

# CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description CITY PLAN COMMISSION

Date: MONDAY, SEPTEMBER 12, 2016 Time: 6:15 PM Location: MUNICIPAL BUILDING 300 LA CROSSE STREET, WISCONSIN DELLS, WI

	<b>Committee Members</b>		
Mayor Brian Landers-Chair	Alder. Mike Freel	Fire Chief Scott Walsh	Chris Lechnir
	Tifani Jones	Dan Anchor	Jeff Delmore

**AGENDA ITEMS:**

1	CALL MEETING TO ORDER AND ATTENDANCE
2	APPROVAL OF THE MINUTES FROM THE AUGUST 8, 2016 MEETING
3	PUBLIC HEARING TO CONSIDER THE CONDITIONAL USE PERMIT APPLICATION FROM TRAJCHE ILIJESKI (EBAGO AIRBRUSH TATTOO) TO OPERATE AS AN "OUTDOOR VENDOR" FROM A WALK-UP SERVICE BOOTH AT 125 BROADWAY, PART OF COLUMBIA CO. CITY OF WIS. DELLS TAX PARCEL 291-604.09. THE PROPERTY IS ZONED C-2 COMMERCIAL-DOWNTOWN
4	DISCUSSION AND DECISION ON ITEM #3 (CUP-ILIJESKI)
5	PUBLIC HEARING TO CONSIDER THE CONDITIONAL USE PERMIT APPLICATION FROM ATOUAS V. GEORGIEV TO ALLOW A "GROUP LODGING FACILITY" AT 322 WISCONSIN AVENUE, COLUMBIA CO. CITY OF WIS. DELLS TAX PARCEL 291-625. THE PROPERTY IS ZONED C-1 COMMERCIAL-NEIGHBORHOOD
6	DISCUSSION AND DECISION ON ITEM #5 (CUP-GEORGIEV)
7	DISCUSSION AND DECISION ON UPDATING THE CITY COMPREHENSIVE PLAN (REFERRED FROM THE JULY COMMON COUNCIL MEETING)
8	ANY OTHER ITEMS FOR REFERRAL TO FUTURE MEETING
9	SET DATE FOR THE NEXT PLAN COMMISSION MEETING ( <u>MONDAY, OCTOBER 10, 2016 AT 6:15 PM</u> )
10	ADJOURNMENT

Open Meetings Notice: If this meeting is attended by one or more members of the Common Council who are not members of this committee, their attendance may create a quorum of another city commission, board or committee under the Wisconsin Open Meetings Law; However, no formal action will be taken by any governmental body at the above stated meeting other than the body, committee, commission, or board identified in this meeting notice. Please be advised that upon reasonable notice, the City of Wisconsin Dells will furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in meeting activities.

MAYOR BRIAN LANDERS CHAIRPERSON DISTRIBUTED SEPTEMBER 9, 2016

125 Broadway.

Conditional Use Permit – Outdoor vender

Staff Report for Plan Commission, 09/12/16

**ITEM 3 and 4**

The Planning & Zoning office has received a Conditional Use Permit application from Trajche Ilijeski to operate as an Outdoor Vendor from a Walk-up service booth he rents at 125 Broadway. His business is Ebago airbrush tattoo. The applicant wants to apply the tattoos to people on private property outside of the booth. This property is in the C-2 Downtown Zoning District, which requires a Conditional Use Permit for an “Outdoor Vendor”. It appears he has been operating his business in this fashion for some time already. There was no incident that attracted the City’s attention, it was simply discovered how this business was operating and they were notified of the need for a Conditional Use Permit.

The applicants business is to apply airbrush tattoos onto patron’s bodies. The practice is to have the equipment set up inside the booth and a stool outside on the private sidewalk, with examples of tattoo designs displayed on the outside of the booth. The booth sits at an angle to the public sidewalk, and there is about 5 feet of private sidewalk outside of the booth. This private sidewalk runs approximately 30 feet in front of the neighboring business (Yuval Wear) parallel with the public sidewalk. This business occupies approximately 10 ft in front of the neighboring business. Patrons sit on the stool on the private sidewalk outside of the booth while the employee applies the tattoo with a stencil and an airbrush.

As long as the business stays on the private property and does not call out to pedestrians on the City sidewalk, this business does not appear to interfere with pedestrian traffic on the public sidewalk.

Any approval should be contingent on the business bringing its signs and façade into compliance with the new Downtown Design Standards and obtaining the approval of the Design Review Committee.

Suggested Conditional to any approval:

- 1) The business keeps it premise and the adjoining public sidewalk clean and free of any litter or debris.
- 2) The business has the permission of the adjacent business to occupy the private sidewalk in front of the neighboring business.
- 3) No part of the business crosses over onto the public sidewalk.
- 4) The business does not “bark” or in any way disturb the pedestrians in the public ROW to attract their attention. The business will comply with any City request to stop any practice that the City feel disturbs or disrupts pedestrians in the public right of way.
- 5) The business updates their signage and façade to comply with the Downtown Design Standards, and obtain the approval of the Design Review Committee.
- 6) Any issues that may arise are addressed to the satisfaction of the City

Prepared by:

Chris Tollaksen

# CONDITIONAL USE APPLICATION

Wisconsin Dells, Wisconsin

Version: May 21, 2007

**General instructions.** Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

**- Office Use Only -**

Initial application fee	\$525.00
Receipt number	57006
Application number	_____

**1. Applicant information**

Applicant name TRAJCHE ILIJESKI  
 Street address 125 BROADWAY  
 City WISCONSIN DELLS,  
 State and zip code WI 53865  
 Daytime telephone number 608-745-2457  
 Fax number, if any \_\_\_\_\_  
 E-mail, if any airbrush.tattoos@yahoo.com

**2. Subject property information**

Street address	<u>125 BROADWAY Wis. Dells, WI 53865</u>	
Parcel number	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.	
Current zoning classification(s)	<u>COMMERCIAL</u>	
Describe the current use	<u>AIRBRUSH TATTOOS</u>	

**3. Proposed use.** Describe the proposed use.

USE THE PROPERTY OF 125 BROADWAY TO DO TEMPORARY TATTOOS; THE EQUIPMENT IS ALL SET UP INSIDE THE BOOTH, WHAT HAVE DIMENSIONS OF 7'x10' BUT THE ARTIST AND CUSTOMER TO STAY OUTSIDE (STILL IN THE PRIVATE PROPERTY) UNTILL DOING THE TEMPORARY TATTOOS AND ALSO TO PRESENT MY PRODUCT: PICTURES OF THE DESIGNS ATTACHED ON THE WALL. CONTIN. AS ATTACHED PAGE.

**4. Operating conditions.** For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

THE ABOVE SPACE HAS BEEN OCCUPIED SEVERAL YEARS: 4 YEARS FROM SAME PERSON-TRAJCHE ILIJESKI(ME) AND YEARS BEFORE THAT FROM DIFFERENT OWNER. I AM PLANNING TO OCCUPYING THIS LOCATION SEASONAL, FROM MAY TO OCTOBER. HOURS WILL BE DETERMINED BY AMOUNT OF BUSINESS.

# CONDITIONAL USE APPLICATION

## Wisconsin Dells, Wisconsin

Version: May 21, 2007

5. **Off-site effects.** Describe any potential nuisances and mitigating circumstances relating to street access, traffic visibility, parking, loading, exterior storage, exterior lighting, vibration, noise, air pollution, odor, electromagnetic radiation, glare and heat, fire and explosion, toxic or noxious materials, waste materials, drainage, and hazardous materials.

NONE

6. **Review criteria.** The plan commission in making its recommendation and the common council in making its decision must consider the factors listed below. Provide a response to each. (See Section 19.373 of the Municipal Code.)

- a. Consistency of the proposed use with the city's comprehensive plan and neighborhood plan or other subarea plan, if any

CONSISTENT WITH CITY'S PLAN

- b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site

LEASED AREA IS SET BACK FROM CITY SIDEWALK,  
PEDESTRIAN CIRCULATION IS NOT EFFECTED.

- c. The suitability of the subject property for the proposed use

SUITABLE

- d. Effects of the proposed use on the natural environment

NO EFFECT

- e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

HOURS OF OPERATION SIMILAR TO ADJACENT BUSINESSES.

- f. Effects of the proposed use on the normal and orderly development and improvement of the surrounding property for uses permitted in the district

NO EFFECT ON DEVELOPMENT OF OTHER PROPERTIES

- g. Effects of the proposed use on the city's financial ability to provide public services

Continue from

### 3. Proposed use.

The main reason why I am asking for permission to use the space outside of the building and still on the property of 125 Broadway is because:

- the space of the property is too small to work inside,
- the door is not comfortable for every customer to get in
- there is a high step which is heart for children.

From my 10 years of experience doing Temporary Tattoos in Wisconsin Dells, I realize that potential customers want to see the work of the tattoo artist before they make decision to get it. Small children are scared that it hurts until they see the way they are done.

These temporary tattoos are safe for the customers, the ink what I use is 100% organic which brings NO irritations to skin and there are no allergies. They are waterproof and usually stay about 1 to 2 weeks.

I WOULD LIKE TO PUT CHAIR RIGHT NEXT TO THE BOOTH, WHERE CUSTOMERS CAN SEAT, DURING I AM DOING THEIR TATTOO.

CANDY  
CONNECTION

YUVAL  
T-SHIRTS STORE

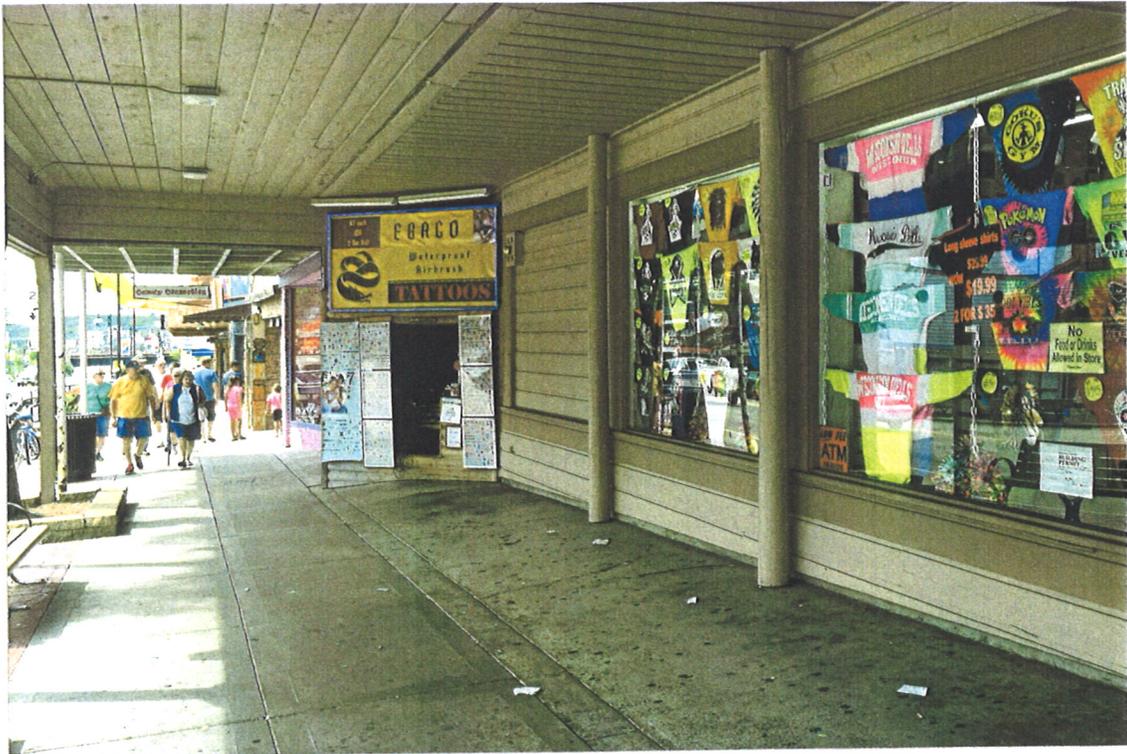
TATTOO  
BOOTH



SIDE WALK

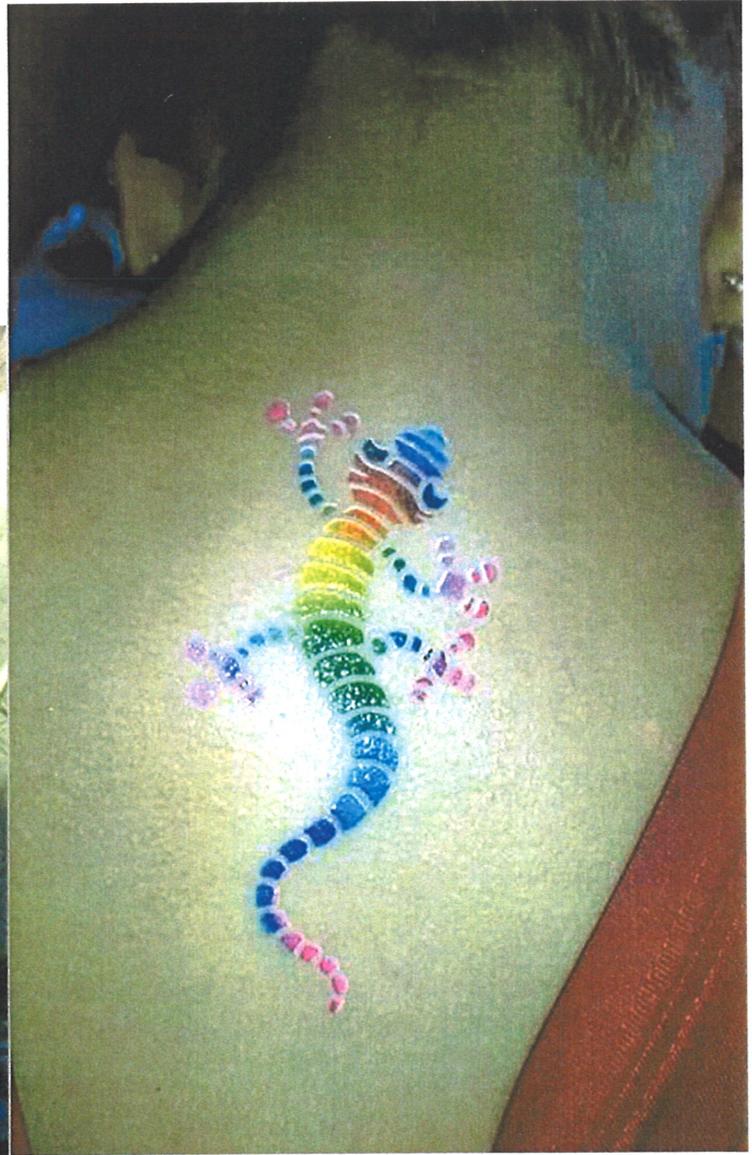
RIVER RD.

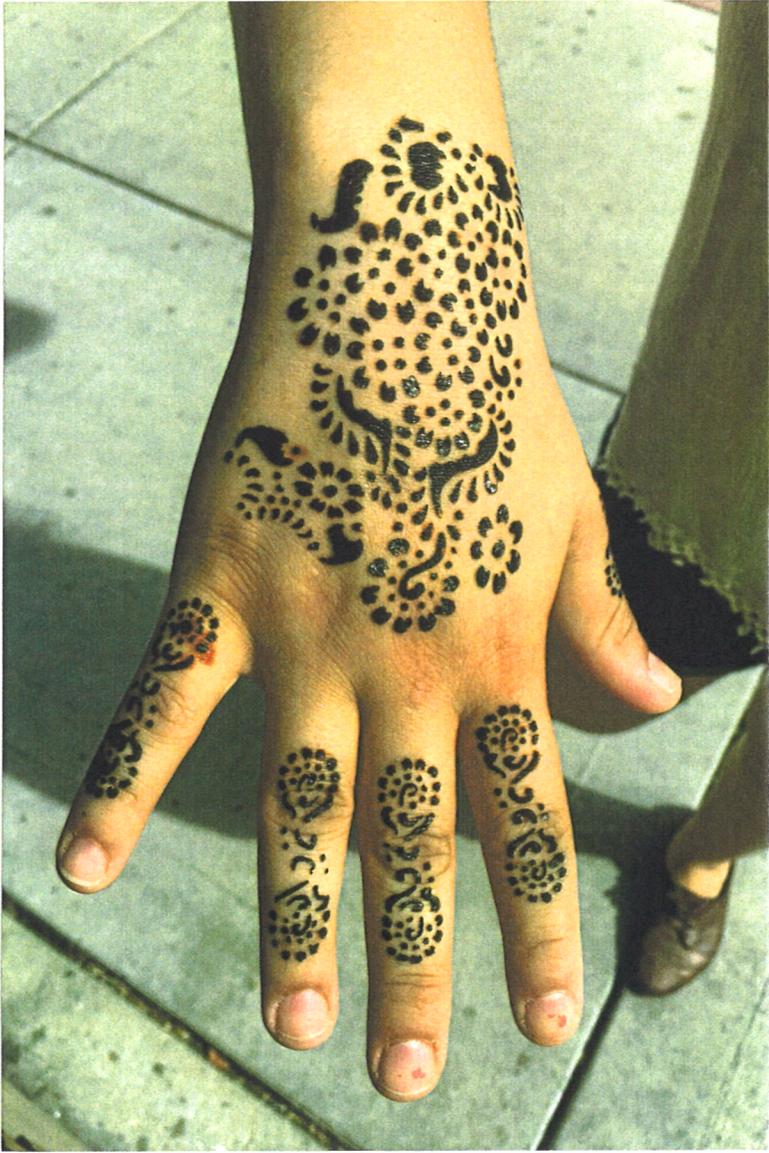
BROADWAY











Conditional Use Permit – Atanas Georgiev  
322 Wisconsin Ave.  
Staff Report for Plan Commission, 09/12/16

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from Atanas Georgiev for a Group Lodging Facility at 322 Wisconsin Ave, Columbia County City of Wisconsin Dells parcel 11291 625.

At the end of the summer of 2016 it was discovered that more than 4 unrelated people were living in the house. The excess people in the house are moving out. This facility is located in the C-1 Commercial-neighborhood zoning district, and the owner was notified that they must obtain a CUP if they intend to have more than 4 unrelated individuals living in this house. The applicant is a couple, and currently they have 1 son living in the house. They wish to rent additional rooms in the house to seasonal employees. It is not clear if the son remain in the house. The applicant is not an employer.

Current City Ordinance requires 50 sq ft per person in the sleeping room. The City has encouraged new facilities to provide more space per person in facilities that contain only sleeping quarters, such as a motel. However, consideration has been given for homes with separate living and dining space to allow closer to 50 square feet in the sleeping rooms. The applicant has indicated they would like to rent to 14 or 15 seasonal employees on top of the 2 or 3 family members living in the house, for a total of 17 occupants. The building code allows a maximum of 15 occupants in a single family home before the structure must comply with the commercial building code. Based on the size of the rooms, a maximum of 15 people could occupy this house.

It is also noted that some of the rooms have a single bed for multiple people. This is acceptable if the tenants want to share a bed, but no tenant can be forced to share a bed against their will.

City standards require 1 parking stall for each 400 sq ft in each sleeping room. This house only has parking available for 1 car in the attached garage. This is a rather large house on a uniquely small lot, so there is no room on this lot for a second parking space. As such this house does not conform to the current parking requirement for a single family home, it is grandfathered for not meeting the current parking requirement. It may be reasonable to maintain the grandfather status of this house, with respect to parking, as many of the seasonal employees do not have vehicles. Any approval would carry the condition that the applicant cannot rent to tenants with vehicles. If any parking issues arise the permit will be revoked.

City standards require at least 1 bathroom for every 6 occupants.

There is a kitchen, living room, laundry room, bathroom, and additional bedroom in the 1<sup>st</sup> floor of the house. There are 4 additional bedrooms on the second floor, as well as a second living room common area, and 2 additional bathrooms on the second floor. Barring any additional concerns discovered in future inspections; this office would limit an approval of this permit to a total of 15 occupants (including the applicants) in the 7 bedroom house with 3 bathrooms.

As many of the bedrooms to be rented are located on the second floor of the house, approval of this permit should be contingent on a second exit being installed from the second floor.

A pre-inspection was performed on the house. This house was found to be in good condition. There were some electrical concerns identified in the basement and the applicant was advised to get this addressed by a licensed electrician. As the applicant family lives in the house with the tenants, the home appears to be well maintained and managed. The applicant has agreed to construct a second exit from the second floor, and not rent to any tenants who have vehicles. This house is surrounded by a motel, an apartment building, and 2 homes.

As with any other lodging facility, the management of the facility is of the utmost importance. The fact that the applicant's family resides in the house eases the concern of potential nuisances. The applicant must ensure that the facility does not become a chronic nuisance. Even if nuisances are resolved immediately, the re-occurrence of nuisances would be considered a sign of poor management and grounds for revocation of any permit that may be granted. Any approval should be contingent on the family living in the house.

It should be clear that if they intend to rent year round that could involve multiple inspections, with additional inspection fees. These inspections would be to ensure that the facilities are not allowed to degrade throughout the year. It should also be required that if the facility is to be rented in the winter months, the facility must be in compliance with the state rental weatherization program.

If a permit is issued for a Group Lodging Facility, it should be very clear to the applicant that such approval is contingent on continued diligence to the proper management of the facility. If the facility is deemed to become a nuisance to the neighborhood, the permit may be revoked.

It should also be noted that any approval of the Group Lodging Facility use is granted solely to the current applicant, and cannot be transferred to another party. Any sale of the property will immediately terminate the permit, and any subsequent operator will be required to obtain a separate CUP for this facility.

It has been noted that this office is not aware of any nuisances from this facility in recent years.

Approval of this application come with the following Conditions:

1. Permit is valid only with the applicant and is non-transferrable.
2. The permit is only valid as long as the applicant lives in the house
3. A full second exit is installed on the second floor.
4. A second common area is maintained on the second floor.
5. The applicant cannot rent to any tenants with vehicles. If any parking concerns arise, the permit will be revoked.
6. If maintenance and supervision of the facility is not maintained at a satisfactory level, as determined by the City is its sole judgment, citations may be issued immediately and the permit may be revoked.
7. Any issues that may arise must be addressed to the satisfaction of the City.

Chris Tollaksen  
City of Wis. Dells

# CONDITIONAL USE APPLICATION

## Wisconsin Dells, Wisconsin

Version: May 21, 2007

**General instructions.** Complete this application as it applies to your project and submit one copy to the zoning administrator along with the required application fee. Before you formally submit your application and fee, you may submit one copy to the zoning administrator who will ensure it is complete. If you have any questions, don't hesitate to contact the zoning administrator at 608-253-2542. You may obtain a digital copy of this file from the zoning administrator.

- Office Use Only -

Initial application fee	\$525.00
Receipt number	57608
Application number	_____

**1. Applicant information**

Applicant name Atanas V. Georgiev  
 Street address 322 Wisconsin Ave  
 City Wisconsin Dells  
 State and zip code WI 53965  
 Daytime telephone number 414-436-7198  
 Fax number, if any \_\_\_\_\_  
 E-mail, if any moria4elo@gmail.com

**2. Subject property information**

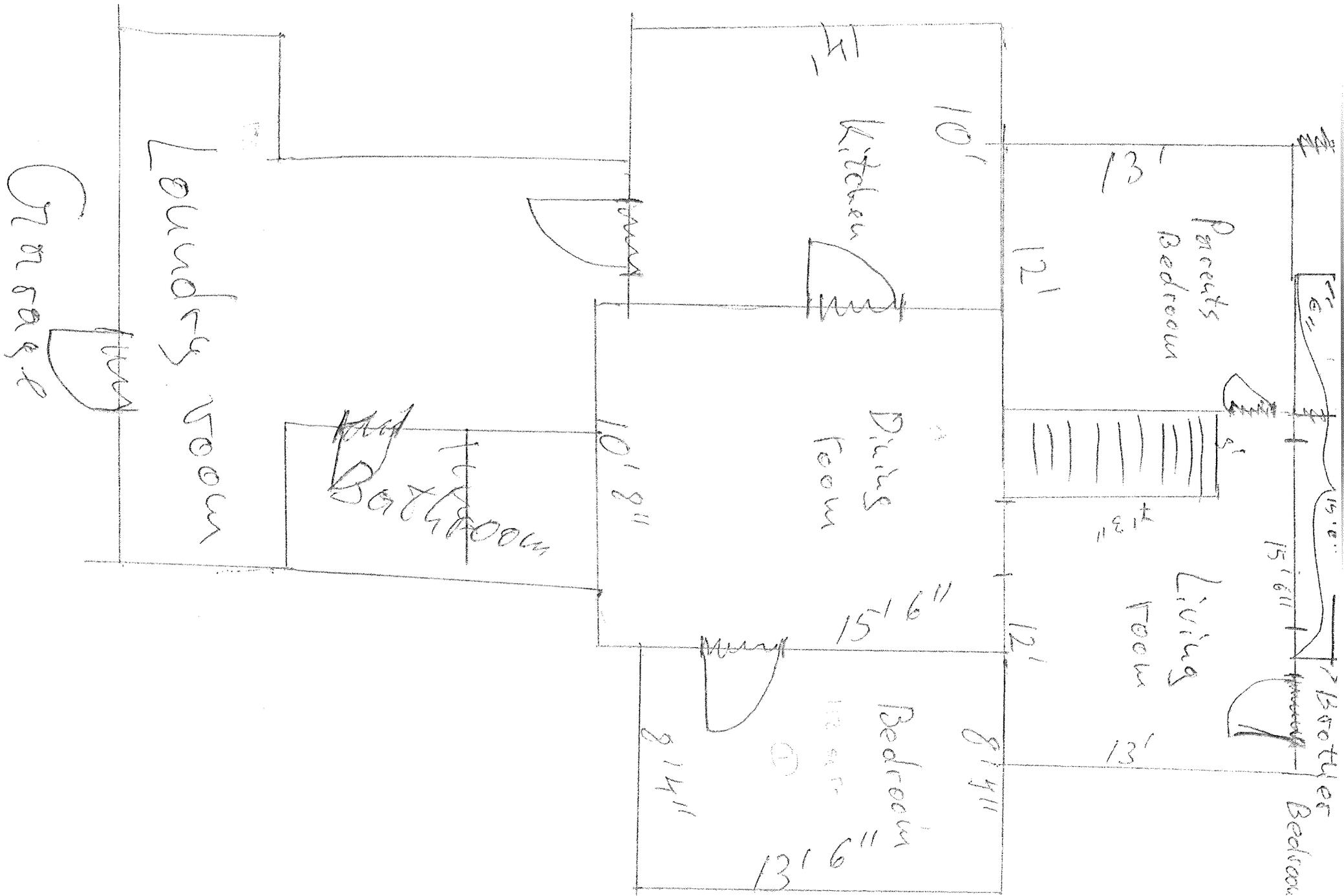
Street address	<u>322 Wisconsin Ave, Wisconsin Dells, WI, 53965</u>	
Parcel number	( Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.	
Current zoning classification(s)		
Describe the current use	<u>Single family house</u>	

**3. Proposed use.** Describe the proposed use.

Single family house plus seasonal students rental property

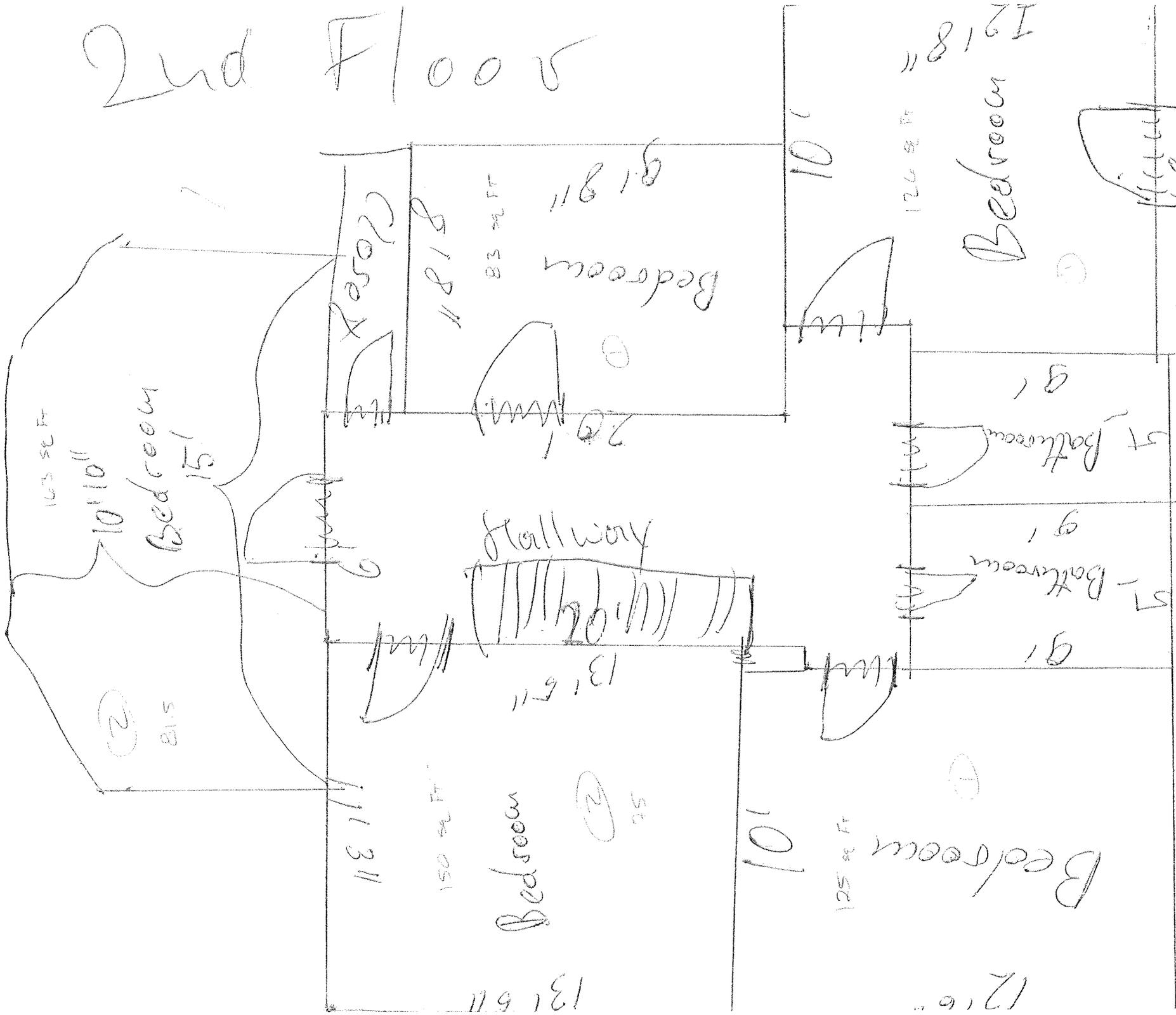
**4. Operating conditions.** For non-residential uses, describe anticipated operating conditions (hours of operation, conditions that may affect surrounding properties, etc.)

# 1st Floor 322 Wisconsin Ave



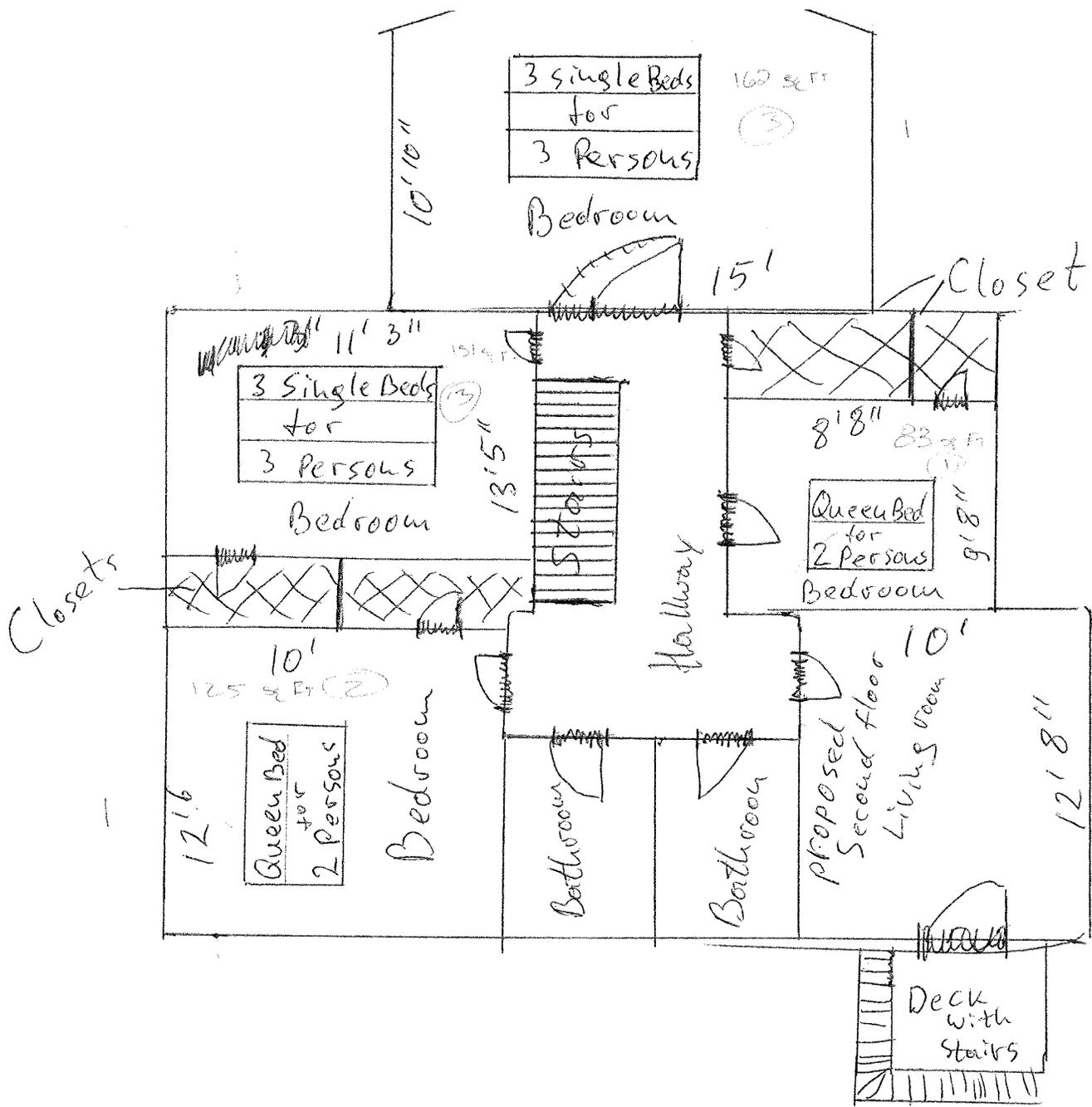
322 Wisconsin Ave

# 2nd Floor

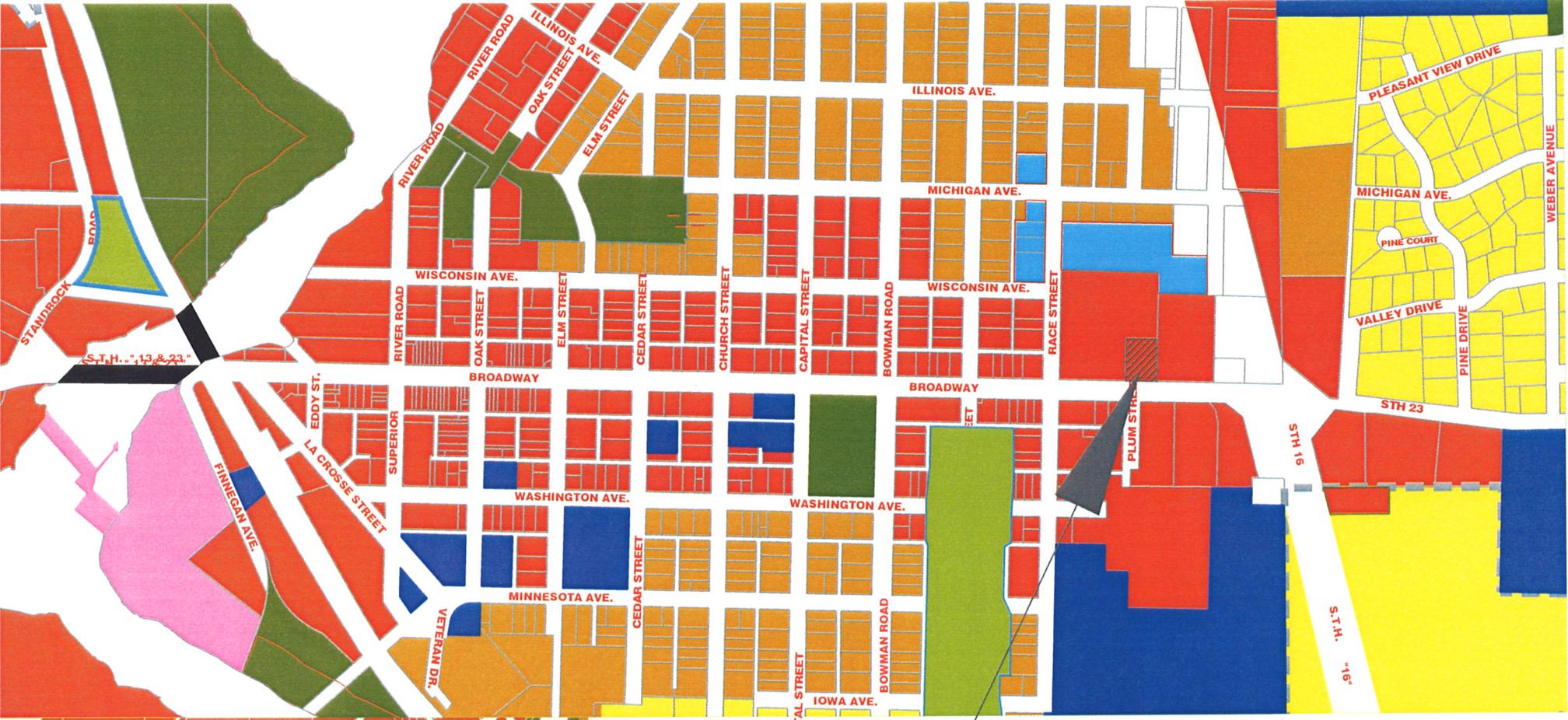


Proposed Egress





322 Wisconsin Ave  
 2nd floor



- Single Family Residential
- Multi-Family Residential
- Targeted Multi-Family Re-development
- Targeted Seasonal Employee Housing
- Commercial
- Industrial
- Institutional
- Recreational
- Agricultural

**Subject Parcel**

**ITEM 7**

# Comprehensive Plan Future Land Use Map