



CITY OF WAUWATOSA
COMMUNITY DEVELOPMENT COMMITTEE
MINUTES • JANUARY 28, 2014

Regular Meeting

Committee Room #1

8:00 PM

7725 West North Avenue, Wauwatosa, WI 53213

COMMUNITY DEVELOPMENT COMMITTEE ITEMS

Attendee Name	Title	Status	Arrived
James Moldenhauer	Alderman	Present	
Kathleen Causier	Aldерwoman	Present	
Jeffrey Roznowski	Alderman	Present	
Gregory Walz-Chojnacki	Alderman	Present	
Dennis McBride	Alderman	Present	
Bobby Pantuso	Alderman	Present	
Cheryl Berdan	Aldерwoman	Present	
Jason Wilke	Alderman	Present	
Paulette Enders	Development Director	Present	

1. Reauthorization of a previous Land Division by Certified Survey Map (CSM) approval for Mayfair Mall, Stephen Smith, Mayfair Mall, LLC., and Brian Randall, Friebert, Finerty & St. John S.C., applicants

The applicant is requesting reauthorization of a previous Land Division by Certified Survey Map (CSM) approval for Mayfair Mall.

Ms. Enders said that in July, the Council approved this CSM that creates the parcel for the Nordstrom development. Since then, multiple entities reviewed the proposed survey and several technical corrections are required prior to recording it. As a result, the applicants and City staff thought it was appropriate to have the Council re-review and approve the CSM.

The committee expressed appreciation for this great addition to Mayfair Mall.

Moved by Ald. Pantuso, seconded by Ald. Causier
to recommend approval of the Land Division by
Certified Survey Map - Ayes: 8

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]
MOVER:	Bobby Pantuso, Alderman
SECONDER:	Kathleen Causier, Aldерwoman
AYES:	Moldenhauer, Causier, Roznowski, Walz-Chojnacki, McBride, Pantuso, Berdan, Wilke

2. Request by Mark Nielsen, Marcat Too Corp., and Joshua Jeffers, 6505-6519 West North Avenue, LLC., for a Conditional Use in the C1 District at 6519 West North Avenue for a restaurant with outdoor dining

The applicant is requesting a Conditional Use in the C1 District at 6519 West North Avenue for a restaurant with outdoor dining.

Ms. Enders said that the applicants would like to open a full service Vietnamese restaurant, Hue, with outdoor

dining and a lunch only Banh Mi sandwich shop in what is currently four tenant spaces in the building on the southwest side of North Avenue and 65th Street. The restaurant will be similar to the existing Bay View location and the sandwich shop is a new concept. The proposed restaurant capacity is approximately 100 persons inside and the proposed outdoor patio, with seating for approximately 40 persons, will be located at the rear of the building. The patio will be screened from neighboring properties by a new six foot high wood fence and the applicant plans to install overhead canvas flags to assist with patio noise reduction. No additional parking is required based on the change of use as the minimum parking ratio is the same for restaurants and retail/commercial uses in the C1 District. There is also some off street parking located on the east side of building. However, the patio eliminates some existing but difficult to access parking behind the building (approximately four spaces). The Plan Commission and Common Council can waive parking regulations through the Conditional Use approval. Bike parking is proposed on the east side of the building and in front of the building in the right-of-way. The applicants are aware approval of an encroachment agreement is necessary for the bike parking in front of the building. The proposed restaurant hours of operation are Monday through Saturday 11:00 a.m. to 2:00 a.m. and Sunday 8:00 a.m. to 9:00 p.m. with the outdoor dining open until 11:00 p.m. daily. The proposed hours for the sandwich shop are 10:00 a.m. to 3:00 p.m. daily.

The Plan Commission recommended approval 6-0 with the above hours to remain consistent with other businesses in the area, except for the outdoor dining which should close at 10:00 p.m., contingent upon an encroachment agreement for bike parking in the right-of-way, permitting the reduction of existing off-street parking spaces, obtaining any other licenses and permits, and the addition of an eight-foot fence around the restaurant patio.

Ms. Enders reported on the operating hours of other establishments in the area. The outdoor dining was consistent in an 11:00 p.m. closing time. The operating hours were a little more inconsistent with closing times but state law allows these establishments to remain open until 2:30 a.m.

Ald. Causier explained that as a member of the Plan commission, outdoor closing times of the other establishments in the area were not available, which is why the motion was made to close outdoor dining at 10:00 p.m. She said the Plan Commission would want consistency in outdoor closing times in the area.

Ald. Causier was dismayed at the loss of parking spaces for coolers and outdoor storage when parking in this neighborhood is at a premium. One of the business partners told the Plan Commission that employees will be directed to park at least two blocks away from the business.

Ald. Moldenhauer said this is a great idea for East Tosa and the outdoor seating is a fabulous addition to their business plan. Ald. Moldenhauer noted that the parking lot is so far hidden behind the building that it would be hard for people to even know that it existed. He was not concerned about the loss of four parking spaces.

The committee discussed their noise concerns and the eight-foot fence request. Ald. Causier explained that the noise would be from the outdoor condenser and diners' conversation. The tenants are installing overhead canvas flags as a sound barrier. The committee felt a solid fence would eliminate potential noise going through to the neighbors. Ald. Causier said the neighbor is fine with the outdoor patio but has requested the eight-foot fence.

Ald. Pantuso was happy with the construction done and the new modernized building. He said this is a great project for the east side. Ald. Pantuso was not concerned about parking. He said people will adjust and figure out where to park. The residents are used to walking in this neighborhood and parking should not be a problem.

Moved by Ald. Moldenhauer, seconded by Ald. Pantuso to recommend approval of the Conditional Use contingent upon the restaurant operating hours of Monday - Saturday from 11:00 a.m. - 2:00 a.m., Sundays from 8:00 a.m. - 9:00 p.m. with the outdoor dining open until 11:00 p.m. daily. The proposed hours of the sandwich shop are 10:00 a.m. - 3:00 p.m. daily. Also necessary is approval of an encroachment agreement for bike parking in the

right-of-way, permitting the reduction of existing off-street parking spaces, working with city staff on the addition of an eight-foot fence around the restaurant patio, and obtaining any other licenses and permits. Ayes: 8

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]
MOVER:	James Moldenhauer, Alderman
SECONDER:	Bobby Pantuso, Alderman
AYES:	Moldenhauer, Causier, Roznowski, Walz-Chojnacki, McBride, Pantuso, Berdan, Wilke

3. Request by David Lau, OnoKine Grindz, and Richard and Renee Bira, for a Conditional Use in the C1 District at 7215 West North Avenue for a restaurant with outdoor seating (OnoKine Grindz)

The applicant is requesting a Conditional Use in the C1 District at 7215 West North Avenue for a restaurant with outdoor seating.

Ms. Enders said that OnoKine Grindz was approved in 2010 as a deli and retail store with no seating. The addition of seating requires modification to the Conditional Use approval as the establishment is now considered a restaurant. The proposed hours are Monday through Saturday 11:00 a.m. to 8:00 p.m., and Sunday 11:00 a.m. to 6:00 p.m. The addition of seating and/or food preparation will require additional code related improvements to the space such as additional restrooms and accessibility. The applicant was told to contact the building inspector and Fire Prevention staff to discuss these requirements. An encroachment agreement by the Board of Public Works is also required as the outdoor seating is mostly located on the public sidewalk.

Plan Commission recommended approval 6-0 with the following conditions. Operating hours Monday through Saturday 11:00 a.m. to 8:00 p.m. and Sunday 11:00 a.m. to 6:00 p.m., compliance with building and fire codes, approval of an encroachment agreement for the outdoor seating and obtaining any additional permits and licenses.

Ms. Enders said that staff would like to add that before obtaining their restaurant license the building and fire code issues should be dealt with.

Guy Roeseler, 2244 S. Layton Blvd., Milwaukee said that they have an architect working on the plans and when complete they will be brought to the building inspector and the fire inspector for approval. He noted that they will not be making any changes to the outside. There would be two tables out front and they plan on rebuilding the back stairs.

Ald. Pantuso said this business is another success story. They have many unique items from Hawaii and is a fun place to go and the food is outstanding.

Moved by Ald. Pantuso, seconded by Ald. Moldenhauer to recommend approval of the Conditional Use contingent upon the hours of operation of Monday - Saturday 11:00 a.m. - 8:00 p.m., Sundays from 11:00 a.m. - 6:00 p.m., approval of an encroachment agreement for outdoor seating, compliance with building and fire codes before the restaurant license is approved, and obtaining any additional permits and licenses - Ayes: 8

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]
MOVER:	Bobby Pantuso, Alderman
SECONDER:	James Moldenhauer, Alderman
AYES:	Moldenhauer, Causier, Roznowski, Walz-Chojnacki, McBride, Pantuso, Berdan, Wilke

4. Request by Timothy Weiberg, Picnic Basket Restaurant of Wauwatosa, Inc., and Bluemound Strip Center, LLC., for a Conditional Use in the C2 District at 10600 W. Blue Mound Road for a restaurant (Picnic Basket)

The applicant is requesting a Conditional Use in the C21 District at 10600 W. Blue Mound Road for a restaurant.

Ms. Enders said the applicant, who owns and operates the Picnic Basket restaurant in Nashotah, proposes to open another location in the retail center located at 106th and Blue Mound Roads, occupying space that was previously Milio's and an adjacent vacant space. The Picnic Basket serves a variety of items including subs, sandwiches, wraps, salads, and pizza. The proposed seating capacity is 64 persons and the proposed operating hours are 7:00 a.m. to 11:00 p.m. daily.

The Plan Commission recommended approval 6-0 with the following conditions: operating hours of 7:00 a.m. - 11:00 p.m. and obtaining any additional permits and licenses.

Tim Weiberg, Nashotah, was present to answer any questions.

Moved by Ald. Walz-Chojnacki, seconded by Ald. Causier to recommend approval of the Conditional Use contingent upon the hours of operation of 7:00 a.m. - 11:00 p.m. daily, and obtaining any additional permits and licenses - Ayes: 8

RESULT:	RECOMMENDED FOR APPROVAL [UNANIMOUS]
MOVER:	Bobby Pantuso, Alderman
SECONDER:	James Moldenhauer, Alderman
AYES:	Moldenhauer, Causier, Roznowski, Walz-Chojnacki, McBride, Pantuso, Berdan, Wilke

Carla A. Ledesma, CMC, City Clerk