

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
June 10, 2013

**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, Bruce Parker, Jacob Henley, Dan Comfort, Donna Henry (Alternate).
Absent: Greg Meyer, Karen Coburn, 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. Moved by Parker and seconded by Comfort to approve the Plan Commission minutes of June 10, 2013. Motion was approved by unanimous voice vote.

Public hearing for a conditional use permit for a Class “B” Beer and Class “C” Wine License for Jesus Cortez, to serve beer and wine by the bottle or glass at “Taco Fresco” restaurant located at 175 W. Main Street. City Planner Latisha Birkeland explained that Jesus Cortez may expand the hours in the fall and on weekends. He plans to serve beer and wine only until midnight. If they wanted to expand further, they would need to change their conditional use permit. There are no parking requirements in the B-2 (Central Business) Zoning District.

Plan Commission members voiced concerns: how late they planned to stay open; security/checking ID’s; there are a lot of new residential units downtown; the owners not wanting to serve beer or wine after 12:00 a.m.

Andro Cortez, Executive Chef and General Manager (Parents are the owners), stated that the extended hours would start when the students come back for the fall semester. At that time they plan to close at 3:00 a.m. Thursday, Friday, and Saturday; 3:00 p.m. on Sundays and 9:00 p.m. on Tuesdays and Wednesdays. They are closed on Mondays. Andro Cortez stated that they always check ID’s. He stated that they do not want to serve beer or wine after midnight. They wanted to establish an ending time and did not want to have to deal with the problems that could result if they served later.

City Attorney McDonell stated that if the applicant wanted to make any further changes to the hours, it would be an amendment to the conditional use permit. The Plan Commission cannot state a time for serving the beer or wine as part of the alcohol license. Zoning cannot impose a condition of serving, but can impose a closing time. There is no problem if the applicant proposes a condition. Plan Commission can accept that condition. With the residential

apartments around the restaurant, the Plan Commission could set times of opening and closing, as long as the condition is reasonable.

Vice-Chairperson Binnie opened the public hearing. There was no public comment. Vice-Chairperson Binnie closed the public hearing.

Moved by Comfort and Henley to recommend to the City Council to approve the Class “B” Beer and Class “C” Wine license subject to the conditions of the City Planner and the applicant accepting a condition of not serving beer and wine after midnight; to allow the business to be open until 3:00 a.m. Thursday, Friday and Saturday. The business would close at 3:00 p.m. Sunday; and (:00 p.m. Tuesdays and Wednesdays. See attached conditional use permit. Ayes: Binnie, Parker, Henley, Comfort, Henry. Noes: None. Motion approved by unanimous roll call vote.

Review proposed exterior alterations to the building located at 177 W. Main Street for Antonio Aranda. City Planner Latisha Birkeland explained that Antonio Aranda plans to remove the awning; paint the white wood area black; and put up a painted sign. The proposed sign is 90 sq. ft., and must be reduced to no more than 10% of the façade of the 1st floor of the building and no greater than 50 sq. ft.

The Downtown Design Committee had no problem with the changes as long as the proposed painted sign is put on a board or something and attached to the building.

The Plan Commission Members voiced concerns of: Why remove the awning; the name to be used on the store front; lighting?

Mr. Aranda explained that the awning is in need of a lot of repair. It is more convenient to remove the awning and put up a sign. The sign will be similar to “Karina’s” sign. The name of the store is planned to be “Aranda Unique Appeal”. The area where the sign will be installed is wood and will be painted black. All the wood areas will be painted black. They plan to sell mostly female clothing (95%), dresses and blouses from youth to adult size. Aranda explained that there are two spotlight brackets which they would try to use. The entry way carpeting would remain the same for now. When asked about the black background for the sign, Aranda explained that black is a clean color. He got the idea from the building next door.

Plan Commission Member Henry stated that it is hard to tell what is in the store with the awning. The sign makes more sense than the awning.

Vice-Chairperson Binnie asked for any public comment.

Dave Saalsaa, Chair of the Downtown Design Committee, stated that he had asked for any concerns from the Committee. They decided the project was in keeping with the design standards. They want the sign to be a sign board attached to the sign area (not painted on the building). They are excited to have a new business downtown.

Plan Commission Member Henley suggested that with the residential units upstairs that any lighting should not shine into those windows.

Plan Commission Member Parker noted there were cracks in a 2nd floor window (top window pane – second to the right) that needed to be replaced.

Moved by Parker and seconded by Henley to approve the exterior alterations to 177 W> Main Street subject to City ordinances and the conditions of the City Planner. See attached Site Review Approval. Ayes: Binnie, Parker, Henley, Comfort, Henry. Noes: None. Motion approved by unanimous roll call vote.

Review proposed exterior alterations to the back of the building (for access for patrons of the restaurant with a separate entrance for the apartment) located at 146 W. Main Street for Mark Wokasch. City Planner Latisha Birkeland explained that the exterior alterations would include enclosing the back yard area with a 6 foot tall fence. The stairway to the second floor would be removed. A new second floor deck would be built with access to a jump-pad. A new first floor decking will be built. This deck is not to be used by patrons except in an emergency. There will be no changes to the hours of operation, menu, or anything else inside the building. Mr. Wokasch will be replacing the existing pavement at the rear of the property.

Mark Wokasch, owner of the building, stated that all the wood on his property would be replaced. (The dumpster is a shared dumpster and is not on his property. The doors have just been replaced on it.) The back yard area will be 60%/40% paved/green space. There will be two gates, one for “Fat Jack’s” and one for the apartment.

Plan Commission Member Parker voiced concerns of: drainage; the height of the upper deck – if it was more than 15 feet above grade; the steps from “Fat Jack’s” and where they are in reference to the electric panel (2’ x 2’ panel) and the exhaust from the heating system; the double doors on the gate for “Fat Jack’s”.

Mark Wokasch explained that the steps were 4’ plus short of the water pipes, exhaust and electrical panel. The double doors on the gate are for moving things in or out of the building. The double doors are toward the back of the property. When asked about the inside access to the apartment upstairs, Wokasch stated that the hallway is always locked. He also noted that they have a fire ladder to get down from the back deck. There is no Main Street door to the upstairs apartment.

Vice-Chairperson Binnie opened the floor for public comment.

Bob Freiermuth, local investor, sees this area from his office. He appreciates what the owner is doing and thinks it will help a lot.

Plan Commission Members voiced: that the downspout be repaired; the changes would clean up the back yard.

Moved by Comfort and Seconded by Henry to approve the exterior alterations to 146 W. Main Street subject to the conditions of the City Planner. See attached Site Review Approval. Ayes: Binnie, Parker, Henley, Comfort, Henry. Noes: None. Motion approved by unanimous roll call vote.

Informational Items:

Zoning Rewrite. City Planner Latisha Birkeland explained that she has requested a response from the Council and Plan Commission members as to what dates they would be available for a joint workshop. She would be sending out a reminder.

Future agenda items. City Planner Latisha Birkeland stated that there would be an application for a conditional use permit for a Class B Beer and Liquor License to serve beer and liquor at 108 W. Main Street on the July 8, 2013 agenda.

Next regular Plan Commission meeting – July 8, 2013.

Moved by Comfort and seconded by Parker to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:00 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: June 10, 2013
Property Owner: Margaret Basile
Applicant: Jesus Cortez
Property ID Number: /OT 00073
Property Address: 175 W. Main Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) for a Class “B” Beer and Class “C” Wine License for Jesus Cortez, to serve beer and wine by the bottle or glass at “Taco Fresco” restaurant located at 175 W. Main Street.

Approved subject to the following conditions:

1. The conditional use 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 comply with all required City and building codes.
3. The applicant accepting a condition of not serving beer or wine after midnight.
4. The hours of operation will allow the closing of business to be 3:00 a.m. Thursday, Friday, and Saturday. The business would close at 3:00 p.m. on Sunday; and 9:00 p.m. on Tuesday and Wednesday.

This permit was prepared by:


_____ 6-17-13 _____

Latisha Birkeland
Neighborhood Services Manager / City Planner



SITE REVIEW

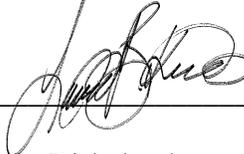
Plan Commission Meeting Date: June 10, 2013
Property Owner: Luis Islas
Applicant: Antonio Aranda
Property ID Number: /OT 00072
Property Address: 177 W. Main Street
Whitewater, WI 53190

REGARDING: An approval for a site review in a B-2 (Central Business) District to allow for exterior alterations to the building at 177 W. Main Street for Antonio Aranda.

The Plan and Architectural Review Commission approved the exterior alterations (removal of the awning and painting the wood portions of the façade) to 177 W. Main Street subject to the following conditions:

1. The project will meet the requirements of the City of Whitewater Municipal Code.
2. The size of the sign will be reduced to meet the B-2 Central Business District requirements.

This permit was prepared by:


_____ 6-17-13 _____

Latisha Birkeland
Neighborhood Services Manager / City Planner



SITE REVIEW

Plan Commission Meeting Date: June 10, 2013
Property Owner: Mark Wokasch
Applicant: Wokes LLC.
Property ID Number: /OT 00007
Property Address: 146 W. Main Street
Whitewater, WI 53190

REGARDING: An approval for a site review in a B-2 (Central Business) District to allow for exterior alterations to the back of the building at 146 W. Main Street for Mark Wokasch.

The Plan and Architectural Review Commission approved the exterior alterations to the back of the building (removal of the stairway to the second floor, creating separate entrances to the restaurant and to the upstairs apartment, with a six foot privacy fence) at 146 W. Main Street subject to the following conditions:

1. The applicant shall comply with all required City and building codes, including applicable permit requirements.
2. There shall be no outside service or patron use of the deck space unless the conditional use permit is amended at a later date. The rear entrance/exit to the business shall not be for patron use, except in cases of emergency.

This permit was prepared by:


_____ 6-17-13 _____

Latisha Birkeland
Neighborhood Services Manager / City Planner