

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
December 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 Binnie and seconded by Zaballos to approve the minutes of the September 11, 2017 and October 9, 2017 Plan Commission meeting. Motion approved by unanimous voice vote.

**Review minor change to the conditional use permit “to have no more than one employee on the premises at a time other than members of the resident family” to operate their home occupation at 409 E. Cravath Street for James McKenzie.**

City Planner Chris Munz-Pritchard stated that James McKenzie was granted a conditional use permit in July 2010. At that time he was to have no more than one employee other than family. Instead of one 40 hour, he would like 2 20 hour employees. Munz-Pritchard would like to change the wording to have no more than one employee on premise at a time other than members of the resident family.

Jim McKenzie stated that his applicants are college students and cannot work the days that he would need them to work. He would like to have 1 person work one day and the other person work the other day.

After complimenting the applicant for following closely with the conditions of his conditional use permit, it was moved by Binnie and seconded by Zaballos to approve the change  
Ayes: Binnie, Zaballos, Stanek, Hinspater, Parker, Miller, Meyer. No: None. Motion approved.

**Public hearing for a conditional use permit for the construction of a duplex to be located at 412 S. Summit Street for J & S Summit LLC. (James and Stevie Taylor).** Chairperson Meyer opened the public hearing for consideration of a conditional use permit for the construction of a duplex to be located at 412 S. Summit Street for J & S Summit LLC. (James and Stevie Taylor).

City Planner Chris Munz-Pritchard explained that the owner is looking to remove the existing house and replace it with a duplex. She went through her Planner Report and recommendations. The proposal meets requirements except for lot width. A duplex requires a minimum lot width of 100 feet. This lot is 66 feet wide. Plan Commission can approve the lot width. The utilities may need to be upgraded for a duplex.

James Taylor was present to answer any questions.

Plan Commission Members voiced concerns of: Are the two units identical?; when will you start the project?; impervious surface; move some parking to the side of the garage to leave more green area behind the house; protect the large tree in front yard; trash collection; removal of front driveway apron; owner responsibility to install gravel alley way; why does a duplex require a 100 foot width?.

James Taylor stated that the units of the duplex will be identical. They plan to start the project in May. They will be removing the existing driveway and garage, and will return the area to grass. They will not be bothering the large tree and will put up snow fencing to protect it during construction. They will have the residential toters for trash collection. James Taylor stated that he will put in gravel for the alley way to his property.

Art Coleman, resident on Summit Street, has no problem with the proposal. It will make the neighborhood look nicer. He also asked if property owners are taxed for the alley right of way that is not developed.

City Planner Chris Munz-Pritchard stated that property owners are not taxed for alley ways. She also stated that the City Neighborhood Services Department is working on an inventory of alley ways in the City.

City Attorney stated that according to law, the assessors take that all into consideration. It should be properly assessed. It is a technical process and there are a bundle of things they look at. When asked about duplexes requiring a 100 foot wide lot, he stated that there is a greater density allowed in the duplex situation than a single family. There is more frontage to not create problems with neighbors. A conditional use requirement is appropriate so that a proposal can be more carefully scrutinized.

Chairperson Meyer closed the public comment.

Moved by Binnie and seconded by Zaballos to approve the conditional use permit including the Planner recommendations adding that the driveway approach off of S. Summit Street be removed and changing the wording on item #5 that the alley way will need to be installed at the owner's expense. Aye: Binnie, Zaballos, Stanek, Hinspater, Parker, Miller, Meyer. No: None. Motion approved.

**Review extra-territorial certified survey map and rezoning from Industrial to R-2 for the parcel located at N462 Tratt Street for Eugene Gutzmer, Jr.** City Planner Chris Munz-Pritchard explained that the owner is requesting to make three lots. The lot is currently zoned

Industrial and is to be rezoned to R-2. This parcel is located in the Town of Cold Spring, Jefferson County, Wisconsin. The lot will be divided as 1) N462 Tratt St., 2.30 acres zoning change from Industrial to R-2; 2) Field to SE of N462, 15.22 acres, remains zoned Industrial; 3) N463 Tratt St, 9.29 acres remains zoned Industrial with a new parcel # 004-0515-3222-005 west of Highway N. The preliminary CSM complies with all design standards and general provisions of the City Code Section 18.04.048 Extra-territorial subdivisions. City Planner Chris Munz-Pritchard recommended the Plan Commission approve the certified survey map with the following conditions: 1. The applicant shall meet all conditions set by Jefferson County and Town of Cold Spring for final approval. Recommendations to the County and Town: a. A re-zone of the parent parcel lots to meet zoning code; b. Compliant with the Farmland Preservation Plan. 2. Final CSM shall be reviewed by City Staff and recorded with Jefferson County.

Eugene Gutzmer Jr., owner, stated that he just found out from Jefferson County that he would need a variance in order to have R-2 Zoning because of the number of buildings on the parcel. His other option was to have it zoned A-3 which is basically a residential zoning but would allow the extra buildings. He stated that the barn has collapsed so he is down one building but still too many for an R-2 zoning. He asked if it was possible to have either A-3 or R-2 zoning approved.

City Attorney McDonell stated that the Planner recommendation was that the applicant meet all conditions set by Jefferson County and the Town of Cold Spring. The Plan Commission could approve contingent upon R-2 or A-3 zoning.

Moved by Zaballos and seconded by Parker to approve the extra-territorial certified survey map and the rezoning of either A-3 or R-2 for the parcel located at N462 Tratt Street for Eugene Gutzmer Jr. Aye: Zaballos, Parker, Binnie, Miller, Hinspater, Stanek, Meyer. No: None. Motion approved.

**Continue the public hearing from the October 9, 2017 Plan Commission meeting for Formal Action for the City of Whitewater Comprehensive Plan future land use designation for Parcel # /WUP 00325 (Walworth Ave. Parcel). (This parcel is located west of the “bridge to nowhere”.)** City Attorney McDonell explained that he had talked with City Planner Chris Munz-Pritchard and they were not sure that this item was fully reviewed to a point of having a firm proposal for this section. Their concern was in the direction from the Plan Commission about notification. He stated that the hope was to accomplish a change of the “mixed use” in the Comprehensive Plan. It is the charge of the Plan Commission to come up with a description. It is clear that the Plan Commission is not changing the overall mixed use, definitions and whole Comprehensive Plan. The Plan Commission is doing a description of what is planned for this area and solely for this area. It is up to the Plan Commission to move forward. If there is confusion, then any changes would need to come back.

City Planner Chris Munz-Pritchard stated that she was asked to look at the definition of “mixed use”. She said if she took out “high density”, the definition made more sense. The term “high density” is limiting and highly vague. Removing the high density would just make it residential.

John Hoffmann questioned when you take high density out, what does residential encompass? It does not mean only single family.

City Attorney McDonell read the definition of high density residential. It indicates a variety of residential uses from residential single family to apartment buildings. He also read the mixed use definition (as written in the Planner report) and noted that there were other policies and programs described for that designation later in the Comprehensive Plan (pg. 98-99).

Plan Commission Members voiced concerns of: confusing future land use and zoning; the neighborhood was afraid of heavy residential and lots of traffic noise etc.; in a mixed use residential district, limit occupancy to three unrelated; have apartment buildings closer to the bypass and the single family homes closer to the High School.

John Hoffmann stated that this is supposed to be a guideline. Nothing will happen unless there is a proposal for development. It seems like we are trying to create zoning.

Chairperson Meyer closed the public comment.

Plan Commission Binnie stated that in looking at the October 9, 2017 minutes, the proposal certainly fits what the Planner suggested, a proposed definition for "mixed use". "Mixed use" should be changed for all properties. He also stated that Plan Commission has been dealing with this since last May. This recommendation could go on.

Moved by Binnie and seconded by Zaballos to recommend to the City Council that the future land use designation for parcel # /WUP 00325 be the definition of the mixed use in the Comprehensive Plan after striking the words "higher density" from residential, and incorporate policies and programs under that mixed use. Aye: Binnie, Zaballos, Parker, Stanek, Miller, Meyer. No: Hinspater. Motion approved.

City Attorney McDonell stated that this property is a hybrid. There is a different definition for this property. He determined that this item was properly put on the agenda and properly noticed to do this.

Plan Commission Tom Hinspater appreciated the Plan Commission taking a hard look at this change and making a better definition of mixed use for this property and adding the policies and programs to it. Thanks.

**Update on Housing Sub-Committee meeting.** Plan Commission Member Sherry Stanek updated the Plan Commission on what happened at the Housing Sub-Committee meeting on November 15, 2017. The meeting was held to figure out goals and times to meet. Chris Munz-Pritchard, Greg Meyer and Andrew Crone, were present. The other side of the table were developers and owners of rental property. Sherry asked them what sparked them to all show up. Jeff Knight stated that they were concerned that this sub-committee was going to open another zoning rewrite. He said that developers don't like to come to Whitewater because they are intimidated by the Plan Commission.

Sherry Stanek stated that Chris Munz-Pritchard noted that streamlining to developers might mean no rules and regulations, but the City's job is to apply rules and regulations.

Sherry Stanek stated that Jeff Knight invited Plan Commission and Council members to their GWC breakfast meeting where they are hoping to bring people in who would be interested in building single family homes. Sherry said that at the GWC meeting, Jeff Knight let those in attendance know that the Plan Commission has changed a lot and the City is working really hard to make it easy to come to Whitewater, provided they bring all the information needed. The GWC is holding forums for doing a housing study of their own. The Plan Commission Housing Sub-Committee decided to meet, but not do a housing study on their own when they may be able to piggy back on the housing study of the GWC.

Chris Munz-Pritchard note that the housing studies that were previously done, were not done in a format that can be utilized. We don't want to reinvent the wheel. We will see what the GWC comes up with. Their study is supposed to be finished in May.

The other concern of the housing sub-committee is to figure out if the Plan Commission should be approving large projects for students. The distortion of housing prices is due to how many unrelated persons can live in the house, which makes it less affordable for a family.

Lynn Binnie would like to share some information that came up at the GWC meeting in regard to the type of homes the builders seem to be interested in building are \$270-300,000 homes. For a starting professor at the university, they would probably be looking for more in the price range of \$170-200,000. The builders did not want to address affordability.

Bruce Parker stated that the CDA talked about higher end housing and very little about lower end. The homes would probably be in two different areas of the City.

Chris Munz-Pritchard stated that if you have anything for the Housing Sub-Committee for the next agenda, such as policies etc., please let Chris know.

**Information Items:**

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated that we have three items for the next Plan Commission meeting. Applicants still have a week to submit proposals. They include a monument sign for the High School; CSM for Frawley's on the east side of Whitewater; Rezone and conditional use application for 328 W. Main Street.  
Plan Commission Member Stanek asked about putting Comprehensive Plan information on the next Plan Commission meeting. City Attorney McDonell stated that the Plan Commission has given enough input to move forward on it. He will check into the procedure. It may start at the Council.
- b. Next regular Plan Commission Meeting – January 8, 2018.

Moved by Parker and seconded by Stanek to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:05 p.m.

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Chairperson Greg Meyer