



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Special Meeting Agenda
 Tuesday, December 30, 2014
 City of Whitewater Municipal Building
 Community Room
 312 W. Whitewater St., Whitewater, Wisconsin
 5:15 p.m.

1.	Call to order and Roll Call.
2.	Election of Plan Commission Representative to the Urban Forestry Commission.
3.	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.
4.	Hold a public hearing for consideration of a Conditional Use Permit (tavern and other places selling alcohol by the drink) for JLB of Whitewater LLC., Lucas A. Burns, (Agent), to serve beer and liquor by the bottle or glass at 841 E. Milwaukee Street, formerly “Randy’s” (for a “Class B” Beer and Liquor License and a wholesale beer license).
5.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – January 12, 2015
6.	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



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

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

NOTICE OF PUBLIC HEARING

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 30th day of December 2014 at 5:15 p.m. to hold a public hearing for consideration of a Conditional Use Permit (tavern and other places selling alcohol by the drink) for JLB of Whitewater LLC., Lucas A. Burns, (Agent), to serve beer and liquor by the bottle or glass at 841 E. Milwaukee Street, formerly "Randy's" (for a "Class B" Beer and Liquor License and a wholesale beer license).

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.


Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A 1700001	JUAN F RODRIGUEZ	ANDREA R MENDOZA	903 E CLAY ST	WHITEWATER	WI	53190-0000
/A 1700002	THOMAS D CHARLTON		909 E CLAY ST	WHITEWATER	WI	53190-2116
/A 1700003	RAYMOND STRITZEL TRUST		530 S JANESVILLE AVE	WHITEWATER	WI	53190-0000
/EAST 00006	EASTWARD APARTMENTS LLC		13502 E TOWNLINE RD	WHITEWATER	WI	53190-0000
/EAST 00007	EASTWARD APARTMENTS LLC		13502 E TOWNLINE RD	WHITEWATER	WI	53190-0000
/EAST 00008	EASTWARD APARTMENTS LLC		13502 E TOWNLINE RD	WHITEWATER	WI	53190-0000
/EAST 00009	JOSEPH VULTAGGIO		N9121 OLD HWY P	WHITEWATER	WI	53190-0000
/EAST 00010	JOHN J TINCHER	ELIZABETH A TINCHER	532 W MAIN ST	WHITEWATER	WI	53190-0000
/HAS 00046	PRESQUE ISLE PROPERTIES LLC		209 S TAFT ST	WHITEWATER	WI	53190-0000
/HAS 00046A	C BENNETT PENWELL		417 N FREEMONT ST	WHITEWATER	WI	53190-0000
/HAS 00046B	ROBERT H CUTSHALL	SHIRLEY L CUTSHALL	1135 W WALWORTH	WHITEWATER	WI	53190-0000
/HAS 00047A	FUNHUNTERS PROPERTIES LLC		841 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/HAS 00048	FUNHUNTERS PROPERTIES LLC		N7907 CTY RD P	WHITEWATER	WI	53190-0000
/HAS 00048A	MARK F ZINGSHEIM		852-854 E CLAY ST	WHITEWATER	WI	53190-0000
/HAS 00048B	JOSEPH D VULTAGGIO		N9121 OLD CTY RD P	WHITEWATER	WI	53190-0000
/HAS 00048D	PRESQUE ISLE PROPERTIES LLC		209 S TAFT ST	WHITEWATER	WI	53190-0000
/HAS 00049	DEANNA A JACOBS		906 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/HAS 00050	SBL PETRO INC		844 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/HAS 00050A	COBURN HQ LLC		PO BOX 147	WHITEWATER	WI	53190-0000
/HAS 00050B	COBURN HQ LLC		PO BOX 147	WHITEWATER	WI	53190-0000
/HAS 00051	COBURN HQ LLC		PO BOX 147	WHITEWATER	WI	53190-0000
/HAS 00051A	COBURN HQ LLC		PO BOX 147	WHITEWATER	WI	53190-0000
/HAS 00052	COBURN HQ LLC		PO BOX 147	WHITEWATER	WI	53190-0000
/HAS 00053	SCHENCK PROCESS LLC		7901NW107 TER	KANSAS CITY	MO	64153-0000
/HAS 00054	SCHENCK PROCESS LLC		7901NW107 TER	KANSAS CITY	MO	64153-0000
/HAS 00064	SAI HOSPITALITY LLC		1355 W MAIN ST	WHITEWATER	WI	53190-0000
/HAS 00065	SAI HOSPITALITY LLC		1355 W MAIN ST	WHITEWATER	WI	53190-0000
/HAS 00067	BEN ROYTEN	FRANK LEGATH, ETAL	218 ELKHORN RD	WHITEWATER	WI	53190-0000
/HAS 00070	MNPL LLC		N588 HOWARD RD	WHITEWATER	WI	53190-0000
/HAS 00071	SALLY JO KUTZ		920 MILWAUKEE ST	WHITEWATER	WI	53190-2129
/HAS 00072	ROBERT W PAYNTER	MARY E PAYNTER	824 E MAIN ST	WHITEWATER	WI	53190-0000
/HAS 00048C	KRISTINA L ZINGSHEIM		840 E CLAY ST	WHITEWATER	WI	53190-0000
/HAS 00047	FUNHUNTERS PROPERTIES LLC		841 E MILWAUKEE ST	WHITEWATER	WI	53190-0000
/WUP 00321A	STATE OF WI	DEPT OF TRANSPORTATION		MADISON	WI	53702-0000
	JLB OF WHITEWATER LLC	LUCAS A BURNS	6911 E COUNTY RD MM	JANESVILLE	WI	53546-0000



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: 841 E. Milwaukee St

Owner's Name: Randy Cruse

Applicant's Name: JAMES R. BURNS

Mailing Address: 611 E. County Rd mm Janesville, WI 53546

Phone #: 608 931 8655 Email: burnsjr@yaho.com

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

1 HAS 00047

Existing and Proposed Uses:

Current Use of Property: BAR, Restaurant, Brew(Micro), Banquet

Zoning District: B-1

Proposed Use: BAR, Restaurant, Brewery micro, Banquet S

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.	use does not change been operating same type over 75yr
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	NO CHANGES
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.	NO CHANGE
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	YES

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

Applicant's Signature: JAMES R BURNS
 Printed: JAMES R BURNS

Date: 12-08-14

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 12-8-14. Received by: JWegner Receipt #: 6. 811577
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 12-18-14.
- 3) Notices of the Public Hearing mailed to property owners on 12-16-14.
- 4) Plan Commission holds the PUBLIC HEARING on 12-30-14. 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: JAMES R. BURNS

Applicant's Mailing Address: 6911 E. County Rd MM
Weneshville WI 53546

Applicant's Phone Number: 608 931 8655

Applicant's Email Address: burnsjr@yaho.com

Project Information:

Name/Description of Development: Randy's Restaurant

Address of Development Site: 841 E. Milwaukee St

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: RANDOLPH CRUSE

Property Owner's Mailing Address: N7907 CT RD P
WHITWATER, WI 53190

Section B: Applicant/Property Owner Cost Obligations

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

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.

James R Burns
Signature of Applicant/Petitioner

JAMES R BURNS
Printed Name of Applicant/Petitioner

12-08-14
Date of Signature

[Signature]
Signature of Property Owner (if different)

RANDOLPH C CRUSE
Printed Name of Property Owner (if different)

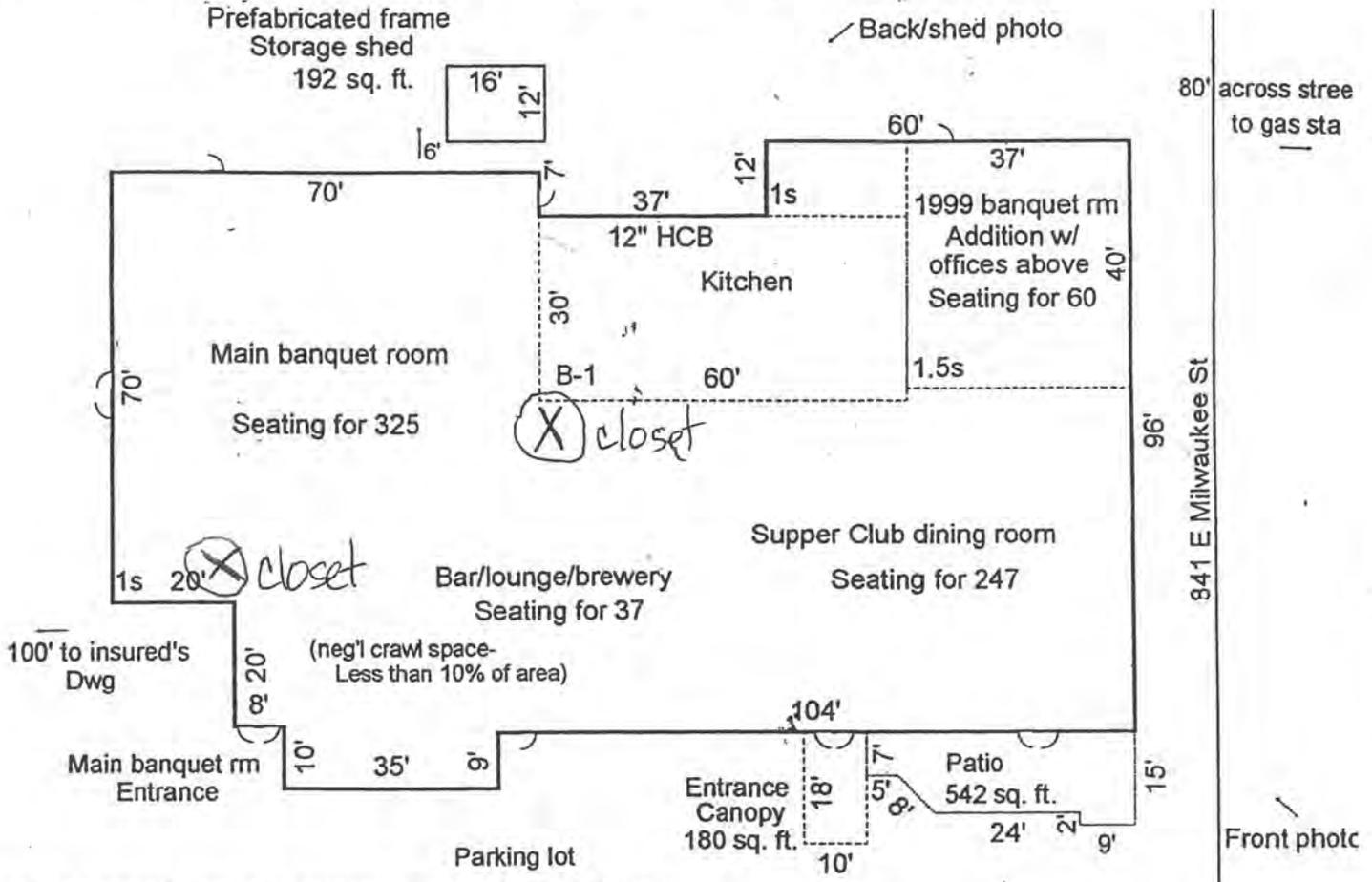
12-8-2014
Date of Signature

DIAGRAM

POLICY NO.: ROP 389281

SURVEY REPORT NO.: 48 00305 122012

Basement 1800 sq. ft. First Floor 15125 sq. ft. Second Floor 740 sq. ft.



All frame exterior walls-except where noted at kitchen
Sketch by Apex IV Windows™

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

Lots 5, 6, 7, 8, and 9 and the North 29 feet of Lot 10, Block 8, S.C. Hall's Addition to the City of Whitewater, Walworth County, Wisconsin; plus the 10 feet of the vacated alley for Lots 5, 6, and 7, and the 20 feet of the vacated alley for Lots 8 and 9.

Also, a part of Lot 12 and part of a vacated alley in Block 8, S.C. Hall's Addition in the SW 1/4 of Section 3, T4N, R15E, City of Whitewater, Walworth County, Wisconsin to wit: Beginning on the centerline of said vacated alley on the extension of the west line of Lot 5, said Block 8; thence southerly, along said extension of the west line of Lot 5, 30 feet; thence Easterly, parallel to said centerline, 33 feet more or less to the east line of said Lot 12; thence Northerly, along said east line and its extension, 30 feet to said centerline; thence Westerly, along said centerline, 33 feet more or less to the point of beginning.