

**MINUTES OF THE ALTOONA, WI
SPECIAL PLAN COMMISSION MEETING
June 23, 2020**

(I) Call Meeting to Order.

The meeting was called to order by Mayor Brendan Pratt at 5:30 p.m. held on zoom Teleconference/video conference due to Coronavirus COVID-19.

(II) Roll call.

Members present: Brendan Pratt, Tim Sexton, Matthew Biren, Andraya Albrecht, and Barbara Oas-Holmes, Bill Hoepner. Dean Roth arrived at 5:35 p.m.

Also Present: City Planner Joshua Clements
Management Analyst Roy Atkinson
City Clerk Cindy Bauer
Mark Beckfield, Eau Claire County Veterans Tribute Foundation
Hal Snow – SIP for River Prairie Wealth Partners

(III) Citizen Participation Period.

Motion by Sexton/Hoepner to close Citizen Participation Period. **Motion carried.**

(IV) Old Business

(1) Update on modifications to the Specific Implementation Plan for River Flats III (Discussed at June 9, 2020 Plan Commission Meeting).

City Planner Joshua Clements noted that the Plan Commission voted unanimously to recommend disapproval of the SIP for River Flats III on June 9th. The petitioner incorporated feedback from the Plan Commission to revise the architecture of the restaurant portion and patio, resulting in approval by the City Council on June 11, 2020. Clements explained the revised modifications to the Specific Implementation Plan for River Flats III. Clements also noted that the petitioner has verbally committed to making further improvements for future review/approval by staff, including adding additional stone, brick, and other facade material enhancements to the restaurant area. No Action.

Mayor Pratt asked if Item 5 under New Business could be moved up the agenda.

(V)(5) Discuss/consider uplighting of the Veterans Memorial Tribute Flag feature in River Prairie Park.

City Planner Clements explained that the Veterans Memorial Tribute in River Prairie Park includes a large flag feature to be located between the entrance drive and parking lot near the large pavilion in a landscaped area. The location and height of the pole (120') were approved by the Council on March 12th. This item is proposed to be reviewed and considered as a park feature, under the prevue of the Plan Commission.

Clements noted that up lighting is generally prohibited by the City's Ordinance 19.54.060(E) "Site Plan" requires that "*All lighting shall be shielded and confined within property lines*" and the River Prairie Design Guidelines and Standards has a similar requirement: IX.5.C.5(b): "*Up lighting is not permitted unless fully shielded to the limits of the sign.*"

Mark Beckfield of the Eau Claire County Veterans Tribute foundation, Inc. was present to answer any questions Plan Commission Members had regarding the flag pole lighting.

Plan Commission Member Hoepner had some concerns if the lighting might affect some of the businesses in River Prairie.

Motion by Sexton/Roth to recommend approval of up lighting of the Veterans Memorial Tribute flag pole feature in River Prairie Park subject to approval of permits from Eau Claire County and other entities. **Motion carried.**

(V) New Business

(1) Discuss/consider recommendation to Council regarding proposed Specific Implementation Plan for River Prairie Wealth Partners. (Will be discussed at the June 25, 2020 Council Meeting).

City Planner Clements explained that River Prairie Wealth Partners proposes a 7,600 SF professional office building in the Northwest Quadrant of River Prairie, adjacent to 44 North Restaurant. The Site is approximately 10,716 SF and owned by the City, under sale agreement. The building is an attractive four-sided building with entrance features on the street-side (south) and parking lot (north). The exterior building materials are proposed to be limestone veneer and treated timber.

Hal Snow, Architect, was present to answer any questions Plan Commission Members had regarding the Specific Implementation Plan.

Clements noted that staff recommends approval of the SIP for River Prairie Wealth Partners as being substantially consistent with the River Prairie Design Guidelines and Standards, with the following recommended modifications (6) as condition of approval:

A. Access, Circulation & Parking (RPDG IX. 1)

1. Add not less than two bicycle racks at an appropriate location near the public entrances. Bicycle racks shall be “U Stand” or “Rounded A” design, or substantially similar, as described in *Altoona Municipal Code* Chapter 19.52, installed per manufacturer specifications.

B. Landscaping [RPDG IX 6]

1. Add landscape trees (4) approximately as illustrated in the staff report.

C. Utilities

1. If the building features a sprinkler system, the Fire Department Connection (FDC) shall be 4” STORTZ and shall be located on the street-facing or parking lot facing façade of the building. Final placement shall be reviewed and approved by Altoona Fire Department.
2. Private utilities, including electric transformers, shall be located such as to minimize impact on landscaping. Private electric service shall be located on private property under softscape, avoiding impacts on trees and major landscape elements. City of Altoona reserves the right to review and approve location of electrical transformers and other visible fixtures.
3. Submittal and successful review of final *storm water plan* and *civil site plan* by City Engineer as described in the *Altoona Municipal Code* Chapter 14.
4. The petitioner shall enter into an agreement with the adjoining property owner regarding placement and access to the refuse enclosure.

Motion by Hoepner/Sexton to recommend Council approval of the Specific Implementation Plan for River Prairie Wealth Partners with staff-recommended modifications. **Motion carried.**

(V)(2) Discuss/consider recommendation to Council regarding proposed Ordinance 6A-20 amending driveway standards

Mayor Pratt recused himself from this item. Member Matt Biren took over the meeting.

City Planner Clements explained that the proposed ordinance is intended to add flexibility to the residential driveway standards that are anticipated to apply to small lots and uncommon lot arrangements. The challenge, which is significant, is to arrive at proposed standards that achieve the stated purposes of the Zoning Title and general objectives of the City and apply evenly to all properties. However, given the great diversity of lot arrangements, there are challenges that arise where some flexibility may be reasonable in order for the owner to make use of the property. These tend to be smaller and more narrow lots where space for off-street parking is limited. The general purpose of the standards is to limit parking of vehicles outside of a garage or driveway within front setback areas, on paved surfaces, and to limit pavement for stormwater, ecological and aesthetic purposes.

City Planner Clements noted that there are four primary criteria for evaluation of driveway design:

- Total pavement area: (1) gross square footage, and (2) by percentage of setback area;
- Driveway width: (3) gross measurement, as a function of approved parking areas; (4) by percentage of lot width.

There arise situations wherein some but not all of the criteria can reasonably be achieved. For example, the standards permit a 24” wide driveway for a home with a two-car garage. On a lot with less than 80 feet of frontage, the driveway width would exceed the 30% maximum width in relation to lot frontage.

In creating provisions for flexibility through staff discretion, the objective is to create the opportunity for contextual discretion, with the pitfall of creating opportunities for uneven application of the standards, or pressure by a property owner to advocate for application of the discretionary flexibility. The proposed language seeks to strike a balance, with the back-stop that the owner may appeal any decision to the Plan Commission.

The proposed language also includes differentiation of “parking pad” from driveway. The parking pads being storage areas not attached to a garage, and are explicitly discouraged from setback areas unless permitted parking areas are not available elsewhere on the site. This is consistent with language and approach by the City of Eau Claire (as a comparison).

Motion by Roth/Hoepner to recommend Council approval of Ordinance 6A-20. **Motion carried.**

Mayor Pratt returned to the meeting.

(V)(3) Discuss/consider recommendation to Council regarding proposed Ordinance 6B-20 creating 19.12.080 “Reasonable Accommodation” (Public Hearing on June 25th)

City Planner Clements mentioned that the Americans with Disabilities Act, Federal Fair Housing Act and Wisconsin Open Housing Law create affirmative duties upon units of local government to enable equal access to housing. This includes granting “reasonable accommodation” regarding application and enforcement of zoning and land use regulations that create barriers to equal access to housing. Clements noted that in recent years, changes in Zoning have reduced or removed certain regulations that have been challenging for persons

experiencing disability to exercise equal access to housing. The principal impediment was setback standards that did not allow for adding ADA accessibility ramps to existing homes.

The purpose of the proposed Reasonable Accommodation ordinance is to create an appeal and waiver process to be administered by staff to consider relaxing certain zoning standards to enable equal and equitable access to housing. The proposed code defines the purpose and reference to federal and state laws, provides for a standard process and documentation for an appeal, how the appeal is evaluated and decided. Clements mentioned that written decisions are to be generated by the Zoning Administrator, and are subject to appeal to the Board of Appeals. Appeals may be granted, granted with conditions, or denied. Conditions may be attached according to the standards provided in order to minimize potential impacts to other properties or the public.

Robert Gannigan, 1628 Garfield Avenue was present to explain his request to allow a modification to property regarding a fence on his property where otherwise not permitted.

Carrie Spaeth, Social Worker for Eau Claire County Human Services was present in support of Robert's request and Ordinance 6B-20.

Motion by Sexton/Hoepner to recommend to Council approval of Ordinance 6B-20 "Reasonable Accommodation". **Motion carried.**

(V)(4) Discuss/consider recommendation to Council regarding a Certified Survey Map (CSM) to reconfigure parcels/Lots 17, 18, and 19 in River Prairie Northwest Quadrant as Initiated by the City of Altoona.

City Planner Clements explained that the proposed CSM, initiated by the City, combines Lot 18 and Lot 19 in River Prairie Northwest Quadrant and adds portions of Lot 17 (restroom facility) and Outlot 1 (parkland) to create a sale-able lot tailored to the purchase agreement for River Flats III. The new parcel is 17,232 SF (0.40 acres). The proposed CSM includes a storm water easement on part of the new Outlot 2, just west of the restroom facility. That easement area is proposed to be a shared infiltration area around the existing storm water drain inlet. Clements noted that as discussed earlier on this agenda, the Specific Implementation Plan for River Flats III was approved by the City Council on June 11th.

Motion by Biren/Hoepner to recommend to Council approval of the CSM. **Motion carried.**

(VI) MISCELLANEOUS BUSINESS AND COMMUNICATIONS

(1) Official Map Update

City Planner Clements explained that City Staff has been working with WI DOT, County, Regional Planning Commission and Town of Washington for about a year to develop an amendment to the City's Official Map to reflect planned future transportation infrastructure along Highway 12 and nearby areas. Clements referred to the attached copy of the Official Map Amendment that has been distributed to potentially affected property owners as well as a letter and notice introducing the concept. Staff has been in contact with some of the affected property owners, notably owners of Curt Manufacturing and J&D Manufacturing.

Clements noted that there are two public virtual open houses scheduled: June 25 and June 29, and encouragement to contact staff. Pending scheduling of the Public Hearing by the Council to be considered on June 25th, the Plan Commission would make a recommendation to the Council at our next meeting on July 14th, for Public Hearing and possible consideration by the Council on July 23rd.

Clements mentioned that there will be multiple opportunities for engagement with residents and property owners, to consider any potential modifications prior to final consideration. No action.

(VI)(2) Supplemental Materials

City Planner Clements referred to the APA Planning Advisory Series Quicknotes 71: Small-Lot Subdivision Design. Clements said that an effort of staff and elected officials is to encourage growth and investment in existing neighborhoods, efficient use of land, and improve overall tax base through the development of smaller lots and more compact housing types. This mission can create challenges to ensure concerns by the public in existing neighborhoods are incorporated, and that the overall design is thoughtful and complementary. The enclosed APA PAS report from 2017 provides a quick and informative resource. No action

(VI)(3) Equity and Inclusion

City Planner Clements mentioned that events of the past month have elevated public awareness and discourse regarding racial inequities in our communities. Tools associated with the planning profession including zoning have been used intentionally to exclude people of color, people with particular heritage or culture, wealth status, and others from neighborhoods and communities. Associated tools such as restrictive property covenants, racial bias in mortgage lending (including “red lining”), predatory lending, and other closely associated legal and financial tools have likewise been used for this purpose. Although the most egregious examples are no longer legal, the impact of the use of these tools persists. Further, there are unintended consequences of certain community development activities that result in negative outcomes for certain populations that have not been openly or widely recognized, and often not corrected.

It has been clear for some time that in order to advance equitable, inclusive, and just communities, planning and community development activities must be deliberate about not only eliminating intentional and unintentional negative impacts of current decisions, but also purposefully seek to promote equity and inclusion by repairing past injustices.

This discussion item by the Commission is not intended as a thorough or deep examination of this very persistent, pernicious, and systematic challenge. It is a statement that we all must do better through continuous learning, and be informed, purposeful and urgent in our actions. It is a very brief reminder to reflect upon all the business that comes before the City and to intentionally use an equity lens in evaluating information and rendering decisions.

Plan Commission Members were given an Equity Statement released by the American Planning Association - Wisconsin Chapter. The Chapter created an Equity and Diversity Task Force in 2018 in a coordinated effort nationally through APA to intentionally position the association and its state chapters to urgently address this challenge.

City Planner Clements noted that Staff will continue to provide updates to the Plan Commission regarding how staff is considering and incorporating equity and inclusion into all functions. This is a continuous process, not a destination. No action.

(VII) Adjournment.

Motion by Roth/Biren to adjourn at 6:47 p.m. **Motion carried.**

Minutes transcribed by Cindy Bauer, Altoona City Clerk