MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Allison Schwark, Zoning Administrator

Date: November 9, 2026

RE: Conditional Use Permit, Site Plan Review, and Certified Survey Map

Summary of Request	
Requested Approvals:	Conditional Use Permit for All uses with drive-in and drive-through facilities (for which the conditions shall, among other issues, maintain visual continuity and attractive pedestrian movement along the street fronts. Site Plan Review for the development of a 7Brew Coffee shop with a double drive through and cooler building. Certified Survey Map (CSM) Conditional Use Permit for signage in the B-1 Community Business District.
Location:	1155 W Main Street (/L 00007)
Current Land Use:	Vacant Building and Parking Lot
Proposed Land Use:	7 Brew Coffee with drive-through
Current Zoning:	B-1 Community Business District
Proposed Zoning:	N/A
Future Land Use, Comprehensive Plan:	Commercial Mixed Use (CMU)

The applicant is seeking multiple petitions for a proposed 7 Brew coffee shop at 1155 W. Main Street. A Conditional Use Permit (CUP) is requested for drive-in and drive-through facilities in the B-1 Community Business District. Second, a site plan review is requested for the coffee shop, cooler building, and double laned drive-through. Third, a CUP is requested for proposed signage in the B-1 Community Business District. Finally, a Certified Survey Map (CSM) is requested for the property.

Existing Site Conditions

Lot 7, Block 1 Lawndale Subdivision is 16,372 square feet (approximately .38 acres). The property is currently developed with a vacant commercial building and parking lot. A landscaped front yard is present along West Main Street. A drive-though lane is present along the east side of the building. Existing parking lots and commercial developments are present directly adjacent to the property on the east and west sides.

Conditional Use Permit – Drive-In and Drive-Through Facilities

Restaurants without drive-through facilities are permitted uses in the B-1 Community Residential District (19.27.020). All uses with drive-in and drive-through facilities require a CUP (19.27.030(B)). Ordinance requires that the Commission consider the visual continuity and attractive pedestrian movement along the street fronts when reviewing the CUP petition. The proposed coffee shop will operate two, parallel, drive-through lanes. Vehicles will enter the property from West Main Street. No street access to West Blackhawk Drive is proposed. A parking lot exit is located near southeast corner of the property; however, this exit connects to the neighboring private property at 1139 W. Main Street only, not a public street. A 22' front yard setback is proposed from the front property line on West Main Street, while a 10' front yard setback is provided along W. Blackhawk Street.

19.66.050 - Standards for review and approval.
The plan commission shall use the following standards when reviewing applications for conditional use:

A. That the establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of other property.
B. That adequate utilities, access roads, parking drainage, landscaping and other necessary site improvements are being provided.
C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this chapter. Where a variance is required, the plan commission may condition its approval on the subsequent approval of the variance.
D. That the conditional use conforms to the purpose and intent of the city comprehensive plan.
E. The conditional use and structures are consistent with sound planning and zoning principles.

Site Plan Review

Per Section 19.63.020 the following items are required for site plan review:
Applications for plan review shall be made to zoning administrator at least thirty days prior to the plan and architectural review committee meeting at which the plan is to be considered, and shall include the following information to be considered complete. The zoning administrator or plan and architectural review commission may reduce the information requirements where deemed appropriate. Twelve complete sets of all required plan materials shall be required unless the applicant receives prior written approval from city staff that fewer copies, and/or an electronic/digital submission of materials will be considered adequate for the purposes of meeting the submission deadlines.

A. Names, phone numbers, and addresses of the applicant, owner of the site, architect, professional engineer, contractor and all other individuals responsible for preparation of plan materials;
B. Identification of the subject site by lot, block and recorded subdivision, or by metes and bounds;
C. Description of the existing and proposed use or operation of the structure or site, number of employees, building lot coverage, landscaped surface ratio, residential density and existing zoning;
D. Building elevations and exterior architectural drawings, including enough detail to show the proposed building style, exterior materials, colors, mechanicals and lighting;
E. Site plans drawn to a scale not less than fifty feet to the inch, showing:
    a. The natural features of the site, including water bodies, wetlands, floodplains, environmental corridors, trees with trunks greater than four inches in diameter, existing drainage patterns, and topography at two-foot intervals;
    b. The location and dimensions of proposed and existing structures in relation to street and property lines, including buildings, dumpsters, signs, mechanicals, walls and fences; The location, dimensions and arrangement of all open spaces, yards, and landscape plantings and buffer yards, including the species and size at time of planting for all landscaping;
    c. The location, arrangement and capacity of all areas used for vehicle and pedestrian access, off-street parking, off-street loading and unloading, including materials, methods for screening or fencing, and additional actions to keep parking orderly if three or more unrelated individuals live on the property;
    d. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes;
    e. The proposed location and other characteristics of all outdoor lighting fixtures, pursuant to Section 19.57.150C.;
    f. The location and size of all existing and proposed utilities and all related easements;
    g. The location of any proposed stormwater management facilities, including proposed drainage patterns and detention/retention facilities where required;
    h. Other information deemed necessary by the zoning administrator or the plan and architectural review commission to fully assess the impacts of a proposed project.

The application and submitted plans have been reviewed and are deemed to be complete.

19.27 – B-1 Community Business District

19.27.040 Lot Area
Minimum lot area in the B-1 district is seven thousand square feet for lots existing at the time of adoption of the ordinance codified in this chapter, and fifteen thousand square feet for all other lots. **Proposed Lot 1 Lawndale Addition to the City of Whitewater is proposed to be**

21,653 square feet (approximately .49 acres).

19.27.050 Lot Width

Minimum lot width in the B-1 district is fifty feet. **The proposed Lot 1 in the CSM petition is 82'. The existing Lot 7 is 62'.**

19.27.060 Yard Requirements

Minimum required yards for principal buildings, outside storage, and dumpsters in the B-1 district are:

A. Front and street side, fifteen feet (but may be greater if needed to meet fire safety requirements);

B. Interior side, ten feet, except that no side yard will be required for buildings designed for common wall construction;

C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen feet under a conditional use;

D. Shore yard, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46 and in addition may require DNR approval;

E. Any yard abutting a residential district or residential use, thirty feet or the height of the nearest principal building or structure on the lot being developed, whichever is greater. Such yards shall be subject to the landscape buffer yard requirements of Section 19.57.140, except where abutting a railroad right-of-way with the approval of the plan and architectural review commission;

F. There shall be no accessory buildings within the required front yard setback.

The principal building, cooler, and dumpster enclosure meets the minimum required setbacks.

19.27.070 Lot Coverage

There is no maximum percentage lot coverage for buildings with the exception of the provisions needed for landscape, circulation, and other site planning considerations. Building size, coverage, and locations must still conform to the other regulations including stormwater management. Landscape and environmental features shall follow principles of sustainability and environmental quality and locate landscape elements in highly visible locations, especially in the fronts of buildings, and should include canopy trees, understory and/or evergreen trees, and shrubs. **Sheet C1.1A shows existing and proposed lot coverage. Additionally, the applicant has provided an enclosed project narrative that explains proposed site disturbances.**

19.27.080 Building Height

Maximum building height in the B-1 district is five stories or one hundred feet (whichever is greater), with the exception that the maximum building height is three stories within one hundred feet of a residential use or a property zoned as a residential district. The maximum building height is also subject to fire safety limitations. The maximum building height may be increased under the provisions of a conditional use permit which will include, but is not limited to, consideration of issues regarding shadows cast by buildings, views, impacts on neighbors, and microclimate. **The proposed height of the coffee shop is 20' at the peak of the roof.**

The proposed height of the cooler is 11'.

Parking

19.51.135 - Number of parking stalls—Review commission.
A. A party may apply to the plan and architectural review commission for a permit allowing less than the number of stalls required herein, but not less than one stall per five hundred square feet of primary floor area for retail and commercial service uses.
B. The commission may grant such a permit if it is not against the best interest of the public.
C. Even if a permit is granted, the applicant shall be required to have sufficient land and a plan to install the maximum required stalls under this section should it become necessary, except within the PD zoning district.
D. The permit may be revoked at any time by the commission upon notice and hearing if good cause is shown for the revocation of the permit. Within a PD district only, adjacent on-street parking may apply toward the minimum parking requirements, if approved by the plan commission.

One parking space is required for every 200 square feet of floor area. A total of 826 square feet of floor area is proposed. Four parking spaces, including 1 handicap accessible and loading space, are proposed on-site. The applicant has provided a letter of support from the neighboring property owner at 1139 W. Main Street (attached). Included in the letter of support is a civil site plan showing the existing conditions at 1139 W. Main Street and an illustration of the proposed 7 Brew coffee development. The development, and request CSM addressed later in this report, will require the elimination of 20 existing parking spaces at the neighboring property.

Signage

19.54.030 Wall Signs:
(b) More than three on-building signs shall require a conditional use permit (CUP).
   i. If more than three on-building signs is permitted, the total square footage must not exceed the max square footage allowed, per Figure 19.54.080.
   ii. The total combined sign area of all signs on any given wall shall still be limited by its length ratio of said wall.

1 square foot of sign area is allowed per 1 ft of building façade length. Building plans indicate that the maximum width of the proposed building is 15' facing W. Main Street.

The applicant is requesting a Conditional Use Permit for the overage of allowable wall signage area and a drive-through with signage located on the building. Proposed signage includes:
1. 1, illuminated 28 square foot circular/medallion shaped sign.
2. 2, non-illuminated 8 square foot "Drive Thru Coffee" wall graphic signs.
3. 2, illuminated 32 square foot "Seven 7 Brew Drive Thru Coffee" wall signs

According to section 19.54.030 pertaining to order board signs:

1. Order board signs shall be freestanding or mounted on the exterior wall of the building

containing the use.
2. Freestanding two-way microphone/speaker devices shall not count toward the maximum permitted area of the order board sign.
3. Order board sign audio components shall meet the noise standards set forth in Section 19.58 of the Zoning Ordinance.
4. Order board sign lighting components shall meet the exterior lighting standards set forth in Section 19.57.150 of the Zoning Ordinance. The following forms of sign lighting are permitted: ambient, backlit, internal, and gooseneck.
5. Order board signs may only be approved through the conditional use permit process.

The applicant has provided documentation pertaining to a proposed menu board sign but does not provide the quantity, or dimensions, of the proposed sign. Finally, the same branding documentation also illustrates potential freestanding sign options. The applicant has not clearly indicated which, if any, freestanding signs are proposed on site. A photometric plan has been submitted for the entire site.

Certified Survey Map

A Certified Survey Map (CSM) is requested for the addition of approximately 20' of property from the neighboring property to the east, 1139 W. Main Street. The proposed Lot 1 Lawndale Addition to the City of Whitewater is proposed will be 21,653 square feet (approximately .49 acres).

18.04.046 - Procedure—Certified survey map.
(b) Certified Survey Map Requirements.
(1) The certified survey map shall be prepared by a registered land surveyor and shall comply with the provisions of Section 236.34, Wisconsin Statues, and of this chapter.
(2) The certified survey map shall comply with all design standards, required improvements, and general provisions of this chapter.
(3) Where streets or other areas are dedicated to the public, the certified survey map shall contain an owner's and a mortgagee's certificate which are substantially the same form as required by Section 236.21(2)(a), Wisconsin Statutes.
(4) The certificate of approval shall be placed on the face of the map.
(5) When a dedication of land is required, the city council resolution accepting the dedication and approving the map shall be placed on the face of the map.
(6) If the certified survey map contains private roads, the following note shall be added to the certified survey map:

NOTICE OF POSSIBLE LIMITATION OF PUBLIC SERVICES:
THIS CERTIFIED SURVEY MAP CONTAINS PRIVATE ROAD(S), AND, AS A RESULT, CERTAIN PUBLIC SERVICES MAY BE LIMITED. THE EXTENT OF THESE LIMITATIONS MAY BE SPELLED OUT IN A DOCUMENT CALLED A CITY/DEVELOPER AGREEMENT OR CONTRACT FOR IMPROVEMENTS; OR, IF THIS IS A CONDOMINIUM PLAT, IN A DOCUMENT CALLED A GENERAL DEVELOPMENT PLAN (GDP), WHICH DIRECTLY RELATES TO THIS CSM AND IS FILED AS A PUBLIC DOCUMENT IN THE OFFICES OF BOTH THE WHITEWATER CITY CLERK AND THE

DIRECTOR OF PUBLIC WORKS FOR THE CITY OF WHITEWATER.

(7) Within the M-1 general manufacturing district, all minor subdivisions must be consistent with a detailed plan showing future street alignments and general lot arrangements for all lands under the control of the subdivider. Such a detailed plan may be a component of the city's comprehensive (master) plan, but in any case shall be subject to plan commission approval before action may be taken on the certified survey map.

Planner's Recommendations

1) Staff recommends that Plan Commission **recommend approval** of the Conditional Use Permit to Common Council and **approve** the Site Plan Review, and Certified Survey Map 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.
b) Landscaping shall be reviewed and approved by Urban Forestry.
c) The Conditional Use Permit shall run with the applicant, not the land. Any change in owner, operator, or business shall require subsequent approvals.
d) Any conditions stipulated by the PARC.