

**MINUTES OF THE PLANNING COMMISSION MEETING HELD AT THE  
GREENFIELD CITY HALL ON TUESDAY, JUNE 9, 2015**

**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          | Present |
|            | Ms. Denise Collins      | Present |
|            | Mr. Frederick Hess      | Present |
|            | Ms. Christine Hallen    | Present |
|            | Mr. Bradley Sponholz    | Excused |
|            | Mr. Steve Rogers (alt.) | Excused |
|            | Mr. Don Carlson (alt.)  | Present |

ALSO PRESENT: Charles Erickson – Community Development Manager

**2. Motion by Ms. Hallen, seconded by Ms. Collins, to approve the May 12, 2015 minutes. Motion carried unanimously.**

**3. Discussion regarding the Common Council meeting held on May 19<sup>th</sup>.** The Special Use for Dane Junction Antique Mall (68<sup>th</sup> & Layton) was held and approved subject to the applicant returning to the Plan Commission with an improved site, signage, and landscaping submittal, which hasn't happened yet. Also approved as recommended by the Plan Commission was the expansion for Schlossmann's (Hwy. 100 & Morgan), and the new building for Cho's Martial Arts (85<sup>th</sup> & Forest Home).

**4. Jing Yu, Best Massage, 4879A S. 27<sup>th</sup> Street, Greenfield, WI 53221, represented by Stacie Rosenzweig, Halling & Cayo S.C., 320 E. Buffalo Street, Suite 700, Milwaukee, WI 53202 requests a Special Use (retro-active) to operate a massage parlor in a tenant space at this same location; Key #622-9988-012. *[[Held over from May PC]]***

1. Background: *Item held over from May PC; staff notes/attachments are the same as was distributed for last month's meeting. Additional info. has been submitted by Ms. Rosenzweig and is attached.*

Jing Yu is applying for a Special Use permit at the request of the City for their massage therapy business which moved into a vacant tenant space in December 2014 in what is called Canopy Square (i.e. by Target). This is being done on an after-the-fact basis due to staff error by Mr. Erickson. Prior to an ordinance change in March, 2013 as it pertained to the ZC listing of Special Permitted Uses & Permitted Uses, massage-type businesses were considered a Permitted Use. He gave incorrect information to the Building Inspector when the occupancy permit was submitted that this use was still in the Permitted Use category instead of the Special Use category. See attached 4/7/15 letter.

2. Signage: The current wall signage doesn't match the master sign plan for the center (requires white-only letters, and doesn't allow box signs). Staff has met with Ms. Yu to discuss the necessary corrections to this matter.
3. Hours of Operation: 10 AM – 9 PM daily
4. Police Department: Oppose. Business advertisement indicates possible illicit activity.

*[[Ms. Yu has indicated that they no longer use those sources (i.e. Milwaukee.backpage.com or Milwaukee.craigslist.org), but rather word-of-mouth.]]*

Recommendation: Approve subject to PC and staff comments, consider this a minor change not needing a public hearing. However, the City reserves the right to review the Special Use under ZC 21.04.0701 – General Standards for Special Use if there are future concerns about operational elements of this business at this location.

Stacie Rosenzweig with Halling & Cayo and Jing Yu were present to answer questions.

Mr. Erickson stated that over the past several months the possibility of recommendations for the revocation of Special Use permits for a few business have come before the Plan Commission. Prompting such a consideration for instance, would be activities occurring that are not consistent with what was proposed to occur there, therefore leading to the potential process for revocation of the Special Use. On behalf of her client, Ms. Rosenzweig said they understand those terms/conditions of a Special Use and will be abiding by them.

Ms. Rosenzweig stated that the advertising that had been used was outsourced from Best Massage and unfortunately represented some big cultural misunderstandings. It was not anything that Best Massage intended to convey and they have discontinued the use of Craigslist and Backpage.com. They do no other advertising other than the Shepard Express, of which a copy was brought in for review.

Mayor Neitzke stated that there was no question that the intended use required a Public Hearing and the City recognizes that the tenant has signed a lease and a hardship would be created if that Special Use went to a public hearing and ended up being taken away. The City wants it known that we have no evidence of any wrongdoing happening at this site, and that if there were any questionable activities occurring, that could result in the consideration of a revocation of the Special Use by the Common Council.

Ms. Hallen questioned if having a “table shower” fixture is a standard practice to which Mr. Rosenzweig replied that it is becoming more common.

**Motion by Mayor Neitzke, seconded by Mr. Hess to recommend approval of a Special Use (retro-active) to operate Best Massage, 4879A S. 27<sup>th</sup> Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 16<sup>th</sup> Common Council meeting. Tax Key #622-9988-012. Motion carried 6-1 with Ald. Kastner voting no.**

5. **Allied Investments, 4131 W. Loomis Road, Greenfield, WI 53221 requests a rezoning of 4001W. Loomis Road and 4047 Loomis Road from M-1 Industrial to O-Office for the purpose of constructing a 50K s.f. medical office building on these parcels (17K s.f. building foot-print with 3 stories). Tax Key #600-9960-004 and 600-996-003. *[[Held over from May PC]]***

1. Background: *Item held over from May PC; staff notes/attachments are the same as was distributed for that meeting.*

Allied Investments requests a rezoning from M-1 Industrial to O-Office of the following two parcels:

- 4047 Loomis Rd.: 1.35 acre parcel owned by K & D, LLC
- 4001 Loomis Rd.: 1.75 acre parcel owned by the City of Greenfield

The rezoning purpose is for the construction of a 50K s.f. medical office building on these parcels (17K s.f. building foot-print w/3 stories).

Concurrent with this request but as a separate agenda item, the City will initiate the rezoning process for the Park and Ride lots and off-ramp remnants to PUD-Mixed Use.

2. Architectural Review/Exterior Materials: Attached is a preliminary rendition of a predominately brick building.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: The proposed site plan shows the capability of having 185 surface parking stalls. The requirement for an office is 3.3 stalls per 1,000 of floor area.  $50 \times 3.3 = 165$  stalls.

The proposed site layout is done in a manner to accommodate the existing shared roadway which goes through the 4047 parcel to enable access to/from a Loomis median cut.

Further refinement of an access route to/from Loomis from within the larger Loomis Crossing future layout plan may require some review/revision of that design.

4. Storm Drainage/Grading (lot & building): A storm basin is shown on the SE corner of the parcel.
5. Utilities: Sanitary and water are in Loomis, and storm main is near the SE side of the parcel.

**Recommendation:**

Approve subject to Plan Commission and staff comments, and authorize the public hearing process to proceed. Allied will be returning to the Plan Commission with and appropriate Site/Building/Landscaping Review submittal prior to the public hearing at a future Common Council meeting.

**Item held over at the Applicant's request.**

6. **Andy Khullar, 4710 LLC, 8200 W. Brown Deer Road, #301, Milwaukee, WI 53223 represented by Mark Moore, Stantec Consulting Inc., 1971 Route 34, 2<sup>nd</sup> Floor, Wall Township, NJ 07719, requests a Site/Building/Landscaping Review in order to install compressed natural gas (CNG) vehicle fueling equipment at 4710 S. 108<sup>th</sup> Street; the CNG proposal would involve the conversion of one of the existing gasoline dispensers; all remaining gasoline dispensers and convenience store operation would remain the same. Tax Key #613-8995. *[[Site/Building/Landscaping aspect held over from the May PC; scheduling of Special Use public hearing underway.]]***

1. Background: *As a follow-up to the discussion at the May PC where a favorable recommendation was made regarding the Special Use amendment for this CNG request, Mr. Khullar was asked to review and update his site plan to address the following:*
  - *Cross-section (or a perspective) of the 8' high concrete enclosure wall to better show the actual exterior material visible to the public.*
  - *Perspective of the metal gate that was to be used instead of a chain-link material.*
  - *Perspective/type of 8' high wood fence to be installed along the south side of the parcel.*
  - *Dumpster enclosure now being shifted northerly adjacent to the CNG enclosure; affect is to lessen the potential encroachment into basic vehicular travel 'lanes' within the site. *[[Service door or 'wing-wall' still needed.]]**
  - *Update sheet 5 of 13 (Grading & Utilities) which shows the proposed new landscaping detail at the corner. However, this initial version shows the referenced monument sign and new landscaping being in the City R-O-W; it needs to be shifted east and north of the existing sidewalk that is shown.*

- *Separately Mr. Khullar has asked a sign contractor to submit a proposal regarding the removal the existing monument sign and replacing it with a new sign in essentially the same corner location. The proposed new sign is to be the same height (15') and overall square footage (60 s.f.), but within that same square footage is included a 3' x 6' electronic message center. Given the timing of this review, staff has included this signage aspect as part of the overall site-related changes being considered.*

*Below are the PC Notes from the May meeting. Any changes/revisions are shown in Italics.*

Mr. Khullar is proposing to install compressed natural gas (CNG) vehicle fueling equipment at 4710 S. 108<sup>th</sup> Street. The CNG proposal would involve the conversion of one of the existing gasoline dispensers; all remaining gasoline dispensers and convenience store operation would remain the same.

The southeast corner of the site will include a range of equipment:

- Three 48" spherical shaped CNG storage containers – 67" overall height
- Single natural gas dryer tower – 99" o.h.
- Single natural gas compressor – 103" o.h.
- There is a separate enclosure area for a '...proposed electric room...'

Attached is brief summary entitled 'Natural Gas Basics'. Separately, since this is a new aspect to traditional gas station operations here in GF, Mr. Khullar's was asked to make a submittal to the appropriate State review/approving agency; that approval has been received and is attached.

2. Architectural Review/Exterior Materials: While there are no exterior changes shown to the main building or the car wash building, the physical changes will be on the SE corner of the parcel and along the south lot line.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: The staff's perspective is that this is a relatively small parcel to begin with (28K s.f.), and often is 'tight' already when vehicles are coming/going and occasional car wash 'stacking' is factored in as well.

With that in mind, is the combination of a larger overall CNG fenced-in area – when compared with the existing dumpster enclosure -- and now the dumpster enclosure being relocated into some of that same vehicle maneuvering space and allow for periodic fuel semi-truck deliveries in the same area, create an undesirable 'tightness' for vehicle maneuvering? This may become a self-imposed hardship/conundrum Mr. Khullar is creating for himself.

4. Lighting (building & site): There are two proposed new light poles (on the north and east sides of the site). Concrete bases can only be 6" (6 inches) above grade because the locations are protected by a concrete curb, not two feet. Mounting height and fixture style details still needed.
5. Utilities: No water, sanitary, or storm laterals are affected.
6. HVAC/Utility Box Screening: The plan shows either an 8' high or 9'4" high masonry wall (i.e. varies based upon which plan sheet is looked at - so clarification needed). A cross-section specific of the wall is provided but it's uncertain of what the exterior material color or texture may be; that detail needs to be provided.

Access to the CNG area is via chain link fence/gate material. It's assumed but not known yet that it would be a matching height of the enclosure wall; also whether some screening slats would be included is uncertain.

7. Signage: *There is a new monument sign design featuring an electronic reader board. The 15' sign has essentially 4 parts: the top section- silver aluminum identifying face, middle section- black electronic price sign, electronic reader board, lower section- red aluminum base.*
8. Dumpster/Screening/Gated (materials used): *The dumpster has been relocated to the SE corner of the CNG equipment storage area. A man door is needed on the west end of the dumpster. The dumpster is being shifted west from where the new equipment will go, but its orientation for unloading is to the north, into a 'tight' area.*
9. Fencing: *The split-face CMU masonry fence surrounding the CNG equipment now completely encloses it with a metal gate (matching wall color) allowing access. The previous rendition featured removable bollards to the SE instead of being fully enclosed. The 8' board on board fence now extends along the south side of the lot where the masonry fence ends. The finished side of the fence should face north. There is an existing chain link fence around the adjacent Public Storage site.*
10. Landscaping/Buffer Yard: *The plan needs to reflect that the sign is not in the public right of way. There are areas of the site where improved landscaping could be achieved.*
11. Hours of Operation: 24/7 would remain unchanged.
12. Miscellaneous:
  - A proper enclosure or relocation inside of the ice chest is required.
  - As a reminder no outside displays of materials: wood, soda, salt, windshield fluid, etc. are permitted.
  - When the compressor is running, there is also a potential for noise issues to be noticed. Information about that element of this proposed operation would be helpful (i.e. times of day or average frequency per hour under normal operations or dBH levels, etc).

Recommendation:

May 12<sup>th</sup> mtg.:

- Approve Special Use amendment request subject to Plan Commission and staff comments, and authorize the public hearing process to begin. It's true there isn't an immediately adjacent residential area, rather a more commercially-based, but this is a newer form of motor vehicle fueling operation that should be fully vetted through the public hearing process.
- Mr. Khullar should return to the June Plan Commission meeting with the site improvement details requested above and which may likely include other elements requested by the Plan Commission.

June 9<sup>th</sup> mtg:

*Approve subject to PC and staff comments the Site/Landscaping/Signage submittals and forward this recommendation to the July 21<sup>st</sup> CC meeting when the public hearing on the Special Use amendment is to be considered; action on these site-related aspects to occur that same evening depending upon the outcome of the Special Use amendment consideration.*

Vimal Kapila was present to answer questions.

Mayor Neitzke stated that what is presented is a vast improvement over what had been presented at the last meeting, however, there is no elevation of the wall area. Discussion occurred on the wall area's lack of architectural appeal, and perhaps it could be broken up with the use of two colors, rather than the appearance of one large, non-descript expanse.

It was noted that with their proposed electronic reader board that is part of a proposed new monument sign, that no other temporary signage is allowed at the site. Discussion then occurred on the electronic sign. While an electronic message board is allowed, there are rules on how often the electronic message can change. Mr. Kapila was specifically told that he must adhere to the City guidelines on

this. Also, this site historically has temporary signage up that is not allowed by the Municipal Code, and it was reiterated that any existing temporary signage must be removed immediately, and no future temporary signage installed.

**The Plan Commission consensus was to hold over any action until the next meeting when more detailed plans can be submitted.**

**7. Richard Nowak, 1032 Winnsboro Drive, The Villages, FL 32162, represented by Rick Hillman, Interline Surveying, 2059 Hwy. 175, Suite A, Richfield, WI 53076 requests a Certified Survey Map for a proposed lot split of a 6 acre parcel at 4671 S. 35<sup>th</sup> Street to create three single-family lots, Tax Key #621-9996.**

1. Background: Mr. Nowak wishes to split a 6 acre parcel west of 35<sup>th</sup> Street – between Layton and Barnard -- into three parcels. Lots 1 and 3 would be 105' x 200' = 21,000 s.f. Lot 2 would have the same 21K s.f. buildable area that favors the easterly portion of the site, but the westerly portion or approx. 4 acres, will be a really big backyard for now.

However, because of the very deep lots (east/west orientation) in this undeveloped area going south to Barnard and the existing platted combination of Road Reservations and actual ROW, there is a future potential of development activity which could occur, although there are challenges (i.e. steep grade, potential wetland, land assemblage, utility extensions, stormwater management, etc.).

A few different layout options were considered but weren't viable/practical:

- Three 105' x 780' = 82K s.f. parcels
- Creating three lots along the eastern tier and leave the western 4 acres as an outlot
- Require a subdivision plat where the 'road reservation' becomes R-O-W and easily five or more parcels would be created.

But because there is a future potential of development occurring here, albeit on a larger scale than just this 'back' area, there still is a need for a 20' wide 'Municipal purpose easement' from the 'road reservation bubble' of future '36<sup>th</sup> Street' going northeasterly to the northwest corner of Lot 1 and then along the entire north side of Lot 1.

2. Storm Drainage/Grading (lot & building): The current drainage pattern of the rear portion of the larger lot generally moves northerly, and then eventually goes easterly.
3. Utilities: Lots 1 and 3 will need laterals extension (water & sanitary) to become buildable someday. Lot 2 is where the former house pad was located and still has utility lines to the parcel.
4. Park Fees: Two new lots are being created.  $\$1497 \times 2 = \$2994$  (due prior to recording of the CSM).
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. Engineering Comments: The results of the Wetland Inventory mapping are still needed. Within proposed Lot 2, the 'Road Reservation' is drawn in, but needs to be dimensioned and tied into the boundary.

Recommendation:

Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 16<sup>th</sup> Common Council meeting.

It was discussed that in order to ever develop this area, all the other parcels involved would need to be assembled. Ald. Kastner stated this proposal concerns him as Lot 2 could be used as an entrance to the rear development and create a future condo project. Mr. Erickson stated that would require a rezoning, and there's also the issue with the practical difficulty for extension of utilities due to wetlands and topography in order to do so. Mr. Erickson said that due to the road reservation requirement they would need to plat where the road layout would exist and that would create more than 4 lots within that area requiring a subdivision plat which the owner doesn't want to do. Mayor Neitzke said there could be a way to waive that requirement, but it would almost make more sense to create three long "bowling alley" type lots. To use our existing standards would create lots that would never be buildable.

**Item held over for future review next month.**

**8. Rogelio Campos, 3122 S. 14<sup>th</sup> Street, Milwaukee, WI 53215, represented by Fred Storm, Fred Storm LLC, N57 W30866 Lakewood Drive, Hartland, WI 53029 requests a Special Use Review for Roberto's Muffler and Brake in the former F & F Tire building at 4671 S. 27<sup>th</sup> Street. Tax Key #599-8892.**

1. Background: Mr. Campos has submitted a request to open Roberto's Muffler & Brakes in the former F&F Tire Store at 4671 S. 27<sup>th</sup> Street. See attached narrative, floor plan, and pictures. As proposed, there are no anticipated structural changes or modifications to the building or site.

Mr. Storm's letter indicates that F & F operations '...ceased in June 2014...'. A Special Use expires if such use is discontinued for a 12 month period. Since it is now 12 months later, staff has chosen to present this request as a 'Special Use Review' because of timing and the similarities of the past and proposed auto repair/servicing businesses. The alternative would be for Mr. Campos's request to be a new Special Use submittal; which would have occurred if the vacancy was +13 months.

2. Signage: Yet to be proposed, and the former monument sign has been removed (but the base and support pole remains).
3. Dumpster/Screening/Gated (materials used): Use existing enclosure.
4. Hours of Operation: Mon-Fri (8:00 a.m. – 6:00 p.m.)  
Sat (8:00 a.m. – 5:00 p.m.)
5. Miscellaneous: In Mr. Storm's letter there was a reference that Mr. Campos is or has been in the auto sales business. This requested Special Use is for only automotive repairs/servicing. The owner and applicants must acknowledge their understanding and adherence to the fact that there are absolutely no vehicle sales of any kind ever to be done at this location.

Operational question: Will there be loaner cars on-site for customers who drop-off their vehicle for servicing?

Recommendation:

Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 16<sup>th</sup> Common Council meeting.

Rogelio Campos, along with Fred Storm the property owner, were present to answer questions.

It was noted that the conditions of the prior Special Use (it was formerly Tuffy's Auto and F & F Auto) continue going forward. It was also noted that there will be no auto sales allowed at this site. Also, a signage plan should be received prior to the Common Council meeting.

**Motion by Mr. Weis, seconded by Mr. Carlson, to recommend approval of a Special Use Review for Roberto's Muffler and Brake in the former F & F Tire building at 4671 S. 27<sup>th</sup> Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 19<sup>th</sup> Common Council meeting. Tax Key #599-8892. Motion carried unanimously.**

**9. Tracy Habemehl, Salvation Army, 11315 Watertown Plank Rd., Wauwatosa, WI 53226, represented by Martin Choren, Plunkett Raysich Architects, 11000 W. Park Place, Milwaukee, WI 53225 requests a Site/Building/Landscaping Review for a new 9,200 s.f. building at their current location of 2900 W. Cold Spring Road. Tax Key #576-9980.**

1. Background: Salvation Army (2900 Cold Spring) has proposed to construct a new separate 9,200 s.f. building on the easterly side of their existing old church/school building; this older building would be removed and used for parking/driveway/greenspace after new building is available. There is also a reference to the possibility of two future additions behind the proposed building totaling 6,200 s.f.
2. Architectural Review/Exterior Materials: The exterior is a combination of EIFS and precast panel elements with brick wainscoting (see elevations and color renderings). There are minor discrepancies between the elevations and renderings which would need to be clarified (i.e. brick versus EIFS columns around the cross, double or single door on east side). The southern section of the building has a mono-pitched roof sloping north towards the rear half of the building. The main entrance, on the west side, has a canopy extending slightly past the west wall. The roof will be a single ply system.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: A new asphalt drive will be installed east of the existing building connecting with the existing asphalt behind the building. The new drive also extends behind the proposed building to access the dumpster.

It's understood that the use of the existing building and construction of the new building are occurring simultaneously. But at the end of this building project, aside from the five new stalls on the west side of the new driveway, the new building as proposed would be far away and almost 'disconnected' from the parking lot. Some type of more direct walk-way connection to/from the front door is still needed.

In 2004 a senior housing development had been approved for the 11 acres immediately to the north of this site. Part of that approval – if the project had ever gone ahead – was for at the time an emergency-only access route via the east 50' of this site. This swath of land was even included in that zoning and corresponding Land Use Plan because the then developer had an agreement with the church/school to acquire the land.

Obviously this layout eliminates that eastern access point, but staff raises the possibility of potentially in the future doing the same thing on the west side of the parcel – assumes the land is purchased by a developer or whomever. The thought would be that whatever parking stalls were theoretically 'lost' could then be re-established on the site as a result of the influx of funds to finance that type of improvement.

4. Storm Drainage/Grading (lot & building): The grading plan needs to be re-worked entirely so that the 'flow' is not directed toward the NE corner of the site onto someone else's property. Rather the 'flow' has to be directed toward the SE corner of the site because it happens that there is a storm lateral provided near that location – see attached utility layout sheet. Perhaps this drainage way could be designed to be an actual bioswale within the context of 'green infrastructure' at the southeast corner of the lot (also see #25 - Engineering Comments for further notes).
5. Lighting (building & site): Along the new drive and existing parking lot there will be eight 20' dark bronze light poles. The fixtures are flat, horizontal, cutoff luminaires with LED lights. The pole bases need to be no more than six inches (6") above grade if in landscaped area, and can be twenty-four inches (24") above grade if in an open (unprotected) parking lot.
6. Utilities: Per sheet C-2.0, two separate 'cuts' into Cold Spring Rd. are shown (water and sanitary). Since Cold Spring is a concrete street, 'full panel replacement' will need to occur. Any water-related access will require a permit from the Milwaukee Waterworks.
7. HVAC/Utility Box Screening: HVAC details are needed (location and enclosure).
8. Signage: The existing monument sign will be removed for a new monument sign in a planting bed east of the new drive. There is a wall sign on the south face near the entrance.
9. Dumpster/Screening/Gated (materials used): A new dumpster will be added behind the proposed building. It is screened to the east with 5 trees. Details are needed on the enclosure (height, materials, etc).
10. Fencing: The existing chain link fence around the property is to remain.
11. Landscaping/Buffer Yard: The spot vacated by the existing building will be replaced with turf and canopy/evergreen trees. The south side of the building is lined with a planting bed of shrubs and two deciduous trees. The southeast corner of the lot also features a cluster of various trees. Overall there are 32 trees and 38 shrubs along with existing street trees. Due to the major scale of the change proposed (a new building), should there be a buffer required along the west of the lot, as per current standards? This would require removal of an existing parking aisle.
12. 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.
13. Street Trees: Any street trees being removed must be replaced.
14. City Forester Site Inspection: The landscaping plan is under review.
15. Sidewalks: A pedestrian connection from the sidewalk to the front door is needed.
16. Fire Department: Sprinkling will be required (a sprinkler room is shown on the plan).
17. Engineering Comments:
  - Identify grading details
  - SWM calcs – appendix A
  - New sign location added to all plans?
  - 1-0 – old approach to be closed and curbed
  - 2.0 – change note 12 to Plumbing Inspector
  - 2-0 – change note 13 to MWW
  - 2-0 – building storm – where is it going?
  - 2.0- how / where are old services being abandoned?
  - 2-0 - Add note to require joint to joint replacement of concrete street?
  - 3-0 – note 2 referenced Union Grove
  - 3-0 – type d basket for inlet protection
  - 3-0 – add silt fence along N/ property line for 50 feet +/- (past ditch check)

- 3-0 – why take drainage from NW and wrap it all around building rather than discharge some on N/ side of building?
- 3-0 – swale discharge on NE corner – what type of flow are we talking – do we need rip-rap?? This is being discharged onto neighbor's property??
- 3-0 – grading plans where building is coming down and asphalt removed??
- 3-0 – when will swale be cut in – before building goes up?
- L1.0 – street tree being removed – re-plant

**Recommendation:**

Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 16<sup>th</sup> Common Council meeting.

Tracy Habemehl and Martin Choren were present to answer questions. Ms. Collins questioned if it was going to be two stories, to which Mr. Choren replied no, it would be one story in part because that is where the chapel area would be, with the south façade higher than the north due to the pitch.

**Motion by Mayor Neitzke, seconded by Mr. Carlson to recommend approval of a Site/Building/Landscaping Review for a new 9,200 s.f. building for Salvation Army at their current location of 2900 W. Cold Spring Road, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 16<sup>th</sup> Common Council meeting. Tax Key #576-9980. Motion carried unanimously.**

**10. John Wahlen, Cornerstone Development of SE Wisconsin, 1166 Quail Ct., #315, Pewaukee, WI 53072 requests a Conceptual Review for a proposed condominium development for 26 units on approx. eight acres in the 3800 block of S. 116<sup>th</sup> St. (i.e. north of Howard, west side of street); proposed project would have nine 2-family units, two 4-family units, and a clubhouse. Tax Key #564-9995 & 564-9994-001.**

1. Background: Mr. Wahlen is interested in partnering with the owner of these two adjacent parcels (Kaarek Builders), for a proposed condo development for 26 units on eight acres; nine 2-family units, two 4-family units, and a clubhouse. See attached detailed narrative from Mr. Wahlen providing background, design features, proposed layout, etc.

The process for both rezoning (to 'PUD – Residential') and a Land Use designation change (to 'Mixed Residential') would be needed for this proposal.

2. Architectural Review/Exterior Materials: See narrative for pictures and description.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Private roadway would have access to/from 116<sup>th</sup> Street, with each unit having the ability for garage parking and a space outside the garage.
4. Storm Drainage/Grading (lot & building): Stormwater management ponds would be near the NE corner of the site and west side. Existing topography 'runs' from west to east. As noted on the preliminary site layout plan, a wetland inventory mapping process was done recently and that naturally will impact the developable area, or increase the greenspace area, depending upon a person's perspective.
5. Utilities: Water and sanitary would need to be extended north along 116<sup>th</sup> from Howard.
6. PUD Requirements: If the rezoning process were successful, then City staff would prepare appropriate developer agreement.
7. Miscellaneous: Via these PC notes, Cornerstone will be informed about the formal public hearing process involving both a rezoning and a Land Use Plan change; both of which are done concurrently so that each hearing per se is held at the same CC meeting potentially 8 - 10 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 double notice in the GF NOW weekly newspaper. Plus there is a notification to the surrounding seven municipalities and SEWRPC at least 30 days in advance of the hearing.

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: No formal action needed at this time, but staff is supportive of the basic intent of this proposal.

John Whalen was present to answer questions, along with Brittany Holtermann with Pinnacle Engineering Group. Mr. Whalen gave some background information on Cornerstone Development. They have developed condominium projects in Menomonee Falls and Brookfield and have projects underway in Sussex, Mukwonago, and Oconomowoc. They build "lifestyle" neighborhoods. Their typical home style is ranch style, built in duplex or four-plex style, with the garages in the back. Their typical buyer is looking to downsize from their current home and be free of ongoing home maintenance and are generally coming from an area within a 5-7 mile radius of their home.

They range in size from 1,300-1900 sq. ft., with an open concept, and two bedrooms with either a sunroom or a den, and basements that are available to finish. They use quality exterior finishes and lots of landscaping, all of which are meticulously maintained.

Ms. Holtermann then spoke on the engineering aspects of the project. There will be a private drive, built to City standards, with landscape buffering on the south end.

Mr. Weis stated he feels this is a good fit for the area, with it being low impact to the neighboring single-family homes. It was questioned if 116<sup>th</sup> Street would be widened, to which it was replied that that road is challenging, and it needs to be reconstructed at some point, perhaps adding traffic calming. It was noted that just beyond one lot to the north, a portion of this area is in the City of West Allis.

Mr. Carlson stated his own experiences with increased traffic as a condo owner. He doesn't see increased traffic being a concern as often times unit owners don't have cars, and others come and go at all hours. Mr. Whalen stated that they historically have 1.5 cars and 1.6 people per unit at their existing developments.

Mayor Neitzke stated he has visited Cornerstone's Menomonee Falls and Muskego developments and found them to be very high quality. He encouraged Cornerstone to reach out to the neighbors via a neighborhood information meeting.

Linda Schnacke, 11620 W. Howard Avenue, said she and her neighbors are concerned that there may be an outlot created. She also questioned if there would be a berm. Mayor Neitzke stated tonight's plan are conceptual, and that the best thing at this point would be for the developer to hold a neighborhood information meeting.

Ms. Hallen questioned that if there were an issue with selling these as condos, would they be able to convert them to apartments? Mr. Whalen stated no, they plan to stay with condos, and have had success with sales due to their marketing approach.

There was a favorable consensus amongst the Plan Commission on this item.

**Conceptual Review. No action required.**

- 11. City staff requests rezoning of the City owned parcels at 4239 W. Loomis Road and 4253 W. Loomis Road from M-1 Industrial to PUD - Mixed Use and to zone the parcels which are included in the Memo of Understanding that the City has with WisDOT for the Park & Ride Lot and remnant parcels north of the new west-bound I-894 off-ramp, all to PUD – Mixed Use. Tax Key # 600-0081-005, 600-0081-004, 600-9958-001, 600-9957-002, 600-9956-003, and 600-9955-004. *[[Held over from May PC; any action to be concurrent with Item #5 on this agenda.]]***

1. Background: City staff requests rezoning of the City owned parcels at 4239 Loomis Rd. and 4253 Loomis Rd. from M-1 Industrial to PUD - Mixed Use and to zone the parcels which are included in the Memo of Understanding that the City has with WisDOT for the Park & Ride Lot and remnant parcels north of the new west-bound I-894 off-ramp, all to PUD – Mixed Use.

This request is being done concurrently with a separate agenda item for the rezoning of 4001 Loomis and 4047 Loomis.

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

Mayor Neitzke noted that there is an outstanding issued with the building proposal by Allied Development (Item #5), which ties into this item, which is being held over to the July 14<sup>th</sup> Plan Commission.

**Motion by Mayor Neitzke, seconded by Ald. Kastner, to recommend approval of a rezoning of the City owned parcels at 4239 W. Loomis Road and 4253 W. Loomis Road from M-1 Industrial to PUD - Mixed Use, and to zone the parcels which are included in the Memo of Understanding that the City has with WisDOT for the Park & Ride Lot and remnant parcels north of the new west-bound I-894 off-ramp, all to PUD – Mixed Use, subject to Plan Commission and staff comments. Tax Key # 600-0081-005, 600-0081-004, 600-9958-001, 600-9957-002, 600-9956-003, and 600-9955-004. Motion carried unanimously.**

- 12. Discussion/decision on staff request to initiate the Special Use revocation process for 4691 S. 27<sup>th</sup> Street (i.e. Supreme Gas & Food) in accordance with Zoning Code section 21.04.0700(J) – Review of Special Use Permits; alternatively it may be possible that a Special Use Review is considered at this location for Sub Curry, Tax Key #599-8888. *[[Agenda and staff notes sent to the property owner – Tajinder Singh, 3401 E. Debbie Drive, Oak Creek, WI 53154.]]***

1. Background: This item was referred back to the Plan Commission from the Common Council several months ago with the intent that more complete/detailed plans for site/building improvements were still needed from proposed store operator (Khurram Sajjad Ali) and/or actual property owner (Tajinder Singh), given his promises when he purchased the property in 2010.

Separately, Mr. Ali has withdrawn his prior request for Special Use Review, but the site/building issues remain an 'open' matter. At the April PC, there was discussion about this property and the direction given was for staff to review this situation with the City Attorney. That has occurred and a letter (see attached dated 5/14/15) was sent to Mr. Singh. As of the date of the preparation of these notes, there has been no response from Mr. Singh, nor has the letter been 'returned' from the Post Office for any reason.

See attached PC application and pictures.

Chronology of minute excerpts/emails/letters regarding the review/discussion of this matter (all are attached):

- 2/27/15: Staff met with Mr. Singh and Mr. Ali to discuss issues/concerns that the CC had brought up (i.e. landscaping and condition of asphalt). Mr. Singh indicated that station economics may likely impact how much site/building improvements he is able to do.
  - 2/26/15: Follow-up email to Mr. Ali from staff about the need to meet per 2/19/15 email.
  - 2/19/15: Email from to Mr. Ali, which included the 2/17/15 CC minute excerpt, referring this matter back to the PC.
  - 2/17/15: CC minute excerpt.
  - 2/17/15: Signed letter from Mr. Ali and Mr. Singh with some elements about date specific completion work and other site activities. [[Typo on Mayor's name]].
  - 2/6/15: Email from staff to Mr. Ali, which included the 2/3/15 CC minute excerpt, indicating that action of this item has 'held over' to the 2/17/15 CC meeting and why (i.e. needed time-frame and signatures).
  - 2/3/15: CC minute excerpt.
  - 2/3/15: Letter from Mr. Ali regarding staff meeting with him on-site on 1/13/15 and providing follow-up to that discussion.
  - 1/20/15: Message to Mayor Neitzke and Ald. Kastner from staff to 'hold over' any action at that evening's CC mtg. A meeting with Mr. Ali had occurred a few days earlier asking for a written schedule of site/building improvements – per earlier PC recommendation. Since that info. had not come in, that was the basis for the 'hold over' request.
  - 1/20/15: CC minute excerpt.
  - 1/13/15: PC minute excerpt. There had been a favorable recommendation regarding this item being expedited, subject to PC discussion/recommendations.
  - 9/21/10: CC minute excerpt. Special Use Review approved for Mr. Singh as the new property owner and gas station operator, subject to PC discussion/recommendations.
  - 9/14/10: PC minute excerpt. Favorable PC recommendation occurred, with conditions.
2. Miscellaneous: Given the range of discussion that has occurred already on this matter, also attached is an excerpt of the ZC pertaining to the '*...Review of special use permits...*'. [[21.04.0702(J)(3)]]]. The issues/concerns which were the basis of the review in 2010, remain the same as today.

This agenda and staff notes were sent again to Mr. Singh at 3401 E. Debbie Dr., Oak Creek, WI 53134, which is the address listed on the City's Property Search data for this parcel.

Recommendation: Forward a recommendation which would ask the CC to authorize the scheduling of a public hearing to consider the possible termination of the Special Use for Supreme Gas & Food at 4691 S. 27<sup>th</sup> Street in accordance with ZC section 21.04.0701(J) – Review of Special Use Permits, Tax Key #599-8888.

Neither Mr. Singh or a representative on his behalf was present. Mr. Erickson stated he had met with Mr. Singh earlier in the day, at which time Mr. Singh informed him he would be unable to attend as he did not have coverage at the gas station in his absence. Under discussion it was decided to hold this item over until next month's Plan Commission meeting with the understanding that Mr. Singh be strongly encouraged to attend given the seriousness of this matter.

**Item to be held over to the July 14<sup>th</sup> Plan Commission.**

**13. Community Development Manager Report:**

- **Follow-up on the Special Use approved at the May 19<sup>th</sup> CC meeting for Joshua Willbanks, 5407 Lory Drive, Greendale, WI 53219 to open 'Dane Junction Antique Mall' in the former Greenfield News & Hobby building at 6815 W. Layton Avenue, Tax Key #617-0117. *[[Item referred back to the PC to discuss/review Site/Signage/Landscaping aspects associated with this proposal.]]***

Mr. Erickson said it was uncertain if/when Mr. Willbanks would be returning to the Plan Commission with updated plans, as have been requested of him, that is because the property owner, Jay Gordon, is separately now trying to get a Permitted Use-type of business in there instead, and also something that would not need any exterior site/building/changes either.

**14. Motion by Mr. Carlson, seconded by Mr. Hess to adjourn the meeting at 7:50 p.m. Motion carried unanimously.**

Respectfully submitted,

Alison J. Meyer  
Administrative Assistant

Distributed June 25, 2015