

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, OCTOBER 9, 2018**

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	Excused
	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: Kristi Johnson – Community Development Manager

**2. Approval of the minutes from the September 11, 2018 meeting.
Motion by Ms. Hallen, seconded by Mr. Sponholz to approve the September 11,
2018 Regular Meeting minutes. Motion carried unanimously.**

Ms. Johnson took a moment to introduce Andrew Stern. Andrew is the newly hired City Planner, who will be working on Planning and Community Development related work and projects. Andrew's last employer was the Wisconsin Historical Society, and he has a Master's Degree in Urban Planning.

Discussion regarding the last Common Council meeting. At the September 18th meeting the following items were approved as presented: Special Use Permits for Snappers Baseball Club, LLC, 4260 S. 76th Street, and a Verizon Wireless communication antenna, to be located at the YMCA, 11311 W. Howard Avenue, along with approval of a Certified Survey Map to divide an existing parcel located at 7029 W. Chapman Avenue, and a Special Use Review and a Site Plan for Smoke World Vape, 4275 W. Layton Avenue.

4. Signage Plan Appeal for meJATC, an existing business located at 6300 W. Layton Ave., submitted by Zach Wenger, b/d/a Lemberg Electric and Dan Lange, d/b/a meJATC. (Tax Key No. 603-9940-000)

The new owner of the former ITT building, now occupied by meJATC, is proposing a signage plan appeal, requesting additional signage beyond what the Sign Code allows for. The Sign Code states that, "no building may have more than two (2) signs and such signs must be monument and wall type." For this particular property, the wall sign would be capped at 100 sq. ft. in area and a monument sign would be capped at 67 sq. ft. in area. meJATC is requesting the following signage on the property:

- 18.5 sq. ft. reverse channel letters, back-lit with LED halo lighting that says, “meJATC,” to be located on the east side of the tower feature on the building.
- 18.5 sq. ft. reverse channel letters, back-lit with LED halo lighting that says, “meJATC,” to be located on the south side of the tower feature on the building.
- 38 sq. ft. reverse channel letters, non-illuminated that says, “Electrical Training Center,” to be located on east side of the building.
- 50 sq. ft. reface of the existing pylon sign
- TOTAL: 75 SQ. FT. WALL SIGNS + 50 SQ. FT. PYLON SIGN = 125 SQ. FT. TOTAL

All of the wall sign proposals will be placed in locations where there currently are ITT signs. Staff recommends approval of the variance request, as the signs are to scale with the building and are in the locations where past wall signs have been approved.

Recommendation: Approve the Signage Plan Appeal for meJATC, an existing business located at 6300 W. Layton Ave., submitted by Zach Wenger, b/d/a Lemberg Electric and Dan Lange, d/b/a meJATC. (Tax Key No. 603-9940-000).

Motion by Ms. Hallen, seconded by Ms. Collins, to recommend approval of a Signage Plan Appeal for meJATC, an existing business located at 6300 W. Layton Avenue, subject to Plan Commission and staff comments. Tax Key No. 603-9940-000. Motion carried unanimously.

- 5A. Planned Unit Development Amendment for an expansion to Children’s Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 St., submitted by Renee Kubesh, d/b/a Eppstein Uhen Architects, Inc. and Matt Wade, d/b/a Children’s Hospital of Wisconsin. (Tax Key No. 524-8986-025)**
- 5B. Site, Landscaping and Architectural Plans for an expansion to Children’s Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 St., submitted by Renee Kubesh, d/b/a Eppstein Uhen Architects, Inc. and Matt Wade, d/b/a Children’s Hospital of Wisconsin. (Tax Key No. 524-8986-025)**
- 5C. Signage Plan Appeal for Children’s Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 St., submitted by Renee Kubesh, d/b/a Eppstein Uhen Architects, Inc. and Matt Wade, d/b/a Children’s Hospital of Wisconsin. (Tax Key No. 524-8986-025)**

Items 5A, 5B and 5C may be considered together.

Overview and Zoning

Children’s Hospital of Wisconsin, Greenfield Clinic, is proposing a 20,050 sq. ft. building addition to their existing medical office building on S. 103 St. The current Greenway Medical Complex name will be retired, and the building will be re-branded as Children’s Hospital of Wisconsin | Greenfield Clinic. The project will expand access and convenience to the community by shifting outpatient orthopedic services from the main hospital campus to the Greenfield Clinic outpatient setting.

First floor:	Second floor:	Totals:
Existing: 23,082 SF	Existing: 23,082 SF	Existing: 46,164 SF
Addition: 10,577 SF	Addition: 9,473	<u>Addition: 20,050 SF</u>
		66,214 SF

Along with the addition, the project will renovate and redevelop several underutilized clinic spaces for new and expanded services. These services include:

- Sports therapy gym connected with the physical therapy renovation
- Expanded orthopedic services
- Expanded audiology clinic
- Teen health clinic
- New elevator to accommodate an ambulance stretcher
- New central registration area
- Renovations to the current Oklahoma Pediatrics (primary care) clinic

The property is zoned Planned Unit Development (PUD). Per the Zoning Code: Any subsequent change or addition to the plans or use shall first be submitted for approval to the Plan Commission and, if in the opinion of the Plan Commission such change or addition constitutes a major change to the original plan, a public hearing before the Common Council shall be required and notice thereof be given pursuant to the provisions of this division, and said proposal alterations shall be submitted to the Common Council for approval. The Plan Commission shall find that any modification therein, may be considered a major change if such modification:

- 1) Changes the concept or intent of the approved plan;
- 2) Increases the gross residential density or intensity of use;
- 3) Decreases the total area set aside for common open space or deed restricted open space;
- 4) Changes by more than five (5) percent in the gross floor area for a nonresidential use; or
- 5) Increases by more than five (5) percent the total ground area covered by buildings or structures.

Staff does not feel that the proposed building addition would constitute a public hearing. The nature of the use does not change, programmatically, leaving very little impact on adjacent properties. Residential properties to the west are located in the City of West Allis and would not receive a notification. Properties to the north, east and south are large cooperate commercial uses.

Site, Landscaping, Lighting and Architectural Plans

The proposed 20,050 sq. ft. building addition will wrap around the southeast corner of the existing building. The parking lot will be expanded in the northwest portion of the property with the addition of 58 parking stalls and the existing stormwater retention pond will be expanded to accommodate stormwater management requirements with the new building addition. The majority of the interior existing landscape islands will be demolished and existing lighting will be removed to accommodate a complete re-do of the parking lot.

A relocated and larger refuse enclosure will be constructed to match the current enclosure, which is constructed of brick to match the building. The enclosure will be constructed just north of the stormwater retention pond. Staff recommends that revised plans illustrate a personal door being added to the enclosure.

Site plans indicate that a six-foot high white, solid vinyl fence will be constructed along the entire west property line, which abuts residential back yards in the City of West Allis. Solid screening is especially important along the northern section of the west property line where the parking lot expansion is proposed, currently occupied with open space/grass. Staff recommends that revised plans include a cut sheet detail of the vinyl fence.

Required parking (per code):

10 stalls/1,000 gross sq. ft. = 662

1 stall/employee = 60

TOTAL: 722 off-street parking spaces

Provided: 285 off-street parking spaces, including 14 ADA stalls

While there is a large shortage of parking spaces, per the City of Greenfield Zoning Ordinance, staff feels that the site will provide ample parking with a ratio of 4.30 stalls/1,000 sq. ft. (current ratio is 4.92 stalls/1,000 sq. ft.).

The City Forester is reviewing the landscape plan and will provide comments/recommended changes to the architect.

A lighting plan will be forthcoming, as an electrical engineer hasn't yet been contracted for the project. If the Plan Commission is comfortable, staff can work with the applicant on the lighting plan review.

The Engineering Department has reviewed the Stormwater Management Plan and has passed information along to MMSD for their review. The architect and civil engineer have been in contact with the Engineering Department regarding stormwater regulations and impacts on the site.

Architecturally, the building addition will blend right in with the existing brick and aluminum composite panel building. The two-story addition includes a large glass entrance and extensive clear glass curtain walls on all facades. Architecturally, staff has no recommended modifications—the addition blends in very well with the building and is constructed of high-quality materials.

Staff recommends that this item be expedited to the October 16, 2018 Common Council meeting.

Recommendation: Recommend Common Council Approval of the Planned Unit Development Amendment, Site, Landscaping and Architectural Plans and Signage Plan Appeal for an expansion to Children's Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 St., submitted by Renee Kubesh, d/b/a Epstein Uhen Architects, Inc. and Matt Wade, d/b/a Children's Hospital of Wisconsin

(Tax Key No. 524-8986-025), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 through 10 are required to be satisfied prior to the issuance of permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Completion of City Engineering Division civil plan review process.
2. A revised landscape plan being submitted to the City Forester for review and approval, if applicable.
3. A lighting/photometric plan being submitted to the Community Development Division for review and approval.
4. Completion of revisions to the Stormwater Management Report and Stormwater Management Maintenance Agreement.
5. An estimated cost of landscaping and screening being submitted to the Community Development Division for approval.
6. A letter of credit or other form of security as required under 21.06.0304 of the Municipal Code in the amount of 125% of the estimated cost of landscaping and screening.
7. Permit application and approved plans being submitted to the Engineering Department for necessary driveway permit.
8. Permit application approvals from WDNR/MMSD for sanitary permits, WDNR/Milwaukee Water Works for water permits, and WDNR/MMSD for stormwater permits.
9. Common Council approval of the Planned Unit Development Amendment, Site, Landscaping and Architectural Plans and Signage Plan Appeal for an expansion to Children's Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 St.
10. An executed Planned Unit Development (PUD) Agreement signed by the applicant and the City. Said PUD Agreement will require certain security and cash payments/deposits from applicant and will be defined in the Agreement once drafted by the City.

Mike Froehlich with Children's Hospital was present to answer questions, along with Renee Kubesh, with Eppstein Uhen Architects, Inc.

Ms. Hallen questioned the proximity to residential neighbors. Ms. Johnson stated that they would not be notified, unless a public hearing was scheduled, which then only required Greenfield to send a notice to the West Allis Clerk's office. Discussion occurred on the fencing and landscaping providing buffering to the residential neighbors, with the existing ditch making the area difficult to maintain if landscaping were to be added. It

was the desire of the Plan Commission to work with staff on an appropriate buffer to the residential neighbors, and to also reach out to the residential neighbors. Mr. Froelich stated that their plan would also have runoff flowing away from residential lots, onto Children's property, and then to a storm sewer.

Ms. Kubesh addressed the building design. As this is an addition, they designed that portion to mesh with the existing building, which unfortunately doesn't provide much opportunity for a unique look, keeping materials and finishes uniform. Also, cost factors needed to be incorporated into the design.

Motion by Mr. Carlson, seconded by Mr. Rogers, to recommend approval of a Planned Unit Development Amendment for an expansion to Children's Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 16th Common Council meeting. Tax Key No. 524-8986-025. Motion carried 6-0, with Mr. Sponholz abstaining.

Motion by Mayor Neitzke, seconded by Ald. Kastner, to recommend approval of Site, Landscaping and Architectural Plans for an expansion to Children's Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 Street, subject to the applicant reaching out to the West Allis neighbors to notify them of the project and to get input on screening preferences, and Plan Commission and staff comments, and authorize this item to be expedited to the October 16th Common Council meeting. Tax Key No. 524-8986-025. Motion carried 6-0, with Mr. Sponholz abstaining.

Motion by Mr. Carlson, seconded by Ms. Collins, to recommend approval of a Signage Appeal for an expansion to Children's Hospital of Wisconsin, Greenfield Clinic, an existing medical clinic located at 3365 S. 103 Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 16th Common Council meeting. Tax Key No. 524-8986-025. Motion carried 6-0, with Mr. Sponholz abstaining.

- 6. Site, Landscaping and Architectural Plans for Elizabeth Residences Greenfield, a new construction Community Based Residential Facility, to be located at 9633 and 9721 W. Cold Spring Rd., submitted by Richard and John Coury, d/b/a Elizabeth Residence, Inc. (Tax Key No. 607-9981-004)**

Overview and Zoning

This 20-acre vacant site is zoned Planned Unit Development, which was approved by the Plan Commission on August 10, 2010 and the Common Council on December 7, 2010, with intentions to develop a senior housing complex. The developers, Elizabeth Residence, Inc., are ready to begin construction of Phase I with a one-story 60-unit Community Based Residential Facility (CBRF). The current address of the site is 9605 W. Cold Spring Rd., but that address will retire and the new building will have two addresses: 9633 and 9721 W. Cold Spring Rd.

In accordance with sec. DHS 83.04 (2) (f), Elizabeth Residence, operating as a Class C non-ambulatory (CNA) CBRF, may serve residents who are ambulatory, semi-ambulatory or non-ambulatory, one or more of whom are not physically or mentally capable of responding to an electronic fire alarm and exiting the facility without help or verbal or physical prompting. The facility will be staffed 24 hours a day, 365 days a year.

The proposed facility will include a divided client-base between persons with a form of irreversible dementia, such as Alzheimer's disease, and persons with physical limitations, such as those confined to wheelchairs. Each household has its own dining room, living room and sunroom. Each client group has activity programming tailored to their respective abilities. However, the facility also offers activities jointly with members of both groups; these would include church services, exercise, arts and crafts and intergenerational programming, etc.

Care and services to be minimally provided include the following:

- 24-hour supervision and supportive care
- 3 meals/2 snacks daily
- Information and community referral services
- Leisure time activities
- Community activities
- Transportation arrangement
- Health Monitoring
- Nurse care
- Medication management
- Laundry and housekeeping services
- Individual client based services per ISP

Each prospective resident will be assessed by a nurse, employed by Elizabeth Residence, to determine if their mental, behavioral and physical needs can be met by Elizabeth Residence as determined by their license and staffing. The comprehensive assessment will include all criteria as described in DHS 83.35. Each resident will be re-evaluated at least annually and per change of condition to determine if they continue to be appropriate for placement at Elizabeth Residence.

If a resident requires more than 3 hours a week of skilled nursing care long term due to a medical problem or a prognosis of terminal illness, a hospice program or home health care agency shall, in cooperation with Elizabeth Residence, coordinate the development of a care plan to meet the resident's increased needs. In the event the resident or legal representative waives the services of a hospice or home health agency, a care plan shall be developed which is approved by the primary care physician. Respite care services will be provided by Elizabeth Residence subject to capacity and individual need.

Monday – Friday Employee Availability

1st shift – 9 caregivers
2nd shift – 9 caregivers
3rd shift – 4 caregivers
Nurse – 10:00 AM-6:30 PM (on call
24/7 when not in facility)
Kitchen – 2.4 staff each shift
Activities – 2 staff first shift

Weekend Employee Availability

1st shift – 8 caregivers
2nd shift – 8 caregivers
3rd shift – 4 caregivers
Kitchen – 2 staff each shift
Nurse – On call
Activities – 2 staff first shift

Site, Landscaping, Lighting and Architectural Plans

The development includes a one-story 60-unit building on the north portion of the site, set back 35 feet from W. Cold Spring Rd. The building is 20,580 sq. ft. in area and is designed as two wings (each with 30 units) with the common areas (dining rooms, office, great room, patio, activity room, and living rooms) situated in the middle. The building entrances and guest/employee parking areas are on the south side of the building, not visible from W. Cold Spring Rd.

	Zoning Code PUD Standards	Elizabeth Residences Proposal
Minimum Open Space Ratio	0.40	0.78
Maximum Gross Density	25 units/acre	14.67 units/acre
Maximum Net Density	30 units/acre	21.17 units/acre
Minimum Lot Area (acres)	5	19.98
Setbacks	25 ft.	35 ft. front & 25 ft sides
Minimum Dwelling Unit Size for One-Bedroom Units	800 sq. ft.	N/A as these are not true “one-bedroom” units.

The developer intends to build a Phase 2 development, which would include a multi-story 233-unit Residential Care Apartment Complex (RCAC) facility. This would be more of an independent living building with 25 studio units, 172 one-bedroom units and 36 two-bedroom units. The building would include underground parking for approximately 169 vehicles. Phase 2 would not be developed for a few years and would come before the Plan Commission and Common Council for site, landscaping and architectural review at that time.

The developer has designed the stormwater retention pond, water meter pits, and all utilities with Phase 2 in mind. The Engineering Department has had many pre-submittal meetings with the architect and civil engineer to allow for initial review of these plans.

Site access from W. Cold Spring Rd. comes from the far east and west sides of the property. The east entrance is actually off of land owned by We Energies—their access road to their substation. The developer has an access easement agreement with We Energies for the east entrance, which does need to be amended slightly to allow added room for part of the drive around the site. The easement must also allow for Elizabeth Residences to widen the drive to accommodate the CBRF development. The applicant is aware that a final easement agreement shall be submitted to the Engineering Department for review and approval.

With the CBRF utilizing We Energies' access drive to the east, the development will abut a single-family residence to the east. The house and garage are extremely close to We Energies' property line and the east driveway entrance. Staff recommends that a six-foot high solid fence and landscaping, to be recommended by the City Forester, be added to the site plan, east of the drive, to ensure a proper buffer to the residential home.

The landscape plan is being reviewed by the City Forester. At this point, staff recommends landscaping along the We Energies east property line abutting the residential parcel, and installation of city trees in the right-of-way along W. Cold Spring Rd. All comments and recommended changes from the City Forester will be communicated to the applicant.

The developer has supplied a photometric lighting plan, showing that light splay will not go beyond the property lines. Fifteen (15) 13- ft. black LED light poles with 6" arms will be located on the property, facing straight down, and 10 3.5-foot LED bollards will be located within the site.

Architecturally, the one-story building offers varying roof lines and bump-outs, providing aesthetic diversity. Building materials include a variety of the following: stone veneer on the base of the entire building; concrete sills on top of the stone veneer; LP Smartside horizontal siding and trim; LP Smartside shake siding; and, asphalt shingles. Windows in areas of vertical siding include trim edging. Windows in areas of shake siding or stone veneer include a concrete head and full veneer. Decorative louvers are located in some gabled peaks to break up the siding façade. Staff recommends the stone veneer be added to the two entrances on the south façade, under the porches for a higher-quality look as people enter the building. Staff also recommends stone veneer be added to the four (4) flat-roofed façade components and the very centered bump-out on the north façade facing W. Cold Spring Rd.

Staff recommends that this item be expedited to the October 16, 2018 Common Council meeting.

Recommendation: Recommend Common Council approval of the Site, Landscaping and Architectural Plans for Elizabeth Residences Greenfield, a new construction Community Based Residential Facility, to be located at 9633 and 9721 W. Cold Spring Rd., submitted by Richard and John Coury, d/b/a Elizabeth Residence, Inc. (Tax Key No. 607-9981-004), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 through 13 are required to be satisfied prior to the issuance of permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site, Landscaping and Architectural plans being submitted to the Community Development Division to show the following: (a) a six-foot high solid fence and fence details, and landscaping along We Energies' east property line, abutting the residential home's entire property line, with landscaping to be

approved by the City Forester; (b) stone veneer being added to the two entrances on the south façade, under the porches; (c) stone veneer being added to the two façade bump-out components and the very centered bump-out on the north façade.

2. Completion of City Engineering Division civil plan review process.
3. An estimated cost of landscaping and screening being submitted to the Community Development Division for approval.
4. A letter of credit or other form of security as required under 21.06.0304 of the Municipal Code in the amount of 125% of the estimated cost of landscaping and screening.
5. Permit application approvals from WDNR for wetland fill permits.
6. Permit application and approved plans being submitted to the Engineering Department for necessary driveway permits.
7. Permit application approvals from WDNR/MMSD for sanitary permits, WDNR/Milwaukee Water Works for water permits, and WDNR/MMSD for stormwater permits.
8. Payment of the City's impact fee of \$1,806 per new dwelling unit (will be taken in with PUD Agreement).
9. Common Council approval of a Resolution accepting a "Road Reservation" contained on Certified Survey Map No. 8081, Document 09643386.
10. Common Council approval of the Site, Landscaping and Architectural Plans for Elizabeth Residences Greenfield, a new construction Community Based Residential Facility, to be located at 9633 and 9721 W. Cold Spring Rd.
11. An executed Planned Unit Development (PUD) Agreement signed by the applicant and the City. Said PUD Agreement will require certain security and cash payments/deposits from applicant and will be defined in the Agreement once drafted by the City.
12. An executed Stormwater Management Maintenance Agreement with the City.
13. Copies of executed access easement agreements between the applicant and We Energies for the property to the east.

Richard Coury with Elizabeth Residence, Inc., was present to answer questions.

Ms. Johnson gave an overview of the proposal. Tonight's review is of Phase 1, the one story, 60 unit CBRF building. Phase 2 will be a multi-story, approx. 233 unit residential care apartment complex, for more independent living consisting of 25 studio units, 142 one-bedroom units and 36-two bedroom units. The stormwater plans were designed to incorporate both phases.

Staff has requested the following modifications: add a stone veneer to the rear façade bump-outs that would be more visible, rather than the setback portion, and also add stone veneer rather than the siding that is shown under the roof line.

Ald. Kastner questioned if the "back" building is in the same location as what had been submitted in their previous proposals. Mr. Coury replied that the phase 2 building is laid out differently, in more of a "U" shape, than their previous submittals, and that they will likely have additional modifications.

Mayor Neitzke spoke on the previous public hearings held for this proposal. The goal was to make the buildings blend into the neighborhood, thus the discussion on our desire to have elements added to break up the front of the buildings. Also, discussed was the need for sewer towards 99th Street for the property to have adequate drainage. It was noted that 99th Street at that point has no municipal connection and several homes rely on wells. Discussion occurred on how there would need to be proof that the necessary sewer easements are in place.

Also noted was the desire for walking and biking paths, ultimately connecting S. 92 Street to S. 99 Street for pedestrian-friendly connectivity.

Ms. Hallen stated she feels the previously submitted plans blended better with the neighborhood. Mr. Rogers stated that the services they provide are truly needed within Greenfield, and that they provide excellent services at their facilities. Mayor Neitzke discussed that the amount of emergency response services increase with each facility of this type and also with smaller CBRF's. While this is an added expense to the City, it is also accepted as part of a changing dynamic in our aging population's needs.

Motion by Mayor Neitzke, seconded by Mr. Rogers, to recommend approval of Site, Landscaping and Architectural Plans for Elizabeth Residences Greenfield, a new construction Community Based Residential Facility, to be located at 9633 and 9721 W. Cold Spring Road, subject to Plan Commission and staff comments, with the architectural elements subject to Staff review, and with a future pedestrian path to be noted on an updated plan, and authorize this item to be expedited to the October 16th Common Council meeting. Tax Key No. 607-9981-004. Motion carried unanimously.

- 7A. **Special Use Permit for Mind n Body Connection Therapeutic and Orthopedic Massage, LLC, a proposed massage therapist, to be located within the existing multi-tenant commercial building at 12336 W. Layton Ave., Ste. 5, submitted by Christine Maddox, d/b/a Mind n Body Connection Therapeutic Center, LLC. (Tax Key No. 610-9975-002)**
- 7B. **Site Plan for Mind n Body Connection Therapeutic and Orthopedic Massage, LLC, a proposed massage therapist, to be located within the existing multi-tenant commercial building at 12336 W. Layton Ave., Ste. 5, submitted by Christine Maddox, d/b/a Mind n Body Connection Therapeutic Center, LLC. (Tax Key No. 610-9975-002)**

Items 7A and 7B may be considered together.

Overview and Zoning

The applicant, Ms. Maddox, is proposing to lease approximately 600 sq. ft. for a massage therapy business at 12336 W. Layton Ave. Mind N Body Connection Therapeutic and Orthopedic Massage Therapy a professional licensed massage therapy business. The property is zoned C-1 Neighborhood Commercial District, which permits massage therapists as a Special Use. A public hearing can be scheduled as early as November 20, 2018.

Ms. Maddox is the owner and independent contractor of Mind n Body Connection Therapeutic and Orthopedic Massage, LLC. Types of massages that she offers are sports massage, therapeutic massage, neuromuscular therapy, and cranio-sacral therapy. Hours are Monday – Friday, 9am – 6pm; and Saturday 9am – 2pm.

Site Plan

A site and landscaping plan was not submitted, but the site is in good condition and staff has no further recommendations.

Off-street parking required per code for the massage therapy use = 2

Off-street parking required per code for other office users (3.3 stalls/1,000 sq. ft.) = 25

TOTAL off-street parking required = 27

TOTAL off-street parking provided = 33

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan for Mind n Body Connection Therapeutic and Orthopedic Massage, LLC, a proposed massage therapist, to be located within the existing multi-tenant commercial building at 12336 W. Layton Ave., Ste. 5, submitted by Christine Maddox, d/b/a Mind n Body Connection Therapeutic Center, LLC (Tax Key No. 610-9975-002), subject to Plan Commission comments, staff comments, and Common Council approval following a public hearing.

Christine Maddox was present to answer questions.

Motion by Mr. Carlson, seconded by Ms. Collins, to recommend approval of a Special Use Permit and a Site Plan for Mind n Body Connection Therapeutic and Orthopedic Massage, LLC, a proposed massage therapist, to be located within the existing multi-tenant commercial building at 12336 W. Layton Avenue, Suite 5, subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key No. 610-9975-002. Motion carried unanimously.

- 8A. Special Use Review for Little Light of Mine, an existing daycare located at Faith Bible Church at 4175 S. 112 St., submitted by Ann Bieringer, d/b/a Little Light of Mine, LLC. (Tax Key No. 566-9982-001)**
- 8B. Site Plan for Little Light of Mine, an existing daycare located at Faith Bible Church at 4175 S. 112 St., submitted by Ann Bieringer, d/b/a Little Light of Mine, LLC. (Tax Key No. 566-9982-001)**

Items 8A and 8B may be considered together.

Overview and Zoning

The applicant, Ms. Bieringer, is applying to add additional space to an existing daycare at 4175 S. 112th Street. The daycare currently leases two classrooms, bathrooms, kitchen and playground from Faith Bible Church. The daycare would like to lease an additional three rooms with 2,756 square feet, bringing the total leased classroom space to 3,736 square feet. The additional classroom space will allow the daycare to separate children of different ages and provide separate spaces for naps, meals, and crafts activities. The property is zoned (I) Institutional District, which permits daycares as a Special Use.

Ms. Bieringer is the owner of Little Light of Mine. The daycare currently employs five teachers and a part-time cook. Hours are Monday – Friday, 6am – 6pm.

Site Plan

A site and landscaping plan was not submitted, but the site is in good condition and staff has no further recommendations.

Off-street parking required per code for the daycare use = 9
Off-street parking required per code for the church use = 164
TOTAL off-street parking required = 173
TOTAL off-street parking provided = 170

Staff recommends that this item be expedited to the October 16, 2018 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan for Little Light of Mine, an existing daycare located at Faith Bible Church at 4175 S. 112 St., submitted by Ann Bieringer, d/b/a Little Light of Mine, LLC (Tax Key No. 566-9982-001), subject to Plan Commission comments, staff comments, and Common Council approval.

Motion by Mr. Rogers, seconded by Ms. Collins, to recommend approval of a Special Use Review and a Site Plan for Little Light of Mine, an existing daycare located at Faith Bible Church at 4175 S. 112 Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 16th Common Council meeting. Tax Key No. 566-9982-001. Motion carried unanimously.

9. Site, Landscaping and Architectural Plans for a remodel of Olive Garden, an existing business located at 4760 S. 76 St., submitted by Brian Kendrick, d/b/a GMRI, Inc. and Norma Medero, d/b/a HMD Group. (Tax Key No. 617-0085-001)

Olive Garden has submitted plans for an exterior remodel of the existing restaurant. The entire facade will be repainted a darker beige color labeled “Baguette.” A stone veneer will be added around the entrance along with new signage, and new brown Sunbrella awnings will replace the existing green awnings. The roof soffit will be painted a dark brown labeled “Clinton Brown.” A small metal roof overhang will accompany the new entrance look and will be painted a dark brown labeled “Dark Bronze.”

The restaurant is also slated for an interior upgrade/remodeled. Exterior construction is targeted for this fall yet. Interior remodeling will take (4) to six (6) weeks, with construction taking place overnight. This is one of the last Olive Garden remodels, corporate-wide.

Exterior remodeling plans were submitted to staff for an initial review in the spring 2018. Staff asked Olive Garden corporate to reconsider the site layout causing poor traffic flow. Olive Garden’s architectural firm has completed a comprehensive site review and has proposed a new traffic pattern throughout the site, allowing vehicles to safely circle around all parking areas.

The south entrance will remain an enter-only drive. The north entrance was an exit-only drive, but the proposed site plan identifies it as an entrance and exit drive. Parking along S. 76 St. was a north-only traffic flow, but will be changed to south-only and all parking stalls will be restriped at opposite 45-degree angles accordingly. This forces all traffic that enters from the south drive, to go east to the back parking lot and circle around the building in a counter-clockwise fashion. This also forces all traffic that enters from the north drive, to go south past the front of the building, then turn east towards the back parking lot and circle around the building in a counter-clockwise fashion.

Staff also worked with the applicant on a variety of site improvements, which have been notated on the site plan. They include: new ADA signs being installed along S. 76 St., as the existing signs have been pushed towards the sidewalk over time; replacement of existing damaged bollards; painting of the existing refuse enclosure; installation of “do not enter signs” in appropriate areas, guiding guests through the new parking lot traffic patterns; replacement of dead landscaping/trees; and repair/replacement of damaged/pushed wheel stops throughout the site.

Off-street parking required per code for the restaurant = 205
TOTAL off-street parking provided = 131

Staff recommends that this item be expedited to the October 16, 2018 Common Council meeting.

Recommendation: Recommend Common Council approval of the Site, Landscaping and Architectural Plans for a remodel of Olive Garden, an existing business located at 4760 S. 76 St., submitted by Brian Kendrick, d/b/a GMRI, Inc. and Norma Medero, d/b/a HMD Group. (Tax Key No. 617-0085-001), to be expedited to the October 16, 2018 Common Council meeting.

Linda Nunn was present to answer questions.

Ms. Johnson gave an overview of the proposal, noting some limitations at the site, with a major issue being the traffic flow. Also noted were multiple dead ash trees that we would require being replaced, along with missing bollards that need replacement also. The parking lot also needs resealing and restriping.

Discussion on the lack of available parking and the idea of perhaps the now vacant Fed Ex site and/or the three residential homes behind the site being used to provide parking.

Motion by Mr. Rogers, seconded by Ms. Collins, to recommend approval of Site, Landscaping and Architectural Plans for a remodel of Olive Garden, an existing business located at 4760 S. 76 Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 16th Common Council meeting. Tax Key No. 617-0085-001. Motion carried unanimously.

- 10A. Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 9008 W. Forest Home Ave. from C-1 Neighborhood Commercial District to C-2 Community Commercial District. (Tax Key No. 652-9000-000)**
- 10B. Special Use Permit for Power Up Coffee House, a proposed restaurant to be located at 9008 W. Forest Home Ave., submitted by Robert Stockinger, d/b/a Coordinated Power Systems, Inc. and Daniel Beyer, d/b/a Dan Beyer Architects. (Tax Key No. 652-9000-000)**
- 10C. Site and Landscaping Plans for Power Up Coffee House, a proposed restaurant to be located at 9008 W. Forest Home Ave., submitted by Robert Stockinger, d/b/a Coordinated Power Systems, Inc. and Daniel Beyer, d/b/a Dan Beyer Architects. (Tax Key No. 652-9000-000)**

Items 10A, 10B and 10C may be considered together.

Overview and Zoning

This item was before the Plan Commission in June 2018 for a conceptual review to rezone the property located at 9008 W. Forest Home Ave. from C-1 to C-2 in order to place a future coffee shop/restaurant in a portion of the existing building. The Plan Commission consented to move the project forward with full-blown site, landscaping and architectural plans, which have been submitted for review.

The proposal includes a 1,597 sq. ft. café/restaurant use, and maintenance of 1,789 sq. ft. of office space for Coordinated Power Systems, an existing tenant in the building. The coffee house will have approximately 30-40 inside seats and 30-40 outside patio seating spaces. The applicants expect that a majority of their customers will visit on bicycles, given the close proximity to the Root River Parkway. In fact, bike parking space is designated/identified on the site plan next to the outdoor patio.

Included in the plan is a food prep area to heat prepackaged sandwiches and soup. The menu is expected to be barista prepared coffee, tea and cold blended drinks along with sandwiches, soups, prepackaged breakfast type options. The applicants' goal includes using locally grown and produced items as much as possible, such as Purple Door ice cream and locally roasted coffee beans from Anodyne. From scratch, food preparation is not part of the plan for the coffee house; they will be purchasing prepared foods that would require at the most heating on site.

Hours of operation would be approximately 7:30am - 7pm, Sunday through Thursday; 7:30am – 9:00pm, Friday and Saturday. The applicant may apply for a beer and wine license later in 2019.

The site is zoned C-1 Neighborhood Commercial District, which does not permit any sort of restaurant/café, hence the application to change the zoning to C-2 Community Commercial District, which permits restaurants as a Special Use. The Comprehensive Plan identifies this parcel as being "Neighborhood Business/Office. Generally, neighborhood businesses and offices should be strategically located within neighborhoods and should be designed to enhance neighborhood character." Staff suggests that the existing office and proposed small café/restaurant would fit within this description.

The applicant hosted a neighborhood meeting, using the same mailing list that the City will use for a public hearing. The meeting was held on Monday, October 1st at the site. Attendees included the property owner three (3) parcels to the north, the property manager for the apartments to the east, and Alderperson Bailey. The single-family property owner three (3) parcels to the north did not object to the rezoning/café/restaurant concept. A public hearing can be scheduled as early as November 20, 2018.

Site and Landscaping Plans

The site plan proposal includes nine (9) new parking stalls on the east side of the property and a relocated driveway (relocated to the north) that exists on to S. 92 St. A

four-sided board-on-board refuse enclosure will be constructed at the very north of the new east parking field. Staff requests that some sort of opening be added to accommodate staff entrance/exit into the enclosure. A personal door would swing into the first parking stall abutting the enclosure. The site plan identifies two parking stalls that will offer electric car charging stations.

With a new parking field to the east of the building being constructed, vehicle headlights will now angle towards the apartment complex to the east. The applicant has agreed to install a six-foot high solid fence along the east property line, to be noted on a revised plan. There are also two (2) dying Ash trees on the east property line. Staff recommends that they be removed and will work with the property owner to the east on an agreement for the tree removal since the trees are right on the property line.

Bike parking will be located at the northwest corner of the building. An outdoor patio seating area will be located adjacent to the west wall of the building, with a new planter bed constructed next to it.

The site includes the relocation/shifting of the existing driveway that exists on to S. 92 St. The driveway will move north to make exiting the site safer. WisDOT traffic signals are scheduled for the intersection of S. 92 St. and W. Forest Home Ave. in 2019. S. 92 St. is a County highway and in conjunction with the lighted intersection work, some repaving of S. 92 St. is slated for next year. The applicant's engineer has begun discussions with the County and WisDOT to do the driveway work at the same time as the road work next year.

Off-street parking required per code for the restaurant use (20 stalls/1,000 sq. ft.) = 32
Off-street parking required per code for the office use (3.3 stalls/1,000 sq. ft.) = 6
TOTAL off-street parking required = 38
TOTAL off-street parking provided = 18

The Common Council may waive the parking shortage. Staff also recommends that the southwestern-most parking stall, close to the monument sign, be extended a bit into the grass, as it seems short in length.

A lighting and photometric plan has been submitted identifying one (1) new LED light pole along the east property line, 15 feet in height. Staff recommends a cut-off shield be noted on the plans to ensure light will not interfere with the residential apartments to the east.

There are no exterior building alterations proposed.

Recommendation: Recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 9008 W. Forest Home Ave. from C-1 Neighborhood Commercial District to C-2 Community Commercial District; and the Special Use Permit and Site and Landscaping Plans for Power Up Coffee House, a proposed restaurant to be located at 9008 W. Forest Home Ave., submitted by Robert Stockinger, d/b/a Coordinated Power Systems, Inc. and Daniel

Beyer, d/b/a Dan Beyer Architects (Tax Key No. 652-9000-000) subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 through 5 are required to be satisfied prior to the issuance of permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site and Landscaping Plans being submitted to the Community Development Division to show the following: (a) a six-foot high solid fence and fence details, and landscaping along the east property line, with landscaping to be approved by the City Forester; (b) consistency of ADA parking stall location on all site plans; (c) a cut-out of the refuse enclosure for employees to enter/exit the enclosure; (d) extended length of parking stall #18, next to the monument sign; (e) removal of crushed gravel notation at bike parking area—porous pavers to be used only; (f) removal of dead Ash trees along east property line; (g) cut-off shields being added to the new light pole along the east property line.
2. An estimated cost of landscaping and screening being submitted to the Community Development Division for approval.
3. A letter of credit or other form of security as required under 21.06.0304 of the Municipal Code in the amount of 125% of the estimated cost of landscaping and screening.
4. Permit application and approved plans being submitted to Milwaukee County for necessary driveway permits and the Engineering Department for review.
5. Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 9008 W. Forest Home Ave. from C-1 Neighborhood Commercial District to C-2 Community Commercial District; and the Special Use Permit and Site and Landscaping Plans for Power Up Coffee House, a proposed restaurant to be located at 9008 W. Forest Home Ave., following a public hearing.

Ms. Johnson gave an overview of the project. It was noted that the property owners have purchased the neighboring house to the northwest. Discussion occurred on the available parking versus the needed spaces per Code. While the modifications made to the parking layouts have added some spaces, it still falls short.

It was requested that a fence be installed along the east property line to prevent headlights shining into the apartment units. Also, there two dead ash trees at the site, located on the property line.

Parking was discussed, with the Code requiring 32 spaces for a restaurant use and 6 for office use for a total of 38; currently there are 18 spaces. As there will be a public hearing that would be the time for any neighbor concern to be heard.

Motion by Mayor Neitzke, seconded by Ald. Kastner to recommend approval of an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 9008 W. Forest Home Ave. from C-1 Neighborhood Commercial District to C-2 Community Commercial District, along with a Special Use Permit and Site and Landscaping Plans for Power Up Coffee House, a proposed restaurant to be located at 9008 W. Forest Home Avenue, subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax No. 652-9000-000. Motion carried unanimously.

- 11. Certified Survey Map to combine two existing lots located at 4262 S. 108 St., submitted Gary Dickerson, d/b/a Stier Construction and Tim Nolan, d/b/a Nolan Real Estate Mgt., LLC. (Tax Key No. 567-9971-004)**

Nolan Accounting received approval from the Plan Commission and Common Council for a small building addition in July 2018. The site layout includes the office building on the south half of the parcel and a parking lot on the north half. The property falls under one (1) tax key number, but there are truly two (2) lots, split by an east/west property line, in the middle of the tax key parcel. Sole parking lots are not permitted in the City, and at the request of the Plan Commission, Nolan Accounting was asked to come back with a Certified Survey Map to officially combine the two (2) lots into one (1).

The Engineering Department staff has submitted comments to the surveyor, requesting editing modifications on the proposed CSM, which will be edited prior to recording of the CSM. Staff recommends that this item be expedited to the October 16, 2018 Common Council meeting.

Recommendation: Recommend Common Council approval of the Certified Survey Map to combine two existing lots located at 4262 S. 108 St., submitted Gary Dickerson, d/b/a Stier Construction and Tim Nolan, d/b/a Nolan Real Estate Mgt., LLC (Tax Key No. 567-9971-004), subject to Plan Commission and staff comments, to be expedited to the October 16, 2018 Common Council meeting.

Motion by Ald. Kastner, seconded by Ms. Collins, to recommend approval of a Certified Survey Map to combine two existing lots located at 4262 S. 108 Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 16th Common Council meeting. Tax Key No. 567-9971-004. Motion carried unanimously.

- 12A. Special Use Permit for Chill & Grill Pizzeria, a proposed restaurant to be located at 4651 S. 27 St., submitted by Samer Thabteh, d/b/a I Investments, LLC and Christine Schultz, d/b/a Star Supply. (Tax Key No. 599-8893-005)**
- 12B. Site, Landscaping and Architectural Plans for Chill & Grill Pizzeria, a proposed restaurant to be located at 4651 S. 27 St., submitted by Samer Thabteh, d/b/a I Investments, LLC and Christine Schultz, d/b/a Star Supply. (Tax Key No. 599-8893-005)**

Items 12A and 12B may be considered together.

Overview and Zoning

Mr. Thabteh and his partner Mr. Jabbar, through I Investments, LLC, have purchased the former Burger King property at 4651 S. 27 St. The property is zoned C-2 Community Commercial District, which permits restaurants as a Special Use. The former restaurant has been vacant for more than a year, which triggers a full Special Use Permit approval process with a public hearing. I Investments, LLC plans to open Chill & Grill Pizzeria, keeping the drive-thru component. The restaurant menu would include items such as pizza, beef, BBQ, sandwiches, appetizers, salads and ice cream. Mr. Thabteh and Mr. Jabbar have been in the commercial business since 1995, ranging from construction and rental properties to supermarkets, convenient stores, and liquor stores.

The proposed restaurant would be open Sunday – Thursday, 10:30am – 12:00am (midnight); Friday and Saturday, 10:30am – 2:00am. The business would employ approximately 12 people. An outdoor seating area with approximately four (4) tables will be located along the west side of the building. A public hearing can be scheduled as early as November 20, 2018.

Site, Landscaping and Architectural Plans

The property has been abandoned and vacant for more than a year, and is in rough shape. The site is full of weeds, pavement is crumbling, large pot holes occupy the parking lot, poured curbs are crumbling, etc. Proposed site improvements include the following:

- Resealing the entire parking lot with asphalt and restriping all parking areas.
- A new north/south landscape island in the parking lot
- New landscaping in existing islands in the parking lot, capping the north/south island.
- New landscaping along the east side of the building.
- New landscaping in the southwest corner of the building.
- Bollards and light poles will be painted to match the building.
- Light pole heads will be replaced to match others in the neighboring properties. Staff has directed the applicant that a photometric plan will be required, which can be reviewed and approved at a staff level, if directed by the Plan Commission.
- Abandoned directional signs will be removed from the site.
- Repouring of curb along the south property line and north landscape island.

Staff recommends that the following changes/notations be made to a revised site plan:

- Demolition and construction in an alternative location of the refuse enclosure. The enclosure is inconveniently located in the middle of the parking lot south of the building. It's in very poor condition. A new four-sided board-on-board enclosure should be constructed, with a personal door, and noted on the plan, including an architectural cut-sheet of the enclosure.

- Notation that the abandoned vehicle height pole will be removed from the south property line, south of the refuse enclosure.

Off-street parking required per code for the restaurant = 70 + 7 queuing spots/service lane.

TOTAL off-street parking provided = 19

The Common Council may waive the parking shortage.

Architecturally, the applicant is proposing to install a thin stone veneer to the east, north and part of the west façades. The south and a portion of the west façade will be painted a tan color. The roofline and existing brown asphalt shingles will remain. A portion of the windows on the north façade will be infilled with the stone veneer. New glass windows will be installed in the remaining window openings. The roof windows on the north façade will be removed, as they are leaky, and will be refinished with a copper color metal roofing. A new copper-colored aluminum fascia will wrap the bottom of the roofline.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site, Landscaping and Architectural Plans for Chill & Grill Pizzeria, a proposed restaurant to be located at 4651 S. 27 St., submitted by Samer Thabteh, d/b/a I Investments, LLC and Christine Schultz, d/b/a Star Supply (Tax Key No. 599-8893-005), subject to Plan Commission and staff comments and the following conditions:

(Items 1 through 5 are required to be satisfied prior to the issuance of permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site and Landscaping Plan being submitted to the Community Development Division to show the following: (a) demolition of the existing and construction of a new four-sided board-on-board refuse enclosure with a personal door in a new location; (b) notation that the abandoned vehicle height pole will be removed from the south property line; (c) revised parking layout, which will be impacted with the relocation of the refuse enclosure; and, (d) any landscaping specie/quantity recommendations as provided by the City Forester.
2. An estimated cost of landscaping and screening being submitted to the Community Development Division for approval.
3. A letter of credit or other form of security as required under 21.06.0304 of the Municipal Code in the amount of 125% of the estimated cost of landscaping and screening.
4. A lighting/photometric plan being submitted to the Community Development Division for review and approval.
5. Common Council approval of the Special Use Permit and Site, Landscaping and Architectural Plans for Chill & Grill Pizzeria, a proposed restaurant to be located at 4651 S. 27 St., submitted by Samer Thabteh, d/b/a I Investments, LLC and

Christine Schultz, d/b/a Star Supply (Tax Key No. 599-8893-005), following a public hearing.

Harvey Goldstein was present to answer questions.

Ms. Johnson gave an overview of the proposal. Mayor Neitzke noted that there was once a cross-easement with Kmart for overflow parking. Mr. Goldstein stated that per his title search there is no current easement. It was advised that they pursue an easement agreement with At Home prior to the public hearing on November 20. Also noted was the City ordinance required a full photometric plan, which Mr. Goldstein is in the process of obtaining. Further noted was the light bases at this site are the ones that were used at Kmart, and the bases had rotten thru. There will be a need for both new high pole bases and heads.

The outdoor seating area will be along the west side of the building. It was noted that if down the road there is a desire to serve alcohol outside an extension of premise would be needed.

Motion by Ms. Collins, seconded by Mayor Neitzke, to recommend approval of a Special Use Permit and Site, Landscaping and Architectural Plans for Chill & Grill Pizzeria, a proposed restaurant to be located at 4651 S. 27 Street, subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key No. 599-8893-005. Motion carried unanimously.

13. Ordinance to amend Section 21.04.0603 of the Municipal Code pertaining to Mobile Food Services.

Greenfield's Municipal Ordinance, as it reads today, requires "mobile food services" (i.e. mobile food trucks) to obtain a Special Use Permit. That Special Use Permit runs with the property, not with the mobile vehicle, so if a truck were to change locations, a Special Use Permit would be required at each address/property that they wish to locate at. At the request of Alderperson Lubotsky, an ordinance amendment has been drafted to change "mobile food services" from Special Uses to Permitted Uses. See the draft Zoning Code amended table below:

		Zoning District Classification										HPO	AO	FW	FF	GF	PSW
NAICS12	INDEX ITEM DESCRIPTION	C-1	C-2	C-3	C-4	C-5	OBP	M-1	I	PR	PUD	{a}	{b}	{c}	{c}	{c}	{d}
722330	Mobile Food Services		P	P	P	P	P				P						

This item would go before the Legislative Committee for review and ultimately a public hearing would be required if the draft ordinance continued to be reviewed by the Common Council.

Mayor Netizke spoke on recent social media posts by a food truck operator (Firewise BBQ) who has been operating in the City of Greenfield for three years, at both Rogan's Shoes and Ken Michael's Furniture, and has now been informed that to be in compliance that the property owner would need to apply for a Special Use Permit to allow for this type of use at their property. It was noted that the Special Use would be for

the property, not the food truck itself. A Special Use permit becomes null and void if there is a gap of more than a year of inactivity, however. Firewise BBQ has taken this information and, unfortunately, used it to say it is a deliberate tactic to oust the business from Greenfield, than the fact that a compliance issue was overlooked.

Mayor Neitzke went on to say while food trucks gain in popularity it is difficult to regulate where they may be parked. Certain streets are under the jurisdiction of the County and others do not allow parking at all. Firewise BBQ has been parking in Greenfield within the parking lot of two private business, neither of which has a Special Use Permit for a food-related use at the site. As Firewise BBQ is at two business, both would need to apply for the Special Use Permit. It isn't merely a matter of permission being granted from the property owner to use the lot.

Mayor Neitzke read the Facebook post of Firewise BBQ and corrected the inaccuracies within the post. Firewise BBQ stated that they are a temporary use. The City classifies a temporary use short term; not from Spring thru Fall, as is what Firewise BBQ has historically done. Also noted was another post on Firewise BBQ's page that they would be selling again at Ken Michaels in Greenfield during the week, which Greenfield is allowing them to do to finish their "season". As for Firewise BBQ's comment that they are the only food truck being singled out, Mayor Neitzke noted that he is not aware of any other truck that is parking on private property. Other trucks within the City are either part of Food Truck Fridays at Konkel Park or are parked along Layton Avenue, a County Highway.

Firewise BBQ stated that Ald. Kastner has slandered his business. Mayor Neitzke stated that he has known Ald. Kastner a long time and has found him to always put the City and the existing residential and taxypaying businesses first.

Mayor Neitzke stated he would have a difficult time supporting this proposed ordinance in its present form as it would allow food trucks to go wherever they want on any commercial property. However, he would not have an objection to perhaps lowering the Special Use Permit fee for a food truck use as it is more a "seasonal" use. What is most important is maintaining some semblance of control on where they may be, how they operate, what kind of signage they may have, etc., especially in the case of Firewise BBQ where they are adjacent to another property (Uncle Paulie's Pizza) who, in the interest of fairness, has invested hundreds of thousands of dollars into their operation to be a long-lasting member of our community.

He would also like an ordinance drafted for review by the Legislative Committee as to not allowing food trucks on City streets. An example of a City Street where a food truck would negate the efforts of property owners would S. 74th Street, where Olive Garden is currently investing in updating their property. There would also need to be discussion with County Supervisors as to parking on County Highways.

Motion by Ms. Hallen, seconded by Mr. Rogers, to recommend to deny the proposed Ordinance to amend Section 21.04.0603 of the Municipal Code pertaining to Mobile Food Services. Motion carried unanimously.

- 14. Community Development Manager Report.**
None.
- 15. Adjournment.**
Motion by Mr. Carlson, seconded by Ms. Hallen, to adjourn the meeting at 8:56 p.m. Motion carried unanimously.

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed October 15, 2018