

## Downtown Okauchee Study Area Analysis

April 11, 2018

This document summarizes downtown Okauchee conditions, existing zoning ordinance provisions and identifies a preliminary list of issues and opportunities identified by Planning & Zoning Staff. This document is intended to provide background data and provide a starting point for discussions with the Downtown Okauchee Advisory Committee. This document provides analysis regarding the following topics:

1. Zoning/Use
2. Setback/Offset
3. Building Height
4. Area/Open Space
5. Parking
6. Signage
7. Outdoor Seating
8. Site Plan/Plan of Operation Review



**Topic 1: Zoning/Use**

Existing downtown conditions

- Wisconsin Ave. (west) - primarily business, mixed use, and public and institutional uses
- Wisconsin Ave. (east) - primarily residential uses on the south side of the road
- Wisconsin Ave. (east) - primarily business and mixed uses on the north side of the road
- Lake Drive - primarily residential and some restaurant/bar uses
- Approximately, 18 properties along Wisconsin Ave. (west) contain residential units either above or alongside a business use. All but three of those properties have either one or two residential units.

Existing Land Use Plan designations

- The Town and County land use plans designate the study area as Mixed Use, Low Density Residential, Medium Density Residential, and Governmental & Institutional.

Existing Zoning District provisions

Zoning District	Permitted Uses	Conditional Uses
B-2 Local Business	<ul style="list-style-type: none"> <li>• Retail, customer service, office, and similar business uses</li> <li>• Single-family residential</li> </ul>	<ul style="list-style-type: none"> <li>• More intense business uses (i.e. animal clinics, mobile home parks, bed &amp; breakfast, hotels, commercial parking, marinas)</li> <li>• Public/semi-public buildings</li> <li>• Religious buildings/uses</li> <li>• In-law units</li> <li>• Multi-family &amp; PUD's</li> </ul>
R-3 Residential	<ul style="list-style-type: none"> <li>• Single-family residential</li> <li>• Home occupations</li> </ul>	<ul style="list-style-type: none"> <li>• Limited business uses (i.e. same as B-2 (except hotels), restaurants/taverns, antique shops, limited family businesses)</li> <li>• Public/semi-public buildings</li> <li>• Religious buildings/uses</li> <li>• In-law units</li> <li>• Multi-family &amp; PUD's</li> </ul>
P-I Public & Institutional	<ul style="list-style-type: none"> <li>• Uses that serve a public need</li> <li>• Residential quarters if occupant full-time employee on premise</li> <li>• Agriculture as accessory use</li> </ul>	<ul style="list-style-type: none"> <li>• Bed &amp; breakfast</li> <li>• Animal hospitals/clinics</li> </ul>

- Conditional Use requirements for multi-family require a min. density of 9,000 sq. ft. per unit, a min. lot width of 180 ft., and 5,000 sq. ft. of green space per unit.
- PUD projects are subject to the same density requirements as multi-family and require at least 40% open space.

- Minimum floor area requirements for residential uses.
  - Single-family = 850 sq. ft. 1<sup>st</sup> floor/1,100 sq. ft. total
  - 2-family = 850 sq. ft. per unit
  - 2-family = 600 sq. ft. for 1-bedroom/700 sq. ft. for 2-bedroom/800 sq. ft. for 3-bedroom/+100 sq. ft. for each additional bedroom

### Zoning & Use Issues/Opportunities

#### **Downtown Street Level Use**

- Issue: The B-2 Local Business District allows for a single family residential use by right without a business use being present. Conversion of storefronts to residential use could impact the downtown business climate.
- Opportunity: Consider requiring street level commercial uses in buildings fronting Wisconsin Ave. (west) and potentially on the north side of the road along Wisconsin Ave. (east), unless a Conditional Use is granted.

#### **Multi-family & Planned Unit Development Provisions**

- Issue: The minimum density and open space provisions for multi-family and PUD's were designed for residential subdivisions and business parks where lot sizes are larger, not for properties in a compact downtown environment.
- Opportunity: Modify or remove the residential density standards to accommodate a downtown setting and consider reliance on other building location and bulk requirements.
- Opportunity: Consider providing a Conditional Use option for unique redevelopment projects.
- Issue: The ordinance provides limited accommodations for mixed use development and requires multi-family uses to be authorized via Conditional Use. A Conditional Use process requires a public hearing and additional review time vs. a permitted by right process.
- Opportunity: Consider whether multi-family dwelling units in a mixed use building should be available by right in certain zones or sub-areas in order to promote plan recommendations that call for a mixed use environment. Additional residential density may help stimulate the vitality of the urbanized downtown area.

**Minimum Floor Area for Residential Units**

- Issue: Existing buildings in downtown Okauchee are generally not large enough to accommodate 2<sup>nd</sup> story residential units that comply with minimum dwelling unit requirements, which may limit use options of buildings.
  
- Opportunity: Consider reducing the minimum floor area requirements for 2<sup>nd</sup> story single and 2-family residential apartment/condo units to be consistent with multi-family provisions that are based on # of bedrooms.

## Topic 2: Setback/Offset

### Road Setback

#### Existing downtown Okauchee conditions

- Most structures on Wisconsin Avenue (west) are within 5 ft. of R-O-W.
- Most structures on Wisconsin Avenue (east) are located at least 10 ft. from the R-O-W on the south side and 35 ft. from the R-O-W on the north side.
- The pattern of development on Lake Drive is influenced by lot depth and shore setback requirements.

#### Existing ordinance provisions

- 35 ft. road setback, or
- Average with similar type structures on adjacent properties and on same side of the road.
- Structures nonconforming to road setback are allowed limited expansions if set back at least 20 ft.
- Staff can administratively approve road setback to allow a min. 30 ft. deep building envelope with at least 1,100 sq. ft. building envelope.

#### Road Setback Issues/Opportunities

- Issue: Wisconsin Ave. (west) has a unique development pattern with buildings typically very near the road right-of-way. The unique downtown setting is vulnerable to change, as current code provisions do not require, but may also not allow, new or re-development projects to match the historic near-road development pattern.
- Opportunity: Consider maximum building setbacks or build-to lines in specific geographic areas to preserve downtown form, provide adequate developable space and make more properties conforming.
- Issue: Existing road setback averaging provisions do not resolve all road setback nonconformities. Nonconforming status limits permissible building improvements.
- Opportunity: Assess whether minimum building setback requirements should be reduced or eliminated, and if so, identify road segments where appropriate (special focus on Wisconsin Ave-west).
- Opportunity: Consider whether special accommodations should be provided for awnings/canopies.

**Offset**

Existing downtown Okauchee conditions

- Most structures on Wisconsin Ave. (west) are within 5 ft. of the lot line on at least one side.
- There is a mixed pattern of development on Wisconsin Ave. (east) - north side.
- Most structures comply with the offset on Wisconsin Ave. (east) - south side.

Existing ordinance provisions

Zoning District	Offset Provision*
P-1 Public & Institutional	50 ft. (principal) / 30 ft. (accessory)
B-2 Local Business	10 ft. if building used for commercial only, otherwise see below
R-3 Residential	14 ft.

\*Offset reduction table applies.

- 50% reduction for decks/patios and 5 ft. for sidewalks/steps 5 ft. or less in width.
- Structures nonconforming to offset are allowed limited expansions if offset at least 5 ft. from a lot line and are still required to obtain BOA approval, unless offset a minimum of 10 ft.

Offset Issues/Opportunities

- Issue: Many structures are nonconforming to offset and vertical/lateral additions are prohibited or limited.
- Issue: Offset requirements limit the available area to accommodate sidewalks/outdoor seating areas (including decks/patios).
- Opportunity: Consider whether unique downtown offset relief is appropriate.
- Issue: Many buildings are close to each other, which may present a safety hazard to consider when reviewing expansion proposals.
- Opportunity: Consider working with Town Fire Department and Building Inspector regarding appropriate offset relief and/or safety measures.

### Topic 3: Building Height

#### Existing downtown Okauchee conditions

- A majority of buildings comply with existing height provisions.

#### Existing ordinance provisions

- 35 ft. max., if located within 75 ft. of the shore or on a lot less than 65 ft. in width.
- 42 ft. max. (32 ft. max. to eave), if located 75 ft. or more from the shore and on lots 65 ft. or greater in width.
- Max 3 stories on waterfront properties as viewed from lake.

#### Height Issues/Opportunities

- Issue: The pattern of development consists of 2-story buildings on Wisconsin Ave. (west), but existing provisions allow for 1-3 story buildings. 1 story buildings may negatively affect aesthetics and limit opportunities to enhance the downtown environment.
- Issue: Existing provisions limit building height to 35 ft. on lots less than 65 ft. Many structures on Wisconsin Ave. (west) are located on lots less than 65 ft. in width and the height limitation may be too restrictive in a downtown setting.
- Opportunity: Consider minimum height and/or number of story requirements to preserve the existing pattern of development.
- Opportunity: Consider modifying maximum height provisions on narrow lots to allow development at a typical downtown scale.
- Opportunity: Consider height increase process for special or unique proposals.

**Topic 4: Area/Open Space**

Existing Ordinance Provisions

Building Footprint Table

Zoning District	Building Footprint Provision
P-1 Public & Institutional	N/A
B-2 Local Business	Max. 50%
R-3 Residential	Max. 17.5%

Impervious Surface Table

Zoning District	Impervious Surface Provision
P-1 Public & Institutional	60%*
B-2 Local Business	NA*
R-3 Residential	NA*

\*Properties that abut a navigable waterway or are located entirely within 300 ft. of a navigable waterway are subject to the following:

Use	No Mitigation Required	Mitigation Required
Commercial/Industrial	40% max.	60% max.
Residential	30% max.	40% max.

Existing downtown Okauchee conditions

- Aerial photography review reveals that most commercial properties are well under the B-2 District 50% max. lot coverage.

Area & Open Space Issues/Opportunities

- Issue: Building footprint standards are flexible for PUD’s, but multi-family CU’s must comply with conventional footprint standards, which may be a restricting factor.
- Opportunity: Consider whether a unique footprint scheme is needed to accommodate multi-family residential uses.



## Topic 5: Parking

### Existing downtown Okauchee conditions

- There are limited on-site parking spaces available on Wisconsin Ave. (west). However, there is public and street parking nearby.
- There is on-site parking available on Wisconsin Ave. (east), commonly located on the street-side of buildings.
- There is no marked street parking on Wisconsin Ave. (east).
- There is on-site and street parking on Lake Drive.

### Existing ordinance provisions

- *Number of on-site spaces required*
  - Retail/Restaurants/Taverns: 7 spaces per 1,000 sq. ft. devoted to primary use.
  - Office: 1 space per 300 sq. ft.
  - Residential: 2 spaces per unit
- *Dimensions of stalls/Dimensional requirements*
  - 9 x 20 for 60 degree spaces
  - 9 x 27 for 90 degree spaces
  - 16 ft. of width between opposite facing parking stalls for ingress/egress
  - 10 ft. offset
  - 10 ft. road setback
- *Site regulations*
  - Screening required if adjacent to residential district
  - Parking lot lights hooded and beamed
  - Off-street loading space required for every 10,000 sq. ft. or fraction thereof in excess of 3,000 sq. ft. of building area, exclusive of storage area. The loading space must be at least 10 ft. x 45 ft.

### Parking Issue/Opportunities:

#### **Shared/Municipal Parking**

- Issue: The ordinance provisions do not formally acknowledge available public/shared parking in demonstrating compliance with minimum parking requirements.
- Opportunity: Provide ordinance accommodations for public and/or shared parking in lieu of on-site parking.
- Issue: Public/shared parking is not easy to identify because of lack of signage.
- Opportunity: Assess whether municipal parking is appropriately identified and whether shared parking should be marked.

- Issue: The municipal parking lot is a relatively long walk from some businesses on Wisconsin Ave. (west) and other parts of the study area, which appears to leave it lightly used.
- Opportunity: Consider whether municipal lot is sufficient or whether additional or alternative municipal parking solutions may better serve the area.

### **Parking Offset**

- Issue: The ordinance requires a side-yard offset that eliminates the opportunity to share parking with adjacent properties and is restrictive when considering narrow lots.
- Opportunity: Provide flexible offset requirements to encourage shared parking between adjacent lots to improve cross-access and maximize space.

### **Dimensional Parking Standards**

- Issue: The dimensional standards for parking stall and aisle width within the ordinance are dated and in need of refinement.
- Opportunity: Revise ordinance standards for consistency with industry standards.
- Issue: There are no ADA standards specified in the ordinance.
- Opportunity: Revise ordinance to require compliance with ADA standards.
- Issue: The loading zone requirements in the ordinance may not be tailored for a downtown environment.
- Opportunity: Assess business needs for designated loading zones.

### **Parking Lot Placement**

- Issue: Parking lot placement (front/rear of building) is inconsistent within the project area. There are no ordinance requirements that identify locational requirements, which may negatively affect downtown aesthetics and experience.
- Opportunity: Consider whether parking lot location standards should be introduced with specific consideration of Wisconsin Ave. (west).

**Topic 6: Signage**

Existing downtown Okauchee conditions

- Wall mounted and window signs are most common on Wisconsin Ave. (west).
- Wall mounted and free standing signs are most common on Wisconsin Ave. (east) and Lake Drive.
- Most signs are nonconforming to road setback because of the location of the existing buildings.

Existing ordinance provisions

- 20 ft. road setback
- Free standing signs = max. 20 ft. tall
- Signs attached to buildings shall not exceed 35 ft. and shall not be taller than 4 ft. above roof.
- Max. 1 sign per store side of building (B-2)
- Maximum size limitations

Zoning District	Size Limitation
P-1 Public & Institutional	50 sq. ft.
B-2 Local Business	40 sq. ft. non-illuminated/20 sq. ft. illuminated
R-3 Residential	Not allowed

Signage Issues/Opportunities:

**Road Setback Signage Standards**

- Issue: Road setback standards for signage may be too restrictive, given the pattern of buildings located close to the road in parts of the study area.
- Opportunity: Analyze typical amount of space between road/sidewalk and buildings by sub-area to determine appropriateness of road setback for freestanding signs vs. building mounted signs.

**Sign Style & Dimensional Standards**

- Issue: Downtown Okauchee has unique character, however, the signage standards of the current ordinance are “one size fits all.”
- Opportunity: Consider whether unique accommodations and regulations for sign style (i.e. building mounted, monument/pole), size, height and number of signs are needed in order to accommodate signage that is effective for businesses and compatible with the downtown setting.

**Illumination/Digital Sign Standards**

- **Issue:** Digital reader boards and animation are not specifically addressed by current code.
- **Opportunity:** Consider appropriateness of digital reader boards in downtown sub-areas and consider requirements relative to frequency of message changing, brightness and content colors.
- **Issue:** Rules for type (internal/external) and hours of sign illumination are not identified by the current code. Lack of such standards may create neighbor conflicts or negative aesthetics.
- **Opportunity:** Consider whether sign illumination standards should be established for the downtown area or sub-areas.

**Sandwich Board/Window Sign Standards**

- **Issue:** Sandwich boards and window signs are a common form of advertising and may provide space to display information about sales or specials. These sign styles are not currently acknowledged by the current code.
- **Opportunity:** Consider providing sandwich boards and window signs by right without a permit if certain specifications are complied with.

## Topic 7: Outdoor Seating

### Existing downtown Okauchee conditions

- A number of properties have approved outdoor seating through a Plan of Operation process.
- Sample of existing Plan of Operation conditions for outdoor seating:
  - Cannot impede pedestrian traffic.
  - Tables/chairs need to remain in front of own tenant space of a multi-tenant building.
  - Tables/chairs must be stored in an enclosed structure when operation is closed.
  - No entrance to the outdoor seating space from the street.
  - Hours of seating and/or dining limited.

### Existing ordinance provisions

- Outdoor seating and storage are reviewed as part of the Plan of Operation process without specific regulatory provisions/guidelines.
- Patios/decks must comply with setbacks/offsets.

### Outdoor Seating Issues/Opportunities

- Issue: There are no set standards for permitting outdoor seating associated with an establishment. Therefore, outdoor seating review is subjective.
- Opportunity: Develop an ordinance standard that requires consideration of the following issues during the Plan of Operation review process, including:
  - Hours
  - Pedestrian traffic accessibility
  - Consideration of adjacent or neighboring uses
  - Entertainment/music
  - Alcohol service/liquor license
  - Definition of space
  - Setback/offsets
  - Seating capacity

## **Topic 8: Site Plan/Plan of Operation Review**

### Existing ordinance provisions

- All new businesses and modifications to the operator, owner, or use of an existing business requires a Site Plan/Plan of Operation review by the Town of Oconomowoc Plan Commission and Waukesha County Planning and Zoning Division Staff.

### Site Plan/Plan of Operation Issues/Opportunities

- Issue: Business and property owners must submit application materials to both the Town and County and both entities conduct a full review of the application materials which creates some duplication of effort and potential time delays for applicants.
- Opportunity: County Planning Staff collaborates with Town Planner to identify recommended improvements to the Site Plan application review process to streamline review activities.