

Date: October 8, 2020

To: Village of East Troy Plan Commission

From: Tim Schwecke, AICP, Zoning Administrator

Subject: Site plan for outdoor patio area for Dos Amigos 2 located at 2678 Main Street; Gina Diaz, operator; Darlene Wutke, property owner

Application: 2020-19; <https://s.zoninghub.com/6D3I0G0F6L>

Meeting: October 12, 2020 Plan Commission meeting

Location 2678 Main Street

Zoning classification Highway Business (HB)

General description The property owner and operator of Los Amigos 2 have submitted a petition for an outdoor eating area.

As depicted in the attached application, the area is located in the front of the building on both sides of the front entrance. The area is 6 feet deep, about 2 feet in front of the wall for Genoa Pizza.

A wood fence will delineate the extent of the area. The vertical fence posts will not be set in the ground. They will be attached to horizontal members that are fastened to the pavement. Normally, we would require a more substantial physical barrier for public safety. Given the proximity to traffic flow, that is a concern.



Staff comments/questions:

1. Is this meant to be a permanent feature or is it intended to respond to social distancing for Covid-19?
2. Please provide more details for the building materials.
3. Will there be two tables in each area? One on either side of the front opening?

Potential motion: Approve the petitioner's request for an outdoor patio area in front of Dos Amigos 2 provided the fencing is removed when outdoor service is not provided (i.e., winter months).

Attachments:

1. Application materials with site layout



Site Plan

Village of East Troy, Wisconsin

Version: March 27, 2018

Village of East Troy
2015 Energy Drive
East Troy, WI 53120

Overview: The site plan review process ensures that proposed land uses and development activity complies with the requirements of the Village's zoning regulations. This review must occur before any building, occupancy, and building permits can be issued; except that development activity associated with an approved final plat of subdivision or certified survey map, and development activity associated with and approved final development plan of a planned development, is exempt from this requirement.

Governing regulations: The procedures and standards governing the review of this application are found in § 510-160 of the Village's zoning code.

General instructions: Complete this application and submit one copies to the Village Clerk at the mailing address shown above. Before you formally submit your application, you are encouraged to meet with the zoning administrator who can answer any questions you may have. If you have any questions, do not hesitate to contact the zoning administrator at (920) 728-2814 or via email at tim.schwecke@civitekconsulting.com. You may download this form at <http://villageofeasttroy.zoninghub/highlights/procedures/procedure.aspx>.

When you fill out this application, you should think about how your business operation may expand or be different in the future. For example, if your business will have 5 employees to start and you hope to have 25, tell us. Also, if you foresee an expansion to a building or a parking lot, your site plan should show that. If you invest time to do this now, you will end up with a more thoughtful plan. Not only that, you will save time and the expense of having to submit a new site plan sometime in the future. So, think ahead.

Application fee: none

Application submittal deadline: Applications must be submitted by the second Monday of the month by 12:00 pm at the Village Hall.

1. Applicant and property owner information

	Applicant	Property owner
Name	Gina Diaz	Darlene Wudke
Street address	2041 Lilly St	13600 Berkshire Ct.
City, state, zip code	East Troy WI 53120	Grand Island FL 32735
Daytime telephone number	262-379-0937	262-374-1679
Email	uvlocagrl@yahoo.com	?

2. Agent contact information. Include the names of those agents, if any, that helped prepare this application including the supplemental information. Agents may include surveyors, engineers, landscape architects, architects, planners, and attorneys.

	Agent 1	Agent 2
Name		
Company		
Street address		
City, state, zip code		
Daytime telephone number		
Email		

3. Type of application (select one)

- ☒ New site plan
☐ An amendment of a previously approved site plan (i.e., revision and/or expansion)

4. Business information

Current business name	Dos Amigos 2 LLC
Date business began	July 2010
Previous name, if any	Dos Amigos

5. Subject property information

Physical address

~~265-379-A~~ 21278 Main St

Tax key number(s)

Note: The tax key number can be found on the tax bill for the property or it may be obtained from the Village Clerk.

6. Zoning information (refer to the Village's current zoning map)

The subject property is located in the following base zoning district(s). (check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> RH-35 Rural Holding | <input type="checkbox"/> TR-8 Two-Family Residential | <input type="checkbox"/> NB Neighborhood Business |
| <input type="checkbox"/> SR-3 Estate Residential | <input type="checkbox"/> AR-9 Attached Residential | <input type="checkbox"/> HB Highway Business |
| <input type="checkbox"/> SR-4 Suburban Residential | <input type="checkbox"/> MR-10 Multi-Family Residential | <input type="checkbox"/> CB Central Business |
| <input type="checkbox"/> SR-5 Neighborhood Residential | <input type="checkbox"/> MHR-6 Mobile Home Residential | <input type="checkbox"/> BP Business Park |
| <input type="checkbox"/> SR-6 Traditional-Front Residential | | <input type="checkbox"/> LI Light Industrial |
| <input type="checkbox"/> SR-7 Traditional-Rear Residential | | <input checked="" type="checkbox"/> GI General Industrial |

The subject property is also located in the following overlay zoning district(s). (check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> PD Planned Development | <input type="checkbox"/> GP Groundwater Protection | <input type="checkbox"/> FP 100-Year Floodplain |
| <input type="checkbox"/> DD Downtown Design | <input type="checkbox"/> NFC Natural Features Conservancy | <input type="checkbox"/> FP 500-Year Floodplain |
| | | <input type="checkbox"/> SW Shoreland-Wetland |

7. Adjoining land uses and zoning

	Zoning district(s)	Current uses
North		Car dealership
South		Genoa Pizza
East		WISCONSIN OVENS
West		Jennys Piers

Note: If the subject property abuts a property located in a different zoning district, a bufferyard may be required. You will need to submit a Landscaping and Bufferyard Worksheet if a bufferyard is required.

8. Current use. Describe the current use of the subject property.

Restaurant

9. Proposed use. Describe the proposed use or the proposed amendment.

a patio for customers can have
dinner + drinks while social distancing
Restaurant owner intends to do all work needed

10. Hours of operation. Describe when the proposed use will be open for business (i.e., hours and days).

~~Monday~~ Tuesday - Saturday 11Am - 10pm Monday 4pm - 9pm Sunday 4pm - 9pm

11. Employees. Describe number by type, number on largest works shift, etc.

5 employee, 5 family members 6 employee on largest shift.

12. Customers / patrons of business. Describe the customers and patrons, including peak loads.

Restaurant Customers

13. Miscellaneous

☐ Yes ☒ No Has the Village approved a variance for the subject property?

If yes, provide the year of issuance and a short description for each one.

☐ Yes ☒ No Is the subject property currently in violation of the Village's zoning code?

If yes, describe the nature of the violation and what is being done to bring the property into compliance.

☐ Yes ☒ No Are there any nonconforming buildings on the subject property? A nonconforming building does not meet the dimensional requirements for the zoning district in which it is located.

If yes, describe what building is nonconforming and the nature of the nonconformity.

☐ Yes ☒ No Will the proposed use create any detectable ground vibrations? (See § 510-99 of the zoning code.) If

yes, describe.

☐ Yes ☒ No Will the proposed use create any detectable noise beyond the property boundary lines? (See § 510-100 of the zoning code.)

If yes, describe.

☐ Yes ☒ No Will the proposed use create any air pollution? (See § 510-101 of the zoning code.)

If yes, describe.

☐ Yes ☒ No Will the proposed use create any detectable odor beyond the property boundary lines? (See § 510-102 of the zoning code.)

If yes, describe.

☐ Yes ☒ No Will the proposed use create any detectable glare or heat beyond the property boundary lines? (See § 510-104 of the zoning code.)

If yes, describe.

☐ Yes ☒ No Will the proposed use involve any materials which could detonate by any means? (See § 510-105 of the zoning code.)

If yes, describe.

☐ Yes ☒ No Will the proposed use involve any materials that are toxic or noxious or that are considered waste materials? (See § 510-106 of the zoning code.)

If yes, describe.

☐ Yes ☒ No Will the proposed use involve any outdoor storage of materials?

If yes, describe.

☐ Yes ☒ No If the proposed use involves processing or manufacturing of materials, will water be used in any of those processes?

If yes, describe the nature of the activity and anticipated water demand and sanitary loading

☒ Yes ☐ No Is expansion of the proposed use or building anticipated?

If yes, describe the nature of the expansion and potential timeline for such expansion

a place for patrons to eat and drink
while social distancing

14. Utilities

Water ☒ Municipal ☐ Private well

If private well, when was the well installed and approved?

Sewer ☒ Municipal ☐ On-site septic system

If septic system, when was the system installed and approved?

15. Licenses and permits

Required

- ☐ Beer ☒ Have ☐ To Get
☐ Liquor ☒ Have ☐ To Get
☐ Cigarette ☐ Have ☐ To Get
☐ Food service ☐ Have ☐ To Get
☐ Amusement Device ☐ Have ☐ To Get
☐ Other: _____ ☐ Have ☐ To Get
☐ Other: _____ ☐ Have ☐ To Get
☐ Other: _____ ☐ Have ☐ To Get

16. Property access (refer to § 510-91 of the zoning code for details)

	Current	New
Local street		
County highway	Hwy E3	Same
State highway		

17. On-site parking (refer to § 510-91.1 of the zoning code for details)

	Current	Required [1]	New
Standard spaces	30	0	0
Accessible spaces	2	0	0

Notes:

[1] On-site parking is not required in the Central Business (CB) zoning district

☐ Yes ☒ No Are you proposing shared parking pursuant to § 510-93(G) of the zoning code?

If yes, attach a draft shared parking agreement.

18. Calculations for maximum building coverage and impervious surface coverage

- a. Area of subject property as determined by site survey acres 0
- b. Land located within proposed rights-of-ways of roads and within proposed boundaries of public facilities that are
- d. Land which is proposed for a different development option or a different zoning district acres _____
- e. Navigable waters (lakes & streams not within a designated floodplain) acres _____
- f. Designated floodplains acres _____
- g. Wetlands acres _____
- h. Lakeshores acres _____
- i. Woodlands acres _____
- j. Steep slopes (12 percent or greater) acres _____
- k. Total of "b" through "j" acres _____
- l. Net developable area (subtract "k" from "a") acres _____
- m. Building coverage ratio (see the standard for the appropriate zoning district) percent _____
- n. Impervious surface coverage ratio (see the standard for the appropriate zoning district) percent _____
- o. Maximum building coverage on property (multiply "l" by "m") acres _____
- p. Maximum impervious surface coverage on property (multiply "l" by "n") acres _____

	Maximum (acres)	Proposed (acres)
Building coverage (For Maximum, enter calculated value for "o" from above table)		0
Impervious surface (For Maximum, enter calculated value for "p" from above table)		0

19. Supplemental materials. Attach each of the following as appropriate. Upon written petition, the Village Administrator, Village Engineer, Village Planner, or the Zoning Administrator may waive specific site plan requirements.

Site plan with the following information:

- Title block showing the name, address, and phone of the current property owner and/or agent(s) (i.e. developer, architect, engineer, or planner) for project.
- The date of the original plan and the latest date of revision to the plan.
- A north arrow and a graphic scale (at a minimum scale of 1" = 100').
- A legal description of the subject property.
- All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled.
- All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose.
- Ground contours when any slope exceeds 12 percent
- All required building setback lines.

9. All existing and proposed buildings, structures, and paved areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls.
10. If the project is designed to be completed in phases or allow expansion of the building and other features, indicate these.
11. The location and dimension (cross-section and entry throat) of all access points onto public streets.
12. The location and dimension of all on-site parking (and off-site parking provisions if they are to be employed), including a summary of the number of parking stalls provided versus required by this Chapter.
13. The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas.
14. The location of all outdoor storage areas and the design of all screening devices.
15. Floodplains, wetlands, lakeshores, woodlands, steep slopes, and other environmentally sensitive lands.
16. The location, type, height, size, and lighting of all signage on the subject property.
17. The location and type of any permanently protected green space areas.
18. The location of existing and proposed drainage facilities.
19. Environmental and manmade development constraints and hazards including brownfields, contaminated sites, unstable soils, high groundwater, bedrock, and high-pressure natural gas lines.
20. In the legend, the following data for the subject property: lot area, building coverage, building coverage ratio, floor area ratio, impervious surface area, impervious surface ratio, and building height.
21. Any additional information as requested by the Plan Commission or Village Board.

Landscaping plan prepared at the same scale as the main plan showing the location of all required bufferyard and landscaping areas, and existing and proposed landscape point fencing and berm options for meeting said requirements. The landscaping plan shall demonstrate complete compliance with the requirements of Article XIV of Chapter 510 of the zoning code. Be sure to show the individual plant locations and species, fencing types and heights, and berm heights. In addition to the drawing, include the Worksheet for Landscaping and Bufferyards.

Grading and erosion control plan prepared at the same scale as the main plan, showing existing and proposed grades, including retention walls and related devices, and erosion control measures.

Outdoor lighting plan (photometric plan) prepared at the same scale as the main plan that shows all existing and proposed exterior light fixtures. Calculations for the photometric plan shall be rounded to the nearest 0.10 foot-candles. A legend must be included to show the following information for each type of fixture: (1) manufacturer name, (2) product number, (3) mounting height, and (4) any other pertinent information. Be sure that current and proposed lighting will not exceed the 0.50 foot-candles threshold at the property boundary line. See § 510-95 of the zoning code for more details.

Plat of survey prepared by a registered land surveyor if in the judgment of the Zoning Administrator such accuracy is needed to ensure compliance with all dimensional standards, including setback requirements. The survey shall depict property lines, easements, and other existing and proposed improvements, and other information as may be needed to establish compliance with zoning requirements.

Architectural review application for any new buildings or for remodeling of existing buildings. The application must include elevation drawings showing finished exterior treatment, with adequate labels to clearly depict exterior materials, texture, color, and overall appearance. Perspective renderings of the proposed project and/or photos of similar structures may be submitted, but not in lieu of adequate drawings showing the actual intended appearance of the buildings. (Refer to § 510-90 of the zoning code for additional details.)

20. **Attachments.** List any attachments included with your application.

Drawings of what we would like to do.

21. **Other information.** You may provide any other information you feel is relevant to the review of your application.

IS it necessary to have a contractor?

22. **Applicant certification**

- ♦ I certify that all of the information in this application, along with any attachments, is true and correct to the best of my knowledge and belief.
- ♦ I understand that I may be charged additional fees (above and beyond the initial application fee) consistent with § 510-149 (D) of the Village's municipal code to pay for the services of independent consultants the Village elects to retain to help review this application. Depending on the nature of the proposed project, such independent consultants may include planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts. I further understand, the Village may delay acceptance of the application as complete, or may delay final approval of the proposal, until all outstanding fees have been paid. I further understand that such fees must be paid even if this application is withdrawn or denied. If the applicant or the property owner does not pay such fees upon request, such fees may be assigned to the property owner as a special assessment to the subject property.
- ♦ I understand that submission of this application authorizes Village officials and employees, Plan Commission members, Village Board members, and other designated agents, including those retained by the Village, to enter the property to conduct whatever site investigations are necessary

to review this application. This does not authorize any such individual to enter any building on the subject property, unless such inspection is specifically related to the review of this application and the property owner gives his or her permission to do so.

- ♦ I understand that this application and any written materials relating to this application will become a permanent public record and that by submitting this application I acknowledge that I have no right to confidentiality. Any person has the right to obtain copies of this application and related materials or view it online.
- ♦ I understand that the zoning administrator will review this application to determine if it contains all of the required information. If he or she determines that the application is incomplete, it will not be scheduled for review until it is deemed to be complete.

Property Owner:

Name – print

Name – Signature

Date

Name – print

Name – Signature

Date

Applicant (if different than Property Owner):

Gina Diaz
Name – print

Gina Diaz
Name – Signature

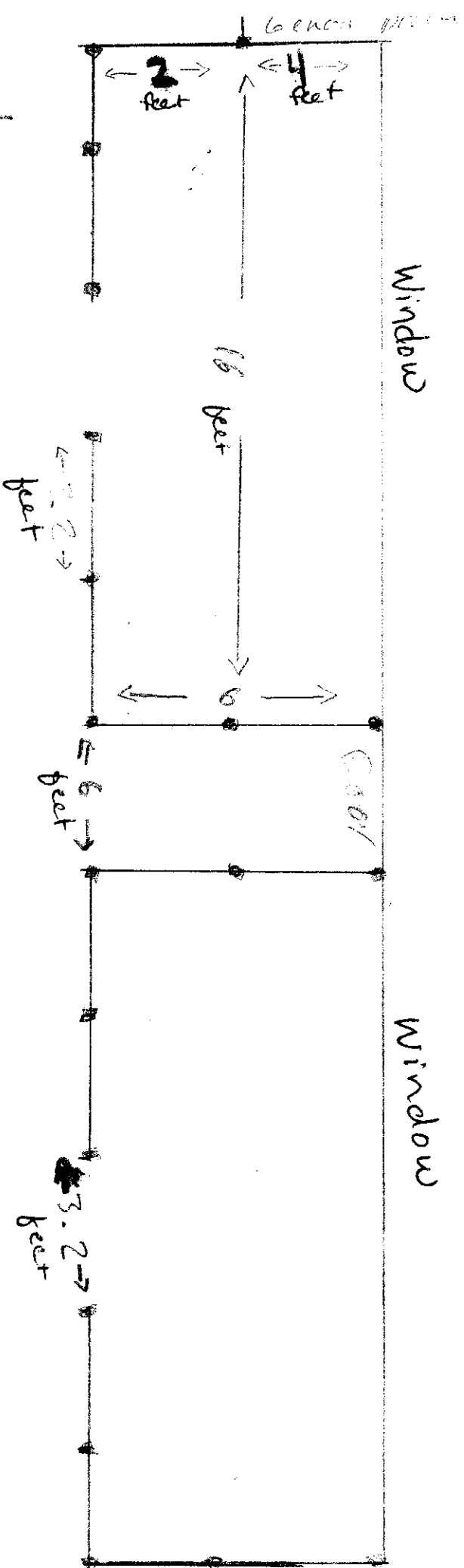
8/20/20
Date

Name – print

Name – Signature

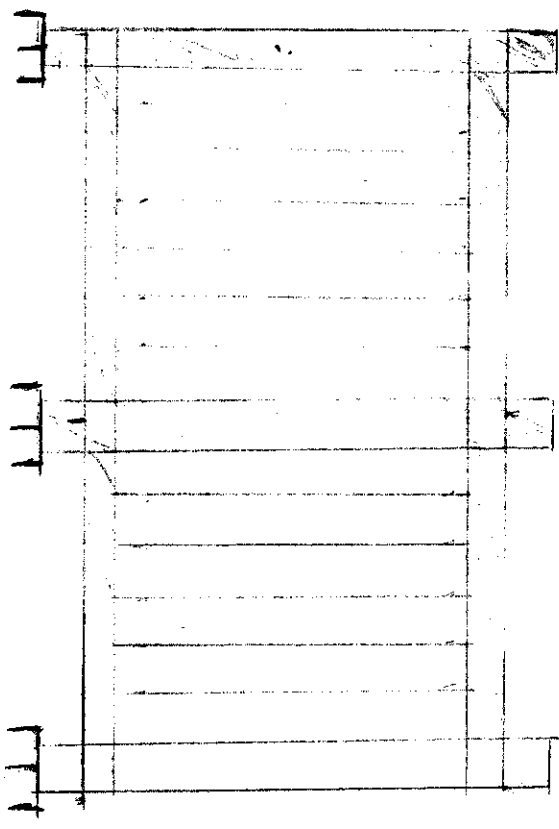
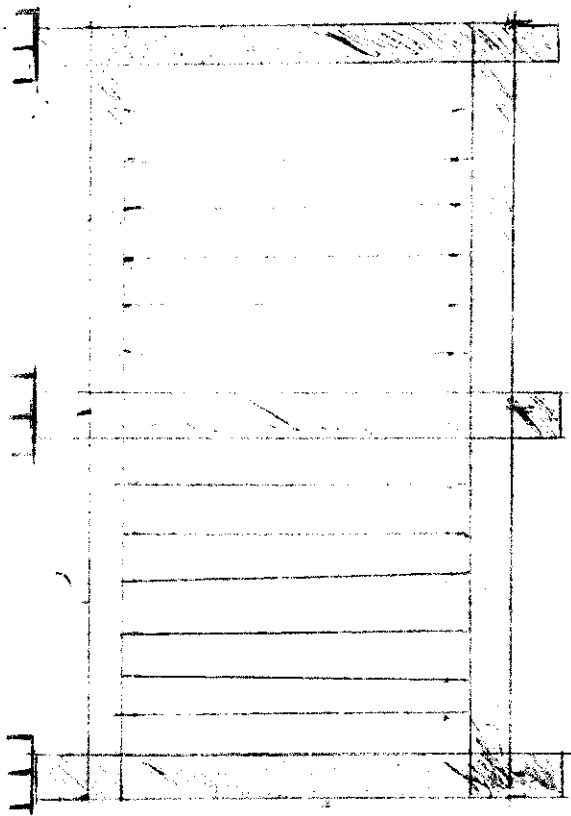
Date

Building



Parking LOT

* made of wood
will be bolted into ground.



hence will be what the maximum height
is required.