



Plan & Architectural Review Meeting

Whitewater Municipal Building Community Room,
312 West Whitewater St., Whitewater, WI 53190
*In Person and Virtual

Monday, June 09, 2025 - 6:00 PM

MINUTES

CALL TO ORDER AND ROLL CALL

Meeting was called to order at 6:00 p.m.

ROLL CALL

PRESENT

Chairman, Councilmember Neil Hicks
Board Member Bruce Parker
Board Member Tom Miller
Board Member Carol McCormick
Vice Chairman Lynn Binnie
Board Member Lisa Dawsey Smith

ABSENT

Board Member Marjorie Stoneman

STAFF

Llana Dostie, Neighborhood Services Administrative Assistant
Allison Schwark, Zoning Administrator
Attorney Timothy Brovold

APPROVAL OF AGENDA

A committee member can choose to remove an item from the agenda or rearrange its order; however, introducing new items to the agenda is not allowed. Any proposed changes require a motion, a second, and approval from the Committee to be implemented. The agenda shall be approved at each meeting even if no changes are being made at that meeting.

Motion made by Board Member Dawsey Smith, Seconded by Vice Chairperson Miller.

Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Board Member Miller, Board Member McCormick, Vice Chairman Binnie, Board Member Dawsey Smith

HEARING OF CITIZEN COMMENTS

No formal Plan Commission action will be taken during this meeting although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however, citizens are invited to speak to those specific issues at the time the Council discusses that particular item.

None.

CONSENT AGENDA

Items on the Consent Agenda will be approved together unless any commission member requests that an item be removed for individual consideration.

1. Approval of May 12, 2025 Minutes.

Motion made by Board Member McCormick, Seconded by Board Member Binnie.

Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Board Member

Miller, Board Member McCormick, Vice Chairman Binnie, Board Member Dawsey Smith

PUBLIC HEARING FOR REVIEW AND POSSIBLE APPROVAL

2. Discussion and possible approval of a Conditional Use permit for more than one wall sign for Solstice Health located at 1208 E Bluff Road, Whitewater WI, 53190. Parcel #: /A323600001.

Zoning Administrator Schwark explained this a conditional use permit application for a second wall sign. Solstice Health will be occupying that space. They are a corner unit, and they are looking for two wall signs, one on the front of the building and one on the side of the building.

Blair Benes was online from the sign company.

McCormick asked about the signs currently on building.

Benes stated the one on the front was the permanent sign. And if there is a side one that is a temporary sign.

Motion to approve the conditional use permit with the planner's recommendations.

Motion passed unanimously.

Motion made by Board Member Binnie, Seconded by Board Member Parker.

Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Board Member

Miller, Board Member McCormick, Vice Chairman Binnie, Board Member Dawsey Smith

3. Discussion and possible approval of a Conditional Use Permit for Sale of Alcohol by the Drink located at 141 W Whitewater Street #B, Parcel Id # TR 00008 for Jessica Marks d/b/a Waypoint Bar and Games.

Zoning Administrator Schwark stated the applicant is requesting a conditional use permit for an arcade and lounge establishment and also a place that they would be selling alcoholic beverages by the drink. This property is in the B-2 zoning district. Previous, in February of 2024, a conditional use permit was issued for the same exact site and same exact use. It was under a different name and it was under Hawk's Arcade. I don't think that they ever opened and they are now looking to change the name and operate under Waypoint Bar and Arcade. There are specific conditions that are pointed out in our ordinance for conditional uses in the B-2 district.

Hicks asked if this was the same CUP that we approved last year, just a different name and no other changes.

Zoning Administrator Schwark stated that is correct, I don't believe there are any other changes to their plan.

McCormick stated that when Mike Kachel was here that it was going to be open during the day for teens but the bar would be closed. Is this going to be solely a bar now 21 and older?

Jessica Marks, personal or business address? My address is 511 Sherman Avenue W in Fort Atkinson. It is a little bit different, we have a retail shop also included. My husband and myself own all the arcade games. Retroville Games has a retail store with retro games, game consoles and merchandise that you can purchase. The bar would be open later in the day. We don't intend to be open later than 10 p.m. Our target audience is not college kids, it is families. We want a more family orientated, family fun atmosphere.

McCormick asked if what Marks was saying is that the bar would only be open after a certain hour?

Marks stated that the bar not be open during the day. It would be open later in the day like after school hours. If that is an issue.

McCormick asked if it would 21 or older?

Marks confirmed yes.

McCormick asked if there would be a bartender on premises and someone covering the retail part.

Marks confirmed that all of them got their beverage operators license. There are four of them and they all got their license. And my understanding is that you have to have someone on the premises that has that license. Someone will be there for Retroville games to sell their items. And later in the day we will open the bar. We have vending machines for sodas and snacks.

Miller asked what the age was for people to enter, anytime. Are there certain ages for certain times?

Marks stated that obviously during school hours a parent would be needed. But we do have an age restriction, we won't have 10 year old kids running around. 21 plus if you are sitting at the bar.

Miller asked so when the bar is open, it will only be open to those 21 or older.

Marks stated that there is a curfew in place for certain ages but the bar will be open to anyone 21 plus. But we are aimed more as a family atmosphere. We have an idea to make a smaller kids area for smaller kids to play. We have the arcade for the older kids. And if the parents or guardians want a drink then that's an option too.

Parker asked if a 14 year old could come in to play the games without a parent to play games and wander around.

Binnie stated those questions really belong with alcohol licensing. They will make sure those get addressed appropriately. Our role is to decide if this is an appropriate

conditional use. Do I understand now that you are going to be the operator and licensee of this business? Marks confirmed that DLK would just be the landlord.

Binnie asked about the egress by the back door, would that be employees only?

Marks confirmed that egress point would be employees only.

Zoning Administrator Schwark wanted to clarify for the commission that a retail use is a permitted use and they would not be voting on this. The only reason they are seeking the conditional use is so that they can have the arcade use and the alcohol sales by the glass.

Sarah Downs, 755 N Tratt Street. I will be helping with the store. It is open to all ages, but the bar itself is only open to those 21 years and older. There will be someone there checking ID's. There will be no one underaged allowed in the bar. The arcade and the retail store will be all ages.

Binnie asked where the bar was located. He stated again the the matter of underaged will have to be addressed at alcohol licensing. Unless there is physical separation, I think there is going to be an issue.

Miller asked if the conditional use was just for the alcohol sales?

Zoning Administrator Schwark stated it is for the arcade use, as well as alcohol sales by the glass. Any business in the B-2 zoning district requires a conditional use permit if they are going to be selling alcohol by the glass. And then in the B-2 zoning district we also require a conditional use permit for an arcade use.

Dostie stated that it was waiting for conditional use approval prior to going back to Alcohol Licensing.

Zoning Administrator Schwark stated that the Plan Commission can't vote on whether they get an alcohol license or not. But I do want to point out that and remind the plan commission that in February of 2024, a conditional use permit was approved for that same use and in that conditional use there were no requirements or conditions placed upon that conditional use that discussed the age or timeframe in which certain aged individuals can utilize the premises. So if Hawk's Arcade wanted to open up they could do so.

Parker asked which floor plan are we approving tonight.

Dostie explained that when the applicant provided the hand drawn plans it was determined that the plans that the building permit had been issued for were incorrect. Instead of having a bathroom on each side they are now next to each other.

Parker stated so the Angus Young plans are what we are approving.

Dostie confirmed that those were the plans.

Attorney Tim wanted to echo what Zoning Administrator Schwark had stated that you are only reviewing this for the conditional use permit and nothing else.

Binnie stated that in the past when we have reviewed a conditional use permit for alcohol, we have routinely specified what portions of the building were approved for alcohol storage and service of alcohol. But I'm not seeing anything in here about any portion of the building that alcohol would not be allowed.

Miller asked if you are going to be able to take alcohol anywhere in the building.

Marks stated that they have a segregated bar right at the front of the building. And someone else on a register toward the back that is also watching. We plan to have cameras up. We don't really plan to have people walk around.

Miller asked so someone could go up to the bar buy a drink and go back to playing video games with it.

Marks stated we would like people to stay at the bar with drinks. There is a segregated bar area.

Binnie stated I guess that's different than I heard you saying before. If this is really your intention to have an area in which alcohol is to be confined, we need to know that area is so we can specify it. Unless legal counsel tells me we are not allowed to be getting into that but that is where we have done it before.

Attorney Tim stated you changed the question. Before you were asking about carding, are you taking care of that. Now you are asking about where alcohol is being served and you can make that a condition and where it is stored and that is indicated on the conditional use permit. Those are areas where you can make a conditional use permit about. Previously, you were asking about but you were asking questions about service and where people would sit. Those are questions that you would normally not address.

Zoning Administrator Schwark stated that from what she is hearing if the plan commission felt that it was necessary to place a condition upon this conditional use that something like a condition that would state alcohol sales and consumption should only only take place in the bar area and not the arcade area. What I'm hearing is that would be appropriate. Now do I think that would be a condition that would be difficult to enforce potentially, but it is an appropriate condition to have some separation between the uses. I have seen other uses like this not be a problem with alcohol being throughout the building. Yes the parents can grab a beer at the bar and supervise their kids on the arcade games there typically isn't a problem. But that is the plan commission decision to make tonight on how they want the conditions to be placed upon the property.

Binnie stated that what the issues is, what I was hearing was there wasn't going to be an age requirement at all times, nor was there going to be a restriction that an underaged person be accompanied by a parent. Under the law an underaged person can't be in a tavern where alcohol is served without a parent present.

Zoning Administrator Schwark stated that it is appropriate to place a condition on this conditional use stating that whenever alcohol is being served on the premises all underaged individuals need to be supervised by a parent or guardian.

Binnie stated that would be appropriate potentially, however I'm not hearing that is the operators intention to require underaged individuals to be accompanied by a parent.

Zoning Administrator Schwark stated that if it is not the operators intent, the plan commission can still decide to place that condition upon their conditional use. Whether it is their intent or not, if we want to see a more strict approach to the alcohol consumption, the hours of consumption, children or no children this is a discussion, we need to have now.

Miller stated that the issue with parent coming in with someone is the parent usually doesn't want to stay and goes home. Then you have the individual who is not twenty-one and the parents are gone.

McCormick stated, as you know we are a college town. The twenty-one gets real blurry. Unless you got someone strictly enforcing ID checks.

Hicks stated that hearing the opposition, this is identical to other venues of this kind of use. There is alcohol, there is food and games. I would look at this as essentially the same type of establishment as that. It already exists and being done elsewhere. Hicks stated that we could put the stipulation that alcohol has to stay at the bar.

Marks stated that that they could use wrist bands for those 21 +. Glass for alcohol only. Plastic for other drinks. We have vending machines during the day for soda. And we would like to do some food in the future.

Motion to approve the conditional use permit with planner's recommendations to also include all patrons who will be served alcohol will have wrist bands or other identifying means in place and one year from the date of opening return to Plan Commission where they may have the right to make changes to the CUP at the August 2026 Plan Commission meeting.

Motion passed with with four yeas, 1 nay and one abstain.

Marks stated that the remodel will be done July 1st. They are looking to open August 1st.

Motion made by Chairman, Councilmember Hicks, Seconded by Board Member Parker.

Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Board Member McCormick, Vice Chairman Binnie

Voting Nay: Board Member Miller

Voting Abstaining: Board Member Dawsey Smith

DISCUSSION AND CONSIDERATIONS

4. Discussion regarding Concept Plan for the Chief CG Hickey Fire Training Tower to be located at 1220 Innovation Drive. Parcel #: /A455500001.

Assistant Chief Dion state that this will be located across from the Innovation Center. The goal of this facility is live fire training. It will produce smoke and noise associated with firefighting. The items that we burn within the facility are bound by the NFPA requirements to only burn class A materials in it. Our class A load is essentially hay and pallets. The smoke that would be produced is nothing more than a backyard bonfire. The three things I know that will be on the site is concrete, the burn facility and a dumpster enclosure. The plan is to walk out the concrete as far out as we can afford. We want to have something on the aprons to secure the site since once the site is complete it will be a wide open parking area without island and lights.

This process has been taking a while. We will be coming up to having to pay tariff pricing. I don't want to sign a purchase order for a project of this magnitude without permission.

McCormick asked about bathroom facilities. Is there going to be a porta potty.

Dion explained that they are not going to be at the site for marathon sessions. It will be a few hours at a time. We will practice in the dark. Everything is battery and LED operated. The site was chosen due to its proximity to the Innovation Center and being a city building. If we need classroom instruction and bathrooms we can use the Innovation Center facilities.

McCormick asked do you plan on using this with other departments.

Dion confirmed yes with our mutual aid partners such as LaGrange. Keinbaum is currently very gracious in donating vehicles to us. They set them outside the gate we go and cut them up for vehicle extraction and in the morning they move them back in. You only get about a month out of the year there where you're not in the mud or swatting mosquitoes. Having an all open area will be a benefit to use. We are an all hazard fire department and this gives us a space to train to mitigate all hazards.

McCormick asked about what the height of the tower would be comparable to.

Dion stated that it would be 30 feet high. it would be comparable to the old Gus's fire that occurred on the roof. To meet the minimum for a permanent training facility it must be three stories tall and sit on at least 2 acres.

Hicks stated you mentioned you're an all hazards fire department. Would it interest the fire department to have electrical to train for electrical fire suppression?

Dion stated I think what you are saying is practicing on an energized electrical fire. This training building will have a prop simulating that.

Hicks asked if they were going to do live page outs from the municipal building.

Dion stated no. The most we would do is a staggered approach. One company would approach the building and start the fire attack. The second apparatus would be parked on the street somewhere on a time delay. To simulate we are arriving 5 minutes later.

Hicks asked if there would be social media reach outs before saying there may be smoke.

Dion stated that any training they do they put it on their Facebook and the city's Facebook. One thing is that we may attempt to do a wildland training burn on the lot. It is becoming more of a chore to find a landowner to allow us to do this.

Dawsey-Smith stated conceptually this is what they look like. My only concern is that as you progress keeping in mind the zoning district requirements. That district has noise standards and odor standards.

Parker asked if the CDA sold the lot to him.

Dion confirmed that he had to buy it for \$1.00

Parker stated that lot is a prime location in the business park. Too bad we couldn't have it by the wastewater treatment site. That way you can go next door on their next fire. I'm hoping you go door to door to all the business since they have air intake.

Binnie thinks it is a much needed project. I'm hoping that there will be a landscaping plan.

Hicks asked about what the dumpster enclosure needed to be.

Zoning Administrator Schwark did confirm there are requirements related to dumpster enclosures and screening. We typically allow what we allow for fencing material. Chain link would be acceptable in this area. This is a conceptual review to get all the feedback you have. He is doing this to get ahead in what may come in up later meetings. You will see them again with final project plans for a conditional use and site plan.

Dion stated it is a one year lead time for production. I need something on paper that I can buy this building.

Zoning Administrator Schwark stated that typically with concept reviews there is not normally a motion to approve the concept review. But in this circumstance I would say providing some direction for Chief Dion so that he can move forward, maybe not a motion to approve. A motion to prompt to the Fire Department to move forward or a prompt to staff to put something in writing that the plan commission is ok with this project moving forward to the next phase of development. Something of that nature so that he has some assurance when he comes back for a site plan review and conditional use that the use itself would be approved pending the engineering is final and approved. Pending the plan meeting all our other zoning ordinances.

Dion stated that once the building receives its wet stamp it is a kit it is that building. Being an engineering building I can't do brick attachments on the facade.

Motion to acknowledge the initial conceptual review plan for the fire department's training facility and ask that staff continue to work with the fire department to proceed with finalizing plans to install the building on this site that was purchased from the CDA.

Binnie stated that he is not entirely comfortable taking that action based on our agenda, which is pretty nebulous. My inclination was more on the lines of taking a straw poll of are you basically feeling comfortable with this and are there any potential objections that you have not expressed. But if the body wants to go with that.

Zoning Administrator Schwark stated that she feels it is an appropriate motion. It is not listed on the agenda that no formal action would be taken. I did note that in my Planner's report, but is under the discussion and consideration tab of your agenda so I don't have a problem with how it was worded.

Attorney Brovold stated he also doesn't have an issue with how the last motion was worded. This is not an approval-just an direction to move forward with the plan.

Motion made by Board Member Dawsey Smith, Seconded by Board Member Miller.
Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Board Member Miller, Board Member McCormick, Vice Chairman Binnie, Board Member Dawsey Smith

5. Discussion and possible recommendation to Common Council the updated Landscaping Policy.

McCormick stated that she thinks it's done.

Dostie explained that at the last meeting Board member Binnie had asked for some changes. Those changes are in the redline copy. Urban Forestry does not want this back and are leaving it up to the commission.

Binnie we stated they they were suggesting not meeting the minimum number of points starting at \$1.00 and now is up to \$50.00

Motion to recommend to council the adoption of the landscape policy, with the change of the wording from length to width. Motion withdrawn.

Parker asked about the tree asked about the height, length and point. Is the length supposed to represent the width. I think it is talking about the canopy. I'm wondering if length is the right word.

McCormick asked if it should be width not length.

Binnie stated that he is really confused about that length column. White Oak 100 feet of width. That would be an awful massive tree. Maybe we should ask the arborist the best way to define that.

Motion to recommend the landscaping policy to common council for approval with the redlined version being provided as well as staff input as to appropriate terminology for the length of the canopy.

Motion made by Board Member Dawsey Smith, Seconded by Board Member Binnie.
Voting Yea: Chairman, Councilmember Hicks, Board Member Parker, Board Member Miller, Board Member McCormick, Vice Chairman Binnie, Board Member Dawsey Smith

6. Discussion regarding Closed Session memo from City Clerk.

Dostie explained this was a memo that was requested by the City Clerk to be placed in all committee packets to explain the process for closed sessions.

UPDATES / REPORTS

7. Update on Cedar Court Rezone.

Dostie explained that the rezone had gone to council for approval on February 20, 2025 and was approved.

FUTURE AGENDA ITEMS

8. -Childcare Zoning Changes-July
-Rezone for all Whitewater Schools
-Update on Royal Hounds-Q3
None

NEXT MEETING DATE JULY 14, 2025

ADJOURNMENT

Meeting adjourned 7:25 p.m.