



136 North Monroe Street, Waterloo, Wisconsin 53594-1198  
Phone (920) 478-3025  
Fax (920) 478-2021

NOTICE OF A CITY OF WATERLOO  
PLAN COMMISSION MEETING

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and the news media, the following meeting will be held:

**MEETING: PLAN COMMISSION**  
**DATE: TUESDAY, SEPTEMBER 22, 2015** **TIME: 7:00 p.m.**  
**LOCATION: 136 N. MONROE STREET, MUNICIPAL BUILDING COUNCIL CHAMBERS**

to consider the following:

PUBLIC HEARING

1. CALL TO ORDER -- LAND USE REZONING & CONDITIONAL USE PERMIT HAWTHORNE AND STONE DEVELOPMENT INC, 333 W. MADISON ST. AND 567 W. MADISON ST.  
The applicant, Hawthorne and Stone Development Inc. is requesting a change in land use from M-1 Limited Industrial District to C-1, General Commercial District for the purpose of building a 28 unit single story assisted living /memory care facility (parcel 1) and to build five two story multi-family units, 16 units each (parcel 2). Additionally the applicant seeks a conditional use permit to allow dwelling units below the second floor. (See attached notice.)
2. ADJOURN PUBLIC HEARING

PLAN COMMISSION REGULARLY SCHEDULED MEETING

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF PREVIOUSLY UNAPPROVED MEETING MINUTES
3. CITIZEN INPUT
4. UNFINISHED BUSINESS
  - a. PROPOSED CERTIFIED SURVEY MAP – 843 S. MONROE ST., MATT JENNINGS
5. NEW BUSINESS
  - a. PROPOSED CERTIFIED SURVEY MAP – 333 W. MADISON ST AND 467 W. MADISON ST., HAWTHORN AND STONE DEVELOPMENT INC.
  - b. LAND USE REZONING (M-1) TO (C-1) –333 W. MADISON ST AND 467 W. MADISON ST., HAWTHORN AND STONE DEVELOPMENT INC.
  - c. CONDITIONAL USE PERMIT REQUEST TO ALLOW DWELLING UNITS BELOW THE SECOND FLOOR–333 W. MADISON ST AND 467 W. MADISON ST., HAWTHORN AND STONE DEVELOPMENT INC.

6. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

7. ADJOURNMENT

Mo Hansen, Clerk/Treasurer

Posted, Distributed & Emailed: September 17, 2015

Members: Leisses, Thompson, Crosby, Butzine, Reynolds, Lannoy and Oelke

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.



136 North Monroe Street  
Waterloo, WI 53594  
Phone: 920-478-3025  
Fax: 920-478-2021  
www.waterloowi.us

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**NOTICE OF PUBLIC HEARING FOR LAND USE REZONING UNDER PROVISIONS OF CHAPTER §385-12 C-1  
GENERAL COMMERCIAL DISTRICT AND §385-31 CHANGES AND AMENDMENTS TO THE ZONING CODE  
OF THE CITY OF WATERLOO, WISCONSIN**

**NOTICE OF PUBLIC HEARING FOR A CONDITIONAL USE PERMIT UNDER PROVISIONS OF CHAPTER  
§385-21 CONDITIONAL USES**

Please take notice that the Plan Commission of the City of Waterloo, Jefferson County, Wisconsin, acting under provisions of Chapter §385-12, §385-31 and §385-21 of the Zoning Code of the City of Waterloo, shall hold a public hearing on the matter of an application from Hawthorne and Stone Development, Inc. in regards to the property located at 333 W. Madison Street, owned by Riverwalk of Waterloo, LLC from Cross Plains, WI.

The land use-rezoning request is to allow a change in land use from existing M-1 Limited Industrial District to C-1, General Commercial District for the purpose of building a 28 unit single story Assisted Living/Memory Care facility (parcel 1) and to also build five 16 two story multi-family units (parcel 2).

Additionally the applicant is seeking a conditional use permit to allow dwelling units below the second floor. Chapter §385-12 C (1) states dwelling units are not permitted below the second floor without a conditional use permit.

The property is described as follows:

Tax Parcel: 290-0813-0644-065  
Lot Description: Beg SW/C Lot 1, Blk 1, 1<sup>st</sup> Addition  
Also known as: 333 W. Madison Street

Tax Parcel: 290-0813-0644-064  
Sly 231 FT of Lot 2, Blk 1, 1<sup>st</sup> Addition  
Also known as: 467 W. Madison Street

Be further notified that the Plan Commission will hear all persons interested or their agents or attorneys concerning the recommendation for a land use zoning change and a conditional use permit at a public hearing to be held at **7:00 p.m., on Tuesday, September 22, 2015 in the Council Chamber of the Municipal Building, 136 N. Monroe Street, Waterloo.**

Subsequent to the public hearing, the Plan Commission shall recommend approval, denial or conditional approval of the land use rezoning and conditional use permit request to the Common Council. The Common Council will act on the Plan Commission's recommendation at its regular scheduled October 1, 2015 meeting.

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Morton J. Hansen  
City Clerk/Treasurer

## Waterloo City Hall

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**From:** Matt Jennings <matt@jenningsupnorth.com>  
**Sent:** Monday, August 31, 2015 9:14 AM  
**To:** Waterloo City Hall; 'City of Waterloo, Mayor'; 'J Mohns'; 'Lindsay Reynolds '; 'Mike Lannoy'; mleisses@kunkelengineering.com; 'Robert Crosby '; Ron Oelke; 'Tammy Hampton'; vb911@charter.net  
**Cc:** fied1@frontier.com; Andrea V. Roth; 'Gesina M. Seiler'; tfenner@axley.com  
**Subject:** Jennings Proposed Memorandum of Understanding Framework - 843 South Monroe Street - Waterloo, WI

### Plan Commission-

Thank you again for your consideration and input regarding my draft CSM for the subdivision of 843 S. Monroe. Regarding Mo Hansen's statement in his electronic mail, I agree that a Memorandum of Understanding is the appropriate vehicle to obtain consensus prior to the September plan meeting. To facilitate a complete understanding and make progress against this objective, I propose the following as conditions/actions that could balance the city's planning needs while enabling subdivision for the needs of our families:

- Assuming the commission agrees in principle, I will submit a revised draft CSM showing the subdivision of the 23 acre parcel into 4 smaller parcels. This is permitted by both City Chapter 380 and State Chapter 236 Statutes regulating the subdivision of land. These 4 parcels will represent the existing draft CSM showing 2 parcels, but further subdivides the land *west of the drainage*. I have embedded a JPG of this concept in this message for your visualization. The red lines show the subdivision of the larger blue shaded parcel in question.
- The two westernmost parcels (Numbers 1 and 3 in the embedded visualization), both west of the creek and owned respectively by the Fiedorowicz and Jennings families, will be designated as 'future conservancy.' The city will be given first right of refusal on these two parcels.
- The remaining two parcels would remain zoned agricultural with no deed restrictions imposed by the city.
- Prior to siting of future homes and buildings on the parcels, consideration would be given on the two home site parcels to provide for future roadways and utilities. We would rely on the plan commission to give us guidance on the possible location of these improvements *prior* to setting the home locations.
- Once full siting of the homes has been established, this siting would be communicated to the plan commission.
- Due to engineering concerns regarding sewer, the city would allow for water and sewer installation by each home site in accordance with all current codes and allowing for future roadways and utilities planning. Estimates have already been obtained for well and septic on these properties.
- Any future subdivisions would by statute be required to come before the plan commission, at which time any development improvements would be discussed.

In summary, it is my hope that by specifically calling out a sizable tract of the property as future conservancy in the CSM, siting the homes in consideration of future city needs, allowing for water and sewer installations, and allowing existing legislative process to govern any future subdivision of the parcel, we are reaching an agreement that is mutually beneficial to the city and the owners.

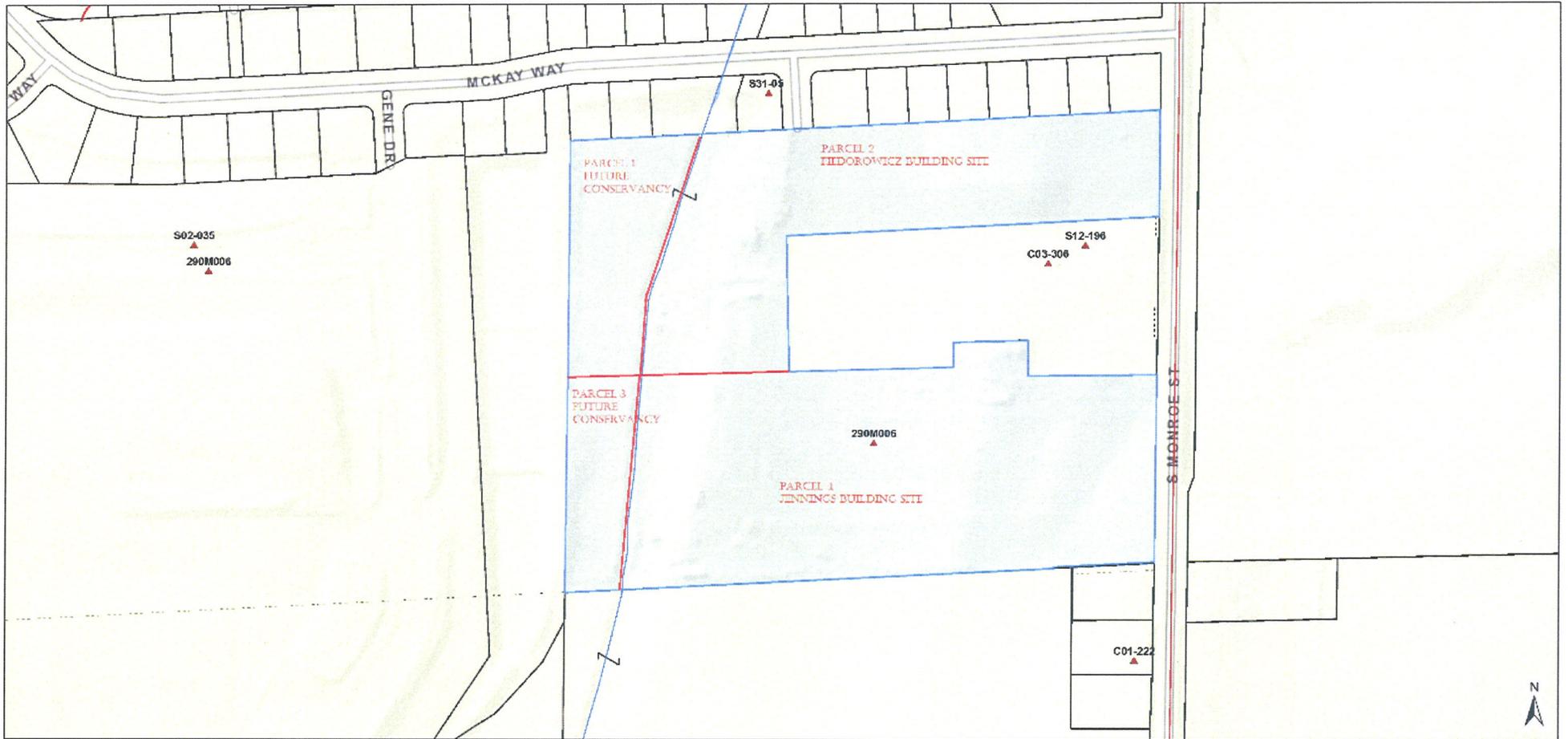
I would hope that we could electronically discuss this proposed framework of a Memorandum of Understanding prior to next month's meeting. My current offer to purchase has been extended to allow for

further consideration, but we hope to close this calendar year if at all possible.

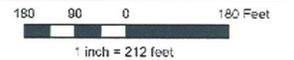
Thank you again for your time.

Matt Jennings

# Fiedorowicz/Jennings Project



Override 1	Section Lines	DATCP/JEFFERSON CO	C Community	W Waterfront
Municipal Boundaries	Surface Water	A-1 Ag	I Industrial	Land Surveys
Property Boundary	Map Hooks	A-2 Ag Bus	N Natural Resource	PLSS Sections
Old Lot/Meander Lines	Tax Parcels	A-3 Rural Res	R-1 Res Sewer	Public Survey System Co IDs
Rail Right of Ways	Streams and Ditches	A-T Ag Transition	R-2 Res No-Sew	WI Height Modernization Monuments
Road Right of Ways	JEFFERSON COUNTY	B Business	R/R Res/Rec	Township



Printed on: July 23, 2015  
 Author: Matt Jennings

Jefferson County Geographic Information System  
 © DISCLAIMER: This map is not a substitute for an actual field survey or photo investigation. The accuracy of this map is limited to the quality of the records from which it was assembled. Other inherent inaccuracies occur during the compilation process. Jefferson County makes no warranty whatsoever concerning this information.

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**From:** Waterloo City Hall <cityhall@waterloowi.us>

**Sent:** Thursday, August 27, 2015 4:27 PM

**To:** 'City of Waterloo, Mayor'; 'J Mohns'; 'Lindsay Reynolds'; 'Mike Lannoy'; mleisses@kunkelengineering.com; 'Robert Crosby'; Ron Oelke; 'Tammy Hampton'; vb911@charter.net; 'Waterloo Clerk/Treas Office'

**Cc:** mleisses@kunkelengineering.com; fied1@frontier.com; Matt Jennings; Andrea V. Roth; 'Gesina M. Seiler'; tfenner@axley.com

**Subject:** FW: 843 South Monroe Street / FW: Waterloo and CSM

Plan Commissioners:

I am asking for your reaction to my August 26<sup>th</sup> email below, and to the email thread in its entirety, on the topic of the certified survey map (CSM) submitted by Matt Jennings. After talking with Matt today, I am confident we can arrive at a conditions document which preserves long-term municipal interests while enabling, in the near-term, the construction of two farm homesteads on two 10-acre parcels as presented the other night.

I am recommending, and Matt is seeking, the drafting of a memorandum of understanding prior to the next Plan Commission meeting so Plan Commissioners and the public may have a sense of what the conditions on CSM approval might look like. If you feel I am on the wrong track, or have missed a piece, please let me know.

#### WHAT MIGHT THE LONG-TERM MUNICIPAL INTERESTS BE?

1. Encourage new home construction in an orderly sustainable manner.
2. Make sure the two farmstead homes are positioned such that a future subdivision served by water & sewer is feasible.
3. Recognizing that sewer infrastructure has already been installed as part of the DeYoung Farm subdivision with the intent of serving an area broader than the subdivision itself, it is of value to ensure that future development opportunities south of the property are not unfairly constrained.
4. Preserve and memorialized the opportunity to reserve land within the CSM as future park space meeting the needs of not only the DeYoung Subdivision, but the needs of future homes built on these 21 acres and perhaps even park space needs of the Skalitzky land south of this parcel.

#### WHY ARE WELL AND SEPTIC OK IF THE ORDINANCE SAYS THEY HAVE TO CONNECT IF BROUGHT THE PROPERTY?

1. City Engineer Mitch Leisses stated at the meeting that the concept of a very long sewer lateral with only two homes connected would be fraught with problems. So challenges exist from an engineering standpoint.
2. As proposed, the southern lot would not actually abut Daniel Drive. The northern lot would be in the way.
3. Requiring a connection to the northern lot would likely add a property owner construction cost that is not proportional to what a lateral would cost for a typical 14,000 sq. ft. lot. Except, of course, if the home was placed next to the existing dwelling at the corner of McKay Way and Daniel Drive.
4. As I listened at the meeting, Daniel Drive didn't seem to be identified as an integral connection point for the two contemplated farm homesteads.

#### WHY ADD THE REZONING CONCEPT TO DEFINE THE HOUSING LOCATIONS?

First, 0.25 acres may be too small, but conceptually it represents a future residential parcel sized at 10,750 square feet in a future residential subdivision.

1. The idea of rezoning now is to have the applicant on record as saying "this is where the farmstead houses will go." They indicated that home construction is not an immediate action. With the land zoned such that an area of R-2 land is called out as a subset within the rest remaining Ag, all can then see where the currently contemplated homes would go. This aids in a future determination of where future lots might be located at the time of the creation of a future subdivision. It also removes an unknown related to City park space planning.

#### WHY THE "RIGHT OF FIRST REFUSAL " AND SIMILAR LANGUAGE?

1. The idea is to build in a trigger mechanism now preserving the opportunity for the City to negotiate a future purchase of land for park space.

*Mo Hansen*  
Clerk/Treasurer

**From:** Mitchell Leisses [mailto:mleisses@kunkelengineering.com]  
**Sent:** Thursday, August 27, 2015 2:21 PM  
**To:** Timothy D. Fenner <TFenner@axley.com>; 'Waterloo City Hall' <cityhall@waterloowi.us>; Bob Thompson Traveling <zip53594Mayor@hotmail.com>; City of Waterloo, Mayor <mayor@waterloowi.us>; Andrea V. Roth <ARoth@axley.com>; Gesina M. Seiler <GSeiler@axley.com>  
**Subject:** RE: 843 South Monroe Street / FW: Waterloo and CSM

Mo:  
I too have no issue with your below comments.

Sincerely,

Mitchell Leisses, Project Manager  
**Kunkel Engineering Group, LLC**  
Beaver Dam, WI 53916  
(920) 356-9447 Office (920) 210-6330 Cell  
[mleisses@kunkelengineering.com](mailto:mleisses@kunkelengineering.com)

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**From:** Timothy D. Fenner [mailto:TFenner@axley.com]  
**Sent:** Thursday, August 27, 2015 8:59 AM  
**To:** 'Waterloo City Hall'; Bob Thompson Traveling; City of Waterloo, Mayor; Mitchell Leisses; Andrea V. Roth; Gesina M. Seiler  
**Subject:** RE: 843 South Monroe Street / FW: Waterloo and CSM

Mo:

I have no problem with the contents of your email.

Attorney

Timothy D. Fenner  
Axley Brynson, LLP  
d: 608.283.6733 | c: 608.219.8169  
o: 800.368.5661  
[TFenner@axley.com](mailto:TFenner@axley.com)

[Sign up for Axley Email Alerts >](#)

**V-CARD | WEB | MAP**

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2 E. Mifflin St., Ste 200  
• Madison, WI 53703 • P.O. Box 1767 • 53701-1767 • Fax: 608.257.5444

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**From:** Waterloo City Hall [<mailto:cityhall@waterloowi.us>]

**Sent:** Wednesday, August 26, 2015 12:42 PM

**To:** Bob Thompson Traveling; City of Waterloo, Mayor; [mleisses@kunkelengineering.com](mailto:mleisses@kunkelengineering.com); Andrea V. Roth; Gesina M. Seiler; Timothy D. Fenner

**Subject:** 843 South Monroe Street / FW: Waterloo and CSM

Mayor Thompson, Attorney Fenner, Engineer Leisses:

Please forward your reaction to my email to the CSM applicant below. Thank you.

*Mo Hansen*

Clerk/Treasurer

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**From:** Waterloo City Hall [<mailto:cityhall@waterloowi.us>]

**Sent:** Wednesday, August 26, 2015 12:39 PM

**To:** 'Matt Jennings' <[matt@jenningsupnorth.com](mailto:matt@jenningsupnorth.com)>

**Cc:** [fied1@frontier.com](mailto:fied1@frontier.com)

**Subject:** RE: Waterloo and CSM

Matt,

Please accept this email as my attempt to capture the general comments voiced last night by the Plan Commissioners, and it is an attempt to move the matter towards resolution.

You experienced a challenge common with boards, committees and commissions last night -- determining the sense of a majority of the voting members. Some vocal, others silent. No vote other than to table was passed. Mayor Thompson is a voting member but rarely casts a vote. We have some questions to address, some easy (i.e. driveway easement) some more involved.

I would like your reaction to the following proposal: You define the specific 0.25 acre locations where the two houses would be sited. Those locations would generally make sense as two of lots in a potential future subdivision. Those specific locations would be zoned R-2. Well and septic would then be permitted as a condition of this CSM approval with other restrictions triggered at some defined future time. Your current costs would include the reimbursement to the DeYoung Farm Developer per the terms described in the that development agreement.

The list of conditions to recorded with both parcels might be extensive. With a future land division, rezoning or sale a condition may include a first right of refusal for the City to purchase a defined amount of land at a defined cost per acre from either parcel owner. These conditions may affect the resale value of the parcels. You end up with two buildable well & septic lots and the municipality has clear provisions relating to future park space and development matters.

*Mo Hansen*

Clerk/Treasurer

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**From:** Waterloo City Hall [<mailto:cityhall@waterloowi.us>]

**Sent:** Tuesday, August 25, 2015 5:55 PM

**To:** 'Matt Jennings' <[matt@jenningsupnorth.com](mailto:matt@jenningsupnorth.com)>

**Subject:** RE: Waterloo and CSM

Thank you. He is here now and received below.

Mo Hansen  
Clerk/Treasurer

**From:** Matt Jennings [mailto:matt@jenningsupnorth.com]  
**Sent:** Tuesday, August 25, 2015 5:46 PM  
**To:** Waterloo City Hall <cityhall@waterloowi.us>  
**Subject:** Re: Waterloo and CSM

Mo-

The mayor, as a member of the commission, received an email from me laying out our reasons for bringing a CSM to the city.

I would NOT characterize that email as asking for a denial. Rather, I state that *should the commission require Lee and I to meet the strict requirements of the city's long term plan*, I would prefer an outright denial instead of an 'approval with conditions,' since those requirements/conditions would make the subdivision fiscally unreasonable for Lee and I.

I have embedded the email the commission received with the key points highlighted.

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Plan Commission Members-

We write to gain your thoughtful consideration for our request that is slated to be reviewed at the upcoming commission meeting. This request is the matter of a proposed CSM detailing subdivision of 843 S. Monroe.

This message is submitted by Matt Jennings, currently residing in Marshall, and Lee Fiedorowicz, residing in Waterloo. Both parties have interest in this matter and jointly request your approval of our request.

Owing to the fact that the city's contracted engineer and legal counsel have rendered an opinion on the submitted draft CSM, we feel it important to give this commission some background information and highlight the nature of our request:

- The current parcel of 24 acres is part of a larger city plan formulated years ago as part of a master plan. This parcel is a portion of a larger area commonly known as the 'DeYoung farm' and is a roughly U-shaped parcel encircling the DeYoung homestead of 6 acres.
- This parcel is currently zoned agricultural and has minimal improvements on it, including pad mounted electrical transformers, outbuildings, septic system and high speed broadband from the local cable provider.
- The current use of the property is agricultural, being rented to a local farmer for hay.
- Mr. DeYoung built several buildings on the property including a partially complete single family residence. This house is currently not habitable and is conservatively estimated at 60% complete.
- The Jennings and Fiedorowicz families have mutual interest in the property, but not in whole. Rather, they each have interest in smaller parcels of the property.
- The intended use is eventually to build on the property but maintain the agricultural zoning.
- The Jennings family has an accepted offer with earnest money applied to buy the entire parcel. This offer is contingent upon the city's complete approval of the subdivision. This offer is set to close September 8<sup>th</sup> pending this approval.

- It is the intention of the Jennings family to immediately sell a portion of the property to the Fiedorowicz family after closing.
- These plans have been discussed with Mo Hansen over the course of the past two months. Upon his recommendation, the Jennings family instructed Birrenkott Surveying to provide a *draft* survey map demonstrating the proposed subdivision of the property. Birrenkott was not instructed to provide a full survey map that assumed development of the property in adherence to the city plan. They were simply asked to provide a visual demonstration of the subdivision, which was supplied and submitted to the city. The draft CSM is part of the digital meeting package supplied to the commission prior to the meeting.
- It is not the intention of the Jennings family or Fiedorowicz family to develop the property into multiple lots. Rather, it is our respective intention to obtain a sizable lot for a single family home with acreage to support 'hobby farm' activities.

Simply put, if the commission agrees with the assertion that no subdivision of this parcel should occur without full consideration and compliance with past master planning, we ask simply that the commission deny our request at the upcoming meeting. This outright denial will allow the Jennings family to exit the pending transaction outright with no penalty.

Should the commission consider the request in the context of current market and development conditions in Waterloo, it is our hope that the commission would approve our request without conditions that significantly alter the reasonable economics of two separate families attempting to obtain separate parcels. The economic realities of the improvements detailed by the city engineer would make this purchase impractical should significant costs be required to meet the requirements of the city plan.

To elaborate on this position, we are in complete agreement with the engineer and legal counsel that the proposed subdivision does not strictly comply with the larger city plan. Based on our knowledge of this plan, the major issue is the planned use of a portion of this parcel as a 'conservancy.' No plan has been shared that shows detailed plans to develop the 24 acre parcel in question other than the area marked 'conservancy.' This parcel was simply considered 'future development.'

While we agree that our proposed subdivision does not strictly adhere to the long term plan, we simply ask for a consideration that takes into account the current availability of developed property and appropriate 'green space' in Waterloo while acknowledging that the current proposed subdivision does not preclude the property from being developed in future years.

To ask two families to fully consider streets, water management, and utilities extension as part of a simple subdivision places undue burden on those two families. While we admit the size of the parcel might indicate the possibility of future development, we are not asking for that development at this time.

We ask the commission to consider this request on its merits as two families representing future residential tax income and not as a developer hoping to subdivide the parcel in a real estate market that has ample developed lots available for sale.

We thank you for your consideration, and have supplied our contact information below should you wish to discuss this in further detail prior to the plan commission meeting. Feel free to email us or call at the numbers below. Mr. Fiedorowicz is copied on this message.

Lee and Chris Fiedorowicz  
920-253-7741 (Lee mobile)

Matt and Kim Jennings  
608-628-2114 (Matt mobile)

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**From:** Waterloo City Hall <[cityhall@waterloowi.us](mailto:cityhall@waterloowi.us)>  
**Sent:** Tuesday, August 25, 2015 5:23 PM  
**To:** Matt Jennings  
**Subject:** Waterloo and CSM

Matt,

Sorry for the last minute nature of this email.

Mayor Thompson asked me to produce the email were you indicate that you may be interested in a denial in order to best secure an exit from your agreement with the seller. I believe you mentioned this to me verbally and I repeated it to the Mayor, but I not recalling any email to this effect???

*Mo Hansen*  
Clerk/Treasurer

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**From:** Matt Jennings [<mailto:matt@jenningsupnorth.com>]  
**Sent:** Saturday, August 22, 2015 8:14 AM  
**To:** [cityhall@waterloowi.us](mailto:cityhall@waterloowi.us)  
**Cc:** Lee Fiedorowicz <[fied1@frontier.com](mailto:fied1@frontier.com)>  
**Subject:** Bad Email Addresses

Mo-

I sent our message to the plan commission, but received undeliverable messages for Mr. Lannoy and Mr. Oelke. I used the addresses on the web site. Do you have their correct addresses?

Thanks!

Matt Jennings



September 2, 2015

Mo Hanson  
City of Waterloo  
136 N Monroe St  
Waterloo WI 53594

**RE: Zoning Change Application**

Please accept this letter as an application for zoning change for the properties listed below:

**Property Information:**

- Parcel #290-0813-0644-065
- 333 W Madison Street, Waterloo, WI
  - 12.4 Acres
- Parcel #290-0813-0644-064
- 467 W Madison Street, Waterloo, WI
  - .613 Acres

**Current Zoning District:**

- Parcel #290-0813-0644-065
- M-1 Limited Industrial District
- Parcel #290-0813-0644-064
- M-1 Limited Industrial District

**Proposed Zoning District:**

- Parcel #290-0813-0644-065
- C-1 General Commercial District – WITH Conditional Use Permit for Multi-Family and Assisted Living Facility
- Parcel #290-0813-0644-064
- C-1 General Commercial District – WITH Conditional Use Permit for Assisted Living Facility

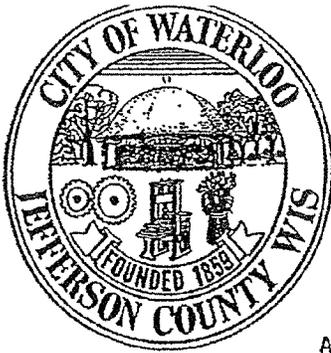
**Property Owner Information:**

Riverwalk of Waterloo LLC  
5274 County Road KP  
Cross Plains, WI 53528

I am acting as the designated agent for the Owner. If you have any questions regarding this zoning change request, please feel free to contact me. Thank you for your consideration.

Respectfully,

Timothy Geschke  
Vice President of Design and Construction Services  
Hawthorn & Stone Development, Inc.



136 NORTH MONROE STREET, WATERLOO, WISCONSIN 53594-1198  
Phone (920) 478-3025  
Fax (920) 478-2021

APPLICATION FOR CONDITIONAL USE PERMIT

(Review and Action by City Plan Commission/Common Council)

Number: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Fee Paid: \_\_\_\_\_

Location of Property: 333 W MADISON ST, WATERLOO, WI

Applicant: TIMOTHY S. GESCHKE

Address: 7601 GANSEER WAY, SUITE 200 MADISON, WI 53719  
Telephone: 414-315-1320

Owner of Property: RIVERWALK OF WATERLOO LLC

Address: 5274 COUNTY RD KP, CROSS PLAINS, WI 53528  
Telephone: 608 575-7563

Contractor: HAUTHORA AND STONE CONST.

Address: 7601 GANSEER WAY, SUITE 200, MADISON, WI 53719  
Telephone: 414 315-1320

Architect or Professional Engineer: ERIC BREHM

Address: 49 TIMBER LN, HILTON HEAD SC 29926  
Telephone: 843 540-0454

Legal Description of Property: PARCEL # 290-0813-0644-065  
# 290-0813-0644-064

Land Parcel Size: 12.4 AC Present Use: VACANT Zoning District: M-1  
6.13 AC

Type of Existing Structure (if any): \_\_\_\_\_

Proposed Use of the Structure or Site: ASSISTED LIVING MEMORY CARE Number of Employees: 12-14  
ON SITE

TERMS OF MUNICIPAL CODE      CONDITIONAL USE REQUESTED  
28 UNIT SINGLE STORY ASSISTED LIVING - MEMORY CARE      AS STATED USE  
(5) 16 UNIT MULTI FAMILY BUILDINGS - 2 STORY      @ SHIFT CHANGE

Specify Reason(s) for Application: (for example, insufficient lot area, setback, etc.)  
C-1 DOES NOT ALLOW DWELLING UNITS BELOW 2ND FLOOR WITHOUT  
CONDITIONAL USE PERMIT. WE ARE NOT @ STREET EDGE AND ARE  
LOCATED BEHIND TRADITIONAL STREET EDGE COMMERCIAL

ATTACH THE FOLLOWING:

- 1. Adjoining owners, all names and addresses of all abutting and opposite property owners within 200 feet.
- 2. Site plan showing the area involved, its location, dimensions, elevations, drainage parking, etc., and location of adjacent structures within 200 feet.

Date: SEPT, 3, 2015 Timothy A. Geschke

**TO:** TIM GESCHKE, HAWTHORN & STONE DEVELOPMENT INC  
**FROM:** CLERK/TREASURER MO HANSEN  
**SUBJECT:** LIST OF MUNICIPAL COMMENTS, QUESTIONS & REQUIREMENTS FROM INTERNAL MEETING  
**DATE:** SEPTEMBER 2, 2015

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The list below is sorted by general category. A name may be assigned to allow you to follow-up directly with a particular person.

Respond in writing indicating how each item is proposed to be addressed. Incorporate changes into your final submittal documents for September 24th Plan Commission consideration. Do not consider this list a final report of municipal concerns. It is merely an attempt to convey information in an efficient manner.

1. FLOOD FRINGE.
  - a. Lowest floor being 1' or more above flood protection elevation is required 15' beyond structure. (see 375-17 A(1)) [Building Inspector].
  - b. Sewage systems are to be flood proofed (see 375-17(G)) [Building Inspector]
  - c. I've asked Rob Montgomery with Montgomery & Associates to take one final look at elevations.
2. ELECTRIC UTILITY PLAN. No submittal. Submit ASAP. Utility Superintendent needs lead time to order to accommodate electric service request. [Utility Superintendent]
3. APARTMENT BUILDING DESIGN. No submittal. Submit ASAP.
4. WATER SERVICE.
  - a. Increase six inch lead-in pipe, corresponding values and hydrants to 8 inch. [Fire Chief]
  - b. Incorporate loop into water system on site showing that water flow rates are sufficient for building fire suppression and hydrants [Fire Chief, Utility Superintendent and Engineer].
5. STORMWATER
  - a. One stormwater basin splits parcels. Present a restrictive covenant showing arrangement for this. [Attorney & Engineer].
  - b. Confirm that catch basin behind hardware store has caved in and will not be connected to in current condition. [Public Works Director].
6. SEWER SYSTEM

- a. Provide a new easement between parcels 1 & 2 ensuring access to private sewer line anticipating a future real estate sale.
7. CERTIFIED SURVEY MAP
- a. Is parcel 3 granted to the City or is just an easement provided??? [Clerk/Treas.]
  - b. Since I've been back, we spoke about long-term snow removal and lawn care of parcel #3 being a developer responsibility. We need to remove the time limitation of "one-year" from the December Agreement amendment.
8. EASEMENTS. All should be shown on the face of the CSM (incomplete list below).
- a. Utility easements for electricity.
  - b. Water main
  - c. Parcel 3 public access easement
  - d. Show "fire lanes" as easements for municipal vehicle access. Include a Knox Box or similar to facilitate public access during fire or rescue incident.
  - e. Easement between parcel 1 & 2 ensuring access of private water system
  - f. Easement between parcel 1 & 2 ensuring access of private sewer system
9. PARCEL #3
- a. Accept this note as notices that the west pedestrian bridge will likely be removed. Reference to a connection can be removed. Pedestrian connection to West Madison St. as shown near this bridge is to remain. [Public Works Director and Clerk/Treas.]
  - b. Pedestrian path called out at 12 feet. Should be widened to 16 minimum to address fire/rescue vehicle access concerns. [Fire Chief].
  - c. Because of its proximity to the river, the pedestrian path should include geotextile matting to maximize its lifespan.
  - d. Will parcel have access to electricity for potential future lighting of path? We need an electric utility plan...
10. WATERLOO STANDARDS FOR PUBLIC IMPROVEMENTS. Please see the attached CITY OF WATERLOO 2014 RAILROAD AVENUE UTILITY & STREET IMPROVEMENTS SPECIFICATIONS & SPECIAL PROVISIONS. Some details don't meet city standards for public improvements. [City Engineer]. Standards includes televising sanitary sewer.
11. ENGINEER SPECIFIC COMMENTS. Carefully review the additional email attachments from Mitch Leisses with show his mark-up notes on the draft project plans.
12. PLAN SET TO DOT. Can you forward a plant set to Matt Lamb with WisDOT? Coordinate with Mitch.
13. CONFIRM PHASING.
14. THE UPDATING OF FINANCIAL SCHEDULE "B." FROM THE DEVELOPMENT AGREEMENT. Because substantial completion will not be achieved by December 31, 2015, City seeks to amend Schedule "B" to reflect the current situation. Can you reconfirm your calculation estimating the total assessed value at the end of Phase 1? [Clerk/Treas.]