



CITY OF WAUWATOSA

7725 WEST NORTH AVENUE
WAUWATOSA, WI 53213
Telephone: (414) 479-8917
Fax: (414) 479-8989
<http://www.wauwatosa.net>

COMMUNITY DEVELOPMENT COMMITTEE MEETING Tuesday, July 14, 2009

PRESENT: Alds. Birschel, Dennik, Hanson, Herzog, McBride, Nikcevich, Meaux, Stepaniak -8

ALSO A. Kesner, City Attorney; N. Welch, Community Dev. Dir.; J. Archambo, City
PRESENT: Administrator; K. Rusch, Admin. Intern; Alds. Donegan, Jay, Krol, Wilke,

Ald. Herzog as Chair called the meeting to order at 8:10 p.m.

Conditional Use – Massage Therapy Establishment at 10514 W. Blue Mound Road

The committee reviewed a request by Erica Vinson and Larry Ruka for a Conditional Use in the AA Business District at 10514 W. Blue Mound Road for a massage therapy establishment. Ms. Vinson was present. Ms. Welch reported that the business would operate in the existing building by appointment only between the hours of 9 a.m. and 8 p.m. Monday through Saturday.

Moved by Ald. Hanson, seconded by Ald. McBride to recommend
to Council approval of the Conditional Use. Ayes: 8

Conditional Use – Dance/Fitness Studio at 8816 W. North Avenue

The committee reviewed a request by Valerie Kufirin and Yue Kwong Hui for a Conditional Use in the AA Business District at 8816 W. North Avenue for a dance and fitness studio. Ms. Kufirin was present. Ms. Welch reported that the Plan Commission recommended approval with hours of 9 a.m. to 9 p.m. daily.

Moved by Ald. Dennik, seconded by Ald. Birschel to recommend
to Council approval of the Conditional Use. Ayes: 8

Conditional Use – Self-Storage Facility at 4480 N. 124th Street

The committee reviewed a request by Edwin Reitan, Reitan Architects, LLC, for a Conditional Use in the AA Industrial District at 4480 N. 124th Street for a self-storage facility. Mr. Reitan was present.

Ms. Welch reported that the facility would be comprised of four individual outbuildings and a portion of the existing industrial building on the site. Customers will have keyless entry during the operating hours of 6 a.m. to 11 p.m. daily. Staff will be on duty from 8 a.m. to 5 p.m. The facility will be fenced, and all existing landscaping will remain. The applicant has been advised of past flooding issues in this area.

Moved by Ald. Dennik, seconded by Ald. Hanson to recommend
to Council approval of the Conditional Use. Ayes: 8

Conditional Use – 11712 W. North Avenue

The committee reviewed a request by Deanna Hafner, Kwik Trip, and Dr. Stuart Hoffman for a Conditional Use in the AA Business District at 11712 W. North Avenue for the addition of beer sales at the existing Tobacco Outlet Plus. The applicants were present.

Ms. Welch reported that the existing Tobacco Outlet Plus is relocating to another suite within the same building and, as part of the move, would like to add beer sales. The Plan Commission recommended approval with hours of 8 a.m. to 9 p.m. daily. Ms. Welch noted that a similar proposal in 1999 was denied.

Ald. Birschel said that the new area will triple the store's square footage. Over the past 10 years, he has found that there have been no incidents there other than two retail thefts. He has never observed any loitering, and the store has passed all sting operations regarding sales to minors. He has been told that they plan to sell gourmet-type microbrews.

Moved by Ald. Birschel, seconded by Ald. Hanson to recommend
to Council approval of the Conditional Use --

Ald. McBride noted that this action would essentially create a new establishment and asked if there are too many liquor licenses in this area. Ms. Welch said that there are others nearby that sell liquor, but no concerns have been brought to her attention.

Vote on the motion, Ayes: 8

Rezoning – 431 N. 108th Place

The committee reviewed a request by William Ryan Drew, manager of Ryan431 LLC, for a change of zoning at 431 N. 108th Place from AA Single Family Residence District to Off Street Parking District. The rezoning of this property and the adjacent site at 443 N. 108th Place would provide additional parking for Mo's Irish Pub.

Ms. Welch indicated that under standard procedure, it is necessary at this point to introduce the rezoning ordinance to Council and set a Common Council public hearing date. She confirmed that a vote in favor of such a motion would be for that purpose only and would not indicate a position for or against the proposal.

Moved by Ald. Hanson, seconded by Ald. Birschel to recommend
to Council introduction of a rezoning ordinance and adoption of a
resolution setting a public hearing date of September 15. Ayes: 8

Rezoning – 443 N. 108th Place

The committee reviewed a request by Phillip Belanger for a change of zoning at 443 N. 108th Place from AA Single Family Residence District to Off Street Parking District. The rezoning of this property and the adjacent site at 431 N. 108th Place would provide additional parking for Mo's Irish Pub. Again, it is necessary at this point to introduce the rezoning ordinance and set a public hearing date.

Katherine Pinto, 511 N. 108th Place, questioned the process, noting that both rezoning proposals were reviewed last night by the Plan Commission. Ms. Welch clarified that the Plan Commission is an advisory body to the Common Council. Any rezoning applicant is entitled to due process, including a public hearing before the Common Council.

Moved by Ald. Hanson, seconded by Ald. Birschel to recommend to Council introduction of a rezoning ordinance and adoption of a resolution setting a public hearing date of September 15. Ayes: 8

Proposed Ordinance – Economic Development Advisory Committee

At the previous meeting, the committee reviewed a draft ordinance creating an economic development advisory committee, as recommended in the Ryan Horton/URS study commissioned by the City and the Wauwatosa Economic Development Corporation (WEDC). City Attorney Kesner noted that the proposed ordinance is structurally similar to those setting up other committees and commissions. Specific language was taken from the recommendations of the Economic Development Transition Team.

Ald. Donegan, chair of the Economic Development Transition Team, explained that the recommendation for an advisory committee is related to the lack of Common Council feedback on the Horton report. When it was presented to the Committee of the Whole and when the transition team reported, the Council was largely silent. The transition team did not think of themselves as a policymaking body and wanted to keep the conversation going with people with specific expertise involved in that conversation. His own opinion as a member of the team is that the Horton study is a step toward a very expensive and risky activity and it is very important to develop a substantial consensus as we go forward.

Ald. Krol commented that it is important to form an advisory committee now, not to create policy but provide future direction. Ald. Dennik said he was extremely impressed with the Horton study. Putting the advisory committee in place is a foundation that will enable us to go ahead with all the pieces in place when the market turns around, he stated. He felt that the current economic climate makes this a good time to proceed.

Ald. Birschel noted information he forwarded to committee members on ordinance language to address the creation of an economic development authority. Charter ordinance language came from several other communities.

Ald. Stepaniak commented that the executive branch—the mayor, city administrator, and community development department—have not articulated a strategy other than to create an advisory body. In the meantime, nothing is happening and we have no economic development function. The committee would have to organize itself, define its responsibilities, and determine what action to take. It is unclear who would staff the committee since the staffing recommended in the Horton report is not being recommended. He cited economic development efforts in Menomonee Falls, West Allis, West Milwaukee, and the City of Milwaukee and said we need to aggressively grow in this area. He felt that what is being proposed is inadequate.

Ald. McBride said that he believes there is a benefit in forming an advisory committee but would rather see this proceed as a package so that we know the full cost and what we are getting. He presented proposed revisions to the draft ordinance

Moved by Ald. McBride, seconded by Ald. Birschel recommend introduction of an ordinance incorporating the revisions proposed by Ald. McBride –

Ald. Dennik supported getting advice from people in the community. He noted major development efforts in which he has been involved that took some time to move forward; Menomonee Valley redevelopment, for example, took 15 years. He said that this is a very important first piece.

Ald. Nikceovich noted that former Ald. Maher referred to the community development department as underfunded and undermanned for over four years. At that time we had a functional economic development corporation that had earned over \$1 million in private donations in its 20 years. Having eliminated them, we are proposing a new group to advise us without any guidelines, bylaws, and experience. The department now has no outside arm and no additional funding. Where is the \$95,000 in former WEDC funding being held and why it can't be used for an economic development staff person?

Mr. Archambo responded that the \$95,000 cannot be spent for any purpose without a specific Common Council vote. The advisory committee is a first step among the very broad recommendations of the study, and they would make recommendations about staffing within the community development department. Ms. Welch added that there is no agreed upon job description, which is something that the advisory committee would be looking at, and Council approval of funding would be needed.

In response to further comments, Mr. Archambo said that the transition team struggled with how to proceed since the report is huge and touches on policy issues ranging from how the department should be organized to the use of TIF funding. The team arrived at bringing in economic development people from the community who are affected by the City's actions to identify a starting point and the direction to take so that we can align appropriate resources with benchmarks, intended goals, and community needs.

Ald. Donegan invited those who are arguing for more action to propose what to do next. If the thinking is that we should be guided entirely by the Horton study, then move to adopt it. It is not appropriate to look to staff for leadership and information. This is a significant policy decision for the Council.

Ald. Birschel said he had assumed and advocates that the advisory committee would include some of the same people who served on the WEDC—that this would just be a restructuring in terms of finances. Aids. Donegan and Herzog agreed that they would like to see a number of those people serve on this body.

Ald. McBride suggested that the Council president appoint a subcommittee to determine what elements of the Horton report to implement now, which Ald. Donegan felt might have merit. With the \$95,000 in reserve, Ald. McBride noted, an economic development person could be hired and any savings from the proposed reduction in Council size could go toward clerical staffing. This is a shared responsibility between the mayor and the Common Council. Given the current economy, there is time to plan and the opportunity shouldn't be squandered, he said.

Referring to the lack of questions or comments when these issues were presented to the Committee of the Whole, Ald. Stepaniak said that that is not an easy forum in which to take action and that should not be viewed an unwillingness to do anything. He contrasted the need to wait for direction from the Common Council with the practice of departments otherwise not waiting for instructions to carry out their duties. He felt that the mayor, city administrator, and community development department have a responsibility to come forward and identify a strategy.

Ald. Meaux said he shares many of the concerns raised, especially as to staffing resources. It has been his experience that, without resources or staff support, committee members drop out and it is difficult to keep the momentum going. He is concerned that it will shift directly or indirectly back to city staff. Compared to the fire station project where the advisory committee had a very specific task and the assistance of city staff and a consultant, this is very open-ended and puts the entire onus on the advisory committee members.

Ald. Nikceovich observed that this would be the same situation we had without even some of the experience and fundraising efforts. She indicated that she would have an additional motion.

Mr. Kesner indicated that a motion from the previous meeting to adopt the ordinance as drafted remains on the table.

Ald. McBride restated the motion as an amendment to the original motion incorporating the revisions he proposed.

Roll call vote on the amendment, Ayes: 6; Noes: 2 (Nikcevich, Stepaniak)

Roll call vote on the motion as amended, Ayes: 6; Noes: 2 (Nikcevich, Stepaniak)

The Chair adjourned the meeting, ruling that an additional motion was not in order inasmuch as the agenda item had been addressed.

The meeting adjourned at 9:32 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

es