MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, APRIL 16, 2024

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:00 PM.
Present: Alderpersons Andrew Drzewiecki, Bruce Bailey, Karl Kastner, Pam Akers, Shirley Saryan
*Excused: Alderperson Karl Kastner excused at 7:22 PM.
Also present: Jeff Katz, Director, Neighborhood Services; Jennifer Goergen, City Clerk; Gina Vlach, City Planner; Christopher Geary, City Attorney.

B. Opening Prayer

An opening prayer was given by Pastor Tim Vik.

C. Pledge of Allegiance

D. Approval of the April 3, 2024 Common Council minutes

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

E. Mayor's Report

Mayor Neitzke spoke about The Turf, the stormwater, and the draining of the bowls. He congratulated Alderpersons Akers, Kastner, and Saryan for their reelections at the last election. He said that they're not having a ceremony since they don't want one.

F. Aldermanic Reports

G. Announcements

H. Citizen Commentary

I. Public Hearings

1. Public Hearing on a 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) (PC-3/12/24 Kastner)

The public hearing opened at 7:04 PM.

Gina Vlach, City Planner, presented the site information, description of the business, hours of operation, parking, site improvements, and recommendations from the Plan Commission. There was one letter of objection, and no letters of support were received.

Mayor Neitzke noted that the applicant was present.

Mayor Neitzke read the letter of objection that was received, which stated, "Dear Council, I am the owner of Brew City Tattoo, an award-winning, licensed tattoo studio. We've been successfully operating for over 13 years in the City of Greenfield. My business partner, Andres Luna, is an established Greenfield resident and respected professional tattoo artist of nearly 30 years. We are requesting [that] the Special Use Permit proposal for VANEE Tattoo be denied for the following reasons: Mayor Neitzke added that it is as presented in the letter, and these were not the official positions of the City. VANEE Tattoo, Vanessa Ruelas, has been and currently is putting the public at risk by operating illegally without permitting, health inspection or studio licensing required per WI State Statue 463.10(3) since at least November of 2023. Initially doing business at 4633 S. 108th St., and currently at 4629 S. 108th St. This is considered a punishable offense of up to a $500 fine and/or 30 days imprisonment, citing WI Statute 463.18.

This was brought to our attention from disruptions to our business at 4637 S. 108th St. caused by her

customers repeatedly mistaking our studio as the location for their scheduled appointments with Ms. Ruelas. We have security camera footage of interactions with her clients and the confusion and disturbances it's caused. Initially, we believed someone was fraudulently collecting deposits for appointments with our studio. Interacting with these disoriented customers in our lobby, determined Ms. Ruelas had advertised and communicated addresses within the Omega Shopping Plaza for her place of business. Upon arrival to the premises, these individuals approach the only marked tattoo establishment, Brew City Tattoo. This takes time away from our clients to identify and address the misunderstanding, and also slows our business operations.

I have included links and screenshots to the active business websites and social media engagements of VANEE Tattoo, Vanessa Ruelas, supporting our claims of the unlawful activity below. There are hours of operation and addresses clearly outlined. I successfully submitted a booking request through booksy.com website below for VANEE Tattoo, located at 4629 S. 108th St., and received a text message response (sender # 262-880-4127) indicating pricing and availability on 4/13/24. The screen capture of that reply is also included. There are five links to Facebook, Booksy, Instagram, Venue.Ink, and VANEE Tattoo Studio, and a link to OneDrive with screenshots from above sites and text received if you click on a link that's in the original email.

You will find images of Social Media posts supporting recent work performed by Ms. Ruelas, promoting discounts, seeking customers, and even a post soliciting unskilled individuals to seek Ms. Ruelas for a training course in tattooing. These were all obtained through simple internet searches and support an allegedly fraudulent operation.

Knowing VANEE Tattoo has not been granted a Special Use or Occupancy Permit, there has not been any Health Inspections to ensure client safety or a sanitary environment with proper lighting and signage. Being familiar with Health Department regulations, we believe barbering, hair styling being performed in a shared environment where tattoos are also performed is considered hazardous and unsafe.

There is a risk to our stellar reputation due to the proximity of this illegitimate and risky operation underway. Any negative outcomes being shared by displeased or harmed clients of VANEE Tattoo, could easily mistake our studio as the culprit, as we are the only licensed operation at the Highway 100 and Layton intersection. Clients often don't remember the name of the studio they went to, but rather the location. Having two studios in nearly adjacent locations easily contributes to this confusion with both customers and departments of regulation.

When before the Common Council at our public hearing in 2010, we were asked where other Tattoo Studios were currently located in the City of Greenfield. This stemmed from the members being mindful of over saturating any area with studios, business of this nature. We hope this is still a focus of the council, and denying the Special Use Permit for this neighboring studio would support this strategy.

Ms. Ruelas has disregarded all law, policy, and procedure required by the City of Greenfield and the State of Wisconsin to operate a tattoo business. Due to this flagrant misconduct, we must have concern there are other legalities and other required procedures for safety that Ms. Ruelas has not adhered to. For the protection of the public and to discourage the circumventing of the city and state's required processes in the future, we strongly ask this Special Use Permit be denied. Sincerely, Michelle Sagert, Brew City Tattoo."

No comment was made by the applicant.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 7:13 PM. Motion carried unanimously.

a. Approve a Resolution for a 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) (PC-3/12/24 Kastner)

City Attorney Christopher Geary said that an option could be to lay this over to give time to investigate the serious allegations presented that the applicant didn't address at this time, which is her right.

Alderperson Drzewiecki and Alderperson Akers said that they preferred Attorney Geary's proposal.

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to hold agenda items I1a and I1b over until the next meeting to give the applicant the opportunity to respond. Motion carried unanimously.

b. Approve a 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) (PC-3/12/24 Kastner)

Place on next agenda.

J. Old Business

1. Appointments to various committees and commissions:

a. <u>Mayor appointments, confirmed by Council</u>:

i. One member to the Zoning Board of Appeals for a term to expire 5/1/26 (formerly John Rivera)

Mayor Neitzke appointed Paul Haggas [3272 S. 46th St., Greenfield, WI 53219] as a member of the Zoning Board of Appeals for a term to expire 5/1/26.

Motion by Alderperson Drzewiecki, seconded by Alderperson Akers to confirm the appointment. Motion carried unanimously.

K. New Business

1. Summons & Complaint received from Wal-Mart Real Estate Business Trust. (Goergen)
Referred to Attorney Seibel.

2. Claim received from Julie Dellenbach and Brett Pinnecker. (Goergen)
Referred to the City Attorney.

3. Summons & Claim for Relief re: Excessive Assessment received from NS Retail Holdings, LLC. (Goergen)
Referred to the City Attorney.

4. Appointment of Council President for a one year term (currently Saryan).
Alderperson Akers nominated Alderperson Saryan.

Alderperson Kastner nominated himself.

Alderperson Drzewiecki nominated Alderperson Bailey.

Motion by Alderperson Akers, seconded by Alderperson Saryan to nominate Alderperson Saryan. On a roll call vote, motion was denied 2-3, with Alderpersons Drzewiecki, Bailey, and Kastner opposed. Those in favor were Alderpersons Akers and Saryan.

Motion by Alderperson Kastner to nominate himself. Motion died due to a lack of a second.

Motion by Alderperson Drzewiecki, seconded by Alderperson Bailey to nominate Alderperson Bailey. On a roll call vote, motion was denied 2-3, with Alderpersons Kastner, Akers, and Saryan opposed. Those in favor were Alderpersons Drzewiecki and Bailey.

Mayor Neitzke said that until there's a successful nomination, the existing Council President remains in place.

Motion by Alderperson Kastner to nominate himself. Motion died due to a lack of a second.

Motion by Alderperson Drzewiecki to nominate Alderperson Akers. Motion died due to a lack of a second.

Motion by Alderperson Bailey, seconded by Alderperson Drzewiecki to nominate Alderperson Bailey. On a roll call vote, motion was denied 2-3, with Alderpersons Kastner, Akers, and Saryan opposed. Those in favor were Alderpersons Drzewiecki and Bailey.

Place on next agenda.

Alderperson Kastner was excused at 7:22 PM.

5. 2024 Council Representative appointments to various committees and commissions:

   a. <u>Council appointments:</u>

      i. Three members to the Finance & Human Resources Committee (currently Saryan, Bailey, Kastner)
      Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to reaffirm their current positions for agenda items K5ai - K5aiv. Motion carried unanimously.

      Mayor Neitzke went to agenda item K5bi.

      Alderpersons Saryan, Bailey, and Kastner were reappointed to the Finance & Human Resources Committee.

      ii. Three members to the Legislative Committee (currently Drzewiecki, Bailey, Saryan)
      Approved under agenda item K5ai.

      Alderperson Drzewiecki, Bailey, and Saryan were reappointed to the Legislative Committee.

      iii. One member to the Park & Recreation Board (currently Saryan)
      Approved under agenda item K5ai.

      Alderperson Saryan was reappointed to the Park & Recreation Board.

      iv. One member to the Plan Commission (currently Kastner)
      Approved under agenda item K5ai.

      Alderperson Kastner was reappointed to the Plan Commission.

   b. <u>Mayor appointments, confirmed by Council:</u>

      i. One member to the Board of Health for a term to expire 4/14/25 (currently Akers)
      Mayor Neitzke said that there would not be a Board of Health. There will need to be a new ordinance drafted for the appointment and the terms of the three representatives to the consolidated Southwest Suburban Health Department.

      Place on next agenda.

      ii. One member to the Community Development Authority for a term to expire 4/20/27 (currently Kastner)

Motion by Alderperson Akers, seconded by Alderperson Saryan to confirm appointments for agenda items K5bii - K5biv. Motion carried unanimously.

Mayor Neitzke went to agenda item K6ai.

Alderperson Kastner was reappointed to the Community Development Authority for a term to expire 4-20-2027.

iii. One member to the Public Library Board for a term to expire 4/14/25 (currently Drzewiecki)
Approved under agenda item K5bii.

Alderperson Drzewiecki was reappointed to the Public Library Board for a term to expire 4-14-2025.

iv. Three members to the Board of Public Works for a term to expire 4/14/25 (currently Akers, Bailey, Drzewiecki)
Approved under agenda item K5bii.

Alderpersons Drzewiecki, Bailey, and Akers were reappointed to the Board of Public Works for a term to expire 4-14-2025.

6. Appointments to various committees and commissions:

a. <u>Council appointments:</u>

i. One member to the Board of Public Works for a term to expire 5/1/26 (currently John Graber)
Alderperson Akers re-nominated John Graber.

Motion by Alderperson Akers, seconded by Alderperson Bailey to reappoint John Graber. Motion carried unanimously.

John Graber was reappointed to the Board of Public Works for a term to expire 5-1-2026.

b. <u>Mayor appointments, confirmed by Council:</u>

i. Two members to the Civil Service Commission for a term to expire 5/1/27 (currently David Podeszwa and Paul Leu)
Mayor Neitzke reappointed all existing members that are actively serving on the committees and commissions.

Motion by Alderperson Saryan, seconded by Alderperson Bailey to confirm reappointments for agenda items K6bi-K6bvii. Motion carried unanimously.

Mayor Neitzke went to agenda item K6ci.

David Podeszwa, and Paul Leu were reappointed as members to the Civil Service Commission for a term to expire 5-1-2027.

ii. One member to the Fire & Police Commission for a term to expire 5/1/29 (currently Julie Degaro)
Reappointment confirmed under agenda item K6bi.

Julie Degaro was reappointed as a member to the Fire & Police Commission for a term to expire 5-1-2029.

iii. One member to the Board of Review for a term to expire 5/1/29 (currently Michael Braswell)
Reappointment confirmed under agenda item K6bi.

Michael Braswell was reappointed as a member to the Board of Review for a term to expire 5-1-2029.

iv. One alternate member to the Board of Review for a term to expire 5/1/29 (currently Veronica Wallace-Kraemer)
Reappointment confirmed under agenda item K6bi.

Veronica Wallace-Kraemer was reappointed as an alternate member to the Board of Review for a term to expire 5-1-2029.

v. Two members to the Tree Commission for a term to expire 5/1/26 (currently Joan Stevens and Terry Krell)
Reappointment confirmed under agenda item K6bi.

Joan Stevens and Terry Krell were reappointed as members to the Tree Commission for a term to expire 5-1-2026.

vi. One alternate member to the Tree Commission for a term to expire 5/1/26 (currently Lauren Boos)
Reappointment confirmed under agenda item K6bi.

Lauren Boos was reappointed as an alternate member to the Tree Commission for a term to expire 5-1-2026.

vii. One member to the Zoning Board of Appeals for a term to expire 5/1/27 (currently Stephanie Kosmeder)
Reappointment confirmed under agenda item K6bi.

Stephanie Kosmeder was reappointed as a member to the Zoning Board of Appeals for a term to expire 5-1-2027.

c. <u>Mayor appointments:</u>

i. One alternate member to the Plan Commission for a term to expire 5/1/27 (currently Michael Braswell)
Mayor Neitzke reappointed the incumbents for agenda items K6ci - K6ciii. Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to confirm appointments. Motion carried unanimously.

Mayor Neitzke went to agenda item K7.

Michael Braswell was reappointed as an alternate member of the Plan Commission for a term to expire 5-1-2027.

ii. Two alternate members to the Zoning Board of Appeals for a term to expire 5/1/27 (currently Amanda Henderson and Christopher Porterfield)
Approved under agenda item K6ci.

Amanda Henderson and Christopher Porterfield were reappointed as the alternate members to the Zoning Board of Appeals for a term to expire 5-1-2027.

iii. Designation of Chairperson of Zoning Board of Appeals (currently Michael Braswell)
Approved under agenda item K6ci.

Michael Braswell reappointed as the Chairperson of the Zoning Board of Appeals.

7. Approve applications for 2023-2024 operator licenses (Goergen)
Motion by Alderperson Bailey, seconded by Alderperson Saryan to approve. Motion carried

unanimously.

8. Approve an application for a Temporary Class "B" Retailer's License received from Harley Owners Group - Milwaukee Chapter to sell fermented malt beverages indoors at the H-D Test Ride Days National Event on May 11, 2024 from 10:00 AM to 5:00 PM at 6221 W. Layton Ave. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Goergen)

   Motion by Alderperson Saryan, seconded by Alderperson Drzewiecki to approve. Motion carried unanimously.

9. Approve an Outdoor Special Event application for the Greater Greenfield Lions Club Cruisin' Car Show, to be located at 10777 W. Cold Spring Rd. (Kulwicki Park), May 25, 2024, and waive all applicable license/ permit/ application fees. Application includes the following permits: Outdoor Special Event. (Vlach)

   Motion by Alderperson Bailey, seconded by Alderperson Drzewiecki to approve. Motion carried unanimously.

10. Approve an Outdoor Special Event application for St. John the Evangelist Catholic Church Festival, to be located at 8500 W. Cold Spring Rd., July 26, 2024 through July 28, 2024. Application includes the following combination of licenses/ permits: Outdoor Special Event, Temporary Class "B" Retailer's License (beer), Temporary Operator's License, and Food, commercial building, electrical, and plumbing permits, and Extension of Premises (live music, carnival rides, games, and BINGO). Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Vlach)

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

11. Approve a resolution to release and extinguish any right or interest of the City of Greenfield in a "20 ft. Drainage Easement", heretofore granted on April 18, 1980 on Document No. 5394479, which "20 ft. Storm Drainage Easement" is described as follows, to-wit: Part of Tax Key No. 607-9974-002 The West 20 feet of the Parcel 1 of Certified Survey Map No. 3854, being a part of the Southeast 1/4 of Section 20, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin located on 9890 W Chapman Ave. (Katz)

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

12. Approve a cost sharing memorandum of understanding with the City of Milwaukee for a Powerline Trail extension feasibility study. (Katz)

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

13. Approve a storm sewer easement agreement with Arnold J. Drewitz, 5030 South 68th Street, Tax Key No. 618-0002-000. (Katz)

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

14. Adopt a resolution to approve a right of way plat and relocation order for Project I.D. 2155-15-00 South 43rd Street from West Cold Spring Road to West Howard Avenue. (Katz)

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

15. Approve Site, Landscaping, and Architectural Plans for a proposed bathroom addition at St. John the Evangelist Catholic Church, located at 8500 W. Cold Spring Rd., submitted by Boyd Coleman, d/b/a

StrucRite, Inc. (Tax Key No. 569-8986-001) (PC-4/9/24 Kastner)

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

16. Discussion/decision regarding agreement with Apple for an Apple Developers License (4/10/24 F&HR S. Saryan)

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

17. Discussion and decision to revise the Department of Neighborhood Services organizational chart (4/10/24 F&HR S. Saryan)

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

18. Discussion and decision to create job description, set salary, recruit and hire Lead Fabricator/Mechanic in Division of Public Works (4/10/24 F&HR S. Saryan)

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

19. Discussion and decision to establish the 2024 Sewer Service Rates as proposed in the 2024 Budget. (4/10/24 F&HR S. Saryan)

    Motion by Alderperson Akers, seconded by Alderperson Saryan to approve.

    Under discussion, Alderperson Akers said she was interested to see if this was less than what was originally approved.

    On a roll call vote, motion carried unanimously.

20. Discussion and decision to transfer the clearing account balance in excess of 7% of the total escrow fund (Fund 825) to GENRES in the amount of $10,495. (4/10/24 F&HR S. Saryan)

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

21. Approval of schedules of disbursements in the amount of $14,773,359.23. (4/10/24 F&HR S. Saryan)

    Motion by Alderperson Saryan, seconded by Alderperson Akers to approve agenda items K21 - K22. On a roll call vote, motion carried unanimously.

22. Approval of mileage reimbursements in the amount of $915.88.(4/10/24 F&HR S. Saryan)

    Approved under agenda item K21.

23. Common Council to go into closed session pursuant to Wis. Stat. § 19.85 (1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved regarding the item reconsidered and tabled on March 5, 2024 namely Special Use Permit and Combination "Class A" alcohol license applications for Nexus Vape N Smoke. (CC: 3/5/24)

    Motion by Alderperson Akers, seconded by Alderperson Bailey to go into closed session at 7:35 PM. On a roll call vote, motion carried unanimously.

24. Adjourn closed session and reconvene into open session.

    Motion by Alderperson Akers, seconded by Alderperson Bailey to adjourn closed session and reconvene into open session at 8:28 PM. Motion carried unanimously.

25. Discussion and possible action on Special Use Permit and Combination "Class A" alcohol license denials for Nexus Vape N Smoke. (PC-10/10/23 Kastner) (CC-12/05/23) (CC-2/20/24) (CC-3/5/24)

    Motion by Alderperson Saryan, seconded by Alderperson Drzewiecki to approve the draft Special Use

provided for the 1,800 square foot location located at 3765 S. 108th St. with the hours of operation from 9:00 AM to 9:00 PM, and all the other terms and conditions as contained in the Special Use Resolution previously provided, and approval of the "Class A" alcohol license as presented. On a roll call vote, motion carried unanimously.

L. Items for future agenda

M. Adjourn

Motion by Alderperson Akers, seconded by Alderperson Bailey to adjourn at 8:30 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant
Distributed: 4/23/2024

RESOLUTION NO. 3987

A RESOLUTION RELEASING AND
EXTINGUISHING ANY CITY INTEREST IN A SPECIFIED DRAINAGE EASEMENT

BE IT RESOLVED, by the Mayor and Common Council of the City of Greenfield that any right or interest of the City of Greenfield in a "20 ft. Drainage Easement", heretofore granted on April 18, 1980 on Document No. 5394479, which "20 ft. Storm Drainage Easement" is described as follows, to-wit:

Part of Tax Key No. 607-9974-002

The West 20 feet of the Parcel 1 of Certified Survey Map No. 3854, being a part of the Southeast ¼ of Section 20, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin.

Currently located on Parcel 1 of Certified Survey Map No. 8113, recorded in the office of the Register of Deeds for Milwaukee County, Wisconsin on November 28, 2008, as Document No. 9675188, said Certified Survey Map being a redivision of Parcel 1 of CSM No. 3854, being a redivision of Parcel "C" and the West 95 feet of Parcel "B" of CSM No. 681, and unplatted lands in the Southwest ¼ of the Southeast ¼ of Section 20, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Be and the same is hereby released and extinguished.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 16th day of April, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 3988

RESOLUTION APPROVING A RIGHT OF WAY PLAT AND RELOCATION ORDER FOR PROJECT I.D. 2155-15-00 SOUTH 43RD STREET FROM WEST COLD SPRING ROAD TO WEST HOWARD AVENUE

WHEREAS, the City of Greenfield is planning to improve South 43rd Street from West Cold Spring Road to West Howard Ave; and

WHEREAS, to properly establish, construct and improve South 43rd Street including sidewalks, it is necessary to acquire certain temporary lands or interests; and

WHEREAS, a right of way plat and relocation order has been prepared which identifies the temporary lands and interests required; and

WHEREAS, the City of Greenfield will negotiate with and compensate the private property owners in order to acquire the temporary land and interests;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Greenfield approves the Right of Way Plat and Relocation Order for Project I.D. 2155-15-00 South 43rd Street from West Cold Spring Road to West Howard Ave;

BE IT FURTHER RESOLVED the Right of Way Plat and Relocation Order will be filed with the County Clerk within 20 days of approval;

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 16th day of April, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RELOCATION ORDER

RE1708 10/2018

Project ID	Road name	Highway	County
2155-15-00	S 43rd Street, W Cold Spring Rd to W Howard Ave	S 43rd Street	Milwaukee

Right of way plat date	Plat sheet number(s)	Previously approved Relocation Order date
4/11/2024	1 through 5	None

Description of termini of project:

A point located 0 feet south and 0 feet east of the East Quarter Corner of Section 23, Township 6 North, Range 21 East, said point being the BEGINNING OF THIS RELOCATION ORDER; thence northerly 0.493 miles to a point located 31.5 feet south and 0.3 feet east of the Northeast Corner of Section 23, Township 6 North, Range 21 East, said point being the END OF THIS RELOCATION ORDER.

To properly establish, layout, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 62.22, Wisconsin Statutes, the City of Greenfield orders that:

1. The said highway is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by the City of Greenfield.
3. This order supersedes and amends any previous order issued by the City of Greenfield.

By: _____
Michael J. Neitzke
Mayor Date _____

By: _____
Paula Schafer
Finance Director Date _____

By: _____
Jennifer Goergen
City Clerk Date _____

By: _____
Chris Geary
City Attorney Date _____
Approved as to form

CONVENTIONAL SYMBOLS

SECTION LINE
QUARTER LINE
SIXTEENTH LINE
NEW REFERENCE LINE
NEW R/W LINE
EXISTING R/W OR HE LINE
PROPERTY LINE — P.L. —
LOT, TIE & OTHER MINOR LINES
SLOPE INTERCEPT
CORPORATE LIMITS
UNDERGROUND FACILITY (COMMUNICATIONS, ELECTRIC, ETC) — W (TYPE) —
NEW R/W (FEE OR HE) (HATCHING VARIES BY OWNER)
TEMPORARY LIMITED EASEMENT AREA
EASEMENT AREA (PERMANENT LIMITED OR RESTRICTED DEVELOPMENT)
TRANSMISSION STRUCTURES
BUILDING — TO BE REMOVED
BRIDGE — CULVERT

SECTION CORNER SYMBOL
SECTION CORNER MONUMENT
R/W MONUMENT (TO BE SET)
NON-MONUMENTED R/W POINT
FOUND IRON PIN (1-INCH UNLESS NOTED) IP
GEODETIC SURVEY MONUMENT
SIXTEENTH CORNER MONUMENT
SIGN — SIGN
OFF-PREMISE SIGN #1-25 — SIGN

	COMPENSABLE	NON-COMPENSABLE
ELECTRIC POLE	■	□
TELEPHONE POLE	●	○
PEDESTAL (LABEL TYPE) (TV, TEL, ELEC, ETC.)	◆	◇

ACCESS RESTRICTED BY ACQUISITION
NO ACCESS (BY STATUTORY AUTHORITY)
ACCESS RESTRICTED (BY PREVIOUS PROJECT OR CONTROL)
NO ACCESS (NEW HIGHWAY)
PARCEL NUMBER 25 — UTILITY NUMBER 40
PARALLEL OFFSETS

CONVENTIONAL UTILITY SYMBOLS

WATER	W
GAS	G
TELEPHONE	T
OVERHEAD TRANSMISSION LINES	OH
ELECTRIC	E
CABLE TELEVISION	TV
FIBER OPTIC	FO
SANITARY SEWER	SAN
STORM SEWER	SS
ELECTRIC TOWER	☒

CONVENTIONAL ABBREVIATIONS

ACCESS RIGHTS	AR	POINT OF COMPOUND CURVE	PCC
ACRES	AC	POINT OF INTERSECTION	PI
AHEAD	AH	PROPERTY LINE	PL
ALUMINUM	ALUM	RECORDED AS	(100')
AND OTHERS	ET AL	REEL / IMAGE	R/I
BACK	BK	REFERENCE LINE	R/L
BLOCK	BLK	REMAINING	REM
CENTERLINE	C/L	RESTRICTIVE DEVELOPMENT EASEMENT	RDE
CERTIFIED SURVEY MAP	CSM	RIGHT	RT
CONCRETE	CONC	RIGHT OF WAY	R/W
COUNTY	CO	SECTION	SEC
COUNTY TRUNK HIGHWAY	CTH	SEPTIC VENT	SEPV
DISTANCE	DIST	SQUARE FEET	SF
CORNER	COR	STATE TRUNK HIGHWAY	STH
DOCUMENT NUMBER	DOC	STATION	STA
EASEMENT	EASE	TELEPHONE PEDESTAL	TP
EXISTING	EX	TEMPORARY LIMITED EASEMENT	TLE
GAS VALVE	GV	TRANSPORTATION PROJECT PLAT	TPP
GRID NORTH	GN	UNITED STATES HIGHWAY	USH
HIGHWAY EASEMENT	HE	VOLUME	V
IDENTIFICATION	ID		
LAND CONTRACT	LC		
LEFT	LT		
MONUMENT	MON		
NATIONAL GEODETIC SURVEY	NGS		
NUMBER	NO		
OUTLOT	OL		
PAGE	P		
POINT OF TANGENCY	PT		
PERMANENT LIMITED EASEMENT	PLE		
POINT OF BEGINNING	POB		
POINT OF CURVATURE	PC		

CURVE DATA ABBREVIATIONS

LONG CHORD	LCH
LONG CHORD BEARING	LCB
RADIUS	R
DEGREE OF CURVE	D
CENTRAL ANGLE	Δ /DELTA
LENGTH OF CURVE	L
TANGENT	T
DIRECTION AHEAD	DA
DIRECTION BACK	DB

NOTES:

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NORTH AMERICAN DATUM OF 1983 (2011), US SURVEY FOOT, GROUND. TO OBTAIN GRID COORDINATES MULTIPLY GROUND COORDINATES BY THE COMBINATION FACTOR 0.99993057.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 3/4" X 24" IRON REBARS), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

ALL RIGHT-OF-WAY LINES DEPICTED IN THE NON-ACQUISITION AREAS ARE INTENDED TO RE-ESTABLISH EXISTING RIGHT-OF-WAY LINES AS DETERMINED FROM PREVIOUS PROJECTS, OTHER RECORDED DOCUMENTS, OR FROM CENTERLINE OF EXISTING PAVEMENTS AND/OR EXISTING OCCUPATIONAL LINES.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER "SURVEYS" OF PUBLIC RECORD.

FOR CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE CITY OF GREENFIELD.

DIMENSIONING FOR THE NEW RIGHT-OF-WAY IS MEASURED ALONG AND PERPENDICULAR TO THE NEW REFERENCE LINES.

A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE. ALL (TLEs) ON THIS PLAT EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT FOR WHICH THIS INSTRUMENT IS GIVEN.

AN EASEMENT FOR HIGHWAY PURPOSES (HE), AS LONG AS SO USED, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE.

PROPERTY LINES SHOWN ON THIS PLAT ARE DRAWN FROM DATA DERIVED FROM MAPS AND DOCUMENTS OF PUBLIC RECORD AND/OR EXISTING OCCUPATIONAL LINES. THIS PLAT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES, EXCLUDING RIGHT-OF-WAY, AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

PARCEL AND UTILITY IDENTIFICATION NUMBERS MAY NOT POINT TO ALL AREAS OF ACQUISITION, AS NOTED ON THE DETAIL PAGES.

INFORMATION FOR THE BASIS OF EXISTING HIGHWAY RIGHT-OF-WAY POINTS OF REFERENCE AND ACCESS CONTROL ARE LISTED ON THE DETAIL PAGES.

R/W PROJECT NUMBER	SHEET NUMBER	TOTAL SHEETS
2155-15-00	4.01	5
FEDERAL PROJECT NUMBER N/A		

PLAT OF RIGHT OF WAY REQUIRED FOR

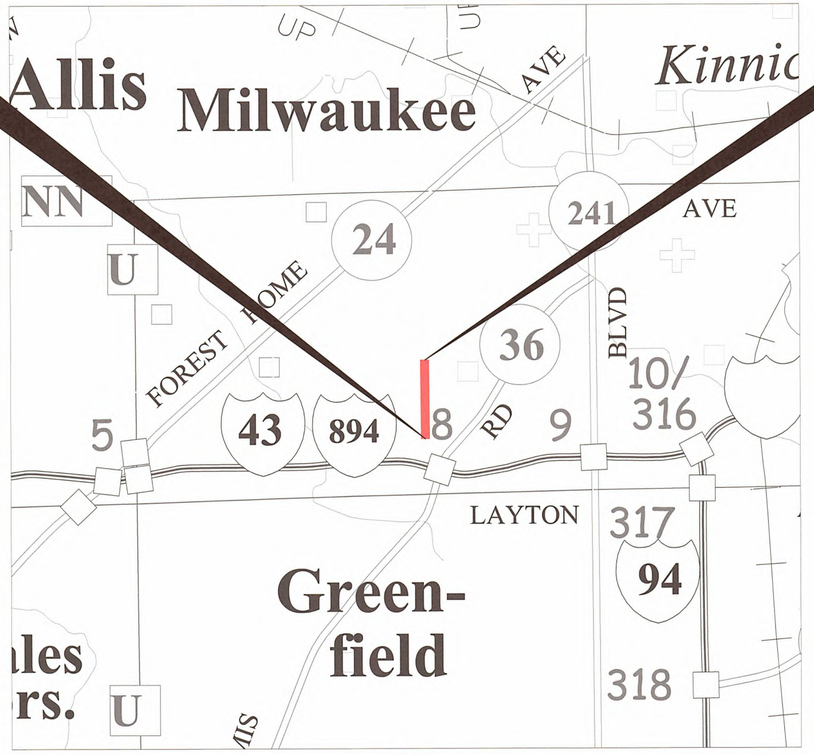
S. 43RD STREET
W. COLD SPRING ROAD TO W. HOWARD AVENUE

S. 43RD STREET — MILWAUKEE COUNTY

CONSTRUCTION PROJECT NUMBER
2155-15-70

R-21-E

BEGIN RELOCATION ORDER
0 FT SOUTH AND 0 FT EAST
OF THE EAST QUARTER CORNER
OF SEC. 23, T6N, R21E



T-6-N

END RELOCATION ORDER
31.5 FT SOUTH AND 0.3 FT EAST
OF THE NORTHEAST CORNER
OF SEC. 23, T6N, R21E

LAYOUT
SCALE 0 0.5 MI

TOTAL NET LENGTH OF CENTERLINE = 0.493 MI

N

THIS PLAT IS A GRAPHIC REPRESENTATION AND IS FOR REFERENCE PURPOSES ONLY. DEEDS MUST BE CHECKED TO DETERMINE PROPERTY BOUNDARIES AND ACCESS RIGHTS.

ORIGINAL PLANS PREPARED BY

GRAEF

275 W. WISCONSIN AVENUE, SUITE 300
MILWAUKEE, WI 53203

WISCONSIN
TROY M. COLLINS
S-2995
GREEN BAY, WI
LAND SURVEYOR

4-11-24 (Date)
Troy M. Collins (Signature)

APPROVED FOR
CITY OF GREENFIELD

REVISION DATE

DATE: _____ CITY CLERK

DATE: _____ MAYOR

FILE NAME : X:\ML\2023\20230073\DESIGN\TRANSPORTATION\SHEETSPLAN\040101_RT.DWG
PLOT DATE : 4/11/2024 8:39 AM
PLOT BY : ONGAY, PHILLIP
PLOT NAME :

SCHEDULE OF LANDS & INTERESTS REQUIRED

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY, AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTEREST TO THE CITY.

PARCEL NUMBER	SHEET NUMBER	OWNER	INTEREST(S) REQUIRED	R/W ACRES(S) REQUIRED (ACRES)				PLE (AC)	TLE (AC)
				NEW	EXISTING	TOTAL	HE		
1	4.04	GOOD HOPE/ PILGRIMS REST CEMETERY CORP., A WISCONSIN CORPORATION	TLE	0.00	0.00	0.00	0.00	0.00	0.104
2	4.04	RAVINIA APARTMENTS LLC., A WISCONSIN LIMITED LIABILITY COMPANY	TLE	0.00	0.00	0.00	0.00	0.00	0.005
3	4.05	TRAVIS BERGE, SINGLE MAN	TLE	0.00	0.00	0.00	0.00	0.00	0.021
4	4.05	BARBARA KOLLATZ	TLE	0.00	0.00	0.00	0.00	0.00	0.021
5	4.05	RAMON CRESPO VAZQUEZ JR., AND RAMON CRESPO HERNANDEZ, A SINGLE MAN A MARRIED MAN AS JOINT TENANTS	TLE	0.00	0.00	0.00	0.00	0.00	0.021
6	4.05	SUNSET RIDGE APARTMENTS LLC., A WISCONSIN LIMITED LIABILITY COMPANY	TLE	0.00	0.00	0.00	0.00	0.00	0.003

UTILITY NUMBER	SHEET NUMBER	OWNER	INTEREST REQUIRED
NONE	N/A	NONE	NONE

4

4

REVISION DATE

DATE 04/11/2024

GRID FACTOR NONE

SCALE, FEET

0 NTS

HWY: S. 43RD STREET

COUNTY: MILWAUKEE

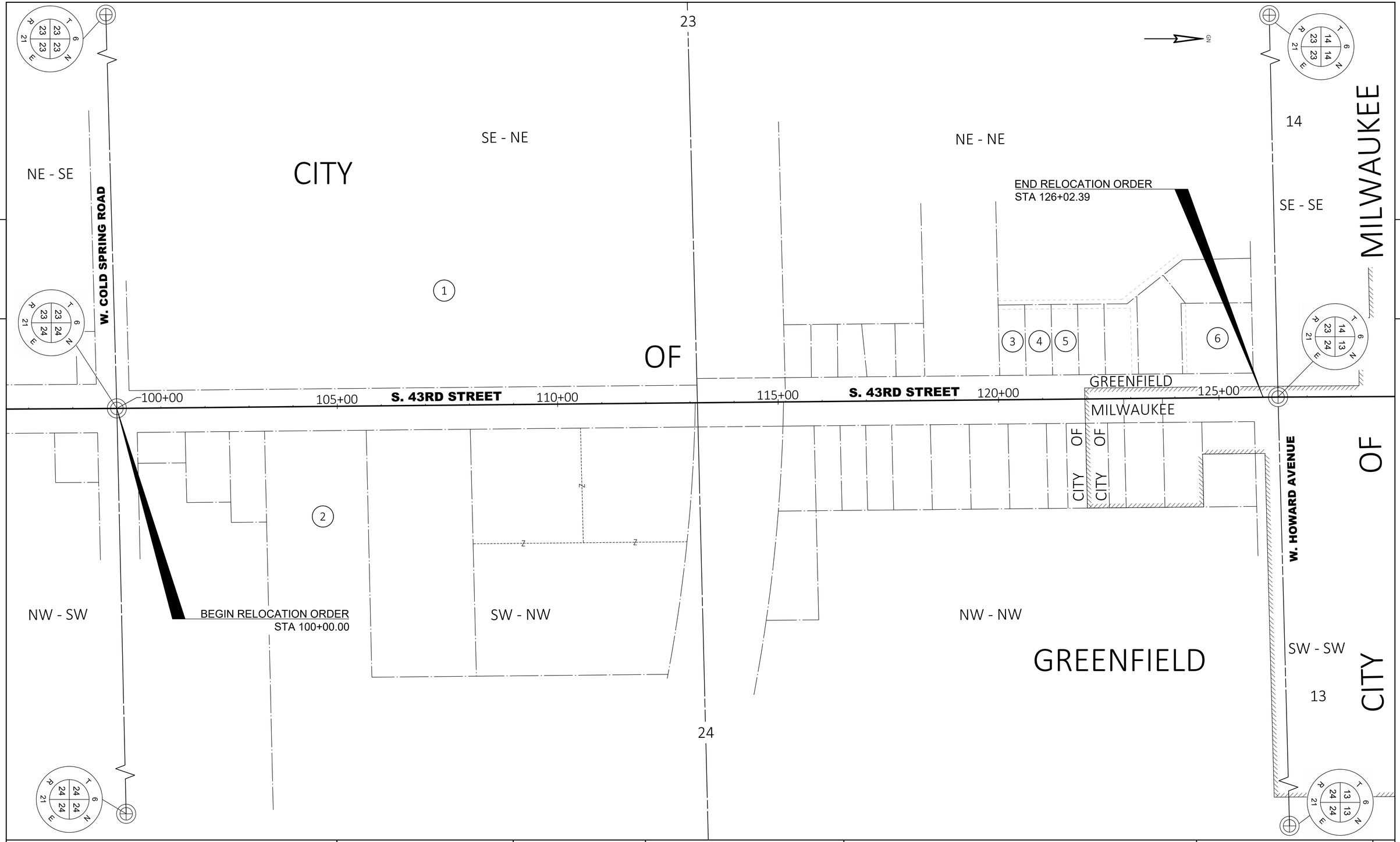
STATE R/W PROJECT NUMBER 2155-15-00

CONSTRUCTION PROJECT NUMBER 2155-15-70

PLAT SHEET 4.02

PS&E SHEET _____

E



REVISION DATE	DATE 04/11/2024	SCALE, FEET 0 100 200	HWY: S. 43RD STREET	STATE R/W PROJECT NUMBER 2155-15-00	PLAT SHEET 4.03
	GRID FACTOR 0.99993057		COUNTY: MILWAUKEE	CONSTRUCTION PROJECT NUMBER 2155-15-70	PS&E SHEET ____ E

FILE NAME : 040301_RL.DWG
LAYOUT NAME - 040301_rl

PLOT DATE : 4/11/2024 8:39 AM PLOT BY : ONGAY, PHILLIP PLOT NAME : PLOT SCALE: 1 IN : 100 FT

CHISELED CROSS ON
MANHOLE RIM
Y=358900.440
X=2509735.880

CORNER FALLS ON MANHOLE RIM
COMPUTED FROM TIES USING
SEWRPC DOSSIER SHEET DATED
NOVEMBER 14, 2000
Y=358974.460
X=2512400.350

FOUND MONUMENT TABLE

POINT NUMBER	Y	X	DESCRIPTION	POINT NUMBER	Y	X	DESCRIPTION
3714	359540.167	2512449.818	1-1/4" O.D.	3732	358931.319	2512455.690	1-1/4" O.D.
3715	359309.308	2512452.185	1-1/4" O.D.	6322	360285.057	2512442.645	1-1/4" O.D.
3716	359129.273	2512453.823	1-1/4" O.D.	3718	359022.266	2512524.850	1-1/4" O.D.
3717	359020.741	2512454.980	1-1/4" O.D.	3719	359023.814	2512592.689	1-1/4" O.D.
3731	358933.327	2512567.970	1-1/4" O.D.				

FOUND MONUMENT INFORMATION SHOWN REPRESENTS TYPE AND LOCATION OF EXISTING MONUMENTS WITHOUT OPINION AS TO THEIR VALIDITY AND USE AS A PROPERTY CORNER.

TLE COURSE TABLE

700-701	S88° 24' 31"W	5.00'	712-713	S89° 26' 28"W	15.00'
701-702	N00° 33' 32"W	24.92'	713-714	N00° 33' 32"W	25.00'
702-703	N89° 26' 28"E	5.00'	714-715	N89° 26' 28"E	5.00'
703-700	S00° 33' 32"E	24.83'	715-716	N00° 33' 32"W	125.00'
704-705	S89° 26' 28"W	5.00'	716-717	N89° 26' 28"E	5.00'
705-706	N00° 33' 32"W	160.22'	717-718	N00° 33' 32"W	216.28'
706-707	N89° 26' 28"E	5.00'	718-719	N88° 32' 45"E	5.00'
707-704	S00° 33' 32"E	160.22'	719-712	S00° 33' 32"E	366.35'
708-709	S89° 26' 28"W	15.00'	732-733	N89° 26' 28"E	5.00'
709-710	N00° 33' 32"W	59.98'	733-734	S00° 33' 32"E	40.00'
710-711	N89° 26' 28"E	15.00'	734-735	S89° 26' 28"W	5.00'
711-708	S00° 33' 32"E	59.98'	735-732	N00° 33' 32"W	40.00'

BASIS OF EXISTING RIGHT-OF-WAY

ROUTE	BASIS	WIDTH	YEAR
S. 43RD ST.	CSM 6454	40' TO SEC. LINE	1997
	CSM 2425	55' TO SEC. LINE	1974
	CSM 9150	55' TO SEC. LINE	2018
W. COLD SPRING RD.	CSM 6454	29' TO SEC. LINE	1997
	DOC. #10952533	45' TO SEC. LINE	2020

CITY

W. COLD SPRING ROAD

N88°24'31"E QUARTER LINE 2615.49'

701 100+28.19 TLE 45'

700 100+28.28 TLE 40'

703 100+53.11 TLE 40'-45'

704 102+44.99 TLE 40'-45'

707 104+05.21 TLE 40'-45'

708 107+00.01 TLE 40'-55'

711 107+59.99 TLE 40'-55'

712 713 109+49.99 TLE 40'-55'

714 715 109+74.99 TLE 50'-55'

717 716 110+99.99 TLE 45'-50'

718 113+16.26 TLE 45'

719 113+16.34 TLE 40'

TLE (0.003 ACRES)

SLOPE INTERCEPT

TLE (0.018 ACRES)

TLE (0.021 ACRES)

TLE (0.062 ACRES)

S88°24'31"W 40.01'

S89°26'28"W 40.00'

S89°26'28"W 40.00'

S89°26'28"W 40.00'

99+00 101+00 102+00 103+00 104+00 105+00 106+00 107+00 108+00 109+00 110+00 111+00 112+00 113+00

215.98' 419.42' 455.03' 249.97' 2633.94'

29.00'

N00°33'30"W

R/L = SECTION LINE

S. 43RD STREET

N89°26'28"E 55.00'

104+19.42 TLE 60'-55' 734 735

104+59.42 TLE 60'-55' 733 732

3732 3717 3716 3715 3714 6322

3718 3719 3731

BEGIN RELOCATION ORDER
STA. 100+00.00
Y=358974.46
X=2512400.35

DOC.10952533

DOC.10604761

R.4165, I.1476-1477
DOC.7438307

B

1

PARCEL 2
CSM 6454
R.4207, I.1399
DOC. 7465027

2

PARCEL 1
CSM 5440
R.2475, I.1426
DOC. 6403357

LOT 1
CSM 9150
DOC. 10889375

PARCEL 2

PARCEL 1

CSM 2425
R.814, I.673
DOC. 4875061

PARCEL 3

W. COLD SPRING ROAD

N88°40'54"E QUARTER LINE 2640.30'

45' 29' 45' 45'

CORNER FALLS ON MANHOLE RIM
COMPUTED FROM TIES USING
SEWRPC DOSSIER SHEET DATED
NOVEMBER 22, 2000
Y=359035.210
X=2515039.950

SEE SHEET 4.05

113+17

SIXTEENTH LINE

MATCH LINE

GREENFIELD

VOL.3

4

REVISION DATE	DATE 04/11/2024	SCALE, FEET 0 50 100	HWY: S. 43RD STREET	STATE R/W PROJECT NUMBER 2155-15-00 / PLAT SHEET 4.04
	GRID FACTOR 0.99993057		COUNTY: MILWAUKEE	CONSTRUCTION PROJECT NUMBER 2155-15-70 / PS&E SHEET ____ E

FILE NAME : 040401_RP.DWG
LAYOUT NAME - 040401_rp

PLOT DATE : 4/11/2024 8:39 AM PLOT BY : ONGAY, PHILLIP PLOT NAME : PLOT SCALE: 1 IN : 50 FT

FOUND MONUMENT TABLE			
POINT NUMBER	Y	X	DESCRIPTION
3701	360676.688	2512328.977	1-1/4" O.D.
3702	361097.295	2512325.069	1" O.D.
3703	361157.183	2512324.511	1" O.D.
3704	361401.985	2512321.792	1-1/4" O.D.
3705	361435.296	2512431.180	1-1/4" O.D.
3706	361347.471	2512432.150	1-1/4" O.D.
3708	361127.540	2512434.818	1-3/4" O.D.
3709	361083.085	2512435.241	1" O.D.
3710	360731.865	2512438.282	1-1/4" O.D.
3711	360555.812	2512439.973	1" O.D.
3712	360485.719	2512441.087	1" IRON ROD
3737	361546.210	2512060.107	1-1/4" O.D.
3752	361559.817	2512622.503	5/8" REBAR
6322	360285.057	2512442.645	1-1/4" O.D.
7391	361259.670	2512433.180	1-1/4" O.D.
15975	361556.603	2512502.627	1-1/4" O.D.

FOUND MONUMENT INFORMATION SHOWN REPRESENTS TYPE AND LOCATION OF EXISTING MONUMENTS WITHOUT OPINION AS TO THEIR VALIDITY AND USE AS A PROPERTY CORNER.

BASIS OF EXISTING RIGHT-OF-WAY			
ROUTE	BASIS	WIDTH	YEAR
S. 43RD ST.	WOOD CREST SUBDIVISION	55' TO SEC. LINE	1952
	CSM 3264	55' TO SEC. LINE	1978
	CSM 1953	55' TO SEC. LINE	1972
	CSM 3635	55' TO SEC. LINE	1979
W. HOWARD AVE.	CSM 579	55' TO SEC. LINE	1966
	WOOD CREST SUBDIVISION	55' TO SEC. LINE	1952

TLE COURSE TABLE					
720-721	S88° 41' 03"W	15.00'	724-726	N00° 33' 32"W	60.00'
721-722	N00° 33' 32"W	60.00'	726-727	N88° 41' 03"E	15.00'
722-723	N88° 41' 03"E	15.00'	727-725	S00° 33' 32"E	60.00'
723-720	S00° 33' 32"E	60.00'	728-729	S88° 41' 03"W	22.74'
722-724	N00° 33' 32"W	60.00'	729-730	N01° 18' 57"W	5.00'
724-725	N88° 41' 03"E	15.00'	730-731	N88° 41' 03"E	22.80'
725-723	S00° 33' 32"E	60.00'	731-728	S00° 33' 32"E	5.00'

CONCRETE MONUMENT
WITH BRASS CAP
Y=361547.550
X=2509731.120

CONCRETE MONUMENT
WITH BRASS CAP
Y=361608.270
X=2512374.660

END RELOCATION ORDER
STA. 126+02.39
Y=361576.73
X=2512374.97

CONCRETE MONUMENT
WITH BRASS CAP
Y=361679.250
X=2515018.280

CITY

GREENFIELD

SEE SHEET 4.04

MATCH LINE

SIXTEENTH LINE

VOL.3749, PG.163

VOL.3749, PG.163

WOOD CREST SUBDIVISION

BLOCK 1

LOT 14

LOT 15

LOT 16

LOT 17

PARCEL 1

PARCEL 2

PARCEL 3

CSM 3264
R.1083, I.576
DOC. 5181516

CSM 3249
R.1075, I.1537
DOC. 5172766

R.2021, I.890
DOC. 6006005

CSM 579
R.314, I.553
DOC.4261889

PARCEL 1
CSM 1948
R.688, I.1155
DOC. 4720744

CSM 1953
R.689, I.938
DOC. 4722117

PARCEL 1
CSM 3645
R.1209, I.1200
DOC. 5317916

R.4647, I.1330
DOC. 7802942

DOC. 10986718

DOC. 10564012

DOC. 09201740

DOC. 10741694

DOC. 11127944

DOC. 11344176

DOC. 11313877

DOC. 09915898

DOC. 09892529

S. 43RD STREET

W. HOWARD AVENUE

SLOPE INTERCEPT

R/L = SECTION LINE

N00°33'30"W

S88°41'03"W 55.00'

S88°41'03"W 55.00'

N88°41'03"E SECTION LINE 2644.24'

N88°27'43"E SECTION LINE 2644.57'

395.00'

2633.94'

55.00'

55'

113+17

114+00

115+00

116+00

117+00

118+00

119+00

120+00

121+00

122+00

123+00

124+00

125+00

126+00

127+00

128+00

120+03.01 TLE 70' (721)

120+03.21 TLE 55' (720)

120+63.01 TLE 70' (722)

120+63.21 TLE 55' (723)

121+23.01 TLE 70' (724)

121+23.21 TLE 55' (725)

121+83.01 TLE 70' (726)

121+83.21 TLE 55' (727)

125+73.20 TLE 55' (728)

125+72.90 TLE 78' (729)

125+77.90 TLE 78' (730)

125+78.20 TLE 55' (731)

3701 3702 3703 3704 3705 3706 3708 3709 3710 3711 3712 3737 3752 7391 15975

REVISION DATE	DATE 04/11/2024	SCALE, FEET 0 50 100	HWY: S. 43RD STREET	STATE R/W PROJECT NUMBER 2155-15-00	PLAT SHEET 4.05
	GRID FACTOR 0.99993057		COUNTY: MILWAUKEE	CONSTRUCTION PROJECT NUMBER 2155-15-70	PS&E SHEET ____ E

FILE NAME : 040401_RP.DWG
LAYOUT NAME - 040402_rp

PLOT DATE : 4/11/2024 8:39 AM PLOT BY : ONGAY, PHILLIP PLOT NAME : PLOT SCALE: 1 IN : 50 FT

WISDOT/CADDS SHEET 75

4

4

RESOLUTION NO. 3989

Special Use Permit for a proposed liquor store at Nexus Vape N Smoke, an existing business located at 3765 S. 108 St., submitted by Yash Patel, d/b/a Falcon One Inc.
(Tax Key No. 563-9986-008)

WHEREAS, Yash Patel, d/b/a Falcon One Inc., duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, for a proposed liquor store within Nexus Vape N Smoke, an existing business located at 3765 S. 108 St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on December 5, 2023, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, to consider the application; and,

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

1. The applicant, Yash Patel, d/b/a Falcon One Inc., resides at 8216 S. 77 St. Franklin, WI 53132.

2. The applicant will lease a portion of the multi-tenant commercial building owned by Garden Mall LLC., PO Box 170170, Milwaukee, WI 53217.

3. Nexus Vape N Smoke will occupy approximately 1,800 sq. ft. of the multi-tenant commercial building located at 3765 S. 108 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

   Lot 3 of Certified Survey Map No. 1126, being a part of the Southeast 1/4 Section 18, Township 6 North, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin, excepting therefrom those parts conveyed in Document 10571314.

   Tax Key No. 563-9986-008

   Said land being located at 3765-3789 S. 108 St.

4. The applicant is proposing to establish a liquor store to be located entirely within the existing Nexus Vape N Smoke business.

5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which, at the time the application was submitted, permitted Beer, Wine, and Liquor Stores as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along the S. 108 St. corridor that is developed for

commercial uses. Properties to the north, south, and east are developed as commercial. Properties to the west are developed as residential.

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Yash Patel, d/b/a Falcon One Inc., to establish a liquor store, to be located at 3765 S. 108 St., be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions recommended by staff in advance of the Plan Commission meeting on October 10, 2023 and any conditions imposed by the Common Council. No alteration or modification of the approved plan shall be permitted without approval by the Common Council.

2. Building Plans and Fire Codes. The grant of this Special Use is subject to building plans being submitted to and approved by the Inspection Services Division and by the Fire Department.

3. Hours of Operation. The allowable hours of operation for Nexus Vape N Smoke will be 9:00am- 9:00pm, seven (7) days/week.

4. Off-Street Parking. A total of nine (9) off-street parking stalls are required for Nexus Vape N Smoke. The entire multi-tenant commercial building requires a total of 75 off-street parking stalls. The property provides 160 off-street parking stalls.

5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.

6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other

signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields must be utilized to minimize light splay. Rope/LED trim lighting is not permitted.

9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.

10. Refuse Collection. All refuse to be provided by a commercia1 hauler. All refuse, recyclables and other waste material shall be screened from by a four-sided board-on-board refuse enclosure provided on site.

11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.

12. Pagers. Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.

13. Noxious Odors. Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.

14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.

15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.

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

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

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

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

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

17. Miscellaneous.

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

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

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

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

19. Termination of Special Use. If the person or entity granted the special use violates,

allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

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

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

_____
Yash Patel, d/b/a Falcon One Inc.

_____
Peter Langhoff, d/b/a Garden Mall LLC

Provided to applicant on the _____ day
of _____, 2024.

_____
City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 16th day of April, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk