

CITY OF WISCONSIN DELLS MEETING AGENDA

Meeting Description CITY PLAN COMMISSION

Date: MONDAY, OCTOBER 8, 2018 **Time:** 5:30PM **Location:** MUNICIPAL BUILDING
300 LA CROSSE STREET, WISCONSIN DELLS, WI

		Committee Members		
Mayor Ed Wojnicz-Chair		Alder. Mike Freel	Fire Chief Pat Gavinski	Chris Lechnir
		Vacant	Lisa Delmore	Phil Helley
AGENDA ITEMS:				
1	CALL MEETING TO ORDER AND ATTENDANCE			
2	APPROVAL OF THE MINUTES FROM THE SEPTEMBER 10, 2018 MEETING			
3	PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FROM AMERICAN WORLD, INC. IN ORDER TO ALLOW A SEASONAL WORKFORCE HOUSING FACILITY TO CONTINUE AT 2020 WISCONSIN DELLS PKWY, WISCONSIN DELLS, SAUK COUNTY TAX PARCEL 291-0148-00000. THE PROPERTY IS ZONED C-4 COMMERCIAL-LARGE SCALE.			
4	DISCUSSION/DECISION ON ITEM #3 (CUP-AMERICAN WORLD)			
5	PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FROM FIORELLA NEIRA IN ORDER TO ALLOW GENERAL SERVICES, ADMINISTRATIVE SERVICES, FINANCIAL SERVICES, PROFESSIONAL SERVICES, COMMUNITY CENTER, COMMUNITY CULTURAL FACILITY, AND/OR AN INSTRUCTIONAL FACILITY AT 1125 OAK ST, WISCONSIN DELLS, COLUMBIA COUNTY TAX PARCEL 11291-436. THE PROPERTY IS ZONED C-1 COMMERCIAL-NEIGHBORHOOD.			
6	DISCUSSION/DECISION ON ITEM #5 (CUP-NEIRA)			
7	PUBLIC HEARING TO CONSIDER A SITE PLAN APPLICATION FROM FIORELLA NEIRA IN ORDER TO CONSTRUCT A SHARED OFFICE BUILDING AT 1125 OAK ST, WISCONSIN DELLS, COLUMBIA COUNTY TAX PARCEL 11291-436. THE PROPERTY IS ZONED C-1 COMMERCIAL-NEIGHBORHOOD.			
8	DISCUSSION / DECISION ON ITEM #7 (SITE PLAN-NEIRA)			
9	ANY OTHER ITEMS FOR REFERRAL TO FUTURE MEETINGS			
10	SET DATE FOR THE NEXT PLAN COMMISSION MEETING (NOVEMBER 13, 2018)			
11	ADJOURNMENT			
	<p>Open Meetings Notice: If this meeting is attended by one or more members of the Common Council who are not members of this committee, their attendance may create a quorum of another city commission, board or committee under the Wisconsin Open Meetings Law; However, no formal action will be taken by any governmental body at the above stated meeting other than the body, committee, commission, or board identified in this meeting notice. Please be advised that upon reasonable notice, the City of Wisconsin Dells will furnish appropriate auxiliary aids and services to afford individuals with disabilities an equal opportunity to participate in meeting activities.</p>			
	MAYOR ED WOJNICZ CHAIRPERSON		DISTRIBUTED OCTOBER 5, 2018	

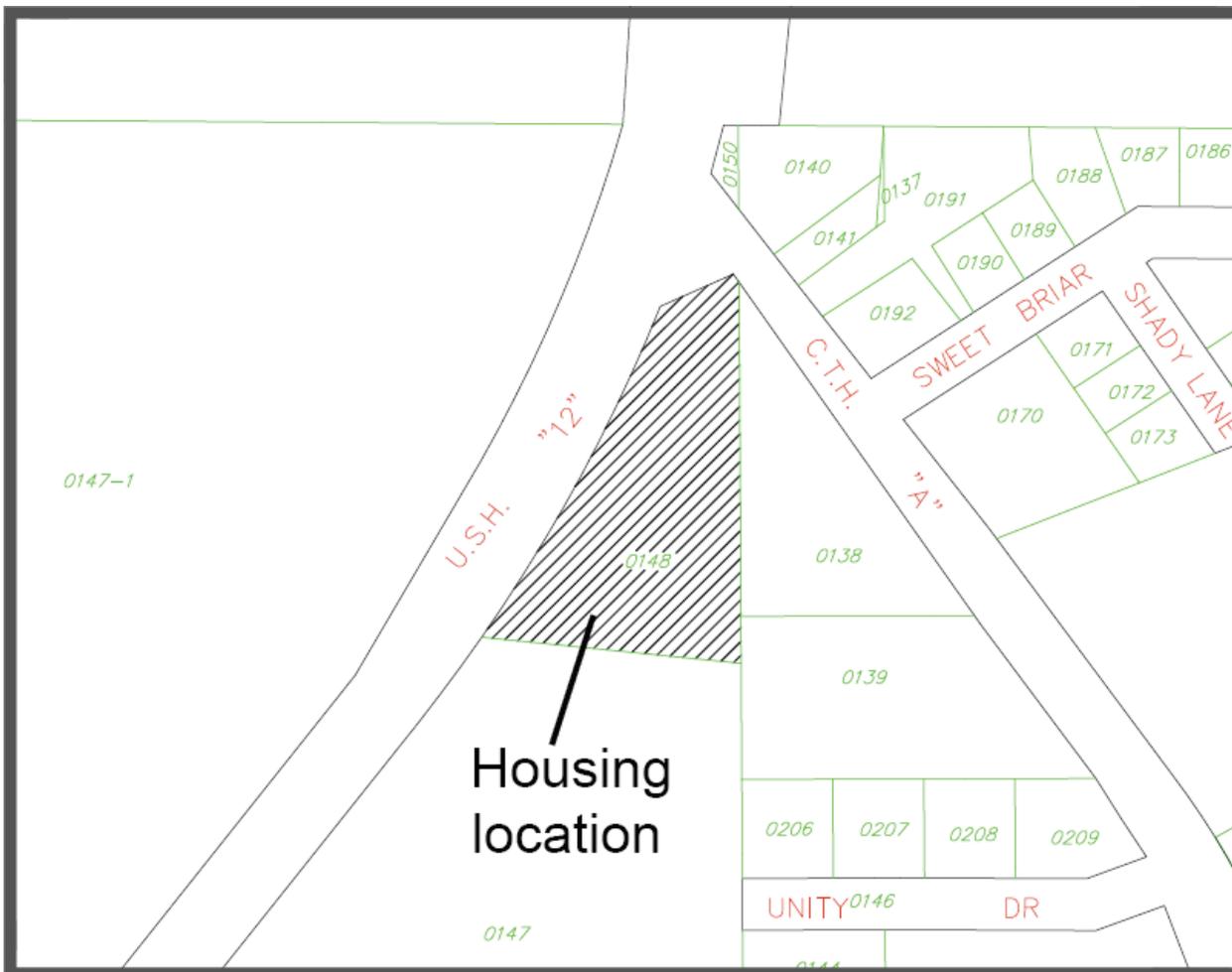
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Wisconsin Dells Plan Commission will hold a Public Hearing on **Monday, October 8, 2018 at 5:30PM** in the Council Chambers of the Municipal Building at 300 La Crosse Street, Wisconsin Dells, Wisconsin 53965, to consider the following:

Conditional Use Permit, per Municipal Code sec. 19.371(8), requested by American World Inc, in order to allow a SEASONAL WORKFORCE HOUSING at 2020 Wisconsin Dells Parkway, Sauk Co, City of Wisconsin Dells Parcel 291-0148-00000. The property is zoned C-4 Commercial-Large scale, which requires a Conditional Use Permit for Seasonal Workforce Housing per Chapter 19 Article 5 Division 3 of the Municipal Code.

This property is the motel located behind the BP station at the intersection of Wisconsin Dells Parkway and CTH A and has been used for Seasonal Workforce housing for the past several years. American World is applying to use this property for employee housing again in 2018.

Copies of the application are available for review at the City of Wis. Dells Public Works office in the Municipal Building at 300 LaCrosse St.



All interested persons will be given an opportunity to be heard at the Public Hearing. With reasonable notice the City will provide appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in the Public Hearing.

Dated this 14th of September 2018

Chris Tollaksen
Plan Commission
City of Wisconsin Dells

Publication Dates:
September 20, 2018
September 27, 2018

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

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	077-2018

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	Note: the parcel number can be found on the tax bill for the property or may be obtained from the City.
Current zoning classification(s)	<u>COMMERCIAL 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

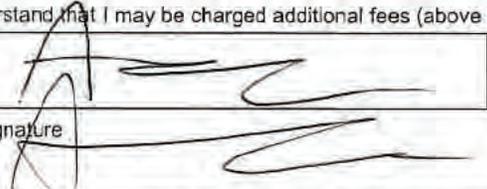
Version: May 21, 2007

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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
	9-12-18

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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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.

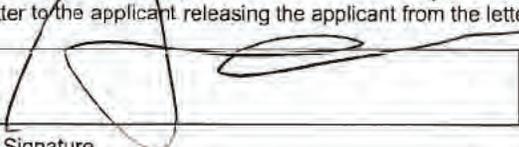
If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7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

	
Applicant Signature	Date
	9-12-18

CONDITIONAL USE APPLICATION

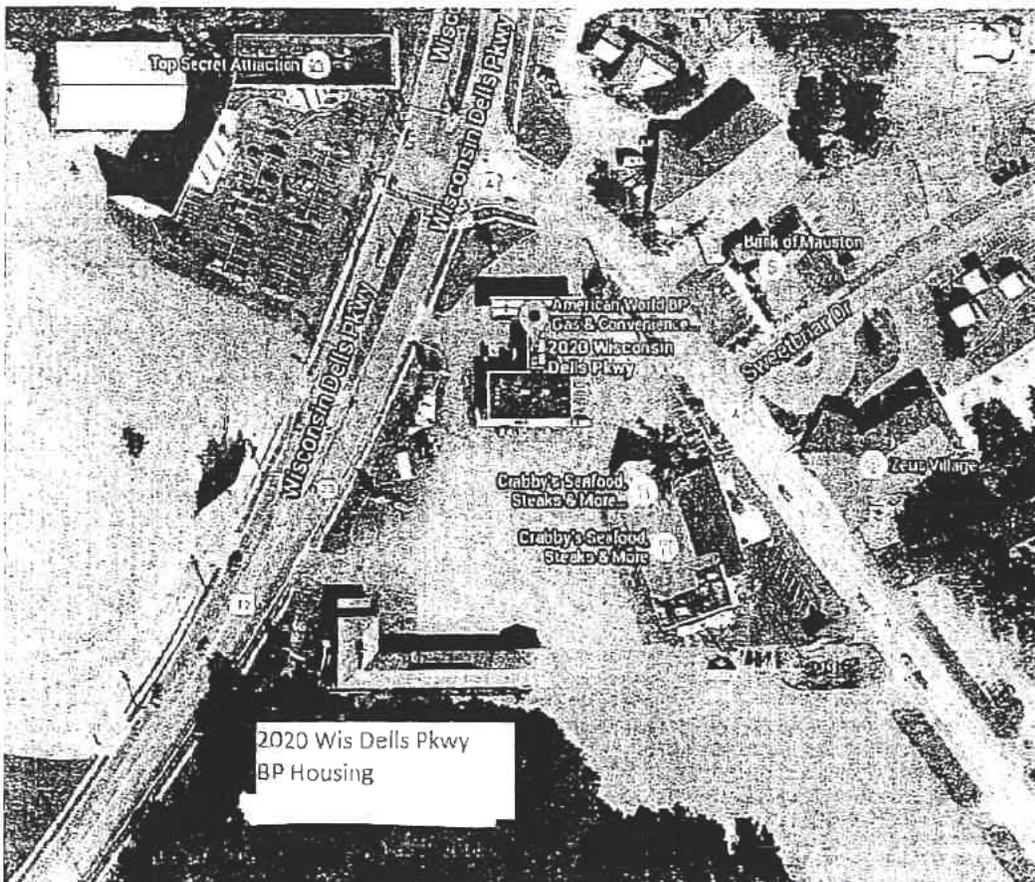
Wisconsin Dells, Wisconsin

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"/>
Common 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 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 type="checkbox"/>
Transportation Facilities (Existing and Proposed)	
Streets	<input type="checkbox"/>
Driveways and road 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"/>



NOTICE OF PUBLIC HEARING

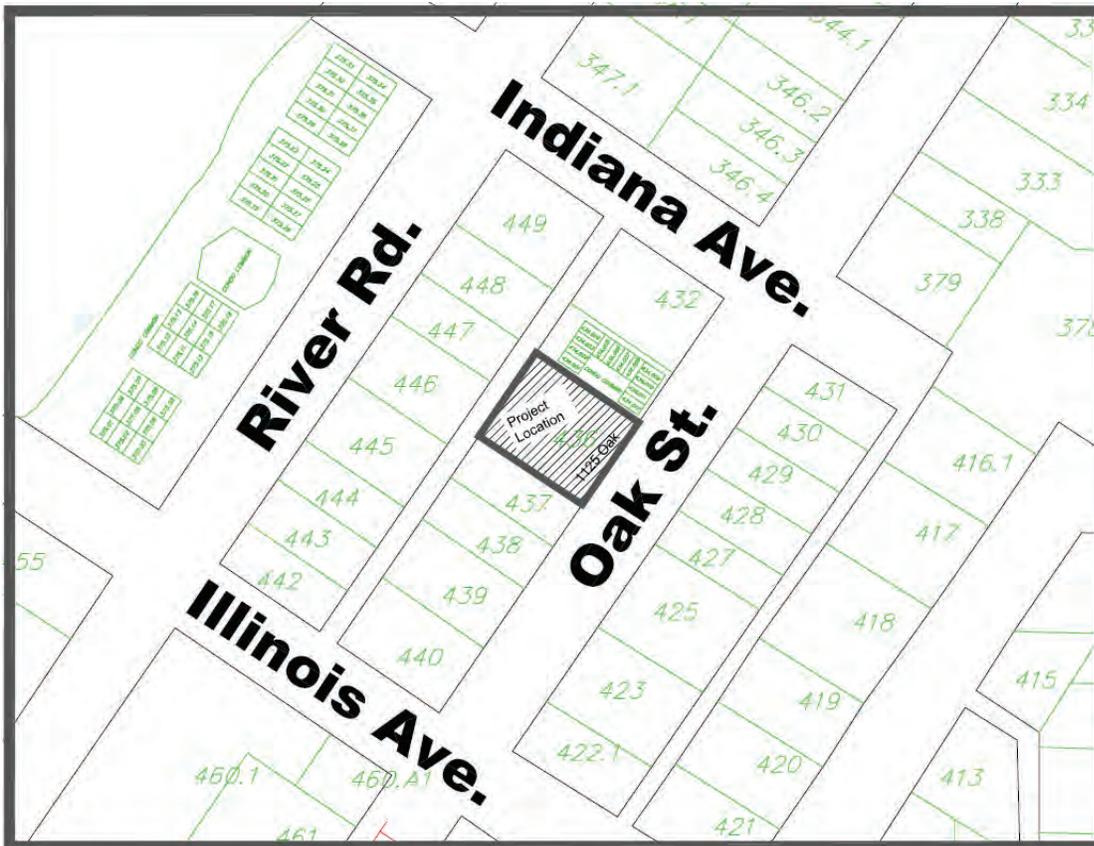
NOTICE IS HEREBY GIVEN that the City of Wisconsin Dells Plan Commission will hold a Public Hearing on **Monday, October 8, 2018 at 5:30PM** in the Council Chambers of the Municipal Building at 300 La Crosse Street, Wisconsin Dells, Wisconsin 53965, to consider the following:

Conditional Use Permit, per Municipal Code sec. 19.371(8), requested by Fiorella Neira, in order to allow **GENERAL SERVICES** on Columbia County, City of Wisconsin Dells Parcel 291-436 which is located at 1125 Oak St. The property is zoned C-1 Commercial-neighborhood, which requires a Conditional Use Permit for **GENERAL SERVICES** per Chapter 19 Article 5 Division 3 of the Municipal Code.

This property is currently a vacant lot on which the applicant would like to construct a 4-unit office building, with shared conference/meeting space, and shared/rental studio space. The applicant will operate an Event Planning business out of one of the offices and utilize the building space to store and prepare event decorations, such as vases for flower arrangements. This business assists with preparing for weddings off-site, but will **NOT** hold events at this site.

The applicant also intends to rent out the remaining office space and provide access to the building's meeting/conference and studio space. The applicant would also rent out the meeting/conference and studio space independently for short term specific uses. The applicant would like the ability to rent to a number of uses which are allowed by right or conditionally in the C-1 Zoning district. Potential uses of the rental space, as defined by the City Zoning Code Ordinance Chapter 19 Article 2, include: *Administrative services, Financial Services, General Services, Professional services, Community center, Community cultural facility, and/or an Instructional facility.*

Copies of the application are available for review at the City of Wis. Dells Public Works office in the Municipal Building at 300 LaCrosse St.



All interested persons will be given an opportunity to be heard at the Public Hearing. With reasonable notice the City will provide appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in the Public Hearing.

Dated this 14th of September 2018

Chris Tollaksen
Plan Commission
City of Wisconsin Dells

Publication Dates:
September 20, 2018
September 27, 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 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 business 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 business 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 ½ 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

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



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 Pilgrim dr Unit 3
 City Wisconsin Dells
 State and zip code WI 53965
 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>	<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)		
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.
Main unit will be Neira 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 M-F 9-5 Saturday 9-8
Space available to rent on Sundays and early morning/evening.

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.

Planning on having ~~14~~ parking spots. if these get full it may create 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
traffic will access parking lot 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

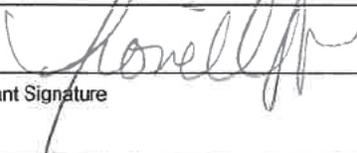
Version: May 21, 2007

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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

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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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.

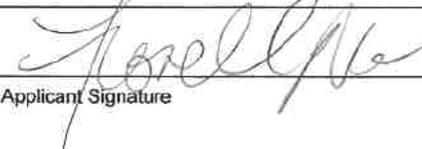
If a cash deposit is used to guarantee reimbursement, the City will periodically deduct from the cash account such amounts necessary to pay for eligible costs and submit a written statement to the applicant. If a letter of credit is used, the applicant agrees to pay such amounts as invoiced within 7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

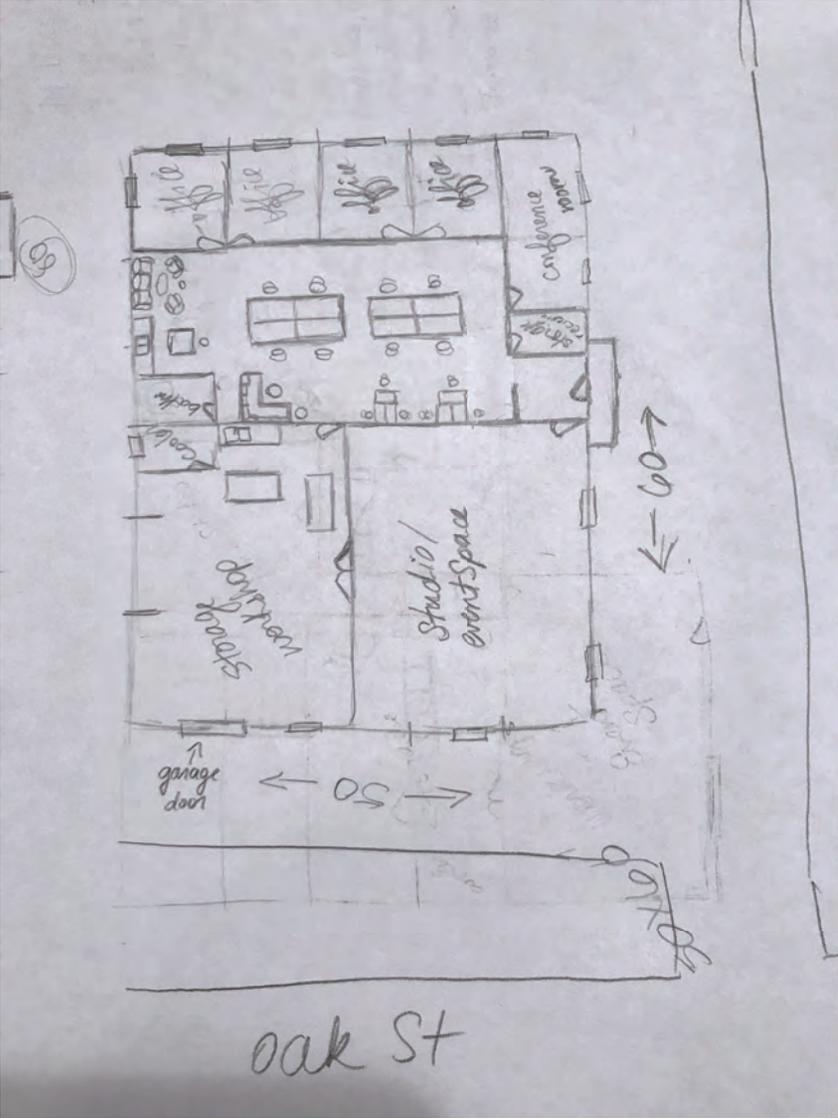
Version: May 21, 2007

Project Map Checklist

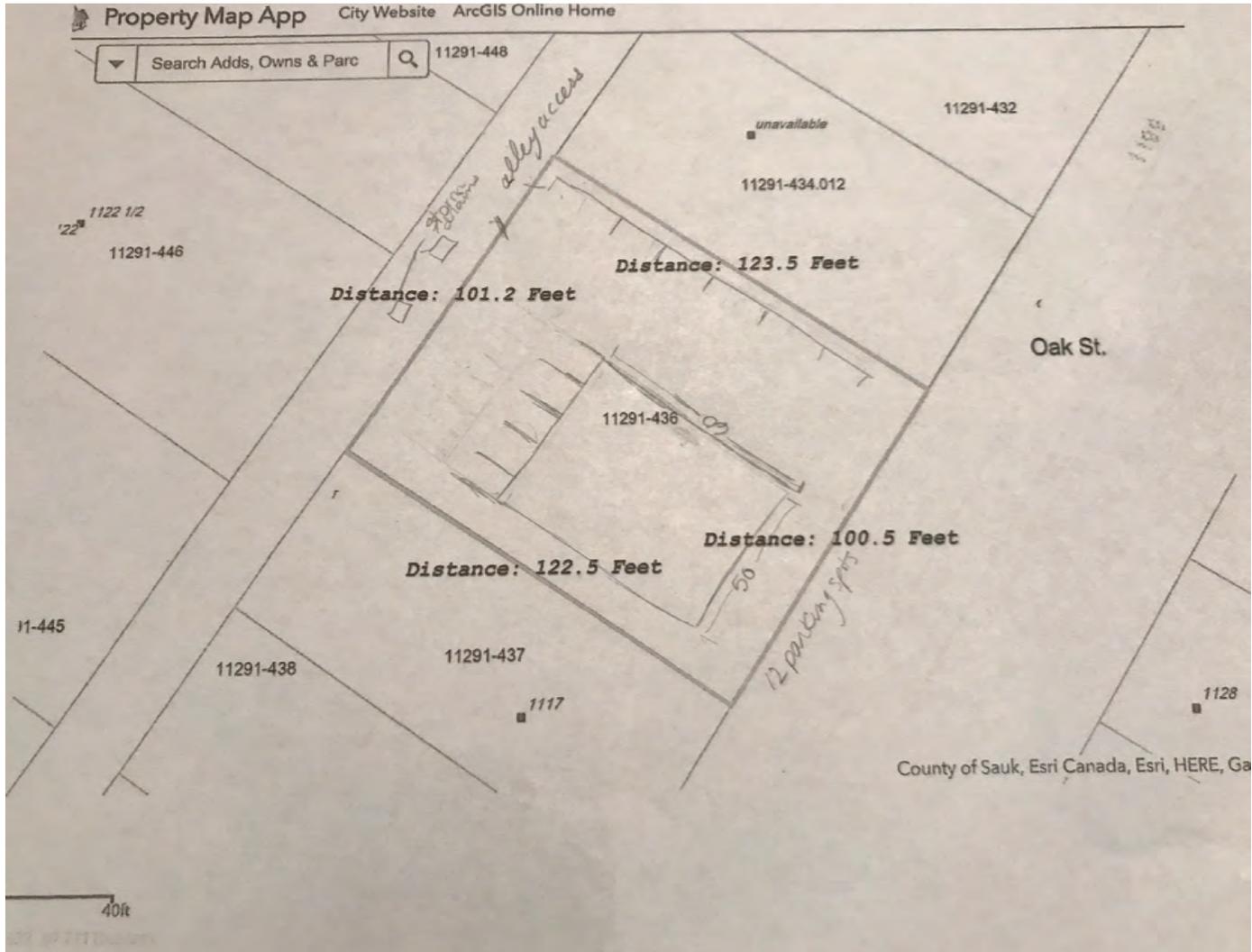
Project Information	Included ?
Project name (e.g., business name, subdivision name)	<input checked="" type="checkbox"/>
Applicant name	<input checked="" type="checkbox"/>
Preparation date	<input checked="" type="checkbox"/>
Survey Information	
North arrow and graphic scale	<input checked="" type="checkbox"/>
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"/>
Project Development Information	
Easements/rights-of-ways (location, width, purpose, ownership)	<input checked="" type="checkbox"/>
Common areas/conservancy areas (location, purpose, ownership)	<input checked="" 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 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"/>
Transportation Facilities (Existing and Proposed)	
Streets	<input checked="" type="checkbox"/>
Driveways and road access onto public and private roads	<input checked="" type="checkbox"/>
Sidewalks / trails	<input type="checkbox"/>
Buildings / Structures (footprint, use, etc.)	
Existing and proposed within subject parcel	<input checked="" type="checkbox"/>
Existing within 50' of subject parcel	<input checked="" type="checkbox"/>

Office Space/Co-Working



Lot 4 and 5 of block 18, Oak St



Building Inspiration



50'x60' building – 10ft walls – Wainscoting - 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

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 _____
Receipt number _____
Application number _____

1. Applicant information

Applicant name Fiorella Neira
Street address 114 pilgrim dr unit 3
City Wisconsin dells
State and zip code WI 53965
Daytime telephone number 608-432-4624
Fax number, if any _____
E-mail, if any FIORELLABNEIRA@GMAIL.COM

2. Subject property information

Street address	<u>LOT 4 AND 5 OF BLOCK 18 east of Wisconsin dells wi</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)	<u>C-1</u>	
Describe the current use	<u>empty lots</u>	

3. Proposed use. Describe the proposed use.

OFFICE/STORAGE/COWORKING

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

M-F 9AM-5PM SAT 9AM-6PM

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.

Planning on 11 parking spaces - may use street parking but not ~~expected~~ expected

10 spaces are required^{1 of 6} based on the building size of 3,000 square feet.

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

it falls in with city plan

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

*traffic will access the property through
alley and oak st*

c. Effects of the project on the natural environment

none

d. Effects of the project on surrounding properties, including operational considerations relating to hours of operation and creation of potential nuisances

office + co working on commercial property

e. The overall appearance of the project

Attached

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, 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.

not multi family

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.

N/A

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.

N/A

SITE PLAN APPLICATION
Wisconsin Dells, Wisconsin

Version: February 27, 2008

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.

N/A

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

N/A

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.

N/A

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.

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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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434.004	434.005	434.006	434.007	434.008	434.009
434.003	434.002	434.001	CONDO COMMON	434.010	434.011
				434.012	



Oak St

1125 Oak



