



COMMON COUNCIL MEETING AGENDA

Tuesday, October 15, 2024 - 7:00 PM

- A. Call to Order & Roll Call
- B. Opening Prayer
- C. Pledge of Allegiance
- D. Approval of the October 1, 2024 Common Council minutes
- E. Mayor's Report
- F. Aldermanic Reports
- G. Announcements
- H. Citizen Commentary
- I. Public Hearings
 - 1. Public Hearing on the Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive plan for a portion of the property located at 5200 S. 48th St. from Community Facilities to Single Family. (Tax Key No. 647-9980-012) (PC-8/13/24 Kastner)
 - a. Approve the Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive plan for a portion of the property located at 5200 S. 48th St. from Community Facilities to Single Family. (Tax Key No. 647-9980-012) (PC-8/13/24 Kastner)
 - b. Approve the Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 5200 S. 48th St. from Institutional District to R-2 Single-Family Residential Conservation District. (Tax Key No. 647-9980-012) (PC-8/13/24 Kastner)
- J. 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)
 - 2. 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) (CC: 9/17/24)
 - 3. 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) (CC: 9/17/24)
- K. New Business
 - 1. Summons & Complaint re: Excessive Tax Assessment and Declaratory Judgment received from Attorneys Strohbehn, Karnes and Bailey of Mallery S.C., on behalf of Wal-Mart Real Estate Business Trust. (Goergen)

2. Claim received from Subro Claims, Inc., on behalf of Geico Insurance, Muzafar Hussain, Insured. (Goergen)
3. Claim received from Tom Ackley. (Goergen)
4. Claim received from Muzafar Hussain. (Goergen)
5. Notice of Circumstances of Claim and Claim received from Axley Brynelson, LLP, on behalf of F. Patrick LaSusa and Mary H. Payne. (Goergen)
6. Approve applications for 2024-2025 operator licenses (Goergen)
7. Adopt an ordinance amending subsection 13.03(18) of the City of Greenfield Municipal Code relating to alcohol licensing. (Atty. Geary)
8. Approve an application for a 2024-2025 Combination "Class B" Fermented Malt Beverage and Liquor Retailer's License for Cooper's Hawk Greenfield, LLC, Corey Johnson, Agent, for the property at 8415 Sura Lane (Cooper's Hawk Winery & Restaurant). The entire building. Premises includes inside seating of 246 seats and patio seating of 72 seats located at 8415 Sura Lane. (Goergen)
9. Approve a Special Use Review and Site Plan Review for an ownership change to Shots N Tequila, an existing tavern currently known as The Edge Sports Bar, located at 5175 S. 27th St., submitted by Humberto David Alonso, d/b/a Shots N Tequila, LLC. (Tax Key No. 645-0008-001) (PC-10/8/24 Kastner)
10. Approve an application for a 2024-2025 Combination "Class B" Fermented Malt Beverage and Liquor Retailer's License for Shots N Tequila LLC, Alonso Humberto, Agent, for the property at 5175 S. 27th St. (Shots N Tequila). First floor. Bar records are kept in the first floor office, liquor room on first floor, basement for beer and overflow liquor storage, patio/deck for beer garden, outdoor clear see through igloo's in the front of the building on the grass located at 5175 S. 27th St. (Goergen)
11. Approve application for a 2024-2025 Entertainment License received from Shots N Tequila for the property located at 5175 S. 27th St. (Indoor: karaoke, DJ, band, juke box Outdoor: n/a located at 5175 S. 27th St. (Goergen)
12. Approve a Special Use Review and Site Plan Review for an ownership change to Kalibre's Agave Cantina & Lounge, an existing tavern currently known as Joey's Mob Scene, located at 4500 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibre's Agave Cantina & Lounge. (Tax Key No. 531-9000-003) (PC-10/8/24 Kastner)
13. Approve application for 2024-2025 "Class B" fermented malt beverage and liquor Retailer's License for Kalibre's Agave Cantina & Lounge, Alejandro Hernandez, Agent, for the property at 4500 W. Forest Home Ave. (Kalibre's Agave Cantina & Lounge). Alcohol will be kept in the first floor for consumption, all alcohol will stored in basement in dry storage, records stored in basement office located at 4500 W. Forest Home Ave. (Goergen)
14. Approve application for a 2024-2025 Entertainment License received from Kalibre's Agave Cantina & Lounge for the property located at 4500 W. Forest Home Ave. (Indoor: Karaoke, DJ, dancing, jukebox Outdoor: none). (Goergen)
15. Approve application for a Temporary Class "B" Retailer's License received from St. John the Evangelist Congregation to sell fermented malt beverages indoors at the Fish Fry event on October 18, 2024, from 3:30 PM to 7:00 PM at 8500 W. Cold Spring Rd. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Goergen)
16. 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 Fall Festival / Halloween Costume Contest event on October 26, 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)

17. 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 Service Workshop & Performance Event on November 9, 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)
 18. Discussion/decision regarding Agreement with Oneida Casino for Older Adult outing. (Jaquish)
 19. Adopt a resolution to approve a revised right of way plat and relocation order for Project I.D. 2155-15-00 South 43rd Street from West Cold Spring Road to West Howard Avenue. (Katz)
 20. Discussion and action relative to the approval of the South 27th Street Business Improvement District 2025 Proposed Operating Plan. (Vlach)
 21. Approve a Special Use Review and Site Plan Review for an ownership change to Midas, an existing automotive service center, located at 4654 S. 76th St., submitted by Matthew Barney, d/b/a The Fonseca Group and Nikki Kozak, d/b/a Cornerstone Permit Company., d/b/a Cornerstone Permit Company. (Tax Key No. 604-9970-001) (PC-10/8/24 Kastner)
 22. Approval of schedules of disbursements in the amount of \$3,118,452.92. (Schafer)
 23. Approval of mileage reimbursements in the amount of \$1,053.37. (Schafer)
 24. Common Council to go into closed session pursuant to Wis. Stat. § 19.85(1)(e) for deliberating and/or negotiating the investment of public funds or conducting other specified business when competitive or bargaining reasons require a closed session, specifically: reviewing the Cold Spring Crossing (Spring Mall) Development Agreement. (Vlach)
 25. Adjourn closed session and reconvene into open session. (Vlach)
 26. Discussion and possible action regarding the Cold Spring Crossing (Spring Mall) Development Agreement. (Vlach)
- L. Items for future agenda
- M. Adjourn

PLEASE NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aids. For additional information or to request this service, contact the Department of Human Resources at 329-5208, (FAX) 543-6158, TDD 1-800-947-6644 (Wisconsin Telecommunications Relay System), or by writing to the Director of Human Resources/ADA Coordinator at Greenfield City Hall, 7325 West Forest Home Avenue, Room 101, Greenfield, WI 53220. Greenfield City Hall is wheelchair accessible from the west and south entrances.

ORDINANCE NO. _____

Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for a portion of the property located at 5200 S. 48th St. from Community Facilities to Single Family. (Tax Key No. 647-9980-012)

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 August 13, 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 hearing on October 15, 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) Community Facilities to Single Family (Tax Key No. 647-9980-012) Greenfield, Milwaukee County, Wisconsin, (map attached as Exhibit A hereto and incorporated herein by reference) more particularly described as follows:

Commencing at the northwest corner of the southeast quarter of Section 26, Township 6 North, Range 21 East; thence North 88°34'19" East, 916.99' along the North line of the southeast quarter of Section 26; thence South 00°38'56" East, 450.00' to the northwest corner of Parcel 2 of Certified Survey Map #4583, and the Point of Beginning for this description; thence North 88°34'24" East, 100.00' to the northeast corner of proposed Lot 3, which is a point on the southerly right-of-way of West Abbott Avenue; thence South 00°38'56" East, 143.00' to the southeast corner of proposed Lot 3; thence North 88°34'24" East, 95.00' to the northeast corner of proposed Lot 2; thence South 00°38'56" East, 100.00' to the southeast corner of proposed Lot 2; thence South 88°34'24" West, 195.00' to the southwest corner of proposed Lot 2, which is a point on the easterly right-of-way of South 48th Street; thence North 00°38'56" West, 243.00' to the northwest corner of proposed Lot 3, and the Point of Beginning.

Tax Key No. 647-9980-012

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 _____ day of _____, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Cc: Engineering Division

ORDINANCE NO. _____

Ordinance to amend the official Greenfield Zoning Map by rezoning a portion of the property located at 5200 S. 48th St. from Institutional District to R-2 Single-Family Residential Conservation District. (Tax Key No. 647-9980-012)

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 15th day of October 2024, at 7:00 p.m. or soon thereafter, upon a proposal to rezone the property located at 5200 S. 48th St. from Institutional District to R-2 Single-Family Residential Conservation District; 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 Institutional District to R-2 Single-Family Residential Conservation District to-wit:

Commencing at the northwest corner of the southeast quarter of Section 26, Township 6 North, Range 21 East; thence North 88°34'19" East, 916.99' along the North line of the southeast quarter of Section 26; thence South 00°38'56" East, 450.00' to the northwest corner of Parcel 2 of Certified Survey Map #4583, and the Point of Beginning for this description; thence North 88°34'24" East, 100.00' to the northeast corner of proposed Lot 3, which is a point on the southerly right-of-way of West Abbott Avenue; thence South 00°38'56" East, 143.00' to the southeast corner of proposed Lot 3; thence North 88°34'24" East, 95.00' to the northeast corner of proposed Lot 2; thence South 00°38'56" East, 100.00' to the southeast corner of proposed Lot 2; thence South 88°34'24" West, 195.00' to the southwest corner of proposed Lot 2, which is a point on the easterly right-of-way of South 48th Street; thence North 00°38'56" West, 243.00' to the northwest corner of proposed Lot 3, and the Point of Beginning.

Said land contains approximately 33,797 square feet, or 0.7759 acres of land, more or less, and is located at:

5200 S. 48th St. (Tax Key No. 647-9980-012)

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 15th day of October, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

Cc: Engineering Division

RESOLUTION NO. ____

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

WHEREAS, Alejandro Hernandez d/b/a Kalibres Restaurant & Bar LLC, duly filed with the City Clerk an application for an amendment to the Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, for extended hours of operation for Kalibres Restaurant, an existing full-service restaurant, located at 4555 W. Forest Home Ave.; 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, Alejandro Hernandez d/b/a Kalibres Restaurant & Bar LLC, resides at 10150 W. Plum Tree Apt 201, Hales Corners, WI 53130.
2. The property is owned by SCF RC Funding I, LLC, 47 Hulfish St Ste 200, Princeton, NJ 08542.
3. Kalibres Restaurant & Bar occupies the entire 2,453 sq. ft. of the commercial restaurant building located at 4555 W. Forest Home Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

The Southwesterly 38 feet of Lot 7 and Lots 8, 9 and 10 in Block 1 of Forestdale Park, a recorded subdivision, plus part of Lot 5 of Strothmann Subdivision, a recorded subdivision, all 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. 531-0000-900

Said land being located at 4555 W. Forest Home Ave.

4. The applicant is proposing extended hours of operation for Kalibres Restaurant, an existing full-service restaurant, located at 4555 W. Forest Home Ave.
5. The aforesaid premise is zoned C-2 Community Commercial under the Zoning Ordinance of the City of Greenfield, which permits full-service restaurant 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. Forest Home Ave. corridor that is developed for commercial uses. Properties to the north, east, and west are developed as commercial. Properties to the 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 Alejandro Hernandez d/b/a Kalibres Restaurant & Bar, LLC, for extended hours of operation for Kalibres Restaurant, an existing full-service restaurant, located at 4555 W. Forest Home Ave., 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 Kalibres Restaurant & Bar will be 9:00am to 11:00pm, Monday – Thursday, and 9:00am to 2:00am, Friday and Saturday.
4. Off-Street Parking. The proposed full-service restaurant requires 25 off-street parking spaces. Thirty-nine (39) off-street parking stalls are to be provided on site.
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 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 view by the existing fence/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.

Alejandro Hernandez d/b/a Kalibres Restaurant & Bar, LLC

Provided to applicant on the
_____ day of _____, 2024

Community Development Manager

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the _____
day of _____, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

CITY OF GREENFIELD
OPERATOR LICENSE APPLICANTS

10/11/2024

OPERATOR'S REGULAR

<u>NAME</u>	<u>ADDRESS</u>	<u>CITY, STATE, ZIP</u>
Gareth David Hestetune	n79w 15875 Longwood ST	Menomonee Falls, WI 53051
Kristi Ann Weston	15630 W Brook DR	New Berlin, WI 53151
Olivia Dawn Stute	2741 S 76th ST	West Allis, WI 53219
Osama Abdulllah Dabash	3970 W Heatherridge DR	Franklin, WI 53132

ORDINANCE NO. _____

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) 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.* The temporary moratorium initially adopted by Ordinance #3027 is amended to provide that the moratorium shall remain in effect until December 31, 2024, or until the date that the moratorium is repealed by the Common Council, whichever event is sooner.”

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 October 15, 2024.

APPROVED:

ATTEST:

Michael J. Neitzke, Mayor

Jennifer Goergen, City Clerk

RESOLUTION NO. _____

Special Use Permit for an ownership change to Shots N Tequila, an existing tavern currently known as The Edge Sports Bar, located at 5175 S. 27th St., submitted by Humberto David Alonso, d/b/a Shots N Tequila, LLC.
(Tax Key No. 645-0008-001)

WHEREAS, Humberto David Alonso, d/b/a Shots N Tequila, 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 Shots N Tequila, an existing tavern currently known as The Edge Sports Bar, located at 5175 S. 27th St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on October 15, 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, Humberto David Alonso, d/b/a Shots N Tequila, LLC, resides at 4220 S. Ravinia Dr., Apt. 201, Greenfield, WI 53221.
2. The applicant will rent the 2,500 commercial building owned by Tom Letizia, d/b/a Tuckaway Park, LLC, 19280 Hayden Ct., Brookfield, 53045.
3. Shots N Tequila will occupy the entire approximately 2,500 sq. ft. commercial building located at 5175 S. 27th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Lots 8, 9, 10, 11 and 12 in Block 1 of Tuckaway Manor, a recorded subdivision, plus ½ of the adjacent vacated alley, all being part of the east ½ of the Southeast ¼ of Section 25, Town 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 645-0008-001

Said land being located at 5175 S. 27th St.

4. The applicant is proposing to establish a tavern, replacing the existing tavern currently known as The Edge Sports Bar, within the existing commercial building.
5. The aforesaid premise is zoned C-2 Community Commercial District under the Zoning Ordinance of the City of Greenfield, which permits drinking establishments 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. 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 Humberto David Alonso, d/b/a Shots N Tequila, LLC for an ownership change to Shots N Tequila, an existing tavern currently known as The Edge Sports Bar, located at 5175 S. 27th 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 October 8, 2024 and by the Common Council on October 15, 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 Shots N Tequila, will be 7:00am to 2:00am, Sundays through Thursdays, and 7:00am to 2:30am, Fridays and Saturdays.
4. Off-Street Parking. A total of 37 off-street parking stalls are required for Shots N Tequila. The property will provide 20 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.

Humberto David Alonso, d/b/a Shots N Tequila, 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 _____
day of _____, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. _____

Special Use Permit for an ownership change to Kalibre's Agave Cantina & Lounge, an existing tavern currently known as Joey's Mob Scene, located at 4500 W. Forest Home Ave., submitted by Alejandro Hernandez, d/b/a Kalibre's Agave Cantina & Lounge, LLC.
(Tax Key No. 531-9000-003)

WHEREAS, Alejandro Hernandez, d/b/a Kalibre's Agave Cantina & Lounge, 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, for an ownership change to Kalibre's Agave Cantina & Lounge, an existing tavern currently known as Joey's Mob Scene, located at 4500 W. Forest Home Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on October 15, 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, Alejandro Hernandez, d/b/a Kalibre's Agave Cantina & Lounge, LLC, resides at 2978 S. 15th Pl., Milwaukee, WI 53215.
2. The applicant will lease a portion of the commercial building owned by Joe Turenne, 35418 Ravine Dr., Burlington, WI 53105.
3. Kalibre's Agave Cantina & Lounge will occupy approximately 1,000 sq. ft. of tenant space within the commercial 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. 531-9000-003

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

4. The applicant is proposing to establish a tavern, replacing the existing tavern currently known as Joey's Mob Scene, within the existing commercial building.

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 the W. Forest Home Ave. commercial corridor. Properties to the north and west are developed as residential. Properties to the south, west, 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 Alejandro Hernandez, d/b/a Kalibre's Agave Cantina & Lounge, LLC for an ownership change to Kalibre's Agave Cantina & Lounge, an existing tavern currently known as Joey's Mob Scene, 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 October 8, 2024 and by the Common Council on October 15, 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 Kalibre's Agave Cantina & Lounge, will be 6:00am to 2:00am, Sundays through Thursdays, and 6:00am to 2:30am, Fridays and Saturdays.
4. Off-Street Parking. A total of 15 off-street parking stalls are required for Kalibre's Agave Cantina & Lounge. The property will provide 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 splay 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.

Alejandro Hernandez, d/b/a Kalibre's Agave Cantina & Lounge, 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 _____
day of _____, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk



Common Council Meeting

Introduced By: Department of Neighborhood Services (Katz)

Date Introduced: October 15, 2024

RELATING TO:

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

SUMMARY:

The city will be improving S. 43rd St between W. Cold Spring Rd and W. Howard Ave in 2025. The improvement will include new pavement and new sidewalk on both sides of the road and will be partially funded by federal grants.

Grading for the new sidewalk and driveway replacement limits will extend beyond the existing right of way. Temporary limited easements are needed for this purpose.

The purchase of the temporary limited easements will be by voluntary sale if related to sidewalk and by voluntary sale or condemnation, if necessary, if related to driveways.

Two parcels have not voluntarily sold temporary limited easements for the improvement project and therefore have been removed from the right of way plat and relocation order. The design of the improvement project has been modified to accommodate this.

RECOMMENDATION:

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

ATTACHMENTS: KEY ISSUES ___ BACKGROUND ___ RESOLUTION ___ FISCAL NOTE ___
MOTION ___ OTHER ___

RESOLUTION NO. _____

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

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

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

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

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

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 15th day of October, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RELOCATION ORDER

RE1708 10/2018

Project ID 2155-15-00	Road name S 43rd Street, W Cold Spring Rd to W Howard Ave	Highway S 43rd Street	County Milwaukee
Right of way plat date 4/11/2024 10/10/2024 (Revised)	Plat sheet number(s) 4.01 through 4.05	Previously approved Relocation Order date 4/16/2024	

Description of termini of project:

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

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

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

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

By: _____
Michael J. Neitzke
Mayor Date _____

By: _____
Paula Schafer
Finance Director Date _____

By: _____
Jennifer Goergen
City Clerk Date _____

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

SECTION LINE		SECTION CORNER SYMBOL		R/W MONUMENT (TO BE SET)	
QUARTER LINE		SECTION CORNER MONUMENT		NON-MONUMENTED R/W POINT	
SIXTEENTH LINE		GEODETIC SURVEY MONUMENT		FOUND IRON PIN (1-INCH UNLESS NOTED)	
NEW REFERENCE LINE		SIXTEENTH CORNER MONUMENT			
NEW R/W LINE		SIGN		OFF-PREMISE SIGN	
EXISTING R/W OR HE LINE					
PROPERTY LINE					
LOT, TIE & OTHER MINOR LINES					
SLOPE INTERCEPT					
CORPORATE LIMITS		ELECTRIC POLE		COMPENSABLE	NON-COMPENSABLE
UNDERGROUND FACILITY (COMMUNICATIONS, ELECTRIC, ETC.)		TELEPHONE POLE			
NEW R/W (FEE OR HE) (HATCHING VARIES BY OWNER)		PEDESTAL (LABEL TYPE) (TV, TEL, ELEC, ETC.)			
TEMPORARY LIMITED EASEMENT AREA		ACCESS RESTRICTED BY ACQUISITION			
EASEMENT AREA (PERMANENT LIMITED OR RESTRICTED DEVELOPMENT)		NO ACCESS (BY STATUTORY AUTHORITY)			
TRANSMISSION STRUCTURES		ACCESS RESTRICTED (BY PREVIOUS PROJECT OR CONTROL)			
BUILDING		NO ACCESS (NEW HIGHWAY)			
TO BE REMOVED		PARCEL NUMBER		UTILITY NUMBER	
BRIDGE		PARALLEL OFFSETS			
CULVERT					

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

ACCESS RIGHTS	AR	POINT OF COMPOUND CURVE	PCC
ACRES	AC	POINT OF INTERSECTION	PI
AHEAD	AH	PROPERTY LINE	PL
ALUMINUM	ALUM	RECORDED AS	(10C)
AND OTHERS	ET AL	REEL / IMAGE	R/I
BACK	BK	REFERENCE LINE	R/L
BLOCK	BLK	REMAINING	REM
CENTERLINE	C/L	RESTRICTIVE DEVELOPMENT	RDE
CERTIFIED SURVEY MAP	CSM	EASEMENT	
CONCRETE	CONC	RIGHT	RT
COUNTY	CO	RIGHT OF WAY	R/W
COUNTY TRUNK HIGHWAY	CTH	SECTION	SEC
DISTANCE	DIST	SEPTIC VENT	SEPV
CORNER	COR	SQUARE FEET	SF
DOCUMENT NUMBER	DOC	STATE TRUNK HIGHWAY	STH
EASEMENT	EASE	STATION	STA
EXISTING	EX	TELEPHONE PEDESTAL	TP
GAS VALVE	GV	TEMPORARY LIMITED	TLE
GRID NORTH	GN	EASEMENT	
HIGHWAY EASEMENT	HE	TRANSPORTATION PROJECT PLAT	TPP
IDENTIFICATION	ID	UNITED STATES HIGHWAY	USH
LAND CONTRACT	LC	VOLUME	V
LEFT	LT		
MONUMENT	MON		
NATIONAL GEODETIC SURVEY	NGS		
NUMBER	NO		
OUTLOT	OL		
PAGE	P		
POINT OF TANGENCY	PT		
PERMANENT LIMITED	PLE		
EASEMENT			
POINT OF BEGINNING	POB		
POINT OF CURVATURE	PC		

CURVE DATA ABBREVIATION

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

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

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

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

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

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

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

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

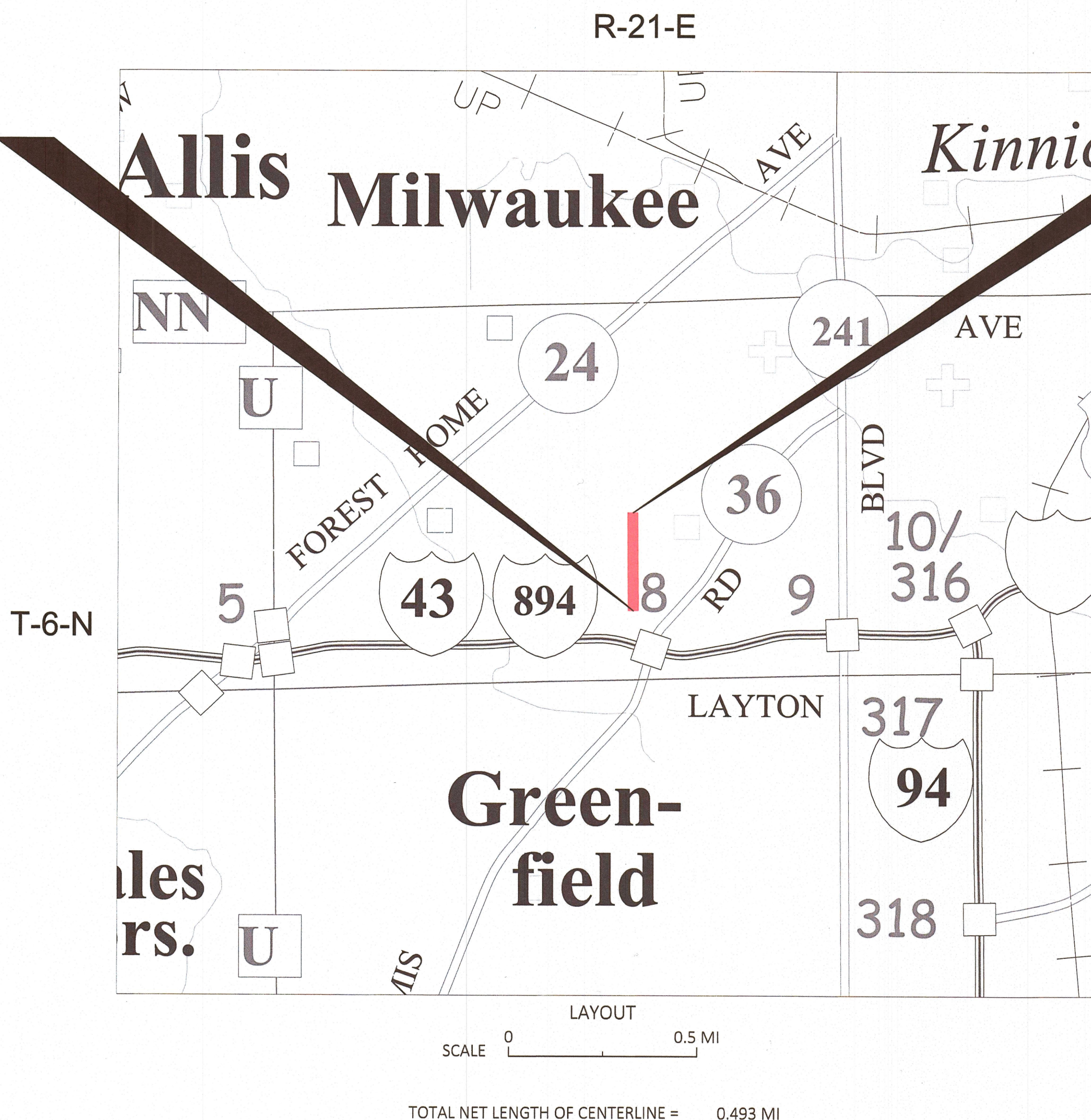
A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY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

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

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

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

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



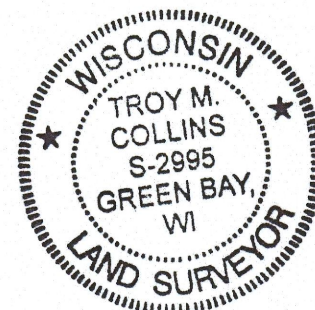
END RELOCATION ORDER
31.5 FT SOUTH AND 0.3 FT EAST
OF THE NORTHEAST CORNER
OF SEC. 23, T6N, R21E

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

ORIGINAL PLANS PREPARED BY

GRÄEF

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



4-11-24
(Date)

Tray M. Cole
(Signature)

APPROVED FOR
CITY OF GREENFIELD

DATE: 4-23-2024 Gregg Dargen
CITY CLERK

DATE: 4/23/2024 [Signature]
MAYOR

REVISION DATE
10-10-2024 N.C.

4

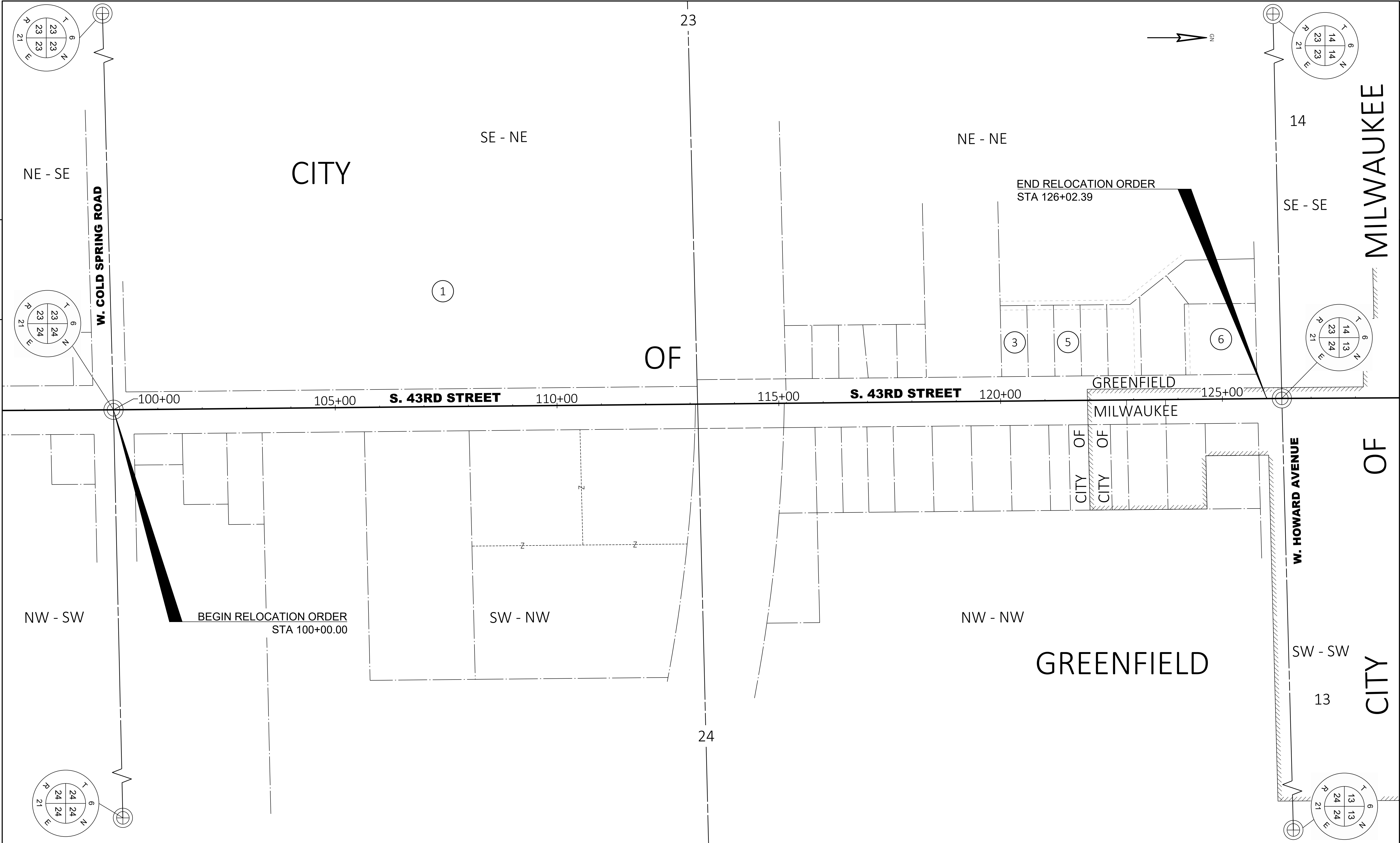
SCHEDULE OF LANDS & INTERESTS REQUIRED

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

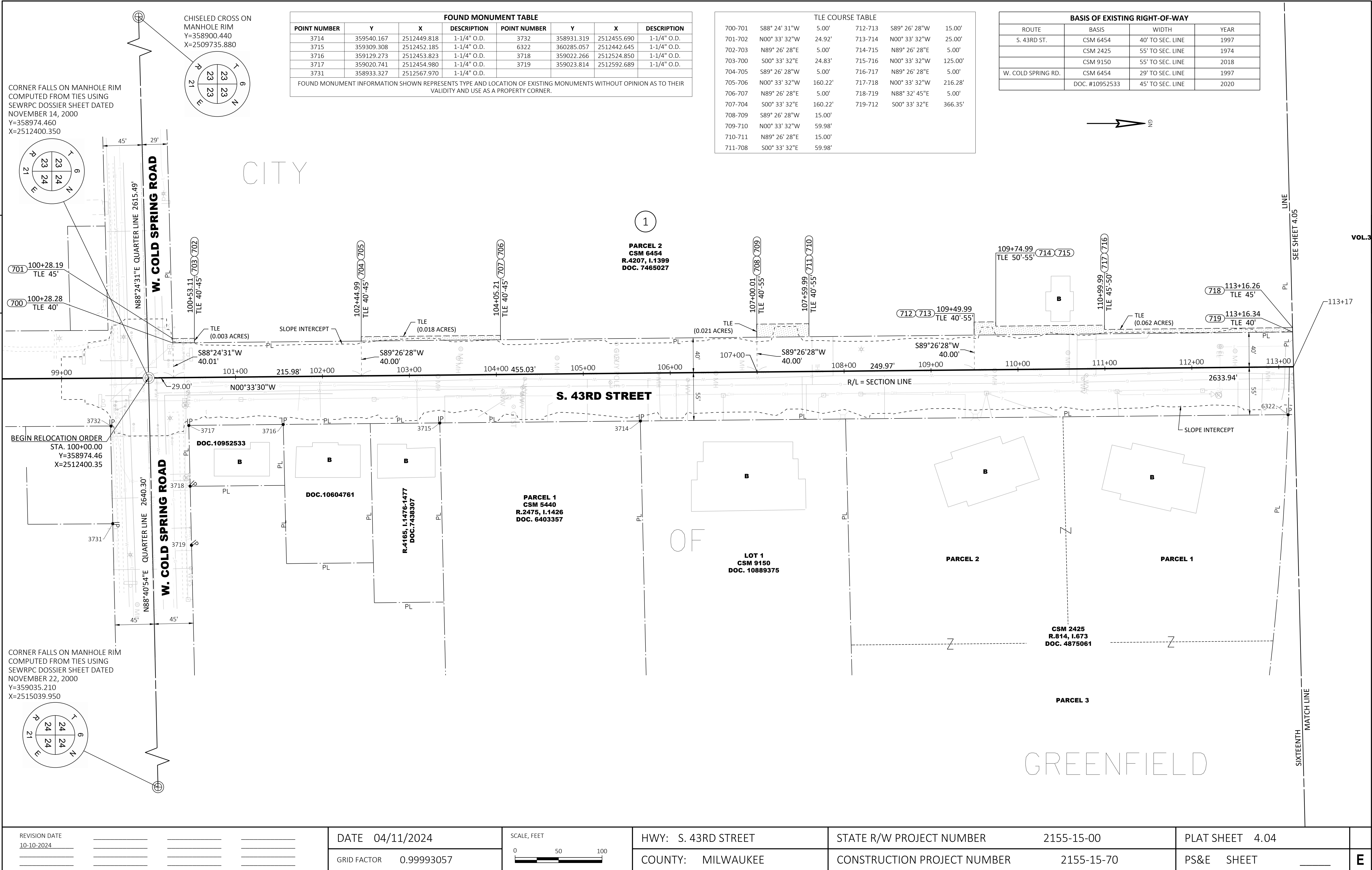
PARCEL NUMBER	SHEET NUMBER	OWNER	INTEREST(S) REQUIRED	R/W ACRES(S) REQUIRED (ACRES)				PLE (AC)	TLE (AC)
				NEW	EXISTING	TOTAL	HE		
1	4.04	GOOD HOPE/ PILGRIMS REST CEMETERY CORP., A WISCONSIN CORPORATION	TLE	0.00	0.00	0.00	0.00	0.00	0.104
2		DELETED							
3	4.05	TRAVIS BERGE, SINGLE MAN	TLE	0.00	0.00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

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

4



REVISION DATE 10-10-2024					DATE 04/11/2024	SCALE, FEET 0100200	HWY: S. 43RD STREET	STATE R/W PROJECT NUMBER 2155-15-00	PLAT SHEET 4.03	E
					GRID FACTOR 0.99993057		COUNTY: MILWAUKEE	CONSTRUCTION PROJECT NUMBER 2155-15-70	PS&E SHEET	



RESOLUTION NO. ____

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

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

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

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

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

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

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

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 15th day of October, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

2024 BID #1 and #2 Assessments BID Charges

Type of Charge	Parcel No.	PropertyAd	OwnerName	Property Owner Address	2024 Assessed Value	Rate (\$1.00/\$1,000 of assessed value)	2024 BID Charge Min. \$500, max \$1,500 (see Paula's 8/21/19 email)
BID #1	5769976004	2740 W Cold Spring Rd	Povlick Enterprises LLC	2740 W Cold Spring Rd., Greenfield, WI, 53221	\$332,900	\$333	\$500.00
BID #1	5769977003	4275 S 27th St	Ros No 17 LLC	4811 S 76th St # 211, Greenfield, WI, 53220	\$1,330,200	\$1,330	\$1,330.20
BID #1	5769978000	4251 S 27th St	Majdoch Holdings LLC	550 W. Red Pine Circle, Dousman, WI 53118	\$1,101,300	\$1,101	\$1,101.30
BID #1	5769995008	4201 S 27th St	BRE 1 LLC	4100 S 27 St., Milwaukee, WI, 53221	\$4,708,100	\$4,708	\$1,500.00
BID #1	5769995009	4241 S 27th St	BRE 2 LLC	4100 S 27 St., Milwaukee, WI, 53221	\$1,247,800	\$1,248	\$1,247.80
BID #1	5769997002	4201 S 27th St	Wisconsin Electric Power Co	231 W Michigan Ave., Milwaukee, WI, 53203	\$514,000	\$514	\$514.00
BID #1	5998888000	4691 S 27th St	Jaber Enterprises	10246 S. 34th St., Franklin, WI, 53132	\$538,100	\$538	\$538.10
BID #1	5998889000	2720 W Layton Ave	Jose & Laura Caballero	3875 W Kimberly Ave Greenfield, WI 53221	\$136,600	\$137	\$500.00
BID #1	5998891000	2736 W Layton Ave	Milwaukee County	901 N 9th St #102 Milwaukee, WI 53233	\$0	\$0	\$0.00
BID #1	5998892000	4671 S 27th St	Doble R. Enterprises LLC	3225 S. 42nd St., Milwaukee, WI, 53215	\$552,500	\$553	\$552.50
BID #1	5998893003	4661 S 27th St	First-Citizens Bank & Trust Company	PO Box 27131 Raleigh, NC 27611	\$805,200	\$805	\$805.20
BID #1	5998893005	4651 S 27th St	I Investments, LLC	8970 S Bluestem Ct, Franklin, WI, 53132	\$357,500	\$358	\$500.00
BID #1	5998893006	4625 S 27th St	Ros No 11 LLC	4811 S 76th St Ste 211, Greenfield, WI 53220	\$696,900	\$697	\$696.90
BID #1	5998922005	4595 S 27th St	At Home Stores LLC	1600 E Plano Pkwy, Plano, TX, 75074	\$4,500,900	\$4,501	\$1,500.00
BID #1	5998947001	4377 S 27th St	Oil X-Change LLC	1311 N. Paul Russell Rd. Ste 131, Tallahassee, FL, 32301	\$747,800	\$748	\$747.80
BID #1	5998949000	4353 S 27th St	Cihuatl Property LLC	5600 College Point Ct, Racine, WI, 53402	\$239,700	\$240	\$500.00
BID #1	5998996000	4343 S 27th St	Thomas G. & Judith M. Weiss Rev. Trst	3325 W Layton Ave, Greenfield, WI, 53221	\$403,300	\$403	\$500.00
BID #1	5999000001	4333 S 27th St	US Bank Corp Real Estate	Ryan PTS, Dept. 908, PO Box 460169, Houston, TX, 77056	\$2,455,400	\$2,455	\$1,500.00
BID #1	5999997001	4433 S 27th St	AAA Michigan	1 Auto Club Dr., Dearborn, MI, 48126	\$1,365,300	\$1,365	\$1,365.30
BID #1	6220001000	4901 S 27th St	Ross W. Stein	3333 Kimberly Ave., Greenfield, WI, 53221	\$180,800	\$181	\$500.00
BID #1	6220002001	4931 S 27th St	Greenfield Property Group LLC	W616 Rockvale, Oconomowoc, WI, 53006	\$1,857,700	\$1,858	\$1,500.00
BID #1	6220047001	5029 S 27th St	Auto Zone Inc	#1787-Dept#8088, PO Box 2198, Memphis, TN, 38101	\$1,182,900	\$1,183	\$1,182.90
BID #1	6229944002	5077 S 27th St	Team R N' B Wisconsin, LLC	6600 N Ballard Rd, Appleton, WI, 54913	\$2,193,200	\$2,193	\$1,500.00
BID #1	6229946001	5051 S 27th St	Herrera Properties, LLC	2725 W Hayes Ave., Milwaukee, WI 53215	\$676,700	\$677	\$676.70
BID #1	6229975002	3033 W Layton Ave	F Street 3033 LLC	1134 N. 9th St. #200, Milwaukee, WI, 53233	\$2,806,100	\$2,806	\$1,500.00
BID #1	6229976000	3001 W Layton Ave	Jon C. Neal	5160 Donna Ct., Hales Corners, WI, 53130	\$381,300	\$381	\$500.00
BID #1	6229977000	2933 W Layton Ave	Greenfield Accipiter LLC	1882 E Main St #201, Madison, WI, 53704	\$625,400	\$625	\$625.40
BID #1	6229978000	2923 W Layton Ave	Ethington Holdings LLC	2923 W Layton Ave., Greenfield, WI, 53221	\$322,300	\$322	\$500.00
BID #1	6229979000	2915 W Layton Ave	Hersa Development LLC	5804 W. Bennett Ave., Milwaukee, WI, 53219	\$276,500	\$277	\$500.00
BID #1	6229980000	2833 W Layton Ave	2833 LLC	2833 W Layton Ave., Greenfield, WI, 53221	\$346,000	\$346	\$500.00
BID #1	6229984001	2745 W Layton Ave	2745 W. Layton LLC	10847 W. Coronado Ct., Franklin, WI 53132	\$1,139,300	\$1,139	\$1,139.30
BID #1	6229986001	2741 W Layton Ave	TNJ LLC	2741 W Layton Ave #201, Greenfield, WI, 53221	\$998,000	\$998	\$998.00
BID #1	6229988005	4775 S 27th St	Great Midwest Savings & Loan	15900 W Bluemound Rd., Brookfield, WI, 53005	\$918,500	\$919	\$918.50
BID #1	6229988007	4763 S 27th St	CWP West Corp	222 E. 5th St., Tucson, AZ, 85705	\$554,100	\$554	\$554.10
BID #1	6229988012	4861 S 27th St	JMC Properties LOC110 LLC	17280 W. North Ave, Ste #101, Brookfield, WI, 53045	\$2,316,800	\$2,317	\$1,500.00
BID #1	6229988014	4841 S 27th St	Carisch Brothers LP	681 E Lake St Ste 262, Wayzata, MN, 55391	\$693,800	\$694	\$693.80
BID #1	6229988015	4771 S 27th St	Greenfield LLC	4771 South 27th Greenfield LLC	\$4,739,600	\$4,740	\$1,500.00
BID #1	6229988016	4777 S 27th St	NS Retail Holdings LLC	Attn: Skogen's, 3800 Emeralds Dr. E, Onalaska, WI, 54650	\$14,819,200	\$14,819	\$1,500.00
BID #1	6229991000	4839 S 27th St	Sills Greenfield LLC	Attn: Gr Lakes Quick, 8008 W. Layton, Greenfield, WI, 53220	\$340,700	\$341	\$500.00
BID #1	6229998000	4739 S 27th St	Tymek Properties LLC	4739 S 27th St., Greenfield, WI, 53221	\$451,600	\$452	\$500.00
BID #1	6229999000	4715 S 27th St	Alf's Investments LLC	5909 S. 27th St., Greenfield, WI, 53221	\$1,221,900	\$1,222	\$1,221.90
BID #1	6450001002	5141 S 27th St	Churchill Enterprises LLC	2081 S. 56th St., West Allis, WI, 53219	\$380,600	\$381	\$500.00
BID #1	6450008001	5175 S 27th St	Tuckaway Park LLC	19280 Hayden Ct., Brookfield, WI, 53045	\$431,300	\$431	\$500.00
BID #1	6450009000	5207 S 27th St	Antonio Rentas	3503 W Southland Dr., Franklin, WI, 53132	\$317,000	\$317	\$500.00
BID #1	6450010001	5233 S 27th St	Henry Limited Partnership	10647 Haddonstone Pl., Mequon, WI, 53092	\$937,000	\$937	\$937.00
BID #1	6450012000	5251 S 27th St	Two-7-Wins LLC	5265 S 27th St., Greenfield, WI, 53221	\$303,000	\$303	\$500.00
BID #1	6450013000	5265 S 27th St	Two-7-Wins LLC	5265 S 27th St., Greenfield, WI, 53221	\$277,300	\$277	\$500.00
BID #1	6450021000	5341 S 27th St	5341 LLC	1200 E Capitol Dr., Shorewood, WI 53211	\$536,500	\$537	\$536.50
BID #1	6450022000	5355 S 27th St	Sammy's Auto Class, Inc	3212 Briarwood Dr., Franklin, WI, 53132	\$236,200	\$236	\$500.00
BID #1	6450023000	5371 S 27th St	Rajeh Assad	8212 S River Ln, Franklin, WI 53132	\$475,100	\$475	\$500.00
BID #1	6450058000	5105 S 27th St	Knur Patel Property LLC	5105 S. 27th St., Greenfield, WI, 53221	\$583,200	\$583	\$583.20
BID #1	6459001000	5415 S 27th St	DPMD LLC	N84 W15670 Appleton Ave., Menomonee Falls, WI, 53051	\$2,018,200	\$2,018	\$1,500.00
BID #1	6459002000	2750 W Grange Ave	Viet Hoa Greenfield LLC	2750 W Grange Ave., Greenfield, WI, 53221	\$3,705,300	\$3,705	\$1,500.00
BID #1	6459992000	5101 S 27th St	Old National Bank	Mail Stop ONP-007B, PO Box 718, Evansville, IN, 47705	\$1,036,500	\$1,037	\$1,036.50
BID #1	6689000012	5505 S 27th St	JMR Properties IV, LLC	5505 S 27th St., Greenfield, WI, 53221	\$3,621,700	\$3,622	\$1,500.00
BID #1 Total							\$47,502.90
BID #2	6919841016	6205 S 27th St	College Venture JV	833 E. Michigan St., Ste 500, Milwaukee, WI, 53202	\$4,681,400	\$4,681	\$1,500.00
BID #2	6919841017	6245 S 27th St	PH 6269 S. 27th St. LLC	6737 W. Washington St. Ste 3440, West Allis, WI, 53214-5650	\$1,498,900	\$1,499	\$1,498.90
BID #2	6919841007	6125 S 27th St	Romine's High Pockets Property LLC	13000 W Ohio Dr., New Berlin, WI, 53151	\$1,911,100	\$1,911	\$1,500.00
BID #2	6919841009	6133 S 27th St	ZAAE Properties LLC	6133 S 27th St., Greenfield, WI, 53221	\$5,401,100	\$5,401	\$1,500.00
BID #2	6919841014	6141 S 27th St	Write It Up Properties LLC	5505 S. 27th St., Milwaukee, WI, 53221	\$5,578,100	\$5,578	\$1,500.00
BID #2	6919844001	6061 S 27th St	Michael G. Borchardt Family Trust	6063 S 27th St, Greenfield, WI, 53221	\$346,600	\$347	\$500.00
BID #2	6919993001	5981 S 27th St	Pahlvan LLC	5981 S 27th St, Greenfield, WI, 53221	\$626,500	\$627	\$626.50
BID #2	6919991001	S. 27th St. (land only)	Identical Eagles LLC	5546 S. 27th St., Milwaukee, WI, 53221	\$234,600	\$235	\$500.00
BID #2	6919993004	6001 S 27th St	Dura Services LLC	6001 S 27th St, 1st Floor, Greenfield, WI, 53221	\$327,900	\$328	\$500.00
BID #2	6919994002	5949 S 27th St	Joseph C. Fuchs	5949 S 27 St., Greenfield, WI, 53221	\$290,900	\$291	\$500.00
BID #2	6919995001	5945 S 27th St	Muhammad N. Choudry	8200 Manso Ave., Morton Grove, IL, 60053	\$434,000	\$434	\$500.00
BID #2	6919999002	5909 S 27th St	Ali's Oil Co Inc	5909 S 27th St., Greenfield, WI 53221	\$1,191,100	\$1,191	\$1,191.10
BID #2 Total							\$11,816.50
COMBINED TOTAL					\$98,457,000		\$59,319.40

Business Improvement District No. 1&2
South 27th Street Business Improvement District
2025 Proposed Operating Plan

August 28th, 2024

I. INTRODUCTION

A. Background

In 1984, the Wisconsin legislature created S. 66.1109 of the Statutes (see Appendix A) enabling cities to establish Business Improvement Districts (BIDS). The purpose of the law is "to allow businesses within those districts to develop, to manage and promote the districts and to establish an assessment method to fund these activities." (1983 Wisconsin Act 184, Section 1, legislative declaration.)

The City of Milwaukee created Business Improvement District No 43 (BID 43) and approved its initial operating plan via Common Council Resolution No 090560, adopted by reference November 3, 2009.

Since 2009, BID 43 has submitted yearly-amended plans adding and modifying its plan objectives as part of its ongoing management and promotion of the district. This amended plan shall govern operation of BID 43 during calendar year 2025.

B. Physical Setting

The area is roughly bounded by:

The properties at South 27th Street and Kinnickinnic Parkway on the North and extends South to the Milwaukee/Greenfield border to the intersection of South 27th Street and College Ave.

II. DISTRICT BOUNDARIES

Boundaries of the district are shown on the map in Appendix C of this Plan. A listing of the properties included in the district is provided in Appendix D.

III. PROPOSED OPERATING PLAN

A. Plan Objectives

The objective of the South 27th Street Business Improvement District is to: enhance the economic viability of local businesses, enhance property values, maximize business facilities, promote the friendliness and quality, enhance the community image through safety/awareness and beautification, with overall area growth and development.

B. Proposed Activities - Year Sixteen

Principal activities to be engaged in by the district during its 16th year of operation will include:

- a. Continue to enhance the area's image through beautification, maintenance and related activities.
- b. Programming and initiatives to be a driving influence for our businesses and surrounding residential community to contribute to a safe, vibrant and culturally inclusive district.
- c. Execution of activities within the South 27th Street Business District's Strategic Plan, Charrette results and Vision.
- d. Partnership with surrounding entities to strengthen programming, partnerships and participation.

A unique feature is Greenfield is also in its 16th year since the formation of two business improvement districts. The two BIDs (Greenfield BID #1 and Greenfield BID #2) fall under one umbrella and share the same common goals and initiatives. Further, it is fact that the 3 business improvement districts (Milwaukee 43 and Greenfield 1 & 2 jointly contract with a 501-(c)3 entity (a/k/a South 27th Street Business District Association (Historic Highway 41) to manage both districts as one. The organization continues to run under one umbrella, one board and one set of bylaws.

C. Proposed Expenditures

Approximately \$59,319 in 2025, this is Greenfield's proposed portion of the budget.

Proposed Budget

Proposed 2025 Budget (Greenfield)

Budgeted Activities and Programs

Design and Maintenance: \$13,050

Management and maintenance of extensive boulevard design. Repairs or replanting as well as any other miscellaneous beautification initiatives supporting the appearance of the district

Marketing and Promotion: \$13,050

General branding and implementation of district activities. (Ex. Business Development, partnerships/memberships, sponsorships, meetings, campaigns, retention, events, etc.)

Administration and Management: \$33,219

Full time management: Business recruitment, oversight, communication, administrative support, etc.
Office space, audit, insurance, supplies, grant program, future programming, misc. and other duties.

Anticipated BID Revenues	\$59,319
Reserve	\$30,000
Total BID Revenues and Reserves	\$89,319

D. Financing Method

It is proposed to raise \$59,319 through BID assessments in Greenfield (see Appendix D). Other miscellaneous income will be from interest and dividends. Sponsorships revenue

may be anticipated for special programs and marketing efforts. The BID board shall have the authority and responsibility to prioritize expenditures and to revise the budget as necessary to match the funds actually available.

E. Organization of BID Board

The Mayor will appoint members to the district board ("board"). The board's primary responsibility will be implementation of this Operating Plan. This will require the board to negotiate with providers of services and materials to carry out the Plan; to enter into various contracts; to; to monitor development activity; to; to periodically revise the Operating Plan; to; to ensure district compliance with the provisions of applicable statutes and regulations; and; and to make reimbursements for any overpayments of BID assessments.

State law requires that the board be composed of at least five members and that the majority of the board members be owners or occupants of property within the district.

It is fact that the two communities will provide board members in relative proportion to the "Association" that is contracted to run the three business improvement districts.

It is recommended that the BID board be structured and operate as follows:

1. Board size from Milwaukee - 5 Members per BID (1&2).
2. Composition - At least 60% shall be owners or occupants of property within the district. Any non-owner or non-occupant appointed to the board shall be a resident of the City of Milwaukee. The board shall elect its Chairperson from among its members.
3. Term -Appointments to the board shall be for a period of three years.
4. Compensation - None
5. Meetings -All meetings of the board shall be governed by the Wisconsin Open Meetings Law and held periodically.
6. Record Keeping - Files and records of the board's affairs shall be kept pursuant to the public record requirements.
7. Staffing - The board may employ staff and/or contract for staffing services pursuant to this Plan and subsequent modifications thereof.
8. Meetings - The board shall meet regularly, at least twice each year. The board shall adopt rules of order ("by-laws") to govern the conduct of it's meetings.

F. Relationship to the South 27th Street Business District Association

The Association has contracted with the BID to provide services in accordance with this Plan.

IV. METHOD OF ASSESSMENT

A. Assessment Rate and Method

The principal behind the assessment methodology is that each property should contribute to the BID in proportion to the benefit derived from the BID. After consideration of other assessment methods, it was determined that assessed value of a property was the characteristic most directly related to the potential benefit provided by the BID. Therefore a fixed assessment of the assessed value of the property was selected as the basic assessment methodology for this BID.

The assessment will be on the current year general property assessment that is established by the City of Greenfield. The rate will be approximately \$1 per \$1,000 of assessable value. \$500 minimum with a maximum of \$1,500 per property.

However, maintaining an equitable relationship between the BID assessment and the expected benefits requires an adjustment to the basic assessment method. To prevent disproportional assessment of a small number of high value properties, a maximum assessment of \$1,500 per parcel will be applied.

As of August 2024, the property in the proposed districts had a total assessed value of \$98,457,000. This plan proposed to assess the property in the district at a rate of \$1 per \$1,000.00 of assessed value, subject to the maximum assessment, for the purposes of the BID.

Appendix D shows the projected BID assessment for each property included in the district.

B. Excluded and Exempt Property

The BID law requires explicit consideration of certain classes of property. In compliance with the law the following statements are provided.

1. State Statute 66.1109(1)(t)lm: The district will contain property used exclusively for manufacturing purposes, as well as properties used in part for manufacturing. These properties will be assessed according to the method set forth in this plan because it is assumed that they will benefit from development in the district.
2. State Statute 66.1109(5)(a): Property known to be used exclusively for residential purposes will not be assessed; such properties will be identified as BID Exempt Properties in Appendix D, as revised each year.
3. In accordance with the interpretation of the City Attorney regarding State Statute 66.1109(1)(b), property exempt from general real estate taxes has been excluded from the district. Privately owned tax exempt property adjoining the district and which is expected to benefit from the district activities may be asked to make a financial contribution to the district on a voluntary basis.

V. RELATIONSHIP TO MILWAUKEE COMPREHENSIVE PLAN AND ORDERLY DEVELOPMENT OF THE CITY

A. City Plans

In February 1978, the Common Council of the City of Milwaukee adopted a Preservation Policy as the policy basis for its Comprehensive Plan and as a guide for its planning, programming and budgeting decisions. The Common Council reaffirmed and expanded the Preservation Policy in Resolution File Number 881978, adopted January 24, 1989.

The Preservation Policy emphasizes maintaining Milwaukee's present housing, jobs, neighborhoods, services, and tax base rather than passively accepting loss of jobs and population, or emphasizing massive new development. In its January 1989 reaffirmation of the policy, the Common Council gave new emphasis to forging new public and private partnerships as a means to accomplish preservation.

The district is a means of formalizing and funding the public-private partnership between the City and property owners in the 27th Street Business Improvement District business area and for further preservation and redevelopment in this portion of the City of Milwaukee. Therefore, it is fully consistent with the City's Comprehensive Plan and Preservation Policy.

B. City Role in District Operation

The City of Greenfield has committed to helping private property owners in the district promote its development. To this end, the City expected to play a significant role in the Operating Plan. In particular, the city will:

1. Provide technical assistance to the proponents of the district through adoption of the Plan and thereafter.
2. Monitor and, when appropriate, apply for outside funds that could be used in support of the district.
3. Collect assessments, maintain in a segregated account, and disburse the monies of the district on a timely basis.
4. Receive annual audits as required per sec. 66.1109(3)(c) of the BID law.
5. Provide the board, through the Tax Commissioner's Office on or before June 30th of each Plan year, with the official City records and the assessed value of each tax key number within the district, for purposes of calculating the BID assessments.
6. Encourage the State of Wisconsin, Milwaukee County and other units of government to support the activities of the district.

VI. FUTURE YEAR OPERATING PLANS

A. Phased Development

It is anticipated that the BID will continue to revise and develop the Operating Plan annually, in response to changing development needs and opportunities in the district, in accordance with the purposes and objectives defined in this Plan.

Section 66.1109(3)(a) of the BID law requires the board and the City to annually review and make changes as appropriate in the Operating Plan. Therefore, while this document outlines in general terms the development program, it focuses upon the current year activities, and information on specific assessed values, budget amounts and assessment

amounts based on year eight conditions. Greater detail about subsequent year's activities will be provided in the required annual updates, and approval by the Common Council of such Plan updates shall be conclusive evidence of compliance with this Plan and the BID law.

The BID Operating Plan will continue to apply the assessment formula, as adjusted, to raise funds to meet the next annual budget. However, the method of assessing shall not be materially altered, except with the consent of the City of Milwaukee.

B. Amendment, Severability and Expansion

This BID has been created under authority of Section 66.1109 of the Statutes of the State of Wisconsin. Should any court find any portion of this Statute invalid or unconstitutional its decision will not invalidate or terminate the BID and this BID Plan shall be amended to conform to the law without need of reestablishment.

Should the legislature amend the Statute to narrow or broaden the process of a BID so as to exclude or include an assessable properties, a certain class or classes or properties, then this BID Plan may be amended by the Common Council of the City of Milwaukee as and when it conducts its annual Operating Plan approval and without necessity to undertake any other act This is specifically authorized under Section 66.1109(3)(b).

C. Termination of the BID

A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a value equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:

A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.

On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par.(c) and unless the business improvement district is not terminated under par.(e).

Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state

the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.

Within 30 days after the date of hearing under par.(c) every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or if the owner did not sign the petition, that the owner requests termination of the business improvement district.

If after the expiration of 30 days after the date of hearing under par.(c) by petition under this subsection or subsequent notification under par.(d) and after subtracting any retractions under par.(d) the owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

APPENDICES

- A. Statute
- B. Board of Directors Roster
- C. Map of District
- D. Property Tax List

Appendix A

- (1) In this section:
- (a) "Board" means a business improvement district board appointed under sub. [111.11](#).
 - (b) "Business improvement district" means an area within a municipality consisting of contiguous parcels and may include railroad rights-of-way, rivers, or highways continuously bounded by the parcels on at least one side, and shall include parcels that are contiguous to the district but that were not included in the original or amended boundaries of the district because the parcels were tax-exempt when the boundaries were determined and such parcels became taxable after the original or amended boundaries of the district were determined.
 - (c) "Chief executive officer" means a mayor, city manager, village president or town chairperson.
 - (d) "Local legislative body" means a common council, village board of trustees or town board of supervisors.
 - (e) "Municipality" means a city, village or town.
 - (t) "Operating plan" means a plan adopted or amended under this section for the development, redevelopment, maintenance, operation and promotion of a business improvement district, including all of the following:
 1. The special assessment method applicable to the business improvement district.
 - 1m.** Whether real property used exclusively for manufacturing purposes will be specially assessed.
 2. The kind, number and location of all proposed expenditures within the business improvement district.
 3. A description of the methods of financing all estimated expenditures and the time when related costs will be incurred.
 4. A description of how the creation of the business improvement district promotes the orderly development of the municipality, including its relationship to any municipal master plan.
 5. A legal opinion that subds. [.L](#) to [i](#). have been complied with.
 - (g) "Planning commission" means a plan commission under s. [62.23](#), or if none a board of public land commissioners, or if none a planning committee of the local legislative body.
- (2) A municipality may create a business improvement district and adopt its operating plan if all of the following are met:
- (a) An owner of real property used for commercial purposes and located in the proposed business improvement district designated under par. [hl](#) has petitioned the municipality for creation of a business improvement district.
 - (b) The planning commission has designated a proposed business improvement district and adopted its proposed initial operating plan.
 - (c) At least 30 days before creation of the business improvement district and adoption of its initial operating plan by the municipality, the planning commission has held a public hearing on its proposed business improvement district and initial operating plan. Notice of the hearing shall be published as a class 2 notice under ch. [985](#). Before publication, a copy of the notice together with a copy of the proposed initial operating plan and a copy of a detail map showing the boundaries of the proposed business improvement district shall be sent by certified mail to all owners of real property within the proposed business improvement district. The notice shall state the boundaries of the proposed business improvement district and shall indicate that copies of the proposed initial operating plan are available from the planning commission on request.
- [66.1109\(2\)\(d\)\(d\)](#) Within 30 days after the hearing under par. [ill](#), the owners of property to be assessed under the proposed initial operating plan having a valuation equal to more than 40 percent of the valuation of all property to be assessed under the proposed initial operating plan, using the method of valuation specified in the proposed initial operating plan, or the owners of property to be assessed under the proposed initial operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property to be assessed under the proposed initial operating plan, have not filed a petition with the planning commission protesting the proposed business improvement district or its proposed initial operating plan.
- (e) The local legislative body has voted to adopt the proposed initial operating plan for the municipality.
- (2m)** A municipality may annex territory to an existing business improvement district if all of the following are met:

- (a) An owner of real property used for commercial purposes and located in the territory proposed to be annexed has petitioned the municipality for annexation.
 - (b) The planning commission has approved the annexation.
 - (c) At least 30 days before annexation of the territory, the planning commission has held a public hearing on the proposed annexation. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of a detail map showing the boundaries of the territory proposed to be annexed to the business improvement district shall be sent by certified mail to all owners of real property within the territory proposed to be annexed. The notice shall state the boundaries of the territory proposed to be annexed.
 - (d) Within 30 days after the hearing under par.(f), the owners of property in the territory to be annexed that would be assessed under the operating plan having a valuation equal to more than 40 percent of the valuation of all property in the territory to be annexed that would be assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property in the territory to be annexed that would be assessed under the operating plan having an assessed valuation equal to more than 40 percent of the assessed valuation of all property in the territory to be annexed that would be assessed under the operating plan, have not filed a petition with the planning commission protesting the annexation.
- (3)
- (a) The chief executive officer shall appoint members to a business improvement district board to implement the operating plan. Board members shall be confirmed by the local legislative body and shall serve staggered terms designated by the local legislative body. The board shall have at least 5 members. A majority of board members shall own or occupy real property in the business improvement district.
 - (b) The board shall annually consider and may make changes to the operating plan, which may include termination of the plan, for its business improvement district. The board shall then submit the operating plan to the local legislative body for its approval. If the local legislative body disapproves the operating plan, the board shall consider and may make changes to the operating plan and may continue to resubmit the operating plan until local legislative body approval is obtained. Any change to the special assessment method applicable to the business improvement district shall be approved by the local legislative body.
 - (c) The board shall prepare and make available to the public annual reports describing the current status of the business improvement district, including expenditures and revenues. The report shall include one of the following:
 1. If the cash balance in the segregated account described under sub. W equaled or exceeded \$300,000 at any time during the period covered by the report, the municipality shall obtain an independent certified audit of the implementation of the operating plan.
 2. If the cash balance in the segregated account described under sub. W was less than \$300,000 at all times during the period covered by the report, the municipality shall obtain a reviewed financial statement for the most recently completed fiscal year. The statement shall be prepared in accordance with generally accepted accounting principles and include a review of the financial statement by an independent certified public accountant.
 - (cg) For calendar years beginning after December 31, 2018, the dollar amount at which a municipality is required to obtain an independent certified audit under par. (s)JL and the dollar amount at which a municipality is required to obtain a reviewed financial statement under par. ffl.1_ shall be increased each year by a percentage equal to the percentage change between the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August of the previous year and the U.S. consumer price index for all urban consumers, U.S. city average, for the month of August 2017, as determined by the federal department of labor. Each amount that is revised under this paragraph shall be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.
 - (er) The municipality shall obtain an additional independent certified audit of the implementation of the operating plan upon termination of the business improvement district.

- (d) Either the board or the municipality, as specified in the operating plan as adopted, or amended and approved under this section, has all powers necessary or convenient to implement the operating plan, including the power to contract.
- (4) All special assessments received from a business improvement district and all other appropriations by the municipality or other moneys received for the benefit of the business improvement district shall be placed in a segregated account in the municipal treasury. No disbursements from the account may be made except to reimburse the municipality for appropriations other than special assessments, to pay the costs of audits and reviewed financial statements required under sub. 66.1110, or on order of the board for the purpose of implementing the operating plan. On termination of the business improvement district by the municipality, all moneys collected by special assessment remaining in the account shall be disbursed to the owners of specially assessed property in the business improvement district, in the same proportion as the last collected special assessment.
- (4g)** A municipality may convert a business improvement district under this section into a neighborhood improvement district under s. 66.1110 if an owner of real property that is subject to general real estate taxes, that is used exclusively for residential purposes, and that is located in the business improvement district petitions the municipality for the conversion. If the municipality approves the petition, the board shall consider and may make changes to the operating plan under s. 66.1110 (4) (b).
- (4m)** A municipality shall terminate a business improvement district if the owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, file a petition with the planning commission requesting termination of the business improvement district, subject to all of the following conditions:
 - (a) A petition may not be filed under this subsection earlier than one year after the date the municipality first adopts the operating plan for the business improvement district.
 - (b) On and after the date a petition is filed under this subsection, neither the board nor the municipality may enter into any new obligations by contract or otherwise to implement the operating plan until the expiration of 30 days after the date of hearing under par. { } and unless the business improvement district is not terminated under par. **W**.
 - (c) Within 30 days after the filing of a petition under this subsection, the planning commission shall hold a public hearing on the proposed termination. Notice of the hearing shall be published as a class 2 notice under ch. 985. Before publication, a copy of the notice together with a copy of the operating plan and a copy of a detail map showing the boundaries of the business improvement district shall be sent by certified mail to all owners of real property within the business improvement district. The notice shall state the boundaries of the business improvement district and shall indicate that copies of the operating plan are available from the planning commission on request.
 - (d) Within 30 days after the date of hearing under par. **W**, every owner of property assessed under the operating plan may send written notice to the planning commission indicating, if the owner signed a petition under this subsection, that the owner retracts the owner's request to terminate the business improvement district, or, if the owner did not sign the petition, that the owner requests termination of the business improvement district.
 - (e) If after the expiration of 30 days after the date of hearing under par. { }, by petition under this subsection or subsequent notification under par. **R** and after subtracting any retractions under par. **@**, the owners of property assessed under the operating plan having a valuation equal to more than 50 percent of the valuation of all property assessed under the operating plan, using the method of valuation specified in the operating plan, or the owners of property assessed under the operating plan having an assessed valuation equal to more than 50 percent of the assessed valuation of all property assessed under the operating plan, have requested the termination of the business improvement district, the municipality shall terminate the business improvement district on the date that the obligation with the latest completion date entered into to implement the operating plan expires.

(5)

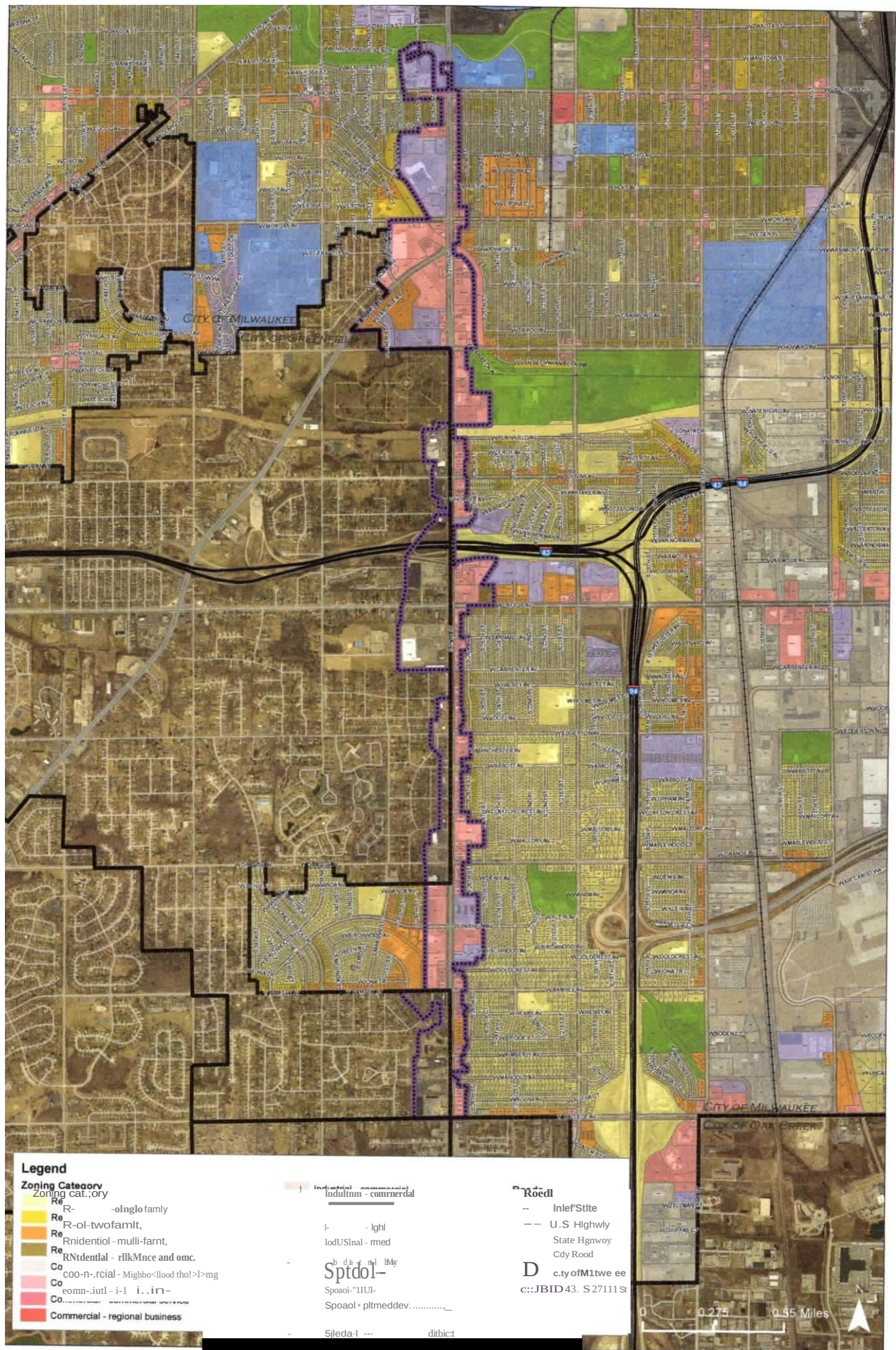
- (a) Real property used exclusively for residential purposes and real property that is exempted from general property taxes under s. 70.11 may not be specially assessed for purposes of this section.
- (b) A municipality may terminate a business improvement district at any time.
- (c) This section does not limit the power of a municipality under other law to regulate the use of or specially assess real property.
- (d) If real property that is specially assessed as authorized under this section is of mixed use such that part of the real property is exempted from general property taxes under s. 70.11 or is residential, or both, and part of the real property is taxable, the municipality may specially assess as authorized under this section only the percentage of the real property that is not tax-exempt or residential. This paragraph applies only to a 1st class city.

Appendix B

BID 1 and 2 Board of Directors Roster

The BID Board will have a minimum of 5 members, not to exceed 9 members. At least 60% of the board will own or occupy property within the district. Any board member that does not occupy or own property within the district shall be a City of Greenfield resident. Appointment to the board shall be for a period of 3 years.

Todd Reardon Member	Owner /Occupy	Lake Auto Group	4201 S 27
Mark Kivley Member	Owner/Occupy	Re/Max Lakeside	5556 S 27
Kevin Sholz Member	Adhoc	Resident	
Troy Chohanec Treasurer	Adhoc	Resident	
Greg Butts Vice President	Owner/Occupy	Realty Management	4647 S 27
Jon Majdoch Member	Owner/Occupy	Lightspeed Entertainment	4251 S 27
Mark Kivley Member	Owner/Occupy	Re/Max	5341 S 27





Committee: Common Council, October 15, 2024

Item Number:

Introduced By: Neighborhood Services (Vlach)

Date Introduced: October 15, 2024

RELATING TO:

Discussion and action relative to the approval of the South 27th Street Business Improvement District 2025 Proposed Operating Plan.

SUMMARY:

In accordance with Wis. Stats. 66.1109(3)(b) pertaining to Business Improvement Districts (BIDs), the local legislative body (the Common Council) is required to consider the annual proposal of the BID's Operating Plan. Attached is the proposed 2025 Operating Plan. The proposed Plan includes the same methodology of calculating the BID assessment since its inception. The rate is \$1 per \$1,000 of assessed value, with a minimum of \$500 and a maximum of \$1,500.

BID #1 and #2 total assessable property value in 2024 is \$98,457,000 (a \$13.96MM increase from the 2023 assessed value of \$94,496,100). The anticipated BID revenues through BID assessments in Greenfield are estimated at \$59,319.40 (a \$776 increase from 2023's BID revenue of \$58,543.40).

- BID #1 (Howard to Grange) = \$47,502.90
- BID #2 (Ramsey to College) = \$11,816.50

Recommendation: Approve the BID's 2025 Operating Plan as presented.

ATTACHMENTS:

- Proposed 2025 Operating Plan
- 2024 BID 1 and 2 assessment (Appendix D)

RESOLUTION NO. _____

Special Use Permit for an ownership change to Midas, an existing automotive service center, located at 4654 S. 76th St., submitted by Matthew Barney, d/b/a The Fonseca Group and Nikki Kozak, d/b/a Cornerstone Permit Company.
(Tax Key No. 604-9970-001)

WHEREAS, Matthew Barney, d/b/a The Fonseca Group and Nikki Kozak, d/b/a Cornerstone Permit 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, for an ownership change to Midas, an existing automotive service center, located at 4654 S. 76th St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on October 15, 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, Matthew Barney, d/b/a The Fonseca Group, a company located at 409 Joyce Kilmer Ave., Suite 218, New Brunswick, NJ 08901.
2. The applicant will own the property.
3. Midas will occupy the entire approximately 17,000 sq. ft. commercial building located at 4654 S. 76th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 7531, being a part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22, Township 5 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 604-9970-001

Said land being located at 4654 S. 76th St.

4. The applicant is proposing to change ownership of the existing automotive service center within the existing commercial building.
5. The aforesaid premise is zoned C-4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits automotive oil change and lubrication shops 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, east and west 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 Matthew Barney, d/b/a The Fonseca Group and Nikki Kozak, d/b/a Cornerstone Permit Company, for a change in ownership to Midas, an existing automotive service center, located at 4654 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 October 8, 2024 and by the Common Council on October 15, 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 Midas, will be 7:00am to 5:00pm, Mondays through Saturdays.
4. Off-Street Parking. A total of 15 off-street parking stalls are required for Midas. The property will provide 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.

Matthew Barney, d/b/a The Fonseca Group or Nikki Kozak, d/b/a Cornerstone Permit 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 _____
day of _____, 2024.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

S:\Planning\Plan Commission\2024\10-8-24\Midas - SUR\Resolution - Midas 10-15-24.docx

PACKETS FOR TUESDAY, 10 / 9 / 2024

FINANCE MEETING

AP DISBURSEMENT SCHEDULES:

AP CHECKS	9/20/2024	\$	935,166.96
AP CHECKS	9/27/2024	\$	1,041,660.31
AP CHECKS	10/4/2024	\$	344,679.31
AP CHECKS - Manual Reissued Ck	10/4/2024	\$	1,873.14

WIRE TRANSFERS - SEPTEMBER		\$	554,100.33
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P-CARDS - SEPTEMBER		\$	240,972.87
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TOTAL \$			3,118,452.92
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CC: PAULA

CC: FINANCE FOLDER