



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

**COMMUNITY DEVELOPMENT COMMITTEE MEETING**  
**Tuesday, July 25, 2006**

PRESENT: Alds. Birschel, Didier, Donegan, Herzog, Krill, Meaux, Sullivan, Treis -8

ALSO N. Welch, Community Development Dir.; A. Kesner, Interim City Admin./City Attorney;  
PRESENT: Chief D. Redman, Deputy Chief W. Rice, Deputy Chief P. Nook, Fire Dept.

Ald. Treis as Chair called the meeting to order at

**Conditional Use at 7300 Chestnut Street for Hart Park Master Plan**

Ms. Welch reported on a request by the City of Wauwatosa for a Conditional Use in the Parks and Open Space District at 7300 Chestnut Street for approval of the Hart Park master plan including a performance state and other park amenities. The Plan Commission unanimously recommended approval. Drawings of the proposed park were displayed.

As the MMSD flood protection project in Hart Park proceeds, Ms. Welch explained, an ad hoc committee was formed to work with the Parks and Forestry Commission to develop a master plan. In this zoning district, many of the park amenities are Conditional Uses. Rather than seek approval of each use individually, the entire plan is before the committee for approval of the uses, which would not equal approval of the final master plan. The consultants will prepare a more detailed plan that will allow the process to proceed to discussion of costs and funding. The final plan would come back to a Common Council Committee of the Whole meeting. Ms. Welch emphasized that one of the key issues addressed by the committee was creating a park that would be available and accessible to all Wauwatosa citizens from small children to seniors.

Richard Bachman, 2229 N. 115th Street, a member of the Parks and Forestry Commission, said there were many meetings and much discussion. Although there could be some changes, what is seen tonight should pretty well resemble the master plan. All structures are planned to blend in with existing buildings.

Ald. Birschel noted that both he and Ald. Treis served on the ad hoc committee. He was very pleased with the consultant and surprised by the consensus of opinion on design of the buildings.

Moved by Ald. Krill, seconded by Ald. Sullivan to recommend to  
Council approval of the Conditional Use –

In response to questions from Ald. Meaux, Ms. Welch said that what is awaited now is drawings to the level of being able to seek cost estimates. Approval of the uses does not commit the city to building any portion, since it would still be subject to funding. The skate park would be along the edge of the baseball field, which is an area that is farthest from residents and close to a high activity area. A great deal of attention was given to finding a suitable location. Ms. Welch pointed out the locations of the softball field, baseball diamond, adjacent buildings, skateboard park, Rotary stage, picnic pavilion, play area for children, larger teen area, walking paths, and an area to the east designed to be a much more passive recreation area with no structures.

Ald. Herzog thanked members of the ad hoc committee for their time and effort. He asked if the Conditional Uses would lapse if they aren't built for another five years. Ms. Welch said that a Conditional Use would be good for two years, but it could be revisited and extended. Ald. Herzog then commented that he would prefer that the Rotary stage faced west to better allow for overflow attendance and would like to discuss that more at a later point. Ms. Welch noted that the stage area would seat 2,000 people. Because this is a flood protection project, it steps up as it gets farther from the river, which was a major factor influencing the stage's location.

Ald. Donegan asked about public comment at the Parks and Forestry Commission level. Mr. Bachman said there were 113 people at the second ad hoc meeting, and 103 comment cards were completed. It was also open for public comment at the Plan Commission level, and Ms. Welch indicated that some members of the public were present. Ald. Donegan then requested comments from the motioner and second about their endorsement. Ald. Sullivan said his business has been located in the Village for the past three years, so he was involved in the early stages of this proposal. Also, he has great respect for the people involved in the process and wants to see it move forward. He indicated that he would have liked to see more representation from businesses in the Village Business Improvement District (BID). Ald. Krill said that his position is largely in deference to the committee and the Plan Commission as well as staff, who have all spent a lot of time looking at this.

Ald. Donegan indicated that he is not comfortable voting on this without having a list of the proposed uses. Ms. Welch clarified that Council will still need to debate cost and funding, and some decisions may be made based on available funds. To get to a specific design that allows for specific cost estimates, approval of the master plan is needed. Ms. Welch then listed the following uses: baseball field, skateboard park, picnic pavilion with restrooms, tot lot, teen play area, soccer field and baseball field, Rotary stage, walking paths, passive recreation area, stone council ring designed to be an informal gathering space, and green fields that are not regulation soccer fields but could be used for soccer or other activities.

Ald. Sullivan commented that the removal of basketball from Hart Park means a lot less people frequenting Village bars and restaurants. Mr. Bachman said that it was the school district's recreation department that didn't want basketball there. Although business people did not come to all the meetings, there were some at the open house meeting who filled out comment cards. Richard Conley of Metropolitan Development, 18650 W. Corporate Drive, Brookfield, said he is a business owner in the Village and a member of the Village BID board and fully supports this project personally. Kathy Barry, 608 N. 62nd Street, said she is a citizen member of the BID board but is not speaking on their behalf. She reported that there has never been any concern expressed through the BID board about this project. Businesses likely see that it brings in more people who will come to Village restaurants and shops.

Ald. Didier said she received one phone call questioning whether there would be a barrier between the tot lot and the railroad tracks. She also would like to be sure there is enough space in the restrooms for stroller access and feels that a barrier is needed at the skateboard park entrances to block small children from entering. Mr. Bachman responded that there will be fences on both the State Street and park side of the tracks. Ms. Welch explained that individual restrooms are planned rather than restrooms with several stalls. Mary Pruitt-Martinez, 2452 N. 82nd Street, said the location of the skateboard area will make it difficult for children to just run in. There will be only two entrances, and it will not be fenced in but there will be small berms on the sides with some type of retaining wall to create a visual barrier. There will be a lot more information on this at future meetings.

Vote on the motion, Ayes: 7; Noes: 1 (Donegan)

## **Development Proposals for Public Works Site South of Walnut Road**

The Chair said that Richard Conley of Metropolitan Development will present his proposal tonight for development of the public works site south of Walnut Road. Two other developers made presentations at the previous meeting. One of those developers was unable to be present tonight to give his financial report on the project and has been told that the information could be given at a later date.

Richard Conley of Metropolitan Development, 18650 W. Corporate Drive, Brookfield, noted that he has worked in Wauwatosa since 1989 doing projects such as the 47 unit apartment building, recently converted to condominiums, at 109th and Blue Mound Road. The former Camelot hotel at this site was razed and was somewhat of a joint venture with the city through the use of TIF funds. That site previously generated \$6,000-\$8,000 in tax revenue and now is at about \$96,000. Another project, Lefeber Point in the Village, with 4,000 sq. ft. of retail space and 8 apartments was also somewhat of a joint venture in the inclusion of 24 public parking stalls. A renovation project at 109th and Blue Mound and a 20,000 sq. ft. office building on a vacant site north of the former Ground Round were also the work of Metropolitan Development as was an earlier 50-unit apartment building at 7430 Harwood Avenue. Mr. Conley said he is the sole owner of the company and is the sole owner, developer, leasing manager, and general contractor for each project.

Mr. Conley described the “Walnut Grove” proposal as having three objectives—low density, high tax revenue, and high quality housing. It includes 72 high-end condo units at the east end of the site adjacent to the wooded area. In the past, projects have typically been in the \$180,000-\$200,000 range; these units are targeted at \$325,000-\$350,000. Due to the Research Park, the medical center, and GE Medical, there is a demand for high-end units. Two 60-unit rental buildings are planned at the south and north ends of the site. There is a strong demand for rental housing for medical students for a 2-3 year period. A third aspect is 110 upscale apartments that could later be converted to condo units.

With an emphasis on keeping density down, the project would have about 466 residents in a total of 306 units. Value is estimated at \$48 million and tax revenue at approximately \$913,000, or higher if the upscale apartments are converted to condos. Regarding impact on water service, Mr. Conley reported that staff has said that this area can accommodate roughly 857 residents. Staying at the lower end of density will create less demand on sewers and other city services as well as the community in general. Traffic patterns for a majority of residents would likely go south to Watertown Plank Road.

Green space makes up about 50% of the site. The buildings would be two and three stories with underground parking and separate garages, full basements, and entries for the condos. This can be seen as a traditional project. Wauwatosa has seen generations of people continue to live in the community. This would provide housing for empty nesters and open doors for younger families to come into the community. Mr. Conley indicated that additional facts and figures are all in the packet submitted prior to the deadline. He will provide additional color copies of the booklet, if desired.

Ald. Sullivan asked if more amenities are being offered in the higher-end units. Mr. Conley said that his philosophy is to put the money into the units themselves—a higher level of finish, cabinets, doors, hardware, lighting, etc. He attempted to tuck the condos into the best part of the site. The apartments would buffer the warehouse to the south and the area to the north from the rest of the site. To the west, the apartments/condos would back up to existing homes and attempt to tie into those. Mr. Conley added that the driving image was other projects in that price range including a high-end condo development in a wooded area at 130th and Blue Mound. He believes both the central location and void of product justify this concept.

Richard Bachman, 2229 N. 115th Street, noted that a meeting was held with residents, the former city planner, and the former engineering and operations administrator while he was an alderman of this district. Among the critical items identified then was the need to keep 113th Street available for city use only. To help reduce traffic in the abutting residential neighborhood, residents of any development here would have no access to Walnut Road. Mr. Bachman felt that all nearby residents should be notified when these projects come up.

Having heard proposals by three developers of mixed-use residential projects and one light industrial project, Ald. Krill said that it is now time to begin the process of narrowing things down.

Moved by Ald. Krill, seconded by Ald. Sullivan to hold this matter until the next regular meeting for determination of which of the three non-industrial uses is preferred, then moving on to make a selection between the industrial and multi-use/residential proposals –

Ald. Sullivan noted that an evaluation list of 12 or 13 point items was previously provided by staff. Staff should now be requested to provide a matrix comparing the four proposals.

With consent of the mover, Ald. Sullivan amended the motion to include a directive to staff to prepare a comparison matrix for presentation to the committee prior to the next meeting –

Ald. Herzog pointed out that further financial information is still needed from one of the developers. The Chair said that that information should be provided during August.

Ald. Donegan suggested first considering the question of mixed-use residential versus light industrial use. The Chair noted that the light industrial developer is under a 90-day agreement, and there is another developer that is also interested in making a proposal. Upon further discussion, it was the consensus that no further proposals would be accepted.

Vote on the motion as amended, Ayes: 8

(The meeting recessed at 9:22 p.m. and reconvened at 9:32 p.m.)

### **Discussion of Fire Department Facility Study**

Held from previous meetings, the committee continued with discussion of the Fire Department Facility Study.

Terry Wolf, 7839 W. North Avenue, a 39-year resident and homeowner, said he hopes that the presentation by Deputy Chief Rice at the previous meeting convinced the committee that a new fire station is needed. He has stated that he is willing to sell his own property to the city, should it fit into the department's needs, so that Wauwatosa continues to have the needed level of fire protection. A neighbor would also consider doing the same. Mr. Wolfe noted that he is a 20-year member of the Wauwatosa Police and Fire Commission, which is charged with hiring the best possible firefighters and police officers. Those candidates are attracted through the departments' reputation, which is superb; the training that both departments offer new employees to make them the best; and the equipment that they need to fight fires and protect citizens. In the past few years, the Common Council has told the fire department to put a 10-pound container into an eight-pound bag. The equipment they have is becoming insufficient to do the job as this community grows and develops. The facility

that these people work out of is also a factor; they are there 24-hours a day. Mr. Wolfe urged the committee to support a new facility so that the city can continue to attract the best firefighters.

Ald. Donegan reported that he and the Chair agreed on a proposed agenda for decision making on fire station #1 and #2 improvements, copies of which were provided to the committee. The first item he believes should be considered is removing the Mower Court and the 68th and Milwaukee options (C and D) from consideration as sites for a new fire station/administration building. He spoke of the need to consider significant investment in our fire protection facility and to make evaluations on matters in which a lot of the committee members do not have expertise. He felt that the committee should have established all the requirements that the study proposes before concluding that those requirements are acceptable and that additional land needs to be acquired and pointing to specific sites. We owe the city a long and hard look at this, but on the other hand we need to let residents at those specific sites know where they stand. It goes without saying that we want to minimize the amount of land acquisition, especially in the Village area. If we have a study that says we need 72% more land and a lot more parking and options A and B utilizing the current site plus two additional acquisitions is viable, we should not pursue any option other than A and B or another option that acquires a less dense site.

Moved by Ald. Donegan, seconded by Ald. Meaux to remove Options C and D of the Zimmerman Fire Station Study, the Mower Court and 68th and Milwaukee Avenue sites, from consideration until and unless it is the conclusion of this committee that Options A and B are both untenable and inadequate for the provision of high quality fire and emergency service protection well into the future and unless no other less-dense site is identified –

The City Attorney was asked to comment on the use of eminent domain. Mr. Kesner said that if, in the case of building a fire station, the city were forced to use eminent domain, it is clearly recognized as a public purpose. The Common Council would have to make a determination of necessity of taking properties for that purpose. When eminent domain is used for transportation-related projects, it often allows for more negotiation. If used in the current situation, it requires a formal finding, usually by a court, if there is not an up-front agreement between the parties. The acquisitions in the Hart Park area were in the nature of eminent domain, and most were successfully negotiated, but it generally costs significantly more because of legal fees and relocation expenses.

Ald. Herzog said that he understands the effort to put to bed some of the fears of property owners, but the statement “until and unless” means, in essence, that those sites could be put back on the table. It also seems to assume that we would go right into eminent domain, but a negotiated agreement would appear to be a better result. He felt that the process should basically follow the steps outlined in a memo from the chief: whether or not there is a need, which is basically what was presented at the previous meeting; what to do about the need—remodel or rebuild; then, the question of where. If rebuilding, those options have to be kept on the table. We haven’t yet heard from the consultant as to why these sites were chosen as opposed to others. There is also the question of how to pay for it, although that can’t be addressed until the other questions are answered, and the ultimate question will likely be answered in the form of a referendum. Every option needs to be on the table in the meantime, maybe even more sites.

Ald. Krill said he believes the consultants did the best job they could, but it is unfortunate that identifying some sites puts those neighbors in a difficult spot. At the same time, this is a process and a 60-70 year decision that has to be made very deliberatively. The steps proposed by Ald. Herzog seem to be a logical procedure that could be the matrix for decision making. There is a lot of information already on the table through the initial presentation by the consultants and the information provided by the fire department.

Ald. Meaux noted that Chief Redman's bullet points were referenced at an earlier meeting as setting the agenda for moving forward. He said that he seconded the motion for the purpose of discussion but won't vote for it because he is not prepared to rule out any of the locations at this time. The committee should first justify the need to move forward, decide whether to rebuild or renovate, and then move into some of the more general areas on Ald. Donegan's agenda such as bay requirements and square footage requirements, which drive the space requirements for any property.

Ald. Sullivan also concurred with following a step-by-step process. He commented that any discussion of eminent domain is completely premature. We cannot prejudge where a station will go and can't say it won't be on Mower Court because the first priority is how to provide these services in a responsible way.

Vote on the motion, Ayes: 1 (Donegan); Noes: 7

Ald. Birschel said he believes the city needs to build a new state-of-the-art station in order to get the highest quality firefighters and be able to have equipment that will fit into the building.

Ald. Herzog reiterated that the committee first needs to decide if there is a need to do something. We will need to hear from Chief Redman and the consultants about the logistics of personnel and equipment under varying conditions of rebuilding or remodeling.

Moved by Ald. Herzog, seconded by Ald. Didier that there is a need to change existing station #1 and there is a need to change station #2 as well –

Ald. Krill supported the motion, noting the need to go on record that there is a need to make a radical change.

The Chair said that the presentation at the last meeting demonstrated that there are code violations and other detrimental things happening to the existing building. In essence, it is a rehabbed building that is falling apart. We should address whether to work with that building or say that we will not remodel it.

Ald. Sullivan agreed that the presentation at the previous meeting was compelling, and the building has clearly outlived its useful time of service.

Ald. Donegan noted that the consultant said that the existing structure is reusable and can be remodeled. He suggested language stating a commitment to the process of considering all the issues and preparing to make significant investments with a project that takes us 30 years into the future.

Mr. Kesner suggested thinking of the initial determinations as "findings" or individual steps, similar to the "whereas" clauses in Council resolutions.

With consent of the second, Ald. Herzog amended the motion by moving that it is the committee's finding that there is a need to change existing station #1 and there is a need to change station #2 as well.

Vote on the motion as amended, Ayes: 8

Ald. Krill stated that the next step of deciding whether to remodel, rebuild, or do something else could be addressed at the next meeting with a very focused agenda and the consultant in attendance.

Moved by Ald. Krill, seconded by Ald. Birschel to hold this matter, asking the consultant to come in and placing this on the agenda for a special meeting at which the committee considers whether to remodel, rebuild, or do something else –

Ald. Donegan felt that the committee should evaluate the fundamental requirements—space needs, functions, amount of parking, dimensions of the bays, etc.—before moving on to what will best address those requirements. Ald. Herzog saw that as an integral part of the motion and something the consultant would be able to help the committee determine. Ald. Krill said that going to the next step would encompass determining if it is even possible to remodel the existing building. Ald. Meaux commented that a more basic question involves the fact there has basically been a moratorium on improvements at station #1. Is it time to commit to moving forward? He felt that that issue can be addressed without getting into parking, training room, and other issues.

In answer to a question, Chief Redman confirmed that the consultant would charge the city for additional work. He has not closed out the original purchase order, and there is money left in the budget.

Vote on the motion, Ayes: 8

Ald. Krill asked for Chief Redman's thoughts at the next meeting on whether rebuilding or remodeling would make sense. Chief Redman noted that the consultant's report says that it is possible to remodel but that there would be big problems in doing that. His own recommendation is new construction rather than remodeling, largely based on structural conditions and overall difficulties of taking a populated building and reconfiguring it to try to make it function like a new building. He will go into that in more detail at the next meeting and will ask the consultant to be present to answer specific questions.

The committee debated scheduling a special meeting in August or taking this up again at the next meeting in September. There are no regularly scheduled committee meetings in August. On September 5, the committees meet prior to the regular 7:30 Common Council meeting and then would meet again at 8 p.m. on September 12 under the regular schedule.

Moved by Ald. Didier, seconded by Ald. Donegan to meet on September 5, 2006, at 5:30 p.m. prior to the regular 7:30 p.m. Common Council meeting –

Mr. Kesner said that Council approval of that meeting time would be needed. Community Development would likely be scheduled to meet from 5:30 until 7 p.m. in order to accommodate the agendas of the other Council committees prior to the 7:30 Council start time.

Vote on the motion, Ayes: 8

The meeting adjourned at 10:33 p.m.

es

Carla A. Ledesma, City Clerk  
Wauwatosa, Wisconsin