

PLAN COMMISSION

Minutes

April 4, 2019

Chairwoman Claire Barnett called the Plan Commission meeting to order at 6:00 PM and noted compliance with the open meeting law.

Present: Chairwoman Claire Barnett, Pat Witter, Gary Kowalke, Don Larson, Dennis Parsons, Jim Allen and Mike Wetak

Also present: Atty. Julia Potter, Kaitlin Nye, Jeremy Peach, David Dahlke, Susan Endres, Dave Mowers, Paul Beagan, Douglas Fauth, Mary Larson, Wendy Schneider, Gloria Larson, Catherine Soderquist, Ross Madrigal, Jason Baumgartner, Alex Paulson, Ellen Brock, Jori Ruff, Mary Bowers, Jaime Olson, Renee Greenland, Diane Deering, Terri Thomas, Jerry Hollendyke, Margaret Bauman, Derick Bacon, Dave Moritz, Trine Schwartz, Clay Disney, Sue Disney, Ryan Jones, Lisa Newberry, Angela Witczek, Audrey Hogan, T. Baker, Brant Brinker, Angela Ruskowsky, Ronnie Palm, Cindy LeGrand and Tracy Carbonara

Absent: None

The Pledge of Allegiance was recited.

Motion by Don Larson, second by Mike Wetak to adopt the Agenda. Motion carried.

Motion by Don Larson, second by Dennis Parsons to adopt the previous Plan Commission minutes. Motion carried.

CORRESPONDENCE:

David Mowers gave a brief summary of his Study of Homeless Shelter Locations and Impacts. Homeless Shelter Emails (forwarded as received to Plan Commission and Board members).

REPORTS

- A. **Zoning Update:** Zoning Chart provided
- B. **Village Board update:** Jim Allen reported Board approved for MSA to complete the final design on the canoe/kayak launch and approved the revised building design application for U-Haul. Jim Allen also reported the Board adopted an amendment to the Village Zoning Map for the Village Forest parcel to now be zoned R-1.
- C. **Village Attorney update:** Atty. Potter reported the building design application for Kobussen was denied at the last Board meeting and there is a variance hearing scheduled next Tuesday for BP Operators, LLC & WP Delton Development, LLC.
- D. **The Economic Development/Tourism Commission update:** Gary Kowalke reported they are still in the process of getting prices for a new entrance sign.

OLD BUSINESS:

- A. Atty. Potter gave a brief introduction to provide some procedural context for the commission and members of the public. Atty. Potter emphasized the fact that the focus now is on general zoning code amendments, as opposed to approving this particular project. The meeting was opened up for public comments. Ellen Brock, Dave Moritz, Tracy Carbonara, Cindy LeGrand, Lisa Newberry, Mary Bowers, Renee Greenland, Catherine Soderquist, Dave Mowers, Mary Larson, Angela Witczek, Jerry Hollendyke and Clay Disney spoke in favor of the proposed zoning code amendment to allow homeless shelters in R-1 districts.

Jeremy Peach referenced his memo and gave his recommendation to the Plan Commission, stating he felt that if the Village would allow the land use of Homeless Shelters to be permitted, it should certainly be allowed conditionally, and should take place in the R-2 one and two family residential district, R-3 multifamily district, or SRO-1/SRO-2 Districts, which provide a transition from residential to commercial uses. Jeremy Peach stated these districts allow for residential uses with medium to high density, and that the Village's R-1 district is established to protect the residential district from anything more than low intensity use. Jeremy also stated that the commercial district is not specifically aimed towards residential uses. In Addition, Jeremy Peach reported he feels his recommendation would be consistent with the Village's Comprehensive Plan. Jeremy Peach answered questions from the Plan Commission and members of the public and confirmed that certified planners at MSA who are familiar with the Village's Zoning Code and Comprehensive Plan assisted with the preparation of the recommendation.

Claire Barnett pointed out in regards to density, the location of the Church of God is on a busy corner and not exactly a dead end, quiet neighborhood. Claire Barnett asked the Commission if they decided to allow homeless shelters in a certain district, if they think it should be set up as a conditional use subject to performance standards so the Village has some control. Gary Kowalke agreed he thinks that should be a serious consideration. Claire Barnett asked the Commission if they agreed that Jeremy Peach's recommendations are identifying good areas for the future if something else like this came along. Gary Kowalke agreed. Jim Allen stated he thought Jeremy Peach's recommendation was very well thought out and voiced his concerns about the time frame people would be allowed to stay and the increased residential density a potential homeless shelter would cause. Jim Allen thought the R-3 and SRO-1 would be great locations to allow homeless shelters as conditional uses. There was considerable discussion regarding imposing a time frame as a condition on any conditional use permit so that the Village could check in with the shelter at a later date and see how things were doing. There was some discussion regarding the supportive, non-residential uses listed as conditional uses in R-1 districts, such as for schools, churches and community centers and the extent to which they differ from homeless shelters. Gary Kowalke stated he was not against homeless shelters within the Village, but a major concern he had was the question of how it would be policed. Don Larson stated he understands this is an emotional topic, but as Commission members they have to support the Village of West Baraboo's residents and decide if the R-1 district or other districts would be an appropriate location. David Dahlke stated he has been keeping track of the emails and other correspondence the Village has received on the issue and said it's probably 25 to 1 in support, but mostly from people who do not reside in the Village. David Dahlke also stated that 20 Village residents had contacted him in the last day to voice their opposition. David Dahlke voiced his concerns about the proposed location being right across the street from Haskins Park and next to the Baraboo River Walk. Dennis Parsons stated he tried to keep an open mind but while doing his own detailed research and consulting with a variety of individuals with significant relevant experience found 3 different locations where homeless shelters did not work out in residential areas. Claire Barnett brought up the fact that the locations Dennis Parsons referenced were not of the same sized population as the Village of West Baraboo. Pat Witter stated that the Village's population is very small and limited to resources and tax dollars. There was a brief discussion of how the Village is charged for EMS calls and taxi tickets and the fact that the Village does not have its own police force.. Don Larson reiterates that they have to represent the citizens of West Baraboo and he is not comfortable with going against the recommendation of what the Village's representative of MSA says. The Commission discussed and reviewed portions of zoning codes from neighboring communities such as the Wisconsin Dells and the City of Baraboo that address homeless shelters.

Moved by Gary Kowalke, second by Jim Allen to recommend to Board that if the Plan Commission does decide to amend the zoning code to allow homeless shelters in a particular district that it will be as a conditional use. Motion carried.

Moved by Don Larson, second by Mike Wetak to recommend to Board to amend the Zoning Code to allow homeless shelters as a conditional use in the R-2, R-3, SRO-1 and SRO-2 districts. Motion carried.

Moved by Jim Allen, second by Dennis Parsons to recommend to Board approval of the definition of Homeless Shelter to be, "A place and/or building, or portion thereof, used or intended to provide temporary housing and ancillary services to primarily indigent, needy, or homeless individuals." Motion carried.

Moved by Gary Kowalke, second by Mike Wetak to recommend to Board that homeless shelters shall be allowed as accessory uses, subject to a conditional use permit, in districts in which they are allowed as principal uses. Motion carried.

After considerable discussion regarding the recommendation from MSA, the extent to which a homeless shelter use is generally incompatible with the stated purposes and prevailing uses throughout the R-1 single-family residential district (and whether there are conditions that could be imposed that would render a homeless shelter compatible with neighboring uses in all parts of the R-1 district), and the extent to which the Village should treat amendments to the zoning code as long-term planning decisions applicable to all property within a given district as opposed to decisions targeted at a single unusual parcel, moved by Gary Kowalke, second by Dennis Parsons to recommend to Board not to amend the zoning code to allow homeless shelters in the R-1 districts. Motion carried.

NEW BUSINESS:

- A. Chairwoman Claire Barnett opened the public hearing at 8:18 pm regarding proposed amendments to Village Zoning Code as set forth in Resolution 19-06. Proposed changes are related to the effective date of amendments to the zoning code and updating references to U.S. Highway 12 in the zoning and stormwater and erosion control ordinances to reflect the highway 12 bypass. There being no questions, Chairwoman Claire Barnett closed the public hearing.
- B. Moved by Jim Allen, second by Mike Wetak to recommend to Board approval of proposed amendment to Village Zoning Code as set forth in Resolution 19-06 related to the effective date of amendments to the zoning code and updating references to U.S. Highway 12 in the zoning and stormwater and erosion control ordinances to reflect the highway 12 bypass. Motion carried.
- C. Chairwoman Claire Barnett opened the public hearing at 8:19 pm regarding proposed amendments to Village Zoning Code as set forth in Resolution 19-07 related to self-service storage facilities. There being no questions, Chairwoman Claire Barnett closed the public hearing.
- D. Moved by Mike Wetak, second by Dennis Parsons to recommend to Board approval of proposed amendment to Village Zoning Code as set forth in Resolution 19-07 related to self-service storage facilities. Motion carried.
- E. Attorney Julia Potter gave an Open Meeting presentation.

Adjourn: Motion by Don Larson, second by Jim Allen to adjourn at 8:55 PM. Motion carried.

Respectfully submitted,
Kaitlin Nye, Clerk/Treasurer

It is possible that members of, and possibly a quorum of, governmental bodies of the Village of West Baraboo may be in attendance at the above-stated meeting to gather information. However, no formal action will be taken by any governmental body at the above-stated meeting.