

## Minutes of Plan Commission Meeting June 21, 2022

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

**Roll Call** – Present were Mayor Nelson, Phil Wedekind, Roy Franzen, Jim O’Neill, Tom Kolb, Barry Hartup, and Matthew Boegner.

Also in attendance were Tom Pinion, Casey Bradley, Todd Page Harry Allen, Carla Cady, Clint Hutchins, and Brent Bellini

### **Call to Order**

- a. Note compliance with the Open Meeting Law. Mayor Nelson 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 Kolb, seconded by Wedekind to approve the minutes of the May 17, 2022. 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.*) – Carla Cady spoke on behalf of the Baraboo Country Club. She said that the Country Club has concerns regarding the proposed development on Lake Street as to lot lines, stormwater, and natural areas. She said the hope is that the Commission gives some direction to the development project to consider very seriously some of the stormwater issues. She stated that several of developments around the Country Club in the last number of years, the stormwater has been directed “over the Country Club land Draper Creek”, and that direction has been affecting our ability to perform our golf business.

Clint Hutchins, Country Club General Manager then addressed the Commission. He said that the runoff issue is a concern, not just in abnormal storms. He said with Draper Creek coming through the middle of the course, it affects 9 out of 18 holes, and it affects a few areas that are worse than others. He said that the over land access is the issue in the few different plans that they have seen for development around the golf course. He did say that they are in favor of having more housing along the golf course.

### **Public Hearings**

- a. Public Hearing regarding the proposed amendment of boundaries and project plans for Tax Incremental District No. 8 (See the Public Hearing Notice which was published on June 14, 2022). There being no speakers, the hearing was declared closed.
- b. Public Hearing regarding the proposed amendment of boundaries and project plans for Tax Incremental District No. 11 (See the Public Hearing Notice which was published on Jun14, 2022). There being no speakers, the hearing was declared closed.

### **New Business**

- a. Consideration and possible action on “Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 8, City of Baraboo, Wisconsin”. – Harry Allen, Ehlers address the Commission regarding the proposed amendments to TID 8 and TID 11. He said both the TIF currently exist, and they are doing similar amendments to both. He said that they are amending the boundaries and also the project costs. He explained how TID Districts work. Allen presented the existing TID 8 and the proposed addition of parcels, and project costs. Administrator Bradley said that the proposed improvements for this particular project has been addressed through a developer’s agreement. He said it is a 3-party development. He said the developer’s agreement requires the developer to put in \$7,000,000 of new assessed value, and at that point the City becomes eligible for reimbursement for the infrastructure costs. He said that this particular development project on the north side of Mine will be 59 duplexes, on the south side there will be roughly 57 single-family houses, targeted toward entry-level housing. He said there will also be an area with work-force, moderate income housing, and also approximately 160 apartment units. He said on the commercial property through the developer’s agreement a restriction was put on that basically it can be developed with anything allowed by the zoning; however, nothing can be put on there until the developer procures a food service provider in that area, whether it be a grocery store, convenience store, they would have to provide the basic food staples. TID increments were then explained.

Allen then presented TID 11 saying that they are amending the boundaries and project costs. He said that TID 11 is right off US Hwy 12 in the southwestern part of the City. He said that approximately 151 acres will be added and \$27,000,000 of project costs. Allen stated that this is a mixed use district. Administrator Bradley presented background of the existing TID 11. He said that he is projecting \$75,133,700 in the proposed area. He said that the 54-acres that is on the other side of US Hwy. 12 that is in the City limits does have a developer that it interested in developing the entire 54-acres, which will be mixed use, a combination of housing and commercial. Allen then presented a detailed explanation of anticipated project costs, life of the TID, tax increment that will be collected, and developer incentives. Bradley gave the history of the TID Districts. He said the intent was to get redevelopment in the river corridor, which is happening with the 3 Amigos project. He said the City as acquired 103/105 Walnut, those facilities will be razed. He went on to say that there is an overall plan to create a park, extend the riverwalk across Walnut, and then ultimately getting another pedestrian bridge across the river to connect with downtown. He said that the City has an agreement from both Congresswoman Tammy Baldwin and Congressman Pocan that they are going to put in for \$500,000 of Federal Legislation to help fund the connection from riverwalk up to the downtown area.

It was moved by Wedekind, seconded by Kolb to recommend approval of the Resolution to amend the proposed TID boundaries for TID 8 and proposed project plan. On roll call for the motion, Ayes – Wedekind, Franzen, O’Neill, Kolb, Hartup, Boegner, and Nelson. Nay -0, motion carried 7-0.

- b. Consideration and possible action on “Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 11, City of Baraboo, Wisconsin”. – Kolb moved to recommend the Resolution to amend the boundaries and project plan for TID 11. Wedekind seconded the motion. On roll call vote the motion, Ayes – Franzen, O’Neill, Kolb, Hartup, Boegner, Nelson, and Wedekind. Nay – 0, motion carried 7-0.
- c. Review Zoning Code regulations for Short-Term Rentals relative to allowable occupancy and qualifications for Property managers – Pinion presented the background for this item. He said that there were some concerns regarding current regulations and how occupancy limits were established, and also the qualifications for the property manager. The Commission then discussed (4) Property Manager(b)ii. Pinion said that anyone has the right to appeal a decision made. Nelson would rather see it that someone can be a property manager unless something flags them in a background check. O’Neill felt that if a person was ever convicted of violence against another person should not be able to be a property manager, and would have to appeal the decision. Franzen feels that it should be eliminated. Pinion then explained the appeals procedure. It was the consensus of the Commission to find wording for a positive background check, rather than prohibition. The Commission then discussed (5) Operation of Short-Term Rentals(c)iv regarding number of occupants. Pinion said that the Uniform Dwelling Code is more lenient than what exists in Chapter 7. He said there are two measurements the first is one full bathroom for every 4 occupant. Measurement two is based on the amount of habitable area in the residence, it is 150 square feet for the first occupancy and then 100 square feet for every other occupant. He said that our Housing Code adds a third tier for comparison sake, a little more lenient, only requires 75 square feet for the third and all subsequent occupants. He said that is another related requirement that there is sufficient off-street parking, one stall for every four occupants. Nelson feels if the structural square footage space is limiting how many people can be in a building, he thinks it is up to the renters what they need for their bathrooms. Administrator Bradley cautioned the Commission on some of the properties are on septic systems and do not have sewer and feels that it should somehow be segregated. Bradley said that there are others codes that have language for this issue. He said language could be inserted in that the bathroom rule would kick in only if on a septic system. Nelson suggested adding if the home is one septic, you are also subject to a restriction of no more than four people per full bathroom. The Commission felt that would be acceptable. It was the consensus of the Commission that this could be sent to Council with staff making the changes based on comments made. O’Neill moved to direct staff to make changes that were talked about and recommend forwarding to Council. Kolb seconded. Franzen asked for verification of the modifications. Pinion said that Under (4)(b)ii – language would be replaced with the requirement for a background check conducted by the Police Department. 7(a) the requirement for no more than four occupants per full bathroom is going to apply to facilities that are served by septic systems, for all others served by municipal sanitary sewer it would be Section b, and there will be no change to c, the on-street parking if required. On roll call for the motion, Ayes - O’Neill, Kolb, Hartup, Boegner, Nelson, Wedekind, and Franzen. Nay – 0, motion carried unanimously.

- d. Review and recommend amending the 2008 Cooperative Plan and Boundary Agreement between the City of Baraboo and the Town of Greenfield to rescind Section VI of said Agreement – Pinion presented background to the Commission. He stated that the Town of Greenfield does not want to have any authority over this property anymore. Pinion said if there is no objection the simplest way to do it would be to amend the agreement to rescind Section VI. It was moved by Wedekind to forward to Council with a recommendation to rescind Section VI of the agreement. Boegner seconded the motion. On roll call vote for the motion, Ayes – Kolb, Hartup, Boegner, Nelson, Wedekind, Franzen, and O’Neill. Nay – 0, motion carried unanimously.
- e. Review a General Development Plan/Specific Implementation Plan in accordance with Steps 3 and 4 of the Planned Development process for Devil’s Lake Townhomes, LLC for a three-building, 29-unit townhouse development project on Lots 1, 2 and 3 of CSM No. 7161, located on the west side of Lake Street between Well No. 7 and Lot 1 of Springbrook Hills Subdivision – Pinion presented the background for the proposal. He said it is the same footprint as last time; however, they did modify the elevations because the topography of the site proved to more challenging than anticipated. He said the original at grade would have required several series of retaining walls. Pinion explained the Stormwater Management. Pinion said that the Stormwater Management Plan and Landscaping Plan have not yet been submitted. It was stated that lighting would be on building. It was the consensus of the Commission that the landscaping and stormwater plan be brought to the Commission for review. Kolb moved to forward to Council for a public hearing and recommendation to approve the GDP/SIP contingent upon the stormwater plan and landscaping plan to be reviewed and approved by the Plan Commission. O’Neill seconded the motion. On roll call vote for the motion, Ayes -

**Adjournment** - It was moved by Wedekind, seconded by Boegner to adjourn at 6:32 p.m. Motion carried unanimously.

Rob Nelson  
Mayor