



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW  
COMMISSION

Agenda

September 10, 2012

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

1.	Call to order and Roll Call.
2.	<b><u>Hearing of Citizen Comments.</u></b> 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: August 13, 2012.
4.	Hold a public hearing for consideration of an amendment to the Conditional Use Permit to replace the approved plan for the sign, with the proposed sign to be located at 234 N. Prince Street for The Element Apartments, CatCon Whitewater LLC.
5.	Conceptual Review of a proposed rezoning of the property located at 160 S. Whiton Street from R-1 (Single Family Residence) District to R-3 (Multifamily Residence) District for Deborah Zaverl.
6.	Information Items: a. Zoning Rewrite Steering Committee Meeting, Sept. 19, 2012, 6:00 p.m., Municipal Building Community Room. b. Possible future agenda items. c. Next regular Plan Commission Meeting – October 8, 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](mailto:jwegner@whitewater-wi.gov).

The City of Whitewater website is: [whitewater-wi.gov](http://whitewater-wi.gov)

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
August 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 Meyer called the meeting of the Plan and Architectural Review Commission to order at 6:00 p.m.

Present: Greg Meyer, Lynn Binnie, Karen Coburn, Bruce Parker, Jacob Henley, Donna Henry (Alternate).

Absent: Rod Dalee, Cort Hartmann.

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

**Hearing of Citizen Comments.** There were no citizen comments.

**Approval of the Plan Commission Minutes of July 9, 2012.** Moved by Binnie and seconded by Henry to approve the Plan Commission minutes of July 14, 2012. Motion approved by unanimous voice vote.

**Review 12,400 sq. ft. warehouse addition to be located at 1215 N. Universal Blvd. for Lavelle Industries.** City Planner Birkeland explained that this addition is for storage. They do have off-site storage to the west of their property which will cease to exist once this addition is built. The shared access drive off the west property line would be removed. There will be no changes to the truck traffic. The parking stalls have increased with this project, but there will be no additional employees. There will be 40 total stalls, more than the required minimum for the addition. This property is in the M-1 Zoning District and in the Whitewater Business Park. The Whitewater Business Park has covenants which requires on the front and side walls of all structures facing the street be faced with at least 30% decorative masonry or other material approved by the Plan Commission. Lavelle does not want to do the 30 % masonry and is providing more landscaping instead. The addition would match the current color of the building and would be metal panels. The City Forester Chuck Nass and the Urban Forestry Committee have approved the landscape plan. The only additional lighting will be the wall luminaries on the south and north sides of the addition. The only lighting that exceeds the maximum illumination levels is on the building with a maximum illumination level of 12.8. City Staff does not recommend decreasing these levels because these areas are intended to direct pedestrian and automobile traffic to the building's entrances and exits. The footcandles decrease rapidly and would meet the requirements at the property line.

Plan Commission Member Coburn asked about the 4 existing ash trees along the truck drive and if the trees should have extra care in order to keep the trees or remove them. City Planner Birkeland stated that the Plan Commission could make that recommendation.

Plan Commission Member Henley asked about the requirement for stormwater management for impervious surface being under one acre.

Birkeland explained that the engineers reviewed the plan and did not feel the need to require a stormwater management plan. She also noted that all the items required by the engineers have been done.

It was questioned if the 30% masonry requirement is by Plan Commission approval or are the neighbors to be involved. There was concern of setting a precedent. City Attorney McDonell explained that as a condition of a conditional approval, the landscaping would be required as part of the zoning of the property, and would need to be replaced if something happened to them. Chairperson Meyer explained that he would rather see the plantings than the decorative concrete block on the building.

Roger Jensen, Plant Manager, stated that the back portion of the building has gray sheet metal. The west side has the blue sheet metal and just the trim is gray.

Plan Commission Member Bruce Parker asked if a variance would be needed for the lighting. City Attorney McDonell researched and found that the Plan Commission can allow greater lighting based on justification. The Plan Commission can use the City Planner justification or can add more.

Roger Jensen stated that the lighting on the building is angled so the light goes down for security and visibility and does not spill out.

Chairperson Meyer opened the public hearing for public comment. There were no comments.

Chairperson Meyer closed the public hearing.

Moved by Binnie and seconded by Parker to approve the 12,400 sq. ft. warehouse addition to be located at 1215 N. Universal Blvd. for Lavelle Industries Inc. conditioned on the recommendations of City Staff. Ayes: Binnie, Parker, Coburn, Henley, Henry, Meyer. Noes: None. Absent: Dalee, Hartmann. Motion approved. (See attached Site Plan Approval for conditions or see the City Planner Staff Report).

**Public hearing for an amendment to the Conditional Use Permit to increase the hours of operation of the outdoor café to 8 a.m. until the State of Wisconsin “Class B” liquor alcohol licensee closing time hours (current law closing time is: Mon-Fri 2 a.m.; Sat and Sun 2:30 a.m.); to allow for portable/mini bar use on the patio; and to allow live entertainment on the patio at 111 W. Whitewater Street for Christ Christon.** City Planner Birkeland explained that Mr. Christon was asking to amend his conditional use permit to increase the hours of operation for the outdoor patio to bar time; to allow for a portable mini bar use on the patio; and

to allow live entertainment on the patio at 111 W. Whitewater Street. The Lakefront Pub is located at the back of the building. The patio is off of the back of the Lakefront Pub facing Cravath Lake. Staff had researched other outdoor patios (Mitchell's & Pumper's, and Wanda's Waterfront) for the time limits. They both were allowed later time requirements. Lacey Reichwald, owner of The SweetSpot in downtown Whitewater submitted a letter of support to extend the business hours of the outdoor patio space at the Lakefront Pub. She was not able to attend the meeting. The patio is 460 feet from the closest residentially zoned property. This property is in the B-2 Zoning District and is surrounded by B-2 Zoning. The ordinance for noise has a residential zone and a business zone. Code enforcement of noise is at the police officer's discretion. This is an amendment to the conditional use permit and the requested items can be considered individually or as a whole.

Plan Commission Member Binnie asked if in condition 6a, the security person could be a staff member. He also noted that if the amendments to the conditional use permit were approved, they would go to the Common Council for a revision to the beer and alcohol license and the entertainment license.

Christ Christon, owner of the Whitewater Family Restaurant and the Lakefront Pub, stated that all the amendments to the conditional use are for the Lakefront Pub, the back half of the building. Right now the hours for the patio are 10 a.m. until midnight, 7 days a week. He would also like to open at 9 a.m. on Saturdays and Sundays in order to have a small brunch. Currently he serves food until 10 p.m. and would like to extend his patio hours after midnight. The Pub closes one-half hour before bar time. There is a clientele difference for the Lakefront Pub compared with the college oriented bars in the downtown. The Lakefront Pub is a restaurant, first and foremost. 58% of sales are for food. There are very few places in Whitewater where people (approximately 24-48 years of age) can go relax, have a meeting, etc. The live music he proposes is a group with no more than three people who would provide acoustic, soft rock, or jazz contemporary music. He would like to be able to follow the same rules as the City from the lakefront, which is no live music after midnight. He would like to have music allowed until midnight on Saturday and Sunday, and earlier the rest of the week (with respect to neighbors), requesting 10 or 11 p.m. based on the Plan Commission decision. Mr. Christon also explained that he keeps the Whitewater Family Restaurant and the Lakefront Pub as separate businesses. The only things that cross over are the kitchen use and the soda dispensing machines. The mini-bar could be used for a private party in the private room in the Whitewater Street Restaurant that holds 45 people. When the mini-bar is not in use it is in storage. When a patron requests a specialty wine for a special event, the mini-bar will keep those items separate from the bar so there would be no mix up of the use. The other special events include Homecoming, graduations, and St. Patrick's Day. The mini-bar on the patio would allow for another employee on the patio to keep an eye on things.

Chairperson Meyer opened the public hearing for public comment.

Dr. Randall Nordorf, who has been in the area for 25 years, is a patron of the Lakefront Pub. He stated that there is not much social entertainment for young professionals in Whitewater. The Lakefront Pub adds that flavor to Whitewater. It allows for another place for the young professional to get together with people and still be able to hold a conversation.

Chairperson Meyer closed the public hearing.

The Plan Commissioners noted that: the mini-bar would be an asset on the patio; the main concern with the public is the type of music and hours it would be played. It was also suggested that in the future when an approval involving potential noise issues is requested near the lake that notification be given to the property owners on the other side of the lake even though they are outside the 300 ft. notification requirements.

Christ Christon added that there would be no DJ on the patio or inside. He just wants live music and will keep the noise within decibel limits. He would like a 3 piece acoustic group. If there are drums, there would be muffle pads on all drums and/or they would play the drum with brushes instead of drum sticks. They have also been installing sound absorbing material inside the building.

Moved by Coburn and Henley to approve the amendment to the conditional use permit for Christ Christon at 111 W. Whitewater Street subject to the City Planner conditions with the stipulation of the hours of music to be: Friday and Saturday nights until midnight, and Sunday through Thursday 10 p.m.; Condition 6a: During the hours the patio is open, the patio area shall be controlled with at least one staff personnel; 7b: There will be a maximum number of 4 citations from the police department allowed within one alcohol license year. And 8c: Mini-bar may be used anywhere within the building. Ayes: Coburn, Henley, Binnie, Parker, Henry, Meyer. Noes: None. Absent: Rod Dalee, Cort Hartmann. Motion approved.

(See attached Conditional Use approval for conditions or see the City Planner Staff Report).

**Informational Items:**

**Zoning Rewrite.**

Latisha Birkeland explained that the next meeting of the Zoning Rewrite Steering Committee is scheduled for September 19, 2012 at 6:00 p.m. in the Municipal Building Community Room.

**Future agenda items.**

There were two applications submitted for the September 10<sup>th</sup> meeting: a rezone request for 160 S. Whiton Street from R-1 to R-3 zoning; and a change to the sign for The Element that requires Plan Commission approval.

**Next regular Plan Commission meeting – September 10, 2012.**

Moved by Meyer and seconded by Henley to adjourn the meeting. Motion was carried by unanimous voice vote. The meeting adjourned at approximately 7:12 p.m.

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Chairperson Greg Meyer

1215 N. Universal Blvd.

## SITE PLAN APPROVAL

Plan Commission Meeting Date: August 13, 2012  
Property Owner: Lavelle Industries – Rhonda Sullivan  
Applicant: Lavelle Industries Inc.  
Property ID Number: A2509 00003  
Property Address: 1215 N. Universal Blvd.  
Whitewater, WI 53190

**REGARDING:** An approval for a 12,400 sq. ft. warehouse addition to be located at 1215 N. Universal Blvd. for Lavelle Industries Inc.

Approved subject to the following conditions:

1. The applicant shall make the building and site renovations in accordance with the plans approved by the Plan Commission dated 7/5/2012 and revised 7/27/2012.
2. Comply with all attached City Engineer comments dated 7/18/2012, that have already not been addressed in the revised plans.
3. Parking blocks shall be added to the parking spaces.
4. Knox box shall be added to the addition.
5. All approved landscaping shall be installed no later than six months from the date of Certificate of Occupancy or July 1<sup>st</sup>, 2013.
6. The 30% decorative masonry will not be required. They have increased the amount of landscaping exceeding the requirements to make up for the lack of masonry.

This permit was prepared by:

Latisha Birkeland  
Neighborhood Services Manager / City Planner

111 W. Whitewater St.

## CONDITIONAL USE PERMIT

Plan Commission Meeting Date: August 13, 2012  
Property Owner: Property Development LLC.  
Applicant: Christ G. Christon  
Property ID Number: TR 00004  
Property Address: 111 W. Whitewater Street  
Whitewater, WI 53190

**REGARDING:** An approval for an amendment to the conditional use permit (CUP) to increase the hours of operation of the outdoor patio from 8 a.m. until the State of Wisconsin “Class B” liquor alcohol licensee closing time hours (current law closing time is: Mon-Fri 2 a.m.; Sat and Sun 2:30 a.m.); to allow for portable/mini bar use on the patio; and to allow live entertainment on the patio at 111 W. Whitewater Street (Lakefront Pub) for Christ Christon.

Approved subject to the following conditions:

1. The applicant shall be required to comply with the conditions approved on 6/14/2010, except for changes that are necessary to meet the conditions for the proposed amendments.
2. The conditional use permit shall run with the applicant and not the land. Any change in ownership will require approval of a conditional use permit for the new owner/operator from the Plan Commission.
3. Maintain the dumpster area in a clean fashion.
4. Adding operational and recording surveillance cameras as stated in the 2010 Plan Commission approval.
5. Any additional lighting added to the patio area must maintain neat and orderly appearance at all times.
6. Expansion of patio hours:
  - a. During the hours the patio is open, the patio area shall be controlled with at least one staff personnel.
  - b. Patio hours will need to comply with the State of Wisconsin “Class B” beer and liquor license closing time hours.
7. Live music components:
  - a. The limitations of hours for live music will be Friday and Saturday nights until midnight

(12:00 a.m.), and Sunday through Thursday until 10:00 p.m.

- b. There will be a maximum number of 4 citations from the police department allowed within one alcohol license year.
- c. An entertainment license needs to be amended to allow entertainment on the patio.

8. Addition of mini-bar:

- a. Removal of the mini-bar from the patio area when not used.
- b. Mini-bar must always remain portable.
- c. Mini-bar may be used anywhere within the building.

Approval by the Common Council is required for the revisions to the “Class B Beer and Liquor License”.

This permit was prepared by:

Latisha Birkeland  
Neighborhood Services Manager / City Planner



## VANDEWALLE & ASSOCIATES INC.

**To:** City of Whitewater Plan and Architectural Review Commission  
**From:** Scott Harrington, AICP, City Planning Consultant  
**Date:** September 5, 2012  
**Re:** Conditional Use Permit Amendment to permit a revised design for a freestanding sign at the Element Apartments; 234 N. Prince St.

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### Summary of Request

**Requested Approval:** Conditional Use Permit Amendment

**Applicant:** The Element Apartments; CatCon Whitewater, LLC

**Existing Use:** 18-unit Apartment Building

**Location:** 234 N. Prince St.

**Current Zoning:** R-3, Multifamily Residential District

**Future Land Use Designation:** Higher Density Residential

**Surrounding Zoning and Land Use:** **North:** R-3, student-rented housing; **East:** Institutional zone, UWW; **South:** R-3, student housing; **West:** R-3, student housing & vacant

### Brief History of Project or Site:

The Element Apartment project was granted conditional use and site plan approval by the Plan and Architectural Review Commission on June 13, 2011, after undergoing significant review and revisions over a several month period prior to approval. The final approval granted by the Commission included specific reference to all of the plans submitted by the applicant, including one for the freestanding sign to be located at the front of the project. As a result, it is the opinion of the City Attorney, staff, and consultant that the proposed changes to the sign require review and approval by the Commission as an amendment to the Conditional Use.

### Analysis of Proposed Project:

A drawing of the proposed sign and a site plan showing its location are included with the application materials provided by the applicant. A drawing of the sign as originally approved with the project last year is attached to this report.

The primary change to the sign is mostly in the base structure that supports it. As shown in the attachments, the original design had a stone veneer base whereas the base of the new design consists

of painted aluminum panels. Both signs/bases are compatible with the architectural style and materials used for the building, but the proposed sign has more of a contemporary look than the original sign. Further, the original design was more horizontal in its dimensions and was lower than the sign itself whereas the new design is more vertical in its appearance and extends above the sign.

The actual sign face itself has been reduced in size from 28 sqft for the original to 15.5 sqft for the proposed sign; however, the original sign was one-sided whereas the new sign will be two-sided giving it a total area of 31 sqft. Both the original and proposed signs are internally lit. The highest point of the sign and supporting structure of the original was 5.25 feet whereas the new sign is 6 feet in height.

Standards for signs are found in Chapter 19.54 of the Code. Under those provisions, signs for residential buildings with more than 12 units may be up to 32 sqft in size, up to 8 feet in height, and include the name and address of the property and the management company. Such signs may be located in the street yard or near the main entrance. Both the original and proposed signs comply with all of these provisions.

**Recommendation:**

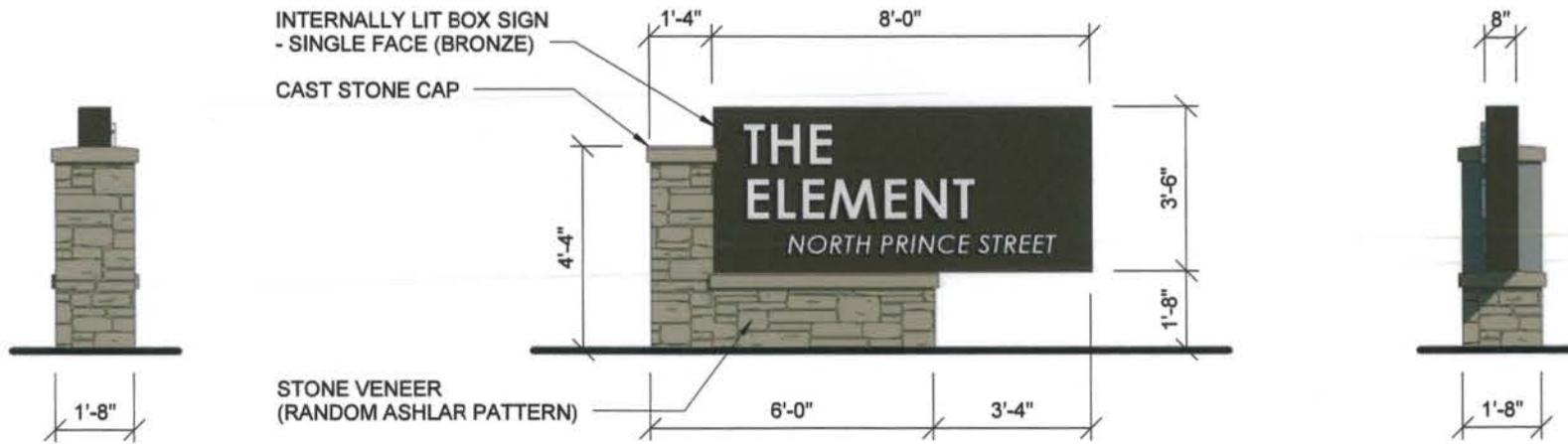
Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the conditional use permit amendment for the Element Apartments to install a new freestanding sign as proposed.

SHEET DATES:

MAY 16, 2011

JUNE 6, 2011

FIRST FLOOR  
100'-0"



**SIGN SOUTH ELEVATION**

SCALE: 1/4" = 1'-0"

**SIGN EAST ELEVATION**

SCALE: 1/4" = 1'-0" (WEST ELEVATION SIMILAR)

**SIGN NORTH ELEVATION**

SCALE: 1/4" = 1'-0"

2011 © EXCEL ENGINEERING, INC.

**JOB NUMBER:**

1104280

**SHEET**

**A2.0**

**PRELIMINARY DRAWING - NOT FOR CONSTRUCTION**



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0540

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### 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 10th day of September, 2012 at 6:00 p.m. to hold a public hearing for the consideration of an amendment to the conditional use permit to replace the approved plan for the sign with the proposed sign to be located at 234 N. Prince Street for The Element Apartments, CatCon Whitewater LLC.

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

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

For information, call (262) 473-0540.

  
\_\_\_\_\_  
Latisha Birkeland, Neighborhood Services Manager/City Planner

/A438600001  
CATCON WHITEWATER LLC  
225 E MASON ST STE 600  
MILWAUKEE WI 532020000

/BH 00009  
DLK ENTERPRISES  
PO BOX 239  
WHITEWATER WI 531901339

/WUP 00150,180,181A,183C,D,E  
LEE L DANIELS TRUST  
ROBERT F KANTIN TRUSTEE  
C/O TINCHER REALTY  
532 W MAIN ST  
WHITEWATER WI 53190

/WUP 00178B  
JOHN J TINCHER  
N1190 CO RD N  
WHITEWATER WI 531900000

/WUP 00183  
JEFFREY D THATCHER  
1050 W. FLORENCE ST  
WHITEWATER WI 531900000

/BH 00007  
CHASE J KINCAID  
W377 S2283 KINCAID LN  
DOUSMAN WI 531180000

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WHITEWATER WI 531900000

UW-WHITEWATER  
800 W MAIN ST  
WHITEWATER WI 53190

/WUP  
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DLK ENTERPRISES INC  
141 W. WHITEWATER ST  
PO BOX 239  
WHITEWATER WI 531900000

/WUP 00179,183II,183I,184  
WHITEWATER DEVELOPMENT,  
LLC  
P. O. BOX 239  
WHITEWATER WI 531900000

/WUP 00183B  
KACHEL LP 1042 WEST FLORENCE  
LLC  
PO BOX 239  
WHITEWATER WI 531900000

/BH 00008,10  
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KATHLEEN KINCAID  
W1581 ISLAND RD  
PALMYRA WI 531560000

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ROBERT F KANTIN TRUSTEE  
3445 CEDAR DR  
PARK CITY UT 840980000

/WUP 00178A  
CATCON WHITEWATER LLC  
225 E MASON ST STE 600  
MILWAUKEE WI 532020000

/WUP 00181,182  
DALE N STETTLER TRUST  
GAYLE M STETTLER TRUST  
PO BOX 657  
WHITEWATER WI 531900000

/WUP 00183K  
CAROL A CARSON  
307 CHURCH ST  
MINERAL POINT WI 535650000

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

CITY OF WHITEWATER  
PLAN REVIEW APPLICATION PROCEDURE

1. File the application with the Code Enforcement Director's Office at least four weeks prior to the meeting. \$100.00 fee. Filed on 8-13-12.
2. <sup>public hearing notice-</sup>~~Agenda~~ Published in Official Newspaper on 8-30-12.
3. Notices of the public review mailed to property owners on 8-28-12.
4. Plan Commission holds the public review on 9-10-12.  
They will hear comments of the Petitioner and comments of property owners.  
Comments may be made in person or in writing.
5. At the conclusion of the public review, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

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

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

City of Whitewater  
Application for Plan Review

**IDENTIFICATION AND INFORMATION ON APPLICANT(S):**

Applicant's Name: The Element Apartments, CatCon Whitewater LLC  
Applicant's Address: 225 East Mason Street, Suite 600 Phone # 414-881-5286

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

Street address of property: 234 North Prince Street

Legal Description (Name of Subdivision, Block and Lot or other Legal Description):  
WUP 00178

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

Name of Individual: Andrew Reahm  
Name of Firm: CatCon Whitewater LLC  
Office Address: 225 East Mason Street, Suite 600 Phone: 414-881-5286

Name of Contractor: Catalyst Construction

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

**EXISTING AND PROPOSED USES:**

**Current Land Use:**  
Principal Use: Student Housing  
Accessory or Secondary Uses: None

**Proposed Use**  
No change in use. Submitting for a sign permit.

No. of occupants proposed to be accomodated: NA  
No. of employees: NA  
Zoning District in which property is located: NA  
Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located:

**PLANS TO ACCOMPANY APPLICATION**

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

**PLOT PLAN**

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

**STANDARDS**

STANDARD	APPLICANT'S EXPLANATION
A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	Monument Sign Approval
B. The proposed development will be consistent with the adopted city master plan;	Not Applicable.
C. The proposed development will be compatible with and preserve the important natural features of the site;	Not Applicable.
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	Not Applicable.

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>Not Applicable.</p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>Location and size previously approved. Requesting approval on final look of signage.</p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p>Not Applicable.</p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p>Not Applicable.</p>

**CONDITIONS**

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

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

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



Applicant's Signature

8/13/12

Date

**APPLICATION FEES:**

*Fee for Plan Review Application: \$100*

Date Application Fee Received by City 8-13-12 Receipt No. 6.01 0030

Received by J. Wegner

**TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:**

Date notice sent to owners of record of opposite & abutting properties: 8-28-12  
Date set for public review before Plan & Architectural Review Board: 9-10-12

**ACTION TAKEN:**

Plan Review: \_\_\_\_\_ Granted \_\_\_\_\_ Not Granted by Plan & Architectural Review Commission.

**CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:**

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\_\_\_\_\_  
Signature of Plan Commission Chairman

\_\_\_\_\_  
Date



## Cost Recovery Certificate and Agreement

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

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

### Section A: Background Information

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

Applicant's Information:

Name of Applicant:

Andy REAM

Applicant's Mailing Address:

225 E. MAISON STREET STE 600

MILWAUKEE, WI

Applicant's Phone Number:

414-888-5280

Applicant's Email Address:

Andy@CATALYSTBUILDS.COM

Project Information:

Name/Description of Development:

THE ELEGANT APARTMENTS

Address of Development Site:

234 N. PRINCE STREET.

Tax Key Number(s) of Site:

Property Owner Information (if different from applicant):

Name of Property Owner:

SAME.

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

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

**Section C: Agreement Execution**

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

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

[Signature]  
Signature of Applicant/Petitioner

\_\_\_\_\_  
Signature of Property Owner (if different)

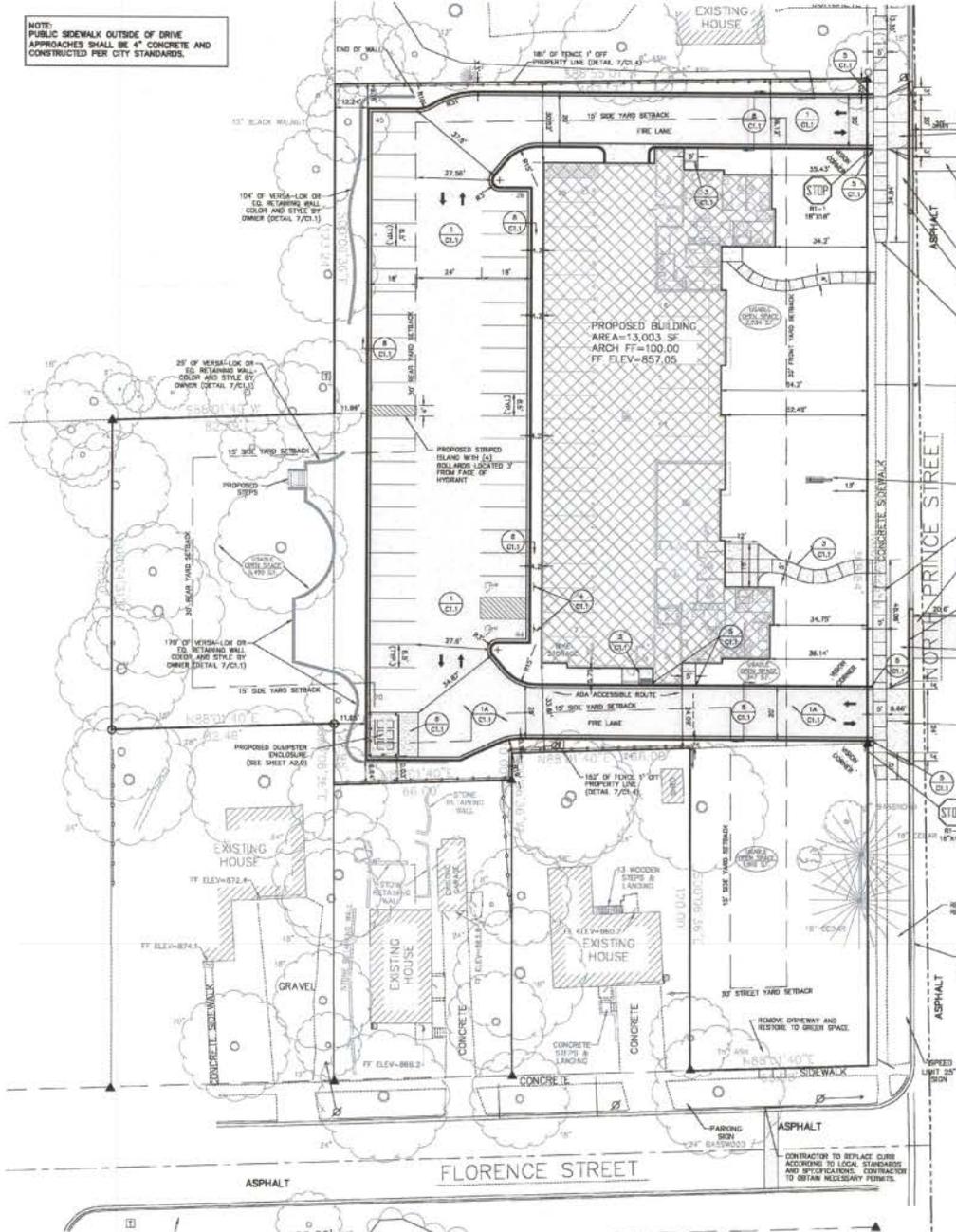
Amy Brown  
Printed Name of Applicant/Petitioner

\_\_\_\_\_  
Printed Name of Property Owner (if different)

8/13/12  
Date of Signature

\_\_\_\_\_  
Date of Signature

NOTE:  
PUBLIC SIDEWALK OUTSIDE OF DRIVE  
APPROACHES SHALL BE 4" CONCRETE AND  
CONSTRUCTED PER CITY STANDARDS.



NOTE COORDINATE PRINCE ST.  
IMPROVEMENTS WITH THE CITY'S  
CAPITAL IMPROVEMENT PROGRAM  
SCHEDULED FOR 2012

CONTRACTOR TO MATCH EXISTING  
ENTRANCE AND SIDEWALK AT  
COURTNEY LOCATION.  
CONTRACTOR TO POUR NEW  
CONCRETE TO MATCH EXISTING  
ENTRANCE AND TRANSITION FROM FLUSH TO  
FULL CURB IN 18" AT THE END  
OF EACH FLARE. CONTRACTOR  
TO CONSTRUCT DRIVE ENTRANCE  
ACCORDING TO LOCAL STANDARDS  
AND SPECIFICATIONS. CONTRACTOR  
TO OBTAIN NECESSARY PERMITS.

CONTRACTOR TO MATCH EXISTING  
PAVEMENT SECTION ACCORDING TO  
LOCAL STANDARDS AND  
SPECIFICATIONS FOR REPLACEMENT  
OF ASPHALT. OVER UTILITY  
CONNECTION. CONTRACTOR TO  
OBTAIN NECESSARY PERMITS.

CONTRACTOR TO MATCH EXISTING  
PAVEMENT SECTION ACCORDING TO  
LOCAL STANDARDS AND  
SPECIFICATIONS FOR REPLACEMENT  
OF ASPHALT. OVER UTILITY  
CONNECTION. CONTRACTOR TO  
OBTAIN NECESSARY PERMITS.

CONTRACTOR TO REPLACE CURB  
ACCORDING TO LOCAL STANDARDS  
AND SPECIFICATIONS. CONTRACTOR  
TO OBTAIN NECESSARY PERMITS.

CONTRACTOR TO MATCH EXISTING  
PAVEMENT SECTION ACCORDING TO  
LOCAL STANDARDS AND  
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CONNECTION. CONTRACTOR TO  
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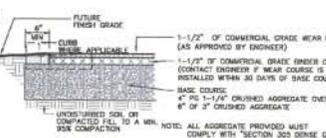
CONTRACTOR TO MATCH EXISTING  
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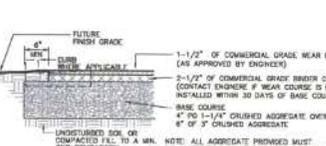
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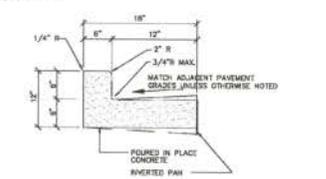
CONTRACTOR TO MATCH EXISTING  
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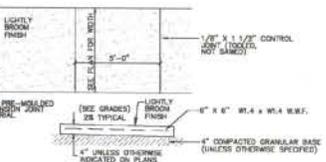
1 STANDARD ASPHALT PAVING DETAIL  
NO SCALE



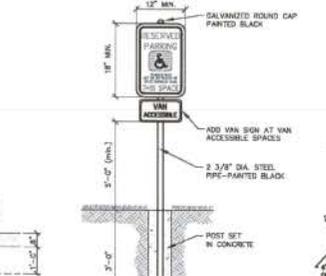
2 HEAVY DUTY ASPHALT PAVING DETAIL  
NO SCALE



3 18" CONCRETE CURB & GUTTER DETAIL  
NO SCALE



4 CONCRETE SIDEWALK  
NO SCALE



5 HANDICAP SIGNAGE DETAIL  
NO SCALE



6 TAPERED CURB DETAIL  
NO SCALE

**SITE INFORMATION:**

PROPERTY AREA = 67,458 S.F. (1,549 ACRES).  
EXISTING ZONING: R-3 RESIDENTIAL  
PROPOSED ZONING: R-3 RESIDENTIAL  
PROPOSED USE: MULTI-FAMILY HOUSING (COLLEGE STUDENT HOUSING)  
MIN. SETBACKS: BUILDING: FRONT = 30'  
SIDE = 15'  
REAR = 30'  
CORNER = 25'  
PARKING: SIDE = 5'  
REAR = 3'

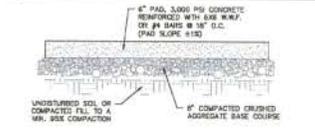
ADJACENT ZONING: NORTH: R-3, SOUTH: R-3, EAST: R-3, WEST: R-3  
PROPOSED BUILDING HEIGHT: 34'-THREE STORES.  
BUILDING: 18 UNITS: 89 OCCUPANTS  
PARKING PROVIDED: 70 SPACES TOTAL (3 H.C. ACCESSIBLE)  
PARKING RATIO PROVIDED (SPACES PER OCCUPANT): 1.01  
HANDICAP STALLS REQUIRED: 3, HANDICAP STALLS PROVIDED: 3  
HOURS OF OPERATION: 24 HOURS  
BUILDING OCCUPANCY CLASSIFICATION = R-3 RESIDENTIAL  
CLASS OF BUILDING CONSTRUCTION = VA  
DISTURBED AREA = 51,000 SF (1.17 AC)  
USABLE OPEN SPACE ON SITE: 10,877 S.F. TOTAL  
(3,300 S.F. REQUIRED)

**EXISTING SITE DATA**

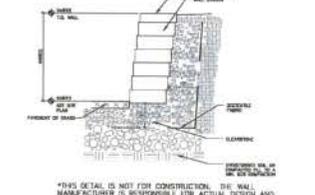
PROJECT SITE	AREA (AC)	AREA (SF)	RATIO
BUILDING FLOOR AREA	1.55	67,458	8.26
PAVEMENT (ASP. & CONC.)	0.13	5,563	6.46
TOTAL IMPROVEMENTS	0.25	10,874	12.58
LANDSCAPE/OPEN SPACE	0.87	37,889	43.78

**PROPOSED SITE DATA**

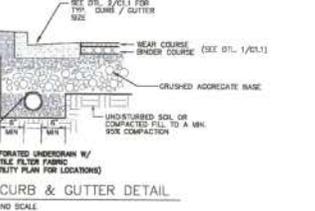
PROJECT SITE	AREA (AC)	AREA (SF)	RATIO
BUILDING FLOOR AREA	1.50	67,458	20.25
PAVEMENT (ASP. & CONC.)	0.50	21,860	32.61
TOTAL IMPROVEMENTS	0.82	33,597	50.86
LANDSCAPE/OPEN SPACE	0.73	31,863	47.38



7 CONCRETE DUMPSTER PAD  
NO SCALE



8 RETAINING WALL DETAIL  
NO SCALE



9 CURB & GUTTER DETAIL  
NO SCALE



10 SITE PLAN  
SCALE: 1"=20'-0"  
1"=20'  
SCALE  
FEET



139 CHARLOTTE DRIVE  
PO BOX 21426 WISCONSIN  
PHONE: 262-798-1499  
FAX: 262-798-9492



1700 W. CEDAR DRIVE  
WISCONSIN  
PHONE: 262-798-1499  
FAX: 262-798-9492

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

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

SHEET ISSUE:  
SEPTEMBER 27, 2011

SEE THIS SHEET TO CONFIRM  
THAT THIS SHEET HAS BEEN  
REVISED FOR CONSTRUCTION

REVISIONS:

JOB NUMBER:  
1104280  
SHEET

C1.1

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Renderings are for graphic purposes only and are not intended for actual production.  
The ink colors in this rendering may differ from the actual colors used.

Job Name: The Element	Sales Person: Jim Schaefer jim@signworkswi.com
Date: 6/26/12	
<i>Final</i>	

Approved \_\_\_\_\_  
Date \_\_\_\_\_

Colors T.B.D By Andy Reahn  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# VANDEWALLE & ASSOCIATES INC.

**To:** City of Whitewater Plan and Architectural Review Commission  
**From:** Scott Harrington, AICP, City Planning Consultant  
**Date:** September 5, 2012  
**Re:** Concept Review for a proposed rezoning of 160 S. Whiton St. from R-1 to R-3

---

## Summary of Request

**Requested Approval:** Non-binding Concept Review of Proposed Rezoning

**Applicant:** Deborah Zaverl (property owner)

**Existing Use:** Single Family Home

**Location:** 160 S. Whiton St.

**Current Zoning:** R-1, One-Family Residence District

**Proposed Zoning:** R-3, Multifamily Residence District

**Future Land Use Designation:** Central Area Neighborhood

**Surrounding Zoning and Land Use:** **North:** R-1, single family home; **East:** Planned Community District; **South:** R-2, single family home; **West:** R-1, single family home

## Brief History of Project or Site:

The applicant initially submitted a formal application for a rezoning of her property from R-1 to R-3. As staff and the consultant began an analysis of the request, it was quickly determined that a Comprehensive Amendment would also be required given the specific language in the plan (as highlighted in this report) regarding rezonings of this type within the Central Area Neighborhood future land use designation. As a result, Ms. Zaverl agreed to withdraw her application and, instead, seek a concept review and direction from the Commission on her proposal.

## Analysis of Proposed Project:

As indicated in the narrative provided with the application, Ms. Zaverl has lived in the home for 25 years. Over that time, the immediately surrounding area has changed from mostly owner-occupied housing to rental housing for students. The applicant states that this has changed the character of the neighborhood considerably to the point where she no longer wishes to live there and believes she will have great difficulty trying to sell the home to another owner-occupant. As a result, she is seeking a rezoning that would allow a conversion of the home to one more rental units

The subject property is part of a small area currently zoned R-1 that primarily fronts along both of W. Conger St. Although the area consists of single family homes, many of them appear to be rentals. Bordering this area to the north is an R-3 district that fronts along W. Main Street, and to the south is a large area zoned R-2. The Comprehensive Plan Future Land Use Map includes most of Conger St. and the area to the south in the Single-Family Residential – City designation, while the applicant’s property and most of those fronting along both sides of Whiton, north of W. Highland, are included in the Central Area Neighborhood designation.

Within the text of the Comprehensive Plan describing the Central Area Neighborhood, there is an acknowledgement that the area contains a mix of owner-occupied and rental units and mix of single family and multifamily dwellings. However, there are number of policies that are included to promote “an effective and sustainable Neighborhood Preservation Strategy.” Among these are the following:

*“When considering future rezoning requests, the existing city zoning districts most appropriate to implement this future land use designation are . . . R-3 Multifamily Residential District (but only in areas where the R-3 district was already mapped on the date this Comprehensive Plan was adopted).”*

*“Strongly discourage rezonings from less intensive to more intensive residential zoning districts (e.g., from R-2 to R-3), in order to preserve the overall character of the Central Area Neighborhoods and prevent R-3-level housing densities in areas that were not previously zoned R-3.”*

In addition, the plan contains 13 criteria to consider whether and how to grant requested approvals that will result in the increase in the number of housing units within any building or lot to, *“protect and elevate the character, quality, appearance, and function of the Central Area Neighborhoods.”*

Based on the above, staff and the planning consultant strongly believe that an amendment to the Comprehensive Plan would be necessary in order to approve the rezoning and meet the state “consistency” requirements.

The future zoning and housing in the general area also has been discussed as part of the ongoing zoning code rewrite process. One of the concepts being considered is an overlay district within the R-2 district that would allow (subject to conditional use approval) the maximum occupancy within a home/unit to be tied to the number of bedrooms rather than current limitation of a maximum of 3 unrelated persons.

An initial map of the overlay district reviewed by the Rewrite Committee in February included a large area immediately south of the applicant’s property (see Attachment 1). After a significant amount of discussion, the area of the overlay district was scaled back and still does not include the applicant’s property, although it continues to adjoin it (see Attachment 2 from June of this year).

Although the applicant’s property is bounded on two sides by other property zoned R-1, it is unusual in that nearly all of the other property zoned R-1 faces Conger while the applicant’s property faces Whiton. As a result, the applicant’s property has an appearance that is more similar to the properties to the south, which are zoned R-2 and still under consideration for the overlay district.

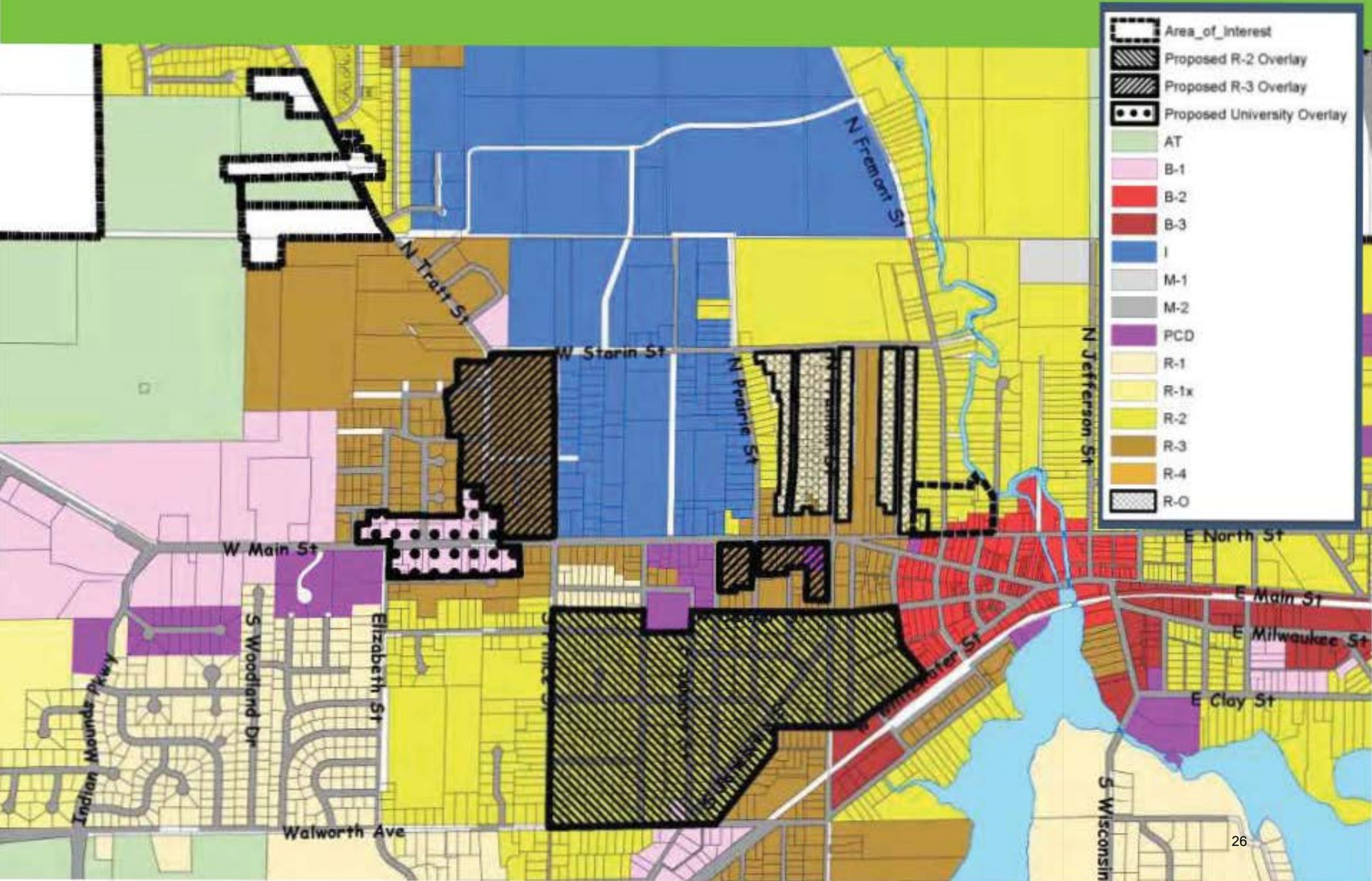
Given the proposed rezoning’s direct conflicts with the Comprehensive Plan and the fact that the zoning code and map are currently under review in their entirety, staff and the consultant suggested the applicant seek input and guidance from the Planning and Architectural Review Commission before submitting additional applications. It should be further noted that the property owner immediately north of the applicant’s property also is considering a similar rezoning request.

**Recommendation:**

The orientation of the applicant's lot may give rise for considering its inclusion in the neighboring R-2 district to the south, as well as the proposed overlay district. However, a rezoning to R-3, in my opinion, would be inappropriate given that the property currently does not adjoin any other property zoned R-3 and the strong language included in the Comprehensive Plan discouraging such rezonings. It also is my opinion that this request would be better considered and decided in the larger context of the ongoing zoning code rewrite process than as a stand alone petition.

Accordingly, I recommend the Commission members provide input on the matter to the Rewrite Committee and suggest that the applicant and her neighbor pursue the matter through that process rather submitting additional applications. Although all comments and direction from Planning and Architectural Review Commission members are non-binding, they will be extremely helpful to the applicant, her neighbor, the Rewrite Committee and staff.

# R-3A: Overlay – Higher Density Housing



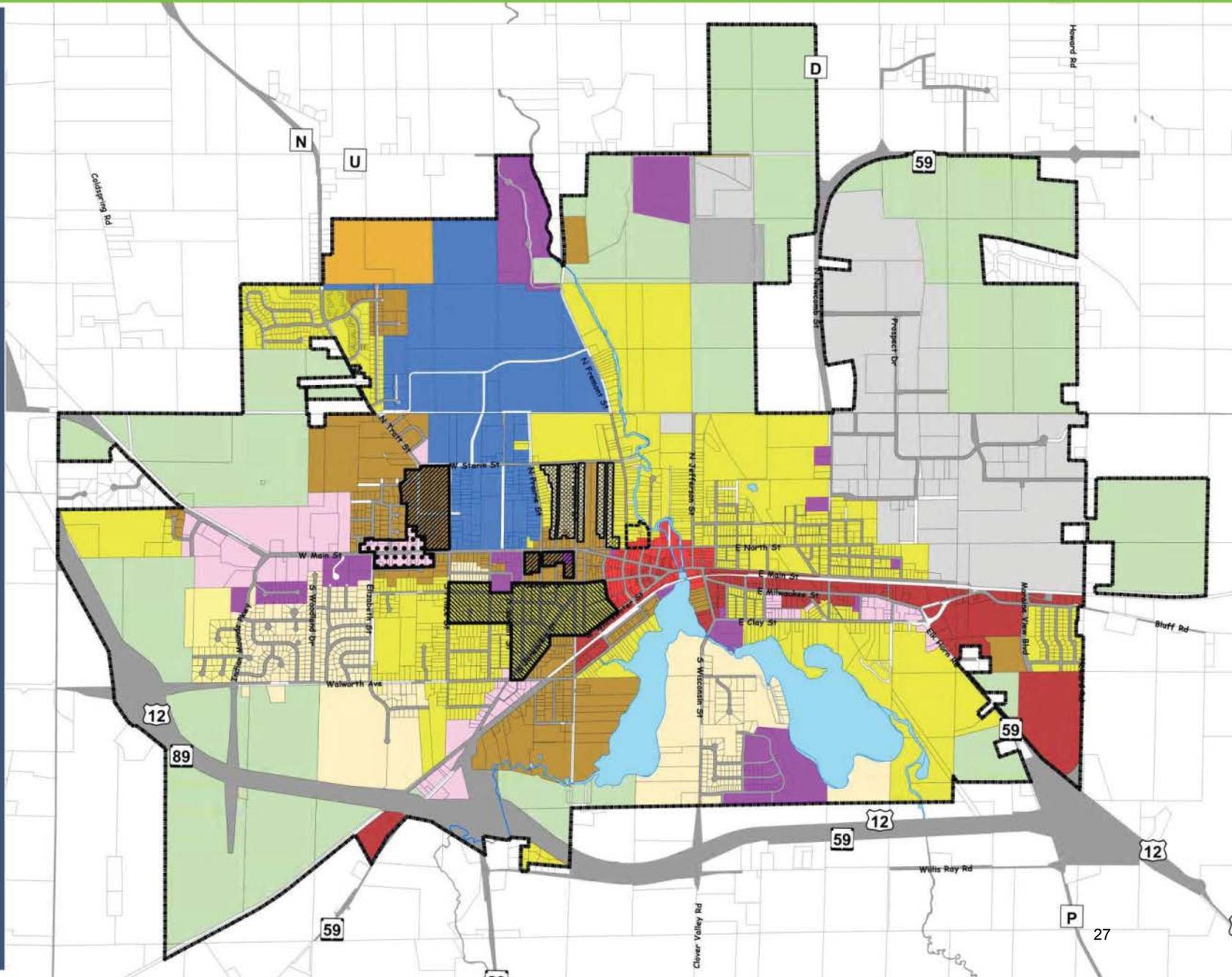
# Zoning: Proposed District Changes

## ZONING MAP PROPOSED AMENDMENTS CITY OF WHITEWATER WISCONSIN



1 in = 1,200 ft

GRAEF





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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
Telephone: (262) 473-0540

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NOTICE OF CONCEPTUAL REVIEW

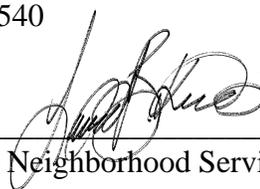
TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building, Community Room, located at 312 W. Whitewater Street on the 10th day of September, 2012 at 6:00 p.m. for a conceptual review of a proposed rezoning of the property located at 160 S. Whiton Street from R-1 (Single Family Residence) District to R-3 (Multifamily Residence) District for Deborah Zaverl.

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

  
\_\_\_\_\_  
Latisha Birkeland, Neighborhood Services Manager/City Planner

/BIR 00002  
WHITON HIGHLAND RENTALS  
LLC  
W9597 BREIDSAN HILL DR  
WHITEWATER WI 53190 0000

/BIR 00078A  
WILLIAM J RAYMAKERS  
SHARON A RAYMAKERS  
4503 MILLTOWN RD  
GREEN BAY WI 54313 0000

/BIRH 00004,CON 00030  
JAMES D UHRICH  
BRADLEY D LOWREY  
PO BOX 233  
WHITEWATER WI 53190 0000

/CON 00010C  
THEESFELD PROPERTIES LLC  
4865 S LYNN DR  
NEW BERLIN WI 53151 0000

/CON 00015  
RICHARD YASKO  
CARYL A YASKO  
136 S. WHITON ST  
WHITEWATER WI 53190 0000

/CON 00018A  
DEBORAH ZAVERL  
160 S. WHITON ST  
WHITEWATER WI 53190 0000

/CON 00020  
SHERRY L LUMBY  
931 CONGER ST  
WHITEWATER WI 53190 0000

/CON 00028A  
ROBERT J SCHENCK  
936 W HIGHLAND ST  
WHITEWATER WI 53190 0000

/CON 00031,32, BIR 00075,76  
LADWIG & VOS INC  
140 LONGMEADOW DR  
BURLINGTON WI 53105 0000

/BIR 00077  
NASS RENTALS LLC  
N8330 JACKSON RD  
WHITEWATER WI 53190 0000

/BIRH 00002  
DLK 818 WEST CONGER LLC  
PO BOX 239  
WHITEWATER WI 53190-1701

/BIRH 00005  
PHILIP S UHRICH  
414 MIDDLESEX COURT  
BUFFALO GROVE IL 60089 0000

/CON 00011  
BENJAMIN MOTIFF  
SARAH MOTIFF  
5401 LACY RD  
FITCHBURG WI 53711-5315

/CON 00016  
IVAN & ELIZABETH BOGIE  
W3410 CRESTWOOD DRIVE  
WHITEWATER WI 53190 0000

/CON 00018B  
M JANETTE BOHI  
4611 E OAKVIEW DR  
MILTON WI 53563 0000

/CON 00017A,21,21A  
JONATHAN K FARRIS  
GERARD A FARRIS  
564 E MERRIFIELD RD  
EDGERTON WI 53534 0000

/CON 00029  
JOHN J KINZER  
ANN L KINZER  
7956 GOLDEN BAY TRAIL  
WATERFORD WI 53185 0000

/WUP 00228  
WARHAWK REAL ESTATE  
FOUNDATION  
800 W MAIN ST  
WHITEWATER WI 53190 0000

/BIR 00078  
WILLIAM P MATTERT  
JEAN A MATTERT  
935 W. HIGHLAND ST  
WHITEWATER WI 53190 0000

/BIRH 00003  
DALE N STETTLER TRUST  
GAYLE M STETTLER TRUST  
PO BOX 657  
WHITEWATER WI 53190 0000

/CON 00004  
SANCTUARY OF THE FIRSTBORN  
921 W MAIN ST  
WHITEWATER WI 53190 0000

/CON 00013  
STEVEN L JACKSON  
DEBRA J JACKSON  
PO BOX 699  
POYNETTE WI 53955 0000

/CON 00018  
RANDALL ASCHBRENNER  
DBA RLA CONSTRUCTION & DEV LLC  
PO BOX 511  
MACFARLAND WI 53558 0000

/CON 00019  
EKGA PROPERTIES LLC  
N7470 KETTLE MORAIN DR  
WHITEWATER WI 53190 0000

/CON 00028  
PETER G DISLEY  
938 W. SOUTH ST  
WHITEWATER WI 53190 0000

/CON 00029A  
GERALDINE R WILCOX, LIFE EST.  
KATHY L SMITH  
924 W HIGHLAND ST  
WHITEWATER WI 53190 0000

City of Whitewater  
Application for Amendment to Zoning District or Ordinance

**IDENTIFICATION AND INFORMATION ON APPLICANT(S):**

Applicant's Name: DEBORAH S. ZAVERL  
Applicant's Address: 160 S. Whiton St.  
Whitewater WI 53190 Phone # 920-728-2135

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

Street address of property: 160 S. Whiton

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

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

Name of Individual:

Name of Firm:

Office Address:

Phone:

Name of Contractor:

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

**EXISTING AND PROPOSED USES:**

**Current Zoning District or Ordinance to be Amended:**

R1

**Proposed Zoning District or Ordinance**

R.3

Zoning District in which property is located: R1

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

**PLANS TO ACCOMPANY APPLICATION**

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

**PLOT PLAN**

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

**STANDARDS**

STANDARD	APPLICANT'S EXPLANATION
A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;	
B. The proposed development will be consistent with the adopted city master plan;	
C. The proposed development will be compatible with and preserve the important natural features of the site;	Not <del>changed</del> changing
D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	Hopefully will increase VALUE

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p><i>Will not change</i>  <i>Collage has made a mess of it already</i></p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p><i>NA Not changing</i></p>
<p>G. Landmark structures on the National Register of Historic Places will be recognized as products of their own time. Alterations which have no historical basis will not be permitted;</p>	<p><i>NA</i></p>
<p>H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.</p>	<p><i>NA Not changing structure</i></p>

**CONDITIONS**

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to hold a public hearing and make recommendation to the City Council for the proposed changes (Section 19.69).

Reborah S Zavel 8-12-12  
Applicant's Signature Date

**APPLICATION FEES:**

*Fee for Amendment to Zoning or Ordinance: \$200*  
Date Application Fee Received by City 8-13-12 Receipt No. 6.010027  
Received by Jwegan

**TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:**

Date notice sent to owners of record of opposite & abutting properties: 8-29-12  
Date set for public review before Plan & Architectural Review Board: 9-10-12

**ACTION TAKEN:**

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

**CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Plan Commission Chairman

\_\_\_\_\_  
Date

# 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:

DEBORAH S. ZAVERL

Applicant's Mailing Address:

160 S. Whiton St  
Whitewater WI 53196

Applicant's Phone Number:

920-728-2135

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.....\$ 200.00
- B. Expected Planning Consultant Review Cost .....\$ 400-2000.00
- C. Total Cost Expected of Applicant (A+B) .....\$ ~~400~~ 2200.00
- D. 25% of Total Cost, Due at Time of Application.....\$ n/a
- E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No Yes

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.

Deborah S. Zaverl  
Signature of Applicant/Petitioner

\_\_\_\_\_  
Signature of Property Owner (if different)

DEBORAH S. ZAVERL  
Printed Name of Applicant/Petitioner

\_\_\_\_\_  
Printed Name of Property Owner (if different)

8-12-12  
Date of Signature

\_\_\_\_\_  
Date of Signature

Dear Zoning Committee,

My name is Deborah Zaverl  
I reside at 160 S Whiton. Here  
~~is~~ whitewater. I'm hoping  
that this committee would please  
consider rezoning my Residence

I have lived here for the  
past twenty five years. I  
have watched this neighborhood  
go from a safe family setting  
to an entirely collage environment.

I used to feel safe here.  
Now I Really don't.

I have had two busted  
windows due to drunk kids  
collage students. In the past  
two weeks I have had to call  
police twice once because of  
an underage student past  
out in my driveway. And have  
also had the back yard invaded  
by an out of control drunk  
student, with minor damage.  
I only wonder what's to come

I can not put things in the front yard there have been things stolen, broken and an attempted break in all things of mine found in the empty collage lot in the front of the house.

At this time the homes around me are all rentals. I would never be able to sell my home to family as it is zoned now. I can't even park in front of my home because of the professors and students.

The empty lot is full of broken glass and the police are finding passed out students and parties.

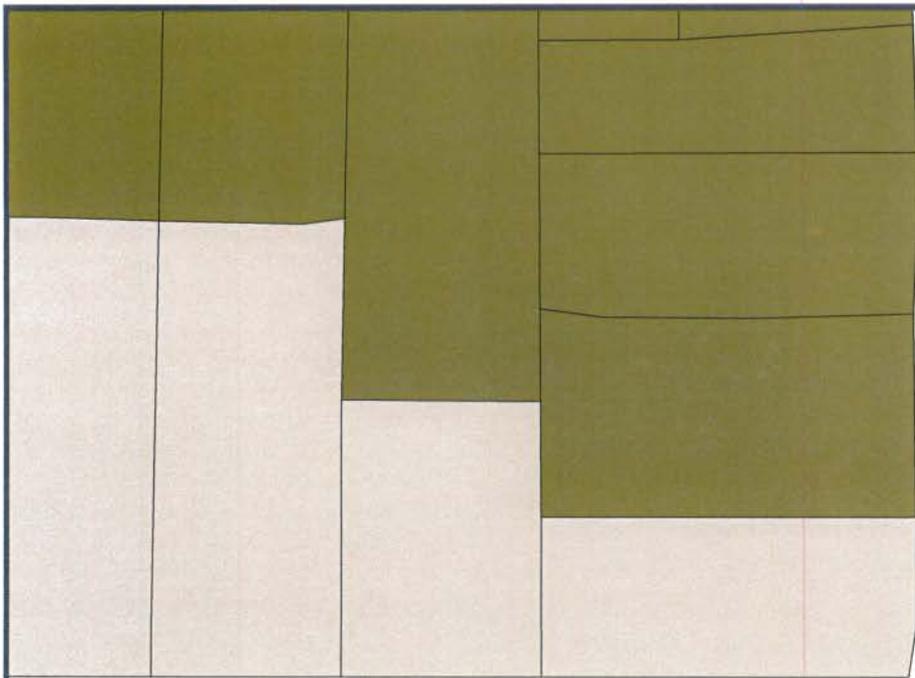
I really hope you will honor my request. I just do not feel safe here anymore. I would not feel right putting another family in this situation. This residence would be better suited as a rental. The only family residence in this area is a professor and I believe he even rents

out part of his home, there are more living there than he and his wife.

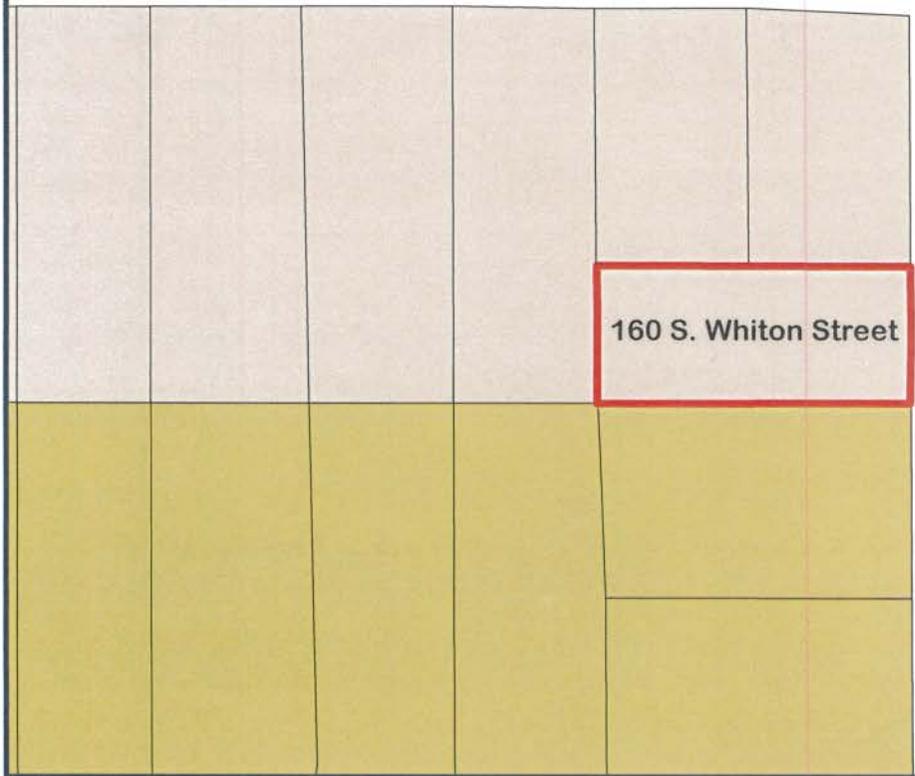
I will soon be 58 years old I am a divorcee and to be honest am afraid of what could be next.

This is a nice house but the upkeep is just also too much.

Thank you for  
your time  
Deborah Zaverl  
*Deborah Zaverl*



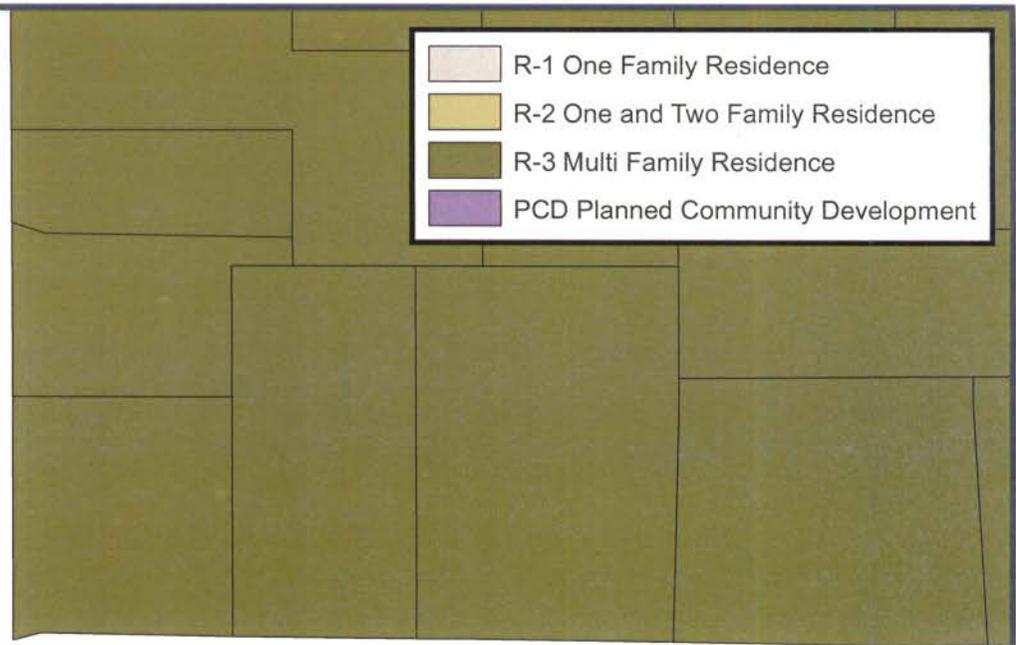
*Conger St*



160 S. Whiton Street

*Whiton St*

*Summit St*



- R-1 One Family Residence
- R-2 One and Two Family Residence
- R-3 Multi Family Residence
- PCD Planned Community Development