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

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

ROLL CALL:	Mayor Michael Neitzke	Present
	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

2. Approval of the minutes from the June 14, 2022 meeting.

Motion by Mr. Carlson, seconded by Mr. Schilz, to approve the June 14, 2022 Meeting minutes.

3. Discussion regarding last Common Council meetings.

Common Council approved the Special Use Permit for Blaze Tobacco Shop, LLC on June 21, 2022. Common Council also approved the Ordinance to amend Section 21.04.0450 of the Municipal Code regarding permitted uses within Planned Unit Development District (PUD #2) and to replace all Planned Development District text on June 21, 2022.

4. Signage Plan Appeal for Kohl's Sephora, an existing business located at 8750 W. Sura Ln., submitted by Steve Ignarski, d/b/a Prairie Sign and Lighting LLC. (Tax Key No. 606-9980-011)

Kohl's/Sephora is seeking a signage variance, requesting additional signage beyond what the Sign Code allows for. The Master Sign Program in the Sign Code permits single-tenant buildings 25,000 square feet or greater and less than 100,000 square feet of building area with 3 wall signs. Kohl's/Sephora has three (3) wall signs approved, totaling 445 sq. ft. The maximum size allowed by the Sign Code at this location is 481.5 sq. ft. Kohl's/Sephora is proposing to add a 59.3 sq. ft. "+ Sephora" wall sign to the rear elevation facing I-894. Staff recommends approval of the signage waiver.

Recommendation: Approve the Signage Plan Appeal for Kohl's Sephora, an existing business located at 8750 W. Sura Ln., submitted by Steve Ignarski, d/b/a Prairie Sign and Lighting LLC. (Tax Key No. 606-9980-011)

Motion by Mayor Neitzke, seconded by Mr. Rogers, to approve the Signage Plan Appeal for Kohl's Sephora, an existing business located at 8750 W. Sura Ln., submitted by Steve Ignarski, d/b/a Prairie Sign and Lighting LLC (Tax Key No. 606-9980-011). Motion carried unanimously.

5A. Special Use Permit for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC. (Tax Key No. 563-9990-002)

5B. Site Plan Review for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC. (Tax Key No. 563-9990-002)

Overview and Zoning

The applicant, Mr. Bitseedy, is proposing to occupy approximately 1,500 sq. ft. of tenant space within the existing multi-tenant commercial building at 3829 S. 108 St. for DankHouse, a proposed CBD retailer. The location is zoned C-4 Regional Business District, which allows CBD retailers as a Special Use. The proposed hours of operation are 9:00 am – 9:00pm, daily. They anticipate between 20-25 customers daily. They will offer CBD wellness products such as lotions, gummies, tinctures, seltzer drinks, CBD flower, and CBD products for pets. They anticipate having 4-5 employees. The applicant has an active Wisconsin Department of Revenue Seller's Permit. This proposal requires a public hearing, which could be scheduled as early as August 16, 2022.

Site Plan 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 were numerous areas of asphalt deterioration in the driveways and parking lot that need to be repaired. Various wood and storage material was located behind the outbuildings and rear driveway. Empty cardboard boxes were stacked along the south sidewalk, adjacent to the Grandpa Frank's tenant space. The luminaires in the parking lot are angled up and need to be lowered to 90 degrees. The parking lines in the parking lot are faded and the lot needs to be restriped. The refuse enclosure is located on a gravel driveway on an adjacent lot owned by Milwaukee County. The enclosure also appears too small for the number of dumpsters on site. Staff was unable to find building permits for the enclosure and no agreement with the adjacent property owner was found by staff indicating an easement to locate and construct a refuse enclosure on the adjacent property. Staff recommends a code-compliant board-on-board or masonry refuse enclosure be constructed on the subject property within one year and the gravel drive lane on the adjacent property returned to a natural vegetative state or improved as otherwise directed by Milwaukee County.

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 9,500 sq. ft. shopping center would require 48 off-street parking spaces. The site has 83 off-street parking spaces.

Recommendation: Recommend Common Council approval the Special Use Permit and Site Plan Review for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC (Tax Key No. 563-9990-002), 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 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) a board-on-board or masonry refuse enclosure with personnel door; (b) potholes and damaged asphalt repaired throughout the site; (c) restriping of faded parking lines; and, (d) the gravel drive lane and refuse enclosure location on the adjacent property returned to a natural vegetative state or improved as otherwise directed by Milwaukee County.

2. A letter being submitted to the Community Development Division from the property owner stating that the trash and storage has been removed from the site, the light luminaires have been pointed down, and the mulch pile has been removed from the parking lot.

3. Common Council approval of the Special Use Permit (public hearing to be scheduled for August 16, 2022).

The property owner, Bob Knackert, was present for discussion. He said that there is an easement, about 25 feet, behind the property for the refuse enclosure to be located on Milwaukee County Property. Ms. Porter requested that he submit a copy of the document to the Community Development Division. Mr. Knackert mentioned that he's working on cleaning up the site.

The applicant Xavier Bitseedy was present for discussion. Mr. Schilz asked the applicant how he came up with the name DankHouse. Mr. Bitseedy said that it's a common name for cannabis and he thinks it's a catchy name. Mr. Schilz does not like how the name would appeal to a young demographic and mentioned that there are 16 CBD stores within a 3 mile radius of City Hall.

Mr. Rogers said that calling the business DankHouse because it's connected to cannabis is problematic. He stated that he is not looking forward to the legalization of marijuana because statistically it is a gateway drug to other things. Mr. Rogers said that it appeals to the younger demographic and he'd rather people didn't have access to it.

Mr. Braswell asked if this is the applicant's first store. Mr. Bitseedy said that yes, it is his first store but he's been helping out his friends with their businesses for the last couple of years. His business focus will be all natural products like CBD and he won't be selling tobacco. Mr. Bitseedy explained that the products for sale will be going through the best tests and lab reports in the country. He is a licensed distributer of hemp federally and can grow it. If marijuana is legalized, he could potentially one day start selling it at this location.

The Plan Commission voted on 5A and 5B separately.

5A Motion:
Motion by Mr. Carlson, seconded by Ald. Kastner, to recommend Common Council approval the Special Use Permit for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC (Tax Key No. 563-9990-002), subject to Plan Commission and staff comments,

and authorize a public hearing to be scheduled as early as August 16th, 2022. The motion failed 3-4, with Ald. Kastner, Mr. Carlson, and Mayor Neitzke voting yes, and Mr. Rogers, Mr. Weis, Mr. Schilz, and Mr. Krenz voting no, therefore recommending Common Council denial of the Special Use Permit for DankHouse.

5B Motion:
Motion by Ald. Kastner, seconded by Mayor Neitzke, to recommend Common Council approval the Site Plan Review for DankHouse, a proposed CBD retailer to be located within the multi-tenant commercial building at 3829 S. 108 St., submitted by Xavier Bitseedy, d/b/a DankHouse, LLC (Tax Key No. 563-9990-002), subject to Plan Commission and staff comments. The motion failed 3-4, with Ald. Kastner, Mr. Rogers, and Mr. Weis voting yes, and Mr. Carlson, Mr. Schilz, Mr. Krenz, and Mayor Neitzke voting no, therefore recommending Common Council denial of the Site Plan Review for DankHouse.

6. Planned Unit Development (PUD) Site Plan Amendment for a sunroom addition to a condominium within the Clayton Crest Terrace development located at 5425 S. 45 St., submitted by Christine Lucia, owner, and Shavonda Greene, d/b/a Champion Window Company of Milwaukee, LLC. (Tax Key No. 647-1149-000)

Overview and Zoning
The condominium owner at 5425 S. 45 St. would like to construct a sunroom addition to the back of her unit. Normally an addition to a single-family/condo would not require Plan Commission review, however this development is under an approved PUD site plan from its original development in 1991. A previous and similar sunroom addition project for a different condo unit was proposed and presented before the Plan Commission in 1996. The applicant received approval for the addition from the condominium association in May.

Site and Architectural Plans
The condo has an existing wood deck in the rear, set back 11.6 ft. from the rear property line. The deck will be demolished and replaced with a 156 sq. ft. sunroom addition that will be situated 9.2 ft. from the rear property line. There was not a definitive rear yard setback established with this particular PUD in 1991. The City's Zoning Code requires a 25-ft. rear yard setback for any general PUD-zoned parcel. However, given the configuration of this condo development—there is a large common area in the middle surrounded by condos around the perimeter streets—staff doesn't have any concerns with the proposed sunroom construction and location in respect to the setback and site plan amendment.

Recommendation: Recommend Common Council approval of the Planned Unit Development (PUD) Site Plan Amendment for a sunroom addition to a condominium within the Clayton Crest Terrace development located at 5425 S. 45 St., submitted by Christine Lucia, owner, and Shavonda Greene, d/b/a Champion Window Company of Milwaukee, LLC (Tax Key No. 647-1149-000), subject to Plan Commission and staff comments.

Motion by Mayor Neitzke, seconded by Mr. Carlson, to recommend Common Council approval of the Planned Unit Development (PUD) Site Plan Amendment for a sunroom addition to a condominium within the Clayton Crest Terrace development located at 5425 S. 45 St., submitted by Christine Lucia, owner, and Shavonda Greene, d/b/a Champion Window Company of Milwaukee, LLC (Tax Key No. 647-1149-000), subject to Plan Commission and staff comments, and authorize this item to be expedited to the July 19th Common Council meeting. Motion carried unanimously.

7A. Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 5401 W. Layton Ave. from C-2 Community Commercial District to PUD Planned Unit Development District (PUD #4). (Tax Key No. 619-9997-003)

7B. Site, Landscaping and Architectural Plans for Verde Terrace Apartments, a proposed new construction multi-family housing development, to be located at 5401 W. Layton Ave., submitted by Michael A. Testa, d/b/a Ogden & Company, Inc., and Jonathan Ross d/b/a Ogden & Company Investment Partners LLC. (Tax Key No. 619-9997-003)

Items 7A and 7B may be considered together.

Overview

Ogden & Company, Inc. is Wisconsin's largest full-service real estate firm, serving the Southeastern Wisconsin community since 1929. With a vast range of services and experience from new development and commercial brokerage to property management and residential realty, Ogden offers a full range of real estate services to the surrounding communities. The Ogden & Company Investment Partners + Ogden Multifamily Partners teams have participated in an excess of 3,000 units in SE Wisconsin markets and Ogden & Company, Inc. currently manages over 3,000 units. Their development team has identified the property at 5401 W. Layton Ave. as one that they feel would be an excellent opportunity for new development. The River Falls Recreation Center (RFRC) ownership has indicated that due to health and family issues, they are no longer able to operate their business and wish to sell the land for use in a project that would benefit the community as a whole. Ogden has the property under contract and has labeled their proposal as "Verde Terrace Apartments," a market-rate multi-family development consisting of two (2) four-story buildings and approximately 205,000 sf of living space, with a projected value of approximately $59 million. Ogden has teamed up with Korb + Associates Architects for the building and site design.

Verde Terrace Apartments incorporate many natural, green elements, including green spaces, nature paths, or the green incorporated into the façade design. Project Verde will offer a substantial package of amenities to draw in quality tenants and ensure that they are able to work, live, and play here; this is their nod to the RFRC. Their amenity package will include a pool, pickleball courts, a dog run area, outdoor grilling stations, poolside cabanas, firepits incorporated into the green spaces, golf simulators, and private workspaces for tenants to use and enjoy freely – this site has a long history of providing fun, safe activities for people to enjoy together, and Verde Terrace /Ogden wishes to uphold that tradition.

Ogden's research has shown a need for a multitude of unit types and styles to cater to a growing, varying pool of renters who are exiting cities and urban life for a more suburban atmosphere that still provides the amenities of urban living. Verde Terrace Apartments will feature 257 studio, 1-bedroom, 1-bedroom + den, 2-bedroom, and 3-bedroom units with an average of 803 sf per unit. The western building is smaller, with 114 units, and the larger eastern building includes 143 units. Ogden feels that the mix of unit types and styles, as well as quality finishes and amenities, promises to attract that diverse pool of renters who will call Project Verde and the City of Greenfield home for years to come. Ogden anticipates a 14-month construction timeframe.

Ordinance to Rezone and Comprehensive Land Use Map

The River Falls Family Fun Center is currently zoned C-2 Community Commercial District. The 2020 Comprehensive Land Use Map identifies this parcel as "Planned Mixed Use." Planned Mixed Use could encompass commercial and residential uses together, or either use on its own. Ogden's floor plan identifies lobbies, a leasing office and a business center for tenants in their first-floor space. Ogden is proposing to rezone the parcel from C-2 to Planned Unit Development (PUD #4). The rezone request is in general conformance with the general objectives of the Comprehensive Land Use Plan.

The City's Zoning Ordinance general Planned Unit Development section requires a minimum of 5 acres to rezone to PUD. This parcel meets that requirement, as it is 5.04 acres in size.

The draft PUD #4 Ordinance identifies one (1) permitted use for this parcel—multi-family residential. Uses to the north are commercial and the City's library, police station and fire station; uses to the east are public park; uses to the south are multi-family residential; and uses to the west are institutional/school. Additional restrictions in the draft 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	51 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 # 4. The Plan Commission may consider the applicable standards in making such determinations.	
Maximum Building Height	
Principal Structure (stories/ft.)	4.0/50
Accessory Structure (stories/ft.)	1.0/15

Upon approval of Site Plans, the Plan Commission may waive the maximum height regulations.

The PUD section of the Zoning Ordinance sets a maximum gross density (GD) (*the quotient of the total number of dwelling units on a site divided by the base site area of a site*) of 8 units/acre and a maximum net density (ND) (*the quotient of the total number of dwelling units divided by the net buildable site area of a site*) of 12 units/acre. For comparison, the PUD section of the Zoning Code allows for a maximum GD of 25 units/acre for assisted living. The City's Zoning Ordinance was written in 1998 and recently, the City's density policy has substantially transformed. The City has approved much-denser multi-family developments, which maximizes property value. The proposed Verde Terrace Apartments would have a GD of 51 units/acre. For comparison, the GD for Forte at 84 South and the Cobalt Loomis Crossing multi-family project are both approximately 40 units/acre.

The setbacks and OSR are consistent with the City's general residential PUD setback restrictions. Ogden's proposal meets the OSR and setback requirements. A public hearing would be required for the rezone, which could be scheduled as early as August 16, 2022.

Site Plan

Ogden's site plan includes two (2) four-story U-shaped buildings that would house a total of 257 units. The western building is the smaller of the two (2) and would include 114 units. The eastern building would include 143 units. The U-shaped buildings include courtyards that would house a pool, outdoor grilling stations, poolside cabanas and fire pits.

The buildings would include underground parking that has a corridor that connects the two (2) buildings, plus roughly 129 on-site outdoor parking spaces. Ogden has met with the Greenfield Fire Department to ensure that the site layout meets their access needs. The site would include two (2) driveways to W. Layton Ave., one being the existing curb cut to RFRC, plus a new one on the far east side that would be restricted to a right-turn in/out only.

The unit breakdowns and parking calculations are provided in the table below. There are a total of 411 parking spaces provided, which is a 1:1.60 ratio of units/parking spaces. Of the 411 spaces, 282 are underground. The site also provides a loading area right in front of the lobbies, which is very convenient for move-in/move-out days. The City's Zoning Code requires that 50% of all off-street parking spaces for multi-family developments shall be enclosed. Ogden's proposal meets that requirement, with 69% of all spaces being underground. The Code would require 530 parking spaces for this proposed development, the proposal provides 411 off-street parking spaces, a shortage of 119 off-street parking spaces. As previously mentioned, the City's Zoning Code was written in 1998 and staff would suggest does not meet today's parking standards. In comparison, the Cobalt Loomis/Layton multi-family development (approved in July 2021) proposed a parking ratio of 1.73 spaces/unit. That development was required to provide 558 spaces, and provided 465, a shortage of 93 off-street parking spaces. Staff does not foresee a parking issue for the property and is confident that Ogden is well-versed in parking demand based off of the 3,000+ units that they manage.

	Studio	550	1 bed	725	1+ Den	875	2 bed	1150	3 bed	1350	Total Units	Parking	Gross SF
West 4	4		10		9		5		1		29		28,316
West 3	4		10		9		5		1		29		28,316
West 2	4		10		9		5		1		29		28,316
West 1	4		11		6		5		1		27		28,316
West B**												120	47,091
West TOTAL	16		41		33		20		4		114	120	160,355
	Studio	550	1 bed	725	1+ Den	875	2 bed	1150	3 bed	1350	Total Units	Parking	Gross SF
East 4	3		23		6		4		2		38		36,158
East 3	3		23		6		4		2		38		36,158
East 2	3		23		6		4		2		38		36,158
East 1	2		18		5		2		2		29		36,158
East B												162	61,065
East TOTAL	11		87		23		14		8		143	162	205,697
TOTAL UNITS	27		128		56		34		12		257		
% TOTAL	11%		50%		22%		13%		5%		100%		
** Includes Basement Passage parking and SF											TOTAL SF		366,052
									TOTAL INDOOR PARKING			282	110%
									SURFACE PARKING			129	50%
									TOTAL PARKING			411	160%

Bedroom Type	Number of units in project	Code Requirements	Number of Stalls Required
Efficiency	27	1.5 spaces per dwelling unit + 0.5 spaces per dwelling unit for guest parking.	41 + 14 = 55
One-bedroom	128 + 56 = 184	1.5 spaces per dwelling unit + 0.5 spaces per dwelling unit for guest parking.	276 + 92 = 368
Two-bedroom	34	2 spaces per dwelling unit + 0.25 spaces per dwelling unit for guest parking.	68 + 9 = 77
Three-bedroom	12	2 spaces per dwelling unit + 0.5 spaces per dwelling unit for guest parking.	24 + 6 = 30

Architectural Plans

Each of the two (2) buildings is U-shaped with a courtyard in the center. All exteriors of the two buildings will be constructed of a combination of brick and hardiplank cement board siding. To mix up the windows, some window units will include a fiber cement panel. The panel colors vary throughout the building with green, mustard and burgundy earth tones. Every unit will have its own sliding door and balcony with frosted glass railings. The north elevation of the east building, along W. Layton Ave., will be constructed entirely of brick. The north elevation of the west building, along W. Layton Ave., is proposed to be constructed about 60% of brick. Staff would recommend increasing the brick content along this building elevation. The brick wraps around each tip of the U-shaped buildings, and into the courtyard. The majority of the building material within the courtyards and in the back along the south elevations, is hardiplank cement board siding, but there is some use of brick along all elevations. The eastern building is larger and has a more extensive east elevation facing Konkel Park. The building design includes a vertical mid-section of brick to break up the lengthy façade.

The lower level lobbies along W. Layton Ave. will be constructed of storefront window units, allowing for substantial daylight to reach into the lobby area of the buildings.

Recommendation: Recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 5401 W. Layton Ave. from C-2 Community Commercial District to PUD Planned Unit Development District (PUD #4) (Tax Key No. 619-9997-003), and the Site, Landscaping and Architectural Plans for Verde Terrace Apartments, a proposed new construction multi-family housing development, to be located at 5401 W. Layton Ave., submitted by Michael A. Testa, d/b/a Ogden & Company, Inc., and Jonathan Ross d/b/a Ogden & Company Investment Partners LLC (Tax Key No. 619-9997-003), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 12 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) additional brick on the north elevation of the western building; (b) landscaping specie/quantity recommendations as provided by the City Forester.

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

3. A letter of credit or other form of security as required under 21.06.0304 of the Municipal Code in the amount of 125% of the estimated cost of landscaping and screening.

4. A Civil Plan set and Stormwater Management Plan showing modifications/ requirements as directed by the Engineering Department.

5. A letter of credit or other form of security for Engineering expenses, as required per the Planned Unit Development Agreement.

6. Payment of the City's impact fee of $1,806.00 per new dwelling unit.

7. A photometric plan and colored cut-sheets and design details of all exterior lighting, including on the building.

8. Permit application approvals from WDNR/MMSD for sanitary permits, WDNR/Milwaukee Water Works for water permits, and WDNR/MMSD for stormwater permits.

9. All necessary new easement agreements (utility, cross-access, etc.) being approved by the Engineering Department and recorded and old easement agreements being released and recorded where necessary, as directed by the Engineering Department.

10. Permit application approvals from WDNR for wetland fill permits and from FEMA for floodplain modifications.

11. Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 5401 W. Layton Ave. from C-2 Community Commercial District to PUD Planned Unit Development District (PUD #4), following a public hearing.

12. An executed Planned Unit Development (PUD) Agreement signed by the applicant and the City. Said PUD Agreement will require certain security and cash payments/deposits from applicant and will be defined in the Agreement once drafted by the City.

Ald. Kastner said that an apartment located at Layton Ave. across the street from a grocery store, a library, and a municipal building would be an excellent addition to the community. He thinks it will lower the median age within the City of Greenfield and increase the median income within the city. He believes that the people living here will have a disposable income to spend within the City of Greenfield.

Mr. Weis agrees with Ald. Kastner and thinks an apartment complex is a great fit for the location. However, Mr. Weis would like to see the architecture design upgraded to compare to new dwellings that he's seen in Brookfield and downtown Milwaukee.

Mr. Krenz questioned how the proposal is 20 percent over density. Mr. Braswell said that it would set a precedent if the 20 percent over density is allowed, and he also doesn't believe the location is the right spot for the apartments. Ms. Wojak agreed with Mr. Braswell that it's not the right spot for the proposal.

Ald. Kastner thinks the city should capitalize on Konkel Park by adding apartments with good, intelligent people. He thinks that the general public makes negative connotations regarding apartments.

From the Mayor's perspective, he said that it's the densest apartment complex in the city to be placed next to a park which is predominantly green space. The Mayor suggested that the developer could make it less dense by removing a floor. Mr. Weis agreed that it is very dense, however he likes the location because it will leverage Meijer and the park. He thinks this type of development is a perfect fit for the location.

Mr. Braswell questioned what the long term expectation of the developer is. He mentioned that the city will lose the greenspace and one day the property could change hands from Ogden.

The Mayor said that his goal is to make the City of Greenfield a better place. He explained how, in 2005, Greenfield went through the comprehensive land use plan for the first time. They tried to create a city center on Layton Ave., a place within the community where there's an amphitheater, a farmers market on Sundays, and concerts on Friday nights. The Mayor noted that all of this requires green space at Konkel Park. The city is in the process of putting in a pond and finishing off the park. He said that the people in this apartment building would love to walk through that park. Additionally, the people that live in Greenfield would love to walk through Konkel Park and have an open green space. The Mayor noted that he does not disagree with anything that Ms. Porter included in her presentation. He spoke about permitted uses and how another business like a liquor store could go in to this location, but it would need to pass Common Council as a Special Use. The Mayor explained how the City of Greenfield has been trying to provide a sense of community by providing a city center where the people of our community can go and enjoy themselves without a highly dense apartment building. He thinks this is a great developing company and if the location of the apartments was somewhere else, he would welcome it in the community. The Mayor is not sure that paving over a 5 acre triangle right next to Konkel Park and softball field is a good thing. He said that, once you change the zoning, a future multi-family developer could step in.

Mr. Schilz mentioned how baseball, lights, noise, and the Amp could cause tenants to raise complaints. The people at the park want to continue current activities which occur there, and he doesn't want future residents complaining about this in the future. As an example, he spoke about the 4th of July activities at Konkel Park, and how Layton Ave. is shut it down for a couple of hours. He said that 257 units will be prevented from entering and exiting and may not like it. Mr. Braswell agreed that the 4th of July parade and Dan Jansen Fest would affect future tenants.

Mr. Kastner used Summerfest as an example where tenants coexist with festivities. He mentioned how there are million-dollar condos next to Summerfest and residents knew what they were getting into when they moved in. Ms. Wojak argued that there are multiple entrances downtown for Summerfest while this development has only two driveway cuts. Mr. Rogers noted that Ald. Kastner is talking about reasonable, intelligent people moving in, and he trusts that they would have the good sense to know what they're moving into. Mr. Schilz used Candy Cane Lane in West Allis as an example where people think it's a good idea to live somewhere, but once they live there they don't like it and they ask the city to change disruptive activities. He doesn't want activities to be prohibited because of tenant complaints.

Ald. Kastner mentioned that Parks and Rec will get 3 quarters of a million dollars to make improvements to their facilities. He wants the City of Greenfield to move forward with the prospect of having youth and diversity in the community. He used Falcon Glen next to Whitnall High School as an example where an apartment complex is located next to an active high school field. Ald. Kastner explained how Wauwatosa's Hart Park has apartments right across the street which has games and nightlife.

Mr. Krenz suggested that the city should let the tenants decide if they want to live so close to Konkel Park. Ms. Wojak said that Greenfield is not starved for apartments, and has 3 other developments in the works. The Mayor reiterated that this is the worst location for long use planning within the city because it's next to the one place where the community gets together. The location is zoned C-2 so if another business that's allowed to go in there applies, Plan Commission can go through the special use process and discuss it. He explained how Plan Commission needs to decide what shouldn't go there or what could go there when people apply.

Ms. Wojak expressed concern for future tenants. She said that, while an argument is that it brings commerce and money into the city, all of the people that she's talked to said that there's no way they can afford that rent. Mr. Weis mentioned that his daughter lives at 84 South where tenants pay comparable rent. He said that they have a waiting list for tenants.

Mr. Carlson asked if there have been any other proposals other than the apartment building a few years ago. Ms. Porter said that there has not.

Mr. Schilz asked if there could be a referendum and whether the City of Greenfield can acquire the land. The Mayor explained that the city is not in a position to make that purchase, especially with the land under contract with a private party.

Mr. Carlson invited the developers to make statements. Michael Testa, representing the seller and Ogden & Company, Inc. addressed comments regarding the location and how it might affect different activities in the park with real life examples. He explained how Ogden recently completed the development Element 84 Apartments, very similar in size and stature to this one, located in West Allis directly across the street from State Fair Park with only 2 entrances and exits to the site. They deal with constant shut downs every year and as the largest property management company in the state of Wisconsin, they have become professionals at communicating with tenants and making sure that everyone moving in is aware of what they will need to deal with when they live there. Mr. Testa said that they have not had one person complain about noise, traffic, lighting or anything having to do with State Fair Park, which is a much larger issue than anything occurring at Konkel Park. Element 84 has residents move in because they're excited to be in close proximity to all of the amenities. Mr. Testa said that he lives there and he loves it. He is aware that there are concerns about the band shell at Konkel Park. He explained how it actually faces away from the proposed property, which is over 2 and a half football fields away at the nearest point. Mr. Testa said that Ogden has experience dealing with these issues as a developer and property manager.

Jon Ross from Ogden & Company Investment Partners, LLC explained how the Element 84 tenants are aware of events and if there is a parade for instance, they are advised to leave in advance and not return until a certain time. He said it's all about communication with the tenants. Mr. Ross said that most of the young professionals that tend to live in these type of communities like the activity. The reason why Ogden likes this particular location is because it's in a vibrant area, next to a park and close to a grocery store and community buildings across the street. Mr. Ross explained that, if they move it somewhere else, prospective residents lose a lot of those amenities. He mentioned about $460,000 in impact fees to help with the Greenfield parks.

Mr. Testa explained that it is difficult to see the apartment buildings from the Amp area. He said that the site sits 12 feet lower, topographically, than the baseball fields and the rest of Konkel Park. Ogden plans to leave all of the existing foliage which hides the apartment building. He said that people in the park can only see about 10 ft of the top of the building.   Ald. Kastner compared this amount to the top of the police building across the street.

Mr. Carlson asked what the proposed annual tax revenue for the City of Greenfield will be. Mr. Testa said approximately $800,000 per year plus. The Mayor said that that would go to repay the TIF. Mr. Ross explained that, depending on how its structured, they could participate with the City. He said that the developer is guaranteeing the TIF to the lender so we could look at the possibility of trying to increase a shared increment going to the city, somewhere around 12 or 13 years.

Ms. Wojak asked if the West Allis apartments are at capacity. Mr. Testa said that they are full and there is a 34-person wait list as of today. He mentioned that they projected an 18-month period to lease out all units in March 2020, and it only took nine (9) months. Mr. Testa explained that the retail is vacant because it's set up for restaurant use and Covid postponed opening plans.

A resident asked if he could make a comment. The Mayor explained that there will be a Public Hearing on August 16th, 2022 at 7:00pm in the Common Council Chambers of City Hall Room 100 where residents can speak. He said that anyone can submit comments to the City of Greenfield website.

A resident mentioned that there is shortage of parking spaces proposed as required by the City of Greenfield. Ms. Porter said that there is a shortage of 119 off- street parking spaces, as mentioned in the Staff Report.

The Plan Commission voted on 7A and 7B separately.

7A Motion:
Motion by Mr. Rogers, seconded by Ald. Kastner, to recommend Common Council approval of the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 5401 W. Layton Ave. from C-2 Community Commercial District to PUD Planned Unit Development District (PUD #4) (Tax Key No. 619-9997-003), subject to Plan Commission and staff comments. The motion passed 5-2, with Ald. Kastner, Mr. Rogers, Mr. Weis, Mr. Carlson, and Mr. Krenz voting yes, and Mr. Schilz and Mayor Neitzke voting no, therefore recommending Common Council approval.

Mr. Rogers would like additional architectural articulation and Ald. Kastner wants eyebrows added above the patio doors to help the aesthetics of the building. Mr. Weis supports the project but does not support the proposed building. He wants a better looking building. The Mayor said that, even with a better looking design, he thinks that the location of the proposed building is the wrong place. Ms. Wojak explained that she doesn't think it's the right place for the apartment, but she does like the architectural design. Mr. Braswell said that he is not a fan of the design overall and thinks it could be designed a bit better. The Mayor asked if management will allow dogs. Randy Wilhelm, of Korb + Associates Architects, said that they will allow dogs, and there will be a dog run and grooming station located within the building. The Mayor asked if the tenants will walk their dogs in Konkel Park. Mr. Wilhelm said yes. Mr. Braswell asked if dogs are allowed at Konkel Park. Ald. Kastner explained that you can walk your dog on a leash at Konkel Park in restricted areas but not during special events.

Ms. Wojak asked where the rain run-off will go. Mr. Wilhelm said that they will have holding tanks underneath the parking lot where storm water will be kept and then released into the creek while regulated.

7B Motion:
Motion by Mr. Rogers, seconded by Ald. Kastner, to recommend Common Council approval of Site, Landscaping and Architectural Plans for Verde Terrace Apartments, a proposed new construction multi-family housing development, to be located at 5401 W. Layton Ave., submitted by Michael A. Testa, d/b/a Ogden & Company, Inc., and Jonathan Ross d/b/a

Ogden & Company Investment Partners LLC (Tax Key No. 619-9997-003), subject to Plan Commission and staff comments. The motion passed 4-3, with Ald. Kastner, Mr. Rogers, Mr. Carlson, and Mr. Krenz voting yes, and Mr. Weis, Mr. Schilz, and Mayor Neitzke voting no, therefore recommending Common Council approval of the Site, Landscaping and Architectural Plans for Verde Terrace Apartments.

8. Community Development Manager Report

The Mayor said that there's planning activity at the corner of 84th and Layton and other vacant sites at 84 South with potential future tenants. He said that Brixmor has chosen a developer for Spring Mall. Tomorrow bids are coming in for the pond and improvements at Konkel Park. The Power Line Trail is being installed right now between about 105th St. and 60th St., which marks the beginning of the first leg of the trail. In two (2) years this will extend from 60th St. to roughly 35th St.

9. Adjournment.

Motion by Mr. Weis, seconded by Mr. Rogers, to adjourn the meeting at 7:37 p.m. Motion carried unanimously.

Respectfully submitted,

Natalie Phillips
Administrative Assistant

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