



Plan and Architectural Review Commission Meeting Agenda
City of Whitewater Municipal Building
January 9, 2023 6:00 PM
Community Room- First Floor
312 W. Whitewater St.
Whitewater, WI 53190

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

<https://meet.goto.com/115675677>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3212](tel:+18722403212)

Access Code: 115-675-677

**Agenda amended on January 6, 2023 at 11:40 am to include additional consideration for #5,
Event Venue**

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: December 12, 2022

Documents:

[PLAN MIN 2022-1212.PDF](#)

4. Review And Possible Approval Of A Certified Survey Map For The Division Of Land At 1242 & 1260 West Main Street, City Of Whitewater, Parcel #/WUP 00160

Lot 1 and Lot 2 of Certified Survey Map No. 1258 recorded in the Walworth County Register of Deeds in Volume 6, Page 27 as Document No. 86351 and part of the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin being more particularly described as follows:

Commencing at the Southwest corner of the Northwest 1/4 of said Section 5; thence North 88°-02'-02" East along the South line of said Northwest 1/4, a distance of 299.88 feet; thence North 00°-05'-28" West, a distance of 35.02 feet to the North right-of-way line of Main Street and the point of beginning; thence continuing North 00°-05'-28" West along an East line of Certified Survey Map No. 1709 recorded in the Walworth County Register of Deeds Office in Volume 8, Page 102 as

Document No. 164059, a distance of 354.12 feet; thence North 88°-02'-02" East along said East line, a distance of 10.00 feet; thence North 00°-05'-28" West along said East line, a distance of 443.86 feet; thence South 88°-10'-04" West along the North line of said Certified Survey Map No. 1709, a distance of 29.38 feet; thence North 00°-05'-28" West, a distance of 437.37 feet; thence North 88°-03'-49" East along the westerly extension of the North line of Lot 2 of said Certified Survey Map No. 1258 and said North line, a distance of 268.89 feet to the Northeast corner of said Lot 2; thence South 00°-02'-17" East along the East line of said Certified Survey Map No. 1258, a distance of 1,235.32 feet to the North right-of-way line of Main Street; thence South 88°-02'-02" West along said North line, a distance of 248.37 feet to the point of beginning and containing 7.149 acres (311,402 sq. ft.) of land more or less.

Documents:

[CSM PACKET.PDF](#)

5. Public Hearing For Consideration Of A Conditional Use Permit For A Proposed Event Venue And Sale Of Alcohol By The Drink Located At 183-187 W Main Street, Parcel ID#/OT 00070 For Stonegate Management LLC (Gregory Aprahamian).

Documents:

[CUP PACKET.PDF](#)

6. Next Regular Plan Commission Meeting - February 13, 2023

7. 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 pcronce@whitewater-wi.gov.

It is possible that members of, and possibly a quorum of members of, other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information over which they may have decision-making responsibility; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
IN-PERSON AND VIRTUAL MEETING
6 p.m. Dec. 12, 2022

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

Video: <https://vimeo.com/780790877>

1. Call to Order and Roll Call

Chairperson Tom Miller called the meeting to order at 6 p.m.

PRESENT: Miller, Neil Hicks, Sherry Stanek, Andrew Crone, Bruce Parker, Brienne Brown, Jill Gerber, City Attorney Wally McDonell, Neighborhood Services Director Chris Bennett.

2. Hearing of Citizens Comments

None

3. Review and Approval of Minutes: November 14, 2022

Stanek moved for approval of the minutes from November 14, 2022. Brown offered a second. Passed unanimously.

Video: 1:11

4. Review and possible approval of an Extraterritorial Certified Survey Map for the Division of Land: PART OF THE NE ¼ OF THE NE ¼ OF SECTION 11, T. 4N., R. 14E. OF THE 4TH P.M., TOWN OF LIMA, ROCK COUNTY, WISCONSIN: Brown motioned, with a second from Stanek, to approve the Extraterritorial Certified Survey Map for Michael and Karilyn Newell, 12524 E. County Rd. N in Whitewater, for a parcel they own in the Town of Lima. Passed unanimously.

Video: 1:39

5. Public hearing for consideration of a Conditional Use Permit for proposed wall signs for Ace Hardware located at 1415 W Main Street, Parcel ID#/A4872 00001 for Ryan Signs, Inc.

Ryan Signs, Inc., based in Madison, WI, asked for a CUP for two wall signs in the B-1 zoning district at a new ACE Hardware at 1415 W. Main Street in Whitewater. The PARC granted approval contingent upon all signs and lighting on site coming in compliance with existing city ordinance. Crone moved, Brown offered a second. Passed unanimously.

Video: 3:35

6. Public hearing for consideration of a Conditional Use Permit for a proposed 4 Family Residence Apartment Complex to be located at N. Tratt St. Parcel ID#/05-15-3233-018 (physical address to be determined at a later date) for Joseph Esther/or assigns.

Esther, the applicant, and architect Steve Esser with Patera Architects in Brookfield appeared in support of the application. Hicks moved, with a second from Brown, to approve the CUP. Motion passed 6-1; Gerber voted against.

Video: 8:23

7. **Public hearing regarding consideration of a Conditional Use Permit for a proposed Auto Repair Service with Rental of Box Trucks and Trailers located at 1002 S Janesville Street, Parcel ID#/WUP 00341 for Big Deal LLC. (Lee Loveall).**

Brown moved, with a second from Crone, to hold open the public hearing for a later date, at which time Loveall is to provide a layout detailing where a paved surface might be placed and where vehicles will be parked. Motion passed unanimously.

Video: 30:07

8. **Future agenda items:** None mentioned.

9. **Next Plan & Architectural Review Commission meeting:** Jan. 14, 2022.

10. **Adjourn:** Stanek moved, with a second by Parker, to adjourn. Passed unanimously. Meeting adjourned at 6:59 p.m.

Respectfully submitted,
Chris Bennett
Neighborhood Services Director

DRAFT

MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Chris Bennett, Director of Neighborhood Services

Date: January 9, 2022

Re: **Item # 4:** Review and possible approval of a Certified Survey Map for the Division of Land: Lot 1 and Lot 2 of Certified Survey Map No. 1258 recorded in the Walworth County Register of Deeds in Volume 6, Page 27 as Document No. 86351 and part of the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin being more particularly described as follows: Commencing at the Southwest corner of the Northwest 1/4 of said Section 5; thence North 88°-02'-02" East along the South line of said Northwest 1/4, a distance of 299.88 feet; thence North 00°-05'-28" West, a distance of 35.02 feet to the North right-of-way line of Main Street and the point of beginning; thence continuing North 00°-05'-28" West along an East line of Certified Survey Map No. 1709 recorded in the Walworth County Register of Deeds Office in Volume 8, Page 102 as Document No. 164059, a distance of 354.12 feet; thence North 88°-02'-02" East along said East line, a distance of 10.00 feet; thence North 00°-05'-28" West along said East line, a distance of 443.86 feet; thence South 88°-10'-04" West along the North line of said Certified Survey Map No. 1709, a distance of 29.38 feet; thence North 00°-05'-28" West, a distance of 437.37 feet; thence North 88°-03'-49" East along the westerly extension of the North line of Lot 2 of said Certified Survey Map No. 1258 and said North line, a distance of 268.89 feet to the Northeast corner of said Lot 2; thence South 00°-02'-17" East along the East line of said Certified Survey Map No. 1258, a distance of 1,235.32 feet to the North right-of-way line of Main Street; thence South 88°-02'-02" West along said North line, a distance of 248.37 feet to the point of beginning and containing 7.149 acres (311,402 sq. ft.) of land more or less.

Summary of Request	
Requested Approvals:	Certified Survey Map
Location:	1242 and 1260 W. Main St. Whitewater – Parcel /WUP 00160
Current Land Use:	Business
Proposed Land Use:	Business
Current Zoning:	B-1 – Community Business District
Proposed Zoning:	B-1 – Community Business District
Future Land Use, Comprehensive Plan:	Community Business

Description of the Proposal:

Eric Drazkowski of Excel Engineering in Fond du Lac is representing the parcel owner in the submission of the associated Certified Survey Map (CSM).

The current parcel is the site of the Fairfield Inn and UW-Whitewater CEC. The parcel owner is splitting the parcel into two separate parcels and tax keys. The new property line is marked in yellow on the accompanying CSM.

Per Drazkowski, the new property line runs with a break in the parking lot. Each parcel being created meets the minimum lot standard for the B-1 zoning district. The minimum lot area in B-1, per ordinance, is 7,000 square feet. The minimum lot width is 50 feet.

Lot 1 is 95,693 square feet and 248.29 feet wide. Lot 2 is 215,709 square feet and 248.29 feet wide at the front and 268.89 feet wide at the rear. The rear setback of 20 feet is also met.

Planner's Recommendations

The city recommends the Plan and Architectural Review Commission approve the CSM, subset to the following conditions –

1. All paperwork must be filed with the City Clerk's office and appropriate Walworth County offices.
2. Any conditions stipulated by the PARC.

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 Land Division****APPLICANT AND SUBJECT PROPERTY INFORMATION**

In order for applications to be processed all information, drawings, application signatures and fees required shall be submitted at time of application (*please complete all items - attach additional pages as necessary, put N/A if not applicable*). **NOTICE:** The Plan Commission meetings are scheduled at 6:00 on the 2nd Monday of the month. All complete application materials must be submitted to the City by 4:00 p.m. four weeks prior to the meeting.

Please check the appropriate box below for the type of application being submitted:

- | | | | |
|--|---|---|---|
| ☐ Annexation | ☐ Concept Plan | ☐ Amended Plat | ☐ Vacation (<u>circle one</u> : plat, |
| ☐ Zoning | ☐ Preliminary Plat | ☐ Re-plat | easement or building line) |
| ☒ Certified Survey | ☐ Minor Plat | ☐ Other | |
| ☐ Final Plat | Final Plat must also include: | ☐ Stormwater Management Plan | |
| | | ☐ Developers Agreement | |

Jurisdiction: ☒ City Limits ☐ ETJ Total Acres: 7.149 County: Walworth

Current Zoning: B-1 Proposed Zoning: same B-1

Tax Parcel Number(s) and Acreage: WUP 00160

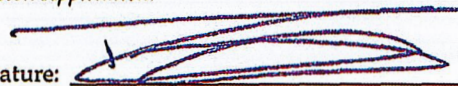
Location of Property (including legal description):

1242 & 1260 W. Main St. - See attached Word document

Applicant's Signature

Applicant's role: ☒ Owner ☐ Developer ☐ Other: _____

I hereby Certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. In addition I have been given the Authority to sign on behalf of the other all parties involved in this Land Division Application.

Signature: 

Printed Name: Rob Hjort

Date: 12/12/22

Application for Land Division

Contact Information

(Please complete information - attach additional pages as necessary - put N/A if not applicable)

I. Property Owner(s)

Firm Name (if applicable): WWHP, LLC *see attached for Members

Owner Name: Rob Hjort

Address: 2085 County Road D East, Ste A200, St. Paul, MN 55109

Phone: 651-556-1401 Fax: _____ Email: rhjort@golderhospitality.com

If ownership is other than sole or community property, please name the partners, principals, beneficiaries, etc. respectively:

1) Name: _____

Position: _____

Address (full): _____

2) Name: _____

Position: _____

Address (full): _____

3) Name: _____

Position: _____

Address (full): _____

II. Owner's Agent/Attorney (main contact person responsible for application)

Role: ☐ Attorney ☐ Realtor ☐ Other: _____

Firm Name (if applicable): _____

Address: _____

Primary Contact Name: _____

Phone: _____ Fax: _____ Email: _____

Secondary Contact Name: _____

Phone: _____ Fax: _____ Email: _____

III. Developer

Firm Name (if applicable): _____

Contact Name(s): _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Application for Land Division

IV. Developer's Engineer (main contact person responsible for application)

Role: ☒ Engineer ☐ Contractor ☐ Other: _____

Firm Name (if applicable): Excel Engineering, Inc.

Address: 100 Camelot Drive, Fond du Lac, WI 54935

Primary Contact Name: Eric Drazkowski

Phone: 920-926-9800 Fax: _____ Email: eric.drazkowski@excelengineer.com

Secondary Contact Name: _____

Phone: _____ Fax: _____ Email: _____

Property Description (please complete - attach additional pages as necessary):

A: Recorded Subdivision Information:

Subdivision: CSM 1258

Lot: 1, 2, Block: _____ Acres: _____

Recorded in: Walworth County, Document #: 86351

or: Volume #: _____ Page #: _____

or B: Property Description Information: (attach a metes and bounds description with a sketch, signed and sealed by a Registered Professional Land Surveyor)

Property address: _____

Survey name: _____

Acres: _____ Abstract #: _____

Deed(s) which conveyed the property to the present owner:

Document #: _____ Acres: _____

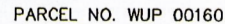
or: Volume #: _____ Page #: _____

Legal Description

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FOR
WWHP L.L.C.
LOT 1 AND LOT 2 OF CSM NO. 1258 AND PART OF
THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 5, TOWNSHIP 4 NORTH, RANGE 15 EAST,
CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.



OWNER:
WWHP L.L.C.
2085 COUNTY ROAD "D" EAST
SUITE A200
ST. PAUL, MN 55109



EXCEL
ARCHITECTS • ENGINEERS • SURVEYORS

100 Camelot Drive
Fond Du Lac, WI 54935
Phone: (920) 926-9800
www.EXCELENGINEER.com

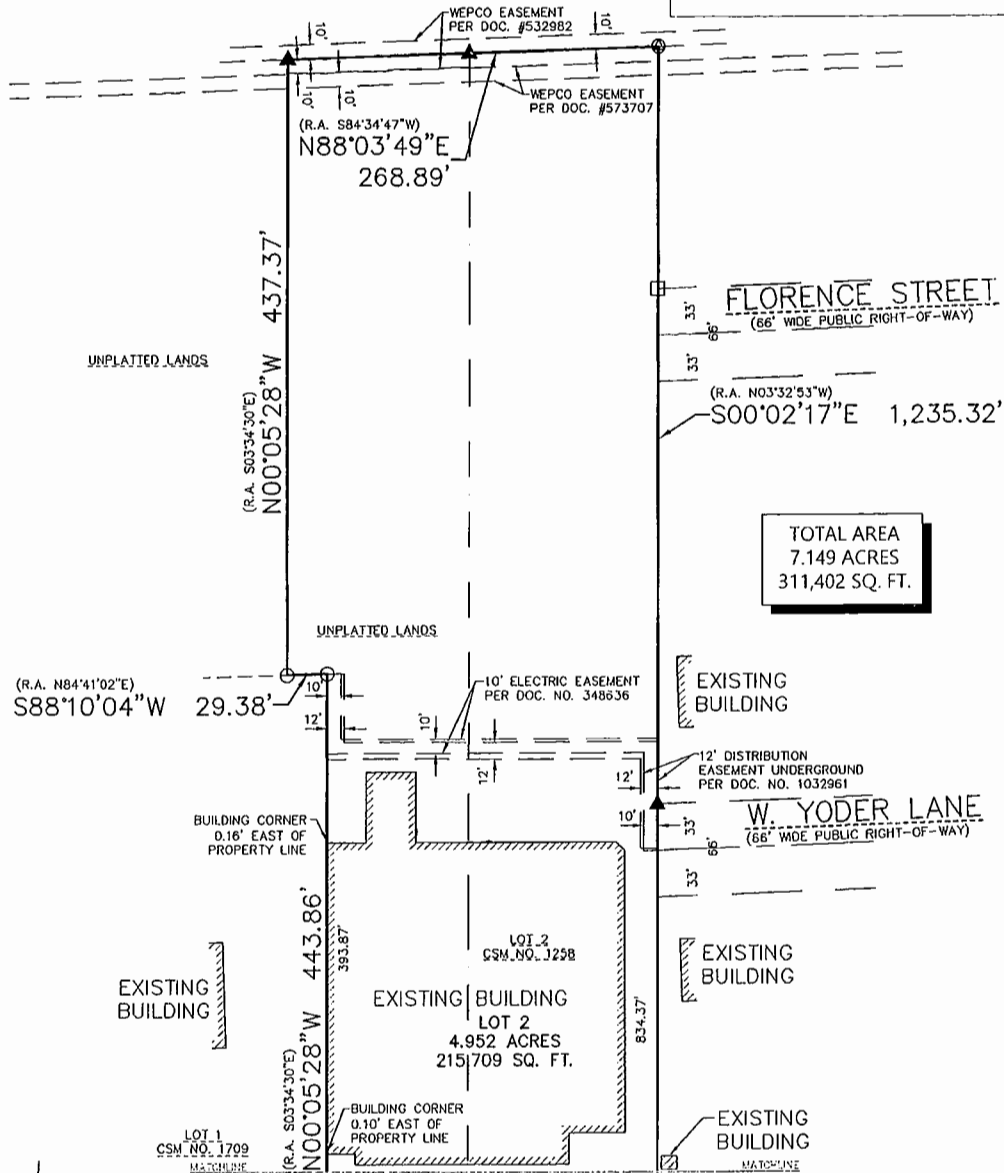
Always a Better Plan

JOB NO. 2274720

CERTIFIED SURVEY MAP NO. _____

FOR
WWHP L.L.C.

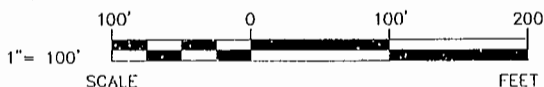
LOT 1 AND LOT 2 OF CSM NO. 1258 AND PART OF
THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 5, TOWNSHIP 4 NORTH, RANGE 15 EAST,
CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.



TOTAL AREA
7.149 ACRES
311,402 SQ. FT.



NORTH POINT REFERENCED TO THE WISCONSIN STATE
PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD27).
THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION
5 HAS A BEARING OF NORTH 88°-02'-02" EAST



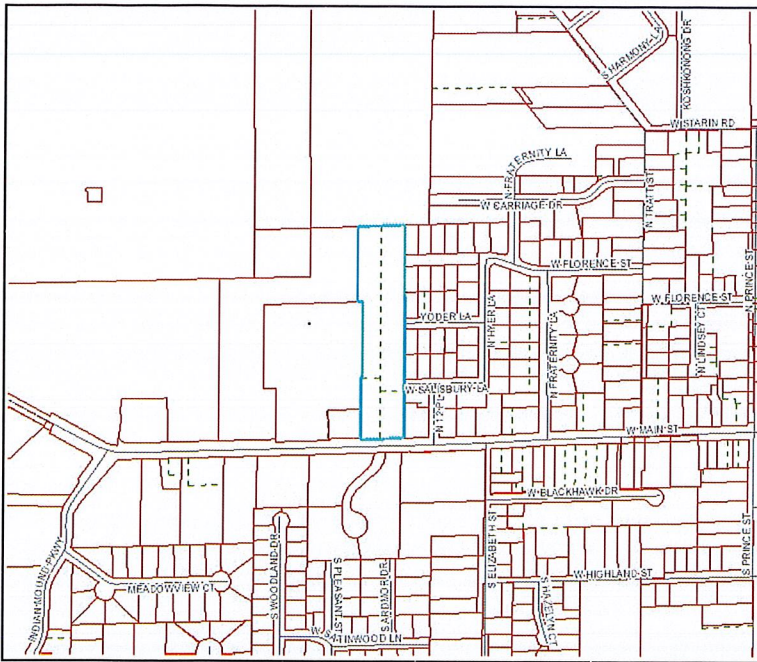
OWNER:
WWHP L.L.C.
2085 COUNTY ROAD "D" EAST
SUITE A200
ST. PAUL, MN 55109
SHEET 2 OF 4 SHEETS



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100 Camelot Drive
Fond Du Lac, WI 54935
Phone: (920) 926-9800
www.EXCELENGINEER.com

JOB NO. 2274720



Walworth County, WI Land Information Division

Property Details

Municipality: CITY OF WHITEWATER
Parcel Number: /WUP 00160
School District: 6461-WHTEWATER UNIFIED SCHO
Zoning District:

Owner Information

Owner Name: VVWHP LLC
Owner Name 2:
Mailing Address: 2085 COUNTY RD D EAST
SUITE A200
ST PAUL MN, 55109

2022 Valuation Information

Land: \$639,000.00
Improvements: \$5,749,700.00
Total: \$6,388,700.00
Acres: 7.1000
Fair Market Value: \$6,670,600.00
Assessment Ratio: 0.9577422900
Mill Rate: 0.0182041150

Tax Information

First Dollar Credit: \$74.47	School Credit: \$10,647.56
Special Assessment: \$0.00	Lottery Credit: \$0.00
Delinquent Utility Charge: \$0.00	Special Charges: \$0.00
Managed Forest Land Taxes: \$0.00	Private Forest Crop Taxes: \$0.00
Total Billed: \$116,226.17	Woodland Tax Law Taxes: \$0.00
Net Tax \$116,226.17	

Tax Jurisdictions

WALWORTH COUNTY \$19366.02
CITY OF WHITEWATER \$44890.96
WHITEWATER UNIFIED SCHOOL DIST \$47791.10
GATEWAY TECHNICAL \$4252.56

Elected Officials / Voting Districts

Supervisory District: Jerry A. Grant (D4)
State Representative: Don Vruwink (D) (Wisconsin's 43rd Assembly District)
State Senator: Janis Ringhand (D) (Wisconsin's 15th Senate District)
US Representative: Scott Fitzgerald (R) (Wisconsin's 5th District)
US Senator: Johnson, Ron

Special Assessments / Charges

Soil Classification

<u>Soil Type</u>	<u>Soil Name</u>	<u>Acres</u>
GsB	GRISWOLD LOAM, 2 TO 6 PERCENT SLOPES	3.1878
WhA	WARSAW SILT LOAM, 0 TO 2 PERCENT SLOPES	2.3044
Na	NAVAN SILT LOAM	0.8616
MmA	MATHERTON SILT LOAM, 1 TO 3 PERCENT SLOPES	0.8214

Property Address

1260 W MAIN ST WHITEWATER

Legal Description

PT NW1/4 SEC 5 T4N R15E DESC AS COM W 1/4 COR OF SAID SECTION
N84D33'00"E 299.88'; N03D34'30"W 35.02' TO POB; N03D34'30"W 354.12';
N84D33'00"E 10'; N03D34'30"W 443.86'; S84D41'02"W 29.38'; N03D34'30"W
437.37'; N84D34'47"E 268.24'; S03D32'53"E 1235.30'; S84D33'00"W 248.29'
TO POB.

Disclaimer

The information provided in this property information page is not official information. All official tax information is recorded in the Walworth County Treasurer's Office. To verify tax payment/payoff status, contact the Walworth County Treasurer's Office at 262-741-4251.

Chapter 19.27 - B-1 COMMUNITY BUSINESS DISTRICT

19.27.010 - Purpose.

The B-1 community business district is established to accommodate retail shopping and service needs in a manner compatible with the desired community character. The district should be located in relative proximity to residential areas and major traffic routes.

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

19.27.020 - Permitted uses.

Permitted uses in the B-1 district include:

- A. Art, music and school supply stores and galleries;
- B. Antique, hobby and craft shops;
- C. Automotive and related parts stores, without servicing;
- D. Hotels and motels;
- E. Small appliance repair stores, computer or software sales and service;
- F. Barbershops and beauty parlors;
- G. Banks and other financial institutions without drive-through facilities;
- H. Camera and photographic supply stores;
- I. Caterers;
- J. Clothing and shoe stores and repair shops;
- K. Clinics, medical and dental;
- L. Department stores;
- M. Drugstores;
- N. Florist shops;
- O. Food and convenience stores without gasoline pumps;
- P. Furniture stores;
- Q. Hardware stores;
- R. Insurance agencies;
- S. Jewelry stores;
- T. Liquor stores without drive-through facilities;
- U. Meat markets;

- V. Resale shops;
- W. Paint, wallpaper, interior decorating and floor covering stores;
- X. Professional offices;
- Y. Restaurants without drive-through facilities;
- Z. Self-service laundries and drycleaning establishments;
- AA. Sporting goods stores;
- BB. Stationery stores, retail office supply stores;
- CC. Variety stores;
- DD. Movie theaters;
- EE. Charitable or nonprofit institutions and facilities;
- FF. Tourist homes and bed and breakfasts;
- GG. Existing residences must meet the following standards:
 - 1. Limited to no more than four unrelated persons.
 - 2. Number of parking spaces is determined using the R-3 parking regulations for the residential units.
- HH. Any other similar uses not specifically listed above that are consistent with the purpose of this district;
- II. 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.
- JJ. Light assembly uses including electronics, pottery, printing, contractor shops (heating, electrical, plumbing, general contracting) provided that there are no significant environmental emissions (odor and waste).

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

19.27.025 - Permitted accessory uses.

Permitted accessory uses in the B-1 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 where applicable;
- C. Outside storage and trash dumpsters where located outside of the required yards in Section 19.27.060 of this chapter and enclosed by a decorative opaque fence, wall or landscaping designed to provide a total visual screen;

- 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. Up to two vending machines for dispensing of a product, but only if accessory to a commercial business use. Vending machines may be lit only when the principal use on the lot is in operation, unless such machines are screened from the public right-of-way and adjacent properties;
- G. Outdoor seating for restaurants within designated areas;
- H. Temporary retail uses, such as seasonal and special event sales, subject to the approval of the zoning administrator, who may set specific time and area limitations;
- I. Essential services;
- J. Wireless telecommunications support facilities, per the requirements of Chapter 19.55.

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

19.27.030 - Conditional uses.

Conditional uses in the B-1 district include:

- A. Entertainment establishments, including clubs, but excluding adult entertainment;
- B. All uses with drive-in and drive-through facilities (for which the conditions shall, among other issues, maintain visual continuity and attractive pedestrian movement along the street fronts);
- C. Automobile and small engine vehicle sales or rental facilities, including incidental repair and service within the principal building;
- D. Automobile repair and service within the principal building;
- E. Car washes;
- F. Private recreation uses;
- G. Public and semipublic uses;
- H. Taverns and other places 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 consistency;
 7. Compatibility with the immediately surrounding neighborhood or district.
- I. Light assembly/retail uses not permitted elsewhere in this district. Subject to the following restrictions:
1. No environmental emission (noise, odor, waste);
 2. All truck delivery during weekdays;
 3. All of the requirements of Chapter 19.51, traffic, parking and access, and Chapter 19.57, general performance standards, to be met;
- J. Gasoline service stations, including incidental repair and service within the principal building;
- K. Day care centers, adult and child;
- L. Funeral homes and crematory services;
- M. Veterinary clinics, provided that no service including animal boarding is offered outdoors;
- N. More than one principal structure on a lot;
- O. Large retail and commercial service developments, as described and regulated in Chapter 19.485.
- P. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.
- Q. New residential construction or existing residential modification resulting in addition of units or bedrooms. The residential unit must meet the following standards:
1. A limit of four unrelated persons.
 2. Three hundred fifty square feet of usable open space shall be required for each dwelling unit for structures with two or more units.
 3. Number of parking spaces is determined using the R-3 parking regulations for the residential units.
 4. A first floor residential unit may be permitted if it meets the following standards:
 - a. The unit is ADA compliant.
 - b. Any residential unit access must:
 - i. Exit from the rear of the principal structure; or
 - ii. Have a main street access which must be through a common entryway used by a nonresidential use.
 - c. Not occupy more than fifty percent of the first floor.

19.27.040 - Lot area.

Minimum lot area in the B-1 district is seven thousand square feet for lots existing at the time of adoption of the ordinance codified in this chapter, and fifteen thousand square feet for all other lots.

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

19.27.050 - Lot width.

Minimum lot width in the B-1 district is fifty feet.

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

19.27.060 - Yard requirements.

Minimum required yards for principal buildings, outside storage, and dumpsters in the B-1 district are:

- A. Front and street side, fifteen feet (but may be greater if needed to meet fire safety requirements);
- B. Interior side, ten feet, except that no side yard will be required for buildings designed for common wall construction;
- C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen feet under a conditional use;
- 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 residential use, thirty feet or the height of the nearest principal building or structure on the lot 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;
- F. There shall be no accessory buildings within the required front yard setback.

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

19.27.070 - 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 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)

19.27.080 - Building height.

Maximum building height in the B-1 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 a 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)

19.27.090 - Plan review.

Plan review in accordance with Chapter 19.63 shall be required for any development in the B-1 district. Building design shall be consistent with the recommendations of the city's comprehensive (master) plan; contribute to the uniqueness and character of the neighborhood, district and community; and include materials, colors, styles and features tailored to the building's site and context. Substantial modifications to standardized prototype and corporate franchise designs may be required to meet these criteria. Landscaping shall be consistent with the recommendations of the city's comprehensive (master) plan; generous in quantity; aesthetically pleasing; appropriate to the site, community and region; and in accordance with accepted professional standards.

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

19.27.100 - 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 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. The fee amounts shall be set by the city council. 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.

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

MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Chris Bennett, Director of Neighborhood Services

Date: January 9, 2022

Re: **Item # 5:** Public hearing for consideration of a Conditional Use Permit for a proposed Event Venue located at 183-187 W Main Street, Parcel ID#/OT 00070 for Stonegate Management LLC (Gregory Aprahamian).

Summary of Request	
Requested Approvals:	Conditional Use Permit for an event venue.
Location:	183-187 W. Main St.
Current Land Use:	Central Business
Proposed Land Use:	Central Business
Current Zoning:	B-2 – Central Business District
Proposed Zoning:	B-2 – Central Business District
Future Land Use, Comprehensive Plan:	Central Business

Description of the Proposal:

Greg Aprahamian is applying for a Conditional Use Permit for an event venue at 183-187 W. Main St. in Whitewater. The property is zoned B-2 – Central Business District.

Per the city's B-2 zoning code taverns and other places selling alcoholic beverages by the drink require a CUP. Per Clerk Michele Smith Aprahamian has applied for a "Class B" beer and liquor license, which allows beer, wine and spirits to be served by the glass.

Aprahamian owns and is in the process of restoring the building at the listed address, which is colloquially known as the Bowers House.

Per ordinance 19.20.030 the PARC shall consider the following issues relevant to approval of this CUP –

1. Parking

Per ordinance 19.51.160, in order to encourage and stimulate the revitalization in the downtown

area of Whitewater, uses within the B-2 central business district are exempt from the minimum number of parking stalls required in this chapter, unless specifically required for a particular conditional use in that district under Section 19.30.030. Where parking is voluntarily provided or required for a particular use listed in Section 19.30.030, it shall meet the development standards of this section.

Per the parking calculation listed in 19.51.130, restaurants, bars and places of entertainment are required to provide one parking stall for each 200 square feet of primary floor area.

The primary floor area of the proposed venue is encompassed in the ballroom and bar area. The ballroom measures 2,517 square feet. The bar area is roughly 750 square feet. Rounding up to 2,600 square feet in the ballroom, and adding the roughly 750 square feet in the bar, gives a total of 3,350 square feet. Rounding up to 3,400 square feet this means the facility must allow for 17 parking spaces.

It is the opinion of representatives of the city's Public Works Department and Neighborhood Services Department that sufficient parking for the venue is available downtown.

The parking is provided for by municipal lots, shown on the enclosed map, and also by stalls on the street. The intersection where the Bowers House is marked on the map with a purple dot. There is a total of 153 available parking spots in lots A, B, F and I, all located within roughly three blocks of Bowers House.

2. Type of business

Per the City of Whitewater's 2010 Comprehensive Plan, which was updated in 2017, the Central Business district is to be centered in Whitewater's historic downtown area and accommodate pedestrian-oriented retail, service, office, community, institutional, and upper story housing.

Listed below is an excerpt from Chapter 7 of the Comprehensive Plan, which further details the parameters of the Central Business District.

1. Central Business

Description: This future land use designation is intended for pedestrian-oriented uses that are associated with Whitewater's historic downtown, such as commercial, office, institutional, and residential uses (with residential generally in upper stories).

Policies and Programs: The following policies and programs are recommended for this future land use designation in areas on Map 5 where this category is shown:

- a. The existing City zoning district that is most appropriate to implement this future land use designation is the B-2 Central Business District. PD Planned Development zoning may also be appropriate for redevelopment projects
- b. Advance the revitalization objectives, policies, and actions described in the City's Action Plan for Downtown Revitalization, as may be amended from time to time by the Plan and Architectural Review Commission and Common Council, in collaboration with the Community Development Authority.
- c. Preserve and enhance the character of the Central Business district by encouraging compatible new development and redevelopment. Refer to the Downtown Design

Guidelines to guide the redevelopment, rehabilitation, and construction of buildings in the downtown.

- d. Promote the use of first floor spaces for specialty retail, restaurants, and commercial service uses, and upper story spaces for housing and offices.
- e. Continue to promote the downtown as a commercial, civic, and social center of the community. Encourage commercial uses that are most appropriate to the downtown to locate or remain there, rather than in other commercial districts of the City.
- f. Work with downtown property owners and businesses to preserve and renovate historically significant buildings.
- g. Use marketing, investment, and incentive strategies to promote and retain specialty retail and dining business and services in the downtown, utilizing the 2008 Retail Coach study as a guide (see the Economic Development chapter).

Aprahamian is rehabilitating a historically significant building, and his intended conditional use of the building will serve to draw people to the historic downtown. The building will help promote downtown as the community's commercial, civic and social center. The use is appropriate for both the building and the downtown area. Any advertising Aprahamian does for the event venue will raise the area's profile, and adjacent business will likely benefit from any spill-over effect.

3. Signage

Signage is handled through the city's Neighborhood Services Department according to Chapter 19.54. Aprahamian will apply for a sign permit, when ready. If the matter requires a CUP the PARC will render judgement; barring that sign permits are approved in-house according to the ordinance.

4. Outdoor seating

Should Aprahamian desire a sidewalk café he will complete the Sidewalk Café Permit Application Form found on the city's web site. Neighborhood Services, Public Works and public safety are consulted, and the form is approved internally.

5. Provisions for avoiding noise and lighting nuisances

Per 19.58.060 the permitted maximum decibel level is a maximum instantaneous sound level reading (L_{max}) of 75 decibels and an equivalent continuous sound level of 60 decibels when measured for one minute.

A lighting plan was not required as part of the site plan review and approval process. Applicant will follow the provisions of 19.57.150 (Outdoor lighting standards) that apply to the building.

6. Buffering and fencing

19.57.140 details where screens and buffers are required. In this instance there is no need for a buffer yard or fencing.

7. Compatibility with the immediately surrounding neighborhood or district

As detailed above under point 22, the downtown area is meant to be a gathering place and a hub for people and commerce. Aprahamian's building will draw people to the downtown, when it is being used, and serve to heighten the area's profile. The building, once fully restored, will mirror other

buildings in Whitewater's downtown – many of which were previously restored by Aprahamian.

Planner's Recommendations

The city recommends the Plan and Architectural Review Commission approve the Conditional Use Permit application for Greg Aprahamian to operate an event venue at 183-187 W. Main St. in Whitewater. The application meets city ordinance and the project fits with the city's comprehensive plan.

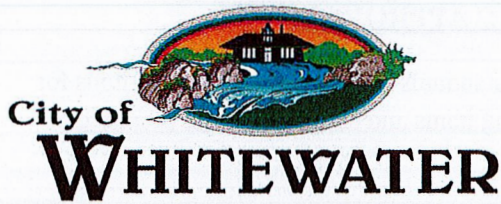
The city recommends approval subject to the following conditions –

1. The conditional use permit shall run with the applicant and not the land. Any change in ownership/licensee (or operator) will require approval of a conditional use permit for the new owner/licensee (or operator) from the Plan Commission.
2. Applicant must adhere to city ordinances concerning lighting, landscaping and buffering. The applicant shall comply with all required City and building codes.
3. Applicant must include a Knox Box on the outside of the building.
4. Applicant must follow all city ordinances regarding signage.
5. Any dumpsters must be screened from view or out of sight. Outside storage is also not allowed, unless screened, per 19.57.140.
6. No environmental emissions are allowed.
7. Any truck deliveries must occur during weekdays.
8. All of the requirements of Chapter 19.51, traffic, parking and access, and Chapter 19.57, general performance standards, are to be met.
9. Approval is needed for a "Class B" Beer and Liquor License from the Alcohol Licensing Committee and the Common Council.
10. Any conditions stipulated by the Plan and Architectural Review Commission.

Suggested findings to be made by the Plan Commission

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

Analysis of Proposed Conditional Use Permit for: 183-187 W. Main 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	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 conditional use requirements of the B-2 district.



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: 183-187 W MAIN ST
Owner's Name: Stonegate Management LLC (GREGORY APRAHAMIAN)
Applicant's Name: GREGORY APRAHAMIAN
Mailing Address: 5107 W 305TH SANDY BEACH RD
Phone #: (262) 352-9890 Email: gt.stonegate@gmail.com
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): WLY 52'
LOT 2 BLK 8 EXC SLY 72' OF WLY 52' & WLY 54' LOT 3 Block 8
OT 00070

Existing and Proposed Uses:

Current Use of Property: VACANT
Zoning District: B-2
Proposed Use: EVENT VENUE

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.	PROPERTY IS VACANT AND IN NEED OF SUBSTANTIAL REPAIR. THIS PROPOSED USE WILL BE DONE IN ORDER TO MAKE PROPERTY USED & APPRECIATED FOR ITS HISTORICAL SIGNIFICANCE
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	UPDATED WATER, SEWER, STORM WATER ELECTRIC & ASSOCIATED SIDEWALK CURB & ROAD REPAIR IS PART OF THIS RENOVATION.
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.	CATERERS, RESTAURANTS CURRENTLY ARE PERMITTED USE OF A B-2 ZONE PROPERTY. & TAVERNS & LIQUOR SELLING ARE FOR CONDITIONAL USE. THIS PROPOSAL OF AN EVENT CENTER FITS WITHIN THIS AREA OF A CONDITIONAL USE
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	THE CITY PLAN IS TO BRING PEOPLE TO WHITEWATER & THE DOWNTOWN. THIS PLAN WILL HELP IN THIS EFFORT.

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

Applicant's Signature: _____

Date: 12/10/22

Printed: GREGORY APRAHAMIAN

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 Dec 22, 2022
- 3) Notices of the Public Hearing mailed to property owners on Dec 22, 2022
- 4) Plan Commission holds the PUBLIC HEARING on January 9, 2023 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: GREGORY APRAHAMIAN

Applicant's Mailing Address: 5107 W305TH SANDY BEACH RD
MUKWONAGO, WI 53149

Applicant's Phone Number: (262) 352-7890

Applicant's Email Address: gt.stonegate@gmail.com

Project Information:

Name/Description of Development: BOWEN HOUSE / EVENT VENUE / APTS

Address of Development Site: 183-187 W MAIN ST

Tax Key Number(s) of Site: OT 00070

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.

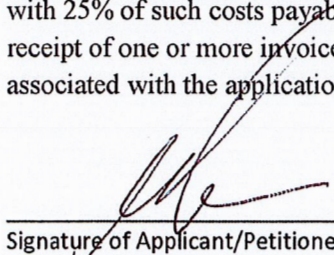
- A. Application Fee.....\$ 100.00
- B. Expected Planning Consultant Review Cost\$ _____
- C. Total Cost Expected of Applicant (A+B)\$ _____
- D. 25% of Total Cost, Due at Time of Application.....\$ _____
- E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

GREGORY ABRAHAMIAN

Printed Name of Applicant/Petitioner

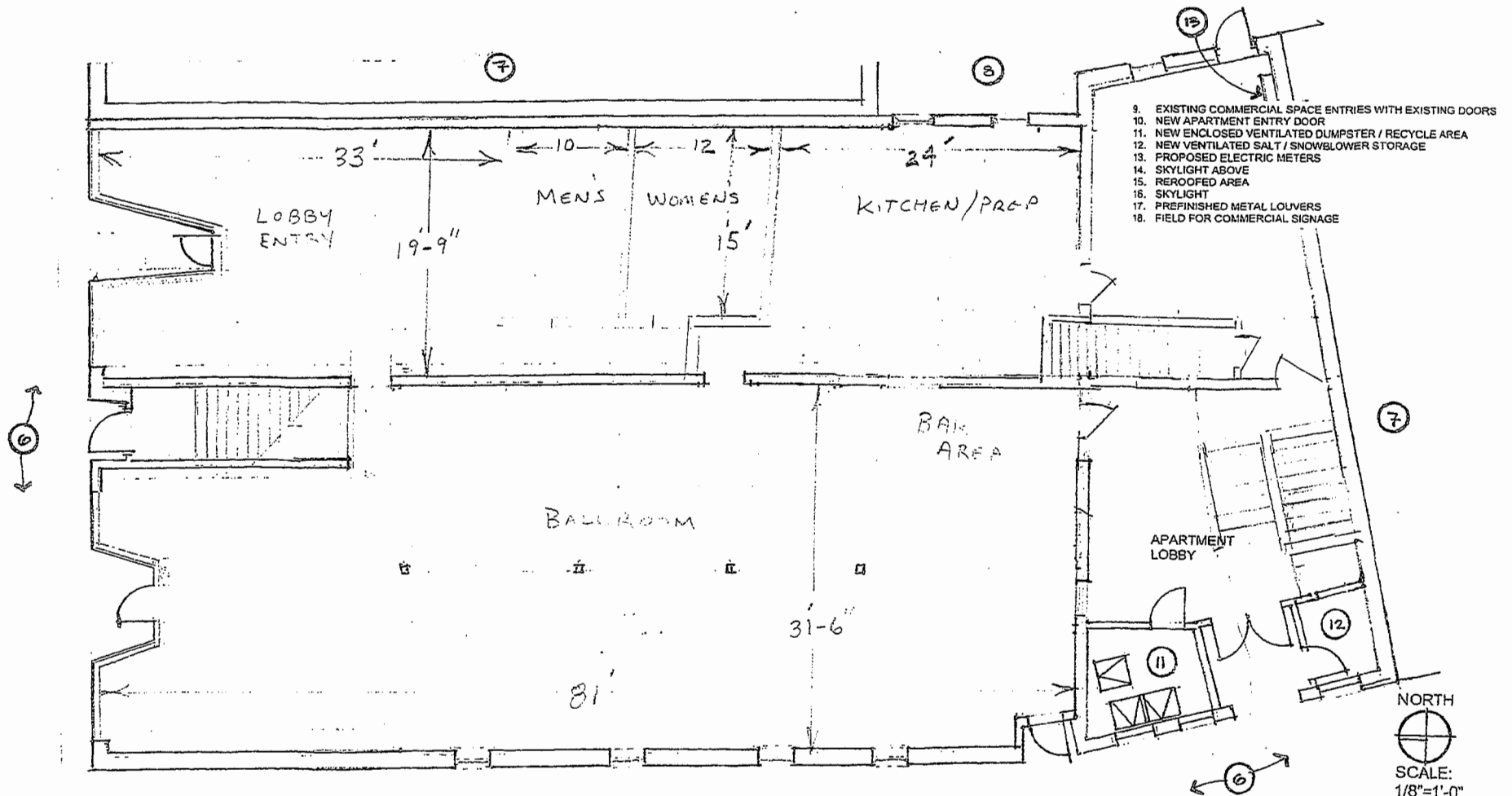
12/10/22

Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature



Notes:

1. EXISTING SHOP DOORS AND GLAZING TO REMAIN
2. EXISTING BRICK AND BRICK DETAILING WITH STONE SILLS TO REMAIN
3. EXISTING STONE WALL WITH ARCHED BRICK LINTELS AND STONE SILLS TO REMAIN
4. EXISTING DECORATIVE CORNICE TO BE REPAIRED AND REPAINTED
5. NEW WINDOWS IN EXISTING MASONRY OPENINGS WITH NEW PREFINISHED METAL SILL FLASHING AND REPAINTED EXISTING WOOD TRIM.
6. EXISTING CITY CONCRETE SIDEWALK PAVING AT GRADE
7. ADJACENT BUILDING
8. EXISTING OPEN COURTYARD

GROUND FLOOR PLAN

BOWERS HOUSE HOTEL

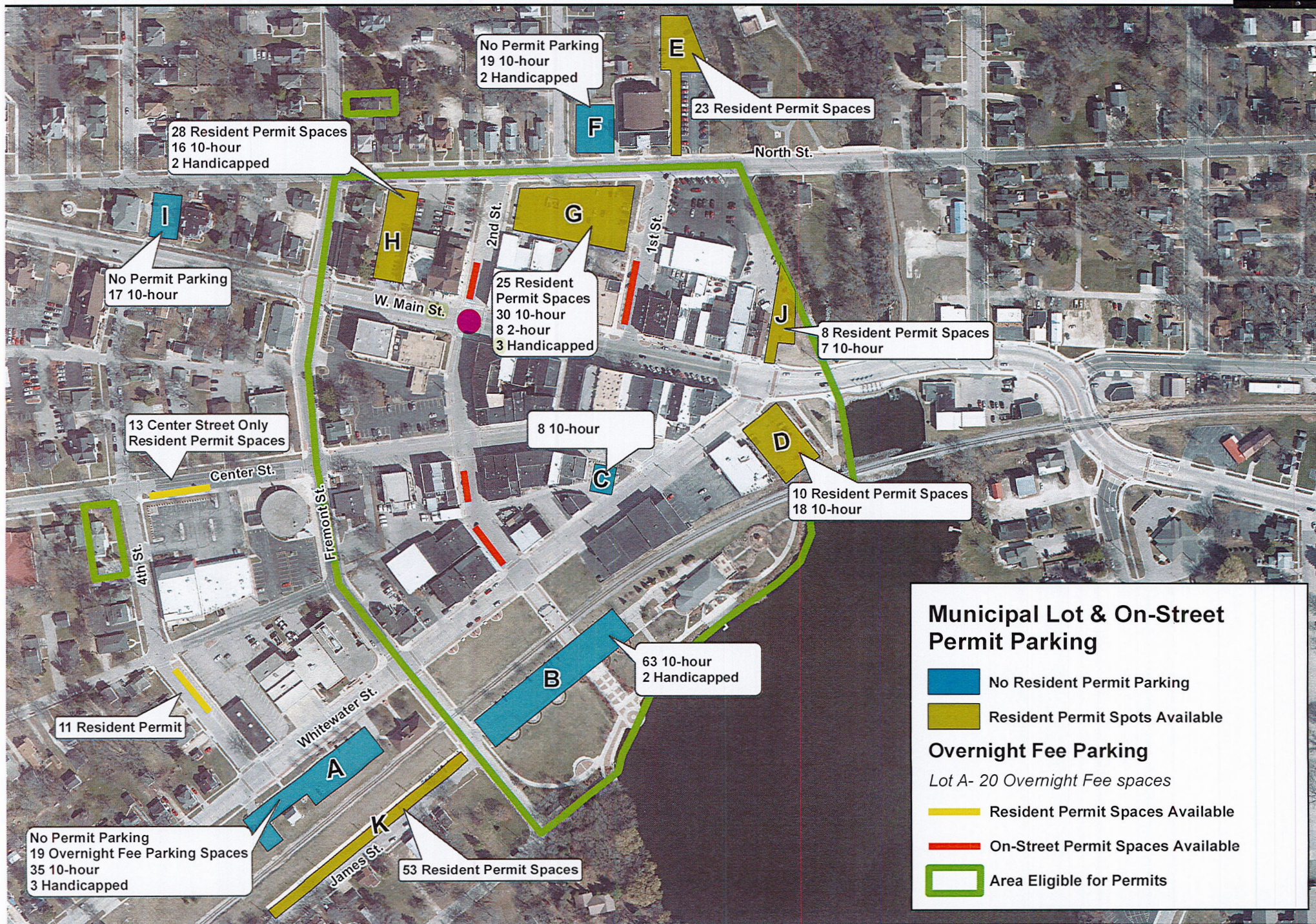
Apartment Alteration
 187 MAIN STREET
 WHITEWATER, WI. 53190
 September 12th, 2022

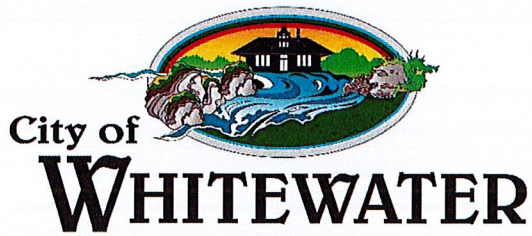


Michael Peine
 Architects
 Commercial - Industrial
 Design/Build Partnering

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 WHITEWATER, WI. 53190
 262.815-2551
 www.michaelpeine.com

On-street and Municipal Lot Parking Downtown Whitewater





Neighborhood Services
Department
*Planning, Zoning, Code
Enforcement, GIS
and Building Inspection*
www.whitewater-wi.gov
Telephone: (262) 473-0540

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 9th day of January, 2023 at 6:00 p.m. to hold a public hearing for consideration of a Conditional Use Permit for a proposed Event Venue located at 183-187 W Main Street, Parcel ID#/OT 00070 for Stonegate Management LLC (Gregory Aprahamian).

The Site Plan Review Proposal is on file in the Neighborhood Services Office located 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 Bennett, Neighborhood Services Director

TaxKey	Owner1	Address1	City	State	Zip
/OT 00013	CITY OF WHITEWATER	312 W WHITEWATER ST	WHITEWATER	WI	53190
/OT 00013A	GREGORY APRAHAMIAN	S107 W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00014	DRILON LLC	168 W MAIN ST	WHITEWATER	WI	53190
/OT 00017	172 MAIN LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00018	WHITEWATER RENTALS LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00019	WHITEWATER RENTALS LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00020	WHITEWATER RENTALS LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00021	DAVID E SAALSAA	184 W MAIN ST #3	WHITEWATER	WI	53190
/OT 00022	CENTER STREET RENTALS LLC	W9597 BREIDSAN DR	WHITEWATER	WI	53191
/OT 00023	CITY OF WHITEWATER	312 W WHITEWATER ST	WHITEWATER	WI	53190
/OT 00024	CITY OF WHITEWATER	312 W WHITEWATER ST	WHITEWATER	WI	53190
/OT 00026	JERMAN PROPERTIES LLC	PO BOX 616	CAMBRIDGE	WI	53523
/OT 00027	LIVING WORD FELLOWSHIP OF WHITEWATER INC	212 W MAIN ST	WHITEWATER	WI	53190
/OT 00028	CITY OF WHITEWATER	312 W WHITEWATER ST	WHITEWATER	WI	53190
/OT 00053	FIRST CITIZENS STATE BANK	207 W MAIN ST	WHITEWATER	WI	53190
/OT 00053A	FIRST CITIZENS STATE BANK	207 W MAIN ST	WHITEWATER	WI	53190
/OT 00054	FIRST CITIZENS STATE BANK	207 W MAIN ST	WHITEWATER	WI	53190
/OT 00055	FIRST CITIZENS STATE BANK	207 W MAIN ST	WHITEWATER	WI	53190
/OT 00055A	FIRST CITIZENS STATE BANK	PO	WHITEWATER	WI	53190
/OT 00056	FIRST CITIZENS STATE BANK	207 W MAIN ST	WHITEWATER	WI	53190
/OT 00058	FIRST CITIZENS STATE BANK	PO BOX 177	WHITEWATER	WI	53190
/OT 00059	FIRST CITIZENS STATE BANK	207 W MAIN ST	WHITEWATER	WI	53190
/OT 00060	FIRST CITIZENS STATE BANK	207 W MAIN ST	WHITEWATER	WI	53190
/OT 00061	FIRST CITIZENS STATE BANK	PO BOX 177	WHITEWATER	WI	53190
/OT 00062	STEPHEN W FAIRCHILD	126 W CENTER ST	WHITEWATER	WI	53190
/OT 00065	STONEGATE MANAGEMENT LLC	S107 W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00067	DIANE L TRAMPE	138 CENTER ST	WHITEWATER	WI	53190
/OT 00068	FIRE STATION 1 LLC	138 W CENTER ST	WHITEWATER	WI	53190
/OT 00069	CHERYL A BRESNAHAN	117 S SECOND ST	WHITEWATER	WI	53190
/OT 00070	BOWERS HOUSE LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00071	WHITEWATER RENTALS LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00072	JORGE ISLAS MARTINEZ	565 S FRANKLIN ST	WHITEWATER	WI	53190
/OT 00073	MEXSAL LLC	565 S FRANKLIN ST	WHITEWATER	WI	53190

/OT 00074	HBCK LLC	2924 CANDLEWOOD DR	JANESVILLE	WI	53546
/OT 00075	DLK ENTERPRISES INC	PO BOX 239	WHITEWATER	WI	53190
/OT 00082	HAWKS NEST APARTMENTS LLC	9945 N VALLEY HILL DR	MEQUON	WI	53092
/OT 00083	HAWKS NEST APARTMENTS LLC	9945 N VALLEY HILL DR	MEQUON	WI	53092
/OT 00084	BULLDOG INVESTMENTS LLC	109 S FIRST ST	WHITEWATER	WI	53190
/OT 00131	RODRIGUEZ PROPERTIES II LLC	N9707 N MCCORD RD	WHITEWATER	WI	53190
/OT 00132	RODRIGUEZ PROPERTIES II LLC	N9707 N MCCORD RD	WHITEWATER	WI	53190
/OT 00133	RODRIGUEZ PROPERTIES II LLC	N9707 N MCCORD RD	WHITEWATER	WI	53190
/OT 00134	GOODDEN 135 LLC	S83 W32938 S OAK TREE CT	MUKWONAGO	WI	53149
/OT 00135	MIQIS LLC	11337 E COUNTY RD N	WHITEWATER	WI	53190
/OT 00136	MARIETTA RENTALS LLC	123 W CENTER ST	WHITEWATER	WI	53190
/OT 00137	MARIETTA RENTALS LLC	123 W CENTER ST	WHITEWATER	WI	53190
/OT 00138	WHITEWATER RENTALS LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00139	WHITEWATER RENTALS LLC	S107W30511 SANDY BEACH RD	MUKWONAGO	WI	53149
/OT 00140	CITY OF WHITEWATER	312 W WHITEWATER ST	WHITEWATER	WI	53190
/OT 00171	BUEHLER LAW OFFICE LLC	266 LAKEVIEW DR	WHITEWATER	WI	53190
/OT 00172	ROBERT R ARDELT	835 W WALWORTH AVE	WHITEWATER	WI	53190
/OT 00173	RODRIGUEZ PROPERTIES II LLC	N9707 N MCCORD RD	WHITEWATER	WI	53190

Chapter 19.30 - B-2 CENTRAL BUSINESS DISTRICT

19.30.010 - Purpose.

The B-2 district is established in the city's historic downtown area to accommodate retail, service, office, community, and support residential uses for citywide and regional benefit, and to advance the city's downtown revitalization objectives as expressed in adopted city plans.

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

19.30.020 - Permitted uses.

Permitted uses in the B-2 district include:

- A. Art and school supply stores;
- B. Arts and crafts galleries;
- C. Automotive parts sales stores, automobile sales lot and show rooms and lots;
- D. Antique or collectible shops;
- E. Bakeries or candy stores, with products for sale on premises only;
- F. Catalog and e-commerce sales outlets;
- G. Hotels and motels;
- H. Appliance repair stores, including computer sales and service;
 - I. Barbershops, day spas, and beauty parlors;
- J. Banks and other financial institutions;
- K. Bookstores, stationery stores, retail office supply stores, and newsstands;
- L. Caterers;
- M. Clothing and shoe sales and repair shops;
- N. Clinics, medical and dental;
- O. Coffee shops;
- P. Cultural arts centers and museums;
- Q. Department stores;
- R. Drug stores;
- S. Florist or garden shops;
- T. Gift shops;
- U. Grocery stores;

- V. Hardware stores;
- W. Insurance, real estate, or similar agencies;
- X. Interior decorating shops;
- Y. Jewelry stores;
- Z. Paint stores;
- AA. Offices;
- BB. Post offices;
- CC. Public parking lots;
- DD. Restaurants, ice cream shops, and cafes;
- EE. Sporting goods shops;
- FF. Tourist information and hospitality centers;
- GG. Toy stores;
- HH. Travel agencies;
- II. Variety stores;
- JJ. Dance studios;
- KK. Movie theaters;
- LL. Charitable or nonprofit institutions and facilities;
- MM. Tourist homes and bed and breakfasts;
- NN. Residential uses above the first floor, limited to nonrelated household sizes applicable in the R-1 and R-2 districts (see Section 19.09.520);
- OO. Existing residences must meet the following standards:
 - 1. A limit of three unrelated persons.
- PP. Any other similar uses not specifically listed above.

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

19.30.025 - Permitted accessory uses.

Permitted accessory uses in the B-2 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 where applicable;
- C. Outside storage or trash dumpsters where enclosed by a decorative opaque fence, wall and/or landscaping designed to provide a total visual screen;

- D. 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 an inoperable condition shall be stored outdoors for greater than thirty days;
- E. Outdoor seating for restaurants, coffee shops, cafes, taverns, or similar uses, within areas designated by site plan review or other city approval processes;
- F. Essential services.

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

19.30.030 - Conditional uses.

Conditional uses in the B-2 district include:

- A. Drive-in or drive-through type establishments;
- B. Entertainment establishments, not including adult entertainment establishments;
- C. Taverns and other places selling alcoholic beverages by the drink; including expansion of existing uses 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.
- D. Liquor or tobacco stores;
- E. Public and semipublic uses, except for parking;
- F. Automotive servicing and repairs;
- G. First floor residential uses are allowed as a conditional use; except as provided below:
 - 1. First floor residential uses are prohibited in any building located in the area within the boundary of Whitewater Creek on the east (prohibited on west side of creek only), North Street on the north (prohibited on south side of street only), Fremont Street on the west (prohibited on east side of street only), Whitewater Street on the south (prohibited on north side of street only), and the portion of West Main Street from the intersection of Whitewater Street east to the Whitewater Creek (prohibited on north side of street only).



H. Light industrial/retail uses such as:

1. Electronics;
2. Pottery;
3. Craft/woodwork;
4. Printing;
5. Contractor shops (heating, electrical, plumbing, general contractor office);
6. Lumberyards;
7. Other similar uses.

I. Conditional uses in the B-2 district are subject to the following restrictions:

1. No outside storage, unless screened as to Section 19.57.140;
2. No environmental emission;
3. All truck delivery during weekdays;
4. All dumpster locations outdoors must be screened by a fence and landscaping;
5. All of the requirements of Chapter 19.51, traffic, parking and access, and Chapter 19.57, general performance standards, to be met.

J. Laundromats or dry cleaning;

K. Hospitals;

L. Wholesale trade of durable and nondurable goods.

(Ord. No. 1914A, 2-18-2016; Ord. No. 2024A, § 1, 9-21-2021)

19.30.040 - Architectural design standards.

Within the B-2 district, there shall be no minimum required ordinance design and dimensional standards or setbacks. This is being done to allow the most flexibility in the reuse and redevelopment of the downtown. Because of the lack of predefined architectural design standards, all proposed construction and remodeling activities requiring a zoning permit shall require the design review and approval of the city plan and architectural review commission in compliance with Chapter 19.63, plan review.

Also within the B-2 district, all uses are exempted from the parking requirements of Section 19.51.130, except if off-street parking is specifically required for a particular conditional use under Section 19.30.030.

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

19.30.050 - 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. The fee amounts shall be set by the city council.

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