

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
December 12, 2016

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

Call to order and roll call.

Vice-Chairperson Binnie called the meeting of the Plan and Architectural Review Commission to order at 6:30 p.m.

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

Hearing of Citizen Comments. No Comments.

Approval of the Plan Commission Minutes. Moved by Tanis and seconded by Comfort to approve the minutes of the October 10, 2016 Plan Commission meeting. Motion approved with all ayes except Zaballos and Comfort abstained.

Public hearing for consideration for a conditional use permit for an automotive shop at 113 E. Main Street for Fabian Lopez. Vice-Chairperson Binnie opened the public hearing.

City Planner Chris Munz-Pritchard explained that the building itself dates back to 1935. The garage portion was added on in 1973 to accommodate an automotive sales company (Bauer-Zorn Inc. Pontiac). This conditional use permit is to document the use of the garage portion of the building. Now is a good time to update the records as the business is changing hands. The City Planner recommends the Plan Commission grant conditional approval for the request to allow for a Conditional Use Permit (CUP) at 113 E. Main Street subject to the following conditions of approval:

1. General requirements for the R-2 district shall apply. This includes but is not limited to:
 - a. Landscaping and Screening
 - b. No vehicle in an inoperable condition shall be stored outdoors for greater than 30 days
 - c. Enclosed trash dumpster.
2. Any other conditions identified by the Plan Commission.

There were no public comments. Vice-Chairperson Binnie closed the public hearing.

Moved by Zaballos and seconded by Tanis to conditionally approve the Conditional Use Permit for an automotive shop to be located at 113 E. Milwaukee Street for Fabian Lopez.

Binnie stated that this is a very visible area and that a minimal amount of landscaping was done during the street project. He was not sure if this will be enough. City Planner Chris Munz-Pritchard stated that we want to make sure that the landscaping that was put in is maintained.

Aye: Zaballos, Tanis, Binnie, Tanis, Parker, Hinspater, Miller. No: None. Motion approved. (See attached conditional use permit.)

Review proposed revision of the conditional use for 130 S. Prince Street in regard to impervious surface for Robert E. Freiermuth. City Planner Chris Munz-Pritchard explained that a Conditional Use permit was issued for this project on July 11th 2016 for Section 19.21.030 of the R-3 Multi Family Residence Zoning District. The approval included a conversion of a duplex (two-family attached dwelling) to a Multi-family (six units). Please see attached planner's report for more detail.

Change to Planner Recommendations:

This is an amendment to original CUP on July 11th 2016. The approved proposal is for the conversion of a duplex (two-family attached dwelling) into a multi-family home per Section 19.21.030 at 130 S. Prince Street (/WUP 00188) for Robert E. Freiermuth. The original recommendation that needs to be amended read as follows.

7. Not more than 40% of the rear yard may be an impervious surface except as a conditional use. There is not enough information to calculate the amount of impervious surface in the rear of the building.

After the consultant reviewed the project they found it was not feasible to limit the amount of impervious surface to under 40% in the rear. I am asking that we amend the original CUP to include approval of over 40% pending engineering approval. The City Engineer recommendations were attached to the City Planner report.

Condition #9 of the Engineer recommendations has been done. The sewer and water laterals have been upsized for the increased use.

Bob Freiermuth explained that they can retain all intended run-off on the property by expanding the detention area. The Fire Department requested that there be a 26 foot wide paved driveway area to access with the fire trucks.

Vice Chairperson Binnie asked for any public comment. There was none.

Binnie stated there was some confusion as to the 40% limit. The original proposal did not have a stormwater management plan. So what is being asked is to amend the original conditional use permit to allow in excess of the 40% limit based on an approved stormwater management plan.

Bob Freiermuth stated that they were at 52% for only the back yard. He stated that these lots are some of the larger lots in the City. These lots have very large front yards. If the ordinance was for the entire yard area, there would be no problem in making the 40%.

City Planner Chris Munz-Pritchard stated that the City had originally proposed the entire lot area, but that was shot down.

Plan Commission Member Binnie stated that it was shot down because there are some properties that have their entire back yards as impervious surface and neighbors found issues with that.

When asked about not requiring the stop signs, City Attorney McDonell explained that it is a legal requirement to stop before sidewalks.

Moved by Tanis and seconded by Miller to approve the amendment to the original conditional use for 130 N. Prince Street to allow for excess of impervious surface with an approved stormwater management plan and with the conditions of the City Planner and also to remove the requirement of a stop sign at the driveway exits onto Prince Street. Aye: Tanis, Miller, Binnie, Hinspater, Parker, Zaballos, Comfort. No: None. Motion approved.

Review modification to the conditional use for an agreement for a lot line adjustment for 168 N. Tratt Street from 158 N. Tratt Street prior to sale of either lot for DLK Enterprises (Mike Kachel). City Attorney McDonell explained the situation. DLK Enterprises Inc. is one foot short of the required amount of frontage for development at 168 N. Tratt Street. The conditional use permit allowed for them to do a lot line adjustment with 158 N. Tratt Street. DLK Enterprises Inc. owns both properties. DLK Enterprises is asking for an agreement of record for each property that if either property was sold, the lot line adjustment would take place at that time. The agreement would be recorded against the titles of the properties. The agreement would be put together by City Attorney McDonell and Mr. Simon's Office. City Attorney McDonell requested that the Plan Commission agree to this document subject to City Attorney and City Planner approval.

Vice-Chair Binnie asked for any public comments. There were none.

Moved by Tanis and seconded by Comfort to allow modification to the Conditional Use Permit for an agreement, subject to approval of the City Attorney and the City Planner, for a lot line adjustment for 168 N. Tratt Street from 158 N. Tratt Street prior to sale of either lot. The agreement is to be recorded against the titles of each of the properties. Aye: Tanis, Comfort, Miller, Binnie, Hinspater, Parker, Zaballos. No: None. Motion approved.

Discussion of Urban Forestry Commission landscape plan recommendations. Karen Coburn and Anne Zarinnia talked about their work with the landscaping guidelines to make them easier to understand. They were asking for input and guidance from the Plan Commission. Landscape requirements are not always that clear. City Planner Chris Munz-Pritchard had proposed that the Urban Forestry Commission look at new developments. They did review Summit Dental's landscaping plan and suggested that a few changes be made to remove plantings, that were requested to not be used by DNR or that were invasive, and replace them with native plantings and beneficial plantings (the plantings that would have a sustainable future). Summit Dental planted what the Urban Forestry Commission recommended.

The Urban Forestry Commission would like to streamline the City guidelines for landscaping. They would like to allow special points or extra points for large species or native species. They would provide lists of recommended trees and perennials. They would develop the guidelines with the environment in mind.

Anne Zarinnia had proposed some ideas a while back and gave them to Chris Munz-Pritchard. Chris was able to incorporate Anne's ideas into a usable chart. Anne stated that there are a few more ideas that should be added. She noted that the "greening of Whitewater" must involve all the people in Whitewater. They need a means of communicating with the public. Anne Zarinnia asked about the CDA and what they do.

City Attorney McDonell explained that the CDA (Community Development Authority) was created by the City Council about 30 years ago. It is a sub unit of government and is involved in a lot of development in the City.

Anne Zarinnia suggested that the Urban Forestry Commission meet with the Community Development Authority. They need to have more communication between groups.

City Planner Chris Munz-Pritchard explained that the spreadsheet was made interactive and would be put online so the user could download it and type in their information. They would receive 15 more points for native trees (trees that would last more than one season).

Bob Freiermuth asked if this would require more approvals, more steps prior to beginning a project.

City Planner Chris Munz-Pritchard explained that there would be no more steps prior to starting development. Landscaping is one of the last things to be done on a project. There would be time to adjust if needed.

When asked if this covers commercial as well as residential, City Attorney McDonell stated that this would be for new development of multifamily, commercial and industrial.

Karen Coburn explained that invasive plants such as honeysuckle and buckthorn take over everything. They take away food sources for birds. Invasive plants will be defined in the new guidelines.

Anne Zarinnia stated that even though they are not native plantings, basswood or linden trees are best for honey bees. There are borderline plantings which are beneficial nonnative plantings.

Plan Commission members liked the idea. Vice Chair Binnie stated that giving a little rationale would go a long way.

Review Design Guidelines for Multi-Family and Plan Development Design Guidelines.

City Planner Chris Munz-Pritchard explained that this is meant to be design guidelines or policy for large scale development or townhomes. It would be something to base Planner Reports on. It gives specific criteria. She asked the Plan Commission to look over the guidelines.

It was suggested that the name of the document should be changed to "Design Guidelines for Multi-family and Planned Development Projects" for clarification.

The proposed design guidelines for multi-family and Planned Development projects will be put on the next meeting agenda.

Information Items:

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated there has been nothing submitted for the next Plan Commission meeting.
- b. Next regular Plan Commission Meeting – January 9, 2017.

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

Vice-Chairperson Lynn Binnie