



**Plan Commission  
Meeting Agenda  
Tuesday April 26, 2016  
6:30 p.m. Village Hall Court Room  
3930 N. Murray Ave Village of Shorewood, WI 53211**

1. Call to order.
2. Roll call.
3. Approval of April 12, 2016 meeting minutes.
4. Statement of Public Notice.
5. Consideration of special exception for parking for proposed restaurant at commercial property 4144 N. Oakland Avenue.
6. Schedule next meeting.
7. Future agenda items.
8. Adjournment.

Dated at Shorewood, Wisconsin, this 22nd day of April, 2016

Village of Shorewood

Tanya O'Malley, Village Clerk WCMC

**PLEASE BE ADVISED THAT A REPRESENTATIVE OF THE APPLICANT FOR THE AGENDA ITEM MUST BE PRESENT AT THIS MEETING.**

Should you have any questions or comments regarding any item on this agenda, please contact Ericka Lang, Planning Director, Planning & Development Department, at (414) 847-2640.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.

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 stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

April 25, 2016



To: Plan Commission- Meeting April 26, 2016

Cc: Nathan Bayer

From: Ericka Lang, Planning Director

RE: 4144 Oakland Ave Special Exception for Parking Request

Colectivo Coffee Roasters and others are proposing a new restaurant in Shorewood at commercial property 4144 N. Oakland Avenue. The property is currently vacant and has traditionally been used for small office or retail businesses. The last occupancy was for Verizon cellular service provider and the building is owned by Palmetto LLC who also owns the multi-tenant commercial building to the north.

### Project Description

The applicant wishes to make substantial improvements to the entire 4,600 sqft site. The current building is less than 1,200 sqft and is set back from the street front. The project proposal adds on to the one-story building to the north (side) and west (front), creating a larger interior space (2,170 sqft) and creating a significant outdoor seating area that is currently surface parking. Per the attached project description (Exhibit A), the restaurant will offer classic burgers and ice cream, providing a “fun neighborhood gathering place for families, friends, and kids big and small.” Also attached are project site plans and concepts (Exhibit B).

The business removes both of the existing approaches along Oakland Ave and Wood St, adding three on-street parking spaces. The parkway gained along Wood Street will be converted to grass, adding greenspace. A caliper tree will also be added to the outdoor space.

The business will serve lunch and dinner and anticipate closing hours at 9:00 p.m.

### Approval Process

On April 12<sup>th</sup> the Board of Appeals approved the request for a special exception for expanding a nonconforming structure. Shorewood’s zoning requires commercial buildings set at the front property boundary, be a minimum of two-stories high and set back from the rear boundary not less than five feet. The current building is set back 37 feet from the front boundary, 1.77 feet from the rear boundary and is one-story. Approval by your commission is the final approval prior to issuing trade permits.

### Zoning – Parking Considerations

**A. Parking Code Requirements.** Shorewood’s zoning code under Article IV Parking 535-47D(7) requires restaurants to provide “20 parking spaces per 1,000 square feet of floor area for sit-down restaurants.” The floor area of the proposed restaurant is 880 square feet; therefore, the code requires 17 parking spaces.

**B. Parking required onsite:** Per 535-49B, in the business districts, it states that at least 25% of the parking shall be located on the premises of the business and the remaining 75% shall be located no more than 400 feet from the building. A map

**17 parking spaces required**

**25% onsite, 75% offsite w/in 400 ft**

**4 spaces provided onsite =25%**

enclosed shows a 400 foot buffer. Parking facilities may be shared and off premise spaces must have a written agreement for use of those spaces.

- 25% of 17 required spaces is 4.25 spaces. The business parcel includes a section of land within the parking lot for the Great Clips, Zahorik's and Benji businesses to the north. The section of land has 4 parking stalls, essentially meeting the onsite requirements.
- 75% of the required parking spaces is 12.75. The 4-level parking deck contains 304 parking spaces of which 50 are for public parking. During the first year, 25 spaces are signed for 2-hour public parking on the 4<sup>th</sup> level. The property owner and village will review parking demand in one year to determine if more spaces need to be signed for public parking. To clarify, parking levels 1 and 3 are for Metro Market users. Level 2 is for the future customers of the mixed-use building and level 4 is for employee parking.

**C. 2007 Zoning Code Amendments.** In 2007 the zoning code was amended after the adoption of the Central District Master Plan. At that time, the Special Exception language was added to the zoning parking article instead of requiring a variance from the Board of Appeals when parking requirements cannot be met. The village realized the code has high parking requirements, which were industry standards, so they added flexibility to the code via a special exception application.

The master plan and codes reflected the understanding of the village supporting shared parking, realizing the restraints of Shorewood's dense commercial area and supporting a multimodal urban community through flexible parking regulations. The business owners project the majority of customers will walk or bike to the establishment. A reminder, the Shorewood is also served by the express bus line along Oakland Avenue and Capitol Drive.

**D. Area Land Uses and Parking Supply.** Attached is a site map of several blocks along Oakland Avenue, beginning from Kenmore Place to Marion St. The map shows existing businesses and existing parking supply along the street and onsite. There are a variety of uses as listed in the following page under Business Hours of Operation.

There are several shared parking lots in this area. Benji's lot at 4156-60 shares a surface lot with Great Clips, Zahorik's and a craft business. The Stone Creek lot shares parking with the relocated Wells Fargo bank and now vacant Goldies.

**E. Additional On-street parking:** During the parking count evaluation, staff observed various small businesses that have two approaches and recommended to the Village Manager and Police Chief that the village have a traffic engineer review these sites to see if removing one access approach would be feasible, therefore gaining additional on-street parking and improving safety for pedestrians and vehicles. Safety is increased whenever vehicle access points are minimized.

**F. Businesses Hours of Operation:** Below is a list of surrounding businesses and their hours of operations. While many of the businesses are opened into the early evening, the parking counts reveal low parking usage as discussed later.

Benji's	M-F 8-8pm; Sa-Su 7 am – 8pm
Great Clips	M-F 9-9pm, Sa 8-6pm, Su 9-5pm
Zahorik Chiropractic	M-Sa 12-8pm
Metro Market	6am -10pm daily
TCF	M-Th 9-6pm, Fri 9-7pm, Sa 9-1pm
UPS	M-F 8-6:30pm, Sa 9-2:30pm
Starbuck's	M-F 5am-9pm, Sa-Su 6am-9pm
Wells Fargo Bank	M-F 9-6pm, Sa 9-4pm
Stone Creek Coffee	M-Sa 6am – 7pm, Su 7am-7pm

**G. Shared Parking and Shorewood Design Guidelines:** The Central District Design Guidelines adopted with the Central District Master Plan has a section on parking that encourages shared parking. It reads as follows:

- Parking areas in front of buildings are prohibited.
- Mid-block parking lots should be limited to avoid braking up the shopping streetwall.
- Dedicated parking for single businesses is discouraged. Shared parking shall be considered to minimize the visual impact of land devoted to parking and to provide more efficient parking.
- Parking curb cuts along the street shall be minimized and businesses encouraged to share access points.
- Owners, employees, and residents should park in the rear of parking lots or on the upper floors of future parking decks rather than occupy spaces on primary streets or prime parking areas.
- Parking areas shall be screened with fencing and landscaping at street and sidewalk edges and adjacent to residential buildings. Fencing, walls, and landscaping shall be a maximum of 30 to 40 inches in height and shall preserve sight lines at entrances/exits to reduce conflicts between pedestrians and motorist.

**H. Bus Stop:** there is a Milwaukee County Transit System bus stop directly in front of the proposed business. Staff met MCTS recently to discuss this site and the Metro Market site. For this site, the village inquired if it could be moved to the near side of the intersection at Oakland and Wood, in front of the now vacant Goldie's building. The Goldie's building has parking to the rear of the building and one the south side. MCTS confirmed that it can be moved.

**I. Past project parking exceptions:** Since 2007 when the code changed, your commission has reviewed and approved various parking exceptions for businesses and developments. The new developments Cornerstone, Lighthorse, and Roundy's did not meet parking requirements and

were granted an exception through the Planned Development District Process. Recently the renovated gas station at 1604 Capitol also received an exception.

**J. Shorewood’s Central District Master Plan**

The 2014 Central District Master Plan includes a redevelopment concept for this site and the adjoining sites in the block. The narrow lot depth is a challenge because the building depth does not allow for underground parking. Redevelopment of only this parcel was determined to be cost prohibitive.

The proposed project is consistent with the master plan in realizing a vibrant commercial district, attracting families and activating the street. The building was built in 1952 and is assessed at \$321,600. Tenant investment to the property is estimated near one million dollars.

**K. Parking Supply and Demand:** The village completed a parking evaluation over the past two weeks, counting vehicles (demand) on the street and in business parking lots from April 13<sup>th</sup> through April 24<sup>th</sup>. The area started at Oakland Ave at Kenmore Pl, northward to Marion St for on-street counts. Off-street counts began at Kenmore Pl northward to Olive St and included TCF bank as the most northern lot.

**Method**

Counts were completed five times a day in two-hour intervals starting at 11:00 a.m. to 7:00 p.m. on days Monday, Wednesday, Friday, Saturday and Sunday. Staff utilized the same evaluation method that was used in three previous parking studies completed by parking consultants. Counts were only taken in the commercial district, so counts on the side streets were done up to 120 feet back from Oakland Avenue, before the residential districts start.

Peak (highest) vehicle counts (demand) were identified for each time slot from all of the days counted. The following table summarizes the peak vehicle counts in total, divided between weekday, weekend, off-street and on-street. Attached is a larger table that shows the peak counts for each time slot, total parking supply and the specific location.

**PEAK COUNTS (DEMAND)**

OFF-STREET Observed Peak Shared Demand WEEKDAY										
	11:00 AM	%	1:00 PM	%	3:00 PM	%	5:00 PM	%	7:00 PM	%
Total SUPPLY 244	102	42%	114	47%	102	42%	100	41%	114	47%

OFF-STREET Observed Peak Shared Demand WEEKEND										
	11:00 AM	%	1:00 PM	%	3:00 PM	%	5:00 PM	%	7:00 PM	%
Total SUPPLY 244	130	53%	146	60%	89	36%	125	51%	95	39%

ON-STREET Observed Peak Shared Demand WEEKDAY										
	11:00 AM	%	1:00 PM	%	3:00 PM	%	5:00 PM	%	7:00 PM	%
Total SUPPLY 93	52	56%	55	59%	48	52%	54	58%	56	60%

ON-STREET Observed Peak Shared Demand WEEKEND										
	11:00 AM	%	1:00 PM	%	3:00 PM	%	5:00 PM	%	7:00 PM	%
Total SUPPLY 93	64	69%	63	68%	55	59%	57	61%	56	60%

**Off-street Findings:**

**The total supply of off-street parking spots in this area is 244.** Lots included in the counts are: Stone Creek and Goldies, vacant Verizon, Benji’s, Starbucks, TCF and levels 2 and 4 in the Metro Market parking lot. Levels 1 and 3 were excluded from the parking review because those levels are specifically for the Metro Market customers as identified in the parking agreement between the developer and the village.

The lowest counts utilized 36% of the lot parking, observed on the weekend at 3:00 p.m. The highest parking utilization was observed on the weekend as well, at 1:00 p.m., showing 60% utilization. During the week, the highest utilization was observed at 1:00 p.m. and 7:00 p.m., totaling 47%.

**On-street Findings:**

**The total supply of on-street parking spots in this area is 93.** This number includes the two loading zones at Walgreens and Metro Market along Kenmore Pl.

During the week, the highest parking counts were observed at 7:00 p.m., totaling 60% utilization. The lowest use was at 3:00 p.m. equaling 52%. On the weekend, the highest counts were observed at 11:00 a.m., totaling 69% and the lowest at 59% at 3:00 p.m.

**2007 Parking Study**

In 2007 the Village had a parking consultant complete a study for Oakland Avenue, north of Capitol Drive. The study divided the corridor into five zones. The 2007 study area is identical to the area that was completed for this agenda item except for the change in uses for the Metro Market and mixed used developments. In 2007 the peak demand was 68% observed at 5:00 p.m. Since that study, there will be a net increase of 158 parking spaces in this area. The village requested additional public parking in the parking structure to support shared parking principles.

**Supply Breakdown**

	<b>2007</b>	<b>2016</b>	
Goldies/Stone Creek	38	38	
Benji’s/Zahorik/Great Clips	25	25	
Verizon parcel	5	0	If approved
Pick N Save/Walgreens	190		
Metro Market/Mixed Use		304	50 public parking
Mixed Use residential		110	
Starbucks	5	5	
	<b>263</b>	<b>482</b>	

**L. Future Parking at the Mixed-Use, The Mosaic**

When the mixed use building at 4175 Oakland is complete, it will add 16 on-street parking spaces not included in this parking evaluation. The residents parking will be provided in the rear of the building within two mezzanine parking levels.

**Parking Summary for Proposed Business and Staff Review**

The above data and information supports the criteria within zoning section 535-51B (1) –(13) of parking article IV. The following summarizes some of the key points of your materials:

- The proposed business has 4 on-site parking spaces traditionally used by the neighboring businesses to the north. As the parcel survey and aerial photos show, the property boundary extends into the northern surface parking lot and includes 4 spaces. The parking code requires 25% on-site which is 4.25 spaces
- The improvements will remove two street approaches, adding 3 additional on-street parking spaces
- Peak parking demand in the area for on-street ranges between 52% - 69% and for off-street, 36% - 60%. Peak counts include the highest number of all the days for each time slot; therefore, many days had lower counts.
- It is a generally accepted principle in the parking industry that a supply of parking operates at optimum efficiency when peak demand is at 85 to 95% of capacity. The gap between 100% assumes people will not always know where all the available parking will be. Peak demand did not exceed 69%
- The parking deck at 4115 Oakland is directly across the street of the proposed business, offering 25 public parking spaces with an option to increase to 50 in one year.
- Staff is working on adding 3 more spaces to the street parking along Olive Street, aside Starbucks.
- Many neighboring businesses are not open later hours and have lower traffic patterns as observed in the Benji’s and Stone Creek lots.
- Shared parking is identified in our Comprehensive Plan within the Design Guidelines.
- The business owners predict that the majority of their customers will walk or bike to their establishment.

<b>Parking Required</b>	<b>Supply</b>	
<b>17</b>	4	onsite
	3	Added on-street in front of business
	25*	Public parking in parking deck
	93*	On-street parking
<b>*A percentage of these and the street parking will be available for this business.</b>		

Materials attached:

- |                                  |  |
|----------------------------------|--|
| 1. Special Exception application | 5. Zoning Code Sections 535-47-51              |
| 2. Pictures and aerials          | 6. Parking deck agreement summary 4115 Oakland |
| 3. Concepts and renderings       | 7. Survey                                      |
| 4. Applicant project description |  |

<b>Off-Street Parking Supply</b>	
4080-4100 Oakland	Supply
4075 Oakland Metro Market	
Level 1 (76 -not counted)	
Level 2	76
Level 3 (76 -not counted)	
Level 4	76
4114 Oakland, Goldi's/Stone Creek	38
4144 Oakland, Verizon	5
4156-60 Oakland, Benji's + 3	25
4070 Oakland, Starbucks	6
4201 Oakland, TCF Bank	17
	<b>244</b>

<b>OFF-STREET Observed Peak Shared Demand</b>					
11:00 AM	1:00 PM	3:00 PM	5:00 PM	7:00 PM	
No Counts- Metro Market customer parking					
35	37	38	44	60	
No Counts- Metro Market customer parking					
14	16	17	14	11	
23	23	23	17	11	
0	1	1	3	4	
20	25	11	14	18	
3	5	5	3	5	
7	7	7	5	5	
<b>102</b>	<b>114</b>	<b>102</b>	<b>100</b>	<b>114</b>	

<b>OFF-STREET Observed Peak Shared Demand</b>					
11:00 AM	1:00 PM	3:00 PM	5:00 PM	7:00 PM	
No Counts- Metro Market customer parking					
50	56	30	64	46	
No Counts- Metro Market customer parking					
20	23	20	22	20	
21	29	16	12	12	
4	4	3	4	4	
24	22	12	14	5	
5	4	5	5	4	
6	8	3	4	4	
<b>130</b>	<b>146</b>	<b>89</b>	<b>125</b>	<b>95</b>	

<b>On-Street Parking Supply</b>	
Oakland Ave -Kenmore to Marion	Supply
Kenmore, east of Oakland	
North side	4
South Side	3
Kenmore, west of Oakland	
North side LOADING ZONE	4
South Side	2
Oakland, Kenmore - Jarvis (East side)	9
Oakland, Kenmore - Jarvis (West side)	2
Jarvis, east of Oakland	
North side	3
South Side	6
Oakland, Jarvis - Wood (East side)	8
Oakland, Jarvis - Wood (West side)	0
Wood, east of Oakland	
North side	5
South Side	0
Oakland, Wood - Olive (East side)	6
Oakland, Wood - Olive (West side)	NA
Olive, east of Oakland	
North side	5
South Side	0
Olive, west of Oakland	
North side	2
South Side	3
Oakland, Olive to Marion (East side)	10
Oakland, Olive to Marion (West side)	9
Marion, east of Oakland	
North side	2
South Side	4
Marion, west of Oakland	
North side	3
South Side	3
<b>Total B</b>	<b>93</b>

<b>WEEKDAY</b>					
11:00 AM	1:00 PM	3:00 PM	5:00 PM	7:00 PM	
2	3	4	5	4	
3	4	4	4	4	
5	3	1	3	3	
4	2	2	2	2	
8	8	9	9	9	
4	4	4	5	5	
3	3	2	2	2	
5	3	3	2	3	
3	4	4	5	6	
0	2	1	3	4	
3	2	3	2	2	
NO PARKING- CONSTRUCTION SITE					
3	2	2	3	4	
NO PARKING					
0	0	0	1	1	
1	1	1	0	0	
4	5	4	2	2	
3	4	1	2	2	
0	1	2	3	2	
1	2	0	1	1	
0	1	1	0	0	
0	1	0	0	0	
<b>52</b>	<b>55</b>	<b>48</b>	<b>54</b>	<b>56</b>	

<b>WEEKEND</b>					
11:00 AM	1:00 PM	3:00 PM	5:00 PM	7:00 PM	
4	4	4	4	4	
4	3	3	3	4	
2	3	1	2	2	
2	3	2	2	2	
7	7	9	7	6	
6	8	9	10	5	
3	2	2	2	3	
5	3	3	3	3	
4	8	8	7	7	
NO PARKING					
4	4	4	5	4	
3	3	2	2	4	
NO PARKING- CONSTRUCTION SITE					
5	3	1	2	1	
NO PARKING					
2	2	1	1	0	
2	1	0	0	0	
4	4	1	2	4	
4	2	1	1	2	
3	2	2	2	1	
0	1	2	2	2	
0	0	0	0	1	
0	0	0	0	1	
<b>64</b>	<b>63</b>	<b>55</b>	<b>57</b>	<b>56</b>	

**TOTAL SUPPLY OFF-STREET      244**  
**TOTAL SUPPLY ON-STREET      93**  
**TOTAL                                   337**



# Plan Commission Special Exception Application

Village of Shorewood  
Planning & Development Department  
3930 N. Murray Avenue  
Shorewood, WI 53211  
Phone (414) 847-2640 Facsimile (414) 847-2648  
Web Site: [www.villageofshorewood.org](http://www.villageofshorewood.org)

Office Use Only	
Plan Commission Meeting Date	4/26/2016
Permit No.	16-0716
Zoning District	B-1
<b>Fee: \$50.00</b>	

*The Plan Commission meets the 4<sup>th</sup> Tuesday each month as needed, at 6:30 p.m. Applications due 10 days prior to meeting.*

### PLEASE PRINT CLEARLY

Name of Applicant	Paul Miller
Applicant Address, City/St/Zip	2999 N Humboldt Blvd., Milwaukee, WI 53212
Phone	(414) 273-3747 ( )
Email	paul@colectivocoffee.com
Property Address	4144 N Oakland Ave
Business name, if applicable	
Additional contacts	

What do you wish to do that will require a Special Exception? Explain in detail.

*If requesting an exception to the number of required parking, or location of parking, a site plan is required. Screening is required for parking within the front and side yard setbacks per Shorewood's Zoning Chapter 535.*

Do not meet parking requirements for on-site.

Number of employees \_\_\_\_\_

Is a survey attached (if required)? \_\_\_\_\_

Is a parking plan attached? \_\_\_\_\_

Signature  
Paul Miller  
Print name

4-22-16  
Date

# EXHIBIT A

March 30, 2016

## **SITE: 4144 N. OAKLAND AVE.**

### **CONCEPTUAL OVERVIEW**

#### **CONCEPT**

The debut location from locally owned creators is a twist on the classic burger and ice cream joint, providing a fun neighborhood gathering place for families, friends, and kids big or small.

#### **FOOD**

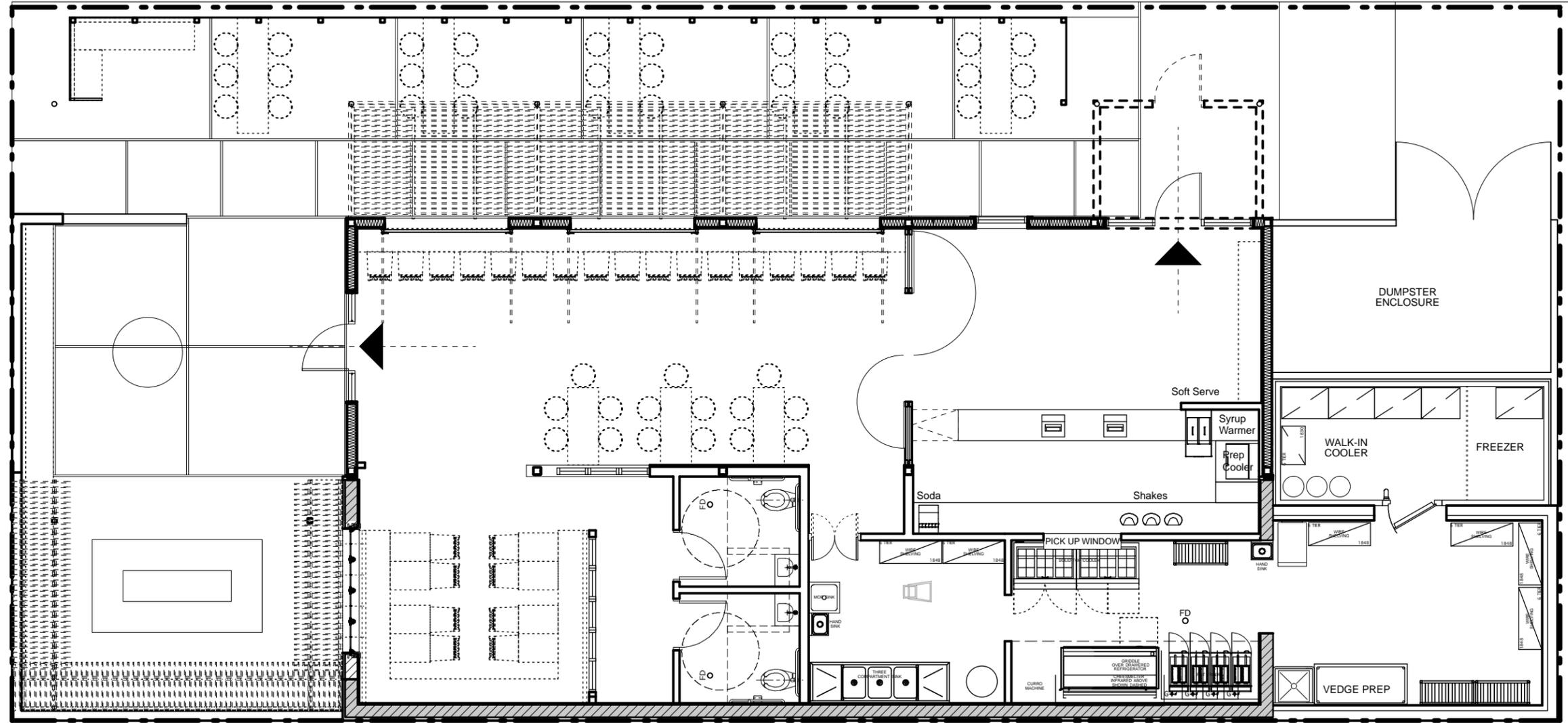
A simple off-the-grill menu utilizing high quality, honest ingredients, will be highlighted by house-made, old-fashioned style soft serve ice cream along with a few other sweet treats. Beverages will range from fountain to proprietary tapped sodas and our beer.

#### **DESIGN**

The restaurant's design is an intentional counterpoint to the large format, new development along the west side of Oakland Ave. With a sense of scale to appropriately address the street but with a distinct intimacy to foster a pedestrian-friendly relationship to the sidewalk, creating a catalytic reimagining of small property opportunity within the Village.

The restaurant's custom architecture blurs the line between indoor and outdoor experiences. Large operable glass garage doors anchor a light-filled addition to the existing building, clad in hand-crimped galvanized shingles, capped with a glass surround roofline. The structure's entrance, bike parking, and patio will directly encourage pedestrian activation in combination with the pocket park section that will provide a year-round outdoor setting with fire pit, permanent seating, large caliper tree, and living greened walls. The entire property will be addressed in custom steel and cedar fencing accentuated by lighting, landscape greenery, artful signage, and a thoughtful attention to details from all angles of view to our neighbors and its street presentation within the Village.

E. WOOD PL.



**FIRST FLOOR PLAN**

Scale: 1/8" = 1'-0"





**PERSPECTIVE - AERIAL VIEW**



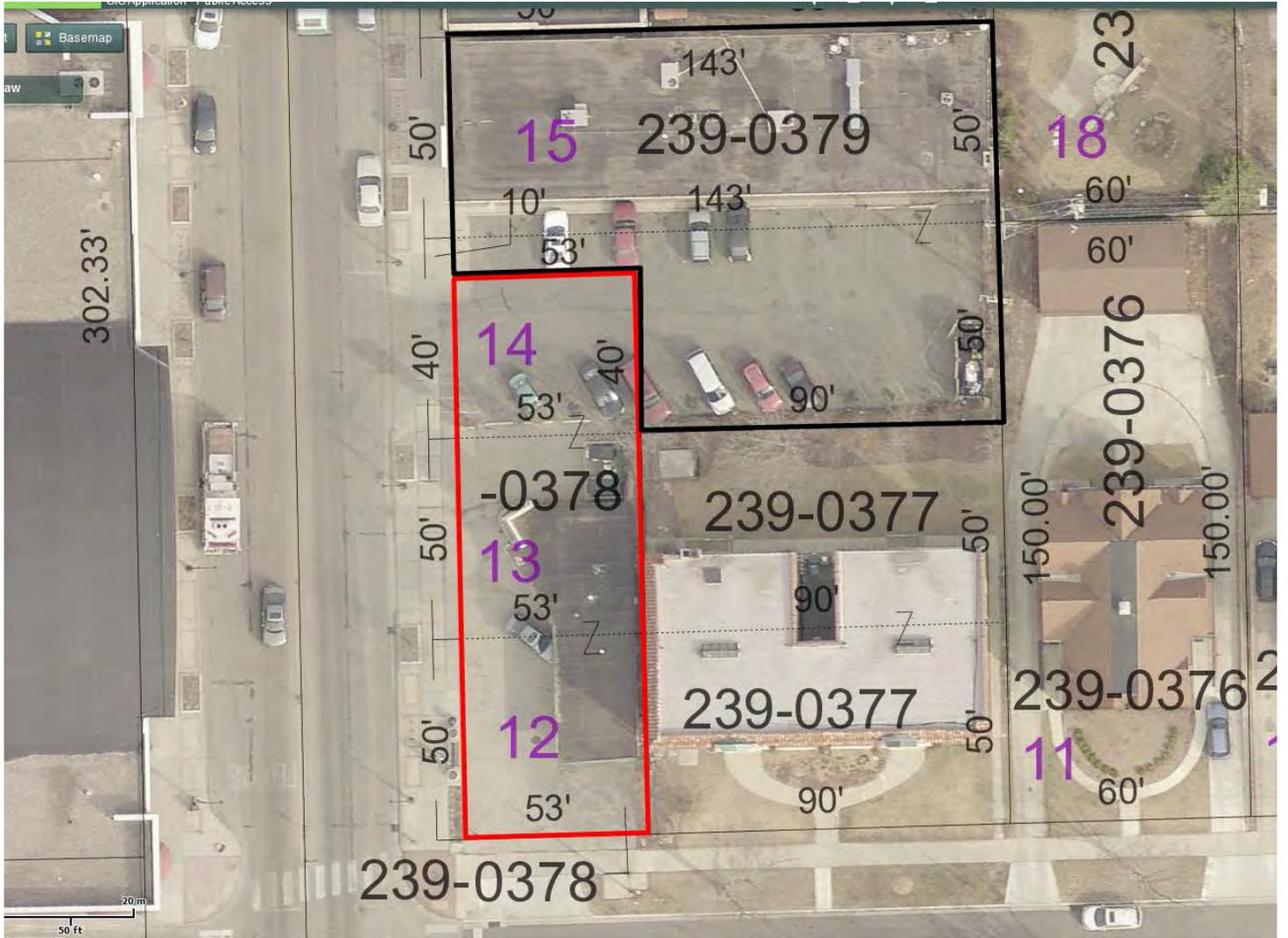
**PERSPECTIVE - ACROSS OAKLAND AVE**

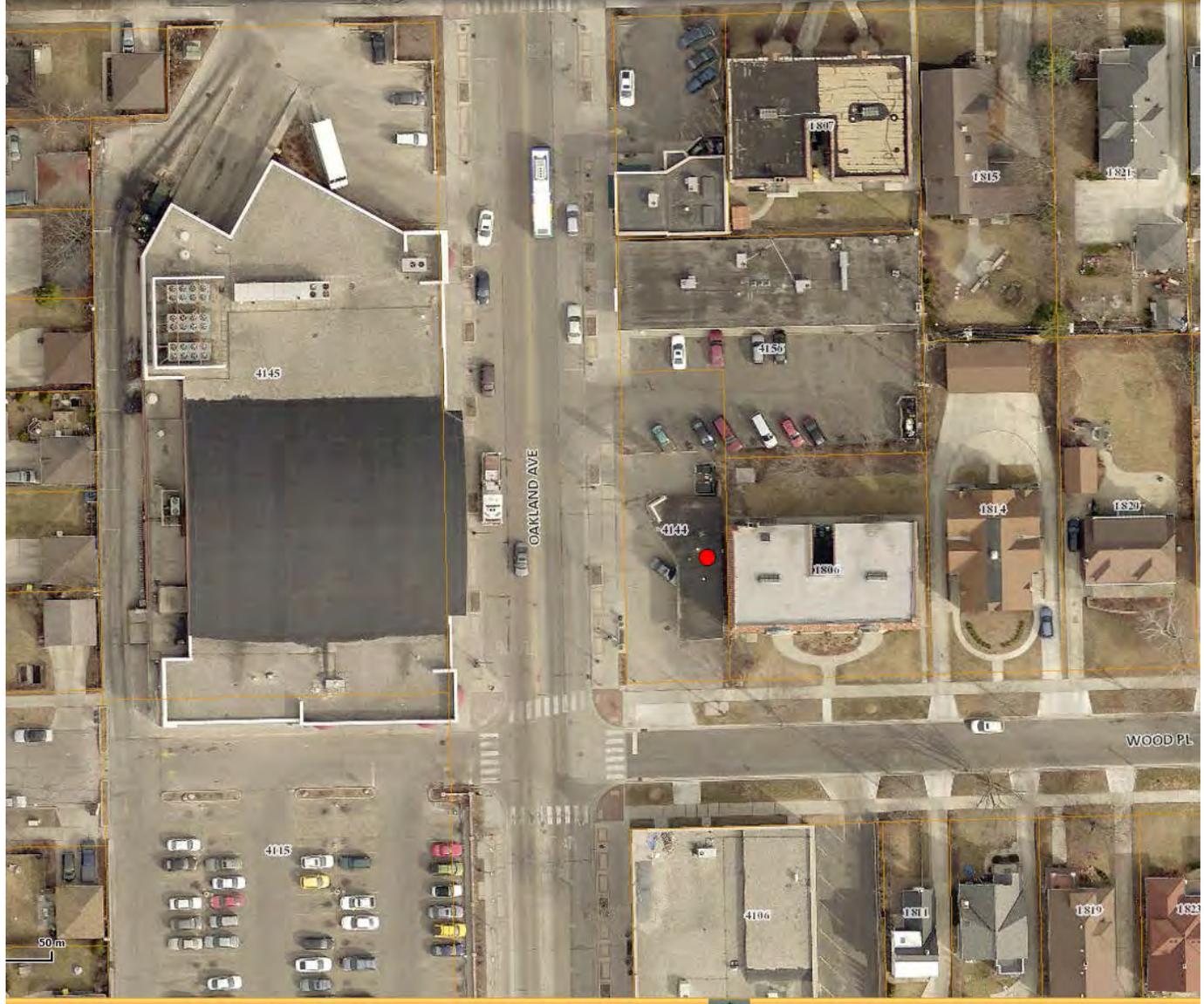


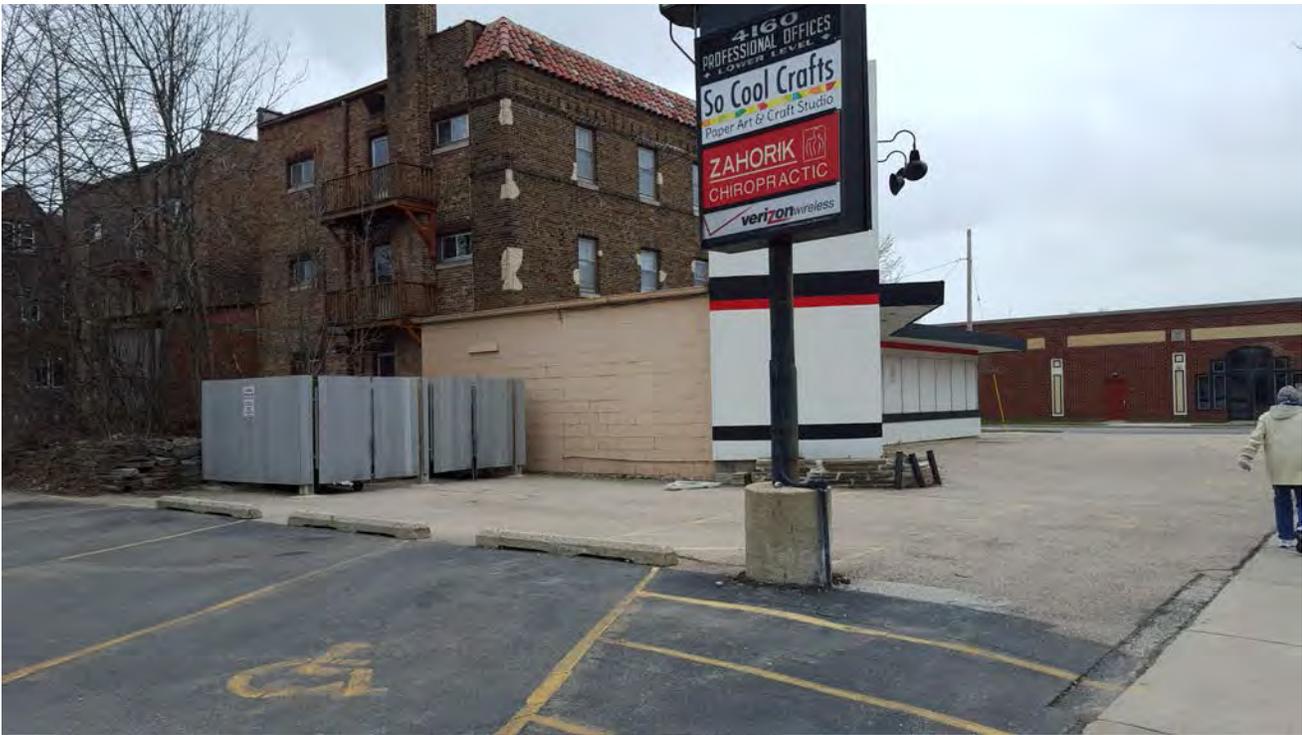
**PERSPECTIVE - OAKLAND ELEVATION**



**PERSPECTIVE - FROM OAKLAND & WOOD PL.**









Oakland Avenue  
Kenmore Pl to Marion Ave  
Area businesses

Off-Street Parking Supply		Total Supply
<b>Area B 4080-4100 Oakland</b>		
4075 Oakland Metro Market		
Level 1	76	
Level 2	76	
Level 3	76	
Level 4	76	
4114 Oakland, Goldi's/Stone Creek		38
4144 Oakland, Verizon		5
4156-60 Oakland, Benji's + 3		25
4070 Oakland, Starbucks		6
4201 Oakland, TCF Bank		17
		<b>396</b>



4144  
Oakland

Total parking supply – 485  
Onstreet, Kenmore to Marion = 89  
Offstreet, Kenmore to Marion = 396

The area counted on the side streets only extend to the property lines within the commercial district. No on-street counts were completed in front of 1-and2-family homes.

On-Street Parking Supply		Day Supply	Side Street Supply from Oakland intersection to end of commercial parcel(s)
Area B- Oakland Ave		Day Supply	
Kenmore, east of Oakland			
North side	4		
South Side	3		
Kenmore, west of Oakland			
North side LOADING ZONE	4		
South Side	2		
Oakland, Kenmore - Jarvis (East side)		9	
Oakland, Kenmore - Jarvis (West side)		2	
Jarvis, east of Oakland			
North side	3		
South Side	6		
Oakland, Jarvis - Wood (East side)		8	
Oakland, Jarvis - Wood (West side)		0	
Wood, east of Oakland			
North side	5		
South Side	0		
Oakland, Wood - Olive (East side)		6	
Oakland, Wood - Olive (West side)		NA	
Olive, east of Oakland			
North side	5		
South Side	0		
Olive, west of Oakland			
North side	2		
South Side	3		
Oakland, Olive to Marion (East side)		10	
Oakland, Olive to Marion (West side)		9	
Marion, east of Oakland			
North side	2		
South Side	4		
Marion, west of Oakland			
North side	3		
South Side	3		
<b>Total B</b>		<b>93</b>	

**400 foot buffer**

Measured from 4144 N. Oakland

-new parking deck at 4115 Oakland  
within buffer

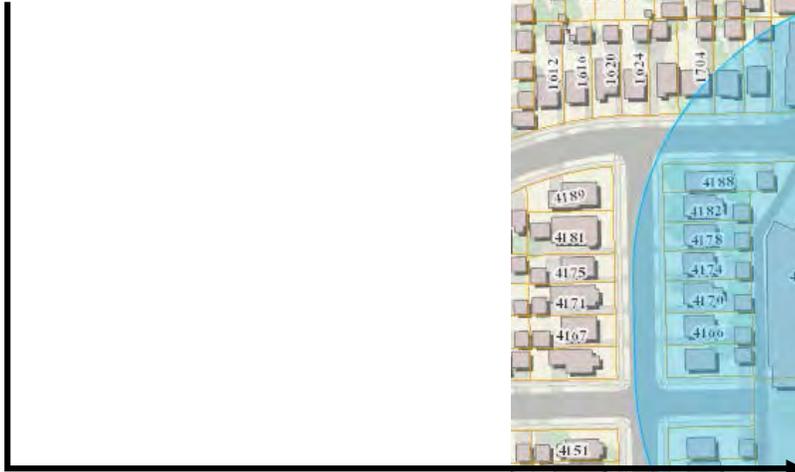


EXHIBIT B

GENERAL CAPITAL GROUP

PRIORITY PARKING DESIGNATIONS

After issued occupancy, 50 spaces shall be designated Village Parking Spaces. For the 1st year, the spaces will be located on the 4th level. After one year, the village and owner will review parking patterns and determine if half of the spaces could be located to the 2nd floor for daytime. 1st year, day time limited to 2 hours for 25 spaces between hours 8 AM to 8 PM. After 1st year, review to see if need longer hours for 25 day time spots. Village can issue overnight parking permits immediately for all spots, 8 PM to 8 AM.

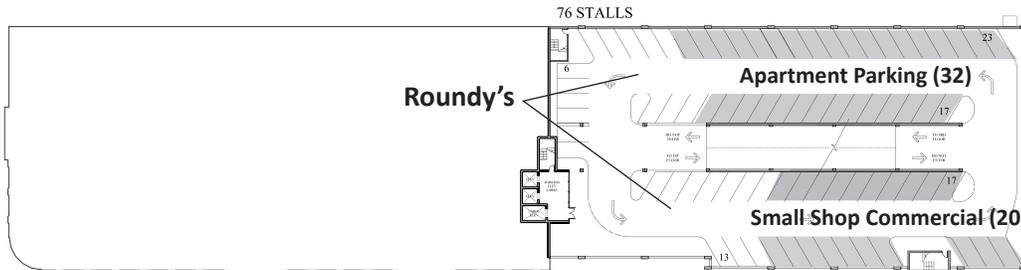


FOURTH FLOOR

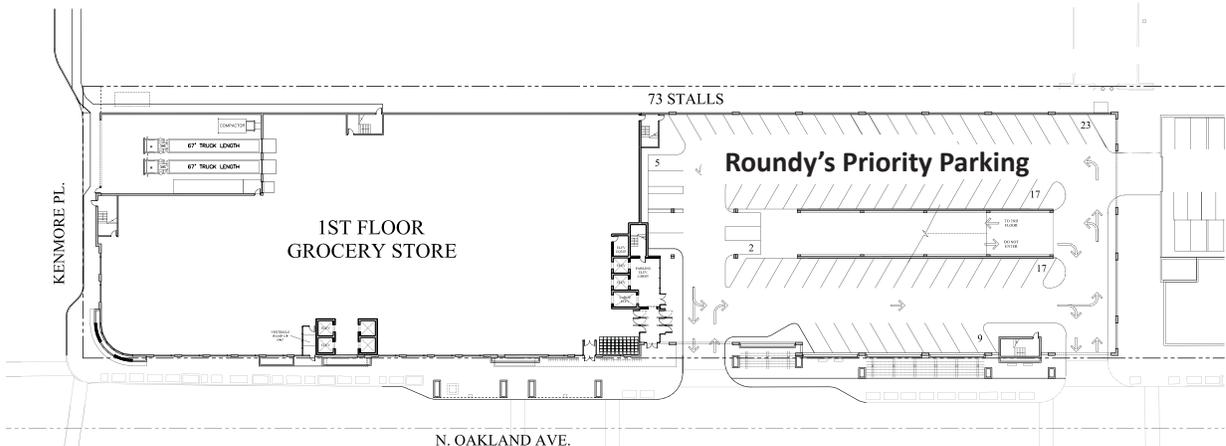


THIRD FLOOR

Each parking level will have approximately 76 spaces.



SECOND FLOOR



FIRST FLOOR







## Chapter 535. Zoning

### Article IX. Off-Street Parking

#### § 535-47. Schedule of requirements.

- A. Dwelling and lodging uses.  
[Amended 10-23-2006 by Ord. No. 1917]
- (1) Apartment hotels, hotels, motels and private clubs: one parking space per room or suite of rooms comprising a lodging unit, plus such additional spaces as may be required herein for affiliated uses, such as restaurant and bar facilities, meeting rooms and retail sales areas.
  - (2) Multifamily dwelling units in B-1 through B-4 Districts: 1.75 parking spaces per dwelling unit.
    - (a) A minimum of 50% of parking in the B-4 District shall be underground or in an enclosed parking facility.
    - (b) All required parking for multifamily dwelling units, except guest parking, shall be provided in an approved garage, except in the B-4 District.
  - (3) Multifamily dwelling units in all Residence Districts R-1 through R-10:
    - (a) Efficiency and one-bedroom units: one parking space per dwelling unit.
    - (b) Two-bedroom dwelling units: 1.25 parking spaces per dwelling unit.
    - (c) Three- or more bedroom units: 1 1/2 parking spaces per dwelling unit.
    - (d) In addition to the above requirements: one parking space per 10 units for guest parking and servicing the facility.
    - (e) All required parking for multifamily dwelling units, except guest parking, shall be provided in an approved garage.
  - (4) One- and two-family dwellings:
    - (a) Single-family dwellings: there shall be a minimum of one parking space in an approved garage.
    - (b) Two-family dwellings: one parking space in an approved garage per dwelling unit.
    - (c) No vehicle except an automobile may be parked in the front setback or between adjacent residences when the parking area parallels an existing residence on the adjoining property. In addition, on corner lots, no vehicle except an automobile may be parked within the front setback of the property where located nor within the front setback of any adjacent property.
- B. Schools, institutions, auditoriums and other places of assembly.
- (1) Auditoriums, gymnasiums, stadiums, grandstands, meeting halls, exhibition halls and said categories as accessory uses to schools, churches and other institutional establishments:
    - (a) One parking space for every five seats or for each 90 linear inches of seating space in the main auditorium or assembly hall.
    - (b) When such facilities for public assembly are accessory to a school, church or other institution, and when approved by the Planning and Development Department, the required number of parking spaces may be reduced by the number of spaces provided as herein required for the applicable school, church or other institution.
  - (2) Churches: one parking space for every six seats or for each 108 linear inches of seating space.
  - (3) Hospitals: one parking space for each four beds, plus one parking space for each staff or visiting doctor, plus one parking space for each four employees.
  - (4) Libraries, museums, art galleries and aquariums: one parking space for every 500 square feet of floor area.
  - (5) Nursing homes: one parking space for every six beds, plus one parking space for every four employees, based on

the maximum number of employees present at any one period during the day or night on the premises.

- (6) Schools.
- (a) Colleges, universities, junior colleges, high schools and other institutions for higher learning: one parking space for every seven students, based upon the maximum number of students that can be accommodated in accordance with designed capacity, and one space for each faculty member or other employee.
  - (b) Junior high schools, elementary schools and nursery schools: one parking space for each faculty member or other employee.
- C. Recreational uses, commercial or noncommercial: one parking space for every four persons as per the designed capacity of the facility, plus one parking space for each employee.
- D. Business district uses: one parking space per 250 square feet of floor area for retail or office uses not specifically listed below.
- [Amended 10-23-2006 by Ord. No. 1917<sup>[1]</sup>]
- (1) Automobile service stations: one parking space for each island of gasoline pumps, plus three parking spaces for each service stall.
  - (2) Banks and savings and loan associations: one parking space for every 300 square feet of floor area, plus one parking space for every three employees.
  - (3) Beauty parlors: one parking space for every 100 square feet of floor area.
  - (4) Public utilities or public service buildings containing machinery and equipment: one parking space for every employee present at any one time (minimum of three spaces) plus adequate loading and unloading space.
  - (5) Funeral homes: one parking space for every 100 square feet of floor area.
  - (6) Medical and dental offices: four spaces per doctor or dentist, plus one space per each employee at the time the greatest number of employees are present.
  - (7) Restaurants: 20 parking spaces per 1,000 square feet of floor area for sit-down restaurants.
  - (8) Other uses. Parking spaces for other permitted uses that are not retail or office or not listed herein shall be provided in accordance with the requirements of the use most similar to the use proposed, to be determined by the Planning and Zoning Administrator or his designee.
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

## § 535-48. Nuisances.

- A. All parking facilities, lots or spaces shall be constructed and maintained so as not to cause, create or permit a nuisance as defined in this article.
- B. In the event that any parking facility, lot or space becomes a nuisance as defined herein, the Building Inspector shall notify the owners or persons in charge of the parking facility, lot or space, by certified mail, to maintain, repair or beautify the same. If such notice is not complied with in a reasonable time from the date thereof, the Building Inspector shall maintain, repair, remove or replace, as the case may require, either by contract or by Village forces, and shall certify the costs thereof as provided by law, to have them levied as special charges against such property, and the Village Clerk is hereby authorized and directed to enter such charges onto the tax roll.

## § 535-49. General requirements for all parking areas.

- A. All parking spaces shall be directly accessible to driveways, alleys or streets without passing through other parking spaces. Driveways, truck loading spaces and other required work and open spaces shall not be considered as parking spaces.  
[Amended 10-23-2006 by Ord. No. 1917]
- B. In the Business Districts B-1 through B-4 at least 25% and in all other districts at least 75% of all parking facilities or spaces required hereunder shall be located on the same premises as the building to which assigned and shall either be owned by the person, firm or corporation required to provide such parking facilities or spaces pursuant to this article or such person, firm or corporation shall have use of such parking facilities or spaces during normal business hours and for so long a period as the use exists for which the parking spaces or facilities are required. In the Business Districts B-1 through B-4 no more than 75% and in all other districts no more than 25% of the parking facilities or spaces required herein shall be located off of the premises of the building to which assigned and in no case more than 400 feet from said building. More than one person, firm, or corporation may share a parking facility or space required hereunder, but in no event shall the total number of spaces available be less than the total number required under this article for each person, firm, or corporation sharing such facility. Further, in those cases where the person, firm, or corporation required to provide parking facilities or spaces must lease or rent them in order to comply with the parking code provisions, no

building or occupancy permit shall be issued until a copy of a written agreement to lease said required facilities or spaces is filed with the Village; said agreement shall be kept in full force and effect for so long as said use and occupancy shall continue.

[Amended 10-23-2006 by Ord. No. 1917]

- C. All parking facilities, lots and spaces, and driveways serving the same, shall be hard surfaced, having a good and sufficient subbase with a concrete or asphaltic concrete overlay or asphaltic penetrating coat thereon, free of dust, loose stones or gravel; said facilities, lots or spaces shall be adequately drained, subject to the approval of the Building Inspector.
- (1) R-1 through R-6 Districts. All residential parking spaces and driveways shall have a good and sufficient subbase with overlay composed of concrete, asphalt, brick or stone pavers thereon; such spaces and driveways shall be adequately drained subject to the approval of the Building Inspector.  
[Added 6-18-2007 by Ord. No. 1931]
- D. There shall be sufficient space and sight distance provided at all times to permit safe and ready access to each parking space and to the public highway; the premises shall be provided with a minimum number of entrances and exits, the width of which shall be in accordance with accepted design standards; that which is included under this subsection shall be subject to the approval of the Building Inspector.
- E. In the business districts, where illumination from streetlights to adjacent parking facilities, lots or spaces is no less than one footcandle power, no additional illumination of the premises will be required. Where such illumination is not available, a minimum illumination of one footcandle power of such premises shall be provided, installed and maintained in a manner so as not to reflect or glare onto adjoining streets or premises. When night parking is permitted on such premises, the same shall at all times be adequately lighted as herein required.
- F. Parking facilities shall provide marked parking spaces no less than nine feet wide and 18 feet in length.  
[Amended 10-23-2006 by Ord. No. 1917]
- G. Parking lots shall conform to the following additional requirements and regulations:
- (1) To prevent the extension of any part of the parked vehicle into or onto any required setback, side yard, adjacent premises or public way, an adequate and approved wheel stop or bumper shall be provided for each space. It shall be a violation of this article if any vehicle is not parked within the lines of a marked parking space or if parked in more than one marked space. Excepted from the parking space dimensions set forth herein shall be spaces located in the parking lots not governed by the use requirements of § 535-47 of this article. In such cases, market considerations shall control the size of parking spaces in parking lots as determined by the Planning and Development Department of the Village but subject to approval of the Village Board.
- (2) The premises shall be screened from any public street upon which it abuts or from any adjoining residential property, except for openings for ingress and egress, by a decorative wall or fence, or a substantial growth of shrubbery, or a berm; provided, however, that the height of said screening shall be approximately 42 inches, but in no event more than 48 inches, provided, further, that any wall or fence constructed hereunder shall be of a natural or manufactured material which shall be compatible with adjacent or adjoining structures, so that such wall or fence will not adversely affect the aesthetic quality or character of the area. Such screening as required hereunder shall all be subject to the approval of the Building Inspector. Where a solidly constructed decorative wall or fence is provided along the interior lot line, the minimum setback for the parking area shall be five feet from said lot line. That fence shall be located a minimum of one foot from said lot line.  
[Amended 10-23-2006 by Ord. No. 1917]
- H. Other requirements.
- (1) Parking on a lot is prohibited, except on approved driveways or approved parking spaces.
- (2) Parking of vehicles other than automobiles is prohibited, except in the rear yard of a lot.
- (3) Outdoor parking spaces other than approved driveways shall not be constructed in the front yard or side yard of a lot; provided, however, that on corner lots outdoor parking spaces may be constructed in a side yard of a lot.
- (4) Parking spaces to accommodate more than one motor vehicle outside of a garage on a single-family lot in the R-1 through R-6 Residential Districts are prohibited. Parking spaces for up to two motor vehicles may be permitted in the R-6 Residential District on lots with a two-family dwelling. Outside parking spaces in the R-1 through R-6 Residential Districts shall only be permitted if they are in addition to the required parking in an approved garage.  
[Amended 4-19-2004 by Ord. No. 1965]
- (5) Parking spaces adjacent to the public way or to another residential lot shall be screened as provided in Subsection **G(2)** of this section. Screening of parking spaces located in the rear yard of a lot by means of a decorative wall or fence or a substantial growth of shrubbery or a berm shall be no less than four feet in height nor more than six feet in height.
- (6) Parking in the public way is prohibited, except upon the public highway where permitted.
- I. It shall be unlawful for any person to park any vehicle at any time on any land of which he is not the owner, without the owner's permission.
- J. The parking of mobile homes or any other vehicles in the Village of Shorewood while the same are being used or

occupied as living quarters by any person or persons is expressly prohibited.

- K. The parking of mobile homes or other vehicles unless legally licensed under Wisconsin Statutes on any land in the Village of Shorewood shall be prohibited except on licensed used car lots, as provided for in Chapter **506**, Article **I** of this Code.
- L. The parking facilities, lots or spaces required pursuant to this article shall be provided and maintained so long as the use exists for which the same is designed.
- M. Such use for which parking facilities, lots or spaces are provided shall not be changed to any use requiring more parking space unless additional parking space is provided as required herein.
- N. The control of abandoned and inoperable motor vehicles shall be subject to the provisions of Article **IX** of Chapter **500** of the Village Code.

Village of Shorewood, WI  
Friday, April 22, 2016

## Chapter 535. Zoning

### Article IX. Off-Street Parking

#### § 535-50. Applicability.

The provisions of this chapter related to required parking facilities, lots or spaces shall apply only to new buildings or structures and to substantially altered buildings or structures. However, all facilities, lots or spaces used for the parking of vehicles shall be used, maintained and operated as required under this chapter.

#### § 535-51. Special exceptions.

[Amended 10-23-2006 by Ord. No. 1917]

- A. The Plan Commission, upon application as required herein, may grant a special exception to the provisions and requirements of this article.
- B. Prior to granting a special exception, the Plan Commission shall consider all of the following as applicable:
- (1) The effect the granting of the exception will have on adjacent parking and traffic conditions.
  - (2) The effect the granting of the exception will have on the appearance and character of the applicant's property, adjacent property and neighboring property.
  - (3) The effect the granting of the exception will have on the property values of the applicant's property, adjacent property and neighboring property.
  - (4) Whether the granting of the exception will serve a public or desirable or useful purpose.
  - (5) Whether the spirit and intent of the requirements of this article are being carried out.
  - (6) Recommendations of any boards or committees to which the Plan Commission refers the application for advice.
  - (7) Intensity of use, deviation from typical use classifications, access to transit, and physical constraints to meeting parking requirements.
  - (8) If senior housing is proposed, the number of employees on site, the type of senior housing, the parking needs of the residents, if any, and the ratios from the Institute of Transportation Engineers parking generation report ratios for senior housing should be reviewed.
  - (9) Historical conditions and whether additional parking requirements for new or expanded use may be satisfied with incremental increase commensurate with new or expanded use.
  - (10) Evidence that actual parking demands may be less than code requirements.
  - (11) Availability of shared parking, including satisfactory documentation of shared parking to satisfy the parking demand.
  - (12) Alternative transportation that has been reasonably shown to reduce the need for parking.
  - (13) Such other matters as the Plan Commission deems relevant and material.
- C. Application for a special exception permit may be obtained from the Planning and Zoning Administrator upon the payment of a fee as provided by the Village Fee Schedule, which shall not be refundable.<sup>[1]</sup>
- [1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*
- D. The Plan Commission shall either approve or disapprove the application for a special exception hereunder, in accordance with the provisions of this article, shall specify the requirement or requirements that will be expected from the application and shall find that the special exception is not inconsistent with the applicable provisions herein.
- E. The Plan Commission's decision may be appealed to the Board of Appeals in accordance with the provisions of §§ **535-56** and **535-57**. The Board of Appeals, after a hearing, may affirm, reverse or remand with recommendations any order, requirement, decision or determination of the Plan Commission made under this section. The Board of Appeals shall decide all appeals under this subsection within 30 days after final hearing and shall transmit a signed copy of the Board's decision to the appellant and to the Planning and Development Department.