

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, NOVEMBER 19, 2024

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:00 PM.

Present: Alderpersons Drzewiecki, Karl Kastner, Pamela Akers, Shirley Saryan, Bruce Bailey

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

B. Opening Prayer

An opening prayer was given by Pastor Steve Rogers.

C. Pledge of Allegiance

D. Approval of the November 6, 2024 Common Council minutes

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

E. Mayor's Report

Mayor Neitzke said that The Turf skate park is close to being opened, that there have been several very bad driving accidents in the city lately, that people need to pay attention and be careful while driving, and he thanked the Police and Fire Department.

F. Aldermanic Reports

G. Announcements

Alderperson Akers and Alderperson Kastner discussed the Breakfast With Santa, the tree lighting, the Letters to Santa, and the arts and crafts events that are in the *Recreator*.

H. Citizen Commentary

I. Public Hearings

1. Public Hearing on a 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) (PC-10/8/24 Kastner)

The public hearing opened at 7:07 PM.

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

Mayor Neitzke stated that he received a letter on October 4, 2024, from Andrew Liverman, the owner of the building, who indicated that the client has been a great tenant and hopes that we grant the approval to continue.

Motion by Alderperson Kastner, seconded by Alderperson Akers to close the public hearing at 7:09 PM. Motion carried unanimously.

- a. Approve a Resolution for a 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) (PC-10/8/24 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve agenda items I1a and I1b. On a roll call vote, motion carried unanimously.

- b. Approve a 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) (PC-10/8/24 Kastner)

Approved under agenda item I1a.

2. Public Hearing on a 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) (PC-10/8/24 Kastner)

The public hearing opened at 7:09 PM.

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

The applicant, Serena Barinaga, was present.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 7:10 PM.  
Motion carried unanimously.

- a. Approve a Resolution for a 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) (PC-10/8/24 Kastner)

Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve agenda items I2a and I2b. On a roll call vote, motion carried unanimously.

- b. Approve a 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) (PC-10/8/24 Kastner)

Approved under agenda item I2a.

3. Public Hearing on a 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) (PC-10/8/24 Kastner)

The public hearing opened at 7:11 PM.

Mrs. Vlach presented the site information, description of business, hours of operation, parking, site improvements, and recommendations from the Plan Commission. There weren't any letters of objection or support received. The applicant has been receptive regarding the Site Plan Review and has established a timeline for the items addressed.

Sandra Madrigal, the applicant, was present.

Alderperson Saryan and Ms. Madrigal discussed the oil and grease situation, the plan for how to get the food trucks clean, and that they'll be using the kitchen at Los Mariachis, and will serve out of the food truck elsewhere. She spoke about the events that they go to, the cosmetics, where the trucks will be parked and rodents.

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

- a. Approve a Resolution for a 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) (PC-10/8/24 Kastner)

Motion by Alderperson Akers, seconded by Alderperson Saryan to approve agenda items I3a and I3b incorporating staff comments and timelines therein. On a roll call vote, motion carried unanimously.

- b. Approve a 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)

(PC-10/8/24 Kastner)

Approved under agenda item I3a.

4. Public Hearing on the Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 4860 S. 87<sup>th</sup> St. from Planned Business to Single Family Residential, submitted by William Gentil, d/b/a Grapevine Realty. (Tax Key No. 615-9987-002) (PC-9/10/24 Kastner)

The public hearing opened at 7:20 PM.

Mrs. Vlach presented the site information and zoning. She explained the two-step process, which is to update the Land Use Map from Planned Business to Single Family, and then to rezone it from PUD to R2 so it matches the neighborhood.

Mayor Neitzke introduced Rich Bartz, 8700 W. Forest Home Avenue, who registered as speaking for informational purposes for the Land Use Map Amendment and the rezone. His concerns were about the driveway, traffic, parking, structure, and that the architecture matched the neighborhood. Mayor Neitzke answered that he doesn't know about a plan and that where the utilities go in, the driveway, and the structure are subject to staff review, comments, and the Zoning Code. The Zoning Code doesn't define architecture. There was a discussion about the driveway, who purchased the lot, and that it's not being maintained.

Mayor Neitzke introduced Thomas Janczak, 8737 W. Melody Lane, who registered as speaking in favor of the Land Use Map Amendment and the rezone. He spoke about the traffic and the driveway. There was a discussion about what R2 allows. Mr. Janczak said that he's happy that it's residential.

Judith Janczak, 8737 W. Melody Lane, registered as in favor, but not speaking for the Land Use Map Amendment and the rezone.

Motion by Alderperson Akers, seconded by Alderperson Bailey to close the public hearing at 7:37 PM. Motion carried unanimously.

- a. Approve the Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 4860 S. 87<sup>th</sup> St. from Planned Business to Single Family Residential, submitted by William Gentil, d/b/a Grapevine Realty. (Tax Key No. 615-9987-002) (PC-9/10/24 Kastner)

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

- b. Approve the Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4860 S. 87<sup>th</sup> St. from Planned Unit Development District to R-2 Single-Family Residential Conservation District, submitted by William Gentil, d/b/a Grapevine Realty. (Tax Key No. 615-9987-002) (PC-9/10/24 Kastner)

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

#### 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)

Place on next agenda.

#### K. New Business

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

1. Approve applications for 2024-2025 operator licenses (Goergen)  
Motion by Alderperson Bailey, seconded by Alderperson Akers to approve. Motion carried unanimously.
2. 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 Hunting Season Kick-Off event on November 23, 2024, from 10:00 AM to 5:00 PM at 6221 W. Layton Ave. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Goergen)  
Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve agenda items K2-K4. Motion carried unanimously.
3. 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 Black Friday Shopping Event on November 29, 2024, from 10:00 AM to 5:00 PM at 6221 W. Layton Ave. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Goergen)  
Approved under agenda item K2.
4. 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 Ladies Shopping Day event on December 6, 2024, from 10:00 AM to 5:00 PM at 6221 W. Layton Ave. Requesting Council approval to allow unaccompanied underage individuals on the licensed beer premises pursuant to Wis. Stat. 125.07(3)(a)12. (Goergen)  
Approved under agenda item K2.
5. Adopt an ordinance to Amend Subsection 13.03(12) and to Repeal Subsection 13.03(18) of the Code of Ordinances for the City of Greenfield Pertaining to Alcohol Licensing [Discussion and possible recommendation as to alcohol licensing ordinance amendments. (LC 11/11/24 Drzewiecki)]  
Mayor Neitzke stated that the City Attorney recommends that we not adopt the ordinance, but rather the Council give its guidance on whether it approves of the structure of the ordinance and where the quotas should be set. Namely, the current levels or if the Council wants more. He said that action will probably be taken at the next Common Council meeting and encourages the Council to look at the ordinance. Any questions should be discussed with Attorney Chris prior to the next Common Council meeting.  
  
Alderperson Drzewiecki spoke about the structure and the quota.  
  
Place on next agenda.
6. Approve a Certified Survey Map for a proposed modification of lot line location between two parcels located at 12101 W. Howard Ave. and 12114 W. Waterford Ave., submitted by Thomas and Mary Gavinski, owners, and Dan Bednar, d/b/a Land Surveys, Inc. (Tax Key Nos. 565-9992-001 and 565-0058-001) (PC-11/12/24 Kastner)  
Motion by Alderperson Kastner, seconded by Alderperson Akers to approve. On a roll call vote, motion carried unanimously.
7. Approve Site and Landscaping Plans for a loading area at 6131 W. Cold Spring Rd., an existing multi-tenant commercial property, submitted by Jigar Chaudhari, d/b/a Jaystores, LLC, Samuel Olson, d/b/a SOS Landscape & Concrete, LLC, and Peter Ritzman, d/b/a Daar Engineering. (Tax Key No. 603-9999-001) (PC-11/12/24 Kastner)  
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. Motion carried unanimously.

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8. Approve an Outdoor Special Event application for Crunch Fitness Founders Day Sale, to be located at 6251 S. 27th Street, on Saturday, November 23, 2024. Application includes the following combination of licenses/permits: Outdoor Special Event and Commercial building permit. (Vlach)  
Motion by Alderperson Kastner, seconded by Alderperson Saryan to approve. Motion carried unanimously.
9. Discussion and decision to approve an addendum to the existing Rebound Recovery agreement to extend services during 2025 through 2027 (J. Foley)  
Motion by Alderperson Drzewiecki, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.
10. Discussion/decision regarding customer service agreement for document destruction services for City Hall (11/13/24 F&HR S. Saryan)  
Motion by Alderperson Akers, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.
11. Discussion/decision to transfer funds from the Fire Department CE2432 (Ambulance 806) account to the CE2434 account (Pierce fire engine) for the purpose of fire equipment (11/13/24 F&HR S. Saryan)  
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.
12. Adopt an ordinance amending Section 3.12(7)(a) and Section 3.12(7)(g) of the Greenfield Municipal Code regarding Emergency Medical Services & Accident Rates [Discussion/decision to approve the recommended changes to the ambulance and car accident billing rates outlined in ordinance 2922 (11/11/24 LC A. Drzewiecki; 11/13/24 F&HR S. Saryan)]  
Motion by Alderperson Drzewiecki, seconded by Alderperson Saryan to approve.  
  
Under discussion, Mayor Neitzke explained that it creates a flat rate, it will help with recovery of resources, and some of the providers are excluding individual items.  
  
On a roll call vote, motion carried unanimously.
13. Discussion/decision to approve a services agreement between Fire Recovery USA, LLC and the Greenfield Fire Department. (11/13/24 F&HR S. Saryan)  
Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to approve. On a roll call vote, motion carried unanimously.
14. Accept September 2024 financial statements. (11/13/24 F&HR S. Saryan)  
Motion by Alderperson Saryan, seconded by Alderperson Bailey to approve agenda items K14-K18. On a roll call vote, motion carried unanimously.
15. Approval of schedules of disbursements in the amount of \$2,915,486.07. (11/13/24 F&HR S. Saryan)  
Approved under agenda item K14.
16. Approval of mileage reimbursements in the amount of \$1,109.99. (11/13/24 F&HR S. Saryan)  
Approved under agenda item K14.
17. Accept investments and reinvestments for September 2024. (11/13/24 F&HR S. Saryan)  
Approved under agenda item K14.
18. Accept investments and reinvestments for October 2024. (11/13/24 F&HR S. Saryan)  
Approved under agenda item K14.
19. Common Council to go into closed session pursuant to Wis. Stat. § 19.85 (1)(b) & (f), considering licensure, social or personal history, or medical information, for purposes of issuing a 2024-2025 operator license to the following:
  - a. Adrian Rodriguez

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

Motion by Alderperson Kastner, seconded by Alderperson Drzewiecki to go into closed session at 7:48 PM. On a roll call vote, motion carried unanimously.

20. Adjourn closed session and reconvene into open session.

Motion by Alderperson Bailey, seconded by Alderperson Akers to adjourn closed session and reconvene into open session at 7:58 PM. Motion carried unanimously.

21. Decision re: 2024-2025 Operator's License for Adrian Rodriguez.

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

- L. Items for future agenda

- M. Adjourn

Mayor Neitzke said that we will pick up leaves as long as we can. If we get a sprinkling of an inch or two, we will still pick them up. If there's a foot and a half or two feet of snow, the leaf pick-up would probably be over.

Motion by Alderperson Akers, seconded by Alderperson Drzewiecki to adjourn at 8:00 PM. Motion carried unanimously.

Jennifer Goergen, City Clerk

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 11/21/2024

ORDINANCE NO. 3063

Ordinance to adopt a Land Use Map amendment to the 2020 City of Greenfield Comprehensive Plan for the property located at 4860 S. 87th St. from Planned Business to Single Family. (Tax Key No. 615-9987-002)

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 September 10, 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 November 19, 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) Planned Business to Single Family (Tax Key No. 615-9987-002) Greenfield, Milwaukee County, Wisconsin, (map attached as Exhibit A hereto and incorporated herein by reference) more particularly described as follows:

Parcel 2 of Certified Survey Map No. 4658, being a part of the Northwest ½ of Section 28, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 615-9987-002

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 19<sup>th</sup> day of November, 2024.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk

Cc: Engineering Division

**Exhibit A: Existing Land Use Map**



ORDINANCE NO. 3064

Ordinance to amend the official Greenfield Zoning Map by rezoning the property located at 4860 S. 87<sup>th</sup> St. from PUD Planned Unit Development District to R-2 Single-Family Residential Conservation District. (Tax Key No. 615-9987-002)

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 19<sup>th</sup> day of November 2024, at 7:00 p.m. or soon thereafter, upon a proposal to rezone the property located at 4860 S. 87<sup>th</sup> St. from PUD Planned Unit Development 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 PUD Planned Unit Development District to R-2 Single-Family Residential Conservation District to-wit:

Parcel 2 of Certified Survey Map No. 4658, being a part of the Northeast ¼ and Southeast ¼ of the Northwest ¼ of Section 28, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Said land contains approximately 25,452 square feet, or 0.5843 acres of land, more or less, and is located at:

4860 S. 87<sup>th</sup> St. (Tax Key No. 615-9987-002)

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 19<sup>th</sup> day of November, 2024.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk

Cc:    Engineering Division

ORDINANCE NO. 3065

AN ORDINANCE AMENDING SECTION 3.12(7)(a) AND SECTION 3.12(7)(g) OF THE  
MUNICIPAL CODE REGARDING EMERGENCY MEDICAL SERVICES & ACCIDENT  
RATES

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

PART I. Section 3.12(7)(a) and Section 3.12(7)(g) of the Municipal Code is hereby repealed and recreated to read as follows:

“Section 3.12(7) FIRE DEPARTMENT

(a) Ambulance Charges

Item

| 1. Ambulance Conveyance Fees           | Unit | Fee       |
|----------------------------------------|------|-----------|
| BLS (Basic Life Support) Transport     | each | \$1400.00 |
| ALS1 (Advanced Life Support) Transport | each | \$1700.00 |
| ALS2 (Advanced Life Support) Transport | each | \$1700.00 |
| Mileage (rate per loaded mile)         | each | \$22.00   |
| Care Provided/Refused Transport        | each | \$400.00  |

(g) Response to Motor Vehicle Accident Charges

|                             |      |            |
|-----------------------------|------|------------|
| Level 1 Response            | hour | \$602.00   |
| Level 2 Response            | hour | \$687.00   |
| Level 3 Response (Car Fire) | hour | \$838.00   |
| Extrication (Add-on)        | hour | \$1,811.00 |

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

PART III. 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 19<sup>th</sup> day of November, 2024.

APPROVED:

\_\_\_\_\_  
Michael J. Neitzke, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Goergen, City Clerk

RESOLUTION NO. 4039

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)

WHEREAS, Charles Greer, MSW, d/b/a Encircle Family Services, Inc., duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, to establish Encircle Family Services, Inc., a proposed family and individual services business, located at 10335 W. Oklahoma Ave., Suite 203; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 19, 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, Charles Greer, MSW, d/b/a Encircle Family Services, Inc., resides at 9216 N. Fairy Chasm Lane, Brown Deer, WI 53273.
2. The applicant will lease a portion of the multi-tenant commercial building owned by 10335 Oklahoma LLC, 10335 W. Oklahoma Ave., Unit 300, Greenfield, WI 53227.
3. Encircle Family Services will occupy approximately 800 sq. ft. of tenant space within the multi-tenant commercial building located at 10335 W. Oklahoma Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 4208, plus the North ½ of vacated avenue adjacent on the South, all being a part of the Northwest ¼ of Section 17, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 524-8984-010

Said land being located at 10335 W. Oklahoma Ave.

4. The applicant is proposing to establish a family and individual services business 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 other individual and family services as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along the W. Oklahoma Ave. commercial corridor. Properties to the west are developed as institutional. Properties to the south and east are developed as commercial. Properties to the north 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 Charles Greer, MSW, d/b/a Encircle Family Services, Inc. to establish Encircle Family Services, Inc., a proposed family and individual services business, located at 10335 W. Oklahoma Ave., Suite 203, 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 November 19, 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 Encircle Family Services, Inc., will be 8:00am – 6:00pm, daily.
4. Off-Street Parking. The entire multi-tenant commercial building requires a total of 75 off-street parking spaces. The property will provide 59 off-street parking stalls. 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.

\_\_\_\_\_  
Charles Greer, MSW, d/b/a Encircle Family Services, Inc.

Provided to applicant on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2024

\_\_\_\_\_  
City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19<sup>th</sup> day of November, 2024.

APPROVED:

\_\_\_\_\_  
Michael J. Neitzke, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Goergen, City Clerk

RESOLUTION NO. 4040

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)

WHEREAS, Serena Barinaga, d/b/a Magnolia Aesthetics, 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 Magnolia Aesthetics, a proposed medical spa, located at 10901 W. Sunset Ln., Suite 208; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 19, 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, Serena Barinaga, d/b/a Magnolia Aesthetics, resides at 3477 N. Lake Dr., Milwaukee, WI 53211.
2. The applicant will rent a portion of the multi-tenant commercial building owned by Avery and Birch, LLC, 10901 W. Sunset Ln., Greenfield, WI 53228.
3. Magnolia Aesthetics will occupy approximately 110 sq. ft. of tenant space within the multi-tenant commercial building located at 10901 W. Sunset Ln., Suite 208, Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 2 of Certified Survey Map No. 7988, being a part of the Southeast ½ of Section 19, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 609-9994-009

Said land being located at 10901 W. Sunset Ln.

4. The applicant is proposing to establish a medical spa business within the existing commercial building.
5. The aforesaid premise is zoned PUD Planned Unit Development District under the Zoning Ordinance of the City of Greenfield, which permits other personal care services as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the S. 108<sup>th</sup> St. commercial corridor. Properties to the north and south are developed as commercial and residential uses. Properties to

the west are developed as residential uses. Properties to the east are developed as commercial uses.

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Serena Barinaga, d/b/a Magnolia Aesthetics to establish Magnolia Aesthetics, a proposed medical spa, located at 10901 W. Sunset Ln. Suite 208, be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on October 8, 2024 and by the Common Council on November 19, 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 Magnolia Aesthetics, will be 9:00am to 7:00pm, Sundays through Fridays, and 9:00am to 5:00pm on Sundays.
4. Off-Street Parking. The entire multi-tenant commercial building requires a total of 105 off-street parking spaces. The property will provide 88 off-street parking stalls. The shortage was waived when Avery & Birch LLC appeared before Plan Commission and Common Council in November/December of 2021.
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.

\_\_\_\_\_  
Serena Barinaga, d/b/a Magnolia Aesthetics, 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 19<sup>th</sup> day of November, 2024.

APPROVED:

\_\_\_\_\_  
Michael J. Neitzke, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Goergen, City Clerk

RESOLUTION NO. 4041

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)

WHEREAS, Sandra Madrigal, d/b/a Los Mariachis, 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 Piña Mexican Eats, a proposed food truck business, located at 4305 W. Layton Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on November 19, 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, Sandra Madrigal, d/b/a Los Mariachis, resides at 4733 S. 43<sup>rd</sup> St., Greenfield, WI 53220.
2. The applicant owns the property located at 4305 W. Layton Ave., Greenfield, WI 53220.
3. Piña Mexican Eats will occupy approximately 1,000 sq. ft. of the commercial building located at 4305 W. Layton Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Northeast 1/4 of Section 26, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, State of Wisconsin, which is bounded and described as follows:

Commencing at a point on the east line of said 1/4 Section, 290 feet South of the Northeast corner of said 1/4 Section; thence West 175 feet to a point; thence North 80 feet to a point; thence East 9.96 feet to a point; thence North to the North line of said 1/4 Section; thence East to the East line of said 1/4 Section; thence South to the point of beginning. Excepting therefrom the North 60 feet and the East 55 feet for public street purposes.

Tax Key No. 620-9999-002

Said land being located at 4305 W. Layton Ave..

4. The applicant is proposing to establish a food truck business 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 mobile food vendors as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along the W. Layton Ave. commercial corridor. Properties to the north, east, and west are developed for commercial uses. Properties to the south are developed for residential uses.

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Sandra Madrigal, d/b/a Los Mariachis, for establishment of a proposed food truck business, located at 4305 W. Layton 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 November 19, 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 Piña Mexican Eats, will be 11:00am to 6:00pm, Monday through Saturday.
4. Off-Street Parking. The entire commercial building requires a total of 119 off-street parking spaces. The property will provide 73 off-street parking stalls. Common Council may waive this 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.

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Sandra Madrigal, d/b/a Piña Mexican Eats

Provided to applicant on the  
\_\_\_\_\_ day of \_\_\_\_\_, 2024

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City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 19<sup>th</sup> day of November, 2024.

APPROVED:

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Michael J. Neitzke, Mayor

ATTEST:

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Jennifer Goergen, City Clerk