



CITY OF WAUWATOSA

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COMMUNITY DEVELOPMENT COMMITTEE MEETING Tuesday, April 14, 2009

PRESENT: Alds. Birschel, Dennik, Herzog, McBride, Nikceвич, Stepaniak -6

EXCUSED: Alds. Hanson, Meaux

ALSO

PRESENT: N. Welch, Community Dev. Dir.; J. Archambo, City Administrator

Ald. Herzog as Chair called the meeting to order at 8:12 p.m.

Land Division – 12237 Watertown Plank Road

The committee reviewed a request by Paul and Teresa Jennings for a Land Division by Certified Survey Map in the AA Single Family Residence District at 12237 Watertown Plank Road. Ms. Welch reported that the applicants propose to divide a portion of their property to create another buildable parcel for construction of a new home. Both parcels would meet zoning requirements. Staff has pointed out concern about maintaining access since the new lot would include the existing driveway entrance. Also, at the Plan Commission meeting, neighbors raised concerns about stormwater issues. The applicants intend to work with the neighbors to resolve those issues. The Plan Commission unanimously recommended approval.

Ald. Birschel reported that he spoke to the owner of Hawks Nursery as well as residents on 123rd and 122nd Streets who are impacted by the stormwater issues. He indicated that he is not opposed to the land division but is concerned about issues that will arise in connection with issuing a building permit.

Moved by Ald. Stepaniak, seconded by Ald. McBride to recommend to Council approval of the Land Division. Ayes: 6

Land Division – Approximately 1500 Underwood Creek Parkway

The committee reviewed a request by James Keegen, Milwaukee County Parks, for a Land Division by Certified Survey Map in the Parks and Open Space District at approximately 1500 Underwood Creek Parkway. Ms. Welch reported that Milwaukee County proposes creation of a parcel of land along Underwood Creek Parkway that MMSD (Milwaukee Metropolitan Sewerage District) will acquire from the County for rehabilitation and maintenance of the Underwood Creek channel. Access to the parcel is across County land through an easement or intergovernmental agreement. Although this is essentially a landlocked parcel with no direct access to a roadway, there is no intent to use the parcel for development purposes. The Plan Commission unanimously recommended approval.

Kevin Cornell, HNTB Corp., 11414 W. Park Place, Milwaukee, and Jim Ciha, Milwaukee County Parks, 9480 Watertown Plank Road, were present representing the applicant. Mr. Cornell explained that although there is little water in the channel during this low-flow time of year, it does fill up during heavy rains. A diversion structure will ultimately carry water to the detention ponds on either side of Swan Boulevard that will

accommodate heavy overflows. Work underway at this time is in preparation for removal of the creek's concrete lining.

Moved by Ald. McBride, seconded by Ald. Stepaniak to recommend to Council approval of the land division. Ayes: 6

Conditional Use – Dog Exercise Area at Currie Park, 3535 N. Mayfair Road

The committee reviewed a request by Sue Black, Milwaukee County Parks, for a Conditional Use for a dog exercise area in the Parks and Open Space District at Currie Park, 3535 N. Mayfair Road. Ms. Welch reported that the proposal is for a 1.2 acre area where dogs can exercise off-leash. The facility would be available during normal park hours of dawn to dusk. Although no water will be provided, plastic bags and disposal receptacles will be available. There are public restrooms at the park clubhouse. The main entrance for the dog park will be from Capitol Drive to an existing parking lot, and parking will also be allowed along the existing parkway. The Plan Commission unanimously recommended approval.

The committee received copies of an email from Stephanie Quade, 11120 W. Gilbert Avenue, supporting the proposal.

Jim Ciha, Milwaukee County Parks, responded to questions about access and fencing. He felt that the road would not become a shortcut to the park since the maintenance yard is between the parkway and Capitol Drive with a fence that is normally locked on the north side. They have tried to improve sight lines by removing vegetation close to the entrance and will erect a standard park sign identifying the dog park area.

Moved by Ald. McBride, seconded by Ald. Nikceovich to recommend to Council approval of the Conditional Use. Ayes: 6

Conditional Use – JoJo's Martini Bar, 418 N. Mayfair Road

The committee reviewed a request by Myren Grosenick and Joseph Fugarino for a Conditional Use in the AA Business District at 418 N. Mayfair Road. Ms. Welch reported that Mr. Grosenick plans to take over ownership of the existing martini bar at this location. Mr. Grosenick, 2944 Highland Drive, Colgate, was present. He will operate it in the same manner as the existing business and will maintain the existing hours of 11 a.m. to 2 a.m. Monday through Friday and 11 a.m. to 2:30 a.m. Saturday and Sunday. The Plan Commission unanimously recommended approval.

Moved by Ald. Dennik, seconded by Ald. Stepaniak to recommend to Council approval of the Conditional Use. Ayes: 6

Preliminary Business Planned Development, Change of Zoning – 1234 N. 62nd Street

Ms. Welch reported on a request by Ryan Schultz, HSI Properties, LLC, for preliminary approval of a Business Planned Development and Change of Zoning in the AA Light Manufacturing District at 1234 N. 62nd Street, the former Derse property. Proposed is a four-story building with 148 residential rental units ranging from studio to two bedrooms plus den. All parking would be accessed from 62nd Street with most spaces enclosed on the ground level. The Design Review Board endorsed the concept but requested some changes prior to final review. Water supply issues having been moving toward resolution through the water superintendent. Other considerations still to be addressed relate to storm water, location of Schoonmacker Creek under the property, and sanitary sewer capacity calculations. A traffic study submitted to the city engineer anticipates volumes slightly below those generated by the Derse operation, including elimination of daily truck traffic. It was determined that a traffic signal at 62nd and State would not be warranted.

Brett Haney and Ryan Schultz of HSI Developers, Inc., 500 W. Silver Spring Drive, Glendale, were present. Referring to aerial photos and project drawings, Mr. Schultz described key components. The 6.25 acre property consists of a rectangular piece under 4 acres and a more triangular area just over 2 acres that would be dedicated to the City as green space and would provide pedestrian access to State Street as well as enhance preservation of the Schoonmacher reef along the bluff. The design was driven by this committee's comments to Derse representatives last year on the desirability of a more urban multi-family development.

Gene Guskowski of AG Architects, 1414 Underwood Avenue, described U-shaped buildings that are separated by urban style courtyards and service garages on an underground parking platform. Based on an assumption that most access would be off of State Street, the bulk of the enclosed parking would be accessed from the south along 62nd Street. Minimal traffic is foreseen at the front of the building to the north where there will be a circle drive and entrance canopy. By maximizing setbacks and stepping down at the edges, the building is respectful of the scale and size of single family houses on Martin Drive. Mr. Guskowski said the exterior design has an art deco/art modern look with a variety of materials used to break down the mass.

Mr. Schultz described the fit with existing architecture and uses in the neighborhood. Materials include cultured stone, cement fiberboard, and brick and metal components. The landscaping plan will incorporate existing trees with new plantings and other existing materials. The project will include a community gathering area, business center with computers and internet service, and a media room. Market studies indicate that high-end features will justify higher rents and attract a professional renter base. There would be a 500% increase in the \$50,000-60,000 annual property taxes paid by Derse. At a cost of approximately \$20 million, it will create hundreds of construction jobs over the next three years plus numerous ongoing jobs. The traffic impact analysis performed by R.A. Smith, a national firm, foresees a net reduction in trips per day with volume more spread out during the day. A net reduction in impervious surfaces will help improve stormwater conditions, and they will also incorporate systems to improve and filter water it as it passes through. The project coincides with the City's land use plan over the next 20-30 years. Mr. Schultz saw this as a key part of the puzzle as State Street is revitalized and redeveloped.

Mr. Haney emphasized that this project will be locally owned and managed. He reported that last week HSI Development won the Business Journal's Industrial Project of the Year Award, and their goal is a similar award for this project in the future. His family's partial ownership of this property for almost 25 years leads him to seek something special here, he said.

Bob Ornst, 6222 W. State Street, saw value in having a developer who steps in now rather than having a boarded up or demolished building. In the scope of four acres, the project really isn't that big, and a well designed, well run, high class apartment building makes sense in terms of the State Street master plan, he said.

William McNamara of Derse commented on discussions here last year that lead to the idea of multi-family residences. He felt that this project addresses concerns that this committee articulated. He noted that Derse has been a very good corporate neighbor and was very sensitive to what would be proposed.

Patty Vaughn, 1287 Martha Washington Drive; Linda McCabe, 1320 Martha Washington Drive; Gary Kandziora, 6124 Martin Drive; Kathleen Anheuser, 1269 Martha Washington Drive; Mary Ann Grages, 1307 Martha Washington Drive; Dave Wagner, 1342 Martha Washington Drive expressed concerns about the size of the project, its height in a neighborhood of two-story homes, possible decreases in home values, increased traffic volume on their street, use and maintenance of the park space, and the need for a traffic signal. There was a question of whether there is a limitation on the number of units per acre and whether the adjacent Reserve complex is fully occupied.

Mr. Kandziora commented that residents who are already dealing with a lot of traffic oppose an influx of new neighbors. There are 148 units here and 115 pending nearby plus two more developments, and he suggested that even more will be added between here and State Street. The developments will tower over the area, and he felt that this project will block the view of the sky from his own front window. Residents will lose financially while everyone else is gaining. If the project were half as large, it is possible there would still be a huge net gain in property taxes, he felt, although the owners wouldn't profit as much. He commented that an apartment complex is not needed to protect the Schoonmacher Reef, which has been there for millions of years and is covered with trees, soil, and river sediment. He asked who will care for the park and felt that climbing the bluff should be prevented.

Kathy Ehley, 7437 Kenwood Avenue, Historic Preservation Commission chair, strongly encouraged doing anything possible to help preserve the reef, a historical landmark and significant artifact in the United States.

Charlie Mitchell, 7525 Oak Hill Avenue, a member of the Historical Preservation Commission, said that he does not consider preservation of the reef as justification for the project but sees an opportunity to protect the reef. Mr. Schultz and Mr. Haney explained that their original vision was a passive park without a lot of heavy foot traffic. The green space would be deed restricted so that it would never be developed in the future.

Addressing a resident's earlier question about allowable density, Ms. Welch said that there would be about 23 units per acre if considering the entire parcel and 33 units per acre if calculated on just the portion east of 62nd Street. That is within Comprehensive Plan guidelines of 25-35 units per acre. The Reserve is at about 23-24 per acre and reportedly is at about 92-93% occupancy, which is good considering expected turnover.

(The committee recessed at 9:26 p.m. and reconvened at 9:33 p.m.)

Ald. Birschel reported on the issue of a solar easement and Mr. Kandziora's concern about loss of sunlight. He concluded that there is little indication of a negative effect.

John Buergeman of R.A. Smith, 16745 W. Blue Mound Road, Brookfield, responded to questions on the traffic study reportedly submitted to alderpersons via email. He said that they focused on peak morning and evening hours and found a net loss in trips when compared to Derse traffic. They found no decrease in the level of service at the intersection of 62nd and State where traffic volume does not meet minimum federal standards for a traffic signal. He clarified that the assumption was that 10% of the total volume would use Martha Washington Drive rather than 62nd Street to State Street. The plan focuses the new traffic away from the north side and places the main access point for parking on the south side. There is no access to interior parking from the north side. Mr. Guskowski added that despite the front door being on the north side, there will be a very visible entry for guests to get to the lobby from the south. Total interior and exterior parking spaces, calculated at 1.3 enclosed spaces per unit, slightly exceeds the City's code requirements.

Ald. Dennik said he is a member of the Menomonee Valley Partners board, which has been doing an excellent job of redoing the Menomonee Valley in Milwaukee. He toured the new Derse facility there and believes they did an outstanding job. He will vote present on this item due to a connection to HSI through his employer.

Ald. Nikcevich asked about the decision on the number of floors. Mr. Schultz explained the process of evaluating the site, considering the City's land use plan, and reviewing various iterations, which evolved into this plan. Rather than a two-story building that covers the entire site, there is now more interest with different heights, decks, and other elements. In terms of mass or units per square acre, the project is less dense than other recent projects. Closing out corners and corridors and having surface parking would be much more efficient, but they are proposing the highest level of quality for this type of project. Mr. Haney noted that they also identified elements of another nearby project that they did not like, such as the amount of asphalt and the enclosed, gated look. Mr. Guskowski added that the four stories are driven by the high water table in this

area, which means that the first story is primarily an enclosed parking garage. Once they know more about conditions underneath, it is possible they can go down one more foot. They have stepped back down to three stories in areas adjacent to single family facing mostly east and west. The closest four-story portion to residential is at a distance of almost 142 feet.

Asked about flooding and the reported tunnel under the site, Mr. Haney said that there is a stormwater pipe running underneath a major part of the Derse warehouse section. The majority of that pipe would go under the open courtyard area in their plan. A civil engineering firm is reviewing stormwater, and they have also met with the city engineer.

In terms of a timeline, Mr. Haney said that they would like to break ground by fall but cannot guarantee timing until they have a building permit in hand. They believe there is inherent value in the existing buildings and will not demolish them until they know the project will start the next day. Mr. Schultz said that the desire to phase construction in sequences was also a consideration.

Ald. McBride asked what would be allowed if the site were developed to the maximum. Ms. Welch explained that the Council has never set a specific density for planned developments. In AA Business zoning, a building could be placed within three feet of the property line, i.e., much closer to the sidewalk with less setback. Ald. McBride then asked about the market for the existing building. Mr. Schultz said that two recognized industrial real estate brokers toured the property and thought the likelihood of finding a single tenant was very slim and that using the buildings' full capacity would also be unlikely. As to mixed used spaces as seen in Milwaukee's Third Ward, Mr. Schultz said that they looked at square-foot rental rates and amenities and found that people are willing to pay a premium but want community spaces like a gathering room, media room, high quality materials, higher end building finishes, and different types of HVAC.

Ald. McBride said he understands the concerns but does not believe that sunlight will be an issue for nearby residents. If not this, what is the alternative? He fears this could be a vacant lot with gravel blowing around, which is not good for the city. He believes the developers have addressed complaints and concerns each time through the 4-5 iterations of their plans, and they will respond to the Design Review Board as well. He spoke of facing the reality of a whole new neighborhood but said he believes people ultimately will like the project and be proud of it. It is presented by a group of local developers with a reputable local architect and could be a pacesetter for what is still to come.

Moved by Ald. McBride, seconded by Ald. Birschel to recommend to Council approval of the change of zoning and approval of the Preliminary Planned Development contingent upon final approval of the design by the Design Review Board, approval of final plans for water supply by the water superintendent, approval of a final site plan showing stormwater and other engineering concerns by the City Engineer, and obtaining any other necessary licenses and permits.
Roll call vote: Ayes: 5; Present: 1 (Dennik)

Conditional Use – Outdoor Dining for Le Reve Café, 7610 Harwood Avenue

The committee reviewed a request by Andrew Schneider for a Conditional Use for outdoor dining in the Village Trade District at Le Reve Patisserie & Café, 7610 Harwood Avenue. Ms. Welch reported that the Common Council recently approved an encroachment agreement for seating within the public right-of-way. Conditional Use approval is also required for the use itself. Tables and chairs must be small and kept close to the building so they don't obstruct the sidewalk. There was extensive discussion of those limitations when the encroachment was reviewed by the Board of Public Works. Approved hours of operation of 6 a.m. to 12 midnight would not change. The Plan Commission unanimously recommended approval.

Kathy Ehley, 7437 Kenwood Avenue, owner of the building, supported the proposal. She said that outdoor dining is an important benefit for this restaurant that so many other restaurants also have.

Moved by Ald. Stepaniak, seconded by Ald. Nikcevich to recommend to Council approval of the Conditional Use. Ayes: 6

Earth Day Proclamation

With the creation of an Energy Committee and a staff Green Team, Ms. Welch reported that there is renewed interest in energy efficiency and sustainability and being environmentally sensitive. In that light, issuing a proclamation recognizing April 22 as Earth Day, was thought to be appropriate.

Moved by Ald. Birschel, seconded by Ald. McBride to recommend approval of recognizing April 22 as Earth Day. Ayes: 6

The meeting adjourned at 10:16 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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