

**MINUTES OF THE PLANNING COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, OCTOBER 14, 2014**

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

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

ALSO PRESENT: Charles Erickson – Community Development Manager

2. Motion by Mr. Hess, seconded by Mr. Rogers to approve the September 9, 2014 minutes. Motion carried unanimously.

3. Discussion regarding the Common Council meeting held on September 16th and October 7th.

At the September 16th meeting the Special Uses for Jersey Mike's Subs (7925 W. Layton Avenue), Pacific Produce Deli (5455 S. 27th Street), Milwaukee Auto Works (3320 W. Howard Avenue), and Mega Media Xchange (7828 W. Layton Avenue) were approved as presented. Also, action was taken on the Temporary Use at 4334 W. Edgerton Avenue. The Council vote at that time was to extend the Temporary Use to May 2015 on a 3-2 vote.

At the October 7 meeting, Mayor Neitzke vetoed that action and the vote to override failed on a 2-3 vote. In summary, the gravel area can no longer be used and the property owner has been asked to start the restoration process. Also, the Special Use public hearing for EZ Storage (3645 W. Loomis Road) occurred and was approved as presented along with the Site, Building and Landscaping plans.

4. James Krahn, J.J. Krahn Investments, 13810 Greenhaven Court, New Berlin, WI 53151 represented by Sidello Property LLC, 4864 S. 10th Street, Milwaukee, WI 53221 requests a Certified Survey Map for a proposed lot split of a 3.1 acre parcel at 12310 W. Cold Spring Road to create four single-family lots; Tax Key #565-9968.

1. Background: Mr. Krahn requests a Certified Survey Map for a proposed lot split of a 3.1 acre parcel at 12310 W. Cold Spring Road to create four single-family lots. This is a follow up to a Conceptual Review from the August 12th PC – see attached minutes excerpt.

Mr. Krahn has submitted a proposal to split this approx. 3.1 acre parcel into four lots which would align with the four sets of water and sanitary laterals which were extended into this parcel over 30 years ago. The westerly three lateral sets align with the 'open' area of the orchard. Per a prior conversation with John Walters, son of the former owner, the most easterly set of laterals do not directly go north into the existing house since there isn't any basement for the house, and so these laterals are 'angled' into the building following wherever the prior well and septic lines were located.

This base map also shows the effect of ROW dedication along both the west side and south side of the parcel to be consistent with those respective dedicated ROWs for adjacent parcels. All three 'open' lots are 135' wide and 29,900 s.f. and the east lot is 43,400 s.f., and so easily exceed the

underlying zoning (R-1 Single-Family) lot dimension requirements which has a minimum lot size of 15K s.f. and a minimum lot width of 100'; 115' for a corner lot.

2. Storm Drainage/Grading (lot & building): A review of MMSD regs. for 'residential infill' as it relates to the need for a stormwater basin was done previously, and for an area that is less than five (5) acres, it does not need a basin which is a good thing because that doesn't take away developable area.
3. Utilities: The proposed lots would align with existing laterals installed in the 1970s – see attached drawing.
4. Park Fees: \$1,497 X 3 (each new lot created) = \$4,491 to be paid as part of this CSM process.
5. Outside Agencies: The CSM is being reviewed by Milwaukee County Register of Deeds, and City Engineering staff. All corrections, if any, must be completed before recording. The applicant needs to be informed of the following: provided that a) the necessary approvals have been obtained; b) the original CSM map is in order; and c) all applicable charges have been paid, applicant must submit a final signed and notarized CSM to the Engineering Dept. for recording. The City requires a minimum of seven (7) working days to perform its final processing and recording of the CSM. If the applicant requires the CSM to be recorded on, or by a specific date, plan for appropriate lead-time to be sure to submit the necessary materials to the City allowing for its processing time. Failure to submit the necessary materials with the CSM for recording may cause additional recording delays.
6. Miscellaneous: It's well known/documented that this land has been used as an apple orchard for decades. However, with residential development of any kind these days, a quick review of the DNR 'wetland inventory mapping' was done to re-affirm that no wetlands are on this parcel.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 21st Common Council meeting.

Mr. Krahn and Mr. Sidello were present to answer questions.

Ald. Kastner questioned the "Farmland" designation, to which Mr. Erickson said that the orchard portion of the lot is designated Farmland for assessment purposes only. The parcels have been and will remain zoned as R-1 Single Family.

Mayor Neitzke pointed out that there is a "vehicle sightline" problem between Cold Spring and 124th Street where the wooded area is located. He wants to make sure that that corner is maintained to which Mr. Sidello representative said that they would maintain it. Mr. Erickson stated that 12 feet will be dedicated for additional ROW along the entire south side and about 24 feet along the entire west side, and so having DPW maintain or trim some of the trees in this additional ROW near the corner should help with the sightline issue.

Motion by Mr. Carlson, seconded by Ald. Kastner, to recommend approval of a Certified Survey Map for a proposed lot split of a 3.1 acre parcel at 12310 W. Cold Spring Road to create four single-family lots, subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 21, 2014 Common Council meeting. Tax Key #565-996. Motion carried unanimously.

5. **Bernard Schroedl, Good Hope Cemetery, 4141 S. 43rd Street, Greenfield, WI 53220 requests a Site & Building Review to remove an existing 80 year old storage structure and replace it with a new 27' x 80' storage building in a similar location; Tax Key #574-8983-007.**

1. Background: Good Hope Cemetery (GH) wants to replace an 80 year old metal shed with a new metal shed that is used for general storage. The new building would be 27' (deep) X 80' (wide) X 13' (high), and is proposed to be shifted 24' farther west from the current 'foot-print'. See attached PC application, pictures, site plan, and building plans.

2. Architectural Review/Exterior Materials: The all metal building is proposed to have a 'green' roof, 'tan' sides, and a 'green' wainscoting feature, along with some windows on the south side. Also, the plans show the intention of having a garage door on the east side of the shed facing 43rd Street, which is part of the reason for wanting to shift the building westerly (i.e. better to gain access for vehicle routing and not disturb existing trees/shrubs per attached picture). The existing shed is 6' off the northern lot line, and the new one will have the same setback.

However, the staff perspective is that if a large garage door is installed on the 'public facing' East side, there should be masonry wainscoting on that east and also south side; at the same time eliminate the 'green' metal wainscoting on the north and west side and just go with the 'tan' panels.

3. Erosion Control: Needed from City Engineering Office prior to any site work getting started.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 21st Common Council meeting.

Mr. Schroedl was present to answer questions. He asked if it were possible that instead of having the garage door on the east elevation – and therefore trigger the staff suggestion for a masonry wainscoting feature – to have both garage doors on the south elevation and put in a window on the east elevation. The Plan Commission concurred with that revision which retains the use of metal siding as proposed by the owners.

Motion by Mr. Rogers, seconded by Mr. Carlson, to recommend approval of a Site & Building Review to remove an existing 80 year old storage structure and replace it with a new 27' x 80' storage building at Good Hope Cemetery, 4141 S. 43rd Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 21, 2014 Common Council meeting. Tax Key #574-8983-007. Motion carried unanimously.

6. **Richard Hohl, Pressworks Printing, 10201 W. Oklahoma Avenue, Greenfield, WI 53227 represented by Don Kurkowski, Architects/Planners, SC, 1545 S. 84th Street, West Allis, WI 53214 requests a Site/Building/Landscaping Review for a 2,600 s.f. free-standing building near the SE corner of the existing building on this parcel; Tax Key #609-0030-001.**

1. Background: Pressworks Printing (PP) is requesting to build a 2,600 s.f. free-standing office/storage building near the SE corner of 'developed' area of the parcel. In 2008 an addition was approved, but never went forward (see attached minutes excerpt).
2. Architectural Review/Exterior Materials: The proposed siding and roof panels are prefinished metal, above a split face CMU (concrete masonry unit) on the west or most 'public' portion of the building. The entire façade is white with green trim to be similar to the most of the building except the front (i.e. street side) west brick face and the southern portion (i.e. metal building) of the existing storage structure.

The proposed structure is intended to be a free-standing structure with a small office and restroom facilities that will be a functioning and active component of the PP business. It will be insulated, heated, and the building frame would be steel; plus there is the desire potentially in the future if it's not needed for PP, then it could be rented out – it's not just for 'cold' storage. With those use aspects in mind, staff believes this building exterior should be redesigned with something other than metal siding and painted CMU.

It's understood that the 'public' visibility of the structure right now is limited, and the combination of the various building addition designs over the years has created a mixed result that shouldn't be continued/replicated further which this proposal represents.

3. Parking/Traffic Flow/Access/Curbed Parking Lot: The entire existing asphalt parking lot is proposed to be removed/replaced. Based upon the parking lot stripping plan, it would be recommended to shift the handicap stall closest to the main building, instead of as far away as possible.
4. Storm Drainage/Grading (lot & building): While a survey with grades has been submitted, a 'finished grading' plan sheet is needed to show the intent to control/direct storm drainage toward the southern grassy area after the repaving is done – this will help determine whether curbing is potentially needed for that purpose instead.
5. Utilities: Since this proposed free-standing building is to have a bathroom, the water and sewer laterals would need to be extended from Oklahoma along the west side of the parcel down the driveway.
6. Dumpster/Screening/Gated (materials used): Enclosure needs to be identified if their refuse containers/dumpster is left outside of a building.
7. Landscaping/Buffer Yard: As noted on the site plan, the front, side, and rear of the property is well landscaped and no additional landscaping is required.
8. Hours of Operation: No change.
9. Sidewalks: An ADA compliant access walk-way is needed from the front door to the sidewalk along Oklahoma.
10. Fire Department: The FD will need to determine appropriate life-safety measures for the proposed new detached building.
11. Outside Agencies: Since there is a need to access water/sanitary/storm mains in Oklahoma, that coordination/approval will be needed from the Milw. County DPW/Traffic Engineering Division. Also, Milw. Water Utility will need to approve the water lateral extension.
12. Erosion Control: Needed from City Engineering Office prior to any site work proceeding.
13. Miscellaneous: In 2008 this type of use was considered a Special Use, however, when the ZC was updated last year to reflect the changes resulting from the NAICS methodology vs. the former SIC listing, this 'printing' type of use was changed to be considered as a Permitted Use – see attached ZC excerpt.

Recommendation: Hold over this request for the following reasons:

- Improved architectural elements are needed on this free-standing building.
- A more complete utility plan is needed to verify that a gravity-flow sanitary lateral can be extended +290' from Oklahoma to this proposed building site.
- A 'parking lot finished grading' plan is needed to ensure that site drainage is directed southerly toward the large grass area on the south side of this parcel.

Richard Hohl and Don Kurkowski were present to answer questions.

Mr. Erickson gave a brief overview of the project and stated that it is recommended that this item be held over so that future plans can show improved architectural elements as this isn't just a cold storage building, but rather has a functional use as part of the print shop. Also additional information is needed about the utility plan and the finished parking lot grading. Mr. Krukowski questioned if they were allowed to have a metal building at all, to which Mayor Neitzke said no, that type of structure is not allowed for the use that is being presented here. If the intention was strictly for cold storage it would be reviewed differently. Due to these "open" items it was decided to hold this item over to a future Plan Commission meeting.

Item held over.

7. Mukesh Dharod, Road Real Estate, LLC, 8831 Long Street, Lenexa, KS 66215 represented by Bob Williams, TDI Associates, Inc., N8W22350 Johnson Drive, Suite B-4, Waukesha, WI 53186 requests a Special Use and Site/Building/Landscaping Review to open a Denny's Restaurant in the former Goody's Restaurant at 4695 S. 108th Street; Tax Key #609-0030-001.

1. Background: Denny's Restaurant wants to open up the closed 'Goodys' at 4695 S. 108th, using the exact same building foot-print, although the patio wouldn't be used for customer seating. See attached PC application, color elevation, floor plan, and site plan. Per the application, there aren't any alcohol products that would be served. The ownership of this parcel and the strip center to the north is the same entity but new as of earlier this year. Even though the prior use as a restaurant is similar to this proposal, the reason for needing another Special Use submittal is that the earlier one expired after one year of non-use. The proposed seating layout shows a total of 114 seats (59 – fixed + 55 – flex).

Omega Custard was approved in 1991 for this corner site, and other uses in the space have included Fresh Mexican Grill and Goody's.

2. Architectural Review/Exterior Materials: Per the color photo, the exterior appears to consist mainly of a beige face brick façade with a stone-like feature for the wainscoting feature and on the entry-way, along with an EIFS treatment on the east side. Staff is awaiting building elevations to verify materials, and the north and west sides designs (which are presumed to be similar).
3. Parking/Traffic Flow/Access/Curbed Parking Lot: On-site parking is 'short' and an updated 'cross access/shared parking agreement' from the new ownership group will be needed; also there should be at least one handicap stall added.
 - Restaurant parking requirement is 20 stalls per 1,000 s.f. of gross floor area.
 - Building = 3,600 s.f. ÷ 1,000 = 3.6 X 20 = 72 stalls needed.
 - 47 stalls on site which leaves a 25 stall shortage that can be made up via a new shared parking agreement.

The parking breakdown for the lot to the north is as follows:

- Retail strip center parking requirement is 5 stalls per 1,000 s.f. of gross floor area.
 - Building = 13,500 ÷ 1,000 = 13.5 X 5 = 68 stalls needed.
 - 73 stalls on site.
 - Of this overall number, there are approx. 40 stalls in the area between the two buildings, probably within +/-150' of the north door.
4. Storm Drainage/Grading (lot & building): Use existing storm drainage system on-site.
 5. Lighting (building & site): No changes proposed to existing 'shoe-box' fixtures.
 6. HVAC/Utility Box Screening: Existing parapet to provide that screening. One of the references from past PC minutes over the years was that the kitchen exhaust 'scrubbers' didn't seem to work regularly and/or needed cleaning more frequently.
 7. Signage: Existing non-conforming free-standing sign (i.e. pylon style and height) will need to be converted to a monument style.
 8. Dumpster/Screening/Gated (materials used): Use existing enclosure near NW corner of the building. A problem noted from past PC minutes is that whomever was the refuse collector either came too early or too late (in relation to City code regs.), and/or not enough which led to odor issues.
 9. Fencing: All existing fencing will remain (i.e. 10' high masonry wall along a portion of the north lot line and a 14' high wood fence along a portion of the west retail strip center lot), and a new cedar fence and gate is referenced near the building's north end.

10. Landscaping/Buffer Yard: Three new perimeter landscaping islands are proposed on the Denny's parcel and two new landscaping islands are proposed on the retail center lot along Hwy. 100. Overall there are 10 new deciduous trees and 60 shrubs/bushes. The new plantings will also be mixed with existing landscaping around the patio and building entrance. See landscape plan (C-2.0) for details.
11. 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.
12. Street Trees: Already in place.
13. City Forester Site Inspection: Yet to occur.
14. Hours of Operation: Proposed is a 24/7 operation. Given the close proximity of residential neighbors to the north, northwest, and west, this time range needs to be reduced to potentially a 6:00 a.m. to 10:00 p.m. daily time range. Omega Custard when it opened had 10:30 a.m. to midnight hours. It should be noted that The Forum to the south is a 24/7 restaurant.
15. Miscellaneous: The applicant's representatives have 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 on-site or at a separate location or here at the City Hall or go door-to-door, or do a mailing, etc. The list has not been prepared yet.

Recommendation: Given the importance of parking in this situation, 'hold over' this item until the updated cross easement/shared parking agreement is presented. Besides the concern over the proposed hours of operation, staff is supportive of this request to re-open a similar type use – restaurant -- on one of the City's main commercial corridors.

Duane Nimmer and Bob Williams were present to answer questions.

Mr. Erickson did a review of the proposal and the October 14, 2014 letter from Phoenix Investments (property owner) about new cross access and shared parking agreement. He also relayed the comments of Barb Clark, 4676 S. 109th Street, as the closest residential neighbor. Her comments were: don't like the 24/7 operation; move the dumpster toward the south/southwest side of the lot, there isn't enough handicapped stalls; and even though there is signage, sometimes vehicles going eastbound enter via the southwest drive approach going against the grain of normal westbound traffic flow.

Ald. Kastner questioned that when the restaurant at the site was built it was guaranteed that there would not be a competing restaurant in the strip mall, but since that guarantee is no longer in effect if a restaurant opens in that space again wouldn't it skew the parking ratio? Mayor Neitzke said he didn't believe that that could be factored in the cross-easement, but in the event that a restaurant wanted to go into the retail strip center location they couldn't take advantage of the shared parking.

Mr. Erickson stated that there is concern from the neighboring restaurant about this proposal, to which Mayor Neitzke cited multiple locations throughout the City with restaurants next to one another. He said the Plan Commission's responsibility tonight is to review the Special Use and the Site/Building/Landscaping plans. Mr. Hess said he is okay with a Denny's at this location, but has concerns about a 24/7 operation and its effect on the neighbors, and also is concerned about access on Layton Avenue. Mr. Rogers said that if hours were restricted he doesn't see Denny's remaining interested in the site, as they are all 24/7.

Ald. Kastner said his concern is the neighbor's reaction to a 24/7 operation which is how all Denny's operate. Mr. Williams stated there would be no liquor license sought and they can relocate the dumpster as per the request of a neighbor. Discussion on the 24/7 operation occurred, with it noted that there are many businesses that have people working in them at all hours. Mayor Neitzke said it would probably become busier after bar time. Mayor Neitzke said overall the site, building and landscaping look fine, the dumpster should be relocated and be of the same brick materials. The issue he sees are the conditions of the Special Use and whether or not it is appropriate to allow them to operate 24/7.

Motion by Mayor Neitzke, seconded by Mr. Rogers to recommend approval of the Site/Building/Landscaping, including the cross-easement and shared parking arrangement as presented, subject to Plan Commission and staff comments, for a Denny's Restaurant in the former Goody's Restaurant at 4695 S. 108th Street. Tax Key #609-0030-001. Motion carried unanimously.

Motion by Mayor Neitzke, seconded by Mr. Rogers to recommend approval of the Special Use incorporating the cross-easement and shared parking arrangement as presented, and to have a 24 hour operation for a Denny's Restaurant in the former Goody's Restaurant at 4695 S. 108th Street, subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key #609-0030-001. Motion carried 3-2 with Mr. Hess and Ald. Kastner voting no.

8. **Riaz Mian, 6929 S. Harvard Drive, Franklin, WI 53132, on behalf of the Al Huda Mosque, 5075 S. 43rd Street, requests a rezoning ('R-2 Single-Family' to 'I-Institutional') and a Comprehensive Land Use change ('Single Family' to 'Community Facilities') for the entire 4334 W. Edgerton Avenue parcel that Mr. Mian owns; Tax Key #620-9915. [[This is a follow-up to the similar request reviewed at the 9/9/14 PC meeting as it pertained to an approx. 9,000 s.f. area of the rear yard or north side of this 4334 W. Edgerton Avenue parcel.]]**

ITEM HAS BEEN REMOVED FROM THE AGENDA AT THE REQUEST OF MR. MIAN.

9. **Community Development Manager Report.**
Mr. Erickson stated that the Al Huda item would return to the November Plan Commission meeting along with the Meijer site and landscaping plans.
10. **Motion by Mr. Carlson, seconded by Mr. Hess to adjourn the meeting at 7:40 p.m. Motion carried unanimously.**

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed October 28, 2014