



CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER
7725 WEST NORTH AVENUE
Telephone: (414) 479-8917
Fax: (414) 479-8989

COMMUNITY DEVELOPMENT COMMITTEE Meeting – Tuesday, September 6, 2011 Committee Room #1

PRESENT: Alds. Birschel, Jay, Meaux, Nikcevich, Organ, Pantuso, Roznowski, Wilke – 6

ALSO PRESENT: A. Kesner, City Atty.; N. Welch, Comm. Devel. Dir.

Ald. Organ as Chair called the meeting to order at 6:32 p.m.

Ordinance amending Section 15.14.250 of the municipal code regarding signs in the Research Park District

Mr. Kesner explained that the Research Park had a couple of signs that were not according to code. After making some changes in some of the signs, the businesses decided to make sure that the sign code for the Research Park was more uniform for everything from monuments to wall signs.

Present in favor: Guy Mascari, 6619 W. Lloyd Street

No one present in opposition.

Mr. Mascari has a business in the Research Park. He concurred with Mr. Kesner saying that they are looking for uniformity. The first exception they made to the code was the Crown Plaza wall sign.

Mr. Kesner commented that this has been a two-step process from submitting sign plans to the Research Park Design Review Board and then the city Design Review Board. This change in ordinance basically doesn't change the technicalities of the sign designs, but reduces the process to just one review by the Research Park Design Review Board.

Mr. Mascari explained that the Research Park Design Review Board is appointed by the Research Park Board of Directors.

Moved by Ald. Birschel, seconded by Ald. Jay to recommend
for introduction this ordinance amending Section 15.14.250
of the municipal code regarding signs in the Research Park
District – 8

Conditional Use application in the AA Business District to add a bar area within the existing store at 11747 W. North Avenue

Ms. Welch explained that the difficulty with this application is that if the owner wants to have a tavern business there is very little the city can do to limit the hours of operation that are set by the state. The bar can stay open until 2:00 a.m. on weekdays and 2:30 a.m. on weekends.

Present in favor: Sukhal Gill, 11619 W. North Avenue
Rebecca Atkins, 11826 W. Woodland Avenue
David Carter, 4300 Penn Court, Brookfield

No one present in opposition.

Mr. Gill would like to add a lounge area to his retail store. He noted that they have a lot of competition with other stores selling alcohol in the area and they think the lounge area will set them apart. He assured committee members that this would not be a dive type bar. Mr. Carter stressed that he is always concerned about the quality of the businesses in the buildings he owns. Ms. Atkins noted that Mr. Gill has brought a nice business to the area.

The committee spent some time discussing the difference between retail and tavern licenses. It was emphasized that a tavern license puts more limitations on the city's ability to place conditions on the business. Although the owner would like to compare themselves to a Vino 100 type operation, comments were made by committee members that Vino 100 is a tavern located in the Village area. There is more of a buffer from residential homes than with the location for Tosa Wine and Spirits. One committee member thought there were some similarities to Vino 100.

Mr. Gill spoke about wanting to bring an upscale atmosphere to his business. If he couldn't have a bar area and bring in more customers he would have to go to selling more inexpensive products.

It was the consensus of the committee to hold this item for later in the meeting in order to give Mr. Kesner time to get back from his other meeting for questions the committee had regarding whether the city is prohibited by state statute from limiting the business' hours. They also had questions about revocation and/or non-renewal of the license if the business is having problems.

Mr. Kesner returned to answer questions. Ald. Organ asked if earlier closing hours were enforceable through the Conditional Use permit. Mr. Kesner responded that state alcohol laws prohibit the city from limiting a tavern's hours. He cautioned that a contractual commitment was not as strong. He said that revocation or nonrenewal of the license is a possibility, but the criteria is very difficult to meet.

Moved by Ald. Nikcevich, seconded by Ald. Pantuso to recommend approval of the Conditional Use. The committee found that Tosa Wine and Spirits operating as a tavern would not be detrimental to the surrounding area, Ayes: 6, Noes: 2 (Birschel, Meaux)

Amendment to the Mt. Tosa Neighborhood Business Planned Development to construct an assisted living/memory care facility at 1621 Rivers Bend, Scott Frank and Helmut Toldt, applicants

Ms. Welch explained that the proposal was to add assisted living/memory care to the Mt. Tosa Neighborhood project. The amendment to the development agreement has already been approved. This issue has to do with approving the change in the land use.

Present in favor: Brian Randall, Friebert, Finerty, St. John, 330 E. Kilbourn Avenue
Brad Servin, 230 Horizon Drive, Verona

No one present in opposition.

Mr. Randall explained the changes to the project which include using Building F to house the assisted living/memory care facility and making some small modifications to accommodate the new plans. He noted that all seven properties are on the tax roll now.

Mr. Sevrvin showed a PowerPoint presentation illustrating the look of the buildings. He noted that they will be Prairie Style with a variety of materials.

Mr. Randall emphasized that the design guidelines were worked on with the City Attorney. He added that these plans have been in the works for the last ten years and this is just one change during that time.

Moved by Ald. Meaux, seconded by Ald. Pantuso to recommend approval of the amendment to the business planned development. The committee finds that the change in plans will not be detrimental to surrounding properties – 8

The meeting adjourned at 9:02 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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