

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
July 9, 2012

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

Call to order and roll call.

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

Present: Lynn Binnie, Rod Dalee, Bruce Parker, Daniel Comfort, Donna Henry.

Absent: Karen Coburn, Greg Meyer, Jacob Henley, Cort Hartmann.

Others: Wallace McDonell (City Attorney), Latisha Birkeland (Neighborhood Services Manager/City Planner).

Hearing of Citizen Comments. There were no citizen comments.

Approval of the Plan Commission Minutes of May 14, 2012. Moved by Parker and seconded by Comfort to approve the Plan Commission minutes of May 14, 2012. AYES: Binnie, Dalee, Parker, Comfort, Henry. NOES: None. ABSENT: Meyer, Henley, Coburn, Hartmann.

Review refrigerated warehouse addition to the existing building located at 729 E. Executive Drive for Golden State Foods. City Planner Birkeland explained that Golden State Foods is planning a 45,000 sq. ft. addition to the south of the current building. This will be refrigerated space. The existing building has warehouse and cold storage space. The cold storage will be moved into the new area which will allow for some reconfigured office space. There will be 88 new parking stalls, making a total of 113 stalls. There will be a curb cut for a new driveway from Newcomb Street to allow for access to the maintenance and engine rooms; and a new driveway on the northeast corner of the property is for truck egress. The trucks will enter through the existing driveway and exit through the northeast driveway. New gates will be provided for each driveway. Exit Only and Enter Only signs should be considered to formally direct traffic. Stop signs are to be installed at all exits, per the City Engineer. The large 4 foot berm on the west side of the property will be removed and rebuilt to allow for the west side parking area. The landscaping plan has met the requirements and has been reviewed and approved by the City Forester and the Urban Forestry Commission. The lighting for the truck wash and fueling station is higher than the rest of the lighting on the site. This area is located in the middle of the site and will not affect any spillage of light at the property lines. At the property lines, the lighting is well under requirements. City Staff is not requiring a change in this lighting. The applicant will be installing a new 10-inch water main proposed to be installed across N. Newcomb Street and into the site to service two new private fire hydrants. Fire Chief, Don Gregoire, has reviewed and approved this plan for hydrants and access to those hydrants. Golden State Foods will work with the Director of Public Works, Dean Fischer, to see if there is an opportunity to install this water main crossing while Newcomb Street is closed later this

summer. The developer will continue to work with Strand and Associates, the City Engineer, on the storm water management.

The Plan Commission voiced concerns of: vision triangles at both the Newcomb Street entrance and the exit onto E. Executive Drive; installing a new access onto a State highway; making sure the Fire Department has access to the fenced in area of the property; and the request of a fence to be installed around the pond on the west side of the property near N. Newcomb Street (for safety reasons).

City Planner Birkeland stated the vision triangles would be checked out to make sure they were in compliance. She also noted that the City does not need permission from the State to install a new access onto a State highway, they just need to notify the State that it is being done.

Brandon Lemmons, ARCO National, explained that the Fire Department will have access to the fenced in area of the property, gates will be installed. He also noted that the new water main will be coming in from Newcomb Street (the changes may not have been noted on all the plans). Lemmons also stated that they would be a good neighbor and put a fence around the pond on the Newcomb Street side of the property. The pond at the back of the property would be inside the fenced in area.

Moved by Parker and seconded by Henry to approve the refrigerated warehouse addition to the existing building located at 729 E. Executive Drive for Golden State Foods subject to the conditions of the City Planner and to add a fence around the detention pond near N. Newcomb Street. AYES: Binnie, Dalee, Parker, Comfort, Henry. NOES: None. ABSENT: Meyer, Henley, Coburn, Hartmann. (See Staff Report for conditions of approval.)

Public hearing for a Conditional Use Permit for a “Class B Beer and Liquor License” for LIPIS, INC. d/b/a Jessica’s Restaurant, Ilmi Shabani, Agent, to serve beer and liquor by the bottle or glass, and to expand the license to the sidewalk café area located south of the building at 140 W. Main Street. City Planner Birkeland gave a brief history of the business: September 2010 they expanded their business into the adjacent building with their banquet rooms; December 2010 they received their Class C Wine and Class B Beer license; and at this meeting they are requesting approval of their conditional use permit to allow them to have a “Class B Beer and Liquor” license in order to serve drinks in their banquet facilities. They plan to have a movable cart inside the banquet room for serving drinks there. Eventually they will install a service bar in the back of the restaurant area. There will be no stools at the service bar.

When asked about the limit of the number of City of Whitewater beer and liquor licenses, City Attorney McDonnell explained that at this time all the available licenses are taken. This license was available from the Sugar Bay Greenhouse Café. Owners of the licenses can receive compensation for their license from a business that wants to purchase their license, but the City Council controls who receives a license.

Vice-chairperson Binnie closed the public hearing.

Moved by Comfort and seconded by Parker to approve the conditional use permit for a “Class B Beer and Liquor License” for LIPIS, INC. d/b/a Jessica’s Restaurant, Ilmi Shabani, Agent, to serve beer and liquor by the bottle or glass, and to expand the license to the sidewalk cafe area located south of the building at 140 W. Main Street subject to the conditions of the City Planner. AYES: Binnie, Dalee, Parker, Comfort, Henry. NOES: None. ABSENT: Meyer, Henley, Coburn, Hartmann. (See attached Conditional Use approval for conditions or see Staff Report).

Informational Items:

Zoning Rewrite.

Latisha Birkeland explained that the last meeting of the Zoning Rewrite Committee was joint meeting with City Council and Plan Commission on June 11, 2012. They are now working on the wording and policies to be implemented based on the discussions. The next meeting of the Zoning Steering Rewrite Committee is planned for Wednesday, September 19, 2012. Latisha is waiting for confirmation from the consultants. They will have the packets out as required at least 3 business days prior to the meeting.

Future agenda items.

The August 13th meeting will have a review of Lavelle Industries 12,000 sq. ft. expansion. If there is a Plan Commission meeting on September 10, 2012, Latisha Birkeland will not be present and Vandewalle, City Planning Consultant, will do the staff reports for that meeting.

Next regular Plan Commission meeting - August 13, 2012.

Moved by Parker and seconded by Henry to adjourn the meeting. Motion was carried by unanimous voice vote. The meeting adjourned at approximately 6:31 p.m.

Vice-Chairperson Lynn Binnie



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

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CONDITIONAL USE PERMIT

Plan Commission Meeting Date: July 9, 2012
Property Owner: LIPIS, INC.
Applicant: Ilmi Shabani
Property ID Number: OT 00005
Property Address: 140 W. Main Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) for a “Class B” Beer and Liquor License for Jessica’s Restaurant owned by Ilmi Shabani, to serve beer and liquor by the bottle or glass at 140 W. Main Street, Whitewater, Wisconsin including the sidewalk café area located south of the building.

Approved subject to the following conditions:

1. The conditional use permit shall run with the applicant and not the land. Any change in ownership will require approval of a conditional use permit for the new owner/operator from the Plan Commission.
2. The applicant shall obtain any permits necessary and work with the Building Inspector.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager / City Planner