



**Plan Commission
Meeting Minutes
April 26, 2016**

3930 N. Murray Ave Village of Shorewood, WI 53211

1. Call to order.

The meeting was called to order at 6:30 p.m.

2. Roll call.

Present: Chair Guy Johnson
Tr. Mike Maher
Barbara Kiely Miller
Tim Hansmann
Nate Piotrowski
Chris Gallagher
Leah Blankenship

Not present: Susan Buchanan

Others present: Ericka Lang, Planning Director
Nathan Bayer, Village Attorney

3. Approval of April 12, 2016 meeting minutes.

Mr. Maher moved to approve the minutes as drafted, seconded by Mr. Piotrowski. Vote 7-0 to approve.

4. Statement of Public Notice.

Planning Director Ericka Lang stated the meeting agenda and conditional use application were published and posted according to law.

5. Consideration of special exception for parking for proposed restaurant at commercial property 4144 N. Oakland Avenue.

Village Attorney Nathan Bayer explained to the commission that the only issue before them was the parking requirement for the site. The proposed property is to be a sit down restaurant and under the Village Code staff evaluated the square footage and 17 parking spaces would be required with 25% of them being onsite and 75% of them within 400 feet of the site. Based on the evaluation of the lot there are 4 spaces provided on site, meeting the onsite requirement. Regarding the remaining parking spaces within 400 feet, Mr. Bayer explained that there is public parking in the public structure (Metro Market) within 400 feet across the street but the spaces technically do not qualify under the code because there is no written agreement specifically designating the spaces for the proposed business. The spaces in the parking garage are designated for public parking for surrounding developments. The thirteen criteria to be considered when helping to guide the decision of whether to grant the special exception is found in Zoning Code Section 535-51.

Ms. Lang stated that the proposal before the commission is for a new restaurant (4144 N. Oakland Avenue) that is not meeting the parking requirement per the zoning code. The site plan details two approaches that are being removed, which will allow for 3 additional on-street parking spaces. The project received approval from the Board of Appeals for the expansion of a non-conforming structure on the front end and not meeting the building zoning height requirement.

Per zoning code Article IV Parking 535-47D (7) sit-down restaurants are required to provide “20 parking spaces per 1,000 square feet of floor area.” The proposed restaurant’s floor area is 880 square feet which would require 17 parking spaces per code.

Mr. Gallagher asked if the 880 square feet was the entire building or the seating area only. Ms. Lang clarified it is the seating area only and in the past, kitchen and storage areas have been excluded. Only spaces where the public could congregate is considered. The zoning code (535-49B) states that 25% of required parking has to be onsite and 75% can be offsite located within 400 feet of the building. Twenty-five percent of 20 parking spaces equals 4.25 spaces. The property survey shows that the parcel extends into the northern adjacent commercial parking lot and includes 4 parking spaces in that lot. This meets the onsite requirement. The remaining required seventy-five percent equals 12.75 parking spaces. Ms. Lang provided the commission with a buffer site map of the area where the restaurant would be located. The map displayed a 400-foot buffer around the business which includes the Metro Market parking structure across the street.

Ms. Lang referred to a site map of several blocks along Oakland Avenue, beginning at Kenmore Place to Marion Street. The map showed businesses and the existing parking supply along the street and onsite. It also notes that there are several shared parking lots in this area.

The land uses surrounding this site include to the north Benji’s Restaurant, Great Clips, Zahorik Chiropractic and a craft business and to the south the vacant Goldie’s space, Stone Creek Coffee and Wells Fargo Bank.

The business hours of the surrounding businesses and the Central District Design Guidelines referring to shared parking was given as additional information.

Milwaukee County Transit System is willing to relocate the existing bus stop, which is directly in front of the restaurant’s location, to the near side of the intersection at Oakland and Wood, in front of the vacant Goldie’s location that was parking on site to the rear and side of the building. No decision on this matter has been made yet.

Ms. Lang explained that when the Central District Master Plan was updated in 2014 and included a redevelopment concept for this site. Because the site is so shallow it was considered not feasible for the site to be redeveloped on its own. Any business to invest in this site wouldn’t be able to provide the required parking with the improvements that would be necessary. What is being proposed though is consistent with the master plan in realizing a vibrant commercial district, attracting families and activating the street.

The village staff conducted a parking study for this project/site. Supply, demand, peak supply and on-street versus off-street parking was looked at. Over a 10-day period, staff counted cars on street and off street from Kenmore/Oakland north to Marion/Oakland. Vehicles were counted every two hours from 11 a.m. to 7 p.m. on Monday, Wednesday, Friday, Saturday and Sunday. A total of seven days were counted within the 10-day period. Ms. Lang referred to the study summary table displaying the peak counts. The peak count is the highest number of cars observed for a specific time. The peak counts were also broken down into weekday totals and weekend totals.

The total off-street parking supply is 244 in this area. Lots included in this count included Stone Creek and Goldies, vacant Verizon lot, Benji's, Starbucks, TCF Bank and levels 2 and 4 in the Metro Market structure. For this study two levels of the Metro Market structure were excluded because level 1 and 3 are specifically designated for Metro Market customers. The highest peak demand for off-street parking on the weekday was 47% (1 p.m.) and 60% (1 p.m.) on the weekend.

The total supply for on-street parking is 93 in this area. Counting included side streets as well but only as far back as the commercial district. The highest peak demand for on-street parking on the weekday was 60% (7 p.m.) and 69% (11 a.m.) on the weekend.

Ms. Lang also added that during the parking study it was observed by staff that various small businesses have two approaches. In a memo to the village manager and the police chief it was recommended to have a traffic engineer to review these sites to see if removing one approach would be feasible, which would add more on-street parking and improve safety. Ms. Lang also added that she will be requesting the Village Board remove prohibited parking along Olive Street near Starbucks. That will gain three more on-street parking spaces.

Ms. Lang explained that in 2007 a parking study was conducted by a consultant. In 2007, the study area was identical to the area that was completed for this agenda item except for the change in uses for the Metro Market and mixed use developments. In 2007 the supply for this area was 263 spaces and by the completion of the phase two mixed use development at the end 2016 that total will be 482.

Mr. Gallagher stated that the growth of the parking is related to the Metro Market development but only 50 spaces in the structure are designated as public spaces. He asked why more than 50 parking spaces were included in the totals. Ms. Lang explained that all spaces were included in the parking study minus the two levels designated for Metro Market customers. Customer behaviors are also taken into consideration because people won't always park where it is designated. Ms. Lang stated that 16 additional on-street parking will be gained upon the completion of the phase two mixed use project as well, which was not included in the supply.

It is 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% in this study.

Additionally, the parking deck at the Metro Market has designated 50 public parking spaces. As of today, we only have 25 spaces on the fourth floor designated for the public and intend to observe the parking usage upon the completion of the mixed use building in order to increase that designated number of spaces.

Ms. Lang stated that even though many businesses in this area are open into the evening hours, parking demands are vastly diminished as the days move into the evening.

Mr. Gallagher asked whether the 4 spaces in the Benji's parking lot were being counted towards the businesses on Benji's site. Ms. Lang said she can't speak to the parking requirements when Benji's opened but the proposed business will not be open for breakfast and parking demands diminished for this site after 1 p.m. typically.

Ms. Kiely Miller asked if assigning 4 spaces from the Benji's lot to the proposed business if that puts those businesses out of compliance. Ms. Lang stated that right now those spaces have not been designated to the proposed business. That would most likely be in a lease agreement. She would have to research 50+ years back when the building was built to verify the

requirements. Observations today are more meaningful than the code years ago when they were approved.

Mr. Gallagher asked if the outdoor seating was taken into consideration when determining the parking requirement. Ms. Lang stated that outdoor seating has never been considered/included as part of the parking requirement because it is temporary and seasonal in nature.

Mr. Maher asked if the employees in the Benji's building park in their lot. Yes, employees of that building park in the lot.

Scott Schwebel, representing the applicant, explained their intent for the space. The idea was to create a sense of communal space for the village and bring the experience to the street level. This design is a counterpoint to what is across the street. The space is smaller scale more intimate and will engage the sidewalk and pedestrian nature of the village. Careful consideration is taken when considering locations for their businesses. The business's other locations are in urban spaces/neighborhoods that encourage multimodal transportation and customers to walk, bike or skateboard to their locations. This site is viewed as a gathering space for the village.

The business is a sit down service restaurant but has counter service.

Mr. Schwebel explained the plan to return greenspace by taking out the two curb cuts on the site. The site will return a human scale to Oakland Avenue that doesn't really exist currently.

Ms. Kiely Miller asked how many employees will be on site at a given time and where owners and employees will park. Mr. Schwebel explained that they have very strict policies in place for employees in regards to parking. They encourage employees to park as far from the location as possible and typically employ people who live in the neighborhood who may walk or bike to work. Usually there will be five employees on site at a time because the kitchen is small.

Ms. Kiely Miller asked if there will be any "no parking" areas for deliveries, etc. Mr. Schwebel stated that there is no intention for any "no parking" areas and deliveries will be delivered in the morning when the business is closed.

Mr. Gallagher stated the proposal was great and will be good for the community. He asked if there will be more foot traffic at this site in comparison to other locations. Paul Miller, business owner, commented that he believes they will not see quite as many transactions as at Colectivo locations.

Mr. Piotrowski asked how the garbage will be serviced. Mr. Schwebel stated dumpsters will be rolled/slid out for pick up.

Mr. Piotrowski asked about the plantings along the green wall parallel to Wood Place. His concern was whether the plantings would be bushy and affecting the sidewalk. Mr. Schwebel stated the green wall is setback from the sidewalk and the foliage is a vine type product that will tightly adhere to the wall structure.

Mr. Piotrowski asked about the site lighting. Mr. Schwebel said the intention is for a warm inviting space with down lighting.

Mr. Maher asked if the outside tables will be outdoors all year. Mr. Schwebel stated there are permanent structures in the pocket park area but the seating will be determined later.

Mr. Maher asked if the 4 spaces considered on-site parking have been written into their lease. Mr. Schwebel stated they are written into the lease but Ms. Lang clarified that the exception is for the total of the parking requirement.

Mr. Maher asked if any discussions have been had with TCF Bank as an option for more formal parking arrangements. Mr. Schwebel said they have had discussions but that they feel there is not going to be problems accessing the business. They feel many customers will walk or bike to the business.

Mr. Gallagher asked if bike parking will be provided. Mr. Schwebel stated they do intend to provide bike racks possibly along the north end of the site. Mr. Miller commented that bikers typically like to be able to see their bikes when they stop so the racks will be strategically placed.

Ms. Kiely Miller asked about the inclusion of parking spaces from businesses such as at Starbucks, Wells Fargo and TCF Bank in the parking study. She commented that these were private lots and ask if we were expecting customers for the proposed business would park there. Ms. Lang stated that customers are not expected to use the private lots.

Mr. Gallagher commented that within an urban village like Shorewood shared parking is the norm and that 1 space per 1000 square feet is a more common standard in urban planning and the code should be evaluated moving forward.

Mr. Piotrowski agreed with Mr. Gallagher and felt the site proposal was a great use of the space.

Mr. Piotrowski move to approve the special exception for all the parking for the proposed restaurant at commercial property 4144 N. Oakland Avenue pursuant to the special exception requirements of code section 535-15. Mr. Gallagher seconded the motion.

Mr. Gallagher encouraged the applicant to work with village staff to consider bike racks on the block.

Mr. Maher encouraged the applicant to work with the village, other businesses and the BID to encourage their employees to park on the upper levels of the parking structure. Mr. Miller stated they have strict rules where their employees can work in relation to the sites.

Ms. Kiely Miller agreed that the parking zoning code should be reviewed as a whole if it is not making sense with our commercial district.

Vote to approve 7-0.

6. Schedule next meeting.

Ms. Lang stated that at this time no applications have been received and no meeting is scheduled for May.

7. Future agenda items.

8. Adjournment.

Mr. Gallagher moved to adjourn the meeting at 7:33 p.m., seconded by Mr. Piotrowski. Vote 7-0 to adjourn.

Recorded by,



Crystal Kopydlowski
Planning and Development Administrative Assistant