



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW  
COMMISSION

Agenda

June 9, 2014

City of Whitewater Municipal Building  
312 W. Whitewater St., Whitewater, Wisconsin

6:00 p.m.

1.	Call to order and Roll Call.
2.	<b>Hearing of Citizen Comments.</b> No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item.
3.	Review and approve the Plan Commission minutes of May 12, 2014 .
4.	Review proposed Certified Survey Map to combine lots near the corner of N. Prince Street and W. Florence Street to provide a lot for the approved 24 unit multi-family building to be located at 158 N. Prince Street for D.L.K. Enterprises Inc. (Mike Kachel).
5.	Hold a public hearing for consideration of an amendment to the conditional use permit for WMED, LLC. (Mark Wokasch, Agent) to expand the “Class B” Beer and Liquor License, to serve beer and liquor by the bottle or glass in a proposed outdoor café at 146 W. Main Street, Whitewater, Wisconsin (Fat Jacks).
6.	Hold a public hearing for consideration of a change of the District Zoning Map for the following parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 of the Zoning Ordinance of the City of Whitewater on the following area: 268 S. Prairie Street (Tax ID# /CL 00064) for Russell and Courtney Walker.
7.	Hold a public hearing for consideration of a conditional use permit in an R-2A Overlay Zoning District, to allow for 6 unrelated persons to live in the house located at 268 S. Prairie Street for Russell and Courtney Walker.
8.	Conceptual Review and Discussion of Campus Edge Apartments Planned Community Development for 1014 W. Main Street (Ryan Hughes). It has been determined that the proposed Campus Edge Apartment project presented at the May 2014 Plan Commission meeting will not meet all of the requirements of the new R-3A zoning District. Therefore, the applicant has decided to propose the project as a Planned Community Development, and will present the updated plans to the Plan Commission.
9.	Review possible change in the Plan Commission meeting time.
10.	Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting – July 14, 2014
11.	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 Director, 312 W. Whitewater Street,

Whitewater, WI, 53190 or [jwegner@whitewater-wi.gov](mailto:jwegner@whitewater-wi.gov).

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

CITY OF WHITEWATER  
PLAN AND ARCHITECTURAL REVIEW COMMISSION  
Whitewater Municipal Building Community Room  
May 12, 2014

**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, Kristine Zaballos, Karen Coburn, Dan Comfort, Sherry Stanek (Alternate, arrived at 6:25 p.m.). Absent: Cort Hartmann. Others: Wallace McDonell (City Attorney), Mike Slavney (City Planning Consultant).

**Election of Chairperson, Vice-Chairperson, Plan Commission Representative to the Community Development Authority, Plan Commission Representative to the Urban Forestry Committee and Plan Commission Representative to the Technology Park Architectural Review Committee.** City Planner Mike Slavney opened nominations for Plan Commission Chairperson. Moved by Parker and seconded by Comfort to nominate Greg Meyer for Chairperson. Nominations were closed. Motion approved by unanimous voice vote for Greg Meyer to be Chairperson. City Planner Slavney opened nomination for Vice-Chairperson. Moved by Meyer and seconded by Coburn to nominate Lynn Binnie. Nominations were closed. Motion approved by unanimous voice vote for Lynn Binnie to be Vice-Chairperson. City Planner Slavney opened nominations for Plan Commission Representative to the Community Development Authority (CDA). Moved by Meyer and seconded by Coburn to nominate Bruce Parker. Nominations were closed. Motion approved by unanimous voice vote for Bruce Parker to be the Plan Commission Representative to the CDA. City Planner Slavney opened the nominations for the Plan Commission Representative to the Urban Forestry Commission. Moved by Meyer and seconded by Comfort to nominate Karen Coburn. Nominations were closed. Motion approved by unanimous voice vote for Karen Coburn to be the Plan Commission Representative to the Urban Forestry Commission. City Planner Slavney opened nominations for the Plan Commission Representative to the Technology Park Architectural Review Committee. Coburn asked what the Technology Park Architectural Review Committee does. City Attorney McDonell explained that the committee is a lot like the Plan Commission but specialized to the Technology Park. This committee takes the place of the Plan Commission for the Technology Park properties. Moved by Coburn to nominate Kristine Zaballos. Zaballos declined. Greg Meyer said he would be interested but didn't know if he would be able to meet when they wanted to meet. City Attorney McDonell stated that a lot of Boards usually check with the members of the committee before they set up a meeting. Moved by Coburn and seconded by Zaballos to nominate Greg Meyer for the Plan Commission Representative to the Technology Park Architectural Review Committee. Nominations were closed. Motion approved

by unanimous voice vote for Greg Meyer to be the Plan Commission Representative to the Technology Park Architectural Review Committee.

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

**Approval of the Plan Commission Minutes.** Moved by Zaballos and seconded by Parker to approve the Joint Meeting of City Council and Plan Commission minutes of March 18, 2014 (with the explanation that Zaballos' "no" vote on 19.21.060(e) was due to the fact that the graphic was not available) and the Plan Commission minutes of April 14, 2014. Motion approved by unanimous voice vote.

**Review proposed Certified Survey Map to combine two lots into one lot at 534 W. Walworth Ave. for Land and Water Investments LLC. (Matt Kuehl).** City Planner Slavney stated that the certified survey map was to combine the two lots for the proposed 4 unit apartment building that has been already approved. The City Engineer has reviewed the certified survey map. City Planner Slavney has reviewed it and recommends the Plan Commission approve the certified survey map.

Chairperson Meyer opened the meeting for citizen comments.

Matt Kuehl, the applicant, stated that a stipulation of the approval of their project at 534 W. Walworth Ave. was to have a certified survey done to combine the lots. He would answer any questions the Plan Commission might have.

Moved by Binnie and seconded by Coburn to approve the certified survey map to combine the two lots for the project at 534 W. Walworth Ave. Motion approved by unanimous roll call vote.

**Review proposed building addition and hold a public hearing for consideration of an amendment to the conditional use permit to expand the area for their "Class B" Beer and Liquor License, to serve beer and liquor by the bottle or glass in their proposed addition and future outdoor café at 108 W. Main Street, Whitewater, Wisconsin for Patrick Monaghan.** Chairperson Meyer opened the hearing for review of the proposed building addition and the public hearing for consideration of an amendment to the conditional use permit to expand the area for their "Class B" Beer and Liquor License, to serve beer and liquor by the bottle or glass in their proposed addition and future outdoor café at 108 W. Main Street for Patrick Monaghan.

City Planner Mike Slavney explained that Patrick Monaghan wants to put an addition on the rear of the building (north side). It will be a one story addition that is less in height than the existing building. The sky exposure plane will be met. They are looking at a gable roof with shingles and horizontal siding. Slavney recommended that they use similar siding as the existing building. There is no parking provided or required; no landscaping requirement; no exterior lighting; and less than an acre disturbed. Slavney stated that the City should get details of how the roof will drain.

Patrick Monaghan, representing the Black Thorne Scribe Pub, explained that he had additional drawings that showed a door on the back of the building on the east wall. They plan to replace the wooden siding on the west side of the building. This replacement siding and the addition will have the same type of siding. The pubs in Ireland are white and black, and does not blend in with red and tan colors. The siding will be as close to the stone color as possible. The roof on the addition will be just a plain shingle. They do not want to install a mansard roof on the back where you can't see it.

The Board voiced concerns of: Will the roof and siding of the addition match the rest of the building?; If there is a door on the addition of the building, will there be lighting there?; What about lighting at the front of the building for the outdoor seating?; Will the dumpster still be at the back of the building? The progress has been very slow. It has been 10 months since the conditional use permit was granted. The ownership of the property has not been transferred.

Patrick Monaghan explained that they will be extending the basement of the building under the addition. The whole area will be buried by the City with their East Gate project. The crest of the road (Main Street) will be higher and a swale will be put between the road and the building. The race will be moved to the north with a 4' circular pipe extending from the building to about 15 feet north of the building. The City will fill in over the top and grade away from the building. They are not sure what they will be able to do as far as the outdoor seating. Monaghan stated that they have committed to an October deadline to be open. They do have an accepted offer to purchase the building. They have recently replaced their architect with an engineer and general contractor. Their engineer is Coldspring Design. They do not have plans now, but the plans will be complete within 2 to 3 weeks.

Assistant City Manager Chris McDonnell stated that this project would not be affected by the East Gate project. The East Gate Project has State approval and DNR approval. Strand Engineering is handling the filling of the floodplain area.

Chairperson Meyer opened the hearing for public comments. There were none. Chairperson Meyer closed the public comments.

Plan Commission Member Coburn asked to include in any acceptance of the proposal that the built-on addition blends well with the existing building.

City Planner Slavney stated that he recommended the tile roof and stone walls. When he walked the site, he saw the whole building. The City Planner's role is to give technical appropriate recommendations. Slavney stated that the City has not received a site plan which is required. Patrick Monaghan had turned in a site plan drawn on a survey with the addition on it. There were no drainage details. Slavney stated the Plan Commission has the ability to approve without those things, but before the permit is issued, a site plan must be submitted; and a condition that requires subsequent technical staff certification that all the plans have been submitted (including elevations, materials, etc.).

Plan Commission Member Stanek stated that the clay tile roof should be on the whole building and the construction should be the same as the existing building.

Patrick Monaghan stated that he liked the building, liked the stone, but does not want to put the fake piece all around the back roof. He had plans to eventually replace the tile roof with a black roof (in the long term). Irish pubs are white with black roofs (black slate). They are just trying to get past stage 1 of this project.

Plan Commission Member Comfort suggested installing a metal roof on the addition to match. Moved by Comfort to have the applicant bring information back to the Plan Commission when they are ready. Motion died for lack of a second.

Plan Commission Member Coburn stated that this project needed to move forward. We need to move to coordinate in some way. She would like to see some assurance of blending the existing building with the addition.

City Planner Slavney suggested that the gable roof on the addition be a black metal roof (with a slate type look) would be in reach of the project. He also suggested EFIS, a stucco look instead of siding.

Plan Commission Member Zaballos suggested a modification to Planner recommendation #3 and that the Planner ensures that the conditions are met.

City Planner Slavney suggested that the Plan Commission give the applicant approval to do a slate looking roof on the existing building now so they will not have to come back at a later date.

Moved by Meyer and seconded by Comfort to approve with the City Planner recommendations with 3a, 3b, & 3c. as modified and that the Planner ensures that all the conditions are met.

The conditions are:

1. They need to provide a real Site Plan, showing the outdoor seating area and boundaries of the site as they will be after the current city project in the area.
2. Provide a Drainage Plan which must be approved by the City Engineer.
3. Provide new Building Elevations showing exterior materials that are approved by the City Planner:
  - a. Showing exterior lighting for the addition.
  - b. There seemed to be a consensus that a black metal roof that emulated slate was the best choice for the addition and for the entire building in the future.
  - c. There also seemed to be consensus that something emulating white stucco (EIFS) would be an acceptable alternative to the proposed horizontal siding on the addition, and to the existing diagonal siding on the current building.
4. The Site Plan, Drainage Plan and Building Elevations must be approved by City Staff prior to issuing any permits.
5. Final inspection to confirm installation as approved in said Plans, prior to occupancy of the addition.

Ayes: Meyer, Comfort, Parker, Binnie, Zaballos, Coburn, Stanek (Alternate). No: None.  
Absent: Hartmann. Motion approved.

**Public hearing for consideration of a change of the Zoning Ordinance regulation, to enact proposed amendments to the City of Whitewater Municipal Code Title 19, by: a. Amending Section 19.15.070 concerning lot coverage in the R-1 (one family residence district) to clarify that the maximum impervious surface lot coverage allowed is 30%; b. Amending Section 19.18.070 concerning lot coverage in the R-2 (one and two family residence district) to clarify that the maximum impervious surface lot coverage allowed is 30%; c. Amending Section 19.21.070 concerning lot coverage in the R-3 (multifamily residence district) to provide that the maximum impervious surface lot coverage allowed is 60% unless otherwise approved by the Plan Commission by conditional use.** Chairperson Meyer opened the public hearing.

City Planner Slavney explained that this amendment will help clarify the standard for people using the code. The R-3 with a flat percentage will be helpful with new development. He stated that the other advantage for a straight percentage all encompassing is that it will improve the planning for stormwater management. Slavney stated that he has done many zoning rewrites (30+) for different communities. These numbers are very typical. For impervious surface limits, these are good numbers.

Plan Commission Member Coburn was concerned of the 60% maximum impervious surface lot coverage allowed in an R-3 Zoning District. R-3 is located near other residential areas. She was also concerned with the drainage and the water table.

In addressing Plan Commission Member Coburn's concern to change from the yard requirements recommended by the Plan Commission, Assistant City Manager Chris McDonell stated that the new yard and coverage requirements mesh with the ones Plan Commission recommended to the City Council at the March 18, 2014 Joint meeting. Assistant City Manager McDonell gave examples of three recent developments: 165 N. Tratt Street at 61%; 158 N. Prince St. at 57%; and The Element on N. Prince St. at 46%.

City Attorney McDonell stated that there had been a lot of debate with no final solution. The interest is in establishing certain standards with the hope to make everything mesh – stormwater issues, esthetics, and in general of how lots can be developed. This is a work in progress. This is the City Engineer's recommendation for right now. McDonell explained that whether the percentage is 10 or 60 per cent, the drainage still has to flow in directions that will not affect other properties and must be able to be handled by the stormwater infrastructure.

The Board voiced concerns of the esthetics of having parking lots in the front yards of homes; oversight of not including the R1-X and the R-4 residential districts; the Plan Commission recommendations for yard requirements were not included in the City Council Agenda information.

City Attorney McDonell stated that Councilmember Lynn Binnie raised all the issues of the Plan Commission at their meeting.

Chairperson Meyer closed the public comment.

Moved by Parker and seconded by Meyer to recommend to City Council to enact the proposed amendments to the City of Whitewater Municipal Code Title 19 for Section 19.15.070, Section 19.18.070, and Section 19.21.070 concerning lot coverage and to clarify the maximum impervious surface lot coverage. It was also recommended to add the standards for the R-1X Zoning District (similar restrictions as the R-1 Zoning District) and the R-4 (Mobile Home Park) Zoning District (as all one property at 30%). Ayes: Parker, Meyer, Binnie, Zaballos, Coburn, Comfort, Stanek (Alternate). No: None. Absent: Hartmann. Motion approved.

**Conceptual review of proposed apartment building for 1014 W. Main Street.** Ryan Hughes handed out plans to the Plan Commission members. 1014 W. Main Street is on the corner of W. Main Street and N. Prince Street, formerly known as the Olsen Funeral Home. They were trying to do something with the R-3A Overlay Zoning and wanted to get started in order to be able to start construction as soon as possible. Their goal is to have a quality that pleases everyone and to offer amenities that are not offered anywhere else in the city. With the new student services building and visitor center for the University being moved to Prince Street, the entrance to the University would bring traffic down Prince Street. His proposal would enhance the area.

Isaac Wallace, from Dimension IV, explained that this apartment building would have 22 5-bedroom units. There would be eleven parking spaces on the surface and 56 spaces in the garage. City Ordinance requires 3 per unit or 66 parking spaces. They have 10 percent open area including the balconies and patios. They have 59% total impervious site. The building has many features including fire department accessibility and fire risers in the stairs. There will be 2 or 3 different masonry being used on the building and some fiber cement panels or siding.

Chairperson Meyer opened for public comment.

Bob Freiermuth, who owns property next door, stated that the higher density near campus is exactly what you want. This proposal sets the bar for higher quality development. The university is looking to eventually have 1800 additional students and will need a place for them to live. This development will add well to what is already there.

Chairperson Meyer closed the public comment.

Board Members appreciated that this developer is doing things appropriately and appreciates what they have put in at this point. They requested the developer keep in mind the use of bicycles and storage. They asked that the Main Street view of the building is not underestimated when being drawn up. The residents here are used to the old city character of the existing building. It was requested that the burning bush be replaced with a substitute. It is a great project; it is what we need and where we need it.

Ryan Hughes requested further input from the Plan Commission if they came across something in the process of review of the plans they received at this meeting. He asked if the Plan Commission would object to them coming back requesting a PD (Planned Development).

City Planner Slavney explained that this is a custom zoning district (formerly the City's PCD - Planned Community Development Zoning District) which applies to just the property for which it is approved. These are applied for because the developer is asking for flexibilities in the zoning requirements. Slavney requests that any flexibilities are made explicit in the application. It makes things easier for all.

City Attorney McDonell stated that there would not be a vote by the Plan Commission on this project at this meeting. The Plan Commission has given a lot of input.

**Informational Items:**

**Future agenda items:** There were none at the time of this meeting. City Planner Slavney stated that at the next meeting we may be under the new overlay standards.

**Next regular Plan Commission meeting – June 9, 2014.**

Moved by Comfort and seconded by Binnie to adjourn the meeting. Motion approved by unanimous voice vote. The meeting adjourned at approximately 7:30 p.m.

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Chairperson Greg Meyer

## MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission  
From: Mike Slavney, FAICP, Consulting City Planner  
Date: 3 June 2014  
Re: **Item # 4** Proposed Certified Survey Map to Combine Six Lots at 158 N. Prince Street for D.L.K. Enterprises Inc. to accommodate the recently approved 24-unit multi-family building

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### **Description of the Proposal:**

Recently, the Plan Commission and Common Council reviewed and approved a 24-unit multi-family apartment building at 158 North Prince Street. The approved project is located on a 2 acre site area, which is currently composed of six individual lots. I have attached a map of the area that depicts the current pattern of lots.

This proposed certified survey map (CSM) is needed to combine these six lots into one lot, on which the approved 24-unit apartment building will be located. It is necessary to combine these six lots into a single lot so that side and rear property lines do not create setback requirements throughout the larger site.

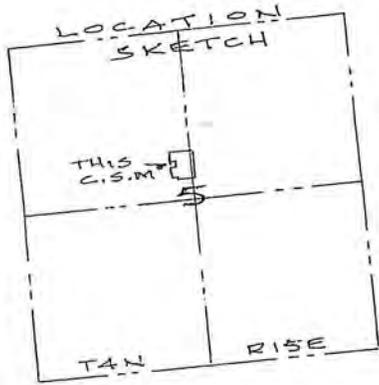
### **PLANNER'S RECOMMENDATIONS:**

The proposed CSM has been reviewed and recommended for approval by City Staff.

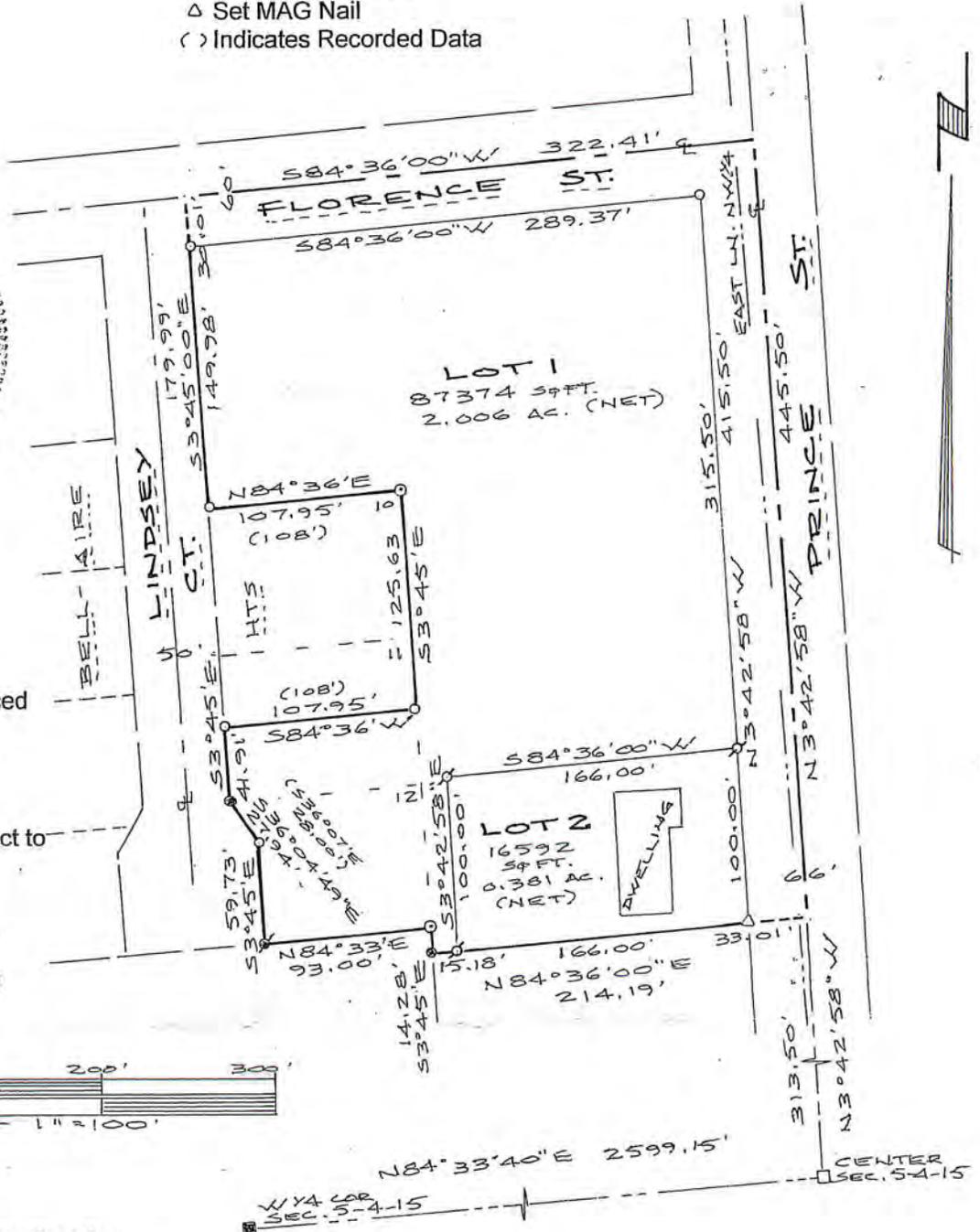
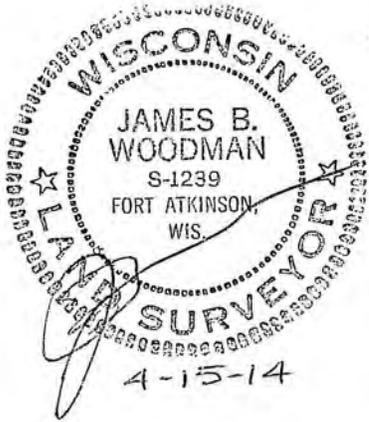
I recommend that the Plan and Architectural Review Commission recommend approval of the proposed CSM.

# CERTIFIED SURVEY MAP

Lot 12 and part of Lot 11, BELL-AIRE HEIGHTS and other lands in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 5, T4N, R15E, City of Whitewater, Walworth County, WI



- LEGEND**
- Corner Location From Ties
  - Sanitary Manhole at Corner
  - Found Concrete Monument with WisDOT Brass Cap
  - Found 6" Diameter Concrete Monument with  $\frac{1}{2}$ " Iron Rod
  - Found  $1\frac{1}{4}$ " Iron Pipe
  - ✕ Found  $1\frac{1}{2}$ " Iron Pipe
  - Set  $1\frac{1}{4}$ "X18" Iron Rod Weighing 4.17#/Ft.
  - ⊗ Set  $\frac{3}{4}$ "X18" Iron Rod Weighing 1.50#/Ft.
  - △ Set MAG Nail
  - ( ) Indicates Recorded Data



**NOTES:**  
Assumed North referenced to the south line of the NW $\frac{1}{4}$  of Section 5-4-15 Bearing N84°33'40"E.

These lots may be subject to any and all easements or agreements either recorded or unrecorded.

All existing structures on Lot 1 to be removed.

OWNER: D.L.K. Enterprises Inc.  
PO Box 239  
Whitewater, WI 53190

Sheet 1 of 3

JN 10-32

**WOODMAN & ASSOCIATES, S.C.**  
210 Madison Avenue, Fort Atkinson, WI 53538

*Professional Land Surveyors*  
Phone (920) 563-8162  
Fax (920) 563-6654

# CERTIFIED SURVEY MAP

Lot 12 and part of Lot 11, BELL- AIRE HEIGHTS and other lands in the SE¼ of the NW¼ and SW¼ of the NE¼ of Section 5, T4N, R15E, City of Whitewater, Walworth County, WI

## SURVEYOR'S CERTIFICATE

I, James B. Woodman, Professional Land Surveyor, hereby certify that in full compliance with Chapter 236.34, Wisconsin Statutes and the subdivision regulations of the City of Whitewater and by the direction of Michael S. Kachel, this land has been surveyed, divided and mapped under my responsible direction and supervision; that such survey correctly represents all exterior boundaries and the division of the land surveyed; and that this land is Lot 12 and part of Lot 11, BELL- AIRE HEIGHTS and other lands in the SE¼ of the NW¼ and SW¼ of the NE¼ of Section 5, T4N, R15E, City of Whitewater, Walworth County, Wisconsin to-wit:

Commencing at the W¼ corner of said Section 5; thence N84°33'40"E, along the south line of said NW ¼ , 2599.15 feet to the Center of said Section 5; thence N3°42'58"W, along the centerline of Prince Street, 313.50 feet to the point of beginning; thence continue N3°42'58"W, along said centerline, 445.50 feet; thence S84°36'00"W, along the centerline of Florence Street, 322.41 feet; thence S3°45'00"E, along the east line of Lindsey Court and its extension, 179.99 feet to the NW corner of Lot 10 said BELL- AIRE HEIGHTS; thence N84°36'00"E, along the north line of said Lot 10, 107.95 feet to the NE corner thereof; thence S3°45'00"E, along the east line of said Lot 10 and east line of said Lot 11, 125.63 feet; thence S84°36'00"W, 107.95 feet to said east line of Lindsey Court; thence S3°45'00"E, along said east line, 41.91 feet; thence S36°04'49"E, along said east line, 27.94 feet; thence S3°45'00"E, along said east line, 59.73 feet to the SW corner of said Lot 12; thence N84°33'00"E, along the south line of said Lot 12, 93.00 feet to the SE corner thereof; thence S3°45'00"E, 14.28 feet; thence N84°36'00"E, 214.19 feet to the point of beginning, containing 2.924 acres and subject to road rights of way across the north 30 feet and east 33 feet.

Date 4-15-14

  
James B. Woodman  
Professional Land Surveyor, S-1239



# CERTIFIED SURVEY MAP

Lot 12 and part of Lot 11, BELL- AIRE HEIGHTS and other lands in the SE¼ of the NW¼ and SW¼ of the NE¼ of Section 5, T4N, R15E, City of Whitewater, Walworth County, WI

## CORPORATE OWNER'S CERTIFICATE

DLK Enterprises, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on the map. It also certifies that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Whitewater

IN WITNESS WHEREOF, DLK Enterprises, Inc., has caused these presents to be signed by Michael S. Kachel, President of the above named corporation at \_\_\_\_\_, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Michael S. Kachel, President

STATE OF WISCONSIN )  
WALWORTH COUNTY ) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, the above named, Michael S. Kachel, President of the above named corporation, to me known to be the person who executed the foregoing instrument and acknowledged the same.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public, Walworth County, WI

## CITY OF WHITEWATER APPROVAL

I certify that this Certified Survey Map, DLK Enterprises, Inc., owner, has been approved by the City of Whitewater.

Date \_\_\_\_\_

\_\_\_\_\_  
Michele Smith, City Clerk

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M. and recorded in Volume \_\_\_\_\_ of Certified Surveys of Walworth County at pages \_\_\_\_\_.

Document No. \_\_\_\_\_

\_\_\_\_\_  
Walworth County Register of Deeds

Certified Survey Map No. \_\_\_\_\_



Sheet 3 of 3

JN 10-32

**WOODMAN & ASSOCIATES, S.C.**  
210 Madison Avenue, Fort Atkinson, WI 53538

*Professional Land Surveyors*

Phone (920) 563-8162  
Fax (920) 563-6654

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 3 June 2014  
 Re: Proposed Conditional Use Permit to Expand the “Class B” Beer and Liquor License, to Serve Beer and Liquor by the Bottle or Glass in a Proposed Outdoor Café at 146 W. Main Street for WMED, LLC (Fat Jacks, Mark Wokasch, Agent)

Summary of Request		
<b>Requested Approvals:</b>	Conditional Use Permit expand the Class B service area to a new enclosed outdoor cafe	
<b>Location:</b>	146 West Main Street	
<b>Current Land Use:</b>	Rear area of Fat Jack’s used for deliveries	
<b>Proposed Land Use:</b>	Enclosed outdoor café with Class B service	
<b>Current Zoning:</b>	B-2 Central Business	
<b>Proposed Zoning:</b>	No change.	
<b>Comprehensive Plan’s Future Land Use:</b>	Central Business	
<b>Surrounding Zoning and Current Land Uses:</b>		
	<b>North:</b>	
	<i>B-2</i> Ketterhagen Motors	
<b>West:</b>	Subject Property	<b>East:</b>
<i>B-2</i> La Tienda San Jose		<i>B-2</i> Aropa
	<b>South:</b>	
	<i>B-2</i> Various merchants	

### **Description of the Proposal:**

This proposal involves converting the rear area of Fat Jack's into a new outdoor café, and providing stair and ramp access to the interior of Fat Jack's from the rear, plus an adjacent private access.

About 320 square feet of area is contained within the privacy fence. The fence contains a 6 foot wide double door entry to the outside. About half of the enclosed area is proposed to be covered, and contains the bar and adjacent floor area.

An additional area to the west of the bar enclosure will provide area for the private walkway access to the rear of the building.

A maximum capacity has not been provided by the applicant, nor have details about hours of operation, amplified music, lighting or stormwater management.

A mix of ground floor businesses and primarily upper storey residential uses are in the vicinity.

### **Density and Intensity**

The B-2 Central Business zoning district allows intensive development. The proposed project complies with all intensity requirements.

All building coverage and lot coverage requirements are also complied with.

### **Lot Requirements**

No changes are proposed to the subject property boundaries. All lot requirements are met.

### **Building Setbacks and Height**

All building setback and height requirements are met.

### **Building Exterior**

Proposed exterior materials and colors for the bar, bar roof and privacy fencing have not been provided. The height of the proposed privacy fence is not given.

### **Vehicle Access, Circulation and Parking**

The B-2 District does not require on-site parking. No details have been provided about where delivery vehicles will park after the development of the privacy enclosure.

### **Landscaping**

Landscaping is not required in the B-2 zoning district. There are no suitable areas on the site for landscaping.

## **Exterior Lighting**

No details have been provided regarding exterior lighting. The Zoning Ordinance provides requirements to minimize lighting spillover.

## **Utilities**

No information has been provided about changes to site utilities. It is unknown if the proposed bar is to be a wet bar, or simply an area that serves in bottles and cans.

## **Stormwater Management**

No information has been provided as to the proposed handling of stormwater from the proposed bar area roof.

## **PLANNER'S RECOMMENDATIONS:**

I recommend the Plan and Architectural Review Commission grant *conditional approval* for the requested Conditional Use Permit for the expanded Class B service area in a new outdoor café, at 146 West Main Street, subject to findings on the following page, and subject to the following conditions of approval:

1. Provide an updated Site Plan with the following changes:
  - a. Depict all dimensions, including the approved height of the privacy fencing. I recommend a height of 8 feet;
  - b. Depict all approved exterior materials and colors. I recommend an opaque board-on-board fence with panels on both sides of the fence supports, in natural wood colors. Other exterior materials should complement the color of the fence;
  - c. Limit all exterior lighting fixtures to not exceed the height of the top of the fence wall – (8 feet) and to not exceed the equivalent lumens of an 100 watt incandescent fixture. Full cutoff fixtures shall be used ;
  - d. Limit all noise to comply with City requirements;
  - e. The revised Site Plan shall be subject to approval by the City Building Administrator, City Engineer and City Planner;
  - f. Establish maximum hours of operation, as approved by the Plan Commission;
  - g. All development shall be consistent with the approved Site Plan, and shall be completed, inspected and approved by appropriate City Staff prior to building occupancy.

## **SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050). See the following page for suggested findings:

**Analysis of Proposed Conditional Use Permit for: 146 West Main Street**

*Conditional Use Permit Review Standards per Section 19.66.050:*

STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Possibly	This project will provide an opaque privacy fence and operations must comply with the City's exterior lighting and noise regulations. Conditional Use Permits can be revoked.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	This is a redevelopment site and all other items are provided for.
3. 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 variance.	Yes	All regulations are complied with.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The Comprehensive Plan recommends the site for downtown mixed use development.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use and density requirements of the B-2 District and the Comprehensive Plan.





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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

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## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 146 W. Main Street, Whitewater, WI

Owner's Name: Mark and Dawn Wokasch

Applicant's Name: Mark Wokasch

Mailing Address: 447 S. Wisconsin St. Whitewater, WI 53190

Phone #: 608-513-1437 Email: markwokasch@fatjacksww.com

Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): behind Fat Jacks (146 W. Main Street), corner of W. Main and First Street

### **Existing and Proposed Uses:**

Current Use of Property: employee and delivery access to backdoor

Zoning District: \_\_\_\_\_

Proposed Use: to serve food and alcohol to customers, an extension from Fat Jack's Bar & Grill

**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.	There aren't any neighboring properties, the closest properties <del>others</del> are aware of our intentions and have not shared any concerns.
B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Drainage and landscaping are two of the main reasons we are trying to approve this proposal. Utilities, access roads, and parking are not interfered with.
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.	The proposed plan will conform to applicable regulations of the district.
D. That the conditional use conforms to the purpose and intent of the city Master Plan.	The proposed plan will conform to the purpose and intent of the city Master Plan.

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

Applicant's Signature: 

Date: 5/12/14

Printed: Mark Wokasch

**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 5-12-14. Received by: J. Wegner Receipt #: 6.011136
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on \_\_\_\_\_.
- 3) Notices of the Public Hearing mailed to property owners on \_\_\_\_\_.
- 4) Plan Commission holds the PUBLIC HEARING on \_\_\_\_\_. 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:**

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\_\_\_\_\_  
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:

Mark Wokasch

Applicant's Mailing Address:

47 S. Wisconsin Street  
Whitewater, WI 53190

Applicant's Phone Number:

608-513-1437

Applicant's Email Address:

Mark.wokasch@fatjacksww.com

Project Information:

Name/Description of Development:

Fat Jack's Back Area

Address of Development Site:

146 W. Main Street, Whitewater

Tax Key Number(s) of Site:

\_\_\_\_\_

Property Owner Information (if different from applicant):

Name of Property Owner:

\_\_\_\_\_

Property Owner's Mailing Address:

\_\_\_\_\_

\_\_\_\_\_

**Section B: Applicant/Property Owner Cost Obligations**

----- To be filled out by the 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

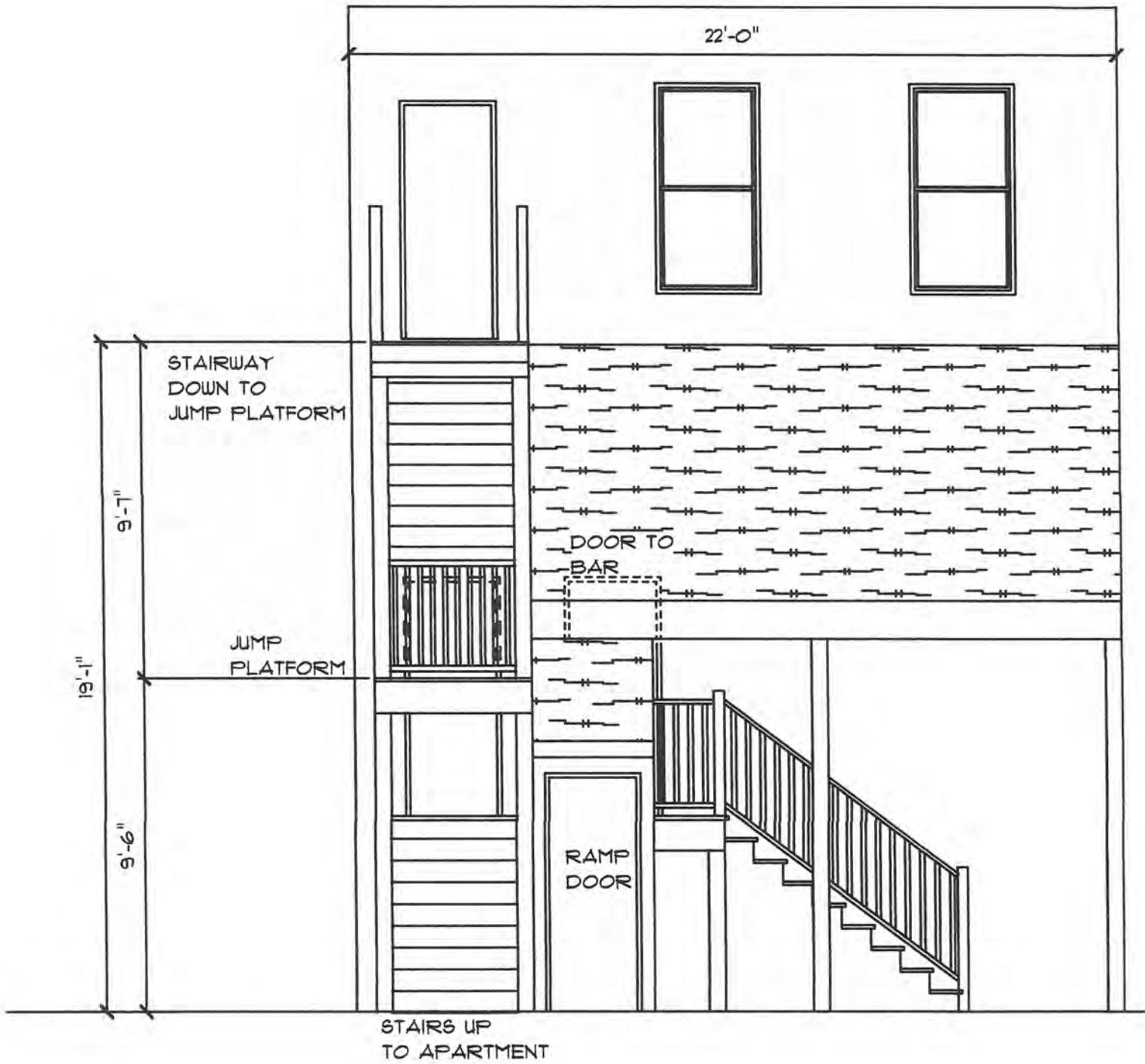
\_\_\_\_\_  
Signature of Property Owner (if different)

MARK WOKASCH  
\_\_\_\_\_  
Printed Name of Applicant/Petitioner

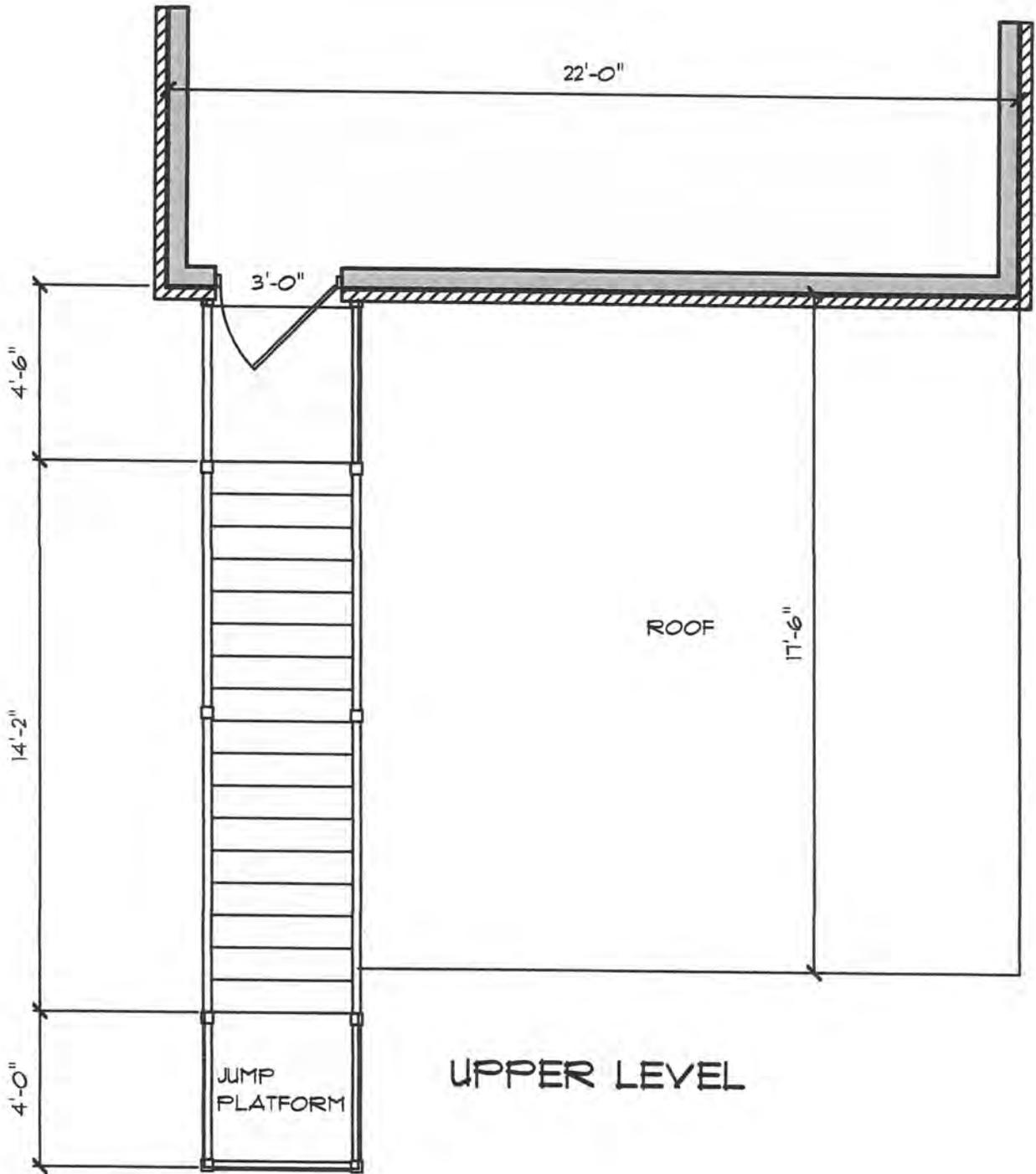
\_\_\_\_\_  
Printed Name of Property Owner (if different)

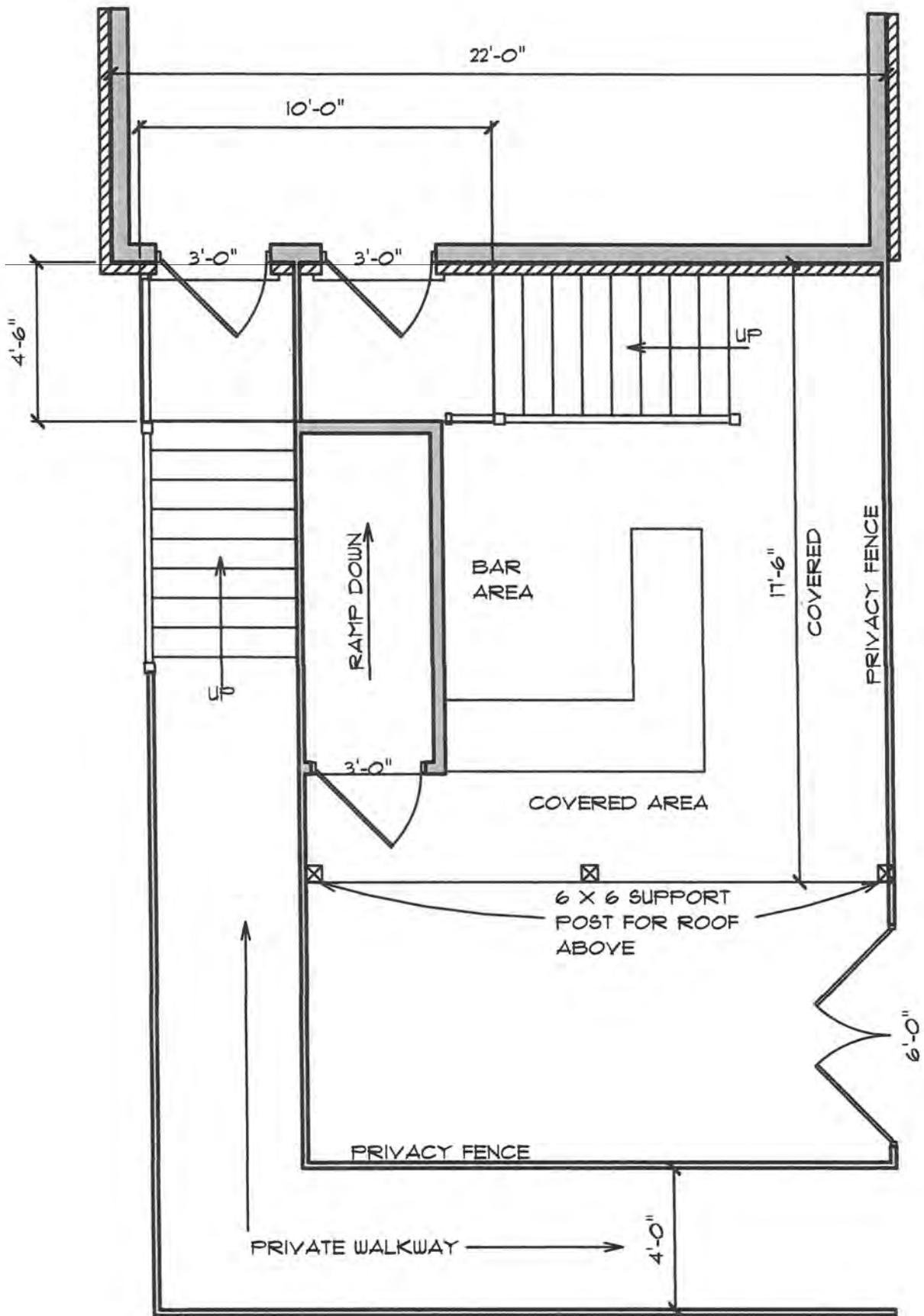
5/12/14  
\_\_\_\_\_  
Date of Signature

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



ELEVATION





GROUND LEVEL

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 3 June 2014  
 Re: **Item # 6** Proposed Zoning Map Amendment to Impose the R-2A Residential Overlay District Zoning Classification per Section 19.19 at 268 S. Prairie Street (Tax ID# /CL 00064) for Russell and Courtney Walker.

Summary of Request		
<b>Requested Approvals:</b>	Zoning Map Amendment to Add the R-2A Overlay District	
<b>Location:</b>	268 South Prairie Street	
<b>Current Land Use:</b>	5 or 6-Bedroom Single Family Detached Dwelling Unit	
<b>Proposed Land Use:</b>	Same, but with up to 6 unrelated individuals (up from 3)	
<b>Current Zoning:</b>	R-2 One and Two Family Residential	
<b>Proposed Zoning:</b>	R-2A Overlay District over the Current R-2 Zoning District	
<b>Comprehensive Plan's Future Land Use:</b>	Central Area Neighborhood	
<b>Surrounding <i>Zoning</i> and Current Land Uses:</b>		
	<b>North:</b>	
	R-2 Two-Family	
<b>West:</b>	Subject Property	<b>East:</b>
R-2 Single-Family		R-2 Two-Family
	<b>South:</b>	
	R-2 Single-Family	

**Description of the Proposal:**

This proposal involves a request to amend the Zoning Map to add the R-2A Residential Overlay zoning district to the existing R-2 zoning district for a home at 268 South Prairie Street.

The R-2A Residential Overlay district is established by Chapter 19.19 of the Zoning Ordinance. Adopting the R-2A Residential Overlay district enables the consideration of a Conditional Use Permit, which if approved, would increase the number of permitted unrelated individuals in a non-family household from three to six. No other requirements of the existing R-2 Residential Zoning District are affected.

Current Zoning: R-2 One & Two Family Residence  
Proposed Zoning: R-2A Overlay District

The Plan Commission holds the public hearing on a Zoning Map Amendment request, and forwards a recommendation to the Common Council.

**PLANNER'S RECOMMENDATIONS:**

The existing dwelling is a large home, with three bedrooms on the second floor, and two bedrooms on the first floor, plus a pocket door dividing the living room from a potential extra bedroom in what was once likely the formal entry parlor.

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Zoning Map Amendment to add the R-2A overlay zoning district to the subject property, subject to the finding presented below.

**SUGGESTED FINDING TO BE MADE BY THE PLAN COMMISSION**

Zoning Map Amendments and other changes to the Zoning Ordinance are addressed by Chapter 19.69.

Subsection 19.69.010 enables the Plan Commission to review and recommend, and the City Council to consider, amendments to zoning district boundaries whenever the public necessity, general welfare or good zoning practice are accomplished.

I note that the subject property is within an area identified as potentially appropriate for the R-2A Overlay Zoning District. The size of the existing dwelling, and the fact that no exterior building modifications (and very minimal interior modification) are being proposed, further indicates the suitability of this building for the proposed R-2A District.

I further note that granting this request for the subject property is consistent with the public necessity and general welfare of the community.

**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 parcel to enact an ordinance to impose the R-2A Residential Overlay District Zoning classification under Chapter 19.19 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>
268 S. Prairie Street	CL 00064	Russell Walker, Courtney Walker

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 Monday, June 9, 2014, 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 5:00 p.m. Monday through Friday.

Michele Smith, City Clerk

Dated: May 13, 2014

Publish: in "Whitewater Register"  
on May 22, 2014, and May 29, 2014

TaxKey	Owner1	Owner2	Address1	City	State	Zip
/A 55600001	KARL N OLSON	JANET E OLSON	651 DARCY LN	WHITEWATER	WI	53190-0000
/A 55600002	D&L TRIEBOLD TRUST		N7618 ENGEL RD	WHITEWATER	WI	53190-0000
/A 91300002	LADWIG & VOS INC		140 LONGMEADOW DR	BURLINGTON	WI	53105-0000
/CL 00050	JEFFREY S PETERSEN TRUST	LAUREL A PETERSEN TRUST	N9211 WOODED COURT	WHITEWATER	WI	53190-0000
/CL 00051	MARK C MAAS	LEXY MAAS	255 S. PRAIRIE ST	WHITEWATER	WI	53190-0000
/CL 00052	SANTOS J BARAJAS		615 HIGH ST	WHITEWATER	WI	53190-0000
/CL 00053	DONNA J HENRY	J PHILIP HENRY	347 S. JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00055	JAMES H MINETTE	BONNIE LAGG MINETTE	254 S. JANESVILLE ST	WHITEWATER	WI	53190-1864
/CL 00056	JEFFREY T ROE	MARC A ROE	7515 STURTEVANT RD	WHITEWATER	WI	53190-0000
/CL 00057	MARC ROE	JEFFREY T ROE	7515 STURTEVANT RD	WHITEWATER	WI	53190-0000
/CL 00058	THOMAS J KLEMENT	KATHRYN S KLEMENT	5315 BLACK WALNUT DR	MCFARLAND	WI	53703-0000
/CL 00059	CAMERY MANAGEMENT LLC		408 PANTHER CT	WHITEWATER	WI	53190-0000
/CL 00060	SOBO PROPERTIES LLC		787 E CLAY ST UNIT 1	WHITEWATER	WI	53190-0000
/CL 00061	ARKI PRAIRIE LLC		W396 S3675 HARDSCRABBLE RD	DOUSMAN	WI	53118-0000
/CL 00062	CHAD W CHAPMAN		505 MEADOWVIEW LANE	JOHNSON CREEK	WI	53038-9485
/CL 00063	HARRIET J STRITZEL TRUST		530 SOUTH JANESVILLE AVE	WHITEWATER	WI	53190-0000
/CL 00063A	LINDGREN TRUST		245 S COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00063B	JESUS GOMEZ	BEATRIZ GOMEZ	249 S. COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00063C	RAUL PEREZ SR		267 S COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00063D	MARTIN SOTO	SARAH SOTO	724 W PECK ST	WHITEWATER	WI	53190-0000
/CL 00064	RUSS D WALKER	COURTNEY L WALKER	268 S PRAIRIE ST	WHITEWATER	WI	53190-0000
/CL 00064A	KEVIN MCKINNON	MARSHA MCKINNON	716 W. PECK ST	WHITEWATER	WI	53190-0000
/CL 00065	JOHN J TINCHER TRUST		N1190 COUNTY RD N	WHITEWATER	WI	53190-0000
/CL 00068	WALTER W GOEGLEIN	MARY J GOEGLEIN	256 S. COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00069A	LAND & WATER INVESTMENTS LLC		503 CENTER ST	LAKE GENEVA	WI	53147-0000
/CL 00070	KEITH LEONARD THAYER	MARCIA LYNN THAYER	274 S. COTTAGE ST	WHITEWATER	WI	53190-0000
/CL 00078	FIVE REDS MANAGEMENT LLC		408 PANTHER CT	WHITEWATER	WI	53190-0000
/CL 00079	RAYMOND STRITZEL TRUST		530 S. JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00080	APRIL K ARDELT	C/O CARL J KIENBAUM	318 S. JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00081	JOSE SOTO RODRIGUEZ		701 W. PECK ST	WHITEWATER	WI	53190-0000
/CL 00082	TITUS J GREENWOOD	CHRISTINA M GREENWOOD	304 S. JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00083	PAUL KRAHN	SANDRA L KRAHN	812 S. JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00084	CARL KIENBAUM TRUST		318 S JANESVILLE	WHITEWATER	WI	53190-0000
/CL 00085	CARL KIENBAUM TRUST		318 S JANESVILLE ST	WHITEWATER	WI	53190-0000

/CL 00086	ASHLEY A VOIGT	AMANDA L LINDNER	330 JANESVILLE ST	WHITEWATER	WI	53190-0000
/CL 00094	JCM PROPERTIES LLC		W9668 HOMBURG LN	WHITEWATER	WI	53190-0000
/CL 00101	MATTHEW MITCHELL		550 W. WHITEWATER ST	WHITEWATER	WI	53190-0000
/CL 00102	KEITH MORGAN	MELANIE A MORGAN	S106 W36653 SADDLE RIDGE DR	EAGLE	WI	53119-0000
/CL 00103	ROGER L BARRETT	SHELLI L BARRETT	277 S JANESVILLE ST	WHITEWATER	WI	53190-0000

**CITY OF WHITEWATER  
PETITION FOR CHANGE OR AMENDMENT OF ZONING**

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

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

**PROCEDURE**

1. File the Petition with the City Clerk. Filed on 5-12-14.
2. Class 2 Notices published in Official Newspaper on 5-22-14 & 5-29-14.
3. Notices of Public Hearing mailed to property owners on 5-27-14.
4. Plan Commission holds PUBLIC HEARING on 6-9-14.  
They will hear comments of the Petitioner and comments of property owners. Comments may be made either in person or in writing.
5. At the conclusion of the Public Hearing, the Plan Commission makes a decision on the recommendation they will make to the City Council.
6. City Council consideration of the Plan Commission's recommendation and final decision on adoption of the ordinance making the change.

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7. The Ordinance is effective upon passage and publication as provided by law.

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

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

City of Whitewater  
Application for Amendment to Zoning District or Ordinance

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

Applicant's Name: John Tincher Phone # 920-723-0354  
Applicant's Address: 532 W Main Whitewater WI 5519.

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

Russ & Courtney Walker

Street address of Property: 268 S Prairie

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

Legal Description

Com Se Cor Lot 7 BLK 4 Chapman & Ludington Add., W 77', N 59. 5', W 25', N 59.5', E To Ne Cor Lot 8, S To Pob. Chapman & Ludingtons Add City Of Whitewater Per Doc. #479463

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

Name of Individual: \_\_\_\_\_ Name of Firm: \_\_\_\_\_

Office Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of Contractor: \_\_\_\_\_

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

**EXISTING AND PROPOSED USES:**

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

R-2

**Proposed Zoning District or Ordinance**

R-2 A

Zoning District in which Property is located: R-2

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

**PLANS TO ACCOMPANY APPLICATION**

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

**PLOT PLAN**

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

**STANDARDS**

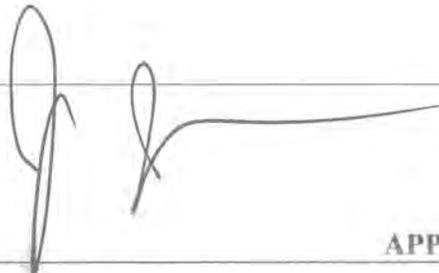
STANDARD	APPLICANT'S EXPLANATION
A. The proposed amendment for future structure, addition, alteration or use will meet the minimum standards of this title for the district being proposed;	yes
B. The Proposed development will be consistent with the adopted city master plan;	yes
C. The proposed development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

STANDARD	APPLICANT'S EXPLANATION
E. The proposed development will not create traffic circulation or parking problems;	It will not
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;	yes they are
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;	This is not a landmark
H. The proposed structure, addition or alteration will not substantially reduce the availability of sunlight or solar access on adjoining properties.	It will not There will not be any changes to the exterior of the home only doors installed on bedrooms for 6 tenants

**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).

[Empty box for conditions]



Applicant's Signature

Date 5-12-14

**APPLICATION FEES:**

*Fee for Amendment to Zoning or Ordinance: \$200*

Date Application Fee Received by City 5-12-14

Receipt No. 6.01137

Received by J. Wegner

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

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

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

**ACTION TAKEN:**

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

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

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

Signature of Plan Commission Chairman

Date

# Cost Recovery Certificate and Agreement

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

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

## Section A: Background Information

To be filled out by the Applicant/Property Owner

Applicant's Information:

Name of Applicant:

John Tincher

Applicant's Mailing Address:

532 W Main

Whitewater WI 53190

Applicant's Phone Number:

920-723-0354

Applicant's Email Address:

John.Tincher@TincherRealty.com

Project Information:

Name/Description of Development:

Address of Development Site:

268 S Prairie St

Tax Key Number(s) of Site:

/ CL 00064

Property Owner Information (if different from applicant):

Name of Property Owner:

Russ & Courtney Walker

Property Owner's Mailing Address:

268 S Prairie St

Whitewater WI 53190

**Section B: Applicant/Property Owner Cost Obligations**

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

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

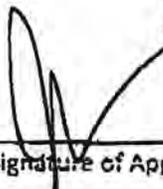
- A. Application Fee.....\$ \_\_\_\_\_
- B. Expected Planning Consultant Review Cost.....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B).....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_
- E. Project Likely to Incur Additional Engineering or Other Consultant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

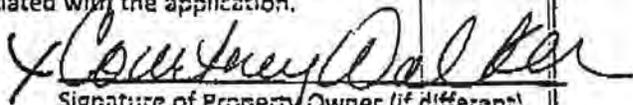
The balance of the applicant's costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at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

**Section C: Agreement Execution**

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

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

  
 \_\_\_\_\_  
 Signature of Applicant/Petitioner  
 Jon Tincher  
 \_\_\_\_\_  
 Printed Name of Applicant/Petitioner  
 5-12-14  
 \_\_\_\_\_  
 Date of Signature

  
 \_\_\_\_\_  
 Signature of Property Owner (if different)  
 Courtney Walker  
 \_\_\_\_\_  
 Printed Name of Property Owner (if different)  
 5-12-14  
 \_\_\_\_\_  
 Date of Signature

## M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission  
 From: Mike Slavney, FAICP, Consulting City Planner  
 Date: 3 June 2014  
 Re: **Item # 7** Proposed Conditional Use Permit to Enable Up to Six Unrelated Persons in a Residence at 268 S. Prairie Street (Tax ID# /CL 00064) for (per Section 19.19) Russell and Courtney Walker.

Summary of Request		
<b>Requested Approvals:</b>	Conditional Use to Enable Up to Six Unrelated Residents	
<b>Location:</b>	268 South Prairie Street	
<b>Current Land Use:</b>	5 or 6-Bedroom Single Family Detached Dwelling Unit	
<b>Proposed Land Use:</b>	Same, but with up to 6 unrelated individuals (up from 3)	
<b>Current Zoning:</b>	R-2 One and Two Family Residential	
<b>Proposed Zoning:</b>	R-2A Overlay District over the Current R-2 Zoning District	
<b>Comprehensive Plan's Future Land Use:</b>	Central Area Neighborhood	
<b>Surrounding Zoning and Current Land Uses:</b>		
	<b>North:</b>	
	R-2 Two-Family	
<b>West:</b>	Subject Property	<b>East:</b>
R-2 Single-Family		R-2 Two-Family
	<b>South:</b>	
	R-2 Single-Family	

**Description of the Proposal:**

This proposal involves a request to approve a Conditional Use Permit to increase the number of permitted unrelated individuals in a non-family household from three to six. No other requirements of the existing R-2 Residential Zoning District are affected.

The existing dwelling is a large home, with three bedrooms on the second floor, and two bedrooms on the first floor, plus a pocket door dividing the living room from a potential extra bedroom in what was once likely the formal entry parlor. The proposed modifications under the Conditional Use Permit would be minimal:

First Floor: Close of the pocket door. Add a closet to two bedrooms.

Other Floors: No changes.

Site Work: No changes.

The provided drawings indicate that a concrete pad area is available to park 6 vehicles. Two of these parking spaces are tandem – being located behind the other four. This will create complications if the 6 tenants have more than 4 passenger vehicles.

The Plan Commission holds the public hearing on a Conditional Use Permit, and makes the final determination of approval, approval with conditions, or denial.

**PLANNER’S RECOMMENDATIONS:**

I recommend that the Plan and Architectural Review Commission recommend approval of the proposed Conditional Use Permit to Enable Up to Six Unrelated Persons in a Residence at 268 S. Prairie Street; subject to the recommendations and findings presented below:

**Suggested Conditions of Approval:**

1. Provide for six on-site parking spaces in a paved parking lot in which no parking space is “parked in” by another vehicle. Said parking lot should take access via a standard paved residential driveway in a location from the corner that is acceptable to the Director of Public Works;
2. Bring the exterior of all buildings on the site into full conformance with the Building Code and the City’s Property Maintenance Code; and,
3. Any other conditions identified by City Staff or the Plan Commission.

**Suggested Findings** are presented on the following page.

**SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION**

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050).

<b>Analysis of Proposed Conditional Use Permit for: 268 South Prairie Street</b>		
<i>Conditional Use Permit Review Standards per Section 19.66.050:</i>		
STANDARD	EVALUATION	COMMENTS
1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property.	Yes	This project will involve no exterior building modifications and maintains the number of bedrooms currently in the dwelling.
2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided.	Yes	All utilities are adequate. The required formal parking lot will address traffic concerns.
3. 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 variance.	Yes	No exemptions or variances are being requested.
4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan.	Yes	The proposal does not change the single-family use of the property.
5. The conditional use and structures are consistent with sound planning and zoning principles.	Yes	The project is consistent with the use and density requirements of the R-2A District and the Comprehensive Plan.



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

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

NOTICE OF PUBLIC HEARING

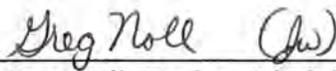
TO ALL INTERESTED PARTIES:

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 June 2014 at 6:00 p.m. to hold a public hearing for a Conditional Use Permit, in an R-2A Overlay Zoning District, to allow for 6 unrelated persons to live in the house located at 268 S. Prairie Street for Russ and Courtney Walker.

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

  
 \_\_\_\_\_  
 Greg Noll, Zoning Administrator



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

[www.whitewater-wi.gov](http://www.whitewater-wi.gov)  
(262) 473-0143

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## CONDITIONAL USE PERMIT APPLICATION

Address of Property: 268 Sparie

Owner's Name: Russ & Courtney Walker

Applicant's Name: John Tinch

Mailing Address: 532 W Main WU

Phone #: 262-473 4175 Email: John.Tinch@TinchRealty.com

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

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### Existing and Proposed Uses:

Current Use of Property:

Zoning District: R-2

Proposed Use: R-2A

**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.	It will Not
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 - There <sup>will</sup> <del>will</del> Not Be Any changes to The Exterior of This Home only Interior Bed Room Doors For 6 Tenants

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

Applicant's Signature:

Date:

Printed:

**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 5-12-14. Received by: Dwegner Receipt #: 6.011137
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 5-29-14.
- 3) Notices of the Public Hearing mailed to property owners on 5-27-14.
- 4) Plan Commission holds the PUBLIC HEARING on 6-9-14. 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:**

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\_\_\_\_\_  
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 -----

Applicant's Information:

Name of Applicant:

John Tincher

Applicant's Mailing Address:

532 W Main

Whitewater WI 53190

Applicant's Phone Number:

920-723-0354

Applicant's Email Address:

John.Tincher@TincherRealty.com

Project Information:

Name/Description of Development:

Address of Development Site:

268 S Prairie St

Tax Key Number(s) of Site:

/ CL 00064

Property Owner Information (if different from applicant):

Name of Property Owner:

Russ & Courtney Walker

Property Owner's Mailing Address:

268 S Prairie St

Whitewater WI 53190

### Section B: Applicant/Property Owner Cost Obligations

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

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

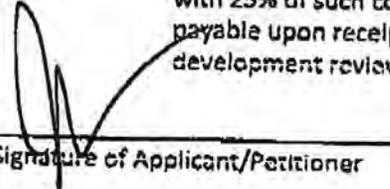
- A. Application Fee.....\$ \_\_\_\_\_
- B. Expected Planning Consultant Review Cost .....\$ \_\_\_\_\_
- C. Total Cost Expected of Applicant (A+B) .....\$ \_\_\_\_\_
- D. 25% of Total Cost, Due at Time of Application.....\$ \_\_\_\_\_
- E. Project Likely to Incur Additional Engineering or Other Consultant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

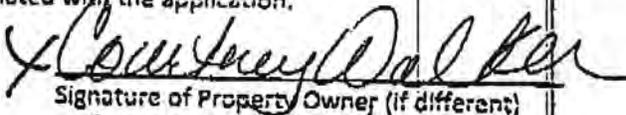
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### Section C: Agreement Execution

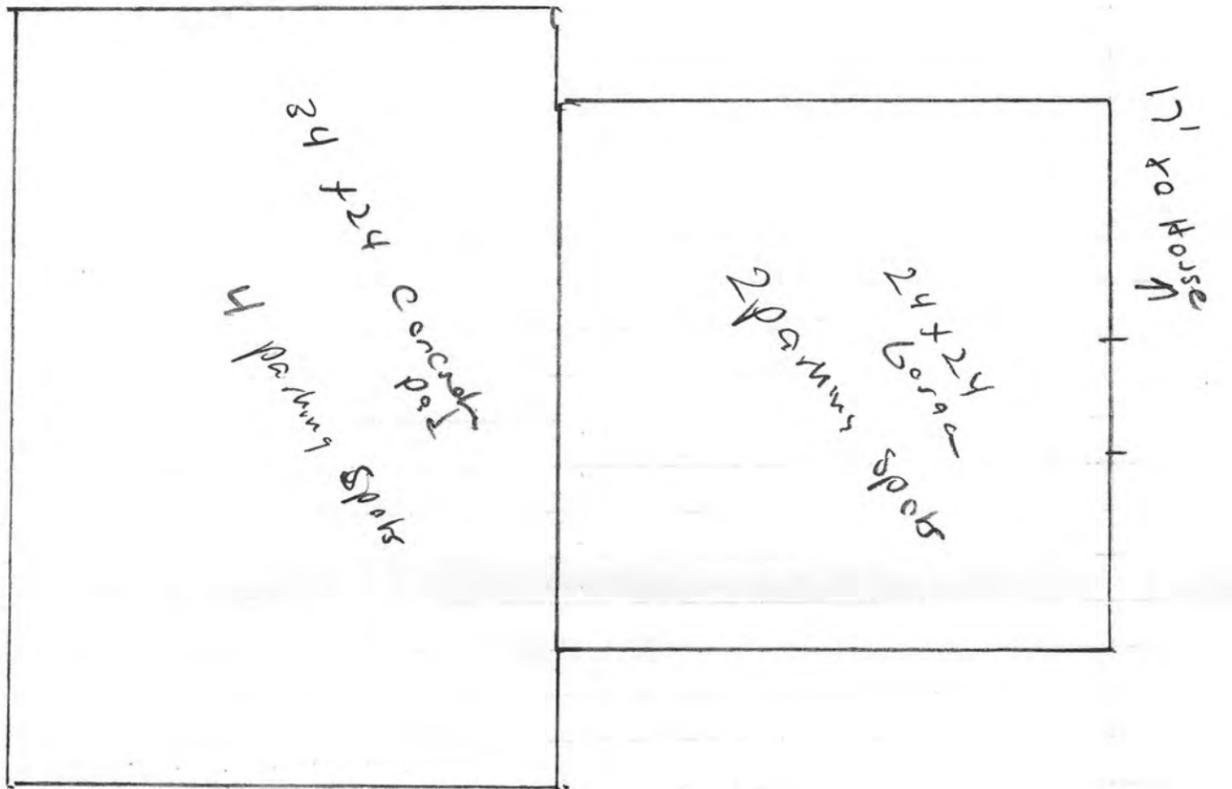
To be filled out by the Applicant and Property Owner

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  
 Jon Tincher  
 Printed Name of Applicant/Petitioner  
 5-12-14  
 Date of Signature

  
 Signature of Property Owner (if different)  
 Courtney Walker  
 Printed Name of Property Owner (if different)  
 5-12-14  
 Date of Signature

South

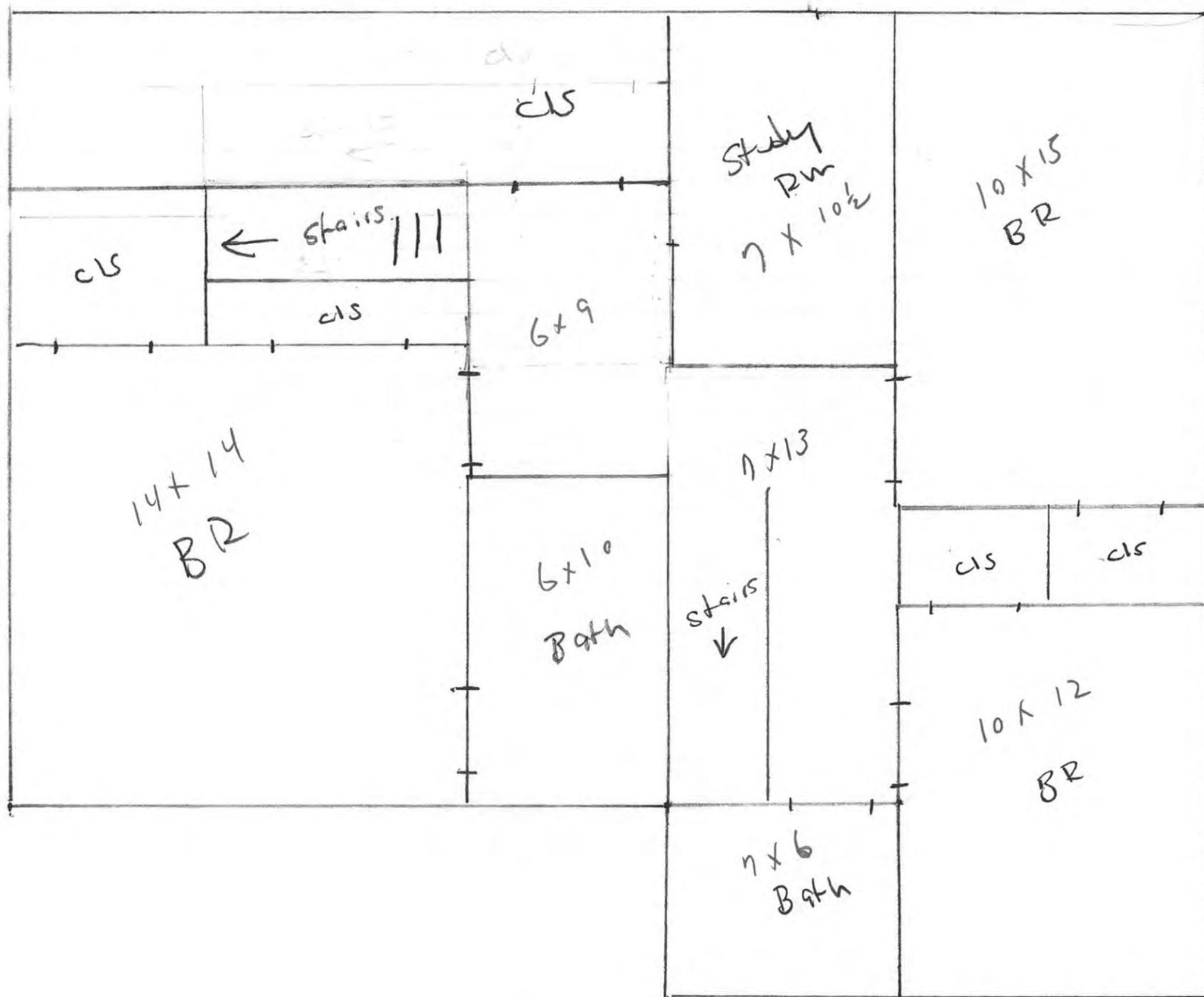


House to  
S. Lehigh  
124'



2<sup>nd</sup> Flr

No changes  
on  
2<sup>nd</sup> Flr



W



30' to hot bike



24x16

Deck

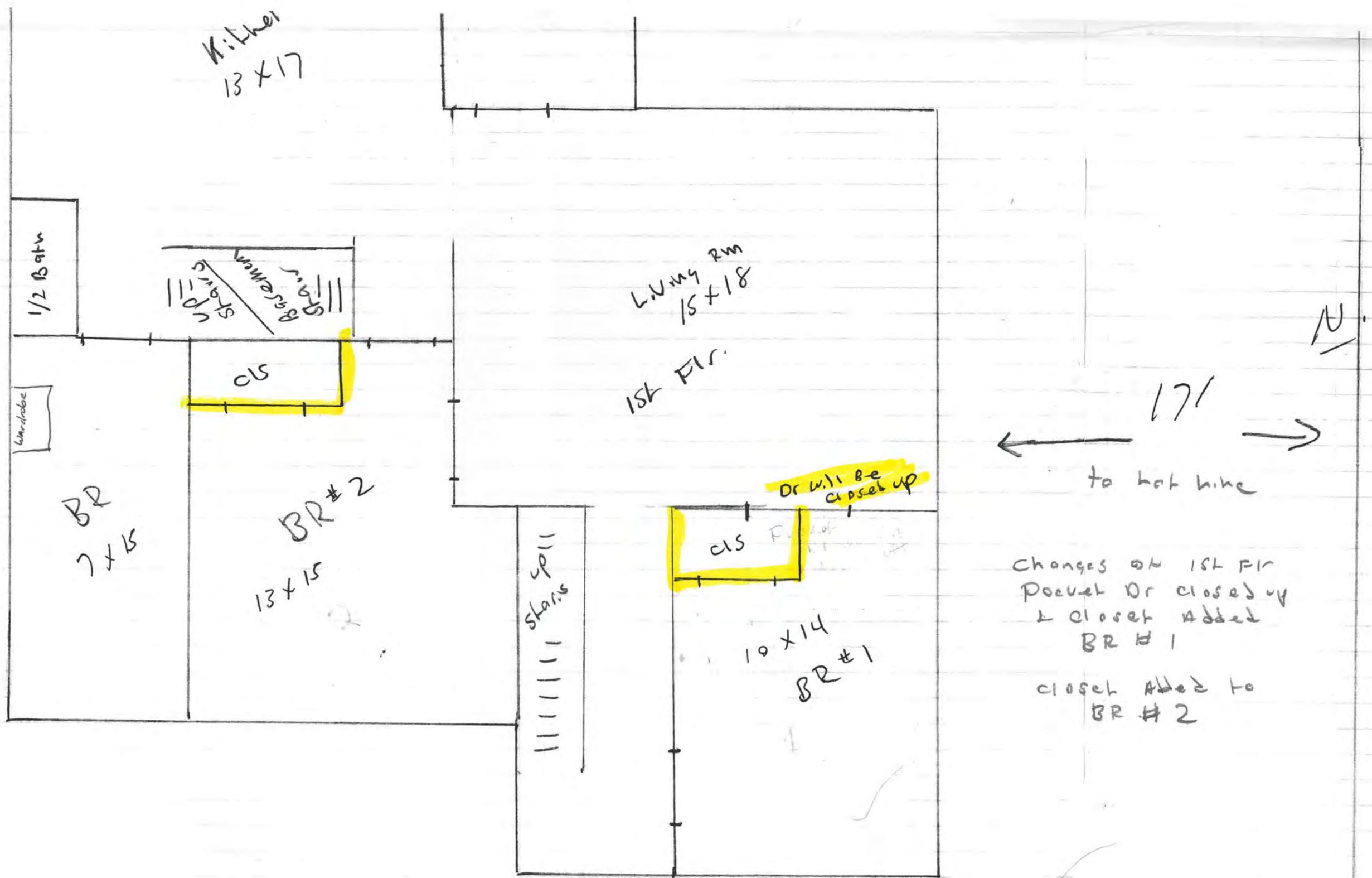
4x17

Porch

7 1/2 x 12

Kitchen

13 x 17

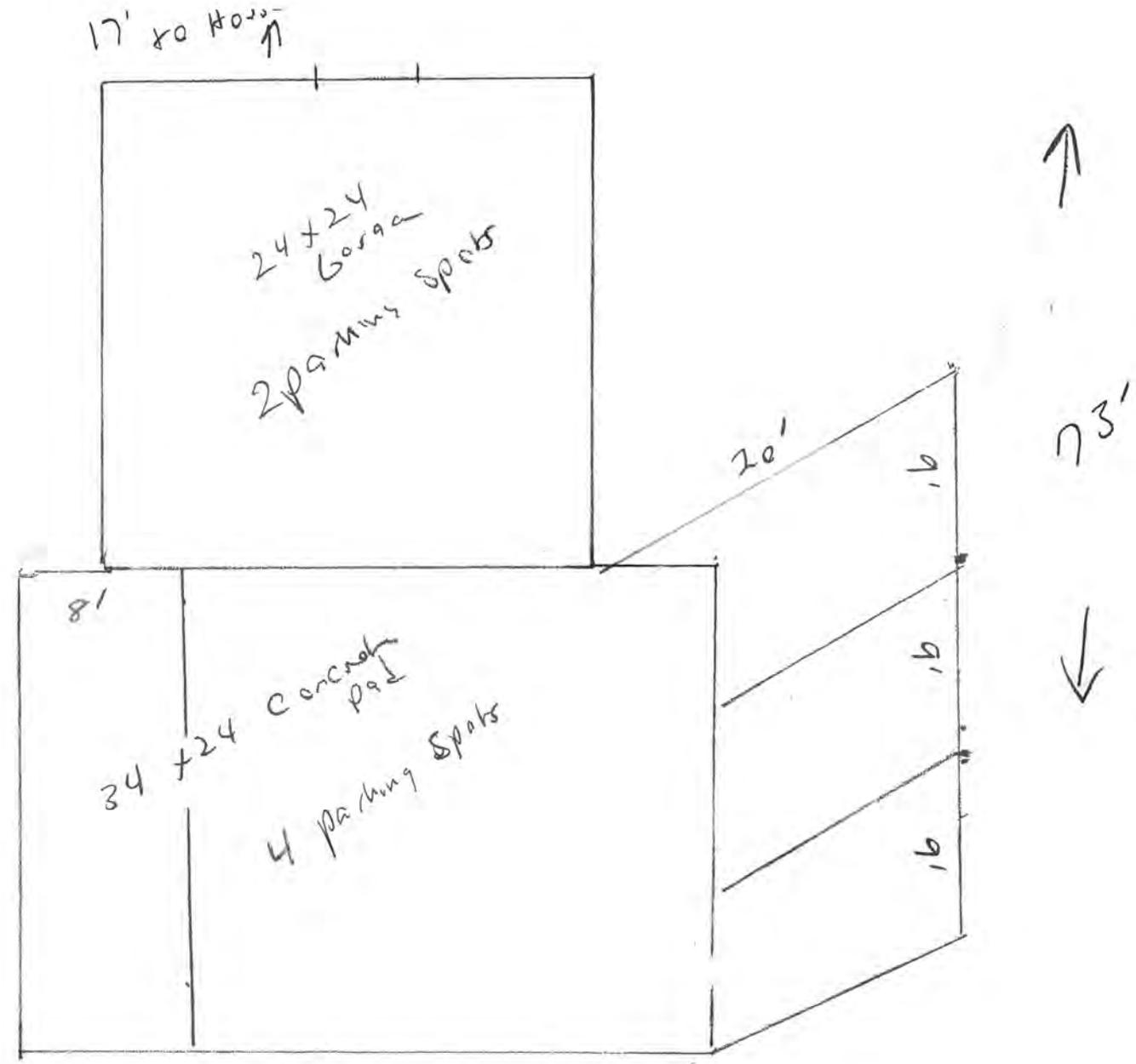


S  
 ← 73' →  
 to hot line

N  
 ← 17' →  
 to hot line

Front  
 E  
 ↑  
 28 1/2' to hot line  
 ↓

Changes on 1st Flr  
 Pocket Dr closed up  
 & closet added  
 BR #1  
 closet added to  
 BR #2





# VANDEWALLE & ASSOCIATES INC.

To: City of Whitewater Plan Commission  
From: Michael A. Slavney, FAICP, Consulting City Planner  
Date: 3 June 2014  
Re: **Item # 8** on June Plan Commission Agenda: Conceptual Review and Discussion of Proposed Planned Community Development (PCD) for the Campus Edge Apartments, at 1014 W. Main Street for Ryan Hughes

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At the May Plan Commission meeting, a concept plan for a new student apartment building at 1014 West Main Street was presented. This is the site of the former funeral home at the northwest corner of Main and Prince. The subject property is currently zoned R-3 Multifamily Residential.

At that time, the applicant was intending to apply for a Conditional Use Permit under the requirements of the proposed R-3A Residential Overlay District. However, subsequent to the Plan Commission meeting, it was discovered that not all of the proposed R-3A requirements were likely to be met. As a result, the applicant is now proposing the project under the Planned Community Development (PCD) process.

The proposed concept plan remains for a four-story building containing 22 five-bedroom units. The building will employ under-the-building parking at the basement level, plus a small surface parking lot. The building will likely have an urban character, with a strong street presence on this corner lot. The exterior is conceptually comprised primarily of masonry. A small balcony for each unit is proposed. Each 5 bedroom unit will have two bathrooms.

The applicant has provided a newly revised set of project drawings dated May 23, 2014; and a table indicating the changes to the plans that respond to the Plan Commission's comments during its May meeting. Please review these.

The applicant has indicated they wish to submit both the General Development Plan and the Specific Implementation Plan for final Plan Commission review and recommendation at the July 14<sup>th</sup> meeting. I am comfortable with this combined approach, because the applicant already has almost all of the required submittal details required for both GDP and SIP review and action.



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

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

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NOTICE OF CONCEPTUAL REVIEW

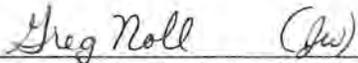
TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Whitewater Municipal Building, Community Room, located at 312 W. Whitewater Street on the 9th day of June, 2014 at 6:00 p.m. for a conceptual review and discussion of Campus Edge Apartments Planned Community Development (Ryan Hughes) at 1014 West Main Street. It has been determined that the proposed Campus Edge Apartment project presented at the May 2014 Plan Commission meeting will not meet all of the requirements of the new R-3A zoning district. Therefore, the applicant has decided to propose the project as a Planned Community Development, and will present the updated plans to the Plan Commission.

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

  
\_\_\_\_\_  
Greg Noll, Zoning Administrator

TaxKey	Owner1	Owner2	Address1	Address2	City	State	Zip
/A 43800001	WALGREEN CO		PO BOX 1159		DEERFIELD	IL	60015-0000
/BA 00001	RUSSELL R WALTON		1005 W MAIN ST	SUITE C	WHITEWATER	WI	53190-0000
/BA 00003A	RUSSELL R WALTON <i>CR</i>	KIMBERLY A WALTON	211 S. PRINCE ST		WHITEWATER	WI	53190-0000
/BA 00003B	WEST MAIN STREET RENTALS LLC		W9597 BREIDSAN HILL DR		WHITEWATER	WI	53190-0000
/BA 00004	<del>WEST MAIN STREET RENTALS LLC</del>		W9597 BREIDSAN HILL DR		WHITEWATER	WI	53190-0000
/BH 00003	DLK ENTERPRISES INC		PO BOX 239		WHITEWATER	WI	53190-0000
/BH 00004	SUSAN J SAASKI		135 N. TRATT ST		WHITEWATER	WI	53190-0000
/BH 00005	CHASE J KINCAID		W377 S2283 KINCAID LN		DOUSMAN	WI	53118-0000
/BH 00006	CHARLES A NORTH	URSULA M NORTH	142 N. LINDSEY CT		WHITEWATER	WI	53190-0000
/BH 00007	CHASE J KINCAID		W377 S2283 KINCAID LN		DOUSMAN	WI	53118-0000
/BH 00008	GARY KINCAID	KATHLEEN KINCAID	W1581 ISLAND RD		PALMYRA	WI	53156-0000
/BH 00010	GARY KINCAID	KATHLEEN KINCAID	W1581 ISLAND RD		PALMYRA	WI	53156-0000
/BH 00012	DLK ENTERPRISES INC		144 N TRATT ST	PO BOX 239	WHITEWATER	WI	53190-0000
/CON 00009	DLK FARM SERVICE INC		513 W. CENTER ST	PO BOX 239	WHITEWATER	WI	53190-0000
/CON 00009A	<del>DLK FARM SERVICE INC</del>		513 W CENTER ST	PO BOX 239	WHITEWATER	WI	53190-0000
/CON 00009D	DLK ENTERPRISES INC		P. O. BOX 239		WHITEWATER	WI	53190-0000
/WUP 00141	BOARD OF REGENTS OF STATE UNIVERSITIES		<i>800 W. Main St</i>		WHITEWATER	WI	53190-0000
/WUP 00142	<del>BOARD OF REGENTS OF STATE UNIVERSITIES</del>				WHITEWATER	WI	53190-0000
/WUP 00143	<del>BOARD OF REGENTS OF STATE COLLEGES</del>				WHITEWATER	WI	53190-0000
/WUP 00144	BOARD OF REGENTS UNIVERSITY OF WISCONSIN		1930 MONROE ST	PO BOX 8010	MADISON	WI	53708-0000
/WUP 00145	<del>BOARD OF REGENTS STATE COLLEGES</del>				WHITEWATER	WI	53190-0000
/WUP 00146	<del>BOARD OF REGENTS STATE UNIVERSITIES</del>				WHITEWATER	WI	53190-0000
/WUP 00146A	<del>BOARD OF REGENTS STATE UNIVERSITIES</del>				WHITEWATER	WI	53190-0000
/WUP 00147	<del>BOARD OF REGENTS STATE UNIVERSITIES</del>				WHITEWATER	WI	53190-0000
/WUP 00148	<del>BOARD OF REGENTS STATE UNIVERSITIES</del>				WHITEWATER	WI	53190-0000
/WUP 00167	FIRST CITIZENS STATE BANK OF WHITEWATER		207 W. MAIN ST		WHITEWATER	WI	53190-0000
/WUP 00169	<del>DLK ENTERPRISES INC</del>		PO BOX 239		WHITEWATER	WI	53190-0000
/WUP 00170	CERANSKE PROPERTY MANAGEMENT		N9503 WOODWARD RD		WHITEWATER	WI	53190-0000
/WUP 00171	<del>WEST MAIN STREET RENTALS LLC</del>		W9597 BREIDSAN HILL DR		WHITEWATER	WI	53190-0000
/WUP 00172	<del>DLK FARM SERVICE INC</del>		141 W. WHITEWATER ST.	PO BOX 239	WHITEWATER	WI	53190-0000
/WUP 00172A	DLK FARM SERVICE INC		PO BOX 239		WHITEWATER	WI	53190-0000
/WUP 00172B	<del>DLK ENTERPRISES INC</del>		PO BOX 239		WHITEWATER	WI	53190-0000
/WUP 00172D	<del>DLK ENTERPRISES INC</del>		141 W. WHITEWATER ST.	PO BOX 239	WHITEWATER	WI	53190-0000
/WUP 00172E	CHASE J KINCAID		W1322 S SHORE DR		PALMYRA	WI	53156-0000
/WUP 00173	CAMPUS EDGE APARTMENTS LLC		8820 HOLLY BUSH LN		VERONA	WI	53593-8466
/WUP 00173A	<del>CAMPUS EDGE APARTMENTS LLC</del>		8820 HOLLY BUSH LN		VERONA	WI	53593-8466
/WUP 00174	STARIN PRINCE RENTALS LLC		W9597 BREIDSAN HILLS DR		WHITEWATER	WI	53190-0000
/WUP 00175	DLK ENTERPRISES INC		PO BOX 239		WHITEWATER	WI	53190-0000
/WUP 00175A	DLK ENTERPRISES INC		PO BOX 239		WHITEWATER	WI	53190-0239

/WUP 00176	DLK ENTERPRISES INC	PO BOX 239	WHITEWATER	WI	53190-0000
/WUP 00177	DLK ENTERPRISES INC	PO BOX 239	WHITEWATER	WI	53190-0000
/WUP 00187	PRINCE STREET RENTALS LLC	W9597 BREIDSAN HILLS DR	WHITEWATER	WI	53190-0000

Campus Edge Apartments, LLC  
 1014 W. Main Street, Whitewater, WI  
 Ryan Hughes  
 (608) 279-9969  
 warhawkcountry@gmail.com

**Concept Review Questions/Comments and Response from the 5/6/2014 Plan Commission Meeting**

Question / Comment	Applicant Response
Roof line along Main Street	Parapets around the building step up and down to emphasize sections of the building, breaking up the overall mass. Please see elevations for additional detail.
Break-up Main Street façade	The Main Street façade is broken into three sections by the recessed balconies. The building materials emphasize the separate elements.
Operable Windows	The lower pane of the window will be operable.
Skyline of shadow	Building height will not exceed the maximum 45 ft. building height as outlined in R-3
Storm water	A Bioretention Basin will be located in the set-back area on the west side of the property. In addition, clean roof water will be fed directly into the storm sewer which will avoid collecting any contaminants. The amount of asphalt / exposed parking surface has also been greatly reduced from existing site.
Garbage enclosure	This is located in the north west corner of the lot adjacent to the entrance of the parking garage.
Removal of the Burning Bush	The burning bush has been replaced with a black chokeberry, which is a native plant to Wisconsin.
Interior and exterior bicycle parking	An exterior bike rack has been added to the south end of the parking lot and an interior rack was added adjacent to the stairs in the parking garage.
Main Street façade rendering	The revised packet includes a rendering of each façade.
Code limit to three stories	The R-3 and R-3A zoning have a height limit of 45 feet to the roof deck. The proposed building will conform to this limit.
Revise lighting plan to include LED	Post meeting, Staff requested the exterior lighting plan be adjusted to include LED. A revision is in process and will be delivered at the meeting on June 9

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**Proposed Planned Development District zoning in relation to R-3A zoning**

Current Zoning: R-3 Multifamily Residential

Proposed: Planned Development to follow R-3A Overlay zoning with the exception of 19.22.040 Lot Area

Lot Area of the subject property is 32,306 square feet and requested density is 22 five-bedroom units for a total of 110 bedrooms with a limit of five tenants per unit.

Justification of the overall request is based on the overall merit of the proposed redevelopment. A few of the distinct features include the varied use of masonry façade material, higher quality windows, private unit balconies with aluminum railings to break up the façade, the varied roof line and cornice, 56 underground parking spaces and common area veranda. Interior amenities include private washer & dryer, two full sized refrigerators per unit, garbage disposal and dishwasher. In addition, on the safety side, the property will include common area surveillance cameras to cut down on vandalism, secured entry and fulltime onsite owner management.

The proposed project fits all other R-3A zoning standards as outlined below:

- Minimum lot width
- Minimum yard requirement set-backs
- Minimum lot coverage or open space requirements
- Maximum building height
- Minimum parking

## CAMPUS EDGE APARTMENTS

1010 W Main St.  
Whitewater, WI



IMAGE IS REPRESENTATIVE ONLY - SEE DOCUMENTS FOR ALL BUILDING INFORMATION

PROJECT PERSPECTIVE

**Architecture :**

**Dimension IV - Madison Design Group**  
6515 Grand Teton Plaza, Suite 120, Madison, WI 53719  
p: 608.829.4444 www.dimensionivmadison.com

**General Contractor:**

**McGann Construction**  
3622 Lexington Ave. Madison WI 53538  
p: 608.241.5585 www.mcgannconstruction

**Civil Engineering:**

**Quam Engineering**  
4604 Siggelkow Road, Suite A McFarland, WI 53558  
p: 608.838.7750 www.quamengineering.com

**Structural Engineering:**

**Cold Spring Design**  
222 S Main St. Fort Atkinson WI 53538  
p: 920.568.9530 www.coldspringdesign.net

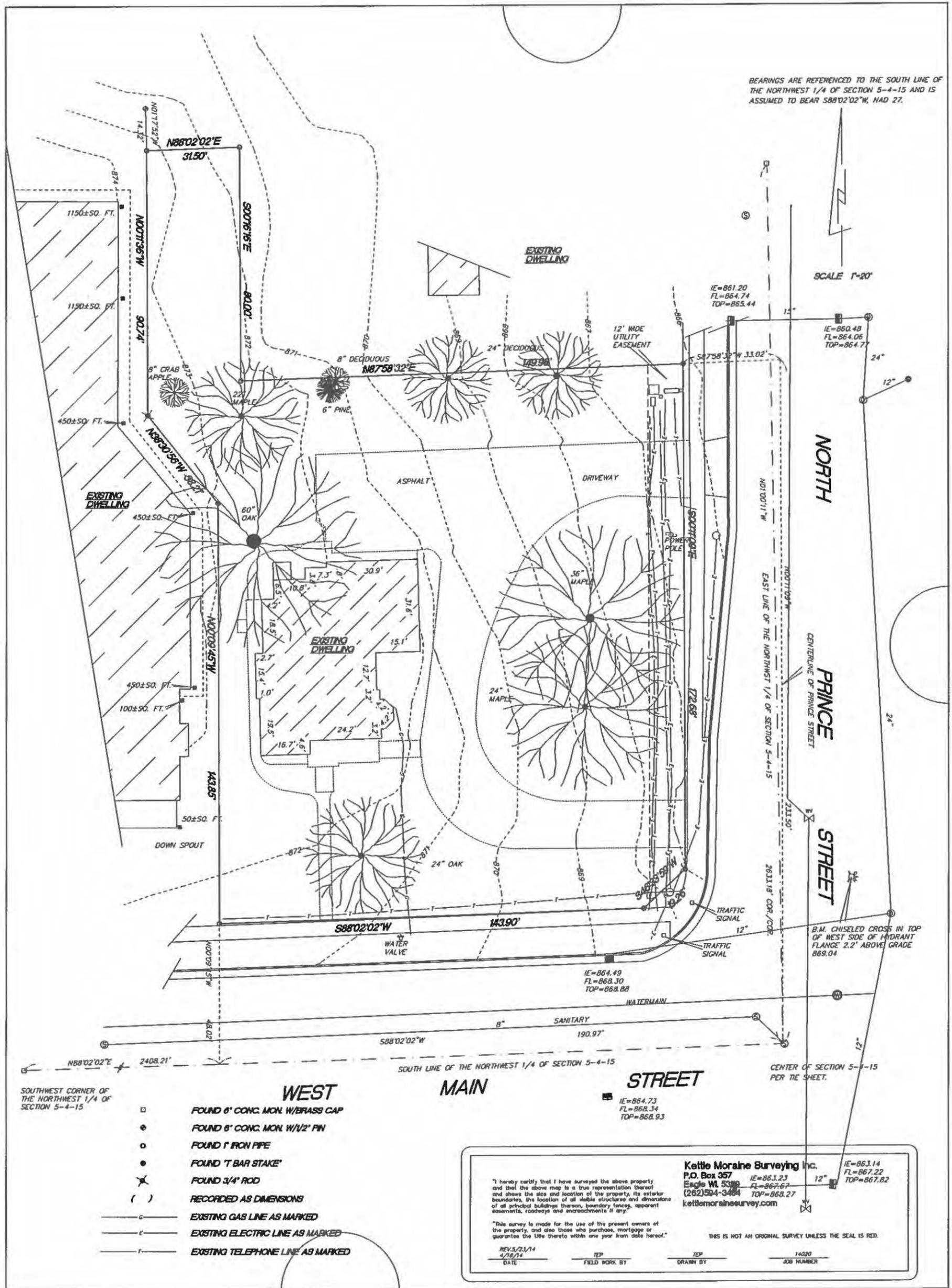
PLAN COMMISSION  
SUBMITTAL

PROJECT # 14054

05/30/2014

**GO.1**

BEARINGS ARE REFERENCED TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 5-4-15 AND IS ASSUMED TO BEAR S88°02'02"W, NAD 27.



SCALE 1"=20'

NORTH

PRINCE STREET  
CENTERLINE OF PRINCE STREET

STREET

B.M. CHISELED CROSS IN TOP OF WEST SIDE OF HYDRANT FLANGE 2.2' ABOVE GRADE 869.04

SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 5-4-15  
CENTER OF SECTION 5-4-15 PER THE SHEET.

SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 5-4-15

- FOUND 6" CONC. MON. W/BRASS CAP
- ⊙ FOUND 6" CONC. MON. W/1/2" PIN
- FOUND 1" IRON PIPE
- FOUND T BAR STAKE
- ✱ FOUND 3/4" ROD
- ( ) RECORDED AS DIMENSIONS
- G — EXISTING GAS LINE AS MARKED
- E — EXISTING ELECTRIC LINE AS MARKED
- T — EXISTING TELEPHONE LINE AS MARKED

**Kettle Moraine Surveying Inc.**  
 P.O. Box 357 Eagle WI 53129  
 (262)504-3484 kettlemorainesurvey.com

IE=864.73  
FL=868.34  
TOP=868.93

IE=861.20  
FL=864.74  
TOP=865.44

IE=860.48  
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TOP=864.77

IE=863.14  
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TOP=867.82

IE=864.49  
FL=868.30  
TOP=868.88

IE=863.23  
FL=867.67  
TOP=868.27

I hereby certify that I have surveyed the above property 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 stable structures and dimensions of all erected buildings thereon, boundary lines, apparent easements, roadways and 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.

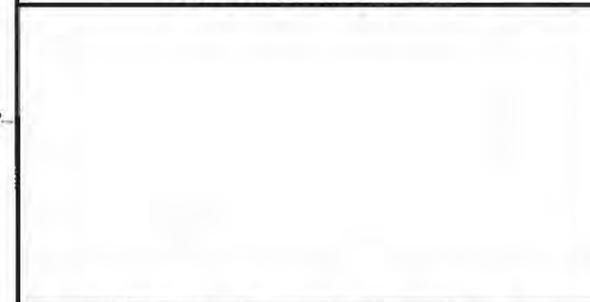
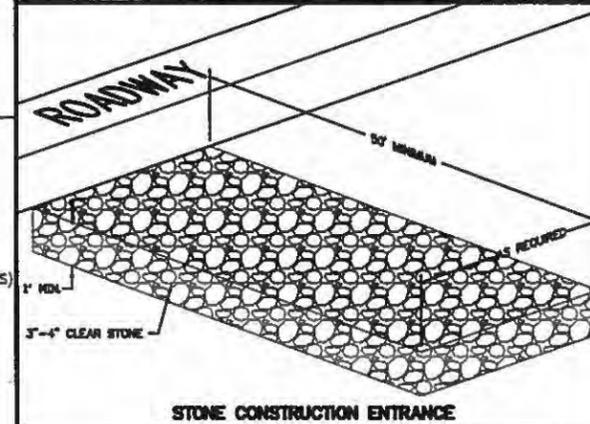
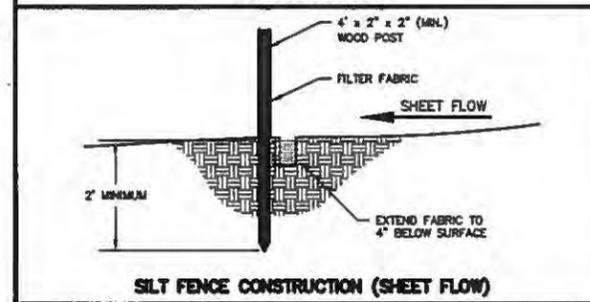
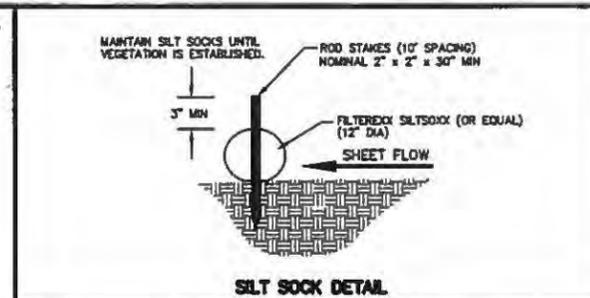
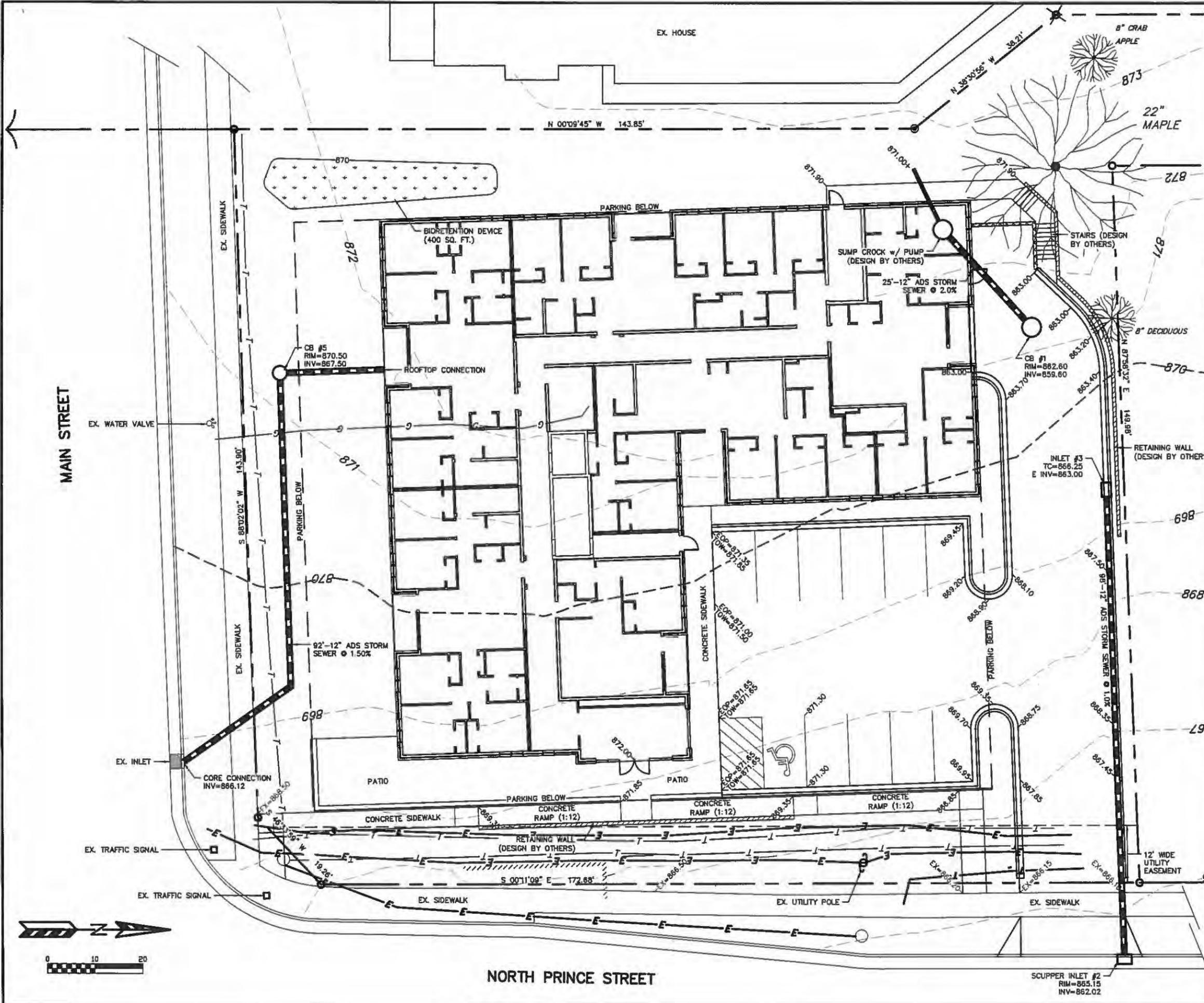
THIS IS NOT AN ORIGINAL SURVEY UNLESS THE SEAL IS RED.

REV. 5/21/14  
4/18/14  
DATE

TEP  
FIELD WORK BY

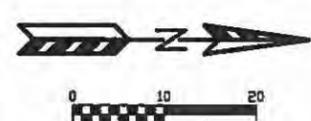
TEP  
DRAWN BY

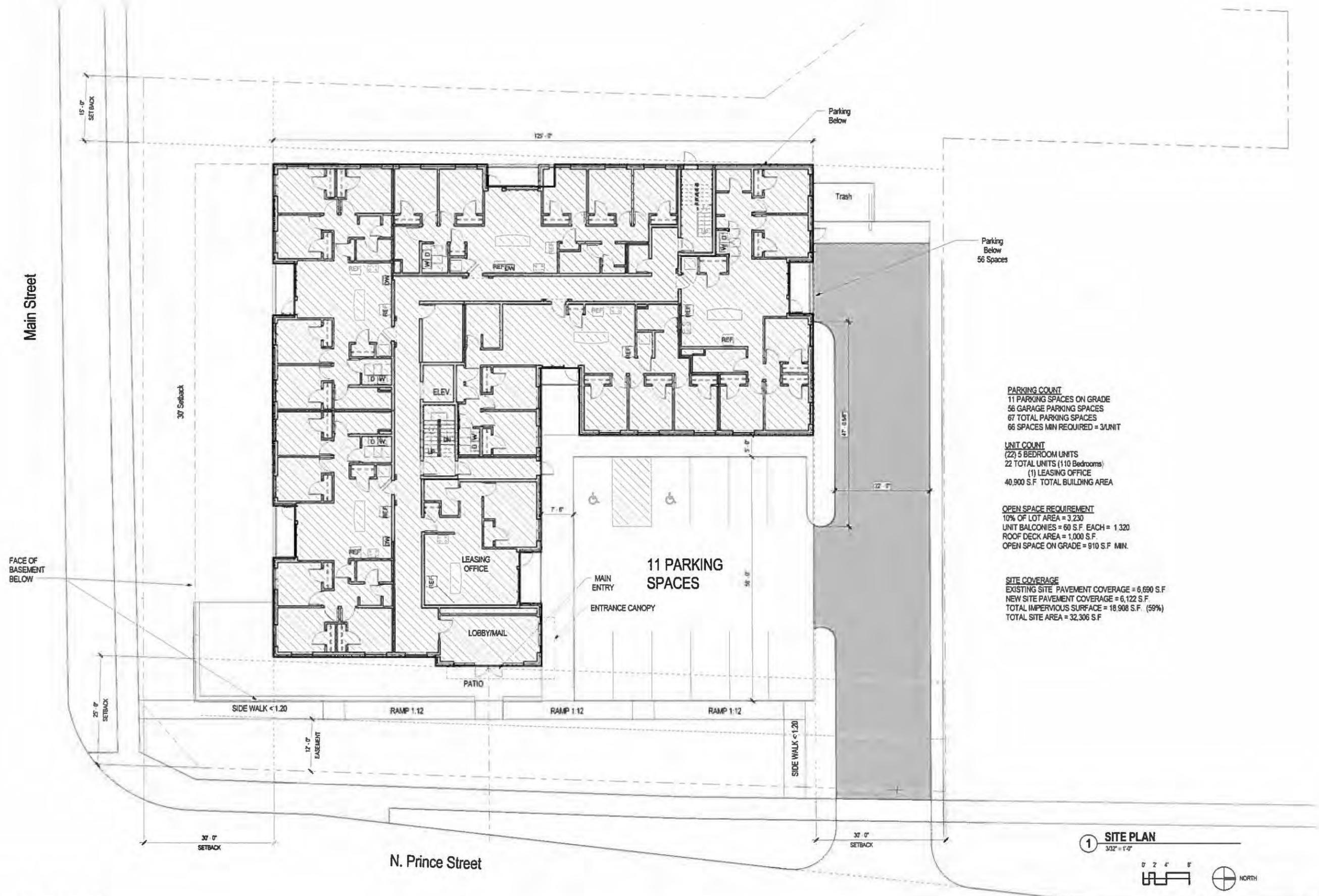
14020  
JOB NUMBER



NOTES:  
 1) BIORETENTION PLANTINGS TO BE PLANTED AT ONE PLUG PER SQUARE FOOT. PLUGS TO BE PLANT STOCK NAMED IN THE MOST MEADOW RAIN GARDEN MIX FROM PRAIRIE NURSERY OR APPROVED EQUIVALENT. A MINIMUM OF 10 DIFFERENT PLANT STOCK NAMES TO BE PLANTED.  
 2) ENGINEERED SOIL SHALL CONSIST OF 70% SILICA SAND AND 30% COMPOST W/ PH 5.5-6.5. COMPOST SHALL MEET NMR SPECIFICATION S100.  
 3) TO PREVENT COMPACTION OF UNDERLYING SOILS, CONTRACTOR SHALL PROTECT AGAINST MACHINERY ENTERING OR COMPACTING THE RAIN GARDEN AREA.

**BIORETENTION BASIN DETAIL**  
**STUDENT HOUSING PROJECT-CITY OF WHITEWATER**  
 PRELIMINARY GRADING AND EROSION CONTROL PLAN  
 EXHIBIT #3  
 DATED: JUNE 2, 2014  
**QUAM ENGINEERING, LLC**  
 Residential and Commercial Site Design Consultants  
 www.quamengineering.com  
 4604 Siggelkow Road, Suite A - McFarland, Wisconsin 53558  
 Phone (608) 838-7750; Fax (608) 838-7752





**PARKING COUNT**  
 11 PARKING SPACES ON GRADE  
 56 GARAGE PARKING SPACES  
 67 TOTAL PARKING SPACES  
 66 SPACES MIN REQUIRED = 3/UNIT

**UNIT COUNT**  
 (22) 5 BEDROOM UNITS  
 22 TOTAL UNITS (110 Bedrooms)  
 (1) LEASING OFFICE  
 40,900 S.F. TOTAL BUILDING AREA

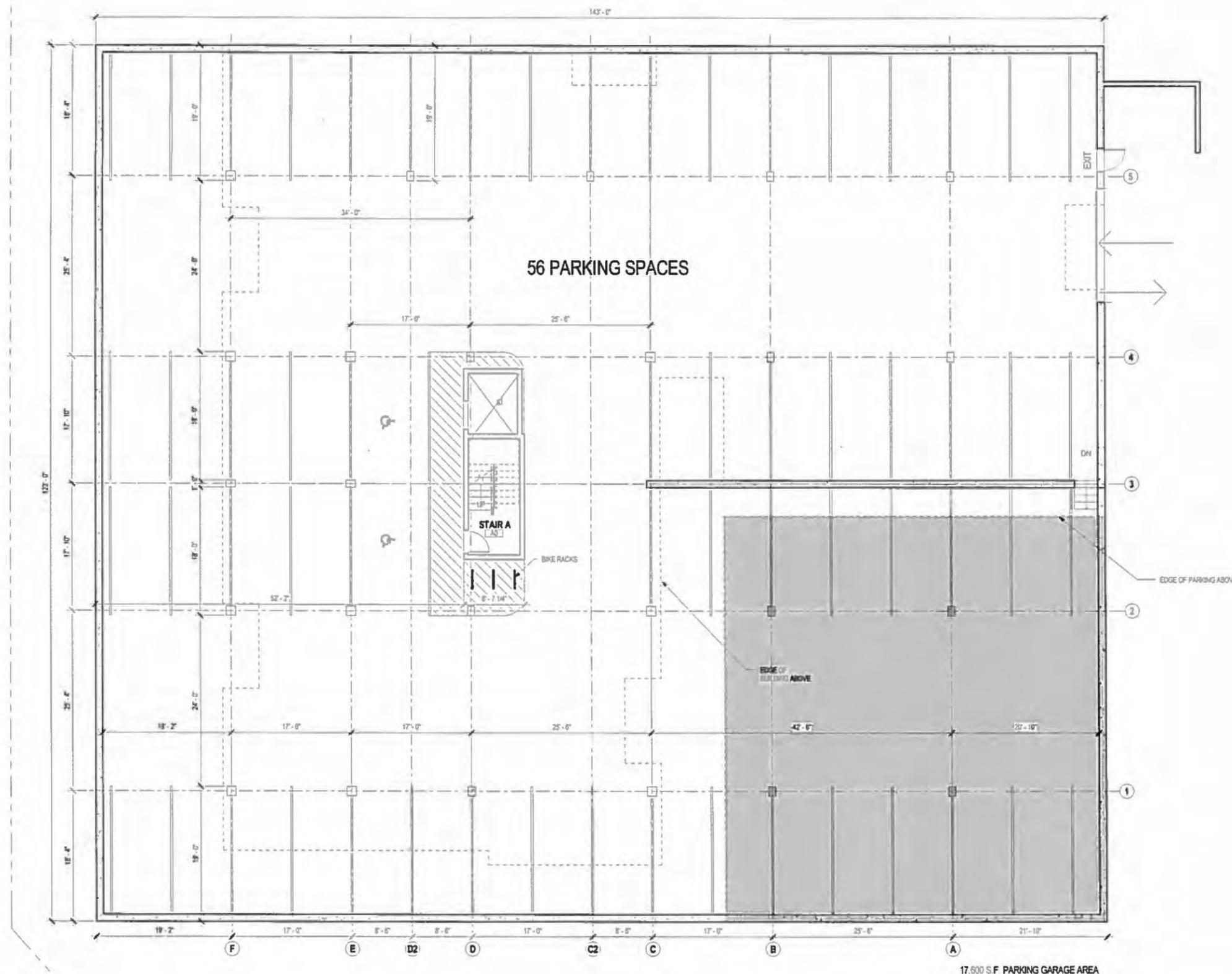
**OPEN SPACE REQUIREMENT**  
 10% OF LOT AREA = 3,230  
 UNIT BALCONIES = 60 S.F. EACH = 1,320  
 ROOF DECK AREA = 1,000 S.F.  
 OPEN SPACE ON GRADE = 910 S.F. MIN.

**SITE COVERAGE**  
 EXISTING SITE PAVEMENT COVERAGE = 6,690 S.F.  
 NEW SITE PAVEMENT COVERAGE = 6,122 S.F.  
 TOTAL IMPERVIOUS SURFACE = 18,908 S.F. (59%)  
 TOTAL SITE AREA = 32,306 S.F.

1 SITE PLAN  
 3/32" = 1'-0"





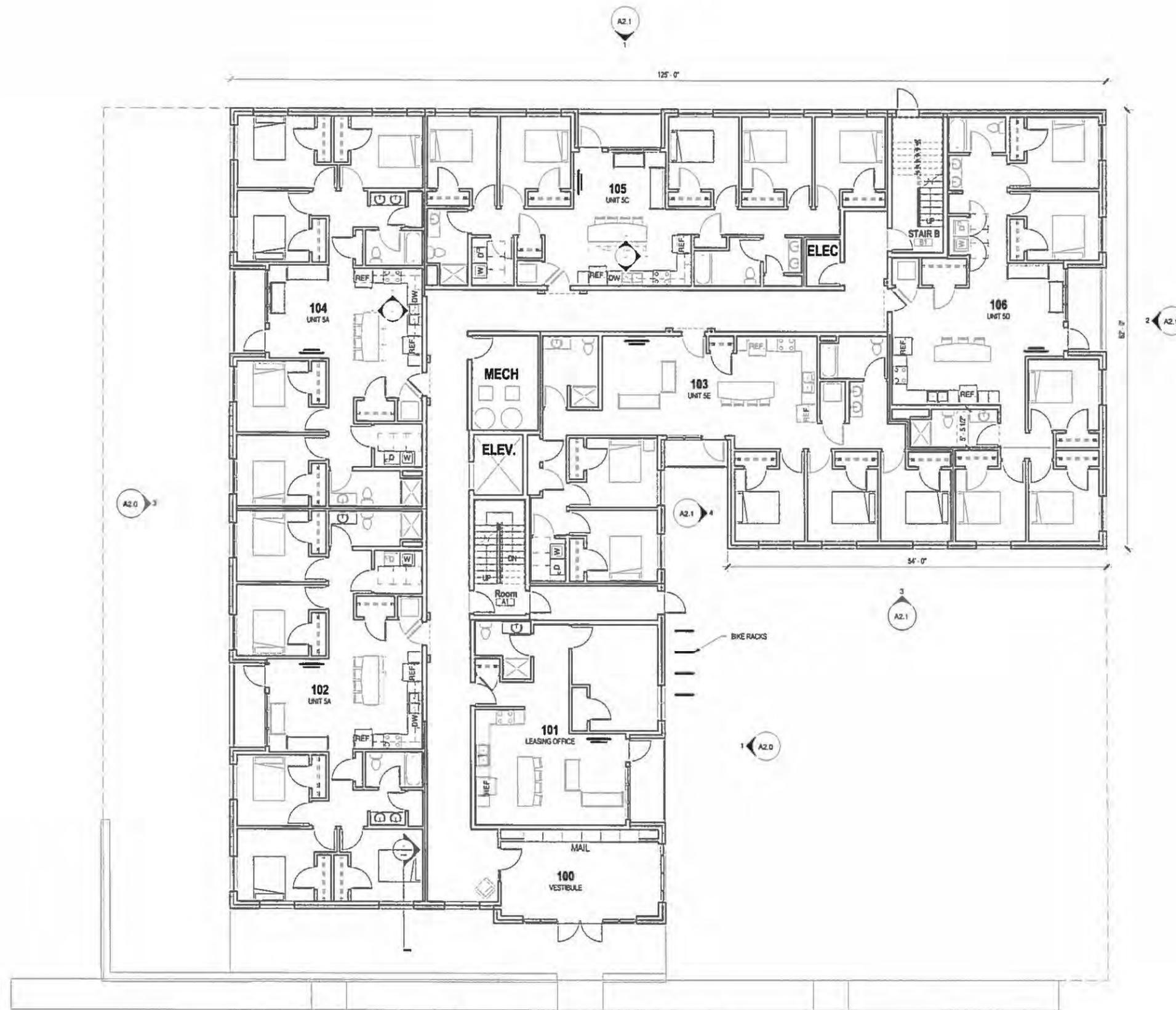


**1 PARKING LEVEL**  
 1/8" = 1'-0"  
 0 2 4 8  
 NORTH

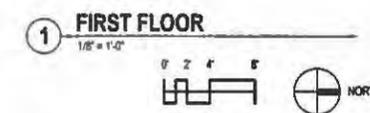
**CAMPUS EDGE APARTMENTS**

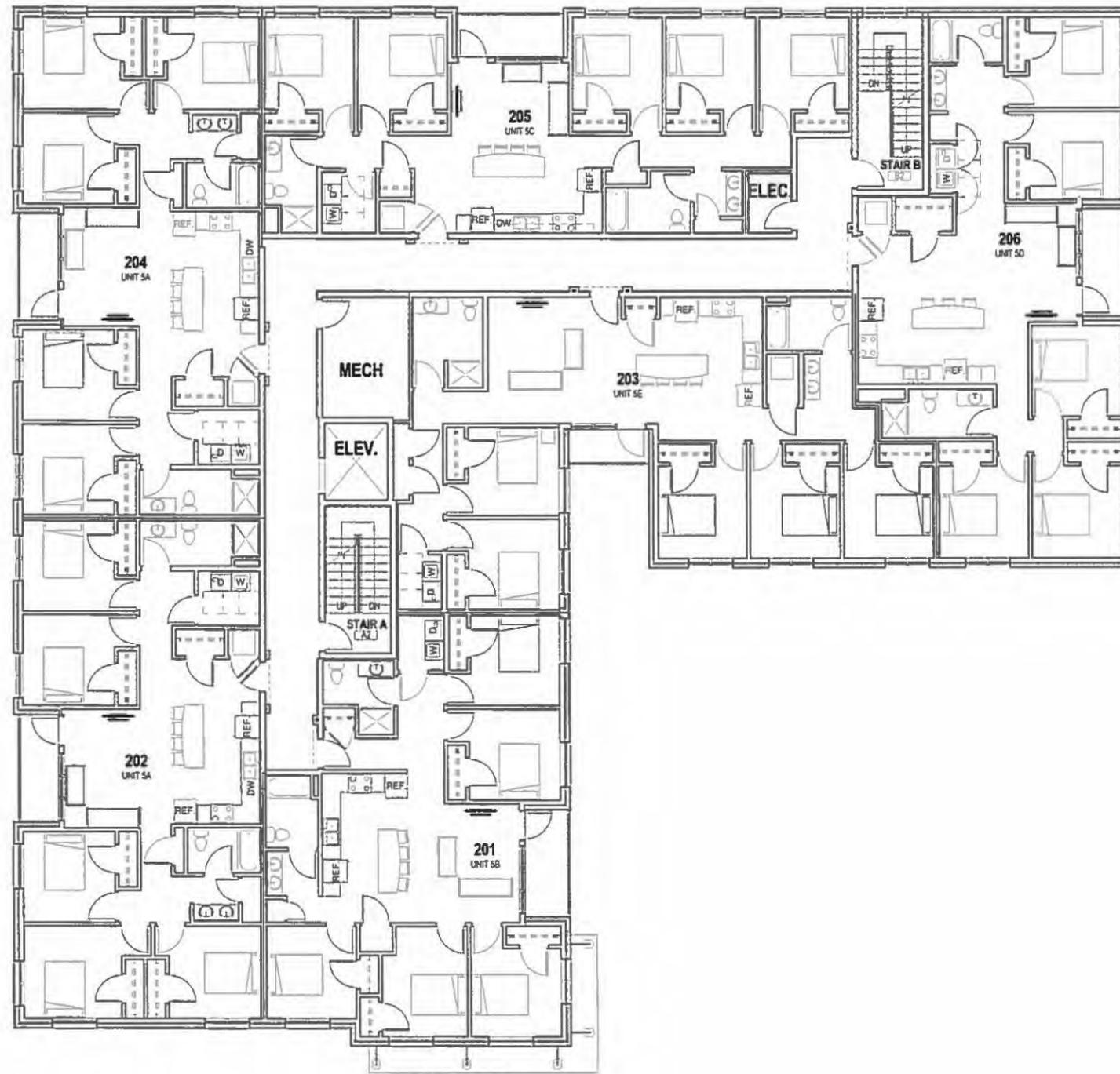
1010 W Main St. Whitewater, WI

**DIMENSION**  
 Madison Design Group  
 architecture · engineering · interior design  
 6615 Grand Teton Plaza, Suite 120, Madison, Wisconsin 53719  
 p508.829.4444 f508.829.4445 dimensionvmadison.com

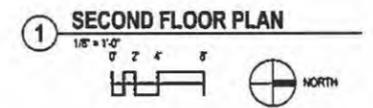


10,510S.F.  
FIRST FLOOR AREA

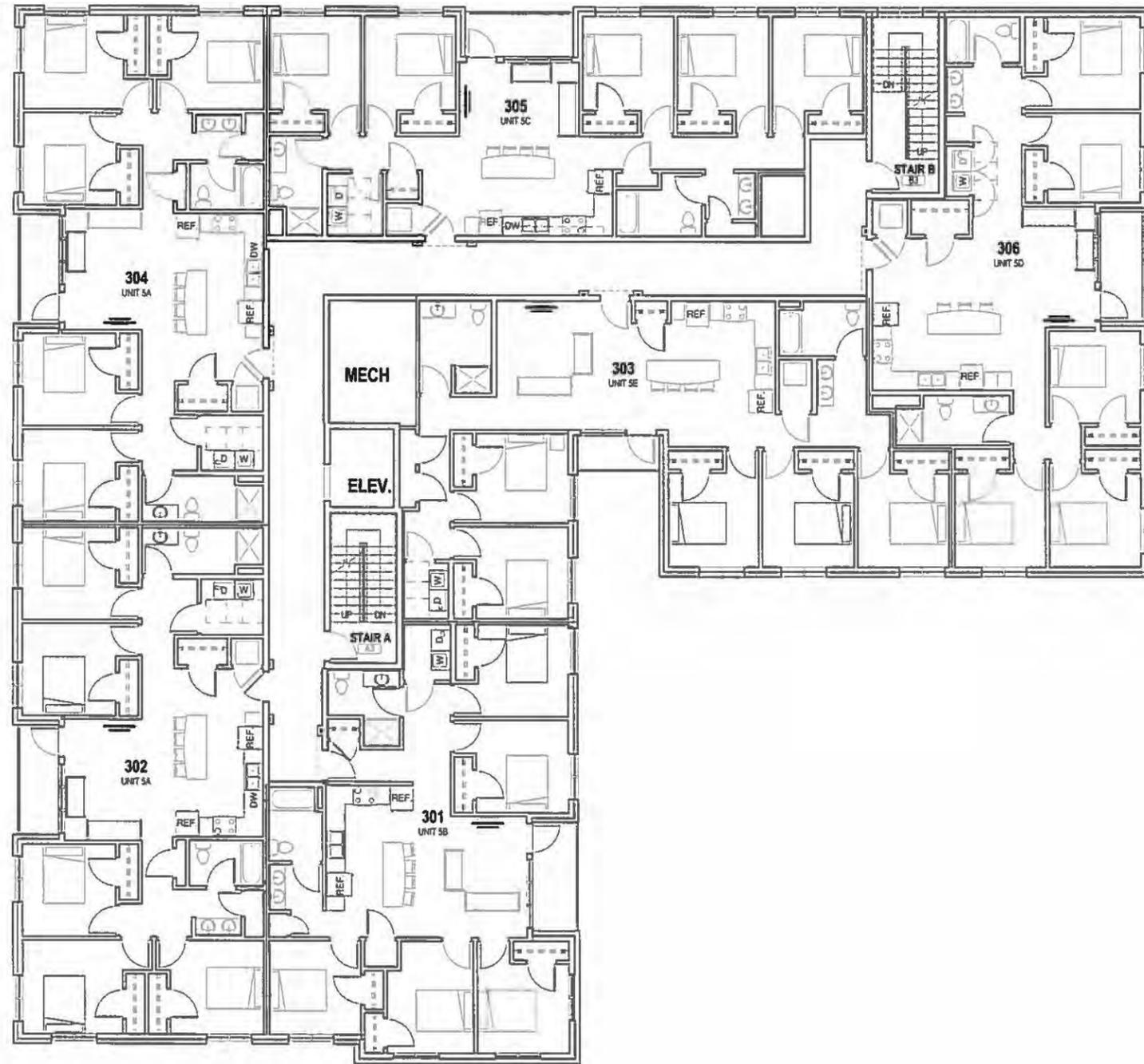




10,517 S.F.  
TYPICAL FLOOR AREA



CAMPUS EDGE APARTMENTS



1 THIRD FLOOR  
1/8" = 1'-0"

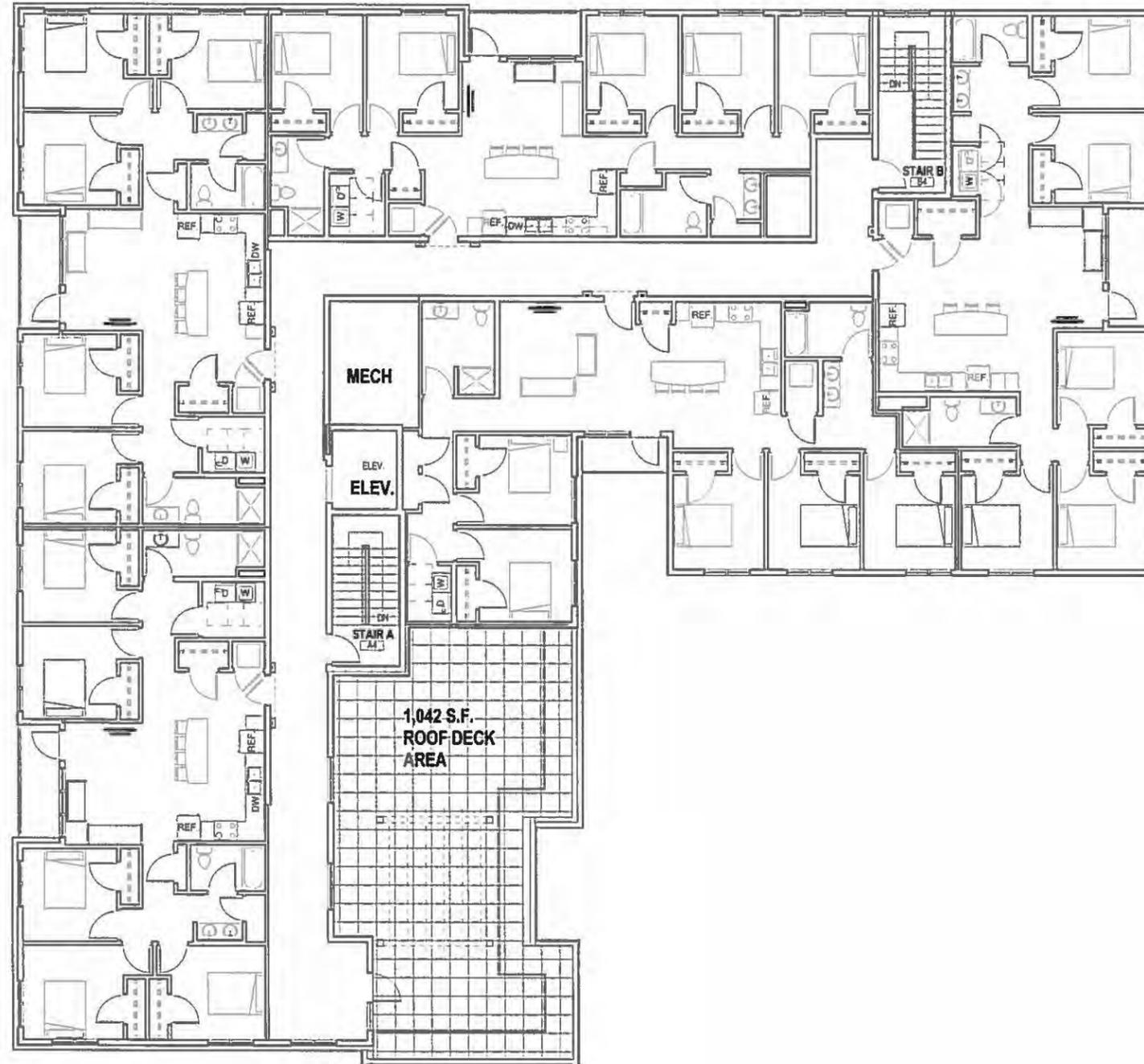


CAMPUS EDGE APARTMENTS

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9,500 S.F.  
FOURTH FLOOR AREA

① **FOURTH FLOOR**  
1/8" = 1'-0"



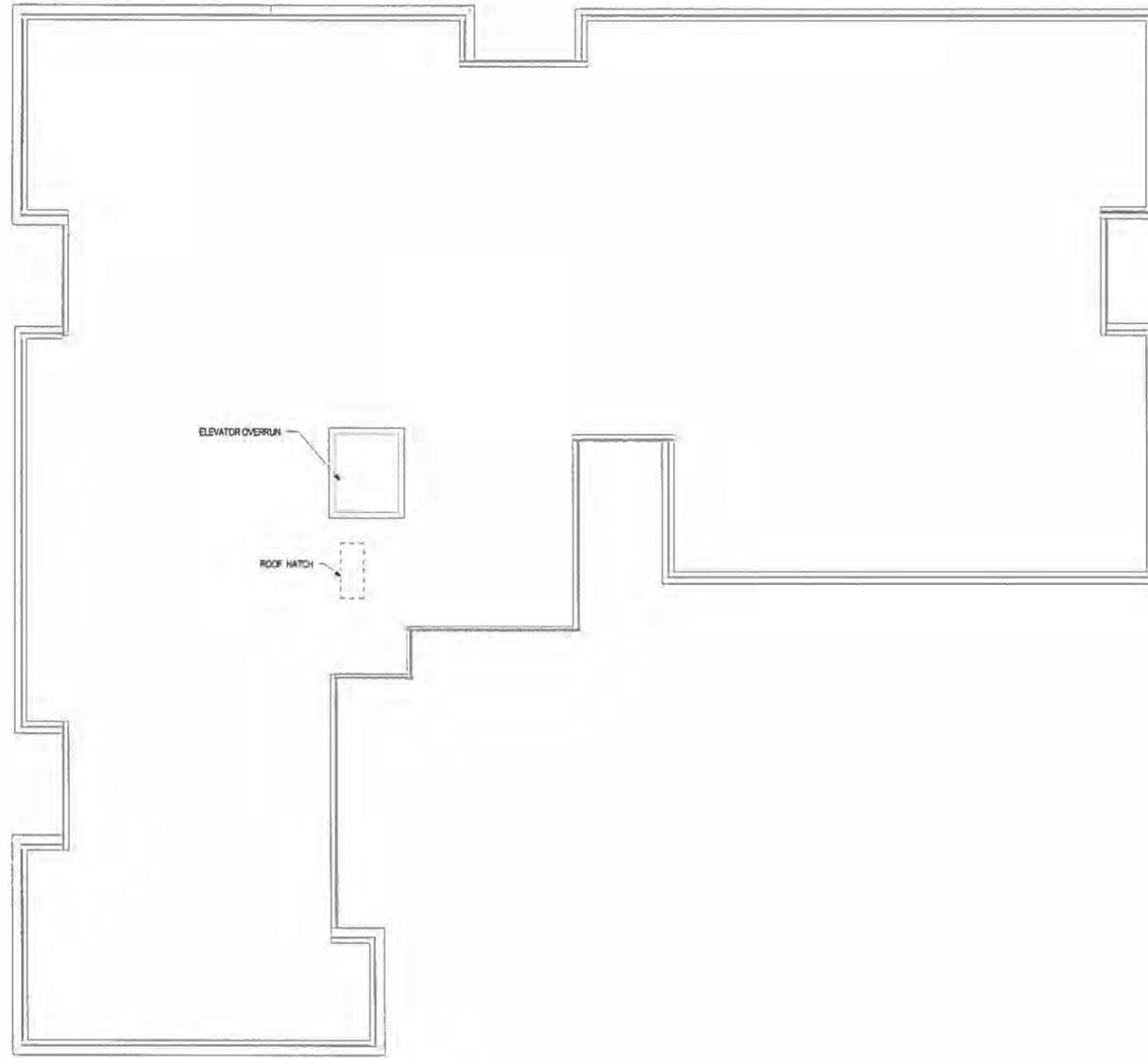
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**CAMPUS EDGE APARTMENTS**

1010 W Main St. Whitewater, WI

69 FOURTH FLOOR PLAN  
05/30/2014  
14034



ELEVATOR OVERRUN

ROOF HATCH

1 ROOF  
1/8" = 1'-0"



3 SOUTH ELEVATION 1  
1/8" = 1'-0"



2 EAST ELEVATION 1  
1/8" = 1'-0"



1 NORTH ELEVATION 2  
1/8" = 1'-0"



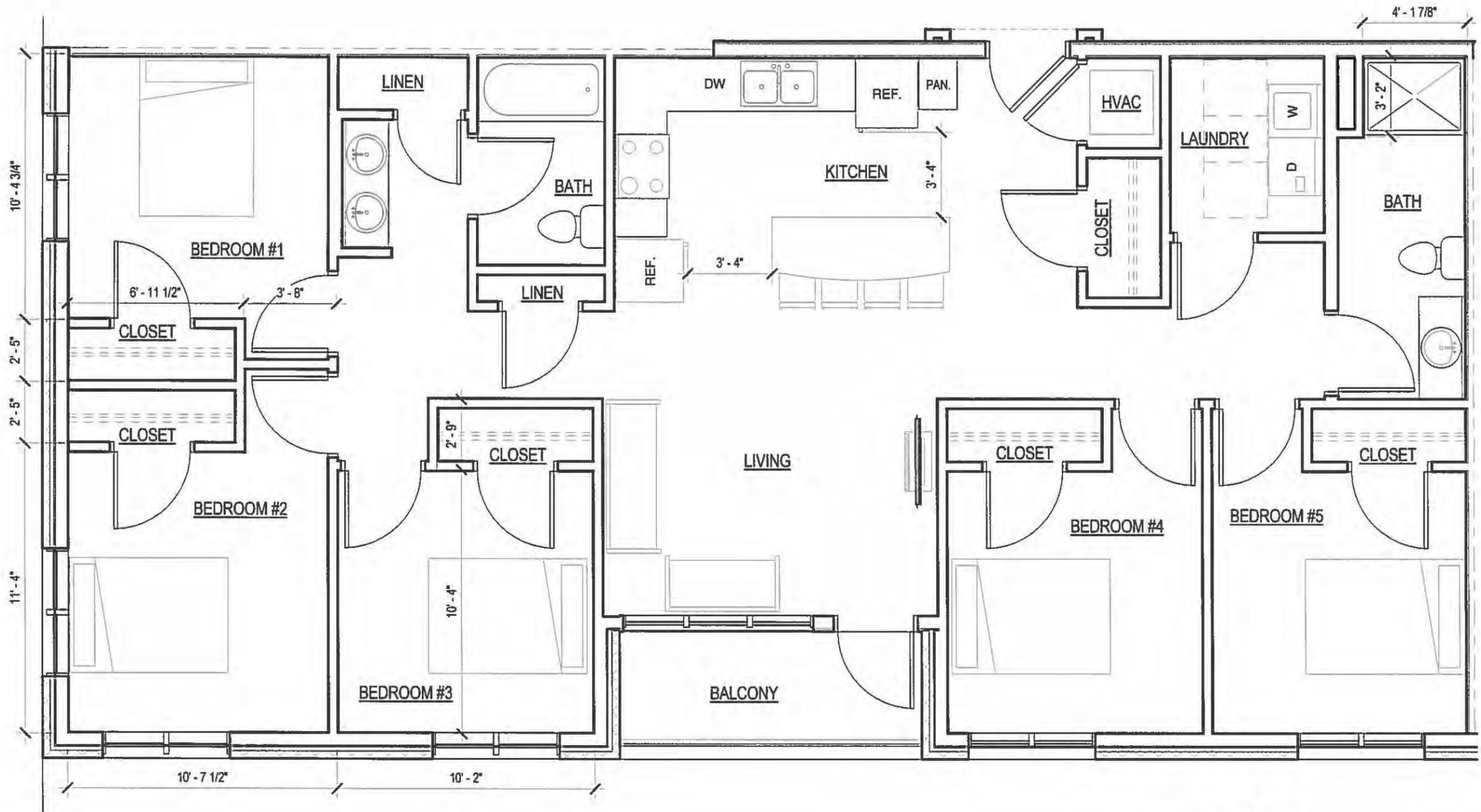
4 SOUTH ELEVATION 2  
1/8" = 1'-0"

3 EAST ELEVATION 2  
1/8" = 1'-0"

2 NORTH ELEVATION 1  
1/8" = 1'-0"



1 WEST ELEVATION  
1/8" = 1'-0"



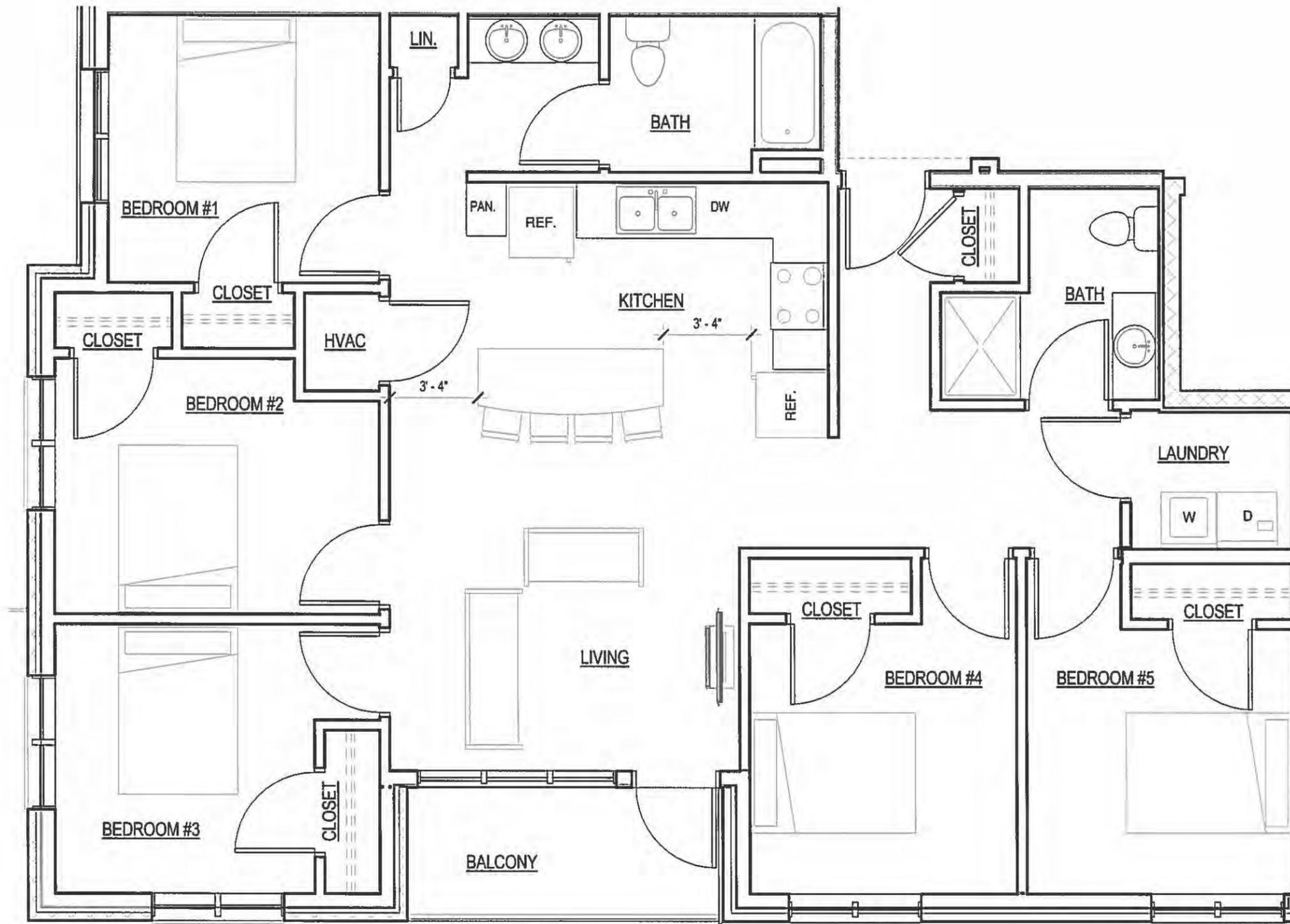
1 **UNIT 5A**  
 1/4" = 1'-0" 1,502 S.F.

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**CAMPUS EDGE APARTMENTS**

1010 W Main St. Whitewater, WI

UNIT PLAN 5A  
 05/30/2014  
 14054



1 **UNIT 5B**  
 1/4" = 1'-0" 1,402 S.F.

**CAMPUS EDGE APARTMENTS**

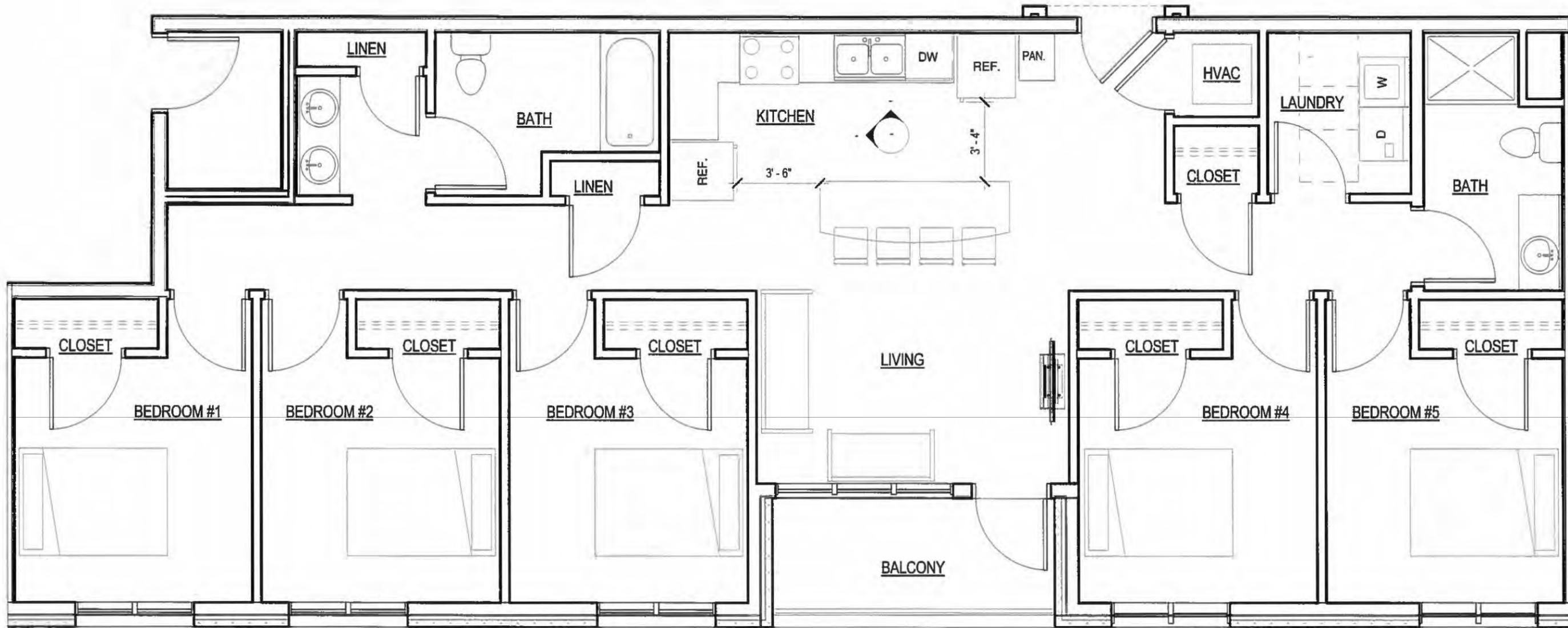
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UNIT PLAN 5B  
 05/30/2014  
 14064



**1** UNIT 5C  
 1/4" = 1'-0" 1,485 S.F.

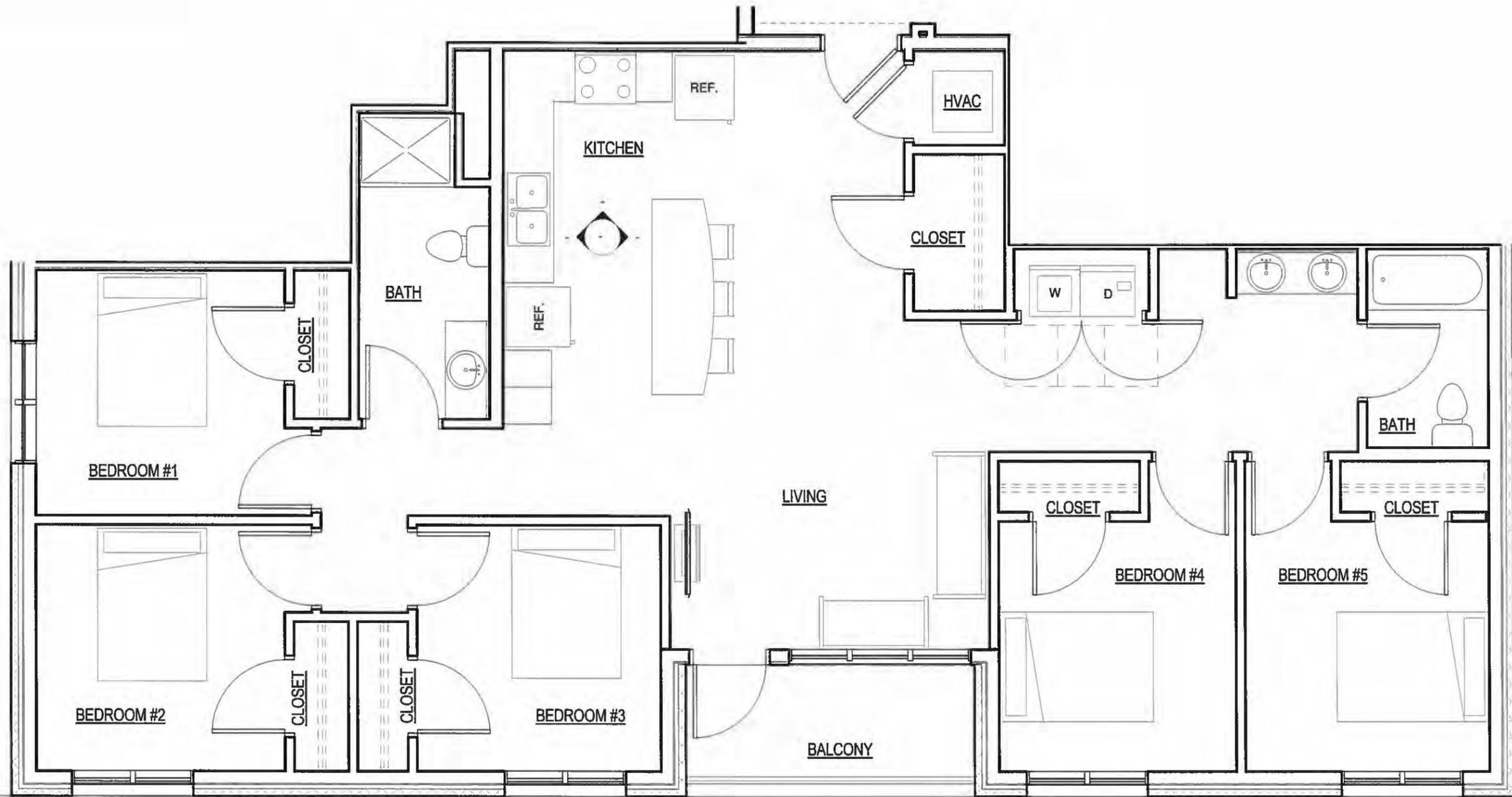
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**CAMPUS EDGE APARTMENTS**

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UNIT PLAN 5C  
 05/30/2014  
 14054



1 **UNIT 5D**  
 1/4" = 1'-0" 1,535 S.F.

**DIMENSION**  
 Madison Design Group

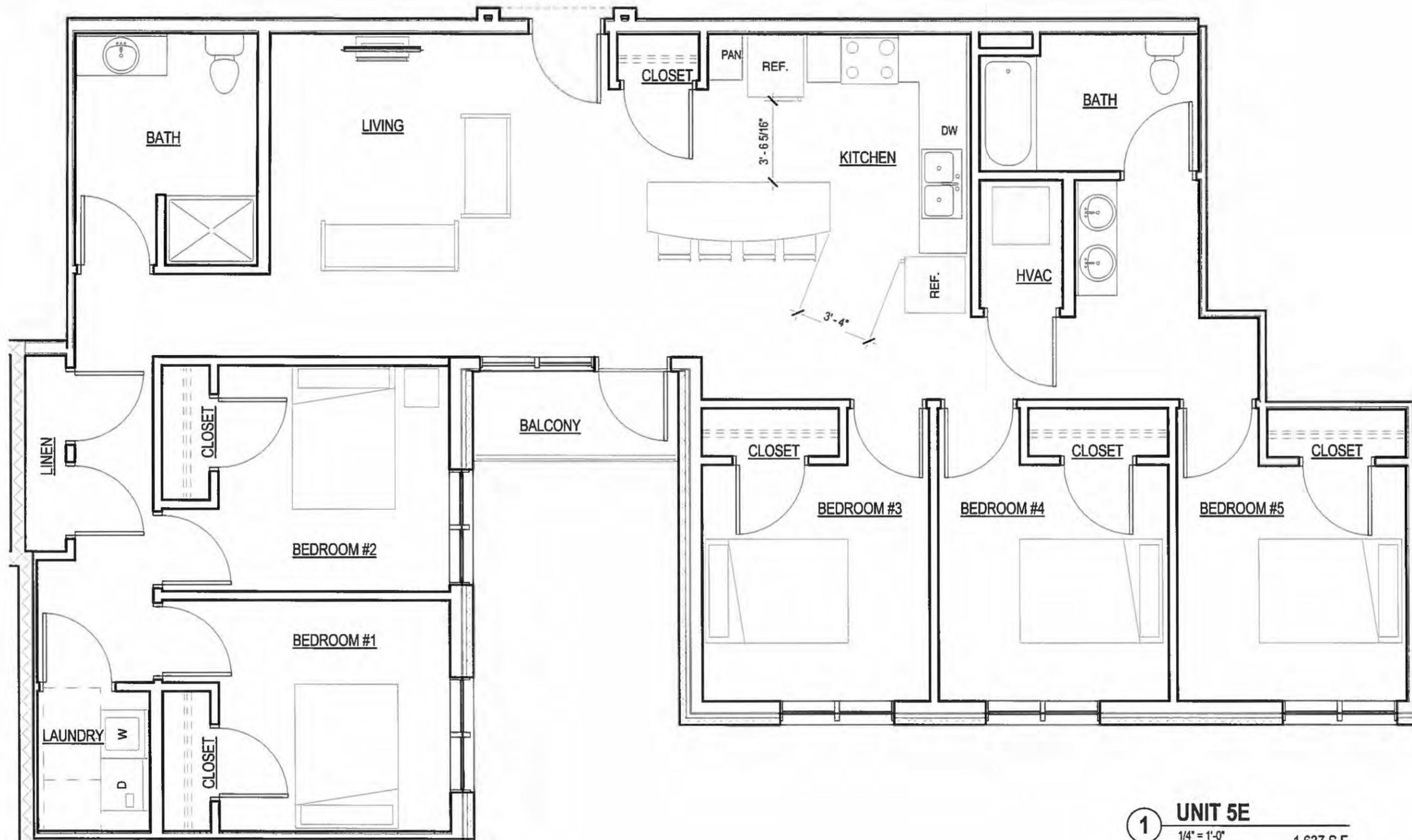
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**CAMPUS EDGE APARTMENTS**

1010 W Main St. Whitewater, WI

UNIT PLAN 5D  
 05/30/2014  
 14064



1 **UNIT 5E**  
 1/4" = 1'-0" 1,637 S.F.

**DIMENSION**

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 architecture · engineering · interior design

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**CAMPUS EDGE APARTMENTS**

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UNIT PLAN 5E  
 05/30/2014  
 14054

