



Plan & Architectural Review Meeting

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

Monday, October 14, 2024 - 6:00 PM

Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone. Citizen participation is welcome during topic discussion periods.

Plan and Architectural Review Commission
Oct 14, 2024, 6:00 – 8:30 PM (America/Chicago)

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(262) 473-0108.**

AGENDA

CALL TO ORDER AND ROLL CALL

APPROVAL OF AGENDA

A commission 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 commission to be implemented. the agenda shall be approved at reach meeting even if no changes are being made at that meeting.

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 Commission discusses that particular item.

CONSENT AGENDA

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

1. Approval of Minutes from September 9, 2024 Meeting.

PUBLIC HEARING FOR REVIEW AND POSSIBLE APPROVAL

2. Discussion and possible approval of a Conditional Use Permit for Vacant Lot 4 at Cedar Court for a planned residential development to all for a duplex.
3. Discussion and Recommendation to Council Regarding Annexation of Parcel at N9618 and N9622 Howard Road, Town of Whitewater, Owned by Michael Mason, Including Zoning Map Designation and Certified Survey Map Approval.
4. Discussion and possible approval for a Conditional Use permit for an 18-foot pylon sign and more than 1 wall sign for Dollar Tree to be located at 1441 W Man Street Whitewater, WI 53190.
Parcel #: /A503300001.

DISCUSSION

5. Discussion and recommendations to Finance Committee on the Proposed Framework for Improving Public Participation.

UPDATES / REPORTS

FUTURE AGENDA ITEMS

6. Update from Royal Hounds of Whitewater

NEXT MEETING DATE NOVEMBER 11, 2024

ADJOURNMENT

Anyone requiring special arrangements is asked to call the Office of the City Manager / City Clerk (262-473-0102) at least 72 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
312 W. Whitewater Street
Whitewater, WI 53190
or ldostie@whitewater-wi.gov

A quorum of the Common Council might be present. This notice is given to inform the public that no formal action will be taken at this meeting by the Common Council.



Plan & Architectural Review Meeting Item 1.

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

Monday, September 09, 2024 - 6:00 PM

Citizens are welcome (and encouraged) to join our webinar via computer, smart phone, or telephone. Citizen participation is welcome during topic discussion periods.

Plan and Architectural Review Commission
Sep 9, 2024, 6:00 – 8:30 PM (America/Chicago)

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MINUTES

CALL TO ORDER

Meeting called at 6:00 p.m.

ROLL CALL

PRESENT

Chairman, Councilmember Neil Hicks

Board Member Bruce Parker

Vice Chairperson Tom Miller

Board Member Michael Smith

Board Member Marjorie Stoneman

Board Member Carol McCormick

Board Member Lynn Binnie

STAFF PRESENT

Taylor Zeinert, Economic Development Director
Attorney Jonathan McDonell
Llana Dostie, Neighborhood Services Administrative Assistant
Allison Schwark, Zoning Administrator

APPROVAL OF AGENDA

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

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

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 Commission 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 Minutes for August 12, 2024.

Binnie made the following recommendations for changes to the minutes.

- 1) Johnson
- 2) Brock
- 3) \$5.1
- 4) parking spaces
- 5) 30% of median family income.
- 6) "the" rather than "they"
- 7) reevaluation of market demand
- 8) Bluff Road is a collector road which currently...
- 9) Add after the vote - Motion passed.
- 10) statutes

11) Delete last sentence and add something like, "The consensus was to bring back proposed language allowing the city to impose a larger notification buffer on certain applications."

Motion made by Board Member McCormick with Binnie's correction, Seconded by Board Member Binnie.

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

PUBLIC HEARING FOR REVIEW AND POSSIBLE APPROVAL

2. Discussion and possible approval of a Conditional Use Permit and Site Plan Review for a multifamily development located on vacant land at the corner of Moraine View Parkway and Jakes Way Tax Parcel # /WPB 00044.

Economic Development Director gave a update as to why this was returned to the commission. There were concerns that some of the conditions placed would violate law. We had the City Attorney look at this and also Attorney Rick Manthe, and both presented memos that are in the packet.

Attorney McDonell explained that Wisconsin Fair Housing Act is more stringent than the Federal Fair Housing act. You cannot limit based on lawful sources of income. Both Section 8 and Section 42 are considered lawful sources of income. The conclusion was that having limitations for Section 8 and Section 42 housing would not be enforceable.

Economic Development Director asked Attorney McDonell to make sure everyone understood that it was his legal opinion that the condition was not legal. Attorney McDonell confirmed that was correct.

Attorney Rick Manthe is an attorney with Stafford Rosenbaum and attended the meeting at the request of City Staff. He wanted to make clear that he does work for the CDA but was not attending on their behalf; he was attending on behalf of the request from City Staff. He wanted to explain the Conditional Use Legislative Statutes with the change that occurred in 2017. Basically the legislature took away most of the discretion of local governments. There is a framework that says that the ordinances need to be reasonable and measurable. The legislature has said now there essentially should be a checklist of items so that if the developer can check all the boxes for getting a conditional use the City has to issue the Conditional Use Permit. The applicant has to put forth substantial evidence which is a pretty low bar to meet. Honestly it is basically to present facts or information such that a reasonable person would feel that the applicant has meet the Conditional Use framework. To deny a Conditional Use Permit it has to be supported by facts and information; it can not be denied based on personal preference or speculation. With conditions, they need to be reasonable, measurable and practical based on substantial evidence. Once an applicant meets the zoning ordinance it is very difficult to deny a conditional use permit.

Hicks stated that at the last meeting we technically approved the Conditional Use Permit with the limitation. Would we have to reconsider.

Attorney McDonell stated that it is back to square one where it is back to considering that the initial condition placed on the application is not legally sound.

Economic Development Director Zeinert stated so just the board knows, is there a motion the attorneys can suggest the board make so as the board is not violating the law.

Attorney Manthe stated that he thinks a motion to reconsider would be appropriate. Once that passes then it is back on the table for consideration.

Smith asked if we want to reject the original motion and start over. Would that be an option?

Attorney Manthe stated that basically the motion to reconsider would be that we are reopening it for discussion.

Motion by Stoneman to reconsider approval of the Conditional Use Permit. Motion was seconded by Binnie.

Public Hearing was opened at 6:15 p.m.

Jeff Knight 405 Panther Court, Asked if this is being reconsidered is this the full discussion to the plans as last time. He is on the CDA and he was one of three that voted against this project. He felt that this was rushed and they didn't know the total amount of dollars the City was putting into the project. Which turns out to be \$5.1 million, and when you compare it to a project in Madison where we are paying about \$40,000 per apartment and Madison is paying \$11,000 per apartment. He has no issue with the development but the size of it. There is no discussion about extending the boulevard to Milwaukee. There is no money left to put the infrastructure in the TIF district. He feels the project should be shrunk down.

Economic Development Director Zeinert wanted to make clear again that this body has no authority over TIF funds.

Nancy Boyer 1270 E Jakes Way #9 stated the whole subdivision is against this. She feels that Tom Miller should not be able to vote because his wife Bonnie works for the City and John Weidl.

Brian Zellmer 1270 E Jakes Way #14. He spoke to the state representative office today and they also think it is not a good idea. He doesn't feel that traffic has been considered. He asked the board if any of them had gone out and looked at the area in person. You are going to put off the tax levy for up to 30 years. Guess who is going to be responsible for the additional cost of the police department, fire department and emergency services. You told us you are going to raise the taxes if that is necessary. Why is it the citizens of Whitewater's responsibility to pay for the taxes. The developer should put up this money, make it smaller so the taxes get paid right away. A mixed use apartment complex is going to drag down the property value of my house.

Rosa Awuor 1270 E Jakes Way #4. She has lived here for 20 years. She doesn't like seeing all those apartments and high raises. She thinks this too big for our city. She is worried about the water and sewer. Each unit will have trash bin and recycling -this will be a nightmare on trash day.

Jill Gerber, 234 S Pleasant. Wanted to remind the board we need to think about what is best for the City. As a unit you can reduce the size from 16 to 8 units. Does think that some of the board have a conflicts of interest and have information that the public doesn't have. It will put a burden on our fire and police. There was nothing in the previous housing studies that stated we needed more apartments. The last study did say that more apartments were needed, however if you want to find a company to say what you want you can find that. Doesn't think the salaries in the city will support this complex. She asked that the board go to 8 instead of 16 units.

Amanda Payton 1270 Jakesway #12. Wants to echo the same concerns about the size. I would echo the concerns about traffic and city services. She doesn't feel that these have been properly addressed in these proposals.

Representative Scott Johnson, he is a member of the state Assembly. At the last meeting there were a number of issues brought up related to crime potential. You tried to restrict low income college students and seems to be that to comply with the law you will have to allow that to take place. He's still fascinated by the fact that this community still sees a need to augment the upper 15% of our rental market. If you had the employees already in the community that were without that housing that would be one issue. But I think your public funds would be better rewarded bringing jobs to the community that actually pay the employees that you wish to house instead of housing for employees that may not exist. I think that complying with the law allows the landlord to fill the units with whoever is willing to write the checks. You will end up with populations that would be in conflict with one another. Again, I think that the legislature would see the use of public funds at the high end of the rental market place to be a rather interesting segue way for public housing or public assistance in trying to create less costly housing. People who are earning \$70,000 plus a year usually don't have an issue finding and affording the housing they desire. He finds our targeted marketplace rather unique.

Brian Schanen 441 S Buckingham Boulevard. I served on the PARC from May of 2023 until my election to Common Council in April 2024 and have served as an alternate member since then so that is why I have occasionally ended up on the board for various meetings. The purpose of the PARC functions as a body to look through the specific zoning criteria and making sure that setbacks are met so that private developers can do with private land as they see fit. Make sure to ask Allison on those specifics on those plat lines. I know that this was brought up last time as well as tonight related to the density of units and how those fit within City specific guidelines. That doesn't say that there is not agreement as to where those perimeters are set but that is the code of ordinance that the city is using when developers are looking and setting up their plans.

Public Hearing closed at 6:35 p.m.

Attorney McDonnell reminded the board that there is still a motion on the table to reconsider that has not been voted on.

***Motion by Stoneman moved to reconsider the approval of the Conditional Use Permit.
Motion was seconded by Binnie.***

Yea: Binne, Stoneman, Hicks, McCormick, Miller, Parker, Smith

Motion passed unanimously.

Planner explained that we are essentially back to where we started. Nothing has changed other than we have two legal opinions that state that we cannot place a condition to restrict section 8 and section 42 housing. It is her recommendation tonight that we follow those guidelines and remove that condition from the previously approved Conditional Use Permit. I would recommend that we keep all of the other conditions previously approved in place and just remove the condition as to the housing as it is prohibited by State and Federal guidelines.

Stoneman moved that we approve issuance of the Conditional Use Permit with the same conditions but removing the condition related to section 8 and section 42. Seconded by Binnie.

Hicks requested a list of the same conditions from last time.

Planner Schwark read the conditions as follows:

The project shall be developed in accordance with the plan of operations, and enclosed site plan. Any deviation from the approved plans shall require zoning administrator and/or Plan Commission approval.

All Engineering Memo comments or conditions be addressed or included.

Applicant shall provide reimbursement to the City of Whitewater, all costs incurred by the City for review of this conditional use including but not limited to engineering, legal and planning review that occurred prior to permit issuance and during the implementation of the plans and construction of the improvements.

Project must begin within one year of the date of approval, or applicant will be required to re-apply for both Conditional Use and Site Plan Review.

The applicant must allow any City employees, or contracted firm, or designee unlimited access to the project site at a reasonable time to investigate the project's constructions, operation, or maintenance.

All exterior lighting shall be in compliance with the City of Whitewater Municipal Ordinances.

Any signage shall be reviewed and approved by the Zoning Administrator.

All police comments or concerns be addressed.

All fire department comments or concerns be addressed.

Sidewalks be added to the site for connections to Moraine Parkway, which has been done.

Both phases of the development shall be included in this Conditional Use Permit

Hicks stated that he is looking at the minutes I do see where he brought up the concern about having a gate at the emergency access on Bluff Ridge Drive for fire department access. But it is not listed as one of the recommendations, but he hopefully would like to be able to add that amendment into the recommendations.

Planner Schwark asked if anyone would be willing to make that amendment.

Stoneman stated that she would like to amend her motion to add the emergency gate at Bluff Ridge Road emergency access road. Seconded by Hicks.

Binnie requested an explanation from Hicks where he was going with that amendment. Hicks stated it is simple-Bluff Ridge Drive dead ends just north of the property. However, after talking with the Fire Department this would make an excellent entrance in the case of an emergency when their lines are across Moriane View Parkway. Simply to have the developer add that as an emergency access lane whether it is paved or gravel and then add a gate with a lock and they work out with fire department key access.

Smith asked about where we landed on a traffic study. He wanted to know what the status is with a traffic study as there seems to be some concerns over that. Economic Development Director Zeinert stated that at the last meeting DPW Brad Marquardt gave his professional expertise that the road would be able to accommodate the new visitors and people living within this complex. Smith asked if Marquardt had any data. Zeinert stated that they had previously looked at the Wisconsin Department of Transportation and believed that this is outlined within his memo.

Binnie stated that Stoneman had a motion to add what Hicks requested. He seconded that for discussion. Binnie asked Hicks if his amendment was addressed in some way in the fire department memo. Hicks stated he does not believe that it was which is why he added it last time. Then it seems appropriate to me to change that motion a little bit to say that would be required subject to agreement of the fire department or something like that. Hicks stated that he takes his previous statement back, he is looking at the fire department memo under site access "while the current plan includes two ingress/egress points off of Moraine View Parkway which meet the required width per code, we believe that extending Bluff Ridge Drive to the south would enhance emergency vehicle access" Hicks stated he agrees with that but at the same point he doesn't want to turn this into something that is used daily by commuters. My motion was strictly emergency access only with a gate installed that is locked.

Stoneman asked again for Hicks to clarify what is different from what was shared by fire. They are saying to extend Bluff Ridge Drive to the south which brings it into the development which would simply make it a third access road in and out. And my intention is to put a gate to make it emergency access only for fire and police. Stoneman confirmed that he would like a gate there. Hicks confirmed in the affirmative.

Planner Schwark stated I think what Neil is trying to avoid is people sneaking through there and using that as a regular access point. So I do think that it would not be a bad idea to have a gate there so that we don't have unwanted traffic going through that access point. And of course there would be a key or Knox box for the emergency services to always be able to utilize that entrance.

Public Hearing Reopened at 6:46 p.m.

Nancy Boyer stated she doesn't understand how we can add things to this and take things away. This is not what you voted on to begin with. I think you should vote again on the way you want it now. This is totally unfair and we don't get to have any say in it.

Economic Development Director Zeinert asked Attorney McDonell whether the PARC was in their purview to add conditions.

Attorney McDonell confirmed that the PARC can add conditions, because it has been moved for reconsideration

Jill Gerber wants bring up a point from what Hicks stated if this is going to be a locked gate and separate entrance. What usually happens is you find people parking there, but he wants a access for the fire department. She doesn't know how or if you can restrict parking from that lane to be no parking and if it's enforceable if it is private property.

Bill Zellmer the point of this meeting I thought because there was some discrimination against the section 8 you were going to reconsider this project which means to reconsider whether you are going to say yes or no to it. Not just to add what you want to it as far an addendum goes. This is not fair as all the stuff that people brought that weren't here before make a lot of sense. I think you should reconsider this and take a vote on whether this should pass or not. There are so many things that people brought up I can't see how you can approve this.

Hicks pointed out that we had a first and second to that motion but did we need to take a vote on his amendment to the original motion. Do we need to take a vote on that before the original motion.

Attorney McDonell confirmed that we need to take a vote first on the amendment.

Hick's motion is to include a locked gate at the emergency access point, so that this is not a usable path. Seconded by Binnie.

Yea: Stoneman, Hicks, McCormick, Miller, Parker, Smith, Binnie

McCormick wanted to clarify why, your comments did not fall on deaf ears. I understand your complaints. But according to our commission if those requirements are met then it is our responsibility as a board to pass this CUP.

Binnie clarified that we are just on the amendment right now not on the main motion.

Miller explained that he asked the City Attorney if he felt that Miller had a conflict of interest and he didn't think he did. And just to clarify my wife and I do not discuss City business and besides she doesn't tell me how to vote.

Motion on amendment passed unanimously

Binnie stated that we are now back to the main motion. He stated that he is not insensitive to the comments and concerns that have been raised but the reality is the CDA put us in this situation and there is absolutely nothing we can do about the TIF as has been indicated. It is not true that the public didn't have an opportunity to comment on that, I'm sure it was noticed just like any other decision by the public. It was apparently not noticed by the public but it was legal noticed and consequently the public did have an opportunity to comment on that decision. Secondly, we are also in a position where the state has put us by restricting so highly our ability to oppose a conditional use permit. In spite of the concerns we have heard, I cannot come up with anything that would legally qualify as a reason not to approve this conditional use permit. Because the applicant has

as indicated by the attorney checked the boxes to comply with our current ordinances and among them as the planner indicated the allowance to construct a certain amount of units within this property size and she has indicated that actually they could apply for more units than what they have applied for. My other concern would be in terms of postponing this decision we do have requirements within our ordinances and probably even in state statutes that require us to make a decision within a certain timeframe unless the applicant agrees to allow a postponement of that decision. And I suspect that we are already up against that deadline now since we already dealt with the matter once a month ago. So again I hear and understand the concerns but I do not believe we have a justifiable reason to be able to turn down this application.

Smith stated that he would love a chance to chime in as well. He will throw out there that today he actually called other municipalities and discussed this situation with them and they confirmed what our lawyers here today said. I actually called West Bend, Mukwonago and Oconomowoc and they confirmed it is what it is. I will throw out there that it is an interesting situation that we can't deny lawful payment. The payment would be coming from the federal government. The federal government is printing money like it is going out of style and we can't object to that. By saying in our community we don't want to be a part of that. It is an interesting conversation and specifically with regards to the the TIF I have documented it was passed on a Thursday and on the following Tuesday I specifically asked city administration what the amount of the TIF was. It was very directly not told to me and citizens were not allowed to speak on it and it was voted on that night. Please correct me if I'm wrong. I think it is unfortunate, it's a lot a money. I will say I think I would support the toning down or halving of the units I would say my kids play in that neighborhood; it's a beautiful neighborhood. I think because of the emphasis on the government subsidized housing. I think with the emphasis it is probably going to be there one day or it is likely or a very good chance of it. And I think that would support putting in half. I can tell you despite what we hear it is a congested area there is one road in and out and we are going to multiple the traffic by a factor.

Stoneman stated that she just wanted to thank everyone for coming and talking to us on this. The PARC has limited amount we can do. We have to look at the conditional use and the architectural review of it. She is relieved that we are taking off the section 8 and section 42 part of it because we shouldn't be discriminating against people because of social status or for any reason.

Planner Schwark asked if we had opened public comment.

Attorney McDonell stated he believes we hadn't closed it.

Planner Schwark asked if we were in the middle of a roll call vote or where were we at.

Jeff Knight said he wanted to address Binnie's comment. When the CDA took action on the Thursday night the total amount was never disclosed. So when people asked me how much it was I couldn't share that because it was a closed item from the CDA. When it came to the City they allowed the public to speak and a lot of the people who were there weren't on the CDA and didn't know the number but he was not at liberty to share it. So they went to closed session and there motion came up with the amount when they came out of closed session. I tried to address the city council at that time and come to

the podium and said I would like to address they stated nope you already spoke. I said well I beg your pardon there is new information. The decision was made that I could not speak again because I spoke during the city's open session and up until that point in time nobody in the public knew the total amount of the TIF funding. I think there was an error, a serious error and I will be more vigilant to call people on the carpet and bring legal counsel if I have to. But that was a mistake and I think these people are paying for that mistake. Because they couldn't address the excesses the city put in the funding on this project, when you compare it to a farm or a progressive community like Madison.

Public Hearing was again closed at 7:00 p.m.

Motion Stoneman moved to approve issuance of the conditional Use Permit with the conditions removing the condition related to section 8 and section 42 housing adding a locked gate at emergency access point. Seconded by Binnie.

Yea; McCormick, Miller, Parker, Binnie, Stoneman

Nay Hicks, Smith

Motion passed

- 3. Consideration to Approve to Recommend to Common Council a change to the City of Whitewater Municipal Code Chapter 19, Specifically Repeal Section 19.51.180 Truck, Trailer, Mobile Home and Equipment Parking Restrictions.

Planner Schwark explained that we currently have two ordinance sections that say the exact same thing. We would like to repeal the section in 19 since the exact same verbiage is also in title 20, to get rid of areas that have repeat items to make it easier to read for the public.

Motion to recommend to the common council to repeal 19.51.180.

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

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

- 4. Consideration to Approve and Recommend to Common Council a change to the City of Whitewater Municipal Code Chapter 19, Specifically Section 19.48.020 Institutional District Permitted Uses, adding Libraries, Municipal Buildings, Public and Semi Public Uses.

Planner Schwark stated that we have had discussion on this in the last couple of months at PARC. At last month's meeting we had a great discussion about some final tweaks that the board wanted to see in this ordinance and this is those changes.

Motion to recommend to common council with removing churches.

Binnie stated that his recommendation last time was to remove religious institutions and make it faith based institutions. To him it feels quite redundant the way it is it reading now with both churches and faith based institutions, my preference would be to

eliminate churches and just have cultural centers and faith based institutions but he can live with it.

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

5. Consideration to Approve and Recommend to Common Council a change to the City of Whitewater Municipal Code Chapter 19, Specifically Section 19.69.050 Hearing-Notice to Property Owners.

Planner Schwark stated at last month's meeting we had a discussion about this ordinance section about adding in some verbiage that would allow us to have some discretion with the buffer requirement. So if it was a project we felt that we wanted to notify more of the general public or make a larger area informed of the project coming before the PARC we would have the discretion to do so.

Hicks stated he would like to add a stipulation to the motion. At last meeting it was mentioned that you go off the the Walworth County or whatever GIS where they just put a dot in the middle of the property. I would like it to be the border of every lot line. So it would be a square line 300 feet from the property line and not just a circle or radius.

Dostie stated that she has attempted to draw in the property lines and use the border but it is still giving the same circle or blub approximation. She would have to ask our GIS analyst if there is another way to do this.

Hicks stated he would appreciate if we continue looking into how we can do this.

Planner Schwark stated do we want to keep looking into that as a separate discussion item and bring that back to the PARC next month but move forward with the ordinance change itself.

Hicks stated he would be fine with that and bring it up as a future agenda item.

Smith asked about a clarification trying to figure out what is the boundary.

Dostie explained that currently with GIS there is a red dot on each property-some are in the middle some are closer to the street and that is where it is pulling the 300 feet from.

Smith stated so that we have the opportunity to err on the side of caution so that if it is close we send it.

Binne stated that his view is that if it needs to be an ordinance then we need to defer this so that we don't have to go publishing this thing twice since it is a waste of time. But if we are ok with it just being a policy of the department than I think we can proceed.

Planner Schwark stated she would recommend that the buffer itself be a policy and not in the ordinance.

Parker stated that back in the day we did it from the property corners. And depending on the type of project we went out more than 300 feet. We had it as a policy.

Motion to recommend to council.

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

UPDATES / REPORTS

None

FUTURE AGENDA ITEMS

McCormick requested updates on the Doggie Daycare and Hawk Arcade.

NEXT MEETING DATE

October 14, 2024

ADJOURNMENT

Meeting adjourned at 7:18 p.m.

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

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

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c/o Neighborhood Services Director
312 W. Whitewater Street
Whitewater, WI 53190
or Idostie@whitewater-wi.gov

MEMORANDUM

To: City of Whitewater Plan and Architectural Review

Commission

From: Allison Schwark, Zoning

Administrator

Date: October 14, 2024

Re: Conditional Use Permit

Summary of Request	
Requested Approvals:	Conditional Use Permit for planned residential developments such as townhouses, condominiums and cluster housing.
Location:	Lot 4 Cedar Court /EV 00004
Current Land Use:	Vacant
Proposed Land Use:	2-family duplex
Current Zoning:	R-1, One Family Residence District
Proposed Zoning:	N/A
Future Land Use, Comprehensive Plan:	Higher Density Residential

History:

In 2020 a Conditional Use Permit application was filed and approved for a planned residential development in the City of Whitewater for a 6 unit multi-family development across 3 duplexes, located on the three Cedar Court vacant lots in the City of Whitewater. The development was approved with the following conditions:

I recommend the Commission grant conditional approval of the request to allow for a

Conditional Use Permit for a residential development such as townhouses, condominiums and

cluster housing conformance with the standards of the R-1 residence district per 19.15.030 (B)

at Tax ID# /EV 00004, /EV 00001, /EV 00002 subject to the following:

1. Currently Lot /EV 0002 has some of lot Tax ID /EV 00003 address 320 Cedar Ct parking lot located on it. There should be an easement in place or the lot line should be adjusted

a. Landscaping or fencing shall be provided and installed for parking areas located adjacent to residential in the event of alterations to the site.

2. A nonfamily household in R-1 shall be limited to three unrelated persons.

3. Urban Forestry Committee (UFC) will review and approve the landscaping plans.

4. A Knox box may be requested by the fire department.

5. Approval by Engineering, Building Inspector, Fire Inspector and other City departments.

6. Any other conditions identified by City Staff or the Plan Commission.

Unfortunately, the development was never completed, and only one eight-unit building remains on Cedar Court. The rest of the parcels remain vacant. The vacant lot on the corner of West Wildwood and Cedar Court has now sold, and the new owner is proposing to construct a side by side duplex.

Site Plan Review:

The applicant is requesting a Conditional Use Permit for Planned residential development. This includes townhouses, condominiums and cluster housing. In order to allow increasing the intensity of use, the plan commission may allow as a conditional use the following variations from the district requirements:

1. In an approved planned residential development, each dwelling structure need not have an individual lot or parcel having the requisite size and dimensions normally required in the districts. However, the size and the entire development parcel divided by the number of dwellings shall be equal to or larger than the minimum lot area for the district where the site is located;

2. The yard requirements between buildings shall be fixed by the plan commission. Building setbacks from the perimeter of the site shall comply with the front yard, rear yard and side yard requirements of the district;

3. Private streets may be approved to serve uses within the site, provided that the site proposed for PD has frontage on a public street.

The proposed site plan appears to be in full compliance with all minimum requirements.

The plan includes a side-by-side duplex with 3 bedrooms, 2 bathrooms, and an attached garage on each side. Access to the property would be provided with two driveways, both off W Wildwood Road.

Minimum yard requirements in the R-1 district are as follows:

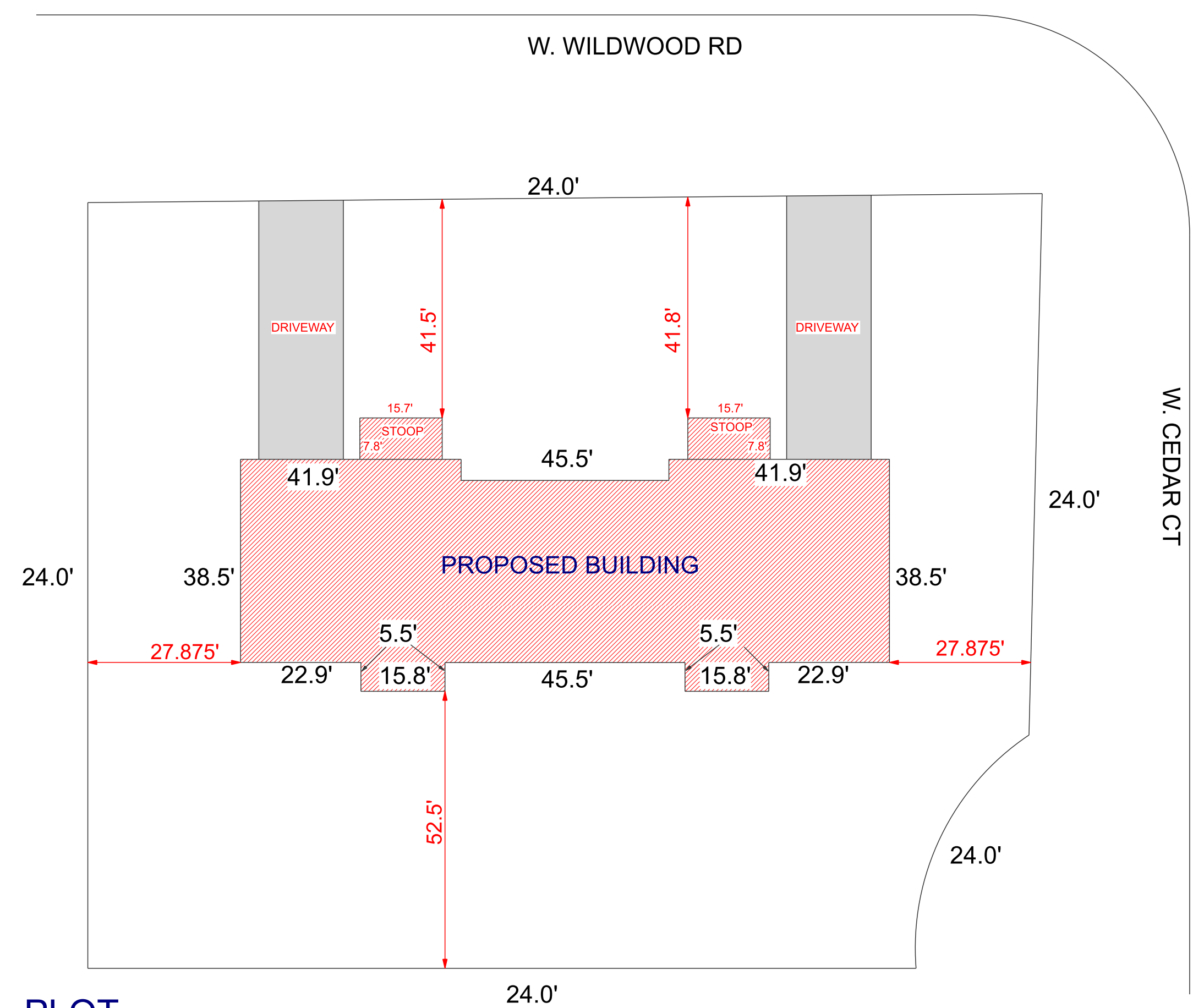
- A. Front, twenty-five feet; not more than forty percent of the front yard may be an impervious surface except as a conditional use.
- B. Side, ten feet, corner lot, twenty-five feet;
- C. Rear, thirty feet; not more than forty percent of the rear yard may be an impervious surface except as a conditional use.

The proposed site plan appears to be in full compliance with all minimum requirements.

Additionally, the proposed site plan appears to be in compliance with all requirements of the R-1 zoning district, as well as all driveway and access standards.

Planner's Recommendations

- 1) Staff recommends that Plan Commission review the Conditional Use Permit for a duplex to be considered within an R-1 Zoning District, and determine if it meets the purpose and intent of the R-1 Zoning Ordinance.



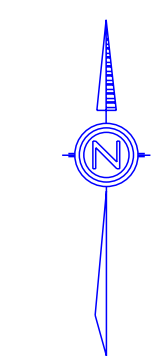
PLOT
SCALE: 1" = 20'-0"

LEGAL DESCRIPTION
 4 CEDAR CT
 WHITEWATER WI 53190
 PARCEL ID: /EV 00004
 LOT AREA: 0.56 ACRES

PLOT PLAN

0 20' 40'

Scale: 1" = 20'-0"



ABNER CASTRO - ALPHA BUILD



Lumber and HomeWorks
 613 ATLAS AVE. MADISON, WI 53714 Phone: (608) 244-4777

Scale: AS NOTED
 Date: 05-02-2024
 DRAWN By: Andrew Coffell
 VRH

4 CEDAR CT. WHITEWATER WI 53190

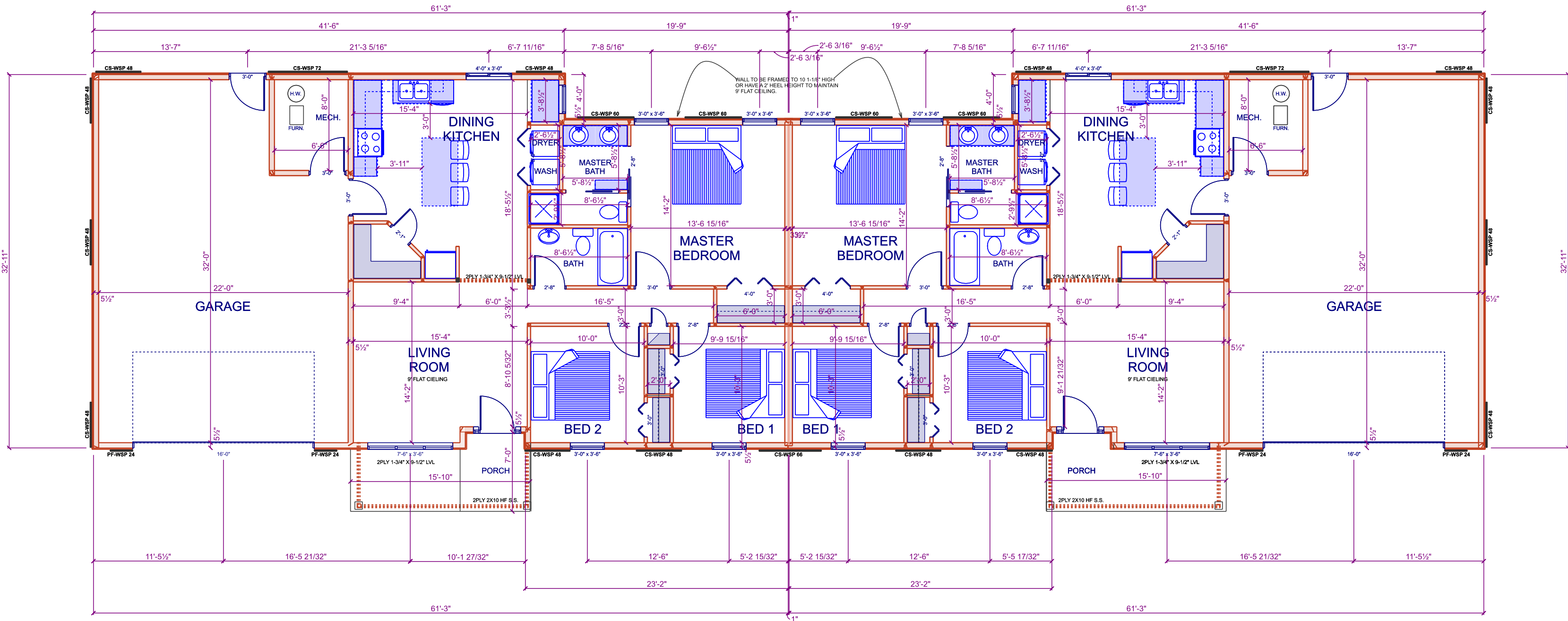
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GENERAL MAIN FLOOR NOTES

- ALL EXTERIOR WALLS FRAMED WITH 2x6'S - 16" O.C WITH 7/16" SHEATHING OVER AT ENTIRE HOUSE. WALL BRACING PER LOCAL CODE INTERPRETATION. INSULATE WALLS PER TYPICAL BUILDING SECTION
- FRAME ALL GARAGE WALLS WITH 2x4'S - 16" O.C WITH TREATED BOTTOM PLATE TO CONCRETE AND 7/16" OSB WALL SHEATHING.
- VENT ALL BATH FANS TO EXTERIOR THROUGH ROOF VENT OR THROUGH SOFFIT. (SOFFIT VENTING MUST TERMINATE TO EXTERIOR VIA UNDERMOUNT SOFFIT VENT).
- ALL EXTERIOR DOORS SHALL BE STEEL INSULATED (STI) OR EQUAL WITH WEATHERSTIP.
- ALL WINDOW CODE NUMBERS ARE GENERIC NUMBERS UNLESS OTHERWISE NOTED. UNIT TO INCLUDE SCREENS AND EXTENSION JAMBS AS REQ. SUPPLIER TO CONFIRM UNIT NUMBERS AND SIZINGS W/ GENERAL CONTRACTOR (GC) PRIOR TO FRAMING. WINDOW SUPPLIER TO VERIFY AT LEAST (1) ONE WINDOW IN ALL BEDROOMS TO MEET EGRESS CODE. WITH SILL HEIGHT NOT GREATER THAN 46" ABOVE FINISHED FLOOR. ALL HABITABLE ROOMS TO HAVE A MIN. OF 8% NATURAL LIGHT OF FLOOR AREA. BEDROOM AND/OR SLEEPING AREAS TO HAVE MIN. 3.5% VENTILATION OF FLOOR AREA.
- SAFETY GLAZING TO BE INSTALLED IN ANY DWELLING WINDOW THAT IS PART OF A TUB AND/OR SHOWER ENCLOSURE AND WITHIN 5' (60") VERTICALLY OF THE TUB OR SHOWER DRAIN.
- SAFETY GLAZING TO BE INSTALLED IN ANY WINDOW THAT IS WITHIN 4' (48") VERTICALLY AND 1' (12") HORIZONTALLY OF A STAIRWAY TREAD OR LANDING TO ADDRESS FALLS ON STAIRWAYS.
- ALL ROOF TRUSS ENGINEERING AND LAYOUT IS TO BE COMPLETED BY TRUSS MANUFACTURER AND CONFIRMED BY GC PRIOR TO FRAMING. COPY OF TRUSS DRAWINGS AND LAYOUTS TO BE AVAILABLE ON SITE UNTIL FRAMING INSPECTION IS COMPLETED.
- ALL ROOF FRAMING MEMBERS SPANNING MORE THAN 6' (72") TO BE ANCHORED TO BEARIN TOP WALL PLATES WITH ENGINEERED CLIPS, STRAPS OR HANGERS. (NOTE: TOE-NAILING IS NOT SUFFICIENT.)
- ALL TJI JOISTS OR RAFTERS TO BE SIZED AND ENGINEERED PER MANUFACTURER'S REQUIREMENTS. INSTALLATION TO BE VERIFIED BY MANUFACTURER SYSTEM REQUIREMENTS AND VERIFIED BY GC AND SUPPLIER PRIOR TO START OF CONSTRUCTION
- ALL ANGLED WALLS ARE AT 45°, UNLESS OTHERWISE NOTED OR DIMENSIONED.
- SMOKE DETECTORS TO BE PROVIDED AT ALL LEVELS INCLUDING BASEMENT, AND ALL BEDROOMS. DETECTORS TO BE HARDWIRED AND INTERCONNECTED WITH BATTERY BACK-UP.

GENERAL MAIN FLOOR TAGS

- ◇ SHELF & POLE PER CONTRACT OR OWNER DIRECTION - SUPPLY BLOCKING AS REQUIRED
- ◇ LINEN/PANTRY - (4) SHELVES, AS WIDE (UP TO 24") AS ALLOWED BY CLOSET DEPTH (VIF)
- ◇ KITCHEN, BATH, LAUNDRY CABINERTY - LAYOUTS PROVIDED BY SUPPLIER. ALL CABINET LAYOUT AND DESIGN TO BE SUPPLIED BY SUPPLIER AND TO BE SITE VERIFIED AFTER FRAMING. SPECIAL BLOCKING LOCATIONS TO BE PROVIDED BY CABINET SUPPLIER.
- ◇ SPECIAL BUILT-IN CABINETRY - LAYOUTS PROVIDED UNDER SEPERATE COVER OR PROVIDED BY OWNER PRIOR TO FRAMING. ANY DETAILING PROVIDED BY DESIGNER IS A SUGGESTION ONLY AND MUST BE FINALIZED PRIOR TO ACTUAL CONSTRUCTION.....
- ◇ ALL DOORS BETWEEN GARAGE AREAS AND HOUSE AREAS TO HAVE MIN. 20 MIN. LABEL FOR BOTH DOOR AND FRAME.... THIS INCLUDES DOORS AT BOTTOM OF STAIRS FROM GARAGE TO BASEMENT AREAS.
- ◇ ATTIC ACCESS SCUTTLES TO BE JAMBED AND CASED. ACCESS PANELS ON INTERIOR SPACE TO ATTIC AREAS NOT ACCESSIBLE FROM GARAGE MUST BE WEATHER STRIPPED AND PANEL



PLAN
SCALE: 1/8" = 1'-0"

NOTES:

- All Dimensions Are Stud To Stud Or Stud To Centerline Of Opng. Unless Noted
- All Headers In Load Bearing Walls Not Noted To Be (2) 2x10 HF Select. Struct.
- All LVL Beams Shown Are RigidLam 2.0E, 3100 Fb Manufactured By Roseburg
- Bottom Of Window Headers To Be 7'-11 3/8" Above Sub Floor, Unless Noted
- All Windows & Sliding Pato Doors To Be Andersen 400 Series Woodright Double Hung & Awning Units w/Low-E4 w/Heatlock Coated Glass & Full Screens.
- Gaurdrails Shall Be Constructed To Prevent The Through Passage Of A Sphere w/A Diameter Of 4 3/8" Or Larger & Shall Be Designed To Withstand A 200 LB. Load Applied In Any Direction.
- 2x6 Walls w/Pocket Door - Use Flat 2x4 Studs Vs. Metal Studs To Create Door Pocket
- Seal Openings (Air Leaks) Around Plumbing Stacks, Exhaust Fan Housing, Electrical Wires, Recessed Lights, Interior Partitions, HVAC Ducts, Attic Scuttle, Chimneys & Any Other Penitrations Into Attic.
- Headers To Be Sized After Trusses Are Designed

WOOD SPECIFICATIONS:

DESIGN CRITERIA	
FLOOR	- 40LL 10DL ALL AREAS
GARAGE FLOOR	- 50LL GARAGE FLOORS
WALL	- 60LL/F OR ACTUAL
CEILING	- 20LL 10DL LIMITED ATTIC STORAGE
CEILING	- 5ML 5PDL NO ATTIC STORAGE
ROOF	- 30LL 10DL ROOF SLOPES OVER 3/12
CATHEDRAL	- 30LL 15PDL ALL SLOPES
EXT. DECK	- 40LL 10DL EXTERIOR
BALCONY	- 40LL 10DL EXTERIOR

STRUCTURAL FRAMING LUMBER	
FLOOR JOISTS, CEILING JOISTS, HEADERS, AND RAFTERS IN-GRADE BASE VALUES (USE NO MULTIPLIERS AGAINST BASE VALUE)	
GRADE #2 OR BETTER	SPECIES = DOMESTIC SPF
MANUFACTURER: MEYERHAEUSER	PRODUCT: MICROLLAM
SIZE: PER PLAN	Fb = 2600 PSI
	E = 2.0 X 10 ⁶ PSI

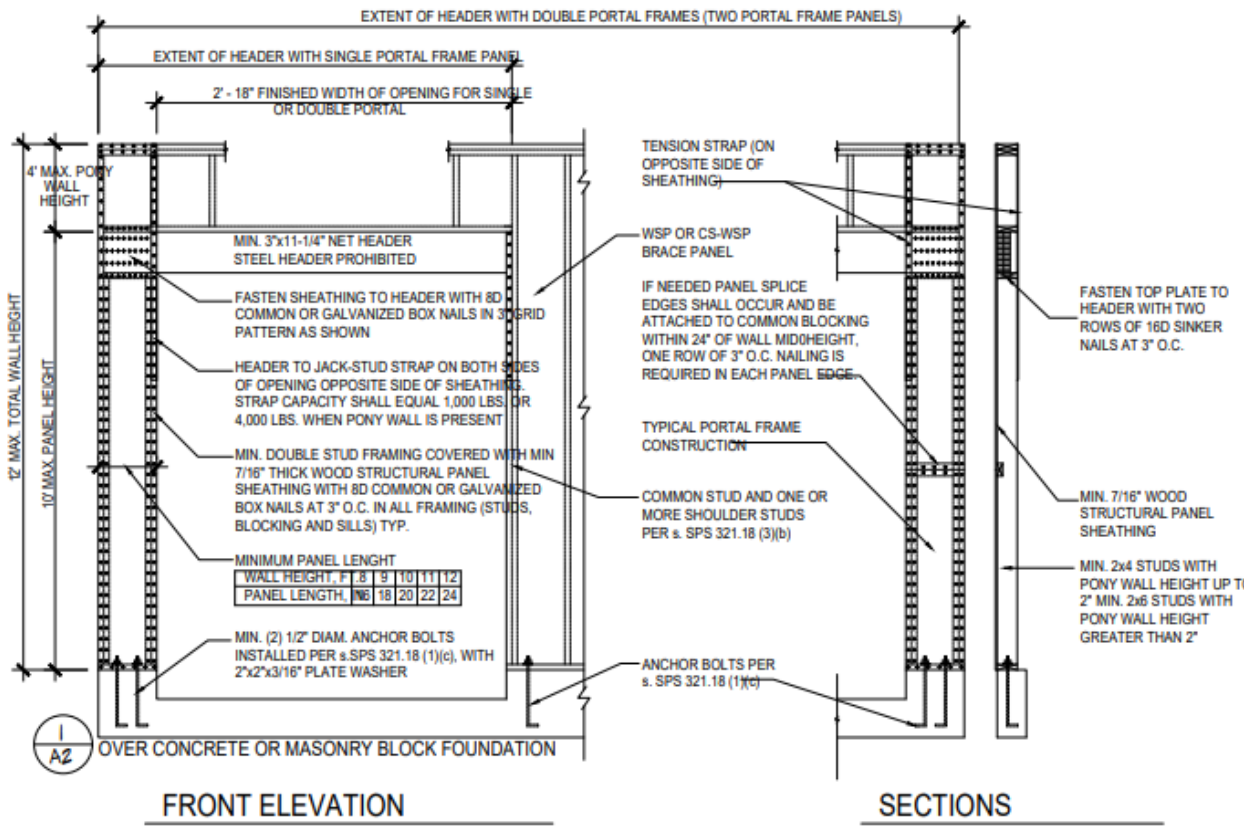
MICROLLAM (LVL) DESIGN PROPERTIES:	
DESIGN VALUES SHOWN ARE FOR 100% LOAD DURATION	
1 3/4" 2.0E MICROLLAM (LVL)	
ALLOWABLE	DEPTH
DESIGN PROPERTIES	5 1/2"
MOMENT (FT LBS.)	2,125
SHEAR (LBS.)	1,850
MOMENT OF INERTIA (IN ⁴)	24
WEIGHT (LBS./LN.FT.)	2.8

2.0E MICROLLAM LVL ALLOWABLE DESIGN STRESSES

SHEAR MODULUS OF ELASTICITY	G = 125,000 PSI
MODULUS OF ELASTICITY	E = 2.0 X 10 ⁶ PSI
FLEXURAL STRESS	Fb = 2,600 PSI
COMPRESSION PERPENDICULAR TO GRAIN PARALLEL TO GLUE LINE	Fc _⊥ = 1,750 PSI
COMPRESSION PARALLEL TO GRAIN	Fc _∥ = 2,510 PSI
HORIZONTAL SHEAR PERPENDICULAR TO GRAIN	Fv = 285 PSI

(1) FOR 1/2" INCH DEPTH FOR OTHERS, MULTIPLY BY 1/4

(2) Fc_∥ SHALL NOT BE INCREASED FOR DURATION OF LOAD.



PF - PORTAL FRAME BRACE CONSTRUCTION

ABNER CASTRO - ALPHA BUILD

MARLING Lumber and HomeWorks
613 ATLAS AVE. MADISON, WI 53714 Phone: (608) 244-4777

Scale: AS NOTED
Date: 05-02-2024

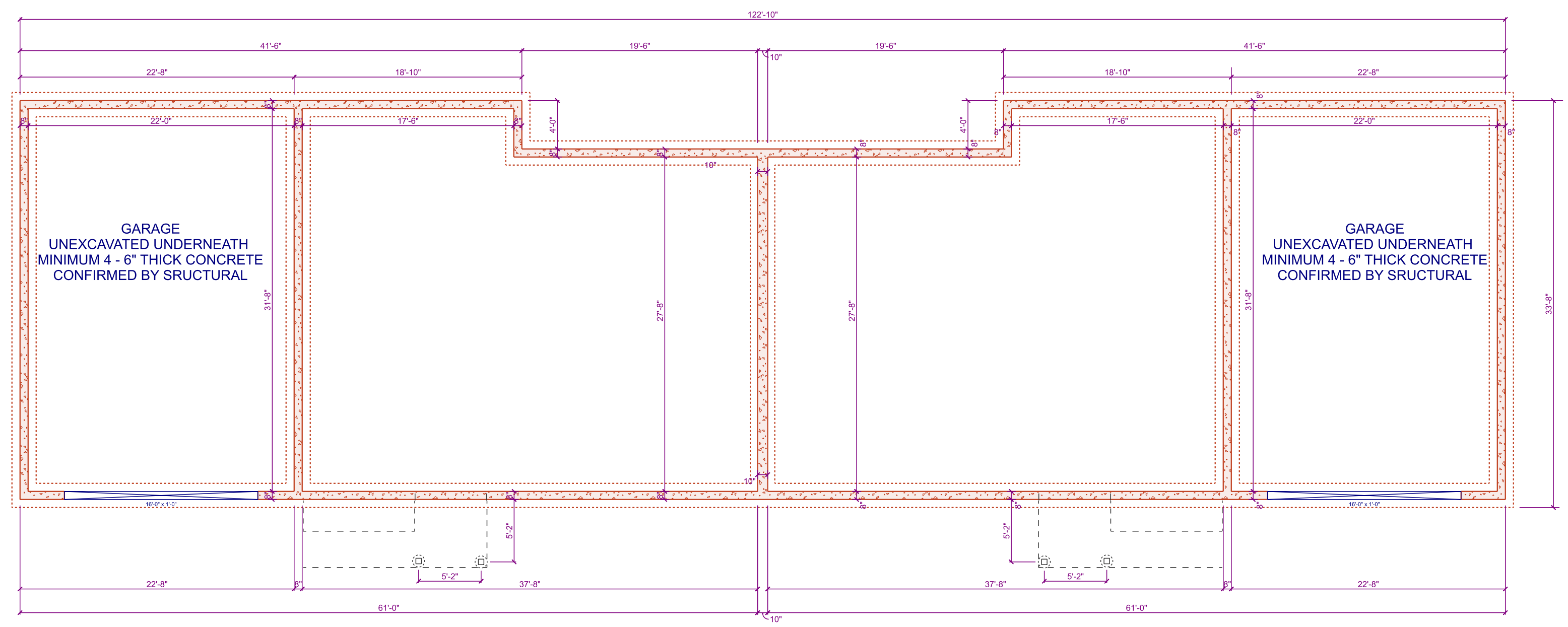
DRAWN BY: Andrew Coffell
VRH

4 CEDAR CT. WHITEWATER WI 53190

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CLIENT AND / OR CONTRACTORS MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. THE CLIENT AND / OR CONTRACTORS WILL ASSUME ALL RESPONSIBILITY FOR LOCAL CODE COMPLIANCE. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, PROCEDURES OR SAFETY PRECAUTIONS AND PROGRAMS IN CONNECTION WITH THE WORK.


GENERAL FOUNDATION NOTES

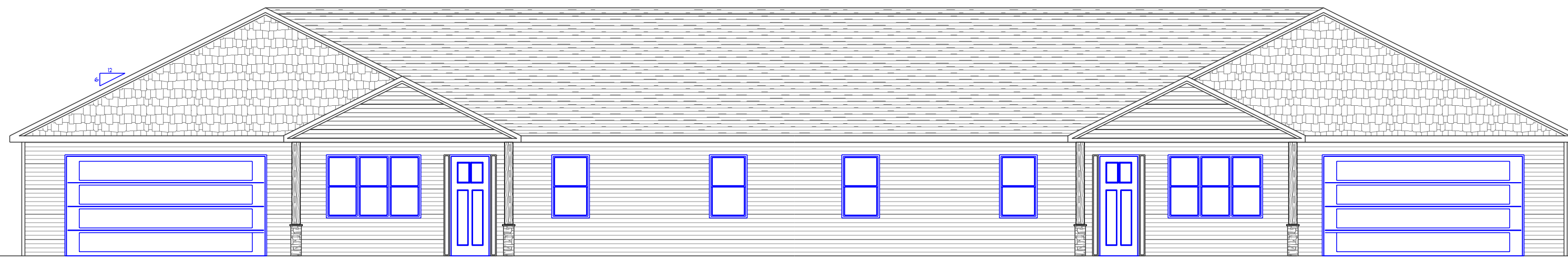
- 1 BASEMENT WALLS TO BE INSULATED PER TYPICAL BUILDING SECTION USE PROTECTIVE COVER OVER ANY EXPOSED INSULATING BOARDS
- 2 USE A 2X6 PRESSURE TREATED SILL PLATE WITH SILL SEALER, SECURED WITH 1/2"Ø ANCHOR BOLTS (7" MIN. EMBEDMENT), 72" O.C. AND MIN. 18" FROM CORNERS. (ANCHOR STRAPS MAY BE USED IF APPROVED BY LOCAL INSPECTOR).
- 3 ALL FOUNDATION WALLS SHALL BE POURED CONCRETE PER PLAN TAG WITH POURED CONCRETE FOOTINGS (WITH KEY OR BARS) AS FOLLOWS:
8" WALLS ... 16"x8" / 10" WALL ... 20"x10" / 12" WALLS ... 24"x12"
- 4 ALL WALL/FOOTING HEIGHTS TO BE SITE ADJUSTED BY EXCAVATOR AND CONCRETE WALL CONTRACTOR TO PROVIDE A MINIMUM OF 48" FROST PROTECTION. BRICK LEDGES TO BE STEPPED AS GRADE REQUIRES, VERIFIED BY GC IN FIELD....
- 5 ALL WOOD IN CONTACT WITH CONCRETE SURFACE SHALL BE PRESSURE TREATED MATERIAL
- 6 ALL LANDSCAPED RETAINING WALLS AND/OR TREATED WOOD NAILING STRIPS (MIN. 2x IN CONCRETE WALLS SHALL TREATED MATERIAL AND BE SITE VERIFIED BY GC AT TIME OF WALL POUR. (NAILERS TP BE PLACED MIN. 16" OC).
- 7 ALL STEEL I-BEAMS AND LVL STRUCTURAL MEMBERS TO BE SIZED AND ENGINEERED BY SUPPLIER PRIOR TO INSTALLATION. STRUCTURAL ENGINEERING MAY BE OBTAINED UNDER SEPERATE COVER
- 8 ALL TJI JOISTS OR RAFTERS TO BE SIZED AND ENGINEERED PER MANUFACTURER'S REQUIREMENTS. INSTALLATION TO BE VERIFIED BY MANUFACTURER SYSTEM REQUIREMENTS AND VERIFIED BY GC AND SUPPLIER PRIOR TO START OF CONSTRUCT



FOUNDATION PLAN
SCALE: 1/8" = 1'-0"

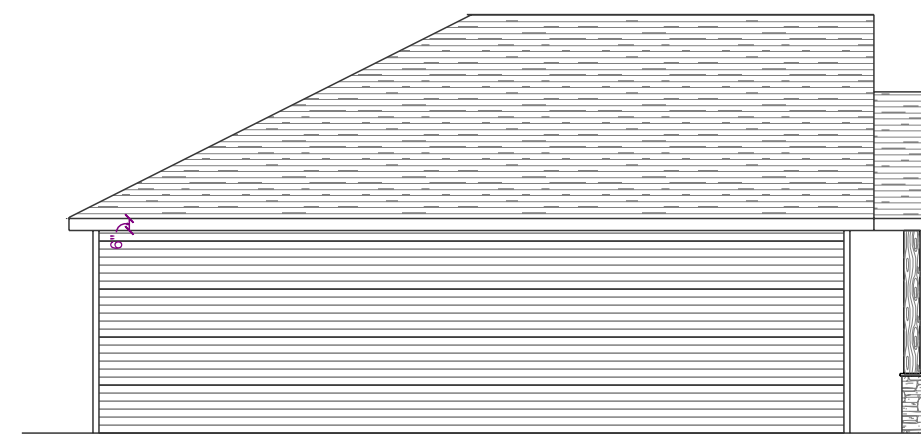
ABNER CASTRO - ALPHA BUILD

 <p>MARLING Lumber and HomeWorks 613 ATLAS AVE. MADISON, WI 53714 Phone: (608) 244-4777</p>		DRAWN By: Andrew Coffell VRH
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ELEVATION FRONT

SCALE: 1/8" = 1'-0"



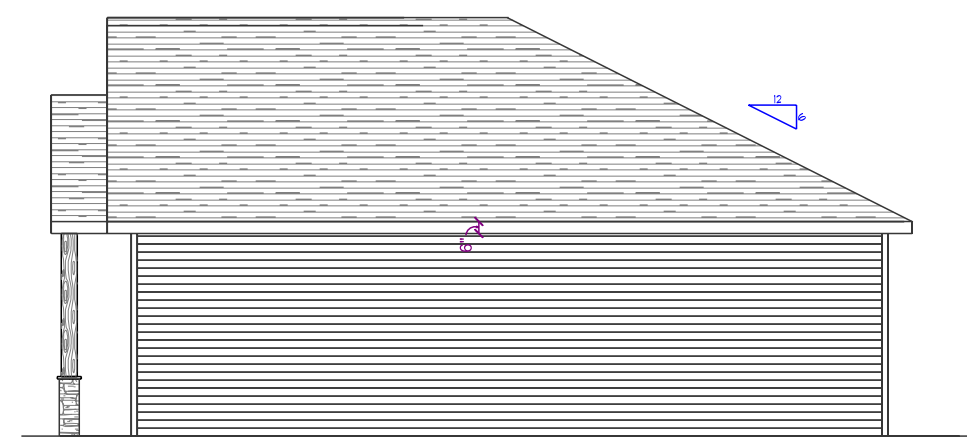
LEFT ELEVATION

SCALE: 1/8" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"



RIGHT ELEVATION

SCALE: 1/8" = 1'-0"

ABNER CASTRO - ALPHA BUILD



Lumber and HomeWorks

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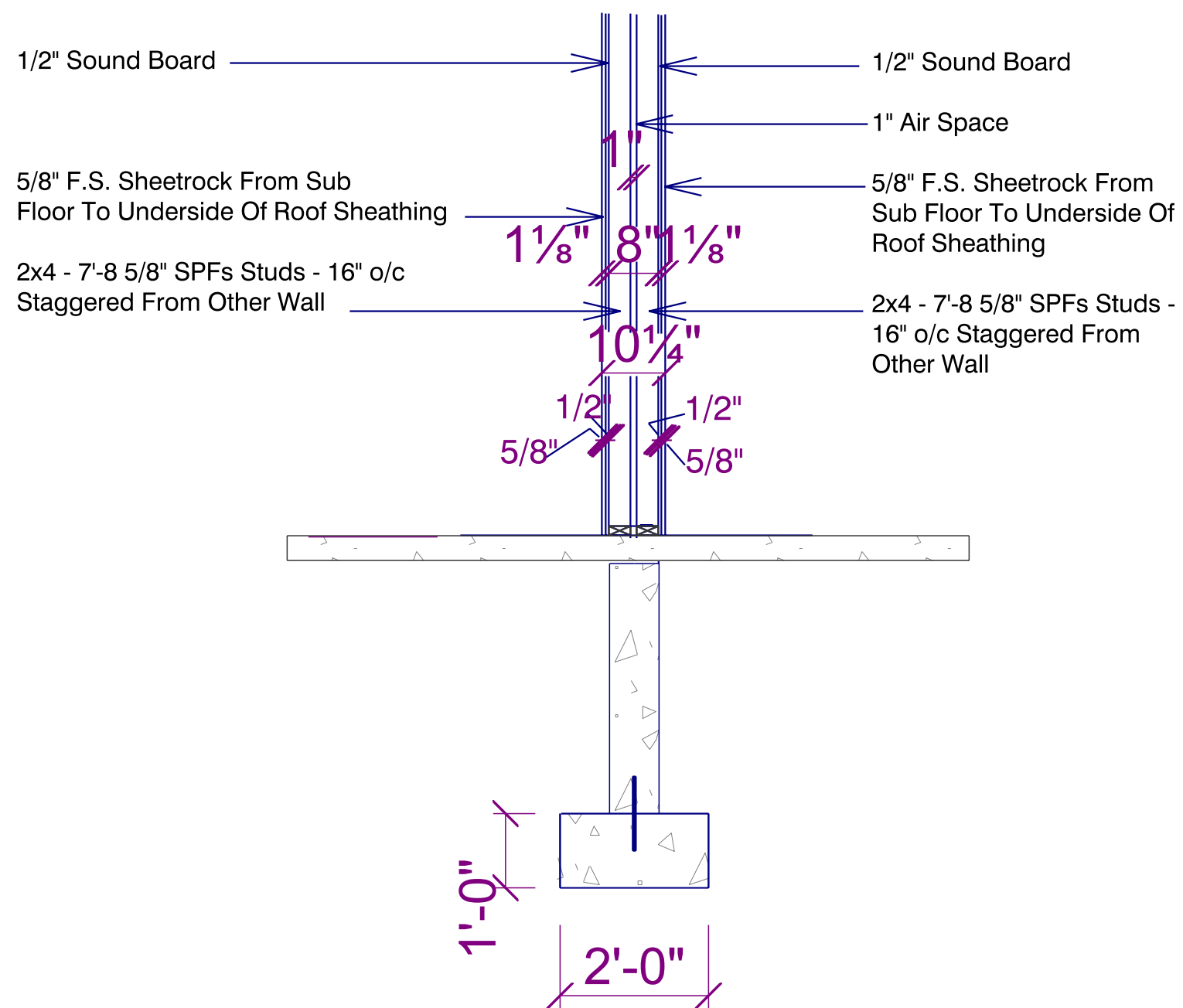
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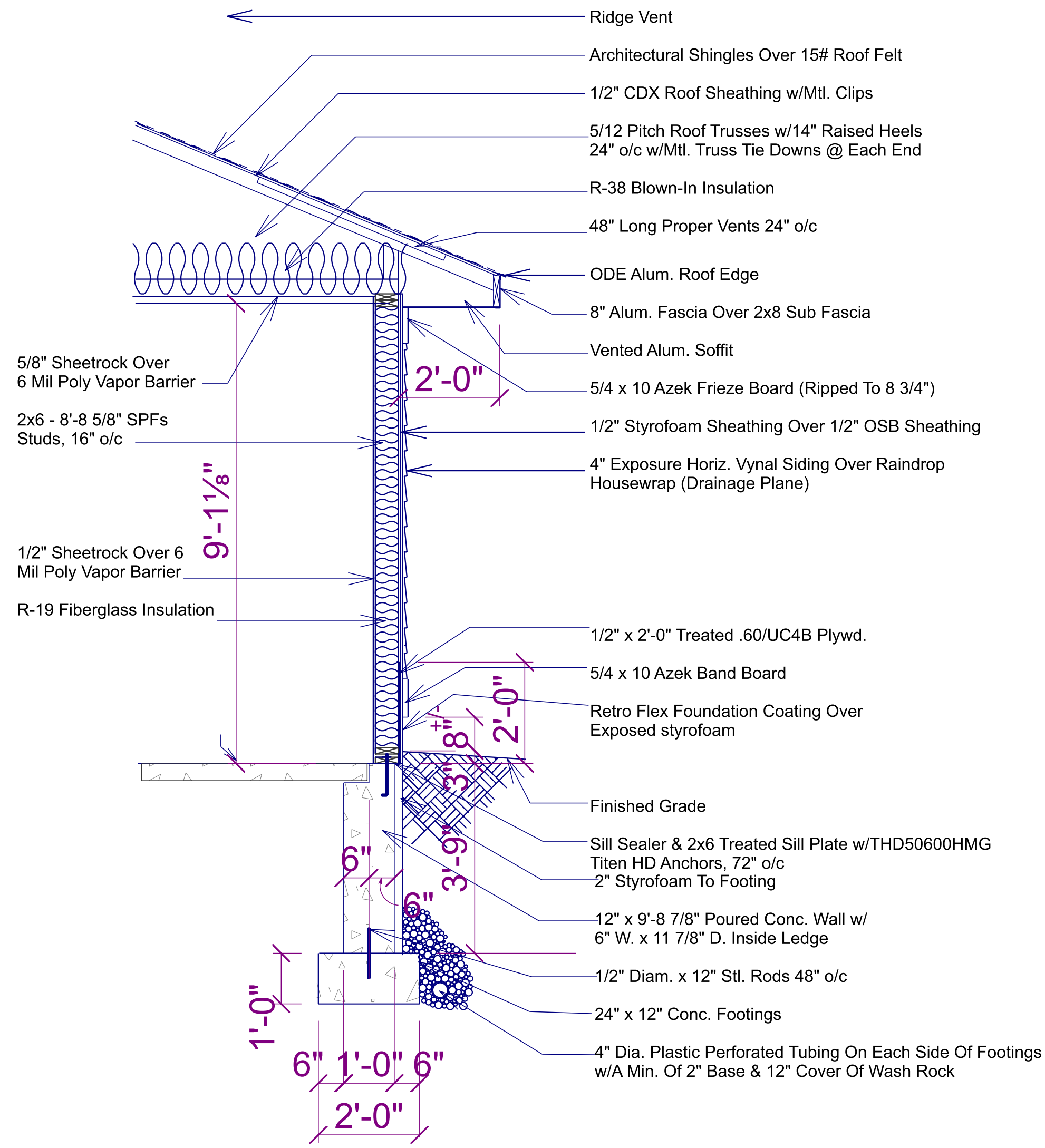
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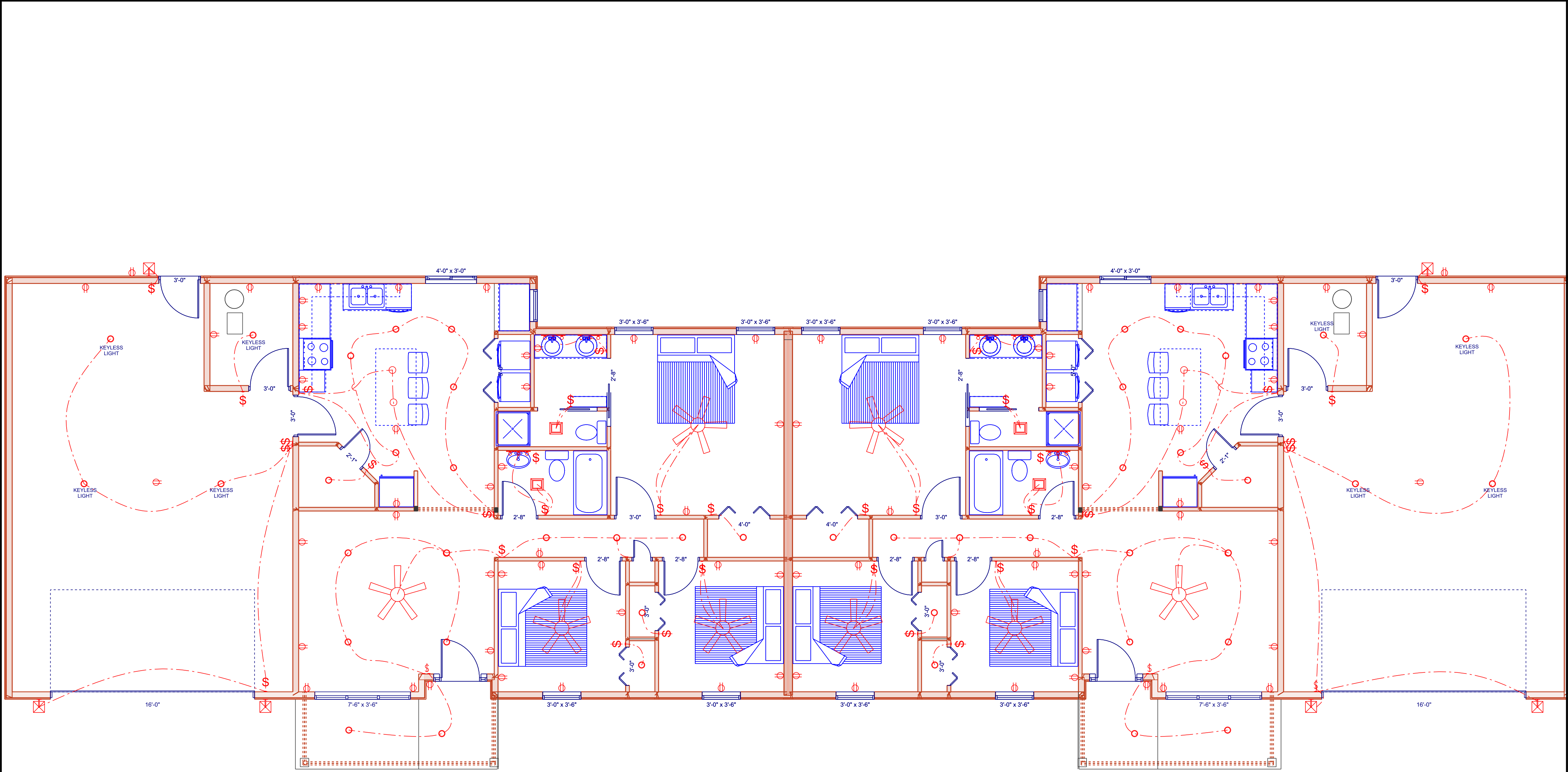
PARTY WALL SECTION
Scale: 1/2" = 1'-0"



TYPICAL WALL SECTION (#1)
Scale: 1/2" = 1'-0"


ABNER CASTRO - ALPHA BUILD

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ELECTRICAL PLAN - ELECTRICAL
 SCALE: 3/16" = 1'-0"

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MATTHEW WYCH
 JOCELYN WYCH
 274 S WOODLAND DR
 WHITEWATER, WI 53190-9000

MARK BERGEY TRUST
 JEAN BERGEY TRUST
 284 WOODLAND DR
 WHITEWATER, WI 53190-9000

JEAN A TROST
 1406 WILDWOOD RD
 WHITEWATER, WI 53190

RICHARD TELFER TRUST
 VERONICA TELFER TRUST
 304 S WOODLAND DR
 PO BOX 299
 WHITEWATER, WI 53190

STEVEN T WEGNER
 ANGELA M WEGNER
 312 S WOODLAND DR
 WHITEWATER, WI 53190

NICHOLAS D STANTON
 38 S HILLSIDE TER
 MADISON, WI 53705-0500

MATTHEW I SCHAAL
 330 S WOODLAND DR
 WHITEWATER, WI 53190

TIMOTHY D SWARTZ
 CATHLEEN A SWARTZ
 340 S WOODLAND DR
 WHITEWATER, WI 53190

MIGUEL ARANDA
 FABIOLA ARANDA
 348 S WOODLAND DR
 WHITEWATER, WI 53190-9000

ELIAZAR FALCON
 VERONICA RAMIREZ
 353 EDEN CT
 WHITEWATER, WI 53190

ALAINA T SMITH
 JASON SANTOS BARAJAS
 341 EDEN CT
 WHITEWATER, WI 53190-9000

JENNIFER FERGUSON
 343 EDEN CT
 WHITEWATER, WI 53190-9000

DAVID W HABERMAN TRUST
 JULIE M HABERMAN TRUST
 348 EDEN CT
 WHITEWATER, WI 53190-9000

KEVIN BURKES
 JULIE BURKES
 413 BUCKINGHAM BLVD
 WHITEWATER, WI 53190-9000

JOSE BARAJAS
 409 S BUCKINGHAM BLVD
 WHITEWATER, WI 53190

JEFFREY S RADLOFF
 JANEL A RADLOFF
 401 S BUCKINGHAM BLVD
 WHITEWATER, WI 53190-9000

JOSHUAH KLINE
 SARAH KLINE
 393 S BUCKINGHAM BLVD
 WHITEWATER, WI 53190-9000

STEPHANIE A HARTMANN
 CORT R HARTMANN
 383 BUCKINGHAM BLVD
 WHITEWATER, WI 53190

FERNANDO VERDUZCO
 LETICIA VERDUZCO
 375 S BUCKINGHAM BLVD
 WHITEWATER, WI 53190-9000

JESUS BARAJAS AVILA
 TERESA BARAJAS GOMEZ
 127 S MAPLE LN
 WHITEWATER, WI 53190-9000

AARON A AXELSEN
 392 S BUCKINGHAM BLVD
 WHITEWATER, WI 53190-9000

BRANDON M CHURCH
 404 S BUCKINGHAM BLVD
 WHITEWATER, WI 53190-9000

ANTONIO ARANDA
 JENNELLE ROSSBACH
 PO BOX 293
 WHITEWATER, WI 53190-9000

ROBERT R SPRINGER
 NOEL H DOERFLER
 426 BUCKINGHAM BLVD
 WHITEWATER, WI 53190

320 CEDAR COURT LLC
 PO BOX 233
 WHITEWATER, WI 53190-9000

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 PO BOX 233
 WHITEWATER, WI 53190-9000

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 PO BOX 233
 WHITEWATER, WI 53190-9000

ALONSO PROPERTIES LLC
 402 AUGUSTA DR
 MADISON, WI 53717-1700

JERMAN PROPERTIES LLC
 PO BOX 616
 CAMBRIDGE, WI 53523-2300

THOMAS L VAUGHN
 DONNA R VAUGHN
 1614 W WILDWOOD RD
 WHITEWATER, WI 53190-9000

ANDREW G CRONE
JENNIFER A CRONE
1590 WILDWOOD RD
WHITEWATER, WI 53190

FANG YE
TIANSANG SYLVERNE
9 SPRING SIDE CT
BUFFALO GROVE, IL 60089-8900

MICHAEL K HAYES
HEIDI L HAYES
228 PINE CIR
WHITEWATER, WI 53190

JAMES BOYD TRUST
KATHRYN BOYD TRUST
280 S PINE CIR
WHITEWATER, WI 53190-9000

GARY J LYONS
211 SOUTH PINE CIR
WHITEWATER, WI 53190-9000

MARGARITE GARCIA RAFAEL
OMAR MEDINA
215 S PINE ST
WHITEWATER, WI 53190-9000

DENNIS L OLSON
PAULA M OLSON
281 S PINE CIR
WHITEWATER, WI 53190-9000

MICHAEL S OLSON
ELIZABETH A OLSON
1428 WILDWOOD RD
WHITEWATER, WI 53190

CORY R JODAT
1416 W WILDWOOD RD
WHITEWATER, WI 53900-9000

THOMAS WERTH TRUST
SARA STONE TRUST
361 BUCKINGHAM BLVD
WHITEWATER, WI 53190-9000

GARY L HARMS
JUDY A HARMS
1585 WILDWOOD RD
WHITEWATER, WI 53190

ANNA M SMITH STODDARD
317 S NORTH CT
WHITEWATER, WI 53190-9000

THOMAS E FOLL
JANE D FOLL
321 S NORTH CT
WHITEWATER, WI 53190

KURT E SKINDINGSRUDE
LINDA SKINDINGSRUDE
320 S NORTH CT
WHITEWATER, WI 53190

JM MEADOWVIEW LLC
400 BOULDER RIDGE CT
LAKE GENEVA, WI 53147-4700

JM MEADOWVIEW LLC
400 BOULDER RIDGE CT
LAKE GENEVA, WI 53147-4700

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LAKE GENEVA, WI 53147-4700

JM MEADOWVIEW LLC
400 BOULDER RIDGE CT
LAKE GENEVA, WI 53147-4700

Print

Conditional Use Permit Application - Submission #1048

Date Submitted: 8/27/2024

City of Whitewater

312 W. Whitewater Street
P.O. Box 178
Whitewater, WI 53190
262-473-0540
www.whitewater-wi.gov

Conditional Use Permit Application

NOTICE:

The Plan Commission meetings are scheduled at 6:00 p.m. on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Address of Property*

Lot 4 Cedar Ct.

City*

Whitewater

State*

WI

Zip Code*

53190

Owner's First Name*

Ramon

Owner's Last Name*

Alonso

Applicant's First Name*

Abner

Applicant's Last Name*

Castro

Mailing Address*

N7492 COUNTY RD N

City*

NEW GLARUS

State*

WI

Zip Code*

53574

Phone Number*

Fax Number

6086226623

Email Address*

castro@alphabuildanddesign.com

Existing and Proposed Uses:

Current Use of Property*

Single Family Home

Zoning District*

R1

Proposed Use:*

2-Family Home

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, materials and building elevations.
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 proposed site.
13. Waste disposal facilities: storage facilities for storage of trash and waste materials.
14. Outdoor storage, where permitted in the district; type, location, height of screening devices.

**One (1) full size, Fifteen (15) 11.x17, and One (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.

Standards

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. Applicant's explanation:*

The proposed 2-family (duplex) dwelling will not create a nuisance for neighboring uses or reduce the value of properties as there is already a multi-family building in the cul-de-sac currently. The proposed dwelling will only be a 1 story home with substantially less tenants.

That utilities, access roads, parking, drainage, landscaping and other necessary site improvements are being provided. Applicant's explanation:*

The proposed dwelling will have curb appeal, proper landscaping for erosion and drainage, utilities and private driveways as this will be home to tenants and we expect to have all amenities up to the highest standards. This property has access to city sewage, water and natural gas.

That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance. Applicant's explanations: *

The conditional use of this dwelling conforms to all applicable building regulations of the district. This application serves to approve the multi-family home ordinance.

That the conditional use conforms to the purpose and intent of the City Master Plan. Applicant's explanation:*

We believe the proposed plans conform to the City Master Plan and would make a a perfect addition to the cul-de-sac that already has a multi-family home in the adjacent lot. This duplex would give the adjacent street side an improvement considering the only things visible from the busy road is a large multi-family building.

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

Applicant's Signature*

Date

Abner Castro

8/27/2024

Plot Plan Upload

Choose File No file chosen

Plan Upload

Choose File No file chosen

Lighting Plan Upload

Choose File No file chosen

Landscape Plan Upload

Choose File No file chosen

File Upload

ABNER CASTRO-ALPHA BUILD-DUPLEX-final.pdf

File Upload

Choose File No file chosen

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

1. Application was filed and the paid at least four weeks prior to the meeting. \$100.00 fee

Filed on:

[Empty text box for Filed on]

Received by:

[Empty text box for Received by]

Receipt #

[Empty text box for Receipt #]

Application reviewed by staff members

[Empty text box for Application reviewed by staff members]

3. Class 2 Notice published in Official Newspaper on

[Empty text box for Class 2 Notice published in Official Newspaper on]

4. Notices of Public Hearing mailed to property owners on

[Empty text box for Notices of Public Hearing mailed to property owners on]

Plan Commission holds the PUBIC HEARING on

[Empty text box for Plan Commission holds the PUBIC HEARING on]

Public Comments may also be submitted in person or in writing to City Staff.

At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN

Conditional Use Permit: By the Plan and Architectural Review Commission

Granted

Not Granted

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

mm/dd/yyyy

Tips for Minimizing Development Review Costs-A Guide for Applicants

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

MEET WITH NEIGHBORHOOD SERVICES DEPARTMENT BEFORE SUBMITTING AN APPLICATION

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

SUBMIT A COMPLETE AND THOROUGH APPLICATION

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

FOR MORE COMPLEX OR TECHNICAL TYPES OF PROJECTS, STRONGLY CONSIDER WORKING WITH AN EXPERIENCED PROFESSIONAL TO HELP PREPARE YOUR PLANS

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

FOR SIMPLER PROJECTS, SUBMIT THOROUGH, LEGIBLE, AND ACCURATE PLANS

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

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

SUBMIT YOUR APPLICATION WELL IN ADVANCE OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION MEETING

The city normally requires that a complete application be submitted four (4) weeks in advance of the Commission meeting when it will be considered. For simple submittals not requiring a public hearing, this may be reduced to two (2) weeks in advance. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's planning consultant and staff an opportunity to address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to response to such questions or requests in a timely manner.

FOR MORE COMPLEX PROJECTS, SUBMIT YOUR PROJECT CONCEPTUAL REVIEW

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

1. Preliminary plans may be submitted to City staff and the planning consultant for a quick informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues:
2. You may request a sit-down meeting with the Neighborhood Services Director and or Planning consultant to review and more thoroughly discuss your proposal; and/or
3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge it's reaction before formally submitting your development review application.

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

HOLD A NEIGHBORHOOD MEETING FOR LARGER AND POTENTIALLY MORE CONTROVERSIAL PROJECTS

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

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



TYPICAL CITY PLANNING CONSULTANT DEVELOPMENT REVIEW COSTS

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

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

Type of development review being requested and planning consultant review cost range

Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)

- When land use is a permitted use in the zoning district and for minor downtown building alterations-up to \$600
- When use also requires a conditional use permit, and for major downtown building alterations-\$700-\$1,500

Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)

- When land use is a permitted use in the zoning district-\$700-\$2,000
- When land use also requires a conditional use permit- \$1,600-\$12,000

Conditional Use Permit with no Site plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)

- Up to \$600

Rezoning

- Standard (not PCD) zoning district-\$700-\$2,000
- Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time-\$2,100-\$12,000

Land Division

- Land Survey Map-up to \$300
- Subdivision Plat- \$1,500-\$3,000
- Plat (does not include any development agreement time)-\$50-\$1,500

Annexation

- Typically between \$200-\$400

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

Cost Recovery Certificate and Agreement

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

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

SECTION A: BACKGROUND INFORMATION-to be completed by the Applicant/Property Owner

Applicant's First Name*

Abner

Last Name*

Castro

Applicant's Mailing Address

N7492 COUNTY RD N

City*

NEW GLARUS

State*

WI

Zip Code*

53574

Applicant's Phone Number*

6086226623

Fax Number

Applicant's Email Address*

castro@alphabuildanddesign.com

Project Information

Name/Description of Development*

2 - Family Home (Duplex) Alonso Properties LLC

Address of Development Site*

Lot 4 Cedar Ct. Whitewater, WI 53190

Property Owner Information (if different from applicant):

Property Owner's First Name

Ramon

Last Name

Alonso

Property Owner's Mailing Address

402 Augusta Dr.

City

Madison

State

WI

Zip Code

53717

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 the 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 cost incurred up until that time.

A. Application fee

600

B. Expected planning consultant review cost

[Empty input box]

C. Total cost expected of application (A+B)

600

D. 25% of total cost due at time of application:

150

Project likely to incur additional engineering or other consultant review costs?

No



Balance of costs

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 completed 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*

Date

Abner Castro

8/27/2024

Signature of Property Owner (if different)

Date

mm/dd/yyyy



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:

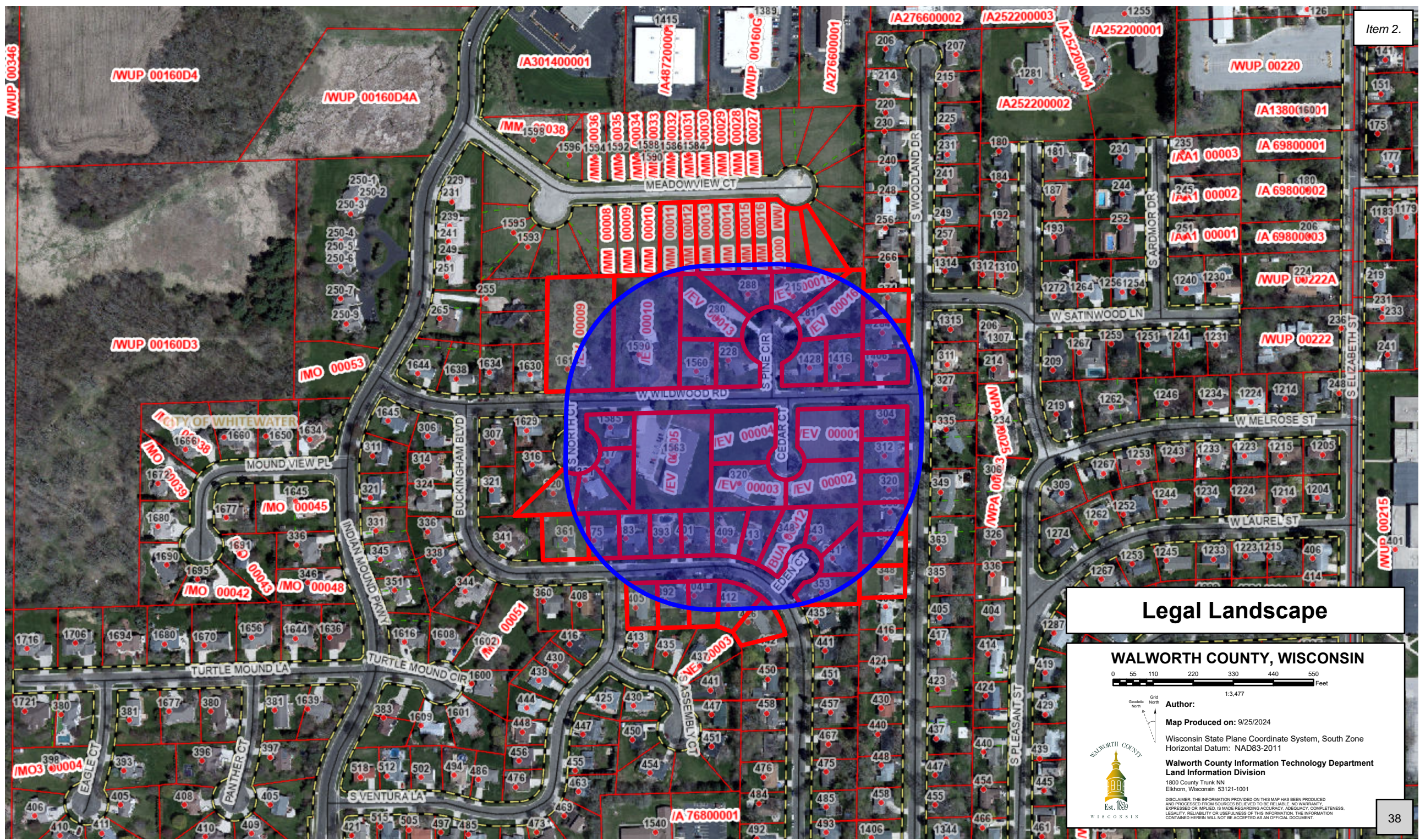
A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th, day of October at 6:00 p.m. to hold a public hearing for consideration for a Conditional Use permit for a Planned Residential Development for Cedar Ct Lot 4 Whitewater, WI 53190. Parcel #: /EV 00004 for Ramon Alonso.

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street.

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

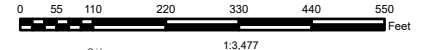
For information, call (262) 473-0540

Llana Dostie, Neighborhood Services Administrative Assistant



Legal Landscape

WALWORTH COUNTY, WISCONSIN



Grid North

Author:
Map Produced on: 9/25/2024

Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83-2011



**Walworth County Information Technology Department
Land Information Division**
1800 County Trunk NN
Elkhorn, Wisconsin 53121-1001

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED AND PROCESSED FROM SOURCES BELIEVED TO BE RELIABLE. NO WARRANTY, EXPRESSED OR IMPLIED, IS MADE REGARDING ACCURACY, ADEQUACY, COMPLETENESS, LEGALITY, RELIABILITY OR USEFULNESS OF THIS INFORMATION. THE INFORMATION CONTAINED HEREIN WILL NOT BE ACCEPTED AS AN OFFICIAL DOCUMENT.

MEMORANDUM

To: City of Whitewater Plan and Architectural Review
Commission

From: Allison Schwark, Zoning
Administrator

Date: October 14, 2024

Re: Annexation, Zoning Map Designation, CSM

Summary of Request	
Requested Approvals:	Annexation Zoning Map Designation CSM
Location:	N9618 and N9622 Howard Road D W 200004
Current Land Use:	Single Family Homes and Farm Use
Proposed Land Use:	Same
Current Zoning:	County Zoning
Proposed Zoning:	AT-Agricultural Transition District
Future Land Use, Comprehensive Plan:	Agriculture/vacant land

Project History and Request for Annexation:

The applicant, Mike Mason, Michael Mason Trust, is requesting an Annexation of approximately 12.34 acres of land from the Town of Whitewater, into the City of Whitewater. Currently, the parcel includes two single family homes, farm field, and several farm outbuildings.

Certified Survey Map (CSM):

Additionally, the applicant is requesting a 3 lot CSM, in order to separate the two homes, and farm field so that the homes may be sold to separate buyers, and the current owner can maintain the farm fields.

Zoning:

19.12.040 - Annexations and consolidations.

A. Annexations to or consolidations with the city subsequent to June 24, 1982, the effective date of the ordinance codified in this title shall be placed in the AT agricultural transition district, unless the annexation ordinance temporarily places the land in another district. Within one year, the city plan commission shall evaluate and recommend a permanent classification to the common council.

Relationship to City Plans:

19.42.010 - Purpose.

The purposes of the AT agricultural transition district are to provide for the orderly transition of agricultural land to other uses in areas planned for eventual city expansion. This district is generally intended to apply to lands located in the city where such lands are predominantly in agricultural or open space use but where conversion to nonagricultural use is expected to occur in the foreseeable future.

19.42.020 - Permitted uses.

Permitted uses in the AT district include:

- A. Dairying, floriculture, orchards, plant nurseries, truck farming, sod farming, horticulture, grazing, greenhouses, forest and game management, livestock and poultry raising (except for commercial operations), roadside stands not exceeding one per farm, and similar agricultural uses;
- B. Two single-family dwelling units for resident owner/operators and their children, siblings, and parents or laborers principally engaged in conducting a permitted or approved conditional use;
- C. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, per the requirements of Chapter 19.55.

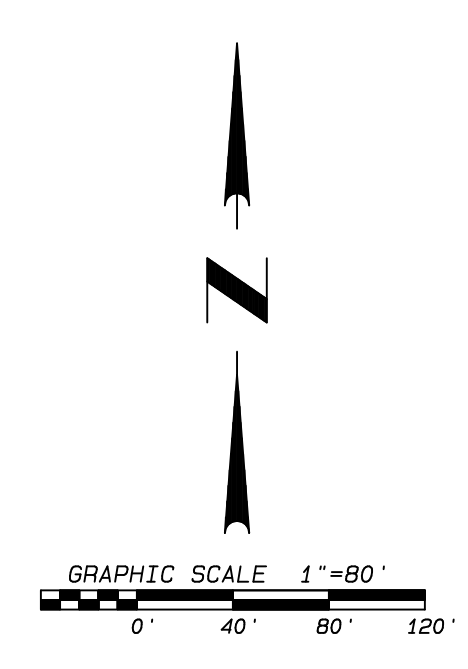
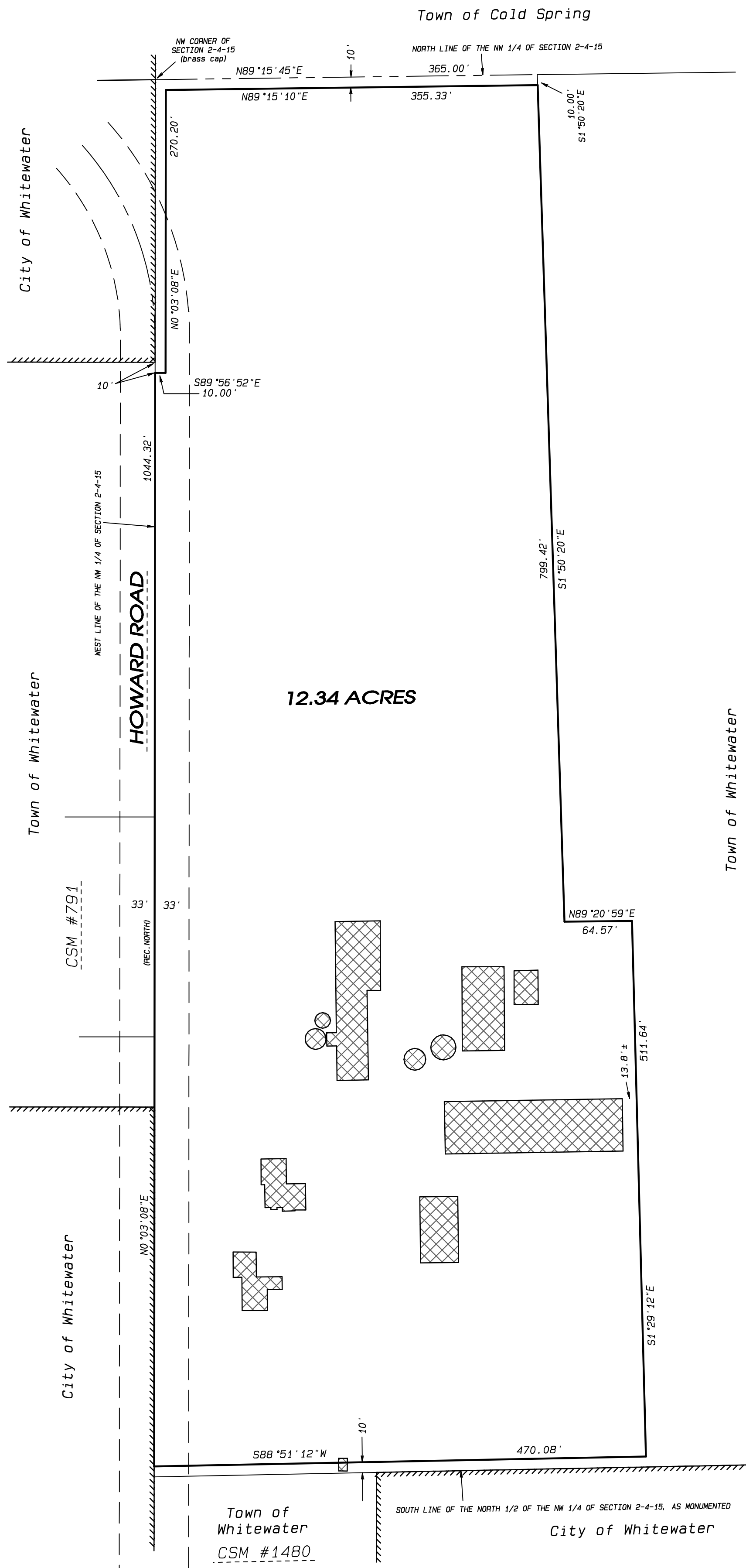
Future Land Use: Agriculture/Vacant (on Existing Land Use map only): Lands

predominantly in agricultural or open space use, or open lands and vacant parcels within the City limits.

Planner's Recommendations

- 1) Staff recommends that Plan Commission APPROVE the Annexation petition for 12.34 acres of land located at N9618 and N9622 Howard Road tax key D W 200004.
- 2) Staff recommends that Plan Commission APPROVE the permanent zoning designation of Agricultural Transition District for 12.34 acres of land located at N9618 and N9622 Howard Road tax key D W 200004.
- 3) Staff recommends that Plan Commission APPROVE the 3 Lot CSM to divide the 12.34 acres of land located at N9618 and N9622 Howard Road tax key D W 200004.

ANNEXATION MAP



LEGEND:

- CITY LIMIT LINE
- BUILDING

NOTE: THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

NOTE: ASSUMED $N0^{\circ}03'08"E$ ALONG THE WEST LINE OF THE NW 1/4 OF SECTION 2-4-15.

<p>109 W. Milwaukee St. Janesville, WI 53548 www.combsurvey.com</p>	<ul style="list-style-type: none"> LAND SURVEYING LAND PLANNING CIVIL ENGINEERING 	DATE 08/23/2024
		BY s11
		PROJECT NO. 124-029
		CLIENT MASON
	tel: 608 752-0575 fax: 608 752-0534	

CITY OF WHITEWATER
312 W Whitewater Street
P.O. Box 178
Whitewater WI 53190
(262) 473-0540
www.whitewater-wi.gov

NEIGHBORHOOD SERVICES
Application for Land Division

APPLICANT AND SUBJECT PROPERTY INFORMATION

In order for applications to be processed all information, drawings, application signatures and fees required shall be submitted at time of application (*please complete all items - attach additional pages as necessary, put N/A if not applicable*). **NOTICE:** The Plan Commission meetings are scheduled at 6:00 on the 2nd Monday of the month. All complete application materials must be submitted to the City by 4:00 p.m. four weeks prior to the meeting.

Please check the appropriate box below for the type of application being submitted:

- Annexation
- Zoning
- Certified Survey
- Concept Plan
- Preliminary Plat
- Minor Plat
- Amended Plat
- Re-plat
- Other
- Vacation (circle one: plat, easement or building line)
- Final Plat Final Plat must also include: Stormwater Management Plan
 Developers Agreement

Jurisdiction: City Limits ETJ Total Acres: 75.89 AC County: WALWORTH

Current Zoning: AGRICULTURAL Proposed Zoning: AT

Tax Parcel Number(s) and Acreage: DW 200004 - 75.89 AC TOTAL
12.34 AC TO BE ANNEKED, RE-ZONED, AND SUB-DIVIDED

Location of Property (including legal description):

N9618/N9622 HOWARD ROAD WHITEWATER, WI 53190

• N 1/2 OF THE NW 1/4, SECTION 2, T-4-N, R-15-E

• ANNEKATION LEGAL DESCRIPTION ATTACHED

Applicant's Signature

Applicant's role: Owner Developer Other: SURVEYOR

I hereby Certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. In addition I have been given the Authority to sign on behalf of the other all parties involved in this Land Division Application.

Signature: 

Printed Name: DANIEL R. HIGGS, PLS Date: 8/26/2024

Application for Land Division

Contact Information

(Please complete information - attach additional pages as necessary - put N/A if not applicable)

I. Property Owner(s)

Firm Name (if applicable): _____

Owner Name: MICHAEL AND VALERIE MASON TRUST

Address: N9603 WOODWARD RD WHITEWATER, WI 53190

Phone: 262.203.2720 Fax: - Email: farmboy5851@gmail.com

If ownership is other than sole or community property, please name the partners, principals, beneficiaries, etc. respectively:

1) Name: _____

Position: _____

Address (full): _____

2) Name: _____

Position: _____

Address (full): _____

3) Name: _____

Position: _____

Address (full): _____

II. Owner's Agent/Attorney (main contact person responsible for application)

Role: Attorney Realtor Other: SURVEYOR

Firm Name (if applicable): COMBS & ASSOCIATES, INC.

Address: 109 W MILWAUKEE ST JANESVILLE, WI 53548

Primary Contact Name: DAN HIGGS PLS

Phone: 608.572.3192 Fax: - Email: dhiggs@combssurvey.com

Secondary Contact Name: JEFF GARDE PLS

Phone: 608.752.0575 Fax: - Email: jgarde@combssurvey.com

III. Developer

Firm Name (if applicable): _____

Contact Name(s): _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Application for Land Division

IV. Developer's Engineer (main contact person responsible for application)

Role: Engineer Contractor Other: _____

Firm Name (if applicable): _____

Address: _____

Primary Contact Name: _____

Phone: _____ Fax: _____ Email: _____

Secondary Contact Name: _____

Phone: _____ Fax: _____ Email: _____

Property Description (please complete - attach additional pages as necessary):

A: Recorded Subdivision Information:

Subdivision: _____

Lot: _____, Block: _____ Acres: _____

Recorded in: _____ County, Document #: _____

or: Volume #: _____ Page #: _____

or B: Property Description Information: (attach a metes and bounds description with a sketch, signed and sealed by a Registered Professional Land Surveyor)

Property address: N9618/N9622 HOWARD ROAD WAUKESHA, WI 53190

Survey name: _____

Acres: _____ Abstract #: _____

Deed(s) which conveyed the property to the present owner:

Document #: 884679 Acres: 75.89

or: Volume #: _____ Page #: _____



Cost Recovery Certificate & 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.

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Daniel R. Higgs
Signature of Applicant/Petitioner

DANIEL R. HIGGS, PLS
Printed Name of Applicant/Petitioner

8/26/2024
Date of Signature

Signature of Property Owner (if different)

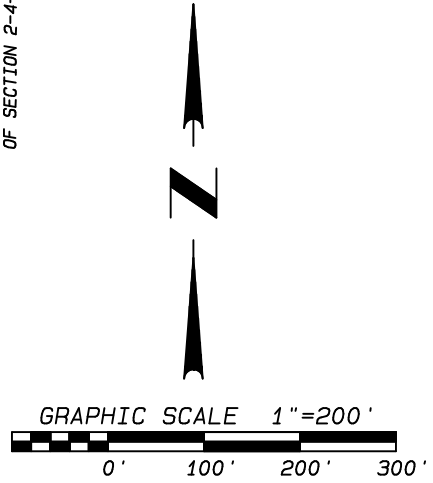
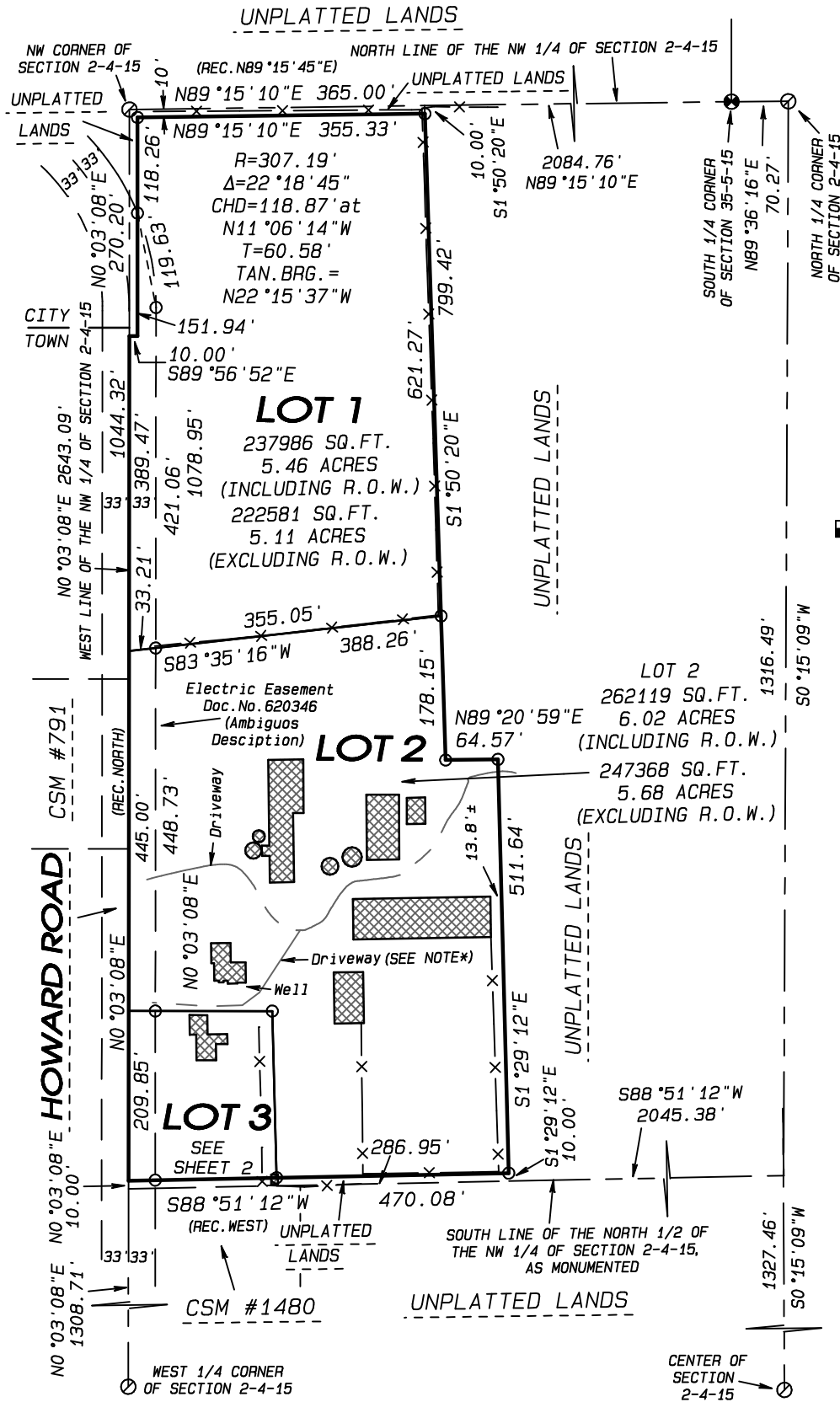
Printed Name of Property Owner (if different)

Date of Signature

CERTIFIED SURVEY MAP NO. _____

PART OF THE NW 1/4 OF THE NW 1/4 OF FRACTIONAL SECTION 2, T.4N., T.15E. OF THE 4TH P., M, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

OWNER OF RECORD:
MICHAEL MASON TRUST
VALERIE MASON TRUST
N9603 WOODWARD RD
WHITEWATER, WI 53190



LEGEND:

- SET IRON PIN, 3/4"x 24", 1.5 LBS./LIN.FT.
- FOUND ALUMINUM MONUMENT
- ⊙ FOUND BRASS PLUG
- X-X- FENCE

*NOTE: AN EASEMENT FOR INGRESS AND EGRESS OVER THIS EXISTING DRIVEWAY IS RESERVED FOR THE BENEFIT OF THE ADJOINING LANDS TO THE EAST.

NOTE: FIELDWORK COMPLETED _____

NOTE: ASSUMED NO°03'08"E ALONG THE WEST LINE OF THE NW 1/4 OF SECTION 2-4-15.

Project No. 124 - 029 For: MASON SHEET 1 OF 5 SHEETS

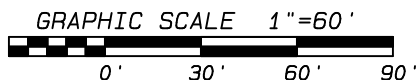
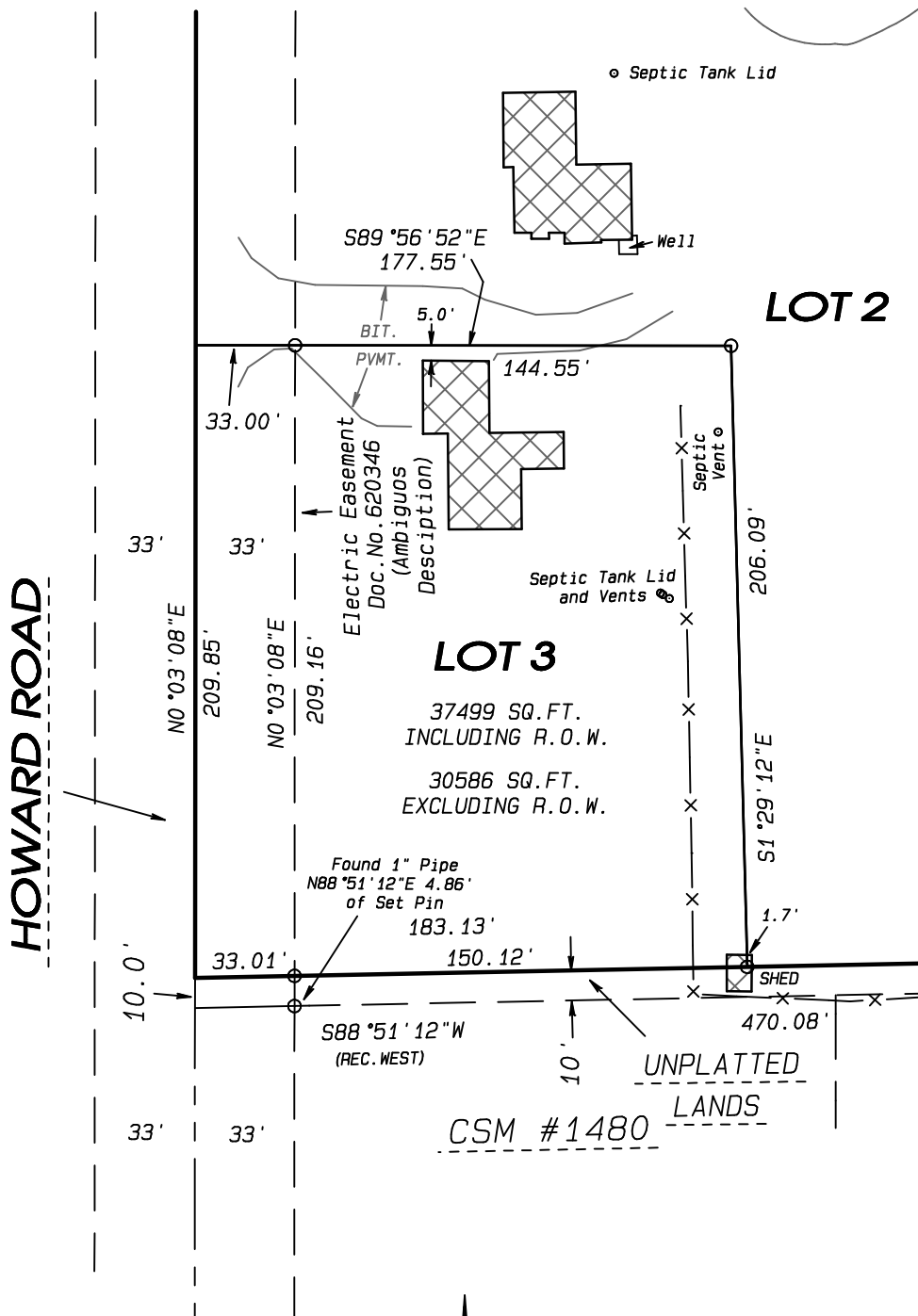
- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combssurvey.com

tel: 608 752-0575
fax: 608 752-0534

CERTIFIED SURVEY MAP NO. _____

PART OF THE NW 1/4 OF THE NW 1/4 OF FRACTIONAL SECTION 2, T.4N., T.15E. OF THE 4TH P., M, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.



LEGEND:

- SET IRON PIN, 3/4"x 24", 1.5 LBS./LIN.FT.
- FOUND ALUMINUM MONUMENT
- FOUND BRASS PLUG
- x-x- FENCE

Combs & Associates

- LAND SURVEYING
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CERTIFIED SURVEY MAP NO. _____

PART OF THE NW 1/4 OF THE NW 1/4 OF FRACTIONAL SECTION 2, T.4N., T.15E. OF THE 4TH P., M. CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

OWNER'S CERTIFICATE - MICHAEL MASON TRUST

As owners, we hereby certify that we have caused the land described on this map to be surveyed, divided and mapped as represented hereon.

x _____ MICHAEL MASON

State of Wisconsin
County of Walworth SS. Personally came before me this ____ day of _____, 20____, MICHAEL MASON to me well known to be the person who executed the owner's certificate hereon shown and acknowledged the same.

Notary Public, Walworth County, Wisconsin x _____

My Commission _____

OWNER'S CERTIFICATE - VALERIE MASON TRUST


As owners, we hereby certify that we have caused the land described on this map to be surveyed, divided and mapped as represented hereon.

x _____ VALERIE MASON

State of Wisconsin
County of Walworth SS. Personally came before me this ____ day of _____, 20____, VALERIE MASON to me well known to be the person who executed the owner's certificate hereon shown and acknowledged the same.

Notary Public, Walworth County, Wisconsin x _____

My Commission _____



• LAND SURVEYING
• LAND PLANNING
• CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combssurvey.com

tel: 608 752-0575
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CERTIFIED SURVEY MAP NO. _____

PART OF THE NW 1/4 OF THE NW 1/4 OF FRACTIONAL SECTION 2, T.4N., T.15E. OF THE 4TH P., M, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.

CITY OF WHITEWATER APPROVAL

Approved by the City of Whitewater Plan and Architectual Review Commission
this _____ day of _____, 20____.

Authorized Signature x _____



Combs & Associates, Inc.

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

CERTIFIED SURVEY MAP NO. _____

PART OF THE NW 1/4 OF THE NW 1/4 OF FRACTIONAL SECTION 2, T.4N., T.15E. OF THE 4TH P., M, CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.


SURVEYOR'S CERTIFICATE

State of Wisconsin
County of Rock SS. I, JEFFREY R. GARDE, Professional Land Surveyor No.2766, do hereby certify that I have surveyed, divided and mapped:

PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 2, T.4N., R.15E. OF THE 4TH P.M. CITY OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.
DESCRIBED AS FOLLOWS: COMMENCING AT A BRASS CAP AT THE NW CORNER OF SAID SECTION; THENCE N89°15'45"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION, 365.00 FEET; THENCE S1°50'20"E 10.00 FEET TO THE PLACE OF BEGINNING FOR THE LAND TO BE HEREIN DESCRIBED; THENCE S1°50'20"E 799.42 FEET; THENCE N89°20'59"E 64.57 FEET; THENCE S1°29'12"E 511.64 FEET TO A LINE PARALLEL WITH AND 10 FEET NORTH OF THE SOUTH LINE OF THE NORTH 1/2 OF THE NW 1/4 OF SAID SECTION, AS MONUMENTED; THENCE S88°51'12"W ALONG SAID PARALLEL LINE, 470.08 FEET TO THE WEST LINE OF THE NW 1/4 OF SAID SECTION; THENCE N0°03'08"E ALONG SAID WEST LINE, 1044.32 FEET; THENCE S89°56'52"E 10.00 FEET; THENCE N0°03'08"E.270.20 FEET; THENCE N89°15'10"E 355.33 FEET TO THE PLACE OF BEGINNING. CONTAINING 12.34 ACRES.

That such map is a correct representation of all exterior boundaries of the land surveyed and the division of that land. That I have made such survey, division and map by the direction of MICHAEL MASON and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes in surveying, dividing and mapping the same.

Given under my hand and seal this 23RD day of AUGUST, 2024 at Janesville, Wisconsin.



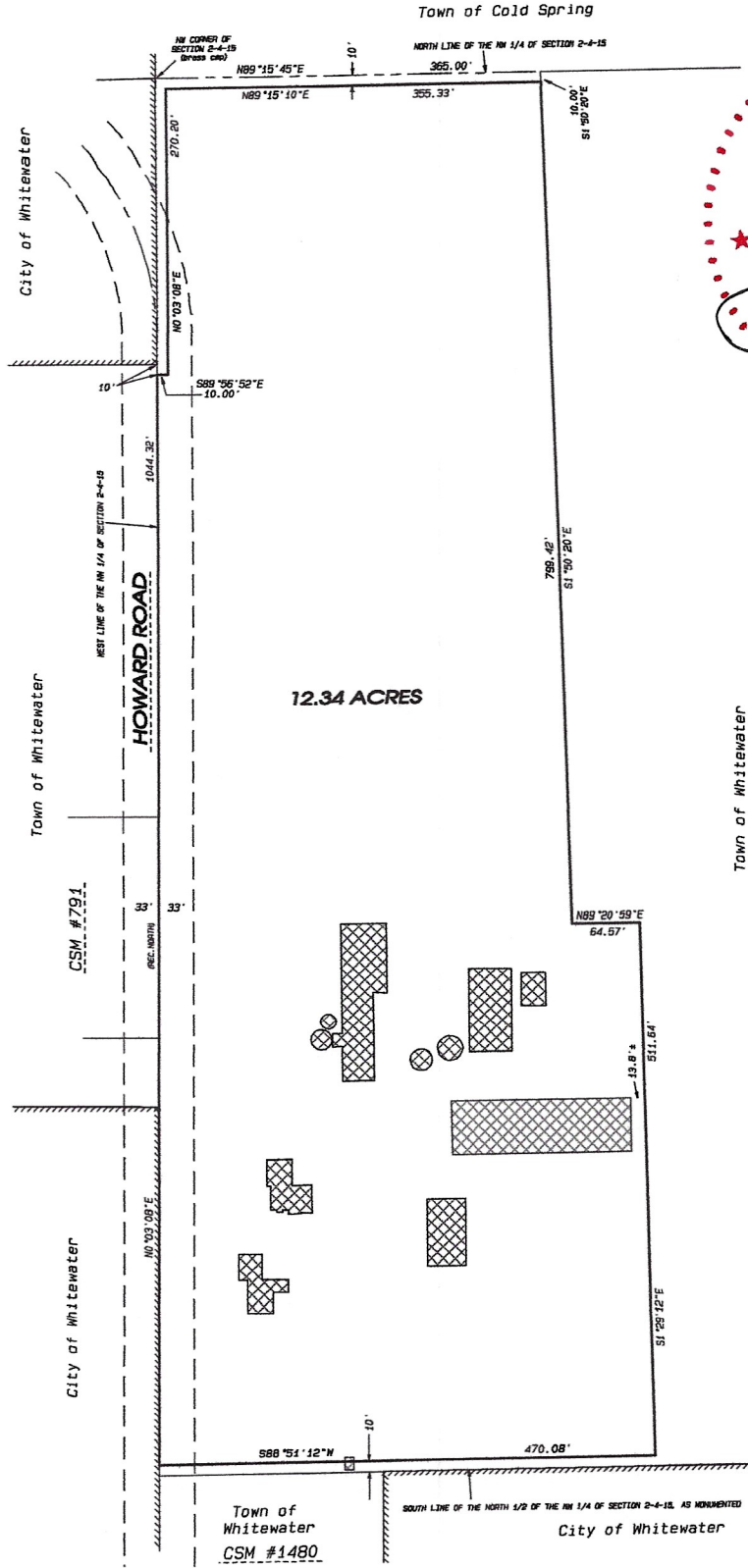
Combs & Associates, Inc.

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

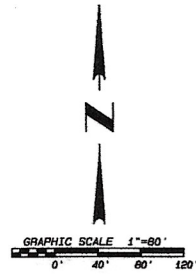
109 W. Milwaukee St.
Janesville, WI 53548
www.combssurvey.com

tel: 608 752-0575
fax: 608 752-0534

ANNEXATION MAP



WISCONSIN
DANIEL R. HIGGS
S-2878
MARSHON
WI
Daniel R. Higgs
LAND SURVEYOR
 8/26/2024



LEGEND:

----- CITY LIMIT LINE

▨ BUILDING

<p>100 N. Milwaukee St. Janesville, WI 53548 www.combsurvey.com</p>	• LAND SURVEYING	DATE: 08/23/2024
	• LAND PLANNING	BY: SJ1
	• CIVIL ENGINEERING	PROJECT NO.: 124-029
		CLIENT: MASON



- Land Surveying
- Land Planning
- Civil Engineering

August 23, 2024

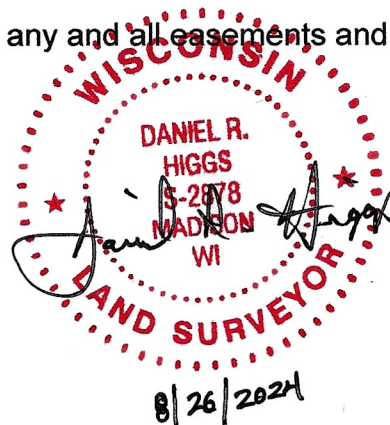
TO: MASON

RE: DESCRIPTION FOR ANNEXATION PURPOSES ONLY

PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 2, T.4N., R.15E. OF THE 4TH P.M. TOWN OF WHITEWATER, WALWORTH COUNTY, WISCONSIN. DESCRIBED AS FOLLOWS: COMMENCING AT A BRASS CAP AT THE NW CORNER OF SAID SECTION; THENCE N89°15'45"E ALONG THE NORTH LINE OF THE NW 1/4 OF SAID SECTION, 365.00 FEET; THENCE S1°50'20"E 10.00 FEET TO THE PLACE OF BEGINNING FOR THE LAND TO BE HEREIN DESCRIBED; THENCE S1°50'20"E 799.42 FEET; THENCE N89°20'59"E 64.57 FEET; THENCE S1°29'12"E 511.64 FEET TO A LINE PARALLEL WITH AND 10 FEET NORTH OF THE SOUTH LINE OF THE NORTH 1/2 OF THE NW 1/4 OF SAID SECTION, AS MONUMENTED; THENCE S88°51'12"W ALONG SAID PARALLEL LINE, 470.08 FEET TO THE WEST LINE OF THE NW 1/4 OF SAID SECTION; THENCE N0°03'08"E ALONG SAID WEST LINE, 1044.32 FEET; THENCE S89°56'52"E 10.00 FEET; THENCE N0°03'08"E 270.20 FEET; THENCE N89°15'10"E 355.33 FEET TO THE PLACE OF BEGINNING. CONTAINING 12.34 ACRES.

Note: The above description is subject to any and all easements and agreements, recorded or unrecorded.

Project No. 124-029A





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:

In compliance with §66.0217(4) of the Wisconsin Statutes, notice is hereby given by the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater that a public hearing will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th day of October at 6:00 p.m., or shortly thereafter, for request by Michael Mason (owner: N9618 and N9622 Howard Road) for Attachment of Real Estate by Boundary Adjustment from the Town of Whitewater to the City of Whitewater, Walworth Count, Wisconsin The property is further described as follows:

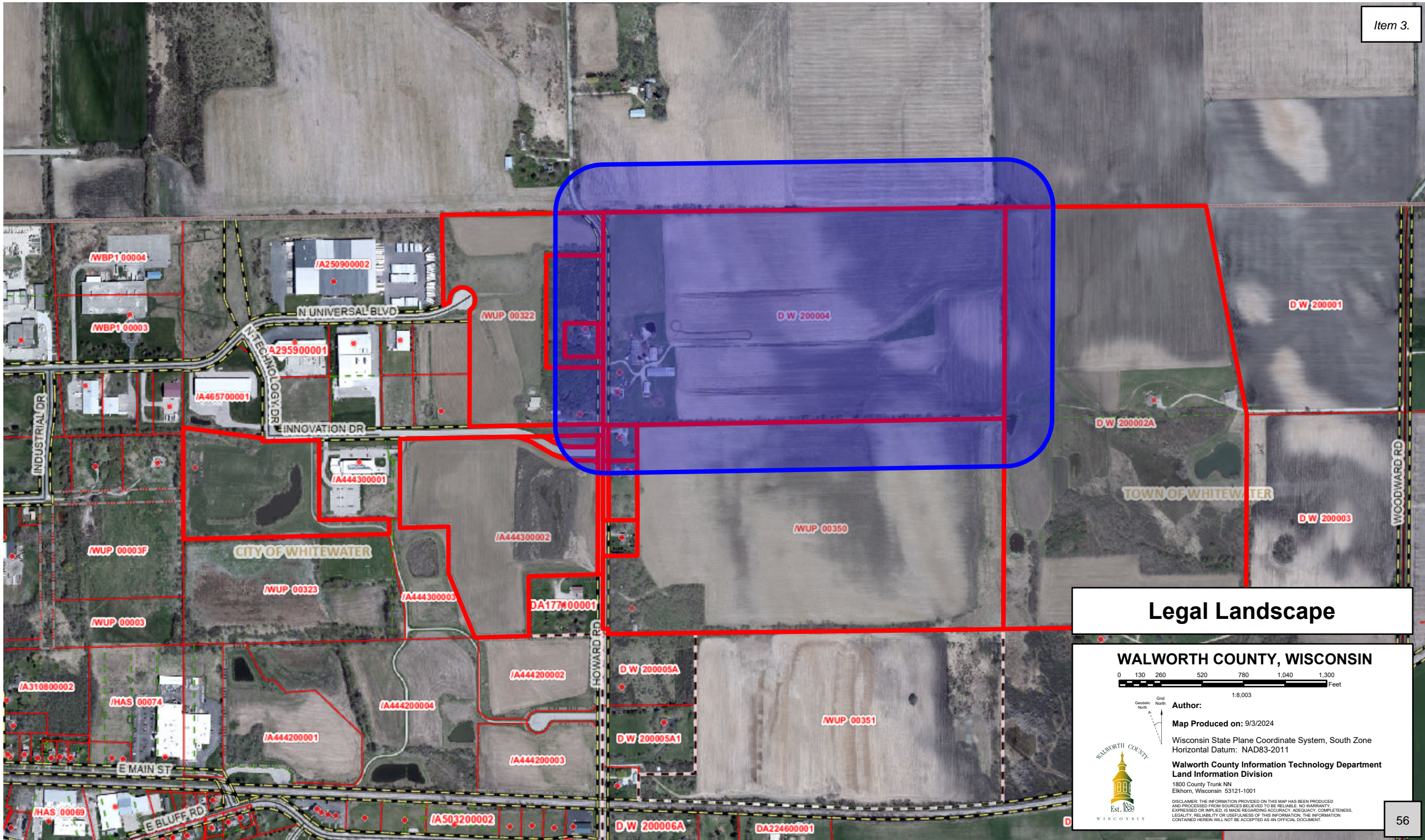
PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 2, T.4N., R.15E. OF THE 4TH P.M. TOWN OF WHITEWATER, WALWORTH COUNTY, WISCONSIN.
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A copy of the proposed ordinance and scaled map are on file in the Neighborhoods Services Office located at 312 W. Whitewater 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

Llana Dostie, Neighborhood Services Administrative Assistant



Legal Landscape

WALWORTH COUNTY, WISCONSIN

0 130 260 520 780 1,040 1,300 Feet

1:8,003

Grid North
Geoid North

Author:
Map Produced on: 9/3/2024
 Wisconsin State Plane Coordinate System, South Zone
 Horizontal Datum: NAD83-2011

**Walworth County Information Technology Department
 Land Information Division**
 1800 County Trunk NN
 Elkhorn, Wisconsin 53121-1001

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED AND PROCESSED FROM SOURCES BELIEVED TO BE RELIABLE. NO WARRANTY, EXPRESSED OR IMPLIED, IS MADE REGARDING ACCURACY, ADEQUACY, COMPLETENESS, LEGALITY, RELIABILITY OR USEFULNESS OF THIS INFORMATION. THE INFORMATION CONTAINED HEREIN WILL NOT BE ACCEPTED AS AN OFFICIAL DOCUMENT.

City of Whitewater
312 W Whitewater St
Whitewater, WI 53190

DAVID AND TERRY GAVERS
W721 VALLEY VIEW ROAD
WHITEWATER WI 53190

MICHAEL MASON FAMILY TRU
VALERIE MASON FAMILY TRUST
N9603 WOODWARD ROAD
WHITEWATER WI 53190

Item 3.

SPUCE HOLDINGS LLC
2514 GOLF ROAD STE 3
EAU CLAIRE, WI 54701

ANGELA WINTERS
N9596 HOWARD ROAD
WHITEWATER WI 53190

MARIO AND TERESA VILLARREAL
N 9578 HOWARD ROAD
WHITEWATER WI 53190

NANCY LOEW
N9552 HOWARD ROAD
WHITEWATER WI 53190

THOMAS WOJTKUNSKI TRUST
CATHERINE WOJTKUNSKI
N9515 HOWARD ROAD
WHITEWATER WI 53190

TOWN OF WHITEWATER
W8590 WILLIS RAY ROAD
WHITEWATER WI 53190

MEMORANDUM

To: City of Whitewater Plan and Architectural Review
Commission

From: Allison Schwark, Zoning
Administrator

Date: October 14, 2024

Re: Conditional Use Permit for signage

Summary of Request	
Requested Approvals:	Conditional Use Permit for All uses with second wall sign and pylon signage (for which the conditions shall, among other issues, maintain visual continuity and attractive pedestrian movement along the street fronts)
Location:	1461 W Main Street
Current Land Use:	Dollar Tree
Proposed Land Use:	Dollar Tree
Current Zoning:	B-1
Proposed Zoning:	N/A
Future Land Use, Comprehensive Plan:	Community Business

Site Plan Review

The applicant is requesting a Conditional Use Permit for the overage of wall signage, and a pylon sign at the new Dollar Tree located at 1461 W Main Street. Signage includes:

1. 1, 89.55 square foot illuminated channel letter sign
2. 1, custom canopy
3. 1, 18-foot 50 square foot illuminated pylon sign.

Please see enclosed in your packet precise measurements and the location of each sign as indicated in the narrative and site plan submitted by the applicant.

According to section 19.54.080 - Permanent business sign group, all businesses requesting more than one wall sign require a Conditional Use Permit. Currently the applicant is requesting 2 wall signs. Additionally, all pylon signs shall require a Conditional Use Permit, only one pylon sign per property, with a maximum height of 18 feet. The proposed signage appears to meet all requirements of Chapter 19.54.

Planner's Recommendations

- 1) Staff recommends that Plan Commission **APPROVE** the Conditional Use Permit with the following conditions:
 - a) The project shall be developed in accordance with the approved site plan, architecture, and landscape plan. Any deviation from the approved plans shall require zoning administrator and/or Plan Commission approval.
 - Any conditions stipulated by the PARC.

DESIGNS PREPARED FOR:

DOLLAR TREE[®]

SITE ADDRESS:

1461 WEST MAIN ST,
WHITEWATER, WI 53190

JOB NUMBER:

288572

SALES REPRESENTATIVE:

M. BJORKLUND

PROJECT MANAGER:

J. HEBAR

DESIGN REVISIONS:

REV. #	DATE	DESIGNER	REVISION COMPLETED	INTERNAL	PERMIT	CLIENT	REV. #	DATE	DESIGNER	REVISION COMPLETED	INTERNAL	PERMIT	CLIENT
1	04.15.2024	LH	UPDATED SIGN LOCATION, CANOPY UPDATE			●	13						
2							14						
3							15						
4							16						
5							17						
6							18						
7							19						
8							20						
9							21						
10							22						
11							23						
12							24						

DESIGNER NOTES

DATE	DESIGNER	NOTE
XX.XX.XX	XXX	XXX

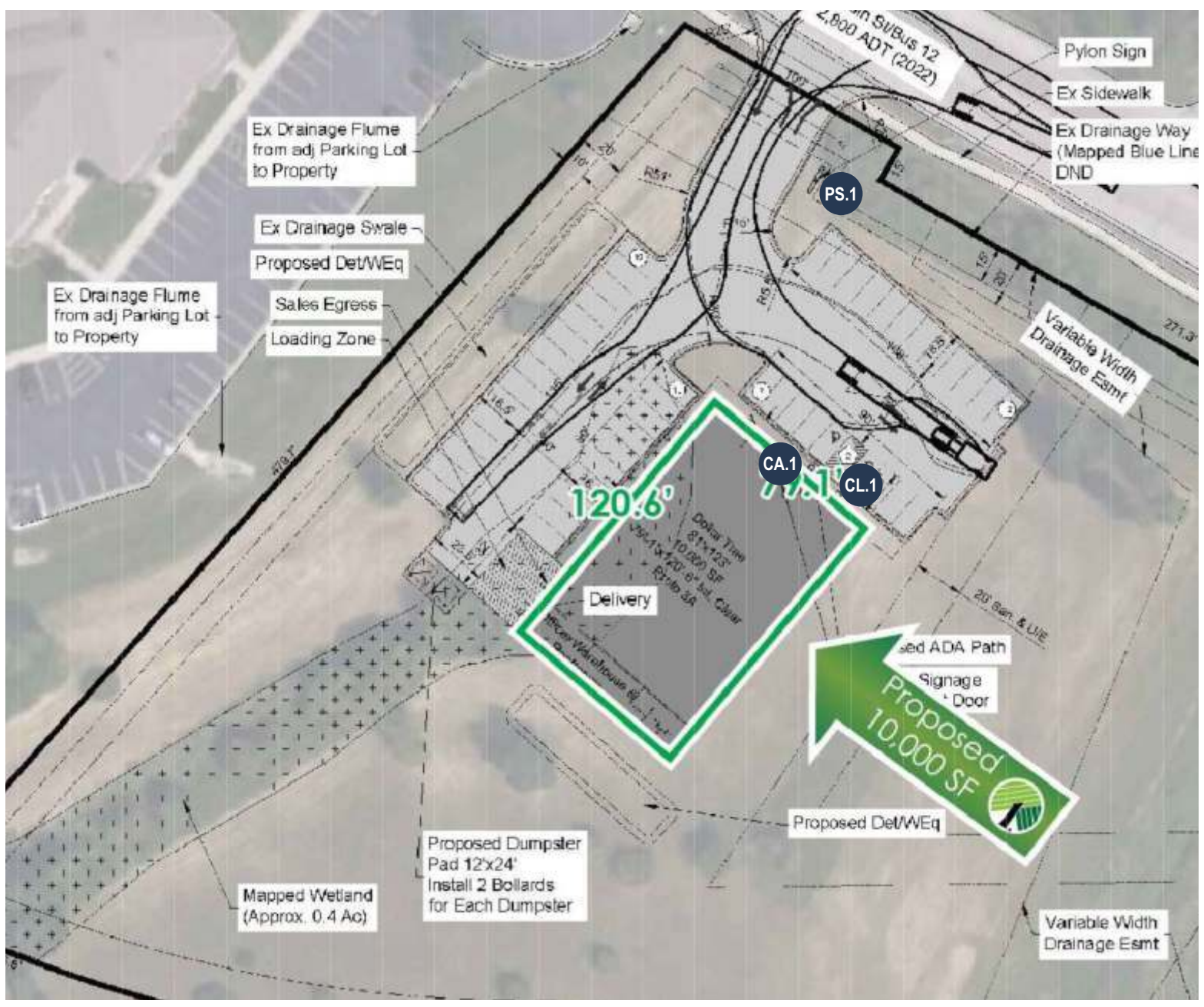
PRE-FLIGHT PRINT LIST

GOOD TO GO	PRIMARY CHECKS	GOOD TO GO	ADDITIONAL CHECKS
	NO MISSING / UNPACKAGED / UNLINKED IMAGES		REMOVE ANY NON-PRINTING DATA
	ENSURE IMAGE RESOLUTION 100 PPI AT FULL SCALE - REFER TO JONES ART REQUIREMENTS REGARDING POSSIBLE EXCEPTIONS		FLATTEN TRANSPARENCIES (FLATTEN RASTER IMAGES AND EFFECTS, LEAVE VECTOR COPY, LOGOS ETC. INTACT AS VECTORS)
	COLORS - MUST BE CMYK OR PANTONE		CONVERT FONTS TO PATHS (OR CURVES)
	ENSURE IMAGE SIZE & PROPORTIONS ARE CORRECT FOR FINAL PRODUCT, AND ANY INCLUDED BLEED & TRIM MARKS MATCH CLIENT SPECS		EMBED IMAGES OR ENSURE UNEMBEDDED IMAGES ARE PROPERLY LOCATED FOR SYSTEM USE

REQUIRED:

DOLLAR TREE

SITEPLAN SCOPE OF WORK



EXTERIOR SIGNS		QTY
CL.1	FACE LIT CHANNEL LETTERS - STACKED	1
PS.1	D/F INTERNALLY LIT PYLON SIGN	1
CA.1	METAL CANOPY	1

SIGN CODE REVIEW



SCALE: NTS

REQUIRED:

FRONT ELEVATION



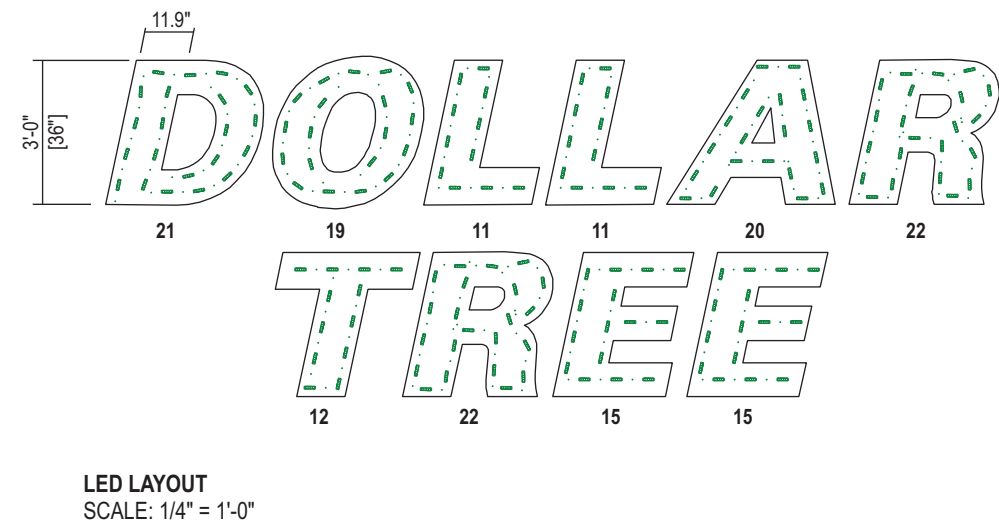
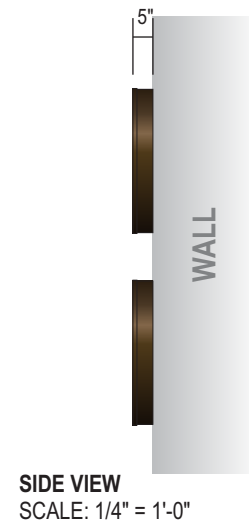
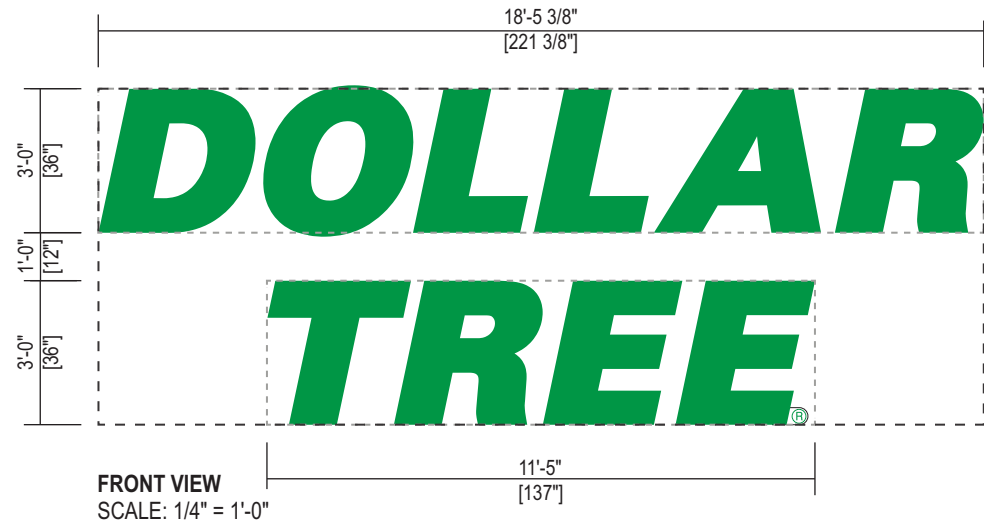
FRONT ELEVATION - PROPOSED SIGNAGE
SCALE: 1/8" = 1'-0"

REQUIRED:

CL.1 36" FACE LIT CHANNEL LETTERS - STACKED - EXTERIOR (Qty 1)

TOTAL SQUARE FOOTAGE FOOTPRINT: 89.55

Item 4.



SPECIFICATIONS:

1. EXISTING FACADE
2. .040" PRE-FINISHED BRONZE ALUMINUM LETTER RETURNS
3. 1" PRE-FINISHED BRONZE JEWELITE CHEMICALLY BONDED TO FACES AND #8 PAN HEAD SCREWS TO RETURNS
4. 3MM SIGNABOND LITE COMPOSITE BACKS FASTENED TO RETURNS w/ 1/2" 18 GAUGE STAPLES / SEAL w/ VOC COMPLIANT 360 WHITE LATEX CAULK TO PREVENT MOISTURE PENETRATION / INTERIOR OF SIGN CAN PAINTED P-6 FOR MAXIMUM ILLUMINATION
5. GREEN LEDs
6. .150" CLEAR LEXAN FACES w/ SECOND SURFACE APPLIED VINYL V-3, V-4
7. DISCONNECT SWITCH UL OUTDOOR RATED TOGGLE TYPE w/ NEOPRENE BOOT PER NEC 600-6
8. PRIMARY ELECTRICAL FEED IN UL CONDUIT / CUSTOMER SUPPLIED UL JUNCTION BOX
9. POWER SUPPLIES WITHIN UL ENCLOSURE w/ REMOVABLE COVER / 1/4" x 1" MIN. SCREWS
10. MOUNTING HARDWARE TO FIT FIELD CONDITIONS

ELECTRICAL NOTES:

- (1) 60W POWER SUPPLY @ 1.2 AMPS EACH / TOTAL AMPS: 4.8
- (2) 20 AMP 120V CIRCUIT REQ.

NOTES:

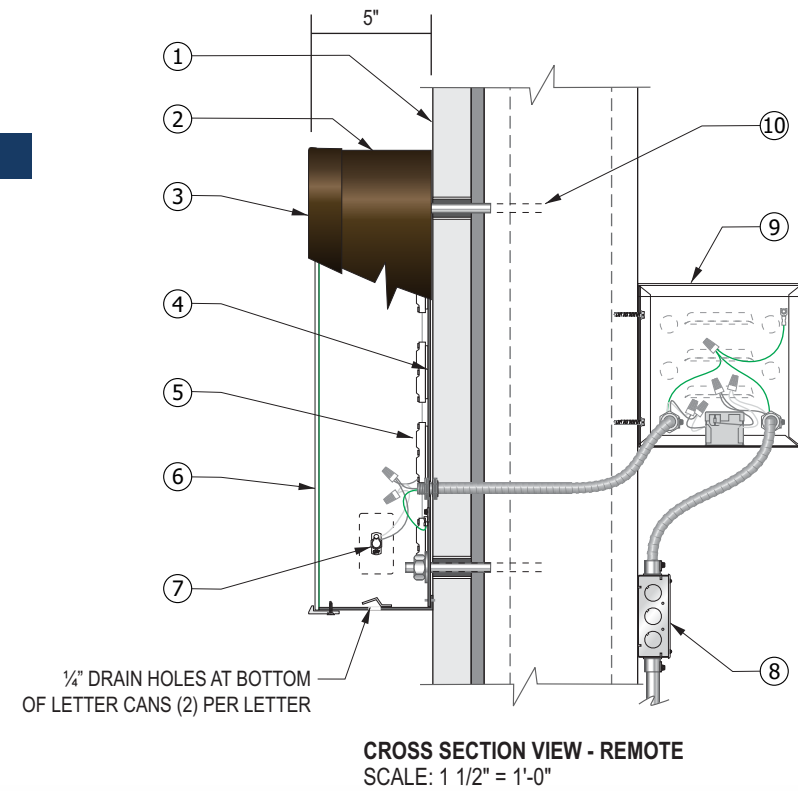
- THIS SIGN IS TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE
- GROUNDED AND BONDED PER NEC 600.7/NEC 250
 - EXISTING BRANCH CIRCUIT IN COMPLIANCE WITH NEC 600.5, NOT TO EXCEED 20 AMPS
 - SIGN IS TO BE UL LISTED PER NEC 600.3
 - UL DISCONNECT SWITCH PER NEC 600.6 - REQUIRED PER SIGN COMPONENT BEFORE LEAVING MANUFACTURER*
- *FOR MULTIPLE SIGNS, A DISCONNECT IS PERMITTED BUT NOT REQUIRED FOR EACH SECTION

COLORS / FINISHES:

- P-6 MP WHITE
- V-3 3M 3630-156 VIVID GREEN TRANSLUCENT VINYL
- V-4 3M 3635-70 DIFFUSER FILM



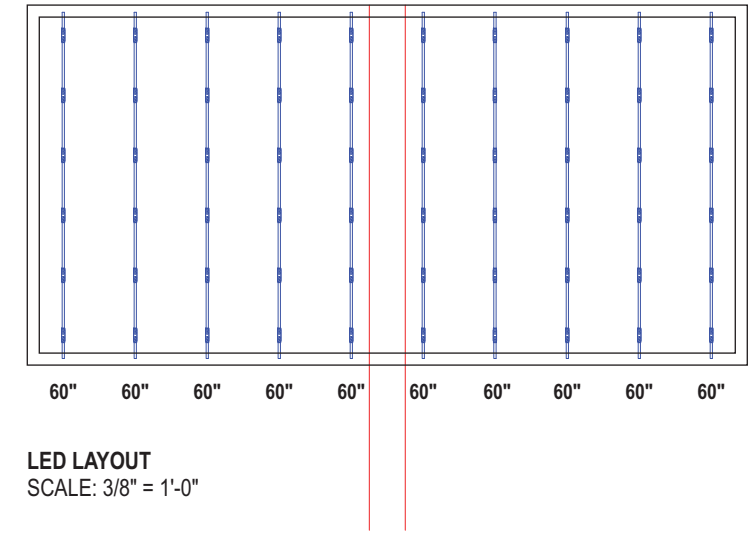
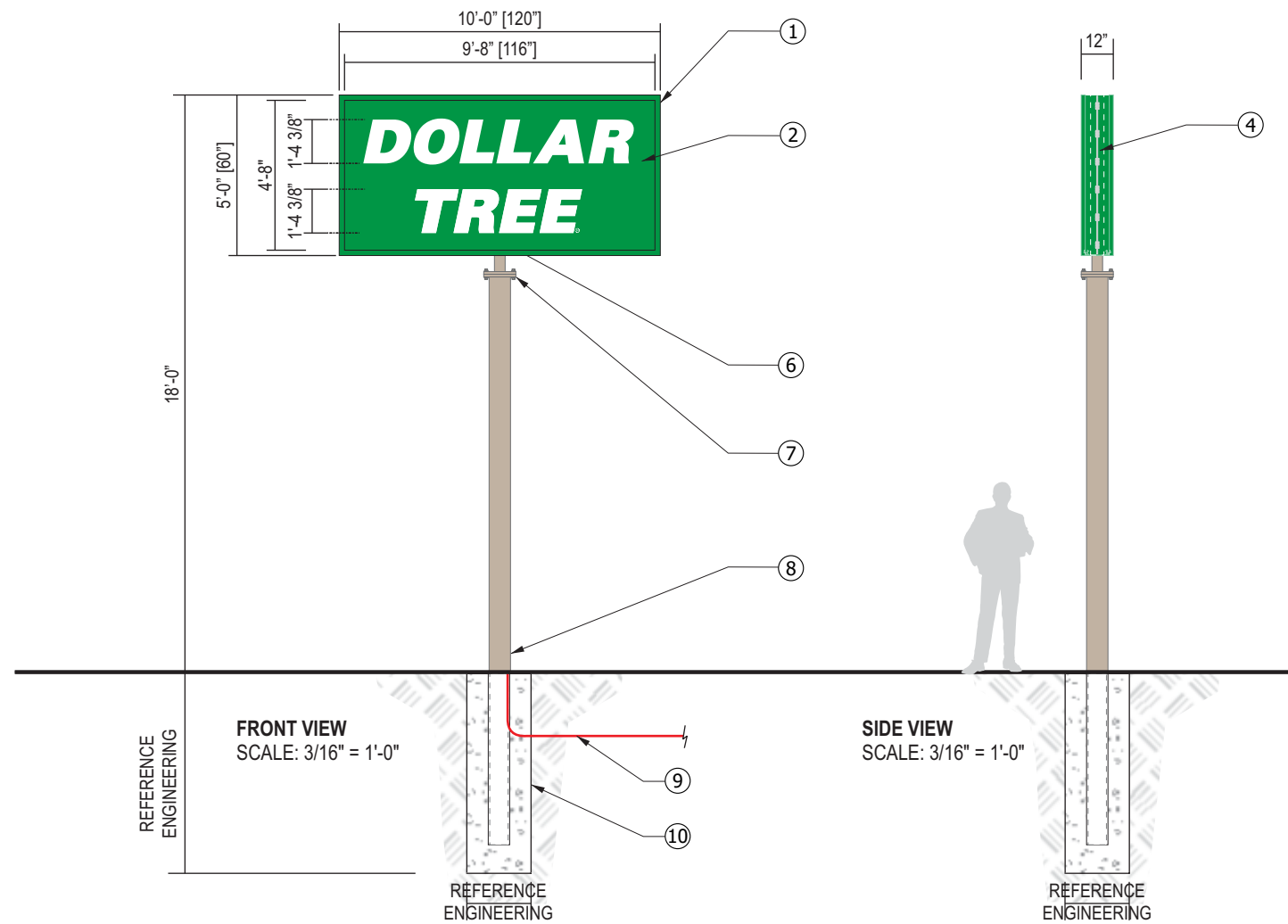
REQUIRED:



PS.1 D/F INTERNALLY LIT PYLON SIGN - EXTERIOR (Qty 1)

TOTAL SQUARE FOOTAGE: 50

Item 4.



SPECIFICATIONS:

1. EXTRUDED ALUMINUM FRAME CABINET w/ 2" RETAINERS / PAINTED P-1
2. 3/16" WHITE LEXAN FACES w/ FIRST SURFACE APPLIED VINYL GRAPHICS V-3
3. 1/2" x 1/2" ALUMINUM TUBE FOR HANGING BAR / RIVET TO TOP OF LEXAN PANEL
4. D/F WHITE LEDs
5. LED POWER SUPPLY
6. 4" x 4" x 3/8" STEEL TUBE PAINTED P-4
7. 12" x 12" x 1" MATCH PLATES
8. 8" x 8" x 3/8" SUPPORT POLE PAINTED P-4
9. PRIMARY ELECTRICAL
10. 3000 PSI CONCRETE AUGURED (CAISSON) FOOTING

COLORS / FINISHES:

- P-1 SW 6925 ENVY
- P-4 SW 7037 BALANCED BEIGE
- V-3 3M 3630-156 VIVID GREEN TRANSLUCENT VINYL

NOTES:

- THIS SIGN IS TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE
- GROUNDED AND BONDED PER NEC 600.7/NEC 250
 - EXISTING BRANCH CIRCUIT IN COMPLIANCE WITH NEC 600.5, NOT TO EXCEED 20 AMPS
 - SIGN IS TO BE UL LISTED PER NEC 600.3
 - UL DISCONNECT SWITCH PER NEC 600.6 - REQUIRED PER SIGN COMPONENT BEFORE LEAVING MANUFACTURER*
- *FOR MULTIPLE SIGNS, A DISCONNECT IS PERMITTED BUT NOT REQUIRED FOR EACH SECTION

ELECTRICAL NOTES:

- (1) GEPS 24-300 / TOTAL AMPS: 2.5
- (2) 20 AMP 120V CIRCUIT REQ.

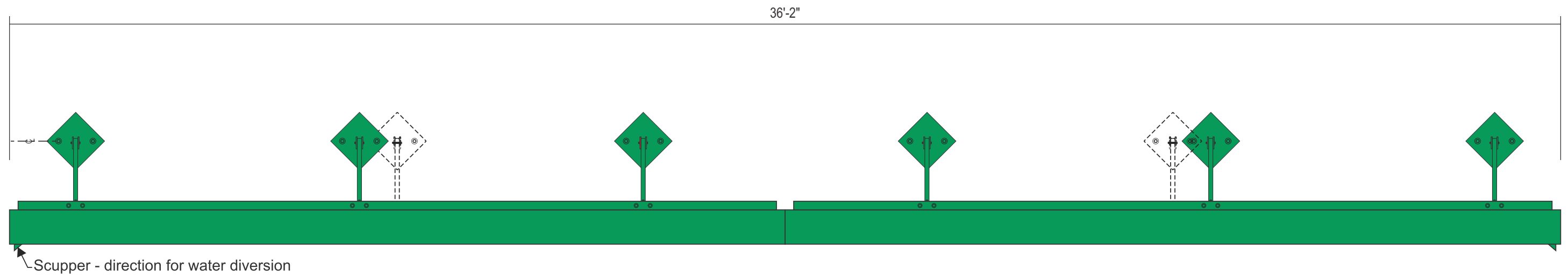


REQUIRED:

CA.1 METAL CANOPY - EXTERIOR (Qty 1)

Item 4.

NOTE: CUSTOM SIZE CANOPY - ENGR. DETAILS REQUIRED.



NTS

SW ENVY - ALL PARTS

REQUIRED:



Print

Conditional Use Permit Application - Submission #1057

Date Submitted: 9/3/2024

City of Whitewater

312 W. Whitewater Street
P.O. Box 178
Whitewater, WI 53190
262-473-0540
www.whitewater-wi.gov

Conditional Use Permit Application

NOTICE:

The Plan Commission meetings are scheduled at 6:00 p.m. on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Address of Property*

1461 W. Main St.

City*

White Water

State*

WI

Zip Code*

53190

Owner's First Name*

Amanda

Owner's Last Name*

Schwartz

Applicant's First Name*

Richard

Applicant's Last Name*

Kos

Mailing Address*

PO Box 100045

City*

Milwaukee

State*

WI

Zip Code*

53210

Item 4.

Phone Number*

4149755161

Fax Number

Email Address*

richkos@midwestsignandlighting.com

Existing and Proposed Uses:

Current Use of Property*

B1

Zoning District*

B1

Proposed Use:*

B1

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, materials and building elevations.
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/draining plan of proposed site.
13. Waste disposal facilities; storage facilities for storage of trash and waste materials.
14. Outdoor storage, where permitted in the district; type, location, height of screening devices.

**One (1) full size, Fifteen (15) 11.x17, and One (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.

Standards

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. Applicant's explanation:*

Pylon sign and canopy will not interfere with adjacent properties

That utilities, access roads, parking, drainage, landscaping and other necessary site improvements are being provided. Applicant's explanation:*

Under construction

That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance. Applicant's explanations: *

Sign and canopy conform to code

That the conditional use conforms to the purpose and intent of the City Master Plan. Applicant's explanation:*

Sign and canopy conform ot nieboring businesses

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

Applicant's Signature*

Date

Richard Kos

9/3/2024

Plot Plan Upload

Choose File No file chosen

Plan Upload

Choose File No file chosen

Lighting Plan Upload

Choose File No file chosen

Landscape Plan Upload

Choose File No file chosen

File Upload

Choose File No file chosen

File Upload

Choose File No file chosen

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

1. Application was filed and the paid at least four weeks prior to the meeting. \$100.00 fee

Filed on:

[Empty text box for Filed on]

Received by:

[Empty text box for Received by]

Receipt #

[Empty text box for Receipt #]

Application reviewed by staff members

[Empty text box for Application reviewed by staff members]

3. Class 2 Notice published in Official Newspaper on

[Empty text box for Class 2 Notice published in Official Newspaper on]

4. Notices of Public Hearing mailed to property owners on

[Empty text box for Notices of Public Hearing mailed to property owners on]

Plan Commission holds the PUBIC HEARING on

[Empty text box for Plan Commission holds the PUBIC HEARING on]

Public Comments may also be submitted in person or in writing to City Staff.

At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN

Conditional Use Permit: By the Plan and Architectural Review Commission

Granted

Not Granted

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

mm/dd/yyyy

Tips for Minimizing Development Review Costs-A Guide for Applicants

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

MEET WITH NEIGHBORHOOD SERVICES DEPARTMENT BEFORE SUBMITTING AN APPLICATION

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

SUBMIT A COMPLETE AND THOROUGH APPLICATION

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

FOR MORE COMPLEX OR TECHNICAL TYPES OF PROJECTS, STRONGLY CONSIDER WORKING WITH AN EXPERIENCED PROFESSIONAL TO HELP PREPARE YOUR PLANS

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

FOR SIMPLER PROJECTS, SUBMIT THOROUGH, LEGIBLE, AND ACCURATE PLANS

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

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

SUBMIT YOUR APPLICATION WELL IN ADVANCE OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION MEETING

The city normally requires that a complete application be submitted four (4) weeks in advance of the Commission meeting when it will be considered. For simple submittals not requiring a public hearing, this may be reduced to two (2) weeks in advance. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's planning consultant and staff an opportunity to address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

FOR MORE COMPLEX PROJECTS, SUBMIT YOUR PROJECT CONCEPTUAL REVIEW

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

1. Preliminary plans may be submitted to City staff and the planning consultant for a quick informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Director and or Planning consultant to review and more thoroughly discuss your proposal; and/or
3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

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

HOLD A NEIGHBORHOOD MEETING FOR LARGER AND POTENTIALLY MORE CONTROVERSIAL PROJECTS

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

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

TYPICAL CITY PLANNING CONSULTANT DEVELOPMENT REVIEW COSTS

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

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

Type of development review being requested and planning consultant review cost range

Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations)

- When land use is a permitted use in the zoning district and for minor downtown building alterations-up to \$600
- When use also requires a conditional use permit, and for major downtown building alterations-\$700-\$1,500

Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building)

- When land use is a permitted use in the zoning district-\$700-\$2,000
- When land use also requires a conditional use permit- \$1,600-\$12,000

Conditional Use Permit with no Site plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building)

- Up to \$600

Rezoning

- Standard (not PCD) zoning district-\$700-\$2,000
- Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time-\$2,100-\$12,000

Land Division

- Land Survey Map-up to \$300
- Subdivision Plat- \$1,500-\$3,000
- Plat (does not include any development agreement time)-\$50-\$1,500

Annexation

- Typically between \$200-\$400

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

Cost Recovery Certificate and Agreement

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

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

SECTION A: BACKGROUND INFORMATION-to be completed by the Applicant/Property Owner

Applicant's First Name*

Richard

Last Name*

Kos

Applicant's Mailing Address

PO Box 100045

City*

Milwaukee

State*

WI

Zip Code*

53210

Applicant's Phone Number*

4149755161

Fax Number

Applicant's Email Address*

richkos@midwestsignandlighting.com

Project Information

Name/Description of Development*

Dollar Tree

Address of Development Site*

1461 W Main St.

Property Owner Information (if different from applicant):

Property Owner's First Name

Last Name

US Federal Properties Co. LLC.

Property Owner's Mailing Address

4706 Broadway Suite240:

City

State

Zip Code

Kanas City

MO

64112

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 the 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 cost incurred up until that time.

A. Application fee

B. Expected planning consultant review cost

C. Total cost expected of application (A+B)

D. 25% of total cost due at time of application:

Project likely to incur additional engineering or other consultant review costs?

-- Select One --

Balance of costs

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 completed 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*

Date

Richard Kos

9/3/2024

Signature of Property Owner (if different)

Date

mm/dd/yyyy



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 14th, day of October at 6:00 p.m. to hold a public hearing for consideration for a Conditional Use permit for an 18-foot pylon sign and more than 1 wall sign for Dollar Tree to be located at 1441 W Man Street Whitewater, WI 53190.

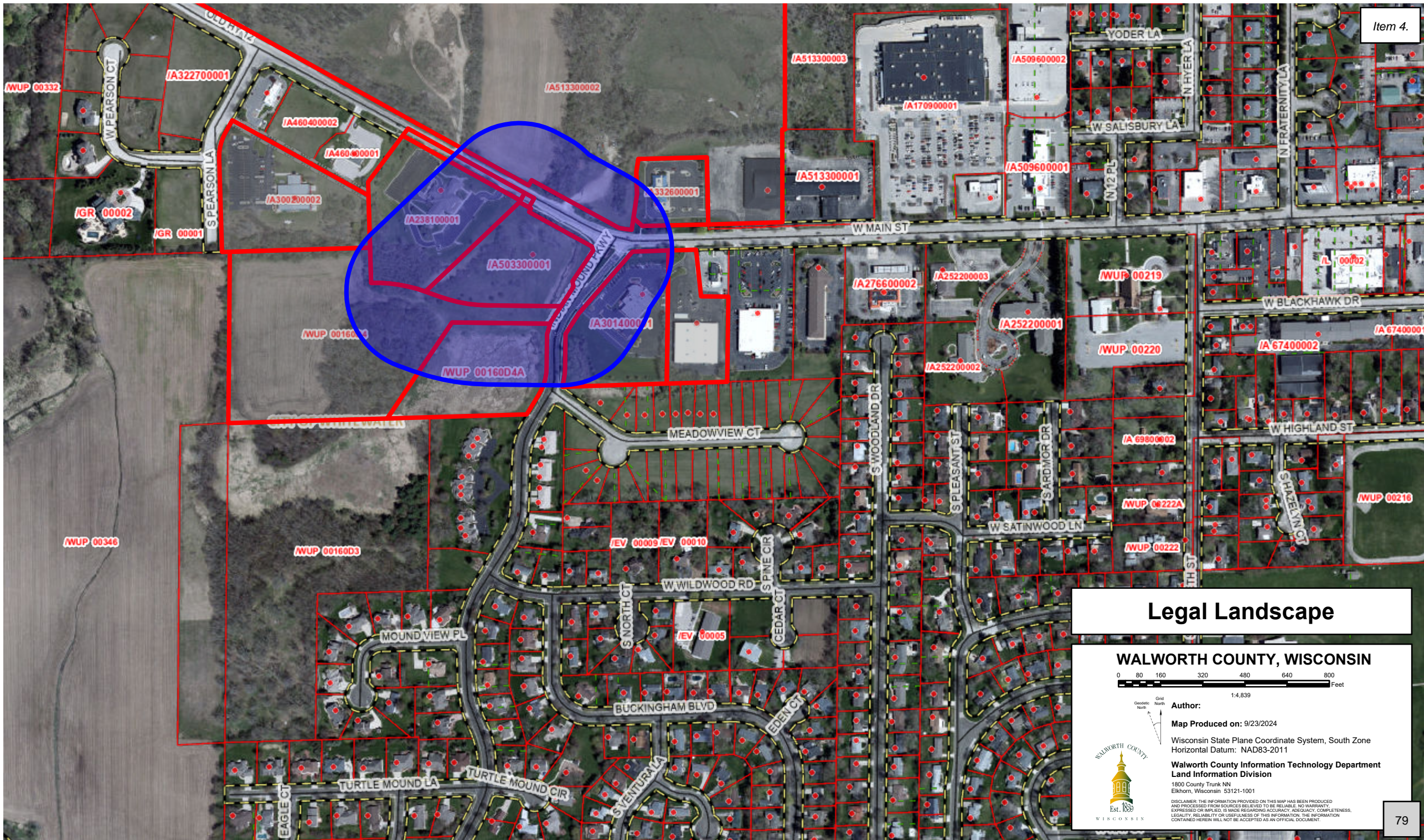
Parcel #: /A503300001.

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street.

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

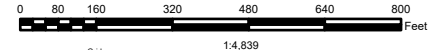
For information, call (262) 473-0540

Llana Dostie, Neighborhood Services Administrative Assistant



Legal Landscape

WALWORTH COUNTY, WISCONSIN



Author:
 Map Produced on: 9/23/2024
 Wisconsin State Plane Coordinate System, South Zone
 Horizontal Datum: NAD83-2011



**Walworth County Information Technology Department
 Land Information Division**
 1800 County Trunk NN
 Elkhorn, Wisconsin 53121-1001

DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PRODUCED AND PROCESSED FROM SOURCES BELIEVED TO BE RELIABLE. NO WARRANTY, EXPRESSED OR IMPLIED, IS MADE REGARDING ACCURACY, ADEQUACY, COMPLETENESS, LEGALITY, RELIABILITY OR USEFULNESS OF THIS INFORMATION. THE INFORMATION CONTAINED HEREIN WILL NOT BE ACCEPTED AS AN OFFICIAL DOCUMENT.

WHITEWATER CINEMAS LLC
151 S PEARSON LN
WHITEWATER, WI 53190-9000

MBNAB LLC
802 GENESIS DR
ORFORDVILLE, WI 53576-7600

HALEY INVESTMENTS LLC
324 LAKE SHORE DR
LAKE MILLS, WI 53551

INDIAN WOODS LLC
1264 HILLCREST LN
FALLBROOK, CA 92028-2800

CITY OF WHITEWATER
312 W WHITEWATER ST
WHITEWATER, WI 53190-9000

NIEMANN HOLDINGS LLC
1501 N 12TH ST
QUINCY, IL 62301-0100

MEDICAL HEALTH BUILDING GROUP
42 S WATER ST S
FT ATKINSON, WI 53538-3800

KC DT LLC
4706 BROADWAY STE 240
KANSAS CITY, MO 64112-1200

DLK FARM SERVICE INC
1398 W MAIN ST
PO BOX 239
WHITEWATER, WI 53190-9000



PARC Agenda Item

Meeting Date:	October 14, 2024
Agenda Item:	Public Comment Feedback
Staff Contact (name, email, phone):	Taylor Zeinert tzeinert@whitewater-wi.gov 262-473-1048

BACKGROUND
(Enter the who, what, when, where, why)

At a recent Finance Committee meeting, staff was directed to revise the proposed changes regarding public comments and distribute them to all committees for review and feedback.

The Finance Committee is seeking your input on how these proposed changes may affect your meetings.

The goal is to bring these insights back to the Finance Committee in November, with the aim of presenting a recommendation to the Council in December.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS
(Dates, committees, action taken)

This proposed policy was brought to the Finance Committee at their 9/24 Meeting.

FINANCIAL IMPACT
(If none, state N/A)

N/A

STAFF RECOMMENDATION

Discuss the Policy and relay comments to EDD Zeinert

ATTACHMENT(S) INCLUDED
(If none, state N/A)

Proposed Framework

Proposed Framework for Improving Public Participation at Whitewater Common Council & Committee Meetings

Public Appearance Card

Public Meeting Appearance Cards (PMAC) shall be used by members of the public who wish to speak during public comment, public hearing or specific agenda item. This form would also be used for those individuals who do not wish to or cannot verbally address the Common Council/Committee during a meeting.

A person may provide comments and support or opposition for an agenda item on the form. Those requesting to speak during the meeting may indicate this on the form.

Prior to taking action on an item on the agenda, the presiding officer will request the City Clerk/Secretary to indicate any speakers who have signed up for that particular item. The Clerk/Secretary will read the name of the speaker and the speaker on-deck. The Clerk/Secretary will alternate between those in support and opposition.

After all of the speakers have been called, the Clerk/Secretary will indicate written support and opposition by reading the name and the position of the individual. The minutes will reflect the receipt of written comments in support or opposition by all registered individuals.

Time Limits

Public Comment – 3 minutes with a limit of 30 minutes total

Public Hearing – 5 minutes with a limit of 30 minutes for each support and opposed speakers

Per speaker time is the same. Provide support and opposed delineation.

Agenda Items – 3 minutes, with an ability for extension with consent of Common Council.

Per speaker time is the same. Provide clarification about extension of time.

Whenever a group of individuals wishes to address the Council/Committee on the same subject matter, those individuals may designate a spokesperson to address the Common Council/Committee. The spokesperson may ask for additional time when completing the PAMC, and with the consent of the Common Council/Committee, the presiding officer may extend the time allocation. Individuals are still welcome to complete a PMAC registering their support or opposition, and written comments will be entered into the record by the City Clerk/Secretary.

The presiding officer, with the concurrence of the Common Council/Committee, may extend or limit any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item

Meeting Conduct

Expectations of Speakers

- The speaker shall conduct themselves in a professional and respectful manner.
- All remarks shall be directed to the Common Council/Committee, as a body, and not City staff or any member of the public in attendance.
- The speaker shall not defame, intimidate, make personal affronts, make threats of violence, or use profanity.

Expectation of Public

Members of the public in the audience shall not engage in any of the following activities during a Common Council/Committee meeting:

- Shouting, clapping, unruly behavior, or speaking out when not recognized by the presiding officer.
- Defamation, intimidation, personal affronts, threats of violence, or profanity.
- Behavior that disrupts the orderly conduct of the meeting.

Expectation of Council/Committee Members

While the Common Council/Committee is in session, the members must preserve order and decorum. Each Council/Committee member shall conduct themselves with decorum and shall neither, by conversation or otherwise, delay nor interrupt the proceedings or the peace of the Common Council/Committee, nor disturb any member while speaking or refuse to obey the orders of the presiding officer.