

July 7, 2010

TO MEMBERS OF THE PLAN COMMISSION:

There will be a Regular Plan Commission Meeting on **Monday, July 12, 2010 at 6:00 p.m.** held in the Council Chambers at Altoona City Hall.

Agenda:

1. Call Meeting to Order.
2. Roll Call.
3. Citizen Participation Period.
4. Discuss/consider approval of June 14, 2010 Regular Plan Commission Meeting minutes.
5. Public Hearing at 6:00 p.m. or as soon thereafter as is practical on the request of Bergh Construction for a conditional use to allow an existing duplex (parcel #201-2037-04) to be divided as twin home dwelling units (as regulated by Altoona Municipal Code Section 19.32.020 I.) The proposed location is 520 & 528 Fourth Street East.
6. Discuss/consider approval of Conditional Use submitted by Bergh Construction as described in Item 5.
7. Discuss/consider recommendation to Council to approve a certified survey map to divide parcel #201-2037-04 into two lots located at 520 & 528 Fourth Street East as proposed by Bergh Construction. (Public hearing at the July 22, 2010 Regular Council Meeting).
8. Public Hearing at 6:05 p.m. or as soon thereafter as is practical on the request of Mark Anderson, Golden Spike Bar & Grill, to amend his Conditional Use Permit to allow an addition and outdoor fenced assembly area at Golden Spike Bar & Grill Tavern per Section 19.40.020 A of the Altoona Municipal Code Book located at 228 Division Street (Parcel #201-2004-04).
9. Discuss/consider approval of Conditional Use Permit as submitted by Mark Anderson.
10. Discuss concept for a certified survey map to divide a portion of parcel #201-1001-02 into 2 lots located at 1107 N. Moonlight Drive as submitted by Kramer Land Design Studio for Craig Moe.
11. Miscellaneous Business and Communications.

12. Adjournment.

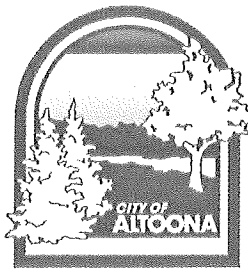
A handwritten signature in black ink that reads "Cindy Bauer". The signature is written in a cursive, flowing style.

Cindy Bauer
City Clerk

Note: If you are unable to attend, please contact 839-6092.

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the City Clerk's Office at 839-6092 with as much advance notice as possible.

NOTE: It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.



MEMORANDUM

TO: Plan Commission Members

FROM: Mike Golat, City Administrator

DATE: July 7, 2010

SUBJECT: Summary of July 12, 2010 Plan Commission Meeting Items

Provided below for your consideration is a summary of the July 12, 2010 Plan Commission Meeting agenda items.

ITEM 5 - Public Hearing at 6:00 p.m. or as soon thereafter as is practical on the request of Bergh Construction for a conditional use to allow an existing duplex (parcel #201-2037-04) to be divided as twin home dwelling units (as regulated by Altoona Municipal Code Section 19.32.020 I.) The proposed location is 520 & 528 Fourth Street East.

In January of this year the City of Altoona adopted an ordinance (Chapter 19.37) creating a Twin Homes District. This allows and regulates the construction of two attached dwelling units (essentially a duplex) divided by a property line that permits separate ownership. Construction details at the shared property line are regulated by the State of Wisconsin Uniform Dwelling Code (UDC). In addition, Chapter 19.37.100 sub-paragraphs A, E and H of the Altoona Municipal Code require that a maintenance agreement and private covenants be created and recorded with the land to effectively address the sharing of construction elements as well as other issues of mutual concern such as driveways, drainage, and utilities.

Also in January of this year, the provision for such Twin Home occupancy was made available within Altoona's R-2 district as a Conditional Use by the adoption of Section 19.32.020 I. In November of 2009 a permit was issued to Jim Bergh (dba Bergh Contractors) to construct a duplex at 520 & 528 Fourth Street East. The building has been completed and an occupancy permit was issued on June 29, 2010. The Uniform Dwelling Code requirements for the wall at the potential shared property line were met at the time of construction. It is for this building that Mr. Bergh is requesting the Conditional Use. A Certified Survey Map has been drawn to create the two individual lots and this is to be considered as item 7 on this agenda.

There is one significant difference between the regulations for twin homes in the twin home district and those that may be allowed as a conditional use in an R-2 district. Briefly, the requirements for the overall lot area are somewhat less restrictive within R-2 district where lot areas were already regulated for duplexes and are unchanged for twin homes except that the width at the building setback must be a minimum of 100 feet for the two dwelling units. Mr. Bergh's property is 66 feet by 132 feet (8712 square feet).

A copy of the required maintenance agreement, and a copy of the Altoona Municipal Code Section 19.32.020 I, are included with the material provided to you.

Suggested motion: I move to close Public Hearing.

ITEM 6 - Discuss/consider approval of Conditional Use submitted by Bergh Construction as described in Item 5.

See the summary of item #5 of this agenda.

Suggested motion: I move approval of the conditional use submitted by Bergh Construction subject to the following conditions:

1. The existing configuration of the rain gutters and downspouts shall be maintained in good working and aesthetic condition to direct water from each half of the west roof slope separately as follows:
 - A. The south unit to the south yard.
 - B. The north unit to the west yard discharging adjacent to the shared property line.
2. The CSM lot split will be subject to the requirements of land subdivision park fees.
3. The text of the covenants will clearly address the existing shared building drain under the slab floor of the south unit.

ITEM 7 - Discuss/consider recommendation to Council approval of a certified survey map to divide parcel #201-2037-04 into two lots located at 520 & 528 Fourth Street East as proposed by Bergh Construction. (Public hearing at the July 22, 2010 Regular Council Meeting).

See the summary of item #5 of this agenda.

Suggested motion: I recommend to Council approval of the CSM to divide parcel #201-2037-04 into two lots located at 520 & 528 Fourth Street East as proposed by Bergh Construction.

ITEM 8 - Public Hearing at 6:05 p.m. or as soon thereafter as is practical on the request of Mark Anderson, Golden Spike Bar & Grill, to amend his Conditional Use Permit to allow an addition to Golden Spike Bar & Grill Tavern per Section 19.40.020 A of the Altoona Municipal Code Book located at 228 Division Street (Parcel #201-2004-04).

Mark Anderson is requesting a modification to his conditional use for the operation of a tavern at 228 Division Street. He is proposing an addition forty eight feet (48') in width, extending twelve feet (12') outward from the north side of his building. It is to include a walled area of three hundred (300) square feet and an additional two hundred seventy six (276) square feet of space under a roof but with open sides as shown on the attached sketches. Mr. Anderson also intends to provide an outdoor fenced area [circa thirty two feet (32') by fifty eight feet (58')] for his customers.

An elevation view of the proposed addition as well as two drawings showing details of the site have been included with your materials. One site drawing shows that a total of eighty four (84) seats would be added by this proposal. The existing tavern has forty (40) seats for a grand total of one hundred twenty four (124). The ratio of seats to required parking stalls in this area (blocks 1,2,7 & 8 of the original plat of east

Eau Claire, now City of Altoona) is one to fifteen. The total number of required parking spaces would therefore be nine (9).

The second site drawing shows that seven parking stalls are provided adjacent to the west wall of the tavern. Ten additional parking stalls are provided north of the proposed fenced area and adjacent to an existing driveway. No landscaping is proposed. Mr. Anderson has not defined the type of fence to be installed.

Suggested motion: I move to close public hearing.

ITEM 9 - Discuss/consider approval of Conditional Use Permit as submitted by Mark Anderson.

See the summary of item #8 of this agenda.

Suggested motion: I move approval of Conditional Use Permit as submitted by Mark Anderson subject to the following conditions:

1. All associated lighting shall be of full cut-off design and be approved by city staff.
2. The terms of the use of the space shall be described in the liquor license application.
3. The design of the fence shall be subject to the approval of the Public Safety Director with respect to the following:
 - A. Preventing interactions between patrons inside with anyone else outside.
 - B. Any desired or required means of egress from the fenced area other than through the tavern. Note that the plan has not yet been reviewed for emergency exiting.
4. Compliance with the State of Wisconsin prohibition of smoking in public places shall be entirely the responsibility of the property and business owner.

ITEM 10 - Discuss concept for a certified survey map to divide a portion of parcel #201-1001-02 into 2 lots located at 1107 N. Moonlight Drive as submitted by Kramer Land Design Studio for Craig Moe.

Attached for your consideration is a CSM submitted by Kramer Land Design Studio for Craig Moe to divide a portion of parcel #201-1001-02 into two lots located at 1107 N. Moonlight Drive. The proposed CSM would retain the existing dwelling on one lot and provide for a separate lot to the south. The balance of the existing parcel (circa 90 to 100 feet) lying north of the existing dwelling will be transferred to David and Robin Elvig who own the adjacent lot. This transfer will be by means of separate documents and will precede the formal request for approval of the final CSM.

Plan Commission action is not requested at this time as this agenda item is just a discussion of the concept. Staff has reviewed the proposed CSM and believes all requirements are met.