

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, JANUARY 10 2023**

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

ROLL CALL:	Mayor Michael Neitzke	Present
	Ald. Karl Kastner	Present
	Mr. Brian Weis	Excused
	Mr. Steve Rogers	Present
	Mr. Don Carlson	Present
	Mr. Zak Marshall	Excused
	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 December 13, 2022 meeting.

Motion by Mr. Carlson, seconded by Mr. Braswell, to approve the December 13, 2022 Meeting minutes. Motion carried unanimously.

3. Discussion regarding last Common Council meetings.

Common Council approved the Lake Ford Auto rezone, Comprehensive Land Use Map Amendment, and the building additions on December 20th, 2022.

4. Site and Architectural Plans for an enclosed patio at Lebnani House, an existing restaurant located at 5051 S. 27 St., submitted by Naser Abdel-Fattah d/b/a Lebnani House, Inc. (Tax Key No. 622-9946-001)

Overview and Zoning

The Lebnani House restaurant went through a Special Use Permit approval process in June/July 2020 to open a restaurant at the vacant former Pizza Hut site. In January 2021, it was discovered that major modifications to the approved plans had been constructed, and staff required the applicant to go before the Plan Commission for approval to the modified plans. The property is zoned C-2 Neighborhood Commercial District, which permits restaurants as a Special Use Permit. The 2020 Special Use Permit resolution allowed for an outdoor patio space for dining. The applicant wishes to enclose the existing pergola/outdoor patio space for 4-season dining. This property does not have a liquor license.

Architectural Plans

The demolition plans show the removal of the existing railing around the patio and removal of the plexiglass, purlins and gutters on top of the pergola. The main structure frame will remain and will be enclosed with wood-looking hardie panels and new aluminum frame windows with clear glass. Four-inch (4") LP trim boards will surround the windows and will provide decorative horizontal and vertical articulation to the design. The existing/remodeled roof structure will be constructed with new LP fascia/trim. New down spouts will be added to the south elevation and connected to the existing buried storm water connection. The enclosure will be constructed

right up to the existing south wall, allowing staff and patrons to use the existing south door to go in and out from the restaurant. A new exterior door will be constructed on the west wall of the enclosure, allowing for a second ingress/egress that will exist to the existing concrete patio. The glass windows will be constructed on all three (3) sides of the enclosure (east, south and west). A new 1 1/2" diameter metal handrail will be constructed along the ramp that leads the patio to the parking lot.

Staff recommends that this application be expedited to the January 17, 2023 Common Council meeting.

Recommendation: Recommend Common Council approval of the Site and Architectural Plans for an enclosed patio at Lebnani House, an existing restaurant located at 5051 S. 27 St., submitted by Naser Abdel-Fattah d/b/a Lebnani House, Inc. (Tax Key No. 622-9946-001), subject to Plan Commission and staff comments.

Ms. Porter mentioned an additional condition to the staff report, asking for basic site cleanup and pointing out that the sign was constructed incorrectly. She said that the applicant is expected to finish the brick work on the sign, as originally approved by Plan Commission prior to permits being issued for the enclosed patio.

Mr. Braswell asked if the sign was constructed at the permitted height. Ms. Porter said that someone will need to measure the height and show that it was constructed appropriately.

Ald. Kastner said that, as long as the brick works goes up to the bottom of the sign, he'd have no problem with it. The mayor agreed with Ald. Kastner's comment.

Nathan Remitz, architect for Patera LLC, was present for discussion. He explained that he is the new architect for the project. He said that he's familiar with the discussion about the sign base. The Mayor asked if the sign base is going to be a planter. Mr. Remitz explained that the sign base will not be a planter because it has a solid masonry top. The Mayor noted that, if the base is not going to be used as a planter, the brick work needs to continue up to the bottom of the sign face.

Motion by Mr. Rogers, seconded by Mr. Krenz, to recommend Common Council approval of the Site and Architectural Plans for an enclosed patio at Lebnani House, an existing restaurant located at 5051 S. 27 St., submitted by Naser Abdel-Fattah d/b/a Lebnani House, Inc. (Tax Key No. 622-9946-001), subject to Plan Commission and staff comments, and authorize this item to be expedited to the January 17th Common Council meeting. Motion carried unanimously.

5. **Site, Landscaping and Architectural Plans for proposed new construction of a multi-family apartment complex to be located at 44** S. 92 St. (Lot 1), submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC. (Tax Key No. 607-9981-006)**
6. **Site, Landscaping and Architectural Plans for proposed new construction of a multi-family apartment complex to be located at 44** S. 92 St. (Lot 2), submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC. (Tax Key No. 607-9981-007)**

Items 5 and 6 may be considered together.

Items 5 and 6 were reviewed at the December 13, 2022 Plan Commission meeting, however the Plan Commission requested various plan modifications, the applicant was asked to come back with changes, and the Plan Commission tabled both items. These are the changes that have been made, which are included in the revised narrative.

- o **Parking:** The additional parking stalls are shown on the site plan and displayed in the added parking chart – separated between how many there were, how many were required and how many were added after the meeting. A total of 57 guest stalls have been added.
- o **Landscape:** The designer removed the raised landscaping “islands” in the parking areas by the garages that were a concern of the commission, in exchange the new design breaks up the asphalt area with colored concrete walks to continue to achieve some definition of space.
- o **Dog Park:** It has been relocated to the northern corner of the site, adjacent to the We Energies space to ensure that it was within a private area of the site.
- o **Grill Station:** Relocated and increased the size to account for two stations per location.
- o **Color Palette:** Created a second set of colors that provide a light tan siding color in lieu of the brown, additionally the tan brick transitions to a brown tone, effectively alternating the color and creating a family of materials.
- o **Brick at base of garages:** Brick has replaced the horizontal fiber cement siding (labeled FC1) at the base of the buildings that encompass the garage doors. The cedar-looking Nichiha fiber cement panel material at the base, encompassing the recessed garage doors, remains.
- o **Garbage:** The RJD and Cobalt team decided they are going to provide each resident with their own garbage cans in the garage, they will also keep the refuse enclosures to evaluate as the project is constructed.

Overview and Zoning

A partnership group between Cobalt Partners and Joseph Property Development has purchased an undeveloped, 25.5-acre plot of land, previously owned by Supreme Builders, Inc. A conceptual Plan was brought before the Plan Commission in June 2022 to develop 273 multi-family units and a Certified Survey Map was approved by the Plan Commission and Common Council in September 2022 to split the large parcel into a northern 7-acre lot and a southern 18.4-acre lot. Cobalt is proposing to develop one contiguous multi-family development that will technically be on two (2) parcels, but treated as one “community.” In its entirety, this is a (future assessed) \$52 million development.

The two (2) parcels are zoned PUD #3, which was approved by the Common Council in July 2022. The Ordinance was written specifically for this development, including use (multi-family residential), density and setback restrictions.

The format will be two-story, walk-up style homes with attached garages and larger footprints to appeal to young families. The unit arrangement alternates the orientation of garages. Amenities such as a large clubhouse, pool area, playground, and dog run support the family-friendly setting. Clubhouse amenities include: fitness room, media room, leasing office, package room, bathrooms, and a clubroom for entertainment. The clubhouse will require card access. It will be staffed during normal business hours of 9 to 5pm. Advanced notice will be

needed to reserve the party room. The pool hours will be 9am to 9pm. These hours are subject to change based on the demands of the residents.

The site plan shows a layout of 273 units made up of four (4) 12-unit buildings, nine (9) 15-unit buildings and five (5) 18-unit buildings. The unit mix on this draft site plan includes the following breakdown:

One-bedroom units	91
One bedroom + den	36
Two-bedroom units	110
Three-bedroom units	<u>36</u>
TOTAL	273

The 18-unit buildings would have an average of 1,102 sq. ft./unit; the 15-unit buildings would have an average of 1,108 sq. ft./unit; and the 12-unit buildings would have an average of 1,118 sq. ft./unit.

Site and Landscaping Plans

The site is laid out with two (2) entrances/exits out to S. 92 St., lined up directly with W. Allerton Ave. and W. Bottsford Ave. The street network will include private roads—there will be no public roads in the development. The developer will provide suggested road names to the city in the near future. Each building will have its own address. The 7-acre parcel to the north will house four (4) 18-unit buildings; the remaining buildings, including a club house, will be housed on the southern 18.4-acre parcel. The clubhouse will include a pool, grilling station, fire pit and lounge space for residents and their guests. The entire development includes various shared green space and two (2) additional grill stations (with 2 grills at each) in between clusters of buildings for tenants to enjoy. A dog run will be located on the northern parcel, just west of the We Energies substation (this was moved at the request of the Plan Commission in December), and a mail pavilion will be located at the very southeast corner of the site, along S. 92 St. The development will have a total of six (6) refuse enclosures. For this second submittal, the applicant has communicated that all tenants will be provided their own garbage cans in the garage. There will be a maintenance/car wash station internally (not visible from S. 92 St.), towards the north end of the site.

There are wetlands identified along the west lot line and in the southwest corner of the site that will remain. A public walking trail will be constructed along the south lot line and then head northwest to hook up to the undeveloped 20-acre property to the west. The walking trail will cut through that undeveloped parcel and eventually hook up to S. 99 St. and head north to connect with the Powerline Trail. Cobalt will have an easement agreement in place with the property owner of that undeveloped parcel to the west, to construct a stormwater (wet) retention pond on that parcel, for this development. Site restrictions, including the wetlands and no-build restrictions under the ATC power lines along the west side of the property, prevented sufficient space for the larger wet pond to be built on the site. There will be several smaller dry stormwater ponds scattered throughout the site.

The site includes a very extensive network of sidewalks since these are walk-up townhome style buildings. Each building will have sidewalks in the front leading to the private entrances and sidewalks connecting the buildings to each other and to the shared green spaces. The back of

each building is designed with a garage entrance to each unit. Whenever possible, the rear/back of the buildings face each other. The site will also include a public sidewalk along the west side of S. 92 St. (to be shown on revised plans).

The PUD #3 Ordinance requires a 25-ft. front, side and rear yard setback. There is one 18-unit building that was not able to adhere to the setback, which is located next to the north drive entrance, abutting the We Energies substation property to the north, along S. 92 St. The back of this residential building is set back only 10 feet off of the property line. Cobalt will be acquiring a no-build access easement agreement from We Energies to adhere to the 25-ft. setback requirement. As stated in the Ordinance, "In connection with the approval of site plans, the Plan Commission may waive... lot dimensional requirements... within PUD #3."

A 6-ft. tall wood privacy fence will be constructed along the north property line that abuts single-family homes and along the west and south property lines of the Greenfield Fire Station, at their request. The fence will end at the We Energies substation property line.

On-site parking includes attached garages (328 stalls, averaging 1.2 covered stalls/unit) and uncovered site stalls (not including the clubhouse stalls) (345 stalls, averaging 1.26 stalls/unit). There will be 13 stalls for the clubhouse. The 345 surface stalls are broken down by guest parking (72 surface stalls for guests) and one (1) tandem surface parking stall behind each garage (273 tandem stalls). In total, the site will provide **686 off-street parking spaces for 273 units (2.51 stalls/unit)**. The Code requires that 50% of all off-street parking spaces required per dwelling unit (D.U.) shall be enclosed except those spaces required for guest parking. The 328 covered parking spaces exceeds the 50% requirement. Parking stall sizes are 9' x 18'. The parking lots and roads will be constructed with exterior and interior poured curb—there are no wheel stops. ***The January submittal added 57 surface spaces in comparison to the December submittal.***

Unit Type	Code Requirement Explanation	Number of Required Spaces
One-bedroom (91)	1.5 per D.U. + 0.5 spaces per D.U. for guest parking	137 + 46 = 183
One-bedroom + den (36)	1.5 per D.U. + 0.5 spaces per D.U. for guest parking	54 + 18 = 72
Two-bedroom (110)	2 per D.U. + 0.25 spaces per D.U. for guest parking	220 + 28 = 248
Three-bedroom (36)	2 per D.U. + 0.5 spaces per D.U. for guest parking	72 + 18 = 90
Club House	5 spaces/1,000 g.s.f. (4,710 g.s.f)	23
TOTAL Required		617

An extensive landscaping plan has been submitted and is still being reviewed by staff. Any recommended species or quantity modifications will be communicated to the designer.

Photometric Plans

A photometric plan was submitted showing 11 aluminum light poles with cut-off LED fixtures within the parking lot/street network and three (3) poles around the pool. Pole heights vary, being either 13 ft. or 15 ft. in height. There will be four (4) 42" bollard luminaires around the

mail pavilion and five (5) in front of the club house. There will be decorative light fixtures on each of the buildings. Cut sheets of the building light fixtures need to be supplied for review. Concrete bases will be 2 ft. in height. Footcandles are zero at the lot lines, with the exception of a few readings along S. 92 St. (2.1 at the driveway entrance).

Architectural Plans

The style of each building is generally the same throughout the development. Each unit has its own private walk-up entry plus an entry through an attached garage. Each unit either has a second-floor balcony or a small patio space at the ground-level entry. The ground-level entrances are all covered from weather elements from either an awning or the second-floor bump out. Building materials include a combination of: brick (with some brick fenestration for depth variation), fiber cement panels, fiber cement siding, Nichiha cedar-look fiber cement panels, and composite metal panels. The balconies will be constructed with glass railing. The roof will be constructed with asphalt shingles (details to be provided to staff). Fiber cement materials will be used for the fascia. Prefinished aluminum gutters and downspout locations are accurately shown on the building elevations, along with A/C unit locations. Single-hung operable windows will be included in the units and windows will be constructed with a cast stone sill.

In December the Plan Commission requested more brick at the base of the buildings at the garage door entrances due to snow plowing, shoveling, and salt that can easily damage non-masonry materials. The revised architectural plans show sections where horizontal fiber cement panels (labeled FC1) meet the ground level, being replaced with brick. The cedar-looking Nichiha fiber cement panels at the base surrounding the recessed garage doors have NOT been replaced.

The one-story clubhouse, the mail pavilion, and the maintenance/car wash facility will be constructed with the same combination of building materials as the apartment buildings. The four-sided refuse enclosures are constructed of brick with a small personnel opening for tenants to go in and out of. The swinging gates will be constructed of a toughgate "flagstaff" PVC system.

Staff recommended a variety of coloring between buildings in December, and the January submittal includes two (2) different color pallets throughout the development.

Staff is recommending that this item be expedited to the January 17, 2023 Common Council meeting.

Recommendation: Recommend Common Council approval of the Site, Landscaping and Architectural Plans for proposed new construction of a multi-family apartment complex to be located at 44** S. 92 St. (Lot 1) and 44** S. 92 St. (Lot 2), submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC (Tax Key Nos. 607-9981-006 and 607-9981-007), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 9 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) garage door materials being labeled; (b) cut sheets of building light fixtures; (c) asphalt shingle material details; (d) awning materials being labeled; (e) the mail pavilion building being labeled on architectural elevations sheet; (f) sidewalk along S. 92 St. in the public ROW the entire length of the parcel; (g) required vs. provided parking calculations; (g) floor plan layouts for each building size; (h) perimeter fence details and cut sheet; (i) landscaping coverage percentage; (j) landscaping alterations at the request of the City Forester, if applicable.
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. Copies of all easement documents required with abutting property owners and governmental entities, as required by the Engineering Division.
5. Permit application and approved plans being submitted to Milwaukee County for necessary driveway permits.
6. Permit application approvals from WDNR/MMSD for sanitary permits and WDNR/Milwaukee Water Works for water permits.
7. SWMP and SWMMA being submitted to the Engineering Division for review and approval, as needed.
8. Revised civil plans being submitted to the Engineering Division for review and approval, as needed.
9. A traffic and pedestrian study being completed with the intent to add turn lanes and deceleration lanes to S. 92 St. at the entrances to the development and add pedestrian amenities connecting 84 South to the development, for review and approval by Milwaukee County DOT.

Scott Yauck was present for discussion.

Ms. Wojak asked if the garbage cans will be the garbage truck cans or rolling cans. Mr. Braswell asked if someone picks up the garbage or if residents dump them in the refuse themselves. The Mayor asked if the two cans will be located in the resident's garage. Mr. Yauck said that the garbage cans will be located in the garage and will be the rolling cans.

Ald. Kastner asked about the shoulder that Milwaukee County installed on S. 92 St. He said that he foresees people parking there and tearing up the ditch. He assumes the developer will relocate the power lines as part of the project. Mayor Neitzke said that they can require the power lines to come down. Mr. Rogers said he hopes they can take the old power poles down.

Mayor Neitzke said that he spoke with Jeff Katz, Director of Neighborhood Services, about ROW standards. The Mayor described how 92nd and Cold Spring Rd. has fiber on the ground because the poles are already saturated. He explained that trying to find telecommunication line standards of what a pole can support and what's reasonable has been extremely difficult. The Mayor described how the City of Greenfield ordinances require that all wires have to be at least 13 feet 6 inches above the ground in the ROW.

Ald. Kastner asked who did the landscaping in the ROW on 84 South at Forte. Mayor Neitzke said that he thinks the City of Greenfield planted the trees and suggested that the City could use grant money to put trees in the ROW.

Ald. Kastner mentioned that people will park on S. 92 St. because there still isn't enough guest parking available. Mr. Yauck said that the speed on the road would make parking on the street unsafe. Mayor Neitzke said that he would discourage parking on the street. The Mayor noted that there needs to be deceleration lanes to make left turns in as drivers head north.

Mayor Neitzke requested a definitive plan for pedestrian traffic between 84 South and this development. He also wants turn lanes added for the entrance and exit on S. 92 St. The Mayor explained that Milwaukee County just redid S. 92 St. and mentioned that adding curbs could be a challenge. Mr. Carlson asked if Milwaukee County plows S. 92 St. Mayor Neitzke said that yes, they do plow S. 92 St.

Ms. Porter noted that condition number 9 could be added, which will include a traffic study being conducted to get us to the ultimate goal of deceleration lanes, turn lanes, and better movement at the entrances to the development.

Mr. Yauck said that they want a good pedestrian connection to 84 South. He said that they can bring in traffic experts to find what the traffic counts would be and what types of traffic design is appropriate. Mr. Yauck requested that a traffic study be added to the condition of approval so that they can keep moving on the design piece of the development.

Mayor Neitzke mentioned that the Plan Commission didn't require the developers to add more brick to the buildings, but they do want the building to have protection from salt. Ben Chung, on behalf of AG Architecture, said that the recessed garages will have Nichiha fiber cement panels at the base, which is a masonry product. Mr. Chung distributed building samples to the Plan Commission members for examination.

Mr. Yauck asked that Plan Commission allows the approval to move forward with some conditions, so that they can maintain a construction schedule. He said that they're glad to work with staff and the Milwaukee County to better understand what they can and can't do.

Mr. Braswell asked if there will be infrastructure improvement between the bridge and the property. Mr. Yauck said he thinks that is all ROW, and his goal is to brand this as part of 84 South as an extension. He wants people to walk for groceries and things like that. Ms. Porter said that she believes there are major restrictions from the DOT regarding touching the I-894 bridge.

Mr. Yauck described his goal to create a clear path that helps people get to 84 South. He wants everything there to be an amenity to this development. Mr. Yauck confirmed that a traffic and pedestrian study between 84 South and the northern boundary of the frontage on S. 92 St. will take place.

Motion by Mr. Rogers, seconded by Ms. Wojak, to recommend Common Council approval of the Site, Landscaping and Architectural Plans for proposed new construction of a multi-family apartment complex to be located at 44 S. 92 St. (Lot 1) and 44** S. 92 St. (Lot 2), submitted by Bill Ohm d/b/a Cobalt Partners, LLC., and Scott Yauck d/b/a Cobalt 92, LLC and RJ 92, LLC (Tax Key Nos. 607-9981-006 and 607-9981-007), subject to Plan Commission and staff comments, and authorize this item to be expedited to the January 17th Common Council meeting. Motion carried unanimously.**

Ald. Kastner asked if the City of Greenfield has the plan for the entire bike trail in that vicinity. Mr. Yauck said that they had city input and the City of Greenfield Engineering Department approved the proposed pedestrian path layout. He said that there are two easements with the Elizabeth Residences parcel, a pedestrian and a sewer. Mr. Yauck explained that the sewer easement is in place.

7. Community Development Manager Report

Cafe Hollander and the Feisty Loon, to be located at 84South, will be on the February Plan Commission agenda.

Cobalt's contract with Brixmor for development at Spring Hall expired, but Cobalt is still interested. The city is hoping to meet with Brixmor to discuss moving a development forward next week.

8. Adjournment.

Motion by Ald. Kastner, seconded by Mr. Weis, to adjourn the meeting at 7:15 p.m. Motion carried unanimously.

Respectfully submitted,

Natalie Phillips
Administrative Assistant

Distributed January 16, 2023