

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
March 11, 2013

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 6:00 p.m.

Present: Greg Meyer, Lynn Binnie, Karen Coburn, Bruce Parker, Jacob Henley, Donna Henry (alternate), Jeffrey Eppers (alternate). Absent: Rod Dalee, Cort Hartmann.
Others: Latisha Birkeland (Neighborhood Services Manager/City Planner).

Hearing of Citizen Comments. There were no citizen comments.

Approval of the Plan Commission Minutes. Moved by Parker and seconded by Henley to approve the Plan Commission minutes of February 11, 2013 meeting. Motion was approved by unanimous voice vote.

Conceptual review of the proposed renovation of the Nelson Salisbury Historic House located at 404 W. North Street into offices/meeting rooms and a caretaker apartment for Dr. Suzanne Popke. City Planner Latisha Birkeland explained this proposal is conceptual review. In the packet there was an error on the zoning map. Three properties, 318, 326, and 330 W. North Street have the R-O Overlay Zoning also. Dr. Suzanne Popke wanted to discuss possible uses for this historic home located in an R-3 (Multi-family) Zoning District. She wanted Plan Commission and neighbor input. This property has R-O Overlay Zoning to the east and north, which is more restrictive. The properties in the R-O Overlay District are allowed only 2 unrelated persons per unit. When there is not a specific use proposed, it is hard to determine what would be required, parking for example. Suzanne Popke is looking for guidance as to what would be appropriate at this property.

Suzanne Popke is a psychologist. She rents an office on Main Street. Popke first wants to put a caretaker apartment on a portion of the second floor to have someone in the building to stop the vandalism. Eventually, she would like to have her office on the first floor and classrooms and offices upstairs. Popke has talked to Ellen Penwell of the Historical Society and was getting feedback. Popke wants to keep the building as historical as possible. The building has a lot of the original woodwork. They would be replacing doors and windows.

Plan Commission Members voiced concerns and comments: Why a caretaker apartment? ADA accessibility? It is wonderful for you to take on this project. What about parking? Hours of operation? R-3 Zoning allows for up to five unrelated persons per unit, would you consider short term rentals?

Suzanne Popke explained that the caretaker would be there during the renovation, help with the work and would also take care of the yard and cleaning. The first floor would not be a problem to be handicap

accessible. There are two steps into the building which would require a short ramp. There are a total of 10 parking spaces on the back and side of the property. She would not want more than 10 cars there. They do have a monthly support group meeting of 8 to 10 people. Popke stated the electric service would be re-metered. The hours of operation would start at 10.00 a.m. to early p.m. and then from 4 p.m. to 7 p.m. Monday through Thursday, and some Saturdays 10 a.m. to 3 p.m. She does not want unrelated persons living there. Sable House only has two or three renters. Popke stated that their existing office on W. Main Street has an informal art gallery. The art is about mental health topics.

Chairperson Meyer opened the review for public comment.

Roy Nosek, of 210 N. Park Street, stated that he has put considerable time into keeping their neighborhood. He feels Suzanne Popke has the best of intentions. What would best serve the area and maintain the residential nature of this property? Across the street are two nationally recognized registered landmarks, the White Building and the Birge Fountain. A residential development, condo or upscale housing development (two apartments and an efficiency), to provide housing for teachers and young professionals. The home was built for the Salisburys, a single family.

Suzanne Popke explained that she is interested in having a family live there, rental for the caretaker, and be a part of the community. She does not look at it as business.

Karen Fisher, 125 N. Franklin Street, was shocked to see the building in such poor shape. The offices would be an asset, quiet and supervised. She is in favor of the proposal.

Nubby Paynter, neighbor to Karen Fisher, stated her main concern would be the upstairs. She thought it should be kept as family, caretaker is okay, but no bunch of people.

Suzanne Popke stated she has a private license for a drug and alcohol outpatient facility.

City Planner Latisha Birkeland stated that conditions can be put on a conditional use permit. If there is a change of use, they would have to come back to the Plan Commission. Suzanne Popke is getting references from other Boards.

Plan Commission Members commented:

Henry explained that Roy Nosek described the best of all uses. In general this would be the next best use, with business hours and a restriction of people. With the description of the damage, part of this project would be a labor of love, as you would not get out of it what you put in.

Parker stated that it is a good idea if the property is run similar to the Bassett House, with offices and caretakers, but no renting of rooms. This is not a rezoning.

Eppers stated that if the property stays R-O, it could be sold.

Binnie explained that this property is not in the R-O Zoning District and could have up to five unrelated persons living there. In an ideal world, it could be single family. With the economics as they are, it is not in their favor. Hopefully this plan will come to fruition.

Suzanne Popke had stated that she was not interested in having unrelated persons living in the apartment. Parker requested that the R-O Overlay Zoning requirements for the residential unit be a possible condition of future approvals (without rezoning the property).

Henley stated that he appreciates the quieter use. The applicant should talk to an architect. It is great to see the possibility of a renovation.

City Planner Birkeland stated that this was a conceptual review and she felt that Suzanne Popke had information to move forward with.

Continue the public hearing for the consideration of a conditional use permit for the construction of an 1144 sq. ft. detached garage with porch to be located at 826 W. Walworth Ave. for C. A. Pope. (This is 344 sq. ft. more than the maximum size (800 sq. ft.) allowed for a detached accessory structure.) Chairperson Meyer opened the public hearing for consideration of a conditional use permit for the construction of an 1144 sq. ft. detached garage with a porch to be located at 826 W. Walworth Ave. for C.A. Pope.

City Planner Birkeland explained that at last month's meeting the Plan Commission tabled the proposal to allow Craig Pope to come back with new plans with the accessory structure at about 1000 sq. ft. Notices were sent to neighboring property owners within 300 ft. The proposed accessory structure exceeds the 10 % lot coverage of the side and rear yard open space area and the 800 sq. ft. maximum size for accessory structures. Craig Pope has reduced the proposed detached garage by one stall (so it is a two stall garage). He would also like to keep the existing garage with this proposal. With his original proposal the existing garage was removed. The average range for detached garages in other communities is in the range of 1000 to 1050 sq. ft. Craig Pope's proposal with the 1144 sq. ft. detached garage and keeping the existing garage structure would bring the total square footage to almost the same as the original proposal.

Craig Pope explained his need for additional storage space. He would be removing the front driveway to the street, leaving the existing garage. It is a large lot with a small home. He is requesting additional storage. His proposal is a total benefit to the neighborhood. When asked why he didn't attach the garage to the house, he explained that he wanted to maintain the original integrity of the house. He is particular of preservation. Craig Pope plans to live in this home with his family until they build their new home in his subdivision on the west side of Whitewater.

Chairperson Meyer opened for public comment. There was none.

Chairperson Meyer closed the public comment.

Plan Commission Members voiced concerns of: No elevations were provided for the existing garage. The vision triangle was still needed for the fence along each of the driveways on both sides of the lot. The fence on the west side of the property was located on the neighboring property. Building to specifications of the family's needs is limiting to renters. The garage would not be allowed to be used as a rental apartment. If there is not the intent to live in the home for the next 20 years, afraid if the property is sold, the garage might become a great party room.

Craig Pope stated that he could come back to Plan Commission with plans for the existing garage structure. He did not have a problem with putting the fence on the west side of the property in front of the trees and on his property. Pope did not want to take the porch off the proposed garage. If it becomes a rental, he would have a good quality tenant. He would not rent the garage. Pope stated that he could deed restrict the garage so it could not be used as anything but a garage.

Chairperson Meyer recommended the proposed garage be no larger than 900 sq. ft. with the removal of the second building. If Craig Pope would like to hold off on his plans to see if the Zoning Rewrite would

allow 1000 sq. ft., he could come back for staff approval of a proposed garage. A 30' x 30' garage is more than a two car garage.

Plan Commission Member Parker requested that condition #7 would require the relocation of the fence onto the property to meet code and the fence in the street yard to allow for the 15 foot vision triangle requirements for the driveways on each side of the lot. Condition #5 should include the house.

Chairperson Meyer moved to allow for a garage of 900 sq. ft. with the removal of the old garage; and if the addition of the house to condition #5 is allowed, the home would need to be completed within one year. Proposed plans to be reviewed by City Staff. There was no second.

During the Plan Commission comments and concerns, Craig Pope left the meeting.

Moved by Parker and seconded by Meyer to deny the application due to: 1) Plans did not meet the 1000 sq. ft. request by the Plan Commission at the last meeting. 2) Plans included an additional out building. 3) Plans did not reflect concerns of the past meeting which included the location of the fence and the 15 foot vision triangle. 4) The concerns of the neighbors with the building exceeding 800 sq. ft.

Aye: Meyer, Binnie, Coburn, Parker, Henley, Henry, Eppers. No: None. Absent: Dalee, Hartman. Motion approved by unanimous roll call vote.

Informational Items:

Zoning Rewrite. City Planner Latisha Birkeland explained that there was no solid date for the next meeting of the Zoning Rewrite Committee. The consultant will make the proposed changes and send it out to the Zoning Rewrite Steering Committee with the track changes in Word, at least two weeks prior to the next meeting so the committee has time to review the changes. As soon as Birkeland has a date for the meeting she will let the Plan Commission know.

Future agenda items. City Planner Latisha Birkeland stated that the Plan Commission will have an extra-territorial certified survey map for review at the next meeting.

Next regular Plan Commission meeting – April 8, 2013.

Moved by Henley and seconded by Eppers to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 8:00 p.m.

Vice-Chairperson Lynn Binnie

