

CITY OF WAUWATOSA
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COMMUNITY DEVELOPMENT COMMITTEE MEETING
Tuesday, June 24, 2003

PRESENT: Alds. Becker, Ecks, Heins, Herzog, Kopischke, Sullivan, Treis -7

EXCUSED: Ald. Krol

ALSO N. Welch, Community Dev. Dir.; A. Kesner, City Attorney; W. Kappel, Dir. of Public Works
PRESENT: Alds. Bruderle-Baran, Grimm

Ald. Heins in the Chair called the meeting to order at 8:09 p.m.

Proposed Rezoning and Final Plan for Business Planned Development at 6600 River Parkway

Ms. Welch reported that the subject parcel is part of an area that will be brought out of the flood plain once the Milwaukee Metropolitan Sewerage District (MMSD) Hart Park flood prevention project is complete. The city had always looked toward rezoning this area to Business Planned Development to allow for new development to replace that lost by the flood plain project. The final plan for the Business Planned Development proposed by the Laureate Group is for a 134-unit senior development with 90 units of independent living and 44 units of assisted living.

Beth Christy, Executive Vice President of the Laureate Group, 1805 Kensington Drive, Waukesha, indicated her availability to answer questions or provide additional information.

Bob Eckert, 6510 W. State Street, asked about the number of employees and parking provisions. Ms. Christy responded that there would be 60-70 employees when the building is at full capacity. They would have three shifts working 365 days each year with the maximum number on day shift. There are 29 surface parking spaces and 33 in the garage for a total of 62 spaces. Ms. Christy estimated that 80% of the units would be occupied by single residents. Mr. Eckert felt that there would not be enough parking, especially if residents have two cars. He said that the project is too big and will have too many people for the amount of parking.

Ms. Welch confirmed that there is sufficient parking for both residents and employees. Kevin Weiss of the Laureate Group said that this is the company's 11th project and they are very familiar with the parking requirements of their buildings. It is not in their best interest to under-construct parking. Parking ratios are comparable at all of their buildings, and underground parking is mostly empty. They have found that people aged 84-85 and up don't drive.

Mr. Eckert agreed that housing like this is needed in the city, but he disagreed with using this site. He was concerned about the possibility of any Alzheimer's patients wandering near the railroad tracks. He asked about ownership of the land that has been cleared of homes. Ms. Welch explained that the city acquired those parcels for the Hart Park project with MMSD funds, and there are covenants prohibiting any construction on that land.

Rich Lochrie, 7746 Menomonee River Parkway, was concerned that newspaper reports did not accurately reflect the Village BID's June 5 meeting. He said it is important to understand that the BID District supports the project, and Chris Leffler also supports it 100%. Mr. Lochrie felt a quick decision should be made in order to move ahead.

Ald. Becker asked where parking would be located if the 80 or so additional units that were originally proposed were to be constructed. Mr. Weiss said that Phase 2 would include at-grade inside parking or underground parking in the building, but that phase could not be built until the entire area is taken out of the flood plain. A detention area in the front corner would also be made available for parking. Ed Wensler, Wensler Architects, pointed out two detention areas on the current plans.

Noting that Wauwatosa does not allow on-street overnight parking, he said that he would not want to have a problem with that here. Mr. Weiss said that outlying parking and shuttle buses would have to be used three or four times each year when large events are scheduled. He did not expect any routine parking problems with visitors, and he also felt that there will actually be too much parking in the long-term as residents age and no longer drive. Ms. Christy added that a new parking analysis was submitted to the city.

Moved by Ald. Treis, seconded by Ald. Becker to divide the two items for separate votes. Ayes: 7

Moved by Ald. Treis, seconded by Ald. Kopischke to recommend to Council adoption of the proposed ordinance rezoning the land at 6600 River Parkway from AA Light Manufacturing to Business Planned Development District –

Speaking to both items, Ald. Sullivan said that there are various reasons why this is not the right development for this area or district or for this city. It is too big and is causing significant problems with everything from sewer credits to future development in the area. He said that no one has shown him that the conditions placed at the preliminary plan approval stage have been met. He had concerns about emergency services and said that building on “stilts” to address the flood plain is ugly and will detract from future development of the park area. He agreed that there is a gap in housing for seniors but said he perceives it as a gap for those who, perhaps around 60, are just reaching the point of leaving their single-family home and moving into some kind of single-family development. He said this is a gap of about two decades where we are not providing people with the kind of smaller, more modest private condo developments that exist elsewhere. Those seniors would never consider living in a place like the Laureate development until they reach the point of needing more supportive services. Ald. Sullivan also differed with the preliminary plan approval process, stating that he only learned afterwards that preliminary in this context means, in his perception, permanent. He said that efforts made to cause him to remove himself from this process would mean his constituents would lose their voice. He spoke of pressure being applied to local business leaders and this committee, and he rejected the tactic of equating support of this project with supporting seniors in the community. He said he is very familiar with the active contributions of seniors here through past experience working at a radio station focusing on seniors and currently serving on the city’s Senior Commission. Although the applicants have said that Phase 2 is “on the back burner,” he felt it will ultimately be pushed through. He concluded that this is about breaking into the Wauwatosa market with as many units as possible regardless of design and said he will not support the motion because of his serious concerns.

Ald. Ecks said he would like to hear more from the committee about how their thinking has evolved. He said that in the first phase of this, he felt subject to a “hussle,” but the applicant has made very good decisions since then. It appears that front-line employees who deliver service do a good job and the company has a good reputation.

Ald. Treis outlined the initial progress of the project. After preliminary plans were approved, he noted, the applicant addressed the five conditions set by the Plan Commission and this committee, which he asked Ms. Welch to confirm. Ms. Welch stated that the fire chief has provided assurance on emergency access, and there is an access agreement with the county. They also received approval from the DNR for fill on the site, which also includes excavating the detention area so that is no impact on the flood plain. The plans show construction at least 10 feet above flood level, as specified. They have a letter of approval from the Design Review Board, a letter of approval from MMSD indicating acceptance of the plumbing plan, and a letter from the Department of Commerce indicating that the plumbing plan is acceptable to the state. City Attorney Kesner pointed out that the wording of the condition on emergency vehicle access, for example, specifies “acceptable to the city,” which would be the finding the Common

Council would make when voting on this. He felt that very strong efforts have been made to meet the conditions, but ultimately that is the Common Council's judgment.

Referring to the process of final plan approval and the negative vote by the Plan Commission, Ald. Treis raised the question of sewer credits. Ms. Welch said that MMSD agreed that they have the necessary sewer credits for this project with the plumbing system as planned. The city engineer has stated that we would have a remaining balance equivalent to 224 people. Ald. Kopischke pointed out that the Plan Commission did not say that the sewer credits had not been met; they expressed concerns about whether this was the best and highest use of those credits. Upon further questions, Ms. Welch confirmed that this project has followed all steps that any other project would follow and has, in fact, taken longer than any other since it first came forward. Ald. Treis observed that seniors have apparently checked into the Laureate Group, know their qualifications, and would like to see this built, and the State Street Plan endorses this type of facility. He recommended unanimous approval of rezoning.

The Chair noted that a letter has been received from the adjacent property owner, Riverway LLC, withdrawing objections to the project. This removes the need for a super-majority vote at the council level.

Ald. Grimm questioned emergency access, which he said has been his big concern, and said he would like to see the plan. Ald. Ecks asked about any physical representation of how elderly residents would be evacuated in an emergency. Ms. Welch said she has a map showing proposed access and also the conditions under which access will be granted, which includes installation of lock boxes. Mr. Weiss said that Laureate is comfortable with the safety issues involved and would not build if they were not. The plan has been reviewed by the DNR and the police and fire chiefs, and access fits criteria under city and DNR codes.

Vote on the motion, Ayes: 5; Noes: 2 (Herzog, Sullivan)

Moved by Ald. Treis, Ald. Kopischke to recommend to Council approval of the final plan for a Business Planned Development at 6600 River Parkway –

Ald. Kopischke related how he has wavered back and forth, considering the positives as well as his concerns with this project. He explained that concerns about whether it was the best use of sewer credits or exactly fit in the State Street Plan contributed to his vote against the final plan at the Plan Commission. Now, he said, he is wavering to the other side, in part due to the fact that the Hart Park flood control project has not moved along at a pace that would have prompted more interest in development along this corridor. That process seems to be stalled right now. Here, he felt, we have a good developer who presented solutions to difficult problems, and there has been a lot of public support for the project. On that basis, he said, he will support it at this point.

Ald. Ecks also indicated his support. This is a difficult area for adaptive redevelopment, he said, and it does not seem that the street life envisioned in the mid-90s in the State Street Plan will be seen there. Things have changed and have to be looked at differently. It makes good fiscal sense to do something like this and always make good social sense to accommodate everyone from cradle to grave, he stated.

Further statements of support followed. Ald. Kopischke commented about the repeated charge of being somehow anti-elderly, to which he objected. He expressed hope that that phrase regarding this committee and the council will be laid to rest. Ald. Becker felt that good, valid arguments for supporting this were made at the public hearing last week. The Chair noted that the State Street Plan does encourage senior housing and it is an inaccurate interpretation to say the study is being violated when we are actually putting in a piece the study recommended.

Vote on the motion, Ayes: 5; Noes: 2 (Herzog, Sullivan)

Request to Dedicate Village Pocket Park to Marion Petersen

Referring to his memo of June 18, 2003, Mr. Kappel outlined plans by the Wauwatosa Beautification Committee to erect a sign in the Village Pocket Park to acknowledge that the committee maintains the garden area there. The city's chief inspector has granted permission for the sign itself, which would be a somewhat miniature version of the entranceway signs around the city. Their additional request for permission to add a crossbar below the sign dedicating the area to Marion Petersen, the committee's founder and former chairperson, has been referred to this committee as a policy issue. The park is on public property at the northeast corner of Harwood and Wauwatosa Avenues. It is just southeast of St. Bernard's property and is commonly perceived as being a part of and maintained by St. Bernard's.

Sandra Greenfield, 668 N. 77th Street, representing the Beautification Committee, said that Marion Petersen was responsible for the Welcome to Wauwatosa signs; she raised the money for the signs and did all the plantings. There was no cost to city taxpayers to establish the signs and flowerbeds. The committee is now seeking "garden angels," neighborhood people who would take care of the flowerbeds as the city cuts back. Ms. Petersen has moved to Arizona, and three people have assumed the work she once did herself.

Ms. Greenfield spoke of the need to amend the beds at the Pocket Park and replace some plants. She mentioned that the city does some watering, but the committee has considered asking St. Bernard's for access to their water supply to better address needs there. Ald. Becker offered to work with St. Bernard's on behalf of the committee. He commended the work they have done at the Pocket Park.

Ald. Kopischke asked if this signage is consistent with the new signage recently approved for the Village Business Improvement District (BID). Mr. Kappel said that it is within the Village BID but would not be the same as the wayfinding signs. A similar sign is in place at the millennium garden in the Village.

Ald. Herzog indicated some support for the idea but expressed concern about naming or dedicating a park without having more information about the person being honored. Ms. Greenfield reiterated that Ms. Petersen raised the money for the Welcome to Wauwatosa signs, designed the signs, and was also behind the funding for the flowerbeds. She organized the Beautification Committee and was also the moving force behind the beds at the police and fire departments as well as the millennium garden and other smaller gardens. She was an alderwoman for many years and was named Wauwatosa's Distinguished Citizen this year. She clarified that the park would still be called the "Pocket Park."

Ald. Herzog felt that a word other than "dedicated" might be more appropriate. The question of time constraints in relation to holding the matter was raised. Ms. Greenfield said that the committee was hoping to have the sign in place by July 4th when Ms. Petersen will appear in the city's parade as Wauwatosa's Distinguished Citizen.

Moved by Ald. Herzog, seconded by Ald. Treis to hold the matter for 2 weeks –

Ald. Sullivan said that he would rely on the Distinguished Citizen designation as indication that Ms. Petersen deserves this honor. Ald. Kopischke concurred, adding that he read about Ms. Petersen when she was named Distinguished Citizen and knew of her commitment to beautification and the parks over the years.

Ald. Bruderle-Baran noted that all alderpersons were invited and several attended the dinner that honored Ms. Petersen as Distinguished Citizen. County Executive Scott Walker attended and issued a proclamation, and former Lt. Governor Margaret Farrow also was present. Ms. Petersen was the first female Common Council president and went on to do this beautification work after her years of service on the council. Ald. Bruderle-Baran advocated approval in time for Ms. Petersen's appearance on July 4th.

Ald. Becker speculated about alternative wording but said he would not want to hold up approval. Ald. Ecks was also opposed to holding the matter. He asked about including the dedication on the sign itself rather than as a separate piece below the sign, expressing some concern about possible damage if someone stood or climbed on that

piece. Ms. Greenfield indicated that she could check that out with their sign person. She added that Ms. Petersen dedicated her whole life to Wauwatosa—she also helped implement the garbage cart program and the Center Street underpass, and she worked for the Historical Society.

Ald. Ecks called the question.

Vote on the motion to hold, Ayes: 1 (Herzog); Noes: 6. Motion fails.

Moved by Ald. Ecks, seconded by Ald. Kopischke to approve the request to erect a sign dedicating the Village Pocket Park to Marion Petersen –

Ald. Treis reminded the committee that there was a move in the past few years to change the name of Hart Park to honor a former coach and athletic director. When giving a particular park or area a particular name, we lock that in for an unknown period of time, he said; and if there are other people who should be honored for excellent work, it can't happen. He noted that many people may not even know who the honoree is when they see a name there. He commended the Beautification Committee for wanting to honor Ms. Petersen, with whom he represented the 8th District for many years, but said he is opposed to the concept of naming or honoring a particular person.

Ald. Ecks proposed making the dedication effective for the lifetime of the individual. A future council could then consider rededicating the area to someone else.

The Chair said that Ms. Petersen has made a major contribution to the city, and it would be wonderful for someone to be able to tell their grandchildren of that in the future. She referred to seeing Buntrock Avenue in Mequon and being reminded of the police chief there who gave his life. There is a sense of history involved, she said.

Ald. Ecks amended the motion, seconded by Ald. Herzog, to state “in gratitude to Marion Petersen.” Vote on the amendment, Ayes: 4; Noes: 2 (Sullivan, Kopischke); Present: 1 (Treis). Motion passes.

Ald. Ecks amended the motion, seconded by Ald. Sullivan, to state that the intent is to honor Ms. Petersen during her lifetime, after which time a future council would be free to honor someone else. Vote on the amendment, Ayes: 3 (Ecks, Herzog, Sullivan); Noes: 3 (Becker, Kopischke, Heins); Present: 1 (Treis). Motion fails.

Ald. Kopischke observed that simply approving the dedication does not mean that it cannot be changed. Some further discussion of the failed motion followed.

Vote on the original motion as amended, Ayes: 6; Present: 1 (Treis)

The meeting adjourned at 9:35 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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