



## CITY OF WAUWATOSA

7725 WEST NORTH AVENUE  
WAUWATOSA, WI 53213  
Telephone: (414) 479-8917  
Fax: (414) 479-8989

### COMMUNITY DEVELOPMENT COMMITTEE MEETING Tuesday, April 27, 2004

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

EXCUSED: Ald. Subotich

ALSO PRESENT: N. Welch, Comm. Dev. Dir.; T. Wontorek, City Admin.

Ald. Heins as Chair called the meeting to order at 8:16 p.m.

#### **Conditional Use - 7332 W. State Street**

Ms. Welch outlined a request by Robert Fox for a Conditional Use in the AA Business District at 7332 W. State Street for a massage therapy establishment. The applicant has an existing oriental medicine/acupuncture practice. The Plan Commission unanimously recommended approval.

Mr. Fox was present and explained that oriental medicine incorporates Chinese massage. He is licensed as an acupuncturist by the state. He described the licensing requirements, which include at least three years of schooling, a national board exam, and a prescribed number of internship and patient contact hours. The City Attorney has ascertained that separate state licensing for massage would not be required.

Moved by Ald. Sullivan, seconded by Ald. Kopischke to recommend  
to Council approval of the Conditional Use. Ayes: 7

#### **Conditional Use – 1025 N. 70th Street**

Ms. Welch outlined a request by Sandy Casterline, Meadowbrook Church, for a Conditional Use in the AA Single Family Residence District at 1025 N. 70th Street for church activities. The building is the former location of Bethel Church, which has moved to a new site. A new Conditional Use permit is required for Meadowbrook Church, even though the actual use as a church remains the same. The Plan Commission unanimously recommended approval.

Sandy Casterline, 7813 Mary Ellen Place, representing the church council, said the congregation is excited to move in and serve the community.

Moved by Ald. Krol, seconded by Ald. Kopischke to recommend to  
Council approval of the Conditional Use –

Ald. Kopischke noted that there were some mention at the Plan Commission meeting of neighborhood concerns and the possibility of ending activities at 9 p.m., although the Plan Commission did not recommend any restrictions on the use. Ms. Welch said that there were some trash and noise complaints at this location. Upon further discussion and assurances by Ms. Casterline, Ald. Kopischke felt it sufficient to simply encourage Meadowbrook Church to be a good neighbor.

Ald. Ecks inquired about current Meadowbrook Church activities at 111th and Blue Mound. Ms. Casterline said that they have had church offices there and have also used a garage for some youth activities but will no longer use that site.

Vote on the motion, Ayes: 7

### **Proposed Changes to Special Use Process**

Mr. Wontorek outlined proposed changes to the Special Use permit process that would remove the requirement for review and approval by the Board of Zoning Appeals and change the sequence of action by other boards. The ordinance amendments are one step in efforts to streamline the review and approval of development proposals. They amend Chapters 24.48 and 24.52 relating to the process and the responsibilities of the Plan Commission, Board of Zoning Appeals, and Design Review Board.

Mr. Wontorek distributed a planning application work flow diagram comparing the existing and proposed processes. Under the current process, applications are first reviewed by staff; the Plan Commission then holds a hearing and makes a recommendation; and final action is taken by the Board of Zoning Appeals. If Design Review Board approval is required, that now takes place at the end of the process. Under the proposed changes, the Design Review Board review would be scheduled first, if needed, followed by a Plan Commission hearing and final action by that body.

Both the Plan Commission and the Board of Zoning Appeals have reviewed and approved the proposed changes. Mr. Wontorek noted that the real function of the Board of Zoning Appeals is to hear appeals of zoning requirements. Removing that board will speed the process somewhat.

In response to questions, Mr. Wontorek explained that only Conditional Uses require Common Council approval. Ms. Welch cited restaurants or gas stations as the most common Special Uses in our zoning code. Designation as a Special Use provides an opportunity to review elements such as hours of operation, landscaping plans, and effect on the surrounding neighborhood. Typically, most cities have either Special Uses or Conditional Uses but usually don't have both with separate approval processes.

Ald. Treis said that he is opposed to having the Plan Commission make the final decision on Special Uses. He felt that a Council vote should be required in all cases.

Ald. Krol further questioned the Council's role in the Special Use process and was told that Common Council approval of Special Uses has not been required for quite some time, if ever. She clarified that Permitted Uses can be approved by staff. All applications that require a building permit must also be reviewed by the Design Review Board.

Ald. Kopischke saw the proposed changes as sensible ones and indicated that he would be comfortable moving forward, perhaps asking for a presentation in a couple of weeks about why we should keep both Special and Conditional Uses.

Moved by Ald. Kopischke, seconded by Ald. Ecks to recommend to Council introduction of the proposed ordinance and adoption of a resolution setting a public hearing date –

Ald. Sullivan favored holding this matter to allow for further study of the zoning code but agreed to proceed on the basis that the approval schedule allows time for further investigation. A public hearing on the zoning code changes would be held on June 1, and the matter would return to this committee for a final recommendation on June 8

Vote on the motion, Ayes: 7

### **Reallocation of CDBG Funds for Eschweiler Buildings**

Ms. Welch reported that work on the S-5 building, one of the Eschweiler buildings on the county grounds for which CDBG (Community Development Block Grant) funds were allocated, has been successfully carried out and thoughts are now turning to the administration building. She passed around photos taken by staff about a week ago showing the current interior condition of that building. She commented that it is actually in remarkable condition for a building that has not been maintained for 25 years.

Ms. Welch said that bids are being sought for reroofing the Eschweiler administration building. She displayed a sample of the existing roofing tile and a sample of the proposed replacement material that very closely matches it. The estimated cost of approximately \$130,000 would be shared equally by the city and the county. Removal of asbestos and animal feces is also needed as developers are already setting up appointments to go through the building. Ms. Welch said that this is money well spent that will demonstrate our commitment to the buildings and is also an investment that will advance their restoration. She clarified that this is a new allocation specifically for the administration building.

Ald. Kopischke said that this is an important part of keeping the county grounds economic development zoning a viable project.

Moved by Ald. Kopischke, seconded by Ald. Krol to recommend approval –

Ald. Krol commented on the need to prevent further deterioration of this building through neglect. He questioned the funding process in connection with turning money over to the county. Ms. Welch said that we will supervise bids on the work and the county will hire the contractor. We will await an invoice from the county and, using CDBG funds, will match every dollar the county spends. We are running this through our own process to be sure federal and state requirements are met.

Vote on the motion, Ayes: 7

Apart from this immediate issue, Ms. Welch noted there were some concerns about sufficient emphasis in the Master Plan and Design Guidelines for the Northeast Quadrant on saving the Eschweiler buildings. She provided a copy of the final version of the document with added language regarding preservation of historical buildings and an appendix reference to buildings on the National Register.

The meeting adjourned at 8:50 p.m.

Carla A. Ledesma, City Clerk  
Wauwatosa, Wisconsin

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