

MINUTES OF THE COMMON COUNCIL MEETING HELD AT THE GREENFIELD CITY HALL ON TUESDAY, JANUARY 21, 2025

A. Call to Order & Roll Call

The meeting was called to order by Mayor Neitzke at 7:01 PM.

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

Also present: Jeff Katz, Director, Neighborhood Services; Gina Vlach, City Planner; Chris Geary, City Attorney

B. Opening Prayer

An opening prayer was given.

C. Pledge of Allegiance

D. Approval of the January 7, 2025 Common Council minutes

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

E. Mayor's Report

F. Aldermanic Reports

There was a discussion about the weather and if the hockey tournament was going to happen at Konkel Park this weekend.

Mayor Neitzke and Alderperson Saryan spoke about the ribbon-cutting event for Crunch Fitness on 27th Street.

G. Announcements

H. Citizen Commentary

I. Public Hearings

1. Public Hearing on a Special Use Permit for an expansion of Mega Laundromat, an existing laundromat, to be located at 4101 W. Howard Ave., submitted by Kabir Ahmed, d/b/a ND Ventures, LLC and Donald Kurkowski, d/b/a Architects/Planners, S.C. (Tax Key No. 575-8953-000) (PC-12/10/24 Kastner)

Gina Vlach, City Planner, presented the site information, description of business, number of employees, hours of operation, parking, site improvements, and recommendations from the Plan Commission. The hours of operation changed from 24 hours to 6:00 AM to 10:00 PM daily. There were two letters of objections and no letters of support received.

Jim Heller, 4033 W. Stonebridge Court, Milwaukee, spoke on behalf of the Cherokee Point Homeowners Association. He referenced the letter that was submitted from the association. His concerns were about the 24 hours of operation, which were amended to 6:00 AM to 10:00 PM; lack of on-site staffing for the full hours of operation; security; and not enough parking.

Mayor Neitzke and Mrs. Heller discussed that there wasn't a staff member present when she went there a few days ago. She spoke about remodeling the inside and outside and had concerns about the upkeep. Mr. Heller added that he is in favor of the owner making improvements.

Mayor Neitzke spoke about the email received from the Cherokee Point Subdivision Board from Jim Heller, Chris Kling, Dan Buckman, Elyce Moschella, and Earl Williams. It was sent from Elyce on January 13th at 9:00 AM. It pretty much hit Mr. Heller's topics, and the letter will be placed in the record.

Earl Williams, 3818 S. Cherokee Way, who was registered as speaking for information purposes only, shared the same concerns as Mr. Heller.

The following people were registered as against but are not speaking:

Elyce Moschella, 3751 S. Cherokee Way. She said that she was against the things in the letter, and not

as a whole.

Janice Thompson, 4042 W. Howard Avenue, and Deb Sehmer, 4104 W. Howard Avenue, were not entirely against it but had the same concerns.

Mayor Neitzke read Michelle Harrer's email. "I have received the proposal summary for the property located at 4101 W. Howard Avenue. I am unable to make the public hearing for Tuesday, January 21st at 7:00 PM. I don't have any real reservations about the expansion of the interior of the property located at the above listed location. My only concern would be whether there would be enough parking for an expansion. Right now there seems to be an issue with the way the angle parking is set up. Whether it is how people are parking, or the amount of parking spaces. There does seem to be enough street parking, however my house is located directly south of the laundromat (3923 S 41st St) and people seem to park in my driveway to go to the laundromat. People have also parked on the street completely blocking my driveway to go to the laundromat. I have had multiple instances where I have had to pull out of my garage at an angle so I can get out of my driveway. I have called the police a few times, but I don't want to bother them with these petty things. There is also a small curb between the laundromat and my driveway that is not big enough for a car to use as a street parking space, and someone usually does. When someone parks there, it more often than not involves them blocking my driveway. Can the City place a no parking sign on that small curb so no one can park there and continue to block my driveway? Perhaps that can solve some of the issue. Finally, someone parked in the laundromat parking lot and hit my fence. I did not call the police, nor did I address it with the owner of the laundromat. I have maybe seen the owner once or twice, so I would have no idea who the owner is or what hours they would work. I also don't know when this happened, I just noticed it one night when I came home from work, so I couldn't pinpoint the day or hours that it happened in order to make the report. (See photos)" and she sent photographs of the fence.

Kabir Ahmed is present and is the applicant and owner of the property. He addressed the security, the parking, the expansion, staffing, and the one police interaction.

Mayor Neitzke spoke about the small curb space by the utility pole on 41st Street that the city could have a sign.

Aldersperson Bailey and Mr. Ahmed spoke about the number of security cameras and that they are in working order.

Aldersperson Akers asked if businesses should have a fence between them and a residential lot. Mayor Neitzke answered that the business has been there for a long time and that it has predated the codes. There isn't room to put up a fence for the business. There's an issue with WE Energies easement, which makes it more complicated. Mr. Ahmed said that he will fix the fence to be a good neighbor.

Hanife Veshi-Heller, 4033 W Stonebridge Court, and Mr. Ahmed discussed that he has owned it since 2023, remodeling, and the apartment above.

Mayor Neitzke explained the floor plan of the expansion and parking.

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

- a. Approve a Resolution for a Special Use Permit for an expansion of Mega Laundromat, an existing laundromat, to be located at 4101 W. Howard Ave., submitted by Kabir Ahmed, d/b/a ND Ventures, LLC and Donald Kurkowski, d/b/a Architects/Planners, S.C. (Tax Key No. 575-8953-000) (PC-12/10/24 Kastner)

Motion by Aldersperson Kastner, seconded by Aldersperson Drzewiecki to approve agenda items I1a and I1b, with the modifications and the hours of operation that have been listed and

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incorporating staff comments. On a roll call vote, motion carried unanimously.

Mr. Ahmed said that they are waiting on final approval, then it has to go to architecture, and then the second phase with the city. If everything is going smoothly, it could be next year in July.

- b. Approve Site, Landscaping, and Architectural Plans for an expansion of Mega Laundromat, an existing laundromat, to be located at 4101 W. Howard Ave., submitted by Kabir Ahmed, d/b/a ND Ventures, LLC and Donald Kurkowski, d/b/a Architects/Planners, S.C. (Tax Key No. 575-8953-000) (PC-12/10/24 Kastner)

Approved under agenda item I1a.

2. Public Hearing on a Special Use Permit for Valor Spine Solutions, a physician's office performing intradiscal spine injections, to be located at 6800 W. Layton Ave., submitted by Andrew Gabel, d/b/a Valor Spine Solutions. (Tax Key No. 604-9921-000) (PC-12/10/24 Kastner)

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

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

- a. Approve a Resolution for a Special Use Permit for Valor Spine Solutions, a physician's office performing intradiscal spine injections, to be located at 6800 W. Layton Ave., submitted by Andrew Gabel, d/b/a Valor Spine Solutions. (Tax Key No. 604-9921-000) (PC-12/10/24 Kastner)
Motion by Alderperson Akers, 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 Valor Spine Solutions, a physician's office performing intradiscal spine injections, to be located at 6800 W. Layton Ave., submitted by Andrew Gabel, d/b/a Valor Spine Solutions. (Tax Key No. 604-9921-000) (PC-12/10/24 Kastner)

Approved under agenda item I2a.

3. Public Hearing on a Special Use Permit for Touch of Egypt, a proposed massage business, located at 5170 S. 76th St., Suite 107, submitted by Egyptsha Robinson, d/b/a Touch of Egypt. (Tax Key No. 650-8998-009) (PC-12/10/24 Kastner)

Mayor Neitzke stated that this is in the My Salon Suites building. This is for one space within that location.

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

- a. Approve a Resolution for a Special Use Permit for Touch of Egypt, a proposed massage business, located at 5170 S. 76th St., Suite 107, submitted by Egyptsha Robinson, d/b/a Touch of Egypt. (Tax Key No. 650-8998-009) (PC-12/10/24 Kastner)
Motion by Alderperson Bailey, seconded by Alderperson Akers to approve agenda items I3a and I3b. On a roll call vote, motion carried unanimously.
- b. Approve a Site Plan Review for Touch of Egypt, a proposed massage business, located at 5170 S. 76th St., Suite 107, submitted by Egyptsha Robinson, d/b/a Touch of Egypt. (Tax Key No. 650-8998-009) (PC-12/10/24 Kastner)

Approved under agenda item I3a.

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.

- ii. One member to the Public Library Board for a term to expire 7-1-25 (formerly Melissa Mendoza).
Mayor Neitzke stated that Melissa Mendoza asked to leave before her term was up for personal reasons. He appointed Sarah Dunmire, 3515 S. 51st Street. She is the musical director for St. Francis School District.

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

K. New Business

1. Claim received from Victor and Nicole Pollak. (Goergen)
Referred to the City Attorney.
2. Approve an application for 2024-2025 operator license. (Goergen)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. Motion carried unanimously.
3. Approve application for a 2024-2025 Secondhand/Pawnbroker Article Dealer License received from Q&A Games LLC, Lizeth Zorilla Sanchez, Agent, for the property at 6120 W. Layton Ave. (Warpstorm Games & Lounge). (Goergen)
Motion by Alderperson Akers, seconded by Alderperson Bailey to approve. Motion carried unanimously.
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 Annual Kill Winter Party 2025 event on February 1, 2025, 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 K4-K5.
Motion carried unanimously.
5. 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 Lighting Service Work Shop event on February 8, 2025, 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 K4.
6. Approve a resolution for a Special Use Review and Site Plan Review for an ownership change to Deli Food Express, an existing gas station and convenience store, located at 3900 S. 92nd St., submitted by Kaushal Malde, d/b/a Malde, Inc. (Tax Key No. 569-9990-001) (PC-1/14/25 Kastner)
Motion by Alderperson Kastner, seconded by Alderperson Bailey to approve. On a roll call vote, motion carried unanimously.
7. Approve application for a 2024-2025 Class "A" Fermented Malt Beverage and "Class A" Liquor Cider Only Retailer's License for Malde Inc, Kaushal Malde, Agent, for the property at 3900 S. 92nd St. (Deli Food Express). Convenience store with walk in cooler for beer and additional beer in 2nd last aisle. The

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invoices will be up front in a file cabinet next to the registers located at 3900 S. 92nd St. (Goergen)

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

8. Approve a temporary construction easement from tax key no. 570-8998-008, 8115 West Van Beck Avenue, Milwaukee, for a City of Greenfield storm sewer connection to City of Milwaukee storm sewer in W. Van Beck Ave. (Katz)

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

9. Approve an Outdoor Special Event application for the Carry the Load's National Relay, to take place on sidewalks throughout the City, on Wednesday, May 7, 2025. Application includes the following combination of licenses/permits: Outdoor Special Event. (Vlach)

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

10. Discussion and decision to apply for a Milwaukee County Department of Transportation Special Event permit for the House of Harley event, to be located at 6221 W. Layton Avenue, July 9 – July 14, 2025. (Vlach)

Mayor Neitzke said that this includes the closing of Layton Avenue. There isn't any construction this year, but there will be next year on Layton Avenue between 60th Street and 68th Street.

Motion by Alderperson Drzewiecki, seconded by Alderperson Saryan to approve.

Under discussion, Alderperson Bailey spoke about keeping a lane open for eastbound and westbound traffic on the north side. Mayor Neitzke stated that they did that for a couple of years, but the police and fire department thought that it was less safe for the pedestrian and motorcycle traffic. There's an opportunity that when they get their permit or apply for their permit, they can revisit that issue again. The bridges will be open this year. The 92nd Street bridge will be under construction in 2027.

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

11. Approval of schedules of disbursements in the amount of \$3,043,153.64. (Schafer)

Motion by Alderperson Saryan, seconded by Alderperson Bailey to approve agenda items K11-K14. On a roll call vote, motion carried unanimously.

12. Approval of mileage reimbursements in the amount of \$1,131.90. (Schafer)

Approved under agenda item K11.

13. Accept Investments and reinvestments for December 2024. (Schafer)

Approved under agenda item K11.

14. Accept November 2024 financial statements. (Schafer)

Approved under agenda item K11.

Mayor Neitzke went to agenda item L.

15. Common Council to go into closed session pursuant to Wis. Stat. § 19.85(1)(g) to confer with legal counsel regarding notice of circumstances and claim filed by F. Patrick LaSusa and Mary H. Payne.

Motion by Alderperson Akers, seconded by Alderperson Bailey to go into closed session at approximately 8:07 PM. On a roll call vote, motion carried unanimously.

16. Adjourn closed session and reconvene into open session.

Motion by Alderperson Bailey, seconded by Alderperson Saryan to adjourn closed session and reconvene into open session at 8:12 PM. Motion carried unanimously.

17. Take action, if any, on matter discussed in closed session. (Geary)

No action taken.

Common Council went to agenda item M.

L. City Attorney's Annual Report

Mayor Neitzke said that every month, a department head will give a spiel in regards to what they do and how things are going.

City Attorney Chris Geary summarized what they worked on within the last year: operator's licenses, PFAS investigation, HR issues, open records, the health department consolidation, ordinances, ancillary agreements, resolutions, alcohol licensing, a dog bite situation, the short-term rental ordinance, the alcohol moratorium, election issues, sex offender residency issues, and there are other attorneys that the City has retained and their duties. It's going well.

Mayor Neitzke said that he is happy with the responsiveness of the outside counsel, and he spoke about the other outside attorneys and their duties.

Mayor Neitzke went to agenda item K15.

M. Items for future agenda

N. Adjourn

Meeting was adjourned at approximately 8:13 PM.

Atty. Chris Geary, City Attorney

Minutes transcribed by Trina Kaminski, Administrative Assistant

Distributed: 1/24/2025

RESOLUTION NO. 4051

Special Use Permit for an expansion of Mega Laundromat, an existing laundromat, to be located at 4101 W. Howard Ave., submitted by Kabir Ahmed, d/b/a ND Ventures, LLC and Donald Kurkowski, d/b/a Architects/Planners, S.C. (Tax Key No. 575-8953-000)

WHEREAS, Kabir Ahmed, d/b/a ND Ventures, LLC, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, for an interior expansion of Mega Laundromat, an existing laundromat, located at 4101 W. Howard Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on January 21, 2025, 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, Kabir Ahmed, d/b/a ND Ventures, LLC, resides at 4125 Pilgrim Rd, Brookfield, WI 53005.
2. The applicant owns the building located at 4101 W. Howard Ave.
3. Mega Laundromat will occupy approximately 3,400 sq. ft. of tenant space within the multi-tenant commercial building located at 4101 W. Howard Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

That part of the Northwest $\frac{1}{4}$ of Section 24, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at a point in the North line of said $\frac{1}{4}$ Section 495 feet East of the Northwest corner of said $\frac{1}{4}$ Section; thence South 175.84 feet to a point; thence West 110 feet to a point; thence North 175.51 feet to a point; thence East 110 feet to the point of beginning. Excepting therefrom the North 55 feet for public street purposes and those parts in the City of Milwaukee.

Tax Key No. 575-8953-000

Said land being located at 4101 W. Howard Ave.

4. The applicant is proposing an expansion of the existing Mega Laundromat by expanding into the space previously occupied by a tanning salon.
5. The aforesaid premise is zoned C1 Neighborhood Commercial District under the Zoning Ordinance of the City of Greenfield, which permits laundromats as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.

6. The subject property is part of an area along the W. Howard Ave., which is a transitional area between uses. Properties to the north, south, east, and west are developed as 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 Kabir Ahmed, d/b/a ND Ventures, LLC, for an interior expansion of Mega Laundromat, existing laundromat, to be located at 4101 W. Howard 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 December 10, 2024 and by the Common Council on January 21, 2025. 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 Mega Laundromat, will be 6:00am to 10:00pm, daily.

4. Off-Street Parking. The expanded Mega Laundromat requires 35 off-street parking spaces. The entire multi-tenant commercial building requires a total of 39 off-street parking spaces. The property will provide 10 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.

Kabir Ahmed, d/b/a ND Ventures, LLC

Provided to applicant on the
_____ day of _____, 2025

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of January, 2025.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4052

Special Use Permit for Valor Spine Solutions, a physician's office performing intradiscal spine injections, to be located at 6800 W. Layton Ave., submitted by Andrew Gabel, d/b/a Valor Spine Solutions. (Tax Key No. 604-9921-000)

WHEREAS, Andrew Gabel, d/b/a Valor Spine Solutions, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, for a physician's office performing intradiscal spine injections, located at 6800 W. Layton Ave.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on January 21, 2025, 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, Andrew Gabel, d/b/a Valor Spine Solutions, has offices at 825 S. Waukegan Rd., Suite A8 #252, Lake Forest, IL 60045.
2. The applicant will rent a portion of the multi-tenant commercial building owned by Jna Commercial, LLC, 6800 W. Layton Ave., Greenfield, WI 53220.
3. Valor Spine Solutions will occupy approximately 2,700 sq. ft. of tenant space within the multi-tenant commercial building located at 6800 W. Layton Ave., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

The South 249 feet of the East 175 feet of the Southwest ¼ Section 22, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin, excepting therefrom those parts taken for public right-of-way.

Tax Key No. 604-9921-000

Said land being located at 6800 W. Layton Ave.

4. The applicant is proposing to establish a massage business within the existing multi-tenant commercial building.
5. The aforesaid premise is zoned C1 Neighborhood Commercial District under the Zoning Ordinance of the City of Greenfield, which permits offices of physicians as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the W. Layton Ave. corridor that is developed for mixed uses. Properties to the north are developed as residential. Properties to the east, south, and west are developed as commercial.

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Andrew Gabel, d/b/a Valor Spine Solutions, to establish Valor Spine Solutions, a physician's office performing intradiscal spine injections, to be located at 6800 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 December 10, 2024 and by the Common Council on January 21, 2025. 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 Valor Spine Solutions, will be 7:30am to 4:00pm, Monday through Saturday.
4. Off-Street Parking. A total of 34 off-street parking stalls are required for the entire building. Twenty-four (24) off-street parking stalls are to be provided on site. The Common Council may waive the parking 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.

Andrew Gabel, d/b/a Valor Spine Solutions

Provided to applicant on the
_____ day of _____, 2025

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of January, 2025.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4053

Special Use Permit for Touch of Egypt, a proposed massage business, located at 5170 S. 76th St., Suite 107, submitted by Egyptsha Robinson, d/b/a Touch of Egypt.
(Tax Key No. 650-8998-009)

WHEREAS, Egyptsha Robinson, d/b/a Touch of Egypt, duly filed with the City Clerk an application for a Special Use Permit, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code, for a proposed massage business, located at 5170 S. 76th St., Suite 107; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on January 21, 2025, 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, Egyptsha Robinson, d/b/a Touch of Egypt, resides at 4403 S. 5th Pl., Milwaukee, WI 53207.
2. The applicant will rent a portion of the multi-tenant commercial building owned by BR of Wisconsin, LLC, P.O. Box 13125, Milwaukee, WI 53213.
3. Touch of Egypt will occupy approximately 150 sq. ft. of tenant space within the multi-tenant commercial building located at 5170 S. 76th St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

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

Tax Key No. 650-8998-009

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

4. The applicant is proposing to establish a massage business within the existing multi-tenant commercial building.
5. The aforesaid premise is zoned C4 Regional Business District under the Zoning Ordinance of the City of Greenfield, which permits personal care services as a Special Use, pursuant to Sec. 21.04.0603, Sec. 21.04.0700 and Sec. 21.08.0103 of the Municipal Code.
6. The subject property is part of an area along the S. 76th St. corridor that is developed for commercial uses. Properties to the north, west, east, and south are developed for commercial uses.

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Egyptsha Robinson, d/b/a Touch of Egypt, to establish Touch of Egypt, a proposed massage business, to be located at 5170 S. 76th St., Suite 107, 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 December 10, 2024 and by the Common Council on January 21, 2025. 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 Touch of Egypt, will be 9:00am to 9:00pm, Monday through Thursday and Saturday.
4. Off-Street Parking. A total of 3 off-street parking stalls are required for Touch of Egypt. The entire multi-tenant commercial building requires a total of 104 off-street parking spaces. The property will provide 47 off-street parking stalls. The Common Council may waive the shortage.
5. Signage. Signage shall be in compliance with the City's Signage Ordinance. Any building window signage shall not exceed twenty-five (25) percent of the net glazed front window area per business premises. Rope/LED trim lighting shall not be allowed.
6. Public Nuisance. In accordance with Chapter 11 of the Municipal Code, Public Nuisances are prohibited. Public Nuisances include blighted properties due to an accumulation thereon of junk or other unsightly debris. Enforcement and abatement of public nuisances, including revocation of the Special Use Permit, may take place after three (3) or more nuisance activities have occurred at a premise on separate days during a one hundred and eighty (180) day period.

7. Marketing Displays. The use of pennants, special lighting, flags, streamers or other signage typically temporary in nature, hanging, floating or attached to a structure or vehicle shall not be permitted.
8. Outdoor Lighting. All outdoor lighting fixtures shall be shielded in such a manner that no light splays from the property boundaries. Full-cut off fixtures and or house side shields must be utilized to minimize light splay. Rope/LED trim lighting is not permitted.
9. Litter. Employees shall inspect the area and the immediate vicinity and pick up litter on a daily basis.
10. Refuse Collection. All refuse to be provided by a commercial hauler. All refuse, recyclables and other waste material shall be screened from by a four-sided board-on-board refuse enclosure provided on site.
11. Pest Control. Exterior pest control shall be maintained at all times and pest control problems shall be addressed immediately.
12. Pagers, Intercoms. The use of outdoor pagers, intercoms, or speakers shall not be permitted on site as surrounding land use consists of residential uses.
13. Noxious Odors, Etc. The use shall not emit foul, offensive, noxious or disagreeable odors, gases, or effluvia into the air. Mechanical systems shall be maintained to efficiently remove noxious odors.
14. Pollution. The use shall not cause any noxious or unwholesome liquid or substance or any dirt, mud, sand, gravel, or stone refuse or other materials to be deposited upon any public right of way or flow into any sanitary sewer, storm sewer, or water supply system, or onto adjacent properties.
15. Deliveries and Refuse Pickup. The property will be required to abide by the City of Greenfield health/public nuisance rules per Chapter 12 of the Municipal Code. Because there is a residential neighborhood adjacent to the site, delivery operations and refuse pick up shall only be permitted during daytime hours. These functions shall not be permitted between the hours of 9:00 p.m. and 7:00 a.m.
16. Expiration of Special Use Permit. Any special use approved by the Common Council shall lapse and become null and void one (1) year from and after that approval if the use has not commenced, construction is not underway, or the owner has not obtained a valid building permit. An extension of these time limitations may be granted without a public hearing by the Common Council by resolution reauthorizing the special use in accordance with the following criteria:
 - A. The applicant requesting the extension shall complete a planning application available from the Community Development Division and shall submit a \$350.00 special use permit review/amendment fee.

B. A written explanation for the extension of time shall accompany the planning application along with a timeline/schedule for obtaining necessary permits, zoning, state and municipal approvals and a target date for construction start;

C. The request for extension shall be submitted within sixty (60) days of the expiration of the special use permit;

D. The extension, if granted, shall be valid for a period of six (6) months. If no building permit has been issued and construction has not commenced within six (6) months from and after the extension has been granted, the special use shall become null and void.

17. Miscellaneous.

A. Applicants are advised that the foregoing conditions are reasonably necessary to protect the public interest and to secure compliance with the standards and requirements specified in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code; that the issuance of the special use is expressly subject to compliance with said conditions.

B. The use, as granted herein, is subject to applicants' compliance with all other state and local laws and regulations which may be applicable to the proposed use of the real estate in question.

C. The special use, as granted herein, shall run with the land and benefit and restrict all future owners and occupants of the property, unless the use shall lapse or be terminated and the use will not be altered or extended (including structural alterations and/or additions) without the approval of the Common Council, following public hearing, all as provided in Sec. 21.04.0603 and Sec. 21.08.0103 of the Municipal Code.

18. Lapse. If the applicant does not meet all of the terms and conditions set forth in this grant of a special use within one year of the granting thereof, then the Special Use Permit shall lapse and become null and void and the applicant shall forfeit any right to use the property as conferred by the Special Use Permit. The failure of the applicant to meet the terms and conditions of the Special Use Permit shall subject the permit to being declared void by the Common Council after notice to the applicant and a hearing before the Common Council. Upon a finding by the Common Council on the matter, the applicant and/or any interested person may make comments regarding the matter to the Common Council prior to the Common Council's next regular meeting following the hearing recommendation. Upon the Common Council's finding that the Special Use Permit has lapsed and become void, the applicant shall cease all operations at the property.

19. Termination of Special Use. If the person or entity granted the special use violates, allows or suffers the violation of the ordinances of the City of Greenfield, the State of Wisconsin or the United States on the premises covered by the special use, then the special use may be terminated.

20. Acknowledgement. That the applicants sign an acknowledgment that he/she/they has/have received these terms and conditions and will abide by them.

The undersigned applicant agrees to the terms and conditions and has agreed that the grant of the Special Use Permit is conditioned on meeting the terms and conditions of this resolution.

Egyptsha Robinson, d/b/a Touch of Egypt

Provided to applicant on the
_____ day of _____, 2025

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of January, 2025.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

RESOLUTION NO. 4054

Special Use Permit Review for an ownership change to Deli Food Express, an existing gas station and convenience store, located at 3900 S. 92nd St., submitted by Kaushal Malde, d/b/a Malde, Inc. (Tax Key No. 569-9990-001)

WHEREAS, Kaushal Malde, d/b/a Malde, 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, for an ownership change to Deli Food Express, an existing gas station and convenience store, located at 3900 S. 92nd St.; and,

WHEREAS, after due notice, a public hearing was held by the Common Council on January 21, 2025, 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, Kaushal Malde, d/b/a Malde, Inc., resides at 4026 S 118th St, Greenfield, WI 53228.
2. The applicant will rent a portion of the multi-tenant commercial building owned by Priti Malde Revocable Trust, 3900 S. 92nd St., Greenfield, WI 53228.
3. Deli Food Express will occupy approximately 4,800 sq. ft. of tenant space within the multi-tenant commercial building located at 3900 S. 92nd St., Greenfield, Milwaukee County, Wisconsin, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 973, being a part of the Northwest ¼ of Section 21, Township 6 North, Range 21 East, in the City of Greenfield, Milwaukee County, Wisconsin.

Tax Key No. 569-9990-001

Said land being located at 3900 S. 92nd St.

4. The applicant will be the new owner of Deli Food Express, an existing gas station and convenience store.
5. The aforesaid premise is zoned C3 Highway and Commercial Service Business District under the Zoning Ordinance of the City of Greenfield, which permits gas stations and convenience stores 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. Howard Ave. corridor that is developed for mixed uses. Properties to the north are developed as commercial. Properties to the east, south, and west are developed as residential.

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

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Greenfield that the application of Kaushal Malde, d/b/a Malde, Inc., for an ownership change to Deli Food Express, an existing gas station and convenience store, to be located at 3900 S. 92nd St., be, and is hereby granted on the following grounds:

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

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

1. Site and Landscaping Plans. The grant of this Special Use Permit is subject to and conditioned upon the Site Plan and all other applicable conditions approved by the Plan Commission on January 14, 2025 and by the Common Council on January 21, 2025. 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 Deli Food Express, will be 5:00am to 9:00pm, daily. The gasoline pumps will be available 24-hours daily.
4. Off-Street Parking. A total of 41 off-street parking stalls are required for the entire building. 20 off-street parking stalls are to be provided on site. The Common Council may waive the parking 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.

Kaushal Malde, d/b/a Malde, Inc.

Provided to applicant on the
_____ day of _____, 2025

City Planner

PASSED AND ADOPTED by the Common Council of the City of Greenfield on the 21st day of January, 2025.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk