



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW  
COMMISSION

Agenda

June 8, 2015

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

1.	Call to order and Roll Call.
2.	Hold Election of Chairperson, Vice-Chairperson, Plan Commission Representative to the Community Development Authority, Plan Commission Representative to the Urban Forestry Committee, and Plan Commission Representative to the Technology Park Architectural Review Committee.
3.	<b>Hearing of Citizen Comments.</b> 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.	Review and approve the Plan Commission minutes of May 11, 2015.
5.	Hold a public hearing for consideration of a Conditional Use Permit (tavern and other places selling alcohol by the drink) for Taco Fresco Garret Witterholt, LLC., Amador Cortez, (Agent), to serve wine by the bottle or glass at 175 W. Main Street (for a Class "C" Wine License).
6.	Hold a public hearing for consideration of a Conditional Use Permit to allow for a seasonal outdoor café and drive thru at 1170 W. Main Street for Clara Rocha/Karina's Mexican Restaurant.
7.	Hold a public hearing for consideration of an amendment to the existing Conditional Use Permit to allow for the sale of alcoholic beverages by the glass (tavern and other places selling alcohol by the drink) to expand into the seasonal outdoor café area at 1170 W. Main Street for Clara Rocha/Karina's Mexican Restaurant (a Class "B" Beer and Liquor License).
8.	Hold a public hearing for consideration of a change in the District Zoning Map to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater for the property located at 604 W. High Street (tax parcel # /CL 00039) for Joa Cain, Francis Cain and Janeen Cain.
9.	Hold a public hearing for consideration of a Conditional Use Permit in an R-2A Residential Overlay Zoning District, to allow for 4 unrelated persons to live in the house located at 604 W. High Street for Joa Cain, Francis Cain and Janeen Cain.
10.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – July 13, 2015
11.	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](mailto:jwegner@whitewater-wi.gov).

The City of Whitewater website is: [whitewater-wi.gov](http://whitewater-wi.gov)

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
May 11, 2015

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL  
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

**Call to order and roll call.**

Chairperson Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:30 p.m.

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

**Hearing of Citizen Comments.** There were no comments.

**Approval of the Plan Commission Minutes.** Moved by Stanek and seconded by Binnie to approve the Plan Commission minutes of April 13, 2015. Aye: Stanek, Binnie, Parker, Tanis, Hinspater, Meyer. Motion approved.

**Review Certified Survey Map to combine 3 lots at 1014 W. Main Street.** City Planner Chris Munz-Pritchard explained that this certified survey map is to combine the 3 lots into 1 lot for the approved 9 townhouses development.

Moved by Binnie and seconded by Tanis to approve the certified survey map for 1014 W. Main Street. Aye: Binnie, Tanis, Stanek, Parker, Hinspater, Meyer. No: None. Motion approved.

**Public hearing for a change in the District Zoning Map to enact an ordinance to impose the B-1 (Community Business District) Zoning classification under Chapter 19.27 of the Zoning Ordinance of the City of Whitewater for a portion of the property located at 896 S. Janesville Street (tax parcel # /WUP 00316E) for Progressing Properties LLC. (Michael Sina).** Chairperson Meyer opened the public hearing and public comment.

City Planner Chris Munz-Pritchard explained that a portion of the property belonging to 896 S. Janesville Street needed to be rezoned from AT (Agricultural Transition) to B-1 (Community Business) Zoning District. The lot was spliced off during construction of the bypass. They are just correcting the zoning of the parcel. The future land use for this area is designated as B-1.

There was no public comment. Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Tanis to recommend to the City Council to impose the B-1 (Community Business) Zoning classification on the portion of the property located at 896 S. Janesville Street (tax parcel # /WUP 00316E). Aye: Binnie, Tanis, Stanek, Parker, Hinspater, Meyer. No: None. Motion approved.

**Public hearing for a conditional use permit in a B-1 Zoning District, to allow for a trucking shop for truck repair at 896 S. Janesville Street for Luis Islas Martinez.**

Chairperson Meyer opened the public hearing and for public comment.

City Planner Chris Munz-Pritchard explained that Luis Martinez plans to have a trucking shop for truck repair. She recommended that he establish reasonable hours; the apron be hard surfaced 6 feet into the property; install landscaping to distinguish between parking area and yard; there are current violations on the property that are needed to be fixed; if building in the future, a certified survey map will be required to combine the two lots.

Luis Martinez stated that he plans to plant grass, fix windows and doors, paint the building, and possibly install smart siding or metal on the front of the building, whatever the City wants. He also plans to fix all electrical. He owns two company trucks and does general maintenance on them. If there is a major issue, he takes them somewhere else to have them fixed.

There was no public comment. Chairperson Meyer closed the public hearing.

Plan Commission members commented that there is a pile of dirt on the property and crates of pickup truck cabs that will need to be moved because they are in the way; will the gravel be replaced with hard surface?; when doing the six foot apron area, why not continue up to the front of the building?; suggested the certified survey map to combine the lots be done sooner than later; work with the City Planner for maximum hours; and connection to City sewer and water.

Luis Martinez asked if the City would be able to help with the costs of the connection to city water and sanitary sewer. Eventually, he plan to hard surface the gravel area, but not at this time. When asked, Luis Martinez stated that he would work with the Planner to determine maximum hours for his business. They will be working mostly during regular business hours.

City Planner Chris Munz-Pritchard stated that sewer and water lines run along the front of the property. Plan Commission Member Parker stated that when the Janesville Street was redone, laterals should have been stubbed into the lot.

Moved by Tanis and seconded by Stanek to approve the conditional use permit for Luis Martinez to have a trucking shop at 896 S. Janesville Street subject to the City Planner's recommendations and approval of business hours. (See attached Conditional Use Permit.) Aye: Tanis, Stanek, Parker, Hinspater, Binnie, Meyer. No: None. Motion approved.

**Discussion of Fencing.** City Planner Chris Munz-Pritchard explained that there are a couple of instances where there is a gray area in the fencing ordinance. She recommended that the City request permits for fencing in the cases when there are potential issues between neighbors. She would just charge the base permit fee.

City Attorney McDonell stated that if the permit is voluntary, the City could charge the property owner the base fee at the Planner's recommendation.

Plan Commission members voiced concerns of: asking for permits for all fences, it would be cleaner that way; would a lot line survey be required?

Chris Munz-Pritchard stated that she would recommend getting a lot line survey.

**Information Items:**

- a. Possible future agenda items. Chairperson Meyer stated that elections will be held at the May Plan Commission meeting. (They include Chairperson, Vice Chairperson, Plan Commission Representative to the Community Development Authority, Plan Commission Representative to the Urban Forestry Commission, and Plan Commission Representative to the Technology Park Architectural Review Committee.)

When asked about the status of the Parking Ordinance, City Planner Munz-Pritchard stated that she is still waiting on some input for the Parking Ordinance.

- b. Next regular Plan Commission Meeting – June 8, 2015.

Moved by Tanis and seconded by Parker to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 7:10 p.m.

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Chairperson Greg Meyer

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard City Planner

Date: June 8<sup>th</sup> 2015

Re: **Item #5** Proposed Amendment to current Conditional Use Permit for a “Class B” to include wine by the Bottle or Glass and included the outdoor café area, at 175 W Main Street for Taco Fresco Garret Witterholt, LLC.

Summary of Request		
<b>Requested Approvals:</b>	Conditional Use Permit to add the wine by the glass to the existing Class B in addition to adding the outdoor café area.	
<b>Location:</b>	175 W Main Street	
<b>Current Land Use:</b>	Restaurant	
<b>Proposed Land Use:</b>	Same	
<b>Current Zoning:</b>	B-2 Central Business	
<b>Proposed Zoning:</b>	No change.	
<b>Comprehensive Plan’s Future Land Use:</b>	Central Business	
<b>Surrounding Zoning and Current Land Uses:</b>		
	<b>North:</b>	
	<i>B-2</i> Rosa’s Pizza	
<b>West:</b>	Subject Property	<b>East:</b>
<i>B-2</i> Aranda Retail		<i>B-2</i> Bergey
	<b>South:</b>	
	<i>B-2</i> Central Business	

**Description of the Proposal:**

This proposal is to amend the current Conditional Use Permit to serve beer (a Class “B” Beer) to include serving wine (for a Class “C” Wine License) by the Bottle or Glass in addition to expanding the licenced area into the sidewalk café area, at 175 W Main Street for Taco Fresco Garret Witterholt, LLC

The site has been a restaurant. No changes are proposed to the existing site plan, traffic flow, exterior lighting, or building exterior. No information about hours of operation or maximum capacity have been provided by the applicant.

The restaurant is located on the first floor of 175 W Main Street. The buildings in the vicinity are a mix of ground floor businesses and primarily upper-story office or residential uses.

**PLANNER’S RECOMMENDATIONS:**

I recommend the Plan and Architectural Review Commission grant *conditional approval* for the requested amendment to the Conditional Use Permit to serve wine (for a Class “C” Wine License at 175 W Main Street, subject to findings on the following page, and subject to the following conditions of approval:

1. No modifications may be made to the site. The applicant shall submit a statement affirming that no changes will be made to the existing site plan, traffic flow, exterior lighting, or building exterior. This statement must be signed by both the applicant and the property owner.
2. If there are any changes planned for the existing site plan, traffic flow, exterior lighting, or building exterior, the applicant will need to provide a Site Plan showing all current and proposed structures, all current and proposed impervious surfaces, and all property lines.
  - a. The Site Plan shall be subject to approval by the City Building Inspector, City Engineer, and City Planner;
  - b. All development shall be consistent with the approved Site Plan, and shall be completed, inspected and approved by appropriate City Staff.
3. The sidewalk café must meet the standards of 5.19.070 – Alcohol licensing and service of alcohol beverages (Sidewalk Café Permit)
4. Any other conditions identified by the Plan Commission.

**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050). See the following page for suggested findings:

**Analysis of Proposed Conditional Use Permit for: 175 W. Main Street**

*Conditional Use Permit Review Standards per Section 19.66.050:*

STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	Continuation of existing use.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	All regulations are complied with.
3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance.	Yes	All regulations are complied with.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The Comprehensive Plan recommends the site for downtown mixed use development.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use requirements of the B-2 District and the Comprehensive Plan.



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

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

NOTICE OF PUBLIC HEARING

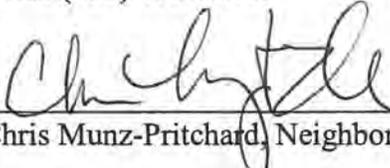
TO ALL INTERESTED PARTIES:

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 8th day of June 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 Taco Fresco Garret Witterholt, LLC., Amador Cortez, (Agent), to serve wine by the bottle or glass at 175 W. Main Street (for a Class "C" Wine 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 4:30 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.

 5/22/15  
Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/OT 00007	WOKES LLC		146 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00008	JOSE J BARAJAS	JUANA BARAJAS	409 BUCKINGHAM BLVD	WHITEWATER	WI	53190-0000
/OT 00009	MARY E KETTERHAGEN	KETTERHAGEN TRUST	1631 PEARSON CT	WHITEWATER	WI	53190-0000
/OT 00010	KETTERHAGEN TRUST		1631 PEARSON CT	WHITEWATER	WI	53190-0000
/OT 00013	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00013A	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/OT 00014	FIRST & MAIN OF WHITEWATER LLC		599 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/OT 00017	HICKS SURVIVORS TRUST		N7934 HWY 89	WHITEWATER	WI	53190-0000
/OT 00018	KJN DEVELOPMENT LLC		W316S2920 ROBERTS RD	WAUKESHA	WI	53188-0000
/OT 00019	<del>KJN DEVELOPMENT LLC</del>		W316S2920 ROBERTS RD	WAUKESHA	WI	53188-0000
/OT 00020	TERRENCE L STRITZEL		W5524 TRI COUNTY RD.	WHITEWATER	WI	53190-0000
/OT 00021	DAVID E SAALSAA		184 W MAIN ST #3	WHITEWATER	WI	53190-0000
/OT 00022	RODERICK O DALEE	MARY M DALEE	PO BOX 660	WHITEWATER	WI	53190-0000
/OT 00023	<del>CITY OF WHITEWATER</del>		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00024	<del>CITY OF WHITEWATER</del>		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00026	ROBERT A SWEET		N7598 LARRY'S RD	WHITEWATER	WI	53190-0000
/OT 00027	LIVING WORD FELLOWSHIP OF WHITEWATER INC		212 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00053	FIRST CITIZENS STATE BANK		207 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00053A	<del>FIRST CITIZENS STATE BANK</del>		207 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00054	<del>FIRST CITIZENS STATE BANK</del>		207 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00055A	<del>FIRST CITIZENS STATE BANK BUILDING CORPORATION</del>		PO	WHITEWATER	WI	53190-0000
/OT 00060	<del>FIRST CITIZENS STATE BANK</del>		207 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00061	<del>FIRST CITIZENS STATE BANK</del>		PO BOX 177	WHITEWATER	WI	53190-0000
/OT 00062	DONALD E LIGGETT TRUST		PO BOX 223061	PRINCEVILLE	HI	96722-0000
/OT 00065	TRIPLE J PROPERTIES LLC		W335 S2539 MORRIS RD	DOUSMAN	WI	53118-0000
/OT 00067	DIANE L TRAMPE		138 CENTER ST	WHITEWATER	WI	53190-0000
/OT 00068	FIRE STATION 1 LLC		138 W CENTER ST	WHITEWATER	WI	53190-0000
/OT 00069	CHERYL A BRESNAHAN	MICHAEL J BRESNAHAN JR	117 S SECOND ST	WHITEWATER	WI	53190-0000
/OT 00070	BLGL LLC		1691 MOUND VIEW PL	WHITEWATER	WI	53190-0000
/OT 00071	<del>TRIPLE J PROPERTIES LLC</del>		W335 S2539 MORRIS RD	DOUSMAN	WI	53118-0000
/OT 00072	JORGE ISLAS MARTINEZ		565 S FRANKLIN ST	WHITEWATER	WI	53190-0000
/OT 00073	<del>KJN DEVELOPMENT LLC</del>		W316 W2920 ROBERTS RD	WAUKESHA	WI	53188-0000
/OT 00074	MARK O BERGEY	JEAN BERGEY	173 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00075	DLK ENTERPRISES INC		PO BOX 239	WHITEWATER	WI	53190-0000
/OT 00077	<del>TRIPLE J PROPERTIES LLC</del>		W335 S2539 MORRIS RD	DOUSMAN	WI	53118-0000
/OT 00078	RUSSELL R WALTON	KIM A WALTON	1005 W MAIN ST STE C	WHITEWATER	WI	53190-0000
/OT 00079	LAKEVIEW CENTER LLC		147 W MAIN ST	WHITEWATER	WI	53190-0000
/OT 00080	AUREL BEZAT	DANIELA BEZAT	149 W MAIN ST	WHITEWATER	WI	53190-1903
/OT 00081	<del>TRIPLE J PROPERTIES LLC</del>		543 A J ALLEN CIR	WALES	WI	53183-0000
/OT 00082	<del>TRIPLE J PROPERTIES LLC</del>		543 A J ALLEN CIR	WALES	WI	53183-0000
/OT 00083	<del>TRIPLE J PROPERTIES LLC</del>		543 AJ ALLEN CIR	WALES	WI	53183-0000
/OT 00084	BULLDOG INVESTMENTS LLC		109 S FIRST ST	WHITEWATER	WI	53190-0000
/OT 00126	HANTROPP PROPERTIES LLC	C/O STEFFEN & ROBYN HANTROPP	158 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00127	<del>HANTROPP PROPERTIES LLC</del>	C/O STEFFEN & ROBYN HANTROPP	158 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00129	DENNIS M KNOPP		323 S JANESVILLE ST	WHITEWATER	WI	53190-0000

/OT 00131	RODRIGUEZ PROPERTIES II LLC		N9707 N MCCORD RD	WHITEWATER	WI	53190-0000
/OT 00132	RODRIGUEZ PROPERTIES II LLC		N9707 N MCCORD RD	WHITEWATER	WI	53190-0000
/OT 00133	RODRIGUEZ PROPERTIES II LLC		N9707 N MCCORD RD	WHITEWATER	WI	53190-0000
/OT 00134	WAYNE A QUASS	MAUREEN C QUASS	972 W PECK ST	WHITEWATER	WI	53190-0000
/OT 00135	WILLIAM V OSBORNE II	REBECCA P ANDERSON	12648 GLACIAL CREST DR	WHITEWATER	WI	53190-0000
/OT 00136	EDWARD W HAMILTON	ROXANNE A HAMILTON	PO BOX 736	WHITEWATER	WI	53190-0000
/OT 00137	EDWARD W HAMILTON	ROXANNE HAMILTON	PO BOX 736	WHITEWATER	WI	53190-0000
/OT 00138	TRIPLE J PROPERTIES LLC		W335 S2539 MORRIS RD	DOUSMAN	WI	53118-0000
/OT 00139	TRIPLE J PROPERTIES LLC		W335 S2539 MORRIS RD	DOUSMAN	WI	53118-0000
/OT 00140	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00141	WISCONSIN DAIRY SUPPLY CO TAX COMMISSIONER C.M.ST.P. & P. RR CO.		PO BOX 239	WHITEWATER	WI	53190-0000
/OT 00141A	CITY OF WHITEWATER		312 W WHITEWATER ST	WHITEWATER	WI	53190-0000
/OT 00142	WISCONSIN DAIRY SUPPLY CO TAX COMMISSIONER C.M.ST.P. & P. RR CO.		PO BOX 239	WHITEWATER	WI	53190-0000
/OT 00170	US OF AMERICA					
/OT 00171	KELLY LAW BUILDING LLC		205 W CENTER ST	WHITEWATER	WI	53190-0000
/OT 00172	ROBERT R ARDELT		203 W CENTER ST	WHITEWATER	WI	53190-0000
/OT 00173	RODRIGUEZ PROPERTIES II LLC		N9707 N MCCORD RD	WHITEWATER	WI	53190-0000
/OT 00173B	RODRIGUEZ PROPERTIES II LLC		N9707 N MCCORD RD	WHITEWATER	WI	53190-0000
	GARRET WITTERHOLT		180A W MAIN ST	WHITEWATER	WI	53190-0000



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 175 W Main st

Owner's Name: Garret Witterholt

Applicant's Name: Garret Witterholt

Mailing Address: 180 A W Main st whitewater WI

Phone #: 608-728-0202 Email: ✓

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

Taco Fresco block B-2

### Existing and Proposed Uses:

Current Use of Property: Restaurant

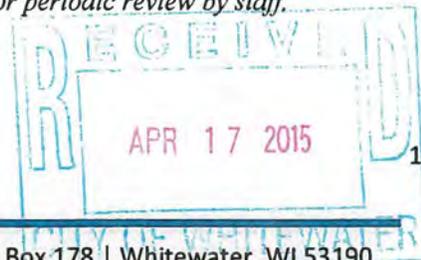
Zoning District: B-2 Central Business

Proposed Use: No change

**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.*



Municipal Services Building | 312 W. Whitewater Street | P.O. Box 178 | Whitewater, WI 53190

## 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.	Yes
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes
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.	Yes
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: 

Date: 4/16/15

Printed: Garret Witterholt

**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 5-28-15.
- 3) Notices of the Public Hearing mailed to property owners on 5-26-15.
- 4) Plan Commission holds the PUBLIC HEARING on 6-8-15. 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:**

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\_\_\_\_\_  
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.

7

<b>Type of Development Review Being Requested</b>	<b>Planning Consultant Review Cost Range</b>
<b>Minor Site/Building Plan</b> (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
<b>Major Site/Building Plan</b> (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
<b>Conditional Use Permit with no Site Plan Review</b> (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
<b>Rezoning</b>	
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
<b>Land Division</b>	
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
<b>Annexation</b>	\$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: Garret Witterholt

Applicant's Mailing Address: 180 A W Main St  
Whitewater WI 53190

Applicant's Phone Number: 608-728-0202

Applicant's Email Address: —

Project Information:

Name/Description of Development: Taco Fresco

Address of Development Site: 175 W Main St

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

**M E M O R A N D U M**

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard City Planner

Date: June 8<sup>th</sup> 2015

Re: **Item # 6** Proposed Conditional Use Permit (CUP) to allow for a seasonal outdoor café and drive thru at 1170 W Main Street for Karina’s Mexican Restaurant (Clara Rocha). (19.27.030)

<b>Summary of Request</b>	
<b>Requested Approvals:</b>	Conditional Use Permit allows for a seasonal outdoor café during the summer months and drive thru during the winter months.
<b>Location:</b>	1170 W Main Street
<b>Current Land Use:</b>	Drive thru
<b>Proposed Land Use:</b>	Seasonal: outdoor café (summer) & drive thru (winter)
<b>Current Zoning:</b>	B-1
<b>Proposed Zoning:</b>	No change.
<b>Comprehensive Plan’s Future Land Use:</b>	Community Business

**Description of the Proposal:**

This proposal involves converting the drive through area to a seasonal outdoor café during the summer/warm months. The area would then be converted back to a drive thru area during the winter/cold months (19.27.030). This maximizes the space to the full potential.

**PLANNER’S RECOMMENDATIONS:**

If the above proposal is acceptable to the Plan and Architectural Review Commission, I recommend the Commission grant *conditional approval* for the requested Conditional Use Permit to allow Seasonal outdoor café (summer) and drive thru (winter), subject to the following conditions of approval:

1. Seasonal outdoor café (summer)
  - a. The outdoor cafe shall be required to have wheel stops or heavy planters to block the cars path of travel. Railing, cable or markers need to be added around the outdoor area to clearly delineate the area.
  - b. The outdoor café shall be ADA compliant.

- c. Any other conditions identified in 5.18.060
- 2. The business shall post a notice no less than 14 days prior alerting the patrons to the conversion of the area.
- 3. Any other conditions identified by the Plan Commission.

**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.27.030). See the following page for suggested findings:

<b>Proposed Conditional Use Permit for: 1170 W Main Street for Karina’s Mexican Restaurant</b>		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	The site is already established.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	The site is already established. Some landscaping during warm months will be required.
3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance.	Yes	The site is already established.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The Comprehensive Plan recommends the site as the current use.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The site is already established.



#6



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

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

NOTICE OF PUBLIC HEARING

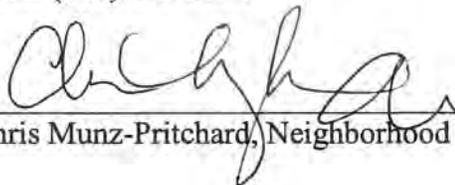
TO ALL INTERESTED PARTIES:

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 8th day of June 2015 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit to allow for a seasonal outdoor café and drive thru at 1170 W. Main Street for Clara Rocha/Karina's Mexican Restaurant.

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 4:30 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

 5/22/15  
Chris Munz-Pritchard, Neighborhood Services Director/City Planner



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

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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 8th day of June 2015 at 6:30 p.m. to hold a public hearing for an amendment to the Conditional Use Permit to allow for the sale of alcoholic beverages by the glass (tavern and other places selling alcohol by the drink) to expand into the seasonal outdoor café area at 1170 W. Main Street for Clara Rocha/Karina’s Mexican Restaurant (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 4:30 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

 5/22/15  
Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	Address2	City	State	Zip
/L 00002	WHITEWATER PLAZA LLC		PO BOX 100		WALES	WI	53183-0000
/L 00007	JOHN K SOTHERLAND	ELIZABETH J KILLIPS-SOTHERLAND	1155 W MAIN ST		WHITEWATER	WI	53190-0000
/L 00008	BAC WHITEWATER LLC		800 SHERMAN AVE		FORT ATKINSON	WI	53538-0000
/L 00011	MAIN 1185 LLC		694 WELLS ST		LAKE GENEVA	WI	53147-0000
/L 00012	JR RENTALS LLC		694 WELLS ST		LAKE GENEVA	WI	53147-0000
/RC 00005	DLK ENTERPRISES INC		PO BOX 239		WHITEWATER	WI	53190-0000
/RC 00007	<del>DLK ENTERPRISES INC</del>		PO BOX 239		WHITEWATER	WI	53190-0000
/RC 00008	<del>DLK ENTERPRISES INC</del>		PO BOX 239		WHITEWATER	WI	53190-0000
/RC 00009A	MIKE & VIRG DARRAH LLC		1208 S WILLARD		JANESVILLE	WI	53546-5392
/RC 00009B	WISH ENTERPRISES LLC		1138 W MAIN ST		WHITEWATER	WI	53190-0000
/RC 00010	DMS INVESTMENTS CORP		2445 KENMORE LN		THE VILLAGES	FL	32162-0000
/RCA 00001	<del>DLK ENTERPRISES INC</del>		PO BOX 239		WHITEWATER	WI	53190-0000
/RCA 00002	<del>DLK ENTERPRISES INC</del>		PO BOX 239		WHITEWATER	WI	53190-0000
/RCA 00003	<del>DLK ENTERPRISES INC</del>		PO BOX 239		WHITEWATER	WI	53190-0000
/RCA 00012	WHITEWATER COURT		973 FEATHERSTONE RD	STE 300	ROCKFORD	IL	61107-0000
/RCA 00013	<del>WHITEWATER COURT</del>		973 FEATHERSTONE RD	STE 300	ROCKFORD	IL	61107-0000
/RCA 00014	<del>WHITEWATER COURT</del>		973 FEATHERSTONE RD	STE 300	ROCKORD	IL	61107-0000
/RCA 00015	K&A DREAMS LLC		1210 W MAIN		WHITEWATER	WI	53190-0000
/RCA 00016	<del>WHITEWATER COURT</del>		973 FEATHERSTONE RD	STE 300	ROCKFORD	IL	61107-0000
/W 00003	STEPMOTHER LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/WUP 00162B	ROY A NOSEK		210 N PARK ST		WHITEWATER	WI	53190-0000
/WUP 00163	<del>K&amp;A DREAMS LLC</del>		1210 W MAIN		WHITEWATER	WI	53190-0000
/WUP 00163A	WHITEWATER 1184 INC		1985 PEBBLE DR		BELOIT	WI	53511-0000
/WUP 00164D	REYNOLDS RENTALS LLC		12340 E BRADLEY RD		WHITEWATER	WI	53190-0000
/WUP 00164E	FOUR GUYS LLP		120 N FRATERNITY LN		WHITEWATER	WI	53190-0000
/WUP 00219	ST PATRICKS CONGREGATION		126 S ELIZABETH ST.		WHITEWATER	WI	53190-0000
/L 00013	<del>JR RENTALS LLC</del>		694 WELLS ST		LAKE GENEVA	WI	53147-0000
/A458900001	MCCULLOUGH FAMILY LP		694 WELLS ST		LAKE GENEVA	WI	53147-0000



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

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## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 1170 W. Main Street

Owner's Name: Dan Reynolds

Applicant's Name: Cobra Roche / Karina's Mexican Restaurant

Mailing Address: 602 N. Walton Dr. Whitewater WI 53190

Phone #: 262-751-1201 Email: KarinasMexicanRestaurant@hotmail.com

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

### Existing and Proposed Uses:

Current Use of Property: Karina's Mexican Restaurant (drive thru area)

Zoning District: \_\_\_\_\_

Proposed Use: Propose outside seating (seasonal) where current Drive thru exists (Drive thru traffic will be blocked/restricted)

**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.**

(Change of Business hours)

### 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.

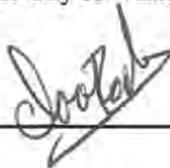
**\*\*Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

**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.	Current Use does not create any disturbance or nuisance. Drive thru will be bloused from Spring - Fall (live/leather permitting)
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Some old <del>landscaping</del> dead landscaping will be replanted
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.	Yes
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: 

Date: 5/7/2015

Printed: Clara Rocha

**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 5-11-15. Received by: JWegner Receipt #: 6-011803
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 5-28-15.
- 3) Notices of the Public Hearing mailed to property owners on 5-26-15.
- 4) Plan Commission holds the PUBLIC HEARING on 6-8-15. 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:**

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\_\_\_\_\_  
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.

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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.

7

<b>Type of Development Review Being Requested</b>	<b>Planning Consultant Review Cost Range</b>
<b>Minor Site/Building Plan</b> (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
<b>Major Site/Building Plan</b> (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
<b>Conditional Use Permit with no Site Plan Review</b> (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$up to \$600
<b>Rezoning</b>	
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
<b>Land Division</b>	
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
<b>Annexation</b>	\$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: Clara Rocha

Applicant's Mailing Address: 602 N. Walton Dr.

Whitewater WI 53190

Applicant's Phone Number: 262-751-1201

Applicant's Email Address: KorinsMetzian Restaurant@hotmail.com

### Project Information:

Name/Description of Development: ~~Seasonal~~ Seasonal outside seating where cannot drive thru located/  
Change of Business hours

Address of Development Site: \_\_\_\_\_

Tax Key Number(s) of Site: \_\_\_\_\_

### Property Owner Information (if different from applicant):

Name of Property Owner: Don Reynolds

Property Owner's Mailing Address: 12340 E. Bradley Rd

Whitewater 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.....\$ \_\_\_\_\_

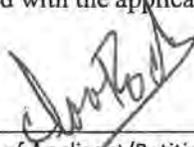
E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

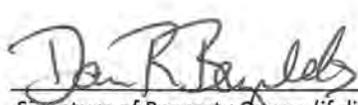
----- To be filled out by the Applicant and Property Owner -----

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.

  
\_\_\_\_\_  
Signature of Applicant/Petitioner

Clara Rocha  
\_\_\_\_\_  
Printed Name of Applicant/Petitioner

5-8-15  
\_\_\_\_\_  
Date of Signature

  
\_\_\_\_\_  
Signature of Property Owner (if different)

Dan R Reynolds  
\_\_\_\_\_  
Printed Name of Property Owner (if different)

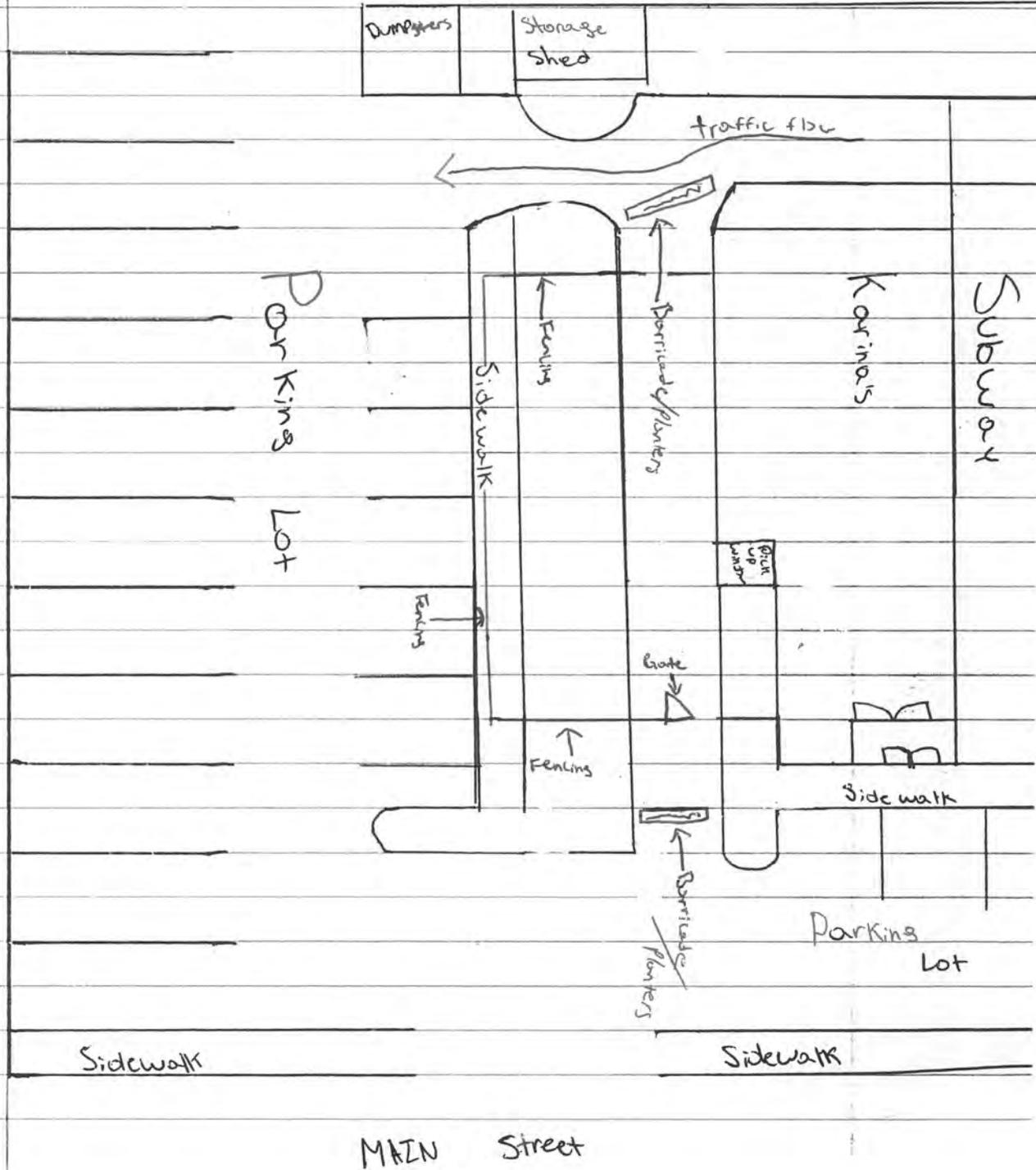
5-8-15  
\_\_\_\_\_  
Date of Signature

10

Proposed outside Cafe

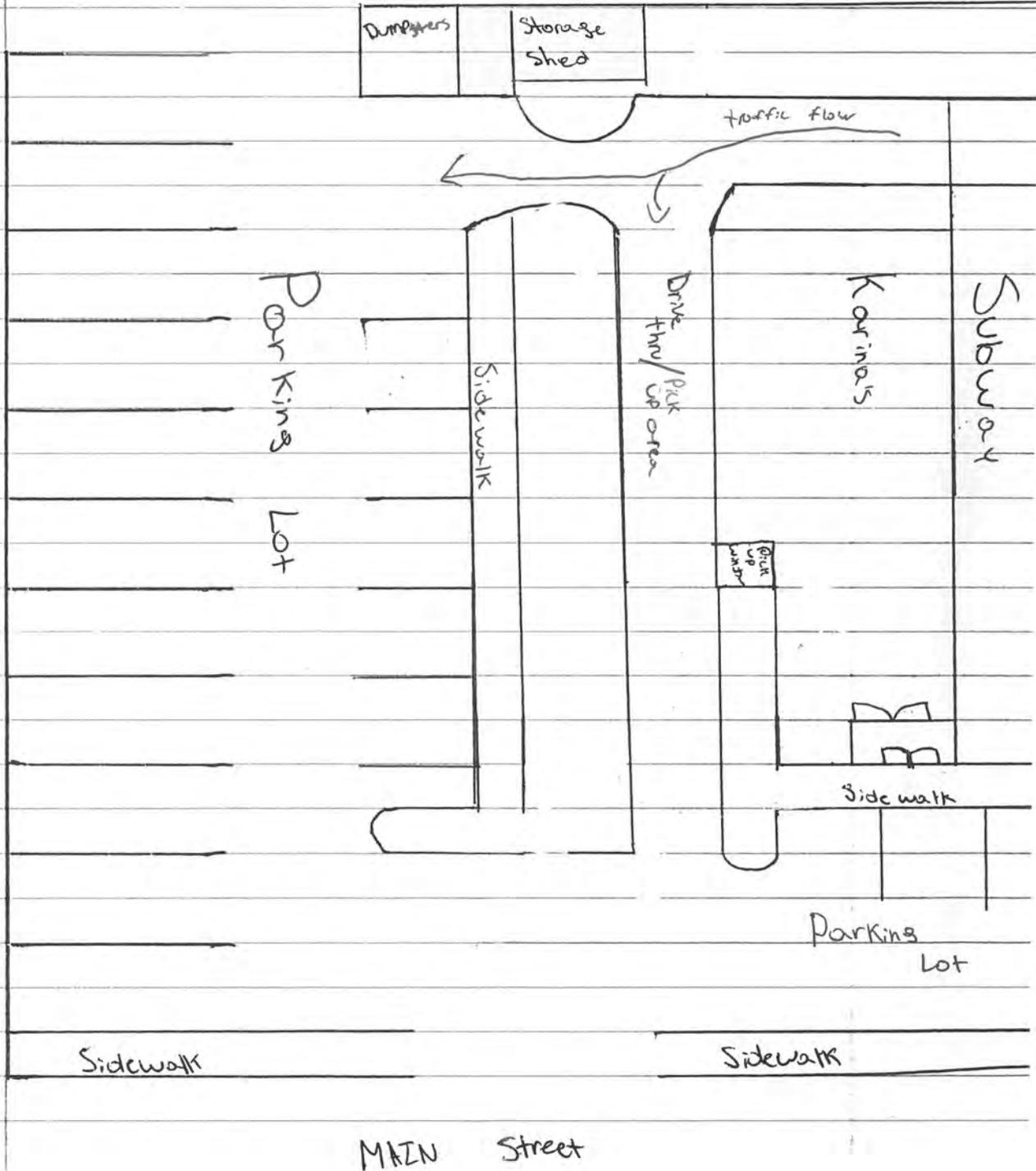
Korin's  
Mediterranean  
Restaurant  
1170 W. main

Outside  
Cafe will be  
used during Spring and summer and part of fall  
(weather permitting)  
Barricades will be removed for use  
during winter months for drive thru use



Current

Korina's  
Mexican  
Restaurant  
1170 W. Main St



**M E M O R A N D U M**

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard, City Planner

Date: June 8<sup>th</sup> 2015

Re: **Item # 8 & 9** Proposed Zoning Map Amendment to Impose the R-2A Residential Overlay District Zoning and to Enable up to Four (4) Unrelated Persons in a Residence per Section 19.19 at 604 W. High Street (tax parcel # /CL 00039) for Joa Cain, Francis Cain and Janeen Cain.

<b>Summary of Request</b>		
<b>Requested Approvals:</b>	Zoning Map Amendment to Add the R-2A Overlay District and up to Four (4) Unrelated Persons in a Residence	
<b>Location:</b>	604 W. High Street	
<b>Current Land Use:</b>	R-2 One and Two Family Residential	
<b>Proposed Land Use:</b>	Same, but with up to four (4) unrelated individuals	
<b>Current Zoning:</b>	R-2 One and Two Family Residential	
<b>Proposed Zoning:</b>	R-2A Overlay District over the Current R-2 Zoning District	
<b>Comprehensive Plan's Future Land Use:</b>	Central Area Neighborhood	
<b>Surrounding Zoning and Current Land Uses:</b>		
<b>Northwest:</b>	Subject Property	<b>Northeast:</b>
R-2 One & Two-Family Residence District		R-2 One & Two-Family Residence District
<b>Southwest:</b>	Subject Property	<b>Southeast:</b>
R-2 One & Two-Family Residence District		R-2 One & Two-Family Residence District

**Description of the Proposal:**

The existing dwelling is a single (one) family residence. This proposal involves a request to amend the Zoning Map to add the R-2A Residential Overlay zoning district to the existing R-2 zoning district and to approve a Conditional Use Permit to increase the number of permitted unrelated individuals in a non-family household from three (3) to four (4).

The R-2A Residential Overlay district is established by Chapter 19.19 of the Zoning Ordinance. Adopting the R-2A Residential Overlay district enables the consideration of a Conditional Use Permit, which if approved, would increase the number of permitted unrelated individuals in a non-family household three (3) to four (4).

**PLANNER'S RECOMMENDATIONS:**

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Zoning Map Amendment to add the R-2A overlay zoning district and four (4) non-related individuals to the subject property, subject to the finding presented below.

**SUGGESTED FINDING TO BE MADE BY THE PLAN COMMISSION**

1. 4 parking stalls will be required under 19.51.130.
2. The proposal asks that the first floor den is converted into a bedroom. The converted bedroom must meet all the codes of a bedroom. A permit also must be obtained to convert the den to a bedroom.
3. No exterior building modifications are being proposed.
4. Any other conditions identified by City Staff or the Plan Commission.

**Analysis of Proposed Conditional Use Permit for: 604 W. High Street**

*Conditional Use Permit Review Standards per Section 19.66.050:*

STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	This project will involve no exterior building modifications.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	No	All utilities are adequate. The parking area needs to be redesigned in order to meet the current parking requirements.
3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance.	Yes	No exemptions or variances are being requested.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The proposal does not change the single family use of the property.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use and density requirements of the R-2A District and the Comprehensive Plan.



**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 parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 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>
604 W. High Street	CL 00039	Joa Cain, Francis Cain and Janeen Cain

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 Monday, June 8, 2015, at 6:30 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.

Michele Smith, City Clerk  
By Jane Wegner, Plan Commission Clerk

Dated: May 11, 2015

Publish: in "Whitewater Register"  
on May 14, 2015, and May 21, 2015



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

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

NOTICE OF PUBLIC HEARING

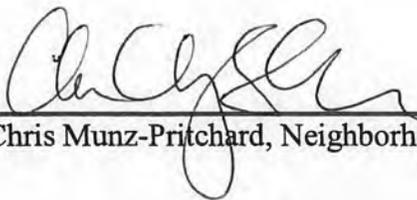
TO ALL INTERESTED PARTIES:

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 8th day of June 2015 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit, in an R-2A Overlay Zoning District, to allow for 4 unrelated persons to live in the house located at 604 W. High Street for Joa Cain, Francis Cain and Janeen Cain.

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 4:30 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

 5/22/15  
Chris Munz-Pritchard, Neighborhood Services Director/City Planner

TaxKey	Owner1	Owner2	Address1	Address2	City	State	Zip
/A 55600002	D&L TRIEBOLD TRUST		N7618 ENGEL RD		WHITEWATER	WI	53190-0000
/CL 00006A	DLK 532 WEST CENTER LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/CL 00007	KACHEL 524 WEST CENTER LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/CL 00010	FIRST UNITED METHODIST CHURCH		145 S. PRAIRIE ST		WHITEWATER	WI	53190-0000
/CL 00031	LADWIG & VOS INC		140 LONGMEADOW DR		BURLINGTON	WI	53105-0000
/CL 00031A	RAYMOND L KRAMER		224 S PRAIRIE ST		WHITEWATER	WI	53190-0000
/CL 00032	D&R PARTNERSHIP LLC		PO BOX 266	W8619 WILLIS RAY RD	WHITEWATER	WI	53190-0000
/CL 00033	DONALD R GASTROW	DIANE K STREHLOW	2006 CATALINA PL		MARSHALLTOWN	IA	50158-0000
/CL 00035	<del>JESCHKE DISTRICT</del> CITY OF WHITEWATER		PO		WHITEWATER	WI	53190-0000
/CL 00036	KEVIN SPRY	JUDITH K SPRY	233 S PRAIRIE ST		WHITEWATER	WI	53190-0000
/CL 00037	JEREMY J BLOCK	BILLIE JO BLOCK	620 HIGH ST		WHITEWATER	WI	53190-0000
/CL 00038	RAYMOND STRITZEL TRUST		530 S JANESVILLE AVE		WHITEWATER	WI	53190-0000
/CL 00039	FRANCIS CAIN	JANEEN CAIN, et al.	815 RIVERVIEW RD		PLYMOUTH	WI	53073-0000
/CL 00040	GORDON J BACKMAN	JILL A BACKMAN	531 W CENTER ST		WHITEWATER	WI	53190-0000
/CL 00041	523 WEST CENTER LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/CL 00042	KACHEL 210 SOUTH BOONE LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/CL 00043	<del>LADWIG &amp; VOS INC</del>		140 LONGMEADOW DR		BURLINGTON	WI	53105-0000
/CL 00044	RICHARD R HELMICK		227 S BOONE ST		WHITEWATER	WI	53190-0000
/CL 00045	RODRIGUEZ PROPERTIES LLC		N9707 N MCCORD RD		WHITEWATER	WI	53190-0000
/CL 00046	<del>LADWIG &amp; VOS INC</del>		140 LONGMEADOW DR		BURLINGTON	WI	53105-2325
/CL 00047	KACHEL 214 SOUTH JANESVILLE LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/CL 00048	KACHEL 218 SOUTH FRANKLIN LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/CL 00049	KACHEL 210 SOUTH FRANKLIN LLC		PO BOX 239		WHITEWATER	WI	53190-0000
/CL 00050	JEFFREY S PETERSEN TRUST	LAUREL A PETERSEN TRUST	N9211 WOODED COURT		WHITEWATER	WI	53190-0000
/CL 00051	ELMER D MEGNA	KELLY MARIE MEGNA	W159 S7439 QUIETWOOD CT		MUSKEGO	WI	53150-0000
/CL 00052	SANTOS J BARAJAS		615 HIGH ST		WHITEWATER	WI	53190-0000
/CL 00053	DONNA J HENRY		347 S JANESVILLE ST		WHITEWATER	WI	53190-0000
/CL 00054	WHITEWATER BIBLE CHURCH		511 W HIGH ST		WHITEWATER	WI	53190-0000
/CL 00055	JAMES H MINETTE	BONNIE LAGG MINETTE	254 S JANESVILLE ST		WHITEWATER	WI	53190-1864
/CL 00056	JEFFREY T ROE	MARC A ROE	7515 STURTEVANT RD		WHITEWATER	WI	53190-0000
/CL 00057	MARC ROE	JEFFREY T ROE	7515 STURTEVANT RD		WHITEWATER	WI	53190-0000
/CL 00058	THOMAS J KLEMENT	KATHRYN S KLEMENT	5315 BLACK WALNUT DR		McFARLAND	WI	53703-0000
/CL 00061	ARKI PRAIRIE LLC		W396 S3675 HARDSCRABBLE RD		DOUSMAN	WI	53118-0000
/CL 00105	CERANSKE PROPERTY MANAGEMENT LLC		N9503 WOODWARD RD		WHITEWATER	WI	53190-0000
/CL 00105A	<del>CERANSKE PROPERTY MANAGEMENT LLC</del>		N5903 WOODWARD RD		WHITEWATER	WI	53190-0000
/WS 00001	<del>CERANSKE PROPERTY MANAGEMENT LLC</del>		N5903 WOODWARD RD		WHITEWATER	WI	53190-0000
/WS 00002	<del>CERANSKE PROPERTY MANAGEMENT</del>		N9503 WOODWARD RD		WHITEWATER	WI	53190-0000
/WUP 00250	KACHEL TRUST		250-3 INDIAN MOUND PKWY		WHITEWATER	WI	53190-0000
	JOA CAIN		815 RIVERVIEW RD		PLYMOUTH	WI	53073-0000

City of Whitewater  
Combined Application for  
Amendment to Zoning Map and Conditional Use Permit for  
R-2A Overlay District and 4 or More Unrelated Occupants

NOTICE: The Plan Commission meetings are scheduled at 6:30 on the 2nd Monday of the month. All complete application materials must be submitted to the City Clerk by 4:00 p.m. four weeks prior to the meeting.

APPLICANT AND SUBJECT PROPERTY INFORMATION

Applicant's Name: Joa Cain  
Mailing Address: 814 Riverview Drive, Plymouth WI  
Phone #: (920) 892-6086 Email: CainJD25@www.pcm  
Address of Subject Property: 604 W High St  
Owner of Subject Property (according to property tax records on date of application):  
Joa Cain, Francis Cain + Janeen Cain  
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions):  
R-2A

Agent or Representative (Planner, Engineer, Architect, Attorney, etc.):

Name of Individual: NA  
Name of Firm: \_\_\_\_\_  
Office Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Email: \_\_\_\_\_  
Name of Contractor: \_\_\_\_\_

**Variances:**

Has either the applicant or the owner had any variances issued on the subject property?

NO

YES \_\_\_\_\_ Date: \_\_\_\_\_

Description of Variance(s):

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**EXISTING ZONING AND LAND USE**

**Current Use of Subject Property (be specific):**

Rental for college students

**Future Land Use Designation (as depicted in the Comprehensive Plan on Future Land Use Map #5 on page 103 of the Feb. 2, 2010 Comprehensive Plan, Amended Oct. 5, 2010):**

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**Current Zoning District(s) of Subject Property (cite zoning district(s) shown on Zoning Map):**

R-2A

REQUESTED LAND USE, ZONING and CONDITIONAL USE

Proposed Land Use of Property including Number of Occupants and Bedrooms (be specific):

House is applying for 4 occupants  
to stay in 3 rooms plus 1 den.

Requested Zoning District(s) including Overlay District(s) (see attached R-2A Overlay District Map):

Zoning District requested: \_\_\_\_\_

Overlay District requested: R-2A

Conditional Use requested: R2-A

STANDARDS FOR REVIEW AND APPROVAL

The Plan and Architectural Review Commission will use the standards listed in Table 1 (for Zoning Map Amendments) and Table 2 (for Conditional Use Permits) on the following pages, when reviewing applications for zoning amendments and conditional uses.

The Applicant is required to demonstrate how the proposed Zoning Map Amendment and Conditional Use Permit for the subject property will meet the standards for approval by filling in each box with a specific explanation of how each standard will be met.

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.

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).

Table 1: STANDARDS FOR ZONING MAP AMENDMENT REVIEW AND APPROVAL

STANDARD	APPLICANT'S EXPLANATION of HOW THIS REQUEST MEETS THE STANDARD ("Yes" is not a sufficient answer)
The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;	yes, we are proposing to add a 4 <sup>th</sup> person in R2-A
The proposed development will be consistent with the adopted city Comprehensive Plan;	yes, we are in R2-A
The proposed development will be compatible with and preserve the important natural features of the site;	yes, we are not changing the features.
The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	yes, we are not effecting the value of other properties
The proposed development will not create traffic circulation or parking problems;	yes, we will only be using current allowed parking
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;	yes, we will not be making any alterations to the outer part of the house.
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;	N/A
The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	yes, no alterations will be made to the outside.

Table 2: STANDARDS FOR CONDITIONAL USE REVIEW AND APPROVAL

STANDARD From Section 19.66.050	APPLICANT'S EXPLANATION of HOW THIS REQUEST MEETS THE STANDARD ("Yes" is not a sufficient answer)
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.	Yes, we will respect others property.
That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	yes, parking will be properly used, and respect city rules.
That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	Yes, we are applying to allow a 4th person in my house which will just alter the inside living.
That the conditional use conforms to the purpose and intent of the city Comprehensive Plan.	Yes, we are conforming to the Comprehensive plan.
The conditional use and structure are consistent with sound planning and zoning principles.	yes, if accepted we will have 4 people in a normally 3 person zone.

\*\*Refer to Chapter 19.66.050 of the City of Whitewater Municipal Code, entitled CONDITIONAL USES, for more information.

RECORD OF APPLICATION FEES FOR  
ZONING MAP APPROVALS AND CONDITIONAL USE PERMITS

To be completed by Neighborhood Services Department:

Fee for Amendment to Zoning Map: \$200.00	
Date Application Fee Received by City <u>5-8-15</u>	Receipt No. <u>6. 011794</u>
Received by <u>J. Wegner</u>	

X To be completed by Neighborhood Services Department:

Fee for Conditional Use Permit: \$100.00	
Date Application Fee Received by City <u>5-8-15</u>	Receipt No. <u>6. 011794</u>
Received by <u>J. Wegner</u>	

Applicant Signature: Janeen L. Cain Date: 5-3-2015  
Print Name: Janeen L. Cain

Applicant Signature: Joan Cain Date: 5/3/2015  
Print Name: Joan Cain

RECORD OF ZONING MAP AMENDMENT ACTION TAKEN

By Plan and Architectural Review Commission:

Date noticesenttoowners of record of opposite & abutting properties: \_\_\_\_\_

Date of conceptpresentation (optional) to Plan & Architectural Review Board: \_\_\_\_\_

Date of publichearing for Zoning Map Amendment: \_\_\_\_\_

Date set for consideration/action by Common Council: \_\_\_\_\_

Plan & Architectural Review Commission decision on Zoning Map Amendment is:

Recommended \_\_\_\_\_

Recommended with Conditions \_\_\_\_\_ (see below)

Not Recommended \_\_\_\_\_

Conditions set upon ZONING MAP AMENDMENT by Plan and Architectural Review Commission:

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\_\_\_\_\_  
Signature of Plan & Architectural Review Chairperson

\_\_\_\_\_  
Date

RECORD OF ZONING MAP AMENDMENT ACTION TAKEN

By Common Council:

Date set for consideration/action by Common Council: \_\_\_\_\_

Common Council decision on Zoning Map Amendment is:

Granted \_\_\_\_\_  
Granted with Conditions \_\_\_\_\_ (see below)  
Not Granted \_\_\_\_\_

Conditions set upon ZONING MAP AMENDMENT by Common Council:

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\_\_\_\_\_  
Signature of Common Council Chairperson

\_\_\_\_\_  
Date

RECORD OF CONDITIONAL USE PERMIT ACTION TAKEN:

Date noticesenttoowners of record of opposite & abutting properties: \_\_\_\_\_

Date of conceptpresentation (optional) to Plan & Architectural Review Board: \_\_\_\_\_

Date noticepublishedforpublichearing before Plan & Architectural Review Board: \_\_\_\_\_

Date of publichearing for Conditional Use Permit: \_\_\_\_\_

Date setforconsideration/action by Plan & Architectural Review Board: \_\_\_\_\_

Plan & Architectural Review Commission decision on Conditional Use Permit:

Granted \_\_\_\_\_  
Granted with Conditions \_\_\_\_\_ (see below)  
Not Granted \_\_\_\_\_

Conditions set upon CONDITIONAL USE PERMIT by Plan and Architectural Review Commission:

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
Signature of Plan & Architectural Review Chairperson

\_\_\_\_\_  
Date

**R-2A Zoning Map Amendment and Conditional Use Application**

To Be Completed By  
THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Complete application with accompanying materials received on: \_\_\_\_\_
- 2) Plan Commission meeting date: \_\_\_\_\_
- 3) Application reviewed by city staff (name): \_\_\_\_\_ Date: \_\_\_\_\_
- 4) Date notice of public hearing sent to owners of record of opposite & abutting properties: \_\_\_\_\_
- 5) Date of Publish of Class 1 Notice for Public Hearing before  
Plan & Architectural Review Board: \_\_\_\_\_
- 6) Date of Public Hearing for Zoning Map Amendment \_\_\_\_\_
- 7) Date of Public Hearing on Conditional Use Permit \_\_\_\_\_
- 8) Date of Zoning Amendment consideration by Common Council \_\_\_\_\_

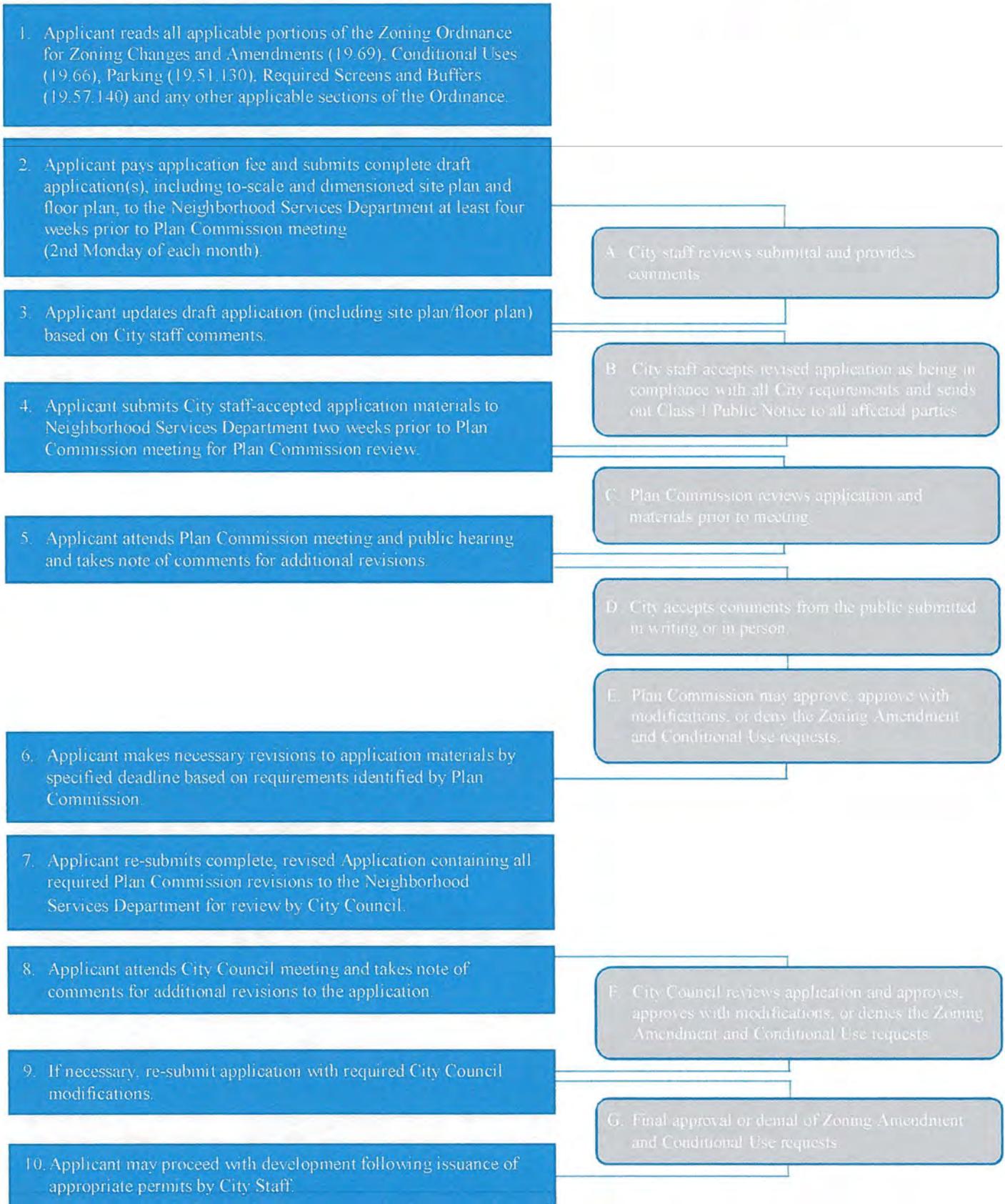
For Applicants

Information and Checklists for R-2A Zoning Applications

**Whitewater Zoning Application Flow Chart and Check List**

**APPLICANT ACTION**

**CITY ACTION**



CHECKLIST  
FOR COMPLETION BY APPLICANTS  
AND REVIEW BY THE NEIGHBORHOOD SERVICES DEPARTMENT

Please complete checklist and provide to Neighborhood Services Department along with application materials. If you have questions or need assistance, contact the Neighborhood Services Department.

Plans to accompany application:

A Plot/Site Plan and a Floor Plan must be submitted by the Applicant as part of the required Application materials. The requirements for each are as follows:

- \_\_\_\_\_ Confirm that subject property is in the R-2A permitted zoning overlay district.
- \_\_\_\_\_ Show location of subject property on R-2A permitted zoning map - attach copy of map
- \_\_\_\_\_ Indicate current zoning district (under the R-2A overlay district, i.e.: R-2)

Plot/Site Plans Checklist

- \_\_\_\_\_ Provide North arrow on site plan
- \_\_\_\_\_ Show location of property (label all abutting streets)
- \_\_\_\_\_ Show linear (bar) scale on site plan
- \_\_\_\_\_ Draw plan to-scale at 1"= 10' or 1"= 20" to fit on one 8.5 x 11 sheet of graph paper
- \_\_\_\_\_ Provide and clearly label one "Existing Plot Plan" and one "Proposed Site Plan", if different.
- \_\_\_\_\_ Provide an "Existing Plot Plan" showing all existing items (see below) in solid lines or symbols
  - \_\_\_\_\_ Show all lot dimensions
  - \_\_\_\_\_ Show outline and dimensions of all buildings, structures and decks
  - \_\_\_\_\_ Show outline and dimensions of all paved areas including parking areas, driveways, curb cuts, sidewalks, walkways, patios and other concrete, blacktop or graveled areas)
  - \_\_\_\_\_ Indicate the distance from buildings and paved areas to lot lines (i.e. setbacks)
  - \_\_\_\_\_ Indicate the distance between structures on the subject lot
  - \_\_\_\_\_ Indicate any known easements (i.e. utility or other)
- \_\_\_\_\_ Provide a "Proposed Site Plan" showing title and all changes to the "Existing Plot Plan"  
(Suggestion: make a copy of the Existing Plot Plan and show all proposed changes in red and/or dashed lines to indicate proposed items and symbols)
- \_\_\_\_\_ Indicate the distance between proposed building, structures and paved areas on the subject property and buildings or structures on adjoining properties that are within 15 feet of the adjoining property line.
- \_\_\_\_\_ Indicate proposed parking location, number of spaces, dimensions, circulation, landscaped buffers, curb and gutter.

- \_\_\_\_\_ Indicate all points of ingress and egress (i.e. driveways) to the property and internal circulation (if any). Indicate if one- or two-way.
- \_\_\_\_\_ Indicate location of landscaping, trees and fencing
- \_\_\_\_\_ Indicate proposed lighting location and illumination level

#### Floor Plan Checklist

For applications on lots containing an existing building, a floor plan is required to meet the following specifications:

- \_\_\_\_\_ Provide North arrow on Floor Plan
- \_\_\_\_\_ Provide linear (bar) scale on plan
- \_\_\_\_\_ Draw plan of each floor to the same scale of 1" = 10' or 1" = 20" to fit on 8.5 x 11 graph paper (use a separate piece of graph paper for each floor)
- \_\_\_\_\_ clearly label floors (e.g.: "1st Floor", "2nd Floor")
- \_\_\_\_\_ Provide and clearly label one "Existing Floor Plot" and one "Proposed Floor Plan" (if different)
- \_\_\_\_\_ Provide an "Existing Floor Plan" showing the title and all existing items (see below) in solid lines or symbols
  - \_\_\_\_\_ Label all existing rooms,
  - \_\_\_\_\_ Number each bedroom (i.e.: Bedroom #1- Existing, Bedroom #2 – Existing, etc...)
  - \_\_\_\_\_ Indicate all room dimensions on the plan
  - \_\_\_\_\_ Indicate all existing walls, closets, windows, stairs, doors, doorways, passageways
- \_\_\_\_\_ Provide a "Proposed Floor Plan" showing the title and all proposed changes to the existing floor plan (Suggestion: make a copy of the "Existing Floor Plan" and show all proposed changes in red and/or dashed lines to indicate proposed items and symbols)

Where the "Proposed Floor Plan" is different from the Existing Floor Plan":

- \_\_\_\_\_ Clearly label all proposed rooms, (i.e., Bedroom #4 - Proposed)
- \_\_\_\_\_ Indicate all changes to the dimensions of all altered rooms
- \_\_\_\_\_ Indicate all changes to walls, closets, windows, stairs, doors, doorways, passageways

## Required Zoning Regulation Compliance

Applicant must meet the following requirements of the R-2A zoning district to receive a zoning change and conditional use permit (see Zoning Code, Section 19.51 and additional sections cited below for complete information). The requirements listed below represent a simplified summary for typical R-2A zoning situations. For more complete information, refer to the Zoning Code.

### Minimum Floor Area(seeSection19.57.130)

“Floor Area” is the sum of the several floors of a building used for human occupancy or use, as measured from the interior faces of walls, but not including basements, garages, porches, breezeways of common hallways and unfurnished attics.

Dwelling units must be constructed or remodeled to meet the following standards:

- Two-family dwellings (e.g.: a two-flat house) – at least 1,500 square feet total, 600 square feet per dwelling unit (“family”)
- Two-bedroom apartment – at least 800 square feet total per dwelling unit
- Three or more bedroom apartment – 1,000 square feet total per dwelling unit

### ParkingStallsRequired(seeSection19.51.050and19.51.130)

The minimum number of parking stalls required is as follows:

- Two (2) stalls for each dwelling unit containing two to three bedrooms
- Three (3) stalls for each dwelling unit containing four or more bedrooms
- Each stall must be at least nine feet wide and 180 square feet total (minimum 9’ wide x 20’ long)
- End stalls (i.e.: those not between two other stalls) may be 7.5 feet wide and 150 feet total (minimum of 7 feet 6 inches wide x 20 feet long)
- IF there is a two-way driveway of at least 24 feet wide, parking spaces can be 8.5 feet wide and a minimum of 150 square feet total (minimum 8 feet 6 inches wide x 17 feet 8 inches long)
- Adequate access to a public street shall be provided for each parking space

The applicant may request the Plan and Architectural Review Commission to allow less than the number of stalls indicated above, but not less than one stall per residential unit.

The Commission may allow fewer stalls with these conditions:

- If it is in the best interest of the public.
- The applicant shows there is sufficient land and a plan to install the maximum required stalls, should it become necessary.
- The permit may be revoked at any time by the Commission upon notice and hearing if good cause is shown for the revocation of the permit.

Additional Parking Lot Requirements (see Section 19.51.080)

- A minimum of 2 stalls, and a maximum of 1 stall per licensed driver; up to a total of 5 stalls may be permitted in any combination of the front or side yard area for a 1-family dwelling
- A minimum of 2 stalls per dwelling unit and a maximum of 6 vehicles may be parked in any combination of the front or side yard for a 2-family dwelling
- Vehicles may not be parked closer than 3 feet from any abutting property line, lawn or landscaped area
  - Exception: shared parking between properties for which a zoning permit has been granted
- Parking area and driveways must be outside of any required vehicular circulation area
- Landscaped islands shall be required at the ends of parking bays to clearly define lane and turning patterns
- Any parking area for 6 or more vehicles shall have the aisles and spaces clearly marked

Parking Lot Screens and Buffers (see Section 19.57.140)

- Minimum buffer yard of 10 feet along a lot line adjoining a single family use
- No structure, activity, storage of materials or parking is permitted in a buffer yard
- Parking for 5 or more vehicles located within 15 feet of any lot line or public right-of-way line must have a buffer yard or screen. Exception: if adjoining property also contains parking lot within fifteen feet of the shared lot line

Parking Lot Lighting (see Section 19.57.150)

- If lighting is proposed, a lighting plan must be submitted to the Plan Commission

Driveways (see Section 19.51.040)

- Driveways shall be at least ten feet wide for parking areas for 9 or fewer vehicles
- Driveways shall be at least two ten-foot lanes (20 feet wide) for parking areas for 10 or more vehicles
- Driveways shall not exceed twenty-four feet in width at the street right-of-way line (i.e.: at the curb cut), except as determined by the Plan and Architectural Review Commission during site plan review
- Driveway curb cut openings must be a minimum of five feet from the side yard property line
- Driveways must be at least three feet to any abutting property line
  - Exception: where two adjacent lots have a common driveway then the three-foot minimum distance does not apply
- Driveways shall be surfaced with materials to control dust and drainage. Permeable or pervious materials are preferred

Impervious Surface Area (see Section 19.18.060)

- Plans for surfacing and drainage of parking lots and driveways shall be submitted to the City for review and approval
- Not more than 40% of any yard (front yard, side yard or rear yard) may be an impervious surface

Building Setbacks (see Section 19.21.050)

For One-Family dwelling Units:

- Front: 25 feet
- Side: 10 feet or 25 feet for corner lots
- Rear: 30 feet
- Shore: 75 feet

For Two-Family or Multifamily dwelling units:

- Front: 30 feet
- Side: 15 feet or 25 feet for corner lots
- Rear: 30 feet
- Shore: 75 feet

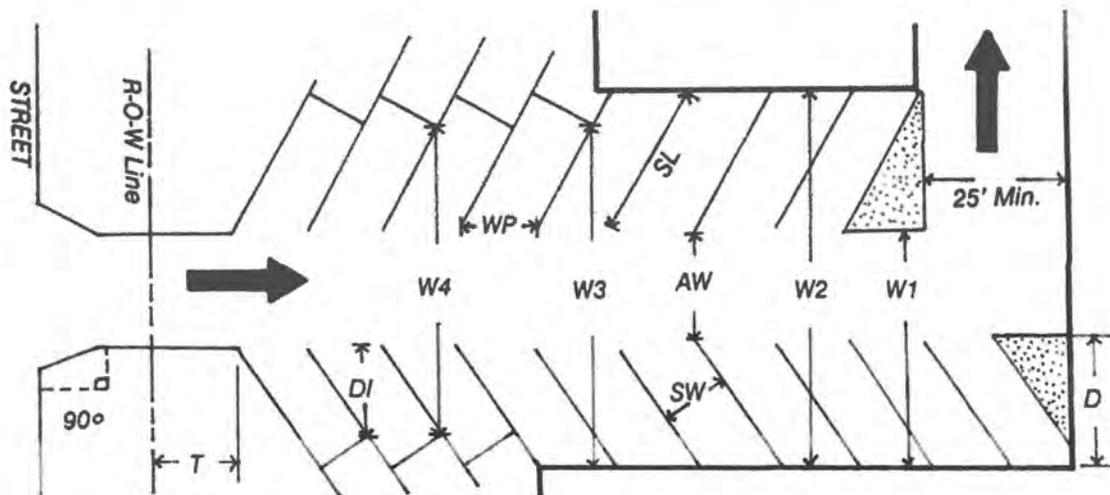


## Typical Parking Lot Dimensions

Minimum Permitted Dimensions	Parking Angle in Degrees				
	0°	45°	60°	75°	90°
Stall Width at Parking Angle (SW)	9.0'	9.0'	9.0'	9.0'	9.0'
Stall Width Parallel to Aisle (WP)	17'	12.7'	10.4'	9.3'	9.0'
Stall Depth to Wall (D)	9.0' <sup>1</sup>	17.5' <sup>1</sup>	19.0' <sup>1</sup>	19.5' <sup>1</sup>	18.5' <sup>1</sup>
Stall Depth to Interlock (DI)	N/A	15.3'	17.5'	18.8'	N/A
Stall Length (SL)	18.0'	18.0'	18.0'	18.0'	18.0'
Aisle Width (AW) for 1-way traffic flow	12.0'	12.0'	16.0'	17.2'	24.0'
Aisle Width for (AW) 2-way traffic flow	24.0'	24.0'	24.0'	24.0'	24.0'
Throat Length (right-of-way to parking angle) (T)	9.0'	9.0'	9.0'	9.0'	9.0'
Parking Module Width (PMW)					
Wall to Wall (Single-Loaded) (W1)	21.0'	29.5'	35.0'	42.5'	44.5'
Wall to Wall (Double-Loaded) (W2)	30.0'	47.0'	54.0'	62.0'	63.0'
Wall to Interlock (Double-Loaded) (W3)	N/A	44.8'	52.5'	61.3'	N/A
Interlock to Interlock (Double-Loaded) (W4)	N/A	42.6'	51.0'	60.6'	N/A

Note:

<sup>1</sup>Parking spaces located behind an enclosed garage and located directly off a thorough aisle shall be at least 30 feet deep.





High Street

Floor 1



Bowle street

Floor 2

