



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

February 9, 2015

City of Whitewater Municipal Building
312 W. Whitewater St., Whitewater, Wisconsin
6:30 p.m.

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 December 2, 2014 and December 30, 2014.
4.	Hold a public hearing for consideration of a Conditional Use Permit (tavern and other places selling alcohol by the drink) for Ramon Rocha, (Agent), to serve beer and liquor by the bottle or glass at 292 S. Wisconsin Street, the American Legion Post 173 (for a "Class B" Beer and Liquor License).
5.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – March 9, 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

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
Special Meeting
December 2, 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, Kristine Zaballos, Bruce Parker, Sherry Stanek, Daniel Comfort, John Tanis (Alternate). Absent: Tom Hinspater. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Public hearing for conditional use permit (tavern and other places selling alcohol by the drink) for D.R.A. LLC., Daniel Rodriguez, Agent, to serve beer and liquor by the bottle or glass at 214 W. Whitewater Street (for a “Class B” Beer and Liquor License) for the Hawks Nest. (This item was postponed from the Plan Commission meeting of November 10, 2014.) City Planner Chris Munz-Pritchard explained that when a liquor license changes hands, the applicant must go through the conditional use process. She included in the packet a Planner Report from a previous change in business ownership at this property.

Daniel Rodriguez was present to answer any questions. He stated that he agreed to all the conditions of the City Planner.

Plan Commission Members voiced concerns of: letter from a neighboring business owner about nuisances that crossed the line between vibrant fun and vibrant irresponsibility (general misconduct). Public urination led the neighboring business owner to believe there were not enough restroom facilities in the bar. Did the applicant have previous experience with a bar or this bar?

Plan Commission Member Binnie asked if it were possible for the applicant to alleviate these concerns. Binnie also stated that he had talked with the Police Chief who stated that the problems are not only related to this business, but in general. Binnie suggested that there be more lighting in the parking lot next to the building and possibly a fence installed to keep patrons from cutting through other properties. Plan Commission expectation would be that the property is cleaned up outside the business at close. Binnie suggested that his bouncer keep an eye on the parking lot at closing time to keep things in order.

Daniel Rodriguez stated that he planned to expand the restrooms in the business. He explained that if someone left his bar and bothered some other business, the bar over served which was unacceptable to him. Rodriguez stated that he did not have previous experience with this bar or managing a bar. He did manage apartment buildings. When asked, Rodriguez stated he would

have an employee walk back and forth near the business at bar time. When asked if his bouncers would be drinking while they were working, Rodriguez said no.

Chairperson Meyer opened for public comment. There was none. Chairperson Meyer closed the public comment.

Plan Commission Member Parker suggested an additional condition “e” be added that the area outside the business be cleaned of snow, trash and weeds after close of business and before 8:00 a.m. Parker also stated that the parking lot next to the building is partly for parking for this business and partly for the building off the alley. This property may have a lease agreement with DLK.

Moved by Tanis and seconded by Parker to approve the conditional use permit (tavern and other places serving alcohol by the drink) for D.R.A. LLC., Daniel Rodriguez, Agent, to serve beer and liquor by the bottle or glass at 214 W. Whitewater Street (for a “Class B Beer and Liquor License) for the Hawks Nest subject to the City Planner recommended conditions and the additional condition “e”, that the outside of the building must be cleaned (snow, trash, weeds) after every business day and prior to 8 a.m. (See attached conditional use permit.) Ayes: Comfort, Tanis, Binnie, Parker, Zaballos, Stanek, Meyer. No: None. Motion approved.

Moved by Chairperson Meyer to adjourn the meeting until 6:30 p.m. when Council will join the Plan Commission. Motion approved by unanimous voice vote. The portion of the meeting adjourned at approximately 6:14 p.m.

6:30 p.m.

Common Council Roll Call: Present: Frawley, Abbott, Winship, Binnie, Singer, Bregant; Kidd. Absent: None.

The Council went through a couple of items prior to the joint meeting agenda item with the Plan Commission.

Plan Commission Chairperson Meyer called the Plan Commission back to order. Present: Greg Meyer, Lynn Binnie, Kristine Zaballos, Bruce Parker, Sherry Stanek, Daniel Comfort, John Tanis (Alternate). Absent: Tom Hinspater. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Parking Study with Graef Consultant (joint meeting agenda item with Common Council.)

City Manager Cameron Clapper explained that in the middle of the Zoning Rewrite, it was determined that parking issues would be talked about after the Zoning Rewrite. Chris Munz-Pritchard, City Planner and Neighborhood Services Director, has been working with Graef on the parking since she started working for the City.

Larry Witzling and Tanya Fonseca, from Graef, presented a memo on Whitewater Parking Considerations. They were hoping to get feedback so they can come back with revisions that are

close to an approval set of zoning codes. There are some other changes that are not zoning code changes that will be mentioned.

City Manager Cameron Clapper stated that the University has been working on their comprehensive master plan and the City has been in communication with them on this project.

Witzling went through the memo item by item. It included parking, stormwater, impervious surface, code enforcement and inspection. Graef determined from a GIS analysis and the size of the lots, that 40% impervious surface would work for the City of Whitewater generally unless a lower percentage is required by the stormwater ordinance. Over 40 % would require a mitigation process and a stormwater study. This should be addressed in the stormwater ordinance and not in parking. The City Engineer should have a map of the drainage basin and the calculation for the flow for a 100 year flood. These issues are design problems and should be addressed as design problems.

City Planner Chris Munz-Pritchard explained that mitigation has been on the radar for the City of Whitewater. The impervious surface requirement refers to the stormwater ordinance. The City Planner and the Building Inspector both look at plans when they come in. If they think the proposal needs more review, they send the plans to the engineer. A stormwater study would target areas that are in need of more stormwater control. Solutions could require anything from rain barrels to storm water detention areas.

There was a discussion on how to ensure maintenance of parking lots? The resource allotment for the Neighborhood Service Officer is a huge component for consistency of code enforcement for all kinds of violations. If there is inconsistency it is due to a lack of resources.

When asked about developing stormwater mitigation requirements, Witzling stated that the DNR standard is 40% impervious surface. The City can have a higher number. Tanya Fonseca (Graef) stated that the GIS analysis showed that 40% is sufficient across the board for all properties. A mitigation point system should be established for properties with over 40%. The City would want to do a stormwater study.

There was concern about marking and numbering stalls in parking lots. Witzling stated that if there is a complaint to the Police Department, the Community Service Officer could come by and easily enforce, for example: 17 stalls – 17 cars.

Council Member Winship suggested that maybe the striping issue should be studied further. The gravel creep is immediately understandable. It would be difficult to have spaces striped for a house that may have 4 or 5 occupants.

Council President Singer opened the meeting to the public for comment.

Attorney Mitch Simon voiced his concern in the language of change of ownership, code compliance, and inspection. 1) A duplex with 5 parking stalls per unit or number of licensed drivers, if striping is required, it would look terrible. One size does not fit all. 2) Impervious surface and what to do with the water. There is a conflict with the lot coverage especially in

certain areas designated for increased density. He suggested a regional stormwater detention to treat the water where it is easier to treat and not use up half a lot with a detention area. Focus on contributions to a more regional stormwater basin solution – fee in lieu of on-site detention. City lots need area for building and parking. It does not make sense to burn up 60% of a lot in higher density areas. Simon stated in the transfer to Lavelle, a company in the Business Park, there was a regional stormwater facility, so they did not need to use up the lot. It was a pre-engineered solution with an agreed upon fee. In some cases it is appropriate to figure a contribution.

City Council Member Kidd suggested the point system to help figure out the amount of the payment in lieu of having on-site detention.

When talking about the table of occupancy and District, Witzling stated that the number of spaces is the threshold, striped and numbered spaces gives the NSO a quick determination if the cars parked there are legitimate or not.

City Planner Chris Munz-Pritchard stated that when a proposal comes to Plan Commission for a conditional use permit and they have a gravel parking area, the Plan Commission asks for it to be asphalt or concrete.

City Council Member Stephanie Abbott voiced her concerns about using occupancy or the number of bedrooms provided to determine the amount of parking to be provided. The number of stalls per the number of bedrooms does not work in all areas. For example, in one of the buildings she works with up to 5 unrelated people are allowed per unit which would make a 120 person occupancy. The building has 82 bedrooms.

City Attorney McDonell stated that the maximum occupancy does not apply to family occupied homes which have a State Code limitation.

Mitch Simon explained that joined or shared parking areas can create a larger parking lot area not all on one property, a multi-property parking area. Simon explained that when the Zoning Rewrite was adopted, a section of the code that served a purpose in reference to this type of parking was dropped out of the code.

City Attorney McDonell explained that section of the code was not meant to be removed. When the code was codified, the section was inadvertently left out. That section has been clarified in the checklist and would be put back in.

Witzling stated that they tried to make sure properties have parking. Businesses don't work because the occupancy rate for parking lots is low. There is never 100 % occupancy. They can keep the minimums in and take the maximums out because that is what the City wants, but the City might want to think about minimums and maximums down the road.

Plan Commission Member Parker suggested that the maximums be left in the ordinance. He also stated that restrictions have been made on proposals due to drainage issues.

Council Members voiced concerns of: maximum parking could be 100 %, and could be 2 blocks away, but the minimum has to be a reasonable number; the maximum amount of space would be the existing surface area; other municipalities have had stormwater problems, this is a way to minimize impervious surface; can make the maximum and still have the conditional use to take care of the issues that are brought up; have the maximum number be for some other standard than stormwater mitigation; need to provide for flexibility and creativity for developers to provide for standards in a sensible way.

The next step is to make changes to the document. The Plan Commission and Council requested to have the documents at least a week prior to the meetings. The Plan Commission and the City Council will have their separate meetings for the final documents.

It was moved and seconded to adjourn the Plan Commission portion of the meeting. Motion approved by unanimous voice vote. The Plan Commission portion of the meeting adjourned at approximately 8:00 p.m.

Chairperson Greg Meyer

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
Special Meeting
December 30, 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 5:15 p.m.

Present: Greg Meyer, Lynn Binnie, Kristine Zaballos, Bruce Parker, Daniel Comfort. Absent: Tom Hinspater, Sherry Stanek. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Election of Plan Commission Representative to the Urban Forestry Commission. City Planner Chris Munz-Pritchard explained that Sherry Stanek had volunteered to fill the open position as the Plan Commission Representative to the Urban Forestry Commission. Sherry was unable to be at this meeting. Plan Commission members wanted Sherry Stanek to fill in as the representative until the Spring Plan Commission elections, usually in May, when all the positions are filled for the year. Moved by Binnie and seconded by Zaballos to approve Sherry Stanek as the Plan Commission Representative to the Urban Forestry Commission. Aye: Binnie, Zaballos, Parker, Comfort, Meyer. No: None. Motion approved.

Hearing of Citizen Comments. There were no comments.

Public hearing for 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.) City Planner Chris Munz-Pritchard explained that this is a new ownership of the restaurant. They are not sure what the name of the restaurant will be, but it is owned by JLB of Whitewater LLC. The new owner needs a conditional use permit in order to sell beer and liquor by the drink. The reason for the special meeting is because they wanted to finalize everything by the end of the year. Their application has already been approved by the Alcohol Licensing Committee and City Council, contingent upon the conditional use permit.

Plan Commission Member Parker asked if the outdoor patio was included with this proposal.

Randolph Cruse, previous owner of the business, stated that the outdoor patio was included in the description for the premises.

When asked about any changes in the hours to serve alcohol, James Burns explained that in order to be able to have a sign on the State Highway 12 bypass, the restaurant would have to be open at least from 10:00 a.m. until 7:00 p.m.

Chairperson Meyer opened for public comment. There was none. Chairperson Meyer closed the public comment.

Moved by Binnie and seconded by Parker to approve the conditional use permit (tavern and other places serving 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). Ayes: Binnie, Parker, Comfort, Zaballos, Meyer. No: None. Motion approved.

Moved by Zaballos and seconded by Parker to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 5:30 p.m.

Chairperson Greg Meyer



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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 9th day of February 2015 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit (tavern and other places selling alcohol by the drink) for Ramon Rocha, Sr., (Agent), to serve beer and liquor by the bottle or glass at 292 S. Wisconsin Street, the American Legion Post 173 (for a "Class B" Beer and Liquor 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	Address2	City	State	Zip
/A 67100002	PETER A SPANGLER	CHRISTINE M SPANGLER	618 MONROE ST		FORT ATKINSON	WI	53538-0000
/A 70900001	FORT COMMUNITY CREDIT UNION		800 MADISON AVE	PO BOX 160	FT ATKINSON	WI	53538-0000
/A 70900002	ROBERT F GABBEY		N421 MARIPOSA LANE		WISCONSIN DELLS	WI	53965-0000
/A 70900002A	WWBC LLC		N7771 RIDGE RD		WHITEWATER	WI	53190-0000
/TRA 00042A	RYAN RICHARD TEVIS		246 S WISCONSIN ST		WHITEWATER	WI	53190-0000
/TRA 00043	SHERI BRONSTAD		254 S WISCONSIN ST		WHITEWATER	WI	53190-0000
/TRA 00044	JOHN C KIENBAUM SR	JANICE K KIENBAUM	N7351 STATE RD 89		WHITEWATER	WI	53190-0000
/TRP 00035	WWBC LLC		N7771 RIDGE RD		WHITEWATER	WI	53190-0000
/TRP 00037A	WWBC LLC		N7771 RIDGE RD		WHITEWATER	WI	53190-0000
/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	DANIEL J NAVARRE	GLORIA J NAVARRE	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	UT 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	UT 10	WHITEWATER	WI	53190-0000
/WE 00011	ALLEN E GUNTHER	LUCRETIA M GUNTHER	351 WISCONSIN	UT 11	WHITEWATER	WI	53190-0000
/WE 00012	LYLE W HUNTER TRUST	DAWN M HUNTER TRUST	351 S WISCONSIN ST	UT 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	UT 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	CHARLES MAST	LOIS MAST	327 E CLAY ST, UT 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	420 FOX HAVEN DR	UT 3201	NAPLES	FL	34104-0000
/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	UT 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	UT 28	WHITEWATER	WI	53190-0000
/WE1 00013	ALAN D TOTAH	DEBBIE A TOTAH	4111 PINE CREST TR		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	UT 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 UT 34		WHITEWATER	WI	53190-0000
/WE1 00019	JOHN E BEERMAN IV	KATHLEEN B BEERMAN	215 E CLAY ST	UT 35	WHITEWATER	WI	53190-0000
/WE1 00020	TIMOTHY L BIRKENSTOCK TRUST	CRYSTAL L BIRKENSTOCK TRUST	1850 S OCEAN DR APT 2005		HALLANDALE	FL	33009-7681
/WE1 00021	SANDRA K KOSZYCZAREK		215 E CLAY ST	UT 37	WHITEWATER	WI	53190-0000
/WE1 00022	BENEDICT J WILLMING III		912 COLLEGE VIEW DR		GREENVILLE	NC	27858-0000
/WE1 00023	JASON R PARPART		W7354 HWY 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	UT 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	UT 44	WHITEWATER	WI	53190-0000
/WE1 00029	LES HYNUM	MARY C HYNUM	215 E CLAY ST	UT 45	WHITEWATER	WI	53190-0000
/WE1 00030	CHAD A KOPECKY		215 E CLAY ST	UT 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	UT 48	WHITEWATER	WI	53190-0000
/WUP 00261	CITY OF WHITEWATER		312 W WHITEWATER ST		WHITEWATER	WI	53190-0000
/GRE 00001	NELS R WIBERG	GRETA M WIBERG	W8131 BAY VIEW DR		WHITEWATER	WI	53190-0000
/GRE 00002	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/GRE 00003	THOMAS E OWENS		212A CLAY ST #3		WHITEWATER	WI	53190-0000
/GRE 00004	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/GRE 00005	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/GRE 00006	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/GRE 00007	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/GRE 00008	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/GRE 00009	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/GRE 00010	RICHARD D VULTAGGIO		PO BOX 29		WHITEWATER	WI	53190-0000
/WUP 00259	HILLSIDE CEMETERY		1691 MOUND VIEW PLACE		WHITEWATER	WI	53190-0000
/WUP 00271A	CITY OF WHITEWATER						
/TRA 00046	WILLIAM GRAHAM POST #173	OF THE AMERICAN LEGION	292 S WISCONSIN ST		WHITEWATER	WI	53190-0000
/TRA 00045	JAMES H KIENBAUM		W9244 W TOWNLINE ROAD		WHITEWATER	WI	53190-0000
	RAMON ROCHA, SR		922 E MAIN ST		WHITEWATER	WI	53190-0000



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: 292 S. Wisconsin St, Whitewater
Owner's Name: American Legion Post 173
Applicant's Name: Ramon Rocha, Sr.
Mailing Address: 922 E. Main St, Whitewater, WI 53190
Phone #: 262-527-6931 Email: sdtr62@yahoo.com
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: Restaurant, Banquet Hall
Zoning District: B-3
Proposed Use: Restaurant, Banquet Hall

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.	Existing use changing ownership of License NO new created
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Existing use Already 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.	Existing use yes
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	Existing use yes

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

Applicant's Signature: 

Date: 1-12-15

Printed: Ramon Rocha, Sr.

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 1-12-15. Received by: J. Wegner Receipt #: 6,011615
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 1-29-15.
- 3) Notices of the Public Hearing mailed to property owners on 1-26-15.
- 4) Plan Commission holds the PUBLIC HEARING on 2-9-15. 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: Ramon Rocha, Sr.

Applicant's Mailing Address: 922 E. Main St.
Whitewater, WI 53190

Applicant's Phone Number: 262-527-6931

Applicant's Email Address: sdr62@yahoo.com

Project Information:

Name/Description of Development: American Legion Post. 173

Address of Development Site: 292 S. Wisconsin St. Whitewater

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 -----

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

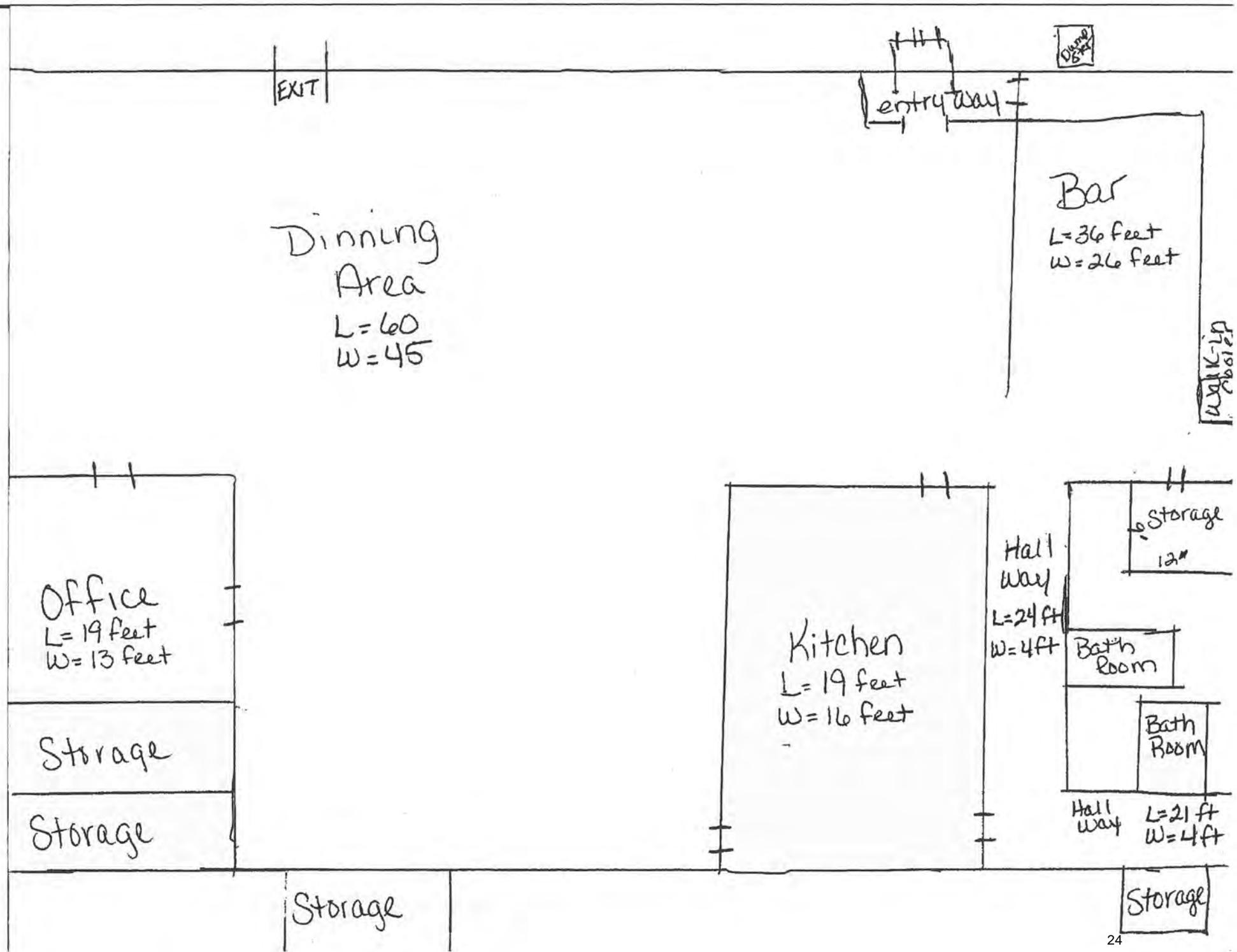
Signature of Property Owner (if different)

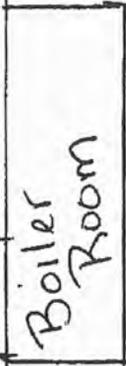
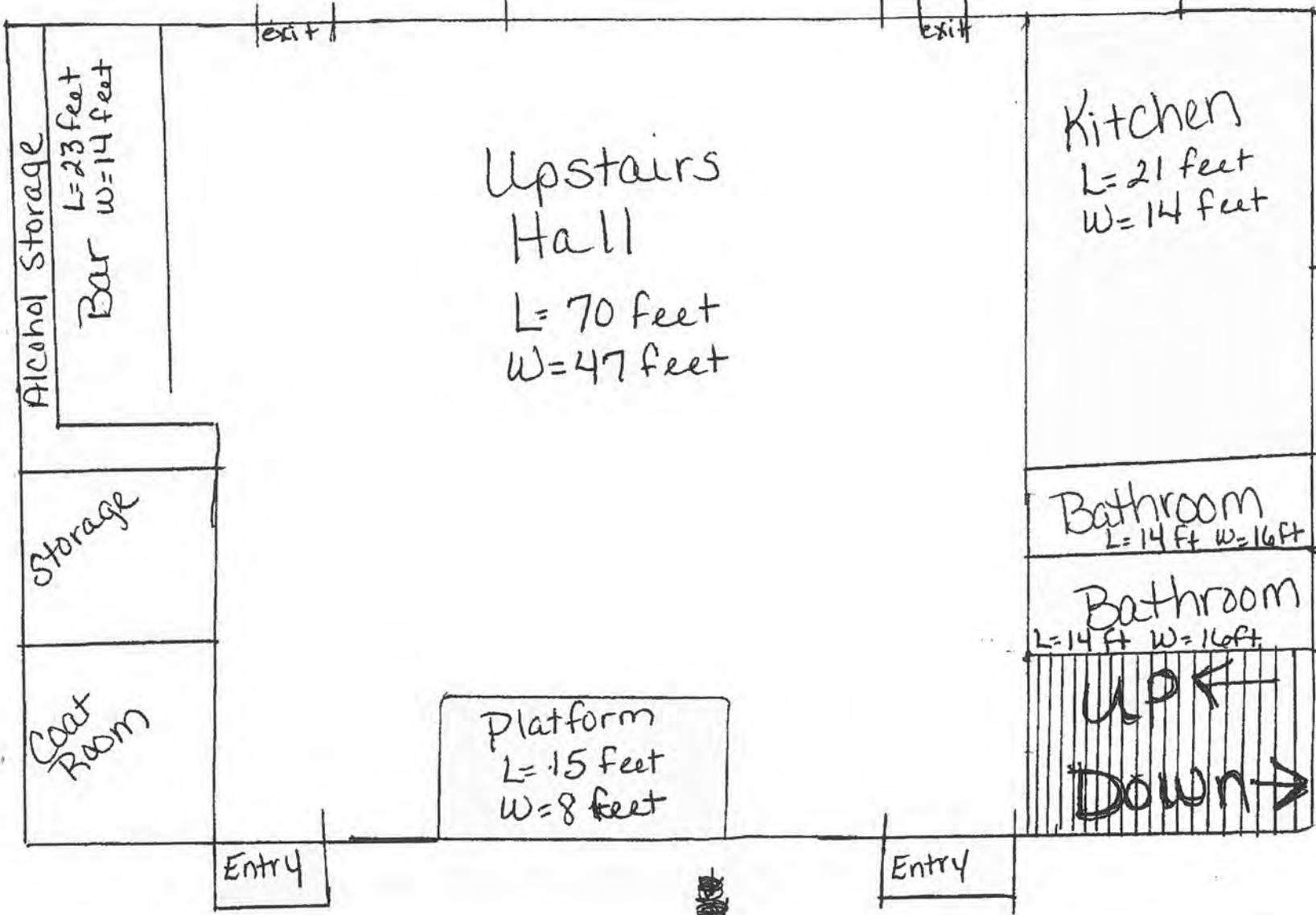
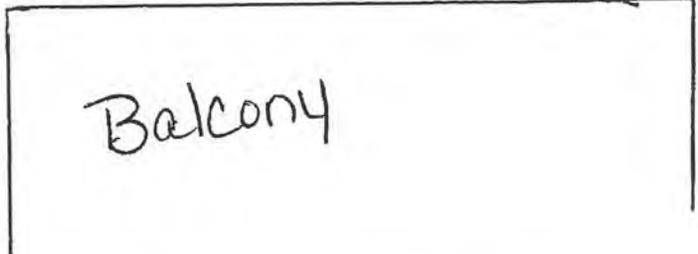
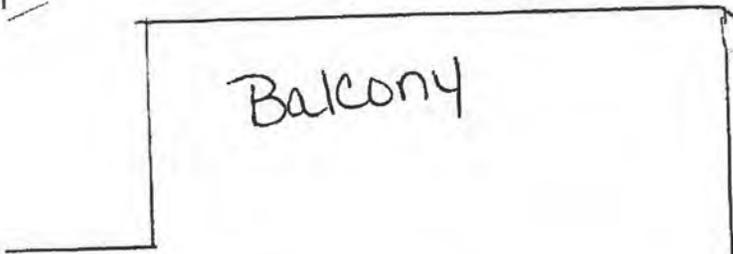
Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature





1. Statement of use, including type of business with number of employees by shift.

I will use the upstairs banquet hall for weddings, Dances, birthday parties, etc. The downstairs bar will be used on Thursday and Friday nights from 4pm – close. I will serve food and drinks. Banquet Hall when is use will be open Saturday 10:00am – close and downstairs Sundays 8am – 9pm.

The truck traffic is in the lower level and deliveries will be when not open to the public.

Employees will vary from 4-8 employees.

2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.

3. All buildings and structures:

Aerial view included.

4. Lighting plan:

No

5. Elevation drawings:

No

6. Off-street parking:

40 stalls in lower level

65 stalls on upper level

7. Access:

No

8. Loading:

Truck traffic is in lower level when not open.

9. Landscaping:

No

10. Floor plans:

Floor plan is attached.

11. Signage:

In process replacing same size currently in use

12. Grading / drainage plan of the proposed site.

No

13. Waste disposal facilities:

No

14. Outdoor storage, where permitted in the district:

No

What were the hours of Wand's Waterfront of Whitewater?

Thursday's 3pm – 2am in the lower level bar – entrance and parking in back

Friday's 3pm – 2am in the lower level bar – entrance and parking in back

Saturday's 12pm – 1am in the upper banquet hall

What are the hours of Wanda's Waterfront going to be?

Thursday's 5pm – 2am in the lower level bar – entrance and parking in back

Friday's 4pm – 2am in the lower level bar – entrance and parking in back

Saturday's: Upper Banquet Hall 12pm – 1am

Lower Hall 12pm – 9:00pm

The sign:

The sign I will have will just replace the part where it has "Wanda's Waterfront" to "Rocha's Waterfront". I have no picture at this time.

The length of the sign is 5 feet and the width is 16 inches.