

SPECIAL COMMON COUNCIL MEETING NOTICE

NOTICE IS HEREBY GIVEN that a Special Meeting of the Wisconsin Dells Common Council will be held on **Monday, April 23, 2018 at 6:15P.M.** in the Common Council Chambers at the Municipal Building, 300 La Crosse Street, to consider the following agenda items:

MAYOR		COUNCIL MEMBERS		
ED WOJNICZ		FIRST DISTRICT	SECOND DISTRICT	THIRD DISTRICT
		Jesse DeFosse	Mike Freel	Ben Anderson
		Brian Holzem	Terry Marshall	Ed Fox
OPENING				
1	CALL TO ORDER & ROLL CALL			
AGENDA ITEMS				
2	APPROVAL OF THE APRIL 17, 2018 COMMON COUNCIL MEETING MINUTES			
3	UPDATES TO 2018-2019 COMMITTEE APPOINTMENTS, IF ANY			
4	APPLICATIONS FOR BARTENDER LICENSES			
5	APPLICATIONS FOR RENEWAL OF SEASONAL WORKFORCE HOUSING LODGING FACILITY LICENSES			
RESOLUTIONS				
6	RESOLUTION TO APPROVE THE EXTENDED AND RESTATED DEVELOPMENT AGREEMENT WITH RIVERWOOD EAGLE'S NEST LLC TO INCLUDE PHASE 1B OF THEIR SENIOR COMMUNITY DEVELOPMENT			
7	RESOLUTION TO APPROVE THE SITE PLAN SUBMITTED BY RIVERWOOD EAGLE'S NEST LLC FOR CONSTRUCTION OF PHASE 1B OF THEIR SENIOR COMMUNITY DEVELOPMENT (WITH CONTINGENCIES)			
8	RESOLUTION TO APPROVE THE MURAL INSTALLATION AND MAINTENANCE AGREEMENT FOR 301 BROADWAY			
ORDINANCES				
9	SECOND READING OF ORDINANCE TO CREATE CODE SEC. 16.025 TO ALLOW AND CREATE STANDARDS FOR BACKYARD CHICKENS			
10	SECOND READING OF ORDINANCE TO AMEND CODE SEC. 23.15 TO REGULATE DOWNTOWN BICYCLE PARKING			
11	FIRST AND SECOND READING OF ORDINANCE TO AMEND THE ZONING CODE TO ADD "EXTERIOR ACTIVITY AREA" AND ALLOW IT AS AN ACCESSORY USE IN THE AG, INDUSTRIAL AND COMMERCIAL DISTRICTS; AND TO CONDITIONALLY ALLOW IT IN THE RESIDENTIAL DISTRICTS			
CLOSING				
12	BUSINESS FOR REFERRAL TO COMMITTEES OR SUBSEQUENT MEETINGS			
13	ADJOURNMENT			
NANCY R. HOLZEM, CITY CLERK/COORDINATOR				
DISTRIBUTED: 04/19/2018				

PLEASE BE ADVISED: 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.

ITEM 4

CITY OF WISCONSIN DELLS OPERATOR'S (BARTENDER) LICENSE APPLICATION

FOR OFFICE USE ONLY

Receipt# 63929
Amount Paid: \$ 60.00
License Exp. Date Provisional: _____ (not more than 60 days)
Operators- June 30, 2018 20 (even year)
Temporary Period _____ (not more than 14 days)
Council Date Granted: _____
License #: _____ Date Issued: _____

Police Dept Verification: JS 4-17-18
Police Chief: _____ Approved: [Signature]
Denied: _____

Please Note:

- You must be 18 years of age or older to apply.
- Answer all questions truthfully and completely. A background record check will be conducted by the Police Dept.
- A Beverage Server Certificate, proof of registration in the class, or proof of having an Operator License within the last two years must accompany all New License Applications.

Application Date 4-16-2018

License Applying For:

- New \$60
- Renewal \$60
- Provisional \$10
- Temporary \$10 (Bona Fide Clubs Only)
Date(s) Needed (14 day max.): _____
Limited to one per year. No training course required.

Check the appropriate box that applies to you:

- I have an Operator's License in effect at this time. (Attach proof if not held w/City of Wisconsin Dells)
- I have held an Operator's License within past 2 years (Attach proof)
- I have completed the Beverage Server Training Course within past 2 years (Attach Completion Certificate)
- I am enrolled in the Beverage Server Training Course
Class Date and Location: _____
(After completing the course, bring in your certificate to receive license)
- I am applying for a Temporary Operator's License

To the Common Council of the City of Wisconsin Dells, Wisconsin:

I hereby apply for a license to serve from the date hereof to June 30, 2018, inclusive, fermented malt beverages and intoxicating liquors, subject to limitations imposed by Secs. 125.04, 125.12, 125.32, 125.68 of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, federal, state, or local, affecting the sale of such beverages and liquors if a license is granted to me.

PLEASE PRINT

Name	ARUSTEI	ALINA	ROXANA
	Last	First	Middle
Home Address	177 FOREST DRIVE UNIT 901 WISCONSIN DELLS WI 53965		
	Street	City	State Zip
Mail License to (if different from Home Address)	PO BOX 572	WISCONSIN DELLS	WI 53965
	Street	City	State Zip

Previous Addresses within the past 10 years

190 FIEDSTONE DRIVE APT # 1403 WISCONSIN DELLS WI 53965
431 FANEUIL ST APT1R BRIGHTON MASSACHUSETTS 02135-1632

Drivers License # S10605475 State Issued MASSACHUSETTS

Phone Number 608 844 3937 Date of Birth 05/30/1991 Place of Birth ROMANIA

Physical Description Sex F Race WHITE Height 5'08" Eye Color: BRN Hair Color: BRN

License to be used at (Name of Business) RIB KINGS OF AMERICA INC DBA FAMOUS DAVE'S BBQ

(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: RA Augustin Date: 04.06.2018

Subscribed and sworn to before me this 6th day of April, 2018.
[Signature]
Notary Public

My Commission Expires: 10/25/2019



**CITY OF WISCONSIN DELLS
OPERATOR'S (BARTENDER) LICENSE APPLICATION**

FOR OFFICE USE ONLY

Receipt# 63927
 Amount Paid: \$ 60.00
 License Exp. Date Provisional: _____ (not more than 60 days)
 Operators- June 30, 2018 (even year)
 Temporary Period _____ (not more than 14 days)
 Council Date Granted: _____
 License #: _____ Date Issued: _____

Police Dept Verification: S 4-17-18
 Police Chief: _____ Approved: [Signature]
 Denied: _____

Please Note:

- You must be 18 years of age or older to apply.
- Answer all questions truthfully and completely. A background record check will be conducted by the Police Dept.
- A Beverage Server Certificate, proof of registration in the class, or proof of having an Operator License within the last two years must accompany all New License Applications.

Application Date 4-16-2018

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 Renewal \$60
 Provisional \$10
 Temporary \$10 (Bona Fide Clubs Only)
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 Limited to one per year. No training course required.

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 I have held an Operator's License within past 2 years (Attach proof)
 I have completed the Beverage Server Training Course within past 2 years (Attach Completion Certificate)
 I am enrolled in the Beverage Server Training Course
 Class Date and Location: _____
 (After completing the course, bring in your certificate to receive license)
 I am applying for a Temporary Operator's License

To the Common Council of the City of Wisconsin Dells, Wisconsin:

I hereby apply for a license to serve from the date hereof to **June 30, 2018**, inclusive, fermented malt beverages and intoxicating liquors, subject to limitations imposed by Secs. 125.04, 125.12, 125.32, 125.68 of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, federal, state, or local, affecting the sale of such beverages and liquors if a license is granted to me.

PLEASE PRINT

Name FARCAS RARES
 Last First Middle
 Home Address 1066 HILLSIDE DRIVE UNIT 2 WISCONSIN DELLS WI 53965
 Street City State Zip
 Mail License to (if different from Home Address) PO BOX 572 WISCONSIN DELLS WI 53965
 Street City State Zip

Previous Addresses within the past 10 years

177 FOREST DRIVE APT#901 WISCONSIN DELLS WI 53965
190 FIELDSTONE DRIVE APT #1403 WISCONSIN DELLS WI 53965
2241 W FARWELL AVE CHICAGO IL 60645

Drivers License # F622-7208-8335 State Issued ILLINOIS

Phone Number 608 576 8795 Date of Birth 11/25/1988 Place of Birth ROMANIA

Physical Description Sex M Race WHITE Height 6'02" Eye Color: BRN Hair Color: DARK BRN

License to be used at (Name of Business) RIB KINGS OF AMERICA INC DBA FAMOUS DAVE'S BBQ

**CITY OF WISCONSIN DELLS
OPERATOR'S (BARTENDER) LICENSE APPLICATION**

FOR OFFICE USE ONLY

Receipt# 63928
 Amount Paid: \$ 60.00
 License Exp. Date Provisional: _____ (not more than 60 days)
 Operators- June 30, 2020 (even year)
 Temporary Period _____ (not more than 14 days)
 Council Date Granted: _____
 License #: _____ Date Issued: _____

Police Dept Verification: SS 4-17-18
 Police Chief: _____ Approved: [Signature]
 Denied: _____

Please Note:

- You must be 18 years of age or older to apply.
- Answer all questions truthfully and completely. A background record check will be conducted by the Police Dept.
- A Beverage Server Certificate, proof of registration in the class, or proof of having an Operator License within the last two years must accompany all New License Applications.

Application Date 4-16-2018

License Applying For:

- New \$60
 Renewal \$60
 Provisional \$10
 Temporary \$10 (Bona Fide Clubs Only)
 Date(s) Needed (14 day max.): _____
 Limited to one per year. No training course required.

Check the appropriate box that applies to you:

- I have an Operator's License in effect at this time. (Attach proof if not held w/City of Wisconsin Dells)
 I have held an Operator's License within past 2 years (Attach proof)
 I have completed the Beverage Server Training Course within past 2 years (Attach Completion Certificate)
 I am enrolled in the Beverage Server Training Course
 Class Date and Location: _____
 (After completing the course, bring in your certificate to receive license)
 I am applying for a Temporary Operator's License

To the Common Council of the City of Wisconsin Dells, Wisconsin:

I hereby apply for a license to serve from the date hereof to **June 30, 2018**, inclusive, fermented malt beverages and intoxicating liquors, subject to limitations imposed by Secs. 125.04, 125.12, 125.32, 125.68 of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations, federal, state, or local, affecting the sale of such beverages and liquors if a license is granted to me.

PLEASE PRINT

Name TOPCIU NICOLETA
 Last First Middle
 Home Address 190 FIELDSTONE DRIVE APT 1403 WISCONSIN DELLS WI 53965
 Street City State Zip
 Mail License to (if different from Home Address) PO BOX 572 WISCONSIN DELLS WI 53965
 Street City State Zip

Previous Addresses within the past 10 years

177 FOREST DRIVE APT 901 WISCONSIN DELLS WI 53965
1509 E MADISON ST APT 203 SEATTLE WA 98122-0000

Drivers License # TOPCIN*093KG State Issued WA

Phone Number 608 472 1004 Date of Birth 05/07/1991 Place of Birth ROMANIA

Physical Description Sex F Race WHITE Height 5'07" Eye Color: BRN Hair Color: BRN

License to be used at (Name of Business) RIB KINGS OF AMERICA INC DBA FAMOUS DAVE'S BBQ

(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes ___ No
- 2. Have you been convicted of any license law or ordinance regulating the sale and/or consumption of fermented malt beverages or intoxicating liquors? Yes ___ No
- 3. Are there currently any charges, federal, state, or local pending against you? Yes ___ No
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes ___ No

If you answered **yes** to any of the above questions, list the offense convicted of, pending conviction, date of conviction, and state and county of conviction.

<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>

STATE OF WISCONSIN

COUNTIES OF COLUMBIA, SAUK, ADAMS & JUNEAU

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Signature of Applicant: *Tape...* Date: 4.16.18

Subscribed and sworn to before me this 16th day of April 2018.
[Signature]
Notary Public

My Commission Expires: 10/25/2019



City of Wisconsin Dells

ITEM 5a

Application for SEASONAL WORKFORCE HOUSING FACILITY LICENSE

New Renewal

Date From MAY 1, 2018 to April 30, 2019 Fee \$ 1125.00 Receipt No. 63914 (\$50 each for first 15 sleeping units; \$25 each add'l)

Applicant Name: FAIRVIEW

Applicant Address: SAME

Telephone Number: 608-254-7317

Lodging Facility Address: 2960 WISCONSIN DELLS PARKWAY

Number of Sleeping Units: 30

Zoning Classification: _____
(Facilities in Residential Areas are grandfathered facilities only.)

Name & Telephone No. of On-Site Supervisor: ASIP HIZLO 608-432-9170

Manner in which the facility will be supervised and maintained: _____
Owner / manager on premises 24/7

[Signature]
Applicant's Signature

4-13-18
Date

License subject to compliance with Wisconsin Dells Code Section 16.06

Note: Incomplete, false, or misleading information can delay the review process and/or be grounds for denial of license.

FOR OFFICE USE ONLY

Date of Inspection: _____ Inspected by: _____
Recommendations: _____

Request for License Approved on _____, 20__ by the Common Council.

Request for License Denied on _____, 20__ by the Common Council.

Reason for Denial: _____

City of Wisconsin Dells

ITEM 5b

Application for LODGING FACILITY LICENSE

(One Thousand Six Hundred)

Date From May 1 2018 to April 30, 20 19 Fee \$ 1600 Receipt No. 63904 js
(\$50 each for first 15 sleeping units; \$25 each add'l)

Applicant Name: GTAM LLC

Applicant Address: P.O. BOX 30 wis Dells, WI

Telephone Number: (608) 254-8366

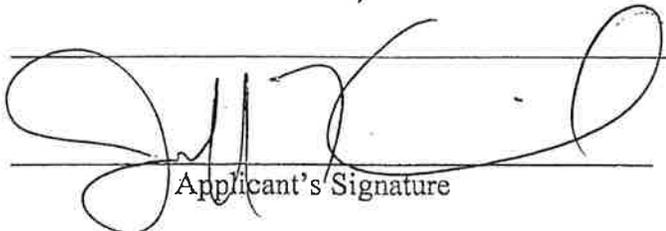
Lodging Facility Address: 2600 RIVER RD

Number of Sleeping Units: 49

Zoning Classification: Commercial
(Facilities in Residential Areas are grandfathered facilities only.)

Name & Telephone No. of On-Site Supervisor: Rennie Girbeau Marianne KISSACK
608 393 4806 608 254 8366 x5115

Manner in which the facility will be supervised and maintained:
Rennie runs maintenance Marianne runs Housing Program
Security of Resort is available and patrols grounds


Applicant's Signature

4/12/18
Date

License subject to compliance with Wisconsin Dells Code Section 16.06

Note: Incomplete, false, or misleading information can delay the review process and/or be grounds for denial of license.

FOR OFFICE USE ONLY

Date of Inspection: _____ Inspected by: _____
Recommendations: _____

Request for License Approved on _____, 20__ by the Common Council.

Request for License Denied on _____, 20__ by the Common Council.

Reason for Denial: _____

City of Wisconsin Dells

Application for LODGING FACILITY LICENSE

ITEM 5c

Date From May 1, 2017 to April 30, 2018 Fee \$ 700⁰⁰ Receipt No. 63862
(\$50 each for first 15 sleeping units; \$25 each add'l)

Applicant Name: Logging Camp Inc

Applicant Address: 411 Hwy 13 Wis Dells

Telephone Number: (608) 254 8717

Lodging Facility Address: 425 Vine St

Number of Sleeping Units: 14

Zoning Classification: _____
(Facilities in Residential Areas are grandfathered facilities only.)

Name & Telephone No. of On-Site Supervisor: Adam Hickey (608) 432 2867

Manner in which the facility will be supervised and maintained: All Tenants work for Logging Camp Inc (Paul Baryans) we have weekly laundry service for bedding. All rooms are supplied with cleaning supplies. Kitchen is accessible to all tenants. also a video monitoring system for protection + security.

Adam Hickey
Applicant's Signature

4-10-18
Date

License subject to compliance with Wisconsin Dells Code Section 16.06

Note: Incomplete, false, or misleading information can delay the review process and/or be grounds for denial of license.

FOR OFFICE USE ONLY

Date of Inspection: _____ Inspected by: _____
Recommendations: _____

Request for License Approved on _____, 20__ by the Common Council.

Request for License Denied on _____, 20__ by the Common Council.

Reason for Denial: _____

CITY OF WISCONSIN DELLS
RESOLUTION NO. _____

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the Finance Committee from their April 17, 2018 meeting,

IT APPROVES the Riverwood Eagle's Nest Extended and Restated Development Agreement which adds Phase 1B.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: ____ ayes, ____ nays ____ abs.
Date Introduced: April 23, 2018
Date Passed:
Date Published:

~~DRAFT~~

Riverwood Eagle's Nest
Extended and Restated Development Agreement

This extended and restated Development Agreement is by and between the City of Wisconsin Dells, a Wisconsin Municipal Corporation (City) and Riverwood Eagle's Nest, LLC, a Wisconsin Limited Liability Company (Developer)

RECITALS

- A. The City and Developer are parties to a certain Development Agreement dated August 4, 2017, a copy of which is attached as Exhibit A.
- B. That Agreement covered the Riverwood Eagle's Nest project in general and Phase 1A in particular.
- C. This Agreement extends the underlying Development Agreement to Phase 1B and restates and applies the agreement to Phases 1A and 1B.

AGREEMENT

1. Attached and incorporated by reference as Exhibit B is a document captioned "Riverwood Eagle's Nest Phase 1A and B Zoning Use" which delineates the components of the phases subject to this agreement and approved by the City.
2. Attached and incorporated by reference as Exhibits C-F respectively are the following sketches and diagrams regarding the project:
 - C. Overall site plan showing location of Phase 1B.
 - D. Phasing Diagram
 - E. Phase 1B Independent Living Apartments RCAC-FLEX
 - F. Overall Utility Plan
3. Attached and incorporated by reference is Exhibit G which sets forth the contingencies and recommendations applicable to Phase 1B, the GDP and Phase 1A.
4. Developer shall promptly design and complete Phase 1A and Phase 1B as follows: Site preparation and work on both Phases shall commence in 2018. Phase 1A buildings and improvements shall be completed not later than December 31, 2019 and Phase 1B buildings and improvements shall be completed not later than December 31, 2020.

April 19, 2018

5. The City's financial assistance for Phase 1A and 1B shall be as follows:
 - a.) Phase 1A. The projected Tax Increment Value of Phase 1A, when completed, is \$9.5 million. The City shall pay Developer a total tax increment contribution which will be the lesser of \$1.425 million or 15% of the added tax increment value of Phase 1A.
 - b.) Phase 1B. The projected Tax Increment Value of Phase 1B, when completed, is \$9 million. The City shall pay Developer a total tax increment contribution which will be the lesser of \$1.35 million or 15% of the added tax increment value of Phase 1B.
 - c.) The amounts of the annual payments for Phase 1A and Phase 1B respectively shall be 90% of the tax increment revenue received by the City in that year with respect to the Phase 1A or 1B project.
 - d.) The total tax increment contribution for Phase 1A and Phase 1B shall be paid annually for 10 years or until paid in full whichever occurs first. No payments will be made after 10 years.
 - e.) Phase 1A and Phase 1B will be subject to separate payments and separate 10 year terms.
6. The independent living duplexes, consisting of 13 buildings and 26 units, shall be constructed in conjunction with Phases 1A and 1B on lands that are not in the tax increment district and the duplex improvements will not be counted toward the tax increment value. The value(s) of the duplexes shall be ascertained and kept separate.
7. As a precondition of the City's obligation to pay annual tax increment revenue payments:
 - a.) Developer shall have an occupancy permit issued by the City for the complete phase for which payment will be made.
 - b.) Developer shall, at all times during the term of the extended and restated development agreement and the Phase 1A and Phase 1B payment periods, keep and maintain or cause to be kept and maintained the property in good condition and repair, in a safe, clean and attractive condition, and free of all trash, litter, refuse and waste.

- c.) Developer will comply with, and will cause the property to be in compliance with, all applicable federal, state, local and other laws, rules, regulations and ordinances including, without limitation, all environmental, building and property maintenance rules, regulations and ordinances.
 - d.) Developer shall not allow the property to become blighted and Developer shall make or cause to be made from time to time all necessary repairs to the premises so as to maintain the project in its intended use and usable form absent ordinary wear and tear.
8. Not later than July 31, 2018, the Developer shall present to the City an irrevocable, final and unconditional financing commitment from a lender satisfactory to the City which commitment shall be sufficient to cover all of the Phase 1A and Phase 1B costs and expenses, including the independent living duplexes. Site work or preparation shall not be commenced without such commitment.
9. All other terms of the Development Agreement are extended, restated and applied to Phase 1A and Phase 1B jointly and separately.

CITY OF WISCONSIN DELLS

Dated: April____, 2018.

Edward Wojnicz, Mayor

Dated: April____, 2018.

Nancy R. Holzem, Clerk/ Administrative
Coordinator

April 19, 2018

RIVERWOOD EAGLE'S NEST, LLC

Dated: April____, 2018.

By: _____
its: _____

April 19, 2018

Legal Land Description and Tax Keys

The "Dyo Parcel" is Tax Key Number 11291-2200.1903, and is described as follows:

A parcel of land located in part of Government Lot Five (5) and part of the Northwest Quarter of the Southeast Quarter and Block Thirteen (13), Ramsays Addition, all in Section 10, Township 13 North, Range 8 East, City of Wisconsin Dells, Columbia County, Wisconsin, which is bounded by a line described as follows: Commencing at the South one quarter corner of said Section 10; thence North 30°01'03" West, 758.29 feet to the Northeast corner of Columbia County Certified Survey Map No. 1308; thence North 89°50'58" West, 1007.44 feet along the North line of said CSM extended and on the South line of the recorded Riverwood Condominium Plat to a meander corner; thence North 06°31'54" East, 475.73 feet along a meander line for said Condominium Plat to a point on the North line of said Plat, 95 feet more or less, from the waters edge of the Wisconsin River; thence North 10°06'07" East, 443.15 feet along a meander line to a point 72 feet more or less from said water's edge; thence North 42°47'00" East, 553.94 feet along a meander line; thence North 17°39'00" East, 50.03 feet along a meander line to a point which is 287 feet more or less from said water's edge and the point of beginning of this description; thence continuing along said meander line North 17°39'00" East, 642.75 feet to a point 319 feet more or less, from said water's edge; thence North 09°33'59" East, 285.73 feet along a meander line 305 feet more or less from said water's edge; thence North 42°24'21" West, 596.37 feet along a meander line 35 feet more or less from said water's edge; thence North 47°36'39" East, 50 feet to the South right of way of the Canadian Pacific Railroad; thence South 42°24'21" East, 1920 feet along said right of way; thence along the arc of a curve concave to the Northeast, a radius of 2914.70 feet (the chord of which bears South 44°07'46" East, 175.34 feet) a distance of 175.37 feet along said right of way; thence South 11°56'44" West, 181.41 feet along the West right of way of Bowman Road; thence North 74°19'10" West, 1305.02 feet to the point of beginning. Including all lands between the meander line and the Easterly Water's Edge of the Wisconsin River.

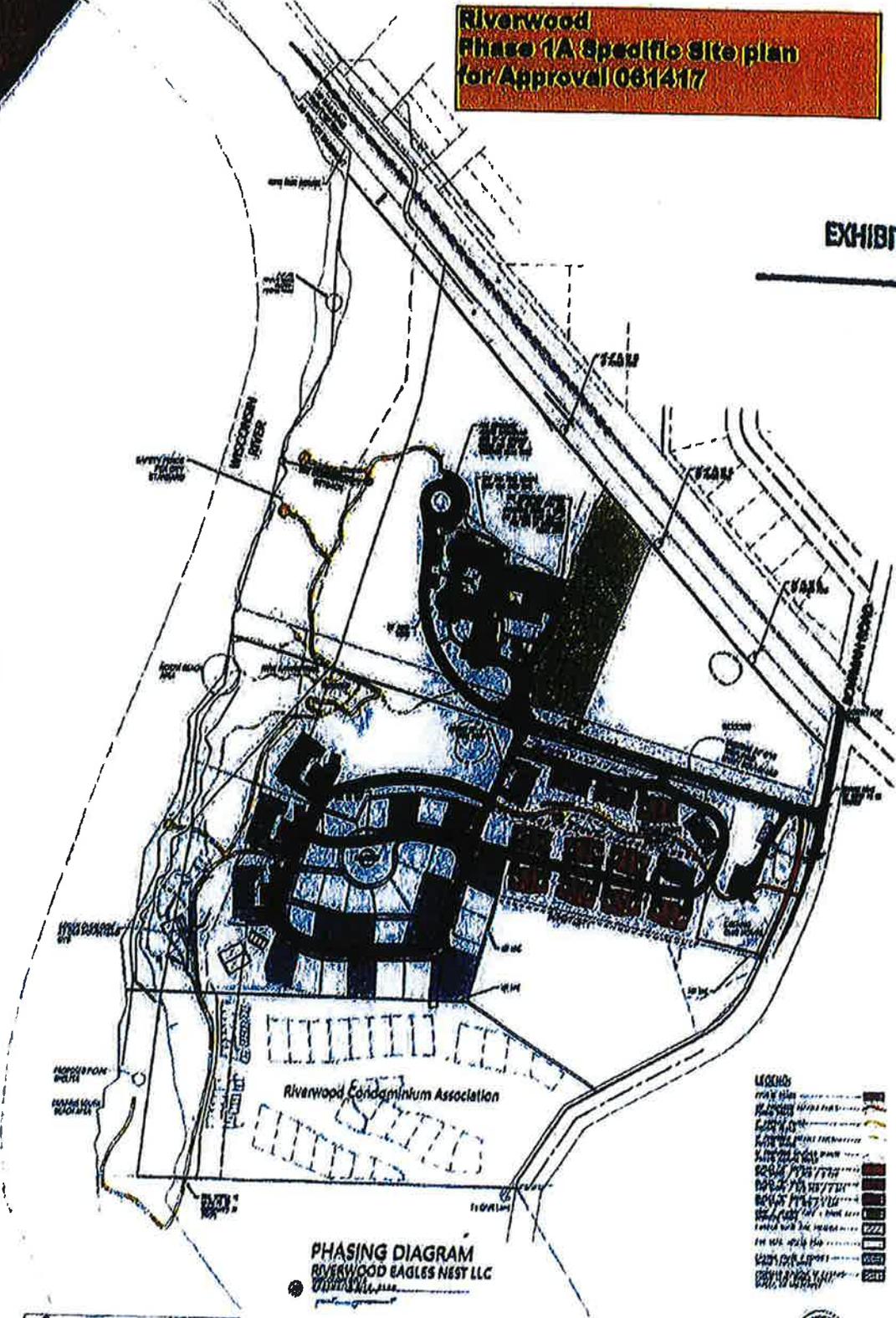
EXHIBIT B

Senior Living Community Development Phases

<u>Phase</u>	<u>Description</u>	<u>Anticipated Development Costs</u>	<u>Anticipated Year of Completion</u>
1A	52 living units of assisted living, memory care, community nook and telemedicine	\$9.5 Million	2018
1B	38 unit independent living, assisted living RCAC-Flex apartment building	\$8.9 Million	2020
2	Additional assisted living, memory care and commons	\$15 Million	2021
3	Retreat center and two (2) private home sites	\$6.75 Million	2022

**Riverwood
Phase 1A Specific Site plan
for Approval 061417**

EXHIBIT C-1



**PHASING DIAGRAM
RIVERWOOD EAGLES NEST LLC
061417**

LEGEND

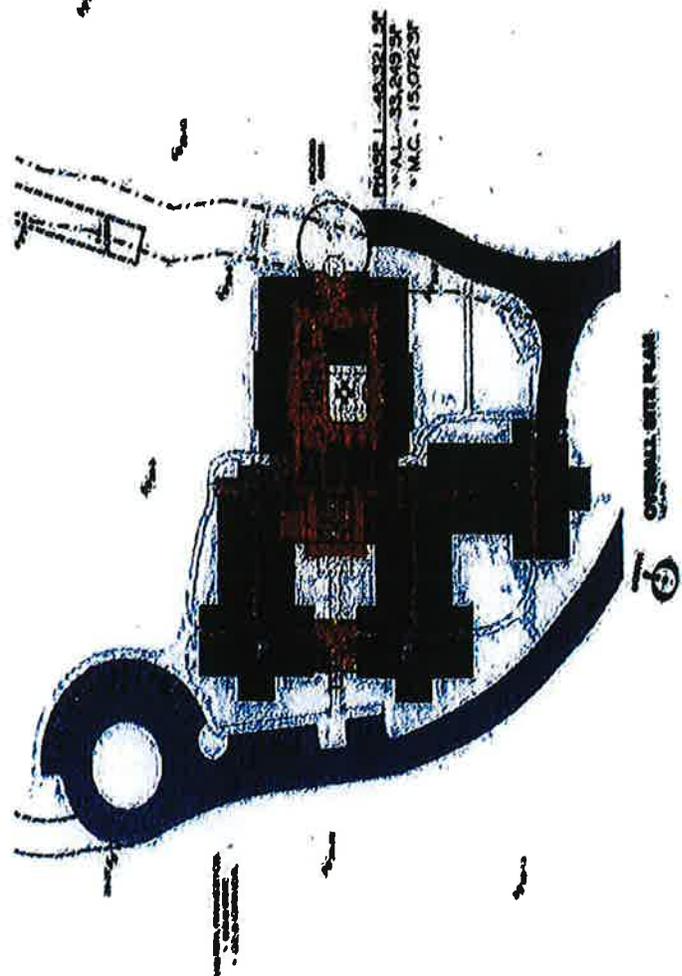
PHASE 1A	PHASE 1B
PHASE 1C	PHASE 1D
PHASE 1E	PHASE 1F
PHASE 1G	PHASE 1H
PHASE 1I	PHASE 1J
PHASE 1K	PHASE 1L
PHASE 1M	PHASE 1N
PHASE 1O	PHASE 1P
PHASE 1Q	PHASE 1R
PHASE 1S	PHASE 1T
PHASE 1U	PHASE 1V
PHASE 1W	PHASE 1X
PHASE 1Y	PHASE 1Z





EXHIBIT

2-2



EXHIBIT

C3



31817

WOODBRUSH

RIVERWOOD EAGLES NEST

2/19/07 2:14:00 PM

SUB ON GRADE

ALT. BLD LOWER LEVEL
• 12300 SF

SUB ON GRADE

BASE BLD LOWER LEVEL
• 12317 SF

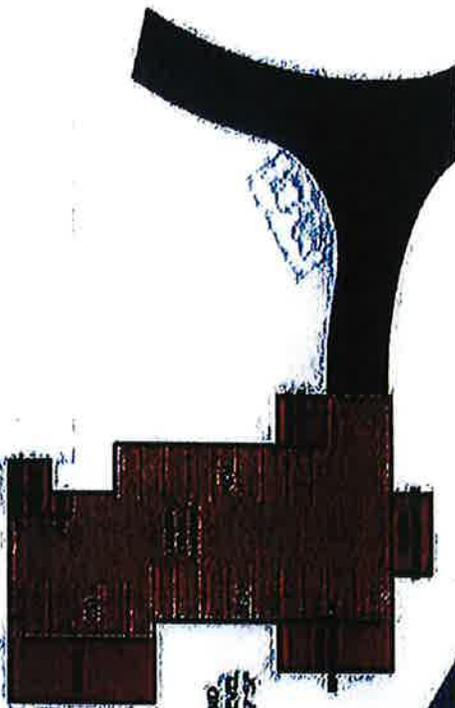


Exhibit D

Additional Contingencies

Approval of this PDD should come with the following contingencies:

1. The roads within the development remain privately owned and maintained.
2. Any public utilities within the development meet City standards, are approved by the City, and utility easements approved by the City are recorded.
3. The access to the facility is approved by Emergency response personnel.
4. A detailed Site plan is approved by the City, that includes but is not exclusive to the following:
 - a. The private development road intersections with Bowman Rd. are approved by the City.
 - b. Utility plans that include looping utility supplies to the development.
 - c. A Storm water management plan that will not create adverse effects on City streets, neighboring properties, or anything else
5. Commercial uses on this development do not create traffic nuisances on Bowman Rd. or other residential streets. Commercial uses will be restricted if the City deems them to be creating a nuisance to the existing residential zones.
6. Adequate buffers are established between the development and neighboring properties
7. The developer cooperates with the City to resolve any nuisances that may result from this development.

Approval of this PDD GDP should come with the following contingencies, which are to be considered additive to the contingencies from the November 2016 meeting:

1. The utility easements within the facility do not hold the City responsible to repair any improvements above the utilities (i.e. pavement or landscaping)
2. Any public utilities within the development meet City standards, are approved by the City, and utility easements approved by the City are recorded.
3. Any underground facilities to be dedicated to the City are GPS and the City is provided adequate mapping of the facilities that is compatible with the City's GIS mapping system.
4. Fire lanes are accepted by the Fire Chief.
5. ~~The secondary access plan, while land acquisition is in place, is provided with the Phase 1B Site Plan application. The secondary access to the facility is in place prior to the occupancy of the Apartment building referred to as Phase 1B.~~
6. The developer is responsible to correct any storm water nuisances that their development creates.
7. Adequate buffers are established between the development and neighboring properties
8. The developer cooperates with the City to resolve any nuisances that may result from this development.

Approval of the Site plan application for Phase 1A should come with the following contingencies:

1. All final utility plans (water, electric, sanitary and storm sewer) are provided to the City for review and approval prior to the commencement of any construction.
2. Any site improvements not part of this plan shall be approved by City staff at their sole discretion.
3. Storm water is not allowed to run on Bowman Rd. or anywhere else where it would cause a nuisance or damage. The developer is responsible for upsizing downstream culverts and installing additional erosion control measures if required.
4. This approval does not include Phase 1B. An additional Site plan application is to be submitted and approved by the City prior to beginning Phase 1B.

TID #3 Priority Debt Obligations

TID #3 Priority Debt:

2012 Electric Revenue Bonds - \$2,905,000

2019 G.O. Notes - \$1,600,000

2014 G.O. Notes - \$850,000

2017 CDA Lease Revenue Bonds - \$13,575,000

Total TID #3 - \$18,330,000 as of 01/01/2018

EXHIBIT

F

**SITE PLAN APPLICATION
Wisconsin Dells, Wisconsin**

**EXHIBIT
B**

Me. csiao Eebn 'ary 27 20G3

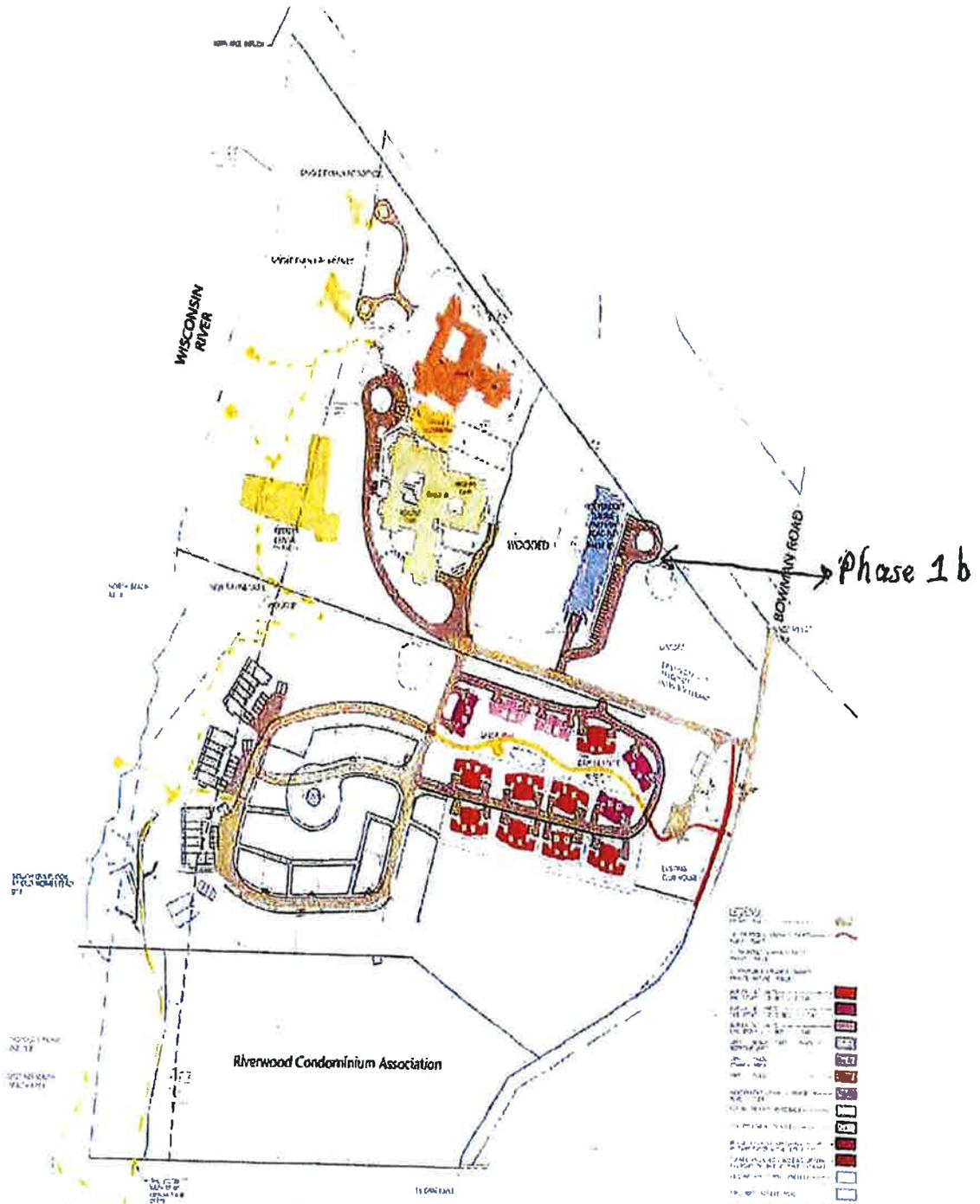
Riverwood Eagle's Nest Phase 1 (a) and (b) Zoning Use

May31,2017

Zoning Definition	Independent Living Duplex	Assisted Living (RCAC)	Memory Care (CBRF)	Independent Living RCAC-Flex	Commons	Site and other
3.2 Residence						
3.4 two-family	Phase 1 (a) 26 total units in 13 buildings					
3.5 Multi-family				Phase 1 (b) 38 unit apartment building		
3.6 Townhouse						
4.2 Community		Phase 1 (a) 30 units	Phase 1 (a) 22 units			
4.7 Retirement Home					Phase 1 (a) Medical, rehabilitation, wellness and exercise facilities for use by all campus residents	
5.5 Overnight Lodging						Phase 1 (a) Condos and/or apartments owned by Riverwood Eagle's Nest to be made available to resident families and guests on a short term basis, primarily when visiting a resident
5.8 Resort						
6.1 Micro Brewery						
6.2 Restaurant		Phase 1 (a) Food preparation for resident and guest consumption	Phase 1 (a) Food preparation for resident and guest consumption		Phase 1 (a) Community coffee nook, food preparation for resident and guest consumption	
6.3 Tavern		Alcohol will not be sold to residents	Alcohol will not be sold to residents			
7.4 Convenience salos					Phase 1 (a) Community coffee nook	
Article 4 (P90) Wisconsin River Shoreland Buffer Overlay Dist.						Phases 1 (a) and 1 (b) Community coffee nook These development standards will consider Section 19.953
42.9 Park						Phases 1 (a) and 1 (b) Park-like areas will be located throughout the campus. These areas will be

SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

						available to residents, guests and City residents using the path
12.10 Recreational trail						Phases 1 (a) and 1 (b)
12.11 Sports/Fitness		Phases 1 (a) and 1 (b) Recreation rooms	Phases 1 (a) and 1 (b) Recreation rooms			Phases 1 (a) and 1 (b) Senior-specific outdoors recreation and sports areas are included in the site design
13.5 Community Center						
13.6 Community Cultural facility						
13.7 Community Garden						Phases 1 (a) and 1 (b) On site gardens and nursery
13.9 Worship facility						
14.1 and 14.2 Health Care					Phases 1 (a) Clinical/exam rooms, waiting areas and rehabilitation areas are located in the commons facility. Doctors, nurses, rehabilitation and wellness services will be available to residents and (likely) community members. These areas will be operated by a third party medical provider.	
19.1 Artisan Shop						
20.5 Boat dock						Phases 1 (a) and 1 (b)
20.8 Fence						Phases 1 (a) and 1 (b)

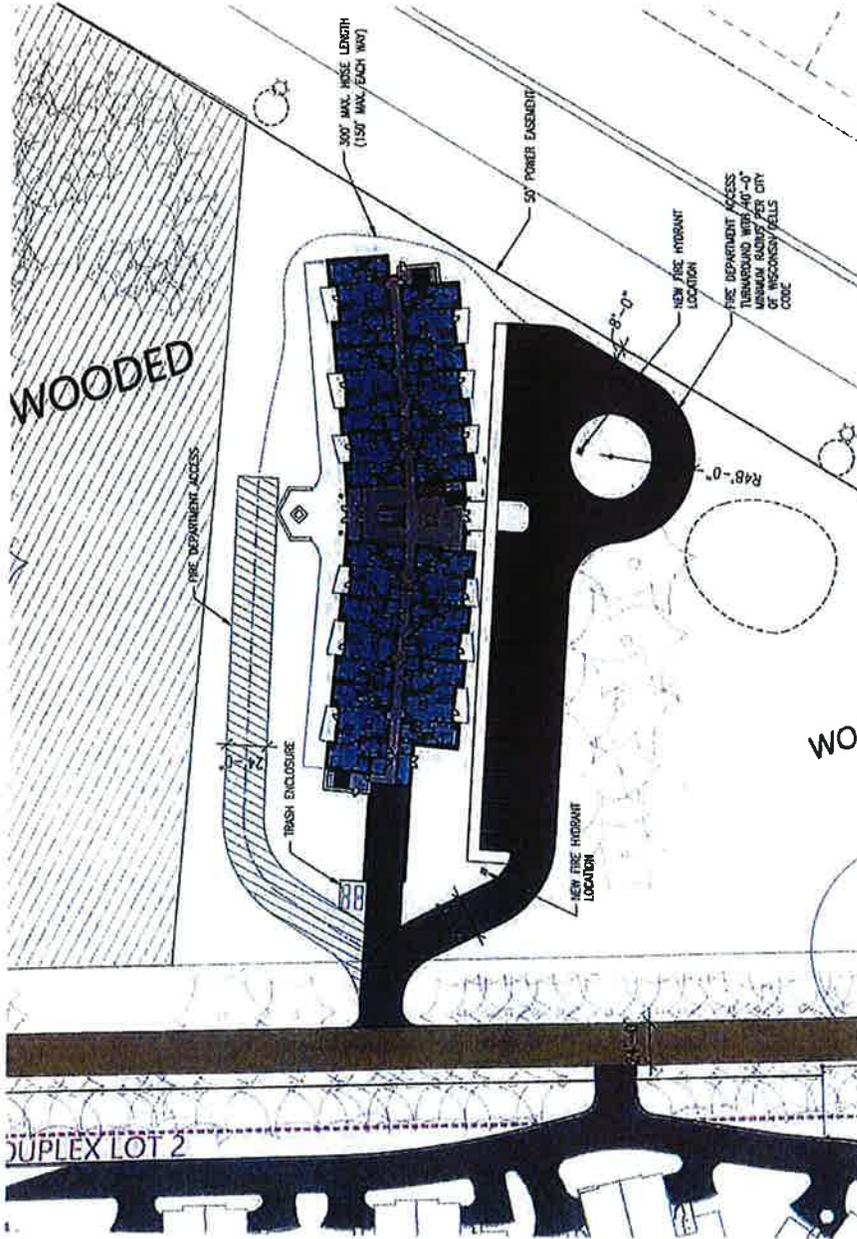


SITE PLAN
RIVERWOOD EAGLES NEST LLC
15 ONE EAVE

LEGEND

Proposed Building Footprint	[Red outline]
Existing Building Footprint	[Red fill]
Proposed Parking	[Yellow fill]
Existing Parking	[Yellow outline]
Proposed Driveway	[Red outline]
Existing Driveway	[Red fill]
Proposed Walkway	[Red outline]
Existing Walkway	[Red fill]
Proposed Stormwater Management	[Blue fill]
Existing Stormwater Management	[Blue outline]
Proposed Utility	[Red outline]
Existing Utility	[Red fill]
Proposed Landscape	[Green fill]
Existing Landscape	[Green outline]
Proposed Wooded Area	[Green outline]
Existing Wooded Area	[Green fill]
Proposed Water	[Blue outline]
Existing Water	[Blue fill]
Proposed Sewer	[Red outline]
Existing Sewer	[Red fill]
Proposed Gas	[Red outline]
Existing Gas	[Red fill]
Proposed Easement	[Red outline]
Existing Easement	[Red fill]
Proposed Right-of-Way	[Red outline]
Existing Right-of-Way	[Red fill]
Proposed Boundary	[Red outline]
Existing Boundary	[Red fill]





EXISTING COUNTS

SURFACE LOT:	30 STALLS INCLUDING 2 ADA STALLS
LOWER LEVEL:	44 STALLS INCLUDING 3 ADA STALLS
TOTAL:	74 STALLS INCLUDING 5 ADA STALLS

PHASE 1B SQUARE FOOTAGES

LOWER LEVEL:	20,362 S.F.
FIRST FLOOR:	20,093 S.F.
SECOND FLOOR:	21,270 S.F.
THIRD FLOOR:	21,270 S.F.
TOTAL GROSS S.F.:	83,395 S.F.

NOTE: SECOND AND THIRD FLOOR EXISTING FOOTAGE FROM PREVIOUS PLAN. INCLUDES FIRST PUBLIC WALK AND PUBLIC WALK.

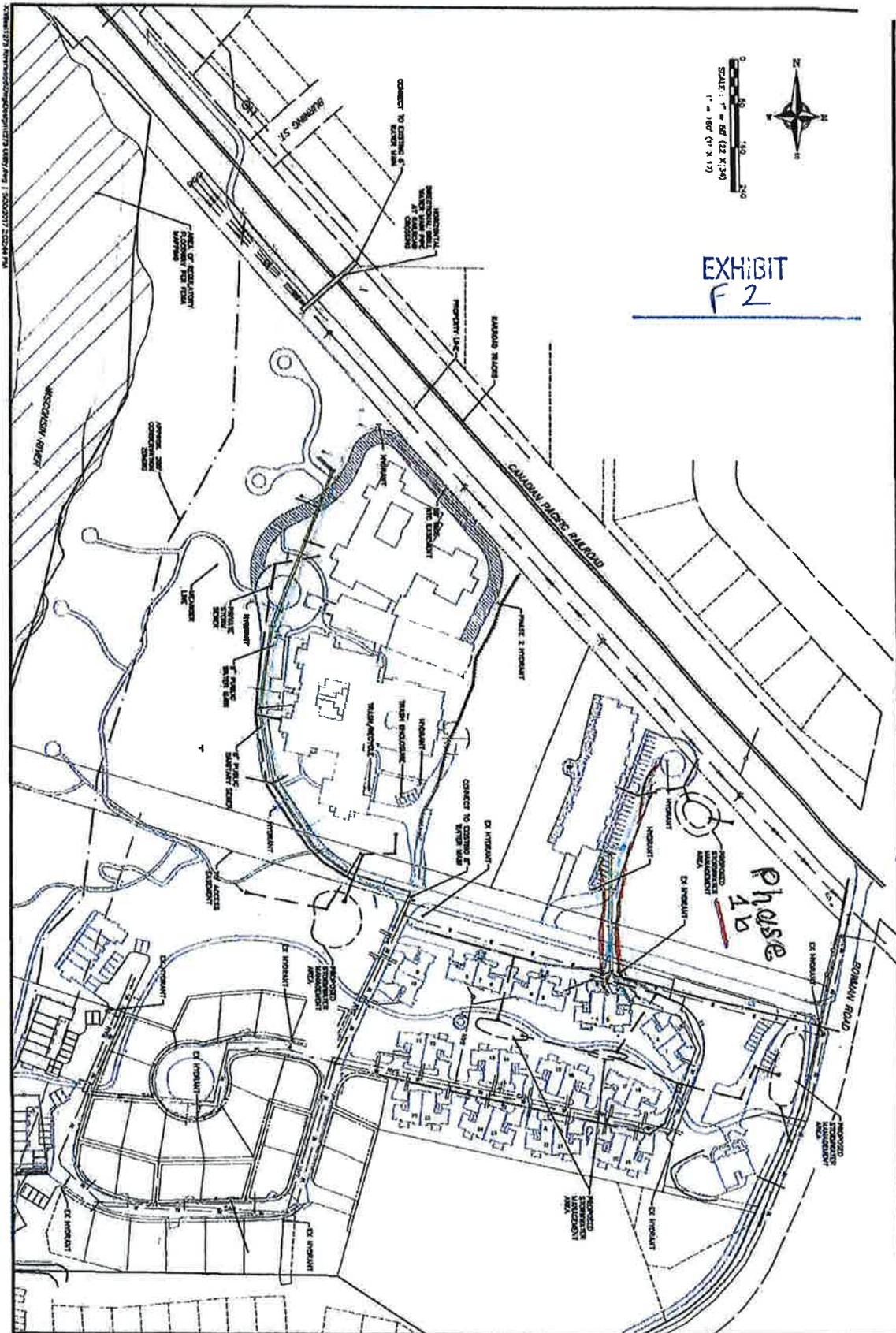


EXHIBIT
E

PHASE 1B - INDEPENDENT LIVING
APARTMENTS RCAC-FLEX
RIVERWOOD EAGLES NEST LLC

WISCONSIN DELLS
FIRST FLOOR PLAN





SCALE: 1" = 60' (23 X 36)
 1" = 180' (7' X 17)

**EXHIBIT
 F 2**

2/28/2017 10:00:00 AM C:\Projects\Riverwood\Drawings\170300017_200017_200017_200017.dwg

C400	RIVERWOOD DEVELOPMENT OVERALL UTILITY PLAN WISCONSIN DELLS, WISCONSIN	PROFESSIONAL ENGINEERING <small>LLC</small>	618 N Meadwybrook Ln Wausau, WI 53397 phone (608) 849-9378 www.pe-wi.com	DESIGNED BY DATE	CHECKED BY DATE
				02/28/2017 CS-30-17	

Approval of the Phase 1B Site Plan should come with the following contingencies, which are to be considered additive to the contingencies from the November 2016 meeting (it should be clarified if these recommendations apply to the GDP and Phase 1A as well):

1. The utility easements within the facility do not hold the City responsible to repair any improvements above the utilities (i.e. pavement or landscaping)
2. Any public utilities within the development meet City standards, are approved by the City, and utility easements approved by the City are recorded.
3. Any underground facilities to be dedicated to the City are GPS and the City is provided adequate mapping of the facilities that is compatible with the City's GIS mapping system.
4. Fire lanes are accepted by the Fire Chief.
5. The developer is responsible to correct any storm water nuisances that their development creates.
6. Adequate buffers are established and/or maintained between the development and neighboring properties
7. The developer cooperates with the City to resolve any nuisances that may result from this development.
8. All final utility plans (water, electric, sanitary and storm sewer) are provided to the City for review and approval prior to the commencement of any construction.
9. Any site improvements not part of this plan shall be approved by City staff at their sole discretion.
10. Storm water is not allowed to run on Bowman Rd. or anywhere else where it would cause a nuisance or damage. The developer is responsible for upsizing downstream culverts and installing additional erosion control measures if required.

Additional recommendations recommended as part of the Phase 1B review.

1. Final Fire Hydrant locations are approved by the Fire Department
2. The developer shall provide final, written documentation of their right to install the new water main under the railroad tracks before a building permit is issued for the 3-story apartment building.
3. Occupancy of the building will not be granted unless all utilities (water, electric, sanitary and storm sewer, and storm water management) are installed and approved by the City.
4. Occupancy of the building will not be granted unless the water main loop is completed.
5. Parking stalls and drive aisles meet the City Zoning code standards (9'x19').
6. The developer shall not be eligible for any occupancy permits or incentive payments unless all construction is completed and accepted.

Chris Tollaksen
City of Wis. Dells
Planning & Zoning
4/09/2018

EXHIBIT
G

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, that based upon the recommendation of the CITY PLAN COMMISSION from their April 9, 2018 meeting;

IT APPROVES the Site Plan application submitted by Riverwood Eagle's Nest LLC for construction of Phase 1B, a 38 unit 3-story independent living and RCAC-flex apartments, of their senior community development, at 103 Bowman Road with the following contingencies and recommendations:

1. The utility easements within the facility do not hold the City responsible to repair any improvements above the utilities (i.e. pavement or landscaping)
2. Any public utilities within the development meet City standards, are approved by the City, and utility easements approved by the City are recorded.
3. Any underground facilities to be dedicated to the City are GPS and the City is provided adequate mapping of the facilities that is compatible with the City's GIS mapping system.
4. Fire lanes are accepted by the Fire Chief.
5. The developer is responsible to correct any storm water nuisances that their development creates.
6. Adequate buffers are established and/or maintained between the development and neighboring properties
7. The developer cooperates with the City to resolve any nuisances that may result from this development.
8. All final utility plans (water, electric, sanitary and storm sewer) are provided to the City for review and approval prior to the commencement of any construction.
9. Any site improvements not part of this plan shall be approved by City staff at their sole discretion.
10. Storm water is not allowed to run on Bowman Rd. or anywhere else where it would cause a nuisance or damage. The developer is responsible for upsizing downstream culverts and installing additional erosion control measures if required.
11. Final Fire Hydrant locations are approved by the Fire Department
12. The developer shall provide final, written documentation of their right to install the new water main under the railroad tracks before a building permit is issued for the 3-story apartment building.
13. Occupancy of the building will not be granted unless all utilities (water, electric, sanitary and storm sewer, and storm water management) are installed and approved by the City.
14. Occupancy of the building will not be granted unless the water main loop is completed.
15. Parking stalls and drive aisles meet the City Zoning code standards (9'x19').
16. The developer shall not be eligible for any occupancy permits or incentive payments unless all construction is completed and accepted.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

Vote: ___ ayes; ___ nays ___ abstention

Date Introduced: April 23, 2018

Date Passed:

Date Published:

Staff Report
Riverwood
Phase 1B Specific Site Plan (SSP) – 3-story apartment building.
City of Wis. Dells Plan Commission, 4/09/2018

The City has received a Site plan application for the Specific Site Plan of Phase 1B of the Development. Phase 1B is the 38 unit 3-story Independent Living (IL)/RCAC-Flex apartments.

In November 2016 Riverwood Eagle's Nest, LLC had requested a zoning map change to re-zone the Riverwood Eagle Watch Condominiums and the associated Phase II and Phase III condominium expansion lands from R-5 Residential – multi-family to Planned Development District 2. The applicant would like to develop a 50+ senior living community that will provide independent living, assisted care, memory care, and medical services. The development will also include food, recreation, and wellness activities; as well as worship, meeting, and social areas. Overnight lodging will also be made available in the development for its resident families and guests.

Last year this development received approval of the General Development Plan and the Phase 1A Site plan. The current request will be in addition to the Phase 1A development that was approved last year. During the approval process for the GDP and the Phase 1A Site plan, the City Council chose not to include a requirement for a secondary emergency access. This condition was only one of several conditions recommended by the Plan Commission. It should be clarified that all the other recommended conditions apply to the GDP, Phase 1A, and Phase 1B and are listed as items 1-10 below.

Phase 1A consisted of one single story development containing: 30 Assisted Living unit, 22 Memory Care units, and 13 Independent Living duplexes (totally 26 apartment) with a Community Nook (coffee and grab-and-go food) and a Telemedicine Suite (clinical exam rooms, office space and waiting area).

It is also noted that a Developers Agreement was approved last year. This agreement was specifically for Phase 1A and did not include Phase 1B.

The application and plans submitted for Phase 1B appear to be almost identical to the information provided as part of the GDP. The City has never received more than preliminary utility plans for this development. It does not appear any significant progress has been made on the final utility or storm water plans. Any approval should be contingent on City staff approval of all finalized plans. Two of the main utility concerns are the looping of the water main to the area and the location of fire hydrants. The construction of a 3 story, senior apartment building raises these concerns even more. As such, no building permit will be issued to the developer until final utility plans have been approved by City staff. Final plans include all documentation of land rights for any part of the approved plan. It should also be clear, that any construction that is not completed per the approved plans, will be considered in violation of plan approval and not eligible for occupancy or incentive payments.

It is preferable for the City to have a completed Storm Water Management plan to review with the Site plan application. The developer has stated that the Storm water management plan for Phase 1A is not complete, and has provided only preliminary information about the Storm water plan. No additional Storm water plan information was provided for Phase 1B.

Initially, it was indicated that most storm water would flow directly from this site westerly to the Wisconsin River. As the storm water would not pass by or through any other property, it seemed adequate to allow the storm sewer system to be developed to DNR standards. There is some concern that the private roads could have frequent flooding and wash out issues due to the apparent increase in larger rain fall events recently. During the PDD review the City indicated it may require storm water

capacities around the roads in excess of State minimum requirements. It has also been stated that the developer intends to send a significant amount of its storm water east to cross Bowman Rd. and enter the wet-lands on the east side of Bowman Rd. The basic preliminary sketch of the storm water plan indicates that all of the storm water from the duplex development area will be directed towards Bowman Rd. and discharged just north of the Clubhouse. This water will run to an existing smaller culvert that crosses a private drive immediately south of the clubhouse. Another smaller culvert then carries the storm water from the private drive across Bowman Rd to the east toward the wetland. If the existing culverts are overcome with storm water, the developer will be responsible for up sizing these existing culverts. The culvert discharge on the east side of Bowman Rd appear to be on top of a significant hill that drops down to the wetland below. If erosion (or any other) storm water problems arise the developer will be responsible for installing additional rip rap or other erosion control measures.

Especially given that a full Storm water management plan has not been provided with the Site plan application, it should be made clear that all storm water facilities in this development are the responsibility of the developer. The developer is responsible to correct any storm water nuisances that this development may create. The developer has stated that their storm water management plan will control the 100 year storm event to pre-development levels.

There have already been storm water washout issues on Bowman Rd, so the City will require that the Bowman Rd crossing be designed to handle a high storm event. Historically, there have been storm water issues from the developed portion of the existing Phase II of the Riverwood development having an adverse effect on the original Phase I Riverwood development. These issues appear to have been privately corrected, but this development shall ensure that its storm water does not have an adverse effect on the property to the south, or any other property.

Generally, City owned main line water and sewer utilities are located within the road ROW. While the roads of this development will remain private, the developers intend to engineer and install the water and sewer utilities to City specifications and then turn those utilities over to the City with easements to allow City access to maintain the utilities. The details of these easements must be ironed out and may be applied to the existing utilities, some of which may not be located in the roadway. As such, the utility easements shall allow City vehicles access onto and through the property to access these easement. The City should not be liable for any surface damage that may occur when accessing the water, sewer, or other utilities for maintenance purposes. The City has made a significant investment in a GIS mapping system to accurately map all public utilities. Prior to dedicating the any underground facilities to the City, the developer has provide the City with accurately GPS maps of the facilities that is compatible with the new City mapping system.

As a standard issue with all new development, the City wants to ensure that proper buffers exist between the new development and existing properties. It appears the neighboring properties to the north and south would be the main concern. This development proposes duplexes neighboring the property to the south, which do not seem likely to create a nuisance. The apartments to the north would be more of a concern, but the RR row provides an additional approximately 150' set-back between the apartments and the neighboring residents. Still, efforts should be made to maintain as many of the existing mature trees as possible to retain a buffer, and additional buffering may be requested if deemed prudent by the City.

The 3-story building proposed for Phase 1B would appears more likely to affect the neighbors north of the RR tracks.

Approval of the Phase 1B Site Plan should come with the following contingencies, which are to be considered additive to the contingencies from the November 2016 meeting (it should be clarified if these recommendations apply to the GDP and Phase 1A as well):

1. The utility easements within the facility do not hold the City responsible to repair any improvements above the utilities (i.e. pavement or landscaping)
2. Any public utilities within the development meet City standards, are approved by the City, and utility easements approved by the City are recorded.
3. Any underground facilities to be dedicated to the City are GPS and the City is provided adequate mapping of the facilities that is compatible with the City's GIS mapping system.
4. Fire lanes are accepted by the Fire Chief.
5. The developer is responsible to correct any storm water nuisances that their development creates.
6. Adequate buffers are established and/or maintained between the development and neighboring properties
7. The developer cooperates with the City to resolve any nuisances that may result from this development.
8. All final utility plans (water, electric, sanitary and storm sewer) are provided to the City for review and approval prior to the commencement of any construction.
9. Any site improvements not part of this plan shall be approved by City staff at their sole discretion.
10. Storm water is not allowed to run on Bowman Rd. or anywhere else where it would cause a nuisance or damage. The developer is responsible for upsizing downstream culverts and installing additional erosion control measures if required.

Additional recommendations recommended as part of the Phase 1B review.

1. Final Fire Hydrant locations are approved by the Fire Department
2. The developer shall provide final, written documentation of their right to install the new water main under the railroad tracks before a building permit is issued for the 3-story apartment building.
3. Occupancy of the building will not be granted unless all utilities (water, electric, sanitary and storm sewer, and storm water management) are installed and approved by the City.
4. Occupancy of the building will not be granted unless the water main loop is completed.
5. Parking stalls and drive aisles meet the City Zoning code standards (9'x19').
6. The developer shall not be eligible for any occupancy permits or incentive payments unless all construction is completed and accepted.

Chris Tollaksen
City of Wis. Dells
Planning & Zoning
4/09/2018

SITE PLAN APPLICATION

Wisconsin Dells, Wisconsin

Version: February 27, 2008

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 form from the zoning administrator.

- Office Use Only -

Initial application fee	300
Receipt number	63803
Application number	SP 4-2018

1. Applicant information

Applicant name	Riverwood Eagle's Nest, LLC
Street address	103 Bowman Road
City	Wisconsin Dells
State and zip code	WI53965
Daytime telephone number	262 388-2418 or 608 829-3450
Fax number, if any	
E-mail, if any	mary@riverwoodlistens.com or stevc@riverwoodlistens.com

2. Subject property information

Street address	103 Bowman Road, Wisconsin Dells, WI 53965	
Parcel number	11291-2200, 1903 & 11291-2200, 1902 (see attached language)	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)	PDD#2 with R-5 residential multi-family, refer to the zoning use table located at the end of this application for a detailed list of zoning uses for phases 1(b)	
Describe the current use	The parcels are currently vacant.	

3. Proposed use. Describe the proposed use.

<p>55 and over senior community that will provide assisted living, memory care and independent living apartments. Phase 1b will include 38 Independent Living (IL)/RCAC-Flex apartments. This will complement Phase 1a, previously approved, that includes 30 Assisted Living (AL) units, 22 Memory Care (MC) units and 13 Independent Living duplexes (IL) (totaling 26 apartments) with a Community Nook (coffee and grab-and-go food) and a Telemedicine Suite (clinical exam rooms, office and waiting areas).</p>
--

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

<p>Phase 1(b) will provide 38 Independent Living(IL) RCAC-Flex apartments and will utilize the amenities of Phase 1(a) previously approved. Phase 1 (a) will consist of a Community Nook (coffee and grab-and-go food) and a Telemedicine Suite (clinical exam rooms, lab, office space and waiting area. Additional activities that promote wellness, recreation, art and other activities that enhance a healthy lifestyle will be available. These non-residential uses are primarily for the resident families and guests but will be open to the community. Condos and/or apartments owned by Riverwood Eagle's Nest will be available for families and guests on a short term basis, primarily when visiting a resident. Park-like areas, gardens, a small nursery and trails will be available to residents and their guests.</p>
--

SITE PLAN APPLICATION

Wisconsin Dells, Wisconsin

Version: February 27, 2008

5. **Potential nuisances.** Describe any potential nuisances 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.

Riverwood is designed as a 55 plus senior community with a 15 mile/ speed limit. As an active lifestyle community, it is designed to promote safety and the aesthetics of the property with paths and trails to take advantage of the woods, natural elevations, beauty and native wildlife that can be found on the site. Lighting will be limited and placed to ensure the safety of the residents as they walk, bike or use golf carts throughout the site.

SITE PLAN APPLICATION

Wisconsin Dells, Wisconsin

Version: February 27, 2008

6. Review criteria. In making its decision, the Plan Commission must consider five factors as listed below. Provide a response to each. (See Section 19.393 of the Municipal Code.)

- a. Consistency of the project with the city's comprehensive plan and neighborhood plan or other subarea plan, if any
Quality senior housing is needed in the community and the 38 Independent Living(IL)/RCAC Flex apartments units are designed to ensure more green space and to maintain the current vegetation and natural aesthetic beauty of the site. When compared with traditional Senior complexes that include Assisted Living, Memory Care and Independent Living units, Riverwood is considered very low density and is appropriate to the surrounding neighborhood
- b. Effects of the project on traffic safety and efficiency and pedestrian circulation, both on-site and off-site
On site, the entire project will have a 15 mile/hour speed limit. Infrastructure improvements of pathways for bicycles, golf carts and pedestrians as well as improved roadways will allow for safe movement throughout the property. Signage, lighting, landscaping and fencing will also be incorporated to support this. There is predicted to be some increase in traffic along Bowman Road. Plans by the City to clearly mark areas for biking and golf carts to access the downtown Dells should serve to promote safety along the corridor.
- c. Effects of the project on the natural environment
As part of Riverwood's philosophy, building placement complements the current vegetation and topography. The buildings were sited to ensure that mature trees remain in place. An arborist was retained to preserve the mature native species, to remove invasive species and to reintroduce native species once found in the environs of Wisconsin Dells and to help design an on-site nursery that will be managed by our residents. Both the 24 foot roads and the underground parking will help to limit impervious surfaces, reduce runoff and keep vegetation intact.
- d. Effects of the project on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances
The project will have a minimal effect on surrounding properties as the activities are designed for the benefit of the residents and their guests. It should also serve to enhance the ability of neighbors from surrounding properties to enjoy the natural beauty and wildlife of the area. Given the topography that defines the property, the primary group affected are the current condominium owners who have been kept informed and are supportive of the improvements.
- e. The overall appearance of the project
The Riverwood project is designed to complement the incredible beauty of the property and to keep and incorporate the North woods feel created by the large white pines and mature hardwoods found throughout the property. Great efforts have been made to set the buildings in a manner that complements the natural setting. Some critical design elements include log home-like features and river stone accents of all facilities as well as the use of natural colors that complement the trees and open spaces.
- f. If the project is a multi-family real estate development (more than 3 dwelling units), does the project meet the following standards:
1. All setback areas fronting on or visible from an adjacent public street, and all recreation, leisure and open space areas shall be landscaped in accordance with the project plan. Decorative design elements, such as fountains, pools,

SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

Version: February 27, 2008

benches, sculpture, planters, exterior recreational facilities and similar elements may be permitted, providing such elements are incorporated as part of the landscaping plan; and, permanent and automatic irrigation facilities are provided in all planted landscaped area.

Yes, landscaping for the project will continue the existing "Up North" design that incorporates stone and white pines with the addition of native plants and shrubs unique to the Dells area.

2. Minimum open space is thirty (30%) percent of the net area being developed. The net area shall exclude dedicated or proposed-dedicated public rights-of-way.

The open space for the property will far exceed the 30% requirement.

3. Common open space areas are designed and located within the project to afford use by all residents of the project. These common areas may include, but are not limited to: game courts or rooms, swimming pools, garden roofs, sauna baths, putting greens, or play lots.

The common areas available to residents in Phase 1(b) will include the use of trails and paths, park-like nature areas, a small native nursery and garden in addition to the use of the existing Clubhouse and current swimming pool.

4. Active recreation and leisure areas, except those located completely within a structure, used to meet the open space requirement, shall not be located within fifteen (15) feet of any door or window of a dwelling unit.

The recreation and leisure amenities are not located within 15 feet of any door or window of a dwelling unit.

5. Private waterways, including pools, streams and fountains, may be used to satisfy not more than fifty (50%) percent of the required open space.

The project is in compliance with this requirement.

6. Trash collection areas shall be provided within two hundred and fifty (250') feet of the units they are designed to serve. Such areas shall be enclosed within a building or screened with masonry walls having a minimum height of five feet. Access gates or doors to any trash area, not enclosed within a building, are to be of opaque material.

The 38 unit Independent Living (IL)/RCAC Flex apartment building will have an outside trash area located near

SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

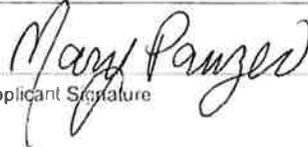
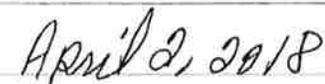
Version: February 27, 2008

the southwest entrance to the underground parking that is designed according to the requirements listed above.

7. Project map. Attach a scaled map showing the information as listed at the end of this application. Use one of the following page sizes as appropriate. 8½" x 11", 11" x 17", or 24" x 36"

8. Applicant certification

- I certify that the application is true as of the date it was submitted to the City for review.
- I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with the agreement below.

	
Applicant Signature	Date

Governing Regulations	The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.
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SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

Version February 27, 2009

Supplementary Information for Parcel Numbers.

To make this more clear because there are neighboring parcels with similar names, this POD Application is intended to apply to two parcels of land:

1. The former DYO, LLC land, with a tax key number of 11291-2200.1903, immediately south of the railroad tracks ("Dye Parcel"), which is owned by Applicant, and
2. The parcel south of that which was described as the Phase II Expansion Land to the Riverwood Eagle's Nest Condominium ("Phase II Land") owned by Applicant, and which has a tax key number of 11291-2200.1902

The Riverwood Condominium Association (phase 1) is not affected by this Application.

Applicant also owns more than 76% of the Units in Riverwood Eagle Watch Condominium ("Eagle Watch Condominium"), and therefore has the ability on behalf of the Riverwood Eagle Watch Condominium to grant easements through the common elements of the Eagle Watch Condominium, if required to meet the POD requirements.

This application is for a POD overlay on the Dye Parcel and Phase II Land, and any related easements through the common areas of the Eagle Watch Condominium, as well as any use changes applying to the particular Eagle Watch Condominium units owned by Applicant which are needed to meet the POD requirements.

See attached sheet for legal description and tax key numbers.

SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

Version: February 27, 2008

Reimbursement Agreement for Application Review Costs

A. Payment for Eligible Costs.

By submitting this application for review, the applicant agrees to pay all administrative costs incurred by the City in the processing, study, and review of the application including costs for planning, legal, engineering, and related services, referred to herein as eligible costs.

B. Guarantee of Payment.

To guarantee reimbursement, the applicant shall submit one of the following along with this application:

- 1 an irrevocable letter of credit in the name of the City in an amount as set by the zoning administrator, or
- 2 a cash deposit in an amount as set by the zoning administrator.

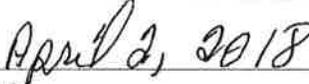
If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1% percent shall be charged on invoices not paid within 30 days of the invoice date. The City shall access the letter of credit to pay for overdue invoices, including late penalty charges, and submit a written notice to the applicant.

If remaining monies in the cash account are insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to deposit additional monies into the cash account in an amount as set by the zoning administrator. If the principal amount of the irrevocable letter of credit is insufficient to pay for current and reasonably anticipated eligible costs, the applicant agrees to submit a second letter of credit in an amount as set by the zoning administrator. The applicant may withdraw this application prior to final action by the City Council by submitting a written letter to the City. Upon such notice, the City shall cease all work related to the review of the application. However, withdrawal of this application does not terminate this reimbursement agreement.

If the applicant does not pay for eligible costs, the City Clerk/Treasurer shall add the outstanding balance to the tax roll as a special assessment against the subject property. In addition, the City may pursue other legal means to obtain the outstanding balance as allowed by law.

C. Termination of Guarantee.

If a cash deposit is used to guarantee reimbursement, the City agrees to reimburse the applicant any unused monies in the cash account, including earned interest, within 60 days of the date when the City Council takes final action on the application. If a letter of credit is used, the City shall send a written letter to the applicant releasing the applicant from the letter of credit when all outstanding invoices have been paid.

 Applicant Signature	 Date
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SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

Me csiao Eebn *ary 27 2063

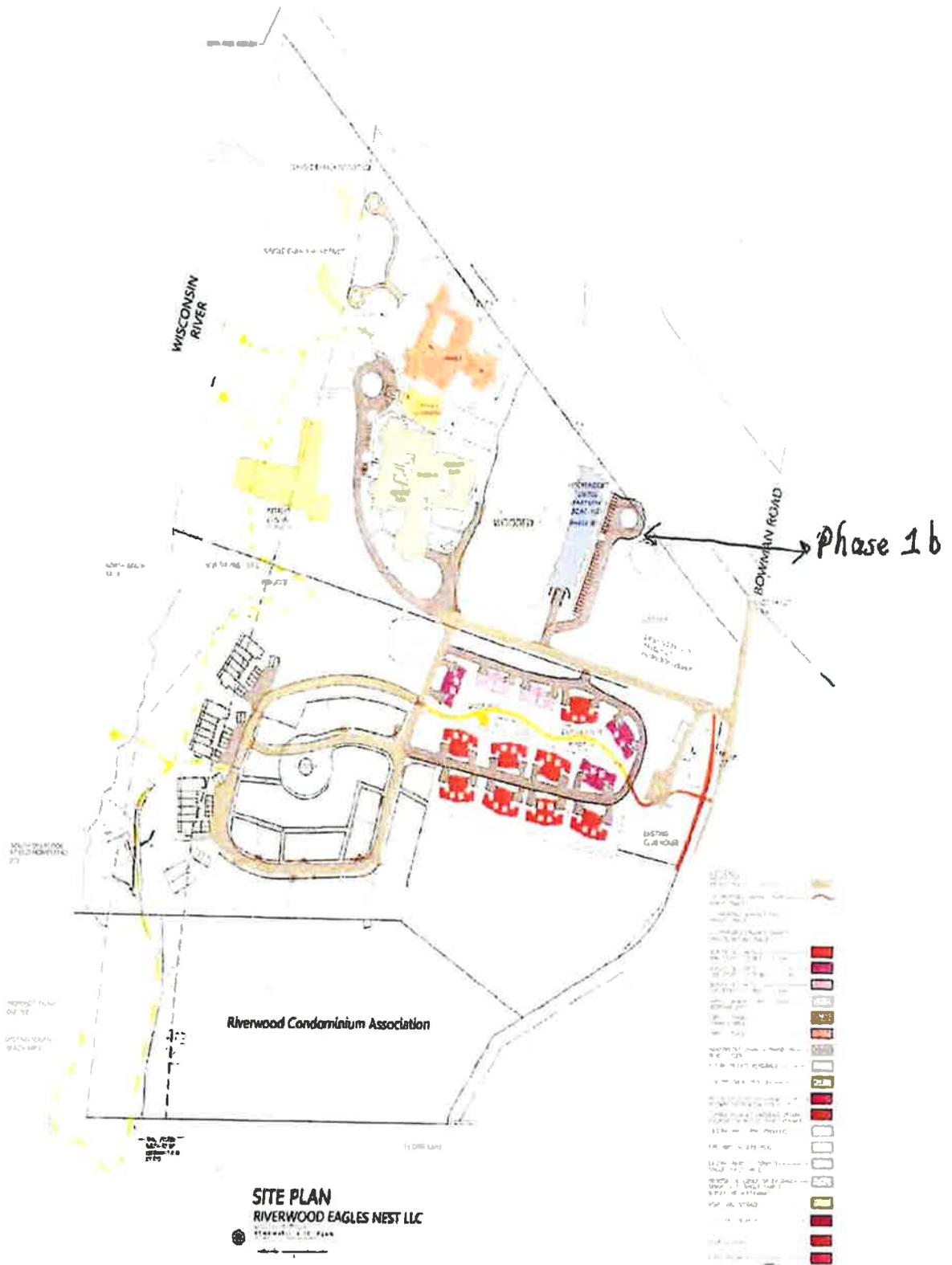
Riverwood Eagle's Nest Phase 1 (a) and (b) Zoning Use

May31,2017

Zoning Definition	Independent Living Duplex	Assisted Living (RCAC)	Memory Care (CBRF)	Independent Living RCAC-Flex	Commons	Site and other
3.2 Residence						
3.4 two-family	Phase 1 (a) 26 total units in 13 buildings					
3.5 Multi-family				Phase 1 (b) 38 unit apartment building		
3.6 Townhouse						
4.2 Community		Phase 1 (a) 30 units	Phase 1 (a) 22 units			
4.7 Retirement Home					Phase 1 (a) Medical, rehabilitation, wellness and exercise facilities for use by all campus residents	
5.5 Overnight Lodging						Phase 1 (a) Condos and/or apartments owned by Riverwood Eagle's Nest to be made available to resident families and guests on a short term basis, primarily when visiting a resident
5.6 Resort						
6.1 Micro Brewery						
6.2 Restaurant		Phase 1 (a) Food preparation for resident and guest consumption	Phase 1 (a) Food preparation for resident and guest consumption		Phase 1 (a) Community coffee nook, food preparation for resident and guest consumption	
6.3 Tavern		Alcohol will not be sold to residents	Alcohol will not be sold to residents			
7.4 Convenience sales					Phase 1 (a) Community coffee nook	
Article 4 (P90) Wisconsin River Shoreland Buffer Overlay Dist.						Phases 1 (a) and 1 (b) Community coffee nook These development standards will consider Section 19.953
42.9 Park						Phases 1 (a) and 1 (b) Park-like areas will be located throughout the campus. These areas will be

SITE PLAN APPLICATION Wisconsin Dells, Wisconsin

						available to residents, guests and City residents using the path
12.10 Recreational trail						Phases 1 (a) and 1 (b)
12.11 Sports/Fitness		Phases 1 (a) and 1 (b) Recreation rooms	Phases 1 (a) and 1 (b) Recreation rooms			Phases 1 (a) and 1 (b) Senior-specific outdoors recreation and sports areas are included in the site design
13.5 Community Center						
13.6 Community Cultural facility						
13.7 Community Garden						Phases 1 (a) and 1 (b) On site gardens and nursery
13.9 Worship facility						
14.1 and 14.2 Health Care					Phases 1 (a) Clinical/exam rooms, waiting areas and rehabilitation areas are located in the commons facility. Doctors, nurses, rehabilitation and wellness services will be available to residents and (likely) community members. These areas will be operated by a third party medical provider.	
19.1 Artisan Shop						
20.5 Boat dock						Phases 1 (a) and 1 (b)
20.8 Fence						Phases 1 (a) and 1 (b)





Phases
1b





PARKING COUNTS

30 STALLS INCLUDING SURFACE LOT	2 ADA STALLS
44 STALLS INCLUDING LOWER LEVEL	3 ADA STALLS
TOTAL:	74 STALLS INCLUDING 5 ADA STALLS

PHASE 1B SQUARE FOOTAGES

LOWER LEVEL	20,363 S.F.
FIRST FLOOR	21,570 S.F.
SECOND FLOOR	21,570 S.F.
THIRD FLOOR	21,570 S.F.
TOTAL GROSS S.F.	83,983 S.F.

NET STAIRS AND OTHER FLOOR SQUARE FOOTAGES SHALL BE DEDUCTED FROM GROSS SQUARE FOOTAGE TO DETERMINE NET PUBLIC AREAS AND PRIVATE AREAS.

**PHASE 1B - INDEPENDENT LIVING
APARTMENTS RCAC-FLEX**
RIVERWOOD EAGLES NEST LLC
WISCONSIN DELLS
FIRST FLOOR PLAN



Quorum Architects, Inc.
1000 North Lincoln Street
Suite 200
Madison, WI 53703
TEL: 608.261.1111
WWW.QUORUMARCHITECTS.COM
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PARKING SPACES	30 STALLS INCLUDING ADA STALLS
LOWER LEVEL	44 STALLS INCLUDING 3 ADA STALLS
TOTAL	74 STALLS INCLUDING 5 ADA STALLS

PHASE 1B SQUARE FOOTAGE	
GROUND FLOOR	20,083 S.F.
FIRST FLOOR	20,083 S.F.
SECOND FLOOR	21,570 S.F.
THIRD FLOOR	21,570 S.F.
TOTAL GROSS S.F.	83,306 S.F.

NOTE: STAIRS AND OTHER FLOOR SQUARE FOOTAGES ARE NOT INCLUDED IN THESE TOTALS.

**PHASE 1B - INDEPENDENT LIVING
APARTMENTS RCAC-FLEX**
RIVERWOOD EAGLES NEST LLC
WISCONSIN DELLS
LOWER LEVEL PLAN



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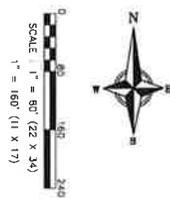
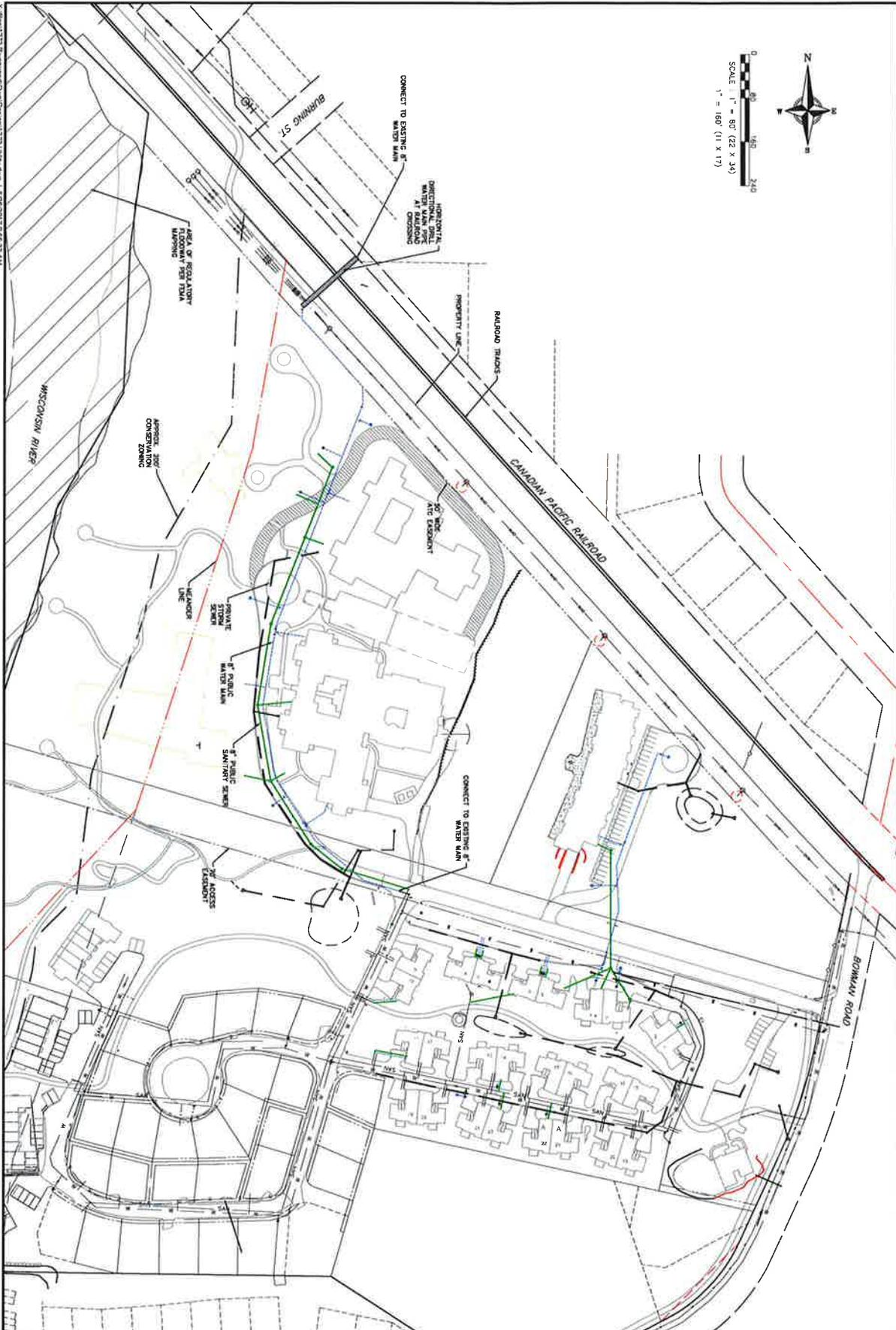
**RIVERWOOD DEVELOPMENT
OVERALL UTILITY PLAN**
WISCONSIN DELLS, WISCONSIN



618 N Meadowbrook Ln
Waunakee, WI 53597
phone (608) 849-9378
www.pe-wi.com

ISSUANCE/REVISION	DATE
DESIGN DEVELOPMENT	05-30-17

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C400

**RIVERWOOD DEVELOPMENT
OVERALL UTILITY PLAN**
WISCONSIN DELLS, WISCONSIN


**PROFESSIONAL
ENGINEERING**
 LLC

816 N Meadowbrook Ln
 Waunakee, WI 53597
 phone (608) 849-9378
 www.pe-wi.com

ISSUANCE/REVISION	DATE
DESIGN DEVELOPMENT	09-26-17

ITEM 8

CITY OF WISCONSIN DELLS
RESOLUTION NO. _____

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin,

IT APPROVES the Mural Installation and Maintenance Agreement with Walter & Teresa Nkyha for placement of a mural on the side of their building at 301 Broadway.

Brian L. Landers, Mayor

Attest: _____
Nancy R. Holzem, City Clerk

Vote: ____ ayes, _____ nays ____ abs.

Date Introduced: April 23, 2018

Date Passed:

Date Published:

Mural Installation and Maintenance Agreement

This Mural Installation and Maintenance Agreement is by and between the City of Wisconsin Dells, a Wisconsin Municipal Corporation (the "City") and the Walter J. and Teresa M. Nekyha Living Trust dated 11/26/2002 (the "Trust").

RECITALS

- A. The Trust owns the following described real estate in the City:
The West One-half (1/2) of Lot 11 and all of Lots 12 and 13, Block 47, Kilbourn City, Tax Parcel Number: 11291-637, Property Address of 301 Broadway (the "property").
- B. The City has requested permission from the Trust to install and maintain a mural on the west facing wall of a building on the property (the "Mural Area").
- C. This agreement recites the parties understanding regarding the installation, repair, maintenance and removal of the mural.

AGREEMENT

- 1. The City may install or cause to have installed on the property a mural titled "Spirits of the River" created by Joseph Leute and Jeanne Eberlein Burmeister which artwork was selected, accepted and commissioned by the City and its River Arts District Board. The approved appearance of the mural will be as shown in Exhibit A attached.
- 2. The mural will be painted in panels which will be attached to the exterior surface of the mural area which is shown in Exhibit B attached. This dimensions of the installed mural will be 27 feet by 12 feet.

3. The term of this agreement is indeterminate and either party may terminate this agreement at any time for any reason and the City shall remove the mural at the City's sole cost and expense; except that the Trust may not terminate the agreement until after December 31, 2019.
4. For as long as the mural remains installed on the property, as full and complete consideration for this agreement, the Trust shall be entitled to the exclusive use and occupancy of two (2) parking stalls in City parking lot #3. The specific stalls shall be designated by the City subject to acceptance by the Trust and may be identified by appropriate signage at the Trust's expense.
5. The City shall maintain and repair the mural during the term of this agreement so that the mural is at all times in a state of good condition and repair.
6. At all times during the term of this agreement and upon its termination the City will make such repairs to the property if there are damages caused by the installation and removal of the mural.
7. The City shall be responsible for all costs of installation, repair maintenance and removal of the mural and shall hold the trust harmless for payment thereon.
8. The Trust grants the City a right of access to and on the property to install, maintain, repair and remove the mural.

CITY OF WISCONSIN DELLS

Dated: _____, 2018.

_____, Mayor

Dated: _____, 2018.

Nancy R. Holzem, Clerk/Administrative
Coordinator

**WALTER J. AND TERESA M. NEKYHA LIVING
TRUST**

Dated: _____, 2018.

By: _____
its: _____

**ORDINANCE NO. A-827
(Backyard Chickens)**

ITEM 9

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

The purpose of this ordinance is to permit the keeping of backyard chickens on single family unit lots.

SECTION II: PROVISION CREATED

Wisconsin Dells Code Sec. 16.025 is created.

SECTION III: PROVISION AS CREATED:

16.025 Backyard Chickens Ordinance

- (1) Notwithstanding Code Sec. 16.02, this Ordinance permits the keeping of chickens in residential zoning districts as follows.

- (2) Site Standards.
 - (a) Number. No more than six hens shall be allowed for each dwelling unit.
 - (b) Location. Coops or cages housing chickens shall be kept at least twenty-five feet from the door or window of any dwelling or occupied structure other than the owner's dwelling. Coops and cages shall not be located within five feet of a side-yard or rear-yard lot line. Coops and cages may not be in residences or garages. Coops and cages must be in backyards and not visible from the public right-of-way.
 - (c) Enclosure. Hens shall be provided with a covered, predator-proof coop or cage that is well ventilated and designed to be easily accessed for cleaning. The coop shall allow at least two square feet per hen. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property and to prevent predators from access to the birds. Hens shall not be allowed out of these enclosures unless a responsible individual, over eighteen years of age, is directly monitoring the hens and able to immediately return the hens to the cage or coop if necessary.
 - (d) Sanitation. The coop and outdoor enclosure must be kept in a sanitary condition and free from offensive odors. The coop and outdoor enclosure must be cleaned on a regular basis to prevent the accumulation of waste.

- (e) Slaughtering. There shall be no slaughtering of chickens on the property.
 - (f) Roosters. It is unlawful for any person to keep roosters.
 - (g) The owner shall abide by all state laws and regulations for livestock premises registration, including applicable sections of Wis. Stat. sec. 95.51, and Wis. Admin. Code Chap. ATCP 17 and any applicable amendments thereto. Applicants shall also follow state law regarding import, purchase and sales of live poultry as set forth in Wis. Admin. Code Chap. ATCP 10.40 and ATCP 10.42 and any amendments thereto.
 - (h) There shall be no breeding or hatching of chickens.
 - (i) Any poultry feed shall be stored so as to keep out rodents. The owner shall practice proper poultry waste disposal in order to avoid odors. Waste composting on the premises shall be allowed as long as it does not create odors or other nuisances for neighboring properties.
 - (j) The main food source for the chickens should be provided in dedicated feeding containers and scatter feeding as the primary food source is prohibited (small amounts of scratch grains that do not accumulate on the property are allowed). Fresh water shall be available at all times and adequate amounts of feed provided.
- (3) Permit Required. A permit shall be required to keep chickens in the City. An application for a permit must contain the following items:
- (a) The name, phone number, and address of the applicant.
 - (b) The location of the subject property.
 - (c) A site plan containing the following information: A description of any coops, cages or outdoor enclosures, providing dimensions and the precise location (if fixed) of these enclosures in relation to property lines and adjacent properties. If applicant proposes to use a mobile coup and/or a chicken run, the dimensions of the structure(s) shall be provided and the area of requested allowed placement areas shall be provided. Coops and cages must be constructed in a workmanlike manner.
- (4) If the applicant proposes to keep chickens in the yard of a rented dwelling, the applicant must present a signed statement from the owner of the dwelling consenting to the applicant's proposal for keeping chickens on the premises.
- (5) Chickens may only be kept on single-family unit lots. Chickens may not be kept on two-family or multiple-family lots.
- (6) Permit Process. Permits will be granted on an annual basis (unless this section is repealed). If the permittee follows the terms of the section, the permit will be presumptively renewed (unless this section is repealed) and the applicant may continue

to keep chickens under the terms and conditions of the initial permit. The city may refuse to renew or may revoke the permit at any time, (after giving the permittee fifteen days' notice of the basis for the revocation or nonrenewal and an opportunity to be heard on the issue) if the permittee does not follow the terms of this section, or if city determines that the permit holder has not maintained the chickens, coops, or outdoor enclosures in a clean and sanitary condition.

- (7) If this ordinance is repealed, no party shall have the right to keep chickens based on a nonconforming use status obtained under this section.
- (8) No vested property rights are created by the issuance of a backyard chicken license.
- (9) Fees. The City may establish by resolution fees related to the administration of this ordinance payable by the applicant.
- (10) Sunset. This code section shall expire May 31, 2019.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 16.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

First Reading Passed: April 17, 2018
Second Reading Passed:
Published: April 26, 2018

CITY OF WISCONSIN DELLS
ORDINANCE NO. A-828
(Parking of Bicycles on Sidewalks)

ITEM 10

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

The purpose of this ordinance is to amend the use of sidewalk section of the bicycle ordinance.

SECTION II: PROVISIONS AMENDED AND CREATED

Wisconsin Dells Code sec. 23.15(B) & (C) are created.

SECTION III: PROVISIONS AS AMENDED AND CREATED:

B. Bicycle Parking

1. Bicycles may not be parked in the following locations:
 - a. On the Broadway Street (Highway 13/16/23) right-of-way between the Wisconsin River Bridge and Church Street as posted by official signage.
 - b. Bicycles may not be parked in the Duchess Plaza area or public right-of-ways that bound the Plaza on any side as posted by official signage.
 - c. Bicycles may not be allowed to park on any public right-of-way or property during special events such as Wo-Zha-Wa and other City of Wisconsin Dells approved festivals and events. These additional parking restrictions for bicycles would be as regulated by the City of Wisconsin Dells Chief of Police and official signage.

2. Bicycle parking on other City public right-of-ways/property is allowed as follows:
 - a. Bicycles may be parked/secured to City of Wisconsin Dells owned bicycle racks for up to 48 hours, or as regulated by the Chief of Police and official sign.
 - b. Bicycles may be parked/secured on other City public right-of-ways or property for no longer than 24 hours, in a manner that does not unreasonably impede any normal pedestrian or vehicle traffic flow or cause damage to any City owned property.
 - c. The bicycle parking allowances listed above, apply to 1 bicycle per person. No one person may park multiple bicycles on any public property.

C. Penalty/Enforcement.

Bicycles and their owners or operators in violation of Subsections A and/or B may be cited and/or removed and stored at the owner's expense in addition to the penalty described in 23.18. Bicycles that are not claimed and/or owners are not ascertained, may be disposed of in accordance with the City of Wisconsin Dells Police Department policy dealing with property disposal.

SECTION IV: SEVERABILITY

The provisions of this ordinance shall be deemed severable and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 23.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk/Coordinator

First Reading Passed: April 17, 2018

Second Reading Passed:

Publication: April 26, 2018

City of Wisconsin Dells

ORDINANCE NO. _____
(Exterior Activity Areas)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE.

A downtown business proposed the installation of a synthetic ice rink in a vacant outdoor area adjacent to its principal premises. Such outdoor commercial activity is not a current permitted use. This ordinance creates a framework to regulate this and similar uses as accessory to principal business activities.

SECTION II: PROVISIONS EFFECTED.

1. Create land use definition at Code Section 19.111.20.625 "Exterior Activity Area".
2. Amend Chapter 19 Exhibit 5-2, "Accessory Uses by District"
3. Create Code Sec. 19.826, "Special Standards for Accessory Uses"

SECTION III: PROVISION AS CREATED:

- (1) Land Use definition at Code Section 19.111.20.625 "Exterior Activity Area" is created.

An exterior area, public or private, adjacent to an interior business or activity, upon which incidental and subordinate activities or entertainments associated with and complimentary to the interior use are conducted.

* * * *

- (2) Amend Chapter 19 Exhibit 5-2, "Accessory Uses by District", to include 20.625 "Exterior Activity Area" and designate as permitted in:

- A1
- A2
- C1
- C2
- C3
- C4
- I1

And conditionally permitted in:

- R1
- R2
- R3
- R5
- R9

And reference "special standards" at Code. Sec. 19.826.

* * * *

(3) Create Code Sec. 19.826 Special Standards for Accessory Uses:

"Exterior Activity Area."

- (a) Purpose. The purpose of this accessory use section is to allow, on a case by case discretionary basis, outdoor activities and entertainments, public and private, associated with and complimentary to adjacent interior businesses or ventures.
- (b) Criteria.
 - (1) The size, scope and scale of the exterior activity shall be consistent with and proportionate to the adjacent principal interior activity.
 - (2) The following factors, without limitation, shall be considered and regulated to prevent adverse effects on neighboring uses or aesthetics: Lighting, hours of operation, density, fencing, screening, separation, noise and setbacks.
- (c) Review. The Design and Review Committee shall review and approve in areas of its jurisdiction. City Planner shall review and approve all other applications. Relevant City agencies will be asked to review and comment. Approvals shall be based upon consistency with the purpose of this section and/or the criteria.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 19.

Edward Wojnicz, Mayor

Nancy R. Holzem, Clerk

INTRODUCED: _____
PUBLISHED: _____
PASSED: _____