



CITY OF WHITEWATER

PLAN AND ARCHITECTURAL REVIEW COMMISSION

Whitewater Municipal Building
Community Room
312 W. Whitewater Street
Whitewater, WI 53190
February 14, 2011
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 December 13, 2010.
4. Hold a public hearing for consideration of a conditional use permit to allow for an automotive repair business to be located at 265 S. Wisconsin Street for Daryl and Fabian Lopez.
5. Discussion of Potential Measures to Increase Efficiency in Development Plan Reviews and Control Developer Costs.
6. Information:
 - a. Possible future agenda items.
 - b. Future discussion of neighborhood preservation implementation, including consideration of higher density multiple family residential district.
 - c. Next regular Plan Commission meeting- March 14, 2011.
7. 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
December 13, 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.

PRESENT: Torres, Stone, Binnie, Dalee, Miller, Meyer (Alternate). ABSENT: Zaballos, Coburn. OTHERS: Wallace McDonnell/City Attorney, Mark Roffers/City Planner, 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.

MINUTES. Moved by Stone and Meyer to approve the Plan Commission minutes of October 11, 2010. Motion approved by unanimous roll call vote.

**PUBLIC HEARING FOR 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).**

Chairperson Torres opened the 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).

Zoning Administrator Bruce Parker explained that the map showed where the proposed properties are located and where the properties are that already have had the overlay zoning done earlier this year.

City Planner Mark Roffers explained that this proposal was evaluated against the City of Whitewater Comprehensive Plan and it was found to be consistent with the documents. Roffers recommended approval and stated that the Plan Commission would make a recommendation to the City Council.

Michael Woller voiced his concern as he had recently purchased the property at 314 W. North Street for a rental property. He was unaware of the possibility of the R-O Overlay Zoning and asked that the Plan Commission remove his property from this proposal.

City Planner Mark Roffers explained that the purpose of the R-O Non-Family Residential Zoning was to help preserve the single family neighborhoods. The properties with the R-O

Overlay Non-Family Residential Zoning designation would be limited to a maximum of 2 unrelated occupants. The R-2 One and Two Family Residence Zoning District allows for 3 unrelated occupants.

City Attorney McDonell explained that a large portion of the neighborhood has the R-O Residential Overlay Zoning. Councilman Winship has petitioned to increase the overlay zoning area to these four properties. The City Council will address this zoning change on December 21st at 6:30 p.m. and will give a final decision. He explained that Michael Woller has the right to give input. The R-O Overlay Zoning does not prohibit rentals. The Plan Commission can make a recommendation of the properties to be included.

Chris Grady (owner of 318 W. North Street, next door to 314 W. North Street) stated that it had been intended for these four properties to be included in the original petition. They were attempting to correct the oversight of the original proposal.

Patty Nicks is the owner of 126 N. Fremont Street, which is also next door to 314 W. North Street. She is in favor of the R-O Overlay Zoning, which would limit the number of students renting a property. She stated that they have lived at their address for 11 years. For all of that time, the property at 314 W. North Street has had a family living there.

James Hartwick, 178 N. Franklin Street and President of the Historic Starin Park Neighborhood Association, stated that in the original R-O Residential Overlay Zoning District, these R-2 properties were inadvertently left off the petition. Some neighborhoods are considered ones to be preserved as single family neighborhoods based on the owners of properties in the area. This overlay zoning is consistent with the City of Whitewater Comprehensive Plan.

Plan Commission Member Binnie asked why the Historic Starin Park Neighborhood Association did not go forward to include at least the west side of N. Fremont Street in the R-O Overlay Zoning District.

James Hartwick explained that when the proposal was first drawn up, the R-O Overlay Zoning only applied to R-1 properties. R-2 is similar and buildings in this area are unlikely to be torn down. If it had been clear, they would have asked for the entire area to be included for the overlay zoning. At their last neighborhood meeting they decided to at least get the North Street properties and try to get Fremont Street as well. Fremont Street has a number of existing rentals. The existing properties that have a long status of being a rental to three unrelated persons, can continue to rent to three unrelated persons. They did not want to include Fremont Street until they asked the people who live there.

Chairperson Torres closed the public hearing.

Plan Commission Members Stone, Torres, and Binnie agreed that they would be in favor of dropping the property at 314 W. North Street from the proposed R-O Residential Overlay Zoning. Binnie explained that there will still be a limit of three unrelated persons allowed for that property without the overlay zoning.

Moved by Stone and Binnie that this change in zoning is consistent with the City of Whitewater Comprehensive Plan, and that the Plan Commission recommend to the City Council 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 318 W. North Street (/WUP 00090), 326 W. North Street (/WUP 00091), and 330 W. North Street (/WUP 00092). Plan Commission Member Binnie clarified that the City Council can go back to the original proposal including the

314 W. North Street property. Motion approved by unanimous roll call vote.

PUBLIC HEARING FOR 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. Chairperson Torres opened the 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.

Zoning Administrator Bruce Parker explained that Jessica’s Restaurant has been approved with minor conditions and will be expanding into the property next door at 138 W. Main Street. They are asking for a beer and wine license, particularly for their banquet hall. A conditional use permit is required to serve beer and wine by the bottle or glass. This area to be licensed will include the addition and possible sidewalk café area. It is recommended to have the sidewalk café as part of the approval as long as it meets the Sidewalk Café Ordinance.

The City Planners recommended 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” Beer and “Class C” Wine Liquor Licenses, subject to the following conditions:

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.

Chairperson Torres closed the public hearing.

Moved by Binnie and Miller to recommend to the City Council to approve the 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 with the conditions of the City Planner. Motion approved by unanimous roll call vote. The applicant agreed to all the conditions.

PUBLIC HEARING FOR A CHANGE 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. Chairperson Torres opened the public hearing for consideration of a change 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.

City Planner Mark Roffers stated that this project has been in the works for about six months. It is a 31 unit student apartment project, a good transition from the public dorms to the private rentals in the community. In order to do this project, rezoning the properties to a PCD (Planned Community Development) is required. The PCD Zoning allows the City to enable modification for standards in exchange for higher requirements. The PCD Zoning would only include the GDP (General Development Plan). If the PCD Zoning and General Development Plan is approved, the Plan Commission can act on the SIP (Specific Implementation Plan) which would be conditioned upon City Council approval of the rezoning. The main criteria is consistent with the City's Comprehensive Plan – future use design. In the rezoning to PCD, there are an additional 5 or 6 criteria to follow. “Do we need this project in Whitewater?” is not a consideration in the criteria. The developer has worked 6 sets of plans with different configurations. There is no longer underground parking. Since the concept plan, the ownership has changed a little. The number of units proposed would not be allowed on the lot in an R-3 Zoning District, but could be allowed in a PCD.

The City Planners recommended 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 no 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.

Matt Burow, President of the company, gave a history of the project. He has been involved with it for two years. They have been trying to expand campus ministries not sponsored by the Church or the UW. to be owned by private equity members. They have been involved with planning a student housing project on this property for the last 12 months. They have met with city staff. They started with an over 200 bed unit but have reconsidered the plan and reduced it to a 155 to 170 bed unit. Plan Commission was looking for less density and a higher parking ratio. They will have a property manager, BMOC out of Madison. It will be a high performing property, well managed and maintained. This will be a transitional product. They will provide full time activities, full time maintenance, all the amenities you would see in a dorm and a high

level of security.

Engineer Tom Schermerhorn explained that “The Element” will be a transitional use from the UW to the residential area. All units will be fully furnished in an efficient layout. There will be individual bedrooms, two baths in the 4 unit apartments. There will be an on-site manager and program director. If they were to apply for the building to be a LEED building, it would be in the low gold or high silver range. The building will be made in a residential scale and materials, high quality stone and cream city brick. It will be a townhouse style with horizontal and vertical elements. There will be a 50 year warranty on the siding. The trim and accent will be gray and dark brown respectively. The glazing on the windows will not be institutional. The building will be high quality and low maintenance. There will also be a theatre, laundry (looking at putting in each unit) and campus ministry.

William Levy, Manager of BMOC, explained that the building will be operated similar to a dorm with RA, resident life, programming etc.

Marilyn Kienbaum voiced her concern of the cost for kids to live there and if the parents could afford it.

Matt Burow explained that it would probably be the highest cost in Whitewater. It would be competitive, but on the higher end.

Sherry Hoffer, W. Florence Street, stated that her home is a part of this proposed project. She supports the project and wanted to make the Plan Commission aware of the other changes happening in this neighborhood. Ownerships have changed and properties have changed drastically. She urged the Plan Commission to support this project.

Attorney John Olson, representing DLK Enterprises, stated that this proposal should be developed under the R-3 Zoning Ordinance regulations, not a PCD (Planned Community Development). If you go by the Zoning Ordinance, you know what to enforce. This group has hired BMOC (out of Madison) as the project operator (Other names are PMM LLC. and PMM2 LLC.). There are disputes in the Dane County Circuit Court between parents and BMOC, when BMOC took over and backed out of a lease that was to provide 19 meals per week. There is a list of zoning violations and complaints. A building inspection was performed on 1-17-10. It was later revealed (1-22 & 1-27-10) that 3 out of 4 items were not completed. Attorney John Olson wanted to send the message to go forward with this project under R-3 Zoning so that local contractors could compete. It is not safe as a PCD. Atty. Olson stated that he would make the files of the complaints available for Plan Commission inspection.

Russell Walton, a Whitewater developer, was mainly concerned about the parking. They are proposing 81 stalls for 108 students. This does not include the pastor and the meeting room and how many will be coming and taking up parking stalls. In an R-3 Zoning District they must comply with those specific parking requirements. Every kid who comes to school has a car. Walton was also concerned with the 14 foot drop off at the rear of the property to the parking lot, with the possibility of the mature trees being undermined. The building should be designed around adequate parking.

City Planner Mark Roffers stated that a condition of approval could be to not allow outside meetings to take place at this facility.

Bob Freiermuth, a local investor, stated that 8 months of the year there is street parking. The parking gets worse November through March when visitors cannot park on the street.

Attorney Mike Grubb, representing the Whitewater Rental Association, stressed the same concerns as Attorney Olson. The project should be compelled to comply with the R-3 Zoning Ordinance and work within the rules. The rules can be consistently applied. They appreciated that the project has been downsized, but it is not downsized enough. The PCD (Planned Community Development) in the ordinance offers the flexibility of a project in exchange for benefits. It is not to circumvent the ordinance. The developer cannot choose a PCD to get out of R-3 Zoning regulations. The Plan Commission is charged with consistently applying proposals to the ordinances. Why a PCD here? There are 5 areas where variances are needed. The main ones are density and parking. When looking at the density, this site is 2/3's of what it should be. The setbacks are closer to Prince Street by 3 feet. Other concerns are the drop off from the Daniels property; the parking areas are shorter and tighter; how the church works into this mix and how it impacts the parking.

Atty. Grubb brought in a comparison sheet showing how the built project would comply or exceed R-3 Zoning. The Regent project did a lot of cleaning up of the site. They closed up driveway openings on Main Street; fixed the drainage issue along S. Cottage Street. They offered similar parking, but was asked not to do it and have an area held in reserve. The Prince Street project, would require that everything be torn down and start over. The improvement trade makes it necessary to go to a PCD. The trade off is that the rooms in the apartments are smaller; the size of the building requires parking to be cut short. This is not creating a higher quality, better project. Why relax the standards now? Atty. Grubb asked that the Plan Commission consistently apply the standards and approve this project only as an R-3 Zoning proposal.

Levi Wolf, a student who lives at Starin Hall dorm, stated that students are very excited for the potential for new housing in such a great location. He loves the idea and is excited for the project. He also stated that lots of students do not have cars.

Jeff Knight, 405 S. Panther Court, stated that he had been on a Plan Commission for 14 years and has also been a landlord. He did a comparison as far as the standard of living for the tenants. The rooms are 104 to 108 sq. ft. (sizes look substandard). What are the real amenities? These apartments have 2 stove tops (not viewed as a dorm, but viewed as an apartment). As an apartment it is substandard. It is a frame building with 81 parking stalls, possibility of 86 stalls if directed by the city to develop the southeast portion of the site. What happened to the underground parking? Is parking provided for church activities? What is the impact of Starin Hall? What happens if the Church leaves, will it be considered a hardship? What is committed and what is not? Knight urged the Plan Commission to slow down and make sure it is a good project.

Roy Nosek, 210 S. Park Street, a former member of the Plan Commission, felt that the Zoning Ordinance should take precedence over a PUD (Planned Unit Development). He stated that the PCD (Planned Community Development) was adopted in 1980. He has never seen a PCD used for what it was meant to be used for. It is a short cut, a cheat of what the intent was to be. It has never been used in an innovative project. Nosek asked the Plan Commission to watch the PCD proposals. There have been none that have been credible for Plan Commission approval.

Koller Stettler, property manager for Stettler Properties, explained that R-3 Zoning is the standard, the law of the land. It is not right when someone from out of town plays the game to see what they can get away with. Development is not all bad if all play by the same rules.

Matt Burow stated that they intend to use local contractors. They have a 99 year lease with the Church at no cost. The outer ring of the mature trees on the Daniels property will not be affected

by the development. They plan to put up a retaining wall to protect them. They have the opportunity to have a long term lease for 10 to 15 stalls from a retail business about a block away.

Terry Larson, Teronomy Builders, stated that all developers needed to play by the same rules. Density is the main concern on this project. Why special consideration for this development?

Tom Schermerhorn, Excel Engineering, explained that this proposal is to be high density residential for students close to campus. In regard to vacancy rates, the University is looking to lease 300 beds and the University is increasing enrollment every year.

Chairperson Torres closed the public hearing.

City Planner Mark Roffers explained that the Campus Ministry use is confusing and would need understanding. Would the office of the pastor service people in the building only? Parking is only adequate for those living there. A PCD allows for knowing more precisely what to enforce. There is a specific set of plans to follow. The Plan Commission and City Council has the ability to set specific performance standards for a PCD development that we don't have for standard R-3 development. However PCD Zoning does require more vigilance in tracking those standards, but more details can be enforced through PCD Zoning with more specificity as to what the expectations of the City are. The reason why the building was moved closer to Prince Street is that city staff suggested that moving the building closer to Prince Street would be a better alternative than with the proposed full 35 foot setback. With the full 35 foot setback and the current building design, at the rear of the building, parts of the building would have been as close as 3 feet from the parking lot. We felt that was inadequate and if we were going to trade off, it would be a small sacrifice for the added privacy to the apartments in the back. As far as the size of the bedrooms, we would ask for better scale drawings to provide clarity. Regarding the issue of parking and the number of parking stalls per unit, Roffers agreed that without specific controls as to how many parking permits could be issued and the ability to enforce that standard, that .75 spaces per unit would not be an appropriate standard. If your default standard is one space per occupant, without restrictions, you should go with one space per person requirement. The City would be imposing a restriction on how many people they can give permits to park. It would then be the developer's responsibility to see if they could market that. In regard to vacancy rates of apartments, 5 to 10% is fairly typical, fairly common (in Roffers' experience). The requirement of deed restrictions and other measures to make sure that they follow through with promises they commit are important. Other measures include that the property management plan be as promised, their amenities they provide as promised, otherwise they would have to come back to get approval for any change. Addressing the Comprehensive Plan and Zoning tools, we have three residential districts R-1 which is single family only, R-2 which is also single family with some allowances for duplexes, & R-3 which is the multi-family district. We do not have a zoning district for if you want to go higher than that, perhaps an R-4 zoning district. It might be a good idea to look at a zoning for more density as the City has gone toward a new policy for denser than R-3 development close to the University, to the south and now to west. It would be preferable to have a Community discussion and consideration of something beyond the R-3 standard. In regard to "playing by the same rules", R-3 has certain standards, and a PCD allows the achievement of different standards, an opportunity to get density, proximity to transportation, and proximity to the downtown area. It is guided by the Comprehensive Plan. Differently situated properties are different. Roffers recommended approval as the project provides enough amenities.

Plan Commission Members voiced their concerns: Plan Commission Members Dalee, Meyer and Torres felt there should be enough parking stalls to accommodate each student, employees

etc. Plan Commission Member Binnie questioned why parking was not a problem at the Regent Apartments. Why the big concern for this project? The University has a lot of parking across from this project, which may be available. If the parking is not resolved, there will be occupancy problems. Miller disagreed with the density.

Moved by Stone and Meyer to recommend to the City Council to deny the change in the District Zoning Map to rezone from R-3 (Multifamily Residence) Zoning District to PCD (Planned Community Development) Zoning District. Motion approved with all ayes except Binnie voted no.

REVIEW 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.

City Planner Mark Roffers explained that this certified survey map is associated with the Prince Street project. The City Planners recommended approval subject to four conditions as amended at the meeting.

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.
3. All lands within the CSM are shall be in common ownership prior to recording.
4. CSM approval shall be null and void within 6 months of the Plan and Architectural Review Commission approval if the CSM is not recorded in that time frame.

City Attorney McDonell recommended action on the certified survey map, either approval or not approval. The Plan Commission approval of the certified survey map will become null and void if within a certain period of time, the conditions are not met. McDonell asked the developer if they wanted to table the review to the next Plan Commission meeting to allow for Plan Commission review.

Matt Burow stated that he wanted to have the Plan Commission review the CSM now to know what they have to deal with.

Moved by Binnie and Meyer to approve the one lot certified survey map with the four conditions of the City Planners. Motion approved by unanimous roll call vote.

REVIEW AND OFFER COMMENTS ON THE DRAFT FORMAT FOR THE CITY'S ZONING MAP. City Planner Mark Roffers presented a draft format for the City's Zoning Map. The City authorized Vandewalle and Associates to redo the Zoning Map to make it clear. It is a digital format with one base map with the zoning districts and one overlay district map. It was brought to the Plan Commission for comments before it is finalized. There were a couple questions. Roffers explained that the wellhead protection zone is a fixed radius around a well. The Plan Commission thanked Mark for all their work on the maps.

INFORMATION:

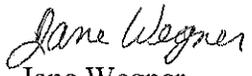
For future agenda items, Lynn Binnie suggested that work be done on a Zoning Ordinance that would facilitate high density residential. He asked that it be put on the next agenda as a

discussion item.

The next regular Plan Commission meeting will be January 10, 2010.

Moved by Miller and Stone to adjourn at approximately 9:00 p.m. Motion was approved by unanimous voice vote.

Respectfully submitted,


Jane Wegner
Secretary



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 14th day of February, 2011 at 6:00 p.m. to hold a public hearing for the consideration of a conditional use permit to allow for an automotive repair business to be located at 265 S. Wisconsin Street for Daryl and Fabian Lopez.

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

A671-2
DEAN K GIESE
200 E CLAY ST
WHITEWATER WI 53190

A-2884-1
JUSTIN L PETITT
LAURA J PETITT
224 S GREEN ST
WHITEWATER WI 53190

TRA-38
RICHARD H KRAUS JR TRUST
PAMELA T KRAUS TRUST
N8039 HWY 89
WHITEWATER WI 53190

TRA-41
RAMON VERDUZCO
TERESA VERDUZCO
232 S WISCONSIN ST
WHITEWATER WI 53190

TRA-43
SHERI BRONSTAD
254 S WISCONSIN ST
WHITEWATER WI 53190

TRA-46
AMERICAN LEGION POST #173
WILLIAM GRAHAM
292 S WISCONSIN ST
WHITEWATER WI 53190

TRP-22
ANTONIO SANTIAGO
BERNALDINA SANTIAGO
233 S GREEN ST
WHITEWATER WI 53190

TRP-25
DONALD O KLITZKE
255 S GREEN ST
WHITEWATER WI 53190

TRP-34
JANICE KOSHAREK
210 S GREEN ST
WHITEWATER WI 53190

WE1-17
JAMES R WOOD
DARLENE M WOOD
215 E CLAY ST #33
WHITEWATER WI 53190

A709-1
FORT COMMUNITY CREDIT UNION
800 MADISON AVE
P O BOX 160
FT ATKINSON WI 53538

GRE-1,3
LOUNGE DOG HOLDINGS INC
210 E CLAY ST
WHITEWATER WI 53190

TRA-39
GERALD SHROBLE ESTATES
LLC
2400 S 84TH ST
WEST ALLIS WI 53227

TRA-42
CHASE J KINCAID
W1322 SOUTH SHORE DR
PALMYRA WI 53156

TRA-44
JOHN C KIENBAUM JR
JANICE K KIENBAUM
N7351 STATE ROAD 89
WHITEWATER WI 53190

TRP-20
CURTIS W FELDMAN
221 S GREEN ST
WHITEWATER WI 53190

TRP-23
DAVE SAALSAA
GRACE SAALSAA
239 S GREEN ST
WHITEWATER WI 53190

TRP-26
THOMAS J SCHOPEN
JUDY M SCHOPEN
311 E CRAVATH ST
WHITEWATER WI 53190

TRP-34A
M & F RENTALS
555 E CLAY ST
WHITEWATER WI 53190

WE1-18
PAUL H VELDBOOM
215 E CLAY ST #34
WHITEWATER WI 53190

A709-2
ROBERT F GABBEY
N421 MARIPOSA LANE
WISCONSIN DELLS WI 53965

GRE-2,4-10
RICHARD D VULTAGGIO
P O BOX 29
WHITEWATER WI 53190

TRA-40
LAND & WATER INVESTMENTS
503 CENTER ST
LAKE GENEVA WI 53147

TRA-42A
RYAN R TEVIS
246 S WISCONSIN ST
WHITEWATER WI 53190

TRA-45
MARILYN M KIENBAUM
272 S WISCONSIN ST
WHITEWATER WI 53190

TRP-21
THOMAS K KOPPS
227 S GREEN ST
WHITEWATER WI 53190

TRP-24
AARON PERSINGER
KATIE J PERSINGER
247 S GREEN ST
WHITEWATER WI 53190

TRP-33
TERRY A JAECKS
1000 DEBONSHIRE LANE #31
BLOOMINGTON MN 55431

TRP-35, 37A
WWBC LLC
N7771 RIDGE ROAD
WHITEWATER WI 53190

WE1-19
JOHN E BEERMAN
KATHLEEN B BEERMAN
215 E CLAY ST #35
WHITEWATER WI 53190

WE1-20
TIMOTHY L BIRKENSTOCK TRUST
CRYSTAL L BIRKENSTOCK TRUST
W293 N3923 ROUND HILL CIRCLE
PEWAUKEE WI 53072

WE1-21
SANDRA K KOSZYCZAREK
215 E CLAY ST #37
WHITEWATER WI 53190

WE1-22
BENEDICT J WILLMING III
215 E CLAY ST #38
WHITEWATER WI 53190

WE1-23
JASON R PARPART
215 E CLAY ST #39
WHITEWATER WI 53190

WE1-24
EDA B WILSON
215 E CLAY ST #40
WHITEWATER WI 53190

WE1-25
CHRISTINE E KIENBAUM
215 E CLAY ST #41
WHITEWATER WI 53190

WE1-26
JAMES D ALLEN
215 E CLAY ST #42
WHITEWATER WI 53190

WE1-27
LEON KELLER
ELISABETH KELLER
215 E CLAY ST #43
WHITEWATER WI 53190

WE1-28
LAURA L MASBRUCH
215 E CLAY ST #44
WHITEWATER WI 53190

WE1-29
LES HYNUM
MARY C HYNUM
215 E CLAY ST #45
WHITEWATER WI 53190

WE1-30
RONALD J HART SR
MARGARET L HART
511 GERMAINE PLACE
ELK GROVE VILLAGE IL 60007

WE1-31
MATTHEW R HOLOP
DARLENE M HOLOP
33772 N SHAUNEE AVE
GRAYSLAKE IL 60030

WE1-32
ASTRID M PETERSON
215 E CLAY STREET #48
WHITEWATER WI 53190

DARYL LOPEZ
FABIAN LOPEZ
1227 W PENINSULA LANE
WHITEWATER WI 53190

608
750
3266

ATTN: DARYL

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.

20 SETS OF PLANS

**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 1-10-11.
2. Class 1 Notice published in Official Newspaper on 2-3-11.
3. Notices of the Public Hearing mailed to property owners on 2-1-11.
4. Plan Commission holds the PUBLIC HEARING on 2-14-11. 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 265 Wisconsin Street
Zoning of Property B3

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 Dark Brown, Siding Brown, Roofing Black
- 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: Daryl Flopez and Fabian Lopez
 Applicant's Address: 1227 Peninsula Lane
 Phone # 1 (262)-472-0297
262 745 8323

x Owner of Site, according to current property tax records (as of the date of the application):
WWBC, LLC

Street address of property: 265 Wisconsin street

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):
Trippes & Poseys Subdivision Block 10
Parcel 2 & 3

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

Name of Individual: Jack Meek
 Name of Firm:
 Office Address: 9602 S. Cook Oak Lawn IL 60453
 Phone: 708-636-7034

Name of Contractor: N/A

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 Land Use:
 Principal Use: Vacant - formerly Whitewater Oil Vehicle repair facility
 Accessory or Secondary Uses:

Proposed Use (Describe need for conditional use):
Automotive repair

No. of occupants proposed to be accommodated: 1

No. of employees: 2

Zoning District in which property is located: B-3

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: 19.32.030 E

PLANS TO ACCOMPANY APPLICATION

Applications for permits shall be accompanied by plans of the proposed work. Plans shall include, but not be limited to, site plans, elevations, structural details, computations and notes as per the Building and Land Use Code.

FLOOR PLAN

When a floor plan is required, it shall be drawn to scale and shall show the location of all walls, doors, windows, stairs, and other features. The floor plan shall also show the location of all utilities, access roads, parking, drainage, landscaping, and other necessary site improvements. The floor plan shall be drawn to scale and shall be accompanied by a legend and a north arrow.

STANDARDS

STANDARD	APPLICABLE EXPLANATION
<p>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.</p>	<p>Existing vacant property was formerly Whitewater oil vehicle repair - Proposed Automotive repair</p>
<p>B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.</p>	<p>Utilities are existing - drainage existing storm sewers @ rear of property Landscaping improvements made in front of building</p>
<p>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.</p>	<p>Building to be used as previously intended</p>
<p>D. That the conditional use conforms to the purpose and intent of the City Master Plan.</p>	

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):

Daryl F Lopez Fabian Lopez the applicant/petitioner for

→ (Owner's Name): WWBC, LLC, dated: 1-7-11

Phone # 708-721-9560, tax key #(s) TRP-00037A
A 70900002A

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 7 day of January, 2011

Daryl F Lopez Fabian Lopez (Signature of Applicant/Petitioner)

Daryl F Lopez Fabian Lopez (Printed Name of Applicant/Petitioner)

Jack Meck 1-7-11 (Signature of Owner of Property & Date Signed)

Jack Meck (Printed Name of Owner of Property)
WWBC, LLC

LAND-MARK SURVEYING

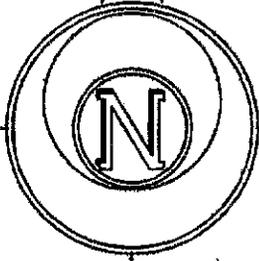
Mark L. Miritz

Wisconsin Registered Land Surveyor S-2582

N9330 Knuteson Drive
Whitewater, WI 53190
Phone: (262) 495-3284
FAX: (262) 495-8421
LAND-MARKSURVEYING.COM

ORDERED BY: JOHN TINCHER
TINCHER REALTY
532 MAIN STREET
WHITEWATER, WI 53190

THE NETLY LINE OF WI STREET
WAS ASSUMED N 14°33' W



WISCONSIN STREET
66' WIDE

PLATTED ALLEY (10')
UNIMPROVED

LOT 2, C.S.M. NO. 709

(N 75°27' E)
N 75°30'08" E 106.63'
78.26'

BLACKTOP
OVERHEAD
UTILITY WIRES

CONC.
BUILDING

PARCEL 2
4,938 SQ. FT. 71.15'

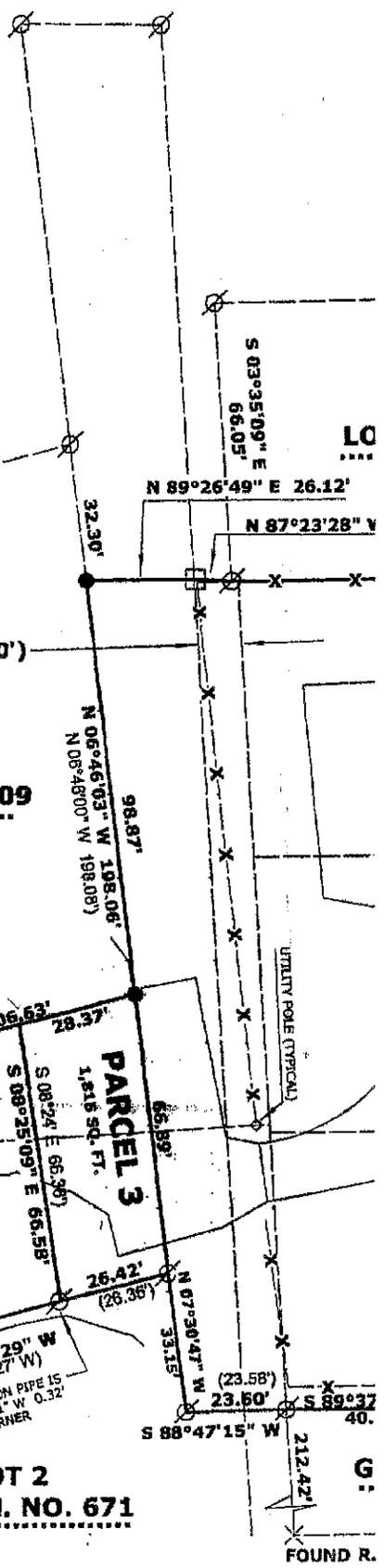
1,816 SQ. FT.
PARCEL 3

S 75°40'29" W
(S 75°27' W)
FOUND IRON PIPE 15
S 83°19'41" W 0.32'
FROM CORNER

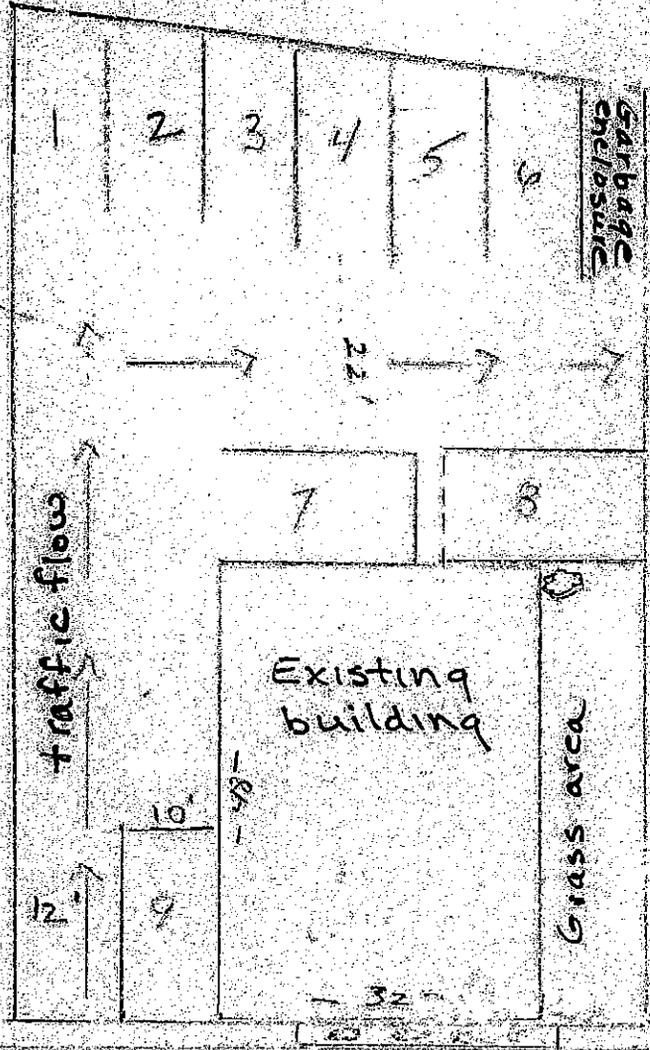
LOT 2
C.S.M. NO. 671

SURVEYOR'S NOTE:

THE BLACKTOP DRIVE AND PARKING AREA OVER THE NORTHERLY PORTION OF PARCEL 2 & PARCEL 3 AND THE BLACKTOP DRIVE OVER THE SOUTHERLY PORTION OF LOT 2, C.S.M. NO. 709 APPEARS TO BE USED FOR INGRESS & EGRESS BY ALL 3 PARCELS. NO EASEMENT WAS FOUND.



Carguest Building



POSSIBLE 11
PARKING SPACES
10' X 20'

1+2 CAN BE
HANDICAPPED

Existing
box elder tree

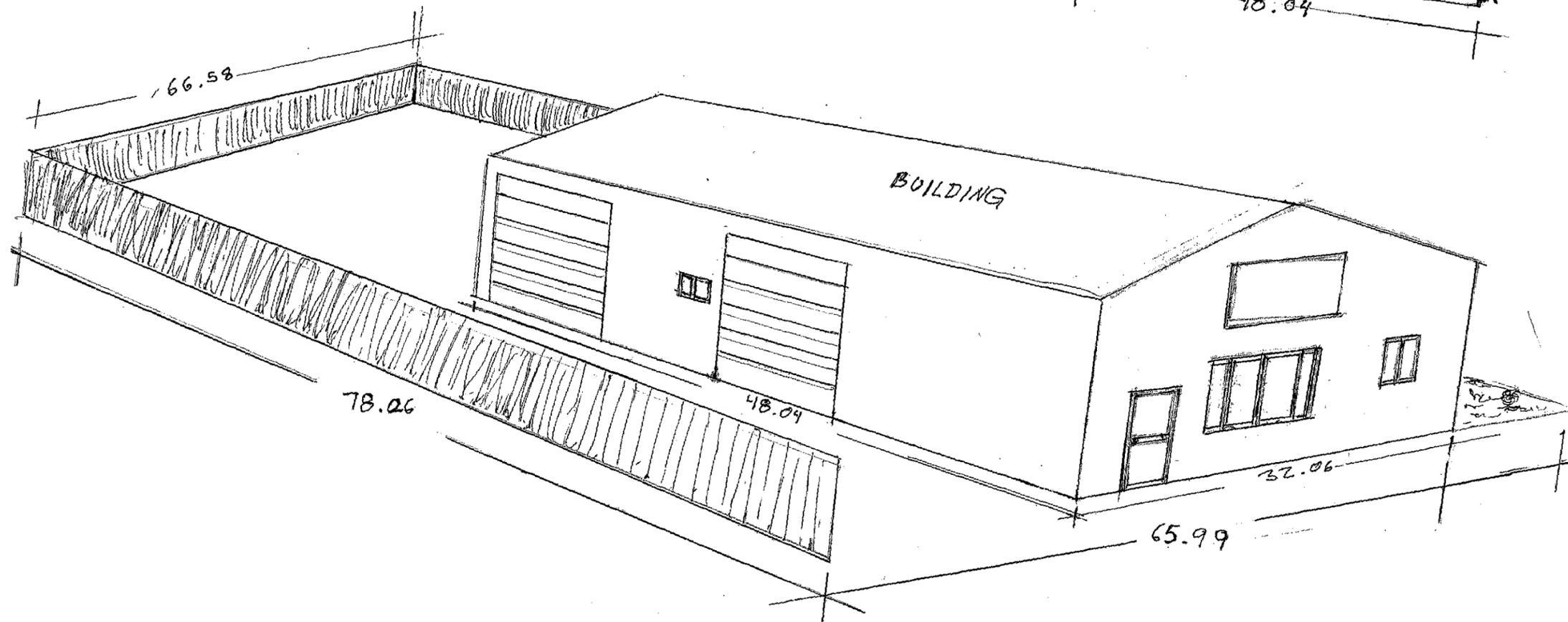
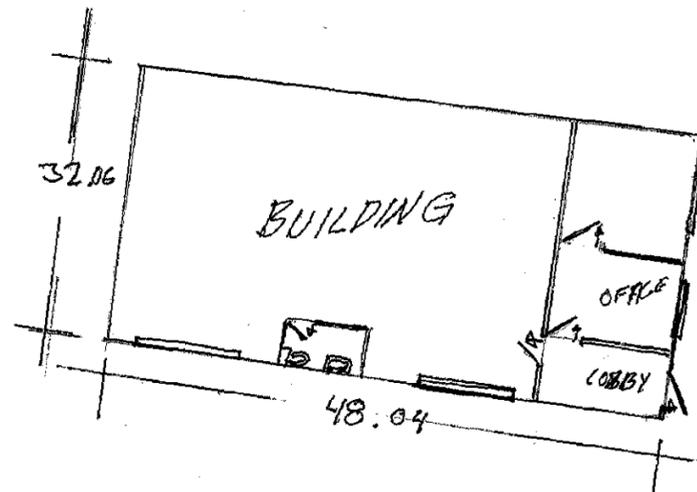
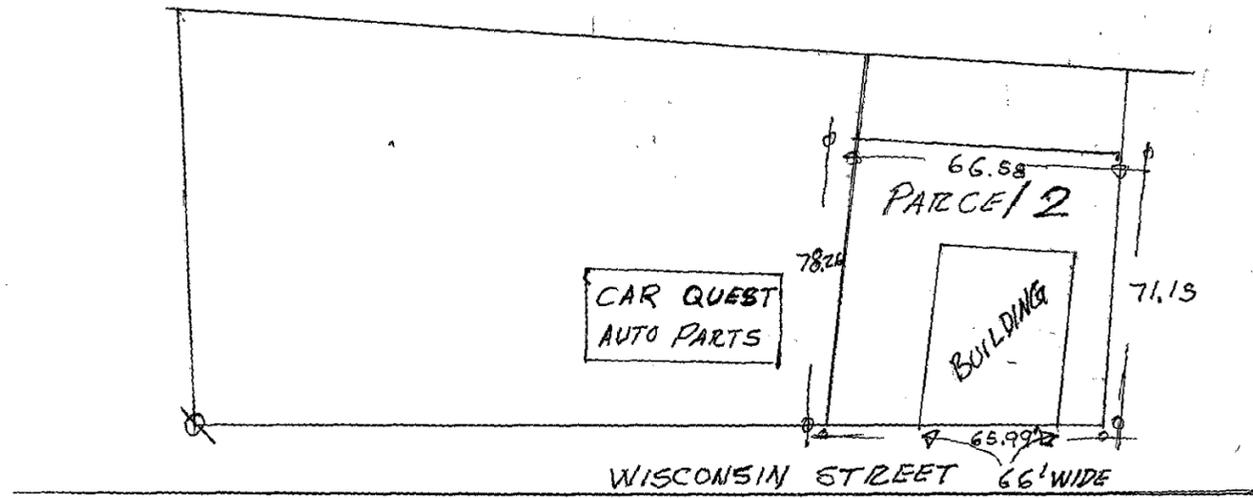
Existing shrubs

* Parkway

North

265 Wisconsin St.
WWBC, LLC
N771 Ridge Rd
Whitewater, WI

Phone: 708-721-9560



Jane Wegner

From: Jane Wegner
Sent: Wednesday, January 19, 2011 10:14 AM
To: Jane Wegner
Subject: FW: 265 Wisconsin Street

From: Megan MacGlashan [mailto:mmacglashan@vandewalle.com]
Sent: Wednesday, January 19, 2011 9:33 AM
To: Jane Wegner; Bruce Parker
Subject: 265 Wisconsin Street

Hi Jane,
Please forward this email to Mr. Lopez regarding his application for the auto repair shop at 265 Wisconsin Street. We have finished a preliminary review of the application and have the following comments. We ask that Mr. Lopez respond to these comments no later than Monday, January 31st.

1. Since this project is located directly across the street from single-family homes, it is important that the potential impacts to surrounding properties will be minimized. So that we can understand how this will be achieved, the applicant should submit written information about the proposed operations of the auto repair business, taking into consideration the following guidelines: work should be performed only during daytime and weekday business hours so that there is no activity when most nearby residents are home; all repair activity should be conducted indoors, with garage doors closed, to control noise; no body or painting work should be performed on site, as this type of work tends to create odors and noise; no unlicensed (junk) vehicles may be kept on the premises and a maximum amount of time for licensed vehicles awaiting work should be proposed; the on-site sale of vehicles should not be allowed; other efforts should be proposed to minimize noise, odors, vibrations and other potential negative impacts on surroundings; no equipment, tools, car parts, or scrap materials should be stored outdoors, other than in a screened dumpster (see comment # 10 below). Please place a date and a name and phone number on this written operational plan.
2. The survey of this property indicated that the access driveway along the north property line is shared with the adjacent property to the north, but no easement or cross-access agreement has been recorded. What are the applicant's intentions with respect to recording such an easement/agreement? We would recommend that as a condition of approval of this proposal a cross- access agreement be recorded for these two properties ensuring legal access to both sites and clearly indicating who is responsible for maintenance of the driveway.
3. Related to the above, the proposed site plan shows a fence along the entirety of the north property line. It appears this would divide the existing (shared) driveway, affecting ease of access to both this site and the site to the north, and making it more difficult for vehicles to pull in and out of the proposed garage doors along the north side of the building. Therefore, we suggest the fence not be installed along the north property line. If the applicant wishes to restrict cross access between the rear parking areas of these two properties, the fence could be installed only along the eastern-most segment of the north lot line, or another appropriate and stable barrier could be installed there, such as a landscaping island.
4. The applicant should submit details on the design of the proposed fence. How high would it be? What would the fence be made out of (chain link? Wood?)? Would it be solid/opaque or would it be see-through?
5. The applicant should submit more details on the current appearance of the building and what changes will be made to the exterior of the building. The application form indicates that the exterior of the building will be dark brown and brown. Is this a change from what the building looks like today? Will the building be painted that way? Other than the garage doors on the north side of the building, will any other modifications or repairs be

made to the building? This could be included in a written description or, better yet, a sketch or photo of the building with labels of what will change and how.

6. Will any outdoor lighting be installed on the site or on the outside of the building? If so, the applicant should submit information about the types of fixtures being installed and where they will be located. Their proposed location may be shown on a revised site plan sheet. All new exterior lighting would have to meet the City's lighting ordinance.
7. On a revised site plan, the applicant should submit details on the proposed layout of the parking lot, including the number and dimensions of all parking spaces and driveways. The applicant should indicate where cars that are waiting for repair or pick up will be stored. The revised site plan should indicate that the parking spaces will be striped within the parking lot.
8. The signage information that was submitted is not very clear to me. The applicant should submit details on the dimension of the front of the building and clearer information about the proposed dimensions of the sign. Per the City's signage regulations, the sign cannot be larger than 10% of the area of the front wall of the building, or 50 square feet, whichever is greater. The applicant should also indicate the proposed colors and materials of the sign. If the details on the design of the sign have not yet been determined, the applicant can apply for a sign permit separately and at a later date, but should still more precisely draw a rectangle around the maximum area of the proposed sign on the front wall of the building.
9. The application form suggests that additional landscaping will be added to the front of the site, but we have not seen a landscaping plan. The applicant should modify the site plan to show the types of plants, the number of plants, the location of the plants, and the size of the plants at time they are planted. The City's Landscaping Guidelines should be used as a guide for this.
10. Where will the dumpster be located on the site? The dumpster must be screened with a fence or materials that generally match the building. The applicant should submit details on both the location and screening of the dumpster. The proposed location can be shown on a revised site plan sheet.

As the application now stands, we do not think we will be able to recommend Plan and Architectural Review Commission approval of this project at the February meeting. Answering the above questions with more detailed operational, site, and building plans as requested will make it easier for us to recommend approval. Please let us know if and how we could be of further assistance to get this proposal to that point.

Thank you.

Megan MacGlashan, AICP
Associate Planner
Growth Management Team
VANDEWALLE & ASSOCIATES INC.
Shaping places, shaping change
120 East Lakeside Street
PO Box 259036
Madison, WI 53725-9036
608.255.3988
www.vandewalle.com

WWBC, LLC
N7771 Ridge Road
Whitewater, WI 53190
Phone: 708-721-9560

RE: 265 Wisconsin Street

- 1) Proposed auto repair business will adhere to City standards concerning hours of operation and noise restrictions. Painting and/or body work will not be allowed in the building. Garbage / scrap will be contained in dumpster type container at the rear of property, existing enclosure to be removed and relocated to rear of property (as shown in picture and sketch). Unlicensed or junk vehicles will not be kept on site. Reasonable efforts will be made to ensure integrity of the neighborhood is not compromised.
- 2) It is not our intention to compromise existing cross access between properties. The Carquest Auto Parts store to the north of our property has their own driveway to the north of their building giving them full access to their parking and rear of their building. Each property in question has full access via drives on their own property negating the necessity of a drive sharing agreement. Maintenance of driveway in question to be our responsibility as it is located on our property.
- 3) There is no plan to install fencing on the north property line. Leaving cross access between properties in tack.
- 4) N/A see above
- 5) The current color of the building is light gray with medium gray trim. At this time there is not intention to change color scheme. Building will be cleaned / power washed in the spring.
- 6) Existing security lighting at rear of building to remain. An additional light on the front of the building will be added above the sign on the face of the building.
- 7) Refer to parking sketch enclosed.
- 8) The proposed signage for the business will not be greater than 20 sq.ft. Sign design to be submitted and approved by the City.
- 9) There are currently four spirea shrubs planted along the front of the building. There is one forsythia located on the south corner of building in front. There is a large box elder tree on the southeast corner of the property . The south side of building is a grassy area the entire length / width of property, to be maintained on a regular basis. If City of Whitewater requires additional landscaping we will comply.

WWBC, LLC
N7771 Ridge Road
Whitewater, WI 53190
Phone: 708-721-9560

10) There will be a garbage / scrap enclosure constructed on the southeast corner of the property. (see parking lot sketch for location). Enclosure to be constructed of steel poles with wood side panels and gates.

If you have any questions or concerns
please contact Jack Meck 708-721-9560



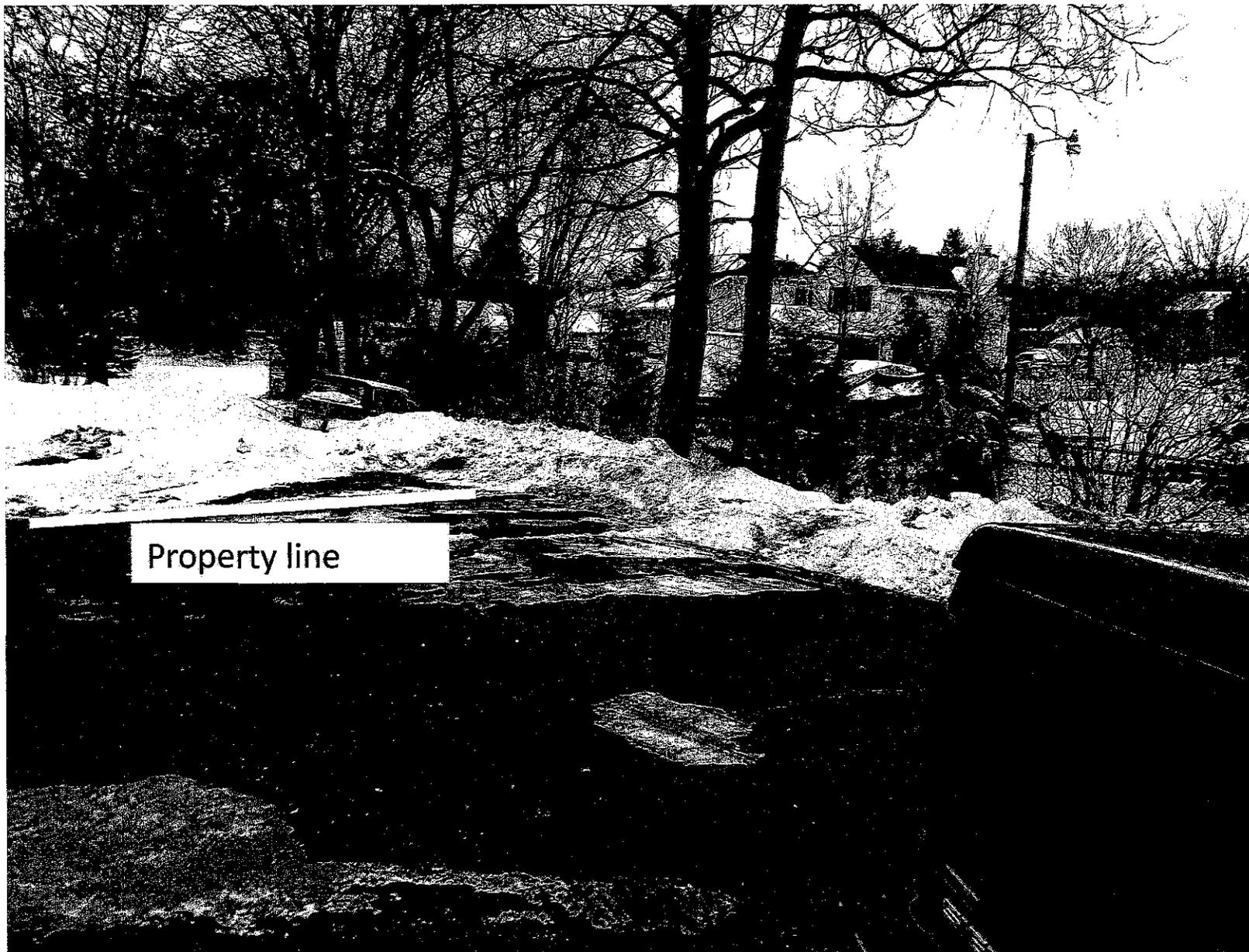
Front view showing driveway access to property



Property line

Proposed Parking Area
behind building

View looking north from south property line (behind building) showing north property line and proposed parking area. See sketch for more parking detail.



View of parking area behind building (referred to on page 8)



View of north side of adjacent property showing driveway access to rear of building / parking area behind building.



West side (front of building on Wisconsin St.) showing existing driveway approach and access to parking and rear of adjacent property.



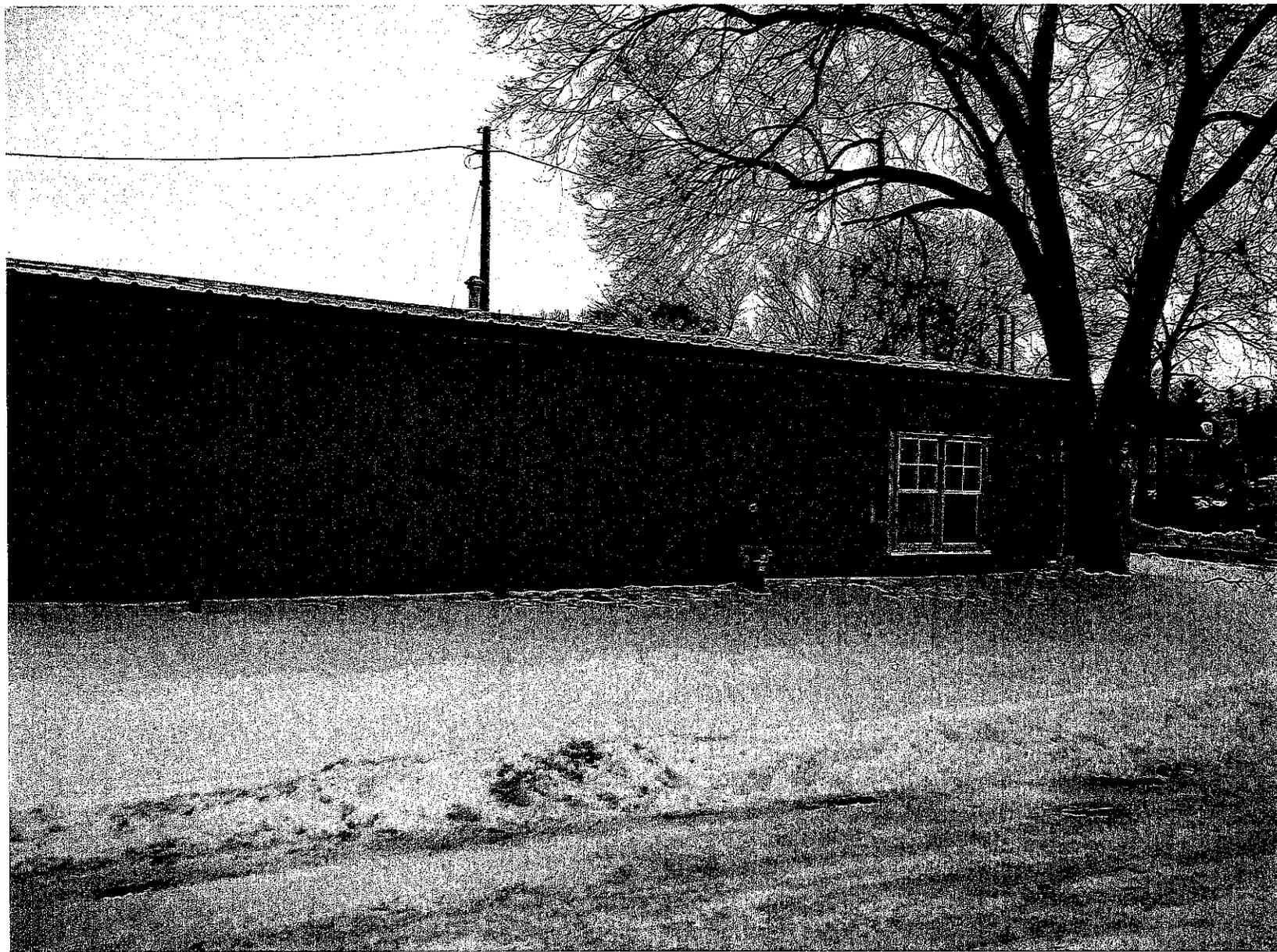
Rear view of building showing existing dumpster enclosure to be removed and relocated to rear of lot as shown on sketch



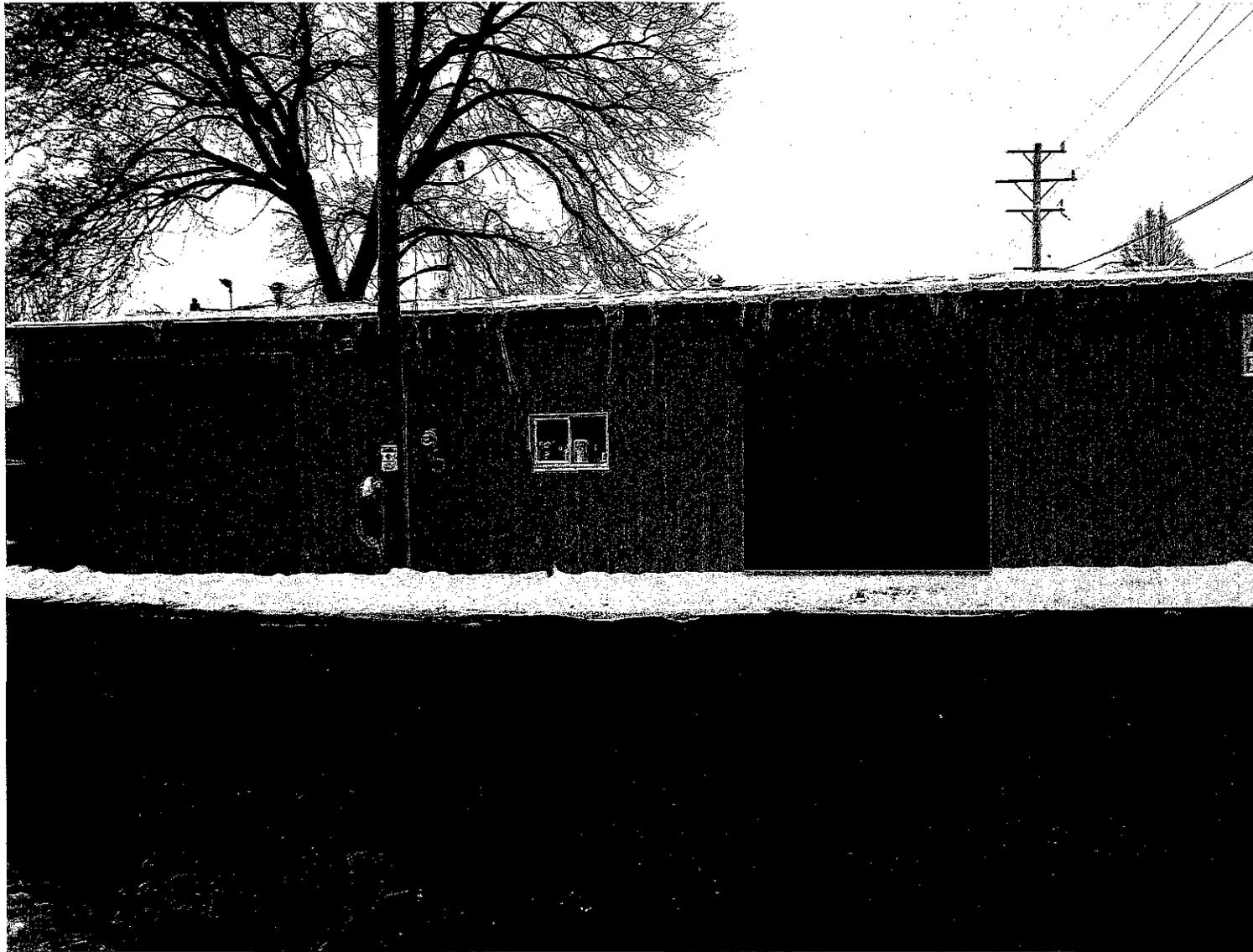
Front view of building showing existing landscaping recently planted. And proposed sign to be approximately 20 sq.ft. Security lighting to be added above sign.



South view of building showing landscape area, which is currently grass.



View of south side of building.



Proposed overhead garage door on north side of building.



North face of building showing proposed overhead garage door.



VANDEWALLE & ASSOCIATES INC.

To: City of Whitewater Plan and Architectural Review Commission
 From: Mark Roffers and Megan MacGlashan, AICP, City Planning Consultants
 Date: February 9, 2011
 Re: Conditional use permit and site plan approval request to establish a new auto repair business in the existing building located 265 Wisconsin Street

Requested Approval: Conditional Use Permit, Site Plan Approval

Proposed Use: Auto Repair Business

Location: 265 Wisconsin Street

Current Zoning: B-3 Highway Commercial and Light Industrial

Current Land Use: Vacant Metal Commercial Building

Surrounding Zoning (Existing Land Use): To North: B-3 (Carquest); To East: B-3 (storage use); To South: B-3 (warehouse/distribution); To West: R-3 (Mostly single family housing)

Brief History of Project or Site:

Property was formerly Whitewater Oil Vehicle Repair. Site and building is currently vacant. New business would occupy former building.

Recommendation and Suggested Conditions of Approval:

We recommend that the Plan and Architectural Review Commission approve the request for conditional use permit and related site plan approval for an auto repair business at 265 Wisconsin Street, subject to the following conditions:

1. The project shall be developed in accordance with the site and operational plans submitted on 1/31/11, except as changes to such plans are required to meet the conditions that follow.
2. Prior to the commencement of the auto repair operation, the applicant shall revise and resubmit the site plan for City staff approval, including the following changes and additions:
 - a. Reduce the width of the 6 parking stalls along the rear property line to 9 feet to allow adequate space in the southeast corner of the site for a dumpster and enclosure.

- b. Provide details on the fence or wall that will be used to enclose the dumpster at the southeast corner of the site, with such enclosure being completely opaque and tall and wide enough to completely screen the dumpster from view.
 - c. Provide a catalog page or other detailed information on the proposed light fixture(s) for City staff approval. All proposed lighting shall be directed downward at a 90 degree angle with the ground to avoid spill-over onto nearby properties.
 - d. Indicate through a label that all parking stalls will be painted/striped and that wheel stops will be installed at the eastern ends of the parking stalls along the rear lot line.
 - e. Indicate the location of three additional mid-level shrubs (4-6 feet at maturity) in the southwest grassy area of the lot. The plantings shall meet the City's landscaping guidelines in terms of species, size at time of planting, and installation method.
 - f. Indicate that rooftop water drainage will be directed to the grassy area south of the building, to the extent practical.
 - g. Include a title and date of the latest revision on all plan documents.
3. The following ongoing standards regarding operation of the auto repair business shall apply:
- a. There shall be no vehicle painting or body work performed on site.
 - b. No equipment, tools, or car parts shall be stored outdoors.
 - c. All garbage and scrap materials shall remain in the building or be placed in an outside dumpster, completely enclosed by an opaque fence or wall, in the rear yard of the property.
 - d. At no time shall any unlicensed or junk vehicles be kept outdoors on the site.
 - e. Vehicle maintenance and repair work shall be performed only between 7 a.m. and 6 p.m., Monday through Friday.
 - f. All vehicle maintenance and repair activities shall be conducted inside the building with the garage doors closed.
 - g. No vehicle shall be kept outdoors on the site for more than 14 consecutive days, nor deliberately removed and returned to the site in an attempt to circumvent this requirement.
 - h. No vehicle awaiting service or pick-up shall be kept in any other location than inside the building or in a striped parking space to the rear of the building.
 - i. The on-site sale or rental of motor vehicles is prohibited.
4. Signage shall be installed only after the applicant has submitted complete signage plans and received a sign permit. Plans shall be consistent with City signage requirements and shall clearly indicate the sign dimensions, materials, and colors.

Analysis of Proposed Project Against City Plans and Ordinances

Standard	Evaluation	Comments
Comprehensive Plan and Detailed Neighborhood Plan		
Consistency with Comprehensive Plan's Future Land Use Map designation.	Met/Not Met	Planned for "Community Business" use, a category that is intended accommodate high-quality commercial development. Land uses such as auto repair are not envisioned in the long-term. Still, implementation of the future vision for this area will occur over time and will likely require redevelopment. Since this use would be filling a vacant building built for this purpose, auto repair seems an appropriate interim use, one that would not preclude future redevelopment.
Consistency with other applicable Comprehensive Plan policies.	Met/Not Met	See above.
Consistency with any detailed neighborhood plan covering area.	Met/Not Met	No neighborhood plan covering area.
Conditional Use Permit Standards (see section 19.66.050 of zoning ordinance)		
The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of other property.	Met/Not Met	The applicant submitted a letter stating that there will be no painting or body work, all garbage and scrap materials will be placed in an enclosed dumpster at, and no unlicensed or junk vehicles will be kept on site. We suggest the Commission require these and other operational conditions to ensure that negative impacts to surrounding properties and the public are minimized. We believe that if all these conditions are met, this business should not be a nuisance to or reduce the value of surrounding properties.
Adequate utilities, access roads, parking drainage, landscaping, and other necessary site improvements are being provided.	Met/Not Met	See below.
The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance [or through a variance].	Met/Not Met	This is a legal, nonconforming structure and lot. See below for additional details
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Met/Not Met	See "Comprehensive Plan and Detailed Neighborhood Plan" section above.

Standard	Evaluation	Comments
The conditional use and structures are consistent with sound planning and zoning principles.	Met/Not Met	Meets intent of B-3 zoning district. Use is compatible with businesses to north, south, and east, and with character of building.
Compliance with Site Plan Review Guidelines (see section 19.63.100 of zoning ordinance)		
The proposed structure, addition, alteration, or use will meet the minimum standards of this title for the district in which it is located.	Met/Not Met	See "Applicable Ordinance Standards" section below.
The proposed development will be consistent with the adopted city master [comprehensive] plan.	Met/Not Met	See "Comprehensive Plan and Detailed Neighborhood Plan" section above.
The proposed development will be compatible with and preserve the important natural features of the site.	Met/Not Met	Existing mature tree on site will be retained. No other notable natural features on site.
The proposed use will not create a nuisance for neighboring uses or unduly reduce the values of an adjoining property.	Met/Not Met	See "Conditional Use Permit Standards" section above.
The proposed development will not create traffic circulation or parking problems.	Met/Not Met	See "Other Applicable Zoning Ordinance Standards" and "Engineering Design Standards" sections below.
The mass, volume, architectural features, materials, and/or setback of proposed structures, additions, or alternations will appear to be compatible with existing buildings in the immediate area.	Met/Not Met	No proposed exterior alterations to existing building other than the addition of a garage door on the north side of the building and a future sign on the Wisconsin Street side.
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.	Met/Not Met	Not a historic building.
The proposed structure, addition, or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	Met/Not Met	No new buildings or additions planned. Addition of garage door will have no impact.

Standard	Evaluation	Comments
Other Applicable Zoning Ordinance Standards		
Setbacks	Met/Not Met	This building is a legal, nonconforming structure that does not meet front, side, or rear setbacks for the B-3 district. No alterations are being proposed that would increase the degree of nonconformity.
Building and site dimensions	Met/Not Met	This is a legal, nonconforming lot, which is smaller and narrower than normally required in B-3 district. No alterations are being proposed that would increase the degree of nonconformity.
If project is residential, non-family household size requirement	Met/Not Met	Not a residential use.
If project is residential, minimum housing unit size requirement	Met/Not Met	Not a residential use.
Exterior lighting	Met/Not Met	Existing lighting on rear of building proposed to remain. One new light is proposed for the front of the building. Prior to installation, the applicant should get City staff approval (see conditions).
Parking (including curbing policy)	Met/Not Met	Required to have 7 off-street parking spaces by ordinance; proposing 8 spaces at 10'x20' each. Reducing each parking space to 9' wide would allow additional space in the southeast corner of the lot for the dumpster and fenced enclosure, which we believe will be necessary (an unscreened dumpster is not allowed). Site plan should be revised to indicate that all parking stalls will be striped. Wheel stops should be placed at the ends of spaces along the rear lot line to ensure parking will not extend beyond paved area.
Signage	Met/Not Met	Signage details have not yet been submitted, but will be required before installation of the sign.
Engineering Design Standards		
Stormwater and grading	Met/Not Met	Existing hard-surfaced areas will not change. Recommendation to direct rooftop drainage to grassy area to south of building.
Sewer and water utilities	Met/Not Met	Existing service will be adequate.

Standard	Evaluation	Comments
Roads/transportation	Met/Not Met	Located on Wisconsin Street; adequate capacity.
Other/Miscellaneous Issues or Standards		
Completeness/accuracy of submittal	Met/Not Met	
Landscaping guidelines	Met/Not Met	There are currently five spirea shrubs, 1 forsythia bush, and 1 box elder tree on the site. We recommend three additional shrubs within the grassy area on the south side of the building, toward the front of the lot, to buffer the building's south side and the parking/dumpster area.
Building design	Met/Not Met	No proposed change in existing building design.
Site design	Met/Not Met	Paved area between this lot and the lot to the north (Carquest) is continuous, but each has enough room whereby cross-access easements would not be required. Informal recommendation is that property owners get survey and potentially cross-access easements.
Business park or other covenants	Met/Not Met	Not applicable to area.
Downtown design guidelines	Met/Not Met	Not applicable to area.



VANDEWALLE & ASSOCIATES INC.

To: City of Whitewater Plan and Architectural Review Commission
 From: Mark Roffers, AICP, and Megan MacGlashan, AICP, City Planning Consultants
 Date: February 9, 2011
 Re: Potential Measures to Increase Efficiency in Development Plan Reviews and Control Developer Costs

Over the last month, we have been working with City staff to develop a comprehensive approach for reducing planning consultant costs to the City, and specifically to people who make development proposals before the City. For well over a decade now, the City's policy has been to pass on the costs associated with planning (and engineering) consultant review of development proposals to the person(s) proposing the development activity. City officials have considered this the preferred policy over having such costs being borne by the general taxpayer. Recently, the City has heard concerns that these pass-through costs can be high and unpredictable, which we are sure is particularly an issue in this very challenging economic climate.

Kevin Brunner, Bruce Parker, and we have been working on an approach to this issue that has several components. We would like to present, discuss, and obtain feedback from the Plan Commission on our ideas at this time. There may be other ideas that Commissioners may have aside from these to reduce costs or increase efficiency; we would love to hear these too.

The several components of our proposed approach thusfar are as follows:

1. Reduced Travel Time Costs for the City and None for Applicants: The City has for the past five or so years billed applicants for a proportional share of planning consultant costs associated with travel time to and from Plan Commission meetings where their items are heard. City staff is now discussing a new approach that would involve the City assuming all costs associated with our travel to and from meetings, which under the new planning consultant contract with the City, will be cut in half from former levels. In other words, costs associated with travel to and from Commission meetings would no longer be charged to development review applicants.
2. New Plan Commission Report Template: The reports we have prepared for the Plan Commission can be lengthy and include a high level of detail about the proposal, our analysis, and our recommendations. The benefits of this approach have been more thorough discussion of the "whys" behind the recommendations, a strong paper trail for the future, and clear and thorough recommendations so that actual results meet expectations. The drawbacks have no doubt been difficulty among Commission members and applicants in wading through the

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Shaping places, shaping change

reports, and applicant costs associated with report preparation. The costs associated with preparing the reports are passed on to the development review applicant. In an effort to reduce the amount of time we spend preparing these reports, we have developed a new, streamlined report template, which we have “test-driven” on the proposal for 265 Wisconsin Street (also on the February 14th Plan Commission agenda). The proposed template would result in reports that are more concise, provide less detailed analysis and explanation, and focus more on our final recommendation and suggested conditions of approval.

3. Fewer Reviews and Less Formal Reviews of Simple Projects: For less complex or controversial projects, we will make a point of trying to reduce our reports even further. These can include simple email recommendations or not writing a report at all (instead directing any comments we have verbally to Bruce to share with his comments). This practice is already in place, but there may be expanded opportunities in the future to follow this route.
4. Timely Delivery of Reports: At times, we have not been as timely in finishing and distributing our reports to the Commission as we should be. To the extent we are not waiting for late-arriving materials, we will make every effort to have our reports complete and to Jane by mid-day on the Wednesday before each Commission meeting. This will provide more time for both Commission members and applicants to read and respond to our reports and recommendations than we have at times provided.
5. Selective Attendance at Commission Meetings: Also, as before, City staff and we will continue to seek opportunities when Mark's attendance at Commission meetings is not necessary, because the items on the agenda are not numerous or not complicated. We will particularly focus on Mondays when the Packers are on Monday Night Football.
6. Clearer Cost Expectations for Development Review Applicants: Attached you will find three documents that are intended to supplement the standard materials distributed to development review applicants. In general, the purpose of these documents is to make the potential costs associated with development review more predictable for applicants up front, and to communicate information about how the applicant can contribute to minimizing their development review costs. We will be prepared at the meeting to discuss each of the new documents in more detail.
7. Incentive for Preliminary/Conceptual Review: In most instances, an early conceptual review of a development proposal by City staff, the planning consultant, and/or the Plan Commission saves the applicant and the City time, money, stress, and frustration in the long run. To provide an incentive for applicants to initiate conceptual reviews of their project before spending the time and money on more formal plans and applications, City staff is proposing to offer the first \$200 of planning consultant costs associated with conceptual (pre-application) review of any development proposal at no cost to the applicant. This will, in almost all circumstances, cover the full cost of conceptual review, except for very large projects, like the student apartment and Walmart projects we reviewed in 2010.

In conclusion, we are fully committed to helping to reduce planning consultant costs to the City and development review applicants, without substantial sacrifices in the quality of the services we provide. We will welcome all input on these and other approaches in this direction.

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**CITY OF WHITEWATER
COST RECOVERY CERTIFICATE AND AGREEMENT**

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

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

Section A: Background Information

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

Applicant's Information:

Name of Applicant: _____
Applicant's Mailing Address: _____

Applicant's Phone Number: _____
Applicant's Email Address: _____

Project Information:

Name/Description of Development: _____
Address of Development Site: _____
Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: _____
Property Owner's Mailing Address: _____

Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the City's Neighborhood Services Director -----

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

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

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

Section C: Agreement Execution

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

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

Signature of Applicant/Petitioner

Signature of Property Owner (if different)

Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature

City of Whitewater Typical City Planning Consultant Development Review Costs

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

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

Type of Development Review Being Requested	Planning Consultant Review Cost Range
Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$900 to \$1,500
Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)	\$200 to \$600
Rezoning	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
Land Division	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
Annexation	\$200 to \$400
Note on Potential Additional Review Costs: The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.	

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

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

1. Meet with Neighborhood Services Department before submitting an application: If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Director. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.
2. Submit a complete and thorough application: One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.
3. For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans: Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.
4. For simpler projects, submit thorough, legible, and accurate plans: For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and planning consultant still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:
 - a. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
 - b. Include titles and dates on all submitted documents in case pieces of your application get separated.
 - c. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
 - d. Indicate what the property and improvements look like today versus what is being proposed for the future.

- e. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
 - f. Indicate the colors and materials of all existing and proposed site/building improvements. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.
5. Submit your application well in advance of the Plan and Architectural Review Commission meeting: The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. For simple submittals not requiring a public hearing, this may be reduced to two weeks in advance. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's planning consultant and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.
6. For more complex projects, submit your project for conceptual review: A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.
- a. Preliminary plans may be submitted to City staff and the planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
 - b. You may request a sit-down meeting with the Neighborhood Services Director and/or planning consultant to review and more thoroughly discuss your proposal; and/or
 - c. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

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

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