



# Wauwatosa, WI

## Community Affairs Committee

### Meeting Agenda - Final

7725 W. North Avenue  
Wauwatosa, WI 53213

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Tuesday, November 14, 2023

7:30 PM

Council Chambers and Zoom:  
<https://servetosa.zoom.us/j/82923188685>,  
Meeting ID: 829 2318 8685

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#### Regular Meeting

#### HYBRID MEETING INFORMATION

Members of the public may observe and participate in the meeting in-person or via Zoom at the link above. To access the Zoom meeting via phone, call 1-312-626-6799 and enter the Meeting ID.

#### CALL TO ORDER

#### ROLL CALL

#### ORDINANCES FOR ADOPTION CONSIDERATION

1. Ordinance amending Sections 24.05.020 and 24.07.030 of the Wauwatosa Municipal Code to regulate drive-through facilities in the Mayfair Corridor Overlay (/MAY) [23-800](#)

*Recommendation:* Introduced on November 7, 2023, for adoption consideration

2. Ordinance creating Section 8.62 of the Wauwatosa Municipal Code related to tourist rooming houses/short term rental licenses [23-903](#)

*Recommendation:* Introduced on November 7, 2023, for adoption consideration

#### COMMUNITY AFFAIRS COMMITTEE ITEMS

1. Request by Ben Hebl for a Minor Planned Unit Development (PUD) Amendment at 1441 N. Mayfair Road for an event space [23-834](#)
2. Historic Preservation Commission Annual Report [23-403](#)
3. Board of Parks & Forestry Commissioners Annual Report [23-738](#)

#### ADJOURNMENT

#### NOTICE TO PERSONS WITH A DISABILITY

Persons with a disability who need assistance to participate in this meeting should call the City Clerk's office at (414) 479-8917 or send an email to [clerk@wauwatosa.net](mailto:clerk@wauwatosa.net), with as much advance notice as possible.



## Staff Report

**File #:** 23-800

**Agenda Date:** 11/14/2023

**Agenda #:** 1.

### **Ordinance amending Sections 24.05.020 and 24.07.030 of the Wauwatosa Municipal Code to regulate drive-through facilities in the Mayfair Corridor Overlay (/MAY)**

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

Part I. Section 24.05.020 of the Wauwatosa Municipal Code is hereby amended by adding a new Subsection D. to read in its entirety as follows:

**D. Drive-Through or Drive-In Facilities.**

Drive-through or drive-in facilities for restaurants, car washes, and gas stations require a Conditional Use Permit for project sites that meet one or more the following criteria:

1. Parcels with 400 feet minimum of frontage along Mayfair Road.
2. Corner parcels with 250 feet minimum of frontage along Mayfair Road and 250 feet minimum of frontage along the cross street.
3. Parcel entrances with direct access to a traffic signal. Cross-access may be used to meet this criterion.

If the parcel does not meet the criteria listed above, a drive-through facility on Mayfair Road is prohibited.

If the parcel meets the criteria, the facility shall meet all development standards of the zone, unless otherwise specified in this section, and the site shall be designed in accordance with the following:

1. Driveway throat lengths and internal cross-access locations must be designed to prevent back-ups onto sidewalks and streets at times of peak usage.
2. Access locations must not negatively impact traffic flow, traffic safety, or pedestrian safety.
3. A traffic impact analysis must be prepared and the findings accepted by both WisDOT and the City Engineer or designee.
4. Cross-access is strongly encouraged.

Part II. The Use Table in Section 24.07.030 of the Wauwatosa Municipal Code is amended by adding a new reference to footnote “[4]” beside the letter “C” in the “Drive-through or Drive-in Facilities Row under the “C2” column.

Part III. Footnote [4] under the Use Table in Section 24.07.030 of the Wauwatosa Municipal Code is hereby amended by adding the following at the end of that footnote:

“See Section 24.05.020 D for additional /MAY Overlay drive-through or drive-in regulations.”

Part IV. This ordinance shall take effect on and after its dates of passage and publication.

By: Plan Commission

**Recommendation:** Introduced on November 7, 2023, for adoption consideration

# Wauwatosa, WI

## Staff Report

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Agenda Date: 11/14/2023

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### **Proposed zoning text amendment related to drive-through establishments in the Mayfair Corridor Overlay District**

**Submitted by:**

Tammy Szudy

**Department:**

Development/Planning Division

#### **A. Background/Options**

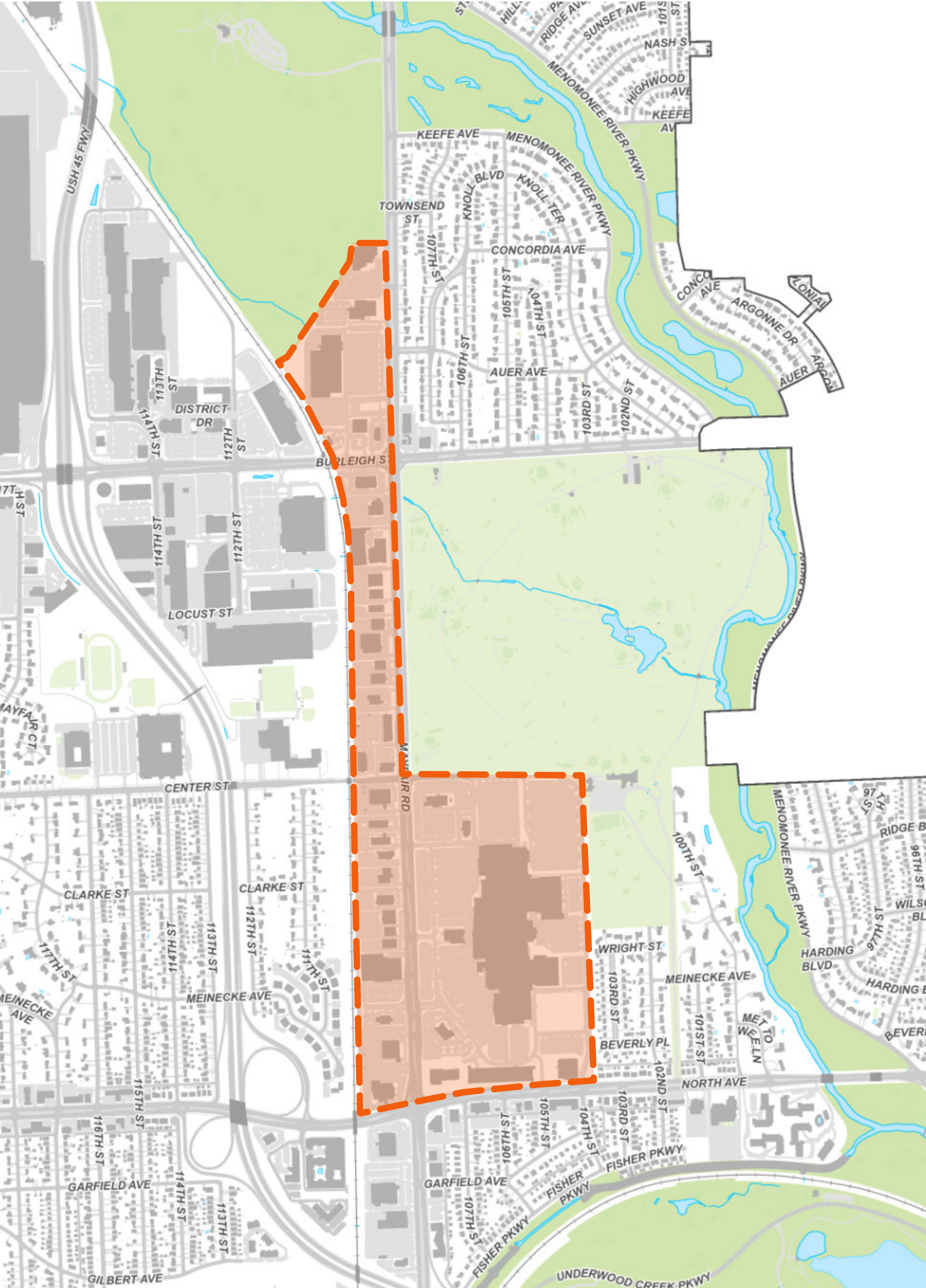
At the September 12, 2023 Community Affairs Committee (CAC) meeting, staff presented draft Mayfair Corridor Overlay regulations related to high volume drive-through establishments (eating establishments, car washes, gas stations, and banks) on Mayfair Road based on direction from the Common Council in June. The location of the Mayfair Corridor Overlay District is shown on the attached maps.

The Committee unanimously referred the proposal to the Plan Commission to initiate the zoning text amendment process. Since the September meeting, staff determined banks should not be subject these regulations as the impact to roadway operations is minimal. In response to questions asked at the September meeting about existing drive-through establishments that will be subject to the proposed regulations, Zoning Code Chapter 24.15 Nonconformities will be reviewed and applied based upon the specific project details.

The Plan Commission recommended approval of the ordinance 7-0 at the October meeting. The required public hearing was held November 7, 2023 before the Common Council with no one commenting on the proposal.

#### **B. Recommendation**

Staff recommends approval.



Not to Scale

PROPOSED MAYFAIR CORRIDOR OVERLAY DISTRICT





# PROPOSED MAYFAIR OVERLAY DISTRICT

Phase 2

Not to scale





# Wauwatosa, WI

7725 W. North Avenue  
Wauwatosa, WI 53213

## Staff Report

**File #:** 23-903

**Agenda Date:** 11/14/2023

**Agenda #:** 2.

### **Ordinance creating Section 8.62 of the Wauwatosa Municipal Code related to tourist rooming houses/short term rental licenses**

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

Part I. Wauwatosa Municipal Code Section 8.62 is created to read in its entirety as follows:

#### **Section 8.62 - Tourist Rooming House/Short Term Rentals**

- A. License Required. No person may conduct, maintain, manage or operate a tourist rooming house if the person has not been issued an annual license by the Health Department. Wis. Stat. 97.605(1) (a) as it applies to a tourist rooming house is adopted.
- B. Application Process. The application processes in Wis. Stat. Ch. 97, Subch. III, and Wis. Adm. Code CH. ATP 72, and Wis. Adm. Code ATP 72.04 are adopted.
- C. License and Inspection Fees. Fees for pre-licensing inspections and annual license fees shall be as set forth in the Consolidated Fee Schedule.
- D. Regulations. The regulations in Wis. Stat. Ch. 97, Subch. III are adopted.
- E. Inspections and Enforcement. The inspection and enforcement processes in Wis. Stat. 97.65 and Wis. Adm. Code ATP 72.07 are adopted. An additional inspection item is added, requiring the licensee to affirm that radon testing has been conducted at the property.

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

By: Community Affairs Committee

**Recommendation:** Introduced on November 7, 2023, for adoption consideration



# Wauwatosa, WI

7725 W. North Avenue  
Wauwatosa, WI 53213

## Staff Report

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**File #:** 23-834

**Agenda Date:** 11/14/2023

**Agenda #:** 1.

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Request by Ben Hebl for a Minor Planned Unit Development (PUD) Amendment at 1441 N. Mayfair Road for an event space

**Submitted by:**

Tammy Szudy

**Department:**

Development

### A. Background/Options

The applicant, Ben Hebl, is requesting a Minor Amendment to a Planned Unit Development (PUD) to allow a 7,500 square foot special event facility (wedding venue) at 1441 N. Mayfair Road in the Light Industrial & Planned Unit Development Overlay (M1/PUD) zone. The space will primarily be utilized for weddings accommodating 100-200 patrons and there are 95 parking spaces available for use. Event hours will be from 4:00 pm to 11:00 pm on Friday, Saturday, and Sunday, with office hours Monday - Friday from 8:00 am to 6:00 pm. The PUD for the site was established for Thurner Heat Treating offices. As an event center was not an anticipated use as part of the PUD, approval of a minor amendment to the PUD is required.

Attached to this report is the applicant's project description and project plans.

### B. Staff Comments

Planning/Zoning Division

Parking is located on the subject property and the northern adjacent property which are under same property ownership. City Code does not specify a parking requirement for wedding/special event facilities and authorizes the Zoning Administrator to determine the required parking. With the facility accommodating up to 200 patrons, the Zoning Administrator has determined the 95 parking spaces is sufficient to accommodate the use.

Noise associated with events is not anticipated to be an issue since the site is located within an industrial area with businesses closed on the weekends. No Residential (R) zoned properties are located near the project site.

Thirteen public notification letters related to the project were sent per City regulations.

Building Division

Applicable permits required.

City Assessor's Office

Provide detailed costs of any alterations and/or new construction, as well as income and expense information as requested by the Assessor's Office.

City Clerk's Office

An alcohol license may be required if alcohol is to be sold/served at the events.



Public Works Department

See below.

Engineering Division

For existing buildings, any building project in excess of \$100,000 is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.

If sprinklers are required by the Fire Department, fire flow calculations in accordance with City Code 14.20.080 will be required. Per City records, the existing water service is a 2-inch copper pipe.

Fire Department

No issues at this time.

Health Department

Contact Health Department regarding required Health Department licenses, if applicable.

Police Department

No issues.

**C. Recommendation**

Staff recommends approval subject to:

1. Establishing hours of operation.
2. Providing detailed costs of any alterations and/or new construction, as well as income and expense information as requested by the Assessor's Office.
3. Providing short and long-term bicycle parking in compliance with City Code 24.11.080 prior to occupancy permit issuance.
4. If the project exceeds \$100,000, the project is subject to sanitary sewer lateral replacement or repair if the existing lateral does not pass Board of Public Works testing requirements according to City Code 13.30.030.
5. If sprinklers are required by the Fire Department, fire flow calculations in accordance with City Code 14.20.080 are required.
6. Obtaining other required licenses, permits, and approvals. This includes but is not limited to an Alcohol License if alcohol is served and applicable Health Dept licenses.



141 N. Mayfair Rd

City of  
**Wauwatosa**



# Proposal for New Event Space 1441 N Mayfair Rd.

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Owners Ben Hebl & Moriah Hebl

**Past Use:** 1441 N Mayfair Rd has been vacant for several years and was used as an office building. The building is owned by Mark and John Pentler of Uptown Motors, who we have a personal relationship with. We will be leasing the property from them.

**Proposed Use:** A 100-200 person event space primarily used for weddings.

**Proposed Hours:** Event hours would primarily be Friday-Sunday 4pm-11pm.  
Office hours would be Mon-Fri 8am-6pm.

**Parking Spots:** 95 parking spots

**# of Employees:** 15 employees: 2 owners, 8 service staff, 2 cleaners, 1 groundskeeper, 1 maintenance repair person, 1 event manager

**Building Surroundings:** The neighboring businesses are a Quick Lane Autobody shop (current owner of 1441 N Mayfair rd), and a Staybridge Suites that is an ongoing new construction. The location is on a dead end access road that also accesses Wisconsin Steel & Tube.

**Changes to be made:** Interior renovations will be necessary and are being quoted and assessed by Oliver Construction. Landscaping will be added primarily to the front of the building in the form of gardens, shrubs, trees, and privacy trees as needed.

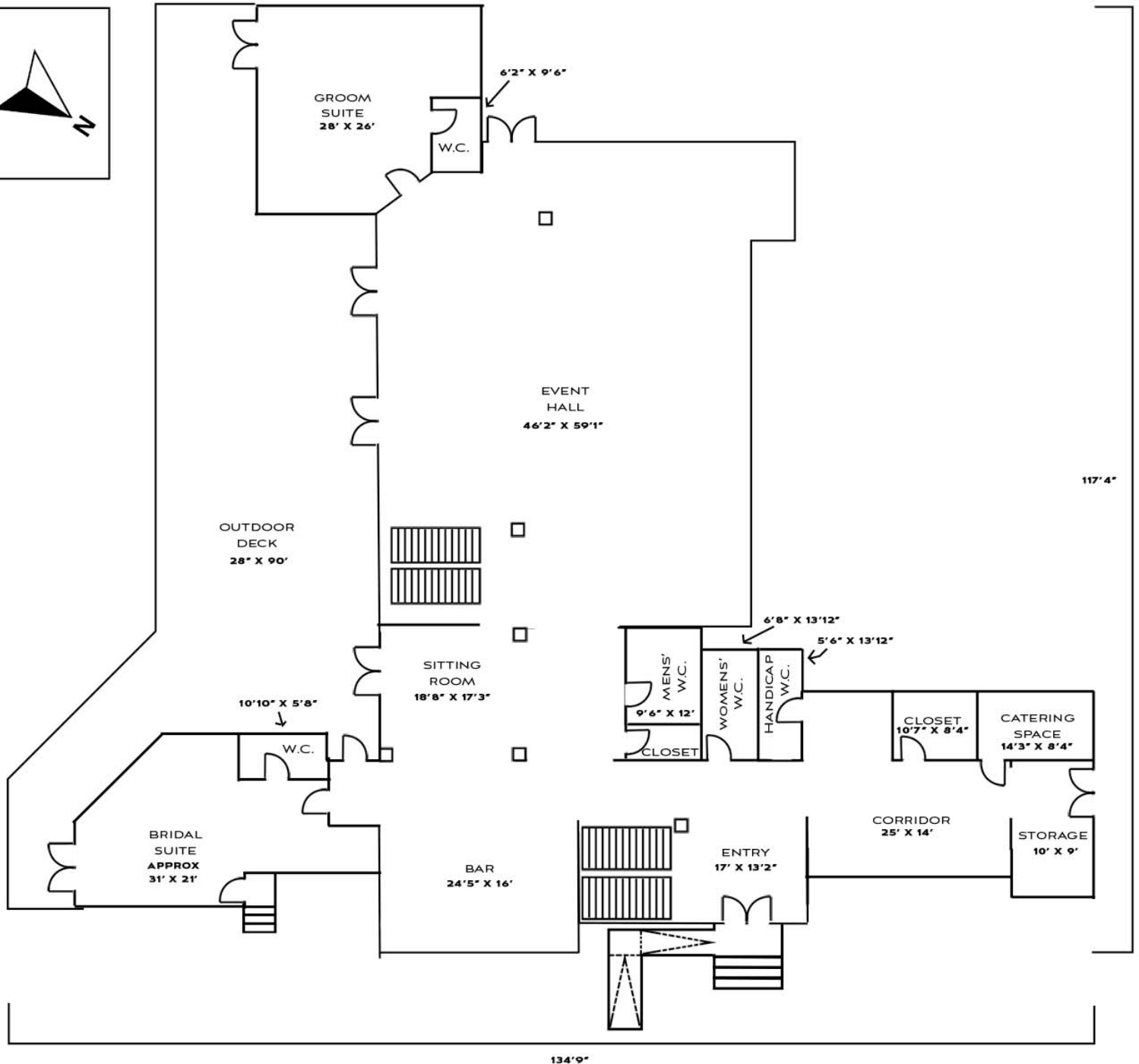
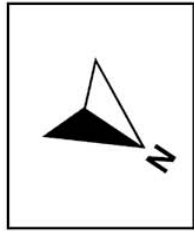
**Zoning Changes:** The current zoning is Light Manufacturing and Planned Unit Development (M1/PUD), but we are requesting a minor amendment to allow the zoning for an event space. We are committed to the sentiments of the PUD standards that protect and enhance the natural features of the property such as the pond, tree canopy, greenery, and complimentary architecture. Our exterior aesthetic plans work cohesively with the PUD ideals for attractive, high-quality landscaping, lighting, architecture and signage that reflects the uniqueness of the property.



# VENUE SPACE FLOOR PLAN

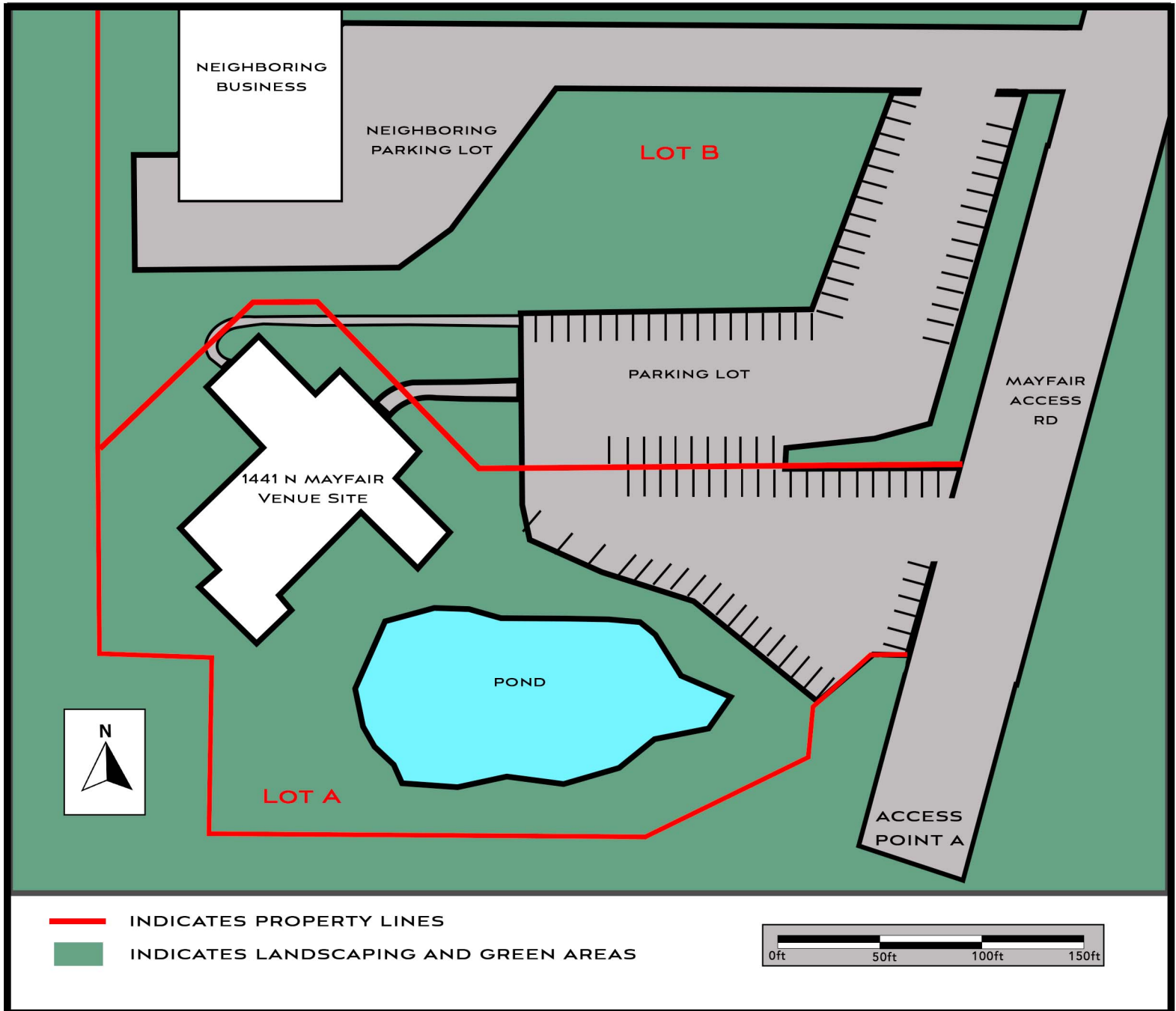
## 1441 N MAYFAIR RD.

FOR WAUWATOSA PLANNING DIVISION-- 10/02/2023



# 1441 N MAYFAIR RD SITE PLAN

FOR WAUWATOSA PLANNING DIVISION-- 10/02/2023



The property lines are shown as indicated and the property owner Mark Pentler owns both properties A & B, hence why the parking lot and paths venture onto Lot B. The venue owner Ben Hebl will be leasing the space on Lot A from Mark Pentler.

1441 N Mayfair Rd is currently the last of three properties on Mayfair Access Rd, however, a new Staybridge Suites is being constructed on the south end of Mayfair Rd entering at "Access Point A."

**Historic Preservation Commission  
2023 Annual Report to the Community Affairs Committee  
November 14, 2023**

**2023 Activities**

- Added panels to the historic property display wall in City Hall for the Zeddie Hyler House, the Blanchard Street Pumping Station, and the Hart Park Complex.
- Resumed the Preservation of Properties Awards. Awarded to GCA for preservation of the Underwood Log Home.
- Sent a letter to all National Register listed and National Register eligible single structure property owners in the City regarding eligibility for historic tax credits.
- Crafted a letter regarding the importance of historic preservation for consideration in the comprehensive plan.

**2024 Goals**

- Continue the Preservation of Properties (PoP) awards.
- Continue design review of designated properties as needed.
- Continue public education.
- Continue to assist with plans for City-owned Schoonmaker Reef parcel.

**Powers and Duties from the Wauwatosa Municipal Code 24.17.010D**

The Historic Preservation Commission has all of the powers and duties expressly identified in the zoning ordinance, including the following:

- recommending designation of historic structures, historic sites and historic districts;
- issuing certificates of appropriateness;
- preparing historic preservation plans;
- working for the continuing education of citizens about the historical heritage of the city and the historic properties designated under the provision of this zoning ordinance;
- cooperating with the State of Wisconsin historic preservation officer and the state historic preservation review board in attempting to include such properties designated as landmarks or landmark sites, or historic districts in the National Register of Historic Places and the State Register of Historic Places;
- receiving and soliciting funds for the purpose of historic preservation, which funds must be placed in a special city account set aside for such purpose; and
- developing specific guidelines for historic structures, historic sites and historic district designations.

**Commission Membership from the Wauwatosa Municipal Code 24.17.010D1**

The historic preservation commission consists of seven members, one of whom must be an alderperson and six of whom must be citizens.

**Current Citizen Commission Members**

Jim Haertel (2023 chairperson), George Beyer, Sharon Eiff, Gene Guzskowski (2023 vice chairperson), Charles Mitchell, Janel Ruzicka

**Aldersperson Liaison**

James Moldenhauer