



SITE PLAN REVIEW COMMITTEE MEETING AGENDA

MONDAY, FEBRUARY 13, 2023 AT 1:30 PM

**COUNCIL CHAMBERS, SECOND FLOOR, MUNICIPAL BUILDING, 106 JONES STREET,
WATERTOWN, WI**

By Phone or GoToMeeting: Members of the media and the public may attend by calling: Toll Free): 1-866-899-4679 Access Code: 524-760-797 or <https://meet.goto.com/524760797> All public participants' phones will be muted during the meeting except during the public comment period.

1. CALL TO ORDER

2. APPROVAL OF MINUTES

A. Review and take action: Site Plan Review minutes dated January 23, 2023

3. BUSINESS

A. Review and take action: 210 S. Water Street – Proposed BBQ restaurant

4. ADJOURNMENT

Persons requiring other reasonable accommodations for any of the above meetings, may contact the office of the City Clerk at mdunneisen@CityofWatertown.org, phone 920-262-4006

A quorum of any City of Watertown Council, Committee, Board, Commission, or other body, may be present at this meeting for observing and gathering of information only

SITE PLAN REVIEW COMMITTEE
January 23, 2023

Section 2, Item A.

The Site Plan Review Committee met on the above date at 1:30 P.M. in the Council Chambers on the second floor of City Hall. The following members were present: Mayor Emily McFarland; Brian Zirbes of Building, Safety & Zoning; Doug Zwieg of Building, Safety & Zoning; Jeff Meloy of the Police Department; Kristine Butteris of Parks, Recreation & Forestry; Tim Hayden of the Water Department; Maureen McBroom of Stormwater Utility and Engineering; Anthony Rauterberg of the Fire Department; and Matt Willmann of the Street Department. Also in attendance were Nikki Zimmerman of Building, Safety & Zoning; Mason Becker of Strategic Initiatives and Development; Evan Reis-Green of Hearing Protection, LLC; Tracy Brown of JSD Professional Services, Inc.; and David O'Brien of Bayland Buildings.

1. Call to Order

The meeting was called to order by Chairperson Brian Zirbes.

2. Review and approve Site Plan Review Committee Minutes Dated December 12, 2022

Motion was made by Doug Zwieg and seconded by Kristine Butteris to approve the December 12, 2022 Site Plan Review minutes as submitted. Unanimously approved.

3. Review and take action: 801 S. Twelfth Street – Building addition and new parking lot construction

David O'Brien explained the proposed project. Griffin Armament is proposing an addition consisting of manufacturing and offices. There will also be a second floor with offices and a breakroom. The exterior of the building will match the existing building.

The following was presented by city staff:

Stormwater/Engineering: Regarding the new entrances on Twelfth Street, some curb cut permits and sidewalk permits will be required through the Engineering Department. If any staging occurs within the public right of way, a Permit to Occupy the Right of Way would be required through the Engineering Department as well. A stormwater permit application and packet must be submitted to Maureen McBroom of the Engineering Department. There is a stormwater utility credit program available.

Police: Asked about the firing range and if it would be open to the public. It was confirmed that the firing range will not be open to the public and is for testing and demonstrative purposes only.

Fire: A Knox Box will be required. An inspection, including a sprinkler test will be required.

Building: Plans will have to go to state for review and the subcontractors will have to pull their permits.

Mayor: Voiced support

Motion was made by Doug Zwieg and seconded by Maureen McBroom to recommend approval to the Plan Commission for this item as submitted with the following conditions:

- A) Approval of a stormwater permit.
- B) Installation of a Knox Box.
- C) Appropriate permits being pulled through the Building, Safety & Zoning Department.

Unanimously approved.

4. Adjournment

Motion was made by Emily McFarland and seconded by Maureen McBroom to adjourn. Unanimously approved.

Respectfully submitted,
Nikki Zimmerman, Recording Secretary

NOTE: These minutes are uncorrected, and any corrections made thereto will be noted in the proceedings at which these minutes are approved.

Main Office
920-262-4060

Brian Zirbes
920-262-4041

Mark Hady
920-342-0986

Nikki Zimmerman
920-262-4045

Dell Zwieg
920-262-4042

Doug Zwieg
920-262-4062

Dennis Quest
920-262-4061

TO: Site Review Committee / Plan Commission
DATE: January 30th, 2023
SUBJECT: C&J BBQ and Soul Food Conditional Use Permit - CUP

SITE DETAILS:

Acres: 0.73

Current Zoning: CB Central Business

Existing Land Use: Commercial

Future Land Use Designation: Central Mixed Use. No identified conflicts with Comprehensive Plan.

BACKGROUND AND APPLICATION DESCRIPTION:

Applicant is seeking approval of a conditional use permit to operate a barbeque restaurant within a section of an existing building at 210 South Water Street. The restaurant will operate Monday thru Friday 11am to 10:30pm and will initially be closed Saturdays and Sundays. The operation will offer both indoor and seasonal outdoor seating, with the outdoor seating ending service at 9pm. Live or recorded music may be played on occasion during regular business hours in either indoor or outdoor spaces. No alcoholic beverages will be served at the restaurant. The barbeque smoker will be operated in the outdoor area between the hours of 2am and 11am. A business operation plan is attached.

STAFF EVALUATION:

Site Plan Review Committee:

See Minutes of February 13, 2023.

Land Use and Zoning:

1. Within the Central Business (CB) Zoning District, 'no requirements for on-site landscaping or parking are required' [per § 550-34A].
2. Also, within the Central Business (CB) Zoning District 'Indoor Commercial Entertainment' is a principal land use permitted as a Conditional Use [per § 550-34B(2)(f)]. 'Indoor Commercial Entertainment' includes restaurants among the allowed uses [per § 550-52H].

Applicable regulations for 'Indoor Commercial Entertainment' land uses include the following:

- 'If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property' [per § 550-52H(1)(a)].
 - The 'facility shall provide a bufferyard with minimum opacity of 0.60 along all borders of the property abutting residentially zoned property' [per § 550-52H(1)(b)].
3. Also, within the Central Business (CB) Zoning District, 'Outdoor Commercial Entertainment incidental to Indoor Commercial Entertainment' is an accessory use permitted by right [per § 550-34C(1)(n)]. 'Outdoor Commercial Entertainment' uses include those 'which provide entertainment services partially or wholly outside of an enclosed building' [per § 550-52I].

106 Jones Street • P.O. Box 477 • Watertown, WI 53094-0477 • Phone 920.262.4060

Opportunity Runs Through It

Applicable regulations for 'Outdoor Commercial Entertainment' land uses include the following:

- The 'activity areas shall not be located closer than 50 feet to a residentially zoned property' [per § 550-521(1)(a)(1)].
- The 'facility shall provide a bufferyard with minimum opacity of 0.80 along all borders of the property abutting residentially zoned property' [per § 550-521(1)(b)].

WISCONSIN ACT 67:

Under 2017 Wisconsin Act 67: Section 16. 62.23 (7) (de) Conditional Use Permits.

1. 62.23 (7) (de)(1) *In this paragraph:*

- a. "Conditional use" means a use allowed under a conditional use permit, special exception, or other special zoning permission issued by a city, but does not include a variance.
- b. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

2. 62.23 (7) (de)(2)

- a. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the city ordinance or those imposed by the city zoning board, the city shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
- b. The requirements and conditions described under subd. 2. a. must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal. The applicant must demonstrate that the application and all requirements and conditions established by the city relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence. The city's decision to approve or deny the permit must be supported by substantial evidence.

3. 62.23 (7) (de)(3)

Upon receipt of a conditional use permit application and following publication in the city of a class 2 notice under ch. 985, the city shall hold a public hearing on the application.

3. 62.23 (7) (de)(4)

Once granted, a conditional use permit shall remain in effect as long as the conditions upon which the permit was issued are followed, but the city may impose conditions such as the permit's duration, transfer, or renewal, in addition to any other conditions specified in the zoning ordinance or by the city zoning board.

4. 62.23 (7) (de)(5)

If a city denies a person's conditional use permit application, the person may appeal the decision to the circuit court under the procedures contained in par. (e) 10.

PLAN COMMISSION DECISION:

Indoor Commercial Entertainment Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
<i>If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property</i>	Yes	No	Yes	No	Yes	No
Indoor Commercial Entertainment Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
<i>Facility shall provide bufferyard with minimum opacity of 0.60 along all borders of the property abutting residentially zoned property (see § 550-99).</i>	Yes	No	Yes	No	Yes	No
Outdoor Commercial Entertainment Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
<i>Within the Central Business (CB) Zoning District, outdoor activity areas shall not be located closer than 50 feet to a residentially zoned property.</i>	Yes	No	Yes	No	Yes	No
Outdoor Commercial Entertainment Criteria	Applicant Provided Substantial Evidence		Opponent Provided Substantial Evidence		PC Finds Standards Met	
<i>The outdoor facility shall provide a bufferyard with minimum opacity of 0.80 along all borders of the property abutting residentially zoned property</i>	Yes	No	Yes	No	Yes	No

If Plan Commission answers “no” to any of the questions, above, the CU permit must be denied. Otherwise, proceed to the condition of approval.

Options:

These are the following options, but not limited to, for the Plan Commission based on the information received by the City of Watertown Zoning & Floodplain Administrator:

1. Deny the Conditional Use Permit, based on failure to provide substantial evidence to meet one or more of the regulatory standards.
2. Approve the Conditional Use Permit without conditions, based on successfully providing substantial evidence of regulatory compliance.
3. Approve the Conditional Use Permit with conditions as identified by the Plan Commission.

Business Operation Plans

Section 3, Item A.

A. Brief description of business Activities.

C&J bbq and Soulfood is founded by Jerimie Sanders ~~SR~~ and Crystal M. McDaniel. C&J bbq and Soulfood started with an inspired dream given to owners in 2012.

C&J BBQ and Soulfood is a Faith Base, Minority and family owned business. C&J bbq and Soulfood is build on the Solid Principles of God. (Jesus Christ).

C&J bbq and Soulfood specialize in Midwest, Southern Style, 4th generation of Pitmasters of BBQ. Also bringing Midwest culture, dining, and catering experience. Owners of C&J bbq and Soulfood has been Residents of Watertown for 5⁺ years. C&J BBQ and Soulfood work with local organization, churches and non-profit to better the community. C&J will include indoor & outdoor dining

B. Days of Operation C. Hours of operation D. EMPLOYEES
Mon - Friday, From: 11am - 10:30pm 6
Sat & Sunday off!

E. Possible Nuisance Issues

Outdoor Smoker charcoal & wood burning, Lightening Fluid, Outdoor dining with Guest ~~dining~~ ^{during} Summer. Outdoor furniture with lights. Loading and unloading through back door gated area. Operating Outdoor smoker from 2am - until 11am. Possibly an Indoor Hickory. Smoker Operation from 2am - 11am. Live Music & Radio/Stereo play indoor & outdoor.

3. Scheduled timetable

Smoker Cooking and Preparation (from 2am - 11am)
Service of Restaurant and indoor Dine (11am - 10:30pm)
Outdoor dining (seasonal) 11am - 9pm M, - Fri

Present Operation Plans Indoor & outdoor Billboard

C&J bbq and Soulfood is indoor & outdoor dining, pickup, and carry out eatery. C&J bbq and Soulfood plan on using Restaurant facility for catering Hall, weddings, Birthdays etc... C&J bbq and Soulfood plans on cooking on outdoor smoker from 2am - until 11am. The hours has been chosen out of respect for Residents, Jobs, sleeping, and pollution to the Atmosphere. C&J bbq and Soulfood try to use organic and Natural charcoals & woods. (Environment) operations hrs is from 11am - 10:30pm. Mon-Fri.

Sat, Sunday off for family work life balance. Inside commercial stoves, deep fryers, and warmers, is what will be in use. Also will have Music Played by Radio/Stereo bluetooth. During Summer, Autumn seasonal outdoor dining will be in operation. Mon-Friday 11am - 9:00pm. All up keep will be done by C&J. C&J will not Sale Any Alcoholic Beverages, and doesn't not have any usage for a Bar.

Future Operation Plans

- Possible Days of Operation Tue - Sat. (Mon, Sun off).
- (Possible buying Entire Mall Property) - All Land, Acres
- (Possible buying Indoor Hickory Smoker) same cooking time.
- (Possible Curve side Pickup)
- (Possible Live Music indoor & outdoor) (Occasionally)
- (Possible Hiring of More employees for Local Community)
- (Possible installing Video game, Arcade style indoor)
- (Possible adding New booth table & chairs sets indoor)
- (Possible of C&J Logo electric Sign on Outside).

THE OLD MILL DISTRICT IN HISTORIC WATERTOWN, WISCONSIN



Extreme care was taken to preserve the original nature of this structure. The wooden beams and pillars have been cleaned to enhance their natural beauty. More than 60,000 bricks were restored and used for the paved pedestrian walkways. And the decor throughout the Market maintains the integrity of an authentic European streetscape.

If you are interested in a unique and profitable opportunity, we invite you to visit The Market.