

September 4, 2007

**Via Hand Delivery**

Village Board  
Community Development Authority  
Village of Whitefish Bay  
5300 N. Marlborough Drive  
Whitefish Bay, WI 53217

Re: East Silver Spring Drive.

Dear Members of the Whitefish Bay Village Board and Community Development Authority:

Our firm has been asked by the Whitefish Bay Business and Professional Association, Inc. (the "WFBPA") to represent it in connection with its efforts to ensure that appropriate actions are taken to improve the current condition of Whitefish Bay's business district centered around Silver Spring Drive. In light of the lack of opportunity for structured input from the Village's business community, the WFBPA's feels that it is necessary for it to make this formal statement of its frustration with the lack of progress being made, particularly with respect to the Silver Spring streetscape improvement project, and the continued deterioration of Silver Spring. This letter will address the WFBPA's concerns and outline its desired course of action for moving the project forward.

By way of background, as you know, the WFBPA is an association of over fifty (50) members, comprised primarily of Whitefish Bay business owners. Its mission is to draw upon the resources of the Whitefish Bay business community in order to create and maintain a vital business climate with enhanced quality of life for the residents of Whitefish Bay. These resources are expended on numerous community-wide events, including the Holiday Stroll, Sounds of Summer, the 4<sup>th</sup> of July Parade and the Pumpkin Fest, just to name a few. Ultimately, the WFBPA exists to not only support and foster the business of its members, but also to ensure that the Village continues to be a vibrant and desirable community in which to live, work and play. In addition, and perhaps more importantly, many of WFBPA's members have a long history of donating privately to various schools, churches and civic organizations throughout the Village. The WFBPA and its members are proud to be associated with the Village and know that their success is inextricably linked to the overall condition and perception of the Village.

Silver Spring is unquestionably the "gathering hub" of the Village. At one point in the not so distant past, this downtown/main street area thrived. It was nearly impossible to find space on the street to open a business. Some of the businesses that existed during this period remain on the street today. Unfortunately, many have recently been forced to move. The recent announcement that Armin Koch Furniture, a fixture on Silver Spring for more than twenty years, will be closing its doors, citing a lack of foot traffic on the street (which, since the opening of Bayshore mall, has been noticed by all of the businesses on the street), hit home for many of WFBPA's members. Just within the last eighteen months, several other long-time Whitefish Bay businesses have left the street (Heinemans, which was

an anchor business on the block for more than forty years, as well as Talbots and Warehouse Shoes being the most notable). If this rate of attrition continues, it will be nearly impossible to run a viable business on Silver Spring. Obviously, something needs to be done.

The deteriorated and out-of-date condition of Silver Spring, combined with new competition, is the primary contributing factor. The need to “spruce-up” Silver Spring was recognized by business owners and Village residents even before the creation of the Community Development Authority (the “CDA”) in 2002. The stated purpose of the CDA, established in large part to spur the redevelopment and improvement of Silver Spring, is to maintain and enhance property values, eliminate obsolescence and blight, actively pursue quality land use and construction and undertake a proactive implementation of its tools to assist development. Now, five years after the creation of the CDA, little progress has been made.

The WFBPPA strongly supports the Silver Spring streetscape initiative. However, it appears from comments made at the August 9<sup>th</sup>, 2007 CDA meeting that streetscape improvements may not begin until 2009 or later. Given the current condition of Silver Spring and the existing business environment, business owners simply cannot afford such a delay.

Due to the lack of progress over the course of the last five years, the recently proposed timeframe for implementing the streetscape improvements and the significance of what is at stake for the community, the WFBPPA is seeking to form a stronger partnership with the Village Board and the CDA and it respectfully requests that the following actions, at a minimum, be taken:

- Establish a written timeline for completing the streetscape project with a target completion date in 2008. This timeline should address, at a minimum: (i) details of the development process and the target completion date for each phase of the project; (ii) a regular schedule of meetings between the CDA and the WFBPPA to allow for a communication of thoughts and ideas; and (iii) cost projections including an overview of the tax implications to both businesses and residents. The WFBPPA realizes that an aggressive time schedule will bring with it financial and other implications for the Village, as well as its residents and businesses, and it welcomes the opportunity to open a dialogue regarding such issues.
- Create an environment conducive to new business (e.g., modify ordinances to encourage restaurants, thereby increasing foot traffic along Silver Spring). In order to compete with Bayshore and neighboring communities, the business district needs to be enhanced, not “maintained.”
- Accommodate development so as to prevent building owners from selling/leasing to unsuitable businesses. A good example is the building located on the corner of Silver Spring and Berkeley Boulevard, which once housed Talbots and Famous Footwear. A recent proposal for a multi-tenant development, anchored by M&I Bank, a long-time Silver Spring establishment, was sidetracked. It has now been confirmed that representatives from CVS Pharmacy have approached the Village regarding that space. The members of the WFBPPA strongly oppose CVS moving into that spot and will take actions as necessary to prevent it. Although creating a welcoming environment for businesses is important, it is crucial that the right businesses are accommodated. A national retail chain certainly does not support the quaint atmosphere and destination location type of environment that business owners and Village residents alike are hoping to establish.

- Address blighted areas. The overall aesthetic appeal of the businesses along Silver Spring is an important factor in making Whitefish Bay a desired retail destination and gathering place. Certain buildings along Silver Spring need to be restored to bring them up to this standard.
- Revisit proposed development plans for the Fox Bay building and adjacent parking lot. Addressing existing plans or revised plans in a structured fashion with meaningful public input will ensure that the goals of the Village, business owners and residents are all met. This area is crucial to Silver Spring's success and it is currently under-utilized.
- Allow for increased input and involvement from the community's business owners. The Village's business owners would like to become more active partners in shaping the fate of their own business community. In particular, as noted above, the WFBPA would like to establish an on-going schedule of meetings with the CDA. Although the whole community will benefit from a restored central business district, existing business owners have the most at stake. Rest assured, though, that business owners will have the community as a whole in mind when addressing the nature and scope of improvements because it is the community's satisfaction of the project which will ultimately bring customers back to Silver Spring.

The condition of Silver Spring and the surrounding business district is of serious concern to the WFBPA and each of its members. The WFBPA recently provided its public support to defeat a referendum which would have imposed serious limitations on development within the Village. It is now time for the CDA to use the tools at its disposal to proactively assist and nurture development along Silver Spring. Unless these issues are addressed expeditiously, more businesses will suffer the same fate as Armin Koch. Inevitably and unfortunately, as businesses leave Whitefish Bay, the current level of public support that the business community provides will diminish. Even those businesses which are able to keep their doors open will likely need to reevaluate their community involvement.

Ultimately, the WFBPA shares with the Village Board and the CDA the belief that the Village of Whitefish Bay is a wonderful place to live and do business. Silver Spring was before, and can again be a destination spot and gathering place for the community. It is the WFBPA's hope that this letter will serve as a call to action – to the Village Board, the CDA and concerned citizens of the Village – to take the necessary action to restore Silver Spring to a “downtown” environment that the whole community can be proud of.

The WFBPA thanks you for your consideration of these concerns and looks forward to continued dialogue on these issues.

Sincerely,

Joshua R. Welsh  
5579 N. Berkeley Blvd.

Sincerely,

Michael J. Cohen  
1901 E. Cumberland Blvd.

see attached signatures