



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

March 12, 2012

City of Whitewater Municipal Building
312 W. Whitewater St., Whitewater, Wisconsin
6:00 p.m.

1.	Call to order and Roll Call.
2.	<u>Hearing of Citizen Comments.</u> No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
3.	Approval of the Plan Commission minutes of: February 13, 2012.
4.	Hold a public hearing for consideration of a Conditional Use Permit for a “Class B” Beer and Liquor License for Wanda’s Waterfront LLC. owned by Wanda Milnamow, to serve beer and liquor by the bottle or glass at 292 S. Wisconsin Street, Whitewater Wisconsin (at the William Graham Post American Legion #173).
5.	Review the two proposed certified survey maps for the division of land in the Whitewater Technology Park. The intent of the CSM’s is to create large lots now that can be divided by subsequent CSMs based on the individual needs of future tenants of the park.
6.	Information Items: a. Update on the status of the Zoning Rewrite. b. Possible future agenda items. c. Next regular Plan Commission Meeting – April 9 th , 2012
7.	Adjournment.

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to c/o Neighborhood Services Manager, 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
February 13, 2012

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

Call to order and roll call.

Chairperson Greg Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

Present: Meyer, Binnie, Parker, Coburn, Miller, Henley, Henry (Alternate).

Absent: Dalee.

Others: Wallace McDonell (City Attorney), Latisha Birkeland (Neighborhood Services Manager/City Planner).

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.

There were no citizen comments.

Approval of the minutes of January 9, 2012.

Moved by Binnie and seconded by Miller to approve the Plan Commission minutes of January 9, 2012. Motion approved by unanimous voice vote.

Public hearing for consideration of a conditional use permit for a “Class B” Beer and Liquor License for Alejandro R. Meza and Alfredo G. Camerena, to serve beer and liquor by the bottle or glass at 1155 W. Main Street, Whitewater, Wisconsin. Chairperson Meyer opened the public hearing for consideration of a conditional use permit for a “Class B” Beer and Liquor License for Alejandro R. Meza and Alfredo G. Camerena, to serve beer and liquor by the bottle or glass at 1155 W. Main Street, Whitewater, Wisconsin.

City Planner Latisha Birkeland explained that Mr. Meza is requesting a conditional use permit for a “Class B” Beer and Liquor License, to serve beer and liquor by the bottle or glass at 1155 W. Main Street. Birkeland gave a little history of the project. In 2003, Sugar Bay Floral and Gifts applied for a conditional use permit to sell bottles of wine, champagne and specialty beer in gourmet gift baskets. The application was denied. In 2004, this property expanded into a café and applied for a conditional use permit to “offer wine, beer, and small amounts of liquor, with the majority being served with meals.” A conditional use permit was approved. The applicant applied and received a “Class B” Beer and Liquor License to serve beer and liquor by the bottle or glass for the Greenhouse Café. In January 2012, Mr. Meza applied for a conditional use permit for the sale of alcoholic beverages by the bottle or glass at a new business proposed as Cube Sports Bar and Grill. This application was unanimously denied by the Plan Commission. Mr. Meza has now submitted a new conditional use permit application to sell alcohol beverages

by the bottle or glass at an establishment to be called “Cube’s Restaurant”. It is to be an American Continental style restaurant. Mr. Meza has expanded his menu. The interior layout is different from the Greenhouse Café, but similar to what was proposed in January. The business would be required to have 14 parking stalls per the Zoning Code according to the primary floor square footage. There will be signage for the entrance and exit and the arrows will be repainted on the driveway. The existing sign for the business will remain the same except for the name “Cube’s Restaurant”.

Attorney Ben Penwell is representing Mr. Meza and his uncle for the conditional use permit for Cube’s Restaurant. He stated that the concerns of the public should be addressed and assuaged. The change in the business plan was done due to the concerns. The current business plan is for a family restaurant serving American style food. They would like the license to serve beer and alcohol. There is no question of the zoning. It is business zoning and this business is compatible with other business hours and restaurants in the neighborhood and could enhance the neighboring properties in a positive manner. Vacant buildings affect neighboring properties in a negative manner. The plans answer the code requirements satisfactorily which include zoning, parking, green space, fire & health law. Mr. Meza has run businesses in the past and has a good reputation. The way to deal with the neighbors’ concerns of noise and lawlessness and being able to have quiet enjoyment of their proximity is by law enforcement. There are ordinances and state law to take care of individuals. The Fiedlers have never had a complaint for noise, lawlessness, or property damage on their property. The City Council and Plan Commission had concerns of garbage disposal and distributors. The Fiedlers have had an informal agreement with Whitewater Plaza to have their garbage picked up once a week from the Whitewater Plaza parking area. As a matter of convenience, the distributors who also distributed to the Whitewater Plaza businesses also delivered to the Greenhouse café. The Fiedlers have also allowed the snow from the Whitewater Plaza parking area to be pushed onto the Greenhouse Café property. It is unfortunate that there is disagreement now, but it does not stop the use of the property. The business will employ people, pay taxes and add value to our community. The City Council and the Plan Commission can grant and take away. What the City doesn’t grant, the City cannot reap the value.

Pete Weston, Architect, explained that the building requires 14 parking stalls for the maximum occupancy of 99 persons. The building is not a sprinklered building and is limited by the Commercial Building Code. The trucks and deliveries are not ideal, but manageable. They have been manageable for 45 to 50 years.

Gary Fiedler, owner of the property, explained that when they started their business, they had deliveries on site. They have had live music, open mic nights. They have a sound system that is adequate for the size of the building. As a coffee shop, their customers were mostly college students. As a family restaurant, it would draw a variety of customers. As far as the parking, the majority of people, who come from campus, walk. Fiedler also noted that they looked for a business to fill the lease that would bring something new to the community to enhance it.

Attorney Penwell explained that parking is not an issue at this time. Businesses like to plan out for 5 years at least. They will continue to look for parking available in the area. Mr. Meza

would make sure the patrons park in the parking area provided to them. He respects the property owners.

Mr. Meza explained that he just wanted to have a business in Whitewater and do his best. His two other restaurants are doing good. He works with his neighbors.

Bob McCullough, one of the owners of McCullough's Pharmacy, re-addressed some of the concerns he still has. Even though the proposal has changed from a sports bar to a restaurant, many of the elements are similar. They still have a concern of the parking, quantity and seeming inaccessibility of the stalls, especially for the taller trucks and beer trucks. Friday night, February 10th, Bob McCullough checked out some parking lots to see what kind of space was available. At 6:45 p.m. there were 64 vehicles in the Whitewater Plaza parking lot. At 7:45 p.m. there were 34 vehicles at Rick's East Side Pub. The hours have changed by being cut Sunday night by closing at 10 p.m. and Monday through Wednesday nights closing at 11:30 p.m. The parking, noise and hours of operation could create a nuisance for the residents of Blackhawk Manor. A similar circumstance would be for the residents on Fremont Street having to put up with the noise as the patrons of the bars downtown make their way back to campus. The City of Whitewater has a very good police department, but we should not be just handing them issues. Class B licenses are hard to come by. It should not be issued to an ill-suited proposal. Employees and patrons are needed to make a business successful. As to the government getting in the way, the City has a City Council and Plan Commission to look at and review proposals on behalf of the community.

Bob Freiermuth, Whitewater investor and President of the Rental Association, plows snow for McCullough's Pharmacy. He supports small business. The more snow there is, the less parking. Freiermuth attests to the parking problem.

John Kiddleson, owner of Jimmy John's, has no problem with the business. He wants to see a business there. But he needs a guarantee that the Whitewater Plaza will not lose parking. In regard to the mutual agreement, there is none. It will be considered trespassing if the Whitewater Plaza parking area is used to service this business. His concern is the parking.

Wendell Swift, a resident of Blackhawk Manor, expressed his concern of the change from a sports bar to a restaurant and the maximum capacity for the business. The main floor has a game room, an area for a 12 stool bar and an area with tables with a maximum capacity of 99 persons. The basement level has a future game room which states a maximum capacity of 20 persons and 40 persons on the same sheet. (A contradiction there.) Wendell Swift also questioned the closing time of Mr. Meza's other restaurants. The hours being requested for Cube's Restaurant are similar to bar hours. The second issue is with the parking. There are 14 parking stalls for a maximum capacity of 119 persons with 3 to 5 of them being employees. Per the City Attorney, the Plan Commission has the discretion to require more parking.

Vicki Fiedler, owner of the property at 1155 W. Main Street, explained that there are 7 businesses at the Whitewater Plaza. With 64 vehicles, over 7 businesses, that makes it about 9 vehicles per business. They have 14 parking stalls. As far as the hours of operation, they (the Greenhouse Café) were always asked to stay open later when there was something going on at

the Center of the Arts. They did not want to do that. But there is a need there. They wanted to expand to offer more opportunity to enjoy Whitewater. Vicki Fiedler asked if the Plan Commission had heard any complaints about their business in the 9 years they have been there. They have had bands on Thursday nights.

Oscar, from Cozumel, explained that he had a slow night on that Friday, February 10th. They had 4 tables full. The parking is short. Whole families come in 2 or 3 vehicles. The red garbage cans are not for Whitewater Plaza. He wanted to know if there was a permit from Whitewater Plaza.

Terry Smith, residence manager and tenant at Blackhawk Manor, stated that the law enforcement in Whitewater is very good, but it can be strained. She believes the noise level will be most noticeable at closing time when people are leaving the business and the employees are cleaning up. The closing time of 2:00 – 2:30 a.m. is not family time. Terry Smith wanted to go on record as supporting appropriate business. They would be more in favor if the restaurant closed Sundays through Thursdays at 10:30 and weekends at 11:00 p.m. This would be more family friendly and more in line with what the Blackhawk Manor tenants would appreciate. The tenants' apartments that face the south side of the proposed restaurant building would be most affected by any noise, cleanliness, traffic or other concerns. This business could create a parking impact on the families of residents of Blackhawk Manor. If there is not enough parking on the property for this business's patrons, they may take up street parking on Blackhawk Drive across from the apartment building, reducing the availability for the families of residents to park there. Terry Smith hopes the residents would not go unheard. They know they will not go unheard at election time.

Helen Henschel, Blackhawk Manor tenant whose apartment overlooks the parking lot of the proposed business, explained that the restaurants in the Whitewater Plaza area are closed by 10 or 11 p.m. She knows that customers of the Greenhouse Café parked on the sides of the building. She likes to have her windows open during nice weather and would prefer not to have the noise late at night or early in the a.m.

David Bayer owns the building in Edgerton that he leases to Alex for his restaurant. The property has little parking. Neighboring business owners share their parking when they do not need it. Everything has been favorable. Alex's business in Sun Prairie has also received no negative feedback from anyone.

Harriet Kaluva, resident of Whitewater, voiced her concern of groups of youth hitting the ATM machine and gathering there. The numbers downtown are very large when that happens. She is worried about someone getting hurt there.

Bob McCullough stated that he never had any complaints toward the Greenhouse Café. It was the nature of the business. This is a completely different venue.

Attorney Penwell explained that as a part of the change in the business plan, Mr. Meza realized that Whitewater has a niche that is not being filled. Some people like to eat later at night, especially within close proximity to the University. He didn't think it was fair to characterize the

restaurant as a bar. Mr. Meza is asking for a Class B Beer and Liquor license. The business would provide a mix of business in the area for a mix of income. The City has no problems with Randy's or Rick's East Side Pub (near a residential area). The problem of closing at 2:30 a.m. is unfounded. They have plans to do some creative re-striping of the lot with diagonal parking and expand or come to an economical agreement with other business owners in the area for extra parking. Attorney Penwell explained that noise is a part of community living. He also noted that Mr. Meza has had real experiences that were positive; Mr & Mrs. Fiedler took great pains to find the best fit for their property; and Mr. Meza should be given the opportunity to prove he can be a good neighbor.

Jeff Knight, 405 S. Panther Court, voiced his concern of the possible noise from this business exiting the back of the building toward the Senior housing.

Attorney Penwell stated the building is air conditioned. The back door exit could be made into a fire exit.

Wen Swift wanted to know the closing time of the current restaurants that Mr. Meza operates.

Nancy Giorno wanted to know where the smoking patrons would be able to smoke? She worked second shift and would come into Whitewater around midnight. At that time there was a lot of commotion in the downtown area involving "bar people". She strongly objected to putting "bar people" in her front yard.

Barb Congdon, owner of "Robins Nest", explained that the Greenhouse Café had been open until 10. They have parking issues as they are open until 8 p.m. If you make the back door a fire door, then the patrons will have to walk from the parking lot behind the building to the front of the building to enter.

Chairperson Meyer closed the public hearing.

Vice Chairperson Binnie encouraged the Plan Commission to focus on the conditional use permit application for the serving of alcohol. The Plan Commission needs to determine if this location is appropriate for alcohol to be served. Restaurants are primarily restaurants. This is to be a family type restaurant. The menu does not attract family clientele. A conditional use permit is not required for a restaurant alone. A conditional use permit is required for a liquor license. The issue happens when patrons over indulge in alcohol and the owner has problems controlling the situation especially when the patrons leave the building. The proposed restaurant would have senior housing in the back yard. The student population is close to this business. Plan Commission should also protect the quality of life and peaceful enjoyment of senior living.

City Attorney McDonell explained that the conditional use does not get reviewed annually. The liquor license is annually renewable. Plan Commission does not grant or deny a liquor license, only a conditional use.

Plan Commission Member Henry stated that the location is attractive to keep open. There would be parking problems during the time for families to enjoy the restaurant. The location is close to

campus which would work for the 11 p.m. to 2:30 a.m. She wondered if they would be interested in closing between 10 and 11 p.m. With the business being located next to senior housing, she could not convince herself that this is a good fit.

Chairperson Greg Meyer compared parking at different locations all over the City. Rick's Eastside Pub and Whitewater Family Restaurant and Lakeside Pub each had 70 parking stalls. Rick's has a 99 person capacity and Whitewater Family Restaurant and Lakeside Pub has 112 person capacity. Their parking lots were full. The 14 stalls for the Cubes Restaurant is grossly inadequate. Meyer felt there was not enough parking to sustain the business.

Moved by Binnie and Miller to deny the application for a conditional use permit for a "Class B" Beer and Liquor License for Alejandro R. Meza and Alfredo G. Camerena, to serve beer and liquor by the bottle or glass at 1155 W. Main Street, Whitewater, Wisconsin. City Attorney McDonell asked whether the motion was based on the factors Binnie had expressed earlier. Binnie confirmed that it was. Motion approved by unanimous roll call vote.

Public hearing for consideration of a conditional use permit to construct the proposed new 8 unit multi-family building (six 4-bedroom and two 5-bedroom) across three existing lots located at 157 and 165 N. Tratt Street and 1039 W. Florence Street in an R-3 (Multi-family Residence) Zoning District for DLK Enterprises Inc. and Review of proposed certified survey map to combine the lots located at 157 and 165 N. Tratt Street and 1039 W.

Florence Street. Chairperson Meyer introduced the public hearing for consideration of a conditional use permit to construct the proposed new 8 unit multi-family building (six 4-bedroom and two 5-bedroom) across three existing lots located at 157 and 165 N. Tratt Street and 1039 W. Florence Street in an R-3 (Multi-family Residence) Zoning District for DLK Enterprises Inc. The project and the certified survey map will be considered together.

City Planner Latisha Birkeland explained that the proposed project would be an 8 unit apartment building with 6 4-bedroom units and 2 5-bedroom units. A conditional use permit is needed to allow 8 units in an R-3 Zoning District. The original landscaping plan had a mistake in the totals. A new plan was given to the Plan Commission members. The total is 1800 points. The City Forester has reviewed the plan and has no problem with it. An agreement has been worked out with the Director of Public Works, Dean Fischer, for the sewer and storm sewer lines to go to Tratt Street and the water to go to W. Florence Street. The parking will be off W. Florence Street with two accesses. There will be no additional lighting on the property. The only lighting will be on the building. The certified survey map would go along with any approval or changes. Birkeland recommended approval with conditions.

Mike Kachel stated there was a change to the plan. There would be 8 4-bedroom apartments. There are two houses on site that they are looking to move. They want to save the structures if possible.

Attorney Mitch Simon explained that two of the lots are owned by DLK Enterprises Inc. The third lot is owned under a different LLC. Once the ownership is changed, they will re-execute

the certified survey map with the deed with correct ownership. He stated the Plan Commission can move forward and take action on this item.

Chairperson Meyer opened the public hearing.

City Attorney McDonell stated that all previous comments that have been made are considered part of the public hearing.

Brad Werginz, Architect at Angus Young and Associates, representing DLK Enterprises Inc. explained that the building is a two story building with 4 units on each floor. It will be all cream brick façade with brown accents, trim and roofing. There will be a horizontal band on the building and a bumping out of the bricks on the corners to look like pilasters.

Chairperson Meyer closed the public hearing.

Mike Kachel explained that the house at 157 N. Tratt Street would be removed before construction. The house at 1039 W. Florence Street will remain until the end of the lease which runs until May 15, 2012. They plan to begin construction in April. The area of 1039 W. Florence Street will only affect the parking area of the project. The street address of the new building will be 165 N. Tratt Street. The three city owned trees will remain and they will be adding a 4th tree to the southern end of the building on the terrace. On Florence Street they will be moving the sidewalk around the tree. Any of the trees they replace will be replaced with larger trees.

Moved by Binnie and Coburn, as this area is targeted for higher density, to approve the conditional use permit to construct the proposed new 8 unit multi-family building (8 4-bedroom units) across three existing lots located at 157 and 165 N. Tratt Street and 1039 W. Florence Street in an R-3 (Multi-family Residence) Zoning District for DLK Enterprises Inc. and to approve the certified survey map as soon as the ownership records have been taken care of, all with the conditions of the City Planner. Motion approved by unanimous roll call vote.

The City Planner conditions of approval are:

1. The applicant shall make the building and site renovations in accordance with the plans approved by the Plan Commission on 2/13/2012, including any adjustments agreed upon with the Public Works Director for the location of all utilities.
2. Knox Box to be installed on the new building per the Fire Chief.
3. All approved landscaping shall be installed no later than six months from date of Certificate of Occupancy.
4. The applicant shall include with all leases provisions related to the following:
 - a. Limits on occupancy to one (1) tenant for each bedroom and that the number of tenants in each apartment unit shall not exceed the number of bedrooms in that unit.
5. Prior to the issuance of a building permit, the applicant shall:

- a. Provide the City with a plan indicating the routing of the storm water to Tratt Street, along with locations of Water and Sanitary Sewer lines.
- 6. Prior to the issuance of the Certificate of occupancy, the applicant shall:
 - a. Establish the parking lot in accordance with the submitted plans.
- 7. The Certified Survey Map associated with the same 8-unit Multi-Family Apartment Building, is subject to the condition:
 - a. The CSM shall be recorded prior to the occupancy of the apartment building that is authorized through the City conditional use permit and site plan approval for the same property.

Review proposed construction of a smoking area inside the existing beer garden at 158 W. Whitewater Street in a B-2 (Central Business) Zoning District for Greg Condos/Mitchell's Bar. City Planner Latisha Birkeland explained that this is a site review application for a roofed smoking shelter. The proposed is a roofed structure with no walls (the original proposal had vinyl walls).

Greg Condos, the applicant, stated that they do everything with professional contractors. The beer garden has security guards and cameras. They would like to have the canopy up to protect their patrons from the elements. It would deter them from going outside on the sidewalk area.

The structure will be 6' x 6's with a 2' x 12' rim board. The structure can be green treated wood, be painted or go with cedar. The end of the gable will be covered. The end of the canopy has a 24" drop and will cover the rim post. The height of the structure is 8'6" to the bottom of the rim board. (The drawing shows it below the shed type roof, but it will be above.) There will not be a sign on the structure and it will not be heated. The top will be beige. The posts won't be seen with a building on one side and the six foot fence on the other.

Plan Commission Members voiced their concerns: that this is an historic area, this proposal doesn't tie in with anything. Is there a way to get it so it does not become an eye sore?; it was a good idea; it keeps the kids off the streets; it was good to keep the patrons out of the front (street) area; could the canopy match the roof of the building?; would like it to blend in.

Moved by Miller and Binnie to approve with City Planner conditions; and applicant to work with City Staff on the height and any changes that may be needed, and work with the State for any approvals needed.

The City Planner conditions of approval are:

1. All required permits must meet the required code standards. If the Building Inspector (State or Local) determines that changes need to be made to the proposed structure, i.e. location, width of posts, etc. all conditions must be complied with. City Staff will review any changes to the building permit plans.
 - a. The Building inspector wrote a memo regarding items the building permit will need to address, if approved by the Plan Commission. If the State of Wisconsin determines this structure to be an addition because of the State Building Code requirements, items that may be needed, but not limited to, include having the plans drawn by a State

Licensed Architect, identify occupant load of roofed area, identify fire ratings of proposed materials, etc. At this time, we do not know what will be determined by the State Building Code.

2. There shall be no walls, permanent or temporary, added to this structure without first seeking approval of the Plan Commission.
3. No signage shall be allowed on the roof of this structure.
4. The applicant shall work with the City Planner to reduce the height of the approved structure and to make the exterior materials / color of the structure more consistent with the principal structure.

Plan Commission Member Parker had spoken with the State Inspector. This proposal would need State Approval. If the structure was more than 20 feet away from the building it would not need state approval.

Motion was approved by unanimous roll call vote.

Update on status of the Zoning Rewrite.

Latisha Birkeland explained that the discussion has been continued with the steering committee and the public. The next meeting will be with the Plan Commission and the City Council to update where the steering committee has been and where they are going in more depth than the monthly report to the Plan Commission. The meeting will be scheduled in early May.

Donna Henry noted that the discussion at the meetings seems to be away from the re-write of the ordinance in general and is centered around student housing. She would like to see the discussions go back to the whole picture in the future.

Plan Commission Member Parker asked if the steering committee was looking at the whole ordinance or just parts.

Latisha Birkeland explained that at this time they are going through the major concerns that were identified during stakeholders' meetings. Graef will be going through the total ordinance to make sure items are where they need to be and will organize it so items are easier to find.

Parker asked that when the Zoning Ordinance is presented to the Plan Commission that it is presented in parts and not the whole thing all at once.

Future agenda items:

Chairperson Greg Meyer noted that Tom Miller will be leaving the Plan Commission at the end of this term. Plan Commission will be looking for a representative to the Community Development Authority (CDA).

Neighborhood Services Manager/City Planner Birkeland stated that a conditional use for Wanda's Waterfront, at the American Legion Building (formerly Capn's); and Technology Park certified survey map would be on the next meeting.

Next regular Plan Commission meeting- March 12, 2012.

Moved by Miller and seconded by Henry to adjourn at approximately 8:40 p.m. Motion was approved by unanimous voice vote.

Chairperson Greg Meyer

DRAFT



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

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

To: City of Whitewater Plan and Architectural Review Commission
 From: Latisha Birkeland, Neighborhood Services Manager / City Planner
 Date: March 6th, 2012
 Re: Requested Conditional Use Permit for a “Class B” Beer and Liquor License for Wanda Milnamow, to serve beer and liquor by the bottle or glass at 292 South Wisconsin Street, at the William Graham Post American Legion #173.

Summary of Request

Requested Approvals: The applicant, Wanda Milnamow, is requesting a conditional use permit (CUP) for a “Class B” Beer and Liquor License, to serve beer and liquor by the bottle or glass.

Location: 292 South Wisconsin Street

Current Land Use: Banquet Hall

Proposed Use: Banquet Hall, bar and restaurant

Current Zoning: B-3 Highway Commercial and Light Industrial

Proposed Zoning: (no change proposed)

Comprehensive Plan’s Future Land Use Designation: Community Business

Surrounding Zoning and Land Use:

<u>Direction</u>	<u>Zoning</u>	<u>Current Land Use</u>
North	B-3 Highway Commercial and Light Industrial	Single Family Residential
South	R-1 Single Family Residential	Cemetery
East	B-3 and PCD	Business and Multi-family
West	None	Cravath Lake

Brief History of Project:

Linda Troemel applied for and was approved a conditional use permit for a “Class B” Beer and Liquor License for Troemel’s Lakeside in February 2006. Randall Schopen applied and was approved for a CUP for Capn’s of Whitewater in October 2010. Capn’s of Whitewater has operated as a bar and banquet facility inside of the William Graham Post American Legion #173 since that approval.

There has been a change of ownership at Capn’s of Whitewater which requires the new applicant, Ms. Milnamow, to apply for a conditional use permit to serve beer and liquor by the bottle or glass.

Description of Use

Ms. Milnamow has applied for a conditional use permit for a “Class B” Beer and Liquor License, to serve beer and liquor by the bottle or glass at 292 South Wisconsin Street. In the B-3 Highway Commercial and Light Industrial Zoning District, restaurants without drive-through facilities are permitted, by right, and would not need a Plan Commission approval. Ms. Milnamow is seeking approval for a conditional use permit (CUP) to allow the banquet hall, bar and restaurant to serve alcoholic beverages by the bottle or glass.

Interior

The floor plan submitted with the application is the same as the current floor plan of the upper and lower levels. Ms. Milnamow is not proposing any changes to what is currently there.

Hours

When Capn’s of Whitewater was approved, the hours were approved for Friday’s from 3:00 p.m. to 10:00 p.m. and Saturday’s from 12:00p.m. to 1:00 a.m.

The applicant discussed with staff the current proposed hours and future hours. Ms. Milnamow has stated that the upstairs banquet hall may be used for weddings, dances, birthday parties, etc. any day of the week, as needed, from 12:00p.m. to 1:00 a.m. While the downstairs dining area and bar will be used on Thursday and Fridays from 3:00 p.m. to 2:00 a.m. Ultimately, Ms. Milnamow would like to open the downstairs bar/dining area on Saturday and Sunday’s from 11:00 a.m. to 7:00 p.m.

Menu

The proposed food items would include pizza, burgers, quesadillas, items deep fried, etc. When the restaurant opens up the menu will expand.

Parking

The property currently has a total of 105 parking stalls – 40 stalls in the lower parking lot and 65 stalls in the upper parking lot. Restaurants, bars and places of entertainment are required to have one (1) stall for each 200 square feet of primary floor area. The primary floor area for the building is roughly 6,500 square feet. A minimum of 33 parking stalls would be required by the City Code for this amount of primary floor area. This property has over three times that amount.

The dumpster location will be on the southwest side (lower level) of the building. This is the same location as Capn’s of Whitewater had their dumpster. This location is completely screened from view from the public streets by the building and at least 45 feet from the north property line.

There are two curb cuts on Wisconsin Street that allow for ingress and egress to the parking lot. There are no changes proposed. The driveway access on the north side of the building is used by staff to park.

Signage

Ms. Milnamow plans to replace the current Capn’s of Whitewater portion of the sign with a sign indicating Wanda’s Waterfront . The square footage of the sign area will not be expanded. A rendition of the proposed sign look has not been included in the packet. This current sign structure is roughly 17 feet behind the property line and meets all sign code requirements.

Staffing and Occupancy

Wanda’s Waterfront will vary from 8-10 employees per shift. Predetermined occupancy for the upstairs banquet facility is 350 people. The downstairs bar/restaurant can hold 220 people.

Recommendation on Conditional Use Permit

As of 4:30 p.m. on 3/6/2012, staff did not receive any public comments.

Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the conditional use permit for Wanda’s Waterfront, subject to the following conditions:

1. The conditional use permit shall run with the applicant and not the land. If the business is sold, the new owner/operator must return to the Plan Commission.
2. Allow staff to work with the applicant for future sign approval.
3. Specify all hours of operation, including future hours. Any deviation from those hours would require the applicant to apply to the Plan and Architectural Commission for approval. Below are the hours the application has identified:

Day	Upstairs (Banquet Hall)	Time
	OR Downstairs (Bar / Dining)	
Thursday	Downstairs	3:00 p.m. to 2:00 a.m.
Friday	Downstairs	3:00 p.m. to 2:00 a.m.
Saturday	Downstairs	11:00 a.m. to 7:00 p.m.
Sunday	Downstairs	11:00 a.m. to 7:00 p.m.
Mon-Sun	Upstairs	12:00 p.m. to 1:00 a.m.

If the CUP application is approved by the Plan Commission, Ms. Milnamow would need approval for a “Class B” Beer and Liquor license from the Alcohol Licensing Committee and the Common Council. Once the license is granted by the Common Council, Ms. Milnamow would be issued the license.

Analysis of Proposed Project

Standard	Evaluation	Comments
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.	Yes	Although the proposed hours have increased, this use has worked very well in this location. Having increased hours will provide another choice for members of the Whitewater Community.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	Existing use. Everything has been provided prior to this application.
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].	Yes	Project meets all zoning ordinance requirements applicable under the B-3 Zoning District.

Standard	Evaluation	Comments
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies the site as appropriate for “Community Business” uses. This would include restaurants that sell alcoholic beverages by the drink.
The conditional use and structures are consistent with sound planning and zoning principles.	Met	Project is consistent with the purpose, character and intent of the future land use classification and zoning district.



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

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

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 12th day of March 2012 at 6:00 p.m. to hold a public hearing for consideration of a Conditional Use Permit for a “Class B” Beer and Liquor License for Wanda’s Waterfront LLC. owned by Wanda Milnamow, to serve beer and liquor by the bottle or glass at 292 S. Wisconsin Street, Whitewater, Wisconsin (at the William Graham Post American Legion #173).

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 5:00 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

Latisha Birkeland, Neighborhood Services Manager/City Planner

/A 67100002
DEAN K GIESE
200 EAST CLAY ST
WHITEWATER WI 53190

/GRE 00003
THOMAS E OWENS
212A CLAY ST #3
WHITEWATER WI 53190

/TRA 00043
SHERI BRONSTAD
254 WISCONSIN ST
WHITEWATER WI 53190

/WE 00001
WARREN R DEVRIES
10205 WINCOPIN CIR
#404
COLUMBIA MD 21044

/WE 00004
MARILYN M TYDRICH TRUST
351 S WISCONSIN ST
#4
WHITEWATER WI 53190

/WE 00007
TAGGART TRUST
351 S WISCONSIN ST
#7
WHITEWATER WI 53190

/WE 00010
NANCY A ZACCANTI
351 WISCONSIN ST
UNIT 10
WHITEWATER WI 53190

/WE 00013
RICHARD SCHWALL TRUST
NORMA SCHWALL TRUST
351 S WISCONSIN ST #13
WHITEWATER WI 53190

/WE 00016
PAUL A GODER
JANIS K GODER
W5753 BLUFF RD
WHITEWATER WI 53190

/WE1 00003
A&J WW PROPERTY LLC
C/O LAURA BARON
34712 IROQUOIS TR
MCHENRY IL 60051

/A 70900002
ROBERT F GABBLY
N421 MARIPOSA LANE
WISCONSIN DELLS WI 53965

/GRE 2,4,5,6,7,8,9,10
RICHARD D VULTAGGIO
P. O. BOX 29
WHITEWATER WI 53190

/TRA 00044
JOHN C KIENBAUM, SR
JANICE K KIENBAUM
N7351 STATE RD 89
WHITEWATER WI 53190

/WE 00002
ARTHUR D VANDERKOY
CARLEEN M VANDERKOY
351 S WISCONSIN AVE
UNIT 2
WHITEWATER WI 53190

/WE 00005
EDWIN B CZARNECKI
SANDY C CZARNECKI
PO BOX 95
WHITEWATER WI 53190

/WE 00008
JEROME W SCHWARTZ
MARY CAROL SCHWARTZ
351 S WISCONSIN ST, #8
WHITEWATER WI 53190

/WE 00011
ALLEN E GUNTHER
LUCRETIA M GUNTHER
351 WISCONSIN
UNIT 11
WHITEWATER WI 53190

/WE 00014
KENNETH R KIDD
SUSAN L KIDD
351 S WISCONSIN ST
WHITEWATER WI 53190

/WE1 00001
PHILIP O'NEAL MILAM
BECKY MARIE MILAM
327 E CLAY ST
#17
WHITEWATER WI 53190

/WE1 00004
WADE BROWN FAMILY TRUST
CATHERINE BROWN FAMILY TRUST
327 E CLAY ST
UNIT 20
WHITEWATER WI 53190

/GRE 00001
NELS R WIBERG
GRETA M WIBERG
W8131 BAY VIEW DR
WHITEWATER WI 53190

/TRA 00042A
RYAN RICHARD TEVIS
246 S WISCONSIN ST
WHITEWATER WI 53190

/TRP 00035,37A,A709 2A
WWBC LLC
N7771 RIDGE RD
WHITEWATER WI 53190

/WE 00003
WILLIAM A SKELLY
MARY ELIZABETH SKELLY
N7638 PINE KNOLLS DR
WHITEWATER WI 53190

/WE 00006
ANITA SCHANKE
351 WISCONSIN ST
UNIT 6
WHITEWATER WI 53190

/WE 00009
LINDA M BAKER TRUST
351 S WISCONSIN ST #9
WHITEWATER WI 53190

/WE 00012
LYLE W HUNTER TRUST
DAWN M HUNTER TRUST
351 S WISCONSIN ST
UNIT 12
WHITEWATER WI 53190

/WE 00015
MYRA J BRIEN
351 WISCONSIN ST, #15
WHITEWATER WI 53190

/WE1 00002
LORICE K WOLLER
327 E CLAY ST
UNIT 18
WHITEWATER WI 53190

/WE1 00005
AMY J ZELINGER
327 E CLAY ST #21
WHITEWATER WI 53190

/WE1 00006
DENNIS TOMORSKY
BETTY TOMORSKY
15240 WESTOVER RD
ELM GROVE WI 53122

/WE1 00009
MICHAEL L. KASPAR
MARY I. KASPAR
327 E CLAY ST
UNIT 25
WHITEWATER WI 53190

/WE1 00012
JENNIFER L. KAINA
327 E. CLAY ST
UNIT 28
WHITEWATER WI 53190

/WE1 00015
LAURA K MUGLER
327 E CLAY ST
UNIT 31
WHITEWATER WI 53190

/WE1 00018
PAUL H VELDBOOM
215 E CLAY ST UNIT 34
WHITEWATER WI 53190

/WE1 00021
SANDRA K KOSZYCZAREK
215 E. CLAY ST
UNIT 37
WHITEWATER WI 53190

/WE1 00024
EDA B WILSON TRUST
215 E CLAY, #40
WHITEWATER WI 53190

/WE1 00027
LEON KELLER
ELISABETH KELLER
215 E. CLAY ST
#43
WHITEWATER WI 53190

/WE1 00030
RONALD J HART, SR
MARGARET L HART
511 GERMAINE PL
ELK GROVE VILLAGE IL 60007

/WUP 00261,271A
CITY OF WHITEWATER
WHITEWATER WI 53190

/WE1 00007
LISA J KYSELY
327 E CLAY ST
#23
WHITEWATER WI 53190

/WE1 00010
PATRICA DICKINSON OLSON
SALLY J MINICUCI
417 LAKEWOOD DR
WILLIAMS BAY WI 53191

/WE1 00013
ALAN D TOTAH
DEBBIE A TOTAH
W301 N3326 WINDRUSH CIR
PEWAUKEE WI 53072

/WE1 00016
JEANETTE I HANSEN
327 E CLAY ST #32
WHITEWATER WI 53190

/WE1 00019
JOHN E BEHRMAN IV
KATHLEEN B BEHRMAN
215 E. CLAY ST
UNIT 35
WHITEWATER WI 53190

/WE1 00022
BENEDICT J WILLMING III
215 CLAY ST
UNIT 38
WHITEWATER WI 53190

/WE1 00025
E CHRISTINE KIENBAUM
215 E CLAY ST
UNIT 41
WHITEWATER WI 53190

/WE1 00028
LAURA L MASBRUCH
215 E CLAY ST
UNIT 44
WHITEWATER WI 53190

/WE1 00031
MATTHEW A HOLOP
DARLENE M HOLOP
33772 N SHAWNEE AVE
GRAYSLAKE IL 60030

/WUP00259
HILLSIDE CEMETERY
C/O WHITEWATER CEMETERY ASSOC
1691 MOUND VIEW PLACE
WHITEWATER WI 53190

/WE1 00008
THOMAS KEITH
EILEEN M KEITH
5853 HACKER DR
WEST BEND WI 53095

/WE1 00011
DONNA A FIEDLER TRUST
3718 PEREGRINE WAY
ELGIN IL 60124

/WE1 00014
SUSAN J SUSNIK
327 E CLAY ST
#30
WHITEWATER WI 53190

/WE1 00017
JAMES R WOOD
DARLENE M WOOD
215 E CLAY ST
WHITEWATER WI 53190

/WE1 00020
TIMOTHY L BIRKENSTOCK TRUST
CRYSTAL L BIRKENSTOCK TRUST
W293 N3923 ROUND HILL CIRCLE
PEWAUKEE WI 53072

/WE1 00023
JASON R PARPART
W7354 US HSY 12
WHITEWATER WI 0

/WE1 00026
JAMES D ALLEN
215 E CLAY ST #42
WHITEWATER WI 53190

/WE1 00029
LES HYNUM
MARY C HYNUM
215 E CLAY ST
UNIT 45
WHITEWATER WI 53190

/WE1 00032
ASTRID M PETERSON
215 E CLAY ST
UNIT 48
WHITEWATER WI 53190

/WUP00259
HILLSIDE CEMETERY
C/O WHITEWATER CEMETERY ASSOC
235 N NEWCOMB ST
WHITEWATER WI 53190

TRA 00046
AMERICAN LEGION POST
#173 WILLIAM GRAHAM
292 S WISCONSIN ST
WHITEWATER WI 53190

WANDA MILNAMOW
1220 TALCOTT STREET
FORT ATKINSON WI 53538



CONDITIONAL USE PERMIT APPLICATION

Address of Property: 292 South Wisconsin Street, Whitewater
Owner's Name: American Legion Post 173
Applicant's Name: Wanda Milnamow
Mailing Address: 1220 Talcott St., Fort Atkinson, WI 53538
Phone #: 920-397-6346 Email: wandaswaterfront@gmail.com
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: Banquet Hall
Zoning District: B-3
Proposed Use: Banquets, Bar/Restaurant

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Conditions

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

Cost Recovery Certificate and Agreement

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

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

Section A: Background Information

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

Name of Applicant: Wanda Milnamow

Applicant's Mailing Address: 1220 Talcott Street
Fort Atkinson, WI 53538

Applicant's Phone Number: 920-397-6346

Applicant's Email Address: wandaswaterfront@gmail.com

Project Information:

Name/Description of Development: Wanda's Waterfront

Address of Development Site: _____

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: William Graham Post American Legion #073

Property Owner's Mailing Address: 292 S. Wisconsin Street
Whitewater, WI 53190

9

Municipal Services Building | 312 W. Whitewater Street | P.O. Box 178 | Whitewater, WI 53190

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

STANDARD	APPLICANT'S EXPLANATION
A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property.	Existing Use Changing ownership of License No new created
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Existing Use Already Provided
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance.	Existing Use Yes
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	Existing Use Yes

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

Applicant's Signature: Wanda Milnamow Date: 2-7-12

Printed: Wanda Milnamow

Section B: Applicant/Property Owner Cost Obligations

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

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

- A. Application Fee.....\$ 100.00
- B. Expected Planning Consultant Review Cost\$ _____
- C. Total Cost Expected of Applicant (A+B)\$ _____
- D. 25% of Total Cost, Due at Time of Application.....\$ _____

*pd. 2-10-12
6,009631*

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.

Wanda Milnamow

Signature of Applicant/Petitioner

Wanda Milnamow

Printed Name of Applicant/Petitioner

2-10-12

Date of Signature

Stephen L. Nass

Signature of Property Owner (if different)

Stephen L. Nass

Printed Name of Property Owner (if different)

11 Feb., 2012

Date of Signature

*CMPR. Legion
Post 173*

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00** fee filed on 2-10-12. Received by: JW Receipt #: 6.009631
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 3-1-12.
- 3) Notices of the Public Hearing mailed to property owners on 2-27-12.
- 4) Plan Commission holds the PUBLIC HEARING on 3-12-12. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

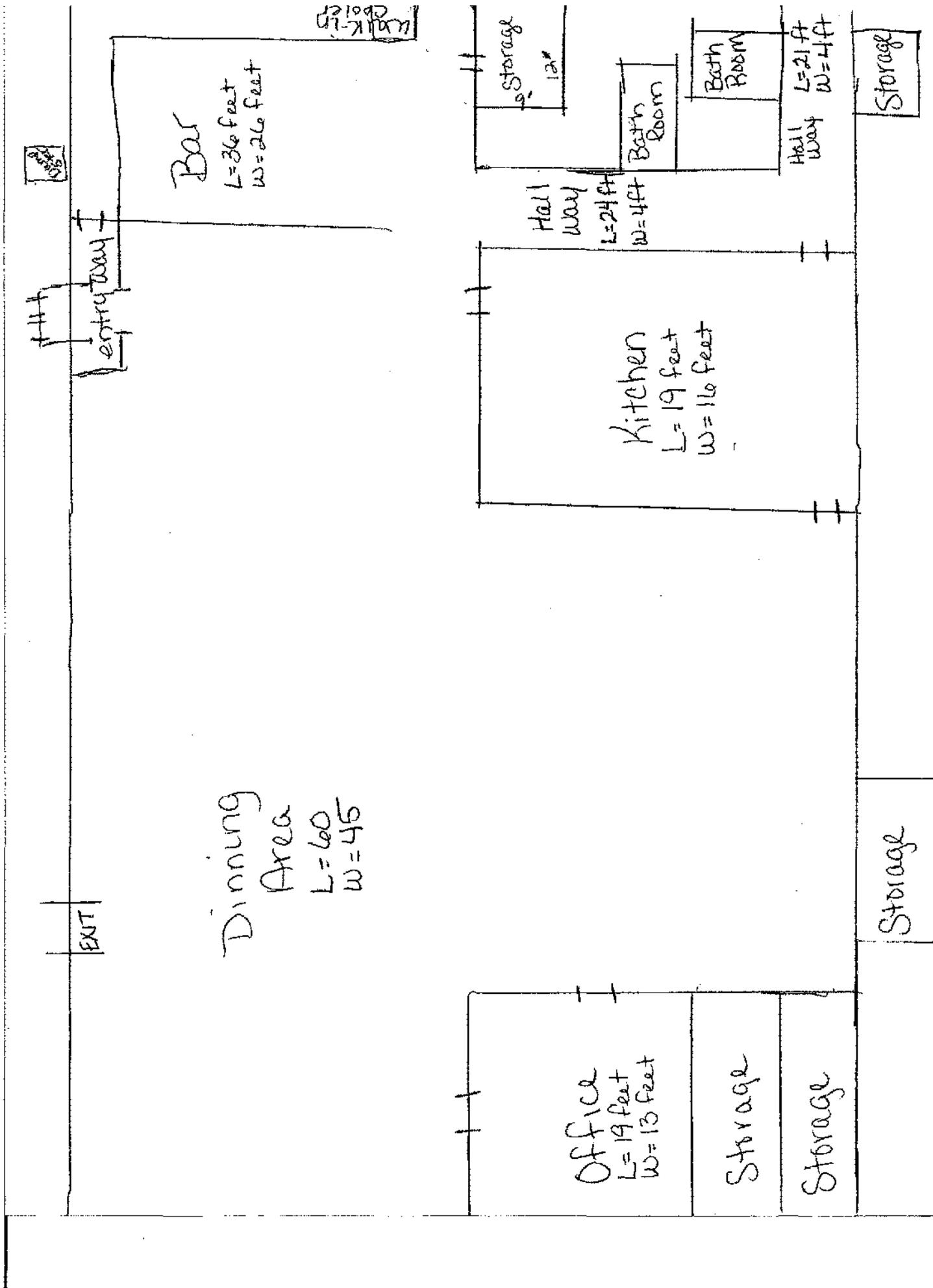
Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

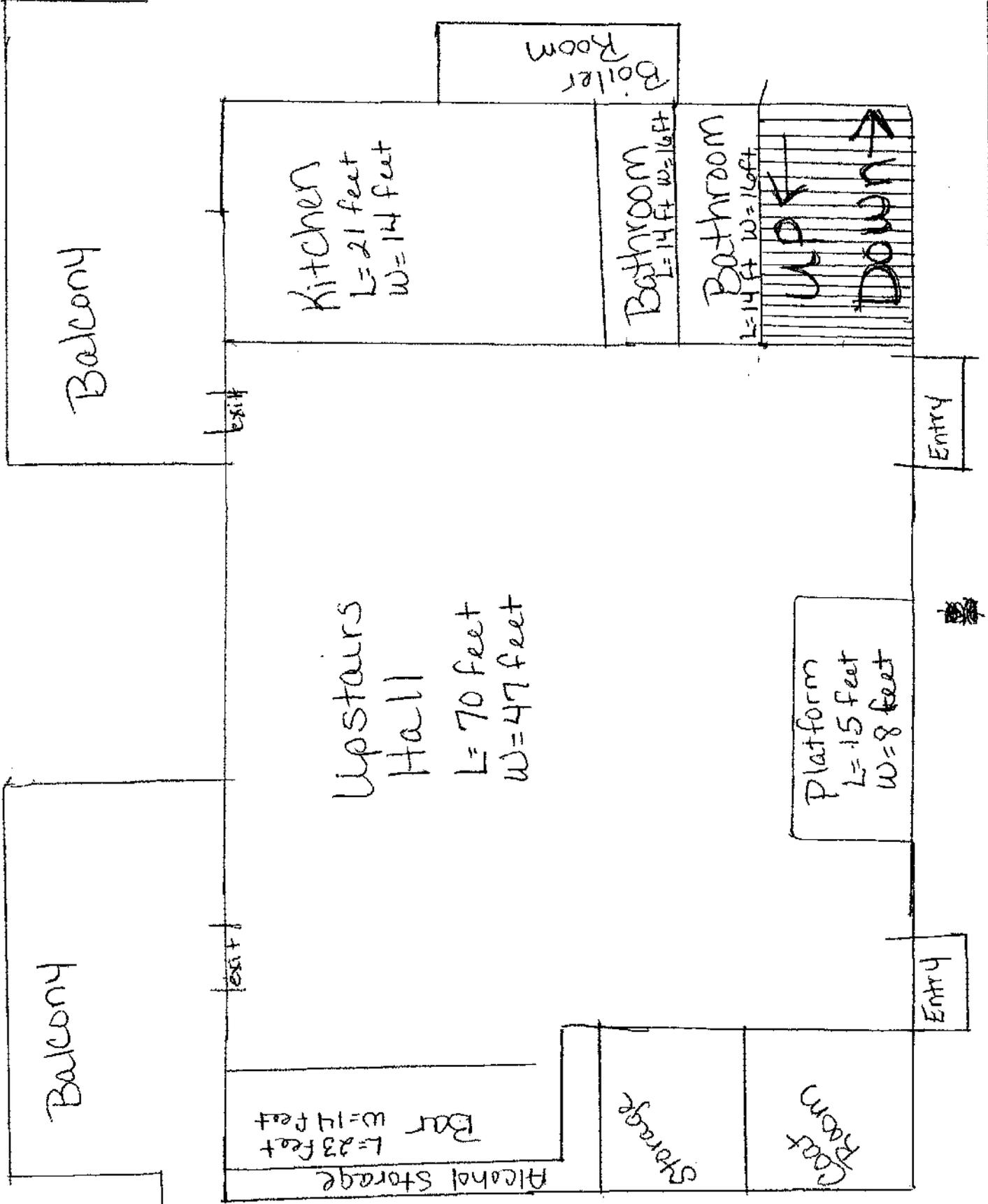
CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for





APPLICATION REQUIREMENTS

See
Attached

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

STANDARDS FOR REVIEW AND APPROVAL

2

1. Statement of use, including type of business with number of employees by shift.

I will use the upstairs banquet hall for weddings, Dances, birthday parties, etc. The downstairs bar will be used on Thursday and Friday nights from 4pm – close. I will serve food and drinks. In the future I am looking to open Saturday nights and Sundays 11am – 7pm.

The truck traffic is in the lower level and deliveries will be when not open to the public.

Employees will vary from 8-10 employees.

2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.

3. All buildings and structures:

Aerial view included.

4. Lighting plan:

No

5. Elevation drawings:

No

6. Off-street parking:

40 stalls in lower level

65 stalls on upper level

7. Access:

No

8. Loading:

Truck traffic is in lower level when not open.

9. Landscaping:

No

10. Floor plans:

Floor plan is attached.

11. Signage:

Picture attached

12. Grading / drainage plan of the proposed site.

No

13. Waste disposal facilities:

No

14. Outdoor storage, where permitted in the district:

No

What were the hours of Capn's of Whitewater?

The hours for Capn's was: Friday's 3pm-10pm and Saturdays 12pm – 1am

What are the hours of Wanda's Waterfront going to be?

Thursday's 3pm – 2am in the lower level bar – entrance and parking in back

Friday's 3pm – 2am in the lower level bar – entrance and parking in back

Saturday's 12pm – 1am in the upper banquet hall

The sign:

The sign I will have will just replace the part where it has "Capn's of Whitewater" to "Wanda's Waterfront". I have no picture at this time.

The length of the sign is 5 feet and the width is 16 inches.

NO. 172
 WILLIAM GRAHAM
POST
THE AMERICAN
LEGION

CAPN'S
Whitewater
AT THE LEGION
DINING & LOUNGE IN REAR
BANQUET HALLS AVAILABLE
OPEN



WISCONSIN ST

CLAY ST



351

215

31

210
212
214

252
264

212

WANDA'S WATERFRONT LLC

Restaurant and Banquet Hall



- Lakeside Ceremonies • Receptions
- Bridal Showers • Rehearsal Dinners
- Post Wedding Brunches • Gift Openings

Venue Features:

- William Graham Hall - Capacity 350
- Veterans Hall - Capacity 250
- Wedding Packages for your budget
- Outdoor sun deck with gorgeous lakefront views
- Private, full-service bars
- Decorating and AV accommodations available

For more information or to reserve your date,
please contact us at (262) 473-3321
or e-mail us at wandaswaterfront@gmail.com



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

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

To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Manager / City Planner
Date: March 7th, 2012
Re: Approve two Certified Survey Maps (CSM) for the Whitewater University Technology Park

Summary of Request

Requested Approvals: The City of Whitewater is requesting approval for two Certified Survey Maps (CSM) for the Whitewater University Technology Park.

Location: Southwest corner of Howard Road and Innovation Drive

Description of Use

The Certified Survey Maps cover the area north of the railroad, west of Howard Road, south of Innovation Drive, and east of Moraine View Park. One of the CSMs covers the northern portion of this area, and the other covers the southern portion of this area.

The CSMs were put on hold a few months ago due to a pending tenant. At that time, there was some preliminary discussion about the tenant purchasing multiple lots and combining them. The City would like to proceed with the two proposed Certified Survey Maps attached.

The intent of these CSMs is to create large lots now that can be divided by subsequent CSMs based on the individual needs of future tenants of the park. Attached is the artist rendition for what the Whitewater University Technology Park could look like in the future. A CSM can be used only to create four (4) lots or less (not including unbuildable outlots). These large lots will allow the City flexibility for future lots. If more than four (4) buildable lots per CSM were proposed, some additional steps such as a full plat procedure would be required.

CSM #1 - Northern section

Lot 1, Lot 2 and Outlot 1 make up the area for proposed sites numbered one (1) through eight (8) on the artist's rendition. The Innovation Center is site number one (1). Moraine View Park is the property just west of the proposed CSM.

CSM # 2 – Southern section

Lot 1, Lot 2, Lot 3 and Outlot 1 make up the area for future proposed sites numbered nine (9) through fourteen (14). The Wisconsin and Southern Railroad abuts the property to the south of the site.

Mark Fisher, City Engineer, with Strand and Associates has reviewed and approved both Certified Survey Maps in accordance with the City Code Section 18.04.046. Once the Plan Commission and Common Council approve both CSMs, the City Clerk will record both Certified Survey Maps and the already approved Whitewater University Technology Park Covenants.

Recommendation on CSM

I recommend that the Commission approve both of the Certified Survey Maps associated with the Whitewater University Technology Park. These Certified Survey Maps comply with the Certified Survey Map Requirements and comply with all design standards and general provisions.



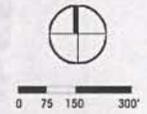
**WHITWATER UNIVERSITY
TECHNOLOGY PARK**

- 1 Whitewater Innovation Center Phase 1
- 2 Innovation Center Phase 2, 24,000 gsf (2 Floors)
- 3 Available Site 40,000 gsf Building (2 floors)
- 4 Available Site 40,000 gsf Building (2 Floors)
- 5 Available Site 50,000 gsf Building (2 Floors)
- 6 Available Site 40,000 gsf Building (2 Floors)
- 7 Available Site 52,000 gsf Building (2 Floors)
- 8 Available Site 88,000 gsf Building (2 Floors)
- 9 Available Site 58,000 gsf Building (2 Floors)
- 10 Available Site 58,000 gsf Building (2 Floors)
- 11 Available Site 40,000 gsf Building (2 Floors)
- 12 Available Site 40,000 gsf Building (2 Floors)
- 13 Available Site 56,000 gsf Building (2 Floors)
- 14 Available Site 40,000 gsf Building (1 Floor)
- 15 Soccer Fields
- 16 Walking Path

Parking shown indicates 3.0 spaces per 1,000 gsf

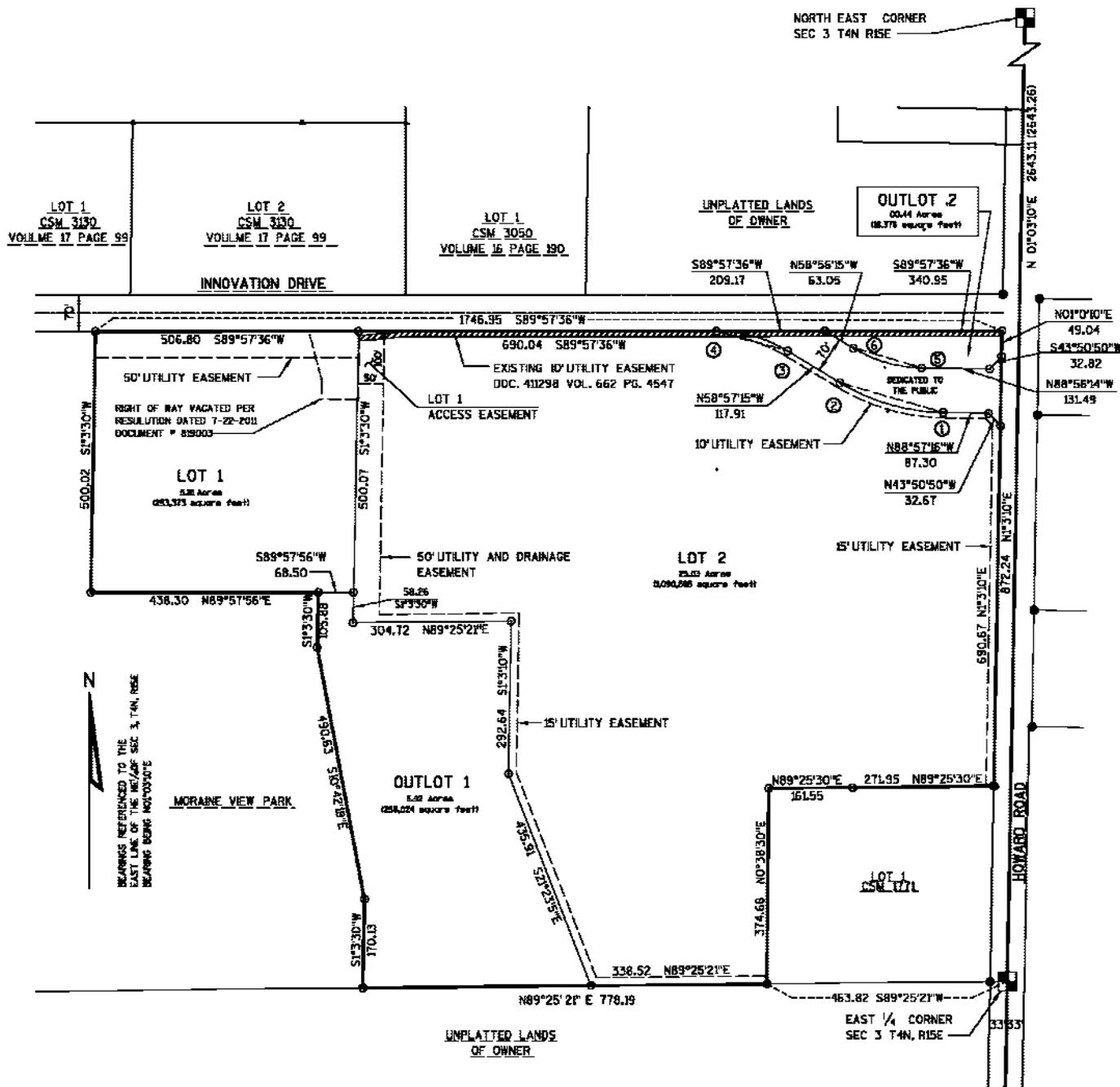
For more information contact:
Kevin Brunner City Manager 262-473-0500

eua
engineering urban architecture
 222 W. Washington Ave.
 Suite 650
 Madison, WI
 608-442-5350



CERTIFIED SURVEY MAP NO.

A PARCEL OF LAND LOCATED IN THE SE ¼ AND THE NE ¼
OF THE NE ¼ OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST,
OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN

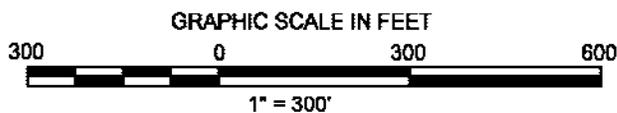


CURVE NO.	LOT	CHORD LENGTH	CHORD BEARING	RADIUS LENGTH	ARC LENGTH	CENTRAL ANGLE	TANGENT BEARING	TANGENT BEARING
1 - 2	2	207.06'	N 73°57'16" W	400.00'	209.44'	29°59'59"	N 88°57'16" W	N 58°57'16" W
3 - 4	2	142.02'	N 74°29'50" W	265.00'	143.77'	31°05'08"	N 58°57'16" W	S 89°57'36" W
5 - 6	OUT 2	137.17'	N 73°56'14" W	265.00'	138.75'	30°00'00"	N 88°57'14" W	N 58°57'14" W

- WALWORTH COUNTY MON., EXISTING BRASS CAP
- SET ¾" O.D. X 24" REBAR (WEIGHING 1.50 LBS./L.F.)
- FOUND ¾" REBAR UNLESS OTHERWISE NOTED
- () RECORDED AS
- UTILITY EASEMENT



819 West Wings Drive
Nashua, Wisconsin 53715
(608) 251-4845



STATE OF WISCONSIN
Walworth County
Received for record this _____ day
of _____ A.D., 20____ at _____
o'clock _____ M. and recorded in Vol.
_____ of C.S.M.'s, page(s)
Document No. _____

_____ Register
_____ Deputy

THIS INSTRUMENT DRAFTED BY CHAD A. KOPECKY
STRAND PROJECT 1-487.056/TECH-PARK NORTH CSM.dgn
SURVEYED UNDER THE DIRECTION OF:
THE CITY OF WHITEWATER

CERTIFIED SURVEY MAP NO.

A PARCEL OF LAND LOCATED IN THE SE 1/4 AND THE NE 1/4 OF THE NE 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN

I, Chad A Kopecky, Registered Land Surveyor of Strand Associates, Inc. do hereby certify that I have surveyed, divided, and mapped a part of the Southeast 1/4 of the Northeast 1/4 of Section 3, Town 4 North, Range 15 East, City of Whitewater, Walworth County, Wisconsin, more fully described as follows:

Commencing at the East 1/4 corner of Said Section 3; thence S 89° 25' 21" W, 463.82 feet along the E-W 1/4 line of said section 3, to the point of beginning;

thence N 00° 38' 30" E 374.68 feet along the West line of Lot 1 CSM 1771; thence N 89° 25' 30" E 161.55 feet along the North line of Lot 1 CSM 1771; thence N 89° 25' 30", E 271.95 feet along the North line of Lot 1 CSM 1771 to the Westerly Right of Way line of Howard Road; thence N 01° 03' 10" E, 872.24 feet along the Westerly right of way of Howard Road to the Southerly Right of Way line of Innovation Drive; thence S 89° 57' 36" W, 1746.95 feet along the Southerly Right of Way of Innovation Drive; thence S 01° 03' 30" W, 500.02 feet; thence N 89° 57' 56" E, 438.30 feet; thence S 01° 03' 30" W, 105.88 feet; thence S 10° 42' 18" E, 490.63 feet; thence S 01° 03' 30" W, 170.13 feet to the E-W 1/4 line of said Section 3; thence N 89 25' 21" E, 778.19 feet along the E-W 1/4 line of said section 3, to the point of beginning.

Said parcel contains 38.01 acres

Subject to any and all easements and restrictions, recorded and unrecorded.

That I have made such survey, land division, and map by the direction of the City of Whitewater, owner of said lands.

That such map is a correct representation of the exterior boundaries of the land surveyed and the division thereof.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the subdivision regulations of the City of Whitewater in surveying, dividing and mapping the same to the best of my knowledge and belief.

Chad A. Kopecky, agent for Strand Associates Dated this _____ day of _____, 2012.
Registered Land Surveyor No. 2970
Strand Project No. 1407.056

CITY OF WHITEWATER APPROVAL

This Certified Survey Map has been submitted to and approved by the City of Whitewater this _____ day of _____, 20____.

By: Michele Smith Date: _____
Title: City of Whitewater - City Clerk

OWNERS CERTIFICATE OF DEDICATION

As owner(s), I (we) hereby certify that I (we) caused the land described herein to be surveyed, divided, mapped and dedicated as represented on the Certified Survey Map. I (we) also certify that this Certified Survey Map is required to be submitted to the following for approval:

CITY OF WHITEWATER

WITNESS the hand and seal of said owner(s) this _____ day of _____, 20____
In presence of:

Kevin Brunner, City Manager

STATE OF WISCONSIN)
WALWORTH COUNTY) SS

Personally came before me this _____ day of _____, 20____, the above named _____ to me known to be the same person who executed the foregoing instrument and acknowledged the same.

(Notary Seal) _____
Notary Public, _____, Wisconsin
My commission expires _____

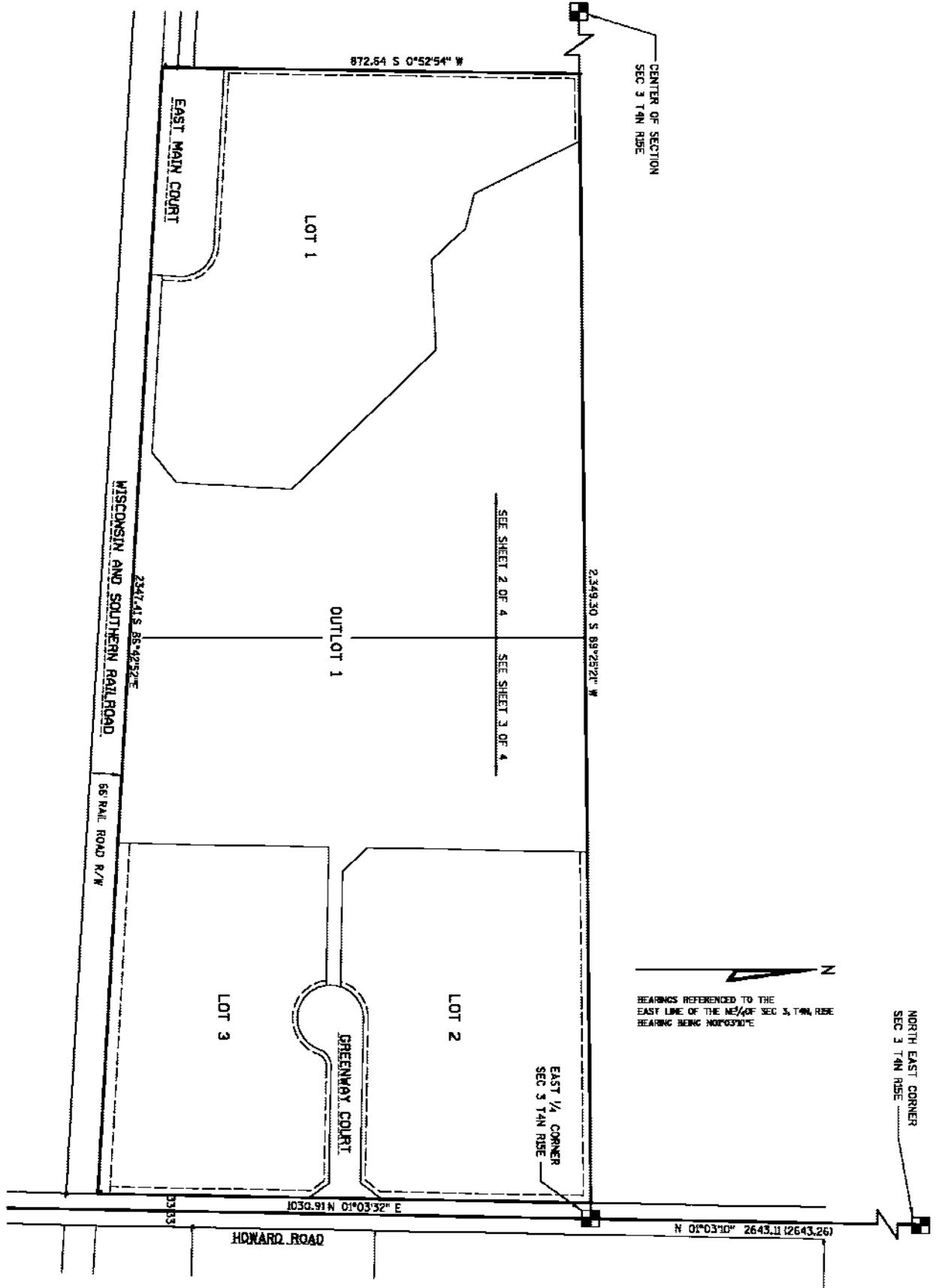


STATE OF WISCONSIN
Walworth County
Received for record this _____ day
of _____ A.D., 20____ at _____
o'clock _____ M. and recorded in Vol.
_____ of C.S.M.'s, page(s)
Document No. _____

Register
Deputy

CERTIFIED SURVEY MAP NO.

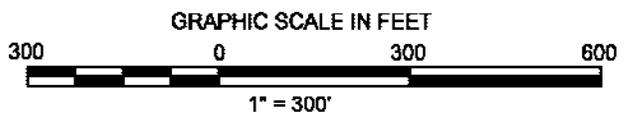
A PARCEL OF LAND LOCATED IN THE NW ¼ AND THE NE ¼ OF
THE SE ¼ OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST,
OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN



- FOUND CONCRETE MONUMENT WITH WALWORTH COUNTY BRASS CAP
- SET ¾" O.D. X 24" REBAR (WEIGHING 1.50 LBS./L.F.)
- FOUND ¾" REBAR UNLESS OTHERWISE NOTED
- () RECORDED AS
- 15' — UTILITY EASEMENT



810 West Weyne Drive
Nelson, Wisconsin 53715
(608) 251-4845



STATE OF WISCONSIN
Walworth County
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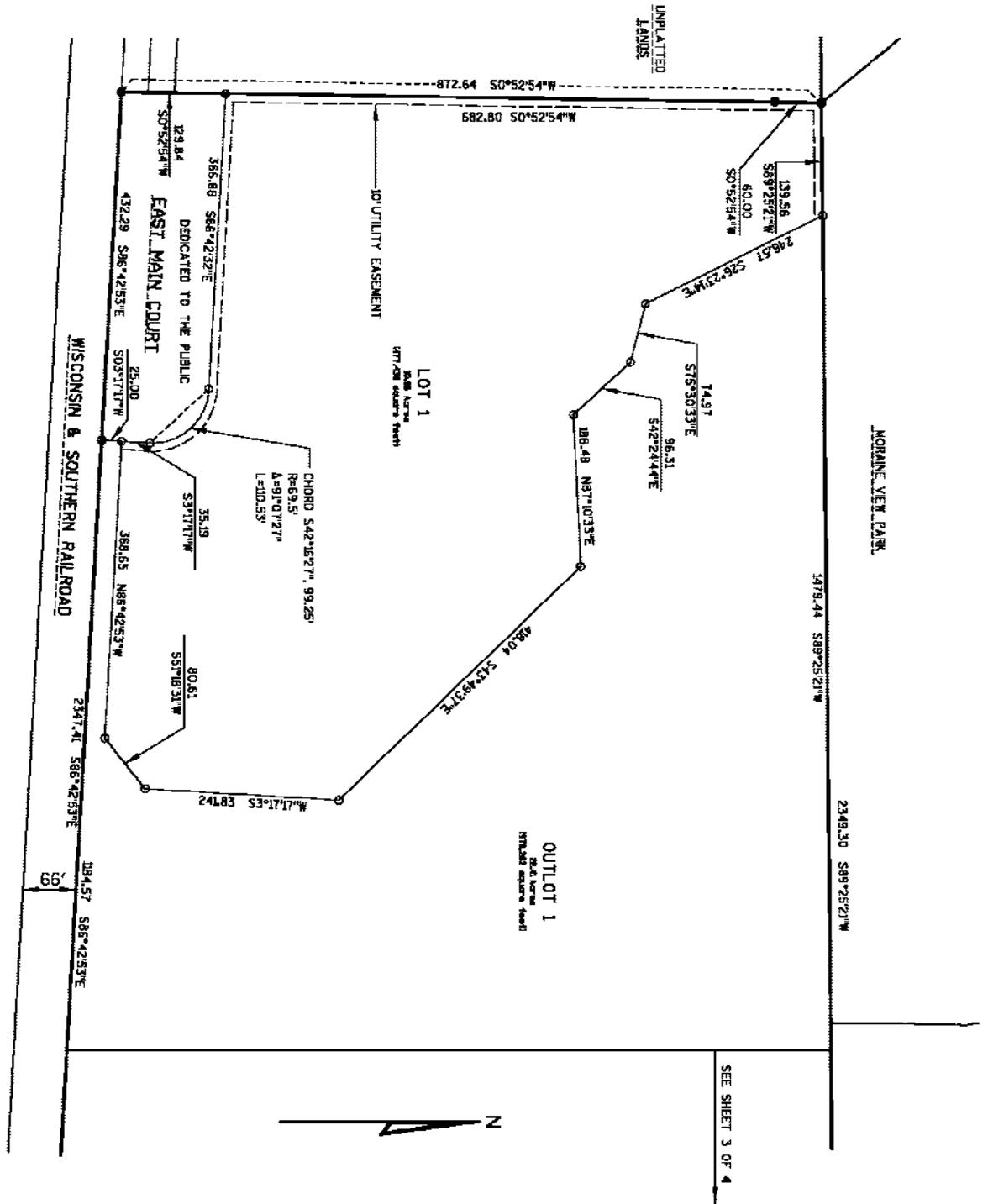
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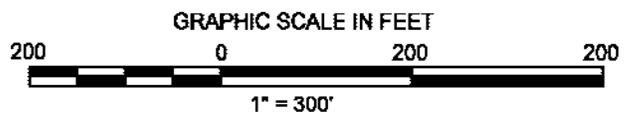
A PARCEL OF LAND LOCATED IN THE NW ¼ AND THE NE ¼ OF THE SE ¼ OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 15 EAST, OF THE CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN



- WALWORTH COUNTY MON., EXISTING
- SET ¾" O.D. X 24" REBAR (WEIGHING 1.50 LBS./L.F.)
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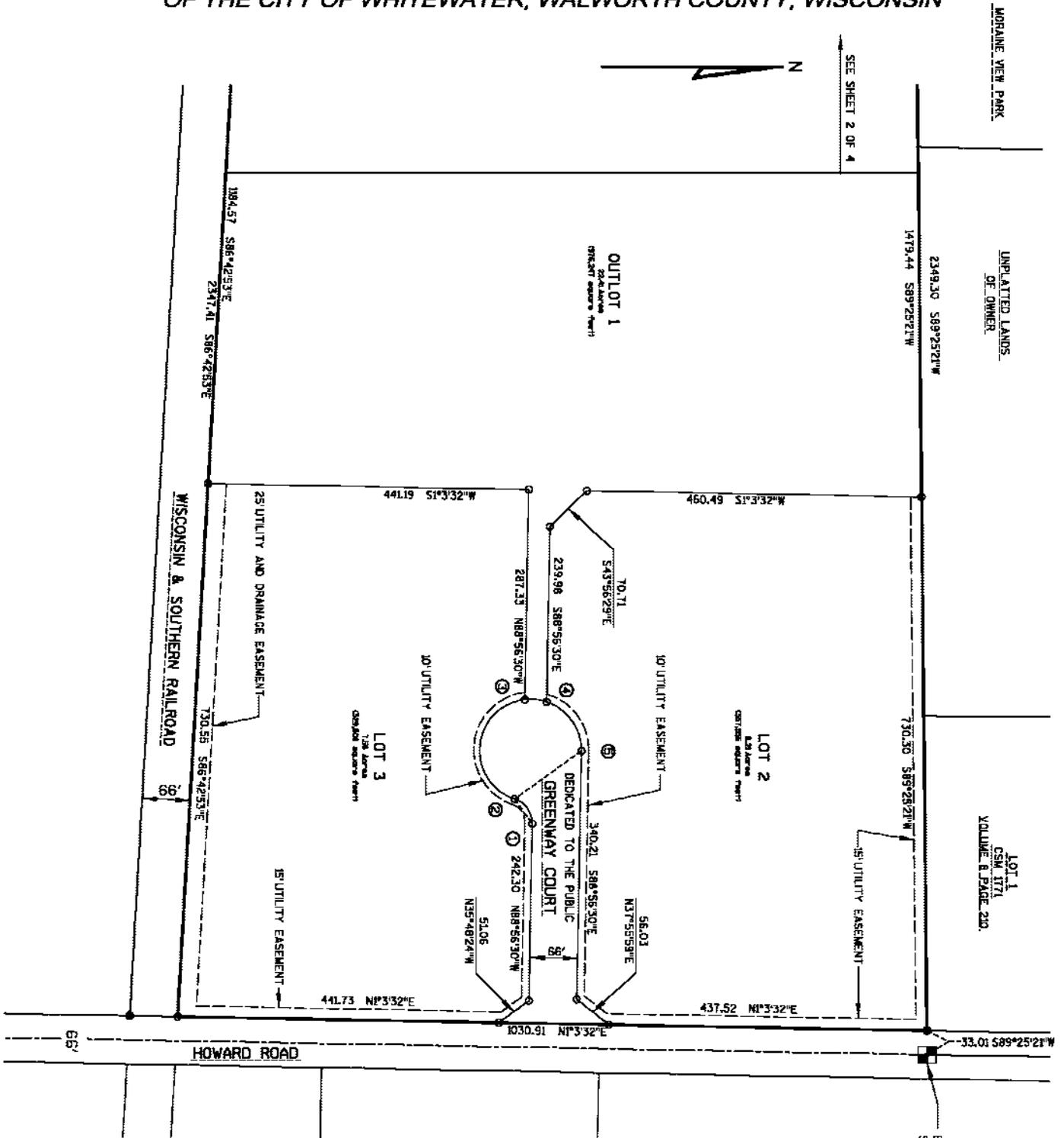
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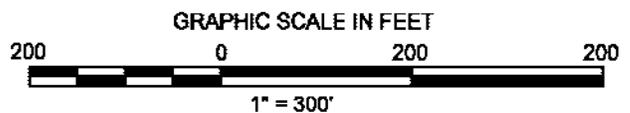


CURVE NO.	LOT	CHORD LENGTH	CHORD BEARING	RADIUS LENGTH	ARC LENGTH	CENTRAL ANGLE	TANGENT BEARING	TANGENT BEARING
1 - 2	3	46.55	S54°38'41"W	35.00	44.48	72°49'36"	N86°55'30"W	S18°51'13"W
2 - 3	3	136.80	N64°02'58"W	70.00	321.56	155°25'17"	S18°13'53"W	N06°51'49"W
3 - 4	OUT 1	30.12	N06°05'31"E	70.00	30.35	24°50'41"	N06°51'49"W	N18°30'51"E
4 - 5	2	82.35	N54°32'45"E	70.00	86.04	72°03'47"	N18°30'51"E	S69°25'22"E

- WALWORTH COUNTY MON., EXISTING, BRASS CAP
- SET ¾" O.D. X 24" REBAR (WEIGHING 1.50 LBS./L.F.)
- FOUND ¾" REBAR UNLESS OTHERWISE NOTED
- () RECORDED AS
- 15' — UTILITY EASEMENT



810 West Wings Drive
Nelson, Wisconsin 53715
(608) 251-4843



STATE OF WISCONSIN
Walworth County
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Commencing at the East 1/4 corner of Said Section 3; thence S 89° 25' 21" W, 33.01 feet along the E-W 1/4 line of said section 3, to the Westerly Right of Way line of Howard Road, the point of beginning;

thence S 89°25' 21" W, 2,349.30 feet along the E-W 1/4 line of said section 3; thence S 0°52'54" W, 872.64 feet, to the Northerly Right of Way line of Wisconsin & Southern Railroad formerly the Chicago, Milwaukee, and St. Paul Railroad; thence S 86°42'53" E, 2,347.41 feet along said Northerly line to said Westerly Right of way line of Howard Road; thence N 01° 03' 32" E, 1,030.91 feet along said Westerly right of way of Howard Road to the point of beginning.

Said parcel contains 51.28 acres more or less

Subject to any and all easements and restrictions, recorded and unrecorded.

That I have made such survey, land division, and map by the direction of the City of Whitewater, owner of said lands.

That such map is a correct representation of the exterior boundaries of the land surveyed and the division thereof.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the subdivision regulations of the City of Whitewater in surveying, dividing and mapping the same to the best of my knowledge and belief.

Chad A. Kopecky, agent for Strand Associates Dated this _____ day of _____, 2012.
Registered Land Surveyor No. 2970
Strand Project No. 1407.056

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By: Michele Smith Date: _____
Title: City of Whitewater - City Clerk

OWNERS CERTIFICATE OF DEDICATION

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CITY OF WHITEWATER

WITNESS the hand and seal of said owner(s) this _____ day of _____, 20____
In presence of:

Kevin Brunner, City Manager

STATE OF WISCONSIN
WALWORTH COUNTY) SS

Personally came before me this _____ day of _____, 20____, the above named _____ to me known to be the same person who executed the foregoing instrument and acknowledged the same.

(Notary Seal) _____
Notary Public, _____, Wisconsin
My commission expires _____



STATE OF WISCONSIN
Walworth County
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