

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, JULY 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, Karl Kastner, Pamela Akers, Shirley Saryan, Bruce Bailey

Also present: Jeff Katz, Director, Neighborhood Services; Jennifer Goergen, City Clerk; Gina Vlach, City Planner

B. Opening Prayer

An opening prayer was given by Pastor Stever Rogers.

C. Pledge of Allegiance

D. Approval of the June 18, 2024 Common Council minutes

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

E. Approval of the July 2, 2024 Special Common Council minutes

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

F. Mayor's Report

G. Aldermanic Reports

Alderperson Akers and Mayor Neitzke discussed the concert at Konkel Park.

Mayor Neitzke proceeded to agenda item H.

Alderperson Akers reported on the Southwestern Health Department meeting.

Mayor Neitzke went to agenda item N.

H. Announcements

Alderperson Akers and Mayor Neitzke discussed the Layton Avenue closure that's happening for the Harley event next week. There will be a press release. The closure will be from around 67th Street to 60th Street on Layton Avenue.

Alderperson Akers stated that the Loomis Road westbound exit and entrance ramps on I-894 will be closed for approximately two months starting Monday, July 22, 2024. Mayor Neitzke added that they are replacing Loomis Road to roughly 43rd Street. They are putting the turn lane in by The Turf skate park. They are due to be finished in November.

Mayor Neitzke said that he hadn't received any official notification regarding the 51st Street and 35th Street bridge constructions. Jeff Katz, director of Neighborhood Services, said that they did some minor work on those bridges, and they closed 51st Street briefly earlier this year.

Mr. Katz and Mayor Neitzke talked about the 92nd Street bridge construction that will happen in a few years.

Mayor Neitzke and Alderperson Akers discussed that the sound barriers should be constructed in 2025, but where they will be is not known yet.

I. Citizen Commentary

Mayor Neitzke introduced Casey Dembowiak, 4955 S. 78th Street, who stated his concerns about the loudness and constant pitch of the unit on the Ascension hospital's rooftop.

Mayor Neitzke introduced Dave Patrick, 4361 S. 43rd St., who spoke in favor of allowing dogs at the Farmer's Market. He talked about hoping that they can be allowed at AMP events, the Bark After Dark event, and that Florida allows dogs everywhere.

J. Public Hearings

1. Public Hearing on a Special Use Permit for Spa Chi, a proposed massage therapy business, to be located at 4818 S. 76th St., Suite 4, submitted by Yan Sheng, d/b/a Spa Chi. (Tax Key No. 617-9983-014) (PC-6/11/24 Kastner)

The public hearing opened at 7:13 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 weren't any letters of objection or support received.

The applicant and landlord were present.

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to close the public hearing at 7:14 PM. Motion carried unanimously.

- a. Approve a Resolution for a Special Use Permit for Spa Chi, a proposed massage therapy business, to be located at 4818 S. 76th St., Suite 4, submitted by Yan Sheng, d/b/a Spa Chi. (Tax Key No. 617-9983-014) (PC-6/11/24 Kastner)

Motion by Alderperson Bailey, seconded by Alderperson Drzewiecki to approve agenda items J1a and J1b. On a roll call vote, motion carried unanimously.

- b. Approve a Site Plan Review for Spa Chi, a proposed massage therapy business, to be located at 4818 S. 76th St., Suite 4, submitted by Yan Sheng, d/b/a Spa Chi. (Tax Key No. 617-9983-014) (PC-6/11/24 Kastner)

Approved under agenda item J1a.

2. Public Hearing on the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4110 S. 76th St. from C-4 Regional Business District to Planned Unit Development District #4. (Tax Key No. 571-8997-000) (PC-5/14/24 Kastner)

The public hearing opened at 7:15 PM.

Mrs. Vlach presented the site information and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 7:16 PM. Motion carried unanimously.

- a. Approve the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4110 S. 76th St. from C-4 Regional Business District to Planned Unit Development District #4. (Tax Key No. 571-8997-000) (PC-5/14/24 Kastner)

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

3. Public Hearing on the Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 7154 W. Forest Home Ave. from Single Family to Planned Mixed Use. (Tax Key No. 571-8983-000) (PC-5/14/24 Kastner)

The public hearing opened at 7:17 PM.

Mrs. Vlach explained that the Land Use Map needs to be updated in order to rezone, along with the site information and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Mayor Neitzke introduced David Hoppe, 7146 W. Forest Home Avenue, who registered as speaking for information only and stated that he was present to observe.

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to close the public hearing at 7:19 PM. Motion carried unanimously.

- a. Approve the Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 7154 W. Forest Home Ave. from Single Family to Planned Mixed Use. (Tax Key No. 571-8983-000) (PC-5/14/24 Kastner)
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. On a roll call vote, motion carried unanimously.
- b. Approve the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 7154 W. Forest Home Ave. from R-3 Single-Family Residential Conservation District to Planned Unit Development District #4. (Tax Key No. 571-8983-000) (PC-5/14/24 Kastner)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve. On a roll call vote, motion carried unanimously.

K. Old Business

1. Appointments to various committees and commissions:

- a. Mayor appointments, confirmed by Council:
 - i. Two members to the Civil Service Commission for terms to expire 5/1/27 (formerly David Podeszwa and Paul Leu)
Place on next agenda.

L. New Business

1. Appointments to various committees and commissions:

- a. Mayor appointments, confirmed by Council:
 - i. One member to the Public Library Board for a term to expire 7/1/2027 (currently Creston Flemming)
Mayor Neitzke reappointed Creston Flemming as a member to the Public Library Board for a term to expire 7/1/2027.

Motion by Alderperson Drzewiecki, seconded by Alderperson Bailey to confirm the reappointment. Motion carried unanimously.

2. Resolution disallowing the claim of Cheryl Hepp regarding alleged personal injury and damages sustained as a result of a slip and fall on April 25, 2024. (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve to disallow. On a roll call vote, motion carried unanimously.
3. Resolution allowing the claim of Arianna Bullion relating to damage to vehicle. (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Kastner to approve in an amount not to exceed \$3077.55. On a roll call vote, motion carried unanimously.
4. Approve applications for 2024-2025 operator licenses (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve.

Under discussion, there was a discussion about applicants being verified as U.S. citizens and adding that to the application. Mayor Neitzke stated that the City Attorney is working on it. It should be talked about at a Legislative Committee meeting since an ordinance may need to be created and it can't supersede federal or state protections. These licenses are authorized to be granted by us based on the statutes. For what is getting approved, the application does not ask about citizenship. Alderperson Kastner stated that asking about citizenship should be on the application. Alderperson Drzewiecki, who

Minutes are not official until formally approved by the Common Council at the next scheduled meeting.

is the Chair of the Legislative Committee, said that he will take it under advisement, and it will be taken to the City Attorney.

Motion carried unanimously.

5. Approve applications for an Amusement License to expire July 31, 2025. (Goergen)

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

6. Approve an application for a Parade License, and a request to waive the license fee, received from the Greenfield High School (Student Senate) to conduct a parade on September 27, 2024, from 3:30 PM to 6:30 PM. (Starts on 51st St. goes down Edgerton turn right onto S. 60th St. into the back parking lot of the high school.) (Goergen)

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve with the fees waived.

Alderperson Akers said that it is an inconvenient time frame for residents who live on Edgerton Avenue. Alderperson Bailey added that they would be able to enter their subdivision if it's safe to do so, according to the Police Department and the School District.

On a roll call vote, motion carried unanimously.

7. Adopt an Ordinance amending subsection 13.03 (18) of the City of Greenfield Municipal Code relating to alcohol licensing. (Geary)

Motion by Alderperson Akers, seconded by Alderperson Kastner to approve not adopting the ordinance and to extend the moratorium for another 90 days.

Mayor Neitzke said that it could be extended for a reasonable amount of time. It's still being actively worked on.

On a roll call vote, motion carried unanimously.

8. Discussion and decision to adopt a policy to allow dogs at the Farmer's Market. (Ald. Bailey)

Alderperson Bailey presented that dogs should be allowed and spoke about West Allis's policy on having dogs at the Farmer's Market.

Alderperson Akers spoke about reasons not to allow dogs: the ordinance disallows dogs, people who are afraid of dogs or have allergies, and that the Farmer's Market can get extremely chaotic and crowded. She wants everyone to be comfortable and feel at home and safe at the Farmer's Market. Dogs are allowed in the park except during events, and there are dog-specific events.

Alderperson Kastner said that the mentality of dog owners is more aware of those who are afraid of dogs. The policy language could include that if the dog or owner are unruly, then they could be escorted out.

Alderperson Saryan stated that she took a photo of the sign posted at the entrance of the AMP. She's wondering how the Farmer's Market is going to change the other events and why only the Farmer's Market is being targeted. She read the sign.

Mayor Neitzke spoke about the history of the Farmer's Markets disallowing dogs and that they don't want dogs ruining the AMP, baseball fields, or playground equipment.

Alderperson Akers said that they have had this policy since the Farmer's Market started, that it's one of the most successful farmer's markets, and not allowing dogs hasn't hampered the market. Mayor Neitzke compared Greenfield's to West Allis and said that they allow dogs, and it hasn't adversely impacted them.

Mayor Neitzke said that the Farmer's Market ends in October.

Alderman Drzewiecki suggested that it could be tested for the remainder of the year to allow dogs and see how it goes. Alderman Saryan talked about the police department's enforcement of ordinances. Alderman Akers said that it would get too confusing; it's a do-or-don't issue.

Motion by Alderman Kastner, seconded by Alderman Bailey to approve.

Alderman Bailey and Alderman Saryan discussed Parks and Recreation employees and police officers enforcing the issue.

Mayor Neitzke stated that dogs aren't allowed at the Farmer's Market from 10:00 AM until 2:00 PM. Before 10:00 AM and after 2:00 PM, dogs are allowed in that area.

Alderman Akers and Mayor Neitzke discussed whether a dog shelter or an organization wanted to do something, if an exception could be made, and how it would be handled.

Alderman Akers stated that there should be more research.

On a roll call vote, motion carried 3-2 with Aldermen Akers and Saryan opposed. Those in favor were Aldermen Drzewiecki, Kastner, and Bailey.

9. Approve fund transfers between capital improvement accounts. (Katz)
Motion by Alderman Akers, seconded by Alderman Bailey to approve. On a roll call vote, motion carried unanimously.
10. Adopt an ordinance establishing the speed limits on South 124th Street. (BPW- Ald. Bailey- 6/25/24)
Motion by Alderman Kastner, seconded by Alderman Drzewiecki to approve.

Under discussion, Alderman Kastner stated that we're making the speed limit consistent on both sides of the street because one side is New Berlin and we are on the other side. Mr. Katz said we are reducing the speed limit.

On a roll call vote, motion carried unanimously.

11. Approve an Outdoor Special Event application for Mexican Independence, to be located at Kalibres Restaurant & Bar, 4555 W. Forest Home Ave., on Sunday, September 15, 2024. Application includes the following combination of licenses/permits: Outdoor Special Event and Extension of Premises (DJ, Band, Live Music). 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 Alderman Kastner, seconded by Alderman Drzewiecki to approve.

Under discussion, Alderman Drzewiecki spoke to the applicant about trash disposal and the City bus system.

Motion carried unanimously.

12. Approve an Outdoor Special Event application for Back 2 School, to be located at The Ridge Community Church, 4500 S. 108th St., on Saturday, August 24, 2024, and all applicable licenses/permits. (Bertram)
Motion by Alderman Kastner, seconded by Alderman Akers to approve with the fees waived. On a roll call vote, motion carried unanimously.

13. Approve a Resolution for a Special Use Review and Site Plan Review for an ownership change to Corner Club, an existing tavern, located at 4309 W. Grange Ave., submitted by Alysia Moga, d/b/a ACG Club LLC. d/b/a Corner Club. (Tax Key No. 666-8999-000) (PC-7/9/24 Kastner)

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

14. Approve a Resolution for a Special Use Review and Site Plan Review for Greenfield Laundry, a proposed laundromat business, to be located at 2750 W. Grange Ave., submitted by Steve Piehl, d/b/a BOH Laundry Ventures, LLC. (Tax Key No. 645-9002-000) (PC-7/9/24 Kastner)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.
15. Approve application for a 2024-2025 Coin Operated or Automatic Dry Cleaning and/or Washing Machine License received from BOH Laundry Ventures LLC from Steve Piehl, Agent, for the property at 2750 W. Grange Ave. (Greenfield Laundry). (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve. Motion carried unanimously.
16. Approve a Resolution for a Special Use Review and Site Plan Review for an ownership change at Joey's Mob Scene, an existing tavern currently known as Sobo's Tap, located at 4500 W. Forest Home Ave., submitted by Joe Torenne, d/b/a Joey's Mob Scene. (Tax Key No. 531-9000-002) (PC-7/9/24 Kastner)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve.

Under discussion, Mayor Neitzke and Alderperson Bailey discussed that it's going back to the original owner.

On a roll call vote, motion carried unanimously.
17. Approve an application for a 2024-2025 Combination "Class B" Fermented Malt Beverage and Liquor Retailer's License and Entertainment License for Joe R. Turenne, Joe R. Turenne, Agent for the property at 4500 W. Forest Home Ave. (Joey's Mob Scene). Two story brick building with basement located at 4500 W. Forest Home Ave. (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. Motion carried unanimously.
18. Approve a Resolution for a Special Use Permit and Site, Landscaping, and Architectural Plans for Starbucks, a proposed coffee shop, to be located at 8925 Sura Lane, submitted by Scott Yauck, d/b/a 84 South Small Shops, LLC. d/b/a Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services. (Tax Key No. 606-0053-009) (PC-7/9/24 Kastner)
Motion by Alderperson Bailey, seconded by Alderperson Akers to approve.

Under discussion, Mayor Neitzke said that the appropriate amount of stacking is there, that there is a need to enhance landscaping in the front of the building facing Layton Avenue, that they will maximize the shielding of the big garbage container and the ladder, and that the light fixtures are taken care of.

Alderperson Akers and Mayor Neitzke talked about if this location would take away from the Layton Avenue and Loomis Road location.

On a roll call vote, motion carried unanimously.
19. Discussion and decision on the transfer of remaining ARPA funds from our Tactical Vest account to the Bullet Resistant Vest account. (Police Department)
Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to approve. On a roll call vote, motion carried unanimously.
20. Approval of mileage reimbursements in the amount of \$545.38. (Schafer)
Motion by Alderperson Saryan, seconded by Alderperson Kastner to approve agenda items L20 - L22.
On a roll call vote, motion carried unanimously.
21. Approval of schedules of disbursements in the amount of \$4,157,903.77. (Schafer)
Approved under agenda item L20.

22. Accept June 2024 investments and reinvestments. (Schafer)

Approved under agenda item L20.

23. Common Council to go into closed session pursuant to Wis. Stat. § 19.85 (1)(b) & (f), considering licensure, social or personal history, or medical information, for purposes of issuing a 2024-2025 operator license to the following:

- a. Gadiel Asael Guzman
- b. Jestine Lynne Green
- c. Lori Ann Leary

Motion by Alderperson Akers, seconded by Alderperson Bailey to go into closed session at 8:11 PM. On a roll call vote, motion carried unanimously.

24. Adjourn closed session and reconvene into open session.

Motion by Alderperson Bailey, seconded by Alderperson Akers to adjourn closed session and reconvene into open session at 8:24 PM. Motion carried unanimously.

25. Decision re: 2024-2025 Operator's License for Gadiel Asael Guzman (Goergen) (CC: 6/18/24)

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

26. Decision re: 2024-2025 Operator's License for Jestine Lynne Green (Goergen)

No action taken. Applicant did not appear.

27. Decision re: 2024-2025 Operator's License for Lori Ann Leary (Goergen)

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

M. Items for future agenda

Budget

Alderperson Akers circled back to agenda item G.

N. Adjourn

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

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 7/22/2024

SIGN UP SHEET
CITIZEN COMMENTARY OF COMMON COUNCIL AGENDA

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

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

THANK YOU FOR YOUR COOPERATION.

	<u>Name</u>	<u>Address</u>
1.	Casey Dembowiak	4955 S 78th St
2.	Dave Patrick	4361 S 43
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ORDINANCE NO. 3039

Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4110 S. 76th St. from C-4 Regional Business District to Planned Unit Development District #4. (Tax Key No. 571-8997-000)

WHEREAS, the Common Council of the City of Greenfield conducted a public hearing in the Common Council Chambers of City Hall at Greenfield, Wisconsin, on Tuesday, the 16th day of July 2024, at 7:00 p.m. or soon thereafter, upon a proposal to rezone the property located at 4110 S. 76th St. from C-4 Regional Business District to Planned Unit Development District #4; and,

WHEREAS, notice of said hearing has been duly published in the official City of Greenfield newspaper and a period of at least ten (10) days has expired after the last publication before said hearing, as required by State Statutes; and,

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

PART I. The Official Greenfield Zoning Map described in Section 21.04.0102 of the Municipal Code is hereby amended to provide that the following described land shall be and is hereby rezoned from C-4 Regional Business District to Planned Unit Development District #4 to-wit:

That part of the Northwest $\frac{1}{4}$ of Section 22, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at a point in the West line of said $\frac{1}{4}$ Section 963.72 feet North of the Southwest corner of said $\frac{1}{4}$ Section; thence North 90 feet to a point; thence East 230 feet to a point; thence South 90 feet to a point; thence West 230 feet to the point of beginning. Excepting therefrom the West 60 feet for public street purposes.

Said land contains approximately 15,300 square feet, or 0.35 acres of land, more or less, and is located at:

4110 S. 76th St. (Tax Key No. 571-8997-000)

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

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

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

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

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Cc: Engineering Division

ORDINANCE NO. 3040

Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 7154 W. Forest Home Ave. from Single Family to Planned Mixed Use. (Tax Key No. 571-8983-000)

WHEREAS, the City has prepared the Land Use Map Amendment pursuant to Wis. Stat. § 66.1001; and,

WHEREAS, the planning process for the Land Use Map Amendment was open to the public and numerous efforts were made to assure the broadest participation to establish the goals and elements considered for and contained within the plan in compliance with Sec. 66.1001 of the Wisconsin Statutes; and,

WHEREAS, on May 14, 2024, the City of Greenfield Plan Commission by majority vote recommended that the Common Council approve an ordinance for the subject Land Use Map Amendment to the City of Greenfield Comprehensive Plan in compliance with the requirements of Sec. 66.1001(4)(b) of Wisconsin Statutes; and,

WHEREAS, the Common Council of the City of Greenfield conducted a public on July 16, 2024, upon a proposal to amend the Land Use Map to the City of Greenfield Comprehensive Plan; and,

WHEREAS, Notice of said hearing has been duly published in the official City of Greenfield newspaper and a period of at least thirty (30) days has expired after the last publication before said hearing, as required by State Statutes; and,

WHEREAS, following the Public Hearing and upon consideration of the Plan Commission's recommendation, and all public comment received at the hearing, the Common Council finds that the proposed amendment furthers the coordinated, adjusted and harmonious development of the City which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development.

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

PART I. The Greenfield Common Council, does by enactment of this ordinance, pursuant to Sec. 66.1001(4) of the Wisconsin Statutes, formally adopt the subject Land Use Map Amendment to the City of Greenfield Comprehensive Plan to redesignate the Future Land Use Map within the City's Comprehensive Plan (Chapter Three: Land Use) from Single Family to Planned Mixed Use. (Tax Key No. 571-8983-000), Greenfield, Milwaukee County,

Wisconsin, (map attached as Exhibit A hereto and incorporated herein by reference) more particularly described as follows:

That part of the Northwest 1/4 of Section 22, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin, which is bounded and described as follows:

Commencing at the southwest corner of said ¼ Section; thence North 87°55' East along the South line of said ¼ Section, 975.73 feet to a point on the centerline of West Forest Home Avenue; thence North 48°01' East on and along the centerline of West Forest Home Avenue, 560.48 feet to a point; thence North 41° 59' West, 60 feet to the point of beginning of lands to be described; thence North 41° 59' West, 120 feet to a point; thence South 48°01' West, 10 feet to a point; thence South 00°19' East, 160.63 feet to a point on the North right-of-way line of West Forest Home Avenue; thence North 48°01' East, 118.00 feet to the place of beginning.

Tax Key No. 571-8983-000

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

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

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

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

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

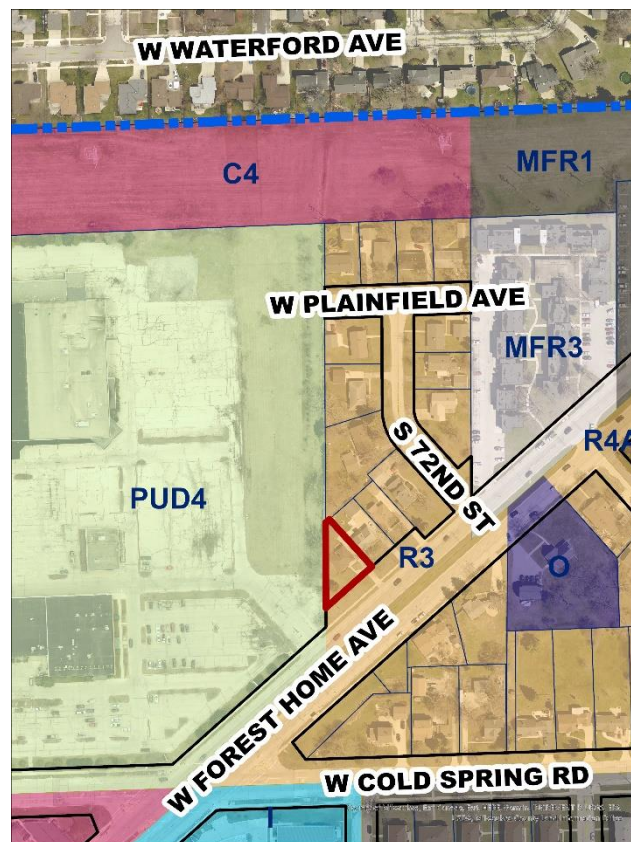
Jennifer Goergen, City Clerk

Cc: Engineering Division

Exhibit A: Parcel to be amended



Exhibit B: Existing Land Use Map



ORDINANCE NO. 3041

Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 7154 W. Forest Home Ave. from R-3 Single-Family Residential Conservation District to Planned Unit Development District #4. (Tax Key No. 571-8983-000)

WHEREAS, the Common Council of the City of Greenfield conducted a public hearing in the Common Council Chambers of City Hall at Greenfield, Wisconsin, on Tuesday, the 16th day of July 2024, at 7:00 p.m. or soon thereafter, upon a proposal to rezone the property located at 7154 W. Forest Home Ave. from R-3 Single-Family Residential Conservation District to Planned Unit Development District #4; and,

WHEREAS, notice of said hearing has been duly published in the official City of Greenfield newspaper and a period of at least ten (10) days has expired after the last publication before said hearing, as required by State Statutes; and,

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

PART I. The Official Greenfield Zoning Map described in Section 21.04.0102 of the Municipal Code is hereby amended to provide that the following described land shall be and is hereby rezoned from R-3 Single-Family Residential Conservation District to Planned Unit Development District #4 to-wit:

That part of the Northwest 1/4 of Section 22, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin, which is bounded and described as follows:

Commencing at the southwest corner of said ¼ Section; thence North 87°55' East along the South line of said ¼ Section, 975.73 feet to a point on the centerline of West Forest Home Avenue; thence North 48°01' East on and along the centerline of West Forest Home Avenue, 560.48 feet to a point; thence North 41° 59' West, 60 feet to the point of beginning of lands to be described; thence North 41° 59' West, 120 feet to a point; thence South 48°01' West, 10 feet to a point; thence South 00°19' East, 160.63 feet to a point on the North right-of-way line of West Forest Home Avenue; thence North 48°01' East, 118.00 feet to the place of beginning.

Said land contains approximately 7,680 square feet, or 0.18 acres of land, more or less, and is located at:

7154 W. Forest Home Ave. (Tax Key No. 571-8983-000)

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

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

PART IV. This ordinance shall take effect and be in force from and after its passage and publication.

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

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Cc: Engineering Division

ORDINANCE NO. 3042

ORDINANCE AMENDING SUBSECTION 13.03 (18) OF THE CITY OF GREENFIELD
MUNICIPAL CODE RELATING TO ALCOHOL LICENSING

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

PART I. Subsection 13.03 (18) (b) of the Greenfield Municipal Code is hereby amended to read as follows:

13.03 - Intoxicating liquors and fermented malt beverages.

.....

(18) *Temporary moratorium on receipt of new retail license applications.*

.....

“(b) This temporary moratorium shall become effective on the effective date of the adopting ordinance and shall remain in effect until October 15, 2024, or until the date that this subsection is repealed by the Common Council, whichever event is sooner; and,”

PART II. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Greenfield July 16, 2024.

APPROVED:

ATTEST:

Michael J. Neitzke, Mayor

Jennifer Goergen, City Clerk

ORDINANCE NO. 3043

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

PART I. Section 8.04 of the Greenfield Municipal Code is hereby adopted to read as follows:

“The speed limit on South 124th Street from the South City Limits to West Beloit Road shall be 35 m.p.h.”

“The speed limit on South 124th Street from West Beloit Road to the North City Limits shall be 30 m.p.h.”

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

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

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

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4005

Special Use Permit for Spa Chi, a proposed massage therapy business, to be located at 4818 S. 76th St., Suite 4, submitted by Yan Sheng, d/b/a Spa Chi. (Tax Key No. 617-9983-014)

WHEREAS, Yan Sheng, d/b/a Spa Chi, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Spa Chi, a proposed massage therapy business, to be located at 4818 S. 76th St., Suite 4; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 16, 2024, 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, Yan Sheng, d/b/a Spa Chi, resides at 8466 Pierce Place, Merrillville, IN 46410.
2. The applicant will lease a portion of the multi-tenant commercial building owned by Edgewood Center, LLC., PO Box 307, Oak Creek, WI 53154.
3. Spa Chi will occupy approximately 950 sq. ft. of the multi-tenant commercial building located at 4818 S. 76th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 1 of Certified Survey Map No. 8009, being a part of the Northwest ¼ Section 27, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 617-9983-014

Said land being located at 4816-4818 S. 76th St.

4. The applicant is proposing to establish a massage parlor within the existing multi-tenant commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits massage parlors 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. 76 St. corridor that is developed for commercial uses. Properties to the north are developed as commercial and single-family. Properties to the west and south are developed as commercial. Properties to the east are developed as public park.
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 Yan Sheng, d/b/a Spa Chi to establish Spa Chi, a proposed massage therapy business, to be located at 4818 S. 76th St., Suite 4, be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on June 11, 2024 and by the Common Council on July 16, 2024. 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 Spa Chi will be 9:00am – 9:00pm, daily.
4. Off-Street Parking. A total of 4 off-street parking stalls are required for Spa Chi. The entire multi-tenant commercial building requires a total of 117 off-street parking spaces. The property will provide 77 off-street parking stalls. The Common Council may waive the shortage.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light 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 commercial 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.

Yan Sheng, d/b/a Spa Chi

Noah Styza, d/b/a Edgewood Center, 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
July, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 4006

A RESOLUTION DISALLOWING THE CLAIM OF CHERYL HEPP
REGARDING ALLEGED PERSONAL INJURY AND DAMAGES SUSTAINED
AS A RESULT OF A SLIP AND FALL ON APRIL 25, 2024

WHEREAS, Cheryl Hepp submitted a claim on May 27, 2024; and

WHEREAS, the claimant alleged that, on or about April 25, 2024, while walking in front of 4630 S 84th Street, in the City of Greenfield, she tripped on a sidewalk square and fell causing her to sustain personal injury. Her demand is for \$500.00 in pain and suffering and an estimated additional \$369.00 for a prescription patch, yearly zoo membership, and event tickets that she claims she is unable to use while recovering.

WHEREAS, the City's Attorney's Office has reviewed the facts and circumstances relating to the claim, as well as the applicable law, and recommends that the Common Council disallow the claim.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Greenfield, that the claim of Cheryl Hepp is disallowed.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a copy of this disallowance to claimant and claimant is hereby advised that legal action to collect on this claim be commenced within six (6) months of the date of disallowance or be barred.

Approved:

Michael J. Neitzke, Mayor

Date Approved:

This is to certify that the foregoing Resolution was adopted by the Common Council of the City of Greenfield, Wisconsin, at a meeting held on the 16th day of July, 2024.

Jennifer Goergen, City Clerk

COMMON COUNCIL
OF THE
CITY OF GREENFIELD

RESOLUTION NO. 4007

A RESOLUTION ALLOWING THE CLAIM OF ARIANNA BULLION RELATING TO
DAMAGE TO VEHICLE

WHEREAS, Arianna Bullion submitted a claim with the City on May 15, 2024; and,

WHEREAS, Claimant indicated that on May 11, 2024, her vehicle was parked at Konkel Park in the City of Greenfield and sustained damaged as a result of a Greenfield Police vehicle backing into her vehicle. The Claimant submitted two estimates for the repair of the damage to the vehicle with the higher estimate being \$3,283.54.

WHEREAS, the City Attorney has reviewed the facts and circumstances relating to the claim and recommends that, without admitting any negligence, the Common Council allow the claim, as set forth below; and,

WHEREAS, Wis. Stat. § 893.80 provides for the process by which the Common Council shall consider and handle claims made against the Council, the City and its officers, agents and employees; and,

WHEREAS, after considering the facts and circumstances of the claim, the Common Council desires to pay the claimed amount of the loss, as set forth below.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Greenfield, that the claim on behalf of Arianna Bullion, filed on May 15, 2024, and relating to alleged loss occurring on May 11, 2024, is hereby allowed in the settlement amount not to exceed **\$3,077.55**.

BE IT FURTHER RESOLVED that the City Finance Director is hereby authorized and directed to pay the claim to the claimant upon receipt of a signed release of claims from the claimant.

Approved:

Michael J. Neitzke, Mayor

Date Approved:

This is to certify that the foregoing Resolution was adopted by the Common Council of the City of Greenfield, Wisconsin, at a meeting held on the 16th day of July, 2024.

Jennifer Goergen, City Clerk

RESOLUTION NO. 4008

Special Use Permit Review for an ownership change to Corner Club, an existing tavern, located at 4309 W. Grange Ave., submitted by Alysia Moga, d/b/a ACG Club LLC. d/b/a Corner Club. (Tax Key No. 666-8999-000)

WHEREAS, Alysia Moga, d/b/a ACG Club LLC. d/b/a Corner Club, duly filed with the City Clerk an application for a Special Use Permit Review, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, for an ownership change to Corner Club, an existing tavern, to be located at 4309 W. Grange Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 16, 2024, 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, Alysia Moga, d/b/a ACG Club LLC. d/b/a Corner Club, resides at 5885 W. Tower Road, Unit 1, Greendale, WI 53219.
2. The applicant will own the property.
3. Corner Club will occupy approximately 3,200 sq. ft. of space within the building located at 4309 W. Grange Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

The North 185 feet of the East 190 feet of the Northeast ¼ Section 35, Range 21 East, City of Greenfield, Milwaukee County, Wisconsin, excepting therefrom the East 55 feet and the North 55 feet for public street purposes.

Tax Key No. 666-8999-000

Said land being located at 4309 W. Grange Ave.

4. The applicant is proposing to purchase the property and business of Corner Club, an existing tavern.
5. The aforesaid premise is zoned C-1 Neighborhood Commercial District, which does not permit drinking places as a Special Use. However, the use has existed on this site since at least 1960 and had a Special Use Permit issued as recently as 2010. As such, a drinking place at this property is a grandfathered use and the change in ownership triggers Special Use review, 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 W. Grange Ave. and S. 43rd St. that is developed for residential uses. Properties to the north, south, east, and 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 Alysia Moga, d/b/a ACG Club LLC. d/b/a Corner Club for an ownership change to Corner Club, an existing tavern, to be located at 4309 W. Grange Ave., be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on July 9, 2024 and by the Common Council on July 16, 2024. 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 Corner Club will be 7:00am – 2:00am, Sunday through Thursday and 7:00am-2:30am, Friday and Saturday.
4. Off-Street Parking. A total of 48 off-street parking stalls are required for Corner Club. The property provides 31 off-street parking stalls. The Common Council may waive the shortage.
5. Signage. Signage shall be in compliance with the City’s Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light 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 commercial 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.

Alysia Moga, d/b/a ACG Club LLC. d/b/a Corner Club

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 July, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4009

Special Use Permit Review for Greenfield Laundry, a proposed laundromat business,
to be located at 2750 W. Grange Ave., submitted by Steve Piehl, d/b/a
BOH Laundry Ventures, LLC. (Tax Key No. 645-9002-000)

WHEREAS, Steve Piehl, d/b/a BOH Laundry Ventures, LLC, duly filed with the City Clerk an application for a Special Use Permit Review, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Greenfield Laundry, a proposed laundromat business, to be located at 2750 W. Grange Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 16, 2024, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, to consider the application; and,

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

1. The applicant, Steve Piehl, d/b/a BOH Laundry Ventures, LLC, has an office PO Box 2291 Brookfield, WI 53008.
2. The applicant will lease a portion of the multi-tenant commercial building owned by Viet Hoa Greenfield LLC, 2750 W. Grange Ave., Greenfield, WI 53221.
3. Greenfield Laundry will occupy approximately 2,250 sq. ft. of the multi-tenant commercial building located at 2750 W. Grange Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 7503, being a part of the Southeast $\frac{1}{4}$ of Section 25, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 645-9002-000

Said land being located at 2750 W. Grange Ave.

4. The applicant is proposing to establish a laundromat within the existing multi-tenant commercial building.
5. The aforesaid premise is zoned C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, which permits laundromats 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. 27th St. corridor that is developed for commercial uses. Properties to the north, south, and east are developed as commercial. Properties to the west and south 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 Steve Piehl, d/b/a BOH Laundry Ventures, LLC to establish Greenfield Laundry, a proposed laundromat business, to be located at 2750 W. Grange Ave., be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on July 9, 2024 and by the Common Council on July 16, 2024. 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 Greenfield Laundry will be 7:00am – 9:00pm, daily.
4. Off-Street Parking. A total of 250 off-street parking stalls are required for the entire commercial building. The property will provide 152 off-street parking stalls. The Common Council may waive the shortage.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.
7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.

8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light 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 commercial 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.

Steve Piehl, d/b/a BOH Laundry Ventures, 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 July, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4010

Special Use Permit Review for an ownership change to Joey's Mob Scene, an existing tavern currently known as Sobo's Tap, located at 4500 W. Forest Home Ave., submitted by Joe Torenne, d/b/a Joey's Mob Scene. (Tax Key No. 531-9000-002)

WHEREAS, Joe Torenne, d/b/a Joey's Mob Scene, duly filed with the City Clerk an application for a Special Use Permit Review, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, for an ownership change to Joey's Mob Scene, an existing tavern currently known as Sobo's Tap, located at 4500 W. Forest Home Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on July 16, 2024, 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, Joe Torenne, d/b/a Joey's Mob Scene, has an office at 4500 W. Forest Home Ave., Greenfield, WI 53219.
2. The applicant owns the property.
3. Joey's Mob Scene will occupy approximately 1,000 sq. ft. of space within the building located at 4500 W. Forest Home Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 5325, being a part of the Northeast ¼ of Section 14, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 531-9000-002

Said land being located at 4500 W. Forest Home Ave.

4. The applicant is proposing reopen Joey's Mob Scene, replacing the existing tavern currently known as Sobo's Tap.
5. The aforesaid premise is zoned C-1 Neighborhood Commercial District, which does not permit drinking places as a Special Use. However, the use has existed on this site since at least 1960 and had a Special Use Permit issued as recently as 2017. As such, a drinking place at this property is a grandfathered use and the change in ownership triggers Special Use review, 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 W. Forest Home Ave. that is developed for commercial uses. Properties to the north and west are developed as residential. Properties to the west, south, and east are developed as commercial.

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Joe Torenne, d/b/a Joey's Mob Scene for an ownership change to Joey's Mob Scene, an existing tavern currently known as Sobo's Tap, to be located at 4500 W. Forest Home Ave., be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on July 9, 2024 and by the Common Council on July 16, 2024. 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 Joey's Mob Scene will be 6:00am – 2:00am, Sunday through Thursday and 6:00am-2:30am, Friday and Saturday.
4. Off-Street Parking. A total of 15 off-street parking stalls are required for Corner Club. The property provides 14 off-street parking stalls. The Common Council may waive the shortage.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light 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 commercial 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.

Joe Torenne, d/b/a Joey's Mob Scene

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 July, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4011

Special Use Permit for Starbucks, a proposed coffee shop, to be located at 8925 Sura Lane, submitted by Scott Yauck, d/b/a 84 South Small Shops, LLC. d/b/a Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services. (Tax Key No. 606-0053-009)

WHEREAS, Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Starbucks, a proposed coffee shop, to be located at 8925 Sura Lane; and,

WHEREAS, the Common Council on July 16, 2024, at 7:00 p.m. or soon thereafter, in the Common Council Chambers, met to consider the application; and,

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

1. The applicant Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC., has offices at 400 N. Broadway, Suite 100, Milwaukee, WI 53202.
2. The applicant currently owns the vacant property.
3. Starbucks will occupy approximately 2,300 sq. ft. of the commercial building to be located at 8925 Sura Lane, Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lot 3 of Certified Survey Map No. 8855, being a part of the Southwest $\frac{1}{4}$ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 606-0053-009

Said land being located at 8925 Sura Lane.

4. The applicant is proposing to establish a coffee shop within a new commercial building.
5. The aforesaid premise is zoned PUD (Planned Unit Development) under the Zoning Ordinance of the City of Greenfield, which permits limited-service restaurants as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the W. Layton Ave. corridor that is developed for commercial uses. Properties to the north and east are developed as commercial. Properties to the west and south 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 Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC. and Justin Johnson, d/b/a JSD Professional Services to establish a coffee shop, to be located within a new commercial building at 8925 Sura Lane, be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on July 9, 2024 and by the Common Council on July 16, 2024. 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 Starbucks will be 5:00am – 9:00pm, daily.
4. Off-Street Parking. A total of 23 off-street parking stalls are required for Starbucks. The property will provide 25 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 spills 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 commercial 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.

Scott Yauck, d/b/a 84South Restaurants, LLC., c/o Cobalt Partners, LLC.

Justin Johnson, d/b/a JSD Professional Services

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 July, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk