

AMENDED NOTICE OF MEETING

COMMITTEE: PLANNING & DEVELOPMENT
DATE: October 4, 2023
PLACE: ONEIDA COUNTY COURTHOUSE – COMMITTEE ROOM #2
TIME: CLOSED SESSION: 12:00 p.m.
REGULAR MEETING: 1:00 p.m.

ZOOM OPTION: ID: 890 9298 3780 PASSCODE: 633380 PHONE: 312-626-6799

Zoom is being offered as a convenience to view the meeting.
Remote participation is not allowed.

It is possible that a quorum of county board members will be at this meeting to gather information about a subject over which they have decision-making responsibility. This constitutes a meeting of the County Board pursuant to State ex rel Badke v. Greendale Village Board, Wis 2d 553, 494 n.w.2d 408 (1993), and must be noticed as such, although the County Board will not take any formal actions at this meeting. It is also possible that there may be quorums of other County Board Committees present, although those committees will not take any formal action at this meeting.

Anyone having an interest may attend and be heard. Interested parties who are unable to attend may send written comments to Scott Holewinski, Chairman, Oneida County Planning & Development Committee, P.O. Box 400, Rhinelander, WI 54501. All written comments shall be received no later than 10:00 a.m. on October 4, 2023 and shall include your name and voting address and, if not from Oneida County, your property address within Oneida County. All written comments will be given to committee members prior to the start of the public hearing and announced by name during the public hearing. Written comments shall not be read into the record.

ALL AGENDA ITEMS ASSUMED TO BE DISCUSSION / DECISION

1. Call to order.
2. Approve the agenda.
3. It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes, Section 19.85(1)(g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. A roll call vote will be taken to go into closed session.
 - a. Approve closed session minutes of September 20, 2023.
 - b. Proposed Conditional Use Permit for PIN's MI 3239 and MI 3240.
4. A roll call vote will be taken to return to open session.
5. Announcement of any action taken in closed session.
6. Public comments (limited to 3 minutes per person).
7. Discussion/decision concerning objection by Bob Almekinder to the August 9, 2023 procedure.
 - a. Rule by Chair as to objection.
 - b. Proceed with ruling as to objection.
8. Discussion/decision concerning a Conditional Use Permit application by Kirk Bangstad, for property described as: Village of Minocqua, Lots 1 and 2, Block 3, Section 14, T39N, R6E, 329 E. Front Street, PIN's MI 3239 and MI 3240, Town of Minocqua.
 - a. Staff will be presenting information from a Conditional Use Permit Report.
9. Discussion/decision concerning Administrative Review Permit #2201108 for property described as: Lot 3 of CSM V7 P1810 and Part of the SE ¼ of the SE ¼, Section 5, T39N, R6E, 8982 Sandy Court, PIN MI 2096-3, Town of Minocqua. **The committee will be discussing the 60 day suspension imposed on Administrative Review Permit #2201108 at the meeting on August 2, 2023.**

10. Discussion/decision concerning multi-family zoning changes. The committee will be discussing zoning districts and uses and Chapter 9, Article 2 Zoning Districts, Section 9.20 Zoning Districts and Appendixes A & B of the Oneida County Zoning and Shoreland Protection Ordinance.
11. Approve meeting minutes of September 20, 2023.
12. Review and approve amended meeting minutes of August 9, 2023.
13. Discussion/decision concerning Ordinance Amendment #07-2023 to amend Chapter 9, Article 5, Section 9.53, Campgrounds and Recreational Vehicle Parks of the Oneida County Zoning and Shoreland Protection Ordinance. The committee will be reviewing a Resolution to forward to the Oneida County Board of Supervisors for Ordinance Amendment #07-2023.
14. Discussion/decision concerning Preliminary four (4) Lot Certified Survey Map of lands owned by the West Group LLC, and submitted by Genisot & Associates, Jon Badow, surveyor for property located at 4475 County P, further described as: Lot 1, CSM 2739, being part of the SW SE, NW SE, Section 10, T36N, R9E, PIN PE 121-1, Town of Pelican.
15. Refunds.
16. Approve future meeting dates: October 18 and November 1, 2023.
17. Future agenda items.
18. Adjourn.

NOTICE OF POSTING

TIME: Approx. **3:15 PM** ~ DATE: **September 29, 2023** ~ PLACE: ONEIDA COUNTY COURTHOUSE BULLETIN BOARD

SCOTT HOLEWINSKI, COMMITTEE CHAIR

Notice posted by the Planning & Zoning Department. Additional information on a specific agenda item may be obtained by contacting the person who posted this notice at 715-369-6130.

NEWS MEDIA NOTIFIED VIA E-MAIL AND/OR FAX – DATE: September 29, 2023 TIME: Approx. 3:30 PM

Lakeland Times	WJFW-TV 12
Star Journal	Vilas County News
WXPR Public Radio	Tomahawk Leader
WERL/WRJO Radio	

Notice is hereby further given that pursuant to the Americans with Disabilities Act reasonable accommodations will be provided for qualified individuals with disabilities upon request. Please call Tracy Hartman at 715-369-6125 with specific information on your request allowing adequate time to respond to your request.

See reverse side of this notice for compliance checklist with the Wisconsin Open Meeting Law.



GENERAL REQUIREMENTS:

1. Must be held in a location which is reasonably accessible to the public.
2. Must be open to all members of the public unless the law specifically provides otherwise.

NOTICE REQUIREMENTS:

1. In addition to any requirements set forth below, notice must also be in compliance with any other specific statute.
2. Chief presiding officer or his/her designee must give notice to the official newspaper and to any members of the news media likely to give notice to the public.

MANNER OF NOTICE:

Date, time, place and subject matter, including subject matter to be considered in a closed session, must be provided in a manner and form reasonably likely to apprise members of the public and news media.

TIME FOR NOTICE:

1. Normally, a minimum of 24 hours prior to the commencement of the meeting.
2. No less than 2 hours prior to the meeting if the presiding officer establishes there is good cause that such notice is impossible or impractical.
3. Separate notice for each meeting of the governmental body must be given.

EXEMPTIONS FOR COMMITTEES & SUBUNITS

Legally constituted sub-units of a parent governmental body may conduct a meeting during the recess or immediately after the lawful setting to act or deliberate upon the subject which was the subject of the meeting, provided the presiding officer publicly announces the time, place and subject matter of the sub-unit meeting in advance of the meeting of the parent governmental body.

PROCEDURE FOR GOING INTO CLOSED SESSION:

1. Motion must be made, seconded and carried by roll call majority vote and recorded in the minutes.
2. If motion is carried, chief presiding officer must advise those attending the meeting of the nature of the business to be conducted in the closed session, and the specific statutory exemption under which the closed session is authorized.

SYNOPSIS OF STATUTORY EXEMPTIONS UNDER WHICH CLOSED SESSIONS ARE PERMITTED:

1. Concerning a case which was the subject of Judicial or quasi-judicial trial before this governmental body. Sec. 19.85(1)(a).

2. Considering dismissal, demotion or discipline of any public employee or the investigation of charges against such person and the taking of formal action on any such matter; provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action is taken. The person under consideration must be advised of his/her right that the evidentiary hearing be held in open session and the notice of the meeting must state the same. Sec. 19.85(1)(b).
3. Considering employment, promotion, compensation or performance evaluation data of any public employee over which this body has jurisdiction or responsibility. Sec. 19.85(1)(c).
4. Considering strategy for crime detection or prevention. Sec. 19.85(1)(d).
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Sec. 19.85(1)(e).
6. Considering financial, medical, social or personal histories or disciplinary data of specific person, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public, would likely have a substantial adverse effect on the reputation of the person referred to in such data. Sec. 19.85(1)(f), except where paragraph 2 applies.
7. Conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. Sec. 19.85(1)(g).
8. Considering a request for advice from any applicable ethics board. Sec. 19.85(1)(h).

PLEASE REFER TO CURRENT STATUTE SECTION 19.85 FOR FULL TEXT CLOSED SESSION RESTRICTIONS:

1. Must convene in open session before going into closed session.
2. May not convene in open session, then convene in closed session and thereafter reconvene in open session within twelve hours unless proper notice of this sequence was given at the same time and in the same manner as the original open meeting.
3. Final approval or ratification of a collective bargaining agreement may not be given in closed session.
4. No business may be taken up at any closed session except that

which relates to matters contained in the chief presiding officer's announcement of the closed session.

5. In order for a meeting to be closed under Section 19.85(1)(f) at least one committee member would have to have actual knowledge of information which he or she reasonably believes would be likely to have a substantial adverse effect upon the reputation involved and there must be a probability that such information would be divulged. Thereafter, only that portion of the meeting where such information would be discussed can be closed. The balance of that agenda item must be held in open session.

BALLOTS, VOTES AND RECORDS:

1. Secret ballot is not permitted except for the election of officers of the body or unless otherwise permitted by specific statutes.
2. Except as permitted above, any member may require that the vote of each member be ascertained and recorded.
3. Motions and roll call votes must be preserved in the record and be available for public inspection.

USE OF RECORDING EQUIPMENT:

The meeting may be recorded, filmed, or photographed, provided that it does not interfere with the conduct of the meeting or the rights of the participants.

LEGAL INTERPRETATION:

1. The Wisconsin Attorney General will give advice concerning the applicability or clarification of the Open Meeting Law upon request.
2. The municipal attorney will give advice concerning the applicability or clarification of the Open Meeting Law upon request.

PENALTY:

Upon conviction, any member of a governmental body who knowingly attends a meeting held in violation of Subchapter IV, Chapter 19, Wisconsin Statutes, or who otherwise violates the said law shall be subject to forfeiture of not less than \$25.00 nor more than \$300.00 for each violation.

Prepared by Oneida County Corporation Counsel Office - 5/16/96

Conditional Use Permit Report

Agenda Date: 08/02/2023

Kirk Bangstad, applicant and property owner

Parcel ID Numbers: MI 3239, MI 3240

Zoning District: #06 Business B-1

Neighboring Properties Zoned: #06 Business B-1

Proposed Use: CUP – craft brewery retail outlet with outdoor seating, music and food truck

General Information: This proposal is to add an outdoor beer garden and a rotating food truck outside of the existing building that is currently operated as retail space for the sale of beer and related merchandise. The outdoor beer garden will be approximately 52' x 42' (2,184 sq. ft.), with a ground surface of decorative stone, gravel or concrete and provide seating for 32 people. The application states there will be outdoor music, and lighting in the beer garden. Seating for six (6) will also be added inside the building. Fencing will surround the beer garden with 6 ft. wood picket style fencing along the west side, 8 ft. along the south side and a 4 ft. decorative metal fence on the east side. The tables, chairs and umbrellas will be stored outside year round in the beer garden. Trash and recycling dumpsters screened by fencing will be located north of the building. The business is expected to have up to two (2) employees, attract about 100 customers per day and have one (1) delivery per week. Hours of operation will be seven (7) days a week, 11:00 AM to 7:00 PM.

Landscaping: The proposed landscaping consists of manicured lawn in the areas depicted on the site plan.

Stormwater Management: The applicant states that the stormwater management plan has already been installed and approved in the first Administrative Review Permit.

Filling/Grading: Land disturbance is less than one acre.

Parking: With up to two (2) employees per shift, 429 sq. ft. of retail space and seating for 38 customers, 15 parking spaces would be required. The site plan depicts one (1) onsite parking space which complies with the county standard of 220 sq. ft. The space is designated for employee parking. Removable bollards will provide access to the paved front promenade east of the building. This restricted area will be accessible to delivery vehicles and rotating food trucks.

Sanitary facilities: The site is located within the bounds of Lakeland Sanitary District No. 1. In a letter received on 03/07/2023 Wilber Peters, Lakeland Sanitary District No. 1 Superintendent, stated the district does not foresee any concerns or issues. This was the comment to the previous Denied CUP #2300032.

Property Access: The only road access point will be from East Front Street and will allow access to the one (1) employee parking space, delivery trucks and food trucks. In an email dated 05/19/23, Mark Ratty, WisDOT, stated had no concerns with the plan.

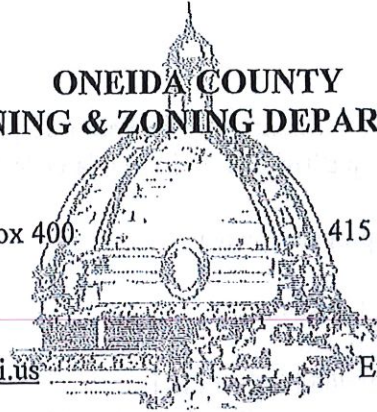
Town Concerns: On June 20, 2023 staff attended a Town Board meeting in which the Town of Minocqua recommended denial of the CUP. As of the date of this report, a formal letter has not been received.

If the applicant has met or agrees to meet to all the requirements and conditions of this Conditional Use permit, staff would suggest the following conditions be placed on the CUP:

1. The project to be substantially commenced within three (3) years of issuance date.
2. The nature and extent of the use shall not change from that described and approved in this Conditional Use Permit.
3. Proper permits to be obtained prior to construction (Town/County/State).
4. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
5. **ADD Stormwater condition? Application states stormwater has been installed. Town feels it is not.**
6. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
7. Exterior lighting to be downcast and shielded from above.
8. Certified Survey Map combining the parcels MI 3240 and MI 3239 be recorded prior to the start of construction.

Note: condition 8 subject to discussion.

ONEIDA COUNTY
PLANNING & ZONING DEPARTMENT



Courthouse Building
1 South Oneida Avenue, P.O. Box 400
Rhineland, WI 54501
Phone: (715)369-6130
Fax: (715)369-6268
Email: zoning@co.oneida.wi.us

Minocqua Branch Office
415 Menominee Street, P.O. Box 624
Minocqua, WI 54548
Phone: (715)369-6130
Email: zoning@co.oneida.wi.us

June 19, 2023

Ms. Roben Haggart, Clerk
Town of Minocqua
415 Menominee Street, Suite 300
Minocqua, WI 54548

Re: Conditional Use Permit application by Kirk Bangstad, applicant and owner.

Dear Ms. Haggart,

Enclosed please find a copy of the Conditional Use Permit application for the project described below. Please have the Minocqua Plan Commission and/or Town Board review and provide its advisory recommendations.

Conditional Use Permit application by Kirk Bangstad, applicant and owner, to add an outdoor beer garden and rotating food truck to the existing use of the property, a craft brewery retail outlet, on the following described properties; Village of Minocqua, Lots 1 and 2, Block 3, Section 14, T39N, R6E, 329 East Front Street, PIN# MI 3239 and MI 3240, Town of Minocqua.

Respectfully,

A handwritten signature in cursive script that reads "Karl Jennrich".

Karl Jennrich
Planning & Zoning Director
/cab

Enclosure

Conditional Use Permit Report
Minocqua Town Board Agenda Date: 06/20/2023

Kirk Bangstad, applicant and property owner

Parcel ID Numbers: MI 3239, MI 3240

Zoning District: #06 Business B-1

Neighboring Properties Zoned: #06 Business B-1

Proposed Use: CUP – craft brewery retail outlet with outdoor seating, music and food truck

General Information: This proposal is to add an outdoor beer garden and a rotating food truck outside of the existing building that is currently operated as retail space for the sale of beer and related merchandise. The outdoor beer garden will be approximately 52' x 42' (2,184 sq. ft.), with a ground surface of decorative stone, gravel or concrete and provide seating for 32 people. The application states there will be outdoor music, and lighting in the beer garden. Seating for six (6) will also be added inside the building. Fencing will surround the beer garden with 6 ft. wood picket style fencing along the west side, 8 ft. along the south side and a 4 ft. decorative metal fence on the east side. The tables, chairs and umbrellas will be stored outside year round in the beer garden. Trash and recycling dumpsters screened by fencing will be located north of the building. The business is expected to have up to two (2) employees, attract about 100 customers per day and have one (1) delivery per week. Hours of operation will be seven (7) days a week, 11:00 AM to 7:00 PM.

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Sanitary facilities: The site is located within the bounds of Lakeland Sanitary District No. 1. The current application will be sent to the sanitary district for review following the Town Board meeting. When he reviewed the previous Conditional Use Permit application Wilber Peters, Lakeland Sanitary District No. 1 Superintendent, stated the district did not foresee any concerns or issues with the application.

Property Access: The only road access point will be from East Front Street and will allow access to the one (1) employee parking space, delivery trucks and food trucks.

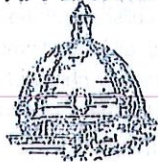
Parcel ID # M13240

PERMIT # _____

ONEIDA COUNTY CONDITIONAL USE PERMIT APPLICATION

Office use only: Photos to be scanned? Yes No
File name: _____

Oneida County Zoning
P.O. Box 400
Rhinelander, WI 54501



Oneida County Zoning
Minocqua Branch Office
P.O. Box 624
Minocqua, WI 54548

RECEIVED
MINOCQUA OFFICE

MAY 10 2023

ONEIDA COUNTY
PLANNING & ZONING

This permit does not authorize construction, or placement of structures.
Use Black ink only.

1. Property owner's name (as held in title): Kirk Bangstad
2. Mailing address: 225 750 Rib Mountain City: #254 Wausau State: WI Zip: 54401
3. Telephone number (312) 371-6451 Email: kirk@minocquabrewing.com

4. Applicant's name: Kirk Bangstad State: _____ Zip: _____
5. Mailing address: SAME
6. Telephone number () _____ Email: _____

7. Project contact person/agent: _____ State: _____ Zip: _____
8. Mailing address: SAME
9. Telephone number () _____ Email: _____

10. Legal description (1/4, Gov't Lot, CSM, Subdivision & Lot #) MI 3239, MI 3240

11. Section: _____ Town: _____ Range: _____ Town of: Minocqua

12. Site address: _____
13. Nature of proposed project/use: Beer garden, ~~Food~~

14. APPLICANT'S CERTIFICATION: The undersigned hereby applies for the Conditional Use Permit described in this application and certifies that the information provided is complete, accurate, and all projects will be completed in compliance with the requirements of the Oneida County Zoning and Shoreland Protection Ordinance and all other applicable ordinances and laws of the State of Wisconsin. The applicant understands that the issuance of this permit creates no legal liability, expressed or implied, on Oneida County and that failure to comply with the permit and conditions of approval may result in suspension or revocation of this permit or other penalty. Conditional Use Permits expire three years from date of issuance if the proposed use has not commenced.

15. Print name (applicant) Kirk Bangstad Date: 5/6/23
Signature (applicant) [Signature] Date: 5/6/23

OFFICE USE ONLY	Date received: <u>5/10/23</u>	Date application deemed complete:
Zoning district: <u>06</u>	Is the project located in a floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Map #: <u>308C</u> FIRM dated: <u>5/11/13</u>
Remarks and/or conditions of issuance:		
This application has been reviewed pursuant to ordinance dated:		
Fee: \$600.00	Receipt #: <u>239184</u>	
Granted by: _____	Issued date:	
Zoning Director's signature (staff initials)	Expiration date:	

APPLICATION FOR CONDITIONAL USE PERMIT

Conditional Uses and Structures are referenced in Chapter 9 – Oneida County Zoning and Shoreland Protection Ordinance, Article 4 – Conditional Uses and Structures, Sections 9.40, 9.41, and 9.42. The applicant must demonstrate that the application and all requirements and conditions established by the Oneida County Planning & Development Committee relating to the conditional use are or shall be satisfied, all of which must be supported by substantial evidence. "Substantial evidence means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Conditional Use Permit and that reasonable persons would accept in support of a conclusion." Wis.Stats. §59.69(5e)(a)(2).

Use a separate sheet(s) for additional information if necessary. Please provide an answer to each number.

LAND USE

- 16. Detailed description of proposed use and improvements: _____
- 17. Describe how the proposed use is compatible with other uses in the area: _____
- 18. Describe any known physical, environmental, or developmental impacts the proposed use will have on this property or surrounding areas: _____
- 19. Present use of property (residential, commercial, vacant, etc): _____
- 20. Describe services to be provided and goods to be sold or manufactured on premises: _____
- 21. Describe any outdoor storage of equipment, materials, etc. and where these items will be located on the property: _____
- 22. Describe any outdoor displays of sale items, event activities and/or outdoor seating to be located on the property: _____
- 23. Will the proposed use generate any hazardous waste? No Yes; if yes describe _____
- 24. Will the proposed use generate any noise, air emissions or odors? No Yes, if yes describe _____

BUSINESS OPERATIONS

- 25. Maximum number of employees at peak operation: _____
- 26. Days and hours of operation: _____
- 27. Anticipated number of customers per day: _____ # of customer seats: _____
- 28. Anticipated number of deliveries per week: _____
- 29. How will generated garbage be disposed of (trash cans, dumpster)? _____
- 30. How will trash receptacles be screened from view? _____

31. Describe the restroom facilities provided for the public & employees: _____

Check the appropriate box: Sanitary district connection
 Private Onsite Wastewater Treatment System (POWTS)

ACCESS & PARKING

32. Describe all existing or proposed roadway access points: _____

33. Describe proposed onsite vehicular traffic flow pattern: _____

34. Number of parking spaces provided onsite: _____
For parking requirements, reference Section 9.77 Off-Street Parking & Loading Space Parking requirements
<https://www.co.onelda.wi.us/wp-content/uploads/Chapter-9-Article-7.pdf>

PLAN REQUIREMENTS AND DETAILS

~~At a minimum, the scaled site plan must include the following:~~

- 35. Boundaries and dimensions of the property
- 36. Existing and/or proposed structures and other manmade features
- 37. Applicable setback information for proposed structures and parking areas
- 38. Floor plans (should include customer seating, if applicable) and building elevations
- 39. Adjacent roadways and access points
- 40. Parking spaces
- 41. Outdoor lighting *Edison lights*
- 42. Landscaping
- 43. Fencing, screening, buffers
- 44. Natural features, wetlands and water bodies (ordinary high water mark) on or near property as applicable
- 45. Other features of importance necessary to accurately represent the area (e.g., contours, slopes, cross-sections, septic systems, floodplains)
- 46. All major drainages and stormwater management systems, existing and proposed
- 47. Dimensions and square footage of area to be excavated, filled, graded or disturbed
- 48. Any proposed shoreline alteration, vegetation removal, replacement or new plantings
- 49. Erosion control plan/layout

ADDITIONAL INFORMATION

Use a separate sheet(s) for additional information if necessary. Please provide an answer to each number.

50. Provide a narrative of the proposed stormwater management plan: _____

51. Provide information on any additional topics you feel the Committee should or may consider in evaluating this project: _____

CONDITIONAL USE PERMIT APPLICATION CHECKLIST

- _____ Completed Conditional Use Permit Application including signatures. *Note: electronic submittals cannot be accepted.*
- _____ One (1) set of plans with the required information.
- _____ Plan set shall be to scale in a size that is easily legible. If plans provided are larger than 11"x17" also provide a digital copy.
- _____ Additional documents as needed (written narrative, DNR information, WisDOT information, stormwater management plan, etc.)
- _____ \$600.00 application fee

A staff member will contact you if clarification or additional information is needed and/or when the submittal is deemed complete.

Minocqua Brewing Company CUP Application Responses 5/6/23

Cover Sheet and Signed Application: Scanned and Emailed in Separate Attachment

16. Detailed Description of Project
 - a. Addition of fenced in Beer Garden and fenced in dumpster, and in lieu of any unnecessary customer parking, we hope to allow space for a food truck, 1 employee parking space, and an area where beer deliveries can be made.
17. Compatibility
 - a. Adding a beer garden would be the same as many outside drinking areas within 100 ft of address in tourist town
18. No environmental impacts
19. Present use
 - a. Federal/State Approved retail location for my brewery, commercial use
20. Beer and Merchandise
21. No outdoor storage of equipment, but probably picnic tables and umbrellas
22. 32 outdoor seating chairs, a rotating food truck all summer long (like sawmill brewing in tomahawk, tribute brewing in eagle river, etc.). Outdoor music during the day, to end before 7 pm.
23. No
24. People drinking outdoors might generate noise, but our hours only go to 7 pm
25. Max employees 2
26. 7 days a week, 11 am – 7 pm
27. 100 customer a day, 32 outdoor seats, 6 indoor seats, many customers will only shop, not sit down
28. Deliveries per week? 1
29. We've drawn our proposed dumpster in the area immediately north of our building, which will be fenced in and we would work with a 3rd party garbage collector (Republic)
30. We've drawn a fence around the trash, and a concrete slab beneath it
31. Sanitary district connection (Republic Services)
32. See attached site map but this is a change from our ARP, the only access point would now be on front street, and we would curb off the entrance from HWY 51
33. There would be no traffic flow because we are proposing the elimination of all public parking spaces
34. Zero public parking—this is what we wanted originally but were led to believe by the Town of Minocqua that we had to apply for 6 spaces, which we've since learned is erroneous and completely arbitrary. We will create **1 employee** parking space which is labeled in our site map, and we will install removeable bollards so that delivery trucks can drive in front of our building to make deliveries.
35. See attached site map
 - a. MI 3240 legal description brief

Doc 820244/785559 VILLAGE OF MINOCQUA LOT 2 BLK 3
T39N R6E S 14

- b. GIS ACRES = 0.07
 - c. MI 3239 legal description brief
 - d. Doc 820244/785559 VILLAGE OF MINOCQUA LOT 1 BLK 3
T39N R6E S 14
 - e. GIS ACRES = 0.07
36. See attached site map
 37. See attached site map
 38. "floor plan" is the beer garden shown in the site map and how it connects to the building, no change in building elevation.
 39. See attached site map
 40. See attached site map
 41. We plan to add cool edison lights in the beer garden in case we have special events in the evening,
 42. Manicured lawn shown in site map
 43. See attached site map with all fencing and associated measurements
 44. Not applicable
 45. Not applicable
 46. Already installed per approved ARP civil engineer plans, capacity will meet new configuration as nothing is really changing from a ground standpoint.
 47. All excavation has already been done according to first approved ARP, the ultimate difference is that a gravel parking lot would be moved to the "porch chop" instead of in the area we now want to make a beer garden. We are choosing not to put asphalt on the property because we have applied for Wisconsin Historical Society Tax Credits and want to adhere to historical precedent as much as possible.
 48. Other than a manicured lawn, not applicable
 49. Erosion plan not applicable—urban commercial property not close to lakes.
 50. Stormwater management plan already installed and approved in 1st ARP
 51. This question is probably the most important in the whole application. We are applying for a CUP for the second time because we were falsely under the assumption that we had to install 6 parking spots onto our property. This was an erroneous assumption because the Town of Minocqua told us we had to install 6 parking spots, but the Town of Minocqua does not have the jurisdiction to do that. Thus, when we first applied for and ARP to build our tap room, we erroneously agreed to build 6 parking spaces because we thought we couldn't ask for zero. In an attempt to offer a compromise to the Town of Minocqua, we submitted a CUP application that put those 6 parking spaces they wanted in an adjacent abandoned right of way called the "porkchop," which is not technically our land, but has been land utilized by past property owners for decades. There is absolutely nothing happening on this land, and if the town truly wanted 6 parking spaces, there seemingly was no reason why they wouldn't allow us to put them there. When the Town of Minocqua rejected our compromise, we learned that the county, and the county alone, had jurisdiction over parking requirements. We also learned that no less than four businesses in the last two years were granted full parking exemptions by the county, and 3 out of those four were bars/breweries—almost exactly

like us. Furthermore, all of those business were within two miles of us, and two of those businesses were within 1 block of us. The most surprising revelation out of all of these, was that the Town of Minocqua itself had allowed three of these business a full parking exemption (zero spots), and that over a two year period, had granted a total of 174 parking exemptions to over 13 businesses. If the Town of Minocqua truly thought it needed extra parking, then why would it grant 174 parking exemptions, but somehow force us to put in 6? For this reason, we think the minimum parking requirements listed in the county codes are absolutely arbitrary, and similarly parking exemptions are seemingly handed out arbitrarily, with not real system or long term plan that outlines parking needs. It seems only fair, after this extensive analysis that shows so many other businesses getting full parking exemptions, that we should enjoy that option as well. To not grant us a full parking exemption call into question the motivation for doing so. And that motivation, to us, seems not based in the philosophy of smart city planning ("the greatest and best use"), but more along the lines of personal animus against our business.

RECEIVED
MINOCQUA OFFICE

MAY 10 2023

ONEIDA COUNTY
PLANNING & ZONING

HWY 57

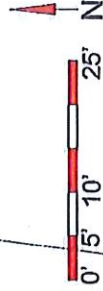
5 off-street
parking spaces

Beer Garden Proposal

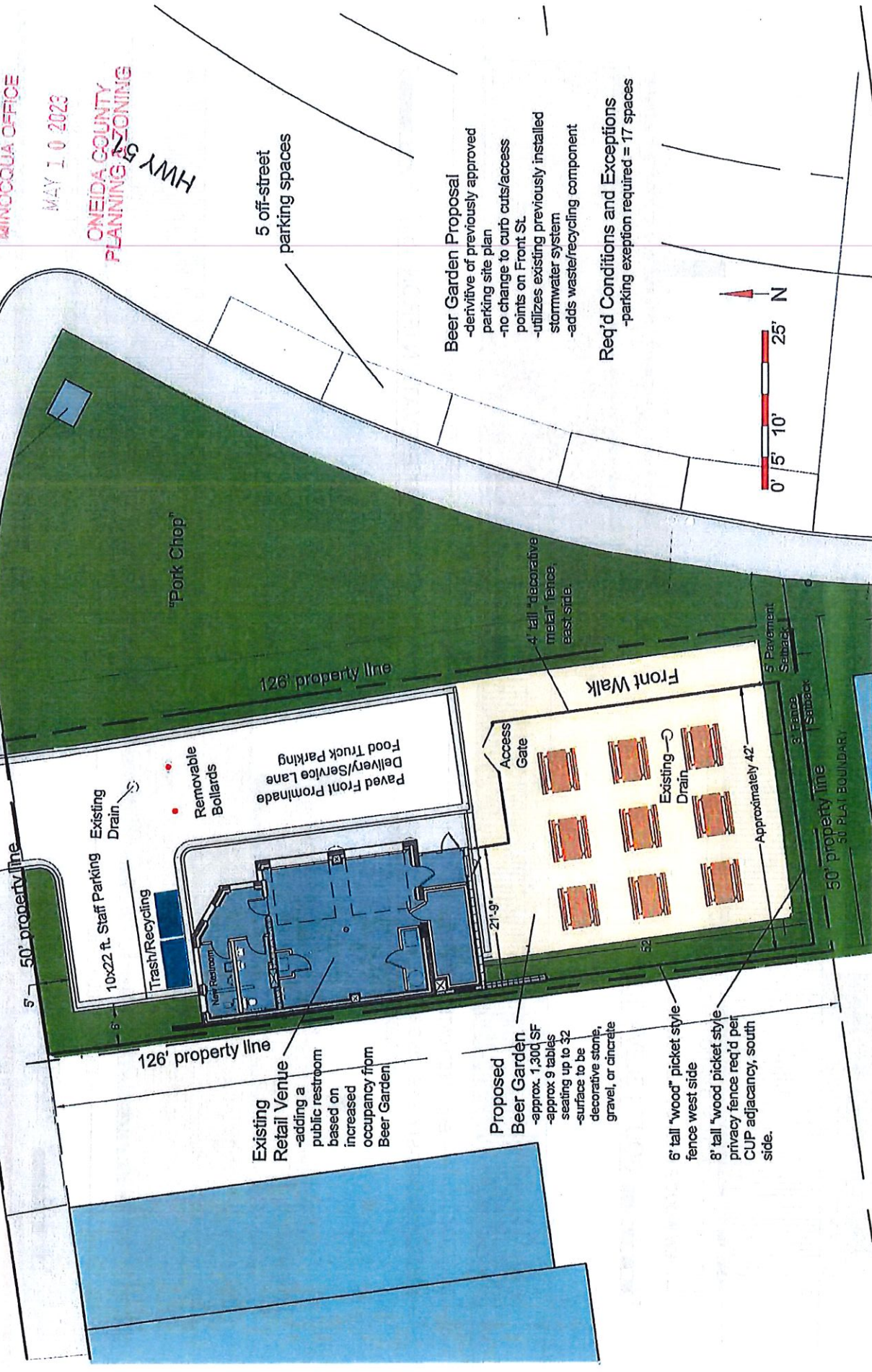
- derivative of previously approved parking site plan
- no change to curb cuts/access points on Front St.
- utilizes existing previously installed stormwater system
- adds waste/recycling component

Req'd Conditions and Exceptions

- parking exception required = 17 spaces



FRONT STREET



Existing Retail Venue

- adding a public restroom based on increased occupancy from Beer Garden

Proposed Beer Garden

- approx. 1,300 SF
- approx 9 tables seating up to 32
- surface to be decorative stone, gravel, or concrete

6' tall "wood" picket style fence west side

8' tall "wood picket style" privacy fence req'd per CUP adjacency, south side.



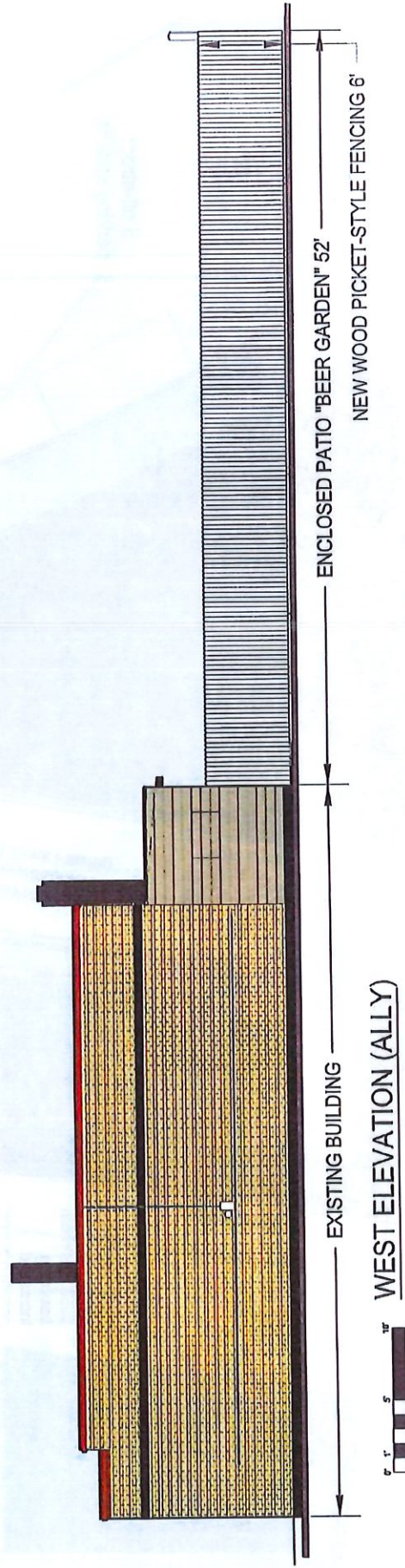
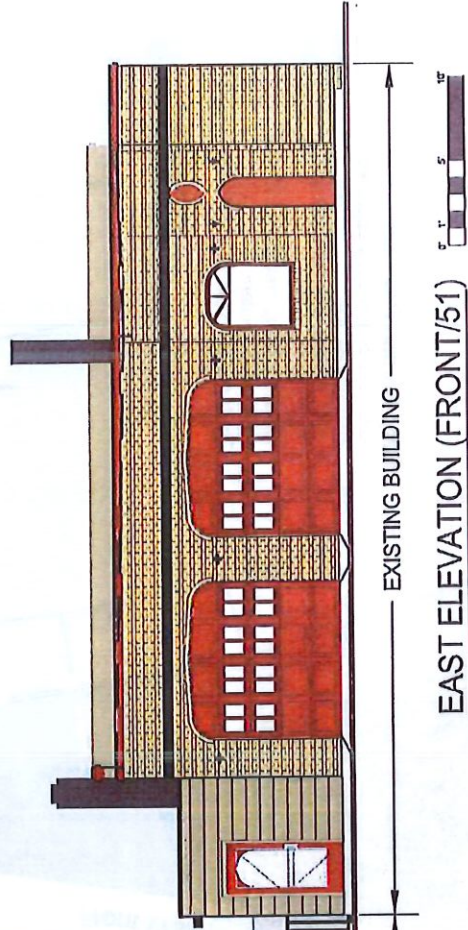
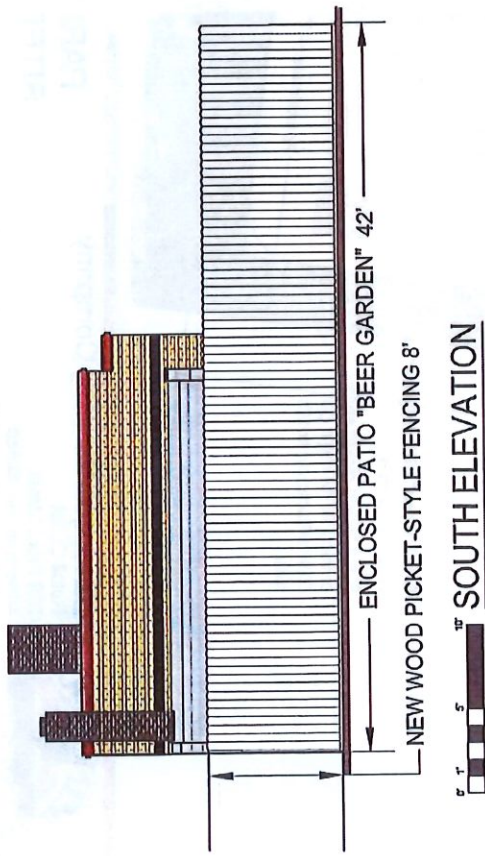
Minocqua Brewing Company
Retail Outlet
329 Front Street
Minocqua, WI. 54548

Minocqua Brewing Company

PARKING EXCEPTION 050823
SITEPLAN CONCEPT MAY 2023



2533 Lopez Lane
Green Bay WI. 54311
920-430-0984
cmtdllc.com



Minocqua Brewing Company

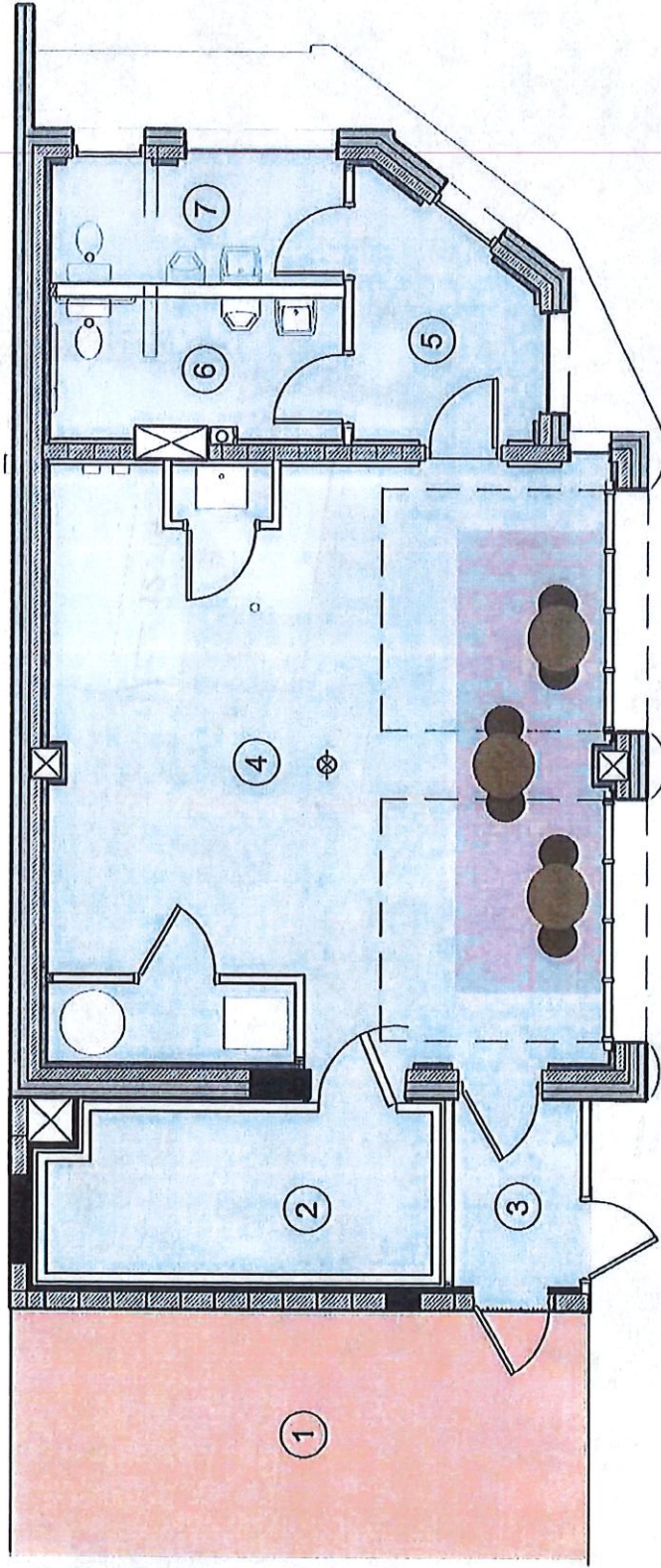
2533 Lopez Lane
Green Bay WI. 54311
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cmddllc.com



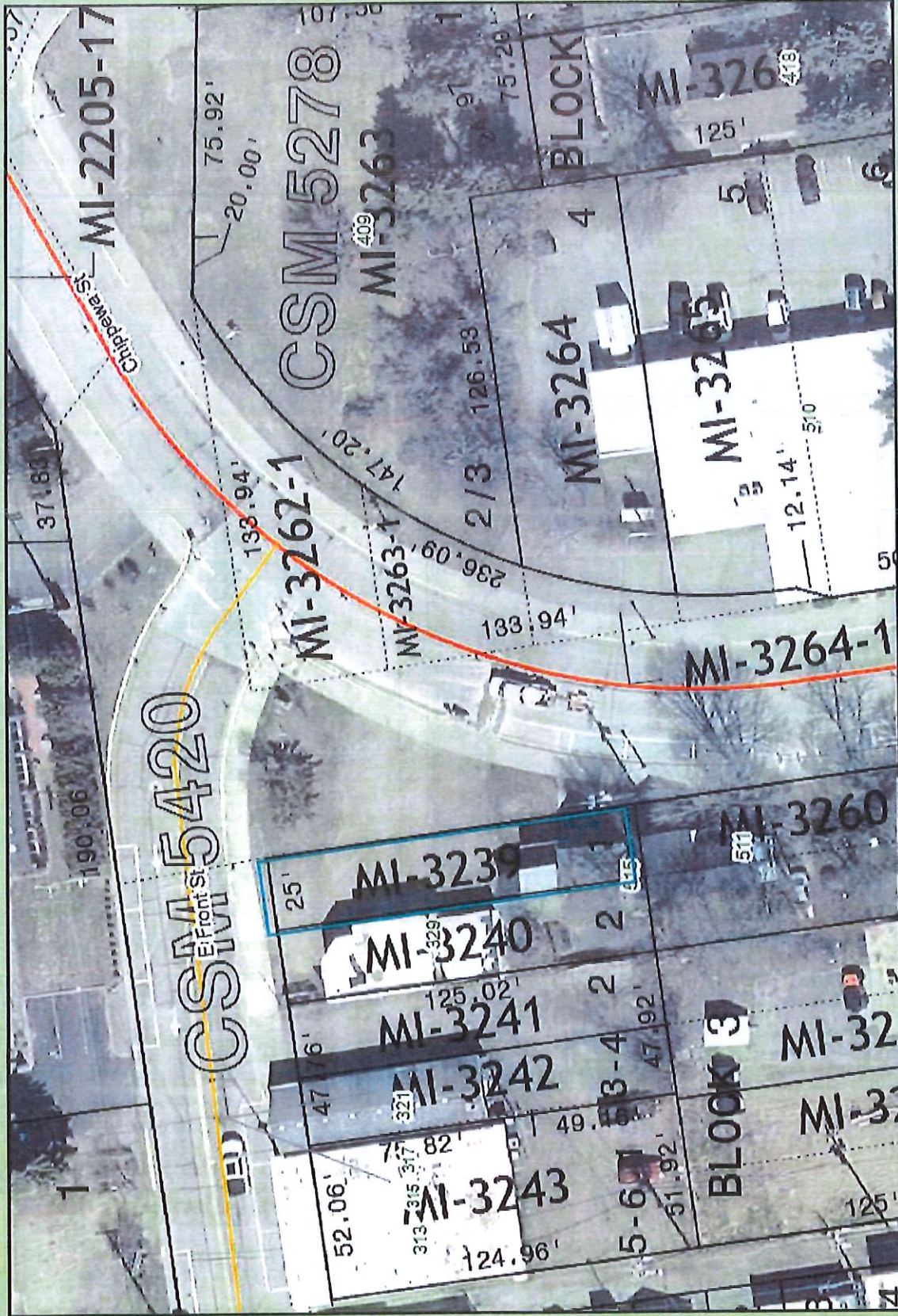
Elevations for Parking Exception
(combined) (042623 Revision)

Minocqua
Retail Outlet
329 Front Street
Minocqua, WI. 54548





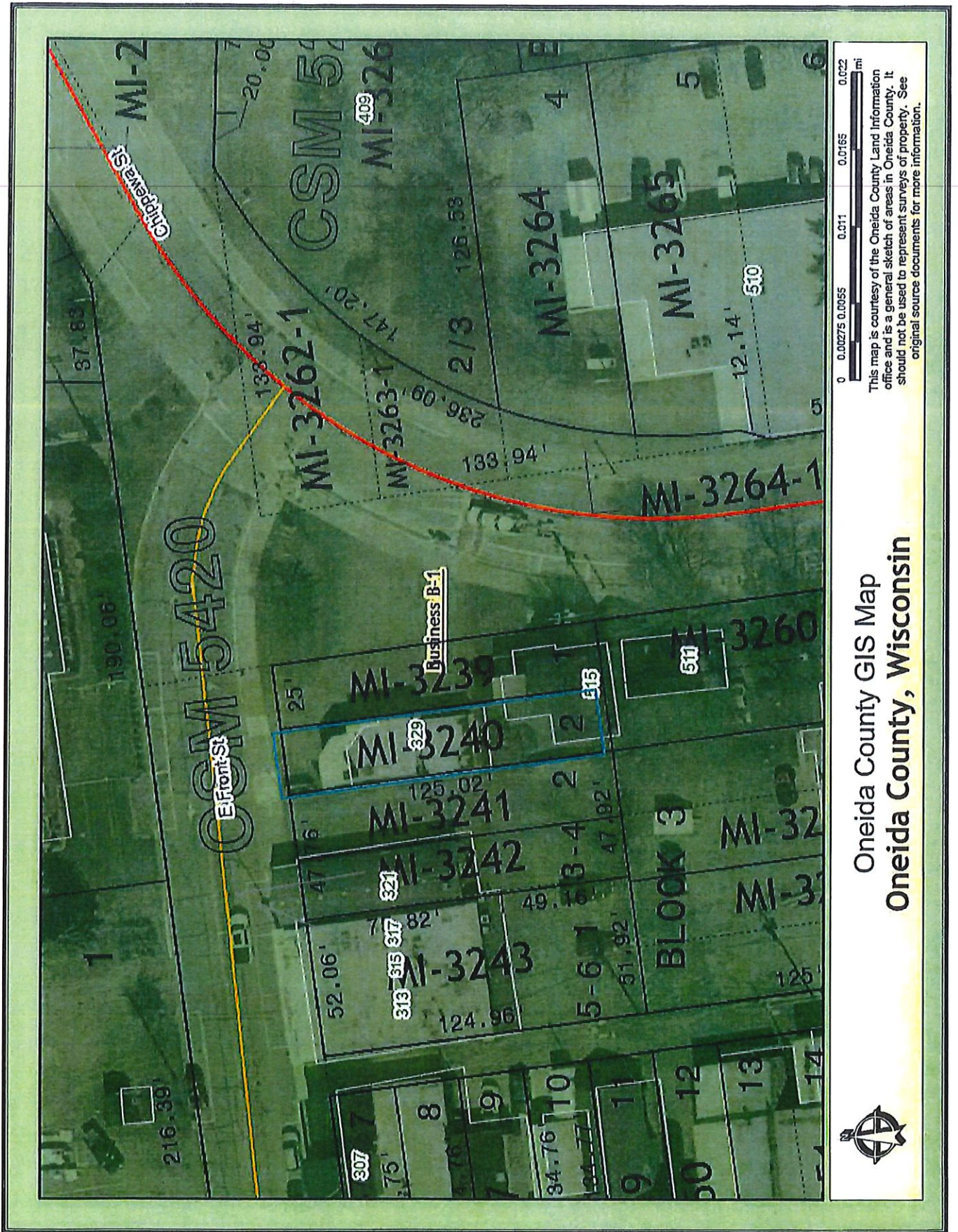
- 1 New proposed patio "Beer Garden".
- 2 Existing building walk-in cooler
- 3 Existing entry vestibule, new access door to patio
- 4 Existing retail floor area (inclusive of utility and janitorial closets)
- 5 Existing bathroom vestibule (brand museum)
- 6 Existing unisex ADA compliant bathroom
- 7 Existing office/storage room, New unisex bathroom
- 8 New indoor seating zone; approx. 96 SF; 3 high top tables and 6 seats



This map is courtesy of the Oneida County Land Information office and is a general sketch of areas in Oneida County. It should not be used to represent surveys of property. See original source documents for more information.

Oneida County GIS Map Oneida County, Wisconsin





Conditional Use Permit Report
Alternate Site Plan Options 1, 2, and 3 (dated 8/31/23)
Agenda Date: 09/20/23

Kirk Bangstad, applicant and property owner

Parcel ID Numbers: MI 3239, MI 3240

Zoning District: #06 Business B-1

Neighboring Properties Zoned: #06 Business B-1

Proposed Use: CUP – craft brewery retail outlet with outdoor seating, music and food truck

General Information: The applicant has provided three (3) alternate site plan options, all increasing the number of onsite parking spaces. The proposed beer garden on the site plan submitted with the application was 2,184 sq. ft. Alternative Options 1 and 2 depict a 1,200 sq. ft. outdoor beer garden and Option 3 depicts a 948 sq. ft. outdoor beer garden. The alternate option beer gardens propose a ground surface of Turfstone pervious pavers (previously described as decorative stone and gravel). The site plan submitted with the application provided outdoor seating for 32 people. Options 1 and 2 provide outdoor seating for 20 people, and Option 3 provides 16 outdoor seats.

The type of fencing surrounding the beer garden remains unchanged from the site plan submitted with the application, privacy fence along the west and south and decorative metal fence on the east side. The height of the privacy fencing along the west side has been increased from 6 ft. to 8 ft. matching the proposed 8ft. privacy fence along the south side. There is a note on all three plan options that states “8’ tall privacy fence req’d per CUP”. Pursuant to 9.74(B) No fence, wall or hedge shall exceed a height of six (6) feet, except as provided in the following circumstances. (2) There shall be an eight (8) foot height limit to act as a screen between residential districts and any land use that would require a conditional use permit. The property to the south of MI 3239 and MI 3240 is a residential home, the property is zoned #06 Business B-1.

The trash and recycling dumpster enclosure has been relocated in the southern side of the property. It is unclear if a food truck remains part of the proposal, there is no mention of a food truck on any of the three alternate site plan options.

As far as staff is aware, the following details remain as described in the application: The application states there will be outdoor music, and lighting in the beer garden. Seating for six (6) will also be added inside the building. The tables, chairs and umbrellas will be stored outside year round in the beer garden. The business is expected to have up to two (2) employees, attract about 100 customers per day and have one (1) delivery per week. Hours of operation will be seven (7) days a week, 11:00 AM to 7:00 PM.

Landscaping: Proposed landscaping consists of manicured lawn in the areas depicted on the three alternate site plan options.

Stormwater Management: On the application the applicant stated that the stormwater management plan had already been installed and approved in the first Administrative Review Permit. Along with the alternate site plans, the applicant resubmitted a memo dated 02/20/23 from Joel Ehrfurth, PE, at Mach IV which states that assuming the patio/beer garden will be constructed of materials meeting the requirements to be considered pervious the new parking and sidewalk areas result in a net increase of approximately 300 sq. ft. impervious surface area. The memo also explains the existing stormwater system is adequate if the patio/beer garden area is constructed of permeable pavers (not compressed gravel) and a properly sized underdrain system is installed and the new patio underdrain system would tie into the existing stormwater system. The recommended stormwater changes (pavers with underdrain) would be installed at the time of the site plan revisions. The February memo also references five (5) angled parking spaces and was addressing the site plan that was denied with the first CUP. As staff noted above all three alternate site plan options state Turfstone pervious pavers will be used to construct the beer garden.

Parking: Options 1 and 2, with two (2) employees per shift, 429 sq. ft. of retail space and seating for a total of 26 customers, require 12 onsite parking spaces. Option 3 with the same number of employees, square footage of retail space and seating for a total of 22 customers requires 11 onsite parking spaces. The reduction of outdoor seating accounts for the change in the number of required onsite parking spaces.

All three of the applicant's site plan options propose onsite parallel parking. Pursuant to Section 9.77(D) each parking space shall be no less than 10 ft. in width and not less than 220 sq. ft. in area. For reference, staff researched the WisDOT standard for parallel parking spaces. The WisDOT standard is 8 ft. to 12 ft. wide and 22 ft. to 26 ft. in length with a minimum of 12 ft. aisle to maneuver a vehicle into a parallel space. As a comparison, staff measured the parallel parking spaces along Menominee St. in front of the Minocqua Town Hall, at 8'4" in width and 23 ft. in length the spaces are within the WisDOT standard.

Revision Option 1 proposes a total of four (4) onsite parking spaces, three (3) 8'4" x 21'4" parallel parking spaces and one (1) 90° 10' x 20' handicap designated parking space. The parallel parking spaces are 1 ft. shorter in length than the WisDOT standard and 2 ft. shorter in length than the spaces measured by staff.

Revision Option 2 proposes a total of six (6) onsite parking spaces, four (4) 8'4" x 16' parallel parking spaces and two (2) 90° 9'10" X 20'3" parking spaces. The parallel parking spaces are 6 ft. shorter in length than the WisDOT standard and 7 ft. shorter in length than the spaces that staff measured. A vehicle maneuvering in and out of the 90° parking space closest to E. Front Street in the northwest corner of the property would do so within the 20 ft. of a vehicular entrance. Pursuant to Section 9.77(A)(1) no parking space shall be located so that a vehicle will maneuver within 20 feet of a vehicular entrance to or from a public roadway.

Revision Option 3 proposes a total of six (6) onsite parking spaces, three (3) 8'4" x 21'4" parallel parking spaces (the same size as in option 1), two (2) 90° 9'10" X 20'3" parking spaces (the same size as option 2) and one (1) 90° 10' x 20' parking space. As with option 2, the 90° parking space closest to E. Front Street would maneuver within 20 ft. of a vehicular entrance. Pursuant to

Section 9.77(A)(1) no parking space shall be located so that a vehicle will maneuver within 20 feet of a vehicular entrance to or from a public roadway.

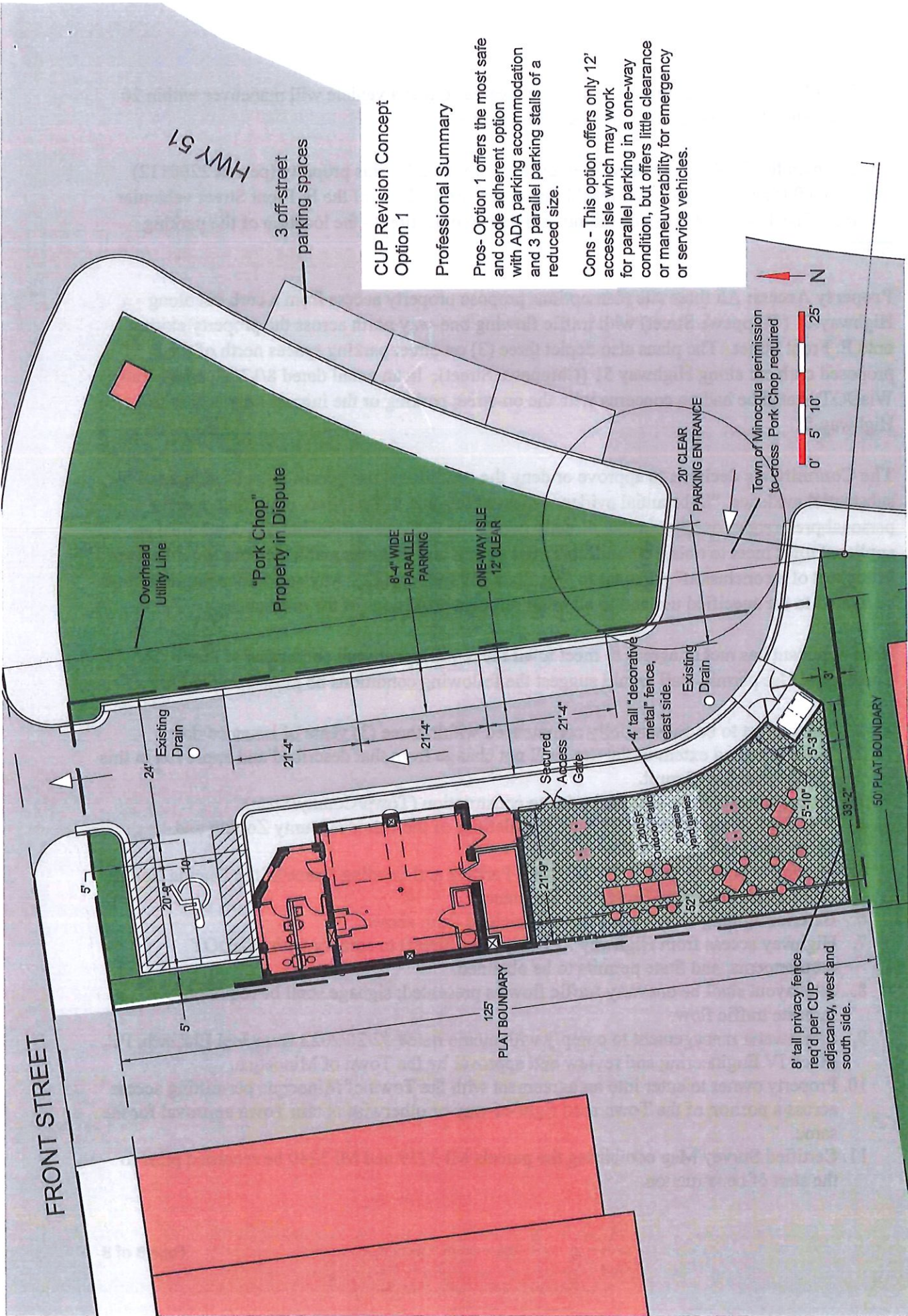
The site plan for the Administrative Review Permit issued for this property (permit 2200112) included a 90° parking space that would maneuver within 20 ft. of the E. Front Street vehicular entrance. The Town of Minocqua did not provide an objection to the location of the parking space.

Property Access: All three site plan options propose property access from a curb cut along Highway 51 (Chippewa Street) with traffic flowing one-way north across the property exiting onto E. Front Street. The plans also depict three (3) on-street parking spaces north of the proposed curb cut along Highway 51 (Chippewa Street). In an email dated 8/17/23, Mark Ratty, WisDOT, stated he had no concerns with the on-street parking or the ingress only access to Highway 51.

The Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence. "Substantial evidence means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion" pursuant to Wis.Stats.§59.69(5e)(a)(2). Any conditions imposed must be related to the specified use and to all other relevant provisions of the ordinance.

If the applicant has met or agrees to meet to all the requirements and conditions of this Conditional Use permit, staff would suggest the following conditions be placed on the CUP:

1. The project to be substantially commenced within three (3) years of issuance date.
2. The nature and extent of the use shall not change from that described and approved in this Conditional Use Permit.
3. Proper permits to be obtained prior to construction (Town/County/State).
4. Signage to comply with 9.78 Sign Regulations of the Oneida County Zoning and Shoreland Protection Ordinance.
5. Parking to comply with 9.77 Off Street Parking and Loading Space of the Oneida County Zoning and Shoreland Protection Ordinance.
6. Exterior lighting to be downcast and shielded from above.
7. Highway access from Highway 51 (Chippewa Street) to comply with WisDOT requirements, and State permits to be obtained.
8. Site layout shall be one-way traffic flow as presented; signage shall be required to indicate traffic flow.
9. Stormwater management to comply with memo dated 02/20/2023 from Joel Ehrfurth, PE, Mach IV Engineering and review and approval by the Town of Minocqua.
10. Property owner to enter into an agreement with the Town of Minocqua permitting access across a portion of the Town road right-of-way or otherwise obtain Town approval for the same.
11. Certified Survey Map combining the parcels MI 3239 and MI 3240 be recorded prior to the start of construction.



HWY 51

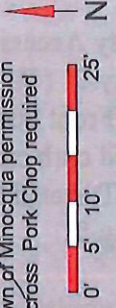
3 off-street parking spaces

CUP Revision Concept Option 1

Professional Summary

Pros - Option 1 offers the most safe and code adherent option with ADA parking accommodation and 3 parallel parking stalls of a reduced size.

Cons - This option offers only 12' access isle which may work for parallel parking in a one-way condition, but offers little clearance or maneuverability for emergency or service vehicles.



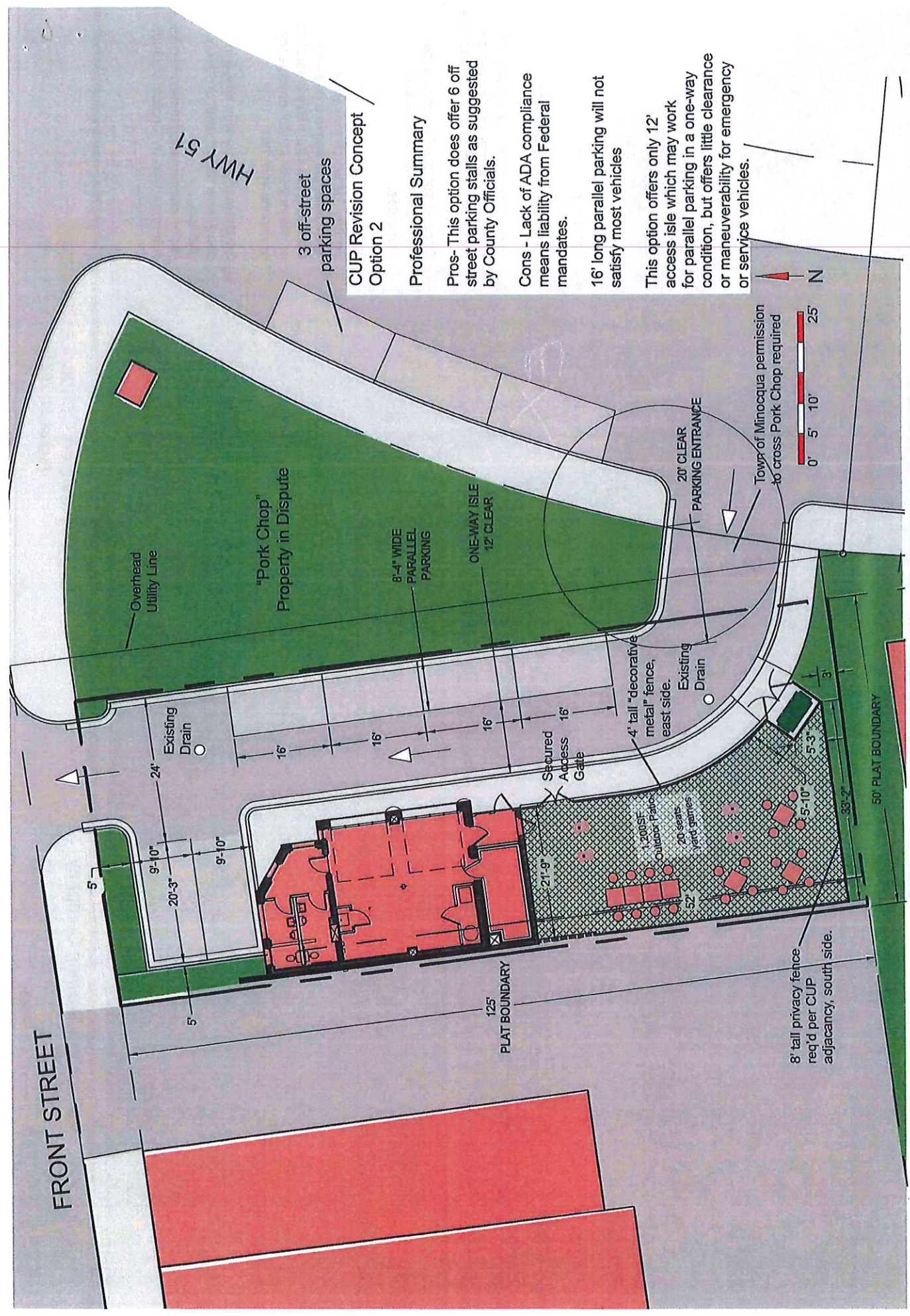
Town of Minocqua permission to cross Fork Chop required

8' tall privacy fence req'd per CUP adjacency, west and south side.

C.U.P. Revision Concept - Option 1
August 31, 2023

Minocqua Brewing Company
Retail Outlet
329 Front Street
Minocqua, WI. 54548





HWY 51

3 off-street parking spaces

CUP Revision Concept Option 2

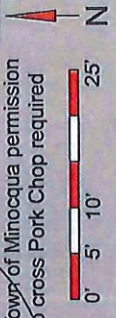
Professional Summary

Pros- This option does offer 6 off street parking stalls as suggested by County Officials.

Cons - Lack of ADA compliance means liability from Federal mandates.

16' long parallel parking will not satisfy most vehicles

This option offers only 12' access isle which may work for parallel parking in a one-way condition, but offers little clearance or maneuverability for emergency or service vehicles.



FRONT STREET

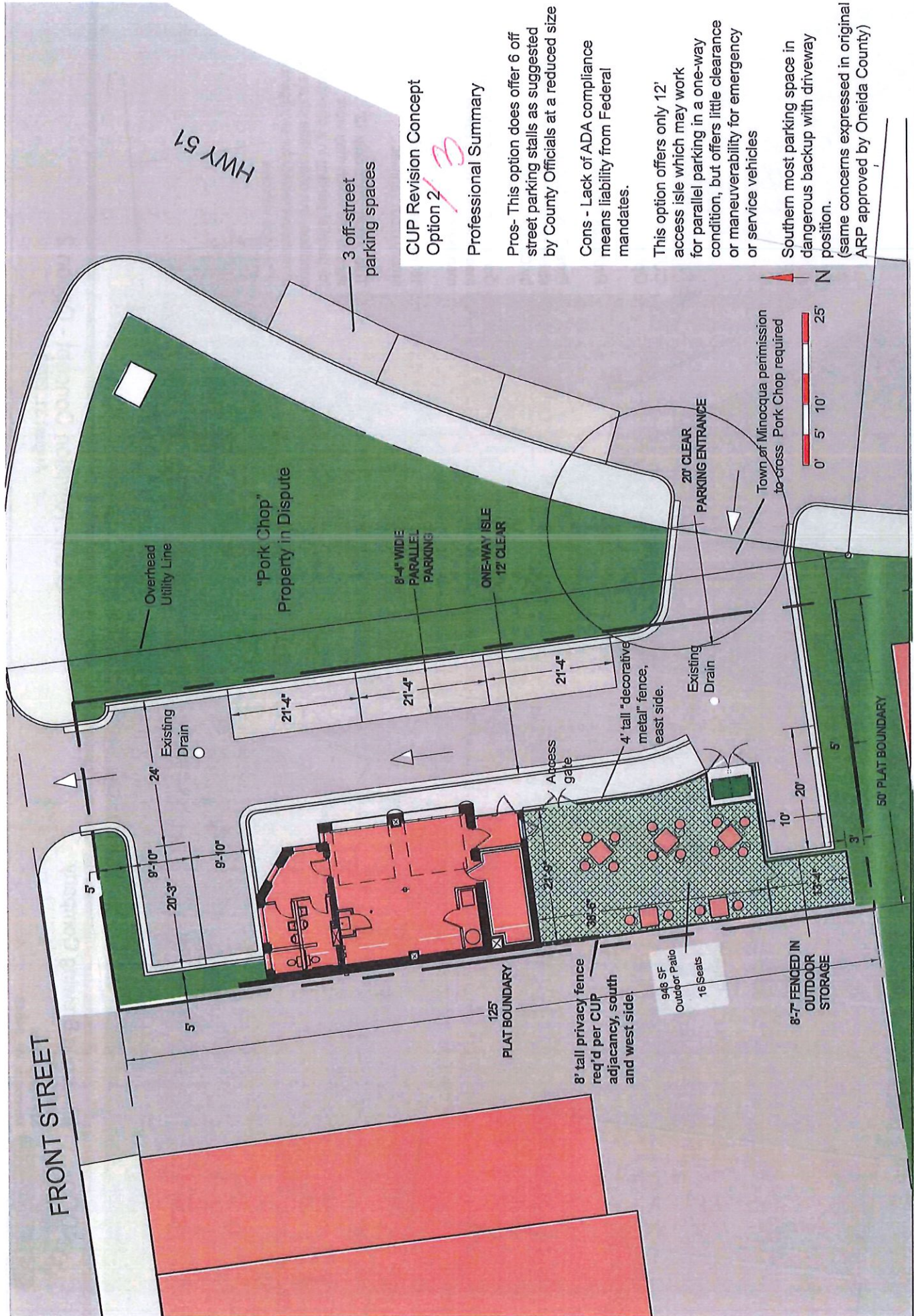
C.U.P. Revision Concept - Option 2

August 31, 2023

Minocqua Brewing Company

Retail Outlet
329 Front Street
Minocqua, WI. 54548





CUP Revision Concept
Option 2

Professional Summary

Pros- This option does offer 6 off street parking stalls as suggested by County Officials at a reduced size

Cons - Lack of ADA compliance means liability from Federal mandates.

This option offers only 12' access isle which may work for parallel parking in a one-way condition, but offers little clearance or maneuverability for emergency or service vehicles

Southern most parking space in dangerous backup with driveway position.
 (same concerns expressed in original ARP approved by Oneida County)

C.U.P. Revision Concept - Option 3
 August 31, 2023

Minocqua Brewing Company
 Retail Outlet
 329 Front Street
 Minocqua, WI. 54548



SIMPLE PARKING STUDY
 Prepared for Minocqua Brewing Company
 AUGUST 30, 2023 - Minocqua, WI.



- RED public buildings, parks, town offices and public facilities with dedicated off-street parking facilities
- YELLOW free-use public parking facilities
- GREEN dedicated street parking
- BLUE facilities with dedicated off-street parking accommodations

Using this basic aerial map analysis, Minocqua Brewing Company can be accessed by:

BLACK CIRCLE - Radius of Approximately 500 FT (or 2.5 minutes of walking to Minocqua Brewing Company site)

- Within the Black Radius, these public parking spaces would be shared with
 - churches (off-hours use)
 - school/daycare (vacant)
- Approximately 125* Dedicated Street Parking Spaces.
- Approximately 58* Public Parking Facility Spaces
- TOTAL = Approximately 183 Dedicated Public Parking Spaces**

WHITE CIRCLE - Radius of Approximately 1000 FT (or 5 minutes of walking to Minocqua Brewing Company site)

- Within the White Radius, these public parking spaces would be shared with
 - Downtown storefront businesses who do not have immediate exclusive parking access
- Approximately 359* Dedicated Street Parking Spaces
- Approximately 235* Public Parking Facility Spaces
- TOTAL = Approximately 594 Dedicated Public Parking Spaces**

Within White Circle = approximately 142,250 SF**

Ground Floor GLA or ratio of 4.17 Public Parking Spaces per 1,000 sf of mixed-use retail/restaurant activity

NOTE: Boutique Mixed-Use Outdoor "Lifestyle" Shopping Centers aim for 4.0 spaces/1,000SF parking ratio

*parking counted via Google maps satellite imagery

** gla estimated ground floor occupancy summarized by area takeoffs of footprints from Google maps satellite imagery, Street-view, and Oneida County GIS

Date: February 20, 2023

To: Christopher Naumann, AIA

From: Joel Ehrfurth, PE *J.E.*



Re: Minocqua Brewing Site Plan Alternative CUP

Project Understanding

It is the desire of the owner to revise the site plan of Minocqua Brewing. The proposed revisions are as follows:

- Create new parking lot on east side of the site to create 5 angled parking stalls and a dumpster enclosure.
- Create a new exterior patio/beer garden south of the existing building.
- Extend the sidewalk adjacent to the building, south to the public ROW of STH 151

Requested Information

Determine if the previously submitted and approved stormwater management system has sufficient capacity to meet the required stormwater performance requirements for the new conceptual layout.

Conclusion

Assuming that the patio beer garden area is constructed of materials that meet the requirements of being considered pervious, the new parking and sidewalk areas result in a net increase of impervious surface area. The estimated net increase of impervious surfaces on the site is approximately 300 square feet for the updated conceptual site plan.

The existing stormwater system is adequate if the patio/beer garden area is constructed of permeable pavers (not compressed gravel) and a properly sized underdrain system is installed. The new patio underdrain system would tie into the existing stormwater system. The recommended stormwater changes (pavers with underdrain) would be installed at the time of the site plan revisions.

2260 Salscheider Court
Green Bay, WI 54313



Phone: 920-569-5765
Fax: 920-569-5767
www.mach-iv.com