



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

April 11, 2016

City of Whitewater Municipal Building
Community Room

312 W. Whitewater St., Whitewater, Wisconsin

6:30 p.m.

1.	Call to order and Roll Call.
2.	Hearing of Citizen Comments. No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
3.	Review and approve the Plan Commission minutes of March 14, 2016.
4.	Hold a public hearing for consideration of a Conditional Use Permit to allow for a commercial building along with residential apartments, (proposed Phase 2 includes 3 apartments (studio and 1 bedroom) on the first floor) in a B-1 (Community Business) Zoning District located at 885 S. Janesville Street for Russell Walton.
5.	Review proposed changes to the Sign Ordinance by Downtown Whitewater.
6.	Hold a public hearing for consideration of a change in the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically Section 19.57.160, addressing an amendment to allow as a conditional use the keeping of horses in Whitewater in all zoning districts. This amendment would include deleting sub-sections 19.15.030 G Keeping of horses in R-1 Districts and 19.18.030 I Keeping of horses in R-2 Districts.
7.	Hold a public hearing for consideration of a change of the Zoning Ordinance regulations, to enact proposed amendments to the City of Whitewater Municipal Code Title 19, Chapter 19.46 Floodplain Ordinance, by: Amending 19.46 1.5(2) by adding: (c) Old Stone Mill Dam, Field File: 64.17, Whitewater Creek, Walworth County Floodplain Mapping Prepared by the USDA Natural Resources Conservation Service and approved by the Wisconsin Department of Natural Resources on August 2012. 1. Floodplain map dated August 2012 and titled “Old Stone Mill Dam – 100-Year Flood Map Dam in Place With Failure (Hydraulic Shadow)” 2. Flood profiles dated August 2012. The profile to reference is “Q100BR” 3. Floodway data table dated August 2012 and titled “Hydraulic Shadow Floodway Data”
8.	Information Items:

	a. Possible future agenda items.
	b. Next regular Plan Commission Meeting – May 9, 2016
9.	Adjournment.

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to c/o Neighborhood Services Director, 312 W. Whitewater Street, Whitewater, WI, 53190 or jwegner@whitewater-wi.gov.
The City of Whitewater website is: whitewater-wi.gov

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
March 14, 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, Bruce Parker, Lynn Binnie, Tom Hinspater, Kristine Zaballos, Sherry Stanek, Daniel Comfort. Absent: None. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Hearing of Citizen Comments. Dave Saalsaa, chair of the Downtown Design Committee, wanted to let the Plan Commission know that they are working on some proposed revisions to the sign ordinance. The sign ordinance is restrictive. They want to make the sign ordinance friendlier and still meet standards. Dave Saalsaa also introduced Courtney Nelson, the new Downtown Whitewater Director, to the Plan Commission.

Approval of the Plan Commission Minutes. Moved by Zaballos and Stanek to approve the minutes of January 11, 2016, and to approve the minutes of February 8, 2016 with corrections. Aye: Zaballos, Stanek, Parker, Binnie, Hinspater, Comfort, Meyer. No: None. Motion approved.

Informational update on the designation of the Starin Park Water Tower as a local Landmark. Alan Lockett, staff representative for the Landmarks Commission, Director of Whitewater Cable Station 990 and works on the City of Whitewater web site, wanted to officially let the Plan Commission know that the Landmarks Commission designated the City of Whitewater Starin Park Water Tower as a local landmark last December. They had the full support of the City. If the Starin Park Water Tower no longer performs as a water tower, as a landmark, the building will be maintained as a part of history. Alan Lockett noted that the Landmarks Commission will have a display of local architecture at the Library during the month of May.

Chairperson Meyer noted that item #7 has been postponed to a later date. That item was to hold a public hearing for consideration of a change of the District Zoning Map for the parcel at 707 W. Walworth Ave. (Tax Parcel # /HA 00001) to enact an ordinance to change from B-1 (Community Business) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater. The owners of the property are Ronald B. Walenton and Rebecca R. Walenton.

Public hearing for a Conditional Use Permit for a pylon sign to be located at 1184 W. Main Street for Advanced Auto Parts (Dave Herbeck). Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the actionable item is for a conditional use permit that is required for a pylon sign in the B-1 Zoning District per Municipal Code Chapter 19.54. Chris Munz-Pritchard gave some history on the project. This project has been to the Board of Zoning Appeals for the rear yard setback of the proposed new building. The three curb cuts will go away. It will become a 4 way intersection. There will be a change in the egress from Rocky Rococo. They will need that open to get trucks in and out. The project will improve the intersection. In the B-1 Zoning District, a pylon sign requires Plan Commission approval of a conditional use permit. The sign proposal meets all requirements. The sign face is 75 sq. ft.

The consultant for the sign company was present to answer any questions about the sign.

Plan Commission Member Binnie explained that he is not a fan of the proposal. This sign is identical to the one in Fort Atkinson, which is huge. The bright red makes it more prominent. This would be one of the largest pylon signs in the City. His main concern is that the sign compares to the pylon signs for Wal-Mart and Sentry which are on much larger lots. The proposed pylon sign is bigger than necessary to attract business. It is esthetically not appropriate and not pleasing to the eye. Walgreens does not have a pylon, only a digital sign for specials and the sign on the building. He would prefer to see monument signs.

Plan Commission members voiced concerns of: the sign will be up in the canopy of the trees and people won't be seeing the sign until they are almost there; would like to see a smaller pylon or a monument sign; Plan Commission would have a hard time approving more pylon signs in that area. Would it be possible to downsize the sign to a maximum of 56 sq. ft.?

City Planner Chris Munz-Pritchard explained that her main concern was any blocking of visibility for the intersection. A monument sign would block more area than the post of the pylon sign.

Chairperson Meyer agreed that it is a congested area and signs low on the ground would block views. He stated that the sign needs to be up in the air.

The sign consultant stated that they could probably settle on something smaller, he thought they would be okay with the 56 sq. ft.

Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Comfort to approve the conditional use permit for a pylon sign to be located at 1184 W. Main Street for Advanced Auto Parts (Dave Herbeck) with the condition that the square footage of the sign not exceed 56 sq. ft. Aye: Binnie, Comfort, Parker, Stanek, Hinspater, Zaballos, Meyer. No: None. Motion approved.

It was suggested that the Plan Commission might like to see more monument signs than pylon signs. City Planner Chris Munz-Pritchard stated that it needs to be worked out in the sign ordinance as it is being revised.

Public hearing for a Conditional Use Permit to allow for the keeping of horses at 509 S. Franklin Street for Thayer and Anne Coburn. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that this is a conditional use for the keeping horses in a residential district as an accessory use. The Coburns have 9.2361 acres. They would utilize an existing barn which is next to the north property line. The City would require a permit for a fence for the horses and make sure they are following the requirements according to Wisconsin State Statutes Chapter 90 for the fencing. Plan Commission was given a copy of the ordinance Chapter 19.57.160 Keeping of horses. The keeping of horses is only allowed by conditional use in the R-1 and R-2 Zoning District. This property is zoned R-3 multi-family residential. The City of Whitewater Comprehensive Plan has the future land use of this property as R-1 Single Family Residential. The other concern is to have a manure plan in place. The manure plan must meet criteria to be a certain distance from water. Munz-Pritchard is recommending approval with a limit of three horses.

Anne Coburn stated they are considering two ponies.

Plan Commission members voiced concerns of: livestock not being allowed in the R-3 Residential Zoning; legally do not have the capacity to have horses; rezone or BZA?; there are a lot of R-3 properties that could have horses if it were allowed.

City Planner Chris Munz-Pritchard stated that she is in the process of updating the Comprehensive Plan and changes could be made there. Her main concern is what is happening with the manure.

Anne Coburn explained that they were going to compost it which would be the best environmentally. They will be composting it 75 to 100 feet away from any neighbors and 75 feet away from the water. If it does not work out for them the first time, they have friends that will take the extra manure. She would also like to take the compost to the City Market.

Plan Commission Member Zaballos explained that she lives near Rollie Cooper who has a draft horse "Jim". Jim is 45 years old. Rollie Cooper has an open compost. Zaballos stated that they have never had a problem with the animals or with any odors.

Chairperson Meyer closed the public hearing.

Anne Coburn asked when the zoning of her property was changed to R-3.

City Attorney McDonell explained that in order to change the zoning of the property, 2 week publication is required. As a conditional use, there would be other guidelines imposed by the Plan Commission. McDonell stated that when the zoning changed (thought it was 1982), whatever was there became a legal non-conforming use. When the non-conforming use is not

there for a year or more, it is no longer a legal non-conforming use and is unable to return to that use.

Plan Commission Member Parker recommended the changing of the ordinance to allow the keeping of horses city-wide as a conditional use; can the Plan Commission initiate the change in the ordinance?

City Attorney McDonell stated that the Plan Commission can initiate a change in the ordinance by giving direction to staff.

City Attorney McDonell explained that Thayer and Anne Coburn would need to come back with a conditional use permit request for the keeping of horses on their property once the ordinance is passed. He noted that sometimes the fee is waived due to circumstances. The public hearing for the ordinance change would be held at the April Plan Commission meeting. The public hearing for the conditional use could possibly be held at the May Plan Commission meeting.

Anne Coburn asked if the fact that all the neighbors are in favor of them having horses would affect this outcome.

City Attorney McDonell stated that it would not affect the legal steps. If the legal steps are not taken, it would be declared a void action.

The Plan Commission received the legal opinion not to move forward with this conditional use (item # 6) based on legal requirements.

Moved by Comfort and seconded by Stanek to request City Staff move forward to add keeping of horses to R-3 as a conditional use. Aye: Comfort, Stanek, Binnie, Hinspater, Parker, Zaballos, Meyer. No: None. Motion approved.

Public hearing for a change of the District Zoning Map for the parcel at 707 W. Walworth Ave. (Tax Parcel # /HA 00001) to enact an ordinance to change from B-1 (Community Business) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater. The owners of the property are Ronald B. Walenton and Rebecca R. Walenton. This item was postponed by the applicant prior to the meeting.

Update in regard to the requirement of common space square footage per person for the R-2A Overlay Zoning – Chris Grady. Chris Grady explained that the Council wanted more information. He explained what had happened to get to this point with this proposed R-2A ordinance amendment. The proposal was for a home to have 75 sq. ft. common space per individual (such as living room, kitchen etc.)

Plan Commission Member Stanek stated that this is an important point. The reason we have the R-2A Residential Overlay Zoning is for those really big old houses that have 5 and 6 bedrooms. Since this zoning was adopted, it has morphed. We need to have clarity. We need to know what

is reasonable, how many unrelated persons can live in a house. We need to have clear guidelines.

City Planner Chris Munz-Pritchard stated that the proposal came back to the Plan Commission for recommendations.

City Attorney McDonell stated that he felt the City Council was uncomfortable with the proposed ordinance. They wanted more input from the Plan Commission and a recommendation. He suggested that the Plan Commission could have a policy for the R-2A requests.

City Planner Munz-Pritchard asked the Plan Commission if they would like a policy. She explained that there is confusion as to what counts as living space/common space. Fire codes are very important. We could ask the Building Inspector to report on what the applicant is using as common space when he visits a property.

Plan Commission Member Binnie stated it would be nice to have something carved in stone. A portion of the City Council has free market ideas that the market should rule. His impression of the Council is “why rezone the properties individually if we could approve them all”. He also thinks the Council is hung up on the sq. ft. per individual.

Plan Commission Member Zaballos explained that the Plan Commission needs rules, not guidelines. Guidelines would need to be specific guidelines, actually part of the ordinance. We don't want to redo this process every time.

City Planner Chris Munz-Pritchard suggested the Plan Commission form a sub-committee to review this process. Sub-committee members would be Chris Grady, Sherry Stanek, Dan Comfort, Greg Meyer and Chris Munz-Pritchard. The meetings would need to be noticed.

Moved by Binnie and seconded by Stanek to approve a sub-committee to come up with ideas for specific guidelines for property owners requesting the R-2A Residential Overlay Zoning. Motion approved by unanimous voice vote.

Information Items:

- a. Possible future agenda items. There were none.
- b. Next regular Plan Commission Meeting – April 11, 2016.

Moved by Zaballos and seconded by Parker to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:00 p.m.

Chairperson Greg Meyer

M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard City Planner

Date: April 11th 2015

Re: **Item # 4 Review** proposed Conditional Use Permit (CUP) for a remodel to the Walton Building located at 885 Janesville Street to include three (3) ADA compliant residential apartments on the first floor (one (1) efficiency and two (2) one-bedroom) for Russell R. Walton.

Summary of Request	
Requested Approvals:	Remodel to the Walton Building
Location:	885 Janesville Street
Current Land Use:	Office Space
Proposed Land Use:	Residential
Current Zoning:	B-1 (with R-3 residential regulations)
Proposed Zoning:	No change.
Comprehensive Plan's Future Land Use:	Community Business

Description of the Proposal:

This is the second phase of this project.

First Phase: The first phase was reviewed by the plan board on April 13th 2015. The proposed first phase converted the upper floor from commercial to residential with the lower portion of the building staying as commercial. The first phase floor remodel consisted of three (3) efficiency, four (4) one-bedroom and one (1) two-bedroom. During the first phase this was a B-1 with R-3 residential dwelling requirements. R-3 requires a Conditional Use Permit (CUP) for new construction of over four (4) units (19.21.030 B). The Approved Conditions are attached to this Planner report.

Second Phase: The proposed alteration would convert a portion of the lower level into residential. The conversion includes three (3) ADA compliant residential apartments on the first floor; one (1) efficiency and two (2) one-bedroom. The first floor residential apartment must meet the following standards (19.27.030 (Q)):

Q. New residential construction or existing residential modification resulting in addition of units or bedrooms. The residential unit must meet the following standards:

1. A limit of four (4) unrelated persons.
2. Three hundred fifty (350) square feet of usable open space shall be required for each dwelling unit for structures with two (2) or more units.
3. Number of parking spaces is determined using the R-3 parking regulations for the residential units.
4. A first floor residential unit may be permitted if it meets the following standards.
 - a. The Unit is ADA compliant
 - b. Any residential unit access must:
 - i. Exit from the rear of the principal structure or
 - ii. Have a main street access which must be through a common entryway used by a non-residential use.
 - c. Not occupy more than fifty percent (50%) of the first floor.

The exits are from the rear and side of the building. The first floor residential apartment shall occupy less than the required fifty (50%) percent of the first floor with a main floor area of 122,000 sq ft and the remodel area of 2,477 sq ft.

PLANNER'S RECOMMENDATIONS:

If the conversion of the first floor is acceptable to the Plan and Architectural Review Commission, I recommend the Commission grant *conditional approval* for the requested Conditional Use Permit at 885 Janesville Street, subject to the following conditions of approval:

1. All lower units shall be ADA compliant.
2. Phase I: 2,800 square feet of usable open space is required to be accessible to the upper floor residential portion of the building (19.21.070). This shall require an additional 1,050 square feet of open space for Phase II. The project needs to designate a total of 3,850 square feet of total open space for this project. This open space needs to be shown on the plans and meet the definition of open space per 19.21.070 of City Code.

Usable Open Space. Usable open space is that part of the ground level of a zoning lot, other than in a required front or corner side yard, which is unoccupied by driveways, drive aisles, service drives, off-street parking spaces and/or loading berths and is unobstructed to the sky. This space of minimum prescribed dimension shall be available to all occupants of the building and shall be usable for greenery, drying yards, recreational space, gardening and other leisure activities normally carried on outdoors. Where and to the extent prescribed in these regulations, balconies and roof areas, designed and improved for outdoor activities, may also be considered as usable open space. The usable open space shall be planned as an assemblage or singularly designed area that maximizes the size for open space usage.

3. The minimum number of parking stalls needed are: 9 for phase I and 3 for phase II with a total of 12 parking stalls for the residential. The site must also accommodate the 26 stalls (19.51.130) for the commercial spaces. The residents parking shall have designated parking stalls. Permitted cars will have either numbered parking stalls, hanging tags or parking stickers to identify permitted vehicles.

4. A joint use driveway agreement needs to be established with the 837 Janesville Street Property per phase I required CUP.
5. Any other conditions identified by the Plan Commission.



SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050). See the following page for suggested findings:

Analysis of Proposed Conditional Use Permit for: 885 Janesville Street		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	The site is already in use. There is a B-1 development located in this same block that has upper floor apartments. This will be the first residential in this area due to the ordinance change.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	Please see planner recommendations.
3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance.	Yes	There is a B-1 development located in this same block that has upper floor apartments. This will be the first residential in this area due to the ordinance change.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The Comprehensive Plan Future land use recommends the site for Highway Commercial. This is not a re-zoning but utilizing the existing zoning.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	This use is consistent with the zoning principles.



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 11th day of April 2016 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit to allow for a commercial building along with residential apartments, (proposed Phase 2 includes 3 apartments (studio and 1 bedroom) on the first floor) in a B-1 (Community Business) Zoning District located at 885 S. Janesville Street for Russell Walton.

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540

Chris Munz-Pritchard, Neighborhood Services Director/City Planner



CONDITIONAL USE PERMIT APPLICATION

Address of Property: 885 S. Janesville St

Owner's Name: Russell R. Walton

Applicant's Name: Russell R. Walton

Mailing Address: 1005 W. Main St, Whitewater

Phone #: 262-473-8646 Email: rrwalton@rrwalton.com

Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: Commercial and 8 apartments upstairs

Zoning District: _____

Proposed Use: Add 3 more apartments on main floor - studio / 1 bed

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Conditions

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

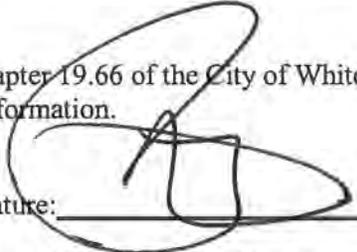
****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

STANDARDS FOR REVIEW AND APPROVAL

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.	There are other existing buildings in this area with both commercial and residential apartments in them. A nuisance for neighboring uses will not be created and the value of surrounding properties will not be reduced.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	There is plenty of parking already on site. There is a back court yard area that will be available for use.
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	This project will conform to all applicable regulations.
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	This will conform to the purpose and intent of the City Master Plan. There are already buildings in the area that contain commercial & residential. 880, 850, & 625 Janesville St.

Refer to Chapter 19.66 of the City of Whitewater Municipal Code, entitled **CONDITIONAL USES, for more information.

Applicant's Signature: 

Date: 03/14/16

Printed: Russell R. Walton

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on 3-14-16. Received by: Jwegner Receipt #: 6.012398
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 3-31-16.
- 3) Notices of the Public Hearing mailed to property owners on 3-28-16.
- 4) Plan Commission holds the PUBLIC HEARING on 4-11-16. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals to understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.

Hold a neighborhood meeting for larger and potentially more controversial Projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the Neighborhood Services Manager / City Planner of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.

Typical City Planning Consultant Development Review Costs

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City's Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City's policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking the general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant's range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called "Tips for Minimizing Your Development Review Costs" with information on how the applicant can help control costs.

Type of Development Review Being Requested	Planning Consultant Review Cost Range
Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)	Up to \$600
Rezoning	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
Land Division	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
Annexation	\$200 to \$400

****Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

Section B: Applicant/Property Owner Cost Obligations

----- **To be filled out by the Neighborhood Services Department** -----

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

- A. Application Fee.....\$ _____
- B. Expected Planning Consultant Review Cost\$ _____
- C. Total Cost Expected of Applicant (A+B)\$ _____
- D. 25% of Total Cost, Due at Time of Application.....\$ _____

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

The balance of the applicant’s costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.

Section C: Agreement Execution

----- **To be filled out by the Applicant and Property Owner** -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant’s proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.



Signature of Applicant/Petitioner

Signature of Property Owner (if different)

Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature

WALTON BUILDING REMODEL

885 Janesville Street, Whitewater, WI 53190

DRAWING INDEX:

SP-1	SITE PLAN, DRAWING INDEX
A-1	MAIN FLOOR DEMO PLAN
A-2	MAIN FLOOR PLAN
A-3	UPPER FLOOR DEMO PLAN
A-4	UPPER DEMO PLAN
A-5	ELEVATIONS
A-6	ELEVATION

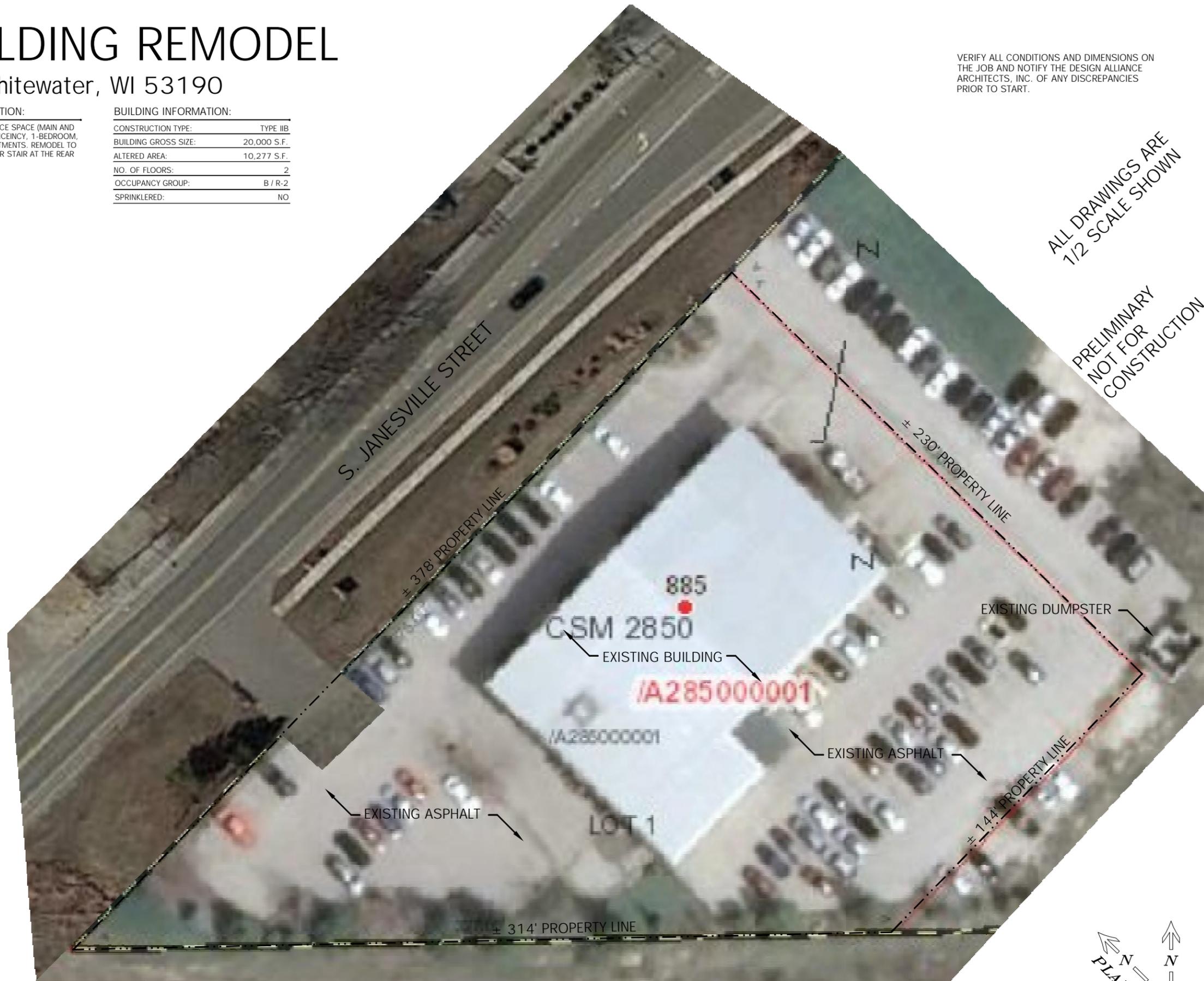
PROJECT DESCRIPTION:

REMODEL EXISTING OFFICE SPACE (MAIN AND UPPER FLOOR) INTO EFFICEINCY, 1-BEDROOM, AND 2-BEDROOM APARTMENTS. REMODEL TO INCLUDE A NEW EXTERIOR STAIR AT THE REAR OF THE BUILDING.

BUILDING INFORMATION:

CONSTRUCTION TYPE:	TYPE IIB
BUILDING GROSS SIZE:	20,000 S.F.
ALTERED AREA:	10,277 S.F.
NO. OF FLOORS:	2
OCCUPANCY GROUP:	B / R-2
SPRINKLERED:	NO

VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB AND NOTIFY THE DESIGN ALLIANCE ARCHITECTS, INC. OF ANY DISCREPANCIES PRIOR TO START.



ALL DRAWINGS ARE
1/2 SCALE SHOWN

PRELIMINARY
NOT FOR
CONSTRUCTION

Design Alliance Architects, Inc.
1003 Madison Avenue
Fort Atkinson, WI
(920) 563-3404
FAX (920) 568-7058

WALTON BUILDING REMODEL
885 Janesville Street
Whitewater, WI

DRAWING NAMES

SITE PLAN
DRAWING INDEX

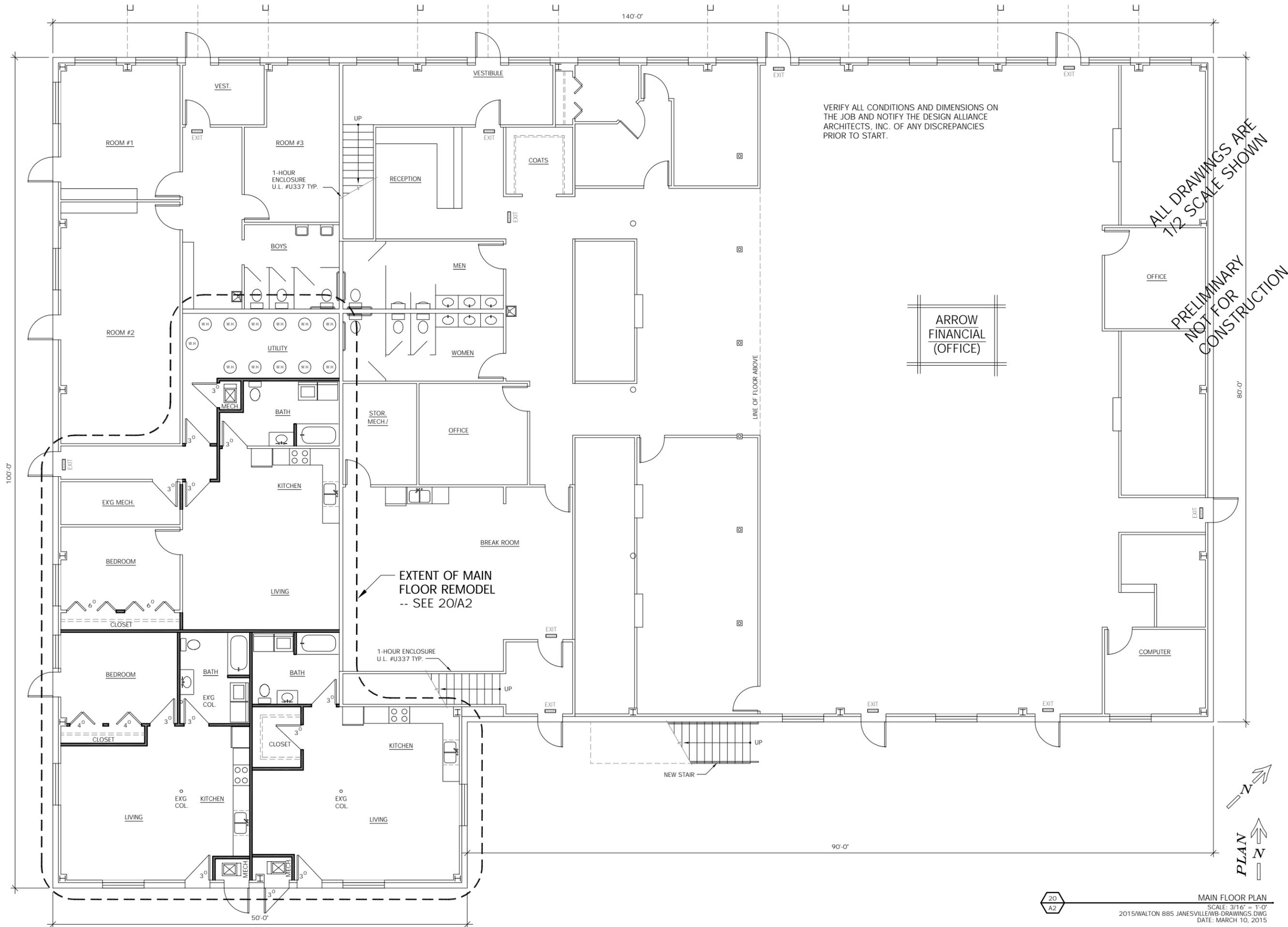
REVISIONS

PROJECT DATA

DATE:	3/13/2015
DRAWN BY:	CL
CHECKED BY:	P.W.

SHEET NO.

SP-1
23



ALL DRAWINGS ARE
1/2" SCALE SHOWN

PRELIMINARY
NOT FOR
CONSTRUCTION

VERIFY ALL CONDITIONS AND DIMENSIONS ON
THE JOB AND NOTIFY THE DESIGN ALLIANCE
ARCHITECTS, INC. OF ANY DISCREPANCIES
PRIOR TO START.

ARROW
FINANCIAL
(OFFICE)

EXTENT OF MAIN
FLOOR REMODEL
-- SEE 20/A2

1-HOUR ENCLOSURE
U.L. #U337 TYP.



20
A2

MAIN FLOOR PLAN
SCALE: 3/16" = 1'-0"
2015/WALTON 885 JANESVILLE/WB-DRAWINGS.DWG
DATE: MARCH 10, 2015

WALTON BUILDING REMODEL
885 Janesville Street
Whitewater, WI

DRAWING NAMES

MAIN FLOOR PLAN

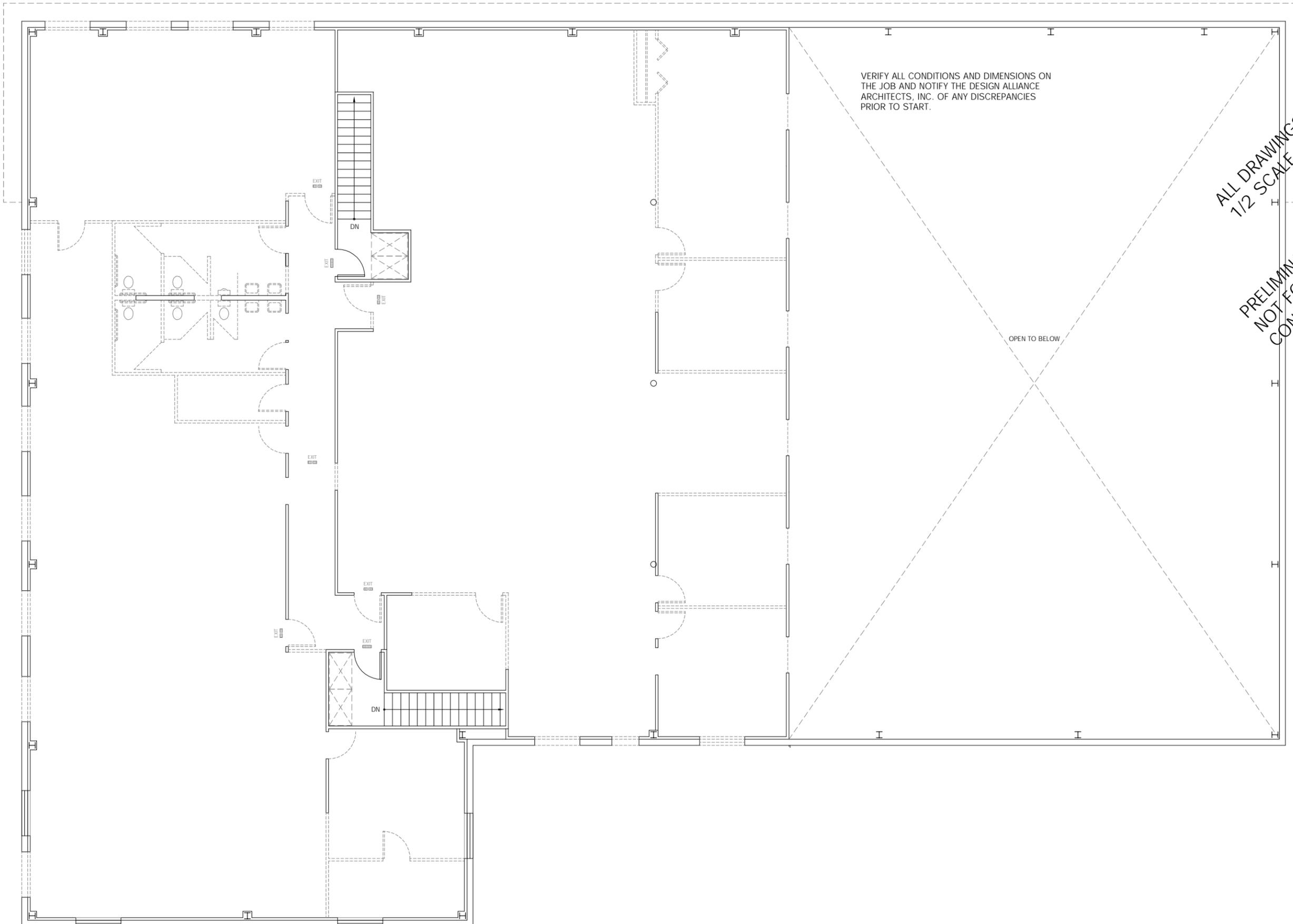
REVISIONS

PROJECT DATA

DATE: 3/13/2015
DRAWN BY: CL
CHECKED BY: P.W.

SHEET NO.

A-2
25

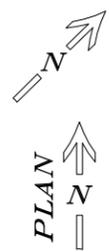


VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB AND NOTIFY THE DESIGN ALLIANCE ARCHITECTS, INC. OF ANY DISCREPANCIES PRIOR TO START.

ALL DRAWINGS ARE
1/2 SCALE SHOWN

PRELIMINARY
NOT FOR
CONSTRUCTION

OPEN TO BELOW



20
A3

UPPER FLOOR DEMO PLAN
SCALE: 3/16" = 1'-0"
2015/WALTON 885 JANESVILLE/WB-DRAWINGS.DWG
DATE: MARCH 10, 2015

WALTON BUILDING REMODEL
885 Janesville Street
Whitewater, WI

DRAWING NAMES

UPPER FLOOR DEMO PLAN

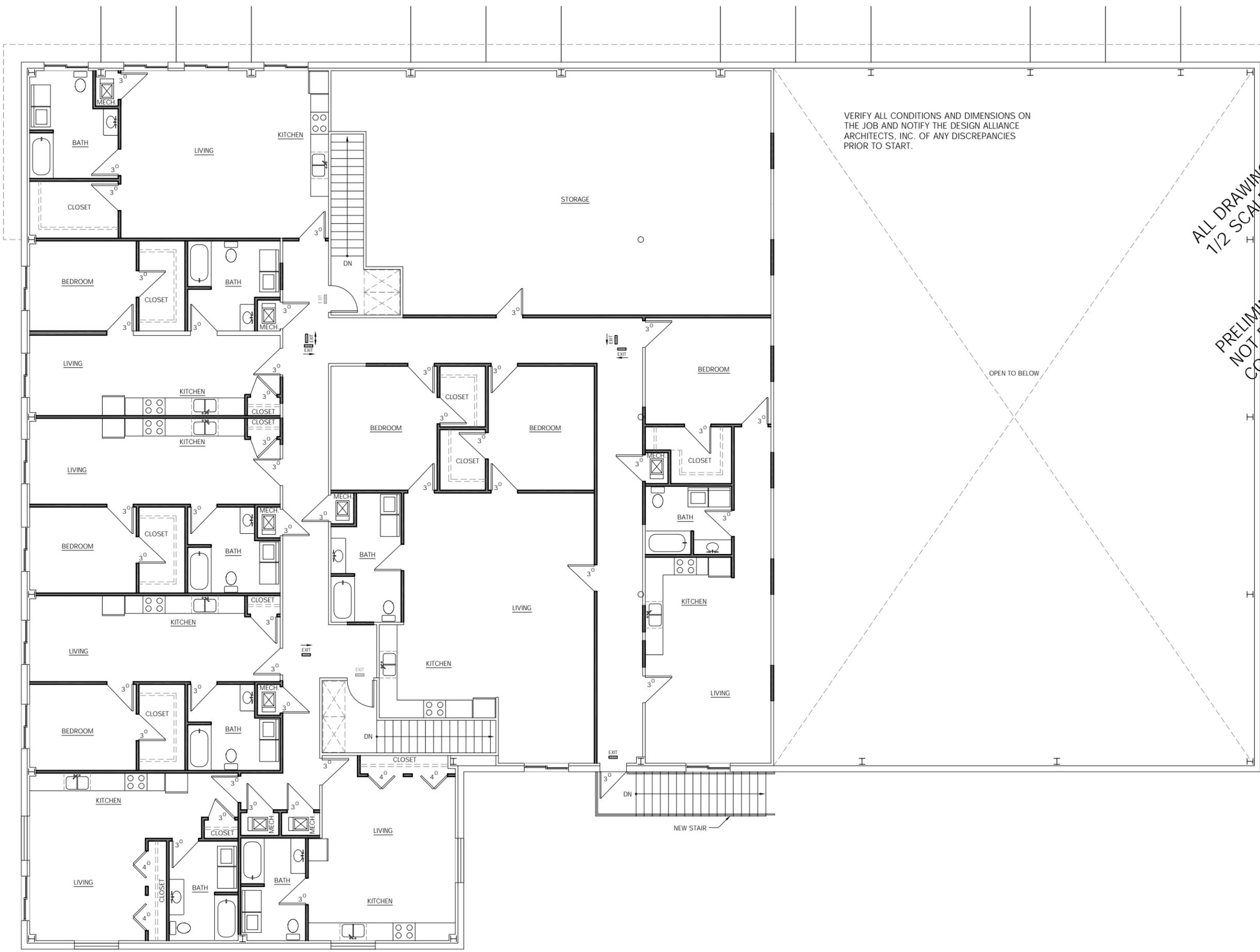
REVISIONS

PROJECT DATA

DATE: 3/13/2015
DRAWN BY: CL
CHECKED BY: P.W.

SHEET NO.

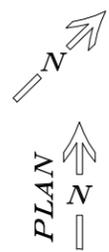
A-3
26



VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB AND NOTIFY THE DESIGN ALLIANCE ARCHITECTS, INC. OF ANY DISCREPANCIES PRIOR TO START.

ALL DRAWINGS ARE
1/2 SCALE SHOWN

PRELIMINARY
NOT FOR
CONSTRUCTION



20
A4

UPPER FLOOR PLAN
SCALE: 3/16" = 1'-0"
2015/WALTON 885 JANESVILLE/WB-DRAWINGS.DWG
DATE: MARCH 10, 2015

WALTON BUILDING REMODEL
885 Janesville Street
Whitewater, WI

DRAWING NAMES

UPPER FLOOR PLAN

REVISIONS

PROJECT DATA

DATE: 3/13/2015
DRAWN BY: CL
CHECKED BY: P.W.

SHEET NO.

A-4
27

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan and Architectural Review Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically Section 19.57.160, addressing an amendment to allow as a conditional use the keeping of horses in Whitewater in all zoning districts. This amendment would include deleting sub-sections 19.15.030 G Keeping of horses in R-1 Districts and 19.18.030 I Keeping of horses in R-2 Districts.

The proposed ordinance changes are on file in the office of the City Clerk and the document is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

NOTICE IS FURTHER GIVEN that the Plan and Architectural Review Commission of the City of Whitewater will hold a public hearing at the Municipal Building Community Room, 312 W. Whitewater Street, Whitewater, WI, on Monday, April 11, 2016, at 6:30 p.m. to hear any person for or against said change.

Dated: March 23, 2016

Publish: March 24, 2016 and March 31, 2016 (two times)
in the Whitewater Register

Michele Smith, City Clerk
By Jane Wegner, Plan Commission Clerk

ORDINANCE No. _____
AN ORDINANCE AMENDING TITLE 19 REGARDING KEEPING OF HORSES

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 19.57, Section 19.57.160 is hereby amended to read as follows:

19.57.160 - Keeping of horses as an accessory use.

Horses may be kept as an accessory use in any zoning district, upon the granting of a conditional use permit, and subject to the following standards:

1. The lot on which the horses will be kept and exercised shall be not less than two (2) acres in total area.
2. For each horse kept on the lot, there shall be a minimum of one (1) acre of open usable land for horse exercise and manure management. Such open land may not include wetlands, woodlands, lands with over a twelve (12) percent slope, or lands within seventy-five (75) feet of wetlands or navigable water.
3. Outdoor horse containment areas, including, but not limited to barns and exercise areas, shall be completely enclosed and shall meet the standards of Wisconsin Statutes Chapter 90 (fences).
4. The use shall meet and maintain specific conditions of the conditional use permit approval including, but not limited to, the protection of human, animal, and environmental health; and the character of the surrounding neighborhood and publicly owned lands.
5. The applicant is required to submit a manure management plan that must be approved by the neighborhood services director. Manure storage shall be designed to limit leachate entering surface and ground water. Manure must be placed at least fifty (50) feet from property lines and at least one-hundred (100) feet from wetlands and surface water.

SECTION 2.

Whitewater Municipal Code Title 19 is hereby amended by deleting sub-sections 19.15.030 G (Keeping of Horses in R-1 Districts) and 19.18.030 I (Keeping of Horses in R-2 Districts).

Ordinance introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

AYES:
NOES:
ABSENT:
ADOPTED:

Cameron Clapper, City Manager

Michele R. Smith, City Clerk

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan and Architectural Review Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a change of the Zoning Ordinance regulations, to enact proposed amendments to the City of Whitewater Municipal Code Title 19, Chapter 19.46 Floodplain Ordinance, by:

Amending 19.46 1.5(2) by adding:

(c) Old Stone Mill Dam, Field File: 64.17, Whitewater Creek, Walworth County Floodplain Mapping

Prepared by the USDA Natural Resources Conservation Service and approved by the Wisconsin Department of Natural Resources on August 2012.

1. Floodplain map dated August 2012 and titled “Old Stone Mill Dam – 100-Year Flood Map Dam in Place With Failure (Hydraulic Shadow)”
2. Flood profiles dated August 2012. The profile to reference is “Q100BR”
3. Floodway data table dated August 2012 and titled “Hydraulic Shadow Floodway Data”

The proposed ordinance amendments are on file in the office of the City Clerk and the document is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

NOTICE IS FURTHER GIVEN that the Plan and Architectural Review Commission of the City of Whitewater will hold a public hearing at the Municipal Building Community Room, 312 West Whitewater Street, in the City of Whitewater, on April 11, 2016 at 6:30 p.m., to hear any person wishing to express their view on the proposed amendments.

Dated: 3-1-16.

Michele Smith, City Clerk

Publish: 3-3-16 and 3-10-16 (two times)
in the Whitewater Register

ORDINANCE No. _____
AN ORDINANCE AMENDING THE CHAPTER 19.46 (FLOODPLAIN REGULATIONS)
CONCERNING THE OLD STONE MILL DAM

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 19.46, Section 19.46 1.5(2) is hereby amended by adding:

(c) Old Stone Mill Dam, Field File: 64.17, Whitewater Creek, Walworth County Floodplain Mapping

Prepared by ~~Ayres Associates~~~~the USDA Natural Resources Conservation Service~~ and approved by the Wisconsin Department of Natural Resources on ~~November 2013~~~~August 2012~~.

1. Floodplain map dated August 2012 and titled “Old Stone Mill Dam – 100-Year Flood Map Dam in Place With Failure (Hydraulic Shadow)”
2. Flood profiles dated August 2012. The profile to reference is “Q100BR”
3. Floodway data table dated August 2012 and titled “Hydraulic Shadow Floodway Data”

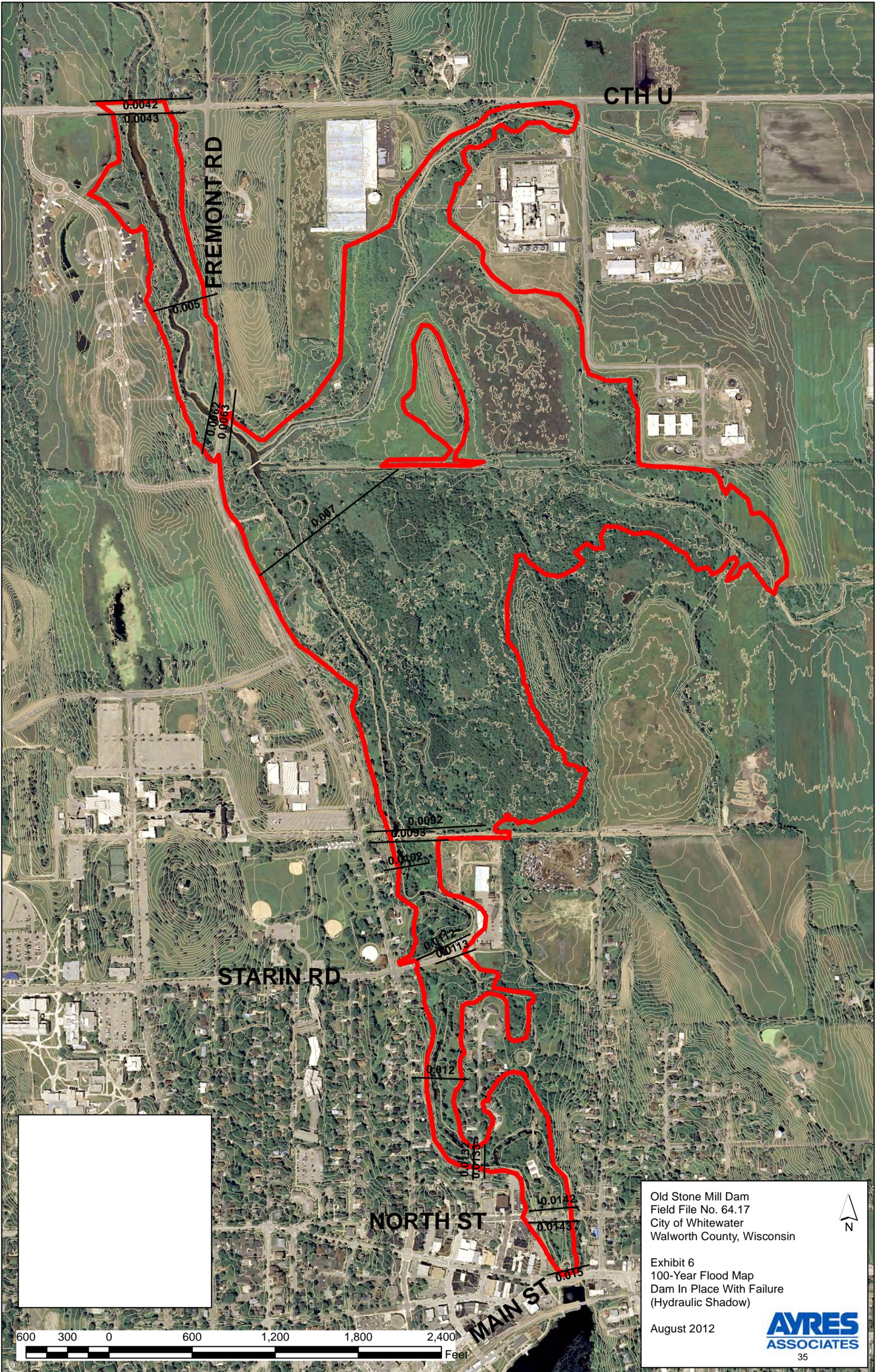
Ordinance introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

- AYES:
- NOES:
- ABSENT:
- ADOPTED:

Cameron Clapper, City Manager

Michele R. Smith, City Clerk



CTH U

0.0042
0.0043

FREMONT RD

0.005

0.0062
0.0063

0.007

0.0092
0.0093

0.0102

0.0112
0.0113

STARIN RD

0.012

NORTH ST

0.0142
0.0143

MAIN ST

0.015



Old Stone Mill Dam
 Field File No. 64.17
 City of Whitewater
 Walworth County, Wisconsin

Exhibit 6
 100-Year Flood Map
 Dam In Place With Failure
 (Hydraulic Shadow)

August 2012