

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, AUGUST 11, 2015**

1. The meeting was called to order at 7:00 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	Present
	Mr. Steve Rogers (alt.)	Present
	Mr. Don Carlson (alt.)	Present

ALSO PRESENT: Charles Erickson – Community Development Manager

2. Motion by Ms. Collins, seconded by Ms. Hallen to approve the July 14, 2015 minutes. Motion carried 6-0-1 with Mr. Sponholz abstaining.

3. Discussion regarding the Common Council meeting held on July 21st

At the July 21st meeting the public hearing for the Special Use proposal for Goodwill (4940 S. 76th) was denied.

Mayor Neitzke mentioned that there was a Special Common Council meeting held earlier this evening for action on the TIF #4, #5, and #6 developments, with all being approved as presented.

4. Discussion/decision on staff request to initiate the Special Use revocation process for 4691 S. 27th Street (i.e. Supreme Gas & Food) in accordance with Zoning Code section 21.04.0700(J) – Review of Special Use Permits; Tax Key #599-8888. Property/business owner: Tajinder Singh, 3401 E. Debbie Drive, Oak Creek, WI 53154. *[[Held over from June & July PC.]]*

1. Background: *The comments below are identical to what was distributed for the June meeting. Any further action was held over to enable Mr. Singh to be present at this meeting.*

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 Ali has withdrawn his prior request for Special Use Review, but the site/building issues remain an ‘open’ matter.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: Given the history of what has occurred – or not occurred depending on your perspective -- unless Mr. Singh is able to present some solid evidence at this meeting that site improvement changes are really able to be done yet this summer, staff believes the PC still needs to seriously consider forwarding 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. 27th Street in accordance with ZC section 21.04.0701(J) – Review of Special Use Permits.

Mr. Singh was not present at the meeting.

Mr. Erickson stated that Mr. Singh had called him earlier to tell him that he has a potential deal to brand with Citgo and anticipates signing the paperwork on August 20th. If that does happen, whomever is that Citgo entity would need to come forward for a Special Use Review.

Discussion occurred on if it would be in the City's best interest to forward a motion to begin the Special Use revocation process, with several Plan Commission members agreeing that this would be best. While the City has been patient with Mr. Singh, it was decided to err on the side of being reasonable, therefore giving Mr. Singh the benefit of the doubt that he will follow through with what he has told the City about the possible Citgo branding.

Discussion followed on how it is disappointing that Mr. Singh was not present at tonight's meeting, after promising last month that he would be. While he may have done some minor painting in the past few weeks, yet another meeting has gone by with no definitive direction, other than the possibility of the Citgo branding. It was decided to hold this item over to the September 9th Plan Commission meeting.

Item held over.

5. **Kendall Breunig, College/Falls Storage, LLC, 10535 W. College Avenue, Franklin, WI 53132 requests a Certified Survey Map to combine his two lots into a single parcel as one of the conditions of earlier project approval for EZ Self Storage at 3645 W. Loomis Road and 4121 S. 35th Street. Tax Key #575-8897-003/005.**

1. Background: As a follow-up to the Special Use approval last Fall, Mr. Breunig has submitted the required Certified Survey Map to combine the existing two lots into one parcel.
2. 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.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the August 18th Common Council meeting.

Motion by Mr. Sponholz, seconded by Ald. Kastner to recommend approval of a Certified Survey Map to combine two lots into a single parcel as one of the conditions of earlier project approval for EZ Self Storage at 3645 W. Loomis Road and 4121 S. 35th Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the August 18th Common Council meeting. Tax Key #575-8897-003 & 575-8997-005. Motion carried unanimously.

6. **Denise Fortier, DVM, Healthy Paws Wellness Clinic LLC, W1565 State Road 92, Brooklyn, WI 53521 requests a Special Use for opening a veterinary clinic in the former Heim's Bridal tenant space at 4805 S. 74th Street. As proposed this is a daytime care facility only, no animals would be housed overnight and there would not be any outside kennel 'run'. Tax Key #617-9983-014.**

1. Background: Dr. Fortier is proposing to open a veterinary clinic in the former Heim's Bridal tenant space at this location. As proposed, this is a daytime care facility only, in that no animals would be housed overnight and there would not be any outside kennel 'run'. See attached detailed narrative which includes a floor-plan and site/building pictures providing both inside and outside perspectives.

As a new Special Use, part of the PC and staff consideration is whether or not this is a 'major' or 'minor' change as it pertains to needing a public hearing. In an effort to address that aspect of "...What might the neighbor's think of this proposal?...", Dr. Fortier requested the 400' radius map/mailling list so she could send out on her own initiative a shorter narrative about her intentions, etc. – see attached letter and mailing list; there were approx. 25 tax keys included. The closest residential uses are three lots immediately to the north and also to the northeast near 74th & Squire.

2. Parking/Traffic Flow/Access/Curbed Parking Lot: Approx. +20 stalls are immediately available near the front portion of this two-unit retail building, and approx. +25 stalls are also available behind or to the west of this same structure.
3. HVAC/Utility Box Screening: In the event that the adjacent tenant may have a concern about 'interior odors', it may be necessary for the clinic to improve the ventilation capability for its unit to increase the amount of outside air being circulated.
4. Signage: Would be consistent with existing free-standing and wall signage.
5. Dumpster/Screening/Gated (materials used): Would use existing dumpster near the NW corner of the building for general office waste. Per the narrative, medical waste requires specialized disposal. Perishable waste is kept frozen and inside the building, and picked-up twice per week. Sharps and medical waste is also within the building and picked up weekly by a certified company for medical incineration. All waste will be disposed of by local, state, and OSHA standards.

Employees will walk the property three times daily (morning/mid-day/closing) to collect any animal droppings left by client's pets in the parking lot and general lot area. Staff suggestion is that there also be an outside container for a client themselves to use when bringing their animal to/from the clinic.

6. Hours of Operation: Per the narrative, the clinic hours initially would be open four days of the week, and then increasing the length of day and number of days as business warrants. Full operational hours would typically be 8 a.m. – 8 p.m., Monday – Saturday.
7. Miscellaneous: Attached is an excerpt of the ZC – NAICS list as it pertains to '541940 -Veterinary Services'; this is a Special Use in all zoning districts.

Recommendation: Staff is inclined to consider this a 'minor change' not needing a public hearing, but would defer that final determination until at the meeting to find out what feedback, if any, Dr. Fortier received to her separate letter regarding her proposal for this location.

If this should then be considered as a minor change, then as part of the approval to authorize this item to be expedited to the August 18th Common Council meeting.

Denise Fortier with Healthy Paws and Kay Styza, the property owner, were present to answer questions. Ms. Hallen questioned where the animals would go to the bathroom to which Dr. Fortier replied that alongside the building to the north there is an area for this purpose, and signage would be installed to direct people to use this designated area. Also, a garbage can would be available. They use a model at their Madison area clinic where someone walks the lot 3-4 times daily checking for waste. Ms. Styza stated that in the wintertime an area would be kept shoveled for this purpose.

Ms. Hallen questioned if animals are kept overnight, particularly if they had had surgery, to which Dr. Fortier said they do not keep animals overnight in that type of situation, which is typical of most veterinary clinics. They do not see critical care patients, such as a pet that had been hit by a car and needs immediate surgery. Those animals are referred to an emergency care facility who have 24/7 staff to monitor critical animals. Dr. Fortier also stated that their clinic would provide euthanasia services and a service is the utilized to remove those animals from the clinic.

Discussion occurred on if this would be considered a major change, thus needing a public hearing. It was determined that due to the Code deeming this a Special Use, and the nature of the project being a much different use than what was there previously, that a public hearing should be held.

Motion by Ald. Kastner, seconded by Mr. Hess to recommend approval of a Special Use for opening a veterinary clinic in the former Heim's Bridal tenant space at 4805 S. 74th Street, subject to Plan Commission and authorize the Public Hearing process to begin, with this item considered a major change. As proposed this is a daytime care facility only, no animals would be housed overnight and there would not be any outside kennel 'run'. Tax Key #617-9983-014. Motion carried unanimously.

- 7. King of Glory Church, 4330 S. 84th Street, represented by Chuck Smalley, requests a Conceptual Project Review to discuss the possibility of splitting off a northeast and a southeast portion(s) of their parcel to create single family lots; project ultimately would need a rezoning, a Comprehensive Land Use Plan change, and a certified survey map. Tax Key #605-0084-001.**

1. Background: King of Glory Church (KG) is considering the potential of selling a portion of their land at the northeast corner and the southeast corner of the parcel for single-family lots. Attached are: plot plan showing the approx. sizes of these two areas which KG is discussing, and excerpts of the Zoning Map and Comprehensive Land Use Map for the KG parcel and neighboring parcels.

While rezoning and Land Plan Map changes would be needed, the size of the available KG area(s) would likely determine the single-family classification utilized:

- Northeastern area: 27,200 s.f. (165' x 165')
- Southeastern area: 16,500 s.f.

ZC size options available for Single-Family Districts:

	<u>Min. Sq. Ft.</u>	<u>Min. Width</u>	<u>Corner Lot/Min. Width</u>
• R-2 Single Family (to the east & south):	15,000	100'	115'
• R-2A Single Family:	12,000	85'	100'
• R-3 Single Family (to the north):	9,000	75'	85'
• R-3A Single Family:	7,200	65'	75'

The KG desire ultimately is that if this lengthy process were successful with the two major mapping changes and doing a Certified Survey Map, it would be to create four lots:

- Main KG parcel
- One @ southeast corner
- Two @ northeast corner (i.e. it's too early to determine an orientation N/S or E/W)

Given available ZC size options for single-family, the KG zoning request could basically be split as follows:

- SE corner: single lot @ R-2 Single-Family
 - NE corner: two lots @ R-3 Single-Family; this would enable the minimum width for both an 'inside' lot and 'corner' lot to be met, while creating two bigger R-3 lots – assuming both in the approx. 13,000 s.f. – 14,000 s.f. range.
2. Utilities: By the meeting time, staff will have prepared a utility plan which identifies the location of any existing water/sanitary/storm laterals actually into each of the two potential single-family areas.
 3. Miscellaneous: In a prior conversation with Mr. Smalley, staff has indicated the availability of providing the 400' radius map/mailling list so that they could initiate a neighborhood information meeting. process in advance of any formal mapping changes, should KG choose to proceed with that next step.

Recommendation:

No formal action needed at this time, but staff is supportive of the KG initiative.

Chuck Smalley with King of Glory was present to answer questions and gave a brief explanation of their intention, stating that they now believe it would be better to create two parcels on the southeast corner and one parcel at the northeast corner.

It was the general consensus of the Plan Commission that they were okay with the overall plan and the fact that this would take current tax exempt property and place it on the tax rolls.

Conceptual Review – no action required.

8. **John Maneage, Braeger Ford, 4201 S. 27th Street, represented by Katie Kawczynski, VJS Construction Services, W233 N2847 Roundy Circle West, Pewaukee, WI 53072 requests a Site/Building Review and Special Use amendment to change the exterior of the existing body shop building at 4201 S. 27th Street to be comparable with the recently completed renovations and construction of the new main showroom/sales/service/office building. Tax Key #576-9995-001.**

1. Background: Now that the main showroom building and site work is completed (i.e. reviewed/approved by PC/CC last August), Braeger Ford is proposing to continue with their site improvements and now want to do a comparable exterior change to the body shop building; some interior renovations are also contemplated. See attached PC app., picture of the finished showroom building, and detailed plan set.
2. Architectural Review/Exterior Materials:
 - East (toward 27th St.): raised wall feature over the entrance, with a combination of lighter grey aluminum panel, horizontal darker grey ribbed panel, 'clear' panel for overhead door.
 - North/West/South: darker grey new metal panel over existing metal siding and a new thin veneer split-face CMU will be installed over existing CMU.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the August 18th Common Council meeting.

John Maneage along with Katie Kawczynski with VJS Construction Services were present to answer questions.

Motion by Mayor Neitzke, seconded by Ms. Hallen to recommend approval of a Site/Building Review and Special Use amendment to change the exterior of the existing body shop building at Braeger Ford, 4201 S. 27th Street, to be comparable with the recently completed renovations and construction of the new main showroom/sales/service/office building, subject to Plan Commission and staff comments, and authorize this item to be expedited to the August 18th Common Council meeting. Tax Key #576-9995-001. Motion carried unanimously.

9. **Community Development Manager Report.**

No report.

10. **Motion by Mr. Weis, seconded by Mr. Hess to adjourn the meeting at 7:25 p.m. Motion carried unanimously.**

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed August 18, 2015