

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, JUNE 14, 2022**

1. The meeting was called to order at 6:00 p.m. by Ald. Kastner

ROLL CALL:	Mayor Michael Neitzke	Excused
	Ald. Karl Kastner	Present
	Mr. Brian Weis	Present
	Mr. Steve Rogers	Present
	Mr. Don Carlson	Present
	Mr. David Schilz	Present
	Mr. Robert Krenz	Present
	Mr. Michael Braswell (alt.)	Present
	Ms. Danielle Wojak (alt.)	Present

ALSO PRESENT: Kristi Porter – Community Development Manager

1. Roll Call

2. Approval of the minutes from the May 10, 2022 meeting.

Motion by Ald. Kastner, seconded by Mr. Weis, to approve, with a correction on page 16, that “Ald. Kastner and Mr. Krenz agree that this is a good start for a conceptual plan which will need to be tweaked to incorporate more green space,” the May 10, 2022 Meeting minutes. Motion carried unanimously. Mr. Rogers, Mr. Carlson, and Mr. Schilz abstained.

3. Discussion regarding last Common Council meetings.

Common Council approved the Public Hearing for Bion Strength & Conditioning on May 31, 2022.

4. Site and Architectural Plans for a proposed gazebo at The Salvation Army, an existing business located at 2900 W. Cold Spring Rd., submitted by Kiran Kuhn, d/b/a The Salvation Army Cold Spring. (Tax Key No. 576-9980-000)

Overview and Zoning

The Salvation Army, an existing business located at 2900 W. Cold Spring Rd., is proposing adding a gazebo to the lawn adjacent to their parking lot and community garden. The Salvation Army purchased the blueprints and materials for the gazebo and will construct the structure themselves. The gazebo will be open for use during their regular business hours of operation are Monday – Thursday, 9am – 3pm, with Fridays and Saturdays 9am – 1pm, and closed on Sunday. The property is zoned I Institutional District.

Site and Architectural Plans

The proposed gazebo will be a 16’ octagon across and 13’ 3” tall. This will be enough space for 24 people sitting at 3-6’ round tables, 30 people at 3-10’ long tables, or 32 people standing. It will be constructed of dimensioned lumber over a concrete slab. The gazebo will have an asphalt shingle roof and will be topped with a pre-fabricated cupola. The gazebo is proposed to be placed south of the sidewalk and community garden.

When the community garden was approved in April 2021, a condition of approval was that revised site and landscaping plans to reflect the “as-built” conditions be submitted to the Community Development Division by May 2022. To date, those plans have not been received. Staff recommends these plans be submitted prior to issuance of a building permit for the proposed gazebo.

Recommendation: Recommend Common Council approval of the Site and Architectural Plans for a proposed gazebo at The Salvation Army, an existing business located at 2900 W. Cold Spring Rd., submitted by Kiran Kuhn, d/b/a The Salvation Army Cold Spring (Tax Key No. 576-9980-000), subject to Plan Commission and staff comments, and the following conditions:

(Item 1 is required to be submitted to the Community Development Division prior to issuance of building permits.)

1. Revised Site and Landscaping Plans being submitted to the Community Development Division to show the “as-built” conditions of the property, including accurate parking lots and parking spaces, landscaping, sidewalks, location of community garden, and gazebo.

Motion by Mr. Carlson, seconded by Mr. Rogers, to recommend Common Council approval of the Site and Architectural Plans for a proposed gazebo at The Salvation Army, an existing business located at 2900 W. Cold Spring Rd., submitted by Kiran Kuhn, d/b/a The Salvation Army Cold Spring (Tax Key No. 576-9980-000), subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 21st Common Council meeting. Motion carried unanimously.

5. **Site and Architectural Plans for Tesla vehicle chargers at Meijer, an existing business located at 5800 W. Layton Ave., submitted by Sarah Honeycutt, d/b/a GPD Group Inc. and Meron Demissie d/b/a Tesla, Inc. (Tax Key No. 602-9947-004)**

Overview and Zoning

The applicants are proposing to install a Tesla supercharging station within the parking lot of Meijer grocery store, an existing business located at 5800 W. Layton Ave. The Tesla Supercharging station will be available 24/7 to the general public. There will be no physical attendants onsite but the site will constantly be monitored online. The payment for the use the Tesla Supercharging units is handled through the Tesla app, no card swiping or physical payment portal will be available onsite. These charging sites are currently for Tesla vehicles only. The property is zoned PUD Planned Unit Development District.

Site and Architectural Plans

The Tesla Supercharging station is proposed to be located on the footprint of 16 existing parking stalls just east of the Meijer gas station in the southeastern corner of the property. The charging station will convert those 16 spaces into 12 Tesla charging stalls (including one ADA-complaint stall), one standard stall, and equipment enclosure. This will result in a net loss of three (3) parking spaces. The charging cabinets and switchgear assembly within the enclosure will be on 2” raised concrete pads. The equipment is proposed to be enclosed by an 8’ tall, saddle-brown wood-plastic composite board-on-board privacy fence with one keypad-controlled gated. “Slowstop” deterrent bollards are proposed in front of each parking space, to prevent vehicles

from damaging the charging stations. One (1) tree in an adjacent landscaped island is proposed to be removed to accommodate an electrical utility transformer on a concrete pad.

Staff has no concerns with the proposal, as presented. Staff is aware of an issue nationally with the theft of charging cables from these charging stations for their copper wire value, and therefore recommends a security camera be added to the rear/ease side of the Meijer gas station to monitor the charging station.

Recommendation: Recommend Common Council approval Site and Architectural Plans for Tesla vehicle chargers at Meijer, an existing business located at 5800 W. Layton Ave., submitted by Sarah Honeycutt, d/b/a GPD Group Inc. and Meron Demissie d/b/a Tesla, Inc. (Tax Key No. 602-9947-004), subject to Plan Commission and staff comments, and the following conditions:

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

1. Revised Site and Architectural Plans showing the addition of a security camera added to the eastern elevation of the Meijer gas station building.

Mr. Austin Barkley was present for discussion. He said that this will be Tesla's fiftieth site with Meijer. The applicant stated that cable stealing was an issue during only one incident in the Midwest in the past twelve (12) months. He asked the Plan Commission to leave the security camera request off of the requirement.

The Plan Commission stated that they thought the request to add one (1) camera was a small one, given that Meijer already had an established system, and they thought it was a good idea to add.

Motion by Mr. Weis, seconded by Mr. Rogers, to recommend Common Council approval of the Site and Architectural Plans for Tesla vehicle chargers at Meijer, an existing business located at 5800 W. Layton Ave., submitted by Sarah Honeycutt, d/b/a GPD Group Inc. and Meron Demissie d/b/a Tesla, Inc. (Tax Key No. 602-9947-004), subject to Plan Commission and staff comments, and authorize this item to be expedited to the June 21st Common Council meeting. Motion carried unanimously.

- 6A. **Special Use Permit for Vape City Tobacco In Greenfield, a proposed tobacco and CBD retailer to be located at 4969 S. 27 St., submitted by Raed Adel Atshan, d/b/a VCT on 27th LLC. (Tax Key No. 622-0006-000)**
- 6B. **Site Plan Review and Signage Plan Appeal for Vape City Tobacco In Greenfield, a proposed tobacco and CBD retailer to be located at 4969 S. 27 St., submitted by Raed Adel Atshan, d/b/a VCT on 27th LLC. (Tax Key No. 622-0006-000)**

Items 6A and 6B may be considered together.

Overview and Zoning

The owner of this property has a new 3,900 sq. ft. "white box" commercial building under construction, and has found a tenant for the entire building. The property at the corner of S. 27

St. and W. Holmes Ave. is zoned C-2 Community Commercial District, which permits tobacco stores and “all other miscellaneous store retailers” as a Special Use. A public hearing will be required, which can be scheduled as early as July 19, 2022.

The applicant and proposed operator of Vape City Tobacco is also part owner of Vape & Smoke at 3875 S. 92 St. (92nd & Howard) in Milwaukee and 3602 E. College Ave. (College & Packard) in Cudahy. Mr. Atshan is proposing to establish this new “tobacco outlet” in Greenfield, which would be larger than the other two (2) stores. This outlet would sell cigarettes, cigars, flavored pipe tobacco, chewing tobacco, cigarette and tobacco accessories, electronic cigarettes, and CBD products. Mr. Atshan is requesting to be open 24 hours/day, seven (7) days/week. His second-preferred hours of operation would be 24/7 with private security hired from 12am – 6am nightly. This third-preferred hours of operation would be 6am-12am. The Plan Commission and Common Council has consistently limited hours of operation to tobacco stores, to 8am-10pm. Staff is recommending that this proposal be limited to those same consistent hours of operation.

Site Plan Review

The proposed tobacco and CBD store is not triggering any modifications to the property or building from its approved plans. The site is still under construction.

Signage Plan Appeal

The applicant is proposing to install three (3) wall signs. The Sign Code allows for two (2) wall signs, one per street frontage if desired, on commercial buildings. Although this building was constructed with the intention of it being a multi-tenant commercial building, it is NOT. The applicant is occupying the entire footprint of the building.

The Variance section of the Sign Code states that the purpose of a variance is: Purpose. Sign variances are intended to allow flexibility in sign regulations while fulfilling the purpose of this ordinance. Variance from specific regulations of this section may be granted by the Plan Commission, where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship; provided, that the spirit of this section shall be observed, public safety and welfare secured and substantial justice done. Nothing in this section, however, is intended to permit the erection or maintenance of signs which create the potential of public harm or for which there is no public benefit or which are in conflict with the City's Master Plan or relevant portions thereof.

Staff does not feel that there is a hardship need for more than two (2) wall signs. The building will have a freestanding monument sign constructed along S. 27 St. and the building is very visible at an open corner intersection where a sign on the south wall and a sign on the east wall will be visible to all traffic, totaling 160 sq. ft. of accumulative wall signage. Staff does not recommend approval of additional wall signage beyond what the Sign Code permits.

Feather flags/banner flags, pennants, streamers, and distracting/animated signs are prohibited and shall never be installed on the property. In addition, window signage is capped at 20% of the window area.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan Review and deny the Signage Plan Appeal for Vape City Tobacco In Greenfield, a proposed tobacco and CBD retailer to be located at 4969 S. 27 St., submitted by Raed Adel

Atshan, d/b/a VCT on 27th LLC (Tax Key No. 622-0006-000), subject to Plan Commission and staff comments, and the following conditions:

(Item 1 is required to be satisfied prior to the issuance of a certificate of occupancy.)

1. Common Council approval of the Special Use Permit following a public hearing, to be scheduled for July 19, 2022.

Ms. Porter began the presentation with a notation that the agenda item should be amended to include a "Signage Plan Appeal" which was erroneously left out, even though the staff report made mention of the application.

The applicant, Raed Adel Atshan, was present for discussion. Mr. Braswell asked Mr. Atshan why he needs so much space for a tobacco outlet. Mr. Atshan explained that Vape City Tobacco is going to be an outlet store with more affordable pricing and a large selection which requires the additional space. He said that the square footage will allow the business to incorporate many products from across the world and help differentiate them from standard brick and mortar tobacco outlets. Mr. Atshan said that many tobacco stores are currently opening because of the adoption of Hemp, CBD, and the growth of the electronic cigarette industry.

Mr. Schilz noted that the City of Greenfield has fifteen (15) vape shops in a three (3) mile radius of City Hall and there are five (5) of them on 27th street. Mr. Rogers asked what the age requirement is to enter the store. The applicant said that it is 18 in the state of Wisconsin.

Mr. Schilz asked why Vape City Tobacco needs security guards from 12am-6am. Mr. Braswell questioned the need for a massive building. The applicant said that their humidor will be large and the entire exterior wall will be a fish tank. Mr. Atshan explained that cigar customers are usually more upper class customers, and he wants to accomplish something unique in the space.

Mr. Krenz said that business hours of 24 hours a day, seven (7) days a week is out of the question. Ald. Kastner agreed that 24/7 won't work because 1) there don't exist any other stores with those hours in Greenfield, and 2) there is a residential neighborhood immediately to the west.

Ald. Kastner discussed how the applicant used the architectural design as a reason for the requested signage. He suggested eliminating the 2 doors that he believes aren't relevant, and that could be the architectural design improvement that the applicant is looking for. Ald. Kastner doesn't think the applicant needs a sign on Holmes Ave. if he's going to have a monument sign out by the street. Signage meeting the code and normal business hours is all Ald. Kastner will support.

Mr. Carlson and Mr. Weis do not support 24 hours a day, seven (7) days a week business hours. Mr. Weis believes the City of Greenfield has more than enough vape shops.

Motion by Mr. Carlson, seconded by Ald. Kastner, to recommend Common Council approval of the Special Use Permit and Site Plan Review and approve the Signage Plan Appeal for Vape City Tobacco In Greenfield, a proposed tobacco and CBD retailer to be located at 4969 S. 27 St., submitted by Raed Adel Atshan, d/b/a VCT on 27th LLC (Tax Key No. 622-0006-000),

subject to Plan Commission and staff comments, including the business hours 8am – 10pm, and two (2) walls signs meeting the signage code. The motion failed 2-4, with Ald. Kastner and Mr. Carlson voting yes, and Mr. Rogers, Mr. Weis, Mr. Schilz, and Mr. Krenz voting no, therefore recommending Common Council denial of the Special Use Permit and Site Plan Review for Vape City Tobacco in Greenfield and denial of the Signage Plan Appeal.

- 7A. **Special Use Permit for Kalibres Restaurant & Bar, a proposed full-service restaurant to be located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez d/b/a Kalibres Restaurant & Bar LLC. (Tax Key No. 531-0000-900)**
- 7B. **Site Plan Review for Kalibres Restaurant & Bar, a proposed full-service restaurant to be located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez d/b/a Kalibres Restaurant & Bar LLC. (Tax Key No. 531-0000-900)**
- 7C. **Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 4555 W. Forest Home Ave. from C-3 Highway and Commercial Service Business District to C-2 Community Commercial District. (Tax Key No. 531-0000-900)**

Items 7A, 7B and 7C may be considered together.

Overview and Zoning

The applicant, Mr. Hernandez, is proposing to open a full-service Mexican food restaurant at the former Burger King location at 4555 W. Forest Home Ave. The former Burger King use was considered a limited-service restaurant, which is a different NAICS code and triggers a public hearing. Kalibres Restaurant & Bar will occupy the 2,453 sq. ft. building. The menu will consist of Mexican cuisine and a bar area is proposed within the business. The property is split-zoned C-2 Community Commercial District and C-3 Highway and Commercial Service Business District, which allows full-service restaurants as a Special Use. The restaurant will initially have eight (8) employees, as well as two (2) managers. They anticipate having between 100-200 customers, daily. The proposed hours of operation are 7:00am to 12:00am (midnight), Monday-Wednesday and 7:00am to 2:00am, Thursday-Sunday. The applicant currently operates Kalibres Tacos food truck. The applicant will need to apply for a liquor license from the Common Council. A public hearing could be scheduled as soon as July 19, 2022.

Site and Landscaping Plans

The applicant is not proposing any significant exterior site or building modifications but is planning a larger interior remodel. Overall, the site was in good condition, with only moderate issues to address. Some of the curb in the drive-thru area and around the parking lot is damaged and should be repaired. The drive-thru is not going to be used with this restaurant user and the menu board and intercom system in the drive thru lane should be removed. The chain-link fence behind the building was recently damaged and temporarily fixed. A more permanent repair will be needed. Staff recommends the pylon sign be removed and a code-compliant monument sign be installed, if freestanding signage is desired. The upper portion of the southwestern wall shows a ghost-outline where the Burger King wall sign was located and staff recommends this area be repainted to match the rest of the wall. The landscaping appears to be in fairly good condition but the property does not have an approved landscape plan on file. Staff recommends an “as-built” landscape plan be submitted to the Community Development Division for approval. The applicant is also requesting to park his taco truck onsite

adjacent to the building when the truck is not in use, which should be shown on the site/landscaping plan.

The full-service restaurant will require 25 off-street parking spaces. The site has 39 off-street parking spaces.

When researching the parcel for this proposal, staff found a few items with that require cleanup. The parcel is split-zoned C-2 and C-3. Staff recommends the C-3 portion of the parcel be rezoned to C-2 to match the remainder of the parcel and adjacent properties. The split zone is likely a remnant of a portion of the lot previously being developed, and the tax key numbers being combined. A public hearing for the Ordinance to rezone would be grouped with the public hearing for the full-service restaurant Special Use Permit on July 19, 2022. Staff also found this tax key consists of five (5) separate parcels. Staff recommends a certified survey map (CSM) be submitted combining these five parcels into one (1) parcel. The property owner has expressed a willingness to proceed with a CSM.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan Review for Kalibres Restaurant & Bar, a proposed full-service restaurant to be located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez d/b/a Kalibres Restaurant & Bar LLC, and recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 4555 W. Forest Home Ave. from C-3 Highway and Commercial Service Business District to C-2 Community Commercial District (Tax Key No. 531-0000-900), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 4 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. "As-built" landscaping plans submitted to the Community Development Division for approval by September 2022.
2. A letter being submitted to the Community Development Division stating that the damaged curb will be repaired, the fence fixed, the wall repainted, and the pylon sign and drive thru equipment removed by September 2022.
3. A Certified Survey Map, Plan Commission application, and appropriate fees submitted to the Community Development Division for review and approval by September 2022.
4. Common Council approval of the Special Use Permit and the Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property from C-3 to C-2, following a public hearing.

Motion by Mr. Schilz, seconded by Mr. Carlson, to recommend Common Council approval of the Special Use Permit and Site Plan Review for Kalibres Restaurant & Bar, a proposed full-service restaurant to be located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez d/b/a Kalibres Restaurant & Bar LLC, and recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 4555 W. Forest Home Ave. from C-3 Highway and Commercial Service

Business District to C-2 Community Commercial District (Tax Key No. 531-0000-900), subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled as early as July 19th, 2022. Motion carried unanimously.

- 8A. Special Use Review for Area 414, a proposed full-service restaurant and catering business to be located at 5110 W. Loomis Rd., submitted by Mario Trisic d/b/a Area 414, LLC. (Tax Key No. 648-0031-003)**
- 8B. Site Plan Review for Area 414, a proposed full-service restaurant and catering business to be located at 5110 W. Loomis Rd., submitted by Mario Trisic d/b/a Area 414, LLC. (Tax Key No. 648-0031-003)**

Items 8A and 8B may be considered together.

Overview and Zoning

The applicant, Mr. Trisic, has an offer to purchase the Carl's Catering location at 5110 W. Loomis Rd. and proposes to operate a similar full-service restaurant and catering business, Area 414. There are two (2) distinct spaces to be used within the building – a 4,500 sq. ft. event venue and 2,500 sq. ft. bar/restaurant. The proposed hours of operation for the bar/restaurant are 11:00am to 10:00pm, Monday-Thursday; 11:00am to 12:00am (midnight), Friday; 9:00am to 12:00am (midnight), Saturday; and 9:00am to 10:00pm, Sunday. The event venue's hours of operation will vary based on customer needs but will not exceed those of the restaurant/bar. The event venue will host events such as weddings, birthday parties, funerals, and anniversaries. Food and alcoholic beverages will be served at the events (this parcel has an existing liquor license). The restaurant will initially have eight (8) employees and anticipate having between 80-100 customers, daily. The new owners have experience managing two motels and a bar within the Milwaukee metro area. The property is zoned C-2 Community Commercial District, which allows full-service restaurants and catering businesses as a Special Use.

Site and Landscaping Plans

The applicant is not proposing any significant exterior site or building modifications but is planning full-scale interior remodel. Overall, the site was in good condition, with only moderate issues to address. There are a few older no cut-off luminaire lighting fixtures in the parking lot that staff recommends be replaced with total cut-off type luminaires. The existing pylon sign is located within the W. Loomis Rd. right of way. Staff recommends the pylon sign be removed within two (2) years. A code-compliant monument sign can be installed within the subject property, if freestanding signage is desired. Staff recommends the damaged gates on the refuse enclosure be repaired or replaced and the parking lot lines be restriped. This property also does not have an approved landscape plan on file. Staff recommends an "as-built" landscape plan be submitted to the Community Development Division for review and approval.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for Area 414, a proposed full-service restaurant and catering business to be located at 5110 W. Loomis Rd., submitted by Mario Trisic d/b/a Area 414, LLC (Tax Key No. 648-0031-003), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 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.)

1. “As-built” landscaping plans submitted to the Community Development Division for approval by September 2022.
2. A letter being submitted to the Community Development Division stating that the refuse enclosure gates will be repaired/replaced, the parking lot be restriped, the non-compliant lighting fixtures will be replaced with total cut-off luminaires, and a site lighting plan be submitted by September 2022, and the pylon sign will be removed by June 2024.

The Plan Commission stated that the parking lot looked to be in rough condition and were adding the condition that the parking lot be repaved / seal-coated by December 31, 2023.

Motion by Mr. Weis, seconded by Mr. Rogers, to recommend Common Council approval of the Special Use Review and Site Plan Review for Area 414, a proposed full-service restaurant and catering business to be located at 5110 W. Loomis Rd., submitted by Mario Trisic d/b/a Area 414, LLC (Tax Key No. 648-0031-003), subject to Plan Commission and staff comments, including adding a seal coating to the parking lot by 12/31/23, and authorize this item to be expedited to the June 21st Common Council meeting. Motion carried unanimously.

- 9A. **Special Use Permit for 7 Heaven Shop, a proposed tobacco and CBD retailer to be located at 6009 W. Layton Ave., submitted by Inas Kattoum d/b/a 7 Heaven Shop LLC. (Tax Key No. 618-9999-000)**
- 9B. **Site Plan Review for 7 Heaven Shop, a proposed tobacco and CBD retailer to be located at 6009 W. Layton Ave., submitted by Inas Kattoum d/b/a 7 Heaven Shop LLC. (Tax Key No. 618-9999-000)**

Items 9A and 9B may be considered together.

Overview and Zoning

The applicant, Ms. Kattoum, is proposing to occupy approximately 1,800 sq. ft. of tenant space within the existing multi-tenant commercial building at 6009 W. Layton Ave. The location is zoned C-2 Community Commercial District, which allows tobacco stores and CBD retailers as a Special Use. The tenant space was previously occupied by Next Level Staffing. The proposed hours of operation are 9:00 am – 10:00pm, Monday to Saturday, and 9:00 am – 8:00pm, Sunday. They anticipate between 20-30 customers daily. They will offer products such as name brand tobacco products, CBD products, ashtrays, pipes, cigar cases, gift sets, candy and snacks. This proposal requires a public hearing, which could be scheduled as early as July 19, 2022.

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 Permits. Staff observed numerous site issues on a recent visit. There was damage to the wooden slats on the refuse enclosure behind the building and these slats should be replaced. There are was also a garbage dumpster behind the building without an enclosure. Staff recommends a new board-on-board enclosure be constructed for this dumpster. The asphalt in the alley behind the building was also heavily rutted, likely from the stress caused by garbage trucks. Staff recommends the asphalt in the area behind the building is resurfaced with concrete to prevent future damage. Potholes were

observed in the parking lot and should be patched and the faded parking lines should be restriped. The retaining wall along the northern driveway is also damaged and should be repaired.

Shopping centers with three (3) or more tenants require five (5) off-street parking spaces per 1,000 gross square feet of building area. The 6,250 sq. ft. shopping center would require 32 off-street parking spaces. The site has 38 off-street parking spaces.

A similar proposal for a tobacco store at this location was heard by the Plan Commission in March 2021. The Plan Commission recommended denial of the Special Use Permit and Common Council voted to deny the Special Use Permit at a public hearing April 20, 2021. The proximity of this shopping center to Greenfield High School was noted as the primary reason for denial of the Special Use Permit. Given that this proposal is similar to the previously denied tobacco store, staff is recommending denial of the Special Use Permit.

Recommendation: Recommend Common Council denial of the Special Use Permit and Site Plan Review for 7 Heaven Shop, a proposed tobacco and CBD retailer to be located at 6009 W. Layton Ave., submitted by Inas Kattoum d/b/a 7 Heaven Shop LLC. (Tax Key No. 618-9999-000).

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

(Item 1 is required to be satisfied prior to the issuance of building permits and/or Certificate of Occupancy associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly. The work associated with Item 1 must be completed within one year of Common Council approval.)

1. A Site Plan being submitted to the Community Development Division to show the following: (a) damaged slats on the existing refuse enclosure being replaced; (b) construction of a board-on-board refuse enclosure for the dumpster enclosure behind the Subway tenant space; (c) removal and replacement with concrete of the damaged asphalt behind the building; (d) patching potholes and damaged asphalt throughout the site; (e) restriping of faded parking lines; and, (f) the retaining wall along the northern driveway is repaired.

Ald. Kastner noted that multiple applicants have wanted to put a vape and/ or tobacco shop in close proximity to Greenfield High School and were denied by Plan Commission and Common Council. Other Plan Commission members, Mr. Rogers and Mr. Schilz, stated that they agreed with the recommendation to deny this proposal, to be consistent with past recommendations for the same reason.

Motion by Mr. Schilz, seconded by Mr. Rogers, to recommend Common Council denial of the Special Use Permit and Site Plan Review for 7 Heaven Shop, a proposed tobacco and CBD retailer to be located at 6009 W. Layton Ave., submitted by Inas Kattoum d/b/a 7 Heaven Shop LLC (Tax Key No. 618-9999-000), subject to Plan Commission and staff recommendations, and authorize a public hearing to be scheduled as early as July 19th, 2022. Motion carried unanimously.

- 10. Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 2755-2775 W. Ramsey Ave. from C-1 Neighborhood Commercial District to C-3 Highway and Commercial Service Business District, submitted by Ali Elhashash. (Tax Key No. 691-9984-001)**

The applicant, Mr. Elhashash, is requesting to rezone the Holyland Grocery & Deli property located at 2755-2775 W. Ramsey Ave. from C-1 Neighborhood Commercial District to C-3 Highway and Commercial Service Business District. The property has a vacant tenant space located at 2775 W. Ramsey that the property owners wish to lease to a restaurant user. Restaurant uses are a Special Use in the C-3 zoning district but are not allowed in C-1 zoning districts. Adjacent properties along S. 27 St. are zoned C-3 and the Comprehensive Land Use Map identifies this parcel as Planned Business, which would support a C-3 zoning. Staff recommends approval of the rezoning request. A future restaurant user would be required to obtain a Special Use Permit prior to opening.

A public hearing could be scheduled as early as July 19, 2022.

Recommendation: Recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 2755-2775 W. Ramsey Ave. from C-1 Neighborhood Commercial District to C-3 Highway and Commercial Service Business District. (Tax Key No. 691-9984-001).

Motion by Mr. Weis, seconded by Mr. Carlson, to recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 2755-2775 W. Ramsey Ave. from C-1 Neighborhood Commercial District to C-3 Highway and Commercial Service Business District (Tax Key No. 691-9984-001), subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled as early as July 19th, 2022. Motion carried unanimously.

- 11. Architectural Plans for McDonald's, an existing business located at 4550 S. 108 St., submitted by Mark Smith, d/b/a Axis Infrastructure and Joseph Minorik d/b/a McDonald's Corporation. (Tax Key No. 608-9995-007)**

Architectural Plans

The McDonald's location at 4550 S. 108 St. was approved for an exterior overhaul in 2018. As part of their overhaul, architectural tile was added to the vertical branding elements of the building. The tile use has failed and needed to be removed from the building. McDonald's is proposing replacing the tile with graphite-color Nichiha fiber cement panels to avoid additional issues with the tile. The scope of work is limited to these brand walls. Staff recommends approval of the Nichiha siding.

Recommendation: Recommend Common Council approval of the Architectural Plans for McDonald's, an existing business located at 4550 S. 108 St., submitted by Mark Smith, d/b/a Axis Infrastructure and Joseph Minorik d/b/a McDonald's Corporation (Tax Key No. 608-9995-007), subject to Plan Commission and staff comments.

Motion by Ald. Kastner, seconded by Mr. Rogers, to recommend Common Council approval of the Architectural Plans for McDonald's, an existing business located at 4550 S. 108 St., submitted by Mark Smith, d/b/a Axis Infrastructure and Joseph Minorik d/b/a McDonald's Corporation (Tax Key No. 608-9995-007), subject to Plan Commission and staff comments, and

authorize this item to be expedited to the June 21st Common Council meeting. Motion carried unanimously.

12. Revised Site, Landscaping and Architectural Plans for Playtime Doggy Daycare III, a proposed dog boarding business, to be located at 4333 S. 108 St., submitted by Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC. (Tax Key No. 609-9995-002)

Overview and Zoning

The Site, Landscaping and Architectural Plans and Special Use Permit for Playtime Doggy Daycare III were approved by the Common Council in August 2021. The applicant had put this project on hold for a number of months but is now moving forward with the dog daycare use at the existing commercial property located at 4333 S. 108 St. The Special Use Permit approval is valid until August 31, 2022. The applicant is requesting slight modifications to the previously approved Site, Landscaping, and Architectural plans and seeks a Plan Commission waiver for a fence taller than 6'. The property is zoned C-4 Regional Business District.

Site, Landscaping and Architectural Plans

The newly proposed site, landscaping, and architectural plans address many of the concerns staff had when the plans were approved in 2021. Curbing has been added to the front parking lot, new catch basins for storm sewer have been added to the parking lot, new lawn and landscaping has been added to the front lot, and the entire rear asphalt lot is proposed to be removed and replaced with topsoil and new lawn.

The modifications they are requesting with this proposal are related to the building color and modifications to the dog play area. They are proposing to paint the EIFS on the northern portion of the front façade "honorable blue" and paint the southern portion "repose gray" with "honorable blue" painted trim. The façade was previously approved as dark grey to match the metal paneling on the remainder of the building. Staff recommends the entire façade be painted "repose gray," removing the larger "honorable blue" portion on the north. Staff suggests the blue still be used as a trim color.

They are also requesting a modified fence/wall around the dog play area. The wall will be 8' tall on the parking lot side and south side and 10' tall facing the back of the property. Section 21.04.0803.B.2(b) of the Municipal Code states, "*Fences installed in nonresidential zoning districts shall not exceed six (6) feet in height, except when required to enclose outside storage areas or when approved by the Plan Commission may be up to ten (10) feet in height.*" The area seeking approval of the taller wall to prevent dogs from jumping over a smaller 6' wall. The wall will be constructed of 6" LP Smartsiding. They are also proposing an opaque acrylic panel roof system over a 32' x 75' portion of the dog play area. This will allow a weather-protected area in the yard for the dogs and help contain sound. The covered area will be pitched slightly to allow for drainage of snow/rain.

Recommendation: Recommend Common Council approval of the Revised Site, Landscaping and Architectural Plans for Playtime Doggy Daycare III, a proposed dog boarding business, to be located at 4333 S. 108 St., submitted by Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC (Tax Key No. 609-9995-002), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 5 are required to be satisfied prior to the issuance of building permits and/or Certificate of Occupancy 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) front façade painted “repose gray” with blue trim; (b) revised photometric and lighting plan; and, (c) any landscaping specie/quantity recommendations as provided by the City Forester.
2. A Sign Agreement entered into between the property owner and the City of Greenfield for the location of the monument sign within applicable easement(s).
3. An estimated cost of landscaping and screening being submitted to the Community Development Division for approval.
4. A letter of credit or other form of security as required under 21.06.0304 of the Municipal Code in the amount of 125% of the estimated cost of landscaping and screening.
5. A letter from the applicant stating that all of the weeds, storage, garbage, barrels, and scaffolding will be removed and the various building issues (missing shingles, damaged or missing gutters and downspouts, water drainage issues) will be addressed.

Mr. Koscielniak and Mr. Paweiski were present for discussion. The architect for the project, Mr. Koscielniak, asked to keep the full 138 ft wide by roughly 100 ft deep asphalt pavement in the rear of the western side of the property. Mr. Koscielniak referred to a discussion with his civil engineer who strongly recommended that they do not remove the asphalt and do not put in lawn and soil because of storm water drainage issues. He explained that the property currently has a catch basin which successfully takes the water off of the entire pavement area. Mr. Koscielniak said he spoke with Tim Lynch this morning about keeping the drainage working the way it is now to help with back of the property drainage. The applicant requests to rescind the lawn in the back of the building and to maintain an asphalt service. Mr. Koscielniak will provide storm water drainage calculations and hydraulics to prove to City Engineers that this process will continue to work.

Motion by Ald. Kastner, seconded by Mr. Carlson, to recommend Common Council approval of the Revised Site, Landscaping and Architectural Plans for Playtime Doggy Daycare III, a proposed dog boarding business, to be located at 4333 S. 108 St., submitted by Gregg Paweiski, d/b/a Playtime Doggy Daycare III LLC (Tax Key No. 609-9995-002), subject to Plan Commission and staff comments, including the omission of the grass requirement in the back, and authorize this item to be expedited to the June 21st Common Council meeting. Motion carried unanimously.

- 13A. Conceptual Plan for proposed new construction of a multi-family apartment complex to be located at 44** S. 92 St., submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC. (Tax Key No. 607-9981-003)**
- 13B. Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 44** S. 92 St. from R-2 Single-Family Residential Conservation District to PUD Planned Unit**

Development District (PUD #3), submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC. (Tax Key No. 607-9981-003)

Items 13A and 13B may be considered together.

Conceptual Plan

A partnership group between Cobalt Partners and Joseph Property Development has purchased the undeveloped, 25.5-acre parcel, previously owned by Supreme Builders, Inc. On May 4th it was announced that the joint developers bought Supreme Builders' portfolio of 397 apartments plus this vacant parcel. Cobalt viewed the purchase as an opportunity to build upon the mixed-use and walkable nature of the area and their nearly-adjacent successful 84South development. The intent is to expand the range of housing offerings by providing a product targeted at a more family-oriented clientele than what is offered by the Forte. The vision is to create an amenity-rich, neighborhood setting that both benefits from and builds upon the adjacency to 84South and the retail and service options that it offers.

The format will be two-story, walk-up style homes with attached garages and larger footprints to appeal to young families. The unit arrangement alternates the orientation of garages and integrates green spaces to create a more pleasing landscape. Amenities such as a large clubhouse, pool area, playground, and dog run support the family-friendly setting.

The project would include up to 300 housing units generally arranged in a neighborhood setting. The plan is only conceptual at this point and will be subject to further refinement as the applicants work through engineering design, including with City staff. A 300-unit development would bring a density of 11.76 units/acre to this site. The conceptual site plan provided shows a layout of 264 units made up of three (3) 12-unit buildings, eight (8) 15-unit buildings and six (6) 18-unit buildings. The unit mix on this draft site plan includes the following breakdown:

One-bedroom units	88
One bedroom + den	34
Two-bedroom units	108
Three-bedroom units	<u>34</u>
TOTAL	264

The 18-unit buildings would have an average of 1,102 sq. ft./unit; the 15-unit buildings would have an average of 1,108 sq. ft./unit; and the 12-unit buildings would have an average of 1,118 sq. ft./unit. Parking would include attached garages (318 stalls, averaging 1.2 stalls/unit) and uncovered site stalls (298 stalls, averaging 1.13 stalls/unit). There would be 17 stalls for the clubhouse, totaling 616 off-street parking spaces for 264 units. Again, this is a draft/conceptual site plan and is subject to change pending a final plan being submitted to the Plan Commission and Common Council at a future date.

The applicant has not provided building elevations yet, as the project is in its infancy, but has provided example building designs.

The site layout includes a walking trail along the south property line that will connect S. 92 St. to the west, through the neighboring property to the west, along S. 99 St., and ending at W. Cold Spring Rd. This section is highlighted as a "proposed shared use path" on the City's Bike & Ped

Facilities map. The long-term goal is to continue the path north, running parallel with I-894/USH 45.

Ordinance to Rezone

The applicant is submitting a formal application to begin the process by rezoning the 25-acre site to Planned Unit Development PUD #3. The property is currently zoned R-2 Single-Family Residential Conservation District. The 2020 Comprehensive Land Use Map identifies the parcel as Mixed Residential. The draft PUD #3 Ordinance identifies one (1) permitted use for this parcel—multi-family residential, which is consistent with the 2020 Comprehensive Land Use Plan. Uses to the north are the City’s Fire Station and single-family residential; uses to the east are single-family residential on the east side of S. 92 St.; uses to the south are multi-family residential; and uses to the west are a We Energies substation and vacant land, but the vacant land is expected to be developed as multi-family residential in the near future. Additional restrictions in the Ordinance include:

Type of Standard	Standard
Landscape Surface Ratio and Floor Area	
Minimum Open Space Ratio (OSR)	0.40
Lot Dimensional Requirements	
Maximum Gross Density	15 units/ acre
Minimum Front Yard (feet)	25
Minimum Side Yard (feet)	25
Minimum Side Yard on Corner Lot (feet)	25
Minimum Rear Yard (feet)	25
Minimum Distance Between Buildings (feet)	¾ the height of the tallest building or 20 feet (whichever is greater)
In connection with the approval of Site Plans, the Plan Commission may waive the above Open Space Ratio and Floor Area or the Lot Dimensional Requirements or both within Planned Unit Development District # 3. The Plan Commission may consider the applicable standards in making such determinations.	
Maximum Building Height	
Principal Structure (stories/ft.)	3.0/30
Accessory Structure (stories/ft.)	1.0/15
Upon approval of Site Plans, the Plan Commission may waive the maximum height regulations.	

The setbacks are consistent with the City's general residential PUD setback restrictions. A public hearing would be required for the rezone, which could be scheduled as early as July 19, 2022.

The Plan Commission does not provide a recommendation for the conceptual plan, but would be required to provide a recommendation on the Ordinance to rezone the parcel to PUD #3.

Recommendation: Recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 44** S. 92 St. from R-2 Single-Family Residential Conservation District to PUD Planned Unit Development District (PUD #3), submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC (Tax Key No. 607-9981-003), subject to Plan Commission and staff comments.

Dan Roskopf from Cobalt Partners and Eric Harrmann from AG Architecture were present for discussion. Mr. Harrmann questioned the accessory structure height limitations and said that a 15 ft maximum height for a clubhouse would be difficult to work with. He requested a 20-25 ft height allowance for accessory buildings. Ald. Kaster agreed to an increased accessory buildings height allowance as long as it would not exceed the height of principal structures.

#13A Conceptual Review. No action required.

Motion by Ald. Kastner, seconded by Mr. Weis, as amended, to recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 44 S. 92 St. from R-2 Single-Family Residential Conservation District to PUD Planned Unit Development District (PUD #3), submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC (Tax Key No. 607-9981-003), subject to Plan Commission and staff comments, including accessory building heights to be increased to be equal to the principal structures, and authorize a public hearing to be scheduled as early as July 19th, 2022. Motion carried unanimously.**

14. Community Development Manager Report

Ms. Porter said that Brixmor received seven (7) purchase offers for Spring Mall. They have narrowed the offers down to four (4), three (3) of which are local. Brixmor expects to make a decision by the end of this or next week. Ms. Porter explained that every proposal seems to be a mixed use, and is heavy on residential, but she has not seen nor heard any more details other than that. There was discussion that a strong-interest tenant/ user is expected to present a proposal for the Northwest corner of 84th and Layton by late summer/ early fall at 84 South.

15. Adjournment.

Motion by Mr. Weis, seconded by Mr. Carlson, to adjourn the meeting at 7:18 p.m. Motion carried unanimously.

Respectfully submitted,

Natalie Phillips
Administrative Assistant

Distributed June 20, 2022