

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
April 11, 2016

**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, Tom Hinspater, Kristine Zaballos, Sherry Stanek, Daniel Comfort, Chris Grady (City Council Alternate). Absent: Lynn Binnie. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Hearing of Citizen Comments. No Comments.

Approval of the Plan Commission Minutes. Moved by Stanek and Hinspater to approve the minutes of March 14, 2016. Aye: Stanek, Hinspater, Parker, Grady, Zaballos, Comfort, Meyer. No: None. Motion approved.

Public hearing for a Conditional Use Permit to allow for a commercial building along with residential apartments, (proposed Phase 2 includes 3 apartments (studio and 1 bedroom) on the first floor) in a B-1 (Community Business) Zoning District located at 885 S. Janesville Street for Russell Walton. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard reviewed her Planner Report and recommendations.

Russell Walton questioned the requirement of an access easement with the adjacent property. There is more than one access point to the property.

City Planner Munz-Pritchard stated that the access easement was required with the original conditional use permit for Phase 1 of this project.

City Attorney McDonell stated that this is not a requirement that will affect this proposal.

Plan Commission Member Parker was concerned about how many apartments were needed for the State approval requirements for ADA. What about green space? He thought the City was going to stay away from having residential and commercial on the first floor.

Only one apartment is needed to provide the requirement for ADA accessibility on the first floor. Russell brought in a map showing the green space. They are removing the blacktop that was used for a previous day care, and returning it to green space, approximately 4,000 sq. ft.

When asked about the efficiency apartments, Russell Walton explained that they are popular. People like to be able to have their own space. He would like to do more of them. He stated that 99 % of the efficiency apartments are perfect when the tenant leaves. Russell Walton also commented that once all the utilities are run through the building to provide for the 2nd floor apartments, there is not enough open space on the first floor for commercial use.

City Planner Chris Munz-Pritchard stated that the B-1 Zoning never allowed first floor residences. The new ordinance allows up to 50% of the first floor area of the building can be residential. She also noted that “green space” is usable open space.

Chairperson Meyer closed the public hearing.

Moved by Comfort and seconded by Grady to approve the conditional use permit for a remodel to the Walton Building located at 885 S. Janesville Street to include three (3) ADA compliant residential apartments on the first floor (one (1) efficiency and two (2) one-bedroom) for Russell Walton subject to the City Planner Conditions. (See attached Conditional Use Permit.) Aye: Comfort, Grady, Stanek, Hinspater, Parker, Zaballos, Meyer. No: None. Motion approved.

Review proposed changes to the Sign Ordinance by Downtown Whitewater.

Dave Saalsaa, representing the Design Committee for Downtown Whitewater, worked with the City Planner to suggest some changes to the Sign Ordinance including housekeeping clarifications to make the ordinance user friendly for businesses in the downtown area. Dave went through a power point presentation on the changes that were proposed to make the ordinance clearer. The signs that require a conditional use permit, the Design Committee would like to look at the plan in order to give recommendations to the Plan Commission prior to the public hearing.

Ken Kienbaum, a Whitewater resident, stated that the changes were good. They clarified the ordinance so it was easier to understand.

Chairperson Meyer closed the public hearing.

Plan Commission Member Stanek stated that the changes made the ordinance very clear. She especially liked the calculations and the illustrations.

City Planner Chris Munz-Pritchard stated that most of the language stayed the same. Like items were put together.

City Attorney McDonell stated that there would need to be a formal public hearing for the zoning ordinance amendment, which requires two notices to the paper. Plan Commission decides if they want to set it up for the public hearing and recommendation to the City Council.

Plan Commission Member Meyer suggested that the ordinance be looked at every 5 years for updates, particularly with technology changes.

City Attorney McDonell stated that this could be made a Plan Commission policy.

Plan Commission Member Parker stated that the National standard is to review ordinances every 5 years.

City Planner Munz-Pritchard stated that when the State Statutes change, the City ordinances need to be updated.

Plan Commission Member Stanek thanked all who put in their time and effort to update the ordinance. Clarity is a good thing.

Moved by Stanek and seconded by Comfort to request a public hearing for the proposed sign ordinance changes. Aye: Stanek, Comfort, Hinspater, Parker, Grady, Zaballos, Meyer. No: None. Motion approved.

Public hearing for a change in the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically Section 19.57.160, addressing an amendment to allow as a conditional use the keeping of horses in Whitewater in all zoning districts. This amendment would include deleting sub-sections 19.15.030 G Keeping of horses in R-1 Districts and 19.18.030 I Keeping of horses in R-2 Districts.

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that they proposed to remove the keeping of horses from the R-1 and R-2 Zoning Districts and make it possible to keep horses in all zoning districts with approval of a conditional use permit. The City's main concern is taking care of the manure and having enough area to have horses.

Ken Kienbaum, resident of Whitewater, stated that this is a good addition to the City ordinance, especially with the 4H and FFA programs for Whitewater Kids. Being around horses is beneficial for kids with autism.

Chairperson Meyer closed the public hearing.

Plan Commission Member Grady asked what animals are allowed in the City, and if donkeys or mules would be considered.

Bees, chickens, rabbits, dogs, and cats are allowed now.

City Attorney McDonell explained that in an AT (Agricultural Transition) Zoning District, dairying, livestock and poultry were allowed.

City Planner Chris Munz-Pritchard suggested leaving the ordinance as allowing only horses. If something else would come up, it would be dealt with then. The main concern is having a manure plan for the horses and the acreage for them.

Moved by Zaballos and seconded by Parker to recommend to the City Council to change to City of Whitewater Municipal Code Chapter 19.57.160 to allow the keeping of horses in all zoning districts as a conditional use. Aye: Zaballos, Parker, Comfort, Stanek, Grady, Hinspater, Meyer. No: None. Motion approved.

Public hearing for consideration of a change of the Zoning Ordinance regulations, to enact proposed amendments to the City of Whitewater Municipal Code Title 19, Chapter 19.46 Floodplain Ordinance, by: Amending 19.46 1.5(2) by adding:

(c) Old Stone Mill Dam, Field File: 64.17, Whitewater Creek, Walworth County Floodplain Mapping

Prepared by the USDA Natural Resources Conservation Service and approved by the Wisconsin Department of Natural Resources on August 2012.

- 1. Floodplain map dated August 2012 and titled “Old Stone Mill Dam – 100-Year Flood Map Dam in Place With Failure (Hydraulic Shadow)”**
- 2. Flood profiles dated August 2012. The profile to reference is “Q100BR”**
- 3. Floodway data table dated August 2012 and titled “Hydraulic Shadow Floodway Data”**

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that when the flood plain maps were updated, the City needed to adopt the updated maps by ordinance. The City updated the ordinance at that time, but somehow missed this section. The DNR made two changes to the proposed ordinance.

Chairperson Meyer closed the public hearing.

Moved by Grady and Stanek to recommend to the City Council to adopt the proposed amendment to the City of Whitewater Municipal Code Title 19, Chapter 19.46 Floodplain Ordinance by amending 19.46.1.5(2). Aye: Grady, Stanek, Hinspater, Parker, Zaballos, Comfort, Meyer. No: None. Motion approved.

Information Items:

- a. Possible future agenda items. There were none.
- b. Next regular Plan Commission Meeting – May 9, 2016.

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

Chairperson Greg Meyer