MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, SEPTEMBER 17, 2024

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:00 PM.
Present: Alderpersons Karl Kastner, Pamela Akers, Shirley Saryan, Bruce Bailey
Excused: Andrew Drzewiecki
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 Rogers.

C. Pledge of Allegiance

D. Approval of the August 20, 2024 Common Council minutes

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

E. Approval of the September 3, 2024 Special Common Council minutes

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

F. Mayor's Report

Mayor Neitzke spoke about the car show, The Turf, that motorists should be careful around kids and buses, that the Loomis Bridge is close to being opened, and the I-894 weekend closures. Westbound 1-894 will be closed this Friday, from 11:00 PM to Monday, at 5:30 AM from Mitchell to the Hale Interchange. Eastbound 1-894 will be closed the following weekend from Friday night to Monday morning.

Mayor Neitzke went to agenda item G.

Mayor Neitzke spoke about the noise complaints and that they had not fallen on deaf ears. The city attorney has been reviewing the sound ordinances. Alderperson Bailey has reached out to corporate headquarters. They are truly trying to resolve this issue.

Mayor Neitzke went to agenda item J1.

G. Aldermanic Reports

There was a discussion about the Department of Public Works Expo on Thursday, September 26, 2024, from 9:00 AM to 2:00 PM at Konkel Park.

H. Announcements

I. Citizen Commentary

Mayor Neitzke introduced Casey Dembowiak, 4955 S. 78th St., who stated his concerns about the compressor air handling unit that creates noise on the rooftop of the Ascension Hospital, the noise test, the freeway noise, and played recorded audio.

Mayor Neitzke introduced Linda Strike, 4942 S. 78th St., who stated that she has the same concerns as Mr. Dembowiak regarding the air conditioner noise at the Ascension Hospital. She spoke about the previous tenants and the current owner.

Mayor Neitzke said that Curt Hart, 4454 W. Midland Dr., and Antonia Carranza, 3207 S. 47th St., signed up for Citizen Commentary but will speak later under the related public hearing item.

Mayor Neitzke circled back to agenda item F.

J. Public Hearings

1. Public Hearing on a Special Use Permit for Mindcolor Autism, a proposed mental health office providing

autism therapy, to be located at 4600 W. Loomis Rd., Suite 130, submitted by Andy Li and Jimmy Qiu, d/b/a Mindcolor Autism, LLC. (Tax Key No. 620-9957-000) (PC-8/13/24 Kastner)

The public hearing opened at 7:23 PM.

Gina Vlach, City Planner, presented the site information, description of business, hours of operation, parking, site improvements, 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 7:24 PM. Motion carried unanimously.

a. Approve a Resolution for a Special Use Permit for Mindcolor Autism, a proposed mental health office providing autism therapy, to be located at 4600 W. Loomis Rd., Suite 130, submitted by Andy Li and Jimmy Qiu, d/b/a Mindcolor Autism, LLC. (Tax Key No. 620-9957-000) (PC-8/13/24 Kastner)

   Motion by Alderperson Akers, seconded by Alderperson Kastner to approve agenda items J1a and J1b.

   There was a discussion that they provide behavioral therapy.

   On a roll call vote, motion carried unanimously.

b. Approve a Site Plan Review for Mindcolor Autism, a proposed mental health office providing autism therapy, to be located at 4600 W. Loomis Rd., Suite 130, submitted by Andy Li and Jimmy Qiu, d/b/a Mindcolor Autism, LLC. (Tax Key No. 620-9957-000) (PC-8/13/24 Kastner)

   Approved under agenda item J1a.

2. Public Hearing on a Special Use Permit for Alderaan Ink, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 208, submitted by Cassandra Mareno, d/b/a CassieLikeSassy, LLC. (Tax Key No. 650-8998-009) (PC-8/13/24 Kastner)

   The public hearing opened at 7:25 PM.

   Mrs. Vlach presented the site information, description of business, hours of operation, parking, site improvements, 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 7:26 PM. Motion carried unanimously.

   a. Approve a Resolution for a Special Use Permit for Alderaan Ink, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 208, submitted by Cassandra Mareno, d/b/a CassieLikeSassy, LLC. (Tax Key No. 650-8998-009) (PC-8/13/24 Kastner)

      Motion by Alderperson Akers, seconded by Alderperson Kastner to approve agenda items J2a and J2b. On a roll call vote, motion carried unanimously.

   b. Approve a Site Plan Review for Alderaan Ink, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 208, submitted by Cassandra Mareno, d/b/a CassieLikeSassy, LLC. (Tax Key No. 650-8998-009) (PC-8/13/24 Kastner)

      Approved under agenda item J2a.

3. Public Hearing on a Special Use Permit for American Forklift Company, a proposed mobile forklift repair and rental business, to be located at 4757 S. 108th St., submitted by Mark Ewert, d/b/a American Forklift Company and Mark Gorski, d/b/a Summit Commercial Real Estate, LLC. (Tax Key No. 612-8997-005) (PC-8/13/24 Kastner)

   The public hearing opened at 7:27 PM.

Mrs. Vlach presented the site improvements, site information, description of business, hours of operation, parking, and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Alderperson Kastner said that the applicant's promise to not store any used aerial lifts or material handling outside at the Plan Commission meeting.

Motion by Alderperson Kastner, seconded by Alderperson Akers to close the public hearing at 7:29 PM. Motion carried unanimously.

The applicant was present.

a. Approve a Resolution for a Special Use Permit for American Forklift Company, a proposed mobile forklift repair and rental business, to be located at 4757 S. 108th St., submitted by Mark Ewert, d/b/a American Forklift Company and Mark Gorski, d/b/a Summit Commercial Real Estate, LLC. (Tax Key No. 612-8997-005) (PC-8/13/24 Kastner)
   Motion by Alderperson Kastner, seconded by Alderperson Saryan to approve agenda items J3a and J3b. On a roll call vote, motion carried unanimously.

b. Approve a Site Plan Review for American Forklift Company, a proposed mobile forklift repair and rental business, to be located at 4757 S. 108th St., submitted by Mark Ewert, d/b/a American Forklift Company and Mark Gorski, d/b/a Summit Commercial Real Estate, LLC. (Tax Key No. 612-8997-005) (PC-8/13/24 Kastner)
   Approved under agenda item J3a.

4. Public Hearing on a Special Use Permit for Casa Drift, a proposed remote-control car business, to be located at 4629 S. 108th St., submitted by Estreberto Marin, d/b/a Casa Drift, LLC. (Tax Key No. 609-0033-001) (PC-8/13/24 Kastner)
   The public hearing opened at 7:30 PM.

   Mrs. Vlach presented the site information, description of 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 was present.

   Motion by Alderperson Kastner, seconded by Alderperson Saryan to close the public hearing at 7:30 PM. Motion carried unanimously.

   a. Approve a Resolution for a Special Use Permit for Casa Drift, a proposed remote-control car business, to be located at 4629 S. 108th St., submitted by Estreberto Marin, d/b/a Casa Drift, LLC. (Tax Key No. 609-0033-001) (PC-8/13/24 Kastner)
      Motion by Alderperson Kastner, seconded by Alderperson Akers to approve agenda items J4a and J4b.

      The applicant showed an item and said that it's indoors.

      On a roll call vote, motion carried unanimously.

   b. Approve a Site Plan Review for Casa Drift, a proposed remote-control car business, to be located at 4629 S. 108th St., submitted by Estreberto Marin, d/b/a Casa Drift, LLC. (Tax Key No. 609-0033-001) (PC-8/13/24 Kastner)
      Approved under agenda item J4a.

5. Public Hearing on a Special Use Permit for Pretty Paws Pet Spa, a proposed pet grooming business, located at 4643 S. 108th St., submitted by Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, LLC. (Tax Key

No. 609-0033-001) (PC-8/13/24 Kastner)

The public hearing opened at 7:34 PM.

The applicant was present.

Mrs. Vlach presented the site information, description of business, hours of operation, parking, site improvements, 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 7:35 PM. Motion carried unanimously.

a. Approve a Resolution for a Special Use Permit for Pretty Paws Pet Spa, a proposed pet grooming business, located at 4643 S. 108th St., submitted by Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, LLC. (Tax Key No. 609-0033-001) (PC-8/13/24 Kastner)

   Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve agenda items J5a and J5b. On a roll call vote, motion carried unanimously.

b. Approve a Site Plan Review for Pretty Paws Pet Spa, a proposed pet grooming business, located at 4643 S. 108th St., submitted by Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, LLC. (Tax Key No. 609-0033-001) (PC-8/13/24 Kastner)

   Approved under agenda item J5a.

6. Public Hearing on a Special Use Review for proposed hours of operation change to Kalibres Restaurant & Bar, an existing full-service restaurant, located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibres Restaurant & Bar. (Tax Key No. 531-0000-900) (PC-8/13/24 Kastner)

The public hearing opened at 7:35 PM.

Mrs. Vlach presented the site information, description of business, hours of operation, parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objection or support received.

Those that were registered as against but not speaking were: Kaitlin Corrao, 4528 W. Midland Dr.; Antonia Carranza, 3207 S. 47th St.; Kelly Shurilla, 4528 W. Midland Dr.; and Jean Kurzynski, 4520 W. Midland Dr.

Mayor Neitzke introduced Curt Hart, 4454 W. Midland Dr., who was registered as speaking against. Mr. Hart spoke about Kalibres's history; his concerns about the extended hours in this area; the rats; the outdoor special event on Sunday, September 15, 2024; and the other nearby restaurant and bar hours.

Mayor Neitzke introduced Sherry Prochaska, representing Milwaukee Alderperson Peter Burgelis, who was registered as speaking against. She said that the alderperson was opposed to the extended hours.

Mayor Neitzke explained that when an item is denied, the applicant has one year to bring it back.

Alejandro Hernandez, the applicant, said that he wanted to prove otherwise, that he is waiting on the Health Department regarding the rats, that the outdoor event had a permit, stated the weekday and weekend hours, that the extended hours would help pay for the business, that he listened to the neighbor's concerns, and that he is ok with only having Saturday extended hours.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing. Motion carried unanimously.

a. Approve a Resolution for a Special Use Review for proposed hours of operation change to Kalibres Restaurant & Bar, an existing full-service restaurant, located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibres Restaurant & Bar. (Tax Key No. 531-0000-900)

(PC-8/13/24 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve what was proposed.

There was a discussion about the hours of the other nearby restaurants and bars.

Alderperson Saryan asked the Council to postpone it until the rat problem has been taken care of.

Mayor Neitzke spoke about how special use permits attach to the property and that you can't change them frequently. This is in Alderperson Drzewiecki's jurisdiction, and he is excused.

Alderperson Akers spoke about another nearby bar and restaurant that gets complaints since it's near a residential area.

On a roll call vote, motion fails 2-2, with Alderpersons Akers and Saryan opposed. Those in favor were Alderpersons Kastner and Bailey.

Mayor Neitzke said that it could be reconsidered at the next Common Council meeting on Tuesday, October 1, 2024. Mayor Neitzke voted against it, so now it fails 3-2. Someone from the winning side would need to reconsider it in order for it to be voted on again, and then Alderperson Drzewiecki could vote.

b. Approve a Site Plan Review for Kalibres Restaurant & Bar, an existing full-service restaurant, located at 4555 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibres Restaurant & Bar. (Tax Key No. 531-0000-900) (PC-8/13/24 Kastner)

No action taken.

K. Old Business

1. Appointments to various committees and commissions:

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

i. <u>A.D. #1</u>

One member to the Park and Recreation Board for a term to expire 5-31-26 (formerly Arika Norgal)

Place on next agenda.

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

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

i. Two members to the Public Library Board for a term to expire 7/1/27 (currently Robin Bruhn and Richard L'Amie)

Mayor Neitzke went to agenda item L1aii.

Mayor Neitzke appointed Connie Hughes in Aldermanic District 1, [6100 W. Stonehedge Dr., Apt. 248]; and Kyle Sunby in Aldermanic District 4, [6000 W. Bottsford Ave.] as two members to the Public Library Board for a term to expire 7/1/27. The previous members could only sit on the board for two terms.

Motion by Alderperson Akers, seconded by Alderperson Kastner to confirm appointments. Motion carried unanimously.

Mayor Neitzke went to agenda item L2.

ii. Three members to the Sex Offender Residency Appeal Board.
Place on next agenda.

iii. One alternate member to the Sex Offender Residency Appeal Board.
Place on next agenda.

b. Mayor appointments:

i. Designation of Chairperson of Sex Offender Residency Appeal Board.
Place on next agenda.

Mayor Neitzke circled back to agenda item L1ai.

2. Consider/approve settlement agreement and release between Cellco Partnership, d/b/a Verizon Wireless and City of Greenfield. (Geary)
Motion by Alderperson Akers, seconded by Alderperson Bailey to approve.

Mayor Neitzke said that this is the tower by the police station. The money goes to the general fund.

Motion by Alderperson Akers and Bailey concurred to amend the motion for the funds to go to the quality of life fund.

On a roll call vote, motion carried unanimously.

3. Consider/approve first amendment to land lease agreement between City of Greenfield and Cellco Partnership, d/b/a Verizon Wireless. (Geary)
Motion by Alderperson Saryan, seconded by Alderperson Akers to approve with funds going to the quality of life fund. On a roll call vote, motion carried unanimously.

4. Adopt a Resolution appointing additional Election Inspectors for 2024-2025. (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.

5. Approve applications for 2024-2025 operator licenses (Goergen)
Motion by Alderperson Saryan, seconded by Alderperson Kastner to approve. Motion carried unanimously.

6. Approve application for a Temporary Class "B" Retailer's License received from Harley Owners Group - Milwaukee Chapter to sell fermented malt beverages indoors at the Annual Chrome Divas Charity Event on September 21, 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 Kastner to approve agenda items L6-L7. Motion carried unanimously.

7. Approve application for a Temporary Class "B" Retailer's License from Harley Owners Group - Milwaukee Chapter to sell fermented malt beverages indoors at the October Early Storage Event on Saturday, October 5, 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)
Approved under agenda item L6.

8. Approve Site, Landscaping, and Architectural Plans for a greenhouse addition at Bluemel's Garden & Landscape Center, an existing business, located at 4930 W. Loomis Rd., submitted by John Lewandowski, d/b/a Bluemel's Garden & Landscape Center, and Justin Bilhorn, d/b/a United Greenhouse Systems. (Tax Key No. 620-1001-000) (PC-9/10/24 Kastner)
   Motion by Alderperson Akers, seconded by Alderperson Kastner to approve. Motion carried unanimously.
9. Approve a Special Use Review and a Site Plan Review for an ownership change to Jimmy John's, an existing limited-service restaurant, located at 5075 S. 76th St., Suite C, submitted by Marc Largent, d/b/a Premium Loaves II, Inc. (Tax Key No. 616-0001-002) (PC-9/10/24 Kastner)
   Motion by Alderperson Bailey, seconded by Alderperson Kastner to approve the resolution. On a roll call vote, motion carried unanimously.
10. Discussion and decision requesting staff to prepare a Developer's Agreement for the proposed development by Christina and Patrick Robers, applicants, and to approve utility and street extensions in W. Holmes Ave., to a point approximately 85 ft. west of its current terminus. (Tax Key No. 620-9944-002) (PC-9/10/24 Kastner)
    Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve.

    Mayor Neitzke spoke about the right-of-way and that this is to provide access to a subdivided lot.

    On a roll call vote, motion carried unanimously.
11. Discussion/ Decision regarding contract allowing for the continuation of the Stockbox program. (F&HR, S. Saryan, 9/11/24)
    Motion by Alderperson Kastner, seconded by Alderperson Saryan to approve agenda items L11-L16 as presented. On a roll call vote, motion carried unanimously.
12. Discussion/ Decision regarding agreement with Klemme Floats LLC. (F&HR, S. Saryan, 9/11/24)
    Approved under agenda item L11.
13. Discussion/decision to transfer remaining funds from CE2401 Hoist for DPW garage to CE2437 Gas Powered Post Pounder and CE2438 SkidSteer attachments. (F&HR, S. Saryan, 9/11/24)
    Approved under agenda item L11.
14. Approval of mileage reimbursements in the amount of $740.36 (F&HR, S. Saryan, 9/11/24)
    Approved under agenda item L11.
15. Approval of schedules of disbursements in the amount of $5,407,235.83 (F&HR, S. Saryan, 9/11/24)
    Approved under agenda item L11.
16. Accept July 2024 financial statements (F&HR, S. Saryan, 9/11/24)
    Approved under agenda item L11.

M. Items for future agenda
   Budget

N. Adjourn
   Motion by Alderperson Akers, seconded by Alderperson Bailey to adjourn at 8:13 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant
Distributed: 9/23/2024

CC 9-17-24

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.

	Name	Address
1.	Casey Dembowiak	4955 S 78th St
2.	Linda Smike	4942 So. 78th St
3.	Curt Hard	4454 W. Midland Dr
4.	Antonia Carranza	3207 S 47 St
5.		
6.		
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FMTCITZN

RESOLUTION NO. 4023

Special Use Permit for Mindcolor Autism, a proposed mental health office providing autism therapy, to be located at 4600 W. Loomis Rd., Suite 130, submitted by Andy Li and Jimmy Qiu, d/b/a Mindcolor Autism, LLC. (Tax Key No. 620-9957-000)

WHEREAS, Andy Li and Jimmy Qiu, d/b/a Mindcolor Autism, LLC, 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 Mindcolor Autism, a proposed mental health office providing autism therapy, to be located at 4600 W. Loomis Rd., Suite 130; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 17, 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, Andy Li, d/b/a Mindcolor Autism, LLC, have offices at 224 W. 35th St., Suite 500, New York, NY 10001.

2. The applicant will lease a portion of the multi-tenant commercial building owned by 4600 Loomis Rd. Property, LLC, 150 N. Sunnyslope Rd., #240, Brookfield, WI 53005.

3. Mindcolor Autism will occupy approximately 8,200 sq. ft. of tenant space within the multi-tenant commercial building located at 4600 W. Loomis Rd., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Northeast ¼ of Section 26, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Southwest corner of the Northeast ¼ of Section 26; thence North 89°15' East along the South line of said ¼ Section, 309 feet to the centerline of West Loomis Road; thence North 43°13' East along said centerline of West Loomis Road, 959.86 feet to a point which is 966.33 feet East of the West line of said ¼ Section; thence North on a line and parallel to the West line of said ¼ Section, 638.19 feet to the point of beginning of lands to be described; thence continue North on a line and parallel to the West line of said ¼ Section, 450.40 feet to a point; thence South 85°36'15" East, 528.20 feet to a point; thence South 84°06'15"East, 347.60 feet to a point; thence South 77°59'15" East, 28.68 feet to a point in West Loomis Road; thence Southwest along the arc of a curve (whose center is to the northwest, whose chord is South 43°17'06" West, 53.61 feet, and whose radius is 1,604.28 feet), 53.63 feet to a point; thence South 43°13' West, 581.37 feet to a point; thence North 60°21' West, 190.95 feet to a point; thence West and at a right angle to the West line of said ¼ Section, 300 feet to the point of beginning. Excepting therefrom those lands taken for public road purposes, and those lands taken as part of Document No. 5356049

Tax Key No. 620-9957-000

Said land being located at 4600 W. Loomis Rd.

4. The applicant is proposing to establish a mental health office providing autism therapy 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 offices of mental health practitioners 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. Loomis Rd. commercial corridor. Properties to the north, south, and west are developed as commercial. Properties to the east 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 Andy Li and Jimmy Qiu, d/b/a Mindcolor Autism, LLC to establish Mindcolor Autism, a proposed mental health office providing autism therapy, to be located at 4600 W. Loomis Rd., Suite 130, 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 August 13, 2024 and by the Common Council on September 17, 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 Mindcolor Autism, will be 8:00am – 8:00pm, daily.

4. Off-Street Parking. The entire multi-tenant commercial building requires a total of 660 off-street parking spaces. The property will provide 299 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.

_____
Andy Li or Jimmy Qiu, d/b/a Mindcolor Autism, 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 17th day of September, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 4024

Special Use Permit for Alderaan Ink, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 208, submitted by Cassandra Mareno, d/b/a CassieLikeSassy, LLC.
(Tax Key No. 650-8998-009)

WHEREAS, Cassandra Mareno, d/b/a CassieLikeSassy, LLC, 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 Alderaan Ink, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 208; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 17, 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, Cassandra Mareno, d/b/a CassieLikeSassy, LLC, resides at 1818 S. 55th Street, West Milwaukee, WI 53214.

2. The applicant will rent a portion of the multi-tenant commercial building owned by BR of Wisconsin, LLC, P.O. Box 13125, Milwaukee, WI 53213.

3. Alderaan Ink will occupy approximately 125 sq. ft. of the multi-tenant commercial building located at 5170 S. 76th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 6117, being a part of the Southwest ¼ Section 27, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 650-8998-009

Said land being located at 5170 S. 76th St.

4. The applicant is proposing to establish a tattoo business 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 personal care services 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. 76th St. corridor that is developed for commercial uses. Properties to the north, west, east, and south are developed for commercial uses.

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 Cassandra Mareno, d/b/a CassieLikeSassy, LLC to establish Alderaan Ink, a proposed tattoo business, to be located at 5170 S. 76th St., Suite 208, 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 August 13, 2024 and by the Common Council on September 17, 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 Alderaan Ink will be 8:00am – 10:00pm, daily.

4. Off-Street Parking. A total of 3 off-street parking stalls are required for Alderaan Ink. The entire multi-tenant commercial building requires a total of 104 off-street parking spaces. The property will provide 47 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.

_____
Cassandra Mareno, d/b/a CassieLikeSassy, 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 17th day of September, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 4025

Special Use Permit for American Forklift Company, a proposed mobile forklift repair and rental business, to be located at 4757 S. 108th St., submitted by Mark Ewert, d/b/a American Forklift Company and Mark Gorski, d/b/a Summit Commercial Real Estate, LLC.
(Tax Key No. 612-8997-005)

WHEREAS, Mark Ewert, d/b/a American Forklift Company, 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 American Forklift Company, a proposed mobile forklift repair and rental business, to be located at 4757 S. 108th St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 17, 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, Mark Ewert, d/b/a American Forklift Company, has a business at 4282 S. Racine Ave., New Berlin, WI 53146.

2. The applicant will own the commercial building.

3. American Forklift Company will occupy all 5,200 sq. ft. of the commercial building located at 4757 S. 108th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 3727, being a part of the Northeast ¼ of Section 30, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 612-8997-005

Said land being located at 4757 S. 108th St.

4. The applicant is proposing to establish a mobile forklift repair and rental business within the existing commercial building.

5. The aforesaid premise is zoned C-3 Highway and Commercial Service Business District under the Zoning Ordinance of the City of Greenfield, which permits general rental centers and mobile automotive and truck repair services 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. 108th St. corridor that is developed for commercial uses. Properties to the north, west, east, and south are developed for commercial uses.

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 Mark Ewert, d/b/a American Forklift Company to establish American Forklift Company, a proposed mobile forklift repair and rental business, to be located at 4757 S. 108th 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 approved by the Plan Commission on August 13, 2024 and by the Common Council on September 17, 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 American Forklift Company will be 7:00am – 5:00pm, Mondays through Fridays, 7:00am – noon, Saturdays, closed on Sundays.

4. Off-Street Parking. A total of 26 off-street parking stalls are required for American Forklift Company. The property will provide 9 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.

_____
Mark Ewert, d/b/a American Forklift Company

Provided to applicant on the
_____day of _____, 2024

_____
City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of September, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 4026

Special Use Permit for Casa Drift, a proposed remote-control car business, to be located at 4629 S. 108th St., submitted by Estreberto Marin, d/b/a Casa Drift, LLC. (Tax Key No. 609-0033-001)

WHEREAS, Estreberto Marin, d/b/a Casa Drift, LLC, 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 Casa Drift, a proposed remote-control car business, to be located at 4629 S. 108th St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 17, 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, Estreberto Marin, d/b/a Casa Drift, LLC, resides at 9216 W. Dixon St., Milwaukee, WI 53214.

2. The applicant will lease a portion of the multi-tenant commercial building owned by Forest Park Real Estate, LLC, 2765 S. 27 St., Milwaukee, WI 53215.

3. Casa Drift will occupy approximately 1,350 sq. ft. of tenant space within the multi-tenant commercial building located at 4629 S. 108 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lots 2, 3, 4 and 5 of Block 1 of Valley View Heights, a recorded subdivision, plus the East 1/2 of a vacated alley adjacent on the West, all being a part of the Southeast 1/4 of Section 19, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 609-0033-001

Said land being located at 4629-4663 S. 108 St.

4. The applicant is proposing to establish a remote-control car business 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 all other amusement and recreation industries 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. commercial corridor. 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 Estreberto Marin, d/b/a Casa Drift, LLC to establish Casa Drift, a proposed remote-control car business, to be located at 4629 S. 108th 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 approved by the Plan Commission on August 13, 2024 and by the Common Council on September 17, 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 Casa Drift will be 9:00am – 10:00pm, daily.

4. Off-Street Parking. A total of 6 off-street parking stalls are required for Casa Drift. The entire multi-tenant commercial building requires a total of 69 off-street parking spaces. The property will provide 69 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 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.

_____
Estreberto Marin, d/b/a Casa Drift, 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 17th day of September, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 4027

Special Use Permit for Pretty Paws Pet Spa, a proposed pet grooming business, located at 4643 S. 108th St., submitted by Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, LLC. (Tax Key No. 609-0033-001)

WHEREAS, Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, LLC, 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 Pretty Paws Pet Spa, a proposed pet grooming business, located at 4643 S. 108th St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 17, 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, Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, LLC, resides at 1816 Wolf Rd., Waukesha, WI 53186.

2. The applicant will lease a portion of the multi-tenant commercial building owned by Forest Park Real Estate, LLC, 2765 S. 27 St., Milwaukee, WI 53215.

3. Case Drift will occupy approximately 1,450 sq. ft. of tenant space within the multi-tenant commercial building located at 4643 S. 108 St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lots 2, 3, 4 and 5 of Block 1 of Valley View Heights, a recorded subdivision, plus the East 1/2 of a vacated alley adjacent on the West, all being a part of the Southeast 1/4 of Section 19, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 609-0033-001

Said land being located at 4629-4663 S. 108 St.

4. The applicant is proposing to establish a pet grooming business 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 pet care services 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. commercial corridor. 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 Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, LLC to establish Pretty Paws Pet Spa, a proposed pet grooming business, located at 4643 S. 108th 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 approved by the Plan Commission on August 13, 2024 and by the Common Council on September 17, 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 Pretty Paws Pet Spa, will be 7:00am – 7:00pm, daily.

4. Off-Street Parking. A total of 7 off-street parking stalls are required for Pretty Paws Pet Spa. The entire multi-tenant commercial building requires a total of 69 off-street parking spaces. The property will provide 69 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 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.

_____
Kayla Mae Ahles-Birkholz, d/b/a Luxury Pet Spa, 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 17th day of September, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk

RESOLUTION NO. 4028
RESOLUTION APPOINTING ADDITIONAL ELECTION
INSPECTORS FOR 2024-2025

WHEREAS, Wis. Stats. 7.30(4)(a) requires the governing body to appoint election officials no later than the last regular meeting in December of each odd numbered year for the 2024-2025 election cycle; and

WHEREAS, appointments were made, but in addition to the appointments already made, the Common Council desires to add: Kathleen Beechtree, Nitasha Bradrick, Madelyn Frohna, Kelly Mallon, Shawn Mallon, Emma Metzer, Jose Esteban Romero, Theresa Romero, Jonathan Sternberg, Timothy Sternberg; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Greenfield confirms the appointments of the following individuals and adds them to the list of Election Officials for the 2024-2025 election cycle:

Kathleen Beechtree, 10195 W. Cold Spring Road, Greenfield, WI 53228
Nitasha Bradrick, 9100 W. Forest Home Ave., Greenfield, WI 53228
Madelyn Frohna, 4120 W. Upham Ave., Greenfield, WI 53221
Kelly Mal1on, 8515 W. Waterford Ave., Greenfield, WI 53228
Shawn Mallon, 8515 W. Waterford Ave., Greenfield, WI 53228
Emma Metzer, 4132 S. 89th St., Greenfield, WI 53228
Jose Esteban Romero, 5226 S. Tuckaway Dr., Greenfield, WI 53221
Theresa Romero, 5226 S. Tuckaway Dr., Greenfield, WI 53221
Jonathan Sternberg, 11345 W. Peregrine Way, Greenfield, WI 53228
Timothy Sternberg, 11345 W. Peregrine Way, Greenfield, WI 53228

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of September, 2024.

APPROVED:

ATTEST: Michael J. Neitzke, Mayor

Jennifer Goergen, City Clerk

RESOLUTION NO. 4029

Special Use Permit Review for an ownership change to Jimmy John's, an existing limited-service restaurant, located at 5075 S. 76th St., Suite C, submitted by Marc Largent, d/b/a Premium Loaves II, Inc. (Tax Key No. 616-0001-002)

WHEREAS, Marc Largent, d/b/a Premium Loaves II, Inc, 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 Jimmy John's, an existing limited-service restaurant, located at 5075 S. 76th St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on September 17, 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, Marc Largent, d/b/a Premium Loaves II, Inc, has an office at 1717 Fort Jesse Rd., Suite 3, Normal, IL 61761.

2. The applicant will lease a portion of the multi-tenant commercial building owned by 5075 And Edgerton LLC, 6737 W. Washington St., Suite 3440, West Allis, WI 53214.

3. Jimmy Johns will occupy approximately 2,000 sq. ft. of space within the building located at 5075 S. 76th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 5432, being a part of the Northeast ¼ of Section 28, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 616-0001-002

Said land being located at 5075 S. 76th St.

4. The applicant is proposing to own an existing limited-service restaurant 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 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 S. 76th St. commercial corridor. Properties to the north, south, and east are developed as commercial. Properties to the west are developed as residential and 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 Marc Largent, d/b/a Premium Loaves II, Inc for an ownership change to Jimmy John's, an existing limited-service restaurant, located at 5075 S. 76th 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 approved by the Plan Commission on September 10, 2024 and by the Common Council on September 17, 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 Jimmy Johns will be 10:00am – 10:00pm, daily.

4. Off-Street Parking. A total of 116 off-street parking stalls are required for the entire multi-tenant building. The property provides 68 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.

_____
Marc Largent, d/b/a Premium Loaves II, Inc

Provided to applicant on the
_____day of _____, 2024

_____
City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 17th day of September, 2024.

APPROVED:

_____
Michael J. Neitzke, Mayor

ATTEST:

_____
Jennifer Goergen, City Clerk