

Minutes of Plan Commission Meeting December 18, 2018t

Call to Order – Phil Wedekind called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Phil Wedekind, Dennis Thurow, Roy Franzen, Pat Liston, Jim O’Neill, and Tom Kolb. Kate Fitzwilliams arrived at 5:17 p.m.

Also in attendance were Administrator Geick, Tom Pinion, Attorney Truman, Brad Servin, Karen Stanley, Dan Hellenbrand, Jon Bare, Griffin James, and Ben Bromley.

Call to Order

- a. Note compliance with the Open Meeting Law. Wedekind noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Kolb, seconded by Liston to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by O’Neill, seconded by Liston to approve the minutes of the October 16, 2018 meeting. Motion carried unanimously.

Public Invited to Speak (*Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.*) – There were no speakers.

Public Hearings:

- a. Public Hearing to consider the request of Oak Park Place, 800 Waldo Street, for an amendment to their existing Conditional Use Permit, which was originally granted on November 20, 2007 and subsequently amended on June 17, 2008, July 25, 2011, November 15, 2016, and September 19, 20178 to allow an expansion of two (2) independent living units – There being no speakers, the hearing was declared closed.
- b. Public Hearing to consider the request of Karen Stanley, to convert the existing two-story structure at 138 1st Street, formerly occupied by a business, to a mixed-use occupancy for a restaurant and professional office – There being no speakers, the hearing was declared closed.
- c. Public Hearing to consider the request of Joe Colossa, Donald Horowitz, Jon Bare, and Griffin James for a Conditional Use Permit to open a micro-brewery as a tourism oriented on-site manufacturing business in the westerly portion of the existing building at 623 Broadway, located in a B-1 Zoning District – There being no speakers, the hearing was declared closed.
- d. Public Hearing to consider the request of Daniel J and Adelina Hellenbrand for a Conditional Use Permit to allow a one-chair beauty shop in the existing single-family residence on the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW¹/₄ of the NE¹/₄ of Section 2, T11N, R6E, in an NRO Neighborhood Residential Office zoning district, at 404 South Parkway, City of Baraboo - There being no speakers, the hearing was declared closed.

New Business

- a. Consideration of Oak Park Place’s request for an amendment to their existing Conditional Use Permit, which was originally granted on November 20, 2007 and subsequently amended on June 17, 2008, July 25, 2011, November 15, 2016, and September 19, 20178 to allow an expansion of two (2) independent living units – Brad Servin, Architectural Design Consultants, representing Oak Park Place address the Commission. Engineer Pinion presented the background for the project. It was moved by Liston, seconded by Franzen to approve the request of Oak Park Place for an amendment to their existing CUP to allow an expansion of two (2) independent living units. On roll call vote for the motion, Ayes – Thurow, Franzen, Liston, O’Neill, Kolb, Fitzwilliams, and Wedekind. Nays – 0, motion carried 7-0.
- b. Consideration of Karen Stanley’s request for a Conditional Use Permit to convert the existing two-story structure at 138 1st Street, formerly occupied by a business, to a mixed-use occupancy for a restaurant and professional office – Karen Staley, 1530 Tillberry Drive introduced herself to the Commission. Pinion presented the Commission with the history of the building and prior tenants. Stanley said that this building was Sand County Café in 1998. Pinion said that he had a conversation with the State Building Inspector and since it was previously upgraded as a restaurant and simply the equipment was removed, everything is in place, so there is no need for State approved plans. He said that this is not really a change in use; it will need to be licensed through the County, who is acting on behalf of the State Health and Family Services. He said that Stanley is looking for this mixed use to go into this property, and they are both allowed as permitted uses in the underlying B-1 Zoning District; however, it is right on the boundary of the City’s conditional use overlay

district. Stanley handed out a summary of her proposed use to the Commission. A question was raised regarding parking. Pinion stated that this is in the B-1 Downtown Central Business District, and there are no off-street parking requirements for any business in a B-1. It was moved by Liston, seconded by Franzen to approve the requested Conditional Use Permit to convert the existing structure at 138 1st Street to a mixed-use occupancy for a restaurant and professional office, conditioned upon licensure through the Sauk County Health Department. On roll call vote for the motion, Ayes – Franzen, Liston, O’Neill, Kolb, Fitzwilliams, Wedekind, and Thurow, Nay – 0, motion carried 7-0.

- c. Consideration of Colossa, Donald Horowitz, Jon Bare, and Griffin James’ request for a Conditional Use Permit to open a micro-brewery as a tourism oriented on-site manufacturing business in the westerly portion of the existing building at 623 Broadway, located in a B-1 Zoning District – Jon Bare and Griffin James introduced themselves to the Commission. Pinion said that a staff level meeting was held at the Al Ringling Mansion with three out of the four owners, as zoning was reviewed there is an opportunity as a conditional use permit to operate an on-site tourism oriented manufacturing facility. He said that this is a parallel process to what the Commission did for the distillery at 300 Water Street, located in the Central Business District; a brewery is not a formal use within that, so the closest one that resembles that is the on-site manufacturing. He said as being contiguous to the Al Ringling Mansion, which is tourism-oriented business it compliments it very nicely. He said that the owners would be getting the property plan approvals through the State, as well as licensure to actually open and operate the brewery. It was stated that the owners would be applying for a brewpub permit, which means they will be selling the majority of what is brewed for consumption on premises; in fact, they will be selling everything that is brewed there. It was stated that there will be no distribution, and there will be a full kitchen. It was stated that this would be a 7-barrel brew house, which is equivalent to about 220 gallons at a time. It was moved by O’Neill, seconded by Kolb to approve the conditional use to open a microbrewery as a tourism oriented on-site manufacturing business at 623 Broadway as requested. On roll call vote for the motion, Ayes – Liston, O’Neill, Kolb, Fitzwilliams, Wedekind, Thurow, and Franzen. Nay – 0, motion carried 7-0.
- d. Consideration of Daniel J and Adelina Hellenbrand’s request for Conditional Use Permit to allow a one-chair beauty shop in the existing single-family residence on the 0.26-acre parcel on the northwest corner of the intersection of South Parkway and Quarry Street being part of the SW¼ of the NE¼ of Section 2, T11N, R6E, in an NRO Neighborhood Residential Office zoning district, at 404 South Parkway, City of – Daniel and Adelina Hellenbrand introduced themselves to the Commission. Pinion presented the background to the Commission. It was moved by Liston, seconded by Franzen to approve the conditional use to allow a one-chair beauty shop in the existing single-family residence at 404 South Parkway. On roll call vote for the motion, Ayes – O’Neill, Kolb, Fitzwilliams, Wedekind, Thurow, Franzen, and Liston. Nay-0, motion carried 7-0.
- e. Consider a proposed Amendment to the General Development Plan (GDP) & Specific Implementation Plan (SIP) for Oak Park Place, a multi-family residential senior living complex at 800 Waldo Street to allow an expansion of two independent living units. – Brad Servin introduced himself again, the Commission. Pinion presented the background on this request. Liston moved, Kolb seconded to recommend forwarding this proposal to Council with a positive recommendation. On roll call vote for the motion, Ayes – Kolb, Fitzwilliams, Wedekind, Thurow, Franzen, Liston, and O’Neill. Nay – 0, motion carried 7-0.
- f. Review and approve a Two-Lot Certified Survey Map for land in the SE¼ of the SW¼ of Section 3, T11N, R6E, City of Baraboo, at 1040 State Rd 136 for Menard, Inc. – Pinion said that Tyler Edwards is the man that he has been corresponding with from Menard’s; however, he had another meeting this evening and could not be in attendance, and is respectively asking to postpone this until the next Commission meeting. It was moved by Kolb, seconded by O’Neill, to postpone the CSM for Menard until the January meeting. Motion carried unanimously.
- g. Consideration of Ad-Hoc Zoning Committee’s recommendation for revisions to Sections 17.08 Definitions and Conditional Uses in Section 17.20 through 17.35 of the City of Baraboo Zoning Code – Attorney Truman said that the goal of the Ad-Hoc Zoning Committee was specifically to review the conditional uses based on the change in the State law. Atty Truman questioned the Commission on how they wanted to go through the recommendations. Liston said he felt that the AD-Hoc Committee did due diligence, although, he does not know what they have against gazebos. Pinion said that gazebos are a structure and not really a use. Franzen asked Kolb, since he was on the Committee, where there were problems. Kolb answered that short-term rentals, and it was decided to pull short-term rentals out of all the zoning districts, and write a municipal ordinance to cover that. Kolb said that the proposed ordinance should come to the Commission in January. Truman said that short-term rentals is another one that the law changed in mid-2017. She said that the State took away some of the City’s regulatory powers regarding short-term rentals, and some municipalities have responded by just saying they will not be regulating them, and other communities have taken a more regulatory approach, and the AD-Hoc Committee have reviewed what other municipalities have looked at and decided they still what a say as to how they are regulated. Kolb said that some of the ones stricken are businesses that already exist in these zoning districts, and they will be grandfathered in. It was moved by Liston, seconded by O’Neill to move the Ad-Hoc Zoning Committee’s recommendations on to Council with a positive recommendation. On roll call vote for the motion, Ayes – Fitzwilliams, Wedekind, Thurow, Franzen, Liston, O’Neill, and Kolb. Nay – 0, motion carried unanimously.

Adjournment - It was moved by Kolb, seconded by Liston to adjourn at 5:45 p.m. The motion carried unanimously.

Phil Wedekind, Mayor Designee