

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE
GREENFIELD CITY HALL ON TUESDAY, SEPTEMBER 12 2023**

1. The meeting was called to order at 6:02 p.m. by Mayor Michael Neitzke

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

ALSO PRESENT: Kristi Porter – Community Development Manager

1. Roll Call

2. Approval of the minutes from the August 8, 2023 meeting.

Motion by Mr. Carlson, seconded by Mr. Braswell, to approve the August 8, 2023 meeting minutes. Motion carried unanimously.

3. Discussion regarding last Common Council meetings.

There were three Public Hearings on August 8, 2023. Common Council approved the Public Hearings for Holey Mackerel, Kyoto, and Nystrom & Associates.

4A. Special Use Permit for Clarity Massage, a proposed massage therapy business, to be located at 5170 S. 76 St., Suite 213, submitted by Jessica Reimer, d/b/a Clarity Massage and John Weiss, d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009)

4B. Site Plan Review for Clarity Massage, a proposed massage therapy business, to be located at 5170 S. 76 St., Suite 213, submitted by Jessica Reimer, d/b/a Clarity Massage and John Weiss, d/b/a My Salon Suite of Greenfield. (Tax Key No. 650-8998-009)

Items 4A and 4B may be considered together.

Overview and Zoning

The applicant, Jessica Reimer, is proposing to occupy Suite 213, approximately 135 sq. ft., of tenant space within the My Salon multi-tenant commercial building. The applicant is proposing to operate a massage therapy business offering Swedish, deep tissue, and prenatal massages and CranioSacral Therapy. The applicant, Jessica Reimer, is proposing to relocate from Hales Corners to the City of Greenfield.

The property is zoned C-4 Regional Business District, which permits massage parlors as a Special Use. Since this is a new use in this tenant space, a public hearing and a new Special Use Permit is required. A public hearing can be scheduled as early as October 17, 2023. The hours of

operation would be Monday through Thursday, 11am-7:30pm and Saturday and Sunday 10:30am-3pm. The applicant is seeking a one-year lease for the suite beginning September 23, 2023.

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. There is an approved site and landscape plan on file from 2021. The site underwent a review in March 2023 as part of a special use permit process. All issues identified as part of that process have been addressed fully and the site has remained in good shape.

The only issue identified on the site is that the sugar maple in the northeast corner of the lot does not appear to have survived the winter. Staff is recommending that the landlord replace the dead tree by October 31, 2023 or submit a letter of intent to have the tree replaced in Spring 2024.

The proposed Clarity Massage requires 2 (1 space per chair plus 1 space per employee) parking spaces and the remaining building requires 101 parking spaces, for a grand total of 103 parking spaces. A total of 47 stalls are provided on the property. The Common Council may waive the shortage.

Signage Review

The existing freestanding sign, located on the eastern edge of the property fronting the interior mall loop road, is a legal nonconforming sign. The existence of the sign pre-dates the current Sign Code, and the Special Use Permit would trigger conformance of the pylon sign within 24 months. However, the property does not have any street frontage on S. 76 St. and the sign is approximately 400 ft. from S. 76 St. and 350 ft. from W. Edgerton Ave. As such, the unique property condition and lack of harm to the public interest leads staff to recommend the existing freestanding sign be allowed to remain in its current condition.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan Review for Clarity Massage, a proposed massage therapy business, to be located at 5170 S. 76 St., Suite 213., submitted by Jessica Reimer, d/b/a Clarity Massage (Tax Key No. 650-8998-009), subject to Plan Commission and staff comments, and the following condition:

(Item 1 is required to be satisfied prior to the issuance of a Certificate of Occupancy.)

1. A letter being submitted to the Community Development Division stating that the dead sugar maple tree will be replaced, in compliance with the approved 2021 landscaping plan, by October 31, 2023 or, if October is not feasible, by May 31, 2024.

Mayor Neitzke and Ald. Kastner discussed the requirement for Special Use Permits to be held for businesses located within salons. The Mayor suggested that it be explored how to modify the code so that businesses within salon suites go through Special Use Review process rather than Special Use Permit process, thus eliminating the Public Hearings needed for each massage tenant. Ald. Kastner agreed that a discussion should occur regarding this.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend Common Council approval of the Special Use Permit and Site Plan Review for Clarity Massage, a proposed massage therapy business, to be located at 5170 S. 76 St., Suite 213., submitted by Jessica Reimer, d/b/a Clarity Massage (Tax Key No. 650-8998-009), subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled for October 17, 2023. Motion carried unanimously.

5. Certified Survey Map for proposed modification of lot line location between two parcels located at 4433 S. 72 St. and 4463 S. 72 St., submitted by Bonita and John Konop, owner. (Tax Key Nos. 604-9948-000 and 604-9949-001)

The property owners at 4463 S. 72 St. are proposing to shift their northern lot line approximately 40 ft. north, purchasing a sliver of land from their northern neighbors (4433 S. 72 St.). The Konop family has a few raised planter beds in their northern neighbor's yard. The lot line shift will relocate the raised planter beds into land that they will now own.

4433 S. 72 St. today: 58,401 sq. ft. or 1.34 acres

4433 S. 72 St. (Lot 1) proposed: 48,246 sq. ft. or 1.1076 acres

4463 S. 72 St. today: 54,923 sq. ft. or 1.26 acres

4463 S. 72 St. (Lot 2) proposed: 63,404 sq. ft. or 1.4556 acres

Both parcels are zoned R-3 Single-Family Residential Conservation District, which requires a minimum lot area of 9,000 sq. ft., a minimum lot width of 75 ft., and a minimum side yard setback of five (5) or 10 ft. (depending on the north/south orientation). The proposed CSM does not impact any of these minimum requirements. The Engineering Division has already received a revised CSM with comments incorporated into the revision. Staff recommends that this application be expedited to the September 19, 2023 Common Council meeting.

Recommendation: Recommend Common Council approval of the Certified Survey Map for proposed modification of lot line location between two parcels located at 4433 S. 72 St. and 4463 S. 72 St., submitted by Bonita and John Konop, owner (Tax Key Nos. 604-9948-000 and 604-9949-001), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 2 are required to be satisfied prior to the recording of the Certified Survey Map.)

1. A revised Certified Survey Map being submitted to the Engineering Division, if applicable.
2. A \$30.00 fee payable to City of Greenfield for the CSM recording fee.

Motion by Mayor Neitzke, seconded by Mr. Marshall, to recommend Common Council approval of the Certified Survey Map for proposed modification of lot line location between two parcels located at 4433 S. 72 St. and 4463 S. 72 St., submitted by Bonita and John Konop, owner (Tax Key Nos. 604-9948-000 and 604-9949-001), subject to Plan Commission, staff comments, and authorize this item to be expedited to the September 19, 2023 Common Council meeting. Motion carried unanimously.

- 6A. **Special Use Permit for Game Together MKE, a proposed used merchandise store, to be located at 4635 S. 108 St., submitted by Steven Barron, d/b/a Resale Barron LLC and Salim Shelleh, d/b/a Forest Park Real Estate LLC. (Tax Key No. 609-0033-001)**
- 6B. **Site Plan Review for Game Together MKE, a proposed used merchandise store, to be located at 4635 S. 108 St., submitted by Steven Barron, d/b/a Resale Barron LLC and Salim Shelleh, d/b/a Forest Park Real Estate LLC. (Tax Key No. 609-0033-001)**

Items 6A and 6B may be considered together

Overview and Zoning

The applicant, Steven Barron, is proposing to occupy Suite 8 located at 4635 S. 108 St., approximately 1,475 sq. ft. of tenant space, within the Omega Plaza Shopping Center multi-tenant commercial building. The applicant is proposing to operate a used merchandise store focused on buying and selling used video games, consoles, accessories, and collectibles. The applicant, Steven Barron, and his wife, have been running a full-time eBay business for over five (5) years and both worked at the Half-Priced Books in Greenfield for a combined seven (7) years, providing them with valuable insight into our community.

The property is zoned C-4 Regional Business District, which permits used merchandise stores as a Special Use. Since this is a new use in this tenant space, a public hearing and a new Special Use Permit are required. A public hearing can be scheduled as early as October 17, 2023. The hours of operation would be Wednesday through Saturday, 11am-7pm, Sunday 10am – 4pm, and closed on Mondays and Tuesdays. The applicant is seeking a three-year lease for the suite.

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. There is an approved site and landscape plan on file from 2019. The site is in good condition and there were no issues observed with the site or landscaping when staff conducted a site visit.

The proposed Game Together MKE requires seven (7) (5 spaces per 1,000 sq. ft.) parking spaces and the remaining building requires 63 (5 spaces per 1,000 sq. ft.) parking spaces, for a grand total of 70 parking spaces. A total of 69 stalls are provided on the property. The Common Council may waive the shortage.

Signage Review

The existing freestanding sign, located along S. 108 St., is a legal nonconforming sign. The existence of the sign pre-dates the current Sign Code, and the Special Use Permit and the future sign permit will trigger conformance of the pylon sign within 24 months. Staff has reached out to the property owner to discuss future compliance.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan Review for Game Together MKE, a proposed used merchandise store, to be located at 4635 S. 108 St., submitted by Steven Barron, d/b/a Game Together MKE (Tax Key No. 609-0033-

001), subject to Plan Commission and staff comments, and the following condition: replacement of the nonconforming pylon sign within 24 months.

Mayor Neitzke discussed how the change in tenancy will result in the removal of a sign that affects ten other businesses. Plan Commission agreed to waive the pylon sign compliance requirement due to its size and location, and also noted that the temporary barber sign needs to be removed.

Motion by Mr. Carlson, seconded by Mr. Krenz, Recommend Common Council approval of the Special Use Permit and Site Plan Review for Game Together MKE, a proposed used merchandise store, to be located at 4635 S. 108 St., submitted by Steven Barron, d/b/a Game Together MKE (Tax Key No. 609-0033-001), subject to Plan Commission and staff comments, including the removal of the temporary barber sign, and authorize a public hearing to be scheduled for October 17, 2023. Motion carried unanimously.

- 7. Site, Landscaping and Architectural Plans for Layton Preserve, a proposed new construction multi-family development to be located at 4501 S. 99 St. and 4551-4563 S. 99 St., submitted by Robert McCaigue, d/b/a Horizon Development Group, LLC. (Tax Key No. 607-9974-002)**

Overview and Zoning

Horizon Development Group, Inc. (“Horizon”) presented a conceptual plan review before the Plan Commission in April 2023 for new construction of a multi-family development, north of W. Layton Ave. at S. 99 St. Horizon currently has the 4.21-acre property under contract with an anticipated closing date of November 1, 2023. The development would be called Layton Preserve. The site is already zoned Planned Unit Development – Residential (rezoned in October 2005), so no rezoning would be necessary. The proposed development includes a 38-unit three-story building that will be age-restricted (55+) and a mixture of market-rate and income-restricted units, with underground parking; and a 7-unit income-restricted townhome style building with detached garages. Horizon was awarded Wisconsin Housing and Economic Development Association (WHEDA) tax credits, which fund a large portion of the project, and require tenant income restrictions.

Horizon is a Madison, Wisconsin-based group of companies specializing in full-service development, construction, and management of residential multi-family real estate. In its 39-year history, Horizon has completed more than \$2 billion in construction and development projects, and manages a portfolio of nearly 3,000 units in the Midwest with an occupancy rate of over 97%. Horizon has a Milwaukee area office, located at 3900 S. Prairie Hill Lane in Greenfield, and has developed seven (7) projects in the City totaling 402 units since 1998. Two hundred sixty-three (263) of these units are located in the Woodland Ridge housing community located near 84th and Howard.

Through the WHEDA tax credit program, housing tax credits fund about 50-60% of project costs, which generally allow high-quality construction to be maintained similar to traditionally-funded projects. The WHEDA program also incentivizes energy efficient design practices, resulting in quality building systems, insulation, fixtures, etc. The ownership structure would be 99.99% by a tax credit equity investor for a 15-year period (10 years tax credits, plus 5 years compliance). Following that period, the intention is for Horizon’s ownership group to own and manage the

property. The housing community would remain affordable for 30 years minimum as part of project funding requirements.

Layton Preserve will be managed locally by Horizon Management Services (HMS) and have management staff available on site. Like other properties, HMS staff would be available during posted office hours and assist with leasing and general property management functions. Horizon employs full-time maintenance technicians; one technician works out of Greenfield and would be responsible for servicing this property.

A full market study was completed for the proposed project to evaluate supply, demand, and market performance indicators. The market study determined there is adequate demand for the development including the following findings:

- (1) High occupancy levels within Primary Market Area (PMA)
 - a. weighted average vacancy rate of 1.7% among all multifamily properties
 - b. 1.0% vacancy within Market Rate Independent Senior Properties
 - c. 1.2% among Subsidized (LIHTC Section 42) independent senior properties;
- (2) based on the absorption rates of similar housing in the area, the absorption analysis has determined that Layton Preserve will reach 93% occupancy in 5 months; and,
- (3) strong PMA demand, 1.2% penetration rate for the subject's independent senior units and 0.5% penetration rate for the subject's family units.

The 38-unit building will include a mix of one- and two-bedroom apartments, an on-site leasing office, a clubroom/lounge area, a fitness center, tenant storage lockers, and heated underground parking. The unit mix consists of 18 one-bedrooms planned at 753 sq. ft. and 20 two-bedrooms planned at 1,000 sq. ft. All units will have energy-efficient appliances, in-unit washer/dryers, and private patio or balconies.

Building 1 - Unit Count	
1 Bed	18
2 Bed	20
Total	38
Townhouses - Unit Count	
3 Bed	7
Total	7
TOTAL UNITS	45

The Horizon team is requesting a waiver from the City to permit slightly smaller one-bedroom units than what the PUD section of the Code requires. The proposed one-bedroom size is 753 sq. ft. compared to the required 800 sq. ft. (per Table 21.04.0403E of the Municipal Code). Eight hundred (800) sq. ft. is slightly larger than what the typical one-bedroom unit is in today's market, specifically within the City of Greenfield. For reference, other multi-family communities within the City offer:

- Forte at 84 South: A1: 548 sf | A1.2: 651 sf | A2: 534 sf | A3: 605 sf | A4: 494 sf
 - 1-bedroom units range from 494 sf through 924 sf
- Piccadilly Apartments: Berkshire: 713 sf | Essex: 804 sf
- Loomis Crossing: A1: 670 sf | B1: 798 sf |
 - 1-bedroom units range from 670 sf through 848 sf
- Prairie Hill Senior Apartments: 1-bedroom: 789 sf
- Crest View Senior Apartments: 1-bedroom: 630 sf
- Hill Crest Senior Apartments: 1-bedroom: 675 - 754 sf

- Water Tower View Senior Apartments: 1-bedroom: 665 - 737 sf

Based on the City's precedence of allowing smaller unit sizes in other multi-family developments, staff recommends that the Plan Commission and Common Council provide a waiver for the proposed one-bedroom unit size for this application.

The income-restricted family townhomes will consist of seven (7) three-bedroom units, each approximately 1,390 square feet, with private entries. The minimum dwelling unit size for this building is 1,300 sq. ft., per Table 21.04.0403E of the Municipal Code. Units will have energy-efficient appliances, in-unit washer/dryers, and private patio/balcony space. These units are not age-restricted.

Layton Preserve will provide affordable rents to a variety of households and income demographics. The 38-unit age-restricted building will contain seven (7) market-rate units and 31 units rented to households with qualifying incomes at or below 60% of area median income; while the seven (7) family townhomes will be rented to households earning no more than 50% of area median income. In total, there will be 38 units of income-restricted housing and seven (7) units of market rate and age restricted.

Tenant income ranges for the project will vary depending on: (1) the unit being applied for – whether a 30%, 50%, 60% or market rate unit; and, (2) the household size, which may vary whether a senior living unit or family townhouse unit. Horizon Management Services will be the property manager and has extensive experience in the Greenfield area as well as tax credit compliance in general. Each applicant will undergo a background check and credit screening, as well as certification of household income per tax credit guidelines.

Age Restricted Units (Apartment Units)									
	30% CMI		50% CMI		60% CMI		Market Rate		Total
	#	Rent*	#	Rent*	#	Rent*	#	Rent	
1BR (753 sf)	6	\$531 /mo	3	\$885 /mo	7	\$998 /mo	2	\$1,170 /mo	18
2BR (1,005 - 1,059 sf)	7	\$637 /mo	4	\$1,062 /mo	4	\$1,211 /mo	5	\$1,530 /mo	20
Total	13		7		11		7		38

*Includes Utility Allowance

Non Age Restricted Units (Townhome Units)									
	30% CMI		50% CMI		60% CMI		Market Rate		Total
	#	Rent*	#	Rent*	#	Rent	#	Rent	
3BR (~1,389 sf)	3	\$736 /mo	4	\$1,227 /mo	0	-	0	-	7
Total	3		4		0		0		7

*Includes Utility Allowance

Layton Preserve will be required to follow current HUD estimated county median income. As an example, the estimated maximum 2022 Milwaukee County median income for a 1- or 2-person household applying for a 60% unit is \$39,660 (1-person household) and \$45,360 (2-person household). For a 50% unit (1, 2, or 3 bedrooms possible based on unit mix), the income limit would start at \$33,050 (1 person) and increase based on number of household members. A 5-

person household would have a 50% income limit of \$51,000. Lastly, for a 30% unit, the estimated maximum 2022 Milwaukee County median income is \$19,830 (1-person household) and \$22,680 (2-person household). In summary, based on the household sizes mentioned, estimated household income ranges could be from \$19,830 to \$51,000.

Per Horizon, it is common for a range of local employment options to be represented in this income range, including education, fire, law enforcement, service industries, retail, and positions in manufacturing, industrial, and health care. The seniors that will live at this development (38 of 45 units) may be on fixed income (social security), pension or other retirement savings. Per Horizon, many qualifying households may come from a relatively short distance, meaning many of the units at Layton Preserve will serve those already in the community or surrounding area. Whether a senior who has lived in Greenfield for years and wishes to remain part of the community, or a family looking for an affordable option that is close to work, the project aims to serve a local market demographic and need. At Horizon's other properties (1 mile from the subject site) there are currently waiting lists of 54 and 61 for income restricted senior units, as well as a waiting list for seven (7) market-rate senior units.

In terms of project costs and sources of funding, Horizon estimates a total project cost and local investment of \$13,700,000. Anticipated/requested funding sources include Federal Home Loan Bank funding (application submitted), a permanent first mortgage, Milwaukee County ARPA funds, Milwaukee County Project Based Vouchers (application submitted), and affordable housing tax credit equity.

Horizon is currently under contract for the subject property and expects the following schedule projections:

- Site Plan approvals in September & October from the City of Greenfield
- Financial Closing, Land Purchase, and construction commencement in early November (11/1/2023)
- November '23 – February '24: Site, Foundation, and Infrastructure Work
- Spring '24 Vertical Construction beginning first with the 7-unit townhome building followed by the 38-unit building
- Project Completion and Lease up is expected in November of 2024.

Site and Landscaping Plans

The 4.21-acre parcel is currently zoned Planned Unit Development (PUD) – Residential. No rezoning or public hearing is necessary, simply a formal site, landscaping and architectural review process. The proposed 45 units on 4.21 acres creates a gross density of 10.68 units/acre. The Zoning Code states that the maximum gross density allowed on a PUD-zoned parcel with straight residential use is 8 units/acre. The maximum gross density allowed on a PUD-zoned parcel with "residential housing for older persons" is 20 units/acre. The Layton Preserve proposal is a mixture of both of those uses, but 84% of the development is strictly for people ages 55 and older. The proposal doesn't meet the 8 units/acre max. gross density regulation, but the super majority of the development is dedicated for senior residents, which has a max. density of 20 units/acre, which this proposal would meet. Staff recommends that Plan Commission and Common Council provide a waiver for the density restrictions of the PUD Zoning District for this particular project.

In comparison to the Conceptual Site Plan that was reviewed by the Plan Commission in April 2023, the townhome building is now relocated alongside the apartment building at the northeast corner of the site. This produces a cohesive site and street presence both at the termination of S. 99 St., and more specifically, along W. Chapman Ave. This revision was required due to wetlands found at the previous location of the townhome building. The proposed site layout minimizes wetland impacts to be compliant under general permitting through the USACE and WIDNR. The team will continue to work through unknowns following the Supreme Court ruling in May and the adjustments to policy and process, but this layout provides a definitive route to permitting and groundbreaking in late 2023. It is assumed most wetlands on site are artificial and are exempt due to historical man-made fill activity on the site. The team will work with staff as details become clearer. A bioretention pond is planned for on the west side of the parcel.

The team is proposing continuation of the existing condition of a private drive within the public right-of-way to the termination of S. 99 St., continuing easterly within the W. Chapman Ave. right-of-way. The existing driveway will be improved to be consistent with the new extension of the driveway, which will include curb, gutter, and installation of a new sidewalk providing pedestrian access from W. Layton Ave. into the proposed community. The City does not intend on vacating/discontinuing either S. 99 St. or W. Chapman Ave. The Engineering Division has already drafted and shared a Development Agreement with Horizon with terms and conditions for the private drive in the ROW. Horizon will be required to maintain the entire private drive, all the way down to W. Layton Ave.

The site design includes a 7-vehicle detached garage building for the townhomes, 41 underground parking spaces for the 3-story apartment building, and 31 surface spaces, for a total of 79 provided off-street parking spaces (of which two (2) are ADA compliant) for the development. The Code requires that 65 off-street spaces be provided, and that 50% of those provided, be enclosed. The proposal meets all of the parking requirements. The detached garage building will be north of the townhome structure and east of the 3-story apartment building, and will not be visible unless you drive internally into the site's parking lot.

The PUD Zoning District requires a 25-ft. front, rear and side yard setback. The proposal meets the setback requirements, other than the balconies along the north elevation of the 3-story apartment building. The building footprint is setback 27 feet from the rear yard lot line, but the balconies encroach into the setback by five (5) feet (they are to be constructed 20 feet off of the rear yard lot line). Staff does not anticipate any issues with the proposal, as the rear/north lot line abuts DOT right-of-way, and is located 304 ft. from the actual freeway. Staff recommends that the Plan Commission and Common Council grant a waiver for the setback.

The site layout includes a sidewalk network around the townhome building that connects to a newly-proposed sidewalk that runs along the north side of W. Chapman Ave. and the west side of S. 99 St. Horizon will construct the sidewalk. The Fire Department has requested that a sidewalk run around the perimeter of the 3-story apartment building for fire access. Horizon and the Fire Dept. are in talks about that specific requirement, plan modifications may be needed for the accommodation.

The 3-story apartment building has an underground garbage collection area. There is a four-sided split-face block refuse enclosure with a maze wall located to the east of the garage

building for the townhomes. There are also four (4) bike stalls located at the northeast corner of the townhome building and another one located at the southeast corner of the apartment building.

The landscaping plans that were provided are too vague for the City Forester to review. A detailed landscaping plan needs to be submitted for review and comment.

08/10/2023

Layton Preserve - Horizon Development

Proposed Building Stats		
	# of Units	Building Height*
Senior Living	38	3 stories, 41' (48'-8" to Ridge)
Townhouses	7	2 stories, 24' (28' to Ridge)
Accessory Garage		1 Stories, 14'-2" to Ridge
	45	43'1"2

	PUD Requirement	Proposed
Minimum Site Area (Table 21.04.0403A) Acres	5.00	4.21 Residential Land ~1.13 ac Improved ROW
Maximum Density Measures for Residential (Table 21.04.0403B)		
Minimum Open Space Ratio (OSR) = open space / base site area	0.40	0.40 .78 actual
Maximum Gross Density (GD/ Acre) = Total # dwelling units / base site area		10.68 combined total units / acre
Residential	8.00 /acre	7.95 /acre
Residential Housing for Older Persons	20.00 /acre	11.40 /acre
Maximum Net Density (ND/ Acre) = Total # dwelling units / net buildable area		
Residential	12.00 /acre	11.86 /acre
Residential Housing for Older Persons	25.00 /acre	18.36 /acre
Minimum Front Yard (FT)	25'	25'
Minimum Rear Yard (FT)	25'	20'
Minimum Side Yards (FT)	25'	25'
Minimum Distance Between Buildings	3/4 the height of the tallest building, or 20', whichever is greatest	Varies, 20' MIN

Minimum Dwelling Unit Size Standards - For structures with more than 2 Dwelling Units (Table 21.06.0403E)	PUD Requirement	Proposed
1 Bedroom (Minimum SF)	800 sf	753 sf
2 Bedroom (Minimum SF)	1,000 sf	1,000 sf

PARKING		
	Building 1 (3-Story Apt Bldg)	
Residential Housing for Older Persons	PUD Requirement*	Proposed
# of Dwelling Units		38
1.0 space per Dwelling Unit (50% to be enclosed)	38.0	41 - All Covered (Underground)
0.25 space per dwelling unit (guest parking)	9.50	10 Surface
	47.50	51
	Building 2 (2-Story TH Bldg)	
Townhomes	PUD Requirement*	Proposed
# of Dwelling Units		7
2.0 space per Dwelling Unit (50% to be enclosed)	14.0	25 - (7 covered)
0.5 space per dwelling unit (guest parking)	3.50	4 Surface
	17.50	29 **
	TOTAL Required	TOTAL Proposed
	65.00	79 80.00

*Parking Requirements not identified in PUD Ordinance - Greenfield Off-Street Parking Requirements Assumed (Table 21.06.0203)

** (7) Add'l On-Street Parallel Parking Stalls Proposed (Not Included in Parking Quantities)

Photometric Plans

The photometric plan shows the installation of eight (8) black D-Series, 16- ft. tall light poles internally throughout the site. The plans specify that the poles will be fixed to 2-ft. concrete bases, which meets the Code requirement. A wall sconce WDGE1 LED light fixture will be mounted above the underground parking garage door on the apartment building. The north side of the townhouse building will include four (4) mounted ARC1 LED wall luminaires, and the south side of the detached garage building will include three (3) of the same wall luminaires.

Architectural Plans

The two (2) proposed buildings mirror each other in design. Both have brick veneer bases with cast stone bands, a combination of horizontal composite siding and composite board and batten siding, vinyl windows, asphalt shingles, composite trim and fascia boards, and covered porches at the unit entries. The detached garage building includes a brick base with cast stone bands in between garage doors. The north, east and west elevations of the garage building do not include brick. These elevations will not be very visible, and the north elevation faces the freeway. Staff has asked for some additional brick on the residential building elevations since the original submittal, and Horizon has submitted revisions, as requested, and shown in the staff report. The seven (7) townhomes are encompassed in a two-story building, and the 38-unit apartment building is a three-story design. The 38-unit building includes balconies on the north and south elevations. Staff does not have any recommended architectural modifications.

Staff recommends that this application be expedited to the September 19, 2023 Common Council meeting.

Recommendation: Recommend Common Council approval of the Site, Landscaping and Architectural Plans for Layton Preserve, a proposed new construction multi-family development to be located at 4501 S. 99 St. and 4551-4563 S. 99 St., submitted by Robert McCaigue, d/b/a Horizon Development Group, LLC (Tax Key No. 607-9974-002), subject to Plan Commission, staff comments, and the following conditions:

(Items 1 through 8 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. Revised Site, Landscaping and Architectural Plans being submitted to the Community Development Division to show the following: (a) air conditioning unit locations on building elevations and/or site plan; (b) location of We Energies/cable/phone control boxes being located out of view from the ROW and not in the front of any building; (c) the fire hydrant being moved east of the main entry in the ROW; (d) the driveway to the underground parking being widened to 24 ft.; (e) correction of the spelling of "W. Chapman Ave."; (f) landscaping species and quantity modifications 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. A revised Civil Plan Set and a Stormwater Management Plan showing modifications/requirements as directed by the Engineering Department, subject to change in order to meet Municipal Code requirements.
5. Permit application approvals from WDNR/MMSD for sanitary permits, WDNR/Milwaukee Water Works for water permits, and WDNR/MMSD for stormwater permits.
6. 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.
7. Development and PUD Agreements being signed and executed.
8. Park fees of \$1,806 per unit being submitted to the Engineering Division.

Ms. Porter noted that the original Layton Preserve proposal included a private drive at S. 99 St. and Chapman Ave. She said that Horizon Development Group has since requested that it function as a public street which the City of Greenfield would maintain. The Mayor explained that the City of Greenfield currently plows both S. 99 St. and W. Chapman Ave. Plan Commission discussed whether a T or bulb would be advantageous at the end of W. Chapman Ave. and requested that staff, the developer and DPW work together to design the best solution.

Mr. McCaigue, representing Horizon Development Group, was present for discussion. The Mayor stated that it would be best if the City maintain S. 99 St. and W. Chapman Ave. after construction. Horizon would be responsible for all construction expenses.

Mayor Neitzke is worried about two adjacent property owners which could be adversely impacted by changes to the driveway, which could be considered a public street because the City of Greenfield currently maintains it. Ms. Porter said that the developer would have to work closely with the neighboring property owners at the time of construction.

Mr. McCaigue said that the same number of units is being proposed in the current plan in comparison to the conceptual plan. He explained that the only difference is the location of the townhome building, as it was previously located just north of the office building. Ald. Kastner asked if the developer could come back and propose more units in the future. Mr. McCaigue said that it's possible but they don't have a final resolution on the wetlands. He explained that

the proposal has the same number of units, but the original 800 sq. ft. 1 bedrooms has been changed to the standard unit design of 753 sq. ft.

Mr. Krenz asked where the sidewalk would be located on S. 99 St. Mr. McCaigue said that it's a typical 60 ft. right of way and the sidewalk will go from the development all the way to W. Layton Ave. The Mayor explained that the reason why W. Chapman Ave. can't be a private drive is because it's within the right of way. Ms. Porter noted that the draft agreement with the Engineering Division does not require the condos or office to do any maintenance.

Mr. McCaigue explained that the garage building will be made of the same material as the other building, with a small brick wainscot around the front with composite siding. He clarified that the garages are one car garages. Ms. Wojak asked about the pitch going up to the garage. Mr. McCaigue said that there will be some trench and storm drains to ensure that everything collected in the parking lot will go to the detention basin on the west.

The Mayor requested that the road design be figured out with staff before the September 19, 2023 Common Council meeting.

Motion by Ald. Kastner, seconded by Mr. Weis, to recommend Common Council approval of the Site, Landscaping and Architectural Plans for Layton Preserve, a proposed new construction multi-family development to be located at 4501 S. 99 St. and 4551-4563 S. 99 St., submitted by Robert McCaigue, d/b/a Horizon Development Group, LLC (Tax Key No. 607-9974-002), subject to Plan Commission, staff comments, including submittal of the final road design to staff before the September 19, 2023, and authorize this item to be expedited to the September 19, 2023 Common Council meeting. Motion carried unanimously.

- 8A. Special Use Permit for One + 1, a proposed full-service restaurant, to be located at 5442-44 W. Forest Home Ave., submitted by Par Hnem Cung, d/b/a OnePlus1 LLC. (Tax Key No. 556-8988-001)**
- 8B. Site Plan Review for One + 1, a proposed full-service restaurant, to be located at 5442-44 W. Forest Home Ave., submitted by Par Hnem Cung, d/b/a OnePlus1 LLC. (Tax Key No. 556-8988-001)**

Items 8A and 8B may be considered together.

Overview and Zoning

The applicant and property owner, Par Hnem Cung, is proposing to occupy 5442 and 5444 W. Forest Home Ave., approximately 1,800 sq. ft. of tenant space. The applicant is proposing to operate a full-service restaurant offering Asian-style comfort food. The applicant has 10 years of experience in Asian-style restaurants in Asia and has been a sushi franchise owner for nearly five (5) years.

The property is zoned C-2 Community Commercial District, which permits full-service restaurants as a Special Use. Since this is a new use in these tenant spaces, a public hearing and a new Special Use Permit are required. A public hearing can be scheduled as early as October 17, 2023. The hours of operation would be Monday through Friday 11am – 10pm, and 7am-10pm Saturday and Sunday.

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. When staff conducted their site visit, several issues were observed.

The first was the storage of materials behind the building and near the street. Items such as brooms, trash bins, and plastic bins were observed. Staff recommends that these items be removed immediately and a letter be submitted stating that these items will not be stored outside in the future.

Additionally, two (2) unenclosed dumpsters are located behind the building. Given the size constraints and the layout of the space, there is no room for an enclosure to be constructed.

The biggest concern of the site visit was the parking lot. Generally, the parking lot is in good condition, free from cracking or pot holes. However, there was no striping of parking spaces. This will need to be addressed to ensure an orderly usage of the lot is possible. The greatest concern with the parking lot is the limited number of parking spaces provided for the proposed full-service restaurant and the existing deli to utilize. Within the application, the six (6) parking stalls are identified as employee parking, leaving patrons with street parking as the only option.

One + 1 restaurant requires 27 parking spaces (15 per 1,000 sq. ft.) and D&S Deli, the other building tenant, requires 13 parking spaces (15 spaces per 1,000 sq. ft.), for a total of 40 required off-street parking spaces. A total of six (6) stalls are provided on the property. The parking shortage has been waived by Common Council through past approvals, and may be waived again.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan Review for One + 1, a proposed full-service restaurant, to be located at 5442-44 W. Forest Home Ave., submitted by Par Hnem Cung, d/b/a OnePlus1 LLC. (Tax Key No. 556-8988-001), subject to Plan Commission and staff comments, and the following conditions:

(Item 1 is required to be satisfied prior to the issuance of a Certificate of Occupancy.)

1. A letter being submitted to the Community Development Division stating that equipment/materials stored around the building have been removed and that the parking lot has been striped.

There was discussion about the building recently being painted a bright red without city review or approval. Plan Commission requires that the building be repainted with a neutral earth tone within one year. Plan Commission also requires that the non-conforming D & S Deli must meet sign compliance within 24 months.

Motion by Mr. Braswell, seconded by Ad. Kastner, to recommend Common Council approval of the Special Use Permit and Site Plan Review for One + 1, a proposed full-service restaurant, to be located at 5442-44 W. Forest Home Ave., submitted by Par Hnem Cung, d/b/a OnePlus1 LLC. (Tax Key No. 556-8988-001), subject to Plan Commission and staff comments, including repainting the building a neutral earth tone within 1 year and updating the non-conforming

sign into compliance within 24 months, and authorize a public hearing to be scheduled for October 17, 2023. Motion carried unanimously.

- 9A. **Special Use Review for Perez Automotive, a proposed automotive repair business, to be located at 3320 W. Howard Ave., submitted by Luis Perez Jr., d/b/a Perez Automotive and Dominic Ambroselli, d/b/a Ambroselli Properties. (Tax Key No. 553-8999-000)**
- 9B. **Site Plan Review for Perez Automotive, a proposed automotive repair business, to be located at 3320 W. Howard Ave., submitted by Luis Perez Jr., d/b/a Perez Automotive and Dominic Ambroselli, d/b/a Ambroselli Properties. (Tax Key No. 553-8999-000)**

Items 9A and 9B may be considered together.

Overview and Zoning

The applicant, Luis Perez Jr., is proposing to lease the existing automotive repair business located at 3320 W. Howard Ave. to establish Perez Automotive, an automotive repair business. The applicant has over 20 years of auto repair business experience.

The applicant is applying for the same use as the existing business, which was approved by the Plan Commission and Common Council in February of this year. The property is zoned C-3 Neighborhood Commercial District, which permits general automotive repair as a Special Use. This site has been through several different Special Use Reviews for similar-type auto repair businesses. The proposed hours of operation are Monday – Friday, 8am – 6pm, 8am – 3pm Saturday, and closed on Sunday.

Site Plan Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. The site appears to be in relatively good condition.

During the Special Use Review in February 2023, staff noted that during Special Use Reviews in 2018 and 2020, the Plan Commission allowed the previous tenants to keep the garbage dumpster inside the building at all times, other than when it needed to be rolled out for pick-up, rather than construct the enclosure. At that time, the dumpster had not been kept inside and at that time, staff recommended a site plan be provided showing a board-on-board enclosure to be constructed onsite. An updated site plan was never submitted. No dumpster was present at the time of the most recent site visit.

Additionally, the landscaping shown on the approved 2020 site plan still has not been installed in the area between the sidewalk and W. Loomis Road. Staff recommends the landscaping installed by October 31, 2023 or a letter of intent be submitted for planting in Spring 2024.

A final issue identified by staff during the site visit was the presence of parking blocks across the driveway onto the property from W. Howard Ave. Staff recommends that these blocks be immediately relocated to the parking spaces along W. Howard Ave. as their current location presents a hazard to drivers and emergency vehicles.

Perez Automotive requires 5 parking spaces (2 per 1,000 sq. ft. plus 1 space per employee). The building is approximately 1,800 sq. ft. and the applicant anticipates having 2 employees. A total of 15 stalls are provided on the property.

Staff recommends this item be expedited to the September 19, 2023 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review and Site Plan Review for Perez Automotive, a proposed automotive repair business, to be located at 3320 W. Howard Ave., submitted by Luis Perez Jr., d/b/a Perez Automotive and Dominic Ambroselli, d/b/a Ambroselli Properties. (Tax Key No. 553-8999-000), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 and 2 are required to be satisfied prior to the issuance of a Certificate of Occupancy. Item 3 is required to be satisfied by September 30, 2023.)

1. A letter being submitted to the Community Development Division stating that landscaping will be installed in compliance with the approved plan by October 31, 2023 or, if October is not feasible, by May 31, 2024.
2. A revised Site and Landscaping Plan being submitted to the Community Development Division to show a 4-sided board-on-board refuse enclosure with personnel door or maze wall.
3. Relocation of parking blocks from the W. Howard Ave. driveway to the parking spaces along W. Howard Ave.

The applicant, Luis Perez Jr., was present for discussion. Ms. Porter and the Mayor explained that Community Development will send out a letter listing the conditions required to be satisfied before the Certificate of Occupancy can be issued.

Motion by Mayor Neitzke, seconded by Mr. Weis, to recommend Common Council approval of the Special Use Review and Site Plan Review for Perez Automotive, a proposed automotive repair business, to be located at 3320 W. Howard Ave., submitted by Luis Perez Jr., d/b/a Perez Automotive and Dominic Ambroselli, d/b/a Ambroselli Properties (Tax Key No. 553-8999-000), subject to Plan Commission, staff comments, and authorize this item to be expedited to the September 19, 2023 Common Council meeting. Motion carried unanimously.

10. Certified Survey Map for proposed lot split of a portion of 11800 and 11802 W. Edgerton Ave., submitted by Jeffrey Katz, City Engineer. (Tax Key No. 611-8964-000)

The City, in cooperation with Mr. Greg Petruski, owner of The Woods – A GreatLife Community, located at 11800 & 11802 W. Edgerton Ave., is proposing to split off a 60 ft. wide x 440 ft. long sliver of land along the north side of The Woods property. This split is identified as Lot 2 on the proposed CSM. The sliver of land is the “gap” between W. Carpenter Ave. ROW to the west, and W. Carpenter Ave. ROW to the east of the parcel, and provides the City cohesive access to the ROW to the east. Staff recommends that this be expedited to the September 19, 2023 Common Council meeting.

Recommendation: Recommend Common Council approval of the Certified Survey Map for proposed lot split of a portion of 11800 and 11802 W. Edgerton Ave., submitted by Jeffrey Katz, City Engineer. (Tax Key No. 611-8964-000)

Motion by Ald. Kastner, seconded by Mr. Weis, to recommend Common Council approval of the Certified Survey Map for proposed lot split of a portion of 11800 and 11802 W. Edgerton Ave., submitted by Jeffrey Katz, City Engineer (Tax Key No. 611-8964-000), subject to Plan Commission, staff comments, and authorize this item to be expedited to the September 19, 2023 Common Council meeting. Motion carried unanimously.

11. Community Development Manager Report

Ms. Porter said that Avery and Birch, located at 10901 W. Sunset Ln., has occupancy and tenants are moving in. Ms. Porter had a walkthrough tour of The Woods, GreatLife and showed pictures. She said that the larger building is over 50% occupied, while the assisted living building to the north is just under 50% occupied.

12. Adjournment.

Motion by Mr. Weis, seconded by Ald. Kastner, to adjourn the meeting at 7:13 p.m. Motion carried unanimously.

Respectfully submitted,

Natalie Phillips
Administrative Assistant

Distributed September 19, 2023