



CITY OF WAUWATOSA
COMMUNITY DEVELOPMENT COMMITTEE
MINUTES • SEPTEMBER 30, 2014

Regular Meeting**Committee Room #1****7:00 PM**

7725 West North Avenue, Wauwatosa, WI 53213

COMMUNITY DEVELOPMENT COMMITTEE ITEMS

Attendee Name	Title	Status	Arrived
Kathleen Causier	Aldерwoman	Present	8:44 PM
Craig Wilson	Alderman	Present	9:07 PM
Tim Hanson	Alderman	Present	7:45 PM
Bobby Pantuso	Alderman	Present	
Cheryl Berdan	Aldерwoman	Present	
Matthew Stippich	Alderman	Present	
Michael Walsh	Alderman	Present	
Allison Byrne	Aldерwoman	Present	
William Porter	Public Works Director	Present	
Alan Kesner	City Attorney	Present	
Paulette Enders	Development Director	Present	
Marion Sodnik	Administrative Intern	Present	

1. Request for appeal by Jack Hughes, 611 N. 68th Street, regarding denial of encroachment request for a garage

The committee reviewed a request by Jack Hughes, 611 N. 68th Street, regarding denial of an encroachment for a garage.

The Board of Public Works heard Mr. Hughes' encroachment request on August 18, 2014 and denied the request due to the fact that the existing garage is almost on top of the water main which is over 75 years old. This water main also provides service for homes that are on Crescent Court.

The property owner at 611 N. 68th Street, is requesting a variance to construct a new garage within the limits of a utility easement at the west end of their property. The Water Superintendent and the City Engineer do not support an encroachment into the city's utility easement.

The Wauwatosa Water Utility currently has over 30,000 feet of water mains installed in utility easements throughout the city. Most of these water mains were originally installed in a time range dating from 1919 to 1930. Over the years numerous property owners have built fences, constructed retaining walls, planted gardens, and trees within the designated utility easement limits. A few homeowners have installed decks, sheds, playsets and in this specific case, a garage has been built within the easement limits directly over the water main.

Mr. Wojcehowicz noted that site accessibility in time of a water emergency is crucial for the utility as they attempt to reduce the time a water main needs to be taken out of service for our customers while we make repairs.

The City Attorney explained why the Board of Public Works denied the encroachment. It was felt that it wouldn't be a good idea to build a new garage in the easement over the water utility.

Mr. Wojcehowicz said his memo is self-explanatory and that the City is not asking the homeowner to remove the garage. He said it wouldn't be prudent for the Council to approve the request in the event that there were a main break.

The committee questioned whether any encroachment requests were granted to the neighboring homes who built garages over the utility. The City Attorney advised that an easement was granted to the neighbor after the garage had already been built, when a building permit was requested.

Mr. Wojcehowicz said that the water main is close to 100 years old and at the end of its lifetime. He answered a question that it would be a huge expense to move the water utility to Crescent Court.

Jack Hughes, 611 N. 68th Street, said he is interested in replacing a deteriorating garage and wants to prevent further deterioration. He said he was willing to move the garage off the water main a bit.

Ald. McBride met with Mr. Hughes and explained that they have a beautiful home and backyard. He felt that there must be some solution for a compromise to be made. He hoped that the City and Mr. Hughes could get together and work something out. Ald. McBride noted that the garage is deteriorating, the wood is rotting and animals are getting into the garage. He wanted to support a homeowner that takes care of their property.

The City Attorney advised the committee that they could make a finding to grant the encroachment, or grant the homeowner some encroachment, deny, or send the item back to the Board of Public Works by providing some direction for the Board to take.

Mr. Hughes suggested that if he moved his garage up by five-feet, the roof lines would be bad in comparison with the neighbors and he wouldn't be able to easily pull into the garage. He didn't feel there would be a good turn ratio and was concerned about the closeness of the garages which would be out of context with the rest of the neighborhood.

Mr. Wojcehowicz explained that by moving the garage three-feet off the utility, there would still be a safety concern for his crew if excavation is necessary. He suggested the garage be moved five-feet. The Water Superintendent explained that it is common in this area for utilities running through back yard.

Moved by Ald. Walsh to approve the encroachment request.
Motion dies for lack of a second.

Mr. Wojcehowicz said he has had to deal with the decisions made a long time ago and was sympathetic to the homeowner. However he didn't feel that moving the garage closer to the neighbors would be the worst thing.

Ald. Stippich said he was struggling with his decision. He understood that the utility is of critical importance but the homeowner has a dilapidated garage and could be required to repair or replace the garage if a complaint were made. He questioned if the homeowner were to repair the garage without a teardown, couldn't he repair two or three walls without a permit?

Ald. Walsh said that age of the water main should not be the sole determinant of the water structure, when it leaks, it needs replacing. He felt it was unnecessary to make a worst case scenario for this instance when there is a small chance that it would happen. The garage needs to be replaced.

Mr. Hughes was asked to work with the City Engineer.

Moved by Ald. Stippich, seconded by Ald. Berdan to recommend referring this item back to the Board of Public Works to reach a compromise on the size and design of the garage with minimal impact on the water main - Ayes: 4 Noes: 1 (Walsh)

RESULT:	REFERRED [4 TO 1]
MOVER:	Matthew Stippich, Alderman
SECONDER:	Cheryl Berdan, Alderwoman
AYES:	Pantuso, Berdan, Stippich, Byrne
NAYS:	Walsh
AWAY:	Causier, Wilson, Hanson

2. Request by John Czarnecki, The 2100 LLC., for a preliminary plan approval for a Planned Unit Development at 2050 North Mayfair Road and 2100 North Mayfair Road for a multifamily housing development

The committee reviewed a memo from the City Planner regarding a request by John Czarnecki, The 2100 LLC, for a preliminary plan approval for a Planned Unit Development at 2050 North Mayfair Road for a multifamily housing development.

In February, the Plan Commission approved preliminary plans for a 134-unit housing development at this location as well as the associated zoning change. After the March 18th rezoning public hearing before the Common Council, the applicant redesigned the project in response to many of the neighbors' concerns. The previous plans are linked to this item.

The current proposal is a five/six-story multifamily development consisting of 99 units (72 1-BR, 23 2-BR, and 4 studios) on a 1.38 acre site. The proposed building height is similar to the previous plan but the footprint of the building is reduced and is setback from the alley. Many of the units have private balconies or access to adjacent roof decks and residents will have use of the building amenities including a community room, fitness center, and business center. Two levels of enclosed parking consisting of 100 spaces and a 39-space surface lot are proposed. The main building and parking lot/resident garage entrances are located at the north end of the site and a secondary lower level garage access for service activities is located at the south end of the building. Other improvements include placing a stop sign at the end of the parking lot to help control traffic and including a system for green vines to grow on the side of the building;

The only access to the site is from the alley as the recent DOT modifications to Mayfair Road eliminated all direct street access, severely handicapping this site. The Traffic Impact Analysis (TIA) prepared for the original 134 unit proposal did not recommend any roadway improvements due to this development. However, the applicant proposes to widen the alley from 20 feet to 22 feet from Garfield Avenue to the main building entrances as well as re-pave the entire alley and install curbs, making the alley look and feel more like a City street. The applicant is working with both the property owner to the north and to the south to accommodate traffic and circulation improvements.

Ald. Causier present 8:44 p.m. - 7

Ald. Wilson present 9:07 p.m. - 8

John Czarnecki, The 2100 LLC., provided background information on this site. It was decided about two years ago that the only real good use for this property is for a multi-family property. It is not a good access for business development. A couple of re-iterations have been gone through including a 134-unit building to the 99-unit building being presented tonight.

Gene Guskowski, AG Architects, 1414 Underwood Avenue, presented a Powerpoint to the committee explaining the aerial photo. This project is an excellent example of cooperation between the neighborhood, the City, and the development group to create a winning solution for the community. He addressed the site via the aerial view which is directly adjacent to the ramp which is best known now as a parking lot with a building on it. This building has been handicapped by the Department of Transportation due to the work on the freeway off ramp which resulted in the property losing their entrance on Mayfair Road. This parcel straddles a major thoroughfare and a residential neighborhood.

Mr. Guskowski explained the proposed changes to the alley which includes the widening of the alley from 20 feet to 22 feet from Garfield Avenue to the main building entrances as well as re-pave the entire alley and install curbs, making the alley look and feel more like a City street. The applicant is working with both the property owner to the north and to the south to accommodate traffic and circulation improvements.

During earlier discussions with Plan Commission it was noted that there is no direct street access to this site, only from the alley. As with the previous plan, the main building and parking lot/resident garage entrances are located at the north end of the site and a secondary lower level garage access for service activities is located at the south end of the building. The applicant is working to acquire a portion of the DOT-owned parcel to the south to better accommodate the service entrance

Mr. Guskowski said there are considering a different paving pattern possibly with colored concrete to establish a point of entry into the building. He noted that this parcel has been vetted out thoroughly and is ready to move forward.

Ms. Enders said that the Plan Commission reviewed this application on September 8th and recommended approval 5-2 with the following conditions:

1. plans showing adequate sewer capacity, storm water management, and traffic/access improvements subject to approval by the City Engineer
2. plans for water supply to site subject to approval by the Water Superintendent
3. Design Review Board approval
4. inclusion of bike parking
5. alley widening via right-of-way dedication or permanent easement documentation
6. combining parcels prior to obtaining building permits
7. obtaining all necessary licenses and permits
8. Engineering Division should consider traffic quieting measures (signs, etc.) in the alley

Ms. Enders noted that the zoning approval for this parcel was not noticed for this meeting. It would be included during the final approval process.

The committee discussed the proposal which included the following comments: incredible accommodations have been made making it more attractive for the residents, did the changes go too far in going from a 134 unit project down to a 99 unit project which has a significant financing component to it, the revenue for a parking lot would be \$17,000 - \$18,000 whereas a 99 unit apartment building would have a tax revenue of approximately \$270,000, the smaller project has become more complicated with the financing piece, and this project will be a great improvement to the area.

Moved by Ald. Causier, seconded by Ald. Walsh to recommend approval contingent upon: plans showing adequate sewer capacity, storm water management, and traffic/access improvements subject to approval by the City Engineer; plans for water supply to site subject to approval by the Water Superintendent; Design Review Board approval; inclusion of bike parking; alley widening via right-of-way dedication or permanent easement documentation; combining parcels prior to obtaining building permits; obtaining all necessary licenses and permits, Engineering Division should consider traffic quieting measures (signs, etc.) in the alley - Ayes: 5 Noes: 3 (Hanson, Wilson, Stippich)

RESULT:	RECOMMENDED FOR APPROVAL [5 TO 3]
MOVER:	Kathleen Causier, Alderwoman
SECONDER:	Michael Walsh, Alderman
AYES:	Causier, Pantuso, Berdan, Walsh, Byrne
NAYS:	Wilson, Hanson, Stippich

3. Memo from the Director of Public Works regarding 90-day trial of rush-hour only parking restrictions at 3122 Mayfair Road

The Public Works Director requested that this item be withdrawn.

4. Designation of a proposed Business Improvement District (BID) along North Avenue in an area bounded by N. 60th Street on the east and Wauwatosa Avenue on the west and adoption of its proposed initial operating plan

The committee reviewed a request for a designation of a proposed Business Improvement District (BID) along North Avenue in an area bounded by N. 60th Street on the east and Wauwatosa Avenue on the west and adoption of its proposed initial operating plan.

Per State Statutes, the City is the vehicle for facilitating formation of a BID. As a result, the Plan Commission and ultimately the Common Council are required to designate the proposed BID and adopt the proposed initial operating plan (attached). However, once a BID is created, the daily operation is under the authority of the BID board. The City-adopted *East Tosa North Avenue Plan* (2011) recommends establishment of a BID, or a similar formal organization, for management and marketing of the district. The applicable page from the *Plan* is attached.

State Statutes allow for BID formation only if a petition protesting creation of the BID with signatures from owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40% of the assessed valuation of all property to be assessed under the proposed initial operating plan has not been received within 30 days of the public hearing. The public hearing was held on August 11th before the Plan Commission, at which time the Plan Commission recommended approval of the BID creation and the initial operating plan 6-0. On September 5th, a valid petition opposing the BID creation was submitted to the City that was reviewed and verified by staff.

Attorney Kesner explained that the statutory requirements for a Business Improvement District cannot move forward if owners of 40% of the districts value, file a petition within 30 days of the public hearing. He reported that a petition was presented with more than the required 40% and it was suggested to place the request on file.

Moved by Ald. Byrne, seconded by Ald. Berdan
to place the proposed Business Improvement District (BID)
along North Avenue on file - Ayes: 5

RESULT:	PLACED ON FILE [5 TO 0]
MOVER:	Allison Byrne, Alderwoman
SECONDER:	Cheryl Berdan, Alderwoman
AYES:	Pantuso, Berdan, Stippich, Walsh, Byrne
AWAY:	Causier, Wilson, Hanson

5. Memo from the Administrative Intern with additional information regarding a 90-day trial of parking restrictions on 65th Street between Blue Mound Road and Wisconsin Avenue as requested

The committee reviewed a memo from Administrative Intern with additional research information for a 90-day trial of parking restrictions in the 500 and 600 blocks of 65th Street.

Mr. Sodnik reported on the Wisconsin State Statute 346.54, Paragraph 1, section D, addressing the permissible curb clearance:

- In parallel parking, a vehicle shall be parked facing in the direction of traffic with the right wheels within 12 inches of the curb or edge of the street when parked on the right side and with the left wheels within 12 inches of the curb or edge of the street when parked on the left side. In parallel parking, a vehicle shall be parked with its front end at least 2 feet from the vehicle in front and with its rear end at least 2 feet from the vehicle in the rear, unless a different system of parallel parking is clearly indicated by official traffic signs or markers
- Widths of common vehicles to include standard pickup trucks and sedans with mirrors was provided via a chart. Vehicle widths using only one mirror was entered. This excluded fire trucks whose mirrors would be above the roof of any of the comparison vehicles
- Widths of fire equipment and other service vehicles was calculated using the body width and length of one mirror. In the case of the fire truck it was determined that the mirrors would be above the roof of any vehicles surveyed. As a reference the length of the mirrors on the fire trucks is ten inches on each side of the vehicle. The automated garbage trucks are about six inches narrower than the fire trucks

The opinion of the street department is that the snow plows have the biggest difficulty navigating the 24-foot streets, usually after multiple snow events when the snow piles begin to infringe on the streets affecting the parking habits of the residents. The garbage trucks usually have no problems navigating the streets, but must slow down to move between parked cars.

The Fire Chief's opinion was that with cars parked on both sides of a narrow street, responses are slowed, damages occur, or the apparatus has to be backed out of the obstructed street and rerouted, resulting in unacceptable delays. He felt that this is very stressful to the drivers and officers and could potentially result in an adverse outcome at a fire or EMS call. While the ladder trucks may fit between the cars on a narrow road, they cannot be set up for aerial ladder use without sufficient room to extend the stabilizers on both sides of the vehicle.

Mr. Sodnik said that the research indicates that there are instances where critical emergency, snow removal and large vehicles will be unable to pass on 24 foot streets. It is staff's recommendation that the 90-day trial be approved for no parking on one side of the street.

Ald. Hanson present at 7:45 p.m. - 6

Ald. Hanson appreciated the numbers presented on the vehicle dimension study and was inclined to be in agreement with the recommendation. He felt that the scenario presented is a safety issue. Ald. Hanson said that if the parking restrictions are good enough for the surrounding streets of 65th Street, why would it not be good for 65th Street? He felt inclined to be in agreement with the recommendation.

Steve Gramling, 562 N. 65th Street, said he appreciates the study, but felt that the fire department probably trains for situations such as this and not be a deal breaker responding to the emergency. Mr. Porter said that the memo never said it would be a deal breaker that it could cause unacceptable delays, but they would work around it.

Dave Reinmuller, 554 N. 65th Street, said he has lived on this street for 28 years and doesn't remember there ever being a problem with an emergency vehicle getting down the street. He didn't feel that the representation shown was necessarily a good example, since the driveways are generally not right across from each other. His experience has been that there is not a parking problem. The safety issue is brought in to justify the want of parking restrictions. He felt it would be putting restrictions on all of the neighbors 100% of the time when he doesn't think there is a parking problem. Mr. Reinmuller said he has observed the garbage trucks maneuver the

street and hasn't seen that it is an issue. He felt if the street has a free and open path, there will be more of a safety problem by speeding cars.

Ald. Walsh felt you would absolutely see an increase in speed if you open up the street and see an increase in the volume of cars traveling this street. He didn't agree with setting a policy for something that may happen and trying to solve a problem that doesn't exist. Ald. Walsh felt there could be a similar discussion for every street in Wauwatosa. He felt that there could be unintended consequences with the restrictions. Ald. Walsh felt that 90-day trials become permanent more often than not on the 91st day.

The committee discussed the recommendation of a 90-day trial with these concerns: increase of speed making more of a thoroughfare, enforcement issues without enough staffing, citywide policy needs to be implemented, potential for unintended consequences of increased speed on a block with a lot of children, no current speed or safety data presented, and that parking looks differently in the summer when the Brewers are in town questioning whether now is a good time to do the trial or not.

Laura Temke, 549 N. 65th St., expressed that speed is an issue and thought that there were block grants available for speed bumps to slow drivers down, along with police enforcement. Ms. Temke said that traffic on the street has increased drastically since 2008 and encouraged the committee to approve of the 90-day trial; if it doesn't work than it should not be made permanent.

Ald. Stippich expressed appreciation for the comments received and bringing this matter to their attention. He noted that there is another neighborhood looking for a similar resolution and that a citywide policy could apply to both requests. Ald. Stippich made a motion to deny but encouraged this item be brought back after the parking permit issue is resolved. He wasn't sure a 90-day trial would necessarily work because there are conflicting issues with unintended consequences. He questioned if doing a trial without taking any measures to identify the validity of this makes sense, as measures are not being taken to see what the speed or flow of traffic is.

Moved by Ald. Stippich, seconded by Ald. Berdan to deny the request of a 90-day trial.

Ald. Stippich also encouraged that this item be brought back to committee when a citywide parking policy is put into place.

Ald. Byrne felt holding this item would be better. She noted that the size of vehicles have changed over the last 20 years and felt with streets of this width, there needs to be single side street parking as this could affect our safety response system.

Ald. Hanson reiterated that if parking restrictions on one side of the street work for 64th and 66th Street, it shouldn't be any different on 65th Street. He didn't feel that the committee should wait for the parking permit discussion to make a decision on this request. He said that staff has made a recommendation for a 90-day trial and it should be gone along with.

Ald. Stippich said based on the above comments there is a reason to hold this item. There should be a deeper decision as it applies to all of the city. Stadium parking issues need to be included in this discussion.

Ald. Pantuso took a vote on the motion to deny. Ald. Stippich said he felt the discussion to hold this corrected his motion to deny the item. Clarification was made to hold the item, which was OK'd by the seconder.

Moved by Ald. Stippich, seconded by Ald. Berdan to hold this item. - Ayes: 4 Noes: 2 (Walsh, Byrne)

Ald. Pantuso asked for a consensus of the committee on how long to hold this item. It was decided to hold this for 90-days.

RESULT:	HELD	Next: 1/13/2015 7:00 PM
TO:	Community Development Committee	

6. Memo from the Director of Public Works regarding request by Randy Rebernick, State of the Art Import Auto Repair, 6210 State Street, for a loading zone

The committee reviewed a memo from the Director of Public Works with a request for a loading zone by Randy Rebernick, State of the Art Import Auto Repair, 6210 W. State Street.

Mr. Porter said that the City has received a Loading Zone application from Randy Rebernick, the owner of the above referenced business, requesting establishment of a 30-foot loading zone in front of the business. The request is to facilitate staging of vehicles, delivery of parts, and customer parking.

Staff has reviewed this location and has no objection. If approved, the loading zone will be installed upon receipt of the \$175 loading zone application fee and \$30 annual fee.

The Director of Public Works said that staff recommends a 90-day trial be approved granting a loading zone at 6210 West State Street, on the frontage of Start of the Art Auto Repair. The loading zone will start at the west end of the driveway approach and extend for 30-feet to the west.

Mr. Rebernick felt that the loading zone would be a lot safer due to the fact that it is a small shop. It would eliminate the need for parallel parking in a small space on State Street with all of the surrounding traffic. Mr. Rebernick replied to a question that with all of the new apartment buildings in the area and the brewery, there is more traffic in the area.

Moved by Ald. Stippich, seconded by Ald. Berdan
to approve a 90-day trial of a loading zone at 6210 W. State Street - Ayes: 6

RESULT:	APPROVED [6 TO 0]
MOVER:	Matthew Stippich, Alderman
SECONDER:	Cheryl Berdan, Alderwoman
AYES:	Hanson, Pantuso, Berdan, Stippich, Walsh, Byrne
AWAY:	Causier, Wilson

7. Ordinance amending Section 11.32.080 of the Code of the City of Wauwatosa pertaining to parking near Madison School

This item is back to committee for adoption of the ordinance.

Moved by Ald. Hanson, seconded by Ald. Byrne
to recommend adoption of ordinance amending
Chapter 11.32.080 of the city code to create
parking restrictions around Madison School on N. 100th Street - Ayes: 6

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. "North 100th Street - east side" portion of the schedule of streets, and portions, subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby amended by adding the following:

- (pp) from the bus stop north to the corner of Glendale Avenue
- (pp) from the bus stop south to the sidewalk

(tt) from the school sidewalk south to Ruby Avenue

Part II. This ordinance shall take effect on and after its date of publication.

RESULT:	RECOMMENDED FOR ADOPTION [UNANIMOUS]	Next: 10/7/2014 7:30 PM
TO:	Common Council	
AYES:	Hanson, Pantuso, Berdan, Stippich, Walsh, Byrne	
EXCUSED:	Causier, Wilson	

- 8. Ordinance amending Chapter 11.32.080 of the Wauwatosa Municipal Code to create parking restrictions on the east side of N. 62nd Street near the Enclave apartment complex at 1200 N. 62nd Street

This item is back to committee for adoption of the ordinance.

Moved by Ald. Hanson, seconded by Ald. Byrne to recommend adoption of ordinance amending Chapter 11.32.080 of the city code to create parking restrictions on N. 62nd Street near the Enclave apartment complex at 1200 N. 62nd Street - Ayes: 6

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. The "North 62nd Street - east side" portion of the schedule of streets, and portions, subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby amended by deleting the following:

- (a) from 92 feet south of W. Martin Drive to W. Martin Drive
- (a) from a distance of 75 feet from a point 440 feet north of W. State Street to a point 515 feet north

Part II. The "North 62nd Street - east side" portion of the schedule of streets, and portions, subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby amended by adding the following:

- (a) from 75 feet South of W. Martin Dr. To W. Martin Drive
- (a) from 440 feet North of W. State St. To a point 253 feet North thereof

Part II. This ordinance shall take effect on and after its date of publication.

RESULT:	RECOMMENDED FOR ADOPTION [UNANIMOUS]	Next: 10/7/2014 7:30 PM
TO:	Common Council	
MOVER:	Tim Hanson, Alderman	
SECONDER:	Allison Byrne, Alderwoman	
AYES:	Hanson, Pantuso, Berdan, Stippich, Walsh, Byrne	
EXCUSED:	Causier, Wilson	

- 9. Ordinance amending Chapter 11.32.080 of the Wauwatosa Municipal Code to create parking restrictions on N. Glenview Avenue south of W. Blue Mound Road

This item is back to committee for adoption of the ordinance.

Moved by Ald. Hanson, seconded by Ald. Byrne to recommend adoption of ordinance amending Chapter 11.32.080 of the city code to create parking restrictions on N. Glenview Avenue south of W. Blue Mound Road - Ayes: 6

The committee recessed at 8:31 and reconvened at 8:40 p.m.

Ald. Stippich excused - 5

AN ORDINANCE AMENDING SECTION 11.32.080 OF THE CODE OF THE CITY OF WAUWATOSA WITH PARKING RESTRICTIONS ON GLENVIEW AVENUE SOUTH OF BLUE MOUND ROAD

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. "Glenview Avenue - west side" portion of the schedule of streets, and portions, subsection of Section 11.32.080 of the Wauwatosa Municipal Code is hereby amended by adding the following:

- (a) from W. Blue Mound Road to a point 135 feet south thereof
- (c) from a point 135 feet south of W. Blue Mound Road to a point 210 feet south thereof
- (a) from 345 feet south of West Blue Mound Road to a point 160 feet south thereof
- (c) from 505 feet south of West Blue Mound Road to Hawthorne Avenue

Part II. This ordinance shall take effect on and after its date of publication.

RESULT:	RECOMMENDED FOR ADOPTION [6 TO 0]	Next: 10/7/2014 7:30 PM
TO:	Common Council	
MOVER:	Tim Hanson, Alderman	
SECONDER:	Allison Byrne, Alderwoman	
AYES:	Hanson, Pantuso, Berdan, Stippich, Walsh, Byrne	
AWAY:	Causier, Wilson	

10. Ordinance amending various parts of Chapter 15.14 of the Wauwatosa Municipal Code to clarify provisions regarding flags and sandwich board signs

This item is back to committee for adoption of the ordinance.

Moved by Ald. Berdan, seconded by Ald. Walsh to recommend adoption of ordinance amending Chapter 15.14 of the city code pertaining to signage - Ayes: 5

Ald. Stippich present - 6

The Common Council of the City of Wauwatosa does hereby ordain as follows:

Part I. Definition of "Flag" changed to read in its entirety as follows:

"Flag" means any fabric or bunting, attached along only one edge to a pole or permanent structure, containing distinctive colors or patterns, logos and/or corporate masthead or official corporate title/name, and used solely as an identifier of a government or political subdivision, institution or business, **with a maximum area of twenty-four (24) square feet**. Banners, as defined above, shall not be considered flags for the purpose of this chapter.

Part II. Definition of "Portable Sign" changed to read in its entirety as follows:

"Portable sign" means any sign not permanently attached to the ground or a building. Tailored signs, sandwich board signs and balloons are included in this definition, except as provided under 15.14.240 and 15.14.430.

Part III. Definition of "Research park district" changed to read in its entirety as follows:

"Research park district" means the geographical area defined in the City Zoning Code Chapter 24 as research park planned development district.

Part IV. Definition of "Residential district" changed to read in its entirety as follows:

"Residential district" means those geographical areas defined in the City Zoning Code Chapter 24 as R1-6 single-family residence district; R1-9 single-family residence district; R1-15 single-family residence district; R2 two-family residence district; R4 four-family residence district; R8 eight-family residence district.

Part V. 15.14.080 2.f. changed to read in its entirety as follows:

- f. Flags, provided that not more than two flags per business site are displayed at any time. Banners are not considered flags for the purpose of this chapter

Part VI. The existing 15.14.080 2.j. deleted, and the current 15.14.080 2.k. is redesignated as 15.14.080 2.j.

Part VII. 15.14.120 is deleted.

Part VIII. 15.14.140 C.5. is amended by deletion of " , except in the Village of Wauwatosa Business Improvement District."

Part IX. 15.14.160 B is amended to read in its entirety as follows:

- B. Site inspection to insure that the sign has been constructed according to an approved sign plan.

Part X. Title of Sec. 14.14.190 is amended to "Planned Unit Development"

Part XI. Section 15.14.190 is hereby amended to read in its entirety as follows:

Signage in a Planned Unit Development shall be controlled by the provisions in the plan for the development as adopted by the Common Council. If no sign provisions were adopted, the underlying district sign regulations apply or a Planned Unit Development amendment must be approved by the Common Council.

Part XII. Section 15.14.430 is created to read in its entirety as follows:

15.14.430 Portable Sandwich-Type Signs

Portable sandwich-type signs are permitted within the city right-of-way as follows, except as otherwise defined in 15.14.240 Village of Wauwatosa business improvement district:

- A. Number. One sign shall be permitted per business. Exception: If the business is located on the ground floor of a corner building on an arterial street, it may have one sign per street frontage.
- B. Size. The maximum sign size shall be twelve square feet.
- C. Style. The City has designed sign standards. Only sign styles approved by the City are permitted.
- D. Location. Signs shall be located in front of the business premises and placed so that an unobstructed area of four feet is maintained for pedestrian traffic. No off-premises signs are permitted.
- E. Illumination. Signs shall not be illuminated.
- F. Liability. A sign owner shall furnish a public liability insurance certificate in an amount not less than one million dollars and shall name the city as an additional insured. Proof of insurance shall be filed annually with the division at least ten days prior to the policy renewal date. A hold harmless agreement with the City shall be required in addition to the liability insurance.
- G. Safety. Signs must be stored inside when the business is closed. The city may order any sign moved or removed that creates a pedestrian or traffic hazard.
- H. Permit. An annual permit for each sign is required effective January 1st of each year. Permits are issued by the division upon application, approval and payment of a permit fee. Permits are not transferable to another business. (NOTE: It is suggested by staff that the sign is reviewed and permitted similar to a permanent sign with a plan review fee of \$50.00 and a one-time permit fee of \$120.00 is required.)
- I. Fee. The permit fee will be as outlined in the city's consolidated fee schedule and may be pro-rated monthly for any sign permit obtained between January and December.
- J. Violation. In addition to the penalties as outlined in Section 15.14.070, any business that fails to comply with the provisions of this chapter, after receiving one warning, may lose its privilege to display a sandwich board sign for a one-year period.

Part XIII. This ordinance shall take effect on and after its date of publication.

RESULT:	RECOMMENDED FOR ADOPTION [5 TO 0]	Next: 10/7/2014 7:30 PM
TO:	Common Council	
MOVER:	Cheryl Berdan, Alderwoman	
SECONDER:	Michael Walsh, Alderman	
AYES:	Hanson, Pantuso, Berdan, Walsh, Byrne	
AWAY:	Causier, Wilson, Stippich	

- 11. Memo from the Administrative Intern regarding creation of a policy for installation of neighborhood identification signs

The committee reviewed a memo from the Administrative Intern regarding creation of a policy for installation of neighborhood identification signs.

The Department of Public Works (DPW) staff has done research on many types of city standards for neighborhood association sign standards, some within the State of Wisconsin and some out of the state. Pictures of these signs can be found on the attached PowerPoint presentation along with associated forms and contracts. Staff has also included photos for the committee's review, of special street signs in the historic area of Green Bay.

Mr. Sodnik discussed the neighborhood identification plan and provided a background on why the City is developing neighborhood sign standards. He said Lowell-Damon Woods came to the city with a design for their neighborhood sign which was approved by the Board of Public Works prompting the discussion of the development of design standards.

Mr. Sodnik researched sign standards close to home and farther away. Discussions were held with the Neighborhood Action Committees as well. Proposed guidelines of this research were discussed. After looking at all of the research, Mr. Sodnik, felt that the City of Milwaukee standards made the most sense. These guidelines include: request must come from a registered neighborhood association, sign size limited to "24 x 30", sign construction must be .080 aluminum and sourced through a reputable sign company such as TAPCO, limited use of red and yellow to not cause confusion with city signs, Board of Public Works and Council reserve the right to reject any design, \$50 installation fee per sign which includes bracket, signs mounted on existing light poles, sign must be flagged toward sidewalk to avoid plows hitting them, and the association will be responsible to cost of signs and the cost of replacing worn or damaged signs.

Administrative issues include designing a form template, process design, code modification, fee added to the fee schedule, and who will be the point person or department responsible for the application and processing.

The suggested process: Neighborhood Association initiates contact, Association completes the on-line form and submits design which would be reviewed by Board of Public Works and Council for approval, signs ordered after the approval process and delivered to our sign department. Signs are installed after payment for installation has been received.

The Administrative Intern said he is looking for input on how to proceed with the policy if that is what the committee wants to do.

The committee discussed and had the following comments: likes the idea of a sign standard, likes the City of Milwaukee signage which is typically placed on the outskirts of the neighborhood, likes the idea of each neighborhood having their own identity, suggestion that a special sign bracket become a standard rather than a sign being placed on a post, neighborhoods should look for grant funding options, city assisted funding for one neighborhood per year, NAC should have some overview on our policy, and more discussion is needed.

Moved by Ald. Byrne, seconded by Ald. Wilson
to advance this item forward, with the Public Works Department
working on a template in conjunction with plan approval and
the Neighborhood Association Council input to start the process.

Maintenance of the signs once installed should be clarified in the policy. It was felt that there should be some commonality with a uniqueness to each neighborhood association.

Mayor Ehley noted that the NAC is meeting at the end of October and this discussion can be taken to them for their input. She felt that consistency is very important. The whole process needs to be spelled out clearly with a decision to be made on the size of the signs.

Vote on the motion: Ayes: 8

12. Memo from the Director of Public Works regarding a review of the Village intersection improvements

The committee reviewed a memo from the Public Works Director regarding a review of the Village intersection improvements.

Mr. Porter explained that in 2011 the Village Plan was approved and part of that plan were recommendations for roadway improvements and, primarily, intersections. In the Village Plans there were concept drawings not engineered plans. By advancing the concept improvements as detailed in the Village Plan, to the level of preliminary engineering, as specific intersections are scheduled for improvements, the Engineering Department can proceed quickly with the final design.

An example of this approach was the project to improve the pedestrian crossing at Harwood Avenue and State Street. The concept was to install a pedestrian refuge island in State Street; however, if the concept was built without any type of review, it would have been a problem as car and truck turning radii were not sufficient for delivery vehicles serving the businesses on Harwood Avenue.

With some additional refinements, the Engineering Department came up with some modifications that were workable from a traffic perspective, yet fulfilled the overall concept as shown in the Village Plan. This element has been in place for two years now, and it is a very real improvement to safety for pedestrians in the Village.

Mr. Porter introduced Ken Voigt, Ayres & Associates, who has prepared a report with specific recommendations for each intersection in the Village. Mr. Porter noted that Mr. Voigt will comment on the necessary modifications for compliance to sound traffic management principles, adherence to the Manual on Uniform Traffic Control Devices (MUTCD) requirements, improving bike and pedestrian safety, and taking opportunities to enhance green space where possible.

Mr. Porter noted that there are eight intersections listed in the memo, but the discussion will mostly focus on the first four of those that are part of the Capital Improvement Program in the next couple of years, or those that would be affected by pending development at or adjacent to those intersections:

1. Harmonee Avenue at Harwood Avenue
2. Wauwatosa Avenue at State Street
3. Harmonee Avenue at Underwood Avenue
4. Harmonee Avenue at Menomonee River Parkway
5. Harwood Avenue at Wauwatosa Avenue
6. Harwood Avenue at State Street
7. Menomonee River Parkway at Underwood Avenue
8. Village Fair Parking Lot

Mr. Voigt explained the purpose and goal of the original study:

- Build on Village Strategic Development Plan
- Create pedestrian friendly intersections that are safe and can accommodate truck movements
- Increase Village business accessibility from Wauwatosa Avenue
- Increase Village parking

Harmonee at Harwood Avenue Engineering Design

Mr. Voigt reviewed the intersection with the committee noting the sharp angle in the concept plan and explained the necessary changes as shown in the engineering design. The question was how to refine this angle in the engineer plan to make this work to meet the goals. He said they are suggesting bringing in Harwood to more of a 90 degree angle instead of a skewed angle. Mr. Voigt said this change is a reduction to the pedestrian crossing distance on Harmonee from by two feet. The pedestrian crossing distance at Harwood stays at about 55-feet.

Mr. Voigt said one of the criteria they needed to establish was the size of the delivery truck that needs to be accommodated for at the intersections. A Wb 50 type truck was determined to be a typical delivery truck similar to a Pepsi, beer, or bread truck that would be using or accessing these streets.

The island remains for a right turn lane to accommodate the trucks turning right, leaving Harwood onto Harmonee. They have created more of a continuous flow for Harmonee Avenue as a direct route. He said they have shortened up the pedestrian crossing distances and also created some green space for landscaping. Mr. Voigt said they are trying to reflect the bicycle concepts that are showing up in the adopted bicycle plan.

Mr. Porter said that this intersection is being looked at as part of the 2015-2019 Capital Improvements Program. It presents some interesting benefits to the City to do this. There have been numerous complaints about the pedestrian crossings. The green space would tie-in nicely with the wayfinding signs proposed. There is work to be done with the Harmonee Bridge in conjunction with this. Mr. Porter noted that this is State Highway 181, and the DOT has some input on this. They have asked that this work not be done in 2015, to put it off until 2016 because they have detours related to the zoo interchange.

Mr. Porter said they will be having another meeting with the DOT and will have more information after that. Mr. Porter said they would like to start some of the project in 2015.

Ald. Causier felt that this is a critical intersection as it is so close to the Village and the Farmers Market.

Ald. Wilson agreed that the sooner we can do this intersection the better and to move forward as soon as possible.

Mr. Porter noted that there are other construction impacts on the other side of Harmonee Bridge to consider as well.

Wauwatosa Avenue at State Street

Mr. Voigt reviewed the intersection with the committee that this is another skewed intersection. The planning concept shows bringing Wauwatosa Avenue down to a 90-degree intersection and to shorten up the pedestrian walking distance.

To best accommodate that goal the walking distance on the north side of Wauwatosa Avenue is reduced from 140-feet to 80-feet and also adds additional green space. This intersection will still accommodate the Wb 50 trucks. The bike lanes on State Street were replaced showing how that would work. Mr. Voigt said the changes will tighten the intersection up and noted that there will still be an island on Wauwatosa Avenue.

Mr. Porter said it would be good to have preliminary engineering plans on the books so when or if the development goes forward in this area the plans will help with curb location etc.

Mr. Voigt replied to a question that an additional traffic signal at 74th and State wasn't warranted. The implications of too many signals could cause crashes and back traffic up.

Mr. Voigt opined that the engineering plan presented would tighten up the intersection as much as he felt it possible with all of the truck traffic on 76th and State Streets.

Harmonee at Underwood Avenue and Menomonee River Parkway

Mr. Voigt said he tied these two intersections together. He explained that they are about 250 feet apart and whatever you do at one intersection will affect the other.

The concept drawing are linked together because the plan shows an additional eastbound left turn lane, to turn

onto Underwood which would widen the roadway. Mr. Voigt said the engineering plans aren't able to accommodate that without widening out into the intersection at Menomonee River Parkway.

Mr. Voigt reviewed Concept 1 which shrinks the intersection down at Underwood creating a widening for the left turn lane from both sides of Harmonie. This creates fairly large impacts on the southwest corner for right-of-way and for the development that is there. That is the only way to make this fit there. Mr. Voigt explained that they used a turning template for the fire trucks coming off of Underwood making a left turn, so it does accommodate that as well as the Wb 50 trucks. This examples shows angle parking which requires the widening of the Underwood. Right now there is parallel parking on both sides of the street. He didn't feel there would be a dramatic change in the amount of parking spaces in this scenario.

He then reviewed moving this concept down to the intersection at Menomonee River Parkway. The widening affects the parking area at the Robertson Hardware parking lot. The pedestrian crossing on northeast approach gets wider. He noted that most of the changes are to the east of Menomonee River Parkway.

Concept 2 shifts everything to the north. There is a proposal to redevelop the hair salon property and perhaps that right-of-way is more available, but it still requires the right-of-way requirement all of the way to Menomonee River Parkway. Currently you make the left turn except during the morning and evening peak hours. Mr. Voigt felt that this is a fragile area with the three signals so closely spaced causing gridlock and wasn't sure that this would be a good solution. He suggested that this probably needs a little additional analysis for the traffic signal operation and whether it is a good idea to widen Underwood to accommodate angled parking. Mr. Voigt noted that angled parking reduces street width a bit.

Ald. Wilke asked if the triangle space could be used as green space. Mr. Voigt said they have it shown as right-of-way so that is possible. Ald. Wilke asked about the crosswalks. Mr. Voigt said he would look at them again and suggested that they could probably be shifted over making it a little more perpendicular (the eastern crosswalk could be turned in a bit).

Ald. Causier asked about the angled parking on Underwood as shown in the original concept. Mr. Voigt said he didn't feel that angled parking was a good idea. Ald. Causier mentioned that the Methodist Church has expressed concerns with angled parking. Mr. Voigt didn't feel there was any real value in angled parking, no additional spaces would be created.

Ald. Wilson noted that there is an actual proposal for the hair salon corner. The Community Development Authority chose that proposal because they were willing to donate some right-of-way for the City to reconfigure that corner. Mr. Voigt said he is aware that there was some willingness to donate some land but he has not seen any site plans yet. He noted that there will still be a right-of-way required from the other property to the west of the hair salon. Mr. Voigt said he didn't think the new development as he discussed with the developer would be a huge traffic generator.

Harwood Avenue at Wauwatosa Avenue

Mr. Voigt discussed the planning concept of this intersection. This intersection is tied very closely with Harwood and State Street. They need to be looked at as the same street with an intersection on each end. The proposal was to make this a 4-way intersection take the Root Common and make it all green space up to businesses. This would not connect the Village Fair parking lot with the parking area currently running along Harwood toward State Street. He noted that there is a disconnect in this concept.

Mr. Voigt explained in the concept plan that 90-degree parking is maintained all along Harwood coming from State Street up to 76th Street. He explained what the intersection would look like.

Mr. Voigt said the Department of Transportation (DOT) took a traffic count of the driveway by Baskin Robbins and counted 920 cars using the in or out on a typical day. He said that number surprised him. He explained another concept to widen the western approach and have parallel parking which would give you a few extra parking spots. This brings the driveway closer to the intersection which could cause you to lose a few

stalls. He noted that currently in this location there are 18 spaces.

Mr. Voigt said they do not recommend making this a 4-way intersection. It would cut into the Root Common green space which is a valued public space in the Village area. It is close to a signalized intersection and the fact that this area is located on a hill could cause some site distance problems for traffic that is backed up. He prepared a preliminary estimate on how this would work based on the DOT's traffic study of 920 cars using the northern driveway. He suggested this street would probably carry about 2000 cars a day which is double the current volume. He expressed safety concerns with traffic conflicts with this intersection and the other two intersections along with the two parking lot entrances. He felt there is a lot going on in a small space, especially during rush hours.

Harwood Avenue at State Street

Mr. Voigt discussed the concept plan with angled parking along Harwood with the pedestrian islands and the narrowing there which can't be fit in. Currently from curb to curb the street is 40-foot wide, allowing 18-foot for angled parking, and an 11-foot driving lane in each direction. All design standards for parking or for a parking structure would require 13-foot lanes for trucks to maneuver in that area. With only having the 11-foot lanes, trucks will be hitting the curbs or fixtures. The other fall-out of opening up of Harwood and Wauwatosa Avenue is the increased traffic. This would cause safety problems at both intersections of Harwood Avenue and is not recommended.

Ald. Stippich asked Mr. Voigt what he would recommend. Mr. Voigt said the current situation is working and didn't recommend opening the street up.

Jim Plaisted, Village BID Director, said a lot of property owners lobbied to have the opening of Harwood looked at. Opening up the street just causes another set of problems. They also want to look at what can be done with Root Commons permanently to make this a nicer area.

Discussion ensued and it was asked if a roundabout had been considered anywhere in this area. Mr. Voigt said roundabouts are not put on grades, they are generally put on flat surfaces. There are sight distance issues on the hill. Mr. Voigt explained further that you don't put roundabouts near signalized intersections because the queueing that backs up from an intersection, as well as the platooning that comes out of an intersection when you get a green light.

Mr. Voigt replied to a question that single lane roundabouts are very friendly to pedestrians. He said it is like crossing a one way street in two different stages. Traffic has to slow down as they become aware of the pedestrian.

Village Faire Parking Lot

Mr. Voigt reviewed the Village Faire parking lot concept. Currently there are 42 parking spaces in the lot and along the street that goes down to Harwood. The concept design shows a lot of asphalt trying to maximize the number of parking spaces. The concept proposes 41 spaces, a loss of one parking space. Mr. Voigt said in this concept, trucks cannot maneuver this maze. It is not user friendly for a truck.

Concept 2 maximizes parking with different configurations for 45 parking spaces, although green space is lost. The intersection is moved back from Harmonee Avenue. A truck can maneuver, although not easily.

Concept 3 maximizes parking to 50 parking spots utilizing one driveway entrance. Mr. Porter noted that this is private property, so the property owner would have to agree to any driveway changes.

Concept 4 has one joint driveway that a service vehicle can get in to, but would have to back out as well, with the same space count. The in and out conflict is avoided with this concept. Mr. Voigt said there is no easy solution to maximize parking at this location.

The committee discussed the intersection design recommendations with the focus on the first four mentioned.

Mr. Porter answered a question that the first four intersections discussed would be included in the 2015-2019 Capital Improvements Program.

Ald. Byrne asked about the Village Faire parking lot. She asked if there were a concept for the Root Commons to be extended up to the sidewalk by Chamberlain Windows to create more green space. Has this ever been a discussion over the years to do this? Mr. Voigt said there would be a loss of 14 parking spaces if this were to happen and there is nowhere else to replace these 14 spaces. Mr. Voigt said he has never drawn up such a concept because of the impact on parking. Ald. Byrne said that she would like to see this concept.

Mr. Porter requested that action be taken on these intersections tonight:

1. Harmonee Avenue at Harwood Avenue
2. Wauwatosa Avenue at State Street
3. Harmonee Avenue at Underwood Avenue
4. Harmonee Avenue at Menomonee River Parkway

Mr. Porter said his understanding from listening to committee comments are items #1 - #4 to be finalized and perhaps bring back to committee for a final review for approval of preliminary engineering. Items #4 - #8 to include the expansion of Root Commons, the roundabout issue at Wauwatosa and Harwood and further analysis on how that would affect that intersection and the adjacent intersection. Ald. Pantuso concurred.

Mr. Plaisted explained that the stakeholders, although interested in the discussion of opening Harwood Avenue up, realize the cluster of problems by doing so. They would like solve the problem of Root Commons soon, not to let it linger. He told the committee if you want to explore a roundabout or blasting Harwood through to Wauwatosa Avenue to please have the discussion in the next few months. They want to move forward with their planning as quickly as possible and start to find funds to make this area the best as it can be.

Mayor Ehley said a lot of time went into discussing all the scenarios and there is not a good solution. She noted that there was discussion of moving Root Common over, but only if there were to be a 4-way stop. The Mayor alluded to the fact that there are pros and cons with the 4-way stop, but too many parking spaces would be lost otherwise. The Mayor also felt additional signage in the Village would be very helpful.

Ald. Byrne said the Root Common expansion is essential and felt it outweighs the 14 parking spaces.

Moved by Ald. Causier, seconded by Ald. Byrne to recommend moving forward on the following intersection modifications:
Harmonee Avenue/Harwood Avenue/Glenview Avenue,
Wauwatosa Avenue/State Street, Harmonee Avenue/Underwood Avenue,
Menomonee River Parkway/Harmonee Avenue - Ayes: 8

RESULT:	RECOMMENDED [UNANIMOUS]
TO:	Traffic and Safety Committee
MOVER:	Kathleen Causier, Alderwoman
SECONDER:	Allison Byrne, Alderwoman
AYES:	Causier, Wilson, Hanson, Pantuso, Berdan, Stippich, Walsh, Byrne

13. Fall newsletter

The committee reviewed the Fall Newsletter prepared by Anthony Brown and made suggestions for revisions. A typographical error was discovered in the leaf collection item. Additional election information was requested to be added to the newsletter.

Ald. Pantuso inquired whether the City Newsletter could be included in the water bill mailings. Unfortunately due to quarterly billings it was determined that was not a feasible option.

The meeting adjourned at 10:55 p.m.

Future Community Development Committee items

- Mayfair Corridor Planning Study
- Policy concerning issuance of remaining “Class B” Reserve liquor licenses
- Ordinance amendment concerning aldermanic representation on the CDA & Plan Commission
- Policy for parking permits in neighborhoods
- E-cigarette discussion on inclusion in the current smoke free ordinance for public spaces (10-14-14)
- DOT/City work on Center Street associated with the Zoo Interchange Project (10-14-14)
- E-mail from Ald. Berdan requesting creation of a resolution to seek exception from Trans 75 bicycle lane requirements on N. 112th and 113th Streets south of Center Street (10-14-14)
- Review of property maintenance policy for residential and commercial properties (10-14-14)
- Request for policy for installation of neighborhood ID signs
- Economic development investment guidelines and Tax Increment Financing Program Policy (10-14-14)

Carla A. Ledesma, CMC, City Clerk