



CITY OF WAUWATOSA

MEMORIAL CIVIC CENTER
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COMMUNITY DEVELOPMENT COMMITTEE

Meeting – Tuesday, June 26, 2012

Committee Room #1

PRESENT: Alds. Berdan, Causier, McBride, Moldenhauer, Pantuso, Walz-Chojnacki, Wilke – 7

EXCUSED: Ald. Roznowski

ALSO PRESENT: Ald. Birschel; Mayor K. Ehley; J. Archambo, City Admin.; A. Kesner, City Attorney; P. Enders, Development Dir.;

Ald. Pantuso as Chair called the meeting to order at 8:09 p.m.

Conditional Use – 11104 W. Blue Mound Road

Ms. Enders commented that the Conditional Use permit would be for a Subway restaurant located at 11104 W. Blue Mound Road. The proposed hours of operation are Monday through Friday 7:00 a.m. to 9:00 p.m. and Saturday and Sunday 8:00 a.m. to 9:00 p.m. Approval should be contingent upon establishing hours of operation and obtaining any additional permits and licenses.

Moved by Ald. McBride, seconded by Ald. Moldenhauer to recommend approval of the Conditional Use for a Subway restaurant contingent upon:
1) hours of operation from Monday through Friday 7:00 a.m. to 9:00 p.m. and Saturday and Sunday 8:00 a.m. to 9:00 p.m., and 2) obtaining the necessary licenses and permits – 7

Conditional Use – 3140 N. 124th Street

Ms. Enders noted that the Conditional Use is for a Wendy's restaurant. The proposed hours of operation are Sunday through Thursday 5:00 a.m. to midnight and Friday and Saturday 5:00 a.m. to 1:00 a.m. As this location is not adjacent to residential, staff has no issues with the addition of outdoor dining and/or the later closing time. Approval should be contingent upon establishing hours of operation and obtaining any additional permits and licenses.

Moved by Ald. McBride, seconded by Ald. Wilke to recommend approval of the Conditional Use for the Wendy's restaurant contingent upon: 1) hours of operation from Sunday through Thursday 5:00 a.m. to midnight and Friday and Saturday 5:00 a.m. to 1:00 a.m., and 2) obtaining the necessary licenses and permits – 7

Conditional Use – 6810 W. State Street

Ms. Enders commented that the Conditional Use is for Topper's Pizza in the retail center at the corner of 68th and State Street where the PNC Bank is currently located. This location will primarily serve delivery

and carry out customers, but will provide limited seating (indoor and outdoor). The proposed hours of operation are 10:30 a.m. to 3:30 a.m. daily, with an 11:00 p.m. closing time for the outdoor dining. Approval should be contingent upon establishing hours of operation and obtaining any additional permits and licenses.

Present in favor: Damon Parr, 8575 Abbey Lane, Brookfield

Mr. Parr noted that these are the chain's usual hours and they cater to people who work the third shift, neighbors, and surrounding businesses.

There was a discussion regarding the impact of the hours on the surrounding neighborhood. There was also a concern that the late hours might encourage crime.

Ald. Pantuso recognized that hours of operation were very important to restaurants. He suggested limiting walk-in hours to 11:00 p.m., but the restaurant could still do delivery service until 3:00 a.m. Ald. Berdan noted that she would not be voting for this item due to the hours. Ald. Causier was concerned about noise and car activity.

Moved by Ald. McBride, seconded by Ald. Causier to recommend approval of the Conditional Use for the Topper's Pizza with outdoor seating contingent upon: 1) hours of operation from 10:30 a.m. to 3:30 a.m. daily, with an 11:00 p.m. closing time for the outdoor dining, a midnight closing time for walk-in customers, and 3:30 a.m. for delivery, and 2) obtaining the necessary permits and licenses. Vote on the motion was Ayes: 6, Noes: 1 (Berdan)

Alternatives for the western route of ATC Western Milwaukee County Electric Reliability Project

Mr. Kesner presented a number of options that are being considered as locations for ATC's Electric Reliability Project. He stressed that WE Energies does not have a role in supporting this project. They are prohibited from participating by law. Ald. McBride noted that although someone told him that they heard that he said he wanted overhead power lines on Walnut Road, they were mistaken. Ald. McBride never made that statement.

There were a number of people in attendance that spoke about their concerns for what will be decided, where, and in what way the power lines will eventually be located. They made suggestions regarding alternate routes. They also expressed their frustration at being told conflicting information and in some instances, being told lies. They expressed deep concern about the impact of the power lines on their neighborhoods and the aesthetics.

Residents present speaking about the issue were:

Mary Rose Armstrong, 1673 N. 119th Street
Mark and Diane Walters, 12012 W. Walnut Road
Claudette Robinson, 1706 N. 119th Street
Jenny and John Wisniewski, 11718 W. Walnut Road
Kathryn Hill, 10422 Fisher Parkway
Bernard Hansen, 12123 Underwood Parkway
Cheryl Nunn, Milwaukee River Keepers, 2400 N. 58th Street, Milwaukee
Mary Hughes, 1945 N. 118th Street

John Haupt, 1675 N. 120th Street
Bobby Palecek, 11615 Underwood Parkway
Jane Jindra, 11726 W. Walnut Road
John Bahr, 1674 N. 118th Street
Laura Soldner, 1733 N.119th Street

Moved by Ald. Wilke, seconded by Ald. Causier to convene into closed session per Wis. Stat. Sec.19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, and may reconvene into open session – 7

The committee convened into closed session at 10:50 p.m.

Moved by Ald. Walz-Chojnacki, seconded by Ald. Causier to reconvene into open session – 7

The committee convened into open session at 11:37 p.m.

Moved by Ald. Berdan, seconded by Ald. McBride to hold this Item until July 10, 2012 – 7

The meeting adjourned at 11:40 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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