

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, NOVEMBER 10, 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	Excused
	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 Mr. Sponholz to approve the October 13, 2015 Regular Meeting minutes. Motion carried unanimously.** Note: A correction needs to be made showing that Ms. Collins abstained from voting on the September 8th meeting minutes, not Ms. Hallen.
- 3. Motion by Ald. Kastner, seconded by Mr. Sponholz to approve the November 3, 2015 Special Meeting minutes. Motion carried unanimously.**
- 4. Discussion regarding the Common Council meeting held on October 20th & November 3rd.** At the October 20th meeting the following were approved as recommended by the Plan Commission: The Chapman/Cobalt Right-of-Way vacation, the Special Use Review for Habanero's (7700 W. Layton), along with the Shorewest site plan for the west side of the parcel at 6725 W. Layton Avenue.

Also, while not coming forth from a Plan Commission review, a Temporary Use Request for car storage at a vacant lot at 46th & Forest Home was presented and denied by the Council.

- 5. Ryan Stamm, Anderson Restaurants Inc., W229 N1687 Westwood Drive, Suite A, Waukesha, WI 53186, requests a Special Use Review as the new owner/operator of the George Webb's Restaurant at 4845 W. Forest Home Avenue; Tax Key #531-0222-001.**

1. Background: The George Webbs at this location has recently changed its ownership/operator, and so has been asked to submit this type of request. This restaurant has been at that location since 1974, and as a result pre-dates any formal prior 'Special Use' approval per se. However, given the current ZC designation that 'restaurants' are considered a Special Use, that designation now becomes applicable. That main feature is to acknowledge and enable the continued traditional 24/7/365 hours of operation to be maintained. No other changes proposed. \
2. Hours of Operation: Will remain a 24/7/365 operation.
3. Miscellaneous: Per a file search, prior site/building plan reviews and approvals occurred in 1985 and 1990.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the November 17th Common Council Meeting.

Ryan Stamm was present to answer questions.

Mr. Sponholz commented that at the site there is garbage around the parking lot. He'd like to see the site cleaned up, and a cleaning up/freshening up of the building exterior, along with perhaps adding landscaping. Also, the lighting on the sign needs repair.

Motion by Ald. Kastner, seconded by Mr. Sponholz to recommend approval of a Special Use Review for Ryan Stamm, Anderson Restaurants Inc., as the new owner/operator of the George Webb's Restaurant at 4845 W. Forest Home Avenue, subject to Plan Commission and staff comments, and authorize this item to be expedited to the November 17th Common Council meeting. Tax Key #531-0222-001. Motion carried unanimously.

6. **Shorewest Realtors, 17450 W. North Avenue, Brookfield, WI 53045, represented by William Conine, Perspective Design, Inc., 11525 W. North Avenue, Wauwatosa, WI 53226 requests an Site/Building/Landscaping Review for a proposed single-story, 7,800 s.f. office building for Shorewest at 6725 W. Layton Avenue, which is the former Tam's Restaurant location; Tax Key #618-9984. [[Follow-up to preliminary site/building review at the October PC.]]**

1. Background: *This Shorewest Realtors (SR) submittal is a follow-up to the preliminary site plan review/approval done at the October 13th PC and October 20th CC as it pertains to this 2.5 acre property and their desire to construct a 7,800 s.f. single-story office for their use on the west side of the parcel – **Phase 1** only. As intended back then, the SR architect has provided the needed significant additional materials for the full Site/Building/Landscaping Review submittal as detailed below and as attached. Furthermore, some of the preliminary staff review notes from the October review/approval sequence still remain where applicable.*

Attached is a PC application, background project letter dated 10/27/15, and site/building plan details. Given the size of the site and its capability to handle/include an additional building – as a result of the area that SR is using for Phase 1 – a basic element that staff would ask of prospective owners and/or their reps. is basically to provide a layout that could be a preliminary 'place-holder' to address the question of "...What else could occur here?..".

That information, in the form of a future **Phase 2**, is provided which indicates that the balance of the site could accommodate up to another 6,500 s.f. commercial building (i.e. this rendition shows a use as 'multi-tenant' as an example), along with a set-aside of land for the obligatory storm retention basin that would be designed and sized for the overall amount of new hard-surface (roof-tops/parking) added to the site (i.e. after factoring in some of the existing hard-surface that the former Tam's use occupied).

It's anticipated that at some point SR may choose to split this parcel via a Certified Survey Map. Since the parcel is a total of 2.5 acres, there easily is enough space to create two lots that meet the C-2 minimums of 30,000 s.f. with a 150' lot width.

2. Architectural Review/Exterior Materials: Attached is the proposed building rendition and associated material details. The main exterior materials include several shades and finishes of aluminum metal paneling and masonry block. A 'filled & polished' masonry unit called 'Quick Trip Black' will wrap around the upper levels of the structure, while different shades of prefinished aluminum composite metal paneling (i.e. white, silver, red, and stainless steel) would be used. As noted on the color rendition, the metal paneling is used to create a design which replicates the SR logo. Large windows wrap around the north, west and east sides of the building and are finished with an aluminum glaze.

The site plan identifies the respective C-2 building setbacks (i.e. front/rear/side) for a corner lot. As noted on the plan, the west building foot-print encroaches approx. 3 – 5' on that 'corner front yard setback' and a portion of the roofing element/design feature at the northwest corner of the building encroaches approx. 14' into the same setback area. The ZC enables the PC to consider these types of site layout modifications within the context of ZC Table 21.04.0302(C) (c).

A product sample board has been prepared and will be presented again at this meeting.

3. Parking/Traffic Flow/Access/Curbed Parking Lot: Sufficient on-site parking is shown for the office use (3.3 stalls/1,000 s.f.; $7.8 \times 3.3 = 26$ min.). The current site plan will provide for a total of 32 parking spaces in the Phase 1 area and an additional 12 stalls 'temporarily' placed on the west edge of Phase 2 area.

If the future Phase 2 actual use is a multi-tenant building, that parking calc. is 5 stalls/1,000 s.f. ($6.5 \times 5 = 33$ min.). Based on the preliminary layout, 29 stalls are shown but the ability to add more stalls into the SE corner of the lot does exist, and/or since the actual SR lot has additional stalls over the minimum, the site as a whole has sufficient parking. Since the Phase 2 layout does show the potential of a use needing a drive-thru feature, sufficient 'car stacking' capacity is provided.

In the future, it's anticipated that when Phase 2 comes in, that there will be a shared parking/access easement/storm management agreement between the office building and the actual Phase 2 development – if owned by someone other than SR.

A note on the plan identifies that further review with Milw. County will be needed because it is proposed that along the north side of the parcel, an existing approach to/from Layton Ave. would be closed and that a new approach is shown further to the east that aligns with the existing median cut. Similarly along the west side of the parcel, an existing approach would be closed and a new one installed further to the south.

4. Storm Drainage/Grading (lot & building): Storm drainage is designed to handle the entire site per the proposed 15,000 s.f. storm basin area on the east side of the parcel. Due to the phasing of this project, there will be a need for an interim grading plan to be provided before construction on Phase 1 takes place simply to have an idea of how this phasing aspect is intended to be handled here – storm drainage-wise. For example, while the basin will need to be graded/installed, it's uncertain whether all or how much of the storm sewer lines/inlets/catch-basins/manholes will be installed as part of Phase 1. A stormwater report is being prepared.
5. Lighting (building & site): A photometric plan is provided and LED lighting is used exclusively. The parking lots contain a total of 9 cut-off lights (i.e. Type 'OA') attached to 20 ft. high poles with a maximum of a 6 inch concrete base above grade. There are 11 bollard lights (i.e. Type 'OB') spaced in front of the office and multi-tenant buildings. For future reference if a multi-tenant type structure is done, that style of lighting is shown as 12 wall-pack/downlighting (i.e. Type 'OC') attached to the multi-tenant structure. Finally, the SR building will have two 6 inch recessed can lights (i.e. Type 'OD') in the entry ways. The combination of lighting style fixtures, placement on the property, and existing/proposed landscaping in-between, greatly minimizes any 'spill-over' lighting to the south where the closest residential (apartments) use exists.
6. Utilities: Utility plan is provided; water main is under the south sidewalk and sanitary is in the south half of east-bound Layton. This sheet also shows proposed road cuts to gain access to the sanitary main – it may be a Milw. County requirement because this is a concrete surface at this location, that '...full joint-to-joint section repair...' may be required instead of a smaller 'road cut/repair' situation. Proper capping of old water, storm, and sanitary laterals will need to be completed during the demo process (i.e. identified per sheet C-0 – Removal Plan; also included on this sheet is info. related to sidewalks/curb/gutter/gas main/storm man-hole, etc.).

7. HVAC/Utility Box Screening: The building plans locate HVAC systems on the rooftop of the SR building. The units will be properly screened by a parapet wall feature and so will not be visible from ground level. A WE transformer box is shown to be placed near the southeast corner of the office building and will require appropriate screening.
8. Signage: The northwest corner of the lot will contain a free standing/monument style sign that is patterned after traditional SR property signage/logo, and that rendition is provided. As far as wall signage is concerned, there actually are three SR building signs (i.e. North, West, & East). However, only one of these (East side) is counted as part of the overall signage calculation because it is a true 'outside' sign; the other two (north & west) are actually interior signs visible because they are behind window glazing.
9. Dumpster/Screening/Gated (materials used): A trash dumpster is located on the southeast corner of SR parking lot, and the enclosure is the same 'Quick Trip Black' polished masonry unit as used on the building. A maze door or man door will need to be added.
10. Fencing: A retaining wall is shown to be along the west side of the storm basin, and along the northwest corner of the SR building. A 'shop-drawing' or cross-section plan are still needed for those installations.
11. Landscaping/Buffer Yard: A very detailed landscaping plan has been submitted for foundation plantings, perimeter planting area, and buffer element to the south. The combination will allow for an abundance and variety of plantings. Deciduous trees (20), evergreen trees (17), deciduous shrubs (130), evergreen bushes (38), and perennial grasses (113) appear to be appropriately designed and placed to improve aesthetic quality of the development.

Furthermore, part of this submittal includes a tree survey to identify numerous large trees to remain along that south buffer area, and of which this area is supplemented by new understory plantings. The tree survey also indicates that about six or seven trees that are a little further to the north, will be removed as part of the SR project.

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: To be reviewed by City Forester since the location of new drive approaches could affect existing street tree locations.
14. City Forester Site Inspection: Currently underway
15. Hours of Operation: The site will operate Monday-Friday 8:30 a.m.-7:30 p.m., and Saturday and Sunday 9 a.m.- 4 p.m.
16. Sidewalks: The site contains existing sidewalks on Layton Avenue and 68th Street. A connection is provided to/from 68th Street sidewalk. When sidewalk replacement is occurring in conjunction with driveway approaches and/or curb sections, that must be done in a joint-to-joint manner.
17. Fire Department: The new building will be sprinklered. The locations of a 'Knox Box' key holder and a 'Storz' building sprinkler connection will be determined by the general contractor working with the FD.
18. Outside Agencies: SR reps. will need to contact Milwaukee County Public Works & Transportation Division (i.e. Layton Ave. work and median cut/closure review), Milwaukee Water (i.e. water main extension/tap) and MMSD (i.e. stormwater management review).
19. Erosion Control: Proposed plan has been submitted and is being reviewed by the Engineering Dept. One change noted is to have a 'Type D' inlet protection instead of 'Type C'.

20. Miscellaneous: A copy of the proposed initial SW site/building plan – with the possible future second building – have been mailed to the property owner immediately to east (Maynard & Jeanette Wagner - Greenfield) and immediately to the south (St. Regis Drew – Brookfield).

Recommendation:

Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the November 17th Common Council meeting.

William Conine, Perspective Design, Inc., and Mark Schneider were present to answer questions.

Mayor Neitzke also mentioned that the vacant house to the east on the trailer storage lot will be demolished.

Motion by Mr. Sponholz, seconded by Ms. Collins to recommend approval of a Site/Building/Landscaping Review for a proposed single-story, 7,800 s.f. office building for Shorewest at 6725 W. Layton Avenue, which is the former Tam's Restaurant location; subject to Plan Commission and staff comments, and authorize this item to be expedited to the November 17th Common Council meeting. Tax Key #618-9984. Motion carried unanimously.

7. **John Wahlen, Cornerstone Development of SE Wisconsin, 1166 Quail Ct., #315, Pewaukee 53072 requests a Rezoning (fm. R-1 Single-Family to PUD – Residential), Comprehensive Land Use Plan Change (fm. Single Family to Mixed Residential), and Site/Building/Landscaping Review for a proposed condominium development for 26 units on approx. eight acres in the 3800 block of S. 116th 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. *[[Follow-up to a Conceptual Review at the June PC.]]***

1. Background: Mr. Wahlen is interested in partnering with the owner of these two adjacent parcels (Kaerek 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.
2. The process for both rezoning (to 'PUD – Residential') and a Land Use designation change (to 'Mixed Residential') would be needed for this proposal. See attached excerpts of both the Zoning Map and Comp. Plan Map.
3. Architectural Review/Exterior Materials: The multi-family units are constructed with a variety of stone, architectural shingles, fiber cement panels, and composite material siding on the exterior walls. See attached color renditions for the duplex model, the double duplex model, and the clubhouse, along with the building elevation detail and floor-plans.
4. Parking/Traffic Flow/Access/Curbed Parking Lot: Private roadway would have access to/from 116th Street, with each unit having a two car garage and a space outside the garage. The clubhouse accommodates 7 parking spaces in the site plan.
5. Storm Drainage/Grading (lot & building): Storm water 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. The storm water and grading plans are currently being reviewed by city staff. Storm drainage needs to be accommodated for in the right of way either to run northerly and/or to the existing culvert under 116th St.

The storm water management features will comply with the City of Greenfield, MMSD, and WDNR standards. Storm water runoff from the site will be treated to remove at least 80% total suspended solids annually from the proposed redevelopment via a bio-retention basin and a wet pond. Wetlands are present on site and will not be impacted.

6. Lighting (building & site): Needs to be identified.
7. Utilities: Water and sanitary would need to be extended north along 116th from Howard. A sanitary sewer easement will need to be constructed on the property. The proposed storm man-hole structure should be relocated to the north side of the proposed driveway to better accommodate a future extension. It's anticipated that Milwaukee Water will want a meter pit installed given it being a condo development with a private road, etc.
8. HVAC/Utility Box Screening: WE Energies needs to identify the potential locations for transformers on the site.
9. Signage: A decorative free standing sign will be located on 116th Street. Renderings will need to be provided to city staff.
10. Dumpster/Screening/Gated (materials used): Trash removal will be privatized within the development.
11. Fencing: There is a proposed retaining wall located behind a Building #3 between the two ponds – shop drawing or cross-section plan still needed.
12. Landscaping/Buffer Yard: Detailed landscaping plan is attached as applicable for street buffer area, adjacent property buffer area, internal general plantings throughout the site, and foundation planting plans for all three types of buildings.

A review of the proposed south lot line landscaping is needed because both a drainage swale and heavy landscaping are in the exact same area. Will the landscaping prevent the swale from working as designed?

13. 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.
14. Street Trees: To be reviewed by the City Forester.
15. City Forester Site Inspection: Underway
16. Park Fees: \$1,497 per unit.
17. Sidewalks: Further review/discussion needed about the possibility of installing a 'seasonal path' along the west side of 116th Street north from Howard to the Glen, in the same area where water main and sanitary main are to be installed. Proximity to the Oak Leaf Trail and YMCA trail connection is the reason.
18. Fire Department: A sprinkler system is required for buildings that contain more than two units. A fire alarm system is recommended for the clubhouse.
19. Outside Agencies: Milwaukee Water and MMSD will need to be contacted throughout the planning and development process.
20. Erosion Control: Plan included.
21. PUD Requirements: If the rezoning process ultimately is successful, then City staff would prepare appropriate developer agreement.
22. 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.

The post office should be contacted in regards to establishing a centralized mail box for the proposed units.

Recommendation:

- Approve both the zoning change (R-1 Single Family to PUD-Residential) and Land Use Plan change (Single Family to Mixed Residential).
- Authorize the public hearing process to proceed
- Hold over to the December PC the final consideration of the S/B/L elements.

John Wahlen and Aaron Cook (Pinnacle Engineering Group) were present to answer questions.

Ms. Hallen questioned the buffer between the proposed development and the neighbors. Mr. Erickson replied he does not have an exact distance but adding landscaping to provide a buffer is required, and then he proceeded to point out the landscaping on the plan.

Ald. Kastner questioned if fencing will be installed to protect the wetlands area, and also asked about the seasonal path connection to the nearby Oak Leaf Trail, per note #17. Further discussion occurred on this feature.

Ms. Hallen questioned the daily construction schedule, to which it was replied construction may occur from 7:00 am. to 7:00 pm daily, excluding holidays.

Two neighbors to the south were present, and it was noted that both a neighborhood information meeting and the required Public Hearing are the times for their comments.

Mr. Rogers questioned where the City of West Allis lands are to which it was shown on the overhead the areas that belong to West Allis.

Ms. Hallen questioned the demand for condos to which Mr. Wahlen replied that there is a lot of interest in new construction of condos and they expect strong absorption.

Motion by Mr. Sponholz, seconded by Mr. Hess, to recommend approval of a Rezoning (from R-1 Single-Family to PUD – Residential), a Comprehensive Land Use Plan Change (from Single Family to Mixed Residential), subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key #564-9995 & 564-9994-001. Motion carried unanimously.

[Action on the Site/Building/Landscaping Review is held over.]

8. **Ronald Zechel, Central States Tower LLC/Verizon Wireless, 544 E. Ogden Ave., Suite 700, #305, Milwaukee 53202 requests a Special Use to construct/install a new 125' monopole communications tower with a 12' x 25' equipment shelter within a 41' x 58' ground lease area on the rear or west side of the parcel at 4737 S. 108th Street; property owned by William & Elizabeth Vos who also own/operate Bill's Auto Tech at this location; site also includes a 100' high cellular communication tower installed in 1994 and currently owned by US Cellular. Tax Key #612-8997-006.**

1. Background: Verizon Wireless requests a Special Use to construct/install a new 125' monopole communications tower with a 12' x 25' equipment shelter within a 41' x 58' ground lease area on the rear or west side of the parcel at 4737 S. 108th Street; property owned by William & Elizabeth Vos who also own/operate Bill's Auto Tech at this location; site also includes a 100' high cellular communication tower installed in 1994 and currently owned by American Tower with US Cellular as the single leasing entity on there.

Attachments include:

- Aerial photo and site pictures
 - PC application from Mr. Zechel which includes a cover/background letter initially dated 3/6/15 then '~~striked-out~~' to show a 6/30/15 date, and site/tower/building construction data (11" x 17" sheets). The tower detail does incorporate design features to accommodate two additional co-locates, per ZC regs.
 - Sworn statement dated 10/08/15 from Mr. Zechel in support of the new tower construction per Wis. Stats. 66.0404(2)(b)(6) as it relates to why this site was selected.
 - Sworn statement dated 9/28/25 from Christian Jennings in support of the new tower construction per Wis. Stats. 66.0404 as it relates to why a co-location on the existing tower doesn't work.
 - 3/31/15 letter from Robert Beacom, P.E. of Sabre Industries (poles & towers) regarding the design elements of the proposed tower and its '..folding over..' onto itself design capabilities in an '..extreme wind event..'.
 - 4/22/15 letter from the Federal Communications Commission regarding that a new Section 106 filing had been submitted as it related to a new tower submission packet.
 - 4/24/14 letter from the Federal Aviation Administration regarding a 'Determination of No Hazard to Air Navigation'.
 - 7/7/15 letter from Mr. Erickson to Mr. Zechel indicating why he believed that the PC application materials were 'not complete' at that time given the requirements of Wis. Stats. 66.0404 and the Zoning Code requirements.
 - Excerpt of the Zoning Code as it relates to General Standards for Special Uses [[21.04.0701]] and more specifically to Commercial Communication Towers [[21.04.0703(I)]].
 - Excerpt of Wis. Stats. as it pertains specifically to 66.0404 – Mobile Tower Siting Regulations.
 - Series of email exchanges involving Mr. Erickson, Mr. Zechel (Verizon), and Ms. Plattenberger (US Cellular – leasing entity on existing tower) dated: 10/19/15, 11/2/15, 11/4/15, & 11/5/15. Background: effort to initiate contact with US Cellular to determine if they might have interest in re-locating their antennas/equipment on potentially a newer and stronger tower about 50' away and still on the same parcel.
2. Architectural Review/Exterior Materials: The 12' x 25' equipment shelter concrete aggregate exterior – typically a 'brown' or 'tan' color.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Access to the both leased spaces (i.e. current and proposed) are via a 12' wide 'access easement' from Hwy. 100 through a 'shared' locked gate arrangement along the north and west sides of the parcel.

4. Miscellaneous: ZC 21.04.0703(I)(12) – Removal of antenna facilities upon abandonment. If a second tower ultimately is approved for this location, this section will need to be fulfilled by Verizon since it requires that a bond or irrevocable letter of credit be provided to the City for use by the City for the removal of the tower if its abandoned or no longer used; there also is a filing of appropriate document with the Register of Deeds on this matter.

Recommendation:

Staff is aware that the Wis. Stats. Mobile Tower Siting regs., along with FCC regs. and court determinations, greatly limit the ability of a municipality to apply its zoning regulations and requirements as it pertains to cellular communications. Accordingly, two recommendations are presented:

- Deny the Special Use request subject to PC and staff comments. This proposed tower is in direct conflict with ZC 21.04.0703(I)(9) - Minimum distance between any antennas and/or antenna towers. Since this proposed tower exceeds 50' high, then that separation requirement is to be one-half mile (0.5) mile. This proposed 125' high tower is approx. 50' from an existing tower already on this parcel. The City has long supported cellular communication companies in their efforts to do co-locations all over the city and over the years, and would do so here as well (i.e. in fact in 2010 approved a Special Use for 'Clearwire' to do a co-locate on this tower). However, staff is not suggesting to apply some 'nth degree' ZC minutiae element in this instance. A ½ mile is 2,640 feet – this proposed new tower is less than 50' away – literally within the shadow of the existing tower.
- Consider this request to construct a new tower as a 'major change', which then needs a public hearing; authorize that process to proceed.

Ron Zechel was present to answer questions. Mr. Ericsson gave some background information on this item as it relates to the proposed site plan; elements of Wisconsin Stat. 66.0404; Zoning Code Regs. for a cell tower; and various elements of the submittal from Mr. Zechel. Mr. Erickson pointed out that the design of this tower has the required "hinge" feature that keeps the entire tower from falling should a weather emergency cause it to topple. It would collapse at the hinge rather than fall outright. Mr. Erickson also noted an applicant is required to provide us a sworn statement, and that has been provided. Mayor Neitzke noted that the City has a 90 day window to review documents. Mr. Erickson noted the section of the State Statute pertaining to what the City may not do in evaluating a request, and one of those over two dozen things is measuring compliance with radio frequency transmissions. We may also not do a moratorium, nor consider the aesthetic concerns of two adjacent towers. It was noted that this proposed new tower and Mr. Zechel's involvement with Verizon are completely separate from the existing cell tower that is currently there now.

Discussion occurred on how there is a need for additional cell towers to ensure better overall coverage and coverage to areas where signals do not pull in very well. Discussion also occurred on how even if the existing tower was "improved" for better coverage, there is still a concern about the distance that will be between these two towers. Mayor Neitzke stated that he believed State Law overrides our ordinance from creating any distance restrictions; however there was an instance of a cell tower proposal not being received very favorably due to it being in a residential area, and thus not fitting in (proposal was in area of 43rd and Grange). Ald. Kastner stated that as a community, Greenfield has always been respectful of cell tower locations and we hope in turn that cell tower companies in turn would pick a location that makes sense.

Mr. Zechel then spoke on what normally happens in these types of situations. He stated that he enjoys working with Greenfield and agreed with Ald. Kastner's comment that Greenfield is respectful concerning cell tower situations. They are having challenges with capacity issues and are being forced

into putting a lot of additional antennas by loading up existing towers. One of the problems is that the amount of equipment has nearly tripled due to data demand, so rather than seeing 3-6 antennas on a tower you are now seeing 6 antennas with 21-24 radio units, thus loading a tower that could have taken on four carriers to just 2 carriers. He spoke on the process of Verizon being able to locate on the tower at the Law Enforcement Center.

Mr. Zechel stated that Verizon has researched this corner for its feasibility and it meets both theirs, and the State's, elevation requirements. It was determined at this location that 115 feet are needed and that meets the State certifications. To not do this size would require building a new support structure. He cited some examples of this near Brookfield Square, in Delafield, Germantown, River Hills, etc. A reason to do it if there are problems with one existing tower you have a "clean" location to make modifications to. He also stated that they are very heavily regulated in complying with governmental environmental regulations. The bottom line is they are proposing a brand new tower, which is protocol, in a location that is non-residential, and in compliance with State statutes.

Ms. Hallen questioned if it were easier to go with this plan rather than "fixing" an older tower, to which Mr. Zechel replied that in this instance they don't own the existing tower so they have no control over it.

She further questioned that once a tower is in place who is responsible for maintaining, to which Mr. Zechel replied it is the tower owner, which is the person that is granted the conditional use.

Ald. Kastner questioned why not work with Whitnall School District, which has a large field, to place a tower there, to which Mr. Zechel replied that there is a possibility that they may do work there in the future.

Mayor Neitzke said that while it may be desirable to put everything on one updated tower, no one can interfere with a legal agreement between two parties.

Motion by Ald. Kastner, seconded by Mr. Rogers to consider this Special Use request from Verizon to construct/install a new 125' monopole communications tower with a 12' x 25' equipment shelter within a 41' x 58' ground lease area on the rear or west side of the parcel at 4737 S. 108th Street a major change needing a public hearing; authorize the public hearing process to proceed; and that the PC is limited on what its recommendation can be given the requirements of applicable Wis. Stats. and Federal Law. Tax Key #612-8997-006. Motion carried unanimously.

9. Community Development Manager Report.

Mr. Erickson stated that at either the December or January Plan Commission we are anticipating the site/building/landscaping plans for the new Layton Avenue Baptist Church. Also, At Home Décor is interested in the vacant Kmart and we hope to see plans from them, along with a return to the December Plan Commission by Allied Investment with their site/building/landscaping plans for the office building at 40th & Layton. Mayor Neitzke noted that it is in Allied's best interest to reach out to the neighboring properties in advance of the December Plan Commission meeting.

10. Motion by Ald. Kastner, seconded by Mr. Hess to adjourn the meeting at 7:50 p.m. Motion carried unanimously.

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

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