

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
January 12, 2015

**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 6:30 p.m.

Present: Greg Meyer, Bruce Parker, Daniel Comfort, Tom Hinspater, Stephanie Abbott (Alternate Council Representative). Absent: Lynn Binnie, Kristine Zaballos, Sherry Stanek. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Hearing of Citizen Comments. There were no comments.

Approval of the Plan Commission Minutes. Moved by Parker and seconded by Hinspater to approve the minutes of October 13, 2014 and November 10, 2014. Motion approved by unanimous voice vote.

Review certified survey map for a lot division to create a second buildable lot for Whitewater Housing Services LLC. (Matt Kuehl) at 516-518 S. Clark Street. City Planner Chris Munz-Pritchard explained that this is a certified survey map to make a second buildable lot at 516-518 S. Clark Street (formerly 511 W. Harper Street). She recommended a driveway easement to allow access to the property from one entrance, so there would not be three curb cuts so close together on the street.

Chairperson Meyer opened the hearing for public comment.

Matt Kuehl, owner of the property at 516-518 S. Clark Street, explained that it is a one acre lot. They want to divide it in half in order to build another building, similar to what is there, on the second lot. They will be removing the existing driveway and replacing with one common ingress and egress. There will be an easement for this access.

There was no more public comment. Chairperson Meyer closed the public comment.

Plan Commission Member Parker explained that there is a duplex to the west of the proposed site. Neighbors have raised questions about the drainage in the area. The neighboring property has a small berm in the back. Drainage heads to the south toward Caine Street. It is a very flat area. He hoped that the City staff would look at the impervious surface and drainage for any new development.

City Planner Chris Munz-Pritchard explained that this is preliminary, only the certified survey map is being considered at this time.

Bob Freiermuth Sr. explained that he worked with the neighbor during construction of the original duplex. They brought dirt into his area and built a swale to bring water back north and east toward Clark Street.

Moved by Meyer and seconded by Abbott to approve the certified survey map with the Planner's recommendation that a driveway easement be established to allow access to the structure through the adjacent lot. Aye: Meyer, Abbott, Parker, Comfort, Hinspater. No: None. Motion approved.

Public hearing for a conditional use permit for an addition/remodel to the McCullough Pharmacy building located at 1173 W. Main Street to include an enclosed entry/stairs and 6 residential apartments on the second floor (four 1-bedroom apartments, one 3-bedroom apartment and one 4-bedroom apartment) for Robert McCullough. City Planner Chris Munz-Pritchard explained that the pharmacy is on the first floor. Robert McCullough would like to have 6 apartments added to the second floor. Munz-Pritchard is requiring him to do a certified survey map for a lot line adjustment with the property located at 123 S. Elizabeth Street, along with a 20 foot no building easement with 1185 W. Main Street. Munz-Pritchard wants the 16 residential parking stalls and the 16 commercial parking stalls labeled. She is also asking for additional lighting by the back entrance next to the drive through. If the proposal is approved, she would also like the condition of any recommendations of City staff.

Bob (Robert) McCullough, Applicant, requested to just keep the land as green space and not reline (csm) in terms of lot space between 123 S. Elizabeth Street and 1173 W. Main Street. He would like to keep his options open for future development.

Plan Commission voiced concerns of the dumpster placement, disabled parking stalls and an accessible exit. Right now there are two disabled stalls in front of the building. There was concern of a renter with a disability parking their vehicle in one of those spaces all day. Parker suggested the disabled stalls for the rental units be placed on the northwest corner of the building.

This site has 35 parking stalls without the rented parking area. City Planner Munz-Pritchard stated that the parking needs to be clearly labeled.

City Attorney McDonell stated that if there is a legally recorded easement that would allow use for green space purposes. He suggested that the motion, if allowing an easement, be contingent upon legal review.

Moved by Comfort and Abbott to approve the addition/remodel for 6 residential apartments on the second floor with the City Planner recommendations, allowing the green space to be provided by easement and if not legally permissible go back to a lot line adjustment with a certified survey map and also contingent upon review by all staff. (See attached conditional use permit.) Aye: Comfort, Abbott, Parker, Hinspater, Meyer. No: None. Motion approved.

Public hearing for a change in the District Zoning Map to enact an ordinance to impose the R-3A Residential Overlay District Zoning classification under Chapter 19.22 of the Zoning Ordinance of the City of Whitewater on the property at 158 N. Tratt Street, Tax ID # /WUP 00166E, for DLK Enterprises Inc. (Mike Kachel). This public hearing to be held along with the following item.

Public hearing for a Conditional Use Permit to allow a 6 unit apartment building in an R-3A (University Residential Density Overlay) Zoning District located at 158 N. Tratt Street for DLK Enterprises Inc. (Mike Kachel). Chairperson Meyer opened the public hearing for both the change in the District Zoning Map to enact an ordinance to impose the R-3A Residential Overlay District Zoning classification under Chapter 19.22 of the Zoning Ordinance of the City of Whitewater on the property at 158 N. Tratt Street, Tax ID # /WUP 00166E, for DLK Enterprises Inc. (Mike Kachel); and the Conditional Use Permit to allow a 6 unit apartment building in an R-3A (University Residential Density Overlay) Zoning District located at 158 N. Tratt Street for DLK Enterprises Inc. (Mike Kachel).

City Planner Munz-Pritchard explained that the R-3A Overlay Zoning District allows for higher density. There is currently not a lot of parking on this site. She would like the parking designated.

Mike Kachel explained that this is a single family house, north of their office and east of the Indian Village apartments. There is a shared parking lot to the west – 12 stalls would be shared with 158 N. Tratt Street. They would work out the plan of stormwater with the City Engineers. There is no elevator in this building. An elevator is determined by State Code. Kachel explained that DLK had put in a stormwater system which alleviated stormwater issues in that area.

Plan Commission Member Parker asked about eliminating the driveway off of Tratt Street. Mike Kachel explained that access gave the Fire Department a through way. He thought it was necessary for safety reasons and did not ask the Fire Chief.

Chairperson Meyer closed the public hearing.

Moved by Parker and seconded by Comfort to recommend to the City Council to change the zoning to allow for an R-3A Overlay Zoning District for the property located at 158 N. Tratt Street. Aye: Parker, Comfort, Hinspater, Meyer. No: None. Abstain: Abbott. Motion approved.

Moved by Meyer and seconded by Parker to approve the conditional use permit for the construction of a 6 unit apartment building in an R-3A Zoning District at 158 N. Tratt Street with the planner recommendations as discussed. (See attached conditional use permit.) Aye: Meyer, Parker, Comfort, Hinspater. No: None. Abstain: Abbott. Motion approved.

Public hearing for a change in the District Zoning Map to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the property at 523 W. Center Street, Tax ID # /CL 00041, for Kachel Enterprises LLP. (Mike Kachel). This public hearing to be held along with the following item.

Public hearing for a Conditional Use Permit, in an R-2A Overlay Zoning District, to allow for 5 unrelated persons to live in the house located at 523 W. Center Street for Kachel Enterprises, Limited Partnership (Mike Kachel). Chairperson Meyer opened the public hearing to consider a change in the District Zoning Map to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the property at 523 W. Center Street, Tax ID # /CL 00041, for Kachel Enterprises LLP. (Mike Kachel); and to consider a Conditional Use Permit, in an R-2A Overlay Zoning District, to allow for 5 unrelated persons to live in the house located at 523 W. Center Street for Kachel Enterprises, Limited Partnership (Mike Kachel).

City Planner Chris Munz-Pritchard explained that this is a single family home. Mike Kachel is looking to have the R-2A Overlay Zoning on his property so he can change from 3 to 5 unrelated persons to live in the household. The driveway area has a joint use easement. There will be no exterior building alterations.

Mike Kachel stated that there is a two car garage which the tenants are currently using. The parking area at 215 S. Boone Court has 6 parking stalls and only 4 tenants. There is an easement agreement for two cars from 532 W. Center Street to park in this area. He is looking to allow 5 occupants at 523 W. Center Street.

Chairperson Meyer opened for public comment. There was none. Chairperson Meyer closed the public comment.

Moved by Meyer and seconded by Parker to recommend to the City Council to approve the R-2A Overlay Zoning at 523 W. Center Street for Kachel Enterprises, Limited Partnership. Aye: Meyer, Parker, Comfort, Hinspater. No: None. Abstain: Abbott. Motion approved.

Moved by Meyer and seconded by Parker to approve the conditional use permit in an R-2A Overlay Zoning to allow for 5 unrelated persons to live in the house located at 523 W. Center Street for Kachel Enterprises, Limited Partnership with the City Planners recommendations for approval. (See attached conditional use permit.) Aye: Meyer, Parker, Comfort, Hinspater. No: None. Abstain: Abbott. Motion approved.

Discussion of Parking Study. City Planner Chris Munz-Pritchard explained that she has been working on the Zoning Ordinance with City Attorney McDonell and Lynn Binnie. They have been taking care of the scrivener errors and reformatting. The document should be up on the City web site in pdf form by the end of the week. Munz-Pritchard is doing the proposed ordinance changes in two different stages. The first part will be the ordinance changes, parking changes and then the district changes. The second stage will be clarification in the ordinance with things that have come up during Plan Commission meetings. Munz-Pritchard went through her power point presentation, which included: changes to the definitions in Chapter 19.09 for driveway (19.09.191); lot coverage, maximum (19.09.460); Parking space or parking stall (19.09.540). There are changes to Chapter 19.51 Traffic, Parking and Access to do with the hard surfacing of driveways or parking areas, driveway aprons, and driveway maintenance requirements. There is a chart for the minimum and maximum number of parking stalls for each zoning district and a chart for the minimum number of stalls required for different commercial uses. Off street parking is being addressed along with storm water and impervious surface. Munz-Pritchard also addressed ordinance changes such as: an accessory structure in the street yard area if specific requirements are met; and clarifying language. There will also be more partnering with the University of Wisconsin – Whitewater. City Planner Chris Munz-Pritchard asked that the Plan Commission members contact her if they have any concerns.

Information Items:

- a. Possible future agenda items. There were no items at this time.
- b. Next regular Plan Commission Meeting – February 9, 2015

Moved by Abbott and seconded by Parker to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 7:30 p.m.

Chairperson Greg Meyer



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

www.whitewater-wi.gov
Telephone: (262) 473-0540

CONDITIONAL USE PERMIT

Plan Commission Meeting Date: January 12, 2015
Real Estate Property Owner: McCullough Family LP
Applicant: Robert McCullough
Property ID Number: /L 00010
Property Address: 1173 W. Main Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) to allow an addition and remodeling to the McCullough Pharmacy building located at 1173 W. Main Street to include an enclosed entry and 6 residential apartments on the second floor (four 1-bedroom efficiency apartments, one 3 bedroom apartment and one 4-bedroom apartment) for Robert McCullough.

Approved subject to the following conditions:

1. A lot line adjustment has been proposed to obtain more outdoor space. The proposed lot change will garner land from 123 S Elizabeth St. which is owned by the applicant. Any changes in lot line that result in an increase in green space to the lot is required to keep the land as green space and not to convert the green space to parking.

A 20 foot no building easement has been proposed along the west property line and will included the adjacent property at 1185 W Main St.

The applicant shall have a Certified Survey Map (CSM) done for any change in lot line or easements.

2. The minimum parking stalls is 16 stalls for the residential and 16 stalls for the commercial spaces. The residents parking shall have designated parking stalls. Permitted cars will have either numbered parking stalls, hanging tags or parking stickers to identify permitted vehicles.
3. Currently the plans for the apartment remodel only shows one light fixture at the south side of the building. Due to the existing drive through and placement of parking an increase in lighting is needed for safety (19.57.150).
4. Any other conditions identified by City Staff and the Plan Commission.



Chris Munz-Pritchard
Neighborhood Services Director / City Planner

2/26/15
Date



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

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CONDITIONAL USE PERMIT

Plan Commission Meeting Date: January 12, 2015
Property Owner: DLK Enterprises Inc.
Applicant: DLK Enterprises Inc. (Mike Kachel)
Property ID Number: /WUP 00166E
Property Address: 158 N. Tratt Street
Whitewater, WI 53190

REGARDING: A conditional approval of a conditional use permit (CUP) in an R-3A Overlay Zoning District, to allow for a 6 unit apartment building to be located at 158 N. Tratt Street.

Approved subject to the following conditions:

1. Approval contingent upon City Council approval of the R-3A Overlay Zoning.
2. The minimum parking stall requirement is 18 stalls. The site plan shows 8 stalls. Additional parking is to be provided in the adjacent parking lot at 144 N. Tratt Street. The additional stalls will be documented. Residents will have numbered parking stalls, hanging tags or parking stickers to identify permitted vehicles.
3. Any other conditions identified by City Staff or the Plan Commission.


Chris Munz-Pritchard/City Planner

2/16/15
Date



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and Building Inspections*

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CONDITIONAL USE PERMIT

Plan Commission Meeting Date: January 12, 2015
Property Owner: 523 West Center LLC.
Applicant: Kachel Enterprises, Limited Partnership (Mike Kachel)
Property ID Number: /CL 00041
Property Address: 523 W. Center Street
Whitewater, WI 53190

REGARDING: A conditional approval of a conditional use permit (CUP) in an R-2A Overlay Zoning District, to allow for 5 unrelated persons to live in the house located at 523 W. Center Street.

Approved subject to the following conditions:

1. Approval contingent upon City Council approval of the R-2A Overlay Zoning.
2. A driveway easement must be recorded to establish shared driveway access.
3. No exterior building modifications are being proposed.
4. Any other conditions identified by City Staff or the Plan Commission.


Chris Munz-Pritchard/City Planner

2/16/15
Date