



## CITY OF WAUKESHA

### Administration

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<b>Committee:</b> Board of Zoning Appeals	<b>Date:</b> 12/5/2016
<b>Common Council Item Number:</b> ID16-1663	<b>Date:</b> 12/5/2016
<b>Submitted By:</b> Maria Pandazi, City Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> Rich Abbott, Finance Director RA	<b>City Attorney's Office Review:</b> Brian Running, City Attorney <a href="#">Click here to enter text.</a>
<b>Subject:</b> The appeal of Jim Lindenberg for a use variance from Section 22.40(1), (2) & (4) M-3 Limited Business and Industrial Park District of the Zoning Code, whose purpose is to provide for the development of an attractive and aesthetic grouping of limited light industrial uses, offices, corporate headquarters, and support facilities in a park-like setting. If granted, the variance would allow for retail furniture store to expand at 1005 Spring City Drive (Master Z's) with a mix of 87% retail and 13% office/warehouse when the M-3 District does not include retail sales in the permitted principal uses or conditional uses. Previously this applicant was granted use variance for 80% retail with 20% corporate headquarter office/warehouse.	

#### Details:

In July of 2014 the Board of Zoning Appeals granted a variance to allow Master Z's to expand its retail space up to 65% of the floor area or 9,777 sq. ft. of the 15,775 sq. ft. total. In September of 2016 the Board of Zoning Appeals granted a variance to allow Master Z's to use up to 80% of the floor area for retail after a 24,000 sq. ft. addition is built resulting in approximately 31,000 sq. ft. of retail area requiring as a condition that Master Z's maintain its office headquarters at 1005 Spring City Dr. noting that Master Z's is a small business that began and has continued grow in Waukesha. Master Z's is now looking to sell to a large Midwestern company, The Great Escape, and is requesting to operate the site at 1005 Spring City Drive as a full retail establishment.

#### Options & Alternatives:

If the applicant proves a hardship exists, the Board may consider granting the variance to allow a use variance for more retail space at this location.

#### Financial Remarks:

[Click here to enter text.](#)

#### Staff Recommendation:

Staff feels the use of this building entirely as a retail store at this site in the M-3 zoning district should not be permitted. This site has already received a use variance to allow 80% of the floor area for retail space, if more retail space is needed there are properly zoned commercial lands in the City for that activity.

