

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, OCTOBER 10, 2017**

1. The meeting was called to order at 6:30 p.m. by Ald. Karl Kastner

ROLL CALL:	Mayor Michael Neitzke	Excused
	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 Ms. Hallen, seconded by Ms. Collins to approve the September 12, 2017 Regular Meeting minutes. Motion carried unanimously.

3. Discussion regarding the Common Council meeting held on September 19, 2017.

At the meeting the CSM's for Aurora at 84 South and West Layton Assembly of God Church (11530 W. Layton) were approved as presented. Special Use Reviews for change of ownerships at Playoffs Pub (8222 W. Forest Home), Meyer's Restaurant (4260 S. 76), and Joey's Mob Scene (4500 W. Forest Home) were also approved as presented. The Site/Building/Landscape changes for the Willowick Apartment clubhouse (7020 W. Southridge Drive), the bread oven at King of Glory Church (4330 S. 84), and the Petco building improvements (4940 S. 76) were approved as presented, with a Special Use for Sky Zone in the Petco Building also being approved as a minor change.

4. Bill Ohm, Cobalt Partners, 207 N. Milwaukee Street, Milwaukee, WI 53202 requests a Certified Survey Map to re-split CSM #8855 for a change to the 'C-6' parcel at 8625 W. Sura Lane; Tax Key #606-0053-002.

1. Background: This proposed CSM is a split of a five acre parcel (#8855) at the southeast corner of 84 South. One lot is for a proposed stand-alone restaurant that will be 1.8 acres and the other lot is at the 'Steinhafels corner' which will be 3.1 acres.
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 October 17th Common Council meeting.

Dan Roskopf and Scott Yauck with Cobalt Partners were present to answer questions.

Motion by Ms. Collins, seconded by Mr. Sponholz, to recommend approval of a Certified Survey Map to re-split CSM #8855 for a change to the 'C-6' parcel at 8625 W. Sura Lane; subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 17th Common Council meeting. Tax Key #606-0053-002. Motion carried unanimously.

5. **Jamie Butler, Bloomin Brands, 2202 N. West Shore Blvd., Suite 500, Tampa, FL 33607, represented by Scott Yauck, Cobalt Partners, 207 N. Milwaukee Street, Milwaukee, WI 53202 requests a PUD Amendment/Special Use/Site, Building, Landscaping Review for a new Outback Restaurant building at 8625 W. Sura Lane in the 'C-6' area within 84 South; relocated from current location at 7401 W. Barnard Avenue. Tax Key #606-0053-002.**

1. Background: Outback Restaurant (OR) has submitted new building/site plans for their relocation from 7401 Barnard (i.e. since 2001) to 86th & Sura on a parcel due east of Portillo's. Also, see attached PC application, background narrative, overall 84 South site plan specifying their location, and detailed site/building plans. Proposed building is approx. 7,440 s.f. on a 1.8 acre site. The restaurant will be full service sit-down with approx. 240 seats; floor-plan is to be provided.
2. Architectural Review/Exterior Materials: Detailed color renditions/elevations are provided, and a product sample board will be provided at the meeting. On the elevation pages, 'Front' → South toward Layton; 'Right' → East; 'Rear' → North toward Sura; and 'Left' → West.

There is a proposed exterior finishes sheet which identifies the following combination: Sierra Tan cement board siding; Sierra Tan horizontal metal panel; Rustic Red paint (material TBD); Western Cedar aluminum siding; Dark Bronze exterior metal finish; Colonial Red metal trim; Tresco Brick canvas awnings; and Eldorado Stone stacked.

Staff had noted that the Rear (North) elevation, of the four elevations, needs further architectural enhancements. This building, like any of the others that are or will be in this portion of 84 South, effectively are four-sided architecture and the challenges that sometimes with that → functional/service/utility sides of a building cannot readily be hidden. Furthermore, part of that reason for a concern about that North side is that although the Landscaping Plan shows a lot of plantings along that north foundation planting area, at the same time the Utility Plan shows that between the combination of above-ground elements (i.e. electric transformer pad) and underground elements (i.e. electric line/sanitary line/catch-basin/storm line), essentially will preclude the ability to do much if any plantings in this area – which has the effect of 'exposing' this other public side of the building even more.

3. Parking/Traffic Flow/Access/Curbed Parking Lot: See Site Plan (sheet C2.0) which identifies the overall layout and the direct access point (i.e. from Layton Ave.) and shared access points (i.e. from Sura Lane). Per this site plan, there are 168 stalls on-site.

Staff would request that an 'auto-turn' diagram be provided – helps better understand truck traffic flow.

4. Storm Drainage/Grading (lot & building): See Grading Plan (sheet C3.0). All of the site and roof-top will drain into the larger underground storm storage units that service the entire 84 South site.
5. Lighting (building & site): A photo-metric sheet is attached; the intention is to utilize the identical fixtures/mounting heights in place within the overall development.
6. Utilities: See Utility Plan (sheet C4.0). The City's FOG ord. (Fats/Oils/Grease) will be applicable here. This plan shows that grease interceptors are just north of the building. Also, within the dumpster enclosure there is a reference to a 'mobile grease bin'; clarification needed on its functionality here if there are underground grease traps to the north of the building.

Sheet A106 provides detail on the dumpster enclosure area. It is noted that in this area there is a reference to 'slope' and what looks like a 'drain' – it is uncertain where that 'drain' goes because there isn't anything on the Utility Plan which also references that feature; clarification needed.

7. HVAC/Utility Box Screening: All roof-top HVAC units need to be screened from view (i.e. person on the street 'view'). Information still needed regarding the roof-top mechanicals and the parapet wall height 'screening' (i.e. southeast tower element is 26'3" high as compared to a 22'3" height elsewhere).
8. Signage: Per the color building elevations, wall signage is shown for all four sides of the building. Dimensions still needed. Apparently no free-standing sign will be done.
9. Dumpster/Screening/Gated (materials used): See color elevation sheets for details, but the 8' high enclosure material is 'Eldorado Stone stacked'.
10. Fencing: Per the Grading Plan, a retaining wall along the Layton frontage is proposed as '*design build by contractor*'. Actually since this front area is within the Milwaukee Water Utility (MW) easement area, a greater level of plan prep. will be needed because the nature of their easement requirements also pertains to 'grade changes' within an easement.
11. Landscaping/Buffer Yard: See Landscape Plan (sheet L1.0). As proposed, there are 25 trees, 292 shrubs, and 388 grasses proposed. As in #10, the front (south side) planting area proposal will need to be reviewed by MW since that is in their water main easement.
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: Sheet L1.0 identifies both proposed and existing; further review by City Forester to occur to verify.
14. City Forester Site Inspection: Underway.
15. Hours of Operation: 11 a.m. – 11 p.m. daily.
16. Sidewalks: Public sidewalks are on Layton and on Sura, and there is sidewalk on three sides near the building. Still needed is some type of linkage to the public sidewalk from the building for ADA purposes (i.e. pavement stripping or dedicated walk-way, etc.).
17. Fire Department: Within the dumpster enclosure detail (Sheet A106), there is a reference to a Nitrogen Tank, CO2 Tank, and Fill Stations. Further clarification on what these are for and why they are in this enclosure area still needed.

Also, when the building construction plans are being prepared, the identification of the 'Knox Box' key location and the 'Storz' fire hose connection will be needed. Finally, the building sprinkler plans/installation will need to be reviewed/approved by the firm (FSCI) that assists the FD in this regard.

18. Outside Agencies: Milwaukee Water Utility as noted above for what is proposed in their water main easement (i.e. retaining wall/grade changes/landscaping).

Even though overall 84 South site plan approval has been previously reviewed/vetted by Milwaukee County Transportation & Public Works Dept., a follow-up review by them is suggested because there now will be direct access – via a tracking pad – to/from Layton.

19. Erosion Control: See Erosion Control Plan (sheet C1.0). City Engineering Dept. approval needed prior to any site work starting.
20. PUD Requirements: A 'PIA' will be drafted by the City Engineering staff as it relates to this project, and in a manner consistent with other PIAs within 84 South.
21. Engineering Comments: Detailed in the attached 9/29/17 letter from Jeff Tambllyn to Justin Johnson (JSD).

Recommendation: Approve PUD Amendment/Site, Building, & Landscape Review/Special Use (i.e. open a restaurant that also serves some alcohol products) request(s) subject to PC and staff comments, and authorize this item to be expedited to the October 17th Common Council meeting with the following consideration:

- Due to multiple prior reviews and approvals at both the PC and CC levels within the overall 84 South project over the past couple of years, the PC has determined that this PUD Amendment/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.

Doug Grant with Bloomin Brands was present to answer questions, along with Dan Roskopf and Scott Yauck with Cobalt Partners.

Mr. Erickson said that updated site and building plans were received that address staff comments; copies are at each member’s chair.

Mr. Yauck then gave an update on the overall progress to date at 84 South.

Mr. Grant discussed the desire to relocate from the current location at 7401 W. Barnard Avenue. He stated that while operation-wise it will be run the same in terms of the floor plan, the food prep area and dining area. However, the interior finishes at this location will be completely different than the existing location. About two years ago Outback began implementing changes to totally change their image, with a sleeker, more modern appearance, and the incorporating of stone elements. As the existing location is an all brick building it would have been difficult to bring it up to the new standards without demolishing it; that is why they began the search for a new location. Also, as the new location is in close proximity they don’t foresee any employees leaving. In fact, they hope that as they expand they would be able to expand their staff also. It was noted that they are leasing their existing location. Ald. Kastner stated that he likes the design of the garbage enclosure, which has a stone exterior.

Motion by Mr. Sponholz, seconded by Mr. Carlson, to recommend approval of a PUD Amendment/Special Use/Site, Building, Landscaping Review for a new Outback Restaurant building at 8625 W. Sura Lane in the ‘C-6’ area within 84 South; subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 17th Common Council meeting. Tax Key #606-0053-002. Motion carried unanimously.

6. Edward Cooper, Total Wine & More, 6600 Rockledge Drive, Suite 150, Bethesda, MD 20817 requests a Special Use to open Total Wine & More at 8700 W. Sura Lane within 84 South; Tax Key #606-9980-010.

1. Background: Total Wine (TW) has submitted its formal Special Use request to go with its 25K s.f. building now under construction since its approval earlier this year; projected opening is early part of 2018.

See attached PC application, Description of Proposal, and floorplan. As noted in this Description, TW has 160 stores across the country; also included is information about their sales to minors protective/prevention policy and community/philanthropic efforts as well.

2. Architectural Review/Exterior Materials: Building design approved during the March, 2017 Plan Commission and Common Council review/approval process – see attached meeting minutes.
3. Parking/Traffic Flow/Access/Curbed Parking Lot: Not Applicable (N/A) specifically to just this request because this item and the other respective elements as listed below, are part of the larger, overall and existing 84 South layout.
4. Hours of Operation: 9 a.m. – 9 p.m., Monday – Saturday; and 10 a.m. – 7 p.m. on Sunday.

5. Miscellaneous: Separately, TW has submitted the appropriate alcohol licensing application materials to the City Clerk's Office, for consideration at a Common Council meeting.

Recommendation: Approve Special Use request subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 17th Common Council meeting with the following consideration:

- Due to multiple prior reviews and approvals at both the Plan Commission and Common Council levels within the overall 84 South project over the past couple of years, 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.

Ed Cooper with Total Wine & More was present to answer questions. Mr. Cooper stated they would like to be open in the first quarter of 2018.

Motion by Mr. Sponholz, seconded by Ms. Collins, to recommend approval of a Special Use to open Total Wine & More at 8700 W. Sura Lane within 84 South; subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 17th Common Council meeting. Tax Key #606-9980-010.

7. **Joel Hassler, Von Hasle Jewelry Advisers, 4811 S. 76th Street, Unit #120, Greenfield, WI 53220 requests a Special Use as a 'Used Merchandise Store' at this same location; Tax Key #616-0034-001.**

1. Background: Mr. Hassler, per the attached Sept. 6th letter, owns a jewelry company primarily aimed at jewelry appraisals and consulting, but needs a Special Use (Used Merchandise) and a 'Second-hand Dealers' license since he is involved with the disbursement of estate pieces (i.e. 'used' and 'second-hand').
2. Police Department: See attached various email exchanges/discussions involving the PD, Mr. Hassler, and myself. The PD remains concerned that the potential of a full-scale used jewelry buying operation would occur that is not limited to just 'estates' and also not committing to not buying 'walk-in' jewelry. Part of his follow-up is that he is not open to the public for 'walk-ins'. As also noted in the PD info, there are four other similar uses in a small radius of this site in and along S. 76th Street.
3. Miscellaneous: It should be noted that Mr. Hassler has taken out an Occupancy Permit for his office location, and inspections of that space has occurred; and 'yes' he has opened up his office pending the results of these processes (Special Use & Second-Hand Dealers).

Recommendation: Concur with the Police Dept. recommendation to deny the Special Use request subject to Plan Commission and staff comments.

Part of the staff concern is that since Special Uses '...run with the land..', the potential could exist for a successor occupant of this same office who also broadly is '...in the jewelry business...', wanting to do something similar. For instance, as Mr. Hassler noted in his letter, he '*...owns a jewelry company primarily aimed at appraisals and consulting...*' (i.e. '...primarily...' being a critical word in this context.

If there potentially is to be a consideration that this type of use can be okay in this location, it is then very important that limitations on the range of jewelry operations (i.e. for instance, limited to only estate jewelry) be part of the requirement(s).

Finally, the PC needs to determine whether this is a 'major change' (i.e. needs a public hearing at a future Common Council meeting) or is a 'minor change' (i.e. no public hearing needed). Staff would believe that the willingness of Mr. Hassler to 'limit' the nature of the jewelry operations is a key consideration.

- No: If there are no limitations acceptable, then it's a 'major change'; likely with a negative recommendation; and authorize the public hearing process to proceed.

OR

- Yes: if there are deemed to be acceptable limitations, then it's a 'minor change' and therefore this item can be expedited to the October 17th Common Council meeting with a favorable recommendation.

Joel Hassler was present to answer questions. He gave some background on the nature of his business. What would be occurring at this location is primarily consulting and appraisal work, working with banks, other jewelers, and estate representatives. He also stated that he does training services and appraisal services for jewelry stores, providing advice on how after an appraisal is given the recipient could go about disposing of the items. No retail transactions would occur at this location because he is more of a wholesaler, and there would not be regular operating hours, with Mr. Hassler anticipating being in the office one or two days a week.

Discussion occurred that as this would be used as primarily office space this should be considered a minor change and therefore should not need a public hearing. However, as the items being handled would be second-hand all, elements of Mun. Code Chp. 13.15 (Pawnbroker, Second-hand Jewelry Dealers), including the NEWPRS regulations, must be followed.

Motion by Mr. Weis, seconded by Ms. Hallen, to recommend approval of a Special Use for Joel Hassler, Von Hasle Jewelry Advisors, 4811 S. 76th Street, Unit #120 as a 'Used Merchandise Store' with the following conditions:

- No walk-in jewelry sales/purchases are allowed because the applicant has committed to not being a retail jewelry operation but rather more of a wholesaler dealing only with jewelry stores, estates, financial institutions, and insurance agents.
- All elements of Mun. Code Chp. 13.15 (Pawnbroker, Second-hand Jewelry Dealers), including the NEWPRS regulations, must be followed.
- Consider this a minor change not needing a public hearing.

All subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 17 Common Council meeting. Tax Key #616-0034-001. Motion carried unanimously.

8. Cui Fang Xie, Q Massage, 2417 75th Street, Woodridge, IL 60517 requests a Special Use to open a massage therapy spa in a vacant tenant space at 3777 S. 108th Street within the Garden Mall multi-tenant commercial building at Beloit & Hwy. 100; Tax Key #563-9986-008.

1. Background: Ms. Xie is proposing to open a massage therapy spa within the Garden Mall at Hwy. 100 and Beloit; or specifically in what previously had been the 'King Massage' tenant location in this commercial center.

Attachments:

- PC application
 - State of Wisconsin 'Massage Therapist' license for Ms. Xie (i.e. issued 9/16 with a renewal on a biennium basis)
 - IL Driver's license for Ms. Xie
 - List of services/Costs/Time
 - Consent of Garden Mall rep. entitled 'Assignment & Assumption of Lease'
 - Document entitled 'Asset Purchase – Bill of Sale'
 - Excerpt of ZC – Special Use requirement
2. Hours of Operation: 9 a.m. – 10 p.m. daily.

3. Police Department: Attached are two emails (9/22/17 & 9/25/17) with attachments from Chief Wentlandt, providing background on why he has indicated that the PD strongly opposes a massage license for this applicant and location.
4. 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 Ms. Xie. If she 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 her determination.

Also, as a suggestion since being able to fully converse in English can be challenging to Ms. Xie, that she should have someone who is more conversant assist her at upcoming meetings/hearing.

Recommendation: Concur with the Police Dept. recommendation to deny the Special Use request subject to Plan Commission and staff comments, and authorize the public hearing process to proceed.

Cui Fang Xie and William Ho, an interpreter on her behalf, were present to answer questions.

Ms. Xie was questioned about the incident at the Woodbridge, IL location that was referred to in the handout prepared by the Greenfield Police Dept. There was confusion among Ms. Xie's representative as to what the City was asking. Discussion occurred on how it was the consensus of the Plan Commission to deny the Special Use and to forward this item on to a public hearing. Mr. Rogers stated he has confidence in the Police Department and their report.

Motion by Mr. Rogers, seconded by Mr. Weis to recommend to deny the Special Use request of Cui Fang Xie, Q Massage, 2417 75th Street, Woodridge, IL 60517 to open a massage therapy spa in a vacant tenant space at 3777 S. 108th Street within the Garden Mall multi-tenant commercial building at Beloit Road & Hwy. 100; subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key #563-9986-008. Motion carried unanimously.

9. Community Development Manager Report.

None.

10. Motion by Mr. Weis, seconded by Ms. Collins, to adjourn the meeting at 7:15 p.m. Motion carried unanimously.

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed October 16, 2017