

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
August 14, 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. Absent: Bruce Parker, Tom Hinspater. 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 June 12 & 19, 2017 Plan Commission meeting. Motion approved by unanimous voice vote. The minutes of July 10, 2017 were not available for review.

Public hearing for a conditional use permit for a change in ownership for a car dealership and repair facility at 1389 W. Main Street for Burtness Chevrolet (Matt Bowditch).

Public hearing for a conditional use permit for a change in ownership for a car dealership and repair facility at 1421 W. Main Street for Burtness Chevrolet (Matt Bowditch).

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained part of the history of these properties, what was part of the previous conditional use permits for these properties. She mentioned that landscaping and lighting came up numerous times in the previous Planner Reports. The main items Munz-Pritchard would like to make sure become conditions are to maintain the landscaping; only security lights on building to be on after 10 p.m.; the owner recognize the utility easements; and the variance for the sign requirements remains the same. There were two notes from property owners who were unable to be at the meeting. One was about the spillage of light onto neighboring properties and the other was welcoming this business.

Chairperson Meyer opened the public comment.

Matt Bowditch, the owner of Burtness in Whitewater, stated that he was working to get the lighting to shut off at the correct time. Hours of operation are: Monday and Thursday open until 8 p.m.; Tuesday, Wednesday and Friday open until 6 p.m. and Saturday until 3 p.m. Sundays they are closed. Due to the windstorms we have had, the fixtures have been altered. There are about 6 lights burned out at this time.

Plan Commission Member Binnie stated that at 11:45 p.m. 1389 was dark, but 1421 was still lit up. He suggested that the timing and the positioning of the lights be adjusted.

Chairperson Meyer stated that he lived in the neighborhood behind the properties. The lights at the back of the building can be seen very well through the trees. They need to be shielded. The building lighting also needs a directional baffle.

Andrew Crone, 1590 W. Wildwood Road, welcomed the business to this area. He also explained that from their yard, they can see the lighting elements in the light fixtures. He noted that according to ordinance, the lighting is not to spill out over the property line. There should be shields on the fixtures that prevent that. If the proper lighting is provided, it won't be creating a nuisance to the neighborhood. He suggested a 9 p.m. shut off time for the lights to allow families to enjoy their yards, especially during the summer.

Chairperson Meyer closed the public comment.

Plan Commission Member Binnie stated that previous conditions for 1421 W. Main Street were to have a fence installed on south property line and landscaping on the outside of the fence. There was no fence installed. There was landscaping put in after the original display area. Another strip of pavement was put in. No landscaping was planted after that. There are trucks lined up along that pavement. Was the additional pavement ever approved?

City Attorney McDonell stated that the extra pavement had gone into legal action, but had finally come back to the Plan Commission and was approved. When asked if all businesses were required to have their lighting turned off at a certain time, Attorney McDonell stated that the Plan Commission has the discretion to determine the requirements of each particular site.

City Planner Munz-Pritchard stated that she would like to have the same requirements for both properties for lighting and landscaping. The lighting should start with the fixtures facing downwards and go from there. The properties should have a fence or buffer between the business and any residential areas. Munz-Pritchard stated that there was no need for stadium lighting behind the building, but wants it lit enough to be safe for those leaving the building later to be able to see vehicles.

Moved by Binnie and seconded by Zaballos to grant conditional approval of the conditional use permit for a change in ownership for a car dealerships and repair facilities at 1389 and 1421 W. Main Street for Burtness Chevrolet (Matt Bowditch), subject to the City Planner's recommendations with additions to: #1 that a discussion is to be held with the City Planner regarding landscaping south of the added pavement on the south side of the property at 1421 W. Main Street. An agreement must be reached and followed through on. #2 By 9:30 p.m. only building mounted security lighting can remain on. Position of lighting and shields must meet code to not be a nuisance to neighboring properties. Lights must be in compliance within 30 days. And #4 the landscaping or fencing must be completed by June 1, 2018. (See attached conditional use permit.) Aye: Binnie, Zaballos, Stanek, Miller, Meyer. No: None. Absent: Parker, Hinspater. Motion approved.

Discussion of landscaping at 122 N. Prince Street (Ryan Hughes). Chairperson Meyer opened for public comment.

City Planner Chris Munz-Pritchard explained changes that are to start to be implemented. She has been working with Urban Forestry to update the landscaping policy. She is looking to hire someone to review final landscaping plans, verify what is on site at the project, write up a report and have the City Certified Forester review and approve the report. The report than will be filed with the project file in the Neighborhood Services Department. The Neighborhood Services Department has been reviewing all of the conditional use permits from now back to 1990's.

Ryan Hughes gave a rundown of what has occurred with the landscaping of the property at 122 N. Prince Street. Landscaping went in as planned in the spring. They will be over seeding in the fall. Utility easements and stormwater piping have restricted where they could put plantings. They have put in several larger trees on both Prince and Main Street areas. They have put in perennial bushes and removed and re-planted in the bio retention area.

City Planner Chris Munz-Pritchard asked that if the Plan Commission is not happy with the landscaping, what can we do about it for future developments? How can we improve the process? Neighborhood Services Department and the Urban Forestry Commission are working to change the existing landscaping policy to make it more user friendly.

Plan Commission Member Miller said that some improvements have been made to the landscaping on the property. The owner has added some color with the black eyed Susans. He has also added trees and landscaping bark which makes it look better. The lawn is about 80% weeds right now. Miller says the owner needs to add more color and do something with the lawn. The best time to plant is in spring and fall.

Plan Commission Members voiced: can UFC recommend what size plantings should be used?; When landscaping companies draw up the plans and do the planting, they usually overplant because they want it to look good when the project is done (not three years from now); Maybe plant some grasses.

Plan Commission Member Zaballos stated that this project is a prominent place for entry into the City of Whitewater. It gets more scrutiny. If a developer exceeds expectations and maintains the landscaping as such, it is much better for them the next time they want to do a good development. Zaballos liked the idea that the City is planning to hire a staff person to review and write a report on landscape plans for developments.

Conceptual review of a proposed plat for the vacant land on the west side of N. Tratt Street (includes tax parcel numbers: 004-0515-3233-008 and D W 600009) for Ryan Hughes. City Planner Chris Munz-Pritchard explained that the land for this proposal has been annexed into the City of Whitewater. The land is approximately 10.6 acres, and is located in both Walworth and Jefferson Counties. The Comprehensive Plan has it in a future neighborhood high density area with a transition area from high density to R-2 (one & two family residential). The West Whitewater Neighborhood Development Plan designates this area as mixed residential. On the 2035 Regional Transportation Map, a proposed road is in this area. In the northeast area, on

about 2.53 acres 3 two-story townhomes are proposed. They have added a detention area for the regulation of storm water. This area could either be R-2 or R-3 Zoning. All buildings proposed in Walworth County are higher density residences and would probably be zoned R-3. Buildings with over 4 units are required to come to Plan Commission in an R-3 Zoning District. As the development moves to the west, the zoning could be R-1 or R-2 with the proposed single family and duplexes.

Ryan Hughes, the developer, was looking for feedback and comments from the Plan Commission. His proposal transitions to more single family to the north. He thought about having a water feature with movement in the detention areas so the water would not be stagnant. His plan is to put traditional apartments in the southeast area of the development and townhomes in the northeast area. He plans to phase in the project. He would like to start as R-3 Zoning.

Adam Coyle is an investor and is planning to be a co-manager of the property. He also would like the flexibility of the R-3 Zoning.

Chairperson Meyer opened for public comment.

Plan Commission Members voiced: they liked having the buffer from the single family residences to the north; what kind of phasing is being planned; liked the townhomes on the northern part of the development area that provides a transitional area with the single family residences to the north; would like to see a stepping up of the aesthetics of the buildings to be more residential appearing housing rather than student rentals.

City Planner Munz-Pritchard asked if the developer would be selling the single family/duplex lots or if he would be building on them.

Ryan Hughes stated they would be doing the project in three phases. They would start with the apartments. He did not have an answer for the development of the single family/duplex lots.

City Attorney McDonell stated that the next steps would be that the Plan Commission would hold a public hearing for the permanent zoning of the parcels and make recommendation to the Common Council for the permanent zoning.

Public hearing for a conditional use permit to allow for conversion of a single family home into a duplex at 209 N. Prairie Street for RLA Properties (Randall Aschbrenner). (The property is currently owned by Geoff Hale.) Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that 209 N. Prairie Street is an existing single family home. She had not received a site plan or layout of the property prior to writing her report. (The GIS mapping system is fairly accurate, but the picture gets distorted.) Four parking stalls are required and driveway and parking area must be hard surfaced. Munz-Pritchard went through her recommended conditions: the proposal has to follow lot coverage; the required lot width for a duplex is 100 feet, the lot is 66 feet; no more than 3 unrelated persons are allowed per unit: if more, the conditional use permit will be revoked; must have a Knox box; when the house is converted to a duplex, everything must be up to code.

Randall Aschbrenner brought in an updated site plan to the meeting. Aschbrenner says he is fully committed to his properties and wants to run them properly.

Chairperson Meyer opened for public comment.

Geoff Hale, current owner of the property, stated that as Main Street is the gateway to the City, Prairie Street is the gateway to the University. He urged the Plan Commission to approve the conversion.

Plan Commission Chairperson Meyer closed the public comment.

Plan Commission members voiced concerns: hoped that it was not the applicant's intention to flip the property; liked to see the plaque on the wall of the building that tells the ownership and contact information; in reference to the property at 531 W. Center Street, why didn't the porch get repaired? What was done completely changed the look of the house and was something that was not approved by the Plan Commission; will the piece of blacktop of the driveway be removed and turned into green space?; Will the garbage and recycle totes and bicycles and mopeds have a place at the back of the house?. Plan Commission Members also voiced concerns of: the parking area having 6 stalls and being hard surfaced; a corral for totes; sliding doors go out to the screen porch; able to accept the 66 foot lot width because the lot is almost 200 feet deep; the rear of the property faces Esterly Ave.; this means more density and closer proximity to Esterly Ave.; parking spaces and headlights would shine through to Esterly Ave. properties; a buffer fence should be installed; will there be a sidewalk from the exit of Unit A to the parking lot?

Randall Aschbrenner stated that he would install a sidewalk from the exit from Unit A to the parking lot. The options for an exit from Unit A are from the corner of the living room (6 foot area) or possibly from the kitchen. He would look at reconfiguring the kitchen area.

Moved by Binnie and seconded by Stanek to approve the conditional use permit to allow for a conversion of a single family home into a duplex at 209 N. Prairie Street for RLA Properties (Randall Aschbrenner) with the recommendations of the City Planner as amended (change #2 to "Opaque fencing shall be provided and installed to ensure blocking of headlights" and change #4 to "minimum lot area") and including adding a sidewalk from the exit of Unit A to the parking lot; install an identification sign with name and phone number per the sign code 19.54.020(10); convert blacktop area in front of house to green space and block it so people don't park on the lawn; create a spot for garbage and recycle totes, with fencing. See attached Conditional Use Permit. Aye: Binnie, Zaballos, Stanek, Miller, Meyer. No: None. Absent: Parker, Hinspater. Motion approved.

Review Extra-Territorial Jurisdiction Application Form.

City Planner Chris Munz-Pritchard explained that this is a request of the Plan Commission. The City of Whitewater extra-territorial zoning covers 1.5 miles around the City. Munz-Pritchard took the requirements for extra –territorial zoning and put them in the application.

Plan Commission Member suggested that the title of the form be changed. City Attorney McDonell was going to make that decision. Plan Commission members were to review the application form and email Chris Munz-Pritchard with anything they would like to see changed.

Information Items:

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated that she had researched the Walworth Ave. property and wrote a report to be reviewed by Plan Commission. If Plan Commission members have any questions, they are to send Chris Munz-Pritchard an email.
- b. There are no alternates for Plan Commission (with exception of the Council representative). If anyone knows of someone who would like to be on the Plan Commission, please encourage them to apply.
- c. Next regular Plan Commission Meeting – September 11, 2017.

Moved by Miller and seconded by Zaballos to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:35 p.m.

Chairperson Greg Meyer