



Common Council Chambers – City Hall Room 100
7325 W. Forest Home Ave., Greenfield, Wisconsin

PLAN COMMISSION STAFF REPORT

Tuesday, March 12, 2024 – 6:00 p.m.

1. Roll Call
2. Approval of the minutes from the February 13, 2024 meeting.
3. Discussion regarding last Common Council meetings.
4. Signage Plan Appeal for Culver's restaurant, located at 6031 W. Layton Ave., submitted by Vinnie Busalacchi, d/b/a Culver's and Joe Mayer, d/b/a Kimley-Horn. (Tax Key No. 618-9997-000)

Culver's restaurant is seeking a signage variance, requesting additional signage beyond what the Chapter 19 Sign Code permits. Culver's restaurant is seeking a waiver for the number of drive-thru signs and the square footage of the drive-thru sign.



The code permits two (2) drive-thru signs, the maximum size area of each sign not to exceed 32 sq. ft. Culver's restaurant is requesting to be allowed a third drive-thru sign to their existing two (2) drive-thru signs. Additionally, the proposed drive-thru sign is 38 square feet in area, exceeding the allowable square footage by six.

The applicant notes an increase in orders being placed via the drive-thru and that Culver's corporate has been pushing existing owners to either add a secondary lane or additional order points. The proposed drive-thru sign satisfies the latter.



Recommendation: Approve the Signage Plan Appeal for Culver's restaurant, located at 6031 W. Layton Ave., submitted by Vinnie Busalacchi, d/b/a Culver's and Joe Mayer, d/b/a Kimley-Horn. (Tax Key No. 618-9997-000)

5. **Special Use Review for proposed hours of operation change to Qamaria Coffee, located at 4818 S. 76 St., Suite 7, submitted by Anas Alhurani, d/b/a Qamaria Greenfield, LLC, remaining open until 2:00am only during the month of Ramadan in 2024. (Tax Key No. 617-9983-014)**

Qamaria was approved in August and September 2023. The coffee shop was before the Plan Commission and Common Council in August/ September 2023 for approval of a Special Use Permit. At that time, Qamaria was approved to have their hours of operation be 6:00am to 11:00pm, daily.

The applicant, Anas Alhurani, is now proposing to expand their hours of operation from the approved closing at 11:00pm to 2:00am ONLY during the month of Ramadan. The proposed expansion would allow them to serve customers who are participating in the holy month of fasting. Ramadan's occurrence is based on the Muslim calendar, resulting in Ramadan beginning 10-12 days earlier each year. Within a 33-year cycle, Ramadan will fall in every season.

The proposed hours are 6:00am – 11:00pm, daily except for during the month of Ramadan, which would be 6:00am – 2:00am, daily.



Per Section 21.04.0701.K. of the Municipal Code: ***Subsequent change or addition to the plans or use. (Cr. #2731)*** Any subsequent change or addition to the plans or use shall first be submitted for approval to the Plan Commission. If in the opinion of the Plan Commission, it is anticipated that such requested change in the special use substantially changes the concept or intent of a previously approved special use, the Plan Commission can consider it a major change to the original Special Use. If this is the decision of the Plan Commission, then a public hearing before the Common Council shall be required and notice thereof be given pursuant to the provisions of this division, and said proposed changes shall be submitted to the Common Council for approval.

The proposal before Plan Commission is primarily a formality so that Plan Commission has a recommendation on record even though the proposal was already approved by Common Council on March 5, 2024. The timing is responsive to the start of Ramadan 2024 beginning on the evening of March 10.

Recommendation: Recommend Common Council approval of the Special Use Review for proposed hours of operation change to Qamaria Coffee, located at 4818 S. 76 St., Suite 7, submitted by Anas Alhurani, d/b/a Qamaria Greenfield, LLC, remaining open until 2:00am only during the month of Ramadan in 2024. (Tax Key No. 617-9983-014)

- 6A. **Special Use Review for Crunch Fitness, a proposed fitness and recreational sports center, to be located at 6251 S. 27 St., submitted by Aaron Lieberman, d/b/a JEM CF California One, LLC c/o Atticus Franchise Group and Jeff Jennings, d/b/a J Plus Architects Inc. (Tax Key No. 691-9841-016)**

6B. Site Plan Review for Crunch Fitness, a proposed fitness and recreational sports center, to be located at 6251 S. 27 St., submitted by Aaron Lieberman, d/b/a JEM CF California One, LLC c/o Atticus Franchise Group and Jeff Jennings, d/b/a J Plus Architects Inc. (Tax Key No. 691-9841-016)

Items 6A and 6B may be considered together.

Overview and Zoning

The applicant, Aaron Lieberman, is proposing to occupy approximately 33,340 sq. ft. of tenant space at 6251 S. 27 St., the location of the former Xperience Fitness. The applicant is proposing to operate a multi-amenity health club offering group classes, personal training, strength and cardio equipment, rest and recovery, locker rooms, and more. The company currently owns and operates 6 Crunch Fitness locations.



The property is zoned Planned Unit Development (PUD) which permits fitness and recreational sports centers as a Special Use. A change in tenancy authorizes Special Use Review by the Plan Commission and Common Council. Crunch fitness will employ approximately ten (10) full-time employees and thirty-five (35) part time employees. The proposed hours of operation would be:

- Sundays from 5:00am – 10:00pm
- Mondays from 5:00am – Fridays at 11:00pm
- Saturdays from 5:00am – 10:00pm

Xperience Fitness, the former tenant, was open 24/7 and the Planet Fitness, located at 4478 S. 108 St., is currently open 24/7.

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. The parking lot is in good condition, however, there is wear-and-tear conditions with the pavement in the back of both buildings on the property. Over time, Waste Management trucks and snow plow trucks have done damage to the pavement that now requires repair.



When the property appeared before Plan Commission in June 2023 for the then proposed Burger & Burger restaurant, conditions for the issuance of a Certificate of Occupancy was the submittal of a Fats, Oils, and Grease (FOG) plan and a letter related to pavement resurfacing. The landlord has since provided a letter to the Community Development Division stating that, "Prior to October 1, 2025, College Venture JV LLC agrees to resurface the pavement area directly behind the West Building".

The proposed Crunch fitness requires 161 (4 spaces per 1,000 sq. ft. + 1 space per FTE employee) parking spaces and the remaining tenant spaces requires 182 (5 spaces per 1,000 sq. ft.) parking spaces, for a grand total of 343 required parking spaces. A total of 298 stalls are provided on the property. The Common Council may waive the shortage.

Staff recommends this item be expedited to the March 19, 2024 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Review for Crunch Fitness, a proposed fitness and recreational sports center, to be located at 6251 S. 27 St., submitted by Aaron Lieberman, d/b/a JEM CF California One, LLC c/o Atticus Franchise Group and Jeff Jennings, d/b/a J Plus Architects Inc. (Tax Key No. 691-9841-016), subject to Plan Commission and staff comments.

7A. Special Use Permit for VANEE Tattoo Studio, a proposed tattoo business to be located at 4629 S. 108 St., submitted by Vanessa Ruelas, d/b/a VANEE Tattoo Studio and Salim Shelleh, d/b/a Forest Park Real Estate LLC. (Tax Key No. 609-0033-001)

7B. Site Plan Review for VANEE Tattoo Studio, a proposed tattoo business to be located at 4629 S. 108 St., submitted by Vanessa Ruelas, d/b/a VANEE Tattoo Studio and Salim Shelleh, d/b/a Forest Park Real Estate LLC. (Tax Key No. 609-0033-001)

Items 7A and 7B may be considered together.

Overview and Zoning

The applicant, Vanessa Ruelas, is proposing to occupy a portion of Suite 11, currently occupied by Supreme Detailerz, within the Omega Plaza Shopping Center multi-tenant commercial building. The same applicant was before the Plan Commission in November 2023 for a different tenant space in the same multi-tenant commercial building, but that deal fell through.

VANEE Tattoo Studio is now proposing to occupy approximately 150 sq. ft. of Supreme Detailerz's tenant space (Suite 11). The applicant has three (3) years of experience in tattooing.



The property is zoned C-4 Regional Business District, which permits tattoo parlors as a Special Use. Since this is a new use within the tenant space, a public hearing and a Special Use Permit are required. The applicant anticipates hours of operation to be Tuesday through Sunday, 11am-10pm, closed on Mondays. The applicant will rent a portion of Suite 11 on a month-to-month basis.

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. The only issue was a small collection of wheel stops in the most northern parking stall. The wheel stops will need to be relocated and/or removed.

VANEE Tattoo Studio requires 3 (2 spaces per chair plus 1 space per employee) parking spaces and the remaining building requires 70 (5 spaces per 1,000 sq. ft.) parking spaces, for a grand total of 73 parking spaces. A total of 69 stalls are provided on the property. The Common Council may waive the shortage.

Staff recommends that a public hearing be scheduled for April 16, 2024.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Review for VANEE Tattoo Studio, a proposed tattoo business, at Supreme Detailerz, an existing business located at 4629 S. 108 St., submitted by Vanessa Ruelas, d/b/a VANEE Tattoo Studio and Salim Shelleh, d/b/a Forest Park Real Estate LLC. (Tax Key No. 609-0033-001), 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 from the landlord being submitted to the Community Development Division stating that the extra wheel stops currently stored in the northernmost parking stall will be removed by April 15, 2024.

8A. Special Use Review for change of tenancy for The Chef House, a proposed full-service restaurant, to be located at 3322 W. Loomis Rd., submitted by Shazad Ahmad, d/b/a The Chef House. (Tax Key No. 553-0436-001)

8B. Site Plan Review for The Chef House, a proposed full-service restaurant, to be located at 3322 W. Loomis Rd., submitted by Shazad Ahmad, d/b/a The Chef House. (Tax Key No. 553-0436-001)

Items 8A and 8B may be considered together.

Overview and Zoning

The applicant, Mr. Shazad Ahmad, is proposing to lease the building under a 5-year lease for a new restaurant, to be called The Chef House. The Chef House will offer a variety of international recipes, focusing on providing fresh, healthy and premium food and fresh fruit

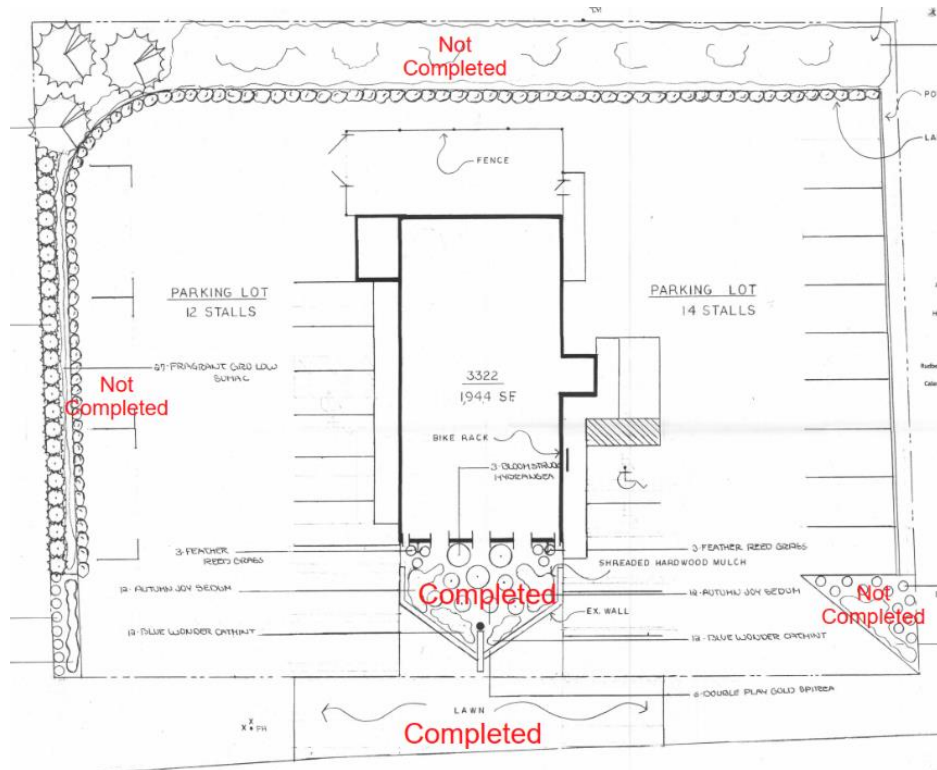
smoothies. The proposed hours of operation are 9am – 11pm, seven (7) days/week. They anticipate hiring approximately eight (8) employees. They will provide sit-down, carry-out and delivery dining options. The applicant has approximately 10 years of experience in the restaurant world, previously working at Krazy Kitchen.



This property last went through a Special Use Review process in March 2022 for Sauce & Toss, which changed its name to Red Hot Wings, which is now closed. The property is zoned C-2 Community Commercial District, which requires full-service restaurants to go through the Special Use process.

Site Plan

In November 2020, the Plan Commission and Common Council approved an extension of time to the previous occupant, Oh Yeah Chicken & More, to complete landscaping on the property, until December 31, 2025. The site is under an approved landscaping plan from 2018. The applicant has been made aware of the deadline and has been provided a copy of the approved landscaping plan. Landscaping that has yet to be done is located along the south and west property lines, and at the northeast corner of the site along W. Loomis Rd. The plans call for the removal of the paved incline along the south and west property lines, to be replaced by substantial perimeter landscaping.



When visiting the site, staff noted a few other modifications that have been made over time, without City approval. The first is that the site's light fixtures are installed at an angle. Per the Municipal Code, light fixtures must be installed parallel to the ground. Staff is recommending that they be fixed by April 15, 2024. In addition, it was noticed that the exterior of the building had been painted. When the City last reviewed this property, the building was painted all white. It's since been painted grey and orange without consultation from the City on the colors. The Plan Commission may have an opinion on whether or not the colors can remain as is. The City's Site Development Standards state that architectural colors shall be selected in general harmony with the existing neighborhood buildings and that earth tone colors are preferred.

Staff recommends that this item be expedited to the March 19, 2024 Common Council meeting for approval.

Recommendation : Recommend Common Council approval of Special Use Review and Site Plan Review for change of tenancy for The Chef House, a proposed full-service restaurant, to be located at 3322 W. Loomis Rd., submitted by Shazad Ahmad, d/b/a The Chef House (Tax Key No. 553-0436-001), subject to Plan Commission and staff comments and the following conditions:

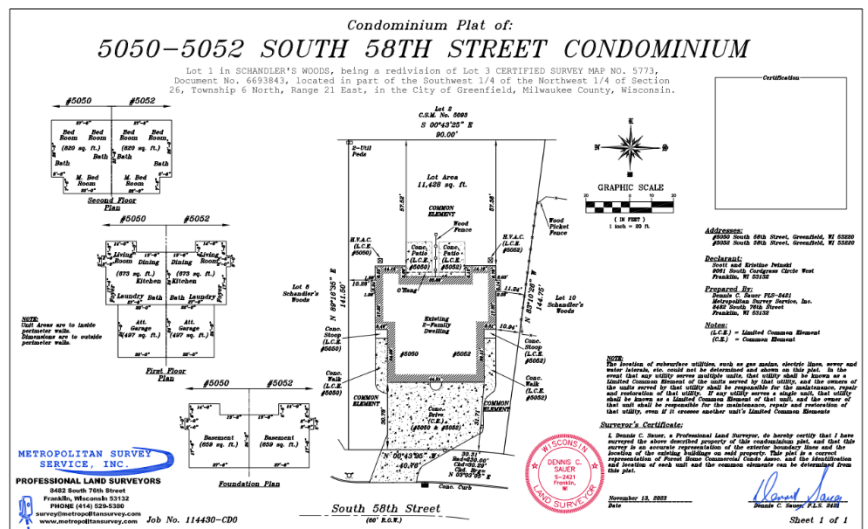
(Item 1 is required to be satisfied prior to the issuance of a Certificate of Occupancy.)

1. A letter being submitted to the Community Development Division stating that all site light pole light fixtures will be adjusted/re-angled to be parallel with the ground.

9. **Condominium Plat for division of land at 5050-52 S. 58 St., submitted by Scott and Kristine Iwinski, owners, and Dennis Sauer, d/b/a Metropolitan Survey Service, Inc. (Tax Key No. 619-0009-000)**



The property owners of the duplex at 5050-52 S. 58 St. are proposing to convert the rental (the owners live in one half today) into a two-ownership condominium, which is officially done through a Condominium Plat division and a Declaration of Condominium process. Section 21.09.0106.G. of the Municipal Code requires Plan Commission recommendation and Common Council approval of this process. It has come to our attention that while the City

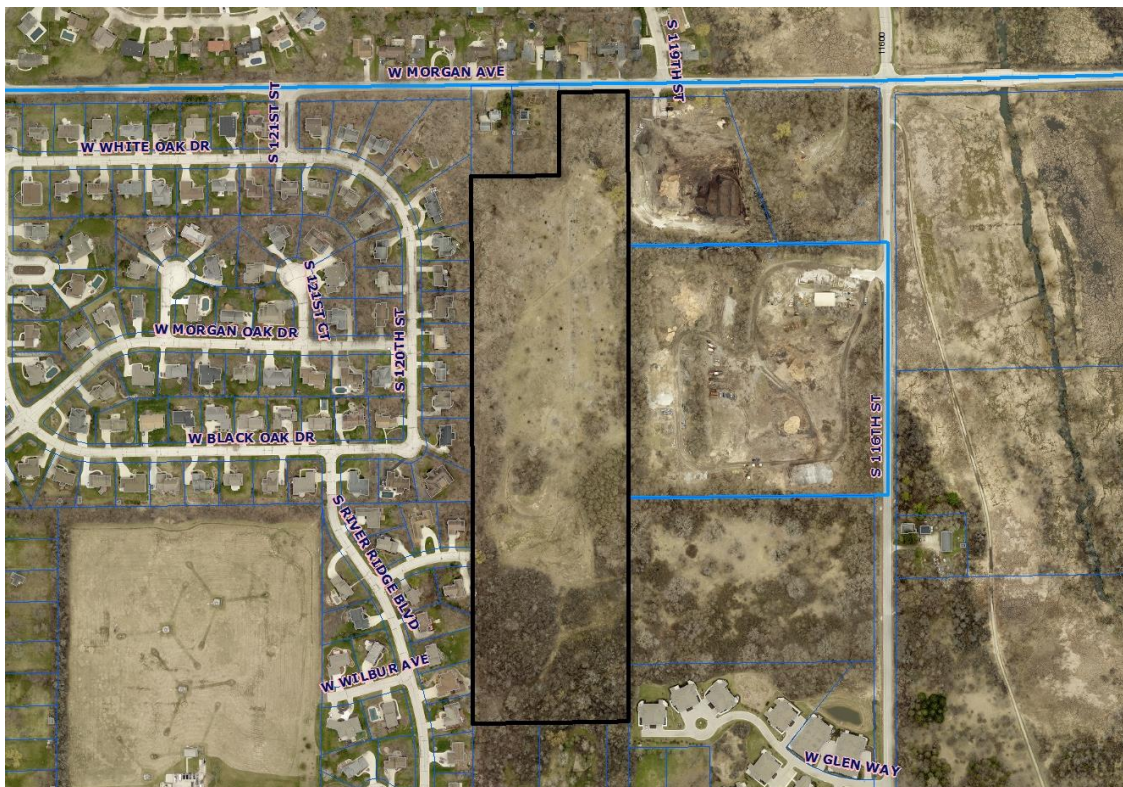


requires this approval process, the State Statutes don't, and hence Condominium Plats that are taken to the Milwaukee County Register of Deeds are processed with no question, because the County resides under State Statute law. So there are many, many Condominium Plat divisions that take place throughout the City, without the City's knowledge until after-the-fact. It so happened that these property owners consulted with the City for this particular property, and they were informed of the municipal approval process.

The Engineering Division's review process brought to light a few errors in the documents, which have been communicated to the owners and their surveyor, which need to be corrected before being recorded. The Condominium Plat division essentially recognizes that this parcel, as it is today with one (1) tax key, becomes split with two (2) different ownerships and two (2) new tax key numbers will be assigned to the side-by-side. Staff recommends that this be expedited to the March 19, 2024 Common Council meeting for approval.

Recommendation: Approval of the Condominium Plat for division of land at 5050-52 S. 58 St., submitted by Scott and Kristine Iwinski, owners, and Dennis Sauer, d/b/a Metropolitan Survey Service, Inc. (Tax Key No. 619-0009-000)

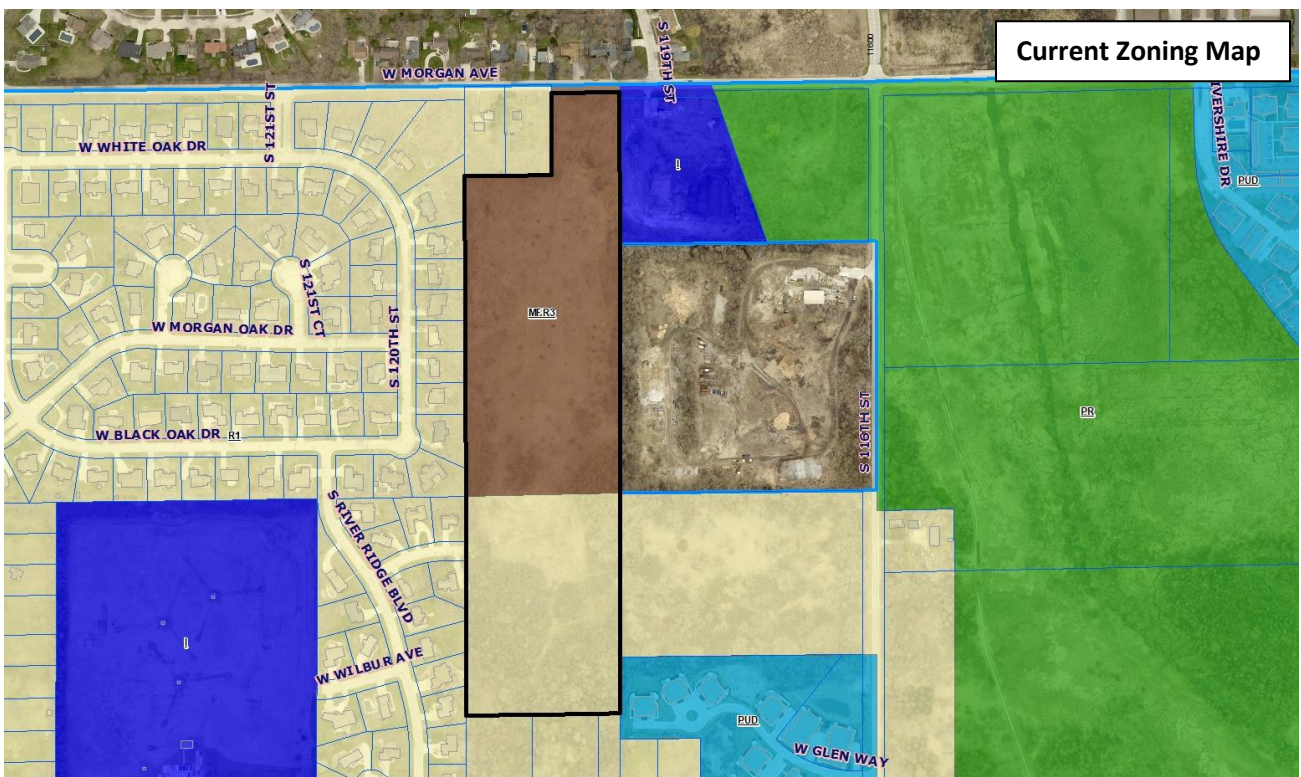
- 10A. **Resolution to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 11815 W. Morgan Ave. from Mixed Residential to Single Family. (Tax Key No. 564-9986-000)**
- 10B. **Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 11815 W. Morgan Ave. from MFR-3 High Density Multiple-Family Residential Conservation to R-1 Single-Family Residential District. (Tax Key No. 564-9986-000)**



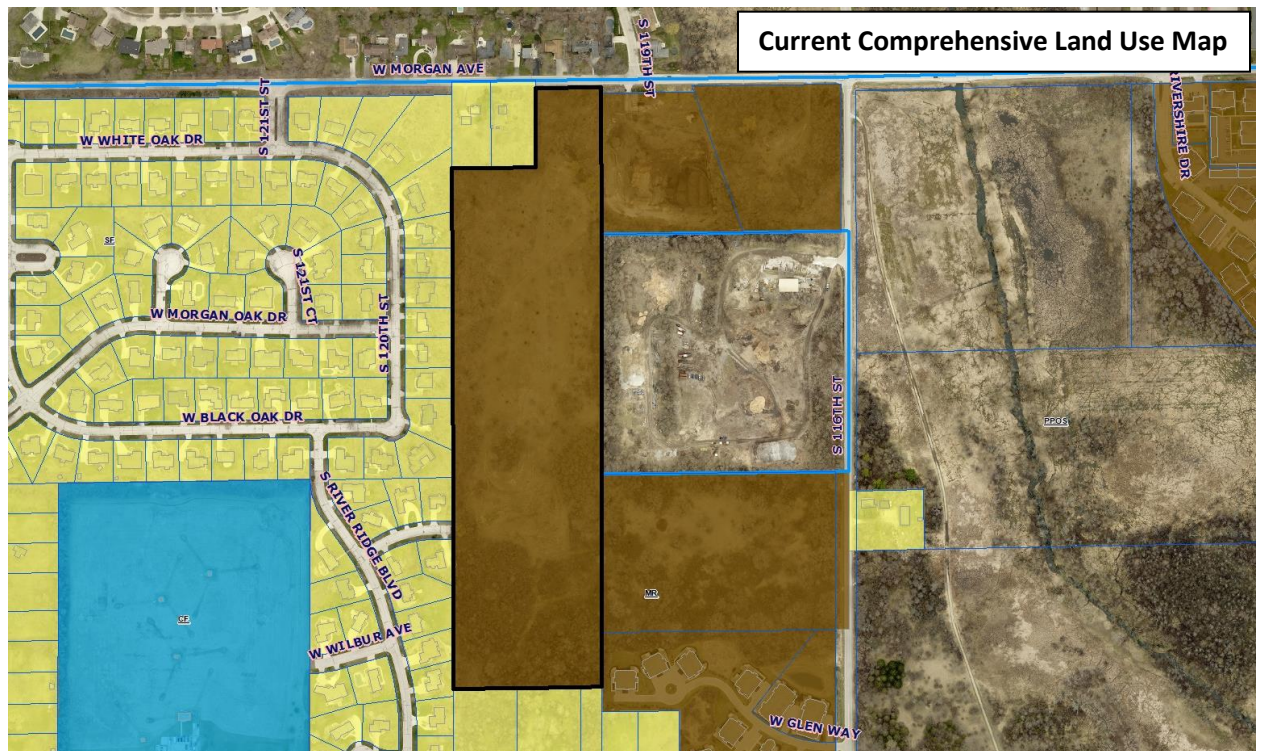
The property located at 11815 W. Morgan Ave. is owned by the Milwaukee County Treasurer through the foreclosure process, finalized in October 2017. This site is currently vacant, but was once used as a storage site/dump by former manufacturers Allis-Chalmers Corp., Cuywreco, Inc. (ownership change in September 1988), and Jacobech, Inc. (ownership change in June 1991).

Milwaukee County has been directed by the WDNR to cap the environmentally-contaminated property by the end of 2025. In the meantime, the County recently notified the City that it intends to issue a Request for Proposal (RFP), seeking new ownership/redevelopment of the 21-acre property. The City does not anticipate that the County will successfully find an owner who would willingly purchase a known-contaminated property with remedial action requirements issued by the WDNR, and anticipates that the County would continue ownership through the required capping timeframe at the end of 2025. The City feels that once the site is capped and receives approval of the environmental remediation from WDNR, the County would be more successful in its effort to find new ownership.

In the meantime, it came to light that this property is split-zoned, with the northern half zoned MFR-3 High Density Multiple-Family Residential Conservation District, while the southern half is zoned R-1 Single Family Residential District. The northern half was rezoned from M-1 Light Manufacturing to MFR-3 in April 1998. City staff does not feel that this area of land is appropriate for high-density multiple-family future use, and is proposing to rezone the northern half to single-family, cohesive with the southern half of the parcel. In addition, it is not good planning practice to have a parcel split-zoned, so the rezoning proposal before the Plan Commission would clean up a split-zoned situation. This does NOT mean that there is a single-family proposal for this parcel, it is simply a formality practice to clean up the existing split-zoning that has come to light when Milwaukee County communicated to the City its intent to issue an RFP seeking new ownership. In addition, given the known scope of contamination on



this 21-acre parcel, it is very unlikely that the WDNR would ever allow single-family development at this site. If/when the site is property capped and if/when redevelopment is ever proposed, the City should reassess appropriate zoning at that time.



The City's Comprehensive Land Use Map identifies this parcel as MR Mixed Residential. As noted above, staff does not feel that the appropriate end user for this parcel would be multi-family. In order to rezone the northern half to R-1 Single Family Residential District, the Comprehensive Land Use Map has to be cohesive to the new zoning, which it is not, so staff is recommending to amend the Comprehensive Land Use Map from Mixed Residential to Single Family for the parcel located at 11815 W. Morgan Ave.

State Statutes require the Plan Commission to adopt a Resolution supporting this proposed Comprehensive Land Use amendment, which will be considered by the Common Council during a public hearing. State Statutes also require a 30-day public comment period prior to a Comprehensive Land Use map amendment consideration, so the public hearing would be scheduled for May 21, 2024 if the Plan Commission adopts the proposed Resolution. A rollcall vote is needed for the Resolution.

Recommendation: Approval of the Resolution to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 11815 W. Morgan Ave. from Mixed Residential to Single Family. (Tax Key No. 564-9986-000)

Recommendation: Recommend Common Council approval of Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 11815 W. Morgan Ave. from MFR-3 High Density Multiple-Family Residential Conservation to R-1 Single-Family Residential District. (Tax Key No. 564-9986-000)

11. Community Development Manager Report
12. Adjournment.