

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
June 13, 2011

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Chairperson Torres called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

PRESENT: Torres, Binnie, Dalee, Coburn, Meyer, Henry (Alternate). ABSENT: Knedler, Miller. OTHERS: Wallace McDonell/City Attorney, Mark Roffers/City Planner, Bruce Parker/Zoning Administrator.

**HEARING OF CITIZEN COMMENTS.** This is a time in the agenda where citizens can voice their concerns. They are given three minutes to talk. No formal Plan Commission Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

There were no citizen comments.

**MINUTES.** Moved by Binnie and Coburn to approve the Plan Commission minutes of May 9, 2011. Motion approved by unanimous voice vote.

**REVIEW EXTRA-TERRITORIAL ONE LOT CERTIFIED SURVEY MAP TO CREATE A 3 ACRE LOT WITH AN EXISTING HOUSE LOCATED ON COUNTY HIGHWAY D FOR JAMES REU.** Zoning Administrator Bruce Parker explained that this survey is on the border of the 1 ½ mile City of Whitewater Extra-territorial review. The parcel is located outside the City of Whitewater Sewer Service District area.

City Planner Mark Roffers recommended approval.

Moved by Binnie and Dalee to approve the extra-territorial one lot certified survey map to create a 3 acre lot with an existing house located on County Highway D for James Reu. Motion approved by unanimous roll call vote.

**REVIEW EXTRA-TERRITORIAL ONE LOT CERTIFIED SURVEY MAP TO CREATE A 2.61 ACRE LOT WITH AN EXISTING HOUSE LOCATED ON ISLAND ROAD FOR LYLA PONTEL.** Zoning Administrator Bruce Parker explained that this survey is near the 1 ½ mile City of Whitewater Extra-territorial review area. The parcel is also located outside the City of Whitewater Sewer Service District area. There is an error on the second page description of the parcel, which will be corrected.

City Planner Mark Roffers recommended approval with the correction of the description.

Moved by Meyer and Coburn to approve the extra-territorial one lot certified survey map to create a 2.61 acre lot with an existing house located on Island Road for Lyla Pontel. Motion approved by unanimous roll call vote.

**PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR AN ENTERTAINMENT ESTABLISHMENT (KARAOKE ENTERTAINMENT) AND A CONDITIONAL USE PERMIT FOR A CLASS B BEER LICENSE FOR MARTIN RUDE, TO SERVE BEER BY THE BOTTLE OR GLASS AT 206 & 210 W.**

**WHITEWATER STREET.** Chairperson Torres opened the public hearing for consideration of a conditional use permit for an entertainment establishment (Karaoke Entertainment) and a conditional use permit for a Class B Beer License for Martin Rude, to serve beer by the bottle or glass at 206 and 210 W. Whitewater Street.

Zoning Administrator Bruce Parker explained that the proposed Karaoke operation will be at the former Dan's Meat Market. They are asking to serve beer in the large room, Karaoke Lounge/Bar. This area is closed off from the other areas. No beer would leave the room. There is no charge to go into the karaoke lounge/bar, but you would be charged if you wanted to go up on stage and sing. The karaoke bar is for people 21 years of age or older, and will be policed. There will be five karaoke areas. The developer would also like to re-utilize the existing framework for their proposed projecting sign.

Martin Rude, the applicant, explained that he planned to have a karaoke and gaming center. The two smaller rooms would hold 7 to 10 people and could be used as a home theatre or karaoke. Rooms would be rented at an hourly rate. The gaming center (arcade center) would be open to the public. There would be no alcohol served in any of the rooms except the lounge/bar area. There is security for the gaming center. There is a half wall, where the customers would pay for the rooms.

Plan Commission Member Coburn asked about having alcohol served in any of the other rooms.

Martin Rude explained that if a group rented a room, he would like the option of serving beer to that room. However, if there was anyone under the age of 21, they would not allow beer in the room. The serving of beer would be determined prior to it being rented.

Plan Commission Member Henry asked about a family party or graduation party.

Martin Rude suggested that the group would rent the gaming center. There are two entrance doors to the building. One goes directly into the karaoke lounge/bar area and the other directly into the gaming center. He handed out some noise information. There are areas where there will be double walls with sound proofing sheet rock on the interior walls which is supposed to reduce the noise level by 60 decibels.

Chairperson Torres closed the public hearing.

City Attorney McDonell explained that when the proposal is taken to the City Council, they would need a description of the premises in which alcohol would be served. Generally, the area is either all the way in or all the way out.

City Planner Mark Roffers explained that the Plan Commission is reviewing the proposal in terms of land use. Is this karaoke establishment an appropriate land use for this site? A karaoke establishment is a conditional use in this downtown (B-2 Zoning District) site. It is also a conditional use to serve beer. City Council is responsible for reviewing liquor licenses and license premises which the Police Department monitors. Roffers recommended the Plan Commission allow this business based on the whole establishment and leave it to the City Council to determine where in the building alcohol could be served.

City Attorney suggested that if the Plan Commission gives the conditional use for the entire premises, if the area in which to serve alcohol is changed, they would be able to re-submit the change in the area to be approved to serve alcohol to the City Council and not have to amend the conditional use at the Plan Commission level.

City Planner Mark Roffers recommended the following conditions:

1. The project shall be developed and operated in accordance with all building, operational, sign, and other plans and representations included in and with the 5/13/11 application.
2. The Plan and Architectural Commission's approval of the conditional use permit would allow the sale of alcoholic beverages throughout the establishment, per the "Handling of alcohol and sale of alcohol (Proposal 2)" provisions included with the 5/13/11 application, recognizing that City Council approval of the liquor license may further limit the premises for selling alcohol if the Council chooses.
3. The conditional use permit shall run with the business owner and not the land. Any change in ownership or change in concept from a karaoke entertainment establishment will first require approval of a conditional use permit amendment.
4. The project shall meet the City's noise ordinance at all times, with sound mitigation measures implemented to buffer music noise from upstairs apartments as proposed in the "Sound Proofing details" sheet presented at the June 13, 2011 Plan and Architectural Review Commission meeting.
5. The proposed sign shall not be backlit plastic in design, and any exterior sign lighting shall be directed downward and towards the sign only.

Moved by Binnie and Meyer to approve the conditional use permits for the karaoke entertainment and for a Class B Beer License for Martin Rude to serve beer by the bottle or glass, subject to the City Planner Mark Roffers' conditions. Motion approved by unanimous roll call vote.

**PUBLIC HEARING FOR A CONDITIONAL USE PERMIT FOR AN 18-UNIT STUDENT APARTMENT BUILDING, TO BE BUILT ON THE PROPERTIES AT 234 N. PRINCE STREET AND 1006 W. FLORENCE STREET FOR CATCON WHITEWATER LLC.; AND THE REVIEW AND APPROVAL OF THE SITE PLAN AND CERTIFIED SURVEY MAP. THIS IS AN R-3 MULTI-FAMILY ZONING DISTRICT.** Chairperson Torres opened the public hearing for consideration of a conditional use permit for a proposed 18-unit student apartment building, to be built on the properties at 234 N. Prince Street and 1006 W. Florence Street for CatCon Whitewater LLC.; and the review and approval of the site plan and certified survey map. This is in an R-3 Multi-family Zoning District.

City Planner Mark Roffers explained that this project has been before the Plan Commission in different configurations over the last 9 months. The current project is for an 18-unit student rental housing on N. Prince Street, just north of W. Florence Street. This project is consistent with the R-3 (Multi-family Residence) Zoning. It requires: a conditional use permit because the building has more than 4 units in one building; site plan approval; and the certified survey map which combines two lots into one lot. The project no longer includes the property at 1018 W. Florence St; and no longer includes the church occupying any portion of the building. They have submitted new plans that have been adjusted to accommodate the planning, engineering and Fire Department reviews.

Developer Matt Burow, CatCon Whitewater LLC., stated that they have taken the information from the previous meeting in order to make sure that they have the most marketable and desired property. Matt introduced Tom Schermerhorn from Excel Engineering (building site) and Josh Pudelko, President of Trio Engineering LLC., (stormwater, drainage) who gave information on the project.

Tom Schermerhorn explained that the project has changed from when it first came at 88 units and is now reduced to 18 units (17 4-bedroom and 1 1-bedroom apartments). There are 70 parking spaces with 25 of them being below grade (under the building). The building design has been transformed in order for the project to meet all the R-3 Zoning District requirements.

Josh Pudelko explained that the site layout has all the parking at the back of the building. There will be no parking in the street yard. To the west of the parking is a retaining wall. In order to preserve as many trees as possible, they are setting the wall around the drip line of the trees. There is a patio at the front of the building and service access on both ends of the building. In order to handle the stormwater management, discharge control and water quality, there is an underground detention in the front yard area. He stated that as described in the City Planner report, they are providing landscaping above and beyond the City minimum requirements.

Plan Commission Member Coburn asked about the removal of the two spruce trees in the front yard area; and the canopy trees in the back (black walnut trees).

Pudelko explained that the two spruce trees are in the underground stormwater detention area and where the utilities will run to the building. They are replacing the trees plus more. He explained that they are saving the trees in the northwest corner of the property, but some along the north property line that fall within the construction area will be removed. They are making every effort to keep as many trees as possible.

Don Gregoire, Whitewater Fire Chief, stated that the 2nd story sticks out on the back side of the building with an 8 to 10 foot roof area. He wanted it documented that there would not be a deck area, the windows would be secured with no in and out for the students. Another concern was the hydrant located behind the building must have access at all times (no snow, mopeds, garbage around the hydrant). They would like the FDI C hook up on the south end of the building in front of the H2O room with a Knox box and run a 5" into it. They don't want to compromise the driveway going in. This is a 4 story wood structure building. The Fire Department would take care of the life safety issues first and then the building. Buildings 10 units or larger must have a loop system. Fire Chief Gregoire also requested that the water main improvements in Prince Street be completed before occupancy of the building. The Fire Department would need the water flow. He stated that he had not seen any revised plans.

Jeff Knight, 405 S. Panther Court, voiced his concerns of the project that this proposal is significantly below the trends and standards that the Plan Commission has approved in the past. He feels that the developer is on the right track and getting closer, but is not there yet.

Bill Levy, President of BMOC, which would manage the property, stated that his company manages apartments all over the country. In these apartments, each student has their own room. Traditionally students shared rooms. The type of apartments for students has changed over the years.

Matt Burow clarified that the building is three stories, the first floor is precast concrete, then two stories of wood structure. Life safety is most important. They will do whatever they need to make things work with the Fire Department and City Staff. There is no access to the back roof.

The roof will have cameras and will house mechanical equipment (condensers etc.).

The Plan Commission voiced their concerns of: would like to see a better design for the closet space in the bedrooms (felt there was very little room there); why the foreclosure and vacancy rate graphs were included in the packet; the size of the bedrooms in comparison to Starin Hall.

Jeff Knight stated that the current vacancy rate for Whitewater is 9.2%. A survey on the number of foreclosures or distressed sales was 45%.

City Planner Mark Roffers recommended approval with the following conditions as amended at the meeting. He noted that the certified survey map has three separate conditions of approval as listed below.

1. The applicant shall make building and site improvements and operate the site in accordance with the following plans and other supporting documents, except as any changes to any of these plans and supporting documents are required to meet the remaining conditions of approval:
  - a. The following materials dated 6/6/11: Existing Site and Demolition Plan (sheet C1.0); Site Plan (sheet C1.1); Turning Movement Exhibit (sheet C1.1X); Grading and Erosion Control Plan (sheet C1.2); Details and Specifications (sheets C1.4 and C1.4A); Landscape Plan (sheet C1.5); First Floor Plan (sheet A1.1); Second Floor Plan (sheet A1.2); Third Floor Plan (sheet A1.3); Roof Plan (sheet A1.4); Elevations (sheet A2.0); Photometric Plan (sheet PXP1); exterior lighting details (sheet PXP2).
  - b. The Utilities Plan (sheet C1.3) dated 6/7/11.
  - c. The following materials dated 5/16/11: Stormwater Management Plan (bound document); Agreement to Maintain Stormwater Facilities; Operation Plan for The Element (except management company may change with City staff approval); Parking Information (includes Parking Memorandum, Information and Parking Form, Parking Terms and Rates, and Parking Rules and Regulations).
  - d. Other materials with no date: Catalog Page for retaining wall; Sustainable Design Features list
2. Prior to the issuance of a building permit for this project, the applicant shall:
  - a. Address requirements of the Fire Code to the satisfaction of the Fire Chief.
  - b. Address all outstanding issues related to stormwater management, grading, erosion control, and utilities, as determined by and to the satisfaction the City's engineering consultant.
  - c. Pay a park improvement fee and a fee-in-lieu of parkland dedication in accordance with City ordinance standards for the 17 additional housing units being added to this property.
  - d. Amend the "Operation Plan for the Element" to specify that maximum occupancy of each apartment unit shall be limited to the number of bedrooms in that unit, and the maximum occupancy of each bedroom shall be one tenant, which shall be a ongoing requirement for this project.
  - e. Amend the "Operation Plan for the Element" to include a security plan to restrict and monitor access to all roof sections of the building.
  - f. Correct the "Parking Memorandum" to indicate the revised number of parking spots, per the approved site plan.
  - g. Amend the "Parking Rules and Regulations" sheet to indicate how indoor versus outdoor spaces will be managed to maximize use of both areas for residents
  - h. Amend the "Parking Rules and Regulations" sheet to include clear restrictions against vehicular parking in any location that is not a designated parking space on the approved site plan.

- i. Obtain approval of the City Forester of the street terrace tree planting plan and make any associated adjustments to the landscape plan.
  - j. Address other minor comments from the City Planning Consultant on the landscape plan, primarily related to quantities shown on the map versus in the map legend.
  - k. Specify a 4 foot height for the fence section in the required front yard area near Prince Street, and to discontinue that fence 15 feet from the northeast corner of the subject lot.
  - l. Indicate the westerly extension of the privacy fence along the south side of the subject lot, in the area directly adjacent to the lot at 1018 Florence Street.
  - m. Indicate the installation of undercanopy lights at all building entrances.
  - n. Confirm that the front canopy extends at least 6 feet from the front entrance and all other canopies extend at least 4 feet from appropriate entrances.
  - o. Correct the misplaced “stone veneer” label near the building’s base on the west building elevation.
  - p. Update and resubmit for City Planning Consultant approval all plans that are necessary to assure compliance with the above conditions.
3. The applicant shall work with the City to coordinate utility, stormwater, and other proposed improvements within the Prince Street right-of-way with the City’s proposed reconstruction project for that street, and the implementation of associated plans may vary to reflect the results of that coordination, as approved by the Director of Public Works.
  4. The first floor Game Room and Business Center may not be used for any sort of residential or church use.
  5. The applicant shall outfit the proposed front yard patio, as represented on the approved site plan, with outdoor seating and other appropriate outdoor improvements no later than one year from the date of initial building occupancy.
  6. No parking space designated on the site plan shall be used at any time for any other purpose than the parking of operable motor vehicles. No snow storage shall be allowed in parking spaces.
  7. Parking permits shall be allocated for tenants of the project, per the approved “Parking Rules and Regulations” document. In no case shall the number of permits that are issued for resident parking exceed the number of spaces available in the off-street parking lots, less spaces to accommodate visitors per the approved Parking Memorandum sheet.
  8. The applicant shall include with all leases provisions related to the following:
    - a. Limits on occupancy to (i) one tenant for each bedroom and (ii) a number of tenants in each apartment unit not exceeding the number of bedrooms in that unit.
    - b. Parking rules and regulations in accordance with this conditional use permit approval.
  9. In the event that not all site and landscape improvements are completed before occupancy of this building, the applicant shall provide the City with a site improvement deposit in the amount of \$2,000.

**Approval conditions for CSM\***

1. The CSM may not be recorded until after at least one of the existing principal buildings within the CSM area has been demolished.
2. The CSM shall be recorded prior to occupancy of the apartment building that is authorized through City conditional use permit and site plan approval for the same property.

3. Prior to the addition of the City Clerk's signature on the CSM and its recording, the legal description on Sheet 2 of the CSM shall be corrected to accurately reflect the current boundaries of the CSM area and the water main easement shall be adjusted if necessary based on Fire Department comments.

\* Because CSM includes a grant of a water main easement to the public, City Council approval is also required.

Plan Commission Member Henry asked what future things needed to be decided.

City Planner Mark Roffers explained that the site plan needed to be tweaked a bit; the fire codes needed to be addressed. It would give a chance to work with the applicants and address the Fire Chief requests, which are not too radical from what would be approved at this meeting.

Bob Freiermuth, a local investor and President of the Landlord Association, voiced his concerns of the vacancy rates and the quality of life of the community at large that is dependent upon the U.W. System. If occupancy cannot be maintained, properties deteriorate. It is not easy to find tenants. It is hard to get and keep tenants. Freiermuth is on the Council of the University of Whitewater which is trying to increase retention. The drop-out rate is pretty much the same as it was 40 years ago. Vacancy rate is important to the community at large as far as quality of life.

Plan Commission Member Binnie asked if the 10 inch water main for N. Prince Street would be done by fall of 2012.

Bob Freiermuth (son) asked if the water main was being updated for this particular project or was it previously planned.

Zoning Administrator Bruce Parker explained that the N. Prince Street water main project will go to the City Council to do the engineering this fall. The N. Prince Street water main project has been planned for the last 3 to 5 years.

Chairperson Torres closed the public hearing.

Plan Commission Member Henry stated that one of the big concerns at a previous meeting was that there needed to be the same playing field for all developers. Are there any special considerations given to this developer that are likely to cause problems later? Henry also had concerns of storage in the bedroom.

City Planner Mark Roffers explained that there is nothing with this project that does not comply with the ordinances.

Matt Burow explained that they are providing all the furniture for the apartments. In the bedrooms, the beds are raised and have dressers underneath. There will be storage in the garage area of the building for bulky items such as bicycles etc. They want a marketable product and will make sure there is plenty of storage.

Moved by Binnie and Coburn to approve the conditional use permit, site plan, and certified survey map for a proposed 18-unit student apartment building at 234 N. Prince Street for CatCon Whitewater LLC. based on the Planning Consultant's recommendation in writing as well as the revisions made at the meeting. Motion approved by unanimous roll call vote.

**CONCEPTUAL REVIEW OF THE PROPOSED EXPANSION OF THE EXISTING SITE LOCATED AT 804, 808, 818, AND 826 W. WALWORTH AVE. FOR CRAIG POPE. THIS PROPOSAL WOULD INCLUDE; A REZONING OF THE RESIDENTIAL PROPERTIES AT 818 AND 826 W. WALWORTH AVE. FROM R-2 (ONE AND TWO FAMILY) TO B-1 (COMMUNITY BUSINESS) ZONING DISTRICT; THE INSTALLATION OF AN AUTOMATIC CAR WASH; EXPANSION OF THE PARKING/DRIVEWAY AREA; A BUILDING ADDITION TO THE WEST END OF THE BUILDING; THE INSTALLATION OF A 4<sup>TH</sup> FUEL PUMP ISLAND; AND A NEW ALTERNATIVE FUEL ISLAND AND CANOPY.** Chairperson Torres removed himself from this item as he has a conflict of interest in being an employee of Craig Pope. Vice Chairperson Binnie presided over this item.

Zoning Administrator Bruce Parker explained that this is a conceptual review. The BP gas station and convenience store property at 804 W. Walworth Ave. is zoned B-1(Community Business). The B-1 Zoning District goes from this property south along S. Janesville Street. The residential properties next to the BP property to the west, properties to the north and to the east are zoned R-2 (One and Two Family Residence). Craig Pope wants to utilize the two residential properties to the west for the installation of a car wash, an addition to the building and additional fuel pumps. Parker has talked with Craig Pope and suggested that Craig have a neighborhood meeting to inform the neighbors and get their feedback. This would require a rezoning of the two residential properties to the west. A variance would also be required for the building addition. This meeting is to get input from the residents and the Plan Commission for Craig to determine how he wants to proceed.

Vice-Chairperson Binnie explained that this is a conceptual review looking for input from the Plan Commission and the public.

Craig Pope explained that this is a concept plan to get information back from the Plan Commission and the neighbors. He has not had a neighborhood meeting, but has spoken with most of the neighbors over the last couple of years. His intention is to update petroleum/expand petroleum. This is relatively close to the petroleum that was proposed 13 years ago. At that time he left off an island that has been plumbed in already. The addition on the back of the building has footing and was intended to be built out. The access on Walworth Ave. will be moved further to the west to make it a little safer for the intersection. He is moving the pylon sign over to the vacated area and repositioning it there as per Mark Roffers' comments. If they proceed with this project, a new roof system (metal) would be put on the building, the canopy would be removed and the columns would be removed. They would upscale the building to maybe brick and stone, like a bank building would be. There would be energy efficiency measures, inside and outside of the building. The plan does not show parking in front of the building, which they plan to provide. The car wash is positioned about 30 feet from the neighborhood (nearly half the width of the lot) to provide a nice buffer. The west side of the car wash will be masonry. They lengthened the car wash to provide a complete wash and dry within the building which makes the car wash sound proof. Pope feels this project will make a nicer buffer, emitting much less noise than there is now.

John Steuerwald, 920 W. Walworth Ave., appreciates Craig Pope as an entrepreneur, but has concerns about the rezoning of the residential area to B-1 and moving the business further into the existing residential area. He also has concerns of another car wash in Whitewater. We have four of them at this time. He would like to see something other than a carwash. The noise of a car wash is loud and would disrupt families. He is also concerned about the brick home on the other side of Walworth Ave. that has sat there for many years without anything happening there.

Dave Jensen, of Reliable Plus Car Wash Systems, said they build 40 to 50 car washes per year in the Minnesota, Wisconsin and Upper Michigan areas. They do have ways to reduce the decibel levels of car washes. The petroleum and car wash industries go hand in hand. The successful businesses have multiple businesses on a site. There are two ways to address the noise. One is to have a larger building with a drive through air drier inside the building and to operate the car wash with the doors down. The other way is to have a smaller building with the drier on the machine itself. This one would also be operated with the doors closed. The noise would be approximately 50 decibels 45 feet from the door. When asked about comparables, normal road noise is about 70 decibels. Ambient noise (dishwasher in the next room, or a quiet neighborhood) is about 50 decibels.

Chairperson Binnie asked if there were plans for vacuum cleaners on the site. The answer was no.

Zoning Administrator Bruce Parker asked if there were car washes in the area that Reliable Plus Car Wash Systems has installed.

Jensen stated that they have installed 98 to 100 % of the Kwik Trip car washes. In ten years they have installed 190 units for Kwik Trip. They installed the one in Madison "Severson Citgo" which has a 64 unit apartment building behind it. The building is 40 feet from the property line. The car wash is built right to the property line. They have had no complaints in 6 years. When asked if there was a guarantee that the doors would be closed during the process, Jensen stated that it was computer controlled and could be set to have the doors closed during the wash and dry cycles. The entire site would be automated. The majority of the car washes would happen between 9 a.m. and 3 p.m. The business could be closed at night, 11 or 12 p.m.

Deb Grubbe, 429 S. Whiton Street, and also owner of 230 S. Woodland Drive, submitted a petition from the neighborhood asking for Plan Commission to deny Craig Pope to expand his development. The petition had 18 signatures that they were able to get in the time allowed. The residents object to the rezoning. This is a residential area and the change would be incompatible with the Master Plan. The request for this proposal is incomplete. Maintenance of this property has not been complied with. A Master Plan amendment would need to be updated before a change of zoning could happen. This should be denied to comply with the City of Whitewater Comprehensive Plan and to maintain the residential integrity of the neighborhood. Grubbe listed many items that were not shown in the plans, such as lighting, and existing trees ( 4 " or larger are to be shown). The landscaping was not to scale, so could not determine whether it would meet the approximate 18,000 sq. ft. of landscape surface that is to be provided. The plans are not accurate. A survey from 1995 shows the building to be 5.9 feet from the lot line on the northeast corner of the building and 3.9 feet on the northwest corner of the building. She believes there have been other additions to the building that may have changed those distances. They are now proposing another addition to the west of the building. The existing building is non-conforming. The yard required for a principal building from a residential district is 30 feet. A variance would be needed which could not be done for economic gain, the proposal could not impair neighboring property values, and it would need to be proved a hardship if a variance was not granted. This is a permitted use as it is. The dumpster should be 30 feet from the property line. And there should be a 15 foot vision triangle coming off the alley on the Northeast corner of the property. The northwest corner of the property (staff parking) should be a buffer area for the neighbors.

Vice Chairperson Binnie explained, with respect, that a conceptual review is to provide opportunity for feedback without a lot of detail. The Plan Commission encourages developers to have a conceptual review to get input from the public and the City prior to investing a lot of money into a development.

Craig Stauffer, 437 S. Whiton Street, explained that he bought the house in 2005. The two houses between his house and the gas station were a buffer for him. If the developer puts up a 6 foot fence, cars will be parking less than 5 feet away from his property. The noise would be very annoying. There is supposed to be a fence between the house and the BP gas station now, but it is not.

Plan Commission Member Henry explained that she liked to support the local people, but this is a residential neighborhood. Her grandson and family live on the street and were concerned, when they bought in the area, if it was going to be a residential neighborhood. Henry has been on several committees where the concern is for protecting neighborhoods. The City talks about preserving and protecting neighborhoods and would like young couples to buy single family homes and fix them up. She is afraid that people will not want to buy here if plans are easily changed. She has met a lot of the neighbors and sympathizes with them. Henry suggested that Craig Pope meet with the neighborhood.

Plan Commission Member Coburn understands the concept, but wants to protect the neighborhoods. People will trust the City more if they don't easily convert. She would not support an expansion of this site. It would also create more congestion than is already there.

Vice-Chairperson Binnie personally does not have an issue with the car wash. He has a car wash near his home. The car wash issues could be mitigated.

City Planner Mark Roffers explained that the Comprehensive Plan cannot be changed without the public knowing it. The Comprehensive Plan does not indicate any change being made to the two homes to the west. The next step would be to have further neighborhood meetings. If a plan does come forward, there would be 3 public hearings with much more detailed plans than for a conceptual review.

Craig Pope appreciated the input. He felt this was an opportunity for redevelopment and to make the development look nicer. The redevelopment would not happen without the car wash. The economy is not there. He respects the neighbors, input.

## **INFORMATION:**

Kevin Brunner, City Manager, explained to the Plan Commission per the direction of the City Council, that they will be sending out RFP's for the rewriting of the Zoning Code. The movement is from measurement based (historical) toward form based. They are looking for one Plan Commission member to be on the committee. They expect the process to take approximately 1 ½ years.

Zoning Administrator Bruce Parker announced his retirement as of July 1<sup>st</sup>. He thanked the Plan Commission for all that they do.

City Manager Kevin Brunner thanked Bruce Parker for all he has done in his 37 years of service to this community. He asked the Plan Commission to mark their calendars for July 12<sup>th</sup>, as the City will be having a dinner in his honor.

- a. **Future agenda items:** Zoning Administrator Bruce Parker stated that there were no submittals at this time for the July meeting.
- b. The next regular Plan Commission meeting will be July 11, 2011.

Moved by Meyer and Coburn to adjourn at approximately 8:00 p.m. Motion was approved by unanimous voice vote.

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Chairperson Gregory Torres