

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
August 11, 2014

**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, Bruce Parker, Sherry Stanek (Alternate) John Tanis (Alternate). Absent: Dan Comfort, Karen Coburn, Kristine Zaballos. Others: Wallace McDonell (City Attorney), Mike Slavney (City Planning Consultant).

**Hearing of Citizen Comments.** There were no citizen comments.

**Approval of the Plan Commission Minutes.** Moved by Binnie and seconded by Stanek to approve the Plan Commission minutes of June 9, 2014. Motion approved by unanimous voice vote. The July 14, 2014 Plan Commission minutes were not available for approval.

**Public hearing for consideration of a change of the District Zoning Map for the following parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the following area: 288 S. Janesville Street (Tax ID # /CL 00060) for Sobo Properties LLC. (Dennis and Eva Stanton).** Public hearing to be opened with the following item.

**Public hearing for consideration of a conditional use permit in an R-2A Overlay Zoning District, to allow for 4 unrelated persons to live in the house located at 288 S. Janesville Street for Sobo Properties LLC. (Dennis and Eva Stanton).** Chairperson Meyer opened the public hearing for consideration of a change of the District Zoning Map to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification and the Conditional Use Permit to allow for 4 unrelated persons to live in the house located at 288 S. Janesville Street for Sobo Properties LLC. (Dennis and Eva Stanton).

City Planner Mike Slavney explained that this property is located within the R-2A Residential Overlay Zoning area. The only change recommended is that the parking stalls be lengthened to the required length.

Dennis Stanton explained that the home has 4 bedrooms and 2 baths. Nothing needs to be changed to accommodate the 4<sup>th</sup> person. He stated that he could extend the parking stalls, but that would mean more concrete and impervious surface. The parking works as it is. Tenants do

not have large vehicles that would require the extra length. Everyone can come and go without stacking.

Plan Commission Member Binnie stated that with the concerns of stormwater, if the parking is working why change it.

Chairperson Meyer opened for public comment. There was no comment.

Chairperson Meyer closed public comment.

Plan Commission Member Parker had concerns of lengthening the parking stalls causing safety and setback issues, if in the future, sidewalks are put on that side of Peck Street. The stall would be only a few feet from the right-of-way. If the parking works as it is, it should be left the same.

City Planner Slavney stated that in lengthening the parking, he meant forward and not toward the street.

Moved by Tanis and seconded by Binnie to recommend to the City Council to approve the R-2A Residential Overlay District Zoning for the property at 288 S. Janesville Street. Aye: Tanis, Binnie, Parker, Stanek, Meyer. No: None. Absent: Comfort, Coburn, Zaballos. Motion approved.

**Review proposed certified survey map for a portion of the property located at 1002 S. Janesville Street for Michael Sina.** City Planner Slavney explained that he has seen the possible long range development for mini warehouses. The Plan Commission is just reviewing the certified survey map at this meeting. The certified survey map complies with the City Ordinance. Staff recommends approval with any conditions added by the City Engineer.

Michael Sina, owner of the property, stated that the parcel is divided by a natural creek bank. It is a natural separation. The easement for the billboard is a permanent easement.

Chairperson Meyer opened for public comment. There was no comment. Chairperson Meyer closed public comment.

Plan Commission members voiced concern of possible future road right of way.

City Planner Slavney stated that normally they would recommend 120 ft. right-of- way, but because there is an underpass, 100 feet would work. Plan Commission can require extra right-of-way dedication.

Moved by Tanis to approve the certified survey map without the extra right-of-way and with recommendations of the City Planner.

Plan Commission discussed the issues of the right-of-way. They were hesitant to let the opportunity pass to have the right-of-way needed for future development.

City Planner Slavney stated that now it would be at no cost to the City, later it would cost. He recommended 17 feet for the additional dedicated right-of-way. Slavney explained that the right-of-way could be used if the City would need to make it a 3 lane highway or for acceleration or deceleration lanes, or if it was decided to go to 4 lanes in the future. This could be done without affecting the site plan. With no interchange the additional 17 feet would suffice. In the long term, if 4 lanes are needed, the underpass would have to be reconstructed. The comprehensive plan would need to be changed. This is the first proposal to require a right-of-way dedication. The Plan Commission has power to 1 ½ miles outside the city.

Moved by Binnie and seconded by Stanek to amend the original motion to require the additional 17 feet of right-of-way. Aye: Binnie, Stanek, Tanis, Parker, Meyer. No: None. Absent: Comfort, Coburn, Zaballos. Motion approved.

The first motion made by Tanis and seconded by Binnie to approve the CSM; with the inclusion of the amendment was voted on. Aye: Tanis, Binnie, Parker, Stanek, Meyer. No: None. Absent: Comfort, Coburn, Zaballos. Motion approved.

**Review proposed exterior alterations to the building (extending the eave at the first floor level, transom area, and sign painted on the back wall of the building) located at 137 W. Center Street for Rafael and Ana Rodriguez.** City Planner Slavney stated that the Plan Commission is to review the exterior alterations for the building at 137 W. Center Street.

David Williams, building contractor, explained that the eave (just above the transom area) needs repair. It is quite small and ugly. When they repair it, they would like to extend the eave to 16 inches. This makes it functional. Also, if the transom area under the siding is salvageable, they would like to keep it. If it is not salvageable, they would like to make the transom area similar to the buildings to the east. The primer coat they are using is a lime green. They will be keeping the same architecture.

City Attorney McDonell explained that all exterior alterations in the downtown go to the Plan Commission for review, in this case, the extension of the eave 16 inches from the wall.

Dave Saalsaa, Downtown Whitewater Design Committee, stated that they were advisory to the Plan Commission. Downtown Whitewater was given the same plans as the Plan Commission. The specification changed for the color. No façade grant money is involved in this project, so the committee did not make any decision and doesn't have a say in the color. Historically, there are no structural changes that would permanently alter the integrity of the building, so if they are taking off the siding to reveal the transom, the DTW Design Committee would like to see it restored and maintained if possible. If it is not salvageable, they would like to see it covered similar to the building next door to the east.

The agenda item also requested a sign to be painted on the south (back) wall of the building. Plan Commission Member Binnie stated that the ordinance states that no wall sign shall be painted directly on a building wall surface.

Christ Christon, representing his father, the owner of Gus' Pizza, the business at 139 W. Center Street, explained that they fully support improvement in the downtown area. They like to see the buildings fixed up, but it needs to be done properly. This work is not in line with the downtown Whitewater improvements for the historical district. There should be an ordinance for uniformity in the downtown if we want to see the downtown progress. As a Plan Commission look at the goal and direction of the downtown and go from there. Buildings may not be able to be historically correct, but there should code enforcement for the way a property looks. There are no guidelines here for the downtown. Being a college town, there are absentee landlords. The City doesn't want to lose the history of the downtown. We need to figure out what the vision and direction for the downtown are and put ordinances together to get there. There is a younger generation that is working to spur the economic movement of the downtown. He does not see how the looks of this building helps the town.

Chairperson Meyer closed the public comment.

Plan Commission voiced concerns of: would like to see better detail in what the Plan Commission is approving; the City should try to maintain a downtown theme; other buildings do not have a 16 inch eave if any; surprised that Downtown Whitewater does not have review of paint colors; thinks the chosen colors are a total mistake and an embarrassment to the downtown; does not make it historical; should turn down the whole request; not happy with the lack of detail; the applicant should seriously reconsider the whole matter; this proposal is hard to act on; would like to see more period correct colors; there has been a huge effort to keep the downtown vital- this does not go with it; does not want to move backward.

When asked about what is allowed as far as conditions in an architectural review by the Plan Commission, City Attorney McDonell explained that if it is carefully explained why colors factor in design review, he thinks the Plan Commission could require a certain color scheme. This is a slippery slope. One of the greatest criticisms that the Plan Commission gets is micromanaging property development by imposing a level of design on colors. If the Plan Commission does it on a rational basis for the entire design of what is being proposed, if the color affects the proposal, throws it all off, McDonell thinks Plan Commission could have an influence on the color.

Dave Saalsaa explained that there is no legislation or ordinance for the color. He sympathizes with the neighbors. Surprisingly Victorian Age colors include pinks, purples and greens. It would be slippery slope to try to regulate colors.

City Planner Slavney suggested that the Plan Commission make a motion to approve the restoration of the transom. If there are other changes necessary that it come back to the Plan Commission. Slavney also explained that other communities in the area for 30 years have reviewed design. If it is an exact replacement, the city staff covers it. If it is a change of appearance, it goes to Plan Commission. Addition or physical changes are a conditional use.

Moved by Tanis and seconded by Stanek to approve the restoration of the original transom with the recommendation that the upper level blend in and the overhang be period correct also (keep as is, not extending it to 16 inches). If there is to be a change, the change would come back to

Plan Commission to review. (The sign on the back of the building would not be in conformance with the City Ordinance.) The Plan Commission also recommended that the main field color of the building blend in with existing buildings to the east (repainting with what the buildings around them are). Aye: Tanis, Stanek, Binnie, Parker, Meyer. No: None. Absent: Comfort, Coburn, Zaballos. Motion approved.

**Informational Items:**

**Future agenda items:** City Planner Mike Slavney stated that Ryan Hughes would be coming back with changes to his proposal which looks like it will be on the next Plan Commission agenda for September 8, 2014.

Chairperson Meyer requested that an ordinance be looked into for architectural design (particularly for the downtown area).

City Attorney McDonell explained that it would be an architectural design ordinance. Mike Slavney could share a model from his other communities so the Plan Commission could start to review it, work it up and recommend to the City Council to look at it conceptually. If City Council likes the idea, the City Attorney would make a final draft of the ordinance. City Council would send it to the Plan Commission for the public hearing and recommendation to the City Council for approval of the ordinance.

Plan Commission Member Binnie requested an agenda item for the discussion of some changes (fine tuning) to the Zoning Rewrite, including density in the R-3A Residential Overlay District, and any other items that Plan Commission wants to look into. City Attorney McDonell stated that it would be okay to have a general item for this discussion, basically a work session. The City Council expects to see some suggested changes. Any concerns should be sent to Jane Wegner, Administrative Assistant, City of Whitewater.

**Next regular Plan Commission meeting – September 8, 2014.**

Moved by Parker and seconded by Tanis to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:25 p.m.

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Chairperson Greg Meyer