

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, SEPTEMBER 12, 2017**

1. The meeting was called to order at 6:30 p.m. by Mayor Michael Neitzke

ROLL CALL:	Mayor Michael Neitzke	Present
	Ald. Karl Kastner	Present
	Mr. Brian Weis	Present
	Ms. Denise Collins	Present
	Ms. Christine Hallen	Present
	Mr. Bradley Sponholz	Present
	Mr. Steve Rogers	Present
	Mr. Don Carlson (alt.)	Present
	Mr. Robert Krenz (alt.)	Present

ALSO PRESENT: Charles Erickson – Community Development Manager

2. Motion by Ald. Kastner, seconded by Mr. Sponholz to approve the August 8, 2017 Regular Meeting minutes. Motion carried 4-0-3, with Ms. Hallen, Ms. Collins and Mr. Rogers abstaining.

3. Discussion regarding the Common Council meeting held on August 15, 2017.

At the meeting, the Special Use public hearing for Little Light of Mine day care at Faith Bible Church, 4175 S. 112 Street, was approved as presented. The following items were approved as recommended by the Plan Commission: Aurora Parking structure at 84 South, Special Use Amendment for Bright Rainbow Academy day care, 3340 W. Loomis Road, Special Use Amendment for T-Mobile at Bill's Auto, 4737 S. 108 Street; and a CSM for 5400 S. 51 Street.

4. West Layton Assembly of God Church, 11500/11530 W. Layton Avenue, Greenfield, WI, represented by Isaac Newman, Pinnacle Engineering Group, 15850 W. Bluemound Road, Suite 210, Brookfield, WI 53005 requests a Certified Survey Map to combine the two church parcels; follow-up on a prior approval for parking lot improvements and site lighting improvements; Tax Key #609-9946-001 & 609-9945-001.

1. Background: This past June a parking lot improvement project was approved and one of the follow-up conditions was for a CSM to be prepared/submitted which combines both existing tax key parcels by essentially eliminating the 'inside lot line'. Attached is that proposed CSM.
2. Outside Agencies: The CSM will be reviewed by Milwaukee County Register of Deeds, and City Engineering staff. All corrections, if any, must be completed before recording. The applicant needs to be informed of the following: provided that a) the necessary approvals have been obtained; b) the original CSM map is in order; and c) all applicable charges have been paid, applicant must submit a final signed and notarized CSM to the Engineering Dept. for recording. The City requires a minimum of seven (7) working days to perform its final processing and recording of the CSM. If the applicant requires the CSM to be recorded on, or by a specific date, plan for appropriate lead-time to be sure to submit the necessary materials to the City allowing for its processing time. Failure to submit the necessary materials with the CSM for recording may cause additional recording delays.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Motion by Mr. Rogers, seconded by Mr. Sponholz, to recommend approval of a Certified Survey Map to combine the two parcels; follow-up on a prior approval for parking lot improvements and site lighting improvements; subject to Plan Commission and staff comments and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #609-9946-001 & 609-9945-001. Motion carried unanimously.

5. Bill Ohm, Cobalt Partners, 207 N. Milwaukee Street, Milwaukee, WI 53202 requests a Certified Survey Map to re-split CSM #8856 for a change to the ‘Aurora’ parcel at 9000 W. Sura Lane to add an ‘inside lot line’ and to create an outlot for a possible future electronic sign; Tax Key #606-9980-005.

1. Background: As a follow-up to the Aurora office building approved in July and the adjacent parking structure approved in August, the proposed CSM splits out the Aurora parcel and the future fitness user parcel. Also included is a proposed Outlot #1 at the northwest corner of the Aurora parcel, which would be location for a possible future electronic sign.
2. Outside Agencies: The CSM will be reviewed by Milwaukee County Register of Deeds, and City Engineering staff. All corrections, if any, must be completed before recording. The applicant needs to be informed of the following: provided that a) the necessary approvals have been obtained; b) the original CSM map is in order; and c) all applicable charges have been paid, applicant must submit a final signed and notarized CSM to the Engineering Dept. for recording. The City requires a minimum of seven (7) working days to perform its final processing and recording of the CSM. If the applicant requires the CSM to be recorded on, or by a specific date, plan for appropriate lead-time to be sure to submit the necessary materials to the City allowing for its processing time. Failure to submit the necessary materials with the CSM for recording may cause additional recording delays.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Mayor Neitzke noted that as part of the initial PUD approval there was provision with regard to a billboard or electronic sign within this development, potentially similar to the one now installed at the Corners of Brookfield development.

Motion by Ms. Hallen, seconded by Mr. Sponholz, to recommend approval of a Certified Survey Map to re-split CSM #8856 for a change to the ‘Aurora’ parcel at 9000 W. Sura Lane to add an ‘inside lot line’ and to create an outlot for a possible future electronic sign; subject to Plan Commission and staff comments and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #606-9980-005. Motion carried unanimously.

6. Gary Stetz, 9851 Carousel Court, Wisconsin Rapids, WI 54494, representing the Estate of Dorothy Stetz, requests a Preliminary Certified Survey Map for a proposed split of their existing parcel at 5320 S. 51st Street into two lots; both proposed parcels would meet the R-2 minimum square footage requirements, but would be less than the 100’ minimum width; Tax Key #647-9966-000.

1. Background: The Estate of Dorothy Stetz wants to divide this +35K s.f. parcel into two lots in a manner similar to the exact same sized parcel immediately to the north (CSM #7165 – in 2002), which also was part of the Stetz family (i.e. Francis) at the time. Actually a variance regarding those respective lot dimensions was granted in 1981.

The proposed split would meet the R-2 lot minimum square footage of 15,000 s.f. (i.e. +20K s.f. and +15K s.f.), but would be less than the 100’ minimum width (i.e. 98’ and 77’). These square footages reflect the ‘net’ parcel sizes after R-O-W dedication. Also, a review of neighboring parcel square footages per the GIS Map Search, shows that the proposed lots are comparable size-wise.

2. Utilities: All three utilities (water/sanitary/storm) are in S. 51st Street, but no laterals were extended into the southerly portion of 5320. For sake of discussion only and assuming a future CSM is actually done, whether the Estate chooses to sell the south parcel as an 'unimproved lot' (i.e. no laterals extended to the lot line), or sell it as an 'improved lot' (i.e. laterals extended), remains their choice. Ultimately no Building Permit for a new house would be issued for the proposed south lot until the lateral extensions are installed because per City codes, no well or septic system is allowed when utilities are available → in S. 51st Street.
3. Park Fees: When new residential lots (or apartment units) are created, there is a Park Fee payment required. Currently that rate is \$1,497. Per the recently adopted Comprehensive Outdoor Recreation Plan 2017- 2022, that new rate per new dwelling unit would be \$1,806; respective ordinance change to be introduced soon.

Recommendation: Given past actions regarding a similar sized parcel immediately to the north and the comparability of lot sizes in the neighborhood, Staff is supportive of the proposed lot split. Follow-up by the Estate naturally will involve the hiring of a surveyor to prepare an actual CSM which then would need to be returned for formal review/recommendation by the Plan Commission and approval by the Common Council.

Gary Stetz was present to answer questions. Ms. Hallen questioned if there were comparable lots in the neighborhood in regard to the proposed width. Mr. Erickson stated yes, they are somewhat similar size-wise per the exhibit he showed, but specific width "no"; however by the "eye-ball" test, they appear similar.

Motion by Mayor Neitzke, seconded by Mr. Weis to recommend approval of a Preliminary Certified Survey Map for a proposed split of the existing parcel at 5320 S. 51st Street into two lots; both proposed parcels would meet the R-2 minimum square footage requirements, but would be less than the 100' minimum width; subject to Plan Commission and staff comments. Tax Key #647-9966-000. Motion carried unanimously.

7. Gregory Grabowski, Grabber Partners LLC, 615 W. Riverworld Drive, #304, Oak Creek, WI 53154 requests a Special Use Review as the proposed new business owner of the Playoff's Pub at 8222 W. Forest Home Avenue; Tax Key #605-0170-000.

1. Background: Mr. Grabowski has submitted this request as the proposed new business owner of Playoffs Pub; he also is the owner of another Greenfield business site, 'The Edge Sports Bar' at 5175 S. 27th Street. A similar request had occurred in earlier 2016 when there was a business ownership change.

Mr. Grabowski intends to operate Playoffs in a similar fashion as in the past which would include the continued use of the sand volleyball courts. These were approved in 2012 and any volleyball activity must finish by 9:00 p.m. per that earlier approval.

2. Miscellaneous: Separately Mr. Grabowski has been in contact with the City Clerk's Office regarding the appropriate transfer of the existing Class B alcohol license process/procedure.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Greg Grabowski was present to answer questions.

Motion by Ald. Kastner, seconded by Mr. Weis to recommend approval of a Special Use Review for Gregory Grabowski as the proposed new business owner of the Playoff's Pub at 8222 W. Forest Home Avenue; subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #605-0170-000. Motion carried unanimously.

8. Salvatore Purpora, 8908 S. Parkside Drive, Oak Creek, WI 53154 requests a Special Use Review as the proposed new business owner of Meyer's Restaurant at 4260 S. 76th Street; Tax Key #571-8984-008.

1. Background: Mr. Purpora has submitted this request as the proposed new business owner of Meyer's Restaurant, and will continue with a similar operation, including the use of the "Meyer's Restaurant" name. This initial Special Use was approved in 2003, along with at that time other extensive changes to the building and site; no other exterior changes proposed to the site/building (i.e. property owner is Brixmor).
2. Miscellaneous: Separately, Mr. Purpora has been in contact with the City Clerk's Office regarding the appropriate transfer of the existing Class B alcohol license process/procedure.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Salvatore Purpora was present to answer questions.

Motion by Mr. Weis, seconded by Mr. Sponholz, to recommend approval of a Special Use Review for Salvatore Purpora as the proposed new business owner of Meyer's Restaurant at 4260 S. 76th Street; subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #571-8984-008. Motion carried unanimously.

9. Kyle Sobocinski, 3645 S. 77th Street, Milwaukee, WI 53220 requests a Special Use Review as the proposed new business/property owner of what currently is known as Joey's Mob Scene bar at 4500 W. Forest Home Avenue; Tax Key #531-9000-002.

1. Background: Mr. Sobocinski has submitted this request as the proposed new business and property owner of Joey's Mob Scene; initial Special Use goes back to 1990. Per his PC application, the business operation would stay the same.

Per the attached excerpt of those 1990 CC minutes, the Special Use limitations were:

- Hours of Operation: see below #16.
- No live music.
- One Pinball Machine, one dart machine, and two pool tables
- Only snacks, no food service.

Over time it appears that the current owner (Joe Turenne) has used the annual licensing process for some expansion on the initial Special Use – mainly in the 'Entertainment' category – instead of amending the Special Use as well:

-1996: DJ & patron type dancing

-2005: Karaoke, live bands, disc jockey, and patron type dancing

-2017: Karaoke, live bands, juke box, radio, TV, DJs, singing, patron dancing, casino night

-Current Food License: 'Prepackaged Restaurant' category, and in this instance can only serve frozen pre-packaged pizzas or garlic bread that can be prepared in a pizza oven.

2. Parking/Traffic Flow/Access/Curbed Parking Lot: This is a very small parcel and it's likely that the 1990 Special Use conditions were reflective of the smallness of this parcel → very few off-street/on-site parking stalls are available on this parcel.

So as the range of entertainment possibilities expanded over the years for potentially more intensive uses but the lot remains the same size, how has the likely need for more parking been provided for? It's believed that Mr. Sobocinski – working with Mr. Turenne -- needs to present to the PC information related to addressing that situation. Otherwise, potentially the range of entertainment-type categories needs to be revised.

3. Hours of Operation: In 1990, State law for bar operations must have been different in allowing the business to stay open until 2:30 a.m. on Friday and Saturday. Today that closing time is 2:00 a.m. daily.
4. Miscellaneous:
 - Separately, Mr. Sobocinski has been in contact with the City Clerk's Office regarding the appropriate transfer of the existing Class B alcohol license process/procedure.
 - When the annual licensing/property inspection process occurs, it seems that certain in-the-building activities tend to be repeating themselves, and with new ownership would be the ideal time address them:

--Smoking inside the building. State law prohibiting such activity is at least five years old; management needs to enforce this requirement.

--There must be some type of basement water seepage problem that has been avoided for years because there are plastic pallets all over sort of 'raising' the floor level so the basement could still be used for some limited storage; fix the problem once and for all.

Recommendation: Hold any action on this matter until such time as staff comments related to adequacy of parking/expanded entertainment uses, is addressed.

If satisfactory follow-up is provided, then approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Next Spring/early Summer will start the next round of liquor license renewals for 2018-19 year; effective July 1st. In fairness to Mr. Sobocinski as the new business operator/property owner, sufficient time would present itself to enable him to work on/correct the above issues which have seemingly evolved over that past +25 years at this location. If he has done that in an appropriate manner, then the license renewal should be routine; if not, then more in-depth review/consideration will be needed by the Common Council.

Kyle Sobocinski was present to answer questions.

Mr. Erickson gave some background information on how the allowed "entertainment" has changed over the years from the original granted Special Use in 1990. Discussion occurred on past police problems. Mr. Sobocinski said he is not aware of any major items of concern between the business and the Greenfield Police Department, including nothing pertaining to noise. Mr. Sobocinski stated they recently received a ticket for allowing smoking, which is in violation of State law.

Ms. Hallen questioned if there were plans to fix the water problem in the basement, to which Mr. Sobocinski said he has no plans to do so. It was discussed how a damp basement needs to be monitored so as to not cause any health concerns, be it air quality or food storage, in that area. Currently, the only food prepared is pizza using a pizza oven.

In regard to the current Special Use, one gaming machine, one dart machine, and two pool tables were listed as allowable. Mr. Sobocinski stated the business has dart and golf games, video poker machines and a pull-tab lottery ticket dispenser. It was reiterated to that all laws must be observed, along with all conditions of the Special Use. One change that needs to be made to the Special Use is the closing time, which by law is currently 2:00 a.m., not 2:30 a.m. as is listed on the Special Use. Also, an official Entertainment License needs to be applied for. Over the years live music has occurred without the Special Use being consistent with the Entertainment License and there have been occasional complaints from neighbors.

Motion by Ms. Hallen, seconded by Mr. Sponholz, to recommend approval of a Special Use Review for Kyle Sobocinski as the proposed new business/property owner of what currently is known as Joey's Mob Scene bar at 4500 W. Forest Home Avenue; subject to Plan Commission and staff comments, with the condition that the Special Use be amended to be in compliance with current State law regarding closing times, and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #531-9000-002. Motion carried unanimously.

10. Willowick Apartments, represented by Robert Ollman, Pinnacle Real Estate, 13313 N. Windsor Court, Mequon, WI 53097 requests a PUD Amendment/Site & Building Review for the proposed exterior renovations to the Clubhouse/Pool Area at 7020 W. Southridge Drive; Tax Key #617-9987-001.

1. Background: Willowick is proposing to do both some exterior and interior modifications and improvements to the existing Clubhouse/pool building. Combination of changes include:
 - Creating an expanded patio with overhead pergola element on the southeast side of the clubhouse.
 - Remove existing wall in this area and replace with sliding glass doors.
 - Add 12 solar tubes in the roof over the indoor pool.
 - Eliminate/demo the outdoor pool and create an expanded lawn area; also existing exterior fencing to be removed.
 - Install new concrete ramps with railings for improved access to both the main clubhouse entrance and to the new patio area.
 - Upgrade both restrooms.
 - Add new planter areas by the entrance.
 - Add some decorative exterior building lights.
2. Architectural Review/Exterior Materials: See attached color renderings, building plan layouts/details, and color pictures of the existing clubhouse/pool area.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Some limited re-stripping of the parking lot may occur as part of the new access ramp feature.
4. Sidewalks: The new concrete ramps will need to include the 'detectable warning field' surface element at the appropriate location(s).
5. Miscellaneous: Follow-up needed: in reviewing Sheet A-2 staff couldn't figure out how if a person who may be in a wheel-chair and who already is in the building and/or one of the bathrooms, how do they get to the pool from inside the building because there what appears to be 'steps' at both interior access points?

Recommendation: Approve request subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Robert Ollman was present to answer questions. Mr. Ollman gave an overview of the project. He noted that to continue to have an outdoor pool is too expensive to maintain and also is a liability, for those reasons they are removing it, and adding green space and a pergola area. The indoor pool is worn and

there is a need to remodel the bathroom and former sauna areas. Ms. Hallen questioned if there were plans to repair/replace the maintenance shed, to which Mr. Ollman stated that yes, they plan to rebuild the shed at a later date.

Also discussed were the poor conditions of the private roads throughout the complex. Mr. Ollman said he's had discussions with the Fire Marshall about them, brought on by complaints filed. Mr. Ollman said he has relayed these concerns on to the property owner's representative. It is a serious concern that needs to be addressed sooner than later.

Motion by Mr. Sponholz, seconded by Mr. Rogers, to recommend approval of a PUD Amendment/Site & Building Review for the proposed exterior renovations to the Willowick Apartment Clubhouse/Pool Area at 7020 W. Southridge Drive; subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #617-9987-001. Motion carried unanimously.

11. King of Glory Church, 4330 S. 84th Street, Greenfield, WI, represented by Chuck Smalley, requests a Site/Building Review in order to construct an outdoor bread oven that is approx. 10' x 12' near the building entrance on the upper level of their parking lot; Tax Key #605-0084-003.

1. Background: King of Glory (KOG) has submitted plans for their desire to construct an outdoor bread oven that is approx. 10' x 12', and 12' high about 12' from a building entrance on the upper level of their parking lot. Attachments that will provide further background are:
 - PC application with written explanation on the how and why of this proposal. In short, the oven is heated one day prior to baking, and the fire brick retains extensive 'heat' for operation the next day.
 - Additional narrative dated 7/19/17 regarding various events in how KOG believes the oven could be used.
 - Building plan schematics which shows the intent for the concrete block wall to have a Stucco finish that is painted; gable roof feature to have fiberglass shingles; chimney (i.e. needs to be at least three feet high above the roof); slab and truss detail; and oven base/fire brick detail.
 - Pictures with explanation for the various construction steps (i.e. potential 6 week construction time-frame per this material).
2. Architectural Review/Exterior Materials: See above.
3. Fire Department: Being reviewed at this time.
4. Miscellaneous:
 - While all this material has been provided to the Health Dept., further follow-up with them as it may pertain to a Food License may still be needed (i.e. dough prep/bread storage/clean-up, etc.).
 - What are the plans related to ash removal?
 - Where will the firewood be stored?
 - What is the 'locking' mechanism to ensure no unauthorized access can occur to the cooking chamber?

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Chuck Smalley with King of Glory was present to answer questions. Mr. Smalley gave a review as to how the oven works. It only works with natural, dry woods, the bricks are heated and when it is time to bake the doors are shut, and there are no flames in the cooking area whatsoever, and very minimal ash afterward. He has met with the Fire Department and they spoke about the distance they'd like to see it from the church building. The Fire Department would like it to be 15 feet from the building, to which

Mr. Smalley said their plans had it positioned at 12 feet from the building, a distance he felt would be safe as there are no flames and the cooking area is enclosed. He feels the 15 foot requirement is more suited to a grilling unit, factoring his experience as a firefighter with the City of Milwaukee. There has been email follow-up between Mr. Erickson and George Weber, Assistant Fire Chief, regarding the distance, and how there is a three foot variance depending on using the foundation or the rain gutter as a measuring point that could be factored in. Mr. Smalley's hope would be a variance for 12-14 feet, as to push it further into the parking area would just create an odd appearance.

Ald. Kastner questioned where the food prep would occur. Mr. Smalley replied there are two areas within the church. The church kitchen would be used for the main prepping, there is also a smaller kitchen facility in the former day care area that would be utilized also. Mr. Krenz questioned if there would be any children present on the premises when the oven is operating. Mr. Smalley said they would like families to witness this and to learn about it. It could be heating all day and yet one could walk up to it and it would be no warmer than the outside air temperature. There is a considerable amount of insulation in the main cooking area that absorbs the heat. The heat would not be felt in the external bricking. It was questioned if this could be tampered with. Mr. Smalley replied that there is a main door that gets placed in front of the opening where the actual cooking occurs. In front of that is a 15 inch shelf, on which they would create a lockable cast iron grate that would be locked and prevent access to the unit.

Motion by Mr. Rogers, seconded by Mr. Weis, to recommend approval of a Site/Building Review in order to construct an outdoor bread oven at King of Glory Church, 4330 S. 84th Street, that is approx. 10' x 12' near the building entrance on the upper level of their parking lot; subject to Plan Commission and staff comments, and with a clearance of 14 to 15 feet from the building, and in accordance with Fire Department regulations, and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #605-0084-003. Motion carried unanimously.

12. HHAMB LLP, 555 W. Brown Deer Road, #220, Milwaukee 53217, represented by Adam Stein, Logic Design & Architecture Inc., 802 N. 109th Street, Milwaukee 53226 requests a Site, Building, Landscape Review for the purposes of doing exterior façade improvements to the entire building at 4940 S. 76th Street, along with site landscaping and lighting enhancements; Tax Key #617-9977-004.

1. Background: Mr. Stein, on behalf of HHAMB, has submitted a PC application which describes the proposed a four-sided building exterior façade enhancements and site improvements, along with color elevations, elevation detail (west/north/east/south), and landscaping plans.
2. Architectural Review/Exterior Materials: Noted on p. A2.1 is the proposed building 'Façade Revitalization' details. The predominate materials include: Nichiha 'Cedar' Vintagewood fiber cement panels, light gray drainage-type (?) EIFS, and dark bronze metal coping and awning. On the main or west elevation the existing upper metal panels will be removed, along with some of the metal panels on the east side; but the entire building will also be painted a combination of light or medium gray. A product sample board will be provided at the meeting.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Presently there are real small curbed landscaped islands and some small diamond-shaped islands in the front parking lot. Due in part to their smallness, long-term success for continued landscaping growth didn't occur. Proposed is to expand on those islands so they are like a parking stall width (9') and length (40'), along with a new island in line as a vehicle enters from 76th Street.

On this agenda is a separate Special Use request – Sky Zone – which (assuming approval for sake of discussion) during its peak operational time, may bring a lot of vehicles to the site. Although there would appear to be sufficient on-site parking, particularly when factoring in all the stalls along entire the south side of the property, it may be something to keep in mind where potentially re-stripping and maybe adding some landscape islands in the north parking area could be done to supplement the existing count.

4. Lighting (building & site): In the PC app./email, there is a proposal to do a LED retro-fit/-re-lamping of the existing site pole lighting. While the building color elevations show the existing Shepard Hook style lights, the specifics of those cut-sheets need to be submitted to make sure there isn't any 'drop-lens' type of bulb to be used.
5. Signage: The color renderings identify (i.e. 'Tenant' reference) the intent of having wall signage in a comparable size as what Office Depot had, and also that there would be a second wall sign on the 74th Street or east elevation.
6. 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.

Recommendation: Approve subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting.

Adam Stein with Logic Design & Architecture Inc. was present to answer questions.

Mayor Neitzke noted that the "public" shepherd hook style light poles in this area are being removed and the replacements will be LED lighting. Mr. Stein said the ownership is looking into possibly doing an LED retrofit to keep the shepherd hook style on the site.

Discussion on how there have been discussions with the owner of Barnes & Noble across the street from this address about putting in a stop light. The cost of doing so would be \$150,000 - \$175,000. Mayor Neitzke wanted it noted that he's talked to the owner of the Petco site about this possibility, who said that they found it to be too expensive at this time, but between the two owners maybe they can do a cost-share; long-term benefit is better access to from S. 76th Street for both properties.

Motion by Ms. Hallen, seconded by Ms. Collins, to recommend approval of a Site, Building, Landscape Review for the purposes of doing exterior façade improvements to the entire building at 4940 S. 76th Street, along with site landscaping and lighting enhancements; subject to Plan Commission and staff comments, and authorize this item to be expedited to the September 19th Common Council meeting. Tax Key #617-9977-004. Motion carried unanimously.

13. **Mark Glazer, MBG MKE LLC, 3112 W. Hidden Lake Road, Mequon, WI 53092 requests a Special Use in order to open 'Sky Zone' trampoline park in the former Office Depot location at 4940 S. 76th Street; Tax Key #617-9977-004.**

1. Background: Mr. Glazer has submitted this request to open 'Sky Zone' (SZ), which is an indoor trampoline park, in the former Office Depot space. The PC application and the attached detailed narrative, provides further background of the nature of the business and he anticipates its operation to work at this location. He indicated that he also operates three other Sky Zones in other states, and that there are existing SZ parks in Waukesha, Madison, New Berlin, Appleton, Brown Deer, to name a few.

Other attachments:

- Preliminary floorplan
 - Multiple examples of promotional/marketing materials for this type of business
 - Excerpt of the Zoning Code NAICS list where this business has been categorized by Staff under '#713940 – Fitness and Recreational Sports Centers'.
2. Architectural Review/Exterior Materials: Although it's a separate request on this agenda (#12), building improvements are proposed by the property owner (HHAMB).

3. Parking/Traffic Flow/Access/Curbed Parking Lot: Similar to the above, parking lot improvements are proposed as well by the property owner under agenda item #12. As referenced in those staff notes, it's believed that sufficient overall on-site/off-street parking will be available on this parcel, but there is the potential for 'peak hour usage' – assuming success with this Special Use – which will be more intensive than anything else that has ever occurred on this parcel.
4. Utilities: The narrative references having a concession stand for food/drink. While a Food License from the Health Dept. will be needed, depending upon the nature/extent of the food preparation (i.e. microwave/pizza oven vs. hamburgers/fries), may determine if a grease interceptor installation will also be needed.
5. HVAC/Utility Box Screening: The proposed use falls into a 'gymnasium' category for HVAC purposes instead of the 'retail' category of office supplies, so this aspect will need to be reviewed and likely updated.
6. Signage: See similar notes with #12 – HHAMB on this agenda. The color renderings identify (i.e. 'Tenant' reference) the intent of having wall signage in a comparable size as what Office Depot had, and also that there would be a second wall sign on the 74th Street or east elevation.
7. Dumpster/Screening/Gated (materials used): Will use existing dumpster near northeast side of the building.
8. Hours of Operation: Per the narrative, SZ will be open typically only a few hours mid-week, and until 11 p.m. on Saturday nights, and typically 8:00 – 10:00 p.m. on Fridays and Sundays. They are open seven days a week on holidays and school breaks, and less often during the school year.
9. 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. Glazer. 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.
 - Information regarding the '*...flame/smoke develop ratings...*' for the trampolines will be needed in the Building Inspection Dept. as part of the Occupancy Permit process.

Recommendation: Forward a favorable recommendation on the Special Use request, and authorize the public hearing process to proceed.

Staff believes that this type of request should be considered a 'major' change needing a public hearing. Why?

[[FYI – Mr. Glazer's detailed narrative did include a request that this be considered a 'minor' change not needing a public hearing.]]

- It's been at least over two years since Office Depot vacated (i.e. public hearing for Goodwill was in June, 2015).
- The proposed Sky Zone use is a 'good unique' and as such, yet unlike anything in this 76th Street corridor.
- There are peak usage times for this type of business which will be more intense activity on-site that likely has been experienced here previously.

Mark Glazer was present to answer questions.

Discussion occurred as to why this should be considered a major change as opposed to a minor change, which was the desire of Mr. Glazer. It was the consensus of the Plan Commission that this be a considered a minor change, thus not needing a public hearing, as this is in a business location and not near residences.

Motion by Mr. Sponholz, seconded by Ms. Collins to recommend approval of a Special Use in order to open ‘Sky Zone’ trampoline park in the former Office Depot location at 4940 S. 76th Street; 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 19th Common Council meeting. Tax Key #617-9977-004. Motion carried unanimously.

- 14. Brian Ward, PBE Greenfield 2 LLC, 1820 Windrush Drive, Grafton, WI 53024 and Shayne Chelminiak, GF Highlands LLC, 8575 W. Forest Home Avenue, #140, Greenfield, WI 53228 requests a Conceptual Project Review for the potential overall site layout of the former ‘Budget Cinema’ parcel at 4475 S. 108th Street and the possible location of a ‘Point Burger Express’ as one of the uses within that layout. Tax Key #609-9994-013.**

1. Background: Two different things are coming together with this Conceptual Request as it pertains to the Budget Cinema (BC) site:
 - GF Highlands has proposed an overall site layout for enabling future commercial uses with Point Burger Express being the initial, stand-alone use. See attached proposed 2017 overall layout, and for comparison, what had been the basis for the approved overall site development plan from 2007.
 - Point Burger Express (PBE) has an interest in the northeast corner of the BC site. See attached Proposed Business Plan and specific site plan which identifies the intent to feature specialty burgers, ice cream, shakes, and beer. Per this info. and site plan details, there would be a drive-thru feature. Also attached is an August 21st news release and September 1st Biz Times article about the PBE idea and growth plan.
2. Architectural Review/Exterior Materials: Back in May when an initial meeting was held with GF Highland and PBE reps. about this idea, they had presented a preliminary building rendition. They were asked to continue working on further architectural enhancements, and in the course of that discussion the idea came up of ‘...What was a recently approved new restaurant use and building that went thru the process relatively easily?...’. From that basic premise, the idea of using the Culver’s Restaurant as possible example of architecture and varied use of materials was suggested.

Attached is a revised PBE building design and a copy of the Culvers building exterior.

3. Parking/Traffic Flow/Access/Curbed Parking Lot: See attached layout.
4. Storm Drainage/Grading (lot & building): The overall site is about 5 acres and storm management plan will be needed because it’s likely that over two acres will be ‘disturbed’ (i.e. remove old asphalt and new construction, etc.). Whatever overall development plan may evolve here, something needs to occur for the area south of 110th Street – it’s simply a left-over asphalt area which could be converted to landscaping/storm retention, etc.

Recommendation: No formal action needed, but staff is supportive of the ideas/plans that GF Highlands is putting together for the redevelopment of this former ‘Budget Cinema’ area.

- PBE: good use but the latest building rendition essentially looks like a Burger King or Burger Chef standard corporate building model with a different name; more work needed.
- GF Highlands: full site preparations will be needed per the proposed overall layout if the PBE comes forward as that ‘first’ user of this BC area; it can’t be done in a piece-meal manner where something like PBE comes in but there still is the utility companies still wanting to use the site for temporary construction staging/storage.

Brian Ward and Jim Lechner on behalf of Point Burger Express were present to answer questions, along with Alicia Hurst, Shayne Chelminiak, and Mike Dilworth on behalf Ener-Con, of the property owners.

Mr. Weis said he is in favor of the proposal. He questioned what constitutes “Express” in comparison to their other Milwaukee-area locations. Mr. Ward replied that it is a more scaled down menu and would not have a full a liquor license, instead just offering bottled beer. They offer their own line of Point beers and sodas that would be offered. However, they would stay fairly true to their burger selections, and offer an upscale “fast casual” dining experience.

It was questioned if they would be open to doing their full version of Point Burger. Mr. Ward stated that they would need a bigger building and need a shared parking/cross-easement arrangement for this. Ald. Kastner said he’d prefer that it be the full version of Point Burger. Mayor Neitzke said that it would be smart to pursue their full version, as this location would be like no other nearby use. There is a large potential customer base from the Greenfield Highlands apartments that are being constructed, the traffic is great at this location, and there is no nearby place to get an adult beverage. Mr. Dilworth spoke on how now that Point Burger is interested, it has produced interest in the remainder of the site from other businesses. However, to proceed with the full version would require a full liquor license. It was noted that there are full liquor licenses available in the City.

Mr. Lechner said this concept is modeled after the Culver’s location at 60th and Layton. It was questioned if it requires the “red” branding, to which Mr. Lechner said that is to represent Stevens Point Brewery, and that while the colors could be somewhat toned down, the overall color scheme would need to remain, along with their signature awnings. He stated that making the full version would require a review of parking requirements, and also getting the full range of licenses necessary. They consider themselves to be a restaurant that has a bar, rather than a bar that serves food. If they were to add a small scale bar (approximately 10 stools) it would change their interior design. Without adding an actual bar they’d be a restaurant that serves alcohol, which is what their concept has always been.

The Plan Commission consensus was favorable to the Point Burger use and also the general overall layout on a conceptual basis.

15. Community Development Manager Report.

None.

**16. Motion by Mr. Sponholz, seconded by Mr. Rogers, to adjourn the meeting at 7:55 p.m.
Motion carried unanimously.**

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed September 19, 2017