

**MINUTES OF THE PLAN COMMISSION MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY,
OCTOBER 8, 2024**

1. The meeting was called to order at 6:01 p.m. by Mayor Neitzke.

ROLL CALL:	Mayor Neitzke	Present
	Ald. Kastner	Present
	Mr. Steve Rogers	Present
	Mr. Brian Weis	Present
	Mr. Don Carlson	Excused
	Mr. Zak Marshall	Present
	Mr. Bob Krenz	Present
	Mr. Mike Braswell (Alt)	Present
	Ms. Danielle Wojak (Alt)	Present

As Mr. Carlson was excused, Mr. Braswell acted as a voting member.

2. Approval of the Minutes from the September 10, 2024 meeting.

Motion by Mr. Braswell, seconded by Ald. Kastner, to approve the minutes from the September 10, 2024 meeting. Motion passed unanimously. Mr. Rogers and Mr. Weis abstained.

3. Discussion regarding last Common Council meeting.

Mrs. Vlach stated that the Kalibres public hearing was well-attended and the request to amend their hours failed 2-3 with a tiebreaking vote from Mayor Neitzke. Common Council will reconsider the Kalibres amendment to their hours at the October 15th Common Council meeting. Courtesy notices have been sent to the Milwaukee alderperson and City of Milwaukee and City of Greenfield residents within the notification radius.

4A. Special Use Permit for Encircle Family Services, Inc., a proposed family and individual services business, located at 10335 W. Oklahoma Ave., Suite 203, submitted by Charles Greer, MSW, d/b/a Encircle Family Services, Inc. (Tax Key No. 524-8984-010)

4B. Site Plan Review for Encircle Family Services, Inc., a proposed family and individual services business, located at 10335 W. Oklahoma Ave., Suite 203, submitted by Charles Greer, MSW, d/b/a Encircle Family Services, Inc. (Tax Key No. 524-8984-010)

Items 4A and 4B may be considered together.

Overview and Zoning

The applicant, Charles Greer, is proposing to occupy Suite 203, approximately 800 sq. ft. of tenant space, within the multi-tenant commercial building located at 10335 W. Oklahoma Ave. Encircle Family Services provides children's court ordered services to children and families that are connected to the Child Welfare System and Child Protective Services. Encircle Family Services provides parenting, anger management, domestic violence support, supervised

visitation, and transportation services. The applicant has spent 25 years working in the provision of these services and teaches part-time at Concordia University and UW-Milwaukee.

The property is zoned C-2 Community Commercial District, which permits family and individual services as a Special Use. A public hearing, as required by the Special Use, can be scheduled as early as November 19, 2024. The hours of operation would be 8am – 6pm daily. The applicant rents the space; the term of the lease is one (1) year.

The entire multi-tenant commercial building requires 75 (5 spaces per 1,000) parking spaces. The site has 59 parking spaces. The Common Council may waive the shortage

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. During the site visit, staff found the property to be in good shape, with only one minor issue identified. Staff has been in communication with the property owner regarding the issue and steps necessary to address it.

Above the main doorway, there are two (2) AC units. Due to safety concerns involved with maintenance, as well as aesthetics and noise, staff recommends that fencing/screening be installed around the units. There is not a preference for how the owner chooses to screen the units, but a building permit will be required prior to installation.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Review for Encircle Family Services, Inc., a proposed family and individual services business, located at 10335 W. Oklahoma Ave., Suite 203, submitted by Charles Greer, MSW, d/b/a Encircle Family Services, Inc. (Tax Key No. 524-8984-010), subject to Plan Commission, staff comments, and the following conditions:

(Item 1 is required to be satisfied by December 31, 2024)

1. A letter, from the property owner, being submitted to the Community Development Division stating that screening will be installed around the AC units currently located above the main entrance to the building by May 31, 2025. Building permits shall be required, as directed by the Inspections Services Division, subject to review and approval by the Inspections Services Division.

Lanetta Greer was present to answer questions.

Mayor Neitzke asked if the AC units were approved when they were added. Mrs. Vlach said the property owner had told her that they had been there since the 1980s.

Mayor Neitzke received a letter from Andrew Liverman, the property owner, who wrote in support of the Special Use Permit, and the letter will be read at the public hearing.

Motion by Mr. Rogers, seconded by Mr. Marshall to recommend Common Council approval of the Special Use Permit and Site Plan Review for Encircle Family Services, Inc., a proposed family and individual services business, located at 10335 W. Oklahoma Ave., Suite 203, submitted by Charles Greer, MSW, d/b/a Encircle Family Services, Inc. (Tax Key No. 524-8984-

010), subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled for November 19th, 2024. Motion carried unanimously.

- 5A. **Special Use Permit for Flash Laundromat, a proposed laundromat business, located at 4515 W. Forest Home Ave., submitted by Ken Sidello, d/b/a Sidello Property, LLC., and Russell E. LaFrambois III, d/b/a Russell E. LaFrambois III, LLC. (Tax Key No. 531-2002-000)**
- 5B. **Site Plan Review for Flash Laundromat, a proposed laundromat business, located at 4515 W. Forest Home Ave., submitted by Ken Sidello, d/b/a Sidello Property, LLC., and Russell E. LaFrambois III, d/b/a Russell E. LaFrambois III, LLC. (Tax Key No. 531-2002-000)**

Items 5A and 5B may be considered together.

Overview and Zoning

The applicant, Ken Sidello, is proposing to purchase and occupy all 7,000 sq. ft. of the commercial building located at 4515 W. Forest Home Ave. for use as a laundromat. Flash Laundromat will be a self-service laundromat with all new equipment including an all app-based system compatible with smartphones. The applicant started his first laundromat 35-years ago and is still in operation, by the applicant, today. The applicant currently owns and operates ten (10) other laundromats in the area, eight (8) of which are 24-hour businesses. The location of the other laundromats are as follows: West Allis (2), Wauwatosa (1), Cudahy (1), Waukesha (1), Whitewater (1), Hales Corners (1), and Milwaukee (3).

The property is zoned C-2 Community Commercial District, which permits laundromats as a Special Use. A public hearing, as required by the Special Use, can be scheduled as early as November 6, 2024. The hours of operation would be 24-hours, daily. The applicant is under contract to purchase the property, contingent on successful occupancy.

The entire commercial property requires 32 (1 space per dryer plus 1 space per FTE employee) parking spaces. The proposed site plan would provide 45 parking stalls. Of the 45 stalls, 16 are located in the City of Milwaukee on the neighboring paved area.

Previous Appearance (May/June 2023)

This property, the former Bingo hall, was purchased by Iglesia Vida Explosiva En Cristo, Inc. in October 2022. The City was made aware of the purchase after-the-fact. Staff met with representatives of IVEEC and required that they hire a consultant to draw up a site and landscaping plan showing various site improvements. The subject property appeared before Plan Commission and Common Council in May/June 2023.

In 2023, when staff met with representatives of IVEEC, staff required that they hire a consultant to draw up a site and landscaping plan showing various site improvements. Proposed improvements included:

1. Saw cut and remove existing asphalt pavement, excavate and remove material to a depth of 24" for landscape islands along the building's north façade, along the existing freestanding sign, and along the W. Forest Home Ave. property line.
2. Saw cut and remove existing asphalt pavement, excavate and remove material to a depth of 6" in the W. Forest Home Ave. right-of-way between the sidewalk and

street curb, for the installation of grass. A permit from the State of Wisconsin DOT will be required for work in the ROW.

3. Saw cut and remove existing asphalt pavement in various areas in the parking lot.
4. Remove existing bollards at the NE corner of the building and salvage for reinstallation.
5. Construction of a refuse enclosure at the SW corner of the building (the parking lot has quite a steep slope in this location, the architect/engineer may need to move the proposed location).
6. Connection of the NE downspout and the SW downspout to the storm sewer system, and connection of the sump pump to the storm sewer system.
7. Striping/painting of parking stalls.
8. Installation of three (3) new light poles within the parking lot.
9. Seal coat parking lot.

Staff had the following recommended modifications to the site and landscaping plans and site recommended additional site/building improvements:

1. Four-sided elevations of the refuse enclosure need to be submitted. Enclosure location and personnel door location may want to be reconsidered.
2. Reconfiguration of front parking lot to be one-way (west to east) to allow for more landscaping space along the W. Forest Home Ave. property line. There are no W. Forest Home Ave. median cuts in front of this property, so traffic is forced to enter the site's western-most driveway, the one-way flow works perfectly.
3. Replacement/repair/repainting of all bollards, not just the two (2) identified.
4. Additional excavation of pavement at the NE corner of the building, along the front of the building, so the downspout can connect to the storm sewer system straight down, and not continue to flow in front of the building.
5. Painting of remaining gutters to be brown/earth-tone to better blend in with the building materials.
6. Light head cut sheets and a photometric plan showing that light splay will remain within the property boundaries.
7. Plans indicating that the building will be power washed and all peeling paint will be scraped off/removed, and the building will be repainted (color sample to be provided).
8. All exterior building light fixtures being replaced and sensor flood lights being removed and replaced with code-compliant exterior light fixtures.
9. Mill and asphalt overlay of entire parking lot. The plans call for seal coating the parking lot. Per the building inspector and Engineering Division staff, seal coating will last one (1) year. This parking lot is in such disrepair that seal coating will not resolve the problem.
10. Provide a copy of an access easement agreement with the property owner to the west (El Conquistador Latino Newspaper & Radio Show). The newspaper business does not have direct access to W. Forest Home Ave. and must enter through IVEEC's western vacant lot. Staff suspects that the newspaper uses IVEEC's parking lot to park their vehicles as well.

Current Site and Landscaping Plans

The subject property is in very rough shape and hasn't seen any investment in years. This is the first parcel along the south side of W. Forest Home Ave., in the City of Greenfield, at the

Milwaukee border. This site needs to be a visual welcoming to the City of Greenfield's W. Forest Home Ave. gateway and needs significant improvements.

The parking lot is falling apart with large holes and crumbling pavement all over the place; the gutters are discharging into the alley, creating an ice issue in the winter; there is no landscaping on site; the building has significant paint peeling taking place; the bollards are in rough shape; there is no refuse enclosure, etc.

The current site plan provides some moderate upgrades to the existing building. The applicants intend to maintain the stone facade of the building and paint the trim and accent areas of the building. A window is being proposed on the front façade of the building that will be half clear glass to match the adjacent window and half spandrel panel to account for the backside of the equipment located in this area. The downspouts that currently crisscross the sides of the building will be removed and the gutters will be tied into the storm sewer. An existing door on the west elevation will be expanded to provide a new aluminum-double door entrance to the building.

In addition to the proposed changes to the building, the applicant is also proposing a mill and resurface of the parking lot. This process will yield dedicated parking stalls and landscaping along W. Forest Home Ave. The landscaping plan has been provided to the City Forester for review and comment. The applicant has also provided preliminary drawings of the new monument sign to be installed within the new landscaped area. The sign will be installed in approximately the same location as the existing sign.

The current plan depicts a dumpster enclosure in the rear of the building. Staff has communicated with the applicant that this location will not receive approval due to concerns about this location. Specifically, staff has concerns about that location due to the movement of vehicles through the alley as well as the likelihood that the enclosure would become damaged when the alley is being plowed. Staff does not have a recommendation or preference for where the dumpster enclosure should be located.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site and Landscaping Plans for Flash Laundromat, a proposed laundromat business, located at 4515 W. Forest Home Ave., submitted by Ken Sidello, d/b/a Sidello Property, LLC., and Russell E. LaFrambois III, d/b/a Russell E. LaFrambois III, LLC. (Tax Key No. 531-2002-000), subject to Plan Commission, staff comments, and the following conditions:

(Item 1 is required to be satisfied prior to the issuance of any building permits. Items 2 through 6 are required to be satisfied prior to the issuance of any permits for exterior work. Item 7 is required to be satisfied prior to the issuance of a Certificate of Occupancy.)

1. A revised site plan being submitted to the Community Development Division to show the following: (a) four-sided elevations of the refuse enclosure, enclosure location, and personnel door; (b) replacement/ repair/ and/or repainting of all bollards; (c) notation added indicating that the downspout on the south elevation of the building will be tied into either the storm sewer or connected to another existing downspout; and (d) repair and/or replacement of the railing on the southern elevation of the building.

2. An estimated cost of landscaping and screening being submitted to the Community Development Division for approval.
3. A letter of credit or other form of security as required under 21.06.0304 of the Municipal Code in the amount of 125% of the estimated cost of landscaping and screening.
4. A permit being obtained from the Wisconsin DOT for landscaping work in the right-of-way.
5. A plumbing permit being obtained from the City of Greenfield for storm water connection.
6. A photometric plan being submitted to the Community Development Division for review and approval, including light pole light head cut sheets, pole elevations/height/details, and new exterior building light fixtures and cut sheets replacing all existing exterior light fixtures.
7. Copy of an agreement with the property owner to the east (4457 W. Forest Home Ave. Tax Key No. 531-0622-100) being submitted to the Engineering Division for review.

The architect, Russell E. LaFrambois III, the applicant's lawyer, Greg Erchull, and Gabriel Bambarakos of Sidello Property Management, were in attendance to answer questions.

Mr. LaFrambois reiterated the plans to expand landscaping.

Mayor Neitzke asked where the location of the dumpster would be. Mr. LaFrambois responded that it would be kept on an adjoining property in the City of Milwaukee that they will own as additional parking for the site. The applicant stated they will be completing a site review with the City of Milwaukee for parking and dumpster on that property.

Ald. Kastner asked about the tables on the easternmost portion of the floor plan. Mr. Bambarakos responded that it is a kids' play and learning area. He said that the layout of the building is going to be similar to another Flash Laundromat location at 500 E. Broadway, Waukesha, WI 53186. Staff presented images of the other location for the Commission.

Discussion was had ending in agreement to remove it from the recommendation, as it would be an encumbrance on the property owner with no legal requirement. However, the requirement for an agreement with the property owner to the east would still be required since the parking lot was designed with cross access in place. Mayor Neitzke asked for the requirement for an access agreement with the property owner to the west (4535 W. Forest Home Ave. Tax Key No. 531-0000-300) be removed.

Motion by Ald. Kastner, seconded by Mr. Weis to recommend Common Council approval for Flash Laundromat, a proposed laundromat business, located at 4515 W. Forest Home Ave., submitted by Ken Sidello, d/b/a Sidello Property, LLC., and Russell E. LaFrambois III, d/b/a

Russell E. LaFrambois III, LLC. (Tax Key No. 531-2002-000), subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled for November 6th, 2024. Motion carried unanimously.

- 6A. Special Use 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)**
- 6B. 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)**

Items 6A and 6B may be considered together.

Overview and Zoning

The applicant, Alejandro Hernandez, is proposing to occupy approximately 1,000 sq. ft. of a commercial building located at 4500 W. Forest Home Ave. Kalibre's Agave Cantina & Lounge will be a bar and will provide services commonly associated with bars. The applicant has experience in the restaurant and bar industry.

The property 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 July 2024 when Joey's Mob Scene appeared before Plan Commission and Common Council for a Special Use Permit review. As such, a drinking place at this property is a grandfathered use and the change in ownership triggers Special Use review. Staff recommends that a public hearing not be required, though Plan Commission may recommend a public hearing.

The hours of operation will be 6:00am – 2:00am, Sundays through Thursdays and 6:00am-2:30am on Fridays and Saturdays. These hours are consistent with the hours recently approved for Joey's Mob Scene. The applicant will lease the space and will have two (2) part-time employees.

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. The site underwent a review in July 2024 as part of a special use permit process. Several issues were identified during the site visit.

Staff has been in communication with the property owner regarding the issues and establishing a timeline for when they could be addressed.

The current applicant has indicated that they will be repainting the building to a neutral color. Staff was provided a color sample prior to the building being repainted. The painting has already commenced but has not yet finished.

The secondary roof on the lower level has been patched and replaced over time, resulting in differing colors. Staff recommends that the lower level's roofing be replaced to match wholly with the upper level. During the July 2024 Plan Commission meeting, the Commission indicated

that this work should be completed by December 31, 2024. Finally, a window area on the lower level is covered in plywood, the window will need to be replaced to match existing windows on the building.

In July, staff noted that a dumpster was located in front of the building and was not screened from view. Municipal code (Sec. 21.04.0803) requires that dumpsters be screened by an enclosure. Staff had been in contact with the owner who had agreed to keep the dumpster within the fenced-in area to the west of the building at all times, except for when the dumpster is being picked up to be emptied. The dumpster has remained in the enclosed area.

The parking lot is also in need of attention to ensure the orderly movement of vehicles on the property. The applicant has indicated that he intends to complete work on the parking lot area following the reconstruction work on W. Forest Home Ave. that is taking place by the DOT. The parking lot will need to be restriped and parking blocks will need to be installed to prevent patrons from exiting the lot by driving over the curb.

Kalibre's Agave Cantina and Lounge requires 15 (15 spaces per 1,000 sq. ft.). A total of 14 stalls will be provided on the property. The Common Council may waive the shortage.

Staff recommends approval and recommends this item be expedited to the October 15, 2024 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use review and Site Plan Review for 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), subject to Plan Commission and staff comments, and the following conditions:

(Item 1 is required to be satisfied prior to the issuance of a Certificate of Occupancy. Item 2 is required to be satisfied by December 31, 2024. Item 3 is required to be satisfied prior to June 30, 2026.)

1. A letter, from the property owner, be submitted to the Community Development Division stating that: (a) the window on the lower level of the property will be replaced to match existing windows; (b) roofing will be replaced, as necessary, resulting in matching shingles on the entire building by December 31, 2024; (c) the parking lot will be repaired and restriped by June 30, 2026; and (d) parking blocks will be installed within each parking stall following completion of the parking lot repair and restriping.
2. Replace roofing, as necessary, resulting in matching shingles on the entire building.
3. Repair and restriping of the parking lot area and installation of parking blocks within each parking stall. If the Wisconsin Department of Transportation permits removing asphalt within the right-of-way, then asphalt shall be removed and replaced with grass with the parking lot repair.

The property owner, Joe Turenne, and the applicant, Alejandro Hernandez, were present to answer questions.

Mayor Neitzke asked about the timelines for the conditions. Mrs. Vlach responded that the timelines for the recommendations are the same as they were for Joey's Mob Scene when it went to Plan Commission on July 9th, 2024. Mrs. Vlach noted that many of the issues identified as part of the site review for Joey's Mob Scene have already been addressed and complimented the owner's willingness to work with Staff to address issues.

Motion by Mr. Weis, seconded by Mr. Krenz to recommend Common Council approval of the Special Use review and Site Plan Review for 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), subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 15, 2024 Common Council meeting. Motion carried unanimously.

- 7A. Special Use Permit for Magnolia Aesthetics, a proposed medical spa, to be located at 10901 W. Sunset Ln., Suite 208, submitted by Serena Barinaga, d/b/a Magnolia Aesthetics, LLC. (Tax Key No. 609-9994-009)**
- 7B. Site Plan Review for Magnolia Aesthetics, a proposed medical spa, to be located at 10901 W. Sunset Ln., Suite 208, submitted by Serena Barinaga, d/b/a Magnolia Aesthetics, LLC. (Tax Key No. 609-9994-009)**

Items 7A and 7B may be considered together.

Overview and Zoning

The applicant, Serena Barinaga, is proposing to occupy Suite 208, approximately 110 sq. ft. of tenant space, within the Avery & Birch multi-tenant commercial building. The applicant is a board-certified nurse practitioner who will work closely with a physician as their medical director.

The property is zoned Planned Unit Development (PUD) which permits medical spas as a Special Use. A public hearing, as required by the Special Use, can be scheduled as early as November 19, 2024. The hours of operation would be Sunday through Friday, 9am-7pm and Saturday, 9am-5pm. The applicant will rent the space; the term of the lease is one (1) year. There will be one (1) full-time employee.

The multi-tenant commercial building is approximately 4,200 sq. ft. and requires 105 (2 spaces per chair + 1 space per employee) parking spaces. The site has 88 parking spaces. The shortage was waived when Avery & Birch appeared before Plan Commission and Common Council in November/December of 2021.

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission Review. The site is in very good condition and staff has no feedback to provide.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Review for Magnolia Aesthetics, a proposed medical spa business, to be located within

Avery & Birch at 10901 W. Sunset Ln., Suite 208, submitted by Serena Barinaga, d/b/a Magnolia Aesthetics, subject to Plan Commission and staff comments.

Motion by Ald. Kastner, seconded by Mr. Weis to recommend Common Council approval of the Special Use Permit and Site Review for Magnolia Aesthetics, a proposed medical spa business, to be located within Avery & Birch at 10901 W. Sunset Ln., Suite 208, submitted by Serena Barinaga, d/b/a Magnolia Aesthetics, subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled for November 19th, 2024. Motion carried unanimously.

- 8A. Special Use Review for an ownership change to Midas, an existing automotive service center, located at 4654 S. 76th St., submitted by Nikki Kozak, d/b/a Cornerstone Permit Company. (Tax Key No. 604-9970-001)**
- 8B. Site Plan Review for an ownership change to Midas, an existing automotive service center, located at 4654 S. 76th St., submitted by Nikki Kozak, d/b/a Cornerstone Permit Company. (Tax Key No. 604-9970-001)**

Items 8A and 8B may be considered together.

Overview and Zoning

The Fonseca Group is purchasing the business and property located at 4654 S. 76th St. The building is approximately 17,000 sq. ft. and will remain unchanged. The property is an existing automotive service center. No improvements or changes are being proposed to the services. The Fonseca Group is a McDonald's franchisee group operating multiple restaurants, and other franchises, including several Midas locations in Wisconsin, Illinois, and Connecticut.

The property is zoned C-4 Regional Business District, which permits automotive oil change and lubrication shops with a Special Use. A change in tenancy or ownership authorizes Special Use Review by the Plan Commission and Common Council. A public hearing is not required. The hours of operation will be 7:00am – 5:00pm, Mondays through Saturdays. The total number of employees is yet to be determined.

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review. The property is mostly well-maintained and in good condition. Staff had found that the dumpster is located on the property of Peshawar Restaurant next door and not screened. Staff has reached out to the property owner to discuss future compliance.

Sign Review

The existing freestanding sign, located along S. 76th St., is a legal nonconforming sign. The existence of the sign pre-dates the current Sign Code and the Special Use Review will trigger conformance of the pylon sign within 24 months.

The monument sign is two (2) feet from the 76th Street right-of-way. The sign was built prior to the adoption of the existing sign code which requires a five (5) foot setback. Most importantly, the location of the sign is within the vision triangle for the driveway and poses a potential safety

risk. A new monument sign could be located between the building and the road, well outside any vision triangles. Additionally, the current maximum permitted height for a monument sign is ten (10) feet, while the constructed sign is 14' tall. When the sign was permitted in 1998, there was a masonry base and changeable copy that have since been removed. A masonry base is a requirement for a monument sign.

Upon issuance of a Special Use Permit, the applicant will have 24 months to remove and replace the monument sign with a sign that is compliant with the current sign code. Staff has reached out to the property owner to discuss future compliance.

Staff recommends approval and recommends this item be expedited to the October 15, 2024 Common Council meeting.

Recommendation: Recommend Common Council approval of Special Use Review and Site Plan Review for Midas, an existing automotive service located at 4654 S. 76th St., submitted by Nikki Kozak, d/b/a Cornerstone Permit Company. (Tax Key No. 604-9970-001), subject to Plan Commission and staff comments, and the following conditions:

(Item 1 is required to be satisfied within 24 months. Item 2 must be completed prior to November 30, 2024)

1. Removal and replacement, or revision and renovation of the nonconforming pylon sign
2. Removal of the unenclosed dumpsters or a revised site plan be submitted to the Community Development Division showing a proposed location for a screened refuse enclosure. Installation of the proposed screened enclosure shall be completed within 12 (twelve) months of the revised site plan being approved. If the dumpsters are to remain in their current location, an agreement with the adjacent property owner must be provided to the Community Development Division.

Randy Wilson, district manager for Midas, was present to answer questions.

Mayor Neitzke had stated that the sign cannot be moved since it would be in the vision triangle of the properties to the north. Mr. Wilson had already made some modifications to the sign and will work with Community Development staff to bring the sign into conformance as recommended by the Plan Commission.

Mr. Wilson noted that the dumpster should have been located on the Midas property, as that is its normal location. However, he did state that the dumpsters may have been moved to the property of Peshawar Restaurant the day that staff took site photos. Discussion was had about the requirement for a dumpster enclosure. The applicant will work with staff to get a dumpster enclosure built, per code requirements.

Motion by Ald. Kastner, seconded by Mr. Weis to recommend Common Council approval of Special Use Review and Site Plan Review for Midas, an existing automotive service located at 4654 S. 76th St., submitted by Nikki Kozak, d/b/a Cornerstone Permit Company. (Tax Key No. 604-9970-001), subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 15, 2024 Common Council meeting. Motion carried unanimously.

- 9A. Special Use Permit for Piña Mexican Eats, a proposed food truck business, located at 4305 W. Layton Ave., submitted by Sandra Madrigal, d/b/a Los Mariachis. (Tax Key No. 620-9999-002)**
- 9B. Site Plan Review for Piña Mexican Eats, a proposed food truck business, located at 4305 W. Layton Ave., submitted by Sandra Madrigal, d/b/a Los Mariachis. (Tax Key No. 620-9999-002)**

Items 9A and 9B may be considered together.

Overview and Zoning

Los Mariachis, an existing full-service restaurant located at 4305 W. Layton Ave., occupying approximately 7,900 sq. ft., is proposing to operate food trucks out of the existing business. The applicant, Sandra Madrigal, has been operating Los Mariachis since 2010.

The property is zoned C-2 Community Commercial District, which permits food truck businesses as a Special Use. Since this is a new use within the commercial building, a public hearing and a Special Use Permit are required. A public hearing can be scheduled as early as November 19, 2024. The applicant is proposing to operate the food trucks Mondays through Saturdays, 11:00am-6:00pm. The business will have 6 full-time employees and 4 part-time employees.

Site Review

A site plan was not submitted, but the site is subject to review when the Plan Commission and Common Council consider Special Use reviews. Staff noted issues with the subject property that must be addressed as part of the Special Use Permit.

Staff found that the parking lot is in dilapidated condition, and the striping is largely faded in most areas. This will need to be addressed to bring the parking lot back into conformance. In the back of the parking lot, the wooden gates from the dumpster enclosure have been removed and replaced with chain link doors. The gates will need to be replaced with wooden gates that match the dumpster enclosure and provide sufficient, required screening to the dumpsters.

Staff also noticed that paint on the building is chipped and peeling in some areas. Staff recommends that any area with peeling paint be addressed.

The 7,900 sq. ft. restaurant requires 119 parking spaces (15 spaces per 1,000 sq. ft.). The site has 27 off-street parking spaces on-site and an additional 46 off-street parking spaces across 43rd Street, for a total of 73 parking spaces. The Common Council may waive this shortage.

The applicant has indicated that they will use 3 parking spaces for food truck parking. The applicant will also be required to submit a fats, oils, and grease (FOG) plan to the Plumbing Inspector for review and approval.

Signage Review

The existing freestanding sign, located at the corner of S. 43rd Street and W. Layton Avenue, is a legal nonconforming sign. The existence of the signs predates the current Sign Code and the Special Use Permit will trigger conformance of the pylon sign within 24 months.

Staff recommends approval and that a public hearing be scheduled for the November 19, 2024 Common Council meeting.

Recommendation: Recommend Common Council approval of the Special Use Permit and Site Plan Review for Piña Mexican Eats, a proposed food truck business, located at 4305 W. Layton Ave., submitted by Sandra Madrigal, d/b/a Los Mariachis. (Tax Key No. 620-9999-002), subject to Plan Commission and staff comments, and the following conditions:

(Items 1 through 3 are required to be satisfied by November 30, 2024. Items 4 is required to be satisfied within 24 months.)

1. A fats, oils and grease “FOG” Plan being submitted for review and approval to Jake Wiltzius, Plumbing Inspector, at jake.wiltzius@greenfieldwi.us.
2. Submittal of an operational plan to the Community Development Division depicting and describing where the food trucks will be parked and how they will be cleaned.
3. A letter being submitted to the Community Development Division stating that:
(a) the parking lot will be resealed and restriped by June 30, 2025; (b) the existing gates of the trash enclosure will be replaced with ones that match the remainder of the wooden trash enclosure by May 31, 2025; and (c) all peeling exterior paint will be addressed by May 31, 2025.
4. Removal and replacement or revision and renovation of the nonconforming pylon sign.

Mayor Neitzke noted that the Wisconsin State Supreme Court has prohibited cities from requiring property owners to lower signs. Discussion was had about ways to bring the sign into conformance. Staff will work with the applicant to bring the sign into conformance.

Mayor Neitzke asked that staff work with the applicant to address the fence in their parking area at 4710 S. 43rd St. (Tax Key No. 621-9965-000).

Motion by Mayor Neitzke, seconded by Mr. Braswell to recommend Common Council approval of the Special Use Permit and Site Review for Piña Mexican Eats, a proposed food truck business, located at 4305 W. Layton Ave., submitted by Sandra Madrigal, d/b/a Los Mariachis, subject to Plan Commission and staff comments, and authorize a public hearing to be scheduled for November 19th, 2024. Motion carried unanimously.

- 10A. **Special Use 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)**
- 10B. **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)**

Items 10A and 10B may be considered together.

Overview and Zoning

The applicant, Humberto David Alonso, is proposing to occupy the property located at 5175 S. 27th St., formerly known as The Edge Sports Bar. Shots N Tequila will be a bar serving beer and mixed cocktails. The applicant has helped manage, run, and promote many bars in the last 20 years and understands how to run a successful establishment.

The property is zoned C-2 Community Commercial District, which permits drinking places as a Special Use. The hours of operation will be 7:00am – 2:00am, Sundays through Thursdays and 7:00am-2:30am on Fridays and Saturdays. The applicant will have two (2) full-time employees and two (2) part-time employees. The applicant will rent the space for three (3) years with an option to extend the lease.

Site Review

A site plan was not submitted, but the Zoning Code allows for the comprehensive review of the condition of the site as part of the Plan Commission review.

The rear of the property is the remnants of a vacated alley. When the alley was vacated, half of it went to the subject property, and half went to the property located at 2730 W. Abbott Avenue. Currently, the subject property's rear drive, with access to W. Abbott Ave., and their dumpster are not entirely within their property lines. Staff recommends that the applicant work with their neighbor regarding the location of their rear drive so that it may remain in its current location. Staff recommends that the dumpster enclosure be relocated to a location within the property.

The existing parking lot needs repair and has no visible striping, which is required by code. The rear drive concrete is in very poor condition and will need to be replaced.

In the grassy area to the north of the property, staff had noted a trailer being stored, which must be removed from the property. Staff has been in communication with the applicant to resolve the issue.

The dumpster and its enclosure are partially located on the neighboring property and are not on a concrete pad, as required by code. Staff recommends that a new dumpster enclosure and concrete pad be installed by May 31, 2025.

Shots N Tequila requires 37 (15 spaces per 1,000 sq. ft.) parking stalls. The parking lot has 20 spaces. The Common Council may waive the shortage.

Staff recommends approval and recommends this item be expedited to the October 15, 2024 Common Council meeting.

Recommendation: Recommend Common Council approval of Special Use Review and Site Plan for 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), subject to Plan Commission and staff comments, and the following conditions:

(Item 1 must be satisfied prior to the issuance of a Certificate of Occupancy. Item 2 must be completed by May 31, 2025)

1. A letter being submitted to the Community Development Division stating that: (a) the parking lot will be resealed, repaired, and restriped by May 31, 2025; (b) a new dumpster enclosure and concrete pad will be installed by May 31, 2025; and (c) the trailer will be removed from the property by November 30, 2024.
2. A site plan being submitted to the Community Development Division for review and approval, depicting the new location of the dumpster and its enclosure. The proposed dumpster enclosure must meet all requirements of Sec. 21.04.0803 of the Municipal Code and all required permits must be obtained, per the Inspections Services Division.

The applicant, Humberto David Alonso, was present to answer questions.

Mr. Alonso told council that they had cleaned up the site since staff visited and took pictures. Mayor Neitzke confirmed with the applicant that they are aware of the city's rules regarding parking and storage for the parking lot.

Mayor Neitzke recommended Mr. Alonso get a survey for any parking lot work since the paving currently extends across property lines.

Motion by Ald. Kastner, seconded by Mr. Braswell to recommend Common Council approval of Special Use Review and Site Plan for 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), subject to Plan Commission and staff comments, and authorize this item to be expedited to the October 15, 2024 Common Council meeting. Motion carried unanimously.

11. Community Development Report

Mrs. Vlach shared that the Loomis Road bridge reopened on Saturday, October 5, 2024. Additionally, construction has started on Starbucks, Coopers Hawk, and Chipotle in the 84 South development. Mrs. Vlach stated that ownership has been transferred from Cobalt to Cooper's Hawk. Mayor Neitzke stated that he anticipates all three properties being done by spring 2025.

Mayor Neitzke added a status update of the Turf Skatepark project. Within two to four weeks of the meeting date, he said significant progress will be made. Three of the original bowls have been removed and are being reconstructed, and progress is continuing on the rest of the site.

12. Adjournment

Motion by Mr. Weis, seconded by Mr. Rogers, to adjourn the October 8, 2024 Plan Commission meeting at 7:15 p.m. Motion passed unanimously

Respectfully submitted,

Natalie Phillips
Administrative Assistant

Distributed October 15, 2024