

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
August 12, 2013

**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, Bruce Parker, Dan Comfort, Cort Hartmann, Jeffrey Eppers (Alternate), Donna Henry (Alternate). Absent: Karen Coburn. Others: Wallace McDonell (City Attorney), Latisha Birkeland (City Planner).

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

**Approval of the Plan Commission Minutes.** Moved by Binnie and seconded by Comfort to approve the Plan Commission minutes of July 8, 2013. Motion approved by unanimous voice vote.

Moved by Meyer and seconded by Eppers to amend the agenda to move item #6 to item #4. Motion approved by unanimous voice vote.

**Review proposed extra-territorial one lot certified survey map located at N204 Coldspring Road, Whitewater, WI to create an approximately 1.7 acre residential building site for Kathy Bolchen.** City Planner Latisha Birkeland explained that the property is located north of the City of Whitewater boundaries within the 1 ½ mile extra-territorial jurisdiction area and outside the City of Whitewater Sanitary Sewer Service District area. This lot is in the long range urban growth area of the City of Whitewater Comprehensive Plan which is beyond the 20-year planning period of the Comprehensive Plan. It is also located outside the Jefferson County Environmental corridor, as indicated on the preliminary certified survey map. Birkeland recommended approval of this extra-territorial certified survey map with two conditions.

Moved by Parker and seconded by Binnie to approve the extra-territorial certified survey map for Kathy Bolchen with the City Planners two conditions. (See attached review approval.) Ayes: Parker, Binnie, Meyer, Comfort, Hartmann, Eppers, Henry. Noes: None. Motion approved.

**Public hearing for a conditional use permit for a bakery and coffee shop with a drive through to be located at 1185 W. Main Street for Lacey Reichwald.** Chairperson Meyer opened the public hearing for consideration of a conditional use permit for a bakery and coffee shop with a drive through to be located at 1185 W. Main Street for Lacey Reichwald.

City Planner Latisha Birkeland explained that Lacey is proposing a restaurant, production bakery and coffee shop with a drive through facility on the first floor, and the second floor will remain

residential. There will be menu boards with speaker/microphones which will be required to have a volume control to comply with the noise ordinance. The freezer unit meets the setbacks. It will be screened with the same materials as the exterior of the building. The signage on the building will comply with the sign ordinance. The entrance only and exit only signs will put on private property. There will be a stop sign installed on the exit drive at W. Main Street. The dumpster and HVAC system is fenced. There are 21 parking stalls.

Lacey Reichwald explained that the business manager and wholesale baking accounts would be handled at this location. With CDA loan approval, they will be adding two full-time employees within the next year. They are working with Bob McCullough and Design Alliance Architects for the exterior renovation and are looking forward to improving the exterior of the building which is on a prominent corner as people come into Whitewater from the west. They are not looking to reduce their parking spaces at this time. Two of the spaces are allocated to the residences upstairs. There will be seating capacity for 10 in the bakery. There are also two existing decks to use for outside seating in the warmer months. The additional space will be helpful with the traffic flow for the business. They will be putting directional arrows on the pavement to help prevent people from going the wrong way.

Moved by Binnie and seconded by Parker to approve the conditional use permit for a bakery and coffee shop with a drive through subject to the City Planner's conditions. See attached conditional use permit. Ayes: Meyer, Binnie, Parker, Comfort, Hartmann, Eppers, Henry. No: None. Absent: Coburn. Motion approved by unanimous roll call vote.

**Public hearing for consideration of a conditional use permit for the conversion of a single family residence into a duplex, adding a 1,900 sq. ft. addition at 248 N. Prince Street; gravel driveway to be removed; property will share the driveway access and parking lot on the property to 10 cars (total of 25 parking spaces) for 248 N. Prince Street for Robert E. Freiermuth.** City Planner Latisha Birkeland explained that this is a single family home in an R-3 (Multi-family) Zoning District which they want to expand to a duplex by adding on to the rear of the home. In order to expand an existing use to a more intense use (adding a living unit), a conditional use permit is required. The R-3 Zoning District and the City of Whitewater Comprehensive Plan supports higher density uses. This proposal meets the requirements of the zoning code for conditional use. An item of concern is the proposed parking and ingress and egress. The plan is for a parking lot of 25 stalls to be shared between 248 and 256 N. Prince Street with a common driveway, ten parking spaces for 248 N. Prince and 15 parking spaces for the 256 N. Prince Street which is a 3 unit building. There will be five bedrooms in each unit of 248 N. Prince St. The City Engineer and other City Staff have reviewed the plans. The main concerns were: the direction of the drainage flow from the parking lot, landscaping, the parking lot expansion, and access to 240 N. Prince Street. The use, a residential unit expansion, is a normal request in an R-3 ( Multi-family) Zoning District.

Bob Freiermuth, owner of HSI Rentals, stated that there was no driveway access agreement between the properties at 248 N. Prince St. and 240 N. Prince Street. Bob showed photos of other properties he has renovated. He also stated that Frank Brothers, the company to hard surface the parking lot, has assured him that they will get the water to wherever it needs to go. The exterior of the existing building will be resided to match the new addition, the roofing lines

will match up, and new windows will be installed. There will be a common enclosed dumpster location. The enclosure will be wood slatted with a sturdy gate. Freiermuth stated he would work out the driveway situation with the neighboring land owner (240 N. Prince St.).

Chairperson Meyer opened the hearing to the public.

Sherry Stanek, resident of Whitewater, was concerned about the removal of the large trees along the proposed shared driveway.

Bob Freiermuth explained that they would only remove the trees that they would have to. He thought there might only be one box elder scrub tree that would have to be removed.

Chairperson Meyer closed the public hearing.

Plan Commission members voiced concerns about the screening of the parking lot; having some sort of landscaping/divider designating where the end of the parking area is so there is no parking in the driveway; the disabled stall does not meet width requirement on the plan; 240 N. Prince Street does not have enough area to get a driveway through to the rear yard; would like to see a driveway easement in writing; placement of a run-off inlet; and if a street excavation permit is needed, is Council approval needed due to the street being less than 5 years old. There is concern of where the water is going to go, considering the size of the parking lot, decks, and sidewalks. A storm sewer will need to be installed somewhere.

City Planner Birkeland explained the parking lot screening requirement, 10 feet or more could be a vegetative screen, 3 feet could be a fence or bushes. Birkeland explained that a driveway easement with 240 N. Prince Street could be required at the time the building permit is issued or before occupancy is granted. Once the City has all the information on the drainage, the City Engineer will know where the inlet should be. Some concerns would be whether to have 2 parking lots or one large parking lot; 25 stalls in an R-3 Zoning District creates drainage concerns. Esthetic reasons and drainage are the main concerns for this proposal. The conditional use permit helps design the flow of the properties affected. Requiring a fence be installed along the west side of the property is due to the code requirement for buffering from a property line. If there is enough space, there could be vegetation. Even if the property to the west is not developed, it should be protected for future development.

Bob Freiermuth would prefer bushes for screening. Freiermuth puts handicap signs for parking etc. when needed by his tenants. Freiermuth stated that he had nothing drawn for a drain area. There is one single driveway, one parking lot for which they plan to accommodate the drainage to keep it on the parcel. Freiermuth explained that there is a 4 foot elevation to the property to the west. He could make separate parking. Freiermuth did not feel there were that many issues that couldn't be resolved through City Staff. The only additional surface would be 4 parking stalls. He stated that they would take care of the water between the two properties.

Chairperson Meyer stated that there would need to be a retention plan or catch basin.

Plan Commission Member Parker stated that there are a lot of concerns with this proposal. He would like to see a complete plan with everything fine tuned.

Moved by Parker and seconded by Comfort to postpone this proposal to the next meeting to see complete plans, the 10 items of the City Engineer's memo addressed, a plan for the driveway for 240 N. Prince Street, a landscaping/fencing plan for the parking lot area, the catch basin shown, and confirming the requirements of a street opening permit for a street less than 5 years old.

Ayes: Meyer, Binnie, Parker, Comfort, Hartmann, Eppers, Henry. No: None. Absent: Coburn. Motion approved by unanimous roll call vote.

### **Informational Items:**

**Zoning Rewrite.** City Planner Latisha Birkeland explained that the joint workshop with the Council and Plan Commission members scheduled for August 15, 2013 was postponed. She has sent a new doodle for Council and Plan Commission members to reply with the dates they would be available. The deadline to reply is next Wednesday, August 21<sup>st</sup>. Latisha will be following up with emails and phone calls if necessary. There are dates set up in the evening for Tuesdays, Wednesdays, Thursdays, and Saturday mornings which could start at 8 a.m. or 10 a.m. The meeting is planned for 4 hours. There will be food and beverage provided.

Plan Commission Member Parker requested that the Draft Zoning Rewrite document be put on the ribbon on the front page of the City of Whitewater web site so it is easier to find.

**Future agenda items.** As of this meeting, there were five conditional use applications, one Zoning Overlay, and Park and Recreation Dept. will be back with the Treyton Field of Dreams concession stand for the next Plan Commission meeting.

City Planner Latisha Birkeland noted that Plan Commission Member Jacob Henley has officially moved outside the City of Whitewater. He has regretfully submitted his resignation as he enjoyed his time here.

If someone is interested in filling the Plan Commission vacancy, they can apply. It is an open application process. Alternates can apply to become a regular member.

### **Next regular Plan Commission meeting – September 9, 2013.**

Moved by Meyer and seconded by Parker to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:00 p.m.

---

Chairperson Greg Meyer



Neighborhood Services Department  
*Planning, Zoning, Code Enforcement,  
GIS and Building Inspections*

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0540

---

## Extra-territorial Certified Survey Map Review

Plan Commission Meeting Date: August 12, 2013  
Property Owner: Kathy Bolchen  
Applicant: Kathy Bolchen  
Property ID Number: 004-0515-3131-000  
Property Address: N204 Coldspring Road  
Whitewater, WI 53190

**REGARDING:** An approval for an extra-territorial certified survey map review for the division of one lot to create a residential building site from a larger agriculture parcel; creating a remnant of 43.5 acres of A-3 zoned property.

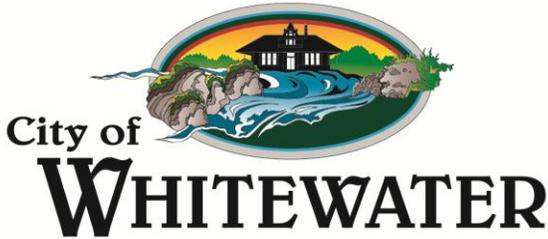
The Plan and Architectural Review Commission approved the extra territorial certified survey map for the division of one lot to create a residential building site from a larger agriculture parcel, subject to the following conditions:

1. The applicant shall meet all conditions set by Jefferson County for final approval.
2. Final CSM shall be reviewed and signed by City Staff and recorded with Jefferson County.

This permit was prepared by:

---

Latisha Birkeland  
Neighborhood Services Manager / City Planner



Neighborhood Services Department  
*Planning, Zoning, Code Enforcement, GIS  
and Building Inspections*

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0540

---

## CONDITIONAL USE PERMIT

Plan Commission Meeting Date: August 12, 2013  
Property Owner: Main 1185 LLC.  
Applicant: Lacey Reichwald  
Property ID Number: /L 00011  
Property Address: 1185 W. Main Street  
Whitewater, WI 53190

**REGARDING:** An approval for a conditional use permit (CUP) for a bakery and coffee shop with a drive through to be located at 1185 W. Main Street.

Approved subject to the following conditions:

1. The site shall be developed in accordance with the site plan dated on July 25<sup>th</sup>, 2013; including changes addressed in the staff report:
  - a. Signage must be placed on the private property.
  - b. Allow reduction in parking up to a minimum of 12 parking stalls on-site for green space or outdoor seating, if desired.
2. The conditional use shall run with the applicant and not the land. If the business is sold, the new owner/operator must return to the Plan Commission for approval of a conditional use permit.
3. The freezer is considered an addition to the building. The exterior of the freezer addition will be screened using the same proposed materials as used on the building. The screening will be at least 7 feet 6 inches in height.

This permit was prepared by:

---

Latisha Birkeland  
Neighborhood Services Director / City Planner