



**PLAN AND ARCHITECTURAL REVIEW COMMISSION**

**6 PM July 10, 2023 This meeting is IN-PERSON and VIRTUAL**

**City of Whitewater Municipal Building – Community Room**

**312 W Whitewater St., Whitewater WI 53190**

Please join the meeting from your computer, tablet or smartphone:

<https://meet.goto.com/741496557>

You can also dial in using your phone

United States: +1 (872) 240-3212

Access Code: 741-496-557

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 Approval Of Minutes Of June 12, 2023

Documents:

[PLAN COMMISSION MINUTES 06 23 CB EDIT \(002\).PDF](#)

4. Public Hearing For Review And Possible Approval-Conditional Use Permit Application For A Storage Building For The City Of Whitewater's Water Utility. City Of Whitewater, Owner And Applicant.

Documents:

[PL REP WATER GARAGE.PDF](#)

[CUP APPLICATION-WATER STORAGE GARAGE.PDF](#)

[CITY OF WHITEWATER - R-2.PDF](#)

[CUP PLAN REVIEW.PDF](#)

[2023.06.19\\_WATER UTILITY VEHICLE STORAGE GARAGE RENDERING.PDF](#)

5. Public Hearing For Reveiw And Possible Approval-Conditional Use Permit Application For Towing And Storage Of Semi-Trailers At 1002 S. Janesville St. Reid Breyer, Business Owner And Applicant.

Documents:

[PL REP BREYER.PDF](#)

6. Update-Traffic And Access At Starbucks, 1218 West Main Street.
7. Next Plan And Architectural Review Commission Meeting-August 14, 2023
8. Adjourn

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 [pcronce@whitewater-wi.gov](mailto:pcronce@whitewater-wi.gov).

**Notice: A quorum of the Common Council may be present. This notice is given to inform the public that no formal action will be taken at this meeting.**

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
IN-PERSON AND VIRTUAL MEETING  
6 p.m. June 12, 2023

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

Video: <https://vimeo.com/824925998>

- 1. Call to Order and Roll Call:** Chairperson Tom Miller called the meeting to order at 6 p.m. PRESENT: Miller, Neil Hicks, Carol McCormick, Bruce Parker, Brian Schanen, Andrew Crone and Sherry Stanek. Attorney Jon McDonell, Neighborhood Services Director Chris Bennett, and Neighborhood Services Administrative Assistant Llana Dostie also attended.
- 2. Hearing of Citizen's Comments:** None.  
**Video: 00:52**
- 3. Review and Approval of Minutes:** McCormick motioned for the approval of the May 8, 2023 PARC meeting minutes with two corrections. Andrew Crone wasn't listed in the attendance and Brown made the motion to adjourn. Hicks offered a second. Motion passed unanimously.  
**Video: 1:38**
- 4. Review and possible approval of an extraterritorial Certified Survey Map (CSM) for: Portion located in part of the northeast ¼ or the southeast ¼ of section 29, town 5 north, range 15 east, Jefferson County, Wisconsin for the Joseph r. Krusinski Trust.**  
McCormick moved to approve the CSM, with a second from Schanen. Passed unanimously.  
**Video: 2:39**
- 5. Site plan review and possible approval for proposed commercial building located at the northeast corner of North Prospect and Endeavor Drive, parcel number 292-0515-3434-003, for Larry Chapman, owner.**  
Consideration of commercial building located at located at the northeast corner of North Prospect and Endeavor Drive, parcel number 292-0515-3434-003. Larry Chapman answered questions concerning location of truck bays and lot size. McCormick made motion to approve, pending procuring the property from the city and including the planner's recommendation for landscaping plan, light plan and property line adjustment in parking lot, with a second from Parker. Passed unanimously.  
**Video: 4:16**
- 6. Review and possible recommendation of approval of Certified Survey Map (CSM) for: Being a part of Southwest ¼ of the Northwest ¼ of Section 5 and part of the Southeast ¼ and Southwest ¼ of the Northeast ¼ of Section 6 and part of the Southeast ¼ of the Northwest ¼**

**of Section 6, all in Township 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin, DLK Farm Service, owner.**

Stanek moved to approve the CSM with a motion recommend that the common council adopt the proposed CMS with the addition with plan development consideration for easement for lot 3, a second from Crone

**Video: 14:00**

**7. Site Review and possible approval of proposed grocery store located at 1380 W. Main Street, Parcel #/WUP 00159, for DLK Farm Service.**

Consideration of proposed grocery store located at 1380 W. Main Street. Parcel #/WUP 00159. Hicks made motion, contingent on with Urban Forestry Commission review of landscaping plan, with a second from Stanek. Passed unanimously

**Video: 19:46**

**8. Next Plan and Architectural Review Meeting-July 10, 2023**

**9. Adjourn** Motioned by Parker with a second from Schanen. Passed unanimously.

**Video: 27.27**

Respectfully submitted,  
Chris Bennett  
Neighborhood Services Director

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

To: City of Whitewater Plan and Architectural Review Commission

From: Chris Bennett, Director of Neighborhood Services

Date: July 10, 2023

Re: Item 4: Review and possible approval – Conditional Use Permit application for a storage building for the City of Whitewater’s water utility. City of Whitewater, owner and applicant.

<b>Summary of Request</b>	
<b>Requested Approvals:</b>	Conditional Use Permit consideration and possible approval
<b>Location:</b>	330 & 336 N. Fremont St., City of Whitewater. Parcels /S 00015 (330) and /S 00016 (336)
<b>Current Land Use:</b>	Residential
<b>Proposed Land Use:</b>	Residential
<b>Current Zoning:</b>	R-2 – One- and Two-Family Residence District
<b>Proposed Zoning:</b>	Same
<b>Future Land Use, Comprehensive Plan:</b>	Residential

**Description of the Proposal**

The City of Whitewater applied for a Conditional Use Permit for a vehicle storage building for the Whitewater Water Utility at 330 & 336 N. Fremont Street. Per the ordinance for the city’s R-2 zoning district, public and semipublic uses require a CUP, as do accessory structures.

The garage is being constructed north of the city’s water treatment building, which is at the corner of N. Fremont St. and W. Starin Rd. City-owned houses previously occupied the site.

Upon approval of the CUP the city will combine the parcels at 330 and 336 N. Fremont St. with the parcel at 308 N. Fremont St. The new parcel will be 65,696 square feet, and that is the calculation being used for planning purposes. It is well above the minimum of 12,000 square feet for the largest lot in R-2

The lot width will be 464.5 feet, well above the R-2 minimum of 100 feet for the largest lot.

Lot coverage in R-2 for a parcel of more than 10,000 square feet is 50 percent. The square footage of the combined parcels will be 65,696. The new storage building, current water building and reservoir total 21,460 square feet. All other buildings on the site will be torn down prior to construction, leaving the storage building, current water building and reservoir. Slightly more than 32 percent of the site will be covered.

The setback of 25 feet for an accessory structure in the side yard on a corner lot is met. Per ordinance, R-3 setbacks are used, since the building is larger than the city's standard one-family dwelling unit of 800 square feet.

The building is 20 feet in height, which is less than the R-2 maximum of 35 feet or 2.5 stories.

Parking is not a consideration. Employees will park at the water utility building at the corner of N. Fremont and W. Starin. The new garage is for inside storage.

The architecture is neutral in color and will blend with the surrounding area. It will not be an architectural highlight, but will also not be an eyesore, and it should be remembered that any requirement to enhance to look will come at taxpayer expense.

The city is not going to pay itself park fees from taxpayer funds over the construction of this building. Marquardt said the city will work with the UFC on landscaping and with city staff on lighting.

### **Planner's Recommendations**

The city recommends site plan approval, subject to any conditions stipulated by the PARC.

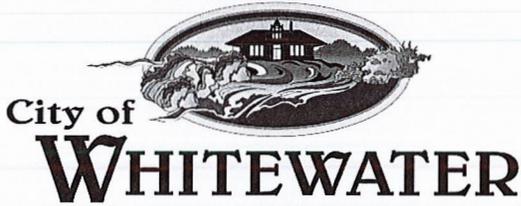
1. Applicant must adhere to city ordinances concerning lighting, landscaping and buffering and work with city staff to ensure compliance.
2. Applicant must include a Knox Box on the outside of the building.
3. Applicant must follow all city ordinances regarding signage.
4. Any dumpsters must be screened from view.
5. Parcels /S 00014, /S 00015 and /S 00016A must be combined under the tax key for /S 00014, and the address for all parcels will be 308 N. Fremont St.
6. Any conditions stipulated by the Plan and Architectural Review Commission.

**Analysis of Proposed Conditional Use Permit: 308 N. Fremont St.**

CUP 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 city's water utility has operated on the site for decades – in fact, the water facility is the oldest operating of its kind in the state.
2. Adequate utilities, access roads, parking, drainage, landscaping and other necessary site improvements are being provided.	Yes	The new garage is being built on the site of previous buildings – two houses and associated accessory structures.
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	Meets R-2 zoning.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The proposed use is consistent with the Comprehensive Plan.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The parcel is remaining institutional and blending well with the surrounding residential neighborhood.





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

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

## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 308, 330, 336 N. Fremont St  
Owner's Name: City of Whitewater - Water Utility  
Applicant's Name: Bred Marguardt  
Mailing Address: 312 W. Whitewater St  
Phone #: 262 473 0139 Email: bmarguardt@whitewater-wi.gov  
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): Lots 1-5  
Blk 5 Quane Starins Add

### Existing and Proposed Uses:

Current Use of Property: Old Residential Garages used as storage buildings  
Zoning District: R-2  
Proposed Use: Storage Building for water utility

**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.**  
The primary use for the building is vehicle and miscellaneous storage for the City of Whitewater Water Utility. Building will feature a sink, hot water tank, gas unit heaters, and a trench drain/catch basin. The building has no air conditioning and will be heated to approximately 45-50 degrees Fahrenheit in the winter months.
  2. **Scaled plot plan with north arrow, showing proposed site and all site dimensions.**  
Refer to Drawings D1.01, C1.01, C1.02, and C1.03.
  3. **All buildings and structures: location, height, materials and building elevations.**  
Refer to Site Drawings and Drawings AS2.01 and AS3.01.
  4. **Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.**  
Refer to Drawing AS2.01 for location of exterior lights on building. In general, lights are mounted above overhead and personnel doors. No pole mounted lights planned for this project.
  5. **Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.**  
Refer to Drawing AS2.01.
  6. **Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.**  
Refer to Drawing C1.01 for pavement locations. There are no plans for off-street parking stalls.
  7. **Access: pedestrian, vehicular, service. Points of ingress and egress.**  
Refer to Site Location and Utility Plan on C1.01, Life Safety Plan on AS1.01, and Building Elevations on AS2.01 for locations of pedestrian and vehicular access.
  8. **Loading: location, dimensions, number of spaces, internal circulation.**  
Refer to Life Safety Plan on AS1.01 and Building Elevations on AS2.01 for locations of pedestrian and vehicular access. Building has an open layout for the vehicular and miscellaneous storage needs of the Water Department. See "Space Study" exhibit at end of document for anticipated storage layout.
  9. **Landscaping: including location, size and type of all proposed planting materials.**  
To be completed by City of Whitewater.
  10. **Floor plans: of all proposed buildings and structures, including square footage.**  
Refer to Drawings AS1.01, AS1.02, and AS1.03. Building is 6,240 square feet.
  11. **Signage: location, height, dimensions, color, materials, lighting and copy area.**  
No signage on project.
  12. **Grading /drainage plan of the proposed site.**  
Refer to Drawing C1.02.
  13. **Waste disposal facilities: storage facilities for the storage of trash and waste materials.**  
N/A; not a waste disposal facility. The storage garage is not anticipated to generate large amounts of trash and waste. Any trash/waste generated will utilize processes already in place at the Whitewater Water Department building to the south.
  14. **Outdoor storage, where permitted in the district: type, location, height of screening devices.**  
Refer to Drawing C1.01. Outdoor storage is located on a 50'x90' asphalt pad at the west edge of the building and will incorporate an 8' tall chain link fence and 16' wide sliding gate.
- \*\*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.	<i>See Attached Response</i>
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	

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

Applicant's Signature: *Brad Maguardt*

Date: *6/12/2023*

Printed: *Brad Maguardt*



Office of Public Works  
312 W. Whitewater Street  
P.O. Box 178  
Whitewater, Wisconsin 53190

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[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0139  
Fax: (262) 222-5902

June 12, 2023

To: Plan and Architectural Review Commission

From: Brad Marquardt, P.E., Public Works Director

Re: Water Utility Storage Garage, CUP Application

The Water Utility located at the corner of Fremont Street and Starin Road is asking for a Conditional Use Permit in order to construct a new storage garage to the north of the existing Utility Building. The new storage garage would replace two existing residential garages that are currently being used to store equipment. It will include a sink, hot water tank, gas unit heater, and a trench drain/catch basin. The building will have no air conditioning and will be heated to approximately 50 degrees in the winter months.

Currently there are five employees that work out of the Utility Building. Their current hours are 7:00 am to 3:30 pm Monday thru Friday from October thru April, and from May thru September the hours are 6:00 am to 3:30 pm Monday thru Thursday and 6:00 am to 10:00 am on Friday.

The attached plans should include all necessary information as outlined in the Application Requirements except for landscaping. Landscaping is not shown as the intent will be to work with the City's Urban Forestry Commission to help design suitable landscaping for the area. The landscaping would tie into the Starin Park theme and also be as maintenance free as possible.

The following are in response to the Standards for Review and Approval questionnaire:

- A. The new storage garage will replace two old dilapidated residential garages currently being used for storage. The new storage garage will be of adequate size to house all of the Water Department's equipment so equipment will not be stored outside. Operation at the new storage garage will be very similar to the existing operation that exists today, that is moving equipment (trucks, trailers, skidsteers) in and out as daily operations require. The appearance of the new storage garage will not negatively impact the value of the surrounding properties.
- B. New sanitary sewer and water laterals will be installed to serve the garage. Stormwater from the building will be collected in gutters, directed to downspouts, and tied into the storm sewer system in Fremont Street (to be installed in 2024 during the Fremont Street reconstruction project). Additionally, drainage from the paved areas will be directed to a swale leading to an existing drainage swale on the west side of the property.
- C. The storage garage conforms to regulations as it would fall under the Conditional Use of Public and Semipublic uses.

- D. The conditional use would expand the footprint of the existing water utility footprint currently at the corner of Starin Road and Fremont Street. The existing parcels where the new garage will be erected are zoned for residential. The future land use map in the Comprehensive Plan indicates these residential lots would be zoned for park, with the existing water utility lot staying Institutional. While not completely conforming to the future use plan, the garage is staying within the intent of the plan by being adjacent to the existing zoning of Institutional.

**TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT**

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on \_\_\_\_\_. Received by:\_\_\_\_\_ Receipt #:\_\_\_\_\_
- 2) Application is reviewed by staff members.
- 2) Class 2 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:**

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\_\_\_\_\_  
Signature of Plan Commission Chairperson

\_\_\_\_\_  
Date

## Chapter 19.18 - R-2 ONE- AND TWO-FAMILY RESIDENCE DISTRICT

### 19.18.010 - Purpose.

The R-2 two-family residence district is established to provide medium-density residential areas.

(Ord. No. 1914A, 2-18-2016)

### 19.18.020 - Permitted uses.

Permitted uses in the R-2 district include:

- A. One-family detached dwellings;
- B. Two-family attached dwellings (except for conversions of single-family to two-family dwellings);
- C. Home occupations/professional home offices for nonretail goods and services (defined in this district as businesses that do not require customer access);
- D. A nonfamily household in R-2 shall be limited to three unrelated persons;
- E. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, with wireless telecommunications support facilities allowed as permitted accessory uses, all per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

### 19.18.030 - Conditional uses.

Conditional uses in the R-2 district include:

- A. Attached townhouse dwellings, up to four units per building; minimum lot area requirements for such uses shall be regulated by Chapter 19.21;
- B. Conversion of existing single-family dwellings to two-family attached dwellings;
- C. Public and semipublic uses;
- D. Home occupations/professional home offices for retail goods and services (defined in this district as businesses requiring customer access);
- E. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55;
- F. Real estate sales offices, subject to the following requirements:
  - 1.

May only be placed within a major subdivision with twenty or more lots or a multiple-family residential development with forty or more dwelling units;

2. Shall occupy a maximum of one building within any major subdivision, or one unit within any multiple-family residential development;
3. Shall be a temporary use to be removed or converted to a permitted use in the district no later than ninety days from the date when ninety percent of the lots or units within the subdivision or development are initially sold or leased, or five years from the date of initial establishment of the use, whichever comes first;
4. Before a building permit is issued, a deposit or other financial guarantee with a value of not less than \$2,000.00 shall be required, with such deposit or guarantee released by the city once the sales office is removed or converted to a permitted use in the district;
5. Shall not exceed seven hundred fifty square feet in floor area devoted to the sales office and related uses open to the public;
6. Shall be compatible in character, materials, placement, and design with other existing and planned buildings within the subdivision or development;
7. Signage shall be in accordance with standards for conditional uses in the district, per Section 19.54.052 of this title.

G. Bed and breakfast establishments;

H. Reserved.

I. One accessory structure may be located in the front or side yard if the following requirements are met.

1. Minimum front yard setback of the accessory structure must be fifty feet.
2. Minimum side yard setback of the accessory structure must be ten feet, or corner lot, twenty-five feet.

(Ord. No. 1914A, 2-18-2016; Ord. No. 1918A, § 2, 4-19-2016)

19.18.040 - Lot area.

Minimum lot area in the R-2 district is:

- A. Eight thousand square feet for single-family;
- B. Twelve thousand square feet for two-family;
- C. A nonconforming lot that does not meet the minimum lot area above may be considered as a buildable lot if it:
  - a. Meets all other standards including Section 19.60.050.
  - b. Is reviewed and approved by the city plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

19.18.050 - Lot width.

Minimum lot width in the R-2 district is:

- A. Sixty-six feet for all lots of record at the time of adoption of the ordinance codified in this section;
- B. Seventy feet for all new single-family development after the adoption of the ordinance codified in this section;
- C. One hundred feet for all duplexes developed after the adoption of the ordinance codified in this section;
- D. A nonconforming lot that does not meet the minimum lot width above may be considered as a buildable lot if it:
  - a. Meets all other standards including Section 19.60.050.
  - b. Is reviewed and approved by the city plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

19.18.060 - Yard requirements.

Minimum yard requirements in the R-2 district are:

- A. Front, twenty-five feet; (not more than forty percent of the front yard may be an impervious surface except by conditional use permit);
- B. Side, ten feet for one-family, fifteen feet for two-family and multifamily; corner lots, twenty-five feet;
- C. Rear, thirty feet (not more than forty percent of the yard may be an impervious surface except as a conditional use);
- D. Shore, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46, and in addition may require DNR approval;
- E. For all structures larger than a one-family dwelling unit, the building setback standards established in the R-3 multifamily residence district shall apply.

(Ord. No. 1914A, 2-18-2016)

19.18.065 - Off-street parking.

Off-street parking, including both surface parking and enclosed parking, shall conform to city guidelines for parking areas which include materials, access, visibility, potential impact on abutting properties, drainage, stormwater management, screening, and economic viability of the associated use.

(Ord. No. 1914A, 2-18-2016)

19.18.070 - Lot coverage.

- A. Maximum lot coverage (principal and accessory structures) in the R-2 district is thirty percent.
- B. Maximum Impervious Surface. The following chart shall be used to determine the maximum percent of allowed impervious surface to determine the threshold for stormwater mitigation plan requirements on lots in the R-2 district:

Maximum Impervious Surface

Less than 7,000 sq. ft.	65%
7,000 sq. ft. to 8,499 sq. ft.	60%
8,500 sq. ft. to 9,999 sq. ft.	55%
10,000 sq. ft. and over	50%

Percentage of impervious surface shall be calculated by taking the total surface area of the existing and proposed impervious surface and dividing it by the total lot area (note the minimum lot requirement for new lots in R-2 is eight thousand square feet for single-family and twelve thousand square feet for two-family).

- C. Lots calculated over the maximum allowed impervious surface require the neighborhood service director approval of a stormwater management plan. Property owners shall work with neighborhood services to develop a practical site specific stormwater management plan that allows for flexibility in the use of stormwater treatment device including rain barrels, rain gardens and etc. Applicants may appeal the neighborhood services director's decision to the plan and architectural review commission.
  1. Pre-engineered lots may be developed without management plans if mitigation has been accounted for during design of the lot.
  2. The neighborhood services department and plan and architectural review commission shall take into account surrounding topography when reviewing the necessary stormwater mitigation.
  3. Property owners may also apply for a conditional use permit which may exempt properties from the requirement of a stormwater management plan.

D. The principles and standards set forth in the City of Whitewater Erosion Control and Stormwater Management Requirements Policy which includes the city's stormwater management ordinance (Chapter 16.16) and the city's construction site control ordinance (Chapter 16.18), shall be used as a guide by the property owner and staff for drafting and reviewing stormwater management plans. The neighborhood services department shall develop written guidelines and policies to be used in development and review of stormwater mitigation plans.

(Ord. No. 1914A, 2-18-2016)

19.18.080 - Building height.

Maximum building height in the R-2 district is thirty-five feet, or two and one-half stories.

(Ord. No. 1914A, 2-18-2016)

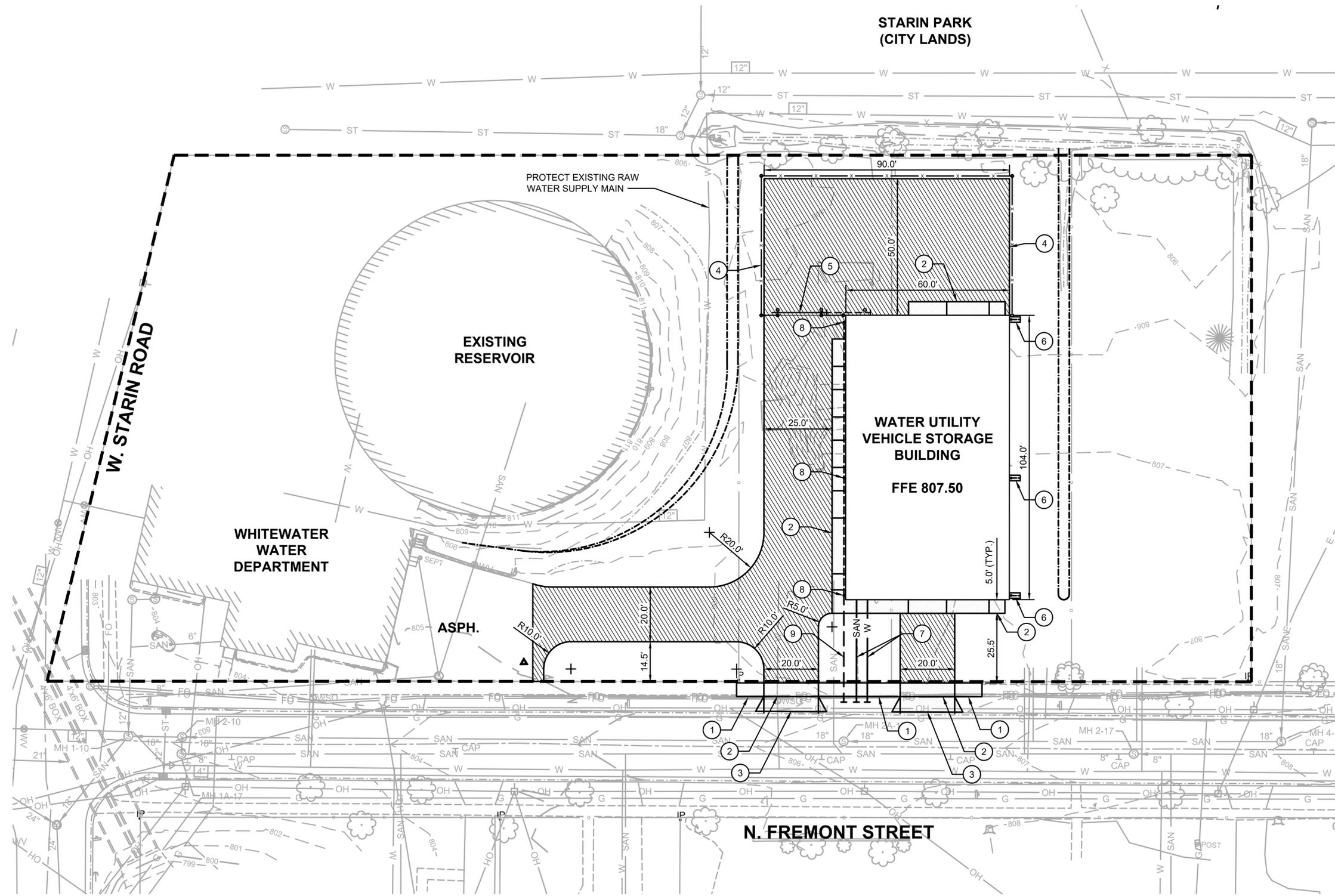
19.18.090 - Park fees.

All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board and then approved by the common council. The fee will be on record at the city clerk's office. The park acquisition fee may be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

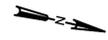
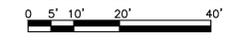
(Ord. No. 1914A, 2-18-2016)



**STARIN PARK  
(CITY LANDS)**



**SITE LOCATION AND UTILITY PLAN**



**GENERAL NOTES:**

1. COORDINATE LOCATION OF NEW NATURAL GAS, ELECTRICAL, COMMUNICATIONS SERVICES WITH ASSOCIATED UTILITY COMPANIES.
2. NEW WATER AND WASTEWATER SERVICES TO BE EXTENDED TO WITHIN 10- FEET OF THE EXISTING BACK OF SIDEWALK AND CAPPED. CONNECTIONS TO EXISTING WATER MAIN AND SANITARY SEWER TO BE COMPLETED BY OTHERS.

**CIVIL KEY NOTES:**

- ① CONCRETE SIDEWALK; 5-IN THICKNESS.
- ② CONCRETE SIDEWALK; 6-IN THICKNESS.
- ③ CONCRETE DRIVEWAY APRON; 6-IN THICKNESS.
- ④ 8-FT TALL CHAIN LINK FENCE SURROUNDING MATERIALS STORAGE AREA.
- ⑤ PROVIDE 16-FT WIDE, MANUAL CANTILEVER SLIDE GATE.
- ⑥ CONCRETE SPLASH PAD. SEE DETAIL **F C5.01**
- ⑦ COORDINATE LOCATIONS OF SANITARY SEWER LATERAL AND WATER SERVICE WITH PLUMBING OVERALL PLUMBING PLAN. EXTEND CAP LATERAL AND SERVICE 2- FEET PAST PROPOSED SIDEWALK. MARK ENDS WITH 2X4 POSTS.
- ⑧ PROVIDE TEMPORARY CAP ON DOWNSPOUT PIPING AT DOWNSPOUT. REDIRECT DOWNSPOUTS PIPING TO DRAIN TO PAVEMENT WITH TEMPORARY TRANSITION.
- ⑨ CAP AND EXTEND X-IN PVC ROOF DRAIN 2- FEET PAST PROPOSED SIDEWALK. X-IN INVERT XXX.XX. MARK END WITH 2X4 POST.

**LEGEND:**

- NEW ASPHALT PAVEMENT
- NEW CONCRETE PAVEMENT
- NEW CONCRETE SIDEWALK

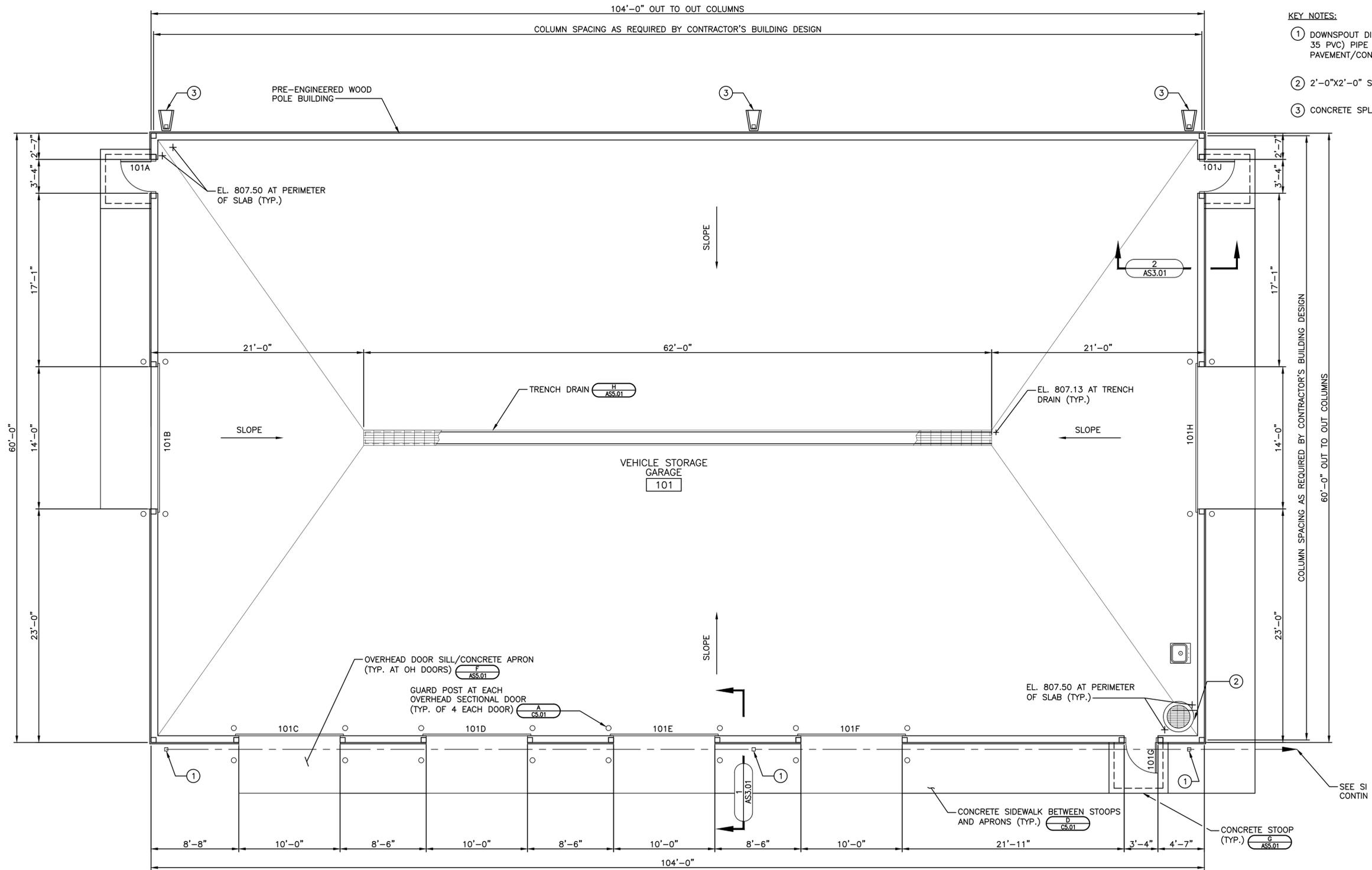
NO.	REVISIONS	DATE:
A	30% REVIEW SET	5/5/2023
B	60% REVIEW SET	6/16/2023

**CIVIL**  
**SITE LOCATION AND UTILITY PLAN**  
WATER UTILITY VEHICLE STORAGE GARAGE  
CITY OF WHITEWATER  
WALWORTH COUNTY, WISCONSIN

**JOB NO.**  
1407.130  
**PROJECT MGR.**  
EVAN J. CONSTANT



**SHEET**  
7  
**C1.01**



**GENERAL NOTES:**

- SEE AS6.01 FOR GENERAL NOTES AND DESIGN CRITERIA.
- PROVIDE SLAB SAWN JOINTS PER A  
AS5.01 LOCATED AT APPROXIMATELY 15- FEET O.C. MAXIMUM. PROVIDE SLAB CONSTRUCTION JOINTS PER B  
AS5.01 AS REQUIRED BY CONTRACTOR.

**KEY NOTES:**

- 1 DOWNSPOUT DISCHARGES INTO VERTICAL 6" ST (SDR 35 PVC) PIPE INSTALLED 1" ABOVE GRADE OR PAVEMENT/CONCRETE. SEE E  
C5.01.
- 2 2'-0"x2'-0" SUMP PIT, SEE X  
P5.01.
- 3 CONCRETE SPLASH PAD. SEE F  
C5.01.

NO.	REVISIONS	DATE
A	30% REVIEW SET	5/5/2023
B	60% REVIEW SET	6/16/2023

**ARCHITECTURAL/STRUCTURAL  
OVERALL PLAN**  
WATER UTILITY VEHICLE STORAGE GARAGE  
CITY OF WHITEWATER  
WALWORTH COUNTY, WISCONSIN

**JOB NO.**  
1407.130  
**PROJECT MGR.**  
EVAN J. CONSTANT

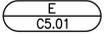
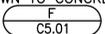


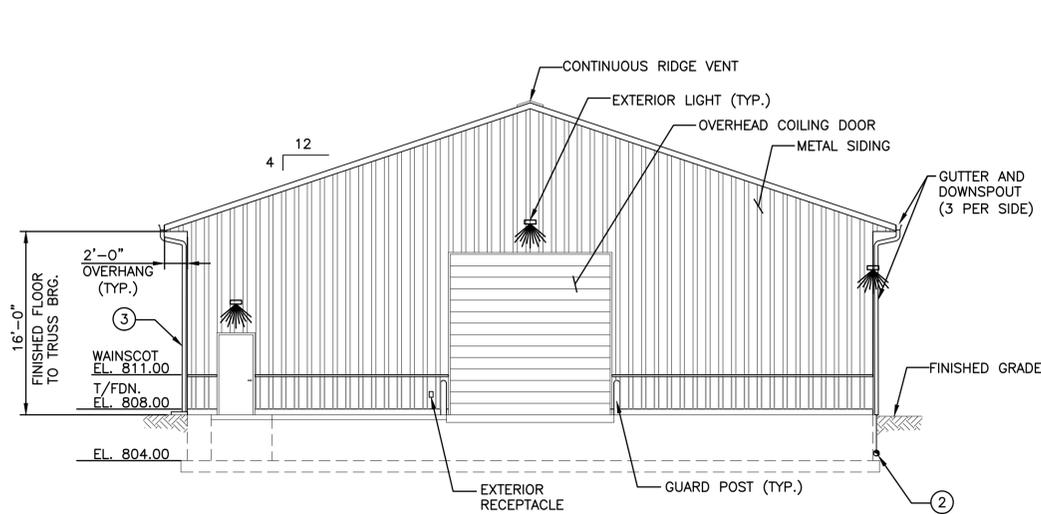
**SHEET**  
**13**  
**AS1.03**

**GENERAL NOTES:**

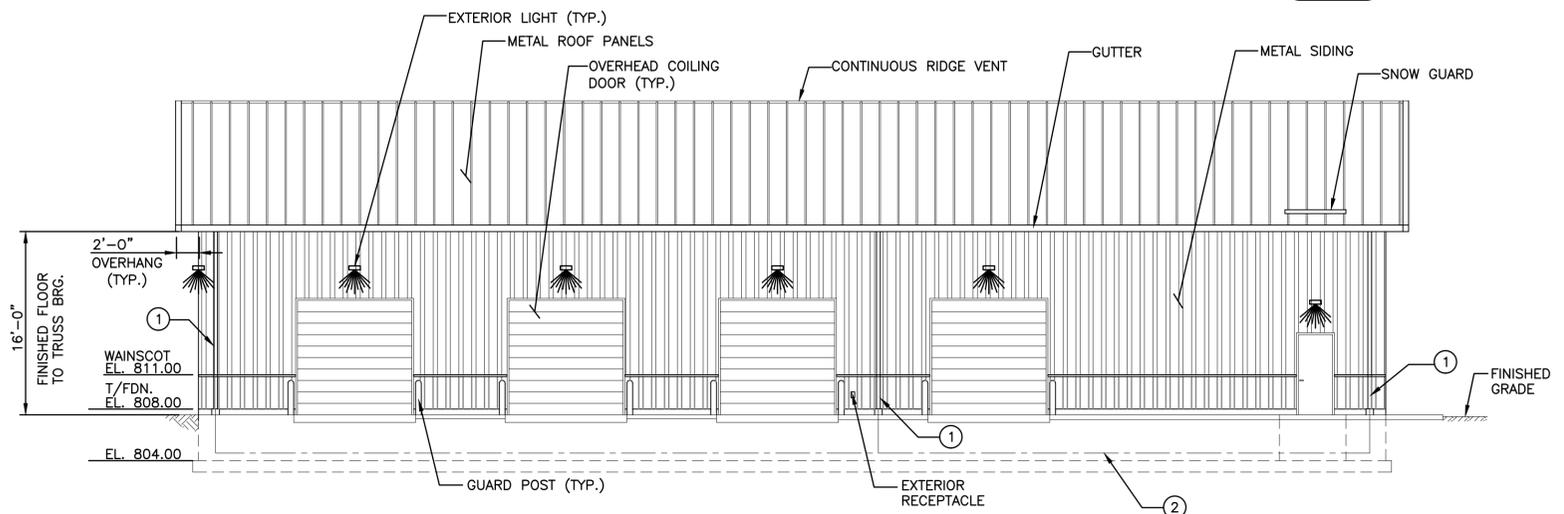
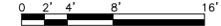
- SEE AS6.01 FOR GENERAL NOTES AND DESIGN CRITERIA

**KEY NOTES:**

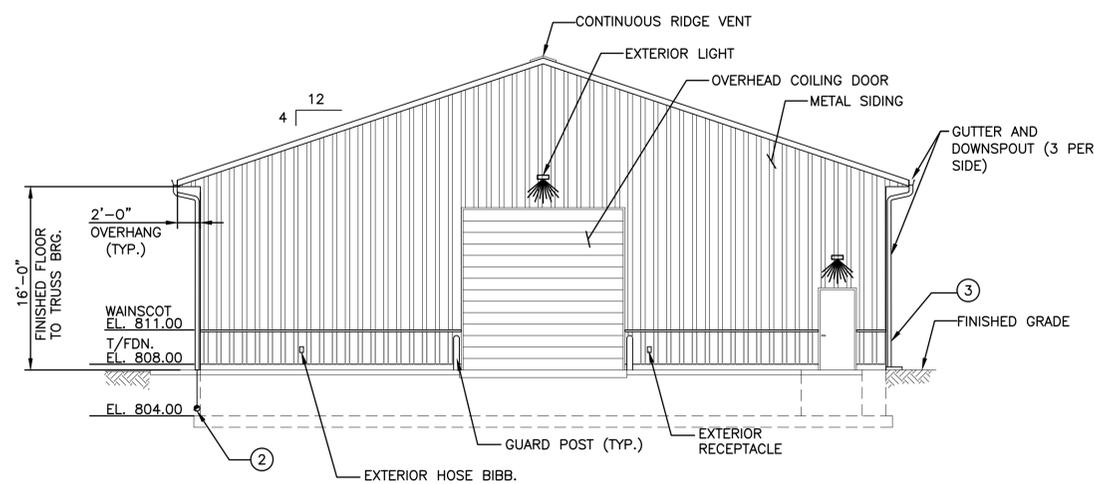
- DOWNSPOUT DOWN TO PVC PIPE BELOW GRADE. SEE SITE PLAN AND 
- SEE PIPE ELEVATIONS ON C1.01
- DOWNSPOUT DOWN TO CONCRETE SPLASH PAD. SEE SITE PLAN AND 



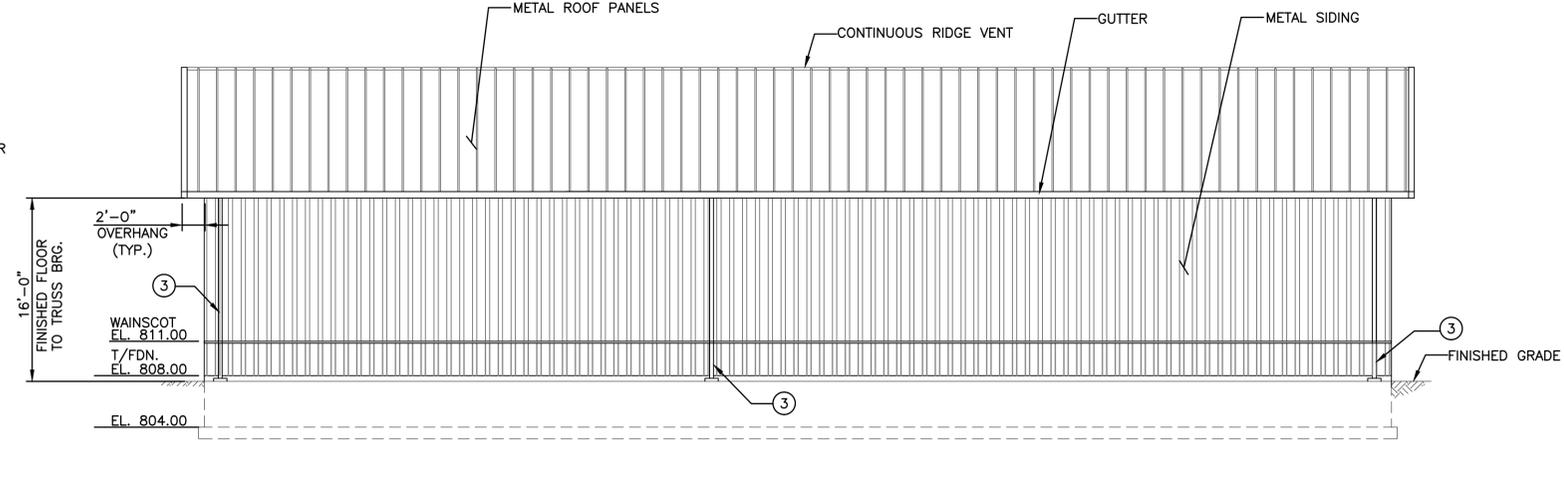
**WEST ELEVATION**



**SOUTH ELEVATION**



**EAST ELEVATION**



**NORTH ELEVATION**



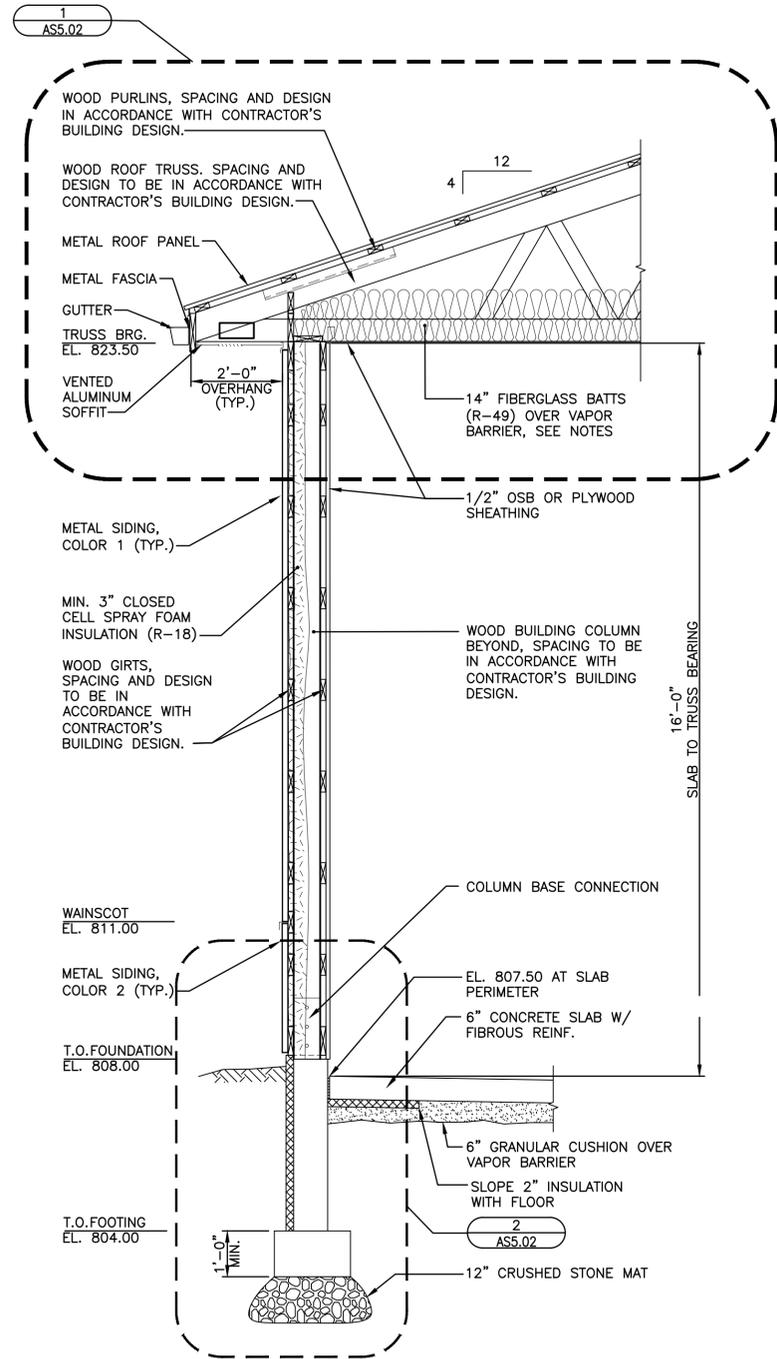
NO.	REVISIONS	DATE
A	30% REVIEW SET	5/5/2023
B	60% REVIEW SET	6/16/2023

**ARCHITECTURAL/STRUCTURAL  
BUILDING ELEVATIONS**  
 WATER UTILITY VEHICLE STORAGE GARAGE  
 CITY OF WHITEWATER  
 WALWORTH COUNTY, WISCONSIN

**JOB NO.**  
1407.130  
**PROJECT MGR.**  
EVAN J. CONSTANT

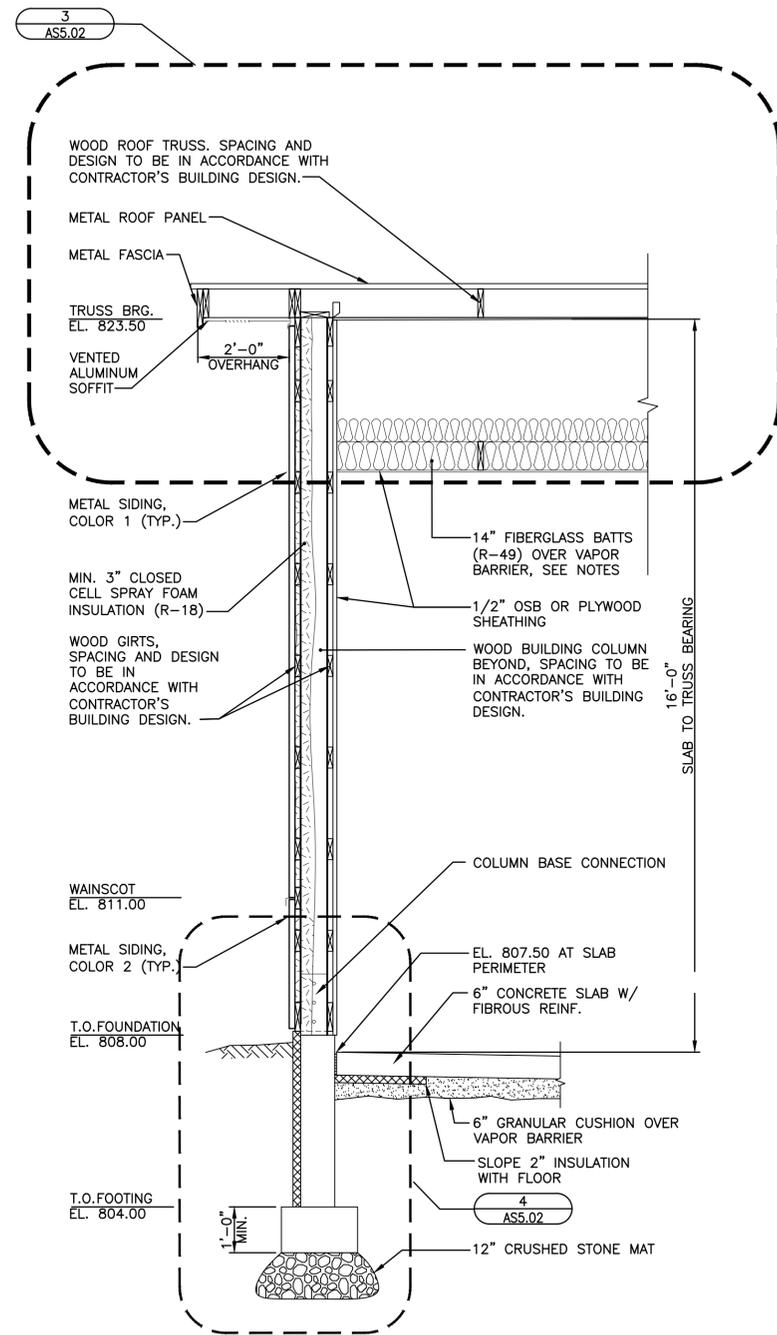


**SHEET**  
14  
**AS2.01**



NOTE: BASE LAYER OF BATT INSULATION SHALL MATCH DEPTH OF BOTTOM CHORD OF TRUSS.

WALL SECTION 1 AS3.01



NOTE: BASE LAYER OF BATT INSULATION SHALL MATCH DEPTH OF BOTTOM CHORD OF TRUSS.

WALL SECTION 1 AS3.01

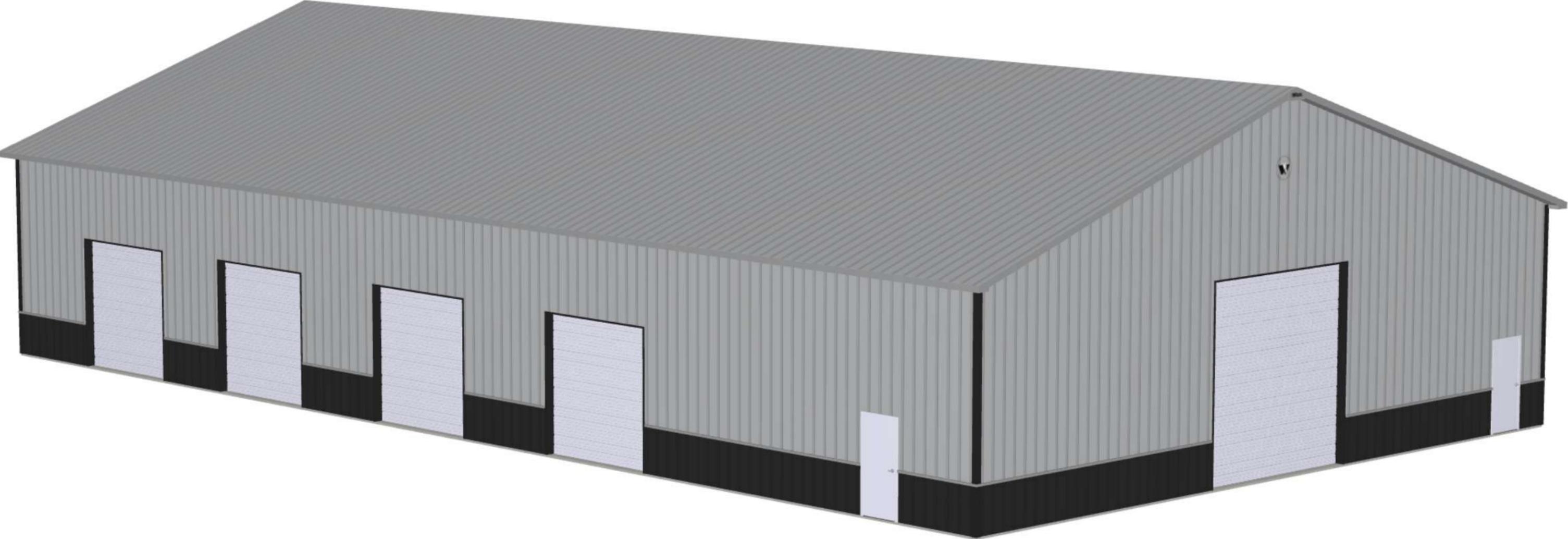
NO.	REVISIONS	DATE
A	30% REVIEW SET	5/5/2023
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**ARCHITECTURAL/STRUCTURAL  
BUILDING ELEVATIONS**  
WATER UTILITY VEHICLE STORAGE GARAGE  
CITY OF WHITEWATER  
WALWORTH COUNTY, WISCONSIN

**JOB NO.**  
1407.130  
**PROJECT MGR.**  
EVAN J. CONSTANT



**SHEET**  
**15**  
**AS3.01**



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

To: City of Whitewater Plan and Architectural Review Commission

From: Chris Bennett, Director of Neighborhood Services

Date: July 10, 2023

Re: Item 5: Review and possible approval – Conditional Use permit application for towing and storage of semi-trailers at 1002 S. Janesville St. Reid Breyer, business owner and applicant.

<b>Summary of Request</b>	
<b>Requested Approvals:</b>	Conditional Use Permit approval – towing and trailer storage
<b>Location:</b>	1002 S. Janesville St. Parcel /WUP 00341
<b>Current Land Use:</b>	B-3 – Highway Commercial and Light Industrial District
<b>Proposed Land Use:</b>	Towing and trailer storage
<b>Current Zoning:</b>	B-3 – Highway Commercial and Light Industrial District
<b>Proposed Zoning:</b>	Same
<b>Future Land Use, Comprehensive Plan:</b>	B-3 – Highway Commercial and Light Industrial District

**Description of the Proposal**

Reid Breyer applied for a Conditional Use Permit for vehicle towing and semi-trailer storage at 1002 S. Janesville St. The property is zoned B-3.

Per the city's B-3 zoning code automobile repair and service within a principal or accessory building and automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental repair and service within a principal or accessory building, are each conditional uses in B-3.

Breyer occupies an existing building on the site. The site is owned by Samuel and Dana Hatchett, proprietors of Pro Landscape Supply LLC, which is located on the site.

The site is bordered by Janesville Street and the railroad tracks, and adjacent properties are farmland. There is ample room on the site for Breyer’s proposed activities, and the proposed activities fit in with the other uses on the site — a concrete business, a trucking company, a detailing shop and landscape supply company.

The PARC considered a CUP for this site, applied for by Lee Loveall, in February and March of this year. At that point Bennett and then City Attorney Wally McDonell examined the matter, and recommend the PARC stipulate that the area not be paved, per ordinance 19.51.050.

Section B states that all driveway and parking areas shall be surfaced with asphalt or concrete to control dust and drainage – unless otherwise permitted in the zoning district, or approved by the plan commission under a conditional use permit (CUP) or permitted by neighborhood services.

The owners of the site, Samuel and Dana Hatchett, are willing partners with the city regarding the future of this plot of land. According to the Hatchetts the plan is for the site to someday be paved.

**Planner’s Recommendations**

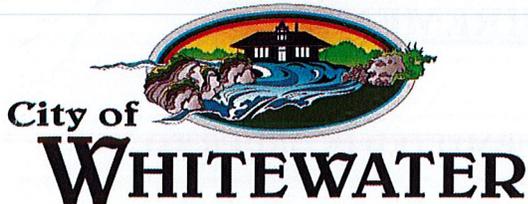
The city recommends site plan approval, subject to any conditions stipulated by the PARC.

1. Applicant must adhere to city ordinances concerning lighting, landscaping and buffering and work with city staff to ensure compliance.
2. Applicant must include a Knox Box on the outside of the building.
3. Applicant must follow all city ordinances regarding signage.
4. Applicant must denote any parking areas by some means, whether through objects mounted in/on the ground or directions posted on the building.
5. Applicant must apply for a junked vehicle permit each year.
6. Any dumpsters must be screened from view.
7. Applicant is not required to pave or mark on the ground the parking area adjacent to the building to be rented.
8. Any conditions stipulated by the Plan and Architectural Review Commission.

**Analysis of Proposed Conditional Use Permit: 1002 S. Janesville St.**

CUP 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	There is no adverse effect on the surrounding area.
2. Adequate utilities, access roads, parking, drainage, landscaping and other necessary site improvements are being provided.	Yes	In compliance.
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	In compliance.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The proposed use is consistent with the Comprehensive Plan.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use requirements of the B-3 District.



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

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

## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 1002 S Jonesville St Whitewater WI

Owner's Name: Reid Breyer

Applicant's Name: Reid Breyer

Mailing Address: 12666 Boos Ln Jefferson WI

Phone #: 262-337-1849 Email: Reidbreyer@gmail.com

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

### Existing and Proposed Uses:

Current Use of Property: Part time towing (no storage cars) Semi storage

Zoning District: B3

Proposed Use: Part time towing

**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 It will NOT, I am in front of Building thru out the week. I keep my Personal stuff as well as my 2 semis inside when not on Road.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes all is done and kept up with.
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: 6-21-23

Printed: Reid Breyer

**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 6-21-2023. Received by: \_\_\_\_\_ Receipt #: \_\_\_\_\_
- 2) Application is reviewed by staff members.
- 2) Class 2 Notice published in Official Newspaper on \_\_\_\_\_.
- 3) Notices of the Public Hearing mailed to property owners on 6-23-2023
- 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:**

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\_\_\_\_\_  
Signature of Plan Commission Chairperson

\_\_\_\_\_  
Date

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

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

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

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

Name of Applicant: Reid Breyer

Applicant's Mailing Address: 12000 Booson Jefferson WI

Applicant's Phone Number: 262-337-1849

Applicant's Email Address: Reidbreyer@gmail.com

Project Information:

Name/Description of Development: \_\_\_\_\_

Address of Development Site: 1002 S Janesville St Whitewater WI

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

Property Owner Information (if different from applicant):

Name of Property Owner: Dana & Samuel Hatchett

Property Owner's Mailing Address: 1002 S Janesville St

Whitewater, WI 53190

**Section B: Applicant/Property Owner Cost Obligations**

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

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

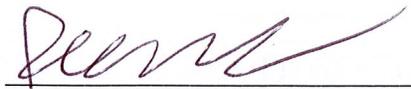
- A. Application Fee.....\$ \_\_\_\_\_
- B. Expected Planning Consultant Review Cost .....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B) .....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_
- E. Project Likely to Incur Additional Engineering or Other Consultant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

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

**Section C: Agreement Execution**

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

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

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

Reid Beyer  
\_\_\_\_\_  
Printed Name of Applicant/Petitioner

6-21-23  
\_\_\_\_\_  
Date of Signature

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

Dana Hatchett  
\_\_\_\_\_  
Printed Name of Property Owner (if different)

6/21/23  
\_\_\_\_\_  
Date of Signature

## Chapter 19.33 - B-3 HIGHWAY COMMERCIAL AND LIGHT INDUSTRIAL DISTRICT

### 19.33.010 - Purpose.

The B-3 highway commercial and light industrial district is established to accommodate nonnuisance type industrial commercial uses that are highway oriented or have large land area requirements. To ensure a minimum of disruption to residential neighborhoods, no development within this district shall take direct access to a local residential street, except by conditional use permit.

(Ord. No. 1914A, 2-18-2016)

### 19.33.020 - Permitted uses.

Permitted uses in the B-3 district include:

- A. All uses listed as permitted uses in the B-1 district (Section 19.27.020);
- B. Agricultural services;
- C. General contracting shops;
- D. Lumberyards, building supply stores, and greenhouses;
- E. Private recreation facilities;
- F. Mini-warehouses;
- G. Public and semipublic uses;
- H. Other similar uses not specifically listed in this section that are consistent with the purpose of this district;
- I. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

### 19.33.025 - Permitted accessory uses.

Permitted accessory uses in the B-3 district include:

- A. Garages for storage of vehicles, equipment or materials in conjunction with operation of the principal use on the lot;
- B. Off-street parking and loading areas, subject to landscaping and screening requirements if applicable;
- C.

Outside storage and trash dumpsters, which may be subject to screening as part of site plan review;

- D. Outside display of merchandise, which may be subject to limitations as part of site plan review;
- E. Outside display and temporary storage of motor vehicles where the principal use on the lot includes the sale, repair, or servicing of such motor vehicles. No vehicle in inoperable condition shall be stored for greater than thirty days;
- F. Outdoor seating for restaurants within designated areas;
- G. Temporary retail uses, such as seasonal and special event sales, subject to the approval of the zoning administrator, who may require specific time and area limitations;
- H. Vending machines for dispensing of a product but only if accessory to a commercial business use. If more than two vending machines are accessory to one business use, such vending machines shall be screened from the public right-of-way and adjacent properties. Vending machines may be lit only when the principal use on the lot is in operation, unless such machines are completely screened from the public right-of-way and adjacent properties;
- I. Essential services;
- J. Wireless telecommunications support facilities, per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

#### 19.33.030 - Conditional uses.

Conditional uses in the B-3 district include:

- A. Taverns and other establishments selling alcoholic beverages by the drink; for which consideration shall be given but is not limited to, conditions regarding the following issues:
  - 1. Parking;
  - 2. Type of business;
  - 3. Signage;
  - 4. Outdoor seating;
  - 5. Provisions for avoiding noise and lighting nuisances;
  - 6. Buffering and fencing;
  - 7. Compatibility with the immediately surrounding neighborhood or district.
- B. All uses with drive-through facilities;
- C. More than one principal structure on a lot;
- D. New and existing residential uses in conformance with the standards of the R-3 multifamily residence district;
- E. Automobile repair and service within a principal or accessory building;

- F. Automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental repair and service within a principal or accessory building;
- G. Car washes;
- H. Entertainment establishments, including clubs, but excluding adult entertainment;
- I. Funeral homes and crematory services;
- J. Gasoline service stations, including incidental repair and service within the principal building;
- K. Light industry;
- L. Motor freight transportation;
- M. Veterinary clinics, provided that no service including animal boarding is offered outdoors;
- N. Warehousing;
- O. Wholesale trade of durable and nondurable goods;
- P. Large retail and commercial service developments, as described and regulated in Chapter 19.485.
- Q. Light manufacturing and retail uses;
- R. All nonresidential uses with vehicular access onto a local (not a collector or arterial) street that is intended to provide access to mostly residential uses;
- S. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

19.33.040 - Lot area.

Minimum lot area in the B-3 district is ten thousand square feet.

(Ord. No. 1914A, 2-18-2016)

19.33.050 - Lot width.

Minimum lot width in the B-3 district is one hundred feet.

(Ord. No. 1914A, 2-18-2016)

19.33.060 - Yard requirements.

Minimum required yards for principal buildings, outside storage, and dumpsters in the B-3 district are:

- A. Front and street side, fifteen feet (but may be greater if needed to meet fire safety requirements);
- B. Interior side, fifteen feet (but may be greater if needed to meet fire safety requirements);

- C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be fifteen feet under a conditional use (but may be greater if needed to meet fire safety requirements);
- D. Shore yard, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46, and in addition may require DNR approval.
- E. Any yard abutting a residential district or use, thirty feet or the height of the nearest principal building or structure being developed, whichever is greater. Such yards shall be subject to the landscape buffer yard requirements of Section 19.57.140, except where abutting a railroad right-of-way with the approval of the plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

#### 19.33.070 - Lot coverage.

There is no maximum percentage lot coverage for buildings with the exception of the provisions needed for landscape, circulation, and other site planning considerations. Building size, coverage, and locations must still conform to the other regulations including stormwater management. Landscape and environmental features shall follow principles of sustainability and environmental quality and shall locate landscape elements in highly visible locations, especially in the fronts of buildings, and should include canopy trees, understory and/or evergreen trees, and shrubs.

(Ord. No. 1914A, 2-18-2016)

#### 19.33.080 - Building height.

Maximum building height in the B-3 district is five stories or one hundred feet (whichever is greater), with the exception that the maximum building height is three stories within one hundred feet of a residential use or property zoned as a residential district.

The maximum building height is also subject to fire safety limitations. The maximum building height may be increased under the provisions of a conditional use permit which will include, but is not limited to, consideration of issues regarding shadows cast by buildings, views, impacts on neighbors, and microclimate.

(Ord. No. 1914A, 2-18-2016)

#### 19.33.090 - Plan review.

Plan review in accordance with Chapter 19.63 shall be required for any development in the B-3 district. Building design shall be consistent with the recommendations of the city's comprehensive (master) plan and include materials, colors, styles, and features tailored to the building's site and context. Landscaping shall be consistent with the recommendations of the city's comprehensive (master) plan; appropriate to the site, community and region; and in accordance with accepted professional standards.

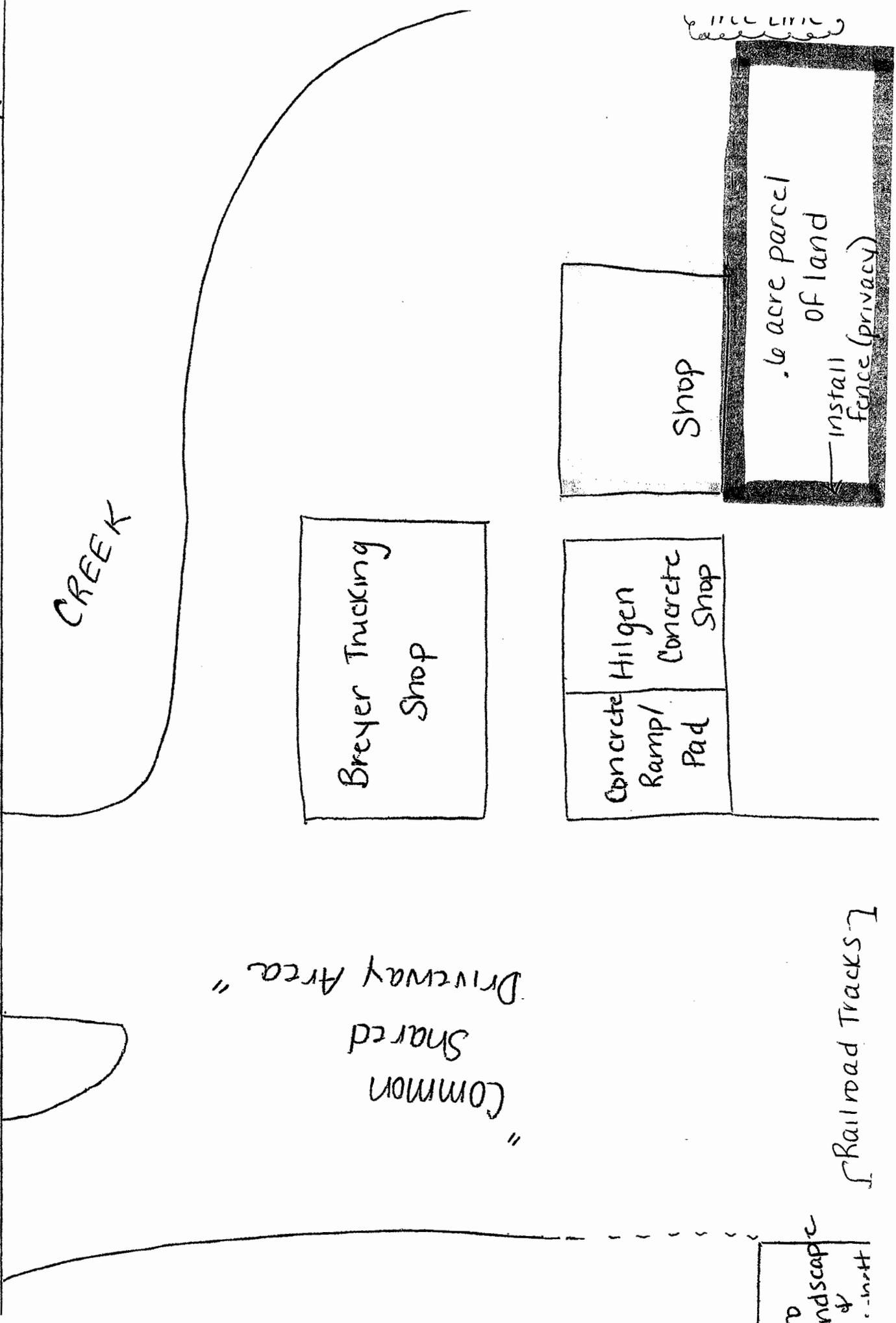
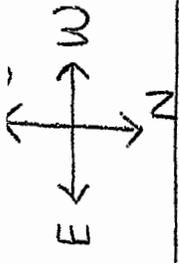
(Ord. No. 1914A, 2-18-2016)

19.33.100 - Park fees.

All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board and then approved by the common council. The fee will be on record at the city clerk's office. The amount of these fees may be reduced by any fee amount previously paid or credited at the time of subdivision, or by fifty percent if the new housing units are created as a result of the conversion or remodeling of a preexisting building. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 1914A, 2-18-2016)

South Janesville St / Hwy 59



CREEK

"Common Shared Driveway Area"

Breyer Trucking Shop

Concrete Ramp/Pad  
Hilgen Concrete Shop

Shop

1/2 acre parcel  
Install fence (privacy)

Railroad Tracks

landscaping

