

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
September 11, 2017

**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, Kristine Zaballos, Lynn Binnie, Sherry Stanek, Tom Miller, Bruce Parker, Tom Hinspater. Absent: None. Others: Chris Munz-Pritchard (City Planner), Wallace McDonell (City Attorney).

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

**Approval of the Plan Commission Minutes.** Moved by Zaballos and seconded by Binnie to approve the minutes of the July 10, 2017 Plan Commission meeting. Motion approved by unanimous voice vote. The minutes of August 7, 2017 were not available for review.

**Review of City Planner Report for Tax Parcel /WUP 00325.** Chairperson Meyer explained that there would be no action taken at this meeting on this item.

City Planner Chris Munz-Pritchard did a brief overview of the history of this property from her memorandum dated August 14, 2017. There are no proposed developments for this area. She did not find any indication that the property would be used only for single family housing.

Plan Commission members voiced: provide information for future meetings re: how DOT designates high density noise impact zones; warn proposed developers that there will be noise in the area; changing from residential to mixed use gives a lot more emphasis to commercial.

Chairperson Meyer opened for public comment with a reminder that there would be no formal action at this meeting, but that he would be requesting it for next month's meeting.

John Hoffmann, part owner of the parcel (WUP 00325) north of the bypass and west of Indian Mound Parkway, stated that the memorandum is a good start to understand how we have come here. Some items are left out and there is a major gap of information. On page one, he wanted to emphasize that the owner did not ask to be annexed. The City asked for them to annex in order to have more to push back the bypass. The City asked them to put together a potential residential development to show the DOT what could be done. There were about 534 single family lots. The cost to have the potential residential development drawn up was \$2700.00. On page three, the owner of the property donated 1.4 acres for the well and 8 acres for Indian Mound right of way and approaches. The land west of the bridge and north of the bypass at that time was designated as Community Commercial. In 2009 the Southwest Neighborhood Plan was

adopted by the Plan Commission and City Council. On page 4, this is a relatively small site area, the range and future commercial uses would be somewhat limited. Future uses would include a grocery store, sit down restaurant, office building, etc. Maximum size for any single commercial use would be limited to 70,000 sq. ft. and maximum building height of 2 ½ stories. The big gap came when the Neighborhood Development Plan turned into the Comprehensive Plan, describing existing and future land use. During the public hearing process, a small neighborhood group voiced objection to maintaining the future land use as recommended by the Planners and best use studies to the Plan Commission and City Council. The City Council decided to change the parcel from Community Commercial to residential. They put a knife into having a working plan for the whole community. What good has come from best use plans when small groups can determine what is best for the whole community.

Chairperson Meyer closed the public comment. There were no more comments by the Plan Commission.

**Public hearing for the Plan Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, to consider a request for a Change in the District Zoning Map for an amendment to the zoning of the property located at 713 W. High Street to impose R-2A Residential Overlay District Zoning Classification under Chapter 19.19 on the property for 254 Prairie LLC. (Marcus Tincher).** This item to be considered with the following item.

**Public hearing for a conditional use permit, in an R-2A Residential Overlay Zoning District, to allow for 5 unrelated persons to live in the house located at 713 W. High Street for 254 Prairie LLC. (Marcus Tincher).** Chairperson Meyer opened the public hearing.

City Attorney McDonell stated that anything talked about for the amendment to zoning (#5) applies to the conditional use permit (#6).

City Planner Chris Munz-Pritchard explained that the amendment to zoning and the conditional use application are to increase unrelated occupancy from 3 to 5. She went through her report and read her recommendations. Building Inspector Greg Noll inspected the property on August 28, 2017 to confirm what was there. Since then, the applicant has brought in updated drawings.

Plan Commission members voiced concerns of: were calculations done for the parking in rear yard?; Is this property located in the designated R-2A Overlay area?; pleased that the building inspector made the visit, but wondered if the measurements were confirmed.

City Planner Chris Munz-Pritchard explained that she wanted the building inspector to make sure the home had a legitimate finished basement. She will request that the Building Inspector makes his report more clear.

When asked about the parking stalls, Marcus Tincher stated that he would like to keep all three proposed stalls in the rear yard, but one stall would be sufficient. When asked where the dumpsters would be stored, he said they would have residential garbage totes.

Chairperson Meyer opened for public comment.

Plan Commission members voiced concerns of: there is not room for three parking stalls in the rear yard; one egress window comes out into the screen room; concerned that the City is finally getting to a place that there is no need for turning houses into duplexes with 5 persons in each unit; is there a need to keep converting single family to student housing?; There are 200 less students this year.

Plan Commission had a short discussion about how many units were added over the years. It was requested to invite the landlords to come to speak and give their take on the housing situation and how does it track to enrollment. Consider the need for single family homes.

City Planner Munz-Pritchard stated that she will be putting funds in the budget to do a housing assessment. It probably would not start until late 2018 and go into early 2019.

Chairperson Meyer closed the public comment.

Moved by Binnie and Zaballos to recommend to the Common Council to change the District Zoning Map to amend the zoning of the property located at 713 W. High Street to impose R-2A Residential Overlay District Zoning Classification under Chapter 19.19 for 254 Prairie LLC. (Marcus Tincher) and to conditionally approve the Conditional Use Permit to allow for five unrelated persons to live in the house at 713 W. High Street with the recommendations of the City Planner with the revisions of: #1 only one parking space in the rear yard; #3 It appears the home does not meet the minimal requirements of 1720 square feet for 5 unrelated individuals subject to verification by the Building Inspector and the addition of 2 egress windows.; #4 After due process is afforded, the conditional use permit will be revoked if home is over occupied. (See attached conditional use permit.) Ayes: Binnie, Zaballos, Hinspater, Parker, Stanek, Miller, Meyer. No: None. Absent: None. Motion approved.

**Public hearing for a conditional use permit to allow for the sale of vehicles at the auto repair shop located at 265 S. Wisconsin Street (Five Star Auto Repair) for Daryl Lopez and Jack Meck.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that this is a request for a conditional use permit to add car sales onto an existing use of the automotive servicing and repairs building located at 265 S. Wisconsin Street. In February 2011, a conditional use permit was approved for an automotive repair business to be located at this address for Daryl and Fabian Lopez. She noted the requirements for that conditional use approval time were in her Planner Report. City Planner Munz-Pritchard went through her recommendations.

Plan Commission members voiced concerns of: parking of vehicles on neighboring property; couple of junk cars (vehicles with no engines); number of tires outside the building; asked if going to get a retail license to sell vehicles; asked if applicant was going to offer to trade old vehicle toward a newer vehicle

Daryl Lopez stated that he moves his cars back and forth on his property. He is in the process of getting another facility for storage of tires etc. Daryl Lopez just wanted to offer his customers the option of a better vehicle. He would not be taking trade-in vehicles.

City Attorney McDonell stated that the City does not have a license requirement to sell vehicles. The State has regulations. He stated that the Plan Commission does not need to make that a part of their approval. The Plan Commission can state in their approval that “all other regulations and licenses need to be complied with”.

Chairperson Meyer opened for public comment. There were no comments.  
Chairperson Meyer closed public comment.

Plan Commission Member Parker asked that the applicant be given a large copy of the survey of the property so he will know where his property lines are.

Moved by Binnie and seconded by Parker to conditionally approve the conditional use permit for the request to be able to sell vehicles at 265 S. Wisconsin Street subject to the City Planner’s recommendations with the following changes: delete 2e; renumber 2f as 2e. #3. Running vehicles that are clearly labeled for sale must be parked in striped parking spaces and cannot be stacked. #4. Any vehicles that are not labeled for sale can only be kept outdoors for no more than 14 consecutive days nor deliberately removed and returned to the site in an attempt to circumvent this requirement. #5. No junk or unlicensed vehicles shall be kept outdoors. #6. Landscaping or fencing shall be provided and installed for parking area located adjacent to residential. #7. All changes in signing will meet the requirements per Sign ordinance 19.54. #8. All other regulations and licenses shall be complied with. #9. Any other conditions identified by the Plan Commission. (See attached conditional use permit.) Ayes: Binnie, Parker, Zaballos, Hinspater, Stanek, Miller, Meyer. No: None. Absent: None. Motion approved.

**Public hearing for consideration of a conditional use permit to allow for the conversion of a single family home into a duplex at 329 S. Scott Street for Land and Water Investments LLC. (Matt Kuehl).** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard went through part of her report and her recommendations. City of Whitewater ordinance 19.51.050 requires 8 parking stalls for 10 bedrooms. She suggested using a combined parking area with the property at 531 W. Scott Street (as the applicant owns that property also). This would save on impervious surface for both properties. The maximum lot coverage and maximum impervious surface numbers had not been provided. They will need to remove the garage at 329 S. Scott Street which will need a demolition permit. Scott Street was designed as an alley way. It is a very narrow street. Each unit will have no more than 5 unrelated persons. The adequacy of the utility services for the building will need to be determined to accommodate the increased density.

Matt Kuehl explained that they do quality work, the property needs a lot of upgrades and they want to do the least amount and still have a viable project. He has done storm water management for another project on the other side of this block. There is a storm water detention basin there. This project will not affect storm water. There is driveway where the addition will be and there is a huge green space behind this property where all the water goes. They have been

working on alternatives to the parking in the area where most of the traffic would flow out onto S. Franklin Street. The parking for this project is just for this particular property. In the future they plan to come in with a plan for improving parking and traffic flow. Matt Kuehl is okay with landscaping on either side of the parking for screening, but not at the back of the property as they would be removing it later. He felt that a Knox box on a duplex was overkill, but he would do it if it was required.

Plan Commission members voiced their concerns of: traffic on Scott Street; how will the garbage be handled; previous projects have contributed to the traffic problems.

Matt Kuehl stated that the traffic from his residential units would be 25 -30 vehicles on the street. They will have an enclosed dumpster to manage their garbage.

Chairperson Meyer opened for public comment.

Donna Henry, 347 S. Janesville Street, explained that her garage is off Scott Street. It is very difficult to back out of the garage onto Scott Street. The problem in the area is not the kids. The problem is the cars. She explained that Scott Street started as a meadow lane up to a farm house on Walworth Ave. In the 40's, curb and gutter was put in. Garages are next to the street. When cars are parked on Scott Street, especially during the winter, it is very difficult to get out of garages. Donna Henry says she doesn't have a problem with the duplex. There are three places on Janesville Street that have two units. So that is more cars. The City has to do something about the parking. Bob's idea about combining the parking for many of these properties with the traffic going out to S. Franklin Street is a good idea. The parking should be expedited sooner than later if at all possible.

Matt Kuehl stated that they already have plans drawn up for a future parking area. They plan to build more in this area and want to solve the parking problem as well. He didn't feel the parking area should be tied to one particular project. He would like to keep the parking as a stand alone project. A long term parking plan takes a lot of thought, particularly when it involves many properties. They would need to sit down with the City Planner and City Engineer.

Jerry Walloch, owner of 343 S. Janesville St., stated that he likes the work that the applicant is doing. It is very difficult to back out of the driveways onto Scott Street. He asked that the applicant and the Plan Commission do things right. Be careful where you put the parking.

Plan Commission Chairperson Meyer closed the public comment.

Plan Commission members voiced: concern of when the parking project would get done; the developer has done fantastic projects; traffic and drainage should be looked at before permits are issued; will go along with the project as long as do parking; Scott Street is a traffic problem, should there be no parking or make the street one way?; develop a parking plan with the traffic funneling off of Scott Street onto S. Franklin St.; what is the process to create a one way street?;

Matt Kuehl stated that they will submit a parking plan if the Plan Commission wants to make it a condition. They are going to do it anyway, so they might as well do it now.

City Attorney McDonell stated that making a street one way is a City Council decision. Anyone could ask a Council member to put the item on their agenda. It could be a Plan Commission request.

City Planner Chris Munz-Pritchard stated that we should ask for a traffic study to be done. The traffic study could provide different options to resolve the issue. The Plan Commission would talk about that toward the end of the meeting.

Moved by Binnie and Zaballos to conditionally approve the conditional use permit for the conversion of a single family home into a duplex at 329 S. Scott Street subject to the City Planner recommendations with changes to #1 minimum parking stall requirement would be 7 (with nine tenants); #4a. Because this project is in an area of the City known to have drainage concerns (Basin 15), the storm water management must be reviewed and approved by the City Engineer before a permit is issued.; #5. Add “after due process is afforded”; Add #12 A joint parking lot is to be constructed for ingress and egress out to S. Franklin Street. The plans are to be approved within 18 months and the construction be completed within 18 months after the plans are approved. The plan for the joint parking lot is to be approved by the City Planner. (See attached conditional use permit.) Ayes: Binnie, Zaballos, Parker, Hinspater, Stanek, Miller, Meyer. No: None. Absent: None. Motion approved.

**Public hearing for a conditional use permit per Section 19.27.030(N) to allow more than one principal structure on a lot for a proposed development to be located at 1260 W. Main Street, Tax Parcel /WM 00001 and /WM 00002 for WWHP LLC. (Troy Hoekstra, Managing Partner).** Kristine Zaballos recused herself from this item as she works for the University. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that at this meeting the Plan Commission was to determine if more than one principal structure should be allowed on the lot at 1260 W. Main Street for a proposed hotel development. If granted the conditional use permit, they would be back at the October Plan Commission meeting for review of the actual plans. Munz-Pritchard gave some history of the parcel. She explained that the property is located in a B-1 (Community Business) Zoning District. The proposal is to add a second building on a lot. They plan to remodel the existing building and add a 70 unit hotel. Munz-Pritchard noted that flag lots are not to be developed. The maximum height for the building in the B-1 Zoning District is three stories (45 feet). 245 – 279 parking stalls would be required depending on the plans. The 12 inch water main running through the center of the property would need to be relocated. A traffic analysis should be done. Chris Munz-Pritchard went through her remaining recommended conditions for approval.

Plan Commission Member Hinspater asked if the hotel will have a conference room.

Troy Hoekstra, the managing partner for WWHP (Whitewater Hotel Partners) and owner of United Development, explained that this hotel is Fairfield by Marriott. Their plans are to renovate the existing building owned by the UW Foundation. There will be meeting or banquet rooms with the capacity of up to 150 persons that can be divided up for a capacity as small as 30 persons. One half of the existing building will be office space for the University.

Scott England, DJR Architecture, made some corrections to the Planner Report. The three story building will have a height of 45 feet. (They start their 1<sup>st</sup> floor elevation at 100 feet, which is actually 0.) The typical daytime staffing crew is 8 people, so 74 parking stalls will be needed for the hotel & staff (70 + ½ staff). Most of the staff will be gone by 9:00 p.m. and the housekeeping staff will be done by approximately 2:30 p.m. The plans will be back for your review in about a month. They would like to have considered that the parking on the north side of the existing building be counted as potential parking spaces, not to put in now, but to install when needed.

Troy Hoekstra stated that they are aware of the water main and that it would have to be moved and at their expense. They have a wetland mitigation report, which they will share with the City, that they believe confirms they can have the parking as shown. They have checked the traffic in the area, which has 11,000 cars per day going past the property. Their project would increase that number by ½ car per minute.

Scott England stated that they are working with Walmart in regard to access to their property.

Troy Hoekstra explained that they will purchase the property over the next 7 years. The hotel will be totally funded by WWHP. They are rapidly working on this as they will lose their financial credits if they don't close on the property and break ground this year. They are putting in a "full bore effort" to accomplish this. The economic impact of this proposal is: 9 million for the hotel, 8.5 to 8.75 million for renovation to the existing building for a total of 17 million dollars. That will allow for \$500,000 in annual wages. They will be working with local contractors as much as possible. Keller Inc. – design build has been on board for months to get started.

When asked if the UW Foundation was good with this proposal, Jonathan Enslin (the President of the UW Foundation) stated that he was perfectly comfortable moving forward. The UW Foundation has 95% ownership of the existing building and Premier Bank has 5%.

Plan Commission Member Binnie stated that he was grateful for their effort in putting this proposal together. He noted that there is funding from Walmart for a traffic light in this area. He thought it should be utilized with this new proposal.

Chairperson Meyer opened the public comment.

Chris Grady, 318 W. North Street, stated that he was glad to see this project. It will solve a lot of problems. For example, in the summer there are a lot of tournaments and Whitewater has no place for people to stay. They have to find a place outside the community. Also the taxation would be a huge windfall for the City.

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

Plan Commission Members voiced concerns of: didn't get an answer to the dining questions; if going to serve alcohol, a conditional use permit to serve alcohol would be required; water main

is to be relocated at the applicant's expense; driveway throat to be looked at for safety; the lot is not flat, how will the building sit on the lot.

Troy Hoekstra and Scott England explained that there would be only a guest breakfast room in the hotel. There would not be a restaurant. The first floor of the hotel will be at ground level.

City Planner Chris Munz-Pritchard explained that at this meeting the Plan Commission is only concerned with the conditional use permit for a second building on the lot. In October, the Plan Commission will review the plans.

Moved by Binnie and seconded by Stanek to approve the conditional use permit to allow for a second building on a lot at 1260 W. Main Street with the conditions of the City Planner with the revision of the first condition to be "relocation of the water main will be required". (See attached conditional use permit.) Aye: Binnie, Stanek, Zaballos, Parker, Hinspater, Miller, Meyer. No: None. Abstain: Zaballos. Motion approved.

**Information Items:**

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated that the Common Council meeting on September 19, 2017 will be held at the University at 6:30 p.m. on the second floor of the UC. She also stated that she will be budgeting for a housing study to start in 2018. This would not be a fast study and would probably carry into 2019.
- b. Next regular Plan Commission Meeting – October 9, 2017.

Moved by Stanek and seconded by Miller to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 9:25 p.m.

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Chairperson Greg Meyer