



CITY OF WAUWATOSA
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COMMUNITY DEVELOPMENT COMMITTEE MEETING

Tuesday, January 14, 2014

Committee Room #1

PRESENT: Aids. Roznowski, Pantuso, Moldenhauer, Walz-Chojnacki (8:18), McBride, Berdan, Wilke, Causier - 8

ALSO PRESENT: A. Kesner, City Attorney; P. Enders, Economic Dev. Director

Ald. Roznowski as Chair called the meeting to order at 8:00 p.m.

Conditional Use in the C2 District at 11811 W. Blue Mound Road for a group living facility

The applicant is requesting a zoning code change to add "Group Living" as a Conditional Use in the C2 District to allow Wisconsin International Academy to purchase and convert the Day's Inn hotel to a residence for international high school students.

Ms. Enders said that the Plan Commission approved this 6-0 and proposed a hearing date of March 4, 2014.

Ald. Pantuso felt this will be a great addition to the city and looked forward to further discussion.

Ald. McBride concurred and noted that the Medical College is attracting people from all over the world.

Moved by Ald. Pantuso, seconded by Ald. Causier
to recommend introduction of an ordinance for a Zoning Code
Text Amendment and to set a public hearing date of March 4, 2014 – Ayes: 7

Zoning Map Amendment from R8 District to R8 District/Planned Unit Development Overlay at 8402, 8416, and 8426 W. North Avenue

The applicant is requesting a zoning change from R8 District to R8 District/Planned Unit Development Overlay on the parcels located at 8402, 8416 and 8426 West North Avenue and 2315 North 84th Street for a multifamily housing development, including new construction.

The item, as well as the related preliminary plans for the Planned Unit Development, is scheduled to return to the Committee on March 11, 2014 for discussion - additional information will be provided for that meeting.

Ms. Enders said the Plan Commission approved this 5-0 and recommended setting a hearing date of March 4, 2014.

Ald. Roznowski said they had a neighborhood meeting and good discussion at the Plan Commission and looks forward to further discussion.

Moved by Ald. Pantuso, seconded by Ald. Moldenhauer
to recommend introduction of an ordinance for a Zoning Map
Amendment and to set a public hearing date of March 4, 2014 – Ayes: 7

Land Division by Certified Survey Map at 1300 Discovery Parkway

Ms. Enders said that this is a request by David Gilbert, UWM Real Estate Foundation, for a Land Division by Certified Survey Map at approximately 1300 Discovery Parkway. The request is a re-division of previously approved Certified Survey Map into three parcels to accommodate pending development at UWM Innovation Campus.

Ms. Enders said the Plan Commission approved this 6-0.

David Gilbert, UWM Real Estate Foundation, explained that the operative piece is for Lot #3 to be able to build an extended stay hotel which is an important amenity for the campus.

Moved by Ald. McBride, seconded by Ald. Pantuso
to recommend approval of the request by David Gilbert,
UWM Real Estate Foundation for a Land Division by Certified Survey
Map located at approximately 1300 Discovery Parkway for a hotel.

Ald. McBride said that an important aspect of the hotel is not only to provide a service to the people coming to the campus to do research, but will help insure the success of the TIF project.

Vote on the motion: Ayes: 7

Land Combination request by the Woman's Club at 7517 Milwaukee Avenue

The applicants would like to combine the two adjacent parcels (7517 Milwaukee Avenue and 1626 Wauwatosa Avenue) owned by the Woman's Club. The combination will create a parcel with split zoning as 1626 Wauwatosa Avenue is zoned C1 District and 7517 Milwaukee Avenue is R1-6 District due to denial of the recent rezoning request. The proposed combination meets the dimensional standards in the City Code, so there is no legal basis to deny this request, and approval of this request will not permit the Woman's Club to expand their parking lot. However, while the Woman's Club is addressing a concern that was raised during the rezoning request, staff does not encourage the creation of parcels with multiple zoning classifications.

Atty. Brian Randall, Friebert, Finerty & St. John, S.C., 2602 N. 88th St. was present representing the Woman's Club

Ald. McBride asked if the restrictions imposed on the original parcel in 1924 apply to the new parcel. Atty. Randall said this was discussed at the Plan Commission meeting and he has not seen the deed. He advised that the club bylaws have a provision that addresses the disposition of club assets. He said whether it's solely in the bylaws or the deed restriction he couldn't speak to, but the combination of the newly acquired parcel along with the original parcel, in his opinion would tie the two parcels together, giving the city control. Mr. Randall explained that this is the Woman's Club effort to combine the two parcels to ensure everything is treated the same legally and practically.

Atty. Kesner was asked his opinion on this. He said the deed restrictions themselves would not apply automatically to the new part of the parcel. The bylaws of the organization do limit the uses of their property. They, as owners, could place deed restrictions on their property although it is tricky to place restrictions on your own property in your own favor because you would have the power to waive them in the future. He felt that the bylaws are protective.

Walz-Chojnacki present at 8:18 p.m.

Ald. Pantuso questioned why staff was not making a recommendation on this. Ms. Enders responded that staff is only as good as our records because of the split parcel. She felt with the new Assessor software and GIS it will be much easier. With the existing software it is difficult to determine where the line is.

Moved by Ald. Moldenhauer, seconded by Ald. McBride
to recommend approval of the land combination – Ayes: 8

Zoning Map Amendment from M1 District to C2 District at 6510 West State Street

Request by David Ewanowski, Kee Architecture, and Brad McClain, UW Credit Union, for a Zoning Map Amendment from M1 District to C2 District at 6510 West State Street.

The applicants are requesting a zoning change from M1 District (light industrial) to C2 District (general commercial) on the former Eckert Door parcel to accommodate a UW Credit Union branch office. The proposed rezoning is consistent with the zoning of the commercial properties in the immediate area (Walgreens, Sentry, etc.) as well as many to the west along State Street. The proposed rezoning and use are also consistent with the City's Comprehensive Plan that identifies this property for planned mixed use, as staff interprets mixed use as being applicable to the general area, not necessarily on each individual site especially when developed on an incremental basis. Overall, the area along State Street should redevelop as a mix of uses, including retail, offices, and housing.

The Plan Commission reviewed this item in November and recommended approval 4-0. A public hearing was held before the Council on January 7th and no comments were received.

Ald. Roznowski explained that they would discuss agenda items #5 and #6 together, but would take separate votes since both agenda items are for the same proposal.

David Ewanowski, Kee Architecture, 621 Williamson St. Madison, WI and Cheryl Weisensel, UWM Credit Union, Facilities Manager, Madison, WI were in attendance to answer any questions.

Ms. Weisensel reviewed some history of the UWM Credit Union with the committee.

- The credit union was founded in Madison in 1931
- There are 22 branch locations including six on campus
- Has over 185,000 members and 426 employees
- Fourth largest credit union in Wisconsin
- The credit union has \$1.6 billion in assets
- Members by UWM affiliation = 60%

Ms. Weisensel said they are very excited about this piece of property that is available and they are happy to expand into another Wauwatosa location.

Mr. Ewanowski discussed the parcel which is the former Eckert Door and currently vacant. He noted that it is consistent with the mixed use and commercial use in the long range plan of the city. The current site is 100% paved where there are no buildings. The proposed plan reduces the amount of impervious area by about 30%. The approximate square footage of the building is 5,000 sf with four drive-up lanes.

Mr. Ewanowski explained that there will be 29 parking parcels and a robust landscape plan. The building will have a large lobby and the teller area will be in the back of the building. They are envisioning the building to be compatible with other buildings in the area as well as compatible materials.

Mr. Ewanowski asked the committee for consideration of the zoning map change as well as the conditional use.

Ald. McBride commented that an obsolete property is being replaced with an attractive building with landscaping. This will be a great addition as well to the new apartment complexes in the area.

Ald. Wilke was appreciative of all the green space incorporated into the plans.

Moved by Ald. McBride, seconded by Ald. Walz-Chojnacki
to recommend introduction of an ordinance for a
Change of Zoning from M1 District to C2 District at
6510 West State Street – Ayes: 8

Conditional Use request by UW Credit Union for a credit union with drive-through

Request by David Ewanowski, Kee Architecture, and Brad McClain, UW Credit Union, for a Conditional Use at 6510 West State Street for a credit union with drive-through

As mentioned in and contingent upon approval of the related Map Amendment (zoning change) request, the applicants would like to demolish the existing Eckert Door building and construct a 5,000 s.f. UW Credit Union branch office. Absent a drive-through, this development would be a permitted use but the drive-through component prompts a Conditional Use approval. However, the drive-through meets the zoning code regulations and the development, in particular the drive-through, has little to no negative impact on the neighboring properties. The building will be located at the front the property, near the property line, with the drive-through located behind the building. The location will have multiple ATMs - two in the third and fourth drive-through lanes, and one at the front of the building for walk up or biking riding customers.

Ms. Enders said that the drive-through meets the zoning code regulations and has minimal impact on the neighboring properties. The parking lot is screened by a wall near the sidewalk that incorporates bench seating. There will be accommodations for bike racks.

The Plan Commission reviewed this item in November and recommended approval 4-0.

Ms. Enders confirmed the hours of operation with the applicant.

Moved by Ald. Berdan, seconded by Ald. Causier
to recommend introduction of an ordinance for a
Conditional Use at 6510 West State Street, contingent

upon the operating hours of Monday-Friday from
7:30 a.m. – 6:00 p.m. and Saturdays from 8:30 a.m. – 1:30 p.m. – Ayes: 8

Conditional Use in the C2 District at 418 N. Mayfair Road for a drinking establishment with outdoor seating

The committee reviewed a memo from the City Planner regarding a request by Brian Randall, Friebert, Finerty & St. John, S.C., and Angeline Fugarino for a Conditional Use in the C2 District at 418 North Mayfair Road for a drinking establishment with outdoor seating.

Ms. Enders said the applicants want to operate a World of Beer tavern, including covered outdoor seating, in the former Manpower space located at the northeast corner of Blue Mound and Mayfair Roads. If approved, this would be the second location in the Milwaukee area - the other is on Brady Street. In addition to offering beer, World of Beer offers wine, craft cocktails, food, and live entertainment. The majority of the proposed outdoor seating will be located at the front of the building with a small amount wrapping around the north side of the building. Although the patio removes one existing parking space, the provided parking for the entire development meets code requirements. The applicants will need to submit a revised parking lot plan to Engineering and the outdoor seating enclosure will need Design Review approval. The proposed hours of operation, including the outdoor area, are Sunday through Thursday 10 a.m. to 2 a.m. and Friday and Saturday 10 a.m. to 2:30 a.m. Although the building buffers much of the outdoor area from the residential neighbors to the east, the City has often limited similar uses to 11 p.m. (at the latest) when adjacent to residential properties.

Ms. Enders said that the Plan Commission recommended approval 6-0 based upon the operating hours of Sunday through Thursday 10 a.m. to 2 a.m. and Friday and Saturday 10 a.m. to 2:30 a.m., applicant to work with the Engineering Department regarding parking issues on 107th Street, Design Review Board approval of the outdoor enclosure, outdoor music stopping at midnight, and obtaining any additional permits and licenses.

Brian Randall, Friebert, Finerty & St. John, S.C., updated the committee on the Plan Commission recommendation. The parking issues will be worked out with the Engineering department. The midnight deadline condition for outdoor music is not a problem and they accept the condition. Mr. Randall clarified the occupancy limit inside the building to be 84 or whatever limit the inspector puts on capacity.

Mr. Randall introduced Jeff Ferchoff, owner and vice-president of the entity. He is the local representative and is here to answer any questions.

Jeff Ferchoff, 9073 W. Lake Drive, Greendale, explained the sound system of the business which is controlled by the staff. There will not be typical bands just background acoustical band music. The restaurant will have a full kitchen with tavern food and will serve craft beers. Mr. Ferchoff said that the outside seating will have a capacity of 42.

The committee discussed the location and operating hours. It was noted that this location is different in that the business is surrounded by a residential neighborhood on one side and a major highway on the other side. The committee expressed concern for protection of the neighborhood from loud music.

The outdoor hours of other establishments in the area were addressed. The committee felt that there needs to be consistency in setting a closing time for outdoor patios.

Ms. Enders spoke on the matter. She noted that Starbucks, Jacksons and Mo's Irish Pub all have different patio times. She noted that North Avenue is most consistent with outdoor seating as there are neighborhoods right behind them.

Ald. Walz-Chojnacki felt that 10:00 p.m. would be a good closing time for the patio.

Ald. Causier said that the Plan Commission really was not interested in changing the requested hours although she has a concern. She said it was thoroughly discussed and went nowhere. Ald. Causier asked Mr. Ferchoff to please be a good neighbor.

Ald. Pantuso agreed that there should be a consistency in closing times to be fair to all businesses. He felt it would be fair to go along with the requested hours and if problems arise it can be reviewed and changed if necessary.

Mr. Ferchoff said that his restaurant on Brady Street is very residential with apartments above the restaurant and there have not been any problems. The music will just be background music, no loud bands.

Ald. McBride felt the city does a bad job in uniformity, that there isn't any criteria. He felt a 2:00 closing time is too late in a residential neighborhood for a patio. We shouldn't open up the entire city to a 2:00 a.m. outdoor closing time. The City Attorney advised that by state law, bar closing time is 2:30 a.m.

Ald. Wilke said the hours could be scaled back if complaints arise. He felt the city does want a more dynamic community with younger people, but felt all business should have the same criteria.

A bike rack was suggested to be added to the plans if not already included. Mr. Ferchoff said they would try and work something out.

Moved by Ald. Walz-Chojnacki, seconded by Ald. McBride
to recommend approval contingent upon hours of operation
Sunday – Thursday from 10:00 a.m. – 2:00 a.m. and Friday and
Saturday from 10:00 a.m. – 2:30 a.m., no outdoor music after midnight,
Design Review Board approval of the outdoor enclosure, new parking
lot plan submitted to Engineering, and work with the Engineering department
to address parking on 107th Street -

Ms. Enders questioned whether the motion should include the bike racks. Mr. Randall noted that they are only the tenants but would try to include them. The City Attorney said they could include that as part of the lease condition. Ms. Enders noted that the new zoning code permits the loss of one parking spot for a bike rack.

The motioner and second added the inclusion of bike racks to the motion.

Moved by Ald. Walz-Chojnacki, seconded by Ald. McBride
to recommend approval contingent upon hours of operation
Sunday – Thursday from 10:00 a.m. – 2:00 a.m. and Friday and
Saturday from 10:00 a.m. – 2:30 a.m., no outdoor music after midnight,
Design Review Board approval of the outdoor enclosure, new parking
lot plan, including bike racks, be submitted to Engineering, work with
Engineering addressing parking on 107th Street, and obtaining any
additional permits and licenses – Ayes: 8

Final plan approval of Phase 2 and an amendment to Phase 1 of a Planned Unit

The committee reviewed a memo from the City Planner regarding a request by Tim Blum, HSA Commercial, for final plan approval of Phase II and an amendment to Phase 1A of a Planned Unit Development at approximately 11500 W. Burleigh Street for a retail development.

Ms. Enders said the applicant is requesting approval of plans for Phase II and modification to the Phase 1A plan approval for The Mayfair Collection. This application also requests modification to the Phase 1A sign criteria manual and approval of overall site signage.

Phase II consists of approximately 17 acres, divided into three segments as follows:

- East Segment - Located at approximately 111th and Burleigh Streets, development in this area will adaptively reuse the existing building as well as include new construction for commercial and retail users, including an organic grocery store, a bank with drive-through, and a restaurant. A parcel is also reserved for a possible City fire station. Final plans for this segment are essentially consistent with the preliminary plans. Slight modifications include relocation of the proposed bank to the east, inclusion of the fire station parcel, and additional retail/commercial space.
- Center Restaurant Segment - This segment is located in the middle of the site between 112th and 114th Streets and bounded on the south by Burleigh Street and the development's internal east-west street on the north. Four restaurant users, a plaza, and a surface parking lot are planned for this area. This segment was approved in Phase 1A final plans as open space but the uses of the current plan are consistent with the approved preliminary plan. Site modifications include relocation of two restaurant buildings further north with the surface parking lot along Burleigh Street.
- Hotel/Structured Parking Segment - This segment, located at approximately 115th Street and behind the inline retail development, was also included in the Phase 1A final plans as surface parking. The current proposal is construction of a hotel, structured parking, and a restaurant.

As The Mayfair Collection is a planned development, no base sign code applies. Per 15.14.190 Planned Development, signage in a planned development shall be controlled by the provisions in the plan as adopted by the Common Council. Sign regulations that were developed by the applicant were adopted during the Phase 1A final approval. However, now that spaces are being leased, many tenants are requesting signage that does not comply with the adopted regulations. In addition, various development signs were depicted in various renderings of the site during previous approvals but exact locations and dimensions of these signs were not provided. These signs, with details, are incorporated as part of this request.

Final plans are reviewed for compliance with conditions set during the preliminary review, as delineated in the Council resolution. There are not any major deviations from the preliminary plans.

Brian Randall, Friebert, Finerty & St. John, S.C., said they have been working very hard with city staff on Phase II. There have been no major deviations and the vision and concept has already been demonstrated in Phase I of the project. It is a very exciting project and there has been great interest in this development.

Mr. Randall said that the developer is looking for some criteria regarding signage for their tenants. There has been requests from some tenants to deviate from what HSA wants to see and they would appreciate receiving criteria to show their tenants what has been city approved.

Mr. Randall said the project master signage on HWY 45 and Burleigh is a new proposal before the committee tonight. They would like the committee to provide direction on this and if additional time is necessary they understand that. He noted that they would like to receive final approval on Phase II this evening so they can proceed with zoning, and make some final commitments on some leases and make some official announcements.

Tim Blum, HSA Commercial, Chicago, updated the committee on Phase I and said they are about 80% complete with signed leases or are under negotiations with quality tenants. This phase will be complementary to Mayfair Mall. There have been a few bumps in the road and maybe has taken a little longer than expected but they are working on Phase II negotiations which will lead to the start of construction sometime in April.

Mr. Blum said as part of Phase II they are in negotiations with an organic grocer, some good quality local restaurateurs and some unique restaurants. A hotel is also planned in Phase II.

Ald. Wilson was surprised and happy that this project has gone so well. He felt Phase II is a natural extension. This has proven what can go well here. This shifts the epicenter of Wauwatosa and has been positive press for the city. He felt everyone is in favor of what is happening there. Ald. Wilson felt the building signage tools are necessary for the developer.

Ald. Tilleson likes the city look of the development.

Ald. McBride congratulated Mr. Blum on his vision and are able to pull it off. He felt the 'little city' look in a big piece of land and with the mixed tenants it will be complementary to Mayfair Mall. He also thanked Mr. Blum for the piece of land given for the fire station. Ald. McBride said it is time for the city to expect the best and demand excellence as shown can be done.

Moved by Ald. McBride, seconded by Ald. Wilke
to recommend approval contingent upon approval by appropriate city
staff related to utilities, engineering, traffic, fire and building codes,
final design review board approvals, approval of an updated Developer's
Agreement, and obtaining any other licenses and permits, with the exception
of the project/monument signage which will be held for further discussion –

Ald. Wilke liked the look of an urban town center with walkable space and had questions about the landscaping.

Mr. Blum said that bike racks will be provided in the promenade area of the parking lot. Mr. Blum said they would like to see concerts or farmers markets in the plaza area to help define this space.

Ms. Enders explained that the landscape plan will be approved by the Design Review Board but that plans will be made available.

Ald. Roznowski thanked Mr. Blum for his time and expertise. He suggested bike sharing to be included in this development. Ald. Roznowski noted that as we are building this great destination we need to be mindful of the infrastructure that will be necessary and that this will have to be grappled with in the future.

Vote on the motion – Ayes: 8

The meeting adjourned at 9:50 p.m.

Carla A. Ledesma, City Clerk
City of Wauwatosa

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