

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY,
NOVEMBER 1, 2022

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:00 PM.

Present: Alderpersons Denise Collins, Karl Kastner, Pamela Akers, Shirley Saryan

Excused: Bruce Bailey*

Also present: Brian Sajdak, City Attorney; Jeff Katz, Director, Neighborhood Services; Jennifer Goergen, City Clerk; Kristi Porter, Community Development Manager.

B. Opening Prayer

An opening prayer was given by Chaplain Leggett.

*Alderman Bailey arrived at 7:07 PM.

C. Pledge of Allegiance

D. Approval of the October 18, 2022 Common Council minutes

Motion by Alderman Akers, seconded by Alderman Collins to approve. Motion carried unanimously.

E. Mayor's Report

Mayor Neitzke spoke about the wonderful November weather.

F. Aldermanic Reports

G. Announcements

Alderman Akers spoke about the compliments on the Powerline Trail.

Mayor Neitzke spoke about the 60th Street Bridge construction.

Alderman Bailey, Alderman Saryan, and Mayor Neitzke spoke about the Midwest Veterinarian Specialists' grand opening.

H. Citizen Commentary

Mayor Neitzke introduced Marilyn Rome, 545 E Estates Place, Oak Creek, WI 53154; who spoke about a claim filled in May.

I. Public Hearings

1. Public Hearing on a Special Use Permit for Kpot Korean BBQ and Hot Pot, a proposed restaurant to be located at 4902 S. 74 St., submitted by Bryan Pham d/b/a KHP Greenfield, LLC. (Tax Key No. 617-9975-024) (PC-9/13/22 Kastner)

The public hearing was opened at 7:15 PM.

Kristi Porter, Community Development Manager, presented the site information, description of business, hours of operation, applicant's background, parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objections received.

Mayor Neitzke said that Bryan Pham, the applicant, was registered as in favor but not speaking.

No one else spoke for or against it or for informational purposes.

Motion by Alderman Kastner, seconded by Alderman Collins to close the public hearing at 7:17 PM. Motion carried unanimously.

Alderman Collins asked if it was a buffet or a sit down and Mr. Pham responded that it is a buffet.

- a. Approve a Resolution for a Special Use Permit for Kpot Korean BBQ and Hot Pot, a proposed restaurant to be located at 4902 S. 74 St., submitted by Bryan Pham d/b/a KHP Greenfield, LLC. (Tax Key No. 617-9975-024) (PC-9/13/22 Kastner)
Motion by Alderperson Collins, seconded by Alderperson Akers to approve agenda items I1a and I1b. On a roll call vote, motion carried unanimously.
- b. Approve a Site Plan Review for Kpot Korean BBQ and Hot Pot, a proposed restaurant to be located at 4902 S. 74 St., submitted by Bryan Pham d/b/a KHP Greenfield, LLC. (Tax Key No. 617-9975-024) (PC-9/13/22 Kastner)

Approved under agenda item I1a.

2. Public Hearing on a Special Use Permit for Mister Car Wash, a proposed business to be located at 4763 S. 27 St., submitted by Steve Lipofsky, d/b/a CWP West Corp. (Tax Key No. 622-9988-007) (PC-9/13/22 Kastner)

The public hearing was opened at 7:18 PM.

Ms. Porter presented the site information, description of business, hours of operation, parking, site improvements, stains, and recommendations from the Plan Commission. There weren't any letters of objections received.

Alderperson Kastner, Ms. Porter, Mayor Neitzke, and Arik Lokensgard, the consulting engineer from Kimley-Horn and Associates, discussed the guard rail.

No one else spoke for or against it or for informational purposes.

Motion by Alderperson Kastner, seconded by Alderperson Collins to close the public hearing at 7:23 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Mister Car Wash, a proposed business to be located at 4763 S. 27 St., submitted by Steve Lipofsky, d/b/a CWP West Corp. (Tax Key No. 622-9988-007) (PC-9/13/22 Kastner)

The representative from Mister Car Wash assured the Council that they would clean the street.

Motion by Alderperson Kastner, seconded by Alderperson Saryan to approve agenda items I2a and I2b. On a roll call vote, motion carried unanimously.

Mayor Neitzke said that the representative from Mister Car Wash acknowledged at the Common Council meeting that the discoloration and chemicals would be removed from Layton Avenue.

- b. Approve Site, Landscaping and Architectural Plans for Mister Car Wash, a proposed business to be located at 4763 S. 27 St., submitted by Steve Lipofsky, d/b/a CWP West Corp. (Tax Key No. 622-9988-007) (PC-9/13/22 Kastner)

Approved under agenda item I2a.

3. Public Hearing on an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4200 S. 76 St. from C-4 Regional Business District to PUD Planned Unit Development District (PUD #4). (Tax Key No. 571-8984-009) (PC-9/13/22 Kastner)

The public hearing was opened at 7:25 PM.

Ms. Porter presented the site information (Arby's and Walgreens are excluded), zoning, uses, setbacks, the Brixmor and Cobalt contract, and the conceptual plans.

Mayor Neitzke spoke about the stormwater not being a pond, landscaping, the property owner on

Forest Home Avenue near the entrance, Meyer's Restaurant, other restaurants, that zoning is contingent on the property sale, and the property history.

Mayor Neitzke introduced the following as speaking for information purposes only:

Marlene Sontag, 7200 W. Plainfield Avenue, was concerned about the wall placement and materials, and landscaping.

John Wooden, 4185 S. 72nd Street, had concerns about the fence, sewer, and selling it in the future to become low-income housing.

Pamela Schulz, 4173 S. 72nd Street, spoke about the fence maintenance.

Mayor Neitzke introduced the following as in favor but not speaking: Steven Sokol, 7154 W. Forest Home Avenue.

Mayor Neitzke introduced the following as against but not speaking: David Hoppe, 7146 W. Forest Home Avenue.

Mayor Neitzke spoke about the property's history and its complaints.

Scott Yauch and Dan Roskopf of Cobalt Partners, spoke about the conceptual plan's layout including setbacks, no alleys, the fence, and there isn't any intent to sell.

A neighbor asked if a fence could be erected before the construction. Mr. Yauch said that landscape trees and a fence could be completed before the other construction begins.

Mayor Neitzke said that the City's preference is an 8 foot fence.

Mr. Yauch spoke about the sewer, the fence, the conceptual plans, Mr. Sokol's property, Walgreens and restaurant restrictions, and lighting plans.

Mr. Wooden spoke about the holding pond in the northeast corner. Mr. Roskopf said that they don't know the size and they haven't started the stormwater maintenance plan and its location.

Laurie Bloom, 4156 S. 72nd Street, spoke about her concern about property values. Mayor Neitzke said that he doesn't foresee the neighborhood being bought.

Mr. Wooden asked about Brixmor fixing the fence.

Rich Dippolito, 8700 Bryn Mawr Avenue, Chicago; representing Brixmor, said he is not in the management division but will give him his card, and Brixmor wants to be a good neighbor.

Motion by Alderperson Akers, seconded by Alderperson Collins to close the public hearing at 8:00 PM. Motion carried unanimously.

- a. Approve an Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4200 S. 76 St. from C-4 Regional Business District to PUD Planned Unit Development District (PUD #4). (Tax Key No. 571-8984-009) (PC-9/13/22 Kastner)
Alderperson Kastner asked about adjusting borders and Mayor Neitzke said it may require Certified Survey Maps and agreements.

Brian Sajdak, City Attorney, and Mayor Neitzke spoke about rezoning and a Comprehensive Land Use Plan.

Mr. Yauch spoke about zoning.

Mayor Neitzke spoke about rezoning of Mr. Sokol's property would need another public

hearing, and spoke about developers.

Motion by Alderperson Akers, seconded by Alderperson Kastner to approve with knowledge that there may be another rezoning in the future and this is pending the sale. On a roll call vote, motion carried unanimously.

Council took a recess at 8:06 PM. They reconvened at 8:13 pm.

4. Public hearing on the proposed 2023 Budget.

Mayor Neitzke spoke about 2% salary increases, health insurance, the levy limit increase, cost of living formula, tax rates, increased expenditures, revenue, capital equipment, withholding, open record requests, tax bills, and Walmart.

Alderperson Kastner and Mayor Neitzke spoke about the Health and Human Services section in the budget, grant funding, levying taxes, budget creep, and maintaining a class 3 health status.

No one spoke for or against it or for informational purposes.

Motion by Alderperson Kastner, seconded by Alderperson Akers to close the public hearing at 8:33 PM.

Under discussion, Mayor Neitzke said he is not an advocate for raising taxes.

Motion carried unanimously.

a. Decision regarding 2023 budget and adoption of a resolution levying property taxes.

Mayor Neitzke read the resolution into the record [Resolution 3883 is at the end of the minutes].

Motion by Alderperson Kastner, seconded by Alderperson Saryan to approve. On a roll call vote, motion carried unanimously.

Motion to reconsider by Alderperson Akers, seconded by Alderperson Kastner. Motion carried unanimously.

Motion to reaffirm by Alderperson Kastner, seconded by Alderperson Collins. On a roll call vote, motion carried unanimously.

J. Old Business

1. Appointments to various committees and commissions:

a. Mayor appointments, confirmed by Council:

i. One member to the Board of Review for a term to expire 5/1/2026 (formerly James Jaworowicz)

Place on next agenda.

ii. One alternate member to the Tree Commission for a term to expire 5-1-24 (formerly Chloe Selkirt)

Place on next agenda.

K. New Business

1. Approve applications for 2022-2023 operator licenses (Goergen)

Motion by Alderperson Collins, seconded by Alderperson Akers to approve. Motion carried unanimously.

2. Approve application for 2022-2023 Combination "Class B" fermented malt beverage and liquor license for KHP LLC, Bryan Pham, Agent, for the property at 4902 S. 74 St. (Kpot Korean BBQ & Hot Pot), this is a full service restaurant where alcoholic beverages will be sold to legal drinking customers, alcohol beverages will be stored in designated area: liquor room behind bar, bar refrigerators, and walk in coolers in the back of the kitchen. Alcohol beverage records will be maintained and kept in the liquor room located behind the bar located at 4902 S 74th St (Goergen) Motion by Alderperson Akers, seconded by Alderperson Collins to approve. Motion carried unanimously.

Alderperson Bailey asked how many liquor licenses were available. Jennifer Goergen, the City Clerk, responded that there are two regular liquor licenses available after this and 14 reserves.

3. Discussion and Decision Regarding Grant Award from the National Association of County and City Health Officials (NACCHO) Health Equity and Mentorship Program. (Gorecki)
Motion by Alderperson Akers, seconded by Alderperson Collins to approve. On a roll call vote, motion carried unanimously.
4. Discussion and Decision to approve MOU between the GF HD and the Salvation Army to rent space for Community Conversation Event on Nov. 7, 2022 (Gorecki)
No action. Mayor Neitzke said that agenda item K4 has been removed.
5. Approve the 2023 Special Assessment Rate Schedule. (BPW- 10/25/22 Bailey)
Motion by Alderperson Bailey, seconded by Alderperson Akers to approve. On a roll call vote, motion carried unanimously.
6. Adopt an ordinance establishing the 2023 Service Charges for the Collection of Garbage, Refuse, Yard Wastes and Recycling Services. (BPW- 10/25/22 Bailey)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.
7. Adopt a resolution to approve a relocation order for the purchase of right of way for a new section of sidewalk on South 43rd Street. (Katz)
Motion by Alderperson Collins, seconded by Alderperson Akers to approve. On a roll call vote, motion carried unanimously.
8. Resolution approving a First Amendment to the Development Agreement by and between the City of Greenfield and Cobalt Loomis, LLC ("Developer"), for multi-family development within the area known as Loomis Crossing. (Porter)
Motion by Alderperson Collins, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously.
9. Resolution approving a Second Amendment to the Development Agreement by and between the City of Greenfield and Cobalt Loomis, LLC ("Developer"), for office building development within the area known as Loomis Crossing. (Porter)
Motion by Alderperson Collins, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously.
10. Resolution approving a Fifth Amendment to the Development Agreement by and between the City of Greenfield, Greenfield Development Partners, Inc. and Greenfield Development Partners Holdings, LLC (collectively, "Developer"), for development of remaining land and expanded land within the 84 South Development. (Porter)
Motion by Alderperson Kastner, seconded by Alderperson Collins to approve. On a roll call vote,

motion carried unanimously.

Mayor Neitzke said that he was impressed with Ms. Porter for working with Deb from Reinhart, Joe Murray from Ehlers, and everyone else as it was a very complicated process.

11. Approval of schedules of disbursements in the amount of \$1,280,389.05. (Schafer)
Motion by Alderperson Saryan, seconded by Alderperson Kastner to approve agenda items K11-K15.
On a roll call vote, motion carried unanimously.
12. Approval of mileage reimbursements in the amount of \$457.63. (Schafer)
Approved under agenda item K11.
13. August 2022 Investments and reinvestments. (Schafer)
Approved under agenda item K11.
14. September 2022 Investments and reinvestments. (Schafer)
Approved under agenda item K11.
15. Accept September 2022 financial statements. (Schafer)
Approved under agenda item K11.
16. Common Council to go into closed session pursuant to Wis. Stat. § 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.
Motion by Alderperson Akers, seconded by Alderperson Collins to go into closed session at 8:45 PM.
On a roll call vote, motion carried unanimously.
17. Adjourn closed session and reconvene into open session.
Motion by Alderperson Akers, seconded by Alderperson Collins to adjourn closed session and reconvene into open session at 9:14 PM. Motion carried unanimously.
18. Decision to follow Board of Health recommendation to appoint Acting Health Officer/Director effective October 27, 2022 and set salary consistent with City policy (J. Foley)
Motion by Alderperson Akers, seconded by Alderperson Collins to approve to set the salary consistent with City policy as presented here tonight, effective October 27, 2022 for the Acting Health Director appointment made by the Board of Health.

Under discussion, Mayor Neitzke said that the Council is not appointing, but following the recommendation to appoint and to set the person's salary. Attorney Sajdak said that the Board of Health's recommendation was that they appointed the Acting Director and that their pay was consistent with the City policy. The Council is establishing the pay range consistent with that request from the Board of Health. Mayor Neitzke said that the pay scale is provided by the HR Director.

On a roll call vote, motion carried unanimously.

L. Items for future agenda

M. Adjourn

Motion by Alderperson Collins, seconded by Alderperson Kastner to adjourn at 9:17 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 11/11/2022

SIGN UP SHEET
CITIZEN COMMENTARY OF COMMON COUNCIL AGENDA

TO OPERATE IN AN ORDERLY AND EFFECTIVE FASHION, THE COMMON COUNCIL IS GOVERNED BY RULES THAT ESTABLISH CLEAR PROCEDURES FOR TONIGHT'S MEETING.

SPEAKING BEFORE THE COMMON COUNCIL IS A PRIVILEGE AFFORDED UNDER THE RULES. THE COMMON COUNCIL BY ITS RULES, HAS ALLOTTED 30 MINUTES FOR CITIZEN COMMENTARY. WE ASK THAT ANYONE WISHING TO SPEAK BE RESPECTFUL AND COURTEOUS. THREATENING, DEMEANING, INSULTING, DISRUPTIVE AND DISRESPECTFUL COMMENTS AND/OR ACTIONS DURING THE MEETING WILL NOT BE TOLERATED AND THE INDIVIDUAL RESPONSIBLE WILL BE RULED OUT OF ORDER. WHEN ADDRESSING THE COMMON COUNCIL, STATE YOUR NAME AND ADDRESS FOR THE RECORD AND DIRECT ALL REMARKS TO THE COUNCIL.

THANK YOU FOR YOUR COOPERATION.

	<u>Name</u>	<u>Address</u>
1.	MARILYN BOME	545 E ESTATES PL. OAKCREEK WI 53154
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RESOLUTION NO. 3881

Special Use Permit for Kpot Korean BBQ and Hot Pot, a proposed restaurant to be located at 4902 S. 74 St., submitted by Bryan Pham d/b/a KHP Greenfield, LLC.
(Tax Key No. 617-9975-024)

WHEREAS, Bryan Pham d/b/a KHP Greenfield, LLC, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish a restaurant at 4902 S. 74 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 1, 2022, at 7:00 p.m. or soon thereafter, in the Common Council Chambers to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, Bryan Pham d/b/a KHP Greenfield, LLC, resides at 540 S Calhoun Rd, Brookfield, WI 53005.
2. The property is owned by Bonnie Management Corporation, 8430 W Bryn Mawr Ave, Suite 850, Chicago, IL 60631.
3. Kpot Korean BBQ and Hot Pot will occupy approximately 9,700 sq. ft. of the multitenant commercial building located at 4902 S. 74 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 6082, being a part of the Northwest 1/4 of Section 27, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin.

Tax Key No. 617-9975-024

Said land being located at 4850-5070 S. 74 St.

4. The applicant is proposing to establish a restaurant within the existing multi-tenant commercial building.
5. The aforesaid premise is zoned PUD Planned Unit Development under the Zoning Ordinance of the City of Greenfield, which permits full-service restaurants as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along the S. 74 St. corridor that is developed for mixed uses. Properties to the north are developed as park and residential. Properties to the east are developed as residential. Properties to the south and west are developed as commercial.

7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Bryan Pham d/b/a KHP Greenfield, LLC, to establish a restaurant to be located at 4902 S. 74 St., be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on September 13, 2022 and by the Common Council on November 1, 2022. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The allowable hours of operation for Kpot Korean BBQ and Hot Pot will be 12:00pm - 10:00pm, Sunday-Thursday; and 12:00pm - 11:00pm, Friday and Saturday.
4. Off-Street Parking. The entire building, under the category of “Miscellaneous retail stores,” requires 1,137 off-street parking stalls, with Kpot Korean BBQ and Hot Pot requiring six hundred forty seven (647) of those. One thousand one-hundred eleven (1,111) off-street parking stalls are to be provided on site. The Common Council may waive the parking shortage.
5. Signage. Signage shall be in compliance with the City’s Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.

6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splay from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view by the existing fence/enclosure provided on site.
11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.
15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as

conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

Bryan Pham d/b/a KHP Greenfield, LLC

Bonnie Management Corporation

Provided to applicant on the
_____ day of _____, 2022

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st day of November, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 3882

Special Use Permit for Mister Car Wash, a proposed business to be located at 4763 S. 27 St., submitted by Steve Lipofsky, d/b/a CWP West Corp. (Tax Key No. 622-9988-007)

WHEREAS, Steve Lipofsky, d/b/a CWP West Corp, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish a car wash business at 4763 S. 27 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 1, 2022, at 7:00 p.m. or soon thereafter, in the Common Council Chambers to consider the application; and,

WHEREAS, the Common Council, having carefully considered the evidence presented at the public hearing and the following pertinent facts noted:

1. The applicant, Steve Lipofsky, d/b/a CWP West Corp, has offices at 222 E. 5th Street, Tucson, AZ 85705, and has submitted an offer to purchase the property.
2. Mister Car Wash will construct a new 5,600 sq. ft. commercial car wash building at 4763 S. 27 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 2009, being a part of the Northeast 1/4 of Section 25, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin, including easement.

Tax Key No. 622-9988-007

Said land being located at 4763 S. 27 St.

4. The applicant is proposing to establish a car wash within the proposed commercial building.
5. The aforesaid premise is zoned C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, which permits Car Washes as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the S. 27 St. corridor that is developed for commercial uses. Properties to the north, south, east and west are developed as commercial.
7. The proposed development should not adversely contribute to traffic volumes or traffic flow in the area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Steve Lipofsky, d/b/a CWP West Corp, to establish a car wash to be located at 4763 S. 27 St., be, and is hereby granted on the following grounds:

That the establishment, maintenance and operation of the proposed use, with the imposition of certain conditions hereinafter set forth, reasonably satisfies the standards set forth in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code, so as to permit the issuance of a special use permit as therein provided.

BE IT FURTHER RESOLVED that said Special Use Permit is granted subject to the following conditions:

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on September 13, 2022 and by the Common Council on November 1, 2022. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.
2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.
3. Hours of Operation. The allowable hours of operation for Mister Car Wash will be 7:00am – 7:00pm, Monday-Saturday and 8:00am - 6:00 pm, Sunday.
4. Off-Street Parking. The proposed business tenant spaces requires four (4) off-street parking spaces. Ten (10) off-street parking stalls are to be provided on site.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from view by the existing fence/enclosure provided on site.
11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties. Mister Car Wash will be responsible for promptly cleaning of any staining of asphalt or concrete caused by the tire cleaning compound, both within their property or any neighboring properties or right of way.
15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.
16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:

- A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.
- B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;
- C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;
- D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

- A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.
- B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.
- C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's

finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

Steve Lipofsky, d/b/a CWP West Corp

Provided to applicant on the
_____ day of _____, 2022

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st day of November, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

ORDINANCE NO.3010

ORDINANCE TO AMEND THE OFFICIAL GREENFIELD ZONING MAP BY REZONING
THE PROPERTY LOCATED AT 4200 S. 76 ST. FROM C-4 REGIONAL BUSINESS
DISTRICT TO PUD PLANNED UNIT DEVELOPMENT DISTRICT (PUD #4).
(TAX KEY NO. 571-8984-009)

WHEREAS, a petition for zoning change having been filed to change the zoning on one (1) property from C-4 Regional Business District, to a Planned Unit Development District, such parcel being located at 4200 S. 76 St., and such land being specifically located as listed in Table 1 in Section 1 below; and,

WHEREAS, the Plan Commission having reviewed the Planned Unit Development District # 4 petition and having found that the proposed Planned Unit Development District conforms to the standards for adoption of a Planned Unit Development District, and having recommended to the Common Council that the creation of Planned Unit Development District # 4 be approved; and,

WHEREAS, a Public Hearing having been held before the Common Council on November 1, 2022, and the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed Planned Unit Development District # 4 is consistent with the Comprehensive Master Plan of the City of Greenfield, Wisconsin, and contains more than five (5) acres; and,

WHEREAS, the Common Council having reviewed the petition and recommendation following the Public Hearing and having determined that the adoption of an ordinance to create Planned Unit Development District # 4 will promote the health, safety and welfare of the Community.

NOW, THEREFORE, the Common Council of the City of Greenfield do ordain as follows:

PART I: Section 21.04.0102 (Zoning District Maps) of the Municipal Code of the City of Greenfield, Wisconsin, is hereby amended to provide that the zoning district designation for the properties described below be changed from C-4 Regional Business District, to Planned Unit Development District # 4, Planned Unit Development District # 4 being as is created under Part 2 of this Ordinance:

TAX KEY NO. 571-8984-009

LOT 1 OF CERTIFIED SURVEY MAP NO. 9066, BEING A PART OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF GREENFIELD, MILWAUKEE COUNTY, WISCONSIN.

Table 1: Planned Development District # 4					
Tax Key Number	Address	Property Owner	Current Zoning	Proposed Zoning	Acreage
571-8984-009	4200 S. 76 St.	Brixmor Spring Mall Limited Partnership	C-4 Regional Business District	PDD # 4	23.85

PART II: Section 21.04.0452 of the Municipal Code of the City of Greenfield, Wisconsin, is hereby created to read as follows:

Section 21.04.0452 PLANNED DEVELOPMENT DISTRICT # 4

A. In General.

1. This Planned Unit Development District shall be constructed, operated and maintained as a mixed-use development and shall be in conformance with Exhibit A attached hereto, and all applicable terms and provisions of the Municipal Code not enumerated herein and not contrary to the terms or provisions of this Ordinance, including, but not limited to such permits as are required under the Municipal Code for building permits, stormwater and erosion control, and the like. Conceptual development plans, certified survey maps, and detailed site, landscaping and architectural plans shall be forthcoming and shall receive separate approval of the Plan Commission and Common Council.

The plans contained in Exhibit A are only of sufficient detail as to satisfy the Plan Commission and the Common Council as to the general character, scope, and appearance of the District. All development within the District is subject to and conditioned upon the submittal and approval of more specific and detailed plans as each stage of development progresses.

2. Intent. In addition to the general intent for planned unit development districts identified in § 21.04.0401, it is the intent of the Planned Unit Development District # 4 to facilitate the development of a high-quality mixed-use area and:

i. All development within Planned Unit Development District # 4 shall comply with the zoning, construction, stormwater, erosion control and land division standards and requirements of the Municipal Code except as otherwise specifically set forth within this Ordinance.

ii. Accommodate the clustering of buildings on parcels of land under individual or multiple ownership.

iii. Provide for an arrangement of high-density, multi-family residential uses and commercial uses that are compatible in function, form and operation.

iv. Apply high-quality architectural and site design considerations whenever new principal and/or accessory structures are constructed.

v. Provide a safe, interconnected, and pedestrian-friendly network of public streets, private roads, sidewalks and trails throughout the District, and through this network, with the surrounding community.

vi. Provide sufficient off-street parking for all uses and properties which allows and encourages shared parking arrangements through the use of easements and other similar agreements.

vii. Be served by public sanitary sewer and water supply facilities.

viii. A Permitted Use lawfully existing and established with an existing principal building within the area of this Planned Unit Development District # 4 prior to and upon the effective date of this Ordinance shall remain as such Permitted Use and a conforming use; provided, however, that any future addition, expansion and/or enlargement to the use and/or amendment to any site plan for the use, may be permitted and/or granted only upon the consideration of all applicable standards for the review and approval of such permits and site plans, and the Planned Unit Development District Intent and District Standards in this Section.

ix. A Special Use lawfully existing and established within the area of this Planned Unit Development District # 4 prior to and upon the effective date of this Ordinance shall remain as such Special Use and a conforming use; provided, however, that any future amendment to the Special Use Permission, may be granted only upon the consideration of all applicable standards for the review and approval of Special Uses, and the Planned Unit Development District Intent and District Standards in this Section.

B. Uses.

1. Permitted Uses and Special Uses within Planned Unit Development District # 4 shall be as shown in Tables 21.04.0602 and 21.04.0603, which shall be amended as shown [NOTE: Uses not shown below shall be left blank indicating that they are not permitted or special uses within PUD # 4):

Permitted Uses	Special Uses
General commercial retail	
Professional services	
General office	
Medical office/general medical	
Recreational/entertainment	
Restaurants, with or without drive-thru	
Multi-family residential housing	

C. It is the intent of Planned Development District # 4 to establish the following:

1. Commercial/retail/entertainment/office/medical (up to 250,000 sq. ft., up to five (5) stories in height).
2. Multi-family Residential (up to 500 units, four (4) stories in height with subterranean parking).

Table 21.04.0452C
DEVELOPMENT STANDARDS

Type of Standard	Standard
Landscape Surface Ratio and Floor Area	
Minimum Open Space Ratio (OSR)	0.25
Lot Dimensional Requirements	
Maximum Gross Density (residential)	21 units/ acre
Minimum Lot Area (s.f.)	40,000
Minimum Lot Width at Setback Line (feet)	150
Minimum Front Yard (feet)	20

Minimum Side Yard (feet)	15
Minimum Side Yard (along north utility corridor)	0
Minimum Rear Yard (feet)	25
Minimum Distance Between Buildings (feet)	20 feet
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.)	5.0/60
Accessory Structure (stories/ft.)	1.0/35
Upon approval of Site Plans, the Plan Commission may waive the maximum height regulations.	

PART III: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PART IV: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART V: This ordinance shall take effect and be in force upon its passage, publication, and upon the recording of a deed transferring ownership of the property from Brixmor Spring Mall Limited Partnership to Cobalt Partners, LLC or its affiliate.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on this 1st day of November, 2022.

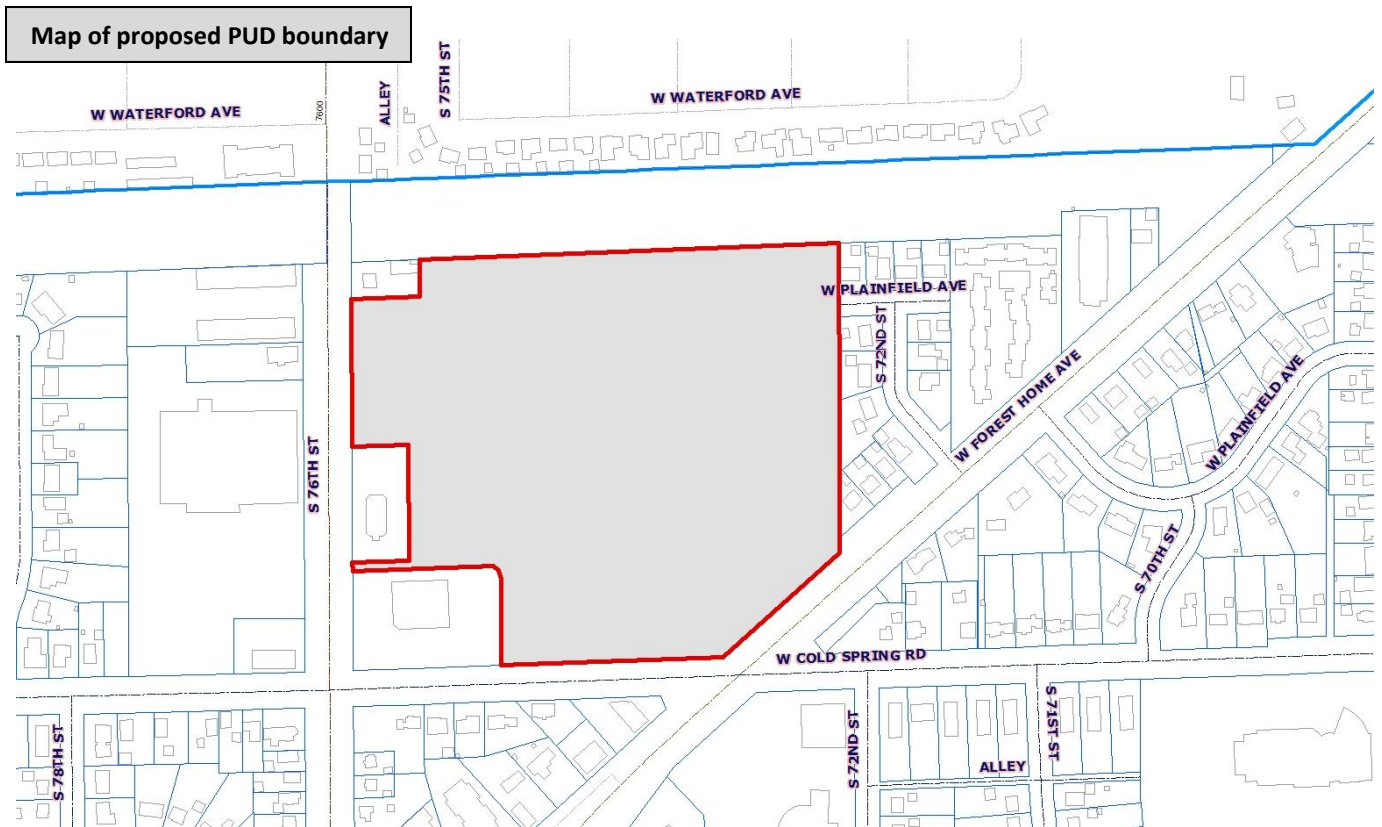
APPROVED:

- _____
Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Exhibit A - PUD # 4 Conceptual Site Figure



RESOLUTION NO. 3883

WHEREAS, the City of Greenfield has prepared an Annual Budget for the 2023 fiscal year in accordance with the requirements of the City of Greenfield Municipal Code; and

WHEREAS, the Common Council has reviewed the proposed revenues from all sources and the proposed expenditures for all purposes and has directed that the proposed budget be adjusted accordingly; and

WHEREAS, a public hearing on the Annual Budget was held November 1, 2022 after due and proper notice of said hearing having been given in accordance with the provisions of Section 65.90, Wisconsin Statutes; and

WHEREAS, it is necessary to levy a property tax in the amount of \$28,440,730 (exclusive of the TIF levy) to fund the expenses of the City of Greenfield contained in the 2023 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield, Wisconsin, as follows:

1. That the 2023 Annual Budget, a summary of which is attached hereto and made a part hereof, be and is hereby approved;
2. That the property tax is hereby levied in the amount of \$28,440,730 (exclusive of the TIF levy) on all taxable property within the City of Greenfield as returned by the Assessor in the year 2022, for the purposes as set forth in the budget.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st day of November, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

ORDINANCE NO. 3011

AN ORDINANCE AMENDING SECTION 12.12 OF THE HEALTH & SANITATION CODE
OF THE CITY OF GREENFIELD RELATING TO
RECYCLING, YARD WASTE, REFUSE AND SOLID WASTE

The Common Council of the City of Greenfield do ordain as follows:

PART I. Section 12.12 is hereby amended as follows:

(27)(b) There is hereby levied and imposed a special charge for services rendered in the form of garbage, rubbish, yard wastes and recycling collection and disposal and other related programs as follows:

1. Individual Collection (non-dumpster)
 - \$ 65.03 per annum per unit for recycling services
 - \$161.85 per annum per unit for garbage, refuse and yard waste services
 - \$226.88 per annum per unit for total special charge

PART II. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PART III. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART IV. This ordinance shall take effect and be in force from 12:00 AM on January 1, 2023.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st day of November, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Published: 11-09-2022

RESOLUTION NO. 3885

Resolution approving a First Amendment to the Development Agreement by and between the City of Greenfield and Cobalt Loomis, LLC (“Developer”), for multi-family development within the area known as Loomis Crossing.

WHEREAS, the Developer owns the properties located at 4050, 4100 and 4220 W. Layton Ave. (Tax Key Nos. 600-1006-000 and 600-1003-000) (the “Property”) and intends to develop the Property with two (2) multi-family apartment buildings (Buildings A and B) and a club house, known as “Loomis Crossing multi-family,” which site and architectural plans for the Loomis Crossing multi-family is attached hereto as Exhibit A; and,

WHEREAS, the Property is located within Greenfield Tax Increment District (“TID”) No. 8 which was approved by the Common Council by Resolution No. 3801 on May 4, 2021; and,

WHEREAS, the City and the Developer have negotiated the terms of a First Amendment to the Development Agreement related to the development of the Property including various incentives through TID No. 8; and,

WHEREAS, Wisconsin Statutes require that the provision of any incentives through a TID requires a development agreement between the City and the developer.

NOW, THEREFORE BE IT RESOLVED that the City of Greenfield hereby authorizes as follows:

1. A First Amendment to the Development Agreement by and between the City of Greenfield and Developer for development of the area known as Loomis Crossing multi-family in the form as attached is hereby approved subject to any revisions deemed non-material and necessary by the City Attorney to effectuate the purposes of the Development Agreement.
2. The Mayor, City Clerk and other necessary officers are hereby authorized and directed to execute and deliver the aforesaid First Amendment to the Development Agreement on behalf of the City of Greenfield.
3. The Mayor, City Clerk and other necessary officers are further authorized to execute any documents approved by the City Attorney which are, in the opinion of the City Attorney, reasonably contemplated by the First Amendment to the Development Agreement or necessary to effectuate the purposes of the same.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st
day of November, 2022.

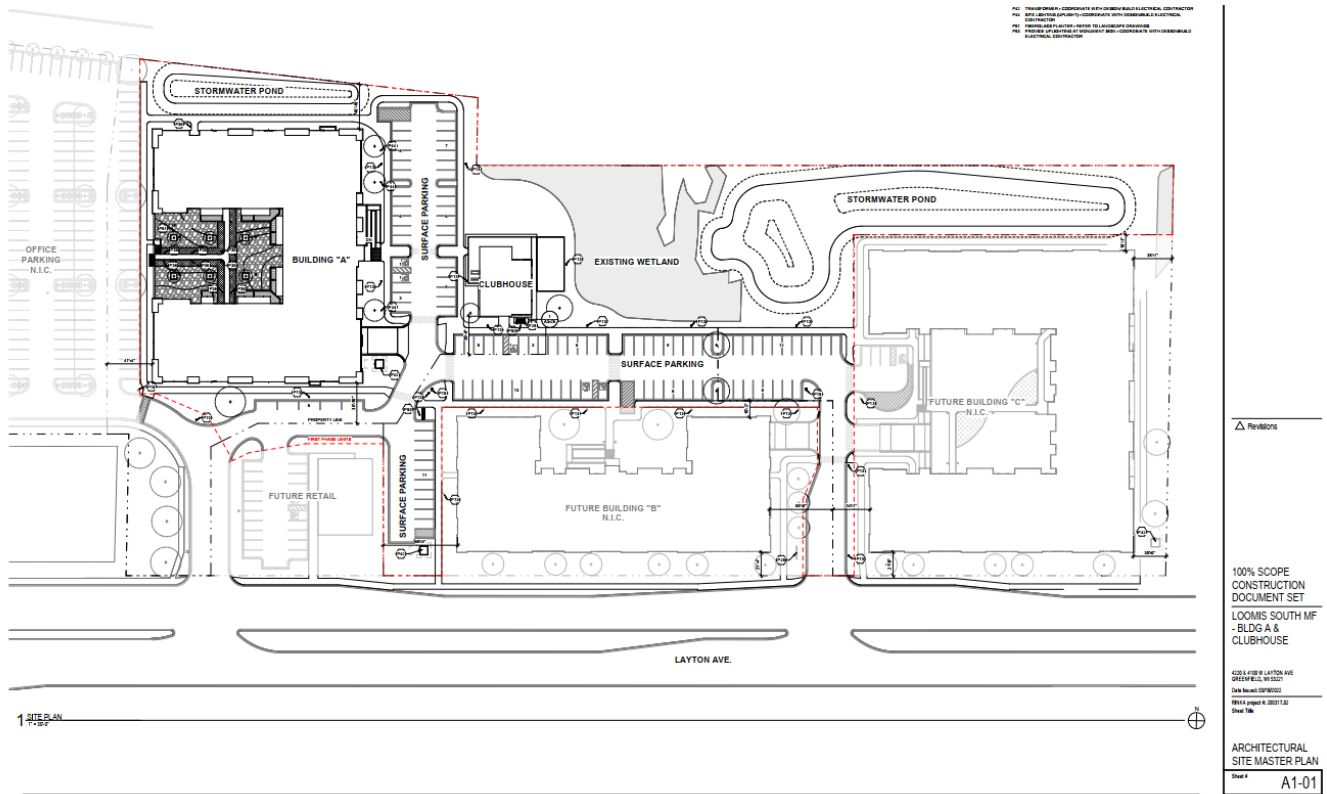
APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

EXHIBIT A





RESOLUTION NO. 3886

Resolution approving a Second Amendment to the Development Agreement by and between the City of Greenfield and Cobalt Loomis, LLC (“Developer”), for office building development within the area known as Loomis Crossing.

WHEREAS, the Developer owns the properties located at 4300 W. Layton Ave. (Tax Key No. 600-1008-000) (the “Property”) and intends to develop the Property with an office building, known as “Loomis Crossing MOB,” which site and architectural plans for the Loomis Crossing MOB is attached hereto as Exhibit A; and,

WHEREAS, the Property is located within Greenfield Tax Increment District (“TID”) No. 8 which was approved by the Common Council by Resolution No. 3801 on May 4, 2021; and,

WHEREAS, the City and the Developer have negotiated the terms of a Second Amendment to the Development Agreement related to the development of the Property including various incentives through TID No. 8; and,

WHEREAS, Wisconsin Statutes require that the provision of any incentives through a TID requires a development agreement between the City and the developer.

NOW, THEREFORE BE IT RESOLVED that the City of Greenfield hereby authorizes as follows:

1. A Second Amendment to the Development Agreement by and between the City of Greenfield and Developer for development of the area known as Loomis Crossing MOB in the form as attached is hereby approved subject to any revisions deemed non-material and necessary by the City Attorney to effectuate the purposes of the Development Agreement.
2. The Mayor, City Clerk and other necessary officers are hereby authorized and directed to execute and deliver the aforesaid Second Amendment to the Development Agreement on behalf of the City of Greenfield.
3. The Mayor, City Clerk and other necessary officers are further authorized to execute any documents approved by the City Attorney which are, in the opinion of the City Attorney, reasonably contemplated by the Second Amendment to the Development Agreement or necessary to effectuate the purposes of the same.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st
day of November, 2022.

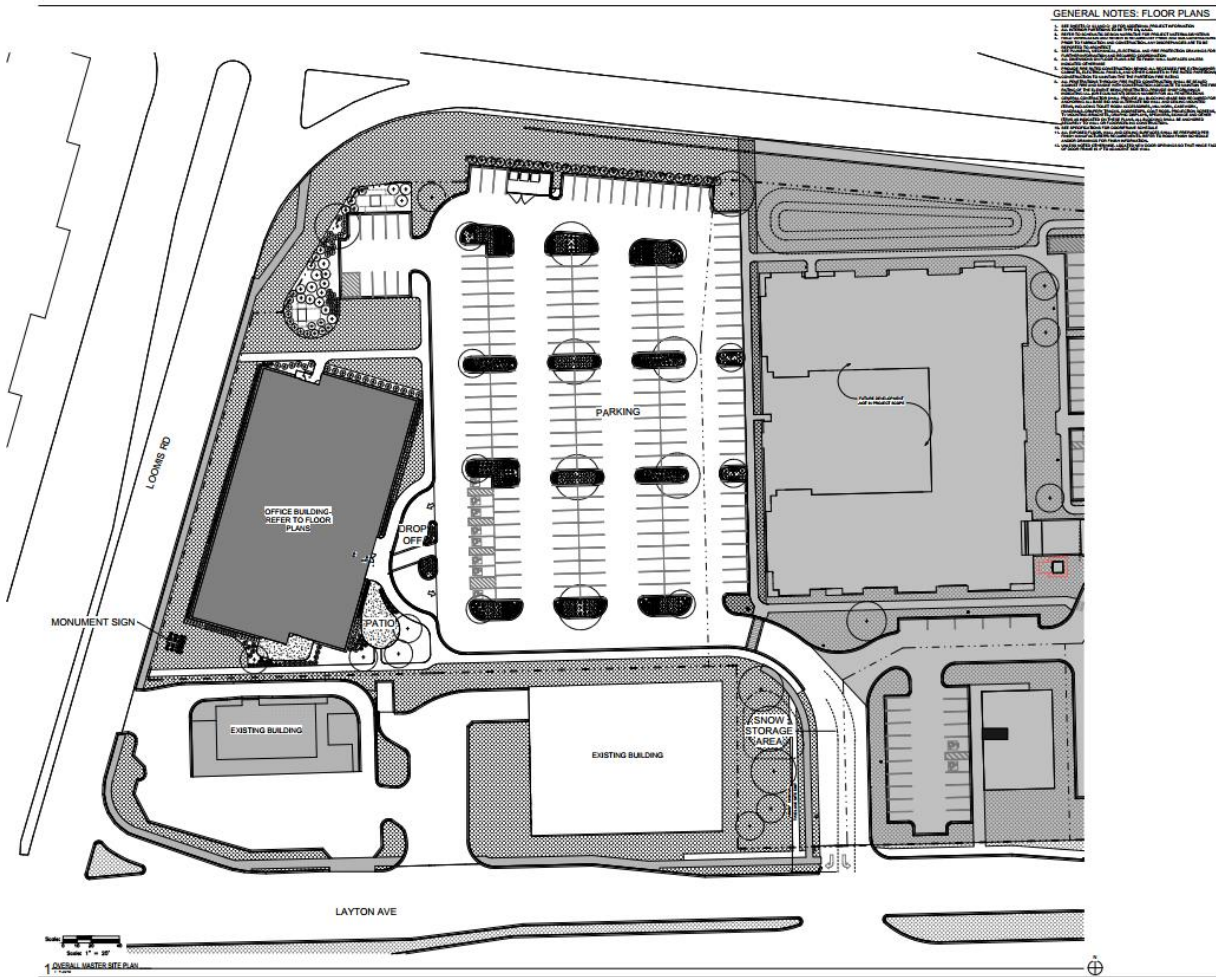
APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

EXHIBIT A



SRINKA
INCORPORATED

COBALT
ENGINEERS

△ Thinkers

CONSTRUCTION
DOCUMENT SET
LOOKINS OFFICE
BUILDING

SEE ALSO: LAYTON AND DRENNAN,
INC. 2017
Site Number: 2017-01-001
Project Number: 2017-001
Sheet No.

OVERALL MASTER
SITE PLAN
Sheet
A1-01



RESOLUTION NO. 3887

Resolution approving a Fifth Amendment to the Development Agreement by and between the City of Greenfield, Greenfield Development Partners, Inc. and Greenfield Development Partners Holdings, LLC (collectively, “Developer”), for development of remaining and expanded land within the 84 South Development.

WHEREAS, the Developer owns property located at 8925 Sura Ln. (Tax Key No. 606-0053-009) and 8900 Sura Ln. (Tax Key No. 606-9980-014) and north of Allerton Ave. abutting S. 92 St. to the west (Tax Key No. 607-9998-1003) (the “Properties”) and Developer intends to develop the Properties with multifamily and commercial development, conceptual plans for which are attached hereto as Exhibit A; and,

WHEREAS, the Properties are located or contemplated to be added to Greenfield Tax Increment District (“TID”) No. 6 which was approved by the Common Council by Resolution No. 3518 on August 11, 2015; and,

WHEREAS, the City and the Developer have negotiated the terms of a Fifth Amendment to the Development Agreement related to the development of the Properties including potential allocation of positive tax increments from TID No. 6 to Greenfield Tax Increment District No. 8; and,

WHEREAS, Wisconsin Statutes require that the provision of any incentives through a TID requires a development agreement between the City and the developer.

NOW, THEREFORE BE IT RESOLVED that the City of Greenfield hereby authorizes as follows:

1. A Fifth Amendment to the Development Agreement by and between the City of Greenfield and Developer for development of the Properties within the 84 South Development in the form as attached is hereby approved subject to any revisions deemed non-material and necessary by the City Attorney to effectuate the purposes of the Development Agreement.
2. The Mayor, City Clerk and other necessary officers are hereby authorized and directed to execute and deliver the aforesaid Fifth Amendment to the Development Agreement on behalf of the City of Greenfield.
3. The Mayor, City Clerk and other necessary officers are further authorized to execute any documents approved by the City Attorney which are, in the opinion of the City Attorney, reasonably contemplated by the Fifth Amendment to the Development Agreement or necessary to effectuate the purposes of the same.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 1st
day of November, 2022.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

EXHIBIT A

