

**MINUTES OF THE PLANNING COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, JUNE 10, 2014**

1. The meeting was called to order at 6:30 p.m. by Mayor Neitzke

ROLL CALL:	Mayor Michael Neitzke	Present (left at 7:15)
	Ald. Karl Kastner	Present
	Mr. Brian Weis	Present
	Ms. Denise Collins	Excused
	Mr. Frederick Hess	Present
	Ms. Christine Hallen	Present
	Mr. Bradley Sponholz	Excused
	Mr. Steve Rogers (alt.)	Present
	Mr. Don Carlson (alt.)	Present

ALSO PRESENT: Charles Erickson – Community Development Manager
Ald. Bruce Bailey

2. Motion by Ald. Kastner, seconded by Mr. Hess to approve the May 13, 2014 minutes. Motion carried 5-0-2 with Mr. Carlson and Ms. Hallen abstaining.

3. Discussion regarding the Common Council meeting held on May 20th.

The new Rivershire Clubhouse (11215 W. Morgan) plan and Community Bank (4131 W. Loomis) conversion of the storm basin to an underground system for 57 stalls were both approved as presented. A temporary arrangement with WisDOT for use of the Park and Ride lot during that construction will be made possible by constructing a pedestrian walkway.

Mayor Neitzke spoke on the Special Common Council meeting that was held on May 28th regarding a Temporary Use Permit behind a residence at 43rd & Edgerton. The request was to install temporary parking with gravel behind the home. It was handled as a temporary use permit to try to alleviate the parking problems occurring along 43rd Street and along Edgerton Avenue, and also includes some overflow parking onto Honey Creek Drive. The Plan Commission will have this item on its August agenda to determine if the temporary use should continue. Future items that would also need to be reviewed are stormwater management, fencing, whether it should be paved, landscaping screening, rezoning and Land Use Plan change, etc. Mayor Neitzke also noted that the demolition of the Cycle Empire property, 4001 W. Loomis, along with the neighboring house, have been emptied of their contents and are starting to come down.

4. Greenfield Highlands LLC, Ener-Con Companies, 8575 W. Forest Home Avenue, Suite 160, Greenfield, WI 53228 requests an Amendment to the Greenfield Highlands PUD and Developer's Agreement originally approved in 2007 with an amendment done in 2013 as it related to the condo building design. The proposed revision is that the Clubhouse building exterior color would change from an 'off-white' to an 'almond' color to better match the main colors for the condo buildings as revised. Tax Key #609-9994-008.

1. Background: Greenfield Highlands LLC requests a minor amendment to the Greenfield Highlands PUD and Developer's Agreement originally approved in 2007, with an amendment done in 2013 as it related to the condo building design – see attached 5/20/14 email excerpt.
2. Architectural Review/Exterior Materials: The proposed revision is that the Clubhouse building exterior color would change from an 'off-white' to an 'almond' color to better match the main colors for the condo buildings as revised. Color renderings will be presented at the meeting.

Recommendation: Approve subject to Plan Commission and staff comments, consider this a minor change not needing a public hearing, and authorize this item to be expedited to the June 17th Common Council meeting.

Alicia Hurst with Ener-Con was present to answer questions.

Motion by Ms. Hallen, seconded by Mr. Carlson to recommend approval of an Amendment to the Greenfield Highlands PUD and Developer's Agreement originally approved in 2007 with an amendment done in 2013 as it related to the condo building design, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 17th Common Council meeting. The proposed revision is that the Clubhouse building exterior color would change from an 'off-white' to an 'almond' color to better match the main colors for the condo buildings as revised. Tax Key #609-9994-008. Motion carried unanimously.

5. Riaz Mian, Mian Oil Corp., 4621 W. Forest Home Avenue, Greenfield, WI 53219 requests a Special Use amendment to extend the convenience store hours from 10 p.m. to midnight on a daily basis; the gas pumps are already operating on a 24/7 basis. Tax Key #531-1117-001.

1. Background: Riaz Mian requests a Special Use Amendment to extend the convenience store hours of this gas/convenience store at 4621 W. Forest Home Ave from 10 p.m. to midnight on a daily basis – see attached PC application for more details. The gas pumps are already operating on a 24/7 basis. Mr. Mian opened this gas/convenience store in 2001.
2. Hours of Operation: See above for current request, and see attached for original hours approved in 2001.
3. Miscellaneous: Ald. Lubotsky is supportive of the proposal. The neighboring Burger King also closes at midnight.

Recommendation: Approve subject to Plan Commission and staff comments, consider this a minor change not needing a public hearing, and authorize this item to be expedited to the June 17th Common Council meeting.

Mr. Mian was present to answer questions.

Mayor Neitzke read an email from Plan Commission member Brad Sponholz, who was unable to attend tonight's meeting. Mr. Sponholz stated that he feels this issue needs to be addressed with the neighborhood first. He doesn't think Mr. Mian was ever approved to have his pumps open 24/7 and there was also a lot of concern with the use of the vacuum equipment after 10:00 p.m. This station borders on a quiet neighborhood (which Mr. Sponholz noted is also his neighborhood) and he has heard from neighbors that they would not like to see expanded hours, especially if they have no input on the matter. He would like Mr. Mian to at least have a neighborhood meeting before it is voted on.

Ms. Hallen questioned how many homes are in the area. An aerial picture was posted and it was noted that a portion of the homes are in Milwaukee, an area represented by Milwaukee Alderman Joe Dudzik. Mayor Neitzke noted that the Police and Fire Departments have concerns with gas stations where one has the ability to dispense gas when the station itself is unattended after hours. Mr. Carlson questioned Mr. Mian how much business he is anticipating between 10:00 p.m. and midnight. Mr. Mian said he's estimating an additional ten percent increase. He is trying to stay competitive with a neighboring Speedway station. He also noted Burger King next door is open to midnight, which provides extra safety for both sets of employees when they are closing.

Motion by Mr. Carlson, seconded by Mr. Rogers to recommend approval of a Special Use Amendment to extend the convenience store hours at 4621 W. Forest Home Avenue, from 10 p.m. to midnight on a daily basis; subject to Plan Commission and staff comments, which include: the gas pumps will only be operating when the convenience store is open and with the owner to contact prior to this Council meeting the neighboring residents, and Alderperson Dudzik to inform them of this change, and authorize this item to be expedited to the June 17th Common Council meeting. Tax Key #531-1117-001. Motion carried 6-1 with Ms. Hallen voting no.

6. Selwyn Jarvis, Trini-Dad's Child Development Center, 3488 N. 88th Street, Apt. 1, Milwaukee, WI 53222 requests a Special Use Review to continue with the child day care use in the same tenant space previously approved for Kingdom Care Child Care Academy at 4161 S. 76th Street. Tax Key # 570-8960-001.

1. Background: Selwyn Jarvis requests a Special Use Review to continue with the child day care use in the same tenant space approved a year ago for Kingdom Care Child Care Academy at 4161 S. 76th Street. The expectation is to service up to 110 children per the attached PC application. Also attached is the owner approval for Mr. Jarvis in this location.
2. Signage: Will likely have a panel insert on the free-standing sign by S. 76th.
3. Hours of Operation: 6 a.m. – 6 p.m. Mon-Fri (same as previous owner); possible second shift & weekends in the future.
4. Fire Department: Similar to what listed in this same category a year ago, Mr. Jarvis is now asked to contact the Dept. regarding upgrading the life-safety measures within this tenant space. This unit currently has no sprinkler system, and only has battery operated smoke detectors. When the adjacent space to the east was occupied by Advance Auto Parts last year, they installed both a 'dry' sprinkler system (i.e. piping but no pressurized water) and an alarm system with smoke/heat detection and with horns/strobes; and actually a 'horn' element was extended into the then Amy Academy space.

Recommendation: Approve subject to Plan Commission and staff comments with the understanding that prior to when "possible" hours of operation change as referenced in the Plan Commission application are ready to become "actual", that then a Special Use amendment request be done prior to any expansion of these hours; and authorize this item to be expedited to the June 17th Common Council meeting.

Mr. Jarvis was present to answer questions. Mayor Neitzke spoke on the investment in life safety systems made to the property, most recently the system put in at Advanced Auto next door. The owner is concerned with putting a lot of money into one large tenant space that may not succeed and that could lead to the having to divide the space, which may result in the current systems needing replacement. Mr. Jarvis said they are obtaining bids for strobes and heat and fire detection equipment that would be hard-wired into the Advanced Auto space as well. Ms. Hallen questioned if there were plans currently for van use to which Mr. Jarvis replied not at this time, but perhaps within six months he'd have van transportation for school-aged children.

Motion by Mayor Neitzke, seconded by Mr. Rogers to recommend approval of a Special Use Review for Selwyn Jarvis to continue with the child day care use in the same tenant space previously approved for Kingdom Care Child Care Academy at 4161 S. 76th Street, subject to Plan Commission and staff comments. Tax Key # 570-8960-001. Motion carried unanimously.

7. Nick Marking, Brass Tap, 8073 S. River Lane, Franklin, WI 53132 requests a Special Use in order to open ‘The Brass Tap’ bar in approx. 3,000 s.f. of the ‘Panera Bread’ multi-tenant building at 7808 W. Layton Avenue (i.e. specifically in the former ‘2nd Wind Sports Equipment’ space); part of the request includes the intent of having live entertainment on Fridays and Saturdays; and creating an outdoor patio on the SE corner of the building. Tax Key #605-9956-005.

1. Background: Nick Marking requests a Special Use in order to open ‘The Brass Tap’ bar in an approx. 3000 s.f. of the ‘Panera Bread’ multi-tenant building at 78th and Layton Ave. (i.e. specifically in the ‘2nd Wind Sports Equip.’ space which is to be vacant after Sept. 1st). See attached Description of Proposal. It’s part of a franchise where it offers more than 60 craft beers on tap and 300 varieties of other craft beers/wines. Part of this proposal is that they would offer bottled beers and what is called ‘growlers’ for carry out from a package store (i.e. ‘growler’ is a 32 oz. bottle with a rubber plug that is closed with a metal clasp – see attached description/picture). Part of the request includes the intent of having live entertainment on Fridays and Saturdays.

Also he wants to have a patio at the SE corner of the building, which would need ‘controlled’ access from inside the tenant space since this space would also be included in the ‘licensed premise area’ for any alcohol licensing. The patio is proposed to have a 36” high decorative railing with a landscaping border per the attached site/floor plan. [[Since there are three existing quality deciduous trees in this proposed patio area, how/where those will be transplanted or re-planted on-site needs to be identified.]] It should be noted that Panera has an outdoor patio as well.

Mr. Marking also wants to use the remaining 900 s.f. of this vacant space for a separate tenant area which is his distribution business called Windy City Baits. Per the reference in the Description of Proposal, no fish/minnows on premise – only several varieties of worms; it’s not open to the public and only employees have access to this space which would only have two 8-foot walk-in coolers in it.

2. Architectural Review/Exterior Materials: Given the importance of utilizing all the available parking on-site, some type of actual ‘customer rear entrance’ aspect is needed for the north side of the building.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: The ownership of both the LZ Boy and the ‘Panera Bread’ parcels are the same and a formal cross-easement exists between the properties (i.e. for future purpose related to the traffic signal installation @ 80th & Layton). This ownership element becomes important here with this type of use as it relates to available parking and it’s “peak use times” in relation to others within the strip center Panera (i.e. usual hours are 6 a.m. – 10 p.m.) and with LZ Boy.

While a preliminary floor plan is attached, a more detailed version will be presented at the meeting; this becomes important when factoring in the capacity of the proposed Brass Tap area and the ability of the site to accommodate another potentially intensive use where customers are on-site for longer periods of time, at least when compared with the other mix of retail on the property – other than Panera.

There are approx. 210 parking stalls total on-site which includes south of both buildings, in-between them, and north of the ‘Panera’ building as shown on the attached site plan:

- 75 – south of the ‘Panera’ building
 - 44 – south of the LZ Boy building
 - 30 – between both buildings
 - 60 – north of the ‘Panera’ building.
- 209 stalls

Although the Description makes a reference to "...Directional signage ...will be installed to direct customers to available parking...", Mr. Marking needs to work with the property ownership on some greater specifics on what that 'direction' really means as applicable to these parcels and peak usage times, particularly with the success that Panera has had at the site. Staff believes that there are sufficient on-site parking stalls, but many are simply under-utilized and getting customers to those areas is part of the challenge for Mr. Marking.

4. HVAC/Utility Box Screening: Beer cooler condensers must be located on the roof. They should be screened and may require roof structural work to support them.
5. Signage: Must adhere to the Master Sign Plan at this location for both the free-standing panel insert sign, and whatever wall signage is proposed.
6. Dumpster/Screening/Gated (materials used): Will use existing dumpsters on the north side of the building. Whether these are adequately sized for a more intensive use still needs to be determined; alternatively the collection frequency can be increased as well.
7. Fencing: As indicated above, the proposed patio area will have a 36" high decorative railing as part of the 'enclosure'; detail needed on that aspect.
8. Landscaping/Buffer Yard: As indicated above, the outside patio would have landscaping around it and the site plan shows those plantings, but a 'planting schedule' identifying the type of species and 'count' is needed.
9. Landscaping Cash Deposit/Letter of Credit: When a landscaping plan is submitted, the following are pertinent financial security requirements: 125% of the landscaping costs with 30% retained for two years after initial planting. Furthermore, an on-going condition of approval will be that the landscaping will be subject to annual review by the City to make sure all landscaping features are still being maintained, and that any dead/dying landscaping be replaced as necessary.
10. Hours of Operation: 3 p.m. – 12 a.m. Mon-Thu.; 11 a.m. – 2 a.m. Fri-Sat.; 11 a.m. – 11 p.m. Sunday.
11. Fire Department: The sprinkler system will need to be modified to work within the proposed floor plan 'split' for essentially two business areas (i.e. Brass Tap and the bait distributing) in what had been one tenant space with 2nd Wind. The proposed future kitchen would need a hood/duct suppression system
12. Miscellaneous: The proposed 'Letter of Intent' makes a reference to "...If permitted by applicable law,...also offer cigars for carryout from a package store...". Given the Wisconsin law limiting tobacco usage in a public setting unless there is a specific and separate 'smoking area', in this case there simply doesn't seem to be enough room to enable having that separate tobacco usage area. Mr. Marking separately indicated that no cigars or any other tobacco product will be sold at this location.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize the public hearing process to get started.

Nick Marking was present to answer questions. Ms. Hallen questioned the bait use to which Mr. Marking said that his lease is for 10 years covering both the tap business and the bait business, it's prepackaged bait that is then distributed. Mr. Hess questioned the parking. Mr. Marking replied they anticipate there not being a problem during the morning/day which is the bulk of Panera's business. Come evening they feel there will be enough parking for their business and the dinner crowd at Panera's. The weekends will have the most overlapping hours. They are seeking the ability to have directional signage to show that customers don't have to park near Panera or The Brass Tap, but could park in the La-Z-Boy area, and also parking is available in the back of the center, but there will be no back door access unless the lighting was improved. Come evenings many other tenants in the center are closed; such as Plato's Closet, Sprint, and the MRI business, so hopefully there won't be a need for parking in back of the center.

Saturdays and Sundays are expected to have the highest traffic, with the bulk of it occurring for Badger and Packer games. As for more detailed plans on the patio, they are waiting for the franchisor to have plans finalized, hopefully by the end of the week.

Motion by Mr. Carlson, seconded by Mr. Hess to recommend approval of a Special Use in order to open 'The Brass Tap' bar in approx. 3,000 s.f. of the 'Panera Bread' multi-tenant building at 7808 W. Layton Avenue (i.e. specifically in the former '2nd Wind Sports Equipment' space); part of the request includes the intent of having live entertainment on Fridays and Saturdays; and creating an outdoor patio on the SE corner of the building which would also be part of the "licensed premise area" for the alcohol licensing component of this request; and there is a proposal to sell what is called "growlers" for carry-out from a package store (a "growler" is a 32 oz. bottle with a rubber plug that is closed with a metal clasp), subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key #605-9956-005. Motion carried unanimously.

8. Tran Cuong, Blitz Nail Boutique, 8442 W. Oklahoma Avenue, West Allis, WI 53227 requests a Special Use in order to open an electronic cigarette lounge in the 'Milwaukee PC' multi-tenant building at 4156 S. 108th Street. Tax Key #567-9972-004.

1. Background: Tran Cuong requests a Special Use in order to open an electronic cigarette lounge in the 'Milwaukee PC' multi-tenant building at 4156 S. 108th Street. See attached narrative and article entitled 'How Electronic Cigarettes Work' from Mr. Cuong providing background on this matter. Per his explanation, "...there is no tobacco, [this is] mainly organic e-liquids with different levels of nicotine. Our goal is to help people from smoking traditional cigarettes..."

Attached for further review are the following:

- Article dated 4/24/14 from CNN Health entitled 'FDA releases proposed e-cigarette regulations'.
 - Article dated 4/14/14 from Milw. Journal entitled 'Congressional report presses for e-cigarette rules'.
 - Email dated 12/4/13 from the City Clerk regarding the fact that a 'cigarette license' is not needed since these devices are not classified as cigarettes.
 - Email dated 11/22/13 from the Assistant Director – League of Wis. Municipalities regarding any pending at the time State-related legislation on e-cigarettes and hookahs. His response, in part, was that e-cigarettes "...are not classified as 'cigarettes' under current law so the state law on smoking in public places doesn't apply, but because they contain nicotine they may not be sold to minors..."
 - Excerpt of the Zoning Code where this use is categorized within the NAICS (North American Industrial Classification System) classification as '453998 – All Other Miscellaneous Store Retailers' which is a Special Use in all five of the City's Commercial zoning areas.
2. Signage: Any wall and/or free-standing panel insert will need to be consistent with the Master Sign plan for this retail center.
 3. Hours of Operation: Daily until 11 p.m.
 4. Miscellaneous: Mr. Cuong has been informed about the formal public hearing process involving a Special Use request in that these are held at a Common Council (CC) meeting typically 4 – 6 weeks after the PC has made a recommendation to the CC. Part of the process involves mailing the hearing notice to all property owners within 400' of the parcel boundaries about 2 weeks in advance of the mtg., along with a single notice in the GF NOW weekly newspaper.

Furthermore, as a practical matter, staff also suggests that when applicants who have a project that requires a formal public hearing at a future CC meeting, that it can be important to make an effort

to 'reach-out' to the now affected neighboring property owners in advance of the formal public hearing so that the impacted property owners are better informed about what is actually being proposed earlier than later. This is done by staff providing electronically the exact same property owner mailing list based upon the same 400' radius line. An applicant can host a neighborhood information meeting in this tenant space or at a separate location or here at the City Hall or go door-to-door, or do a mailing, etc. The list hasn't been prepared yet but it's estimated to be less than 10 property owners/tax keys when the radius line was drawn around the edge of this parcel. And actually there is another 'public' that is potentially affected here and that is the other existing tenants in this building – they would not receive any specific hearing notice like adjacent property owners would get. It is uncertain if the property owner/manager has discussed this matter with any other tenants.

Recommendation:

- Since there is ambiguity regarding the nature of this proposal, partly due to lack of clarity and classification at the State and Federal level, defer any specific Plan Staff recommendation at this time.
- However, the City's Health Director and the Tobacco Coalition Coordinator are preparing a memo which will be distributed at the PC meeting providing further background and recommendations.
- Authorize the public hearing process to proceed.

Tran Cuong and his attorney, Mark Christopher, were present to answer questions. Mayor Neitzke read Police Chief Brad Wentlandt's and Health Director Darren Rausch's statements on e-cigarettes. Mr. Christopher stated that the State of Wisconsin does not regulate e-cigarettes but prohibits the sale of any product to anyone under 18 years old. There would be a sign posted that reads We Do Not Sell to Anyone Under 18. At the federal level there have been rules that have been recommended that prohibit the sale of e-cigarettes to those under 18 years old.

Mr. Christopher continued by saying that some municipalities have issued Conditional Use permits so the entrepreneur can go forward and not lose any money on their investment, with the condition that if the municipality were to pass an ordinance, which would affect the operation of his business that he would then be subject to compliance, and if not then his license would be revoked.

Mr. Christopher stated Mr. Cuong has contacted his neighbors in the strip mall (a masseuse and a dentist) and they don't have issues with his business. Mr. Christopher asked that this issue not be tabled tonight and at the very least grant approval to open up to the time the City may decide to enact an ordinance affecting e-cigarettes. He also noted that e-cigarettes are sold at pretty much all gas stations and some grocery stores. Mr. Christopher also stated that he is not aware of any city in Wisconsin which has an ordinance regulating this type of use.

At this point Ald. Kastner noted that Mayor Neitzke had left the building at 7:15 p.m. and he would be chairing the remainder of the meeting. Ald. Kastner stated he would follow the staff recommendations from the Police and Health Departments. Ms. Hallen asked that if in gas stations one would have to be over 18 years old to purchase these, to which Mr. Christopher replied that is correct. Under discussion it was decided to table this item at this time. Mr. Rogers said he feels it would be difficult to amend any approval after a business has opened. He also agrees with Ald. Kastner in that he would follow the staff recommendations from the Police and Health Departments.

Motion by Ms. Hallen, seconded by Mr. Weis to recommend that the request for a Special Use in order to open an electronic cigarette lounge in the ‘Milwaukee PC’ multi-tenant building at 4156 S. 108th Street be forwarded on to the Common Council without recommendation, but authorize the public hearing to be scheduled (with timing to be coordinated upon proper ordinance submittal). Tax Key #567-9972-004. Motion carried 4-2 with Mr. Rogers and Ald. Kastner voting no.

- 9. Kendall Breunig, EZ Self-Storage, 10535 College Avenue, Franklin, WI 53132 requests a Conceptual Project Review to discuss the possibility of converting the vacant Chocolate House property at 3645 W. Loomis Road into an EZ Self-Storage location. Project would involve renovating the existing 29K s.f. warehouse, adding a 12K s.f. second floor inside the west end of the warehouse, and construct two new buildings that would be approx. 7.5K s.f. Tax Key #575-8897-003 and 575-8897-005.**

1. Background: Mr. Breunig, owner of seven EZ Self-Storage facilities in the metro area, requests a Conceptual Project Review to discuss the possibility of converting the vacant Chocolate House property at 3645 Loomis into an eight EZ Self-Storage location. The project would involve renovating the existing 29K s.f. warehouse, adding a 12K s.f. second floor inside the west end of the warehouse, and construct two new buildings that would be approx. 7.5K s.f. Overall, there would be a projected approx. 240 storage units on-site per this proposal.

See attached detailed narrative dated 5/21/14 as it relates to a Plan of Operation, parking, site improvements, landscaping, stormwater control, snow storage, and Fire Dept. elements; also attached is an existing site plan with topography features, a concept site plan, existing/concept building elevation drawings for the existing building and proposed buildings, and concept street elevations from both Loomis and 35th Street.

For background purposes, mini-warehousing/self-storage units is a Special Use in this M-1 Light Industrial zoning district – see attached excerpt from the ZC (i.e. NAICS #531130).

2. Architectural Review/Exterior Materials: The existing warehouse building will be painted gray with a blue accent band in some locations. The new buildings will be gray with blue steel roofs and doors. Where the smaller building is on the west side, it would be torn down so a drive would be built to access a second floor level on the west 1/3 of the warehouse building. The majority of the new drive is not elevated much above the south property line which is +/-5 feet higher already. A covered loading area will be provided at the top of a second floor drive. The ‘street-side’ portion of the new buildings would be concrete masonry, and the ‘non-street-side’ portion would be a ribbed, metal wall panel material.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: There would be eight parking spaces plus two outside the east gate on 35th Street.
4. Storm Drainage/Grading (lot & building): State plan review for water reuse systems (i.e. ‘holding tank’ as referenced in the narrative under ‘stormwater’) will be needed.
5. Lighting (building & site): The exterior drives will be lit from dusk to midnight, with maybe a light above the main entrance doors staying on all night.
6. Signage: The proposed sign at the southwest corner of the property is a 12 foot tall monument sign with a 2’ x 8’ foot LED reader board (i.e. 10’ is the maximum allowed monument sign height).
7. Dumpster/Screening/Gated (materials used): Dumpsters are not provided to the tenants, but if EZ would have one on-site, it will be kept inside a storage unit.
8. Fencing: There is a proposed 8’ high decorative black aluminum fencing provided for safety/security, with gates at the east and northwest property entrances.
9. Landscaping/Buffer Yard: The front facing Loomis Rd is proposed to have a lot of flowers and smaller ornamental trees, and the north side facing the apartments would have a variety of bushes and trees as proposed.

10. Hours of Operation: Access to the doors and gates is allowed 24/7, but those hours can be limited or changed per the Plan of Operation.
11. Fire Department: The large warehouse building will have a fire sprinkler system with a monitoring service, and as needed, a smoke detection system. The new building along the north side of the parcel would be partitioned with a 4-hour rated fire wall.
12. Miscellaneous: If there's intent for a separate business operation(s) to potentially occupy any of the proposed leasable space, it would be subject to standard City zoning/occupancy requirements.

Attached is an email excerpt from Ald. Lubotsky dated 6/2/14 indicating that she is "...not in favor of the storage unit idea where the Chocolate House was; I think we could find a much better use for that land..."

As a refresher only, the Chocolate House has been vacant for at least a couple of years. Since then there was a Conceptual Review at the February, 2013 PC meeting for a proposed 60-unit multi-family apartment project from Metropolitan Associates (i.e. owner of Loomis Hills apartments immediately to the north). Ultimately that project never went beyond that level due to a combination of too many units being proposed, with not enough on-site/off-street parking and not enough greenspace. Until now, no other proposal or even 'cold-contacts' have occurred for this site.

If a follow-up Special Use submittal is made and ultimately that request is approved, both of the tax key parcels would need to be combined via a Certified Survey Map.

Recommendation: No formal action is needed. Staff is supportive of this use proposal.

Kendall Breunig was present to answer questions along with Kurt Klapperich with CBRE, who is the realtor for the property owner. Mr. Breunig provided additional background information, stating that this location would bring their business sites up to 9 locations. He spoke on how the majority of this facility will be climate controlled, so it is all inside loading and unloading. There will be no outside storage of vehicles or campers. It is anticipated about 20 persons/visits daily, with about 30% of their business from contractors, who stop in daily to get their supplies. They don't plan to have an active office on site. All of their sites are "networked" so they can operate all locations from any one of their offices. Currently they have 3 active offices serving all their locations. They do more renting of units over the phone than they do on-site. They have computerized systems where they can lock and unlock units and accept applications and payments online, plus their facilities are all fully sprinkler-alarmed.

Ms. Hallen stated she doesn't like the proposed use, and doesn't feel with the apartment complex next door it the best fit. Mr. Breunig said having apartments nearby is ideal for them as there more need for their storage services. Mr. Klapperich said this has been vacant for over 2 years. He feels fortunate that Mr. Breunig has come forth to potentially invest in this site as they have been marketing this property for two years and there has been very little interest. While it is zoned Industrial it is somewhat of a retail type site and therefore the ideal situation would be finding someone who can take advantage of the location near the freeway system. The building has deteriorated considerably, the parking lot is poor, the roof is in fairly decent shape but some areas will require replacement in 5 years or so, and the inside of the building is deplorable. All these conditions make it difficult to show the building.

Mr. Weis said he is not in favor of this use, but understands that it probably fits the site. Mr. Klapperich stated that Metropolitan Associates backed out of pursuing apartments at this site as the demand for more high end units was something the current market could not support, so overall, more apartments at this site didn't make economic sense to Metropolitan Associates. Mr. Klapperich noted that with their vast expertise and presence in the apartment market that if Metropolitan couldn't make it work financially he doesn't foresee any other apartment developer taking on the challenge of this site. He also doesn't see any type of retail use desiring the space, which would then leave an Industrial use.

Mr. Carlson said he feels this is a good investment into the site, as it has been vacant for over two years and a better use has not presented itself. Development of this site would only be beneficial to Greenfield, along with substantial landscaping that will occur along Loomis and at the apartment side's border. Mr. Breunig said he would have more flowers and landscaping than just about any other storage facility out there as that is important to him.

Mr. Weis inquired as to where, in general, are other storage locations located in relation to this site, and Mr. Breunig responded. Ald. Kastner said one good feature of these businesses is that they free up neighborhoods of excess stuff. Mr. Klapperich stated that with the negatives at this site, such as the Industrial zoning classification and the inability to put in apartments and remain profitable, that Mr. Breunig's intentions, his expertise in this field and the amount of money that he is willing to spend to improve the site, that this is truly a win-win option for the City at a deteriorating, challenging site. Mr. Weis agreed with Mr. Klapperich's statements and also stated that it is a unique site with not much potential for re-development. Mr. Breunig clarified they would not be renting trucks from this location. Also, it was discussed on how there are moisture problems at the site, resulting in the building being filled with mold.

The general consensus of the Plan Commission on this proposal was four members in favor, one opposed and one "split".

10. Gary Compton, All My Sons Moving & Storage, represented by Patrick Hake, Colliers International, 1243 N. 10th Street, Milwaukee, WI 53205 requests a Conceptual Project Review to discuss the possibility of opening an office for a sales and management team and dispatch center 4420 S. 108th Street; there would be no storage in the building, but there would be parking of seven 26' box trucks on-site. Tax Key #608-9991-001.

1. Background: All My Son's Moving & Storage requests a Conceptual Project Review to discuss the possibility of opening an office for a sales and management team and dispatch center in the 4420 S. 108th Street building. There would be no storage in the building, but there would be parking of seven 26' box trucks on-site. See attached Plan of Operation, site picture, and picture of a box truck.

Staff acknowledges that given the general NAICS classification number for this type of use (i.e. 4844210 – Used Household and Office Goods Moving), that this would be considered a Special Use and only allowed in an M-1 Light Industrial District (see attached excerpt of the ZC). The only reason this is being submitted conceptually is that if the nature of their business at this location only involved opening an office for sales/management personnel and dispatching movers, this would be handled internally via an Occupancy Permit process – that assumes there wouldn't be any storage inside the building and the seven box trucks were parked somewhere else. However, while there isn't any storage in the building, there are the proposed box trucks being parked on-site.

2. Parking/Traffic Flow/Access/Curbed Parking Lot: It should be noted that both the buildings as shown on the aerial are on a single 2.2 acre parcel, and that this single owner (Franz Klagman) is able to assign "x" number of parking stalls for each tenant.

Staff concern is the capacity of the overall site to handle yet another use that can be 'stall heavy'. Right now the site has a number of 'auto-related' businesses (i.e. Badger Transmissions, Southgate Leasing, Low Price Auto, Richlomm's Tire & Service, etc.) which can use a lot of parking stalls. And then added to that besides not only fitting seven trucks on the property and a potential difficulty in maneuvering these trucks around the building(s) because of a 'tight' lot layout, but per the Plan of Operation there is upto approx. 30 employees coming to the site would bring additional parking demands, even if there was some car-pooling and/or buses used by employees periodically.

3. Hours of Operation: 8 a.m.- 6 p.m.

Recommendation: No formal action needed at this time – see above for staff concerns.

Pat Hake was present to answer questions. He summarized a June 2nd letter from the property owner, Franz Klagmann, stating that he has informed all the tenants at this property of this venture and they are all in agreement with the proposal. Also, the letter states the site has the capacity to hold all the trucks and vehicles, and handle all the traffic and parking.

Mr. Weis said he doesn't see how the site can accommodate seven 26' long trucks as this is a location with little room. Mr. Hake responded that if they parked them parallel to the building, with one on the north portion and one on the south, that would clear some space and create a lane for other cars to get by if need be. The landlord states there are only three cars parked in this area on a day-to-day basis.

Ald. Kastner stated he is not supportive of this proposal as it doesn't fit the site having seven billboard type trucks that cannot be properly concealed. He feels Hwy. 100 is too high premium of commercial land to have something like this proposed use located there. Also, he had concern about the Highlands condos that are in the process of being built and with their elevations the owners will be looking down on this. They are high end condos and this isn't something that the homeowners should be subjected too. Mr. Hake said the trucks will be primarily hidden behind the building. Mr. Hess said it would be very different if the trucks were stored overnight in a building; otherwise the trucks are nothing more than advertising billboards.

Conceptual Review. No formal action required.

11. Community Development Manager Report.

None.

**12. Motion by Ms. Hallen, seconded by Mr. Carlson to adjourn the meeting at 8:10 p.m.
Motion carried unanimously.**

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed June 25, 2014