

MEMORANDUM

To: City of Whitewater Plan and Architectural Review

Commission

From: **Allison Schwark, Zoning
Administrator**

Date: December 9, 2024

Re: Conditional Use Permit and Specific Implementation Plan Approval

Summary of Request	
Requested Approvals:	CUP and SIP Approval
Location:	328 W Main Street
Current Land Use:	Hamilton House Bed and Breakfast
Proposed Land Use:	Bed and Breakfast with Wedding/Event Venue Usage
Current Zoning:	PUD- Planned Unit Development
Proposed Zoning:	N/A
Future Land Use:	Central Business

Application Summary

The applicant is requesting a Conditional Use Permit for the sale of alcohol by the drink at 328 W Main Street. Taverns and other places selling alcoholic beverages by the drink are only allowed by Conditional Use. Additionally, the current owner of the Hamilton House will be selling the property to the applicants, and they are proposing an SIP amendment to allow an additional use of the property as a wedding venue/event space. Currently the Hamilton House operates as a bed and breakfast establishment, and the future owners would like to continue this operation, as well as expand the use and offer the community a small wedding venue space.

The following criteria shall be considered in the review of the proposed development. These issues are not mandatory guidelines nor requirements, but issues to be discussed and considered by all

parties involved in the PD review and approval process and subject to negotiation and variations for each individual proposal and components of proposals:

- A. Compatibility with vegetation and topography and with the visual character of the surrounding buildings in the neighborhood or district context;
- B. The value of the proposed project to the community aesthetically and the way in which the buildings blend, harmonize, improve, and/or complement the surrounding neighborhood;
- C. Impact on traffic or parking with regard to the surrounding area, proposed facilities, the width and location of streets, the appropriateness of paving and lighting relative to proposed uses and the surrounding area, and public safety as determined by the city;
- D. Impact of the proposed development upon the city's water supply, sanitary sewer and stormwater drainage systems;
- E. Impact of the proposed development on existing businesses in the immediate area as well as other businesses outside the immediate area that are likely to be impacted by the new development;
- F. Provisions for the long-term preservation and maintenance of open space;
- G. Compactness of the development;
- H. Integration of different uses, including residential, commercial, civic, and open space; the desirable proximity of uses to one another; the degree to which the mix of uses accommodates the needs of a variety of people, ages, and social groups;
- I. Preservation and/or reuse of existing buildings and buildings with historical or architectural features that enhance the visual character of the community;
- J. Incorporation of significant environmental features into the design; and
- K. General consistency with the city of Whitewater's comprehensive (master) plan.

Planner's Recommendations

- 1) Staff recommends the plan commission **APPROVE** the conditional use permit and Specific Implementation Plan with the following conditions:
 1. The conditional use permit shall run with the applicant and not the land. Any change in ownership/licensee (or operator) will require approval of a conditional use permit for the new owner/licensee (or operator) from the Plan Commission.
 2. Maximum occupancy shall be as determined by the fire department and building inspector.
 3. Future signage shall be consistent with that of adjacent properties and downtown areas and shall comply with the City's sign ordinance. In addition, backlit, plastic signage shall be prohibited. City staff shall review and approve all new and replacement signage prior to installation.
 4. The applicant shall comply with all required City and building codes.
 5. The SIP shall be modified to include two allowable uses in the PUD district: Bed and Breakfast Establishment, and Wedding Venue or Event Center.
 6. Any new uses shall be subject to PARC approval.
 7. All Bed and Breakfast licensing shall be obtained by the State of Wisconsin.

8. If overcapacity, noise, or parking complaints are received by the Neighborhood Services Department, and found to be valid, fines, penalties, or revocation of the CUP and SIP may be initiated.
9. Events shall follow all city noise ordinances.
10. Outdoor music shall not be permitted.
11. Alcohol consumption outside of the parcel boundaries in the City right of way shall not be permitted at any time.
12. Vehicles shall never be parked on grass.
13. The parking lot shall be paved and striped, including applicable ADA accessible stall.
14. Outdoor lighting shall be compliant with all applicable ordinances.
15. Applicant is responsible for applying for all applicable building and zoning permits.
16. If the purchase of the property does not transfer to the applicants that have applied for CUP and SIP this approval shall become null and void.
17. Any subsequent change of use of any parcel of land or addition or modification of any approved development plans should be submitted to the plan commission for approval. Minor changes can be granted by the plan commission. Major changes that involve changes to the general intent of the project as expressed in the approved GDP shall be made by the city council as specified in Chapter 19.69.
18. Any other stipulations as indicated by the PARC .