

AGENDA

CITY OF WHITEWATER

PLAN AND ARCHITECTURAL REVIEW COMMISSION

Whitewater Municipal Building
Community Room
312 W. Whitewater Street
Whitewater, WI 53190
December 13, 2010
6:00 p.m.

1. Call to order and roll call.
2. **Hearing of Citizen Comments.** No formal Plan Commission action will be taken during this meeting ON CITIZEN COMMENTS although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.
3. Approval of the minutes of October 8, 2010.
4. Hold a public hearing for consideration of a change of the District Zoning Map for the following area to enact an ordinance to impose the R-O Non-Family Residential Overlay District Zoning classification under Chapter 19.25 of the Zoning Ordinance of the City of Whitewater for 314 W. North Street (/WUP 00089), 318 W. North Street (/WUP 00090), 326 W. North Street (/WUP 00091), and 330 W. North Street (/WUP 00092).
5. Hold a public hearing for consideration of a Conditional Use Permit for a "Class B" Beer and a "Class C" Wine License for Ilmi Shabani, to serve beer and wine by the glass at "Jessica's Restaurant" located at 140 W. Main Street.
6. Hold a public hearing for consideration of a change in of the District Zoning Map to rezone from R-3 (Multi-family Residence) Zoning District to PCD (Planned Community Development) Zoning District, under Chapter 19.39 of the Zoning Ordinance of the City of Whitewater and for consideration of a GDP (General Development Plan) and SIP (Specific Implementation Plan) for the proposed student apartment development for CatCon Whitewater, LLC., with the rezoning, GDP, and SIP all associated with the following parcels located along N. Prince Street and W. Florence Street are requested to change to PCD for the development of student apartments: Tax Parcel Numbers /WUP 00178C, /WUP 00178, /WUP 00178A, City of Whitewater, Walworth County, Wisconsin.

7. Review the proposed one lot Certified Survey Map associated with the development of student apartments on the northwest corner of N. Prince Street and W. Florence Street for CatCon Whitewater, LLC.
8. Review and offer comments on the draft format for the City's Zoning Maps.
9. Information:
 - a. Possible future agenda items.
 - b. Next regular Plan Commission meeting- January 10, 2011.
10. 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 Zoning Administrator, 312 W. Whitewater Street, Whitewater, WI, 53190 or jwegner@whitewater-wi.gov.

The City of Whitewater website is: whitewater-wi.gov

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
October 11, 2010

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

Chairperson Torres called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m. He noted that Item #3b. Staff Report was removed from the agenda.

PRESENT: Torres, Coburn, Stone, Binnie, Dalee, Miller, Meyer (Alternate). ABSENT: Zaballos. OTHERS: Wallace McDonnell/City Attorney, Bruce Parker/Zoning Administrator, Wegner/Secretary.

HEARING OF CITIZEN COMMENTS. This is a time in the agenda where citizens can voice their concerns. They are given three minutes to talk. No formal Plan Commission Action will be taken during this meeting although issues raised may become a part of a future agenda. Items on the agenda may not be discussed at this time.

There were no citizen comments.

REPORTS:

a. City Attorney report on the Transparency Ordinance and how it relates to Boards and Commissions reports and procedures. City Attorney McDonnell reported that the City Council passed the first reading of the Transparency Ordinance at their last meeting. The second reading will be next week. If passed, this would mean that all meeting agendas would need to be posted 72 hours in advance of the meeting. If an item is added to the agenda between 24 hours and 72 hours before the meeting, it would need a majority vote to take up the matter. For the Plan Commission, the Transparency Ordinance would mean the Plan Commission agenda would be posted on-line within 72 hours of the meeting and the entire packet would be posted 24 hours prior to the meeting. Larger items, that would be very difficult to post on-line, would be noted that a copy could be seen at the City offices. Most items from developers will be required to be submitted electronically. The meeting minutes would need to be posted within 30 days after the meeting. As far as the actual meeting procedures, the Plan Commission would be required to have an agenda item, similar to the City Council, to allow for citizen comments. Any substantive item on the agenda would allow the public an opportunity to comment. Board and Commission reports from outside the Plan Commission could only be reported if the item to be reported was listed on the agenda. For example, Report of the last City Council meeting or Park Board meeting. If they are to report, the information is to be to the City at least one week prior to the meeting in order for it to get on the agenda. Agendas to be published are to be to the newspaper the Tuesday morning prior to the meeting.

MINUTES. Moved by Binnie and Miller to approve the Plan Commission minutes of September 13, 2010. Motion approved by unanimous roll call vote.

REVIEW PROPOSED EXTERIOR ALTERATIONS TO THE BUILDING LOCATED AT 186 W. MAIN STREET FOR DAVE SAALSAA. Zoning Administrator Bruce Parker explained that Dave Saalsaa owns the building with the two businesses and apartments. Two years ago he did the exterior alterations to the east side of the building "Reflections of the Past". Now he is ready to do the "Quiet Hut Sports" portion of the building. Parker had allowed Saalsaa to remove some of the front parts of the building in order to see what was underneath to

work with. The lower column will be left as is for now. The rest of the building will be cleaned and painted. There will be new awnings above the apartment windows. The sign will be a board with block letters. There is no anticipation of lighting on the sign. Downtown Whitewater Inc. has approved these exterior alterations and has recommended that Dave Saalsaa go ahead with his plans. The City Staff recommendation is for approval.

The City Planners felt that Mr. Saalsaa's proposed façade changes would significantly upgrade the appearance of this building and are consistent with the City's Downtown Design Guidelines. They recommended approval of the proposed changes subject to the following conditions:

1. The applicant shall make all changes to the building façade at 186 W. Main Street in accordance with his plans submitted October 4, 2010. Colors and design of the awnings shall be consistent with the "Bisque Brown" color sample submitted as part of Mr. Saalsaa's application.
2. Backlit, plastic signage shall not be allowed on the building. Any new signage must be externally illuminated, consistent with the historic architecture of the building, and shall meet all City of Whitewater signage standards for the central business district.
3. No personal satellite dishes or related equipment may be placed along the Main Street or 2nd Street facades.

Plan Commission Member Stone had one concern in following the Design Guidelines which is the two air conditioners in the upstairs apartment windows on W. Main Street, the front of the building.

Zoning Administrator Bruce Parker explained that the air conditioning units are existing. If the owner was re-developing the building, they would be required to put the units on the roof.

Dave Saalsaa explained that the upper part of the building does not have air conditioning. He cannot afford to retrofit with central air.

Tammy Brodnicki, Executive Director of Downtown Whitewater explained that the windows on the front of the building are the only windows in those apartments. There are no side windows. They would request that the air conditioning units be installed in windows on the side of the building, if they were available.

Moved by Stone and Coburn to approve the exterior alterations to the building at 186 W. Main Street for Dave Saalsaa with the City Planner's three conditions.

INFORMATION:

The next regular Plan Commission meeting will be November 8, 2010.

Moved by Miller and Meyer to adjourn at approximately 6:17 p.m. Motion was approved by unanimous voice vote.

Respectfully submitted,



Jane Wegner
Secretary

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a change of the District Zoning Map for the following area to enact an ordinance to impose the R-O Non-Family Residential Overlay District Zoning classification under Chapter 19.25 of the Zoning Ordinance of the City of Whitewater on the following area:

<u>Property Address:</u>	<u>Tax ID #:</u>	<u>Property Owner</u>
314 West North Street	/WUP 00089	Federal Home Loan Mtg.
318 West North Street	/WUP 00090	Christopher & Lori Grady
326 West North Street	/WUP 00091	Kathryn J. Casey, James L. Disrude
330 West North Street	/WUP 00092	Brian W. Veale

NOTICE IS FURTHER GIVEN that the Plan Commission of the City of Whitewater will hold a public hearing in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, on December 13, 2010, at 6:00 p.m. to hear any person for or against said change. Opinions for or against said change may also be filed in writing.

The proposal is on file in the office of the Zoning Administrator, 312 W. Whitewater Street, and may be viewed during office hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

The R-O Zoning classification reduces the number of unrelated occupants allowed per residential unit from 3 to 2 in an R-2 Zoning District.

Michele Smith, City Clerk

Dated: November 3, 2010

Publish: In "Whitewater Register"
on November 25, 2010, and December 2, 2010

/WUP 00089
FEDERAL HOME LOAN
MORTGAGE
5000 PLANO PKWY
CARROLLTON TX 75010

/WUP 00092
BRIAN W VEALE
330 W. NORTH ST
WHITEWATER WI 53190

CLA-2
BRUCE R BUCHOLTZ SR
MARYELLEN BUCHOLTZ
130 N PARK STREET
WHITEWATER WI 53190

CLA-5
DARRELL HETH
GAIL HETH
148 N PARK ST
WHITEWATER WI 53190

OT-27
RANDIX CORPORATION
212 W MAIN STREET
WHITEWATER WI 53190

OT-31,32,33,34
MITCHELL J SIMON
211 N PARK STREET
WHITEWATER WI 53190

OT-41
FIRST EVANGELICAL
LUTHERAN CHURCH
401 W MAIN STREET
WHITEWATER WI 53190

OT-48
FERDINAND J KOJIS TRUST
KATHLEEN M KOHIS TRUST
35 LIGHTHOUSE WAY
SALEM SC 29676

OT-51, TA-1
BLGL LLC
1691 MOUND VIEW PLACE
WHITEWATER WI 53190

TA-2
TIMOTHY J DICKINSON
JEAN A DICKINSON
115 N PARK STREET
WHITEWATER WI 53190

/WUP 00090
CHRISTOPHER R GRADY
LORI GRADY
318 W. NORTH ST
WHITEWATER WI 53190

CLA-1
BULLDOG INVESTMENTS LLC
N6927 GREENLEAF COURT
ELKHORN WI 53121

CLA-3
MICHAEL CIPRIANO
CRISTINA A CIPRIANO
136 N PARK STREET
WHITEWATER WI 53190

CLA-6
GEORGE JOSEPH FERENCZ
JANE RIEGEL FERENCZ
154 N PARK STREET
WHITEWATER WI 53190

OT-28,37,38
CITY OF WHITEWATER

OT-35
MITCHELL J SIMON
304 W MAIN STREET
WHITEWATER WI 53190

OT-42
FIRST ENGLISH LUTHERAN
CHURCH
401 W MAIN STREET
WHITEWATER WI 53190

OT-49
THOMAS L VAUGHN
DONNA R VAUGHN
317 W MAIN STREET
WHITEWATER WI 53190

OT-52
MICHAEL P MAHONEY
MARY M MAHONEY
119 S FOURTH STREET
WHITEWATER WI 53190

TA-3
DAVID L RADEMAKER
MANDI L RADEMAKER
121 N PARK STREET
WHITEWATER WI 53190

/WUP 00091
JAMES L DISRUDE
KATHRYN J CASEY
326 W NORTH ST
WHITEWATER WI 53190

CLA-1A
MARILYN M SMITH
120 N PARK STREET
WHITEWATER WI 53190

CLA-4
GEORGIANNE M LOMBARD
142 N PARK STREET
WHITEWATER WI 53190

OT-26
ROBERT A SWEET
N7598 LARRY'S ROAD
WHITEWATER WI 53190

OT-30
KICH PROPERITES LLC
N6927 GREENLEAF CT
ELKHORN WI 53121

OT-36
FW PROPERTIES LLC
328 W MAIN STREET
WHITEWATER WI 53190

OT-46
BART J KRAUS
301 W MAIN STREET
WHITEWATER WI 53190

OT-50
MAIN STREET WHITEWATER
LLC
W9597 BREIDSAN HILL DR
WHITEWATER WI 53190

OT-58,59,60
FIRST CITIZENS STATE BANK
P O BOX 177
207 W MAIN STREET
WHITEWATER WI 53190

TA-4
DAVID A KOCH
BARBARA A KOCH
129 N PARK STREET
WHITEWATER WI 53190

TA-5
LUCILLE D WAGA REVOCABLE
TRUST
135 N PARK STREET
WHITEWATER WI 53190

WSS-1
ANTHONY M LOMBARDO
JANET M LOMBARDO
1180 THORNDALE LANE
LAKE ZURICH IL 60047

WUP-60
GARY B KLATT
PATSY A KLATT
145 N FREMONT STREET
WHITEWATER WI 53190

WUP-65
ROSEMARY METZDORFF
119 N FREMONT STREET
WHITEWATER WI 53190

WUP-68
MEISNER ENTERPRISES LLC
N7547 W LAKESHORE DRIVE
WHITEWATER WI 53190

WUP-84
JEFFREY RIEDEL
JOAN M RIEDEL
W6415 GROGAN ROAD
FORT ATKINSON WI 53538

WUP-87
JOHN W EJNIK
SARA L NORTON-EJNIK
130 N FREMONT STREET
WHITEWATER WI 53190

WUP-94A
FAIRHAVEN FOUNDATION INC
435 W STARIN ROAD
WHITEWATER WI 53190

TA-6
RONNIE J SDANO
ROBIN L SDANO
143 N PARK STREET
WHITEWATER WI 53190

WUP-58
JOHN R SEIZER
161 N FREMONT STREET
WHITEWATER WI 53190

WUP-61
W DANIEL SABLE
D JEAN SABLE
131 N FREMONT STREET
WHITEWATER WI 53190

WUP-66
HAROLD MILES
DARLENE MILES
234 W NORTH ST
WHITEWATER WI 53190

WUP-82
HARRIET M BRIGHAM TRUST
947 6TH STREET
REEDSBURG WI 53959

WUP-85
BRADLEY J MARKHAM
DIANE E MARKHAM
142 N FREMONT ST
WHITEWATER WI 53190

WUP-88
KEVIN A NICKS
PATTY J NICKS
126 N FREMONT STREET
WHITEWATER WI 53190

WUP-94
FAIRHAVEN CORPORATION
435 W STARIN ROAD
WHITEWATER WI 53190

TA-7
KIRBY BOCK
BARBARA B BOCK
149 N PARK STREET
WHITEWATER WI 53190

WUP-59
GREG A GAUGER
153 N FREMONT STREET
WHITEWATER WI 53190

WUP-64
JENNIFER C STEIL
JAMES EHLERS, AMY EHLERS
N7174 COUNTRY SIDE LANE
ELKHORN WI 53121

WUP-67
LAURA M TRIEBOLD
N7618 ENGEL ROAD
WHITEWATER WI 53190

WUP-83
THAYER COBURN
156 N FREMONT STREET
WHITEWATER WI 53190

WUP-86
LADWIG & VOS INC
140 LONGMEADOW DRIVE
BURLINGTON WI 53105

WUP-93
LAMBDA IOTA ZETA HOUSE
C/O ROBERT HAZOD
13525 W CRAWFORD DR
NEW BERLIN WI 53151

Harrison, Williams,
McDonell & Swatek, LLP
ATTORNEYS AT LAW

MARTIN W. HARRISON
WALLACE K. MCDONELL

452 W. Main Street
P.O. Box 59
Whitewater, WI 53190
262-473-7900

FACSIMILE
262-473-7906

ANDREW FARR ALLEN
(1946-2003)
DAVID C. WILLIAMS
TIMOTHY P. SWATEK

martinh@hmatvs.com
wkm@hmatvs.com

Offices also in:
Lake Geneva

November 1, 2010

Mr. Bruce Parker, Director
Neighborhood Services
P. O. Box 178
Whitewater, WI 53190

Re: R-O-Non-family Residential Overlay District Application

Dear Bruce:

Please find enclosed herewith an Application for Amendment to Zoning District with reference to the four West North Street properties.

Sincerely,

HARRISON, WILLIAMS,
MCDONELL & SWATEK, LLP



Wallace K. McDonell
(State Bar No. 01008713)

WKM:slm
Enclosure



WISCONSIN LAWYERS.
STATE BAR OF WISCONSIN | EXPERT ADVISERS.
WISCONSIN | SERVING YOU.

CITY OF WHITEWATER
PETITION FOR CHANGE OR AMENDMENT OF ZONING

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by Ordinance, change the district boundaries or amend, change or supplement the regulations established by the Zoning Ordinance.

A change or amendment may be initiated by the City Council, the Plan Commission, or by a Petition of one or more of the owners, lessees, or authorized agents of the property within the area proposed to be changed.

PROCEDURE

1. File the Petition with the City Clerk. Filed on 11-1-10.
2. Class 2 Notices published in Official Newspaper on 11-25-10 & 12-2-2010.
3. Notices of Public Hearing mailed to property owners on 11-15-10.
4. Plan Commission holds PUBLIC HEARING on 12-13-10. They will hear comments of the Petitioner and comments of property owners. Comments may be made either in person or in writing.
5. At the conclusion of the Public Hearing, the Plan Commission makes a decision on the recommendation they will make to the City Council.
6. City Council consideration of the Plan Commission's recommendation and final decision on adoption of the Ordinance making the change. _____
7. The Ordinance is effective upon passage and publication as provided by law.

PLEASE COMPLETE THE FOLLOWING APPLICATION. If there is more than one applicant for an area to be rezoned, add additional pages with the signatures of the owners, indicate their address and the date of signature.

Refer to Chapter 19.69 of the City of Whitewater Code of Ordinances, entitled CHANGES AND AMENDMENTS, for more information on application and protests of changes.

City of Whitewater
Application for Amendment to Zoning District or Ordinance

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: <u>James Winship, City of Whitewater Council Member</u>	
Applicant's Address: <u>184 N. Franklin St, Whitewater, WI 53190</u>	
	Phone # <u>262-473-3381</u>

Owner of Site, according to current property tax records (as of the date of the application): <u>See attached</u>	
Street address of property: <u>See attached</u>	
Legal Description (Name of Subdivision, Block and Lot or other Legal Description): <u>See attached</u>	
Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)	
Name of Individual: <u>None</u>	
Name of Firm: <u>N/A</u>	
Office Address: _____	Phone: _____
Name of Contractor: <u>N/A</u>	
Has either the applicant or the owner had any variances issued to them, on any property? YES NO	
If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.	
<u>The applicant is not aware of any variances that have been granted to the owners.</u>	

EXISTING AND PROPOSED USES:

Current Zoning District or Ordinance to be Amended:
<u>The properties are currently zoned R-2: One and Two Family Residence District and will remain zoned R-2.</u>
Proposed Zoning District or Ordinance
<u>The petitioner requests that the above-referenced properties be zoned R-0: Nonfamily residential overlay district. The underlying R-2 zoning shall remain in place.</u>
Zoning District in which property is located: <u>R-2</u>
Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: <u>19.25</u>

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

PLOT PLAN

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

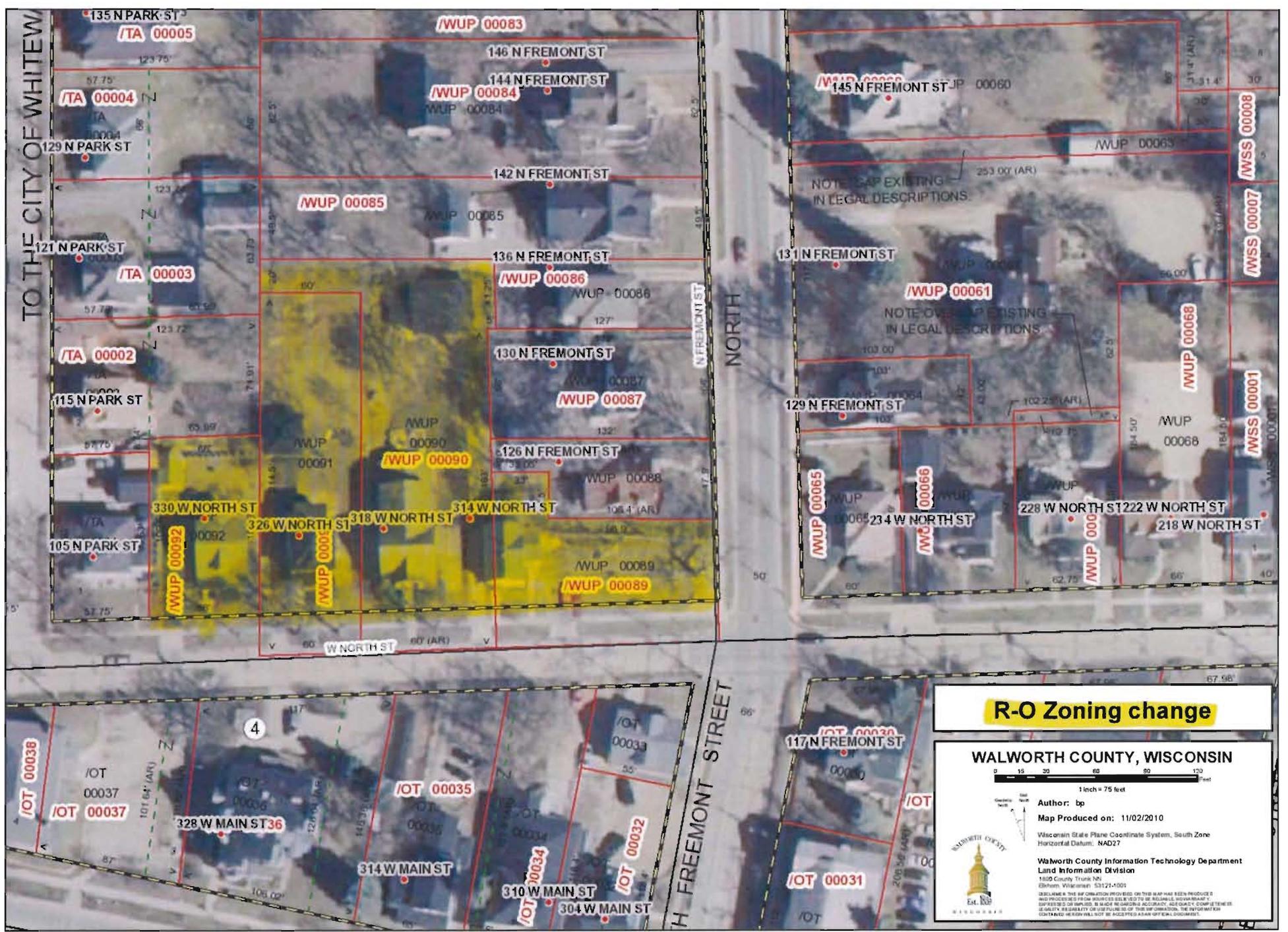
STANDARDS

STANDARD	APPLICANT'S EXPLANATION
<p>A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;</p>	<p>The property proposed to be rezoned is in a very sensitive area of the city which is subject to overcrowding due to market pressure for rental housing in the area. Therefore, there is the potential for the reduction of family-occupied residences and the loss of single-family character of the neighborhood if the R-0 district is not imposed on the area.</p>
<p>B. The proposed development will be consistent with the adopted city master plan;</p>	<p>The proposed zoning is consistent with the City Master Plan and the City's Comprehensive Plan which encourage taking actions to protect the character of single-family residential neighborhoods.</p>
<p>C. The proposed development will be compatible with and preserve the important natural features of the site;</p>	<p>The proposed zoning will preserve the natural features of the areas to be zoned R-0 because it will encourage single-family residential uses in the area as opposed to more dense residential uses which require more parking areas and larger dwelling units.</p>
<p>D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;</p>	<p>The proposed zoning will help limit dense residential development that at times causes nuisances for neighboring properties, and therefore this zoning designation will likely increase the values of adjoining properties.</p>

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>The proposed zoning will not increase traffic circulation or parking problems because it will limit the number of unrelated nonfamily occupants allowed to reside in single-family residential properties.</p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>N/A</p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p>N/A</p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p>N/A</p>

PARCEL OWNERS EXHIBIT

<u>Property Address:</u>	<u>Tax ID #:</u>	<u>Property Owner</u>
314 West North Street	/WUP 00089	Federal Home Loan Mtg.
318 West North Street	/WUP 00090	Christopher & Lori Grady
326 West North Street	/WUP 00091	Kathryn J. Casey, James L. Disrude
330 West North Street	/WUP 00092	Brian W. Veale



R-O Zoning change

WALWORTH COUNTY, WISCONSIN



Author: bp
 Map Produced on: 11/02/2010



Wisconsin State Plane Coordinate System, South Zone
 Horizontal Datum: NAD27

Walworth County Information Technology Department
 Land Information Division
 1800 County Trunk Rd
 Elkhorn, Wisconsin 53121-1000

STATEMENT: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED AND PROCESSED FROM SOURCES BELIEVED TO BE RELIABLE. HOWEVER, THE USER ASSUMES ALL LIABILITY FOR ANY INACCURACIES, OMISSIONS, OR ERRORS. THE USER SHALL NOT BE HELD RESPONSIBLE FOR ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM THE USE OF THIS MAP.



VANDEWALLE & ASSOCIATES INC.

#4

To: City of Whitewater Plan and Architectural Review Commission
From: Mark Roffers and Megan MacGlashan, AICP, City Planning Consultants
Date: December 8, 2010
Re: Proposed changes to the City's Official Zoning Map, petition to apply the R-O Non-Family Residential Overlay Zoning District to the R-2 zoned parcels at 314, 318, 326, and 330 West North Street

Summary of Request

The applicant, Council Member James Winship, is requesting that the R-O Non-Family Residential Overlay Zoning District be applied to four properties along West North Street (314, 318, 326, and 330—see attached map). Three of the properties are used as single family residences and one as a duplex (currently vacant). All of these properties are zoned R-2 One and Two Family Residence District and are located in the Historic Starin Park Neighborhood, directly south of and adjacent to the area (comprised of 123 properties) upon which R-O Non-Family Residential Overlay zoning was applied in this past summer. The overlay zoning district, if applied to these four properties, would restrict the maximum number of unrelated persons per housing unit from 3 unrelated persons to 2 unrelated persons. The underlying R-2 zoning would not change as it affects potential uses, setbacks, and other standards applicable to all lands zoned R-2.

The City Council adopted the R-O Non-Family Residential Overlay District as an overlay zoning district option in May. The purpose was to advance the neighborhood preservation strategy outlined in the City's Comprehensive Plan and to provide another mechanism for preserving the character of the City's predominately single-family, owner-occupied residential neighborhoods. While the applicants for the creation of the R-O zoning district had the Historic Starin Park Neighborhood in mind, it could also be applied on a request basis to other neighborhoods in the City.

Analysis

1. The application of the R-O overlay zoning to this area of the City would be consistent with the City's Comprehensive Plan, based on the following points:

120 East Lakeside Street • Madison, Wisconsin 53715 • 608.255.3988 • 608.255.0814 Fax
611 North Broadway • Suite 410 • Milwaukee, Wisconsin 53202 • 414.441.2001 •
414.732.2035 Fax
www.vandewalle.com

Shaping places, shaping change

- a. A significant portion of the Plan was dedicated to analyzing the City's residential neighborhoods and recommending approaches for preserving the character of the City's predominately single-family, owner-occupied residential areas, while at the same time elevating the quality and character of all neighborhoods in Whitewater. The Plan does not explicitly include a recommendation to adopt an overlay zoning district to further limit the number of unrelated persons per household. However, it does include other related strategies for neighborhood preservation.
 - b. Within the Comprehensive Plan, the four parcels under consideration for the R-O Overlay zone are designated under the "Central Business" future land use category. This future use category which is intended to accommodate a mixture of "... pedestrian-oriented uses that are associated with Whitewater's historic downtown, such as commercial, office, institutional, and residential uses." There is nothing in the Plan's description of the "Central Business" category or the purpose of the R-O zoning district that would limit the pairing of these two planning/zoning classifications.
 - c. These four properties under consideration for R-O zoning are transitional properties located within the Historic Starin Park Neighborhood, which is predominately designated for future "Single-Family Residential" use on the Future Land Use map in the Comprehensive Plan. Through the neighborhood preservation analyses conducted as part of the comprehensive planning process, the Historic Starin Park Neighborhood area, as a whole (including these four properties), was ranked as a very appropriate neighborhood to focus "single-family-focused" neighborhood preservation strategies (see further analysis below).
2. The four parcels under consideration for the R-O Overlay are more likely to face pressure to accommodate off-campus, student-oriented, student rental housing than perhaps some of the properties located well-within the Starin Park neighborhood because they are in a transition area along the edge of the neighborhood. Therefore, in the interest of maintaining the single-family, owner-occupied character of the entire neighborhood in the future, we think it is equally as appropriate to preserve the character of areas that serve as "gateways" into these neighborhoods as single-family, owner-occupied homes.
 3. As part of the neighborhood preservation analysis we conducted during the comprehensive planning process, we divided the entire City into separate "neighborhoods" based on several factors including commonly understood subdivision boundaries, zoning district boundaries, locations of major roads, and breaks in different types of land uses. The objective in dividing the City up into neighborhoods was to delineate relatively homogenous areas, so that different policies could be developed and applied to different residential areas of the City. The properties now included in the petition for R-O overlay zoning are located within one of these analysis "neighborhoods". We then conducted an analysis to gain a better understanding of the characteristics of each "neighborhood" as compared with all other "neighborhoods" in the City. For each "neighborhood," we investigated the following characteristics:
 - a. *The average assessed value of residential parcels. (Attachment 1)*
 As compared with other neighborhoods in the City, the assessed value of residences in the Historic Starin Park Neighborhood was about average.

- b. *The average property condition rating for residential parcels per the City's assessment records. (Attachment 2)*

As compared with other neighborhoods in the City, the property condition of residences in the Historic Starin Park Neighborhood ranked higher than average.

- c. *The average "curb appeal" rating for residential parcels per the City's assessment records. (Attachment 3)*

As compared with other neighborhoods in the City, the curb appeal rating for residences in the Historic Starin Park Neighborhood ranked higher than average.

- d. *The percentage of owner-occupied housing within the neighborhood. (Attachment 4)*

As compared with other neighborhoods in the City, the Historic Starin Park Neighborhood has a high percentage of owner occupied housing.

The Historic Starin Park Neighborhood, when compared with other neighborhoods in the City, was identified as a key target area for neighborhood preservation strategies that will help maintain the single family, owner occupied character and value of this neighborhood.

4. In response to this petition for R-O overlay zoning, we also just recently conducted a closer analysis of the properties included in the petition area, which is similar to the analysis we conducted for the R-O overlay zoning petition this past summer. The outcomes of this analysis are shown on Attachment 6. The characteristics we examined are listed below. Our objective in conducting this analysis was to look at both the characteristics of the four properties under consideration, as well as the greater context within which these properties are located. Data used in this analysis is the same as the data used for our neighborhood analysis this summer.
- a. Land Use: Three of the four properties under consideration are single-family homes. The property on the corner of North and Fremont is a home that was converted to a (small) duplex. Land uses across the street to the south are a mixture of residential, business (bed and breakfast), and municipal uses, a mixture that is generally characteristic of the downtown as a whole. The portion of the Starin Park neighborhood to which the R-O overlay zoning was applied in July of this year is almost entirely comprised of single-family homes (98% single-family). The remaining 2% of properties (3 properties) are two-family dwellings.
- b. Owner Occupancy Status: Three of the four properties under consideration (the three single-family homes) are currently owner-occupied. At present the duplex is owned by a bank. This suggests that by applying the R-O overlay zoning to these properties, the City would likely not be creating non-conforming uses. Owner-occupied houses are more likely to have two or fewer unrelated persons in them than are renter-occupied houses. The portion of the neighborhood to which the R-O overlay zoning was applied in July of this year is almost entirely owner-occupied (92%).
- c. Number of Bedrooms Per Dwelling: An analysis of the number of bedrooms on each of the four properties indicates that one of the properties had three bedrooms, and the other three properties had four or more bedrooms. (On the duplex lot, the

number of bedrooms shown on the attached map reflects the total number of bedrooms in both units combined.)

Homes that have three or more bedrooms are best suited to accommodate the maximum allowable 3 unrelated persons. Reducing the non-family household limit to two unrelated persons via R-O zoning would likely mean that these homes would not be as attractive as they may be today to be rented out to a non-family household. This, we believe, is consistent with the intent of the rezoning proposal, but may limit the potential future market for the sale or rental of these existing homes. On the other hand, it could also increase the potential market of those wishing to buy an older home in a neighborhood that has a greater likelihood of maintaining a single-family, owner-occupied character.

Applying the R-O overlay zoning to these properties may mean that enforcement of non-family household rules will become more challenging in the future. However, at least two of the four properties are already in this situation with current non-family household rules because they have more than 3 bedrooms per unit. In addition, the active neighborhood association and the fact that 123 other properties in this neighborhood also have R-O overlay zoning applied to them may help with compliance.

5. Subject to comments at the public hearing, our analysis suggests that the properties located at 314, 318, 326, and 330 W. North Street are within an appropriate place to target for proactive neighborhood preservation strategies focused on maintaining single-family, owner-occupied character. Application of the R-O overlay zoning to these properties would be consistent with the recommendations and policies outlined in the Comprehensive Plan overall and for this area of the City.

Recommendation

We recommend that the Plan Commission first find the rezoning proposal to be consistent with the City's Comprehensive Plan, and then recommend Common Council approval of the request to apply the R-O Non-Family Household Overlay Zoning to all four properties included in the petition.

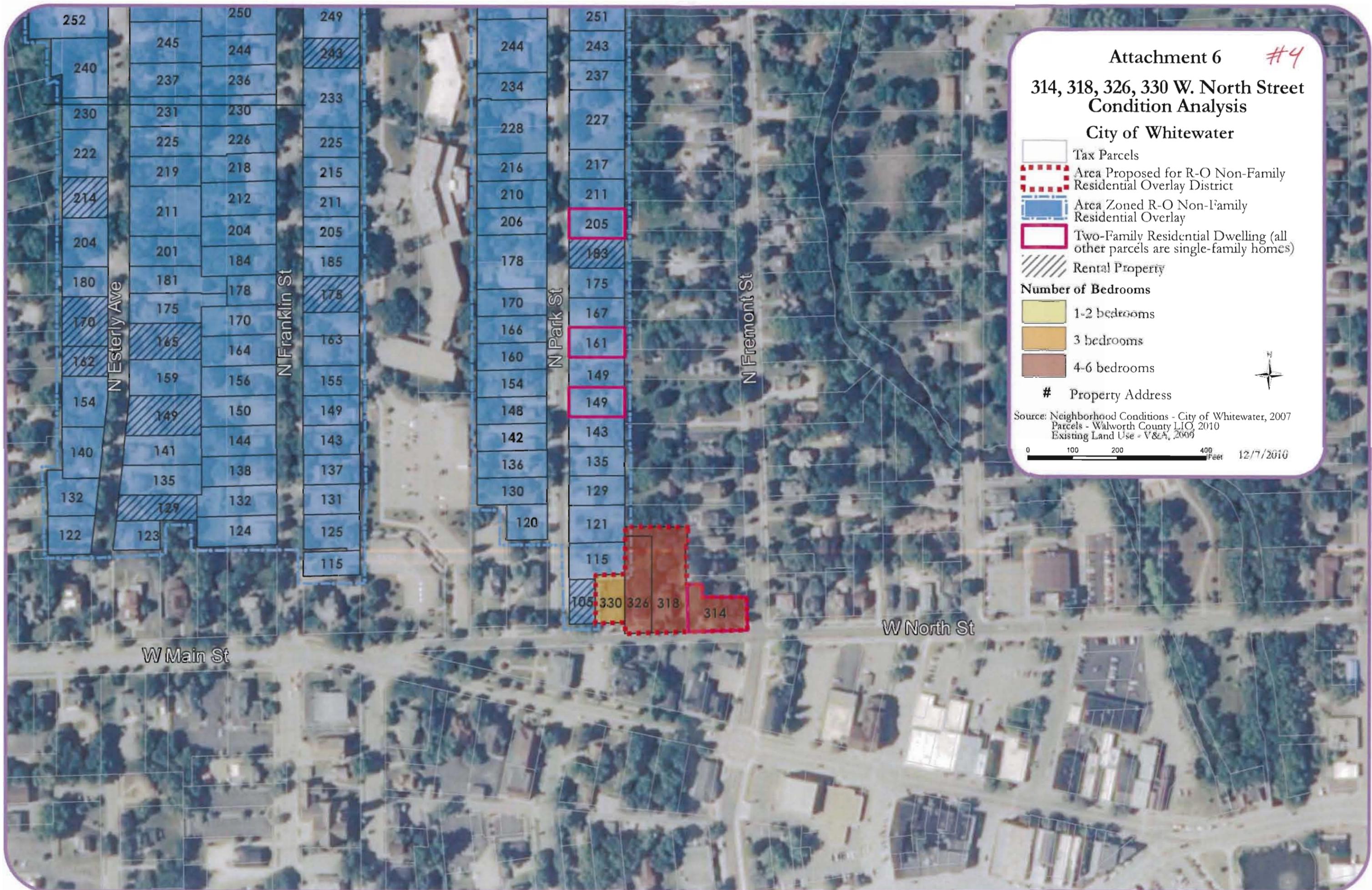
314, 318, 326, 330 W. North Street Condition Analysis

City of Whitewater

-  Tax Parcels
 -  Area Proposed for R-O Non-Family Residential Overlay District
 -  Area Zoned R-O Non-Family Residential Overlay
 -  Two-Family Residential Dwelling (all other parcels are single-family homes)
 -  Rental Property
- Number of Bedrooms**
-  1-2 bedrooms
 -  3 bedrooms
 -  4-6 bedrooms
- # Property Address

Source: Neighborhood Conditions - City of Whitewater, 2007
 Parcels - Walworth County LIO, 2010
 Existing Land Use - V&A, 2009

0 100 200 400 Feet 12/7/2010





Neighborhood Services • Code Enforcement / Zoning and Department of Public Works
 312 W. Whitewater Street / P.O. Box 178, Whitewater, WI 53190
 (262) 473-0540 • Fax (262) 473-0549
 www.ci.whitewater.wi.us

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 13th day of December 2010 at 6:00 p.m. to hold a public hearing for consideration of a Conditional Use Permit for a Class "B" Beer and a Class "C" Wine License for Ilmi Shabani, to serve beer and wine by the glass at "Jessica's Restaurant" located at 140 W. Main Street.

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540

A handwritten signature in black ink, appearing to read "B. Parker", is written over a horizontal line.

Bruce Parker, Zoning Administrator

OT-1, WUP-255
R & B BRASS RAIL CORP
130 W MAIN STREET
WHITEWATER WI 53190

OT-3A,10,11, WSS-13
W JOS KETTERHAGEN JR
117 N FIRST STREET
WHITEWATER WI 53190

OT-6
MIKNNNA LLC
N6927 GREENLEAF CT
ELKHORN WI 53121

OT-9, 12
WERNER KETTERHAGEN JR
MARY E KETTERHAGEN
1230 W SATINWOOD LANE
WHITEWATER WI 53190

OT-14
FIRST & MAIN OF
WHITEWATER
599 S FRANKLIN STREET
WHITEWATER WI 53190

OT-20
TERRENCE L STRITZEL
W5524 TRI COUNTY ROAD
WHITEWATER WI 53190

OT-73
JOHN M BASILE
MARGARET M BASILE
W5211 MEADOW LANE
ELKHORN WI 53121

OT-76
141 W MAIN STREET BUILDING
N1103 PECHOUS LANE
WHITEWATER WI 53190

OT-80
AUREL BEZAT
DANIELA BEZAT
234 N PARK STREET
WHITEWATER WI 53190

OT-85,86
WALTON DISTRIBUTING LLC
1005 W MAIN STREET SUITE C
WHITEWATER WI 53190

OT-2
CBP PROPERTIES LLC
P O BOX 528
WHITEWATER WI 53190

OT-4
JOHN J GELETTA
KIMBERLY J GELLETTA
745 WALKER WAY
EDGERTON WI 53534

OT-7
WOKES LLC
647 S WISCONSIN STREET
WHITEWATER WI 53190

OT-13,23,24,140,TR-1,2,3, WSS-
10,12,14,14A,18, WUP-256,
257,257B
CITY OF WHITEWATER

OT-17
HICKS SURVIVOR TRUST
N7934 HIGHWAY 89
WHITEWATER WI 53190

OT-62
DONALD E LIGGETT TRUST
P O BOX 223061
PRINCEVILLE HI 96722

OT-74
MARK O BERGEY
JEAN BERGEY
173 W MAIN STREET
WHITEWATER WI 53190

OT-78
RUSSELL R WALTON
KIM A WALTON
1005 W MAIN ST SUITE C
WHITEWATER WI 53190

OT-81,82,83
TRIPLE J PROPERTIES LLC
543 A J ALLEN CIRCLE
WALES WI 53183

TR-4,5,6,6A
CC PROPERTY DEVELOPMENT
LLC
111 W WHITEWATER ST
WHITEWATER WI 53190

OT-3
WATSON & SCHARINE
136 W MAIN STREET
WHITEWATER WI 53190

OT-5
ILMI SHABANI
ANIFE SHABANI
140 W MAIN STREET
WHITEWATER WI 53190

OT-8
JOSE J BARAJAS
JUANA BARAJAS
409 S BUCKINGHAM BLVD
WHITEWATER WI 53190

OT-13A
ROBERT M KNUDSON
NICOLE M KNUDSON
W3438 CRESTWOOD DRIVE
WHITEWATER WI 53190

OT-18,19
KJN DEVELOPMENT LLC
309 BENTON COURT
WALES WI 53183

OT-65,71
PIKA DEVELOPMENT
S78 W20177 MONTEREY DR
MUSKEGO WI 53150

OT-75
DLK ENTERPRISES INC
P O BOX 239
WHITEWATER WI 53190

OT-79
LAKEVIEW CENTER, LLC
147 W MAIN STREET
WHITEWATER WI 53190

OT-84
BULLDOG INVESTMENTS LLC
N6927 GREENLEAF CT
ELKHORN WI 53121

TR-8,9
WISCONSIN DAIRY SUPPLY
P O BOX 239
WHITEWATER WI 53190

TR-10,12
COMMUNITY DEVELOPMENT
AUTHORITY
WHITEWATER WI 53190

WSS-19A
BIRCHWOOD ENTERPRISES
LLC
1824 RIVERVIEW DRIVE
JANESVILLE WI 53545

WUP-257A
DONNA JOANNE HENRY
347 S JANESVILLE ST
WHITEWATER WI 53190

WUP-258
LAKELAND PROPERTY
MANAGEMENT
W312 S9003 MOCCASIN TRAIL
MUKWONAGO WI 53149

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 9:00 a.m. four weeks prior to the meeting. If not, the item will be placed on the next available Plan Commission meeting.

CITY OF WHITEWATER
CONDITIONAL USE PERMIT APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$100.00 fee. Filed on 11-19-10.
2. Class 1 Notice published in Official Newspaper on 12-9-10.
3. Notices of the Public Hearing mailed to property owners on 12-1-10.
4. Plan Commission holds the PUBLIC HEARING on 12-13-10. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the Public Hearing, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

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

Twenty complete sets of all plans should be submitted. All plans should be drawn to a scale of not less than 50 feet to the inch; represent actual existing and proposed site conditions in detail; and indicate the name, address, and phone number of the applicant, land owner, architect, engineer, landscape designer, contractor, or others responsible for preparation. It is often possible and desirable to include two or more of the above 8 plans on one map. The Zoning Administrator or Plan and Architectural Review Commission may request more information, or may reduce the submittal requirements. If any of the above 10 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

SITE PLAN SUBMITTAL REQUIREMENTS

This checklist must be completed before making application for a City of Whitewater Zoning/Building Permit. If not complete, the application will be returned to the owner and will not proceed until all information and forms are complete.

Drawings must be legible and drawn to scale not less than 1/4" per foot unless noted.

* Address of Project 140 W. Main St.
Zoning of Property _____

1. **Site Plan**, including the location and dimensions of all buildings, parking, loading, vehicle and pedestrian circulation, signs, walls, fences, other structures, outdoor storage areas, mechanicals, and dumpsters. Adjacent streets and uses and methods for screening parking, loading, storage, mechanical, and dumpster areas should be shown. Statistics on lot area, green space percentage, and housing density should be provided. The Plan Commission encourages compliance with its adopted parking lot curbing policy.
2. **Natural Features Inventory Map**, showing the existing limits of all water bodies, wetlands, floodplains, existing trees with trunks more than 4 inches in diameter, and any other exceptional natural resource features on all or part of the site.
3. **Landscape Plan**, prepared by a professional, and showing an overhead view of all proposed landscaping and existing landscaping to remain. The species, size at time of planting, and mature size should be indicated for all plantings. Areas to be left in green space should be clearly delineated. The Plan Commission encourages compliance with its adopted landscaping guidelines, available from the Zoning Department.
4. **Grading and drainage plan**, meeting the City's stormwater management ordinance if required. The plan should show existing and proposed surface elevations on the site at two foot intervals or less, and proposed stormwater management improvements, such as detention/retention facilities where required. Stormwater calculations may be required.
5. **Utilities plan**, showing locations and sizes of existing and proposed connections to sanitary sewer, water, and storm sewer lines, along with required easements. Sampling manholes may be required for sanitary sewer. The City's noise ordinance must be met.
6. **Building elevations**, showing the dimensions, colors, and materials used on all sides of the building. The Plan Commission encourages variety and creativity in building colors and architectural styles, while respecting the character of the surrounding neighborhood.
7. **Sign plan**, meeting the City's sign ordinance, and showing the location, height, dimensions, color, materials, lighting and copy area of all signage.
8. **Lighting plan**, meeting the City's lighting ordinance, and showing the location, height, type, orientation, and power of all proposed outdoor lighting—both on poles and on buildings. Cut sheets and photometric plans may be required for larger projects.

9.

Floor plan which shows:

- A. The size and locations of:
- 1) Rooms;
 - 2) Doors;
 - 3) Windows;
 - 4) Structural features - size, height and thickness of wood, concrete and/or masonry construction;
 - 5) Exit passageways (hallways) and stairs (including all stair dimensions - riser height, tread width, stair width, headroom and handrail heights);
 - 6) Plumbing fixtures (bathroom, kitchen, etc.) - lavatory, water closet, water heater, softener, etc.;
 - 7) Chimney(s) - include also the type of construction (masonry or factory built);
 - 8) Heating equipment;
 - 9) Cooling equipment (central air conditioning, if provided);
 - 10) Attic and crawl space access; and
 - 11) Fire separation between dwelling and garage.
 - 12) Electrical service entrance/transformer location.

10. **Elevation drawings** which show:

- A. Information on exterior appearance (wood, stone, brick, block, colors);
- B. Indicate the location, size and configuration of doors, windows, roof chimneys and exterior grade level.
- C. Indicate color of Trim _____, Siding _____, Roofing _____.
- D. Electrical service entrance/transformer location.

11. **Type of Project:**

- A. Single family;
- B. Duplex;
- C. Multifamily # units _____;
Condominium # units _____;
Sorority # units _____;
Fraternity # units _____;
- D. Office/Store;
- E. Industrial;
- F. Parking lot # of stalls _____;
- G. Other;

City of Whitewater
Application for Conditional Use Permit

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: Elmi Shabani
Applicant's Address: 222 Lakeview Dr.
Whitewater, WI 53190 Phone # 262-478-1157

Owner of Site, according to current property tax records (as of the date of the application):
Elmi Shabani

Street address of property: 140 W. Main St.

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):
Main St.

Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)

Name of Individual: _____
Name of Firm: _____
Office Address: _____
Phone: _____

Name of Contractor: _____

Has either the applicant or the owner had any variances issued to them, on any property? YES NO
If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.

EXISTING AND PROPOSED USES:

Principal Use: Restaurant Current Land Use: _____

Accessory or Secondary Uses: _____

Proposed Use (Describe need for conditional use):
Restaurant with Beer and Wine

No. of occupants proposed to be accommodated: 130

No. of employees: 20

Zoning District in which property is located: _____

Section of City Zoning Ordinance that identifies the proposed land use as a Conditional Use in the Zoning District in which the property is located: _____

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

PLOT PLAN

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

STANDARDS

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 reduces value of other property.	No.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance.	Yes
D. That the conditional use conforms to the purpose and intent of the City Master Plan.	Yes

AGREEMENT OF SERVICES

REIMBURSABLE BY THE PETITIONER/APPLICANT. The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission, Board of Zoning Appeals and/or Common Council. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. The City may apply the charges for these services to the Petitioner and/or property owner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the proposed application (Architectural Review, B.Z.A., Planning, Zoning Change):

_____, the applicant/petitioner for
(Owner's Name): Ilmi Shabani, dated: 11/18/10
Phone # 262-473-9890, tax key #(s) _____

Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Whitewater, in the judgement of its staff, to obtain additional professional service(s) (e.g. engineering, surveying, planning, legal) than normally would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

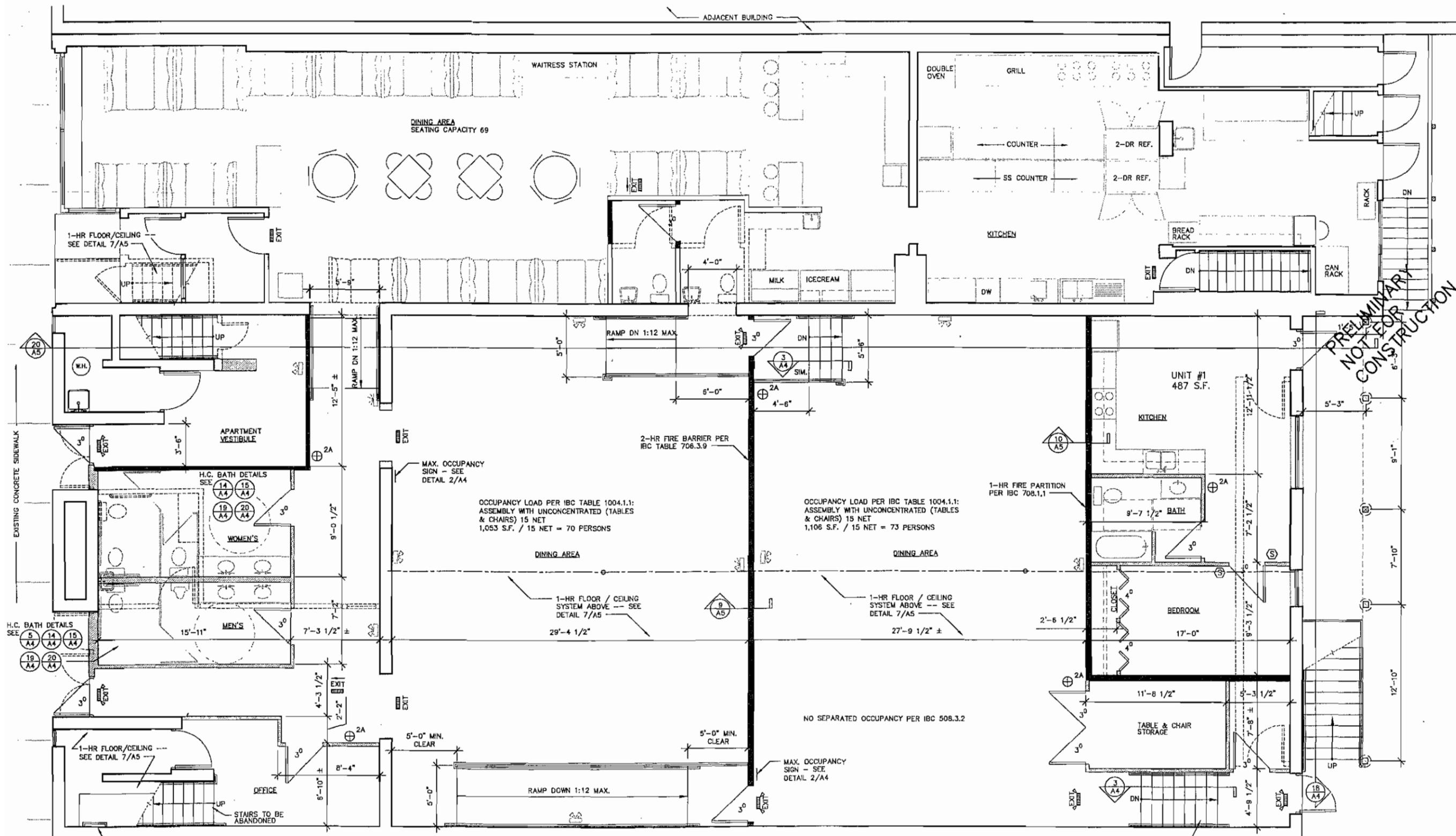
Dated this 19 day of Nov., 2010.

 (Signature of Applicant/Petitioner)

Ilmi Shabani (Printed Name of Applicant/Petitioner)

 (Signature of Owner of Property & Date Signed)

Ilmi Shabani (Printed Name of Owner of Property)



LEGEND:

	NEW DOOR WITH ADA COMPLAINT LEVER HANDLE		FIRE RATED WALL		APPROVED, ILLUMINATED EXIT SIGN WITH EMERGENCY LIGHTS AND BATTERY BACK-UP, TYP.
	EXISTING DOOR TO REMAIN -- REPLACE DOOR KNOB WITH ADA COMPLAINT LEVER HANDLE		NEW STUD WALL		APPROVED EMERGENCY LIGHTING WITH BATTERY BACK-UP, TYP.
	EXISTING DOOR TO BE REMOVED		EXISTING WALL		SMOKE DETECTOR -- HARD-WIRED WITH BATTERY BACK-UP, TYP.
			EXISTING WALLS TO BE REMOVED		PROVIDE FIRE EXTINGUISHERS CONFIRM REQUIREMENTS WITH LOCAL FIRE INSPECTOR

EXTERIOR STAIR NOTES:
ALL FASTENERS/JOIST HANGERS TO BE STAINLESS STEEL OR COATED FOR USE WITH PRESSURE-TREATED LUMBER.
ALL LUMBER AT STAIR TO BE PRESSURE-TREATED FOR EXPOSED EXTERIOR USE.

OPEN STAIR OK AS 2nd ACCESSIBLE MEANS OF EGRESS PER IBC 1020.1 EXCEPTION 8 AND IBC 1007.3 EXCEPTION 1. 48" CLEAR BETWEEN HANDRAILS / NO AREA OF RESCUE ASSISTANCE REQUIRED.

VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB AND NOTIFY THE DESIGN ALLIANCE ARCHITECTS, INC. OF ANY DISCREPANCIES PRIOR TO START.

MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
2010/JESSICA'S RESTAURANT/R-DRAWINGS.DWG
DATE: JULY 13, 2010

JESSICA'S FAMILY RESTAURANT
140 West Main Street
Whitewater, WI

DRAWING NAMES
MAIN FLOOR PLAN
REVISIONS
PROJECT DATA
DATE: 8/12/2010
DRAWN BY: CL
CHECKED BY: P.W.
SHEET NO.
A-1



VANDEWALLE & ASSOCIATES INC.

To: City of Whitewater Plan and Architectural Review Commission
From: Mark Roffers and Megan MacGlashan, AICP, City Planning Consultants
Date: December 8, 2010
Re: Requested Conditional Use Permit Associated with Selling Beer and Wine by the Glass, 140 West Main Street (Jessica's Restaurant)

Summary of Request and Analysis

The applicant, Ilmi Shabani, is requesting approval of a conditional use permit for the sale of beer and liquor by the bottle or glass (Class B Liquor License) and wine by the bottle or glass (Class C Liquor License) for Jessica's Restaurant (140 West Main Street). This requires two separate City approvals. First, the Plan and Architectural Review Commission would need to approve a conditional use permit. Next, the City Council would need to issue Class B and Class C Liquor Licenses to Mr. Shabani.

From a land use perspective, we believe that the consumption of alcohol in a restaurant setting is appropriate for this area of the City. The property is located in the heart of the downtown, in close proximity to other bars and restaurants that serve alcohol by the bottle and glass. In September of this year, the Plan Commission approved plans to expand Jessica's restaurant into the adjacent building at 138 W. Main, add four upper floor residential units and one first floor ADA accessible unit, and make exterior alterations to the both 138 and 140 buildings. The applicant has not yet applied for a building permit to complete this work; all conditions of approval associated with the previous conditional use permit are still applicable.

At this time, the applicant is not proposing to serve liquor outside the building (in a sidewalk café area). However, we recommend that as part of the Plan Commission's conditional use permit approval this evening, the Plan Commission also support the sale of alcohol or wine by the glass or bottle within any future proposed sidewalk café area, provided that normal City requirements are met. This would mean the applicant would not have to return to the Plan Commission for a conditional use permit amendment if he decides to amend his liquor license in the future to include a sidewalk café area.

Recommendation

We recommend that the Plan Commission approve the conditional use permit for Jessica's Restaurant, located at 138-140 W. Main Street, to allow the sale of alcohol by the bottle or drink within the restaurant and any future sidewalk café area, and further to recommend Council issuance of Class B and Class C Liquor Licenses, subject to the following conditions:

120 East Lakeside Street • Madison, Wisconsin 53715 • 608.255.3988 • 608.255.0814 Fax
611 North Broadway • Suite 410 • Milwaukee, Wisconsin 53202 • 414.441.2001 •
414.732.2035 Fax
www.vandewalle.com

1. The conditional use permit shall run with the business owner and not the land. Any change in ownership will first require approval of a conditional use permit amendment.
2. All prior conditions of conditional use permit approval from September 2010 shall continue to apply to the property, if the project is commenced and completed in accordance with that approval.
3. The serving and sale of alcoholic beverages in any sidewalk café area shall adhere to the requirements listed under Section 5.18.070 of the City of Whitewater Municipal Code, including, but not limited to, the requirement that the sidewalk café area within which alcohol is being served shall ~~at all times it is being used~~ be roped off or otherwise enclosed by a freestanding barrier that is at least three feet high. If such project adheres to that section of the Municipal Code, further Commission approval of a site plan or conditional use permit amendment shall not be required.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plan Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a change of the District Zoning Map for the following area to rezone from R-3 (Multi-family Residence) Zoning District to PCD (Planned Community Development) Zoning District, under Chapter 19.39 of the Zoning Ordinance of the City of Whitewater; and consider the GDP (General Development Plan) for the proposed student apartment development.

The following parcels, located along N. Prince Street and W. Florence Street are requested to change to PCD for the development of student apartments: Tax Parcel Numbers /WUP-00178C, /WUP 00178, /WUP 00178A City of Whitewater, Walworth County, Wisconsin.

NOTICE IS FURTHER GIVEN that the Plan Commission of the City of Whitewater will hold a public hearing in the Municipal Building Community Room, 312 W. Whitewater Street, on Monday, December 13, 2010, at 6:00 p.m. to hear any person for or against said change. Opinions for or against said change may also be filed in writing.

The proposal is on file in the office of the Zoning Administrator, 312 W. Whitewater Street, and may be viewed during office hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

Michele Smith, City Clerk

Dated: November 15, 2010

Publish: in "Whitewater Register"
on November 25, 2010 and December 2, 2010 (legal ad)

/BH -7
CHASE J KINCAID
2028 STATE RD 106
PALMYRA , WI 53156

/BH 00010
OTTO'S HOUSING LLC
W1581 ISLAND RD
PALMYRA , WI 53156

/WUP-150A, 177,177A ,182A
DLK ENTERPRISES INC
PO BOX 239
WHITEWATER, WI 53190

/WUP 00176
JOSEPH VULTAGGIO
N9121 OLD COUNTY ROAD "P"
WHITEWATER, WI53190

/WUP 00178A
JIMMY C & SHERRY J HOFER
1018 W. FLORENCE ST.
WHITEWATER, WI53190

/WUP 00181,182
DALE N & GAYLE M STETTLER TRUST
PO BOX 657
WHITEWATER, WI 53190

/WUP 00183B
KACHEL LP 1042 WEST FLORENCE
PO BOX 239
WHITEWATER, WI53190

/BH-8
LUIS RAMIREZ, JR
ESTELA RAMIREZ
156 N LINDSEY CT
WHITEWATER, WI 53190

/WUP-132A-138E ,140,141,144
UW-WHITEWATER PLANNING DEPT.
800 W MAIN STREET
WHITEWATER, WI 53190

/WUP 00172B
JOAN M GROSINSKE
1019 W. FLORENCE ST
WHITEWATER, WI 53190

/WUP 00177A
DLK ENTERPRISES INC
PO BOX 239
WHITEWATER, WI 53190

/WUP 00178B
JOHN J TINCHER
N1190 CO RD N
WHITEWATER, WI53190

/WUP -179,183H, 183I,184
WHITEWATER DEVELOPMENT LLC
P. O. BOX 239
WHITEWATER , WI 53190

/WUP 00183K
CAROL A CARSON
307 CHURCH ST
MINERAL POINT, WI 53565

/BH-9
ROLLAND P SCHLIEVE
435 W STARIN #102D
WHITEWATER, WI 53190

/WUP 00150,180,181A,183C,183D,183E
WHITEWATER ESTATES LTD/John Daniels
C/O Tincher Realty
532 W Main Street
WHITEWATER , WI 53190

/WUP 00172C
AARON NELSON, JESSE DALISKY
7613 MAGNOLIA TR
CHERRY VALLEY, IL 61016

/WUP 00178
SO. WIS. DIST LUTHERAN
CHURCH MO. SYNOD
8100 W. CAPITOL
MILWAUKEE, WI 53222

/WUP 00178C
RICHARD D VULTAGGIO
P. O. BOX 29
WHITEWATER, WI53190

/WUP 00183
JEFFREY D THATCHER
1050 W. FLORENCE ST
WHITEWATER, WI 53190

CatCon Whitewater LLC.
Attn: Matthew Burow
225 E. Mason Street Suite 600
Milwaukee, WI 53202

CITY OF WHITEWATER
PETITION FOR CHANGE OR AMENDMENT OF ZONING

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by Ordinance, change the district boundaries or amend, change or supplement the regulations established by the Zoning Ordinance.

A change or amendment may be initiated by the City Council, the Plan Commission, or by a Petition of one or more of the owners, lessees, or authorized agents of the property within the area proposed to be changed.

PROCEDURE

1. File the Petition with the City Clerk. Filed on 10-18-10.
2. Class 2 Notices published in Official Newspaper on 11-25-10 & 3-2-10.
3. Notices of Public Hearing mailed to property owners on 12-1-10.
4. Plan Commission holds PUBLIC HEARING on 12-13-10. They will hear comments of the Petitioner and comments of property owners. Comments may be made either in person or in writing.
5. At the conclusion of the Public Hearing, the Plan Commission makes a decision on the recommendation they will make to the City Council.
6. City Council consideration of the Plan Commission's recommendation and final decision on adoption of the Ordinance making the change. _____
7. The Ordinance is effective upon passage and publication as provided by law.

PLEASE COMPLETE THE FOLLOWING APPLICATION. If there is more than one applicant for an area to be rezoned, add additional pages with the signatures of the owners, indicate their address and the date of signature.

Refer to Chapter 19.69 of the City of Whitewater Code of Ordinances, entitled CHANGES AND AMENDMENTS, for more information on application and protests of changes.

City of Whitewater
Application for Amendment to Zoning District or Ordinance

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: CatCon Whitewater, LLC (Matthew Burow)
 Applicant's Address: 225 E. Mason Street, Suite 600, Milwaukee, WI 53202
 Phone # 414-727-6840

Owner of Site, according to current property tax records (as of the date of the application):
See property information attachment

Street address of property: See Property Information Attachment

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):
See Property Information Attachment

Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)

Name of Individual: Jason Daye
 Name of Firm: Excel Engineering, Inc.
 Office Address: 100 Camelot Drive Fond du Lac, WI 54935
 Phone: 920-926-9800

Name of Contractor: Catalyst Construction

Has either the applicant or the owner had any variances issued to them, on any property? YES **NO**
 If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.

EXISTING AND PROPOSED USES:

Current Zoning District or Ordinance to be Amended:
 Current zoning district is R-3 multi-family residential

Proposed Zoning District or Ordinance
 Proposed zoning district is PCD Planned Community Development

Zoning District in which property is located: R-3

Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: 19.21

PLANS TO ACCOMPANY APPLICATION
 Applications for permits shall be accompanied by drawings of the proposed work drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, connections and stress diagrams as the building official may require.

PLOT PLAN
 When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

STANDARDS

STANDARD	APPLICANT'S EXPLANATION
<p>A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;</p>	<p>The proposed site is proposed to be rezoned from R-3 to Planned Community Development. The proposed project meets many of the R-3 zoning district requirements, however, the PCD zoning will allow for additional flexibility to help in creating a higher quality development.</p>
<p>B. The proposed development will be consistent with the adopted city master plan;</p>	<p>The comprehensive plan identifies all of the site as appropriate for future "Higher Density Residential" use such as the proposed project. The existing church parcel was recently changed from "Institutional" to "Higher Density Residential".</p>
<p>C. The proposed development will be compatible with and preserve the important natural features of the site;</p>	<p>The proposed design will require the removal of all buildings from the site and will be developed to work with the topography of the property.</p>
<p>D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;</p>	<p>The proposed use will not create a nuisance for any neighboring uses in which student rental housing makes up the majority. The proposed development will bring a refreshing look to the neighborhood and not reduce the values of adjoining properties.</p>

STANDARD	CRITERIA AND EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>This development should bring minimal additional vehicle traffic to the adjacent roadways as this project is closer to the academic buildings on the college campus which will encourage more pedestrian traffic than vehicle traffic.</p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>The setback of the building from property lines meet R-3 setback requirements and are compatible with the neighboring university buildings. Building will be an urban style building. Materials will consist of architectural block and smooth fiber cement panels.</p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p>Does not apply.</p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p>There will be no impact to adjacent properties as the building will meet sky exposure plane requirements for all four sides of the building.</p>

10/19/2010 09:14 1-414-464-0602
OCT-18-2010 (NDN) 15:30
10/18/2010 13:15 1-414-464-0602

SW DISTRICT LCMS
(FAX) 4147716337
SW DISTRICT LCMS

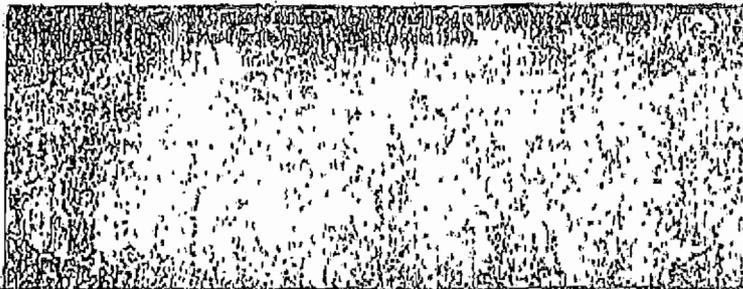
PAGE 02/03
P. 004/004
PAGE 10/18

10/27/2010/102 03:48 PM Can-D.P.H

FAX No. 202 478 0519

P. 014

CONDUCTIONS



[Handwritten Signature] 10/18/10 *[Handwritten Signature]* 10-18-10
City of Chicago, Illinois
200 N. LaSalle Street
Chicago, IL 60610
Date of Application: 10/18/10
Applicant's Name: *[Handwritten Name]*
City: Chicago

APPLICATION FEE

Fee for the Application to Council of Ordinance: \$200
Date Application Fee Received by City: _____ Receipt No. _____
Received by: _____

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE

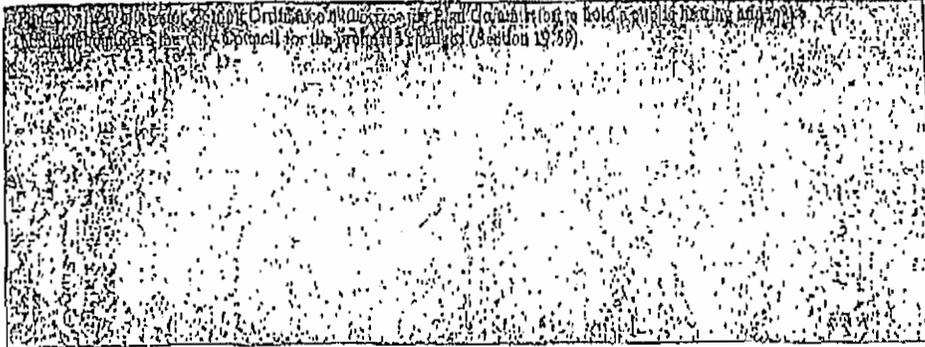
Date of this report: _____
Date of this report: _____
ACTION TAKEN:
Public Hearing: _____ Recommendation: _____ Not Recommended by City & Public Hearing Commission
Comments: _____
Signature of Code Enforcement Officer: _____ Date: _____

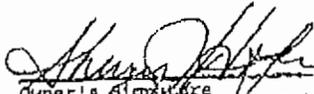
JUL/27/2010/TUE 03:49 PM Cck-D.P.W

PAX No. 262 473 0649

P. 014

CONDITIONS




11-18-10

Owner's Signature _____ Date _____ Applicant's Signature _____ Date _____
 Jimmy C. Hofer / Shevry J. Hofer
 1018 W Florence Street, Whitewater, WI

APPLICATION FEES:

Fee for Amendment to Zoning or Ordinance: \$100

Date Application Fee Received by City _____ Receipt No. _____

Received by _____

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:

Date notice sent to owners of record of opposite & abutting properties _____

Date set for public review before Plan & Architectural Review Board _____

ACTION TAKEN:

Public Hearing: _____ Recommendation: _____ Not Recommended by Plan & Architectural Review Commission.

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairman _____ Date _____

PROPERTY INFORMATION

Property Address: 1006 W. Florence Street, Whitewater, WI
Owner: Richard D Vultaggio
Phone #: 262-473-3500
Tax Parcel #: /WUP 00178C
Legal Description: A parcel of land located in the NW ¼ of Section 5, Town 4 North, Range 15 East, in the City of Whitewater, Walworth County, Wisconsin, described as follows, to-wit: Commencing at a point on the North-South ¼ Section line of said Section 5, 11 chains and 50 links North of the center of said Section; thence West along the center line of Florence Street, 99 feet to a point, thence North parallel to said North-South quarter-section line 30 feet to the North line of Florence Street and the place of beginning; thence continuing North parallel to said quarter-section line 120 feet; thence East parallel to the center line of Florence Street 99 feet; thence South parallel to said quarter-section line 120 feet to the North line of Florence Street, thence West along the North line of Florence Street 99 feet to the place of beginning.

Property Address: 234 N. Prince Street Whitewater, WI
Owner: So. Wis. Dist. Lutheran/Church Mo. Synod
Tax Parcel #: /WUP 00178
Legal Description: PT NW ¼ SEC 5, T4N R15E DESCAS: COM AT PT ON N&S ¼ SECLN SEC 5 909' N OF C/L SEC 5, W 165', S 10', W 66', N 261.72', E 231', S 251.72' TO POB. ALSO COM 231' W OF N-S ¼ LN & 759' N OF E-W ¼ LN SEC 5, N2D15'45"E 163' TO POB, N2D15'45"E 115.50', N89D32'W 82.39', S2D17'57"W 115.50', S89D31'54"E 82.46' TO POB. CITY OF WHITEWATER

Property Address: 1018 W. Florence Street, Whitewater, WI
Owner: Jimmy C Hofer/Sherry J Hofer
Phone #: 262-473-5389
Tax Parcel #: /WUP 00178A
Legal Description: PT NW ¼ SEC 5 T4N R15E DESCAS: COM AT PT ON N&S ¼ SECLN SEC 5 11 CHS 50 LKS N OFCTR SEC 5, W 231', N 30' TO POB, N 110', E 66', S 110' TON LN FLORENCE ST, W 66' TO POB CITY OF WHITEWATER

10/19/2010 09:14 1-414-464-0602
UCI-18-2010(HOH) 15:30
10/18/2010 12:16 1-414-464-0602

SW DISTRICT LCMS
(FAX) 4147716337
SW DISTRICT LCMS

P.003/004
PAGE 03/10

JUL/27/2010/TUE 03:49 PM Cont. D. P. N

FAX No. 262 473 0549

P. 015

AGREEMENT OF SERVICES

REIMBURSABLE BY THE PETITIONER/APPLICANT: The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission, Board of Zoning Appeals and/or Common Council. The substantial of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. The City may apply the charges for these services to the Petitioner and/or property owner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the proposed application (Architectural Review, H.Z.U.A., Planning, Zoning Changes):

catcon Milwaukee, LLC (Matthew Burow), the applicant/petitioner for
(Owner's Name): St. Wils. Dist. Lutheran/ Church Mo. Synod dated: 10/19/10
Rdbno # 414-727-6840 , tax key #(s) WUP 00178

Agree that in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc), that in the event the action applied or petitioned for requires the City of Milwaukee, in the judgement of its staff, to obtain additional professional services (e.g. engineering, surveying, planning, legal) than normally would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the nature, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 18 day of October ~~2008~~ 2010.

 (Signature of Applicant/Petitioner)

Matthew Burow (Printed Name of Applicant/Petitioner)

 (Signature of Owner of Property & Date)

Rev. Dr. John Wille, President Signed
The South Wisconsin District of The Lutheran Church - Missouri Synod.
(Printed Name of Owner of Property)

AGREEMENT OF SERVICES

REIMBURSABLE BY THE PETITIONER/APPLICANT. The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission, Board of Zoning Appeals and/or Common Council. The submission of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. The City may apply the charges for these services to the Petitioner and/or property owner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the proposed application (Architectural Review, B.Z.A., Planning, Zoning Change):

CatCon Whitewater, LLC (Matthew Burow), the applicant/petitioner for

(Owner's Name): CatCon Whitewater, LLC, dated: 10/14/10

Phone# 414-727-6840, tax key #(s) WUP 00178C

Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Whitewater, in the judgement of its staff, to obtain additional professional service(s) (e.g. engineering, surveying, planning, legal) that normally would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 14 day of October, 2010

[Signature] (Signature of Applicant/Petitioner)

Matthew Burow (Printed Name of Applicant/Petitioner)

[Signature] (Signature of Owner of Property & Date Signed)

Matthew Burow (Printed Name of Owner of Property)



Neighborhood Services • Code Enforcement / Zoning and Department of Public Works
312 W. Whitewater Street / P.O. Box 178, Whitewater, WI 53190
(262) 473-0540 • Fax (262) 473-0549
www.ci.whitewater.wi.us

NOTICE OF REVIEW

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 13th day of December, 2010 at 6:00 p.m. to review the proposed Specific Implementation Plan (SIP) for site alterations for the proposed student apartments to be located on the properties at 234 N. Prince Street, 1006 W. Florence Street and 1018 W. Florence Street for CatCon Whitewater, LLC.

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540

Bruce Parker, Zoning Administrator

/BH -7
CHASE J KINCAID
2028 STATE RD 106
PALMYRA , WI 53156

/BH 00010
OTTO'S HOUSING LLC
W1581 ISLAND RD
PALMYRA , WI 53156

/WUP-150A, 177,177A ,182A
DLK ENTERPRISES INC
PO BOX 239
WHITEWATER, WI 53190

/WUP 00176
JOSEPH VULTAGGIO
N9121 OLD COUNTY ROAD "P"
WHITEWATER, WI53190

/WUP 00178A
JIMMY C & SHERRY J HOFER
1018 W. FLORENCE ST.
WHITEWATER, WI53190

/WUP 00181,182
DALE N & GAYLE M STETTLER TRUST
PO BOX 657
WHITEWATER, WI 53190

/WUP 00183B
KACHEL LP 1042 WEST FLORENCE
PO BOX 239
WHITEWATER, WI53190

/BH-8
LUIS RAMIREZ, JR
ESTELA RAMIREZ
156 N LINDSEY CT
WHITEWATER, WI 53190

/WUP-132A-138E ,140,141,144
UW-WHITEWATER PLANNING DEPT.
800 W MAIN STREET
WHITEWATER, WI 53190

/WUP 00172B
JOAN M GROSINSKE
1019 W. FLORENCE ST
WHITEWATER, WI 53190

/WUP 00177A
DLK ENTERPRISES INC
PO BOX 239
WHITEWATER, WI 53190

/WUP 00178B
JOHN J TINCHER
N1190 CO RD N
WHITEWATER, WI53190

/WUP -179,183H, 183I,184
WHITEWATER DEVELOPMENT LLC
P. O. BOX 239
WHITEWATER , WI 53190

/WUP 00183K
CAROL A CARSON
307 CHURCH ST
MINERAL POINT, WI 53565

/BH-9
ROLLAND P SCHLIEVE
435 W STARIN #102D
WHITEWATER, WI 53190

/WUP 00150,180,181A,183C,183D,183E
WHITEWATER ESTATES LTD/John Daniels
C/O Tincher Realty
532 W Main Street
WHITEWATER , WI 53190

/WUP 00172C
AARON NELSON, JESSE DALISKY
7613 MAGNOLIA TR
CHERRY VALLEY, IL 61016

/WUP 00178
SO. WIS. DIST LUTHERAN
CHURCH MO. SYNOD
8100 W. CAPITOL
MILWAUKEE, WI 53222

/WUP 00178C
RICHARD D VULTAGGIO
P. O. BOX 29
WHITEWATER, WI53190

/WUP 00183
JEFFREY D THATCHER
1050 W. FLORENCE ST
WHITEWATER, WI 53190

CatCon Whitewater LLC.
Attn: Matthew Burow
225 E. Mason Street Suite 600
Milwaukee, WI 53202

Plan Review

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of each month. All completed plans must be in by 4:30 p.m. four weeks prior to the scheduled meeting. If not, the item will be placed on the next available Plan Commission meeting agenda.

CITY OF WHITEWATER PLAN REVIEW APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least two weeks prior to the meeting. \$100.00 fee. Filed on 11-12-10.
2. Agenda Published in Official Newspaper on 12-9-10.
3. Notices of the public review mailed to property owners on 12-1-10.
4. Plan Commission holds the public review on 12-13-10. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the public review, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

Refer to Chapter 19.63 of the City of Whitewater Municipal Code of Ordinances, entitled PLAN REVIEW, for more information on the application.

Twenty complete sets of all plans should be submitted. All plans should be drawn to a scale of not less than 50 feet to the inch; represent actual existing and proposed site conditions in detail; and indicate the name, address, and phone number of the applicant, land owner, architect, engineer, landscape designer, contractor, or others responsible for preparation. It is often possible and desirable to include two or more of the above 8 plans on one map. The Zoning Administrator or Plan and Architectural Review Commission may request more information, or may reduce the submittal requirements. If any of the above 10 plans is not submitted, the applicant should provide a written explanation of why it is not submitted.

SITE PLAN SUBMITTAL REQUIREMENTS

This checklist must be completed before making application for a City of Whitewater Zoning/Building Permit. If not complete, the application will be returned to the owner and will not proceed until all information and forms are complete.

Drawings must be legible and drawn to scale not less than 1/4" per foot unless noted.

Address of Project See property information attachment

Zoning of Property R-3 Multi-Family to be rezoned to Planned Community Dev.

1. **Site Plan**, including the location and dimensions of all buildings, parking, loading, vehicle and pedestrian circulation, signs, walls, fences, other structures, outdoor storage areas, mechanicals, and dumpsters. Adjacent streets and uses and methods for screening parking, loading, storage, mechanical, and dumpster areas should be shown. Statistics on lot area, green space percentage, and housing density should be provided. The Plan Commission encourages compliance with its adopted parking lot curbing policy.
2. **Natural Features Inventory Map**, showing the existing limits of all water bodies, wetlands, floodplains, existing trees with trunks more than 4 inches in diameter, and any other exceptional natural resource features on all or part of the site.
3. **Landscape Plan**, prepared by a professional, and showing an overhead view of all proposed landscaping and existing landscaping to remain. The species, size at time of planting, and mature size should be indicated for all plantings. Areas to be left in green space should be clearly delineated. The Plan Commission encourages compliance with its adopted landscaping guidelines, available from the Zoning Department.
4. **Grading and drainage plan**, meeting the City's stormwater management ordinance if required. The plan should show existing and proposed surface elevations on the site at two foot intervals or less, and proposed stormwater management improvements, such as detention/retention facilities where required. Stormwater calculations may be required.
5. **Utilities plan**, showing locations and sizes of existing and proposed connections to sanitary sewer, water, and storm sewer lines, along with required easements. Sampling manholes may be required for sanitary sewer. The City's noise ordinance must be met.
6. **Building elevations**, showing the dimensions, colors, and materials used on all sides of the building. The Plan Commission encourages variety and creativity in building colors and architectural styles, while respecting the character of the surrounding neighborhood.
7. **Sign plan**, meeting the City's sign ordinance, and showing the location, height, dimensions, color, materials, lighting and copy area of all signage.
8. **Lighting plan**, meeting the City's lighting ordinance, and showing the location, height, type, orientation, and power of all proposed outdoor lighting—both on poles and on buildings. Cut sheets and photometric plans may be required for larger projects.

9. **Floor plan** which shows: See floor plans
- A. The size and locations of:
- 1) Rooms;
 - 2) Doors;
 - 3) Windows;
 - 4) Structural features - size, height and thickness of wood, concrete and/or masonry construction;
 - 5) Exit passageways (hallways) and stairs (including all stair dimensions - riser height, tread width, stair width, headroom and handrail heights);
 - 6) Plumbing fixtures (bathroom, kitchen, etc.) - lavatory, water closet, water heater, softener, etc.;
 - 7) Chimney(s) - include also the type of construction (masonry or factory built);
 - 8) Heating equipment;
 - 9) Cooling equipment (central air conditioning, if provided);
 - 10) Attic and crawl space access; and
 - 11) Fire separation between dwelling and garage.
 - 12) Electrical service entrance/transformer location.
10. **Elevation drawings** which show: See building elevations
- A. Information on exterior appearance (wood, stone, brick, block, colors);
- B. Indicate the location, size and configuration of doors, windows, roof chimneys and exterior grade level.
- C. Indicate color of Trim_____, Siding_____, Roofing_____.
- D. Electrical service entrance/transformer location.
11. **Type of Project:**
- A. Single family;
 - B. Duplex;
 - C. Multifamily # units 31 units; (108 beds) - student apartment complex
Condominium # units _____;
Sorority # units _____;
Fraternity # units _____;
 - D. Office/Store;
 - E. Industrial;
 - F. Parking lot # of stalls 81 _____;
 - G. Other;

City of Whitewater
Application for Plan Review

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: CatCon Whitewater, LLC (attn: Matthew Burow)
 Applicant's Address: 225 E. Mason St., Suite 600, Milwaukee, WI 53202
 Phone # 414-727-6840

Owner of Site, according to current property tax records (as of the date of the application):
See property information attachment

Street address of property: See property information attachment

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):
See property information attachment

Agent or Representative assisting in the Application (Engineer, Architect, Attorney, etc.)

Name of Individual: Jason Daye
 Name of Firm: Excel Engineering, Inc.
 Office Address: 100 Camelot Drive, Fond du Lac, WI 54935
 Phone: 920-926-9800

Name of Contractor: Catalyst Construction

Has either the applicant or the owner had any variances issued to them, on any property? YES NO
 If YES, please indicate the type of variance issued and indicate whether conditions have been complied with.

EXISTING AND PROPOSED USES:

Principal Use: Church (Place of Worship) and residential lot
 Accessory or Secondary Uses: _____

Current Land Use: _____

Proposed Use
Student apartments. Other uses: fitness center, laundry facilities, management offices, media room, study room, game room/lounge. Church outreach office will also be located in the building. Church shuttle will not be located on this property.

No. of occupants proposed to be accommodated: 108
 No. of employees: 2
 Zoning District in which property is located: R-3
 Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: 19.21

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by drawings of the proposed work, drawn to scale, showing, when necessary, floor plans, sections, elevations, structural details, computations and stress diagrams as the building official may require.

PLOT PLAN

When required by the building official, there shall be submitted a plot plan in a form and size designated by the building official for filing permanently with the permit record, drawn to scale, with all dimension figures, showing accurately the size and exact location of all proposed new construction and the relation to other existing or proposed buildings or structures on the same lot, and other buildings or structures on adjoining property within 15 feet of the property lines. In the case of demolition, the plot plan shall show the buildings or structures to be demolished and the buildings or structures on the same lot that are to remain.

STANDARDS

STANDARD	APPLICANT'S EXPLANATION
<p>A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;</p>	<p>The proposed site is proposed to be rezoned from R-3 to Planned Community Development. The proposed project meets many of the R-3 zoning district requirements, however, the PCD zoning will allow for additional flexibility in creating a higher quality dev.</p>
<p>B. The proposed development will be consistent with the adopted city master plan;</p>	<p>The Comprehensive Plan identifies all of the subject site as appropriate for future "Higher Density Residential" use such as the proposed project. The existing church parcel was recently changed from "Institutional" to "Higher Density Residential".</p>
<p>C. The proposed development will be compatible with and preserve the important natural features of the site;</p>	<p>The proposed design will require the removal of all buildings from the site and will be developed to work with the topography of the property.</p>
<p>D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;</p>	<p>The proposed use will not create a nuisance for any neighboring uses in which student rental housing makes up the majority. The proposed development will bring a refreshing look to the neighborhood and not reduce the value of adjoining properties.</p>

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>This development should bring minimal additional vehicle traffic to the adjacent roadways as this project is closer to the academic buildings on the college campus which will encourage more pedestrian traffic than vehicle traffic.</p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>The setback of the building from property lines meet R-3 setback requirements and are compatible with the neighboring university buildings. Building will be an urban style building. Material will consist of architectural block and smooth fiber cement panels.</p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p>Does not apply.</p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p>There will be no impact to adjacent properties as the building will meet sky exposure plane requirements for all four sides of the building.</p>

CONDITIONS

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved uses. Conditions can deal with the points listed below (Section 19.63.080). Be aware that there may be discussion at the Plan Commission in regard to placement of such conditions upon your property. You may wish to supply pertinent information.

"Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, setbacks, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the Plan and Architectural Review Commission upon its finding that these are necessary to fulfill the purpose and intent of this Ordinance.

"Plan Review" may be subject to time limits or requirements for periodic reviews where such requirements relate to review standards.

Applicant's Signature

10/18/10

Date

APPLICATION FEES:

11-12-10	Fee for Plan Review Application: \$100
Date Application Fee Received by City <u>10-18-10</u>	Receipt No. <u>6. 008906</u>
Received by <u>J. Wegner</u>	

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:

Date notices sent to owners of record of opposite & abutting properties: <u>12-1-10</u>
Date set for public review before Plan & Architectural Review Board: <u>12-13-10</u>
ACTION TAKEN:
Plan Review: _____ Granted _____ Not Granted by Plan & Architectural Review Commission.
CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:
Signature of Plan Commission Chairman _____ Date _____

PROPERTY INFORMATION

Property Address: 1006 W. Florence Street, Whitewater, WI
Owner: Richard D Vultaggio
Phone #: 262-473-3500
Tax Parcel #: /WUP 00178C
Legal Description: A parcel of land located in the NW ¼ of Section 5, Town 4 North, Range 15 East, in the City of Whitewater, Walworth County, Wisconsin, described as follows, to-wit: Commencing at a point on the North-South ¼ Section line of said Section 5, 11 chains and 50 links North of the center of said Section; thence West along the center line of Florence Street, 99 feet to a point, thence North parallel to said North-South quarter-section line 30 feet to the North line of Florence Street and the place of beginning; thence continuing North parallel to said quarter-section line 120 feet; thence East parallel to the center line of Florence Street 99 feet; thence South parallel to said quarter-section line 120 feet to the North line of Florence Street, thence West along the North line of Florence Street 99 feet to the place of beginning.

Property Address: 234 N. Prince Street Whitewater, WI
Owner: So. Wis. Dist. Lutheran/Church Mo. Synod
Tax Parcel #: /WUP 00178
Legal Description: PT NW ¼ SEC 5, T4N R15E DESCAS: COM AT PT ON N&S ¼ SECLN SEC 5 909' N OF C/L SEC 5, W 165', S 10', W 66', N 261.72', E 231', S 251.72' TO POB. ALSO COM 231' W OF N-S ¼ LN & 759' N OF E-W ¼ LN SEC 5, N2D15'45"E 163' TO POB, N2D15'45"E 115.50', N89D32'W 82.39', S2D17'57"W 115.50', S89D31'54"E 82.46' TO POB. CITY OF WHITEWATER

Property Address: 1018 W. Florence Street, Whitewater, WI
Owner: Jimmy C Hofer/Sherry J Hofer
Phone #: 262-473-5389
Tax Parcel #: /WUP 00178A
Legal Description: PT NW ¼ SEC 5 T4N R15E DESCAS: COM AT PT ON N&S ¼ SECLN SEC 5 11 CHS 50 LKS N OFCTR SEC 5, W 231', N 30' TO POB, N 110', E 66', S 110' TON LN FLORENCE ST, W 66' TO POB CITY OF WHITEWATER

JUL/27/2010/TUE 03:49 PM Cst-D, P.W

PAY No. 262 473 0549

P. 015

AGREEMENT OF SERVICES

REIMBURSABLE BY THE PETITIONER/APPLICANT: The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission, Board of Zoning Appeals and/or Common Council. The submission of a development proposal, application, or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. The City may apply the charges for these services to the Petitioner and/or property owner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the proposed application (Architectural Review, B.Z.A., Planning, Zoning Change):

catcon Whitewater, LLC (Matthew Burow), the applicant/petitioner for

(Owner's Name): St. Wils. Disc. Lutheran/ dated: 10/14/10
Church Co. Synod
Phone # 414-727-6840 tax key #(s) WUP 00178

Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Whitewater, in the judgment of its staff, to obtain additional professional service(s) (e.g. engineering, surveying, planning, legal) than normally would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 18 day of October, ~~2009~~ 2010.

(Signature of Applicant/Petitioner)

Matthew Burow

(Printed Name of Applicant/Petitioner)

(Signature of Owner of Property & Date)

Rev. Dr. John Wille, President (Signed)

The South Wisconsin District of The Lutheran Church - Missouri Synod.

(Printed Name of Owner of Property)

AGREEMENT OF SERVICES

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CatCon Whitewater, LLC (Matthew Burow) the applicant/petitioner for

(Owner's Name): CatCon Whitewater, LLC, dated: 10/14/10

Phone # 414-727-6840, fax key #(s) WUP 00178C

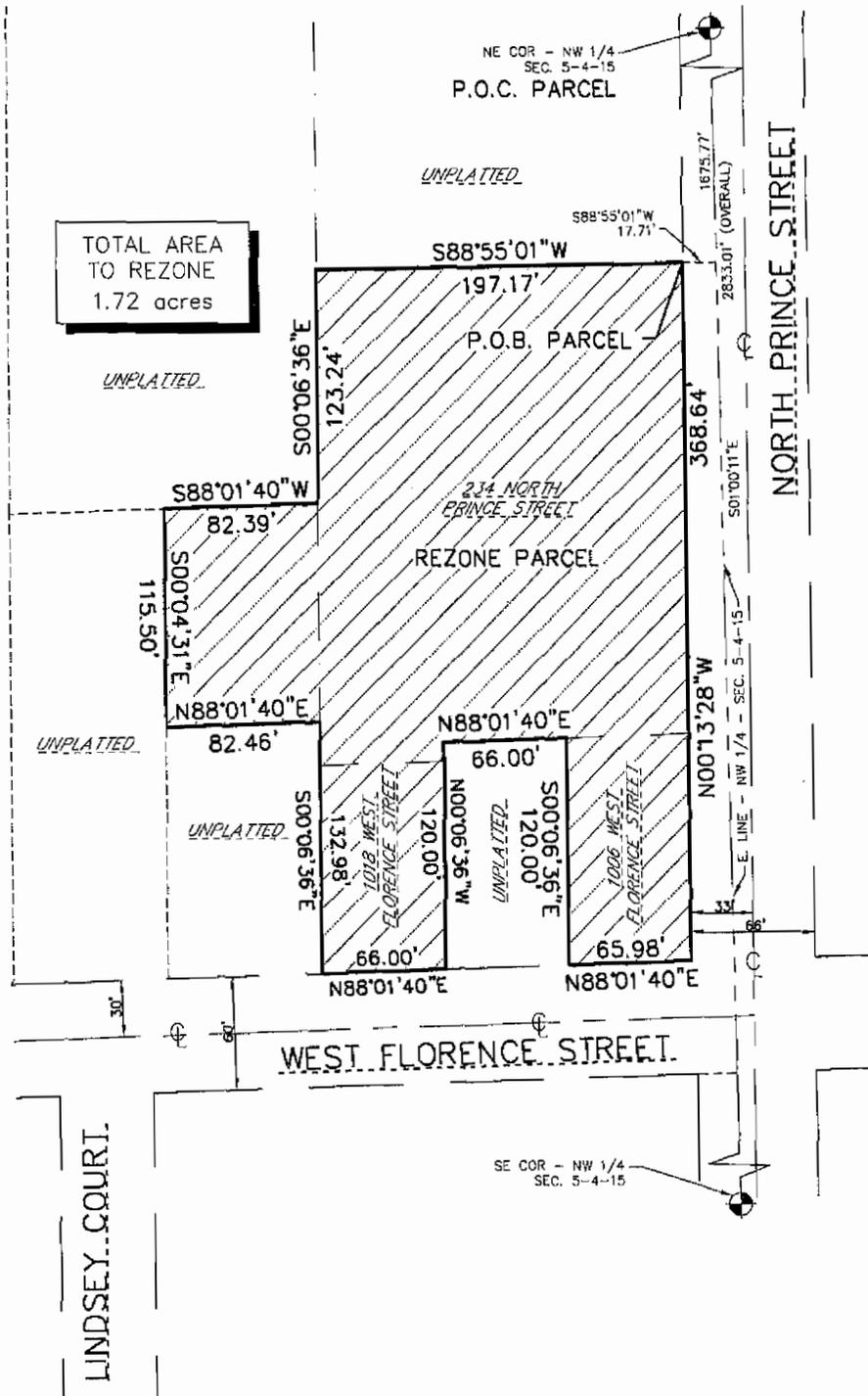
Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g. filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Whitewater, in the judgement of its staff, to obtain additional professional service(s) (e.g. engineering, surveying, planning, legal) that normally would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 14 day of October, 2010

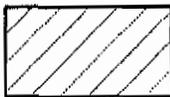
[Signature] (Signature of Applicant/Petitioner)
[Signature] Matthew Burow (Printed Name of Applicant/Petitioner)
[Signature] (Signature of Owner of Property & Date Signed)
Matthew Burow (Printed Name of Owner of Property)

ZONING EXHIBIT

A PART OF THE SE 1/4 OF THE NW 1/4, SECTION 5, T. 4 N., R. 15 E., CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.



TOTAL AREA TO REZONE
1.72 acres



AREA TO BE ZONED PLANNED COMMUNITY DEVELOPMENT (PCD) FROM R-3 MULTIFAMILY RESIDENCE





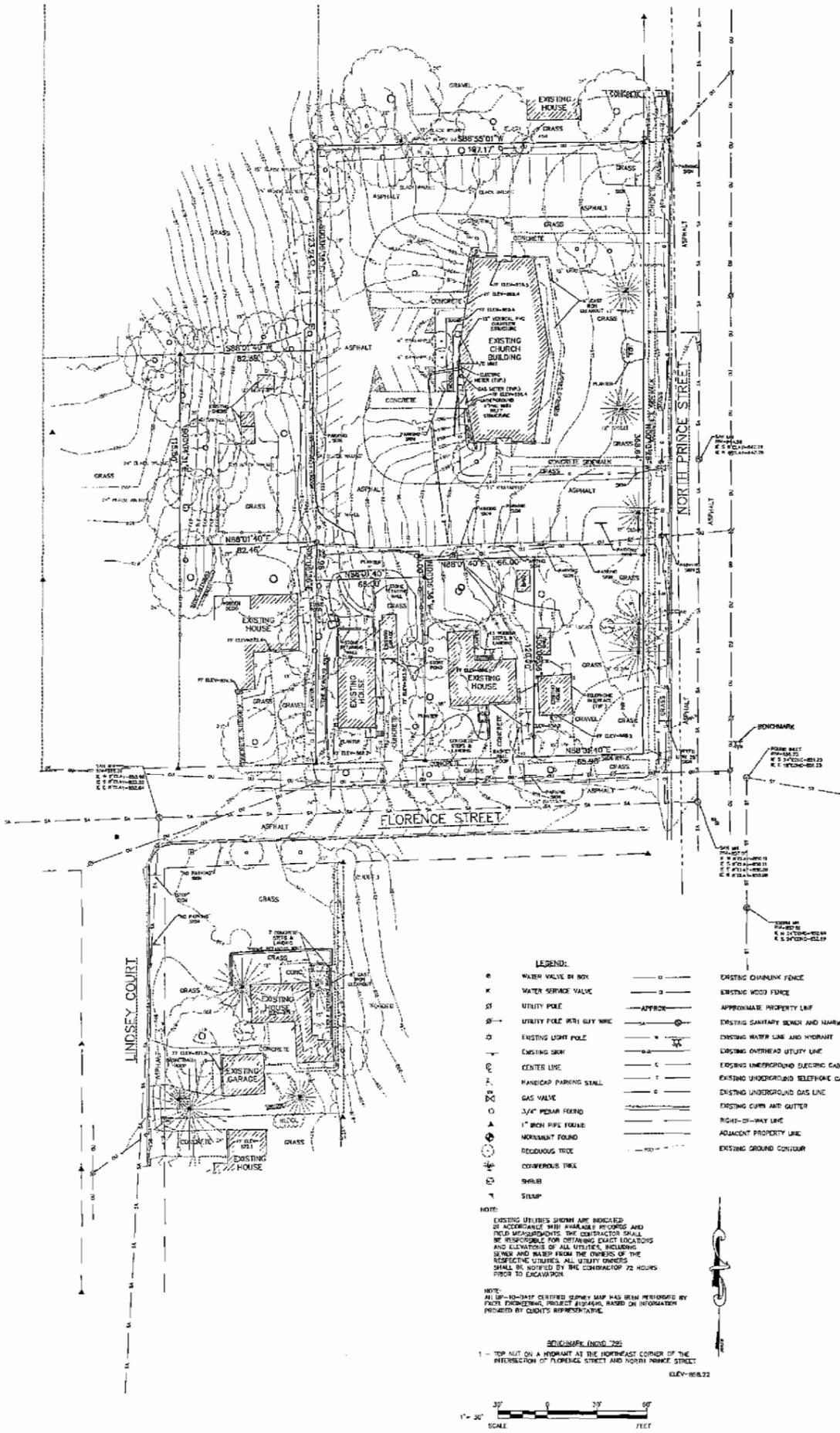
EXCEL
ENGINEERING inc.
SURVEYING GROUP
PROJECT NO. 1014610

Always a Better Plan
100 CAMELOT DRIVE
FOND DU LAC, WI 54935
PHONE: (920) 926-9800
FAX: (920) 926-9801

REZONE PARCEL

A part of the Southeast 1/4 of the Northwest 1/4, Section 5, T. 4 N.-R. 15 E., City of Whitewater, Walworth County, Wisconsin and being more particularly described as follows:

Commencing at the Northeast corner of the Northwest 1/4, said Section 5; thence South 01 degrees 00 minutes 11 seconds East along the East line of the Northwest 1/4, said Section 5, a distance of 1675.77 feet; thence South 88 degrees 55 minutes 01 seconds West, a distance of 17.71 feet to the Westerly right of way line of North Prince Street and to the point of beginning; thence continuing South 88 degrees 55 minutes 01 seconds West, a distance of 197.17 feet; thence South 00 degrees 06 minutes 36 seconds East, a distance of 123.24 feet; thence South 88 degrees 01 minutes 40 seconds West, a distance of 82.39 feet; thence South 00 degrees 04 minutes 31 seconds East, a distance of 115.50 feet; thence North 88 degrees 01 minutes 40 seconds East, a distance of 82.46 feet; thence South 00 degrees 06 minutes 36 seconds East, a distance of 132.98 feet to the Northerly right of way line of West Florence Street; thence North 88 degrees 01 minutes 40 seconds East along said Northerly right of way line, a distance of 66.00 feet; thence North 00 degrees 06 minutes 36 seconds West, a distance of 120.00 feet; thence North 88 degrees 01 minutes 40 seconds East, a distance of 66.00 feet; thence South 00 degrees 06 minutes 36 seconds East, a distance of 120.00 feet to said Northerly right of way line; thence North 88 degrees 01 minutes 40 seconds East along said Northerly right of way line, a distance of 65.98 feet to said Westerly right of way line; thence North 00 degrees 13 minutes 28 seconds West along said Westerly right of way line, a distance of 368.64 feet to the point of beginning.



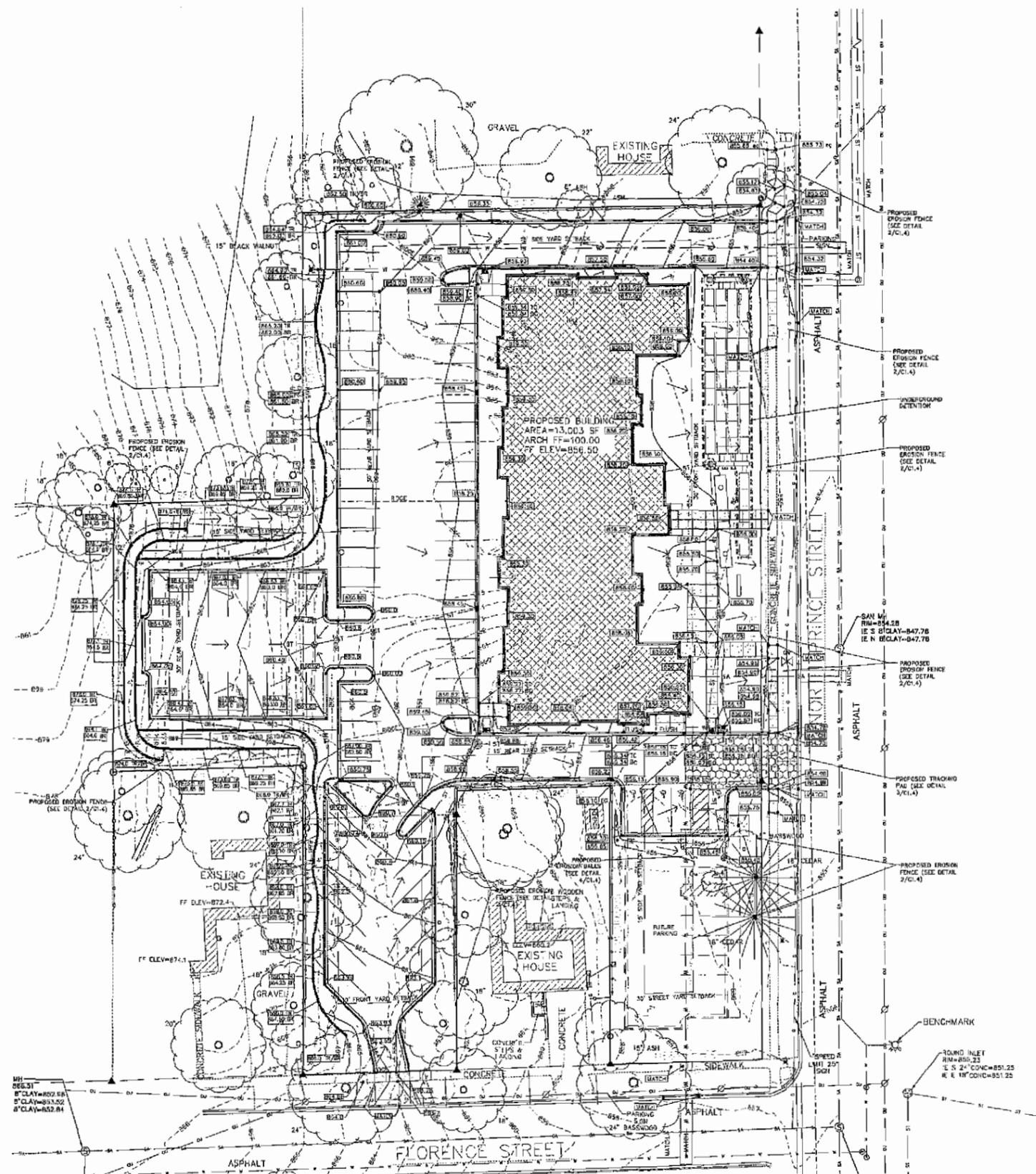
PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

DATE:	8/12/2010
FIELD WORK:	5/21/2010
	5/22/2010
	5/23/2010
	6/11/2010
DATE:	8/12/2010
JOB NUMBER:	1014610
SHEET:	

PROJECT:
PROPOSED BUILDING FOR:
THE ELEMENT
NORTH PRINCE STREET
WHITEWATER, WI 53190

OWNER:
CAT CON WHITEWATER, LLC
225 E. MASON STREET
SUITE 600
MILWAUKEE, WI 53202





EROSION CONTROL, SITE STABILIZATION AND SEEDING SPECIFICATIONS

EROSION CONTROL SHALL STRICTLY COMPLY WITH THE EROSION CONTROL, SLOPE STABILIZATION AND REQUIREMENTS SET FORTH IN WISCONSIN ADMINISTRATIVE CODE (WAC) 10.10, THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES BUDGET MANAGEMENT PERFORMANCE STANDARDS. THE METHODS AND TYPES OF EROSION CONTROL SHALL BE DETERMINED BY THE LOCATION AND TYPE OF WORK. ALL EROSION CONTROL MEASURES SHALL BE ADAPTED TO BEST FIELD CONDITIONS AT THE TIME OF CONSTRUCTION AND INSTALLED PRIOR TO ANY GRADING OR DISTURBANCE OF EXISTING SURFACE MATERIAL.

DUST CONTROL MEASURES SHALL BE PROVIDED TO REDUCE OR PREVENT THE SURFACE AND AIR TRANSPORT OF DUST DURING CONSTRUCTION. CONTROL MEASURES INCLUDE APPLYING MULCH AND ESTABLISHING VEGETATION, WATER SPRAYING, SURFACE POLYMERIZING, APPLYING POLYMER, SPRAY-ON TECHNIQUES, CHIPPED AND GRANULES. BEST PRACTICES MAY REQUIRE AN APPROACH THAT UTILIZES A COMBINATION OF MEASURES FOR DUST CONTROL.

STONE TRACKING PADS SHALL BE PLACED ON SITE AND SHALL BE INSTALLED PRIOR TO ANY TRAFFIC LEAVING THE SITE. THE APPROPRIATE GRID SHALL BE 3 TO 8 INCH CLEAN OR WASHED STONE, AND SHALL BE PLACED IN A LAYER AT LEAST 12 INCHES THICK. THE TRACKING PAD SHALL BE THE FULL WIDTH OF THE LOWEST POINT, AND SHALL BE A MINIMUM OF 20 FEET LONG.

STORM DRAIN SILT PROTECTION SHALL BE PROVIDED FOR ALL EXISTING, BARRING, AND CATCH BASINS, TYPE B OR C PROTECTION SHOULD BE PROVIDED AND SHALL BE IN CONFORMANCE WITH THE WISCONSIN DEPARTMENT OF TRANSPORTATION STANDARD DETAIL DRAWING S E 10-2 (ACTUAL 1/31/14).

THE USE, STORAGE AND DISPOSAL OF CHEMICALS, CEMENT, AND OTHER COMPOUNDS AND MATERIALS USED ON SITE SHALL BE MANAGED DURING THE CONSTRUCTION PERIOD TO PREVENT THEIR TRANSPORT BY RUNOFF INTO WATERS OF THE STATE.

ALL EROSION CONTROL DEVICES SHALL AT A MINIMUM BE INSPECTED WEEKLY AND WITHIN 24 HOURS AFTER EVERY PRECIPITATION EVENT THAT PRODUCES 0.8 INCHES OF RAIN OR MORE DURING A 24-HOUR PERIOD. MAINTENANCE SHALL BE PERFORMED PER WISCONSIN ADMINISTRATIVE CODE (WAC) 10.12, STORMWATER MANAGEMENT TECHNICAL STANDARD REQUIREMENTS.

TEMPORARY SITE RESTORATION SHALL BE PROVIDED IN DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE WITHIN A PERIOD OF ONE YEAR AND/OR LONG-TERM ACTIVITIES THAT WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 7 DAYS.

PERMANENT RESTORATION APPLIES TO AREAS WHERE PERMANENT VEGETATIVE COVER IS NEEDED TO PERMANENTLY STABILIZE AREAS OF EXPOSED SOIL. PERMANENT STABILIZATION SHALL OCCUR WITHIN 3 WORKING DAYS OF FINAL GRADING, TOPSOIL, AND MULCH SHALL BE IN CONFORMANCE WITH WISCONSIN ADMINISTRATIVE CODE (WAC) 10.12, STORMWATER MANAGEMENT TECHNICAL STANDARD REQUIREMENTS FOR RESTORATION AND PERMANENT SEEDING.

ANY SOIL EXPOSURE THAT REMAINS FOR MORE THAN 30 DAYS SHALL BE COVERED OR TREATED WITH STABILIZATION PRACTICES SUCH AS TEMPORARY OR PERMANENT SLEEDING AND MULCHING.

ALL OFF-SITE SEDIMENT DEPOSITS OCCURRING AS A RESULT OF CONSTRUCTION WORK OR A STORM EVENT SHALL BE CLEANED UP BY THE END OF EACH DAY. PILING SHALL NOT BE ALLOWED.

ANY SOIL EXPOSURE THAT OCCURS AFTER FINAL GRADING AND/OR THE APPLICATION OF STABILIZATION MEASURES MUST BE REPAIRED AND THE STABILIZATION WORK REDONE.

EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL THE AREA(S) DENIED HAVE ESTABLISHED VEGETATIVE COVER.

DEMATERIALING - IF SITE DEMATERIALING IS REQUIRED ON SITE THE FOLLOWING PROCEDURES SHALL BE USED:

1. FOLDED NEWS PAPER OR 1001 FOR DEMATERIALING
2. ASSUMED SOIL AND TEXTURE CLASSIFICATION IN THIS AREA IS A SANDY LOAM (CONTRACTOR TO VERIFY IF DIFFERENT)
3. TYPE I GEOTEXTILE BAGS TO BE USED FOR THE DEMATERIALING WITH SANDY LOAM SOIL
4. GEOTEXTILE BAGS SHALL BE SIZED ACCORDING TO THE PARTICLE SIZE BEING TRAPPED. EXPECTED FLOW OR PUMPING RATE (GPM) PER SQUARE FOOT OF FABRIC AND A SOIL CLOSING FACTOR. THE DIMENSIONS OF THE BAGS SHALL BE NO SMALLER THAN 120 INCHES IN LENGTH AND 48 INCHES IN WIDTH.
5. WATER APPROVED POLYMERS CAN BE USED TO ENHANCE THE EFFICIENCY OF THE BAGS.
6. SEDIMENT SHALL BE REMOVED FROM DEVICES TO MAINTAIN EFFICIENCY. ALL SEDIMENT COLLECTED IN DEMATERIALING DEVICES SHALL BE PROPERLY DISPOSED OF TO PREVENT DISCHARGE TO WATERS OF THE STATE.
7. THE FOLLOWING MONITORING SHALL BE CONDUCTED. TEST RESULTS SHALL BE RECORDED ON A DAILY LOG KEPT ON SITE.
 - DISCHARGE RATES AND SPECIFIED PUMPING RATE.
 - OBSERVED WATER TABLE AT TIME OF DEMATERIALING.
 - IF USED, TYPE AND AMOUNT OF POLYMER USED FOR ADJUSTMENT.
 - IF USED, TYPE AND AMOUNT OF POLYMER USED FOR TREATMENT.
 - MAINTENANCE ACTIVITIES.

PROVIDE A MINIMUM OF 1" OF TOPSOIL FOR ALL DISTURBED AREAS.

BRASSER EROSION CONTROL MATTING (NORTH AMERICAN GREEN 5150) ON ALL SLOPES THAT ARE 4:1 AND GREATER.

ALL STORM WATER CONVEYANCE SWALES SHALL BE SEEDED WITH WISCONSIN DOT M X #10 @ 4.0 LBS PER 1,000 S.F. NORTH AMERICAN GREEN C125 OR EQUIVALENT EROSION MATTING SHALL BE PROVIDED AT THE BOTTOM OF SWALE.

FOR LANN AREAS SEE LANDSCAPING PLAN FOR SEEDING OR SODDING REQUIREMENTS

PROVISIONS FOR PROTECTING EXISTING TREES ON OR NEAR THE SITE

- MINIMIZE LAND DISTURBANCE (OUTSIDE) WITHIN THE DRIP LINE OF EXISTING TREES TO THE EXTENT PRACTICABLE.
- IMMEDIATELY AFTER EXCAVATION, DRINK ANY EXPOSED ROOTS BACK TO THE EXISTING SOIL. PROVIDE CLEAN DRIPS. DRENCH DRIP LINE OF TREE WITH 20 GALLONS OF "ROOT" ROOT STIMULANT MIX FOR SPECIFICATIONS ON LABEL.

RETAINING WALL CONSTRUCTION NOTES

- THE MANUFACTURER AND/OR CONTRACTOR ARE RESPONSIBLE FOR FINAL DESIGN AND SPECIFICATIONS FOR THE RETAINING WALLS SHOWN ON THIS PLAN.
- THE WESTERN RETAINING WALLS HAVE BEEN DESIGNED TO IMPROVE AESTHETICS, PROVIDE AN INCREASED MEASURE OF SAFETY, AND IMPROVE DURABILITY.
- THE RETAINING WALL HEIGHTS AND LOCATIONS HAVE BEEN DESIGNED TO ACCOMMODATE GEODED REINFORCEMENT BETWEEN THE BACK OF WALL AND PROPERTY LINE.

OWNER:
CAT CON WHITEWATER, LLC
225 E. MASON STREET
SUITE 600
MILWAUKEE, WI 53202

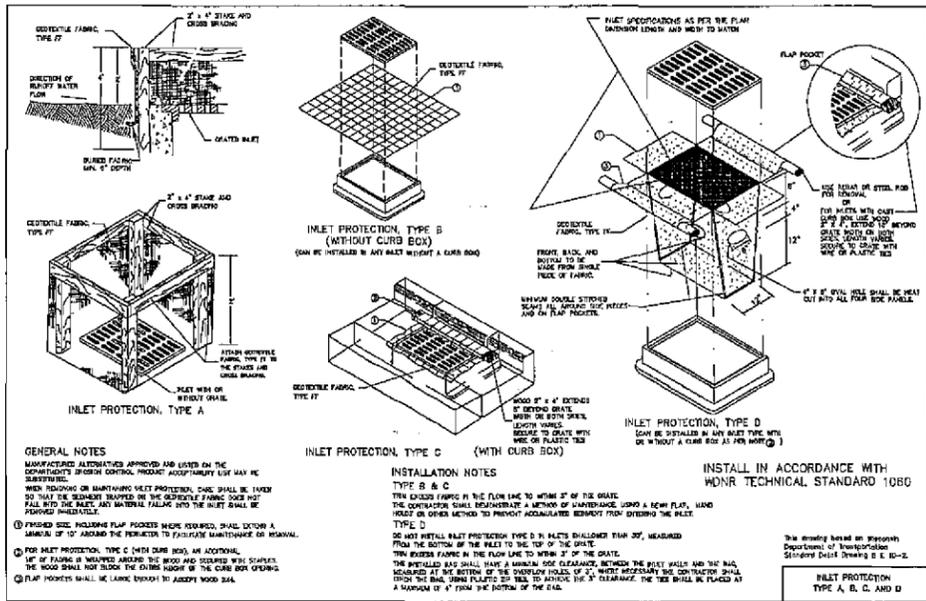
PROJECT:
NEW BUILDING FOR:
THE ELEMENT
NORTH PRINCE STREET
WHITEWATER, WI 53150

PRELIMINARY PLAN DATE:

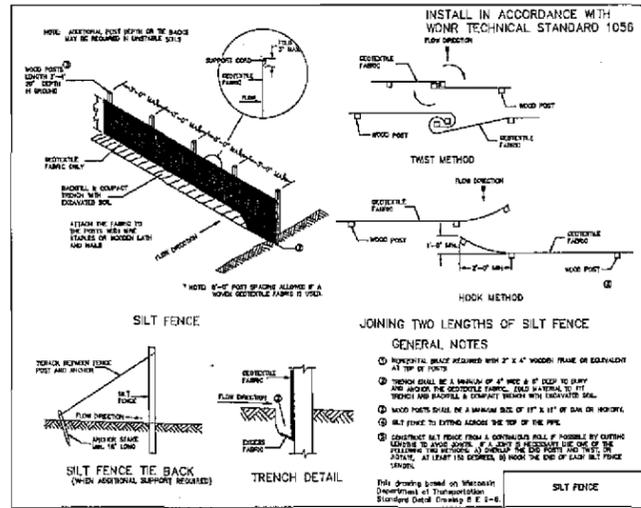
OCTOBER 18, 2010
NOVEMBER 12, 2010
DECEMBER 6, 2010

DATE: -
JOB NUMBER: 1014610
SHEET

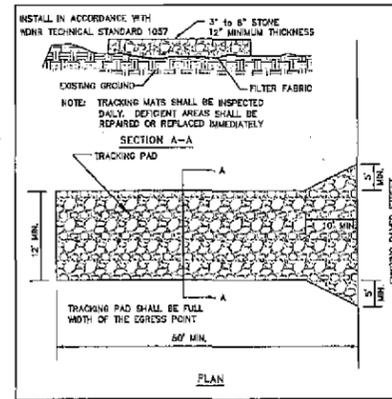
GRADING AND EROSION CONTROL PLAN
SCALE: 1"=20'-0"
1"=20'
SCALE
FEET



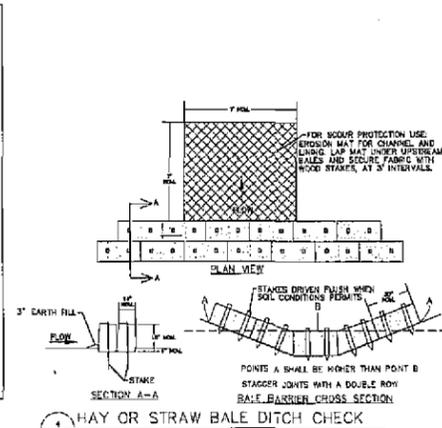
1. INLET PROTECTION DETAILS
 C1.4 NO SCALE



2. SILT FENCE - INSTALLATION DETAIL
 C1.4 NO SCALE



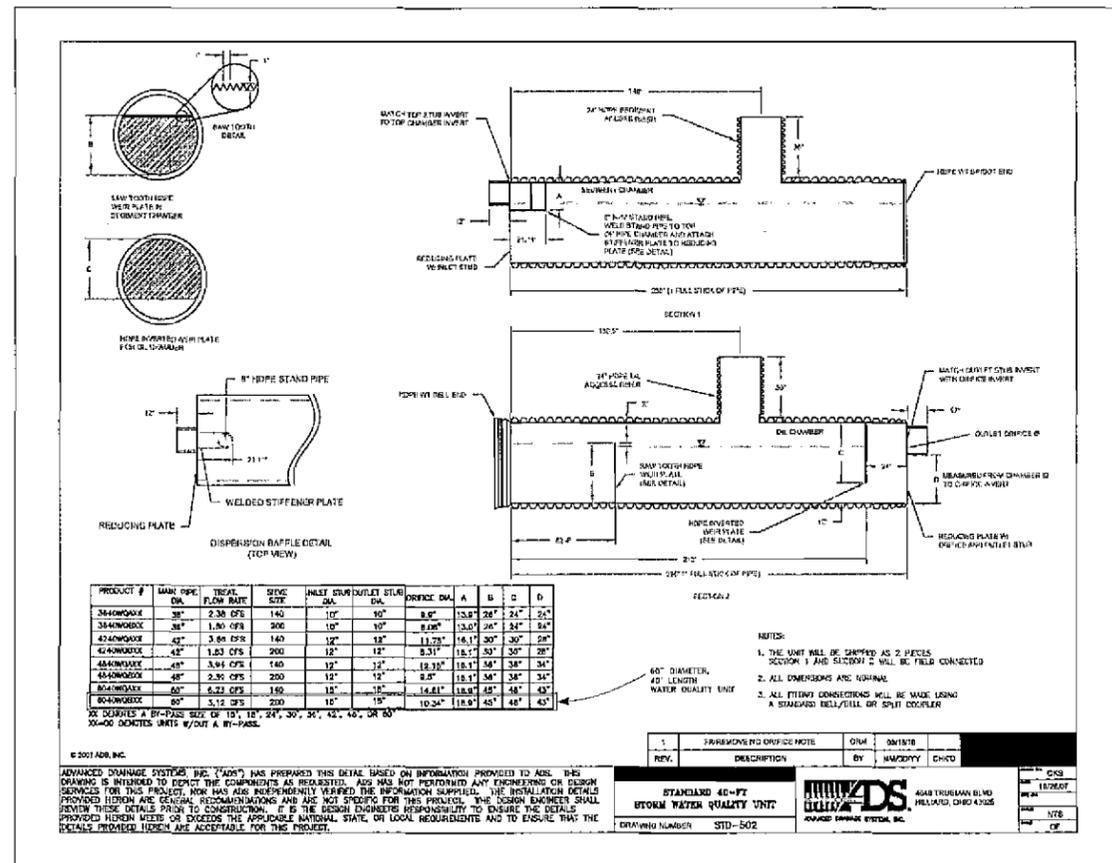
3. TRACKPAD DETAILS
 C1.4 NO SCALE



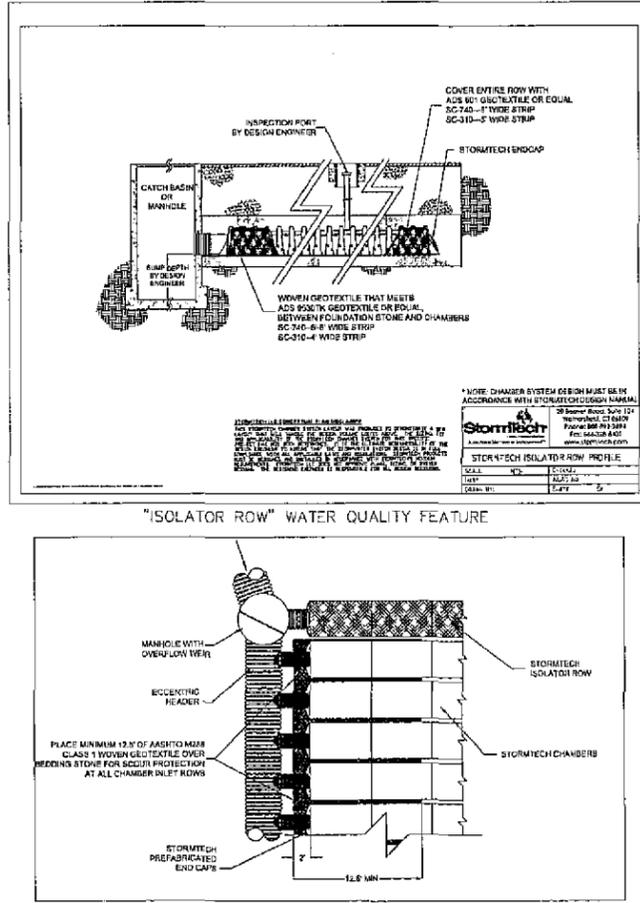
4. HAY OR STRAW BALE DITCH CHECK
 C1.4 NO SCALE

CONSTRUCTION SEQUENCE		CONSTRUCTION START: DECEMBER 1, 2010	CONSTRUCTION END: AUGUST 1, 2011
PHASE	TYPE OF ACTION		
1. PRE-CONSTRUCTION ACTION	1. CONTRACTOR TO CALL DIGGERS HOTLINE AT A MINIMUM OF 3 DAYS PRIOR TO CONSTRUCTION. 2. PLACE ALL SILT FENCE. 3. CONSTRUCT TRACKING STAKE ENTRANCES AND ANY TEMPORARY CONSTRUCTION ROADWAYS. 4. CONSTRUCT PERMANENT UNDERGROUND DETENTION AND PERMANENT STORMWATER CONVEYANCE SYSTEMS. 5. CONSTRUCT ANY TEMPORARY STORMWATER CONVEYANCE SYSTEMS. 6. STABILIZE ALL TEMPORARY AND PERMANENT EROSION CONTROL AND STORMWATER CONVEYANCE SYSTEMS BEFORE TOPSOIL CAN BE STRIPPED.		
2. CONSTRUCTION ACTION	1. CLEAR AND GRUB TREES AND BRUSH AS REQUIRED AND INDICATED PER PLANS. SITE DEMOLITION. 2. STRIP AND RELOCATE TOPSOIL TO THE DESIGNATED TOPSOIL STOCKPILE LOCATION (OFFSITE) LOCATION BY OWNER. 3. BEGIN MASS EARTH WORK FOR THE BUILDING PAD AND PAVEMENT AREAS. 4. CONSTRUCT ANY REMAINING STORMWATER CONVEYANCE SYSTEMS AND INSTALL ALL OTHER UTILITIES ON SITE. 5. DO NOT POLE ALL BUILDING FOOTINGS. 6. PLACE GRAVEL FOR ALL PROPOSED PAVEMENT AREAS. 7. TOPSOIL, SEED, AND MULCH ALL DISTURBED AREAS OUTSIDE THE BUILDING AND PROPOSED PAVEMENT AREAS. 8. CONSTRUCT BUILDING. 9. PAVE DRIVEWAYS AND PARKING AREAS. 10. TOPSOIL, SEED, AND MULCH ALL OTHER DISTURBED AREAS, PLACE EROSION MATTING AND RIP RAP.		
3. POST CONSTRUCTION ACTION	1. CONTRACTOR TO REMOVE TEMPORARY EROSION CONTROL MEASURES UPON SITE STABILIZATION. 2. SEE THE POST CONSTRUCTION MAINTENANCE PLAN FOR PERMANENT STORMWATER MANAGEMENT SYSTEMS.		

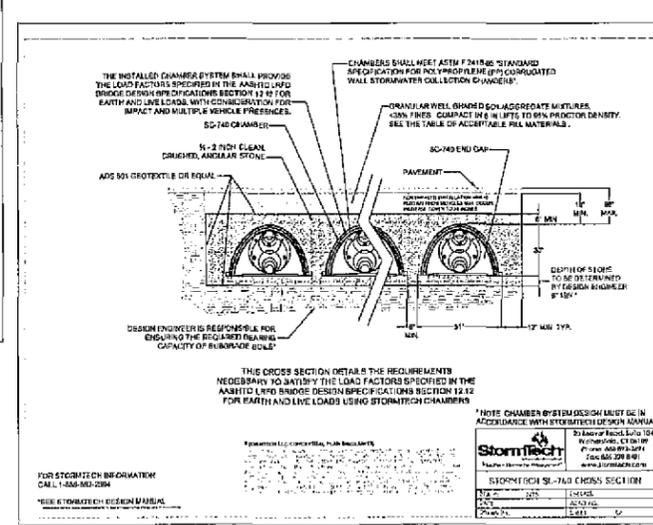
*CONTRACTOR TO FELLOW THE EROSION CONTROL SPECIFICATIONS FOR CONSTRUCTION EROSION CONTROL, INSPECTION AND MAINTENANCE**



5. STORMTECH WATER QUALITY UNIT 6040WQB
 C1.4 NO SCALE



6. STORMTECH SC-740 UNDERGROUND STORAGE
 C1.4 NO SCALE



DETAILS & SPECIFICATIONS

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

LANDSCAPE POINT REQUIREMENTS:

GENERAL LAWN AREAS
67,500 S.F. / 3,000 = 13.5 x 300 = 2,700 PTS.

BUILDING FOUNDATION
VISIBLE EXTERIOR BUILDING WALL
350 L.F. / 100 = 3.5 x 100 = 350 PTS.

PAVED AREAS
22,216 S.F. / 500 = 21.6 x 90 = 1,943 PTS.

TRUCE REQ'D 20' x 150' = 3,000 PTS.

BUFFERVARD
776 L.F. / 100 = 7.76

(5) LG DECIDUOUS TREES x 100 = 500 PTS.

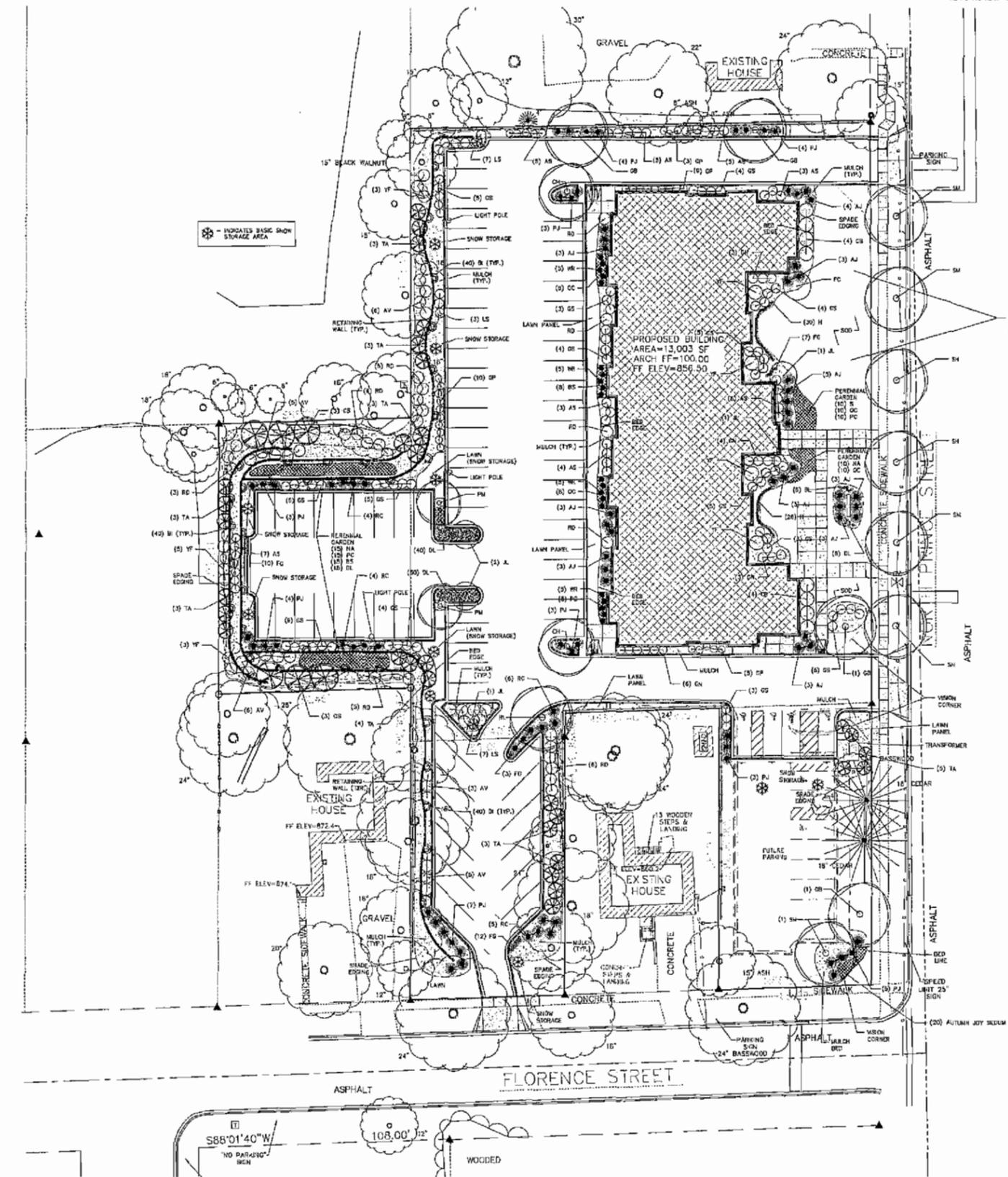
(15) SM DECIDUOUS TREES x 60 = 900 PTS.

(30) SHRUBS x 20 = 600 PTS.

TOTAL POINTS REQUIRED = 6,648 PTS.

LANDSCAPE PLANTING SCHEDULE

MARK	COMMON NAME	BOTANICAL NAME	PLANTED SIZE	MATURE SIZE	QUANTITY	TOTAL POINTS
TREES (LARGE DECIDUOUS) - 150 PTS.						
CH	Common Highberry	<i>Cornus alternifolia</i>	2"	40" - 60"	2	300
CB	Gringo	<i>Gringa blanda</i>	2"	50" - 60"	3	750
PM	Petersburg Maple	<i>Acer glabrum</i>	2"	25"	2	300
RL	Redmond Linden	<i>Tilia americana</i>	2"	45"	1	150
SA	Shade Magnolia	<i>Magnolia southerna</i>	4"	25" - 35"	2	300
SM	Small Street Magnolia	<i>Magnolia</i>	4"	40" - 60"	4	600
TREES (SMALL DECIDUOUS) - 60 PTS.						
TC	Flowering Crabapple (Spring Snow)	<i>Malus x floribunda</i>	2"	16"	1	60
TL	Japanese Tree Lilac (Early Snow)	<i>Syringa reticulata</i>	2"	15"	5	300
TREES (EVERGREEN) - 40 PTS.						
CE	Corporate (Blue) Spruce	<i>Picea pungens</i>	7"	80"	6	240
TA	Tahoe Arborvitae	<i>Thuja occidentalis</i>	4"	18"	20	1,200
SHRUBS (DECIDUOUS) - 20 PTS.						
AS	Anthony Nessler Spirea	<i>Spiraea x bregenzia</i>	18" - 18"	24" - 24"	45	300
AV	Arrowwood Viburnum	<i>Viburnum dentatum</i>	20" - 20"	16" - 12"	28	560
CB	Compact Burgundy Spirea	<i>Spirea x burgundy</i>	8" - 8"	8"	8	60
CH	Summer Wine Hibiscus	<i>Physalis obovata</i>	24" - 30"	1" - 6"	18	330
CP	Upright Tangle Hydrangea	<i>Hydrangea paniculata</i>	15" - 18"	2" - 3"	20	500
CS	Cerise de France Rose	<i>Rosa carolina</i>	15" - 15"	24" - 28"	55	1,040
LS	Low Spirea	<i>Spirea alba</i>	12" - 15"	2" - 8"	17	240
RD	Red Twig Dogwood	<i>Cornus rugosa</i>	20" - 24"	6" - 10"	33	390
WT	Winter Flamingo	<i>Physalis obovata</i>	18" - 24"	9" - 7"	13	240
WM	White & Rose Viburnum	<i>Viburnum x roseum</i>	15" - 18"	30"	20	400
SHRUBS (EVERGREEN) - 20 PTS.						
AD	Blue Spirea Juniper	<i>Juniperus squarrosa</i>	12" - 15"	12" - 10"	38	600
PJ	Pillar Juniper	<i>Juniperus horizontalis</i>	12" - 15"	3" - 4"	31	750
RC	Ravens Cypress	<i>Chamaecyparis</i>	12" - 15"	12" - 16"	18	1,750
PERENNIALS (PERENNIAL GARDENS) - 1 PT. / S.F.						
BS	Blue-Eyed Susan	<i>Rudbeckia hirta</i>	1 Gal. Pot	2"	-	-
DL	Daily Storm Dr. One	<i>Hemerocallis</i>	1 Gal. Pot	1"	-	-
H	Hebe	<i>Hebe royal</i>	1 Gal. Pot	1"	-	-
NA	New York Aster	<i>Aster novae-angliae</i>	1 Gal. Pot	3"	-	-
OC	Orange Crocus	<i>Rumex crispus</i>	1 Gal. Pot	2"	-	-
FC	Fairy's Confession	<i>Empetrum nigrum</i>	1 Gal. Pot	2"	-	-
S	Monarda	<i>Monarda</i>	1 Gal. Pot	1.5"	-	-
						1,430 S.F.
ORNAMENTAL GRASSES						
TC	Feather Reed Grass	<i>Calamagrostis</i>	1 Gal. Pot	3"	-	-
						1,430 S.F.
VINES						
BI	Boston Ivy	<i>Parthenocissus</i>	1 Gal. Pot	20"	40	-
						1,430 S.F.
						TOTAL POINTS = 12,670



EXTERIOR PLANTS:

TREES & SHRUBS:
FURNISH NURSERY-GROWN TREES AND SHRUBS WITH HEALTHY ROOT SYSTEMS DEVELOPED BY TRANSPLANTING OR ROOT PRUNING. PROVIDE WELL-DEVELOPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EDGES, LIMBS AND DEFECTS SUCH AS KNOTS, SUN SCALD, NARCISS, ABRASIONS AND BARK DAMAGE.

TOP SOIL:
REMOVE SURFACE SOIL STOCKPILED ON-SITE AND SUPPLEMENT WITH IMPORTED OR MANUFACTURED TOPSOIL. TEST TOP-SITE SOILS FOR PHOSPHORUS, POTASSIUM AND NITROGEN. PROVIDE SOIL ANALYSIS BY A QUALIFIED SOIL TESTING LABORATORY AS REQUIRED TO VERIFY THE SUITABILITY OF SOIL TO PRODUCE TOPSOIL. AND TO DETERMINE THE NECESSARY SOIL AMENDMENTS. TOP SOIL SHALL HAVE A PH RANGE OF 5.5 TO 7, A MINIMUM OF 5 PERCENT ORGANIC MATERIAL CONTENT AND SHALL BE FREE FROM STONES 1" OR LARGER AND ANY OTHER MATERIALS HARMFUL TO PLANT GROWTH.

MULCHES:
ORGANIC MULCH - PROVIDE 3" MINIMUM THICK BLANKET OF SHIPPED HARDWOOD MULCH AT ALL PLANTING AREAS INDICATED ON LANDSCAPE PLAN. INSTALL OVER UNDISTURBED WEED BARRIER FABRIC.

GRASS:
GRASS - INSTALL VALLEY VIEW INDUSTRIAL BLACK SANDHILL LAWN SEED TO SEPARATE ALL PLANTING BEDS FROM LAWN AREAS. SEEDS TO BE 5/17" TALL WITH METAL STAKES INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.

INSTALLATION:
- LODGE SUBGRADE TO A MINIMUM DEPTH OF 8" AND REMOVE STONES LARGER THAN 1" AND ANY STICKS, ROOTS, RUBBISH AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM ON THE OWNER'S PROPERTY.
- SPREAD TOPSOIL TO A DEPTH OF 2" BUT NOT LESS THAN REQUIRED TO MEET FINISHED GRADES AFTER LIGHT ROLLING AND NATURAL SETTLEMENT. DO NOT SPREAD TOPSOIL IF SUBGRADE IS FROZEN, HARD OR EXCESSIVELY WET.
- APPLY FERTILIZER PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- GRADE PLANTING BEDS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORM FINE TEXTURE. GRADE TO WITHIN 1/2" OF FINISHED GRADE ELEVATION.
- EXCAVATE CIRCULAR PITS WITH SLOPED SIDES. TRIANGLE LEAVING CENTER AREA SLOPED SLIGHTLY TO SUPPORT ROOT BALL. EXCAVATE APPROXIMATELY THREE TIMES AS WIDE AS BALL DIAMETER.
- SET TREES AND SHRUBS PLANTS AND IN CENTER OF PIT WITH TOP OF BALL 1" ABOVE ADJACENT FINISHED GRADE. GRADE TO WITHIN 1/2" OF FINISHED GRADE ELEVATION.
- PLACE PLANTING SOIL AND AROUND ROOT BALL IN LAYERS AND TAMP TO SETTLE JOBS.
- WATER ALL PLANTS THOROUGHLY.
- PROVIDE TEMPORARY STAKING FOR TREES AS REQUIRED.

MAINTENANCE/WARRANTIES:
- LANDSCAPE CONTRACTOR TO PROVIDE MAINTENANCE OF ALL LANDSCAPING FOR A PERIOD OF 90 DAYS FROM THE DATE OF INSTALLATION. MAINTENANCE TO INCLUDE REGULAR WATERING AS REQUIRED FOR SUCCESSFUL PLANT ESTABLISHMENT.
- PROVIDE 1 YEAR WARRANTY ON ALL TREES, SHRUBS AND PERENNIALS.

LAWNS AND GRASSES:

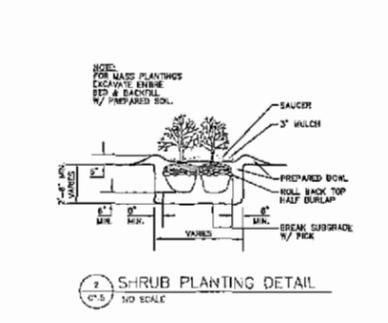
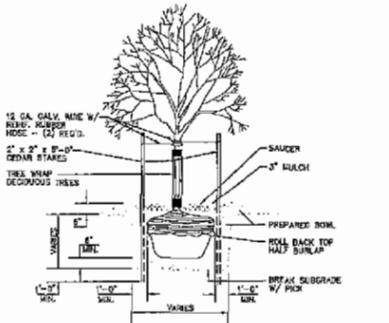
SEDED LAWNS:
PROVIDE SEED CONSISTING OF THE FOLLOWING GRASS SPECIES - 40% SUPERIOR BLUEGRASSES, 24% CREPENDING RED FESCUE AND 36% TREELAF PERENNIAL. TURFGRASS. FURNISH MULCH 50% OF UNIFORM FINISH, COLOR AND TEXTURE. STRONGLY ROOTED AND CAPABLE OF MODERATE GROWTH AND DEVELOPMENT WHEN PLANTED. PROVIDE SEED RELEASE FERTILIZER AS RECOMMENDED BY SEED SUPPLIER FOR PROPER LAWN ESTABLISHMENT.

TOP SOIL:
REMOVE SURFACE SOIL STOCKPILED ON-SITE AND SUPPLEMENT WITH IMPORTED OR MANUFACTURED TOPSOIL FROM OFF-SITE SOURCES WHEN QUANTITIES ARE INSUFFICIENT. PROVIDE SOIL ANALYSIS BY A QUALIFIED SOIL TESTING LABORATORY AS REQUIRED TO VERIFY THE SUITABILITY OF SOIL TO PRODUCE TOPSOIL. AND TO DETERMINE THE NECESSARY SOIL AMENDMENTS. TOP SOIL SHALL HAVE A PH RANGE OF 5.5 TO 7, A MINIMUM OF 5 PERCENT ORGANIC MATERIAL CONTENT AND SHALL BE FREE FROM STONES 1" OR LARGER AND ANY OTHER MATERIALS HARMFUL TO PLANT GROWTH.

INSTALLATION:
- LODGE SUBGRADE TO A MINIMUM DEPTH OF 6" AND REMOVE STONES LARGER THAN 1" AND ANY STICKS, ROOTS, RUBBISH AND OTHER EXTRANEOUS MATTER AND LEGALLY DISPOSE OF THEM ON THE OWNER'S PROPERTY.
- SPREAD TOPSOIL TO A DEPTH OF 2" BUT NOT LESS THAN REQUIRED TO MEET FINISHED GRADES AFTER LIGHT ROLLING AND NATURAL SETTLEMENT. DO NOT SPREAD TOPSOIL IF SUBGRADE IS FROZEN, HARD OR EXCESSIVELY WET.
- APPLY FERTILIZER PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- GRADE PLANTING AREAS TO A SMOOTH, UNIFORM SURFACE PLANE WITH LOOSE, UNIFORM FINE TEXTURE. GRADE TO WITHIN 1/2" OF FINISHED GRADE ELEVATION.

SOIL:
LAWY SOIL WITHIN 24 HOURS OF MATERIALING. DO NOT LAY SOIL IF SOFTWART OR IF GRASS IS FROZEN OR HARD. LAY SOIL WITH TOWEL WETTED BUTT END AND SIDE JOINTS DO NOT STRETCH OR OVERLAP. STAGGER SOIL STRIPS TO DEFLECT JOINTS IN ADJACENT COURSE. WALK TO ENSURE CONTACT WITH SUBGRADE. ANCHOR SOIL ON SIDES EXCEEDING 12".
- WATER ALL PLANTS THOROUGHLY WITH FREE WATER SPRAY WITHIN 2 HOURS OF PLANTING.

MAINTENANCE:
- LANDSCAPE CONTRACTOR TO PROVIDE MAINTENANCE OF ALL LANDSCAPING FOR A PERIOD OF 90 DAYS FROM THE DATE OF INSTALLATION.
- SEDED LAWN AT THE END OF THE MAINTENANCE PERIOD, A HEALTHY, UNIFORM, CLOSE STAND OF GRASS SHOULD BE ESTABLISHED. FREE OF WEEDS AND SURFACE IRREGULARITIES. WITH COVER EXCEEDING 80 PERCENT AND BARE SPOTS NOT EXCEEDING 5" x 5".
- SEED LAWN AT THE END OF MAINTENANCE PERIOD, A HEALTHY, WELL-ROOTED, EVEN-COLORED, VISIBLE LAWN HAS BEEN ESTABLISHED. FREE OF WEEDS, OPEN JOINTS, BARE AREAS AND SURFACE IRREGULARITIES.
- RE-ESTABLISH LAWN THAT DO NOT COMPLY WITH REQUIREMENTS AND CONTINUE MAINTENANCE UNTIL LAWN IS SATISFACTORY.



ROOT PRUNE:

IMMEDIATELY AFTER EXCAVATION, PRUNE BACK ALL EXPOSED ROOTS TO DAMAGING SOIL. PROVIDE CLEAN CUTS, BRANCH END OR LINE OF TREE WITH 30 GALLONS OF "ROOTS" ROOT STIMULANT. MIX PER SPECIFICATIONS ON LABEL.



PRELIMINARY DRAWING - NOT FOR CONSTRUCTION



1800 WEST 20TH
PO BOX 1042
MILWAUKEE, WI 53210
TEL: 414-441-4400
FAX: 414-441-4400

Always a Better Plan



GARLAND ALLIANCE
LANDSCAPE ARCHITECTS
300 North Oakwood Avenue, Suite 210
Milwaukee, WI 53211
Tel: 414-441-4400

OWNER:
CAT CON WHITWATER, LLC
225 E. MASON STREET
SUITE 800
MILWAUKEE, WI 53202

PROJECT:
THE ELEMENT
NORTH PRINCE STREET
WHITWATER, WI 53190

PRELIMINARY PLAN DATE:
OCTOBER 16, 2010
NOVEMBER 12, 2010
DECEMBER 6, 2010

DATE:
JOB NUMBER:
1014610
SHEET

C1.5

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LEGEND:

<ul style="list-style-type: none"> 1-1/4" REBAR SET 3/4" REBAR SET 1-1/4" REBAR FOUND 3/4" REBAR FOUND 2" IRON PIPE FOUND 1" IRON PIPE FOUND APRON ENDWALL MARCH AREA RECIRCULATED TREE WITH TRUNK DIAMETER CONTOUR LINE SHRUB STUMP SOIL BORING WOODED AREA HEDGE EXISTING CHAINLINK FENCE EXISTING WOOD FENCE EXISTING BARBED WIRE FENCE PROPERTY LINE EXISTING GRASS HALL 	<ul style="list-style-type: none"> EXISTING STORM SEWER AND MANHOLE PROPOSED STORM SEWER AND MANHOLE EXISTING SANITARY SEWER AND MANHOLE PROPOSED SANITARY SEWER AND MANHOLE EXISTING WATER LATERAL LINE EXISTING WATER LINE AND HYDRANT PROPOSED WATER LINE AND HYDRANT EXISTING OVERHEAD UTILITY LINE EXISTING UNDERGROUND FIBER OPTIC LINE EXISTING UNDERGROUND ELECTRIC CABLE EXISTING UNDERGROUND TELEPHONE CABLE EXISTING UNDERGROUND GAS LINE PROPOSED CURB AND GUTTER EXISTING CURB AND GUTTER GRADING/PAVING SLATS RIGHT-OF-WAY LINE PROPERTY LINE PROPOSED GRASSING CONTOUR
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PROJECT NOTES

- EXISTING CONDITIONS AND DEMOLITION NOTES:**
1. EXISTING PLAN IS AN OVERVIEW OF CONDITIONS TO TAKE PLACE ON SITE. CONTRACTOR TO FIELD VERIFY EXISTING SITE PRIOR TO DIGGING. CONTRACTOR SHALL REMOVE, REPLACE OR REPAIR ALL ITEMS AS NEEDED DURING CONSTRUCTION.
 2. CONTRACTOR TO CONTACT LOCAL ENGINEERING (EARTH WORK PERMITS (2010 758-1480) FOR CONSTRUCTION STAFFED PERMITS FOR REVISION IN CONTRACTOR'S DESIGN. PERMITS PROVIDED WILL BE BASED UPON SCOPE OF SERVICES REQUESTED.
 3. ALL EXISTING AND PROPOSED UTILITIES TO BE CONSTRUCTED ACCORDING TO LOCAL ORDINANCES. CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS.
- GRADING AND EROSION CONTROL NOTES:**
1. SEE PLANS FOR EROSION CONTROL DETAILS & CONSTRUCTION WORKING.
 2. PER 414.08, THE CONSTRUCTION MUST BE MONITORED AND MAINTAINED TO ENSURE THAT EROSION CONTROL MEASURES ARE WORKING AND STAY IN PLACE. RE CONSTRUCTION SITE MUST BE INSPECTED AT LEAST EVERY 2 DAYS AND WITHIN 24 HOURS AFTER A RAINFALL OF 0.5" OR MORE. HOURLY WRITTEN REPORTS OF ALL INSPECTIONS MUST BE MAINTAINED AND INCLUDE THE FOLLOWING:
 - A. THE DATE, TIME AND EXACT LOCATION OF THE INSPECTION.
 - B. THE NAME OF THE PERSONNEL WHO PERFORMED THE INSPECTION.
 - C. AN ASSESSMENT OF THE CONDITION OF THE EROSION CONTROL.
 - D. A DESCRIPTION OF ANY EROSION CONTROL, MAINTENANCE AND REPAIRS PERFORMED.
 - E. A DESCRIPTION OF THE PREVIOUS PHASE OF CONSTRUCTION AT THE SITE.
 3. AT THE COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL SUBMIT THREE COPIES OF THE EROSION CONTROL AND STORM WATER MANAGEMENT PLANS, AMENDMENTS TO PLANS, SUPPORTING DATA AND REPORTS, AND MAINTENANCE RECORDS. THE OWNER SHALL REVIEW THESE FOR A PERIOD OF 3 YEARS FROM THE DATE OF THE PROJECT'S COMPLETION UNDER WRITER'S GENERAL PERMIT.
 4. EROSION SHALL PREPARE A STORMWATER MANAGEMENT PLAN AND FILE A NOTICE OF INTENT WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR SEEING TO THE MAINTENANCE, MONITORING, AND PROTECTIVE REQUIREMENTS OF RESOURCES IN WISCONSIN DEPARTMENT OF NATURAL RESOURCES AND THE STORMWATER MANAGEMENT PLANS.
- UTILITY NOTES:**
1. CONTRACTOR TO FIELD VERIFY EXISTING UNDERGROUND UTILITIES ON SITE. CONTRACTOR TO VERIFY PIPE LOCATIONS, DEEP, AND WIDTHS AT POINTS OF PROPOSED CONSTRUCTION AND VERIFY PROPOSED UTILITY ROUTE IS CLEAR (10' CLEAR) OF ALL EXISTING UTILITIES AND OTHER OBSTRUCTIONS PRIOR TO CONSTRUCTION. COSTS INCURRED FOR FIELDING TO DO SO SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
 2. ALL PROPOSED SANITARY PIPE SHALL BE 300-350 P.C. ALL PROPOSED WATER PIPE SHALL BE 600 P.C. FOR PIPE DIAMETERS OF 4" OR LESS.
 3. ALL UTILITIES SHALL BE INSTALLED WITH PLASTIC COATED TRACER PIPE (16 TO 14 GAUGE SOLID COPPER, OR COPPER COATED STEEL). TRACER PIPE MAY BE TAPPED TO PLASTIC WATER OR 3/4" DIA. PIPE. IF ATTACHED THE TRACER SHALL BE SECURED EVERY 5 TO 20 FEET AND AT ALL BENDS. TRACER SHALL HAVE ACCESS POINTS AT LEAST EVERY 300 FEET.
 4. SEE PLANS FOR ADDITIONAL UTILITY SPECIFICATIONS AND DETAILS.
 5. THE UTILITY CONTRACTOR SHALL RUN SANITARY SERVICE TO A POINT WHICH IS A MINIMUM OF 5' FROM THE FRONT WALL OF FOUNDATION. SITE UTILITY CONTRACTOR SHALL RUN WATER SERVICE TO A POINT WITHIN THE FOOTCOURT SPECIFIED BY THE PLUMBING PLANS. CONTRACTOR TO CUT AND CAP WATER SERVICE 12" ABOVE FINISH FLOOR ELEVATION.
- LANDSCAPE NOTES:**
1. CONTRACTOR SHALL SEED, FERTILIZE AND MULCH LAWN AREAS AND DISTURBED AREAS (FOR SOU) AS INDICATED ON PLANS. PROVIDE ALL TREES, SHRUBS AND PLANTING AS INDICATED ON PLANS.

TO OBTAIN LOCATION OF PATENTED UNDERGROUND FACILITIES BEFORE YOU DIG, CALL DIGGERS HOTLINE 1-800-242-8511
VOL 1932
UTILITY (414) 284-6847
TC (FOR THE HEARING IMPAIRED) 1-800-543-2289
WISCONSIN STATUTE 182.078 (1974)
PENALTY: IMPRISONMENT OF 3 YEARS OR FINE BEFORE YOU DIG

BENCHMARK (ALSO 701)
1 - TOP NAIL ON A HORIZONTAL AT THE NORTHEAST CORNER OF THE INTERSECTION OF W. CLAY STREET AND NORTH PRINCE STREET
ELEV=655.22

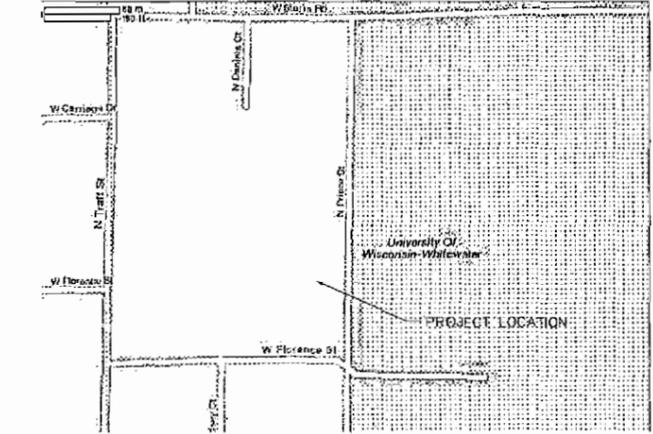
NOTE:
BASE SURVEY PREPARED BY EXCEL ENGINEERING.

NOTE:
EXISTING UTILITIES SHOWN ARE INDICATED IN ACCORDANCE WITH AVAILABLE RECORDS AND FIELD MEASUREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING SPACE LOCATIONS AND ELEVATIONS OF ALL UTILITIES, INCLUDING SINKS AND WATER FROM THE OFFICES OF THE RESPECTIVE UTILITIES. ALL UTILITY OPENINGS SHALL BE NOTIFIED BY THE CONTRACTOR 72 HOURS PRIOR TO EXCAVATION.

NOTE:
ALL TREE REMOVAL SHALL INCLUDE STUMP REMOVAL.

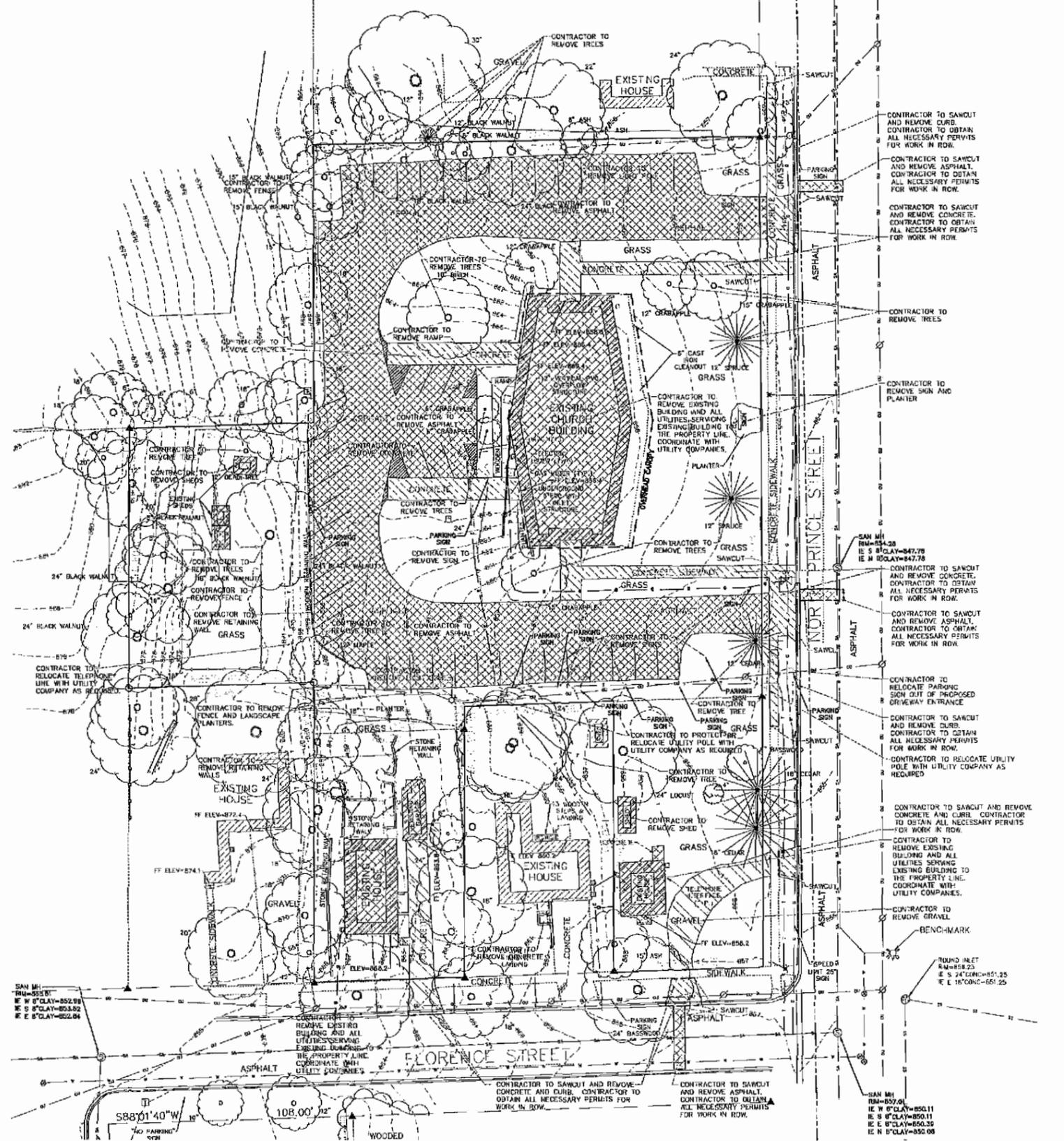
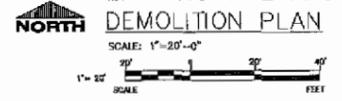
NOTE:
CONTRACTOR TO SAWCUT AND REMOVE ASPHALT IN NORTH PRINCE STREET FOR THE CONSTRUCTION OF STORM SEWER IN THE ROW. THE ASPHALT REMOVAL FOR TRENCHING SHALL BE 50' LONG BY 8' WIDE. CONTRACTOR TO OBTAIN ALL PERMITS REQUIRED FOR WORK IN ROW. CONTRACTOR TO PROVIDE TRAFFIC CONTROL AS REQUIRED.

NOTE:
AN UP-TO-DATE CERTIFIED SURVEY MAP HAS BEEN PERFORMED BY EXCEL ENGINEERING. PROJECT POINTS, MARKS OR INFORMATION PROVIDED BY CLIENT'S REPRESENTATIVE.



PROJECT LOCATION MAP

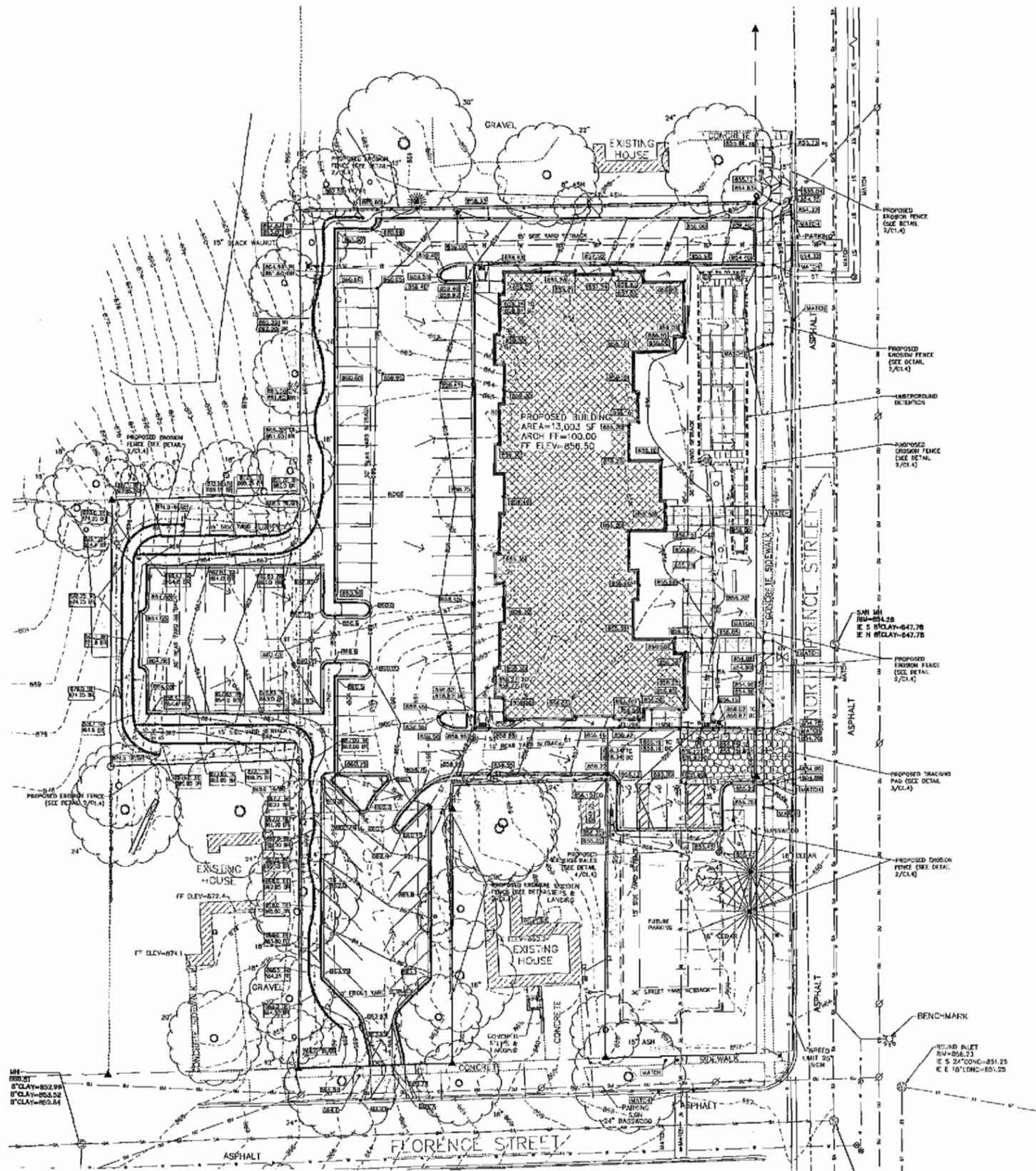
EXISTING SITE AND DEMOLITION PLAN



SAN 111
TBM=855.87
E W 8' CLAY=852.79
E S 8' CLAY=852.82
E E 8' CLAY=852.04

SAN 111
TBM=856.23
E S 24' CLAY=851.25
E E 16' CLAY=851.25

888'01'40" W
108.00' N



EROSION CONTROL, SITE STABILIZATION AND SEEDING SPECIFICATIONS

EROSION CONTROL SHALL STRICTLY COMPLY WITH THE EROSION CONTROL, SLOPES AND REDEMPTIONS SET FORTH IN WISCONSIN ADMINISTRATIVE CODE (S.A.C.) 10.13, THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES EROSION CONTROL STANDARDS, BEST PRACTICES AND TYPES OF EROSION CONTROL SHALL BE DEPENDENT ON THE LOCATION AND TYPE OF WORK INVOLVED. ALL SOIL EROSION CONTROL MEASURES SHALL BE DESIGNED TO MEET FIELD CONDITIONS AT THE TIME OF CONSTRUCTION, AND INSTALLED PRIOR TO ANY GRADING OR DISTURBANCE OF EXISTING SURFACE MATERIALS.

DUST CONTROL MEASURES SHALL BE PROVIDED TO PREVENT THE SURFACE AND AIR TRANSPORT OF DUST DURING CONSTRUCTION. CONTROL MEASURES INCLUDE APPROPRIATE AND ESTABLISHING VEGETATION, WATER SPRAYING, SURFACE MOISTENING, SPRAYING POLYMERS, STRIP-TIE TACKERS, DIRTWORKERS, AND BARBERS. SOME SITES MAY REQUIRE AN APPROACH THAT UTILIZES A COMBINATION OF MEASURES FOR BEST CONTROL.

STONE TRACKING PADS SHALL BE PLACED ON SITE AND SHALL BE INSTALLED PRIOR TO ANY TRAFFIC LEAVING THE SITE. THE AGGREGATE USED SHALL BE 3 TO 6 INCH CLEAN OR WASHED STONE, AND SHALL BE PLACED IN A LAYER AT LEAST 18 INCHES THICK. THE TRACKING PAD SHALL BE THE FULL WIDTH OF THE EXPRESS DRIVE, AND SHALL BE A MINIMUM OF 30 FEET LONG.

STORM DRAIN INLET PROTECTION SHALL BE PROVIDED FOR ALL CATCH BASINS, AND CURB INLETS. TYPE B OR C PROTECTION SHALL BE PROVIDED AND SHALL BE IN CONFORMANCE WITH THE WISCONSIN DEPARTMENT OF TRANSPORTATION STANDARD DETAIL DRAWING 8 E 13-2 (DETAIL 1/21.4).

ALL SILT FENCE SHALL BE PLACED ON SITE AND SHALL BE IN CONFORMANCE WITH THE WISCONSIN DEPARTMENT OF TRANSPORTATION STANDARD DETAIL DRAWING 8 E 13-2 (DETAIL 1/21.4).

THE USE, STORAGE, AND DISPOSAL OF CHEMICALS, CEMENT, AND OTHER COMPOUNDS AND MATERIALS USED ON SITE SHALL BE MANAGED DURING THE CONSTRUCTION PERIOD TO PREVENT THEIR TRANSPORT BY WINDY INTO WATERS OF THE STATE.

ALL EROSION CONTROL DEVICES SHALL AT A MINIMUM BE INSPECTED WEEKLY AND WITHIN 24 HOURS AFTER EVERY PRECIPITATION EVENT THAT PRODUCES 0.5 INCHES OF RAIN OR MORE DURING A 24 HOUR PERIOD. MAINTENANCE SHALL BE PERFORMED PER WISCONSIN ADMINISTRATIVE CODE (S.A.C.) 10.13, STORMWATER MANAGEMENT TECHNICAL STANDARDS REQUIREMENTS.

TEMPORARY SITE RESTORATION SHALL TAKE PLACE IN UNDISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE WITHIN A PERIOD OF ONE YEAR AND/OR LAND-RECLAIMING ACTIVITIES THAT WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 7 DAYS.

PERMANENT RESTORATION APPLIED TO AREAS WHERE PERMANENT VEGETATIVE COVER IS NEEDED TO PERMANENTLY STABILIZE AREAS OF EXPOSED SOILS. VEGETATIVE STABILIZATION SHALL OCCUR WITHIN 30 DAYS OF FINAL GRADING. TOPSOIL, SEED, AND MULCH SHALL BE IN CONFORMANCE WITH WISCONSIN ADMINISTRATIVE CODE (S.A.C.) 10.13, STORMWATER MANAGEMENT TECHNICAL STANDARDS REQUIREMENTS FOR TEMPORARY AND PERMANENT SEEDING.

SOIL STABILIZERS THAT REMAIN FOR MORE THAN 30 DAYS SHALL BE COVERED OR TREATED WITH STABILIZATION PRODUCTS SUCH AS TEMPORARY OR PERMANENT RETAINS AND MULCHING.

ALL ON-SITE SEWERAGE REPORTS OCCURRING AS A RESULT OF CONSTRUCTION WORK ON A STORM EVENT SHALL BE CLEANED UP BY THE END OF EACH DAY. FLOODING SHALL NOT BE ALLOWED.

ANY SOIL EROSION THAT OCCURS AFTER FINAL GRADING AND/OR THE APPLICATION OF STABILIZATION PRODUCTS MUST BE REPAIRED AND THE STABILIZATION WORK REPEATED.

EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL THE AREAS SERVED HAVE ESTABLISHED VEGETATIVE COVER.

DEWATERING - IF SITE DEWATERING IS REQUIRED BY THE FOLLOWING PROCEDURES SHALL BE USED:

- FOLLOW WISCONSIN CODE 10.13 FOR DEWATERING.
- ASSIGNED SOIL AND TEXTURE CLASSIFICATION IN THIS AREA IS A SANDY LOAM (CONTRACTOR TO VERIFY IF DIFFERENT).
- TYPE OF DEWATERING BAGS TO BE USED FOR THE DEWATERING WITH SANDY LOAM SOIL.
- GRAPES BAGS SHALL BE USED ACCORDING TO THE FACTIBLE SIZE BEING TRAPPED, EXPECTED FLOW OR PUMPING RATE (GPM) FOR REMOVAL RATE OF FLOWING AND A SOIL CLASSIFICATION FACTOR. THE FOOTPRINT OF THE BAG SHALL BE NO SMALLER THAN 80 SQUARE FEET.
- WORK APPROVED BAGS CAN BE USED TO DRAINAGE THE EXPOSURE OF THE BAGS.
- EQUIPMENT SHALL BE REMOVED FROM DEVICES TO MAINTAIN EFFICIENCY. ALL EQUIPMENT COLLECTED IN DEWATERING DEVICES SHALL BE PROPERLY DISPOSED OF TO PREVENT DISCHARGE TO WATERS OF THE STATE.
- THE FOLLOWING ADDITIONS SHALL BE CONDUCTED. TEST RESULTS SHALL BE RECORDED ON A DAILY LOG KEPT ON SITE.
 - DEWATERING DURATION AND SPECIFIED PUMPING RATE.
 - DESIGNED WATER TABLE AT TIME OF DEWATERING.
 - IF USED, TYPE AND AMOUNT OF CHEMICAL USED FOR AN ADJUSTMENT.
 - IF USED, TYPE AND AMOUNT OF CHEMICAL USED FOR TREATMENT.
 - MAINTENANCE ACTIVITIES.

PROVIDE A MINIMUM OF 6" OF TOPSOIL FOR ALL DISTURBED AREAS.

PROVIDE EROSION CONTROL MATING (NORTH AMERICAN GREEN 5100) ON ALL SLOPES THAT ARE 4:1 AND GREATER.

ALL STEEP WATER CONVEYANCE CHANNELS SHALL BE SEEDS WITH WISCONSIN DOT MIX #70 @ 4.0 LBS PER 1,000 S.F. NORTH AMERICAN GREEN 6125 OR EQUIVALENT EROSION MATING SHALL BE PROVIDED AT THE BOTTOM OF CHANNEL.

FOR LAWN AREAS SEE LANDSCAPING PLAN FOR SEEDING OR SOODING REQUIREMENTS.

PROMISONS FOR PROTECTING EXISTING TREES ON OR NEAR THE SITE

- MINIMIZE LAND DISTURBANCE (DURING) WITHIN THE DRIP LINE OF EXISTING TREES TO THE EXTENT PRACTICABLE.
- IMMEDIATELY AFTER EXCAVATION, PRUNE ANY EXPOSED ROOTS BACK TO THE EXISTING SOIL. PROMOTE CLEAN CUTS. BRUSH DRIP LINE OF TREE WITH 20 GALLONS OF "ROOTS" ROOT STIMULANT MIX PER SPECIFICATIONS OF LABEL.

RETAINING WALL CONSTRUCTION NOTES

- THE MANUFACTURER AND/OR CONTRACTOR ARE RESPONSIBLE FOR FINAL DESIGN AND SPECIFICATIONS FOR THE RETAINING WALLS GIVEN BY THIS PLAN.
- THE WESTERN RETAINING WALLS HAVE BEEN DESIGNED TO IMPROVE AESTHETICS, PROVIDE AN INCREASED MEASURE OF SAFETY, AND IMPROVE DURABILITY.
- THE RETAINING WALL HEIGHTS AND LOCATIONS HAVE BEEN DESIGNED TO ACCOMMODATE GEORING REINFORCEMENT BETWEEN THE BACK OF WALL AND PROPERTY LINE.

OWNER:
 CAT CON WHITEWATER, LLC
 225 E. MASON STREET
 SUITE 600
 MILWAUKEE, WI 53202

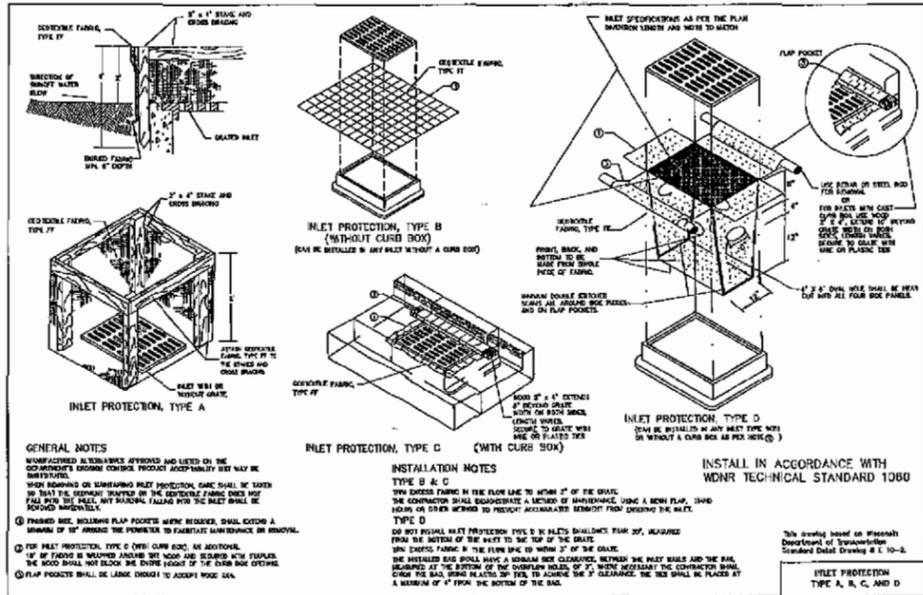
PROJECT:
 NEW BUILDING FOR:
 THE ELEMENT
 NORTH PRINCE STREET
 WHITEWATER, WI 53190

PRELIMINARY PLAN DATE:
 OCTOBER 18, 2010
 NOVEMBER 12, 2010
 DECEMBER 6, 2010

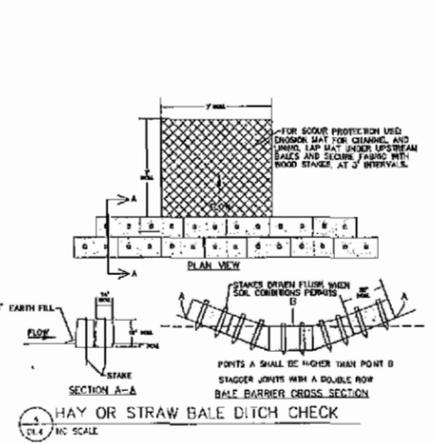
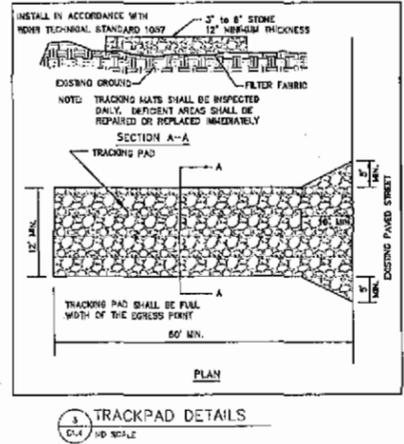
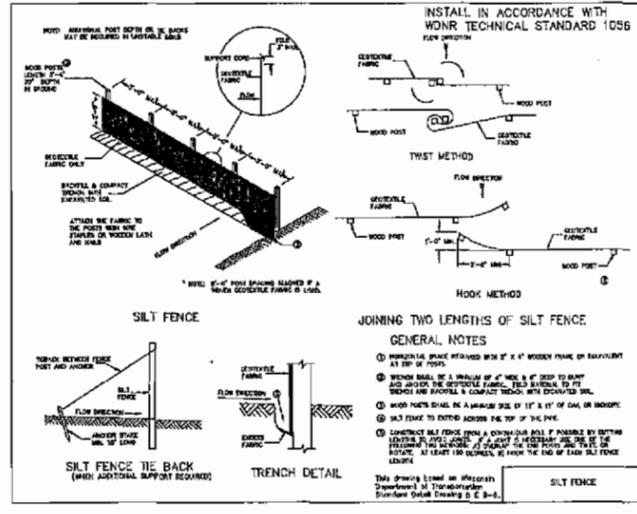
DATE:
JOB NUMBER:
 1014610
SHEET

GRADING AND EROSION CONTROL PLAN
 SCALE: 1"=20'-0"
 1" = 20' SCALE

C1.2



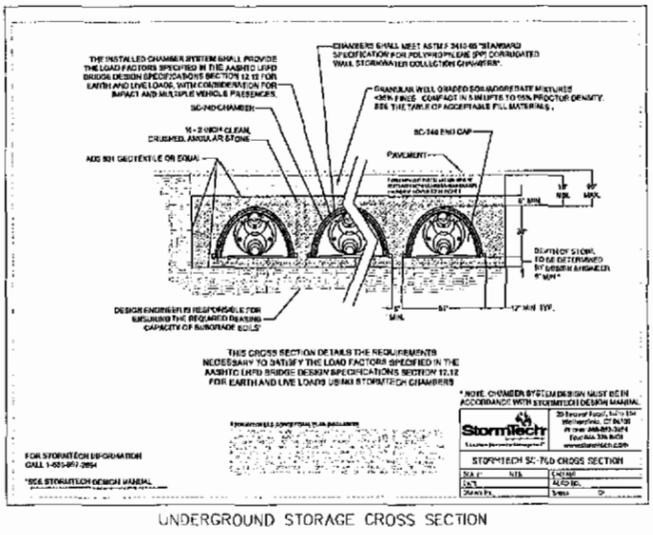
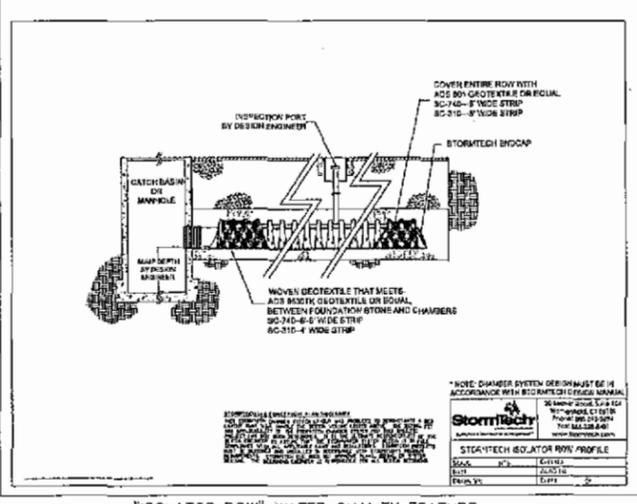
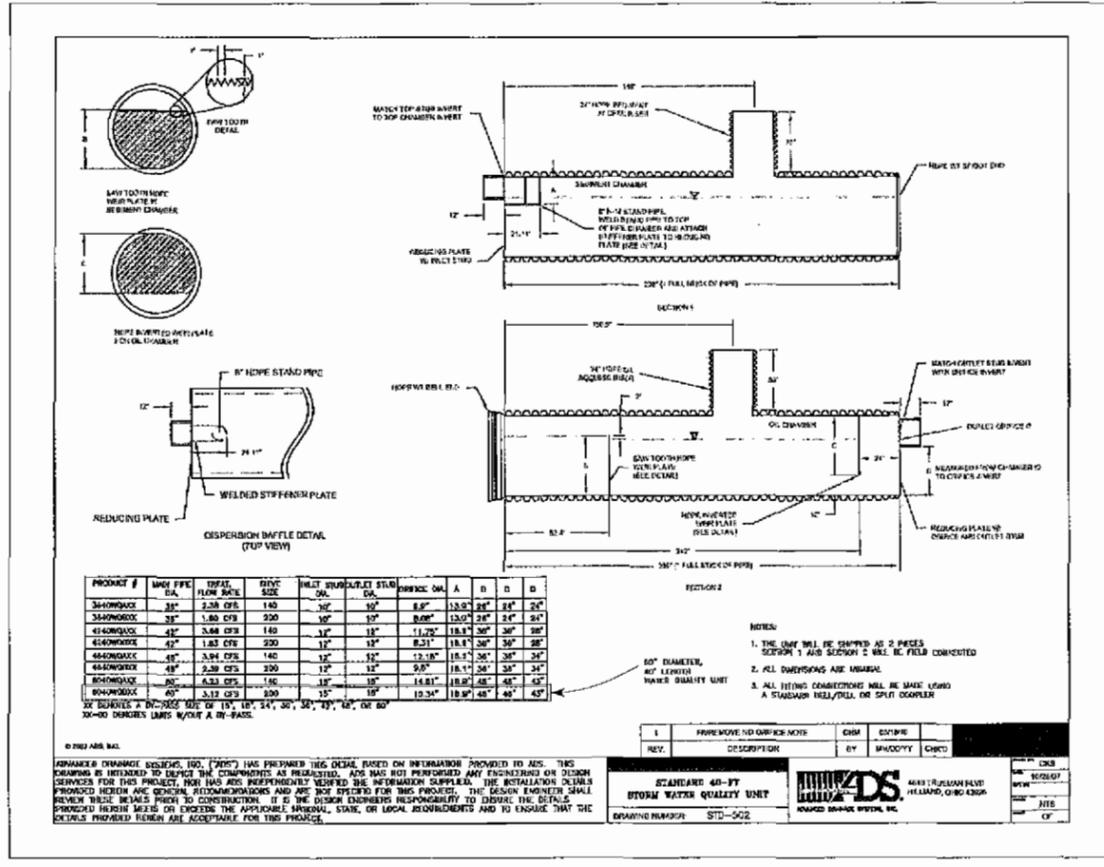
1. INLET PROTECTION DETAILS
 NO SCALE



CONSTRUCTION SEQUENCE
 CONSTRUCTION START: DECEMBER 1, 2010
 CONSTRUCTION END: AUGUST 1, 2011

PHASE	TYPE OF ACTION
1. PRE-CONSTRUCTION ACTION	1. CONTRACTOR TO CALL ENGINEER BEFORE AT A MINIMUM OF 3 DAYS PRIOR TO CONSTRUCTION. 2. PLACE ALL SILT FENCE. 3. CONSTRUCT EROSION CONTROL STRUCTURES AND ANY TEMPORARY CONSTRUCTION ROADWAYS. 4. CONSTRUCT PERMANENT UNDERGROUND COLLECTION AND PERMANENT STORMWATER CONVEYANCE SYSTEMS. 5. CONSTRUCT ANY TEMPORARY STORMWATER CONVEYANCE SYSTEMS. 6. STABILIZE ALL TEMPORARY AND PERMANENT EROSION CONTROL AND STORMWATER CONVEYANCE SYSTEMS BEFORE TOPSOIL CAN BE STRIPPED.
2. CONSTRUCTION ACTION	1. CLEAR AND GRUB TREES AND BRUSH AS REQUIRED AND INDICATED FOR PLANS. SITE DEMOLITION. 2. STRIP AND RELOCATE TOPSOIL TO THE DESIGNATED TOPSOIL STOCKPILE LOCATION (OFFSITE) LOCATION BY OWNER. 3. BEGIN MASS LATH WORK FOR THE BUILDING PAD AND PAVEMENT AREAS. 4. CONSTRUCT ANY REMAINING STORMWATER CONVEYANCE SYSTEMS AND INSTALL ALL OTHER UTILITIES ON SITE. 5. DIG AND FORM ALL BUILDING FOOTINGS. 6. PLACE GRAVEL FOR ALL PROPOSED PAVEMENT AREAS. 7. TOPSOIL, SEED, AND MULCH ALL DISTURBED AREAS OUTSIDE THE BUILDING AND PROPOSED PAVEMENT AREAS. 8. CONSTRUCT BUILDING. 9. PAVE DRIVEWAYS AND PARKING AREAS. 10. TOPSOIL, SEED, AND MULCH ALL OTHER DISTURBED AREAS. PLACE EROSION MATTING AND RIP RAP.
3. POST CONSTRUCTION ACTION	1. CONTRACTOR TO REMOVE TEMPORARY EROSION CONTROL STRUCTURES UPON SITE STABILIZATION. 2. SEE THE POST CONSTRUCTION MAINTENANCE PLAN FOR PERMANENT STORMWATER MANAGEMENT SYSTEMS.

****CONTRACTOR TO FOLLOW THE EROSION CONTROL SPECIFICATIONS FOR CONSTRUCTION EROSION CONTROL INSPECTION AND MAINTENANCE****



5. STORMTECH WATER QUALITY UNIT 6040WQB
 NO SCALE

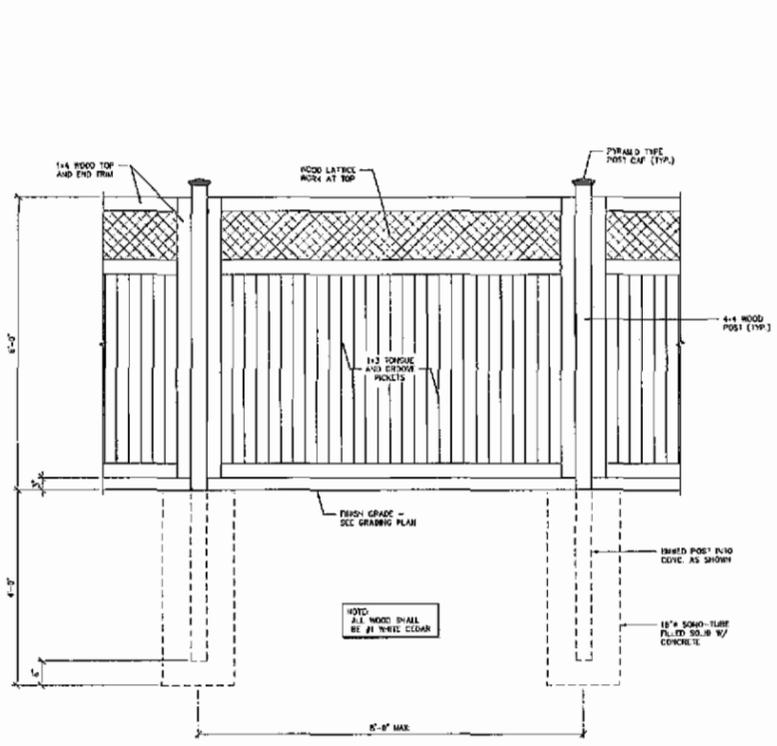
6. STORMTECH SC-740 UNDERGROUND STORAGE
 NO SCALE

OWNER:
 CAT CON WHITEWATER, LLC
 225 E. MASON STREET
 SUITE 600
 MILWAUKEE, WI 53202

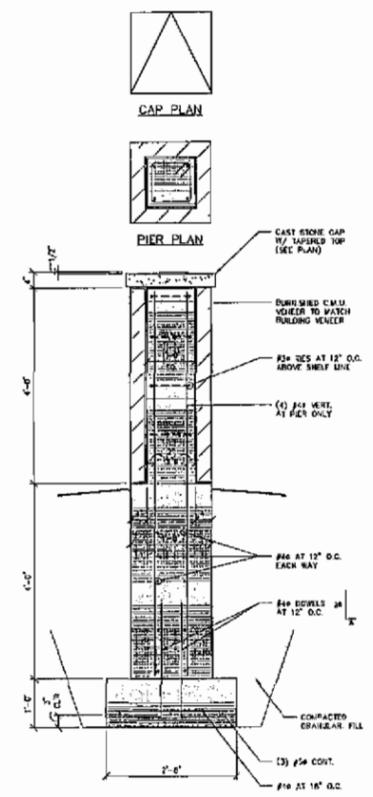
PROJECT:
 NEW BUILDING FOR THE ELEMENT
 NORTH PRINCE STREET
 WHITEWATER, WI 53190

PRELIMINARY PLAN DATE:
 OCTOBER 18, 2010
 NOVEMBER 15, 2010
 DECEMBER 6, 2010

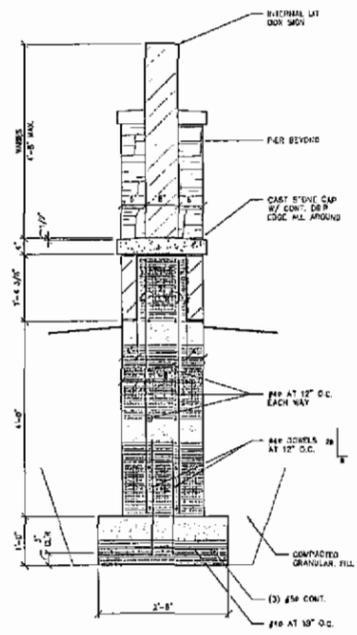
DATE:
 JOB NUMBER:
 1014610
 SHEET



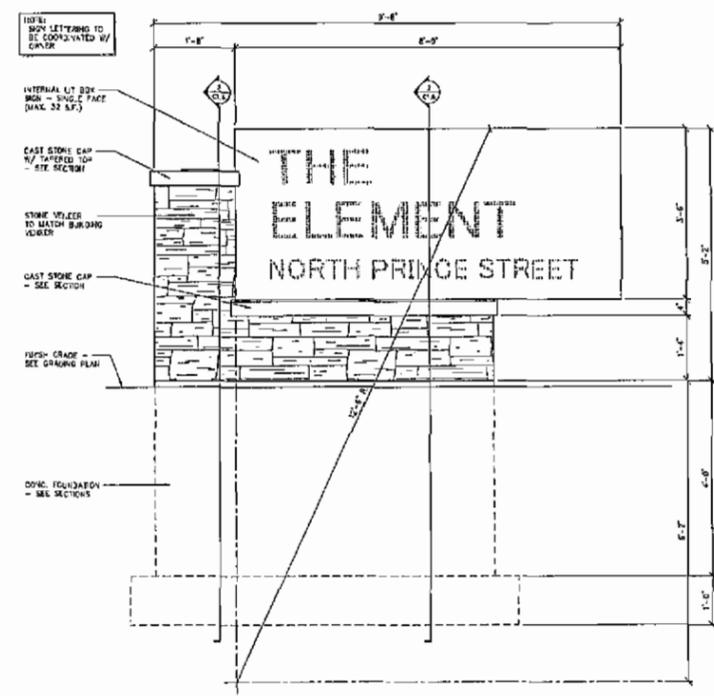
4 TYPICAL PRIVACY FENCE ELEVATION
C1.6 SCALE: 3/4" = 1'-0"



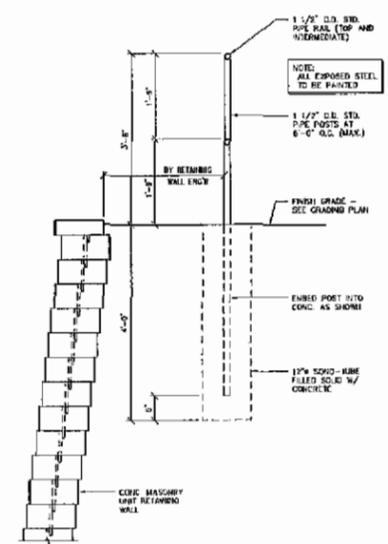
3 SIGN SECTION
C1.6 SCALE: 3/4" = 1'-0"



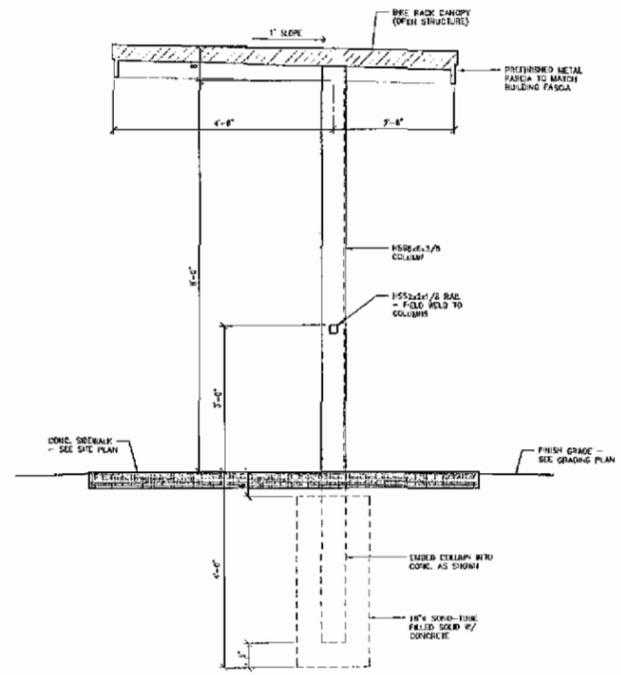
2 SIGN SECTION
C1.6 SCALE: 3/4" = 1'-0"



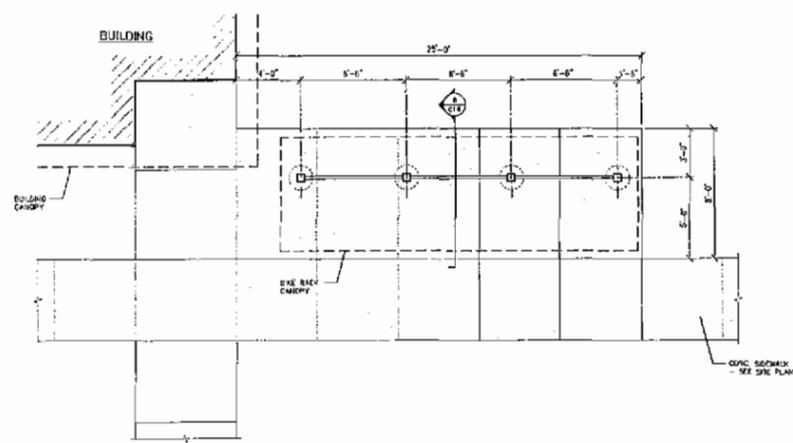
1 MONUMENT SIGN ELEVATION
C1.6 SCALE: 3/4" = 1'-0"



7 RETAINING WALL RAIL
C1.6 SCALE: 3/4" = 1'-0"



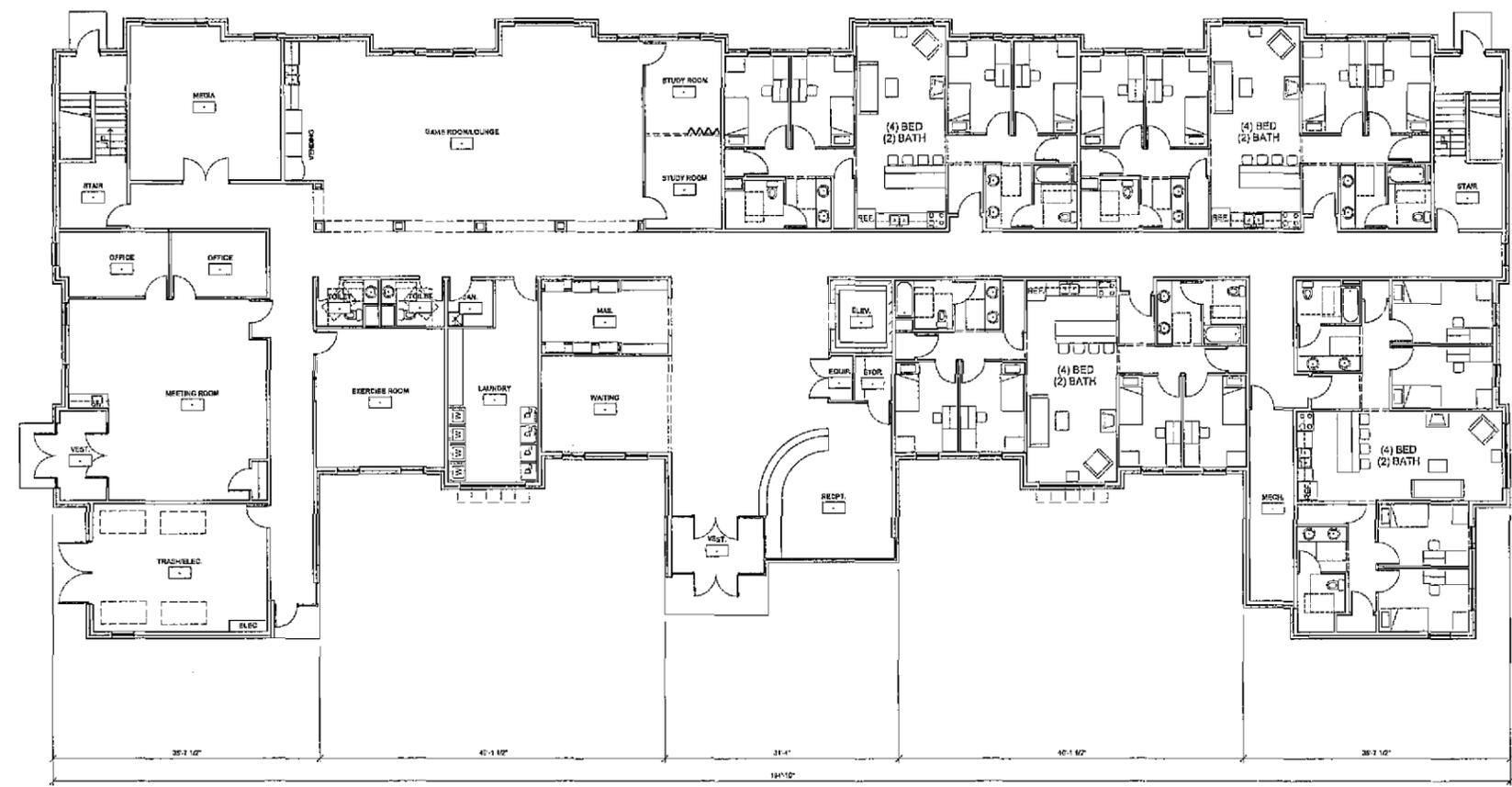
6 BIKE CANOPY SECTION
C1.6 SCALE: 3/4" = 1'-0"



5 BIKE RACK CANOPY PLAN
C1.6 SCALE: 1/4" = 1'-0"

TYPICAL UNIT AREAS	
2-BEDROOM (1) BATH UNIT	
LIVING ROOM	223 S.F.
KITCHEN	140 S.F.
BEDROOMS (EA)	110 S.F.
BATHROOM	54 S.F.
CIRCULATION	82 S.F.
CLOSET	48 S.F.
TOTAL UNIT	557 S.F.
3-BEDROOM (2) BATH UNIT	
LIVING ROOM	237 S.F.
KITCHEN	148 S.F.
BATHROOMS (EA)	108 S.F.
BATHROOM 1	54 S.F.
BATHROOM 2	54 S.F.
CIRCULATION	82 S.F.
CLOSET	48 S.F.
TOTAL UNIT	725 S.F.

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 SUITE 600
 MILWAUKEE, WI 53202

PROJECT:
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 NORTH PRINCE STREET
 WHITWATER, WI 53150

PRELIMINARY PLAN DATE:
 OCTOBER 11, 2010
 OCTOBER 18, 2010
 NOVEMBER 12, 2010
 DECEMBER 9, 2010

DATE: MMDDYY
JOB NUMBER: 1014810
SHEET

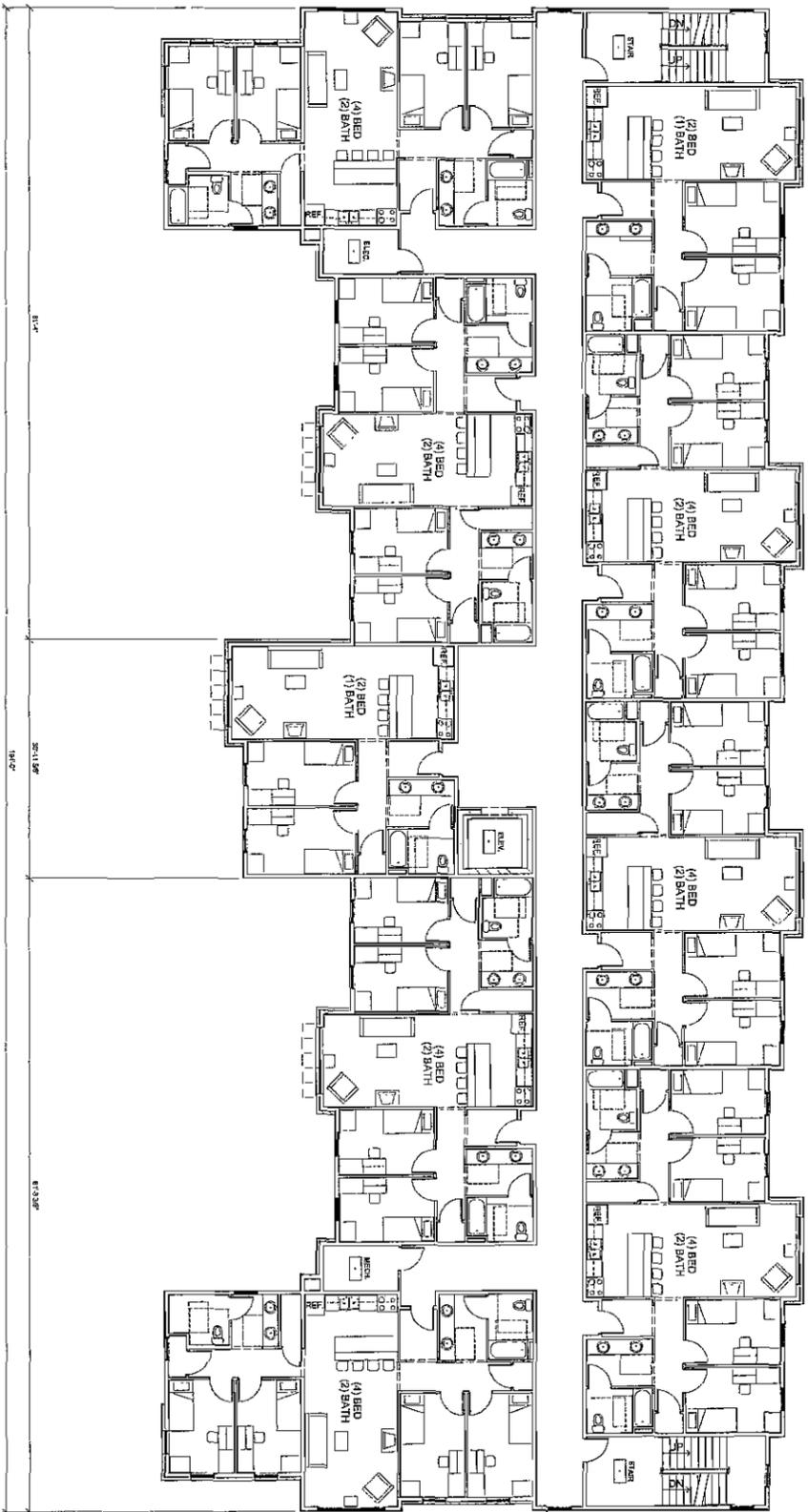
FIRST FLOOR PLAN
 SCALE: 1/8" = 1'-0"

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

A1.1

TYPICAL UNIT AREAS	
APARTMENT 1 (1 BED)	728 S.F.
APARTMENT 2 (2 BED)	1148 S.F.
APARTMENT 3 (1 BED)	728 S.F.
APARTMENT 4 (2 BED)	1148 S.F.
APARTMENT 5 (1 BED)	728 S.F.
APARTMENT 6 (2 BED)	1148 S.F.
APARTMENT 7 (1 BED)	728 S.F.
APARTMENT 8 (2 BED)	1148 S.F.
APARTMENT 9 (1 BED)	728 S.F.
APARTMENT 10 (2 BED)	1148 S.F.
APARTMENT 11 (1 BED)	728 S.F.
APARTMENT 12 (2 BED)	1148 S.F.
APARTMENT 13 (1 BED)	728 S.F.
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APARTMENT 90 (2 BED)	1148 S.F.
APARTMENT 91 (1 BED)	728 S.F.
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APARTMENT 93 (1 BED)	728 S.F.
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APARTMENT 95 (1 BED)	728 S.F.
APARTMENT 96 (2 BED)	1148 S.F.
APARTMENT 97 (1 BED)	728 S.F.
APARTMENT 98 (2 BED)	1148 S.F.
APARTMENT 99 (1 BED)	728 S.F.
APARTMENT 100 (2 BED)	1148 S.F.

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 FAX: 703.769.8801
 WWW.EXCEL-ENG.COM
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THIRD FLOOR PLAN
 SCALE: 1/8" = 1'-0"

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

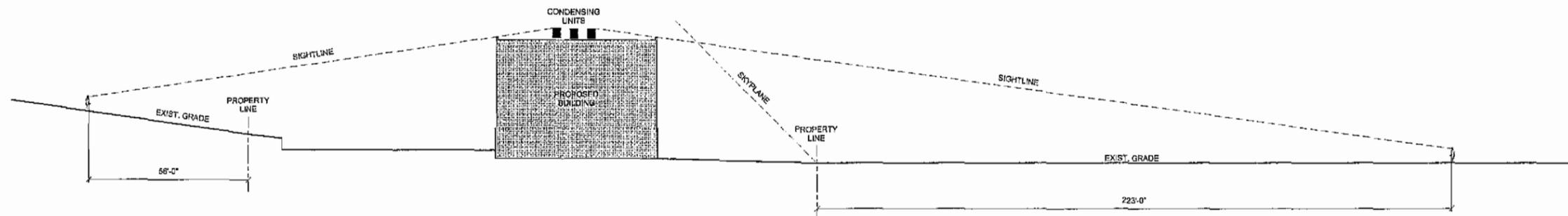
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 A1.3

PROJECT:
 NEW BUILDING FOR:
 THE ELEMENT
 NORTH PRINCE STREET
 WHITEWATER, WI 53190

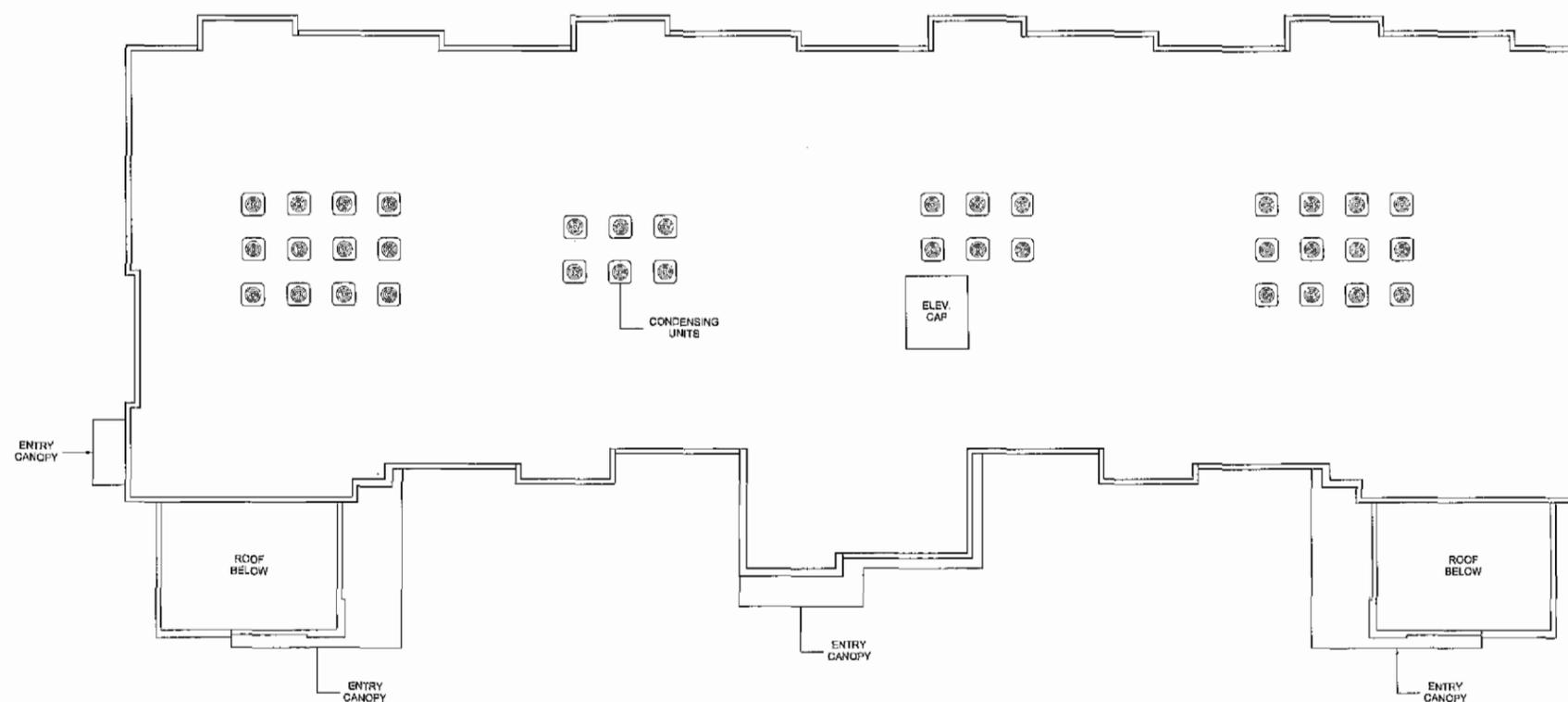
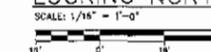
OWNER:
 CAT CON WHITEWATER, LLC
 225 E. MASON STREET
 SUITE 600
 MILWAUKEE, WI 53202

DATE:
 MM/DD/YY
 JOB NUMBER:
 1074610
SHEET

PRELIMINARY PLAN DATE:
 OCTOBER 11, 2010
 OCTOBER 14, 2010
 NOVEMBER 12, 2010
 DECEMBER 6, 2010



SIGHTLINE DIAGRAM
LOOKING NORTH



OWNER:
CAT CON WHITEWATER, LLC
225 E. MASON STREET
SUITE 600
MILWAUKEE, WI 53202

PROJECT:
NEW BUILDING FOR:
THE ELEMENT
NORTH PRINCE STREET
WHITEWATER, WI 53190

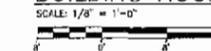
PRELIMINARY PLAN DATE:

NOVEMBER 12, 2010

DATE: MDDYY
JOB NUMBER: 1014610
SHEET



BUILDING ROOF PLAN



FINISH NOTES

COLOR #1
 LAP BOARD SIDING - HAVARD BEIGE
 CORNER TRIM BOARDS - NAVAJO BROWN
 WINDOW TRIM - WOODSTOCK BROWN

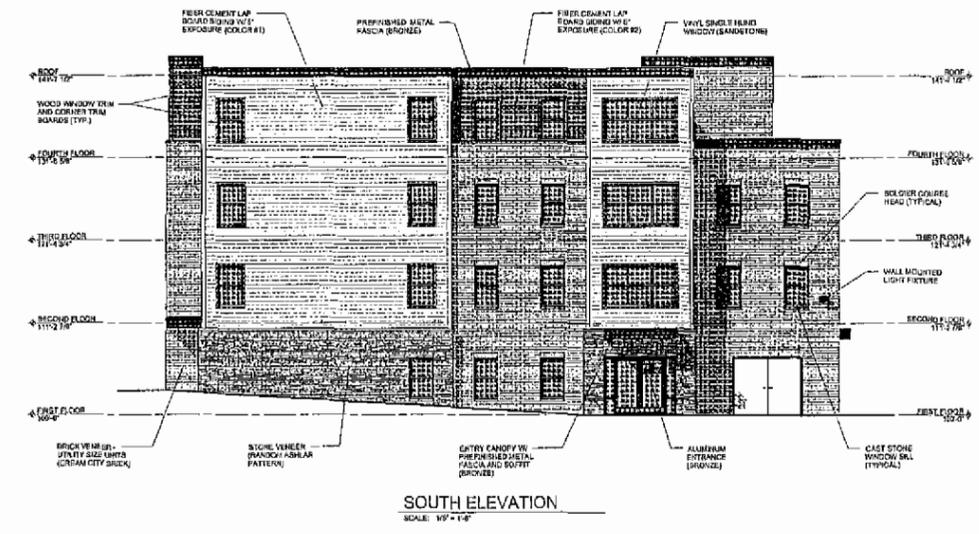
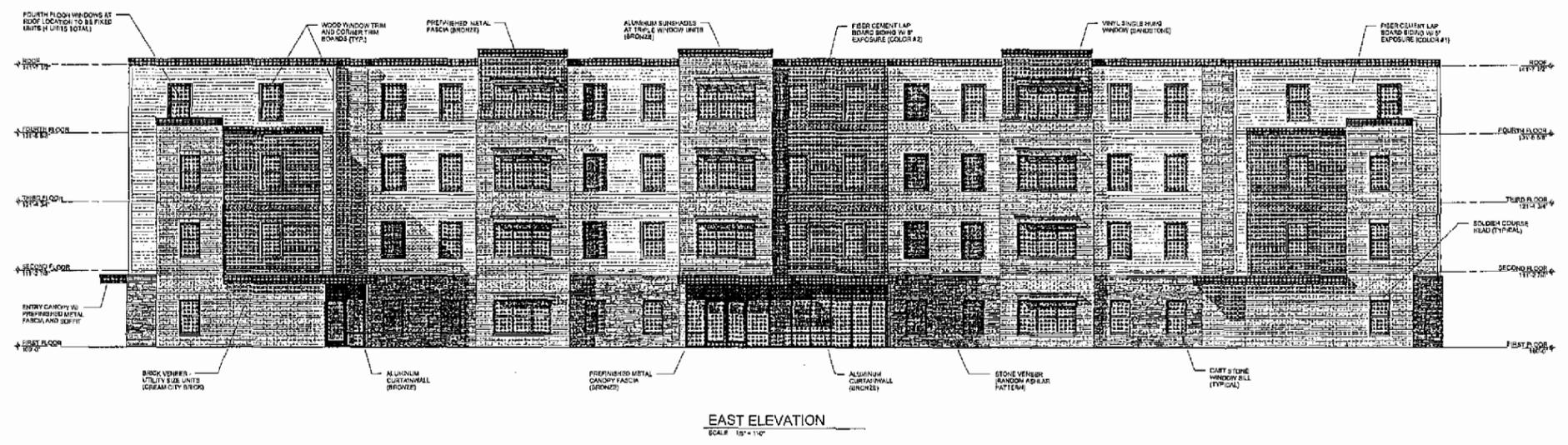
COLOR #2
 LAP BOARD SIDING - WOODSTOCK BROWN
 CORNER TRIM BOARDS - WOODSTOCK BROWN
 WINDOW TRIM - WOODSTOCK BROWN

WINDOW GLAZING
 GLASS - CLEAR

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 SUITE 600
 MILWAUKEE, WI 53202

PROJECT:
 NEW BUILDING FOR:
 THE ELEMENT
 NORTH PRINCE STREET
 WHITEWATER, WI 53190

PRELIMINARY PLAN DATE:

OCTOBER 11, 2016
OCTOBER 18, 2016
NOVEMBER 12, 2016
DECEMBER 6, 2016

DATE:
 MDDYY

JOB NUMBER:
 1014510

SHEET

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A2.0

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

FINISH NOTES

COLOR #1
 LAP BOARD SIDING - HAWAII SIDING
 CORNER TRIM BOARDS - HAWAII SIDING
 WINDOW TRIM - WOODGRAIN SIDING

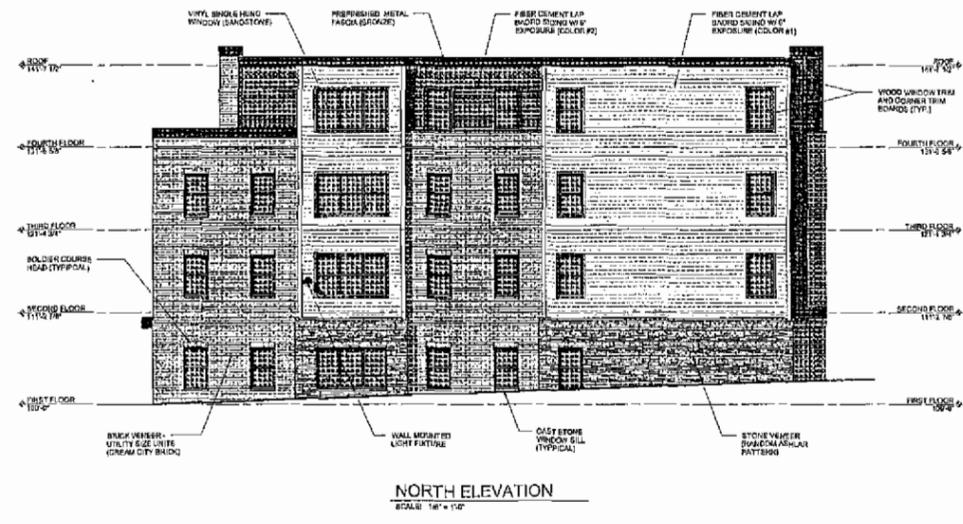
COLOR #2
 LAP BOARD SIDING - WOODSTOCK BROWN
 CORNER TRIM BOARDS - WOODSTOCK BROWN
 WINDOW TRIM - WOODSTOCK BROWN

WINDOW GLAZING
 GLASS - CLEAR

EXCEL ENGINEERING, INC.

100 CANNIST DRIVE
 EDINBURG, WI 54831
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 FAX: (920) 834-9801

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 SUITE 500
 MILWAUKEE, WI 53202

PROJECT:
 NEW BUILDING FOR
 THE ELEMENT
 NORTH PRINCE STREET
 WHITewater, WI 53150

PRELIMINARY PLAN DATE:

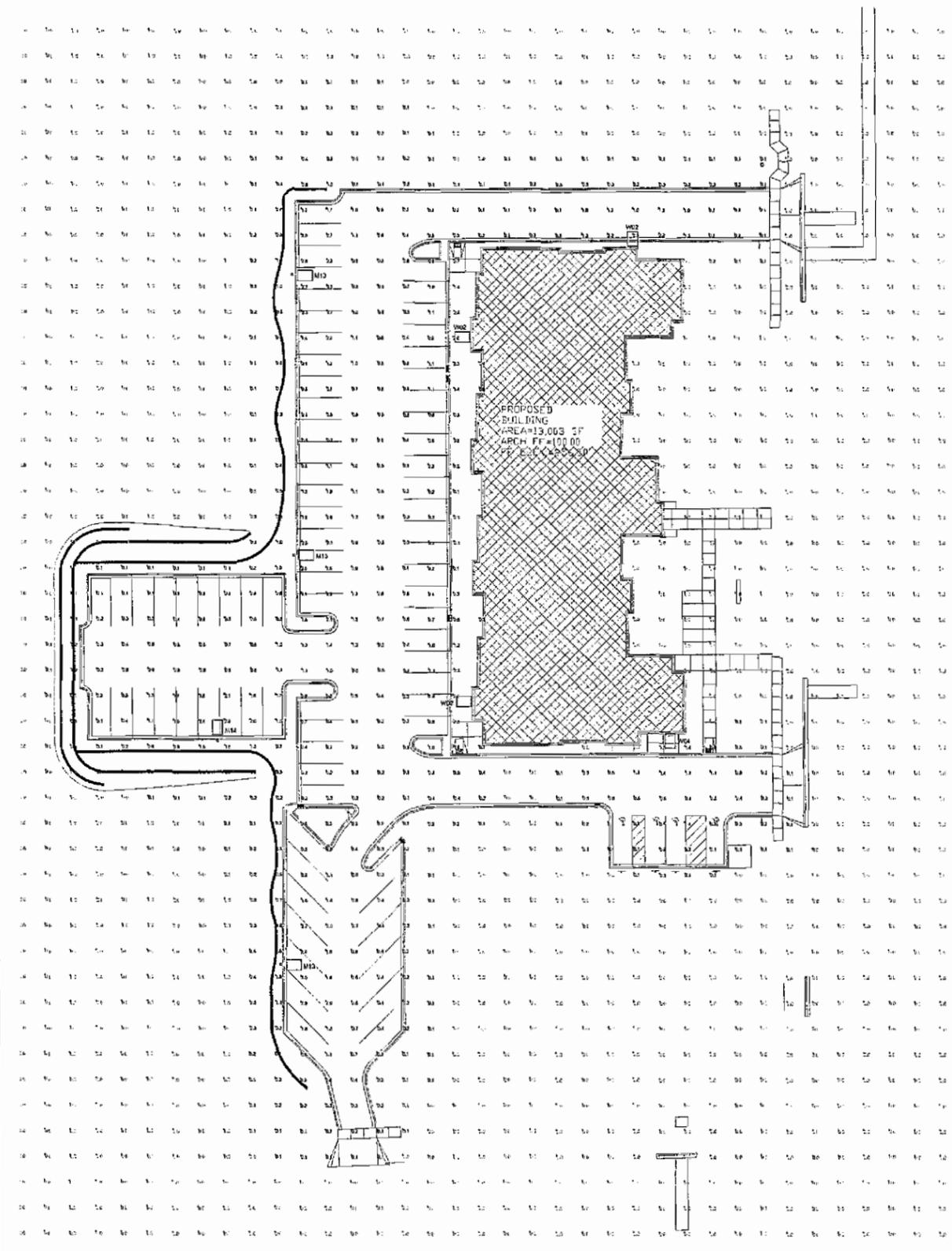
OCTOBER 11, 2010
 OCTOBER 16, 2010
 NOVEMBER 12, 2010
 DECEMBER 8, 2010

DATE:
 MMDDYY
JOB NUMBER:
 1014610
SHEET

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PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

A2.1



Symbol	Label	Qty	Category	Description	Lamp	F%	Lumen	LLF	Wpts	Mount Height
□	M13	3	ARCHITECTURE	ARCHITECTURE FULL CUTOFF LUMINAIRE DIE CAST ALUM. REFLECTOR SYSTEM WITH HIGH SPECULAR FINISH & DIE CAST ALUM. HOUSING AND LENS FRAME CLEAR FLAT GLASS LENS	20 WATT CLEAR, HPS 818 LAMP, HORIZONTAL POSITION, RATED AT 2000 INITIAL LUMENS	60	2500 lumens	0.81	250	18'-0"
□	M14	1	ARCHITECTURE	ARCHITECTURE FULL CUTOFF LUMINAIRE DIE CAST ALUM. REFLECTOR SYSTEM WITH HIGH SPECULAR FINISH & DIE CAST ALUM. HOUSING AND LENS FRAME CLEAR FLAT GLASS LENS	20 WATT CLEAR, HPS 818 LAMP, HORIZONTAL POSITION, RATED AT 2000 INITIAL LUMENS	60	2500 lumens	0.81	250	18'-0"
□	M02	3	WORKSHOP	WALL DIRECTOR WALL MOUNTED LUMINAIRE DIE CAST ALUM. REFLECTOR SYSTEM WITH HIGH SPECULAR FINISH & DIE CAST ALUM. HOUSING AND LENS FRAME CLEAR FLAT GLASS LENS	20 WATT CLEAR, HPS 818 LAMP, HORIZONTAL POSITION, RATED AT 2000 INITIAL LUMENS	60	2500 lumens	0.81	250	14'-0"
□	M04	1	WORKSHOP	WALL DIRECTOR WALL MOUNTED LUMINAIRE DIE CAST ALUM. REFLECTOR SYSTEM WITH HIGH SPECULAR FINISH & DIE CAST ALUM. HOUSING AND LENS FRAME CLEAR FLAT GLASS LENS	20 WATT CLEAR, HPS 818 LAMP, HORIZONTAL POSITION, RATED AT 2000 INITIAL LUMENS	60	2500 lumens	0.81	250	14'-0"

Statistic	Symbol	Avg	Max	Min	Wdth	Height
Site Zone #1	+	0.1 fc	3.0 fc	0.0 fc	N/A	N/A
PARKING PARKING DRIVE	X	1.9 fc	3.0 fc	0.3 fc	18.0 ft	8.0 ft
PARKING PARKING LOT	X	0.8 fc	2.5 fc	0.1 fc	28.1 ft	8.0 ft
NORTH DRIVEWAY	X	0.7 fc	2.1 fc	0.1 fc	25.0 ft	10.0 ft
SOUTH DRIVEWAY	X	0.6 fc	1.4 fc	0.0 fc	N/A	N/A
SOUTH PARKING LOT	X	0.3 fc	0.4 fc	0.1 fc	4.0 ft	3.0 ft
WEST PARKING LOT	X	0.8 fc	2.3 fc	0.1 fc	28.0 ft	8.0 ft

PHOTOMETRIC PLAN
SCALE: 1" = 20'

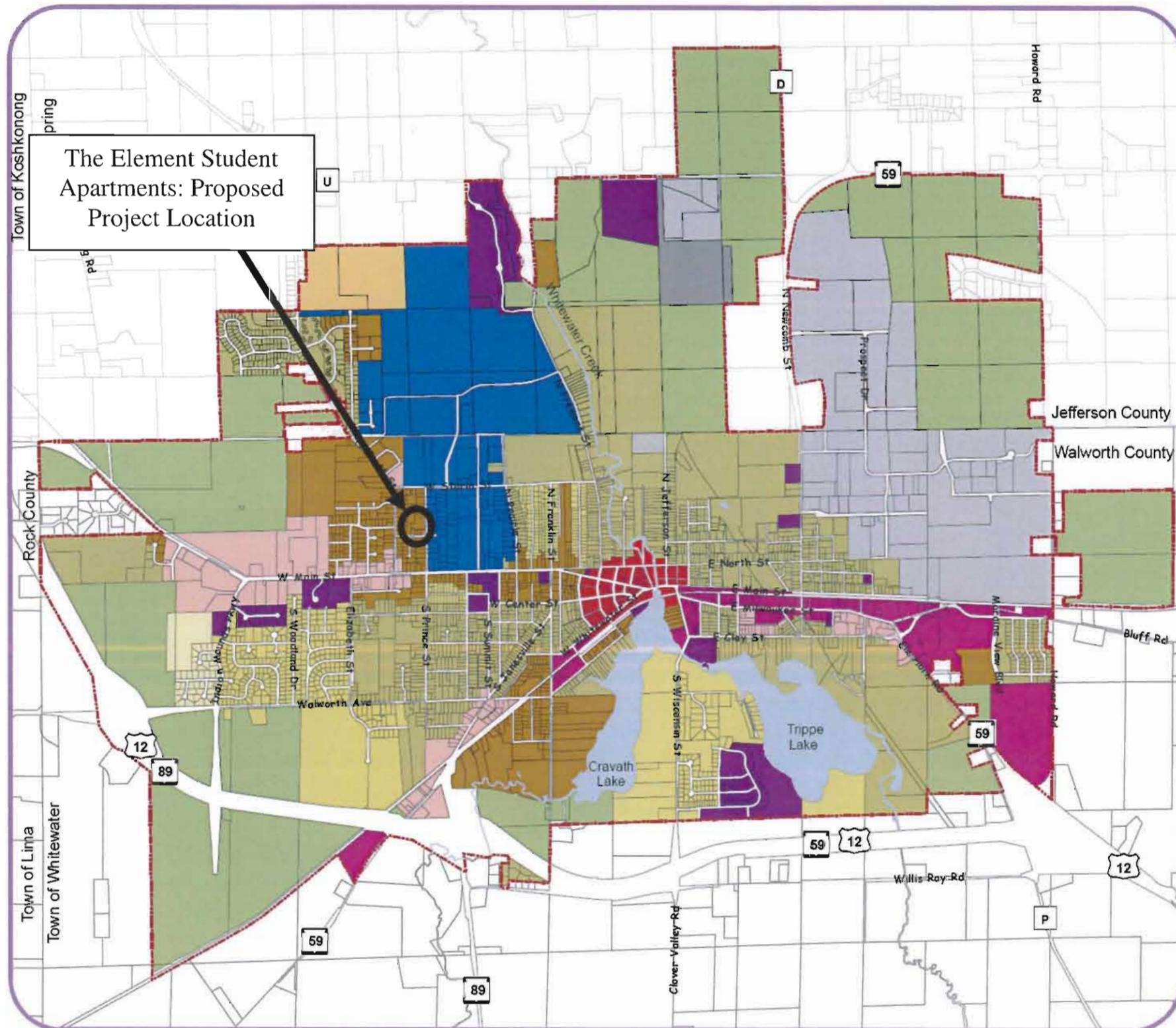
OWNER:
CAT CON WHITEWATER, LLC
225 E. MASON STREET
SUITE 600
MILWAUKEE, WI 53202

PROJECT FOR:
NEW BUILDING FOR:
THE ELEMENT
NORTH PRINCE STREET
WHITEWATER, WI 53190

PRELIMINARY PLAN DATE:
OCTOBER 18, 2010
NOVEMBER 12, 2010
DECEMBER 8, 2010

DATE:
MMDYY
JOB NUMBER:
1014610
SHEET

PXP1



City of Whitewater

Official Zoning Map

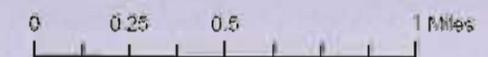
DRAFT

DRAFT

Base Zoning Districts

- R-1 One Family Residence
- R-1x One Family Residence
- R-2 One and Two Family Residence
- R-3 Multi Family Residence
- R-4 Mobile Home
- B-1 Community Business
- B-2 Central Business
- B-3 Highway Commercial and Light Industrial
- M-1 General Manufacturing
- M-2 Manufacturing and Miscellaneous Use
- WUTP Whitewater University Technology Park
- PCD Planned Community Development
- AT Agricultural Transition
- I Institutional

- Right of Way
- Surface Water
- City of Whitewater Municipal Limits
- Parcel Boundaries
- Area Outside City



October 28, 2010



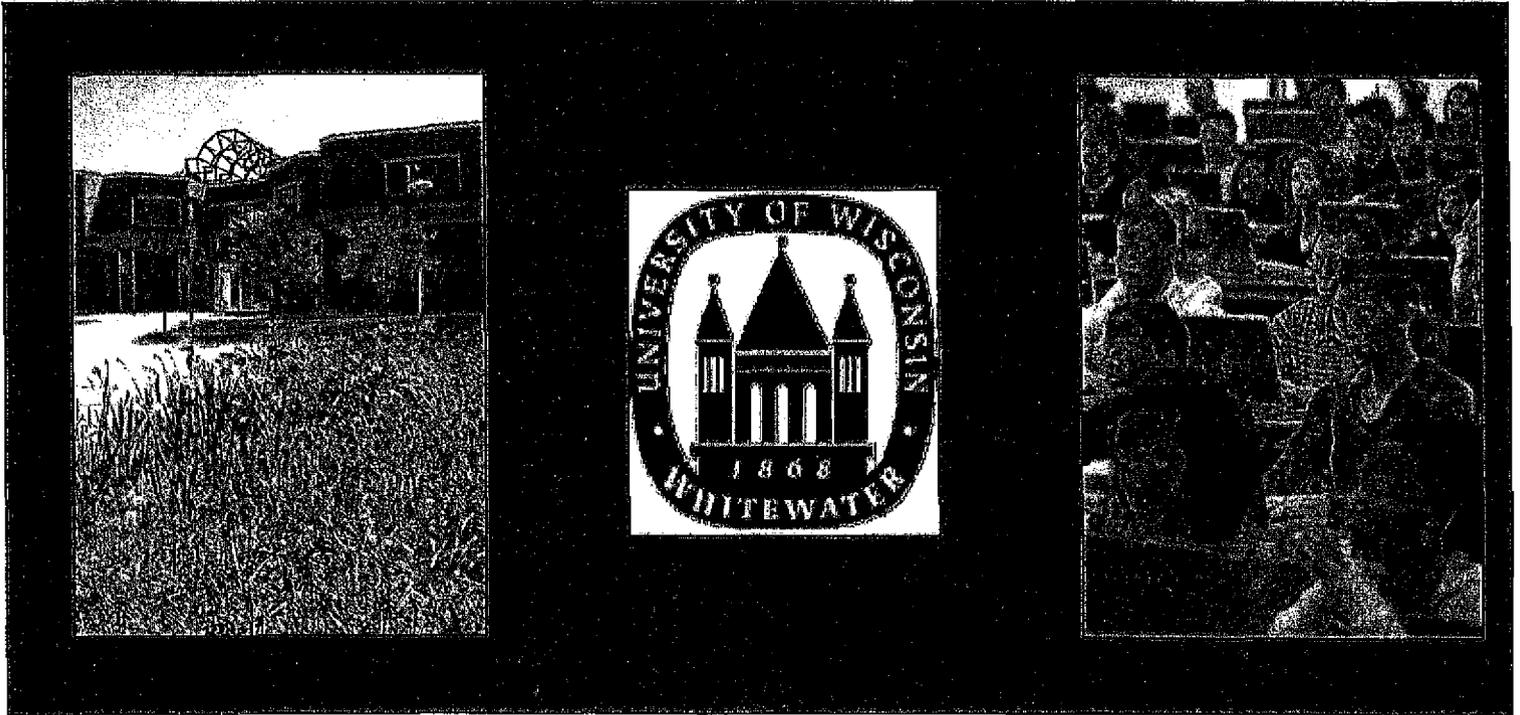
190 CAMELOT DRIVE
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THE ELEMENT
NORTH PRINCE STREET
WHITEWATER, WI 53191

NOVEMBER 12, 2010





**Proposed Housing Development
at University of Wisconsin-Whitewater
Student Housing Market Study**

**Final Report
May 2010**



Brailsford & Dunlavey ("B&D") was retained by United Group of Companies ("the Developer") in April 2010 to assess the feasibility of a proposed off-campus housing development at 236 Prince Street ("the Proposed Project") in Whitewater, Wisconsin near the University of Wisconsin-Whitewater ("UWW" or "the University").

B&D extends its gratitude to the following individuals for their assistance during the analysis and documentation of the Student Housing Market Study ("the Study"):

Erik Steffensen, Development Executive

This report sets forth B&D's findings and recommendations as part of the Study. The findings contained herein represent the professional opinions of the B&D personnel based on assumptions and conditions detailed in this report. B&D has conducted research using both primary and secondary information sources, which are deemed to be reliable but whose accuracy B&D cannot guarantee.

Section

- 1 Executive Summary
- 2 Market Depth
- 3 University Profile
- 4 Intercept Interviews
- 5 Off-Campus Market Analysis

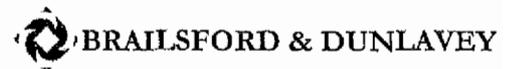
Appendices

- A Off-Campus Market Summary





1. Executive Summary



INTRODUCTION

In April 2010, United Group engaged Brallsford & Dunlavey to prepare a market study related to the proposed development of an off-campus student housing property located near the University of Wisconsin at Whitewater in Whitewater, WI.

WORK PLAN

B&D completed the market analysis for United Group, accomplishing a series of tasks as outlined within B&D's scope of work:

- a tour of the proposed project site to understand and evaluate the site specific opportunities and constraints;
- a series of intercept interviews with students to understand the campus culture and student housing preferences;
- a review of UWW's demographic profile and a survey of its current and planned housing stock to assess the target market from both the qualitative and quantitative perspective; and,
- an analysis and comparison of competitive properties in the market to assess the nature and price points of the housing market.

CONCLUSIONS

Although student housing is available both on campus and immediately adjacent to campus in the off-campus market, the existing housing supply is generally old and rundown.

- The majority of the on-campus housing was developed in the 1960s and has not undergone any significant renovations since its development. The entire current housing supply is comprised of traditional dormitory-style buildings.
- The off-campus market is comprised of both rental houses and small apartment complexes. Although some of the properties are better maintained than others, the market primarily includes relatively old, low-quality housing compared to other student housing markets that B&D has analyzed.

Based on conversations with students and UWW administrators, an analysis of the current market supply, and B&D's experience analyzing similar projects nationwide, B&D finds sufficient market demand in Whitewater, WI to support an upscale, student-oriented housing development. B&D concludes that students would be willing to pay a small premium over current market rates if they were offered a new, high-quality, student-oriented housing property located in close proximity to campus.

University Overview

The University of Wisconsin-Whitewater became Wisconsin's second public college when it opened its doors in 1868. UW-Whitewater is a four-year, co-ed, residential college that is one of the 11 public universities that make up the University of Wisconsin System. UWW offers Associate's, Bachelor's, and Master's degrees and has a current enrollment of 10,962 students. UWW currently offers 46 undergraduate majors within 4 separate colleges along with 13 graduate programs.

The target market for the proposed development is undergraduate students. Based on the University demographics, over 93% of undergraduate students attend UWW on a full-time basis and over 80% of the UWW student population is between 18 and 24 years of age (traditional college age). Both of these factors are known housing demand indicators. While most of the population (88%) are in-state students, the University requires that all first- and second-year students live on campus, so students become accustomed to living in student housing and, generally, rent in the off-campus market once they leave the on-campus housing system. With approximately 11,000 students and only 3,400 beds on campus, on-campus supply is limited and students, typically, move to the off-campus market at the beginning of their junior year.

The UW System produces a Six-year Physical Development Plan every two years. The most recent plan was developed in 2009 and includes a "Growth Agenda" for the entire University of Wisconsin system. According to the Growth Agenda for the 2009-2015 plan, the goal for the University of Wisconsin system is "to provide additional educational access to more than 7,000 full-time equivalent students" through a reinvestment program supported by the state. Although the plan does not address the specific amount of growth at each school, UW-Whitewater is one of the schools designated for enrollment increases in the future. The enrollment growth will likely generate additional housing demand.

University Housing Plan

Only a few years ago, UWW offered 15 residence halls on campus. However, due to other campus needs, two residence halls have recently been taken offline (one razed for the development of the College of Business and Economics building and one being used by faculty for administrative purposes). As a result, UWW currently offers only 13 residence halls, which limits the supply of on-campus beds and makes it difficult to satisfy the mandatory live-on policy for freshmen and sophomores. The limited supply of beds means that some students are forced to live in triple-occupancy rooms and even some study lounges have been turned into bedrooms. An article published on Sunday, January 31, 2010 by *Royal Purple News*, UWW's student newspaper, quoted Alan Hoesly, Coordinator for Residential Operations at UWW, saying, "There are currently 105 students living in lounges and basements throughout campus." While UWW is currently finding a place to accommodate all of the students who require housing, the Director of Housing at UWW is concerned that any future changes to the system will be problematic. According to both the Director of Housing and other published documentation, all of the residence halls offered at UWW are traditional dormitory-style buildings, most of which were built in the 1960s. The residence halls have never undergone significant renovations, are starting to accrue deferred



maintenance costs, and do not collectively offer the appropriate unit mix for UWW's desired residential program. As a result, the buildings are in dire need of renovations. However, taking buildings offline for renovations will decrease the supply of student housing beyond the minimum supply needed to provide beds to all freshman and sophomore students. To provide some "swing space" that would accommodate the live-on requirement while buildings went offline for renovations, the University decided to build an additional student housing development called Starin Hall. Starin Hall will be the first residential development on campus in over 40 years.

Starin Hall, a 436-bed, suite-style, on-campus residence hall, is scheduled to open in the fall of 2010. Starin Hall is the first suite-style housing on campus, and at a rate of \$2,400 per semester for a single-occupancy bedroom, Starin Hall offers some of the most expensive housing in both the on- and off-campus markets. According to the Director of Housing at Whitewater, Starin Hall received over 1,000 student applications when Whitewater's housing selection process opened at the beginning of the 2010 spring semester, which is over twice the number of beds supplied at the property.

The *Royal Purple News* article mentioned previously provided more details regarding the applications received for Starin Hall. According to the article:

- "A total of 1,134 students submitted applications for a room"
- "1,012 [of the students who applied] were in groups of four [students]"
- "Of the accepted applicants, 66% were sophomores"

The article also quoted Director of Housing Frank Bartlett,

- "We knew the demand was out there, but we did not anticipate over a thousand students applying. We could fill more than two Starin Halls."

In a conversation B&D, Frank Bartlett indicated that UWW's plan is to renovate one of the existing dormitory-style residence halls each year until they are all upgraded. Renovations will address deferred maintenance issues, space constraints, unit configurations, fire sprinkler systems, ADA accessibility, and energy conservation, among other things. Starin Hall was originally expected to serve as swing space for underclassmen during renovations and then intended to be transferred into housing for upperclassmen once renovations were complete. However, due to the high demand for housing at Starin Hall, especially from upperclassmen, UWW might look to continue expanding its housing presence. Since on-campus space and funding is limited, UWW has considered expanding its reach into the off-campus market. Mr. Bartlett mentioned a preliminary idea of purchasing an off-campus property or trying to master lease one from a third-party provider.

Based on the previously described factors, it is clear that there is currently excess demand for high-quality housing that is located on, or in close proximity to the UWW campus.

Off-campus Analysis

The off-campus housing is popular with students because it offers inexpensive rental prices, proximity to campus, and proximity to other students. Due to the limited availability of high-quality housing in the Whitewater market, many students inevitably default into the existing lower-end offerings.

B&D conducted intercept interviews with students and determined that students consider generally three factors when analyzing housing: location, quality, and price.

Location

The majority of off-campus housing is located within walking distance of campus. Additionally, most of the apartment complexes near campus are located in close proximity to the University's on-campus housing, creating a student-oriented neighborhood and providing a natural transition from on-campus housing into the off-campus market. Students generally expressed satisfaction with the location of the housing in the off-campus market.

Quality

As previously mentioned, the off-campus housing is generally old and rundown. There are a few landlords that collectively own a large percentage of the off-campus student housing supply, and those landlords have established a culture that effectively makes low-quality housing the norm for the off-campus market. Although students live in the properties and enjoy the low rental rates, many students complained about the quality of the housing and said that they were dissatisfied with their relationships with the landlords in town.

Price

The rental rates in the market are generally inexpensive. On average, students pay just below \$400 per month for a single-occupancy bedroom. Most students reside in single-occupancy bedrooms, however, landlords typically advertise properties as having either single- or double-occupancy bedrooms, so some students do decide to save money by sharing a bedroom. The landlords do not charge a premium for sharing a bedroom, so students who opt to live in double-occupancy bedrooms pay approximately \$200 per month.

Most properties require tenants pay for their own utilities. According to a document provided by UWW to help support off-campus students, electricity costs \$100 per month, cable costs \$60 per month, and internet costs \$40 per month, totaling \$200 in utilities each month. Assuming an average of three tenants per property, students typically pay around \$60 to \$65 in utilities each month.

Although students pay utilities, most landlords offer free parking to tenants. Parking typically includes one spot per bedroom and in some cases, covered garage spots are provided at no charge.



Once rent, utilities, and parking are factored in to the cost of off-campus housing, students typically pay between \$450 and \$500 per month for a single-occupancy bedroom.

FUTURE DEVELOPMENTS

Similar to the analysis of the current off-campus market, B&D reviewed future developments within the context of location, quality, and rental prices to help examine and shape future project concept.

Location

Future housing developments should be planned in an ideal location. Future properties should be located:

- directly adjacent to campus,
- within the student residential neighborhood that has been created by the existing on- and off-campus housing market, and
- closer to campus than the majority of the existing off-campus housing.

The location of the future properties will play a significant role in the strength of the demand for the future developments.

Quality

The demand for new housing in the market is evidenced by the popularity of the new construction at Starin Hall, and B&D projects that the high quality at future properties will play a significant role in shaping demand for the developments.

In addition to the quality of the construction, B&D finds that future developments should have an appropriate concept regarding the quality of the student experience. Future developments should plan to include the following amenities:

- Fitness Center
- Business Center
- Lounge Area
- Study Rooms
- Conference rooms
- Computing Center
- 24-hour Security
- On-site Resident Assistants
- Individual leases

Based on B&D's experience, these amenities are popular at student-oriented properties nationwide and are generally not offered in the Whitewater off-campus market. B&D projects that these amenities will serve as recruitment tools for future developments.

Price

Additional Costs of Rental Rates

- A small rental premium is expected and can be supported for future projects. As previously mentioned, the off-campus rental rate for a single-occupancy bedroom is approximately \$400 per student per month and the average rate for a double-occupancy bedroom is \$200 per student per month.

Additional Costs of Parking

- Parking is generally offered to tenants in the off-campus market at no additional cost. In some cases, landlords even provided covered parking or garage parking. Since the ideal location for future properties is located in such close proximity to campus, B&D also analyzed the cost of parking on campus. According to UWW's Division of Administrative Affairs, an annual residential parking permit costs \$220, or approximately \$22 per month over the course of a 10-month academic year. B&D suggests that future properties offer parking at a fee in the same range as on-campus parking.

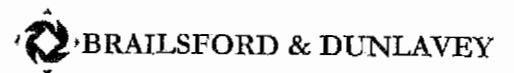
Additional Costs of Utilities

- Utilities are generally not provided by the landlords in the off-campus market. Based on B&D's research, students pay approximately \$65 each per month for utilities.





2 Market Depth



B&D performed a demand analysis using information from the *Student Housing Market Study* conducted at the University of Wisconsin-Whitewater.

Full-Time Students by Class

Freshmen	2,132
Sophomores	1,943
<u>Juniors & Seniors</u>	<u>4,873</u>
Total	8,948

Since only full-time students are typically interested in off-campus student housing, part-time students were removed from this analysis. Starting with a full-time student population of 8,948, B&D first removed freshmen and sophomores from the target market because these students are required to live on campus at UWW. The balance of the target market was comprised of juniors and seniors, but in the absence of a student survey or demographic database, it was difficult to determine what percentage of juniors and seniors rent in the off-campus market. As a result, B&D took a conservative approach and eliminated 50% of juniors and seniors as non-renters.

Renters

Full-Time Juniors & Seniors	4,873
<u>Non-Renter Discount</u>	<u>50%</u>
Total Renters	2,437

Based on industry metrics, B&D typically likes to see new student housing projects have capture rates of less than 12-15%. Taking a conservative approach by using 50% of full-time juniors and seniors, B&D determined that the market could support approximately 300 beds of appropriately planned student-oriented housing development.

Capture Rate

Target Market	2,437
<u>New Market Beds</u>	<u>300</u>
Required Capture Rate	12.3%





3. University Profile



OBJECTIVE

The objective of the University profile was to analyze the campus characteristics, enrollment trends, demographic information, and on-campus housing inventory at the University of Wisconsin-Whitewater.

UNIVERSITY OVERVIEW

The University of Wisconsin-Whitewater became Wisconsin's second public college when it opened its doors in 1868. UW-Whitewater is a four-year, co-ed, residential college that is one of the 11 public universities that make up the University of Wisconsin System. UWW offers Associate's, Bachelor's, and Master's degrees and has a current enrollment of 10,962 students. UWW currently offers 46 undergraduate majors within 4 separate colleges along with 13 graduate programs.

The UWW student enrollment consists primarily of undergraduate students. As seen in Exhibit 3.1, almost 90% of the student population is undergraduates. This high percentage of undergraduate students is important because these students are the target market for this proposed development.

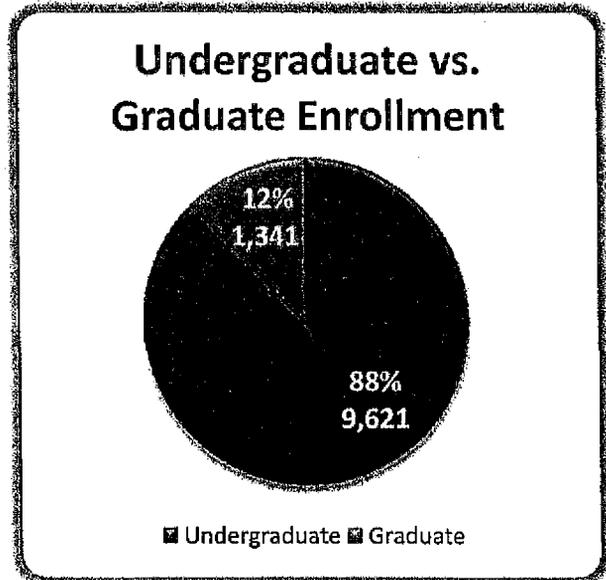


Exhibit 3.1: Enrollment breakdown for Fall 2008 (National Center for Educational Statistics)

Exhibit 3.2 shows that the gender composition of the student population of UWW is evenly distributed with a male to female ratio of approximately 1 to 1, according to the 2008-2009 Common Data Set for the University.

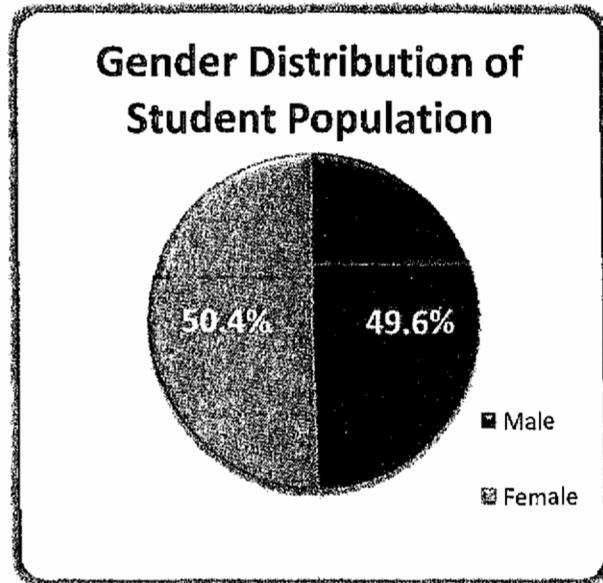


Exhibit 3.2: Gender distribution for student population (2008-2009 Common Data Set)

UWW has students enrolled from 36 states and 36 countries, but the majority of students enrolled at the University are from Wisconsin or neighboring states. Exhibit 3.3 shows the breakdown of the Fall 2009 freshman class.

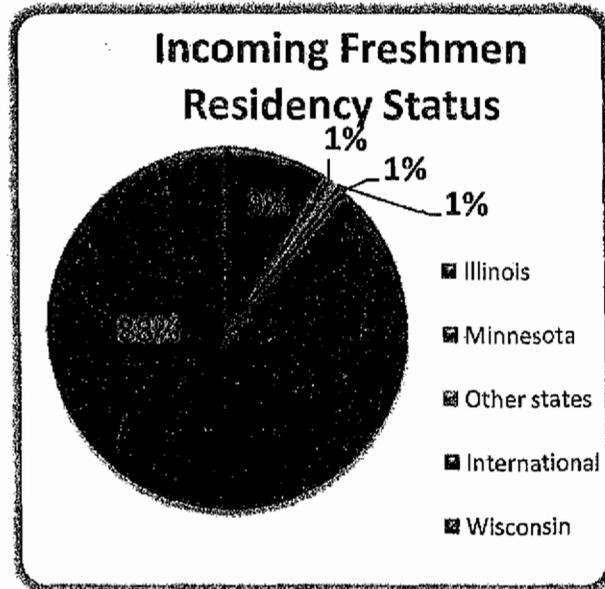


Exhibit 3.3: Incoming Freshmen Residency Status for Fall 2009



The enrollment status of both graduate and undergraduate students, according to the Common Data Set of UWW, is shown in Exhibit 3.4 and Exhibit 3.5.

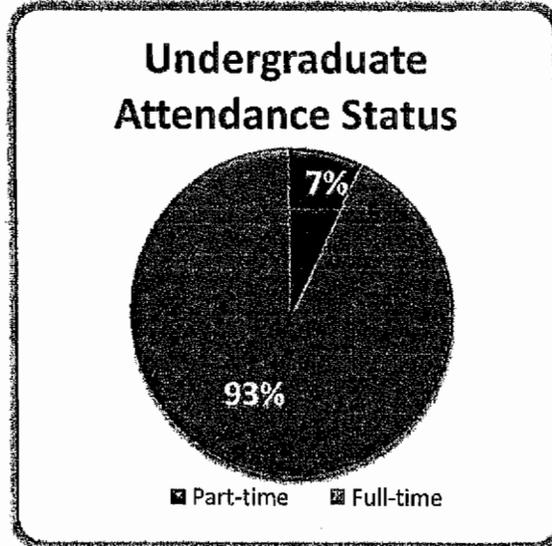


Exhibit 3.4: Status as a percentage of undergraduate student enrollment

Exhibit 3.4 shows that the majority of undergraduate students at UWW are enrolled full time. The high percentage of full-time, undergraduate students is an important factor because they generally live in student-oriented housing near campus. These students represent the target market for this proposed housing development.

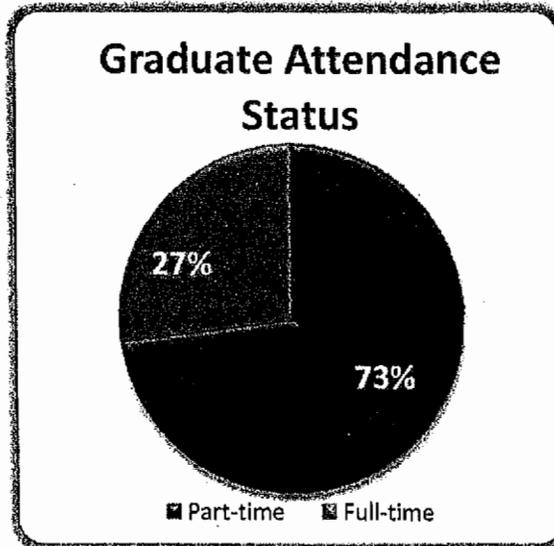


Exhibit 3.5: Status as a percentage of graduate student enrollment

Conversely, the majority of graduate students at UWW are enrolled part time, as shown in Exhibit 3.5. These students are less likely to live in student-oriented housing near campus. However, this demographic does not represent the target market of the proposed housing development and therefore should not have a significant impact on demand for the proposed property.

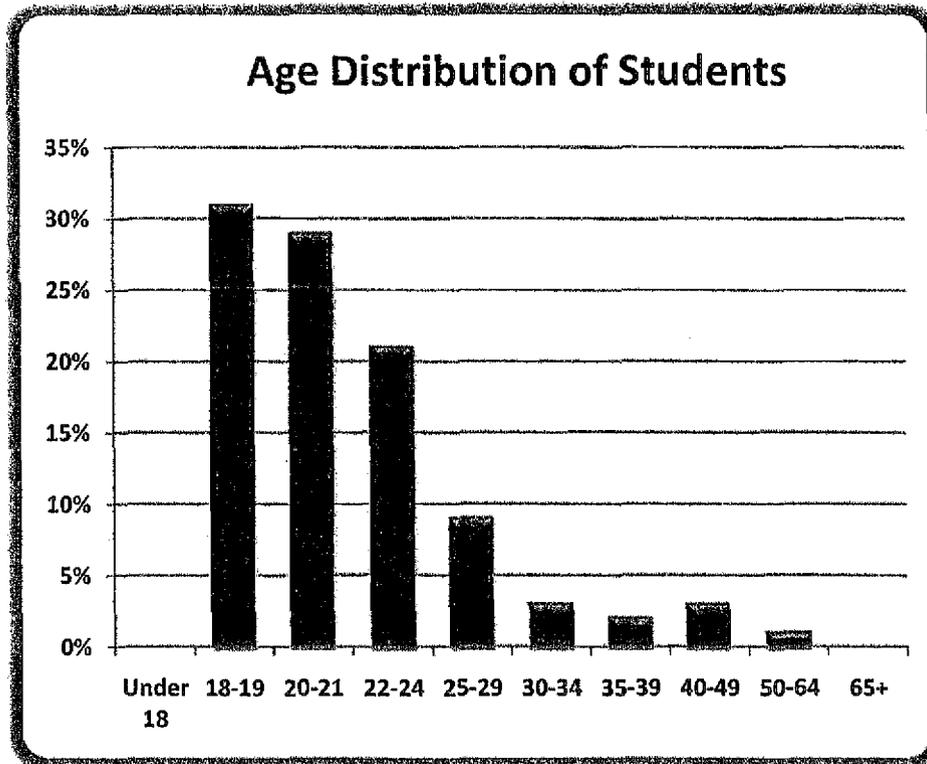


Exhibit 3.6: Age Distribution of UWW Students

Exhibit 3.6 shows the age distribution of UWW students, based on data from the 2007-2008 academic year. According to the exhibit, approximately 60% of UWW students are under 21 and over 80% of the entire student population is within the traditional college age range (18-24). Traditional college-aged students are the most likely to live in student-oriented housing and are part of the target market for the proposed development.

HOUSING INVENTORY

The University of Wisconsin-Whitewater offers campus housing for over 34% of its full-time students. The University's twelve residence halls, housing a total of 3,284 on-campus beds, help freshmen and sophomores meet UWW's live-on requirement.

UWW requires that all students with fewer than 60 credits live in University-operated residence halls during the academic year. Students who are veterans, married, graduated from high school more than two years prior to enrolling, or who have permission to commute from their parent's home (must live within 40 mile radius) can exempt from the requirement. As a result of this requirement, 90% of first-time, first-year students live in college-owned, -operated, or -affiliated housing. Additionally, 38% of all undergraduate students live in a University residence hall with the balance of students living primarily in the off-campus market.



University Residence Halls

Hall Name	Rooms	Beds
Arey Hall	119	197
Benson Hall	119	199
Bigelow Hall	119	218
Clem Hall	103	231
Fischer Hall	102	163
Fricker Hall	102	219
Knillans Hall	133	226
Lee Hall	120	222
Tutt Hall	133	233
Wellers Hall	135	251
Wells Hall East	297	530
Wells Hall West	334	595
Totals	1816	3284

Exhibit 3.7: University Residence Hall Capacity (UWW Residence Life)

Exhibit 3.7 lists the current UWW residence halls and their capacities. These residence halls are all co-ed, fully furnished, and designed in a traditional style with on-site laundry facilities, study lounges, vending machines, reception desks, bike lockers, big screen TVs, and pool tables in common areas. Along with these amenities that are located within every residence hall on campus, certain halls have additional amenities that are shown in Exhibit 3.8.

University Residence Hall Amenities

	Smoke Free	Computer Lab	Elevator	Copy Machine	Fitness Center	Wireless in Common Areas
Arey Hall	X		X			X
Benson Hall	X			X		
Bigelow Hall	X					
Clem Hall	X					X
Fischer Hall	X	X				
Fricker Hall	X					
Knillans Hall	X	X	X			
Lee Hall	X		X			X
Tutt Hall	X			X		
Wellers Hall						
Wells Hall East	X	X	X		X	
Wells Hall West	X	X	X		X	

Exhibit 3.8: University Residence Hall Amenities (UWW Residence Life)

Exhibit 3.9 shows the rates for UWW residence halls for the 2009-2010 academic year. Rental rates range from \$1,332 per semester (approximately \$296 per month) for a triple to the most expensive residence hall option at \$2,320 per semester (approximately \$516 per month) for a single room. In addition, UWW offers different rates during break periods:

- Thanksgiving Break rates are \$40 (4 days)
- Winter Break rates are \$100 (10 days)
- Winter Interim rates are \$200 (20 days)
- Spring Break rates are \$90 (9 days)

	Semester Rates (2009-2010 Academic Year)	Summer 2010 Weekly Rates
Single Room	\$2,320	\$145
Design Single	\$1,996	
Double Room	\$1,536	\$96
Triple	\$1,332	

Exhibit 3.9: University Residence Hall Rates (UWW Residence Life)

FUTURE ON-CAMPUS HOUSING

Only a few years ago, UWW offered 15 residence halls on campus. However, due to other campus needs, two residence halls have recently been taken offline (one razed for the development of the College of Business and Economics building and one being used by faculty for administrative purposes). As a result, UWW currently offers only 13 residence halls, which limits the supply of on-campus beds and makes it difficult to satisfy the mandatory live-on policy for freshmen and sophomores. The limited supply of beds means that some students are forced to live in triple-occupancy rooms and even some study lounges have been turned into bedrooms. An article published on Sunday, January 31, 2010 by *Royal Purple News*, UWW's student newspaper, quoted Alan Hoesly, Coordinator for Residential Operations at UWW, saying, "There are currently 105 students living in lounges and basements throughout campus." While UWW is currently finding a place to accommodate all of the students who require housing, the Director of Housing at UWW is concerned that any future changes to the system will be problematic.

According to both the Director of Housing and other published documentation, all of the residence halls offered at UWW are traditional dormitory-style buildings, most of which were built in the 1960s. The residence halls have never undergone significant renovations, are starting to accrue deferred maintenance costs, and do not collectively offer the appropriate unit mix for UWW's desired residential program. As a result, the buildings are in dire need of renovations. However, taking buildings offline for renovations will decrease the supply of student housing beyond the minimum supply needed to provide beds to all freshman and sophomore students. To provide some "swing space" that would accommodate the live-on requirement while buildings went offline for renovations, the University decided to build an additional student housing development called Starin Hall. Starin Hall will be the first residential development on campus in over 40 years.



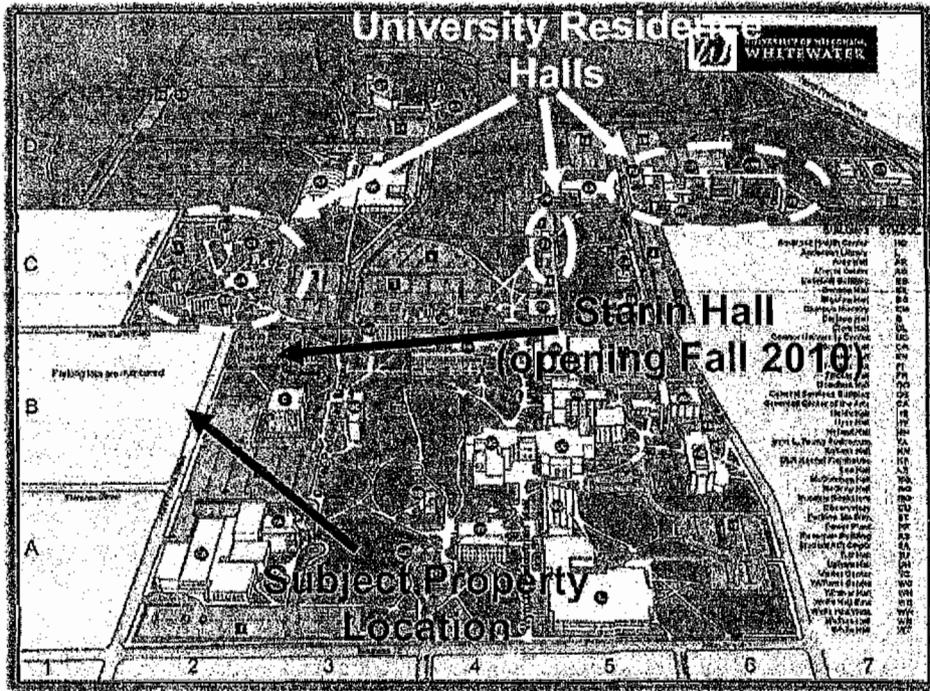


Exhibit 3.10: UWW on-campus housing map

In 2008, UWW broke ground on Starin Hall, a suite-style residence hall scheduled to be open for Fall 2010. Starin Hall will be the first state-owned LEED certified residence hall in the state of Wisconsin and the first new residence hall on the UWW campus in over 40 years. The building will also be the first non-traditional style residence hall on the UW-Whitewater campus, housing 446 beds in 5 stories including 90 traditional four-person suites, 19 universal design four-person suites, and 10 Resident Assistant suites. Each unit will have four private bedrooms, a living room, a kitchenette, and a private bathroom. Individual bedrooms will come furnished with an adjustable bed frame, mattress, carrel, and desk chair. Living rooms will come with a sofa, oversized chair, coffee table, and an end table. Each kitchenette will have its own refrigerator with a freezer, dishwasher, microwave, sink, garbage disposal, and breakfast counter stools. The suite bathrooms will be cleaned by maintenance staff every four weeks, but routine cleaning is left to the residents of the suites. The community amenities that will be offered to students choosing to live at Starin Hall include 70 wireless access points, a computer lab, a basement kitchen, a laundry room, an outdoor courtyard, and large flat screen televisions in multipurpose and game rooms. According to the UWW Office of Residence Life, Starin Hall will help meet UWW's goal of improving accessibility by offering amenities to increase livability for students with disabilities including two-elevator banks, lowered service desks, wider hallways and doorways, roll-in showers with stools, and multi-gender bathrooms appropriate for caregivers. The University anticipates the cost of living at Starin Hall to be \$2,400 per person per semester once the room fees are set.

The *Royal Purple News* article mentioned previously provided more details regarding the applications received for Starin Hall. According to the article:

- "A total of 1,134 students submitted applications for a room"
- "1,012 [of the students who applied] were in groups of four [students]"
- "Of the accepted applicants, 66% were sophomores"

The article also quoted Director of Housing Frank Bartlett,

- "We knew the demand was out there, but we did not anticipate over a thousand students applying. We could fill more than two Starin Halls."

In a conversation B&D, Frank Bartlett indicated that UWW's plan is to renovate one of the existing dormitory-style residence halls each year until they are all upgraded. Renovations will address deferred maintenance issues, space constraints, unit configurations, fire sprinkler systems, ADA accessibility, and energy conservation, among other things. Starin Hall was originally expected to serve as swing space for underclassmen during renovations and then intended to be transferred into housing for upperclassmen once renovations were complete. However, due to the high demand for housing at Starin Hall, especially from upperclassmen, UWW might look to continue expanding its housing presence. Since on-campus space and funding is limited, UWW has considered expanding its reach into the off-campus market. Mr. Bartlett mentioned a preliminary idea of purchasing an off-campus property or trying to master lease one from a third-party provider.





4. Intercept Interviews



OBJECTIVES

The purpose of intercept interviews was to engage a variety of UWW students in dynamic conversations about their housing needs and preferences in order to help shape future quality-of-life programs and facilities that could appeal to the UWW student population. Intercept interviews were intended to yield qualitative data, reveal hidden sensitivities, and raise issues not previously considered by the researchers.

METHODOLOGY

Intercept interviews were conducted:

- Inside the Connor University Center
- Outside of the on-campus housing near the intersection of Starin Road and Prince Street
- Outside of Carlson Hall
- On the academic quad south of Starin Road
- In the off-campus market east of campus near North Prairie Street

Students were randomly invited to participate in the interview process and were asked to discuss their opinions and observations regarding both their current living accommodations and future housing developments. The following section of this report summarizes the comments and concerns of the interviewed students.

SUMMARY OF FINDINGS

General Housing Market

Students in intercept interviews confirmed that the majority of freshman and sophomore students live in on-campus housing. Once students get to their junior year, however, University-sponsored housing availability becomes limited, so most students must turn to the off-campus market to find housing.

Students mentioned that the off-campus market near UWW is generally old and rundown, and, as a result, the housing offered in the off-campus market is generally inexpensive. Students said that they typically live in rental houses or rented apartments with friends, and most of the students live in single-occupancy bedrooms. One student said, "The prices are so cheap to begin with that it doesn't make sense to share a room." Students mentioned that the majority of the off-campus housing was located in close proximity to the campus, and students even referenced that the off-campus market combined with the on-campus housing provides a good "student residential neighborhood."

Although most students appreciate the close proximity and inexpensive prices of the off-campus market, the quality of the housing in the area causes some students to move farther away from campus. Students commonly referred to a few different apartment complexes that are located farther away from campus but that offer better housing quality. One student said, "I don't mind driving to campus instead of

walking if it means that I can have a nice place to live." Additionally, students expressed distrust and dissatisfaction with the landlords of the properties located close to campus. One student said, "There are only a few landlords in the area that own almost everything, and they are awful landlords." Another student agreed, "A few landlords have a monopoly on the off-campus housing market, so they never really help out with maintenance or upkeep, which is why the properties all feel old."

Students mentioned that having a nice place to live near campus would be desirable. Some students even said that they would pay a premium if a new property was developed near campus. One student said, "There really isn't any new housing either on or off campus. If something new was developed, I think it would be really popular, even if it was more expensive." Another student agreed, "The University is building Starin Hall which will be new suite-style housing on campus. I think they are charging \$2,400 per semester plus you have to buy a meal plan, so it will be more expensive than almost anything else in the market, but that place filled up really quickly because it is one-of-a-kind in the area." The student continued, "I think if you built another place in a good location with new quality, it would be popular."

Proposed Project

Location

According to students, the majority of the off-campus housing is located within walking distance of campus and is located in close proximity to the University's on-campus housing. Students said that 236 N. Prince Street - the location of the proposed housing development - is an ideal location. Students mentioned that the site is located directly across the street from campus, within the student residential neighborhood that has been created by the existing on- and off-campus housing market, closer to campus than the majority of the existing off-campus housing, and directly across the street from Starin Hall. One student said, "It seems like a perfect location because it is right by all of the other students but even closer to campus than any other property." Another student agreed, "It basically is like on-campus housing." Students said that the location of the proposed property would be popular amount the off-campus tenants.

Price / Unit Type

Students said that the rental rates in the market are generally inexpensive and quoted average rates around \$400 per bed for a single-occupancy bedroom (consistent with B&D's off-campus analysis). Students said that the landlords do not charge a premium for sharing a bedroom, but since the price for single-occupancy bedrooms is so low to begin with, most students decide to rent a private bedroom.

Students discussed the proposed housing prices in the context of the new UWW property Starin Hall. One student commented, "Starin Hall is going to be nice and new and will cost about \$2,400 per semester (\$533 per month), which is more than most other places in town. We know we have to pay more for nice housing."



Amenities

B&D reviewed the amenity package at the proposed property with the students. The proposed amenities include:

- Fitness Center
- Business Center
- Lounge Area
- Laundry
- Study Rooms
- Conference Rooms
- Computing Center
- 24-hour Security
- On-site Resident Assistants
- Individual Leases

Students responded favorably to the proposed amenity list, but preferred some amenities over others. Students liked the individual leases the most. One student said, "That is really nice to only have to worry about making payments for myself. It will save me from trying to track down my roommates to coordinate rent payments." Students also liked fitness center and the laundry. Students generally agreed that the fitness center would be a popular asset and was not typically offered in the off-campus market. Additionally, students said that laundry would be a nice amenity, especially as they continued to progress in their college careers. Students did not understand the need for conference rooms, a business center, or a computer center, and said that they would not want those items included if it would increase the monthly rental rates. Additionally, students mentioned the importance of outdoor space and possibly balconies in each unit as attractive amenities that would help recruit students.



5. Off-campus Market Analysis



OBJECTIVE

The objective of the off-campus housing market analysis was to identify the nature and character of the private rental housing market for students at the University of Wisconsin-Whitewater. This analysis allows for a comparison of the non-university housing available to students based on location, rental rates, housing quality, and other amenities.

METHODOLOGY

Through property tours, interviews with leasing agents, phone and internet research, and conversations with students, B&D gained a solid understanding of the off-campus student housing market surrounding UWW. All rental rate, lease term, and amenity information is based on the Housing Guide published by the UWW Student Government, materials provided by property managers, and various real estate websites during April and May 2010.

SUMMARY OF FINDINGS

B&D conducted intercept interviews with students and determined that students generally consider three factors when analyzing housing: location, quality, and price.

Location

The majority of off-campus housing is located within walking distance of campus. Additionally, most of the apartment complexes near campus are located in close proximity to the University's on-campus housing, creating a student-oriented neighborhood and providing a natural transition from on-campus housing into the off-campus market. Students generally expressed satisfaction with the location of the housing in the primary off-campus market.

Other properties that exist farther away from campus attract students who prefer to sacrifice proximity and the student community in exchange for better quality housing.

Quality

The off-campus housing is generally old and rundown. There are a few landlords that collectively own a large percentage of the off-campus student housing supply, and those landlords have established a culture that effectively makes low-quality housing the norm for the off-campus market. Although students live in the properties and enjoy the low rental rates, many students complained about the quality of the housing and said that they were dissatisfied with their relationships with the landlords in town.

As previously mentioned, some higher quality housing is occupied by students, but the housing is not marketed specifically to students, and the location of the higher quality housing is farther away from campus.

Price

The rental rates in the market are generally inexpensive, both in the lower-quality student housing located closer to campus and the higher-quality housing located farther away from campus. On average, students pay just below \$400 per month for a single-occupancy bedroom. Most students reside in single-occupancy bedrooms, however, landlords typically advertise properties as having either single- or double-occupancy bedrooms, so some students do decide to save money by sharing a bedroom. The landlords do not charge a premium for sharing a bedroom, so students who opt to live in double-occupancy bedrooms pay approximately \$200 per month.

Once rent, utilities, and parking are factored in to the cost of off-campus housing, students typically pay between \$450 and \$500 per month for a single-occupancy bedroom.

Housing Types

B&D found that UWW students have several different housing types to choose from when deciding to live off-campus. This off-campus student housing market can be summarized into three main categories:

- Student-oriented Apartments
- Student-friendly Apartments
- Student-occupied Houses

Student-oriented apartments are the most common off-campus housing choice for students at UWW. These apartments are located close to campus and are almost all owned by the same few landlords. Students choose these despite their poor quality and lack of general upkeep because they offer cheap rates in locations that allow for a quick walk to class.

Student-friendly housing complexes are the off-campus properties that may not market or cater to students as much as the student-oriented apartments do, but they still accommodate a portion of the student population. Students sometimes choose to live in these developments because they offer more amenities and an escape from the college atmosphere. These properties are generally more of an option for upperclassmen and graduate students who are not concerned about the distance to campus.

Student-occupied houses are a common housing choice for upperclassmen looking to live off-campus. Many of these structures are old, single family homes that have been converted into duplexes or remodeled to allow for more bedrooms. The characteristics of these houses can be highly variable with rental houses available to students throughout the community at a variety of different price ranges and owners.

Case Studies

Case studies are provided to help give an overview of several different off-campus housing properties, which are representative of these three respective categories previously mentioned. The subsequent sections of this report provide characteristics of these separate housing types by analyzing their proximity to campus, price, condition, unit size, quantity, and amenities offered. For more in-depth analysis on specific off-campus housing properties refer to **Appendix A**.



Student-Oriented Apartments

Student-oriented apartments are the most common off-campus housing choice for students at UWW. These apartments are generally located in close proximity to the campus (see **Exhibit 5.1**) and are occupied almost entirely by students. The ownership of many of these apartment complexes is concentrated among a few landlords that control the majority of the off-campus housing stock. Several of these landlords have developed a reputation among students for poor upkeep and long response time to maintenance issues on their properties. However, despite this bad standing, students still occupy these apartment buildings because they are located within walking distance to the campus and because they offer cheap rental rates. Since these apartment complexes are almost completely rented by students, most landlords collect rent by the semester and offer special reduced rates for the summer. Generally, the rental rates range from \$2,000 to \$2,700 for a one-bedroom per semester (approximately \$444 to \$600 per month) and \$1,500 to \$1,800 per semester (approximately \$333 to \$400 per month) per student for a two-, three-, and four-bedroom, single-occupancy unit.

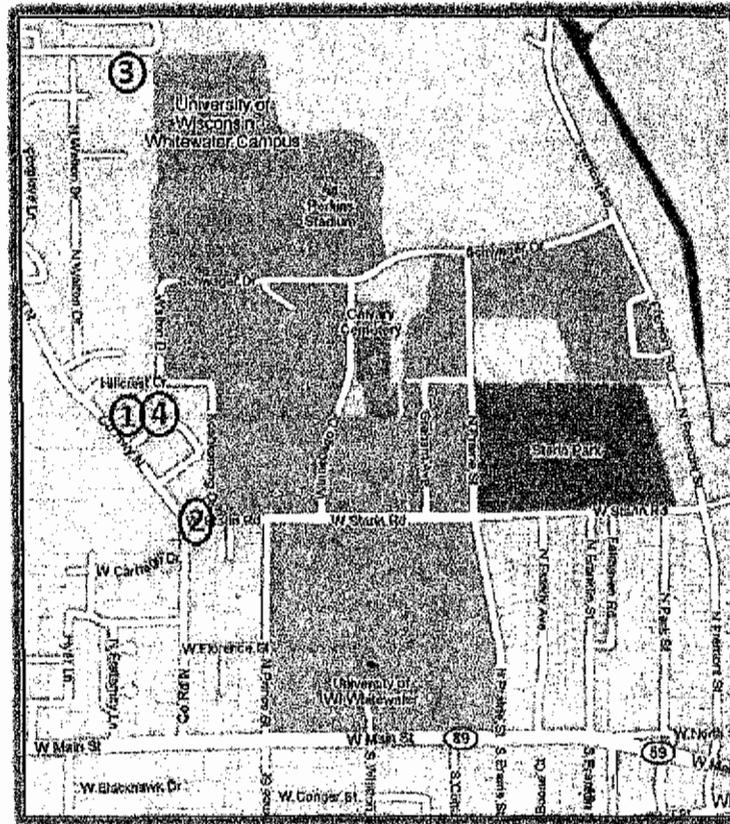


Exhibit 5.1: Map of Student-oriented Apartments

Student-Oriented Case Study #1: Cambridge Apartments

The Cambridge Apartments complex is owned and managed by DLK Enterprises, the largest rental property owner in the area with ownership of approximately 117 apartments and houses surrounding the UWW campus. These apartments offer one- or two-bedroom, one-bathroom configurations accommodating one to four tenants. Each unit comes fully-furnished and includes a dishwasher. Laundry machines are located on every floor. Heat is covered by the landlord, but all other utilities are paid by the renter. These apartments are located directly to the west of campus on Harmony Lane, near the Williams Center, the athletic fields, and the Fieldhouse.

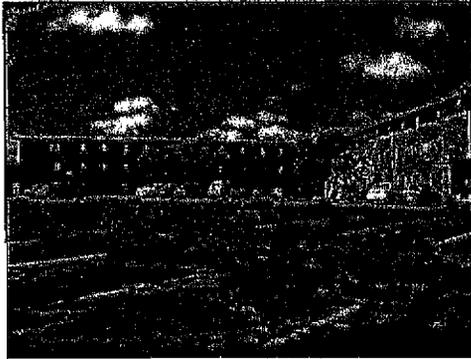


Exhibit 5.2: Cambridge Apartments

Rental Cost (per bed)	
1 bedroom	\$444 per month (\$267 per month in summer)
2 bedroom	\$389 per month (\$267 per month in summer)
Utilities	Heat paid by landlord, all others paid by tenant
Lease Term	Year

Exhibit 5.3: Cambridge Apartments rental costs

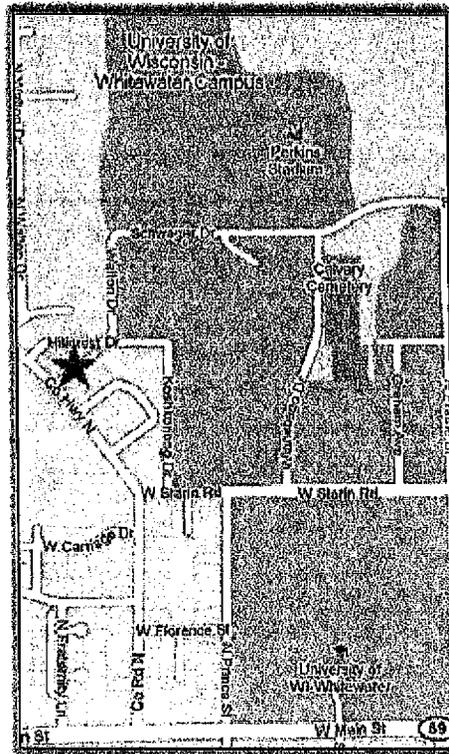


Exhibit 5.4: Map of Cambridge Apartments



Student-Oriented Case Study #3: Hillview Apartments

Hillview Apartments are owned and managed by Tincher Realty, which, according to the UW-Whitewater Student Government, owns ten student housing properties in town. These apartments offer two-bedroom, one-bathroom configurations for either two or three tenants. Each unit includes a stove, refrigerator, dishwasher, washer, dryer, and central air. Additionally, each unit includes an attached one-car garage. These apartments are located adjacent to the University's practice football fields. According to the property manager on-site, approximately 80% of the tenants at this property are students, the majority of which are upperclassmen and graduate students.



Exhibit 5.8: Hillview Apartments

Rental Cost (per bed)	
2 bedroom	\$375 per month
Utilities	All paid by tenant (approximately \$100-\$175 per unit per month)
Lease Term	Year

Exhibit 5.9: Hillview Apartments rental costs

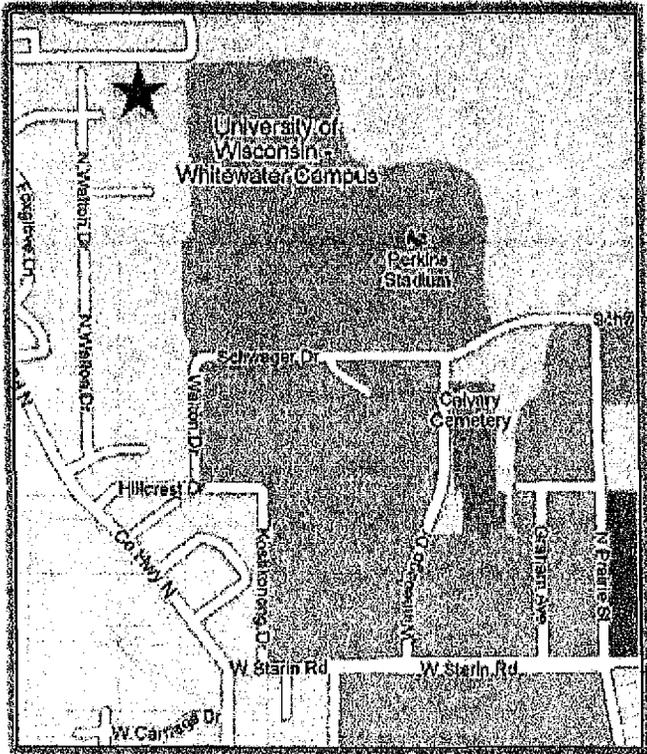


Exhibit 5.10: Map of Hillview Apartments



Student-Oriented Case Study #4: Royal Apartments

Royal Apartments are owned and managed by Bleck Management, which, according to UW-Whitewater Student Government, owns three student housing properties near campus. These apartments offer one-, two-, or three-bedroom layouts with either one or two bathrooms. Each unit includes a stove and refrigerator with parking spaces available. There is also an on-site property manager and coin-operated laundry machines within the complex. The landlord pays for water, sewer, cable television, and wireless Internet, but electric and gas payments are covered by the renter (approximately \$80 per month according to the property manager).



Exhibit 5.11: Royal Apartments

Rental cost (per bed)	
1 bedroom	\$527 a month (\$367 per month in summer)
2 bedroom	\$344 a month
3 bedroom	\$240 a month (\$133 per month in summer)
Utilities	Water, sewer, cable TV, and wireless Internet paid by landlord. Gas and electric paid by tenant (approximately \$80 per month)
Lease Term	Year for two-bedroom, Semester for one- and three-bedroom

Exhibit 5.12: Royal Apartments rental costs

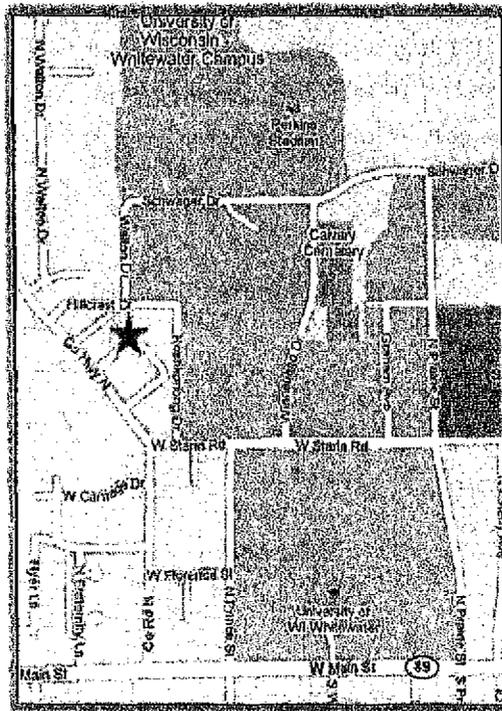


Exhibit 5.13: Map of Royal Apartments

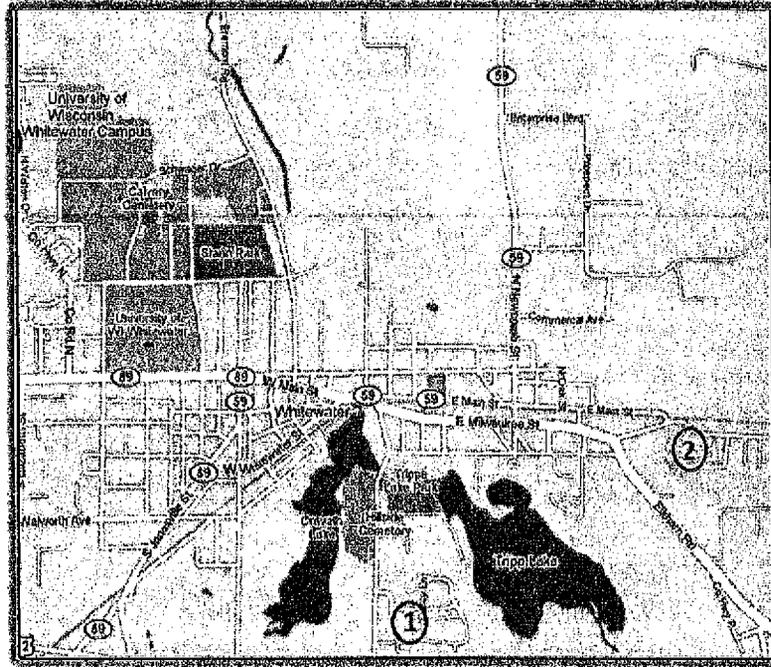
Student-Friendly Apartments

Exhibit 5.14: Student-friendly apartments map

Student-friendly housing complexes are the off-campus properties that may not market or cater to students as much as the student-oriented apartments do, but they still accommodate a portion of the student population. Along with students living in these developments, there are University staff, faculty, families, and regular Whitewater residents who are not affiliated with UWW.

As opposed to the student-oriented apartments, the student-friendly apartments are owned and managed by companies that do not specialize in student housing and that generally own fewer properties in the Whitewater community. These apartment complexes traditionally collect rent by the month instead of by the semester because they have less student tenants. These apartments generally are newer, better maintained, and have more amenities to offer than the other off-campus options for students.

The apartments are not intended entirely for students, so they are not located as close to campus as the student-oriented housing (see Exhibit 5.14), and students generally make up a smaller percentage of the tenant population.

On average, the rental rates range from \$725 to \$850 per unit per month for a two-bedroom unit (\$360 to \$425 per bedroom) and \$825 to \$995 per unit per month for a three-bedroom unit (\$275 to \$330 per bedroom).



Student-Friendly Case Study #1: Water Edge

The Waters Edge Apartments complex is located within a larger development that contains single-family homes, duplexes, and condominiums. These apartments were built by Teronomy Builders and opened in January 2008. Waters Edge offers one-, two-, and three-bedroom configurations with one to two bathrooms, private entrances, underground parking, full size washer and dryer in every unit, central air, private storage, and walk-in closets. The apartments are located very close to both Cravath Lake and Tripp Lake, however, they are not located within walking distance to campus.



Exhibit 5.15: Waters Edge

Rental Cost (per bed)	
1 bedroom	\$750 per month
2 bedroom	\$435 per month
3 bedroom	\$332 per month
Utilities	Internet and cable paid by landlord. All other utilities paid by tenant.
Lease Term	6 month, 9 month, or year

Exhibit 5.16: Waters Edge rental costs

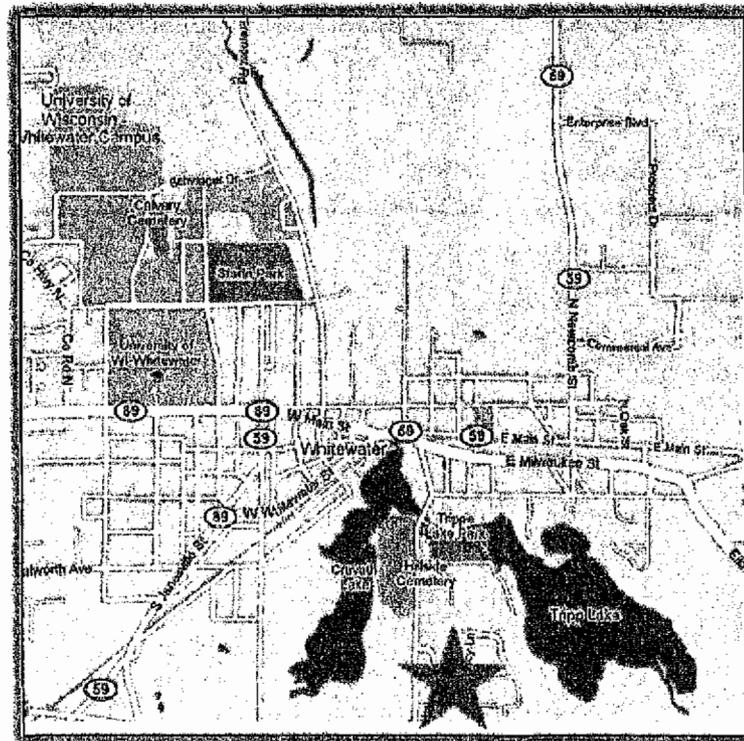


Exhibit 5.17: Map of Waters Edge

Student-Friendly Case Study #2: Bluff Ridge

Bluff Ridge Apartments have 120 units in a mixture of two- and three-bedroom configurations. This complex offers unique community features that are not found in student-oriented housing, including a two acre park and playground, a picnic pavillion, and a free fitness room. Each unit also comes with its own washer and dryer, dishwasher, one- or two-car garage, and either a patio or balcony space. Tenants at these apartments include a broad mix of some students, professors, and families. These apartments are located approximately 1.5 to 2 miles from the UWW campus and have a much quieter, family-oriented atmosphere than most developments near campus.



Exhibit 5.18: Bluff Ridge

Rental Cost (per bed)	
2 bedroom	\$350-\$410 per month
3 bedroom	\$310-\$317 per month
Utilities	All utilities paid by tenant
Lease Term	Year

Exhibit 5.19: Bluff Ridge rental costs

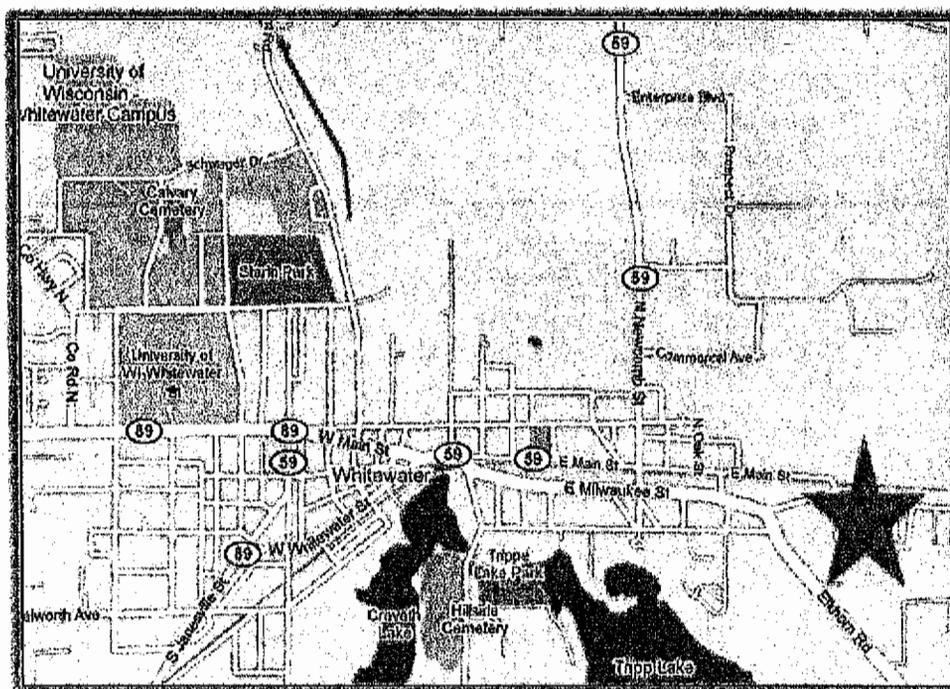


Exhibit 5.20: Map of Bluff Ridge



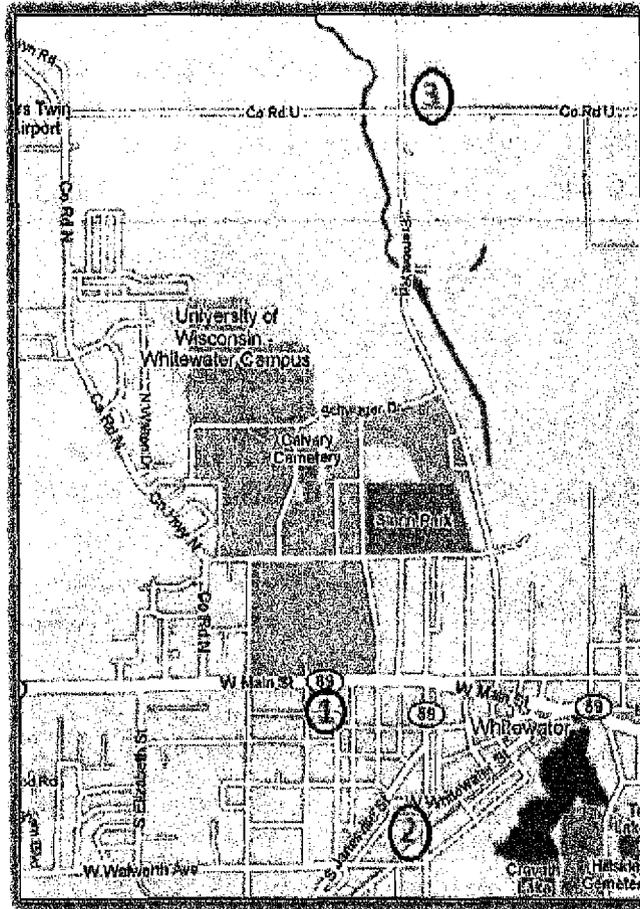
Student-Occupied Houses

Exhibit 5.21: Student-occupied houses map

Student-occupied houses are a common housing choice for upperclassmen looking to live off-campus. Many of these structures are old, single family homes that have been converted into duplexes or remodeled to allow for more bedrooms. These houses are scattered throughout Whitewater (see **Exhibit 5.21**) and are owned by a variety of different landlords. Some of these landlords own only one rental homes in town while other landlords own more than thirty properties. Given that there is a large range of houses available for students to rent, the rental price range is highly variable. The following examples show houses that are representative of the student-occupied houses available in Whitewater.

Student Houses Case Study #1: 824 W. Conger

The house at 824 W. Conger Street is owned by Stettler Properties, a landlord that owns 26 rental houses in the Whitewater community. This house is representative of many of the houses that Stettler Properties owns because it has been turned into a duplex with two separate levels, each with four bedrooms and two bathrooms. The house has recently been remodeled and is conveniently located one block south of the UWW campus.



Exhibit 5.22: 824 W. Conger

Rental Cost (per bed)	
4 bedrooms	\$395 per month
Utilities	All utilities paid by tenant
Lease Term	Year

Exhibit 5.23: 824 W. Conger rental costs

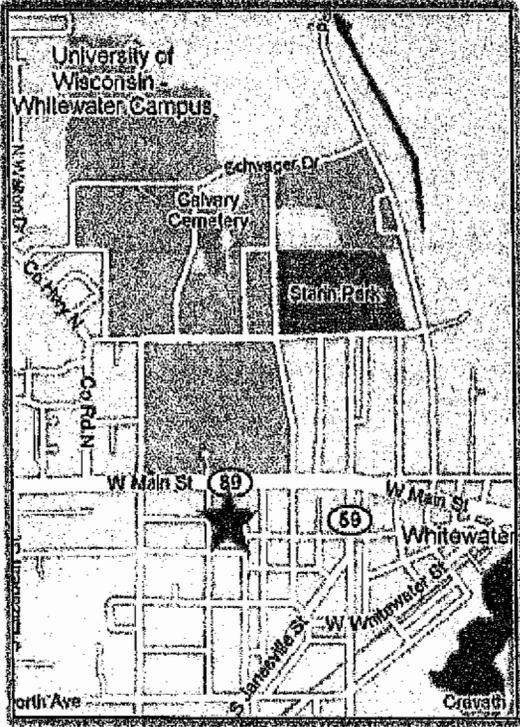


Exhibit 5.24: Map of 824 W. Conger



Student Houses Case Study #2: 353 Scott

This house is owned by Whitewater Property Management LLC, another large property owner in Whitewater with 16 houses and duplexes. This five-bedroom house comes with one-bathroom, a washer and dryer, and free parking included. The location of this property is closer to Downtown Whitewater and Cravath Lake, but it is still located within walking distance to the southern edge of the UWW campus.



Exhibit 5.25: 353 Scott

Rental Cost (per bed)	
5 bedrooms	\$356-\$422 per month
Utilities	All utilities paid by tenant
Lease Term	Year

Exhibit 5.26: 353 Scott rental costs

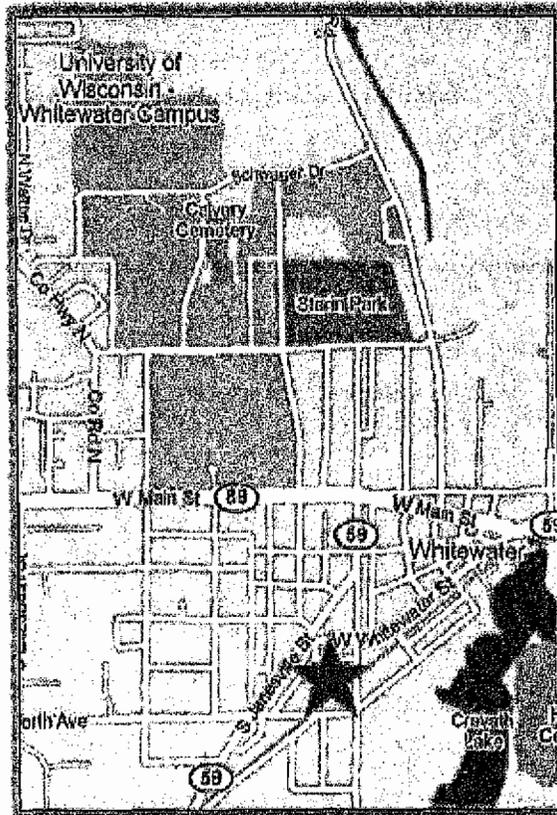


Exhibit 5.27: Map of 353 Scott

Student Houses Case Study #3: W4036 County Road U

This house is owned by Walton Rentals, a property owner that owns approximately 30 houses throughout the Whitewater area. This three-bedroom, one-bathroom house includes a large yard, a stove, a refrigerator, a washer and dryer, and a driveway. While this house has the added amenity of a large yard with plenty of space, it is also located outside of Whitewater on County Road U and is not within walking distance to campus.

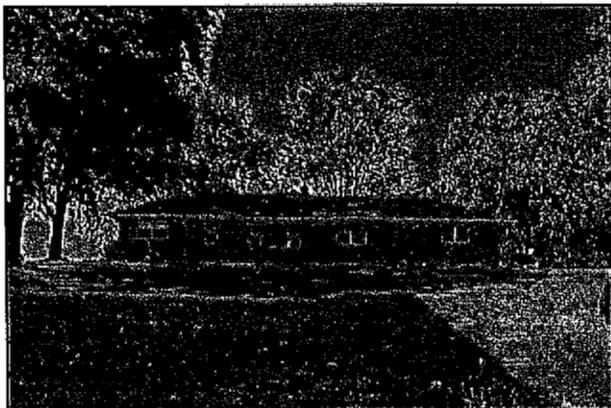


Exhibit 5.28: W4036 County Road U

Rental Cost (per bed)	
3 bedrooms	\$407 per month (\$244 per month in summer)
Utilities	All utilities paid by tenant
Lease Term	Year

Exhibit 5.29: W4036 County Road U rental costs

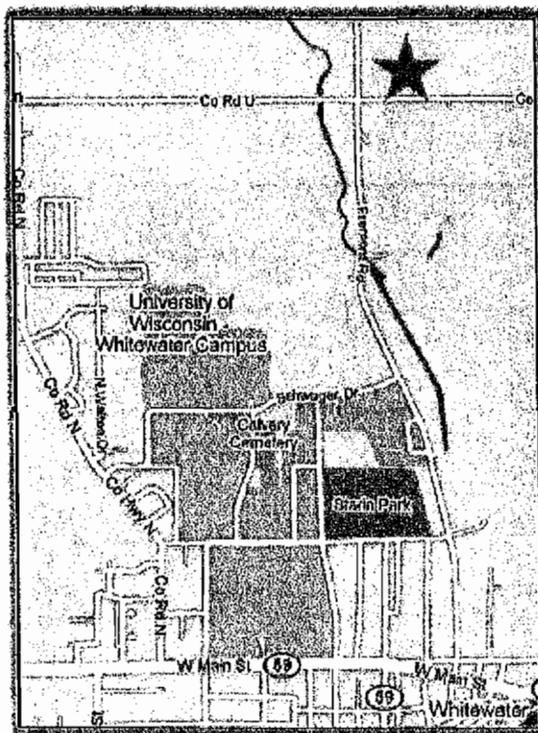
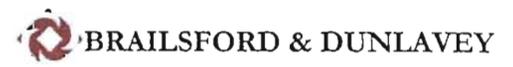


Exhibit 5.30: Map of W4036 County Road





Appendix A:
Off-campus Market Summary



1 Bedroom Apartments

Property Name	Landlord	Rent per bed (per month)	Number of Bedrooms (single occupancy)	Lease Length
1206A W. Florence	Tincher	\$575	1	12 month
Cambridge Apartments	DLK	\$444	1	12 month
Fox Meadows Apartments	Fox Meadows	\$725	1	12 month
Indian Village	DLK	\$467	1	12 month
Royal Apartments	Bieck Management	\$527	1	Semester
University Inn	DLK	\$444	1	12 month
Waters Edge	Teronomy Builders	\$750	1	6, 9 or 12 month
1 BEDROOM APTS AVERAGE		\$562		
Proposed 1 Bedroom Units		\$800		

2 Bedroom Apartments

Property Name	Landlord	Rent per bed (per month)	Number of Bedrooms (single occupancy)	Lease Length
125-135 Hazel St.	Lakes Property	\$323	2	12 month
213 N. Fraternity Ln	DLK	\$325	2	12 month
665 Foxglove	Foxglove Corporation	\$363	2	12 month
1109 W. Fulton (Edgerton)	Sweeney's Edge LLC	\$263	2	Semester
1206B W. Florence	Tincher	\$338	2	12 month
Bluff Ridge Apartments	Bluff Ridge	\$410	2	12 month
Cambridge Apartments	DLK	\$267	2	12 month
Fox Meadows Apartments	Fox Meadows	\$511	2	12 month
Hillview Apartments	Tincher	\$375	2	12 month
Indian Village	DLK	\$333	2	12 month
Royal Apartments	Bieck Management	\$344	2	12 month
Springbrook Apartments	Springbrook	\$450	2	12 month
Waters Edge	Teronomy Builders	\$435	2	6, 9 or 12 month
2 BEDROOM APTS AVERAGE		\$364		
Proposed 2 Bedroom, Single Occupancy Units		\$700		
Proposed 2 Bedroom, Double Occupancy Units		\$500		

3 Bedroom Apartments

Property Name	Landlord	Rent per bed (per month)	Number of Bedrooms (single occupancy)	Lease Length
147 W. Main St.	Lakeview Center LLC	\$300	3	12 month
665 Foxglove	Foxglove Corporation	\$275	3	12 month
Bluff Ridge Apartments	Bluff Ridge	\$317	3	12 month
Fox Meadows Apartments	Fox Meadows	\$489	3	12 month
Royal Apartments	Bieck Management	\$240	3	Semester
Springbrook Apartments	Springbrook	\$425	3	12 month
Waters Edge	Teronomy Builders	\$332	3	6, 9 or 12 month
3 BEDROOM APTS AVERAGE		\$340		
Starin Hall (4 Bedroom, 1 Bath Units)		\$533		
Proposed 4 Bedroom, 2 Bath Units		\$600		
Proposed 4 Bedroom, 4 Bath Units		\$650		

Duplexes

Property Name	Landlord	Rent per bed (per month)	Number of Bedrooms (single occupancy)	Lease Length
141 W. Main A/B	Barbara Kramer	\$400	2	Semester
504 W. Main A	Tincher	\$500	2	12 month
504 W. Main B	Tincher	\$500	2	12 month
514 W. Main St Lower	Tincher	\$600	2	12 month
514 W. Main St Upper	Tincher	\$600	2	12 month
532A W Main	Tincher	\$375	2	12 month
532B W Main	Tincher	\$575	1	12 month
DUPLEXES AVERAGE		\$507		

Houses

Property Name	Landlord	Rent per bed (per month)	Number of Bedrooms (single occupancy)	Lease Length
234 Main Street	Daniels Court	\$200	2	12 month
467 N. Tratt	Walton	\$472	2	12 month
355 James St	Pelican Properties	\$430	3	12 month
405 E. Milwaukee	Akey Rentals	\$400	3	12 month
731 E. Milwaukee	Akey Rentals	\$400	3	12 month
122 S. Franklin Front	Ladwig and Vos	\$372	5	12 month
HOUSES AVERAGE		\$379		

Off-Campus Housing Amenities

Property Name	Free Parking	In-Unit Laundry	Furnished	Fitness Center	Garage	Private Balcony/Patio
Hillview Apartments	X	X			X	X
1206 W. Florence	X					
Royal Apartments						
Fox Meadows Apartments				X		X
147 W. Main St.	X					
665 Foxglove	X					
125-135 Hazel St.						
213 N. Fraternity Ln			X			
1109 W. Fulton (Edgerton)	X				X	
Springbrook Apartments	X	X		X	X	X
Bluff Ridge Apartments	X	X		X	X	X
Waters Edge	X	X			X	X
Cambridge Apartments			X			
University Inn			X			
Indian Village			X			
532A W Main	X					X
532B W Main	X					X
514 W. Main St Lower	X	X			X	X
514 W. Main St Upper	X				X	X
504 W. Main A	X	X				X
504 W. Main B	X	X				X
141 W. Main A/B	X	X				
467 N. Tratt	X					
355 James St	X	X			X	
731 E. Milwaukee	X				X	
405 E. Milwaukee	X				X	X
122 S. Franklin Front	X					X
234 Main Street	X					X

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Re: The Element
Whitewater, WI

November 12, 2010

www.excelengineer.com

This correspondence is a response to the letter of Vandewalle & Associates, Inc., dated October 28, 2010 in regards to the project called "The Element". We will try to summarize our response to each item addressed in the comments of the Vandewalle & Associates, Inc., letter.

1. **Development Boundaries:** To address this item the property at 1018 W. Florence has been incorporated into the project. Included is also a revised CSM and petition for zoning for this parcel.
2. **Parking Space Counts:** The property at 1018 W. Florence is now incorporated as a part of the project. With the addition of 12 parking spaces to the site, the parking ratio for the project will be 0.75, with the ability to increase to 0.81 with the addition of the future parking, if needed.
3. **Parking Lot Design:**
 - a. A one way drive with angle parking has been added to the parcel at 1018 W. Florence; this helps to maximize parking spaces for the project while also enhancing emergency vehicle access to the property. The connection between the main parking lot and the 1018 W. Florence parking provides a third point of access for emergency vehicles to access the south and west sides of the building; the sweeping "right turn out" configuration discourages residents from entering the wrong way through this parking lot. All parking spaces are assigned, so there should not be any issues with going from one lot to another.
 - b. The parking lots on both Prince Street and W. Florence provide for 30 ft setbacks meeting the City's parking requirements. Landscaped open areas are provided for some snow removal and larger snow removal will be accomplished by removing the snow from the site.
 - c. The islands as indicated have been shortened to accommodate the turning of vehicles.
 - d. These islands have been added as requested.
 - e. The building location has not been moved to the east as suggested as this would have the east side of the building infringing upon the sky plane requirements. Instead, additional plantings have been included along the west side of the building to enhance privacy.
 - f. The retaining wall design has been revised, as described later in this response.
4. **Common Space:**
 - a. The Usable Open Space areas are illustrated and a comparison to the R-3 district standards are provided on the revised Site Plan. Note that narrow width open space areas and areas upslope of retaining walls are excluded from the "usable open space" totals.

- b. The indoor community and recreation spaces are shown on the revised site plans. These spaces are a part of the agreement with the students and as such they will be required to be kept in tact.
 - c. Outdoor seating areas will be investigated and developed as a final phase of the project with input from the students to address their desires.
5. **Unit Design and Floor Plans:**
- a. The floor plan sheets indicate the sizes and square footage of each unit and space. See sheets A1.1, A1.2, A1.3 and A1.4.
 - b. We have revised the size of the units and the two bedroom units are 802 sq. ft. and the four bedroom units are 1,156 sq. ft. These will meet the city requirements.
 - c. Closets will be furniture and not built in to the rooms. We have shown proposed layouts of furniture on the floor plans. The bedroom sizes of the latest constructed student housing on campus are 104 sq. ft., the proposed project has bedrooms of 119 sq. ft. or 14% larger.
 - d. The interiors of The Element units will have the following finishes: looped carpeting, wood laminate flooring, hard tile toilet room floors, wood cabinets, drywall ceilings/walls, blinds in addition to being fully furnished. Each unit will have painted accent walls to compliment the furniture selection. Attached are some pictures of the level of finishes The Element will incorporate (See Attachment "F" Interior Pictures). We shall also bring physical samples with us to the planning meeting.
 - e. The information on the stairs has been corrected.
 - f. The Element will provide a high quality of living environment for today's student and for future residents. Our data of student needs comes from managing over 75,000 student beds all over the country. The space planning is based on the most current data of student housing. This information is supported with a division that is dedicated to student life and programming as provided by BMOC Inc. Student housing is designed today by offering high service amenities that reflect this student lifestyle. The units themselves are segmented with personal studying/sleeping areas unit with a common recreational living area. Although the units do not follow the market apartment trend of the "bigger the better"; this is purposeful in design in order to limit the size of "get togethers" within the units. The overall concept is that the focus is on common space amenities such as: media/movie room, lounges, game rooms, exercise facilities and designated study/meeting rooms. By focusing on these areas; it establishes a culture of student community in an ever increasing introvert, cyber society. Other amenities that are offered to create a student driven housing are pizza parties offered during exam periods, daily hot coffee in lobby, and movie nights. The features listed above are the differences between an apartment building that houses students and creating a student housing environment.
6. **Operational Plan:** The operational plan of The Element is entirely based on the needs of the students. A development like The Element is not only a service to the students but also to the community as a whole. The structure, management and



EXCEL ENGINEERING inc.

environment creates a controlled, high level of student housing that is contrary to the type of student housing options that can seem lawless and run down at other university area settings.

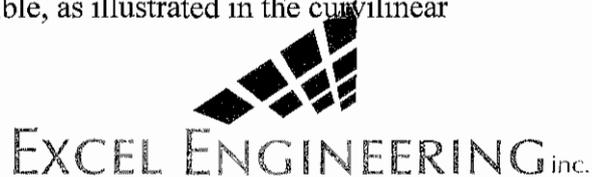
- a. Please see the attached Operational Plan (Attachment "A" Operational Plan)
- b. Please refer to operational plan in answer 6.a.
- c. Student housing it is unlike conventional apartments in many ways. The limited time a student lives within the university community makes this particular renter a transitional tenant. The typical transitional tenant will most likely be juniors, seniors and some graduate students. These students will become a member of this niche sector for a period of one to two years. As these students move off campus, they still need the support, structure and amenities of resident living, but also the opportunity for self discipline, preparing for post graduate life. The Element will be the new dedicated student housing community that will fill this niche, transitional time in these student's careers.
- d. The property manager that shall be managing The Element is BMOC Inc. BMOC Inc. is a national leader in student housing. Attached you will find information on their company (See Attachment "B" Property Manager) along with the projected policies specifically for The Element (See Attachment "C" Policies).
- e. The common spaces in The Element include the Lobby, Waiting Room, Mail room, Laundry, Game Room/ Lounge, Media Room, Study Rooms, Media Room, Exercise Room and Meeting Room. All of the rooms that are shown as closed rooms (with doors) are accessed by the key system provided to the students. 24/7/365 security monitoring systems are provided in all public spaces and are monitored as needed to provide security within the building. The Media Room and Meeting Rooms are available by reservation to the students of The Element.
- f. The church space is an outreach facility to be used by Calvary Lutheran Church. There will be bible studies and meetings for the students held in the meeting room. There will not be worship services at this location on a regular basis. These would only occur as special events. There would only be one part time pastor servicing the needs of this outreach center. The intent is to minister to the occupants of The Element. There will be other activities offered to the students of UW Whitewater and it is anticipated they would walk to the facility just as they would walk to other activities at the campus across the street. (See attachment "D").
- g. Attached you will find the parking permits, parking regulations, parking memo, parking terms/rates and parking form. Please note that they are all specifically for The Element project (See Attachment "E" Parking).
- h. We understand the importance of maintaining a clean and safe garbage facility. The City of Whitewater requested that the garbage be managed within the building and not with an exterior dumpster enclosure. The garbage room is located in the south/west corner of the first floor and was designed with the purpose being not being near the student housing



EXCEL ENGINEERING inc.

function. It was also designed for ease of garbage service pick-up with access of exterior doors. Garage pick-up is currently scheduled for twice a week, but can be increased if required. The room itself will be washable with a floor drain with a power ventilated fan exhausting to the outside. Within the room, we shall have recycling of paper, plastics and glass separate from the general refuge.

- i. The building shall be fully sprinkled and fire alarm monitored. The sprinkler heads located through-out the building shall be recessed in the ceilings/walls to decrease accidental discharge through broken heads.
 - j. The Element is offering a high level of quality to students within each unit. Each renter will be provided with a fully furnished apartment, high speed internet, wireless internet, cable television, gaming system junctions, in-unit laundry, and temperature control within each unit. Attached are a level of finishes and furniture our students will receive (See Attachment "F" Interior Pictures).
7. **Housing Analysis:** We have spent extensive time researching the Whitewater market through both third party consultants and along with internal research. Attached you will find charts with comparisons of both vacancies and foreclosures of Whitewater in relation to other communities of similar population size and demographics. In summary, Whitewater is well below the national, state, and regional statistics for both vacancies and foreclosures (See Attachment "G" Statistics by BMOC).
8. **Building Architecture:** The architecture of the building and building materials have been revised and include Hardiplank siding, stone and brick. The architecture of this building is considered transitional from the large scale of the buildings on the campus to the multi-family neighborhood. Therefore the scale of the building, architecture and materials are a mix of both the campus and the residential neighborhood.
- a. The building frame will be of wood construction
 - b. The wings of The Element are dropped down one story to three stories to create a transition along Prince Street from 3 stories to 4 stories.
 - c. The Prince Street as well as all elevations have been revised to incorporate more brick and stone that was not present on the previous submittal. Please see the elevations and renderings that have been provided.
9. **Western Retaining Wall:**
- a. The retaining walls that are over 4' in height are expected to include a geogrid reinforcement system for structural stability. This type of reinforcement typically extends back in to the ground a maximum distance equal to approximately 70% of the wall height. As noted on the plans, the distance between the retaining walls and the property lines will accommodate this retaining wall reinforcement without encroachment on to neighboring properties.
 - b. The revised plans proposed several measures for preserving the existing mature trees on the adjacent properties. The first measure includes the design of the walls, which are located outside of the drip line of the trees or as far from the tree as possible, as illustrated in the curvilinear



configuration of several of the walls. The second measure is identified on the landscape plan and includes provisions for pruning any roots that are exposed and introducing root stimulants to enhance the longevity of the trees.

- c. The revised plans propose a tiered retaining wall system around the western parking lot, as requested. This design includes a maximum 4' high retaining wall as the top tier (for improved constructability) and larger landscaped terraces between the remaining 4' high tiered walls. The section of 9.5' high wall along the west edge of this parking area includes Boston Ivy plantings (among other landscaping) which will grow up the wall, providing improved aesthetics while also functioning as a deterrent to vandalism.
- d. Please refer to the Detail Sheet for fencing plan details. This fencing will be provided in the bufferyard areas and will act as a deterrent to cut-through traffic. A railing will be installed above the 4' high upper tier of the retaining walls around the west parking lot.

10. **Other Site Design Features:**

- a. The landscaped open areas within the site will be used for snow storage from smaller snow events. The owner will contract for snow removal services for larger snow events.
- b. The Site Plan identifies the location of a bike canopy, south of the center building entrance, which will contain bicycle racks accommodating 30 – 40 bicycles.
- c. The transformer box will be situated in an ideal location given the site's available areas. This location is somewhat controlled by the electric utility company and their requirements. Efforts will be made to install in as discrete location as possible and to screen with landscaping. All other building mechanicals will be located either within the building or on the high roof.

11. **Other Reviews:**

- a. The preliminary comments provided by Strand Associates have been integrated in to the updated plans.
- b. The updated plans have been provided to the Fire Department to review.

We appreciate your input on this project and look forward to working with you to provide quality student housing to the students of UW Whitewater. Together we can make this happen.



EXCEL ENGINEERING inc.

Attachment A

November 12, 2010

RE: OPERATION PLAN FOR THE ELEMENT

To the City of Whitewater, Wisconsin:

As previously indicated, BMOC Inc. will be the property management company for the proposed The Element. Our Management Program for The Element will be maintained by a regular staff that will include the following positions and a brief discussion of responsibilities:

Staff and Responsibilities

- Onsite Property Manager – (1) Person
We will have a full time onsite manager that will live at The Element and will: manage all resident assistants, leasing, advertising, hiring of maintenance contractors, managing of staff, and collection of rental income, cleaning, monitor security and general maintenance.
- Resident Assistants – (2) Persons
The resident assistants shall manage the front desk, aid in leasing, cleaning, monitor security, manage events, and work with residents.
- Maintenance Supervisor – (1) Person
The maintenance supervisor shall keep the grounds and building up to service while managing all service type needs.

Hours of Operation

- The staff will maintain a flexible schedule of office hours that will be 8am-9pm Monday through Friday with 8am-1pm Saturday and Sunday.

Security and Life Safety

- All exterior doors, parking lot, halls, stairs, common areas, and elevators shall be monitored with a digital recorded camera system.
- This building will be a closed door building with key fob only access. Every student will have a registered key fob that will operate the exterior door system. This system shall be tracked through computer software.
- Resident Assistants shall be assigned times to monitor the common areas during off hours.



BMOC, INC

Student Housing Excellence

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Service With A Strategy

As a participating member of the Institute of Real Estate Management (IREM), BMOB complies with the principles and declarations as set forth in IREM's Bylaws, Statement of Policies, and Code of Professional Ethics.

- Loyalty to Client, Firm, and/or Employer
- Confidentiality
- Accuracy of Accounting and Reporting
- Protection of Funds
- Professional Management the Assets of the Client
- Duty to Former Clients and Former Firms or Employers
- Compliance with Laws and Regulations



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BMOC: Company Profile

BMOC, Inc (Best Management Onward Campus) was founded in 1984 to assist non-profit organizations in the day-to-day management of their communities. Since then, BMOC has received national awards and exposure for sharing their expertise on how to successfully transform student housing nationwide.



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BMOC: Company Profile

Due to our collective experiences, BMOC is able to offer a proven blueprint for solving the most difficult problems of student housing management. This success is illustrated by our diverse management portfolio, which ranges from a historic Frank Lloyd Wright mansion to a recently constructed 501 (c) (3) community.



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BMOC: Company Profile

Our diverse portfolio reflects the variety and longevity of experience from BMOC leadership in the private student housing industry. Individually or collectively, we have worked for numerous outstanding firms, all of which have been major investors in the student housing market.

Who we've done business with...

- *Northwestern Mutual Life*
- *Principal Equity Capital*
- *Goldman Sachs*
- *GB Hunt*
- *Towne Realty*
- *GE Capital*



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BMOC: Company Profile

BMOC has the experience and roots in the industry to make your student housing investment successful. There is no CEO of a student housing company with more operational experience than the BMOC team.

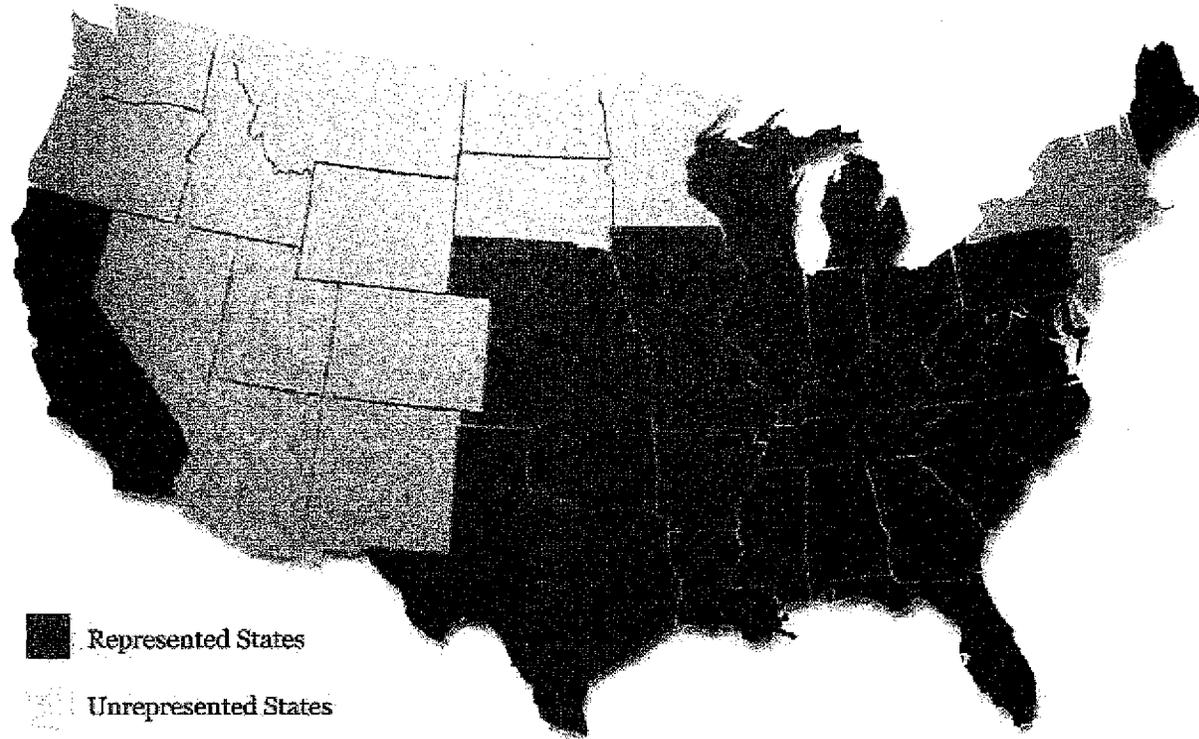
BMOC specializes exclusively in third party management, and works on no other investments in which their clients have an interest. The success of your student housing investment is our only interest.



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BMOC National Presence

Over Half the Nation Since 1984



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Management Team

William J. Levy, CPM

President

Mr. Levy has spent over 25 years in the field of property management. He has managed over 100,000 beds across the country. He has taught for the University of Wisconsin-Milwaukee Business Outreach and he is on the national faculty for the Institute of Real Estate Management where he is ranked by students in the top five percent of instructors based on national evaluations.

He has lectured all over the country as well as locally for the Wisconsin Realtors Association, Iowa Realtors Associations, Des Moines/Iowa City Apartment Finder, as well as the Wisconsin Apartment Association. He also taught for the Madison Apartment Association and The Wisconsin Board of Realtors.



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Management Team

William J. Levy, CPM

President

Mr. Levy has led BMOC in successfully rebuilding over 12 organizations and their physical structures in the past 15 years. Mr. Levy has specialized in an abundance of investments that included, High Rise Mixed-use buildings, Student Garden-Style Apartments, Military Housing and Conventional Apartments.

He has reviewed portfolio's over \$4 billion in value and looks for additional value in existing or new communities. He has added millions of dollars of value into many existing portfolios.



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Management Team

William J. Levy, CPM

President

Mr. Levy has been active in the community. He is a past member on the Board of Directors for ApartmentRenting.com, and he was involved in the Madison Area Convention and Visitors Bureau holding positions such as the marketing board for the Taste of Madison.

He has been an active member on the University of Wisconsin Chancellors Commission on Fraternities and Sororities for Greek Life and a member of the Inter-fraternity Alumni Council where he volunteers as a local advisor.



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Management Team

Matthew M. McCord, ARM

Director of Real Estate Operations

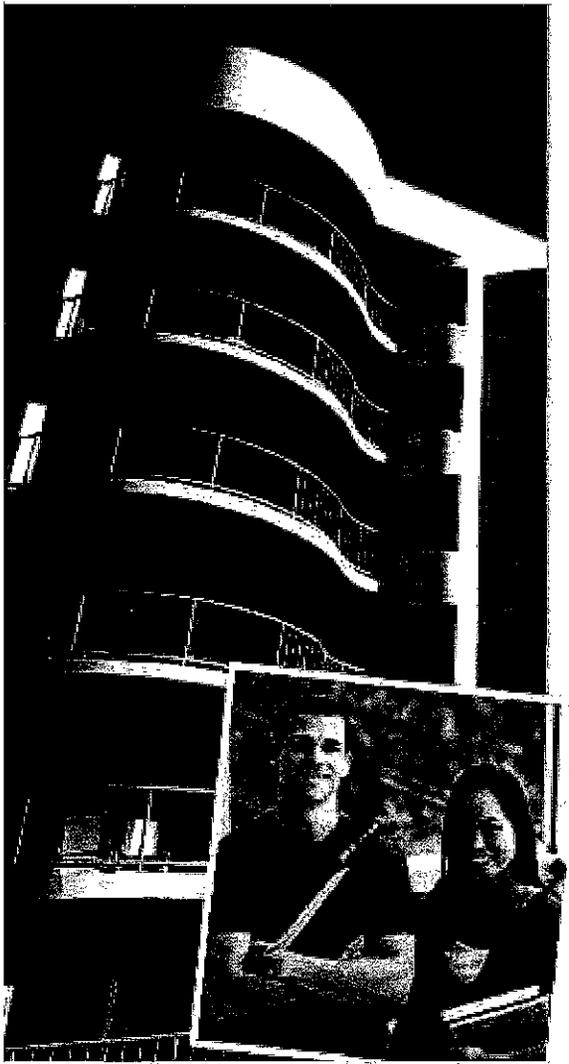
Mr. McCord has over 15 years of experience working with student investments, and consults with the communities that he works with on a regular and consistent basis.

He meets with on-site staff and investors to ensure honest and fair communications between all those involved in the investment. His role guarantees that communications and planning move as quickly and smoothly as possible.

Mr. McCord holds a degree in Accounting from the University of Wisconsin-Whitewater school of business.



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BMOC Awards

Over the years, BMOC has received national recognition for its excellence in the property management industry.

- 1st Place for Marketing Brochures and Other Residential Projects
- 1st Place for Management in the Area of Videos
- 1st Place for Brochures and Direct Promotions of Large Properties
- 3rd Place for Manuals of Large Properties

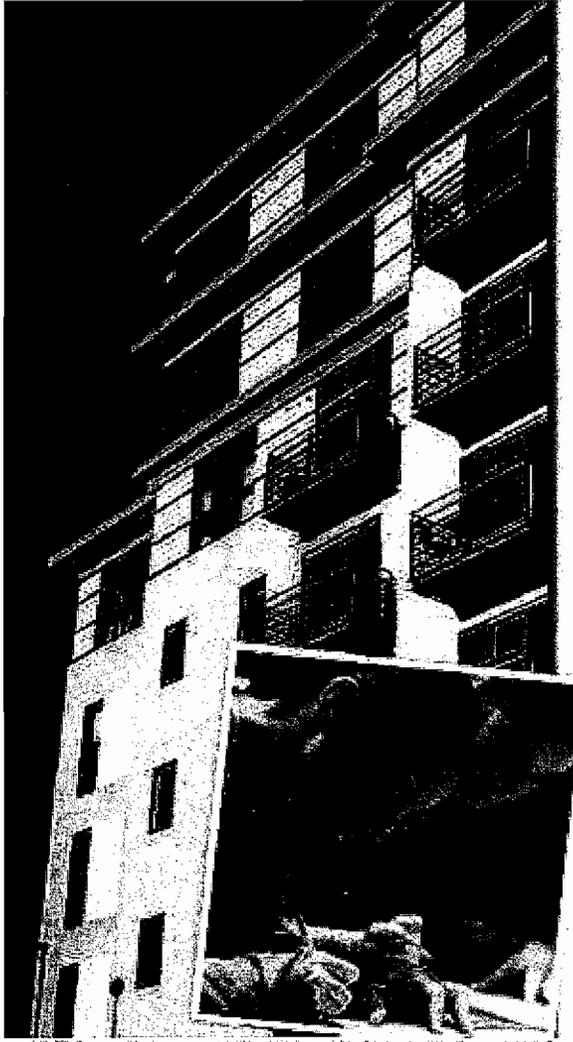


COMMUNICATION

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RESULTS



A Proven Blueprint

Understanding the Market

“Student housing management is more than writing a budget or meeting the owner’s occupancy expectations...”

Good management means understanding the market, enhancing the residents’ experience, and simultaneously fostering the resident’s personal development while creating good-will ambassadors for future years.”



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A Proven Blueprint

Calendar of Events

September 2009:

- Week 3: Set your property's goal for how many renewals to sign
- Week 3: Create renewal newsletter to send to residents and parents
- Week 3: Set renewal teams and responsibilities
- Week 3: Begin working on renewal binders
- Week 4: Hold team meeting regarding all renewal information

October 2009:

- Week 1: Mail guarantor newsletters
- Week 1: Stuff resident's mailboxes/doors with renewal newsletter
- Week 1: Begin door-to-door marketing
- Week 2: Call guarantors to make sure they received their newsletter (see script)
- Week 3: Resident Appreciation Week (Monday Night Football, Breakfast-On-The-Go)
- Week 4: Individual evaluation of renewal binders by leasing manager and property manager



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A Proven Blueprint

Calendar of Events

November 2009:

Week 1: Continued door-to-door marketing & calls to guarantors

Week 1: CAS plan a co-vented pizza party. Obtain co-vented items.

Week 2: Hold resident event, free pizza and give-away (co-vent for free items)

Week 2: Letter home to guarantors of residents not yet renewed reminding them to discuss renewal options over break

Week 3: Individual evaluation of renewal binders by leasing manager and property manager

Week 3: Continued door-to-door marketing & calls to guarantors, Thanksgiving holiday

Week 4: Continued door-to-door marketing & calls to guarantors, Thanksgiving holiday

December 2009:

Week 1: Continued door-to-door marketing & calls to guarantors

Week 1: Finals resident event

Week 2: Letter home to guarantors of residents not yet renewed reminding them to discuss renewal options over break

Week 2: Individual evaluation of renewal binders by leasing manager and property manager

Week 3: Christmas break

Week 4: Christmas break



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A Proven Blueprint

Calendar of Events

January 2010:

Week 1: Holiday break

Week 2: Phone campaign to all guarantors and residents that have not renewed (see script)

Week 2: Plan Welcome Back resident event

Week 3: Welcome Back resident event

Week 4: Continued door-to-door marketing & calls to guarantors

Week 4: Individual evaluation of renewal binders by leasing manager and property manager

February 2010:

Week 1: Hold staff meeting reminding them that this is the last month for renewals to keep their same apartment.

Week 1: Individual evaluation of renewal binders by leasing manager and property manager

Week 2: Reminder flyer in all mailboxes/doors that there are only 2 weeks left to renew to keep their same apartment

Week 3: Reminder flyer in all mailboxes/doors that there is only 1 week left to renew to keep their same apartment

Week 3: Have staff stay after hours (6-8pm) to make calls to guarantors and residents that have not renewed

Week 4: Continued door-to-door marketing & calls to guarantors



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A Proven Blueprint

Calendar of Events

March 2010:

Week 1: All bedrooms not renewed are now on the market for new leases. Renewals must pay market rents.

Week 2: Begin roommate matching and room assignments for new leases



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A Proven Blueprint

Understanding the Market

How we find success

- We understand the market. Over 95% of our business experience is specialized in the student housing industry.
- We recognize the importance of tenant retention. In a market flooded with new student housing, our retention strategies maximize the efficiency of each Fall's opening.
- Our methods for attracting and retaining customers consistently evolve based on market research. We refine property programming, amenities, services and pricing to match the expectations of the marketplace.

"Our team's combination of experience and expertise in the student housing industry gives us the ability to thoroughly understand and accurately analyze student markets."



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Understanding the Market

How we find success (cont'd)

- BMOG, Inc. develops a market analysis that addresses prevalent issues in the student community.
- We research property taxes, enrollment projections and national student housing trends.
- To complement our national research, we do local market analysis and prepare for the development of a relationship with local government.
- We use informed predictions to support financial models for budget planning and proposing capital improvements.

“Despite the strains imposed by this new fast-paced student culture, we are prepared to respond accordingly.”



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A Proven Blueprint

Understanding the Market

How we find success (cont'd)

- With offices just blocks from the University of Wisconsin-Madison campus, we never forget the importance of student housing to an academic institution.
- Our office location provides easy travel to both coasts, enabling our strategic management services to reach throughout the Midwest and throughout the nation.
- BMOC, Inc. will be your long-term partner. Our success depends on our ability to add value to your property over the life of your investment.

"We promise a consistent level of professionalism that will be reflected in every step of our work with you."



COMMUNICATION



EXPERTISE



FLEXIBILITY



RESULTS

Excellence Through Experience

Thousands of beds at over 100 campuses nationwide

<i>Name</i>	<i>Total Beds</i>
William J. Levy, CPM	65,747
Matt McCord, ARM	1,000
Dr. Steve Saffian	6,000
	<hr/>
	72,747

Who we've done business with...

- *Northwestern Mutual Life*
- *GE Capital*
- *GB Hunt*
- *Principal Equity Capital*
- *Goldman Sachs*
- *Towne Realty*



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Current Clients

Capmark

David Homsher CCIM
Senior Asset Manager Services
700 North Pearl Street
Suite 2200
Dallas, TX 75201
(217) 999-7103
David.homsher@capmark.com

The Axis Philadelphia, PA

Past owner of The Stratum (mid-rise)
Chris Harness
Senior VP Trammel Crow
601 NW Loop 410, Suite 350
San Antonio, TX 78216
Charness@trammecrow.com
Direct: (210) 253-6028

Hasse Tower – Madison, WI

Thomas G. Bernacchi CPM
Towne Realty
Senior Vice President
710 N. Plankinton Ave.
Milwaukee, WI 53203
Phone: (414) 274-2637
Fax: (414) 274-2744

Uptown East Student Apartments Valparaiso, IN

Larry Gough
Investment Property Advisors, LLC
3304 Treaty Drive
Valparaiso, IN
Larry_gough@yahoo.com
(219) 613-1329

Student Housing Madison, WI

Eric McLeod
President of Housing Board for S.A.E.
MB&F
1 South Pinckney Street
Suite 700
Madison, WI 53703
emmcleod@michaelbest.com

The Towers & The Statesider Madison, WI

Bruce Bruene
Managing Director
Principal Global Investors
191 North Wacker, Suite 1601
Chicago, IL.
(312) 541-4063
Bruene.bruce@principal.com



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Consulting Clients

411 Lofts
Ann Arbor, MI

Approximately 300 student
apartment leases

David Kirshenbaum
Joseph Freed and Associates
Senior VP of Operations
33 South State Street
Suite 400
Chicago, IL 60603
dkirshenbaum@jfreed.com
312-675-5445

Burnham 310
Champaign, IL

587 student apartment beds

Jeff Pickus
President of Development
3330 Skokie Valley Road
Suite 300
Highland Park, IL 60035
(847) 681-8811 x100



COMMUNICATION

•

EXPERTISE

•

FLEXIBILITY

•

RESULTS

Achieve Success with BMOC, Inc.

With expertise and experience in the student housing industry, BMOC, Inc. has achieved success with some of the nation's premier lenders and property owners, managing over 70,000 beds on more than 100 university campuses.

Because of the learning experiences that BMOC, Inc. gained in its 24 year history, we understand why managing student apartments and private student housing complexes is significantly different from managing conventional real estate properties. BMOC, Inc. understands this market the best and is one of the few firms to develop an annual market research project for the student housing market.

BMOC, Inc. also recognize that there are three audiences in the student housing market; the student, the parent, and the university. We meet the expectations of all these audiences to achieve success for our clients.

BMOC, Inc. has received national exposure for sharing the lessons that the company has learned, and continues to learn, about bringing success to student housing nation wide.

Contact Us:

William J. Levy, CPM
150 East Gilman Street
Suite 1250
Madison, WI 53703

Web: www.bmocinc.com
Phone: (608) 255-2301
Fax: (608) 255-1351



COMMUNICATION



EXPERTISE



FLEXIBILITY



RESULTS

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The Element

A tradition of living

Resident Handbook

2010 – 2011

ROOM CHANGES

Requests for a room change can be made after the first month of classes each semester with a \$ 200 fee. Adjustments will be approved only as space and conditions allow. The management, however, reserves the right at any time to change room assignments in the interests of health, discipline, or the general welfare of our residents. This might include moving residents into rooms by themselves, although this may be subject to availability.

QUIET HOURS AND COURTESY HOURS

The creation of an environment conducive to study in The Element requires that each resident show consideration of others by keeping his or her noise level down. **Residents are expected to maintain a noise level, which cannot be heard outside of their room or suite, between the hours of 10:00 P.M. through 8:00 A.M., Sunday through Thursday, and Midnight through 9:00 A.M., Friday and Saturday.** At all other times, Courtesy Hours are in effect, and the noise level should not disturb fellow residents. In addition, **if you are ever asked to turn down your music by a resident or staff member, you should do so immediately. At no time will excessive noise be tolerated in The Element.**

Quiet Hours:

Sunday – Thursday

10 p.m. to 8 a.m.

Friday – Saturday

Midnight to 9 a.m.

Final Exam Periods*

24 Hours

*As defined by The Element

Courtesy Hours:

In effect 24 hours a day, 7 days a week.

Community Facilities



COMPUTER ROOMS

Computers may be used by residents for accessing the Internet, writing papers, printing, and any other computer needs.

Please refrain from eating, drinking, smoking or anything else that could cause damage to the computers. You may be billed for any damage done to

computer equipment or the room itself. We also ask that you store your documents on your own media, such as a portable USB drive, as the hard drives will be wiped clean after each reboot. If you have any questions or problems with the equipment please contact the Front Desk.



FITNESS CENTER

The fitness center, with plenty of equipment to keep you in shape, is available for use 24-hours a day. Please remember to consult with a physician before starting any exercise program.

GAME EQUIPMENT

The game room amenities are available for all residents to use. Use your driver's license or student ID to check out equipment at the front desk and have a blast!

TRASH

At The Element, we ask that you take your garbage to the dumpster located on the side of the property.

General Services

THE FRONT DESK

At The Element, the desk is open until 9pm every day. The front desk is the place to look for guidance regarding the various departments and services of The Element. You can call the Front Desk, at any time of the day or night to receive information and help. Our Front Desk staff can assist you with the following:

- Submitting a maintenance request form.
- Check out of equipment, games, vacuum cleaners, and even bathroom plungers, with a valid photo id.
- Reporting a lock-out (if you are locked out of your room).
- Flowers, gifts and other packages are received at the Front Desk. Watch for your name on the front desk marker boards to let you know if you have a package. Please remember to show your photo id when claiming a package. We also receive and send faxes for residents.
- Newspapers are delivered daily to the Front Desk. Please include your name and room number as part of your subscription.
- Lost and found items.

MAINTENANCE

The maintenance personnel work very hard to keep The Element in top shape. While they care about your maintenance needs, they also appreciate your care of the complex. If you refrain from abusing the building, they can put their time toward preventive measures, and more quickly address your specific needs. If a problem arises, let the Front Desk know, or complete a maintenance request form. You can also submit a maintenance request by visiting <http://www.theelement.com>. Please do not use the website for an emergency need.

Generally, maintenance requests will be completed the same day or the next regular working day. If you have an emergency, please notify the Front Desk, or your Resident Assistant immediately.

CABLE TV

Standard Cable service with upgrade capability, is included in your room package. For any upgrade needs visit the front desk for more information.

BOOKKEEPER'S OFFICE

Open 8:30 A.M to 4:30 P.M. (Monday-Friday)

The accounting office is prepared to help you determine:

- ◇ Balances owed
- ◇ Miscellaneous charges and their origin
- ◇ Payment problems/arrangement for late payments
- ◇ Change of billing address

Please, remember to make your lease payment to the Front Desk on the first of each month or semester, whichever the case may be. Payments are late after 5 p.m. on the first of the month. Each student should be aware of when his/her payment is due to avoid the possibility of late charges. Reminders will not be sent out. Please refer to the payment schedule on page 1 of you're The Element room agreement for payment due dates.

MAILBOXES

Each resident is provided with a mailbox. The mailroom is located off the main lobby. Please place any mail that does not belong to your apartment into the outgoing mail slot.

Have your mail addressed to:

Your Name [The Element]
Whitewater, WI 53190

When packages arrive, your name is placed on the whiteboard at the front desk for pickup. You may also drop off outgoing mail in the slot labeled US Mail.

NETWORK / INTERNET ACCESS

The Element and The Element provides high speed Internet access to each unit via the Ethernet port, and wireless throughout the lobby. Setup is simple and requires only an appropriate RJ45 Ethernet cable or wireless card for wireless areas.

FACILITY ACCESS AND KEYS

Upon check-in, you will receive a key for your suite. This key also opens the front door of the building. At The Element, you will receive a separate electronic key card to open the front door. When used, the door will temporarily unlock and allow access. **For your safety, please be sure not to give out your keys. Do not allow anyone else access to the building if they do not have their own access.**

Management Staff

The **General Manager**, TBD, is responsible for the overall management of the staff, business operations and facilities.

The **Maintenance**, TBD, is responsible for all maintenance and housekeeping operations.

Your **Resident Assistant** (RA) is someone you will see frequently. The RA is a full-time student living in The Element fulfilling a dual role of floor advisor and peer assistant; he/she is a resource person to help in the living/learning experience. Your RA has been selected on the basis of interpersonal skills and leadership. Each RA is committed to assisting each student as well as confronting those who disturb the community.

Policies and Procedures

ADVERTISING

The bulletin boards on each floor are for use by the building staff. If you would like to post items in the front desk area or on the bulletin boards, you must get

BICYCLES

Do not store bikes in the building. We recommend that you keep your bike locked when it is not in use in legal designated areas, as The Element and The Element is are responsible for lost or stolen bicycles. We also have secured covered parking for bicycles located at The Element. If you'd like to use this please ask the front desk person at your either building.

DAMAGE TO PROPERTY

Residents are equally responsible for the conditions of their apartments and the common areas. **Any person causing damage will be billed for repairs and subject to disciplinary action.**

ROOM ENTRY

Occasionally, staff members may have to enter your room to check general conditions, to make repairs, to perform custodial services, to handle emergencies, conduct health and safety checks and to ensure compliance with rules and regulations.

EXTERMINATIONS

The rooms at The Element are treated by a professional exterminator several times per year. If there is a continuing insect problem in a room, please report it to the front desk. It is important to note that cleanliness (such as trash disposal and proper storage of food) will go a long way towards keeping your room pest-free.

GUESTS

The Element and The Element is your home, and you are welcome to have an occasional overnight guest. Keep in mind that your roommate will appreciate knowing in advance, since they live there too. **You are responsible for the behavior of your guests.** This means informing them of the policies of building and soliciting their cooperation while visiting. Please limit the stay of any overnight guests (at The The Element) to two nights. **A The Element resident who houses a guest for more than two nights may be subject to fines or possible disciplinary action.**

PETS

Fish and their aquariums (under 5 gallons) are the only pets The Element allows—with the exception of service animals. Birds and other pets must stay at home.

Policies and Procedures

HOLIDAY HOUSING

The Element would be happy to accommodate you between semesters and during official University vacations..

KEYS AND LOCKS

Please remember that the doors at The Element must be locked when you exit your apartment. In the event you are locked out, please come to the front desk. Loss of your key will result in a re-coring fee of \$75.

ROOM FURNISHINGS/DECORATIONS

The Element is your home away from home, and we want you to feel comfortable. You are free to bring plants and to place posters on the walls. We do ask that you refrain from using contact paper and painting on the walls, ceilings, furniture, etc., or using finishing nails or push pins. We recommend using poster putty to avoid damages to the walls and doors.

SERVICE REQUESTS/MAINTENANCE REQUESTS

Request for repairs can be made at the Front Desk or online at www.theelement.com. Anything needing attention should be reported as soon as possible. Please allow adequate response time to pass before making duplicate requests or calling. Emergencies related to maintenance and repair should be reported to the front desk immediately.

FINES

Residents will receive an invoice or a bill in their mailbox or in person when they are fined. They will have ten days to pay the fine before late charges begin

ACCESS CARDS

These allow you to personally enter buildings. Lost access cards or excess requests for Front Desk entry will result in a \$25.00 replacement charge.

Safety Procedures

FIRE AND EVACUATION

The Element considers fire safety extremely important, and students have an obligation to adhere to our regulations as well as city and state statutes. The properties may conduct periodic fire drills. Failure to evacuate during fire alarms will result in disciplinary action.

FIRE PREVENTION

The following are prohibited in The The Element rooms because of their serious potential as fire hazards:

- Open flames such as candles and incense, etc.
- Appliances with exposed heating The Elements.
- Doors and walls in rooms that are over one-half covered with paper, posters, etc.
- Use or possession of fireworks or firecrackers
- Use or possession of combustible paints or liquids.
- Mopeds or other combustible engines.
- Halogen lamps or unapproved appliances.

MISUSE OF FIRE SAFETY EQUIPMENT

Any individual who misuses or tampers with fire safety equipment may be subject to eviction, a fine of \$500 plus the cost of repair or replacement of the equipment, cleaning of the facility, and damage to other property. We will also contact local law enforcement officials and you may be subject to disciplinary action under their jurisdiction.

FALSE ALARM

Every effort will be made to identify individuals who cause a false alarm. When such persons are identified, they will be referred to the Whitewater Fire Department and Police Department for disciplinary action. In addition to legal proceedings, each individual involved will be subject to eviction.

SETTING A FIRE

Any individual who sets fire (commits arson) in or near The Element will be evicted, turned over to the Whitewater Police and/or Fire Department, and be charged a fine of \$500, plus repairs.

FIRE EVACUATION PROCEDURES

First Alarm:

- Residents should check their immediate area for any obvious indications of a fire or cause for the alarm. If none are observed, they should exit through or down the stairwells.
- Staff members will investigate the cause of each alarm. Residents should

begin an immediate and orderly evacuation along the designated evacuation route established for their area. Exit the building and wait for instructions or permission to re-enter the building from designated staff.

- Residents should not run or use the elevator.
- Residents should take their room keys with them. **Anyone who does not evacuate or property and comply with the instructions of the staff will be required to surrender his/her I.D. to a staff member and may be subject to disciplinary action. After re-entry begins, I.D.'s will be returned at the Front Desk.**
- The The Element staff will signal that the building is safe and ready for re-entry. **No one is to re-enter until this signal is given.** Personnel authorized to give re-entry instructions are: **General Manager.** Firefighters may tell you when the building is safe, but not whether it is ready for re-entry.

SEVERE WEATHER EVACUATION

During severe weather alerts (watches and warnings), residents are encouraged to monitor television and radio reports and should take reasonable precautions. Each resident should have a flashlight accessible in case of power failure. In the event of a tornado sighting, all persons in the building should move immediately to the interior hallways of the lowest possible floor away from windows. **Persons who fail to respond to a tornado alert siren, or who choose to leave safer areas of the building before an alert siren ceases, do so at their own risk.**

Personal Safety

The Element management would like you to be aware of some important guidelines for the safety of yourself and your property. We recommend that you consider following these guidelines, in addition to other common sense safety practices.

WHILE INSIDE YOUR SUITE

- Lock your doors at all times.
- You have deadbolt locks on the entry door; use it while you are inside your room.
- While answering the door, first determine who is there by looking through the peephole. If the person is unknown, first talk with them without opening the door and don't open the door if you have concerns.
- Do not give or lend out your key. Do not put markings on your key ring to identify your name, address or phone number.
- If you are concerned because you have lost your key or because someone whom you distrust has a key, ask the front desk to have your locks changed. You have a statutory right to do so, provided you pay the cost of the change in advance.
- Dial "911" for emergencies. Immediately following, please call the front desk and/or your RA so they may take appropriate measures.

- Periodically check your door locks and other security devices to be sure they are working properly.
- Immediately report to the front desk in writing any malfunction of other safety devices outside your room, such as broken locks, burned out lights in stairwells and parking lots, blocked passage ways, broken railings, etc.
- Mark or engrave identification on valuable personal possessions.

WHILE OUTSIDE YOUR APARTMENT

- Always lock your doors while you are gone.
- Tell someone where you are going and when you will be back.
- When walking at night, walk with another person, if possible.
- Let your RA and a friend know if you are going to be gone for an extended period of time.

There is no such thing as a fail-safe security system. Even the most elaborate of security precautions are not guarantees against crime. You should always proceed as if such security systems do not exist. All systems are subject to mechanical malfunctions, tampering, human error and personnel absenteeism. The Element make no expressed or implied warranties of security. The best safety measures you can take are the ones you yourself can perform as a matter of common sense and habit. Please carefully consider and follow these suggestions.

Building Safety

The Element are not responsible for any personal damages or thefts. We highly recommend that you obtain renter's insurance.

ELECTRICAL CORDS AND OUTLETS

Extension cords and multiple outlets are designed for minimum use for short periods of time. Multi-plug outlets and improper use of extension cords create fire and safety hazards. Therefore, the following information should be considered when using this equipment:

- Too many appliances on one extension cord can cause the cord to overheat and result in a fire. (Note: two or more cords plugged together are still only one cord.)
- Extension cords placed in or through doorways which have metal doors or door frames, as well as cords draped over metal objects or put in areas where they may be walked on, create the added risk of shock.
- The outlets in each room were designed for either one or two appliances. **The use of multi-plug covers to increase the number of appliances on one outlet is prohibited due to fire and safety hazards, as well as circuit overloads.**

This is not an exclusive list of problems that can be caused by improper use of cords and outlets. Please contact the front desk if you have any questions.

ELECTRICAL APPLIANCES

Use of electrical appliances is permitted within certain guidelines. Generally, appliances should require no more than one thousand watts. Appliances used in The Element must be safe in design and structure (such as UL approved appliances) and properly maintained. Cooking appliances in rooms are limited to popcorn poppers, coffeepots and microwave ovens. We strongly recommend you utilize surge suppressors or protectors on all computers, electrical or electronic equipment. **Before leaving for breaks and holidays, please unplug all electrical appliances to guard against fire hazards.** George Foreman grills, hotpots, etc, are prohibited.

THEFTS AND OTHER CRIMES

Any theft or other crime should be reported immediately to the Whitewater Police Department and your RA or Resident Director.

There are several things residents can do to decrease the possibility of theft:

- Room and apartment doors should be locked at all times. Residents should always keep their keys with them even when going to eat or if a roommate is in the room and is not expected to leave during this time.
- Valuables should be kept locked and out of sight.
- Residents should practice being their “neighbor’s keepers.” This can be done by knowing the other residents on the floor and by immediately reporting to The Element staff any suspicious person(s) seen wandering in the building.

The Element do not allow soliciting or profiteering on its property. Please report those individuals to your RA or the front desk. Lost keys should be reported to the front desk immediately.

RESPONSIBILITY

Individuals at The Element will be held responsible for their actions. Damage, vandalism, removal of public furniture, setting off alarms, etc. could result in fines or eviction. If the individuals responsible cannot be identified, we reserve the right to hold all residents responsible for damages. Before a floor is charged, there will be an opportunity for the individuals to identify themselves and to take responsibility for their actions.

Resident Discipline

GENERAL EXPECTATIONS

In The The Element , where a large number of people with varying lifestyles live in such close proximity, rules and regulations are necessary to promote the general welfare of the community. There are some behaviors that will not be tolerated, because they disrupt the development of a positive community atmosphere and infringe on the rights of other residents. **It is your responsibility as a resident to be familiar with, and abide by, the guidelines that have been established. You will be held accountable for your actions if you fail to adhere to these guidelines. Infractions of The Element policies and regulations may result in disciplinary action, up to and including the termination of your lease. We have a responsibility to the resident and the community, and we will not hesitate to terminate the lease of a resident who disrupts the welfare of The Element communities.** We reserve the right to add to these guidelines, as needed.

STAFF

It is essential that residents comply with the reasonable requests of staff members when confronted with a violation. **Failure to comply with the request of a Resident Assistant, or other staff member will result in progressing disciplinary action and possible eviction from The Element .**

REGULATIONS

Residents living in The Element are subject to terms and conditions of their The Element Lease and Rules and Regulations contained in the lease, in addition to the policies and procedures contained in this booklet.

DISCIPLINE PROCEDURES

If you violate a rule or regulation, it will come to the attention of a Resident Assistant. In many cases, the Resident Assistant will discuss the infraction with you. If you fail to correct your behavior, or if the violation is a serious one, the Resident Assistant will refer the incident to the Resident Director (RD) or the Assistant General Manager (AGM). When an incident is referred to the RD or AGM, he or she will contact you to arrange a discipline appointment. **Failure to appear for the appointment may result in the immediate notification of the guarantor of your lease for resolution of the problem and, if conditions warrant, possible termination of your lease.** Based on the information that is obtained, the RD or AGM may take one or more of the following actions:

1. **Counseling:** A dialogue between the staff (RD or AGM) and the resident to correct the behavior and to inform the resident of the consequences of any further infractions.
2. **Restitution:** An action where the resident makes payment for damages to The Element .

3. **Room Change:** A reassignment to another room, floor, or apartment.
4. **Written Warning:** A written notice that indicates that an infraction has occurred and which explains that subsequent infractions could result in more serious action. The written warning is included in the resident's file. Depending on the infraction, the guarantor of the lease may also be provided with a copy of this written warning.
5. **Contract Probation:** A written notice that indicates a serious or repeated infraction of the rules and regulations. Contract Probation is for a specific period of time and specific restrictions may be imposed on the resident. Contract Probation is usually the step before a resident's lease is terminated. Under most circumstances, the guarantor of the lease will be notified of this action. The written notice is included in the resident's file.
6. **Termination: Serious infractions or repeated violations can result in the termination of a resident's lease.** The resident will be required to move out of their assigned apartment and permanently move out of the facilities. The General Manager will review and make all decisions regarding termination and eviction. **If a resident's lease is terminated and they are instructed to leave The Element, he/she is financially responsible for the balance of the lease contract amount, including any and all damage charges, fines and fees.** The guarantor will always be notified if a resident's lease is terminated.

Prohibited Activities

- **Athletic Activities:** These include, but are not limited to roughhousing, throwing/bouncing/kicking of objects, the use of golf clubs, lacrosse sticks, footballs, water guns, paintball guns, airsoft guns, water balloons, etc inside the building.
- **Any Ceiling Alterations:** These include but are not limited to mounting ceiling fans, mounting light fixtures, removal of ceiling panels, affixing of posters, stickers (including glow in the dark stars) etc.
- **Construction in Room:** This includes but is not limited to building lofts, bunk beds, elevating furniture on blocks, etc.
- **Fighting:** This includes but is not limited to fisticuffs, shaving cream fights, water fights, food fights, physical assault, etc.
- **Hazing:** This includes mental and physical abuse of any student by another student(s). **Hazing is prohibited by state law and will subject those guilty thereof to criminal prosecutions and disciplinary action.** Barricading is considered a form of hazing and is also prohibited in or around The Element.
- **Skateboards, roller blades and bicycles:** These may not be used or ridden anywhere in The Element.
- **Use of Windows and Ledges:** Throwing, dropping or hanging objects from windows and ledges is prohibited. The Removal of window screens is prohibited and will result in a \$75 replacement/rehanging charge.

- **Smoking: Smoking is permitted in designated areas only. Smoking is not allowed in any The Element rooms.** Residents caught smoking in The Element are subject to a fine for each occurrence.
- **Illegal Substances: Federal and State Law prohibit the possession, use or sale of narcotic drugs and marijuana. Living in The Element does not make you immune to these laws. The Element has a zero tolerance for such behavior, and the possession of or use of illegal drugs on the premises may result in eviction.** State law also prohibits the sale, distribution and possession of illegal drugs on the premises—**any such violation will result in eviction.** Also, **state law prohibits the sale, possession and distribution of alcohol to persons under the age of 21 years. Violators may be subject to eviction with no refund of any unused portion of the contract and with continued liability for rent and other sums due under the contract.**

Prohibited Items

Because of the potential injury to individuals and damage to property, the items listed below are prohibited. **Possession of any of these items will result in the item(s) being confiscated and the possessor/owner facing disciplinary action.** Residents are encouraged to use common sense and ask questions of staff members if necessary. **Students should also be aware that all residents of a room might be held equally responsible for any prohibited items that might be found in their room.**

- **Alcoholic Beverages: Alcoholic beverages and containers are prohibited in all public areas of The Element as well as in any bedrooms inhabited by people of legal drinking age.** Possession and consumption of alcoholic beverages must be in full compliance with local, state and federal laws and regulations and in accordance with these Rules and Regulations. Within those limits, the decision to drink, and how much, is a personal one. **Alcohol related conduct that infringes upon the rights of others to a quiet, orderly living environment is not acceptable under any circumstances. Absolutely no kegs or other multi-serving containers are allowed on the property.**
- **Antennas:** Antennas may not be attached to the outside of the building.
- **Firearms/Weapons:** Firearms, ammunition and other weapons including BB guns, pellet pistols, air rifles, *nunchakus*, bows and arrows, sling shots, blow guns, etc. are prohibited in all areas of The Element.
- **Fuels:** Any flammable fuels are prohibited at The Element. Motorcycles, mopeds and other transportation utilizing such fuels must be parked off-property or in the parking garage.
- **Illegal Substances:** The sale, use, storage and/or production of any and all illegal substances are prohibited throughout The Element.
- **Miscellaneous:** Water guns, water balloons, catapults, fireworks, smoke bombs, and appliances with open heating The Elements, etc. are prohibited throughout The Element.
- **Waterbeds and Furniture:** This includes all liquid filled furniture.

Your TV Channel Listings

***if you upgrade your service then this list may not be accurate.**

7	WMTV (NBC)
8	AccuWeather
9	WBUW (CW)
10	WNSN - FOX
11	WISC - CBS
12	My Network TV
17	WKOW - ABC
18	Retro TV
19	This TV
20	WHA - Create
21	WHA - PBS

22	WHA - Wisconsin
25	Big Ten Network
26	FSN Wisconsin
27	ESPN
28	ESPN 2
29	ESPN News
30	ESPN Classic
31	ESPNU
21	G4 Videogame TV
33	BET
34	GSN
35	Food Network
36	FX
37	Arts & Entertainment
38	History Channel
39	truTV

40	E!
43	CNN
44	Headline News
45	Fox News Channel
46	CNBC
47	MSNBC
48	TNT
49	Turner Classic Movies
50	USA Network
54	WGN
55	TBS
56	Weather Channel

57	Nickelodeon
58	Cartoon Network
59	VH1
60	MTV
61	Animal Planet
62	Discovery Channel
63	Bravo
64	Sci-Fi
65	Spike TV
66	Comedy Central
67	TLC
68	Lifetime
69	Lifetime Movie Network
70	Lifetime Real Women
71	NFL Network



Calvary Lutheran Church and University Chapel

234 N Prince Street
Whitewater, WI 53190-1131
(262) 473-5274
David Emmrich, Pastor

November 11, 2010

To the City of Whitewater:

This memo is in regard to the proposed student housing project at 234 N. Prince Street. This project is vital to the ministry we wish to provide for students. It will provide a meeting place for residents of the building, their friends, and other students. It will also give office space for me so I can provide counseling services for students. Traditional worship with our congregation will take place in Fort Atkinson on Sunday mornings, as our congregation is planning to merge with Peace Lutheran Church in Fort Atkinson. If you have any additional questions or concerns, please don't hesitate to contact me at 262-385-1127.

Sincerely,

A handwritten signature in cursive script, appearing to read "David N. Emmrich".

David N. Emmrich, Pastor

THE ELEMENT PARKING TERMS AND RATES

2010-2011 Parking Terms Form

Effective June 01, 2011 through May 31, 2012

Fees*

Parking Lot

Summer Term \$ Free

Academic Term \$300.00

**The nonrefundable fee indicated above is for the entire term and must be paid in full prior to receiving your Parking Permit.*

Where do I display my Element Parking Permit?

The correct location for displaying your Element Parking Permit on your vehicle is the lower left outside corner of the very back windshield.

Failure to properly display your Element Parking Permit may result in your vehicle being ticketed and/or towed at your expense.

What if I move out of ____?

If you are to leave The Element prior to August 01, 2011 for the Summer Term or May 15, 2012 for the Academic Term, you must return your Parking Permit Management Staff Rental Office upon moving out as you will no longer be allowed to utilize The Element Parking Lots. Failure to do so may result in a fine up to \$200.00, as well as, the inability to use our parking lot during future stays at The Element.

What if my car received a ticket and/or was towed?

The Element is not responsible and has no authority over parking tickets or cars being towed. If you have any questions, please contact The Element management staff in writing. Additional instructions may be found on the face of your ticket.

Attachment E

**THE ELEMENT – PARKING
MEMORANDUM**

November 12, 2010

RE: PARKING RULES AND REGULATIONS

To the City of Whitewater, Wisconsin:

The Element Apartments are committed to maintaining an orderly and parking plan at all of its facilities that includes an inventory of all tenants and vehicles currently permitted to park on the property, and in the case of the proposed project, will implement a program that will identify all permitted vehicles for its surface parking and privately manage the identification and towing of improperly parked vehicles.

We have attached for your reference, the current parking forms and regulations we use. We anticipate including documents of this type in the parking leasing materials for each spot, in addition to posted signs indicating permit or assigned parking.

Sincerely,

Matthew M. Burow
CATCON WHITEWATER LLC

THE ELEMENT PARKING RULES AND REGULATIONS

PARKING

Parking at The Element is available for participating college students and is available on the surface lots. To park a vehicle in the designated parking lots, resident students must purchase a parking permit and properly display this permit in their vehicle. The parking permit is available at the beginning of each term and can be purchased at the rental office. The fee is non-refundable. The Element management staff is responsible for enforcing the parking rules and regulations in all participating college parking areas, including those at any offsite parking locations. Parking is NOT permitted in reserved or employee designated spaces.

Visitor parking passes are available at the rental office. Cars inappropriately parked on The Element property will be towed. The Element is not responsible for any damages that may occur to vehicles as a result of parking in the aforementioned parking lots.

PARKING VIOLATION APPEAL PROCESS

Anyone wishing to appeal a parking violation should respond in writing within 72 hours to The Element management staff office. The written appeal should include the following information: date of appeal, student's name, telephone number, local address, ticket number, registration number, and specific reason for appeal. If no appeal is received within 72 hours, the amount of the violation will be charged on the resident's receivable record. The Element management staff office is located at the ground level lobby.

SNOW REMOVAL

Please exercise care while walking in the wintertime. The sidewalks and roadways may be snow or ice covered. Any vehicle illegally parked on The Element property during snow removal will be towed at owner's expense.

DISCLAIMER

Property Management may terminate any resident's license at any time at the discretion of Property Management for reasons of health, safety, security, conduct and/or damages, excessive filth, or for the failure to comply with the rules and regulations or the resident's License Agreement.

It is understood that the occupancy right granted to each resident is a revocable license and not a leasehold or other interest. While these rules and regulations attempt to highlight the circumstances that may lead to termination of a resident's occupancy, Property Management shall have complete discretion to terminate a resident's occupancy (whether specifically designated herein, in the License or not). Likewise, it shall be within the discretion of Property Management to consider any specific circumstances in reaching such decision.

A decision by Property Management to not enforce any rule or regulation or terminate any resident's occupancy shall not act as a waiver of Property Management's right to enforce such rule and regulation in the future. No resident shall have the right to enforce these rules and regulations against another resident.

If an opening occurs in a suite the remaining residents within that suite will be expected to accommodate another roommate from the Wait List. Residents are expected to welcome new roommates in a hospitable manner. Residents who have an empty bed in their suite are expected to maintain the space in such a manner as to allow another resident to move in immediately. Residents may not expand to fill all space in a suite making it inhospitable to another resident.

Property Management reserves the right to inspect rooms, suite and contents by its authorized personnel at any time for the purpose of administering the provisions of the license. Residents should be aware that they

are responsible for what occurs in their suites/rooms whether or not they are present and such knowledge shall be imputed to them.

These rules and regulations are subject to change by Property Management in its discretion by posting such in the building or by individual written notice.

THE ELEMENT –OPERATIONS AND SECURITY MEMORANDUM

October 18, 2010

RE: OPERATIONS AND SECURITY NARRATIVE

To the City of Whitewater, Wisconsin:

This memorandum is written to briefly describe the security and operations of the Element Apartments. The model that we are using is indicative of the national trend of student residential housing.

Operational Staff

The Element shall employ a full time manager to staff the entry concierge desk and leasing office. The front desk's hours of operation will be from 7am-5pm (Monday-Friday) and 8am-12pm (Saturday and Sunday).

Security

The Element shall contract a local security guard company to patrol the property, parking lot and building four times a day at random intervals. The building entry door shall be equipped with a key fob system that shall be managed through computer software. The Element will have a recorded DVR camera system that will monitor the building entry/exit points, common corridors and parking lot.

Sincerely,

Matthew M. Burow
CATCON WHITEWATER LLC

Sustainable Design Features

The Element

Whitewater, WI

- Sustainable Sites
 - Reuse of existing site
 - Higher Density on existing site
 - Bicycle Storage on site
 - Stormwater Quality control
 - Stormwater Quantity control
 - Light Pollution reduction
 - Extensive use of landscape
- Water Efficiency
 - Water efficient landscaping
 - No use of irrigation
 - Low Flow plumbing fixtures
 - Low water capacity toilets
- Optimize Energy Performance
 - Energy Star Rating of building
 - High performance exterior wall insulation
 - High performance glazing in all windows
 - Energy Star Appliances
 - High efficiency HVAC and hot water heaters
 - LED lighting in corridors
- Materials & Resources
 - Drywall made of recycled content
 - Recycling of construction waste
 - Recycling of demolition materials
 - Flooring with recycled content
 - Use of rapid renewable materials in construction
 - Use of some certified wood where applicable
 - Use of locally available materials
- Indoor Environmental Quality
 - Construction Management Plan
 - Low-Emitting adhesives & sealants
 - Low-Emitting paints
 - Low-Emitting Carpet & flooring
 - Lighting controls for occupancy
 - Lighting controls for daylight operations
 - Control of HVAC by individual units
 - Thermal Comfort with high insulation
 - Daylight usage in facility

Summary of Neighborhood Meeting
August 4th, 2010 at 6:00 PM
Whitewater College Suites

Approximately 35 people gathered at Calvary Lutheran Church to review the potential development of the Whitewater College Suites project. Eric Steffensen from United Development Group explained the project in detail. He also gave the background of United Development Group and their experience with college student housing. The amenities of the project were explained which includes:

- Secured entrances and 24/7 security
- Café Area
- Study rooms
- Business Center
- Exercise Room
- Game Room
- Laundry
- Student Chapel for Calvary Lutheran
- Full kitchen in each unit
- One or two full bathrooms per unit
- Full time maintenance

Attending the meeting from the neighborhood were some of the residents that would be selling their property, several members of the church, about 4 employees of UW Whitewater, 5 officials of the City of Whitewater along with several neighbors.

The meeting was very informative with perspectives and floor plans being presented to those that attended. The project received a very warm reception with no opposition presented at the meeting.

Numerous questions were asked by those in attendance and a good dialog took place.

The meeting ended about 7:30 with many guests staying around until 8:00 for informal discussion and questions.

December 3, 2010

LOS IK ENGINEERING
DESIGN GROUP

Megan MacGlashan, AICP
Vandewalle & Associates Inc.
120 East Lakeside Street
PO Box 259036
Madison, WI 53725-9036

RE: The Element, Whitewater
Comment Response Letter to December 1, 2010 email comments

Dear Megan,

We received the comments you provided to Matt Burow via email on December 1, 2010, which were based upon your review of The Element plan set dated November 12, 2010. The comments you provided are listed below; our responses are provided in **bold** after each comment. *Please refer to the response letter from Excel Engineering for architectural related comments.*

Comments Relating to Building Design (Renderings and Elevations)

Please refer to the Excel Engineering response letter for architectural related comment responses.

Comment Relating to Landscaping

15. We recommend using plants that will be 6-7 feet at maturity along front building foundation instead of the smaller shrubs currently being proposed.
The landscape plan has been revised to provide 6-7 foot tall plantings along the front of the building, as requested.
16. Add landscaping to the corner of Prince Street and Florence Street, including a large shade tree, as well as some lower story plantings. Please be sure landscaping does not interfere with the City's vision triangle requirements (see section 19.51.010 of City zoning code).
The requested landscaping at the corner of Prince Street & Florence Street has been added to the revised landscape plan.
17. Since roughly 27 mature trees would be removed from the site for this project, please find additional opportunities to add back as many trees as possible. Recommended locations include: the front yard north of the front walkway, south of front yard walkways (use Ginkgos as front yard trees), two more street trees on Prince Street generally in front of the future parking area, and in the landscaping islands flanking the entry to the western-most parking lot. Smaller ornamental trees could be added along the south side of the northern Prince Street driveway (along with some other plantings) and in the triangular-shaped landscaping island on the north side of the southwest parking lot. We are happy to see the proposed 4" caliper trees along the street frontage.
Additional trees have been incorporated in to the revised landscape plan, in many of the areas mentioned above. Note that trees cannot be planted in the open area north of the main front entry because this area contains the underground stormwater detention chambers.

18. Concerns over whether the perennials proposed south of the building, along the south side of the driveway, and on the north side of the fence will survive in that location with the fence blocking the sun and all the snow, salt, and runoff from the driveway. It would probably make more sense to just have grass in this location.

The perennial garden planned for this area has been replaced with grass, per your recommendation.

19. Recheck landscaping quantities identified in the table, particularly for the Japanese Tree Lilac. We thought we spotted a couple inconsistencies between what is listed in the table and what is shown on the landscaping plan.

The landscaping quantities have been updated to reflect the landscape plan revisions.

20. We noticed there are over 100 spirea shrubs being proposed for the site. In the interest of encouraging plant diversity, please replace some of these with other shrub species.

The revised landscape plan incorporates several new species to further encourage plant diversity.

21. We are a little concerned about blue arrow juniper being planted in front of the windows at the rear of building. Won't these block out all the light from entering these units? We understand this was probably intended to help screen the units from the parking lot, but please see #s 28 and 29 below for alternative ways to deal with this issue and then reconsider the landscaping plan for the rear building foundation accordingly.

The building has been shifted towards Prince Street and the main parking lot reduced in size by 2 feet (per your proceeding comments), providing additional separation between the building and main parking lot. Therefore, the blue arrow juniper plantings are not needed and have been removed from the landscape plan.

Comments Relating to Site Design

22. We understand you are proposing to install front yard seating areas as a final phase of the project, after you can get some feedback from the residents. We are fine with this approach and consider it appropriate. However, we would like the site plans to at least indicate a commitment to doing this in the future so it is not forgotten. Detailed proposals for such features would be subject to City staff approval.

We've added a note to the Site Plan (located within the building footprint near the main entrance) stating that there will be a "Front Yard Seating Area" with the "final design subject to City staff approval".

23. Adjust the location of the driveway off Florence Street to better ensure the survival of the existing street tree.

The location of the driveway off Florence Street has been shifted further west to increase the separation to the existing street tree.

24. Add a "Do Not Enter" sign at the north end of the driveway exiting the southwest parking lot.

The Site Plan now illustrates that a "Do Not Enter" sign shall be located in the requested location.

25. We would really like you to explore other places to locate the transformer box. It appears there are other viable (and equally as accessible) options, such as a little farther south on the site closer to the future parking lot area.

The transformer box has been relocated to the south side of the south entry to Prince Street, situated outside of the 15'x15' vision corner.

26. Reduce the width of the entryway to the western-most parking lot area from 24 feet to 20 feet and widen the two landscape islands that flank that entryway. Add trees to each island.
The width of the entry to the west parking lot has been reduced to 20 feet and the islands increased accordingly. The landscape plan has added trees within these widened islands.
27. The fence located along the western lot line of the future parking lot area should end at the setback of the adjacent house rather than extending all the way to Florence Street.
This fence now ends at the building setback, as requested.
28. Reduce the length of the western row of parking stalls in the main parking lot from 20 feet to 18 feet in order to shift the parking lot a couple feet back (to the west) away from the rear of the building. We also ask that you move the entire building forward toward Prince Street by five feet. We understand this means the building would no longer meet sky plane requirements. However, we are more concerned about the proximity of the main parking lot to bedroom windows than we are about this project precisely meeting sky plane requirements. By moving the building forward five feet, only the building “wings” will be in violation of this requirement, and only by a few feet at that. PCD zoning gives the City the ability to allow flexibility in such standards when and where appropriate. And we consider this to be an appropriate situation for allowing flexibility in exchange for a better site design.
Given the City’s support to shift the building closer to Prince Street and allow a minor sky plane encroachment for the building “wings”, we’ve revised the site plan to shift the building 4 feet closer to Prince Street (1’ off the front yard setback. We have also reduced the depth of the west stalls in the main parking lot by 2 feet allowing us to shift the east side of the main parking 2 feet further away from the building. The end result is that the plan now provides 8’-2” to 12’-2” of open space between the building and main parking lot.
29. Switch the positions of one of the units on the first floor rear of the building with the exercise/laundry/mail/waiting room area to get as many bedrooms as possible away from the parking lot and to put the unit in what we would consider to be a more desirable location (overlooking the front yard instead of the parking lot).
Please refer to the response letter from Excel Engineering.
30. In areas where curb cuts will be removed, also specify on the site plans that driveways will be removed and restored to greenspace.
Additional notes have been added to the plan indicating that these areas should be restored to greenspace.
31. Just a comment for your information: approval of the PCD would need to allow for the width of the driveway in the southwest parking lot area to be 12 feet wide (the zoning code requires a minimum of 20 feet for parking lots with more than 10 stalls). We would support this.
The 12-foot wide one way drive lane for the angle parking meets standard design requirements. We appreciate your support of this design recognizing that it is less than the City’s minimum requirements.
32. Please explain the purpose of the paved area located in the front yard just south of the main building entrance. It appears this is designed to be some sort of a mini plaza for students to gather. We support this concept, but would like to hear more about the intended function of this space.
As indicated on the Site Plan (via the note located within the building footprint), this paved area will contain bicycle racks under a bike rack canopy.

33. We remain concerned that there is not enough space on site for basic snow storage. To address this, please consider adjusting the locations of some of the lower retaining walls (i.e., move them back away from the edge of the parking lot pavement) to accommodate snow storage. One example where this could be implemented is along the west side of the southwest parking lot area where the meandering retaining wall is located. The landscaping that is located at the bottom of (east) of this wall could be moved on top of the wall to leave these areas open for snow storage. Consider similar adjustments in other areas of the site as well.

The Site Plan and Landscape Plan now indicate (by a snowflake symbol) areas designated for basic snow storage. The landscape plan has been revised to accommodate storm storage in these areas. As indicated in the notes on the Site Plan, the Owner is aware and agrees to haul away excess snow from extreme snow events, if and as needed.

Miscellaneous Comments

34. We would like to have information on where Catalyst Construction has built other comparable projects and a list of people we can contact to learn more about the success of those projects. The reference list should include names and contact information for community staff. We would like to have this list of references by the end of this week.

The requested information is being provided by Catalyst Construction.

35. Please bring building material samples to the Plan and Architectural Review Committee meeting.
Building material samples will be provided at this meeting.

Please feel free to contact our office at (262) 790-1480 or Excel Engineering at (920) 926-8900 with any questions or to further discuss the updated plans.

Sincerely,

LOSIK ENGINEERING DESIGN GROUP, LTD.



Josh Pudelko, M.S., P.E.
Vice President of Engineering

December 6, 2010

Mark K. Shubak, P.E.
Strand Associates, Inc. ®
910 West Wingra Drive
Madison, WI 53715

RE: The Element, Whitewater
Comment Response Letter to November 29, 2010 Comments

Dear Mark,

We received the comments you provided to Mr. Bruce Parker via your letter dated November 29, 2010. The comments you provided are listed below; our responses are provided in **bold** after each comment.

Site Plan

1. Stop signs should be provided at the exits onto Prince Street.
Stop signs are now shown at both exits to Prince Street.
2. The proposed electrical transformer location (north of the south driveway on Prince Street) may present pedestrian/vehicle vision and aesthetic concerns. An alternative location should be considered.
The electrical transformer has been relocated to south of the southern Prince Street entrance, outside of the vision corner area.
3. A minimum of 2 feet of separation should be provided between the curb and retaining wall along the west side of the south parking lot to allow for vehicle overhang.
A minimum of 2 feet of separation is now provided between the wall and back of curb, as requested.
4. Thicker asphalt pavement or concrete asphalt should be considered in the garbage truck loading area.
A thicker "heavy duty" pavement section is now proposed for the south entrance through the garbage truck loading area.

Grading and Drainage Plan

1. Review of the submitted stormwater calculations indicate that the City's stormwater quality and quantity requirements are generally being met. The stormwater quality requirements are being met using a 40-foot long, 5-foot diameter underground stormwater storage chamber. The drawings indicate two access risers into the top of the underground storage chamber. We recommend these access risers be secured with bolt down lid or locks.
The stormwater management calculations previously submitted hold true after these minor plan updates. The Utility Plan now states that the access risers be secured with bolt down lids.
2. The applicant has provided a summary of impervious areas and has indicated that there will be 1.05 acres of impervious on the 1.715 acre project site. This may be used for recalculating the number of ERU's for the project site.
Note that with the plan updates the total impervious area is now 1.04 acres.

3. It appears that approximately 0.3 to 0.4 feet of freeboard is being provided between the overflow flume at the rear corners of the building and the finished grade and threshold elevations at the back of the building, respectively. Additional freeboard should be considered. Additional inlet and storm sewer capacity to account for potential clogging should also be considered.

The site plan has been modified to provide 0.55 feet of freeboard between the overflow flume and the southwest entry to the building. An additional inlet has also been provided in the northern low point of the main parking lot.

4. We recommend that storm inlets be added on either side of Prince Street where the storm sewer enters the site.

Storm sewer inlets on Prince Street are not being shown as part of the plan set for The Element.

Utility Plan

1. Valves should be provided on the new water main at the connection to the existing water main in the street, not at the property line.

The valves are now shown at the connection to the existing water main, as requested.

2. A public easement for the proposed fire hydrant near the southern driveway should be provided. The hydrant lead should be ductile iron.

A 20-foot wide public water main easement is now provided around the hydrant lead south of the building. The water main has also been changed to ductile iron.

3. The proposed water main on the north side of the site should be revised to an 8-inch ductile iron water main and should be extended to the west property line for future looping of the water system. The main should be dedicated to the public and a public water main easement should be provided.

The water main on the north side of the site has been revised to 8-inch ductile iron, extended to the west property line and situated within a public water main easement. Note that the jog in the watermain west of the building is provided to avoid disturbing existing trees near the property line.

4. A minimum horizontal separation of 8 feet should be provided between storm sewer and water main, whether public or private.

The storm sewer location has been adjusted to maintain 8 feet of separation between the storm sewer and water main.

5. Curb inlets should be provided at the driveways along Prince Street to prevent concentrated flow from crossing the public sidewalk.

Trench drains are provided at the entrances to Prince Street to capture site stormwater. No additional curb inlets are proposed within Prince Street as part of The Element plans.

6. A plan and profile sheet should be provided for the proposed storm sewer on Prince Street. Storm sewer sizing calculations for this storm sewer should also be provided.

A plan and profile sheet and storm sewer sizing calculations for the Prince Street storm sewer will be provided in a subsequent submittal as part of the final engineering plans for the project.

General

1. Specifications should be provided for the water main and storm sewer work which will be dedicated to the public.
Specifications for the public storm sewer and water main will be provided with the final engineering bid package.
2. State-established wage rates will likely apply to the water main and storm sewer which is to be dedicated to the public.

Please feel free to contact our office at (262) 790-1480 or Excel Engineering at (920) 926-8900 with any questions or to further discuss the updated plans.

Sincerely,

LOSIK ENGINEERING DESIGN GROUP, LTD.


Josh Pudelko, M.S., P.E.

December 6, 2010

Megan MacGlashan, AICP
Vandewalle & Associates Inc.
120 East Lakeside Street
P.O. Box 259036
Madison, WI 53725-9036

RE: The Element, Whitewater
Comment Response Letter

Dear Megan,

We are in receipt of your Preliminary Review Comments for the proposed The Element student housing project in Whitewater, WI that were provided to Matt Burow of Catalyst Construction on December 1, 2010. Your comments are listed below with our responses in bold italics following each comment

Comments Relating to Building Design (Renderings and Elevations)

1. Consider opportunities to add more architectural detailing around the windows (e.g., lintels).
Brick soldier course has been added above the windows located in walls having brick. Also, aluminum sunshades were added above the triple window unit on the North Prince Street elevation.
2. Consider ways to make the front entryway more inviting and a more prominent architectural feature (e.g., use colors other than black, extend overhang, add lighting).
The main entry is defined by the expanse of glass to the north of the entry doors. The canopy will be bronze in color which matches the aluminum windows and entrances. The canopy will also have recessed lighting in the soffit to light the entry.
3. Consider changing the color of the brick and/or stone so there is more of a contrast between the two.
The actual colors of the brick and stone do vary without being too much of a contrast. The renderings have been modified to reflect this contrast.
4. On building wings, consider adding some architectural/color variation to the brick segments.
The wings have been revised to incorporate more of the lap board siding by eliminating the brick corners.

5. Consider making the edges/corners of the building protrusions the same color as the remainder of the wall (not a contrasting color).
The color of the corner trim boards has been revised to match the adjacent lap board siding color.
6. We think the white trim around the windows should be the same color as the brick instead of white. The white seems like too stark of a contrast.
The color of the window trim boards has been revised to match the darker lap board siding color at both the dark and light color walls.
7. Please explain what will be done to the front windows of the 4th floor “step-back” to keep students from climbing out on the roof of the 3rd floor of the building wings. We suggest these windows be designed so they can not be opened. Otherwise, we foresee this being a major safety and enforcement issue.
These windows will be inoperable and have been noted as such on the elevations.
8. Please explain the term “awning unit” (used on the building elevations sheets).
The word awning represented the operable lower portion of the windows. The windows have been revised to be single hung units in lieu of having an awning unit. The reference note on the elevations has been revised to reflect this change.
9. Please indicate the window trim material on the building elevations.
Window and corner trim material has been noted on elevations
10. We would like to have more information on the proposed window tint/glazing. On the photo renderings, the windows appear to be very dark. Is this an accurate representation of what they will look like when constructed? If so, we recommend modifying the type of tint/glazing being used. The dark windows make the building appear unwelcoming.
The window glazing will be clear glass. The renderings have been revised to reflect this.
11. We observed that the building looks a bit more monotonous from the rear. While we recognize this view of the building will not be seen by many people, we ask that you at least explore other opportunities to break up the façade. We do appreciate your use of the same high quality building materials on all four sides of the building.
More of the darker colored lap board has been incorporated into the façade to break up the monotony of the elevation. In addition, the stone veneer has been replaced with brick veneer at some areas.
12. Add overhangs over the rear entryways to give people shelter from snow and rain and to more clearly identify the entrances. This will also add additional visual interest to the rear façade.
Canopies have been added above these entrances. Canopy materials and color will match those on the other canopies.
13. Please show the building-mounted light fixtures on the building elevations.
The light fixtures have been shown and noted on elevations.

14. Please specify building colors on the building elevations sheet (not just "Color 1," "Color 2," etc.) since these will be the officially approved plans (and not the phot renderings).

Finish notes have been added to the elevation sheets indicating lap board siding, corner trim board, and window trim colors for the different walls colors.

Comment Relating to Landscaping

Landscaping comments are addressed in a separate letter from Losik Engineering Design Group.

Comments Relating to Site Design

Site Design comments are addressed in a separate letter from Losik Engineering Design Group with the exception if item #29 addressed below.

29. Switch the positions of one of the units on the first floor rear of the building with the exercise/laundry/mail/waiting room area to get as many bedrooms as possible away from the parking lot and to put the unit in what we would consider to be a more desirable location (overlooking the front yard instead of the parking lot).

The location of the residential units keeps the units grouped and on the north side of the main entry offers a separation between common spaces from residential spaces. Switching the unit as suggested would place the unit directly across from the Gameroom/Lounge which tends to be a somewhat noisier space. The (2) Study Rooms currently provide a buffer between these spaces and the bedrooms. Also, the toilet rooms are readily accessed from the Gameroom/Lounge and Exercise areas as well as the Church space without having to walk past the main entry area. Lastly, keeping the waiting Area and the Mail Room within the direct sightline of the Reception counter provides a level of security that could not be obtained by having them to the west side of the main corridor.

Miscellaneous Comments

34. We would like to have information on where Catalyst Construction has built other comparable projects and a list of people we can contact to learn more about the success of those projects. The reference list should include names and contact information for community staff. We would like to have this list of references by the end of this week.

List of references to be submitted by Catalyst.

35. Please bring building material samples to the Plan and Architectural Review Committee meeting.

Samples will be available at the meeting.

If you have any additional questions or would like additional information, please feel free to contact me at 920-926-9800.

Sincerely,
Excel Engineering Inc.

Thomas RA Schermerhorn, NCARB, P.E.

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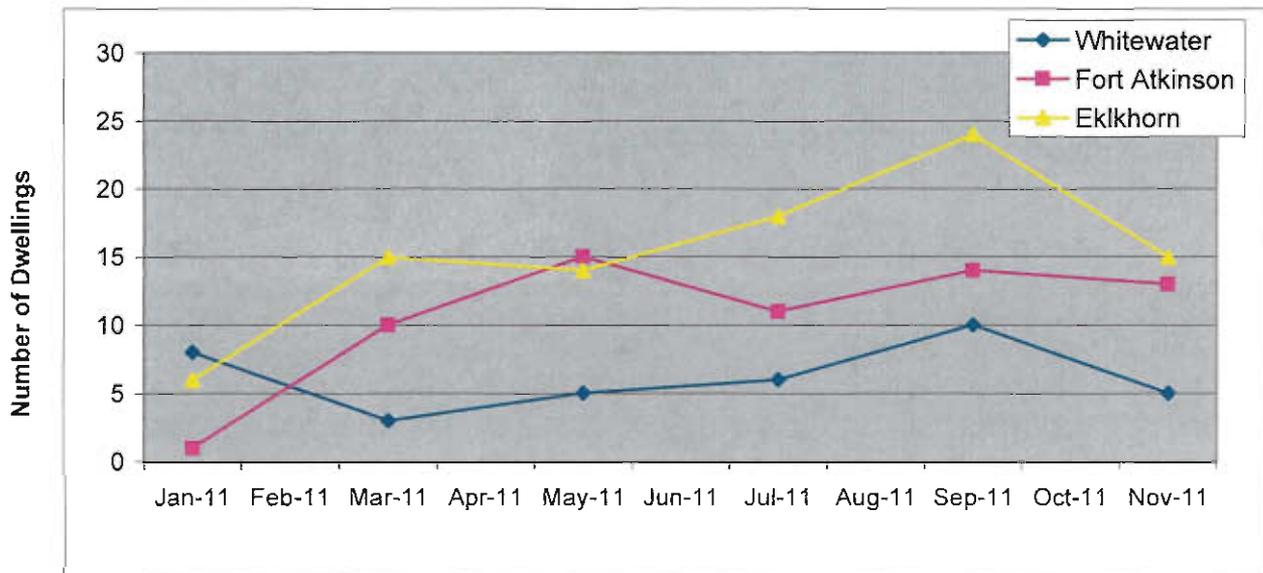
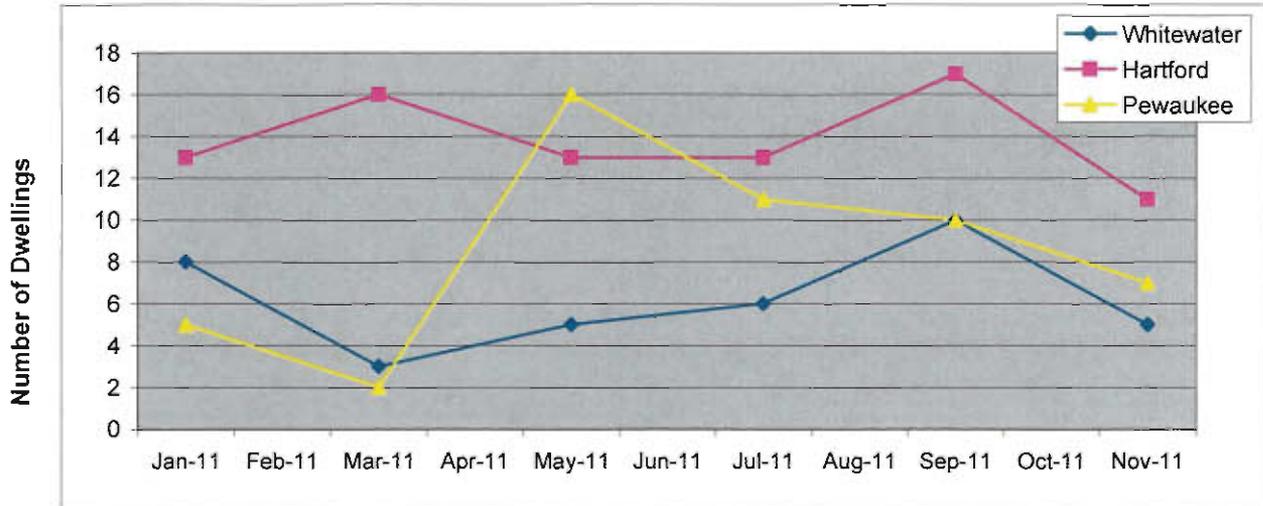
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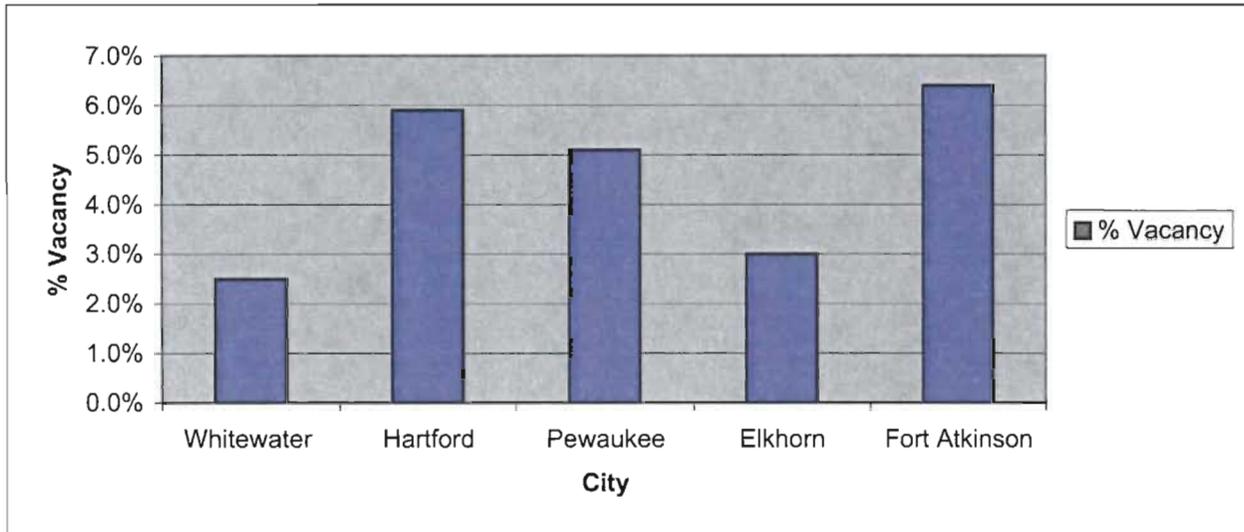
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Whitewater Foreclosure Statistics Comparison to other Cities November 12, 2010



Whitewater Vacancy Statistics Comparison to other Cities November 12, 2010



THE ELEMENT –OPERATIONS AND SECURITY MEMORANDUM

October 18, 2010

RE: OPERATIONS AND SECURITY NARRATIVE

To the City of Whitewater, Wisconsin:

This memorandum is written to briefly describe the security and operations of the Element Apartments. The model that we are using is indicative of the national trend of student residential housing.

Operational Staff

The Element shall employ a full time manager to staff the entry concierge desk and leasing office. The front desk's hours of operation will be from 7am-5pm (Monday-Friday) and 8am-12pm (Saturday and Sunday).

Security

The Element shall contract a local security guard company to patrol the property, parking lot and building four times a day at random intervals. The building entry door shall be equipped with a key fob system that shall be managed through computer software. The Element will have a recorded DVR camera system that will monitor the building entry/exit points, common corridors and parking lot.

Sincerely,

Matthew M. Burow
CATCON WHITEWATER LLC

Sustainable Design Features

The Element

Whitewater, WI

- Sustainable Sites
 - Reuse of existing site
 - Higher Density on existing site
 - Bicycle Storage on site
 - Stormwater Quality control
 - Stormwater Quantity control
 - Light Pollution reduction
 - Extensive use of landscape
- Water Efficiency
 - Water efficient landscaping
 - No use of irrigation
 - Low Flow plumbing fixtures
 - Low water capacity toilets
- Optimize Energy Performance
 - Energy Star Rating of building
 - High performance exterior wall insulation
 - High performance glazing in all windows
 - Energy Star Appliances
 - High efficiency HVAC and hot water heaters
 - LED lighting in corridors
- Materials & Resources
 - Drywall made of recycled content
 - Recycling of construction waste
 - Recycling of demolition materials
 - Flooring with recycled content
 - Use of rapid renewable materials in construction
 - Use of some certified wood where applicable
 - Use of locally available materials
- Indoor Environmental Quality
 - Construction Management Plan
 - Low-Emitting adhesives & sealants
 - Low-Emitting paints
 - Low-Emitting Carpet & flooring
 - Lighting controls for occupancy
 - Lighting controls for daylight operations
 - Control of HVAC by individual units
 - Thermal Comfort with high insulation
 - Daylight usage in facility

Summary of Neighborhood Meeting
August 4th, 2010 at 6:00 PM
Whitewater College Suites

Approximately 35 people gathered at Calvary Lutheran Church to review the potential development of the Whitewater College Suites project. Eric Steffensen from United Development Group explained the project in detail. He also gave the background of United Development Group and their experience with college student housing. The amenities of the project were explained which includes:

- Secured entrances and 24/7 security
- Café Area
- Study rooms
- Business Center
- Exercise Room
- Game Room
- Laundry
- Student Chapel for Calvary Lutheran
- Full kitchen in each unit
- One or two full bathrooms per unit
- Full time maintenance

Attending the meeting from the neighborhood were some of the residents that would be selling their property, several members of the church, about 4 employees of UW Whitewater, 5 officials of the City of Whitewater along with several neighbors.

The meeting was very informative with perspectives and floor plans being presented to those that attended. The project received a very warm reception with no opposition presented at the meeting.

Numerous questions were asked by those in attendance and a good dialog took place.

The meeting ended about 7:30 with many guests staying around until 8:00 for informal discussion and questions.

December 3, 2010

LOS IK ENGINEERING
DESIGN GROUP

Megan MacGlashan, AICP
Vandewalle & Associates Inc.
120 East Lakeside Street
PO Box 259036
Madison, WI 53725-9036

RE: The Element, Whitewater
Comment Response Letter to December 1, 2010 email comments

Dear Megan,

We received the comments you provided to Matt Burow via email on December 1, 2010, which were based upon your review of The Element plan set dated November 12, 2010. The comments you provided are listed below; our responses are provided in **bold** after each comment. *Please refer to the response letter from Excel Engineering for architectural related comments.*

Comments Relating to Building Design (Renderings and Elevations)

Please refer to the Excel Engineering response letter for architectural related comment responses.

Comment Relating to Landscaping

15. We recommend using plants that will be 6-7 feet at maturity along front building foundation instead of the smaller shrubs currently being proposed.
The landscape plan has been revised to provide 6-7 foot tall plantings along the front of the building, as requested.
16. Add landscaping to the corner of Prince Street and Florence Street, including a large shade tree, as well as some lower story plantings. Please be sure landscaping does not interfere with the City's vision triangle requirements (see section 19.51.010 of City zoning code).
The requested landscaping at the corner of Prince Street & Florence Street has been added to the revised landscape plan.
17. Since roughly 27 mature trees would be removed from the site for this project, please find additional opportunities to add back as many trees as possible. Recommended locations include: the front yard north of the front walkway, south of front yard walkways (use Ginkgos as front yard trees), two more street trees on Prince Street generally in front of the future parking area, and in the landscaping islands flanking the entry to the western-most parking lot. Smaller ornamental trees could be added along the south side of the northern Prince Street driveway (along with some other plantings) and in the triangular-shaped landscaping island on the north side of the southwest parking lot. We are happy to see the proposed 4" caliper trees along the street frontage.
Additional trees have been incorporated in to the revised landscape plan, in many of the areas mentioned above. Note that trees cannot be planted in the open area north of the main front entry because this area contains the underground stormwater detention chambers.

18. Concerns over whether the perennials proposed south of the building, along the south side of the driveway, and on the north side of the fence will survive in that location with the fence blocking the sun and all the snow, salt, and runoff from the driveway. It would probably make more sense to just have grass in this location.

The perennial garden planned for this area has been replaced with grass, per your recommendation.

19. Recheck landscaping quantities identified in the table, particularly for the Japanese Tree Lilac. We thought we spotted a couple inconsistencies between what is listed in the table and what is shown on the landscaping plan.

The landscaping quantities have been updated to reflect the landscape plan revisions.

20. We noticed there are over 100 spirea shrubs being proposed for the site. In the interest of encouraging plant diversity, please replace some of these with other shrub species.

The revised landscape plan incorporates several new species to further encourage plant diversity.

21. We are a little concerned about blue arrow juniper being planted in front of the windows at the rear of building. Won't these block out all the light from entering these units? We understand this was probably intended to help screen the units from the parking lot, but please see #s 28 and 29 below for alternative ways to deal with this issue and then reconsider the landscaping plan for the rear building foundation accordingly.

The building has been shifted towards Prince Street and the main parking lot reduced in size by 2 feet (per your proceeding comments), providing additional separation between the building and main parking lot. Therefore, the blue arrow juniper plantings are not needed and have been removed from the landscape plan.

Comments Relating to Site Design

22. We understand you are proposing to install front yard seating areas as a final phase of the project, after you can get some feedback from the residents. We are fine with this approach and consider it appropriate. However, we would like the site plans to at least indicate a commitment to doing this in the future so it is not forgotten. Detailed proposals for such features would be subject to City staff approval.

We've added a note to the Site Plan (located within the building footprint near the main entrance) stating that there will be a "Front Yard Seating Area" with the "final design subject to City staff approval".

23. Adjust the location of the driveway off Florence Street to better ensure the survival of the existing street tree.

The location of the driveway off Florence Street has been shifted further west to increase the separation to the existing street tree.

24. Add a "Do Not Enter" sign at the north end of the driveway exiting the southwest parking lot.

The Site Plan now illustrates that a "Do Not Enter" sign shall be located in the requested location.

25. We would really like you to explore other places to locate the transformer box. It appears there are other viable (and equally as accessible) options, such as a little farther south on the site closer to the future parking lot area.

The transformer box has been relocated to the south side of the south entry to Prince Street, situated outside of the 15'x15' vision corner.

26. Reduce the width of the entryway to the western-most parking lot area from 24 feet to 20 feet and widen the two landscape islands that flank that entryway. Add trees to each island.
The width of the entry to the west parking lot has been reduced to 20 feet and the islands increased accordingly. The landscape plan has added trees within these widened islands.
27. The fence located along the western lot line of the future parking lot area should end at the setback of the adjacent house rather than extending all the way to Florence Street.
This fence now ends at the building setback, as requested.
28. Reduce the length of the western row of parking stalls in the main parking lot from 20 feet to 18 feet in order to shift the parking lot a couple feet back (to the west) away from the rear of the building. We also ask that you move the entire building forward toward Prince Street by five feet. We understand this means the building would no longer meet sky plane requirements. However, we are more concerned about the proximity of the main parking lot to bedroom windows than we are about this project precisely meeting sky plane requirements. By moving the building forward five feet, only the building “wings” will be in violation of this requirement, and only by a few feet at that. PCD zoning gives the City the ability to allow flexibility in such standards when and where appropriate. And we consider this to be an appropriate situation for allowing flexibility in exchange for a better site design.
Given the City’s support to shift the building closer to Prince Street and allow a minor sky plane encroachment for the building “wings”, we’ve revised the site plan to shift the building 4 feet closer to Prince Street (1’ off the front yard setback. We have also reduced the depth of the west stalls in the main parking lot by 2 feet allowing us to shift the east side of the main parking 2 feet further away from the building. The end result is that the plan now provides 8’-2” to 12’-2” of open space between the building and main parking lot.
29. Switch the positions of one of the units on the first floor rear of the building with the exercise/laundry/mail/waiting room area to get as many bedrooms as possible away from the parking lot and to put the unit in what we would consider to be a more desirable location (overlooking the front yard instead of the parking lot).
Please refer to the response letter from Excel Engineering.
30. In areas where curb cuts will be removed, also specify on the site plans that driveways will be removed and restored to greenspace.
Additional notes have been added to the plan indicating that these areas should be restored to greenspace.
31. Just a comment for your information: approval of the PCD would need to allow for the width of the driveway in the southwest parking lot area to be 12 feet wide (the zoning code requires a minimum of 20 feet for parking lots with more than 10 stalls). We would support this.
The 12-foot wide one way drive lane for the angle parking meets standard design requirements. We appreciate your support of this design recognizing that it is less than the City’s minimum requirements.
32. Please explain the purpose of the paved area located in the front yard just south of the main building entrance. It appears this is designed to be some sort of a mini plaza for students to gather. We support this concept, but would like to hear more about the intended function of this space.
As indicated on the Site Plan (via the note located within the building footprint), this paved area will contain bicycle racks under a bike rack canopy.

33. We remain concerned that there is not enough space on site for basic snow storage. To address this, please consider adjusting the locations of some of the lower retaining walls (i.e., move them back away from the edge of the parking lot pavement) to accommodate snow storage. One example where this could be implemented is along the west side of the southwest parking lot area where the meandering retaining wall is located. The landscaping that is located at the bottom of (east) of this wall could be moved on top of the wall to leave these areas open for snow storage. Consider similar adjustments in other areas of the site as well.

The Site Plan and Landscape Plan now indicate (by a snowflake symbol) areas designated for basic snow storage. The landscape plan has been revised to accommodate storm storage in these areas. As indicated in the notes on the Site Plan, the Owner is aware and agrees to haul away excess snow from extreme snow events, if and as needed.

Miscellaneous Comments

34. We would like to have information on where Catalyst Construction has built other comparable projects and a list of people we can contact to learn more about the success of those projects. The reference list should include names and contact information for community staff. We would like to have this list of references by the end of this week.

The requested information is being provided by Catalyst Construction.

35. Please bring building material samples to the Plan and Architectural Review Committee meeting.
Building material samples will be provided at this meeting.

Please feel free to contact our office at (262) 790-1480 or Excel Engineering at (920) 926-8900 with any questions or to further discuss the updated plans.

Sincerely,

LOSIK ENGINEERING DESIGN GROUP, LTD.



Josh Pudelko, M.S., P.E.
Vice President of Engineering

December 6, 2010

Mark K. Shubak, P.E.
Strand Associates, Inc. ®
910 West Wingra Drive
Madison, WI 53715

RE: The Element, Whitewater
Comment Response Letter to November 29, 2010 Comments

Dear Mark,

We received the comments you provided to Mr. Bruce Parker via your letter dated November 29, 2010. The comments you provided are listed below; our responses are provided in **bold** after each comment.

Site Plan

1. Stop signs should be provided at the exits onto Prince Street.
Stop signs are now shown at both exits to Prince Street.
2. The proposed electrical transformer location (north of the south driveway on Prince Street) may present pedestrian/vehicle vision and aesthetic concerns. An alternative location should be considered.
The electrical transformer has been relocated to south of the southern Prince Street entrance, outside of the vision corner area.
3. A minimum of 2 feet of separation should be provided between the curb and retaining wall along the west side of the south parking lot to allow for vehicle overhang.
A minimum of 2 feet of separation is now provided between the wall and back of curb, as requested.
4. Thicker asphalt pavement or concrete asphalt should be considered in the garbage truck loading area.
A thicker "heavy duty" pavement section is now proposed for the south entrance through the garbage truck loading area.

Grading and Drainage Plan

1. Review of the submitted stormwater calculations indicate that the City's stormwater quality and quantity requirements are generally being met. The stormwater quality requirements are being met using a 40-foot long, 5-foot diameter underground stormwater storage chamber. The drawings indicate two access risers into the top of the underground storage chamber. We recommend these access risers be secured with bolt down lid or locks.
The stormwater management calculations previously submitted hold true after these minor plan updates. The Utility Plan now states that the access risers be secured with bolt down lids.
2. The applicant has provided a summary of impervious areas and has indicated that there will be 1.05 acres of impervious on the 1.715 acre project site. This may be used for recalculating the number of ERU's for the project site.
Note that with the plan updates the total impervious area is now 1.04 acres.

3. It appears that approximately 0.3 to 0.4 feet of freeboard is being provided between the overflow flume at the rear corners of the building and the finished grade and threshold elevations at the back of the building, respectively. Additional freeboard should be considered. Additional inlet and storm sewer capacity to account for potential clogging should also be considered.

The site plan has been modified to provide 0.55 feet of freeboard between the overflow flume and the southwest entry to the building. An additional inlet has also been provided in the northern low point of the main parking lot.

4. We recommend that storm inlets be added on either side of Prince Street where the storm sewer enters the site.

Storm sewer inlets on Prince Street are not being shown as part of the plan set for The Element.

Utility Plan

1. Valves should be provided on the new water main at the connection to the existing water main in the street, not at the property line.

The valves are now shown at the connection to the existing water main, as requested.

2. A public easement for the proposed fire hydrant near the southern driveway should be provided. The hydrant lead should be ductile iron.

A 20-foot wide public water main easement is now provided around the hydrant lead south of the building. The water main has also been changed to ductile iron.

3. The proposed water main on the north side of the site should be revised to an 8-inch ductile iron water main and should be extended to the west property line for future looping of the water system. The main should be dedicated to the public and a public water main easement should be provided.

The water main on the north side of the site has been revised to 8-inch ductile iron, extended to the west property line and situated within a public water main easement. Note that the jog in the watermain west of the building is provided to avoid disturbing existing trees near the property line.

4. A minimum horizontal separation of 8 feet should be provided between storm sewer and water main, whether public or private.

The storm sewer location has been adjusted to maintain 8 feet of separation between the storm sewer and water main.

5. Curb inlets should be provided at the driveways along Prince Street to prevent concentrated flow from crossing the public sidewalk.

Trench drains are provided at the entrances to Prince Street to capture site stormwater. No additional curb inlets are proposed within Prince Street as part of The Element plans.

6. A plan and profile sheet should be provided for the proposed storm sewer on Prince Street. Storm sewer sizing calculations for this storm sewer should also be provided.

A plan and profile sheet and storm sewer sizing calculations for the Prince Street storm sewer will be provided in a subsequent submittal as part of the final engineering plans for the project.

General

1. Specifications should be provided for the water main and storm sewer work which will be dedicated to the public.
Specifications for the public storm sewer and water main will be provided with the final engineering bid package.
2. State-established wage rates will likely apply to the water main and storm sewer which is to be dedicated to the public.

Please feel free to contact our office at (262) 790-1480 or Excel Engineering at (920) 926-8900 with any questions or to further discuss the updated plans.

Sincerely,

LOSIK ENGINEERING DESIGN GROUP, LTD.


Josh Pudelko, M.S., P.E.

December 6, 2010

Megan MacGlashan, AICP
Vandewalle & Associates Inc.
120 East Lakeside Street
P.O. Box 259036
Madison, WI 53725-9036

RE: The Element, Whitewater
Comment Response Letter

Dear Megan,

We are in receipt of your Preliminary Review Comments for the proposed The Element student housing project in Whitewater, WI that were provided to Matt Burow of Catalyst Construction on December 1, 2010. Your comments are listed below with our responses in bold italics following each comment

Comments Relating to Building Design (Renderings and Elevations)

1. Consider opportunities to add more architectural detailing around the windows (e.g., lintels).
Brick soldier course has been added above the windows located in walls having brick. Also, aluminum sunshades were added above the triple window unit on the North Prince Street elevation.
2. Consider ways to make the front entryway more inviting and a more prominent architectural feature (e.g., use colors other than black, extend overhang, add lighting).
The main entry is defined by the expanse of glass to the north of the entry doors. The canopy will be bronze in color which matches the aluminum windows and entrances. The canopy will also have recessed lighting in the soffit to light the entry.
3. Consider changing the color of the brick and/or stone so there is more of a contrast between the two.
The actual colors of the brick and stone do vary without being too much of a contrast. The renderings have been modified to reflect this contrast.
4. On building wings, consider adding some architectural/color variation to the brick segments.
The wings have been revised to incorporate more of the lap board siding by eliminating the brick corners.

5. Consider making the edges/corners of the building protrusions the same color as the remainder of the wall (not a contrasting color).
The color of the corner trim boards has been revised to match the adjacent lap board siding color.
6. We think the white trim around the windows should be the same color as the brick instead of white. The white seems like too stark of a contrast.
The color of the window trim boards has been revised to match the darker lap board siding color at both the dark and light color walls.
7. Please explain what will be done to the front windows of the 4th floor “step-back” to keep students from climbing out on the roof of the 3rd floor of the building wings. We suggest these windows be designed so they can not be opened. Otherwise, we foresee this being a major safety and enforcement issue.
These windows will be inoperable and have been noted as such on the elevations.
8. Please explain the term “awning unit” (used on the building elevations sheets).
The word awning represented the operable lower portion of the windows. The windows have been revised to be single hung units in lieu of having an awning unit. The reference note on the elevations has been revised to reflect this change.
9. Please indicate the window trim material on the building elevations.
Window and corner trim material has been noted on elevations
10. We would like to have more information on the proposed window tint/glazing. On the photo renderings, the windows appear to be very dark. Is this an accurate representation of what they will look like when constructed? If so, we recommend modifying the type of tint/glazing being used. The dark windows make the building appear unwelcoming.
The window glazing will be clear glass. The renderings have been revised to reflect this.
11. We observed that the building looks a bit more monotonous from the rear. While we recognize this view of the building will not be seen by many people, we ask that you at least explore other opportunities to break up the façade. We do appreciate your use of the same high quality building materials on all four sides of the building.
More of the darker colored lap board has been incorporated into the façade to break up the monotony of the elevation. In addition, the stone veneer has been replaced with brick veneer at some areas.
12. Add overhangs over the rear entryways to give people shelter from snow and rain and to more clearly identify the entrances. This will also add additional visual interest to the rear façade.
Canopies have been added above these entrances. Canopy materials and color will match those on the other canopies.
13. Please show the building-mounted light fixtures on the building elevations.
The light fixtures have been shown and noted on elevations.

14. Please specify building colors on the building elevations sheet (not just "Color 1," "Color 2," etc.) since these will be the officially approved plans (and not the phot renderings).

Finish notes have been added to the elevation sheets indicating lap board siding, corner trim board, and window trim colors for the different walls colors.

Comment Relating to Landscaping

Landscaping comments are addressed in a separate letter from Losik Engineering Design Group.

Comments Relating to Site Design

Site Design comments are addressed in a separate letter from Losik Engineering Design Group with the exception if item #29 addressed below.

29. Switch the positions of one of the units on the first floor rear of the building with the exercise/laundry/mail/waiting room area to get as many bedrooms as possible away from the parking lot and to put the unit in what we would consider to be a more desirable location (overlooking the front yard instead of the parking lot).

The location of the residential units keeps the units grouped and on the north side of the main entry offers a separation between common spaces from residential spaces. Switching the unit as suggested would place the unit directly across from the Gameroom/Lounge which tends to be a somewhat noisier space. The (2) Study Rooms currently provide a buffer between these spaces and the bedrooms. Also, the toilet rooms are readily accessed from the Gameroom/Lounge and Exercise areas as well as the Church space without having to walk past the main entry area. Lastly, keeping the waiting Area and the Mail Room within the direct sightline of the Reception counter provides a level of security that could not be obtained by having them to the west side of the main corridor.

Miscellaneous Comments

34. We would like to have information on where Catalyst Construction has built other comparable projects and a list of people we can contact to learn more about the success of those projects. The reference list should include names and contact information for community staff. We would like to have this list of references by the end of this week.

List of references to be submitted by Catalyst.

35. Please bring building material samples to the Plan and Architectural Review Committee meeting.

Samples will be available at the meeting.

If you have any additional questions or would like additional information, please feel free to contact me at 920-926-9800.

Sincerely,
Excel Engineering Inc.

Thomas RA Schermerhorn, NCARB, P.E.

AGREEMENT TO MAINTAIN
STORMWATER FACILITIES
BY AND BETWEEN
THE CITY OF WHITEWATER AND
CatCon Whitewater, LLC, AND
ITS HEIRS, SUCCESSORS, OR ASSIGNS

The upkeep and maintenance of stormwater facilities and the implementation of pollution source control best management practices (BMPs) is essential to the protection of water resources in the City of Whitewater. All property owners are expected to conduct business in a manner that minimizes impacts of stormwater runoff. This Agreement contains specific provisions with respect to maintenance of stormwater facilities. The authority to require maintenance and pollution source control is provided in the City of Whitewater Stormwater Management Zoning Ordinance.

FACILITY LOCATION AND AREA SERVED (Attach Map if Necessary):

See civil utility sheet C1.3

Whereas, Owner has constructed improvements, including but not limited to, buildings, pavement, and stormwater facilities on the property described above. In order to further the goals of the stormwater management goals of the City of Whitewater, the City and Owner hereby enter into this Agreement. The responsibilities of each party to this Agreement are identified below.

OWNER SHALL:

- (1) Implement the stormwater facility maintenance plan included herein as Attachment A.
See approved stormwater management plan
- (2) Implement the stormwater management plan included herein as Attachment B.
See civil utility sheet C1.3
- (3) Allow the Director of Public Works or designee to access the property to conduct inspections of storm water management practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement.
- (4) Undertake corrective actions required by City within a reasonable time frame as set by the Director of Public Works.
- (5) Maintain a record of steps taken to implement the programs referenced in (1) and (2) above. Record shall be available for inspection by City staff at Owners business during normal business hours. The record shall catalog the action taken, who took it, when it was done, how it was done, and any problems encountered or follow-on actions recommended.

THE CITY OF WHITEWATER SHALL:

- (1) Provide technical assistance to Owner in support of its operation and maintenance activities conducted pursuant to its maintenance and source control programs. Said assistance shall be provided upon request, and as City time and resources permit.

(2) Maintain public records of the results of the site inspections, inform the party responsible for maintenance of the inspection results, and specifically indicate any corrective actions required to bring the storm water management practice into proper working condition.

(3) Notify the Owner of maintenance problems that require correction.

REMEDIES:

(1) If corrective actions required by the City are not completed within the time set by the Director of Public Works, written notice will be sent to the persons who were given notice stating the City intention to perform such maintenance and bill the owner for all incurred expenses.

(2) If at any time the City determines that the existing system creates any imminent threat to public health or welfare, the Director of Public Works may take immediate measures to remedy said threat. No notice to the persons listed in (1), above, shall be required under such circumstances.

(3) The owner grants unrestricted authority to the City for access to any and all stormwater system features for the purpose of performing maintenance or repair as may become necessary under Remedies (1) and/or (2).

(4) The persons listed in (1), above, shall assume all responsibility for the cost of any maintenance and for repairs to the stormwater facility. Such responsibility shall include reimbursement to the City within 30 days of the receipt of the invoice for any such work performed. Overdue payments will require payment of interest at the current legal rate for liquidated judgments. If legal action ensues, any costs or fees incurred by the City will be borne by the parties responsible for said reimbursements.

(5) The owner hereby grants to the City a lien against the above-described property in an amount equal to the cost incurred by the City to perform the maintenance or repair work described herein.

This Agreement is intended to protect the value and desirability of the real property described above and to benefit all the citizens of the City. It shall run with the land and be binding on all parties having or acquiring from Owner or their successors any right, title, or interest in the property or any part thereof, as well as their title, or interest in the property or any part thereof, as well as their heirs, successors, and assigns. They shall inure to the benefit of each present or future successor in interest of said property or any part thereof, or interest therein, and to the benefit of all citizens of the City.



Matthew Burrow

STATE OF WISCONSIN)
COUNTY OF _____) ss

On this day and year above personally appeared before me, a Notary Public in and for the State of Wisconsin duly commissioned and sworn, personally appeared Matthew Buraw, to me known to be the owner of Catlon Whitewater LLC and acknowledge the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that _____ is authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal the day and year first above written.



Heather L. Reiter

Notary Public in and for the State of Wisconsin, residing in Waukesha

My Commission Expires: 11/7/2010

Dated at Whitewater, Wisconsin, this _____ day of _____, _____.

CITY OF WHITEWATER

By: _____
Authorized Agent for the City of Whitewater

Date Received: _____

GENERAL INFORMATION
CONSTRUCTION SITE EROSION CONTROL / STORMWATER MANAGEMENT PERMIT APPLICATION

Send Application to:

City of Whitewater
312 West Whitewater Street
P.O. Box 178
Whitewater, Wisconsin 53190

Instructions: Please type or print. Read all instructions before completing application.

Name of Project: The Element

Project Information:

Duration: 8 Months Project Start Date: 12-1-10 Project End Date: 8-1-11

Applicant/Entity Receiving Permit

Name of Applicant: CatCon Whitewater, LLC
First Name of Contact: Matthew Last Name: Burow
Street (1): 225 E. Mason Street, Suite 600
Street (2): _____
City: Milwaukee State: WI Zip Code: 53202
Telephone Number: (414) 727-6840
Fax Number: (414) 727-6830
E-Mail: matt@catalystbuilds.com

Property Owner

First Name: See Property Information Attachment Last Name: _____
Street (1): _____
Street (2): _____
City: _____ State: _____ Zip Code: _____
Telephone Number: ()
Parcel Identification Number(s): _____
E-Mail: _____

Engineer

Name of Firm: Excel Engineering, Inc.
First Name of Contact: Jason Last Name: Daye
Street (1): 100 Camelot Drive
Street (2): _____
City: Fond du Lac State: WI Zip Code: 54935
Telephone Number: (920) 926-9800
Fax Number: (920) 926-9801
E-Mail: jason.d@excelengineer.com

PROPERTY INFORMATION

Property Address: 1006 W. Florence Street, Whitewater, WI
Owner: Richard D Vultaggio
Phone #: 262-473-3500
Tax Parcel #: /WUP 00178C
Legal Description: A parcel of land located in the NW ¼ of Section 5, Town 4 North, Range 15 East, in the City of Whitewater, Walworth County, Wisconsin, described as follows, to-wit: Commencing at a point on the North-South ¼ Section line of said Section 5, 11 chains and 50 links North of the center of said Section; thence West along the center line of Florence Street, 99 feet to a point, thence North parallel to said North-South quarter-section line 30 feet to the North line of Florence Street and the place of beginning; thence continuing North parallel to said quarter-section line 120 feet; thence East parallel to the center line of Florence Street 99 feet; thence South parallel to said quarter-section line 120 feet to the North line of Florence Street, thence West along the North line of Florence Street 99 feet to the place of beginning.

Property Address: 234 N. Prince Street Whitewater, WI
Owner: So. Wis. Dist. Lutheran/Church Mo. Synod
Tax Parcel #: /WUP 00178
Legal Description: PT NW ¼ SEC 5, T4N R15E DESCAS: COM AT PT ON N&S ¼ SECLN SEC 5 909' N OF C/L SEC 5, W 165', S 10', W 66', N 261.72', E 231', S 251.72' TO POB. ALSO COM 231' W OF N-S ¼ LN & 759' N OF E-W ¼ LN SEC 5, N2D15'45"E 163' TO POB, N2D15'45"E 115.50', N89D32'W 82.39', S2D17'57"W 115.50', S89D31'54"E 82.46' TO POB. CITY OF WHITEWATER

Property Address: 1018 W. Florence Street, Whitewater, WI
Owner: Jimmy C Hofer/Sherry J Hofer
Phone #: 262-473-5389
Tax Parcel #: /WUP 00178A
Legal Description: PT NW ¼ SEC 5 T4N R15E DESCAS: COM AT PT ON N&S ¼ SECLN SEC 5 11 CHS 50 LKS N OFCTR SEC 5, W 231', N 30' TO POB, N 110', E 66', S 110' TON LN FLORENCE ST, W 66' TO POB CITY OF WHITEWATER

CITY OF WHITEWATER

CONSTRUCTION SITE EROSION CONTROL / STORMWATER MANAGEMENT PLAN

APPLICATION CHECKLIST

Site / 1 acre >
 Site / 1 acre <

EC: EROSION CONTROL
 SWM: STORMWATER MANAGEMENT

Project Name: The Element

Permit #: _____
 Date: _____

Please check the appropriate box: I = Included; NA = Non-Applicable

(If "NA" is checked, an explanation must be entered.)

Plan Requirement	I	NA	Explanation/Location in Plan
A. Submittal Requirements			
1. Permit Application Form / EC & SWM	X		
2. Maintenance Agreement / SWM	X		
3. Financial Guarantee / SWM		X	Costs of construction not yet known
4. Certification by Wisconsin Prof. Engineer / SWM	X		
B. Predevelopment Site Conditions Mapping			
1. Location Map / EC & SWM	X		
2. Soils Survey Map / EC & SWM	X		
3. Existing Land Use Mapping / EC & SWM	X		
4. Predeveloped Site Conditions / EC & SWM	X		
a. Existing Contours	X		
b. Property lines	X		
c. Existing flow paths and direction	X		
d. Outlet locations	X		
e. Drainage basin divides and subdivides	X		
f. Existing drainage structures on and adjacent to the site.	X		
g. Nearby Watercourses		X	None
h. Lakes, streams, wetlands, channels, ditches, etc.		X	None
i. Limits of the 100-year floodplain;		X	None
j. Wells/Wellhead Protection Areas / SWM		X	None
C. Proposed Site Grading and Erosion Control Plan / EC			
1. Boundaries of the construction site	X		
2. Drainage Patterns / slopes after grading activities	X		
3. Areas of land disturbance	X		
4. Locations of structural and nonstructural controls	X		
5. Drainage basin delineations and outfall location	X		
D. Post-Development Site Conditions Mapping / SWM			
1. Pervious Surfaces	X		
2. Impervious Surfaces	X		
3. One Foot Topographic Contours	X		
4. Proposed Drainage System (Including applicable off-site)	X		
5. Proposed Easement Locations	X		
6. Proposed Flow Paths, Overland Flow Routes	X		
7. Proposed Outlets/Drainage Divides	X		
E. Drawings/Details			
1. Practice Location/Layout/Cross Sections / EC & SWM	X		
2. Construction Details / EC	X		
3. Outlet Structure Details / SWM	X		
4. Ditch/Storm Sewer Plan/Profile / SWM	X		
5. Other / EC & SWM	X		

CITY OF WHITEWATER
CONSTRUCTION SITE EROSION CONTROL / STORMWATER MANAGEMENT PLAN
APPLICATION CHECKLIST

Site / 1 acre >
 Site / 1 acre <

EC: EROSION CONTROL
SWM: STORMWATER MANAGEMENT

Permit #: _____
Date: _____

Project Name: The Element

Please check the appropriate box: I = Included; NA = Non-Applicable

(If "NA" is checked, an explanation must be entered.)

Plan Requirement	I	NA	Explanation/Location in Plan
F. Calculations, as required, including files / EC & SWM			
1. Hydrograph Parameter Calculations	X		
2. Computer Modeling Input/Output (Pre- and Postdeveloped)	X		
3. Detention Pond Routing	X		
4. Conveyance System Design	X		
5. Other	X		
G. Narrative / SWM			
1. Methodologies and Assumptions	X		
2. Results/Conclusions	X		
a. Pre-, and Post-developed parameter summary	X		
b. Pre-, and Post-developed peak discharge Summary	X		
3. Provisions to preserve natural topography/cover features	X		
4. Limitations from wellhead protection plans and ordinances.		X	None
5. Results of investigations of soils and groundwater	X		
6. Practice Installation Schedule	X		
7. Maintenance Plan	X		
8. Cost Estimates		X	Costs of construction not yet known
9. Other Information	X		

H. Narrative / EC			
1. Name of receiving waters	X		
2. Site Description / Nature of construction activity	X		
3. Sequence of Construction	X		
4. Estimate of site area and disturbance area	X		
5. Pre- and postdeveloped runoff coefficients	X		
6. Description of proposed controls, including	X		
a. Interim and permanent stabilization practices	X		
b. Practices to divert flow from exposed soils	X		
c. Practices to store flows or trap sediment		X	
d. Any other practices proposed to meet ordinance	X		

City of Whitewater Application Checklist Summary Tables

Peak Discharge Summary See Stormwater Management Report

Outfall No. _____

Storm Frequency	Peak Discharge (cfs)		
	Predev.	Postdev.	Postdev. w/Detention
2-Year			
5-Year			
10-Year			
25-Year			
50-Year			
100-Year			

Note: Provide 1 table for each outfall location.

Detention Basin Summary See Stormwater Management Report

Detention Basin _____

Storm Frequency	Storage Volume (ac-ft)	Peak Discharge (cfs)		
		Inflow	Discharge	Pond Elevation
2-Year				
5-Year				
10-Year				
25-Year				
50-Year				
100-Year				

Note: Provide 1 table for each detention basin.

7

Site Assessment Checklist for Subdivisions (Plats and Certain CSMs)		
ITEM OF INFORMATION	YES	NO
I. Land Resources. Does the project site involve:		
A. Changes in relief and drainage patterns (Attach a topographical map showing, at a minimum, 2-foot contour intervals)	X	
B. A landform or topographical feature including perennial streams		X
C. A floodplain (If "yes," attach 2 copies of the 100-year floodplain limits and the floodway limits)		X
D. An area of soil instability--greater than 18 percent slope and/or organic soils, peats, or mucks at or near the surface as depicted in the applicable "County Soils Atlas"		X
E. An area of bedrock within 6 ft. of the soil surface as depicted in the applicable "County Soils Atlas" or a more detailed source		
F. An area with groundwater table within 10 feet of the soil surface as described in the applicable "County Soils Atlas" or a more detailed source		
G. An area with fractured bedrock within 10 feet of the soil surface as depicted in the applicable "County Soils Atlas"		
H. Prevention of future gravel extraction		X
I. A drainageway with a tributary area of 5 or more acres		X
J. Lot coverage of more than 50 percent impermeable surfaces	X	
K. Prime agricultural land as depicted in the applicable "County Soils Atlas" or adopted farm land reservation plans		X
L. Wetlands as depicted on DNR wetland inventory maps or more detailed sources		X
M. Environmental corridors, as mapped by SEWRPC or more detailed sources		X
II. Water Resources. Does the project involve:		
A. Location in an area traversed by a navigable stream, intermittent stream, or dry run		X
B. Impact on the capacity of a stormwater storage system or flow of a waterway within 1 mile	X	

TBD

TBD

TBD

18.04.040

Site Assessment Checklist for Subdivisions (Plats and Certain CSMs) (Continued)		
ITEM OF INFORMATION	YES	NO
C. The use of septic tank(s) for on-site waste disposal		X
D. Lowering of water table by pumping or drainage		X
E. Raising of water table by altered drainage		X
F. Lake or river frontage		X
III. Biological Resources. Does the project involve:		
A. Critical habitat for plants and animals of community interest per DNR or SEWRPC inventory		X
B. Endangered, unusual or rare animal or plant species per DNR or SEWRPC inventory		X
C. Trees with a diameter of 6 or more inches at breast height	X	
D. Removal of over 30 percent of the present trees on the site	X	
IV. Human and Scientific Interest per State Historical Society Inventory. Does this project site involve:		
A. An area of archeological interest		X
B. An area of historical interest, including historic buildings or monuments		X
V. Energy, Transportation and Communications.		
A. Would the development increase traffic flow on any arterial or collector street by more than 10 percent based upon the most recent traffic counts and trip generation rates provided by the Institute of Transportation Engineers (ITE)		X
B. Is the land traversed by an existing or planned roadway corridor, as shown on the city's official map or comprehensive plan		X
C. Is the land within a highway noise impacted area		X
D. Is the land traversed by an existing or planned utility corridor (gas, electrical, water, sewer, storm, communications)		X
VI. Population.		

18.04.040

Site Assessment Checklist for Subdivisions (Plats and Certain CSMS)		
ITEM OF INFORMATION	YES	NO
A. Which public school service areas (elementary, middle and high) are affected by the proposed development, and what is their current available capacity?	E: Cap: M: Cap: H: Cap:	
VII. Comments on any of the above which may have significant impact.		
VIII. Appendices and Supporting Material. (NOTE: All "yes" answers must be explained in detail by attaching maps and supportive documentation describing the impacts of the proposed development.)		

6461 SCH-Whitewater

(NOTE: The plan commission may waive the filing of a site assessment checklist for subdivisions of less than 5 acres total area.)

CERTIFIED SURVEY MAP

A PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 5, T. 4 N.-R. 15 E.,
CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Ryan Wilgreen, Registered Land Surveyor, hereby certify:

That I have surveyed, combined and mapped a parcel of land described below.

That I have made such Certified Survey under the direction of CatCon Whitewater, LLC,
bounded and described as follows:

A part of the Southeast 1/4 of the Northwest 1/4, Section 5, T. 4 N.-R. 15 E., City of
Whitewater, Walworth County, Wisconsin and being more particularly described as follows:

Commencing at the Northeast corner of the Northwest 1/4, said Section 5; thence South
01 degrees 00 minutes 11 seconds East along the East line of the Northwest 1/4, said Section
5, a distance of 1675.77 feet; thence South 88 degrees 55 minutes 01 seconds West, a
distance of 17.71 feet to the Westerly right of way line of North Prince Street and to the point of
beginning; thence continuing South 88 degrees 55 minutes 01 seconds West, a distance of
197.17 feet; thence South 00 degrees 06 minutes 36 seconds East, a distance of 123.24 feet;
thence South 88 degrees 01 minutes 40 seconds West, a distance of 82.39 feet; thence South
00 degrees 04 minutes 31 seconds East, a distance of 115.50 feet; thence North 88 degrees 01
minutes 40 seconds East, a distance of 82.46 feet; thence South 00 degrees 06 minutes 36
seconds East, a distance of 132.98 feet to the Northerly right of way line of West Florence
Street; thence North 88 degrees 01 minutes 40 seconds East along said Northerly right of way
line, a distance of 66.00 feet; thence North 00 degrees 06 minutes 36 seconds West, a distance
of 120.00 feet; thence North 88 degrees 01 minutes 40 seconds East, a distance of 66.00 feet;
thence South 00 degrees 06 minutes 36 seconds East, a distance of 120.00 feet to said
Northerly right of way line; thence North 88 degrees 01 minutes 40 seconds East along said
Northerly right of way line, a distance of 65.98 feet to said Westerly right of way line; thence
North 00 degrees 13 minutes 28 seconds West along said Westerly right of way line, a distance
of 368.64 feet to the point of beginning and containing 1.715 acres (74,715 Sq. Ft.) of land more
or less, and being subject to all easements and restrictions of record.

That such is a correct representation of all the exterior boundaries of the land surveyed
and the subdivision thereof made.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin
Statutes and the Subdivision Ordinance of City of Whitewater in surveying, combining, and
mapping the same.



Ryan Wilgreen 11/11/10
Ryan Wilgreen, R.L.S. No. S-2647

Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935

Project Number: 1002930

CITY OF WHITEWATER PLAN COMMISSION

Approved this ____ day of _____, 2010 by the City of Whitewater Plan
Commission.

Michele R. Smith, City Clerk

CERTIFIED SURVEY MAP # _____

VOLUME _____

PAGE _____

SHEET 2 OF 2 SHEETS

6



VANDEWALLE & ASSOCIATES INC.

To: City of Whitewater Plan and Architectural Review Commission
From: Mark Roffers, AICP, and Megan MacGlashan, AICP, City Planning Consultants
Date: December 9, 2010
Re: Request for Rezone to Planned Community Development (PCD), General Development Plan (GDP) Approval, and Specific Implementation Plan (SIP) Approval for "The Element" Student Apartments, 234 Prince Street
Request for approval of a one-lot certified survey map combining lots for the purposes of The Element Student Apartment project

Summary of Request

The applicant, CatCon Whitewater, LLC (an LLC formed by Catalyst Construction, based out of Milwaukee), is requesting rezoning of 1.72 acres of land located at the intersection of Prince Street and Florence Street from R-3 Multi-Family Residential to Planned Community Development (PCD), along with General Development Plan (GDP) approval. The applicant is also pursuing Specific Implementation Plan (SIP) approval at this time. Rezoning to PCD and GDP approval requires a recommendation by the Plan and Architectural Review Commission and approval by the City Council. The SIP only requires Plan Commission approval, and may be approved at the same time as the Plan Commission's GDP approval, subject to the Council's approval of the PCD rezoning and GDP.

The applicant is also seeking approval of a certified survey map (CSM) at tonight's meeting which would combine the lots proposed to be rezoned to PCD into a single lot. Approvals of CSMs that do not involve public land dedication only require Plan Commission approval.

This project is proposed for the northwest corner of Florence Street and Prince Street, across Prince Street from the University campus. It consists of a proposed 31-unit, four-story apartment building with surface parking. (The sections of the building closest to Prince Street have three stories.) The building is intended to cater exclusively to student renters. However, the building would not be affiliated with the University and land would remain privately owned and managed. The majority of units in the building (23 of 31) would have four bedrooms, although 8 two-bedroom units are also proposed. A total of 108 beds would be provided, and leases would generally be to individuals and by the bedroom. The project is also proposed to include other amenities, such as an exercise room, game room/lounge, media room, study rooms, laundry facility, a media and theater room, covered bicycle parking, and an outdoor seating and yard area.

The building would have an on-site property manager and would be managed by BMOC, a manager of private student housing projects based in Madison. It is intended as a transitional project between on-campus dorm living and off-campus independent private rental housing. It is also intended to hit

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Shaping places, shaping change

a rental price point that is more similar to the City's edge apartments than rental options closer to campus.

This project has a relatively short but intense history at this site. It was first brought to City staff attention in Spring 2010, and has undergone a number of plan revisions in response to changes in site configuration, staff comments, and Plan Commission concept plan review. Specifically, the following is the outlined history of the project's evolution over the last several months:

- We met with the applicant in May 2010 to discuss preliminary conceptual plans. Initial plans included two buildings (north and south of Florence Street) and a total of 88 units. Following the meeting, we prepared a lengthy memo addressed to the City outlining our evaluation of the project against City ordinances and Comprehensive Plan policies and suggesting fairly significant changes to the proposed plans.
- The applicants submitted revised plans in July for conceptual review at the August Plan Commission meeting. Revised plans were for one 49-unit building, with under-building parking. We prepared an analysis memo for the Plan Commission meeting.
- The applicant submitted revised plans (complete GDP/SIP submittal) in mid August for review at the September Plan Commission meeting. We reviewed the revised plans and submitted extensive comments via email to the applicant (9/1/10). On September 2nd, the applicant requested to be removed from the agenda due to the fact that certain land acquisition issues had not yet been resolved.
- The applicant submitted revised plans again in mid October for our preliminary review and comment. The building included 31 units and all parking was proposed to be surface parking. We prepared a lengthy review letter to the applicant (dated October 28th) indicating our recommendation adjustments to the plans.
- The applicant resubmitted a revised GDP/SIP application on November 12th for inclusion on the December Plan Commission agenda. We reviewed the revised plans and submitted extensive comments via email to the applicant (12/1/10).
- The applicant responded to our email comments and submitted revised plans again on December 6th. These are the plans that are before you tonight.

The applicant is hoping for a recommendation/approval at the December 13th Plan and Architectural Commission meeting, based on a desire to have the project ready for occupancy by the Fall 2011 semester.

Analysis

1. Surrounding Zoning and Land Uses: All parcels that comprise the subject site are currently zoned R-3 Multiple Family, in which multi-family buildings with over four units per building require a conditional use permit and maximum housing density standards apply. Land surrounding the site to the north, south, and west is also zoned R-3. Land to the east (across Prince Street) is zoned Institutional. The development site is surrounded by a mixture of one- and two-unit residences that are almost entirely renter occupied. The development site would include the property currently occupied by Calvary Lutheran Church, which is the only non-residential use currently on this block, plus sites along Florence Street presently occupied by single family residences.
2. Proposed PCD Zoning Approach: The proposed project meets most of the standard R-3 zoning district requirements, including normal setbacks, building height, lot coverage, lot width, and the number of unrelated persons per unit. However, there are some areas where the proposed

project would not meet normal R-3 requirements, which is the reason the applicant is pursuing PCD zoning. Areas where the project would not meet normal R-3 requirements are as follows:

- a. The project would not meet minimum lot size requirements were this site to continue under R-3 zoning, based on the number of units/bedrooms proposed (see additional discussion later in this analysis).
- b. The project would not meet off-street parking requirements that would be applicable under R-3 zoning, based on the number and size of apartment units proposed (see additional discussion later in this analysis).
- c. The project would not meet the 'usable open space' requirement that would be applicable under R-3 zoning, if indoor space is not considered (see additional discussion later in this analysis).
- d. In the front (Prince Street) yard area only, the project very slightly would not meet the 'sky plane setback' requirement normally applicable in the R-3 district.
- e. For the one-way driveway section of the southernmost parking lot, 12 feet in driveway width is proposed, which is below the 20 foot width normally required by ordinance if PCD zoning were not used (which does not distinguish between one-way and two-way drives).

The purpose of PCD zoning in general is to provide some additional flexibility from standards applicable under standard zoning in exchange for a higher-quality development than could normally be expected. The purpose is not simply to circumvent standards that are not convenient to the development of the property. PCD zoning has been used over the past decade or so over a variety of projects and sites in the City—particularly those that include multiple family housing (see Attachment 1). It is not unusual. In our opinion, this project is an appropriate candidate for PCD zoning. It would offer a unique type of student housing arrangement that appears unlike anything that is off-campus today. It is in an appropriate location in the community given the existing context and City plans, and would appear to be filling a niche that is in demand. Also, several of the City's normal standards, such as for landscaping and in-building amenities, would generally be exceeded.

2. An Elaboration on Minimum Lot Size/Density Issues Related To PCD Zoning: Under R-3 zoning regulations (Section 19.21.040), the applicant would normally need a minimum 2.55-acre site to accommodate the number of units/bedrooms being proposed. The proposed development site is 1.715 acres. This means the project would be characterized by a population density that is higher than a 'typical R-3' development. That being said, it is our opinion that the increase over normal R-3 requirements would be comparable to what was allowed for the Regent Apartments and Starin Hall projects within the last two years (see Attachment 1 for a comparison of this proposed project to other apartment projects in the City), with generally comparable housing unit and population densities. Like the proposed The Element project, these two projects are either on-campus or directly across the street from campus.

As discussed at the August Plan Commission meeting and elaborated on later in this analysis, our opinion is that the proposed density of The Element is appropriate given the character and location of the project (i.e. student-oriented housing adjacent to campus). Higher density projects in pre-planned (per City Comprehensive Plan) neighborhoods helps to accomplish the City's broader goal of directing student housing to appropriate areas of the City and simultaneously preserving other appropriate neighborhoods for predominately single-family, owner-occupied housing. Certainly, this is provided such projects are of a high-quality, are professionally managed and maintained, and will generally contribute positively to community

character. We generally feel this project would meet these last three criteria and have elaborated on this opinion in the remainder of our analysis below.

3. An Elaboration on Off-Street Parking Issues Related to PCD Zoning: Based on the City's standard parking requirements, were a project of this type developed under R-3 zoning, the applicant would need a minimum of 116 off-street parking spaces to accommodate the number of units/bedrooms being proposed (Section 19.51.130). After various parking options were considered, including underbuilding parking when the proposed project was larger, the applicant is now proposing 81 surface parking spaces at initial buildout. The initial build-out parking lots would equate to 2.6 parking spaces per unit or 0.75 parking spaces per occupant at maximum occupancy. The City has approved reductions in the standard parking requirements via PCD zoning in the past, and there has been recent precedent for allowing such reductions in situations where a multi-family development is oriented toward the student population and located in close proximity to campus. Specifically, the Plan Commission approved a parking ratio of 0.67 parking spaces per occupant associated the expansion of Regent Apartments last fall (see Attachment 1).

The plans the applicant submitted for conceptual review back in August provided for 93 parking spaces, which, based on the number of residents proposed to occupy the building at that time, resulted in a parking ratio of 0.54 parking spaces per occupant. The applicant's subsequent revisions to the building and site plan have helped to boost this ratio.

The applicant has also provided details on how parking will be managed. The strategy would involve a combination of permitting and parking lot surveillance/permit enforcement, which would restrict who can use the available parking. The applicant has indicated their intent to privately manage the identification and towing of improperly parked vehicles. This approach is similar to the one that was approved for Regent Apartments last year. The applicant has specified in the submittal materials that all but 5 parking spaces would be provided on a permit basis for tenants, with the remainder for visitors and the remaining, modest church use (1 space allocated for church use).

A portion of the proposed project site, closest to the corner of Prince and Florence Streets, would remain in greenspace and be reserved for additional future parking, if it is determined by both the applicant and the City that such additional parking is needed. The Site Plan submitted by the applicant indicates the potential layout of a parking area on this site. In the proposed layout, the lot could accommodate 9 parking stalls, which, after the removal of the four ADA accessible stalls that would initially occupy the northern portion of the future parking lot area, would result in a net increase of 5 parking stalls (total of 86 stalls). This works out to a parking ratio of 0.80 stalls per occupant. The future parking should only be installed if and when the applicant is granted City approval; in the mean time it is our opinion that this area is best used for active outdoor recreational space.

4. An Elaboration on Minimum "Usable Open Space" Requirement Related to PCD Zoning: Based on the City's standard open space requirements and the number of dwelling units proposed for this site, if this project were developed under R-3 zoning the applicant would be required to provide a minimum of 10,850 square feet (or 0.25 acres) of "usable open space." Usable open space is defined as an area of the site "used for recreation, resource protection, amenity or buffers, is freely accessible to all residents, and is protected by the provisions of this title to ensure that it remains in such uses. Usable open space does not include land occupied by buildings, roads, road right-of-ways or drives, nor does it include the yards of single, two-family or multifamily dwellings used for parking areas."

The applicant is proposing 4,333 square feet (or 0.09 acres) of outdoor "usable open space." This is similar to the lower "usable open spaces" provided in The Regent and Starin Hall projects (see

Attachment 1). However, like those projects, the shortage of outdoor open space on-site would be mitigated by the fact that the University campus is directly across the street, which provides many open space and recreational amenities that would be easily accessible by the students living in the apartments.

Although indoor common spaces are not included as part of the City's definition of "usable open space," we think it is at least worth noting that this project would include indoor common amenities that are not typical of other apartment projects in the City, including a media room, a game room/lounge, and two group study rooms. These amenities offer a different type of recreation space that can be used by residents year-round and supplements the living space available in the individual units. Through the PCD process, the City has the ability to ensure that these spaces will be retained as much as outdoor spaces.

Also, it is worth noting that the applicant has conservatively not counted the area in the southeast corner of the site that is being reserved for future parking towards its calculation of usable open space. However, in the short term at least, this area of the site will provide roughly an additional 6,200 square feet of usable open space. Were this area counted, the project would virtually meet the usable open space requirement that would have been applicable if the project were to develop under R-3 zoning.

3. Relationship to Comprehensive Plan Future Land Use Recommendations: The proposed project is consistent with the City's Comprehensive Plan. This site and the surrounding area west of Prince Street is designated in the 'Higher Density Residential' future land use category, which is intended to accommodate higher density multiple family development along the lines of what is being proposed. The Comprehensive Plan was recently amended to change the Calvary Lutheran Church parcel—a component of the subject site being considered for rezoning—from the 'Institutional' future land use category to "Higher Density Residential." Neither the City's Comprehensive Plan nor any other current City plan has a maximum housing/population density recommendation for this area.
4. Relationship to Comprehensive Plan Multiple Family Redevelopment Policies: The Comprehensive Plan lists a number of criteria by which to evaluate the desirability and impacts of proposed redevelopment projects (pp. 86-87) in areas designated for future "Higher Density Residential" use. These criteria are listed below, along with our evaluation of how well this proposed project meets these criteria (criteria in *italics*, our commentary in normal type):
 - a. *"The extent to which the project provides a positive and lasting contribution to the character of the neighborhood."*

An evaluation of the project against this criterion is at least partially dependent upon how one views the current character of this neighborhood and what one envisions the neighborhood's character to be like in the future. If one agrees this neighborhood will continue to evolve as a predominately student-oriented, but upgraded neighborhood (an opinion supported by the Comprehensive Plan), then it is our opinion that a project of this type would make a considerably positive addition to the neighborhood. The building would replace some aging houses with a modern and (in our opinion) attractive building that may help spur additional, similar investments in the area. The proposed building materials are of higher-than-standard quality in the City, and sincere efforts to add architectural detailing and building wall variations add to both project expense and value. In the short term, the project would be of a greater scale and density than most other development west of Prince Street, but would be similar in scale to the University buildings and campus directly across Prince Street, if not a smaller scale (e.g., Starin Hall is 5-stories).

- b. *“...Such project is supported by adopted City plans that cover the area, including the City’s desire to preserve certain areas outside of the district for single-family housing that is not student-oriented.”*

As discussed above, the recommendations in the Comprehensive Plan generally support the evolution of this neighborhood as a logical location for multi-family, mainly student-oriented housing. Directing more intensive student housing uses to areas of the City where such uses are generally supported by the community and where similar uses are already located will help reduce demand for student-oriented housing in other City neighborhoods that have been planned for predominately single-family, owner-occupied housing, per the City’s Comprehensive Plan. Therefore, a project that would absorb up to 108 students in an area of the City that was identified as a preferred student housing location would in our opinion meet this criterion.

- c. *“The extent to which the project improves the appearance and condition of the building and lot, and increases or at least maintains the value of the subject property and surrounding properties for current and possible future uses in accordance with City plans.”*

In our opinion, the appearance and value of the lots on which this building would be placed, as well as those of the surrounding area, would both be enhanced by this project. The submitted site and building elevation plans suggest a well-designed apartment building, with interesting architectural detailing and variations in building setback and height, which will help break down its relatively large scale. Though the removal of underbuilding parking from this project is unfortunate, it is not a Plan or ordinance requirement and clearly not a community standard for the campus area. The proposed location of parking to the rear of the building and normal setback areas also significantly improves the impact that larger areas of surface parking would have otherwise had on this neighborhood; it’s also compatible with what the City has been requiring with other projects. On balance, we feel this project would also leave a positive impression on the neighborhood and suggest an appropriate template for further redevelopment in this area (particularly along the west side of Prince Street) in the future, and/or lead to the upgrade of surrounding houses and properties to remain competitive with this new product in the neighborhood.

- d. *“A design and determination that off-street parking ... can be provided in a manner that will meet ordinance requirements, result in a parking arrangement that is aesthetically pleasing, and include stormwater management so as not to negatively affect nearby properties or the City’s stormwater management system ...”*

Both parking arrangements/location and stormwater plans meet City ordinance requirements. Further discussion of parking and stormwater is included elsewhere in this analysis.

- e. *“Consideration of the character of nearby residential land uses, including the predominant number of units per building, whether surrounding buildings are predominately renter- or owner-occupied, and whether the scale of the proposed project is compatible with the surrounding neighborhood.”*

Homes in this neighborhood are predominately renter occupied. Of the 27 residential properties located on this block, only three were owner-occupied in 2008 when we conducted our analysis for the Tratt Street area rezoning proposal. Therefore, having student renter-occupied housing in this neighborhood would not substantially change the established renter-owner mix of this neighborhood. Further, since the building would be located on the side of the neighborhood closest to the campus and downtown, residents’ most commonly traveled routes would be away from (rather than through) the remainder of the neighborhood.

The character of other buildings in the neighborhood to the north, west, and south is of a considerably smaller scale than what is proposed for this building (one and two unit homes vs. the proposed four story apartment building), and decidedly more traditional. However, if we consider the “neighborhood” to be inclusive of what is located east of the subject site (east side of Prince Street), the proposed apartment building is much more compatible in scale and degree of modernity. Directly across Prince Street is a four-story campus building, surrounded by several larger surface parking lots. Therefore, we view this site (and all properties on the west side of Prince Street in this area for that matter) as being transitional properties in terms of scale, density, and architectural character. This, of course, is a matter of opinion and the Comprehensive Plan criterion leaves room for other opinions on the question of scale compatibility.

- f. The Comprehensive Plan also includes recommendations related to the preferred design for multi-family buildings. See below for additional discussion of the building’s architecture.
5. Relationship to Comprehensive Plan Multiple Family Building/Site Design Polices: The Comprehensive Plan also lists a number of criteria by which to evaluate the design of proposed redevelopment projects (pp. 86-87) in areas designated for “Higher Density Residential” use. These criteria are listed below, along with our evaluation of how well this proposal meets these criteria (criteria in *italics*, our commentary in normal type):

- a. *“Incorporate architectural designs that fit the context of the surrounding neighborhood.”*

The design of this building is, depending on one’s opinion and architectural schooling, either “modern” or “retro.” The design is intended to convey the image that the developers are seeking to market the project to students. The design represents a break from the prevailing architectural style in the residential neighborhood to its west, but does reflect the architectural styling of some of the buildings across Prince Street on campus. This criterion—and a determination of compliance with it—is certainly a matter of opinion.

- b. *“Encourage layouts where buildings appear as a grouping of smaller residences.”*

Given the height and bulk of the proposed building, this project is challenged by this criterion. The applicant has made efforts to break up the scale and mass of the building by having the bulk of the building considerably set back from the road with “wings” of the building projecting towards the road. These two wings are also proposed at three stories in height, as opposed to the bulk of the building which is proposed at four stories. This echoes the pattern of single family building setbacks on this block. The variation in building colors and materials also helps break up the larger building into smaller visual units. Proposed generous landscape treatments between the building and Prince Street will also help.

- c. *“Promote the use of brick and other natural materials as components of building facades.”*

The proposed building façade would incorporate brick, stone, glass, and metal elements. The majority of the exterior siding is proposed to be Hardiplank, which is an upgrade in durability and appearance from vinyl. It is made of concrete.

- d. *“Avoid monotonous facades and box-like buildings. Incorporate balconies, porches, garden walls, varied building and façade setbacks, varied roof designs, and bay windows.”*

The building would incorporate varying setbacks, architectural projections and recesses, windows, varying roof heights, and variations in building materials and architectural details to break up the façade. The entry canopy and aluminum window awnings would also be an attractive feature, in our opinion. The building is intended to appear as an assemblage of

rectangular spaces, but in our opinion is not “box-like.” As the authors of this standard, the intent was to avoid long, straight expanses of wall.

- e. *“Orient buildings to the street with modest front yard setbacks, bringing street-oriented entries close to public sidewalks ... Include private sidewalk connections.”*

The building placement is a response to both the project’s proposed size and an effort to design the project to adhere to normal R-3 setback standards on all sides. The building is generally oriented toward Prince Street and the campus, and has a front yard setback that is similar to other buildings along Prince Street. Private sidewalks would connect from the building entrances to the street sidewalk on Prince Street.

- f. *“Locate dumpsters and other unattractive uses behind buildings and/or screen them with materials that match the building.”*

The applicant is proposing to locate the dumpsters and recyclables inside the building, at its southeast corner, in response to previous requests. Frequent pick-up and proper storage will be necessary, but this approach certainly mitigates the visual impacts that dumpster areas normally have.

- g. *For parking lots and garages, generally promote the following: 1) locate garage doors and parking lots so they are not the dominant visual element, 2) buffer parking areas from public view, 3) break up large parking lots with landscaped islands and similar features, 4) provide direct links to building entrances by pedestrian walkways ...”*

The applicant has substantially modified and remodified the parking arrangement over the past few months to meet this standard, in our opinion. The parking lots are well landscaped and positioned generally outside of public view.

- h. *“Offer on-site recreational and open space areas ...”*

The project would incorporate a number of indoor recreation, study, and other spaces, as described in the applicant’s floor plans and materials. As discussed above, on-site outdoor recreation space would be more limited, but akin to what has been provided in other apartment projects close to the campus. The applicant has also committed to providing an outdoor seating area in the front yard, and has included covered bike parking. The project would also be responsible for contributing a substantial sum to the City’s park fund in lieu of on-site dedication of public park space and improvements, which could be used on other park improvements in the area (also see discussion of parking configuration and “usable open space” above).

6. Utility and Stormwater Planning: The applicants have been working closely with Strand Associates to assure that utilities and stormwater plans meet City needs and ordinance requirements. The applicant’s materials include a December 6th response to Strand’s latest review of utility, grading, and stormwater plans, in which general agreement with Strand’s November 29, 2010 comments are indicated. We subsequently contacted Strand to determine whether the responses were acceptable. Strand engineers indicate that they are now confident that remaining engineering and stormwater issues are very minor and addressable.
7. Traffic Management: As discussed during the conceptual review of this project in August, City engineering staff and consultants have indicated that they do not believe a traffic impact analysis for this project should be required. The adjacent streets should have adequate design and capacity to handle projected volumes, and there are currently traffic signals at both Prince/Main and Tratt/Main in this area.

8. Emergency and Protective Services: From a fire safety perspective, paved access to all four sides of the building is viewed as a marked improvement from the August concept plan. In an email of December 8, the Fire Department offered its comments and recommendations on the latest plans, as follows:

- a. Both driveways along the north and south side (coming in off of Prince) should be cross hatched and marked with signs "No Parking Fire Lane"
 - 2) All parking lot landscaped islands/peninsulas should have mountable curbs to allow the ladder truck to operate/access the rear (wide turning radius and cramp angle on that apparatus)
- b. The mountable curb near the southernmost parking shows a detail with a "do not enter" sign mounted in/on the mountable section of the curb. This defeats the purpose of a mountable curb, and should be relocated to not conflict with emergency access.
- c. No trees, shrubs, etc should impinge on the width of a driveway opening to a height of 20 feet.
- d. A hydrant should be added at the northeast corner of the property, bringing the total to 3— one at the southeast corner as drawn, one at the northwest corner as drawn, and one at the northeast corner.
- e. Also, some parking concerns were raised in regards to Florence Street. If cars are parked along the road, we may not be able to swing apparatus wide enough to enter the southernmost parking lot driveway. This issue would have to be addressed by the City Council.

9. Landscaping: The proposed landscaping meets or exceeds the City's standard landscaping guidelines in terms of the quantity of landscaping, species selection, and size at time of installation. It is an exceptional landscape plan.

The applicant is, however, proposing the removal of 29 mature trees on the development site to accommodate the proposed project. The proposed landscaping plan includes 59 trees (16 of which would be large deciduous trees). Many of the mature trees that would be removed are located at the rear of the development site. A significant number of the proposed new trees would be located in the front and street side yard. The new trees will, of course, take many years to reach maturity. The applicant is proposing to install street terrace trees along Prince Street at 4 inch caliper, which substantially exceeds normal City width requirements for street trees. Given the significant loss of mature trees, we also suggest that more of the yard trees be increased to 4 inch caliper. Also, the proposed grading may affect other mature trees near property lines that are proposed to remain. We suggest an approach to this issue in our recommended conditions below.

In addition to landscaping, a 6-foot solid privacy fence is proposed to be installed around the residential lot that will remain in this location, and retaining walls will be located near the rear of the property.

10. Lighting: The proposed lighting plan meets the City's outdoor lighting standards.

11. Signage: The applicant is proposing one monument sign to be located in the front yard (Prince Street). The proposed sign meets all City standards and is, in our opinion, attractive and appropriately designed, sized, and located.

12. Building Mechanicals: The HVAC system units would be located on top of the building (a benefit of a flat roof system), and should not be visible from nearby areas. A utility box is proposed to be located near the southern Prince Street driveway entrance, but will be screened. On balance, the approach to mechanical units is sound.
13. Sustainability: The applicant is proposing several development features that will make this site more "sustainable." These generally include the following features, which the applicant has described in a bit more detail in their submittal materials:
 - a. Use of an existing developed site (redevelopment), which utilizes less land and resources to accommodate more people.
 - b. The location of the project enables biking and walking as alternatives to driving. Both indoor and outdoor bicycle racks would be provided.
 - c. Stormwater is being managed completely on-site.
 - d. Installation of low-maintenance/low-water needs landscaping. Landscaping will not be irrigated once installed.
 - e. Incorporation of water efficient fixtures in the building.
 - f. Integration of energy efficient building materials, design, appliances, and fixtures.
 - g. Use of recycled construction materials and recycling construction waste.
 - h. Use of low-emitting interior building materials.
14. Housing Demand and Need: Much was offered at the August concept plan public meeting about the need for this project in the community, given what was perceived by other owners of rental property as a soft rental market. A detailed study of the rental housing market in Whitewater would be a major undertaking, and is beyond what could be expected of a City review of a private development project. (As many of you may know, the cost of our review time is charged back to developers and the City's budget is limited.) This being said, we do offer the following comments and observations:
 - a. The applicant has shared with the City a housing market study, prepared by a reputable analysis company, which suggests a significant need for higher-end, student oriented private apartments in Whitewater. Upon review, we have no reason to dispute the claims in the report, and the data upon which the claims are met appear generally accurate.
 - b. The applicant has provided data/graphs that suggest that the rental housing vacancy rate and the foreclosure rate in Whitewater are quite low (e.g., a 2.5% rental vacancy rate). City staff are attempting to confirm these figures. If correct, this is a very low rental vacancy rate. 5-10% is not unusual in normal markets. We understand that members of the Whitewater landlord community may be providing their own data on vacancies.
 - c. We had the opportunity to interview the University of Wisconsin-Whitewater's housing coordinator recently. He confirmed that the University's recent Starin Hall project (a 4-bedroom suite-style dorm) has been extremely successful, despite its higher cost for students. The UWW received over 1,000 applicants for that 446- student bed facility (not including the two staff apartments). A surprising number of juniors and seniors are residents. The UWW enrollment continues to rise—there are 100 more freshmen this year compared to last. The initial plan was that Starin Hall would provide the necessary flex space to allow the UWW to begin to renovate each of its other dorms at a rate of one dorm per year. But, in fact, all dorms are completely full this year, making that initial plan impossible. As a result, the UWW is seeking to find (by RFP) up to 300 off-campus

apartments that can essentially serve as this flex dorm space over the next several years. Our conclusion from this conversation is that there is certainly demand for suite-style “dorm” space close to campus, and students appear willing to pay a premium to live in such spaces.

- d. The addition of space for 108 students may, in fact, make it more difficult for existing landlords to rent their spaces, but projected UWW enrollment increases should buffer and could even eliminate that impact. Also, in order to compete, some owners of less attractive homes and apartment buildings may need to upgrade these spaces, which should benefit the neighborhoods in which they are located. We have already seen this welcome trend among some landlords in the last several years.
15. Project ownership and management: The project management plan appears sound, and can be required through PCD conditions as recommended below. All development and management project team members are now in-state. City staff took the rare step of asking for and checking references of project team members. They are included in a December 8th memo from Mary Nimm, which could be updated before the meeting if more calls are returned. References for the proposed management company, BMOC, were positive. References for the proposed builder/owner (Catalyst), were generally positive, with one negative reference for a project in Watertown. It is our impression that this is a relatively new type of project for Catalyst, and it may be an early foray into owning a project they build.
 16. Proposed Certified Survey Map: We have reviewed the proposed certified survey map and find it to be free of errors, in conformance with the City’s zoning and subdivision ordinance, and consistent with the proposed Planned Community Development project. The CSM would not make sense if the project does not proceed as planned, and that is reflected in our recommended approval conditions.

Recommendation on PCD Rezoning Request, GDP, and SIP

Subject to comments received at the public hearing, we recommend the Plan and Architectural Review Commission first find the rezoning of the property from R-3 Multiple Family Residential to PCD and the associated General Development Plan (GDP) for The Element apartment project to be consistent with the City’s Comprehensive Plan, then recommend City Council approval of PCD zoning and associated GDP, and then approve the Specific Implementation Plan, all subject to the following conditions:

1. The applicant shall make building and site improvements in accordance with the plans and other supporting documents approved by the Plan and Architectural Review Commission on 12/13/10, and including the following, except as any changes to those plans and supporting documents are required to meet conditions 2-14 that follow:
 - a. Materials dated 10/18/10: Operations and Security Memo
 - b. Materials dated 11/7/10: Agreement to Maintain Stormwater Facilities
 - c. Materials Dated 11/11/10: Attachment D: Letter from Calvary Lutheran Church
 - d. Materials dated 11/12/10: Details Sheet (sheet C1.6); Building Roof Plan (sheet A1.5); Lighting Detail sheet (sheet PXP2); Photo Renderings of building; Attachment A: Operation Plan; Stormwater Management Plan (bound document); Attachment E: Parking Information (includes 4 items: Parking Memorandum, Information and Parking Form, Terms and Rates, and Rules and Regulations)
 - e. Materials dated 12/6/10: Existing Site and Demolition Plan (sheet C1.0); Site Plan (sheet C1.1); Grading and Erosion Control Plan (sheet C1.2); Utilities Plan (sheet C1.3); Details and Specifications (sheet C1.4); Landscape Plan (sheet C1.5); First Floor Plan

- (sheet A1.1); Second Floor Plan (sheet A1.2); Third Floor Plan (sheet A1.3); Fourth Floor Plan (sheet A1.4); Elevations (sheets A2.0 and A2.1); Photometric Plan (sheet PXP1)
- f. Other Materials with no date: Attachment F: Photos of interior finishes; Catalog Page for retaining wall; Sustainable Design Features list
2. Prior to the issuance of a building permit for this project, the applicant shall:
 - a. Address, through plan changes and otherwise, all requested changes in the 12/8/10 email of the Whitewater Fire Inspector over which the applicant has control.
 - b. Provide catalog pages for exterior wall-mounted lighting fixtures.
 - c. Expand the 'Future Parking' label on all plan sheets to indicate that the future parking lot shall be installed only following the approval or direction of the City's Neighborhood Services Director.
 - d. Obtain approval of the City Forester of the street terrace tree planting plan and make any adjustments as requested by the City Forester.
 - e. Increase the number of 4 inch caliper trees on the site by 10, in higher-impact locations as approved by the Neighborhood Services Director.
 - f. Address all outstanding issues related to stormwater management, grading, erosion control, and utilities, as determined by and to the satisfaction of the Neighborhood Services Director, in consultation with the City's engineering consultant.
 - g. Pay a park improvement fee and a fee-in-lieu of parkland dedication in accordance with City ordinance standards for the 31 additional housing units being added to this property.
 - h. Update and resubmit for City staff approval all plans that are necessary to assure compliance with the above conditions.
 3. In the grading and development of the site, in the areas with existing mature trees both on the subject site and off-site that are proposed for retention, the developer shall follow the tree preservation guidelines included within the City of Whitewater Landscaping Guidelines (i.e., protect critical root zone radius) to the extent practical. At least 14 days prior to the commencement of site construction, the applicant shall notify owners of adjoining properties with mature trees that are both proximate to shared lot lines and shown on the Landscape Plan of the intent to grade and develop the subject site in the general areas of such trees. That notification shall include an offer to meet with the adjacent owner(s) to review plans and make provisions to minimize potential root cutting and compaction in the vicinity of those trees. The applicant shall invite the City Neighborhood Services Director and City Forester to attend any such meeting(s).
 4. The maximum occupancy of each apartment unit shall be limited to the number of bedrooms in that unit, and the maximum occupancy of each bedroom shall be one tenant.
 5. The site shall be operated at all times in full accordance with the October 18, 2010 Operations and Security Narrative and the November 12, 2010 "Operation Plan for The Element," except that the selected management company may change provided that the project maintains, at all times, management by a professional management company with qualifications for managing student-oriented apartment developments, in the determination of the Neighborhood Services Director.
 6. If the apartment building is developed as planned and approved under this PCD, the church use of the property shall be limited as follows:
 - a. Occupancy of more than one office room.

- b. No more than one church employee on site at any one time.
 - c. No on-site services, except for residents of the apartment building.
 - d. No on-site parking or shuttle service for church patrons to attend services in another location or for any other purpose, except for those who are also residents of the apartment building.
7. The use and function of the first floor meeting space, media room, game room/lounge, exercise room, and study rooms, as indicated on the approved Floor Plan sheet, shall not be substantially altered as judged by the Neighborhood Services Director, without the prior approval of the City Plan and Architectural Review Commission.
 8. The proposed front yard seating area, as represented on the Site Plan sheet, shall be installed no later than one year from the date of initial building occupancy, in accordance with a plan prepared by the applicant and approved by the Neighborhood Services Director.
 9. No parking space designated on the site plan shall be used at any time for any other purpose than the parking of operable motor vehicles. No snow storage shall be allowed in parking spaces.
 10. Parking permits shall be allocated for tenants of the project, per the "Parking Rules and Regulations" document submitted with the application or any replacement document approved by the Neighborhood Services Director. In no case shall the number of permits that are issued for resident parking exceed the number of spaces available in the off-street parking lots, less 5 spaces to accommodate visitors and the church/office use of the property as limited through the above condition.
 11. The applicant shall include with all leases provisions related to the following, with such aspects of the leases subject approval of the Neighborhood Services Director and City Attorney before the leases are utilized:
 - a. Limits on occupancy to (i) one tenant for each bedroom and (ii) a number of tenants in each apartment unit not exceeding the number of bedrooms in that unit.
 - b. Parking rules and regulations in accordance with this PCD approval, including clear restrictions against vehicular parking in any space that is not a designated parking space on the approved Site Plan for the project.
 12. In the event that not all site and landscape improvements are completed before occupancy of this building, the applicant shall provide the City with a site improvement deposit in the amount of \$2,000.
 13. Any and all future signage proposed for this site, including directional signage, shall be subject to City Zoning Administrator approval.
 14. Specific Implementation Plan approval is null and void if the City Council does not approve the rezoning or the General Development Plan. The Specific Implementation Plan is subject to alterations if the City Council approves changes to the General Development Plan.

Recommendation on CSM

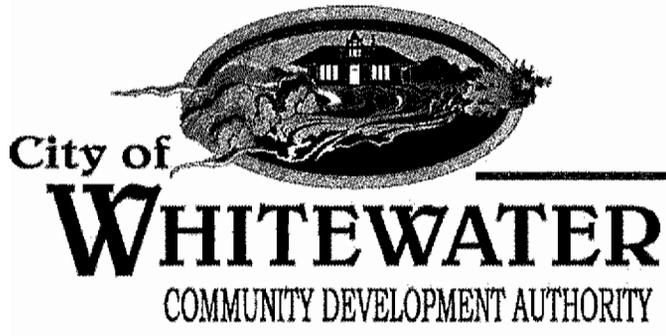
We recommend that the Commission approve the submitted Certified Survey Map associated with The Element student apartment project, subject to the following conditions:

1. The CSM may not be recorded until after two or more of the existing principal buildings within the CSM area have been demolished.
2. The CSM shall be recorded prior to occupancy of the apartment building authorized through City approval on the same property.

**Attachment 1: Comparison of Newer Rental Apartment Projects, City of Whitewater
Prepared December 8, 2010**

	Regent Apartments, entire PCD area*** (2009)	StarIn Hall, UWW Dormitory (2008)	242 N Tratt Street (2009)	Bluff Ridge Apartments** (2000)	Waters Edge South Apartments** (2004)	Springbrook Apartments (2007 & 2010)	The Element (Proposed December 2010)	Median Values for Key Characteristics (not Including The Element)
Density								
Required Site Size IF R-3 District Requirements Were Followed (acres)	9.11	10.08	0.71	8.45	3.21	3.98	2.55	X
Actual Site Size Provided (acres)	6.05	4.55	0.86	17.2	4.99	4.8	1.715	4.90
Actual Site Size Provided as % of Normal R-3 Requirement	66%	45%	121%	204%	155%	124%	67%	122%
Total # of housing units	144	121	8	120	48	60	31	90
Efficiency units	20	0	0	0	0	10	0	X
1-bedroom units	41	12	0	104	16	20	0	X
2-bedroom units	78	0	0	0	24	12	8	X
3-bedroom units	0	0	0	16	8	18	0	X
4-bedroom units	1	109	6	0	0	0	23	X
5-bedroom units	4	0	2	0	0	0	0	X
# housing units per acre	24	27	9	7	10	13	18	11
Maximum # of persons**	319	448	34	256	104	151	108	204
Maximum # of persons per acre	53	98	40	15	21	31	63	35
Required "Usable Open Space" IF R-3 Zoning Was Used (sq. ft.)	50,400	n/a	2,800	X	X	21,000	10,850	X
Actual "Usable Open Space"	25,428	n/a	6,127	X	X	X	4,333	X
Parking								
Required Parking Spaces IF R-3 Zoning used	376	n/a	32	376	136	168	116	X
Actual Parking Provided (# of stalls)*	215	Parking provided on-	34	339	X	156	81	X
Actual Parking Ratio (stalls per unit)	0.67	n/a	1	1.32	X	1.03	0.75	1.01
Building Quality Characteristics								
Average Apartment Unit Size (sq. ft.)								
Efficiency								
1-bedroom					864			864
2-bedroom				1,300	1,077		802	1,189
3-bedroom				1,400	1,211			1,306
4-bedroom		1,470	1,286				1,158	1,378
5-bedroom			1,423					1,423
Average Bedroom Size (sq. ft.)	166	104	160	161	140		114	146
Building Materials	Brick (for apartment building component of project)	Brick and glass	Brick	Brick and vinyl siding	Brick and vinyl siding	Brick and vinyl siding	Brick, stone, hardiplank siding	X
Zoning								
Zoning Before Project	R-3	Institutional	R-3	B-3	R-1	R-3	R-3	X
Zoning Used for Project	PCD	Institutional (w/ setback)	R-3	B-3	PCD	R-3	PCD	X
Other Development Characteristics								
Reason(s) for requesting PCD zoning or variance (i.e., which normal R-3 ordinance requirements not met)	parking, usable open space, density/lot size, sky plane setback	front setback variance for segment of front of building	n/a	n/a	part of larger mixed residential development project	n/a	parking, usable open space, density, sky plane setback, driveway	X
Special site or building features and amenities	Covered bike parking	LEED certified green building, computer lab, multi-purpose/game rooms,		Private park, picnic pavilion, fitness center, garage parking	underground parking, direct access to public park	Underbuilding parking, fitness room, community room, storage lockers, off-street trail	Indoor media room, lounge, study rooms, laundry, covered bike parking, resident	X
Distance from UWW campus (as the crow flies)	Across the street	On campus	1/8 mile	1 3/4 mile	1 1/2 mile	1 1/4 mile	Across the street	X

* Not including future unbuilt parking areas
 ** number of persons estimated for Bluff Ridge Apartments and Waters two duplexes and one triplex, in addition to a 137 units within three larger apartment buildings. This had the effect of driving down overall project density



Mary S. Nimm
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 Whitewater, WI 53190

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 FAX: (262) 473-0549
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 WEBSITE: www.ci.whitewater.wi.us

December 8, 2010

TO: Whitewater Planning Commission
 From: Mary Nimm, CDA Coordinator *Mary S. Nimm*
 RE: Reference Checks – Catalyst Company

Each of the references listed below were contacted and asked to consider answering the same questions as they relate to their experiences with either Catalyst or BMOC and their respective projects. Catalyst is both the proposed builder and the proposed owner of "The Element" project in Whitewater, a 31 unit student housing project and BMOC is the proposed management company for the Whitewater project.

Each was then directed to answer, in any manner they were comfortable responding in, and were asked to consider answering only the questions representing their experiences. They were each asked these questions:

1. Please respond to your interpretation on the company's follow through on the commitments
2. Please explain any conditions of development approval and if there were challenges meeting those conditions
3. Please provide your/an assessment on the quality of construction
4. Please advise If Catalyst actually owns the project
5. Please provide an assessment of their project management
6. Lastly, please provide any concerns you wish to share with us as we consider moving forward on this project

Project: Latitude Apartments (90 Units)
City: Milwaukee, WI
Contact: Jim Playsted, (with the City of Milwaukee)

The project is in a business improvement district. Catalyst was hired by Dermot properties; the project is/was in the heart of a commercial district. Catalyst – was involved in minimizing the impact of urbanized development as the project was surrounded by commercial properties with no staging areas and is/was a very sensitive project. "They" did a good job with managing all issues from managing the

daily deliveries to a neighboring grocery store to keeping the site clean to keeping the sidewalks as accessible as possible. If there was a problem Jim and the local businesses had immediate access and issues were resolved in a timely manner. Jim is quoted as saying it was a "Positive experience to build a very difficult project." Very positive experience.

Project: The Gardens of Hartford (46 Units)

City: Hartford, WI

Agency: Wisconsin Lutheran Child and Family Service

Contact: Daniel M. Degner

Catalyst doesn't own the project in Hartford, they were a contractor for Hartford. It was a bid contract, and they (Hartford) did reference checks with people who did work for Catalyst. Almost to the contractor (references) the general feed-back was "you will never deal with another company like Catalyst.... when they ran into a problem on the site, Catalyst would never accept the problem fixed with a band-aid, always done right and would eat the cost if need be to correct the problem." Experience exceeded the references, remarkable. Whatever was said to be done was done, even if not in writing. If a promise was made, it was completed. Remarkable experience. Since then built a 60k sq ft bldg, had a few items to get fixed and we haven't seen a bill, they just fixed it and that's it.

Contact: Justin Drew with the City of Hartford

Followed-up on all community improvements as the project is very a near single family neighborhood - one reminder needed to get improvements completed.

Quality = considered good by building inspector, there were some disagreements on interpretation of code, had to bring in State of WI to clarify code and once an agreement was made on the code interpretation, the rest of the project went smoothly.

No "big" problems

No complaints from the neighbors

Project: Heritage Homes (44 Units)

City: Watertown, WI

Contact: Joe Himmelschein, City of Watertown

Joe – "taken back by Matt giving me as a reference." This was the first time I ever worked with Catalyst. Not happy with Catalyst. We had to issue actual stop work-orders which can be found in public records. There was a challenge working with them. They didn't call for required inspections through process. Not able to give favorable recommendation. Example: No vapor barriers in the dry-walled ceiling, had to tear-out and start over.

Project: Uptown East Student Apartments

City: Valparaiso, IN

Contact: Larry Gough

Matt Burrow was part of 'BMOC' – they are the current Property Managers with Up-town East.

Larry stated, "I have very positive remarks about BMOC and we are starting second project with them of about 550 residents"

We consulted with BMOC to do market analysis

Larry's company handled the construction management and was the developer

BMOC are the Property managers – "they do a great job"

Contact: Nancy Jensen, Executive Director

Apartment Association of South Central WI

702 North High Point Rd Suite 203

Madison, WI 53717

*Nancy is on vacation until December 15. The person who answered the phone declined to answer any reference check questions and did not leave a forwarding number for Nancy.

Reference: Mike Dean

Steve Brown Apartments has a Corporate office in Madison, I only serve on a board of the apartment association, not in a position to talk about Steve Brown's business. Catalyst means nothing to me. I sell apartment buildings, not a developer. Know of Bill Leavy, but don't know enough to comment. Not qualified to answer.

Jane Wegner

From: Bruce Parker
Sent: Tuesday, December 07, 2010 8:36 AM
To: Jane Wegner
Cc: 'Mark Roffers'
Subject: FW: Whitewater zoning maps
Attachments: Overlay Zoning Districts 10.28.10.pdf; Base Zoning Map 10.28.10.pdf

This can be place on the Plan Board meeting for next week for review and comment . Thanks Bruce

From: Mark Roffers [<mailto:MRoffers@vandewalle.com>]
Sent: Friday, November 05, 2010 2:01 PM
To: Kevin Brunner; Bruce Parker
Cc: Jane Wegner; Michele Smith; Wally McDonell; Fisher, Mark; Mary Nimm; Cameron Clapper; Dean Fischer; Matt Amundson; Megan MacGlashan; Daniel Eckberg
Subject: Whitewater zoning maps

Kevin and Bruce—

Attached please find a review draft of the "new and improved" zoning maps that you asked us for a couple of months ago. They represent the CURRENT zoning in the City—no proposed changes are suggested by these maps.

One map shows the base (or underlying) zoning districts, like R-1X, B-1, etc. The second map shows the overlay zoning districts, including floodplain, wetland, and the new Residential-Overlay district. For readability, producing these on separate maps seemed to be the best approach.

Of course, the different zoning districts are now GIS layers, so they can be mixed and matched in any combination. The new layers, in combination with the comprehensive plan maps and other GIS data will also form a powerful analysis tool. For example, we can now quickly and accurately answer questions like: "How much vacant, developable land is zoned commercially in the City?" or "What's the average assessed value of industrially zoned land?"

We have already done an internal review of these maps, and Bruce has reviewed them and offered comments that we have incorporated. Michele and Jane were also very helpful in providing necessary data.

At this point, I suggest that the maps be more broadly circulated as review drafts. In doing so, I think it's important to note that the maps DO NOT REPRESENT ANY CHANGE IN ZONING BUT RATHER REFLECT THE CURRENT ZONING AFFECTING PROPERTY IN THE CITY. I think that's particularly important given that the City's older zoning maps aren't exactly easy to read, don't yet show districts like the residential-overlay or wellhead protection zone, and have not been widely distributed to my knowledge.

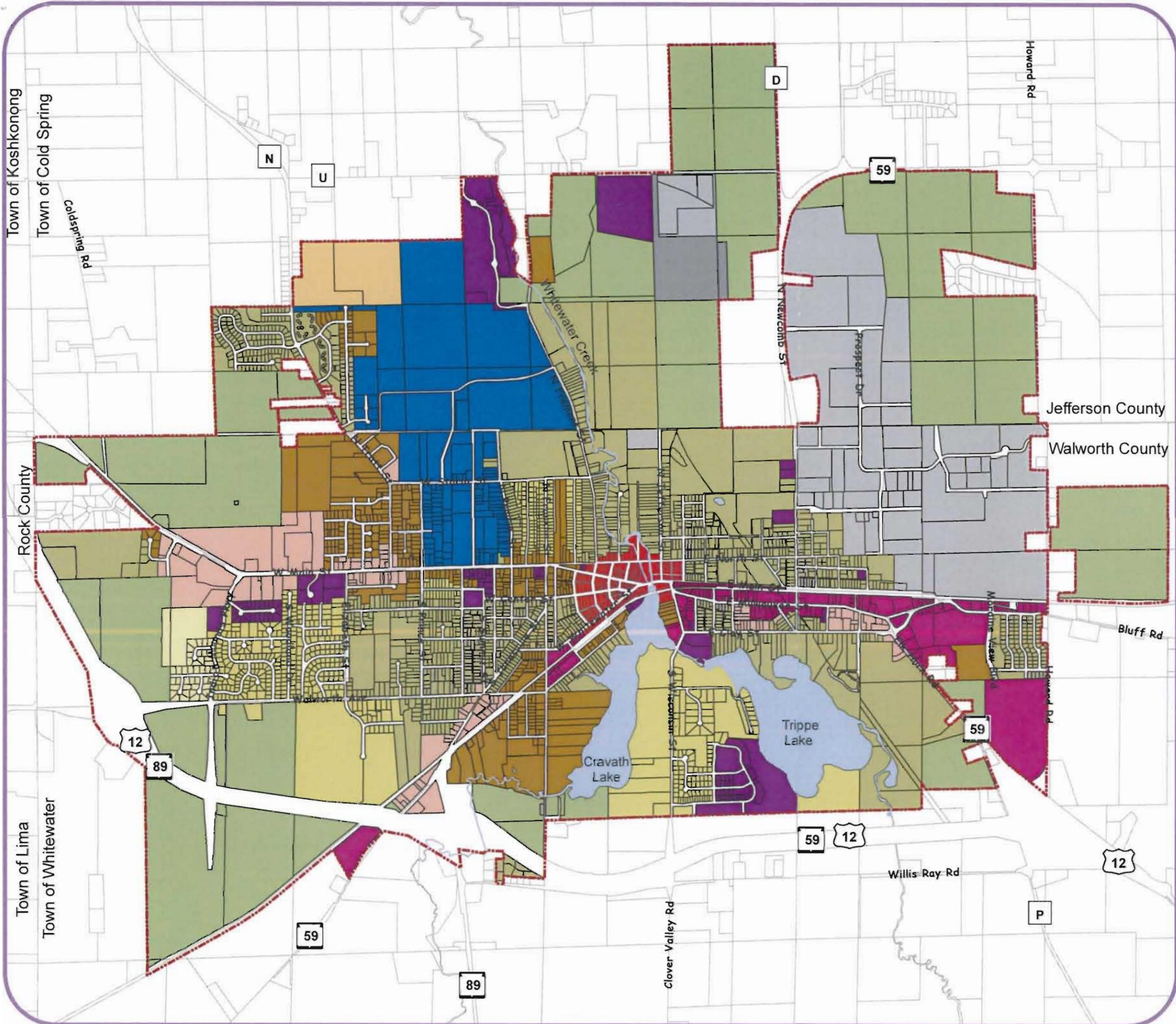
My suggestion is that you share these versions electronically with the Plan Commission at a minimum, but perhaps also with the Council, CDA, and key players in the local real estate market. You could ask for any comments or concerns over the next month. Then, for the December 13 Plan and Architectural Review Commission meeting, we could add an agenda item such as "Review and offer comments on draft format for the City's zoning map." After that meeting, we can incorporate any further comment deliver presentation copies, GIS files, and perhaps even interactive PDFs of the final zoning map(s) for the City's Web page, if you like.

Please let me know if you have any concerns over this approach or immediate questions about the zoning maps.

Thanks for the opportunity to work on this project! Have a great weekend.

Mark

Mark Roffers, AICP
Principal Planner
Growth Management Team



City of Whitewater

Official Zoning Map

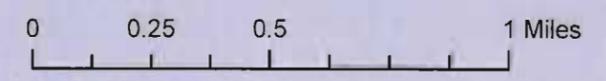
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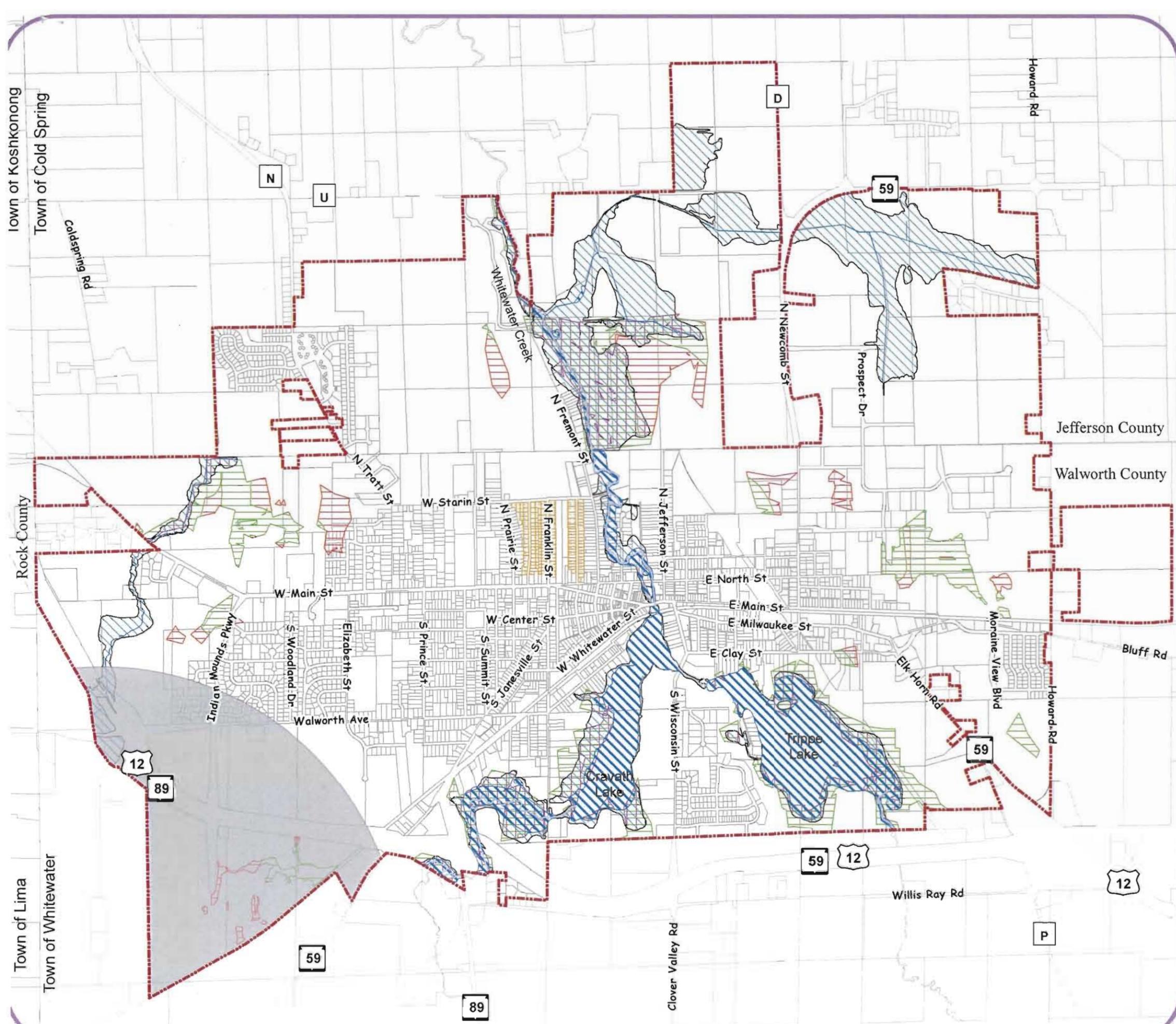
Base Zoning Districts

- R-1 One Family Residence
- R-1x One Family Residence
- R-2 One and Two Family Residence
- R-3 Multi Family Residence
- R-4 Mobile Home
- B-1 Community Business
- B-2 Central Business
- B-3 Highway Commercial and Light Industrial
- M-1 General Manufacturing
- M-2 Manufacturing and Miscellaneous Use
- WUTP Whitewater University Technology Park
- PCD Planned Community Development
- AT Agricultural Transition
- I Institutional

- Right of Way
- Surface Water
- City of Whitewater Municipal Limits
- Parcel Boundaries
- Area Outside City



October 28, 2010



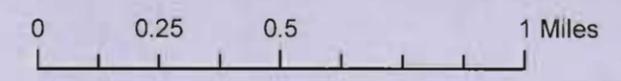
City of Whitewater DRAFT

DRAFT Official Zoning Map

Overlay Zoning Districts

-  WHP Wellhead Protection
-  R-O Residential Overlay
-  FW Floodway
-  FF Floodfringe
-  FWW Floodway/Wetland
-  C-1 Shoreland Wetland
-  C-2 Non-Shoreland Wetland

-  Right of Way
-  City of Whitewater Municipal Limits
-  Parcel Boundaries



October 28, 2010