

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
VIRTUAL MEETING

April 12, 2021

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

6 PM

1. Call to Order and Roll Call

The meeting was called to order by Binnie at 6:06 p.m. in the absence of Meyer.

PRESENT: Binnie, Parker, Crone, Miller, Stone

ABSENT: Stanek, Meyer arrived about 6:10 p.m.

OTHERS: Marquardt, Mich, Vandewalle & Associates

2. Review and Approval of Minutes from March 15, 2021

Miller made a motion to approve the minutes from March 15, 2021 and seconded by Stone.

AYES: Parker, Crone, Miller, Stone, Binnie. NOES: None. ABSENT: Stanek, Meyer

3. Hearing of Citizens Comments

There were no citizens comments at that time.

4. Public Hearing

a. Consider Approval of a Conditional Use Permit for More than One Wall Sign at Walmart, 1362 W. Main St., Tax Parcel #A17090001

At this time, Meyer took over the meeting from Binnie. Mich stated under the new sign ordinance that any business wanting more than one wall sign now needs to come in for a CUP. The applicant is proposing three wall signs and these will replace existing wall signs on the building. These include (going left to right on the front of the building) signs saying Outdoor, with individual letters affixed to the building, and that sign would be lit. In the center of the building would be a cabinet sign that says Walmart with their logo. That sign would be a traditional box, internally lit sign and it does meet the ordinance requirements of having an opaque background with clear letters. When the sign is lit at night you will only see the letters and the logo and not the whole illuminated box. That sign meets the requirements as well. Finally, on the far right of the store will be a sign that says Pick Up, and it will have individual letters affixed to the building. That sign is proposed to be lit. Per the new sign ordinance, each building is allowed one square foot of signage for every linear feet of building facade length. The length of the Walmart building is 416 linear feet of building facade length. That would enable up to 416 square feet of wall signage. The three proposed signs all together are only 291 square feet and therefore within the total maximum for signage.

One final note, Mich wanted to address another item in her recommended conditions of approval. Walmart did include information in the application about maintenance on their existing pylon sign next to Main St. It is getting old and they are hoping to reface it and do some maintenance on that sign. Mich stated that is something they can simply review administratively. They do not need to consider that as part of the CUP approval and any approval of the three wall signs tonight does not grant approval to the pylon sign. She asked the members to disregard anything related to the pylon sign as it is separate from the application.

With that, her recommendation is approval of the signs as they meet code requirements. As she stated before her one condition was to clarify that the pylon sign is separate process entirely and a separate sign permit.

Her second condition is that she asked the applicant to clarify the square footage of the Walmart sign. In their original application they measured a little bit differently than the City of Whitewater sign ordinance requires. So, they have gone back and determined that the sign would be 193.75 square feet. Therefore, they will update their materials to confirm that measurement using the Whitewater measurement definition.

Meyer then asked the Walmart Representative if she had any questions. There were no questions from Walmart at that time.

Meyer opened the session to the public for any questions or comments. There were not public questions or comments at that time. Meyer then closed the session to the public.

Meyer then proceeded to open the session to the board members.

Binnie had a question for the Walmart representative (Amy) regarding pick up. He wanted to know if that was still going to be occurring at the main entrance, essentially at the customer service desk. The Walmart representative stated the remodel will incorporate what they call their online grocery pick up modifications. They will be dedicating a certain portion of their store to online grocery pick up where they will install refrigerated cases and shelving to hold orders that are pulled by associates. Customers will come to a designated portion of the parking lot where parking stalls will be marked for online grocery pick up orders. Customers will call in with their phones or check in with the Walmart app. Associates will then bring the groceries out to their cars. Binnie asked if those parking spaces would be toward the eastern end of the building. He asked this because this store, for many years, has had a pick-up sign on the eastern end of the building. However, this store has never offered the type of pick up that the Walmart representative was speaking about. The only pick up that has been offered is pick up of online orders that are not in stock in the store. These items are being shipped in from elsewhere. The customers had to go to the customer service desk to pick up those items. In his mind, that pick-up sign on the far eastern end of the building has been nothing but confusion. It would seem to indicate that if you had a pick up then you should go down to that end of the building. That has never been the case. It would be his view that it would only make sense to have that pick-up sign at the eastern end, if in fact the employees are going to be delivering the goods to vehicles that are going to be parked toward that end of the building. At that time, the Walmart representative stated she would look at the drawing. She stated the designated

parking spots, for the pick-up, are at the front entrance. They will not create a door by the pick-up sign. The associates will still be using the front main entrance to deliver the groceries. However, there are directional signs planned to be placed throughout the parking lot that will direct customers to where they need to go in order to park their cars for the grocery pick-up. The reason for the directional signs is two-fold. The first being to address Binnie's concern where customers automatically drive to the side of the store where the pick-up sign is located. The second reason is to direct customers who are coming in off of the main entrance to the path with the least pedestrian access. So, the directional signs that are proposed will steer traffic away from the main driveway, in front of the store, and try and direct traffic with the least amount of interaction, as possible, with pedestrians. The Walmart representative (Amy) did share the screen of the proposed parking situation with the members. Amy stated the reason for the location of the pick-up sign is purely aesthetic in Walmart's eyes. They like that sign to be on the corner of the building. Typically, it is the corner where the pick-up services are offered. However, in this case, there is no grid access for parking on that side of the building. Therefore, they have opted to keep the parking in the front of the building.

Binnie stated he believes the existing sign, as discussed with the previous City Planner, was put up against code because the application was filled out giving the Planner the impression, that in fact, it was designating an entrance to the building. Under the new sign ordinance, as far as he knows there is not something that prevents this from occurring. He still thinks it is an odd arrangement. He thinks it can be allowed unless the Commission decides that they do not wish for it to be there. He still thinks what remains to be a potential confusion, is that not everyone will be having groceries delivered to their car. He was told, second hand, that there was going to be an automated system installed within the building such that a person who placed such an order can actually go into the building and enter some code and have it delivered to that machine. Amy actually checked the drawings to see if that was the case. She did not see it anywhere on the drawings. Typically, that would be right in the front entrance. She stated there may be something in the customer service area that is maybe not called out the plans, but that would be unusual unless that equipment was already there and will continue to be used. Binnie stated it was not there.

Binnie moved to approve the CUP for the Walmart signage, along with the Planner's recommendations and seconded by Parker.

AYES: Crone, Meyer, Miller, Stone, Binnie, Parker. NOES: None. ABSENT: None.

5. Considerations

a. Request for Approval of Extraterritorial Application for Land Division at N1138 Fremont Road, Tax Parcel #004-0515-2123-001

Mich states this was a proposed Certified Survey Map (CSM). They are proposing to create two lots out of one larger lot. It appears as if they are carving off the residence and the out building associated with it from the larger agricultural parcel. This lot is in the City's one and one-half mile extraterritorial jurisdiction. So, it's not within the City, but it is within the one and one-half mile area in which the City is allowed, by State Statute, to do certain activities. Within that area the City can plan, do official mapping, and have powers of land division review. The proposed CSM will result in a new creation of a 1.8-acre lot fronting Fremont Rd. The full parcel, prior to the CSM, was 30 acres. This is basically carving off just under 2

acres from that portion. This proposed lot does meet the requirements of the land division and subdivision ordinance. As she mentioned in her report, the proposed CSM is well north of the City's future growth area. That is not to say that the City won't eventually grow out there but it is well beyond the City limits right now. It is almost at the edge of the City's extraterritorial jurisdiction as it stands right now. Based on the fact that it meets the code requirements, Mich is recommending the approval of the CSM.

Meyer stated the applicant was online and asked if there was anything to be added from the applicant. The applicant stated Mich covered everything perfectly.

At this time, Meyer opened for public comments. Marquardt stated there were no public comments, and Meyer closed the public comment portion of the meeting.

Meyer then opened it for board discussion. Miller was trying to comment and was apparently having technical difficulties. There were no other members of the board that commented.

Parker moved to approve the CSM at N1138 Fremont Rd. and seconded by Binnie.

AYES: Meyer, Miller, Stone, Binnie, Parker, Crone. NOES: None. ABSENT: Stanek.

b. Recommendation to the City Council Concerning the Discontinuance of that Portion of Moraine View Parkway Between Bluff Road and the WSOR Railroad in the City of Whitewater

City Attorney, McDonell stated this was a request to discontinue, or sometimes referred to as vacating, the northern 300 ft. of Moraine View Parkway. It is located just north of Bluff Rd. The vacating part of it would stop at the railroad. The reason is that the City has no plans to extend the road across the railroad and therefore, there is no need to have that stub of a road that goes nowhere. If it is vacated it becomes owned by the City because the City owns the lots on both sides of the roadway. There is really no point to have a road there. The lots will be reconfigured after the road is vacated. It's staffs' opinion that the new lots will be better for development purposes than the prior lots, which were split for no reason. This is a recommendation to the City Council. They will be taking it up for decision next Tuesday, April 20, 2021. McDonell asked if there were any questions.

Stone commented that he was happy to see this on the agenda. He stated any time the City discontinues anything to do with any alley, you always want to make sure that everyone has a chance to weigh in on it. He is glad to see that they may be able to market this lot.

Stone made a motion to recommend to City Council to discontinue the portion of Moraine View Parkway between Bluff Rd. and the WSOR Railroad in the City of Whitewater for the reasons listed in the City Attorney's letter to the Plan Commission and seconded by Binnie.

Meyer did open it to the public and there were no questions or comments. Meyer then closed the public session.

Meyer asked for roll call.

AYES: Miller, Stone, Binnie, Parker, Crone, Meyer. NOES: None. ABSENT: Stanek.

6. Update on Tax Increment District (TID) Closures, Extensions, and Timeline for TID Creation

Anderson stated there is a new timeline and it will be distributed by email. She stated that a couple of meetings ago the City Council voted to expire TID #6, 7, 8, and 9. They also granted an extension for # 4. At the meeting on April 20, the Council will be asked to close District #4 and staff is meeting twice a week with Greg at Ehlers to put together all of the total values of each new proposed District. The first joint review meeting is scheduled for April 27, 2021. The second joint review meeting is scheduled for May 7, 2021. Ehlers thought the information presented would be too overwhelming to do in one meeting. Therefore, it will be broken into two meetings. Marquardt stated for clarification, the second meeting is scheduled for May 11, 2021.

7. Information Items:

Meyer stated the committee members should have received documents pertaining to violations and a Planner report document.

8. Discussion on How Long to Continue Meetings Virtually

Meyer stated he asked for this to be put on from last month's meeting. He wanted to touch base to see where everyone was regarding meeting virtually. He then asked for comments from the members.

Crone stated it was very interesting how this meeting started out. It shows the challenges of carrying on meetings virtually. He commented that not having a common voice is important. He thinks his concern is really how they ensure that all the public, that might want to, can participate. He feels if they start going back to in person meetings right now, they might be excluding a certain member of the public, unless they have a way for them to be able to still participate with a Zoom call. He thinks they are only a couple of months away from anyone wanting to get vaccinated being able to get vaccinated. He is leaning toward waiting until those who want the vaccine get their second dose before they go back in person, unless they have a way to do it electronically.

Binnie wanted to clarify that the City Council made a decision for all of the bodies of the City to be virtual at this time. He thinks the meetings have been going fairly smoothly so far, except this specific meeting that was problematic.

Meyer asked Binnie if he could comment at the next couple of meetings and keep them informed of any new information. Binnie agreed with Meyer.

9. Possible Future Agenda Items

Mich stated she did not have any items for the next meeting. However, she did comment that she did expect the new Planner to be on board in time for the May meeting. She will do her best to work with him on this transition.

Binnie asked Meyer is it was correct that he would be leaving this board. Meyer said, yes. Binnie expressed his appreciation to Meyer for his many, many years of service. Binnie said that

Meyer has done a great job with leading the meetings as the chairperson for many years. McDonell thanked Meyer for his years of service as well.

10. Next Regular Plan Commission Meeting is scheduled for May 10, 2021

11. Adjournment

Binnie made a motion to adjourn the meeting at 6:54 p.m. and seconded by Parker.

AYES: All via Voice Cote (6)

NOES: None

Respectfully submitted,

Alison Stoll, Administrative Assistant
Department of Public Works