

Plan Commission Sub Committee

of the City of Onalaska

Tuesday, July 10, 2018

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1 The Meeting of the Plan Commission Sub Committee of the City of Onalaska was called to order
2 at 4:30 p.m. on Tuesday, July 10, 2018. It was noted that the meeting had been announced and a
3 notice posted at City Hall.

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5 Roll call was taken, with the following members present: Ald. Jim Binash, Skip Temte, City
6 Engineer Jarrod Holter

7

8 Also Present: Planner/Zoning Inspector Katie Aspenson

9

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

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12 Motion by Skip, second by Jarrod, to approve the minutes from the previous meeting as printed
13 and on file in the City Clerk’s office.

14

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

16

17 Ald. Binash called three times for anyone wishing to give public input and closed that portion of
18 the meeting.

19

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

21

22 **Item 4 – Review and Consideration of a Conditional Use Permit request filed by Nicholas**
23 **Roush, Roush Rentals, 707 La Crosse Street, Office 102, La Crosse, WI 54601 on behalf of**
24 **Elmwood Partners, 1859 Sand Lake Road, Onalaska, WI 54650 to allow multiple principal**
25 **structures on a parcel located at 9522/9530 East 16 Frontage Road, Onalaska, WI 54650**
26 **(Tax Parcel #18-3613-3)**

27

28 Katie said this CUP request pertains to allowing the construction of two principal structures on a
29 single parcel, creating a multifamily residential complex. The apartments are proposed to be two
30 stories in height with a walk-out lower floor to take advantage of unique site characteristics. One
31 building is to contain 30 units, and the second building is to contain 34 units. The site will have
32 46 garages and 82 surface parking stalls, thereby meeting the requirement for two parking stalls
33 per dwelling unit. Katie noted the CUP is permitted only by approval of the Plan Commission
34 per 13-1-14(b), and pursuant to standards set forth in Section 13-8-11. Katie said city staff has
35 created five Conditions of Approval, adding the formal rezoning is up for consideration at this
36 evening’s Common Council meeting. Condition No. 1 will be removed at the July 24 Plan
37 Commission meeting if the Common Council gives its approval. The Conditions of Approval
38 and the substantial evidence for each condition are as follows:

39

- 40 1. The Conditional Use Permit is contingent upon approval of the rezoning of Tax Parcel
41 #18-3613-3 from Single Family Residential (R-1) District to Multifamily Residential (R-
42 4) District where the proposed use (multifamily dwelling) is permitted. **Substantial**

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43 **Evidence:** This condition requires appropriate zoning (multifamily use) in order for the
44 Conditional Use (multiple structures on a parcel) to be allowed. If the rezoning is not
45 approved, the Conditional Use Permit will be null and void.

46
47 2. Owner/developer shall pay all fees and have all plans reviewed and approved by the City
48 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
49 and improvements installed per approved plans prior to issuance of occupancy permits.

50 **Substantial Evidence:** This condition provides notice to the owner/developer that they
51 are to follow procedure for orderly development in the City of Onalaska in order to
52 promote the health, safety and welfare of the City.

53
54 3. All conditions run with the land and are binding upon the original developer and all heirs,
55 successors and assigns so long as the conditional use is being actively used. **Substantial**
56 **Evidence:** This condition acknowledges and provides public notice of the term and puts
57 the owner/developer and future owners on notice that they are bound by the conditions
58 and that they can continue the use as long as they follow the conditions and actively use
59 the conditional use.

60
61 4. Owner/developer shall abide by the City’s Ordinances, Unified Development Code and
62 Building Code requirements, as amended. **Substantial Evidence:** This condition
63 assures the owner/developer understands they must follow the city’s Unified
64 Development Code and Building Code, which they are required to follow in every way,
65 and that as they are receiving the benefit of being allowed to have a use that is not within
66 the standards of the City’s zoning code, failure to follow City ordinances may result in
67 loss of their Conditional Use Permit.

68
69 5. The Conditional Use Permit shall be reviewed every five (5) years to ensure continued
70 use. **Substantial Evidence:** This shifts the burden to the owner of the property to
71 provide proof that the use is active and continuing. Ensuring that existing permits are
72 still valid and being properly used ensures compliance with the City’s procedures and
73 ordinances, and promotes interaction and communication with the City, which furthers
74 orderly development and the health, safety and welfare of the City.

75
76 Katie noted a public hearing will be held at the July 24 Plan Commission meeting.

77
78 Motion by Ald. Binash, second by Skip, to forward with five conditions of approval to a public
79 hearing at the July 24 Plan Commission meeting review and consideration of a Conditional Use
80 Permit request filed by Nicholas Roush, Roush Rentals, 707 La Crosse Street, Office 102, La
81 Crosse, WI 54601 on behalf of Elmwood Partners, 1859 Sand Lake Road, Onalaska, WI 54650
82 to allow multiple principal structures on a parcel located at 9522/9530 East 16 Frontage Road,
83 Onalaska, WI 54650 (Tax Parcel #18-3613-3).

84
Reviewed 7/13/18 by Katie Aspenson

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85 Skip said he believes the East 16 Frontage Road is the ideal location for this multifamily
86 residential complex, adding he also believes the City of Onalaska needs more rental properties.

87
88 Ald. Binash asked Katie, “Since we’re moving this to a multiunit situation, what kind of impact
89 do you think that has on that area? If you’re going from a single entity to a multiple entity, is it
90 going to be too dense? I know we have requirements, don’t we, that when you’re going to build
91 something you have to have so much space – green space, parking space. There don’t appear to
92 be any issues with something like this?”

93
94 Katie told Ald. Binash the site must have a minimum of 40 percent green space, and there also is
95 a requirement for so many square feet per dwelling unit. Katie noted this site meets that
96 requirement, and also that it is located at the end of a cul-de-sac currently zoned Commercial
97 almost exclusively in terms of the use of the area. Katie said, “In terms of density, it meets all
98 minimum standards. It’s almost a 5-acre parcel of land. A strong portion of it is within 50 feet
99 of a defined stream and wetland area, so they have to stay out of that, which acts in their favor as
100 they can’t develop in that area. That’s where they were talking about the walk-out basements
101 would be able to take advantage of those site characteristics. They’re looking to do some
102 clearing so they can enjoy the stream and the view that’s associated with it.”

103
104 Ald. Binash asked Katie if the developer has stated if the apartments will be high-end, or if they
105 will be aimed toward middle- or lower-income individuals.

106
107 Katie said the developer has given her impression it will be market-driven, market rate. Katie
108 also said the developer noted Roush Rentals has constructed apartments near the intersection of
109 State Trunk Highway 16 and County Trunk Highway B, and also La Crosse Street in the City of
110 La Crosse. Katie said, “I think the intent is to have a higher-end housing opportunity for
111 individuals.”

112
113 On voice vote, motion carried.

114
115 **Item 5 – Review and Consideration of an amendment to the WAL-MART Planned**
116 **Commercial Industrial District (PCID) at 3107 Market Place, submitted by Gina Kelly,**
117 **SGA Design Group, 1437 South Border Avenue, Suite 550, Tulsa, Oklahoma, 74119-3609,**
118 **on behalf of Wal-Mart Real Estate Business Trust, 702 SW 8th Street, Bentonville, AR**
119 **72712 (Tax Parcel #18-3635-8)**

- 120
121 1. PCID Amendment Fee of \$700.00 (PAID).
122
123 2. Abide by all conditions of original PCID Plan approved in March 1997, PCID
124 Amendments approved in June 1999, April 2001, March 2003, October 2014, April 2016,
125 and Site Plan approved in April 2003.

126
Reviewed 7/13/18 by Katie Aspenson

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- 127 3. Owner/developer shall pay all fees and have all plans review and approved by the City
128 prior to obtaining a building permit. Owner/developer must have all conditions satisfied
129 and improvements installed per approved plans prior to issuance of occupancy permits.
130
- 131 4. All conditions run with the land and are binding upon the original developer and all heirs,
132 successors and assigns. The sale or transfer of all or any portion of the property does not
133 relieve the original developer from payment of any fees imposed or from meeting any
134 other conditions.
135
- 136 5. Any omissions of any conditions not listed in committee minutes shall not release the
137 property owner/developer from abiding by the City’s Unified Development Code
138 requirements.
139

140 Katie said the applicant is requesting to amend the PCID development to allow for additional
141 exterior wall signage, and also install a canopy structure with parking stalls to facilitate “Online
142 Grocery Pickup Service.” The canopy will be 9 feet, 6 inches in height, 20 feet wide, and 72
143 feet, 6 inches in length over 10 restriped parking stalls with new dimensions of 12-by-20 feet to
144 allow for safe pedestrian travel for Wal-Mart employees to and from vehicles. Katie said that as
145 part of this project, Wal-Mart is requesting to install two additional wall signs to the front façade
146 of the building – the “spark” logo and the word “Pickup.” The square footage of the additional
147 wall signage is 65.43 square feet, which would increase the total square footage of the front wall
148 to 519.47 square feet. Katie noted this proposed signage exceeds the maximum 500 square feet
149 of wall signage per wall façade. However, Katie also noted the city’s Sign Code would allow
150 Wal-Mart to exceed the 500 square feet if approved both the Plan Commission and the Common
151 Council as a PCID Overlay exists. The expected construction date for the project is June 13,
152 2019. Katie noted subcommittee members’ packets include copies of the Letter of Intent from
153 the applicant, the proposed wall signage summary (existing and proposed), proposed elevations
154 (canopy and signage), and the PCID application. Katie noted a public hearing is scheduled for
155 the July 24 Plan Commission meeting and said staff has compiled five conditions of approval for
156 this development.
157

158 Motion by Skip, second by Ald. Binash, to forward with five conditions of approval to a public
159 hearing at the July 24 Plan Commission meeting review and consideration of an amendment to
160 the WAL-MART Planned Commercial Industrial District (PCID) at 3107 Market Place,
161 submitted by Gina Kelly, SGA Design Group, 1437 South Border Avenue, Suite 550, Tulsa,
162 Oklahoma, 74119-3609, on behalf of Wal-Mart Real Estate Business Trust, 702 SW 8th Street,
163 Bentonville, AR 72712 (Tax Parcel #18-3635-8).
164

165 Jarrod inquired about the June 13, 2019 starting date.
166

167 Katie said that is when construction is slated to begin, adding she has confirmed the starting date.
168

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169 On voice vote, motion carried.

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171 **Item 6 – Review and Consideration of a Conditional Use Permit request filed by Mike**
172 **Volden of IDEA MAIN, LLC, d/b/a The Creative Child, 810 Oak Timber Drive, Onalaska,**
173 **WI 54650 on behalf of Mark Etrheim of Oak Forest Partners Two LLC, 1821 Acorn Court,**
174 **Onalaska, WI 54650 to allow the operation of a child care center at 1052 Oak Forest Drive,**
175 **Suite 100, Onalaska, WI 54650 (Tax Parcel #18-3087-1)**

176

177 Katie said Mike Volden of The Creative Child has requested a CUP to allow the operation of a
178 child care center in a Light Industrial (M-1) Zoning District. The Creative Child has been in
179 business in the City of Onalaska for 5½ years, and it is a licensed child care center serving
180 children from the ages of 6 weeks to 7 years old, Monday through Friday, from 6:30 a.m. to 5:30
181 p.m. The Creative Child is licensed to care for a total of 59 children, including both the main
182 center (43 children), and the infant center (16 children). Katie said the new location will allow
183 for consolidation of the two centers into one, allowing 85 children in total. This is expected to
184 occur in the fall of 2019. The business currently has 20 employees (a combination of full- and
185 part-time), and this total will increase to 25 or 26 when at full capacity. The maximum shift will
186 have 13 employees at one time. The primary drop-off/pickup times are daily between 6:30 a.m.
187 and 8 a.m., and 3:30 p.m. to 5 p.m. Katie noted the facility will be utilizing the existing parking
188 lot, which has 60 parking stalls for the building. The Creative Child will be replacing Children’s
189 Treehouse Daycare, which had more children at 104, and employees at 35, at the same facility.
190 Katie said commercial daycare facilities are permitted only by CUP per Section 13-5-15(c), and
191 pursuant to standards set forth in Section 13-8-11. City staff has compiled the following four
192 conditions of approval for the development:

193

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

200

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

207

208 3. Owner/developer shall abide by the City’s Ordinances, Unified Development Code and
209 Building Code requirements, as amended. **Substantial Evidence:** This condition
210 assures the owner/developer understands they must follow the city’s Unified

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211 Development Code and Building Code, which they are required to follow in every way,
212 and that as they are receiving the benefit of being allowed to have a use that is not within
213 the standards of the City’s zoning code, failure to follow City ordinances may result in
214 loss of their Conditional Use Permit.

215
216 4. The Conditional Use Permit shall be reviewed every five (5) years to ensure continued
217 use. **Substantial Evidence:** This shifts the burden to the owner of the property to
218 provide proof that the use is active and continuing. Ensuring that existing permits are
219 still valid and being properly used ensures compliance with the City’s procedures and
220 ordinances, and promotes interaction and communication with the City, which further
221 orderly development and the health, safety and welfare of the City.
222

223 Katie noted a public hearing is scheduled for the July 24 Plan Commission meeting.
224

225 Motion by Skip, second by Ald. Binash, to forward with four conditions of approval to a public
226 hearing at the July 24 Plan Commission meeting review and consideration of a Conditional Use
227 Permit request filed by Mike Volden of IDEA MAIN, LLC, d/b/a The Creative Child, 810 Oak
228 Timber Drive, Onalaska, WI 54650 on behalf of Mark Etrheim of Oak Forest Partners Two LLC,
229 1821 Acorn Court, Onalaska, WI 54650 to allow the operation of a child care center at 1052 Oak
230 Forest Drive, Suite 100, Onalaska, WI 54650 (Tax Parcel #18-3087-1).
231

232 Ald. Binash noted Children’s Treehouse Daycare, the previous tenant, has relocated to the
233 former site of Misty’s Dance Unlimited. Ald. Binash asked Katie if The Creative Child must
234 obtain a CUP because it did not have one in the past.
235

236 Katie said the previous occupants did not have a CUP in the past, whereas The Creative Child [at
237 their current location] has a CUP for a daycare center.
238

239 On voice vote, motion carried.
240

241 **Item 7 – Review and Consideration of a request to modify the boundaries of the**
242 **“Downtown Overlay Districts” to convert a property from “Downtown Residential**
243 **Neighborhood” to “Downtown – Planned Unit Development” to allow conceptual site plan,**
244 **submitted by Terry Weiland, 600 L Hauser Road, Onalaska, WI 54650 on behalf of Paula**
245 **Bentzen, 215 Elm Street, Onalaska, WI 54650 for the property located at 215 Elm Street,**
246 **Onalaska, WI 54650 (Tax Parcel #18-69-0)**
247

248 Katie said the applicant is requesting to complete a mixed-use project at 215 Elm Street that
249 would include a bar called “The Spillway Bar.” The bar would measure 2,800 square feet; the
250 residential dwelling unit would measure 1,200 square feet, and an attached garage would
251 measure 576 square feet. A residence is currently located at this property. The project would
252 include the removal of the residence and construction of a new building with 10 onsite parking

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253 stalls and landscaping. Katie said Onalaska’s “Downtown Overlay Districts” allows properties
254 that have a minimum of a quarter-acre to convert from “Downtown Residential Neighborhood”
255 to “Downtown – Planned Unit Development” if approved both the Plan Commission and the
256 Common Council. Katie noted the “Downtown – Planned Unit Development” district boundary
257 is located across the alley from this property. Katie noted a map will be included in the Plan
258 Commission’s packets for its July 24 meeting.

259
260 Katie said that according to Section 13-3-16(c)(2), the applicant/developer shall submit a letter
261 describing the proposed project as well as a conceptual plan with proposed architecture, building
262 height, and other information as requested to the Plan Commission for consideration. If the Plan
263 Commission recommends to the Common Council to allow a Downtown – Planned Unit
264 Development and the Common Council approves the concept, the formal review process as
265 described in Section 13-3-20 shall apply. Katie explained the review includes a two-part process
266 of a General Development Plan review, with a public hearing notifying neighbors within 250 feet
267 of the subject property, and Final Implementation Plan review, with consideration both by the
268 Plan Commission and the Common Council. Katie said that to date the neighbors have not been
269 notified by the city of this development, adding, “This is just to see if you would like it to move
270 forward at this time.”

271
272 Katie next addressed the project summary, noting the proposed building is less than 30 feet in
273 height with a hipped roof. The residence portion of the building would front 3rd Avenue South.
274 Katie said the placement of the residence is purposeful to face neighboring residences, and to fit
275 into the current scale of the neighborhood. The residence portion of the building is proposed to
276 be set back 14 feet from the 3rd Avenue South right-of-way, with the Spillway Bar portion of the
277 building set back 10 feet from the Elm Street right-of-way and the neighboring property to the
278 north. The western portion of the building, the Spillway Bar side, is proposed to be 46 feet from
279 the alleyway. The existing hedgerow along Elm Street and 3rd Avenue South will be retained as
280 a buffer. The developer plans to extend the current fence along the northern property line to the
281 building to act as a screen against headlights and a buffer to the residences along 3rd Avenue
282 South. Katie said 10 parking spaces are proposed, including one ADA parking stall, in addition
283 to five on-street parking spaces along the north side of Elm Street. Parking will be directly
284 accessed off from the alleyway. A green space/rain garden will be provided between the parking
285 lot and the Spillway Bar portion of the property, and additional landscaping will be required
286 through the Site Plan Review process. Katie said the entrance to the bar is proposed to be at the
287 southwest corner of the building, furthest from the neighborhood, with the Spillway Bar facing
288 the alley and other commercial businesses along 2nd Avenue South/State Trunk Highway 35.
289 Katie told subcommittee members they are considering a request to modify the boundaries of the
290 “Downtown Overlay Districts” to convert a property from “Downtown Residential
291 Neighborhood” to “Downtown – Planned Unit Development” to allow for a mixed-use
292 development and approval of the associated conceptual site plan. If approved, the applicant
293 would formally begin the process of creating a “Downtown – Planned Unit Development” on
294 this property at subsequent meetings.

Reviewed 7/13/18 by Katie Aspenson

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295

296 Ald. Binash asked if the Plan Commission Subcommittee would forward this item to the Plan
297 Commission with a recommendation or no recommendation.

298

299 Katie said it is at the subcommittee's discretion, and she noted the applicants are attending this
300 afternoon's meeting if subcommittee members wish to ask questions about the development.

301

302 Motion by Ald. Binash, second by Skip, to approve a request to modify the boundaries of the
303 "Downtown Overlay Districts" to convert a property from "Downtown Residential
304 Neighborhood" to "Downtown – Planned Unit Development" to allow conceptual site plan,
305 submitted by Terry Weiland, 600 L Hauser Road, Onalaska, WI 54650 on behalf of Paula
306 Bentzen, 215 Elm Street, Onalaska, WI 54650 for the property located at 215 Elm Street,
307 Onalaska, WI 54650 (Tax Parcel #18-69-0).

308

309 Skip asked if the structure currently present is addressed on 3rd Avenue.

310

311 Katie said the address of the property is 215 Elm Street.

312

313 Skip asked if the front of the new structure also will be on Elm Street and not 3rd Avenue.

314

315 Katie said she believes the front would be addressed off 3rd Avenue South, noting there will be a
316 garage that will be accessible off 3rd Avenue South. Katie said the Spillway Bar likely would be
317 off Elm Street.

318

319 Skip asked if the Spillway Bar already has a proper liquor license.

320

321 Jennifer at the Spillway Bar said no and that it would be necessary to reapply for one.

322

323 Ald. Binash asked to identify the area where the proposed Spillway Bar would be located, and
324 also what might be located close to it.

325

326 Katie said Better Hearing Center is located across the alley from where the bar would be located.
327 Katie also noted Elite Nutrition is located near the bar, as are Hangars and Hems and Toppers
328 Pizza, both of which are located to the southwest. There is green space that runs along the alley,
329 and residences are located to the north, south and east. Katie said, "What you would see driving
330 north or south down [STH] 35 is the commercial. The intent of what you see driving north-south
331 down 3rd Avenue would be the residents based on how they've designed this building."

332

333 Ald. Binash asked if the owner/occupier would reside at that particular residence, or if it would
334 be a rental property.

335

336 Katie said it would be a rental property.

Reviewed 7/13/18 by Katie Aspenson

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Ald. Binash asked if it would be a one-unit apartment with the bar.

Ald. Binash was told yes by Terry Weiland.

Skip asked Terry Weiland, the applicant, if he has spoken to any of the residents in the neighborhood to know what type of opposition there will be at the July 24 public hearing.

Terry Weiland
600 L Hauser Road
Onalaska

Terry told the subcommittee he has not yet spoken to any of the neighbors. Terry’s additional comments were inaudible on the recording.

Ald. Binash referred to Terry’s application and said it seems he has considered preventing the glare from headlights from being a nuisance to neighbors, as well as being respectful of their privacy.

Terry told Ald. Binash he is correct and said he has attempted to create a design that will blend in.

Ald. Binash noted the former Spillway Bar, which was razed earlier in 2018, was located in a neighborhood setting.

Skip asked if the entrance to the Spillway Bar would be on the alley side.

Terry told Skip he is correct.

Skip said it appears individuals residing on 3rd Avenue South should not be affected by the bar.

Terry said, “That’s exactly what I’m trying to accomplish.”

Jarrold said he finds having a residential home facing 3rd Avenue South “an interesting concept,” and he referred to the elevations that have been included in subcommittee members’ packets. Jarrold said, “When you look from 3rd Avenue you see a garage door, a front door, and a couple of windows. It’s going to look like a real residential home, so I don’t think you’re really even going to know what is behind it when you’re driving by on 3rd Avenue. Once you go down Elm Street, if they can keep the hedges that are there ... They might need some strategic landscaping in there, [such as] a 3-foot buffer between the parking lot and some of those areas, and maybe even a short fence to maybe help out. Those are all things that can get addressed during the Site Plan Process. When you look from the southwest corner of this lot along the alley over to the

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379 drive-through at Hangers to Hems, you're probably only 100 feet away. Across the alley to the
380 west, having the commercially zoned properties, as long as they can keep the fence and the
381 buffer to the residential property to the north, which would be their closest neighbor, and the
382 residential property across Elm Street to the south, I think you're going to be a couple of the
383 biggest possible impacts if you're going to have any. I think it's really neat how they've
384 enclosed it and have it so it's kind of tucked into the neighborhood, but you don't even really
385 know it's there. I think Terry put a lot of thought into how he positioned the rental home.
386 Obviously the home is going to be a rental, but it's a 1,200-square foot house that I think would
387 be attractive to the neighborhood. I think it's going to be a good rental."

388

389 Skip said he believes those points should be made clear to the Plan Commission.

390

391 Ald. Binash asked Terry if the bar will be a sports bar or a neighborhood bar.

392

393 Terry said a neighborhood bar.

394

395 Ald. Binash asked Terry if there will be a patio designated for smoking.

396

397 Terry said the smoking area would be within the perimeter of what has been laid out.
398 Specifically, it would be below the roof of what the general layout is.

399

400 On voice vote, motion carried.

401

402 **Adjournment**

403

404 Motion by Ald. Binash, second by Skip, to adjourn at 4:55 p.m.

405

406 On voice vote, motion carried.

407

408

409 Recorded by:

410

411 Kirk Bey