

# CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description COMMON COUNCIL MEETING

Date: MONDAY, OCTOBER 15, 2018 Time: 7:00PM Location: MUNICIPAL BUILDING COUNCIL CHAMBERS - 300 LA CROSSE STREET, WISCONSIN DELLS, WI

	MAYOR	COUNCIL MEMBERS	
		FIRST DISTRICT	SECOND DISTRICT
		THIRD DISTRICT	
	Ed Wojnicz	Jesse DeFosse	Mike Freel
		Brian Holzem	Terry Marshall
			Ben Anderson
			Dan Anchor
<b>OPENING</b>			
1	CALL TO ORDER & ROLL CALL		
2	PLEDGE OF ALLEGIANCE		
3	APPROVAL OF CONSENT AGENDA ITEMS: <ul style="list-style-type: none"> <li>a. October 1, 2018 Common Council Meeting Minutes</li> <li>b. Schedule of Bills Payable dated October 15, 2018</li> <li>c. Applications for Bartender Licenses</li> </ul>		
<b>AGENDA ITEMS</b>			
4	PUBLIC COMMENT/CITIZEN APPEARANCES FOR ANY NON-AGENDA ITEM		
5	MAYOR'S RECOMMENDED APPOINTMENT OF TED THEILER TO VACANT SEAT ON CITY PLAN COMMISSION		
6	ARBOR DAY PROCLAMATION		
7	APPLICATION FOR A TEMPORARY CLASS B BEER & WINE (PICNIC) LICENSE SUBMITTED BY THE KNIGHTS OF COLUMBUS FOR AN EVENT AT ST CECILIA'S SATURDAY, DECEMBER 1, 2018		
<b>RESOLUTIONS</b>			
8	RESOLUTION TO APPROVE AMENDMENT TO RIVERWOOD EAGLE'S NEST EXTENDED AND RESTATED DEVELOPMENT AGREEMENT		
9	RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT TO AMERICAN WORLD INC. IN ORDER TO ALLOW SEASONAL WORKFORCE HOUSING AT 2020 WISCONSIN DELLS PARKWAY		
10	RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT TO FIORELLA NEIRA IN ORDER TO ALLOW GENERAL SERVICES (OFFICE BUILDING) AT 1125 OAK STREET, PARCEL NO. 291-436		
<b>ORDINANCES</b>			
11	FIRST READING OF PROPOSED ORDINANCE TO UPDATE PARKING CODE 10.22 TO ALLOW FOR THE MOVING AND/OR REMOVAL OF VEHICLES THAT CREATE A HAZARD AND/OR IMPEDE SNOW REMOVAL		
<b>CLOSING</b>			
12	BUSINESS FOR REFERRAL TO COMMITTEES OR SUBSEQUENT MEETINGS		
13	ADJOURNMENT		
	NANCY R. HOLZEM, CITY CLERK/COORDINATOR		POSTED: 10/12/2018
	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.		

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

ITEM 3c

FOR OFFICE USE ONLY

Receipt# \_\_\_\_\_  
Amount Paid: \$ 60.00 66207  
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: JS - 9-19-18  
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 9-18-2018

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, 2020, 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 Boles Danielle L.  
Last First Middle  
Home Address 230 West Limits Rd Lyndora Station WI 53944  
Street City State Zip

Mail License to (if different from Home Address) \_\_\_\_\_  
Street City State Zip

Previous Addresses within the past 10 years  
500 Stonefield Cir Apt. 523 Mauston, WI 53948  
W 5131 State Rd 82 Mauston, WI 53948

Drivers License # \_\_\_\_\_ State Issued \_\_\_\_\_

Phone Number 608-495-1534 Date of Birth 6/21/74 Place of Birth Newport News, Va

Physical Description Sex F Race W Height 5 Foot Eye Color: Hazel Hair Color: Brown/Red

License to be used at (Name of Business) Kickers

(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: Danielle Boles Date: 9/18/18  
Danielle Boles 8/20/18

Subscribed and sworn to before me this 18 day of September, 20 18.

Carrie Skyp  
Notary Public

(SEAL)

My Commission Expires: 1/24/19



(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? <sup>SAUK CO. TRAFFIC TICKET</sup> 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>
FALL 2008	OWI - CASE CLOSED	ADAMS	WI
8/24/2010	OWI 2ND - CASE CLOSED	SAUK	WI
7/8/14	OWI 3RD - CASE CLOSED (GRADUATED COLUMBIA COUNTY OWI TREATMENT COURT 2016)	COLUMBIA	WI

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: Tony Curo Date: 9-17-18

Subscribed and sworn to before me this 17th day of Sept., 2018.

Bruce J. Kistner  
Notary Public

(SEAL)

My Commission Expires: 2/22/19



(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: Rachel Donlea Date: 8-2-18

Subscribed and sworn to before me this 27<sup>th</sup> day of September 2018

Tammy L Miller  
Notary Public

My Commission Expires: 1-21-22





(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.

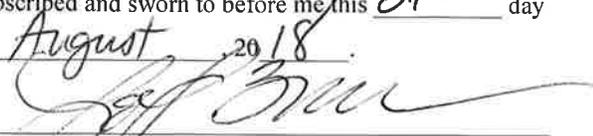
<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>
12/2006	1st DUI	SAUK	WI
2/2011	2nd DUI	COOK	IL

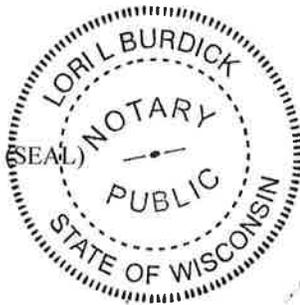
**STATE OF WISCONSIN**

**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:  Date: 8-21-18

Subscribed and sworn to before me this 21<sup>st</sup> day  
of August, 2018.  
  
Notary Public  
My Commission Expires: Dec 07, 2021





(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: Randy F Krutz Date: 9-26-18

Subscribed and sworn to before me this 26th day of September 18.  
[Signature]  
Notary Public

My Commission Expires: 10/25/2019





(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.

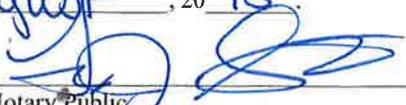
<u>Date</u>	<u>Nature of Offense</u>	<u>County</u>	<u>State</u>
12-14-16	Operate w/o License	Richland	WI
10-14-15	operating while Revoked	Richland	WI
10-14-15	Bail jumping	Richland	WI
2-13-12	Entering Park w/out Steller Sawk		WI
2-19-04	Support/maintenance Sawk		WI

**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: Christine Oxberger Date: 8/22/18

Subscribed and sworn to before me this 22nd day of August, 2018.  
  
 Notary Public  
 My Commission Expires: 10/25/2019



Christine M. Mikut

11-19-2008 Name Change Crawford WI

11-7-2007 Theft movable property <sup>vernon</sup> WF

1-18-2006 Worthless Checks Richland WI

12-28-2005 Worthless Checks Richland WI

2-19-2004 Support/maintenance Sauk WI

8-7-2003 Small Claims Crawford WI

1-2-2003 Small Claims Sauk WI



(Continued)

- 1. Have you been convicted of any felony or misdemeanor? Yes \_\_\_ No X
- 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 X
- 3. Are there currently any charges, federal, state, or local pending against you? Yes \_\_\_ No X
- 4. Do you currently have any outstanding forfeitures owed to the City of Wisconsin Dells? Yes \_\_\_ No X

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**

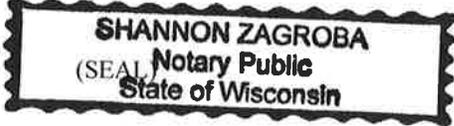
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application: that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that 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: *Ap Ket* Date: 8/22/18

Subscribed and sworn to before me this 17 day  
of September, 20 18.

*Shannon Zagroba*  
Notary Public

My Commission Expires: 9-28-20





(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: [Signature] Date: 9/21/18

Subscribed and sworn to before me this 21st day of September, 2018.  
[Signature]  
Notary Public  
My Commission Expires: 10/25/2019



## CITY OF WISCONSIN DELLS 2019 ARBOR DAY PROCLAMATION

WHEREAS, natural areas, trees, and landscapes provide not only community beautification but also economic and environmental benefits;

WHEREAS, trees provide many benefits to the community, including air purification, windbreaks, noise reduction, shade, and energy savings;

WHEREAS, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation;

WHEREAS, our efforts to improve the environment benefit present and future generations;

THEREFORE, BE IT RESOLVED that I, Edward E. Wojnicz, Mayor of the City of Wisconsin Dells, Wisconsin, do hereby proclaim April 26<sup>th</sup> as Arbor Day in 2019 and encourage citizens to participate in appropriate activities and to take advantage of the benefits of parks and other natural areas in our community.

In witness, thereof,

I sign this proclamation.

Dated this 15<sup>th</sup> day of October, 2018.

---

Edward E. Wojnicz  
Mayor

Application for Temporary Class "B" / "Class B" Retailer's License

ITEM 7

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10.00 R# 66457 Application Date: 10/8/2018
Town Village City of Wisconsin County of Columbia

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning and ending and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

- 1. Organization (check appropriate box) -> Bona fide Club Church Lodge/Society
Chamber of Commerce or similar Civic or Trade Organization
Veteran's Organization Fair Association

(a) Name OUR LADY OF the Dells Knights of Columbus

(b) Address 603 OAK STREET, WISC Dells, WI 53965
Town Village City

(c) Date organized
(d) If corporation, give date of incorporation JUNE, 1960
(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:
President PATRICK MOERTL, 2847 CITY RD B, GORANA MARSH W 53936

Vice President
Secretary BOB MILLER 1625 DEE ANN CT. WISC DELLS WI

Treasurer MICHAEL HORKAN, 1605 DEE ANN CT, WI, DELLS, WI. 53965

(g) Name and address of manager or person in charge of affair: JOHN SCHOENHERR, 6 WALNUT TRAIL WISC, DELLS, WI

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 603 OAK STREET, WISC Dells, WI

(b) Lot Block

(c) Do premises occupy all or part of building? PART

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover:

3. Name of Event

(a) List name of the event Three Kings Christmas Market

(b) Dates of event December 1, 2018

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer [Signature] 10-7-18
(Signature/date)

Officer BOB MILLER 10-7-18
(Signature/date)

OUR LADY OF the Dells Knights of Columbus
(Name of Organization)

Officer Michael T. Horkan 10-7-18
(Signature/date)

Officer
(Signature/date)

Date Filed with Clerk 10-8-2018

Date Reported to Council or Board 10-15-2018

Date Granted by Council

License No.

CITY OF WISCONSIN DELLS  
RESOLUTION NO. \_\_\_\_\_

ITEM 8

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 October 15, 2018 meeting,

IT APPROVES the Amendment to Riverwood Eagle's Nest Extended and Restated Development Agreement.

\_\_\_\_\_  
Edward E. Wojnicz, Mayor

Attest: \_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_ ayes, \_\_\_ nays \_\_\_ abs.  
Date Introduced: October 15, 2018  
Date Passed:  
Date Published:

**Amendment to  
Riverwood Eagle's Nest  
Extended and Restated  
Development Agreement**

The City of Wisconsin Dells and Riverwood Eagle's Nest, LLC agree that the Extended and Restated Development Agreement is amended as follows:

On Page 2:

Section 4. b.)

- Phase 1A buildings and improvements shall be commenced May 15, 2019; not September 30, 2018.

Section 4. c.)

- Phase 1A occupancy permit issued February 15, 2020; not December 31, 2019.

Attached as Exhibit A is a revised Page 2 dated October 15, 2018 to replace Page 2 dated May 15, 2018.

**CITY OF WISCONSIN DELLS**

Dated: October\_\_\_\_, 2018.

\_\_\_\_\_  
Edward Wojnicz, Mayor

Dated: October\_\_\_\_, 2018.

\_\_\_\_\_  
Nancy R. Holzem, Clerk/ Administrative  
Coordinator

**RIVERWOOD EAGLE'S NEST, LLC**

Dated: October\_\_\_\_, 2018.

By:\_\_\_\_\_  
Steve Cohan, Managing Member

4. The City's obligation to provide financial assistance to Developer is contingent on Developer meeting the following deadlines and requirements:
  - a.) Not later than the following dates, the Developer shall present to the City an irrevocable, final unconditional and verified 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:

Phase 1A - July 31, 2018 // Phase 1B - June 30, 2019
  - b.) Not later than the following dates, Phase 1A and Phase 1B buildings and improvements shall be commenced:

Phase 1A - May 15, 2019 // Phase 1B - September 30, 2019
  - c.) Not later than the following dates, occupancy permits for the Phase 1A and Phase 1B buildings and improvements shall be obtained:

Phase 1A - February 15, 2020 // Phase 1B - December 31, 2020;  
and,
  - d.) No site work or construction related to Phase 1A or Phase 1B improvements may be commenced without: i.) all required government permits and approvals; and, ii.) the City's acknowledged receipt and acceptance of the required financing commitment for the specific phase.
5. The City's financial assistance for Phase 1A and Phase 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.

RESOLUTION NO. \_\_\_\_\_

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the City Plan Commission from their October 8, 2018 meeting;

IT APPROVES a Conditional Use Permit to American World Inc. in order to allow a Group Lodging Facility (Seasonal Workforce Housing) at 2020 Wisconsin Dells Parkway with the following contingencies:

1. Excess storage of materials is resolved prior to occupancy in 2019.
2. Permit is issued to American World Inc. and is not transferable.
3. Facility shall be properly maintained and managed to prevent it from becoming a nuisance.
4. Permit is issued for one (1) year to prevent perpetual use of this location for employee housing.

\_\_\_\_\_  
Edward E. Wojnicz, Mayor

Attest:

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_\_\_ ayes \_\_\_\_\_ nays  
Date Introduced: October 15, 2018  
Date Passed:  
Date Published:

**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	66139
Application number	APR 7-2013

**1. Applicant Information**

Applicant name AMERICAN WORLD, INC.  
 Street address 400 COUNTY RD. A.  
 City WISCONSIN DELLS  
 State and zip code WI 53965  
 Daytime telephone number 608-253-4451  
 Fax number, if any 608-254-9004  
 E-mail, if any ADAM@AMERICANWORLD.COM

**2. Subject property information**

Street address	<u>2020 WISCONSIN DELLS PARKWAY</u>
Parcel number	<small>Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.</small>
Current zoning classification(s)	<u>COMMERCIAL 1</u>
Describe the current use	<u>EMPLOYEE HOUSING</u>

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

EMPLOYEE HOUSING

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

24 HOUR OCCUPANCY MAY 1 to SEPTEMBER 30TH

# 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

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

EMPLOYEES ARE INSTRUCTED IN PROPER  
PEDESTRIAN USE.

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

WELL SUITED

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

NO EFFECT.

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.

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

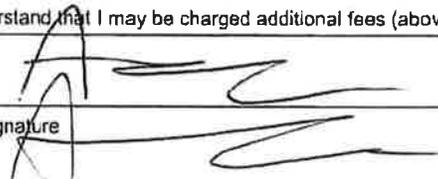
**CONDITIONAL USE APPLICATION**  
**Wisconsin Dells, Wisconsin**  
 Version: May 21, 2007

--

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

	Date <span style="font-size: 1.5em; color: blue;">9-12-18</span>
Applicant Signature	

<b>Governing Regulations</b>	The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.
------------------------------	---

**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.

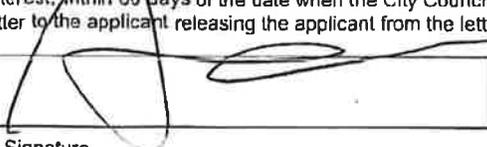
If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1½ 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.

	Date <span style="font-size: 1.5em; color: blue;">9-12-18</span>
Applicant Signature	

# CONDITIONAL USE APPLICATION

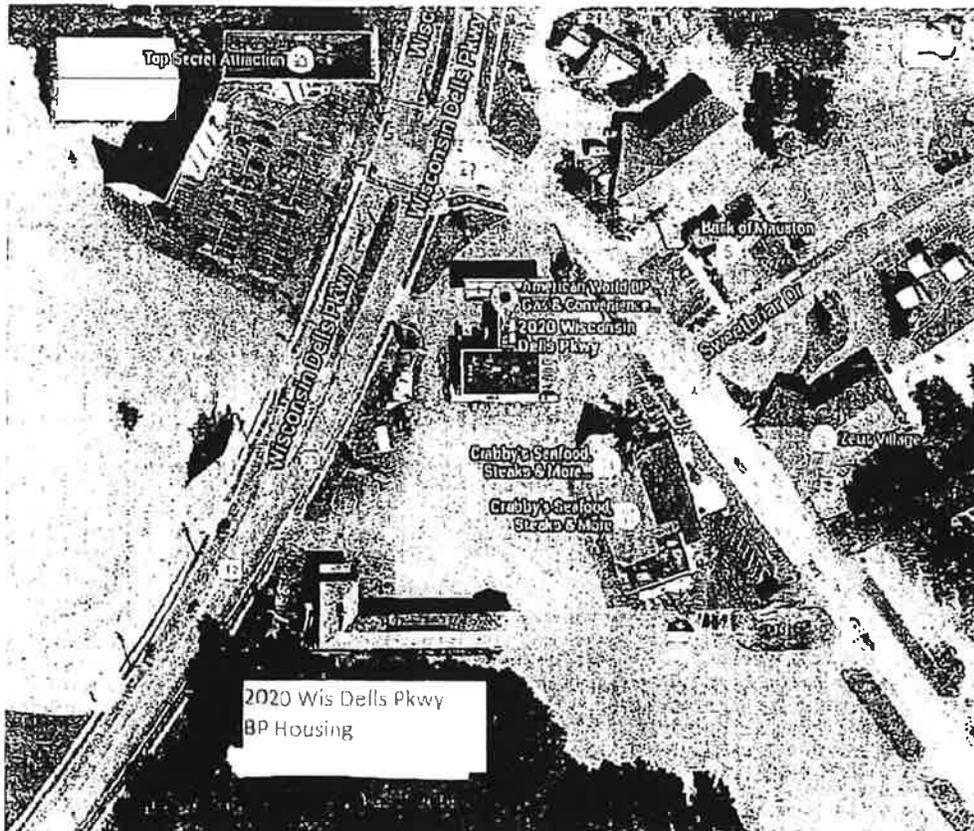
## Wisconsin Dells, Wisconsin

Version: May 21, 2007

### Project Map Checklist

Project Information	Included ?
Project name (e.g., business name, subdivision name)	<input checked="" type="checkbox"/>
Applicant name	<input checked="" type="checkbox"/>
Preparation date	<input checked="" type="checkbox"/>
Survey Information	
North arrow and graphic scale	<input type="checkbox"/>
Address of subject parcel or legal description	<input checked="" type="checkbox"/>
Property boundaries	<input checked="" type="checkbox"/>
Acres of subject parcel	<input type="checkbox"/>
Project Development Information	
Easements/rights of ways (location, width, purpose, ownership)	<input type="checkbox"/>
Contour areas/conservancy areas (location, purpose, ownership)	<input type="checkbox"/>
Setting	
Property boundaries within 50' of the subject parcel	<input type="checkbox"/>
Land uses within 50' of the subject parcel	<input type="checkbox"/>
Zoning district boundaries within 50' of the subject parcel	<input type="checkbox"/>
Municipal boundaries within 50' of the subject parcel	<input type="checkbox"/>

Site Features (Existing and Proposed)	Included ?
Wetlands	<input type="checkbox"/>
Woodlands	<input type="checkbox"/>
Wildlife habitat, including critical wildlife habitat	<input type="checkbox"/>
Environmentally sensitive features	<input type="checkbox"/>
Water resources (rivers, ponds, etc.)	<input type="checkbox"/>
Floodplain boundaries	<input type="checkbox"/>
Environmental and manmade hazards including adjacent and contaminated sites, unstable soils, high groundwater, bedrock, high pressure natural gas lines, and others as appropriate	<input type="checkbox"/>
Fences, buffers, and basins	<input type="checkbox"/>
Existing trees and other prominent vegetation	<input type="checkbox"/>
Transportation Facilities (Existing and Proposed)	
Streets	<input type="checkbox"/>
Driveways and in-lot access onto public and private roads	<input type="checkbox"/>
Sidewalks/trails	<input type="checkbox"/>
Buildings / Structures (footprint, use, etc.)	
Existing and proposed within subject parcel	<input type="checkbox"/>
Existing within 50' of subject parcel	<input type="checkbox"/>



Conditional Use Permit – American World Employee Housing (Continental Motel)  
2020 Wisconsin Dells Parkway  
Staff Report for Plan Commission, 10/08/18

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from American World Inc. for a Group Lodging Facility (Seasonal Workforce Housing) at the old Continental Motel located at American World 2020 Wisconsin Dells Parkway.

Mt. Olympus had obtained a CUP for a lodging permit at this facility from 2011 to 2016. There have not been significant issues or concerns at this facility in the past. Recently American World has taken over operations of their motels in this area and obtained a permit to operate this facility as employee housing again in 2017 and 2018.

American World has stated that they do not intend the long term use of this facility to be for employee housing. However, they have indicated that at this time they still feel employee housing is the right use for this facility.

It is agreed by all parties that employee housing on Wis. Dells Parkway is not desirable, and should be the housing of last resort.

American World has been made aware of a need to address excess storage that is occurring in and around this facility. The facility is not occupied in the off-season, and the applicant has stated they will have the area cleaned up prior to occupancy in the spring.

The facility contains 22 rooms on 2 identical stories. Each story has 9 rooms with an area of 324 sq ft and 2 rooms with an area of 439 sq ft. Each room has a full bathroom, with tub, toilet and sink. Bunk beds have been installed in the rooms to hold 4 and 6 employees respectively, which provide 81 sq ft and 73 sq ft per person respectively. This creates a total maximum occupancy of 96 persons. The current lodging facility ordinance requires 50 sq ft per person, which this facility meets. The City has encouraged new facilities that are converted hotel to provide more than the minimum square footage.

This facility does not have any common area available for use by the employees, the office area at this facility is currently being used for storage and is full.

The current zoning code requires there to be at least one parking space for each room. This facility has 22 rooms and the zoning code requires 1 space per room. There are 44 parking spaces in front of the facility. The gas station and restaurant adjacent to this facility have additional parking that meets their requirements. There are also approximately 187 additional parking spaces south of Hot Rocks Restaurant.

The entire American World property contains another motel and a campground with a RV park. American World will be managing the overnight facilities as well as this employee housing facility and ensuring that the area is properly maintained.

General concerns arise when an overnight lodging facility is converted to longer term occupancy as a Seasonal Workforce Housing facility. Some of these concerns come from the location of such facilities in prominent commercial areas. Generally, Seasonal Workforce housing facilities are not the best view of the community for visitors to see. Other concerns with the conversion of these facilities have to do with fire and safety issues. This particular facility is a concrete building, so that it is not as susceptible to a catastrophic fire.

As for the location of this facility, American World has indicated that it would rather use this facility or this location for a more commercial use, but is not able to do this at this time. One option would be to approve this permit for one year to allow American World to get through this season and address this facility again next year.

It has been past practice 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 terminate the permit, and any subsequent owner will be required to obtain a separate CUP for this facility.

Another past practice is to make it clear to the applicant that approval is contingent on continued diligence to the proper management of the facility. If the facility is deemed to become a nuisance to the surrounding properties, the permit may be revoked. This property is located in a commercial area that is next to a convenience store, but far from any other amenities such as a full grocery store, library, or other public services.

This facility is on the main commercial strip in this area of the City, which would not ordinarily be considered a good location for employee housing. This use would not be consistent with the City's future plan to utilize these lands for commercial purposes.

This use should not have a significant impact on the traffic circulation in this area.

As this use will take place in an existing facility, the effects on the natural environment will be minimal.

This use could have a negative effect on surrounding commercial properties, as employee housing become a nuisance property if not properly managed.

Approval of this permit may contain the following contingencies.

1. The excess storage of materials is resolved prior to occupancy in 2019
2. The permit is issued to American World Inc. and is not transferrable
3. The facility shall be properly maintained and managed to prevent it from becoming a nuisance.
4. The permit is issued for one year to prevent the perpetual use of this location for employee housing.

Chris Tollaksen

City of Wis. Dells Public Works

RESOLUTION NO. \_\_\_\_\_

BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the City Plan Commission from their October 8, 2018 meeting;

IT APPROVES a Conditional Use Permit to Fiorella Neira in order to allow a General Services, Administrative Services, Financial Services, Professional Services, Community Center, Community Cultural Facility and/or Instructional Facility at 1125 Oak Street with the following contingencies:

1. Primary use approval authorizing construction of real property is limited to the office space uses. Any event space uses are secondary and the rights to those uses may be revoked if they create a nuisance.
2. Use of the storage/workshop space is specific to the event planning business. Any other use of this space would require a new Conditional Use Permit.
3. Applicant is responsible to ensure that there are no parking issues with on-street parking. If one of the shared space tenants/uses creates unacceptable on-street parking (in the city's sole judgment) that use will have to stop.
4. Application cooperates with the city to adequately address any nuisances that may occur. If one of the share space tenants/uses creates a nuisance, for example noise (in the city's sole judgment) that use will have to stop.

\_\_\_\_\_  
Edward E. Wojnicz, Mayor

Attest:

\_\_\_\_\_  
Nancy R. Holzem, City Clerk

Vote: \_\_\_\_\_ ayes \_\_\_\_\_ nays

Date Introduced: October 15, 2018

Date Passed:

Date Published:

# 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	66/28
Application number	CUP 8-2018

**1. Applicant Information**

Applicant name Fiorella Neira  
 Street address 114 Pelgrim. dr Unit 3  
 City Wisconsin Dells  
 State and zip code WI 53705  
 Daytime telephone number 608-432-4624  
 Fax number, if any \_\_\_\_\_  
 E-mail, if any fiorellaneira@gmail.com

**2. Subject property information**

Street address	<u>Lot 4+5 of Block 18 Oak St</u>	
Parcel number	<u>11291-436</u>	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>empty lot</u>	

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

office storage building.  
The building will be used to house multiple small businesses that need small offices.  
first user will be Netra Event Group

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

hours of operation: 11-5 Sunday 9-8  
Space available to rent on Sundays and early morning/evening.

CONDITIONAL USE APPLICATION  
Wisconsin Dells, Wisconsin  
Version: May 21, 2007

[Empty rectangular box]

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

Planning is moving 11 parking spots. if these get full it may cause street parking usage.

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  
it falls in with city plan

b. Effects of the proposed use on traffic safety and efficiency and pedestrian circulation, both on-site and off-site  
no traffic and access parking spot from alley

c. The suitability of the subject property for the proposed use  
commercial use on commercial property

d. Effects of the proposed use on the natural environment  
taking 3 trees down on our property

e. Effects of the proposed use on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances  
office and co-working space on commercial property.

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

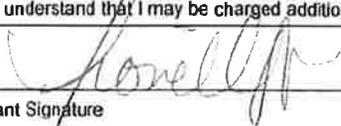
g. Effects of the proposed use on the city's financial ability to provide public services  
none

**CONDITIONAL USE APPLICATION**  
**Wisconsin Dells, Wisconsin**  
Version: May 21, 2007

--

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.	
	9-10-18

Applicant Signature

Date

<b>Governing Regulations</b>	The procedures and standards governing this application process are found in Chapter 19, Article 4, Division 6, of the City's Municipal Code.
------------------------------	---

**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.

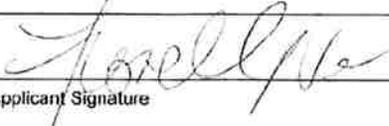
If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7 days of the invoice date. An interest rate of 1½ 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.

	9-10-18
---	---------

Applicant Signature

Date

**CONDITIONAL USE APPLICATION**  
**Wisconsin Dells, Wisconsin**  
 Version: May 21, 2007

**Project Map Checklist**

Project Information	Included ?
Project name (e.g., business name, subdivision name)	<input checked="" type="checkbox"/>
Applicant name	<input checked="" type="checkbox"/>
Preparation date	<input checked="" type="checkbox"/>
<b>Survey Information</b>	
North arrow and graphic scale	<input checked="" type="checkbox"/>
Address of subject parcel or legal description	<input checked="" type="checkbox"/>
Property boundaries	<input checked="" type="checkbox"/>
Acreage of subject parcel	<input checked="" type="checkbox"/>
<b>Project Development Information</b>	
Easements/rights-of-ways (location, width, purpose, ownership)	<input type="checkbox"/>
Common areas/conservancy areas (location, purpose, ownership)	<input type="checkbox"/>
<b>Setting</b>	
Property boundaries within 50' of the subject parcel	<input type="checkbox"/>
Land uses within 50' of the subject parcel	<input type="checkbox"/>
Zoning district boundaries within 50' of the subject parcel	<input type="checkbox"/>
Municipal boundaries within 50' of the subject parcel	<input type="checkbox"/>

Site Features (Existing and Proposed)	Included ?
Wetlands	<input type="checkbox"/>
Woodlands	<input type="checkbox"/>
Wildlife habitat, including critical wildlife habitat	<input type="checkbox"/>
Environmentally sensitive features	<input type="checkbox"/>
Water resources (rivers, ponds, etc.)	<input type="checkbox"/>
Floodplain boundaries	<input type="checkbox"/>
Environmental and man-made hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, high-pressure natural gas lines, and others as appropriate	<input type="checkbox"/>
Fences, buffers, and berms	<input type="checkbox"/>
Existing trees and other prominent vegetation	<input checked="" type="checkbox"/>
<b>Transportation Facilities (Existing and Proposed)</b>	
Streets	<input checked="" type="checkbox"/>
Driveways and road access onto public and private roads	<input checked="" type="checkbox"/>
Sidewalks / trails	<input type="checkbox"/>
<b>Buildings / Structures (footprint, use, etc.)</b>	
Existing and proposed within subject parcel	<input checked="" type="checkbox"/>
Existing within 50' of subject parcel	<input checked="" type="checkbox"/>

Conditional Use Permit & Site Plan application – Fiorella Neira  
Columbia County, Wisconsin Dells Parcel 11291-436  
Staff Report for Plan Commission, 10/08/2018

The City of Wis. Dells has received a Conditional Use Permit (CUP) application from Fiorella Neira to construct a new office building for "General Services". The use is proposed on Columbia County, City of Wis. Dells parcel 11291-436, which is currently a vacant lot located at 1125 Oak St. This area is zoned C-1 Commercial-neighborhood, which allows "General Services" as a Conditional Use.

The main proposed use is an Event Planning business operated by the applicant. The applicant helps with planning and organizing events such as weddings. This space would be utilized as an office and workshop for the planning business. The applicant would utilize one quarter (1/4) of the building to store and prepare decoration at this site, consisting in large part of vases for table settings. The applicant has stated there would be very little public traffic at this site. Clients may meet at this site a couple of times, but primarily the business would working independently at this location to organize/plan the event and prepare the event decorations. The applicant would then transport the decorations from this site to the event site somewhere else. Events are held off-site, and primarily occur on Saturdays. This business would have a couple of employees that would mainly help with the loading and transporting of the decorations on Saturdays. Hours of operation would be Mon-Fri 9-5 and Sat 9-8.

The applicant's needs for this building involve a fairly large space, but somewhat infrequent use. As such, the applicant would like to construct the building as a shared office workspace, with four (4) 10ft x 10ft offices. The applicant would utilize one (1) of the offices for her business, and the three (3) other offices would be rented out to other small businesses. There would be a shared 10ftx15ft conference room, and then a larger common area, with workspaces, seating, and a kitchenette where coffee would be available to the office workers. The idea is that the rental offices would be utilized by people with occupation that would often work out of a home office, such as a realtor, appraiser, or seamstress. This building would provide an affordable, more professional workspace, away from the distractions of a home office, such as children, animals, or household clutter/chores. This new building would, providing a more professional area for a small business to meet with clients. Again, the expectation is that these client meetings are rather rare, so it is not feasible for any one (1) of these small businesses to maintain their own office/meeting space. The applicant currently runs her business out of her home and meets clients at a coffee shop. The applicant has described this use as very low impact, but more private and professional than meeting clients at a public coffee shop. This space could also be viewed as a small service business incubator. There will be no retail sales at this location, but it will provide a professional atmosphere for a small service business to get started. It seems reasonable that the Dells area has a handful of individuals looking to start up service type businesses that would need access to a professional yet affordable office space.

In addition to renting out the three (3) extra offices, the applicant would rent out the conference and studio space independently, for specific or single use. For example, a photographer getting started may utilize the studio to do portraits. The idea for this shared work space is that multiple small businesses would utilize the space at different times, thus making the investment in the building construction more feasible.

The building would be a 50ft x 60ft footprint with 10ft walls. It would have metal siding, and is intended to have a refined industrial look. The building would be split into sections, with about 1/2 of the building (30ft x 50ft) being dedicated to the office space, with a larger (approx 20ftx40ft) common area with work tables, seating, a kitchenette and bathrooms. This half of the building would also contain the offices and a 10ft x 15ft conference room. The other half of the building would be 2 large open spaces (25ftx30ft each). These would be a storage/workshop space for the applicant's events planning business and a studio/event space that would be open for rental. The applicant would like to be able to rent the studio/event space for other businesses. This could include things like yoga classes or art exhibits. It would seem that the studio/event use would be when more traffic would be expected.

The plan would be for this location to be a small business shared working space that would fill a need in the community that is not currently being met. The C-1 Commercial-neighborhood zoning of this location seems to be a fit for the low impact small businesses. One concern would be that the studio/event space could generate more commercial traffic to this location, which may push the limits of a "low impact" on the neighborhood. This concern is somewhat mitigated by the fact that the studio/event space is rented out a-la-cart, as long as it is made clear to the applicant that if any of the rental uses create a nuisance to the neighborhood, due to traffic, noise, or other activities, those uses would not be able to continue. The possible uses being requested for approval, and their definitions from the Zoning Code are:

- 8.1 Administrative services A place and/or building, or portion thereof, used or is intended for providing administrative functions where customers are infrequent. The term includes data processing centers, customer service centers via telecommunications, architectural firms, engineering firms, and the like.
- 8.6 General services A place and/or building, or portion thereof, used or is intended for providing services not otherwise included in any other service type category. The term includes photography studios, weight loss centers, commercial postal services, beauty shops, pet grooming shops, photocopying and printing services, linen services, dry cleaning services, diaper services, and the like.
- 8.7 Professional services A building, or portion thereof, used or is intended to house services involving predominantly professional, clerical, or similar operations where customers come on a regular basis. The term includes law offices, real estate offices, insurance offices, travel agencies, and the like.
- 13.5 Community center A place and/or building, or portion thereof, used or is intended for short-term and intermittent meetings or gatherings of nonresident individuals that are generally open to the public for purposes of recreation, sharing information, entertainment, social service, or similar activities. The term includes fraternal, social, or civic clubs, lodges, union halls, and the like.
- 13.6 Community cultural facility A place and/or building, or portion thereof, used or is intended for studying, reading, personal education, or for viewing the visual arts. The term includes libraries, museums, art galleries, observatories, and the like. The term does not include performing arts.
- 15.4 Instructional facility Any place and/or building, or portion thereof, used or is intended to offer instruction, training, or tutelage in such areas as gymnastics, dance, art, music, martial arts, and the like.

As with many uses proposed within an existing neighborhood, management and maintenance of the facility will have a significant impact on the potential for the project to become a nuisance to the neighborhood. Often, the City places several conditions on these potential uses, clearly stating up front that the applicant is responsible for addressing any nuisances that may occur or the permit for that use would be revoked. Such permits are usually approved to the specific applicant, and cannot be transferred. Therefore, if the applicant were to decide to sell the property, the new owner would have to obtain their own Conditional Use Permit from the City prior to taking over the use. However, in most of the historical cases with these contingencies, the applicant is proposing to modify the use of an existing structure, usually converting a motel or home to Seasonal Workforce Housing. In these cases, new real property is not created as a result of a conditioned approval, and the property can always revert back to the original use if the conditionally permitted use is revoked.

In this case however, the applicant is intending to purchase vacant land and construct a new building eligible for assessment for real property tax purposes. Normally, in this case, permit approval runs with the land and is binding to all subsequent property owners. This standard would appear to make it difficult for the City to deny the right of the applicant to sell the property and the approved uses to a new owner who may not sustain the required management of the facility to prevent it from becoming a nuisance. As such, it seems prudent to clearly separate the approval into groups of uses. Primary uses approved to permit the construction of the real property, and run with the property. Secondary uses would not authorize this construction on their own, and would therefore not automatically run with the property. The secondary uses would be contingent on the applicant owning the property and the primary uses continuing. The primary uses of this property would be

the small business offices, and the secondary use of the property would be the studio/event space. Any approval should clearly state that the use of the office spaces must continue, and the use of the studio/event space is clearly conditional. Any approval of the use of the studio/event space could be revoked if the traffic, parking, noise, or other effects of the studio/event space creates a chronic nuisance. A chronic nuisance is defined as any location with requires enforcement action more than three (3) times in a twelve (12) month period. A parking nuisance will include complaints that patrons to this business are parking on the street.

As this request includes the proposed construction of a new commercial building, Site Plan approval is also required. The primary logistical concerns of this Site plan are access, storm water, and parking. There may also be some desire to review the design and look of the proposed building, as it is a relatively large industrial type looking building in a somewhat residentially used neighborhood. The Plan Commission could make a decision on the building's suitability in this location independently. Given the somewhat specific style and look the applicant seems to be suggesting for this particular project, the Plan Commission could refer the final building design to the Design Review Committee as a condition of approval. In addition, considering the significant number of residences in the area of Oak St., it seems reasonable that efforts be made to include Landscaping to soften the impact of this large building on the neighborhood.

Most of the Site plan concerns stem from the actual topographical nature of this property. There is a significant drop in elevation from the Oak St. side of this property to the alley side of this property. It appears there is a drop of about 10ft over the 120 ft depth of the property from Oak St. to the alley. This elevation drop creates challenges with the build ability of this site, for a relatively large building and required parking. The service uses proposed for this site (which includes the applicant's Event planning business) require one (1) parking stall for every 300 sq ft of building space devoted to office use. Half of the 50ftx60ft building is dedicated to the office use, which is 1500 sq ft, so the minimum parking requirement for that use would be 5 parking stalls. One-quarter (1/4) of the building would be storage/work space for the applicant Event planning business, so no additional parking is required. One-quarter (1/4) of the building would be the studio/event space, which would require an additional 3 parking stalls. So the minimum required parking would, per the Zoning Code, would be 8 parking stalls. It appears there is just enough space for 10 parking stalls on the site. Other uses of the facility which would attract patrons would be required to provide adequate parking for the number of patrons. As these uses would likely only be using the studio/event space, it seems unlikely they would exceed 10 patrons. Ideally, the parking would be available, as the studio/event space rental would occur outside the normal Mon-Fri 9-5 and Sat 9-8 operating hours of the facility.

It seems possible that the grading of this site may make it difficult to obtain the 10 parking stalls that may be obtainable if the site were flat. The applicant has stated that this use would likely not need more than the 8 parking stalls. The applicant has stated that the nature of a shared use office space involves an infrequent use of the offices. As stated before, the intent is to rent the offices to small business people, provided services out of the office, and may otherwise be working from home. The applicant has utilized shared offices in Madison, and each occupant does not come into the office on a set schedule, and all the offices were rarely occupied at the same time. In addition, the expectation is that the studio/event space would not be utilized during normal business hours when the offices would be. The Parking requirements in the Zoning Code do define "Shared Parking" and allow for some consideration of shared parking spaces for businesses that do not have overlapping primary operating hours. The applicant is working on getting an engineered grading plan, and the expectation is that they will be able to provide 8 parking stalls.

Feedback from the public notice (see attached e-mail) that was sent out for this project has revealed that there have been some problems historically with illegal parking in this area, particularly at the storage facility next to this site. As an unmanned storage facility, there have been some issues with unauthorized people parking vehicles on this private property, or blocking the drive access to this property. The applicant will be responsible to ensure any tenants at this facility follow all parking regulations and respect the surrounding private property.

Required parking stalls must be paved, therefore a majority of this site, which is currently undeveloped and grassy, will become impermeable, which would likely increase the amount of storm water that will run off the site. The grade of this site had already created storm water issues for properties down-stream (west) which had required the City to rebuild the alley, storm sewer, and install two (2) storm water inlets in the alley adjacent to this site. It may be possible to fit storm water management facilities on this site and tie them directly into the storm sewer in the alley adjacent to this site. However, that will require a formal Site plan, preferably designed by a professional engineer. It is understood that the applicant is working with an engineering firm to obtain such a plan, however, it is not expected this plan will be available for thorough review prior to this meeting. The committee must determine if it feels the applicant needs to return to a public meeting with a final plan for grading, parking, storm water, building design, and landscaping. Another option would be to contingent this approval on a final approval from City Staff and/or DRC.

The grade of this site also appears to make direct access to Oak St. difficult. The current plan only indicates access to this site from the alley. It is understood that the applicant is looking at the possibility of providing access to Oak St. It appears the code only requires that the site be accessible from a public ROW, which the alley can provide. However, an alley does not provide adequate width for 2-way traffic, and if there is significant traffic at this site alley only access could create a potential nuisance. It is noted that runs from this site to Indiana Ave. only passes a non-occupied garage facility on one side with two (2) homes on the other side, the alley then goes through the City boat parking lot to access Indiana Ave. It is difficult to predict what traffic issues may occur in this case. Although, it seems event type uses would likely generate more traffic and create more potential for issues.

As a general contingency, any general approval of unknown specific uses can be revoked if a particular future use creates a nuisance.

Any approval of the CUP should carry the following conditions:

1. Primary use approval authorizing construction of real property is limited to the office space uses. Any event space uses are secondary, and the rights to those uses may be revoked if they create a nuisance.
2. Use of the storage/workshop space is specific to the Event Planning business. Any other use of this space would require a new Conditional Use Permit.
3. The applicant is responsible to ensure there are no issues with on-street parking. If one of the shared space tenants/uses creates unacceptable on-street parking (in the City's sole judgment) that use will have to stop.
4. The applicant cooperates with the City to adequately address any nuisances that may occur. If one of the shared space tenant/use creates a nuisance (in the City's sole judgment e.g. noise) that use will have to stop.

Any approval of the Site plan should carry the following conditions.

1. A minimum of 8 parking stalls are provided on-site.
2. The applicant is responsible for any storm water issues that may arise. The applicant is responsible to implement any corrections required to address storm water issues.
3. The final site plan is approved by City staff.

#### Optional

4. The applicant gain DRC approval on the building and landscaping design

Chris Tollaksen  
City of Wis. Dells  
10/05/2018

## Chris Tollaksen

---

**From:** Terry Sowinski  
**Sent:** Friday, October 05, 2018 10:19 AM  
**To:** Chris Tollaksen  
**Subject:** Public Hearing  
**Attachments:** 7422.jpeg

Mr. Tollaksen,

Per our conversation yesterday I expressed concern about parking on Oak Street.

I own a garage next to the lot where this project will take place.

I have attached a picture of my vehicle parked in front of my garage, and as you can see there is room to park a car off the street, and block the garage door. These garages don't look like they are being used, but 3 out of the 4 on the Oak Street side are used often.

Even if we post it NO PARKING or DON" BLOCK the door I have learned people don't read signs, or just don't care.

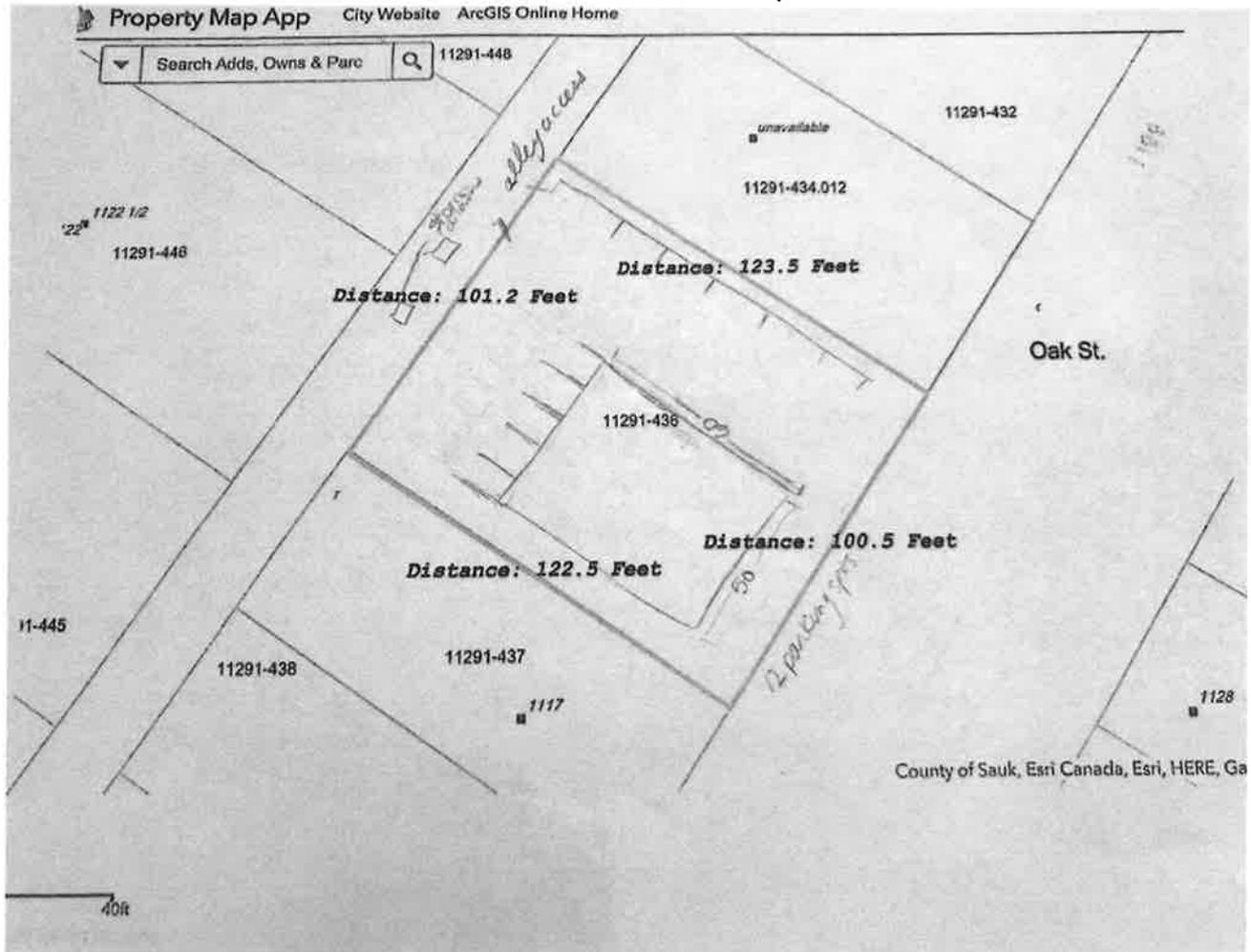
If enough parking is not provided then I believe we will have problems.

Thank you for your attention.

Terry Sowinski  
1137 River Rd



# Lot 4 and 5 of block 18, Oak St



## Building Inspiration



50'x60' building – 10ft walls – Wainscoating – glass door – 8'x8' garage door – 14 windows



Storage/Workshop - counter w/ sink - Cooler – Conference Room – 4 10'x10' private office – 8 private desks – Lounge open seating  
Dance/photo/yoga studio - Counter open seating - Table open seating – Outdoor seating – Bathroom – Kitchenette/Coffee

**CITY OF WISCONSIN DELLS**  
**ORDINANCE NO. \_\_\_\_\_**  
**(Vehicle Parking and Moving in Snow conditions)**

**ITEM 11**

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 update the parking code regarding vehicle parking and moving in snow conditions.

SECTION II: PROVISIONS REPEALED AND RECREATED

Wisconsin Dells Code Sec. 10.22(4)(c) is repealed and recreated.

Wisconsin Dells Code Sec. 10.22(17) is repealed and recreated.

SECTION III: PROVISION AS RECREATED:

**10.22(4)(c)**

(c) The City may order parked vehicles which create a hazard or impede snow removal/emergency operations to be moved/towed and stored and the vehicle owner shall pay the reasonable cost of such moving/towing/and or storage.

**10.22(17)**

(17) Overnight parking. Overnight parking is permitted in municipal lots 1,2,3,4,5,6,7 and 8; except that, in snow emergency conditions, for snow removal purposes, vehicles shall be moved by their owners/operators within 24 hours following the cessation of a snow event.

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 10.

\_\_\_\_\_  
Edward Wojnicz, Mayor

\_\_\_\_\_  
Nancy R. Holzem, Clerk