



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

September 12, 2016

City of Whitewater Municipal Building
Community Room

312 W. Whitewater St., Whitewater, Wisconsin

6:30 p.m.

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| 1. | Call to order and Roll Call. |
| 2. | Hearing of Citizen Comments. No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item. |
| 3. | Review and approve the Plan Commission minutes of June 13, 2016 and July 11, 2016. |
| 4. | Review proposed changes to the City of Whitewater Comprehensive Plan. |
| 5. | Hold a public hearing for consideration a conditional use permit for an addition to the existing control house located in the electric substation area of LSP Cogeneration property at 111 County Highway U for American Transmission Company. |
| 6. | Hold a public hearing for the consideration of a Conditional Use Permit for an amendment to the PD (Planned Development) of Prairie Village to allow for additions, alterations, or improvements to individual residences and for minor revisions to the site plan related to changes in the location of utilities and a few duplex residences for Fairhaven Corporation. |
| 7. | Hold a public hearing for consideration of a conditional use permit for a projecting sign above the first floor of the building at 156 W. Whitewater Street for Dennis Knopp. |
| 8. | Hold a public hearing and make recommendation to the City Council for a change in the District Zoning Map for the parcel at 426 W. Whitewater Street (Tax Parcel # /OT 00182) 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 ARKI LLC. (Arthur Stitzel). |
| 9. | Hold a public hearing for a conditional use permit in an R-2A Overlay Zoning District, to allow for 5 unrelated persons to live in the house located at 426 W. Whitewater Street for ARKI LLC. (Arthur Stritzel). |
| 10. | Hold a public hearing for consideration of a conditional use permit to convert a single family residence into a duplex at 168 N. Tratt Street for Mike Kachel (DLK Enterprises Inc.). |
| 11. | Review and make recommendation to the City Council on the proposed discontinuance of a portion of S. Tripp Street. (The northern portion to become a private drive, the middle section to be removed, and the southern end of Tripp Street becomes a dead end with W. James Street as the |

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| | outlet.) |
| 12. | Review minor amendment to the conditional use permit to change the three parking spaces to two (one is a handicap parking stall) next to the connector sidewalk along the alley for the First English Lutheran Church (123 S. Church Street & 413-417 W. Main Street). |
| 13. | Hold a public hearing and make recommendation to the City Council, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically by adding chapter 19.52, an Access Standards Ordinance which would provide for vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system. |
| 14. | Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – October 10, 2016 |
| 15. | Adjournment. |

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to c/o Neighborhood Services Director, 312 W. Whitewater Street, Whitewater, WI, 53190 or jwegner@whitewater-wi.gov.
The City of Whitewater website is: whitewater-wi.gov

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
June 13, 2016

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, Kristine Zaballos, Sherry Stanek, Daniel Comfort, John Tanis (Alternate). Absent: Tom Hinspater. Others: Wallace McDonell (City Attorney), Chris Munz-Pritchard (City Planner).

Hold Election of 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. Moved by Tanis and seconded by Stanek to nominate Greg Meyer for Chairperson. There were no more nominations for Chairperson. Motion approved by unanimous roll call vote. Moved by Zaballos and seconded by Comfort to nominate Lynn Binnie as Vice-Chairperson. There were no more nominations. Aye: Zaballos, Comfort, Parker, Stanek, Tanis, Meyer. No: None. Binnie Abstained. Motion approved. Moved by Tanis and seconded by Stanek to nominate Bruce Parker for the Plan Commission Representative to the CDA (Community Development Authority). Plan Commissioner Binnie noted that Tom Hinspater had an interest, but was not here at the meeting. He would support Bruce Parker's nomination as Bruce did want to see some projects through. Motion approved by unanimous roll call vote. Moved by Tanis and seconded by Parker to nominate Sherry Stanek for the Plan Commission Representative to the Urban Forestry Commission. There were no more nominations. Motion approved by unanimous roll call vote. Moved by Tanis and seconded by Parker to nominate Greg Meyer for the Plan Commission Representative to the Technology Park Architectural Review Committee. There were no more nominations. Motion approved by unanimous roll call vote.

Hearing of Citizen Comments. No Comments.

Approval of the Plan Commission Minutes. Moved by Zaballos and seconded by Binnie to approve the minutes of May 9, 2016. Aye: Binnie, Stanek, Parker, Zaballos, Comfort, Tanis, Meyer. No: None. Absent: Hinspater. Motion approved.

Public hearing for a Conditional Use Permit (tavern and other places selling alcohol by the drink) for Lil' Debbie's Coyote Grill, Deborah A. Mischka (Agent), to serve beer and liquor (for a "Class B" Beer and Liquor License) by the bottle or glass at 132 W. Center Street, to include the outdoor café area. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that there would be no modifications to the building. It is just a transfer of the liquor license. She was requesting the hours of operation be established and that the maximum occupancy of the business be posted.

Deborah Mischka explained that the hours of operation would remain the same and that the sidewalk café is done as of 10:00 p.m.

Plan Commission Member Binnie noted that the sidewalks along W. Center Street are really narrow. There are concerns of maintaining ADA requirements of 4 feet of open sidewalk. Binnie suggested that the owner might consider a parklet if she had an interest in that option.

Plan Commission Members noted that the sidewalk area be kept clean of any debris; where the street sign is, is the most difficult to maintain the 4 feet of open sidewalk.

Chairperson Meyer closed the public hearing.

Plan Commission Member Binnie asked if there was a report from the Police Department on this proposal. There was not.

City Attorney Wallace McDonell stated that this will be going to the City Council and the Police Department could address it at that time.

Moved by Comfort and seconded by Tanis to approve the conditional use permit for Lil' Debbie's Coyote Grill, Deborah A. Mischka (Agent), to serve beer and liquor (for a "Class B" Beer and Liquor License) by the bottle or glass at 132 W. Center Street, to include the outdoor café area and to make recommendation to the City Council. (See attached Conditional Use Permit.) Aye: Comfort, Tanis, Stanek, Binnie, Parker, Zaballos, Meyer. No: None. Motion approved.

Public hearing for consideration of a change of the District Zoning Map for the parcel in the Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive (Tax Parcel number: Part of /WUP 00322 (New CSM) to enact an ordinance to change from WUTP (Whitewater University Technology Park) Zoning District to M-1 (General Manufacturing) Zoning District classification under Chapter 19.36 of the Zoning Ordinance of the City of Whitewater. The property is owned by the Whitewater CDA and the City of Whitewater. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the current zoning for this parcel is WUTP. A certified survey map was approved at the May 9, 2016 Plan Commission meeting, which created a 5.077 acre lot at the intersection of Universal Blvd. and Technology Drive. This parcel is surrounded by M-1 (General Manufacturing) Zoning District. This change in zoning has been recommended by the Tech Park Board. The large parcel south of this is city owned land that is a park and soccer fields.

Pat Cannon, Executive Director of the CDA, in his memo stated that the proposed developer has a 4000 sq. ft. single story warehouse unit and needs additional space.

Plan Commission Member Parker, who is the Plan Commission Representative to the CDA, explained that they have been working with the developer for approximately 6 months. They are trying to get things closed up and ready for transfer.

Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Parker to conditionally approve with the City Planner recommendations and recommend to the City Council to approve the change in the District Zoning Map to enact an ordinance to change from WUTP Zoning District to M-1 Zoning District classification under Chapter 19.36 of the Zoning Ordinance of the City of Whitewater for the land located in the Whitewater Business Park at the intersection of Universal Blvd. and Technology Drive. Aye: Binnie, Parker, Zaballos, Stanek, Comfort, Tanis, Meyer. No: None. Motion approved.

Public hearing for consideration of a Conditional Use Permit for a certified survey map for a division of the parcel of land located at 530 S. Gault Street for Whitewater Housing Services (Matt Kuehl). Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the intent for these lots is for single family homes. If the lots are proposed to be divided again, the land will become a subdivision plat.

Matt Kuehl explained that two of the newly created lots would be for single family. The larger lot (Lot 4) is for future consideration. One option they were thinking about was for excess parking.

Plan Commission Members voiced concerns of: a future division of Lot 4; the driveway for the existing home has been removed, where will their new driveway be? What is the setback from the existing house to the new property line? Is there room for a driveway? The Plan Commission voiced concerns about a parking lot on Lot 4.

City Planner Chris Munz-Pritchard stated that the driveway must be 3 feet from a property line.

Chairperson Meyer closed the public hearing.

Moved by Tanis and seconded by Comfort to approve the conditional use permit for the certified survey map for the division of land at 530 S. Gault Street into 4 lots. Aye: Tanis, Comfort, Binnie, Zaballos, Stanek, Parker, Meyer. No: None. Motion approved.

Hold a public hearing for the consideration of a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically Section 19.19 R-2A Residential Increased Occupancy Overlay District, addressing amendments to the R-2A Residential Increased Occupancy Overlay District. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the sub-committee for R-2A Residential Overlay Zoning District consisted of Chris Grady, Bruce Parker, Sherry Stanek, Greg Meyer and

Dan Comfort. Chris Munz-Pritchard went over the changes they proposed in this Overlay District.

Lynn Binnie explained that if we are using the assessor records for determining square footage, we should know the definition that the assessor uses in establishing square footage.

City Planner Chris Munz-Pritchard explained that 400 sq. ft. is the minimum for an efficiency apartment. The proposed ordinance allows for 400 sq. ft. for the 1st person and 330 sq. ft. per each additional person. Munz-Pritchard explained that the square footage gives a starting point so that when someone calls and asks if it is possible, she can give them the basics. The building inspector will determine if the square footage and the application are correct. The property owner will be required to provide other items such as enough parking for the tenants etc.

Chairperson Meyer closed the public hearing.

Plan Commission Members were confused about the “common hallway” and suggested that it be deleted from the areas that are not included as habitable space. They liked that the proposed ordinance makes it easy for everyone to figure out what would work or not. It is easy to understand. Plan Commission Members were okay with the determination of 330 sq. ft. for each additional person.

Moved by Comfort and seconded by Stanek to recommend to the City Council to approve the amendments to the R-2A Residential Increased Occupancy Overlay District as presented except for the removal of “common hallways” in the definition 19.19.030(A). Aye: Comfort, Stanek, Binnie, Zaballos, Parker, Tanis, Meyer. No: None. Motion approved.

Public hearing for a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically Section 19.54 Signage Regulations, addressing amendments to the Sign Ordinance.

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the changes included scrivener errors, reference checks and putting like things together. They have added illustrations and moved text to better locations. All residential signage information has been put in one area. Wall signs above the first floor require a conditional use permit instead of a variance. Free standing sign calculations have been added. Chris Munz-Pritchard has asked that the City Council waive the second reading for these amendments.

Chairperson Meyer closed the public hearing.

Plan Commission Member Binnie asked that when amendments are brought to the Plan Commission that they receive an explanation along with a markup copy showing the changes. Plan Commission Member Zaballos added that the additions and deletions are the most important.

Moved by Parker and seconded by Comfort to recommend to the City Council to approve the changes to the Signage Ordinance. Aye: Parker, Comfort, Binnie, Zaballos, Stanek, Tanis, Meyer. No: None. Motion approved.

Information Items:

- a. Possible future agenda items. There were several items scheduled for the July 11, 2016 Plan Commission meeting, including requests for a rezone of land at end of Walton Drive; conditional use for 228 S. Church Street for a possible duplex, 1002 S. Janesville Street for We Energies to bore under wetland and water way, 707 W. Walworth Ave to add multi-residential units, 884 S. Janesville Street to add residential units and garages, 130 N. Prince St for an addition and parking; Downtown Parking changes; Scott Weberpal to talk about Conditional Use Permits in GIS.
- b. Next regular Plan Commission Meeting – July 11, 2016.

Moved by Tanis and seconded by Stanek to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 7:52 p.m.

Chairperson Greg Meyer

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
July 11, 2016

**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, Tom Hinspater, Lynn Binnie, Kristine Zaballos, Sherry Stanek, Tom Miller (Alternate), John Tanis (Alternate). Absent: Bruce Parker, Daniel Comfort . Others: Chris Munz-Pritchard (City Planner).

Hearing of Citizen Comments. No Comments.

Approval of the Plan Commission Minutes. The minutes of the June 13, 2016 Plan Commission meeting were not available for review.

Hold a public hearing for consideration for a change in the District Zoning Map for the following parcel to enact an ordinance to change form I (Institutional) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater on vacant land on the north end of Walton Drive for Janice R. Stritzel. There are six parcels: 05-15-32-31-001, 05-15-32-32-002, 05-15-32-31-015, 05-15-32-31-016, 05-15-32-31-017, and 05-15-32-31-018. (These parcels are located in the Jefferson County portion of the City of Whitewater.) Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the applicant wants to change the zoning of these parcels from I (Institutional) Zoning District to R-3 (Multi-family) Zoning District. This rezoning is not for construction. Any development would be subject to City review and approval. The future land use for these properties is high density residential.

Terry Stritzel, representing his sister Janice, explained that they did not want to rezone all the properties. The western most lot (05-15-32-32-002) was not to be included in the rezone.

Ken Nehring, a resident of the condo association south of these properties, stated that this has been a buffer which gave them more privacy, etc. He didn't think it should be zoned R-3. He said the Condo Association wanted it to be known that they object to having something right behind the condos. He stated that the reason that 120 foot wide strip of land was there was because the university wanted a second exit from Warhawk Stadium. The condo association wants to see the Institutional Zoning remain on the property north of their condos.

Plan Commission Members stated that the land is a challenging piece of land for development, and asked if the developer was looking to combine the lots.

Terry Stritzel stated they were just looking to build on the 4 lots that have sewer and water to them at this time. They were looking at duplex condos.

Moved by Binnie and seconded by Tanis to recommend to the City Council for the rezone with the exception of parcel 05-15-32-32-002 from I (Institutional) Zoning District to R-3 (Multi-family Residence) Zoning District classification under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater for the vacant land located on the north end of Walton Drive. Aye: Binnie, Tanis, Comfort, Stanek, Zaballos, Hinspater, Meyer. No: None. Motion approved.

Hold a public hearing for consideration of a conditional use permit to allow for construction of a new duplex to be located at 228 S. Church Street for James and Stevie Taylor Jr.

Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained her report and recommended conditions of approval.

Jim Taylor was present to explain the project and answer any questions.

Plan Commission Members voiced concerns of the number of mature trees being taken down; there are points for a landscaping plan; would like to see the house moved back to the required 25 foot street yard setback and less pavement in the back; this is a major improvement in appearance; would like to see the proposed impervious surface reduced; suggested that the City Planner work with the applicant on the landscape plan; would like to see more than just foundation plants.

Jim Taylor explained that moving the building back would make the front look empty. He stated that it would not be an issue to move the building back to the 25 foot street yard setback.

There were no public comments. Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Zaballos to conditionally approve the Conditional Use Permit for 228 S. Church Street with the conditions of the City Planner. A landscape plan is to be approved by the City Planner. City Planner to work with the developer to move the structure back to at least 25 feet from Church Street. Aye: Binnie, Zaballos, Hinspater, Stanek, Comfort, Tanis, Meyer. No: None. Motion approved. (See attached conditional use permit.)

Hold a public hearing for the consideration of a Conditional Use Permit for We Energies to bore under a wetland and water way to install electrical and gas service to two new proposed buildings to be located at 1002 S. Janesville Street. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that Municipal Ordinance 19.45.030(D) requires a conditional use permit for the installation of electrical and gas lines to be bored under a

shoreland wetland district. The construction and maintenance of electric, gas, telephone, water and sewer transmission and distribution lines, and related facilities; provided that: 1. The transmission and distribution lines and related facilities cannot as a practical matter be located outside the conservancy district; and 2. Any filling, draining, dredging, ditching, or excavating that is done must be necessary for the construction or maintenance of the utility, and must be done in a manner designed to minimize flooding and other adverse impacts upon the natural functions of the conservancy area.

City Planner Munz-Pritchard recommended the Plan Commission grant conditional approval for the request to allow for a Conditional Use Permit to install electrical and gas service to two new proposed buildings subject to the following conditions:

1. Approval contingent upon a written letter from the DNR.
2. Easements must be established to document the utilities.
3. Any other conditions identified by City Staff or the Plan Commission.

Jeff Peterson, from the operations side of We Energies, and Theran Stouts from R.A. Smith International were present to answer any questions. When asked if they could get a letter from the DNR that it is outside their jurisdiction, Theran stated that he could ask the Walworth County Water Management to provide the letter.

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

Moved by Binnie and seconded by Zaballos to conditionally approve the conditional use permit for the installation of new electrical and gas to be bored under wetland area at 1002 S. Janesville Street with the change in condition #1 for the receipt of confirmation from DNR that they have no jurisdiction on the matter. Aye: Binnie, Zaballos, Hinspater, Tanis, Stanek, Miller, Meyer. No: None. Motion approved.

John Tanis recused himself from the next item.

Hold a public hearing for consideration of a conditional use permit to allow for six apartments in the building at 707 W. Walworth Ave for A.J. Tanis. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained the proposal and her recommendations. The City Engineer also provided a review of the proposal.

AJ Tanis explained that he just wanted to embrace and enhance what is already in the building. For example, he would be adding showers to existing bathroom facilities. He wants to make usable space for 6 units. The lower level would be used for storage.

Plan Commission Member Lynn Binnie asked about #5 on the Engineer's report in reference to snow storage. He asked if the owner had permission to put snow on the property to the west.

Binnie also noted that item #4 on the Engineer report stated that a stop sign should be provided at the parking lot exit. Binnie did not think that was necessary in this situation.

Plan Commission Member Stanek asked about the widening of the driveway, creating more impervious surface. She also wanted to know if Tanis was okay with changing the grade of the property to make a depressed area to hold water.

AJ Tanis answered that there was no snow storage and they would be removing it from the site. Tanis was okay with not having to install a stop sign at the parking lot exit. Tanis explained that he wanted to increase the walkway so that it was all connected, to have a better accessible walk way. He had no objection to change the grade of his property if he needed to.

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

Moved by Binnie and seconded by Stanek to approve the conditional use permit to allow for 6 apartments in the building at 707 W. Walworth Ave. for AJ Tanis with the City Planner recommendations and the City Engineer recommendations with the elimination of items #4 and #5. Aye: Binnie, Stanek, Zaballos, Hinspater, Miller, Meyer. No: None. Tanis recused. Motion approved. (See attached conditional use permit.)

Hold a public hearing for a conditional use permit to allow for construction of nine (9) first floor apartments to be located in the commercial property at 884 S. Janesville Street for Russell Walton. They are also proposing 9 garages. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the garages were not reviewed in the Planner's Report. The garages are accessory structures. She will need the Plan Commission to note in their motion if the garages are for residents of the apartments or if they are for storage. City Planner Chris Munz-Pritchard went through her report and recommendations.

Russell Walton explained that the 9 apartments are one bedroom apartments. The garages go with the apartments. He questioned the removal of the apartment doors on the front of the building. He will be putting fencing around the area where the doors are, which creates a nice buffer area/recreational site.

Munz-Pritchard stated that this area could be considered a side yard area in that the section of the building is pushed back from the retail portion of the building.

There were no public comments. Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Stanek to conditionally approve the conditional use permit for 884 S. Janesville Street to allow for the construction of nine first floor apartments to be located in this commercial property subject to City Planner recommendations with the addition of documenting the use of garages for the apartment dwellers. A fence will be installed for the southern exposure to be considered a side yard, which would eliminate item #6 of the Planner's recommendations. Aye: Binnie, Stanek, Hinspater, Zaballos, Tanis, Miller, Meyer. No: None. Motion approved.

Hold a public hearing for consideration of a conditional use permit to convert a duplex into a six (6) unit apartment at 130 S. Prince Street for Robert E. Friermuth. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained her Planner report and recommendations. The City Engineer (Strand Associates) also had prepared a preliminary review.

Bob Friermuth stated that all three properties are in excess of two acres. He did not know how much impervious surface area he had in the rear yard area.

Pete Weston, Design Alliance Architects, explained that the three lots drain to the south. 140 S. Prince Street has the primary retention area for these lots. If needed, a portion of the lot at 130 S. Prince Street could be carved out to add to 140 S. Prince Street.

City Planner Chris Munz-Pritchard wanted the proposal to be fully engineered.

Bob Friermuth explained that the detention pond on the rear of the lot at 140 S. Prince Street was enough for all three lots. He will get engineering done as needed. If the lot line alterations need to be done, it can be done fairly easily. Friermuth also noted that the exterior of the building will all match. When asked about combining all three lots into one, Friermuth stated that he did not want to do that because there were lots of costs and nothing gets done. Friermuth enjoys improving properties.

Plan Commission Members requested that the engineering be documented; and liked having the addition on the back of the building.

City Planner Chris Munz-Pritchard requested that if the lot line is adjusted, it must be recorded and the documentation attached to the conditional use permit.

Moved by Binnie and seconded by Tanis to conditionally approve the conditional use permit to convert a duplex into a six (6) unit apartment at 130 S. Prince Street subject to the City Planner recommendations, adding that if the lot line is adjusted, it must be recorded and be documented and attached to the conditional use permit; and comply with City Engineer review subject to modification by deleting # 3 to provide stop signs. Aye: Binnie, Tanis, Stanek, Hinspater, Zaballos, Miller, Meyer. No: None. Motion approved.

Scott Weberpal to talk about Conditional Use Permits in GIS. Scott Weberpal was not available at the meeting. City Planner Chris Munz-Pritchard wanted to let the Plan Commission members know what the Neighborhood Services Department has been working on. It is a map in GIS that can be used to track conditional use permits. Scott Weberpal and Intern Kate Roepke made a map in the GIS and recorded all the conditional use permits back to about 1990. On this map you can click on a property and find the conditional use permits that were issued for that property and also a copy of the minutes of the meeting in which the conditional use permit was granted. This is a way to follow up on a conditional use permit to make sure the property owner

has met all the requirements of their conditional use permit. The Neighborhood Service officers have started that process.

The Plan Commission thought this was a nice tool.

Downtown Parking Changes. City Planner Chris Munz-Pritchard showed her PowerPoint presentation and explained the changes that were being made to the downtown parking ordinance Chapter 11.16 so Plan Commission members would be aware when it came to future projects. The Plan Commission did not need to make any decisions on this proposal as it is not a part of Chapter 19. The City put out a survey for public input about downtown parking on several forms of media. It came down to having 2 hour parking stalls on the streets with a few 15 minute stalls. And 10 hour parking stalls in the parking lots except for where there are permitted parking stalls. The City is trying to push long term parking into the parking lots instead of on the streets. They are also looking to remove the overnight parking restrictions. A new ordinance was added for “night owl and early bird parking” 11.16.146.

Plan Commission Member Zaballos noted that the maps should have “Special Needs – Accessible” on the maps instead of “Handicapped”. The term “handicapped” is offensive.

Plan Commission members voiced concerns of: If the overnight parking restrictions are removed, there could be a problem with losing daytime parking; there should be a time limit for the next day; no parking in excess vehicle length of 16 feet for on street angle parking; people need to be told where parking spaces are; signage should be added to let people know where parking lots are; 15 minute parking east side of City Hall should maybe be considered for Monday through Friday and have weekends longer; the Municipal lot across from City Hall should allow for special event parking (City Market on Tuesdays) – reduce the number of permitted stalls.

The proposed changes were going to the City Council for approval.

Hold a public hearing, to adopt by resolution, the public participation plan to comply with the State Comprehensive Planning Law. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard stated that the Plan Commission has to adopt by resolution, the public participation plan to comply with the State Comprehensive Planning Law. The City is at the point where we need to update the Whitewater Comprehensive Plan. It is to be looked at every five years, for us that would be approximately 2017. Some of the specific items that need to be addressed are: the R-2A Zoning and GIS updates.

There were no public comments. Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Tanis to move to adopt by resolution, the public participation plan to comply with the State Comprehensive Planning Law. Aye: Aye: Binnie, Tanis, Stanek, Hinspater, Zaballos, Miller, Meyer. No: None. Motion approved.

Information Items:

- a. Possible future agenda items. City Planner Chris Munz-Pritchard stated that as of today, there is nothing for the August 8, 2016 Plan Commission meeting.
- b. Next regular Plan Commission Meeting – August 8, 2016.

Moved by Tanis and seconded by Stanek to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:11 p.m.

Chairperson Greg Meyer

DRAFT

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: September 12th 2016
 Re: **Item # 5** Proposed a Conditional Use Permit for the installation of a new control building addition at 111 County Highway U per 19.39.060.

| Summary of Request | |
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| Requested Approvals: | installation of a new control building addition |
| Location: | 111 County Highway U |
| Current Land Use: | University (WE) |
| Proposed Land Use: | Same |
| Current Zoning: | PD Planned Development |
| Proposed Zoning: | No change. |
| Comprehensive Plan's Future Land Use: | MAN - Manufacturing |
| | |

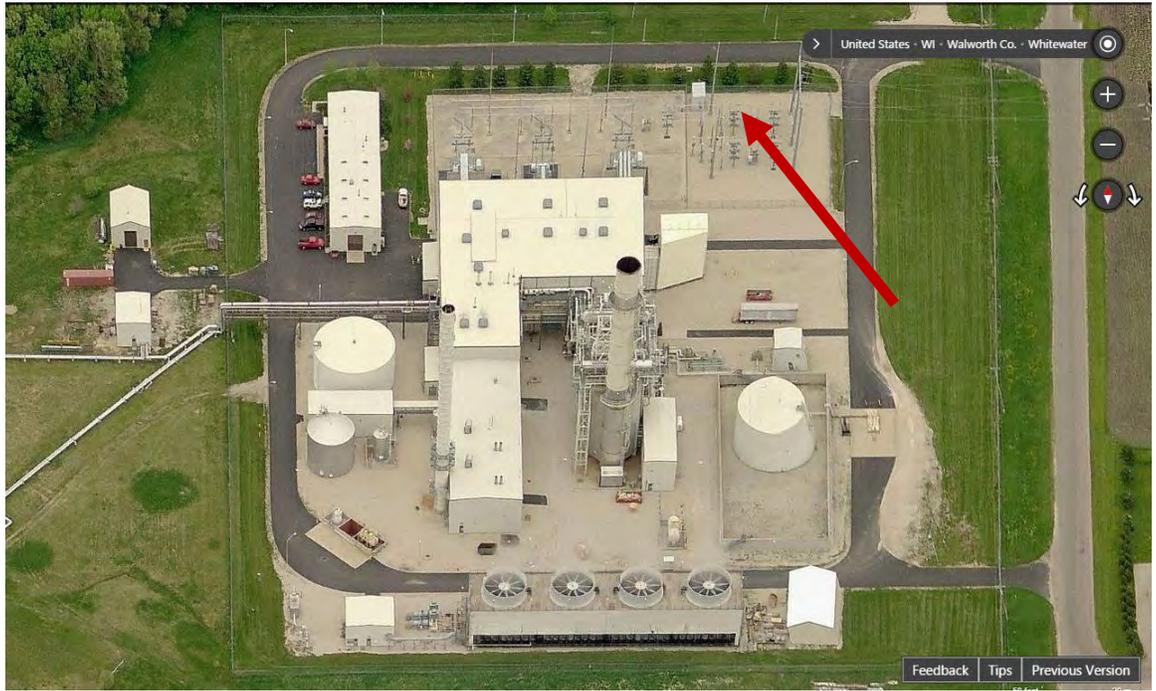
Description of the Proposal:

This is a proposed for modification to the PD. This is the expansion of an existing control house located in the electric substation area on the LPS cogeneration property. The expansion will double the size of the existing control house from 16 feet by 10 feet to 16 feet by 20 feet.

PLANNER'S RECOMMENDATIONS:

I recommend the Commission grant *conditional approval* for the request to allow for a Conditional Use Permit (CUP) to install the new proposed building subject to the following conditions of approval:

1. The requirement of building permits and approval by any state agencies.
2. Any other conditions identified by the Plan Commission.





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

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

NOTICE OF PUBLIC HEARING

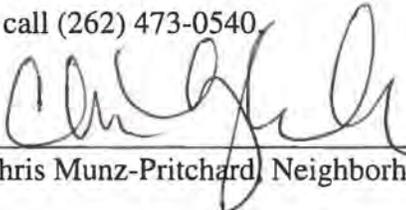
TO ALL INTERESTED PARTIES:

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 12th day of September 2016 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit for an addition to the existing control house located in the electric substation area of LSP Cogeneration property at 111 County Highway U for American Transmission Company.

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


Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-----------------|-------------------------------|--------------------|------------------------|--------------|-------|------------|
| 05-15-33-21-000 | LSP-WHITEWATER LP | | 402 E MAIN ST | BOZEMAN | MT | 59715-0000 |
| 05-15-33-24-000 | LSP-WHITEWATER LP | | 111 COUNTY HIGHWAY U | WHITEWATER | WI | 53190-0000 |
| 05-15-33-22-000 | WHITEWATER GREENHOUSE LL | | 2125 72ND ST | BYRON CENTER | MI | 49315-0000 |
| 05-15-33-13-000 | CITY OF WHITEWATER | | P O BOX 149 | WHITEWATER | WI | 53190-0000 |
| 05-15-33-12-000 | JOHNS DISPOSAL SERVICE | | 7311 OMEGA CIRCLE | FRANKSVILLE | WI | 53126-0000 |
| 05-15-33-12-002 | ROSS WALTON | MELISSA WALTON | W3442 VANNOY DR | WHITEWATER | WI | 53190-0000 |
| 05-15-28-34-000 | RUSSELL WALTON | | 1005 W MAIN ST SUITE C | WHITEWATER | WI | 53190-0000 |
| 05-15-2834-001 | ROGER J KUTZ | CHRISTINE M KUTZ | N614 FREMONT ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-33-31-000 | LAKESHORE DEVELOPMENT | GRAFTON INC | 521 HIGH BLUFF DRIVE | GRAFTON | WI | 53024-0000 |
| 05-15-33-32-000 | CITY OF WHITEWATER | | P O BOX 178 | WHITEWATER | WI | 53190-0000 |
| 05-15-33-31-001 | CITY OF WHITEWATER | | P O BOX 178 | WHITEWATER | WI | 53190-0000 |
| | AMERICAN TRANSMISSION CO | ATTN: KIM STRATTON | P O BOX 47 | WAUKESHA | WI | 53187-0000 |



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 111 County Road U

Owner's Name: LSP-Whitewater LP

Applicant's Name: Kim Stratton on behalf of American Transmission Company

Mailing Address: PO Box 47, Waukesha, WI 53187

Phone #: 262-506-6876 Email: kstratton@atcllc.com

Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): Part of
the NW 1/4 Sec. 33 T5N R15E

Existing and Proposed Uses:

Current Use of Property: Cogeneration plant/electric substation

Zoning District: PCD

Proposed Use: Use will not 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.

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: Kim Stratton on behalf of ATC

Date: 07/27/16

Printed: _____

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on 8-10-16. Received by: J. Wegner Receipt #: 6,012765
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 9-1-16.
- 3) Notices of the Public Hearing mailed to property owners on 8-29-16.
- 4) Plan Commission holds the PUBLIC HEARING on 9-12-16. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for

Applicants

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

Meet with Neighborhoods Services Department before submitting an application

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

Submit a complete and thorough application

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

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

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

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

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

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

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

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

For more complex projects, submit your project for conceptual review

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

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

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

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

Hold a neighborhood meeting for larger and potentially more controversial Projects

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

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

Typical City Planning Consultant Development Review Costs

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

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

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

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

Cost Recovery Certificate and Agreement

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

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

Section A: Background Information

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

Name of Applicant: Kim Stratton on behalf of
American Transmission Co.

Applicant's Mailing Address: PO Box 47, Waukesha, WI 53187
262-506-6876

Applicant's Phone Number: kstratton@atcllc.com

Applicant's Email Address: _____

Project Information:

Name/Description of Development: Expansion of electric substation control building

Address of Development Site: 111 County Road U
292-0515-3321-000 (pt of)

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: LSP-Whitewater LP

Property Owner's Mailing Address: 402 E Main St
Bozeman MT

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.

Kim Stratton
Digital signed by Kim Stratton
 DN: cn=Kim Stratton, o=Neumann Transmission
 Company, ou=Real Estate, email=kstrat@shc.com,
 c=US
 Date: 2010.02.27 10:34:03 -0500

Signature of Applicant/Petitioner

Kim Stratton

Printed Name of Applicant/Petitioner

 Date of Signature

Paul Sherry
 Signature of Property Owner (if different)

Owners' Representative of USP Whitewater LP
 Printed Name of Property Owner (if different)

Paul Sherry
 Date of Signature



University Substation Control Building Addition

1: 2,500
 The information contained herein is advisory and intended for reference purposes only. ATC owned and operated facilities are approximated.

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: September 12th 2016
 Re: **Item # 6** Proposed change to the original Planned Development (PD) located at Burr Oak Trail / County Road U and Fremont Rd for Fairhaven Corporation / Prairie Village Development.

| Summary of Request | | |
|---|---|-----------------------------------|
| Requested Approvals: | Proposed change to the original Planned Development (PD). | |
| Location: | Burr Oak Trail / County Road U and Fremont Rd | |
| Current Land Use: | Residential | |
| Proposed Land Use: | Same | |
| Current Zoning: | Planned Development (PD) | |
| Proposed Zoning: | Planned Development (PD) | |
| Comprehensive Plan's Future Land Use: | Two-Family / Townhouse Residential | |
| Surrounding <i>Zoning</i> and Current Land Uses: | | |
| Northwest: | Town of Cold Springs | Northeast: |
| Town of Cold Springs | | Town of Cold Springs |
| | Planned Development (PD) | |
| Southwest: | <i>I</i> Institutional | Southeast: |
| <i>I</i> Institutional | | <i>AT</i> Agricultural Transition |

Description of the Proposal:

This is a request to amend two things on the Planned Development (PD) approved in 2007. This review includes changes of clarification to the 2007 PD language and the September 2015 minor changes or alteration to the placement of buildings.

1. A planner report dated March 7th 2007 #6 e: *Indicate variety in porch option (eg 3- season porch sunroom, deck) 3-season porch and sunroom options were included in the phase 1 SIP submittal but I do not see reference to these options with the Phase 2 submittal. Are these to be an option for phase 2 unit owners? If so the SIP plans need to be more specific and direct on the issue to avoid confusion later.* This indicates that 3 season porches and sunrooms were included in the plans I am asking for clarification to the PD and shall read as follows:

Additions, Alterations or improvements made to residential units on the Planned Development may be allowed if said improvements meet the following:

A resident may make additions, improvements or alterations to the unit which do not impair the structural integrity or lessen the support of any portion of the property. No resident shall make any changes to the unit without prior written consent of Fairhaven. These alterations include but are not limited to exterior door, windows, light fixtures, or porch including three season porch. Written approval shall be provided during the building permit process.

2. Minor revisions: the proposed changes during the September 2015 meeting forced reconfiguration of the utilities. This in returned caused the movement of some of the buildings.

The September 2015 meeting: The new changes will include a grounds building located in the south area of the overall site plan. The addition of the grounds building will cause the 4 duplexes (southern) to shift to the North to accommodate the additional room needed for the grounds building. At the North end of the PD a Community Center is being proposed in conjunction with an outdoor activity space and 52 parking spaces. The use of the property will not change significantly. The proposed changes to the PD are compatible with the original intent of the development. Prior to construction engineering must be approved and building permits will be required. This Conditional Use Permit will grant the approval for these above listed changes from the Planned Development (PD) approved in 2007. Findings from the meeting include:

1. Any utilities located outside of the road way need to have easements added.
2. The Grounds Building and Community Center must follow the same architectural integrity and landscaping as the Planned Development (PD) approved in 2007.
3. The lot line on the Westerly edge of the property will need to be moved to accommodate future buildings on N. Acorn Ridge.

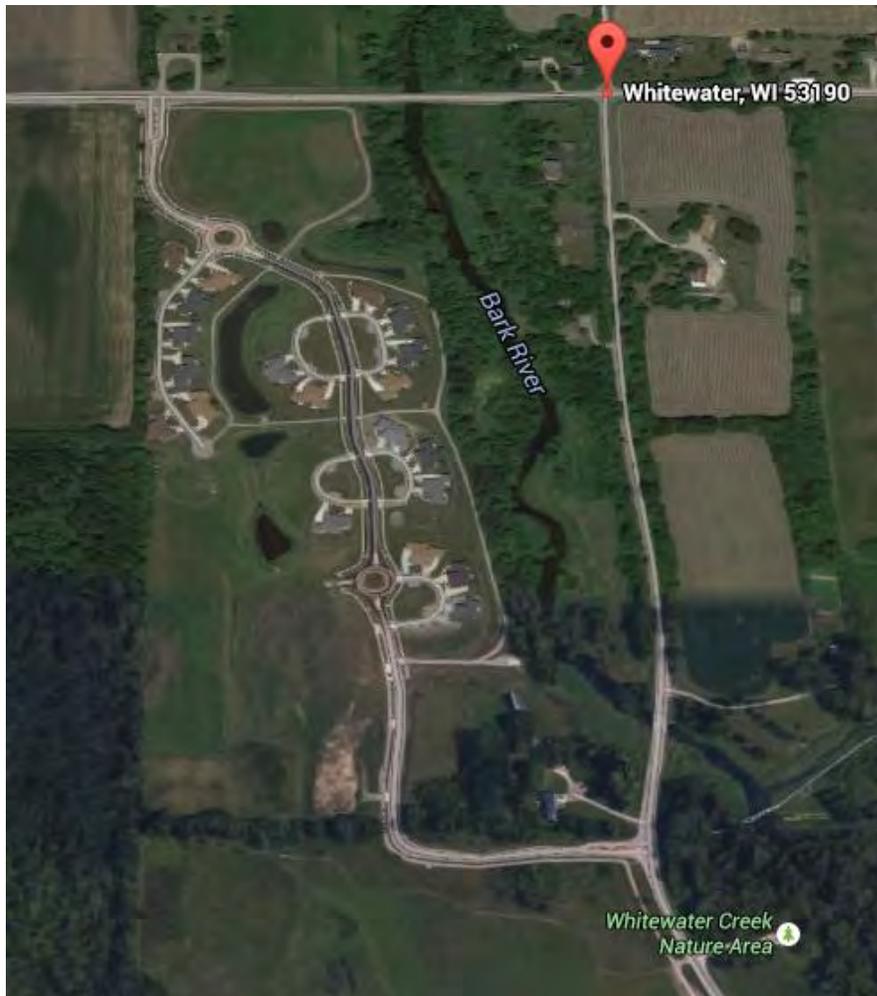
These are minor revisions to the site plan. These changes to the site will not change the overall character of the development.

PLANNER'S RECOMMENDATIONS:

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed request to vary from the proposed Planned Development (PD) approved in 2007, subject to the findings presented below.

SUGGESTED FINDING TO BE MADE BY THE PLAN COMMISSION

1. Any utilities located outside of the road way need to have easements added. There needs to be a clear record as to what are City utilities and what are private.
2. The building must follow the same architectural integrity and landscaping as the Planned Development (PD) approved in 2007.
3. Any other conditions identified by City Staff or the Plan Commission.



Analysis of Proposed Conditional Use Permit for: Burr Oak Trail / County Road U and Fremont Rd

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 | The use of this property will not change significantly. Prairie Village has been developed for 8 years. |
| 2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | Yes | Plans are not yet developed but must comply with the City and State 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 | The proposed changes to the PD hold true to the overall intent of the project. |
| 4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan. | Yes | The proposal does not change the 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 PD requirements 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

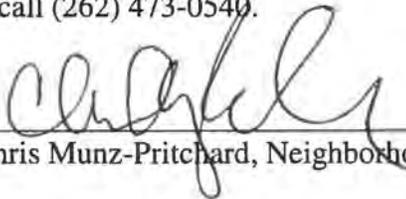
TO ALL INTERESTED PARTIES:

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 12th day of September 2016 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit for an amendment to the PD (Planned Development) of Prairie Village to allow for additions, alterations, or improvements to individual residences and for minor revisions to the site plan related to changes in the location of utilities and a few duplex residences for Fairhaven Corporation.

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.


 Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-----------------|----------------------------------|---------------------|---------------------|------------|-------|------------|
| 05-15-32-11-004 | CITY OF WHITEWATER | | P O BOX 178 | WHITEWATER | WI | 53190-0000 |
| 05-15-32-14-000 | FAIRHAVEN CORPORATION | | 435 W STARIN ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-32-11-000 | FAIRHAVEN CORPORATION | | 435 W STARIN ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-32-14-001 | PRESQUE ISLE PROPERTIES | | P O BOX 209 | WHITEWATER | WI | 53190-0000 |
| 05-15-32-12-003 | FAIRHAVEN CORPORATION | | 435 W STARIN ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-32-12-002 | FAIRHAVEN CORPORATION | | 435 W STARIN ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-32-13-000 | BOARD OF REGENTS | STATE UNIVERSITIES | 142 E GILMAN ST | MADISON | WI | 53701-0000 |
| 05-15-32-41-000 | BOARD OF REGENTS | STATE UNIVERSITIES | 142 E GILMAN ST | MADISON | WI | 53701-0000 |
| 05-15-32-42-000 | BOARD OF REGENTS | STATE UNIVERSITIES | 142 E GILMAN ST | MADISON | WI | 53701-0000 |
| 05-15-32-14-002 | DAVID M NEHLSN | LINDA D NEHLSN | N425 FREMONT ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-32-11-001 | DAVID M NEHLSN | LINDA D NEHLSN | N425 FREMONT ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-32-11-003 | WILLIAM F GMUR | LYNETTE I GMUR | N463 FREMONT ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-32-11-002 | SHANE L HACKNEY | AMY L HACKNEY | N477 FREMONT ROAD | WHITEWATER | WI | 53190-0000 |
| 05-15-29-44-003 | SHARON L MAKURAT | CAMILLE R MAKURAT | W4190 COUNTY ROAD U | WHITEWATER | WI | 53190-0000 |
| 05-15-29-44-002 | CHRISTOPHER A LANGE | | W4108 COUNTY ROAD U | WHITEWATER | WI | 53190-0000 |
| 05-15-29-43-000 | JOHN REEB | JEAN REEB | W4448 COUNTY ROAD U | WHITEWATER | WI | 53190-0000 |
| 05-15-33-23-000 | LSP WHITEWATER LP | | 111 COUNTY ROAD U | WHITEWATER | WI | 53190-0000 |
| 05-15-33-32-002 | CITY OF WHITEWATER | | P O BOX 149 | WHITEWATER | WI | 53190-0000 |
| | U.W - WHITEWATER | PLANNING DEPARTMENT | 800 W MAIN ST | WHITEWATER | WI | 53190-0000 |



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: Prairie Village (Burr Oak Trail, Acorn Ridge)

Owner's Name: Fairhaven Corp.

Applicant's Name: Fairhaven Corp. by Paul J. Kuenning

Mailing Address: 435 W Starin Rd, Whitewater

Phone #: 473-2140 Email: kuenningp@fairhaven.org

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

Prairie Village PD CSM 4964-26-108IN Lots 1-3

Existing and Proposed Uses:

Current Use of Property: Senior duplex community

Zoning District: PD

Proposed Use: PD

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.

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. | Will not change the overall character of the development. |
| B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | Minimal change to sites will not create any significant issues. |
| 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. | This is a request for a minor change to the PD. Providing a blanket approval for minor additions, alterations, or improvements will relieve the City Planner and Plan & Architectural Review Commission from having to review inconsequential matters. |
| D. That the conditional use conforms to the purpose and intent of the city Master Plan. | The nature of the PD will not change. |

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

Applicant's Signature: 

Date: 8/2/16

Printed: Paul J. Kuennning

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 8-4-16. Received by: J. Wagner Receipt #: 6-012758
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on _____.
- 3) Notices of the Public Hearing mailed to property owners on _____.
- 4) Plan Commission holds the PUBLIC HEARING on _____. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

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: Fairhaven Corp.

Applicant's Mailing Address: 435 W Starin Rd, Whitewater

Applicant's Phone Number: 473-2140

Applicant's Email Address: kueningp@fairhaven.org

Project Information:

Name/Description of Development: Prairie Village

Address of Development Site: Burr Oak Trail, Acorn Ridge

Tax Key Number(s) of Site: CSM 4964-26-108 IN Lots 1-3

Property Owner Information (if different from applicant):

Name of Property Owner: N/A

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

Paul J. Kuening

Printed Name of Applicant/Petitioner

8/2/16

Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature

August 3, 2016

Plan & Architectural Review Commission
City of Whitewater

Ladies and gentlemen:

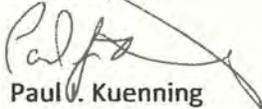
We are requesting the following amendments to the PD for Prairie Village.

- 1) Additions, alterations, or improvements made to individual residences on the Planned Development may be allowed if said improvements meet the following:

A resident may make additions, improvements, or alterations to the unit which do not impair the structural integrity or lessen the support of any portion of the property. No resident shall make any changes to the unit without prior written consent of Fairhaven. These alterations include but are not limited to exterior door, windows, light fixtures, or porch including three-season porch. Written approval shall be provided during the building permit process.

- 2) Minor revisions to the site plan related to changes in the location of utilities and of a few duplex residences. Please see attached plan.

Sincerely,

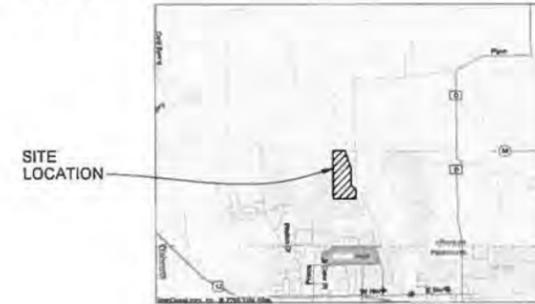


Paul V. Kuenning
President/CEO

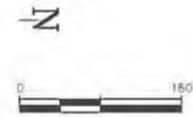
| INDEX OF SHEETS | |
|------------------|------------------------------|
| DRAWING NO. | DESCRIPTION: |
| CS 1.1 | COVER SHEET |
| CS 1.2 | TOPOGRAPHIC SURVEY |
| CS 2.1 | UTILITY LAYOUT PLAN-SOUTH |
| CS 3.1 | DRAINAGE PLAN-SOUTH |
| CS 4.1 THRU C4.3 | ACORN RIDGE - PLAN & PROFILE |
| CS 4.4 | STREET A - PLAN & PROFILE |
| CS 4.5 | STREET B - PLAN & PROFILE |
| CS 4.6 | WATERMAIN - PLAN & PROFILE |
| CS 4.7 | WATERMAIN - PLAN & PROFILE |
| CS 1 | EROSION CONTROL PLAN-SOUTH |
| CS 2 | EROSION CONTROL DETAILS |
| CS 3 | EROSION CONTROL DETAILS |
| C6 1 | STANDARD DETAIL DRAWINGS |
| C6 2 | STANDARD DETAIL DRAWINGS |

COVER SHEET SOUTHERN RESIDENTIAL AND ROAD PORTION

LOCATION MAP



| PERTINENT CONTACTS | CONTACT PERSON | PHONE |
|--------------------|----------------|--------|
| CITY OF WHITEWATER | | |
| SURVEYOR | GARY ZAHNINGER | 920-73 |
| ENGINEER | MIKE SIEWERT | 920-73 |



| BENCHMARK DATA | | |
|----------------|------------------|------------|
| I.D. | DESCRIPTION: | ELEVATION: |
| 1 | ARROW ON HYDRANT | 823.49 |
| 2 | ARROW ON HYDRANT | 820.44 |
| 3 | ARROW ON HYDRANT | 816.87 |
| 4 | ARROW ON HYDRANT | 818.14 |
| 5 | ARROW ON HYDRANT | 812.45 |

| TOPOGRAPHIC LEGEND | | |
|--|--|--|
| <ul style="list-style-type: none"> 1" x 1" x 1" 3" x 3" 4" x 4" 6" x 6" 8" x 8" 10" x 10" 12" x 12" 14" x 14" 16" x 16" 18" x 18" 20" x 20" 24" x 24" 30" x 30" 36" x 36" 42" x 42" 48" x 48" 54" x 54" 60" x 60" 72" x 72" 84" x 84" 96" x 96" 108" x 108" 120" x 120" 144" x 144" 168" x 168" 192" x 192" 216" x 216" 240" x 240" 270" x 270" 300" x 300" 360" x 360" 420" x 420" 480" x 480" 540" x 540" 600" x 600" 720" x 720" 840" x 840" 960" x 960" 1080" x 1080" 1200" x 1200" 1440" x 1440" 1680" x 1680" 1920" x 1920" 2160" x 2160" 2400" x 2400" 2700" x 2700" 3000" x 3000" 3600" x 3600" 4200" x 4200" 4800" x 4800" 5400" x 5400" 6000" x 6000" 7200" x 7200" 8400" x 8400" 9600" x 9600" 10800" x 10800" 12000" x 12000" 14400" x 14400" 16800" x 16800" 19200" x 19200" 21600" x 21600" 24000" x 24000" 27000" x 27000" 30000" x 30000" 36000" x 36000" 42000" x 42000" 48000" x 48000" 54000" x 54000" 60000" x 60000" 72000" x 72000" 84000" x 84000" 96000" x 96000" 108000" x 108000" 120000" x 120000" 144000" 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M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Chris Munz-Pritchard City Planner

Date: September 12th 2016

Re: **Item # 7** Proposed installation of a projecting sign on the second story of a building per Section 19.54.053 at 156 W Whitewater Street (Denny K’s Bar & Grill) Tax ID# /OT 00129 for Dennis Knopp.

| Summary of Request | | |
|--|--|-------------------------------------|
| Requested Approvals: | Proposed installation of a projecting sign on the second story of a building | |
| Location: | 156 W Whitewater Street (Denny K’s Bar & Grill) | |
| Current Land Use: | B-2 Central Business | |
| Surrounding Zoning and Current Land Uses: | | |
| | <i>NORTH</i> B-2 Central Business | |
| <i>WEST</i> B-2 Central Business | Subject Property | <i>EAST</i> B-2 Central Business |
| | <i>SOUTH</i> B-2 Central Business (Cravath Lakefront Park) | |

Description of the Proposal:

Request to allow for the installation of a projecting sign on part of the second story of a building located at 156 W Whitewater Street (Denny K’s Bar & Grill).

Dennis Knopp requested a variance on September 24th, 2015. The variance was not granted. At the request of Downtown Whitewater Inc. the sign ordinance Chapter 19.54

was amended to allow signs above the first floor with a conditional use permit. The ordinance was updated and approved by City Council on July 19th 2016.

The building has a mansard roof structure which does not provide a secure and safe installation foundation. Due to an existing mansard roof structure stretching across most of the building frontage the sign would be partially hidden from the eastbound traffic if the sign is required to be installed exclusively on the first floor. For both visibility and safety reasons the sign installation on the brick façade at the southeast corner of the building is preferred.

| Table 19.54.053: B-2 Sign Regulations for Permanent Signs Table C | | | |
|---|--------------------------------|---|--|
| | Maximum Size | Location | Maximum Height |
| Ordinance | 12 square feet per side | A minimum of 20 feet from any other projecting sign on another building | Within first floor area of building. Signs above first floor require a Conditional Use Permit. |
| | | No less than 8 1/2 feet above ground | |
| Proposed | Roughly 8 square feet per side | Second floor on the north end of the front of the building. | Applying for a CUP |

PLANNER’S RECOMMENDATIONS:

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed installation of a projecting sign on the second story of a building per Section 19.54.053 at 156 W Whitewater Street, subject to the findings presented below.

1. The illumination of the sign shall be limited to the hours of business.
2. Any other conditions identified by City Staff or the Plan Commission.





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

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

NOTICE OF PUBLIC HEARING

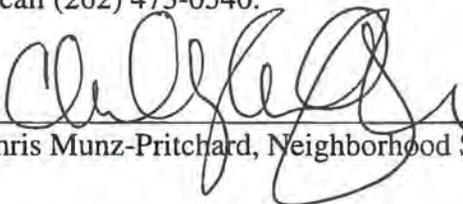
TO ALL INTERESTED PARTIES:

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 12th day of September 2016 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit for a projecting sign above the first floor of the building at 156 W. Whitewater Street for Dennis Knopp.

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.



Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | Address2 | City | State | Zip |
|-------------|---|------------------------------|--------------------------|----------|-------------|-------|------------|
| /A 29600001 | CITY OF WHITEWATER 'PUMP HOUSE' | | 312 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /A 29600002 | CITY OF WHITEWATER 'PUMP HOUSE' | | 312 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /OT 00053 | FIRST CITIZENS STATE BANK | | 207 W MAIN ST | | WHITEWATER | WI | 53190-0000 |
| /OT 00053A | FIRST CITIZENS STATE BANK | | 207 W MAIN ST | | WHITEWATER | WI | 53190-0000 |
| /OT 00054 | FIRST CITIZENS STATE BANK | | 207 W MAIN ST | | WHITEWATER | WI | 53190-0000 |
| /OT 00055A | FIRST CITIZENS STATE BANK | | PO | | WHITEWATER | WI | 53190-0000 |
| /OT 00062 | DONALD E LIGGETT TRUST | | PO BOX 223061 | | PRINCEVILLE | HI | 96722-0000 |
| /OT 00065 | TRIPLE J PROPERTIES LLC | | 543 A J ALLEN CIR | STE E 2 | WALES | WI | 53183-0000 |
| /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 | BGLL LLC | | 1691 MOUND VIEW PL | | WHITEWATER | WI | 53190-0000 |
| /OT 00071 | TRIPLE J PROPERTIES LLC | | 543 A J ALLEN CIR | STE E 2 | WALES | WI | 53183-0000 |
| /OT 00072 | JORGE ISLAS MARTINEZ | | 565 S FRANKLIN ST | | WHITEWATER | WI | 53190-0000 |
| /OT 00073 | KJN DEVELOPMENT LLC | | W316 N622 HEATHER HILL | | DELAFIELD | WI | 53018-0000 |
| /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 00076 | 141 W MAIN STREET BUILDING LLC | | N1103 PECHOUS LN | | WHITEWATER | WI | 53190-1655 |
| /OT 00077 | TRIPLE J PROPERTIES LLC | | 543 A J ALLEN CIR | STE E 2 | WALES | WI | 53183-0000 |
| /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 | TRIPLE J PROPERTIES LLC | | 543 A J ALLEN CIR | STE E 2 | WALES | WI | 53183-0000 |
| /OT 00082 | TRIPLE J PROPERTIES LLC | | 543 A J ALLEN CIR | STE E 2 | WALES | WI | 53183-0000 |
| /OT 00083 | TRIPLE J PROPERTIES LLC | | 543 A J ALLEN CIR | STE E 2 | 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 | HANTROPP PROPERTIES LLC | 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 | 129-133 CENTER LLC | | 12648 E 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 | | 543 A J ALLEN CIR | STE E 2 | WALES | WI | 53183-0000 |
| /OT 00139 | TRIPLE J PROPERTIES LLC | | 543 A J ALLEN CIR | STE E 2 | WALES | WI | 53183-0000 |
| /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 00144 | XURI PROPERTIES LLC | | S95 W34735 JERICHO DR | | EAGLE | WI | 53190-0000 |
| /OT 00145 | WISCONSIN DAIRY SUPPLY CO TAX COMMISSIONER C.M.ST.P.& P. RR CO. | | PO BOX 239 | | WHITEWATER | WI | 53190-0000 |
| /OT 00169 | WATERTOWN SAVINGS & LOAN | %ASSOCIATED BANK MS8227 | 433 MAIN ST | | GREEN BAY | WI | 54301-0000 |
| /OT 00170 | US OF AMERICA | WHITEWATER POST OFFICE | 213 W CENTER ST | | WHITEWATER | WI | 53190-0000 |
| /OT 00171 | KELLY LAW BUILDING LLC | | 205 W CENTER ST | | WHITEWATER | WI | 53190-0000 |
| /OT 00172 | ROBERT R ARDEL | | 203 W CENTER ST | | WHITEWATER | WI | 53190-0000 |

| | | | | | | | |
|------------|--|--|---------------------|--|------------|----|------------|
| /OT 00173 | RODRIGUEZ PROPERTIES II LLC | | N9707 N MCCORD RD | | WHITEWATER | WI | 53190-0000 |
| /OT 00173A | CENTER STREET RENTALS LLC | | W9597 BREIDSAN DR | | WHITEWATER | WI | 53190-0000 |
| /OT 00173B | RODRIGUEZ PROPERTIES II LLC | | N9707 N MCCORD RD | | WHITEWATER | WI | 53190-0000 |
| /TR 00005 | CC PROPERTY DEVELOPMENT LLC | | 111 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /TR 00006 | CC PROPERTY DEVELOPMENT LLC | | 111 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /TR 00006A | CC PROPERTY DEVELOPMENT LLC | | 111 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /TR 00008 | WISCONSIN DAIRY SUPPLY CO TAX COMMISSIONER C.M.ST.P. & P. RR CO- | | PO BOX 239 | | WHITEWATER | WI | 53190-0000 |
| /TR 00009 | WISCONSIN DAIRY SUPPLY CO TAX COMMISSIONER C.M.ST.P. & P. RR CO- | | PO BOX 239 | | WHITEWATER | WI | 53190-0000 |
| /TR 00010 | COMMUNITY DEVELOPMENT AUTHORITY OF CITY OF WHITEWATER | | 402 W MAIN ST | | WHITEWATER | WI | 53190-0000 |
| /TR 00012 | COMMUNITY DEVELOPMENT AUTHORITY OF CITY OF WHITEWATER | | 402 W MAIN ST | | WHITEWATER | WI | 53190-0000 |
| /TR 00014A | CITY OF WHITEWATER | | 312 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /TR 00015 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /TR 00016 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | | WHITEWATER | WI | 53190-0000 |
| /WUP 00321 | STATE OF WISCONSIN DEPT OF TRANSPORTATION | | | | MADISON | WI | 53702-0000 |

el



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 156 W WHITEWATER SE

Owner's Name: DENNIS KNOPP

Applicant's Name: DENNIS KNOPP

Mailing Address: 323 S. JAMESVILLE ST

Cell-Phone #: 262-707-6408 Email: KNOPPDENNIS@HOTMAIL.COM

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

Existing and Proposed Uses:

Current Use of Property: BAR + GRILL

Zoning District: _____

Proposed Use: SAME

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

Conditions

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

APPLICATION REQUIREMENTS

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

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

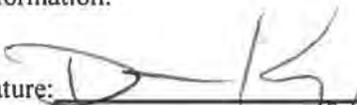
****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

STANDARDS FOR REVIEW AND APPROVAL

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

| STANDARD | APPLICANT'S EXPLANATION |
|--|-------------------------|
| A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property. | No. |
| B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | N.A. |
| 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: 8-11-16

Printed: DENNIS KNOPP

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 8-4-16. Received by: JWegner Receipt #: 6-012757
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 9-1-16.
- 3) Notices of the Public Hearing mailed to property owners on 8-29-16.
- 4) Plan Commission holds the PUBLIC HEARING on 9-12-16. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

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

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

Meet with Neighborhoods Services Department before submitting an application

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

Submit a complete and thorough application

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

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

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

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

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

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

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

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

For more complex projects, submit your project for conceptual review

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

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

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

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

Hold a neighborhood meeting for larger and potentially more controversial Projects

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

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

Typical City Planning Consultant Development Review Costs

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

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

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

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

Cost Recovery Certificate and Agreement

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

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

Section A: Background Information

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

Name of Applicant: DENNIS KNOPP

Applicant's Mailing Address: 323 S JANESVILLE ST
WHITWATER WI

Applicant's Phone Number: 262-473-7898 - WORK

Applicant's Email Address: KNOPPDENNIS@HOTMAIL.COM

Project Information:

Name/Description of Development: DENNY'S BAR + GRILL

Address of Development Site: 156 W WHITWATER 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

DENNIS KNOPP

 Printed Name of Applicant/Petitioner

8-3-16

 Date of Signature

 Signature of Property Owner (if different)

 Printed Name of Property Owner (if different)

 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: September 12, 2016
 Re: **Item # 8 & 9** Proposed Zoning Map Amendment to Impose the R-2A Residential Overlay District Zoning and to Enable up to Five (5) Unrelated Persons in a Residence per Section 19.19 at 426 W Whitewater St for ARKI LLC (Arthur Stritzel).

| Summary of Request | | |
|--|---|---|
| Requested Approvals: | Zoning Map Amendment to Add the R-2A Overlay District and up to Five (5) Unrelated Persons in a Residence | |
| Location: | 426 W Whitewater St | |
| Current Land Use: | R-2 One and Two Family Residential | |
| Proposed Land Use: | Same, but with up to 4 unrelated individuals | |
| Current Zoning: | R-2 One and Two Family Residential | |
| Proposed Zoning: | R-2A Overlay District over the Current R-2 Zoning District | |
| Comprehensive Plan's Future Land Use: | Central Area Neighborhood | |
| Surrounding Zoning and Current Land Uses: | | |
| Northwest: | Subject Property | Northeast: |
| R-2 One & Two-Family Residence District | | R-2 One & Two-Family Residence District |
| Southwest: | Subject Property | Southeast: |
| 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 five (5).

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 five (5).

Total habitable space required for Five (5) unrelated individuals is 1,720 square feet (400 square feet x 1st individual)+ (330 square feet x 4 additional individuals) = 1,720 square feet of habitable space. According to the assessor web page the current square footage is 1,292 square feet. Mr. Stritzel did pull a building permit on June 17th 2016. According to his plans at the time of submitting the plans the home square footage increased to 1,685 square feet.

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 Residential 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. The drive is to be hard surfaced with concrete or asphalt. In accordance with this application parking shall be indicated on a map.
2. The plans need to indicate the amount of impervious surface which must follow the standards of the R-2 district. The planner reserves the right to have engineering approve the amount of impervious surface.
3. The home does not meet the minimal requirements of 1,720 square feet for five unrelated. Therefore the number of unrelated needs is to be decreased by one, to only allow only four unrelated. To insure that the home is not over occupied the lease can be requested at any time to insure that the number of unrelated is being meet.
4. Any other conditions identified by City Staff or the Plan Commission.

Analysis of Proposed Conditional Use Permit for: 426 W Whitewater St

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. | Yes | Parking configuration needs to be provided. |
| 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> |
| 426 W. Whitewater Street | OT 00182 | ARKI LLC. (Arthur Stritzel) |

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, September 12, 2016, 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 4:30 p.m. Monday through Friday.

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

Dated: August 16, 2016

Publish: in "Whitewater Register"
on August 25, 2016, and September 1, 2016



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 12th day of September 2016 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 5 unrelated persons to live in the house located at 426 W. Whitewater Street for ARKI LLC. (Arthur Stritzel).

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


Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-------------|--|---------------------------|---------------------------|---------------|-------|------------|
| /A 92900001 | HOME LUMBER CO INC | | 499 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /A267400002 | CITY OF WHITEWATER 'PUMP HOUSE' | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /A267400003 | CITY OF WHITEWATER 'PUMP HOUSE' | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00157 | COMMERCIAL BANK FREMONT ST. | | | WHITEWATER | WI | 53190-0000 |
| /OT 00158 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00159 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00162 | TOPPERS PROPERTIES LLC | | 333 W CENTER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00174 | MARK ROE | JEFFREY ROE | 7515 STURTEVANT RD | WHITEWATER | WI | 53190-0000 |
| /OT 00175 | CHAPMAN RENTALS LLC | | 505 MEADOWVIEW LA | JOHNSON CREEK | WI | 53038-0000 |
| /OT 00176 | WHITEWATER COLLEGE RENTALS | | 171 INDUSTRIAL DR | BURLINGTON | WI | 53105-0000 |
| /OT 00177 | STEVEN GOUTCHER | RITA GOUTCHER | W5318 DAM RD | GLEN FLORA | WI | 54526-9506 |
| /OT 00177A | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00178 | SAMUEL S ERICKSON | | 18917 SPRING ST | UNION GROVE | WI | 53182-0000 |
| /OT 00179 | MARC ROE | JEFFREY ROE | 7515 STURTEVANT RD | WHITEWATER | WI | 53190-0000 |
| /OT 00180 | RUSSELL R WALTON | | 1005 W MAIN ST STE C | WHITEWATER | WI | 53190-0000 |
| /OT 00181 | DENNIS M ERICKSON | | 417 W FOREST AVE | WHITEWATER | WI | 53190-0000 |
| /OT 00182 | ARKI LLC | | W396 S3675 HARDCRABBLE RD | DOUSMAN | WI | 53118-0000 |
| /OT 00182A | MELISSA R MIRITZ | | 423 W FOREST AVE | WHITEWATER | WI | 53190-0000 |
| /OT 00183 | RUSSELL ROGERS | MARY E ROGERS | 430 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00184 | KENNETH E MOEHRING | JOLYNN M MOEHRING, et al. | N8137 RANGELINE RD | SHEBOYGAN | WI | 53083-0000 |
| /OT 00185 | ALEJANDRO PEREZ | JUANA PEREZ, ETAL | 436 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00186 | KATIE M JOHNSON | | 437 W FOREST AVE | WHITEWATER | WI | 53190-0000 |
| /OT 00187 | KACHEL LP 253 | | P O BOX 239 | WHITEWATER | WI | 53190-0000 |
| /OT 00187A | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00188 | GEOFFREY R HALE | JACQUELINE A HALE | 261 S CHURCH ST | WHITEWATER | WI | 53190-0000 |
| /OT 00189 | RODRIGUEZ PROPERTIES LLC | | N9707 N MCCORD RD | WHITEWATER | WI | 53190-0000 |
| /OT 00190 | SCOTT ALLEN KREBS | KIMBERLY ANN KREBS | 440 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00191 | JOHN W MEDDAUGH | | 452 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00192 | WOODS PROPERTIES SOUTHEAST LC | | 1019 CARDINAL CT | UNION GROVE | WI | 53182-0000 |
| /OT 00193 | C NYLE GERMUNDSON | | 967 W WALWORTH AVE | WHITEWATER | WI | 53190-0000 |
| /OT 00196 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00197A | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00198A | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /OT 00200 | FOURTH STREET PAD LLC | | 4328 TANGLEWOOD DR | JANESVILLE | WI | 00005-3546 |
| /OT 00201 | WHITEWATER COLLEGE RENTALS | | 171 INDUSTRIAL DR | BURLINGTON | WI | 53105-2325 |
| /SMVK 00001 | DUANE R SCHAUB | | 2564 NORTH SHORE DR #3 | DELAVAN | WI | 53115-3811 |
| /SMVK 00002 | M SCOTT GITTRICH | | 333 W CENTER ST | WHITEWATER | WI | 53190-0000 |
| /SMVK 00003 | RUSSELL W DEVITT | | 1210 W WALWORTH AVE | WHITEWATER | WI | 53190-0000 |
| /WUP 00321 | STATE OF WISCONSIN DEPT OF TRANSPORTATION | | | MADISON | WI | 53702-0000 |
| /A463600001 | HOME LUMBER CO INC | | 499 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /A463600002 | HOME LUMBER CO INC | | 499 WHITEWATER ST | WHITEWATER | WI | 53190-0000 |

CITY OF WHITEWATER

312 W Whitewater Street
P.O. Box 178
Whitewater WI 53190
(262) 473-0540
www.whitewater-wi.gov

NEIGHBORHOOD SERVICES

Application for R-2A Overlay District

APPLICANT AND SUBJECT PROPERTY INFORMATION

This Application a request for an R-2A Overlay Amendment to the Zoning Map and a request for a Conditional Use Permit (CUP) to allow four (4) or more unrelated occupants. Please complete all items. Put N/A if not applicable. Attach additional pages as necessary.

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

Address of Subject Property: 426 West Whitewater St.

Address of Subject Property Tax ID #: ²⁹¹ ~~XXXXXXXXXX~~ LOT-00182

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

Applicant's Name: Arthur Stritzel

Phone #: 262-719-3191 Email: astritzel1@gmail.com

Mailing Address: W396 53675 Hardscrabble Road

Land Owner's Name and Contact Information: Dousman, WI 53118
ARKE LLC (same as above)

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, 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 zoning map changes (Section 19.69).

REQUESTED LAND USE, ZONING and CONDITIONAL USE:

- Request to Increase permitted occupancy using existing rooms with no moving of interior walls and no significant changes to the exterior of the dwelling. For drawing requirements please see Plot/Site Plans Checklist.
- Request to increase permitted occupancy with moving of interior walls and/or significant change to the exterior of dwelling. For drawing requirements please see Plot/Site Plans Checklist and 2 below.

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

5 bd rooms please allow for
5 unrelated people

1. Planner reviews application for completeness
2. Building inspector visits the dwelling to confirm current use/dimensions of rooms, compliance with codes. If request to increase permitted occupancy with moving of interior walls and/or significant change to the exterior of dwelling is proposed, the Building Inspector may require architectural drawing.
3. Any initial legal questions to be vetted with City Attorney
4. Report is reviewed with application, notify Planner whether applicant wishes to proceed with application, withdraw application or place application on hold.
5. Application submitted to Plan Commission.

**RECORD OF APPLICATION FEES FOR
ZONING MAP AMENDMENT 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 8-15-16 Receipt No. 6.012779

Received by J. Wegner

To be completed by Neighborhood Services Department:

Fee for Conditional Use Permit: \$100.00

Date Application Fee Received by City 8-15-16 Receipt No. 6.012779

Received by J. Wegner

To be completed by Neighborhood Services Department:

Building Inspector : \$25.00

Date Application Fee Received by City 8-15-16 Receipt No. 6.012779

Received by J. Wegner

Applicant Signature:  Date: 8-15-2016

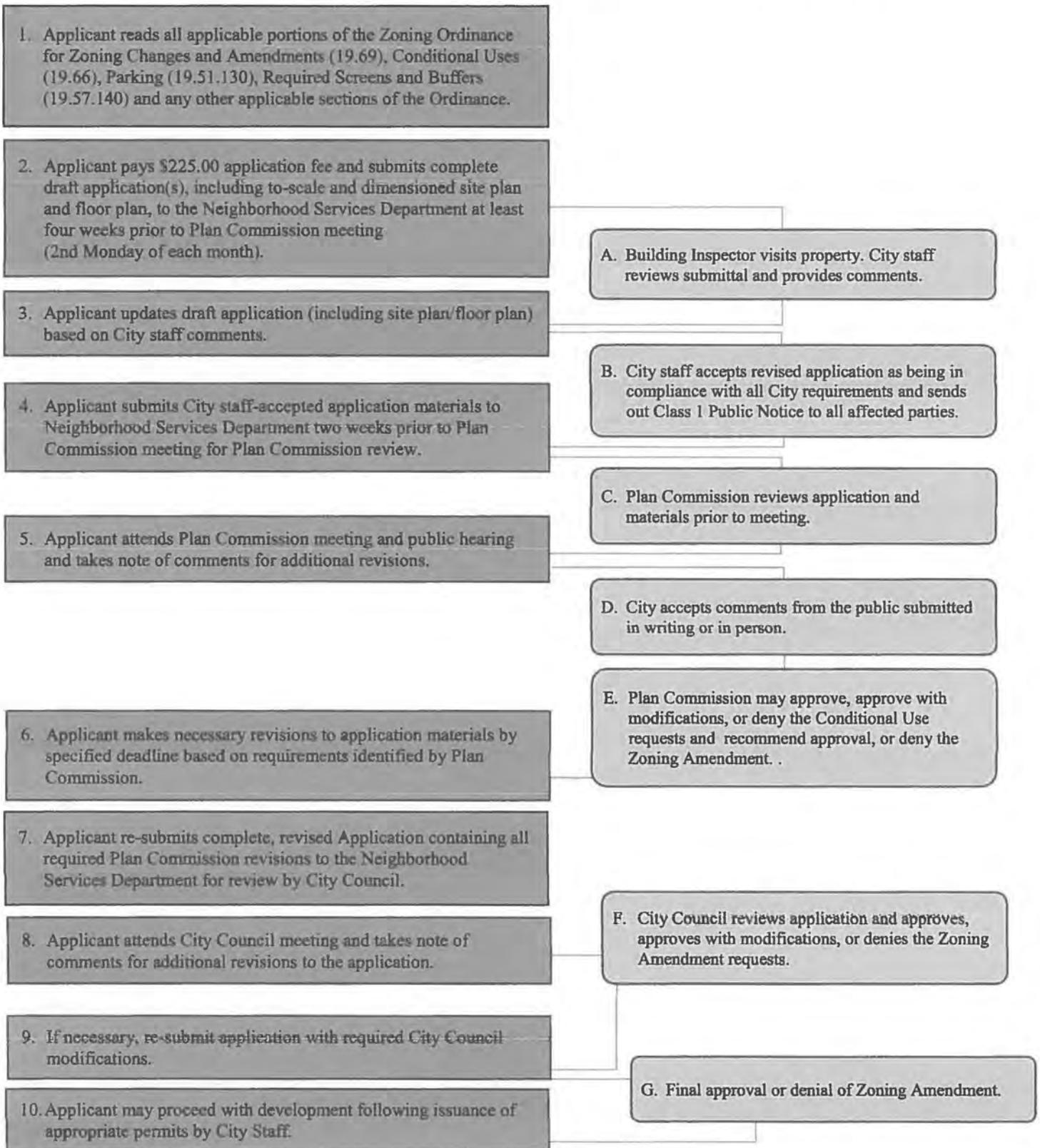
Print Name: Arthur W. Stritzel

Land Owner's Signature:  Date: _____

Print Name: _____

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

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 and fit on one 8.5 x 11 sheet of graph paper
- 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 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 (see Section 19.57.130)

“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

Parking Stalls Required (see Section 19.51.050 and 19.51.130)

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 dwelling 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)

- 1-family dwelling: 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.
- 2-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.
- 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 set back from 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

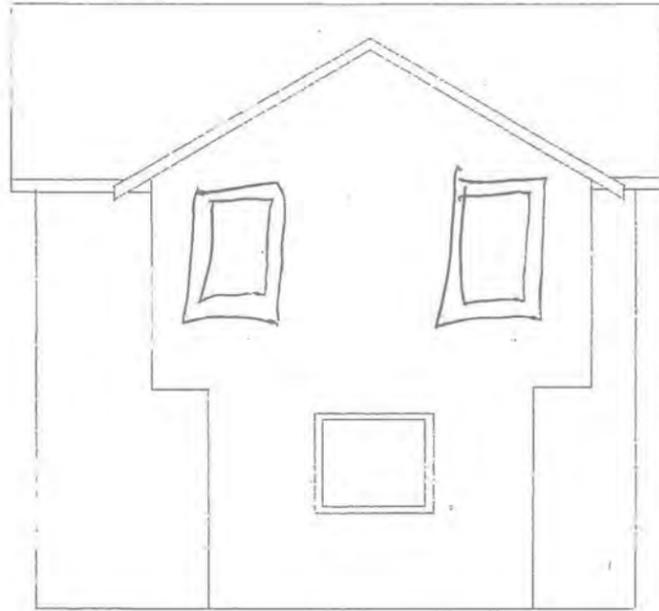
Building Setbacks (see Section 19.21.050)

For One-Family dwelling Units:

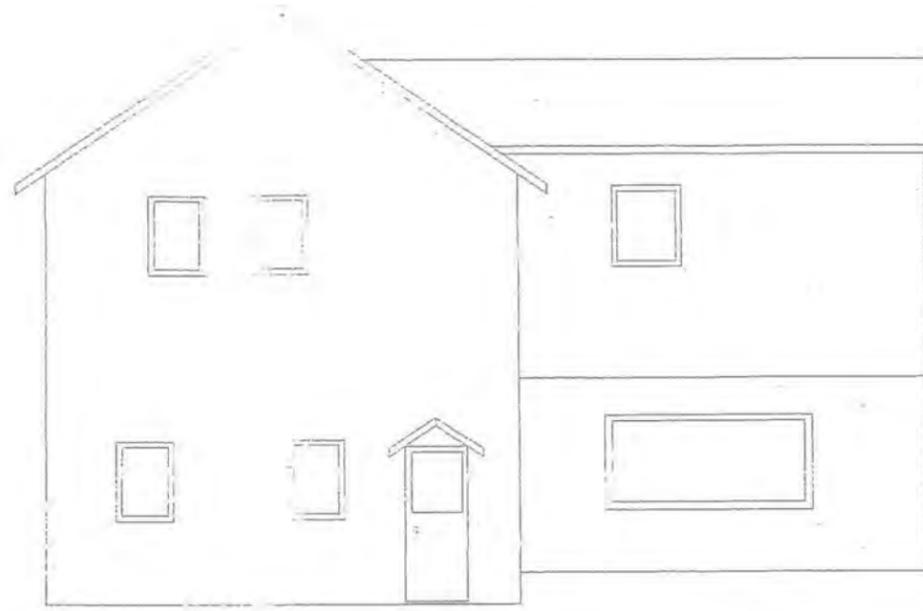
- Front: 25 feet
- Side: 10 feet or 25 feet for corner lots
- Rear: 30 feet
- Shore: 75 feet

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



East Elevation



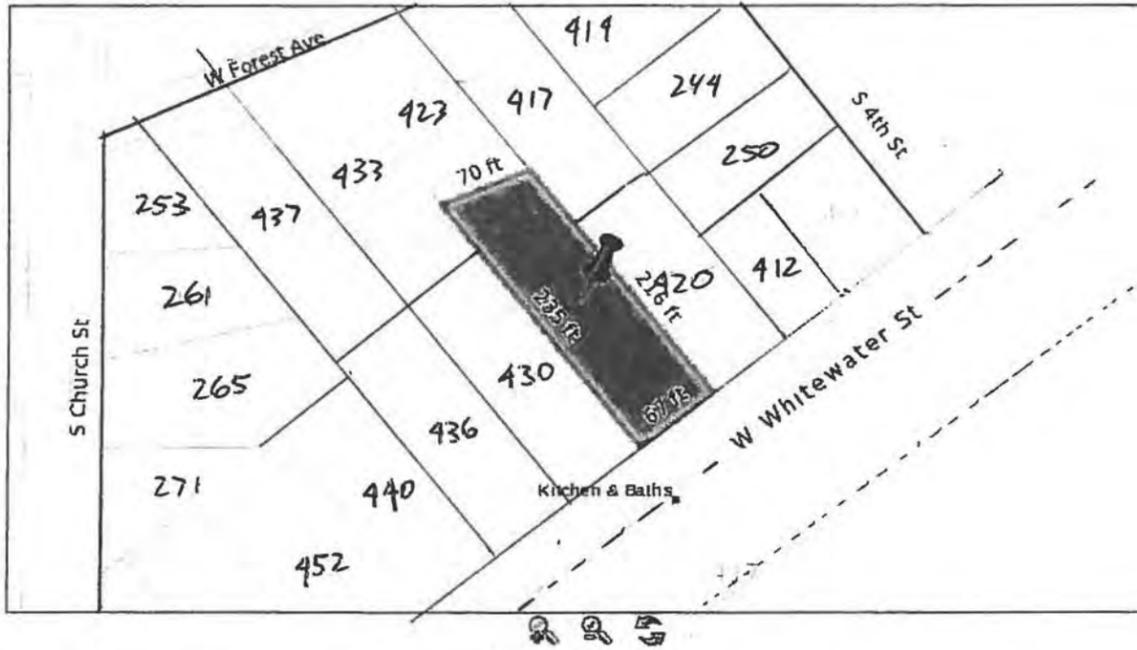
South Elevation

ARKI LLC
426 West Whitewater St.
Elevations
262-719-3191

10/27/2015

flexmls Web

Street Map for MLS # 1744866 426 W Whitewater St, Whitewater, WI 53190

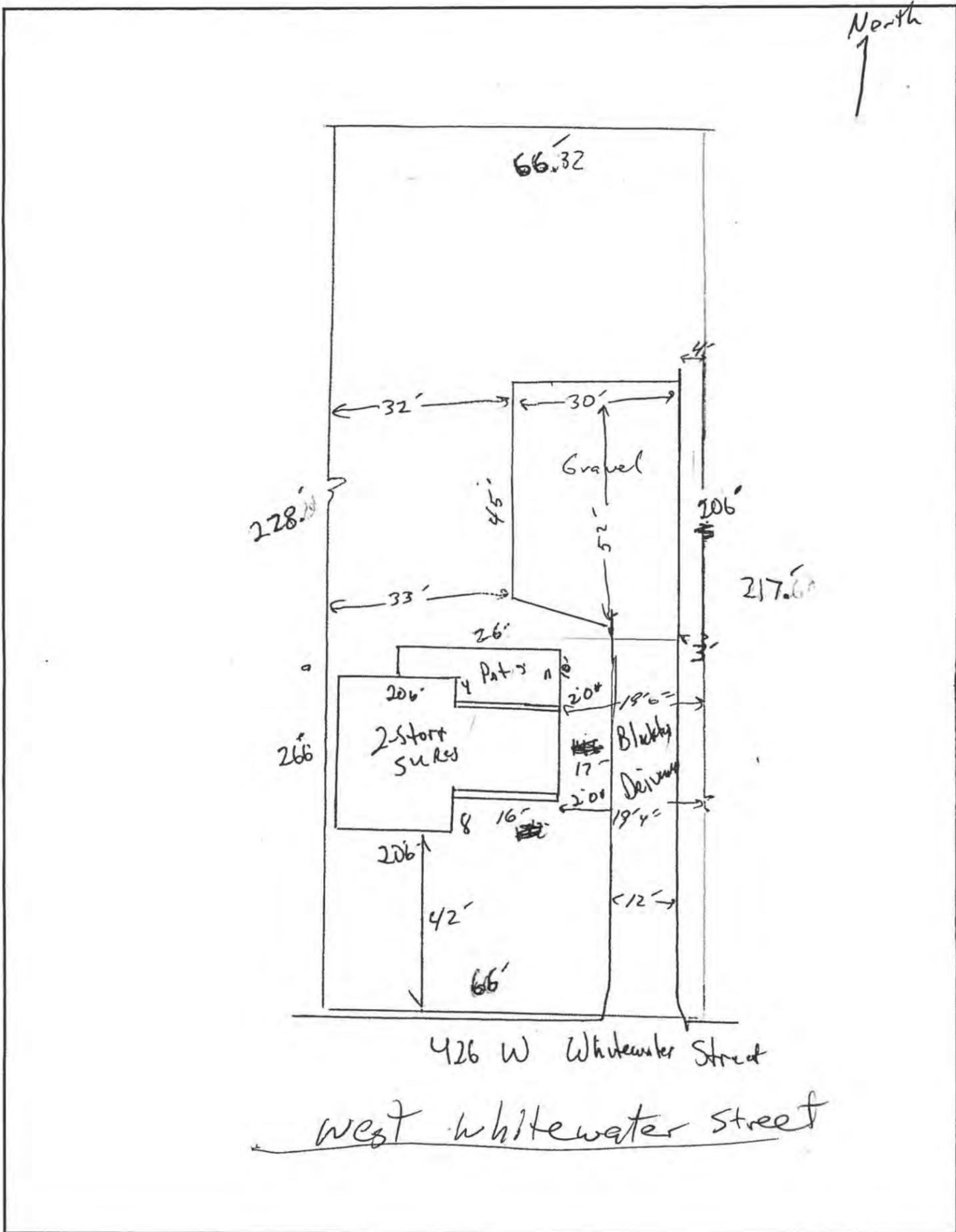


<http://met.flexmls.com/cgi-bin/mainmenu.cgi>

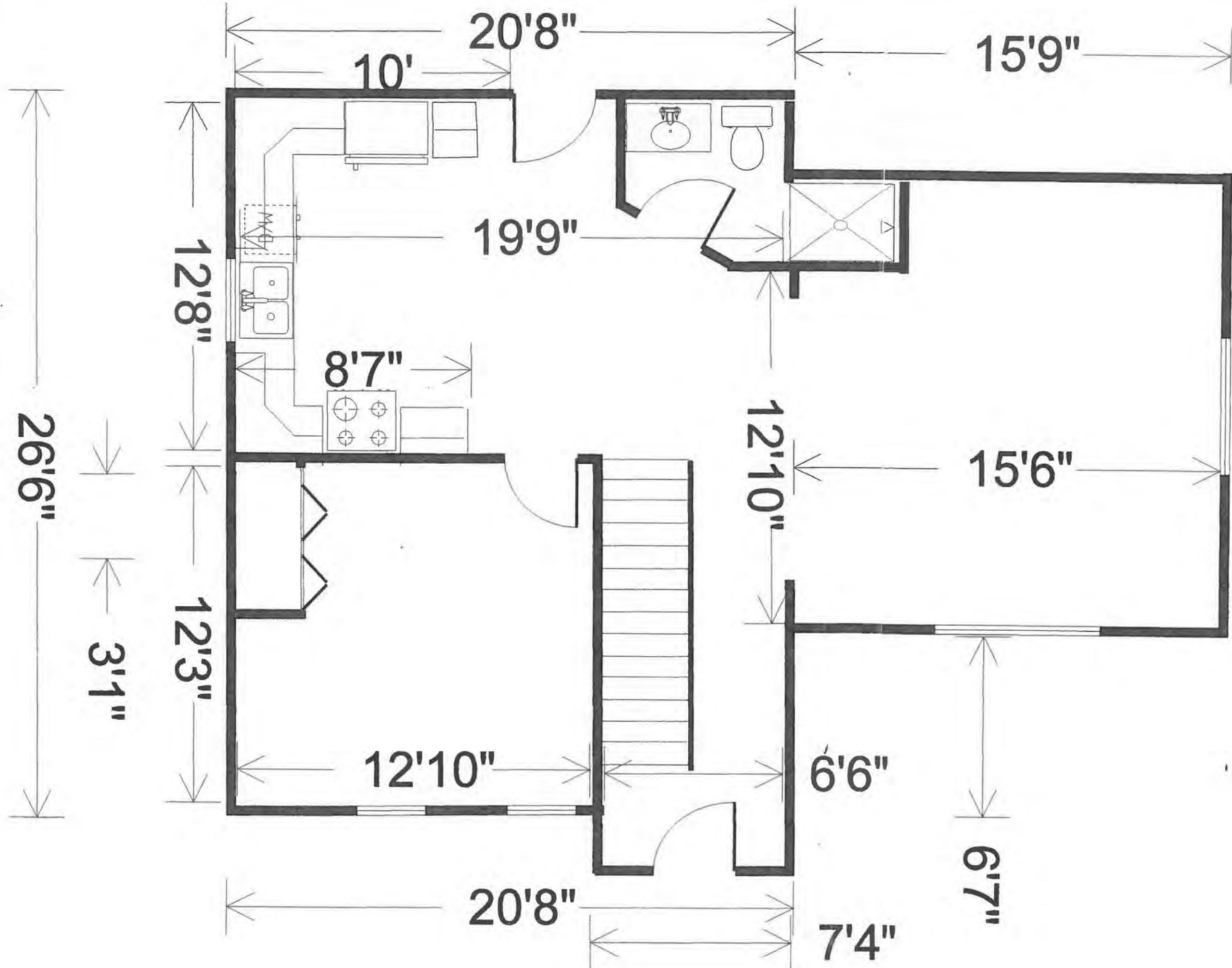
5/5

ARKI LLC
 426 West Whitewater St.
 Location
 262-719-3191

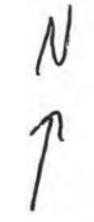
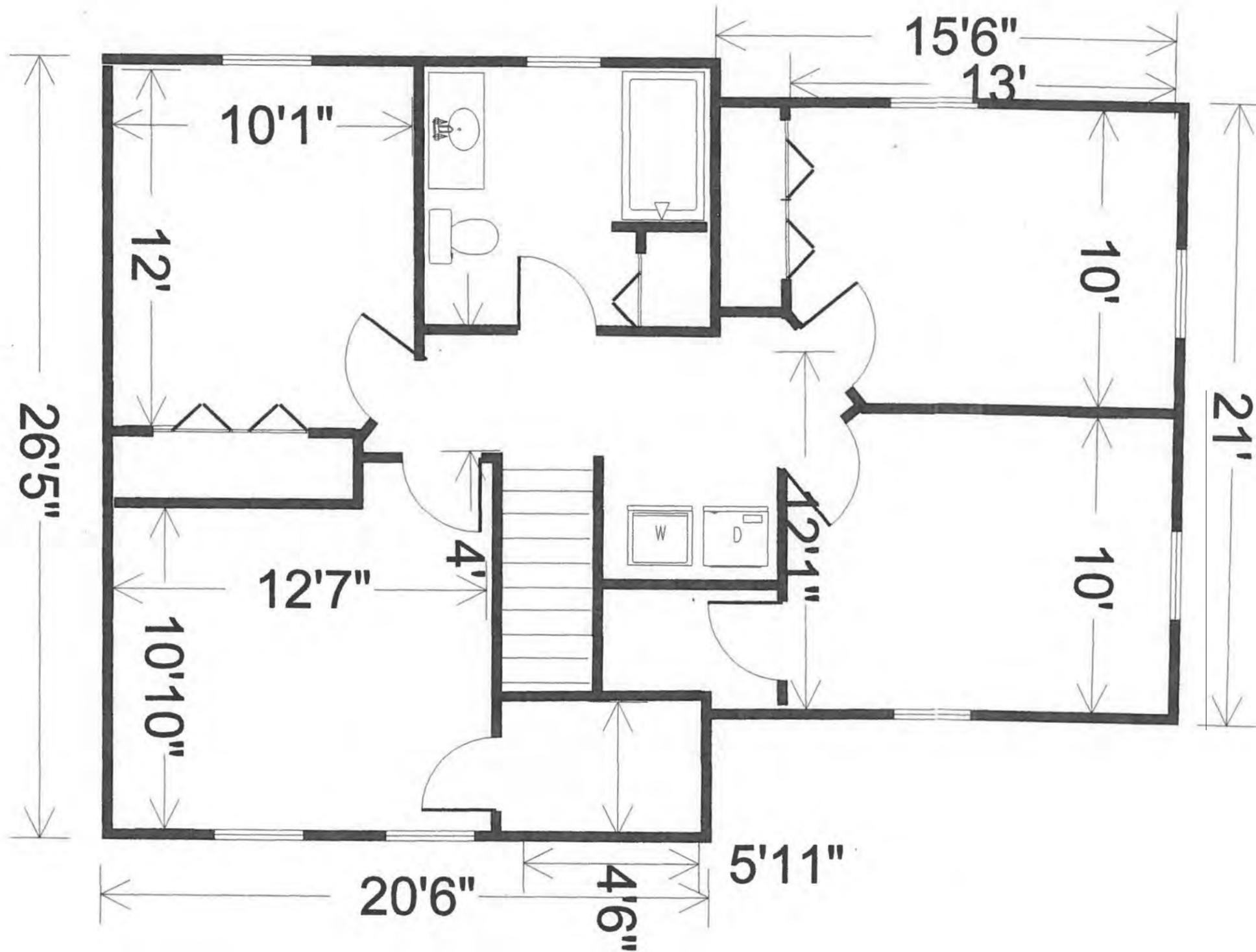
SCA — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE



ARKI LLC
 426 West Whitewater St.
 "Plot" Foot print
 262-719-3191



ARKI LLC
 426 West Whitewater St.
 First Floor
 262-719-3191
 $\frac{1}{4}'' = 1'$



ARKI LLC
 426 West Whitewater St.
 Second floor
 262-719-3191
 1/4" = 1'

M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission
 From: Chris Munz-Pritchard City Planner
 Date: September 12th 2016
 Re: **Item # 10** Proposed conversion of a single family home into a duplex per Section 19.21.030 at 168 North Tratt Street (/WUP 00166H) for D.L.K. Enterprises Inc.

| Summary of Request | | |
|---|--|----------------------------|
| Requested Approvals: | Proposed conversion of a single family home into a duplex (two-family attached dwelling) | |
| Location: | 168 N. Tratt Street | |
| Current Land Use: | Single Family Home | |
| Proposed Land Use: | Duplex (two-family attached dwelling) | |
| Current Zoning: | R-3 Multifamily Residence District | |
| Proposed Zoning: | No change | |
| Comprehensive Plan's Future Land Use: | Higher Density Residential | |
| Surrounding <i>Zoning</i> and Current Land Uses: | | |
| | North: | |
| | R-3 Multi Family Residence | |
| West: | Subject Property | East: |
| R-3 Multi Family Residence | | R-3 Multi Family Residence |
| | South: | |
| | R-3 Multi Family Residence | |

Description of the Proposal:

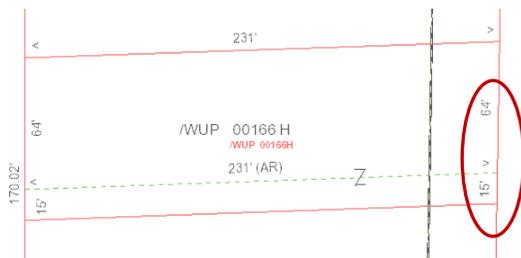
The proposed project requires a Conditional Use in Section 19.21.030 of the R-3 Multi Family Residence zoning district which reads: conversions of existing structures resulting in more dwelling units.

This proposal is the conversion of a single family home into a duplex (two-family attached dwelling). Each dwelling unit will have 5 bedrooms and 2 full baths. Minimum lot size for a two-family attached dwelling is 12,000 square feet. The lot sits on .36 acres or approximately 15,800 square feet.

PLANNER’S RECOMMENDATIONS:

I recommend the Plan and Architectural Review Commission grant *conditional approval* for the requested modification to the building exterior at 168 North Tratt Street, subject to the following conditions of approval:

1. The minimum parking stall requirement is 9 stalls. The site plan for parking only shows 9 stalls. The access to this parking area is through the adjacent parking lot which is removing parking stalls. The applicant needs to verify that the adjacent building is still meeting code with the removal of two to three parking stalls. In addition a drive access shall be documented with a driveway agreement / easement through the adjacent lots. Parking stalls are to be striped. Permitted cars will have either numbered parking stalls, hanging tags or parking stickers to identify permitted vehicles. Parking is to be concrete or asphalt.
2. No parking is being shown in the front of the building. The existing driveway shall be removed as shown in the plans. The existing driveway curb cut on Tratt Street will need to be replaced with standard curb and gutter.
3. Two-family requires eighty (80) feet for lot width. Currently the frontage is 79 feet according to the Walworth county web (tax ID /WUP 00166 H). A lot line adjustment needs to be made to accommodate the additional frontage required for the duplex.



4. Three hundred fifty (350) square feet of usable open space shall be required for each dwelling unit for structures with two (2) or more units. This open space needs to be shown on the plans and meet the definition of open space per 19.21.070 of City Code.

Usable Open Space. Usable open space is that part of the ground level of a zoning lot, other than in a required front or corner side yard, which is unoccupied by driveways, drive aisles, service drives, off-street parking spaces and/or loading berths and is unobstructed to the sky. This space of minimum prescribed dimension shall be available to all occupants of the building and shall be usable for greenery, drying yards, recreational space, gardening and other leisure activities normally carried on outdoors.

Where and to the extent prescribed in these regulations, balconies and roof areas, designed and improved for outdoor activities, may also be considered as usable open space. The usable open space shall be planned as an assemblage or singularly designed area that maximizes the size for open space usage.

5. The amount of impervious in the rear yard is 40%. Anything over 40% needs to be added to this CUP and may require additional stormwater mitigation.
6. Adequacy of the utility services for the building will need to be determined by the architect. This building may need a larger water service to accommodate the increased density.
7. The exterior of the building needs to be consistent when finished. The finished building is to have the same color and material on both the existing and the addition.
8. A buffer screening is to be placed around the proposed parking area (19.51.070). This will require the approval of landscaping plans.
9. Approval by Engineering, Building Inspector, Fire Inspector and other City departments.
10. Any other conditions identified by City Staff or the Plan Commission.





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 12th day of September 2016 at 6:30 p.m. to hold a public hearing for consideration of a Conditional Use Permit to convert a single family residence into a duplex at 168 N. Tratt St. for Mike Kachel (D.L.K. Enterprises Inc.).

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.


 Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-------------|---------------------------------------|-----------------|-----------------------|------------|-------|------------|
| /A444100001 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /BH 00002 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /BH 00003 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /BH 00004 | SUSAN J SAASKI | | 135 N TRATT ST | WHITEWATER | WI | 53190-0000 |
| /BH 00005 | CHASE J KINCAID | | W377 S2283 KINCAID LN | DOUSMAN | WI | 53118-0000 |
| /BH 00006 | CHARLES A NORTH | URSULA M NORTH | 142 N LINDSEY CT | WHITEWATER | WI | 53190-0000 |
| /BH 00007 | CHASE J KINCAID | | W377 S2283 KINCAID LN | DOUSMAN | WI | 53118-0000 |
| /BH 00008 | CHASE JASON KINCAID | | W377 S2283 KINCAID LA | DOUSMAN | WI | 53118-0000 |
| /RC 00001 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /RC 00002 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /RC 00003 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /RC 00004 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /RC 00005 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /RC 00006 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /RC 00007 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00158C | SOBO PROPERTIES LLC | | N252 COLD SPRINGS RD | WHITEWATER | WI | 53190-0000 |
| /WUP 00158F | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00158I | RICHARD HERBST | MARY LOU HERBST | 555 CONNOR CT | LAKE MILLS | WI | 53551-0000 |
| /WUP 00158J | CERANSKE PROPERTY MANAGEMENT LLC | | N5903 WOODWARD RD | WHITEWATER | WI | 53190-0000 |
| /WUP 00166D | WHITEWATER PROFESSIONAL CENTER | | 128 N TRATT ST | WHITEWATER | WI | 53190-0000 |
| /WUP 00166F | DLK 214 NORTH TRATT LLC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00166G | DLK 202 NORTH TRATT LLC | | P. O. BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00166H | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00183 | JEFFREY D THATCHER | | 1050 W FLORENCE ST | WHITEWATER | WI | 53190-0000 |
| /WUP 00183B | KACHEL LP 1042 WEST FLORENCE LLC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00183I | WHITEWATER DEVELOPMENT LLC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00183K | CAROL A CARSON | | 515 8TH ST | KEARNEY | NE | 68847-0000 |
| /WUP 00184 | WHITEWATER DEVELOPMENT LLC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /RC 00001 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |



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

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

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 168 N. Tratt St.

Owner's Name: D.L.K. Enterprises

Applicant's Name: MIKE KACHAL (DLK Enterprises)

Mailing Address: PO Box 239

Phone #: 262-473-5523 Email: MIKE K. WIDAIKY@10CNET.CO

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

168 N. Tratt St.

Existing and Proposed Uses:

Current Use of Property: Single family

Zoning District: R-3

Proposed Use: Duplex

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

Conditions

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

APPLICATION REQUIREMENTS

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

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

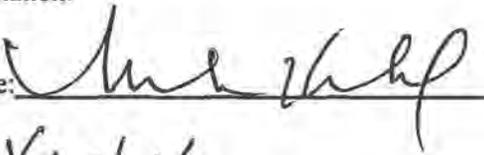
****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

STANDARDS FOR REVIEW AND APPROVAL

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

| STANDARD | APPLICANT'S EXPLANATION |
|--|-------------------------|
| A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property. | no Yes |
| B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | no Yes - NA |
| 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: 7.11.16

Printed: M. Koeber

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 8-16-16. Received by: JW Receipt #: 6.012 780
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 9-1-16.
- 3) Notices of the Public Hearing mailed to property owners on 8-29-16.
- 4) Plan Commission holds the PUBLIC HEARING on 9-12-16. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

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

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

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

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

Meet with Neighborhoods Services Department before submitting an application

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

Submit a complete and thorough application

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

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

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

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

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

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

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

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

For more complex projects, submit your project for conceptual review

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

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

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

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

Hold a neighborhood meeting for larger and potentially more controversial Projects

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

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

Typical City Planning Consultant Development Review Costs

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

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

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

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

Cost Recovery Certificate and Agreement

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

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

Section A: Background Information

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

Name of Applicant: DLK Enterprises, Inc.

Applicant's Mailing Address: P.O. Box 239
Whitewater, WI 53190

Applicant's Phone Number: 262-473-5523

Applicant's Email Address: MILKOWIDAIK@IDENET.COM

Project Information:

Name/Description of Development: _____

Address of Development Site: 168 N. Treat 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.

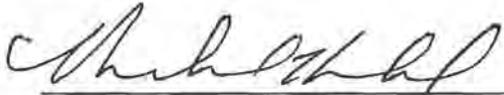
- A. Application Fee.....\$ _____
- B. Expected Planning Consultant Review Cost\$ _____
- C. Total Cost Expected of Applicant (A+B)\$ _____
- D. 25% of Total Cost, Due at Time of Application.....\$ _____
- E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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.

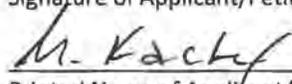
Section C: Agreement Execution

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

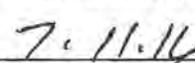
The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant's proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable 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



 Printed Name of Applicant/Petitioner



 Date of Signature

 Signature of Property Owner (if different)

 Printed Name of Property Owner (if different)

 Date of Signature



IRC 00002

IRC 00003

IRC 00003

132'

00166 F

WUP 00166F

231'

WUP 00166G

WUP 00166G

202'

231'

WHITEWATER T4R15

WUP 00166H

WUP 00166H

169'

231'

WUP 00166

158'

WUP 00166

TRATT

132'

68'

N TRATT ST

00183

1050'

WUP 00183

WEST

W FLORENCE ST

142.25'

CSM 4441

185'

A444100001

A444100001

126.08'

157

My Map

WALWORTH COUNTY, WISCONSIN



Author:
Map Produced on: 8/17/2016



Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83

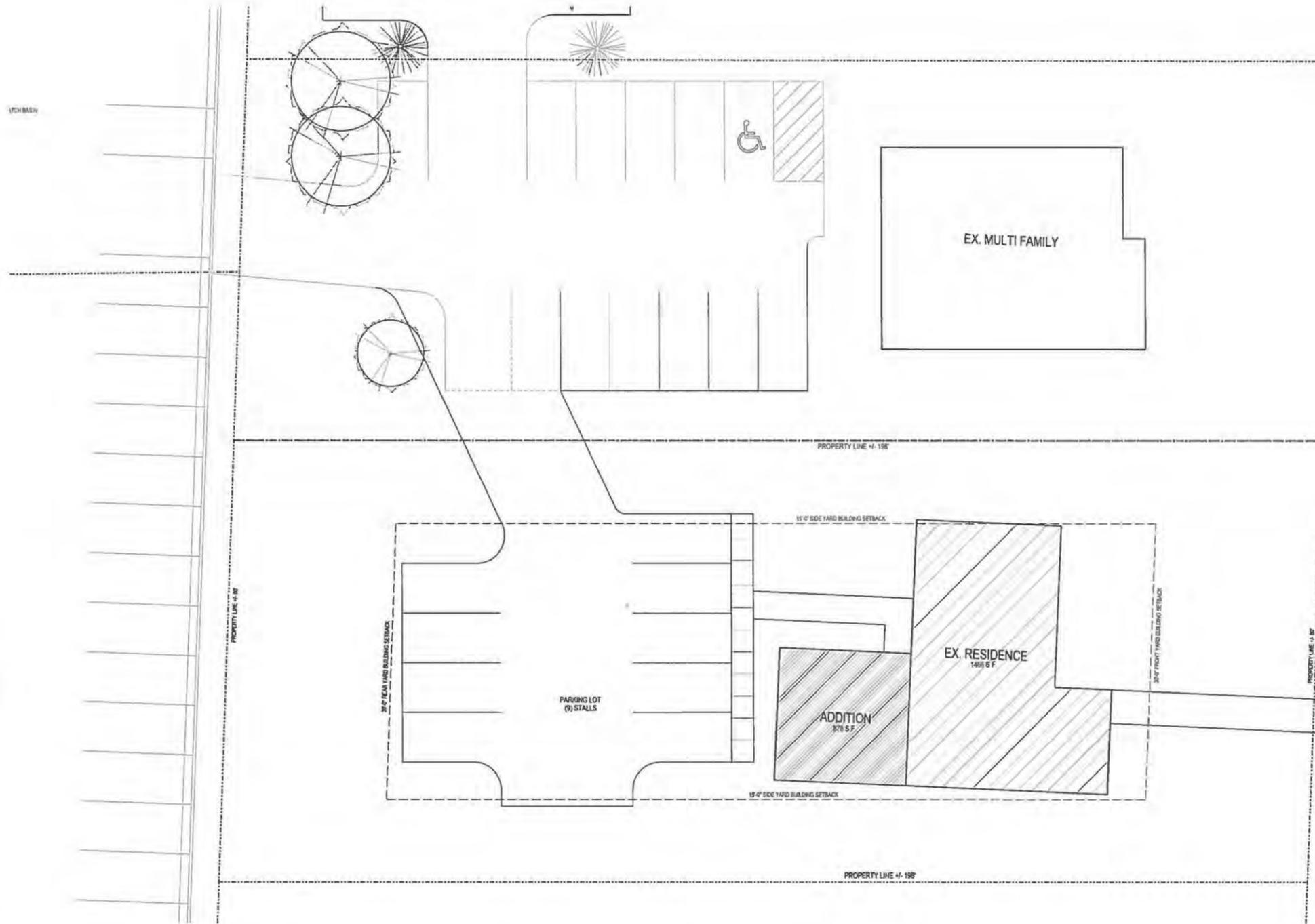
Walworth County Information Technology Department
Land Information Division

1800 County Frank St
Elkhart, Wisconsin 53121-1001

READ A MAP: THIS IS FOR INFORMATION PURPOSES ONLY. THIS MAP HAS BEEN PRODUCED
ONLY FOR INFORMATION PURPOSES AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE.
DATE ISSUED: 8/17/2016. THIS MAP WAS PRODUCED USING AERIAL PHOTOGRAPHY.
IF YOU HAVE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT THE LAND INFORMATION DIVISION.
SOURCES: AERIAL PHOTOGRAPHY, GROUND SURVEY DATA, AND PUBLIC RECORDS.

SCALE: 1/8" = 1'-0"
 PLOTTED BY: BSW

ORIGINAL SIZE: 24" x 36"
 AUTOCAD: 2016/07/20/15:00:00



| DLK - 168 N. TRATT - SITE CALCULATIONS | | |
|--|---|-----------------------|
| Total Existing Property (Not including ROW) | 15,855 sf | 0.36 ac |
| R-3 Multifamily Residence | | |
| Setbacks: | 30'-0" | Street Yard 1st Floor |
| | 15'-0" | Side Yard |
| | 30'-0" | Rear Yard |
| Max. Building Height | 45' or 4 Stories | |
| Usable Open Space per Dwelling Unit, outside of setbacks and driveways | 350 sf per Unit = 700 sf | Provided = 1550 sf |
| Min. Lot Area for 2-Family: | 12,000 sf | |
| Use: | Conditional Use - Conversion of Existing Structure Resulting in more dwelling units | |

| Existing Site: | | |
|---------------------------|-----------|---------|
| Existing Building | 1,466 sf | 0.03 ac |
| Existing Pavement | 528 sf | 0.01 ac |
| Total Existing Impervious | 1,994 sf | 0.05 ac |
| Remainder Greenspace | 13,861 sf | 0.32 ac |
| | | 87% |

| Proposed Site: | | |
|---------------------------------|-----------|---------|
| Existing Building with Addition | 2,037 sf | 0.05 ac |
| Existing & New Pavement | 3,709 sf | 0.09 ac |
| Total New Impervious | 5,746 sf | 0.13 ac |
| Remainder Greenspace | 10,109 sf | 0.23 ac |
| | | 64% |

| LOT COVERAGE CALCULATIONS - 168 TRATT ST. | | | | |
|---|------------|--|------------|---|
| Provide a minimum parcel size of 3,500 sf for 3-bedroom units, plus an additional 300 sf for each bedroom over 3. | | | | |
| | # of Units | Req. Lot Area per Unit - (2) 5-Bed Units | Total (sf) | # Stalls Required (3 stalls per unit, or 65% per bedroom) |
| 5-Bedroom | 2 | 4,100 sf | 8,200 sf | 7 required |
| Minimum Lot Area Required | | | 12,000 sf | 9 provided |

Due to electronic distribution, this drawing may not be printed to the scale indicated on the drawings. Do NOT use scale to determine dimensions or sizes.

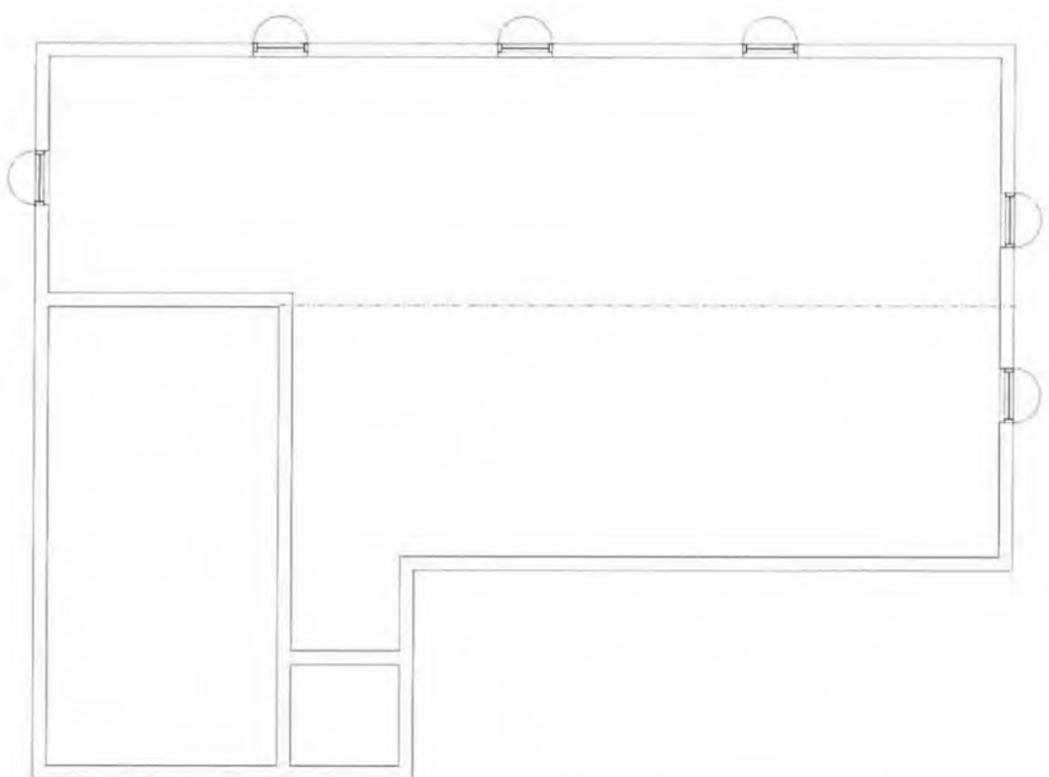
| ISSUANCES | REVISIONS |
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| CONSTRUCTION CITY PERMIT REVIEW - 07/20/16 | |
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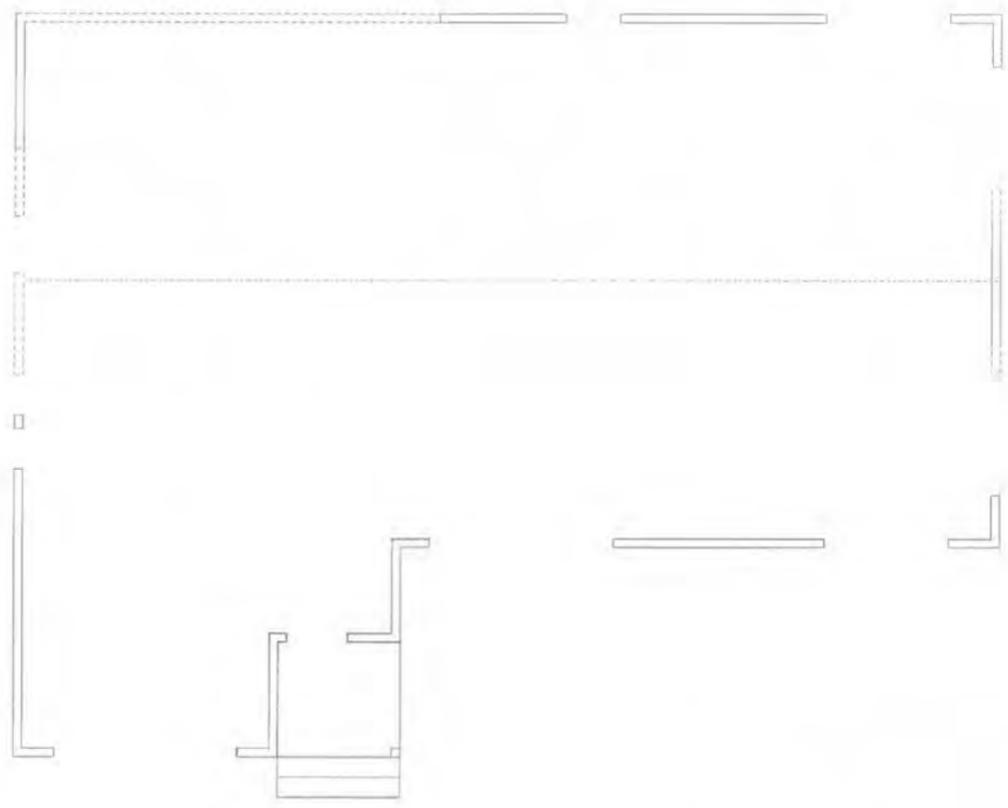
168 TRATT STREET
 DUPLEX
 DLK ENTERPRISES
 WHITEWATER, WISCONSIN

PROJECT NUMBER: 8770
 APPROVED BY: JAJ
 REVIEWED BY: BTW
 DRAWN BY: BTW
 7/20/16 8:15:09 AM
 SITE PLAN

NORTH
EXISTING BASEMENT FLOOR PLAN
SCALE: 1/4"=1'-0"



NORTH
EXISTING GROUND FLOOR PLAN
SCALE: 1/4"=1'-0"



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50770
APPROVED BY
J.H.
REVIEWED BY
BTW
DRAWN BY
BTW
7/7/2016 8:14:59 AM

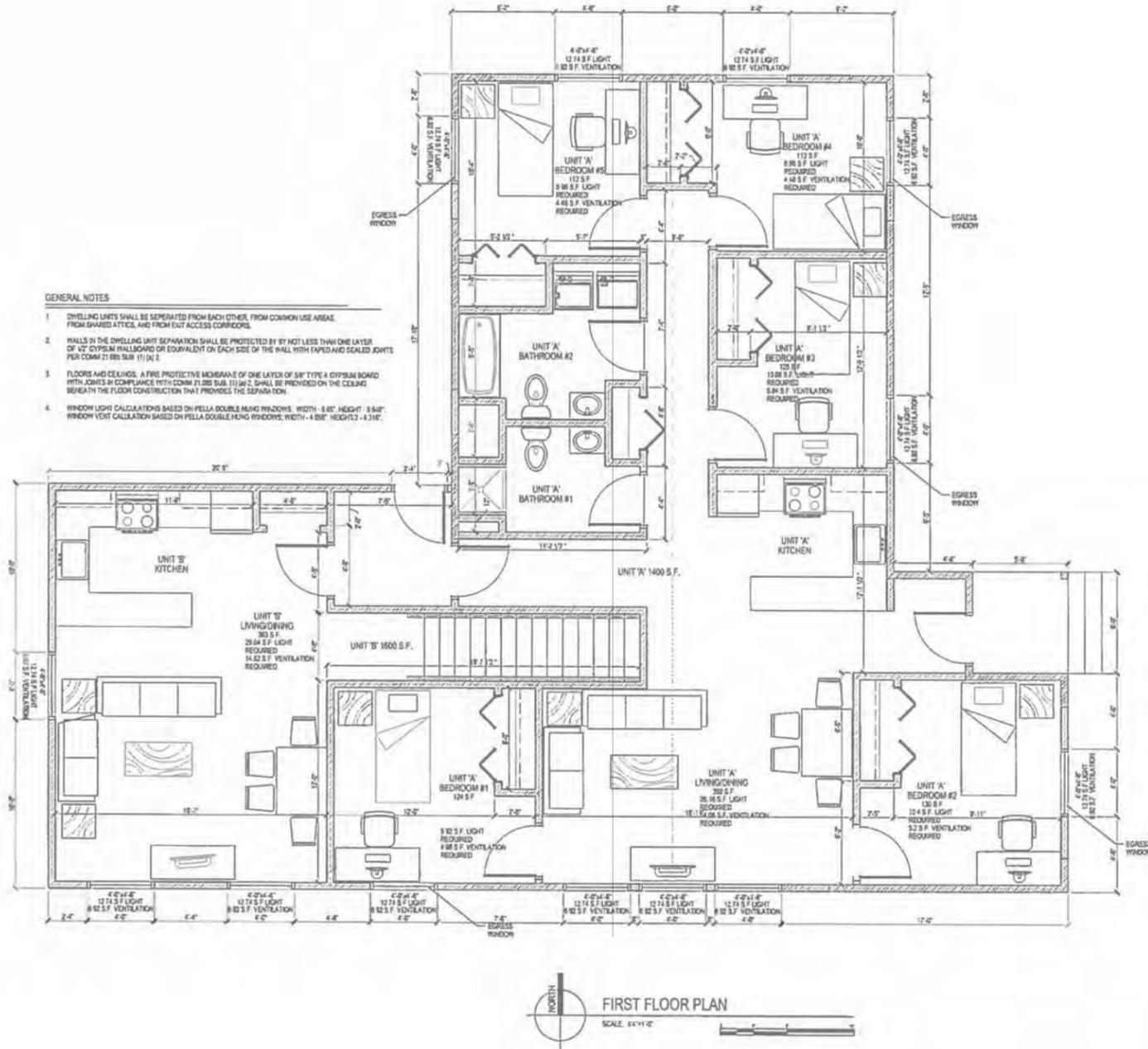
168 TRATT STREET
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ORIGINAL SIZE: 11" x 17"
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GENERAL NOTES

1. DWELLING UNITS SHALL BE SEPARATED FROM EACH OTHER, FROM COMMON USE AREAS, FROM SHARED ATTICS, AND FROM EXIT ACCESS CORRIDORS.
2. WALLS IN THE DWELLING UNIT SEPARATION SHALL BE PROTECTED BY NOT LESS THAN ONE LAYER OF 1/2" GYPSUM WALLBOARD OR EQUIVALENT ON EACH SIDE OF THE WALL WITH TAPED AND SEALED JOINTS PER COMB 21 085.3(4) (1) (A) 2.
3. FLOORS AND CEILING, A FIRE PROTECTIVE MEMBRANE OF ONE LAYER OF 5/8" TYPE A GYPSUM BOARD WITH JOINTS IN COMPLIANCE WITH COMB 21 085 SUB. 11 (A) 2, SHALL BE PROVIDED ON THE CEILING BEHIND THE FLOOR CONSTRUCTION THAT PROVIDES THE SEPARATION.
4. WINDOW LIGHT CALCULATIONS BASED ON PELLA DOUBLE HUNG WINDOWS, WIDTH - 4'-0", HEIGHT - 4'-6". WINDOW VENT CALCULATION BASED ON PELLA DOUBLE HUNG WINDOWS, WIDTH - 4'-0", HEIGHT - 4'-3 1/2".

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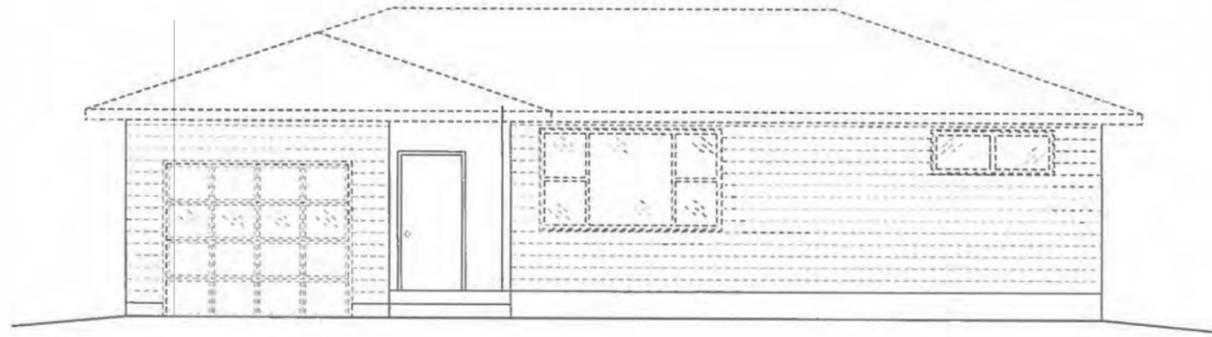
**168 TRATT STREET
 DUPLEX
 DLK ENTERPRISES
 WHITEWATER, WISCONSIN**

PROJECT NUMBER: 16770
 APPROVED BY: AJM
 REVIEWED BY: BTW
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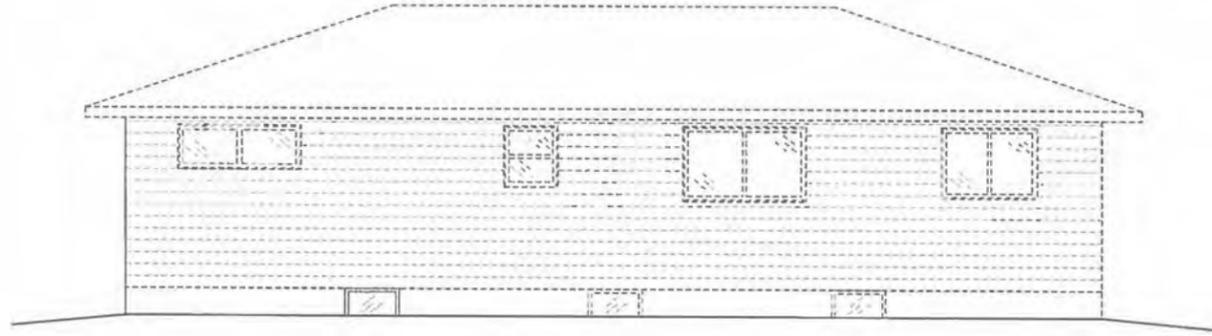
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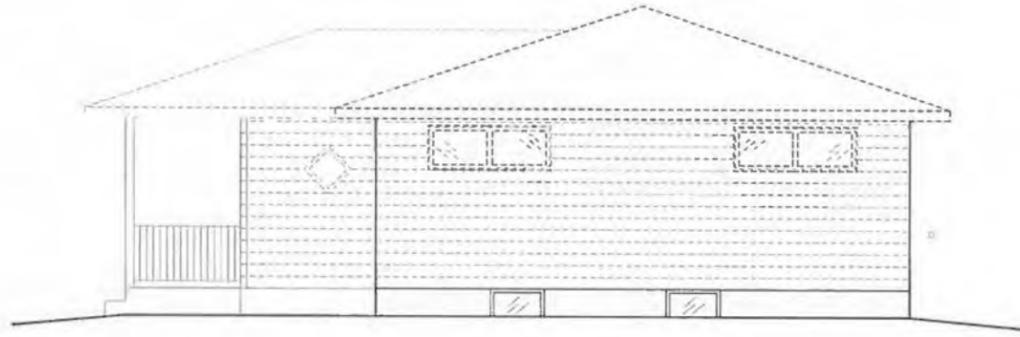
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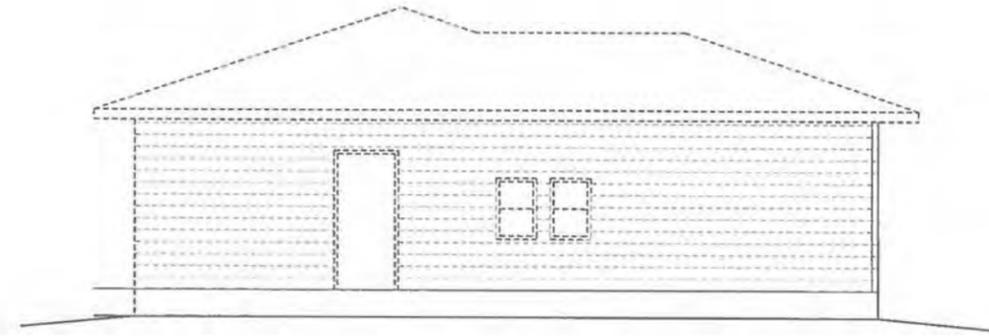
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A400 SCALE: 1/4" = 1'-0"



03 WEST ELEVATION - DEMOLITION
A400 SCALE: 1/4" = 1'-0"



02 NORTH ELEVATION - DEMOLITION
A400 SCALE: 1/4" = 1'-0"



01 SOUTH ELEVATION - DEMOLITION
A400 SCALE: 1/4" = 1'-0"

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168 TRATT STREET
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WHITEWATER, WISCONSIN

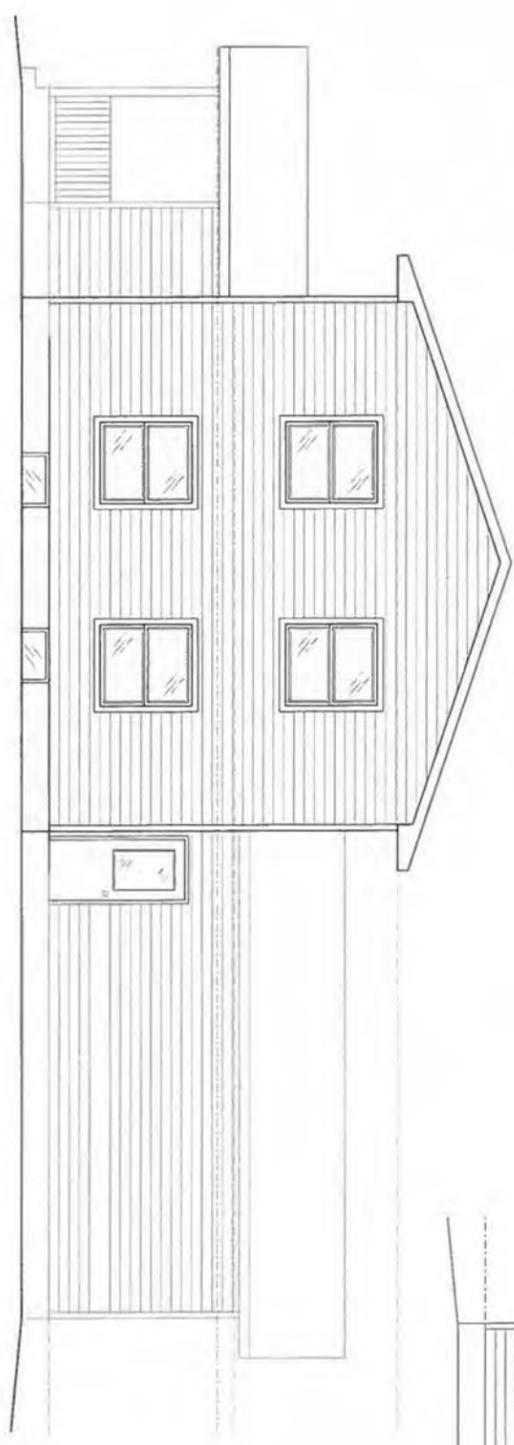
PROJECT NUMBER: 58770
APPROVED BY: [unclear]
REVIEWED BY: BTW
DRAWN BY: BTW
7/7/2018 8:15:05 AM

EXISTING
ELEVATIONS DEMOLITION

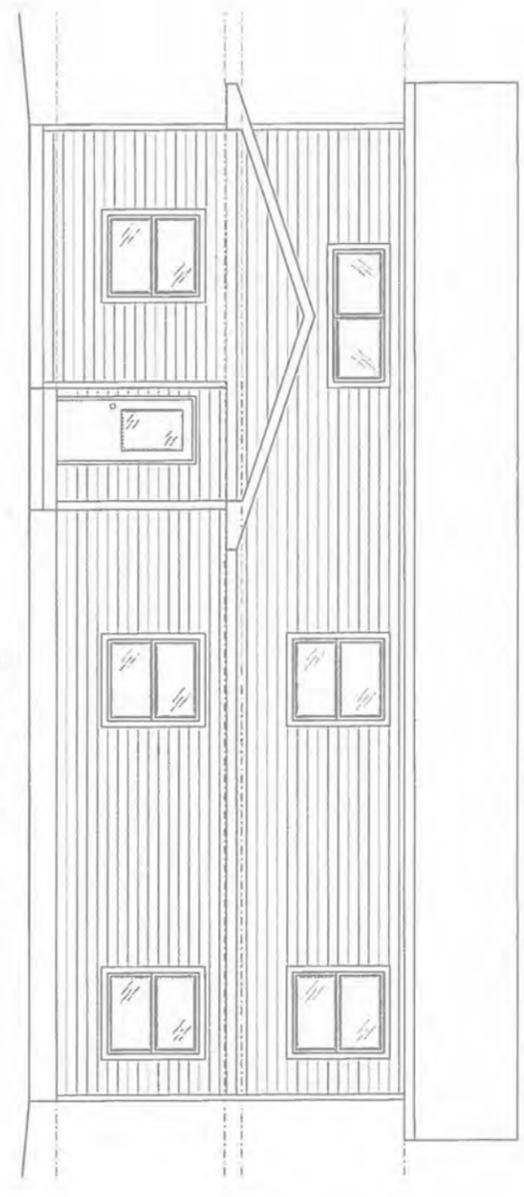
A400

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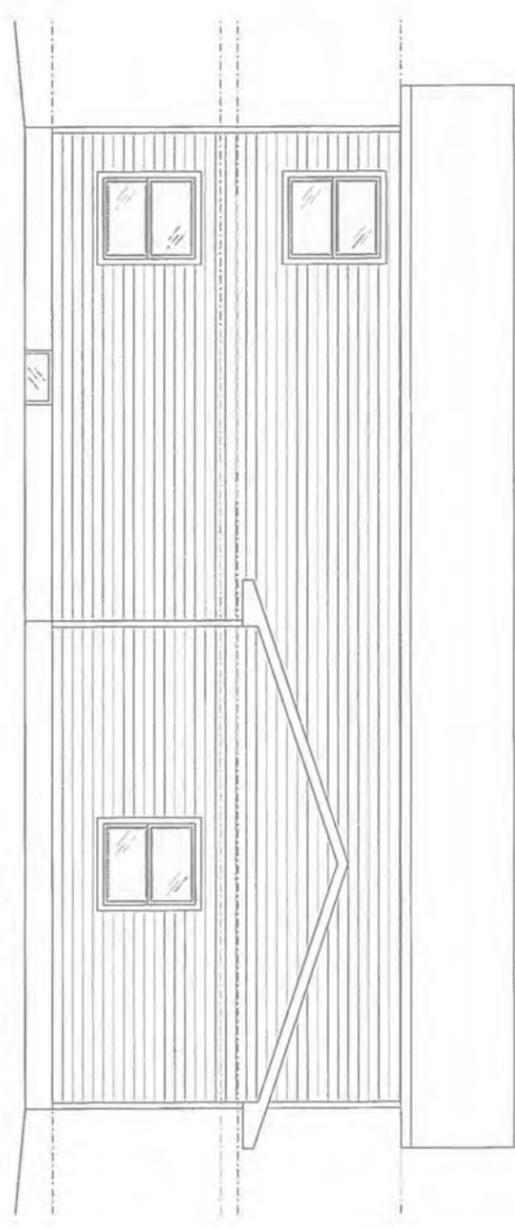
02 NORTH ELEVATION - PROPOSED
 A401 SCALE: 1/4" = 1'-0"



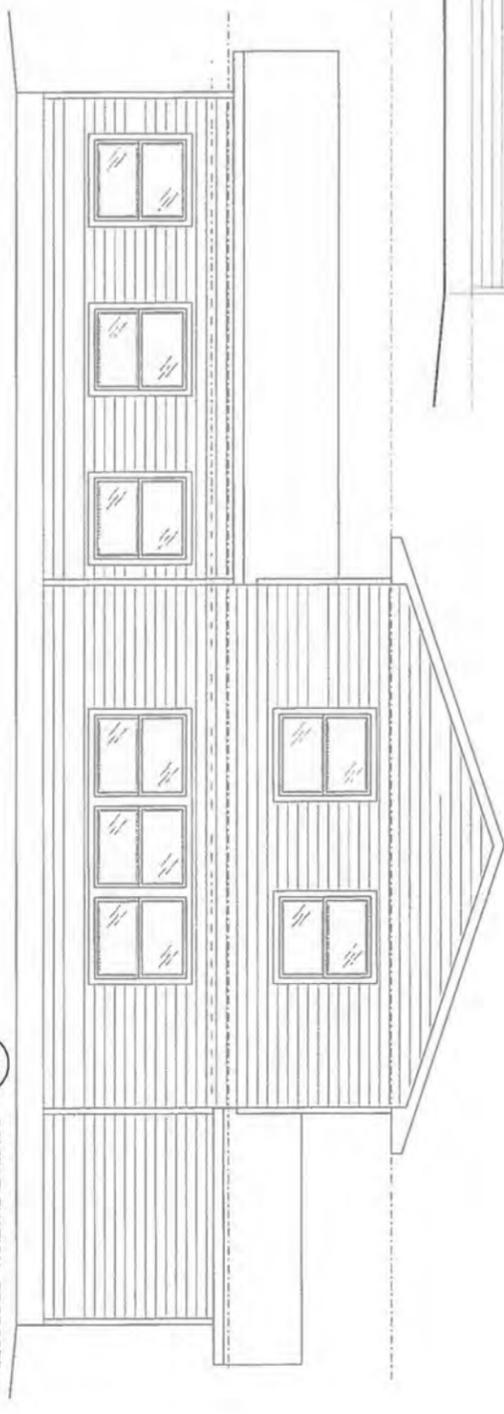
04 EAST ELEVATION - PROPOSED
 A401 SCALE: 1/4" = 1'-0"



03 WEST ELEVATION - PROPOSED
 A401 SCALE: 1/4" = 1'-0"



01 SOUTH ELEVATION - PROPOSED
 A400 SCALE: 1/4" = 1'-0"



Due to electronic distribution, this drawing may not be printed to the scale indicated on the drawings. Do NOT use scale to determine dimensions or sizes.

Due to electronic distribution, this drawing may not be printed to the scale indicated on the drawings. Do NOT use scale to determine dimensions or sizes.

A401
 102

| | |
|----------------|---------------------|
| PROJECT NUMBER | 58770 |
| APPROVED BY | JLH |
| REVIEWED BY | BTW |
| DRAWN BY | BTW |
| DATE | 7/7/2016 8:32:52 AM |

168 TRATT STREET
 DUPLEX
 DLK ENTERPRISES
 WHITEWATER, WISCONSIN

Angus Young Architecture
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 Interior Design
Balance in Creativity
 555 South River Street Janesville, WI 53548-4783
 Ph: 608.756.2326 Fx: 608.756.0464
 www.angusyong.com

| ISSUANCES | REVISIONS |
|--|-----------|
| CONSTRUCTION / CITY PERMIT REVIEW - 07/07/2016 | |
| | |
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| | |
| | |



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

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

NOTICE OF REVIEW

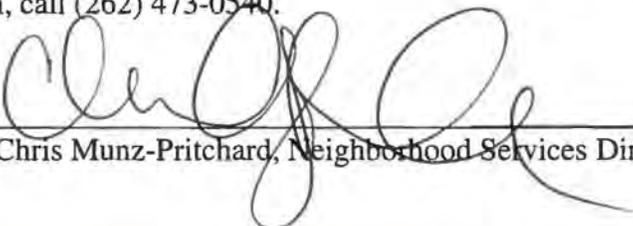
TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 12th day of September 2016 at 6:30 p.m. to review and make recommendation to the City Council on the proposed discontinuance of a portion of S. Tripp Street. (The northern portion to become a private drive, the middle section to be removed, the southern end of Tripp Street becomes a dead end with W. James Street as the outlet.)

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.


Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-------------|---|----------------------|---------------------------|------------|-------|------------|
| /A267400002 | CITY OF WHITEWATER 'PUMP HOUSE' | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /A267400003 | CITY OF WHITEWATER 'PUMP HOUSE' | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /TR 00022 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /TR 00023 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /TR 00024 | ROSA M VERDUZCO | | 232 WISCONSIN ST | WHITEWATER | WI | 53190-0000 |
| /TR 00025 | TYLER R SAILSBERY | | 208 W WHITEWATER ST, UT 2 | WHITEWATER | WI | 53190-0000 |
| /TR 00026 | ELENA PARTIDA | | 371 W ANN ST | WHITEWATER | WI | 53190-0000 |
| /TR 00027 | MARC L LINSE | | 338 W ANN ST | WHITEWATER | WI | 53190-0000 |
| /TR 00027A | FAYE A ENGBRETSON | | 340 W ANN ST | WHITEWATER | WI | 53190-0000 |
| /TR 00027B | BEVERLY J STONE | | PO BOX 291 | WHITEWATER | WI | 53190-0291 |
| /TR 00027C | RLA PROPERTIES LLC | | P O BOX 511 | MCFARLAND | WI | 53558-0000 |
| /TR 00027D | JONATHAN A KEHM | CHERYL A KEHM | 147 W MAIN ST | WHITEWATER | WI | 53190-0000 |
| /TR 00028 | BARRY E WESCOTT | BRIDGET KING-WESCOTT | 370 W ANN ST | WHITEWATER | WI | 53190-0000 |
| /TR 00029 | JOHN W SCHWEITZER | | 375 W JAMES ST | WHITEWATER | WI | 53190-0000 |
| /TR 00030 | CHRISTOPHER M HALE | | N588 HOWARD RD | WHITEWATER | WI | 53190-0000 |
| /TR 00048 | WISCONSIN DAIRY SUPPLY CO | | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00319 | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /WUP 00321 | STATE OF WISCONSIN DEPT OF TRANSPORTATION | | | MADISON | WI | 53702-0000 |
| /A463600001 | HOME LUMBER CO INC | | 499 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |
| /A463600002 | HOME LUMBER CO INC | | 499 WHITEWATER ST | WHITEWATER | WI | 53190-0000 |

MEMORANDUM

To: City of Whitewater Staff

From: Christine Munz-Pritchard City Planner

Date: July 27th 2016

Re: **Preliminary review of South Tripp Street becoming a private drive.**

| Summary of Request | |
|--------------------------|--|
| Requested: | Part of S. Tripp Street to become private drive |
| Location: | S. Tripp Street from Whitewater St. to James St. |
| Current Land Use: | Roadway |

Description of the Proposal:

This is a proposal to change part of South Tripp Street into a private drive area. The portion is located between Whitewater St. and James St (see map below).



Discussed at the PMT meeting held on Tuesday July 19th, Cameron Clapper requested that part of S. Tripp Street become a private drive and be discussed in more detail at the Planning Project Meeting being held on July 27th at 10:00 AM. A draft of the preliminary recommendations are below.

RECOMMENDATIONS:

1. An easement must be established and documented for the water utility in the area. It is advised that the easement be the full area of the current street.

2. There is currently a 4 inch railroad waterline that runs parallel to James Street and Whitewater Street (see blue line in exhibit below). This waterline will need to be abandoned.



3. The railroad will need to be notified of the crossing abandonment.
4. The fire department will need access to the private drive in the event of a fire at the adjacent buildings.
5. Any other conditions identified by the Public Works, Engineering or Building inspector.

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: September 12th 2016
 Re: **Item # 12** Modification to the existing Conditional use Permit at 123 S. Church Street and 413-417 W. Main Street for First English Lutheran Church.

| Summary of Request (2014) | |
|--|--|
| Requested Approvals: | Conditional Use Permit for an oversized detached accessory structure and CSM to combine lots |
| Location: | 123 S. Church Street and 413-417 W. Main Street |
| Current Land Use: | Two detached garages and Parking |
| Proposed Land Use: | One detached garage and Parking |
| Current Zoning: | R-3 |
| Proposed Zoning: | No change. |
| Comprehensive Plan's Future Land Use: | Central Area Neighborhood |

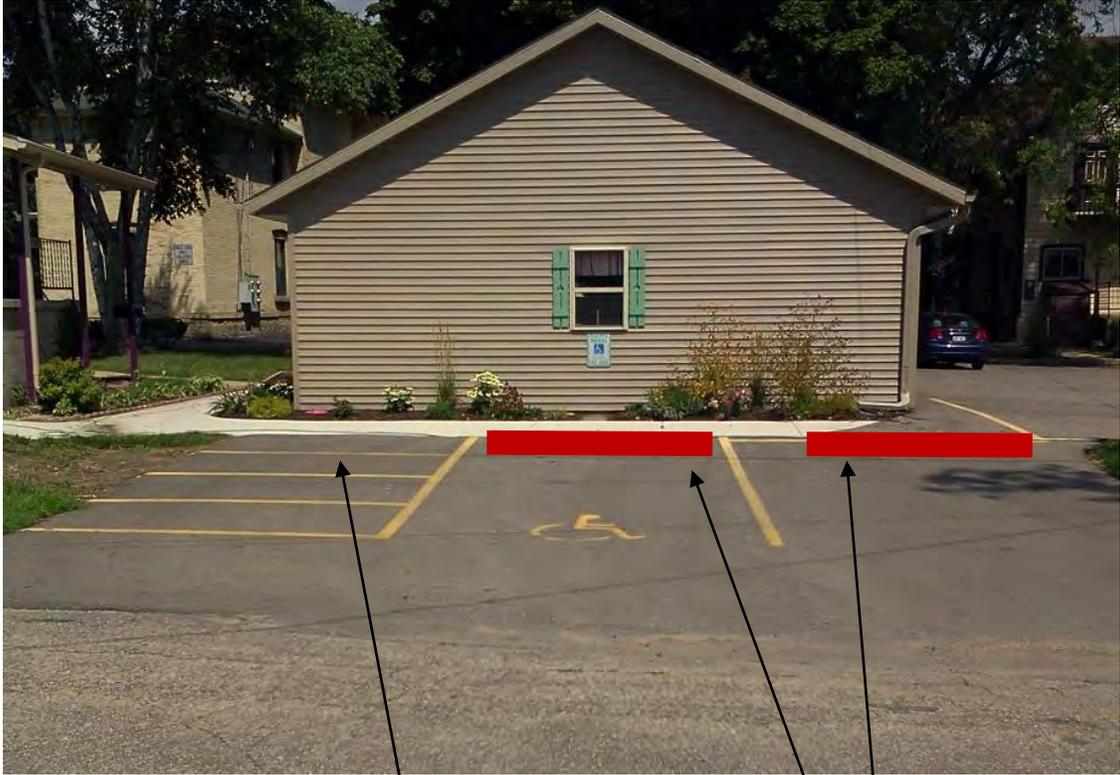
Conditional Use Permit Approved Subject to the following Conditions:

1. The new garage must have an easement established allowing access to the structure through the adjacent parking lot
2. The new garage is not to be occupied by any materials until the two non-conforming garage structures have been removed
3. A 4 foot connector sidewalk will be provided next to the three parking spaces along the alley. There will be curb stops so the front of the cars will not block the walkway.
4. Signage not already included in the plan shall be left up to the applicant
5. Any other conditions identified by the plan commission.

PLANNER'S RECOMMENDATIONS (modification to existing CUP):

Two (2) of the parking stalls along the curb stop has been made into one accessible parking stall. Placing curb stops on the striped area could prevent individuals that are walking impaired from reaching the sidewalk.

Modification to number 3 requires to read: There will be curb stops so the front of the cars will not block the walkway. *Curb stops may be waved to accommodate accessible parking stalls.*



Remove Requirement

Required



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

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

CONDITIONAL USE PERMIT

Plan Commission Meeting Date: November 10, 2014
Property Owner: First English Lutheran Church
Applicant: James Leedom/TNC Sigma Group Inc.
Property ID Number: /OT 00042, /OT 00043, A4599 00001
Property Address: 123 S. Church Street & 413-417 W. Main Street
Whitewater, WI 53190

REGARDING: A conditional approval of a conditional use permit (CUP) in a B-2 (Central Business) Zoning District, for a certified survey map to combine the lots and for the construction of a 1,040 sq. ft. (40' x 26') detached garage and parking lot modifications to be located at 123 S. Church Street and 413-417 W. Main Street for First English Lutheran Church.

Approved subject to the following conditions:

1. The new garage must have an easement established allowing access to the structure through the adjacent parking lot.
2. The new garage is not to be occupied by any materials until the two non-conforming garage structures have been removed.
3. A 4 foot connector sidewalk will be provided next to the three parking spaces along the alley. There will be curb stops so the front of the cars will not block the walkway.
4. Signage not already included in the plan shall be left up to the applicant.
5. Any other conditions identified by the Plan Commission.


Chris Munz-Pritchard/City Planner

11/10/14
Date

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan and Architectural Review Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a change of the City of Whitewater Ordinance regulations, to enact the proposed amendments to the City of Whitewater Municipal Code: Chapter 19, specifically by adding Chapter 19.52, an Access Standards Ordinance which would provide for vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system.

The proposed ordinance changes are on file in the office of the City Clerk and the document is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

NOTICE IS FURTHER GIVEN that the Plan and Architectural Review Commission of the City of Whitewater will hold a public hearing at the Municipal Building Community Room, 312 W. Whitewater Street, Whitewater, WI, on Monday, September 12, 2016, at 6:30 p.m. to hear any person for or against said change.

Dated: August 16, 2016

Publish: August 25, 2016 and September 1, 2016 (two times)
in the Whitewater Register

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

ORDINANCE No. _____
AN ORDINANCE AMENDING TITLE 19 REGARDING ACCESS STANDARDS REGULATIONS

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do ordain as follows:

SECTION 1. Whitewater Municipal Code Chapter 19.52, is hereby amended to read as follows:

CHAPTER 19.52 FOR ACCESS STANDARDS**Error! Bookmark not defined.**

19.52. 010 Purpose..... 1

19.52. 020 Authority 1

19.52. 030 Definitions..... 1

19.52. 040 Applicability..... 2

19.52. 050 Approval..... 2

19.52. 060 Standards..... 2

19.52. 070 Off-Street Parking and Traffic Circulation..... 4

19.52. 010 Purpose.

The purpose of this ordinance is to provide vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system. Access management encompasses the careful planning of the location, design and operation of driveways, median openings, interchanges, and street connections. If access systems are not properly designed, the primary transportation network, including arterials and highways, will be unable to accommodate the access needs of development and retain their primary transportation function.

This ordinance is intended to promote safe and efficient travel within (The City of Whitewater WI) by limiting the number of conflict points, providing safe spacing standards between driveways, encouraging shared access between abutting properties, and ensuring safe access by emergency vehicles.

19.52. 020 Authority .

These regulations are adopted under the authority granted by Article XI, Section 3, Wisconsin Constitution and Sections 62.23, and 66.0101 of the Wisconsin Statutes and amendments thereto.

19.52. 030 Definitions.

Arterial Road: is a high-capacity urban road. The primary function of an arterial road is to deliver traffic from collector roads to freeways and between urban centers (see 18.04.06 for design standards).

Frontage Street: means a minor street auxiliary to and located on the side of an arterial street for control of access and for service to the abutting development (see 18.04.06 for design standards).

Major Collector: are longer in length, have lower connective driveway densities, are spaced at greater intervals, have higher annual average traffic volumes, and may have more travel lanes than their minor collectors (see 18.04.06 for design standards).

Minor Collector: are low to moderate capacity roads which service to move traffic from residential areas to major collectors (see 18.04.06 for design standards).

Residential Road: should serve primarily to provide access to adjacent land and service to travel over relatively short distances as compared to collectors or other (see 18.04.06 for design standards).

State Roads: State roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

US Highway: US Highway roads fall under the jurisdiction of the Wisconsin DOT (see 19.51.190).

19.52.040 Applicability.

The requirements of this Section shall apply to each access point onto a public street or right-of-way in all developments.

19.52.050 Approval.

Through the site plan review process (see Chapter 19.63), the Neighborhood Service Department shall review and approve all new and existing access drives on the subject property.

19.52.060 Standards.

1. Number of Access Points.
 - a. Each lot shall have not more than two (2) access points on any street frontage adjacent to any lot. More than two (2) access points shall require a Conditional Use Permit. Said access shall require approval by the City of Whitewater.
 - b. No lot shall be permitted more than one (1) access point on any one street if its frontage on said street is less than 100 linear feet (as measured along the right-of-way line).
 - c. On arterial streets, and in areas experiencing, or expected to experience, congestion and/or safety problems, access to a lot may be required to be located via an access point located on an adjacent property or another street frontage.
 - d. For residential uses, two (2) access points serving the same street frontage may be approved as a conditional use.

- e. If the City anticipates that a property may be subdivided and that the subdivision may result in an unacceptable number or arrangement of driveways, or both, the municipality shall require the property owner to enter into an access covenant to restrict future access.
 - f. The City shall restrict access to right turn only ingress and egress or to another state maintained road or local road if safe and efficient movements cannot be accommodated.
2. Residential Uses. Residential uses shall not have access points onto a nonresidential collector or arterial street unless such street has the only available frontage.
 3. Nonresidential Uses. Nonresidential uses shall not have access points onto a residential street unless such street has the only available frontage. A second access point may be granted by a Conditional Use Permit.
 4. Access Near Street Intersections. At its intersection with the street right-of-way line on an arterial or nonresidential collector street, no access point shall be located closer than 100 feet from the intersection of any two street rights-of-way unless such street is the only available frontage on the subject property. Nonconforming driveways may be replaced in their current location, except as part of site-plan review and approval.
 5. Distance Between Access Drives. The minimum distance between access drives serving the same property shall be 25 feet (edge to edge), as measured at the property line. A distance in excess of 25 feet may be required if existing or projected traffic warrant a greater distance.
 6. Angle of Intersection with Public Right-of-Way. All access drives shall intersect with any public right-of-way at an angle of not less than 75 degrees, and shall intersect at an angle of 90 degrees wherever possible.
 7. Distance from Property Line. The distance from an access drive to the property line of an adjacent property shall not be less than three (3) feet, as measured along the right-of-way line in residential areas (see 19.51.040).
 8. Width of Driveways. All access drives shall have a minimum width of 10 feet for single and two family dwellings, and 18 feet for all other land uses. All curb openings for access drives shall have a maximum width of 24 feet for all residential uses, and 30 feet for all nonresidential uses, as measured at the right-of-way line. Access drives may be flared between the right-of-way line and the roadway up to a maximum of 5 additional feet. This requirement may be exceeded with site plan approval for uses other than single family.
 9. Traffic Control. The traffic generated by any use shall be channelized and controlled in a manner which avoids congestion on public streets and other safety hazards. Traffic into and out of all off-street parking, loading, and traffic circulation areas serving 6 or more parking spaces shall be forward moving, with no backing into streets or pedestrian ways. Traffic control devices shall be required as determined by the City of Whitewater.
 10. Depiction on Required Site Plan. Any and all proposed access drives on the subject property shall be depicted as to their location and configuration on the site plan required for the

development of the subject property. Site plan requirements can be found under Chapter 19.63 Plan Review.

11. Paving of Access. All access approach areas located within a street right-of-way shall be paved to the satisfaction of the Neighborhood Service Department with a hard, all-weather surface, and shall be maintained so as to prevent the transport of gravel, dirt, or other eroded material from the subject property into the right-of-way. This requirement must be fulfilled before building occupancy, unless granted a time-specific extension in writing by the Neighborhood Service Department. Requirements for the paving can be found in Chapter 19.51.

19.52. 070 Off-Street Parking and Traffic Circulation

Minimum Throat Length. Figure 10-104b shall be used to determine the minimum permitted throat length of access drives serving parking lots as measured from the right-of-way line along the centerline of the access drive. This regulation may be modified by a Conditional Use Permit during the site review process.

Minimum Throat Length (Figure 10-104b)

| Land Use | Type | Scale of Development | Minimum Throat Length | |
|-------------------------------|-----------------------------|-------------------------------|-----------------------|----------|
| | | | Collector | Arterial |
| Residential | Any Residential | 0-100 dwelling units | 25 feet | N/A |
| | | 101-200 dwelling units | 50 feet | 75 feet |
| | | 201+ dwelling units | 75 feet | 125 feet |
| Commercial | Office | 0-50,000 gross sq. ft. | 25 feet | 50 feet |
| | | 50,001-100,000 gross sq. ft. | 25 feet | 75 feet |
| | | 100,001-200,000 gross sq. ft. | 50 feet | 100 feet |
| | | 200,001+ gross sq. ft. | 100 feet | 150 feet |
| | In-Vehicle Sales or Service | 0-2,000 gross sq. ft. | 25 feet | 75 feet |
| | | 2,001+ gross sq. ft. | 50 feet | 100 feet |
| | Commercial Indoor Lodging | 0-150 rooms | 25 feet | 75 feet |
| | | 151+ rooms | 25 feet | 100 feet |
| | Other Commercial Uses | 0-25,000 gross sq. ft. | 25 feet | 50 feet |
| | | 25,001-100,000 gross sq. ft. | 25 feet | 75 feet |
| 100,001-500,000 gross sq. ft. | | 50 feet | 100 feet | |
| 500,001+ gross sq. ft. | | 100 feet | 200 feet | |
| Industrial | All Industrial Uses | 0-100,000 gross sq. ft. | 25 feet | 50 feet |
| | | 100,001-500,000 gross sq. ft. | 50 feet | 100 feet |
| | | 500,001+ gross sq. ft. | 50 feet | 200 feet |
| Other Uses | 6+ spaces | | 25 feet | 50 feet |

Ordinance introduced by Council Member _____, who moved its adoption.

Seconded by Council Member _____.

AYES:

NOES:

ABSENT:

ADOPTED:

Cameron Clapper, City Manager

Michele R. Smith, City Clerk