



Village Planning Committee Meeting Summary

Z-46-22-4

Date of VPC Meeting	September 12, 2022
Request From	R-5
Request To	WU Code T5:2 MT
Proposed Use	Restaurant, Office, and Retail
Location	Northwest corner of the 5th Street alignment and Thomas Road
VPC Recommendation	Approval, per staff recommendation
VPC Vote	11-0

VPC DISCUSSION:

One member of the public registered to speak, in opposition.

STAFF PRESENTATION

Mr. Klimek, staff, provided an overview of the site including its physical and policy contexts, the applicant's proposal, and the staff recommendation.

APPLICANT PRESENTATION

Mr. Benjamin Graff, of Quarles and Brady, introduced himself as representing the applicant, Mr. David Chamberlain, and Associates. He presented the site, the proposal, and offered to answer questions from the committee. The proposal is to rezone the subject site to allow the adaptive reuse of three existing structures to restaurant, retail, and offices uses. The restaurant model is currently focused on breakfast and lunch and the patios have been situated toward Thomas Road for greater compatibility with the historic neighborhood to the north of the subject site. The local real estate development team has successfully developed several well-known local restaurants. The proposal will not increase the height of the existing structures and the footprints will be mostly unchanged aside from modest expansions and dining patios. He then provided an overview of how the site plan evolved from originally showing an attached sidewalk to now showing a new six-foot-wide sidewalk that is separated from the back of curb by an 11 foot-wide landscape area that will be planted with trees.

The easternmost building is proposed as a restaurant and is depicted in the renderings as being wrapped with a semi-permeable aluminum membrane that will allow vegetation

to grow upon it and the building will include rooftop solar panels. The adaptive reuse of the buildings will divert waste from the landfill. If the zoning is approved, several variances will be required to allow maneuvering in the alley, the dining patios, and outdoor alcohol consumption. The development team conducted door-to-door outreach. The President of the La Hacienda Historic District, Robert Warnicke, asked for the restaurant to be equipped with odor mitigation; the development team will include odor mitigation, but city staff does not feel an odor mitigation stipulation would be enforceable. He concluded by stating that the development team is in full agreement with the stipulations as proposed by staff and by offering to answer any questions.

QUESTIONS FROM COMMITTEE

Committee Member Searles thanked the development team for the attention to detached sidewalks and sustainability. He asked for clarification that the development would include shade trees rather than palms. He asked if the development will include recycling. **Mr. Graff** responded that the development plan includes shade trees but no palms and that the refuse enclosures would allow for recycling and trash collection, but they have not confirmed if recycling would be viable at this point.

Vice Chair Rodriguez and **Committee Member Katie Coates** asked several questions regarding the vegetation planned for the site including the type of shade trees, the type of grasses, and the type of vines intended for the semi-permeable membrane. **Mr. Graff** responded that the shade trees will likely be Evergreen Elm, that ornamental trees will likely be Chitalpa, that the grasses will likely be Regal Mist, and that the vines will likely be Hacienda Creeper.

Committee Member Bryck asked for clarification on where the bicycle parking will be located and if the detached sidewalk is a requirement specific to this property. **Mr. Graff** responded that the bicycle parking is scattered throughout the site and that the detached sidewalk requirement aligns with the cross section contained in the Street Classification Map but that the development team was planning for the minimum five-foot-wide landscape detachment contained in the WU Code.

PUBLIC COMMENTS

Mr. Robert Warnicke expressed his support for this small scale adaptive reuse project that is consistent with the neighborhood. He stated that the site plan situates dining patios toward Thomas Road rather than the north toward the neighborhood which would have been incompatible. He stated that he wanted a stipulation requiring odor mitigation because entitlements are forever but understands that it may not be enforceable. He expressed concern that vehicles may access the development from 3rd Street which would be incompatible with the area.

APPLICANT RESPONSE

Mr. Graff responded that there will not be any signage promoting access from 3rd Street but clarified that the alley access is permitted by-right and that the variance to allow vehicular maneuvering is unrelated to access.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Vice Chair Rodriguez made a motion to approve the request per the staff recommendation. **Committee Member Procaccini** provided a second to the motion.

DISCUSSION

Several **Committee Members** thanked Mr. Graff for the presentation and expressed support for the proposal.

VOTE

11-0; motion to approve per the staff recommendation with Committee Members Bryck, Coates, George, Jewett, Mahrle, Matthews, Procaccini, Searles, Wagner, Vice Chair Rodriguez, and Chair Kleinman in support, none in dissent, and none in abstention.