

MINUTES OF THE PLAN COMMISSION MEETING ON TUESDAY, FEBRUARY 9, 2021

HELD VIA ZOOM MEETING

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention:

Limiting the size of public gatherings and the various federal and state orders implementing that recommendation, and to help protect our community from the Coronavirus (COVID-19) pandemic, this meeting was held virtually through the Zoom platform with each member accessing the meeting remotely as detailed below.

https://zoom.us/webinar/register/WN_C49Tr2BaSwabx5qC_Q0ZLA

1. The meeting was called to order at 6:00 p.m. by Mayor Michael Neitzke

ROLL CALL:	Mayor Michael Neitzke	Present
	Ald. Karl Kastner	Present
	Mr. Brian Weis	Present
	Ms. Christine Hallen	Present
	Mr. Steve Rogers	Excused
	Mr. Don Carlson	Present
	Mr. David Schilz	Present
	Mr. Robert Krenz (alt.)	Present
	Mr. Michael Braswell (alt.)	Present (Arrived at 6:06 pm)

ALSO PRESENT: Kristi Porter – Community Development Manager

2. Approval of the minutes from the January 12, 2021 meeting.

Motion by Mr. Carlson, seconded by Ms. Hallen, to approve the January 12, 2021 Meeting minutes.

3. Discussion regarding last Common Council meetings.

There were no Public Hearings in January.

4A. Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 3390 W. Loomis Rd. from C-2 Community Commercial District to C-3 Highway and Commercial Service Business District. (Tax Key No. 553-0426-002)

4B. Certified Survey Map for proposed combination of eight parcels located at 3390 W. Loomis Rd., submitted by Frank Petrich, d/b/a WT Group. (Tax Key No. 553-0426-002)

Items 4A and 4B may be considered together.

Overview and Zoning

The Speedway location at 3390 W. Loomis Rd. recently applied for a Special Use Permit for beer sales within the store. During research for that request, staff found this parcel is actually

comprised of eight (8) parcels within a single tax key. Staff also noted that the parcel had split zoning, with the 0.57 acre southern portion of the parcel zoned C-3 Highway and Commercial Service Business District and the canopy and fuel pump portion of the site on the 0.33 acre northern portion of the parcel zoned C-2 Community Commercial District. Staff asked Speedway to submit a Certified Survey Map (CSM) and rezoning request to “clean up” the existing parcel.

In 1995, the three northernmost parcels were purchased by SuperAmerica and combined with the five southern parcels for an expansion of the gas station. Plan Commission recommended the parcels be combined under one tax key, with the suggestion that at some point in the future all the parcels be combined with a CSM. The eight (8) parcels have subsequently been combined as one tax key, but that did not remove parcel lines—it simply means that a property owner receives one tax bill rather than eight (8) separate tax bills. The parcel lines that split the parcels are identified in the picture below with yellow dashed lines.

The three parcels combined with the existing gas station in 1995 were zoned C-2 Community Commercial District, while the remaining parcels were zoned C-3 Highway and Commercial Service Business District. Nothing in previous meeting minutes was located discussing the need to rezone the parcels; however, it is good planning practice to eliminate split zoning within a site. Staff has recommended the C-2 Community Commercial District portion of the parcel is rezoned to C-3 Highway and Commercial Service Business District. Gasoline stations with a convenience store and beer stores are special uses in both zoning districts and rezoning the parcel to the C-3 district will not effect on the operation of the gas station. Staff recommends approval. A public hearing could be scheduled as soon as March 16, 2021.

Recommendation: Recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 3390 W. Loomis Rd. from C-2 Community Commercial District to C-3 Highway and Commercial Service Business District and Certified Survey Map for proposed combination of eight parcels located at 3390 W. Loomis Rd., submitted by Frank Petrich, d/b/a WT Group (Tax Key No. 553-0426-002), subject to Plan Commission and staff comments.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 3390 W. Loomis Rd. from C-2 Community Commercial District to C-3 Highway and Commercial Service Business District and Certified Survey Map for proposed combination of eight parcels located at 3390 W. Loomis Rd., submitted by Frank Petrich, d/b/a WT Group (Tax Key No. 553-0426-002), subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled. Motion carried unanimously.

- 5A. Special Use Review for an ownership change to Rosen Hyundai, an existing business located at 6133 S. 27 St., submitted by Katherine G. Bills, d/b/a Reinhart Boerner Van Deuren s.c. (Tax Key No. 691-9841-009)
- 5B. Site Plan Review for an ownership change to Rosen Hyundai, an existing business located at 6133 S. 27 St., submitted by Katherine G. Bills, d/b/a Reinhart Boerner Van Deuren s.c. (Tax Key No. 691-9841-009)

Items 5A and 5B may be considered together.

Overview and Zoning

Rosen Hyundai, LLC, a Wisconsin limited liability company, has submitted an offer to purchase the existing Hyundai Greenfield at 6133 S. 27 St. The location is zoned PUD Planned Unit Development, which allows new car dealers as a Special Use. The change in ownership triggers review of the Special Use permit, site conditions, etc. The location will still be operated under the Rosen name and will not incur any significant changes to the location. No construction will take place to the interior or exterior of the building structure.

The hours of operation will remain the same, which are 7:30 am to 8:00 pm, Monday through Thursday, 7:30 am to 6:00 pm, Friday, 9:00 am to 5:00 am, Saturday, and closed on Sunday. This location employs approximately 50 employees and has approximately 45 customers per day. The principals of Rosen own multiple other car dealerships, and have several decades of experience in the dealership business. The principals and operators of Rosen are experienced and sophisticated in owning and operating successful new car retail dealerships.

Site and Landscaping Review

A site and landscaping plan was not submitted, but the site is subject to review when the Plan Commission and Common Council consider Special Use reviews. The site appears to be in good condition. The only issue that was evident when staff visited the site was some minor damage to the block base of the landscaped bed near the monument sign. Staff recommends that this item be expedited to the February 17th Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for an ownership change to Rosen Hyundai, an existing business located at 6133 S. 27 St., submitted by Katherine G. Bills, d/b/a Reinhart Boerner Van Deuren s.c. (Tax Key No. 691-9841-009), subject to Plan Commission comments, staff comments, and the following condition:

1. A letter from the applicant being submitted to the Community Development Division stating that the damaged concrete base of the landscaped bed will be repaired by May 2021, prior to issuance of an Occupancy Permit.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend Common Council approval of the Special Use Review and Site Plan Review for an ownership change to Rosen Hyundai, an existing business located at 6133 S. 27 St., submitted by Katherine G. Bills, d/b/a Reinhart Boerner Van Deuren s.c. (Tax Key No. 691-9841-009), subject to Plan Commission comments and staff comments, and authorize this item to be expedited to the February 17th Common Council. Motion carried unanimously.

- 6A. Special Use Review for an ownership change to Home Town gas station/convenience store, an existing business located at 5235 W. Loomis Rd., submitted by Khadisa Imayat, d/b/a Hasham Petroleum, LLC. (Tax Key No. 648-0008-003)
- 6B. Site Plan Review for an ownership change to Home Town gas station/convenience store, an existing business located at 5235 W. Loomis Rd., submitted by Khadisa Imayat, d/b/a Hasham Petroleum, LLC. (Tax Key No. 648-0008-003)

Items 6A and 6B may be considered together.

Overview and Zoning

The applicant has an accepted offer to purchase the existing gas station and convenience store located at 5235 W. Loomis Rd. The property is zoned C-3 Highway and Commercial Service Business District, which permits gas stations with a convenience store as a Special Use. The ownership change triggers a Special Use Review. Hours of operation will remain 5:00 am to 10:00 pm, seven (7) days/week. Approximately three (3) employees will work at the facility. The applicant has ten (10) years in the gas station/convenience store business.

Site and Landscaping Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. The site is in relatively good condition, with a few items to address. Outdoor storage of firewood and rock salt was onsite during a recent site visit. Per the Zoning Code, "The outdoor storage or display of merchandise shall not be permitted including any ice storage or vending boxes, and/or vending machines. Propane tanks or other flammable materials may be permitted outdoors." Except for the propane tanks, the remaining outdoor storage should be removed immediately, to be consistent with the Code and past requests of similar businesses going through the Special Use Review process. The wood board-on-board fence around the perimeter of the parcel is showing signs of age. Paint has flaked off and some boards have warped. Staff recommends the fence be repainted and repaired within 18 months. Staff recommends that this item be expedited to the February 17th Common Council meeting for review.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for an ownership change to Home Town gas station/convenience store, an existing business located at 5235 W. Loomis Rd., submitted by Khadisa Imayat, d/b/a Hasham Petroleum, LLC (Tax Key No. 648-0008-003), subject to Plan Commission comments, staff comments, and the following conditions:

1. Immediate removal of all outdoor storage, except propane tanks, prior to issuance of an Occupancy Permit.
2. Existing board-on-board fence being repainted and repaired, or replaced in-kind with a new board-on-board fence, by August, 2022. If completely replaced, the applicant must apply for a building permit prior to any work beginning.

Motion by Ald. Kastner, seconded by Mr. Krenz, to recommend Common Council approval of the Special Use Review and Site Plan Review for an ownership change to Home Town gas station/convenience store, an existing business located at 5235 W. Loomis Rd., submitted by Khadisa Imayat, d/b/a Hasham Petroleum, LLC (Tax Key No. 648-0008-003), subject to Plan Commission comments and staff comments, and authorize this item to be expedited to the February 17th Common council meeting. Motion carried unanimously.

7. **Certified Survey Map for proposed combination of parcels located at 4267 W. Loomis Rd., submitted by Jeffrey Katz, Director, Department of Neighborhood Services. (Tax Key No. 600-9956-006)**

The Wisconsin Department of Transportation sold the former Turf land, 1.3 acres, to the City one (1) year ago for \$1. As part of the sale, the DOT required that this land be used exclusively for public park purposes. The City intends to resurrect The Turf skate park with the construction

of a new facility in conjunction with The Interchange redevelopment in the next year or two. The 1.3 acres of land was a piecemeal of separate parcels. The proposed Certified Survey Map cleans up lot lines and provides The Turf with its own identifiable parcel, for the use of a future public skate park. The Engineering Department worked with Kapur, Inc. on the Certified Survey Map. Staff recommends that this item be expedited to the February 17, 2021 Common Council meeting for approval.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend approval of the Certified Survey Map for proposed combination of parcels located at 4267 W. Loomis Rd., submitted by Jeffrey Katz, Director, Department of Neighborhood Services (Tax Key No. 600-9956-006), subject to Plan Commission and staff comments, and authorize this item to be expedited to the February 17th Common Council meeting. Motion carried unanimously. Ms. Hallen abstained.

8. Ordinance to repeal and recreate Chapter 19 – Sign Code of the Municipal Code.

The City of Greenfield adopted the current Sign Code in 1998 with various updates since then. Twenty-three (23) years later, the City is in need of a new Code. The purpose of the proposed Sign Code repeal/recreation is:

1. To conform to Reed v. Town of Gilbert Supreme Court ruling, 2015.
2. To create a simpler Sign Code that is clearly defined.
3. To loosen strict signage regulations that create constant requests for variances.
4. To create a Master Signage Program that allows for more signage on big box buildings and multi-tenant commercial buildings, compared to standard signage restrictions on smaller commercial buildings.
5. To foster and encourage architectural design in signage.

The draft Ordinance is included in the packet to Plan Commission members. An overview presentation will be provided at the meeting.

Ms. Porter gave a presentation on the proposed new Sign Code. She proposed starting from scratch to make the Sign Code more clearly defined. The new code will focus on signage area and design. It will base the size restriction on the parcel, not what type of establishment the sign is advertising. The City would give businesses with nonconforming signs 24 months to conform with the new Sign Code. Ms. Porter proposed a conformance trigger to include architectural modifications to existing buildings and the Plan Commission agreed to adding that trigger. She also mentioned how the code would encourage creative signs for businesses. Staff will create a one page handout to summarize the new Sign Code and distribute it to sign contractors.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend approval of the Ordinance to repeal and recreate Chapter 19 – Sign Code of the Municipal Code, subject to Plan Commission and staff comments, and authorize this item to be expedited to the February 17th Common Council meeting. Motion carried unanimously.

9. Community Development Manager Report

Staff discussed the Starbucks at 84 South. Ms. Porter reported that Starbucks did not have a Site Plan with enough on site queuing so that vehicles do not spill out onto Sura Lane. Starbucks will need to resubmit the Site Plan and this will be placed on the Plan Commission agenda when it is ready.

Staff and Plan Commissioners discussed the future of the Lokal at 84 South. They reiterated the desire for a public space, perhaps offering beer and coffee. The beer garden last summer shows that people will come to the location.

8. Adjournment.

Motion by Mr. Weis, seconded by Mr. Carlson, to adjourn the meeting at 7:01 pm. Motion carried unanimously.

Respectfully submitted,

Natalie Phillips
Administrative Assistant

Distributed February 15, 2021