

AGENDA
MEETING OF THE PLAN COMMISSION
of the City of Platteville
Monday, June 7, 2021 at 7:00 p.m.

This meeting will be held virtually through ZOOM.
Use the virtual meeting link found at the bottom of this agenda or on the City's website at
<https://www.platteville.org/bc-pc/page/plan-commission-33>.

1. ROLL CALL
2. APPROVE MINUTES – May 3, 2021
3. CONDITIONAL USE PERMIT – 280 W. Main Street (PC21-CUP03-08)
Consider a request to approve an outdoor drinking area/beer garden for the property at 280 W. Main Street.
4. CODE AMENDMENT – Sections 22.061 and 22.062 Zoning Ordinance (PC21-CA02-06)
Consider proposed amendments to the zoning ordinance to implement sidewalk policy recommendations for commercial and multi-family projects.
5. SCHEDULE JULY MEETING
6. ADJOURN

Join Zoom Meeting

<https://us02web.zoom.us/j/87037798498?pwd=V1RidndIT3VNZ1JOYIFXMG12cnoxUT09>

Meeting ID: 870 3779 8498

Passcode: 328469

888 475 4499 US Toll-free

877 853 5257 US Toll-free

If you have concerns or comments related to an item on this agenda, but are unable to attend the meeting, please send the comments to carrollj@platteville.org or call 608-348-9741 x 2235.

PLAN COMMISSION
Monday, May 3, 2021

The regular meeting of the Plan Commission of the City of Platteville was called to order by Council President Barbara Daus at 7:00 PM. Due to COVID-19 Pandemic, this meeting was conducted by digital means via Zoom.

ROLL CALL:

Present: Barbara Daus, Amy Seeboth-Wilson, Mark Meyers, Isaac Shanley, Larry Ward, Evan Larson, and Ellen Stelpflug.

Excused: None.

APPROVAL MINUTES – April 5, 2021

Motion by Ward, second by Meyers to approve the April 5, 2021 minutes as presented. Motion carried 6-0 on a roll call vote.

CONDITIONAL USE PERMIT – 130 Market Street (PC21-CUP02-07) – Consider a request to approve a Conditional Use Permit that would allow an outdoor drinking area/beer garden for the property at 130 Market Street. It is proposed to be located on the north side of the building, along the Furnace Street building frontage. Most of this area is currently paved and includes the location of the Fifty/50 entrance and a parking area. The 13' x 37' area will be enclosed with a fence and will contain tables, chairs, and trash receptacles. The proposed hours of operation would be 3:00 pm to midnight Wednesday – Friday and 10:00 am to 3:00 pm on Saturday. Staff recommends approval, subject to the conditions of Section 22.06(j) as presented in the packet. Motion by Shanley, second by Larson to recommend approval to the Council as the Conditional Use Permit – 130 Market Street was proposed. Motion carried 5-1 with Stelpflug voting against.

FINAL PLAT -Walnut Dell Subdivision (PC21-PP01-05) – Consider a request to approve a final plat for a 6-lot subdivision located adjacent to Walnut Dell road in the extraterritorial platting area. The property is located within the ET plat review area of the City of Platteville but is zoned under the jurisdiction of Grant County/Platteville Township. The applicant would like to divide the property to create six lots. The preliminary plat was approved contingent upon a temporary turnaround or cul-du-sac that provides adequate fire department access being provided at the end of the road. The proposed final plat is substantially in conformance with the approved preliminary plat and includes the modification to the road as required by the preliminary plat approval, so Staff recommends approval. Motion by Ward, second by Meyers to recommend approval to the Council for the Walnut Dell Subdivision. Motion carried 6-0 on a roll call vote.

CODE AMENDMENT – Sections 22.061 and 22.062 Zoning Ordinance (PC21-CA02-06) – Consider proposed amendments to the zoning ordinance to implement sidewalk policy recommendations for commercial and multi-family projects. The Plan Commission asked that this item return to the agenda for review at the June 7, 2021 meeting.

ADJOURN:

Motion by Meyers, second by Seeboth-Wilson to adjourn. Motion carried 6-0 on a roll call vote. The meeting was adjourned at 8:13 PM.

Respectfully submitted,

Candace Klaas, City Clerk

STAFF REPORT

CITY OF PLATTEVILLE

Community Planning & Development Department



Meeting Dates: Plan Commission – June 7, 2021
Common Council – June 8, 2021 (Information)
June 22, 2021 (Action)

Re: Conditional Use Permit

Case #: PC21-CUP03-08

Applicant: Becker & Zmina Holdings LLC

Location: 280 W. Main Street

Surrounding Uses and Zoning:

Direction	Land Use	Zoning	Comprehensive Plan
Property in Question	Commercial	B-2	Mixed Use
North	Commercial/ Residential	CBT	Mixed Use
South	Library/ Hotel	CBT	Mixed Use
East	Commercial	B-2	Mixed Use
West	Residential	R-3	High Density Residential

I. BACKGROUND

1. The property in question is the former location of “The Local” liquor store, and before that it was “Spirits” liquor store. The applicant would like to re-open a liquor store in the building and would also allow like to allow the consumption of alcohol on site in addition to the carry-out sales of alcohol. As part of that service, they would like to provide an outdoor beer garden/drinking area. This outdoor use requires a conditional use permit.

II. PROJECT DESCRIPTION

2. The outdoor beer garden/drinking area is proposed to be located on the south side of the building, along the Main Street building frontage. This area is currently paved and functions as a parking area. The outdoor drinking area will be enclosed with a black metal fence similar to the fencing around many of the downtown parking lots. The area will contain tables, chairs, a fire pit, and trash receptacles. Initially, the use will be limited to the evenings during the later part of the week and weekends. This may be expanded in the future depending on demand.

III. STAFF ANALYSIS

3. When considering a Conditional Use permit, consideration must be given to the standards listed in Section 22.13. Specifically, this section allows for the issuance of a Conditional Use Permit when it is shown that the “uses and structures are in accordance with the purpose and intent of (the Zoning) Ordinance and are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.” There is adequate space on the property to accommodate the outdoor area, and the proposed use is compatible with the surrounding businesses. Overall, the proposed use appears to be in compliance with these requirements.
4. The zoning ordinance includes standards regarding outdoor eating and drinking areas, as shown below.

22.06 SPECIFIC STANDARDS

(J) OUTDOOR EATING OR DRINKING AREAS OR BEER GARDENS. Outdoor eating or drinking areas or beer gardens must be located on the same property as an approved indoor establishment and shall be subject to the following requirements.

- (1) The outdoor eating and drinking facility shall be operated and maintained by the same person or entity that operates and maintains the related indoor establishment.
- (2) All outdoor loudspeakers shall be oriented away from any abutting residential uses. All outdoor music or entertainment shall cease by 10:30 p.m. on Sunday through Thursday, and by 11:30 p.m. on Friday and Saturday, or earlier as specified in the Conditional Use Permit approval.
- (3) All necessary amendments to the liquor license regarding the description of the area of the licensed premises shall be approved prior to the service of alcohol in the outdoor area.
- (4) Adequate trash receptacles shall be provided and the outdoor dining area shall be kept clean and free of debris.
- (5) The outdoor seating area shall not obstruct any fire exit, fire escape, or other required means of ingress or egress.
- (6) The outdoor dining area, and all related activities, shall remain within the property boundaries. Requirements for fencing or providing another type of enclosure may be included as part of a Conditional Use Permit.
- (7) The business owner shall be responsible for enforcing the provisions of this ordinance.

IV. RECOMMENDATION

5. Staff recommends approval of the Conditional Use Permit to allow outdoor beer garden/drinking area at 280 W. Main Street as proposed, subject to the conditions of Section 22.06(J).

ATTACHMENTS: Application, Location Map, Site photo.



General Reference Map
Grant County, WI



1: 2,257



Tax Parcel Boundaries

The data provided in this document is for informational purposes only and Grant County assumes no legal responsibility for the information contained in this data. The burden for determining fitness for use rests entirely upon the user. Grant County assumes no liability for the accuracy of the data or responsibility for direct, indirect, special, consequential, exemplary or other damages. This document is not a legal survey nor is it intended to be used as such.



General Reference Map Grant County, WI



 Tax Parcel Boundaries

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Image capture: Jul 2018 © 2021 Google

Platteville, Wisconsin



Street View

APPLICATION FOR
CONDITIONAL USE PERMIT
 CITY OF PLATTEVILLE, WISCONSIN



General Information (please type or print clearly)

	Applicant/Agent	Owner
Name	Becker and Emina Holdings LLC	Michael Osterholz
Address	295 Bayly Avenue, Platteville, WI	295 Bayly Ave. Platteville WI
Phone	208-310-0213	208-310-0213
Fax	—	—

Property Information (Attach additional sheets if necessary)

Address of Proposed Use: 280 W Main Platteville, WI

Legal Description: Original Plat S 1/2 of W 1/2 Lot 7, S 1/2 Lot 8 Block 17

Zoning of Property: B2

Comprehensive Plan Designation: outdoor seating / beer garden

Current Use of Property: Liquor / Beer Store

Proposed Use of Property: Liquor / Beer Store with consuming on site allowed

Signatures The undersigned person(s) hereby petition the Common Council of the City of Platteville, Wisconsin, to issue a Conditional Use Permit as described above.

APPLICANT: 

APPLICANT: _____

DATE: 05/07/21

DATE: _____

OFFICE USE ONLY

Date Application Filed: 5/7/21 File Number: PC21-CUP03-08

Plan Commission Action & Date: _____ Fee Paid/Receipt #: _____

Conditions: _____

Council Action & Date: _____

Conditions: _____

Permit Issued On (date/by whom): _____

Permit Expires On: _____

280 W Main

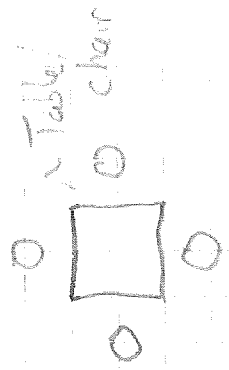
Existing liquor store

66'

ELM

ST. 60'

50' Garage | Garage



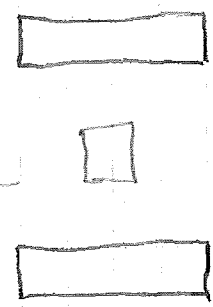
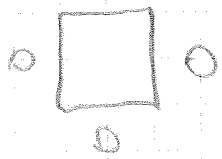
Table/Chair

Potential Food Truck Space

Outdoor Seating

Five pit + seats

Table/Chair



66'

MAIN STREET

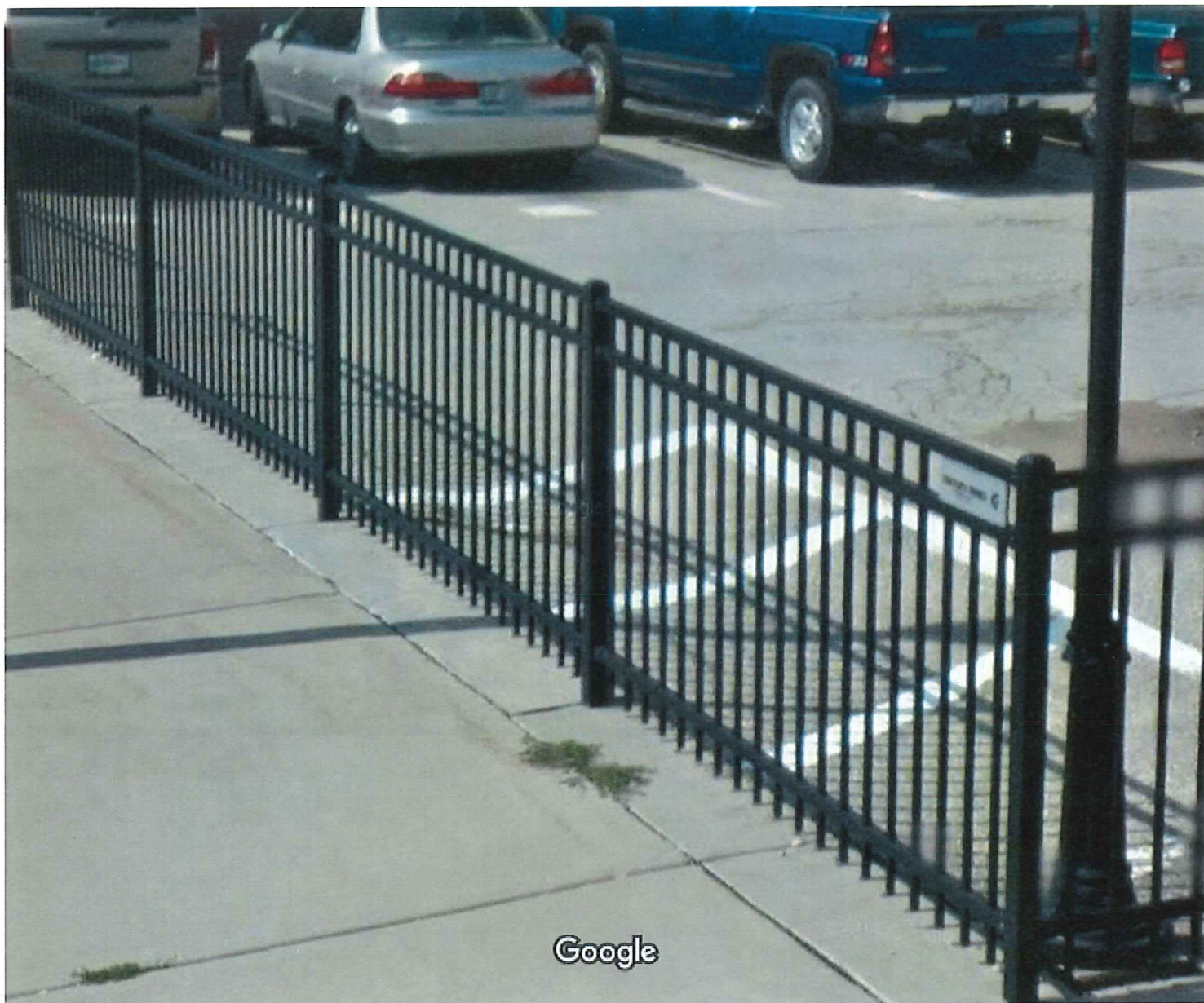
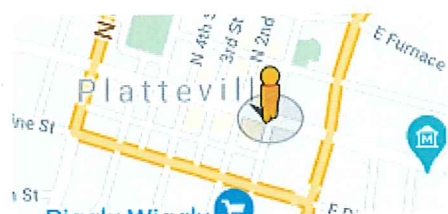


Image capture: Sep 2013 © 2021 Google

Platteville, Wisconsin



Street View



22.061 DESIGN REVIEW

(A) PURPOSE AND INTENT. Pursuant to the authority of Section 62.23(3), Wisconsin Statutes, the purpose of this chapter is to establish requirements to guide and coordinate commercial development within the community. Specifically, the standards established by this Chapter are to insure that commercial development is compatible with surrounding land uses, contributes to the unique character and aesthetics of the City of Platteville, does not have an adverse fiscal impact on City infrastructure or services, and promotes the general health, safety and welfare of the community.

(B) APPLICABILITY.

- (1) New Construction. The following design standards and conditional use permit requirement for large developments shall apply to new buildings and uses in the City that are located within the B-2 and B-3 districts, and to non-residential buildings in the B-1 and CBT zoning district. The standards are required in addition to the general standards and requirements of the Zoning Ordinance and to all other applicable ordinances, rules, regulations, and laws. In the event of conflicting provisions, the more restrictive shall control.
- (2) Existing Buildings. Where changes or additions are proposed for buildings constructed prior to the effective date of this Ordinance and such buildings do not comply with the standards in this section, such changes and additions must comply with the standards in this section as follows:
 - (a) All building additions located between the existing building and the street must comply with the architectural standards of this section.
 - (b) Building additions in excess of fifty percent (50%) of the existing floor area shall comply with the architectural standards, landscaping, sidewalk, and site design standards in this section.

(I) SIDEWALKS AND BIKE PATHS.

- (1) Each project involving new and expanded buildings shall include the installation of sidewalks within the public right-of-way along the frontage of the property, which shall be installed by and at the expense of the developer/property owner. The Council may provide exceptions to this requirement as further provided below ~~waive this requirement if it is determined the sidewalks are not necessary to serve pedestrian traffic, or connecting sidewalks are not present or planned for on the adjacent properties~~. If sidewalks are not required to be installed as part of the project, the City maintains the right to construct sidewalks at a future date and assess the owner(s) of the adjacent land for the costs thereof.

(a) Sidewalk Installation Exceptions. In situations where the installation of sidewalks would be significantly more difficult due to a physical characteristic of the proposed sidewalk location, an appeal may be made for an exception to the sidewalk installation requirements. Application for an exception shall be made on a form provided by the City and shall be accompanied by the applicable fee. The request shall be submitted to the Director of Public Works and shall be accompanied by an explanation of the characteristics present that impact the ability to install the sidewalk, and a cost estimate of the proposed installation. The Director of Public Works shall

May 5, 2021

present the request to the Community Safe Routes Committee and Plan Commission for input, and then make a recommendation to the Common Council. The Council shall determine if the sidewalk shall be installed. The following criteria shall be used to guide decisions regarding exceptions to the sidewalk installation requirements.

1. Lack of available space in the public right-of-way, or other physical constriction does not allow for the construction of sidewalks to the current accessibility requirements or guidelines.
2. High construction costs due to technical challenges associated with topography, water drainage patterns, or obstructions.
3. The area is a low-priority sidewalk area as identified by the Sidewalk Plan and Map.

(b) The Common Council, after receiving input from the Director of Public Works, the Community Safe Routes Committee, and the Plan Commission, may take the following action:

1. Deny the exception and require sidewalks to be installed.
2. Allow the sidewalks to be installed on one side of the street only.
3. Approve the exception.
4. Allow for a delayed sidewalk installation as part of a development agreement.
5. Allow for the payment of a fee-in-lieu-of sidewalk installation as part of a development agreement. The fee will be used for the future installation of sidewalks in the vicinity of the project.

(c) If an exception is approved, the developer/property owner shall still maintain the terrace area free of landscaping or other improvements that would inhibit the future installation of sidewalks.

- (2) Bike paths may be required to be installed on the property as part of a Conditional Use Permit approval. If installation of bike paths is required, the developer shall grant to the City such easements as would be reasonably necessary to allow construction and use of the bike path, and pay for the costs of installation according to specifications required by the City.

22.062 MULTI-FAMILY DESIGN REVIEW.

(A) PURPOSE AND INTENT. Pursuant to the authority of Section 62.23(3), Wisconsin Statutes, the purpose of this Chapter is to establish requirements to guide and coordinate multi-family development within the community. Specifically, the standards established by this Chapter are to insure that multi-family development is compatible with surrounding land uses, contributes to the unique character and aesthetics of the City of Platteville, does not have an adverse fiscal impact on City infrastructure or services, and promotes the general health, safety and welfare of the community.

(B) APPLICABILITY.

- (1) New Construction. The following design standards shall apply to new residential buildings in the City that contain three (3) or more housing units, or existing buildings in which the exterior volume of the building is enlarged to provide additional housing unit(s), and the resulting building contains three (3) or more housing units. The standards are required in addition to the general standards and requirements of the Zoning Ordinance and to all other applicable ordinances, rules, regulations, and laws. In the event of conflicting provisions, the more restrictive shall control.
- (2) Existing Buildings. Where changes or additions are proposed for buildings constructed prior to the effective date of this Ordinance and such buildings do not comply with the standards in this section, such changes and additions must comply with the standards in this section as follows:
 - (a) All building additions located between the existing building and the street must comply with the architectural standards of this section.
 - (b) Building additions in excess of fifty percent (50%) of the existing floor area shall comply with the architectural standards, landscaping, sidewalk, and site design standards in this section.

(D) SITE DESIGN STANDARDS.

(3) Pedestrian Circulation and Access.

(a) Internal Sidewalks. Multi-family developments ~~with more than eight (8) units~~ shall provide pedestrian circulation in accordance with the following standards:

1. Internal sidewalks shall be provided to connect all abutting streets to primary building entrances, and shall connect the dwelling units to parking areas and abutting public sidewalks and pedestrian trails (if available).
2. Internal sidewalks shall be separated a minimum of five (5) feet from dwellings, measured from the sidewalk edge closest to any dwelling unit.
3. Internal sidewalks shall be at least four (4) feet wide and shall have a surface of concrete, asphalt or masonry pavers.

(b) Public Sidewalk. Each project involving new and expanded buildings shall include the installation of sidewalks within the public right-of-way along the frontage of the property, which shall be installed by and at the expense of the developer/property owner. The Council may provide exceptions to this requirement as further provided below. If sidewalks are not required to be installed as part of the project, the City maintains the right to construct sidewalks at a future date and assess the owner(s) of the adjacent land for the costs thereof.

1. Sidewalk Installation Exceptions. In situations where the installation of sidewalks would be significantly more difficult due to a physical characteristic of the proposed sidewalk location, an appeal may be made for an exception to the sidewalk installation requirements. Application for an exception shall be made on a form provided by the City and shall be accompanied by the applicable fee. The request shall be submitted to the Director of Public Works and shall be accompanied by an explanation of the characteristics present that impact the ability to install the sidewalk, and a cost estimate of the proposed installation. The Director of Public Works shall present the request to the Community Safe Routes Committee and Plan Commission for input, and then make a recommendation to the Common Council. The Council shall determine if the sidewalk shall be installed. The following criteria shall be used to guide decisions regarding exceptions to the sidewalk installation requirements.

- i. Lack of available space in the public right-of-way, or other physical constriction does not allow for the construction of sidewalks to the current accessibility requirements or guidelines.
- ii. High construction costs due to technical challenges associated with topography, water drainage patterns, or obstructions.
- iii. The area is a low-priority sidewalk area as identified by the Sidewalk Plan and Map.

2. The Common Council, after receiving input from the Director of Public Works, the Community Safe Routes Committee, and the Plan Commission, may take the following action:

- i. Deny the exception and require sidewalks to be installed.
- ii. Allow the sidewalks to be installed on one side of the street only.
- iii. Approve the exception.
- iv. Allow for a delayed sidewalk installation as part of a development agreement.
- v. Allow for the payment of a fee-in-lieu-of sidewalk installation as part of a development agreement. The fee will be used for the future installation of sidewalks in the vicinity of the project.

3. If an exception is approved, the developer/property owner shall still maintain the terrace area free of landscaping or other improvements that would inhibit the future installation of sidewalks.