



**VILLAGE OF WHITEFISH BAY
PLAN COMMISSION AGENDA**

December 17, 2018 – 5:30pm

**Meeting Location: Whitefish Bay Village Hall – Board Room
5300 N. Marlborough Dr., Whitefish Bay, WI 53217**

1. Call to Order.
2. Approval of the Minutes of the Regular Meeting of October 8, 2018.
3. **PUBLIC HEARINGS**
 - a. On Conditional Use Grant Application for the *Keller Williams Annex* at 215 E. Silver Spring Dr
4. **NEW BUSINESS**
 - b. Review and action on Conditional Use Grant Application for the *Keller Williams Annex* at 215 E. Silver Spring Dr
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 Business Improvement District Board 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: December 12, 2018 - Tim Blakeslee – Assistant Village Manager

**VILLAGE OF WHITEFISH BAY
PLAN COMMISSION MINUTES**

October 8, 2018 – 5:30pm

**Whitefish Bay Public Library – Program Room
5420 N. Marlborough Dr., Whitefish Bay, WI 53217**

1. Call to Order.

Commissioner Serebin called the meeting to order at 5:48 pm. Present: President Siegel, Commissioners Serebin, Helfer, and Huber. Absent with Notice: Commissioners Sauer, Moore, and Roth. Also Present: Assistant Manager Tim Blakeslee.

2. Approval of the Minutes of the Regular Meeting of August 21, 2018.

Commissioner Helfer moved, seconded by Commissioner Huber to approve the minutes of the regular meeting of August 21, 2018. Motion Carried, 4-0.

3. NEW BUSINESS

- a. Review and recommendation to Village Board on Certified Survey Map to split the existing lot at 4865/4873 N. Oakland Avenue into two parcels.

Assistant Manager Blakeslee provided a background of the case. In early 2017, 4865/4873 N. Oakland Avenue was combined into one lot after a Certified Survey Map was completed for an area that had previously been four small separate lots. The Village was approached by John Kannenberg about splitting the lot at 4865/4873 N. Oakland Avenue into two separate lots. The intention of Mr. Kannenberg is to split the lot, remove all structures, and build two new homes on the two newly created lots. Mr. Kannenberg submitted a CSM to Village Staff requesting to split the lots in mid-September. Tim Barbeau, PE, with R.A. Smith reviewed the CSM on October 4, 2018, on behalf of the Village and found that was technically acceptable subject to conditions.

Mr. Kannenberg described his plan to the commission and provided an additional history of the lot. He noted the deck and small garage have already been removed. He will be removing all structures on the property.

Commissioner Helfer moved, seconded by Commissioner Huber to approve the Certified Survey Map for 4865/4873 N. Oakland Avenue, subject to the condition outlined in the staff memo. Motion Carried, 4-0.

4. Adjournment

Commissioner Huber moved, seconded by Commissioner Serebin to adjourn the meeting at 5:55pm. Motion Carried, 4-0.



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

Memorandum

To: Whitefish Bay Plan Commission
cc: Paul Boening Village Manager
From: Tim Blakeslee, Assistant Village Manager
Date: December 13, 2018
Re: Keller Williams Annex – Conditional Use Application

Executive Summary

Applicant Rick Stalle has applied for Conditional Use approval to operate a Keller Williams real estate office to be located at 215 E. Silver Spring Drive (previously the Home Care Assistance location). The applicant indicated that the business would serve as an “annex” to their office space located at 205 E. Silver Spring Drive. The additional location will allow for additional meeting and office space for employees and their clients. Typical business hours will match that of the primary office (7:00 am to 10:00 pm Monday through Sunday).

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 both the retail and service based businesses permitted in the Silver Spring Business District.
- Signage for the proposed business must meet the standards of Section 16.18(8) and will require a sign permit. Once signs are submitted for the business, they will have to be reviewed and approved by the Building Services Director before being able to be placed on location.
- The applicant is requesting to operate the business between hours no earlier than 7:00 am and no later than 10:00 pm. This does not conflict with the

ordinance that dictates no business can be operational between the hours of 10pm and 6am that is laid out in Section 8.01 (8) of the zoning code.

- Occupancy of the tenant space is subject to proper receipt of all necessary permits, approval from the Village Building Inspector, and approval from all applicable outside agencies (i.e. State of Wisconsin, North Shore Fire Dept.).
- While not planned at this time, should any changes to the façade of the building be made the business owner must obtain prior approval from the Community Development Authority (CDA) and Architectural Review Commission (ARC).
- 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 fifteen (15) stalls are required based on number agents and employees. 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. The applicant has noted that 3 parking spots belong to the building in the alley. It is under the discretion of the Plan Commission to bypass the parking requirements based on the availability in the area.

Given the location of the tenant space, the public garages may not serve as a convenient option for Keller Williams’ employees. Parking on Kent and Bay Ridge is limited to one hour in the blocks closest to the proposed business. Therefore, it will be imperative that employees adhere to the posted restrictions to avoid ticketing. It is important to note that unrestricted parking is available on the portions of Kent and Bay Ridge located south of Birch Avenue (see map below – unrestricted areas are depicted in red).



Recommendation

Staff recommends approval of the Conditional Use Permit Amendment for Keller Williams – Milwaukee North Shore at 215 E. Silver Spring Dr 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: Erasmus Investments II, LLC
Last name: GRAMS First name: DEREK
Address: PO Box 11185 City/State/Zip: SNOWWOOD, WI 53211
Phone number: 414-743-3785 Email address: DEREK.GRAMS@YAHOO.COM

2. Applicant Information: (if different from above)

Company name: KELLER WILLIAMS REALTY - MILWAUKEE NORTH SHORE
Last name: STALLE First name: RICK
Address: 205 E. Silver Spring City/State/Zip: WFB, WI 53217
Phone number: _____ Email address: RSTALLE@KW.COM

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

215 E. Silver Spring Drive, Whitefish Bay, WI 53217

4. Zoning Designation: DISTRICT 11

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

KW INTENDS TO OPERATE IN THIS SPACE AS A SUBLESSEE TO SUBLESSOR (HOME CARE ASSISTANCE OF WI) USING SPACE AS IS FOR OFFICE WORK TO SUPPORT KW'S MAIN OFFICE - 2 DOORS AWAY. SINCE THE VAST MAJORITY OF OUR ASSOCIATES ARE "INDEPENDENT CONTRACTORS", WE ANTICIPATE AVERAGE DAILY 8-HOUR OCCUPANTS IN THIS SPACE WILL NOT EXCEED 6-8 INDIVIDUALS.

6. General Information:

- Name of Proposed Business: KELLER WILLIAMS REALTY - ANNEX
- Type of Business: RESIDENTIAL REAL ESTATE BROKERAGE + TITLE COMPANY
- What other licenses, permits, etc. are required for operation, and have they been obtained?
N/A -
- Anticipated Number of Employees: 3 Full Time, Onsite - 8 To 10, INDEPENDENT AGENTS (WZ's) (1099's)
- Total Square Feet of Sales Area: 2,100 sq ft
- Proposed Parking Area for Customers: 3 in sublease (alley)
- Proposed Parking Area for Employees: REAR OF BUILDING + STAFF LOCKS LOT
- Control of Property (Signed Lease, Owner Occupied, etc.): SUBLEASE TO HOME CARE
- Frequency and Location of Deliveries: OFFICE SUPPLIES - 1 OR 2 X / WEEK

7. Additional Required Information:

- Legal Description and PIN:** Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved. TAX KEY # 197-0001-000
- Plan of Operation:** Including hours of operation, products to be sold and any other pertinent information regarding the proposed business. SAME AS KW: 9:00 AM TO 10:00 PM.
- 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. SIGN FOR HOME CARE TO BE REMOVED. FUTURE SIGN PERMIT TO FOLLOW.
- 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. PER ATTACHES

8. Signature(s): By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

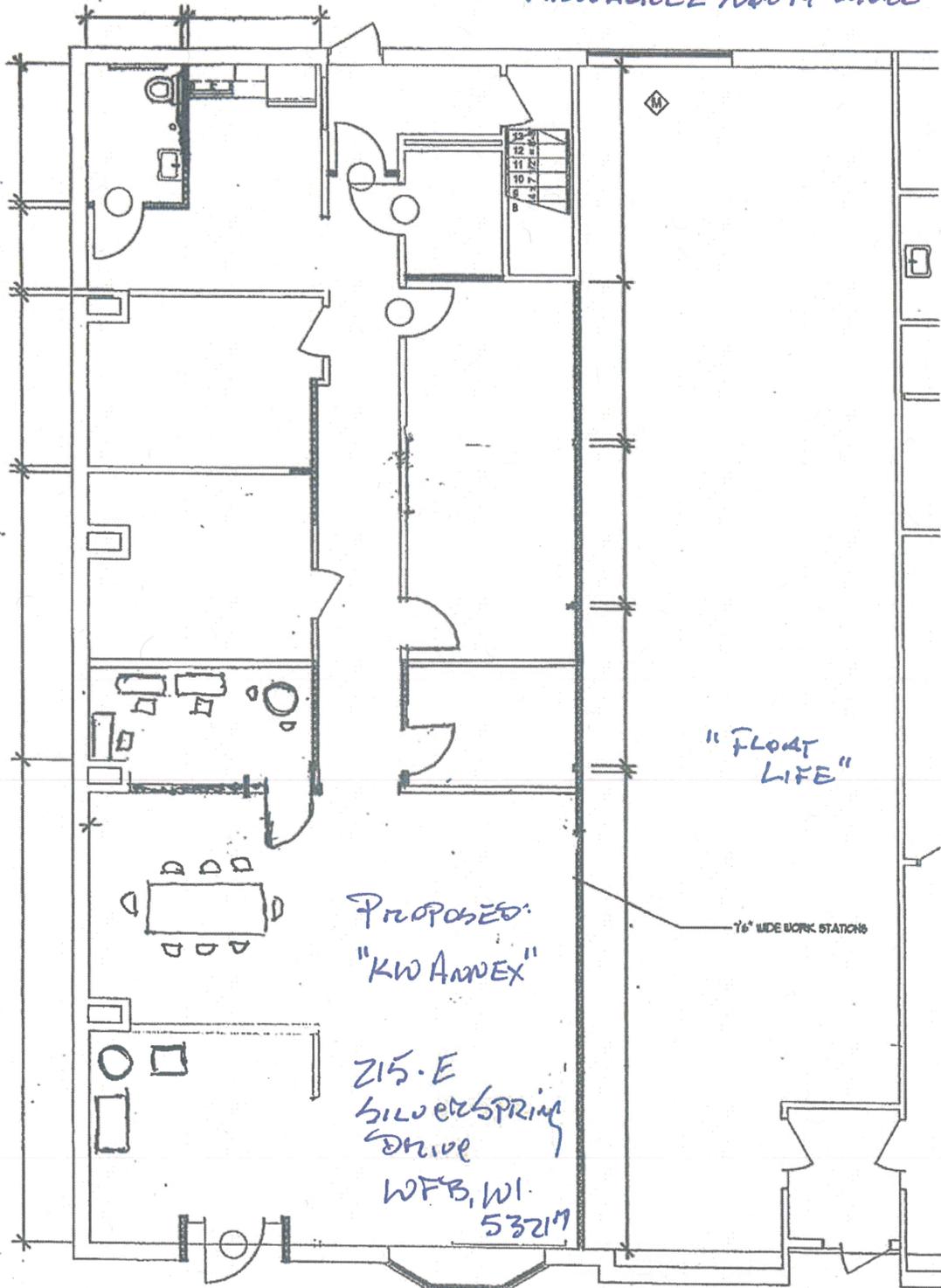
Property Owner: Derek Grams dotloop verified 11/27/18 8:24 AM CST HXCB-TYVG-B9TD-1LKY Date: _____

Applicant: D. C. Hill Date: 11/15/18

Fee Paid: \$100 Date: _____ Receipt # _____

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.

LANDLORD: ERASTUS INVESTMENTS, II LLC
SUBLESSOR: HOME CARE ASSISTANCE OF WI
SUBLESSEE: KELLER WILLIAMS REALTY
MILWAUKEE NORTH SHORE



1 1st Floor Plan- DRAFT 11.06.15

SCALE: 1/8" = 1'-0"
ASPIRE ARCHITECTURE & DESIGN, LLC
scott@aspirearchitects.com



10/19/15
07-024

VILLAGE OF WHITEFISH BAY

Receipt: 126583

12/03/18

5300 NORTH MARLBOROUGH DRIVE
WHITEFISH BAY, WI
53217-5399

Cashier: Counter1
Received Of: JUNIPER REAL ESTATE

The sum of: 100.00

DMPST4.	Permits - Conditional Use		100.00
		Total	100.00
	CHECK	004658	100.00

Signed: _____