

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, APRIL 12, 2022**

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	Excused
	Mr. Steve Rogers	Present
	Mr. Don Carlson	Present
	Mr. David Schilz	Present
	Mr. Robert Krenz	Present
	Mr. Michael Braswell (alt.)	Present

ALSO PRESENT: Kristi Porter – Community Development Manager

2. Approval of the minutes from the March 8, 2022 meeting.

Motion by Mr. Carlson, seconded by Mr. Braswell, to approve the March 8, 2022 Meeting minutes.

3. Discussion regarding last Common Council meetings.

Common Council approved the Public Hearing for La Villa Nutrition on 3/15/22.

4A. Special Use Permit for Bion Strength & Conditioning, a proposed personal training business to be located at 4643 S. 108 St., submitted by Stevan Dukic, d/b/a Bion Strength & Conditioning. (Tax Key No. 609-0033-001)

4B. Site Plan Review for Bion Strength & Conditioning, a proposed personal training business to be located at 4643 S. 108 St., submitted by Stevan Dukic, d/b/a Bion Strength & Conditioning. (Tax Key No. 609-0033-001)

Items 4A and 4B may be considered together.

Overview and Zoning

The applicant is proposing to lease 1,282 sq. ft. of vacant tenant space within the multi-tenant commercial building at 4643 S. 108 St. to operate Bion Strength & Conditioning, a personal training business. This property is zoned C-4 Regional Business District, which permits personal fitness training services as a Special Use. Bion Strength & Conditioning will offer personal training, one-on-one training, or small group training. They anticipate having between 5-30 clients per day. The applicant will initially be the sole trainer but they may add up to two additional trainers as clientele grows. Training will be by appointment only with proposed hours not to exceed 6:00am – 9:00pm, daily. The applicant has a BS in Business Administration and Management and has been a personal trainer professionally for close to 8 years. He has experience working in big box gyms, personal training studios, and athletic performance facilities. A public hearing could be scheduled as soon as May 17, 2022.

Site Plan Review

A site plan was not submitted, but the site is subject to review when the Plan Commission and Common Council consider Special Use Permits. The site is in good condition and there were no issues observed when staff conducted a site visit.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan Review for Bion Strength & Conditioning, a proposed personal training business to be located at 4643 S. 108 St., submitted by Stevan Dukic, d/b/a Bion Strength & Conditioning. (Tax Key No. 609-0033-001), subject to Plan Commission and staff comments, and the following conditions:

(Item 1 is required to be satisfied prior to the issuance of an Occupancy Permit.)

1. Common Council approval of the Special Use Permit, following a public hearing.

Motion by Mr. Rogers, seconded by Mr. Schilz, to recommend Common Council approval of the Special Use Permit and Site Plan Review for Bion Strength & Conditioning, a proposed personal training business to be located at 4643 S. 108 St., submitted by Stevan Dukic, d/b/a Bion Strength & Conditioning (Tax Key No. 609-0033-001), subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled as early as May 17, 2022. Motion carried unanimously.

- 5A. **Special Use Review for a Rosen Hyundai of Greenfield, an existing business, for proposed building addition at 6133 S. 27 St., submitted by Jim Triatik, d/b/a Sullivan Design Builds, and Jeff Rosen, d/b/a Rosen Automotive Group. (Tax Key No. 691-9841-009)**
- 5B. **Site, Landscaping, and Architectural Plans for Rosen Hyundai of Greenfield, an existing business, for proposed building addition at 6133 S. 27 St., submitted by Jim Triatik, d/b/a Sullivan Design Builds, and Jeff Rosen, d/b/a Rosen Automotive Group. (Tax Key No. 691-9841-009)**

Items 5A and 5B may be considered together.

Overview and Zoning

Rosen Hyundai is located along the S. 27 St. commercial corridor and is part of a large Planned Unit Development (PUD) zoning layer that extends north, south and west. New car dealers are a Special Use in the PUD district. Hyundai is proposing to construct two (2) building additions to the existing 19,717 sq. ft. dealership: a front addition of 5,900 sq. ft. and a rear addition of 7,436 sq. ft. are proposed. The proposed project also consists of updating the front façade and interior finishes to the current Hyundai image standards. The existing showroom will be demolished, rebuilt and made larger, a service drive-up will be constructed and the rear addition will be compromised of a service department and relocation of the car wash. The project could result in the hiring of 15 additional employees, resulting in approximately 52 employees at this location.

Per Sec. 21.04.0700.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 feel that the building additions substantially changes the concept or intent of the car dealership, and is therefore recommending to proceed with a Special Use Review instead of a new Permit, and does not recommend that a public hearing would be warranted. In addition, the Engineering Division does not feel the need to enter into an amended PUD Agreement, as there is no public utility work as part of this proposal.

The hours of operation will remain the same: Monday – Friday, 7am-8pm; Saturday, 9am-5pm; Sunday closed. Project timeline: start demo/construction late spring 2022, finish construction spring 2023.

Architectural Plans

The existing Hyundai building is blue and white, and constructed of metal panels, brick and block. As stated above, the Hyundai corporate image and color have changed over time, hence the proposed façade upgrades. The existing building will be painted tan/brown colors to match the new Hyundai corporate look. Existing vs. proposed building elevations are depicted side-by-side below. North façade changes: new reception area addition constructed of glass windows/doors, capped with bronze-shaped sky ACM panels, and removal of two (2) windows, to be replaced with a new glass overhead door. South façade changes: addition of a new personal door as part of the rear building addition (constructed of CMU), a new overhead door and glass personal door as part of the front service drive addition (constructed of a CMU base, EIFS middle and bronze-shaped sky ACM panels on top), and the reception front addition constructed of glass windows/doors, capped with bronze-shaped sky ACM panels. West/rear façade changes: 7,436 sq. ft. service and car wash building addition constructed of CMU, consisting of three (3) overhead doors and three (3) staff/personal doors. East/front façade changes: 5,900 sq. ft. reception and showroom addition constructed of glass wall capped with bronze-shaped sky ACM panels, service drive addition constructed of a CMU base, EIFS middle and bronze-shaped sky ACM panel top.

The only change staff recommends to the building addition is the use of a brick base rather than CMU base to the EIFS portions of the building addition. The building has existing brick on the north end, which the recommendation would match. The client has agreed to change the plans to a brick base as recommended.

Per Section 21.04.0703.E., paragraph 17 of the Municipal Code, “*No overhead doors or garage doors shall face or be viewed from a public street right-of-way.*” The architect noted that the front/east building addition facing S. 27 St. shows three (3) overhead doors with the word “Service” above them. These doors are for service reception only and are not service bays. This space is intended for customers to pull in and out of the elements to discuss their service needs with a service advisor. No service work will be done in this space. The applicant is requesting that the Plan Commission waive the “no overhead door” requirement for this proposal.

Site and Landscaping Plans

The building additions will require some parking reconfiguration, but the site will continue to supply substantially more parking than what the Code requires.

Existing parking: 307 stalls

Required parking (per Code): 158 stalls

Provided parking (after additions): 289 stalls

The refuse enclosure is situated in the middle of the site, far away from the road, and will be reconstructed as it is in poor shape. The new refuse enclosure will be constructed of 8" split face block with chain link gates with privacy slats and a personal door also constructed of chain link with privacy slats.

Per Section 21.04.0703.E., paragraph 10 of the Municipal Code, *Concrete curb and gutter required. (Am. # 2796) Concrete curb and gutter shall be required throughout all outdoor automobile show areas, off-street parking, drive, and loading areas of the development, unless an alternative approach is approved by the City Engineer in conjunction with a Stormwater Management Plan.* This site does not include any concrete curb. The applicant is requesting that the Plan Commission waive this requirement, as this is an existing, already-developed site.

Minor landscaping modifications are proposed, which include new perennials in existing landscape beds and foundation plantings along the new front façade.

The proposal does not include any modifications to site lighting. When visiting the site, it was noted that many light heads, on poles and on the building, were angled up. The Code requires all light heads to be angled parallel with the ground. The applicant shall place a note on revised plans that all light heads will be angled down, parallel to the ground, and will remain that way.

Signage

This proposal does not include a signage package. The applicant will present a Master Signage Plan to the Plan Commission at a future date.

Recommendation: Recommend Common Council approval of the Special Use Review and Site, Landscaping, and Architectural Plans for Rosen Hyundai of Greenfield, an existing business, for proposed building addition at 6133 S. 27 St., submitted by Jim Triatik, d/b/a Sullivan Design Builds, and Jeff Rosen, d/b/a Rosen Automotive Group (Tax Key No. 691-9841-009), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 3 are required to be satisfied prior to the issuance of building permits associated with the proposed project reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. Revised Site and Architectural Plans being submitted to the Community Development Division to show the following: (a) all building materials being labeled accordingly; (b) all new building elevation modifications being labeled accordingly; and, (c) notation that all light heads will be tilted down/angled to be parallel with the ground.
2. Civil Plan set and Stormwater Management Plan showing modifications/requirements as directed by the Engineering Division.
3. Notation on plans that the existing FDC will be relocated from the street to the building,

per the Fire Department.

Motion by Mr. Rogers, seconded by Mr. Carlson, to recommend Common Council approval of the Special Use Review and Site, Landscaping, and Architectural Plans for Rosen Hyundai of Greenfield, an existing business, for proposed building addition at 6133 S. 27 St., submitted by Jim Triatik, d/b/a Sullivan Design Builds, and Jeff Rosen, d/b/a Rosen Automotive Group (Tax Key No. 691-9841-009), subject to Plan Commission and staff comments, and authorize this item to be expedited to the April 19th Common Council meeting. The Plan Commission noted that they were approving the two waiver requests as described in the Staff Report. Motion carried unanimously.

- 6A. Special Use Permit for MKE Wine & Liquor, a proposed business to be located at 3322 W. Loomis Rd., submitted by Faisal Farooqui, d/b/a MKE Wine & Liquor LLC. (Tax Key No. 553-0436-001)**
- 6B. Site Plan Review for MKE Wine & Liquor, a proposed business to be located at 3322 W. Loomis Rd., submitted by Faisal Farooqui, d/b/a MKE Wine & Liquor LLC. (Tax Key No. 553-0436-001)**

Items 6A and 6B may be considered together.

Overview and Zoning

The applicant, Mr. Farooqui, has purchased the property at 3322 W. Loomis Rd. He is requesting changing the use of the building from a restaurant use, most recently Oh Yeah Chicken & More, to MKE Wine & Liquor, a liquor and convenience store. The property is zoned C-2 Community Commercial District, which allows “Beer, Wine, and Liquor Stores” as a Special Use. Proposed products include beer, wine, liquor, tobacco products, and snacks such as chips, cookies, nuts, and pretzels. Mr. Farooqui expects having two full-time and two part-time employees. The proposed hours of operation are 9am – 9pm, daily. A public hearing could be scheduled as soon as May 17, 2022.

Site Plan Review

While the applicant didn’t submit a site plan, the site is subject to Plan Commission review with the Special Use Review. Oh Yeah Chicken and More had originally gone before the Plan Commission in March 2018. At that time, the Plan Commission requested that a full landscape plan be submitted for review the following month. The Plan Commission approved a phased landscape plan in April 2018: Phase I included landscaping the front of the parcel, to be completed in 2018; and Phase II included landscaping the side (south), rear (west), and installing poured concrete curbing, all to be completed by 2020.

At the November 10, 2020 Plan Commission meeting, the previous tenant had requested an extension of time to complete site improvements. The applicant asked for an extension to complete all site improvements by year- end, 2025, citing revenue struggles from COVID-19. The 2018 required landscaping in the very front of the building had been completed. None of the 2020 required improvements had been started. The Plan Commission and Common Council approved an extension of time to complete all site improvements by December 31, 2025. That timeframe would be applicable to the site, no matter who the owner or tenant is, and carries through with this proposed change in occupancy to MKE Wine & Liquor.

To date, none of the south nor west site improvements have been made. Staff observed a few site conditions that need updating prior to occupancy: (1) the light heads on the light poles need to be angled down to be parallel with the ground; (2) refuse containers need to be kept INSIDE the enclosure; and, (3) basic clean-up of the site needs to be completed, including removal of trash in the parking lot.

The proposed tenant requires thirteen (13) parking spaces. There are twenty-nine (29) parking spaces onsite.

The Greenfield Police Department shared concerns that because this location is on the border between Greenfield and Milwaukee, this is a prime location for chronic retail theft and may lead to additional crimes, such as burglaries. Within the City of Greenfield, there are six (6) locations within a one-mile radius that sell beer or liquor. This list includes liquor stores, convenience stores, and restaurants. There are an additional number of businesses within the City of Milwaukee along S. 27 St. that sell beer and liquor within the one-mile radius. Given the proximity of other liquor/beer sales close to this location and the Greenfield PD concerns, staff recommends denial of the Special Use Permit.

Recommendation: Recommend Common Council denial of the Special Use Permit and Site Plan Review for MKE Wine & Liquor, a proposed business to be located at 3322 W. Loomis Rd., submitted by Faisal Farooqui, d/b/a MKE Wine & Liquor LLC. (Tax Key No. 553-0436-001).

If Plan Commission recommends approval, staff recommends the approval be subject to Plan Commission and staff comments, and the following conditions:

(Items 1 and 2 are required to be satisfied prior to the issuance of a Liquor License.)

1. A letter being submitted to the Community Development Division stating that the following items have been completed: (a) the light heads on the light poles have been angled down to be parallel with the ground; (2) the refuse containers are being kept INSIDE the enclosure; and, (3) basic clean-up of the site has been completed, including removal of trash in the parking lot.
2. Common Council approval of the Special Use Permit, following a public hearing.

The applicant, Mr. Farooqui, was present for discussion. He explained that circumstances, including his business partner moving to India and restaurant equipment delays are preventing him from opening Sauce & Toss as originally planned and presented March 8, 2022. Mr. Farooqui said that he can try to continue business as a restaurant if the MKE Wine & Liquor proposal is not approved. The Plan Commission shares the Greenfield Police Department's concerns regarding a liquor store with close proximity to the City of Milwaukee and high theft rates. After discussion, Mr. Farooqui requested to withdraw the MKE Wine & Liquor application for a Special Use Permit and said he would continue with the Sauce & Toss application. Ms. Porter stated she would have the Sauce & Toss application placed on the April 19, 2022 Common Council agenda.

No motion was made as the applicant withdrew his application.

- 7A. Special Use Review for Arby's, an existing restaurant located at 4841 S. 27 St., submitted by John P. Wade, d/b/a AES Midwest LLC. (Tax Key No. 622-9988-014)**
- 7B. Site Plan Review for Arby's, an existing restaurant located at 4841 S. 27 St., submitted by John P. Wade, d/b/a AES Midwest LLC. (Tax Key No. 622-9988-014)**

Items 7A and 7B may be considered together.

Overview and Zoning

The Arby's location at 4841 S. 27 St. has been purchased AES Midwest LLC, an Arby's franchisee business based in Carmel, Indiana. The location is zoned C-2 Community Commercial District, which allows restaurants as a Special Use. The change in ownership triggers review of the Special Use permit, site conditions, etc. The new owners intend to operate the Arby's with no changes to the building or operations. The hours of operation will remain the same, which are 10:00 am to 10:00 pm, daily. They anticipate having fifteen (15) employees and anticipate serving 210 customers, daily. The new owners have 17+ years of owning and operating Arby's Restaurants.

Site and Landscaping Plan

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 and no issues need to be addressed at this time.

Staff recommends that this item be expedited to the April 19, 2022, Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for Arby's, an existing restaurant located at 4841 S. 27 St., submitted by John P. Wade, d/b/a AES Midwest LLC. (Tax Key No. 622-9988-014), subject to Plan Commission and staff comments.

Motion by Mayor Neitzke, seconded by Mr. Rogers, to recommend Common Council approval of the Special Use Review and Site Plan Review for Arby's, an existing restaurant located at 4841 S. 27 St., submitted by John P. Wade, d/b/a AES Midwest LLC (Tax Key No. 622-9988-014), subject to Plan Commission and staff comments, and authorize this item to be expedited to the April 19th Common Council meeting. Motion carried unanimously.

- 8A. Special Use Review for Arby's, an existing restaurant located at 4280 S. 76 St., submitted by John P. Wade, d/b/a AES Midwest LLC. (Tax Key No. 571-8984-007)**
- 8B. Site Plan Review for Arby's, an existing restaurant located at 4280 S. 76 St., submitted by John P. Wade, d/b/a AES Midwest LLC. (Tax Key No. 571-8984-007)**

Items 8A and 8B may be considered together.

Overview and Zoning

The Arby's location at 4280 S. 76 St. has been purchased AES Midwest LLC, an Arby's franchisee business based in Carmel, Indiana. The location is zoned C-4 Regional Business District, which allows restaurants as a Special Use. The change in ownership triggers review of the Special Use permit, site conditions, etc. The new owners intend to operate the Arby's with no changes to

the building or operations. The hours of operation will remain the same, which are 10:00 am to 10:00 pm, daily. They anticipate having fifteen (15) employees and anticipate serving 325 customers, daily. The new owners have 17+ years of owning and operating Arby's Restaurants.

Site and Landscaping Plan

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. Staff recommends the Spring Mall pylon sign that is located on the Arby's property be removed by October 2022, as the non-compliant sign no longer contains signage for any current tenants of the mall property.

Staff recommends that this item be expedited to the April 19, 2022, Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for Arby's, an existing restaurant located at 4280 S. 76 St., submitted by John P. Wade, d/b/a AES Midwest LLC. (Tax Key No. 571-8984-007), subject to Plan Commission comments and staff comments, and the following conditions:

(Item 1 is required to be satisfied prior to the issuance of an Occupancy Permit.)

1. A letter being submitted to the Community Development Division stating that the Spring Mall pylon sign will be removed by October 2022.

Mayor Neitzke requested that the minutes reflect the Plan Commission's concerns regarding the major pylon sign which was improved without a permit and is part and parcel of the property. The Mayor explained that the sign being discussed is not the Arby's sign and cannot be converted to an Arby's sign. After discussion, Plan Commission agreed to remove the condition requiring removal of the Spring Mall pylon sign.

Motion by Mayor Neitzke, seconded by Ald. Kastner, to recommend Common Council approval of the Special Use Review and Site Plan Review for Arby's, an existing restaurant located at 4280 S. 76 St., submitted by John P. Wade, d/b/a AES Midwest LLC. (Tax Key No. 571-8984-007), subject to Plan Commission comments and staff comments, and authorize this item to be expedited to the April 19th Common Council meeting. Motion carried unanimously.

9. Discontinuance of right-of-way in the vicinity of W. Loomis Rd. and the east-bound I-894 on-ramp within the 4300 block of W. Loomis Rd.

The City vacated/discontinued S. 43 St. between Starbucks and the We Energies substation, north of W. Layton Ave. in the summer 2021. There was remaining right-of-way (ROW) to the northwest of the northern tip of S. 43 St. that remained, that Cobalt believed to be WisDOT ROW. However, after further due diligence and digging into many old records, it was determined that WisDOT granted that land to the City at one point, and it truly was City ROW. Therefore, the City is proceeding with another Discontinuance process for the 0.157 acres of ROW that remains. There is only one (1) abutting property owner, which is Cobalt, who would obtain the land after the Discontinuance is approved and recorded. Cobalt will blend the ROW piece with their land through a CSM that would need to go before the Plan Commission and Common Council for approval. Cobalt intends to dedicate some of that land, through the CSM process, to the DOT, which they need to someday widen the freeway ramp.

A public hearing for the Discontinuance has been scheduled for May 3, 2022.

Recommendation: Recommend Common Council approval of the Discontinuance of right-of-way in the vicinity of W. Loomis Rd. and the east-bound I-894 on-ramp within the 4300 block of W. Loomis Rd.

Motion by Mr. Carlson, seconded by Mr. Braswell, to recommend Common Council approval of the Discontinuance of right-of-way in the vicinity of W. Loomis Rd. and the east-bound I-894 on-ramp within the 4300 block of W. Loomis Rd, and authorize a public hearing to be scheduled as early as May 3, 2022.

10. Community Development Manager Report

Brixmor has contracted a new broker and is seeking a new use and developer for Spring Mall. There was a ground breaking ceremony yesterday for The Woods – A GreatLife Community at 119th and Edgerton Ave. The Rehab Hospital located at 3200 S. 103 St. is having an open house on May 17th from 4-8pm. Genesis Restaurant on Hwy 100 & Beloit has a new owner, who is also a developer. Best Buy has contacted staff regarding exterior alteration plans. The Loomis and Layton project is getting closer to finalizing plans for permit applications.

11. Adjournment.

**Motion by Ald. Kastner, seconded by Mr. Braswell, to adjourn the meeting at 6:53 p.m.
Motion carried unanimously.**

Respectfully submitted,

Natalie Phillips
Administrative Assistant

Distributed April 18, 2022