



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW
COMMISSION

Agenda

September 9, 2013

City of Whitewater Municipal Building

312 W. Whitewater St., Whitewater, Wisconsin

6:00 p.m.

1.	Call to order and Roll Call.
2.	Hearing of Citizen Comments. No formal Plan Commission Action will be taken during this meeting, 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.	Review and approve the Plan Commission minutes of August 12, 2013.
4.	Hold a public hearing for consideration of a change in the District Zoning Map for properties along a portion of N. Fremont Street to enact an ordinance to impose the R-O Non-Family Residential Overlay District Zoning classification under Chapter 19.25 of the Zoning Ordinance of the City of Whitewater. The area includes most of the properties located between W. North Street and W. Starin Road. (See public hearing notice for complete list.)
5.	Review proposed construction of a restroom and concession facility in Starin Park to be located at 504 W. Starin Road for the City of Whitewater (Treyton's Field of Dreams).
6.	Hold a public hearing for consideration of an amendment to the conditional use permit to allow for a fence enclosure for the freezer addition to the building located at 1185 W. Main Street for Lacey Reichwald.
7.	Hold a public hearing for consideration of a conditional use permit for the construction of a duplex at 523 N. Tratt Street for Arthur Stritzel.
8.	Hold a public hearing for consideration of a conditional use permit for a "Class B" Beer and Liquor License for Burim Vedziovski to serve beer and liquor by the bottle or glass at 204 W. Main Street (Downstairs Sports Bar & Grill). The conditional use permit is to include outside seating.
9.	Hold a public hearing for consideration of a conditional use permit for a "Class B" Beer and Liquor License for Burim Vedziovski to serve beer and liquor by the bottle or glass at 162 W. Main Street (Day N Nite Cafe). The conditional use permit is to include outside seating.
10.	Hold a public hearing for consideration of a conditional use permit for the conversion of a single family residence into a duplex, adding a 1,900 sq. ft. addition at 248 N. Prince Street for 248 N. Prince Street for Robert E. Freiermuth.
11.	Review proposed site plan for parking lot pavement at 256 N. Prince Street for Robert E. Freiermuth.
12.	Information Items: a. Update on Zoning Rewrite. b. Possible future agenda items.

	c. Next regular Plan Commission Meeting – October 14, 2013
13.	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
August 12, 2013

**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, Bruce Parker, Dan Comfort, Cort Hartmann, Jeffrey Eppers (Alternate), Donna Henry (Alternate). Absent: Karen Coburn. Others: Wallace McDonell (City Attorney), Latisha Birkeland (City Planner).

Hearing of Citizen Comments. There were no citizen comments.

Approval of the Plan Commission Minutes. Moved by Binnie and seconded by Comfort to approve the Plan Commission minutes of July 8, 2013. Motion approved by unanimous voice vote.

Moved by Meyer and seconded by Eppers to amend the agenda to move item #6 to item #4. Motion approved by unanimous voice vote.

Review proposed extra-territorial one lot certified survey map located at N204 Coldspring Road, Whitewater, WI to create an approximately 1.7 acre residential building site for Kathy Bolchen. City Planner Latisha Birkeland explained that the property is located north of the City of Whitewater boundaries within the 1 ½ mile extra-territorial jurisdiction area and outside the City of Whitewater Sanitary Sewer Service District area. This lot is in the long range urban growth area of the City of Whitewater Comprehensive Plan which is beyond the 20-year planning period of the Comprehensive Plan. It is also located outside the Jefferson County Environmental corridor, as indicated on the preliminary certified survey map. Birkeland recommended approval of this extra-territorial certified survey map with two conditions.

Moved by Parker and seconded by Binnie to approve the extra-territorial certified survey map for Kathy Bolchen with the City Planners two conditions. (See attached review approval.) Ayes: Parker, Binnie, Meyer, Comfort, Hartmann, Eppers, Henry. Noes: None. Motion approved.

Public hearing for a conditional use permit for a bakery and coffee shop with a drive through to be located at 1185 W. Main Street for Lacey Reichwald. Chairperson Meyer opened the public hearing for consideration of a conditional use permit for a bakery and coffee shop with a drive through to be located at 1185 W. Main Street for Lacey Reichwald.

City Planner Latisha Birkeland explained that Lacey is proposing a restaurant, production bakery and coffee shop with a drive through facility on the first floor, and the second floor will remain

residential. There will be menu boards with speaker/microphones which will be required to have a volume control to comply with the noise ordinance. The freezer unit meets the setbacks. It will be screened with the same materials as the exterior of the building. The signage on the building will comply with the sign ordinance. The entrance only and exit only signs will put on private property. There will be a stop sign installed on the exit drive at W. Main Street. The dumpster and HVAC system is fenced. There are 21 parking stalls.

Lacey Reichwald explained that the business manager and wholesale baking accounts would be handled at this location. With CDA loan approval, they will be adding two full-time employees within the next year. They are working with Bob McCullough and Design Alliance Architects for the exterior renovation and are looking forward to improving the exterior of the building which is on a prominent corner as people come into Whitewater from the west. They are not looking to reduce their parking spaces at this time. Two of the spaces are allocated to the residences upstairs. There will be seating capacity for 10 in the bakery. There are also two existing decks to use for outside seating in the warmer months. The additional space will be helpful with the traffic flow for the business. They will be putting directional arrows on the pavement to help prevent people from going the wrong way.

Moved by Binnie and seconded by Parker to approve the conditional use permit for a bakery and coffee shop with a drive through subject to the City Planner's conditions. See attached conditional use permit. Ayes: Meyer, Binnie, Parker, Comfort, Hartmann, Eppers, Henry. No: None. Absent: Coburn. Motion approved by unanimous roll call vote.

Public hearing for consideration of a conditional use permit for the conversion of a single family residence into a duplex, adding a 1,900 sq. ft. addition at 248 N. Prince Street; gravel driveway to be removed; property will share the driveway access and parking lot on the property to 10 cars (total of 25 parking spaces) for 248 N. Prince Street for Robert E. Freiermuth. City Planner Latisha Birkeland explained that this is a single family home in an R-3 (Multi-family) Zoning District which they want to expand to a duplex by adding on to the rear of the home. In order to expand an existing use to a more intense use (adding a living unit), a conditional use permit is required. The R-3 Zoning District and the City of Whitewater Comprehensive Plan supports higher density uses. This proposal meets the requirements of the zoning code for conditional use. An item of concern is the proposed parking and ingress and egress. The plan is for a parking lot of 25 stalls to be shared between 248 and 256 N. Prince Street with a common driveway, ten parking spaces for 248 N. Prince and 15 parking spaces for the 256 N. Prince Street which is a 3 unit building. There will be five bedrooms in each unit of 248 N. Prince St. The City Engineer and other City Staff have reviewed the plans. The main concerns were: the direction of the drainage flow from the parking lot, landscaping, the parking lot expansion, and access to 240 N. Prince Street. The use, a residential unit expansion, is a normal request in an R-3 (Multi-family) Zoning District.

Bob Freiermuth, owner of HSI Rentals, stated that there was no driveway access agreement between the properties at 248 N. Prince St. and 240 N. Prince Street. Bob showed photos of other properties he has renovated. He also stated that Frank Brothers, the company to hard surface the parking lot, has assured him that they will get the water to wherever it needs to go. The exterior of the existing building will be resided to match the new addition, the roofing lines

will match up, and new windows will be installed. There will be a common enclosed dumpster location. The enclosure will be wood slatted with a sturdy gate. Freiermuth stated he would work out the driveway situation with the neighboring land owner (240 N. Prince St.).

Chairperson Meyer opened the hearing to the public.

Sherry Stanek, resident of Whitewater, was concerned about the removal of the large trees along the proposed shared driveway.

Bob Freiermuth explained that they would only remove the trees that they would have to. He thought there might only be one box elder scrub tree that would have to be removed.

Chairperson Meyer closed the public hearing.

Plan Commission members voiced concerns about the screening of the parking lot; having some sort of landscaping/divider designating where the end of the parking area is so there is no parking in the driveway; the disabled stall does not meet width requirement on the plan; 240 N. Prince Street does not have enough area to get a driveway through to the rear yard; would like to see a driveway easement in writing; placement of a run-off inlet; and if a street excavation permit is needed, is Council approval needed due to the street being less than 5 years old. There is concern of where the water is going to go, considering the size of the parking lot, decks, and sidewalks. A storm sewer will need to be installed somewhere.

City Planner Birkeland explained the parking lot screening requirement, 10 feet or more could be a vegetative screen, 3 feet could be a fence or bushes. Birkeland explained that a driveway easement with 240 N. Prince Street could be required at the time the building permit is issued or before occupancy is granted. Once the City has all the information on the drainage, the City Engineer will know where the inlet should be. Some concerns would be whether to have 2 parking lots or one large parking lot; 25 stalls in an R-3 Zoning District creates drainage concerns. Esthetic reasons and drainage are the main concerns for this proposal. The conditional use permit helps design the flow of the properties affected. Requiring a fence be installed along the west side of the property is due to the code requirement for buffering from a property line. If there is enough space, there could be vegetation. Even if the property to the west is not developed, it should be protected for future development.

Bob Freiermuth would prefer bushes for screening. Freiermuth puts handicap signs for parking etc. when needed by his tenants. Freiermuth stated that he had nothing drawn for a drain area. There is one single driveway, one parking lot for which they plan to accommodate the drainage to keep it on the parcel. Freiermuth explained that there is a 4 foot elevation to the property to the west. He could make separate parking. Freiermuth did not feel there were that many issues that couldn't be resolved through City Staff. The only additional surface would be 4 parking stalls. He stated that they would take care of the water between the two properties.

Chairperson Meyer stated that there would need to be a retention plan or catch basin.

Plan Commission Member Parker stated that there are a lot of concerns with this proposal. He would like to see a complete plan with everything fine tuned.

Moved by Parker and seconded by Comfort to postpone this proposal to the next meeting to see complete plans, the 10 items of the City Engineer's memo addressed, a plan for the driveway for 240 N. Prince Street, a landscaping/fencing plan for the parking lot area, the catch basin shown, and confirming the requirements of a street opening permit for a street less than 5 years old.

Ayes: Meyer, Binnie, Parker, Comfort, Hartmann, Eppers, Henry. No: None. Absent: Coburn. Motion approved by unanimous roll call vote.

Informational Items:

Zoning Rewrite. City Planner Latisha Birkeland explained that the joint workshop with the Council and Plan Commission members scheduled for August 15, 2013 was postponed. She has sent a new doodle for Council and Plan Commission members to reply with the dates they would be available. The deadline to reply is next Wednesday, August 21st. Latisha will be following up with emails and phone calls if necessary. There are dates set up in the evening for Tuesdays, Wednesdays, Thursdays, and Saturday mornings which could start at 8 a.m. or 10 a.m. The meeting is planned for 4 hours. There will be food and beverage provided.

Plan Commission Member Parker requested that the Draft Zoning Rewrite document be put on the ribbon on the front page of the City of Whitewater web site so it is easier to find.

Future agenda items. As of this meeting, there were five conditional use applications, one Zoning Overlay, and Park and Recreation Dept. will be back with the Treyton Field of Dreams concession stand for the next Plan Commission meeting.

City Planner Latisha Birkeland noted that Plan Commission Member Jacob Henley has officially moved outside the City of Whitewater. He has regretfully submitted his resignation as he enjoyed his time here.

If someone is interested in filling the Plan Commission vacancy, they can apply. It is an open application process. Alternates can apply to become a regular member.

Next regular Plan Commission meeting – September 9, 2013.

Moved by Meyer and seconded by Parker to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:00 p.m.

Chairperson Greg Meyer



Extra-territorial Certified Survey Map Review

Plan Commission Meeting Date: August 12, 2013
Property Owner: Kathy Bolchen
Applicant: Kathy Bolchen
Property ID Number: 004-0515-3131-000
Property Address: N204 Coldspring Road
Whitewater, WI 53190

REGARDING: An approval for an extra-territorial certified survey map review for the division of one lot to create a residential building site from a larger agriculture parcel; creating a remnant of 43.5 acres of A-3 zoned property.

The Plan and Architectural Review Commission approved the extra territorial certified survey map for the division of one lot to create a residential building site from a larger agriculture parcel, subject to the following conditions:

1. The applicant shall meet all conditions set by Jefferson County for final approval.
2. Final CSM shall be reviewed and signed by City Staff and recorded with Jefferson County.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Manager / City Planner



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

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

CONDITIONAL USE PERMIT

Plan Commission Meeting Date: August 12, 2013
Property Owner: Main 1185 LLC.
Applicant: Lacey Reichwald
Property ID Number: /L 00011
Property Address: 1185 W. Main Street
Whitewater, WI 53190

REGARDING: An approval for a conditional use permit (CUP) for a bakery and coffee shop with a drive through to be located at 1185 W. Main Street.

Approved subject to the following conditions:

1. The site shall be developed in accordance with the site plan dated on July 25th, 2013; including changes addressed in the staff report:
 - a. Signage must be placed on the private property.
 - b. Allow reduction in parking up to a minimum of 12 parking stalls on-site for green space or outdoor seating, if desired.
2. The conditional use shall run with the applicant and not the land. If the business is sold, the new owner/operator must return to the Plan Commission for approval of a conditional use permit.
3. The freezer is considered an addition to the building. The exterior of the freezer addition will be screened using the same proposed materials as used on the building. The screening will be at least 7 feet 6 inches in height.

This permit was prepared by:

Latisha Birkeland
Neighborhood Services Director / City Planner



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 Director / City Planner
Meeting Date: September 9, 2013
Re: Proposed changes to the City's Official Zoning Map, petition to apply the R-O Non-Family Residential Overlay Zoning District to the R-2 zoned parcels along North Fremont Street.

Summary of Request

The applicant, Council Member James Winship, is requesting that the R-O Non-Family Residential Overlay Zoning District be applied to 55 properties (48 tax parcels) along North Fremont Street. 119 North Fremont is located in the B-2 Central Business Zoning District and not included in the petition.

All properties are zoned R-2 One and Two Family Residence District. The overlay zoning district, if applied, would restrict the maximum number of unrelated persons per housing unit from 3 unrelated persons to 2 unrelated persons. The underlying R-2 zoning would not change as it affects potential uses, setbacks, and other standards applicable to all lands zoned R-2.

The City Council adopted the R-O Non-Family Residential Overlay District as an overlay zoning district option in May 2010. The purpose was to advance the neighborhood preservation strategy outlined in the City's Comprehensive Plan and to provide another mechanism for preserving the character of the City's predominately single-family, owner-occupied residential neighborhoods.

Analysis

During this analysis, I researched the R-O Zoning Overlay creation approval, the application procedure for the R-O Zoning Overlay and the report by Vandewalle and Associates. Thank you to all that contributed to the earlier reports. You will find similarities of this report, to those given to you in the past.

The application of the R-O overlay zoning to this area of the City would be consistent with the policies set forth in the City's Comprehensive Plan. One of the main recommendations in the Comprehensive Plan is to "implement a variety of polices for elevating the quality, appearance, and function of all neighborhoods in the City of Whitewater."

"The City has been continually challenged by how to appropriately integrate students into City neighborhoods while simultaneously preserving quiet, safe, stable, and amenity-rich places for non-student residents to live, raise families, and enjoy retirement. Given the proximity to the University campus is likely to continue to feel the pressure to accommodate off-campus, student-oriented rental housing. Yet, through the neighborhood preservation

analyses conducted as part of the comprehensive planning process, the Historic Starin Park Neighborhood area ranked as a very appropriate neighborhood to focus “single-family-focused” neighborhood preservation strategies.” Per Vandewalle and Associates.

1. In response to this petition for R-O overlay zoning, we created an analysis of the properties included in the petition (attached). Data used in this analysis came from a variety of sources, some of which are a few years old. The data is not perfect, but on the whole staff feels like it is accurate enough to get a picture of what North Fremont Street is like and the appropriateness of the R-O overlay zoning for the area.
 - a. Owner Occupancy Status: the City has a rental registration policy. From that data, we have identified there are 20 rental properties (registered) in the proposed R-O area. Meaning that of the 48 properties, 42% are rentals.
 - b. Number of Bedrooms Per Dwelling: An analysis of the number of bedrooms on each property included in the petition. Please see attached map. The breakdown is as follows:
 - Two bedrooms (12.5%)
 - Three bedrooms (44%)
 - Four bedrooms (21%)
 - Five bedrooms (14.5%)
 - Six bedrooms (8%)
2. Reducing the non-family household limit to two unrelated persons via R-O zoning would likely mean that many of the 3+ bedroom homes would not be as attractive as they are today to be rented out to a non-family household. This may limit the potential future market for the sale or rental of existing homes.

If applying the overlay zoning to these properties, particularly those with 3+ bedrooms, is that enforcement of non-family household rules could become more challenging in the future.

Recommendation

The application of the R-O overlay zoning district to this area of the City would be consistent with the recommendations and policies outlined in the Comprehensive Plan overall and for this neighborhood. I therefore recommend that the Plan Commission recommend to the Common Council, to approve the request to apply the R-O Non-Family Household Overlay Zoning to all 55 properties (48 tax parcels) included in the petition along N. Fremont Street.

NOTICE OF PUBLIC HEARING

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

<u>Property Address:</u>	<u>Tax ID #:</u>	<u>Property Owner</u>
126 N. Fremont St.	/WUP 00088	Kevin A. Nicks, Patty J. Nicks
129 N. Fremont St.	/WUP 00064	Jennifer C. Steil, James & Amy Ehlers
130 N. Fremont St.	/WUP 00087	John W. Ejnik, Sara L. Norton-Ejnik
131 N. Fremont St.	/WUP 00061	W. Daniel Sable
136 N. Fremont St.	/WUP 00086	Ladwig & Vos Inc.
142 N. Fremont St.	/WUP 00085	Bradley J. Markham, Diane E. Markham
144/146 N. Fremont St.	/WUP 00084	Jeffrey Reidel, Joan M. Reidel
145 N. Fremont St.	/WUP 00060	Gary B. Klatt, Patsy A. Klatt
153 N. Fremont St.	/WUP 00059	Greg Gauger
156 N. Fremont St.	/WUP 00083	Thayer Coburn
161 N. Fremont St.	/WUP 00058	John R. Seizer
166 N. Fremont St.	/WUP 00082	Harriett M. Brigham Trust
169/177 N. Fremont St.	/WUP 00057	M & F Rentals 2, LLC.
176 N. Fremont St.	/WUP 00081	Donald L. Calhoun, Joan M. Calhoun
175/177 N. Fremont St.	/WUP 00056	Carl J. Wolf, Jonna L. Wolf
182 N. Fremont St.	/WUP 00080	James C. Sawyer, Connie L. Sawyer
187 N. Fremont St.	/WUP 00055	Arthur K. Lein, Mary L. Lein
188 N. Fremont St.	/WUP 00079	J & M Development Properties LLC.
205 N. Fremont St.	/WUP 00054	Besnik Sadiku, Burim Sadiku
206 N. Fremont St.	/WUP 00078	Jarolyn R. Moore
212 N. Fremont St.	/A 567 00001	William E. Smith, Michele R. Messier-Smith
213 N. Fremont St.	/WUP 00053	Scott C. Fischer, Angela J. Fischer
216 N. Fremont St.	/WUP 00076	Pamela J. Dennis, Frank G. Slinkard
217 N. Fremont St.	/WUP 00052	William T. Atkinson, William T. Atkinson II
221 N. Fremont St.	/WUP 00051	Susan C. Messer
224 N. Fremont St.	/WUP 00075	Richard James, Marcia James
232 N. Fremont St.	/WUP 00074	Joseph R. Zawacki, Laurine M. Zawacki
233 N. Fremont St.	/WUP 00050	Jane A. Blakeslee
236 N. Fremont St.	/WUP 00073	Jordan A. Hoffman, Evan J. Hoffman
240 N. Fremont St.	/WUP 00072	D & L Triebold Trust
243 N. Fremont St.	/WUP 00049	Samantha A. Markham
246 N. Fremont St.	/WUP 00071	Alexander S. Jackson, Alicia M. Stone-Jackson
250 N. Fremont St.	/WUP 00070	Meisner Enterprises LLC.
253 N. Fremont St.	/WUP 00048A	CBP Properties LLC.
258 N. Fremont St.	/WUP 00069	Gary Sassman, Renee Sassman
259 N. Fremont St.	/WUP 00048	Paul Jhona
266 N. Fremont St.	/PA 00015	Adam Wesner, Cassandra Wesner, Scott Wesner

267 N. Fremont St.	/WUP 00047	Gary Lee Hoffman
272 N. Fremont St.	/PA 00014	Edward J. Drexler, Kathryn M. Drexler
273 N. Fremont St.	/WUP 00046	Danielle L. Hudson, Michael Q. Kemp
278 N. Fremont St.	/PA 00013B	Betty Heth
283 N. Fremont St.	/WUP 00045	Jason Jacobs
284 N. Fremont St.	/PA 00013A	Thomas R. Schmeckel
287 N. Fremont St.	/WUP 00044	Kenneth I Mach, Deanne E. Mach
292 N. Fremont St.	/PA 00013	Barbara Lyke
293 N. Fremont St.	/WUP 00043	Luis Ramirez Jr., Estela Ramirez
296 N. Fremont St.	/PA 00012	Walworth Avenue Apartments Inc.
299 N. Fremont St.	/WUP 00041	Donald Aleckson, Mary Aleckson

NOTICE IS FURTHER GIVEN that the Plan Commission of the City of Whitewater will hold a public hearing in the Whitewater Municipal Building Community Room, 312 W. Whitewater Street, on September 9, 2013, at 6:00 p.m. to hear any person for or against said change. Opinions for or against said change may also be filed in writing.

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

The R-O Zoning classification reduces the number of unrelated occupants allowed per residential unit from 3 to 2. Grandfathering of properties with existing three unrelated person occupancy would be considered a legal non-conforming use and would require registration with the City Clerk within 90 days of the imposition of the zoning on the property.

Michele Smith, City Clerk

Dated: August 23, 2013

Publish: in Whitewater Register
on August 29, 2013

NOTICE OF PUBLIC HEARING

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

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253 N. Fremont St.	/WUP 00048A	CBP Properties LLC.
258 N. Fremont St.	/WUP 00069	Gary Sassman, Renee Sassman
259 N. Fremont St.	/WUP 00048	Paul Jhona
266 N. Fremont St.	/PA 00015	Adam Wesner, Cassandra Wesner, Scott Wesner
267 N. Fremont St.	/WUP 00047	Gary Lee Hoffman

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273 N. Fremont St.	/WUP 00046	Danielle L. Hudson, Michael Q. Kemp
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The R-O Zoning classification reduces the number of unrelated occupants allowed per residential unit from 3 to 2.

Michele Smith, City Clerk

Dated: August 13, 2013

Publish: in "Whitewater Register"
on August 15, 2013, and August 22, 2013

WILLIAM E SMITH
MICHELE R MESSIER-SMITH
212 N FREMONT ST
WHITEWATER WI, 53190

LEE L DANIELS TRUST
ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098

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ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098~~

SUZANNE L POPKE
ROBERT P SIEMANN
PO BOX 333
WHITEWATER WI, 53190

MARILYN M SMITH
120 N. PARK ST
WHITEWATER WI, 53190

BRUCE R BUCHOLTZ, SR
MARYELLEN BUCHOLTZ
130 N PARK ST
WHITEWATER WI, 53190

MICHAEL CIPRIANO
CRISTINA A PAGE
136 N PARK ST
WHITEWATER WI, 53190

GEORGIANNE M LOMBARD
142 N PARK ST
WHITEWATER WI, 53190

DAVID HETH
JENNIFER HETH
148 N PARK ST
WHITEWATER WI, 53190

GEORGE JOSEPH FERENCZ
JANE RIEGEL FERENCZ
154 N. PARK ST
WHITEWATER WI, 53190

HASSIMI TRAORE
LAUREN BOWER SMITH
160 N PARK ST
WHITEWATER WI, 53190

SUSAN M HISCOX
166 N PARK ST
WHITEWATER WI, 53190

DIANE C WENDORF
170 N PARK ST
WHITEWATER WI, 53190

JANET BILGEN CRAGGS
JAY CALVIN CRAGGS
178 PARK ST
WHITEWATER WI, 53190

~~JANET BILGEN CRAGGS
JAY CALVIN CRAGGS
178 PARK ST
WHITEWATER WI, 53190~~

KOLLER J STETTLER
CARLY V LUND
206 N PARK ST
WHITEWATER WI, 53190

ROY NOSEK
DONNA NOSEK
210 N. PARK ST
WHITEWATER WI, 53190

JEFFREY L WEIGEL
JAMIE B WEIGEL
216 N PARK ST
WHITEWATER WI, 53190

MARGARET M FISCHER
P. O. BOX 122
WHITEWATER WI, 53190

MARGARET M FISCHER
228 N. PARK ST
WHITEWATER WI, 53190-3100

AUREL BEZAT
DANIELA BEZAT
234 N. PARK ST
WHITEWATER WI, 53190-3100

FAIRHAVEN CORPORATION
435 W. STARIN RD
WHITEWATER WI, 53190

MICHAEL D DUGAN
JESSICA MAE DUGAN
254 N PARK ST
WHITEWATER WI, 53190

~~FAIRHAVEN FOUNDATION, INC
435 W. STARIN RD
WHITEWATER WI, 53190~~

~~FAIRHAVEN CORPORATION
435 STARIN RD
WHITEWATER WI, 53190~~

RODERICK O DALEE
MARY M DALEE
PO BOX 660
WHITEWATER WI, 53190

CITY OF WHITEWATER
CITY HALL
WHITEWATER WI, 53190

ROBERT A SWEET
N7598 LARRY'S RD
WHITEWATER WI, 53190

LIVING WORD FELLOWSHIP
OF WHITEWATER INC
212 W MAIN ST
WHITEWATER WI, 53190

CITY OF ~~WHITEWATER~~
CITY HALL
~~WHITEWATER WI, 53190~~

KICH PROPERTIES LLC
N6927 GREENLEAF CT
ELKHORN WI, 53121

ST JOHN LODGE 57
F. & A. M.
266 W. MAIN ST
WHITEWATER WI, 53190

MITCHELL J SIMON
211 N. PARK ST
WHITEWATER WI, 53190

~~MITCHELL J SIMON~~
~~211 N. PARK ST~~
~~WHITEWATER WI, 53190~~

~~MITCHELL J SIMON~~
~~211 N. PARK ST~~
~~WHITEWATER WI, 53190~~

MITCHELL J SIMON
304 W. MAIN ST
WHITEWATER WI, 53190

FW PROPERTIES, LLC
328 W. MAIN ST
WHITEWATER WI, 53190

~~CITY OF WHITEWATER~~
~~CITY HALL~~
~~WHITEWATER WI, 53190~~

~~CITY OF WHITEWATER~~
~~312 W. WHITEWATER ST~~
~~WHITEWATER WI, 53190~~

KIRBY BOCK
BARBARA B BOCK
149 N. PARK ST
WHITEWATER WI, 53190

LADWIG & VOS INC
140 LONGMEADOW DR
BURLINGTON WI, 53105

THOMAS L VAUGHN
DONNA R VAUGHN
317 W MAIN ST
WHITEWATER WI, 53190

ANGELA D PALMER
175 PARK ST
WHITEWATER WI, 53190

DAVID A MUHASKY
183 A N. PARK ST
WHITEWATER WI, 53190

JOHN J TINCHER
532 W MAIN ST
WHITEWATER WI, 53190

MITCHELL SIMON
DEIDRE SIMON
211 N. PARK ST
WHITEWATER WI, 53190

ROBERT MILES
MARILYN A MILES
217 N. PARK ST
WHITEWATER WI, 53190

ELIZABETH O HAENISCH
227 N. PARK ST
WHITEWATER WI, 53190

R MICHAEL KISSEL
KELLY A KISSEL
PO BOX 546
BURLINGTON IL, 60109

YVONNE M MARTINEZ
243 N PARK ST
WHITEWATER WI, 53190

NEWBURY PLACE REO III LLC
7500 OLD GEORGETOWN RD
STE 1300
BETHESDA MD, 20814

LUKE E FRANCIS
255 N PARK ST
WHITEWATER WI, 53190-3000

SHIRLEY J MATTHEWS
263 N PARK ST
WHITEWATER WI, 53190

NATALIE CHRISTINA HOEHNEN
2540 DORSET CT
BROOKFIELD WI, 53045

EQUITY TRUST CO
CUSTODIAN FBO MARK BROMLEY IRA
W5838 GREENING RD
WHITEWATER WI, 53190

JOSEPH P CULL
W316 S53580 HWY 83
WAUKESHA WI, 53189

THOMAS R SCHMECKEL
284 N FREMONT ST
WHITEWATER WI, 53190

BETTY HETH
N8439 DUFFIN RD
WHITEWATER WI, 53190

EDWARD J DREXLER
KATHRYN M DREXLER
272 N. FREMONT ST
WHITEWATER WI, 53190

ADAM WESNER
CASSANDRA WESNER
SCOTT WESNER
266 N FREMONT ST
WHITEWATER WI, 53190

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

BLGL, LLC
1691 MOUNDVIEW PL
WHITEWATER WI, 53190

TIMOTHY J DICKINSON
JEAN A DICKINSON
115 N. PARK ST
WHITEWATER WI, 53190

DAVID L RADEMAKER
MANDI L RADEMAKER
121 N. PARK ST
WHITEWATER WI, 53190

FEDERAL HOME LOAN MORTGAGE
3415 VISION DR
COLUMBUS OH, 43219

LUCILLE D WAGA REVOCABLE TRUST
135 N PARK ST
WHITEWATER WI, 53190

RONNIE J SDANO
ROBIN L SDANO
143 N. PARK ST
WHITEWATER WI, 53190

KIRBY BOCK
BARBARA B BOCK
149 N. PARK ST
WHITEWATER WI, 53190

ANTHONY M LOMBARDO
JANET M LOMBARDO
1180 THORNDALE LN
LAKE ZURICH IL, 60047

DONNA JOANNE HENRY
347 S. JANESVILLE ST
WHITEWATER WI, 53190

DALE R WOLF
1645 W. WILDWOOD DR
WHITEWATER WI, 53190

STEVEN C SPEAR
577 EHLERT CT
WHITEWATER WI, 53190

MICHAEL J RIPLEY
138 N. GEORGE ST
WHITEWATER WI, 53190

ARKI GEORGE LLC
W396 S3675 HARDSCRABBLE RD
DOUSMAN WI, 53118

LAKELAND PROPERTY MANAGEMENT
W312 S9003 MOCCASIN TRAIL
MUKWONAGO WI, 53149

GREGG A GAUGER
153 N. FREMONT
WHITEWATER WI, 53190

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

RAYMOND N SHUPE, JR
BRENDA SHUPE
1522 PARKVIEW LN
PORT WASHINGTON WI, 53074

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

PATRICK W SCHULTE
TAMARA S SCHULTE
137 N. GEORGE ST
WHITEWATER WI, 53190

MARLENE D BALDWIN
141 N GEORGE ST
WHITEWATER WI, 53190

BRIAN & CONNIE VEALE
SCOTT & LORI OLDENBURG
330 W. NORTH ST
WHITEWATER WI, 53190

JOHN D KOEBLER
227 N GEORGE ST
WHITEWATER WI, 53190

EDITH J OLDENBURG
250 N. GEORGE ST
WHITEWATER WI, 53190

BRANDON M HARRIS
VALERIE M HARRIS
242 N GEORGE ST
WHITEWATER WI, 53190

MICHAELA L ROBAK
228 N. GEORGE ST
WHITEWATER WI, 53190

PHILIP J ALLAN
SAMANTHA M ALLAN
220 N GEORGE ST
WHITEWATER WI, 53190

DOUGLAS BEHRENS
SUSAN BEHRENS
270 N. GEORGE ST
WHITEWATER WI, 53190-2700

JACOB PAUL MUELLER
CAITLIN JUNG
256 GEORGE ST
WHITEWATER WI, 53190

RICHARD KILPIN
SHIRLEY KILPIN
266 N. GEORGE ST
WHITEWATER WI, 53190

JEFFREY T ROE
MARC A ROE
7515 STURTEVANT RD
WHITEWATER WI, 53190

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

KEITH W SCHOENKE
339 N. FREMONT ST.
WHITEWATER WI, 53190

MICHAEL T JAY
KIMBERLY D JAY
313 N FREMONT ST
WHITEWATER WI, 53190

DONALD ALECKSON
MARY ALECKSON
299 N. FREMONT ST
WHITEWATER WI, 53190

LUIS RAMIREZ JR
ESTELA RAMIREZ
133 N HAZEL ST
WHITEWATER WI, 53190

KENNETH I MACH
DEANNE E MACH
287 N. FREMONT ST
WHITEWATER WI, 53190

JASON JACOBS
283 N FREMONT ST
WHITEWATER WI, 53190

DANIELLE L HUDSON
MICHAEL Q KEMP
273 N FREMONT ST
WHITEWATER WI, 53190

GARY LEE HOFFMAN
267 N. FREMONT ST
WHITEWATER WI, 53190

PAUL JHONA
259 N FREMONT ST
WHITEWATER WI, 53190

CBP PROPERTIES LLC
417 N FREMONT ST
WHITEWATER WI, 53190

SAMANTHA A MARKHAM
243 N FREMONT ST
WHITEWATER WI, 53190

JANE A BLAKESLEE
233 N. FREMONT ST
WHITEWATER WI, 53190

SUSAN C MESSER
221 N. FREMONT ST
WHITEWATER WI, 53190

WILLIAM THOMAS ATKINSON
WILIAM THOMAS ATKINSON II
217 N FREMONT ST
WHITEWATER WI, 53190

SCOTT C FISCHER
ANGELA J FISCHER
213 N. FREMONT ST
WHITEWATER WI, 53190

BESNIK SADIKU
BURIM SADIKU
205 N. FREMONT ST
WHITEWATER WI, 53190

ARTHUR K LEIN
MARY L LEIN
187 N. FREMONT ST
WHITEWATER WI, 53190

CARL J WOLF
JONNA L WOLF
N 431 TWINKLING STAR RD
#1
WHITEWATER WI, 53190

M&F RENTALS 2, LLC
555 E CLAY ST
WHITEWATER WI, 53190

JOHN R SEIZER
161 N. FREMONT ST
WHITEWATER WI, 53190

GREGG A GAUGER
153 N. FREMONT ST
WHITEWATER WI, 53190

GARY B KLATT
PATSY A KLATT
145 N. FREMONT ST
WHITEWATER WI, 53190

JENNIFER C STEIL
JAMES EHLERS
AMY EHLERS
N7174 COUNTRY SIDE LN
ELKHORN WI, 53121

ROSEMARY METZDORFF
119 N. FREMONT ST
WHITEWATER WI, 53190

HAROLD MILES
DARLENE MILES
234 W. NORTH ST
WHITEWATER WI, 53190

MEISNER ENTERPRISES LLC
N7549 W LAKESHORE DR
WHITEWATER WI, 53190

GARY SASSMAN
RENEE SASSMAN
258 N. FREMONT ST
WHITEWATER WI, 53190

~~MEISNER ENTERPRISES LLC
N7549 W LAKESHORE DR
WHITEWATER WI, 53190~~

ALEXANDER S JACKSON
ALICIA M STONE-JACKSON
246 N FREMONT ST
WHITEWATER WI, 53190

D&L TRIEBOLD TRUST
N7618 ENGEL RD
WHITEWATER WI, 53190

JORDAN A HOFFMAN
EVAN J HOFFMAN
236 N FREMONT ST
WHITEWATER WI, 53190

JOSEPH R ZAWACKI
LAURINE M ZAWACKI
232 N. FREMONT ST
WHITEWATER WI, 53190

RICHARD JAMES
MARCIA JAMES
224 N. FREMONT ST
WHITEWATER WI, 53190

PAMELA J DENNIS
FRANK G SLINKARD
216 N FREMONT ST
WHITEWATER WI, 53190

MITCHELL SIMON
DEIDRE SIMON
211 N. PARK ST
WHITEWATER WI, 53190

JAROLYN R MOORE
206 N. FREMONT ST
WHITEWATER WI, 53190

J&M DEVELOPMENT PROPERTIES LLC
W7977 TERRITORIAL RD
DELAVAN WI, 53115

JAMES C SAWYER
CONNIE L SAWYER
182 N FREMONT ST
WHITEWATER WI, 53190

THOMAS L VAUGHN
DONNA R VAUGHN
317 W MAIN ST
WHITEWATER WI, 53190

DONALD L CALHOUN
JOAN M CALHOUN
176 N. FREMONT ST
WHITEWATER WI, 53190

HARRIETT M BRIGHAM TRUST
C/O MARY M QUINLAN
947 6TH ST
REEDSBURG WI, 53959

THAYER A COBURN
PO BOX 147
WHITEWATER WI, 53190

JEFFREY RIEDEL
JOAN M RIEDEL
W6415 GROGAN RD
FORT ATKINSON WI, 53538

BRADLEY J MARKHAM
DIANE E MARKHAM
142 N. FREMONT ST
WHITEWATER WI, 53190

LADWIG & VOS INC
140 LONGMEADOW DR
BURLINGTON WI, 53105-2500

JOHN W EJNIK
SARA L NORTON-EJNIK
130 N FREMONT ST
WHITEWATER WI, 53190

KEVIN A NICKS
PATTY J NICKS
126 N. FREMONT ST
WHITEWATER WI, 53190

MIKE & JEANS MONKEY BUSINESS
439 S PLEASANT ST
WHITEWATER WI, 53190

CHRISTOPHER R GRADY
LORI GRADY
318 W. NORTH ST
WHITEWATER WI, 53190

JAMES L DISRUDE
KATHRYN J CASEY
326 W NORTH ST
WHITEWATER WI, 53190

BRIAN W VEALE
330 W. NORTH ST
WHITEWATER WI, 53190

LAMBDA IOTA ZETA HOUSE CORP
OF LAMBDA CHI ALPHA FRATERNITY
C/O ROBERT HAZOD
13525 W CRAWFORD DR
NEW BERLIN WI, 53151-0700

~~LEE L DANIELS
ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098~~

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3445 CEDAR DR
PARK CITY UT, 84098~~

~~LEE L DANIELS
ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098~~

FRANKLIN H. DAMPIER JR.
MARGARET T DAMPIER
269 N. GEORGE ST
WHITEWATER WI, 53190

WINFIELD S WIMMER
239 GEORGE ST
WHITEWATER WI, 53190

MICHAEL L KASPAR III
COLLEEN B KASPAR
251 N GEORGE ST
WHITEWATER WI, 53190

WILLIAM A LUEBKE III
CATHY A LUEBKE
257 N. GEORGE ST
WHITEWATER WI, 53190

City of Whitewater
Application for Amendment to Zoning District or Ordinance

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: James Winship, City of Whitewater Council Member Phone: 262-473-3381
Applicant's Address: 184 N. Franklin Street, Whitewater, WI 53190

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

Street address of Property: See attached.

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

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

Name of Individual: None

Name of Firm: N/A

Office Address: N/A

Phone: N/A

Name of Contractor: N/A

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

EXISTING AND PROPOSED USES:

Current Zoning District or Ordinance to be Amended:

The properties are currently zoned R2: one and two family residence district and will remain R2.

Proposed Zoning District or Ordinance

The petitioner requests that the above-referenced properties be zoned R-O: Nonfamily residential overlay district. The underlying R2 zoning shall remain in place.

Zoning District in which Property is located: R2.

Section of City Zoning Ordinance that identifies the proposed land use in the Zoning District in which the property is located: 19.25

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.

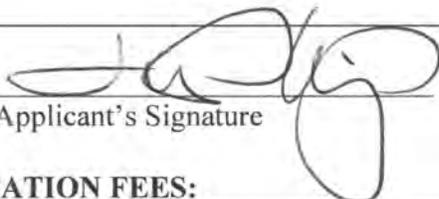
STANDARDS

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

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems:	The proposed zoning will not increase traffic circulation or parking problems because it will limit the number of unrelated nonfamily occupants allowed to reside in single-family residential properties.
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:	N/A
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;	N/A
H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	N/A

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).


Applicant's Signature _____ Date 19 August 2013

APPLICATION FEES:

Fee for Amendment to Zoning or Ordinance: \$200

Date Application Fee Received by City _____ Receipt No. _____

Received by _____

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:

Date notice sent to owners of record of opposite & abutting properties: 8-16-13

Date set for public review before Plan & Architectural Review Board: 9-9-13

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

ATTACHMENT TO APPLICATION
FOR AMENDMENT TO ZONING DISTRICT OR ORDINANCE

<u>Property Address:</u>	<u>Tax ID #:</u>	<u>Property Owner</u>
126 N. Fremont St.	/WUP 00088	Kevin A. Nicks, Patty J. Nicks
129 N. Fremont St.	/WUP 00064	Jennifer C. Steil, James & Amy Ehlers
130 N. Fremont St.	/WUP 00087	John W. Ejnik, Sara L. Norton-Ejnik
131 N. Fremont St.	/WUP 00061	W. Daniel Sable
136 N. Fremont St.	/WUP 00086	Ladwig & Vos Inc.
142 N. Fremont St.	/WUP 00085	Bradley J. Markham, Diane E. Markham
144/146 N. Fremont St.	/WUP 00084	Jeffrey Reidel, Joan M. Reidel
145 N. Fremont St.	/WUP 00060	Gary B. Klatt, Patsy A. Klatt
153 N. Fremont St.	/WUP 00059	Greg Gauger
156 N. Fremont St.	/WUP 00083	Thayer Coburn
161 N. Fremont St.	/WUP 00058	John R. Seizer
166 N. Fremont St.	/WUP 00082	Harriett M. Brigham Trust
169/177 N. Fremont St.	/WUP 00057	M & F Rentals 2, LLC.
176 N. Fremont St.	/WUP 00081	Donald L. Calhoun, Joan M. Calhoun
175/177 N. Fremont St.	/WUP 00056	Carl J. Wolf, Jonna L. Wolf
182 N. Fremont St.	/WUP 00080	James C. Sawyer, Connie L. Sawyer
187 N. Fremont St.	/WUP 00055	Arthur K. Lein, Mary L. Lein
188 N. Fremont St.	/WUP 00079	J & M Development Properties LLC.
205 N. Fremont St.	/WUP 00054	Besnik Sadiku, Burim Sadiku
206 N. Fremont St.	/WUP 00078	Jarolyn R. Moore
212 N. Fremont St.	/A 567 00001	William E. Smith, Michele R. Messier-Smith
213 N. Fremont St.	/WUP 00053	Scott C. Fischer, Angela J. Fischer
216 N. Fremont St.	/WUP 00076	Pamela J. Dennis, Frank G. Slinkard
217 N. Fremont St.	/WUP 00052	William T. Atkinson, William T. Atkinson II
221 N. Fremont St.	/WUP 00051	Susan C. Messer
224 N. Fremont St.	/WUP 00075	Richard James, Marcia James
232 N. Fremont St.	/WUP 00074	Joseph R. Zawacki, Laurine M. Zawacki
233 N. Fremont St.	/WUP 00050	Jane A. Blakeslee
236 N. Fremont St.	/WUP 00073	Jordan A. Hoffman, Evan J. Hoffman
240 N. Fremont St.	/WUP 00072	D & L Triebold Trust
243 N. Fremont St.	/WUP 00049	Samantha A. Markham
246 N. Fremont St.	/WUP 00071	Alexander S. Jackson, Alicia M. Stone-Jackson
250 N. Fremont St.	/WUP 00070	Meisner Enterprises LLC.
253 N. Fremont St.	/WUP 00048A	CBP Properties LLC.
258 N. Fremont St.	/WUP 00069	Gary Sassman, Renee Sassman
259 N. Fremont St.	/WUP 00048	Paul Jhona
266 N. Fremont St.	/PA 00015	Adam Wesner, Cassandra Wesner, Scott Wesner
267 N. Fremont St.	/WUP 00047	Gary Lee Hoffman
272 N. Fremont St.	/PA 00014	Edward J. Drexler, Kathryn M. Drexler
273 N. Fremont St.	/WUP 00046	Danielle L. Hudson, Michael Q. Kemp

278 N. Fremont St.	/PA 00013B	Betty Heth
283 N. Fremont St.	/WUP 00045	Jason Jacobs
284 N. Fremont St.	/PA 00013A	Thomas R. Schmeckel
287 N. Fremont St.	/WUP 00044	Kenneth I Mach, Deanne E. Mach
292 N. Fremont St.	/PA 00013	Barbara Lyke
293 N. Fremont St.	/WUP 00043	Luis Ramirez Jr., Estela Ramirez
296 N. Fremont St.	/PA 00012	Walworth Avenue Apartments Inc.
299 N. Fremont St.	/WUP 00041	Donald Aleckson, Mary Aleckson

CBP PROPERTIES, LLC

Tuesday, August 27, 2013

City of Whitewater

RE: Rezoning of Fremont Street

To Whom It May Concern:

I am writing as a concerned property owner of property that would be affected by the proposed rezoning of the Fremont Street area. I understand the proposed rezoning would restrict occupancies of properties in the affected area to two non-related individuals. I presume the proponents of this rezoning proposal have a vested interest in property in the affected area and that they are of the belief that such rezoning will protect their interests. In other words, should the proposal fail they believe their interest might be compromised. Therefore, they are requesting that the city use its legislative powers to shift their perceived risk of devaluation of their property to their neighbors by restricting their neighbor's use.

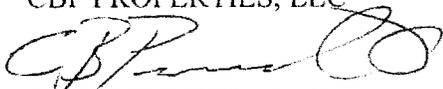
While I am sure that many of the homes in the affected area are homeowner occupied as primary residence, other properties including mine were purchased as investment properties under the current zoning regime. In the latter cases I am sure that investors who chose to purchase these multi-bedroom dwellings considered as a factor the zoning laws currently in effect in weighing whether such investments were prudent. Likewise, the current owner occupied residents had this information available to them in deciding whether they wished to invest in their property. So one must ask what change in conditions has occurred that would justify the city to tip the scales by restricting the most economically advantageous use of private property of some of its citizens for the perceived benefit to others who were on equal footing at the time of this investment.

I am anecdotally unaware of any recent problems in the affected area that can be directly linked to the current zoning regime. I do not believe that Fremont Street is plagued with petty nuisances, i.e., noise violations, parking violations, underage drinking, etc., notwithstanding the current zoning regulations nor am I aware of any devaluation of properties in the affected area caused by current usage.

In my opinion, before the city restricts private property owners legitimate use of their property, there should be evidence that the current use is unfairly having a negative impact on the value of the neighboring properties rather than acting in a preemptive and prejudicial manner in favor of some property owners and to the detriment of others based upon a perceived yet unrealized fear.

In this current political climate favoring smaller, less intrusive, pro-business government, the restrictions of private property use in this proposal seems more in tune with Madison politics than the traditional conservative values held by most citizens outside the "Belt Way". A more conservative approach to this "problem" would be simply to rely on enforcement of our currently existing ordinances to adequately provide for "quiet enjoyment" of property by the least intrusive means necessary, thereby allowing for the greatest freedom to all parties affected.

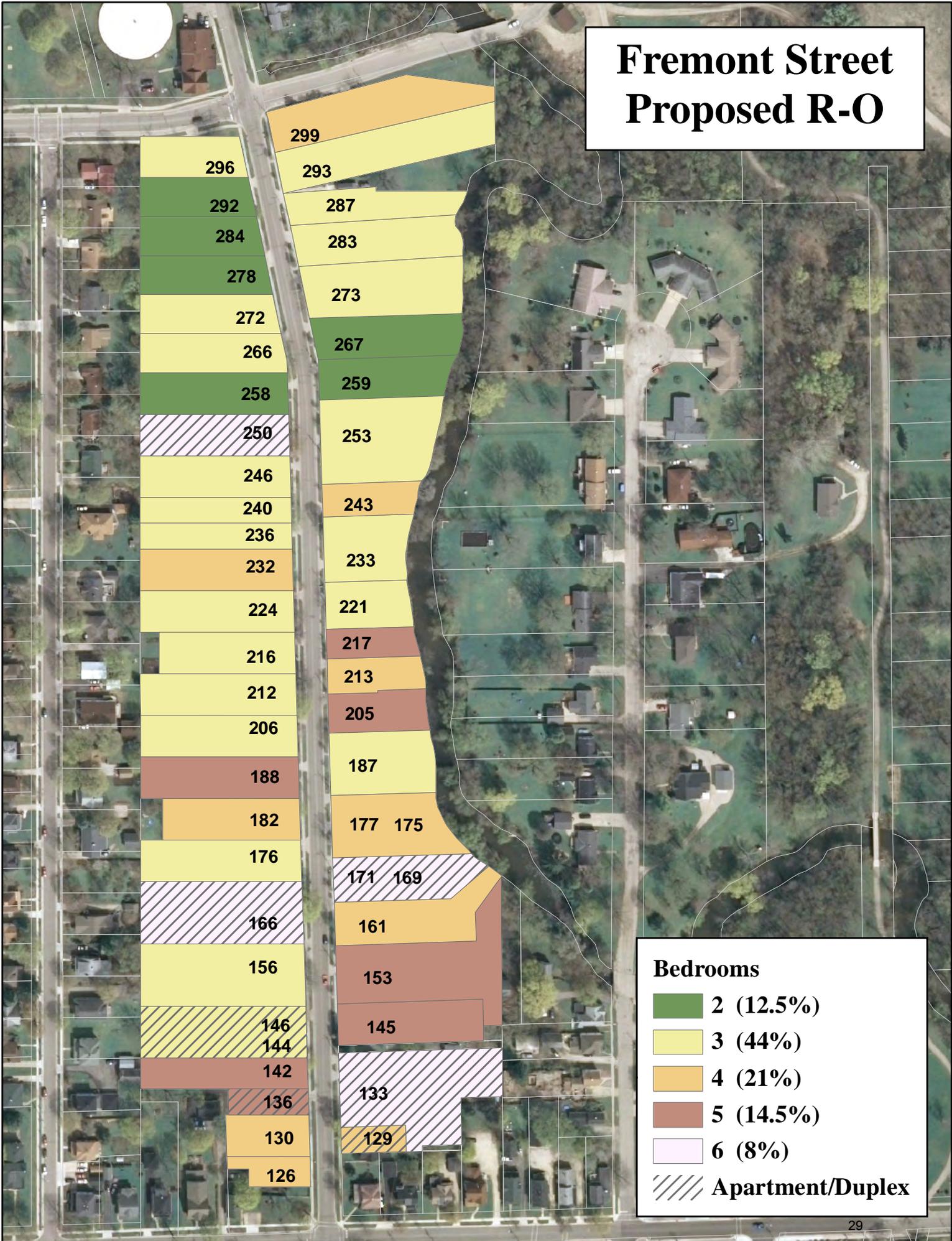
CBP PROPERTIES, LLC



BY C. BENNETT PENWELL

CBP/alt

Fremont Street Proposed R-O





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

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

NOTICE OF REVIEW

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 9th day of September, 2013 at 6:00 p.m. to review the proposed construction of a restroom and concession facility in Starin Park to be located at 504 W. Starin Road for the City of Whitewater (Treyton's Field of Dreams).

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 Director/City Planner

STEVEN R HOAG
ANGELA L HOAG
373 N FREMONT ST
WHITEWATER WI, 53190

DEBRA A SHROBLE
387 N FREMONT ST
WHITEWATER WI, 53190

ERIN MANDEL
257 N PRAIRIE ST
WHITEWATER WI, 53190

CHAD CHAPMAN
LEISHA CHAPMAN
505 MEADOWVIEW LN
JOHNSON CREEK WI, 53038

ROBERT D ROWLEY
812 E MAIN ST
WHITEWATER WI, 53190

JASON J JERMAN
JACQUELINE A JERMAN
N3377 S. OAKLAND RD
FORT ATKINSON WI, 53538

ROBERT D ROWLEY
812 E MAIN ST
WHITEWATER WI, 53190

DAVID DELL
BLAZANKA A DELL
633 W. STARIN RD
WHITEWATER WI, 53190

JEFFREY J EPPERS
623 W STARIN RD
WHITEWATER WI, 53190

RLA CONSTRUCTION & DEVELOPMENT
PO BOX 511
MACFARLAND WI, 53558

SANDRA L MANSFIELD
262 N. ESTERLY AVE
WHITEWATER WI, 53190

BRIAN D RAMOS
CATHY J RAMOS
SAMANTHA J GEHM *
802 FLORAL LN
MADISON WI, 53714

FAIRHAVEN FOUNDATION, INC
435 W. STARIN RD
WHITEWATER WI, 53190

FAIRHAVEN CORPORATION
435 STARIN RD
WHITEWATER WI, 53190

TIMOTHY A O'TOOLE
MELINDA C O'TOOLE
263 N FRANKLIN ST
WHITEWATER WI, 53190

RODERICK O DALEE
MARY M DALEE
PO BOX 660
WHITEWATER WI, 53190

JOSHUA J ERICKSON
LAURA B ERICKSON
275 N FRANKLIN
WHITEWATER WI, 53190

FEKRIJE LIMANI
451 STARIN RD
WHITEWATER WI, 53190-3300

JEFFREY D MCDONALD
KERRI K KACHEL
264 N FRANKLIN ST
WHITEWATER WI, 53190

BARBARA GRUBEL
N1190 HIGHWAY N
WHITEWATER WI, 53190-4900

WARHAWK DOMAINS LLC
1344 CADBURY CT
REEDSBURG WI, 53959

VIOLET K DEWIND
255 N ESTERLY AVE
WHITEWATER WI, 53190-1400

JAMES B NIES
SUSAN M NIES
275 N ESTERLY
WHITEWATER WI, 53190

CATHY S DICKMEYER
277 N ESTERLY AVE
WHITEWATER WI, 53190

SANDRA L MANSFIELD
262 N ESTERLY AVE
WHITEWATER WI, 53190

KRISHNANAND VERMA
274 ESTERLY AVE
WHITEWATER WI, 53190

PEGGY J RACE
280 N ESTERLY AVE
WHITEWATER WI, 53190

SHIRLEY J MATTHEWS
263 N PARK ST
WHITEWATER WI, 53190

NATALIE CHRISTINA HOEHNEN
2540 DORSET CT
BROOKFIELD WI, 53045

EQUITY TRUST CO
CUSTODIAN FBO MARK BROMLEY IRA
W5838 GREENING RD
WHITEWATER WI, 53190

JOSEPH P CULL
W316 S53580 HWY 83
WAUKESHA WI, 53189

WALWORTH AVENUE APARTMENTS INC
530 S JANESVILLE ST
WHITEWATER WI, 53190

BARBARA LYKE
292 N FREMONT ST
WHITEWATER WI, 53190

THOMAS R SCHMECKEL
284 N FREMONT ST
WHITEWATER WI, 53190

BETTY HETH
N8439 DUFFIN RD
WHITEWATER WI, 53190

~~BOARD OF REGENTS
OF STATE UNIVERSITIES
WHITEWATER WI, 53190~~

~~BOARD OF REGENTS
OF STATE UNIVERSITIES
WHITEWATER WI, 53190~~

~~BOARD OF REGENTS
OF STATE UNIVERSITIES
MADISON WI, 53702~~

BOARD OF REGENTS
OF STATE COLLEGES
276 E. CAPITOL BLDG.
MADISON WI, 53702

~~BOARD OF REGENTS
OF STATE UNIVERSITIES
WHITEWATER WI, 53190~~

~~BOARD OF REGENTS
OF STATE UNIVERSITIES
WHITEWATER WI, 53190~~

BOARD OF REGENTS
OF STATE COLLEGES
P.O. BOX 912
MADISON WI, 53702

ALAN HENDRICKSON
MARY HENDRICKSON
336 N. PRAIRIE ST
WHITEWATER WI, 53190

ARCHDIOCESE OF MILW.
2000 W. WISCONSIN AVE
MILWAUKEE WI, 53233

UNIVERSITY OF WISCONSIN
BOARD OF REGENTS
C/O DALE BROCK
800 W. MAIN
WHITEWATER WI, 53190

CITY OF WHITEWATER
WHITEWATER WI, 53190

UNIVERSITY OF WISCONSIN
BOARD OF REGENTS
C/O DALE BROCK
800 W. MAIN ST.
WHITEWATER WI, 53190

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

SHANNON M ZOPFI
330 N FREMONT ST
WHITEWATER WI, 53190

NATASHA M HELBLING
336 N. FREMONT ST
WHITEWATER WI, 53190

LYLE JORDAN
MARIAN JORDAN
342 N. FREMONT ST
WHITEWATER WI, 53190

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

~~CITY OF WHITEWATER
312 W WHITEWATER ST
WHITEWATER WI, 53190~~

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

~~CITY OF WHITEWATER
WHITEWATER WI, 53190~~

HARRIET J STRITZEL TRUST
530 SOUTH JANESVILLE AVE
WHITEWATER WI, 53190

~~CITY OF WHITEWATER
312 W. WHITEWATER ST
WHITEWATER WI, 53190~~

BRIAN M BENTEL
AKIKO YOSHIDA
363 N FREMONT ST
WHITEWATER WI, 53190

KEITH W SCHOENKE
339 N. FREMONT ST.
WHITEWATER WI, 53190

LARRY W DICKERSON
JOAN P DICKERSON
N9097 TAMARACK RD
WHITEWATER WI, 53190-0500

MICHAEL T JAY
KIMBERLY D JAY
313 N FREMONT ST
WHITEWATER WI, 53190

DONALD ALECKSON
MARY ALECKSON
299 N. FREMONT ST
WHITEWATER WI, 53190

LUIS RAMIREZ JR
ESTELA RAMIREZ
133 N HAZEL ST
WHITEWATER WI, 53190

FAIRHAVEN CORPORATION
435 W. STARIN ROAD
WHITEWATER WI, 53190

FAIRHAVEN CORPORATION
435 W. STARIN RD
WHITEWATER WI, 53190

CATHERINE J ENGLER
519 W. STARIN RD
WHITEWATER WI, 53190

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KERRI K KACHEL
264 N FRANKLIN ST
WHITEWATER WI, 53190

JAMES B NIES
SUSAN M NIES
1081 PUEBLO DR
BATAVIA IL, 60510

VIOLET K DEWIND
255 N ESTERLY AVE
WHITEWATER WI, 53190-1400

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 8-12-13.
2. Agenda Published in Official Newspaper on 8-29-13.
3. Notices of the public review mailed to property owners on 8-26-13.
4. Plan Commission holds the public review on 9-9-13. They will hear comments of the Petitioner and comments of property owners. Comments may be made in person or in writing.
5. At the conclusion of the public review, the Plan Commission makes a decision.

PLEASE COMPLETE THE FOLLOWING APPLICATION.

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

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

SITE PLAN SUBMITTAL REQUIREMENTS

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

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

Address of Project 504 W Starin Road
Zoning of Property city park

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

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

City of Whitewater
Application for Plan Review

IDENTIFICATION AND INFORMATION ON APPLICANT(S):

Applicant's Name: Treyton's Field of Dreams
Applicant's Address: _____
Phone # 262-473-1081

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

Street address of property: 504 W Starin Road

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: Pete Weston / Jana Healy

Name of Firm: The Design Alliance

Office Address: 1001 Madison Ave

Fort Atkinson, WI

Phone: 920-563-3404

Name of Contractor: TBD

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

EXISTING AND PROPOSED USES:

Principal Use: city parkland Current Land Use: _____

Accessory or Secondary Uses: _____

Proposed Use
provide restroom and concession facility in Starin Park

No. of occupants proposed to be accommodated: 0

No. of employees: 2-3

Zoning District in which property is located: _____

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
<p>A. The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;</p>	<p>Project is consistent with the purpose, character, and intent of the designated land use</p>
<p>B. The proposed development will be consistent with the adopted city master plan;</p>	<p>This use is consistent with City plan</p>
<p>C. The proposed development will be compatible with and preserve the important natural features of the site;</p>	<p>Site will be improved to provide a needed benefit to the park</p>
<p>D. The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;</p>	<p>The project will not create a nuisance to neighboring uses</p>

STANDARD	APPLICANT'S EXPLANATION
<p>E. The proposed development will not create traffic circulation or parking problems;</p>	<p>These items have been addressed by related work associated with the project.</p>
<p>F. The mass, volume, architectural features, materials and/or setback of proposed structures, additions or alterations will appear to be compatible with existing buildings in the immediate area;</p>	<p>The project is compatible with Storm Park.</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>This is not a national or local landmark.</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>The project is consistent with the purpose, character and intent of the M-1 Zoning District</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

8-12-2013

Date

APPLICATION FEES:

Fee for Plan Review Application: \$100

Date Application Fee Received by City _____ Receipt No. _____

Received by _____

TO BE COMPLETED BY CODE ENFORCEMENT/ZONING OFFICE:

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

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

ACTION TAKEN:

Plan Review: _____ Granted _____ Not Granted by Plan & Architectural Review Commission.

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairman

Date



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 Director / City Planner and Matt Amundson, Park and Recreation Director
Meeting Date: September 9, 2013
Re: Review proposed construction of a restroom and concession facility in Starin Park to be located at 504 W. Starin Road for the City of Whitewater (Treyton's Field of Dreams).

Summary of Request

On May 13, 2013, the Plan and Architectural Review Commission approved the site plan for Treyton's Field of Dreams. A part of the approval required that the concession stand building come back to the Plan Commission for review.

The plans included in the submittal are for the proposed concession/restroom pavilion to be built as part of Treyton's Field of Dreams. The plans were created by The Design Alliance with input from the Treyton's Field of Dreams committee, the Parks and Recreation Board, and city staff. The plans were reviewed and approved unanimously by the Parks and Recreation Board on August 26, 2013. The proposed building includes a concession area with storage, men's & women's restrooms, an umpire/coaches room and an outdoor grilling patio. The facility will serve all four fields in Starin Park and provide a rest stop along the trail system. The restrooms will be on a timer similar to the restrooms in Cravath, Trippe, and the Starin Park Community Building.

All items for the site plan, including utilities, grading, etc. have been designed by Strand Associates and approved by the Common Council.

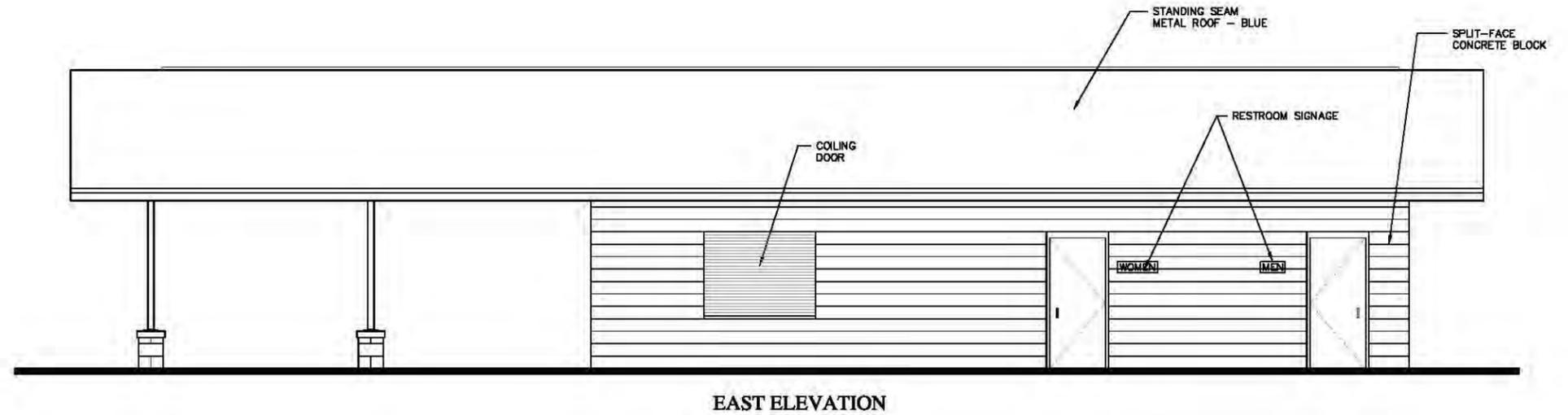
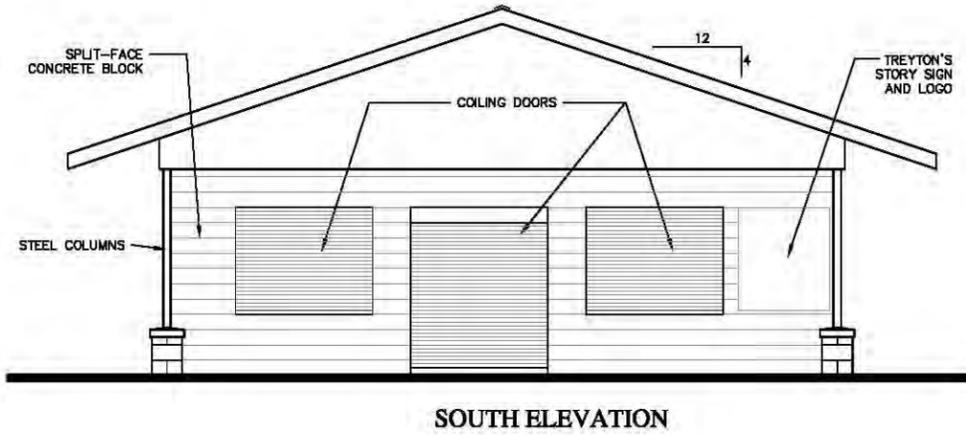
Recommendation Site Plan

Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the concession stand with the following requirements:

1. With the understanding that this project may change slightly during the upcoming stages of the planning process, require the staff to follow upcoming approvals as directed from the Common Council.
2. Any permitting requirements by the State of Wisconsin should be followed.

Analysis of Proposed Project

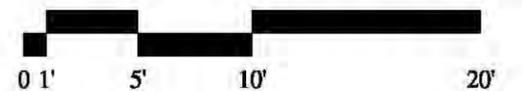
Standard	Evaluation	Comments
Plan Review Guidelines (see section 19.63.100 of zoning ordinance)		
The proposed structure, addition, alteration or use will meet the minimum standards of this title for the district in which it is located;	Yes	Project is consistent with the purpose, character and intent of the Park and Recreation designated land use.
The proposed development will be consistent with the adopted city master plan;	Yes	Allowing the continuation and expansion of this use is encouraged by the Comprehensive Plan.
The proposed development will be compatible with and preserve the important natural features of the site;	Yes	The concession stand will be placed in an appropriate location in the park to be compatible with the natural and new features of the site.
The proposed use will not create a nuisance for neighboring uses, or unduly reduce the values of an adjoining property;	Yes	The proposed addition will not create a nuisance to the neighboring uses.
The proposed development will not create traffic circulation or parking problems;	Yes	This was reviewed as a part of the May 2013 site plan review.
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;	Yes	The proposal is compatible with Starin Park.
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;	N/A	This is not a national or local landmark.
The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	Yes	Project is consistent with the purpose, character and intent of the park use.

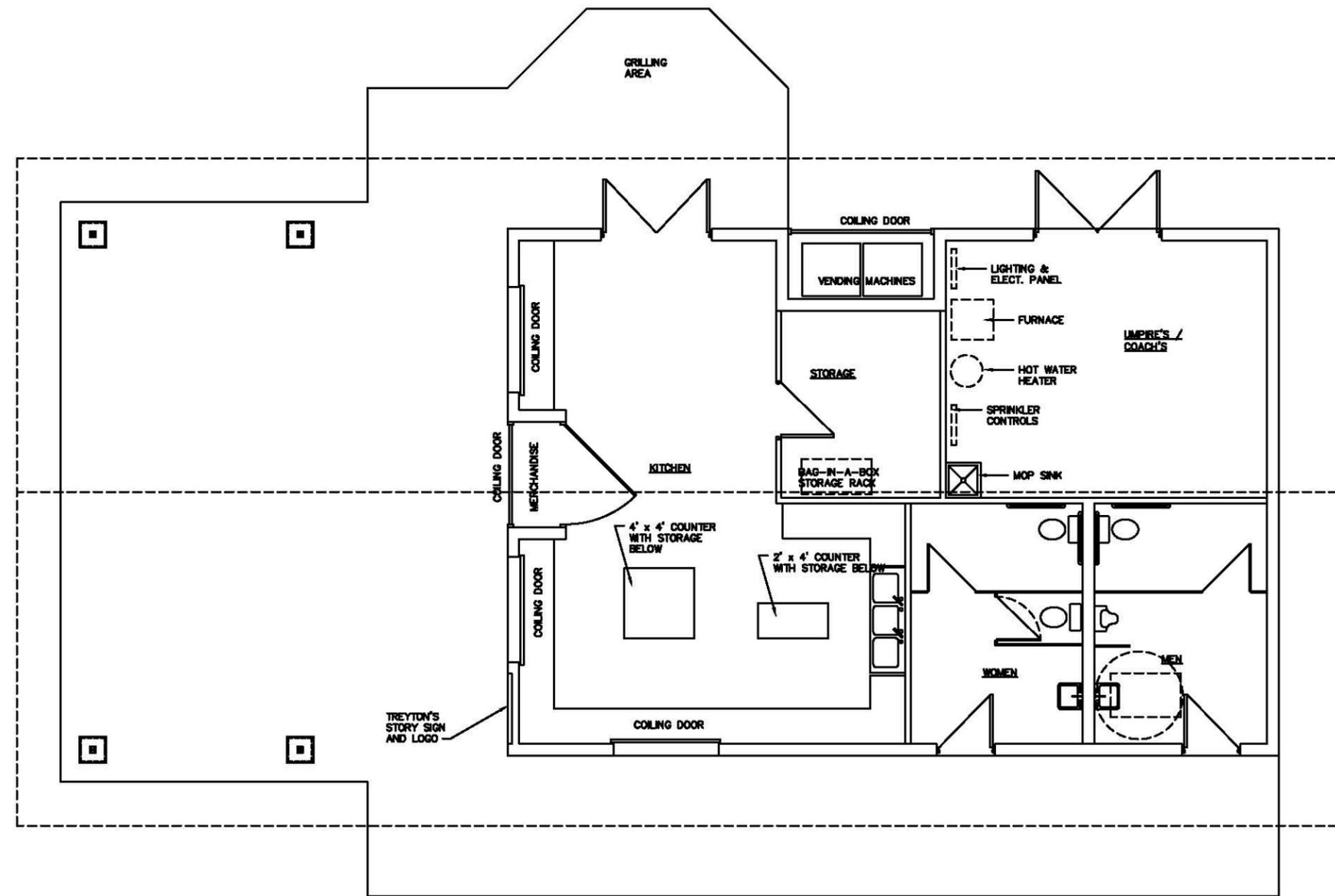


TREYTON'S FIELD OF DREAMS ELEVATIONS

A-2

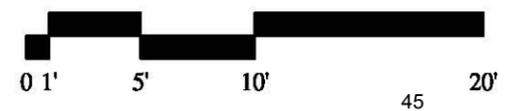
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DATE: SEPTEMBER 4, 2013



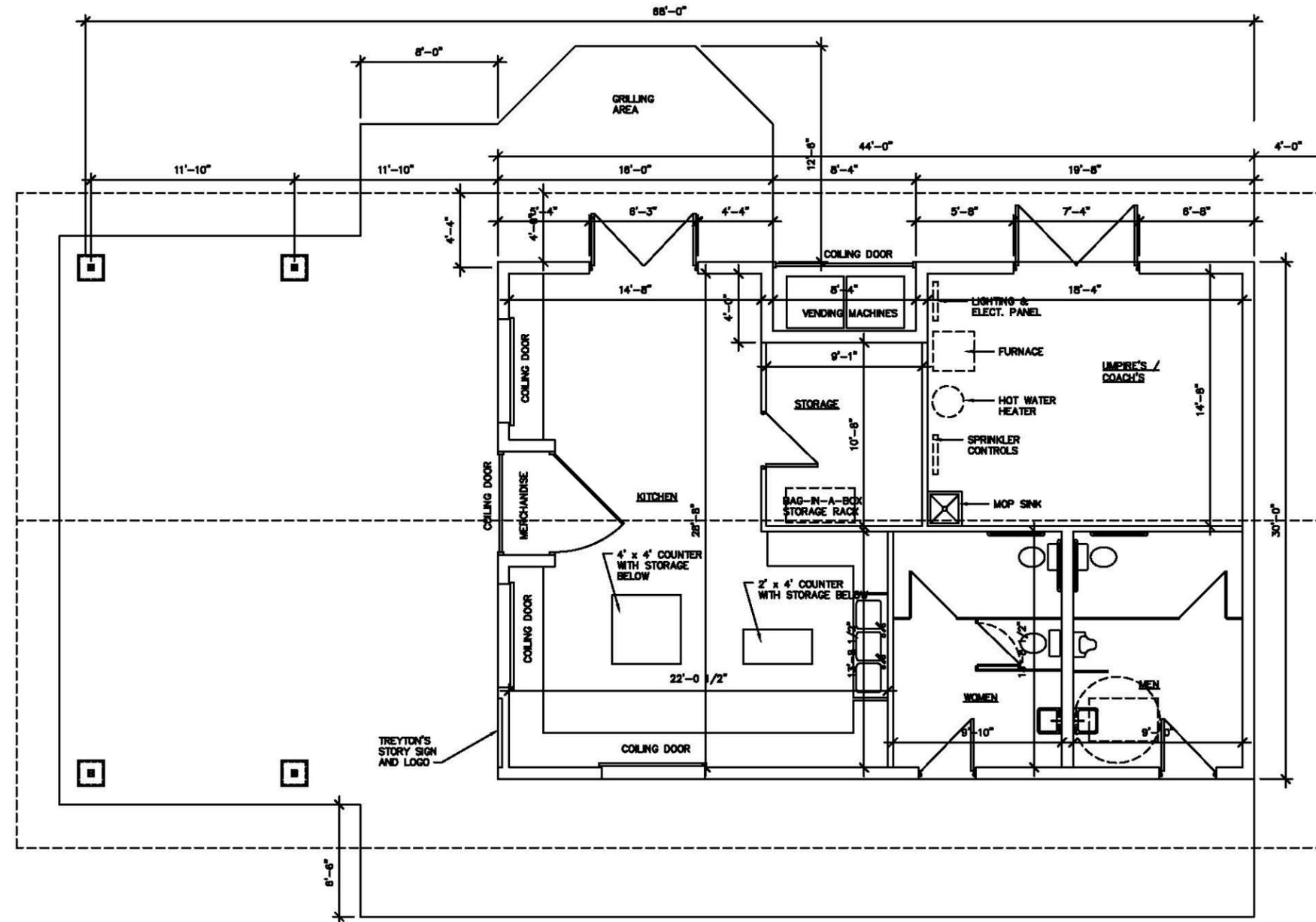


A-1

SCALE: 1/8"=1'-0"
DATE: SEPTEMBER 4, 2013

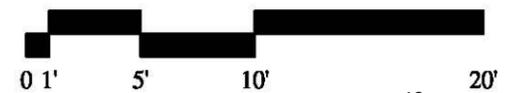


**TREYTON'S FIELD OF DREAMS
FLOOR PLAN**

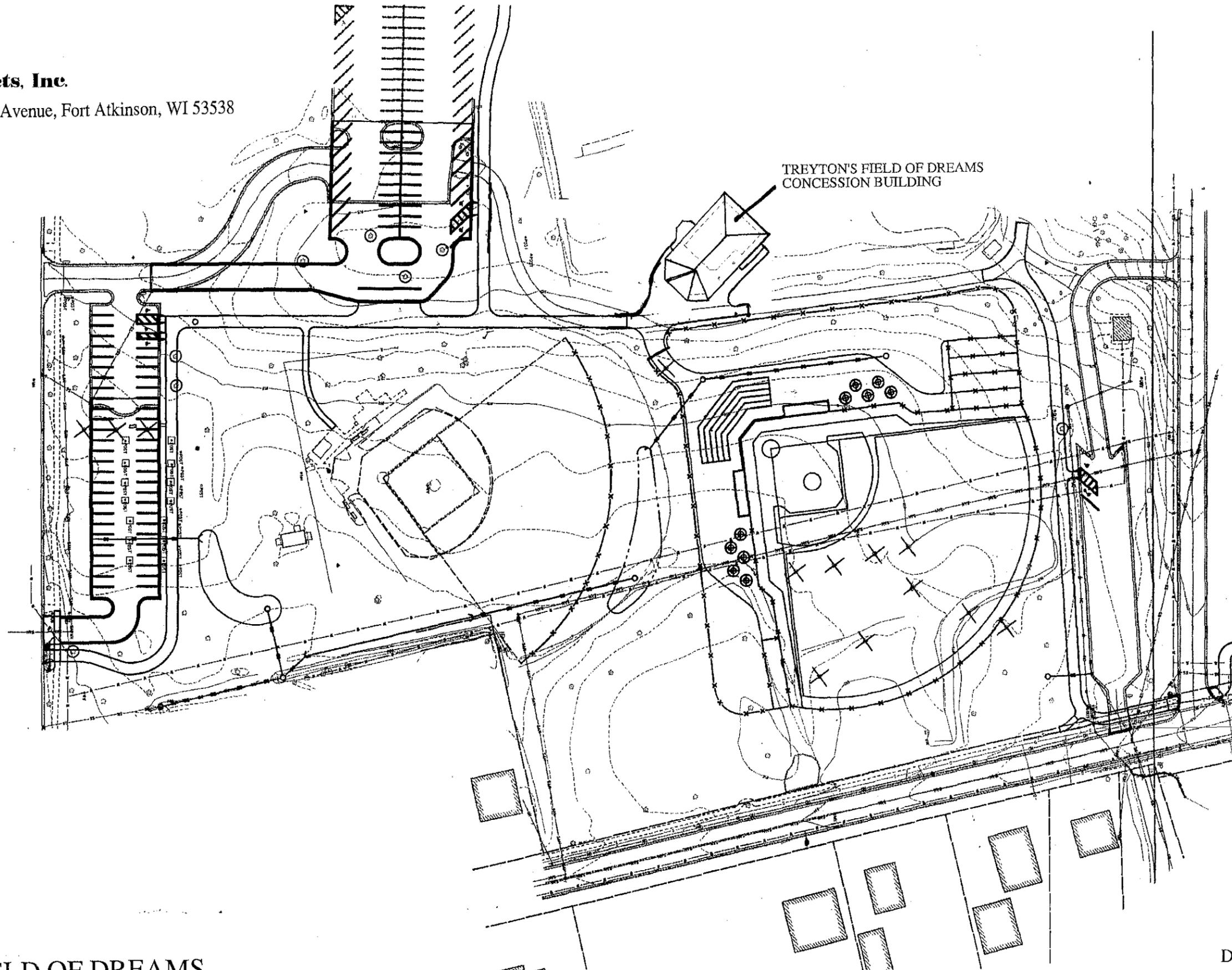


A-1

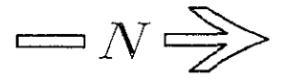
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DATE: SEPTEMBER 4, 2013



**TREYTON'S FIELD OF DREAMS
FLOOR PLAN**

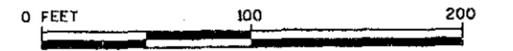


TREYTON'S FIELD OF DREAMS
CONCESSION BUILDING

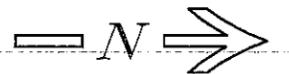
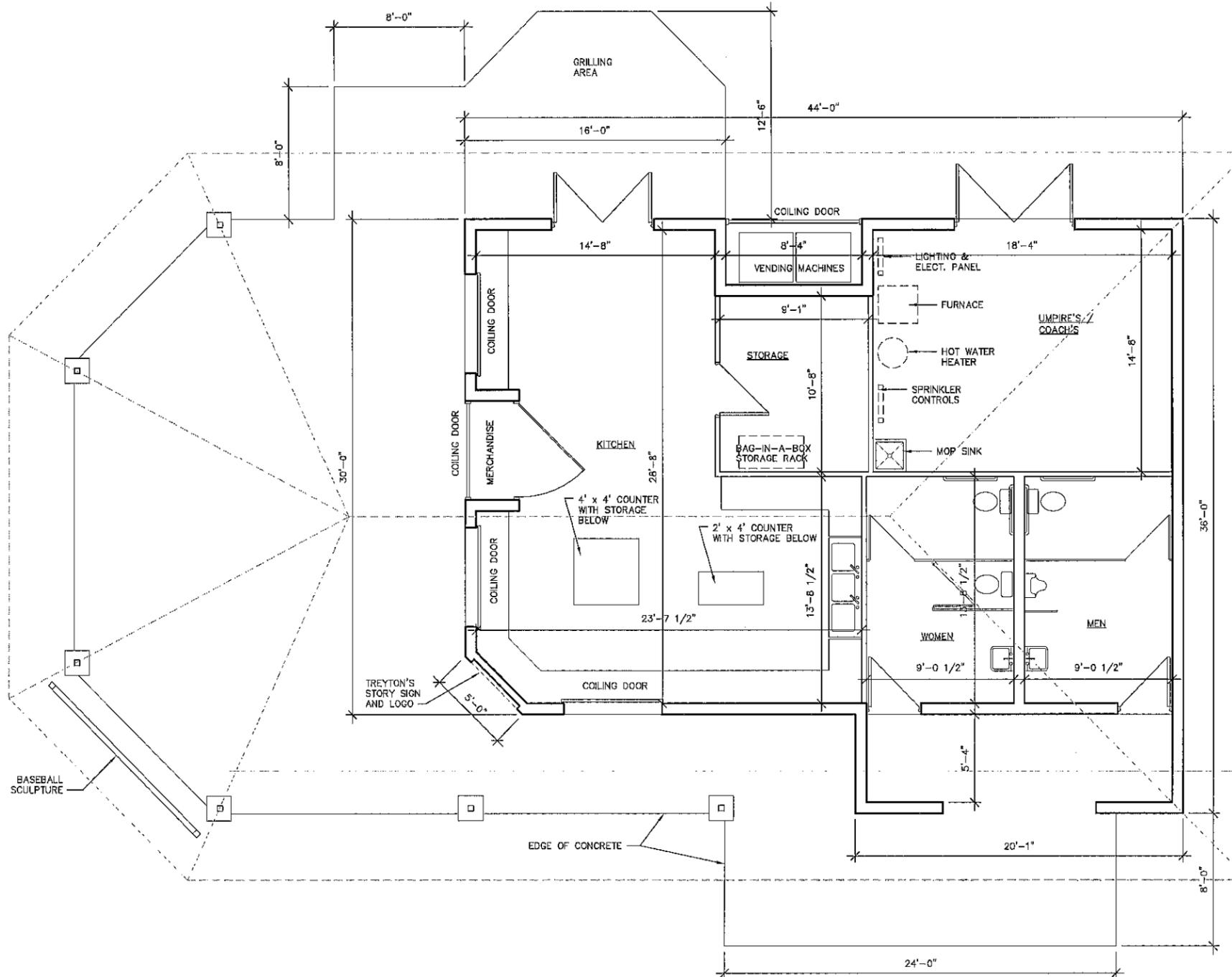


SP-1

SCALE: N.T.S.
DATE: AUGUST 12, 2013

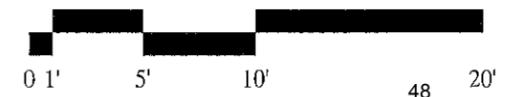


**TREYTON'S FIELD OF DREAMS
SITE PLAN**

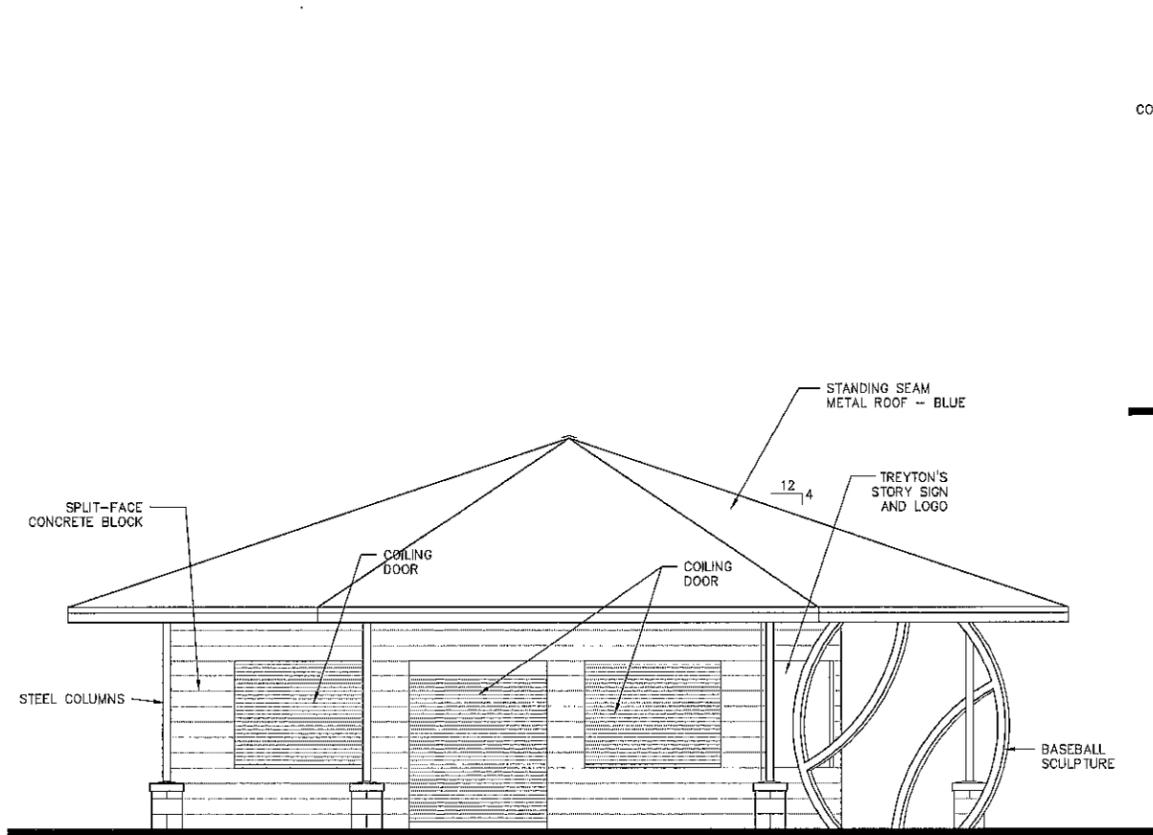


A-1

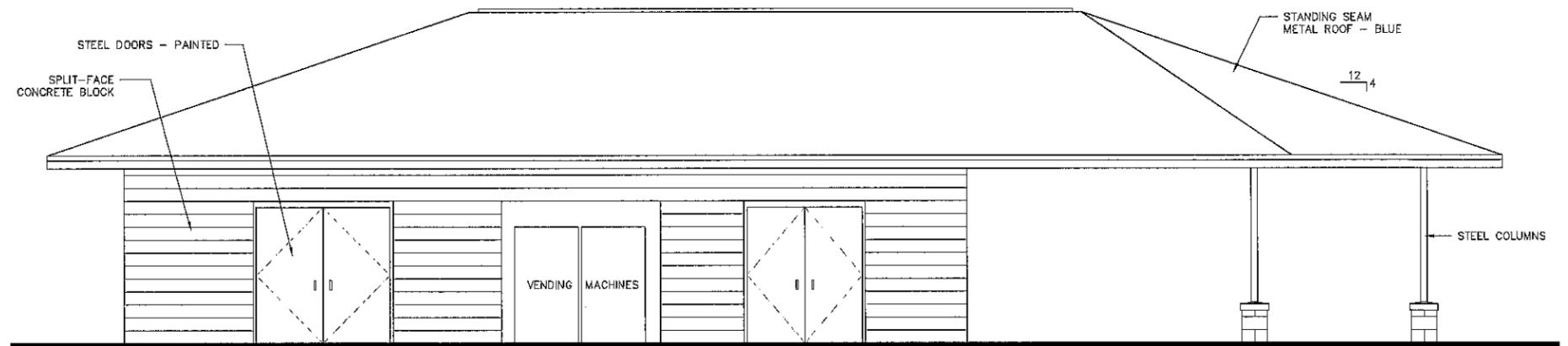
SCALE: 1/8"=1'-0"
DATE: AUGUST 12, 2013



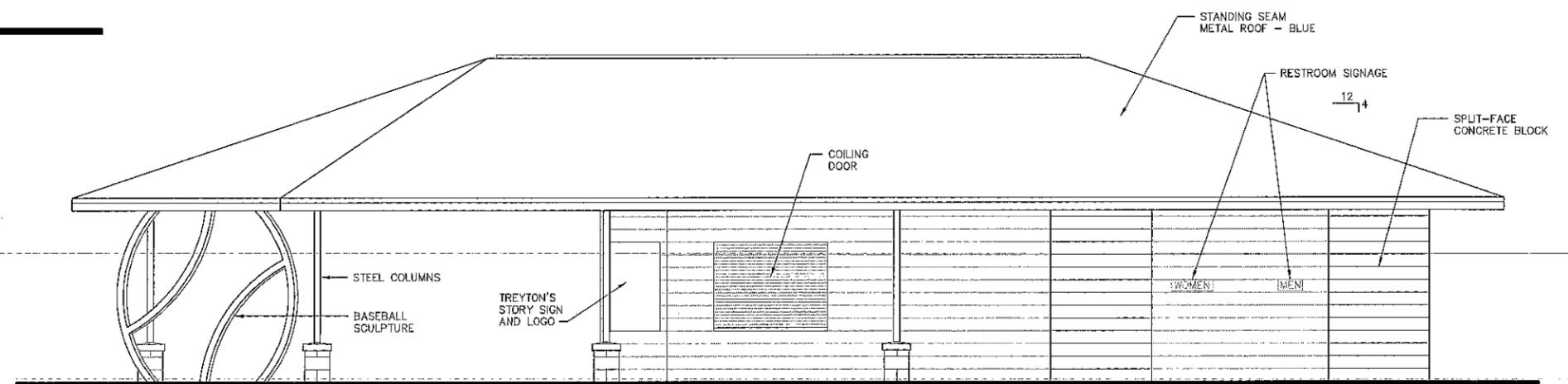
TREYTON'S FIELD OF DREAMS
FLOOR PLAN



SOUTH ELEVATION



WEST ELEVATION

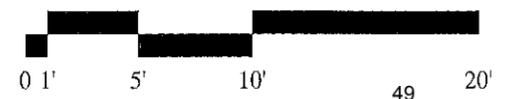


EAST ELEVATION

TREYTON'S FIELD OF DREAMS ELEVATIONS

A-2

SCALE: 1/8"=1'-0"
DATE: AUGUST 12, 2013





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 Director / City Planner
Meeting Date: September 9, 2013
Re: Consideration for an amendment to the conditional use permit to allow for a fence enclosure for the freezer addition to the building located at 1185 W. Main Street

Summary of Request

Requested Approvals: The applicant, Lacey Reichwald, is requesting an amendment for the Conditional Use Permit (CUP) to allow for a fence enclosure for the freezer addition to the building located at the 1185 W. Main Street.

Location: 1185 W. Main Street.

Current Land Use: Two story building. 1st Floor – vacant; 2nd Floor - residential

Proposed Use: 1st Floor – restaurant, production bakery and coffee shop with a drive-through facility; 2nd Floor – remain the same

Current Zoning: B-1 Community Business

Proposed Zoning: (no change proposed)

Comprehensive Plan's Future Land Use Designation: Community Business

Surrounding Zoning: North, East and South: B-1, Community Business; West: Planned Community Development.

Surrounding Land Use: North and East: Business; South: Multi-family residential; West: St. Patrick's Catholic Church.

Analysis

Last month the Plan and Architectural Commission approved the Conditional Use Permit for the SweetSpot Bakehouse for Ms. Lacey Reichwald. After the approval, Ms. Reichwald informed me that the exterior of the freezer addition would change from using the same materials as the building to a wood fence. This fence would be the same type of fence used to enclose the dumpster and HVAC unit that was looked at by the Plan and Architectural Review Commission at the last meeting.

The plans that were reviewed by the Plan and Architectural Commission showed horizontal "siding." This was verified in the attached email from Ms. Reichwald. The change from using materials that will match the building, to a vertical wood fence is a small change. When reviewing this change with the City Attorney, Wallace McDonell, we decided to bring this back to the Plan Commission because:

- 1) The freezer addition and exterior buffing is located along a highly visible corner of W. Main Street and Elizabeth.

- 2) Aesthetic items were specifically addressed at the meeting are changing; staff cannot authorize a change without is being heard at a public meeting.
- 3) Property owners who may not have been opposed to a freezer that looked like an addition, may have comments regarding the fencing.

Revisiting this item at the Plan and Architectural Commission meeting is the proper way to inform the public of this change. Ms. Reichwald has asked that the new wording be vague, as they have not made a decision as to the best route to pursue. She has confirmed that the screening will be natural colored.

As of 12:00 p.m. on 9/4/2013, staff did not receive any public comments.

Recommendation on amendment to the Conditional Use Permit

Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the amendment to the conditional use permit for the SweetSpot Bakehouse and Coffee Shop, subject to the prior conditions addressed at the August 2013 meeting and to include:

- 1) To allow the freezer addition to be screened by an opaque enclosure of at least at 8 feet tall



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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 Whitewater Municipal Building, Community Room, located at 312 W. Whitewater Street on the 9th day of September, 2013 at 6:00 p.m. to hold a public hearing for consideration of an amendment to the conditional use permit to allow for a fence enclosure for the freezer addition to the building located at 1185 W. Main Street for Lacey Reichwald.

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

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

For information, call (262) 473-0540

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

Latisha Birkeland, Neighborhood Services Director/City Planner

1185 W. Main St

DLK ENTERPRISES INC
141 W. WHITEWATER ST
PO BOX 239
WHITEWATER WI, 53190

DLK ENTERPRISES INC
141 W WHITEWATER ST
PO BOX 239
WHITEWATER WI, 53190

WHITEWATER PLAZA, LLC
262 LEGEND HTS
PO BOX 100
WALES WI, 53183

JOHN K SOTHERLAND
ELIZABETH J KILLIPS-SOTHERLAND
1155 W MAIN ST
WHITEWATER WI, 53190

BARBARA A CONGDON
8-427 E. SHERMAN AVE
FT ATKINSON WI, 53538

MCCULLOUGH FAMILY LTD PART
694 WELLS ST
LAKE GENEVA WI, 53147

MAIN 1185 LLC
694 WELLS ST
LAKE GENEVA WI, 53147

JR RENTALS LLC
694 WELLS ST
LAKE GENEVA WI, 53147

JR RENTALS LLC
694 WELLS ST
LAKE GENEVA WI, 53147

WISH ENTERPRISES, LLC
1138 W. MAIN ST
WHITEWATER WI, 53190

K&A DREAMS, LLC
W3331 CRESTWOOD DR
WHITEWATER WI, 53190

ROY A NOSEK
DONNA J NOSEK
210 N. PARK ST
WHITEWATER WI, 53190

K&A DREAMS, LLC
W3331 CRESTWOOD DR
WHITEWATER WI, 53190

WHITEWATER 1184 INC
1985 PEBBLE DR
BELOIT WI, 53511

REYNOLDS RENTALS, LLC
12340 E BRADLEY RD
WHITEWATER WI, 53190

FOUR GUYS, LLP
120 N. FRATERNITY LN
WHITEWATER WI, 53190

HARRIET J STRITZEL TRUST
530 SOUTH JANESVILLE AVE
WHITEWATER WI, 53190

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

ST PATRICKS CONGREGATION
126 S. ELIZABETH ST.
WHITEWATER WI, 53190

ST PATRICKS CONGREGATION
126 S ELIZABETH ST
WHITEWATER WI, 53190



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To: City of Whitewater Plan and Architectural Review Commission
From: Latisha Birkeland, Neighborhood Services Director / City Planner
Meeting Date: September 9, 2013
Re: Request a conditional use permit to build a new duplex to be located at 523 N. Tratt Street (next to 511 N Tratt Street) for Arthur Stritzel.

Summary of Request

Requested Approvals: Request a conditional use permit to build a new duplex located at 523 N. Tratt Street (next to 511 N Tratt Street).

Location: 523 N. Tratt Street

Current Land Use: Recently created lot - vacant

Proposed Use: New duplex located on lot

Current Zoning: R-2 One and Two Family Residence District

Proposed Zoning: (no change proposed)

Comprehensive Plan's Future Land Use Designation: Higher Density Residential

Surrounding Zoning and Land Use: R- 2, R-3, AT – Agricultural Transition Areas and property located outside of the City Limits; the land is being used as residential.

Description of Use

Prior to this Conditional Use Permit application (CUP), Mr. Arthur Stritzel presented a Certified Survey Map (CSM) to the Plan and Architectural Commission in May 2012. The proposal showed the creation of a new lot by splitting the existing lot at 511 N. Tratt Street. The CSM was approved with conditions addressed later in this memo.

Mr. Stritzel is now applying for a Conditional Use Permit to build a new two-family home on the newly created lot at 523 N. Tratt Street. The lot has 17,218.61 square feet. The proposal has met and exceeded the setback requirements for the R-2 Zoning District.

The applicant stated that the color scheme of the siding will be "sandstone", "Snow White" will be used for the trim around the windows, soffits and fascia. The roof color will be dark green shingles.

Parking and Ingress / Egress

The new driveway and curb cut will be installed along the north side of the lot and duplex. The parking lot is located in the rear of the property. Duplexes with three or more bedrooms per unit are required to provide four stalls for each unit. The applicant has provided a total of six (6) stalls. The minimum requirement was discussed with Mr. Stritzel. The Plan and Architectural Commission can reduce the parking requirement as indicated in Section 19.51.130:

A party may apply to the plan and architectural review commission for a permit allowing less than the number of stalls required herein, but not less than one stall per residential unit or one stall per five hundred square feet of primary floor area for retail and commercial service uses. The commission may grant such a permit if it is not against the best interest of the public.

The proposed parking stalls meet the Zoning Code requirement for interior parking spaces to be eight and one-half feet wide and not less than 150 square feet for interior parking stalls. Parking lot expansions under 20 additional spaces are not required to install curbs. Adding a bumpout as indicated in Mark Fisher's comments, is recommended.

Section 19.51.070 states that when a required off-street parking area for five or more vehicles is located within fifteen feet of any lot line or public right-of-way line in any district, a buffer yard or screen shall be required. The proposed parking lot is heavily screened along the north property line. This is where the parking lot is within the 15 foot requirement. The south and rear side of the parking lot is located outside the fifteen foot requirement. The rear and part of the south property line are also heavily buffered.

Mr. Stritzel has proposed five 4 foot tall Arborvitae bushes to be planted on the outer sides of both front door entrances. There will also be a total of 125 square feet of Hosta plantings.

Standard wall lighting will be added to the building front and rear on the of the building.

Utilities

The Certified Survey Map was approved to split the lot in May 2012, with the following recommendations:

1. A joint maintenance agreement for the private sewer should be signed by the owners of both lots and should be recorded.
2. The sanitary sewer easement should be labeled "Private Sanitary Sewer Easement".
3. If sanitary sewer becomes available on the Tratt Street side of Lot 1 at some future date, the property owner should be required to connect to it at no cost to the City.
4. The CSM shall be recorded prior to the issuance of a building permit for any dwelling at 523 North Tratt Street.

This was reviewed by Mark Fisher and Tim Reel, Wastewater Superintendent. If Mr. Stritzel wants to hook up the sanitary line to the private line behind 511 N. Tratt Street, as was indicated in the agreement, he will need to obtain approval by the State. Best practices would be to hook up to a separate line. However, sanitary sewer is not available in front of the property.

Recommendation on Conditional Use Permit

Staff review and general approvals have been given from Greg Noll, Building Inspector ; Mark Fisher, City Engineer and Tim Reel, Wastewater Superintendent. Pending comments received at the public hearing, I recommend the Plan and Architectural Review Commission approve the conditional use permit for Author Stritzel for a new duplex subject to the following conditions:

1. Must follow all City and State ordinances.
2. Private interceptor approval must be obtained by the state.
3. Follow all applicable City Engineer requirements

4. Follow State Plumbing Code for cleanout requirements – Contact Tim Reel, Wastewater Superintendent, regarding additional cleanout requirements and Greg Noll, Building Inspector, prior to installation.
5. A joint maintenance agreement for the private sewer should be signed by the owners of both lots and should be recorded.
6. If sanitary sewer becomes available on the Tratt Street side of Lot 1 at some future date, the property owner should be required to connect to it at no cost to the City.
7. Establish the parking lot in accordance with the submitted plans, comments in the staff report and City Code. This includes grading and surfacing of the lot to be dust-free. Hard surface shall be required no later than August 1, 2014.

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	This project will be consistent with the intention of the R-2 One and Two Family Residence Zoning District.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	Description and requirements for the private sanitary sewer and maintenance agreement are noted above.
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	The required standards for the R-2 zoning district have been met.
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies the site as an area for Higher Density Residential. This is to accommodate a variety of residential units at higher densities – rental apartment complexes, condominiums, townhouses, and the continuation of pre-existing single and two-family homes where desired. I recommend approving the proposed duplex in this location.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The purpose in the R-2 One and Two Family Residence District is to provide medium density residential areas.



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The proposal is on file in the Planning and Zoning Office 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

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Latisha Birkeland, Neighborhood Services Director/City Planner

523 N. Tratt St.

/ Duplicates

05-15-32-33-007
ARKI TRATT LLC
W396 S3675 HARDCRABBLE RD
DOUSMAN WI 53118

05-15-32-33-018
ARTHUR W STRITZEL
KIRSTEN W STRITZEL
W396 S3675 HARDCRABBLE RD
DOUSMAN WI 53118

05-15-32-33-009
ST JOHNS EV LUTHERAN CHURCH
120 S CHURCH ST
WHITEWATER WI 53190

05-15-32-34-029
RUSSELL R WALTON
KIMBERLY A WALTON
1005 W MAIN ST SUITE C
WHITEWATER WI 53190

05-15-32-33-008
CARL KIENBAUM
P O BOX 276
WHITEWATER WI 53190

05-15-32-34-000
KENNETH J FOUCAULT
BARBARA E FOUCAULT
500 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-002
MARLENE STRAIT
514 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-001
CITY OF WHITEWATER

05-15-32-34-003
TIM A NELSON
MARY K NELSON
524 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-004
SCOTT G EHLERT
CINDY L EHLERT
291 S COBURN LANE
WHITEWATER WI 53190

05-15-32-34-006
SCOTT G EHLERT
CINDY L EHLERT
291 S COBURN LANE
WHITEWATER WI 53190

05-15-32-34-028
SCOTT G EHLERT
CINDY L EHLERT
291 S COBURN LANE
WHITEWATER WI 53190

05-15-32-34-005
NCENTERPRISES LLC
W10412 HUBBLETON RD
WATERLOO WI 0

05-15-32-33-006
FREDRICK E HUFFMAN
SUSAN J HUFFMAN
N142 CTH N
WHITEWATER WI 53190

05-15-32-33-004
GAYLE M MERCER
N148 CTH N
WHITEWATER WI 53190

05-15-32-33-003
CARL KIENBAUM TRUST
P O BOX 276
WHITEWATER WI 53190

05-15-32-33-014
RUSSELL R WALTON
1005 W MAIN ST SUITE C
WHITEWATER WI 53190

05-15-32-33-011
DLK ENTERPRISES INC
P O BOX 239
WHITEWATER WI 53190

05-15-32-34-007
MARY C HYNUM (LE)
JED & COURTNEY HYNUM
215 E CLAY ST #45
WHITEWATER WI 53190

05-15-32-33-010
THOMAS J CROMOS
MARY OLSON
N149 CTH N
WHITEWATER WI 53190

05-15-32-34-023
KEVIN M KEATING
561 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-024
FELIPE PALOMEC
EBERARDO PALOMEC
549 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-025
WAYNE G LUEBKE
DAWN R LUEBKE
539 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-026
EUNICE M LEHNER
529 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-027
NANCY S DADE
519 N WALTON DR
WHITEWATER WI 53190

05-15-32-34-030
BOARD OF REGENTS
STATE UNIVERSITIES
142 E GILMAN ST
MADISON WI 53703

05-15-32-34-034
BOARD OF REGENTS
STATE UNIVERSITIES
142 E GILMAN ST
MADISON WI 53703

05-15-32-34-035
BOARD OF REGENTS
STATE UNIVERSITIES
142 E GILMAN ST
MADISON WI 53703

WUP 00153
JOHN KENT JR
458 N TRATT ST
WHITEWATER WI 53190

WUP 00153A
KIENBAUM FAMILY TRUST
318 S JANESVILLE ST
WHITEWATER WI 53190

Arthur & Kirsten Stritzel
W396 S3675 Hardscrabble Road
Dousman, WI 53118
Cell 262-719-3191

STATEMENT of USE
"CONDITIONAL USE PERMIT"
August 12, 2013.

Dear Planning Commission,

We are proposing to get our "Conditional Use" permit passed so we can build a duplex at 523 North Tratt Street, Whitewater, Wisconsin. Currently the lot is vacant & filled with over 23 wonderful pine trees, 2 living elm trees, 6 black walnut trees, 1 box elder and a large assortment of hedge row plantings. By positioning the building just so, we will be able to save over 90% of the trees on this lot. When completed, this duplex will raise the value of this property immensely.

The duplex will be a side by side two story building, built on site. Each unit will have 3 bed rooms & 1 bath on the second floor. "See Plans" Each unit will have a kitchen, living room, mechanical room, first floor laundry & bath room on the main floor. The building will be built using 4' frost walls set on footings & a concrete slab. i.e. The DLK building that was just build last year just a few blocks south on Tratt Street. The building will be build using 2x6 exterior walls w/ R-19 insulation. The roof system will have trusses using energy star heel heights & R-50 blown in insulation. The color scheme of the exterior will fit right in with the existing neighborhood duplexes and houses. ("Sandstone" will be the color for the siding, "Snow White" will be the color for the trim around the windows, soffets and fascia, and then to accent the roof we are using the dark green asphalt shingles.)

The gas, electric & city water connections will be bought in from the street and buried right up to the building. There will be separate gas, electrical & water meters for each unit. The sewer laterals will exit the building at the south east corner. Each unit will be using a sealed, "Gould's" 2hp pump grinder/lift station. This "Gould's" grinder/lift system will pump the waste under ground and connect to the existing private sanitary sewer pipe via the private sanitary sewer easement. Each unit will have their own set of totters to use for garbage pick up. There will be a space provided for the totters to sit at the back of the building.

There will be parking for 6 vehicles at the rear of the building. The driveway from the street to the parking spaces will be 16' wide. This will give enough room for cars to pass one another for coming & going at the same time. The yard is already filled w/ mature trees. We will have lawn grass seeding throughout the yard. Five 4' tall Arborvitae bushes will be planted in front of the electrical & gas meters with two large Weigela bushes on either side. Weigela bushes will be planted on the outer sides of both front door entrances. There will be a total of 125 square feet of Hosta plantings. Four 4' Arborvitae bushes will be planted in the back of the building to box out the totters. (See spec. sheet) Last but not least, the building will have the proper slope/drainage away from itself. The surface water will drain naturally around the building towards the North & rear of the lot as it does now.

Thank you for your time,

Sincerely yours,

Arthur W. Stritzel



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

www.whitewater-wi.gov
(262) 473-0143

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 523 N. Tratt Street

Owner's Name: Arthur W. Stritzel

Applicant's Name: Arthur W. Stritzel

Mailing Address: W 396 53675 Hardscrabble Rd. Dousman, WI 53118

Phone #: 262-719-3191 Email: astritzel1@gmail.com

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

(Approved)

Lot 1, CSM 5445-30-053, Doc 1317257

Existing and Proposed Uses:

Current Use of Property: Vacant Lot

Zoning District: R-2

Proposed Use: Duplex

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.

STANDARDS FOR REVIEW AND APPROVAL

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
<p>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.</p>	<p>Absolutely it!! This Duplex will increase the value of this lot & surrounding properties.</p>
<p>B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.</p>	<p>Yes! All the necessary site improvements are being provided "see spec's" plans</p>
<p>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.</p>	<p>The conditional use conforms to the R-2 zoning for one one & 2 family dwellings</p>
<p>D. That the conditional use conforms to the purpose and intent of the city Master Plan.</p>	<p>The city master plan has 4 families & Duplex's ^{North of} South of this property the & directly behind me.</p>

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

Applicant's Signature:  Date: 8-12-2012

Printed: Arthur W. Stritzel

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 8-12-13. Received by: J. Wegman Receipt #: 6.010677
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-29-13.
- 3) Notices of the Public Hearing mailed to property owners on 8-26-13.
- 4) Plan Commission holds the PUBLIC HEARING on 9-9-13. 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

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: Arthur W. Stritzel

Applicant's Mailing Address: W396 S3675 Handscrabble Rd.
Dousman, WI 53118

Applicant's Phone Number: 262-719-3191

Applicant's Email Address: astritzel1@gmail.com

Project Information:

Name/Description of Development: Duplex

Address of Development Site: 523 N. Tratt 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 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.

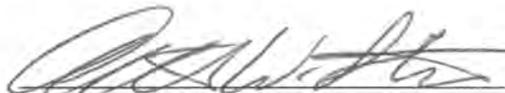
- A. Application Fee.....\$ 100.00 60.-
- B. Expected Planning Consultant Review Cost\$ up to 600.00
- C. Total Cost Expected of Applicant (A+B)\$ up to 700.00
- D. 25% of Total Cost, Due at Time of Application.....\$ n/a
- E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

Section C: Agreement Execution

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

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


Signature of Applicant/Petitioner

Arthur W. Stritzel
Printed Name of Applicant/Petitioner

8-12-2013
Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature

PRIVATE SANITARY SEWER EASEMEN
AND MAINTENANCE AGREEMENT

Document Number

Document Title

DOC. # 1333664
Filed + Recorded
Aug. 26th @ 2:36

Recording Area

Name and Return Address

Timothy V. Langer
Langer & Petersen, LLC
155 E. Capitol Dr., Ste. 3
Hartland, WI 53029

29205153233007
29205153233008

Parcel Identification Number (PIN)

This document drafted by:

Timothy V. Langer

155 E. Capitol Dr., Ste. 3

Hartland, WI 53029

(262) 367-3800

THIS PAGE IS PART OF THIS LEGAL DOCUMENT – DO NOT REMOVE.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.

WRDA Rev. 12/22/2010

PRIVATE SANITARY SEWER EASEMENT AND MAINTENANCE AGREEMENT

WHEREAS, Arthur and Kirsten Stritzel are the "Owner" of certain property located in the City of Whitewater, Jefferson County, Wisconsin, hereinafter described to wit:

Lots 1 and 2, Certified Survey Map No. 5445 ("CSM"), recorded as Document No. 1317257 in Volume 30, Pages 53-56 on September 13, 2012, in the Office of the Register of Deeds, Jefferson County, being a part of the Southwest ¼ of the Southwest ¼ of Section 32, Township 5 North, Range 15 East, City of Whitewater, Jefferson County, Wisconsin. (Attached as Exhibit A).

WHEREAS, the aforementioned Certified Survey Map contains an area designated as "Private 12' Sanitary Sewer Easement" running along the eastern boundary of Lot 2 ("Easement"); and

WHEREAS, Owner intends to authorize Lot 1 to utilize the aforementioned easement area to run a private sewer lateral from Lot 1 through Lot 2, and to intersect with any existing private sewer lateral erected within such easement area by the owner of Lot 2; and

WHEREAS, Owner intends to establish maintenance duties and allocate cost sharing for all portions of the private sewer lateral contained within the aforementioned easement that are of shared use between Lots 1 and 2.

NOW THEREFORE, the Owner, for itself, successors, assigns and future title holders, subjects the property as described in the aforementioned CSM, to the following covenants, conditions, and restrictions and further grants to the possessor of Lot 1 an easement over the designated and aforementioned area upon Lot 2, as hereinafter described:

1. The owner of Lot 1 shall have a nonexclusive right to install a sanitary sewer lateral at any location within the designated Easement that is not otherwise occupied by existing improvements such as utility lines, etc., it being understood that such lateral will be granted an unimpeded path over the entire length of the easement area at some elevation below grade. That the owner of title for Lot 2 shall retain the right to install its own private sewer lateral within the easement area and run other necessary utility lines etc.
2. That any sewer lateral installed by either party shall be installed at the sole expense of the person authorizing the work except as provided below.
3. After installation of a private sewer lateral within the easement area by either the owner of Lot 1 or the owner of Lot 2, any future sewer lateral installed by the other owner may intersect and make use of the existing lateral.
4. In the event that the parties share use of a sewer lateral within the easement area, both parties shall share equally in the expense of maintaining such sewer lateral from the point of intersection to the point where such sewer lateral enters the public sewage system, and each shall be responsible for maintenance of their own portion of sewer lateral running from their home to the point of intersection.

5. Maintenance of the shared private sewer lateral shall consist solely of taking such steps as may be minimally required to allow for the efficient transfer of sewage from the point of intersection through to the public sewer without blockage, leakage or violation of local ordinances, and then the repair and restoration of the surface area after completion of such repairs. Any additional maintenance or improvements deemed necessary or advisable but not included in the definition of maintaining as specified herein shall not be undertaken under this agreement except with the written consent of the owners of both Lots 1 and 2 shown of Certified Survey Map No. 5445.
6. Any and all costs of maintenance of the shared portion of the private sewer lateral shall be divided equally between the parties. In the event that the shared sewer lateral is damaged by either lot owner due to negligence or misuse such lot owner causing the damage shall be solely responsible for the expenses associated with repair.
7. If any lot owner fails to meet its financial obligations pursuant to this agreement, the other lot owner may pay the defaulting lot owner's obligation. In such an event the paying party or parties shall have a lien on the defaulting owner's lot for all sums paid plus interest at a rate of 12% per annum from the date of payment. Said lien may be enforced and foreclosed in the same manner and subject to the same requirements as a foreclosure of mortgage on real property in the State of Wisconsin. In the event any action is filed in relation to this agreement, the unsuccessful party to the action shall pay to the successful party or parties, in addition to all of the sums that each party may be called upon to pay a reasonable sum for the successful parties' costs and attorney's fees.
8. It is anticipated that the Easement area described above shall be supplemented by an additional 12' wide area at the northerly corner of Lot 2 which curves westward into Lot 1, and is shown on the attached Exhibit B. The terms of this agreement shall apply to all private sewer laterals run through such supplemental easement area as if that area had been a part of the original recorded Certified Survey Map No. 5445.
9. This agreement and the obligations described herein are perpetual and shall run with the land and shall be binding upon and inure to the benefit of the parties, their heirs, executors, administrators, successors and assigns.

Dated this _____ day of _____, 2013.

Arthur Stritzel

Subscribed and sworn to before me this
_____ day of _____, 2013.

Notary Public, Waukesha County, WI
My commission expires _____

Dated this _____ day of _____, 2013.

Kristen Stritzel

Subscribed and sworn to before me this
_____ day of _____, 2013.

Notary Public, Waukesha County, WI
My commission expires _____.

This document draft by:
Timothy V. Langer
Langer & Petersen, LLC
155 E. Capitol Dr., Ste. 3
Hartland, WI 53029
(262) 367-3800

Certified Survey Map No. _____

A parcel of land located in the Southwest Quarter of the Southwest Quarter of Section 32, Town 5 North, Range 15 East, in the City of Whitewater, Jefferson County, Wisconsin.

Owners:
Arthur and Kirsten Stritzel
W396 S3675 Hardscrabble
Dousman, WI. 53118

Prepared by:
Hilmer & Associates, LLC,
Paul J. Hilmer, RLS
W217 Vista Drive
Oconomowoc, WI. 53066
(262) 567-5893

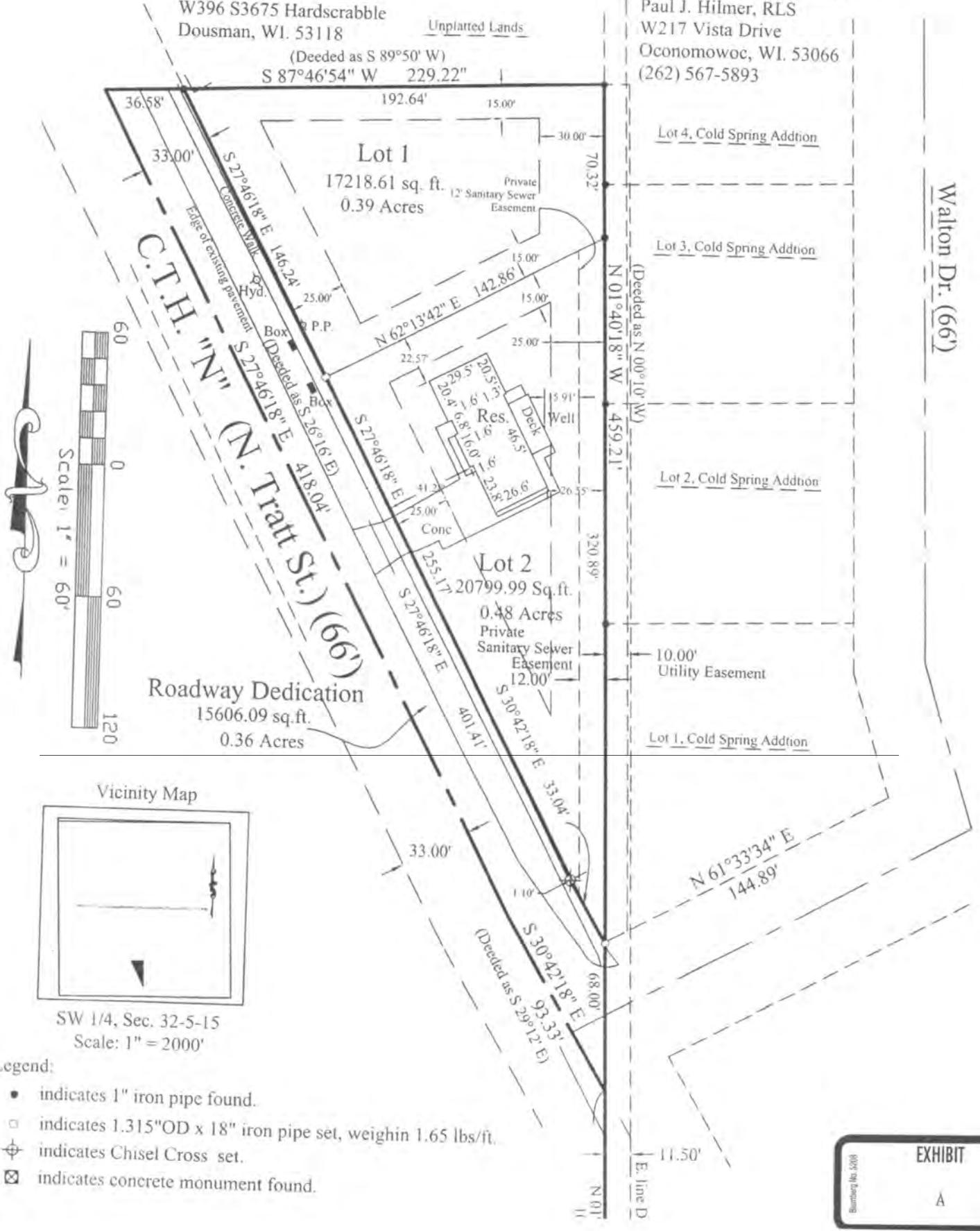


EXHIBIT
A

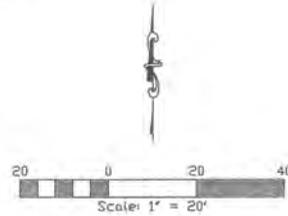
Exhibit
B

Description: Site Plan
 Lot 1, Certified Survey Map No. 5445, recorded as Document No. 1317257 in Volume 30, pages 53-56 on September 13, 2012, in the Office of the Register of Deeds, Jefferson County, being a part of the Southwest Quarter of the Southwest Quarter of Section 32, Township 3 North, Range 15 East, City of Whitewater, Jefferson County, Wisconsin.

- NOTES:
- bearings are referred to the Certified Survey Map No. 5445
 - Residence is staked on actual foundation wall corners, dimensions are to outside of foundation wall.
 - Benchmark datum is reference to Sanitary Sewer Rim elevations of the City of Whitewater.
 - Proposed Yard grade 862.4

Prepared for:
 Arthur and Kirsten Stritzel
 W396 S3675 Hardscrabble
 Doustan, WI 53118

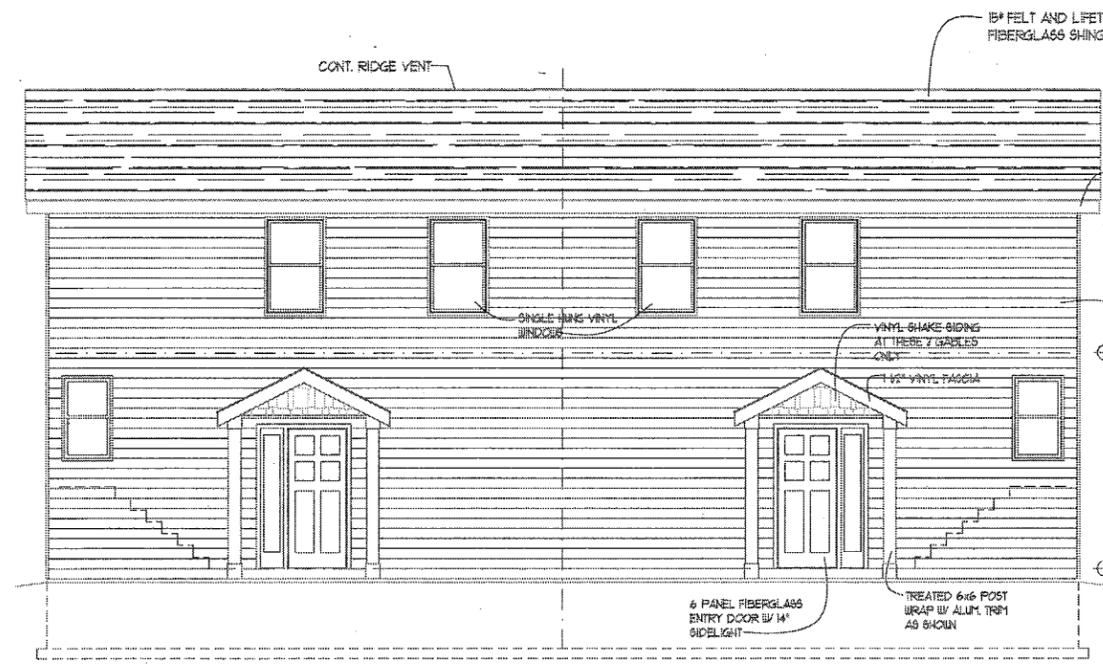
Prepared by:
 Hilmer & Associates LLC
 Paul J. Hilmer, RLS
 W217 Vista Drive
 Oconomowoc, WI 53066
 (262) 567-5893



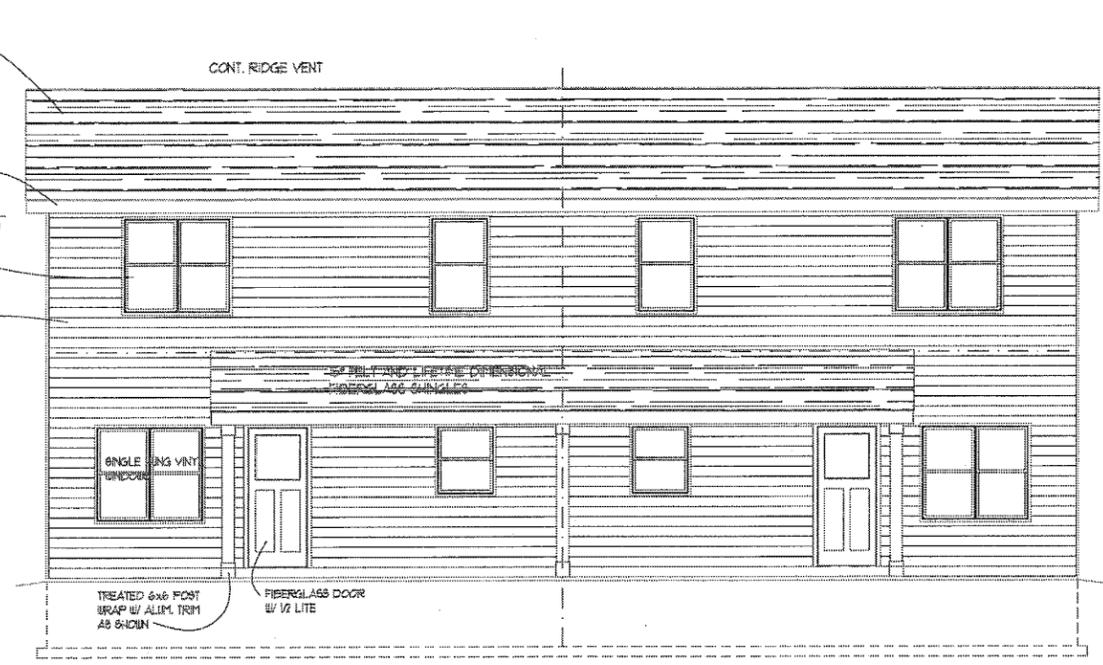
- Legend:
- indicates 1" iron pipe found.
 - indicates 1.315"OD x 18" iron pipe sot.
 - ⊠ indicates concrete monument found.
 - EL-862.48 indicates existing grade.
 - X 860.0 indicates spot grade.
 - 860.0 indicates proposed grade.

*Revised 8/23/13 showing dimensions for revised private sanitary sewer easement.

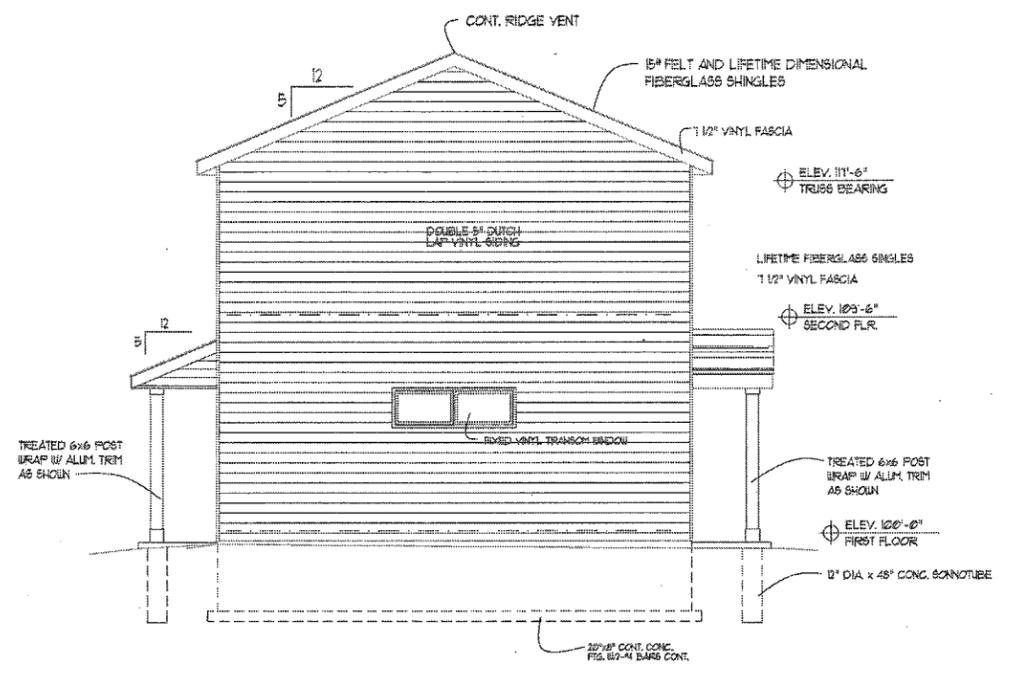




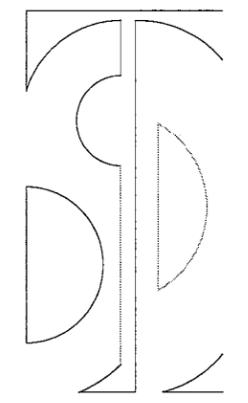
WEST ELEVATION/STREET SIDE
SCALE 1/4"=1'-0"



EAST ELEVATION/STREET SIDE
SCALE 1/4"=1'-0"



SIDE ELEVATION
SCALE 1/4"=1'-0"



SWEET DESIGN
JOAN M. SWEET
ARCHITECT

1435 STONEFIELD COURT
WALKESHA, WISCONSIN
53186
(262) 896-0388

PROJECT:

NEW
DUPLEX
FOR

Arthur Stritzel
ARKI LLC

262-719-3191

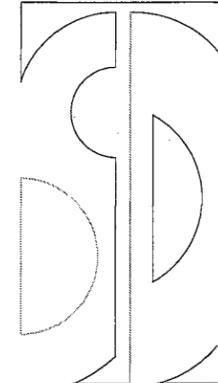
523
N. Tratt St.
City of
Whitewater
Wisconsin

FLOOR PLAN

DATE :
07/26/13

SHEET NO.

A-1



SWEET DESIGN
 JOAN M. SWEET
 ARCHITECT

1435 STONEFIELD COURT
 WALKESHA, WISCONSIN
 53186

(262) 896-0388

PROJECT:

NEW
 DUPLEX
 FOR

Arthur Stritzel
 ARKI LLC

N. Tratt St.
 City of
 Whitewater
 Wisconsin

FLOOR PLAN

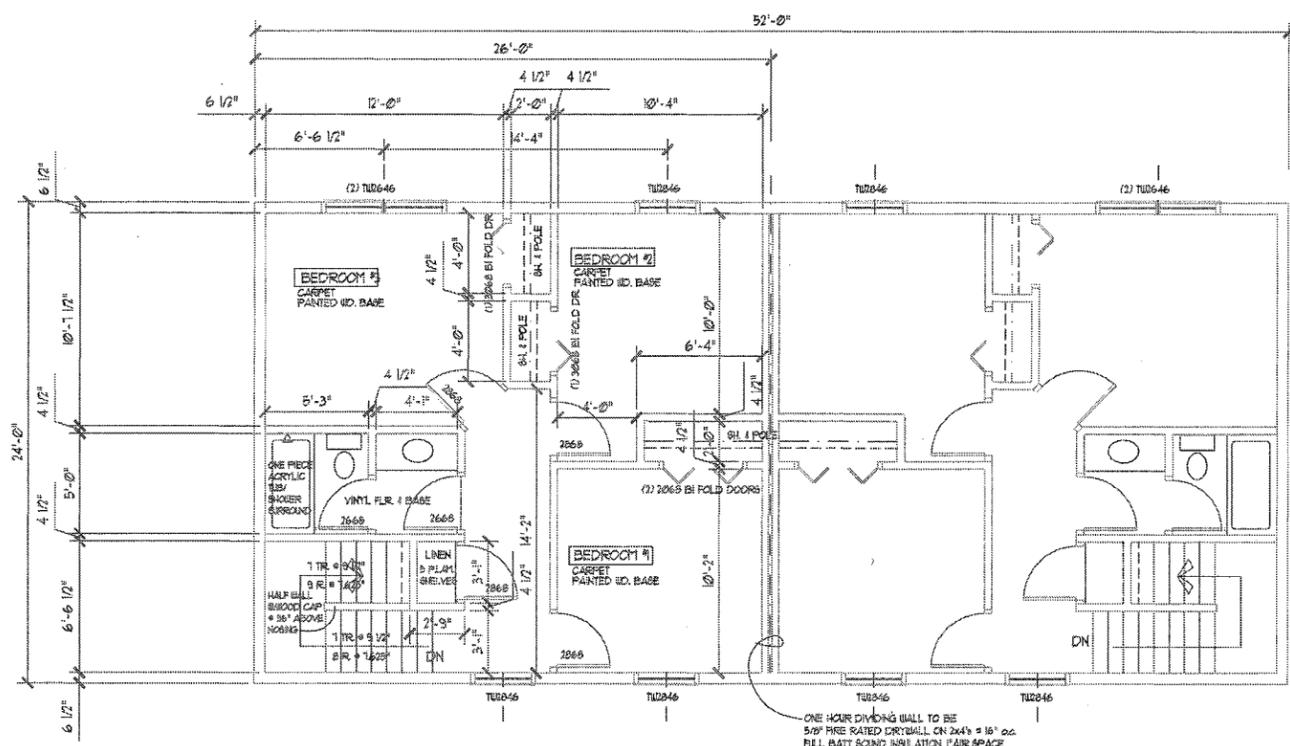
DATE:
 07/26/13

SHEET NO.

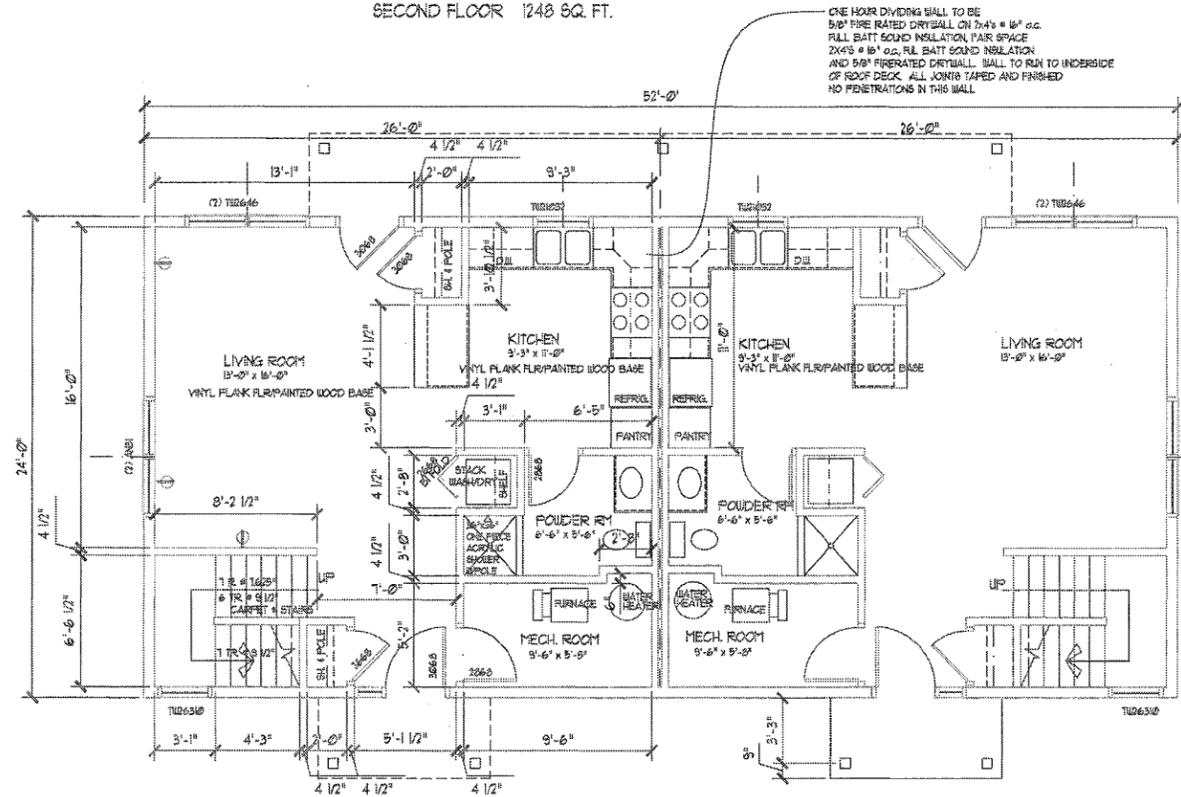
A-1 74

NOTES:

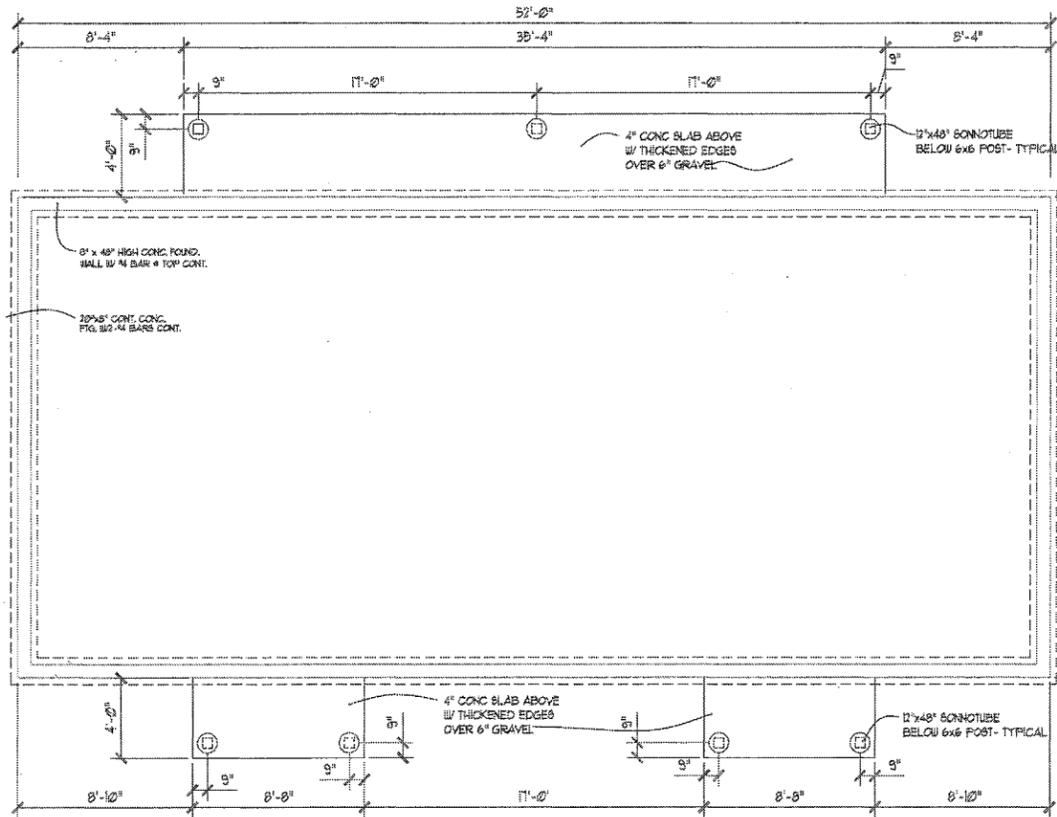
- ALL WORK TO CONFORM TO WISCONSIN UNIFORM DWELLING CODE AND ALL PREVAILING LOCAL CODES.
- TYPICAL EXTERIOR WALL TO BE 2 x 6's @ 16" O.C. W/ FULL BATT INSULATION, 1/2" GYPSUM BOARD INTERIOR SIDE, VAPOR BARRIER, 1/2" OSB, EXT. SHEATHING, TYVEK BUILDING WRAP AND 5" EXP. HORIZ. DOUBLE DUTCH LAP VINYL SIDING
- TYPICAL INTERIOR WALL TO BE 2 x 4's @ 16" O.C. WITH 1/2" GYP. BOARD BOTH SIDES (5/8" W.R. GYP. BRD. AT ALL WET AREAS) TREATED NAILERS WHEREVER WOOD IS IN CONTACT WITH CONCRETE
- HOLD ALL DRYWALL 1" ABOVE FINISHED CONCRETE
- ALL CLOSETS TO HAVE CLOSET SYSTEM FURNISHED & INSTALLED BY CONTRACTOR. CLOSET SYSTEM TO BE EQUAL TO CLOSET MAID. ALLOWANCE TO ALLOW FOR DOUBLE POLE IN PART OF CLOSET AND SINGLE POLE WITH SHELF ABOVE. - PROVIDE ADEQUATE BLOCKING IN WALL FOR SUPPORT
- ALL WINDOWS NOTED ARE ANDERSEN NUMBERS ACTUAL WINDOWS TO BE VINYL SINGLE HUNG WINDOWS HIGH PERFORMANCE GLASS. DRYWALL RETURNS @ HEAD & JAMBS. LAMINATE SILLS
- PROVIDE ALLOWANCES TO FURNISH & INSTALL ALL PLUMBING FIXTURES, CABINETS, & LIGHT FIXTURES.
- ALL INTERIOR DOORS TO BE 6 PANEL DURO CORE MASONITE DOORS, PAINTED SIZE AS SHOWN ON DRAWING, CASING AS SELECTED BY OWNER PAINTED
- (2) 2 x 8 HEADERS ABOVE ALL WINDOWS EXCEPT WHERE NOTED DIFFERENTLY



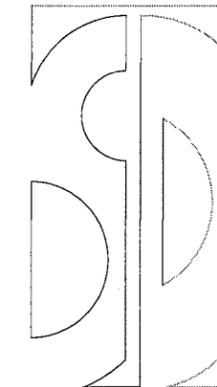
PROPOSED
 SECOND FLOOR PLAN
 SECOND FLOOR 1248 SQ. FT.



PROPOSED
 FIRST FLOOR PLAN
 FIRST FLOOR 1248 SQ. FT.



PROPOSED
 FOUNDATION PLAN
 SCALE 1/4" = 1'-0"



SWEET DESIGN
JOAN M. SWEET
ARCHITECT

1435 STONEFIELD COURT
WAUKESHA, WISCONSIN
53186
(262) 836-0388

PROJECT:

NEW
DUPLEX
FOR

Arthur Stritzel
ARKI LLC

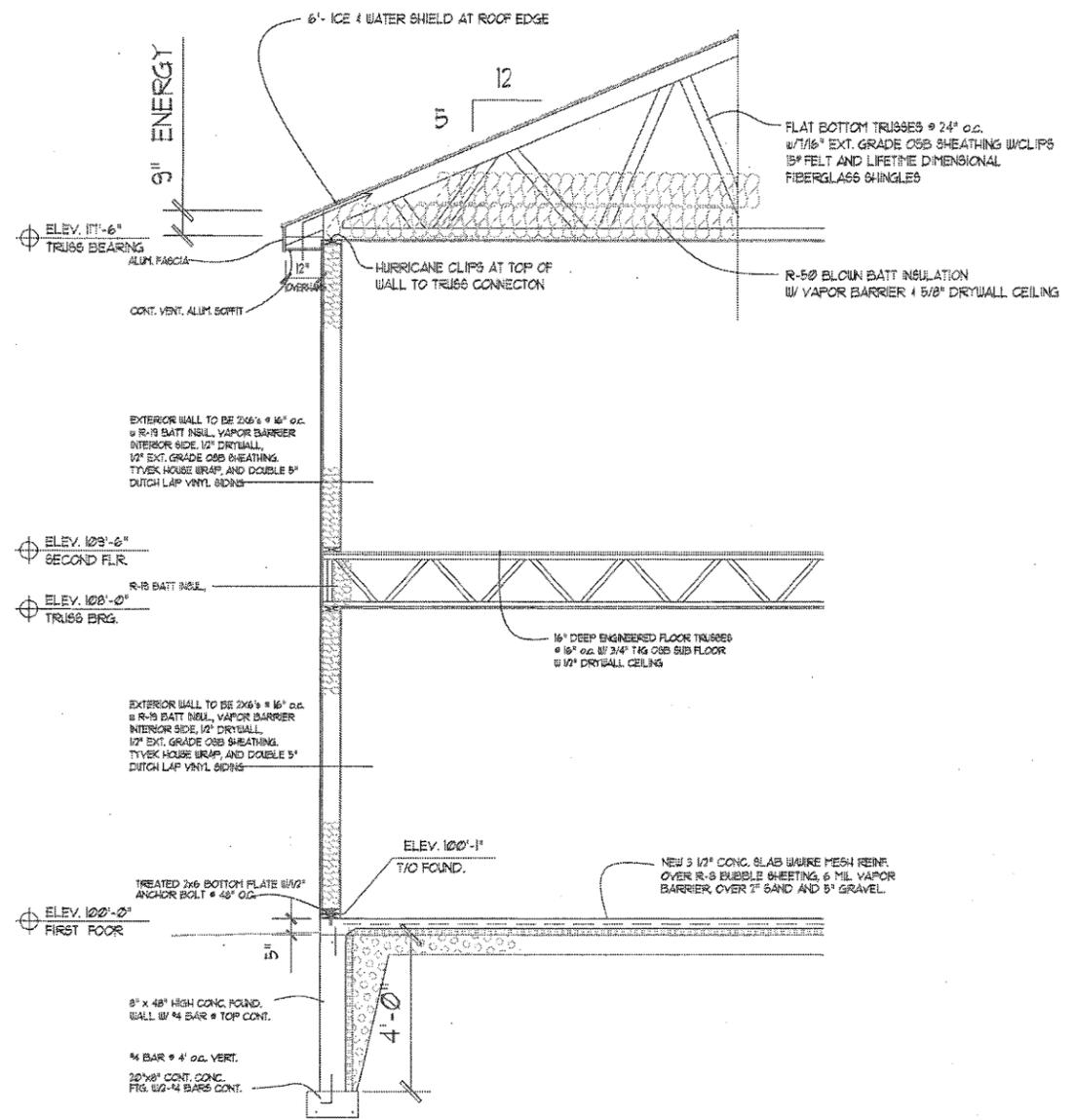
N. Pratt St.
City of
Whitewater
Wisconsin

FLOOR PLAN

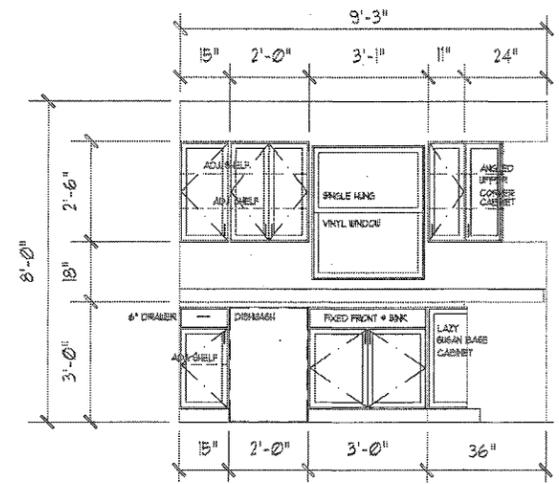
DATE:
07/26/13

SHEET NO.

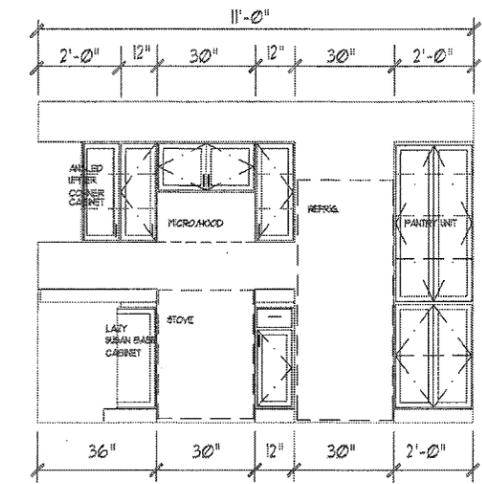
A-3
75



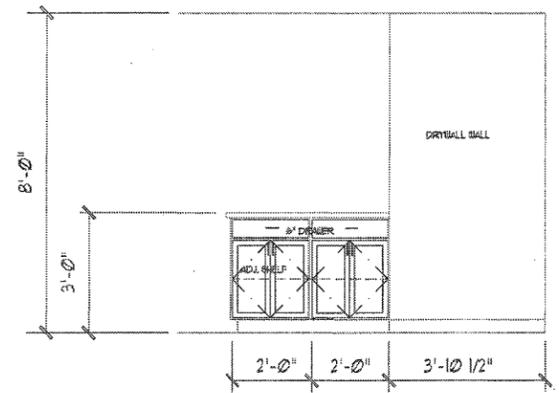
1 BUILDING SECTION
A3 @ MAIN HOUSE



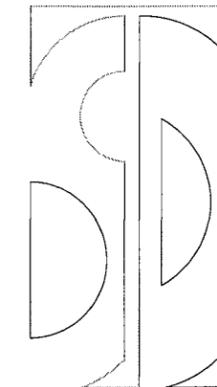
2 CABINET ELEV.
A3



3 CABINET ELEV.
A3

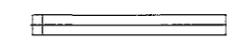


4 CABINET ELEV.
A3



SWEET DESIGN
 JOAN M. SWEET
 ARCHITECT

1435 STONEFIELD COURT
 WAUKESHA, WISCONSIN
 53186
 (262) 836-0388



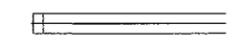
PROJECT:

NEW
 DUPLEX
 FOR

Arthur Stritzel
 ARKI LLC

N. Pratt St.
 City of
 Whitewater
 Wisconsin

ELECTRICAL
 PLANS

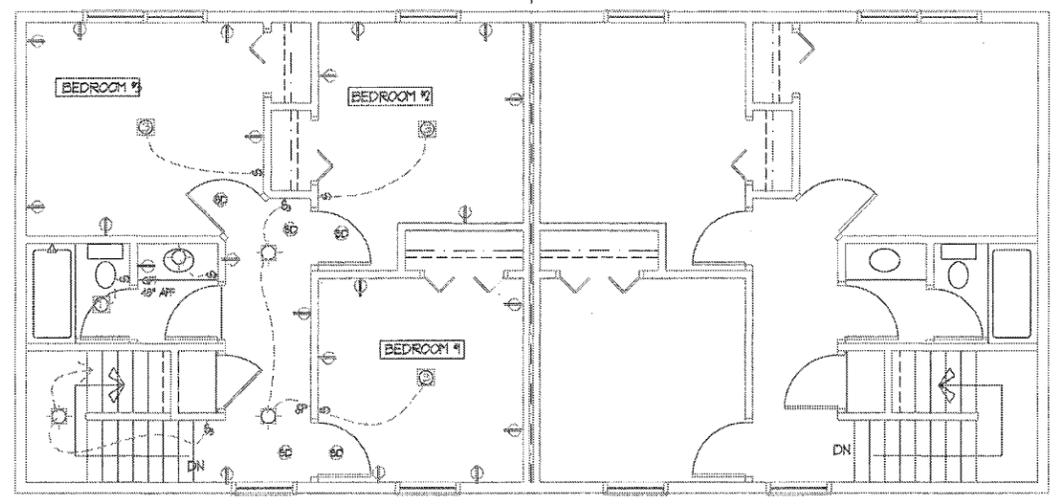


DATE:
 07/26/13



EL-1

E-1

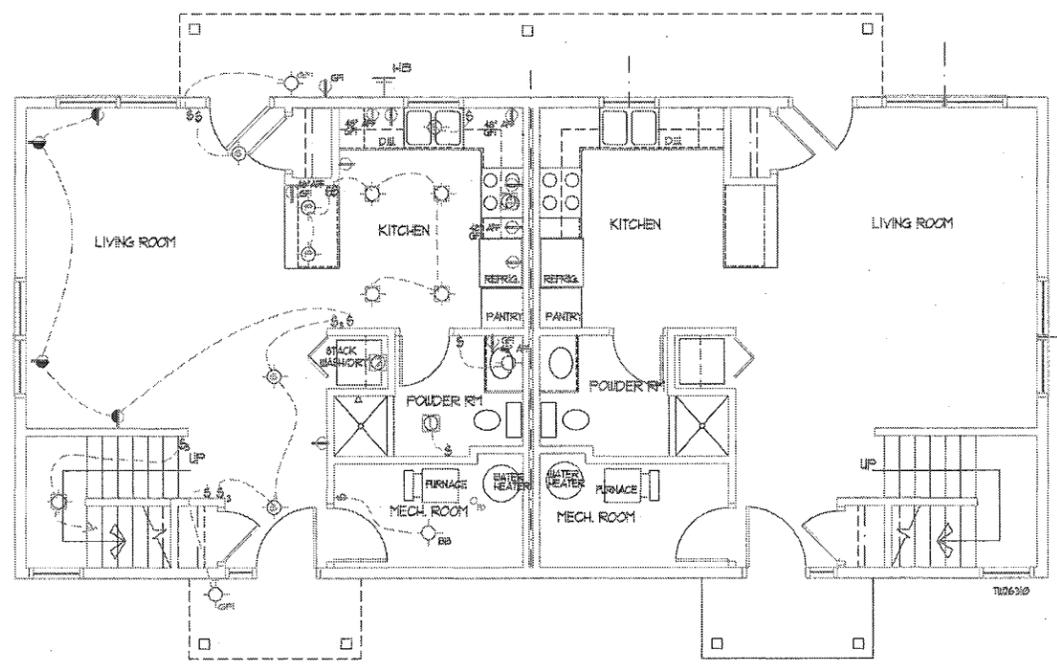


PROPOSED SECOND
 FLOOR ELECTRICAL PLAN

ELECTRICAL SYMBOLS

VERIFY LOCATION OF ALL FIXTURES WITH OWNER AFTER FRAMING IS ROUGHED IN

- ⊕ DUPLEX OUTLET
- ⊕ DUPLEX OUTLET- BOTTOM HALF SWITCHED
- ⊕ DUPLEX OUTLET WITH GROUND FAULT INTERRUPTOR
- ⊕ PENDANT MOUNTED LIGHT FIXTURE
- ⊕ SURFACE MOUNTED LIGHT FIXTURE
- ⊕ 5" RECESSED INCANDESCENT LIGHT FIXTURE
- ⊕ 5" RECESSED INCANDESCENT LIGHT FIXTURE WITH DIMMER
- ⊕ 5" RECESSED INCANDESCENT LIGHT FIXTURE W/LENS COVER
- ⊕ WALL MOUNTED EXTERIOR LIGHT FIXTURE
- ⊕ INTERIOR LIGHT SCONCE
- ⊕ BARE BULB LIGHT FIXTURE-
- ⊕ DUPLEX FLOOR OUTLET-VERIFY LOCATION W/OWNER
- ⊕ CABLE TV OUTLET- VERIFY LOCATION WITH OWNER
- ⊕ TELEPHONE JACK- VERIFY LOCATION WITH OWNER
- ⊕ SMOKE DETECTOR
- ⊕ COMBO EXHAUST FAN/RECESSED LIGHT
- ⊕ OUTLET FOR DRYER/WASHER STACKABLE
- ⊕ CEILING FAN WITH LIGHT
- ⊕ OUTLET FOR EXHAUST FAN OVER STOVE
- ⊕ GARAGE DOOR OPENER- PROVIDE POWER TO THIS LOCATION
- ⊕ HOSE BIB



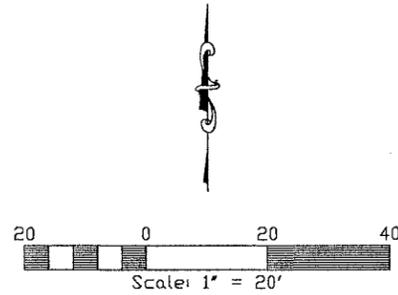
PROPOSED FIRST
 FLOOR ELECTRICAL PLAN

Description: **Site Plan**
 Lot 1, Certified Survey Map No. 5445, recorded as Document No. 1317257 in Volume 30, pages 53-56 on September 13, 2012, in the Office of the Register of Deeds, Jefferson County, being a part of the Southwest Quarter of the Southwest Quarter of Section 32, Township 5 North, Range 15 East, City of Whitewater, Jefferson County, Wisconsin.

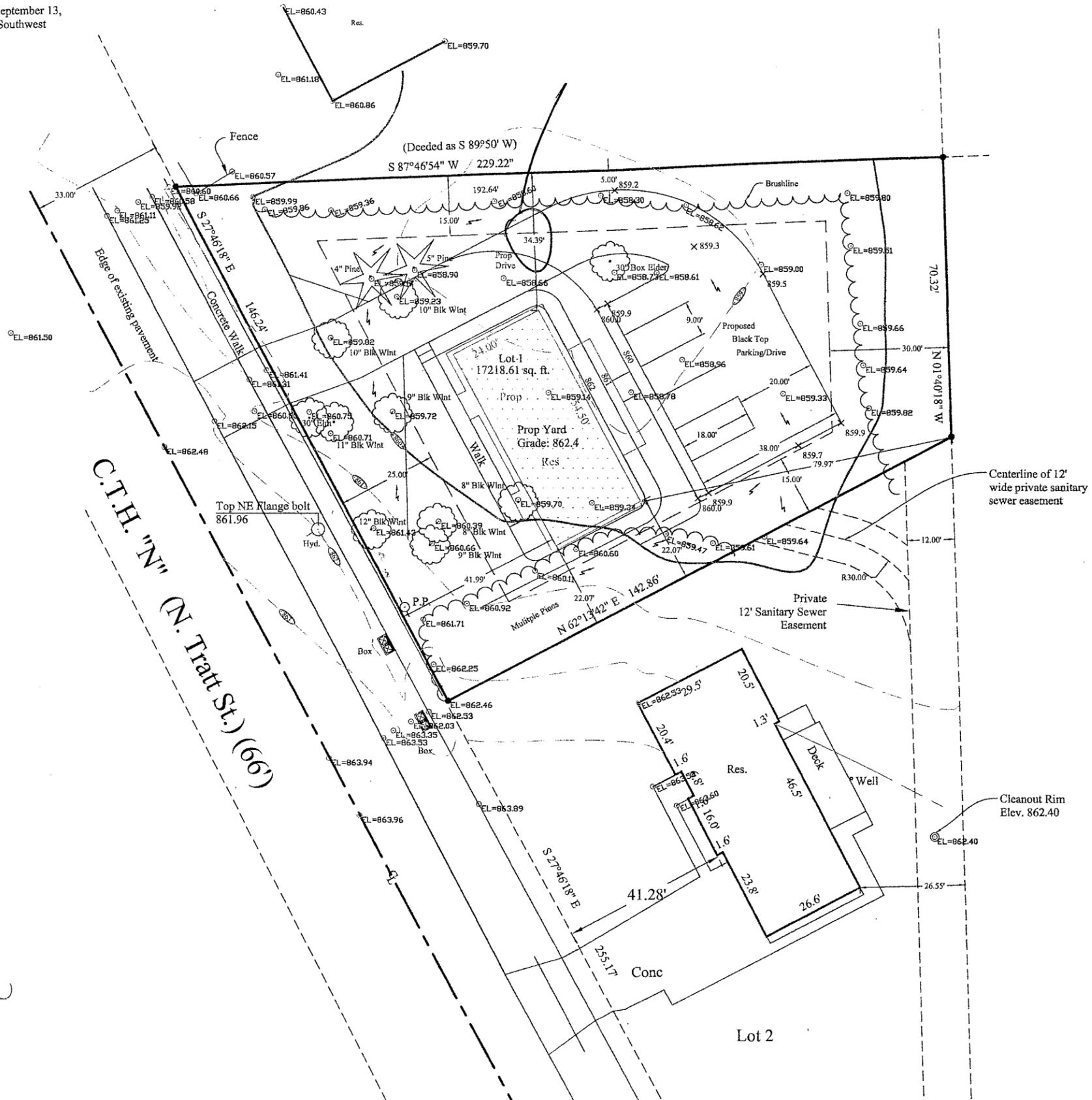
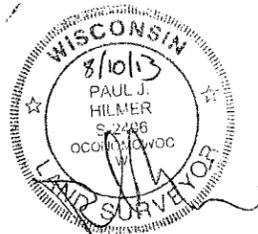
NOTES:
 - bearings are referred to the Certified Survey Map No. 5445.
 - Residence is staked on actual foundation wall corners, dimensions are to outside of foundation wall.
 - Benchmark datum is reference to Sanitary Sewer Rim elevations of the City of Whitewater.
 - Proposed Yard grade 862.4

Prepared for:
 Arthur and Kirsten Stritzel
 W396 S3675 Hardscrabble
 Dousman, WI. 53118

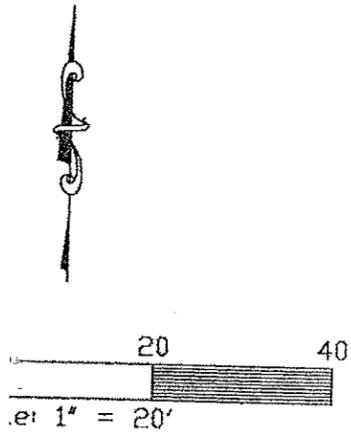
Prepared by:
 Hilmer & Associates LLC
 Paul J. Hilmer, RLS
 W217 Vista Drive
 Oconomowoc, WI. 53066
 (262) 567-5893



- Legend:
- indicates 1" iron pipe found.
 - indicates 1.315"OD x 18" iron pipe set.
 - ⊠ indicates concrete monument found.
 - ⊙ EL=862.48 indicates existing grade.
 - × 860.0 indicates spot grade
 - 860.0 indicates proposed grade



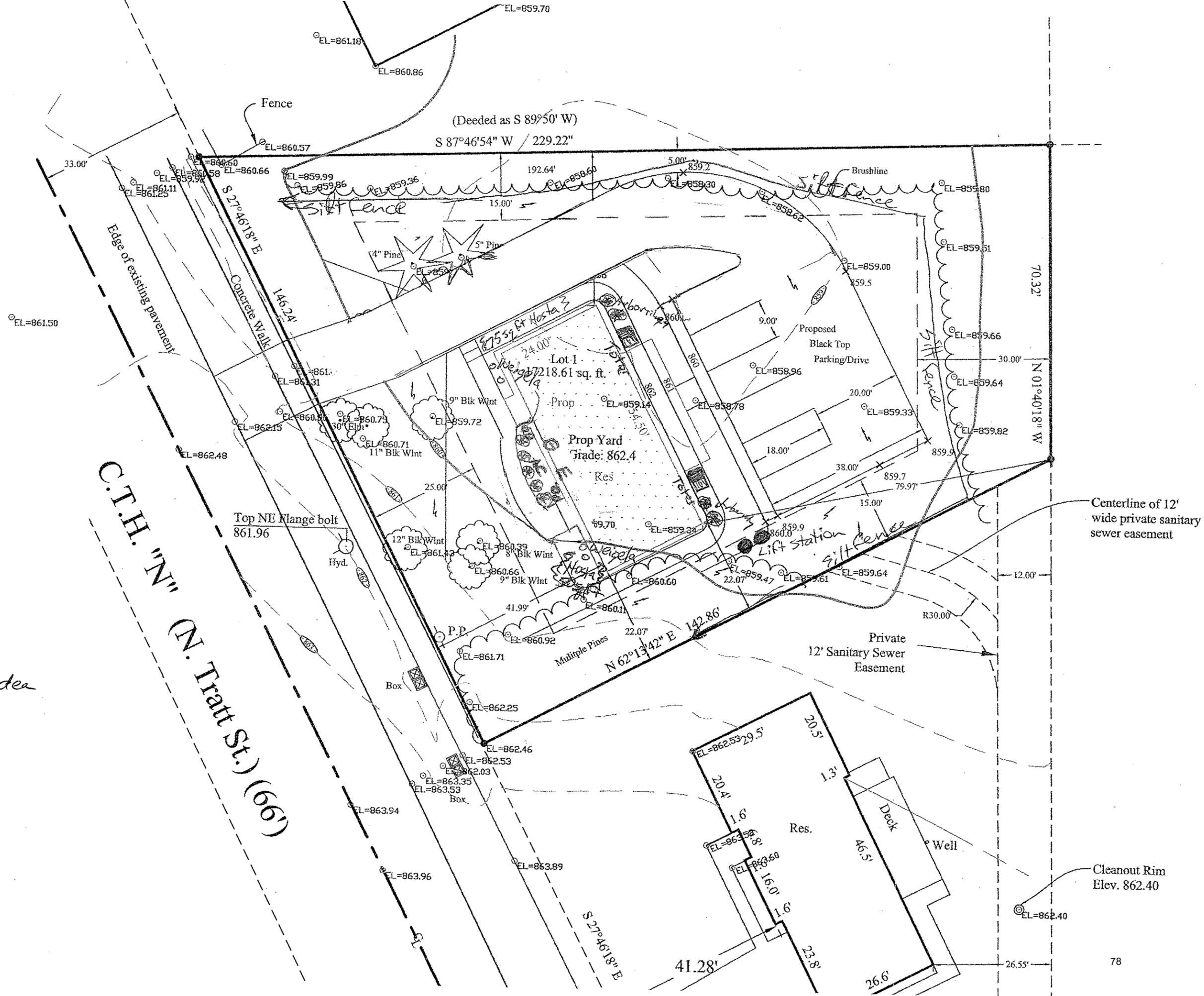
ap No. 5445.
 corners, dimensions are to outside of foundation wall.
 er Rim elevations of the City of Whitewater.



Key:
 ⊗ 4" Arbarvidea
 ○ Weigela
 {S&A} Hosta

n pipe set.
 found.

cover



Cleanout Rim Elev. 862.40



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 Director / City Planner
Meeting Date: September 9, 2013
Re: Requested Conditional Use Permit for a “Class B” Beer and liquor license for Burim Vedziovski, to serve beer and liquor by the glass at the “Downstairs” located at 204 W. Main Street.

Summary of Request

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

Location: 204 W. Main Street

Current Land Use: Restaurant

Proposed Use: To serve beer and liquor by the glass.

Current Zoning: B-2 Central Business District

Proposed Zoning: (no change proposed)

Comprehensive Plan’s Future Land Use Designation: Central Business

Surrounding Zoning and Land Use:

<u>Zoning</u>	<u>Current Land Use</u>
Surrounded by B-2	Business

Summary of Request

Mr. Burim Vedziovski has applied for a Conditional Use Permit for a “Class B” Beer and Liquor license to serve beer and liquor by the glass. Serving alcoholic beverages by the drink is a Conditional Use in the B-2 Zoning District.

Keep in mind, that the City owns all licenses. For the one at the “Ly Brewery,” also known as The Downstairs by some, the owner has agreed to surrender his existing license on the condition that is reissued to Mr. Vedziovski for the same space. Mr. Vedziovski will not be changing the name from the Downstairs or signage.

The applicant has indicated that no liquor or beer will be served at the outside location or allow alcohol to be carried outside to the tables. This area was not identified in the liquor application. They do not have a current sidewalk café permit. If they wanted to allow alcohol outside, they would need come in and

amend their Conditional Use Permit. The applicant would need to provide plans for the tables, chairs, fencing/roped off area, etc.

A menu was not provided.

Hours

Monday – Sunday 8:00 PM – Bar time
Monday – Sunday 11:00 AM – Bar time ****Only on days with sporting events****

The City Code states that the hours of a retail class “B” license shall be in conformity with state statute 125.32(3)(a) through 125.32(3)(c):

- (a) No premises for which a Class "B" license or permit is issued may remain open between the hours of 2 a.m. and 6 a.m., except as provided in this paragraph and par. (c). On Saturday and Sunday, the closing hours shall be between 2:30 a.m. and 6 a.m. except that, on the Sunday that daylight saving time begins as specified in s. [175.095 \(2\)](#), the closing hours shall be between 3:30 a.m. and 6 a.m. On January 1 premises operating under a Class "B" license or permit are not required to close.
- (b) Between 12 midnight and 6 a.m. no person may sell fermented malt beverages on Class "B" licensed premises in an original unopened package, container or bottle or for consumption away from the premises.

Parking

All uses are exempted from parking requirements of Section 19.51.130 except if off-street parking is specifically required for a particular conditional use under Section 19.30.030. Parking is not required for this use.

Exterior and Interior

The exterior and interior will not be changed at this time. In the future all applicable changes will need to have all required state and local approvals.

Recommendation on Conditional Use Permit

As of 12:00 PM on 9/4/2013, staff did not receive any comments regarding this application. We did receive questions regarding the application deadline, open liquor licenses in the community, etc.

I recommend that the Plan and Architectural Review Commission approve the conditional use permit for the “Downstairs” tavern, located at 204 W. Main Street, “Class B” Beer and Liquor license to serve beer and liquor by the glass subject to the following conditions:

1. 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.
2. The applicant shall comply with all required City and building codes.
3. An amendment to the Conditional Use Permit is required for serving alcohol for a future patio area.

If the CUP application is approved by the Plan Commission, Mr. Monaghan would need approval for a “Class B” Beer and Liquor License from the Alcohol Licensing Committee and the Common Council.

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	The Downstairs is located in the B-2 Zoning District where other restaurants that have “Class B” Beer and Liquor licenses are located.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	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	There shall be no minimum required ordinance design and dimensional standards or setbacks within the B-2 district. Because of the lack of predefined ordinance development standards, all proposed construction and remodeling activities requiring a zoning permit shall require the review and approval of the Plan and Architectural Review Commission. All uses are exempted from parking requirements of Section 19.51.130 except if off-street parking is specifically required for a particular conditional use under Section 19.30.030. Parking is not required for this use.
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 “Central Business” uses. This would include pedestrian-orientated uses, which includes restaurants.
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 9th day of September 2013 at 6:00 p.m. for a public hearing for consideration of a Conditional Use Permit for a “Class B” Beer and Liquor License for Burim Vedziowski serve beer and liquor by the bottle or glass at 204 W. Main Street (Downstairs Sports Bar & Grill). The conditional use permit is to include outside seating.

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 Director/City Planner

204 W. Main St

1 Duplicates

CITY OF WHITEWATER
WHITEWATER WI, 53190

FIRST & MAIN OF WHITEWATER LLC
599 S FRANKLIN ST
WHITEWATER WI, 53190

HICKS SURVIVORS TRUST
N7934 HWY 89
WHITEWATER WI, 53190

KJN DEVELOPMENT LLC
W316S2920 ROBERTS RD
WAUKESHA WI, 53188

KJN DEVELOPMENT LLC
W316S2920 ROBERTS RD
WAUKESHA WI, 53188

TERRENCE L STRITZEL
W5524 TRI COUNTY RD.
WHITEWATER WI, 53190

DAVID E SAALSAA
184 W MAIN ST #3
WHITEWATER WI, 53190

RODERICK O DALEE
MARY M DALEE
PO BOX 660
WHITEWATER WI, 53190

CITY OF WHITEWATER
CITY HALL
WHITEWATER WI, 53190

CITY OF WHITEWATER
CITY HALL
WHITEWATER WI, 53190

ROBERT A SWEET
N7598 LARRY'S RD
WHITEWATER WI, 53190

LIVING WORD FELLOWSHIP
OF WHITEWATER INC
212 W MAIN ST
WHITEWATER WI, 53190

CITY OF WHITEWATER
CITY HALL
WHITEWATER WI, 53190

KICH PROPERTIES LLC
N6927 GREENLEAF CT
ELKHORN WI, 53121

ST JOHN LODGE 57
F. & A. M.
266 W. MAIN ST
WHITEWATER WI, 53190

MITCHELL J SIMON
211 N. PARK ST
WHITEWATER WI, 53190

MITCHELL J SIMON
211 N. PARK ST
WHITEWATER WI, 53190

MITCHELL J SIMON
211 N. PARK ST
WHITEWATER WI, 53190

BART J KRAUS
301 W MAIN ST
WHITEWATER WI, 53190

FERDINAND J KOJIS TRUST
KATHLEEN M KOJIS TRUST
35 LIGHTHOUSE WAY
SALEM SC, 29876

FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
BUILDING CORP.
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
207 W MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
207 W MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
BANK OF WHITEWATER
P. O. BOX 177
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
OF WHITEWATER TAX DEPT.
MC2408 200 E RANDOLPH DR
CHICAGO IL, 60607

FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
P. O. BOX 177
WHITEWATER WI, 53190

DONALD E LIGGETT TRUST
P. O. BOX 223061
PRINCEVILLE HI, 96722

TRIPLE J PROPERTIES LLC
W335 S2539 MORRIS RD
DOUSMAN WI, 53118

DIANE L TRAMPE
138 CENTER ST
WHITEWATER WI, 53190

FIRE STATION 1 LLC
138 W CENTER ST
WHITEWATER WI, 53190

CHERYL A BRESNAHAN
MICHAEL J BRESNAHAN, JR
117 S. SECOND ST
WHITEWATER WI, 53190

BLGL, LLC
1691 MOUND VIEW PL
WHITEWATER WI, 53190

TRIPLE J PROPERTIES LLC
W335 S2539 MORRIS RD
DOUSMAN WI, 53118

LUIS, LATIN KING OF WHITEWATER
132 MAIN ST
WHITEWATER WI, 53190

JOHN M BASILE
MARGARET M BASILE
W5211 MEADOW LN
ELKHORN WI, 53121

MARK O BERGEY
JEAN BERGEY
173 W. MAIN ST
WHITEWATER WI, 53190

DLK ENTERPRISES INC
P. O. BOX 239
WHITEWATER WI, 53190

WISCONSIN TELEPHONE CO
ONE SBC CENTER
ROOM 36-M-1
ST LOUIS MO, 63101

ANTHONY M LOMBARDO
JANET M LOMBARDO
1180 THORNDALE LN
LAKE ZURICH IL, 60047

DONNA JOANNE HENRY
347 S. JANESVILLE ST
WHITEWATER WI, 53190

DALE R WOLF
1645 W. WILDWOOD DR
WHITEWATER WI, 53190

STEVEN C SPEAR
577 EHLERT CT
WHITEWATER WI, 53190

MICHAEL J RIPLEY
138 N. GEORGE ST
WHITEWATER WI, 53190

ARKI GEORGE LLC
W396 S3675 HARDSCRABBLE RD
DOUSMAN WI, 53118

CITY OF WHITEWATER
WHITEWATER WI, 53190

RAYMOND N SHUPE, JR
BRENDA SHUPE
1522 PARKVIEW LN
PORT WASHINGTON WI, 53074

CITY OF WHITEWATER
WHITEWATER WI, 53190

W DANIEL SABLE
D JEAN SABLE
131 N FREMONT ST
WHITEWATER WI, 53190

JENNIFER C STEIL
JAMES EHLERS
AMY EHLERS
N7174 COUNTRY SIDE LN
ELKHORN WI, 53121

ROSEMARY METZDORFF
119 N. FREMONT ST
WHITEWATER WI, 53190

HAROLD MILES
DARLENE MILES
234 W. NORTH ST
WHITEWATER WI, 53190

MEISNER ENTERPRISES LLC
N7547 W LAKESHORE DR
WHITEWATER WI, 53190

LADWIG & VOS INC
140 LONGMEADOW DR
BURLINGTON WI, 53105-2500

JOHN W EJNIK
SARA L NORTON-EJNIK
130 N FREMONT ST
WHITEWATER WI, 53190

KEVIN A NICKS
PATTY J NICKS
126 N. FREMONT ST
WHITEWATER WI, 53190

MIKE & JEANS MONKEY BUSINESS
439 S PLEASANT ST
WHITEWATER WI, 53190



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

www.whitewater-wi.gov
(262) 473-0143

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 204 W Main St Whitewater WI
Owner's Name: Burim Vedziowski
Applicant's Name: Burim Vedziowski
Mailing Address: 204 W Main St Whitewater WI
Phone #: 920 723 3723 Email: vdzvsk@gmail.com
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: 204 w main street whitewater
Zoning District: _____
Proposed Use: apply - Alcohol Beverage license application

Full

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.

APPLICATION REQUIREMENTS

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

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.	<p align="center">✓ No plan keep the same.</p>
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	<p align="center">yes —</p>
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.	<p align="center">yes —</p>
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	<p align="center">yes —</p>

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

Applicant's Signature: Burim Vedziorvski

Date: 8-7-2013

Printed: Burim Vedziorvski

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 8-7-13. Received by: J. Wagner Receipt #: 6.010667
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-29-13.
- 3) Notices of the Public Hearing mailed to property owners on 8-26-13.
- 4) Plan Commission holds the PUBLIC HEARING on 9-9-13. 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 Applicants

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

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

Hold a neighborhood meeting for larger and potentially more controversial Projects

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

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

Typical City Planning Consultant Development Review Costs

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

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

Type of Development Review Being Requested	Planning Consultant Review Cost Range
Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)	Up to \$600
Rezoning	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
Land Division	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
Annexation	\$200 to \$400

**Note: The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

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: Burim Velziovshi

Applicant's Mailing Address: 162 W. main Street
White Water WI 53190

Applicant's Phone Number: 920 723 3723

Applicant's Email Address: _____

Project Information:

Name/Description of Development: _____

Address of Development Site: 204 W. main Street White Water

Tax Key Number(s) of Site: wt

Property Owner Information (if different from applicant):
Name of Property Owner: Robert A Sweet

Property Owner's Mailing Address: 204 W. main St.
White Water WI 53190

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

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

Section C: Agreement Execution

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

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

Signature of Applicant/Petitioner

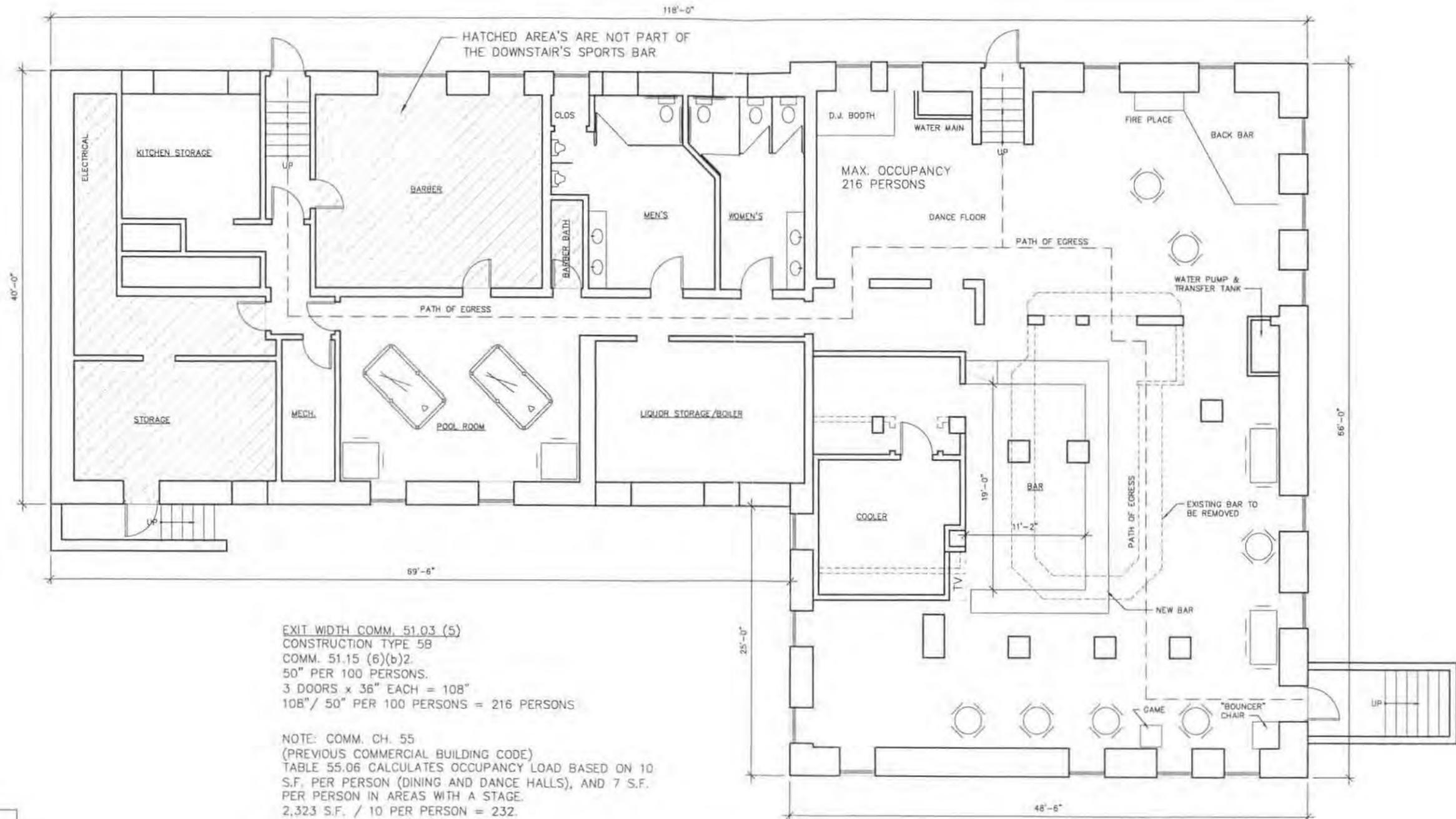
Signature of Property Owner (if different)

Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature

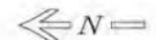


EXIT WIDTH COMM. 51.03 (5)
 CONSTRUCTION TYPE 5B
 COMM. 51.15 (6)(b)2.
 50" PER 100 PERSONS.
 3 DOORS x 36" EACH = 108"
 108" / 50" PER 100 PERSONS = 216 PERSONS

NOTE: COMM. CH. 55
 (PREVIOUS COMMERCIAL BUILDING CODE)
 TABLE 55.06 CALCULATES OCCUPANCY LOAD BASED ON 10
 S.F. PER PERSON (DINING AND DANCE HALLS), AND 7 S.F.
 PER PERSON IN AREAS WITH A STAGE.
 2,323 S.F. / 10 PER PERSON = 232.

OCCUPANT LOAD PER IBC 2009 1004.1
 ASSEMBLY WITHOUT FIXED SEATS:
 STANDING SPACE: 5 S.F. PER PERSON NET
 UNCONCENTRATED (TABLE & CHAIRS): 15 S.F. PER PERSON NET
 * NOTE OCCUPIED AREA IS A MIX OF STANDING SPACE AND TABLE & CHAIRS.
 AVERAGE: (5 S.F. / PERSON + 15 S.F. PER PERSON) / 2 = 10 S.F. PER PERSON
 2,323 S.F. NET OCCUPIED AREA / 10 S.F. PER PERSON = 232 OCCUPANTS

NOTICE
 FOR YOUR SAFETY
OCCUPANCY
 216
 BY ORDER OF
 THE CODE OFFICIAL
 KEEP PRINTED UNDER PENALTY OF LAW



DRAWING NAMES
BASEMENT FLOOR PLAN OCCUPANCY SIGN DETAIL

REVISIONS

PROJECT DATA
DATE: 7/26/2012 DRAWN BY: CL CHECKED BY: P.W.

SHEET NO.
96-1



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 Director / City Planner
Meeting Date: September 9, 2013
Re: Requested Conditional Use Permit for a “Class B” Beer and liquor license for Burim Vedziovski, to serve beer and liquor by the glass at “Day N Nite Cafe” restaurant located at 162 W. Main Street.

Summary of Request

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

Location: 162 W. Main Street

Current Land Use: Restaurant

Proposed Use: To serve beer and liquor by the glass.

Current Zoning: B-2 Central Business District

Proposed Zoning: (no change proposed)

Comprehensive Plan’s Future Land Use Designation: Central Business

Surrounding Zoning and Land Use:

<u>Zoning</u>	<u>Current Land Use</u>
Surrounded by B-2	Business

Summary of Request

Mr. Burim Vedziovski has applied for a Conditional Use Permit for a “Class B” Beer and Liquor license to serve beer and liquor by the glass. Serving alcoholic beverages by the drink is a Conditional Use in the B-2 Zoning District.

Mr. Vedziovski has stated that they are applying for a CUP because they would like to accommodate their guests and keep up with their competition. They are not changing the name from Day N Nite Café or signage.

Interior changes include adding a bar and coolers at the rear of the restaurant. These changes would be subject to all applicable code and/or permit requirements.

Day N Nite Café currently has a sidewalk café permit for outdoor seating. The applicant has indicated that no liquor or beer will be served at the outside location or allowed to be carried outside to the tables.

Hours

Sunday – Wednesday 8:00 AM – 9:00 PM
Thursday – Saturday 8:00 AM – 2:00 AM

Parking

All uses are exempted from parking requirements of Section 19.51.130 except if off-street parking is specifically required for a particular conditional use under Section 19.30.030. Parking is not required for this use.

Exterior

The exterior will not be changed at this time.

Recommendation on Conditional Use Permit

As of 12:00 PM on 9/4/2013, staff did not receive any comments regarding this application. We did receive questions regarding the application deadline, open liquor licenses in the community, etc.

I know a concern has been raised about available “full” liquor licenses in the City. There is currently one “Class B” Beer and Liquor license (Full license) available. At the July Plan Commission meeting, Patrick Monaghan received an approved Conditional Use Permit for a “Class B” Beer and Liquor license. Mr. Monaghan has applied for “Class B” Beer and Liquor license.

Mr. Vedziovski has applied for a liquor license. All liquor licenses have to be approved by the Alcohol Licensing Committee and the Common Council.

The Plan and Architectural Commission reviews conditional use permits by the standards set forth below. I recommend that the Plan and Architectural Review Commission approve the conditional use permit for Day N Nite Cafe, located at 162 W. Main Street, “Class B” Beer and Liquor license to serve beer and liquor by the glass subject to the following conditions:

1. 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.
2. The applicant shall comply with all required City and building codes.
3. An amendment to the Conditional Use Permit is required for serving alcohol for a future patio area.

The Plan and Architectural Review Commission can approve a Conditional Use Permit for a “Class B” Beer and “Class C” Wine license, instead of a the “Class B” Beer and liquor license if they so choose.

If a CUP application is approved by the Plan Commission, Mr. Vedziovski would need approval for a “Class B” Beer and Liquor License from the Alcohol Licensing Committee and the Common Council.

Analysis of Proposed Project

Standard	Evaluation	Comments
Conditional Use Permit Standards (see section 19.66.050 of zoning ordinance)		

Standard	Evaluation	Comments
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	Day N Nite Café is located in the B-2 Zoning District where other restaurants that have “Class B” Beer and Liquor licenses are located.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	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	There shall be no minimum required ordinance design and dimensional standards or setbacks within the B-2 district. Because of the lack of predefined ordinance development standards, all proposed construction and remodeling activities requiring a zoning permit shall require the review and approval of the Plan and Architectural Review Commission. All uses are exempted from parking requirements of Section 19.51.130 except if off-street parking is specifically required for a particular conditional use under Section 19.30.030. Parking is not required for this use.
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 “Central Business” uses. This would include pedestrian-orientated uses, which includes restaurants.
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 9th day of September 2013 at 6:00 p.m. for a public hearing for consideration of a Conditional Use Permit for a “Class B” Beer and Liquor License for Burim Vedziowski serve beer and liquor by the bottle or glass at 162 W. Main Street (Day N Nite Cafe). The conditional use permit is to include outside seating.

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 Director/City Planner

162 W. Main St.

Duplicates

TRIPLE J PROPERTIES LLC
W335 S2539 MORRIS RD
DOUSMAN WI, 53118

DIANE L TRAMPE
138 CENTER ST
WHITEWATER WI, 53190

FIRE STATION 1 LLC
138 W CENTER ST
WHITEWATER WI, 53190

CHERYL A BRESNAHAN
MICHAEL J BRESNAHAN, JR
117 S. SECOND ST
WHITEWATER WI, 53190

BLGL, LLC
1691 MOUND VIEW PL
WHITEWATER WI, 53190

~~TRIPLE J PROPERTIES LLC
W335 S2539 MORRIS RD
DOUSMAN WI, 53118~~

LUIS, LATIN KING OF WHITEWATER
132 MAIN ST
WHITEWATER WI, 53190

JOHN M BASILE
MARGARET M BASILE
W5211 MEADOW LN
ELKHORN WI, 53121

MARK O BERGEY
JEAN BERGEY
173 W. MAIN ST
WHITEWATER WI, 53190

DLK ENTERPRISES INC
P. O. BOX 239
WHITEWATER WI, 53190

141 W MAIN STREET BUILDING LLC
N1103 PECHOUS LN
WHITEWATER WI, 53190-5500

~~TRIPLE J PROPERTIES LLC
W335 S2539 MORRIS RD
DOUSMAN WI, 53118~~

RUSSELL R WALTON
KIM A WALTON
1005 W MAIN ST
SUITE C
WHITEWATER WI, 53190

LAKEVIEW CENTER, LLC
147 W. MAIN ST
WHITEWATER WI, 53190

AUREL BEZAT
DANIELA BEZAT
149 W. MAIN ST
WHITEWATER WI, 53190-0300

TRIPLE J PROPERTIES LLC
543 A J ALLEN CIRCLE
WALES WI, 53183

~~TRIPLE J PROPERTIES LLC
543 A J ALLEN CIRCLE
WALES WI, 53183~~

~~TRIPLE J PROPERTIES LLC
543 AJ ALLEN CIRCLE
WALES WI, 53183~~

BULLDOG INVESTMENTS LLC
N6927 GREENLEAF COURT
ELKHORN WI, 53121

WALTON DISTRIBUTING LLC
1005 WEST MAIN ST
WHITEWATER WI, 53190

~~WALTON DISTRIBUTING LLC
1005 WEST MAIN ST
WHITEWATER WI, 53190~~

RODRIGUEZ PROPERTIES II LLC
N9707 N MCCORD RD
WHITEWATER WI, 53190

WAYNE A QUASS
MAUREEN C QUASS
972 W PECK ST
WHITEWATER WI, 53190

WILLIAM V OSBORNE II
REBECCA P ANDERSON
12648 GLACIAL CREST DR
WHITEWATER WI, 53190

EDWARD W HAMILTON
ROXANNE A HAMILTON
PO BOX 736
WHITEWATER WI, 53190

~~EDWARD W HAMILTON
ROXANNE HAMILTON
PO BOX 736
WHITEWATER WI, 53190~~

~~TRIPLE J PROPERTIES LLC
W335 S2539 MORRIS RD
DOUSMAN WI, 53118~~

~~TRIPLE J PROPERTIES LLC
W335 S2539 MORRIS RD
DOUSMAN WI, 53118~~

~~CITY OF WHITEWATER
CITY HALL
WHITEWATER WI, 53190~~

ANTHONY M LOMBARDO
JANET M LOMBARDO
1180 THORNDALE LN
LAKE ZURICH IL, 60047

R&B BRASS RAIL CORP
130 W. MAIN ST
WHITEWATER WI, 53190

CBP PROPERTIES LLC
417 N FREMONT ST
WHITEWATER WI, 53190

WATSON & SCHARINE
136 W MAIN ST
WHITEWATER WI, 53190

KETTERHAGEN LIVING TRUST
1631 PEARSON CT
WHITEWATER WI, 53190

ILMI SHABANI
ANIFE SHABANI
140 W MAIN ST
WHITEWATER WI, 53190

MIKNNA, LLC
C/O AROPA DESIGNS
144 W MAIN ST
WHITEWATER WI, 53190

WOKES LLC
146 W MAIN ST
WHITEWATER WI, 53190

JOSE J BARAJAS
JUANA BARAJAS
409 BUCKINGHAM BLVD
WHITEWATER WI, 53190

MARY E KETTERHAGEN
KETTERHAGEN LIVING TRUST
1631 PEARSON CT
WHITEWATER WI, 53190

KETTERHAGEN LIVING TRUST
1631 PEARSON CT
WHITEWATER WI, 53190

~~KETTERHAGEN LIVING TRUST
1631 PEARSON COURT
WHITEWATER WI, 53190~~

~~KETTERHAGEN LIVING TRUST
1631 PEARSON CT
WHITEWATER WI, 53190~~

CITY OF WHITEWATER
WHITEWATER WI, 53190

LAND & WATER INVESTMENTS LLC
503 CENTER ST
LAKE GENEVA WI, 53147

FIRST & MAIN OF WHITEWATER LLC
599 S FRANKLIN ST
WHITEWATER WI, 53190

HICKS SURVIVORS TRUST
N7934 HWY 89
WHITEWATER WI, 53190

KJN DEVELOPMENT LLC
W316S2920 ROBERTS RD
WAUKESHA WI, 53188

~~KJN DEVELOPMENT LLC
W316S2920 ROBERTS RD
WAUKESHA WI, 53188~~

TERRENCE L STRITZEL
W5524 TRI COUNTY RD.
WHITEWATER WI, 53190

DAVID E SAALSAA
184 W MAIN ST #3
WHITEWATER WI, 53190

RODERICK O DALEE
MARY M DALEE
PO BOX 660
WHITEWATER WI, 53190

~~CITY OF WHITEWATER
CITY HALL
WHITEWATER WI, 53190~~

~~CITY OF WHITEWATER
CITY HALL
WHITEWATER WI, 53190~~

ROBERT A SWEET
N7598 LARRY'S RD
WHITEWATER WI, 53190

LIVING WORD FELLOWSHIP
OF WHITEWATER INC
212 W MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190

~~FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190~~

FIRST CITIZENS STATE BANK
207 W. MAIN ST
WHITEWATER WI, 53190

FIRST CITIZENS STATE BANK
P. O. BOX 177
WHITEWATER WI, 53190

DONALD E LIGGETT TRUST
P. O. BOX 223061
PRINCEVILLE HI, 96722

DONNA JOANNE HENRY
347 S. JANESVILLE ST
WHITEWATER WI, 53190

EDWARD J CONNELL
208 W. NORTH ST
WHITEWATER WI, 53190

STEVEN C SPEAR
577 EHLERT CT
WHITEWATER WI, 53190

CITY OF WHITEWATER
WHITEWATER WI, 53190

CITY OF WHITEWATER
WHITEWATER WI, 53190

W JOSEPH KETTERHAGEN, JR
117 N. FIRST ST
WHITEWATER WI, 53190

MEISNER ENTERPRISES LLC
N7547 W LAKESHORE DR
WHITEWATER WI, 53190

R&B BRASS RAIL CORP
130 W. MAIN ST.
WHITEWATER WI, 53190

Latisha Birkeland

From: Brian Vedzi [vdzvsk@gmail.com]
Sent: Tuesday, August 27, 2013 2:28 PM
To: Latisha Birkeland
Subject: Re: CUP Applications

Latisha,

For Day N Nite:

Our business Hours are Sunday to Wednesday 8am to 9pm Thursday to Saturday 8am to 2am.

We would like to accommodate to our guests and also we would like to keep up with our competition.

The Name will not change from Day N Nite Cafe.

There will be no serving liquor at outdoor sitting.

For the Downstairs:

The hours will be Monday to Sunday from 11 am to bar time. We would open at 11am only on days with sport events. Otherwise it will be from 8pm to bar time.

The name to the Downstairs will not change.

There will be no serving any liquor outdoors

Also I am waiting to get the menu from Day N Nite and I will send that to you immediately as soon as I get it. If there is anything else that you need Please let me know.

Thank You,

Brian Vedzi

On Aug 27, 2013, at 8:13 AM, Latisha Birkeland <LBirkeland@whitewater-wi.gov> wrote:

Brian,

In the statement of use, please inform us of your hours and business plan, i.e. why do you want a full liquor license at Day N Nite? What about the internal changes? Verify the menu (if you have one) at the Downstairs. Will the name change? You will need to provide us the outdoor arrangement, if you chose to have one. This is a new application and your responsibility to submit these items. These will be the same items you will talk about at the Plan Commission meeting on 9/9/13. We need to have this information for the staff report and the record.

Latisha



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

www.whitewater-wi.gov
(262) 473-0143

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 162 w. main street
Owner's Name: SEMARI VEDZIOUSKI
Applicant's Name: BURIM VEDZIOUSKI
Mailing Address: 162 w: main street white water WI.
Phone #: 262-472-0747 Email: —
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: 162 w. main street
Zoning District: _____
Proposed Use: Application for Alcoholic Beverage. -full

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.

APPLICATION REQUIREMENTS

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

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

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

Applicant's Signature: Burim Vedriouki

Date: 08-09-2013

Printed: Burim Vedriouki

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 8-7-13. Received by: JW Receipt #: 6.010667
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-29-13.
- 3) Notices of the Public Hearing mailed to property owners on 8-26-13.
- 4) Plan Commission holds the PUBLIC HEARING on 9-9-13. 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 Applicants

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

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

Hold a neighborhood meeting for larger and potentially more controversial Projects

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

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

Typical City Planning Consultant Development Review Costs

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

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

Type of Development Review Being Requested	Planning Consultant Review Cost Range
Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)	
When land use is a permitted use in the zoning district, and for minor downtown building alterations	Up to \$600
When use also requires a conditional use permit, and for major downtown building alterations	\$700 to \$1,500
Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)	
When land use is a permitted use in the zoning district	\$700 to \$2,000
When land use also requires a conditional use permit	\$1,600 to \$12,000
Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)	Up to \$600
Rezoning	
To a standard (not PCD) zoning district	\$400 to \$2,000
To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time	\$2,100 to \$12,000
Land Division	
Certified Survey Map	Up to \$300
Preliminary Subdivision Plat	\$1,500 to \$3,000
Final Plat (does not include any development agreement time)	\$500 to \$1,500
Annexation	\$200 to \$400

****Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

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: Burim Vedriovski

Applicant's Mailing Address: 162 W. Main Street

Applicant's Phone Number: 920-723-3723

Applicant's Email Address: _____

Project Information:

Name/Description of Development: Day w' Nite Cafe.

Address of Development Site: _____

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: Chris Hake

Property Owner's Mailing Address: 162 W. Main Street
White Water WI. 53190

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

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

Section C: Agreement Execution

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

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

Signature of Applicant/Petitioner

Signature of Property Owner (if different)

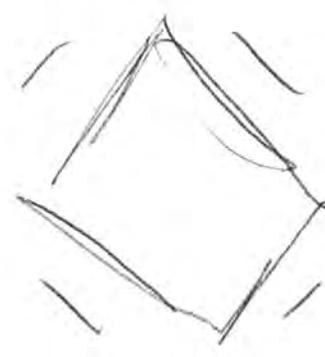
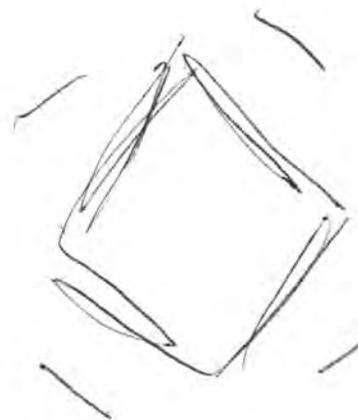
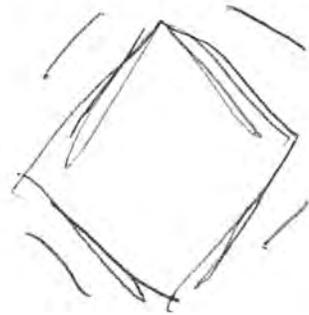
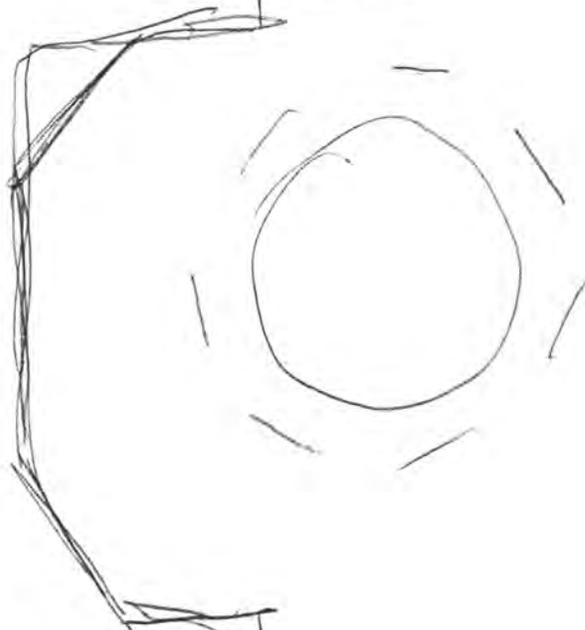
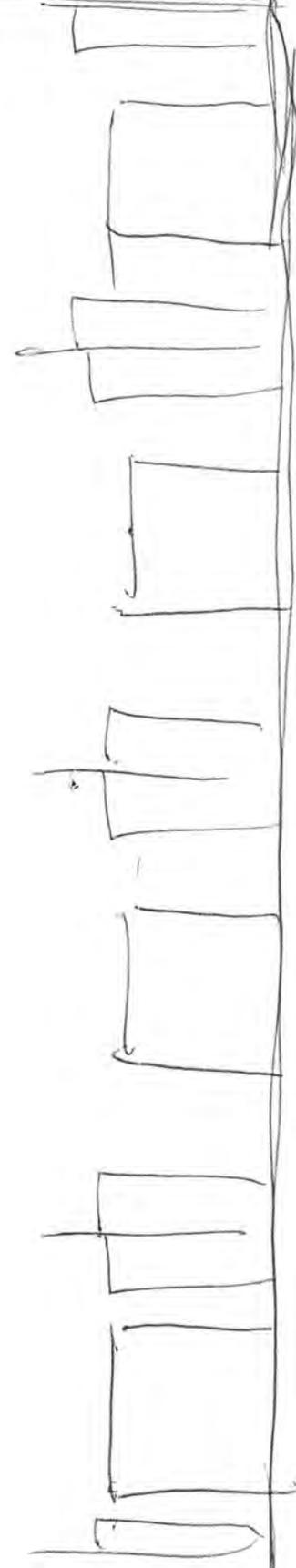
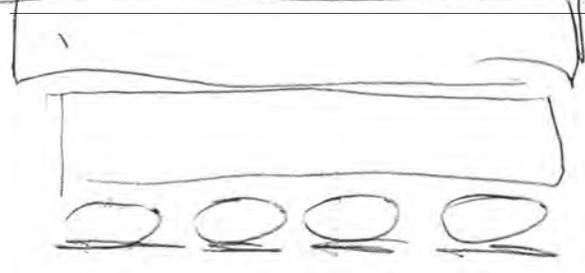
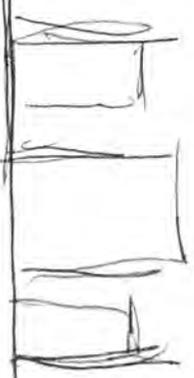
Printed Name of Applicant/Petitioner

Printed Name of Property Owner (if different)

Date of Signature

Date of Signature

enter



staff

Beer cooler

HPD

Beer cooler

kitchen

SERVER STATION



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 Director / City Planner
Meeting Date: 9/9/2013
Re: Request a conditional use permit for the conversion of a single-family residence into a duplex.

Summary of Request

Requested Approvals: The applicant, Robert E. Freiermuth, is requesting a conditional use permit for the conversion of a single family residence into a duplex, adding a 1,900 sq. ft. addition at 248 N. Prince Street. The request reviewed by the Plan Commission at the August meeting was tabled. Mr. Freiermuth has changed the previous proposal (shared parking lot) to a single parking lot, located on 248 N. Prince Street. All other elements of the proposal are staying the same.

Location: 248 N. Prince Street

Current Land Use: Single family home

Proposed Use: Two family home (duplex)

Current Zoning: R-3 Multi-Family Residential

Proposed Zoning: (no change proposed)

Comprehensive Plan's Future Land Use Designation: Multi-family residential

Surrounding Zoning: North, South and West: R-3 Multi-Family Residential; East: Institutional

Surrounding Land Use: North, South, West: Mixture of residential- single family, duplex and multi-family; East: University of Wisconsin-Whitewater.

Description of Use

The applicant, Mr. Robert E. Freiermuth, has applied for a Conditional Use Permit (CUP) to convert a five bedroom single family home into a duplex. Conversions of existing structures resulting in more dwelling units require a CUP (19.21.030). To convert this property into a duplex, the applicant would add on to the existing structure. The proposal indicates that after the conversion each unit will have five (5) bedrooms and two (2) bathrooms.

Building Dimensions and Yard Requirements

The proposed rear addition will meet all setback requirements of the R-3 Zoning District. The total lot square footage is 16,274 square feet. The proposal has met and exceeded the minimum square footage requirement of 12,000 square feet for a two-family structure.

The maximum height for all buildings in the R-3 Zoning Districts is 45 feet or four stories. The addition will be under the maximum height limitation. The color scheme will be of earth tones.

The open space requirement at 248 N. Prince Street of 700 square feet (350 square feet x 2 units) has been met by the applicant.

Parking and Ingress / Egress

Duplex and Multi-family units that have three or more bedrooms are minimally required to have four (4) stalls for each dwelling unit. For two total dwelling units this project requires eight (8) parking stalls. The applicant has provided 10 total stalls to accommodate all 10 tenants.

Section 19.51.040 of the City Code states that parking lot for ten or more vehicles shall provide at least two ten- foot parking lanes. The existing building is 18 feet from the south property line. The driveway at the east side of the lot is 12 feet wide, increasing up to 15 feet if the driveway goes all the way to the property line. The proposed addition is positioned further back from the south property line, making the drive width about 25 feet. Moving the existing house would be difficult to meet the 20 foot requirement.

The proposed driveway goes up to the property line. At this time, there is no formal agreement between the property owners; a formal agreement shall be submitted to the City prior to the issuance of a building permit.

This project was reviewed with Mark Fisher, City Engineer, his full comments are attached. Mark stated, “Unlike the previous plan, it does not appear to be the intent of this plan to concentrate the runoff from the parking lot and direct it into the street. Rather, it appears they are intending to allow the parking lot to drain into the adjacent lawn areas as it currently does.”

Mr. Fisher mentions a stop sign to be installed. Mr. Freiermuth and I spoke about this requirement and how he may have to continually replace that sign. If the Plan Commission wanted to not require the sign, I don’t see an issue with it. This is a high density area, but still residential.

Landscaping

When a required off-street parking area for five or more vehicles is located within fifteen feet of any lot line or public right-of-way line in any district, a buffer yard or screen shall be required (City Code Section 19.51.070). The area surrounding the parking lot is less than 10 feet. screening such as fences may be used.

The applicant included five (5) new shrubs along the north side of the proposed parking lot and three new shrubs along the front side of the existing structure. The City Landscape Guidelines address landscaping for multi-family and higher uses, but for not two-family (duplex) uses. After speaking with Chuck Nass, City Forester, we discussed moving the two bushes in front of parking stalls 9 and 7 to be closer to the north property line. This would allow a place for snow storage without harming the bushes.

248 N. Prince Street will share the enclosed dumpster at 256 N Prince Street. If the property owners ever change and this agreement is no longer in place, 248 N. Prince Street will need to contact the City so we can have totes delivered to the property.

Recommendation on Conditional Use Permit

As of 5:00 PM on 9/3/2013, staff did not receive any public comments on this project.

Greg Noll, Building Inspector; Chuck Nass, City Forester; Mark Fisher, City Engineer, and the project management staff have reviewed this application.

The R-3 Multi-Family Residential zoning district is established to provide high-density residential areas, and to allow mixing of certain compatible land uses. Adding an additional unit, that meets all setbacks and district requirements in a high density zoning district is a common request.

Pending comments received at the public hearing, if the Plan and Architectural Review Commission approves the conditional use permit application for Robert E. Freiermuth to convert the single family home into a duplex, it shall be subject to the following conditions:

1. Landscaping changes as recommended by the Plan Commission.
2. Comply with all requirements by the City Engineer, noting any changes from the Plan Commission
3. The applicant shall make the building and site renovations in accordance with the plans submitted to the City of Whitewater dated 7/15/2013 and revised 7/31/2013, with all applicable changes indicated on the site plan dated 8/18/2013.
4. Shared driveway agreement to be submitted to the City prior to building permit issuance.
5. The applicant shall comply with all required City Ordinances and State Building Codes.
6. Comply with recommended landscaping requirements from staff. All landscaping shall be installed no later than six months from date of Certificate of Occupancy.

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	Fencing /landscaping need to be added to protect the neighbors from additional nuisances from this addition.
Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	City engineer and staff have reviewed and approved this plan, with the attached comments.
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	The setbacks and district regulations will be met for the new unit addition.

Standard	Evaluation	Comments
The conditional use conforms to the purpose and intent of the city master [comprehensive] plan.	Yes	The Comprehensive Plan identifies this site to be located in a higher density residential neighborhood. As stated in the plan, “The design and determination that off-street parking for the requested number of units can be provided in a manner that will meet ordinance requirements, result in a parking arrangement and associated landscaping that is aesthetically pleasing, and include stormwater management as to not negatively affect nearby properties or the City’s stormwater management system.
The conditional use and structures are consistent with sound planning and zoning principles.	Yes	Project is consistent with the purpose, character and intent of higher density residential and the R-3 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 Whitewater Municipal Building, Community Room, located at 312 W. Whitewater Street on the 9th day of September, 2013 at 6:00 p.m. to hold a public hearing for the consideration of a conditional use permit for the conversion of a single family residence into a duplex, adding a 1,900 sq. ft. addition at 248 N. Prince Street for Robert E. Freiermuth.

The proposal is on file in the Planning and Zoning Office 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 Director/City Planner

CATCON WHITEWATER LLC
225 E MASON ST STE 600
MILWAUKEE WI, 53202

BOARD OF REGENTS
STATE UNIVERSITIES
WHITEWATER WI, 53190

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1220 LINDEN DR
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1860 VAN HISE HALL
MADISON WI, 53706

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UNIVERSITY OF WISCONSIN
1930 MONROE ST.
P.O. BOX 8010
MADISON WI, 53708

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STATE COLLEGES
WHITEWATER WI, 53190

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MADISON WI, 53708

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OF UNIVERSITY OF WISCONSIN
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MADISON WI, 53706

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WHITEWATER WI, 53190

LEE L DANIELS TRUST
ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098

DLK ENTERPRISES INC
141 W. WHITEWATER ST
PO BOX 239
WHITEWATER WI, 53190

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141 W. WHITEWATER ST
PO BOX 239
WHITEWATER WI, 53190

LEE L DANIELS TRUST
ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098

248 N PRINCE LLC
W9597 BREIDSAN HILLS RD
WHITEWATER WI, 53190

LEE L DANIELS TRUST
ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098

STARIN PRINCE RENTALS LLC
W9597 BREIDSAN HILLS DR
WHITEWATER WI, 53190

DLK ENTERPRISES INC
P. O. BOX 239
WHITEWATER WI, 53190

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WHITEWATER DEVELOPMENT, LLC
PO BOX 239
WHITEWATER WI, 53190

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ROBERT F KANTIN TRUSTEE
3445 CEDAR DR
PARK CITY UT, 84098

WHITEWATER DEVELOPMENT, LLC
PO BOX 239
WHITEWATER WI, 53190

WHITEWATER DEVELOPMENT, LLC
PO BOX 239
WHITEWATER WI, 53190

CAROL A CARSON
1017 ARTHUR LN
DARLINGTON WI, 53530-1600

WHITEWATER DEVELOPMENT, LLC
PO BOX 239
WHITEWATER WI, 53190

APPLICATION REQUIREMENTS

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

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

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

Applicant's Signature: 

Date: 7-15-13

Printed: Robert E. Freiermuth

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 7-15-13. Received by: NS Receipt #: 6.010620
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-1-13.
- 3) Notices of the Public Hearing mailed to property owners on 7-30-13.
- 4) Plan Commission holds the PUBLIC HEARING on 8-12-13. 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

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: Robert T E Freiermuth

Applicant's Mailing Address: PO Box 126
Whitewater WI 53190

Applicant's Phone Number: 262-949-2390

Applicant's Email Address: JJBBFreier@SBCGlobal.net

Project Information:

Name/Description of Development: Duplex

Address of Development Site: 248 W. Prince

Tax Key Number(s) of Site: WUP 00181

Property Owner Information (if different from applicant):

Name of Property Owner: 248 W Prince LLC

Property Owner's Mailing Address: Same
—

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

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

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

Section C: Agreement Execution

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

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



Signature of Applicant/Petitioner

Robert E. Freiermuth

Printed Name of Applicant/Petitioner

7-15-13

Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature

248 N. Prince Street Proposal

Starting upon approval

Internal Improvement to include:

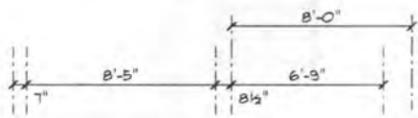
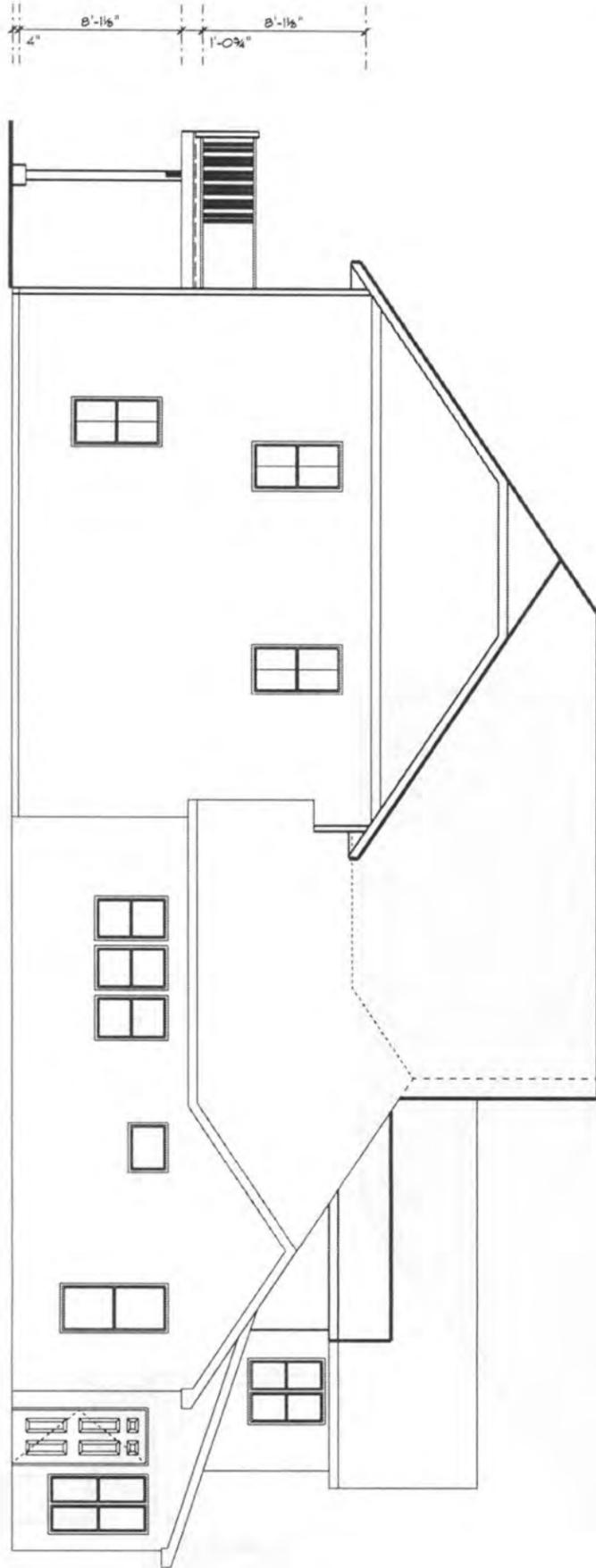
Increase current unit to a duplex by adding 1900 square feet. Making it a duplex with 5 bedrooms, two bathrooms and Washer/Dryer each side. Re wiring old side next summer, put two new bathrooms in old side along with a new kitchen and put in a new laundry. Re plaster old side.

Exterior improvements include:

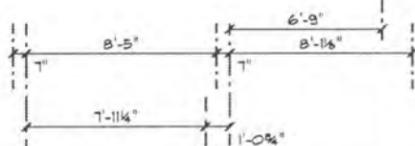
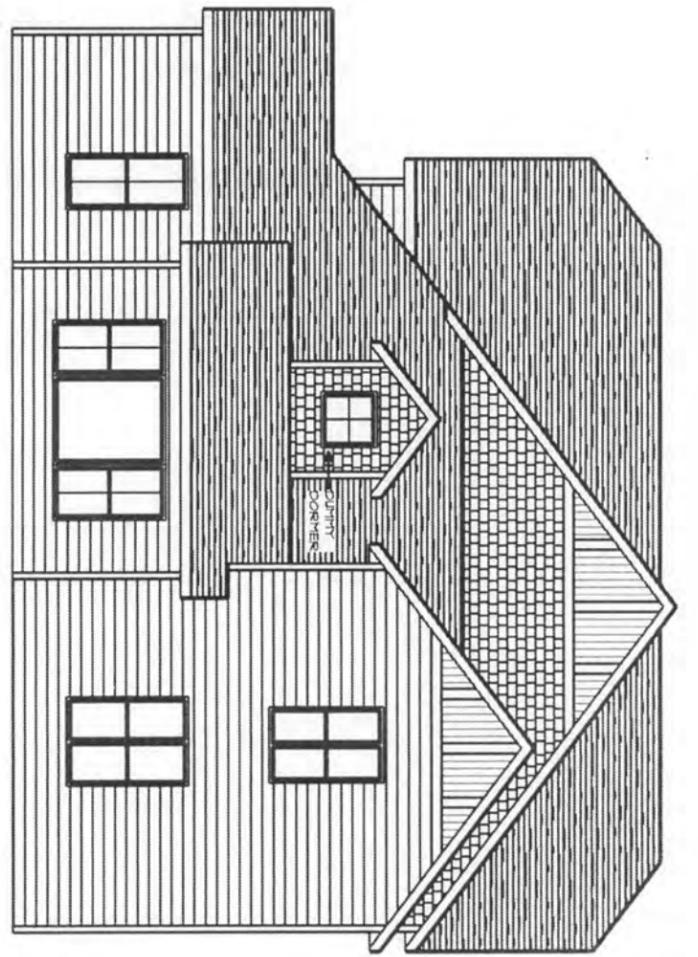
Insulate and re side, replace all windows with new thermo pane windows. New sidewalk from entry areas to back parking areas. Parking lot at 256 N Prince to be paved and expanded to include 25 stall to accommodate 15 people in 256 N Prince and 10 people at 248 N. Prince. Lighting will be on both 248 and 256 to illuminate parking area. Dumpster area to be enclosed on three sides with wood fence material that is 6 foot tall. Paint colors of 248 N Prince will be in the earth tone pallet.

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

RIGHT ELEVATION



FRONT ELEVATION



1 OF 4

DATE
JULY 15, 2013
SCALE
1/8" = 1'-0"

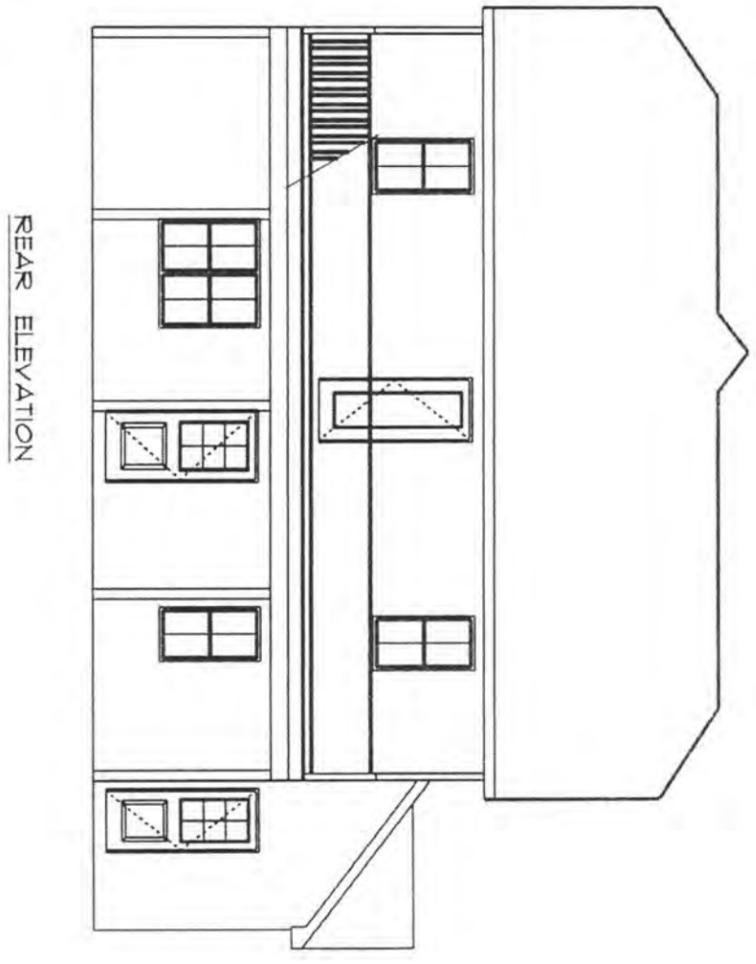
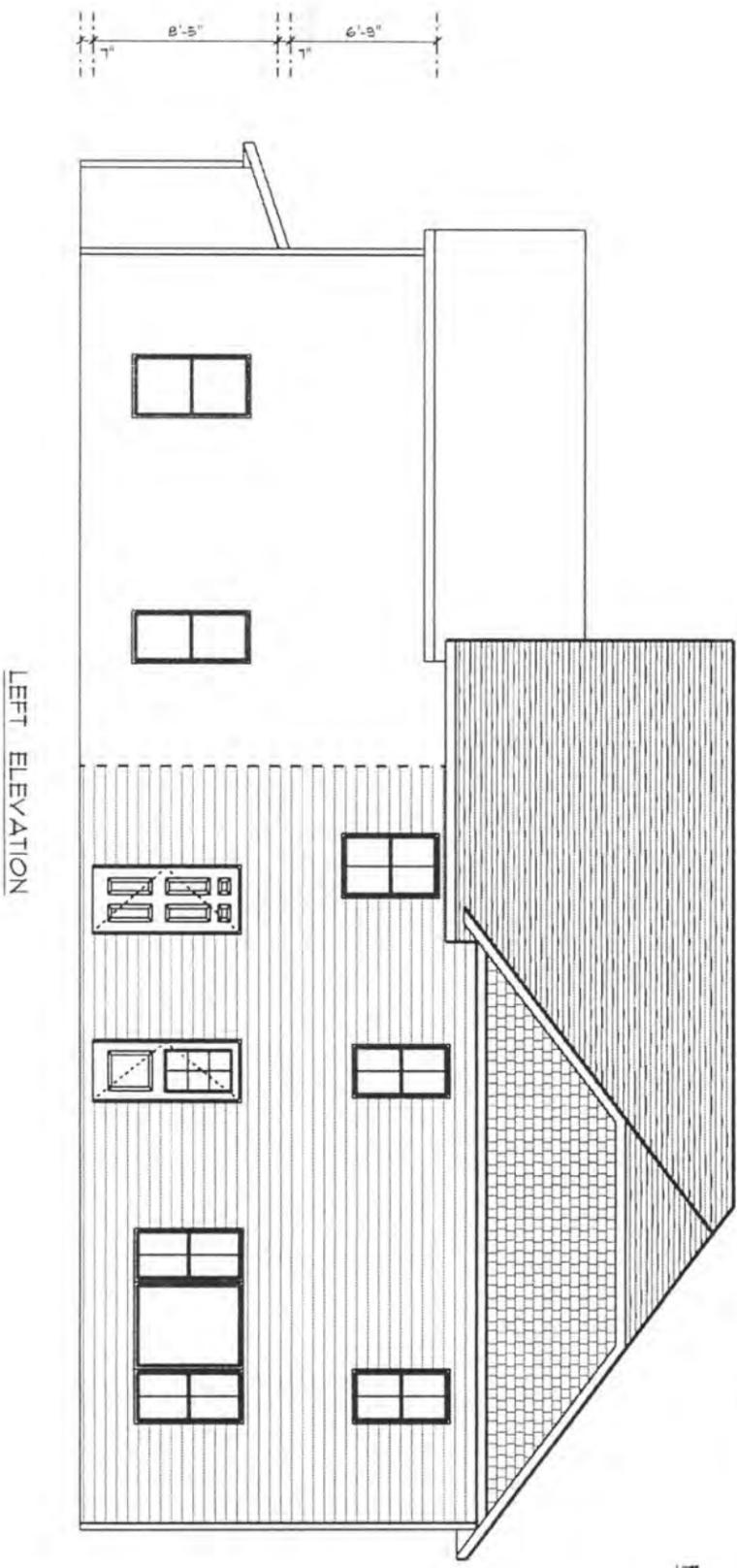
HOME LUMBER COMPANY

499 WHITEWATER STREET, WHITEWATER, WI 53190
TEL: (262) 473-3538 FAX: (262) 473-6908

DRAWINGS FOR: **BOB FREIERMUTH**

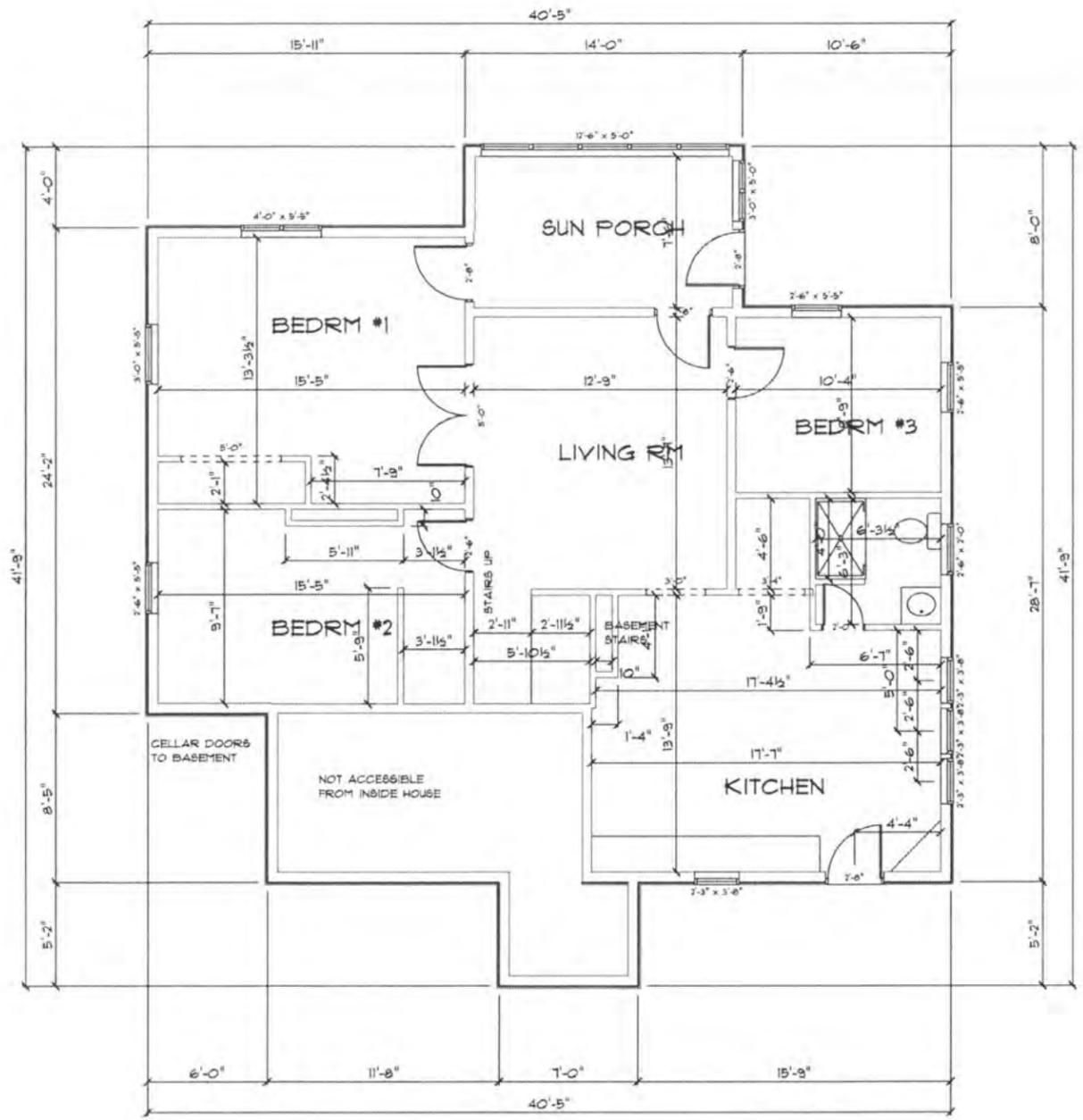
248 PRINCE ST
WHITEWATER, WI

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

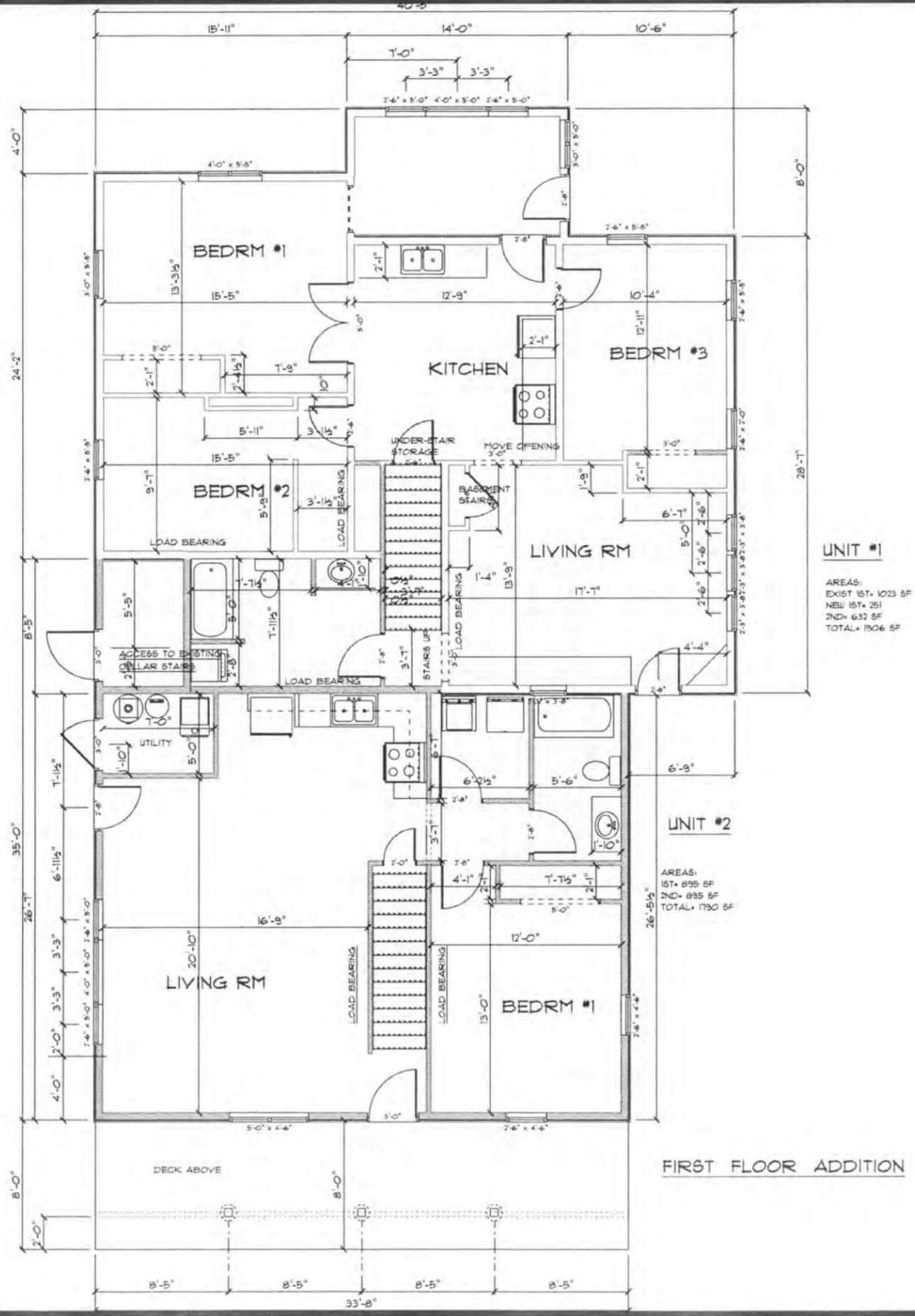


LEFT ELEVATION

REAR ELEVATION



AS-BUILT FIRST FLOOR PLAN
LIVING AREA: 10238 SF



UNIT #1
AREAS:
EXIST 1ST: 1023 SF
NEW 1ST: 251
2ND: 632 SF
TOTAL: 1906 SF

UNIT #2
AREAS:
1ST: 895 SF
2ND: 895 SF
TOTAL: 1790 SF

FIRST FLOOR ADDITION

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

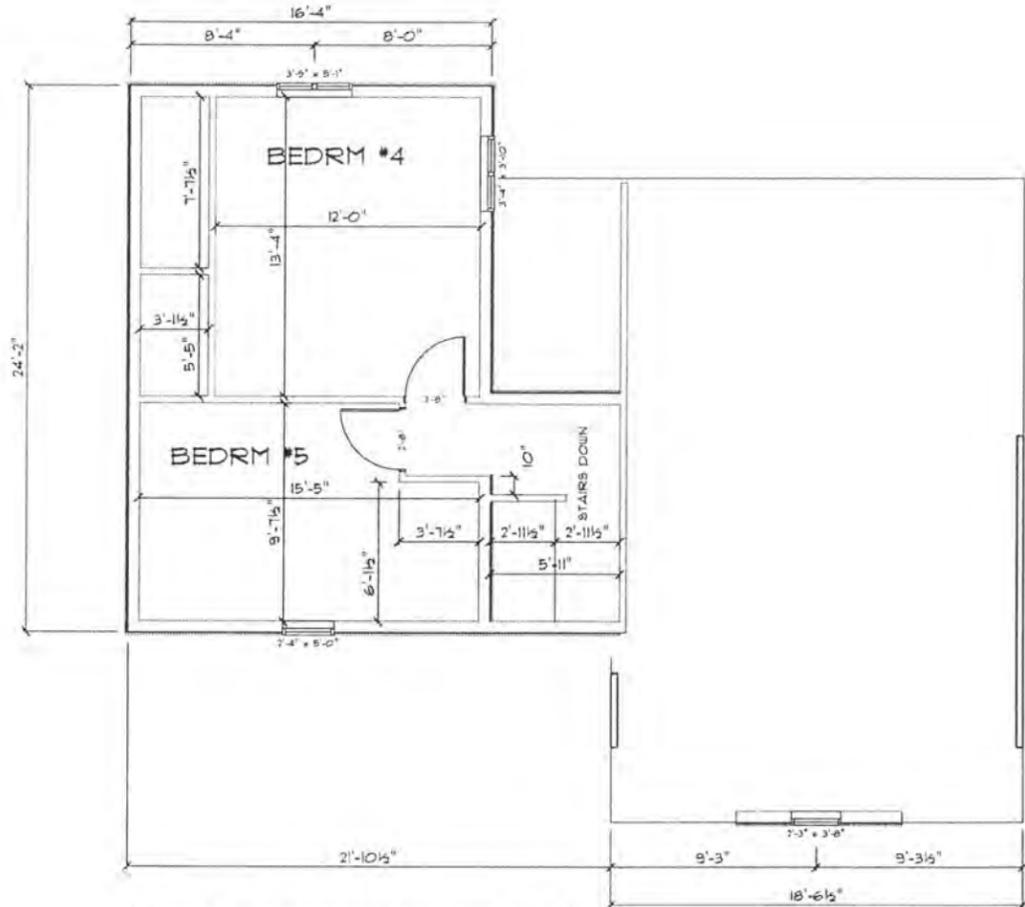
DRAWINGS FOR: **BOB FREIERMUTH**
248 PRINCE ST
WHITEWATER, WI

HOME LUMBER COMPANY
499 WHITEWATER STREET, WHITEWATER, WI 53190
TEL: (262) 413-3538 FAX: (262) 413-6908

DATE: JULY 15, 2013
SCALE: 1/8"=1'-0"

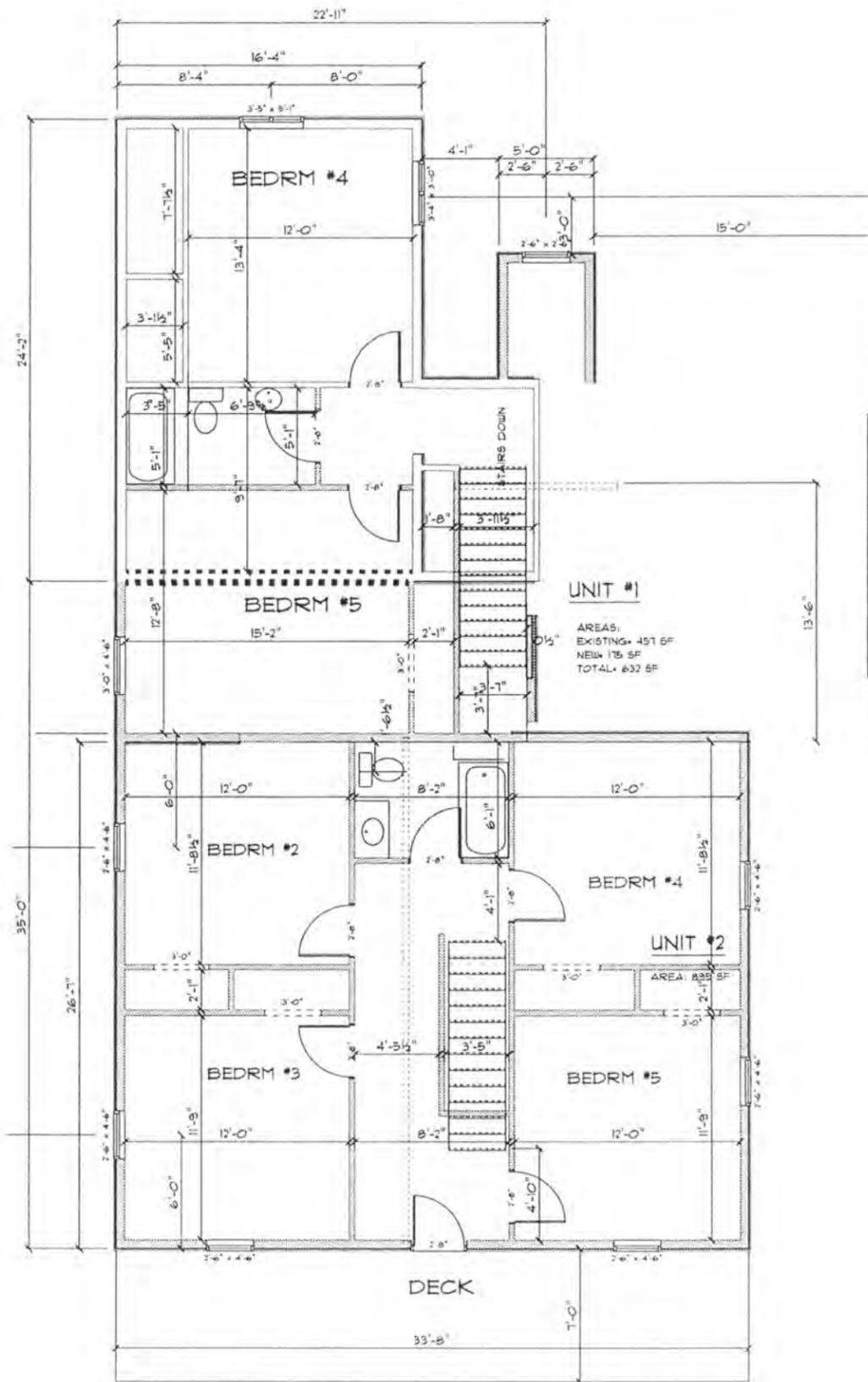
DRAWING NUMBER

3 OF



AS-BUILT SECOND FLOOR PLAN

AREA: 451 SF



SECOND FLOOR ADDITION

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

DRAWINGS FOR: **BOB FREIERMUTH**
 248 PRINCE ST
 WHITEWATER, WI

HOME LUMBER COMPANY
 499 WHITEWATER STREET, WHITEWATER, WI 53190
 TEL: (262) 473-3538 FAX: (262) 473-6908

DATE: JULY 15, 2013
 SCALE: 1/8" = 1'-0"

DRAWING NUMBER

4 OF

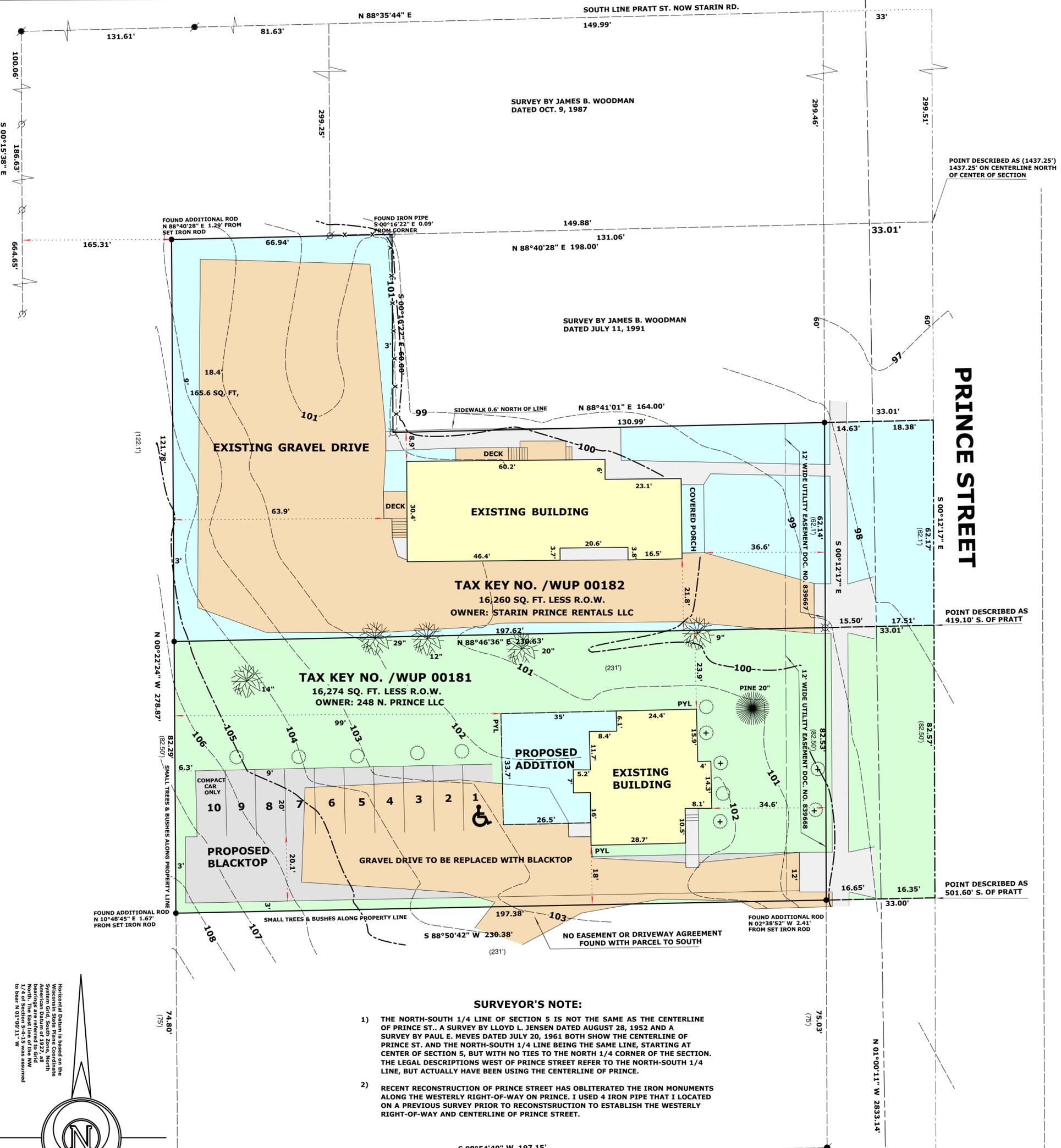
LAND-MARK SURVEYING

Mark L. Miritz

Wisconsin Registered Land Surveyor S-2582

N9330 Knuteson Drive
Whitewater, WI 53190
Phone: (262)495-3284
MarkMiritz@
Land-MarkSurveying.com

NORTH 1/4 CORNER
SECTION 5-4-15



SURVEYOR'S NOTE:

- 1) THE NORTH-SOUTH 1/4 LINE OF SECTION 5 IS NOT THE SAME AS THE CENTERLINE OF PRINCE ST.. A SURVEY BY LLOYD L. JENSEN DATED AUGUST 28, 1952 AND A SURVEY BY PAUL E. MEVES DATED JULY 20, 1961 BOTH SHOW THE CENTERLINE OF PRINCE ST. AND THE NORTH-SOUTH 1/4 LINE BEING THE SAME LINE, STARTING AT CENTER OF SECTION 5, BUT WITH NO TIES TO THE NORTH 1/4 CORNER OF THE SECTION. THE LEGAL DESCRIPTIONS WEST OF PRINCE STREET REFER TO THE NORTH-SOUTH 1/4 LINE, BUT ACTUALLY HAVE BEEN USING THE CENTERLINE OF PRINCE.
- 2) RECENT RECONSTRUCTION OF PRINCE STREET HAS OBLITERATED THE IRON MONUMENTS ALONG THE WESTERLY RIGHT-OF-WAY ON PRINCE. I USED 4 IRON PIPE THAT I LOCATED ON A PREVIOUS SURVEY PRIOR TO RECONSTRUCTION TO ESTABLISH THE WESTERLY RIGHT-OF-WAY AND CENTERLINE OF PRINCE STREET.

PLAT OF SURVEY

Tax Key No. /WUP 00181, Doc. No. 866286, Walworth County Records
A part of the Northwest quarter of Section Five in Town four North of Range fifteen East in the City of Whitewater, and bounded as follows: Commencing on the North and South quarter line of Section at a point 7 chains and 60 links South of the South line of Pratt street in said City, and running thence West and parallel with said East and West quarter line of said Section 3 chains and 50 links; thence North and parallel with the said North and South quarter line 5 rods, thence East parallel with the said East and West quarter line 3 chains and 50, links to the said North and South quarter line, thence South on said quarter line 5 rods to place of beginning, being the same premises conveyed by deed of James E. Hotchkiss bearing date October 27, 1884.

Tax Key No. /WUP 00182, Doc. No. 848536, Walworth County Records
A part of the NW 1/4 of Section 5, Township 4 N., of R. 15 E., bounded as follows: Commencing on the N and S 1/4 line of said section at a point 6.35 chains S of the S line of Pratt Street in the City of Whitewater, Wisconsin, thence W and parallel with the E and W 1/4 line 3.50 chains, thence N and parallel with the N and S 1/4 line 1.85 chains, thence E parallel with the E and W 1/4 line 3.50 chains, thence S on the 1/4 line 1.85 chains to place of beginning; EXCEPTING THEREFROM the East 164 feet of the North 60 feet thereof.

LEGEND

- PROPOSED SHRUB
- ⊕ EXISTING SHRUB
- PYL PROPOSED 70 WATT HIGH PRESSURE SODIUM YARD LIGHT
- ⊗ FOUND IRON PIPE
- FOUND IRON ROD
- ⊠ FOUND COUNTY MONUMENT
- ⊗ SET CUT CROSS IN CONCRETE
- SET IRON ROD, 18" LONG, WEIGHING 1.5 LBS./LINEAL FT., 3/4" DIA.
- (x x) RECORDED AS DIMENSION
- X-X- EXISTING CHAIN LINK FENCE

SCALE: 1 INCH = 20 FEET

"I hereby certify that the above described property has been surveyed by me or under my direction and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadways and visible encroachments, if any."
"This survey is made for the use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."

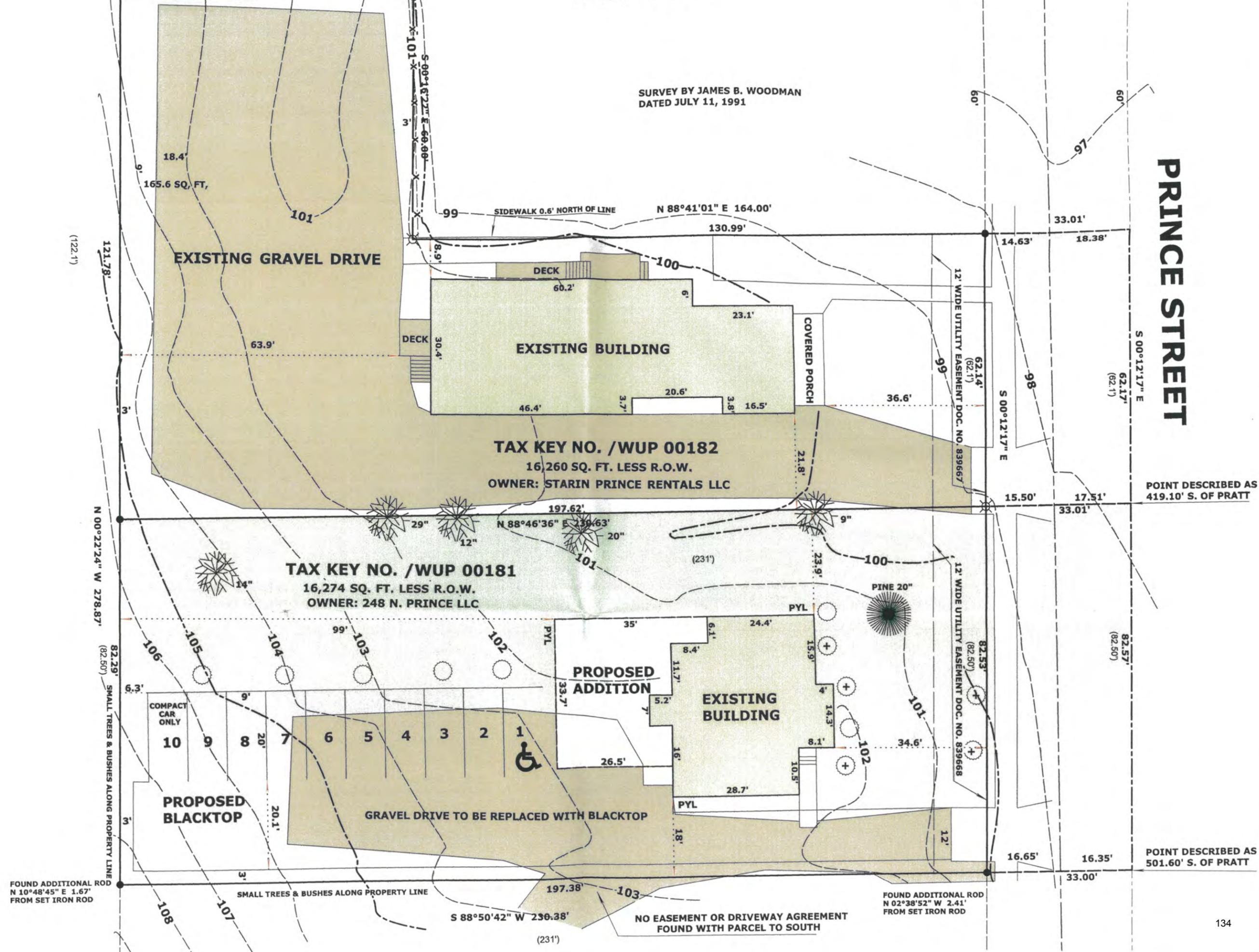
MARK L. MIRITZ
WISCONSIN REGISTERED
LAND SURVEYOR S-2582

DATE: AUGUST 18, 2013 JOB NO. 13.702

⊗ CENTER SECTION 5-4-15

SURVEY BY JAMES B. WOODMAN
DATED JULY 11, 1991

PRINCE STREET



EXISTING GRAVEL DRIVE

EXISTING BUILDING

TAX KEY NO. /WUP 00182
16,260 SQ. FT. LESS R.O.W.
OWNER: STARIN PRINCE RENTALS LLC

TAX KEY NO. /WUP 00181
16,274 SQ. FT. LESS R.O.W.
OWNER: 248 N. PRINCE LLC

PROPOSED ADDITION

EXISTING BUILDING

PROPOSED BLACKTOP

GRAVEL DRIVE TO BE REPLACED WITH BLACKTOP

NO EASEMENT OR DRIVEWAY AGREEMENT
FOUND WITH PARCEL TO SOUTH

POINT DESCRIBED AS
419.10' S. OF PRATT

POINT DESCRIBED AS
501.60' S. OF PRATT

FOUND ADDITIONAL ROD
N 10°48'45" E 1.67'
FROM SET IRON ROD

FOUND ADDITIONAL ROD
N 02°38'52" W 2.41'
FROM SET IRON ROD



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 Director / City Planner
Meeting Date: 9/9/2013
Re: Proposed site plan for parking lot pavement at 256 N. Prince Street

Summary of Request

Requested Approvals: The applicant, Robert E. Freiermuth, is requesting a site plan review for parking lot pavement.

Location: 256 N. Prince Street

Current Land Use: Multi-family

Proposed Use: (no change proposed)

Current Zoning: R-3 Multi-Family Residential

Proposed Zoning: (no change proposed)

Comprehensive Plan's Future Land Use Designation: Multi-family residential

Surrounding Zoning: North, South and West: R-3 Multi-Family Residential; East: Institutional

Surrounding Land Use: North, South, West: Mixture of residential- single family, duplex and multi-family; East: University of Wisconsin-Whitewater.

Description of Use

The applicant, Mr. Robert E. Freiermuth, changed the proposed shared parking design between 248 N. Prince Street and 256 N. Prince Street that was reviewed at the last Plan Commission meeting. The new proposal does not include shared parking.

Duplex and Multi-family units that have three or more bedrooms are minimally required to have four (4) stalls for each dwelling unit. For two total dwelling units this project requires 12 parking stalls. The applicant has provided 19 total stalls to accommodate 15 tenants on this property. City Code states that the number of required parking spaces shall never exceed the number of occupants allowed section 19.09.520. The Plan and Architectural Review Commission may allow the parking stalls to be increased.

The proposed parking stalls meet the Zoning Code requirement for interior parking spaces to be eight and one-half feet wide and not less than 150 square feet. The area disturbed by this project is less than an acre and will need to comply with all codes necessary for construction.

This project, including the hydrology report, was reviewed by Mark Fisher, City Engineer, his comments are attached. A bio-retention pond has been included along the north side of the proposed parking lot. A two to two and a half foot retaining wall has been added to the west (rear yard) lot line.

As indicated in Mr. Fisher's comments, widening of the curb just to the north of the property will likely impact a parking stall. A reduction of the proposed 20 feet width would not be allowed in the code. The intent is to have two ten foot lanes. Widening the curb cut equally to the north and south could prevent this conflict. New plans should be submitted before a permit is issued.

Landscaping

When a required off-street parking area for five or more vehicles is located within fifteen feet of any lot line or public right-of-way line in any district, a buffer yard or screen shall be required (City Code Section 19.51.070). The area surrounding the parking lot is less than 10 feet. For buffer yards 10 feet or less, screening such as fences may be used.

When reviewing the landscaping guidelines for multi-family projects, it states that one large deciduous tree and 60 points of additional landscaping should be planted for each 1,500 square feet of paved area. The calculation of hard surface is over 9,000 square feet. Landscaping could be added to the front of the property, if the Plan Commission would like to see that. We will need to discuss landscaping and/or fencing at the meeting.

The applicant identified that the refuse area will be enclosed on three sides with a wood fence material that is 6 feet tall.

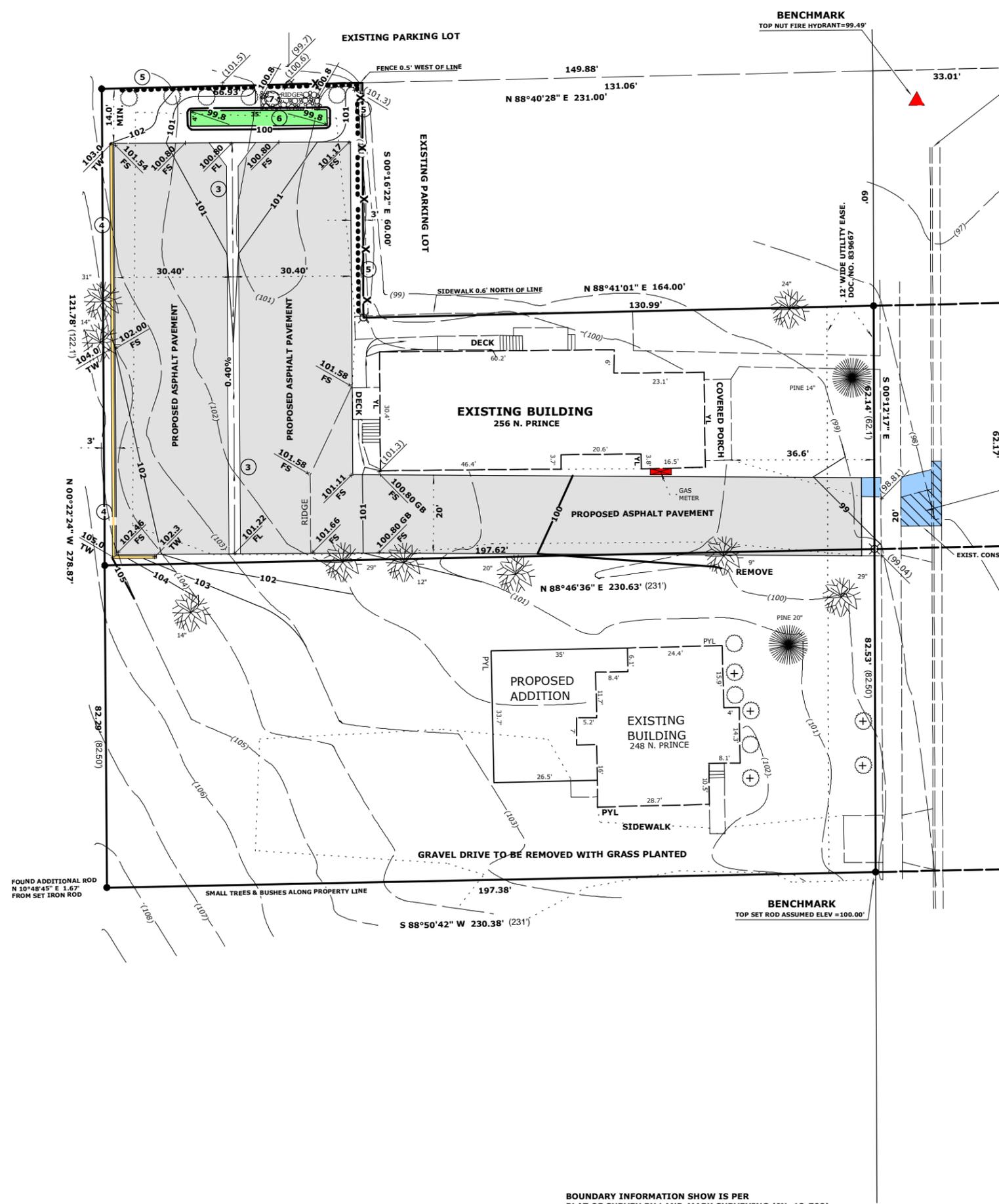
Recommendation on Site Plan Review

As of 5:00 PM on 9/3/2013, staff did not receive any public comments on this project.

Greg Noll, Building Inspector; Mark Fisher, City Engineer, and Chuck Nass, City Forester; and the project management staff have reviewed this application.

Pending comments received at the public hearing, if the Plan and Architectural Review Commission approves the conditional use permit application for Robert E. Freiermuth to convert the single family home into a duplex, it shall be subject to the following conditions:

1. Comply with all requirements by the City Engineer.
2. Require that widening the driveway not impact the parking stalls along N. Prince Street. Propose that the applicant equally distribute the widening of the curb cut to the north and south. Staff to review and verify prior to approving the permit.
3. Allow payment in lieu of landscaping for future use or as determined by the Plan Commission.
4. Comply with all State Building codes and City Ordinances.



BENCHMARK
TOP NUT FIRE HYDRANT=99.49'

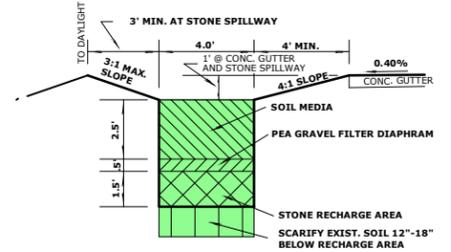
STORM DRAIN CATCH BASIN
ELEV = 96.42'
IE = 93.42'

STORM DRAIN MAN HOLE
ELEV = 96.92'
IE = 91.29'

PRINCE STREET

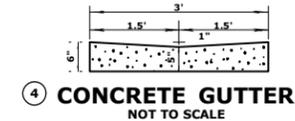
REMOVE POR. EXIST. CONC. DW APPROACH AND CURB & GUTTER AND RECONSTRUCT AS SHOWN AND IN ACCORDANCE WITH REQUIREMENTS OF CITY OF WHITEWATER PUBLIC WORKS DEPT. (TOTAL D/W WIDTH AT SIDEWALK: 20')

BENCHMARK
TOP SET ROD ASSUMED ELEV = 100.00'

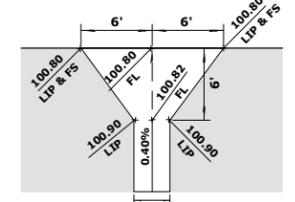


SOIL MEDIA
50-60% SAND
20-30% LEAF COMPOST
20-30% TOP SOIL
MAX. CLAY CONTENT <5%

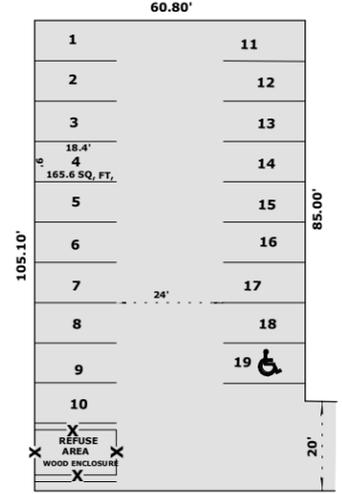
STONE
STONE SIZE: 1/2" - 1 1/2"
RIVER-RUN, WASHED



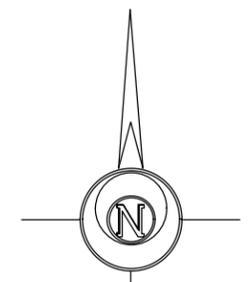
- LEGEND**
- (XXX) EXISTING CONTOUR
 - (XXX) EXISTING SPOT ELEVATION
 - XXX PROPOSED CONTOUR
 - XXX PROPOSED SPOT ELEVATION
 - FLOWLINE (1% MINIMUM)
 - FL FLOWLINE
 - HP HIGH POINT
 - EP EDGE OF PAVEMENT
 - FS FINISHED SURFACE
 - TW TOP OF WALL
 - 4 CONSTRUCT RETAINING WALL
 - 5 INDICATES SILT FENCING PER DNR STD. 1056 TO BE INSTALLED PRIOR TO ANY GRADING OR EXCAVATION OPERATIONS AND MAINTAINED IN PLACE UNTIL GROUND COVER AND OTHER LANDSCAPING IS ESTABLISHED.
 - 6 CONSTRUCT BIO-DETENTION POND PER DETAIL
 - 7 INSTALL 5'X15' UNGROUTED STONE ENERGY DISSIPATER SLOPE PROTECTION AND SPILLWAY STONE SIZE: 3" - 6" MAX.
 - PROPOSED SHRUB



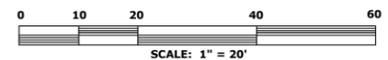
GUTTER FLAIR DETAIL
NOT TO SCALE



PARKING SCHEMATIC
NOT TO SCALE



REDUCED



JAMES K. LANGONE
LAND SURVEYS & CIVIL ENGINEERING

5 Coburn Lane Whitewater, WI. 53190 (262) 473-4119

SCALE 1" = 20'	DRAWN BY JKL
DATE	REVISED
GRADING & DRAINAGE PLAN PROPOSED ASPHALT PARKING LOT 256 N. PRINCE ST., WHITEWATER, WI.	
CLIENT STARIN PRINCE RENTALS LLC	DRAWING NUMBER 13-102

137

Latisha Birkeland

From: Fisher, Mark [Mark.Fisher@strand.com]
Sent: Thursday, August 29, 2013 9:08 PM
To: Latisha Birkeland
Cc: Chuck Nass
Subject: 256 North Prince Street
Attachments: 2013-08-28 15.30.43.jpg; 2013-08-28 15.31.34.jpg

Latisha,

A 19-stall parking lot has been proposed for construction in the rear yard of 256 North Prince Street. The proposed asphalt parking lot and driveway will replace an existing gravel parking lot and driveway of similar size. The City's stormwater management ordinance does not apply since this project will disturb less than an acre of land and the city is not aware of any drainage issues in this area.

Unlike the previous plan, this plan will not concentrate the runoff from the parking lot and direct it across the public sidewalk and into the street. Rather, runoff will pass through a small bio-retention facility and continue onto private property to the north as it currently does.

We have the following comments based on the grading and drainage plan submitted on 8/28/13:

1. An area should be planned for snow storage. With private property and a new retaining wall to the west and a building to the east, not much space remains for snow storage.
2. Additional details for the proposed landscaping (shrubs) should be provided.
3. A stop sign should be provided at the exit to Prince Street.
4. For purposes of stormwater utility charge calculations, the applicant should calculate the total impervious area that will exist on the lot after construction.
5. Silt fence is shown on the site plan for erosion control. A clear stone tracking pad is also recommended.
6. An access aisle is required for the handicap parking stall.
7. A small bump-out is recommended at the north end of the parking lot for maneuvering into and out of stalls 1 and 11.
8. It appears two existing trees along the west property line may be impacted by grading and retaining wall construction.
9. Bollards or other protection is recommended for the gas meter along the south side of the building.
10. The site plan shows the gravel parking lot at 248 North Prince Street being removed. This is inconsistent with a recent submittal for this property and our resulting comments dated 8/22/13.
11. The site plan shows the driveway apron at Prince Street being widened by about 5 feet to the north. This will likely impact one on-street parking stall on Prince Street. We are not sure how this would impact the Prince Street parking agreement between the City and UW-Whitewater. It may be possible to avoid impacts to on-street parking by widening the driveway equally to the north and south (see attached photos). The driveway overlaps an existing property line, so an easement may be appropriate to protect the property owners in the event they are no longer owned by one entity.
12. The applicant submitted stormwater calculations and details for a small bio-retention facility. Since the stormwater ordinance does not apply, we did not complete a detailed review of these items. It should be noted that the applicant's engineer estimated the post-construction runoff rate to be about the same as existing conditions. We recommend that the applicant obtain ground surface elevations downstream of the proposed bio-retention facility to confirm positive drainage. Further, it is recommended that the applicant obtain written confirmation from the property owner to the north that no drainage issues exist.

Please review the above comments and contact me with any questions.

Thanks,

Mark Fisher



WARNING
High Voltage
KEEP OFF
Can shock, burn,
or cause death

WARNING
ELECTRICITY
KEEP OFF

LANE
TRUCKS
ONLY
NO OTHER
VEHICLES

