

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
July 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, Tom Hinspater, Lynn Binnie, Kristine Zaballos, Sherry Stanek, Tom Miller (Alternate), John Tanis (Alternate). Absent: Bruce Parker, Daniel Comfort . Others: Chris Munz-Pritchard (City Planner).

**Hearing of Citizen Comments.** No Comments.

**Approval of the Plan Commission Minutes.** The minutes of the June 13, 2016 Plan Commission meeting were not available for review.

**Hold a public hearing for consideration for a change in the District Zoning Map for the following parcel to enact an ordinance to change from I (Institutional) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater on vacant land on the north end of Walton Drive for Janice R. Stritzel. There are six parcels: 05-15-32-31-001, 05-15-32-32-002, 05-15-32-31-015, 05-15-32-31-016, 05-15-32-31-017, and 05-15-32-31-018. (These parcels are located in the Jefferson County portion of the City of Whitewater.)** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the applicant wants to change the zoning of these parcels from I (Institutional) Zoning District to R-3 (Multi-family) Zoning District. This rezoning is not for construction. Any development would be subject to City review and approval. The future land use for these properties is high density residential.

Terry Stritzel, representing his sister Janice, explained that they did not want to rezone all the properties. The western most lot (05-15-32-32-002) was not to be included in the rezone.

Ken Nehring, a resident of the condo association south of these properties, stated that this has been a buffer which gave them more privacy, etc. He didn't think it should be zoned R-3. He said the Condo Association wanted it to be known that they object to having something right behind the condos. He stated that the reason that 120 foot wide strip of land was there was because the university wanted a second exit from Warhawk Stadium. The condo association wants to see the Institutional Zoning remain on the property north of their condos.

Plan Commission Members stated that the land is a challenging piece of land for development, and asked if the developer was looking to combine the lots.

Terry Stritzel stated they were just looking to build on the 4 lots that have sewer and water to them at this time. They were looking at duplex condos.

Moved by Binnie and seconded by Tanis to recommend to the City Council for the rezone with the exception of parcel 05-15-32-32-002 from I (Institutional) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater for the vacant land located on the north end of Walton Drive. Aye: Binnie, Tanis, Comfort, Stanek, Zaballos, Hinspater, Meyer. No: None. Motion approved.

**Hold a public hearing for consideration of a conditional use permit to allow for construction of a new duplex to be located at 228 S. Church Street for James and Stevie Taylor Jr.**

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained her report and recommended conditions of approval.

Jim Taylor was present to explain the project and answer any questions.

Plan Commission Members voiced concerns of the number of mature trees being taken down; there are points for a landscaping plan; would like to see the house moved back to the required 25 foot street yard setback and less pavement in the back; this is a major improvement in appearance; would like to see the proposed impervious surface reduced; suggested that the City Planner work with the applicant on the landscape plan; would like to see more than just foundation plants.

Jim Taylor explained that moving the building back would make the front look empty. He stated that it would not be an issue to move the building back to the 25 foot street yard setback.

There were no public comments. Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Zaballos to conditionally approve the Conditional Use Permit for 228 S. Church Street with the conditions of the City Planner. A landscape plan is to be approved by the City Planner. City Planner to work with the developer to move the structure back to at least 25 feet from Church Street. Aye: Binnie, Zaballos, Hinspater, Stanek, Comfort, Tanis, Meyer. No: None. Motion approved. (See attached conditional use permit.)

**Hold a public hearing for the consideration of a Conditional Use Permit for We Energies to bore under a wetland and water way to install electrical and gas service to two new proposed buildings to be located at 1002 S. Janesville Street.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that Municipal Ordinance 19.45.030(D) requires a conditional use permit for the installation of electrical and gas lines to be bored under a

shoreland wetland district. The construction and maintenance of electric, gas, telephone, water and sewer transmission and distribution lines, and related facilities; provided that: 1. The transmission and distribution lines and related facilities cannot as a practical matter be located outside the conservancy district; and 2. Any filling, draining, dredging, ditching, or excavating that is done must be necessary for the construction or maintenance of the utility, and must be done in a manner designed to minimize flooding and other adverse impacts upon the natural functions of the conservancy area.

City Planner Munz-Pritchard recommended the Plan Commission grant conditional approval for the request to allow for a Conditional Use Permit to install electrical and gas service to two new proposed buildings subject to the following conditions:

1. Approval contingent upon a written letter from the DNR.
2. Easements must be established to document the utilities.
3. Any other conditions identified by City Staff or the Plan Commission.

Jeff Peterson, from the operations side of We Energies, and Theran Stouts from R.A. Smith International were present to answer any questions. When asked if they could get a letter from the DNR that it is outside their jurisdiction, Theran stated that he could ask the Walworth County Water Management to provide the letter.

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

Moved by Binnie and seconded by Zaballos to conditionally approve the conditional use permit for the installation of new electrical and gas to be bored under wetland area at 1002 S. Janesville Street with the change in condition #1 for the receipt of confirmation from DNR that they have no jurisdiction on the matter. Aye: Binnie, Zaballos, Hinspater, Tanis, Stanek, Miller, Meyer. No: None. Motion approved.

John Tanis recused himself from the next item.

**Hold a public hearing for consideration of a conditional use permit to allow for six apartments in the building at 707 W. Walworth Ave for A.J. Tanis.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained the proposal and her recommendations. The City Engineer also provided a review of the proposal.

AJ Tanis explained that he just wanted to embrace and enhance what is already in the building. For example, he would be adding showers to existing bathroom facilities. He wants to make usable space for 6 units. The lower level would be used for storage.

Plan Commission Member Lynn Binnie asked about #5 on the Engineer's report in reference to snow storage. He asked if the owner had permission to put snow on the property to the west.

Binnie also noted that item #4 on the Engineer report stated that a stop sign should be provided at the parking lot exit. Binnie did not think that was necessary in this situation.

Plan Commission Member Stanek asked about the widening of the driveway, creating more impervious surface. She also wanted to know if Tanis was okay with changing the grade of the property to make a depressed area to hold water.

AJ Tanis answered that there was no snow storage and they would be removing it from the site. Tanis was okay with not having to install a stop sign at the parking lot exit. Tanis explained that he wanted to increase the walkway so that it was all connected, to have a better accessible walk way. He had no objection to change the grade of his property if he needed to.

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

Moved by Binnie and seconded by Stanek to approve the conditional use permit to allow for 6 apartments in the building at 707 W. Walworth Ave. for AJ Tanis with the City Planner recommendations and the City Engineer recommendations with the elimination of items #4 and #5. Aye: Binnie, Stanek, Zaballos, Hinspater, Miller, Meyer. No: None. Tanis recused. Motion approved. (See attached conditional use permit.)

**Hold a public hearing for a conditional use permit to allow for construction of nine (9) first floor apartments to be located in the commercial property at 884 S. Janesville Street for Russell Walton. They are also proposing 9 garages.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the garages were not reviewed in the Planner's Report. The garages are accessory structures. She will need the Plan Commission to note in their motion if the garages are for residents of the apartments or if they are for storage. City Planner Chris Munz-Pritchard went through her report and recommendations.

Russell Walton explained that the 9 apartments are one bedroom apartments. The garages go with the apartments. He questioned the removal of the apartment doors on the front of the building. He will be putting fencing around the area where the doors are, which creates a nice buffer area/recreational site.

Munz-Pritchard stated that this area could be considered a side yard area in that the section of the building is pushed back from the retail portion of the building.

There were no public comments. Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Stanek to conditionally approve the conditional use permit for 884 S. Janesville Street to allow for the construction of nine first floor apartments to be located in this commercial property subject to City Planner recommendations with the addition of documenting the use of garages for the apartment dwellers. A fence will be installed for the southern exposure to be considered a side yard, which would eliminate item #6 of the Planner's recommendations. Aye: Binnie, Stanek, Hinspater, Zaballos, Tanis, Miller, Meyer. No: None. Motion approved.

**Hold a public hearing for consideration of a conditional use permit to convert a duplex into a six (6) unit apartment at 130 S. Prince Street for Robert E. Friermuth.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained her Planner report and recommendations. The City Engineer (Strand Associates) also had prepared a preliminary review.

Bob Friermuth stated that all three properties are in excess of two acres. He did not know how much impervious surface area he had in the rear yard area.

Pete Weston, Design Alliance Architects, explained that the three lots drain to the south. 140 S. Prince Street has the primary retention area for these lots. If needed, a portion of the lot at 130 S. Prince Street could be carved out to add to 140 S. Prince Street.

City Planner Chris Munz-Pritchard wanted the proposal to be fully engineered.

Bob Friermuth explained that the detention pond on the rear of the lot at 140 S. Prince Street was enough for all three lots. He will get engineering done as needed. If the lot line alterations need to be done, it can be done fairly easily. Friermuth also noted that the exterior of the building will all match. When asked about combining all three lots into one, Friermuth stated that he did not want to do that because there were lots of costs and nothing gets done. Friermuth enjoys improving properties.

Plan Commission Members requested that the engineering be documented; and liked having the addition on the back of the building.

City Planner Chris Munz-Pritchard requested that if the lot line is adjusted, it must be recorded and the documentation attached to the conditional use permit.

Moved by Binnie and seconded by Tanis to conditionally approve the conditional use permit to convert a duplex into a six (6) unit apartment at 130 S. Prince Street subject to the City Planner recommendations, adding that if the lot line is adjusted, it must be recorded and be documented and attached to the conditional use permit; and comply with City Engineer review subject to modification by deleting # 3 to provide stop signs. Aye: Binnie, Tanis, Stanek, Hinspater, Zaballos, Miller, Meyer. No: None. Motion approved.

**Scott Weberpal to talk about Conditional Use Permits in GIS.** Scott Weberpal was not available at the meeting. City Planner Chris Munz-Pritchard wanted to let the Plan Commission members know what the Neighborhood Services Department has been working on. It is a map in GIS that can be used to track conditional use permits. Scott Weberpal and Intern Kate Roepke made a map in the GIS and recorded all the conditional use permits back to about 1990. On this map you can click on a property and find the conditional use permits that were issued for that property and also a copy of the minutes of the meeting in which the conditional use permit was granted. This is a way to follow up on a conditional use permit to make sure the property owner

has met all the requirements of their conditional use permit. The Neighborhood Service officers have started that process.

The Plan Commission thought this was a nice tool.

**Downtown Parking Changes.** City Planner Chris Munz-Pritchard showed her PowerPoint presentation and explained the changes that were being made to the downtown parking ordinance Chapter 11.16 so Plan Commission members would be aware when it came to future projects. The Plan Commission did not need to make any decisions on this proposal as it is not a part of Chapter 19. The City put out a survey for public input about downtown parking on several forms of media. It came down to having 2 hour parking stalls on the streets with a few 15 minute stalls. And 10 hour parking stalls in the parking lots except for where there are permitted parking stalls. The City is trying to push long term parking into the parking lots instead of on the streets. They are also looking to remove the overnight parking restrictions. A new ordinance was added for “night owl and early bird parking” 11.16.146.

Plan Commission Member Zaballos noted that the maps should have “Special Needs – Accessible” on the maps instead of “Handicapped”. The term “handicapped” is offensive.

Plan Commission members voiced concerns of: If the overnight parking restrictions are removed, there could be a problem with losing daytime parking; there should be a time limit for the next day; no parking in excess vehicle length of 16 feet for on street angle parking; people need to be told where parking spaces are; signage should be added to let people know where parking lots are; 15 minute parking east side of City Hall should maybe be considered for Monday through Friday and have weekends longer; the Municipal lot across from City Hall should allow for special event parking (City Market on Tuesdays) – reduce the number of permitted stalls.

The proposed changes were going to the City Council for approval.

**Hold a public hearing, to adopt by resolution, the public participation plan to comply with the State Comprehensive Planning Law.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard stated that the Plan Commission has to adopt by resolution, the public participation plan to comply with the State Comprehensive Planning Law. The City is at the point where we need to update the Whitewater Comprehensive Plan. It is to be looked at every five years, for us that would be approximately 2017. Some of the specific items that need to be addressed are: the R-2A Zoning and GIS updates.

There were no public comments. Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Tanis to move to adopt by resolution, the public participation plan to comply with the State Comprehensive Planning Law. Aye: Aye: Binnie, Tanis, Stanek, Hinspater, Zaballos, Miller, Meyer. No: None. Motion approved.

**Information Items:**

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated that as of today, there is nothing for the August 8, 2016 Plan Commission meeting.
- b. Next regular Plan Commission Meeting – August 8, 2016.

Moved by Tanis and seconded by Stanek to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:11 p.m.

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Chairperson Greg Meyer