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**COMMUNITY DEVELOPMENT COMMITTEE MEETING
Tuesday, May 28, 2002**

PRESENT: Aids. Becker, Ecks, Heins, Herzog, Kopischke, Krol, Treis -7

EXCUSED: Ald. Sullivan

ALSO

PRESENT: N. Welch, Community Development Dir.; A. Kesner, City Atty.

Ald. Heins in the Chair called the meeting to order at 8 p.m.

Conditional Use at 734 Glenview Avenue and Vacation of St. Jude Court

Ms. Welch, Community Development Director, outlined a request by Roger Baehr, St. Jude the Apostle Church, 734 Glenview Avenue, for a Conditional Use in the BB Two Family Residence District and an additional request for vacation of St. Jude Court. Referring to an aerial view, Ms. Welch pointed out the site of the proposed 18,000 sq. ft. addition on the northeast portion of the property. It would function largely as a gymnasium with some additional office space. Staff has worked with St. Jude's to satisfy siting concerns in connection with drainage and detention issues as well as a sewer easement. An additional concern about sufficient parking was resolved with the request to vacate St. Jude Court, which would add an additional 40 spaces to maximize the amount readily available to accommodate most events.

Brad Kraft, T-3 Group, 222 E. Erie Street, Milwaukee, said the proposed addition meets the needs of St. Jude's and satisfies City requirements. Tom Pionke, 845 Geralayne Circle, representing the St. Jude building committee, reported that sufficient money has been raised to begin construction and they are working with the City to resolve any issues and follow all guidelines.

Ald. Ecks indicated that he represents the area and supports the addition and the street vacation.

Moved by Ald. Ecks, seconded by Ald. Krol to recommend approval of
the Conditional Use subject to approval of vacation of St. Jude Court.
Ayes: 7

Regarding the proposed street vacation, Ms. Welch reported that the City will retain easements to maintain a water main but St. Jude's will control the street and the street lights. Final details of an agreement on disconnecting and turning over the street lights are being worked out with the Director of Public Works. Costs will largely be borne by St. Jude's.

Moved by Ald. Kopischke, seconded by Ald. Ecks to recommend approval
of the vacation of St. Jude Court. Ayes: 7

Business Planned Development – 6600 River Parkway

Ms. Welch, Director of Community Development, pointed out on an aerial view the proposed site of a Business Planned Development at 6600 River Parkway for which preliminary plan approval is requested by Laureate Group for development of an independent and assisted living senior apartment building. She clarified that the site is north of River Parkway and does not involve land that was acquired for Hart Park expansion. The first development phase would involve about 150 units and the second about 93 units. In response to a later question, Ms. Welch indicated that the units would be taxable.

Ms. Welch reported that there are several problems in connection with development that are out of the City's control. Department of Natural Resources (DNR) approval would be needed to fill the site and bring it out of the floodplain and into compliance with building code requirements. There is also concern about adequate sewer credits from the Milwaukee Metropolitan Sewerage District (MMSD). There are concerns about emergency access across the railroad tracks under flood conditions. Another concern is the fact that the State Street redevelopment plan identified this area as mixed use residential but the proposal is primarily residential with some commercial that is available only to building residents and would not contribute to the vitality of the street.

Carl Templer, manager of the Village Business Improvement District (BID), said that although this project is not directly applicable to the State Street redevelopment plan, he is aware that the community has a vast need for housing of this type. The BID board saw potential for additional use of Village businesses and, while not wholly enthusiastic, was supportive of the proposal.

Ald. Becker questioned whether 60 parking spaces for 150 units would be adequate, both for tenants and visitors. Mr. Weiss felt that ratio would meet the building's needs; the requirement is one space for every three units. He indicated that the average age of tenants is 80-85 and most don't drive. In a number of their buildings, some inside parking is actually rented to other users. It is unlikely that visitors would all show up at the same time, he said. He noted that some at-grade parking would be provided, but they can't go underground because of the floodplain. He indicated that he would address parking concerns to the best of his ability.

Asked about potential costs to the City in connection with sewer service, Ms. Welch said the City would not be doing any improvements. An on-site holding tank, at the developer's expense, is being explored as a possibility.

Ald. Herzog asked about outside use of the commercial businesses in the building. Ms. Christie said they have at times offered the use of facilities such as a bank branch to other senior groups but there has been no interest. They would try to make accommodations if there is a community need and interest. The buildings have locked entrances with commercial facilities on the second floor and dining on the first close to the kitchen. There would be a small store for convenience items only. A local proprietor who serves residents on a particular day typically runs the beauty and barber shop.

Ms. Welch clarified that this property would be included in TIF District #3 in terms of the area but the project is not included in any of the calculations. She noted that this is just at the preliminary approval stage where concerns and possible changes can be addressed. The developer would need to return with final plans.

Ald. Herzog next asked about on-site detention. Ms. Welch said that the current site has a great deal of hard surface that will not be increased by more than half an acre, so detention requirements do not apply here.

Mr. Weiss said his goal is to maximize green space and buffer the project with trees. Crossing the railroad tracks is one way to address floodplain requirements; another is through a statement from the fire chief regarding accessibility under flood conditions. The sewer problem could be addressed through on-site detention, sewer allocation, or sewer diversion, all requiring work with the City and MMSD. If those issues aren't resolved, the project wouldn't proceed, Mr. Weiss said. His primary concern right now is to get the necessary approvals to

know where they are at. He indicated that he has a limited time frame. They have the land under contract, and the seller has tenants on the site with month-to-month leases. There are two parcels owned by the same person with 3-4 buildings housing diverse warehousing and light industrial businesses.

Mr. Weiss acknowledged that getting permission for a crossing over the railroad tracks is a “hard sell.” The railroad does not like to give access and doesn’t take a request seriously until there is some indication of support. The building would have 24-hour staffing and would be fully automated, fully sprinklered, and fully protected. The question is whether a fire truck can get there in a flood. If not, an alternative has to be found. The fire chief reportedly is confident he can get there somehow from the south.

Ald. Ecks commented that the proposed operation is significantly different from other businesses and emergency access is too significant an issue to be rushed because of artificial time constraints.

Ald. Krol said he is in favor of senior housing but is concerned about the location. He asked about flood levels and building heights. Mr. Weiss said that from the State Street side of the building the level would probably end up below the railroad bed; from the River Parkway side it would be up quite a bit.

Ms. Welch said that in three years when MMSD finishes the berm in this area, the entire site would be out of the floodplain due to the berm and no fill would be needed. Prior to that time, the site would need to be filled to bring it up above the floodplain.

In response to questions, Ms. Christie said that the building would be two-thirds independent and one-third assisted living. Historically, underground (or in this case, enclosed) parking would be used by staff, especially second and third shifts. The Monday-Friday day shift would be the heaviest and would probably use 10 spaces at the most. Mr. Weiss indicated that they could provide some alternatives with various degrees of parking.

Ald. Krol noted the proximity of the railroad tracks and asked about safety in case of derailment. Ms. Welch said that the chance of derailment is unknown but is present when building close to a railway. Ms. Christie said they have four other buildings near railroad tracks and do a lot of work with the railroad in advance. Mr. Weiss said they typically put higher quality windows on the railroad side and find that their senior tenants are a little less susceptible to being bothered by the noise.

Ald. Ecks was concerned about the need for fill if proceeding now while fill wouldn’t be needed if the developer waited a few years, plus he could then actually improve the parking situation with some grade changes. He felt it is premature to proceed prior to construction of the berm.

Mr. Weiss said they would be adding no net fill and there will be no net impact on the flood line. In fact, the result will be beneficial due to replacing blacktop with grass and trees.

Moved by Ald. Herzog, seconded by Ald. Kopischke to recommend approval of the preliminary plans for the Business Planned Development –

Ald. Krol indicated he would support the project on a preliminary basis but does still have concerns that would have to be addressed for final approval. Ald. Becker concurred, specifically citing parking concerns.

City Attorney Kesner explained that approval of preliminary plans gives the developer an opportunity to move forward with more specific plans. In this case, it gives them some support in going to the other entities involved.

Roll call vote, Ayes: 6; Noes: 1 (Ecks)

Conditional Use at Wauwatosa West High School – 11400 W. Center Street

Referring to an aerial view, Ms. Welch, Director of Community Development, outlined a request by Robert Slotterback, Superintendent of Schools, and Tom Steiner, West High School principal, for a Conditional Use in the AAA Single Family Residence District at 11400 W. Center Street for improvements to the existing West High School athletic site. In the initial phase, 500-1000 seats of what will eventually be a 3,000-seat stadium will be constructed. Also phased in over a number of years would be a soccer field, football practice field, restroom facilities, and a concession stand.

Ms. Welch reported that neighbors to the west have been concerned about lighting and would like some type of screening. The question of adequate parking was also raised. The adjacent West High School/Eisenhower Elementary School parking lot has 326 spaces, there is a walkway to Whitman Middle School with additional parking, and parking is also available along Center Street. Ms. Welch said that the site should be able to accommodate the anticipated five or six games per year without a tremendous impact on the neighbors.

Bruce Johnson, 2339 N. 70th Street, school district facilities manager, indicated that the improvements would be made over 3-5 years, somewhat dependent on fundraising to offset budget shortages. He characterized some as routine maintenance scheduled in the capital improvements budget such as reconstruction of the aging tennis courts and the addition of lighting. Also, a problem with the grade that causes ponding of water on the northwest portion of the site should be corrected for better utilization. The improvements would bring varsity programs to the site, enhance its use, and also would address a shortage of functional green space throughout the community for school athletic programs and other uses.

Bob Slotterback, 2339 Pasadena Boulevard, school district superintendent, said various community groups have discussed the improvements since 1969. He saw about half of the project as maintenance to existing facilities and the other half as improvements.

Tom Steiner, 7512 Lincoln Place, West High School principal, said the project would be outstanding from the standpoint of school and community spirit, drawing the community together in both fundraising and in the events. It would provide a home site and encourage more students to participate in athletics, which studies have shown does lead to academic increases. It would address needs for storage and seating for current events such as youth, freshman, and junior varsity football.

Mike Hetzel, Pewaukee, West athletic director, spoke of the inability to host bigger track meets because of the shortage of seating and lack of protection for scorekeeping cables. He noted the need for storage space and also mentioned the previously cited drainage problems. The community needs more space for soccer and baseball, he said. Hosting home football games at West would alleviate some of the use and scheduling burden on Hart Park.

Richard Deuel, 2426 N. 115th Street, raised questions about available funds and fundraising plans. He felt most of the project is duplicated at Hart Park where improvements to the tennis courts, track, and aluminum seating are already scheduled in the capital improvements program. With Hart Park available, he felt that 3,000 seats are unnecessary for 4-5 football games per year. He noted that fencing would be needed, which will look institutional when viewed from the freeway and was also concerned about the location of proposed storage facilities. He said his greatest concern is the cost, involving uncertainties about future state funding and the possibility of increased taxes. He suggested simply fixing the track and improving the sod and bleachers.

Ray Bergholz, 2444 N. 115th Street, was also concerned about funding sources and a possible burden on the city's aging community. He feared cost overruns, noting that running sewer and water alone as well as grading would be very costly. He said that he is not against the project but feels it shouldn't be masqueraded as something that is already paid for. He felt that the cost should be looked at more closely along with the effect on surrounding property owners, particularly on 117th Street.

Paul Katzer, 2611 N. 115th Street, asked if 400 off-street parking spaces are adequate for a facility that will attract 3,000 people. He was also concerned about fire vehicle access on 115th Street when cars are parked on both sides of the street, as happens now with large events at the school.

June Pukansky, 2539 N. 118th Street, supported the project. He spoke of the uniqueness of the surrounding neighborhood and its attractiveness to families due to the proximity of four schools and churches. She felt that the improvements would keep the area vibrant in order to continue to attract young families with children.

The Chair reported that she and several other alderpersons attended the informational meeting in January where many spoke in favor of the project and some against, and she also attended the Plan Commission hearing earlier this month. She noted that the committee has copies of letters that have been submitted, and they also have a record of the number of residents that registered or spoke for or against the plans at the Plan Commission hearing.

Responding to questions about parking, Ms. Welch said that maximum seating of 3,000 is projected, but the first phase will provide 500-1,000 seats. She felt that 325 on-site spaces is a fair amount of parking in terms of how often the facility would be used to its maximum. That amount probably equals or exceeds what is currently available at Hart Park, she noted. She again mentioned the adjacent parking at Whitman Middle School and on Center Street. A critical issue in projects like this, she said, is trying to balance parking needs with the impact on the neighborhood. In this case with 5-6 games per year, there seems to be a reasonable amount of parking that neighbors would not be negatively impacted. Regarding accessibility for fire vehicles, Ms. Welch said that with two 8-foot parking lanes on a 30-foot street, the remaining 14 feet would be adequate for a fire truck.

Noting that the area is in his district, Ald. Herzog reported that he has received calls in favor but no phone calls in opposition from district residents. Some people outside the district who oppose it have contacted him. He indicated that he attended the January informational meeting and has viewed the plan a number of times. He sees many benefits in the athletic complex plan, he said. Improved drainage in the northwest portion would not only help the school but would possibly also help the neighboring residents. The impact of lighting the tennis courts would be minimal, he felt, but he would like to see plans to minimize the impact of other lighting through screening or fencing. It is not the Council's responsibility to look at funding, he noted, since the City and the school district do separate budgeting and taxing.

Moved by Ald. Herzog, seconded by Ald. Becker to recommend approval
of the requested Conditional Use –

Ald. Becker said that people come to Wauwatosa because of the school system and its facilities, and he felt that West High School should have its own stadium.

Ald. Kopischke said that as a West graduate who is familiar with the area he feels the development is needed. It would make better use of available green space, improve its appearance, and provide a facility so that teams do not have to ride buses to home games. People in the neighborhood would be able to walk or ride bikes there.

Ald. Krol noted that we zone school districts as residential areas because they are compatible with residential neighborhoods. It is this committee's responsibility to determine whether the project is a compatible use, but funding is the school district's responsibility, he agreed.

Ald. Treis commented on community participation, the benefits of the athletic program, and the funding or possible fundraising aspects of the project. Regarding parking concerns, he noted that cars parked in front of residences during events would be there for only a few hours. He said that streets around Hart Park are narrower than those in this area and possible problems would be taken into consideration by the fire department. He felt that the development is absolutely necessary and that the parking would take care of itself.

The Chair noted that the Plan Commission recommended review of the lighting plan. Ms. Welch said that a photometric study was requested to demonstrate that lighting would be focused onto the field. That plan should be available before the Council votes on this issue.

Vote on the motion, Ayes: 7

Sign Ordinance Amendments – Village Business Improvement District

Mr. Kesner, City Attorney, outlined proposed changes to the sign ordinance that would allow for way-finding signs for the Village Business Improvement District (BID) to direct people into the Village and to different locations there. In addition, it allows for some monument-type signage for identity purposes and some permanent flags or banners on buildings under specific circumstances. The changes were drafted at the request of the BID manager and board of directors. The BID would create a signage review board to review and approve signs. Signs that affect the public right-of-way would require Board of Public Works approval. Design Review Board and other approvals already in place would continue.

Carl Templer, BID manager, said that the decorative monument signs would be at the intersection of State Street and Harmonee Avenue, on both sides of State Street at the Reserve apartments near 60th Street, at Milwaukee and Harwood Avenues, and at the Chancery parking lot. Banners would be used to add color and a festive nature to the area. The review board would assure that all signage is tasteful, safe, and adheres to height, distance, and size requirements so that it is appropriate, in context, and appealing to visitors.

Ald. Treis commented that the sign ordinance is designed so that business people in various sections of the community, with the exception of the county grounds area, have common sign usage. Any revisions should apply to all business areas, not just one, he felt. He said that directional signs are appropriate in the case of the county grounds medical district and such use could be available to other areas that may need them.

Ald. Krol said he shares the concern that other areas would not have the authority to do something similar. He also had some concerns about the provision for review of signs that project into the public right-of-way by the Board of Public Works, given that it is a staff board rather than elected officials.

Mr. Templer said that a separate Village Trade District was created about 35 years ago and is part of the reason the BID was created. The business owners there participate at a higher level through the BID assessments that business and property owners pay each year. He felt that other groups would need to form themselves into a proactive group and bear the cost of that. In the past several years the Village Trade District has been allowed to have sandwich board signage that is not allowed elsewhere, and that privilege has not been misused.

Following further comments, Mr. Kesner said it would be possible to have one ordinance that allows the Village BID to do what is appropriate there and still be flexible enough that another business district that puts together enough organization to meet certain standards and wants to regulate some signage in their area could have that opportunity also. He noted that the sign code is organized by zoning districts, with separate sections for Village Trade, AA Business, Residential, etc., which is why the revisions were made to just the section pertaining to the Village BID.

Ald. Krol indicated that he is concerned about monument signs, especially on Harmonee Avenue, because of the traffic volume there and the possibility of blocking vision.

Moved by Ald. Krol, seconded by Ald. Becker to place the matter in file for 60 days to allow time to reflect on the benefits the proposed changes would bring or the challenges they would incur on other areas of the city –

Ald. Treis favored holding a Committee of the Whole meeting or referring the matter back to the City Attorney and the Building department and Sign Appeals Board.

Mr. Kesner suggested a presentation by the Village BID at the next meeting that would explain the proposal in more detail. They have drawings of the various sign locations and could provide other information as well.

Ald. Krol said that he would hope that other entities would come forward during the 60-day period if they have any comments, and he would also welcome seeing the BID's presentation. He said that he does not know enough at this point to support the issue.

Ald. Kopischke favored moving forward with the changes, given the separation of the various districts in the sign code and the possibility of later looking at similar uses for other districts.

Ald. Ecks questioned the status of the BID sign review board as perhaps being quasi-public in that it would have some jurisdiction over what would ordinarily be under the purview of those in public office. Mr. Kesner responded that the BID board is a government created and organized entity that operates on its own with governmental support. They have some special powers to make design and planning decisions. The signage review board would be a new part of that process but would be entirely appropriate. Mr. Templer added that the 15-member BID board is appointed by the mayor and confirmed by the Common Council. It is comprised of business or property owners and one person representing the community at large.

A suggestion by Ald. Treis to amend the motion by sending the matter to the City Attorney or referring it to the president of the Common Council for a possible Committee of the Whole meeting was declined by Ald. Krol. Ald. Krol noted that the issue could be brought back at any time during the 60-day period with further information.

Vote on the motion, Ayes: 5; Noes: 2 (Ecks, Kopischke)

The meeting adjourned at 10:07 p.m.

Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin

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