

## Minutes of Plan Commission Meeting May 18, 2021

**Call to Order** – Mike Palm called the meeting of the Commission to order at 5:15 PM.

**Roll Call** – Present were Mike Palm, Phil Wedekind, Roy Franzen, Jim O’Neill, Tom Kolb, Dee Marshall, and Matthew Boeggner.

Also in attendance were Tom Pinion, Pat Cannon, Scott Brown, Brad Jenks (Teams), John Kayser.

### **Call to Order**

- a. Note compliance with the Open Meeting Law. Mayor Designee Palm noted compliance with the Open Meeting Law.
- b. Agenda Approval: It was moved by Wedekind, seconded by Kolb to approve the agenda as posted. Motion carried unanimously.
- c. Minutes Approval: It was moved by O’Neill, seconded by Kolb to approve the minutes of the April 20, 2021. 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 Hearing**

- a. Public Hearing to consider the request of Cave Enterprises Operations, LLC for a Conditional Use Permit to allow the construction of a new Type 2 Eating Establishment with a drive-thru and pickup service in a B-3 Highway Oriented Business zoning district, located in the SE1/4 of the NW1/4 of Section 3, T11N, R6E, City of Baraboo, Sauk County, Wisconsin at 800 State Rd 136. – There being no speakers, the hearing was declared closed.
- b. Public Hearing regarding the proposed project plan, boundaries and creation of Tax Incremental District No. 12 (See the Public Hearing Notice, which was published on May 4, 2021 & May 11, 2021) – There being no speakers, the hearing was declared closed.

### **New Business**

- a. Consider the request of Cave Enterprises Operations, LLC for a Conditional Use Permit to allow the construction of a new Type 2 Eating Establishment with a drive-thru and pickup service in a B-3 Highway Oriented Business zoning district, located in the SE1/4 of the NW1/4 of Section 3, T11N, R6E, City of Baraboo, Sauk County, Wisconsin at 800 State Rd. 136 – Pinion presented the background to the Commission. This property is the old Golden Buffet property. He said the existing building will be razed and a new building with a drive-thru will be constructed. He said that the existing driveway off Highway 136 would be used. He said that the developer has over 80 of these facilities throughout the State. Pinion said that this does include a fenced in outdoor play area in the front of the building. Pinion said that the developer did provide a complete site plan submittal, which includes all the technical data. It was moved by Wedekind, seconded by Kolb to approve the request for the of Cave Enterprises Operations, LLC for a Conditional Use Permit to allow the construction of a new Type 2 Eating Establishment with a drive-thru and pickup service at 800 State Rd. 136. On roll call vote for the motion, Ayes – O’Neill, Kolb, Marshall, Boeggner, Palm, Wedekind, and Franzen. Nays – 0, motion carried 7-0.
- b. Review and approve Site Plan for proposed Burger King Restaurant at 800 State Rd 136 for Cave Enterprises Operations, LLC – Kolb inquired if Pinion had reviewed everything. Pinion said that he has reviewed the submittal and all complies with the City regulations. Kolb asked if that included the signage. Pinion said that that did not submit the specific monument sign design; however, they are fully aware of the 8-foot maximum height and the area size. Pinion asked Kayser if they were considering an electronic message sign on any sort. Kayser said that if they were allowed they do like to implement them; however, they always follow the guidance of the municipality. Pinion said that if the sign were just a plain monument sign only a sign permit would be required; however, if the sign is

illuminated or a message sign it will require an independent conditional use permit and would have to come in front of the Plan Commission for consideration. It was moved by Kolb, seconded by Marshall to approve the site plan as presented. On roll call vote for the motion, Ayes – Kolb, Marshall, Boeggner, Palm, Wedekind, Franzen, and O’Neill. Nay – 0, motion carried 7-0.

- c. Consideration and possible action on “Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 12, City of Baraboo, Wisconsin – Pinion presented a detailed description of the proposed Resolution Designating Proposed Boundaries and Project Plan for Tax Incremental District No. 12 which was handed out at the meeting. Pinion said that it is primarily to incent development on the Highway 33 corridor. After a very through discussion, it was moved by Palm, seconded by Kolb to approve the Resolution Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 12. On roll call vote for the motion, Ayes – Marshall, Boeggner, Palm, Wedekind, Franzen, O’Neill, and Kolb. Nay – 0, motion carried 7-0.

**Adjournment** - It was moved by Kolb, seconded by Wedekind to adjourn at 6:05 p.m. The motion carried unanimously.

Mike Palm,  
Mayor Designee