

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
July 13, 2015

**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, Sherry Stanek, Daniel Comfort, Kristine Zaballos, Tom Hinspater, (John Tanis – Alternate, present but could not vote- full board).
Absent: None. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Appointment of Plan Commission Representative to the Community Development

Authority. Chairperson Meyer explained that Tom Hinspater decided to step down in order to give Bruce Parker the chance to see some projects to fruition that were started while he was on the CDA Board. Meyer asked for nominations. Moved by Binnie and seconded by Hinspater to nominate Bruce Parker. There were no other nominations. Motion was approved by unanimous voice vote.

Hearing of Citizen Comments. There were no comments.

Approval of the Plan Commission Minutes. The minutes of June 8, 2015 were not available for review.

Review proposed 2 lot certified survey map on vacant land south of W. Main Street east of the Taco Bell property (for a proposed dental building) for Summit Dental/Steve Rohrscheib. City Planner Chris Munz-Pritchard explained that the action item on this proposal is the certified survey map. The Planner recommends that the lots share driveway easements. Brian Pollard, builder of the development, was present to represent the applicants for this proposal.

Brian Pollard explained that there are two buildable sites. Their proposal is for a 3200 sq. ft. dentist facility which will have 18 to 20 employees. The site plan shows a shared driveway and 42 to 43 parking stalls. There are no areas to be dedicated to the public.

Plan Commission Member Parker asked about the traffic study for that area and the driveway easement. City Planner Munz-Pritchard stated that the traffic study was in its final stages. She also stated that the driveway was preliminarily okay.

Brian Pollard stated that they had no problem with the easement at the rear of the property. The easement could stay there. The Dental office has no use for the easement to the back area. They wanted their access from W. Main Street.

There was no public comment.

Moved by Binnie and seconded by Parker to approve the two lot certified survey map for land south of W. Main Street and east of 1535 W. Main Street. Aye: Binnie, Parker, Hinspater, Stanek, Comfort, Zaballos, Meyer. No: None. Motion approved.

Review and make recommendation to the City Council for the proposed new chapter for the City of Whitewater Municipal Code, Chapter 5.19 Parklet Café permit. Plan

Commission Member Zaballos stated that she would abstain from this vote as she is on the Downtown Whitewater Board which has already approved of the ordinance.

City Planner Chris Munz-Pritchard explained the proposed ordinance with a power point presentation. The purpose for this ordinance is to establish a procedure for a conditional use to establish parklets. Some of the points she highlighted in the power point included: the difference between a parklet café and a parklet. A parklet café is a private seating area associated with a nearby establishment. A parklet is a public park area for all to use.

The process would be to fill out an application form, same as a sidewalk café application. The proposed amount of insurance was increased from the original proposal due to the structure being within the street right-of-way. Engineering drawings (to scale) would be required to make sure the structure is level and structurally sound. Pictures of seating etc. would need to be provided, similar to the sidewalk café requirements. Before the permit is issued the Fire Department and Building Inspector will need to review the proposal.

The standards would require: a 2 foot buffer around the parklet area; must be 5 feet away from a hydrant; cannot block ingress or egress; cannot be attached to light poles; accessories shall not hang over into street or traffic; area must be clean and sanitary; no food preparation to be done in the parklet; parklets are only allowed from April 1 to October 31 which coincides with the snow and parking requirements. Parklets must leave a 4 foot clearance for pedestrians and be ADA compliant. Parklets will be restricted to the B-2 (Central Business) Zoning District. The parklets are expected to be used primarily in areas where the sidewalks are very narrow. They will utilize approximately two parking stalls, a minimum of one parking stall. The parklet cafe must be in front of the applicant's business. The parklets will need to be built in order to have water drainage under the platform. The decking must be flush with the curb. The outside railings must be able to withstand 200 pounds of pressure. Any parklet café close to an intersection would need to have the 15 foot vision triangle. Any parklet café to utilize over 2 parking stalls would require a conditional use permit and Plan Commission approval.

Parklets are now being tested in La Crosse. Plan Commission Member Parker stated that Milwaukee has them. The application will be the same as the sidewalk café application.

Plan Commission members voiced concerns of: a maximum size for a parklet; any umbrellas need to be fastened down so they do not become an obstruction to traffic; smoking in the parklet

café?; Should put in the ordinance who is going to do the enforcement during which times for alcohol, sidewalk blockage with chairs, benches etc.

City Attorney McDonell will check into the State smoking regulations to see if it is legal to regulate smoking in a parklet café.

Dave Saalsaa stated that a parklet café is to encourage people to come downtown, create an atmosphere to find a different sense of space. This is a good way to make the downtown friendly to patrons and to those in wheel chairs. It is good for business.

Tami Brodnicki, Downtown Whitewater Director, stated that they do about 100 clean ups in a year. She also suggested that, once the City Attorney researches the smoking regulations, consideration be made for allowing smoking in a private parklet café versus a public parklet.

Moved by Comfort and seconded by Stanek to recommend to the City Council to approve the proposed Chapter 5.19 Parklet Café permit with changes discussed and additional minor grammatical changes. Aye: Comfort, Stanek, Binnie, Parker, Hinspater, Meyer. No: None. Abstain: Zaballos. Motion approved.

Public hearing for the purpose of reviewing and making recommendations to the Common Council concerning proposed amendments to Title 19, the Zoning Ordinance of the City of Whitewater. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the first step would be the parking changes. Two things happened. We updated Chapter 19.51 and the zoning districts with those changes and we also clarified language and added examples and charts. Munz-Pritchard went through her power point highlighting the important changes. Included were definitions of parking spaces and driveways; for Walworth Ave. and Ventura Lane where the back yard is also a street yard, fencing and accessory structures would be allowed by conditional use; lot coverage over a certain percentage will require engineering; language was clarified and examples added to the R-3 & R-3A Zoning Districts; usable open space was clarified; language in the B-1 Zoning District for residential was clarified; driveway access, surfacing and maintenance; number of parking stalls required, etc.

There was concern in the R-2A when converting existing homes and the number of bedrooms. City Attorney McDonell stated that it was a work in progress. A Councilmember asked for comment on a revision to the R-2A which came up after the 604 W. High Street request. Any proposed ordinance change will come back to the Plan Commission for a public hearing.

Plan Commission members voiced concerns of: the percentages of impervious surface requirements; ever expanding gravel parking areas; driving across lawn area to access parking area, it is not permissible to drive across the lawn.

Approximately 8:25 p.m. Plan Commission Member Comfort left the meeting. Plan Commission Alternate Member Tanis could vote on this item.

During the discussion, Plan Commission Members suggested adding to 19.09.453 Through lots “fences and accessory structures in a rear street yard by conditional use”. (City Attorney McDonell stated that this may need to be added in other areas of Chapter 19.) 19.15.090 Park fees, Parks and Recreation Board establish fee (there is a policy for establishing the park fee) and make recommendation to the City Council (the main purpose of the change in the ordinance is to remove the dollar amount so the ordinance does not have to go to the City Council every time there is a change in the park fee). Another change would be to the R-1X for the maximum lot coverage to be changed back to 20 per cent. The calculations for 19.21.040 lot area are to be corrected. 19.27.030 Conditional uses Q4c. Change percentage for residential units to occupy no more than (from 50 per cent to 40 per cent) of the first floor in a B-1 Zoning District. 19.51.050D.2. Sale or change of use of property to require hard surfacing – City Attorney McDonell was going to check into the State legislation to see if this would be permissible for a sale of property. 19.51.130 Number of parking stalls – a maximum number should be set for residential areas R-2, R-2A and R-3. Also, this ordinance should reference the ordinance that prohibits operation of a vehicle in an area not designated for vehicle use and that it is not permissible.

Chairperson Meyer closed the public hearing.

Moved by Tanis and seconded by Stanek to recommend the proposed amendments to Title 19, the Zoning Ordinance of the City of Whitewater with the changes discussed at this meeting. Aye: Tanis, Stanek, Parker, Hinspater, Binnie, Meyer. No: None. Motion approved.

Conceptual review for a conditional use permit to allow for a duplex on a newly created lot in an R-3A University Density Overlay Zoning District located off of S. Boone Court for Robert E. Freiermuth. This item was pulled from the agenda by the applicant prior to the meeting.

Information Items:

Next regular Plan Commission Meeting – August 10, 2015.

Moved by Zaballos and seconded by Tanis to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:30 p.m.

Chairperson Greg Meyer