



## Plan & Architectural Review Meeting

Whitewater Municipal Building Community Room,  
312 West Whitewater St., Whitewater, WI 53190  
\*In Person and Virtual

**Monday, April 14, 2025 - 6:00 PM**

---

### MINUTES

#### CALL TO ORDER AND ROLL CALL

Meeting called to order at 6:00 pm.

#### PRESENT

Chairman, Councilmember Neil Hicks  
Board Member Michael Smith  
Board Member Marjorie Stoneman  
Board Member Carol McCormick  
Board Member Lynn Binnie

#### ABSENT

Board Member Bruce Parker  
Vice Chairperson Tom Miller

#### STAFF

Allison Schwark, Planner  
Llana Dostie, Neighborhood Services Administrative Assistant

#### APPROVAL OF AGENDA

*A committee member can choose to remove an item from the agenda or rearrange its order; however, introducing new items to the agenda is not allowed. Any proposed changes require a motion, a second, and approval from the Committee to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.*

Move up item 4 Extra Territorial CSM prior to Public Hearing.

Motion made by Board Member Binnie, Seconded by Board Member McCormick.

Voting Yea: Chairman, Councilmember Hicks, Board Member M.Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

#### 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 Council discusses that particular item.*

None

### CONSENT AGENDA

*Items on the Consent Agenda will be approved together unless any commission member requests that an item be removed for individual consideration.*

1. Approval of March 10, 2025 Minutes.

Public hearing 6th line second line no comma after.

Page 3 carve out.

**Motion was to approve with the corrections being made.**

Motion made by Board Member Binnie, Seconded by Board Member Stoneman.

Voting Yea: Chairman, Councilmember Hicks, Board Member M.Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

### PUBLIC HEARING FOR REVIEW AND POSSIBLE APPROVAL

2. Discussion and possible approval to recommend to Common Council Zoning District Changes as follows:

1. Add 19.09.291 Family Daycare Home to Definitions Section 19.09
2. Amend Section 19.15.030 R-1 (One Family Residence District) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
3. Amend Section 19.18.030 R-2 (One and Two-Family Residence District) Conditional Uses to add letter H. Family daycare home for 8 or fewer children.
4. Amend Section 19.19.030 R1S (One Family Residence District-Small Lots) Conditional Uses to add letter G. Family daycare home for 8 or fewer children.
5. Amend Section 19.21.030 R-3 (Multi-Family Residence District) Conditional Uses to add letter O. Family daycare home for 8 or fewer children.
6. Amend Section 19.33.030 B-3 (Highway Commercial and Light Industrial District) Conditional Uses to add letter T. Daycare centers, adult and child.
7. Amend Section 19.48.020 I (Institutional District) Permitted Uses to add letter E. Day care centers, adult and child

Planner explained that this is a very simple change to multiple sections of the zoning ordinances. It was brought to the City's attention that the zoning districts that would allow for daycare facilities are very limited. And daycare facilities are something that the city currently lacks and potentially would need more of. This would allow for daycares to be placed in more of our zoning districts. The way our zoning ordinance currently reads is that we only allow daycare facilities in our B-1, M-1 and Technology Park zoning districts. Opening this up and allow for more flexibility within our zoning districts would allow for more facilities to come into the City of Whitewater, if every presented with that

option. Right now our zoning ordinance does not allow for any daycare facilities within any of our residential districts. Here in the State of Wisconsin, state statute does allow for smaller daycare facilities within a residential home. I have created one new definition and that definition is for a family daycare home for 8 or fewer children in a residential home.

Hicks asked if this would pertain to the overlay districts.

Planner stated that we have not put daycares into the overlay districts at this time.

McCormick asked about whether we have had inquiries for these areas.

Planner stated that the Economic Development department has received inquiries. We were trying to be proactive and make the ordinance amendments, if possible.

Binnie stated that the Wisconsin Statute 66.1017 and it titled Family Childcare Homes. We would want to make our language consistent. He feels that it needs to be to permitted uses, rather than a conditional use.

Planner stated from her understanding it could still be a conditional use permit, however you could not place any conditions upon the conditional use permit that would be more strict than the requirements listed in the state statute. Having the applicant apply for a conditional use is not to place conditions on the conditional use, but so we have record of the daycare facility.

Binnie stated that moving family childcare up to a permitted use in the R-1 zoning district would prevent us from putting a condition that is not allowed by the state statute. Binnie suggested that the definition should be taken out of state statute. R-2 is the one and two family residence district. The state statute only references single family residences. A duplex doesn't have very good sound proofing between the units. It opens up the possibility of have multiple years of noise disruption to the owner or occupant of the adjacent unit. In R-3 multifamily residence district Binnie stated that he is having a hard time imagining a daycare home being operated in a larger apartment complex. The degree of noise that could effect the neighbors in a around the apartment unit. Leans toward not permitting use in R-3.

Hicks asked if Binnie was suggesting items 4 and item 5 R1-S and R-3 not approving them.

Binnie stated he suggests they have discussion regarding items 3-R-2 and item 5-R-3. On item number 3 per state statute it is an acceptable use in a single family. If we were going to make changes there, we would have to address one and two family separately.

Hicks stated that he echos concerns with the R-3 multifamily complexes. If they are ground level duplexes, you may have decent soundproofing between the units. He is semi ok with duplexes. Not in favor of R-1S it is a lot of people in a small area. Not in favor of items 4, R-1s or 5-R-3.

Smith asked if the state statue related to 4 or less applied to all residential zoning districts. Or just to R-1.

Hicks stated he believed the way Binnie read the statute, it only pertained to single family.

Planner stated confirmed the statute applies just to single family homes only. However, this would apply to the R-1s since it is still single family.

Smith asked I live in an owned condo and say there are 10 other units in the building. Is that considered R-3. Would that mean I couldn't have a daycare.

Planner confirmed that was correct.

Binnie stated that you could possibly have 4 since that didn't require the license.

Stoneman asked if the family could have three of their own and bring in 8.

Planner stated that is correct there could be more than 8. She has seen some municipalities prohibit daycare facilities of any kind in the multifamily residential zoning districts which would be our R-3. Allowing it in an R-2, if it is a side by side duplex or a really large duplex. If we kept it as a conditional use permit, it allows us the opportunity to review it. And if there is substantial evidence to deny a permit, that we felt not a good fit for a daycare facility at least we would have that opportunity. Moving R-1 to a permitted use would be an acceptable change. Recommends we table this and make the changes that the committee recommends.

Brian Shannen 441 S Buckingham Blvd. Glad to see looking at child care in the City of Whitewater, knowing that the city is a childcare desert. I think looking at the R-3 district from a logistical stand point, I couldn't imagine that. Would have a question about the small lot size. What the lot lines would be on those. Are they zero lot lines, just more specific information on those.

McCormick echos Binnie's comments. Having kids on a third floor is not only a noise issue but a safety issue.

Planner explained the R1-S is single family. Lot area is a minimum of 6,000 square feet. With standard set backs. The minimum and maximum front yard set back is 25 feet. The side yard set back is where it becomes reduced. We allow a 6 foot side yard set back. And the rear yard set back is 20 feet.

Hicks asked for the board to provide direction to planner

Board would like Item 5 R-3 Multifamily district removed.

Item 6-B-3 and 7-I are ok.

Item 2-R-1 would be a permitted use.

Item 3-R-2 would be to split single family is permitted and the two family is a conditional use.

Item 4 R1-S as a permitted use.

Item 1 needs to use statute language for definition.

#### **Matter was Tabled with previous comments**

Motion made by Chairman, Councilmember Hicks, Seconded by Board Member Stoneman.

Voting Yea: Chairman, Councilmember Hicks, Board Member M.Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

## DISCUSSION AND CONSIDERATIONS

3. Review and possible approval of an Extraterritorial Certified Survey Map for Parcel # 004-0515-2742-000. Located in the Town of Cold Spring.

Planner explained simple 4 lot certified survey map. This is located in the Town of Cold Spring at W3528 Vannoy Drive in Whitewater. Currently the parcel is unplatted and is vacant. They are planning on using two as home sites and two as natural resource area. Jefferson County and Town of Cold Spring have rezoned these properties to A-3 natural resource area. Zoning is consistent the the land use they are looking for. This CSM would create 4 new parcels of land. The total size is approximately 38 acres. The CSM creates lot 1 and lot 4 which would be used for residential. And those parcels are going to be approximately 1 acre each. Lot 2 and Lot 3 will be the natural resource areas they will remain vacant. Lot 2 will be 19.452 acres and Lot 3 will be 15.244 acres.

Smith asked if it is in the Town of Cold Spring why are we approving it.

Planner Schwark explained that we have an extra territorial zoning jurisdiction and we have this will all our neighboring townships. Anything that is platted within a 1.5 mile radius from our city border we have reviewing authority over. We will still review anything and recommend an approval or recommend what we feel is necessary and consistent with our ordinance requirements if it is within that 1.5 mile radius.

Binnie asked if that was per state statute.

Planner Schwark confirmed that it was.

Motion made by Board Member Binnie, Seconded by Board Member Stoneman.

Voting Yea: Chairman, Councilmember Hicks, Board Member M.Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

4. Discussion and possible recommendation to Common Council update of the Landscaping Guidelines. **(Carol McCormick)**

McCormick stated that there have been two Urban Forestry (UFC) meetings. They were thinking about throwing the policy out but decided that wasn't feasible. So they decided to keep the original plan and update it. One of the things that was missing was the rosetta stone that had the points for the shrubs and trees. They would still like to request to see plans for review and suggest better plantings. They stated that in the past developers have been open to suggestions for alternative plants, taking into account which way the lot is facing, if they are picking trees that can become over grown and need to be trimmed later on. Our in house arborist, Andrew Beckman is willing to go over plans to give more interest to a development as opposed to everything the same and keeping in mind what the conditions are, what grows well here.

Binnie appreciates the work that has gone into this. However, in normal nit picking style I have approximately 20 comments. Does the body want to go through all the nit picking. Or do you prefer that I ask Llana to provide a redline version.

Hicks and Smith stated that they would prefer the redline version.

Hicks stated that the plan is very good, if we go over the redlines at the next meeting.

Binnie stated that he would like the word Draft on the document. Stated that he is unsure if the Urban Forestry Commission (UFC) is mentioned in the document.

McCormick asked if Binnie wanted it to be approved by both or come back to PARC for approval.

Binnie stated that we approve a plan conditionally based on review by the UFC. If it is possible for UFC first if possible.

Planner with it just being an advisory board. it can go either way. It just depends how the application falls. I think the PARC can conditionally approve it for UFC to review. If the UFC has significant concerns with the project, than it would need to come back to the PARC for further discussion.

Binnie stated that under general installation and buffer yards. if actually putting some recommendations of general practices for water of trees.

Binnie found interesting that if the developer could not meet the minimum percentage of plants they could chose instead to pay a dollar for each point they were short.

Planner stated that she has seen this before. She has seen a more expensive requirement than a dollar.

Binnie wonders if it would be ok to provided a minimum percentage of the points in provided landscaping.

Hicks stated that 50 percent.

Smith stated that he would be ok with upping the dollar amount. Smith asked Planner if \$5.00 a point.

Planner stated that she could look into it.

McCormick stated that she can ask the committee if this was ever used.

Planner stated that at the end of the day you don't want to make that to be a more appealing option. Looking at a minimum percentage and should be only for unique or unusually circumstances.

Hicks stated minimum of 90 percent of landscaping and if the last 10 percent if an usually circumstance than the dollar amount.

Binnie stated that the on Page 65 parking lot example how would this apply for a very large parking lot. Is this a realistic option for a large parking lot.

Hicks stated this would be for new construction going forward.

Smith stated that if you fly into California the industrial parks are beautiful.

**Motion to TABLE to bring back with a redline version with Binnie's recommendation.**

Motion made by Chairman, Councilmember Hicks, Seconded by Board Member McCormick.

Voting Yea: Chairman, Councilmember Hicks, Board Member M.Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

#### **FUTURE AGENDA ITEMS**

Add the last future items that are missing.

#### **NEXT MEETING DATE MAY 12, 2025**

#### **ADJOURNMENT**

Meeting was adjourned at 6:57.

Motion made by Board Member McCormick, Seconded by Board Member M.Smith.

Voting Yea: Chairman, Councilmember Hicks, Board Member M.Smith, Board Member Stoneman, Board Member McCormick, Board Member Binnie

**Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk (262-473-0102) at least 72 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 ldostie@whitewater-wi.gov

*A quorum of the Common Council might be present. This notice is given to inform the public that no formal action will be taken at this meeting by the Common Council.*