



**VILLAGE OF WHITEFISH BAY
PLAN COMMISSION AGENDA**

June 18, 2019 – 6:00pm

**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 May 21, 2019.
3. **PUBLIC HEARINGS**
 - a. On Conditional Use Grant Application for Sommer-Gibson LLC dba Burn Boot Camp North Shore at 415 E. Silver Spring Drive

4. **NEW BUSINESS**

Approved a. Review and action on Conditional Use Grant Application for Sommer-Gibson LLC dba Burn Boot Camp North Shore at 415 E. Silver Spring Drive

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: June 10, 2019 - Tim Blakeslee – Assistant Village Manager

**VILLAGE OF WHITEFISH BAY
PLAN COMMISSION MINUTES**

**May 21, 2019 – 6:00pm
Whitefish Bay Village Hall
5300 N. Marlborough Dr., Whitefish Bay, WI 53217**

1. Call to Order.

President Siegel called the meeting to order at 6:00 pm. Present: President Siegel, Commissioners Roth, Sauer, Serebin, Moore, and Helfer. Also Present: Assistant Manager Tim Blakeslee, Village Manager Paul Boening, Stephanie Hacker (Graef).

2. Approval of the Minutes of the Regular Meeting of May 6, 2019.

Commissioner Serebin moved, seconded by Commissioner Sauer to approve the minutes of the regular meeting of May 6, 2019. Motion Carried, 6-0.

3. NEW BUSINESS

Discussion regarding Comprehensive Plan Update (process overview, status of document creation and solicitation of feedback from Commissioners).

Village Manager Paul Boening summarized the process thus far and the requirement for a comprehensive plan update to be completed every ten years. Stephanie Hacker began a presentation regarding the process and the public engagement session at Bay Day.

Commissioner Serebin asked if there was any other public engagement planned. Hacker stated that Bay Day was the primary event, but there will also be a public hearing as part of the project. Trustee Serebin asked about completing a survey for the project. There was discussion regarding scope of a survey and what questions could be asked. There was a discussion on the scope of the comprehensive plan. Hacker said they would research questions asked in the past.

Commissioner Sauer asked about other communities that Graef has completed comprehensive plan updates for. There was a discussion about other communities and the questions they were looking to answer in their comprehensive plan update. Commissioner Moore mentioned composting as an important issue. Commissioner Roth asked what parts of the 2009 plan were completed, that would help the Village know what progress was made. Helfer also thought the strides from the 2009 plan should be highlighted. There was general consensus with the Commissioners about this idea.

Commissioner Serebin asked for more details about the Bay Day event. Hacker highlighted the triple bottom line and also noted that there was discussion on sustainability, economics, and environmental issues. Boening noted that Bay Day was a type of event that may have skewed the focus of audience, but still provided good conversation.

Commissioner Serebin hoped the Plan Commission would be updated as the process continues to

move forward. There was a request for additional copies of the 2009 plan to be made available in hard copy. Hacker highlighted they will review survey questions and what was accomplished from the 2009 plan. Boening noted village staff will provide updates as needed to the Plan Commission.

4. Adjournment

Commissioner Serebin moved, seconded by Commissioner Roth to adjourn the meeting at 7:16 pm. Motion Carried, 6-0.

Respectfully Submitted,
Tim Blakeslee – Assistant Village Manager

DRAFT



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: June 11, 2019
Re: Sommer-Gibson LLC (dba Burn Boot Camp North Shore) – Conditional Use Application

Executive Summary

Applicant Anthony Gibson has applied for Conditional Use approval to operate Sommer-Gibson LLC dba Burn Boot Camp North Shore at 415 E. Silver Spring Drive (previously the Red Cap Luggage location). The applicant indicated that the business is fitness studio franchise for Burn Boot camp and will offer guided exercise classes to customers. Typical business hours will be 5:00 am to 10:30 am and 4:00 pm to 6:30 pm from Monday to Friday and 7:45 am to 10:00 am on Saturdays.

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 indicated that they would like to receive approval for business hours from 5:00 am to 10:30 am and 4:00 pm to 6:30 pm Monday to Friday and 7:45 am to 10:00 am on Saturdays. Staff recommends approval for the full range of

hours as permitted by Code (5:00 am to 10:00 pm Monday through Sunday) in the event the applicant wishes to adjust hours in the future. Per 8.01-8-C-1 of the Village Code, exercise studios may begin operation at 5:00 am which is one hour prior to regular business hours on Silver Spring Drive.

- The applicant plans to renovate the interior of the space to make it suitable for their operations. An interior layout is included with their application. 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)(a) of the Municipal Code, approximately twelve (12) parking stalls are required for personal services based on the square footage of the space. As Commissioners are aware, there are a total of 132 public parking spaces in the two garages behind the Fox Bay Building, as well as 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 Permit Amendment for Sommer-Gibson LLC (dba Burn Boot Camp North Shore) at 415 E. Silver Spring Dr with approval of the Plan Commission on all aforementioned conditions, including the waiver of the parking space requirements, provisions of Section 16.099(4)(G) of the Municipal Code, and subject to the following additional condition:

- Given the close proximity to residential development (N Berkeley Blvd), deliveries to the south side of the building shall be prohibited between the hours of 10:00 pm and 6:00 am.



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

CONDITIONAL USE APPLICATION AND REVIEW PROCESS

Overview: Applications for conditional use approval will be discussed by the Plan Commission following a public hearing. The Plan Commission meets on the third Tuesday of each month and has the authority to approve or deny the application.

Application Deadline: Applications must be received by the close-of-business *at least 21 days prior to the meeting date due to publication requirements*; applications received after this date cannot be heard at the Plan Commission meeting of the following month.

Submission Requirements: The attached application form must be completed and submitted with all requested materials. Failure to submit all application materials may delay the review process described below.

Staff Report: Village staff will prepare a report summarizing the application, reviewing it against Village ordinances and policies, and provide a recommendation for the Plan Commission. A copy of this report, along with the meeting agenda, will be provided to the applicant prior to the public hearing at the Plan Commission meeting.

Notice of Public Hearing: Wisconsin State Law requires notice of a public hearing to be published in a specified, legal newspaper a minimum of 7 days prior to a public hearing. Village Ordinance further requires that notices be mailed to property owners within 100 feet of the affected property. These notices are prepared and sent by Village staff.

Example

Applications are due at least 21 days prior to the meeting date.

The public hearing will be held by the Plan Commission on the third Tuesday of the following month.

Timeline

application

MONTH A						
Su	M	Tu	W	Th	F	Sa

action

MONTH B						
Su	M	Tu	W	Th	F	Sa

Plan Commission Meeting: Applicants are encouraged to attend and participate in the public hearing in order to present the application and respond to questions from the Plan Commission and/or members of the public. The public hearing will be held in the Village Hall Board Room.

- **At the Public Hearing:** The Plan Commission Chairperson will call the meeting to order at the appointed time, and the minutes of the previous meeting will be reviewed. Items requiring public hearings are next. Members of the public will then be invited to ask questions about the application and to make comments about the proposal. Once the public comment period has concluded, the Chairperson will close the public hearing, and the Commissioners will discuss the application and make a decision.
- **Plan Commission Action:** The Plan Commission has the authority to approve or deny an application, no further action is needed.

Validation and Expiration: A conditional use approval must be used within 1 year of the date of the approval. A conditional use approval will automatically expire if the approval is not used or if the applicant ceases operation for a continuous period of 1 year or longer.

Please keep this sheet for your reference after you have submitted the attached application.



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: Tov Lanu LLP
Last name: Katz First name: Moshe
Address: 415 E Silver Spring Dr City/State/Zip: Whitefish Bay, WI 53217
Phone number: 414-223-3443 Email address: moshe@atidproperties.com

2. Applicant Information: (if different from above)

Company name: Sommer-Gibson LLC
Last name: Gibson First name: Anthony
Address: 5039 N Kent Ave City/State/Zip: Whitefish Bay, WI 53217
Phone number: 612-749-3224 Email address: anthony.gibson@burnbootcamp.com

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

415 E Silver Spring Dr, Whitefish Bay, WI 53217

4. Zoning Designation: Fitness Studio

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

We propose the operation of a Burn Boot Camp franchise. Burn Boot Camp is a lifestyle fitness facility that inspires, empowers, and transforms the lives of busy women and their families. We are a female only facility that offers two coed sessions per day during the week. On Saturdays, we are coed and open to the public. Our clients experience a high energy 45-minute session that is progressively challenging and never the same. Our free child watch area allows mothers to focus on themselves so they can make their families better.

6. General Information:

- **Name of Proposed Business:** Burn Boot Camp North Shore, WI
- **Type of Business:** Fitness Studio
- **What other licenses, permits, etc. are required for operation, and have they been obtained?**
Construction, plumbing, and maybe electrical. Haven not been optained yet.
- **Anticipated Number of Employees:** 8-10
- **Total Square Feet of Sales Area:** 2808
- **Proposed Parking Area for Customers:** On street
- **Proposed Parking Area for Employees:** 1 issued, on street.
- **Control of Property (Signed Lease, Owner Occupied, etc.):** Signed Lease
- **Frequency and Location of Deliveries:** Once a year, front door.

7. Additional Required Information:

- a. **Legal Description and PIN:** Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved. LAKE CREST LOTS 4, 5 & 6 BLK 3 PIN: 1980259000
- b. **Plan of Operation:** Including hours of operation, products to be sold and any other pertinent information regarding the proposed business. See Attached
- c. **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. See Attached
- d. **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. See Attached

- 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: _____

Date: 05.29.19

Applicant: Anthony D. [Signature]

Date: 5/28/19

Fee Paid: \$100

Date: 5/29/19

Receipt # 135394

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.



Hours of Operation:

Monday-Friday: 5:00 am-10:30 am; 4:00 pm-6:30 pm

Saturday: 7:45 am-10:00 am

Sunday: Closed

Services to be Sold: Contracts for group fitness training.

Goods to be Sold: Fitness clothing and accessories. Limited amounts of nutrition supplements, (protein powder, bars, etc.). Operations will also consist of nutrition coaching and optional child watch at no additional cost.

Exterior Changes: Business Signage

Interior Changes:

Upstairs: Demo internal walls to open space up upstairs. Demo ceiling and lighting. Install new drop ceiling and lighting with sound proof insulation. Install new flooring including custom workout surface. Install pull-up system. Demo existing bathroom.

Downstairs: Plumb and build out 2 new bathrooms. Build walls for child watch room. Take down wall in office to create larger office space.



401 E. Silver Spring Drive
 Suite 100
 Berkeley, CA 94702
 (415) 863-8000

PROJECT
 BERKELEY BUILDING
 401 - 419 E. SILVER SPRING
 & 1800 N. BERKELEY BLVD
 BERKELEY, CA, 94702

OWNER: TOY LAND L.L.P.
 890 N. BERKELEY BLVD
 BERKELEY, CA, 94702

ISSUED FOR:
 TENANT LEASES

SHEET TITLE
 MAIN FLOOR PLAN

DATE
 04/11/2018

REVISIONS: REVISIONS

PROJECT ARCHITECT
 L. BICHEL, P.A., AIA

DRAWN BY
 T. HARTMAN

SCALE

SHEET NUMBER
 1 OF 2

18A PROJECT NUMBER

THE LISTED SQUARE FOOTAGE WAS LAST CALCULATED BY YEAR 2018.
 CALCULATIONS WERE MADE USING CENTER OF WALL BETWEEN SITES AND
 CENTER OF EXTERIOR WALL.

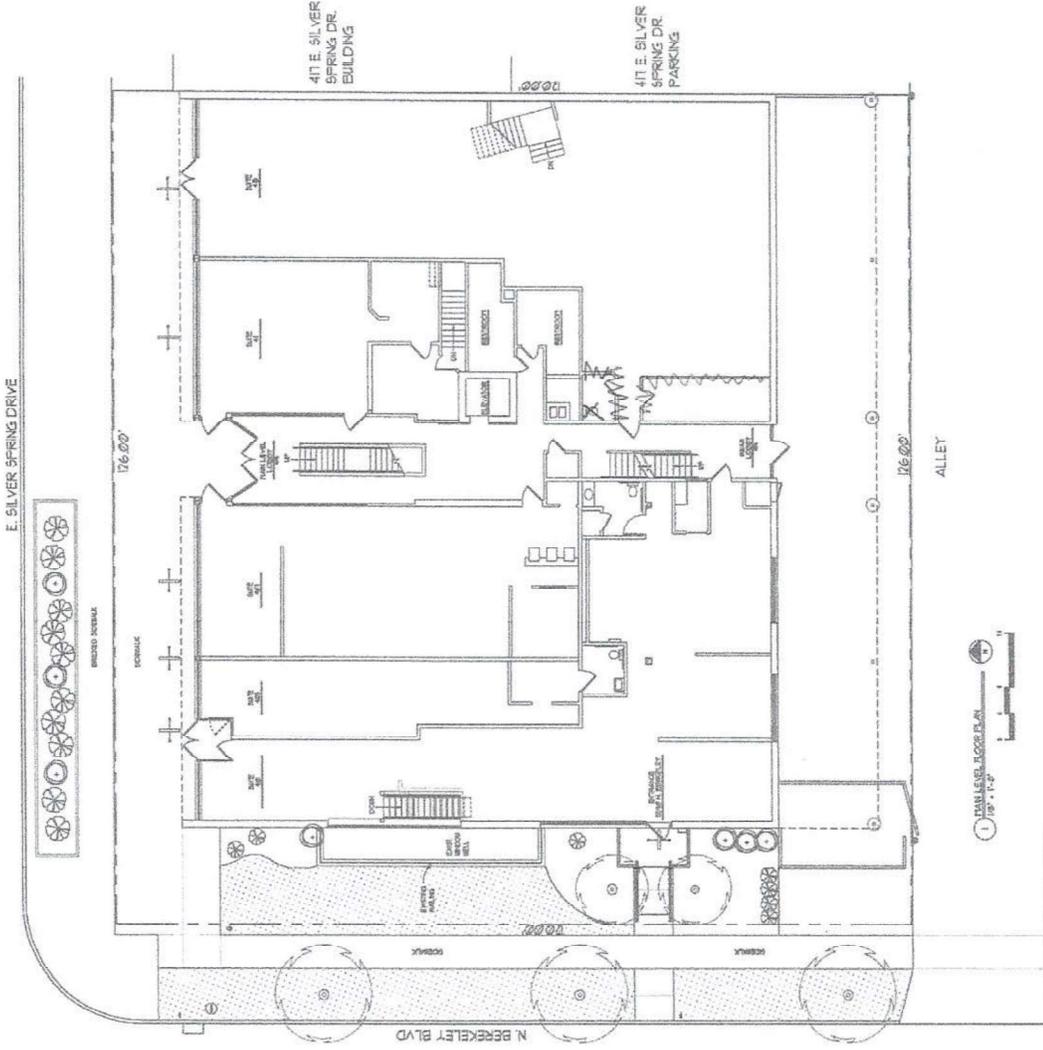
MAIN FLOOR LEVEL		
SUITE #	TENANT NAME	SQ FOOT
401	YELLOWWOOD ATD PROPERTIES	2121
403	INDULGE STUDIO	637
407	INDULGE STUDIO	1330
411	HERSLOF OPTICIANS	659
415	RED CAP LUGGAGE & GIFTS	2008
	TOTAL	7755
OTHER AREAS		
	WOMEN'S RESTROOM	102
	MEN'S RESTROOM	99
	STORAGE ROOM	18
	CIRCULATION (HALLWAYS)	849
	TOTAL	1068

FLOOR LEVEL	GROSS SQ FOOT
MAIN LEVEL	9,034

SHEET INDEX

- A31 MAIN LEVEL LOBBY AREA CONCEPT
- A32 UPPER LEVEL FLOOR PLANS

DISCLAIMER: These drawings have been prepared from existing drawings and site measurements for existing uses and projects. Any dimensions shown in planning and design work shall be verified by contractors, Owner and/or Agent. Drawings shall not be used for any other purpose without the written consent of the architect. The architect assumes no responsibility for liability for environmental or other consequences arising from the use of these drawings. The architect shall not be held liable for any damages, claims or other liabilities arising from the use of these drawings.



401 The Tower Blvd
 Tampa, Florida 33601
 813.282.1001
 813.282.1002

PROJECT
 INDUSTRY BUILDING
 401, 407, 409, 411 & 415
 E. PALMER SPRING DRIVE
 WINTER HAVEN, FL 33887

OWNER/KEY PARTICIPANTS
 JIM H. SPENCER, PRESIDENT
 200 W. SPENCER BLVD
 WINTER HAVEN, FL 33887

DESIGNED BY:
 HALLMARK ARCHITECTS/POSTFACE &
 TENANT BRANCH/RENAME FOOTPRINT

PROJECT
 COMMERCIAL FLOOR PLAN
 LOWER LEVEL - 9,718

DATE
 10/16/2014

REVISIONS

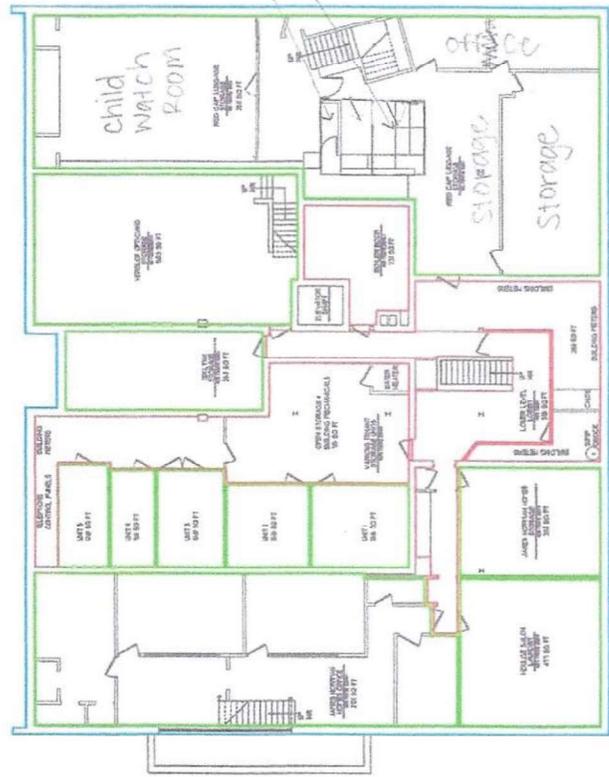
PROJECT ARCHITECT
 L. BICKER, P.A., AIA

DRAWN BY
 T. WARTMAN

SCALE
 1/8" = 1'-0"

SHEET NUMBER
 A-23

DATE PLOTTED
 10/16/2014



FLOOR LEVEL	GROSS SQ. FT.
LOWER LEVEL	9,718

SUITE #	TENANT NAME	SQ. FOOT
401 B05	JAMES HOFFMAN HOMIES	1428
401 B07	JAMES HOFFMAN HOMIES STORAGE	352
402 B08	INDULGE STUDIO LAUNDRY	477
409 B03	TEKLYNS STORAGE	362
409 B04	TENANT'S STORAGE UNIT 01	186
409 B04	TENANT'S STORAGE UNIT 02	158
409 B04	TENANT'S STORAGE UNIT 03	150
409 B04	TENANT'S STORAGE UNIT 04	98
409 B04	TENANT'S STORAGE UNIT 05	120
411 B02	HEPUSLOF OPTICIANS STORAGE	903
415 B01	RED CAP LUGGAGE & GIFTS STORAGE	2511
TOTAL		6745

OTHER AREAS	SQ. FOOT	
401 B06	BOILER ROOM	231
409 B01	CIRCULATION (HALLWAYS)	518
409 B04	OPEN STORAGE & BLDG. MECH.	215
BUILDING MEETERS AREA		381
TOTAL		3815

LEGEND

- Blue Line = MEASUREMENT OF EXISTING OR PROPOSED
- Green Line = MEASUREMENT OF EXISTING OR PROPOSED
- Red Line = MEASUREMENT OF EXISTING OR PROPOSED

NOTES:
 These drawings have been produced from existing drawings and site visits. The client is responsible for providing accurate information for the design of the building. The client is responsible for providing accurate information for the design of the building. The client is responsible for providing accurate information for the design of the building.

1 LOWER LEVEL FLOOR PLAN
 1/8" = 1'-0"



5590 N Berkeley Blvd
Whitefish Bay, WI 53217
414.223.3443
414.223.3446 fax
www.atidproperties.com

Commercial Property Record Card from Village of Whitefish Bay

Parcel ID: 1980259

Location: 401-415 Silver Spring Dr E

Zoning: BID1

State Class: 260-Commercial

Acres: 0.347

Year Built: 1961

Structure Type: Retail-Multi-Occupancy

Legal Description

Lake Crest Lots 4,5, & 6 BLK3

Village of Whitefish Bay, Milwaukee County, State of Wisconsin



VILLAGE OF WHITEFISH BAY PLAN COMMISSION PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Plan Commission of the Village of Whitefish Bay has scheduled a Public Hearing for **Tuesday, June 18, 2019** at **6:00 P.M.**, to be held at the Whitefish Bay Village Hall Board Room, 5300 North Marlborough Drive, Whitefish Bay, WI 53217.

1. Public Hearing on the following Conditional Use application:

A) Sommer-Gibson LLC (dba Burn Boot Camp) – 415 E. Silver Spring Drive

ALL INTERESTED PERSONS will be given an opportunity to be heard. If you have any questions, please contact Tim Blakeslee, Assistant Village Manager, 414-962-6690.

A majority of the members of other governmental bodies, including, but not limited to the Village Board may be present to gather information about a subject over which they may have decision making responsibility. The above meeting is therefore hereby also noticed as a meeting of those governmental bodies, although they will not take any formal action at this meeting.

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

VILLAGE OF WHITEFISH BAY

Tim Blakeslee
Assistant Village Manager