

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
April 8, 2019

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL  
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

**Call to order and roll call.**

Chairperson Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

Present: Greg Meyer, Lynn Binnie, Andrew Crone (arrived 6:25 p.m.), David Stone, Bruce Parker, Tom Miller, Lisa Dawsey Smith. Absent: Sherry Stanek. Others: Chris Munz-Pritchard (City Planner), Wallace McDonell (City Attorney).

**Hearing of Citizen Comments.** There were no citizen comments.

**Approval of Plan Commission Minutes.** Moved by Binnie and seconded by Miller to approve the Plan Commission minutes of March 11, 2019. Motion approved by unanimous roll call vote. The Plan Commission minutes of the January 14, 2019 meeting were not available for review.

**Public hearing for consideration of a conditional use permit for the conversion of a two unit (duplex) with five bedrooms in each unit into 4 smaller units, consisting of 2 three-bedroom units, 1 two-bedroom unit and 1 one-bedroom unit (9 total bedrooms) at 353 S. Scott Street for Land and Water Investments, LLC (Matthew Kuehl).** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard went through her Planner Report and recommendations. This proposal is for the conversion of a single family home into four units. This property had been approved for a duplex in October 2018. The project from October never moved forward although building and demo permits were issued. The proposed 4 unit building is two stories. Her recommendations included:

1. Yard requirements (19.21.060) is thirty (30) feet in the front, fifteen (15) feet on the sides and thirty (30) feet in the rear. The plans turned in for 353 S. Scott Street do not show setbacks (building envelope) for this property. It also appears that the front of the property may only have a setback of 25 feet.
2. The minimum parking stall requirement is 80% of 9 rooms which is 8 stalls. The size of each parking space shall be at least nine feet wide and not less than one hundred eighty square feet. Occupancy should be contingent on parking.
3. A buffer screening is to be placed around the proposed parking area (19.51.070). This will require the approval of landscaping plans.
4. All areas intended to be utilized as a driveway and for parking shall be surfaced with asphalt or concrete. Parking stalls are to be striped. Permitted cars will have either numbered parking stalls, hanging tags or parking stickers to identify permitted vehicles. A joint use easement will need to be established between the two properties.

5. 1,400 square feet of usable open space is needed for the requirement under 19.21.070 - Lot coverage. Three hundred fifty (350) square feet of usable open space shall be required for each dwelling unit. This contains 4 units.  $4 * 350 = 1,400$  square feet.

There shall be open space drawn into the plans. The plans should reflect the creation of on-site green spaces, and public/private courtyards is encouraged. When possible, plazas, sitting areas, or other public spaces should be incorporated into site plans as amenities to the residents and the public. Trees, trellises or similar shade elements to be designed into a courtyard are encouraged. This will be included in the review and approval by the Urban Forestry Committee (UFC). This shall be approved prior to occupancy.

6. The exterior of the building needs to be consistent when finished. The finished building is to have the same color and material on both the existing and the addition.
7. A Knox box will be placed on the building and approved by the fire department.
8. Adequacy of the utility services for the building will need to be determined by the architect or engineer. This building may need a larger water service to accommodate the increased density.
9. No parking is being shown in the front of the building. The existing driveway shall be removed as shown in the plans. The existing driveway curb cut on Scott Street will need to be replaced to match the existing curb and gutter.
10. Approval by Engineering, Building Inspector, Fire Inspector and other City departments.
11. Any other conditions identified by City Staff or the Plan Commission.

Chris Munz-Pritchard provided other information referencing ordinance requirements for driveways and three letters with information for this area. One from the Fire Chief, a memo from the Director of Public Works and a copy of a letter she sent to Matt Kuehl back in March.

**Other**

19.51.040 – A Adequate access—Driveways. Adequate access to a public street shall be provided for each parking space, and driveways shall be at least ten feet wide for parking areas for less than ten vehicles, and at least two ten-foot lanes for parking lots for ten or more vehicles.

19.51.040 – C No driveway may be closer than three feet to an abutting property line, except where two adjacent lots have a common driveway then the three-foot minimum distance shall not apply. Common, shared, and cross-access driveways between adjacent lots are permitted, provided that such driveways are established by recorded easement that may not be removed except by approval of the city or as otherwise permitted by law (such as nonconforming use or prescriptive easements).

Plan Commission Chairperson Meyer opened for public comment.

Fire Chief Mike Higgins was present to explain his concerns. He explained that Scott Street is very narrow. Changing single family homes to duplexes or more has put a lot more traffic on the street. There is only one fire hydrant at the corner of S. and W. Scott Streets. If there were a structure fire, they would need to get another line to the property. A tanker truck would have to

back in from either end of Scott Street. A water line upgrade and a second fire hydrant are needed. This area should be looked at very carefully. We need to find a way to reduce cars in this area or widen the street and upgrade the hydrant system in this area. Fire Chief Higgins also suggested that the driveway for 361 S. Scott Street should be a one way going in, due to the neighbor's garage being so close to the street and being unable to see to get out. He stated that if the water is not upgraded, the building would need to have a sprinkler system.

Plan Commission Members voiced: all parking egress is to be at Franklin Street?; one hydrant would help, but if not the flow may need more.

City Planner Chris Munz-Pritchard explained that all other properties to the north will egress at Franklin Street, but not this one. She stated that there is no parking on Scott Street between 8 a.m. and 5 p.m. weekdays. Parking is allowed nights and weekends.

Matt Kuehl, Land & Water Investments, explained that their philosophy was intended to decrease density and to service family housing. They are changing what was two large 5 bedroom units into 4 smaller units with one, two and three bedrooms (9 bedrooms total). The intention for the parking was to have fewer curb cuts on this property. This plan was the result of conversations with the City and was intended to resolve the questions. He explained that the driveway and the garage have been there for many years. He can't ask the neighbor to take down his garage. As far as the hydrant issue, there is a misconception that we are adding density, when in reality we are reducing it. The water mains are more than sufficient to service what is there.

Plan Commission Members voiced: adding more footprint, more square footage; DNR requires 500 gal. flow per minute; Chief Higgins has more intimate knowledge of what is needed to fight fires.

Matt Kuehl stated that what we need to know is if the water mains are 6" and if there is enough water capacity and if one fire hydrant is sufficient.

Tom Hoffman, 363 S. Janesville Street, has lived there for 27-28 years. The driveway by the southernmost duplex (red one) was put in when the building was built. When it was a single family home, it had one driveway (about the middle of the duplex). As far as the traffic, both ends of the street are narrow, the street is narrow (basically an alley). It is getting close to capacity. The more people, the more problems. There is no parking 8 a.m. to 4 p.m. Vehicles are supposed to be off the street by 8 a.m., but sometimes they are not. Eventually something has to be done to the street.

Donna Henry, 347 S. Janesville Street, stated that there is no parking on Janesville Street. Originally you could park one car on the driveway, but not since Scott Street was made a street. Occupancy should be contingent upon the parking being built and added before.

Matt Kuehl stated that the driveway was re-oriented at the request of others. The driveway cannot get any wider. The parking lot will take care of parking on Scott Street, and it is a significant financial loss. He pointed out that he has been approved for a 10 bed duplex. He is offering the opportunity to have a smaller building that serves more of the community and would

be a long term fit. They are looking to what would best serve in the future. They get 10 calls from community people per every student call. As far as visitor parking, they are building spaces into the plan. They are over building for overflow visitor parking, so they won't have a problem.

Plan Commission Members voiced: they like the idea of putting up housing for all; University enrollment seems to be down again for this fall; eliminating a driveway & curb cut, so there is only one for the properties; are setbacks correct-30' street yard?; will there be a playground for the family housing?; parking on Scott Street?; does parking inhibit water mains and hydrants?;

City Planner Chris Munz-Pritchard, for the required usable open space, would like to see a courtyard. Munz-Pritchard stated that most of the water mains are under the street, so what Matt builds, should not be an issue.

Matt Kuehl noted that there will be a whole open area with a fire pit and playground. There will be a gathering courtyard where residents can go and have fun. He explained that on W. Scott Street, the buildings are oriented so parking on the street is not advantageous. On S. Scott Street the front doors face the street.

Chairperson Meyer closed the public comment.

Plan Commission Members voiced: it should be determined if the water mains are adequate and find out what size they actually are; there has been a problem with plans for stormwater in this area and has been talked about for years; would like to see plans for parking and stormwater approved by Strand Engineering before parking is put in.

Plan Commission Members voiced: that plantings that help the environment should be planted and the parking lot built so that it moves the water to the plantings; the area has been overbuilt with the parking and curb cuts; the density is huge for that area; the area cannot be serviced by the fire trucks; like the proposal, but need more fire protection; not able to vote- would like to see another fire hydrant; applicant has a permit to put up larger than this proposal; the main question is if the water is 6 inch looped for fire protection; If there is an additional hydrant, what would the flow be and would it be able to handle the area; would be in favor of postponing until we get more information; no problem with the density or buildings, just need to know where the water is going to go; would like the problems addressed; pressure test, sewer outlet and water flow and plan approved.

City Planner Chris Munz-Pritchard explained that what the City needs to know is the water flow in the area and if there are enough hydrants or if the project will need a sprinkler system.

Matt explained that the requirement of a sprinkler system is a deal failure for him. He said he is reducing the density. The engineers are close to a finalized plan. The fire safety needs to be addressed.

City Planner Chris Munz-Pritchard requested that this item be put off to the next meeting to find out the water main size and flow for hydrant and the potential for 2 or 3 fire hydrants and the cost.

Moved by Binnie and seconded by Crone that with the applicant's consent, we will continue the public hearing at the May 13, 2019 Plan Commission meeting (item # 4 on the April 8, 2019 Plan Commission Agenda) with the expectation that we will have a report regarding water for this area and the addition of 1 or more hydrants and also an approved parking and stormwater plan will be provided. City Attorney McDonnell added that it is understood that this will be a continued public hearing, all comments will be a part of the consideration at the next meeting.

The applicant, Matt Kuehl, agreed with the motion.

Aye: Binnie, Crone, Miller, Parker, Stone, Dawsey Smith, Meyer. No: None. Motion approved.

**Public hearing for consideration of a conditional use permit for the conversion of a duplex (2 five-bedroom units) into 4 two-bedroom units (8 total bedrooms) at 361-365 S. Scott Street for Land and Water Investments, LLC. (Matthew Kuehl).**

City Planner Chris Munz-Pritchard explained that discussion from the previous item in regard to water applies here.

Plan Commission Members voiced that: the fire safety wasn't of concern on this item as they were not changing the footprint; even if not changing the footprint, Plan Commission can still require deficiencies in the water to be reviewed.

Chairperson Meyer opened for public comment.

Matt Kuehl, the applicant, explained that they were changing their plans from the approved 5 bedroom per unit duplex to 4 two bedroom units to be more user/family friendly apartments. There is enough existing parking. The intention for this parking proposal is to have fewer curb cuts along Scott Street. The design eliminates access and curb cuts off Scott Street. This project is just this area. They cannot be separated without an easement.

There was discussion as to where would be the best place to put the driveway. Suggestion was made to close the south driveway and put a driveway between the two buildings. Matt Kuehl stated that this building was the better building and that the only thing that ties the two buildings together is the parking.

Donna Henry, neighboring resident, explained that water is a problem. Janesville Street properties are on limestone, so when there is a lot of rain etc, basements get wet. Changing the driveway would make the driveway come out in front of Tom Hoffman's garage. Where it is coming out now, Donna Henry felt that it would create less of a problem with the Janesville Street properties. Henry stated that it is important for Plan Commission members to walk down Scott Street. No matter what is decided, it is not going to satisfy everyone.

Tom Hoffman stated that he didn't have too much of a problem with this one. There is still the problem with water, fire hydrants, and fire trucks. All the facts should get put together before piecemealing things together.

Chairperson Meyer closed public comment.

Moved by Binnie and seconded by Crone to approve the conditional use permit for the conversion of a duplex (2 five-bedroom units into 4 two-bedroom units (8 total bedrooms) at 361-365 S. Scott Street for Land and Water Investments, LLC. (Matthew Kuehl); with the City Planner's recommendations, pending the parking plan being approved by the City Planner; and the parking and stormwater to be installed before occupancy. (See attached conditional use permit.) Aye: Binnie, Crone, Miller, Parker, Stone, Dawsey Smith, Meyer. No: None. Motion approved.

**Information Items:**

- a. Former Middle School property development information per request of Plan Commission members. Chris Munz-Pritchard had reached out to the University but did not receive an answer for the former Franklin Junior High property. She stated that the building had been removed in 1999. Vacant lots are to be mowed 15 feet from the sidewalk or 20 feet from the curb. This property is 3 acres and the owner has been mowing the entire property. Chris Munz-Pritchard is hoping to get more information. She also stated that funding is up in the air for the State budget.

Plan Commission Member Miller stated that the building should have been taken down to grade. They did not completely remove everything. Where the building was is gravel and a partial hole. Seems that needs to be completed.

Plan Commission Member Binnie stated that we can suggest to the owner that they put it all to grass, but without an ordinance, we cannot force them to do it. We can hope that the University will put the property to constructive use.

- b. Possible future agenda items. Chris Munz-Pritchard thought that there was one other item for the May Plan Commission meeting.
- c. Next regular Plan Commission Meeting – May 13, 2019.

Moved by Binnie and seconded by Parker to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:03 p.m.

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Chairperson Greg Meyer