

[Print](#)**Conditional Use Permit Application - Submission #719****Date Submitted: 12/8/2023**

City of Whitewater

Conditional Use Permit Application

312 W. Whitewater Street

P.O. Box 178

Whitewater, WI 53190

262-473-0540

www.whitewater-wi.gov

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*

1280 WEST MAIN STREET

City*

WHITEWATER

State*

WI

Zip Code*

53190

Owner's First Name*

DSDH

Owner's Last Name*

WHITEWATER LLC

Applicant's First Name*

LAUREN

Applicant's Last Name*

RICHMAN

Mailing Address*

105 CHERYL AVE

City*

BERLIN

State*

MD

Zip Code*

21811

Phone Number*

908-674-4660

Fax Number**Email Address***

RICHMAN@EXPEDITETHEDIEHL.COM

Existing and Proposed Uses:**Current Use of Property***

349-Restaurant, Fast Food

Zoning District*

B-1

Proposed Use:*

349-Restaurant, Fast Food

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 conditional use is for signage. This will not create a nuisance for neighboring uses or substantially reduce the value of other properties. The submission as it relates to signage is for signage that is code compliant in nature. The lighting and design of the signage is consistent with the signage in this zoning district. There will not be an adverse impact but rather a positive impact overall created by the development of a Starbucks at this location. The signage is properly situated and will not cause distractions or obstructions. The sign proposed will help transient guests to identify this location thereby preventing motorist distractions while driving.

That utilities, access roads, parking, drainage, landscaping and other necessary site improvements are being provided.

Applicant's explanation:*

The signage will not have an impact on utilities, access roads, parking, draining, landscaping and other site improvements that have already been approved thru the CUP process. The signage proposed is as follows:

- 48" Siren internally illuminated wall on exterior West elevation at drive-thru window. 4'-0" round wall sign.
- 12" internally illuminated "STARBUCKS" channel letters wall sign on exterior South elevation at storefront. 1'-0" x 9'-8"
- 48" Siren internally illuminated wall on exterior East elevation at patio entry. 4'-0" round wall sign.
- Directional sign, illuminated on new foundation. 3'-8" x 1'-8"
- Clearance bar for drive-thru lane. Clearance bar height: 10'-0" with "Clearance 8'-6"" hanging placard. Placard dimensions: 5" x 5'-6"
- Clearance bar for drive-thru lane (right hand). Clearance bar height: 10'-0" with "Clearance 8'-6"" hanging placard. Placard dimensions: 5" x 5'-6"
- Pre-Menu board – Quantity 2 required for 2 lane drive thru. 3'-5 3/8" x 2'-5 1/8" – Overall height: 5'-0 7/8"
- Three-Panel Menu board for drive-thru lane – 3' 6 3/4" x 8'-0" – Overall height: 5'-1 1/2"
- Parking Sign "Order Pick Up" signage - 1'-6" x 1'-0" – Quantity 3 required
- Monument sign, double-faced, internally illuminated. 6'-0" x 3'-0"

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 conforms to all applicable zoning regulations. The proposed signs are for a drive thru restaurant, and they are consistent with the national brand image for Starbucks and comply with the overall intent of the zoning ordinance. For a drive thru establishment to effectively use this property, the signage indicated herein is necessary to ensure that motorists can prepare in time for turns and lane changes when searching for this destination. The drive thru signage will enhance the customer experience by providing the necessary details for a streamlined ordering process.

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

The overall intent of the Master Plan is to provide the public with a safe and effective means of locating businesses, services, areas, and points of interest. The proposed signs do not produce clutter, are cohesive and appropriate in scale to the size of the building. These signs are keeping with the intent of the Master Plan overall; they are not designed to cause sign clutter and will not cause a nuisance to the city.

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

Applicant's Signature*

Date

Lauren Richman

12/8/2023

Plot Plan Upload

No file chosen

Plan Upload

SB Whitewater WI 23-69250 v2.pdf

Lighting Plan Upload

No file chosen

Landscape Plan Upload

No file chosen

File Upload

Starbucks CUP Narrative.pdf

File Upload

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:

Received by:

Receipt #

Application reviewed by staff members

3. Class 2 Notice published in Official Newspaper on

4. Notices of Public Hearing mailed to property owners on

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 ARCHITECHTURAL 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*

Lauren

Last Name*

Richman

Applicant's Mailing Address

105 Cheryl Ave

City*

Berlin

State*

MD

Zip Code*

21811

Applicant's Phone Number*

9086744660

Fax Number

Applicant's Email Address*

richman@expeditethediehl.com

Project Information**Name/Description of Development***

Starbucks - Install signage, including wall signs, directional sign, clearance bars, pre-menu boards, menu board, parking signs, and monument sign.

Address of Development Site*

1280 West Main Street, Whitewater, WI 53190

Property Owner Information (if different from applicant):**Property Owner's First Name**

DSDH

Last Name

WHITEWATER LLC

Property Owner's Mailing Address

9251 WILLOW LN

City

FREMONT

State

WI

Zip Code

54940

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

Lauren Richman

12/8/2023

Signature of Property Owner (if different)

Date

mm/dd/yyyy

