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COMMITTEE ON COMMUNITY DEVELOPMENT

Tuesday, July 13, 2010 – 8:05 p.m.

PRESENT: Alds. Birschel, Jay, Meaux, Nikceвич, Organ (8:08 p.m.), Pantuso, Wilke, and Herzog -8

ALSO

PRESENT: Ms. Welch, Community Development Director; Mr. Kesner, City Attorney

Ald. Herzog in the Chair

Proposed Rezoning, 6900 W. State Street. The Chair reviewed an application by Jeffrey Metz, RE Enterprises, Inc., Robert Goldie, attorney for the Kitty Glantz Real Estate Trust II, and Joshua Lyons, BPD Group, to rezone property at 6900 W. State Street from AA Light Manufacturing District to AA Business District. At its meeting on July 12th, the Plan Commission unanimously recommended approval of the request.

It was moved by Ald. Birschel, seconded by Ald. Nikceвич to recommend setting a public hearing date of September 7, 2010 to consider this request. -7

Proposed Ordinances Repealing and Recreating Chapter 24.59 Pertaining to Stormwater Management and Illicit Discharges and Connections, and Repealing and Recreating Chapter 24.57 Pertaining to Construction Site Erosion Control. Mr. Kesner advised that state statutes require the city to enact appropriate ordinances to protect the quality of surface water in and around the city. Inasmuch as these proposed ordinances are incorporated within Chapter 24 (Zoning Code) of the City Code, a public hearing is required. At its meeting on July 12th, the Plan Commission unanimously recommended approval of the ordinances.

It was moved by Ald. Pantuso, seconded by Ald. Jay to recommend setting a public hearing date of September 7, 2010 to consider the proposed ordinances. -7

(Ald. Organ present 8:08 p.m.) -8

Land Division Application, 6005 W. Martin Drive. The Chair reviewed an application by Keith Trafton, Bartolotta Management Group, and Brett Haney, HSI Development Partners, LLC for a land division by Certified Survey Map (CSM) at 6005 W. Martin Drive.

Ms. Welch explained that Bartolotta's catering operation owns the parcel to the east of the HSI property. HSI had previously obtained an easement from Bartolotta for purposes of access and parking for their property. It has since been decided to create a new CSM for the Bartolotta parcel and sell part of the property to HSI to accommodate the access and parking needs. This is preferable to the original easement agreement.

Brett Haney, HIS Development Partners, LLC, 20975 Swenson Drive, Waukesha, was present to answer question.

It was moved by Ald. Meaux, seconded by Ald. Pantuso to recommend approval of the land division to Council. -8

Request for Preliminary Planned Development Approval, 6745 W. Wells Street. Ms. Welch briefly explained the history of this proposal, which has been before the committee several times. If approved, this Business Planned Development will replace a vacant medical clinic currently on the site with a building comprised of eight townhouses and potential home office/retail uses. The development will provide 24 enclosed parking spaces for the residents; storm water control will be handled via a cistern under the parking area. The development will utilize a zero lot line strategy on the north (Wells Street) side of the building; setbacks on the east side will be 17 feet, 11 feet on the west (N. 68th Street) and 7 feet on the south.

The Plan Commission recommended denial of the plan in January and expressed the following concerns: There is no provision for garbage carts; the plan has a zero lot line; the design disregards the public realm on W. Wells Street; the design does not acknowledge the character of the neighborhood. Since then there have been some modifications made to that plan in an effort to address those concerns.

The Design Review Board approved the plans from an aesthetic standpoint on July 1 following several revisions.

Ms. Welch advised the committee that if it approves the Preliminary Plan, it should specify any findings that it wants clarified. The Final Plan approval will involve compliance with those requirements previously identified.

Bill Ibach, 2347 N. 100th Street, owner/developer, submitted a letter to the committee detailing the background of this proposal and addressing concerns raised at previous meetings. He also submitted letters from three neighborhood residents supporting the development.

Architect Jack Shepherd, 500 N. 99th Street, and Dan Glazewski, 1506 S. 56th Street, Milwaukee, (the architect of record), were present. Mr. Shepherd reiterated that the Design Review Board approved their building design by a vote of 6-1 on July 1. Many building details had been redefined.

On May 24th, in response to an invitation from the Jacobus Park Home Owners Association, the plans were presented at the Cummings' residence at 6732 Cedar Street. The width of the sidewalk on Wells Street was an issue; a six-foot width was suggested. Those present at this meeting recommended approval of the project.

The medical clinic building has been vacant for eight years. It will be replaced by a building some say is reminiscent of that found in some European villages. Many area merchants support this proposal. The dwelling units, each 2,400 square feet on three levels, are designed for those in their 'slowing-down' years. Provisions exist for private elevators for each unit. The *Life Alert* emergency response system has been recommended for inclusion by the Fire Department. The parking garage has entrances to the units within eight feet. Parking will be a drive-in/drive-out arrangement, with no backing out onto adjacent streets. Garbage collection will be handled internally; containers will be stored in the garage and taken outside on collection day.

Mr. Glazewski added that revisions made to the exterior of the building were done to match the surrounding buildings in terms of materials. Roof lines have been reduced. Considerably effort has been made to design a project that will be complimentary with the neighborhood. He also clarified that the Design Review Board will be reviewing the exterior building materials proposed for use at a later meeting.

Louis Corrao, 6742 W. Wisconsin Avenue, stated his primary concern was the footprint of the development. It is a very dense use for the size of the parcel and the building covers nearly all of the land. He inquired about setback requirements for Business Planned Developments (BPD), expressing concern with the placement of the building very close to existing lot lines. The mass of the building is incompatible with surrounding buildings. A mixed use is not necessarily a negative for this location, but the size and mass of this proposal are.

Ms. Welch stated that the Common Council can establish setback requirements, as they are not set forth for BPD's. Staff has made repeated requests for larger setbacks.

Jerry Styberg, 6804 W. Wisconsin Avenue, echoed Mr. Corrao's concerns regarding the size and scale of the development in relation to lot size. This is inconsistent with the character of the neighborhood, especially with respect to surrounding residential uses. He questioned the meeting of the home owners association previously referred to, noting that he is a member, but did not receive an invitation to the May 24th meeting.

Chris Schmidt, 6730 W. Wisconsin Avenue, noted that many issues concerning the building's appearance have been resolved. However, the lot size and the dense use proposed continue to be an issue for neighbors. While he supports re-development of this site, and supports Mr. Ibach making money on the project, he does not support the current proposal.

Mike Newman, 6630 W. Wisconsin Avenue, the treasurer of the Jacobus Park Home Owners Association, inquired what changes to the plans were made in the past two months. He added that he did not believe the home owners association made any kind of formal endorsement of this project; it is a social organization, not a political one.

Mr. Shepherd reiterated the proposed setbacks for the project and also pointed out that several existing buildings on adjoining properties are very close to the lot lines. A garage to the south is 1' 1" off of the property line; a house to the east is 2' 8"; a garage to the east is 1' 6." Many existing homes in this neighborhood are within a few feet of each other; some share driveways. The project's proposed setbacks are substantially more than what exist between other area properties. The zero property line is used on the north side of the project as the adjacent use is a street. He opined that it is important to maximize the use of available land, since it is a precious asset. The setbacks proposed

for this development are not unlike setbacks used in other metropolitan projects. The vacant clinic is five feet off the south property line.

Mr. Shepherd noted that the commercial aspect of this development is actually geared more for professional uses than retail uses. He added that the original plans called for 12 units, rather than the 8 now proposed. The commercial space was reduced. It is expected that each unit will sell for about \$400,000. Older residents often want to stay in their communities, but are forced to move elsewhere if no appropriate housing options are available to them.

Bill Gagliano, 523 N. 67th Street, a life-long resident of the area, stated that the current building is an eyesore; he urged the committee to approve this project.

Ms. Welch clarified that following the developers' attendance at the home owners association meeting in May, she had contact with the association. While the project was discussed, no formal vote was taken; nor was an official recommendation made.

Ms. Welch reiterated that preliminary plan approval sets forth standards for a development; final plan approval involves a compliance review of the conditions previously established.

In response to a request, Ms. Welch reviewed plan modifications since late 2009: The architect revised the Wells Street façade per Design Review Board recommendations. There is a tower feature on the corner. Some material choices have been changed. What remains to be determined is the committee's comfort level with the use of the zero lot line. All of the landscaping proposed for the north elevation will occur on the city's right-of-way and the sidewalk is proposed to be adjacent to the curb (along W. Wells Street). Another concern is the sidewalk's location on N. 68th Street; is it better to abut the curb in order to allow for more landscaping? The building's height is about 35 feet, the maximum allowed in a residential building. The overall mass of the building may be more of an issue. Attempts were made to address that issue by varying elevations, though the building itself still largely covers the entire lot.

In comparing this corner to the other three corners, Ms. Welch stated that the commercial properties on the two northern corners have buildings that come right up to the public sidewalk and virtually cover the lots. The southwest corner has a dentist's office in what used to be a house. The corner is surrounded by a residential district that has a maximum of 35% lot coverage. The lot coverage for this project is 80%, with 20% open space.

Ald. Birschel pointed out that this development will have more green space than either corner to the north. He added that Ald. Causier opined that the clinic was not well maintained even while in operation. It needs to be replaced. He and Ald. McBride agree that changes to the façade will improve its appearance. The developer can't amend this project much more without losing money.

In reply to Ald. Wilke's question about units being owner-occupied, Ms. Welch stated that an operational change to rental units would require Council approval. Mr. Ibach reiterated that these units will be owner-occupied. Documentation can be submitted prior to issuance of building permits to substantiate this statement.

When asked about room for recycling containers, Mr. Shepherd noted that each unit has a 24-foot by 30-foot basement for storage; additionally, the garage can accommodate bins.

Discussion ensued about creating more green space along N. 68th Street by eliminating some existing concrete currently abutting the street. Mr. Shepherd stated that the concrete was to accommodate buses that no longer stop at this location; the concrete can be replaced with grass.

In response to a query, Ms. Welch stated that the lot is currently substantially paved; the new development appears to create more green space than what currently exists.

Comments were made about relocating the sidewalk along Wells Street so it is next to the curb. It was pointed out that with people parking along the street, there is logic in having concrete (rather than grass) immediately adjacent.

It was moved by Ald. Nikcevich, seconded by Ald. Wilke to recommend approval of the preliminary plan contingent upon the following: Approval of an encroachment agreement for use of the public right-of-way; final approval of the storm water plans by the city engineer; final plans specifying construction materials; obtaining required permits; providing indoor storage space for refuse carts and recycling bins; planting grass adjacent to the curb on N. 68th Street; providing condominium declaration documents. Roll call vote, Ayes 8.

There being no further business, the meeting adjourned at 9:20 p.m.

Carla A. Ledesma, City Clerk

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