



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

February 10, 2014

City of Whitewater Municipal Building
312 W. Whitewater St., Whitewater, Wisconsin
6:00 p.m.

***Amended Agenda** as of February 6, 2014, Item #4 has been removed from the agenda.

1.	Call to order and Roll Call.
2.	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 Plan Commission discusses that particular item.
3.	Review and approve the Plan Commission minutes of January 13, 2014.
*4.	Review proposed new 42 feet by 152 feet self storage building located at E. Sunrise Lane (Tax Key # A3186 00002) for Whitewater Self Storage LLP. (Jeff Seefeldt). (This is a new building, the same type as the existing buildings on the lot.)
5.	Hold a public hearing for consideration of a change of the District Zoning Map for the following area to enact an ordinance to impose the R-O Non-Family Residential Overlay District Zoning classification under Chapter 19.25 of the Zoning Ordinance of the City of Whitewater for the parcels located at 351 S. Wisconsin Street #1 through #16. (The R-O Zoning classification reduces the number of unrelated occupants allowed per residential unit from 3 to 2.)
6.	Hold a public hearing to enact the proposed amendments to the City of Whitewater Municipal Codes: Chapter 19 Sign Ordinance, specifically Section 19.54.052 Maximum sign sizes, addressing the R-1 (Single Family Residence), R-1X (Single Family Residence), R-2 (One and Two Family Residence), and R-3 (Multifamily Residence), Zoning Districts signage requirements for on premise Identification sign size and Conditional use sign size to allow for the designated sign size (per side) on each side of the signs.
7.	Discussion concerning Plan Commission procedures, policies, forms, (including but not limited to requirements for site plans) and request for input from the Plan Commissioners regarding the same.
8.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – March 10, 2014
9.	Adjournment.

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 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 jwegner@whitewater-wi.gov.

The City of Whitewater website is: whitewater-wi.gov

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
January 13, 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, Cort Hartmann, Kristine Zaballos, Daniel Comfort. Absent: Karen Coburn. Others: Wallace McDonell (City Attorney), Latisha Birkeland (City Planner).

Hearing of Citizen Comments. There were no citizen comments.

Approval of the Plan Commission Minutes. Moved by Binnie and seconded by Hartmann to approve the Plan Commission minutes of December 9, 2013. Motion approved by unanimous voice vote.

Review extra-territorial certified survey map for a lot line adjustment at W7765 Bluff Road for Colleen and Mark Strelow. City Planner Latisha Birkeland explained that this property is located within the 1.5 mile extra-territorial review boundary. The owners are looking to adjust the lot line so the farm equipment shed is located on Lot 1. This certified survey map is not creating additional lots. The final parcels are not reduced below the minimum size requirement. The parcels are outside the City of Whitewater sewer service area. Birkeland recommended approval.

Chairperson Meyer asked for any public comment. There was none. Chairperson Meyer closed public comment.

Moved by Parker and seconded by Binnie to approve the certified survey map for a lot line adjustment at W7765 Bluff Road for Colleen and Mark Strelow. Aye: Parker, Binnie, Hartmann, Zaballos, Comfort, Meyer. No: None. Absent: Coburn. Motion approved.

Review extra-territorial certified survey map to create a lot and for a lot line adjustment at N515 Howard Road for Mike Pope. City Planner Latisha Birkeland explained that properties of this certified survey map are within the 1.5 mile extra-territorial review boundary for the City of Whitewater. The owner is looking to create a lot for a cell phone tower. The parcels are located outside the City of Whitewater sewer service area.

Chairperson Meyer asked for any public comment. There was none. Chairperson Meyer closed the public comment.

Moved by Comfort and seconded by Binnie to approve the certified survey map to create a lot and for a lot line adjustment at N515 Howard Road for Mike Pope. Aye: Comfort, Binnie, Parker, Hartmann, Zaballos, Meyer. No: None. Absent: Coburn. Motion approved.

Public hearing for a conditional use permit (tavern and other places selling alcohol by the drink) for The Downstairs Bar and Grill LLC. (Agent Gezim Mylkaj) to serve beer and liquor at 204 W. Main Street (for a “Class B” Beer and Liquor License) at The Bar Downstairs a/k/a Downstairs Lounge and Night Club. City Planner Latisha Birkeland explained this is an application for a conditional use permit for the sale of beer and liquor. There will be no major changes to the internal layout. There may be some cosmetic changes after they are up and running. The owner is also looking to incorporate coffee and an additional menu. There is no current sidewalk café permit. No provision for parking is required in the downtown B-2 (Central Business) Zoning District.

Troy Wilber, one of the partners of The Downstairs Bar and Grill LLC., was present to answer questions.

Plan Commission Member Binnie stated that a conditional use permit had been approved last September with conditions. He read the already approved conditions. One of them was for contingencies for three or more noise offenses within one year. There is a concern of noise. Another concern related to this application is staying open beyond bar hours, which according to State Statutes must be for a “restaurant” for the purpose of selling food. It is a challenge to change one’s image from being a bar to being a restaurant.

Troy Wilber stated it would be the “Downstairs Grind and Sports Club”. They want to be known for their coffee also. After 2:00 a.m. they will lock up the alcohol. They will then serve coffee, juice and breakfast food. This will only be on Friday and Saturday nights. They feel this is a good income source.

Plan Commission Member Zaballos stated that Downtown Whitewater has surveyed the community and there is a demand for a 24 hour restaurant.

Plan Commission Member Parker asked about outdoor seating in the front of the building and about a kitchen area.

Wilber thought they might have 2 or 3 tables for coffee. The “Downstairs” space is set up for a kitchen in the back of the building. All alcohol will be locked up, and beer taps taken off by bar hours.

Chairperson Meyer asked for any public comment. There was none. Chairperson Meyer closed the public comment.

Plan Commission members voiced their concerns of: Staying open until 4:00- 4:30 a.m. to serve coffee and food, plan to give him leeway, the owner deserves a shot to do this; Not sure of the kinds of problems that could occur, we need to be cautious; how many violations has this establishment had in the last two years?; with the conditional use, would there be an option to review after a certain period of time?; if this goes through, other businesses will be interested.

City Attorney McDonell stated that this establishment had significant problems a while back, but not in the last couple of years. The Plan Commission can require a review of the business after a certain time period.

Dave Saalsaa, owner and resident of 184 W. Main Street along with other tenants, stated that there have been fewer violations. He has a concern with the business operating until 4:30 a.m. He wanted to know if the music would be turned down or off. Saalsaa stated that if the business is the last place open, people will go there.

Plan Commission Member Parker said the Plan Commission could require one entrance and one exit and to use the east door as an emergency exit only during operation. Make everyone come in and out of the front door.

Troy Wilber stated that if he put an alarm on the door, it might cause more problems than having a bouncer there.

Plan Commission Member Binnie referred to the State Statutes regarding closing hours for licensed establishments. The difficulty is that the after bar hours are only allowed for restaurants. It is very difficult to call this establishment a restaurant. It is more comfortable to have extended hours after it proves itself in selling food. Any college student knows this place as a bar.

City Attorney McDonell stated that there is not a lot of direction in the Statutes. When there is a situation, there is a lot of direction from the Plan Commission. The Plan Commission can either accept representation or determine that there is not enough in the record to make a decision.

Plan Commission Member Parker asked about the requirement for a percentage of the sales to be food sales.

City Attorney McDonell stated that the City had required it of one tavern/restaurant, but it is not built into the ordinance.

Plan Commission Member Binnie suggested that the Plan Commission could allow extended hours for a limited period of time. Set the time for review in the summer after the school year is complete. Plan Commission could then review the food sales and the after bar behavior.

Plan Commission members voiced their concerns of: this is a new practice, concern with operational aspects; caution, is it legal to extend hours?; how hard is it to take the 4:30 a.m. closing away?; limitations, can we review and extend the after bar hour time period as many times as we want?

City Attorney McDonnell stated there would be absolutely no alcohol after the State required closing hour. The police will check to make sure the bar is closed. If the motion is worded as a right and allowed, it would take due process and notice for charges. Alternatively they could be given a certain period of time after which the privilege will expire unless the owner/operator comes in to have the review and possibly have the after bar hours extended. This review can be done many times. As long as it is done on a rational basis it is pretty easy to meet.

Moved by Binnie and Comfort to approve the conditional use permit for The Downstairs Bar and Grill LLC. (Agent Gezim Mylkaj) to serve beer and liquor at 204 W. Main Street subject to the following conditions:

1. The conditional use permit shall run with the applicant and not the land. Any change in ownership/licensee (or operator) will require approval of a conditional use permit for the new owner/licensee (or operator) from the Plan Commission.
2. The applicant shall comply with all required City and building codes.
3. The east door of the building will be an emergency exit only. If there are three or more noise or disturbing the peace complaints within a one year period, the Plan Commission may require the east door to become an alarmed emergency exit only.
4. The extended hours (after bar hours) will be allowed subject to the requirement that any music will be turned down after bar hours and that this privilege will expire after 6 months. If at that time the licensee (operator) wishes to request a continuation of the extended hour's privilege, he must show that the business satisfactorily meets the restaurant requirement and has not been a disruption to the neighborhood.
5. Approval is needed for a "Class B" Beer and Liquor License from the Alcohol Licensing Committee and the Common Council.

Aye: Binnie, Comfort, Parker, Hartmann, Zaballos, Meyer. No: None. Absent: Coburn.
Motion approved. (See attached conditional use permit.)

Public hearing to enact amendments to the City of Whitewater Municipal Codes: Chapter 19 Sign Ordinance, specifically Section 19.54.052 Maximum sign sizes, addressing the B-1 (Community Business), B-3 (Highway Commercial and Light Industrial), I (Institutional), R-3 (Multifamily Residence), R-4 (Mobile Home), and AT (Agricultural Transition) Zoning Districts signage requirements for on premise directional signs to allow for nine (9) square feet of signage on each side of the directional signs. City Planner Latisha Birkeland explained that last month, the Plan Commission saw the addition of "per side" for clarification for the M-1, M-2 and the WUTP Zoning Districts. Birkeland stated that we just want to update the directional sign size to per side for the other Zoning Districts for clarification.

Plan Commission Member Parker recommended that Plan Commission review the remaining Zoning Districts and add "per side" to the size section of the ordinance.

City Attorney McDonell stated the proposal would have to come back at a later date. It could not be recommended at this meeting.

Moved by Binnie and seconded by Parker to recommend to the City Council to recommend the amendments to the Common Council. Aye: Binnie, Parker, Comfort, Hartmann, Zaballos, Meyer. No: None. Absent: Coburn. Motion approved.

Review and recommend to the City Council, the discontinuation of the alley from E. Main Street north to the cross alley behind the properties in the 200 block of E. Main Street. This is necessary under the current plan for the East Gateway intersection design. City Attorney Wallace McDonell explained that most people didn't know this alley was on the map. It is a platted alley that runs east of where the Cordio Parts business was located (216 E. Main St.). The alley continues to the north. When the engineers redesigned the intersection, it was determined that the current access to the business was not in a good location for the newly designed intersection. The driveway would need to be moved. It is requested that the Plan Commission recommend to the City Council to discontinue the alley on the official map so a new driveway can be located in the area where the alley is. Donna Henry owns the property on both sides of the alley and she is on board with this change.

When asked about easements, City Attorney McDonell stated that the resolution will keep any current easements, etc. in place. All are being maintained in the draft of the resolution.

There was no public comment.

Moved by Binnie and Comfort to recommend to the City Council to approve the discontinuation of the alley. Aye: Binnie, Comfort, Parker, Hartmann, Zaballos, Meyer. No: None. Absent: Coburn. Motion approved.

Informational Items:

Zoning Rewrite. City Planner Latisha Birkeland explained that the public hearing for the Commercial sections of the Zoning Rewrite is planned to be held on February 25, 2014. The City Manager had emailed the City Council and Plan Commission members to respond to his email for the February 25 meeting within 48 hours if there was an issue with the date.

Future agenda items. City Planner Birkeland stated that on the next agenda, the Plan Commission will consider an expansion of the mini storage, and an ordinance amendment for the sign ordinance requirements "per side". It would also be a good night to do some training. If that changes, Birkeland would let the Plan Commission know.

Plan Commission members requested that the training include under the conditional use and plan review sections, what types of plans the Plan Commission should be reviewing and making recommendations on, and which ones are discretionary.

Next regular Plan Commission meeting – February 10, 2014.

Moved by Hartmann and seconded by Comfort to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:00 p.m.

Chairperson Greg Meyer

DRAFT



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

CONDITIONAL USE PERMIT

Plan Commission Meeting Date: January 13, 2014
Property Owner: Robert A. Sweet
Applicant: The Downstairs Bar and Grill LLC. (Agent Gezim Mylkaj)
Property ID Number: /OT 00026
Property Address: 204 W. Main Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) to allow for the sale of alcoholic beverages by the glass at the “Downstairs” located at 204 W. Main Street.

Approved subject to the following conditions:

1. The conditional use permit shall run with the applicant and not the land. Any change in ownership/licensee (or operator) will require approval of a conditional use permit for the new owner/licensee (or operator) from the Plan Commission.
2. The applicant shall comply with all required City and building codes.
3. The east door of the building will be an emergency exit only. If there are three or more noise or disturbing the peace complaints within a one year period, the Plan Commission may require the east door to become an alarmed emergency exit only.
4. The extended hours (after bar hours) will be allowed subject to the requirement that any music will be turned down after bar hours and that this privilege will expire after 6 months. If at that time the licensee (operator) wishes to request a continuation of the extended hour’s privilege, he must show that the business satisfactorily meets the restaurant requirement and has not been a disruption to the neighborhood.
5. Approval is needed for a “Class B” Beer and Liquor License from the Alcohol Licensing Committee and the Common Council.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Director / City Planner



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

NOTICE OF REVIEW

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 10th day of February, 2014 at 6:00 p.m. to review a proposed new 42 feet by 152 feet self storage building located at E. Sunrise Lane (Tax Key # A3186 00002) for Whitewater Self Storage LLP. (Jeff Seefeldt). (This is a new building, the same type as the existing buildings on the lot.)

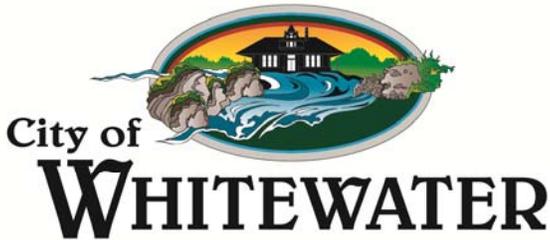
The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540.

Latisha Birkeland, Neighborhood Services Director/City Planner

***NOTE: This item has been removed from the Plan Commission Agenda of February 10, 2014.**



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

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Telephone: (262) 473-0540

To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Director / City Planner
Meeting Date: February 10, 2014
Re: Proposed changes to the City's Official Zoning Map, petition to apply the R-O Non-Family Residential Overlay Zoning District for the parcel located at 351 S. Wisconsin Street #1 through #16, Waters Edge Condominiums.

Summary of Request

The applicant, Council Member Dr. Ken Kidd, is requesting that the R-O Non-Family Residential Overlay Zoning District be applied to 351 S. Wisconsin Street #1 through #16.

In 2001, the 16 condominiums units and the two 16-unit apartment condominium buildings were zoned Planned Community Development (PCD). 16 condominium units are located on parcels WE 00001 – WE 0016, separately from the two 16-unit apartment condominium buildings located on parcels WE1 00001 – WE1 00032.

Planned Community Development Districts are used to promote improved environmental design and innovative uses of land in the City. They are stand-alone districts; all use, lot, building, yard and parking requirements are set during the rezoning process. PCD Districts do not have “underlying zoning.” This means you cannot use a different zoning district to clarify a requirement if the PCD has not identified it the Specific Implementation Plan (SIP) or the General Development Plan (GDP). To add or remove restrictions from a PCD, you need to amend the PCD or rezone it.

When zoned PCD, the Waters Edge Condominium project did not identify a limitation for “non-family household” or unrelated persons per dwelling unit. Dr. Kidd has applied to have the R-O Non-Family Residential Overlay District apply to the 16 condominium units. The R-O Overlay Zoning district, if applied, would restrict the maximum number of unrelated persons per housing unit to 2 unrelated persons, for the 16 condominium units only.

This would not affect the northern parcel that incorporates the two 16-unit apartment buildings. The PCD would not change because the R-O Overlay District does not affect the potential uses, setbacks, and other standards applicable to this land.

Recommendation

The Waters Edge Condominium Planned Community Development District was established without a limitation of unrelated persons per non-family households. I believe applying the R-O Overlay District to the parcel located at 351 S. Wisconsin Street #1 through #16, a low-density residential area, is consistent with the purpose and intent of the R-O District. Applying the R-O

District to this parcel only, allows the two 16-unit apartment buildings to not be effected by this change.

I therefore recommend that the Plan Commission recommend to the Common Council, to approve the request to apply the R-O Non-Family Household Overlay Zoning to the parcel located at 351 S. Wisconsin Street #1 through #16, Waters Edge Condominiums.

B-3

S Wisconsin St

PCD

R-2

/WE 00001 - /WE 00016

PCD
Proposed R-O

Trippe Lake Park

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Whitewater, Walworth and Jefferson counties, Wisconsin, will consider a change of the District Zoning Map for the following area to enact an ordinance to impose the R-O Non-Family Residential Overlay District Zoning classification under Chapter 19.25 of the Zoning Ordinance of the City of Whitewater on the following area:

<u>Property Address:</u>	<u>Tax ID #:</u>	<u>Property Owner</u>
351 S. Wisconsin St. #1	/WE 00001	Warren R. Devries
351 S. Wisconsin St. #2	/WE 00002	Arthur D. Vanderkoy, Carleen M. Vanderkoy
351 S. Wisconsin St. # 3	/WE 00003	Danny D. Wofle, Linda F. Wolfe
351 S. Wisconsin St. # 4	/WE 00004	Marilyn M Tydrich Living Trust
351 S. Wisconsin St. # 5	/WE 00005	Edwin B. Czarnecki, Sandy C. Czarnecki
351 S. Wisconsin St. # 6	/WE 00006	Anita Schanke
351 S. Wisconsin St. # 7	/WE 00007	Taggart Trust
351 S. Wisconsin St. # 8	/WE 00008	Mary C. Schwartz Trust
351 S. Wisconsin St. # 9	/WE 00009	Linda M. Baker Trust
351 S. Wisconsin St. # 10	/WE 00010	William D. Barrow
351 S. Wisconsin St. # 11	/WE 00011	Allen E. Gunther, Lucretia M. Gunther
351 S. Wisconsin St. # 12	/WE 00012	Lyle W. Hunter Trust, Dawn M. Hunter Trust
351 S. Wisconsin St. # 13	/WE 00013	Richard Schwall Trust, Norma Schwall Trust
351 S. Wisconsin St. # 14	/WE 00014	Dr. Kenneth R. Kidd, Susan L. Kidd
351 S. Wisconsin St. # 15	/WE 00015	Myra J. Brien
351 S. Wisconsin St. # 16	/WE 00016	Paul A. Goder, Janis K. Goder

NOTICE IS FURTHER GIVEN that the Plan Commission of the City of Whitewater will hold a public hearing in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, on February 10, 2014, at 6:00 p.m. to hear any person for or against said change. Opinions for or against said change may also be filed in writing.

The proposal is on file in the office of the Zoning Administrator, 312 W. Whitewater Street, and may be viewed during office hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

The R-O Zoning classification reduces the number of unrelated occupants allowed per residential unit from 3 to 2.

Michele Smith, City Clerk

Dated: January 15, 2014

Publish: in "Whitewater Register"
on January 23, 2014, and January 30, 2014

TaxKey	Owner1	Owner2	Address1	Address2	City	State	Zip
/A142700001	DAVID W HAYNE	SUE A PERKINS	439 S WISCONSIN ST		WHITEWATER	WI	53190-2001
/GRE 00001	NELS R WIBERG	GRETA M WIBERG	W8131 BAY VIEW DR		WHITEWATER	WI	53190-0000
/GRE 00002	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/GRE 00003	THOMAS E OWENS		212A CLAY ST #3		WHITEWATER	WI	53190-0000
/GRE 00004	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/GRE 00005	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/GRE 00006	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/GRE 00007	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/GRE 00008	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/GRE 00009	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/GRE 00010	RICHARD D VULTAGGIO		P. O. BOX 29		WHITEWATER	WI	53190-0000
/TRA 00046	WILLIAM GRAHAM POST #173	OF THE AMERICAN LEGION	292 S WISCONSIN ST		WHITEWATER	WI	53190-0000
/TRA 00064	ERNEST R STAEBLER TRUST	MARGARET N STAEBLER TRUST	419 E CLAY ST		WHITEWATER	WI	53190-2007
/WE 00001	WARREN R DEVRIES		10205 WINCOPIN CIR	#404	COLUMBIA	MD	21044-0000
/WE 00002	ARTHUR D VANDERKOY	CARLEEN M VANDERKOY	351 S WISCONSIN AVE	UNIT 2	WHITEWATER	WI	53190-0000
/WE 00003	DANNY D WOLFE	LINDA F WOLFE	351 S WISCONSIN ST #3		WHITEWATER	WI	53190-0000
/WE 00004	MARILYN M TYDRICH TRUST		351 S WISCONSIN ST	#4	WHITEWATER	WI	53190-0000
/WE 00005	EDWIN B CZARNECKI	SANDY C CZARNECKI	PO BOX 95		WHITEWATER	WI	53190-0000
/WE 00006	ANITA SCHANKE		351 WISCONSIN ST	UNIT 6	WHITEWATER	WI	53190-0000
/WE 00007	TAGGART TRUST		351 S WISCONSIN ST	#7	WHITEWATER	WI	53190-0000
/WE 00008	MARY C SCHWARTZ TRUST		351 S WISCONSIN ST #8		WHITEWATER	WI	53190-0000
/WE 00009	LINDA M BAKER TRUST		351 S WISCONSIN ST #9		WHITEWATER	WI	53190-0000
/WE 00010	WILLIAM D BARROW		351 S WISCONSIN ST	UNIT 10	WHITEWATER	WI	53190-0000
/WE 00011	ALLEN E GUNTHER	LUCRETIA M GUNTHER	351 WISCONSIN	UNIT 11	WHITEWATER	WI	53190-0000
/WE 00012	LYLE W HUNTER TRUST	DAWN M HUNTER TRUST	351 S WISCONSIN ST	UNIT 12	WHITEWATER	WI	53190-0000
/WE 00013	RICHARD SCHWALL TRUST	NORMA SCHWALL TRUST	351 S WISCONSIN ST #13		WHITEWATER	WI	53190-0000
/WE 00014	KENNETH R KIDD	SUSAN L KIDD	351 S WISCONSIN ST		WHITEWATER	WI	53190-0000
/WE 00015	MYRA J BRIEN		351 WISCONSIN ST, #15		WHITEWATER	WI	53190-0000
/WE 00016	PAUL A GODER	JANIS K GODER	351 S WISCONSIN ST	UNIT 16	WHITEWATER	WI	53190-0000
/WE1 00001	PHILIP O'NEAL MILAM	BECKY MARIE MILAM	327 E CLAY ST	#17	WHITEWATER	WI	53190-0000
/WE1 00002	LORICE K WOLLER		327 E CLAY ST	UNIT 18	WHITEWATER	WI	53190-0000
/WE1 00003	A&L WW PROPERTY LLC	C/O LAURA BARON	34712 IROQUOIS TR		MCHENRY	IL	60051-0000
/WE1 00004	WADE BROWN TRUST	CATHERINE BROWN TRUST	327 E CLAY ST	UNIT 20	WHITEWATER	WI	53190-0000
/WE1 00005	AMY J ZELINGER		327 E CLAY ST #21		WHITEWATER	WI	53190-0000
/WE1 00006	DENNIS TOMORSKY	BETTY TOMORSKY	15240 WESTOVER RD		ELM GROVE	WI	53122-0000
/WE1 00007	LISA J KYSELY		327 E CLAY ST	#23	WHITEWATER	WI	53190-0000
/WE1 00008	THOMAS KEITH	EILEEN M KEITH	5853 HACKER DR		WEST BEND	WI	53095-0000
/WE1 00009	MICHAEL L KASPAR	MARY L KASPAR	327 E CLAY ST	UNIT 25	WHITEWATER	WI	53190-0000

/WE1 00010	PATRICA DICKINSON OLSON	SALLY J MINICUCI	417 LAKEWOOD DR		WILLIAMS BAY	WI	53191-0000
/WE1 00011	KEY RENTAL PROPERTIES LLC		PO BOX 773		WAUCONDA	IL	60084-0000
/WE1 00012	JENNIFER L KAINA		327 E. CLAY ST	UNIT 28	WHITEWATER	WI	53190-0000
/WE1 00013	ALAN D TOTAH	DEBBIE A TOTAH	4111 PINE CREST TRAIL		HOUSTON	TX	77059-0000
/WE1 00014	SUSAN J SUSNIK		327 E CLAY ST	#30	WHITEWATER	WI	53190-0000
/WE1 00015	LAURA K MUGLER		327 E CLAY ST	UNIT 31	WHITEWATER	WI	53190-0000
/WE1 00016	JEANETTE I HANSEN		327 E CLAY ST #32		WHITEWATER	WI	53190-0000
/WE1 00017	JAMES R WOOD	DARLENE M WOOD	215 E CLAY ST		WHITEWATER	WI	53190-0000
/WE1 00018	PAUL H VELDBOOM		215 E CLAY ST UNIT 34		WHITEWATER	WI	53190-0000
/WE1 00019	JOHN E BEERMAN IV	KATHLEEN B BEERMAN	215 E. CLAY ST	UNIT 35	WHITEWATER	WI	53190-0000
/WE1 00020	TIMOTHY L BIRKENSTOCK TRUST	CRYSTAL L BIRKENSTOCK TRUST	W293 N3923 ROUND HILL CIRCLE		PEWAUKEE	WI	53072-0000
/WE1 00021	SANDRA K KOSZYCZAREK		215 E. CLAY ST	UNIT 37	WHITEWATER	WI	53190-0000
/WE1 00022	BENEDICT J WILLMING III		215 CLAY ST	UNIT 38	WHITEWATER	WI	53190-0000
/WE1 00023	JASON R PARPART		W7354 US HSY 12		WHITEWATER	WI	53190-3922
/WE1 00024	EDA B WILSON TRUST		215 E CLAY, #40		WHITEWATER	WI	53190-0000
/WE1 00025	E CHRISTINE KIENBAUM		215 E CLAY ST	UNIT 41	WHITEWATER	WI	53190-0000
/WE1 00026	JAMES D ALLEN		215 E CLAY ST #42		WHITEWATER	WI	53190-0000
/WE1 00027	LEON KELLER	ELISABETH KELLER	215 E. CLAY ST	#43	WHITEWATER	WI	53190-0000
/WE1 00028	LAURA L MASBRUCH		215 E CLAY ST	UNIT 44	WHITEWATER	WI	53190-0000
/WE1 00029	LES HYNUM	MARY C HYNUM	215 E CLAY ST	UNIT 45	WHITEWATER	WI	53190-0000
/WE1 00030	CHAD A KOPECKY		215 E CLAY ST	UNIT 46	WHITEWATER	WI	53190-0000
/WE1 00031	LAURA DYKSTRA		418 S MADISON ST		HINSDALE	IL	60521-0000
/WE1 00032	ASTRID M PETERSON		215 E CLAY ST	UNIT 48	WHITEWATER	WI	53190-0000
/WUP 00261	CITY OF WHITEWATER		312 W WHITEWATER ST		WHITEWATER	WI	
/WUP 00271A	CITY OF WHITEWATER 'PUMP HOUSE'		312 W WHITEWATER ST		WHITEWATER	WI	
/TRA 00067	PHILLIP A RODEN	MARY B RODEN	2111 NOYES		EVANSTON	IL	60201-0000

**CITY OF WHITEWATER
PETITION FOR CHANGE OR AMENDMENT OF ZONING**

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by Ordinance, change the district boundaries or amend, change or supplement the regulations established by the Zoning Ordinance.

A change or amendment may be initiated by the City Council, the Plan Commission, or by a Petition of one or more of the owners, lessees, or authorized agents of the property within the area proposed to be changed.

PROCEDURE

1. File the Petition with the City Clerk. Filed on 1/13/2014.
2. Class 2 Notices published in Official Newspaper on 1-23-14 & 1-30-14.
3. Notices of Public Hearing mailed to property owners on 1-27-14.
4. Plan Commission holds PUBLIC HEARING on 2-10-14.
They will hear comments of the Petitioner and comments of property owners. Comments may be made either in person or in writing.
5. At the conclusion of the Public Hearing, the Plan Commission makes a decision on the recommendation they will make to the City Council.
6. City Council consideration of the Plan Commission's recommendation and final decision on adoption of the ordinance making the change.

7. The Ordinance is effective upon passage and publication as provided by law.

PLEASE COMPLETE THE FOLLOWING APPLICATION. If there is more than one applicant for an area to be rezoned, add additional pages with the signatures of the owners, indicate their address and the date of signature.

Refer to Chapter 19.69 of the City of Whitewater Code of Ordinances, entitled CHANGES AND AMENDMENTS, for more information on application and protests of changes.

**City of Whitewater
Application for Amendment to Zoning District or Ordinance**

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: Kenneth Kidd Phone # 473 5196

Applicant's Address: 351 S Wisconsin St #14, Whitewater Wi

Owner of Site, according to current property tax records (as of the date of the application):

Kenneth and Susan
 Kidd

Street address : 351 S Wisconsin St #1-16
 16

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):

Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)

Name of Individual: none Name of Firm: _____

Office Address: _____ Phone: _____

Name of Contractor: _____

Has either the applicant or the owner had any variances issued to them on any property? YES NO
If YES, please indicate the type of variance issued and indicate whether conditions have been complied with:

EXISTING AND PROPOSED USES:

Current Zoning District or Ordinance to be Amended:

PCD without other zoning

Proposed Zoning District or Ordinance

R0
 overlay

Zoning District in which Property is located: Waters Edge North Condominium

PCD _____

Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located:

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details. Computations and stress diagrams as the building official may require.

PLOT PLAN

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

STANDARDS

STANDARD	APPLICANT'S EXPLANATION
A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;	NA
B. The Proposed development will be consistent with the adopted city master plan;	yes

C. The proposed development will be compatible with and preserve the important natural features of the site;	NA
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	Will not cause a nuisance

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems;	Will not
F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;	NA
G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;	NA
H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	NA

CONDITIONS

The city of Whitewater Zoning Ordinance authorizes the Plan Commission to hold a public hearing and make recommendation to the City Council for the proposed changes (Section 19.69).

Kidd _____ 1/13/2014 _____
Applicant's Signature Date

APPLICATION FEES:

Fee for Amendment to Zoning or Ordinance: \$200

Date Application Fee Received by City _____ Receipt No. _____

Received by _____

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:

Date notice sent to owners of record of opposite & abutting properties: 1-27-14
Date set for public review before Plan & Architectural Review Board: 2-10-14

ACTION TAKEN:

Public Hearing: ____ Recommendation ____ Not Recommended by Plan & Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION: _____

Signature of Plan Commission Chairman Date

We the undersigned owners of property at 351 S. Wisconsin St, Whitewater Wisconsin wish to have 351 S. Wisconsin St. designed as R-0 zoning. We understand that R-0 zoning restricts each unit to not more than 2 unrelated inhabitants.

	<u>Name</u>	<u>Unit Number</u>	<u>Signature</u>	<u>Date</u>
1.	Ken Kidd	14	Ken Kidd	10/17/13
2.	Susan Kidd	14	Susan Kidd	10/17/13
3.	Lawn Hunter	12	Lawn Hunter	10/17/13
4.	Lyle Hunter	12	Lyle Hunter	10/17/13
5.	Wan RDK	1	Wan RDK	10/31/13
6.	Anita Schanke	6	Anita Schanke	10/31/13
7.	Marilyn Tydrich	4	Marilyn Tydrich	10/01/13
8.	Myra Brien	15	Myra Brien	10/31/13
9.	Janis Goder	16	Janis Goder	10/31/13
10.	CARLEEN M. VANDERKOP #2		Carleen M. VanderKop	10/31/13
11.	William D. Barrow #10		Willm D. Barrow	10/31/13
12.	Charles H. TAGGART #7		Charles H. Taggart	10-31-13
13.	ARTHUR VANDERKOP #2		Arthur VanderKop	10-31-13
14.	Al & Lu Munther #11			10-18-13

We the undersigned owners of property at 351 S. Wisconsin St, Whitewater Wisconsin wish to have 351 S. Wisconsin St. designed as R-0 zoning. We understand that R-0 zoning restricts each unit to not more than 2 unrelated inhabitants.

<u>Name</u>	<u>Unit Number</u>	<u>Signature</u>	<u>Date</u>
1. DAN Wolfe	#3	Dan Wolfe	11/21/13
2. Linda Wolfe	#3	Linda Wolfe	11/21/13
3. Mona Baker	#9	Linda H Baker	12/12/13
4. STEVE BAKER	#9	[Signature]	12/12/13
5. E. B. CZARNECKI	#5	E. B. Czarnicki	12/19/13
6. SANDY C. GARNECKI	#5	Sandy Czarnicki	12/19/13
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Director / City Planner
Meeting Date: 02/10/2014
Re: Public Hearing to enact the proposed amendments to the City of Whitewater Municipal Codes: Chapter 19 Sign Ordinance, specifically Section 19.54.052 Maximum sign sizes, addressing R-1 (Single Family Residence), R-1X (Single Family Residence), R-2 (One and Two Family Residence), and R-3 (Multifamily Residence), Zoning Districts signage requirements for on premise identification sign size and Conditional Use sign size to allow for the designated sign size (per side) on each side of the signs.

Background

Three times the charm? At the last two Plan and Architectural Review Commission meetings, the Plan Commission recommended approval to amend the City Ordinance 19.54.052 (Maximum sign size and types) to allow for nine (9) square feet of signage on each side of directional signs in the M-1 (General Manufacturing) M-2 (Manufacturing and Miscellaneous Use), and WUTP (Whitewater Technology Park), B-1 (Community Business), B-3 (Highway Commercial and Light Industrial), I (Institutional), R-3 (Multifamily Residence), R-4 (Mobile Home), and AT (Agricultural Transition) Zoning Districts Zoning Districts.

With the recommendation of approval last month, a recommendation was made to add “per side” to the remaining zoning districts, where identification and conditional use signs may have two sides. If this change is recommended, all other sign requirements would remain the same, including vision triangle setbacks, etc.

Recommendation

I recommend that the Plan and Architectural Commission recommend to the Common Council, to approve the request to change Section 19.54.052 Maximum sign sizes, addressing R-1 (Single Family Residence), R-1X (Single Family Residence), R-2 (One and Two Family Residence), and R-3 (Multifamily Residence), Zoning Districts signage requirements for on premise identification sign size and Conditional Use sign size to allow for the designated sign size (per side) on each side of the signs.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan and Architectural Review Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider an amendment to the City of Whitewater Ordinance regulations, to enact proposed amendments to the City of Whitewater Municipal Codes: Chapter 19.54 Sign Ordinance, specifically Section 19.54.052 Maximum sign size addressing the R-1 (Single Family Residence), R-1X (Single Family Residence), R-2 (One and Two Family Residence), and R-3 (Multi-family Residence) Zoning Districts signage requirements for on-premise Identification sign size and Conditional use sign size to allow for the designated sign size (per side) on each side of the signs.

The proposed ordinance changes are on file in the office of the City Clerk and the document is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 5:00 p.m.

NOTICE IS FURTHER GIVEN that the Plan and Architectural Review Commission of the City of Whitewater will hold a public hearing at the Municipal Building Community Room in said City, on Monday, February 10, 2014, at 6:00 p.m. to hear any person for or against said change.

Dated: January 21, 2014

Publish: January 23, 2014 and January 30, 2014 (two times)
in the Whitewater Register

Michele Smith, City Clerk

19.54.052 Maximum sign sizes and types.

- A. Signage regulations for most zoning districts. Table [19.54.052\(1\)](#) summarizes the sign regulations for the following zoning districts: R-1, R-1x, R-2, R-3, R-4, B-1, B-3, M-1, M-2, WUTP, AT, and I. The more detailed requirements contained elsewhere in [Chapter 19.54](#) shall also apply.

Table [19.54.052\(1\)](#):

General Sign Regulations (not B-2 district)

Zoning District	Type of Sign	Size	Location	Height	Exception	Total # of Signs
R-1, R-1x, R-2	Identification	3 sq. ft.	Main entrance or street yard	6' max (for freestanding sign)	If planned residential development, different signage levels may be allowed by conditional use	1 per lot
	Conditional uses in Section 19.18.030	32 sq. ft.	Driveway or main sidewalk	8' max (for freestanding sign)	On-premises directional signs also allowed (9 sq. ft. max.)	1 per lot
R-3	Identification					
	1-4 units	3 sq. ft.		Main entrance or street	1 per unit for 1-4 unit buildings; 1 per lot for others	
	5-11 units	6 sq. ft.		8' max		
	12+ units	32 sq. ft.		8' max		
	On-premises Directional	9 sq. ft.	Driveway or main sidewalk	6' max (for freestanding sign)		
Conditional uses in Section 19.21.030	32 sq. ft.	Main entrance or street yard	8' max	If planned residential development, different signage levels may be allowed by conditional use	1 per lot, except by CUP or PRD	
R-4	Identification	See R-3	See R-3	8' max		1 per development
	On-premises Directional	9 sq. ft.	Main entrance; each street	6' max (for freestanding sign)		
AT, B-1, B-3, I	Wall or window	10% (A) (C) Max 50 sq. ft.	Above or next to main building entrance or on street wall	First floor area	Use may substitute one additional wall sign for freestanding sign	1 per building, but see exception
	Wall for multi-tenant	10% (A) max (B)	Above or next to main business entrance or on street wall	First floor area	Location may vary by conditional use. Building name sign also allowed if total wall sign area ≤10%	Same as number of tenants
	Freestanding	100 sq. ft. per side; for a multi-occupant development, add 20 sq. ft. per additional occupant in a separated space, up to max of 160 sq. ft./side	In street yard, setback equal to height from any side yard lot line and 5'	20' max for pylon sign	Pylon sign allowed by conditional use only	1 per lot



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
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Telephone: (262) 473-0540

Plan Commission Members,

Included in this packet are items for your review for discussion at the meeting on Monday, February 10, 2014. They are the Plan Review Application form and the Conditional Use Permit Application form.

Other items may be handed out at the meeting.

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of each month. All completed plans must be in by 9:00 a.m. four weeks prior to the scheduled meeting. If not, the item will be placed on the next available Plan Commission meeting agenda.

CITY OF WHITEWATER
PLAN REVIEW APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$100.00 fee. Filed on _____.
2. Agenda Published in Official Newspaper on _____.
3. Notices of the public review mailed to property owners on _____.
4. Plan Commission holds the public review on _____. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the public review, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

Refer to Chapter 19.63 of the City of Whitewater Municipal Code of Ordinances, entitled PLAN REVIEW, for more information on the application.

Fifteen complete sets of all plans should be submitted. All plans should be drawn to a scale of not less than 50 feet to the inch; represent actual existing and proposed site conditions in detail; and indicate the name, address, and phone number of the applicant, land owner, architect, engineer, landscape designer, contractor, or others responsible for preparation. It is often possible and desirable to include two or more of the above 8 plans on one map. The Zoning Administrator or Plan and Architectural Review Commission may request more information, or may reduce the submittal requirements. If any of the above 10 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

City of Whitewater
Application for Plan Review

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: _____
Applicant's Address: _____
Phone # _____

Owner of Site, according to current property tax records (as of the date of the application): _____
Street address of property: _____
Legal Description (Name of Subdivision, Block and Lot or other Legal Description): _____ _____ _____
Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)
Name of Individual: _____
Name of Firm: _____
Office Address: _____
Phone: _____
Name of Contractor: _____
Has either the applicant or the owner had any variances issued to them, on any property? YES NO If YES, please indicate the type of variance issued and indicate whether conditions have been complied with. _____

EXISTING AND PROPOSED USES:

Current Land Use:
Principal Use: _____
Accessory or Secondary Uses: _____
Proposed Use

No. of occupants proposed to be accommodated: _____
No. of employees: _____
Zoning District in which property is located: _____
Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: _____

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

PLOT PLAN

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

STANDARDS

STANDARD	APPLICANT'S EXPLANATION
A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	
B. The proposed development will be consistent with the adopted city master plan;	
C. The proposed development will be compatible with and preserve the important natural features of the site;	
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	

Tips for Minimizing Your Development Review Costs:

A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Director. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and planning consultant still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.

6. Indicate the colors and materials of all existing and proposed site/building improvements. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. For simple submittals not requiring a public hearing, this may be reduced to two weeks in advance. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's planning consultant and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and the planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Director and/or Planning consultant to review and more thoroughly discuss your proposal; and/or
3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.

Hold a neighborhood meeting for larger and potentially more controversial Projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the City Neighborhood Services Director of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.

Typical City Planning Consultant Development Review Costs

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City’s Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City’s policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant’s range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called “Tips for Minimizing Your Development Review Costs” with information on how the applicant can help control costs.

Type of Development Review Being Requested	Planning Consultant Review Cost Range
Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
Rezoning	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
Land Division	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
Annexation	\$200 to \$400
Note on Potential Additional Review Costs: The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.	

Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Applicant's Information:

Name of Applicant: _____

Applicant's Mailing Address: _____

Applicant's Phone Number: _____

Applicant's Email Address: _____

Project Information:

Name/Description of Development: _____

Address of Development Site: _____

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: _____

Property Owner's Mailing Address: _____

Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the City’s Neighborhood Services Director -----

-

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

A. Application Fee.....\$ _____

B. Expected Planning Consultant Review Cost\$ _____

C. Total Cost Expected of Applicant (A+B)\$ _____

D. 25% of Total Cost, Due at Time of Application.....\$ _____

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

The balance of the applicant’s costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.

Section C: Agreement Execution

----- To be filled out by the Applicant and Property Owner -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant’s proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.

Signature of Applicant/Petitioner

Signature of Property Owner (if different)

Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature



Neighborhood Services Department
Planning, Zoning, GIS, Code Enforcement
and Building Inspections

www.whitewater-wi.gov
(262) 473-0143

CONDITIONAL USE PERMIT APPLICATION

Address of Property: _____

Owner's Name: _____

Applicant's Name: _____

Mailing Address: _____

Phone #: _____ Email: _____

Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: _____

Zoning District: _____

Proposed Use: _____

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Conditions

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

STANDARDS FOR REVIEW AND APPROVAL

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.	
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	

**Refer to Chapter 19.66 of the City of Whitewater Municipal Code, entitled CONDITIONAL USES, for more information.

Applicant's Signature: _____

Date: _____

Printed: _____

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on _____. Received by:_____ Receipt #:_____
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on _____.
- 3) Notices of the Public Hearing mailed to property owners on _____.
- 4) Plan Commission holds the PUBLIC HEARING on _____. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

Condition Use Permit: Granted_____ Not Granted_____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals to understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.

Hold a neighborhood meeting for larger and potentially more controversial Projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the Neighborhood Services Manager / City Planner of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.

Typical City Planning Consultant Development Review Costs

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City's Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City's policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking the general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant's range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called "Tips for Minimizing Your Development Review Costs" with information on how the applicant can help control costs.

Type of Development Review Being Requested	Planning Consultant Review Cost Range
Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
Rezoning	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
Land Division	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
Annexation	\$200 to \$400

**Note: The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Name of Applicant: _____

Applicant's Mailing Address: _____

Applicant's Phone Number: _____

Applicant's Email Address: _____

Project Information:

Name/Description of Development: _____

Address of Development Site: _____

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: _____

Property Owner's Mailing Address: _____

Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the Neighborhood Services Department -----

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Signature of Applicant/Petitioner

Signature of Property Owner (if different)

Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature