

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
May 8, 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, Tom Hinspater, Kristine Zaballos, Bruce Parker, Lynn Binnie, Sherry Stanek, Tom Miller (Alternate). Absent: Daniel Comfort. 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 March 13, 2017 Plan Commission meeting with correction. Motion approved by unanimous voice vote.

**Review extra-territorial certified survey map to separate the structures from the farm land located at W8150 Millis Road for Steven Millis.**

City Planner Chris Munz-Pritchard went through her Planner Report recommendations.

This preliminary CSM complies with all design standards and general provisions of the City Code Section 18.04.048 Extra-territorial subdivisions. I recommend that the Plan and Architectural Review Commission approve the Certified Survey Map with the following requirements:

1. The applicant shall meet all conditions set by Town of Whitewater and Walworth County for final approval.
2. Final CSM shall be reviewed by City Staff and recorded with Walworth County.

Moved by Binnie and seconded by Stanek to approve the extra territorial certified survey map located at W8150 Millis Road for Steven Millis with the City Planner recommendations. Aye: Binnie, Stanek, Hinspater, Zaballos, Parker, Meyer. Absent: Comfort. No: None. Motion approved.

**Public hearing for an amendment to the Conditional Use Permit for driveway addition to Lincoln Elementary School at 242 S. Prince Street for the Whitewater Unified School District.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the property has two curb cuts on the west side of S. Prince Street. The northern one is being requested to be widened to accommodate the changes in the

parking. The new driveway width is shown as approximately 36 feet wide. The ordinance 12.16.030 indicates the maximum driveway width is 35 feet at the curb line without City Council approval. City Planner Munz-Pritchard recommends that the Plan Commission grant conditional approval for the request of an approximately 36 foot driveway located at 242 S. Prince Street for Lincoln Elementary School, subject to the following findings:

1. The applicant had indicated that additional land will be allocated for the use of the school driveway and curb cut. The applicant shall have one of the following done with adjacent land owners:
  - a. Certified Survey Map (CSM) lot line adjustment,
  - b. an easement granting access or
  - c. a joint use agreement between the applicant and the adjoining land owners.
2. Any other conditions identified by City Staff or the Plan Commission.

Mark Elworthy, Whitewater School District Administrator, and Teresa Wadzinski, Eppstein Uhen Architects, were present to explain and answer any questions. When asked about the trees needing to be removed, Mark Elworthy stated that he thought there might be three trees. They will be finalizing that with the neighboring property owner. The utility pole in the area will need to be removed. Mark Elworthy explained that the additional lane is to optimize the parking lot. The parking in front of the new main entrance on the north side of the building is all part of the referendum. The buses will continue to pick up and drop off on the south end of the building.

Plan Commission Member Stanek requested that they not remove any more trees than necessary.

With only one extra foot requested, it was moved by Binnie and seconded by Parker to approve the 36 foot driveway opening with the conditions of the City Planner. Aye: Binnie, Miller, Stanek, Hinspater, Zaballos, Parker, Meyer. No: None. Motion approved.

**Whitewater School District presentation of General Information on Whitewater Unified School District Projects.** Teresa Wadzinski, Eppstein Uhen Architects, presented information on the School District projects. Lincoln School will have a classroom and gym addition. A new playground black top area will be added to replace the one displaced by the gym addition. Washington School will have a new secure/controlled entry vestibule added to the front of the building. The High School will have a cafeteria addition to increase seating capacity and an addition to the gym for fitness training/weights etc. The Middle School will have some visitor parking added near the circular drive and an improved controlled entrance.

Some of the work at Lincoln School and the Middle School will be done this summer. The Lincoln gym and the High School will be done during the school year. The following summer they will do Washington School and Lakeview School. JP Cullen is the contractor.

There will be a ground breaking at Lincoln School on May 23, 2017 at 9:00 a.m.

**Review and make recommendation to the Common Council for the petition of annexation of two parcels of land located west of N. Tratt Street, tax parcel numbers: 004-0515-3233-008 in the Town of Cold Spring and D W 600009 in the Town of Whitewater.**

**Public hearing for the Plan Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a request to temporarily classify the below parcels as Zoning District R-3 (Multi-family Residence District) under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater upon their annexation into the City of Whitewater.**

<b><u>Property Address:</u></b>	<b><u>Tax ID #'s:</u></b>	<b><u>Property Owner:</u></b>
<b>Vacant land on west side of N. Tratt Street</b>	<b>004-0515-3233-008 (Town of Cold Spring)</b>	<b>Carl Kienbaum*</b>
	<b>D W 600009 (Town of Whitewater)</b>	<b>Kienbaum Family Trust*</b>

**\*Annexation of Land pending and Land sale pending to Ryan Hughes.**

City Planner Chris Munz-Pritchard explained that this is a request to annex approximately 10.6 acres to the City of Whitewater. The land to be annexed is surrounded by the City of Whitewater. It is located within the City Sewer Service Area. The City's current Comprehensive Plan (2030) Future Land Use Map shows this area as Future Neighborhood and Higher Density Residential.

Higher Density Residential: A variety of residential units, including rental apartment complexes, condominiums, townhouses, and some single- and two-family residences interspersed.

Future Neighborhood : A carefully planned mix of primarily single-family residential development, including some two-family, higher density residential, and neighborhood-compatible business and institutional uses that are consistent with the residential character of the area (Page 66 of Comp Plan).

The request includes a temporary zoning classification of R-3 (Multi-family Residence) Zoning District. Permanent zoning will be assigned at a later date. City Planner Munz-Pritchard recommended that the Plan Commission recommend to the City Council to approve the annexation with a temporary R-3 Multi-family residence district classification of the subject site for Kienbaum Family Trust and Carl Kienbaum subject to the following conditions:

1. In review of Walworth County GIS, a gap in the legal description exists to the west of parcel D W 600009. This gap should be resolved with Walworth County.
2. Development proposals located in this area may require the approval of the Plan and Architectural Review Commission and will follow Chapter 19.63 Plan Review.

3. State Statutes requires a letter from the Department of Administration evaluating the annexation. The City needs to receive of the required evaluation letter from the Department of Administration.

4. Any other conditions identified by City Staff or the Plan Commission.

Chairperson Meyer opened the public hearing.

Ryan Hughes was present to answer questions.

Mary Kay Nelson, who lives in that area, wanted to know where the property is, what type of housing they are looking at and does the City need any more multi-family housing. She also voiced concerns of future plans as a residential parcel with the loss of farm land (someone's livelihood). As a teacher in the Whitewater Unified School District, she was advocating for more family housing and more jobs to support families and a grocery store.

Ryan Hughes explained that this is just an annexation, there are no development plans at this time. The future land use plan shows a street that would go through this parcel and T with Walton Drive. This is not part of this request. This proposed annexation is a preliminary step for future development.

Kathy Schumacher, 1694 Turtle Mound Lane, wanted to know if the property was part of the property where the bulldozing was happening on W. Main Street.

Plan Commission Member Parker explained that he thought she was talking about some bulldozing going on across from Taco Bell on W. Main Street. The annexation has nothing to do with that. There is a lot of wetland between this location and W. Main Street.

Chairperson Meyer closed the public hearing.

Plan Commission Member Binnie moved to recommend to the City Council to approve the annexation and temporary zoning of R-3 for these two parcels of vacant land 004-0515-3233-008 in the Town of Cold Spring and D W 600009 in the Town of Whitewater.

Plan Commission Member Stanek asked about the long range plan for the land area. The Blooming Field area is developing into a nice neighborhood.

City Planner Munz-Pritchard explained that the future plan for this area is housing, high density and duplex. This land is in the transition area between single family and high density apartment buildings.

Plan Commission Member Hinspater asked about the temporary zoning.

City Attorney Wallace McDonnell explained that the temporary zoning is good for 1 year. The Plan Commission recommendation to the City Council for a permanent zoning, approval must take place within one year. If an R-3 development proposal was brought in before the permanent zoning was approved, the rule is that the developer would have the right to the R-3 designation.

Ryan Hughes explained that there are actually three parcels. One parcel is already in the City of Whitewater which is zoned R-3.

Plan Commission Member Parker seconded the motion made by Plan Commission Member Binnie. Parker also stated that there would be numerous other hearings for this process.

City Attorney McDonell explained that the permitted uses up to 4 units could be done without coming to Plan Commission. Permanent zoning will come back. Conditional uses would come back to Plan Commission.

City Planner Chris Munz-Pritchard explained that this is just one step in a series of steps. This is a large lot. It will have to be divided. So it will come back with a plat or certified survey map.

The motion was to recommend to the City Council to approve the annexation and temporary zoning of R-3 for these two parcels of vacant land 004-0515-3233-008 in the Town of Cold Spring and D W 600009 in the Town of Whitewater. Motion was approved. Aye: Binnie, Parker, Miller, Stanek, Hinspater, Zaballos, Meyer. No: None.

**Public hearing to review and make recommendation to the Common Council for proposed amendments to the City of Whitewater Comprehensive Plan.** Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard went over the background of the proposed changes to the Comprehensive Plan. There were changes that need to be updated in the Comprehensive Plan. Some of the items that need updating are: population changes; changes to the flood plain maps; R-2A information; R-3A information (does not differ so much from the R-3); the mixed use definition; outdated information on Sentry grocery store, Whitewater Unified School District, UW-Whitewater and add Starin Hall information. The future land use map had many areas that did not follow parcel lines. Chris Munz-Pritchard explained the difference between future land use and a rezone and went through the process for a zoning change (Municipal Code Chapter 19.69).

Chairperson Meyer opened for public comment.

Jeff Knight, 405 Panther Court, stated that the property south of Walworth Ave. and west of the High School was to be residential and that it should not be changed to a future designation of "Mixed Use". There is a need for single family homes. This is the only property that can get assistance from the CDA for development. This parcel is included in a TIF District. Knight further stated that the City should fill in all the commercial property we currently own before adding more areas.

Jim Schumacher, 1694 W. Turtle Mound Lane, stated that he was against changes to the future designation of this parcel. The City needs to attract people to come to this community. This property has to remain single family residential for the City to grow. This is the best interest for the City of Whitewater.

Joe Kromholz, 393 S. Eagle Ct., stated that plans for this area were not well explained. He is against this change. It should be single family housing out there.

Kathy Schumacher, 1694 W. Turtle Mound Lane, stated that they just saw the action of the Plan Commission for the R-3 Zoning item. They need to stop this now.

Mike Kachel, 408 Panther Ct., stated that the School District has begun to come around the corner with educating our youth. In order to remain vibrant, we need to expand future residential areas. A good buffer for that property would be to have R-1/R-2 facing Hwy. S (Walworth Ave.). It would be difficult for a change to commercial in this area. He hopes the City can continue to look at developing that part of the City with residential housing instead of straight mixed use.

Jim Allen, 215 E. Clay St., noted that at the time the bridge was built, they were told it would be residential. We need to protect the residential areas.

John Hoffmann, part owner of the parcel south of Walworth Ave., explained how they worked with the City to enable the bypass to be pushed further out; they gave property for the well. They did not request to be annexed. We need to do what is best for the City; best for the mass of people.

Todd Weisbrod, 381 S. Panther Ct., stated that we need to keep this area residential. If it is changed, it will diminish the appeal of the area.

Chairperson Meyer closed the public hearing.

Plan Commission Binnie noted that the minutes from the previous meeting stated that the Comprehensive Plan will be reviewed in two parts. So we will do a motion for the updates to the Comprehensive Plan other than the Walworth Ave. parcel and then do a second motion for the Walworth Ave. parcel.

Moved by Binnie and seconded by Stanek to approve by resolution all of the updating changes. Any changes to the mixed use section will not be made (page 13 of the power point for Proposed Changes for Comp Plan Update). Motion was approved. Aye: Binnie, Parker, Miller, Stanek, Hinspater, Zaballos, Meyer. No: None.

Plan Commission Member Zaballos stated that we need to have a rationale of why the change is being requested. If we allow higher density, we want amenities to go with that. We need to understand the rationale for removing items from the Comprehensive Plan.

Plan Commission Member Binnie noted his concerns about the Walworth Ave. property. A designation of "Future Neighborhood" on the Future Land Use Map in the Comprehensive Plan does not exclude higher density. Binnie also wanted to find out about any TIF financing for that property. Binnie also explained that the land west of Indian Mound Parkway is an established single family parcel with a potential of over 200 parcels. South of Walworth Ave. gets closer and closer to the bypass. Those looking for upper end housing do not want to be close to a bypass. The other three intersections with the bypass have community business designation.

Binnie stated that there has been a request for a joint meeting in the near future with City Council, CDA, and Plan Commission to discuss the concerns of local business owners.

Moved by Binnie and seconded by Zaballos that this matter is referred to the joint meeting with City Council, CDA, and Plan Commission. Prior to that meeting, research the TIF potential for the Walworth Ave. parcel. Aye: Binnie, Zaballos, Parker, Miller, Stanek, Meyer. No: Hinspater. Motion approved.

City Attorney McDonell explained that this shows Plan Commission is postponing with a plan to go forward. City Attorney stated that the TIF has been in place for a long time.

City Manager Cameron Clapper explained that the primary reason for the joint meeting was to discuss grocery stores and economic development. He will email when a meeting is set.

Plan Commission Members voiced concerns of: The Walworth Ave. parcel is not truly a high end neighborhood; there are nice subdivisions near highways with walls and landscaping; would it be allowed to attach certain requirements in a mixed use?; mixed use allows for careful planning – no one is picturing anything that would be incompatible with neighboring properties; allegation of corruption; need trust, all bodies are duty bound by law – if there is any financial gain, members are in major trouble if we don't excuse ourselves from that decision; Need to protect surrounding parcels and uses; do not see the property strictly as single family; multi-use has no designation- could put commercial or high density in an area where we do not want them; buffers are important; the Plan Commission's job is to see that a carefully designed project blends into the area; it is difficult to breach a lack of trust; without a plan, it is hard to find a fair solution.

City Attorney McDonell explained that the current designation in the Comprehensive Plan for this property "future neighborhood". The current zoning of this property is AT (Agricultural Transition). Not much can be done with this zoning. The process would be for a development to come in and ask for something compatible with "future neighborhood" and rezone the property to something compatible with "future neighborhood". If a development was proposed that would fit into a "mixed use", the Comprehensive Plan would need to be updated and the property would need to be rezoned from AT to something compatible with "mixed use".

**Presentation on impervious surface.** This item was postponed to the next meeting.

**Information Items:**

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated that there would be a conditional use, a follow up with Ryan Hughes, and the impervious surface presentation. Plan Commission Member Miller requested an item to review the landscaping at 122 N. Prince Street. Plan Commission Member Parker suggested we look at the traffic counts and have that information at the joint meeting.
- b. Next regular Plan Commission Meeting – June 12, 2017.

Moved by Parker and seconded by Stanek to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 9:10 p.m.

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Chairperson Greg Meyer