

MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission
From: Christine Munz-Pritchard City Planner
Date: September 9, 2019
Re: **Item #5** Proposed Conditional Use Permit to serve alcoholic beverages by the glass (tavern and other places selling alcohol by the drink) at “Causal Joes” located at 319 W James Street tax id /TR 00025 (for a “Class B” Beer and Liquor License) for Michael Hudec and Brett Buchanan.

Summary of Request	
Requested Approvals:	Change of ownership, for a Conditional Use Permit to service of alcohol by the glass (“Class B” Beer and Liquor License).
Location:	319 W James Street
Current Land Use:	Restaurant
Proposed Land Use:	Same
Current Zoning:	B-2
Proposed Zoning:	No change.

Description of the Proposal:

This proposal is for a Conditional Use Permit to serve alcohol by the glass (for a “Class B” Beer and Liquor License). The new applicant is Michael Hudec and Brett Buchanan.

The location currently has a Conditional Use Permit issued in November 11, 2013 to serve alcoholic beverages by the glass (tavern and other places selling alcohol by the drink) for Tyler Sailsbery. The following conditions were placed on the original approval.

1. The conditional use shall run with the applicant and not the land. Any change in ownership will require approval of a conditional use permit for the new owner/operator from the Plan and Architectural Review Commission.
2. The applicant shall make the building and site renovations in accordance with the plans submitted to the City of Whitewater, pending any changes required by the State Building Code.
3. Recommendation of approval shall be contingent upon Common Council approval to allow parking within the public right-of way, as identified on the plans, and a maintenance agreement with the property owner. The maintenance agreement shall include, but not be limited to plowing, cleaning and surface maintenance and repair.

4. The applicant shall comply with all required City, State and Federal Codes.
5. Approval of the conditional use permit is conditioned upon an official rezone of the parcel from R-3 Multi-Family Residence District to B-2 Central Business District.
6. Approval of the conditional use permit shall incorporate all conditions from the alcohol license approval from Common Council.
7. The conditions the applicant offered of closing at 11:00 p.m.; no dime taps/no drink specials; and music to end at 9:00p.m.
8. Owner will have the discretion for the location of his herb gardens.
9. The driveway would be seeded and a sidewalk installed to Ann Street to take garbage and recycle totes to the street.

PLANNER'S RECOMMENDATIONS:

I recommend the Plan and Architectural Review Commission grant *conditional approval* for the requested Conditional Use Permit to expand the serving of alcohol by the glass (for a "Class B" Beer and Liquor License) at 319 W James Street, subject to the following conditions of approval:

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

Christine Munz-Pritchard

From: Christine Munz-Pritchard
Sent: Friday, April 26, 2019 9:39 AM
To: 'Tyler Sailsbery'
Cc: 'Kahube dba MZIS'; Jane Wegner
Subject: RE: Great Seeing You
Attachments: 319 W James St - Conditional Use Permit signed 2013-1204.pdf

Good Morning Tyler,

Since nothing is fixed to the ground, and you aren't expanding your liquor license area it shouldn't be an issue. I have attached your CUP paper for you record. Again, all the additions are considered temporary fixtures so you should be okay.

Thanks,

Chris Munz-Pritchard
Neighborhood Services Director / City Planner
312 W Whitewater St.
PO Box 178
Whitewater, WI 53190
262-473-0143
<http://www.whitewater-wi.gov/department/neighborhood-services>

From: Tyler Sailsbery <tyler@eatatblacksheep.com>
Sent: Thursday, April 25, 2019 3:07 PM
To: Christine Munz-Pritchard <CMunz-Pritchard@whitewater-wi.gov>
Subject: Re: Great Seeing You

Chris,
Thanks again let me know when I have to go ahead to order the tables. Thanks again.

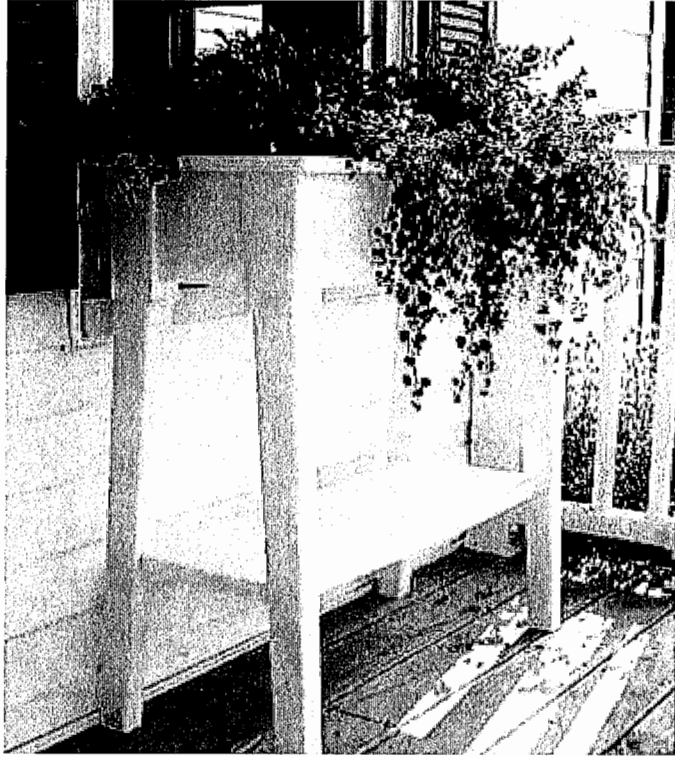
Tyler

On Wed, Apr 24, 2019 at 9:46 PM Tyler Sailsbery <tyler@eatatblacksheep.com> wrote:

Chris,

It was great to see you today. I attached a sketch of the outdoor seating area. I will be using the same wood benches at the park, two will be accessible and two be standard. We will do a white chain that will be hung between planters. A picture of the planters is included. Thanks again!

Tyler



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Chef and Proprietor Tyler Sailsbery
The Black Sheep Restaurant
208 W Whitewater Street Unit 2
Whitewater WI 53190

Office Number (262) 458 4751

Thanks to our great customers and check out our latest review in the Wisconsin State Journal

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

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

CONDITIONAL USE PERMIT

Plan Commission Meeting Date: November 11, 2013
Property Owner: Dale Pieper
Applicant: Tyler Sailsbery
Property ID Number: /TR 00025
Property Address: 319 W. James Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) (tavern and other places selling alcohol by the drink) for Tyler Sailsbery to serve beer and liquor at 319 W. James Street (for a “Class B” Beer and Liquor License) for a new restaurant, tavern and distillery (Casual Joes).

Approved subject to the following conditions:

1. The conditional use shall run with the applicant and not the land. Any change in ownership will require approval of a conditional use permit for the new owner/operator from the Plan and Architectural Review Commission.
2. The applicant shall make the building and site renovations in accordance with the plans submitted to the City of Whitewater, pending any changes required by the State Building Code.
3. Recommendation of approval shall be contingent upon Common Council approval to allow parking within the public right-of way, as identified on the plans, and a maintenance agreement with the property owner. The maintenance agreement shall include, but no be limited to plowing, cleaning and surface maintenance and repair.
4. The applicant shall comply with all required City, State and Federal Codes.
5. Approval of the conditional use permit is conditioned upon an official rezone of the parcel from R-3 Multi-Family Residence District to B-2 Central Business District.
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8. Owner will have the discretion for the location of his herb gardens.
9. The driveway would be seeded and a sidewalk installed to Ann Street to take garbage and recycle totes to the street.

This permit was prepared by:



Latisha Birkeland

12-4-13

Neighborhood Services Director / City Planner