



**VILLAGE OF WHITEFISH BAY
PLAN COMMISSION AGENDA**

June 20, 2017 – 6:00pm

Whitefish Bay Village Hall

5300 N. Marlborough Dr., Whitefish Bay, WI 53217

1. Call to Order.
2. Approval of the Minutes of the Regular Meeting of April 18, 2017.
3. **PUBLIC HEARINGS**
 - a. On Conditional Use Grant Application for *Jordipher Creative* (Creative Services and Arts Education) – 629 E. Silver Spring Dr. (Second Floor).
 - b. On proposed Ordinance No. 1832 to amend portions of Chapter 16 (Zoning Code) related to the Silver Spring Drive Business District.
 - c. On proposed Ordinance No. 1833 to amend portions of Chapter 7 related to sandwich board signs.
4. **NEW BUSINESS**
 - a. Review and action on Conditional Use Grant Application for *Jordipher Creative* (Creative Services and Arts Education) – 629 E. Silver Spring Dr. (Second Floor).
 - b. Review and recommendation to Village Board on proposed Ordinance No. 1832 to amend portions of Chapter 16 (Zoning Code) related to the Silver Spring Drive Business District.
 - c. Review and recommendation to Village Board on proposed Ordinance No. 1833 to amend portions of Chapter 7 related to sandwich board signs.
5. Adjournment

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. Contact Village Hall at (414) 962-6690. It is possible that members of and possibly a quorum of members of other Boards, Commissions, or Committees of the Village including in particular the Community Development Authority may be in attendance in the above stated meeting to gather information; no action will be taken by any other Boards, Commissions, or Committees of the Village except by the Board, Commission, or Committee noticed above. Agendas and minutes are available on the Village website (www.wfbvillage.org)

Dated: June 16, 2017, Paul Boening – Village Manager

**VILLAGE OF WHITEFISH BAY
PLAN COMMISSION MINUTES**

**April 18, 2017 – 7:00pm
Whitefish Bay Village Hall
5300 N. Marlborough Dr., Whitefish Bay, WI 53217**

1. Call to Order.

President Siegel called the meeting to order at 7:00pm. Present: Commissioners Helfer, Moore, Sauer, Roth and Siegel. Also Present: Assistant Manager Paul Boening.

2. Approval of the Minutes of the Regular Meeting of March 21, 2017.

Commissioner Moore moved, seconded by Commissioner Sauer to approve the minutes of the regular meeting of March 21, 2017. Motion Carried, 5-0.

3. **PUBLIC HEARINGS**

- a. On Conditional Use Grant Application for *Painting with a Twist* (“Paint and Sip” Art Studio) – 155 E. Silver Spring Dr. (Second Floor).

Mick McDermott was present on behalf of the applicant. Assistant Village Manager Paul Boening summarized the proposal and noted that the business plan matched the previously approved application for a different location. Discussion followed regarding the proposed tenant space, parking and anticipated timeline. There were no public comments. President Siegel closed the public hearing at 7:07pm.

4. **NEW BUSINESS**

- a. Review and action on Conditional Use Grant Application for *Painting with a Twist* (“Paint and Sip” Art Studio) – 155 E. Silver Spring Dr. (Second Floor).

Commissioner Moore moved, seconded by Commissioner Roth to approve the Conditional Use Application as submitted with the maximum hours of operation as permitted by Code. Motion Carried, 5-0.

5. Adjournment

Trustee Roth moved, seconded by Commissioner Moore to adjourn the meeting at 7:08pm. Motion Carried, 5-0.

Respectfully Submitted,
Paul Boening – Assistant Village Manager



Village of Whitefish Bay
5300 N. Marlborough Drive
Whitefish Bay, Wisconsin 53217
Phone: 414-962-6690
Fax: 414-962-5651

Memorandum

To: Plan Commission
From: Paul Boening – Village Manager
Date: June 16, 2017
Re: Review and action on Conditional Use Grant Application for *Jordipher Creative* (Creative Services and Arts Education) – 629 E. Silver Spring Dr. (Second Floor).

Executive Summary

Applicant Christopher Feiereisen has applied for Conditional Use approval to operate a “creative services and arts education” business at 629 E. Silver Spring Dr (2nd floor of the Winkie’s building). The applicant indicated that the business would offer group dance and theatre classes, individual coaching and creative services to individuals of all ages. Group activity classes would be offered after 3:00pm on weekdays and creative service work would take place during the daytime hours.

The business will be subject to the applicable laws as dictated by the Zoning Code. The following section will detail some of the requirements needed of the applicant for this business to be compliant with Village laws.

Requirements

Under the Village Code of Ordinances, the applicant must meet the subsequent legal requirements to operate the proposed business within the Village.

- The applicant must also be compliant with the zoning district laws that fall under Section 16.099. This includes all subsequent laws including the uses of retail and services in the Silver Spring District, as well as all matters of the Plan Commission’s review of the business at the hearing. Based on the business operations described in the application, the business model would be compliant with service based businesses permitted in the Silver Spring Business District.
- Signage for the proposed business must meet the standards of Section 16.18(8) which lays out the requirements for signs in District 11. Once signs are submitted for the business, they will have to be reviewed and approved by the Architectural Review Commission before being able to be placed on location.
- During a staff meeting, the applicant indicated that they would like to receive approval for the full range of hours as permitted by Code (6:00am to 10:00pm).
- The applicant must contact the Fire Marshal at the North Shore Fire Department to ensure that all applicable fire code requirements are met through a fire inspection.

- Occupancy of the tenant space is subject to approval from the Village Building Inspector and all applicable outside agencies (i.e. State of Wisconsin, North Shore Fire Dept.).
- Section 16.099 (6A) dictates that “off-street on-site” parking is required in District 11. Based on the requirements in Section 6.065(3) of the Municipal Code, approximately eight (8) to ten (10) stalls are required for this type of hybrid use. The applicant has indicated that customers will likely utilize the public parking lot located directly south of the Winkie’s building. As Commissioners are aware, there are a total of 132 public parking spaces in the two garages behind the Fox Bay Building, as well street spots available within walking distance of the proposed business. It is under the discretion of the Plan Commission to bypass the parking requirements based on the availability in the area.

Recommendation

Staff recommends approval of the Conditional Use Application for *Jordipher Creative* (Creative Services and Arts Education) to be located at 629 E. Silver Spring Drive with approval of the Plan Commission on all aforementioned conditions along with the provisions of Section 16.099(4)(G) of the Municipal Code.



Village of Whitefish Bay
5300 N. Marlborough Dr. ♦ Whitefish Bay, WI 53217
Phone: (414) 962-6690 ♦ Fax: (414) 962-5651

CONDITIONAL USE APPLICATION

VILLAGE ORDINANCE SECTION 16
www.wfbvillage.org

APPLICATION FEE: \$100

Application fee should be made payable to Village of Whitefish Bay upon submittal of completed application.

Please complete the application by typing or printing in ink. Use additional paper if necessary.

1. Property Owner Information:

Company name: K & S INVESTMENTS

Last name: _____ First name: _____

Address: 629 E. SILVER SPRING DR City/State/Zip: WHITEFISH BAY, WI 53217

Phone number: 414-964-2130 Email address: winkies6@aol.com

2. Applicant Information: (if different from above)

Company name: Jordipher Creative, LLC

Last name: Feiereisen First name: Christopher

Address: 4843 N Elkhart Ave City/State/Zip: Whitefish Bay, WI 53217

Phone number: (414) 477-0111 Email address: jordipher@gmail.com

3. Address(es) of Property Involved: (if different from above)

5594 N Hollywood Ave, Whitefish Bay, WI 53217

4. Zoning Designation: District II

5. Statement of Intent: Briefly describe what will be done on or with the property requiring the conditional use approval.

please see attached document

6. General Information:

- Name of Proposed Business: Jordipher Creative
- Type of Business: Creative Services + arts education
- What other licenses, permits, etc. are required for operation, and have they been obtained?
N/A
- Anticipated Number of Employees: 2
- Total Square Feet of Sales Area: 1,925 sq. ft. service area
- Proposed Parking Area for Customers: public lot + street parking
- Proposed Parking Area for Employees: church parking lot
- Control of Property (Signed Lease, Owner Occupied, etc.): signed lease
- Frequency and Location of Deliveries: N/A

7. Additional Required Information:

- Legal Description and PIN:** Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved.
 - Plan of Operation:** Including hours of operation, products to be sold and any other pertinent information regarding the proposed business.
 - Exterior/Interior Changes:** A description of any proposed changes to the exterior and/or interior of the subject property. If the application involves an entire building or if any exterior changes are planned, a plat of survey prepared by a registered land surveyor showing all of the information required for a building permit, including landscaping shall be included.
 - General Layout:** A plan indicating the location of buildings, rooms, parking areas, traffic access, driveways, walkways, open spaces, landscaping and lighting. Drawings must be to scale and have the dimensions of all rooms/workspaces.
8. **Signature(s):** By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

Property Owner: Thomas D. Stuehlmacher

Date: 5/26/17

Applicant: Ch F

Date: 05/26/2017

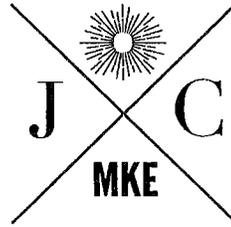
Fee Paid: \$100 Date: 5/26/17 Receipt # 97739

Applications for conditional use approval must be received at least 21 days prior to the meeting date; applications received after this date cannot be heard at the Planning Commission meeting the following month.

jordipher creative

Chris Feiereisen
CREATIVE DIRECTOR

Jordynn Feiereisen
MANAGING DIRECTOR



4843 North Elkhart Ave
Whitefish Bay, WI 53217

May 25, 2017

SUPPLEMENT TO CONDITIONAL USE APPLICATION

5. Statement of Intent

Jordipher Creative, LLC is seeking approval to occupy space at 5594 N Hollywood Ave, Whitefish Bay, WI 53217. This statement outlines the intended use of space that aligns with the needs of our business.

The approximate 1,925 square feet of space will be used for:

- Business operations
- Freelance media/marketing design
- Dance, theatre and music classes
- Creative services i.e. choreography, theatre production, consultations, etc.

7b. Plan of Operation

Jordipher Creative is an arts organization that offers group dance and theatre classes, individual coaching and creative services to individuals of all ages. It's target audience is the North Shore area, with youth attending in the North Shore, as well as adults interested in theatre, dance classes and performance. Creative play classes are also offered for young children and their parents. Creative services include marketing collateral, branding, video production and photography. Group activity classes will be offered after 3:00pm on weekdays and creative service work will take place during the daytime hours.

7c. Interior/Exterior Changes

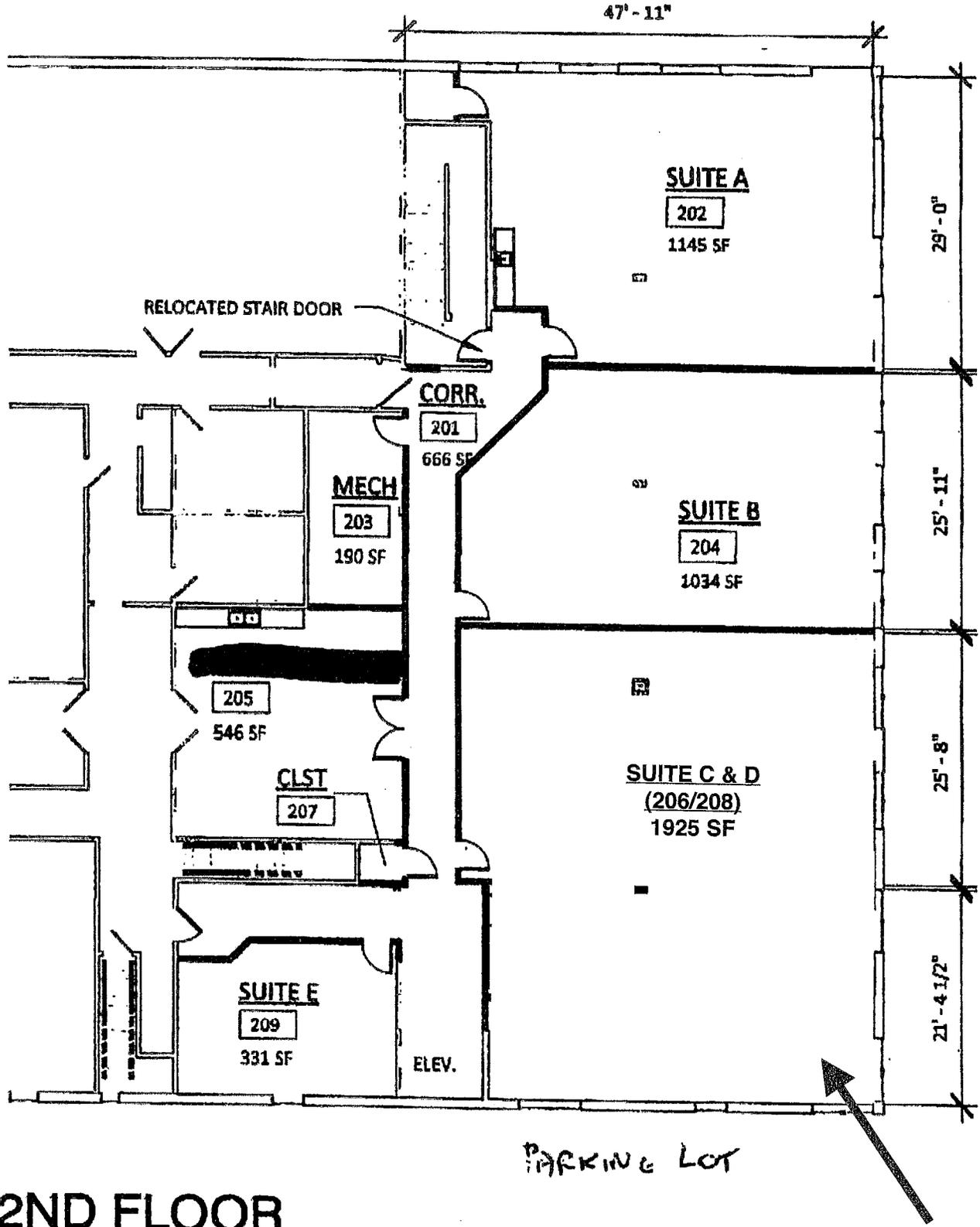
NO exterior changes will be made.

Interior changes:

- Building owners to finish separation of office space on the 2nd floor with installation of walls and structure
- Install semi-permanent dance floor (wooden sprung floor with vinyl overlay)
- NO change to floor plan or ceilings (open concept)

7d.

SILVER SPRING



2ND FLOOR PROPOSED

1/16" = 1'-0"



INTERIOR ALTERATIONS FOR:
K&S INVESTMENTS

PROPOSED 2ND FLOOR PLAN

Project No. 15.005

A01



MEMORANDUM

TO: Village of Whitefish Bay Plan Commission
Village of Whitefish Bay Staff
Steve Sheiffer
Paul Boening

FROM: GRAEF
Craig Huebner, AICP
Kristian Vaughn

DATE: April 14, 2017

SUBJECT: Whitefish Bay Zoning Code Review: Proposed Ordinances 1832 & 1833

A. REVIEW PROCESS, CODE AMENDMENTS, AND RATIONALE

In July 2016, GRAEF began a Zoning Code Review for the Village of Whitefish Bay. The original intent of the Review was to determine the feasibility of development actions and concepts proposed in the 2016 *Silver Spring Drive Master Plan Update* (adopted April 2016) as made possible by existing regulations in §16.099 “District 11 – Silver Spring Drive Business District.” Throughout the process, we produced a series of professional commentaries to guide discussions with members of the Community Development Authority and Plan Commission. These discussions, in conjunction with requests from Village staff, broadened the review to be more inclusive and resulted in an examination of other interrelated Sections of the Zoning Code. This process ultimately yielded the enclosed proposed Code amendments. These include:

- 1) General maintenance and modernization of Code language, notably in §16.02 “Definitions”;
- 2) Re-classification of uses in §16.099(3) to permitted, conditional, and prohibited;
- 3) Edits and additions to §16.099(5) “Site and Building Design Standards”; and,
- 4) Edits to §16.18 “Sign Code,” including Sandwich Signs, building façade signs, and the sign permitting process.

The goals of the process focused on adding clarity to the Zoning Code’s language and creating a regulatory environment more amenable to social and economic development with efficient review processes. The Review was pursued with the following goals:

- 1) Propose substantive amendments to the Zoning Code that allow the Village to be more responsive and flexible to changes on Silver Spring Drive;
- 2) Cultivate Silver Spring Drive as an environment that allows for contemporary forms of development that foster mixed-use buildings, multi-modal transportation – including pedestrians and bicyclists, and public places; and,
- 3) Balance the Village’s regulatory oversight as a tool to protect the health, safety, and general welfare of its residents while not deterring business recruitment and retention.

B. PROPOSED AMENDMENTS

I. §16.02 “Definitions”

Definitions were reviewed for relevancy and accuracy, then alphabetized and reformatted to reflect current best management practices for municipal codes. The definition for “Principal Use or Building” was added to complement the definition for “Accessory Use or Building;” the definition for “Building Height” was amended to allow for roofscapes to be constructed; the definition for “Roofscape” was added to allow for their construction; the word “chattel” was replaced with “personal property;” and, the definition for “attached garage” was amended to correct contradictory provisions that unnecessarily restricted garage renovations and construction.

II. §16.099(3) “Permitted, Conditional, and Prohibited Uses”

The proposed land use management approach for District 11 was specifically crafted to mix permitted, conditional, and prohibited uses to relieve additional burden on Village staff, facilitate an efficient and effective approval process for business owners, and provide for the creation of a diverse marketplace along Silver Spring Drive. As opposed to classifying all uses as either conditional or prohibited, this nuanced approach is proposed to allow for the establishment of a variety of businesses, while paying particular attention to the level of customer activity generated by each to avoid parking imbalances and shortages. The proposed re-classification of uses reflects professional best management practices for effective land use management of commercial corridors.

III. §16.099(5) “Site and Building Design Standards”

To fulfill the goals and operationalize the implementation strategies in the *2016 Silver Spring Drive Master Plan Update*, the proposed Code amendments clarified and added language to allow for the development and beautification of alleys, the effective management of building heights to accommodate roofscape environments, the construction of stormwater management islands in parking lots, and the screening of mechanical equipment on the façades and rooftops of buildings.

IV. §16.18 “Sign Code”

The proposed amendments to the Sign Code were designed to allow Village staff to efficiently manage sign permitting and management along Silver Spring Drive. Three substantive text amendments are proposed:

- 1) §16.18(D)(8) Maximum Allowable Total Sign Area: The current Code attempts to prevent the cluttering of signs on building façades by assigning supremacy to signs of businesses on the first floor and subordinating the signs of businesses on upper stories through the disproportionate allocation of allowable sign area. This has led to select instances in which building façades have varying size wall signs resulting in a lack of uniformity. The Code amendments propose to allow each business in a building with the ability to have the same size sign.
- 2) §16.18(I)(5) Village Staff Allowed to Permit: To reduce the staff and time burden during the sign permitting process, the Code amendments propose to allow Village staff to issue

a sign permit if the sign meets Code requirements. If the sign is of a unique physical form or character, Village staff would recommend the Architectural Review Commission review the application. This deviates from the current procedure of having all sign permit applications reviewed by the Architectural Review Commission.

- 3) §7.14 Sandwich Signs: This Section was re-written to modernize the sandwich sign regulations and empower Village staff to easily work with business owners on Silver Spring Drive. The provisions are less cumbersome and directly instruct business owners as to how they may display sandwich signs.

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF WHITEFISH BAY

ORDINANCE NO: 1832

An Ordinance to Amend Chapter 16 of the Municipal Code

Whereas, the proposed amendments to Chapter 16 of the Municipal Code are attached to this Ordinance as Attachment 1.

The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does ordain as follows:

Section One: Chapter 16 of the Municipal Code is hereby amended as shown in Attachment 1.

Section Two: All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby and to such extent repealed.

Section Three: This ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay this _____, 2017.

VILLAGE OF WHITEFISH BAY

Julie Siegel, Village President

Jennifer Amerell, Village Clerk

4 ORDINANCE NO: 1833

5 An Ordinance to Amend Chapter 7 of the Municipal Code

6
7
8 The Village Board of the Village of Whitefish Bay, Milwaukee County, Wisconsin does
9 ordain as follows:

10
11 Section One: Section 7.14 "Sandwich Signs Visible from the Right of Way" of Ordinance
12 No. 1748 of the Municipal Code is hereby amended to read:

13
14 7.14 SANDWICH SIGNS IN DISTRICT 11 ON SILVER SPRING DRIVE

15
16 SANDWICH SIGNS-

17 Sandwich Signs are allowable as provided in this Ordinance in
18 District 11 on private property fronting Silver Spring Drive.

19 Sandwich Signs are prohibited in all other locations in the Village of
20 Whitefish Bay pursuant to Section 16.18 of the Zoning Code. The
21 following provisions shall regulate Sandwich Signs in District 11:

- 22
- 23 A. A Sandwich Sign is a self-supporting, A-shaped, freestanding
- 24 portable sign with only two (2) visible sign faces that contain
- 25 commercial speech. For the purposes of the regulation of
- 26 Sandwich Signs in the Village of Whitefish Bay, a Sandwich
- 27 Sign is also known as a Sandwich Board Sign, a Portable Sign,
- 28 an "A Board" Sign, or an "H" Frame Sign.
- 29
- 30 B. Sandwich Signs shall be limited to ten (10) total square feet per
- 31 sign face with the width of a sign face not exceeding two point
- 32 five (2.5) feet and the height of a sign face not exceeding four
- 33 (4) feet when open.
- 34
- 35 C. One (1) Sandwich Sign is allowed for each business/entity.
- 36
- 37 D. Sandwich Signs may not be illuminated or reflective. No
- 38 balloons, banners, or other dressings may be attached to
- 39 Sandwich Signs. Damaged or poorly maintained Sandwich
- 40 Signs may not be placed outdoors within the Village.
- 41
- 42 E. Sandwich Signs may only be displayed during the hours in
- 43 which the business displaying the Sandwich Sign is open and

1 must be stored indoors when not in use.

2
3 F. Messages on Sandwich Signs may advertise on-site
4 business offerings only. The messages will be presented
5 in a professional manner and be visually appealing.

6
7 G. Sandwich Signs may only be located on private property
8 fronting Silver Spring Drive at the primary entrance of the
9 business displaying the sign in District 11.

10
11 H. The location of a Sandwich Sign may not obstruct access to:
12 1. Accessibility ramps for persons with
13 disabilities
14 2. Building exits

15
16 I. Sandwich Signs may not be attached or anchored in any way
17 to trees, buildings, or public property. The prohibited means
18 of attachment or anchoring include by chains, cords, rope,
19 wire, or cable. Public property includes utility or light poles,
20 parking meters, the ground, or pavement.

21
22 J. Sandwich Signs may only be displayed in District 11 on
23 private property fronting Silver Spring Drive between North
24 Lydell Avenue and North Danbury Road.

25
26 K. A Sandwich Sign may be removed by the Village if it
27 interferes with any Village activities or public safety (for
28 instance, but not limited to, snow removal activities and
29 sidewalk maintenance).

30
31 Violation of this Section or rules adopted pursuant thereto shall be
32 subject to the general penalty provided in Section 17.4 of the Municipal
33 Code or such other penalty as the Village Board may specify from time to
34 time.

35
36 PASSED AND ADOPTED by the Village Board of Trustees of the Village of Whitefish Bay
37 this [DAY] day of [MONTH], 2017.

38 VILLAGE OF WHITEFISH BAY

39
40 _____
41 Julie Siegel, Village President

42
43 _____
44 Jennifer Amerell, Village Clerk