

MEMORANDUM

Date: February 7, 2025

To: City of Wauwatosa Common Council

From: Mark Hammond, Development Director

Subject: Consideration of amendments to Secs. 15.10.010, 15.10.015, 15.10.020, and 15.10.050 and creating a new Sec. 15.10.013 of the Wauwatosa Municipal Code related to Design Review Board Approval for new residential structures or buildings and design review board review of staff decisions related to residential alterations, additions, accessory dwelling units and garages.

Background:

The current Wauwatosa Municipal Code under Section 15.10.015 provides that the design review of new single family and two-family residential structures is to be conducted by staff. Previously, design review of all single family and two-family structures, along with exterior alterations, additions, and accessories structures were reviewed by a Residential Design Review Board. The Residential Design Review board was eliminated in 2021, at which time all of the design review previously handled by this board was delegated to staff. This move has generally resulted a more streamlined and user-friendly process while also ensuring thoughtful design that is consistent with City ordinances.

As Wauwatosa has started to see an increasing amount of new single-family homes proposed on infill lots within our fully built-out neighborhoods, there is an increased impact on neighborhoods. We believe it is prudent for the review of these homes to controlled be the Commercial Design Review board, which is comprised of citizen who are design professionals.

The proposed text amendment also revised the processes for appealing staff decisions regarding residential alterations, additions, and accessory dwelling units and garages. Currently, the building and safety manager conducts the initial review. The applicant can then request a review or appeal by the Development Director. The applicant can then appeal the Development Director's decision to the Board of Zoning appeals.

Proposal:

The proposal under consideration is an amendment to the Wauwatosa Municipal Code to reinstate Design Review Board approval for new residential construction. This change would affect Sections 15.10.015 and 15.10.020 and create a new Section 15.10.013, requiring new single-family and two-family home to to be reviewed by the existing Commercial Design Review Board (who currently reviews all commercial buildings, including all multifamily

buildings with three or more units). The objective is to ensure that new residential developments adhere to the community's design standards and are evaluated using the same process as commercial properties.

The proposed text amendment also revised the processes for appealing staff decisions regarding residential alterations, additions, and accessory dwelling units and garages under Section 15.10.050. It provides for there to be one staff level review by the Development Director or designee. The applicant can have this decision reviewed by the Design Review Board. Design Review Board decision can then be appealed to the board of zoning appeals.

We are also cleaning up the code Section 15.10.010 to make clear what is already provided by our ordinances: that commercial structures located at historic sites or within historic districts are subject to design review by the historic preservation commission and not the design review board.

Finally, the section allowing an aggrieved person to file a request for review before the design review board is being removed because the board has already thoroughly reviewed the matter and issued a final decision. If an individual is aggrieved by the decision, they are required to present their case directly to the Board of Zoning Adjustment (BOZA), rather than appealing to the design review board that made the decision.

Recommendation:

Staff recommends approval.