

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, JUNE 13, 2017**

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	Excused
	Ms. Christine Hallen	Present
	Mr. Bradley Sponholz	Excused
	Mr. Steve Rogers	Present
	Mr. Don Carlson (alt.)	Present
	Mr. Robert Krenz (alt.)	Present

ALSO PRESENT: Charles Erickson – Community Development Manager

2. Motion by Ms. Hallen, seconded by Mr. Rogers to approve the May 9, 2017 Regular Meeting minutes. Motion carried unanimously.

3. Discussion regarding the Common Council meeting held on May 16th.

All the items that were recommended for approval by the Plan Commission were approved as presented.

4. T-Mobile, represented by Aaron Adelman, SMJ International, 49030 Pontiac Trail, Suite 100, Wixom, MI 48393, requests a Special Use Amendment to install six new antennas on the south cellular tower and place cabinets at the base of the existing rear yard fenced-in area of Bill's Auto Service at 4737 S. 108th Street. Tax Key #612-8997-006. *[[Held over from February, March, April & May PCs.]]*

[[Item held over from the February, March, April, and May PC mtgs. regarding various clarifications which have subsequently been provided, but as noted in all these meeting minutes, an 'OK' from the property owner – Mr. Vos – in some written format (i.e. email/letter/photocopy of a signed agreement, etc.) still has not yet been received.

No other changes made to these staff notes from February or March or April or May. Furthermore, the extensive amount of documentation already distributed for these three earlier meetings – beyond just the summary staff notes – are intentionally not included again for this meeting given the item still requested.]]

1. Background: T-Mobile is proposing to put co-locate antennas on the older (1st) cell tower at Bill's Auto at 4737 S. 108th Street. The installation will include six new antennas at approx. 90' high, as well as the placement of cabinets at the base; existing antennas are at approx. 102' high. See attached PC application, tower and ground cabinet plans, and a Structural Analysis Report has been received as part of this application. The summary of that report reads '...based upon the analysis results the structure meets the requirements per applicable codes...the tower and foundation can support the equipment as described in this report...'

For further background information, in 2015 when Verizon made its successful Special Use submittal for the second tower on this parcel, the existing tower was '...deemed unusable for Verizon due to structural issues...' to accommodate anymore co-locates.

2. Architectural Review/Exterior Materials: Per sheet A-0, a portion of the most easterly T-Mobile antenna is extending beyond the boundary of the chain-link fence, which is assumed to be the approved site easement area. Further review/revision/clarification with the property owner (Mr. Vos) will be needed.
3. Miscellaneous: Given the unusual 'tower-area-ownership' history which exists at this parcel as it relates to this older tower, before any Building Permit can be released T-Mobile or Mr. Adelman will need to provide an approval/agreement has been entered into with Mr. Vos, the property owner.

Recommendation: Assuming sufficient data is submitted to address/clarify the Plan Commission questions on this matter, 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 April 18th Council meeting.

Mr. Erickson stated that his conversation with Mr. Vos yesterday indicated that no agreement has been signed as of yet between the two parties. Therefore, this item is being removed from tonight's agenda and will return when it is ready to move forward.

Item removed from agenda.

5. **West Layton Assembly of God Church, 11500/11530 W. Layton Avenue, represented by Fred Spelshaus, Pinnacle Engineering Group, 15850 W. Bluemound Road, Suite 210, Brookfield, WI 53005 requests a Site/Landscaping Review as part of a phased plan for parking lot improvements (i.e. renovation of existing and expansion for new parking) and lighting improvements; Tax Key #609-9946-001 & 609-9945-001.**

[[Item held over from the April PC regarding clarification on the Impervious Area Calculation data as listed on the 'Site Data Table' of Sheet C-3. Basically City engineering staff will be reviewing with Pinnacle Engineering the methodology use in arriving at the various results as listed. Includes such things as:

- Was there some 'pervious' areas which should be in the 'impervious' category (or vice versa)?*
- How was the Total Disturbed Area square footage arrived at?*
- How was the greenspace ratio calculated?*

Held over from the May PC at the request of Mr. Spelshaus as he was working through plan updates/revisions with the Church. See the attached site plan revisions dated 6/2/17 along with a new 'Description of Proposal' (marked received – June 5th).

*The PC Notes below are similar to what was distributed for the April meeting, but any changes are shown in **Italics**.]]*

1. Background: Assembly of God Church (115th & Layton) wants to re-do their existing asphalt parking lot (mill/repave), and also expand it in the area by their parsonage west of the church and along the east side gravel area. See attached PC application, project description narrative/time-line providing background on the short/long-term objectives of this proposal, site phasing plan, impervious area calculations, parking lot lighting fixture cut-sheets, and detailed engineering plan sheets.
2. Architectural Review/Exterior Materials: A 12' x 14' storage shed in what would appear to be masonry materials, is proposed for the northeast corner of the property and would be done in Phase 2 per the narrative.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Typically when a parking is simply re-paved, curbing is not required for repaving the existing parking lot – unless there are known drainage issues from adjacent properties. However, given the scope of the proposed site work staff believes that curbing should be installed wherever there is going to be new asphalt, or more specifically the west

side of Phase 1 and east side of Phase 2. Curbing enhances the appearance of the parking lot as well as prevent runoff from leaving the site.

Phase 1: The upgrades include reconfiguring and expanding the parking lot in front of and to the west of the main entrance. The new design will better facilitate traffic movement at the church entrance and improve access to the drop off area. The parking lot will be expanded west onto the church owned parcel to provide 36 additional stalls. This will require the existing parsonage garage and playground structure to be demolished and relocated. The garage will be rebuilt and attached to the single family home. The proposed playground will be rebuilt along the north side of the parking lot.

Phase 2: This phase involves the resurfacing of the driveway along the east side of the building and creating 19 new stalls, including five stalls south of the existing electric transformer cabinet. In addition, a trash enclosure and utility shed will be constructed in the northeast corner of the property. As noted in the narrative, the Phase 2 plan will also include structural analysis of the existing 5' – 6' high wooden retaining wall and updating as required. Screening will also be needed to shield vehicle head-lights directed toward neighboring homes.

Phase 3: This includes the resurfacing of parking areas on the northwest section of the parking lot.

4. Storm Drainage/Grading (lot & building): Per Sheet C-4 (Grading Plan), site drainage occurs in two main directions: 1) northerly sheet-draining toward the storm drainage easement that is along the entire north property line; and 2) southeasterly toward a catch-basin in the existing Layton Ave. drive approach. Also, see attached for the completed Impervious Area Calculation Form. Approx. 11K s.f. on new net impervious area is noted, with a total disturbed area of approx. 23K s.f.

Attached is an excerpt of the City GIS mapping feature regarding the storm easement area to the north side of the church parcel. It includes grading info. and that there is a yard drain near the northwest corner of the church parcel which conveys run-off from adjacent parcels underground to 114th Street.

5. Lighting (building & site): A photometric plan and cut-sheet based upon new LED 'cut-off' fixtures is attached. The proposed mounting heights need to be identified (i.e. even on the 2' x 3' engineering scale document, the printing is too small to determine that dimension). Light pole bases that are in a landscaped area (i.e. protected) should have bases that protrude no higher than 6" (six inches) above grade; pole bases in the middle of a parking area (i.e. unprotected), need to be 2' (two feet) above grade.

Also, as proposed there are three lights along the east side of the property, so 'house-side shields' need to be added to those fixtures even with the cut-off style. It's uncertain if those light poles are proposed to be placed where the existing gravel has been placed (i.e. on top of 5' – 6' high wood retaining wall) or in the grassy area at the base of the retaining wall.

6. Dumpster/Screening/Gated (materials used): See Sheet C-5 for proposed 8' x 20' masonry enclosure.
7. Landscaping/Buffer Yard: While no stormwater management ponds are needed, ideally some landscape islands would be created to serve as 'bio-swales' and could be placed in the striped sections of the parking lot where applicable. The added green space will mitigate stormwater runoff and improve site aesthetics.
8. Erosion Control: A separate erosion control permit for each stage of development will be needed from the City Engineering office prior to any construction. This control plan is on Sheet C-4 and C-5.
9. Miscellaneous: When Mr. Pook, 4675 S. 114th Street, spoke at the last PC meeting, he had provided some pictures of the east side of the church where miscellaneous RV and/or camper storage has and/or was occurring, along with the dumpster area 'over-flowing'. The use of the church lot for RV storage/sales cannot occur at all anymore. Part of the proposed site improvements include a brick dumpster enclosure which must be adequately sized to accommodate whatever type/number/size of

dumpster(s) are needed; it doesn't help in the long-run to still have a dumpster or refuse container outside of the enclosure because it wasn't big enough in the first place.

Attached is a May 28th email from Mr. Pook including some pictures and narrative about recent usage of this east gravel area, and from another neighbor (Mrs. Heinz).

10. Engineering Dept.: *As a follow-up to the discussion at the April PC, the City Engineer's office will be reviewing/critiquing the Site Data Table as shown on Sheet C-4 and C-5 as it relates to Impervious Area calcs, Disturbed Area square footage, and Landscape ratio. That analysis will be distributed at the PC meeting.*

Recommendation: Approve subject to PC and staff notes, and authorize this item to be expedited to the June 20th Common Council meeting. Furthermore:

A CSM is needed by this August 31st to combine both tax key parcels to eliminate the current 'inside' lot line. This combination will then enable the reconstruction of the garage to be attached to the existing single family home and the expansion of the parking lot, to then not be encroaching on building setback requirements.

Last summer the church placed additional gravel along the eastside of the building to encourage more parking in this area to maybe partially free-up more stalls near the entrances. A gravel surface is not allowed for regular/repeated parking purposes here or anywhere. Accordingly, this space should immediately no longer be used for any vehicle parking, and 'NO PARKING' signs should be installed.

Fred Spelshaus with Pinnacle Engineering Group was present to answer questions and gave a review of the calculations.

Ald. Kastner asked would it not make sense to approve the restoration of the east side gravel parking area into a landscaped buffer area at the same time we approve the parking lot improvements, rather than leave it out there for "sometime" in the future? Mr. Erickson agreed that that would be best. Mr. Erickson also commented that the City Engineer's office did a review of the Pinacle Engineering site-related calculations – see attached memo. Both sets of calculations are similar/consistent as it relates to impervious area, disturbed areas, and landscape ratio.

Mr. Weis said it would be best to put in grass so that there is no parking in the east area. Even with No Parking posted people would still probably park there. Mayor Neitzke said the reality is this is a commercial property in a residential area and that there is a need for a fence and a landscaping buffer, and parking cannot be permitted in the manner that it has been occurring. Before tonight's plans can be improved they need to incorporate, in writing, the improvements along the east side, so that it is clear what needs to be done and the expectations going forward at the site.

Mr. Spelshaus asked if the site plan portion could be approved tonight. Mayor Neitzke responded that if we were to do that tonight without any provision with what is going to occur along the east side, then there is no obligation, legally, to do anything in the future along the east side of the building. Mr. Rogers questioned of Mr. Spelshaus if he has some opposition to what the City is asking of the church? Mr. Spelshaus responded that he is just the engineer for the project, the Church would ultimately be bearing the cost of complying with the City's requirements for the integrity of the wall. Mayor Neitzke said the structural integrity of the wall does not become an issue if parking were not allowed in this area.

Mr. Spelshaus questioned how to come to an agreement at this point to which Mayor Neitzke replied that the Church needs to agree that parking is completely prohibited on the east side, that the gravel area along the east side is restored to grass, and that they work with Staff to create the appropriate landscape buffer and/or fencing to prevent headlights from spilling over into the neighbor's houses.

Scott Lindner, church pastor, asked for clarification on some items. As for the return of the gravel area to grass, he stated he has satellite photos from the 1970's that the area has never been grass, mostly dirt and weeds. The gravel was added to prevent puddles and ponding. Mayor Neitzke stressed that the concern is the parking on that east side. There cannot be parking in that area, which was believed to be understood when this came before prior Plan Commission meetings, but we have received photos that show parking is still occurring in this area. Mr. Lindner says he assumes the parking that was photographed was by a youth group that rents from them that is large quite and has a need for additional parking. They do not have signs to not park in this area and that is how that situation occurred. Mr. Lindner says they felt steamrolled by the City with the requirements that we are looking for. They desire to be good neighbors.

Mr. Weis requested that there be a 4' high fence to provide screening, that enough of the existing gravel be removed to plant grass on the east side, and that no parking signage be installed in this area.

Mayor Neitzke stated that it is not in the interest of good city planning to allow a commercial use to have paving upto/next to residential houses/garages, and that every other nearby community would be in agreement with not allowing such a thing to occur.

John Pook, 4675 S. 114 Street, was present and commented that they are fine with what is all being discussed tonight and also would be fine with no fencing being installed if there will be absolutely no parking along the east side.

Christine Heinz, 4657 S. 114 Street, wanted to correct a comment on the gravel situation. She witnessed truckloads of gravel being brought in last year, and at that time questioned if there was a permit/City approval for this to occur and was told no. So no, the gravel was not there since the 1970's, as Pastor Lindner had stated earlier.

Mayor Neitzke further stated that he wanted it on that record that there is to be no parking in that area and if parking were to return yet again to that area, that that is a major problem.

Motion by Mayor Neitzke, seconded by Ald. Kastner to recommend approval of a Site/Landscaping Review of a plan this construction season for parking lot improvements (i.e. renovation of existing and expansion for new parking) and lighting improvements at West Layton Assembly of God Church, 11500/11530 W. Layton Avenue, subject to Plan Commission and staff comments which include:

- **Adjacent to the east side of the church building, the existing asphalt fire lane will be maintained.**
- **Along that same east side of the church property is a gravel area that is approx. 20 ft. – 25 ft. wide when measured to the edge of the east retaining wall from the east edge of the fire lane. All of this gravel area must be converted to grass and maintained as such, and never used for parking of anything.**
- **Signage on the north end and south end of this east side Fire Lane will be installed that states 'Fire Lane – No Parking Allowed' [[specific terms/code references may be added to ensure the ability for citations to be issued if illegal parking is noted]].**
- **The Plan Commission believes a 4' high screening-type fence should be installed along the entire top of the existing wall, but will defer to the determination of the immediately adjacent neighbors in working this element out with the church.**

And authorize this item to be expedited to the June 20th Common Council meeting.

Tax Key #609-9946-001 & 609-9945-001. Motion carried unanimously.

6. **Larry Starkey, Milwaukee Habitat for Humanity, 3726 N. Booth Street, Milwaukee, WI 53212 requests a Special Use and Site/Building/Landscaping Review for the purpose of opening a resale store called ‘ReStore’ where currently Bartz Party Store is located at 4150 S. 108th Street; a ‘used merchandise store’ is considered a Special Use; Tax Key #567-9972-003. *[[Request for a Special Use initially reviewed at the May PC; only action then was to authorize public hearing process to proceed.]]***

[[Item initially reviewed at the May PC. Only action taken then was to authorize the public hearing process to proceed (i.e. scheduled for the June 20th CC mtg.). Mr. Starkey was asked to return to this meeting with further site/building/landscape-related details for the PC to review and consider. The Notes below are similar to what was presented for the May mtg. – any updates are in Italics.]

New submitted information from Mr. Starkey includes:

- May 30th cover email related to Signage Renderings*
- May 26th letter regarding “Donation After Hours Plan”*
- Traffic Flow info. as an initial contact with Jim Petrs – owner of 4160 S. 108th (Milw. PC)*
- May 23rd site, building, landscaping data.]]*

1. Background: Habitat for Humanity has entered into an offer-to-purchase agreement with Bartz’s Party Store in order to operate a resale store under the trade name ‘Restore’. See attached PC application, detailed project narrative, preliminary site/building/floor plan, and for some general background, a few pictures (inside/outside) of other locations

Habitat for Humanity is a global non-profit that seeks to build homes and communities and views the Restore as an integral part of its mission. This will be the third metropolitan location, with two other stores in Wauwatosa and Milwaukee. The Restore sells primarily building materials and donated supplies.

2. Architectural Review/Exterior Materials: The architectural design of the building will remain in its current condition. The only major exception is the addition of a donation canopy attached to the south side of the building.

When that canopy construction plan is prepared, that element should return to the PC for further review in conjunction with the corresponding staff notes below on ‘traffic flow’ (#3.)

3. Parking/Traffic Flow/Access/Curbed Parking Lot: There are a total of 43 parking stalls on the site. The front lot contains 27 normal spaces and 2 handicap stalls. In addition, 15 parking spaces are located in the back of the building. The new donation canopy removes the section of parking spaces along the south side of the property.

As this proposal continues through the Special Use process, some additional follow-up is needed to help have a better understanding of the intended ‘drop-off/pick-up’ vehicle flow in this area and how that may work, and whether or not some formal shared drive access exists or may need to be created with the Milwaukee PC parcel to the south given the existing double-driveway connection on a north/south alignment at the shared lot line.

Attached is a May 30th email from Mr. Starkey which has a section entitled ‘Traffic Flow in the Donations Area’, which includes his discussion with Jim Petr (Milw. PC @ 4160 S. 108th – parcel due south).

Staff is aware that the following is related to the ‘Traffic Flow’ info. about, but still has concerns over the path that drivers will take when actually dropping off items under the donation canopy because it won’t be unusual given the nature of the products sometimes being dropped off that the vehicle will have a trailer.

'Yes' the site plan shows '→' and '←' south of the new canopy, but what happens if someone is dropping off? Do they drive in directly (i.e. go east) or access the canopy in some manner where the driver is going west. The limited turning radius on the site encourages vehicles to travel onto the driveway/parking lot of the neighboring strip mall in order to exit the property. As noted in the May 30th email from Mr. Starkey, further more formal arrangements with the owner of the 'Milwaukee PC' retail stores may be needed to resolve potential traffic conflicts. The addition of painted arrows or stripping may better direct traffic across the parking lot towards the donation canopy.

4. Storm Drainage/Grading (lot & building): In recent years the City has made significant efforts in trying to address upstream/downstream storm drainage issues for all properties along Hwy. 100 north of Cold Spring when the Root River to the north is running 'high' due to heavy rainfall. On this parcel it used to occasionally have back-up coming out of the front parking lot storm catch-basin. However, while of course there have been regular rain storms in the past few years to have a good idea of determining whether improvements have worked or not worked, ironically there has not been any really heavy storm event to test the full effectiveness of those improvements.

The addition of the donation canopy creates new challenges in managing storm water runoff. Further clarification is required for water drainage occurring from the canopy itself. To the extent possible, Staff would recommend directing water runoff from the donation canopy towards the rear of the site.

5. Utilities: *There is an unidentified 4 inch diameter pipe that is surrounded by a concrete square located south of the front parking lot catch-basin. As timing would have it, the Building Inspector happened to be doing a site visit in preparation for the Plan Staff meeting because he would be reviewing the new site/building plan submittal, and noted that some environmental-type inspectors were there also. One of the things they indicated to him was that this 4 inch pipe has a depth of 25 feet (i.e. much deeper than any public utility lines). But the history and use of this pipe is unknown and should be properly identified of course, with the likely plan of action to be sealed/capped as if it were a used water well.*
6. Signage: As part of doing improvements at the site and instead of just doing a 'face change', staff believes that converting the pylon sign to a monument style should occur also to be similar in size and character to the neighboring businesses.

The existing Bartz's pylon sign is 28' high. Staff has discussed with Mr. Starkey the idea of lowering the existing sign in that same location (i.e. enables the continued use of the pole/based/electric) but put a 'skirt' or 'shroud' around the pole to create the appearance of a monument sign.

However, since that existing sign is south of the Hwy. 100 driveway, anyone exiting must deal with north-bound traffic on Hwy. 100. So the new design would be to have a sign with enough of a lower skirt/shroud to still be a monument-style sign but yet not creating a 'sight-line' problem by having a 'full' monument base. With that in mind, the attached proposal shows a lower sign at 15' high but with a 6' high partial base with an 'opening' on its west side for better sight-line aspects.

The proposed monument sign encroaches into the 'air space' above an existing sanitary sewer easement, which runs parallel to 108th Street (i.e. east of the sidewalk). Despite portions of the 15 foot tall sign extending over the easement, the structural pole of the sign is outside this boundary. Depending upon the scale of any future utility work ever needing to be performed on that sanitary sewer, staff believes construction might require the relocation of the monument sign.

The other factor which may now come into consideration with lowering the sign is that the east edge might be susceptible to higher truck/trailer turning movements to/from the drop-off canopy. An extension or installation of a 'curb-return' (or strategic 'boulder' placement) in this turning area may be beneficial.

7. Landscaping/Buffer Yard: Some type of landscaping improvement plan is needed. The current status of the site features overgrown shrubs by the building with little curb appeal, and no perimeter plantings.

A new landscaping plan has been submitted with new foundation plantings along the western building façade. The existing overgrown shrubs will be removed and replaced with new plants. No perimeter plantings have been added to the terrace area between the parking lot and sidewalk because of the existing sanitary sewer easement along east side of sidewalk, but there are two areas still on-site but outside of the sanitary easement at the northwest and southwest corners of the property where staff would recommend planting a tree in each 'corner'.

8. Landscaping Cash Deposit/Letter of Credit: 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.
9. Hours of Operation: 10 a.m. - 6 p.m. Tuesday - Friday; 10 a.m. - 4 p.m. Saturday; Closed Sunday - Monday.
10. Miscellaneous: Typically a public hearing for a new Special Use request will occur 4 - 6 weeks from the PC meeting date, at a future Common Council meeting. The property owner mailing list created by the 400' radius lines around this parcel for the public hearing will be shared with Mr. Starkey. If he want to do some basic outreach in advance of the formal public hearing at a future Common Council meeting similar to what is suggested for all other items coming before the Council that include a public hearing, then that will be his determination.

Mr. Starkey has indicated that ReStore pays property taxes. Further review of this aspect was done by the City Assessor because the scenario of paying property taxes changes with land ownership (as is proposed to be the case here), instead of leasing/renting space. In short, Mr. Miller has indicated that '...if they purchase a property in GF they would qualify for the property tax exemption...the idea of a PILOT (payment in lieu of taxes) would be a good one in this case...'. Staff concurs that the Common Council needs to consider that aspect seriously in this instance. See attached May 22nd email from Mr. Miller.

Attached is an aerial site layout, an excerpt of the NAICS code for 'Used Merchandise Stores', and a picture of the existing pylon sign.

Recommendation: Approve both requests (Special Use and Site/Building/Landscaping Review) subject to Plan Commission and staff comments, and forward this recommendation to the June 20th Common Council meeting when the Special Use public hearing will be held.

The following were present to answer questions on behalf of this item: Jake Brandt and Brian Sonderman with Habitat for Humanity, Kevin Riordan with Boerke Co. representing Bartz's, and Kevin Schmoltdt with MLG NAI representing Habitat for Humanity.

Discussion occurred on doing a PILOT program. Mr. Sonderman indicated that they are amenable to entering into a PILOT with the City. It was requested that a color elevation of the front and south side canopy area be submitted prior to the June 20th Common Council meeting. Also it was stressed that there be no warehousing of items on the site outside of the building.

Motion by Ms. Hallen, seconded by Mr. Carlson to recommend approval of a Special Use and Site/Building/Landscaping Review for the purpose of opening a resale store called 'ReStore' where currently Bartz Party Store is located at 4150 S. 108th Street; subject to Plan Commission and staff comments, including the provision for a PILOT to be done, and authorize this item to be expedited to the June 20th Common Council meeting. Note: the need for the Special Use is because of the 'used merchandise' sales. Tax Key #567-9972-003. Motion carried unanimously.

7. **Fresh Thyme Farmers Market, represented by Fran Windsor, Lakes Venture LLC, 2650 Warrenville Road, Suite 700, Downers Grove, IL 60515, requests a Special Use in order to sell beer**

and wine as a small part of their overall specialty retailer range of products within their tenant space at 8680 W. Sura Lane in the Mid-Box East building, as part of the larger 84 South development project; Tax Key #606-9980-003.

1. Background: 84 South's major grocery tenant, Fresh Thyme Farmers Market (FT), anticipates opening this August as part of the Mid-Box East development. FT is seeking a Special Use approval to sell beer/wine at this location, and they project alcohol sales to be between 3-5% of overall store sales per the attached PC application and supporting narrative information. FT is fully aware that the neighboring tenant, Total Wine & More, is a big box liquor store offering similar alcoholic beverages.

FT has provided a store layout identifying the aisles where alcohol will be shelved. In addition to computer system regulations/safe-guards/mobile security gates, staff will be trained to prevent the sale of alcohol to minors or intoxicated customers.

2. Hours of Operation: The 28K square foot grocery store is open 7am-10pm daily. Fresh Thyme is aware of state regulations on the sale of alcohol between the hours of 6am-9pm. Mobile security gates will be used to secure any aisles where alcohol is sold beyond permitted hours (i.e. evening only at this time).

Recommendation: Approve Special Use request subject to Plan Commission and staff comments and authorize this item to be expedited to the June 20th Council meeting with the following consideration:

- Due to multiple prior reviews and approvals at both the Plan Commission and Common Council levels, the Plan Commission has determined that this Special Use request is to be considered a 'minor change' not needing an additional public hearing. That is because what is being proposed is consistent with those earlier reviews and approvals.

Motion by Ms. Hallen, seconded by Mr. Weis to recommend approval of a Special Use in order to sell beer and wine as a small part of Fresh Thyme's overall specialty retailer range of products within their tenant space at 8680 W. Sura Lane in the Mid-Box East building, as part of the larger 84 South development project; consider this a minor change not needing any additional public hearing because what is proposed is consistent with earlier reviews and approval; subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 20th Common Council meeting. Tax Key #606-9980-003. Motion carried unanimously.

8. **Shane Herron, 7820 W. Layton Avenue, Greenfield, WI 53220 requests a Special Use Review as the new business owner of "Plato's Closet" at this same address; the need for the Special Use is because of the 'used merchandise' sales. Tax Key #605-9956-005.**

1. Background: Plato's Closet has been operating at the existing location since 2010. A Special Use Permit Review is required when business ownership changes occur because of the 'used merchandise' sales feature of the business. Mr. Herron has indicated that the store operations will remain unchanged under the new ownership.
2. Hours of Operation: Current hours of operation are to remain unchanged. Mondays-Saturdays 10 am - 9 pm, Sundays 11 am - 7 pm
3. Miscellaneous: Attached is the initial Special Use approval from 2010 and an excerpt of the Zoning Code related to Used Merchandise Stores (NAICS – 453310).

Recommendation: Approve request subject to Plan Commission and staff comments and authorize this item to be expedited to the June 20th Common Council meeting.

Motion by Mr. Carlson, seconded by Ms. Hallen, to recommend approval of a Special Use Review for Shane Herron as the new business owner of "Plato's Closet", 7820 W. Layton Avenue, subject

to Plan Commission and staff comments, and authorize this item to be expedited to the June 20th Common Council meeting. Note: the need for the Special Use is because of the ‘used merchandise’ sales. Tax Key #605-9956-005. Motion carried unanimously.

9. Juanita del Carmen Campos, 3145 S. 50th Street, Milwaukee 53219 requests a Special Use Review as the new business and property owner of the closed ‘Las Margaritas’ bar/restaurant at 6869 W. Forest Home Avenue; new business name yet to be determined. Tax Key #571-8957-002.

1. Background: Ms. Campos wants to re-open the closed ‘Las Margaritas’ restaurant. She and her investors under a separate LLC will be purchasing the property and the business, but will do it under a different name. Per the PC application, they will offer liquor and food restaurant services as well as live music on Saturday nights. The new business will employ 12 people to serve an estimated 80 to 160 daily customers. No major site and building modifications are expected at this time other than refreshing the interior
2. Parking/Traffic Flow/Access/Curbed Parking Lot: The existing parking lot will remain unchanged, providing 45 parking stalls for customers and employees. Six truck deliveries are anticipated each week.
3. Hours of Operation: Sundays, Tuesdays, Wednesdays, Thursdays: 8am-12pm; Fridays & Saturdays: 8am-2pm; and Mondays: closed.

Recommendation: Approve request subject to Plan Commission and staff comments and authorize this item to be expedited to the June 20th Common Council meeting.

Mayor Neitzke stated that any of the terms previously approved in the Special Use for the operation of the restaurant are included in this Special Use review and are applicable to the new owner.

Motion by Ald. Kastner, seconded by Mr. Weis, to recommend approval of a Special Use Review for Juanita del Carman Campos as the new business and property owner of the closed ‘Las Margaritas’ bar/restaurant at 6869 W. Forest Home Avenue; new business name yet to be determined, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 20th Common Council meeting. Tax Key #571-8957-002. Motion carried unanimously.

10. Mohammed Rehman, Smokers Pub, RAS Investments Inc., 4267 W. Layton Avenue, Greenfield, WI 53221 requests a Special Use Review as the new business owner of the ‘Smokers Pub’ at this same address. Tax Key #621-9957-001.

1. Background: This site has been a tobacco store business going back to 2010, with the most recent business ownership change in 2013.
2. Signage: Often times with the nature of this business and the easy availability of product print advertising, excess window signage tends to ‘grow’ which is why an excerpt of the Sign Code related to window signage is attached as a ready reference for Mr. Rehman.
3. Dumpster/Screening/Gated (materials used): Will use existing dumpster behind the building.

Recommendation: Approve request subject to Plan Commission and staff comments and authorize this item to be expedited to the June 20th Common Council meeting.

Motion by Mr. Carlson, seconded by Ms. Hallen, to recommend approval of a Special Use Review for Mohammed Rehman as the new business owner of the ‘Smokers Pub’ at 4267 W. Layton Avenue, subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 20th Common Council meeting. Tax Key #621-9957-001. Motion carried unanimously.

11. Paul's Wine & Liquor Store, represented by Gerry Ramos, Ramos & Associates, 10416 Whitnall Edge Court, Suite 203, Franklin, WI 53132 requests a Special Use and Site/Building/Landscaping Review for the purpose of constructing a new 3,000 s.f. liquor store at 4955 S. 27th Street. Tax Key #622-0005-000.

1. Background: Mrs. Sidhu is proposing to construct a new 3,000 s.f. liquor store building at this location; the existing single-family house would be demolished, but the basement would be retained and built over for use as business storage.

See attached PC application along with a background narrative, and Site, Building, & Landscaping Plans. This narrative provides a quick summary of a +25 year investment Mr. Sidhu has done at nine different locations throughout GF (i.e. gas stations and liquor stores) that he has owned, invested, renovated, and/or demo'd/built new. Also, as noted in the narrative there is a reference to newer/bigger like-type developments in GF and nearby, where Mr. and Mrs. Sidhu believe they can still be competitive in this type of retail market with smaller but strategic expansion as one of those instances (i.e. in the 27th Street corridor).

2. Architectural Review/Exterior Materials: Attached is a color building rendering containing a good blend or combination of brick, stone, and glass materials. Building materials samples will be presented at the meeting.

However, the rectangular shape of the building provides limited architectural character other than a raised roof-line at the entrance. Maybe more of an actual entrance area 'bump-out' feature might be an option – attached is the rendition for the then new building done by Mr. Sidhu and Mr. Ramos in 2008 for the 5612 Forest Home liquor store which included a clock-tower design amenity.

3. Parking/Traffic Flow/Access/Curbed Parking Lot: The new site design will increase the width of the driveway to accommodate ingress/egress of customers and trucks. The owner identified dumpster pick up will occur once a month at 8 a.m., with recyclable boxes being removed with each delivery.

Staff expressed concerns that a 13 foot wide drive aisle to the rear of the property to accommodate truck access and garbage collection is too tight. Either the building needs to be made narrower, or shifted southerly five feet into the 10' side yard setback to create some additional width capability.

There are a total of 12 parking stalls on site, including a handicap accessible space. The front parking lot contains 9 spaces for customers, with 3 stalls located in the rear of the building for employees. Curbing is required along the northern portion of the parking lot and driveway to manage any storm water on site.

4. Storm Drainage/Grading (lot & building): A type of grading plan (i.e. side profile perspective) was provided, but staff still needs a full site grading plan. The property's storm sewer collection piping is proposed to be connected to an existing catch basin, however, its true location is on the parcel to the north. Either permission would be needed from that property owner, or an alternative is needed to identify another connection that does not utilize the neighboring property's basin, such as a direct connection to the public storm main near the east lot line.
5. Lighting (building & site): A photo-metric layout is provided, along with the corresponding cut-off and 'wall-wash' fixture examples. Staff had concerns that the proposed wall accent lighting should be upgraded to a higher quality design and that one of the light poles is shown to be over the free-standing sign.

Since all the poles are proposed to be in a landscaped area, then the concrete pole bases cannot be more than six inches (6") above grade.

6. Utilities: The current site plan does not yet show a water main, but Mr. Ramos has contacted Milw. Water Utility for that information. The intention, given the limited utility usage of a typical liquor store, is to continue using the water and sanitary laterals that had serviced the house.
7. HVAC/Utility Box Screening: Parapet walls will screen all rooftop HVAC units.

8. Signage: A monument sign is displayed at the base of the driveway along 27th Street. In addition, signage includes 'Paul's Wine & Liquor' written above the main entrance and building façade. One of the wall signs will be eliminated and replaced with more of a business-type-graphic (i.e. grapes, etc.).
9. Dumpster/Screening/Gated (materials used): The dumpster is located at the northwest corner of the property. Staff recommends incorporating a 'wing wall' on the enclosure, and concrete base and apron.

Due to the number of deliveries and experience with the other liquor stores – regardless of the intent above referencing once-a-month garbage pickup -- staff suggests enlarging the dumpster area to more adequately allow for the inevitable storage of cardboard boxes.

10. Fencing: The existing chain link fence wrapping around the north, south, and western property lines will remain in place. The site plan indicates that the fence extends to the sidewalk, when it actually stops at the City right of way line (i.e. a former frontage road had existed in this area west of 27th Street, but was vacated many years ago).
11. Landscaping/Buffer Yard: Some foundation plantings are depicted adjacent to the building's front elevation and some limited plantings along 27th Street frontage. The existing rear planting area will be retained as a buffer to the property to the west. Some additional trees with smaller mature sizing is believed to still be needed here to upgrade the proposed planting schedule.
12. Landscaping Cash Deposit/Letter of Credit: 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: The expansion of the driveway to 24 feet will require getting very close to an existing street tree, which actually is still in a smaller scale size-wise now. This tree could be shifted southerly a few feet and be away from anticipated truck turning movements when exiting.
14. City Forester Site Inspection: Underway.
15. Hours of Operation: Daily 6 am-9pm
16. Sidewalks: Even though it is a short distance from the front sidewalk, some type of pavement stripping should be added for pedestrians.
17. Outside Agencies: Widening of the driveway requires approval from WisDOT.
18. Miscellaneous: Typically a public hearing for a new Special Use request will occur 4 – 6 weeks from the PC meeting date, at a future Common Council meeting. The property owner mailing list created by the 400' radius lines around this parcel for the public hearing will be shared with Mr. Sidhu. If he wants to do some basic outreach in advance of the formal public hearing at a future Common Council meeting similar to what is suggested for all other items coming before the Council that include a public hearing, then that will be his determination.

Recommendation: Consider two actions:

- Forward a favorable recommendation on the Special Use request and authorize the public hearing process to proceed.
- Hold any action on the Site/Building/Landscaping aspects and request that element return to the July 11th Plan Commission meeting for further review of revisions/modifications/updates as outlined above.

Gerry Ramos, project architect, and property owners Paul and Kamaljit Sidhu were present to answer questions.

Mayor Neitzke stated he is okay with the use, and it is ultimately dependent on Common Council approval after a public hearing is held. He is concerned with truck traffic and the narrow side driveway; a wider drive is needed. Also, he'd like to see a higher wood fence to shield the residential neighbors to the west. A six foot high fence is desired. Mr. Sidhu stated he is okay with a six foot fence.

Ald. Kastner questioned if it would make sense for there to be shared access for any potential development to the south, to which Mr. Erickson replied yes. Mr. Weis questioned if it would be possible to blend the future building's roof with neighboring pitched roofs, which is becoming more common, or as an option, to work on a raised front entrance design element.

Mr. Rogers stated he feels that the City already has too much alcohol availability.

Motion by Mr. Carlson, seconded by Ms. Hallen, to recommend approval of a Special Use and Site/Building/Landscaping Review for the purpose of constructing a new 3,000 s.f. liquor store at 4955 S. 27th Street, subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key #622-0005-000. Motion carried unanimously.

12. Community Development Manager Report.

Discussion occurred on the request of Mister Car Wash (10685 W. Layton Avenue) to change the roof color from 'gold' to 'blue'. It was the consensus of the Plan Commission to go with the deep blue shade presented. Mayor Neitzke requested that a sample of the exact color be submitted to the Community Development Department.

13. Motion by Mr. Weis, seconded by Ms. Hallen, to adjourn the meeting at 7:50 p.m. Motion carried unanimously.

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed June 27, 2017