

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
February 8, 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, Jon Tanis (Alternate). Absent: Daniel Comfort. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Hearing of Citizen Comments. There were no comments.

Approval of the Plan Commission Minutes. The minutes of January 11, 2016 were not available for review and approval.

Public hearing for consideration of an amendment to the City of Whitewater Municipal Code: Chapter 9, specifically Section 9.18, addressing an amendment to allow for a permitted use for the keeping of bees in Whitewater residential areas. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that Peter Underwood would be presenting the proposed ordinance.

Plan Commission Member Zaballos recused herself from this item as they are long time bee keepers and in favor of the ordinance change.

Peter Underwood and his wife, Mary Jarosz, 1634 W. Wildwood Road, are the applicants for this zoning ordinance amendment for beekeeping. Peter Underwood has expertise in beekeeping, has taught classes on beekeeping particularly urban beekeeping, and has mentored many individuals and organizations. As there are more and more beekeepers in Whitewater, there is more potential for interactions with citizens. Peter Underwood wanted to educate the public which would be beneficial to the honey bees and to residents. One of the main points Peter noted is that honey bees are very docile. If you get stung, it is more likely from a wasp or hornet. It is important to have these 4 items to minimize the nuisance of honey bees. 1) Limit of up to 3 bee hives and 1 temporary hive. 2) A flyway barrier. 3) Setback and hive position. 4) Provide at least two water sources on the property. If a beekeeper follows all four elements, there is a minimal chance of losing their permit for beekeeping. Honey bees will fly a three to four mile radius from the bee hive. The majority will be within 1 mile. They are looking for large resources. A single hive will produce about 50 pounds of honey per year. Underwood suggested that a property owner start with two hives and keep two hives. They are a lot of work.

Underwood provided information for being a good neighbor and how to provide all the information needed to obtain a permit to be a beekeeper. He stated that urban hives are routinely better and healthier hives than those in the country. They do not get the effect from the aerial pesticides that are sprayed on the farm lands. He had several letters from Whitewater beekeepers (Peter Zaballos, Shelby Moline, and Linda Holmes) who were amazed, welcomed and supported the proposed beekeeping ordinance.

Plan Commission Members asked about how to avoid an inadvertent sting; thanked Peter Underwood for putting the ordinance together and bringing it to the City; the Urban Forestry Commission has talked about how important this is.

Anne Zarinnia, 1631 W. Wildwood; Rollie Cooper, 1127 W. Walworth Ave.; Kristine Zaballos, 1143 W. Walworth Ave.; and Doug Grall, 1232 W. Tower Hill Pass, all spoke of their experiences with beekeeping and were in support of the proposed beekeeping ordinance.

Peter Underwood noted that honey bees swarm. They welcome the colony division process which happens one or two times per year. This is an intimidating event, 15-20,000 bees from one hive in a tornado cloud. They are not good planners. It will take them 2 hours to 2 days to find a new home. They will fly for about 15 minutes in the air and then sit in a tree or structure. While they are swarming, they are especially docile as they have no home to protect, no honey to protect and they have had their fill of honey. Sometimes a resident will be disturbed by this and call the police department. The police department has list of beekeepers that will come and extract the bees from the property.

Chairperson Meyer closed the public hearing.

Plan Commission Member Binnie thanked the public for their input and thanked Peter Underwood for all the research and thought in putting this model ordinance together for the City of Whitewater.

Plan Commission Member Parker wanted to know if the ordinance was for the entire City of Whitewater or just the residential areas. He would like to see the larger lots be able to have more colonies with City approval.

City Planner Chris Munz-Pritchard stated that the Beekeeping Ordinance does not designate particular properties in Whitewater. It is for the City of Whitewater.

Moved by Binnie and seconded by Stanek to recommend adoption of the proposed bee keeping ordinance for the City of Whitewater to the City Council.

Moved by Parker and Binnie to amend the motion to add that colonies could be increased for lots larger than one acre by City approval. Aye: Binnie, Stanek, Hinspater, Parker, Tanis, Meyer. No: None. Zaballos recused from vote. Amendment to the motion approved.

The amended motion vote: Aye: Binnie, Stanek, Hinspater, Parker, Tanis, Meyer. No: None. Zaballos recused from vote. Motion approved.

Public hearing for a Conditional Use Permit for an awning sign with logo and letters larger than eight inches at 130 W. Center Street, in a B-2 (Community Business) Zoning District for Vanessa Wittnebel. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that a conditional use permit is required per Chapter 19.54.020C8: Script/logo height shall be limited to eight (8) inches, except that a greater script/logo height may be approved by conditional use.

Peggy Smithston, an employee of Bauer Insurance, was present. She stated they had a 2 year lease. They hoped to get their name out there and grow their business here. They wanted to have a better store front and a better presence and be a part of downtown Whitewater for a long time. They did raise the awning up 6 inches so no one would hang on it. It will be hung underneath the 2nd floor windows.

Plan Commission Members voiced: wanted to make sure the awning had at least the minimum head clearance from the sidewalk; with there being no trees on Center Street, the awning dresses up the building provides shade and is welcoming.

Dave Saalsaa, speaking as a Whitewater citizen, stated that the awning adds a lot to an austere façade. The awning is functional by providing shade. The size of the logo, as the awning is the primary sign, is 7.8 % of the façade and so fits the requirements of the sign ordinance, being less than 10% of the store front. The awning looked good to him.

Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Parker to approve the awning sign conditioned on the awning being the appropriate height from the sidewalk. Aye: Binnie, Parker, Stanek, Hinspater, Zaballos, Tanis, Meyer. No: None. Motion approved.

Review Elevation Plan for the proposed cold storage building addition at 439 W. Whitewater Street for Home Lumber Company (Chris Hale). Jon Tanis recused himself from this item as he would be involved in this project.

City Planner Chris Munz-Pritchard read her Planner recommendations.

1. Flooding historically is an issue in this area. During the building permit process engineering should be developed for the additional runoff. Due to the engineering that will need to be approved I have asked that all landscaping plans be reviewed after engineering approval.
2. There has been an agreement with the City for loading trucks off of Tripp Street. A written agreement should be developed between the City and Home Lumber Co. to make the agreement more clear.
3. Landscaping will be required for the property. The Urban Forestry Committee will make recommendation based on the landscaping plans.
 - a. A tree must be planted for each 35 feet along the street right of way. The trees are to act as a landscaped buffer along West Whitewater Street.

4. New loading area must be concrete or asphalt finish.
5. Any other conditions identified by the Plan Commission.

Plan Commission members asked: is there a floor plan; what the plan is for esthetics on the north elevation of the proposed building. Plan Commission Member Zaballos discouraged putting windows in the building that do not serve a functional purpose. She encouraged the poly panel. It was suggested that the building be broken up with something horizontal on the building. Chris Hale's efforts to use suggestions made at the last meeting were appreciated.

Chris Hale, one of the owners of Home Lumber Company, was present to answer any questions. When asked if there was any floor plan, he stated there was not as there was only racking to be put in the building. Angus Young, his Engineer, is working on the drainage. There is a drain in the loading dock which is connected to the storm sewer. Chris Hale explained that there is a 30 foot setback to the proposed addition, so there would be green space that could be made a park like area with benches. As far as a possible mural, he would like it to be a hanging mural, one that could be easily removed when necessary (deterioration etc.). Hale noted that they would also paint or change the siding of the existing building to match the addition. When asked if he really wanted windows in the building, Hale stated that he would prefer a charcoal poly panel.

Russ Rogers, a residential property owner across the street from this proposed building, requested that there be less vertical lines. He would like Home Lumber to do away with the vertical metal siding and do something different. He is still also concerned with the proposed overhead door on the east end of the building.

City Planner Chris Munz-Pritchard stated that there would be no additional concrete, no driveway to that door.

Chris Hale stated that they are not planning to unload and load from the east end of the building. The building is not a manned building and does not have a service door. He would like to break up the façade with trees, benches etc. He said there was no reason to drive in and out of the east end of the building. It is strictly for ventilation and emergency use.

Plan Commission members voiced concerns of: making it obvious that the east side door is not the one to go to, maybe an "Emergency Only" sign; the opening between the existing building and the addition; who is responsible for the trees in the terrace?; camouflaging the building with trees and landscaping, blending in the architecture; would like to see trees planted into the yard instead of on the terrace because of the power lines etc. that run along the terrace area; would like to see a combination of a mural, siding and landscaping; still has concerns of the east side door. The change from 30' to 15 feet from the railroad right of way as a conditional use was with the understanding that the Railroad sees complete plans. The railroad's main concerns are for visibility at intersections and drainage. Engineering plans need to be looked at before we do anything. Are there plans for any storage outside?

Chris Hale explained that there is not a reason to use the door; not a reason to drive across the grass. The opening between the existing building and the addition is only large enough for the fork lift. It is not good for unloading large loads or in an emergency etc. Hale stated there would be no storage outside other than the dumpster, except for an occasional large shipment which

would be a fully tarped unit of lumber. For the east door, he suggested possibly putting a railing bolted to concrete in front of the door. He also mentioned that there were 4 trees that cars and semis would have to run over to get to that door.

City Attorney McDonell explained that the terrace trees are generally put in by the City. There are times when the Plan Commission has required that developers put in the trees as part of their development. It could go either way.

Plan Commission members voiced that they would like the applicant to follow the City ordinances as far as landscaping. There are dwarf trees or flowering trees that can be planted under the wires in the terrace area. Landscaping is the main issue here. The door is to be used only in an emergency. In the summer these buildings get hot, having a second door is best for ventilation and keeping the fire hazard down.

Moved by Binnie and seconded by Hinspater to approve the conditional use permit to include the City Planner recommendations with a few changes and additions: In # 1 and # 2 change the “should” to 1) During the permitting process engineering “shall” be developed for the additional runoff. 2) A written agreement “shall” be developed... In #3 add: The Urban Forestry Commission will make recommendation based on the landscaping plans “that may exceed the points normally required”. Add to #4: “No storage outside the building.” Add # 5) East overhead door to be used only for ventilation except in rare circumstances. Add # 6) Permits are not to be issued until all items are addressed. See attached conditional use permit.

Aye: Binnie, Hinspater, Parker, Stanek, Zaballo, Meyer. No: None. Tanis recused from vote. Motion approved.

Public hearing for a conditional use permit for the conversion of a single family home into a duplex located at 280 N. Tratt Street for DLK 280 N Tratt St (Michael Kachel).

Chairperson Meyer opened the public hearing for consideration of the conditional use permit for the conversion of a single family home into a duplex located at 280 N. Tratt Street for DLK 280 N Tratt St (Michael Kachel).

City Planner Chris Munz-Pritchard read her recommendations and noted that some updated plans and information have been submitted. A minimum of 6 parking stalls is required. The additional parking is to be in adjacent parking. This will need to be documented with an easement tying the parking spaces to the property at 280 N. Tratt Street. Currently there is parking over the north lot line of this property. An easement must be established for this parking. She would like a diagram showing the parking established by the easement. Easements for all utilities on the lot need to be established. (There is a water main running through this property.) Some items on the plans need to be addressed and there must be approval from the Engineer, Building Inspector, Fire Inspector and other City departments.

Mike Kachel was present to explain and answer any questions. When asked about the trees on the lot, he stated there were 5 trees on the lot. They don't need to do anything with them.

Chairperson Meyer closed the public hearing.

Moved by Tanis and seconded by Stanek to approve the conditional use permit subject to the City Planner recommendations. Aye: Tanis, Stanek, Binnie, Hinspater, Zaballos, Parker, Meyer. No: None. Motion approved.

Public hearing for a Conditional Use Permit to allow multi-family dwellings of more than four units (Municipal Code Chapter 19.21.030B) in order to build apartment buildings on Lot 44 of Waltons Pine Bluff Subdivision for Ed Kowalski. Chairperson Meyer opened the public hearing for consideration of a conditional use permit to allow multi-family dwellings of more than four units (Municipal Code Chapter 19.21.030B) in order to build apartment buildings on Lot 44 of Waltons Pine Bluff Subdivision for Ed Kowalski.

City Planner Chris Munz-Pritchard read her recommendations with the addition of having a pre-development agreement in place prior to construction.

Ed Kowalski, the developer, and Warren Hansen, Architect & Engineer, were present to explain and answer questions on this proposal. Ed Kowalski explained his project. He explained that this development will continue on from his original development with the same type of building design. It will all be run the same way. They do all their own maintenance of the property inside and out including mowing lawn, and plowing snow from all their own roads. They have a 6 month waiting period to get into his apartments. 20% of the renters are students. He will charge the same rent for these apartments as his previous development. The apartments are family oriented. He wants to plant more trees. He has found that planting smaller trees is better due to the bedrock three feet below the surface. Ed Kowalski's goal is to get started now. He knows he has water issues to straighten out with Strand Associates (City Engineer). He'd like to get the first two buildings going right away.

Warren Hansen explained the engineering of the project. This included the easy/emergency access and circulation for the development with 4 different access points. Each unit has parking for two cars, one inside and one outside. There is additional parking around the area. There are foundation plants around each building, a berm along the west side of the property to screen the businesses to the west. There are 40 spruces along the berm. The street trees they would like to put back into the property instead of in the terrace because the terrace is not very wide. There will be three dumpster areas throughout the development. The stormwater management – run off will be no more than the pre-development rate. The lighter green areas on the plan will have bio filters/rain gardens which are soil with under drains, where the water eventually goes to the stormwater basin and then to the storm sewer in the street. In the open yard area are dry basins that will have natural plantings that would require no mowing. They would be low growing plants. They plan to plant 40 trees, fruit bearing trees such as pear or plum, around the development. As far as drainage of the property, the northern most part of the lot has existing drainage which goes to the northeast. One of the first steps they will take is to completely grade and shape all the land. They will install water and sewer and storm sewer. The water mains and services will be public. The sanitary sewer will be private interceptor mains. The density of this proposal is just under 8 ½ units per acre. The lot is 11.8 acres. There is 43.5 percent green space.

City Planner Munz-Pritchard stated that no permits will be issued until the stormwater for the property is figured out. They will need 350 sq. ft. per unit of usable open space. Decks can be included in the usable open space. The buildings will be sprinklered per State regulations.

Ed Kowalski added that he would like to see a bike path around his development; people want a place to walk.

Plan Commission Member Parker liked the idea of putting the terrace trees back further onto the property.

Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Tanis to approve the conditional use permit per City Planner recommendations with the changes that Landscaping “shall” be required ...; and Engineering “shall” be developed ...; and with the addition of the item to have a pre-development agreement with the City of Whitewater. Aye: Binnie, Tanis, Stanek, Hinspater, Zaballos, Parker, Meyer. No: None. Motion approved.

Zoning Ordinance Update. City Planner Chris Munz-Pritchard stated that she wanted to keep the Plan Commission informed of any changes to the proposed Zoning Ordinance that have been made since the Plan Commission recommended the updates to the City Council. The ordinance updates are pretty much the same. These are a few of the changes: the yard requirements for impervious surface in the side yard was removed; in the B-1 Zoning District, the 1st floor apartment was allowed up to 50 % from 40%; parking 19.51.080 (C) two family dwelling may have up to 6 vehicles parked outside on a lot, “with no more than 4 outside located in the rear yard...”. The 40% impervious surface was removed from the side yard due to the committee having a hard time agreeing on it and the older areas of the city were non-compliant and it was unclear how to figure.

City Attorney McDonell added that also for the homes that have side entry garages, the driveways took up the 40%. He also noted that maximum impervious surface will be coming back with district and overall limits based on a curve depending on the size of the lot.

Information Items:

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated that Councilman Chris Grady will be at the March Plan Commission meeting in regard to the requirement of common space square footage per person for the R-2A Overlay Zoning.
- b. Next regular Plan Commission Meeting – March 14, 2016.

Moved by Tanis and seconded by Stanek to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 9:30 p.m.

Chairperson Greg Meyer