

CITY OF WHITEWATER
JOINT CITY COUNCIL AND PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
February 25, 2014

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

Call to order and roll call, and introduction.

Council President Singer called the joint meeting of the City Council and Plan and Architectural Review Commission to order at 6:00 p.m.

City Council Present: Patrick Singer, James Winship, Lynn Binnie, Ken Kidd, Stephanie Abbott, Sarah Bregant, Phil Frawley.

Plan Commission Present: Greg Meyer, Bruce Parker, Karen Coburn, Cort Hartmann, Sherry Stanek (Alternate), Donna Henry (Alternate).

Others: Dr. Larry Witzling (Zoning Rewrite Consultant), Latisha Birkeland (City Planner), Pat Cannon (CDA Director), Wallace McDonell (City Attorney), Cameron Clapper (City Manager).

Approval of the minutes of the Joint Common Council and Plan and Architectural Review Commission meeting of October 8, 2013. Moved by Abbot and seconded by Bregant to approve the minutes of the Joint Common Council and Plan and Architectural Review Commission meeting of October 8, 2013. Motion approved by unanimous roll call vote.

Public hearing to consider changes to the City of Whitewater Zoning Ordinance regulations, to enact proposed amendments to the City of Whitewater Municipal Code. The proposed amendments are considered a rewrite of Title 19, the City of Whitewater Zoning Ordinance. The amendments to be considered at this hearing are primarily related to Commercial Sections of the Zoning Code. Changes include, but are not limited to, amendments to the following chapters in Title 19 (chapters: 19.27 B-1 Community Business District; 19.30 B-2 Central Business District; 19.33 B-3 Highway Commercial and Light Industrial District; 19.36 M-1 General Manufacturing District; 19.37 M-2 Manufacturing and Miscellaneous Use District; 19.38 Whitewater University Technology Park District (WUTP District); 19.46 Floodplain Regulations; 19.461 FWW Floodway/Wetland District; 19.48 I Institutional District; and 19.485 Large Retail and Commercial Service Development Standards). Council President Singer opened the public hearing.

Plan Commission Member Henry asked for clarification of the planning procedure. There are three planning boards, the Plan Commission, Tech Park Board and the CDA (Community Development Authority) Board. Henry wondered how this would work smoothly.

City Attorney McDonell stated that the plan and expectation is for submittals to be made to the City Planning Office. The City Planner/Zoning Administrator would work with the developer to make sure they have the proper submittals and would take the submittal to the Tech Park Board meeting. The CDA would need to decide if they want the same model. The CDA would develop their own procedures.

Larry Witzling (Zoning Rewrite Consultant) explained that according to 19.36, the Plan Commission's functions shall be delegated to the CDA as approved by the City Council which has that authority. Witzling stated that this streamlines the approval process for non-residential projects.

Council President Singer stated that instead of going first to Plan Commission and then to CDA, the process would be streamlined so that all the decisions would be rolled into one meeting.

Jeff Knight, CDA and Zoning Rewrite, stated that the intention was to have one stop shopping by streamlining the process. The CDA Director would work with the City Planner/Zoning Administrator. All the decisions would be made in one room at one time.

When asked about citizen input, City Attorney McDonell stated that the current ordinance requires public input on everything the City Boards do. Notification to property owners would be made as it is now.

Council President Singer asked for citizen input.

Tiiu Gray-fow, 120 S. Ridge St., voiced concerns of the building density being increased and front and side yard setbacks being reduced, which would eliminate landscaping and green space area and could lead to drainage problems. She also felt that if we kept the side and front yard setbacks as they are, the developer could possibly get a variance to expand into that area if needed.

Larry Witzling stated that they did change some text in the commercial section including B-3 Zoning District as far as the maximum percentage of lot coverage, building size coverage and location, but the plan must still conform to the stormwater management plan. State regulations have become stronger and they are doing a better job of managing stormwater. Stormwater management plans must be developed according to drainage districts.

There was no one else in the public who wanted to speak. Council President Singer closed the public hearing.

The Plan Commission and the City Council went through the commercial sections of the zoning rewrite and discussed items for clarification and possible changes starting with the B-1 Zoning District. There was a concern about the park fees in the commercial districts and reducing the amount by 50% if the new housing units are created as a result of the conversion or remodeling of a preexisting building. Not having the park fees does put a burden on the Park Improvement and Park Development Fund for the City. City Attorney McDonell stated that if there is not a consensus with Plan Commission and City Council, the Plan Commission, as this is their public

hearing, should make the decision as to what to recommend to the City Council. It will come to the Council for a final vote for the ordinance. Plan Commission requested that the “or by fifty percent (50%) if the new housing units are created as a result of the conversion or remodeling of a preexisting building” should be removed from the B-1 and B-3 Zoning Districts. Council requested to know how much the Parks and Recreation Department received from these districts in the past. Clarifications and other changes were made to the document.

Moved by Binnie and seconded by Stanek that the Plan Commission recommend to the City Council the commercial sections of the zoning code with the revisions enumerated at this meeting. Aye: Greg Meyer, Bruce Parker, Karen Coburn, Cort Hartmann, Sherry Stanek (Alternate), Donna Henry (Alternate). No: None. Motion approved.

City Planner Latisha Birkeland explained that the next meeting will be on March 10, 2014. There will be two conditional use items prior to the public hearing for the residential sections of the zoning code. One is for a request for a conversion from a single family to a duplex in an R-3 (Multi-family Residence) Zoning District on W. Florence St. and the other is for a 24 unit apartment building in an R-3 Zoning District on N. Prince St.

Councilmember Abbott stated that the Student Government is required to be at this next meeting for Senate. She asked that the public hearing for the residential section of the zoning code not start until 7:00 p.m. This will be an additional 30 people at the meeting. She didn't want the students to have to sit for an hour before the public hearing for the residential section of the zoning rewrite.

Councilmember Winship suggested that it be two separate meetings. Plan Commission would meet at 6:00 p.m. The Council portion of the meeting would not start until 7:00 p.m.

City Planner Latisha Birkeland stated there would be a break between the Plan Commission items and the joint agenda item on March 10, 2014. Notices would be sent out to the property owners of the proposed overlay districts notifying them of the 7:00 p.m. start time.

Adjournment

Moved by Councilmember Abbott to adjourn. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:50 p.m.

City Council President Patrick Singer