

**Plan Commission
of the City of Onalaska**

Tuesday, September 28, 2021

1

1 The Meeting of the Plan Commission of the City of Onalaska was called to order at 7:00 p.m. on
2 Tuesday, September 28, 2021. It was noted that the meeting had been announced and a notice
3 posted at City Hall.

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

8
9 Also Present (either in person or remotely): Planning Manager Katie Aspenson, Deputy City
10 Clerk Stacy Wilk, Fire Chief Troy Gudie, Ald. Cari Burmaster, Ald. Diane Wulf

11
12 **Item 2 – Consideration and action on minutes from the previous meeting**

13
14 Motion by Skip, second by Craig, to approve the minutes from the previous meeting as printed
15 and on file in the City Clerk’s Office.

16
17 On voice vote, motion carried.

18
19 **Item 3 – Public Input (limited to 3 minutes per individual)**

20
21 Mayor K. Smith called for anyone wishing to provide public input.

22
23 **Pam Welke**
24 **707 2nd Avenue Southwest**
25 **Onalaska**

26
27 “I was not aware that Scooter’s Coffee was going to be building next to my property. My
28 property is connected with the walls down below with Diane’s lawn, which used to be Dave’s
29 Barbershop. I’ve been there for almost 20 years. There are rods running in. If that starts getting
30 torn out, my house is going to collapse. Plus, my privacy is going to be invaded. I’m a disabled
31 widow who’s been living there for quite a few years raising my kids. It’s been private, and it’s
32 been a good home. This is not working for me. I’ve got dogs. What am I supposed to do, be
33 open to the roads and the cars and the fumes more? It’s been private all these years on that
34 island. This is not right, what’s happening for me. I will get damage; once they tear, my place
35 will start collapsing because it was built back in World War II with Diane’s ... it used to be
36 Dave’s Barbershop there. Somebody has to give a little bit for us little people. That’s my home.
37 What am I supposed to do – watch my place crumble because of more money to be made by
38 more businesspeople? Come on, give me a little bit of a break here, people. I’ve lost enough
39 already to the system. My husband died three years ago after being overmedicated and bounced
40 off four or five vehicles and nobody cared. And the cops didn’t care, either. They never came to
41 me when he bounced off four vehicles; I had to find that out myself. Please give me the break to
42 stay in my home to die with privacy and decency.

Reviewed 09/30/2021 by Katie Aspenson

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43
44 Nobody told me this was going in until this last moment. I knew there was something going on,
45 but I was told, ‘You’ll be OK. Your house is fine. Go ahead, do your remodeling.’ They didn’t
46 tell me it was going to be next door. Please, give me a break on this. How am I supposed to
47 function in there like this? I won’t have privacy. My wall will collapse. My garage will
48 collapse from this building. It’s on a hill. They are old properties, and I’m slapped right next
49 door to it. That’s all I can say. Please do something about this. Do not let this happen to me.
50 Please, don’t let this happen to me. I love my house. I like my privacy. I understand it’s old,
51 but I’m putting it together and I keep it together. I pay my taxes like everyone else. Please do
52 not take this away from me. I’ve lost enough already with the system. Give me a break here; I
53 need it. I’m all by myself to fight this all by myself because I’m the only one homesteaded in
54 there. Please, let me have a meaning. Thank you.”

55
56 **Josh Neumann**
57 **N6843 McCurdy Road**
58 **Holmen**

59
60 “I’m the real estate agent involved in this transaction for the development on 711 and 715
61 Second Avenue South. I just wanted to make sure it was brought to your attention that we did
62 approach neighboring properties to see if they were interested in selling along with the rest of the
63 redevelopment. I just wanted to make sure that was noted.”

64
65 Mayor K. Smith called three times for anyone else wishing to provide public input and closed
66 that portion of the meeting.

67
68 **Consideration and possible action on the following items:**

69
70 **Item 4 – Public Hearing to amend the Crestwood Estates Planned Unit Development (PUD)**
71 **to redefine building setbacks for Lot 4 Crestwood Lane within the Crestwood Estates**
72 **Subdivision. Tax Parcel #18-6554-0. Applicants: Kirchner Custom Builders, Inc.**

- 73
74 1. Planned Unit Development Fee for \$700.00 dollars (PAID).
75
76 2. Adhere to all Crestwood Estates Planned Unit Development Conditions of Approval as
77 approved by the Common Council on February 12, 2019:
78 a. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each
79 buildable lot. 18 total lots * \$922.21/unit = \$16,599.788 dollars.
80 b. Topography Map fee of \$10.00 (per acre) \$10/acre x 23.16 acres = \$231.60 dollars to
81 be paid prior to obtaining a Building Permit.
82 c. Development is contingent upon City installation of water booster station along
83 Crestwood Lane. Installation of water booster station is contingent upon City funding
84 the project through the City of Onalaska Capital Improvements Budget, receiving

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- 85 necessary permits and approvals, and obtaining lands for the water booster station.
- 86 d. Owner/developer to be aware that City water system provides service to elevation
- 87 930'; meeting Wisconsin DNR minimum pressure requirements. Owner/developer to
- 88 be aware Wisconsin DNR minimum water pressure supplied at a main is 35 psi,
- 89 which occurs at elevation 930' in the City of Onalaska High Service Zone. Water
- 90 pressure for owner satisfaction in a typical residential home is higher than the
- 91 Wisconsin DNR minimum. Lots 13-18 building pad and home elevations will exceed
- 92 service elevation for water system. Owner/developer to supply City with written plan
- 93 for water service to these lots. Owner/developer is required to inform all lot buyers of
- 94 water pressures within the Crestwood Estates development.
- 95 e. All infrastructure design for development to be approved by the City Engineer.
- 96 Review of street widths and pavement cross section with final approval by the City
- 97 Engineer.
- 98 f. Phasing of construction of infrastructure in development to be coordinated with City
- 99 infrastructure installation along Crestwood Lane.
- 100 g. Final Implementation Plan to be submitted for review and approval prior to any
- 101 development activities.
- 102 h. Owner/developer shall record with the La Crosse County Register of Deeds, the legal
- 103 description of the Planned Unit Development and the Conditions of Approval tied to
- 104 the development. These conditions shall not lapse or be waived as a result of any
- 105 subsequent change in ownership of tenancy.
- 106 i. If in the future the owner/developer creates Declaration of Covenants, Conditions and
- 107 Deed Restrictions, etc. that at a minimum address maintenance, repair, and
- 108 replacement of parking lots/private drives, the buildings including all common areas
- 109 and green spaces, stormwater management/easement areas, as well as any ownership
- 110 or use restrictions for the parcel/development; a copy shall be provided to the
- 111 Planning Department and recorded at the La Crosse County Register of Deeds. Any
- 112 amendments to the aforementioned document to be recorded at the La Crosse County
- 113 Register of Deeds and a copy provided to the Planning Department.
- 114 j. Master Grading and Stormwater plan to be reviewed & approved by the City
- 115 Engineer.
- 116 k. Thirty (30) percent slopes to be identified on a plan and also indicate a ten (10) foot
- 117 buffer surrounding the identified slopes. Building pads/residences/structures may not
- 118 infringe upon this area.
- 119 l. Owner/developer to submit a digital and hard copy of the WIDNR NR 216/NOI
- 120 application, permit, approval letter and associated data prior to construction to the
- 121 Engineering Department. A City Erosion Control Permit for greater than one (1) acre
- 122 of land disturbance is required before any earth moving activities occur. Permit to be
- 123 reviewed and approved a minimum of ten (10) days prior to construction activities.
- 124 m. All erosion control BMPs (Best Management Practices) to be installed prior to the
- 125 start of any construction activities. Swale areas/stormwater ponds to be dug prior to
- 126 start of construction and prior to initial grading to act as sediment traps. Track pad(s)

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- 127 to be installed with a minimum of 3- to 6-inch stones, one (1) foot deep and fifty (50)
128 feet in length. All disturbed areas to have black dirt placed and seeded within seven
129 (7) days of disturbance.
- 130 n. Master Utility Plan (including any phasing) to be reviewed and approved by the City
131 Engineer including a schedule. Any utilities dedicated to the City of Onalaska shall be
132 in a dedicated right-of-way, outlot, or easement. Master Utility Plan to note hydrant
133 locations.
- 134 o. Land Preservation Plan (landscaping/open space/tree preservation) to be reviewed
135 and approved by the Planning Department.
- 136 p. Note tree removal / clearing / grubbing limitations on Grading Plan.
- 137 q. City-furnished Inspector required during utility installations and developer to pay
138 costs.
- 139 r. As-builts of all utility work required to be submitted to the Engineering Department
140 within sixty (60) days of occupancy of first residential dwelling.
- 141 s. Owner/developer to obtain letters from utility service providers noting that there is
142 adequate power, natural gas, and telephone/internet services available to serve this
143 project and provided to the Engineering Department.
- 144 t. All lot pins to be installed at 150' (maximum interval).
- 145 u. Recommend 13R sprinkler systems for residences due to anticipated topography,
146 setbacks of homes of streets and non-direct driveways.
- 147 v. Any future improvements to these parcels will be subject to additional City permits
148 (i.e., site plan approvals, building permits, zoning approvals). Owner/developer shall
149 pay all fees and have all plans reviewed and approved by the City prior to obtaining a
150 building permit. Owner/developer must have all conditions satisfied and
151 improvements installed per approved plans prior to issuance of occupancy permits.
- 152 w. All conditions run with the land and are binding upon the original developer and all
153 heirs, successors and assigns. The sale or transfer of all or any portion of the property
154 does not relieve the original developer from payment of any fees imposed or from
155 meeting any other conditions.
- 156 x. Any omissions of any conditions not listed in minutes shall not release the property
157 owner/developer from abiding by the City's Unified Development Code
158 requirements.
- 159
- 160 3. Adhere to all Crestwood Estates Planned Unit Development Amendment Conditions of
161 Approval as approved by the Common Council on June 9, 2020:
- 162 a. Planned Unit Development Fee for \$700.00 dollars (PAID).
- 163 b. Adhere to all Crestwood Estates Planned Unit Development Conditions of Approval
164 as approved by the Common Council on February 12, 2019: (see Condition #2
165 above).
- 166 c. Park Fee of \$922.21 (per unit) due prior to issuance of building permit for each
167 buildable unit. 22 total unit * \$922.21/unit = \$20,288.62 dollars. Note: if the Park Fee

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- 168 increases in the future, the property owner will be required to pay the increased Park
169 Fee at the time of the development.
- 170 d. Water booster station construction has been delayed and it is projected it may not be
171 available for use until end of 2020 (Date has not been confirmed). Building permits
172 for 3 structures can be issued but no final occupancy will be issued until City has
173 water booster station is in service.
- 174 e. Applicant to create an Outlot for “Pond A” to be dedicated to the City of Onalaska
175 and provide an accessible access easement to the City for maintenance purposes.
- 176 f. Topography Map fee of \$10.00 (per acre) \$10/acre x 23.16 acres = \$231.60 dollars to
177 be paid prior to the City of Onalaska signing the Final Plat.
- 178 g. Applicant to note on Planned Unit Development and subsequent replatting
179 documents, shared driveway easements where applicable.
- 180 h. Applicant to re-apply for a new Preliminary Plat and Final Plat for Crestwood Estates
181 Subdivision to the City of Onalaska and Wisconsin Department of Administration.
- 182 i. Provided the Final Plat is approved by the City of Onalaska and Wisconsin
183 Department of Administration and after “Lot 9” is assigned a Tax Parcel Number.
184 Applicant to apply to rezone “Lot 9” as indicated in the proposed attachment from R-
185 1 District to the R-3 District to allow the construction of up to eight (8) units on a
186 single parcel.
- 187 j. Once “Lot 9” has been appropriately zoned to the R-3 District, applicant shall submit
188 a Condominium Plat in accordance with Chapter 703, Wis. Stats. for approval by the
189 Wisconsin Department of Administration. Applicant to provide all associated
190 documentation submitted the Department of Administration to the City of Onalaska.
- 191 k. Any future improvements to these parcels will be subject to additional City permits
192 (i.e., site plan approvals, building permits, zoning approvals). Owner/developer shall
193 pay all fees and have all plans reviewed and approved by the City prior to obtaining a
194 building permit. Owner/developer must have all conditions satisfied and
195 improvements installed per approved plans prior to issuance of occupancy permits.
196
- 197 4. Owner/developer shall provide the City with a check in the amount of \$30.00 made
198 payable to the La Crosse County Register of Deeds. The City shall cause to be recorded
199 the legal description of the Planned Unit Development and the Conditions of Approval
200 tied to the development. These conditions shall not lapse or be waived as a result of any
201 subsequent change in ownership of tenancy.
202
- 203 5. **Planned Unit Development Request #1 (Previously Approved).** Residential dwellings
204 and driveways to be located in the areas noted as “building pad” and “driveways” on the
205 Final Plat. If modifications are to be made to proposed location the owner/developer shall
206 either (a) follow traditional zoning setbacks for the Low Density Residential (R-1)
207 Zoning District or (b) amend the Crestwood Estates Planned Unit Development on a lot-
208 by-lot basis with Plan Commission and Common Council approval.
209

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- 210 6. Planned Unit Development Request to Amend Condition #4 above: Lot 4 of Crestwood
211 Estates Subdivision/Planned Unit Development to follow the below defined setbacks:
212 • Street Yard: 52’8” feet and 38’2” feet; (foundation corners)
213 • Side Yard: 6 feet (minimum); and
214 • Rear Yard: 30 feet (minimum).
215

216 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of
217 amending the Crestwood Estates PUD.
218

219 **Martin Kirchner, Kirchner Custom Builders, Inc.**
220 **2809 28th Street South**
221 **La Crosse**
222

223 Martin Kirchner’s comments were inaudible on the Zoom recording. The applicant stated he
224 was the builder for the development. When the development was originally approved, they
225 predetermined building sites and to no fault of the original developer, this owner wants to build
226 on beyond the original building footprint. The lots are large and the applicant wants to move the
227 footprint – he is supportive of the development. (*paraphrased comments*)
228

229 **Josh Neumann**
230 **N6843 McCurdy Road**
231 **Holmen**
232

233 “Ironically, I am the listing agent on that development right now. It would be a great asset for
234 the community. Certainly, I think when it was a preliminary design where those footprints were,
235 those are large, expansive lots, so there’s certainly room to expand the footprints that were
236 initially designed in the PUD. Again, the lots are all oversized lots for city water and sewer that
237 you see in other areas. I’m definitely in favor of it.”
238

239 Mayor K. Smith called three times for anyone else wishing to speak in favor of amending the
240 Crestwood Estates PUD and closed that portion of the public hearing.
241

242 Mayor K. Smith called three times for anyone wishing to speak in opposition to amending the
243 Crestwood Estates PUD and closed the public hearing.
244

245 Katie told commission members both the Plan Commission and the Common Council had
246 previously approved a Preliminary Plat, a Final Plat, and a Planned Unit Development for an 18-
247 lot residential development in Nathan Hills, Crestwood Estates. As part of the PUD amendment,
248 the original developer indicated building pads for where he believed the buildings would be best
249 suited. Katie said, “For all new parcels and dwellings within that final plat, and in the event like
250 we have tonight that a purchaser wishes to modify the setbacks or build a larger structure, they
251 can either propose new setbacks or follow our standard R-1 District setbacks by amending our
Reviewed 09/30/2021 by Katie Aspenson

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252 Planned Unit Development.” Katie explained that this PUD request is to reestablish building
253 setbacks specifically for Lot 4 of the Crestwood Estates Subdivision, which is shown on the plan
254 included in commission members’ packets, for a single-family dwelling. Katie noted there are
255 six conditions of approval, and she also noted city staff is always including six conditions of
256 approval. Katie said, “We’re always including the past because we record this with the La
257 Crosse County Register of Deeds so future buyers know what they’re purchasing when they get a
258 lot within this subdivision.”

259

260 Motion by Craig, second by Ald. T. Smith, to approve with the six stated conditions amending
261 the Crestwood Estates Planned Unit Development (PUD) to redefine building setbacks for Lot 4
262 Crestwood Lane within the Crestwood Estates Subdivision. Tax Parcel #18-6554-0. Applicants:
263 Kirchner Custom Builders, Inc.

264

265 On voice vote, motion carried.

266

267 **Item 5 – Public Hearing to annex City-owned parkland (1.41 acres) from the Town of**
268 **Onalaska to the City of Onalaska located at N5367 Rylla Street, Onalaska, WI 54650. Tax**
269 **Parcel #10-2467-0. Applicant: City of Onalaska**

270

271 1. Annexation Application Fee: WAIVED

272

273 2. East Avenue North Sanitary Sewer Fee: WAIVED

274

275 3. Annexed land to be placed in Park & Open Space (P-2) District.

276

277 4. Annexed land to be merged with adjacent City parkland (Tax Parcel # 18-5595-0).

278

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

282

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

287

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

290

291 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
292 annexation.

293

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8

294 Mayor K. Smith called three times for anyone wishing to speak in favor of the annexation and
295 closed that portion of the public hearing.

296

297 Mayor K. Smith called three times for anyone wishing to speak in opposition to the annexation
298 and closed the public hearing.

299

300 Katie told commission members that Wellington Greens Park is located in both the City of
301 Onalaska and the Town of Onalaska. The intention is to annex the remaining parkland from the
302 Town of Onalaska into the City of Onalaska and merge together those parcels. Katie said it is
303 good practice to have city-owned land within the City of Onalaska so that it may govern its lands
304 consistently with its zoning and building codes, accordingly. Katie also noted there are seven
305 conditions of approval.

306

307 Motion by Ald. T. Smith, second by Craig, to approve with the seven stated conditions the
308 annexation of City-owned parkland (1.41 acres) from the Town of Onalaska to the City of
309 Onalaska located at N5367 Rylla Street, Onalaska, WI 54650. Tax Parcel #10-2467-0. Applicant:
310 City of Onalaska.

311

312 On voice vote, motion carried.

313

314 **Item 6 – Public Hearing for a General Development Plan application to create a Downtown**
315 **Planned Unit Development filed by Northern Grounds, LLC to facilitate the construction**
316 **of Scooter’s Coffee located at 711 & 715 2nd Avenue South, Onalaska, WI 54650. Tax**
317 **Parcels #18-1473-0 and 18-1474-0. Applicant: Scooter’s Coffee**

318

319 1. Planned Unit Development Fee for \$700.00 dollars (PAID).

320

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

325

326 3. Final Implementation Plan to be submitted for review and approval by the Plan
327 Commission and Common Council prior to any development activities.

328

329 4. Owner/developer to merge Tax Parcels # 18-1473-0 & 18-1474-0 into a single parcel
330 once prior to construction activities. Work with La Crosse County Land Records to
331 complete this condition.

332

333 5. Owner/developer to obtain any required permits from the Wisconsin Historical Society
334 prior to construction activities.

335

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- 336 6. Owner/developer shall provide the City with a check in the amount of \$30.00 made
337 payable to the La Crosse County Register of Deeds. The City shall cause to be recorded
338 the legal description of the Planned Unit Development and the Conditions of Approval
339 tied to the development. These conditions shall not lapse or be waived as a result of any
340 subsequent change in ownership of tenancy.
341
- 342 7. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
343 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
344 and improvements installed per approved plans prior to issuance of occupancy permits.
345
- 346 8. All conditions run with the land and are binding upon the original developer and all heirs,
347 successors and assigns. The sale or transfer of all or any portion of the property does not
348 relieve the original developer from payment of any fees imposed or from meeting any
349 other conditions.
350
- 351 9. Any omissions of any conditions not listed in committee minutes shall not release the
352 property owner/developer from abiding by the City's Unified Development Code
353 requirements.
354
- 355 10. **Planned Unit Development Request #1.** Owner/developer is allowed to install retaining
356 walls in excess of six (6) feet in height, as needed, on condition that the Developer
357 provides the Engineering Department with stamped engineered plans that detail proposed
358 location(s) and height(s) of necessary retaining walls. Additionally, the maximum
359 allowed height of any one (1) retaining wall shall be up to eighteen (18) feet and any wall
360 in excess of six (6) feet shall have a fence installed on top of the wall a minimum of
361 forty-two (42) inches in height.
362
- 363 11. **Planned Unit Development Request #2.** Owner/developer is allowed to have a drive-
364 through facility between the principal structure and the residential dwelling to the north
365 and 2nd Avenue SW, and Ash Street as shown on the attached site plan, waiving the
366 requirement found in Section 13.02.68.H.2. related to location of drive-through facilities.
367
- 368 12. **Planned Unit Development Request #3.** Owner/developer is allowed to reduce the
369 required number of tree plantings to thirteen (13) from seventeen (17) trees.
370

371 Mayor K. Smith opened the public hearing and called for anyone wishing to speak in favor of the
372 General Development Plan application to create a Downtown Planned Unit Development.
373

374 **Zack Mueller**
375 **Clear Lake, Iowa**
376

377 Zack identified himself as a partner with Northern Grounds, LLC, and he said, "We're a family
378 operation, so it's not a corporate ownership of this building. We're a family operation with

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379 Randy Mumm, who's also here, and his two daughters and myself and my brother-in-law. We
380 are excited to serve the community. We hope to be open, if this passes, sometime at the end of
381 this year or the beginning of next year. We have spent quite a lot of time in the La
382 Crosse/Onalaska/Holmen area, and we really love this location. We really love the proximity to
383 [Onalaska] High School. We want to be involved with the community here. We are willing to
384 do what we can to accommodate neighbors; we're flexible. Like I said, we're not a corporate
385 giant that just sits in an office in a skyscraper. We understand what it's like to live in a small
386 town, so we are willing to do what we can with the Council and with the community. We just
387 want to be a part of it."

388

389 **R.J. Miller, Miller Quik Print**

390 **715 2nd Avenue South**

391 **Onalaska**

392

393 "We've been here for 38 years on that corner. I'll be honest with you: Our building and the
394 building next to it have been there a long time, and they're old. I'm also involved a little bit with
395 the city in different ways that you know. But when this opportunity came up, I looked at it as a
396 real positive for Onalaska. That corner is basically the 'I' to Onalaska when people come in
397 from off of [Interstate 90]. They come to that intersection first. It's sometimes kind of been, in
398 my eyes, sad to see what they see. The opportunity to have new buildings, new structures [and]
399 a new entrance to Onalaska is, I think, exciting for Onalaska. Of course, I didn't see this
400 coming, so we've been rapidly trying to figure out how to merge or whatever we're going to do
401 with our businesses. But as far as I can see, this is a real plus for Onalaska. I feel it will improve
402 the entrance to Onalaska. I know that you've been building from Main Street back, but from my
403 point of view, this is moving them together. Thank you for your time."

404

405 **Josh Neumann**

406 **N6843 McCurdy Road**

407 **Holmen**

408

409 "I don't know if I'm using more than my allotted time this evening or not, but I just wanted to
410 speak on behalf of the ownership group. From the beginning, since they reached out, they've
411 been incredibly easy to work with. And like Zack just mentioned, [there is] the intention to
412 [make] a long-term investment into the community. They've been very clear about that, and
413 they're excited for that. Also, just echoing what R.J. just stated as far as the entrance into the
414 city, I think it will be an awesome asset. I had a chance to see some pictures of some of their
415 other establishments, and it will be really attractive for people coming into town. Again [they
416 are] very easy to work with. [They are] very flexible and willing to work with the city as far as
417 what needs to be done with planting and signs and different things to make it work for the
418 properties around it. I appreciate your time. Thank you."

419

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

Reviewed 09/30/2021 by Katie Aspenson

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421 Development Plan application to create a Downtown Planned Unit Development and closed that
422 portion of the public hearing.

423

424 Mayor K. Smith called for anyone wishing to speak in opposition to the General Development
425 Plan application to create a Downtown Planned Unit Development.

426

427 **Pam Welke**

428 **707 2nd Avenue Southwest**

429 **Onalaska**

430

431 Pam noted she has resided at her current address for more than 20 years, and she said, “My
432 husband and I raised our kids here. I’ve been in this community all my life, pretty much. I
433 remember when Center 90 was not there; I remember that as a field. I remember Service
434 Masters being a dress and purse store. I remember when the root beer stand used to be on the
435 drag. This house means everything to me. Right now, I am doing remodeling on it. I have
436 contractors coming to put new windows, doors, and a whole front of my house on the 11th of
437 October, so I am upkeeping my property. I just know that if you put this next door, it’s going to
438 crumble my property. Yes, it’s an old property from the ‘40s, but it’s homesteaded by me, and I
439 pay my taxes every year. It means a lot when the little person living in the place gets to keep
440 their place to die. It’s my home. I love it. My dogs live in it with me. I am happy with the
441 location. I still have my clotheslines up from back in the ‘40s, and I hang clothes out there. It
442 still has a country atmosphere going off. Don’t take everything out of this town just for money.
443 It’s got to be more than just money all the time. I’m sorry if I’m the only one homesteader, but
444 I’m happy with my home and I don’t want to see it crumbling because they rip into that hill.

445

446 Those walls down below, the way they built them back in the ‘40s, they have pipes in them.
447 They have metal pipes in them. They tear that out, mine is coming down. Am I supposed to
448 stand there and watch my place crumble for progress for a coffee place? Seriously, give me a
449 little bit of a break on my home. It’s my home. I love my home. I won’t have any privacy.
450 There will be damage. I will have to look at cars staring at my house. If it doesn’t have damage,
451 I still have the problems of cars next to my property and no privacy. It’s my home. Just let me
452 have my home. It’s been a good area to live in for me. I love it. Kwik Trip is my best neighbor.
453 I’ve got Kwik Trip across the street, and I know those people. They’re my best neighbor. There
454 have been mom and pop businesses around there. I’m sorry if COVID is making a change on
455 things, but please leave my house alone on this. It will be damaged if they tear into [Miller Quik
456 Print] and Diane’s salon. My place will crumble with it, and I don’t want to sell. Yeah, they
457 came to me, [and] I don’t want to sell. I want to die in my home; it’s all I’ve got left from my
458 husband. My husband will be dead three years as of October 1st, and he died before his time
459 because he was overmedicated to death. He died in front of Mayo Clinic. He bounced off four
460 vehicles and nobody cared. At least let me keep this one piece for myself. Please let me have
461 my home and not be destroyed by this situation, and my privacy.

462

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463 It's been a good little island to live on; I love it. Twenty years I've been on that island, and in
464 this town most of my life. I've watched it develop, but there's a point of slowing it down to a
465 point. Please help me on this. Please help me keep my home intact. Progress needs to slow
466 down just a little bit more. Thank you."

467
468 Mayor K. Smith called three times for anyone else wishing to speak in opposition to the General
469 Development Plan application to create a Downtown Planned Unit Development and closed the
470 public hearing.

471
472 Katie told commission members this Downtown PUD request is to allow for deviations and
473 exceptions to the code standards that are found within the staff report. The coffee shop is
474 proposed to be drive-through only, with a total of nine stalls for employee and delivery use. The
475 coffee shop will measure approximately 664 square feet in total size. Katie said in terms of
476 deviation to the code, the developer seeks deviations from the retaining wall setback and
477 maximum height, drive-through facility location, and tree planting requirements. Katie noted
478 she had received an updated landscaping plan that, if the Plan Commission does not accept the
479 waiver, the proposed plan in lieu of that would meet City of Onalaska standards. Katie noted the
480 overall General Development Plan, a site map, a cover letter, and a deviation letter all have been
481 included in commission members' packets. Katie next highlighted the following items:

482
483 **Environmental and Cultural Design:** This proposed development appears to be located within
484 an archaeological sensitive area. The applicant will need to obtain any and all permits from the
485 Wisconsin Historical Society. Application have already been put forth by the applicant, who is
486 aware of this condition. Katie said there are notable slope differences between 2nd Avenue
487 Southwest and Second Avenue South; specifically, a 10-foot change in elevation. There are
488 existing retaining walls on sight, and the proposed walls would replace them in entirety along
489 Ash Street and 2nd Avenue Southwest. The structure located at 711 Second Avenue South would
490 be demolished and replaced with a new retaining wall series. The applicant is proposing to tie
491 into an existing retaining wall located on the neighboring residential property, which is located
492 north of the development, which would require a portion of the retaining wall along the western
493 property line. The applicant is requesting not to have the setback of the 3 feet from the street
494 yard in that area. Further, the second retaining wall is proposed to be in excess of 6 feet in
495 height, up to 10.5 feet in height, which is what the city allows.

- 496 • Katie said city staff supports this particular request due to the notable elevation changes
497 between Second Avenue Southwest and Second Avenue South, provided the design of
498 any retaining wall in excess of 6 feet in height is accompanied by a set of stamped
499 engineered plans that detail proposed locations and heights of the wall. Additionally, the
500 maximum allowed height of any one wall shall be up to 18 feet, and any wall in excess of
501 6 feet shall have a fence installed on top of the wall a minimum of 42 inches in height to
502 be in compliance with the International Building Code. Katie noted the highest that the
503 proposed wall is to be is 10½ feet.

504

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13

505 **Density and Open Space:** The site currently is denser than what is being proposed today.
506 Currently, 74 percent of the site is impervious, and the applicant is looking to reduce that to 55
507 percent. More green space would be added back to the development that is currently present, in
508 addition to a stormwater pond that would be able to treat some of the water that would be
509 generated from the impervious surface.

510
511 **Architecture:** Katie noted the proposed architectural design has been included in commission
512 members' packets. The proposed design shows a mix of façade treatments with the gray, black,
513 and red features. The applicant does not intend to utilize any parking or ground lighting, which
514 would aid in the development being sensitive to those who reside in the neighboring property.

515
516 **Parking:** All of the city's parking requirements are exceeded.

517
518 **Streets, Utilities, Drainage:** All streets, utilities and drainage are proposed in accordance with
519 City of Onalaska Ordinances.

520
521 **Circulation/Access:** Katie said the applicant intends to utilize the existing curb cuts to serve the
522 drive-through development. The applicant is required to adhere to all the standards within the
523 Unified Development Code, including locations and setback of where the drive-through may be
524 located; having only one lane; what the hours of operation may be; screening (a fence that will
525 be constructed along the northern property line to maintain privacy between the owner to the
526 north and the coffee shop traffic); maximum noise requirements; and vehicle stacking. Katie
527 said that due to the site configuration (the property is located on a corner), the applicant is
528 requesting to waive Requirement 13.02.68.H.2, which does not allow a drive-through facility to
529 be located between the principal structure and the street. Katie said, "As it's located on a corner,
530 it's allowing all of the car stacking to occur around the building instead of stacking on the
531 northern side of the property where the residential property is located."

532 • Katie said city staff supports the request to allow for ample vehicle stacking wrapping
533 around the structure adjacent to the rights-of-way on the western and southern side. This
534 should reduce vehicle stacking along the northern parcel line. The applicant also is
535 required to provide a minimum of a 6-foot-high fence that is completely opaque along the
536 northern property line for screening purposes. Katie said, "The reconfiguration of this
537 parcel, once you merge them together, will create a parcel with right-of-way on three
538 sides of the particular property, which really does not occur in the city. Corner properties
539 typically only have two right-of-ways."

540
541 **Landscaping:** Katie said the city requires either one canopy tree or evergreen tree per 25 linear
542 feet of frontage. The applicant is required to plant 17 trees, and Katie said at the moment the
543 applicant is proposing to install 13 trees (a combination of shade and ornamental trees). The
544 applicant has exceeded the minimum landscaping that is required for the standard.

545 • Katie said city staff does not support reducing the number of trees as ample right-of-way
546 exists along Second Avenue. That right-of-way provides space for the trees. Katie said

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547 city staff recommends that the additional four trees be installed in this area, which would
548 satisfy the city's requirements. Katie referred to the applicant's letter included in
549 commission members' packets and noted the applicant has acknowledged that additional
550 trees could be planted, if required. Katie further noted that the applicant submitted an
551 updated landscaping plan that shows the additional four trees, and she said, "If you do not
552 approve their original request, what they have resubmitted today would meet all city
553 standards."
554

555 **Signage:** The proposed signage is well within Title 14 of the city's Sign Code. The applicant
556 will need to obtain the necessary permits.
557

558 Katie noted there are 12 conditions of approval tied to this development.
559

560 Motion by Jarrod, second by Craig, to approve with the 12 stated conditions a General
561 Development Plan application to create a Downtown Planned Unit Development filed by
562 Northern Grounds, LLC to facilitate the construction of Scooter's Coffee located at 711 & 715
563 2nd Avenue South, Onalaska, WI 54650. Tax Parcels #18-1473-0 and 18-1474-0. Applicant:
564 Scooter's Coffee.
565

566 Ald. T. Smith addressed Pam Welke's concerns and asked, "What are some of the things that we
567 could do to help minimize some of the impact of having that built next to her house?"
568

569 Jarrod noted that, pending approval, no formal site plan has been submitted yet for this site, and
570 he also noted city staff has in its possession reviewed engineering plans. Jarrod referred to the
571 conditions of approval and noted the applicant must submit a set of plans for the retaining wall
572 that have been stamped by a professional engineer. This is due to the height of the wall, and also
573 so that city staff may look into the tie-in methods of the wall next door. Jarrod said, "Being that
574 both walls are private and off the city right-of-way, it is a private issue between homeowners.
575 It's not a city issue because neither one of the walls is owned by the city, or really regulated by
576 the city. But as part of the site plan process and as part of the site plan approval, we will ask the
577 developer to try to ensure that a method is used that would tie those walls together."
578

579 Skip asked Jarrod if the Wisconsin Department of Transportation has approved the driveway.
580

581 Jarrod told Skip that currently is in process and noted one of the developer's conditions is that he
582 must obtain a WisDOT permit. Jarrod noted there is an existing driveway at that location, and he
583 said the developer seeks to widen it approximately 5 feet. Jarrod reiterated the driveway is
584 existing and said he has not heard of any specific items from WisDOT regarding the driveway
585 permit. Jarrod added, "I know that it has been applied for."
586

587 Craig said, "You know that intersection is, at times, quite busy. I think with a facility like this,
588 certainly traffic volume is going to increase over and above what it is currently. Do we see any

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589 issue there? I see some of these drive-through places backing up, and even Dairy Queen at
590 times, traffic is backed up clear to their driveway waiting to go through the drive-through.”
591

592 Jarrod referred to the site plan that is included in commission members’ packets, and he said,
593 “That’s one of the reasons when the developer came in and we voiced that concern to them, they
594 actually had the drive-through where you’re going to receive your materials from the building on
595 the Ash Street side. You can actually go and stack cars and vehicles all the way around the
596 facility. When I look at the facility and the amount of stacking, I think that whatever coffee
597 entrepreneur you see within the city, they’re all busy. You go to the Starbucks by Pralle Center,
598 and they back up [by] Moka. I think there’s enough vehicle spacing here that during prime time
599 they will back up. I do not believe that they will go onto the highway. I hope they’re as busy as
600 what they hope to be. I can’t guarantee they’ll never go onto the highway, but I know in talking
601 to the developer, one of the things they strive to do is they strive for a fast turnaround on their
602 material deliveries so once you order, you’re through their line. That was one of the questions
603 that we asked, and that was one of the answers we got.
604

605 It’s a busy area. There’s already 15,000 cars a day on State [Trunk] Highway 35, but you can’t
606 make a left turn in going northbound because there’s a median there. That driveway is basically
607 a right-in, right-out onto [STH] 35. In order to get into the facility from the south, you’ll have to
608 turn at the signal. And when you turn from the signal, then you’ll have to enter the driveway off
609 Ash Street.”

610
611 Craig said, “It’s controlled there.”
612

613 Jarrod said, “It will be more traffic. I do agree with that: There will be more traffic at this
614 location. But from a traffic standpoint – and stacking in particular – I think looking at this,
615 they’ve got a lot of stacking room available.”
616

617 Jarrod asked the developer if he knows the number of cars that can be stacked in the line, and he
618 estimated that approximately 15 cars could be stacked and still be on site based on the site plan.
619

620 Jan addressed Pam Welke and said, “I understand what you wish to do, and I also understand
621 what the property sellers wish to do. I don’t think anyone else was here years ago – I mean, you
622 weren’t on the Plan Commission – when a developer came in – I think it was Kwik Trip – to
623 develop the property to the east of Festival Foods. ... There used to be a street there called
624 Schroeder Road, and it’s still there. The property owners had the opportunity to sell their
625 property to the real estate agents who were acting on behalf of those businesses going in along
626 there. Most of the property owners got multiple times the worth of their homes at that point, and
627 they sold and they helped them relocate. One gentleman did not sell, and he is still located there
628 on Schroeder Road. ... I remember at the time the Plan Commission had the same thing: very,
629 very passionate concerns from those people who wanted to retain their homes between [State
630 Trunk] Highway 157 and the new street, Crossing Meadows Drive, that was going in. And I

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631 remember distinctly knowing that that was a tough place to live because of all the traffic around
632 there. We asked at that time the developers to go back and talk to the property owners. I know
633 that you've already spoken to these people, but maybe there might be something else that could
634 be talked about and compromised. ... I'm just giving you that for some point of reference."

635

636 Pam Welke's comments were inaudible on the Zoom recording.

637

638 Craig said, "I understand [Pam's] concerns as well. But I don't see anything in the development
639 plans here that indicate to me that her home and property are in danger of imminent collapse. I
640 don't see that as an imminent danger here. Obviously, any construction that they do related to
641 the retaining wall or anything else has to be done with care and caution, with consideration to
642 neighboring properties, and the maintaining of those properties in their current state. As far as
643 car being next to the property, if there's a commercial property next to you now that does have
644 traffic that flows in and out of there periodically ... This will be more; I grant you that. But it
645 still is a commercial property. I understand your concerns, but I'm not sure that I can go along
646 with what you're requesting."

647

648 Ald. T. Smith noted Jarrod had addressed the stormwater, and he said, "That kind of slopes that
649 whole area in that corner there. We talked about a retention wall, but also a storm sewer. We're
650 comfortable that the runoff is going to go to the right place?"

651

652 Jarrod said, "Right now, there's all the parking lot area and impervious area. It actually drains
653 out to the street. A lot of it drains, like the corner lot where Miller Quik Print is, drains out their
654 driveway and drains out to our city streets. There is no retainment of the stormwater. As part of
655 the development when we were going through this with the developer, we did require them to
656 put in a rain garden by the retention area. They did put that in as part of their plan on the
657 southeast corner. That coupled with the fact that the site will have less impervious to it, but I
658 think it's actually going to be quite a bit better than what we see today as far as stormwater for
659 our city stormwater standards. It is a small enough site that it doesn't meet the full standards that
660 you would be required if you're developing over an acre. But I think they've put into the plans
661 what I have requested from them at this point."

662

663 Ald. T. Smith asked Jarrod, "So you're comfortable that it shouldn't be an issue because we're
664 not building a huge development there?"

665

666 Jarrod nodded in the affirmative.

667

668 Katie directed commission members' attention to Condition No. 12, which notes the
669 owner/developer is allowed to reduce the required number of tree plantings from 17 to 13, and
670 she told commission members if they want the developer to plant all 17 trees, they will need to
671 acknowledge that in that condition. Katie told commission members they essentially could
672 propose a rewrite that states: "*Owner/developer shall provide all required tree planting.*"

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673
674 Mayor K. Smith said she must have misunderstood that condition when she read it as it was her
675 understanding the condition was taking city staff's position.

676
677 Katie told Mayor K. Smith that the condition is taking city staff's position for Condition Nos. 10
678 and 11, and she said, "But [Condition] No. 12, we write the conditions of approval as the
679 applicant requests them. If you want to follow staff's recommendation, you will need to make a
680 modification to [Condition] No. 12 requiring them to plant 17 trees."

681
682 Craig noted Katie had stated Condition Nos. 10 and 11 do reflect city staff's recommendations.

683
684 Katie told Craig that is correct and said that while city staff supports the first two requests, it
685 does not support the third.

686
687 Motion by Jarrod, second by Ald. T. Smith, to amend the previous motion and amend Condition
688 No. 12 to read as follows: "*Owner shall install 17 trees.*"

689
690 Vote on the amendment:

691
692 On voice vote, motion carried.

693
694 Original motion restated:

695
696 To approve with the 12 stated conditions, as amended, a General Development Plan application
697 to create a Downtown Planned Unit Development filed by Northern Grounds, LLC to facilitate
698 the construction of Scooter's Coffee located at 711 & 715 2nd Avenue South, Onalaska, WI
699 54650. Tax Parcels #18-1473-0 and 18-1474-0. Applicant: Scooter's Coffee.

700
701 Jan inquired about possibly delaying approval for one month to see if an agreement could be
702 worked out between the parties.

703
704 Mayor K. Smith addressed Jan's inquiry, stating, "I think staff has reviewed it, and the only ..."

705
706 Jan said, "The people who are selling the property, the homeowner next door, and the city. I
707 don't know if the city should be involved in that."

708
709 Mayor K. Smith said, "From the city side, I think staff has addressed our concerns."

710
711 Craig addressed the egress off Second Avenue and into the facility, and he asked Jarrod, "Has
712 there been any discussion, as far as you know, or with the developers ... Might the state impose
713 something as 'entrance only?'"

714
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18

715 Jarrod said, “I think from a traffic engineering standpoint, I’m not a traffic engineer, but I deal
716 with enough that basically if we ask the traffic engineer that performs a lot of this work, a right-
717 in/right-out is typically a fairly safe movement. The left-in is typically your most [difficult]
718 because you’re having to cross traffic and you have to wait in the other traffic and possibly get
719 rear-ended. Someone actually leaving here, if the traffic is correct, it may actually be easier and
720 safer to leave here than go out the other driveway and go to the light because they’re only having
721 one movement to ... They only have to look left, and that’s the only restriction that they have.
722 That’s the only movement that they have to watch. I feel comfortable with the right-in/right-out.
723 If it was unrestricted with the island, I would probably concur that we would not want a left-out
724 to head north. But as it states today with the right-in/right-out, I feel comfortable with it.”

725

726 Craig said, “I was just thinking with the increased traffic, which there certainly will be, that
727 might complicate things at that intersection beyond what we already know about.”

728

729 Skip expressed his wish to see the documents edited so that they read Second Avenue and not
730 Rose Street.

731

732 On voice vote, motion carried.

733

734 **Item 7 – Final Implementation Plan application to create a Downtown Planned Unit**
735 **Development filed by Northern Grounds, LLC to facilitate the construction of Scooter’s**
736 **Coffee located at 711 & 715 2nd Avenue South, Onalaska, WI 54650. Tax Parcels #18-1473-**
737 **0 and 18-1474-0. Applicant: Scooter’s Coffee**

738

739 1. Contingent upon approval of the General Development Plan.

740

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

745

746 3. Owner/developer to merge Tax Parcels # 18-1473-0 & 18-1474-0 into a single parcel
747 once prior to construction activities. Work with La Crosse County Land Records to
748 complete this condition.

749

750 4. Owner/developer to obtain any required permits from the Wisconsin Historical Society
751 prior to construction activities.

752

753 5. Owner/developer shall provide the City with a check in the amount of \$30.00 made
754 payable to the La Crosse County Register of Deeds. The City shall cause to be recorded
755 the legal description of the Planned Unit Development and the Conditions of Approval
756 tied to the development. These conditions shall not lapse or be waived as a result of any

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- 757 subsequent change in ownership of tenancy.
758
- 759 6. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
760 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
761 and improvements installed per approved plans prior to issuance of occupancy permits.
762
- 763 7. All conditions run with the land and are binding upon the original developer and all heirs,
764 successors and assigns. The sale or transfer of all or any portion of the property does not
765 relieve the original developer from payment of any fees imposed or from meeting any
766 other conditions.
767
- 768 8. Any omissions of any conditions not listed in committee minutes shall not release the
769 property owner/developer from abiding by the City's Unified Development Code
770 requirements.
771
- 772 9. **Planned Unit Development Request #1.** Owner/developer is allowed to install retaining
773 walls in excess of six (6) feet in height, as needed, on condition that the Developer
774 provides the Engineering Department with stamped engineered plans that detail proposed
775 location(s) and height(s) of necessary retaining walls. Additionally, the maximum
776 allowed height of any one (1) retaining wall shall be up to eighteen (18) feet and any wall
777 in excess of six (6) feet shall have a fence installed on top of the wall a minimum of
778 forty-two (42) inches in height.
779
- 780 10. **Planned Unit Development Request #2.** Owner/developer is allowed to have a drive-
781 through facility between the principal structure and the residential dwelling to the north
782 and 2nd Avenue SW, and Ash Street as shown on the attached site plan, waiving the
783 requirement found in Section 13.02.68.H.2. related to location of drive-through facilities.
784
- 785 11. **Planned Unit Development Request #3.** Owner/developer is allowed to reduce the
786 required number of tree plantings to thirteen (13) from seventeen (17) trees.
787

788 Katie told commission members there are no changes between the General Development Plan
789 and the Final Implementation Plan, and she noted there are 11 conditions of approval. Katie
790 directed commission members' attention to Condition No. 11 and noted it would need to be
791 modified, as was the case with the GDP, so that the developer will be required to install 17 trees.
792

793 Motion by Jarrod, second by Craig, to approve with the 11 stated conditions, and with Condition
794 No. 11 amended to state: "*Owner shall install 17 trees,*" a Final Implementation Plan application
795 to create a Downtown Planned Unit Development filed by Northern Grounds, LLC to facilitate
796 the construction of Scooter's Coffee located at 711 & 715 2nd Avenue South, Onalaska, WI
797 54650. Tax Parcels #18-1473-0 and 18-1474-0. Applicant: Scooter's Coffee.
798

799 Jan addressed Condition No. 9 and asked Jarrod if the wording: "*Additionally, the maximum*

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20

800 *allowed height of any one (1) retaining wall shall be up to eighteen (18) feet*” is correct.

801

802 Katie said, “This, along with other times, retaining wall questions have been brought forth.
803 That’s the maximum height that the city would allow. They are not proposing to go up to 18 feet
804 in height. They’re proposing to go up to 10 feet, 5 inches at the crest. This is just
805 acknowledging the highest that one could go.”

806

807 Jan asked Jarrod, “When you go up to that height, is there a certain point to where you have to
808 have certain engineering standards, like behind the wall?”

809

810 Jarrod referred to commission members’ packets and said, “That’s the reason that the ... As part
811 of that condition in both the General Development Plan and the Final Implementation Plan, it
812 reads: *‘The developer shall provide the Engineering Department stamped engineered plans that*
813 *detail proposed location(s) and height(s) of necessary retaining walls.’* They will have to be
814 stamped by a professional engineer, and they will adhere to make sure that that wall will hold.
815 When we look at that wall internally, you’ve got the drive-through traffic next to it. Not only
816 does it have to hold the earth up, it has to hold the traffic loading too going around that. That’s
817 the reason we wanted to make sure we had a [professional engineering] stamp on that wall
818 design. That wall will actually be tied into the hillside, into the dirt that it does. We have this in
819 other locations within the city. I have no reservations about having that wall there as long as it’s
820 stamped by a professional engineer.”

821

822 On voice vote, motion carried.

823

824 **Adjournment**

825

826 Motion by Craig, second by Ald. T. Smith, to adjourn at 7:55 p.m.

827

828 On voice vote, motion carried.

829

830

831 Recorded by:

832

833 Kirk Bey