

**CITY PLAN COMMISSION
CITY OF WISCONSIN DELLS
MUNICIPAL BUILDING-300 LACROSSE STREET
SEPTEMBER 9, 2019**

Mayor Wojnicz 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 Ed Wojnicz, Ald. Mike Freel, Fire Chief Pat Gavinski, Phil Helley, and Ted Theiler
Absent: Lisa Delmore and Chris Lechnir
Others: City Planner/Zoning Administrator Chris Tollaksen, City Attorney Joseph Hasler, DPW Office Clerk Monica Dorow-Leis, Public Works Director David W. Holzem, City Clerk Nancy R. Holzem, Treas. Karen Terry, Ald. Anchor, Ald. Marshall, Ald. Holzem, Jason Hallowell, Dakota Musiedlak, Matt Musiedlak, Michelle Coughlin, Bernadette Starzyk, Chris Alexander, Bud Seufzer, Dennis Wimann, Alva Smith, Steve Ennis, Peggy Ennis and Ryan Ennis
2. Motion by Theiler and seconded by Gavinski approve the August 12, 2019 meeting minutes. Motion carried.
3. The applicant withdrew the request for a Conditional Use Permit (CUP) for an Amusement Ride on Sauk County Parcel 291-0139-0000.
4. Mayor Wojnicz declared the public hearing open for anyone to speak for or against the Site Plan Application from Chris Alexander to allow an expansion of the mini storage facility at 919 County Highway H, Wisconsin Dells, Sauk County tax parcel 291-0049-00000. The property is zoned C-3 Commercial-Highway. The Conditional Use Permit (CUP) for the use was approved at the last meeting, but Site Plan was tabled. With no one speaking for or against the matter, Mayor Wojnicz declared the public hearing closed. Motion carried.
5. Motion by Theiler and seconded by Freel recommend to council approve the Site Plan Application from Chris Alexander to allow an expansion of the mini storage facility at 919 County Highway H, Wisconsin Dells, Sauk County tax parcel 291-0049-00000 contingent on the following:
 - 1) Clarification of paving requirements. If the paving plan does not work out, then they would be required to fix the paving and may be required to be widened.
 - 2) The final Site Plan allows for a minimum of 24 ft wide, 2-way drive aisles.
 - 3) An adequate buffer is maintained between any new building and neighboring residential properties.
 - 4) The applicant is responsible to address any storm water issues that this new construction may create.
 - 5) The final Site Plan is approved by City staff. City staff reserve the right to require full Committee and Council approval of the final plan if they deem necessary
 - 6) Building site and property lines are staked out if final construction is to be within 10 ft of the setback limits.Motion carried.
6. Mayor Wojnicz declared the public hearing open for anyone to speak for or against the CUP from Matthew Musiedlak to allow a "Resort" (Nightly Rental with Amenities) at 1820 Cole Lane, Wisconsin Dells, Adams County tax parcel 291-00710-0000. The property is zoned A-1 Agricultural-Limited. Ryan Ennis spoke against it saying that the properties to the South and West of this parcel are all residential properties. He also said he does not feel short term rental is compatible for this area. He is not necessarily opposed to this one house, but asked what would stop them from adding more units at that location. With no one else speaking for or against the matter, Mayor Wojnicz declared the public hearing closed. Motion carried.
7. Administrator Chris Tollaksen said the Prairie Oak Subdivision is zoned residential, whereas the single-family home (approx. 20 acres) located behind the subdivision remained Agricultural. A

resort is not something the city would normally allow in a residential area. This is something the city did not foresee when the property was annexed into the city. The Zoning Code allows a resort in Agricultural zoning through the Conditional Use Permit Application process. Atty. Hasler and Chris Tollaksen comments included the following:

- ❖ First, determine whether or not the resort meets the definition of a 'resort'.
- ❖ Second, there may be added standards that are reasonable and measurable, and Hasler believes the city could set standards with conditions such as parking and hours of operation.
- ❖ One condition may be limit to one building and may be reasonable and measurable.
- ❖ The tax rate is very low for Agricultural property and if used commercially, there is potential increased land value.
- ❖ Hasler said if there is any significant expansion on the property, the access is somewhat limited. The city has public right of way there and it does not have to be an improved public street. He further said that one of the things that will have to be part of this development will be some kind of written easement that gives the landowner permission to use this as an access to the property, making the property owner responsible for maintaining the access point.
- ❖ Chris said that if the commission approves this, he suggested accepting this as a general idea, and then the next step would be to address this use specifically before having a final motion.
- ❖ Hasler said that if this were approved, one important factor allowing the use would be because of the parcel size being almost 20 acres.

Motion by Ald. Freel and seconded by Helley recommend to council approve the CUP with the following contingencies:

- 1) The use of the archery targets is granted (this can be granted through council).
- 2) Reasonable efforts are made to establish buffers between activity areas on this property and neighboring properties. City Staff are granted the authority to approve or deny the final proposed buffers.
- 3) The Prairie Oak Drive Right of Way is cleaned up.
- 4) The building inspector ensures there are no code or safety issues with the house.
- 5) The applicant obtains and remains current with a State of Wisconsin ATCP Tourist Rooming House license.
- 6) The overnight rental of the house will be subject to PRT & room tax and the applicant is responsible for providing clear accounting of the rental of this property.
- 7) Any nuisances are addressed to the satisfaction of the City, including but not limited to noise, maintenance, and parking. Failure to addresses nuisances to the City's satisfaction can cause this permit, or any specific use herein, to be revoked.
- 8) Applicant abide by the following restrictions:
 - a. Owner provides current, local, primary contact information to the police department and zoning office.
 - b. Renters sign an agreement not to cause excessive noise, not to trespass on neighboring property, and not to cause any other nuisance.
 - c. This permit is non-transferrable, any new owner or operator of the property will have to obtain a new Overnight Lodging permit.
- 9) Approve for one building only.

Motion carried.

8. Mayor Wojnicz declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from Logging Camp LLC to allow a Garage, Non-residential at 912 Fitzgerald Road, Wisconsin Dells, Sauk County tax parcel 291-0119-00000. The property is zoned C-4 Commercial-large scale. With no one speaking for or against the matter, Mayor Wojnicz declared the public hearing closed. Motion carried.
9. Motion by Freel and seconded by Helley recommend to council approve the Conditional Use Permit Application from Logging Camp LLC to allow a Garage, Non-residential at 912 Fitzgerald Road, Wisconsin Dells, Sauk County tax parcel 291-0119-00000 with the following contingency:

- a. The property owner maintains the area around the garage. The vegetation in this area shall be properly maintained and there shall not be a collection of “stuff” around the building.

The property is zoned C-4 Commercial-large scale. Motion carried.

10. Mayor Wojnicz declared the public hearing open for anyone to speak for or against the Site Plan Application from Logging Camp LLC for a Garage, Non-residential at 912 Fitzgerald Road, Wisconsin Dells, Sauk County tax parcel 291-0119-00000. The property is zoned C-4 Commercial-large scale. With no one speaking for or against the matter, Mayor Wojnicz declared the public hearing closed. Motion carried.
11. Motion by Theiler and seconded by Helley recommend to council approve the Site Plan Application from Logging Camp LLC to allow a Garage, Non-residential at 912 Fitzgerald Road, Wisconsin Dells, Sauk County tax parcel 291-0119-00000 with the following contingency:
 - a. The property owner maintains the area around the garage. The vegetation in this area shall be properly maintained and there shall not be a collection of “stuff” around the building.This is contingent on Conditional Use Permit approval. The property is zoned C-4 Commercial-large scale. Motion carried.
12. Mayor Wojnicz declared the public hearing open for anyone to speak for or against the Conditional Use Permit Application from Port Huron to allow a once a year expansion of the outdoor service area at 805 Business Park Road, Wisconsin Dells, Columbia County tax parcel 11291-1497.4 The property is zoned I-1 Industrial. With no one speaking for or against the matter, Mayor Wojnicz declared the public hearing closed. Motion carried.
13. Motion by Freel and seconded by Helley recommend to council approve the Conditional Use Permit Application from Port Huron to allow a once a year expansion of the outdoor service area at 805 Business Park Road, Wisconsin Dells, Columbia County tax parcel 11291-1497.4 with the following contingency:
 - a. This approval is permanent approval for the Oktoberfest event held once a year.
 - b. The City reserves the right to revoke this permit for this once a year event if the City determines (in its sole judgment) that this event creates a nuisance.The property is zoned I-1 Industrial. Motion carried.
14. Motion by Gavinski and seconded by Helley recommend to council approve the Certified Survey Map (CSM) submitted by Uphoff Properties, LLC to divide Sauk County Parcel 291-0117-00000 located at 420 STH 13 with the condition that an access easement for Lot 1 is provided and the final CSM is approved by City staff. Motion carried.
15. Item for referral: Look at updating the resort requirements.
16. Scheduled is the next Plan Commission meeting on Monday, October 14 at 5:00pm.
17. Motion by Theiler and seconded by Freel to adjourn. Motion carried and the meeting adjourned at 5:35pm.

Monica Dorow-Leis
Public Works Office Clerk