Mayor Landers called the meeting to order at 5:00 PM. Notice of the meeting was provided to the Dells Events, WNNO/WDLS Radio, and posted in accordance with State Statutes.

1. Present: Mayor Brian Landers, Ald. Mike Freel, Fire Chief Scott Walsh, Dan Anchor, Chris Lechner, and Tifani Jones
   Excused: Lisa Delmore
   Others: City Planner/Zoning Administrator Chris Tollaksen, DPW Office Clerk Monica Dorow-Leis, City Clerk Nancy R. Holzem, Public Works Director David W. Holzem, Ald. Wojnicz, Robert Procter, Chris VanderBloemen, Les Kryj, Jody and Doug Fisher, Lori and Royal Brackman, Cory and Holly Waterman, Joel Paschen, Jason Hallowell, Nick Stenzel, Jennifer Gavinski, Mike Kaminski, Theron Johnson, Casey Wilson, Tory Wolfram, Mary Panzer, Steve Cohan, Jeff Kaminski, Gail Jermier, Steve Cohan, Jason Krus, Emily Caflisch, Damon Zumwalt, and Ed Legge from the Dells Events

2. Motion by Freel, seconded by Lechner approve the minutes of the May 10, 2017 meeting. Motion carried.

3. Mayor Landers declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from WD CEF, LLC DBA Cutting Edge Fitness in order to allow Land Use 12.11 Sports/Fitness in the garage located in the alley at 820 Vine Street, City of Wisconsin Dells Parcel 291-1005, Columbia County. The property is zoned C-1 Commercial-neighborhood. Gail Jermier said she is not against the gym, but the location, access to it, and parking and traffic in the alley. Gail said it is not a good idea if they are going to run a 24-hour fitness membership program, with the alley not designed for street traffic. Les Kryj also said he is not against an athletic facility, but against this new location. His garage is in the alley and has had problems getting in and out of his garage with just two vehicles parked at the previous business. He said the alley from his garage to Wisconsin Avenue is in poor condition as it is. Members of Cutting Edge Fitness speaking in support of the proposed location included:
   - Jennifer Gavinski said it is a wonderful facility and a positive aspect for the community for all ages. She understands the residents concerns with parking, but hoping people will realize the members of this gym are very respectful regarding noise and parking.
   - Holly Waterman, owner of Cutting Edge Fitness said whenever anyone is at the facility, which is a studio and is instructor lead. She said there is never a time that a member would be at the facility without one of the owners there, Charmaine Garry or herself. She said the times are very limited. The class times are very limited and are early in the morning. As far as noise goes, she does not see this as a concern. As for parking, she is willing to work with the city. They know their members personally and have no problem addressing someone individually telling them where they can and cannot park. She suggested making the parking in the alley compact cars only and marked compact cars only.
   - Emily Caflisch said she understands some of the concerns, but wanted to speak about the importance of this facility. She said she works at a gym in Sun Prairie and said Cutting Edge has completely transformed her. She said it would be an absolute disgrace if the gym could not find a home somewhere.
   With no one else speaking on the matter, Mayor Landers declared the public hearing closed.

4. Chris Tollaksen said this is a unique facility. At some point in the past, there was a large garage on the alley that was converted into a commercial use. There is no question that it is odd to have a business with alley access only. If this were constructed today, it would not be allowed. Chris said there are issues with parking and access and in a lot of cases would probably not be allowed. Chris said a compact car could work in the alley, but then you would have the traffic in the alley. A regular sized car would not meet the current standards. Because this is an existing use, there are certain rights for this use to continue. With the parking issues, the lot is a bit odd, because there is a rental
home in front on the Vine Street side with a driveway and access on Vine Street and if they removed the home and create parking on the Vine Street side, the lot would not be nearly as odd. Chris said their intention is to use the facility, as it is, where they do not intend to remove the home, and if there is an inclination to do that, it should be with the understanding that it is in the hope that problems will not arise. If problems arise, they will need to create parking or they would not be able to use it anymore. The facility does not really have access from the Vine Street side where there would normally be required parking onsite, so they would need to make changes to the facility and said this should be a condition if approved. Chris said it is a situation where that is physically possible to happen and thinks the commission has the right to say they can try it the way it is, because they CAN physically fix the situation, but the access, traffic and parking is a concern as well. Tory Wolfram thought it was a valid point saying that when they were looking at this property, they never saw any cars parked on the 900 Block of Wisconsin Avenue, which is around a couple of hundred feet from the building. He said practically all of the customers could park on Wisconsin Avenue and walk up the alley to this facility. Motion by Ald. Freel recommended to council approve without parking in the alley and parking to be on the street and the front property. Ald. Freel said to be a good neighbor there should be no parking in the alley. Holly Waterman said she and another owner Charmaine would probably park in the driveway by the house.

Motion by Ald. Freel and seconded by Anchor recommend to council approve the Conditional Use Permit Application from WD CEF, LLC DBA Cutting Edge Fitness in order to allow Land Use 12.11 Sports/Fitness in the garage located in the alley at 820 Vine Street, City of Wisconsin Dells Parcel 291-1005, Columbia County with the following contingencies:

1) No parking allowed in the alley
2) The applicant install proper parking and building access, approved by the city, if it is deemed necessary by the city in its sole judgment.
3) The use of the facility is limited to the three stated blocks of time (+/-30 minutes). Any increased use may require additional approval by the city.
4) The applicant cooperates with the city with the understanding in hopes that problems will not arise and if they do, they would adequately address any nuisances that may occur.

Chris Tollaksen cautioned the applicant that by parking in the front, they would have to walk on the neighbor’s properties, because the building goes from property line to property line and to make sure the neighbors are ok with that. The property is zoned C-1 Commercial-neighborhood. Motion carried.

Mayor Landers declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from A&G Rentals Inc/Chula Vista Resort in order to allow Outdoor Entertainment/Recreation and Amusement Rides located at 2501 River Road, City of Wisconsin Dells parcels 291-00380-0015 & 291-00380-0020, Adams County. The property is zoned C-4 Commercial-large scale. With no one speaking on the matter, Mayor Landers declared the public hearing closed.

Motion by Anchor and seconded by Walsh recommend to council approve the Conditional Use Permit Application from A&G Rentals Inc/Chula Vista Resort in order to allow Outdoor Entertainment/Recreation and Amusement Rides located at 2501 River Road, City of Wisconsin Dells parcels 291-00380-0015 & 291-00380-0020, Adams County. This is contingent on all associated license and permits are obtained and in good standing. The property is zoned C-4 Commercial-large scale. Motion carried.

Mayor Landers declared the public hearing open for anyone to speak for or against the Site Plan Application from A&G Rentals Inc/Chula Vista Resort in order to construct additional structures to support the new outdoor recreation at 2501 River Road, City of Wisconsin Dells parcels 291-00380-0015 & 291-00380-0020, Adams County. The property is zoned C-4 Commercial-large scale. With no one speaking on the matter, Mayor Landers declared the public hearing closed.

Motion by Ald. Freel and seconded by Anchor recommend to council approve the Site Plan Application from A&G Rentals Inc/Chula Vista Resort in order to construct additional structures to
support the new outdoor recreation at 2501 River Road, City of Wisconsin Dells parcels 291-00380-0015 & 291-00380-0020, Adams County. This is contingent on all associated license and permits are obtained and in good standing. The property is zoned C-4 Commercial-large scale. Motion carried.

9. Commission member Chris Lechnir recused himself from the Woodside Sports, LLC agenda items. Mayor Landers said there was a request for this discussion. The neighbors have some nuisance concerns with balls ending up on their property, loud noise with music and other complaints. The Conditional Use Permit (CUP) for Woodside Sports, LLC allows the uses as defined with the exception of music. Chris Tollaksen said music was not really addressed. Chris said the applicant requested to use a PA system for announcements. Mayor Landers opened the floor for the commission to hear about the concerns. Starting out, Chris Lechnir of Woodside Sports, LLC said they met with the Mayor and Atty. Hasler, met with Chris Tollaksen last year to talk about the noise. Lechnir said they turned the music on and said they all agreed that the music at that level was ok. Mayor Landers said when they met at the ball fields at that time there were a couple of things agreed upon; the level of the music and the times music be played. Playing music was not specifically addressed in the original CUP. Tollaksen said in the original CUP application, the applicant requested using a PA system specifically, and they requested using a PA system for announcements and certain championship games only. Tollaksen said it was not stated in the CUP about playing music. Lechnir said they do not announce any games. Mayor Landers opened the floor for comments from the neighbors.

Royal Brackman said he has been out there several times and they have had music blaring. Brackman said he thought the Mayor wrote a letter stating that it was fine to play music. Mayor Landers responded saying they were not using a PA system to play the music at that time. Brackman said they were going to have soccer games there, but he said he sees people playing music in groups, teams, next to their cars, and further said there is really no reason to play loud music continuously. He said this should be a violation of the CUP and not a nuisance. He said there have been no tickets or warnings issued in the last 3 ½ years. He suggested fining them daily, because in the CUP, it said they would abide to what the city tells them to do and the neighbors, so he thinks they would be in agreement there is a problem there. Jody Fisher, adjoining residential property owner, made the following comments about Woodside Sports:

- March 5, 2014 the commission approved an amended Site Plan. Woodside stated they would cater to teams rather than large numbers of spectators and stated amplified announcement of play-by-play announcement would not occur at a vast majority of games, but only during the championship game of the significant tournament. Otherwise, the amplified announcements would only occur for emergency weather reports.
- Conditions of approval included Woodside shall cooperate with city, adjoining and adjacent property owners. This included noise and lighting controls, buffering, landscaping, and limited hours of operation 8am to midnight.
- Excessive noise is excessive regardless of the method how the noise is produced. Woodside has violated these conditions and have not been cooperative in addressing numerous complaints.
- Through communications she received, it states the facility should not become a noise nuisance. At the time of the permit, granting the applicant made no indication that they would be playing amplified music.
- She had a copy of a letter of a CUP Notice of Cooperation Request dated 7/9/2015, which stated that during the review of Woodside Site Plan Application, the site specifically brought up the concerns of the affects of the amplified sound from the Woodside facility would have on the existing neighboring properties.
- She had a copy of a letter they received from the city stating amplified music not be played at this facility. She said the city’s findings were they had two mountable speakers at the concession stand and they have since added a 3rd one. Woodside assured Mayor Landers that the volume would be at level two. There are two at the other side of the fields.
- Music played as early as 6:30 am and playing when there are no games. The CUP listed earliest hour for PA system as 8 am. She played a cell phone recording recorded from inside her home. Jody said all they are asking is that they obey the conditions listed in the CUP. Mayor Landers said he has had communications with Woodside management and asked for understanding and
Robert Procter, Woodside attorney, said the police have been there because of complaints and then finding out there is no need to write a ticket, because there is not a noise issue going on. Woodside measures the decibels and they come out the same as the ambient noise. He said Woodside is more than happy to continue to work with the city, meet with the city and neighbors to come up with ways, especially to set up objective standards. He respects the neighbor opinions, but it is a sports complex with obvious noise. Procter said they would be happy to go over the CUP point by point. He said there were always three speakers noted on the site plan and said the music is never played through the PA system. With that being said, there is always going to be the need for improvements and they are willing to do it and willing to meet with everyone to try to work on the CUP. Atty. Procter suggested a meeting with officials and police to address the issues to see which ones are truly issues and which ones can be improved on, then add them to the CUP. Chris Lechnir of Woodside Sports said about three years ago they had a Lacrosse Tournament before the fences were installed and that is when a lot of balls ended up across the road. They have since installed a fence. Kruse said he is still getting about 6-8 balls every Lacrosse tournament. Mayor Landers said the Woodside attorney proposed a meeting with the neighbors, and said it would only behoove the city to have Chris, Atty. Hasler, and police department to discuss some of these things to work out a long-term resolution. One of the last things the city would want is to threaten a CUP action against Woodside. Landers went on to say that Woodside was an asset to the community. Damon Zumwalt, Woodside Sports owner, said he has gone to an extreme to do things to compromise and make it right for the neighbors. He said he came to town and turned the music up all the way, then went across the fields and could not even hear it at the fence line. Damon said he questions the validity of the complaints and is very frustrated. Motion by Ald. Freel and seconded by Jones to table until next month. In the meantime, coordinate a meeting with the neighbors, Woodside management and legal team. Motion carried.

10. Mayor Landers declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from Woodside Sports, LLC in order to allow additional Outdoor Entertainment/Recreation located at 1770 STH 13, City of Wisconsin Dells parcel 291-00620-0010, Adams County. The property is zoned C-4 Commercial-large scale. Kris VanderBloemen spoke against the CUP because too close to her tenants and will be hard to rent or sell. Royal Brackman spoke against the CUP because he has doubt in anything Woodside Sports says. After coming to the realization that a CUP is not required for an Amusement Ride (ordinance description includes bouncy houses) in C-4 Commercial-large scale zoning, a public hearing is not needed. This item was removed from the agenda.

11. This item was removed from the agenda because Amusement Rides in C-4 Commercial-large scale zoning is allowed. Amusement Ride definition includes bouncy houses.

12. Mayor Landers declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from Alexis Eli (Bluegreen Corp) in order to allow a Walk-up Service Window located at 29 Broadway, City of Wisconsin Dells parcel 291-600, Columbia County. The
property is zoned C-2 Commercial-downtown. With no one speaking on the matter, Mayor Landers declared the public hearing closed

13. Motion by Ald. Freel and seconded by Anchor recommend to council approve the Conditional Use Permit Application from Alexis Eli (Bluegreen Corp) in order to allow a Walk-up Service Window located at 29 Broadway, City of Wisconsin Dells parcel 291-600, Columbia County with the following contingencies:
   1) The permit is not transferrable, any new owner or operator of this facility must obtain a new permit.
   2) The facility shall be properly maintained and managed to prevent it from becoming a nuisance.
   3) The city is always provided with a current contact as the site manager. The city may contact this manager with any issues at the facility. That contact, including verbal only, will be considered ‘Official Notice’ of any enforcement items, and may be followed up with enforcement actions such as the issuing of citations.

The property is zoned C-2 Commercial-downtown. Motion carried.

14. Mayor Landers declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from Nathan Grindstaff on behalf of Workforce Housing Solutions, LLC in order to allow Seasonal Workforce Housing at 511 Vine St., City of Wisconsin Dells parcel 291-1113, Columbia County. The property is zoned C-1 Commercial-neighborhood. With no one speaking on the matter, Mayor Landers declared the public hearing closed.

15. Motion by Ald. Freel and seconded by Lechnir recommend to council approve the Conditional Use Permit Application from Nathan Grindstaff on behalf of Workforce Housing Solutions, LLC in order to allow Seasonal Workforce Housing at 511 Vine St., City of Wisconsin Dells parcel 291-1113, Columbia County with the following contingencies:
   1) The permit is not transferrable, any new owner or operator of this facility must obtain a new permit.
   2) The facility shall be properly maintained and managed to prevent it from becoming a nuisance.
   3) The city is always provided with a current contact as the site manager. The city may contact this manager with any issues at the facility. That contact, including verbal only, will be considered ‘Official Notice’ of any enforcement items, and may be followed up with enforcement actions such as the issuing of citations. The property is zoned C-2 Commercial-downtown.

The property is zoned C-1 Commercial-neighborhood. Motion carried.

16. Mayor Landers declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from Hallis & Joyce Kleier in order to allow Overnight Lodging located at 925 Broadway, City of Wisconsin Dells parcel 291-997, Columbia County. Gail Jermier said she is all for someone buying this property, but want assurance the new owners do what they say they are going to do and if they use this property for a motel and not other overnight lodging. That would be her only concern. She hopes there is follow-up to make sure done appropriate and correctly. The property is zoned C-2 Commercial-downtown. With no one else speaking on the matter, Mayor Landers declared the public hearing closed.

17. Motion by Ald. Freel and seconded by Walsh recommend to council approve the Conditional Use Permit Application from Hallis & Joyce Kleier in order to allow Overnight Lodging located at 925 Broadway, City of Wisconsin Dells parcel 291-997, Columbia County with the following contingencies:
   1) The applicant complies with the Design Standards and recommendations of the Design Review Committee.
   2) The applicant maintains all applicable licenses and permits and pays all applicable taxes.
   (They normally operate as an Airbnb, where typically a single-family home is rented through
the internet, where it is more like a motel facility, so the applicant would need to maintain motel taxes, licenses, permits and all applicable taxes.)

3) The applicant addresses any parking concerns that may arise, potential limiting the maximum occupancy of the facility.

4) The facility is managed and maintained to a high level of quality. Failure to do so could result in revocation of this permit.

5) The city always has current and valid contact information for the site manager. This person is responsible for receiving and addressing any issues that may arise. Any notices of violations given to this person, even verbally, shall be considered official notice.

6) **Required is an on-site manager that must live at the facility if the city deems necessary.**

The property is zoned C-2 Commercial-downtown. Motion carried.

18. In November 2016, the use was approved, but was contingent on Site Plan approval and at that time there were some site concerns, primarily secondary access, but also some utility concerns. Included in the agenda packet is an updated Site Plan and appears to be acceptable in a general sense. They do indicate future phase out encroachments on the shore land with their convention center, but Chris made it clear that the general plan is accepted a little bit in concept, but there are no rights to any developments that may have to be addressed with shore land districts or anything like that. The Fire Department recommendation was that the secondary access has to be in place before Phase 1B and in place before occupancy. Mayor Landers said the city is trying to work with Cambrian property owners to obtain an easement. The city needs to know prior to the city approving the Site Plan about land acquisitions, Cambrian and DNR. Motion by Ald. Freer and seconded by Lechnir recommend to council approve the concept with the following added contingencies from the November 2016 meeting that are listed in the staff report:

1) The utility easements within the facility do not hold the city responsible to repair any improvements above the utilities (i.e. pavement or landscaping)

2) Any public utilities within the development meet city standards, are approved by the city and utility easements approved by the city are recorded.

3) Any underground facilities to be dedicated to the city are GPS and the city is provided adequate mapping of the facilities that is compatible with the city’s GIS mapping system.

4) Fire lanes are accepted by the Fire Chief.

5) The secondary access plan, while land acquisition in place, is provided with the Phase 1B Site Plan application. The secondary access to the facility is in place prior to the occupancy of the apartment building referred to as Phase 1B.

6) The developer is responsible to correct any storm water nuisances that their development creates.

7) Adequate buffers are established between the development and neighboring properties.

8) The developer cooperates with the city to resolve any nuisances that may result from this development.

Motion carried.

19. Mayor Landers declared the public hearing open for anyone to speak for or against Site Plan Application from Riverwood for Phase 1A at City of Wisconsin Dells parcels as listed in the staff report, Columbia County. The property is zoned PDD-2. With no one speaking on the matter, Mayor Landers declared the public hearing closed.

20. Motion by Anchor and seconded by Jones recommend to council approve the Site Plan Application from Riverwood for Phase 1A at City of Wisconsin Dells parcels as listed in the staff report and contingent on staff level approvals of all specific plans, including utilities and looping. This includes the following contingencies:

1) All final utility plans (water, electric, sanitary and storm sewer) are provided to the city for review and approval prior to the commencement of any construction.

2) Any site improvements not part of this plan shall be approved by city staff at their sole discretion.
3) Storm water is not allowed to run on Bowman Road or anywhere else where it would cause a nuisance or damage. The developer is responsible for upsizing downstream culverts and installing additional erosion control measures if required.

4) This approval does not include Phase 1B. An additional Site Plan Application is to be submitted and approved by the city prior to beginning Phase 1B.

Motion carried.

21. Chris said the Agreement presented is written where the secondary access is not required until Phase 2, which is contradictory to what was just approved for the site plan. Motion by Scott Walsh and seconded by Ald. Freel recommend to council approve the Riverwood Eagle’s Nest Development Agreement contingent on modifications to the agreement requiring the secondary access site plan approval and installation before occupancy including changes to coincide with the conditions for PDD2-General Development Plan and Site Plan. Motion carried.

22. Motion by Anchor and seconded by Walsh recommend to council approve the CSM to split a portion of Sauk County parcel 291-0089-10000 that lies between South Frontage Rd. and STH 13. This parcel also contains a strip of land that wraps around the West, South, and East side of the Wei’s Chinese Restaurant property. Before this land division can occur, the rest of this parcel must be addressed and contingent on the remainder of the parcel to be cleaned up. This will not be recorded at the county until there is verification that the southern property concern has been resolved. Motion carried.

23. Review of the Woodside meeting is referred to the next meeting.

24. The next Plan Commission meeting is scheduled to be on Monday, July 17, 2017 at 4:30pm.

25. Motion by Ald. Freel and seconded by Lechnir to adjourn. Motion carried and the meeting adjourned at 6:38pm.

Monica Dorow-Leis
Public Works Office Clerk