

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, JULY 9, 2019**

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	Excused
	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
Andrew Stern - Planner

- 2. Approval of the minutes from the June 11, 2019 meeting.**
Motion by Ms. Hallen, seconded by Mr. Weis to approve the June 11, 2019 Regular Meeting minutes. Motion carried unanimously, with Mr. Sponholz abstaining and also noting that as he was not there that the evening's Adjournment motion will need to be corrected.
- 3. Discussion regarding last Common Council meetings.**
At the June 18th meeting, all Public Hearing items were approved as presented.
- 4. Signage Plan Appeal for TruStone Financial Federal Credit Union, a proposed business to be located at 8400 W. Forest Home Ave., submitted by Justin Silva, d/b/a Innovative Signs, and Ken Kahle, d/b/a Tru Service Group. (Tax Key No. 615-9998-000)**

TruStone Financial Federal Credit Union, a proposed business to be located at 8400 W. Forest Home Ave., is seeking a signage variance, requesting additional signage beyond what the Sign Code allows for. According to the Sign Code, "total number of signs permitted for each business site shall not exceed one wall sign and one monument sign" with the exception that "a business site with over 300 feet of lot frontage may have a third permanent sign (only a monument sign) not exceeding 24 square feet in area and not exceeding the total calculated sign square footage (1.5 × lineal building front footage)." The lineal building frontage of TruStone Financial Credit Union is 128 ft., allowing for a total signage of 192 sq. ft. TruStone Financial is located on a corner lot, allowing for an additional monument sign per the Sign Code but not for an additional wall sign.

TruStone is requesting one additional wall sign beyond what is allowed in the Sign Code. Additionally, they are requesting a monument containing with a changeable copy sign electronic message center (EMC) that is thirty-six (32) square feet, which is eight (8) square feet larger than the twenty-four (24) square feet allowed by code.

TruStone's proposal includes the following:

- A. Northeast wall sign: 39.2 sq. ft.
- B. Southeast wall sign: 39.2 sq. ft.
- C. Monument sign: 10.25' tall, 64 sq. ft.; including 32 sq. ft. electronic message center (EMC)
- D. Directional sign: Two 4.9 sq. ft. signs; 9.8 sq. ft. total
- E. TOTAL: 152.2 sq. ft.

Staff recommends that a masonry base be added to the design, to match the architecture of the building.

Recommendation: Recommend approval of the Signage Plan Appeal for TruStone Financial Federal Credit Union, a proposed business to be located at 8400 W. Forest Home Ave., submitted by Justin Silva, d/b/a Innovative Signs, and Ken Kahle, d/b/a Tru Service Group, (Tax Key No. 615-9998-000), subject to a revised signage plan being submitted to include a masonry base to match the architecture of the building.

Motion by Mr. Carlson, seconded by Mr. Sponholz to recommend approval of the Signage Plan Appeal for TruStone Financial Federal Credit Union, a proposed business to be located at 8400 W. Forest Home Avenue, subject to Plan Commission and staff comments. Tax Key No. 615-9998-000. Motion carried unanimously.

5. Signage Plan Appeal for Habanero's Mexican Kitchen, an existing business located at 7700 W. Layton Ave., submitted by Jaime Dieman, d/b/a Innovative Signs, and Moe Melendez, d/b/a Habanero's Mexican Kitchen. (Tax Key No. 605-9944-006)

Habanero's Mexican Kitchen, an existing business to be located at 7700 W. Layton Ave., is seeking a signage variance, requesting additional signage beyond what the Sign Code allows for. As noted above, the Sign Code limits the number of walls signs to one (1) sign per business site. Habanero's is requesting one additional 12.8 sq. ft. wall sign on their main façade facing W. Layton Ave. This sign matches the design of the existing sign on the west elevation of the building.

Recommendation: Recommend approval of the Signage Plan Appeal for Habanero's Mexican Kitchen, an existing business located at 7700 W. Layton Ave., submitted by Jaime Dieman, d/b/a Innovative Signs, and Moe Melendez, d/b/a Habanero's Mexican Kitchen. (Tax Key No. 605-9944-006)

Motion by Mr. Sponholz, seconded by Mr. Rogers to recommend approval of the Signage Plan Appeal for Habanero's Mexican Kitchen, an existing business located at 7700 W. Layton Avenue, subject to Plan Commission and staff comments. Tax Key No. 605-9944-006. Motion carried unanimously.

6. Architectural Plans for exterior façade improvements to Penny Mustard, an existing business located at 8380 W. Layton Ave., submitted by Brad Kropp, d/b/a Perspective Design, Inc., and Ben Huth, d/b/a Penny Mustard. (Tax Key No. 605-0165-003)

Penny Mustard, an existing business located at 8380 W. Layton Ave., is proposing exterior façade improvements to their building. The proposed exterior work includes installation of new stone veneer to replace the split-faced block on the entry canopy columns, addition of stone veneer columns on the monument sign, replacement of the EIFS on the signage fields with new fiber cement panels, and painting the exterior block and trim in shades of grey to match the stone veneer. Staff has no concerns with the proposed improvements to the building.

Recommendation: Recommend Common Council approval of the Architectural Plans for exterior façade improvements to Penny Mustard, an existing business located at 8380 W. Layton Ave., submitted by Brad Kropp, d/b/a Perspective Design, Inc., and Ben Huth, d/b/a Penny Mustard. (Tax Key No. 605-0165-003)

Brad Kropp, d/b/a Perspective Design, Inc., was present to answer questions.

Motion by Mayor Neitzke, seconded by Mr. Carlson, to recommend approval of the Architectural Plans for exterior façade improvements to Penny Mustard, an existing business located at 8380 W. Layton Avenue, subject to Plan Commission and staff comments, and authorize this item to be expedited to the July 16th Common Council meeting. Tax Key No. 605-0165-003. Motion carried unanimously.

7A. Special Use Review for new tenancy of the existing Taqueria Mexico Lindo restaurant located at 5442 W. Forest Home Ave., submitted by Leonardo Lin-Morales, d/b/a Taqueria Mexico Lindo, and Boris and Martina Tkacenko, d/b/a Despacho Latino Tax, LLC. (Tax Key No. 556-8988-001)

7B. Site Plan Review for new tenancy of the existing Taqueria Mexico Lindo restaurant located at 5442 W. Forest Home Ave., submitted by Leonardo Lin-Morales, d/b/a Taqueria Mexico Lindo, and Boris and Martina Tkacenko, d/b/a Despacho Latino Tax, LLC. (Tax Key No. 556-8988-001)

Items 7A and 7B may be considered together.

Overview and Zoning

The applicant is proposing to take over operations of Taqueria Mexico Lindo as a new tenant while maintaining the existing business name. The property is zoned C-2 Community Commercial District, which permits limited-service restaurants as a Special Use. The change in tenancy triggers review of the Special Use Permit, site conditions, etc. The change in tenancy does not require a public hearing, unless deemed necessary by the Plan Commission. No interior or exterior alterations are proposed and the menu will remain the same. The new tenant has 13 years of experience as a cook in

Mexican cuisine. The restaurant has and will continue to focus food sales as mainly carry-out. The restaurant will employ approximately three (3) people other than the owner. Hours of operation will remain 9:00am – 8:00pm, Monday – Saturday.

Site Plan Review

The Special Use Review triggers full site review. This item came before the Plan Commission in December 2017, at which time the Plan Commission required a few site improvements:

- Replacement of the broken rear window.
- Overgrown brush being trimmed.
- Removal of the awnings.
- Removal of outdoor storage of items in the rear of the building.
- Pavement between the sidewalk and curb being removed and replaced with grass before July 1, 2018.

A recent site visit indicated that outdoor storage of items remains in the rear of the building, including grease drums. Outdoor storage needs to be removed and items need to be kept in the building. The overgrown brush has been maintained and the awnings have been removed. However, the pavement between the sidewalk and curb remains and has not been converted to grass, as was required by July 1, 2018. Staff has communicated this to the property owner and asked for it to be taken care as soon as possible. Staff recommends that an Occupancy Permit be held until the pavement between the sidewalk and curb is replaced with grass and until outdoor storage be cleaned up in the rear of the building.

Staff recommends that this item be expedited to the July 16, 2019 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for new tenancy of the existing Taqueria Mexico Lindo restaurant located at 5442 W. Forest Home Ave., submitted by Leonardo Lin-Morales, d/b/a Taqueria Mexico Lindo, and Boris and Martina Tkacenko, d/b/a Despacho Latino Tax, LLC (Tax Key No. 556-8988-001), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 through 3 are required to be satisfied prior to the issuance of an occupancy permit associated with the proposed project reviewed by the Plan Commission.)

1. An Occupancy of Right-of-Way Permit Application being submitted to the Engineering Department for work in the Right-of-Way.
2. Pavement between the sidewalk and curb being replaced with grass.
3. All outdoor storage of drums and other items being removed from behind the building.

Ms. Johnson gave a presentation on this item and indicated that the property owner had a contractor under contract to complete the work between the sidewalk and curb, and that the rear storage had been removed from the property. The landlord was present to answer questions.

Motion by Mayor Neitzke, seconded by Mr. Carlson, to recommend approval of a Special Use Review and a Site Plan Review for new tenancy of the existing Taqueria Mexico Lindo restaurant located at 5442 W. Forest Home Avenue, subject to Plan Commission and staff comments, and authorize this item to be expedited to the July 16th Common Council meeting. Tax Key No. 556-8988-001. Motion carried unanimously.

- 8A. Architectural Plans for exterior façade improvements to House of Harley, an existing business located at 6221 W. Layton Ave., submitted by Dave Dahlke, d/b/a Venture Construction Group, and Jeff Binkert, d/b/a House of Harley. (Tax Key No. 618-9996-008)**

Overview and Zoning

House of Harley is proposing a two-story, 25,606 sq. ft. building addition to the rear of the building for the purpose of year-round motorcycle storage. There will not be any service work done in this addition—the sole purpose is for motorcycle storage. The property is zoned C-2 Community Commercial District, which permits Motorcycle, ATV, and All Other Motor Vehicle Dealers as a Special Use. Per Section 21.04.0701.K. of the Municipal Code, *“Subsequent change or addition to the plans or use. (Cr. #2731) Any subsequent change or addition to the plans or use shall first be submitted for approval to the Plan Commission. If in the opinion of the Plan Commission, it is anticipated that such requested change in the special use substantially changes the concept or intent of a previously approved special use, the Plan Commission can consider it a major change to the original Special Use. If this is the decision of the Plan Commission, then a public hearing before the Common Council shall be required and notice thereof be given pursuant to the provisions of this division, and said proposed changes shall be submitted to the Common Council for approval.”* Staff does not recommend that a public hearing be required for the proposed building addition, as it does not substantially change the concept or intent of the originally-approved Special Use Permit.

Site and Landscaping Plans

The rear section of the building is not visible from any vantage point, other than if you were standing in the back of the Bunks and Beds commercial building to the east. There is a small section of the rear of the building (first floor 3,245 sq. ft., mezzanine 1,863 sq. ft.) that is in rough shape and will be demolished. A new 12,803 sq. ft. footprint will be constructed in its place, two stories high.

The Code states that the maximum gross floor area ratio is 0.32. With the existing building footprint and the proposed addition, the gross floor area ratio will increase to 0.38 (max building area = 56,333 sq. ft.; existing building area = 46,970 sq. ft.; proposed new total building area = 67,468 sq. ft.).

Per Sec. 21.04.0302 of the Greenfield Municipal Code, *“The Plan Commission will evaluate the impact of the standards for building setback/placement and parking lot layout with new construction on a site by site basis and will determine under Site, Building, and Landscape Review what the appropriate building setback/placement and parking lot layout will be within the context of total site review. That recommendation will*

be forwarded to the Common Council for consideration.” Staff recommends approval of the proposed gross floor area ratio of 0.38, as the building addition will not negatively impact the property, the use, nor the stormwater retention system.

Staff spoke with the HOH and Venture Construction Group regarding modifications that need to be made to the plans: refuse enclosure details need to be provided, civil plans (utility grading plan/paving plan/drainage plan) need to be provided. These modifications may be worked out with staff and the applicant. No additional landscaping is proposed on site. The south property line abuts the Polish National Cemetery and undeveloped land with a solid tree line.

As part of the site review, staff noticed that the front property line along W. Layton Ave. is in rough shape. The stone retaining wall is deteriorating in sections, and the pavement is cracking and chipping away. Staff recommends that a site/landscaping plan be submitted to show reconstruction of the retaining wall and deteriorated pavement. The addition of landscaping would soften the look in front the eastern portion of the building, along W. Layton Ave.

Architectural Plans

The proposed two-story building addition will be constructed of EIFS with a three-block CMU band at the base. Staff spoke with the HOH and Venture Construction Group about additional articulation being added to the façade, such as additional scoring and the use of more than one (1) color in the building materials. The building addition will be 131'4" from the lowest grade to the east, to top. It will be similar in height, even slightly lower, than the tallest portion of the front of the building along W. Layton Ave. A 10' x 10' overhead door will be constructed on the east elevation. Staff requests that revised plans be submitted to identify that the CMU base will be carried throughout the building addition, along the entire south façade, and that modifications be made identifying additional scoring and color variations in the EIFS. Building material samples will be brought to the Plan Commission meeting. Building lighting details need to be provided to staff for approval.

Recommendation: Recommend Common Council approval of the Architectural Plans for exterior façade improvements to House of Harley, an existing business located at 6221 W. Layton Ave., submitted by Dave Dahlke, d/b/a Venture Construction Group, and Jeff Binkert, d/b/a House of Harley. (Tax Key No. 618-9996-008), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 and 2 are required to be satisfied prior to the issuance of building permits associated with the proposed project reviewed by the Plan Commission.)

1. Revised Site, Landscaping and Architectural Plans being submitted to the Community Development Division to show the following: (a) four-sided refuse enclosure details, to be constructed of board-on-board material, with a personnel door or maze wall being included in the refuse enclosure design; (b) delineation of all outdoor storage areas, not to be located near catch basins/inlets; (c) additional scoring on EIFS building materials;

(d) multi-color EIFS building materials; (e) building exterior lighting design details, to be approved by staff; and, (f) design of a new retaining wall and the addition of landscaping along W. Layton Ave. in front of the building.

2. A Civil Plan Set showing utility grading/paving/drainage plans as directed by the Engineering Department for approval.

Ms. Johnson gave a presentation on this item. Ms. Johnson noted a section of the Code that allows the Plan Commission to evaluate a project's impact, the setbacks, and placement and if it is within the total context of the total site review and Plan Commission feels that it is not a substantial hindrance to the site, then they can approve a variation to the maximum floor area ratio.

Motion by Mayor Neitzke, seconded by Ald. Kastner, to recommend approval of Architectural Plans for exterior façade improvements to House of Harley, an existing business located at 6221 W. Layton Avenue, subject to Plan Commission and staff comments, including approval of the waiver for a public hearing, per Section 21.04.0701.K of the Municipal Code, and approval of the waiver of the floor area ratio, per Section 21.04.0302 of the Municipal Code, and authorize this item to be expedited to the July 16th Common Council meeting. Tax Key No. 618-9996-008. Motion carried unanimously.

- 9A. **Special Use Review for Taqwa's Bakery and Restaurant, a proposed restaurant to be located at 4651 S. 27 St., submitted by Taqwa Obaid, d/b/a Taqwa's Bakery and Restaurant, and Steven Sharpe, d/b/a Steven Sharpe and Associates AIA. (Tax Key No. 599-8893-005)**
- 9B. **Site Plan Review for Taqwa's Bakery and Restaurant, a proposed restaurant to be located at 4651 S. 27 St., submitted by Taqwa Obaid, d/b/a Taqwa's Bakery and Restaurant, and Steven Sharpe, d/b/a Steven Sharpe and Associates AIA. (Tax Key No. 599-8893-005)**

Items 9A and 9B may be considered together.

Overview and Zoning

The applicant is proposing to open a restaurant, Taqwa's Bakery and Restaurant, at the former Burger King building in front of At Home, on S. 27 St. This property received Plan Commission and Common Council approval to open as Chill & Grill in October 2018. The property owner now wishes to lease out the restaurant operations rather than operate a restaurant himself. Taqwa's was before the Plan Commission and Common Council for approval in November 2018, to open in the strip mall in front of Target on S. 27 St. The restaurant operator decided to not pursue that location due to the expense of required code updates. Taqwa's is now seeking to operate at 4651 S. 27 St. The property is zoned C-2 Community Commercial District, which permits full-service restaurants as a Special Use. The change in tenancy triggers review of the Special Use Permit, site conditions, etc. The restaurant/bakery is anticipating employing approximately six (6) people to start with. Ms. Obaid has 15 years of experience in the food industry, most recently as a district manager for KFC, Long Johns and Taco Bell (YUM company).

The change in tenancy does not require a public hearing, unless deemed necessary by the Plan Commission. The approved hours of operation under the former applicant vary from those proposed by Taqwa's.

Chill and Grill approved hours of operation: Sunday – Thursday, 10:30am – 12:00am (midnight); Friday and Saturday, 10:30am – 2:00am.

Taqwa's Bakery and Restaurant: Monday – Sunday, 7:00am – 10:00pm.

A new resolution will need to be approved by the Common Council addressing the modified hours of operation.

Site Plan Review

The former Burger King property is under newly-approved site, landscaping and architectural plans from November 2018. The property owner has begun the site and building improvements.

Staff recommends that this item be expedited to the July 16, 2019 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for Taqwa's Bakery and Restaurant, a proposed restaurant to be located at 4651 S. 27 St., submitted by Taqwa Obaid, d/b/a Taqwa's Bakery and Restaurant, and Steven Sharpe, d/b/a Steven Sharpe and Associates AIA (Tax Key No. 599-8893-005), subject to Plan Commission comments, staff comments.

Ms. Johnson gave a presentation on this item. It was noted the hours being proposed are more favorable than the previous occupant's hours.

Motion by Ald. Kastner, seconded by Mr. Weis, to recommend approval of a Special Use Review and a Site Plan Review for Taqwa's Bakery and Restaurant, a proposed restaurant to be located at 4651 S. 27 Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the July 16th Common Council meeting. Tax Key No. 599-8893-005. Motion carried unanimously.

- 10A. Special Use Permit for Tsunami Express Car Wash, a proposed car wash to be located at 55** and 5520 W. Layton Ave., submitted by Tracey Erickson, d/b/a Erickson Enterprises, LLC. (Tax Key Nos. 602-9943-003 and 602-9943-004)**
- 10B. Certified Survey Map to combine two existing parcels located at 55** and 5520 W. Layton Ave., submitted by Tracey Erickson, d/b/a Erickson Enterprises, LLC. (Tax Key Nos. 602-9943-003 and 602-9943-004)**
- 10C. Site, Landscaping and Architectural Plans for Tsunami Express Car Wash, a proposed car wash to be located at 55** and 5520 W. Layton Ave., submitted by Tracey Erickson, d/b/a Erickson Enterprises, LLC. (Tax Key Nos. 602-9943-003 and 602-9943-004)**

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

Overview and Zoning

Erickson Enterprises is proposing to construct a car wash, operating as Tsunami Express Carwash, on 1.83 acres consisting of two properties just east of Meijer on W. Layton Ave. The eastern lot is vacant and contains wetlands and forested areas. The western lot, located at 5520 W. Layton Ave., contains an extant single-family residence and accessory structure which would be demolished for this development. Both properties are zoned C-2 Community Commercial District, which would allow a car wash as a Special Use. A public hearing could be scheduled as early as August 20, 2019. This item was before the Plan Commission as a Concept Plan in December 2018.

Tsunami Express Carwash will be open Monday - Saturday from 7:00 am to 9:00 pm and closed on Sundays. The project will have a state-of-the-art express carwash that will offer free vacuums and will also have self-serve pet washes. It will be manned with 2-3 persons throughout the day. Patrons will stay in their car as they are directed onto the conveyor. The length of time that it takes to get a wash is approximately four (4) minutes from the time they pay to the completion of the wash. At the completion of the wash, patrons can either exit the premises or stay to vacuum their vehicles. This will be the 14th express carwash that Erickson Enterprises has constructed and operated in Wisconsin, Illinois, Indiana, and Kansas.

Certified Survey Map

The proposal includes the combination of two (2) parcels to make one 1.83-acre parcel. The Engineering Department will provide any minor comments/suggested edits to the applicant.

Site, Landscaping and Architectural Plans

The development will be accessed by one (1) entrance off of the existing Meijer drive, north of W. Layton Ave. The developer has entered into a cross-access agreement with Meijer and has supplied staff with a copy of the agreement. The proposal includes the removal of the existing driveways on W. Layton Ave., which will require a Milwaukee County permit for closure of the driveways. The development includes 28 off-street parking spaces, including two (2) ADA accessible spaces. Each of the non-ADA spaces is equipped with a free vacuum hose and boom. The Municipal Code requires ten (10) queuing spaces per wash bay for automatic washes and one (1) off-street parking space per employee plus one off-street parking space per wash bay, for a total of four (4) spaces. The proposed development satisfies the requirements in the code.

The building will be constructed of non-combustible material and will primarily include a masonry brick veneer. The majority of the building is 19 feet from grade, with the exception of the entrance bay, which will be 30 feet from grade. The north and south facades will include precast stone piers and wall-mounted EIFS above the wash bay entrance/exit. Twelve-foot (12') garage doors are proposed for the entrance and exit bays. The east and west exterior facades are broken up with spandrel glazing with precast stone headers on the west elevation and insulated glazing on the east elevation. Entrance doors for the pet washes, office, and mechanical room are located on the west

elevation. The roof will be constructed of both rubber and standing seam metal materials. Walls signs are proposed for the west and south gables within the 30' portion of the building.

A four-sided CMU refuse enclosure and pump house will be constructed at the southwest corner of the parking lot. The enclosure will include vertical LP Smartside doors and a standing seam metal roof over the pump house portion of the structure. Staff recommends a personnel door be added to the refuse enclosure portion of the structure.

The site provides some challenges, including steep grade changes and existing wetlands. A retaining wall will be required to be built from the entry drive around all of the southern portion of the developed area and on the north along the entry drive. This will require the filling of some wetland areas, which will require Wisconsin DNR permitting. The retaining wall will be constructed of split-face CMU block. Staff recommends a high-quality guardrail be installed along the entry drive.

The development will require the removal of numerous trees, including designated Greenfield specimen tree species. The developer will need to mitigate the loss of these trees through the mitigation standards set forth in the Natural Resource Protection Standards of the Municipal Code. The developer's landscape architect has been working with the City Forester to develop an acceptable plan.

Stormwater management will be handled by an underground Water Quality System (WQS), Underground Detention System (UDS), and Above Ground Dry Basin (DB) has been designed to control peak release rates and achieve the required Total Suspended Solids (TSS) load reduction. The underground system will be located underneath the parking lot, with a dry detention area located south of the parking lot.

Lighting Plan

A lighting plan has been submitted for staff review. Ten (10) single-head 20-ft. tall LED light poles will be provided on site. Additional lighting will be located at the pay station and on the building.

Staff recommends a public hearing be scheduled for August 20, 2019.

Recommendation: Recommend Common Council approval of the Special Use, Certified Survey Map, and Site, Landscaping, and Architectural Plans for Tsunami Express Car Wash, a proposed car wash to be located at 55** and 5520 W. Layton Ave., submitted by Tracey Erickson, d/b/a Erickson Enterprises, LLC. (Tax Key Nos. 602-9943-003 and 602-9943-004), subject to Plan Commission comments, staff comments, and the following conditions:

1. Revised Site, Landscaping and Architectural Plans being submitted to the Community Development Division to show the following: (a) a personnel door or opening in the refuse enclosure; (b) retaining wall cross-sections; (c) high-quality guardrail along the entry drive; (d) landscaping species and quantity modifications at the request of the City Forester, if applicable (e) a concrete pad for the garbage truck at the doors of the refuse container.

An estimated cost of landscaping and screening being submitted to the Community Development Division for approval.

2. 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.
3. A Natural Resources Mitigation Plan submitted to the Community Development Division, to be approved by the City Forester.
4. A revised Certified Survey Map being submitted to the Engineering Division showing modifications for any comments the Engineering Division may have.
5. Permit application and approved plans being submitted to Milwaukee County and the City of Greenfield Engineering Department for necessary driveway closure permits.
6. Permit application approvals from WDNR/MMSD for sanitary permits, WDNR/Milwaukee Water Works for water permits, and WDNR/MMSD for stormwater permits.
7. A lighting/photometric plan being submitted to the Community Development Division for review and approval.
8. Common Council approval of the Special Use Permit, Site, Landscaping and Architectural Plans, and the Certified Survey Map, following a public hearing.

Mr. Stern gave a presentation on this item.

Ald. Kastner questioned if there would be a railing along the retaining wall for safety. Mr. Stern replied that it has been asked that there be a decorative guardrail installed. Mayor Neitzke noted that the site is very difficult for adding landscaping, and asked that the City Forester review the site and bring a plan back before the Plan Commission. It was questioned if a sign plan has been submitted, to which Mr. Stern stated that none has been received at this time.

Motion by Mr. Rogers, seconded by Mr. Sponholz, to recommend approval of a Special Use Permit and a Certified Survey Map for Tsunami Express Car Wash, a proposed car wash to be located at 55 and 5520 W. Layton Avenue, subject to Plan Commission and staff comments, and authorize the public hearing process to begin. Tax Key Nos. 602-9943-003 and 602-9943-004. Motion carried unanimously.**

- 11A. Special Use Permit for a proposed Starbucks coffee shop to be located at 4306 W. Layton Ave., submitted by Tim Knedprath, d/b/a Wellspring Construction, LLC and Jimmy Rosen, d/b/a Somerstone, LLC. (Tax Key No. 601-9852-001)**
- 11B. Site, Landscaping and Architectural Plans for a proposed Starbucks coffee shop to be located at 4306 W. Layton Ave., submitted by Tim Knedprath, d/b/a Wellspring Construction, LLC and Jimmy Rosen, d/b/a Somerstone, LLC. (Tax Key No. 601-9852-001)**

Items 11A and 11B may be considered together.

Overview and Zoning

The developer, Somerstone, LLC, proposes to redevelop the lot on the northeast corner of W. Layton Ave. and W. Loomis Rd. with a new limited service Starbucks coffee shop and restaurant with a drive-thru lane. The northeast corner lot is currently occupied by a Citgo gas station and convenience store with an attached car wash. The lot is 0.52 acres and zoned C-3 Highway and Commercial Service District, which permits a limited-service restaurant as a Special Use. Adjacent lots are zoned commercial with the exception of four properties zoned R-4 Single-Family and Two-Family Residential Conservation District to the northeast of the subject property along S. 43 St.

The proposal includes the removal of the existing petroleum equipment, including tanks, pumps, and canopy. The proposal also includes removal of the car wash portion of the building and repurposing this area as the drive thru lane for the restaurant. The existing convenience store portion of the site would be retained and converted into a 2,578 sq. ft. coffee shop/restaurant. The estimated hours of operation for the restaurant are 5 am to 10 pm. Between ten (10) and twenty (20) employees are anticipated to work daily, with an average of four (4) per shift. Starbucks anticipates 450 transactions per day, based on \$1 million in sales.

The development team consists of Jimmy Rosen and John Thomsen from Somerstone and Tim Knepprath from Wellspring Construction Group. Somerstone has been involved in over \$3.5 billion worth of investment real estate transactions, with recent developments including Starbucks locations in New Berlin, Sussex, Pewaukee, Middleton, and Bellevue, Wisconsin; a Chick-fil-A in Pewaukee; Planet Fitness locations in Menomonee Falls and Eau Claire; and Fresh Thyme and Cousins Subs developments in Menomonee Falls.

Site, Landscaping and Architectural Plans

The proposed site plan includes removing the existing entrance off W. Layton Ave. and accessing the parcel via a right-in/right-out entrance at W. Loomis Rd. and at S. 43 St. The Municipal Code requires 10 off-street parking spaces/1,000 sq. ft. + 7 stacking spaces for the drive-thru, or twenty-six (26) off-street spaces for a 2,578 sq. ft. limited service restaurant. The proposed site plan provides twenty-six (26) off-street parking spaces, including two (2) ADA accessible spaces, and eight (8) stacking spaces for the drive-thru. This is an addition of two (2) off-street parking spaces from the conceptual review stage. Starbucks corporate estimates 65% of their business will be conducted

through the drive-thru. The site plan includes concrete wheel stops for the parking spaces closest to the building. Staff recommends these are removed and a raised poured curb is provided for these parking spaces.

The developer contracted for a traffic study conducted by Traffic Analysis & Design, Inc. (TADI) in January 2019. TADI calculated that based on the Institute of Transportation Engineer's (ITE) Trip Generation Manual, 10th Edition, 2019, the Starbucks development would generate 260 new trips (135 entering/125 exiting) during a typical weekday morning peak hour. Of the 260 driveway trips, approximately 130 are expected to be pass-by trips resulting in 130 new trips (70 entering/60 exiting) during a typical weekday morning peak hour. During a typical weekday evening peak hour, the development is expected to generate 125 new trips (65 entering/60 exiting). Of the 125 driveway trips, approximately 60 are expected to be pass-by trips resulting in 65 new trips (35 entering/30 exiting) during a typical weekday evening peak hour. On a typical weekday, the proposed development is expected to generate approximately 2,380 new trips of which 1,190 are expected to be pass-by trips resulting in approximately 1,190 new trips (595 entering/595 exiting) under full build conditions.

An addendum to the traffic study was completed in May 2019, which found "Based on the anticipated sales, the typical order completions times provided by Starbucks and the drive-thru window/ordering kiosk design, the drive-through lane is expected to be sufficient to accommodate drive-through demand during the peak periods without having drive-thru traffic back up into the circulation areas of the site." However, based off staff and Plan Commission comments from the concept plan stage, staff recommends additional stacking to prevent vehicles from backing up on S. 43 St. Staff recommends removing the northeast parking space to create two (2) additional stacking spaces. This lane would merge with the proposed stacking lane to the east. This change would necessitate the relocation of the bike rack to the area north of the patio.

The traffic study also recommended several changes to the intersections adjacent to the proposed development, without which several movements at the Layton Avenue intersection with 43rd Street are expected to operate unacceptably under the 2019 Existing and 2019 Full Build traffic conditions. Milwaukee County Department of Transportation has agreed with the improvements recommended in the report. The developer has agreed to construct the proposed improvements as part of the development. These improvements are as follows:

S. 43rd St. & W. Layton Ave.:

1. Change the intersection to left-in/right-in/out.
2. Provide an eastbound left turn lane of the maximum length possible given the median restrictions, but not less than 75ft. Milwaukee County reserves the right to remove this movement in the future if crashes making this movement become a problem.
3. Provide a westbound turn lane that is no shorter than existing.
4. Change the pavement marking on the south approach to right only and provide signage for right only on both the north and south approaches (one way and right turn signs) per the MUTCD.
5. Provide do not block intersection signs on the east approach for westbound traffic and pavement marking boxes on the pavement to signify the area to be kept clear.

First median opening to the east of S. 43rd St. & W. Layton Ave.:

1. Provide an eastbound turn lane that is the length of the queue plus 75ft per the WisDOT FDM, if there is an expected queue of zero cars the lane shall be 100ft plus taper.
2. Remove all cable guard between the intersection of 43rd St and this median opening.
3. Provide curbs.

The picture below shows the elevations for the proposed limited service restaurant. The majority of the four elevations would be constructed of LP Smartside siding installed over the extant split-face CMU block of the current gas station building. Tile accents are proposed at the entryway and at the drive-thru. Painted split-face CMU accents are proposed around the windows on the south, east, and west elevation. Staff recommends removing the trellises and adding windows or spandrel glass to the north elevation to avoid a large blank elevation.

The proposed site plan includes an exterior patio area adjacent to the west façade. Staff recommends a pergola or similar type structure be added to the patio area to screen patrons from the parking lot and drive-thru. The refuse container is proposed to be located in the northeast corner of the parcel along S. 43 St. Staff recommends adding landscaping screening is proposed within the right-of-way along S. 43 St. adjacent to the refuse enclosure and the addition of poured curb from the enclosure to S. 43 St. Staff recommends adding curb cuts to the employee sidewalk to the refuse enclosure and at personnel door of enclosure.

Lighting Plan

A photometric lighting plan has been submitted for staff review, showing that light splay will be minimal at the property lines. Staff requests a notation that a shield will be placed on the light fixture closest to the abutting residential property line. Six (6) single-head 20-ft. tall LED light poles will be provided on site. Additional lighting will be canopy and building mounted.

Staff recommends a public hearing be scheduled for August 20, 2019.

Recommendation: Recommend Common Council approval of the Special Use and Site, Landscaping, and Architectural Plans for a proposed Starbucks coffee shop to be located at 4306 W. Layton Ave., submitted by Tim Knepprath, d/b/a Wellspring Construction, LLC and Jimmy Rosen, d/b/a Somerstone, LLC (Tax Key No. 601-9852-001), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 through 8 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) curb cuts at the employee sidewalk to the refuse enclosure and at the personnel door of the enclosure; (b) cut-sheet showing design and materials (masonry product to match the building) for refuse enclosure; (c) landscaping added

to the right-of-way adjacent to the refuse enclosure; (d) landscaping species and quantity modifications at the request of the City Forester, if applicable; (e) a pergola and/or screening around the patio; (f) removal of the northeast parking space and addition of two (2) stacking spaces prior to menu board; (g) relocation of bike rack to north of patio; (h) removal of trellises on north elevation and replacement with spandrel glazing; (i) curb added from refuse container to S. 43 St.; (h) shield on light fixture next to residential property; and, (i) poured curb rather than curb stops throughout the site.

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 and the City of Greenfield Engineering Department for necessary driveway closure permits.
5. Permit application approvals from WDNR/MMSD for sanitary permits, WDNR/Milwaukee Water Works for water permits, and WDNR/MMSD for stormwater permits.
6. Common Council approval of the Special Use Permit, and Site, Landscaping and Architectural Plans, following a public hearing.
7. Permit application and approved plans being submitted to Milwaukee County and the City of Greenfield Engineering Department for necessary median changes on W. Layton Ave.
8. Occupancy of Right-of-Way Permit Application being submitted to the Engineering Department for review and approval of landscaping within the City right-of-way.

(The work listed in item 9 is required to be satisfied prior to the issuance of occupancy. Contractors applying for permits should be advised accordingly.)

9. Completion of median changes to W. Layton Ave. as agreed upon by Milwaukee County and the City of Greenfield.

Mr. Stern gave a presentation on this item.

Jimmy Rosen from Somerstone, LLC was present to answer questions.

Discussion occurred on the stacking lane and its effects on traffic. Ald. Kastner questioned the proposed double stack lane that was discussed at the last meeting. Mr. Stern stated that Staff's recommendation, using the traffic study, was to remove one parking space and the proposed menu board, thus merging traffic at that point as a way to accommodate two additional stacking spaces without adding a double stack lane.

Staff feels the loss of one required parking space was seen as a fair compromise to then provide two additional stacking spaces. Mr. Rosen spoke on Starbucks' desired design layouts, none of which incorporate a double stack lane, and that the traffic study performed shows that a double stack lane would make it even more dangerous. Discussion on the stacking lane occurred, with it being resolved that the as a condition of approval that in the event a public health/safety issue is created because vehicles are stacked/spilled over onto S. 43 Street and W. Loomis Road, the City Board of Public Works will close the S. 43 Street driveway, to be paid for by the developer. Mr. Rosen stated that he will look into the legalities of these terms further before agreeing to these conditions tonight.

Ms. Hallen questioned the desire to have music played on the patio and if they could do a noise reduction control on their drive-thru speaker. Mr. Rosen stated that the speaker volume is adjustable if volume reduction is needed. In terms of the playing of music, it was stated that it would be desirable that it be during daytime hours, and end by 6:00 pm, if music were so desired by Starbucks. There will be six tables for indoor seating, and there will be five employees during peak shifts. Also, the recommended light shields will be installed to comply with the lighting requirements.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend approval of a Special Use Permit and Site, Landscaping and Architectural Plans for a proposed Starbucks coffee shop to be located at 4306 W. Layton Avenue, subject to Plan Commission and staff comments, and with the condition of approval that in the event a public health/safety issue is created because vehicles are stacked/spilled over onto S. 43 Street and W. Loomis Road, the City Board of Public Works will close the S. 43 Street driveway, to be paid for by the developer. Tax Key No. 601-9852-001. Motion carried 5-2, with Ald. Kastner and Ms. Hallen voting no.

- 12A. Special Use Review for T-Mobile to upgrade equipment within the telecommunications cabinet and replace six antennas at Bill's Auto Tech, Inc., 4737 S. 108th Street , submitted by Sherry Cynowa, d/b/a Haley Law Firm, PLC and Brett Miller, d/b/a American Tower Corporation (Tax Key #612-8997-006)**
- 12B. Site and Architectural Plans for T-Mobile to upgrade equipment within the telecommunications cabinet and replace six antennas at Bill's Auto Tech, Inc., 4737 S. 108th Street , submitted by Sherry Cynowa, d/b/a Haley Law Firm, PLC and Brett Miller, d/b/a American Tower Corporation (Tax Key #612-8997-006)**

Items 12A and 12B may be considered together.

Overview and Zoning

T-Mobile is proposing to replace six (6) antennas and upgrade equipment within the existing telecommunications cabinet at Bill's Auto Tech, located at 4737 S. 108 St. The property is zoned C-4 Regional Business District, which permits Commercial Communication Towers as a Special Use.

Site and Architectural Plans

Two (2) telecommunications towers are located within a gravel lot behind the parking lot of Bill's Auto Tech. The northern monopole is 120' tall and is enclosed in a chain-link fence enclosure. No changes are proposed for this tower. The southern monopole is 100' tall and is also enclosed in a chain-link fence enclosure with two equipment

enclosures. The proposed scope of work includes T-Mobile replacing six antennas at the 90' level of the southern tower. The project will also install three (3) new RF modules associated with the new antennas. The new antennas would reuse existing cable. Within the T-Mobile equipment enclosure, new equipment is proposed within the existing equipment rack. The tower height will not be increased and the compound will not change in size.

A site plan was not submitted, but the site is subject to review when the Plan Commission and Common Council consider Special Use Reviews. A portion of the retaining wall along the east property line at the driveway is in poor condition. Staff recommends that the wall be repaired by August 2019. Staff also observed a portion of the curb in the northeast portion of the parking lot is damaged and/or missing. This is causing runoff from the parking lot to drain and pool onto the Forum II Family Restaurant parcel to the north. The Engineering Department received notice from Forum regarding the issue and conducted a site visit to confirm the problem during a past rain event. Staff recommends Bill's Auto Tech repair the damaged curb, construct curb where it is currently missing, and construct a catch basin to tie into the existing storm sewer just to the north on the Forum parcel. The property owner of the subject parcel will need permission from the property owner of the Forum parcel to complete this work. Staff recommends that this item be expedited to the July 16, 2019 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site and Architectural Plans for T-Mobile to upgrade equipment within the telecommunications cabinet and replace six antennas at Bill's Auto Service, 4737 S. 108 Street, submitted by Sherry Cynowa, d/b/a Haley Law Firm, PLC and Brett Miller, d/b/a American Tower Corporation (Tax Key #612-8997-006), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 and 2 are required to be satisfied prior to the issuance of permits associated with the proposed work reviewed by the Plan Commission. All work associated with the proposed project is to be completed prior to June, 2020.)

1. Revised Site Plan being submitted to the Community Development Division to show the following: (a) repaired curb where existing, new curb along the remainder of the north parking lot, storm sewer catch basin and tie-in to existing storm sewer on the Forum II Family Restaurant parcel
2. Retaining wall at entrance repaired by August 2019.

Mr. Stern gave a presentation on this item and noted that the recommended site improvements listed in the staff report were to be removed due to recent federal law and the City's inability to request site improvements associated with cell towers. No one was present to represent this item.

Motion by Mr. Rogers, seconded by Mr. Sponholz, to recommend approval of a Special Use Review and Site and Architectural Plans for T-Mobile to upgrade equipment within the telecommunications cabinet and replace six antennas at Bill's Auto Tech, Inc., 4737 S. 108th Street, subject to Plan Commission and staff comments, and authorize this item to be expedited to the July 16th Common Council meeting. Tax Key No. 612-8997-006. Motion carried unanimously.

- 13A. Special Use Review for a tenancy change to Marsel's Pizzeria, an existing business located at 6131 W. Cold Spring Rd., submitted by Enea Gjika, d/b/a Enea Gjika Pizza, LLC. (Tax Key No. 603-9999-001)**
- 13B. Site Plan Review for a tenancy change to Marsel's Pizzeria, an existing business located at 6131 W. Cold Spring Rd., submitted by Enea Gjika, d/b/a Enea Gjika Pizza, LLC. (Tax Key No. 603-9999-001)**

Items 13A and 13B may be considered together.

Overview and Zoning

The applicant is proposing to take over operations of Marsel's Pizza as a new tenant while maintaining the existing business name. The property is zoned C-1 Neighborhood Commercial District, which does NOT permit restaurants. This is an existing non-conforming use. However, Marsel's went through a Special Use Permit approval process in 2010 to open, and the current NAICS Zoning Code system that determines permitted and special uses, was adopted in 2013. The change in tenancy triggers review of the Special Use Permit, site conditions, etc. No interior or exterior alterations are proposed and the menu will remain the same. The new tenant has over 10 years of restaurant experience. The restaurant has and will continue to focus food sales as mainly carry-out and delivery. The restaurant will employ approximately five (5) to six (6) people. Hours of operation will remain 11:00am – 10:00pm, daily. The applicant has an open contract to lease the space.

Site Plan Review

The Special Use Review triggers full site review. A site visit brought about some concerns regarding the condition of the parking lot. The entire section behind the building is comprised of a gravel parking lot. Per 21.06.0202.D. of the Municipal Code, *"Off-street parking area surfacing. (Am. # 2796) All open, off-street loading and parking spaces shall be improved with a pavement of either asphalt or concrete and storm water drainage facilities as approved by the City Engineer. The use of permeable surfacing is permitted as approved by the City Engineer in conjunction with an approved Stormwater Management Plan. This paragraph shall not apply to single-family detached dwellings in the R-1, R-2, R-2A, R-3, or R-3A Districts or to single-family detached dwellings in the R-4, R-4A, R-4B, MFR-1, MFR-2, MFR-3, or PUD Residential Districts."* As the Plan Commission and Common Council have approved in the past, staff recommends that the rear parking lot be paved and that the owner be given approximately two (2) years (December 2021) to complete the parking lot improvement. A storm sewer inlet will likely need to be constructed with the paved parking lot.

Other recommended site improvements include:

1. Removal of the wood timbers that were once used as curb stops and are now pushed into the grass.
2. Removal of all dumpsters that are not within an enclosed refuse area.
3. Repair of the existing refuse enclosure—the doors are falling off of the hinges—or construction of a new, larger, board-on-board refuse enclosure with a personal door or maze wall.
4. Removal of all outdoor storage of tenant materials in the back of the building.
5. Repair of the chain link fence along the west property line, that is falling over.
6. Removal of the abandoned metal pole near the monument sign that was once likely a public phone booth.
7. Removal of the non-conforming A-frame sign in the front along W. Cold Spring Rd.

Staff recommends that this item be expedited to the July 16, 2019 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for Marsel's Pizzeria, an existing business located at 6131 W. Cold Spring Rd., submitted by Enea Gjika, d/b/a Enea Gjika Pizza, LLC. (Tax Key No. 603-9999-001), subject to Plan Commission comments, staff comments, and the following conditions:

(Items 1 and 2 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. All work associated with the proposed project are to be completed prior to year-end 2021. All plans are to be submitted for review by July 2020.)

1. A Site and Landscaping Plan being submitted to the Community Development Division to show the following improvements: (a) paved parking lot showing parking calculations, ADA parking requirements, and poured curb; (b) a re-constructed four-sided board-on-board refuse enclosure, including a personal door or maze wall OR repair of the existing refuse enclosure; (c) notation that all dumpsters will be kept in a refuse enclosure and all outdoor storage of tenant materials is not permitted and will be removed from the site; (d) removal of all wood timbers from the rear of the site; (e) repair of the existing chain link fence along the west property line; and, (f) removal of the abandoned metal pole near the monument sign.
2. A Civil Plan Set and a Stormwater Management Plan showing modifications/requirements as directed by the Engineering Department, subject to change in order to meet Municipal Code requirements prior to the parking lot being paved.

Ms. Johnson gave a presentation on this item. Discussion occurred on the City's past desires to have the parking lot comply years as tenants have come before the Plan Commission, with this starting with the liquor store tenancy. It was determined that this item needs to be revisited with the property owner.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend approval of a Special Use Review and a Site Plan Review for a tenancy change to Marsel's Pizzeria, an existing business located at 6131 W. Cold Spring Road, subject to Plan Commission and staff comments, and authorize this item to be expedited to the July 16th Common Council meeting. Tax Key No. 603-9999-001. Motion carried unanimously.

14. Community Development Manager Report.

Discussion occurred on starting future Plan Commission meetings at 6:00 pm.

15. Adjournment.

Motion by Ms. Hallen, seconded by Mr. Sponholz, to adjourn the meeting at 7:49 p.m. Motion carried unanimously.

Respectfully submitted,

Alison J. Meyer
Administrative Assistant

Distributed July 31, 2019