Ald. Tom Smith, City Engineer Jarrod Holter, Jan Brock, Amber Pfaff, Skip Temte, Craig Breitsprecher

Also Present: Planning Manager Katie Aspenson, City Attorney Amanda Jackson

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

Motion by Ald. T. Smith, 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 K. Smith called three times for anyone 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) to consider the Abbey Court Apartments Planned Unit Development Amendment application filed by Abbey Court Apartments LLC, 9447 Jancing Avenue, Sparta, WI 54656, for the purpose of subdividing the development into three (3) parcels and adding .11 acres of land owned by the City of Onalaska to the development located at 2097 Abbey Road, 2091 Abbey Road, 2101 Abbey Road, 2107 Abbey Road, 2111 Abbey Road, 2117 Abbey Road (Apts. 101-410), 2121 Abbey Road (Apts. 101-308), & 2169 Abbey Road, Onalaska, WI 54650 (Tax Parcels # 18-4511-300 & 18-6368-0)**

1. PUD Application Fee of $700.00 (PAID).

2. Owner/developer shall abide by all requirements and conditions of the Abbey Road Plat approved by the Common Council on June 11, 2013.

3. Owner/developer shall abide by all requirements and conditions of the Abbey Court Apartments Planned Unit Development approved by the Common Council on October 10, 2017:
   A. Owner/developer shall abide by all requirements and conditions of the Abbey Road Plat approved by the Common Council on June 11, 2013.

B. Owner/developer shall record with the La Crosse County Register of Deeds, the legal description of the Planned Unit Development and the Conditions of Approval tied to the development. These conditions shall not lapse or be waived as a result of any subsequent change in ownership of tenancy.
C. PUD Application Fee of $700.00 (PAID).
D. Park Fee of $922.21 (per unit) due prior to issuance of building permit for each building and/or lands dedicated and improvements to City as approved by the Park Board and Common Council which may offset Park Fees. 328 total units * $922.21/unit = $302,484.88 dollars.
E. Topography Map fee of $10.00 (per acre) = $117.70 dollars to be paid prior to obtaining a Building Permit.
F. Site Plan Review will be required for individual buildings/parking lots/drives/etc. to be reviewed and approved by City Staff prior to construction activities.
G. If in the future the owner/developer creates Declaration of Covenants, Conditions and Deed Restrictions, etc. that at a minimum address maintenance, repair, and replacement of parking lots/private drives, the buildings including all common areas and green spaces, stormwater management/easement areas, as well as any ownership or use restrictions for the parcel/development; a copy shall be provided to the Planning Department and recorded at the La Crosse County Register of Deeds. Any amendments to the aforementioned document to be recorded at the La Crosse County Register of Deeds and a copy provided to the Planning Department.
H. Owner/developer to submit a master signage plan noting location(s) of freestanding monument signs for internal traffic control.
I. Owner/developer to abide by the Airport Overlay Height Zoning Ordinance and obtain any necessary permits from the City of Onalaska and/or City of La Crosse as needed.
J. Master Grading and Stormwater plan to be reviewed & approved by the City Engineer.
K. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot buffer surrounding the identified slopes.
L. Owner/developer to maintain existing stormwater detention area along southern parcel line.
M. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI application, permit, approval letter and associated data prior to construction to the Engineering Department. A City Erosion Control Permit for greater than one (1) acre of land disturbance is required before any earth moving activities occur. Permit to be reviewed and approved a minimum of ten (10) days prior to construction activities.
N. All erosion control BMPs (Best Management Practices) to be installed prior to the start of any construction activities. Swale areas/stormwater ponds to be dug prior to start of construction and prior to initial grading to act as sediment traps. Track pad(s) to be installed with a minimum of 3 to 6-inch stones, one (1) foot deep and fifty (50) feet in length. All disturbed areas to have black dirt placed and seeded within seven (7) days of disturbance.
O. Master Utility Plan (including any phasing) to be reviewed and approved by the City

Engineer including a schedule. Any utilities dedicated to the City of Onalaska shall be in a dedicated right-of-way, outlot, or easement.

P. Street right-of-way for a future street must be dedicated along north parcel line or owner/developer to work with neighboring property owner to the north for a mutual dedication. Future street must be installed to City standards fifty (50) feet beyond any proposed driveway access. Temporary cul-de-sac to be installed at end of new street. Applicant/owner to provide a deed or Certified Survey Map dedicating thirty (30) feet for future street.

Q. Owner/developer to request and have the vacation/discontinuance of Abbey Court finalized prior to any construction activities. Outcome of this action is that Abbey Court will become a private drive entrance off of Abbey Road.

R. Provide Fire Department access to courtyards on the three (3) eighty-unit apartment buildings.

S. Provide a phasing plan that determined what infrastructure/site improvements (grading, stormwater controls, landscaping, future road, utilities, etc.) are required with each phase for the development. Have scheduling include a map with a “bubble diagram” around each area noting proposed construction year.

T. Update Site Plan to include building setbacks from property lines and other buildings.

U. Note tree removal / clearing / grubbing limitations on Grading Plan.

V. Parcels to be combined into one (1) parcel for the principal and accessory structures and the parking lot to be located on one parcel. Contact La Crosse County Land Information Department to complete this condition. Parcel modification to be completed prior to issuance of a building permit.

W. City-furnished Inspector required during utility installations and developer to pay costs.

X. As-builts of all utility work required to be submitted to the Engineering Department within sixty (60) days of occupancy of each building.

Y. Water services not utilized as part of development shall be abandoned at main.

Z. Owner/developer has obtained letters from utility service providers noting that there is adequate power, natural gas, and telephone/internet services available to serve this project and provided to the Engineering Department.

AA. Owner/developer has received written approval from Dairyland Power regarding planned development and locations of buildings in relation to easement on the parcel in question.

BB. Final, colored renderings of all four (4) sides of proposed buildings noting architectural elevations with details and materials to be reviewed and approved by the Planning Department.

CC. Final, colored renderings of all four (4) sides of proposed buildings noting architectural elevations with details and materials to be reviewed and approved by the Planning Department.

DD. Master Landscaping Plan to be reviewed and approved by the Planning Department.

EE. Owner/developer to install sidewalk to City standards along full length of Abbey

Road upon occupancy of the first apartment building.
FF. Owner/developer to secure water main easement with adjacent property to south and install a water main loop as outlined in Condition # 19 (s).
GG. All final water, sewer, drainage and grading plans for the entire development are required to be submitted for review and approval prior to any site plan review requests for individual buildings.
HH. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals). 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.
II. 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.
JJ. Any omissions of any conditions not listed in minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

4. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated fee is $730.00/REC. Owner/developer to pay finalized fee for all remaining apartment buildings and the respective residential equivalent connection counts yet to be constructed as part of the Abbey Road Development Planned Unit Development.

5. Lot 1 of the proposed Certified Survey Map is allowed to have a reduced lot frontage of 60.44 feet.

6. Owner/developer shall record with the La Crosse County Register of Deeds, the legal description of the Planned Unit Development and the Conditions of Approval tied to the development and Conditions of Approval and a copy provided to the Planning Department. These conditions shall not lapse or be waived as a result of any subsequent change in ownership of tenancy.

7. Any future improvements to these parcels will be subject to additional City permits (i.e., site plan approvals, building permits, zoning approvals). 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 minutes shall not release the property owner/developer from abiding by the City's Unified Development Code requirements.

Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the Abbey Court Apartments Planned Unit Development Amendment application.

**Todd Page**
**9447 Jancing Avenue**
**Sparta**

"I would like to speak in support of the amendment. The purpose of it is really to allow us to continue the development. It will ease our financing on the next step. I believe the city's deed of that small parcel also enables some additional access to a future building, which would be conducive to any Fire Department service that might be necessary there at some point. I think it's a positive for the city as well as us."

Mayor K. Smith called three times for anyone else wishing to speak in favor of the Abbey Court Apartments Planned Unit Development Amendment application and closed that portion of the public hearing.

Mayor K. Smith called three times for anyone wishing to speak in opposition to the Abbey Court Apartments Planned Unit Development Amendment application and closed the public hearing.

Katie told commission members this Planned Unit Development (PUD) amendment request pertains to increasing the boundary of the Abbey Court Apartments PUD and allowing Tax Parcel No. 18-4511-300 to be subdivided into three parcels. The PUD is proposed to incorporate Tax Parcel No. 18-6368-0, which is owned by the City of Onalaska (Outlot 1) and merge said parcel with Tax Parcel No. 18-4511-300 (Abbey Court Apartments parcel). This would allow vehicular access and frontage along Abbey Road. Subsequently, the applicant is requesting to subdivide the merged parcel into three separate parcels: Lot 1 to contain 1.96 acres; Lot 2 to contain 3.75 acres; and Lot 3 to contain 6.19 acres. The only deviation from the Unified Development Code pertains to Lot Area, otherwise the applicant is not proposing any changes from the original Abbey Court Apartments PUD. Katie referred to Section 13.02.32 E(2) of the UDC and noted the applicant is requesting to allow for a reduced frontage requirement from 100 feet to 60 feet. Katie also noted there are eight conditions of approval tied to this development. The original Abbey Court Apartments PUD, which the Common Council approved on October 10, 2017, have been included in the conditions.

Motion by Craig, second by Skip, to approve with the eight stated conditions the Abbey Court Apartments Planned Unit Development Amendment application filed by Abbey Court

Apartments LLC, 9447 Jancing Avenue, Sparta, WI 54656, for the purpose of subdividing the development into three (3) parcels and adding .11 acres of land owned by the City of Onalaska to the development located at 2097 Abbey Road, 2091 Abbey Road, 2101 Abbey Road, 2107 Abbey Road, 2111 Abbey Road, 2117 Abbey Road (Apts. 101-410), 2121 Abbey Road (Apts. 101-308), & 2169 Abbey Road, Onalaska, WI 54650 (Tax Parcels # 18-4511-300 & 18-6368-0).

On voice vote, motion carried.

**Item 5 – Public Hearing: Approximately 7:10 P.M. (or immediately following Public Hearing at 7:00 P.M.) to consider the Century Place Planned Unit Development (PUD) Amendment application filed by Nick Roush of Roush Rentals, LLC, 707 La Crosse Street, La Crosse, WI 54601 on behalf of CC of La Crosse, PO Box 1625, La Crosse, WI 54602, to allow for a multifamily development on the property located at 430 Century Place/2651 East Avenue North, 475 Century Place, 455 Century Place, 435 Century Place, and 415 Century Place, Onalaska, WI 54650 (Tax Parcels # 18-6303-0, 18-6302-0, 18-6301-0, 18-6300-0, and 18-6299-0)**

1. Planned Unit Development Application Fee of $700.00 (PAID).

2. Park Fee of $922.21 (per unit) due prior to obtaining a Building Permit. Note: if the Park Fee increases in the future, the property owner will be required to pay the increased Park Fee at the time of the development.

3. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated fee is $730.00/REC. Owner/developer to pay finalized fee for all apartment buildings and the respective residential equivalent connection counts yet to be constructed as part of the Century Place Development Planned Unit Development.

4. If future lot divisions or lot re-configurations are to occur, applicant/owner to obtain a Certified Survey Map/Plat as approved by the Common Council.

5. Adhere to Final Plat and PUD Conditions of Approval for this subdivision as approved by the Common Council on October 9, 2012:
    a. Final Plat Fee of $20.00 + $2.00 per lot x 6 lots = $32.00, due before Final Plat is approved by the City.
    b. PUD Fee of $700.00 (PAID).
    c. Site Plan Permit required for new development in advance of building permit applications, including a detailed landscape, drainage, and erosion control plans.
    d. Topo Fee of $10.00 per acre X 23.53 AC = $235.30, due before Final Plat is approved by the City.
    e. Park Fee of $922.21 per unit required at time of building permit issuance. Park Fee of

$638.47 per acre for commercial sites.

f. East Avenue Sanitary Sewer Fee due of $1,065 per acre X 23.53 acres = $25,059.45, due before Final Plat is approved by the City.
g. Archaeology study required per local ordinances (waived per Mississippi Valley Archaeology Center letter).
h. Total acreage to be noted on plat.
i. All easements shall be shown on plat – 10' snow removal (cul de sac) and utility (all right of way lines) easement – all streets and cul de sac.
j. Tree Preservation Plan required conforming to local Ordinances.
k. Sidewalk requirement on both sides of Thomas Court and Century Place, and on the west side of East Avenue along the length of the subdivision.
l. Owner/developer shall obtain approval from La Crosse County Highway for new drive opening on County Road OT.
m. Owner shall prepare and submit a master drainage/storm-water plan for review and approval by the City Engineer. Owner shall provide a revised drainage/stormwater plan with flow arrows for review and approval by City Engineer. All development shall comply with master drainage/stormwater plan approved by the City Engineer.
n. Owner shall provide City Engineer with complete plans showing locations of proposed sanitary sewer, streets, erosion control, water, sewer, and storm water facilities.
o. 30% slopes shall be clearly marked on plan and preserved if over 4,000 contiguous square feet.
p. 1- 2½" caliper canopy tree required per 25' of street frontage. Preserved trees may be credited to total (mature hardwoods).
q. Streetlights required – coordinate with City Engineer.
r. Owner shall note hydrant locations on utility plan – additional hydrants may be required subject to Fire Dept. approval.
s. Owner shall work with adjacent property owners on buffer areas between existing residential and proposed commercial uses.
t. Elevated landscape berm to be constructed 5' taller than ground elevation extending along south property line between existing residences. Landscape berm shall be planted with a mix of deciduous trees and evergreens providing an 80% opaque screen in 3 years.
u. NR 216 Permit required and on file with the City of Onalaska.
v. 1,500 gpm required on all hydrants.
w. As-builts required for all utilities prior to final plan approval.
x. Century Drive shall be renamed to Century Place per City Code 13-7-2(P)(2).
y. Lot frontage shall be a minimum of 100 ft per M-1 Zoning Code.
z. Owner shall submit a schedule for infrastructure installation.
aa. WIS DOT approval letter needed for any drainage onto WIS DOT right of way.
bb. Northeast corner Lot 6 is within FEMA Delineated Flood area. Any construction within this area will need letter of map revision. All structures to be 2 feet above the

1% annual chance base flood elevation.

cc. Owner to submit covenants for City records.

dd. Letter of approval required from utility company for construction in or around overhead utility easement.

ee. Inspector required on all utility work; furnished by City, paid for by developer.

ff. 5-year guarantee required on all improvements equal to 25% total cost of improvements subject to review by City Engineer for 3 years and an additional $100.00 per manhole or catch basin for the final 2 years.

gg. The subdivider agrees to make and install all required public improvements or provide the City with financial security for 100% of the cost of the improvements (as approved by the City Engineer) to ensure that the subdivider will make the required improvements, prior to the City's approval of the Final Plat.

hh. 20-foot easement on the east side of Lot 2, with developer to install 8' concrete sidewalk for pedestrian and parks maintenance access to Thomas Farms Park.

ii. Developer to make utility plans available to prospective buyers.

jj. Signed and Recorded copy of Final Plat to be submitted to City Engineering Department and City Inspection Department.

kk. Subdivision shall notify prospective buyers of required building elevation for sanitary sewer service for Lot 6.

ll. Approval of plat is to be conditioned upon PUD.

mm. Signage Fee of $75.00 per sign per approved plan submitted by developer, approved by City, showing all street, stop and other regulatory sign needs. Based on 2 street name signs and 1 stop sign, $225 is due before Final Plat is approved by the City.

nn. Development area at end of Thomas Court shall minimize disturbance of trees, to be saved as part of the Tree Preservation Plan. Developer shall enforce this restriction throughout construction.

oo. Owner/developer must notify the City prior to any utility connection to public utilities.

pp. Owner/developer must 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 the issuance of occupancy permit.

qq. 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.

rr. Any omissions of any conditions not listed in Plan Commission Minutes shall not release the developer/property owner from abiding by the City's Subdivision Ordinance and Zoning Code requirements.

6. As noted in Condition #4 this development is based upon previously approved

developments by the Common Council with specific Conditions of Approval. Below are Conditions of Approval that are still relevant to the proposed development today and the developer shall be required to continue to complete the following conditions. Conditions not listed below are either completed, not applicable to this development, or are duplicative of other Conditions of Approval:

a. Site Plan Permit required for new development in advance of building permit applications, including a detailed landscape, drainage, and erosion control plans.
b. Sidewalk required along both sides of Century Place and on the west side of East Avenue along the length of the subdivision. **UPDATED CONDITION**
c. Owner shall prepare and submit a master drainage/storm-water plan for review and approval by the City Engineer. Owner shall provide a revised drainage/stormwater plan with flow arrows for review and approval by City Engineer. All development shall comply with master drainage/stormwater plan approved by the City Engineer.
**d.** Owner shall provide City Engineer with complete Utility Plans showing locations of proposed sanitary sewer, streets, erosion control, water, sewer, and storm water facilities. **UPDATED CONDITION**
e. Streetlights required – coordinate with City Engineer.
f. Owner shall note hydrant locations on Utility Plan – additional hydrants may be required subject to Fire Dept. approval.
g. NR 216 Permit required and on file with the City of Onalaska.
h. WIS DOT approval letter needed for any drainage onto WIS DOT right of way.
i. Letter of approval required from utility company for construction in or around overhead utility easement.
j. Inspector required on all utility work; furnished by City, paid for by developer.
k. Developer to maintain a 20-foot easement on the east side of Lot 2, for pedestrian and parks maintenance access to Thomas Farms Park. **UPDATED CONDITION**
l. Development area at end of Thomas Court shall minimize disturbance of trees. Developer shall enforce this restriction throughout construction.
m. Owner/developer must notify the City prior to any utility connection to public utilities.

7. Owner/developer shall record with the La Crosse County Register of Deeds, the legal description of the Planned Unit Development and the Conditions of Approval tied to the development and Conditions of Approval and a copy provided to the Planning Department. These conditions shall not lapse or be waived as a result of any subsequent change in ownership of tenancy.

8. Owner/developer to submit a Vacation/Discontinuance Request for all or a portion of Century Place to facilitate proposed development.

9. Developer to maintain a twenty (20) foot wide buffer from the southern boundary be required to be maintained and no site grading, clearing, or other disturbance could occur

to protect the integrity of adjoining properties.

10. Site Plan Permit required for new development in advance of building permit applications, including detailed architectural plans, water, sewer, landscape, stormwater, drainage, erosion control, and other required information/plans (fire accessibility, hydrant locations, etc.). 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.

11. 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.

12. 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 Ordinance requirements.

Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the Century Place Planned Unit Development (PUD) Amendment application.

**Nick Roush, Roush Rentals, LLC**
**707 La Crosse Street, Office 102**
**La Crosse**

"Thank you for having me tonight. I think that our PUD proposal that we have tonight is a follow-up to our rezoning request from just a few weeks ago. I think all the things we're asking for are in alignment with our initial proposal and our request there. I think there's a couple of things that we might need to talk about tonight with regard to buffer and some things like that. But other than that, it seems as though the things that we're asking for are in alignment with what the City of Onalaska is looking for. Obviously, I think we all agree this a great opportunity and project for the City of Onalaska. My question and my request is that whatever in here that we need to talk about tonight, that as there is staff and commission discussion, that we can make that a dialogue and try to work out anything that we have open in the context of what we're asking for. [I] thank everybody for their thought and consideration and help in the process. I'm here for any questions anybody has as discussion comes up."

Mayor K. Smith called three times for anyone else wishing to speak in favor of the Century Place Planned Unit Development (PUD) Amendment application and closed that portion of the public hearing.

Mayor K. Smith called for anyone wishing to speak in opposition to the Century Place Planned Unit Development (PUD) Amendment application.

**Frances Lee Edwards**
**2426 Thomas Court**
**Onalaska**

"Thank you for allowing me to speak. I have to give my hats off to all of you members because I know you're working really hard for the City of Onalaska, and I appreciate that. I've kind of gone back and forth with thoughts on this development proposal. In fact, I was close to sold, with reservations and concerns. Now I think maybe it might be better to go back to the drawing board and consider other options. One option might be to speak to the owners of the property. Kwik Trip has been a model community builder in our community. You can't tell me that they don't want what's best for the community, because I think they do. They just made a sizeable investment in the Kwik Trip close to the proposed development, and I guess that would be great for them financially, but it might not be too ethical, and these are my reasons. This is just too many units for this amount of space – period. Nowhere in Onalaska are there this many people being considered to be crammed into this small place. You cannot tell me that rental proposal would keep people happy for very long. I worked outdoors, and I've seen this many units being spread over much more space. Over time, they start to lose their newness when influxes of renters go in and out without ownership in the property. In addition, the wave of the future actually shows more people to be working at home, and I would consider single-family units may be more viable than investing in a proposal that would be going downhill before it was even finished.

Two, the big selling point of 35 percent green space seems to have changed quickly. He proposed city property as part of his green space – look at the proposal. It doesn't take a rocket scientist to see that green space is not high on the list. It can't be due to how many units are in the amount of space. See page 13, [number] 3 ["Lot Area"]. [It says] 32 acres, because he can't figure out how many one-, two- and three-bedroom [apartments]. Exactly how is he going to fill them on 12 acres? This proposal would take up to eight to 10 years to complete. Really? And then the neighbors are supposed to wait until eight to 10 years before any of the berm is done and any of the stuff for eye side gets done? We're told there are no sidewalks on Thomas Court when we called in, which we do not want, yet it's still in the proposal. The reasoning behind the no gates or enclosures around the refuse area is weak. [It is] an easy place to hide [for] an attacker. Safety, I don't buy it. I think it has to do with money and not with creating a plush place. Just who is it that the renters are going to be in this area? And I would like to think that there was a solution that's come up for older people with all of the developments that have been made by Roush and being a hands-on landlord. … Put up the berm at the beginning rather than eight years down the road, and do not take any more trees down and keep the trees originally proposed. We had since Friday to look this kind of stuff over that was proposed, and this is our only chance to speak. I just think it's way too many people crammed into way too small a space,

and you're going to regret it somewhere down the road. Thank you for allowing me to speak, and thank you for all that you're doing. I really appreciate it."

**Jamie Dewitt**
**2418 Thomas Court**
**Onalaska**

"When Mr. Roush had his meeting, he did a good job being a salesperson on what he was talking about and what he would be delivering. I read through most of the information that was provided, and again, I know that Ms. Edwards talked about the green space went from 35 to 25 [percent]. I also read a few other things with the berm. We definitely want to protect our neighborhood and be sure it continues to be safe. One of the things when I was reading through some of this is I felt like was a little bit of retaliation on Mr. Roush's part, especially when it came to the sidewalk request on Thomas Court on both sides. I just felt that he was trying to retaliate a little bit because we're voicing our concern. I just really would like this to be looked at really carefully. And as Ms. Edwards said, that is a lot of people in that little bit of space. And the traffic coming in, I know we've talked about this before, but the development going north into Holmen on that right-hand side, that's also a pretty big development and we're already starting to see some traffic flows in the morning and in the afternoon. Again, any kind of reconsideration or single-family or something a little bit smaller … I know that we're looking at the tax revenue of $30,000 or whatever it is coming in, but again, that's over eight to 10 years. Thank you for this time, and good luck."

Mayor K. Smith called three times for anyone else wishing to speak in opposition to the Century Place Planned Unit Development (PUD) Amendment application and closed the public hearing.

The following email was submitted by Gail and Jim Connor, 2526 Thomas Court, Onalaska: *"Dear Honorable Mayor, Common Council, Plan Commission and City Staff – We are emailing in hopes you will truly and thoughtfully consider the ramifications of rezoning Century Place. Besides the enormous traffic it will increase, there's noise, increase crime, increase school enrollment, which will mean more and more referendums. Has the study of how many rentals versus single-family homes been done regarding the city? As noted in our previous email, in our little pie it is 24 homes versus 39 rentals. With the 280 apartments, it would make it 319 apartments versus 24 homes. Is there any other place in Onalaska that has 280 apartments in a small area? In fact, is there any place in the county? Will Onalaska become a 'stack-'em/pack-'em' community? Do we want Onalaska to become a rental community where people move in for a few years, then move out to neighboring communities to build their lives? Renting in a community is not the same as home ownership. We disagree with Nick Roush saying rentals will be the wave of the future. Articles have disputed this point. With the pandemic, businesses have seen the advantages of having their employees working from home. Many will be moving farther from their brick-and-mortar buildings. Many want to be homebuyers. It's now up to each of you to decide the fate of Onalaska. The people living here should matter."*

Katie said this Planned Unit Development (PUD) request is to facilitate a multi-phased development located on vacant land surrounding Century Place to allow for a multifamily housing development consisting of approximately 560 bedrooms (combination of 1, 2 and 3-bedroom units) in six apartments. The land is currently zoned R-4, which is the required step prior to beginning the PUD Amendment. It is the intention that the existing parcels will be reorganized and subdivided in the future to facilitate the development. This development is expected to create high-quality housing for all ages and deliver an overall proposed $30,000,000 development with a positive impact for the City of Onalaska. Katie noted commission members' packets include a cover letter from Nick Roush, a conceptual site plan, a conceptual landscaping plan, and the following proposed changes:

- Lot Dimensions/Site Dimension Standards Tables
- Common/Open/Green Space Standards
- Architectural Design Standards, Building Renderings, and Similar Building Types
- Landscaping and Buffering Standards
- Curbing, Temporary Fencing, Refuse Disposal, and Screening Standards

Katie provided commission members with the following summary:

- The site currently has utilities installed. However, relocations and adjusts may be necessary to serve the overall development. The City Engineer will need to approve all new/updated Utility Plans during Site Plan Review, and prior to construction commencing.
- The site has been designed for multiple housing options for all ages. The developer intends to provide a mixture of parking options including underground, surface, and garage stalls to serve the residents and guests. More than 25 percent (25 percent is the minimum for all R-4 housing) of the total site is dedicated for green/open space and showcases a connection to the adjacent neighborhood park.
- The buildings are proposed to vary from two- to three-story apartment buildings. Located throughout the site will be accessory structures which will be required to complement the principal use structures.
- A variety of elevations have been included in commission members' packets. Some appear to be a little more focused as to what is being assumed will occur. Katie referred to the images on pages 25 and 26 and said they appear to be very similar to what is being shown on page 28, with some additional brickwork. Katie said the applicant is requesting some deviations from the city's design and architectural standards such as not having an upper-story setback; building facades to have features along the bottom ground story; horizontal articulations may be added each building (top, bottom, or middle, as needed); vertical articulations every 80 feet to match the upper and lower stories; not following the "blank wall" requirement; and constructing the building entries in site-sensitive locations.

- The applicant has provided a conceptual landscaping plan with key features. All the details have not been provided in this particular packet. If the development proceeds, much of that detail will occur when the city does a site-by-site basis for each individual building. Commission members will be made aware of the appropriate tree counts, tree species and diversity, and the minimum necessary landscaping.
- The applicant is requesting not to install concrete curbing throughout the site. The applicant is similar to another applicant that is requesting to waive the 125-percent guarantee and instead provide a 100-percent landscaping guarantee to the city if the landscaping is not complete at the time for a Final Occupancy Permit request, in addition to any ancillary screening required (fencing, etc.). The applicant would have a qualified landscape contractor in lieu of a landscape architect providing these plans.
- There are three requests related to screening and buffering. The first is tied to mechanical units in excess of 100 cubic feet be required to have full screening as viewed 6 feet above ground level. Second, that any hedges/fences/etc. along the southern boundary are not required to be constructed until building(s) along the southern boundary are constructed. Lastly, that refuse disposal areas to only be screened on three sides (no gate requirements). Katie said city staff recommends that the refuse disposal areas be fully screened, including a gate, and to keep this requirement. If the developer does not wish to install new screening/buffering along the southern boundary until construction of structures along the boundary occur, city staff suggests that the current screening (trees, berm, other vegetation) in place today may not be disturbed until construction activities commence. City staff recommends a 20-foot wide buffer from the southern boundary be required to be maintained and no site grading, clearing, or other disturbance could occur to protect the integrity of adjoining properties.
- The applicant will be required to follow the International Building Codes regarding how close the structures may be to one another. The exact setbacks will be determined on a site-by-site basis. Katie said there are some areas in which it appears as though the buildings or the parking lot is too close to the right-of-way. City staff will continue to work with the developer.

Katie noted there are 12 conditions of approval tied to this development, and she asked to address the topic of sidewalks along Thomas Court. Katie referred to Condition No. 5 and told commission members the Common Council had ordered that sidewalks be installed when it had approved the Final Plat and the PUD Conditions of Approval for the subdivision in October 2012. Katie said that condition has subsequently been removed and noted city staff has updated that condition in Condition No. 6. Katie told commission members the only sidewalks that will be required are those along Century Place, and she stressed that there is no reference to Thomas Court moving forward.

Motion by Ald. T. Smith, second by Craig, to approve with the 12 stated conditions the Century Place Planned Unit Development (PUD) Amendment application filed by Nick Roush of Roush Rentals, LLC, 707 La Crosse Street, La Crosse, WI 54601 on behalf of CC of La Crosse, PO

Box 1625, La Crosse, WI 54602, to allow for a multifamily development on the property located at 430 Century Place/2651 East Avenue North, 475 Century Place, 455 Century Place, 435 Century Place, and 415 Century Place, Onalaska, WI 54650 (Tax Parcels # 18-6303-0, 18-6302-0, 18-6301-0, 18-6300-0, and 18-6299-0).

Skip said, "No proposal is actually 100 percent perfect for everybody. But I'd like to point out to the commission that there's an article in today's Wall Street Journal, and the headline is: *'Shortage of homes push prices higher.'* It says that the U.S. has had a shortage of housing for years, and it's getting worse. The pandemic has just made it worse. Another thing is, if you study the demographics, people are buying fewer homes today and more [are living in] rental property today. I think this has to do with the economy and the fact that it seems like our middle class is getting it in the neck when it comes to finances. Rental properties are more and more needed. I don't think that something like this would cause any problem for the neighbors. I've lived at 11th [Avenue South] and Wilson [Street] for 20 years now, and there is a lot of rental property within walking distance of my house. I have had no problem whatsoever in the last 20 years. I think people are apprehensive about something like this going in in their neighborhood, and I think we'll find that this is not a problem that they think will come about. When I was living in Norfolk, the house I owned was abutted to a large apartment complex on the other side of my fence. We had no problems whatsoever with that. I think it's more an unusual situation where people living in single-family homes with apartments near them have problems. I think that if we approve of this – and I recommend we do – that the people living around there will find that this is really not a problem for them."

Jarrod said that while he is favor of the development, he also wants to address some of the developer's requests. Jarrod noted he was serving on the Plan Commission in 2011 when this had first come forward, and he said, "One of the areas we really worked on was that buffer area on the south side of this property against the Thomas Court neighborhood. At that time, we tried to listen to the neighbors [regarding] not extending Thomas Court, leaving it as a cul-de-sac, and putting in the large buffer that's there. In the proposal tonight, the developer is proposing to remove the buffer and replant it, which I think is an area of contention with the residents. We did look on our mapping system, and currently there is a row of very mature trees. Some of those were planted as part of the original development 10 years ago. I really think that buffer would really help keep the neighborhood to the south more intact. I think that would assist with going from the 35 percent green space to 25 percent green space … I think I would like to see that buffer stay there. I know it limits the developer on going toward that property line, but that was part of what the original development was put together with."

Motion by Jarrod, second by Craig, to amend the previous motion and add a 13th condition of approval that states: *"Leave the existing buffer of trees and vegetation along the southern property line adjoining Thomas Court intact as it is today for the development."*

Katie asked Jarrod if he is adding a new condition, or if this is to amend current Condition No. 9.

Mayor K. Smith read Condition No. 9.

Katie said it is possible it can work as a starting point to Jarrod's motion and told commission members, "We can add to it, if that is what the Plan Commission would like, noting that the existing trees are not allowed to be impacted during construction if that's what would satisfy your condition, Jarrod."

Jarrod noted some of the trees are outside 20 feet and said, "If you allow grading in the 20-foot mark, you're probably going to lose half of those trees or better."

Craig noted he also was serving on the Plan Commission in 2011 and said, "In meeting with some of the folks in that neighborhood – Jan and I were out there at the same time – that was a major concern, and [it was] something we did address."

Mayor K. Smith read Condition No. 6(k).

Katie told Mayor K. Smith it is related to the sidewalk and trail installation that connects to the park and said it would be a different condition.

Jarrod noted there is an existing sidewalk that cuts through to the park from Century Place, and he said he would be willing to work with Condition No. 9 to reword it. Jarrod also said, "I really think looking at the map, if you go 20 feet, I'd say two-thirds of the vegetation that sets the buffer is going to disappear."

Katie said it would need to be a wider buffer.

Skip asked, "Would increasing it from 20 feet to a larger amount solve your problem?"

Craig asked, "Does 50 feet help us?"

Jarrod said, "It's probably about 45 [feet]. … I'm trying to be as flexible as I can, but yet protect what's there."

Jan said there appears to be a proposed building that sits back there.

Jarrod asked Katie if she wants him to withdraw his motion and redo Condition No. 9.

Katie told Jarrod, "If you don't want to tie direct footage, we can always remove that condition later if it's more confusing." Katie next addressed Jan's observation and said the building appears to be approximately 25 to 30 feet. Katie said, "If we increase that value, they would have to push their building more northward to accommodate a wider buffer. We can write a new

condition. It was just a suggestion."

Mayor K. Smith invited Nick to address the commission.

Nick said, "To be clear, and maybe a little confusion on my part, I am 100 percent for maintaining a really nice buffer to the south for all the reasons that all of the neighbors and the commission have talked about. I guess it was sort of my impression that I was going to be asked to redo the buffer – that what was there wasn't sufficient – and to make it uniform and pretty and redo the whole thing. That was one thing we had on our radar that we needed to do when we took on that particular parcel was redo the buffer in a new, uniform way. I agree, Jarrod: There's a lot of really beautiful, mature trees in there. I just don't know the way that that berm is shaped if it creates any storm water management issues or other site issues. We haven't had a chance to get into that granular level yet. I want to maintain every mature tree I possibly can in there. I certainly don't want to cut down the whole thing wholesale. I guess I don't have a great answer without getting further into the site design for that particular site but other than to say I want to maintain that buffer to the best of our ability, and I want to make it look beautiful. What I don't want it to be is an overgrown mess that doesn't fit with the rest of the site. It needs some weeding right now, some cutting out of weed trees and some fixing up. I'm all for maintaining that buffer and making it look beautiful. That's where we're at.

Just really quick about green space, it's still our intention to meet and exceed all the green space requirements. The code requires 25 percent. The only change we made to our green space in the entire property was a turnaround and a fire exit lane in our basic plan. Our intent is still to be 30 percent-plus. I just don't want to get hamstrung by being required to something higher than the code if one particular portion of a site is a little bit less because of how the whole site comes together. We still want to maintain as much green space as we possibly can to keep the site looking as beautiful as possible. It's not a bait-and-switch. It's just the way the code reads, which is 25 percent-plus."

Craig asked Nick if he is clear on not utilizing the right-of-way as part of the green space.

Nick told Craig he is and noted there is Wisconsin Department of Transportation right-of-way on the western border. Nick also noted it is a significant amount of space on which construction may not occur, and he pointed out it all would be part of green space to the site. Nick said that while he both understands and agrees about not utilizing City of Onalaska right-of-way, he also said, "If I can't count the western right-of-way, which is DOT right-of-way, it's going to be really hard to meet because that's a big area that's all green."

Jarrod told Nick he will find an answer for him regarding the right-of-way and said, "You're in the highway setback, which counts toward your green space, but you can't ever use the right-of-way – DOT or city. You can use your highway setback for it if you own the land. … I can see trying to get a nice buffer. But I think this is such an important topic with this development that

I think you either have to start at the point of … With my original motion I'm not disturbing any trees, or you can add to that and say you must bring a plan back to the Plan Commission to be actually approved, or any changes to that. I wouldn't necessarily be opposed to that, but I want to have an actual plan in front of me with cross-sections, elevations, plantings, [and] what's going to happen to it before I would approve taking down any of those trees. That's my opinion."

Craig told Jarrod he agrees with him.

Mayor K. Smith asked Jarrod if he can restate his motion in a manner that will capture that, and she also asked if that should be included in Condition No. 9, or if he wishes to have a 13th condition.

Jarrod asked Craig if he would be willing to withdraw his second if he withdraws his motion.

Craig said yes.

Motion and second withdrawn.

Motion by Jarrod, second by Craig, to amend the previous motion and amend Condition No. 9 to state: *"Developer must maintain the existing trees and vegetation buffer from the southern boundary. It is to be maintained with no site grading, clearing or other disturbance that could occur to protect the integrity of adjoining properties. This may be approved to be changed by the Plan Commission."*

Jarrod said, "I don't want to hold up the development because I think this can get figured out at a later date. But I think it's that important to this development to have a … unless you would like to have staff do it. But I think it's important enough for it come back to the Plan Commission."

Jan referred to Nick's comments about wanting the buffer to look pleasing, and she noted Jarrod's motion on the floor mentions all the existing trees and vegetation. Jan noted there is a significant amount of underbrush that should be removed in an effort to aid the mature trees, and also to help the new saplings grow. Jan asked, "We'll get a look at that when he brings the plan back?"

Jarrod told Jan he believes Nick must develop a plan on how he intends to proceed and then present it to the Plan Commission, which then would render a decision. Jarrod said it is too difficult to make a decision at this time not knowing what is out there as well as what the definition is of brush or trees to be removed, noting it could be a wide variety of things.

Mayor K. Smith said she believes that will aid the neighbors as "it won't change until we know what it is changing to. I feel like that is a good compromise."

Vote on the amendment:

On voice vote, motion carried.

Jan addressed Condition No. 5(l) and asked if it still is a viable condition.

Jarrod told Jan, "Part of that is when the distributor went in to the north. That was part of the original development. That was part of their driveway when it went in."

Motion by Jarrod, second by Craig, to amend the previous motion and add a 13th condition that states: *"All refuse and disposal areas to be fully screened, including a gate."*

Vote on the amendment:

On voice vote, motion carried.

Motion by Jarrod, second by Ald. T. Smith, to amend the previous motion and add a 14th condition that states: *"A snow storage area required in cul-de-sac, to be approved by City Engineer during Site Plan Process."*

Jarrod said the city typically requires 10 feet outside the right-of-way for snow storage and promised commission members that city staff will work on that with the developer.

Vote on the amendment:

On voice vote, motion carried.

Jarrod referred to page 22 in commission members' packets, which shows the layout of a proposed parking lot, and noted it shows part of the required landscaping being located in city right-of-way. Jarrod said, "We have never allowed that within the city. I don't know if we really need to change any conditions, but we'll have to work with the developer on that during the time of the Site Plan Process just to let them know that we typically do not allow that." Jarrod next directed commission members to page 29, which shows an aerial photograph of one of the developer's existing developments, and he pointed out the presence of bushes between the two driveways in the right-of-way.

Craig asked Jarrod if that is something staff normally would address.

Jarrod said, "I think it can be. Technically, though, we're approving it as part of the PUD because it's shown. It can be addressed, but they're specifically calling it out. I just want to make sure it was addressed in the minutes."

Motion by Jarrod, second by Craig, to amend the previous motion and add a 15th condition that states: *"The city will not allow right-of-way, either being city-owned or Wisconsin DOT-owned, to be part of the green space requirements."*

Jarrod said, "I think we're going to get to the point the developer wants, because I think they were thinking the highway setback, which is actually property they own, there is a highway setback. That would be counted as part of the green space."

Vote of the amendment:

On voice vote, motion carried.

Jarrod said, "It seems like the 100 square feet for not putting a buffer around a mechanical unit seems kind of excessive, but I would leave that one open for discussion. If you had a 10 foot-by-10 foot air conditioning unit, technically you would not need any vegetation or anything around it."

Mayor K. Smith asked what the standard is.

Katie told commission members that while the city does not have a true standard set forward, the most recent deviation that was allowed was the Traditional Trades development, where the city allowed 50 cubic feet. Katie said, "This is twice that in terms of deviation."

Mayor K. Smith asked, "Could we have this one be the same as for the Traditional Trades property?"

Katie said, "You're welcome to make it whatever you like, provided the developer agrees to adhere to it."

Motion by Jarrod, second by Craig, to amend the previous motion and add a 16th condition that states the following: *"Exterior mechanical units exceeding 50 cubic feet shall be screened."*

Jarrod asked Katie if it should be square feet or cubic feet.

Katie said cubic feet.

Mayor K. Smith noted 100 cubic feet was the first term that was utilized.

Jarrod noted it is 100 cubic feet and said 100 cubic feet is not as large as he believed it was.

Motion and second withdrawn.

Original motion restated:

To approve as amended, now with 15 conditions, the Century Place Planned Unit Development (PUD) Amendment application filed by Nick Roush of Roush Rentals, LLC, 707 La Crosse Street, La Crosse, WI 54601 on behalf of CC of La Crosse, PO Box 1625, La Crosse, WI 54602, to allow for a multifamily development on the property located at 430 Century Place/2651 East Avenue North, 475 Century Place, 455 Century Place, 435 Century Place, and 415 Century Place, Onalaska, WI 54650 (Tax Parcels # 18-6303-0, 18-6302-0, 18-6301-0, 18-6300-0, and 18-6299-0).

On voice vote, motion carried.

**Item 6 – Public Hearing: Approximately 7:20 P.M. (or immediately following Public Hearing at 7:10 P.M.) to consider to consider a General Development Plan to create a Planned Unit Development (PUD) application filed by Elmwood Partners Limited Partnership, 1859 Sand Lake Road, Onalaska, WI 54650, to allow for Special Building Envelope Setbacks for the properties located at 676 Marcou Road and 546 Marcou Road, Onalaska, WI 54650 (Tax Parcels # 18-4479-3 and 18-4479-4)**

1. Planned Unit Development Fee $700.00 (PAID).

2. Final Implementation Plan to be submitted for review and approval prior to any development activities.

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

4. Residential dwellings and driveways to be located in the areas noted as "building envelope" and follow the below stated setbacks. If modifications are to be made to proposed location the owner/developer shall either (a) follow traditional zoning setbacks for the Low Density Residential (R-1) Zoning District or (b) amend the Marco Road Planned Unit Development on a lot-by-lot basis with Plan Commission and Common Council approval.
   a. Street Yard Setback: Twenty-five (25) feet;
   b. Side Yards Setback: Twenty (20) feet; and
   c. Rear Yards Setback: Thirty (30) feet.

5. Owner/developer shall record with the La Crosse County Register of Deeds, the legal description of the Planned Unit Development and the Conditions of Approval tied to the development (Final Implementation Plan) and Conditions of Approval and a copy

provided to the Planning Department. These conditions shall not lapse or be waived as a result of any subsequent change in ownership of tenancy.

6. Owner/developer shall not allow disturbance to any thirty (30) percent slopes in addition to a ten (10) foot wide buffer around such slopes on the subject properties. Building pads/residences/structures may not infringe upon these areas.

7. Recommend 13R sprinkler systems for Residence on "Lot 4" due to anticipated topography and potential setbacks of residence.

8. If future lot divisions are to occur, applicant/owner to complete a Certified Survey Map for approval by the Common Council.

9. Any future improvements to these parcels will be subject to additional City permits. 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.

10. 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.

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

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

**Kevin Fry, Elmwood Partners**
**1859 Sand Lake Road**
**Onalaska**

Kevin told commission members that Elmwood Partners is attempting to create two building envelopes for the two larger parcels that were part of the Certified Survey Map from 2008 that will work within the Unified Development Code. One parcel is Lot 3, which is located on the end of the cul-de-sac of Marcou Road. Kevin said this is a more consistent building envelope that will be made larger. Lot 4, which is approximately 13 acres, is located at the corner of Marcou Road and Emerald Valley Drive. This is a slightly larger building envelope that is split by a watermain easement that runs east to west. Kevin noted an existing residence had been on the top of the hill, and that residence was razed in approximately 2005. A pole barn that was located on the existing envelope was razed in 2007. Kevin said, "We just basically asking to be

able to build the new residence where the old one was."

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

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

Katie told commission members this PUD request is to define special building envelopes/setbacks on two existing parcels located at 546 and 676 Marcou Road. Katie noted commission members' packets include the General Development Plan and the Final Implementation Plan Overall Area Map that identifies building envelopes, as well as the GDP and FIP applications. Katie told commission members the following are the requested deviations:

- The applicants are not asking to deviate from any setback exclusive of the maximum. There is a maximum 40-foot street yard setback in the R-1 District. The new envelope standards would allow the applicants to develop anywhere within that area, thereby allowing them to be back further than 40 feet.
- The applicants are showing increased side yard setbacks. The city's zoning rule is 6 feet, and the applicants are proposing 20 feet.
- There is the potential for an accessory structure on Lot 4 to be closer to one of the streets that abuts it than the primary structure, which would be constructed where the farmhouse had been located. The city does not allow accessory structure to be forward a principal structure.

Katie noted the applicants are proposing more than 70 percent of green space, and also that there are very few deviations, if any, from the Unified Development Code in terms of architecture. Katie noted the parcels are required to adhere to the Country Club Estates Declarations and Covenants requiring the architecture of structures be approved by the associated Architectural Review Committee prior to application for building permits. Katie said there are 11 conditions of approval tied to this development.

Motion by Craig, second by Ald. T. Smith, to approve with the 11 stated conditions a General Development Plan to create a Planned Unit Development (PUD) application filed by Elmwood Partners Limited Partnership, 1859 Sand Lake Road, Onalaska, WI 54650, to allow for Special Building Envelope Setbacks for the properties located at 676 Marcou Road and 546 Marcou Road, Onalaska, WI 54650 (Tax Parcels # 18-4479-3 and 18-4479-4).

Jan noted her previous house had been located more than 40 feet from the street, and also that

she had not needed a PUD. Jan asked if this is a new method by the city's new codes.

Katie said, "Generally any time you do not follow a rule, you are supposed to obtain a PUD if you don't obtain a variance. Historically in the past we've had some Planned Unit Developments, but we've also had some plats where they've listed building pad location. We're trying to be more uniform with that where any time you want to show an actual building pad that it not go on a plat and that it go in the Planned Unit Development so that staff can adhere to that. If there are any changes to in the future, you don't have to go and amend your plat and you don't have to do resolutions and a lot of other paperwork. With this, it just goes to the Plan Commission and you propose. One of our previous rules was you needed 5 acres minimum. We now only require 1 acre. You will likely see more PUDs coming forward in the future."

Jan referred to Condition No. 8 and said she does not like speculative designations. Jan asked Kevin if there is an actual proposal for a home.

Kevin told Jan someone had asked this summer what approvals Elmwood Partners had for constructing on a larger parcel on top of a hill. Kevin said Elmwood Partners knew a PUD would be necessary to modify the 2008 approval.

Jan asked Kevin if Elmwood Partners is looking at subdividing the 12-acre lot into further properties in the future.

Kevin told Jan that is not Elmwood Partners' intent.

Mayor K. Smith addressed the pole structure being located closer to the road than the residence, asking if the architectural covenants allow that in that neighborhood.

Katie said the city's rule states the pole structure cannot be forward to the residence. Katie also said it does not state what type of structure it may be, noting it could be any type of accessory structure such as a swimming pool, a garage, or a gazebo. Katie said that would need to be approved the architectural review committee.

Kevin said Elmwood Partners does not have anything he can think of that is farther forward than the residence at the La Crosse Country Club. Kevin also said, "We do not want to take this out if somebody wants to do a pool or something in the future that is forward of the residence since it is such a large parcel. We're just trying to leave options open at this time, but we do not have a plan that I can speak of."

On voice vote, motion carried.

**Item 7 – Public Hearing: Approximately 7:30 PM (or immediately following Public Hearing at 7:20 PM) to consider text amendments to the Unified Development Code (UDC)**

**regarding Open Space Requirements for the Medium Density and High Density Residential Districts (R-3 & R-4 Districts) and such developments in the Mixed-Use Neighborhood and Mixed-Use Community Districts (MU-N & MU-C Districts) in Sections 13.02.51.C. and 13.02.54., respectively, and parking stall striping requirements found in Section 13.03.21.B.4 and Table 13.03.21-1 (Off-Street Parking Spaces Required)**

Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of text amendments to the Unified Development Code (UDC).

Mayor K. Smith called three times for anyone wishing to speak in favor of text amendments to the Unified Development Code (UDC) and closed that portion of the public hearing.

Mayor K. Smith called three times for anyone wishing to speak in opposition to text amendments to the Unified Development Code (UDC) and closed the public hearing.

Katie noted existing and proposed languages for the sections Mayor K. Smith had mentioned have been included in commission members' packets. Katie addressed Section 13.02.51.C, which is related to open space standard, and said there was an error in the Unified Development Code city staff has since found. Previously as part of the minimum open space requirement, the city did not allow setback areas. Setback areas are allowed, and they have been previously allowed in the code. Katie said city staff wishes to remove that from an exemption to being allowed in the overall count. Katie noted the city previously did not have an R-3 District, only an R-4 District. City staff recommends that any development in the R-3 District also have a minimum of a 25-percent green space to be consistent for the city's low medium density and its high density residential districts.

Katie next addressed Section 13.02.54 and said, "Tying into that, when we now have the opportunity for a mixed-use district, you are not required to do a mixed-use development. You could do, if you wanted, 100 percent multifamily. In that event, we would now be requiring you to follow that 25 percent minimum space. We do not have that today, so in theory you could in a mixed-use district build it up entirely without any green space requirement. If you want to do strictly a multifamily development in a mixed-use district, we would require you to have that green space requirement – again, as a minimum of 25 percent."

Katie next addressed parking, stating city staff wants to ensure that when there are site plans coming forward and applicants show that they will be creating parking stalls, the stalls are striped accordingly. Katie said, "This is basically noting that it's not just strictly for handicapped and employee/customer parking, but all parking spaces shall be clearly identified." Katie noted the lone exemption is related to automobile sales and leasing services. This is based on feedback the Plan Commission had received at its August 25 meeting. Katie said the new language that is specific only to this use states: *"Parking stalls for inventory only are not required to be individually striped, but shall be delineated in a way to demonstrate compliance with parking*

*stall minimum."* Katie noted it has been written that way to allow a developer flexibility in these areas, and she said, "We're trying to find middle ground with our developers, but at the same time make sure that customers know where they're supposed to park and [where] employees park … And also to make sure that we're requiring the minimum number of ADA stalls per development."

Motion by Craig, second by Skip, to approve text amendments to the Unified Development Code (UDC) regarding Open Space Requirements for the Medium Density and High Density Residential Districts (R-3 & R-4 Districts) and such developments in the Mixed-Use Neighborhood and Mixed-Use Community Districts (MU-N & MU-C Districts) in Sections 13.02.51.C. and 13.02.54., respectively, and parking stall striping requirements found in Section 13.03.21.B.4 and Table 13.03.21-1 (Off-Street Parking Spaces Required).

On voice vote, motion carried.

**Item 8 – Review and Consideration of a Certified Survey Map for the Abbey Court Apartments to reconfigure and subdivide two (2) parcels into three (3) new parcels at 2097 Abbey Road, 2091 Abbey Road, 2101 Abbey Road, 2107 Abbey Road, 2111 Abbey Road, 2117 Abbey Road (Apts. 101-410), 2121 Abbey Road (Apts. 101-308), & 2169 Abbey Road, Onalaska, WI 54650 (Tax Parcels # 18-4511-300 & 18-6368-0)**

1. CSM Fee of $75.00 + $10.00 per lot x 3 lots = $105.00 due before final approval of CSM by the City. (PAID)

2. La Crosse Wastewater Treatment Plan Sanitary Sewer Connection Fee (per residential equivalent connection/unit (REC)) due at time of plumbing permit issuance. Estimated fee is $730.00/REC. Owner/developer to pay finalized fee for all remaining apartment buildings and the respective residential equivalent connection counts yet to be constructed as part of the Abbey Road Development Planned Unit Development.

3. Approval of proposed Certified Survey Map is contingent upon approval of the associated Planned Unit Development Amendment by the Common Council.

4. The City of Onalaska to transfer Outlot 1 of Abbey Road Estates Plat less that area outlined as Outlot 2 in Certified Survey Map (CSM) Vol. 17 Pg. 132 .(11 acres), to Abbey Road Development and Developer/Property Owner to draft a Warranty Deedto complete the land transfer. Developer/Property Owner to provide a check in the amount of Thirty Dollars ($30.00) made payable to the La Crosse County Register of Deeds to record the land transfer to the City of Onalaska. The City will have the document recorded at the La Crosse County Register of Deeds and will provide the Developer/Property Owner the original recorded document.

5. After Outlot 1 is transferred to Abbey Road Development, the City of Onalaska may sign the associated Certified Survey Map (CSM) for the lot reconfiguration from two (2) parcels into three (3) parcels. Developer/Property Owner to record the CSM at the La Crosse County Register of Deeds and provide the City a copy of the recorded document.

6. New lot pins required. Intermediate lot stakes required for all lots over 150' in depth.

7. CSM shall note all easements (water, sewer, storm, access, etc.).

8. Cross-lot access easements for orderly flow of traffic. Cross lot access maintained for emergency vehicle access.

9. Utility installations and connections shall be installed per original overall water, sanitary sewer, stormwater, drainage, etc. plans. Any alterations to be approved by City Engineering Department.

10. Developer/Property owner to record said CSM with the La Crosse County Register of Deeds and provide a copy to the Engineering Department.

11. Any future improvements to these parcels will be subject to additional City permits (i.e., building permits, site plan, zoning approvals).

12. 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.

Katie said the applicant is requesting to merge two parcels and further subdivide into three parcels. Lot 1 is proposed to be combined with Outlot 1 (.11 acres), which is owned by the City of Onalaska (Tax Parcel #18-6368-0). The City of Onalaska would transfer Outlot 1 to Abbey Court Apartments LLC Development and once merged, Lot 1 to contain 1.96 acres, Lot 2 to contain 3.75 acres, and Lot 3 to contain 6.19 acres. Through a Planned Unit Development (PUD), the applicant is asking for a deviation from the Unified Development Code (UDC) to allow for reduced street frontage from 100 feet to 60.44 feet. All of the parcels (with the exception of Lot 1) meet minimum lot requirements in the High Density Residential (R-4) Zoning District. Katie noted there are 12 conditions of approval tied to this development.

Motion by Ald. T. Smith, second by Craig, to approve with the 12 stated conditions a Certified Survey Map for the Abbey Court Apartments to reconfigure and subdivide two (2) parcels into three (3) new parcels at 2097 Abbey Road, 2091 Abbey Road, 2101 Abbey Road, 2107 Abbey Road, 2111 Abbey Road, 2117 Abbey Road (Apts. 101-410), 2121 Abbey Road (Apts. 101-308), & 2169 Abbey Road, Onalaska, WI 54650 (Tax Parcels # 18-4511-300 & 18-6368-0).

On voice vote, motion carried.

**Item 9 – Review and Consideration of a Final Implementation Plan to create a Planned Unit Development (PUD) application filed by Elmwood Partners Limited Partnership, 1859 Sand Lake Road, Onalaska, WI 54650, to allow for Special Building Envelope Setbacks for the properties located at 676 Marcou Road and 546 Marcou Road, Onalaska, WI 54650 (Tax Parcels # 18-4479-3 and 18-4479-4)**

1. Residential dwellings and driveways to be located in the areas noted as "building envelope" and follow the below stated setbacks. If modifications are to be made to proposed location the owner/developer shall either (a) follow traditional zoning setbacks for the Low Density Residential (R-1) Zoning District or (b) amend the Marco Road Planned Unit Development on a lot-by-lot basis with Plan Commission and Common Council approval.
   a. Street Yard Setback: Twenty-five (25) feet;
   b. Side Yards Setback: Twenty (20) feet; and
   c. Rear Yards Setback: Thirty (30) feet.

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

3. Owner/developer shall record with the La Crosse County Register of Deeds, the legal description of the Planned Unit Development and the Conditions of Approval tied to the development (Final Implementation Plan) and Conditions of Approval and a copy provided to the Planning Department. These conditions shall not lapse or be waived as a result of any subsequent change in ownership of tenancy.

4. Owner/developer shall not allow disturbance to any thirty (30) percent slopes in addition to a ten (10) foot wide buffer around such slopes on the subject properties. Building pads/residences/structures may not infringe upon these areas.

5. Recommend 13R sprinkler systems for Residence on "Lot 4" due to anticipated topography and potential setbacks of residence.

6. If future lot divisions are to occur, applicant/owner to complete a Certified Survey Map for approval by the Common Council.

7. Any future improvements to these parcels will be subject to additional City permits. 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 minutes shall not release the property owner/developer from abiding by the City's Unified Development Ordinance requirements.

Katie said that when an applicant is prepared to do so, the city can run a General Development Plan and a Final Implementation Plan concurrently, which is the Final Implementation Plan that is before the Plan Commission this evening. Katie said there are no changes in terms of the staff report from the General Development Plan to the Final Implementation Plan, and she noted there are nine conditions of approval tied to this development.

Motion by Craig, second by Jarrod, to approve with the nine stated conditions a Final Implementation Plan to create a Planned Unit Development (PUD) application filed by Elmwood Partners Limited Partnership, 1859 Sand Lake Road, Onalaska, WI 54650, to allow for Special Building Envelope Setbacks for the properties located at 676 Marcou Road and 546 Marcou Road, Onalaska, WI 54650 (Tax Parcels # 18-4479-3 and 18-4479-4).

On voice vote, motion carried.

**Item 10 – Discussion related to modifications to Conditions of Approval for "Minor Amendments" to Planned Commercial Industrial Districts (PCIDs) and Planned Unit Developments (PUDs) in the City of Onalaska, WI 54650**

Katie noted more PUDs are being created, and more amendments also have come forward to the Plan Commission. Katie noted there are three rules, and individuals who hit one of those rules are required to bring it forward a major amendment. The rules are:

- If the uses proposed are allowed in the original.
- Does the development result in a significant increase in density?
- Does the development reduce setbacks or other applicable standards?

Katie said all are considered major amendments in those cases, and city staff would request a public hearing at the Plan Commission level. The Plan Commission then would take action, followed by the Common Council. Katie said city staff has a question that is not strictly covered by the code, and she noted there are several conditions the city installs on a Planned Unit Development. Katie also noted there are examples that have occurred, citing the example of the former Carlos O'Kelly's building, which was proposed for demolition. Katie said, "When that originally went in, they were required to put a sidewalk on the northern part of the building facing McDonald's. That was listed as a condition on the Planned Commercial Industrial District. Later, what they requested to do is they said they're not providing parking on that area.

They would rather do a landscaping buffer along the building foundation in lieu of that area for a sidewalk. Because it wasn't considered a major or necessarily a minor amendment because it was changing a condition, staff made that determination on our own in order to allow that development to continue.

However, I would like to know if that is something the Plan Commission would like to have. It's essentially, if there is a condition that they want to do to change a condition [or] to modify it [or] to remove it, is that something that the Plan Commission would like to have on your agenda for consideration? If we add a condition, it has to come back. But if we want to modify a condition or delete a condition, does the Plan Commission want to be notified? Or do you want staff to handle that internally? Our ordinance does not tell us one way or the other."

Mayor K. Smith asked where pedestrians are supposed to walk if there is no sidewalk in the area Katie had mentioned.

Katie noted there was a sidewalk on the eastern side of the building, and she said it was an additional sidewalk the developer believed was better served with a planting buffer. Katie noted the developer had no place to put a planting buffer which, per ordinance, was required on that side. Katie said it would have been necessary to reduce the width of the sidewalk, and the amount of parking also was reduced significantly. Katie added, "That's why we moved forward with that."

Mayor K. Smith noted the other side of the building is quite a distance, and thus would not aid a pedestrian. Mayor K. Smith stated she has a general concern for pedestrians, especially in the areas where neighborhoods are located in close proximity to retail establishments.

Jarrod said the sidewalk around the perimeter along the street frontage is still present and part of the development. Jarrod noted this was the sidewalk along the building, and the sidewalk was from the parking area that had an irregular layout. Jarrod said it really was not taking away any pedestrian access, and he noted it still will be possible to walk on the sidewalk along the street. Jarrod noted there was irregular angle parking present, but the parking lot has been reconfigured. Jarrod said, "It's actually better than it was originally, plus they put the landscaping where the … Nobody ever used the sidewalk right next to the building. Everybody walked through the parking lot." Jarrod told Mayor K. Smith that is an example of something city staff most likely would bring back to the Plan Commission.

Katie told commission members city staff can send a site plan to the Plan Commission and said, "It's written into the ordinance that staff are in charge of it. But if we think there are things that the Plan Commission should need to weigh in on, we can automatically bring it to you regardless as to what the developer would like."

Craig said he believes the Plan Commission needs to continue to allow city staff do its job, and

should staff members feel the need to bring something to the Plan Commission, he feels very comfortable they will do so.

Ald. T. Smith said he agrees, stating he believes city staff is competent and knows when to bring something forward to the Plan Commission.

Katie said if she is interpreting the discussion correctly, the process should continue as it does currently. If city staff feels uncomfortable or believes the Plan Commission should take action, staff will bring forward anything pertaining to deleting a condition or modifying a condition to better a development. Any instances when a condition must be added must come before the Plan Commission.

Amber said she believes city staff is very competent, and that the city should proceed with taking action as long as there is no reason that the public would want to provide input.

**Adjournment**

Motion by Craig, second by Ald. T. Smith, to adjourn at 8:27 p.m.

On voice vote, motion carried.

Recorded by:

Kirk Bey