

MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Allison Schwark, Zoning Administrator

Date: December 8, 2025

Re: Conditional Use Permit

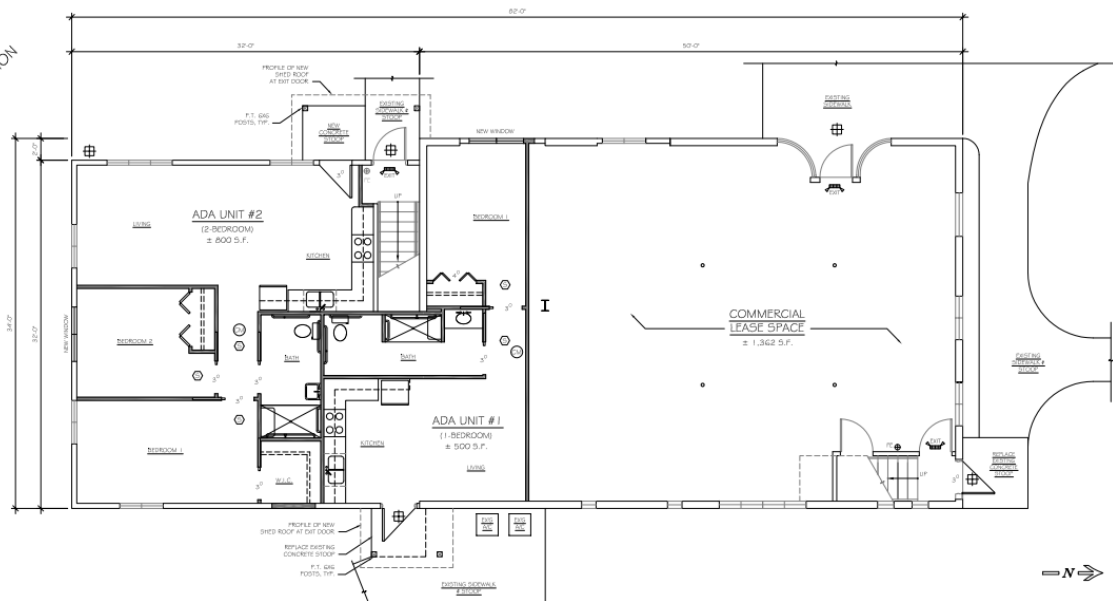
Summary of Request	
Requested Approvals:	Conditional Use Permit (CUP) for first floor residential and modification of existing residential space.
Location:	209 S Taft Street (/HAS 00046)
Current Land Use:	Vacant building previously mixed use
Proposed Land Use:	Mixed use building
Current Zoning:	B-1 Community Business District
Proposed Zoning:	N/A
Future Land Use, Comprehensive Plan	Community Business

Staff Review

The applicant is requesting a conditional use permit for first floor residential use in the B-1 Community Business District within the City of Whitewater, as well as a modification to existing residential use in the second level of an existing building located at 209 S Taft Street. The property has been vacant for a long time and was recently on the market for sale after the previous owner/tenant decided not to move forward with a Conditional Use Permit for a woman's clinic and maternity home. On November 14, 2023, a CUP was approved for both the clinic space on the ground level, and residential use on the upper level, however the CUP became void after the project did not move forward.

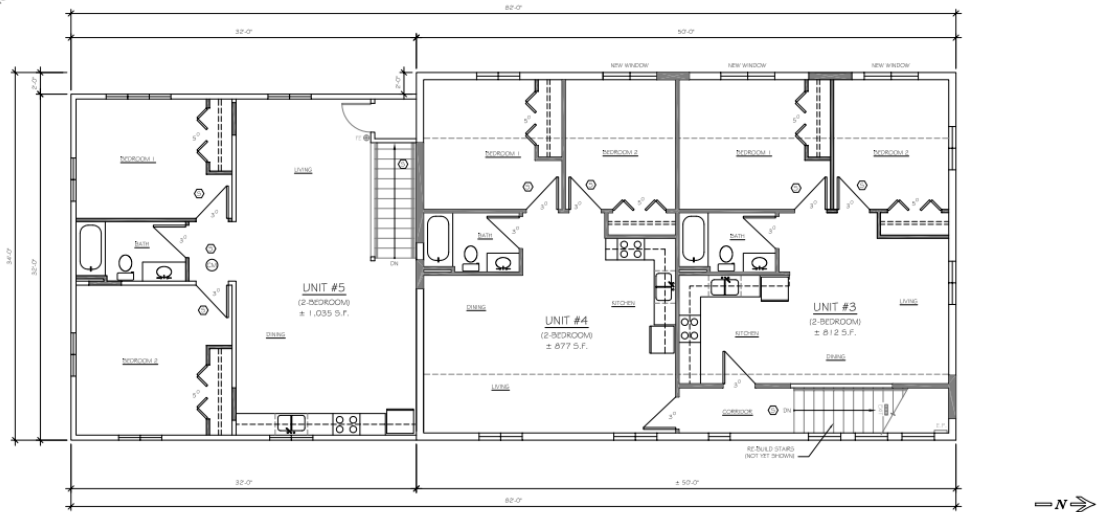
The Walworth County Housing Authority has now purchased the building and would like to renovate the building to convert half the ground floor into two ADA accessible apartments, one, one bedroom unit, and one, two-bedroom unit.

ALL DRAWINGS ARE
1/2 SCALE SHOWN
PRELIMINARY NOT
FOR CONSTRUCTION



The other fifty percent of the ground floor will remain as commercial space for lease. The second floor will be renovated to accommodate 3 new apartments, all of which will have two bedrooms.

ALL DRAWINGS
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The residential unit must meet the following standards:

1. A limit of four unrelated persons.
2. Three hundred fifty square feet of usable open space shall be required for each dwelling unit for structures with two or more units.
3. Number of parking spaces is determined using the R-3 parking regulations for the residential units.

#1 Limit of unrelated persons The owner, manager, or business must never allow more than 4 unrelated persons to reside in the residential space. **This is a requirement that must be met, and always adhered to after the conditional use permit is issued.**

#2 Three hundred fifty square feet of usable open space shall be required for each dwelling unit for structures with two or more units.

Usable Open Space. Usable open space is that part of the ground level of a zoning lot, other than in a required front or corner side yard, which is unoccupied by driveways, drive aisles, service drives, off-street parking spaces and/or loading berths and is unobstructed to the sky. This space of minimum prescribed dimension shall be available to all occupants of the building and shall be usable for greenery, drying yards, recreational space, gardening and other leisure activities normally carried on outdoors. Where and to the extent prescribed in these regulations, balconies and roof areas, designed and improved for outdoor activities, may also be considered as usable open space. The usable open space shall be planned as an assemblage or singularly designed area that maximizes the size for open space usage.

This site appears to be in compliance with condition number 2, requiring three hundred and fifty square feet of usable open space per each dwelling unit.

5 dwelling units= 1,750 square feet required

The site currently has 7,707 square feet of green space.

#3 Parking per R-3 regulations and standards

R-3 = 80% per bedroom

13X.80= 7.2

The applicant states that there is 13 parking spaces on site currently, which is sufficient for requested use, and number of bedrooms, making the site in compliance with condition number 3.

A first-floor residential unit may be permitted if it meets the following standards:

- 1. The unit is ADA compliant.**
- 2. Any residential unit access must exit from the rear of the principal structure; or have a main street access which must be through a common entryway used by nonresidential use.**

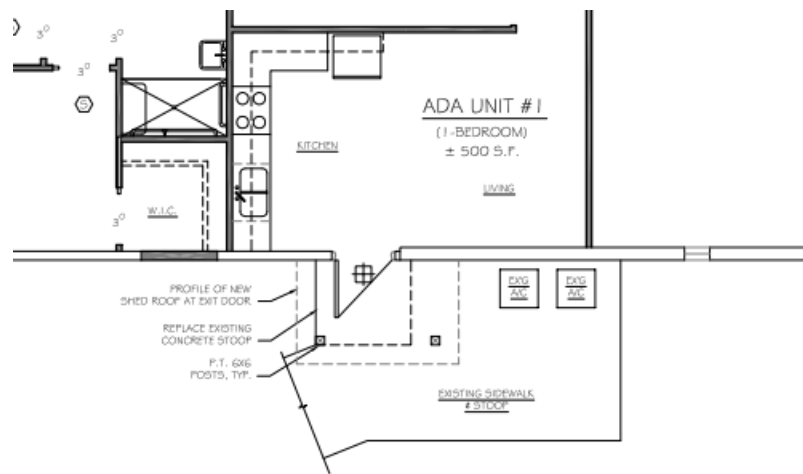
3. Not occupy more than fifty percent of the first floor.

#1 The unit is ADA compliant.

It appears that the proposed ground level is compliant with this requirement showing two ADA compliant units.

#2 Any residential unit access must exit from the rear of the principal structure; or have a main street access which must be through a common entryway used by nonresidential use.

The proposed plans do not currently meet this requirement, as ADA Unit 1 on the ground level has a front entry facing Taft Street.



#3 Not occupy more than fifty percent of the first floor.

The proposed plans appear to be in compliance with this requirement.

Planner's Recommendations

- 1) Staff recommends that Plan Commission **APPROVE** the Conditional Use Permit for first floor residential for the parcel located at 209 S Taft Street, tax key /HAS 00046 with the following conditions:
 - a. All building and zoning permits are approved and obtained.
 - b. All dumpsters shall be screened by fencing or landscaping.
 - c. No outdoor storage shall be permitted.
 - d. Open space shall be maintained per code at all times.

- e. Unrelated persons shall not exceed 4 at any time.
- f. Applicant must follow all city ordinances regarding signage.
- g. Applicant must include a Knox Box on the outside of the building.
- h. Applicant must adhere to city ordinances concerning lighting, landscaping, and buffering and work with city staff to ensure compliance.
- i. ADA Unit 1 shall be reconfigured, and the entry shall be placed off the rear of the building, or through a common area. Updated plans shall be approved by City staff.
- j. Any stipulations as indicated by the PARC.