

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, SEPTEMBER 8, 2015**

1. The meeting was called to order at 7:00 p.m. by Ald. Kastner

ROLL CALL:	Mayor Michael Neitzke	Excused
	Ald. Karl Kastner	Present
	Mr. Brian Weis	Excused
	Ms. Denise Collins	Excused
	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. Hallen, seconded by Mr. Sponholz to approve the August 11, 2015 minutes. Motion carried unanimously.

3. Discussion regarding the Common Council meeting held on August 18th. At that meeting the Braeger Body Shop (4201 S. 27th Street) exterior work was approved as presented. Mr. Erickson noted there was a Special Common Council meeting on August 11th regarding TIF 4, 5, and 6 and all three were approved as presented. They were forwarded on that evening to the Joint Review Board, who also approved them as presented on August 18th. Ald. Kastner and Ms. Collins were members of that Joint Review Board.

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, & August PC.]]

1. Background: *The comments below are identical to what was distributed for the June, July, and August meetings. Any further action was held over to enable Mr. Singh to provide an update on his efforts for re-branding the site. Based upon an Aug. 31st phone call Mr. Erickson made to Mr. Singh, the re-branding process with ‘Citgo’ is still moving forward in a positive manner. Mr. Singh was asked to prepare a letter to the City providing this update.*

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 Ali has withdrawn his prior request for Special Use Review, but the site/building issues remain an ‘open’ matter.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 you're 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 Plan Commission still needs to seriously consider forwarding a recommendation which would ask the Common Council 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. Sponholz questioned which of the codes referenced applied to the motion made to begin the process for the revocation of the Special Use. Mr. Erickson replied that if there are any elements within the reason for review of a Special Use, such as non-conformity, violation of ordinances, etc., that that is enough to start the revocation process. He also referenced how Mr. Singh has chosen not to attend but one Plan Commission meetings after all this time on this matter, and to yet come forward with a plan. Mr. Erickson stated he had received an email from Mr. Singh regarding his plan for rebranding that he distributed to the Plan Commission members. Mr. Erickson also noted that he has not had any correspondence from any entity regarding rebranding the station.

Mr. Carlson stated that he felt the Plan Commission had been more than patient with Mr. Singh, who indicated that he would have painting work done by September 16th, and therefore would like to give him until that time to see if he follows thru. Mr. Carlson also expressed his disappointment that Mr. Singh did not show up at Plan Commission meetings.

Motion by Ms. Hallen, seconded by Mr. Hess to approve a recommendation that would ask the Common Council 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 Zoning Code Section 21.04.0701(J) – Review of Special Use Permits, and authorize the Special Use Public Hearing process to begin. Tax Key #599-8888. Motion carried 5-1 with Mr. Carlson no.

5. **King of Glory Church, 4330 S. 84th Street, Greenfield, WI 53228 represented by Chuck Smalley, requests a Comprehensive Land Use Plan change ('Community Facilities' to 'Single-Family') and a rezoning as shown below in order to split off portions of their existing parcel to create the following:**
 - One single-family lot at the northeast corner; ('I-Institutional' to 'R-3A Single-Family')
 - Two single-family lots at the southeast corner; ('I-Institutional' to 'R-3 Single-Family')

[[Follow-up to Conceptual Review at the August PC.]] Tax Key #605-0084-001.

1. Background: As a follow-up to the Conceptual Review at the August PC, the King of Glory Church (KG) has now made the submittal to proceed with the proposed rezoning and the Comprehensive Land Use change needed in order to sell portions of their parcel at the northeast corner and the southeast corner for 'unimproved' single-family lots (i.e. laterals for water/sanitary/storm would be extended from the nearby street/s into the new lots by prospective buyers).

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.

The size of the available KG area(s) naturally will determine the single-family classification utilized to create conforming lots (i.e. for both square footage/width/corner lot width) within these nearby and/or comparable 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'

- Southeastern area as proposed: Lot 1: 9,100 s.f. that is at least 75' wide. Requested designation is R-3 which enables this 'inside lot' to meet/exceed the minimum sq. ft. and lot width regs.
 - Southeastern area as proposed: Lot 2: 10,120 s.f. that is at least 85' wide. Requested designation is R-3 which enables this corner lot to meet/exceed all three elements of the above criteria.
 - Northeastern area as proposed: Lot 3: 13,600 s.f. lot that is 82' wide. Requested designation is R-3A which enables this corner lot to meet/exceed all three elements of the above criteria.
2. Utilities: Attached is a utility plan which identifies the location of any existing water/sanitary/storm laterals near each of the two potential single-family areas. 'Blue' is water; 'Green' is sanitary; and 'Purple' is storm.

Based upon this map, with the exception of a water lateral extended into the approximate area of one of the proposed lots off of Whitaker near the existing playground, no other laterals have been extended into the proposed single-family lot areas, so this will involve road cuts and street restoration requirements for any prospective buyer(s).

3. Dumpster/Screening/Gated: Presently KG has a driveway from S. 83rd Street that provides the access to/from the dumpsters and garage. Given that the proposed new lot at this NE corner of the property includes this driveway space, a new/relocated driveway will need to be provided at some point by KG.
4. 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 info. mtg. process in advance of any formal mapping changes, should KG choose to proceed with that next step. Staff has prepared this map and has distributed it to KG.

For general information only, the house at 4331 S. 83rd St. which KG surrounds was built in 1955. KG was constructed in 1972.

For sake of discussion and assuming this rezoning/Land Use Plan change is ultimately successful at the end of the public process, KG will need to have a CSM (certified survey map) done to create new legal description and map for what then would be four (4) new lots: main church parcel and three single-family lots. Another future aspect of a CSM and the creation of new single-family lots, is the park fee (\$1497 per lot X 3).

Recommendation:

Approve both the rezoning and the Comprehensive Land Use Plan changes subject to Plan Commission and staff comments, and authorize the respective public hearing process(es) to proceed. Both proposed changes have a slightly different public notification process, but both hearings are held at the same Common Council meeting (i.e. 400' radius map/notification aspect is a consistent element with both hearings).

- Comprehensive Land Use Plan change: 'Community Facilities' to 'Single-Family' for all three proposed single-family parcels
- Rezoning as follows:
 - Two single-family lots at the southeast corner from 'I-Institutional' to 'R-3 Single-Family'
 - One single-family lot at the northeast corner from 'I-Institutional' to 'R-3A Single-Family'

Chuck Smalley was present to address any questions.

Motion by Mr. Rogers, seconded by Ms. Hallen to recommend approval of a Comprehensive Land Use Plan change ('Community Facilities' to 'Single-Family') and a rezoning as shown below in order to split off portions of an existing parcel at King of Glory Church, 4330 S. 84th Street to create the following:

- One single-family lot at the northeast corner; ('I-Institutional' to 'R-3A Single-Family')
- Two single-family lots at the southeast corner; ('I-Institutional' to 'R-3 Single-Family')

Subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key #605-0084-001. Motion carried unanimously.

6. **Fred Storm, N57 W30866 Lakewood Drive, Hartland, WI 53029, as the property owner and on behalf of Rogelio Campos (tenant/operator of Roberto's Muffler & Brakes), requests a Plan Commission Waiver to accept the repainted color(s) of the exterior of 4671 S. 27th Street. Tax Key #599-8892.**

1. Background: This past June a Special Use Review was approved for Mr. Campos to open Roberto's Muffler & Brakes in the former F & F Tire Store at this location. Somewhere between the initial 'rough' inspection and a 'final' occupancy inspection the entire building was repainted: 'orange' is the predominate color and 'black' is on the lower course.

While Mr. Campos did ask Mr. Storm for his okay to proceed, unfortunately there wasn't any contact by either party with the Community Development office or the Inspection Services staff regarding this significant change which isn't in accordance/consistent with either ZC guidelines or Site Development Standards. This is why Mr. Storm is seeking a waiver to allow/accept the repainted building to stay as is. Attached are the following:

- PC application and 8/24/15 letter from Mr. Storm providing further background including references to a cultural/ethnic basis and costs already incurred.
- Picture of the building from Mr. Storm
- For comparison, pictures of F & F Tire as the former tenant, and then Tuffy's who was in there prior to F & F. Building was predominately 'gray' with some accent color bandings for each of these businesses. Even if the buildings were repainted 'gray' back then and also had some minor 'banding' color(s) done, that would have been considered more of a 'maintenance' effort and would have been simply handled at a staff level.
- Excerpts of the ZC 21.07.0402(B)(7) as it relates to 'color' (i.e. overall chapter is entitled 'Architectural Plans/Principles & Standards of Review'), and Site Development Standards – Colors.
- Excerpt of the 6/9/15 PC minutes and a 5/20/15 letter from Mr. Storm providing background on that earlier Special Use Review request.

Recommendation:

Deny the request for a waiver, subject to Plan Commission and staff comments.

- It's in conflict with ZC and Site Development Standards because it's not "...in general harmony the existing area or neighborhood buildings..." and is inconsistent with any color combinations that the PC has approved and isn't a preferred 'earth tone' either.
- If this request had been made to staff prior to the work being done, this color combination for an entire building would never be approved or recommended for approval. The idea of some bolder colors for accent purposes, as part of a more predominate neutral/earth tone color combination, is a different matter.
- While staff is usually reluctant to predict Plan Commission or Common Council vote outcomes, if for instance looking back to the June Plan Commission meeting when the Special Use Review was being considered and a request was made of "...Is it okay to paint the building orange and black?...", that staff's sense is that the highly likely answer would have been 'no'.

Fred Storm, the property owner, and Rogelio Campos, of Roberto's Muffler & Brakes, were present to answer questions. Mr. Storm stated that as an option to retaining the orange, they would propose to paint the current orange with a shade more in the coral family, next Spring. The black paint on the lower course would remain. Mr. Storm provided a color picture of a rock formation with this coral element shown.

Ms. Hallen questioned who paid to have the building painted its current color scheme. Mr. Storm replied that the tenants did. Ms. Hallen stated she drove past today and with the building being set so far back from 27th Street, the orange color made it stand out. She stated she does not have a problem with the current color scheme.

Motion by Ms. Hallen, seconded by Mr. Sponholz, to recommend approval of a Plan Commission Waiver request from Fred Storm as the property owner and on behalf of Rogelio Campos (tenant/operator of Roberto's Muffler & Brakes) to accept the repainted colors -- predominately 'orange' with a 'black' lower course -- of the exterior of 4671 S. 27th Street; and authorize this item to be expedited to the September 15th Common Council meeting, with it being noted that the owner had offered as an alternative to replace the 'orange' with a color from the 'coral' color range; with work done in the Spring. Tax Key #599-8892. Motion carried 4-2 with Ald. Kastner and Mr. Hess voting no.

7. David Koscielniak, Koz-i-tec-ture, 12310 W. Waterford Avenue, Greenfield, WI 53228 representing John Wirth, Glenco Properties, 5470 S. Tuckaway Lane, Greenfield, WI 53221 requests a PUD Amendment and Site/Building/Landscaping Review in order to construct six free-standing garages within the Tuckaway Heights Apartments area at 31st and Grange Avenue. Tax Key #645-9999-005.

1. Background: Per the PC application, the intent is to construct six (6) free-standing garages on the premises. One of the buildings would be a maintenance garage to be used by the apartment property owner. The remain five garages would be for tenant parking:

- Two 6-car garages
- One 8-car garage
- One 9-car garage
- One 12-car garage

An existing site plan sheet and a separate site plan sheet showing the six proposed locations are part of the overall submittal. Tuckaway Heights has 80 one-bedroom units and 160 two-bedroom units.

2. Architectural Review/Exterior Materials: Per the plan sheet reference, all the proposed garage roofs, brick, siding, and gutters shall match the apartment buildings exterior as close as possible. Exterior perspectives/detail, cross sections, and a floor plan is provided for each of the six buildings. The exterior materials will be a combination of nichiha brick panels (fiber cement), vinyl siding/trim, asphalt shingles, gable roof elements on front/back of each building, and vinyl shutter design features on the 'outside' wall
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Per site plan data, the combination of proposed garage parking spaces (41) and re-stripped surface parking spaces (421) totals 462 stalls. The existing surface parking count is 459; overall is a +3 stalls. It should be noted that with three of the garages, no parking stalls are 'in front' of the garage essentially because there still is a viable drive-lane that needs that space. On the other three where a stall is in front of the new garage, the inside and outside stalls are for the same apartment unit.
4. Utilities: The proposed maintenance garage is adjacent to a sanitary sewer easement, which is fine. But since the building is proposed to have a bathroom, there still is a need to identify where the water and sanitary service will be coming from.

Staff has identified a potential concern with the placement of the most western building pad (i.e. 8-car structure) in that it's east building foundation edge is immediately adjacent to a water main easement. It would appear that both the concrete 'footings' and the roof over-hang protrude into the easement 'air-space'. While typically that limited encroachment may not be a problem on a day-to-day basis, but if there ever was a water main break in that area, then potentially the 'repair space' has been reduced somewhat. At the same time, the back side or west side of this same garage does meet the required 10' setback from the two adjacent apartment buildings (i.e. 5391 & 5401).

The suggestion for handling that ‘tight’ placement is to do the following:

- Shift the building 2’- 3’ westerly so there is no encroachment into the water main easement of any kind.
 - Construct the west wall of this garage – or the adjacent garage ‘spaces’ within the 10’ mark - with materials to provide a 2-hour fire wall as a result of the above shifting.
5. HVAC/Utility Box Screening: The HVAC for the maintenance garage is ‘inside’ the building footprint.
 6. Landscaping/Buffer Yard: There is a landscaping schematic (i.e. typical) which shows the intent of different plantings along the ‘back side’ of each garage. The proposed types of bushes/shrubs are yews, spirea, lilac, hydrangea, and burning bush. The suggested modification is that since these tend to be a lower-growth combination, that a replacement be of at least one of the planting types to have a taller/higher planting(s) opposite of where the raised gable elements are shown.
 7. 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.
 8. Miscellaneous: It may be possible that their internal snow removal practices will need to be adjusted since these garages appear to be in locations where snow is readily plowed and/or piled.

Recommendation:

Approve subject to Plan Commission and staff comments, consider this a minor change not needing a public hearing, and authorize this request to be expedited to the Sept. 15th Common Council meeting.

David Koscielniak, the project architect, was present to answer questions and gave a review of the project. He also noted that the property’s tennis courts have been marked for demolition this fall, and that this past summer the swimming pool and patio area had been removed. He also said that the owners would like to add a seventh garage where the tennis court is located.

The garages will be constructed of brick and will be cordoned off to create individual parking garages, with shelving at the front that goes over the hood of the car that can be used for storage.

Ald. Kastner asked that Mr. Koscielniak provide the landscaping plan for the former tennis courts area at the September 15th Common Council meeting.

Motion by Mr. Rogers, seconded by Mr. Hess to recommend approval of PUD Amendment and Site/Building/Landscaping Review in order to construct seven free-standing garages within the Tuckaway Heights Apartments area at 31st and Grange Avenue, subject to Plan Commission and staff comments, with this to be considered and minor change, and authorize this item to be expedited to the September 15th Common Council meeting. Tax Key #645-9999-005. Motion carried unanimously.

8. **David Ausloos, 1490 Properties LLC, PO Box 57, Elm Grove, WI 53122 requests a Special Use Review and Site/Building/Landscaping Review as the prospective new property owner/business operator of ‘Sudz Wash and Lube’ at the current ‘Car Wurx Plus’ car wash/auto service location, 10685 W. Layton Avenue. Tax Key #613-8996-018.**

1. Background: As the prospective new property/business owner of the existing car wash/auto service at this location, Mr. Ausloos has submitted plans indicating the desire to make significant site and building improvements but yet maintaining the same type of business. See attached for his 8/31/15 letter, color renditions, and plans that detail both his business background as a multi-owner of similar facilities in the area (i.e. Franklin, Men. Falls, West Milw.), and proposed changes to the site and building.
2. Architectural Review/Exterior Materials: See attached color renditions and building elevation plan sheets. These include: complete re-imaging of the building including copper-penny standing-seam roofs over the existing car wash and oil change facility after an approx. two foot course of concrete block is added onto the existing block wall; existing and any new block wall will be painted what appears to be a 'grey' tone; constructing a small addition to house dumpsters and vacuums inside the building; the new (4) front overhead garage doors would be anodized aluminum with insulated glass; and install a new vacuum system that would replace the 25-year old existing system with 19 vacuum stations; as proposed there would be 5 stations up front and 14 along the west side of the parcel. As noted on the pictures, each vacuum station consists of a double circular 'yellow' and 'black' piping/tubing alignment; the 14 stations on the west side of the site would also have a 'red' canopy/sun screen feature.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Since the same building is being used in the same manner, then naturally the vehicle 'flow' on a counter-clockwise basis remains the same with the two access points on Layton. Employee parking area on the east side of the parcel will remain but be improved.
4. Storm Drainage/Grading (lot & building): As noted on the site plan, three existing catch-basins within the lot will still be used.
5. Lighting (building & site): As shown on the site lighting plan, the intention is to replace and supplement the existing lighting with new LED lighting. Fixtures 'A' and 'B' have the 'cut-off' design element and along the east side is some wall-pak fixtures in the drive-around lane. The upper portions of the new raised roof elements (i.e. cupolas) have accent or 'wash' – type lighting.

Staff has a concern about the proposed use of what is listed as Fixture 'C' which is a flood-light type style – 11 of them around the property – some of which may be existing and some of which may be new. The idea of 'wall wash' type lighting, accent lighting, and down lighting in parking lot are all consistent with general ZC standards, but the use of 'flood-lights' typically would be discouraged.

6. Signage: The intent is to completely re-face the existing free-standing sign with new Sudz graphics and an electronic reader board (approx. 90 s.f.) In addition, there are five wall signs proposed:
 - North: 'Fast Oil Change' (28 s.f.) and in the upper roof area a 'Sudz Wash & Lube' (57 s.f.)
 - East: In the upper roof area a 'Sudz Wash & Lube' (57 s.f.)
 - South: In the upper roof area a 'Sudz Wash & Lube' (57 s.f.)
 - West: In the upper roof area a 'Sudz Wash & Lube' (57 s.f.)

Sign Code calc. uses width of the building facing the street (80') with a multiplier (1.5) as the basis for determining maximum allowable signage (both wall and free-standing combined, plus there is a limitation on the number of wall signs – one for an 'inside' lot'. $80 \times 1.5 = 120$ s.f. available overall for a site. It's not uncommon where the number of wall signs is greater than 'one' but in that situation the overall signage square footage is still being met.

In this instance, there is way too much overall signage square footage: $90 + 28 + 57 + 57 + 57 + 57 = 346$ s.f. or +200 s.f. extra as proposed. Even if there was a 'grandfathering' of the amount of square footage for the free-standing (i.e. just a re-face were being done and nothing else), then having as proposed the four 57 s.f. signs in the upper roof area is creating the square footage imbalance.

7. Dumpster/Screening/Gated (materials used): No outside enclosure because dumpster is moved inside the building.
8. Fencing: Existing retaining wall will remain.
9. Landscaping/Buffer Yard: As noted on the letter from Mr. Ausloos, essentially he would be removing all the overgrown existing landscaping and installing all new extensive landscaping to improve the overall appearance of the entire site and screen views of the storage facility to the west.

On the attached landscaping plan clearly the overall site detail is provided with the detail for the Schedule and a picture of the respective proposed species. Also a greater degree of specificity is shown where elements of the plan have been enhanced/enlarged being referenced as four 'Blow Up' areas: A – front of the building; B – back of the building; C – along the west side of the property toward Public Storage; and D – southwest of the building.

10. 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.
11. City Forester Site Inspection: Underway.
12. Hours of Operation: Car wash: 7 a.m. to 9 p.m. Monday – Saturday; and 7 a.m. – 7 p.m. on Sunday. Oil change: would be slightly shorter with exact times yet to be determined.
13. Inspection Department:
 - Even though this is certainly in a non-residential area, is there 'sound creation' data as it relates to the vacuum system with 19 units/stalls.
 - As part of the building improvements, having a car wash backflow prevention test should be done and register those findings with the State as needed.
 - When the permit submittals are done, a review of the total site lighting allowance should be done (i.e. per 2009 International Energy Conservation Code – Sec. 505.6.2).
14. Miscellaneous: For background purposes only, Mr. Auloos had submitted a Conceptual Review proposal establishing a similar business back in 2011 on 4201 S. 108th Street (i.e. over the years that lot/building included sports memorabilia and/or psychic reader; eventually became part of Boucher dealership).

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 Sept. 15th Common Council meeting.

David Ausloos was present to answer questions and gave a review of the project.

Mr. Erickson discussed the proposed lighting shown on the cupola element, and also reviewed some of the site lighting shown as existing and some is new. There is a combination of spotlights, where some are the traditional downlight style and others are more of a flood or spotlight style. Discussion occurred on how the City has been very careful about not having any floodlights at all and how the use of downlighting is preferred.

Motion by Ms. Hallen, seconded by Ald. Kastner to recommend approval of a Special Use Review and Site/Building/Landscaping Review for David Ausloos as the prospective new property owner/business operator of 'Sudz Wash and Lube' at the current 'Car Wurx Plus' car wash/auto service location, 10685 W. Layton Avenue, subject to Plan Commission and staff comments, with this to be considered a minor change not needing a public hearing, and authorize this item to be expedited to the September 15th Common Council meeting. Tax Key #613-8996-018. Motion carried unanimously.

9. Review staff recommendations regarding a Zoning Code text change and Special Uses.

1. Background: At the July PC there were some proposed changes to a few NAICS categories to convert them from 'Permitted Uses' to 'Special Uses', per recommendation from the Police Department (PD). Since then another recommendation has come forward from the PD for another text change pertaining to 'Shooting (Firearms) Ranges' (713990).

While presently this category requires a Special Use for any zoning district, the suggested change was to limit this aspect only to the M-1 Light Industrial area. The M-1 area presently is concentrated along Loomis in two areas: 1) from I-894 north to just south of Cold Spring; and 2) two lots a little further north in the 3600/3700 block of Loomis.

Attached are the following: excerpt of the existing ZC table for 713990 – All Other Amusement & Recreation Industries; excerpt of the NAICS book for this same category; staff emails on this topic; and excerpt of the existing Zoning Map along Loomis Rd. north of I-894; and the potential zoning changed recommended for approval this past June for the Park & Ride area.

Recommendation:

Approve subject to Plan Commission and staff comments, and authorize this item to be forwarded to the September 21st Legislative Committee for further review. Eventually when this item will come to a future Common Council meeting, there will be a public hearing on the text change from both the July Plan Commission and this meeting.

Mr. Erickson gave some background information on the requested changes.

Motion by Ms. Hallen, seconded by Ald. Kastner, to recommend a Zoning Code text change and Special Uses change, and authorize this item to be forwarded to the Legislative Committee. Motion carried unanimously.

10. Community Development Manager Report

Mr. Erickson spoke on the possibility of Layton Avenue Baptist Church relocating from 91st & Layton to the 9600 block of Layton Avenue. The need for relocation is due to the upcoming Cobalt/Chapman project. The process for this would begin at the Plan Commission with a conceptual review. It was back in 2011 when much of this same general area had been rezoned for the then Ridge Community Church proposal.

11. **Motion by Mr. Carlson, seconded by Mr. Rogers to adjourn the meeting at 7:45 p.m. Motion carried unanimously.**

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

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